UNITED STATES OF AMERICA

Congressional Record

PROCEEDINGS AND DEBATES OF THE 90th CONGRESS
FIRST SESSION

VOLUME 113—PART 16

AUGUST 1, 1967, TO AUGUST 9, 1967

(PAGES 20751 TO 22132)

UNITED STATES GOVERNMENT PRINTING OFFICE, WASHINGTON, 1967

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of America

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HOUSE OF REPRESENTATIVES

Tuesday, August 1, 1967

The House met at 12 o'clock noon.

The Chaplain, Rev. Edward G. Latch, D.D., offered the following prayer:

Therefore I tell you, whatever you ask in prayer, believe that you receive it, and you will—Mark 11: 24.

In response to the call of our President that we unite in prayer for our country—we pause in Thy presence this moment praying that Thy spirit may come anew into our hearts and into the hearts of all our people. May we not only hear the cry of humanity for justice and freedom but may we heed it. May violence cease, may understanding between the races increase, may intelligent good will prevail, may the needs of the needy be met that there be no cause for bitterness and hatred.

We pray that everyone may have his chance to grow and to work and to live that our Nation may be in deed and in truth the home of the brave, the land of the free, and the one country which has liberty and justice for all. In the Master's name we offer our prayer. Amen.

THE JOURNAL

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Arrington, one of its clerks, announced that the Senate had passed without amendment bills of the House of the following titles:

H.R. 1517. An act for the relief of Mrs. Matteo Groppo;

H.R. 1532. An act for the relief of Dr. Alfredo A. Navarro;

H.R. 1564. An act for the relief of Antonina Rondinelli Asci;

H.R. 1612. An act for the relief of John Joseph Shea;

H.R. 1724. An act for the relief of Hwang Duk Hwa;

H.R. 1814. An act for the relief of Giovanni and Francesco Urga-Ferraro;

H.R. 1818. An act for the relief of Marina Panagiotis Restos;

H.R. 2532. An act to provide for the disposition of funds appropriated to pay a judgment in favor of the Ottawa Tribe of Oklahoma in docket No. 303 of the Indian Claims Commission, and for other purposes;

H.R. 3221. An act for the relief of Dr. Alexander D. Cross;

H.R. 3522. An act for the relief of Dr. Rafael F. Suarez;

H.R. 3631. An act to provide for the dedication of certain streets on the Agua Caliente Indian Reservation and to convey title to certain platted streets, alleys, and strips of land;

H.R. 5224. An act for the relief of Dr. Guillermo Fresco De Jongh;

H.R. 5862. An act for the relief of Dr. Juan F. Chaves;

H.R. 5996. An act for the relief of Dr. Bernardino D. Marcelo; and

H.R. 9080. An act for the relief of Federico de la Cruz-Munoz.

The message also announced that the Senate had passed with amendments, in which the concurrence of the House is requested, bills of the House of the following titles:

H.R. 678. An act to provide for the disposition of funds appropriated to pay a judgment in favor of the Upper and Lower Chehalis Tribes of Indians in Claims Commission docket No. 237, and for other purposes;

H.R. 1820. An act for the relief of Mrs. Demetria Messana Barone; and

H.R. 4538. An act for the relief of Dr. John E. Yannakakis.

The message also announced that the Senate had passed bills and a concurrent resolution of the following titles, in which the concurrence of the House is requested:

S. 63. An act for the relief of Dr. Enrique Alberto Rojas-Vila;

S. 64. An act for the relief of Dr. Luis Osvaldo Martinez-Farinas;

S. 491. An act to determine the rights and interests of the Navajo Tribe and the Ute Mountain Tribe of the Ute Mountain Reservation in and to certain lands in the State of New Mexico, and for other purposes;

S. 528. An act to place in trust status certain lands on the Wind River Indian Reservation in Wyoming;

S. 741. An act for the relief of Rumiko Samanski;

S. 811. An act for the relief of Valentina Sidorova Parkevich;

S. 828. An act to amend section 5(b) of the act of March 18, 1966 (Public Law 89–372), so as to make the prohibition contained therein on the filling of certain vacancies in the office of district judge for the eastern district of Pennsylvania inapplicable to the first vacancy occurring after the enactment of such act;

S. 946. An act to amend the Tucker Act to increase from $10,000 to $50,000 the limitation on the jurisdiction of the U.S. district courts in suits against the United States for breach of contract or for compensation;

S. 1105. An act for the relief of Dr. G. F. Valdes-Fauli;

S. 1279. An act for the relief of Dr. Francisco Montes;

S. 1394. An act for the relief of Dr. Jorge Santiago Vidal Santiago;

S. 1406. An act for the relief of Dr. Jorge Mestas;

S. 1410. An act for the relief of Tran Van Nguyen;

S. 1458. An act for the relief of Lee Duk Hee;

S. 1471. An act for the relief of Dr. Hugo Gonzalez;

S. 1482. An act for the relief of Dr. Ernesto Nestor Prieto;

S. 1483. An act for the relief of Dr. Pedro Lopez Garcia;

S. 1500. An act for the relief of Dr. Adela Aurora Rubio Madariaga;

S. 1525. An act for the relief of Dr. Mario R. Garcini;

S. 1544. An act for the relief of Jose Eduardo Aunon;

S. 1557. An act for the relief of Dr. Carlos E. Garciga;

S. 1606. An act for the relief of John (Giovanni) Denaro;

S. 1647. An act for the relief of Dr. Maria del Carmen Trabadelo de Arias;

S. 1701. An act to declare that the United States holds in trust for the Indians of the Battle Mountain Colony certain lands which are used for cemetery purposes;

S. 1898. An act for the relief of John Anthony Bacsalmassy; and

S. Con. Res. 36. Concurrent resolution favoring the suspension of deportation of certain aliens.

The message also announced that the Presiding Officer of the Senate, pursuant to Public Law 115, 78th Congress, entitled "An Act to provide for the disposal of certain records of the U.S. Government," appointed Mr. Monroney and Mr. Carlson members of the Joint Select Committee on the part of the Senate for the disposition of executive papers referred to in the report of the Archivist of the United States numbered 68–2.

COMMUNICATION FROM THE CLERK OF THE HOUSE

The SPEAKER laid before the House the following communication from the Clerk of the House of Representatives:

July 31, 1967.

The Honorable the Speaker,
House of Representatives.

Sir: Pursuant to authority granted on July 31, 1967, the Clerk received from the Secretary of the Senate today the following message:

That the Senate agreed to the Report of the Committee of Conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 6098) entitled, "An Act to provide an extension of the Interest Equalization Tax, and for other purposes."

Respectfully yours,
W. Pat Jennings,
Clerk, U.S. House of Representatives.

ANNOUNCEMENT BY SPEAKER PERTAINING TO SIGNING OF ENROLLED BILLS

The SPEAKER. The Chair desires to announce that pursuant to the author-

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ity granted him on Monday, July 31, 1967, he did on that day sign the following enrolled bills of the House:

H.R. 6098. An act to provide an extension of the interest equalization tax, and for other purposes; and

H.R. 11089. An act to amend title 5, United States Code, to provide additional group life insurance and accidental death and dismemberment insurance for Federal employees, and to strengthen the financial condition of the employees' life insurance fund.

PERMISSION FOR SUBCOMMITTEE ON INDIAN AFFAIRS OF THE COMMITTEE ON INTERIOR AND INSULAR AFFAIRS TO SIT DURING GENERAL DEBATE TODAY

Mr. ASPINALL. Mr. Speaker, I ask unanimous consent that the Subcommittee on Indian Affairs of the Committee on Interior and Insular Affairs be permitted to sit during general debate this afternoon.

The SPEAKER. Is there objection to the request of the gentleman from Colorado?

There was no objection.

DAHOMEY'S SEVENTH BIRTHDAY

Mr. O'HARA of Illinois. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. O'HARA of Illinois. Mr. Speaker, the close and friendly relations between the United States and the Republic of Dahomey are a source of pleasure and pride to us all. We continue to be impressed with the objectivity and sense of responsibility which the Government of Dahomey has maintained in assessing and acting upon the flammatory international issues of the day; Dahomey's role in the recent U.N. General Assembly session on the crisis in the Middle East is a clear case in point.

Today Dahomey is 7 years old. While working with energy and determination to solve the problems of economic development and nation building at home, Dahomeans have shown the significant part a small country can play in the broader context of developments on the African continent. A leader in the field of education, this nation of two and a half million people has helped to fill the trained manpower needs of many of its French-speaking neighbors. Dahomeans have also served frequently and with great distinction in responsible staff positions in the various African regional and subregional organizations.

On this day of independence of the Republic of Dahomey, we take joy in expressing to His Excellency President Christophe Soglo and the people of Dahomey our heartiest congratulations and best wishes for a bright future. My personal good wishes go also to Dahomey's Ambassador to the United States, His Excellency Maxime-Leopold Zollner.

THE NATIONAL GUARD SHOULD BE COMMENDED FOR ITS PERFORMANCE IN THE HANDLING OF CIVIL DISTURBANCES

Mr. MONTGOMERY. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

Mr. MONTGOMERY. Mr. Speaker, in recent days the news media have been very critical of the performance of the National Guard in the riots which have occurred in our big cities. I am sure these have been isolated cases where mistakes have been made by the guardsmen. But as a whole the National Guard has performed a very fine job. Their assignments have been dangerous and undesirable.

Only today the Washington Post carried headlines stating "Guard Accused of Three Murders." The article is based upon hearsay and upon general charges. But it will be read as an indictment against the Guard.

Mr. Speaker, we have seen and heard on television and radio some of the abuses and insults that guardsmen have had to take during these riots. We have also seen and heard the dangers involved.

Let us not forget the fact that these men are citizen soldiers and that they only train once a month. It is true that the training program for the Guard has been almost void of riot training. However, some States have taken the initiative to see that troops have had ample training in riot control. The responsibility of requiring riot training lies with the Secretary of Defense and the Continental Army Command. Any deficiencies in training cannot be the fault of the Guard.

Now, Mr. Speaker, let us not forget that these men have risked their lives and that they are running the risks of losing their civilian jobs. My personal experience has shown that about 5 to 10 percent of these guardsmen who are called upon for an extended period of duty lose their job as a result of their service.

Mr. Speaker, these guardsmen should be commended for their personal sacrifice and duty, and not made the scapegoat of this sad tragedy.

PRIORITIES OF OUR NATIONAL BURDENS

Mr. DOW. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. DOW. Mr. Speaker, in facing immense issues of this painful time in our Nation's history, I hope that we will set priorities, saying what is first and second and third.

For these issues involve staggering costs. How can we handle all of them at once? The antiballistic missile system would cost perhaps $33 billion. The hostilities in Vietnam are costing near that figure in the course of just 1 year alone. The cost of regenerating our once great cities, where decay has set the inhabitants to burning them down, could easily be $33 billion, too.

Thus, in total, $100 billion are needed now, Mr. Speaker, to handle what faces our country today. Such a figure approximates the annual Federal budget in those happy days before any of the three burdens settled upon our shoulders.

Of these three tasks, I am certain that the restoration of our cities is first. Our cities should be the bone and sinew of our society. If this part of America is consumed with cancer, our body cannot exist.

The defense of our country, whether by antiballistic missiles or by other means, is a priority that cannot be ignored. The possibility exists that binding guarantees among the nations to limit missile use could spare us this cost.

As for Vietnam costs—being spent with such poor success—these we can certainly reduce. I hope we will do it soon by taking the initiative to end our involvement on that far Asiatic coast.

THE SALE OF MILITARY EQUIPMENT ABROAD

Mr. SIKES. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. SIKES. Mr. Speaker, present discussions of America's role in providing weapons to other nations is resulting in a very serious problem for the only friend we have left in the Mideast. In part as a result of efforts to put a brake on the sale of American military equipment abroad, Israel again is being confronted with a threatening situation from Arab nations. Israel's losses in aircraft were moderate, but there have been no replacements for these losses. More serious is their inability to get spares—engines and parts—with which to maintain first-line efficiency on the aircraft remaining in the Israel inventory. France is now refusing to help Israel with supplies. The failure of the United States to do so leaves Israel with no reliable source of aircraft and spares.

By contract, the Arab forces, whose equipment was heavily depleted by the effectiveness of the Israel strategy, are being resupplied rapidly by the Russians. The United Arab Republic has received more than 200 Migs, most of them more modern than the ones destroyed and this represents substantially more than a 50-percent replacement of war losses. It is also estimated that approximately half of the tanks which were lost have been replaced and this accounts for only a part of the newly arrived Russian military equipment.

Control of the air was a vital part in the smashing success enjoyed by Israeli forces. Control of the air continues to be vital in the volatile Mideastern situation. The threat of a renewed confrontation continues to hang over the area and the rapid buildup of Arab weapons and aircraft from Russian stocks adds tinder to a still-smoldering fire.

Obviously, the Arabs know of this country's refusal to help Israel and this encourages Arab belligerency. Refusal on our part to help Israel is most untimely and it could produce highly undesirable results. Israel should be allowed to acquire needed replacements of aircraft and spares from available U.S. stocks in areas other than those required for Vietnam.

SAFETY RECORD

Mr. WAGGONNER. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the Record and include extraneous matter.

The **SPEAKER.** Is there objection to the request of the gentleman from Louisiana?

There was no objection.

Mr. WAGGONNER. Mr. Speaker, I always like to call attention to remarkable achievements whenever they are brought to my attention. The July-August issue of the Shreveporter, the publication of the Western Electric Co. in Shreveport, calls attention to the plant's safety record. The Shreveport plant passed its first 26 months of operation without a single lost hour due to accidental injury. This 5-million-hour achievement is truly remarkable considering the more than 1,700 employees working at the plant. In recognition of the achievement, each of the employees was presented with a multipurpose silver tray.

Shreveport Observes New Safety Record

More than 1,700 employees at Western Electric's Shreveport Works have each been presented small, multi-purpose silver trays in recognition of their having attained more than five million hours of operation without a lost-time accident.

This record marks a period of more than 26 months in which the Shreveport Works has recorded no days lost due to on-the-job injuries.

The new safety figures have been posted on huge safety signs located in the plant.

General Manager F. C. Boswell, in offering his congratulations to the employees, said, "More than five million safe hours is in itself an outstanding accomplishment. To me, however, the fact that you have worked since operations began—more than two years ago—without a single lost-time injury, is even more impressive."

"I fully realize," Boswell added, "that this achievement is one in which each of you had a very personal part in attaining. You have put real meaning into the Bell System's safety slogan. 'No job is so important and no service is so urgent that we cannot take time to perform our work safely'."

Official presentation of the first tray was made to Kent Lynn, representing the production employees as president of Local 2188, International Brotherhood of Electrical Workers.

Boswell said, "Because of the cooperation and active part you and other members of your union have taken in administering our safety program, I am pleased to present you with this silver tray as a memento of this occasion. We are extremely proud of the safety performance of all our employees."

MAKING THE COUNTRY SAFE FOR MOOCHERS, LOAFERS, AND LEECHES

Mr. WAGGONNER. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the Record and include extraneous matter.

The **SPEAKER.** Is there objection to the request of the gentleman from Louisiana?

There was no objection.

Mr. WAGGONNER. Mr. Speaker, the Federal judiciary has never been outstanding for paying the least bit of attention to the practical ramifications of its utopian rulings, so the recent decision invalidating the Connecticut residency requirement for aid to dependent children should not cause them any grief either. But it would be interesting to know if they really realize what they are doing when they scramble to make the country safe for moochers, loafers, and leeches.

There is no reason to hope that the Supreme Court will not uphold the lower court's decision. And this appears to be just the first of a series of assaults of residence requirements for all forms of welfare. The funds for this suit against the Connecticut Welfare Department were provided through a poverty program grant, showing that mediocrity does indeed feed on itself. We can now expect to see the welfare programs grow with even greater vigor, now no longer hindered by any of the controls which in the past have kept it within reasonable bounds much of the time.

This was just another battle in the war against fiscal and social stupidity—a war that could yet be won if the Congress will continue to show its independence and commonsense in dealing with these hairbrained schemes. For the information of all I am including the following editorial from the Shreveport Times of July 14, 1967, in the Congressional Record:

Welfare Residency Requirements

Louisiana is one of 40 states that will be affected, if the U.S. Supreme Court upholds the 2-1 ruling of a three-judge federal court in Hartford, Conn., invalidating Connecticut's residency requirement for aid to dependent children. Our state law, similar to the revoked Connecticut statute, requires residence of one year by the child or one year by the parents or relatives with whom the child might be living, prior to application for assistance.

The Connecticut law is unconstitutional, according to the majority opinion, because it violates the right to travel. Federal Judges N. Joseph Blumenfeld and J. Joseph Smith based their decision on the equal protection clause of Amendment 14. As they construe it, "the right of interstate travel also encompasses the right to be free of discouragement of interstate movement."

In other words, a state has no right to try to safeguard its welfare funds from moochers looking for the largest handouts available in the country. The increased burden on the state and its taxpayers when indigents flock to it has no bearing on the matter so far as this ruling is concerned. The possibility that a heavy increase in welfare rolls might cause deterioration of services to deserving clients who are long-time residents of a state was completely ignored.

Ironically, public funds were used to bring the suit against the Connecticut welfare department. A community action group, supplied with anti-poverty money, initiated the suit. Instead of going for the training of poor persons for lucrative employment, these funds were spent to boost welfare rolls in states offering the most help to dependent children.

Suits to revoke residency requirements for other forms of welfare can be expected. Sen. Vance Hartke (D-Ind.) last month introduced a bill to outlaw residency requirements for aid to the blind. He insists such a restriction is inequitable and unnecessary.

Naturally, they are inequitable, because the states, even with federal help, cannot afford to provide identical amounts of assistance to welfare clients in the different categories. But the senior senator from Indiana is not taking a realistic view of mounting state welfare problems.

It is not surprising that the first of the residency requirements to be attacked in the courts was the one for aid to dependent children. Naturally, that welfare program is the largest and it is growing faster than any of the others. Also it is creating the worst problem for state and local welfare agencies.

Aid to dependent children cases have jumped from 2,271,000 to 4,817,000 during the past decade. More than half of all welfare expenditures goes to support this program. U.S. News & World Report this week says that many of the persons who know the program best think the aid has become a racket. In certain states it is possible for families with a large number of children to collect as much as $6,000 or even $7,000 per year through the welfare system. Illegitimacy runs high among these unfortunate children, and many of the unwed mothers continue to have offspring.

In 1965 (the latest year for which national figures, state by state, are available) there were 106,672 recipients of aid for dependent children in Louisiana as compared to 77,774 in 1950. Average monthly per recipient payments rose from $13.96 in 1950 to $23.09 in 1965. For the fiscal 1965–66 year, out of the $10,830,674 expended for all forms of public assistance in Caddo Parish, $2,269,639 went for aid to dependent children. Just one other category, old age assistance, accounting for $7,383,753, outranked that program.

Welfare problems will become much worse than they now are, especially in big cities, if the federal court ruling in Connecticut is allowed to stand. States with rapidly increasing welfare rolls will cry for more federal contributions and the Washington bureaucracy can dig deeper into state and local affairs with every increased allotment.

EXPLANATION OF VOTE

Mr. CLEVELAND. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The **SPEAKER.** Is there objection to the request of the gentleman from New Hampshire?

There was no objection.

Mr. CLEVELAND. Mr. Speaker, because duties required my presence in New Hampshire I would like to give an explanation of how I would have voted yesterday—Monday, July 31—on roll No. 190 on the conference report on H.R. 6098, the Interest Equalization Tax Extension Act of 1967.

I would have voted "nay" on this conference report consistent with my nay vote on the bill when it came to a vote before us on March 15, 1967, on roll No. 36.

THE VICE PRESIDENT INSULTS CONGRESS

Mr. WYMAN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from New Hampshire?

There was no objection.

Mr. WYMAN. Mr. Speaker, when the Vice President of the United States, in a time of domestic national emergency for which his administration is directly responsible, attempts to blame the Congress of the United States for abetting rioting, I am appalled. This is political demagogy of the grossest kind.

Coming from a man who within a year told the people of this country that if he lived in a slum he could lead a pretty good riot himself, it is in the poorest of taste. The Vice President should apologize to the Congress for his unwarranted slur.

We in the Congress just do not happen to agree that the answer to the problem of riots is more handouts. What is it suggested that we should do—pay off rioters with more giveaways?

This Congress has the deepest reservations about Great Society programs. We know that this Nation is on the edge of fiscal bankruptcy because of the Johnson-Humphrey administration overspending. We know that the added debt this year will approach $30 billion more.

We also know that every country in the history of the world that has taken this road of monstrous debt has gone down to disaster.

Why does not the Vice President admit that the record of his administration has been one great big failure for the people of America—from debt to crime to war? Some difference from the days of a Republican administration when there was no war, we were not in debt up to our ears, and crime was not rampant all across the land.

The truth of the matter is that the Great Society is now so bankrupt of responsible proposals that like a drowning man the Vice President bleats defiance at a Congress that seeks to achieve responsibility in government once again. This we have not had in government since L. B. J. and H. H. H. came into office whether in law enforcement or the conduct of our foreign affairs.

The mess we are in is the direct responsibility of the Johnson-Humphrey administration. It is their baby, not that of the 90th Congress. I hope the good people of this land are beginning to realize this and that they will remember it well on election day 1968.

More and bigger handouts is not the answer, Mr. Speaker. It is not even a beginning of an answer. This Congress does not want to see the country go broke. This Congress realizes the cost of the Vietnam war and with all due respect to the Office of the President of the United States differs fundamentally with the President when he says that the country can afford continued Great Society freewheeling spending and a war at the same time. This Congress, and particularly those of us on the Committee on Appropriations, solemnly realizes that the debt in the current fiscal year of the Johnson administration will probably increase by nearly $30 billion. This Congress knows that history tells us that no nation in the world, even the great United States of America, can stand this sort of fiscal drain without its currency going somewhere in a hack. This Congress knows that the working men and women, the homeowners, the savers, the thrifty, the responsible are being cheated left and right by the Great Society. This Congress, Mr. Speaker, in brief, is for certain going to slow down and look and listen before it takes us further down such a road to debt and inflation.

Perhaps the most disturbing part of the latest bitter attack by the Vice President on the Congress of the United States at this particular juncture in American affairs is that he should deliberately undertake to undermine the working relationships between Congress and the executive branch at a time when there is serious and even urgent need for cooperation. This is not the hour to play politics with the public interest. Yet, this is precisely what Mr. HUMPHREY is doing.

President Johnson did it the other day with respect to Detroit by attempting to claim Governor Romney was to blame for losing control of law and order in that city. The President did it again the other night on national television by reciting Great Society programs and suggesting that a Congress that took a dim view of $40 million for an additional Federal rat control program was against the people and would, with indifference, allow children to be bitten by rats when the President knew that this was not so, that there was a proliferation of existing Federal programs in rat control, that money was short and that this was in no sense the proper function and role of the Federal Government in any event.

Just how bankrupt this Nation has become under the Johnson-Humphrey administration's irresponsibility in government is readily apparent from a recitation of but a few dismal facts.

First. Under the Johnson-Humphrey administration we have come to open warfare in the cities of this land, with thousands dead and billions in property losses; with white people fleeing to the suburbs, hatemongers inciting to riot left virtually unrestricted, the tax base in urban metropolitan areas sharply narrowed, and general chaos everywhere.

Second. The Johnson-Humphrey administration has us involved in a major war on the continent of Asia, 10,000 miles from home, against the best judgment and recommendation of every military adviser—a war which it does not permit the military to fight to win, a war in which there are already more than 12,000 American dead and 90,000 American casualties, a war the cost of which defies imagination and already runs in excess of $2,000 million each month.

Third. A world in which the foreign policy of the Johnson-Humphrey administration has been so horribly mismanaged that we have virtually no friends, no allies or alliances worthy of the name, and a distintegrating Western cooperation against communism to a point which all the Johnson-Humphrey administration can talk about while the Communists make war against us is building bridges to the Soviet Union. This would be ludicrous if it were not so awful in its implications for the men who are drafted and asked to die in Vietnam.

Fourth. Contrasted with the Republican administration of General Eisenhower, the people of America now grasp the full significance of what "moving ahead" with the New Frontier and the Great Society has meant for them. There were no race riots under a Republican administration. There was no runaway crime in the streets. There was no governmental leadership so amoral that it was permissive toward a court that refused to restrict the flow in commerce of narcotics or the blatantly pornographic, encouraged experimentation with belief in the existence of God Almighty, refused again and again to protect the law-abiding members of society by overprotecting the known and admittedly guilty criminal element; a court that in recent years has decided directly or indirectly nearly 100 cases in favor of Communists and communism often against the national security of the United States of America.

The American people are aghast that the Johnson-Humphrey administration does not instruct its Attorney General and its Department of Justice to proceed full-blast against the militant inciters to riot and hatred or individuals who in specific places in this country are allowed to say in public such things to Negroes about white people as "You're going to have to decide who your enemy is, where you are going to kill him and how you are going to kill him. If you're going to loot, loot yourself a gun store. You've got to arm yourself, brother."

There are ways and means for the Attorney General to deal with this sort of situation in cooperation with State enforcement authorities but the order has not gone out from the Johnson-Humphrey administration to crack down. It might cost a few votes. Let the cities burn. Let the people suffer. Play the role of the Pied Piper. After all, tragically, the Johnson-Humphrey administration apparently prefers to play politics with rats to settling down to the firmness and responsibility necessary to run the Government of the United States the way the people of this land so desperately want and deserve.

Mr. Speaker, the days of the Great Society, its waste, its indifference, its crime, its war, and its riots are numbered. The people's will is for a Republican administration to restore responsibility in government again. I predict that if the choice in November 1968 is between the Johnson administration and almost any responsible Republican team there will be an overwhelming vote to turn out of public office those whose years of playing politics with issues of vital importance to the national security have now been shown to have sown what some of us have repeatedly warned would be the case—fruit of the grapes of wrath.

The Vice President owes this Congress an apology for an unwarranted slur.

VANDALISM BUT NOT VIOLENCE IN WASHINGTON, D.C.

Mr. **KYL**. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The **SPEAKER**. Is there objection to the request of the gentleman from Iowa?

There was no objection.

Mr. **KYL**. Mr. Speaker, in the early morning hours today, Northwest Washington was the scene of widespread vandalism. A number of store windows were broken. Apparently there was no substantial theft connected with the window breaking. There seemed to be no special pattern for the offenses.

Anticipating something far worse than the actual situation warranted, some reporters were quick to call this a "riot," tending to link the activity with other events around the Nation. This was not the case. Reporters have not used the term "riot" when hundreds of windows have been broken in schools of the District on a recurring basis.

Thirteen juveniles were arrested. I am informed that all but two of these were known to the police. They were charged with disorderly conduct, throwing missiles, and so forth. There was no classic "inciting" of a riot. There was no one to sustain a riot. The police acted with dispatch and, I believe, with fairness. The Youth Aid Division men acted in accordance with their usual policy which I call a policy of "forceful restraint."

A few weeks ago I called attention of the House to certain areas of the city where there is an overabundance of vice and petty crime or worse. Juveniles have no business on the streets in such areas, or any other areas, at 2 or 3 a.m. These are areas of rapidly deteriorating property, yet areas where there are large numbers who have taken pride in property improvement.

This morning the sector is quiet but concerned. The concern is nothing new, for the experience is too usual. There was vandalism but not violence. That vandalism was probably extended by the prevailing climate. A riot, it was not.

PRAYER OR POLITICS?

Mr. **DOLE**. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The **SPEAKER**. Is there objection to the request of the gentleman from Kansas?

There was no objection.

Mr. **DOLE**. Mr. Speaker, with great fanfare and much nationwide publicity, President Lyndon Baines Johnson declared Sunday, July 30, 1967, as a national day of prayer, urging, and I quote, "citizens in every town and city in the land to go into their churches to pray for order and reconciliation among men." The President evidently has faith in the power of prayer.

At the time the President made this statement last week, bills to allow voluntary prayer and scripture reading in public schools were pending in the Constitutional Amendments Subcommittees of both the House and Senate Judiciary Committees.

President Johnson has not taken a stand in favor of these bills. In each year since the Supreme Court struck down school prayer in the 1962 case of Engel against Vitale and the 1963 case of Murray against Curlett, Members of Congress have attempted to overturn these decisions and permit voluntary prayer in our public schools. The President of the United States has remained silent.

Mr. Speaker, I respectfully ask where does the President stand on this subject of prayer? I fervently believe that our Nation was founded on Judeo-Christian principles and that it is of utmost importance that our children be reminded of these principles in our schools as well as in our homes. Perhaps the moral environment of laxness and disdain for authority, the very climate that has encouraged the riots the President asked the Nation to pray to prevent, would not exist if these principles were recognized in our schools.

Mr. Speaker, I respectfully urge the President to use the powers of his office to encourage passage of the Dirksen prayer amendments pending before Congress to further show that he does, in fact, believe in the importance and the necessity of prayer in these troubled times.

NEIGHBORHOOD ACTION CRUSADE

Mr. **COWGER**. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The **SPEAKER**. Is there objection to the request of the gentleman from Kentucky?

There was no objection.

Mr. **COWGER**. Mr. Speaker, I join with other of my colleagues in calling upon the President to establish a Neighborhood Action Crusade across America.

It has been my good fortune to serve for 4 years as the mayor of one of the largest cities in America. During those 4 years there was not one brick, there was not one bottle, there was not one bloody head in Louisville, Ky.

Each weekend I returned to my district to discuss the problems of America and its street fighting. I have found, as others have, a readiness on the part of everyone to help.

As the President asked for prayers last week, so we ask him this week to declare our Neighoborhood Action Crusade with volunteers across America.

NEIGHBORHOOD ACTION CRUSADE

Mr. **BUSH**. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The **SPEAKER**. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. **BUSH**. Mr. Speaker, last Thursday four of us wrote the President in that we believed to be a constructive vein. We proposed that he use the great powers of the Presidency to create a Neighborhood Action Crusade, a locally controlled program designed to enlist volunteers from the cities to patrol their own blocks and their own neighborhoods.

Today we are introducing a resolution urging the President to initiate this program.

Our basic thesis is that Negroes do not want violence and riots and disorders. Like all Americans, they are concerned and fearful.

We offer this voluntary program not as a cure-all, not as a substitute for any existing program, but as something that should be tried now. We offer it as a temporary program to help keep the peace, and we offer it without political partisanship.

In this tense and troublesome situation, we must guard against a gigantic reaction which will cancel out the progress which this country has made, and the best way to do this is to encourage the leaders in the neighborhoods to stand up for law.

You see, Mr. Speaker, we have confidence in the people in our cities. They will demonstrate to all Americans and to the world, through the Neighborhood Action Crusade, that civil strife is the tool of the few and that it will not become a way of life in America.

I urge all Members of the House, on both sides of the aisle, to cosponsor this resolution and to encourage the President to act now.

NEIGHBORHOOD ACTION CRUSADE

Mr. **STEIGER** of Wisconsin. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The **SPEAKER**. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

Mr. **STEIGER** of Wisconsin. Mr. Speaker, I have joined my colleagues in introducing this resolution as a step toward inspiring the involvement of the overwhelming majority of Negro Americans to whom violence and riots are repugnant.

The Neighborhood Action Crusade will provide a vehicle for all local neighborhood leaders to work and contribute direction and leadership to a national effort to restore orderly progress toward a realization of the expectation of all Americans.

It is our hope to bring together all Americans and all American institutions in a united front to defuse today's tension so that we can get on with the job of rebuilding America's cities.

We are attempting to foster a nationwide program aimed not at politics but at the problem. It is time to halt narrow partisanship. We have called for the cooperation of all segments of our population.

The young men and women of the ghettos are increasingly assuming a more responsible role through such programs as the Tampa White Hats, and I laud their dedication. But, this crisis is a tragedy for all of us. There is a clear and present need for drawing the mature stabilizing influences within every tense neighborhood into active participation in preventing further loss of life and property in America's cities.

LET'S HAVE MORE LIKE JUDGE LOBLE

Mr. **ASHBROOK**. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The **SPEAKER**. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. **ASHBROOK**. Mr. Speaker, on April 10 of this year I inserted in the CONGRESSIONAL RECORD a provocative article which appeared in the Washington Star entitled "Why Not Try Teaching Moral Precepts Again?" by Reed J. Irvine. The article advanced the possibility of again reintroducing into our schools the subject of moral training through character building and the respect for the law and the rights of others. It is indeed distressing that with the stories of riots in the headlines from day to day there is hardly any references to moral training as one of the preventive recommendations.

Emphasis on moral training would, of course, be a long-range approach. Of a more immediate nature are the corrective phases of the treatment of lawless conduct. A recent book, "Delinquency Can Be Stopped," by Judge Lester H. Loble and Max Wylie, demonstrates how in the State of Montana legislation was passed permitting the press to be present at felony hearings in juvenile courts. Concerning the publicizing of juvenile felony proceedings Judge Loble stated:

> I was aware of the school of thought, for example, that tells us that wherever there is aggression there must be an underlying frustration. It occurred to me that if you accepted that as flatly as it was urged upon us, you would also have to accept Hitler and forgive him. I determined to make young felons publicly answerable in my court in Montana.

Whereupon Judge Loble drew up legislation, appeared before a legislative committee and waited while the proposal died in committee. Taking his proposal to the people, Judge Loble spoke all over Montana. His appeal to the people was forthright and simple:

> If a youth is old enough and tough enough to topple a tombstone, to wreck a church or a schoolhouse, to snatch a woman's purse, to hold up a filling station with a gun, to beat an old man over the head, steal a car, break into a store, participate in a gang-rape or a kidnap—then he is old and tough enough to be tried in open court with his parents sitting in the front row, and full newspaper coverage of the entire action.

In 1961 the Loble law was passed.

The persevering efforts of this one man should serve as encouragement to those who are working long and hard in a cause in which they believe. I insert the article, "Juvenile Crime Is Real Crime," from the Washington Star of July 31 in the RECORD at this point:

JUVENILE CRIME IS REAL CRIME

(By Judge Lester H. Loble and Max Wylie)

What were the young offenders doing in Montana that I, as a judge, was not allowed to reveal? Not pranks and peccadillos, I can assure you. They were real crimes, ferocious, unprovoked, often planned; attacks against the innocent, the weak; savage attacks. We had them all: Robberies, holdups, beatings, rape, gangrollings, lush-rollings, bumrumbles, kidnapings, knifings and arson.

No different in Montana from your own town and state, no matter where it is.

Young criminals were returned to my court time after time after time. There, again, it was the same story for my state as for yours.

There are a number of sociologists who don't like to admit that such horrors as I was seeing can ever be the work of what they always refer to as children. There are a number in the status-quo set who will claim there is no alarming increase in youth crime.

TWO HUNDRED AND FIFTEEN-POUND CHILDREN

But I see these children—age 17, say—at the peak of, or approaching the peak of their physical and sexual powers—215 pounds of hard muscles, no discipline, and no mercy. And I see the victims after these children get through with them. The victim hurts just as much if the knife went in by the thrust of a 15-year-old arm as by one of thirty. The old lady bleeds as badly, her money is just as far gone, her fracture as painful and slow to mend.

Few sociologists have ever talked to a victim of a gang rape. Or of torture. They've read about it.

That isn't enough.

My city was going to hell. My court was forbidden to reveal its happenings.

Whatever days, or years, might be left of my life I resolved to give them all in one endeavor: To set right some of the loose nonsense about who should be rehabilitated, and who should be turned over and looked at.

A law began taking shape in my mind. Long before it was formulated, however, many other thoughts banged about in my head. I was aware of the school of thought, for example, that tells us that wherever there is aggression there must be an underlying frustration. It occurred to me that if you accepted that as flatly as it was urged upon us, you would also have to accept Hitler and forgive him.

NONREALIST IN CHARGE

I determined to make young felons publicly answerable in my court in Montana. This seemed a good start. Certainly it was overdue if you believe what I believe. It's as true now as it was then. In one sentence, where are we? The nonrealist is in charge of America's most explosive reality—crime. And the method the nonrealist is perpetuating this reality.

If a man, or a committee, can look at a fact and declare it to be something other than what it is, and if that man or that committee is in a position to send forth this declaration unchallenged, social chaos isn't something that may follow—social chaos is something guaranteed. It is an inevitability.

This is a natural law, not a lab theory. And all over America right now we are—just as we were in 1956—sitting in the presence of its evolution.

"Of all the world's calamities, the most frightful is ignorance in action."

To correct the spreading problem of crime-without-criminals, I set to work to draft a law. It's a clear and simple law, but it took me a long time to write it. All simple things take time.

THE LOBLE LAW

Here is the law that has now come to be known as the Loble Law:

". . . that whenever the hearing in the juvenile court is had on a written petition charging the commission of any felony, persons having a legitimate interest in the proceedings, including responsible representatives of public information media, shall not be excluded from such hearing.

"No publicity shall be given to the identity of an arrested juvenile . . . except where a hearing or proceeding is had in the juvenile court on a written peition charging the commission of any felony."

That's the heart of the law. Most will agree that any felon is a community hazard. I believe something beyond this: I think any felon who gets away with a felony will commit another. For 50 years I've seen it.

I took this law to the legislature and appeared before a legislative committee to answer questions.

DIES IN COMMITTEE

It was the beginning of another long agony, the worst I'd ever known.

The Loble Law went to committee. And stayed there.

And there in committee it smothered to death.

I was pretty sunk in spirit. I couldn't give up on this.

For the next few years I spoke all over Montana. I spoke anywhere: to lodges, farm groups, ranchers, bankers, miners, PTA, prisons, and churches. I even spoke in stores.

From local people, at every level, I was amazed at the reception I got. It was the direct and the instant reverse of what had happened to my earlier efforts in Helena. Everywhere I went in Montana, the alertness and the desire for change was far ahead of the thinking of the area's own representative in the legislature. Crime had hit a few of these people. Others had kids in trouble. Pain can be instructive. So can frightfulness. So can fear.

Here is the essence of what I was preaching, and what I still preach:

If a youth is old enough and tough enough to topple a tombstone, to wreck a church or a schoolhouse, to snatch a woman's purse, to hold up a filling station with a gun, to beat an old man over the head, steal a car, break into a store, participate in a gang-rape or a kidnap—then he is old and tough enough to be tried in open court with his parents sitting in the front row, and full newspaper coverage of the entire action.

BACK TO LEGISLATURE

This is simple. This is easy to understand. And for my lonely tours all over the West it covered most of the crimes that were being committed by the young—by the lawless, reckless, heartless 3 percent of the young who were and who are doing so much of the damage.

The simplicity of this message had good pick-up value. Enthusiasm for the plan grew from day to day. It became something more than enthusiasm. Montanans began to demand that this very thing be set in motion.

The years whirled by. They were not wasted. When I felt the momentum was right, I went back to the legislature with the same bill. This time I offered it separately but simultaneously to the Democratic and Republican leaders of the two main factions.

These two party leaders read what I had. Both leaders had the same reaction and made the same proposal.

"Let's offer it jointly, not as a party issue."

I agreed. It passed in the House, 89 to 6. It passed in the Senate of 56 members with only one vote against it. Then it was signed by Governor Nutter and became a law. This was 1961.

What is meant by "open"? It means the trial is open to the public, that anyone may attend the hearing. And it means it is open to the press, as I've said, that newspaper reporters may attend, take notes, publicize everything that takes place in the courtroom during the full term of the trial.

ALL DETAILS PUBLICIZED

Cameras are not allowed in my court. But coverage of every other kind, in detail, is permitted: name and address of the offender, exact description of the felony, full background of the offender, his parents, his father's occupation, the offender's school record.

In short, I expose to the public the very things that the oppressive apparatus of our social services has so successfully been hiding from the public; the very public this same offender has just struck.

I reverse the whole process.

I bring the boy out where everyone in the state can see him. I encourage full newspaper publicity. I want everyone in the state to read about him—who he is, what he did, and what happened to him as a consequence of his crime.

It doesn't make any difference who the boy is, who his family are, how respectable, or wealthy, or how influential. I've even had the son of my own clerk of the court in front of my bench, in an open trial. It can't be permitted to work any other way.

It can't work any other way.

NEIGHBORHOOD ACTION CRUSADE

Mr. GOODELL. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The **SPEAKER.** Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. GOODELL. Mr. Speaker, I commend my three colleagues, whom I joined this morning. They provided the genesis of the idea that the Congress and the President call upon communities all over this country to mobilize the constructive spirit, the constructive energies of the overwhelming number of the people who live in the ghettos of our cities and who respect law and order.

This was and will be a totally nonpartisan appeal. It was sent quietly to the President last week.

We are calling upon the Congress to do this through a joint resolution.

We believe it is only a small minority who are triggering these riots.

It is time we stopped giving simplistic explanations of the riots. It is too easy to say that riots come because we did not pass this bill or that bill, or that we should pass a new bill to prevent them.

I think the country at this time requires that we on both sides of the aisle join in a 60-day moratorium on narrow partisanship with reference to the whole issue of civil strife that is sweeping our Nation.

Mr. Speaker, I believe the Neighborhood Action Crusade would be a good start in this direction.

CIVIL STRIFE AND RIOTS IN OUR CITIES

Mr. CEDERBERG. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The **SPEAKER.** Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. CEDERBERG. Mr. Speaker, I listened with interest yesterday to the remarks of the chairman of my committee, the Committee on Appropriations, the distinguished gentleman from Texas [Mr. MAHON], as he took on the mayor of Detroit in his unfounded attack upon the Congress of the United States. Then yesterday we find the Vice President of the United States criticizing the Congress.

Strangely, Mr. Speaker, I find no one on the Democratic side of the aisle who has defended the Congress at all in view of the Vice President's attack. If it were in order I would ask unanimous consent that the reply of the distinguished gentleman from Texas to the distinguished mayor of Detroit, be amended to include the Vice President of the United States, because I think it would be appropriate.

Mr. Speaker, I think the most important thing that the distinguished chairman of the Committee on Appropriations, the gentleman from Texas [Mr. MAHON], said in his remark is, and I quote:

> The more we appropriate to these programs, the more violence we have. Thus, this refutes the idea that money alone is the answer to this problem.

Yet we are requested to enact additional programs which would provide for the expenditure of additional billions of dollars in order to improve the problem.

Mr. Speaker, it has come to my attention as a result of one survey which was made in my own State of Michigan where 300 people were apprehended, that only 12 of them were unemployed. Also of the automobiles that were impounded for containing loot, the majority of them were 1965 and 1966 models.

This indicates a moral decay has set in in this country.

Mr. Speaker, until we have a restoration of law and order, the millions and billions of dollars which we provide for the inhabitants of our cities will not cure this situation.

Mr. Speaker, we must investigate the conspiracy which is involved here, because you and I know that this is more than hoodlums who are being agitated, but that it is a conspiracy which is agitating these people by persons dedicated to the destruction of this country.

Mr. PICKLE. Mr. Speaker, will the gentleman yield?

Mr. CEDERBERG. I yield to the gentleman from Texas.

Mr. PICKLE. Mr. Speaker, the gentleman who just preceded the gentleman from Michigan [Mr. CEDERBERG] in the well stated that we ought to have a 60-day moratorium on politics. Is the statement of the gentleman from Michigan a statement in support of that suggestion?

Mr. CEDERBERG. Mine is just a statement of the facts. The gentleman from Texas can place a connotation of partisan politics upon it if he so desires, but these are the facts and the Congress ought to be defended.

STATEMENT OF THE HONORABLE GEORGE MAHON FITS THE SITUATION

Mr. ARENDS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The **SPEAKER.** Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. ARENDS. Mr. Speaker, I hope that the distinguished gentleman from Texas [Mr. MAHON] will not think that my part in this discussion is in any way motivated by partisan politics.

Mr. Speaker, I want to say to the Members that when I came to the 74th Congress, I came without any thought as to what might happen in the years ahead. One of the greatest privileges I have derived as the result of my serving as a Member of this body, has been my contact with some of the finest extraordinarily able gentlemen with whom I became associated. One of those men of whom I speak is the Honorable GEORGE MAHON, of Texas, chairman of the Committee on Appropriations. I have served with him for many, many years. He came to Congress at the same time as I.

Mr. Speaker, I look upon GEORGE MAHON as one of the finest gentlemen I have ever known. To be sure I disagree with him upon occasion. But I think on yesterday he performed a service not only to his country, but especially to our House of Representatives as the body that speaks for the people. I wish to commend the gentleman from Texas for the courage he displayed in standing there in the well of this House on yesterday to make the forthright factual statement he made.

I might say, Mr. Speaker, I wish I had made the statement myself, but the distinguished gentleman from Texas [Mr. MAHON], the chairman of the Committee on Appropriations, had available to him official facts and figures on which to base his conclusions. The gentleman made his case in no uncertain terms. I repeat, I commend him for it.

Mr. Speaker, I was dismayed and somewhat shocked to learn of the statement made by the Vice President of the United States with respect to this Congress. Of course, Mr. Speaker, Congress is not infallible. We can and do make mistakes. Of this the Vice President is aware. Having served in the legislative bodies of this Congress he should also be aware of the actual facts as presented by the gentleman from Texas. Instead, he ignored the fact and sought to pass the buck to the Congress of the United States. He apparently has adopted the intrigue of Secretary Freeman—"Slip, slide, and duck," an issue.

Mr. Speaker, I have heard Speakers of this great body say time and again, including the predecessor of our present distinguished Speaker, what the great Sam Rayburn of Texas often repeated, "I love this institution of the Congress of the United States, and though we do err, it is the last bulwark of support and strength for this great country of ours."

To have the Vice President of the United States ridicule the Congress for not doing what he thinks is right leaves me amazed. I hope he thinks it over once more and begins to realize that this body, the House of Representatives, does not need all the advice that he seems to give so freely.

We channel our ways so as to be objective and purposeful in handling the situations that face our Nation, and we do this in the best possible way.

I abhor the Vice President making an attack upon the Congress which has no foundation in fact. The fact presented by the gentleman from Texas entirely disproves what the Vice President is reported to have said about the failures of this Congress.

Mr. Speaker, the Vice President should have known better. But after all, I guess we must remember, he is a politician in high office.

APPOINTMENT OF DAVID GINSBURG TO COMMISSION ON CIVIL DISORDERS QUESTIONED

Mr. MORSE of Massachusetts. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The **SPEAKER**. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. MORSE of Massachusetts. Mr. Speaker, yesterday the President announced that he has selected Washington attorney David Ginsburg as executive director of the Commission on Civil Disorders headed by Illinois Gov. Otto Kerner. In this post he will be responsible for directing the staff of the Commission in its effort to determine the causes of the recent urban riots and to recommend administrative and legislative action to prevent future disorders.

This is an appointment of vital national importance, and it should be filled only by a person who can bring total objectivity and complete nonpartisanship to the position. There can be no doubt of Mr. Ginsburg's vast experience. There can be no doubt that he is a man in whom President Johnson has full confidence, for within the past year he has been named to panels on the airline and railroad strikes, and according to the current issue of the Washingtonian, "David Ginsburg still handles individual—Democratic—party problems."

Mr. Speaker, this appointment raises a number of questions:

Is it true, as the Washington Post reports this morning, that the President did not consult with Governor Kerner or any other member of the Commission about Mr. Ginsburg's appointment?

Can a man, who is reported to serve as an intimate adviser of the Democratic National Committee provide the kind of objective, nonpartisan staff support that will be required in assessing the responsibilities of municipal, State and Federal agencies for the tragic disturbances?

Will the Commission become an apologist for the administration and provide a forum for the Democratic Party?

These are questions to which the American people deserve a response. The recent outbreak of riots in our Nation's cities is far too serious a matter to become a political football.

Mr. Speaker, we are entitled to the answers.

Mr. DINGELL. Mr. Speaker, will the gentleman yield?

Mr. MORSE of Massachusetts. I yield to the gentleman from Michigan.

Mr. DINGELL. Mr. Speaker, I would point out to the gentleman, does not Mayor Lindsay, of the city of New York, hold the same position with the Republican Party?

Mr. MORSE of Massachusetts. He is not a member——

Mr. DINGELL. Does the gentleman question whether he could carry on the same responsibilities?

Mr. MORSE of Massachusetts. Mr. Lindsay is not a member of the staff.

SECRETARY GENERAL U THANT

Mr. GROSS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The **SPEAKER**. Is there objection to the request of the gentleman from Iowa?

There was no objection.

Mr. GROSS. Mr. Speaker, earlier this afternoon the gentleman from New York [Mr. MULTER], suggested that U Thant, Secretary General of the United Nations, ought to be given his walking papers. I agree. But the reasons therefor do not originate with the recent war between Israel and the Arabs in the Middle East. U Thant deserved to be given his walking papers long before that. The fact of the matter is that it was President Johnson and Arthur Goldberg, Ambassador to the United Nations, who saved U Thant's hide a few months ago by supporting his reelection as Secretary General of the United Nations.

Let those who supported him now find ways and means of issuing the walking papers.

THE PRESS OF OKLAHOMA

Mr. EDMONDSON. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The **SPEAKER**. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. EDMONDSON. Mr. Speaker, I take some pride as an Oklahoman in the fact that most of the press in our State has dealt in a very responsible way with the very inflammatory matters that have been the subject of nationwide attention in recent weeks.

I believe a prime example of this is a page 1 editorial which appeared on July 29, 1967, in the Tulsa Tribune, which counseled the citizens of the city of Tulsa to check very carefully into some of the rumors that are circulated throughout the community about riot situations before they begin to jump off halfcocked into individual action or individual response to those rumors.

In the words of the Tulsa Tribune:

> Tulsans can—if they are stupid enough—talk themselves into a riot.
>
> We can get innocent men, women and children killed by repeating every cock-and-bull yarn that comes down the grapevine.
>
> We can create the appearance of a mob by leaping into our cars and speeding to any point where rumor has it that there is trouble.
>
> We can, in 30 minutes, undermine years of painstaking efforts at racial understanding and good will. And if we do, we all lose.

The editorial goes on further and says:

> It is only if citizens pay attention to baseless rumors, if they arm themselves in panic, and if they hysterically conclude that their own safety requires them to take vigilante action that we would get into deep and bloody trouble.

Mr. Speaker, I think this front-page editorial of the Tulsa Tribune would make very good reading matter on all the front pages of the newspapers of the Nation. I think that newspapers can exercise a much more responsible role in helping to restore law and order than many of them have been exercising in recent days. The Tulsa Tribune has set an outstanding example in this matter.

Mr. Speaker, I ask unanimous consent that the Tribune editorial be printed at this point in the RECORD.

The **SPEAKER**. Without objection, it is so ordered.

There was no objection.

Mr. EDMONDSON. Mr. Speaker, the complete editorial is as follows:

EDITORIAL

Heard any exciting rumors lately?

You bet you have.

So has The Tribune. But a newspaper is a little different from the average citizen. Instead of repeating the rumor it tries to check it out. Would you like to have some samples of what we found?

Rumor—Forty or 50 Negroes are "sacking" Oertle's discount store.

Fact—The Oertle cop says he has seen maybe two or three casual Negro shoppers all afternoon.

Rumor—Panic sweeping Northland shopping center because of big white-Negro fights. Stores all closed.

Fact—One store did close half an hour early because of—guess what!—rumors. Small group of Negroes and whites gathered together in a bowling alley to discuss alleged high prices at a grocery. One carload of youngsters driving recklessly. Sent home.

Rumor—Carload of armed Negroes circling the area of Admiral Place and Lewis Avenue.

Fact—Negro woman and her four children circling the block waiting for an older sister to get off work. Two kids in back seat shooting off cap pistols.

Rumor—Mob gathering at Admiral Place and Memorial Drive preparing for knife-gun battle.

Fact—Three employees of city street department standing at the intersection checking the flow of traffic.

Rumor—Three busloads of Michigan Negroes just roared into the parking lot at Camelot Inn.

Fact—One busload of white and Negro salesmen arrived at Camelot for a convention.

Tulsans can—if they are stupid enough—talk themselves into a riot.

We can get innocent men, women and children killed by repeating every cock-and-bull yarn that comes down the grapevine.

We can create the appearance of a mob by leaping into our cars and speeding to any point where rumor has it that there is trouble.

We can, in 30 minutes, undermine years

of painstaking efforts at racial understanding and good will. And if we do, we all lose.

Make no mistake about it. If any small group of provocateurs tries to set Tulsa on fire there is plenty of law enforcement power to squash it quick. And it will be squashed with the overwhelming approval of Tulsa's white and Negro citizens.

It is only if citizens pay attention to baseless rumors, if they arm themselves in panic, and if they hysterically conclude that their own safety requires them to take vigilante action that we could get into deep and bloody trouble.

The next time you hear a big, squishy, inflamed, throbbing rumor, ask the teller one question:

"Did you see it?"

You'll be surprised how the spooks will vanish.

POSTAL RATE INCREASES

Mr. **HUNGATE**. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The **SPEAKER**. Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mr. **HUNGATE**. Mr. Speaker, I am highly alarmed at the legislation reported by the Postal Subcommittee on proposed postal rate increases. These provisions, if enacted, could cause immeasurable harm to the small publishers and local newspapers which make up the heart of the communications media in the towns and communities of rural America.

I call the attention of my colleagues to a few figures which bring out the drastic nature of the increases proposed by the subcommittee. As of July 27, the subcommittee proposed that the within-county second-class minimum rate be increased 300 percent. The in-county pound rate is to shoot up 68 percent. Increases in these categories go far beyond what was recommended by the Postmaster General.

In addition to the proposed increase in other phases of second- and third-class rates, the subcommittee has asked a 25-percent surcharge on second-class publications receiving "newspaper handling."

My colleagues are aware of the invaluable public service provided by local newspapers. For example, they publish news releases from a whole array of municipal, State, and Federal agencies as well as civic organizatioins free of charge.

The disappearance of so many great newspapers from our national scene is one of the tragedies of urban America. Let us heed the lesson of our loss, and do all we can to spare rural America a similar blow.

In the final analysis, the increases put forward by the subcommittee as they would affect small publishers could prove to be disastrously false economy. I urge that the plea of local newspapers be kept in mind as postal rate increases are considered.

SUPREME COURT

Mr. **HUNGATE**. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The **SPEAKER**. Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mr. **HUNGATE**. Mr. Speaker, yesterday one of our distinguished colleagues remarked that the 1-minute speeches were truly a remarkable thing, for in 1 minute we were able to solve most of the problems besetting the world, and that this put him in mind of Alice in Wonderland. The reference to Alice in Wonderland put me in mind of the Supreme Court.

There is a phrase from Alice in Wonderland in which someone says, "When I use a word it means what I say it means and no more and no less."

It seems to me that some of the problems which beset us might be relevant to the judicial changes that we have been seeing in the laws—the law of arrest, the law of interrogation, the law of search and seizure, and the right to counsel.

It seems to me we are going to have to take some action to strengthen the hands of our law enforcement officers and the police departments who know where these people are but are powerless even adequately to interrogate.

And that brings to my mind, you will recall 30 years ago when a great Democratic President, Franklin Delano Roosevelt, proposed in 1937 that that august body, the Supreme Court, which was then swimming against the tide of American public opinion be augmented, and I am preparing with necessary amendments that have accrued during 30 years' passage of time to reintroduce that measure.

I hope that, like medicare, which matured after 20 years of germination, after 30 years—this proposal to augment the Supreme Court to 15 members will meet with a favorable reception at your hands.

ISRAEL'S OVERWHELMING VICTORY

Mr. **DORN**. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The **SPEAKER**. Is there objection to the request of the gentleman from South Carolina?

There was no objection.

Mr. **DORN**. Mr. Speaker, Israel's overwhelming victory is without parallel in the history of the world. This little nation, striking out in self-defense, destroyed in 5 days the combined armies of a whole coalition of Near East nations with a total population many times that of her own. She destroyed or captured military equipment poised for aggression which cost her enemies and their Communist allies billions of dollars.

Israel, on land, in the air, and on the sea, achieved fantastic and incredible success. Israel wrote another chapter in the history of courage, daring, and military efficiency.

Mr. Speaker, the following article by Winston Churchill appeared in the Washington Post Sunday, July 23. I recommend a careful study of this superb article to Congress, to our own military and to the military leaders of the free.

THE ISRAELI'S TIMING WAS INCREDIBLE

(By Winston Churchill)

At 7:45 a.m. (8:45 Cairo Time) on the morning of Monday, June 5, the first wave of the Israeli air strike went in. It was directed against ten airfields, of which nine were hit at exactly the same moment. The tenth, Fayid, was attacked a few minutes later as it was still half covered by the morning mist over the Canal.

The aircraft had taken off at precise intervals in order that they should all arrive on target at the same moment and thereby achieve the maximum surprise. Each attack was made by four aircraft, flying in pairs. Every aircraft reached its target, carried out its mission exactly as instructed and every single bomb exploded.

By far the greater part of the Egyptian air force was caught on the ground. The only Egyptian aircraft airborne at the time the Israeli strike went on was a training flight of four unarmed aircraft flown by an instructor and three trainees.

A RELAXED ALERT

There were four reasons why the Israelis chose 7:45 as the time to attack:

1. The Egyptian state of alert was past its peak. It was safe to assume that the Egyptians, ever since they began their aggressive troop concentrations in Sinai three weeks before, had several flights of Mig-21s waiting at the end of the runways on five-minute alert at dawn every morning. They were also probably flying one or two Mig airborne patrols at this time of day, a most likely time for an enemy to attack.

However, it was calculated to be most unlikely that they would have stayed at this state of readiness indefinitely. When no attack had materialized within two or three hours after dawn, the Egyptians would more than likely have lessened their alert and switched off some of their radar scanners for maintenance. The Israelis felt it safe to assume that by 7:30 the Egyptians had lowered their guard.

2. Very often attacks are made at dawn. But since pilots have to be on deck at least three hours before getting airborne, that would have meant their getting up at about midnight, or getting no sleep at all that night. By making the initial strike at 7:45, the pilots were able to sleep until 4 a.m. or so.

3. At this time of year there is a morning mist over much of the Nile, the Delta and the Suez Canal. By 7:30 this has just about dispersed. Around 8 a.m. the weather is usually at its optimum. The visibility is at its best because of the angle of the sun and the air is at its stillest, which is important when it comes to placing bombs accurately on runways.

4. Why 7:45 rather than 8 o'clock or 8:15? Egyptians get to their offices at 9 a.m. (Cairo time). Striking 15 minutes before that time would catch generals and air force commanders on their way to their offices and pilots and air force personnel on their way to training courses and other activities.

Gen. Hod, the Israeli air force commander, was in his command center when the last of the Egyptian early morning patrols got airborne and appeared on the Israeli radars. He pressed his stopwatch. He knew exactly how long the Mig-21 can stay airborne. By 7:45 the patrol would be almost out of fuel and on the point of landing.

THE MAJOR AIM

The primary objectives of the first strike were to make the runways unusable and to destroy as many Mig 21s as possible. The Mig 21s were the only Egyptian aircraft that could effectively prevent the Israeli air force from achieving its major objective: the destruction of Egypt's long-range bomber force, which posed such a threat to the civilian population of Israel. Eight formations of Mig 21s were destroyed as they were taxiing to the end of the runways.

A couple of days before the start of the war, the Israelis had managed to persuade the Egyptians to move 20 of their front-line aircraft—12 Mig 21s, eight Mig-19s—from the area around Cairo and the Canal, where Egypt's major air bases are concentrated, to Hurghada in the south, where they were effectively *hors de combat.*

The Israelis had achieved this by sending several strong probes of aircraft south over the Gulf of Aqaba, which persuaded the Egyptians that the Israelis might well be planning to attack with a left hook around the southern end of the Sinai Peninsula instead of, as in fact was the case, by a right hook out over the Mediterranean.

At Hurghada they were effectively removed from the chief area of Israeli activity. These 20 Migs, once the Israeli sledge-hammer had fallen, foolishly headed north to the bases near the Canal, where they found they had no runways to land on and fell prey to the Israeli air force. More victims of deception.

Apart from these, only two flights of four Mig-21s were able to get airborne, and these succeeded in shooting down two Israeli aircraft which were attacking Egyptian air bases before they themselves were shot down.

"We went in right on the deck," Brig. Gen. Ezer Weizman, the Israeli chief of operations, said later. The Israeli strike aircraft flew at no more than 30 feet above ground or sea level, so as to remain beneath the Egyptian radar.

As the first wave of Israeli aircraft struck its target, the second wave was already on its way and the third wave had just got airborne. They were spaced at 10-minute intervals. Each flight of four aircraft was given seven minutes over its target—enough for three or four passes, one bombing run and two or three strafing passes. An extra three minutes were allowed for navigational error or for an extra run over the target. The Israelis were operating an incredibly fast turn-around time. For aircraft striking the main Egyptian bases in the vicinity of the Canal, the rotation would have been as follows:

Time to target: approximately 22½ minutes.

Time spent over target: approximately 7½ minutes.

Return to base: approximately 20 minutes.

Ground turn-around time: approximately 7½ minutes.

Total: approximately 57½ minutes.

The almost total destruction of the Egyptian air force on the ground was not merely due to surprise but in part at least to an ingenious bomb which the Israelis have devised and perfected for the specific purpose of destroying runways.

As soon as the bomb leaves the aircraft, a retro-rocket is fired to stop its forward impetus. Then another rocket is fired driving it vertically into the runway. Once it has penetrated the concrete a time fuse explodes it. The fuse may be instantaneous or may be set on a variable time-delay. Normally, runways are considered easy to repair, but it is not so easy when the runway keeps exploding.

The point of this unique bomb is to enable an aircraft to bomb runways while flying at low level and high speed. A conventional bomb released in this way would bounce and do only superficial damage. The Israeli bomb obviates the necessity of flying down the barrels of the enemy antiaircraft guns in a dive-bombing attack.

Nevertheless, by no means all the Israeli aircraft were armed with this weapon and many of the runways were destroyed by dive-bombing from 5000–6000 feet with conventional 500-pound and 1000-pound bombs. The Egyptian aircraft both on the ground and in the air were destroyed almost exclusively with cannon fire. The Israelis say they did not use one of their Matra air-to-air missiles; they find good, old-fashioned cannon more effective.

Antiaircraft fire over the Egyptian bases was lighter than the Israelis had expected and not particularly accurate. Although the Egyptians loosed off several of their Soviet-made SA–2 surface-to-air missiles, not one Israeli aircraft was shot down by them.

At the levels at which the Israelis were operating, the missiles proved totally ineffective. They gain speed very slowly and for this reason are useless below 4000 feet above ground level.

On one occasion an Israeli pilot out of the corner of his eye saw what appeared to be another aircraft moving in in a leisurely way as if to join in formation with him. He looked again and realized it was a missile. It was flying in the same direction as he was and closing in on him from the side. He moved his aircraft smartly towards it and let it pass under him. It flew on out of sight.

Nothing came of Nasser's much-vaunted surface-to-surface missiles, produced by German and East European scientists at a research complex outside Cairo. It would appear that for the time being, at least, they are a myth.

To return to the air battle, for 80 minutes without let-up the Israeli Air Force pounded the Egyptian airfields. Then, after a 10-minute break, there followed a further 80 minutes of Israeli air strikes. In these two hours and 50 minutes the war was virtually won. The back of the Egyptian Air Force had been broken.

The Egyptian airfields attacked in the first two waves on the Monday morning between 7:45 and 10:35 were as follows: El Arish, Bir Gifgafa, Bir Thamada, Gebel Libni, Abu Sueir, Deversoir, Fayid, Kabrit, El Mansura, Inchas, Almaza, Cairo West, Helwan, Cairo International (after fighters had been dispersed there), Beni Sueif, El Minya, Luxor, Ras Banas and Hurghada.

The Israeli Air Force estimates that it destroyed over 300 out of some 340 Egyptian combat aircraft, including all 30 of the Egyptians' long range TU–16 bombers.

The major Sinai airfield of El Arish was the only one of the bases attacked whose runways were not put out of action, since Israeli plans called for its use as a forward supply and casualty evacuation base. Already by the Tuesday evening it was in use as such.

At more than one of the Egyptian bases the Israeli Air Force had destroyed all the aircraft but left the dummy mockups under camouflage covers untouched. When asked if this was because they were such bad dummies or because Israeli intelligence was so good, Weizman said that it was the latter. But he added that at Abu Sueir, which is near Ismailia, they did in fact blow up some dummies as well as hitting all the actual aircraft.

CRUCIAL HEADSTART

Just as Gen. Hod had reckoned against the Soviet warships in the Mediterranean having a direct link with the Egyptian Command and being able to pass information from their radar to the Egyptians inside 10 minutes, so too he counted on having a couple of hours' head-start in which to deal with the Egyptian Air Force before having to cope with those of Jordan, Syria and Iraq.

In fact he had four hours. They joined in the fray about mid-day on Monday, bombing the seaside resort of Netanya and attacking the Israeli satellite air base of Kefar Sirkin near the Jordanian border.

By that time the Israelis had completed the destruction of the greater part of the Egyptian Air Force and were in a position to turn their full power against these new forces that had belatedly joined in the battle.

"We were able to deal with Syria and Jordan in 25 minutes," Hod remarked dryly.

Before dusk on the Monday the Israelis paid further visits to most of the 23 airfields they had struck earlier in the day. Besides using regular bombs they used delayed-action bombs so that they would go off periodically throughout the night and hamper any attempt to repair the runways. As if this was not enough the Israelis continued with their air strikes throughout much of the night, using flares.

As night fell on the second day (June 6) the Israelis added up the amazing tally of enemy losses—416 aircraft destroyed, 393 of them on the ground.

It is estimated that about 100 of Egypt's 350 Air Force pilots were killed in the strike. In view of the large number of Mig 21s destroyed while taxiing on the ground, this figure probably includes a high proportion of their most experienced men.

Nasser knew very well that by Egyptian standards at least the Israelis did not have a large air force. They had in fact a total of about 300 aircraft, some 50 or 60 of which were Fouga Magister trainers that had been equipped with rockets for the specific purpose of tank-busting.

Yet reports were coming in to him of wave upon wave of Israeli aircraft attacking some 19 of his airbases at 10-minute intervals for two hours and 50 minutes with scarcely a break.

MAYBE HE BELIEVED IT

In his bogus resignation speech on June 9, President Nasser declared: "It can be said without fear or exaggeration that the enemy was operating an air force three times its normal strength."

This statement is perhaps significant. He was no doubt basing his estimate of the attacking force on the turn-around time of his own air force. The Israelis have learned from top secret Egyptian Air Force plans they captured at El Arish that the Egyptians had based their plans on their aircraft being over their targets every three hours—instead of every hour or less, as was the case with the Israeli air force.

While the Egyptians reckoned on two sorties a day per aircraft, many of the Israeli pilots flew eight, and a few of them even more on the Monday of the war.

The disparity of these figures speaks for itself and in it undoubtedly lies a major cause of Israel's victory. No wonder Nasser found it inconceivable. Perhaps it was not only a convenient excuse for the lamentable failure of the Egyptian Air Force when he made the accusation of British and American aircraft being involved in conflict on Israel's side. Maybe he really believed it.

The accusation originated in the now well-known telephone conversation which the Israelis monitored between Nasser and Hussein at 4:50 a.m. on the Tuesday, the second day of the war.

Since the end of the war King Hussein has stated in London that he no longer believes this story. Nor was the fabrication about British and American air intervention ever believed by the Russians. Indeed, it is known that it made them very angry. However, the peoples of the Arab countries still have not been told the truth.

ISRAELI LOSSES

As for the cost to Israel of inflicting this crippling blow, by night-fall on the Tuesday, after more than 1000 sorties, Israeli losses amounted to 26 aircraft, including six of the Fouga Magister trainers. They lost 21 pilots, of whom about one half were taken prisoners of war in Syria or Egypt.

The Israeli aircraft destroyed were either shot down by ground fire or "jumped" from above while carrying out ground attack. Gen. Hod was insistent: "In actual aerial combat, between aircraft the score was 50-nil. We shot down 50 Migs in 64 dogfights without losing a single one of our aircraft."

How did the Israelis manage to achieve

such absolute success in so short a time? Gen. Hod gave the following reasons:

1. Sixteen years' planning had gone into those initial 80 minutes. "We lived with the plan, we slept on the plan, we ate the plan. Constantly we perfected it."

2. Intelligence—of enemy air movements and activities, the location and details of the enemy air bases; the deployment of his aircraft; the location of his radar and missile sites—was high class.

3. Operational control—the ability to absorb and integrate with the existing plan new information as it came in, and to pass new information and new targets to the pilots in the air—played a vital part in the success of the operation.

4. The execution of the plan by the pilots was the fourth vital link in the chain of success. It reflected years of training—in flying, navigating and bombing precision. "Normally we expect results in war to be some 25 percent less than in peacetime exercises, because of the excitement of the situation and because of the distraction of antiaircraft fire. As it turned out the results were even better than in the peacetime practices. We would have been happy with each aircraft destroying one enemy aircraft every mission. In fact the figures were usually many times this." (On one occasion two Israeli aircraft destroyed 16 Egyptian bombers on the ground in the space of four minutes.

The Israelis have been practicing this sort of attack for years. There are four or five ranges in the southern Negev which have been hit with several thousand bombs each in practice raids. At least once a year they do all-out raids on these targets, and, as a result, when it came to the real thing, not one aircraft failed to reach its target at precisely the correct moment, even though they were using only dead reckoning for their navigation.

Gen. Weizman recalled: "Three or four months before the war a large contingent of Americans from their Air Force Staff College came to Israel. They had been to Cairo and had been very impressed there; they had visited Jordan and had equally been impressed by what Hussein had told them. When I had to talk to them, I had the feeling they thought we were in a tight spot. I told them how during the Second World War we used to say 'The Germans have surrounded us again—poor bastards.' And I added that it was still true today: 'The Arabs have surrounded us again—poor bastards.' I had the impression that they thought we were rather cocky. We were, and with good reason."

In the little-reported naval war of these first two days, it was the same story of heavy adverse odds being more than made up for by Israeli audacity and Israeli bluff.

On the day war broke out, the comparative strengths of the Israeli and Egyptian navies were as follow:

	Israel	*Egypt*
Destroyers	3	7
Submarines	3*	12
Missile carrier		18
Antisubmarine craft	1	12
MBT's	8	32

*One, the Rahaf, was unable to submerge.

Because of its ludicrously small size and the antiquity of its vessels compared with those of the Egyptian Navy, deception of the enemy was, if possible, of even greater importance to Israel's navy than it was to her army and air force. The major Israeli interest was that Egyptian naval forces in the Mediterranean should be as weak as possible, for only there could they pose a threat to Tel Aviv and Israel's populated coastal regions.

ISRAELI DECEPTION

The Israelis therefore set about persuading the Egyptians before the war began to move some of their vessels from the Mediterranean to the Red Sea. They did this by sending four tank landing-craft overland across the Negev Desert to Eilat, the Israeli port at the northern end of the Gulf of Aqaba. The landing-craft were seen arriving in Eilat by day.

But the same night, under cover of darkness, they were taken back into the desert 10 or 15 miles north of Eilat, and brought down for a second time by daylight the following day. By the time the Israelis had repeated this maneuver a few times and had sent the only three MTBs they had in Eilat on patrols toward the Red Sea, the Egyptians evidently believed that the Israelis might be preparing an assault on Sharm el-Sheikh, as they had in 1956. At all events, the outbreak of war found 30 per cent of the Egyptian Navy bottled up in the Red Sea.

Even after the war was over the Egyptian naval forces in the Red Sea were unable to return to their Mediterranean bases, for the Canal had been blocked on the orders of President Nasser. This stranded portion of the Egyptian Navy—more powerful than the whole of Israel's Navy—had to make its way to the Yemen port of Hodeida at the southern end of the Red Sea, where it still is.

On the night of Monday, June 5, the Israeli Navy attacked Port Said and Alexandria harbors—the two main bases of the Egyptian Navy in the Mediterranean. As Israeli forces, consisting of a destroyer and some MTBs, approached Port Said, two Egyptian OSSA missile-carriers came outside the breakwater of the harbor to meet them. The Israelis opened up on them with 20 mm. cannon fire and the OSSAs turned tail and ran back into harbor without firing a shot. Both were damaged.

Although the Israeli Navy's attack on Port Said was not a success in terms of enemy vessels destroyed, it achieved one major objective—to guard Tel Aviv from the 18 Egyptian missile-carrying craft, whose missiles had a range of 35 miles and carried a 1000-pound warhead. For the following morning (Tuesday, June 6) the Egyptian Navy evacuated Port Said harbor and retreated to Alexandria, from which the OSSA and KOMAR vessels no longer had the range.

FROGMEN'S MISSION

At the same time as Israeli naval forces were attacking Port Said, Israel's only operational submarine made its way stealthily to the entrance of Alexandria harbor. A force of frogmen, loaded with explosive charges for blowing up Egyptian naval vessels, made their way out of the submarine's escape hatch and penetrated into the harbor.

It was a dark and moonless night—ideal for such operations. The Israelis believe that the frogmen succeeded in damaging, possibly destroying, two Egyptian submarines and two of the OSSA missile-carriers. But, although the submarine waited until it was nearly dawn before making for the open sea, the frogmen did not return.

The submarine went back the following night, but again in vain. The government-controlled Cairo newspaper Al Ahram reported that at about mid-day on Tuesday, June 6, four Israeli frogmen had been captured in the water in the vicinity of the yachting harbor just east of Alexandria. A further two were captured about four hours later. It is thought they might have been trying to seize a power-boat and make a getaway.

The only offensive action undertaken by the Egyptian Navy that came to the notice of the Israelis was on the night of June 6, when a force of three submarines approached the shores of Israel—one just north of Haifa, one to the south of it and one near Ashdod. Whether they came with the intention of attacking shipping or of landing saboteurs, as the Israelis had done in Port Said and Alexandria, is not clear.

However, the Israelis, although they had only four sonar devices in the whole of their navy, succeeded in detecting all three of the Egyptian submarines and attacked them with depth charges. At least one was damaged, as was evidenced by a large slick of oil that came to the surface, but they all managed to escape.

Gen. Erell, Commander of the Israeli Navy, commented afterwards: "They used their periscopes too much. With the equipment they had, the Egyptians could have had picnics here outside Haifa."

The Israeli Navy, feeling that its exploits were in no way comparable with those of the Israeli Army or Air Force, prefers to remain the "silent service."

Nevertheless, starved of resources and with no modern equipment, it had successfully protected the coasts and the population of Israel from a seaborne attack, it had assured the safe passage of merchant ships to and from Israel's Mediterranean ports throughout the war and it had succeeded in penetrating the enemy's main naval bases at Alexandria and Port Said, in the face of a navy many times its strength and equipped with some of the most modern vessels that the Soviet Union could supply. As Gen. Erell himself put it: "It was a gross impertinence on our part."

PERSONAL ANNOUNCEMENT

Mr. **FOUNTAIN**. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The **SPEAKER**. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

Mr. **FOUNTAIN**. Mr. Speaker, I was absent on official business in my congressional district yesterday when the conference report on the interest equalization tax extension, H.R. 6098, was called up. I wish to state that had I been present, I would have voted "yea."

LET US LOOK FOR THE ANSWERS TO OUR PROBLEMS

Mr. **BOGGS**. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The **SPEAKER**. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

Mr. **BOGGS**. Mr. Speaker, I have listened, as have all of you, to the remarks made here during the last 50 minutes.

I do not feel that I have any special competence to give the House of Representatives or my colleagues any advice, but I would make a few observations which I think might be pertinent.

It seems to me at this critical time in our history rather than beat our breasts and seek to place blame we should look for the answers to the problems that confront us.

It is time that we emphasize the positive aspects of our society.

I was interested in the editorial which was read by the gentleman from Oklahoma from a newspaper in his State. The editorial noted the impact of false statements about riots happening here, there, and elsewhere when there was no evidence to support such statements. The editorial noted the harmful impact of wild rumors.

I might add to that the tremendous impact of national television. No one mentions the fact that by giving 10, 15, or 20 minutes on national television to agitators like Brown, and Carmichael, or the others that have been mentioned, the criminal elements are encouraged in every community in our country. Rather than pointing out the many local neighborhood action programs and others that were mentioned by the gentlemen a few moments ago which seek to reconcile and bring our people together and bring constructive solutions, I am amazed that our vehicles of communication would use their time and effort to put these people on nationwide television to spread this kind of disorder and incite people to riot in our country.

I would hope that we would have constructive approaches.

Mr. Speaker, we do have grave problems in our country. There is no point in our beating our breasts and blaming one another. It is time that we went to work to look for solutions. I cannot believe that a nation that was able to perfect an atom bomb when we had to perfect one in the midst of a great world war; a nation that was able to marshal the talent of our country when we saw the Russians launch their Sputnik—was able to bring together the brains, the energy and the know-how to put together a space program—cannot find solutions to the problems that now confront us in the cities of our country.

The problems are there. There is no doubt about it. I would suggest to the gentleman from Massachusetts, who was so quick to criticize the appointment of a general counsel, secretary, or whatever he may be, to the bipartisan commission appointed by the President, that the only way on earth that this can succeed is if it is bipartisan.

I served on the Warren Commission. It was a bipartisan Commission. The general counsel selected was Lee Rankin, who had formerly been the Solicitor General of the United States under President Eisenhower, and who now is the city attorney for the city of New York. So I would suggest earnestly that we stop this business of, Who killed Cock Robin? I suggest that we take a look at these problems. Anyone who lives in the cities knows that the problems are there.

In my own city as I walk down to my office every day. I see buildings crumbling. I see slums. I see filth. I see dirt. I see poverty. I know it is there. This does not justify riots. God knows it does not. The idea that lawlessness is synonymous with poverty is one that I reject out of hand. There are too many people who sit within the sound of my voice who were reared in poverty, who grew up in poverty and have become great Americans. But having said that, that does not mean that we in this country, with a gross national product of three-quarters of a trillion dollars, can blind ourselves to these problems.

I commend the gentleman who recommended a neighborhood youth program, a voluntary program. I suggest that we do not say now that we are going to abolish the poverty program, that we are going to abolish the rent supplemental program, and that we are going to abolish the model cities program in order to bring about answers to these problems. I suggest that we look at it from a nonpartisan American point of view and recognize that the problems exist and try to solve them. But Congress can only do its part of the job. We must have family, local, and State responsibility. The rules of the church, the community service groups, the schools, the university must be expanded.

But Americans working together can and will solve this problem.

PREROGATIVES OF THE HOUSE OF REPRESENTATIVES

Mr. ALBERT. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. ALBERT. Mr. Speaker, first I want to commend the distinguished Democratic whip for his statement and to associate myself with his remarks. Mr. Speaker, I stand with those who stand ready at any time to defend the prerogatives of the House of Representatives, because unless the Members defend it, who will come to its defense? I love this institution, this citadel of democracy, for "here, sir," as Alexander Hamilton said, "the people rule."

But, Mr. Speaker, I do not believe the fact that somebody may have said the Congress has been derelict or did not do certain things which he thinks it should have done automatically means that such things are unimportant and should not be considered by the House. I think those measures which have been recommended by the President of the United States to assist the cities of our Nation and the poor of our Nation, and to curtail criminal activity in this country, should stand on their own merits, and the Congress will be subject to criticism if it fails to give them the consideration which they deserve.

MARKED COPY OF THE CONGRESSIONAL RECORD

Mr. HALEY. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. HALEY. Mr. Speaker, I would suggest to my majority leader and my majority whip that they take the CONGRESSIONAL RECORD today and yesterday and send a marked copy to the Vice President of the United States and ask him to read the remarks of the gentleman from Texas [Mr. MAHON] on pages 20596 and 20597.

PRIVATE CALENDAR

The SPEAKER. This is Private Calendar day. The Clerk will call the first individual bill on the Private Calendar.

E. F. FORT, CORA LEE FORT CORBETT, AND W. R. FORT

The Clerk called the bill (H.R. 2661) for the relief of E. F. Fort, Cora Lee Fort Corbett, and W. R. Fort.

Mr. HALL. Mr. Speaker, on behalf of an absent Member, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

DEMETRIOS KONSTANTINOS GEORGARAS

The Clerk called the bill (H.R. 1596) for the relief of Demetrios Konstantinos Georgaras (also known as James K. Georgaras).

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. HALL and Mr. EDWARDS of Alabama objected, and, under the rule, the bill was recommitted to the Committee on the Judiciary.

MRS. INGE HEMMERSBACH HILTON

The Clerk called the bill (H.R. 6096) for the relief of Mrs. Inge Hemmersbach Hilton.

Mr. EDWARDS of Alabama. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Alabama?

There was no objection.

MRS. CHIN SHEE SHIU

The Clerk called the bill (S. 636) for the relief of Mrs. Chin Shee Shiu.

Mr. HALL. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

CLARA B. HYSSONG

The Clerk called the bill (H.R. 1655) for the relief of Clara B. Hyssong.

Mr. TALCOTT. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

FRANK I. MELLIN, JR.

The Clerk called the bill (H.R. 1674) for the relief of Frank I. Mellin, Jr.

There being no objection, the Clerk read the bill, as follows:

H.R. 1674

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, in the administration of the annual leave account of Frank I. Mellin, Junior, postal employee of West Orange, New Jersey, there shall be added a separate account of one hundred hours of annual leave, in full settlement of all claims of the said Frank I. Mellin, Junior, against the United States for compensation for the loss of such leave which was earned by him in the period January 1, 1962, through December 31, 1964, inclusive, while he was employed in the United States post office in Orange, New Jersey, and which through administrative error, was not credited to his leave account.

SEC. 2. Section 203(c) of the Annual and Sick Leave Act of 1951, as amended (65 Stat. 680, 67 Stat. 137; 5 U.S.C. 2062(c)), shall not apply with respect to the leave granted by this Act, and such leave likewise shall not affect the use or accumulation, pursuant to applicable law, of other annual leave earned by the said Frank I. Mellin, Junior. None of the leave granted by this Act shall be settled by means of a cash payment in the event such leave or part thereof remains unused at the time the said Frank I. Mellin, Junior, is separated by death or otherwise from the Federal service.

With the following committee amendment:

On page 1, lines 5 and 6, strike "one hundred hours" and insert "one hundred two hours."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

MRS. LESSIE EDWARDS

The Clerk called the bill (H.R. 1680) for the relief of Mrs. Lessie Edwards.

There being no objection, the Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purpose of the laws administered by the Veterans' Administration, the application for benefits which Mrs. Lessie Edwards, of New Cumberland, West Virginia, completed in September 1959 following the death on August 29, 1959, of her husband, the late George L. Edwards (XC20-741-307), shall be held and considered by the Veterans' Administration as timely filed; and the Administrator of Veterans Affairs is hereby authorized and directed to make retroactive payments in accordance with the entitlement established pursuant to such application.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

CHILDREN OF MRS. DORIS E. WARREN

The Clerk called the bill (H.R. 2454) for the relief of the children of Mrs. Doris E. Warren.

Mr. EDWARDS of Alabama. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Alabama?

There was no objection.

COMDR. ALBERT G. BERRY, JR.

The Clerk called the bill (H.R. 2757) for the relief of Comdr. Albert G. Berry, Jr.

Mr. HALL. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

MAURITZ A. STERNER

The Clerk called the bill (H.R. 3865) for the relief of Maurice A. Sterner.

Mr. TALCOTT. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

T. MICHAEL SMITH

The Clerk called the bill (H.R. 4015) for the relief of T. Michael Smith.

There being no objection, the Clerk read the bill, as follows:

H.R. 4015

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of $17,577.49, to T. Michael Smith, of Washington, District of Columbia, in full settlement of his claim against the United States for reimbursement for payments made by him for disbursements and fees in connection with the successful prosecution of his claim in the United States Court of Claims, in Court of Claims case numbered 261–55, decided November 2, 1960, in which the court concluded that the action of Government officials in effecting his separation was "arbitrary and capricious, and in bad faith".

SEC. 2. The Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of $15,679.58 and interest thereon at 6% per annual from November 2, 1960, to the date of approval of this Act to the said T. Michael Smith, representing interest on salary withheld from him for a period of approximately seven and one half years, and such sums are to be paid not as interest but in satisfaction of his claims for damages for the wrongful withholding of salary during that period. No part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

With the following committee amendments:

On page 1, line 5, strike "$17,577.49" and insert "$6,705.11".

On page 1, line 6, after "District of Columbia," insert "in the nature of punitive damages and".

On page 2, lines 3, 4, 5, 6, 7, 8, 9, 10, 11, and 12, strike: "The Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of $15,679.58 and interest thereon at 6 percent per annum from November 2, 1960, to the date of approval of this Act to the said T. Michael Smith, representing interest on salary withheld from him for a period of approximately seven and one-half years, and such sums are to be paid not as interest but in satisfaction of his claims for damages for the wrongful withholding of salary during that period."

On page 2, line 13, strike "in excess of 10 per centum thereof".

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

MRS. HAZEL M. LaFRANCE

The Clerk called the bill (H.R. 5025) to confer jurisdiction on the U.S. Court of Claims to hear, determine, and render judgment on certain claims of Mrs. Hazel M. LaFrance against the United States.

Mr. GROSS. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Iowa?

There was no objection.

FRED W. KOLB, JR.

The Clerk called the bill (H.R. 6189) for the relief of Fred W. Kolb, Jr.

Mr. HALL. Mr. Speaker, I ask unanimous consent that the bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

DR. EMANUEL MARCUS

The Clerk called the bill (H.R. 7599) for the relief of Dr. Emanuel Marcus.

Mr. HALL. Mr. Speaker, I ask unanimous consent that the bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

CHARLES WAVERLY WATSON, JR.

The Clerk called the bill (H.R. 8091) for the relief of Charles Waverly Watson, Jr.

Mr. GROSS. Mr. Speaker, I ask unanimous consent that the bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Iowa?

There was no objection.

SETSUKO WILSON (NEE HIRANAKA)

The Clerk called the bill (S. 534) for the relief of Setsuko Wilson (nee Hiranaka).

Mr. HALL. Mr. Speaker, I ask unanimous consent that the bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

RAMIRO VELASQUEZ HUERTA

The Clerk called the bill (H.R. 3497) for the relief of Ramiro Velasquez Huerta.

Mr. HALL. Mr. Speaker, I ask unanimous consent that the bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

ROBERTO MARTIN DEL CAMPO

The Clerk called the bill (H.R. 5216) for the relief of Roberto Martin Del Campo.

Mr. EDWARDS of Alabama. Mr. Speaker, I ask unanimous consent that the bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Alabama?

There was no objection.

JAN DROBOT

The Clerk called the bill (H.R. 8254) for the relief of Jan Drobot.

There being no objection, the Clerk read the bill, as follows:

H.R. 8254

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That Jan Drobot, who was lawfully admitted to the United States for permanent residence on June 27, 1960, shall be held and considered not to be within the classes of persons whose naturalization is prohibited by the provisions of section 313 of the Immigration and Nationality Act.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

RICHARD K. JONES

The Clerk called the bill (S. 454) for the relief of Richard K. Jones.

There being no objection, the Clerk read the bill, as follows:

S. 454

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Richard K. Jones of Avondale Estates, Georgia, the sum of $15,000, in full satisfaction of all his claims against the United States for compensation for personal injuries sustained by the said Richard K. Jones as a result of an automobile accident occurring on January 23, 1957, while he was officially engaged in pursuing suspected violators of the Internal Revenue Code as an investigator of the United States Treasury Department: *Provided,* That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

With the following committee amendment:

Page 1, line 6, strike "$15,000" and insert "$5,000".

The committee amendment was agreed to.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

ELI ELEONORA BIANCHI

The Clerk called the bill (H.R. 3195) for the relief of Eli Eleonora Bianchi.

There being no objection, the Clerk read the bill, as follows:

H.R. 3195

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, in the administration of the Immigration and Nationality Act, Eli Eleonora Bianchi may be classified as a child within the meaning of section 101(b)(1)(F) of the Act, upon approval of a petition filed in her behalf by Romildo and Eleonora Bianchi, citizens of the United States, pursuant to section 204 of the Act.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

MARIA KOLOMETROUTSIS

The Clerk called the bill (H.R. 7427) for the relief of Maria Kolometroutsis.

Mr. HALL. Mr. Speaker, I ask unanimous consent that the bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

ROY A. PARKER

The Clerk called the bill (S. 1448) for the relief of Roy A. Parker.

Mr. TALCOTT. Mr. Speaker, I ask unanimous consent that the bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

SEVASTI DIAKIDES

The Clerk called the bill (H.R. 2668) for the relief of Sevasti Diakides.

There being no objection, the Clerk read the bill, as follows:

H.R. 2668

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, in the administration of the Immigration and Nationality Act, Sevasti Diakides may be classified as a child within the meaning of section 101(b)(1)(F) of the Act, upon approval of a petition filed in her behalf by Mr. and Mrs. Anthony Diakides, citizens of the United States, pursuant to section 204 of the Act.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

DR. ALFREDO F. MENDEZ, M.D.

The Clerk called the bill (H.R. 7324) for the relief of Dr. Alfredo F. Mendez, M.D.

There being no objection, the Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of the Immigration and Nationality Act, Doctor Alfredo F. Mendez, doctor of medicine, shall be held and considered to have been lawfully admitted to the United States for permanent residence as of November 5, 1960.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

JOHN J. McGRATH

The Clerk called the bill (H.R. 2477) for the relief of John J. McGrath.

Mr. HALL. Mr. Speaker, I ask unanimous consent that the bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

HUBERT ASHE

The Clerk called the bill (H.R. 4404) for the relief of Hubert Ashe.

Mr. TALCOTT. Mr. Speaker, I ask unanimous consent that the bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

JOANNE MARIE EVANS

The Clerk called the bill (H.R. 5368) for the relief of Joanne Marie Evans.

Mr. EDWARDS of Alabama. Mr. Speaker, I ask unanimous consent that the bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Alabama?

There was no objection.

MRS. MARILYN SHORETTE

The Clerk called the bill (H.R. 6666) for the relief of Mrs. Marilyn Shorette.

There being no objection, the Clerk read the bill, as follows:

H.R. 6666

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Mrs. Marilyn Shorette, of Plainville, Connecticut, the sum of $1,228.03 in full settlement of all her claims against the United States for the expenses which she incurred for medical care at a civilian hospital during the period beginning November 1964 and ending September 1966. During such period, the said Mrs. Marilyn Shorette, relying upon erroneous information furnished by the Department of Defense, assumed that she was eligible for medical care, at Federal expense, in civilian medical facilities.

SEC. 2. No part of the amount appropriated in the first section of this Act shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this section shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

With the following committee amendment:

On page 1, line 6, strike "$1,228.03" and insert "$1,693.03".

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

COL. GILMOUR C. MacDONALD, U.S. AIR FORCE, RETIRED

The Clerk called the bill (H.R. 10932) for the relief of Gilmour C. MacDonald, colonel, U.S. Air Force, retired.

Mr. HALL. Mr. Speaker, I ask unanimous consent that the bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

REFERENCE OF THE BILL (H.R. 9826) ENTITLED "A BILL FOR THE RELIEF OF BRANKA MARDESSICH AND SONIA S. SILVANI" TO THE CHIEF COMMISSIONER OF THE COURT OF CLAIMS PURSUANT TO SECTIONS 1492 AND 2509 OF TITLE 28, UNITED STATES CODE

The Clerk called the resolution (H. Res. 743) to refer the bill (H.R. 9826) entitled "A bill for the relief of Branka Mardessich and Sonia S. Silvani" to the chief commissioner of the Court of Claims pursuant to sections 1492 and 2509 of title 28, United States Code.

The SPEAKER. Is there objection to the present consideration of the resolution?

Mr. TALCOTT and Mr. HALL objected, and, under the rule, the resolution was recommitted to the Committee on the Judiciary.

Mr. BOLAND. Mr. Speaker, I ask unanimous consent that the further call of the Private Calendar be dispensed with.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

The SPEAKER. This concludes the call of the Private Calendar.

PERMISSION FOR COMMITTEE ON EDUCATION AND LABOR TO SIT DURING GENERAL DEBATE TODAY

Mr. GOODELL. Mr. Speaker, I ask unanimous consent that the Committee on Education and Labor be permitted to sit during general debate this afternoon.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

CALL OF THE HOUSE

Mr. WYDLER. Mr. Speaker, I make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

Mr. ALBERT. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 191]

Anderson, Ill.
Anderson, Tenn.
Andrews, N. Dak.
Ashbrook
Ashley
Bell
Brademas
Brown, Calif.
Broyhill, Va.
Burke, Fla.
Burton, Utah
Celler
Conyers
Corman
Derwinski
Diggs
Eilberg
Feighan
Flood
Ford, William D.
Gibbons
Hansen, Idaho
Hawkins
Howard
Ichord
Jones, Mo.
Kornegay
Kupferman
Laird
Long, La.
McClure
McCulloch
Morton
Resnick
Rogers, Colo.
Rostenkowski
Sisk
Smith, N.Y.
Stephens
Taylor
Teague, Calif.
Teague, Tex.
Udall
Williams, Miss.
Willis
Wilson, Bob
Wright
Wyatt

The SPEAKER. On this rollcall, 383 Members have answered to their names, a quorum.

By unanimous consent, further proceedings under the call were dispensed with.

PERMISSION FOR THE SUBCOMMITTEE ON EDUCATION OF COMMITTEE ON EDUCATION AND LABOR TO SIT DURING GENERAL DEBATE TODAY

Mr. PUCINSKI. Mr. Speaker, I ask unanimous consent that the General Subcommittee on Education of the Committee on Education and Labor be permitted to sit this afternoon during general debate.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

MILITARY CONSTRUCTION AUTHORIZATION, FISCAL YEAR 1968

Mr. O'NEILL of Massachusetts. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 828 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 11722) to authorize certain construction at military installations, and for other purposes. After general debate, which shall be confined to the bill, and shall continue not to exceed three hours, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Armed Services, the bill shall be read for amendment under the five-minute rule. At the conclusion of the consideration of the bill for amendment, the Committee shall rise and report the bill to the House with such amendments as may have been adopted, and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit.

The SPEAKER. The gentleman from Massachusetts is recognized for 1 hour.

Mr. O'NEILL of Massachusetts. Mr. Speaker, I yield myself such time as I may consume, and at the conclusion of my remarks I yield 30 minutes to the gentleman from California [Mr. SMITH].

Mr. Speaker, House Resolution 828 provides an open rule with 3 hours of general debate for consideration of H.R. 11722 to authorize certain construction at military installations, and for other purposes.

The military construction requirements for fiscal year 1968 were developed on the same basis as were the departments' requirements previously presented to the Congress for the procurement of aircraft, missiles, and naval vessels. This concept involved the so-called package program method of identifying our military force structure with their primary missions and then assigning to these forces the weapons, equipment, and facilities necessary to effectively discharge these assigned mission responsibilities.

The authorization program for fiscal year 1968 is based on a 5-year projection of the missions and forces to be supported through fiscal year 1972.

The program this year is substantially increased over fiscal year 1967, and proposes new authorization in the total amount of $2,378,843,000. Of this amount, $60 million was a portion of the President's budget but was not included in the original bill as submitted. This $60 million merely represents a bookkeeping transaction and transfer of the authorization from the President's general defense budget to this particular bill.

The total authorization is: For the Army, $379,830,000; for the Navy, $474,202,000; for the Air Force, $433,511,000; for Defense Agencies, $169,000,000; for Southeast Asia support, $75,000,000; for housing, $787,000,000; for homeowners assistance, $22,000,000.

Mr. Speaker, I urge the adoption of House Resolution 828 in order that H.R. 11722 may be considered immediately.

Mr. SMITH of California. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, House Resolution 828 provides an open rule with 3 hours' debate for the consideration of H.R. 11722, the military construction authorization bill for fiscal year 1968.

Mr. Speaker, once again I wish to commend the members of the House Armed Services Committee for the outstanding work they continue to do. Particularly do I commend the ranking minority member, the gentleman from Massachusetts [Mr. BATES], and the distinguished chairman of the committee, the gentleman from South Carolina [Mr. RIVERS]. We are fortunate, indeed, to have such a thorough committee in connection with matters involving our armed services. Very few Members not on the committee could possibly find the time to become knowledgeable on a bill such as the one before us today. As an example of the time involved, H.R. 11722 authorizes construction at 447 military bases throughout the world. Included in the construction authorization for these 447 bases are approximately 1,702 line items.

The purpose of this bill is to provide military construction authorization and related authority in support of the military departments during fiscal year 1968. The bill is necessary from an authorization standpoint before the Appropriations Committee can act to provide financing.

The total authorization is $2,378,843,000. The bill as submitted by the Department of Defense was $2,635,238,000. So the committee has reduced the request but by the same token, in its opinion, has provided for authorization of everything that is in any way deemed necessary and appropriate.

Mr. Speaker, I know that the distinguished chairman of the committee [Mr. Rivers] will once again explain the contents of the bill in a thoroughly minute, detailed manner when we resolve ourselves into the Committee of the Whole House. Accordingly, I will not attempt to go into further detail but will simply urge the adoption of the rule and reserve the balance of my time.

Mr. Speaker, I do have a request for time and I now yield 5 minutes to the gentleman from Nebraska [Mr. Martin].

Mr. MARTIN. Mr. Speaker, I, too, would like to commend the chairman of the House Committee on Armed Services as well as the ranking minority member of that committee, the gentleman from Massachusetts [Mr. Bates], and all the members of this distinguished committee for the excellent job which they have performed in bringing this bill before the House for consideration today.

This committee has spent long hours in hearings and receiving testimony. As a result thereof, it is thoroughly knowledgeable about the problems of the military. In addition to this, the Committee on Armed Services is thoroughly familiar with all of the implements of war, with all of the hardware purchased by the military used throughout the world.

Another point that I would like to make, Mr. Speaker, is the fact that the Committee on Armed Services is also very conversant in respect to our political situation and its relationship with other nations of the world.

Now, I notice in this bill that there is some military aid to other countries, to NATO, South Vietnam, and some of the other countries which are our allies in Southeast Asia.

In view of the fact, Mr. Speaker, that the military aid program is handled by the Committee on Foreign Affairs, and is included in the foreign aid program, it seems to me that we have a duplication of effort and that it would be more efficient and more practical and eliminate a double system of bookkeeping if all of the military aid programs were transferred to the Committee on Armed Services, which committee is completely knowledgeable in this entire area.

Therefore, I would like to ask the distinguished chairman of the Committee on Armed Services as to his reaction to this suggestion that his committee handle all of the military aid under our governmental programs.

Mr. RIVERS. Mr. Speaker, will the gentleman yield?

Mr. MARTIN. I yield to the distinguished chairman of the Committee on Armed Services.

Mr. RIVERS. I would like to say to the distinguished gentleman from Nebraska that for years we have known that we had to have our military assistance programs and that this year in the supplemental bill and in this regular appropriation bill, we are handling the military assistance to Southeast Asia, and it does simplify the bookkeeping problem, as the Secretary of Defense has recommended. The Secretary of Defense has stated that it helps him to keep his accounts straight. There is intermingling or intertwining and it is impossible to segregate this situation, so says the Secretary of Defense.

Also, we have the infrastructure of NATO, in response to the gentleman's query, and I think we could very well handle it. I think it would be well if in the future our committee had the consideration of this responsibility.

Mrs. KELLY. Mr. Speaker, will the gentleman yield?

Mr. MARTIN. Yes, I am happy to yield to the distinguished gentlewoman from New York.

Mrs. KELLY. I would like to ask the gentleman his definition of "handling."

Mr. MARTIN. I feel the jurisdiction—and I believe it would be wise and economical and much more efficient—if the jurisdiction of the military aid program were transferred to the Committee on Armed Services which I believe is composed of the most knowledgeable Members of the House in regard to the military situation and the needs of other countries as well as the equipment that we have in our arsenal.

Mrs. KELLY. In other words, the gentleman is referring to the appropriation?

Mr. MARTIN. No, I am referring to the authorization.

Mrs. KELLY. You are referring to the authorization? Of course, the gentleman realizes, I believe, that the authorization from the very beginning of the NATO infrastructure and the military commitments abroad have been handled by the Committee on Foreign Affairs, does he not?

Mr. MARTIN. I do. I realize that.

Mrs. KELLY. I also realize that this year the Defense Department had the NATO infrastructure put in the military construction bill, is that not correct?

Mr. MARTIN. I would hope that the joint committee that was appointed regarding the reorganization of the Congress would take cognizance of this fact, and perhaps in their extensive hearings to determine the facts in regard to transferring jurisdiction over the military aid program from the Committee on Foreign Affairs to the Committee on Armed Services.

Mrs. KELLY. Mr. Speaker, would the gentleman yield further?

Mr. MARTIN. I would be glad to yield further.

Mrs. KELLY. I thank the gentleman.

I realize that the $60 million for the NATO infrastructure is authorized in this bill, but I would like to say that I feel very badly that this committee has assumed, at the request of the Defense Department, has included in this bill the authorization for the NATO infrastructure.

It has been included in the foreign assistance legislation since 1951, and it should remain there.

The inclusion in H.R. 11722 of an authorization for the appropriation of funds to finance the U.S. share of the cost of multilateral programs for the acquisition or construction of military facilities and installations for the collective defense of the North Atlantic Treaty area marks a significant departure from precedent and from the procedure which has been followed by the Congress since 1951.

This language deals with what has been known over the years as the NATO infrastructure program. The authorizations and appropriations for NATO infrastructure have been included in the foreign assistance legislation since 1951.

The NATO infrastructure involves the construction of a variety of military facilities in various NATO countries for the use of NATO forces.

The only thing different about the infrastructure construction is that it has been financed jointly by the NATO countries. Instead of the United States financing the entire cost of the airfields, petroleum pipelines and telecommunication systems which have been built, our allies have paid more than half of the bill.

In the beginning, the United States contributed 44 percent, and our share has been reduced to 26 percent. Next to the forces of the home countries where these installations are located, U.S. forces have generally been the largest users of these jointly financed facilities.

The U.S. investment in the NATO infrastructure is a little over $1 billion, all of which has been provided in foreign aid appropriations.

In addition to the infrastructure to which the United States has contributed, the United States has paid the entire cost of constructing a large number of military installations to serve our forces, including airfields, pipelines, storage depots, and missile sites.

There has never been any problem of military control over the infrastructure.

The nature of the installations to be constructed, their location, and the priorities as to their importance have always been handled by the NATO military command. We do not need a new legislative approach in order to improve the military control over infrastructure. They have it now.

The most difficult and, in a sense, the most important problem confronting the United States with respect to the infrastructure is to get our allies to pay more of the bill. This is important not only because the more they pay, the more we save, but also because their interest in and commitment to their own defense is reflected in their willingness to assume financial responsibility.

It is important not only that military installations be made available, but also that the countries of Europe regard them as their responsibility and as existing to carry out a defense strategy to which they are committed.

The questions of how much military construction is to be jointly financed and of what share each government will pay are not primarily military. They are basically economic and political.

They involve questions of national

budgets, burdens of taxation, and internal political pressures.

They are not matters to be decided or to be negotiated by military commanders. Such decisions and negotiations involve ministers who are responsible for political and economic decisions.

The infrastructure program becomes an unimportant item in the military construction bill, and we ought to consider very carefully whether by putting it in the hands of the Defense Department, we are going to get our NATO allies to spend more for military construction than they are now doing or whether the tendency will not be for them to spend less.

The Committee on Foreign Affairs takes the position that the United States will be better able to bring pressure on our allies and to withstand pressure from them if the funds for NATO infrastructure continued to come from the military assistance program than would be the case if they were submerged in the Defense Department budget.

Mr. O'NEILL of Massachusetts. Mr. Speaker, I move the previous question on the resolution.

The previous question was ordered.

The resolution was agreed to.

Mr. RIVERS. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 11722) to authorize certain construction at military installations and for other purposes.

The SPEAKER. The question is on the motion offered by the gentleman from South Carolina.

The motion was agreed to.

IN THE COMMITTEE OF THE WHOLE

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill H.R. 11722, with Mr. Andrews of Alabama in the chair.

The Clerk read the title of the bill.

By unanimous consent, the first reading of the bill was dispensed with.

The CHAIRMAN. Under the rule, the gentleman from South Carolina [Mr. Rivers] will be recognized for 1½ hours, and the gentleman from Massachusetts [Mr. Bates] will be recognized for 1½ hours.

The Chair recognizes the gentleman from South Carolina [Mr. Rivers].

Mr. RIVERS. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I appear before you today to present the fiscal year 1968 military construction authorization bill.

After 6 weeks of continuous sessions concerning this bill, we believe we have brought to the floor today legislation which strikes a proper balance between military necessity and other demands upon our Government. Later in this presentation, I will detail our actions but, at the outset, let me say we deferred—I repeat, deferred—not denied—projects costing $321,775,000.

The purpose of this bill is to provide military construction authorization and related authority in support of the military departments during fiscal year 1968.

This is an authorization bill which is necessary for enactment before appropriations can be provided to finance these activities of the military departments during fiscal year 1968.

Our military strength today presents a unique combination of nuclear and conventional war capability.

Our nuclear capability consists of:

Our strategic bomber force which presently consists of B–52's and B–58's, and which will be further augmented in the near future with the FB–111A's. Through the period fiscal year 1968–fiscal year 1971, the older B–52C–F's and B–58's will be phased out as planned, leaving a force of 225 B–52G–H's and 210 FB–111A's.

Our growing fleet of Polaris submarines which now number 41 carrying some 656 nuclear tipped missiles. This force will be further strengthened in the coming years through the addition of poseidon missiles under a phased retrofit program.

Our intercontinental ballistic missile force which totals 1,054 consisting of Minuteman and Titan II missiles. This force is being measurably strengthened and more effective by conversion of the earlier Minuteman I's to Minuteman II's and III's.

Complementing this array of nuclear capability, is a conventional military force which includes:

An Army force which at the end of fiscal year 1968 will consist of the equivalent of 27⅓ division forces in the Active and Reserve structure combined—18⅓ Active and nine Reserve components.

A Marine force of four Active divisions and one Reserve division, and four aircraft wings—three Active and one Reserve.

A Navy force consisting of 938 commissioned ships in the fleet, including 411 warships and 158 amphibious assault ships; and

Our tactical air support.

This combination of nuclear and conventional forces will require a total military strength of 3,464,302 personnel by end of fiscal year 1968, which is an increase of 77,484 over the estimated end fiscal year 1967 strength. The composition of this force is as follows:

	End fiscal year 1966 (actual)	End fiscal year 1967 (estimated)	End fiscal year 1968 (planned)
Army	$1,199,046	$1,454,200	$1,520,000
Navy	744,469	753,394	762,288
Marine Corps	261,687	280,624	294,914
Air Force	886,350	898,600	887,100
Total, DOD	3,091,552	3,386,818	3,464,302

By the end of fiscal year 1968, the Defense Department will have added about 373,000 military personnel to the strength which existed at the end of fiscal year 1966. These necessary increases as we all know have not been bought cheaply, and are reflected in the increased cost of our defense budget for fiscal year 1968.

The bill as submitted by the Department of Defense totals $2,635,238,000 for new authorizations.

The bill submitted by the Department included $814,000,000 for all housing expenditures of the Department proposed for fiscal year 1968. This sum included authorization for construction of 12,500 new family housing units at an estimated cost of $267,000,000, including improvements to existing quarters, minor construction, rental guarantee payments and planning.

Therefore, the bill, exclusive of housing costs and deficiency authorizations represents a total of $1,821,238,000 for construction.

Last year the Department requested a grand total of $1,044,654,000 for new authorization, including $521,900,000 for family housing. The comparable figure for new construction authorization last year exclusive of family housing was $522,754,000. That figure compares to the $1,821,238,000 which I have just mentioned.

Under any comparison, however, the Defense Department's request this year is some two to three times the magnitude of last year's request, and represents the largest single military construction request the Armed Services Committee has considered during the last 5 years.

It reflects a drastic change from last year's request when the Department submitted an austere program based on meeting only its most pressing military needs necessary to accomplish operational schedules, new missions or for other urgent and compelling requirements.

At that time, your Armed Services Committee told the departmental witnesses that we believed they were making a grave mistake that they would have to rectify in coming programs. It now appears from the size of this year's request that the Defense Department has come around to agreeing with the collective judgment of the Armed Services Committee.

Because of the sheer bulk of the Defense Department's fiscal year 1968 request, the committee was faced with a tremendous task in reviewing this $2.6 billion program. Including the four military services and the Defense Agencies, there were over 1,700 separate projects requested at over 471 individual bases and installations. The committee bill which we now seek to bring before the House, totals $2,378,843,000 for new authorization. Additionally, the committee provided $28,240,000 for deficiency authorization against projects authorized in prior years.

After extensive hearings by the full committee, and review of each individual line item requested by the Department, the committee was successful in effecting reductions of $261,775,000 in the bill. In actuality the committee's reduction was $321,775,000 because the total authorization now shown in the committee's bill, $2,378,843,000, contains $60,000,000 for NATO infrastructure costs which the Department's submission had not previously included in their bill total inasmuch as they were requesting it under general or continuing authorization. In the committee's judgment it was considered unwise to grant this authorization as standing authorization and unspecified as to amount, and accordingly the committee has included this request as a specific line item in the Army title in the amount provided in the President's budget. The committee intends that the Department should seek congressional authorization annually for such sums as they may need to fulfill U.S. obligations with respect to NATO infrastructure construction.

Although the total actual reductions accomplished by the committee, $316,395,000, may seem large, they are proportionately some 12 percent of the total request and were accomplished only after painstaking review of each project. The reductions were made in those areas and projects which the committee felt were not of immediate or critical urgency and which would work no hardship on the services if deferred for reconsideration at a later time.

The Committee on Armed Services is convinced that these reductions will certainly not impair the operational effectiveness of the armed services nor will they in any way jeopardize our national security.

This bill authorizes construction at 447 military bases throughout the world.

Included in the construction authorization for these 447 bases are approximately 1,702 line items.

All the construction authorized by this bill will occur at existing bases and military installations throughout the world, there being no new bases proposed in this bill.

Included in H.R. 11722 are authorizations amounting to approximately $80 million for medical facilities of all types. These include hospital additions, dispensaries, dental clinics, and complete hospitals.

Approximately $47 million of this total authorization is allocated for construction of nine new hospitals.

These nine hospitals are distributed as follows:

Service	Place	Number of beds	Cost
Army	Fort Ord, Calif	440	$14,060,000
Do	Fort Jackson, S.C	435	10,365,000
Navy	Adak, Alaska	15	2,927,000
Air Force	Barksdale AFB, La	110	3,794,000
Do	Bergstrom AFB, Tex	50	3,052,000
Do	Mather AFB, Calif	105	5,473,000
Do	Otis AFB, Mass	45	2,621,000
Do	Webb AFB, Tex	30	2,121,000
Do	Reese AFB, Tex	30	2,100,000

Here in the case of medical facilities, the committee found itself in almost complete agreement with the program that the Defense Department submitted. The committee feels strongly that the pace of replacement for many of the outmoded World War II hospitals should be accelerated. This year's program represents the first time in many years where the Department has seen fit to recognize the committee's longstanding concern in this area, and submit a program which in the committee's judgment adequately meets the many overdue requirements for improved health facilities.

The Committee on Armed Services has made a determined effort over the past years to continuously reduce the amount of unfunded and unused construction authorization available to the military departments.

In order to avoid the unnecessary accumulation of unused authorization, the committee has reduced the period of validity of authorizations provided in the annual military construction bill to a 2-year period for all facilities other than military family housing.

In the case of military family housing, the authorization is limited to a 15-month period.

It is heartening to be able to report that based on estimated data furnished to the committee this year, the residual authorization estimated to be available at the end of the coming year for all three Services will be the lowest figure over the past 5 years and will total less than $80 million.

The bill as submitted by the Department proposed the acquisition of approximately 10,151 acres of land at a total estimated cost of $24.9 million. This is less than half the acreage that was requested last year, but the price of acquisition is much higher than last year's $2.5 million.

The major part of the proposed land acquisition involves acquiring the town of Port Chicago, Calif., which is the site of major naval ammunition outloading activities. A special subcommittee looked into this subject thoroughly and recommended that the authority be granted.

The single most important aspect of the matter is the subcommittee's recommendation that the town of Port Chicago be acquired in order to eliminate the real and everpresent hazard to life which now exists.

The committee approved a total of $22.9 million for real estate acquisition including $19.8 million for the town of Port Chicago. The remaining $3.1 million was authorized to the Air Force and Army for expansion of a bombing range and acquisition of mineral rights on a major training base.

The military construction authorization for fiscal year 1968 as reflected in H.R. 11722 contains two distinct parts:

A. The authority to provide and construct new operational facilities in the amount of $1,569.9 million to support the active and reserve forces; and

B. The authority for military family housing in the amount of $809 million.

Now, I would like to briefly review the $1,569 million authorization for the active and reserve forces by relating it to the nature of the support facilities which this construction is intended to provide the operating forces.

For purposes of simplicity and brevity I will describe the contents of this bill in the nine principal categories of facilities which are provided. Two of these, medical facilities and real estate, I have already singled out for special comment and have discussed for you the committee's recommendations. For the remaining seven, I will attempt insofar as practicable to group those which lend themselves to related and allied discussion.

The first of these are operational and training facilities. These categories which represent some 27 percent of the total amount provided for the Active and Reserve Forces total $419.5 million for the three military services. The facilities provided under these categories represent a broad spectrum of requirements and contain essential airbase, fleet operations support, communications, security, command and control facilities, training ranges, classrooms, technical instruction buildings and unit and individual training facilities for all levels of professional and technical military competence. The expanding size of our military forces during the past 2 years have laid heavy emphasis on the need for facilities to rapidly and adequately train large numbers of men. Similarly, the expanded nature of our overseas deployments have generated operational needs not envisaged a few years back. For these categories the committee has recommended $419.5 million distributed as follows:

	Million
Army	$173.3
Navy	113.3
Air Force	132.9

The next categories which I would like to bring to your attention are those for troop housing and utilities. These are especially susceptible to simultaneous discussion in that they both represent severe and longstanding needs which have been allowed to remain in low priority much too long. They are closely related inasmuch as their needs stem from continued and uneconomical use of outmoded and obsolescent facilities which were constructed many years ago under austere criteria, and now simply are unacceptable or completely inadequate by modern-day standards. The Armed Services Committee has fought strenuously over the years to secure a more rapid replacement of such facilities, most especially troop housing, a large portion of which are World War II temporary facilities which have far outlasted their emergency need.

This year, Mr. Chairman, the Department of Defense has heeded our pleas and has come forward with a program which our committee considers is long overdue. The Department proposed a total program of new troop housing and utilities which aggregated some $502.3 million and provided a total of 81,500 new and improved troop housing spaces and approximately $150.4 million for new utility systems and additions. Our committee has recommended $455.4 million for this program, $331.3 million for 71,000 new troop and officer quarters and $124.1 million for utility systems. This recommendation also contains a modest number of religious, welfare, and community support facilities. The Committee on Armed Services feels very strongly that new troop housing for our officers and men is one of the most critical areas of shortage in our defense military construction program.

The next two categories of facilities which I would like to bring to your attention are those for maintenance and supply, and administrative facilities. Maintenance and supply facilities today especially play a most important role in keeping our modern defense forces combat ready and capable of responding to any emergency on short notice. This category of facilities includes all the structures necessary for the maintenance, repair, and overhaul as well as stockage and warehousing of equipment and parts for all of our complicated modern weapons systems. These include aircraft, tanks, artillery, guided missiles and rockets, ammunition, and all of the complex electronic gear needed to direct and operate them. In modern day warfare, an armed force is no better than its logistical train of supply and repair or reequipment.

For these requirements, and for a relatively modest amount of administrative and command and control facilities to provide the headquarters and supervisory facilities for various commands and bases, the Department of Defense requested $273.1 million, of which the committee has seen fit to recommend authorization for $229.2 million. This recommended authorization is distributed as follows:

	Million
Army	$44.3
Navy	97.4
Air Force	87.5

Mr. Chairman, the final category of facilities which I bring to your attention are those for research and development. In the bill as proposed by the Department they had included $132.6 million. This sum was designed to provide facilities for many and varied research and development programs and for continued development of the Nike X ABM. The committee inquired carefully into all of the programs and determined to recommend a total authorization of $80.9 million.

This sum will permit new laboratory facilities and test facilities for all vital systems and fields of research that are most promising from military aspects, and in the committee's view will meet all urgent needs. The recommended authorization is distributed as follows:

	Million
Army	$21.5
Navy	10.4
Air Force	49.0

This, Mr. Chairman, completes my summation of the composition of the new authorization recommended in H.R. 11722 for the Active Forces.

For the Reserve Forces, the Department had requested $18.3 million for Air Force Reserve, Air National Guard, and Navy and Marine Corps Reserve activities. The Department stated that they did not request funds for the Army Reserve components because of the unresolved status of the restructuring of the Army Guard and Reserve, and because they felt that sufficient uncommitted prior-year authorizations were available to finance additional construction if needed once the force structure was resolved.

The committee disagreed with this assumption and feels that the Army Guard and Reserve which have been in deferred status for 2 years should be accelerated. Toward this objective the committee recommends $10 million of new authorization for each of those components, thus making the total of $38.3 million in new authorization available for all Reserve and Guard construction in fiscal year 1968.

Now, Mr. Chairman, I want to make a few general observations concerning the reductions in this bill. As I stated earlier, we deferred a number of projects totaling $321,775,000. We did this in spite of the fact that almost all of the projects are desirable and will have to be built in the future. But in view of the increased costs of our efforts in Southeast Asia and the pressures for a tax increase, we deferred for the present, those projects which could safely be postponed without impairing our national security. In doing this, I feel the committee fulfilled its responsibility not only to the services but also to the American taxpayer.

We reduced the contingency authorization for the Secretary of Defense by $50,000,000. We reduced the authorization for Southeast Asia over $21,000,000 and restricted the use of the funds to eliminate frills and nonessential projects.

To demonstrate the painstaking care taken in consideration of this bill, the full committee held 29 sessions, and the hearings contain well over a thousand printed pages. During the markup of the bill, we considered individually 198 amendments.

Turning now from the reductions, a number of new provisions are contained in this bill which I will briefly enumerate. Many of them relate to military family housing.

First, the average unit cost of family housing is increased from $17,500 to $19,500, exclusive of the cost of land acquisition.

Second, the space limitations for the commanding officers at each installation are increased over officers of the same rank to permit a slightly larger house in recognition of his position.

Third, the house of the commandant of the 9th Naval District at Great Lakes, Ill., where the tragic fire took the life of Admiral Yeager and his wife last March, may be repaired at a cost not to exceed $40,000.

Fourth, this bill would permit the Secretary of Defense to enter into guaranteed rental housing agreements for 5,000 units of family housing in foreign countries, under which 97 percent occupancy is guaranteed for a period not in excess of 10 years, and the average guarantee rental shall not exceed $185 per month, including the cost of maintenance and operation.

Fifth, this bill permits the establishment of a separate account with the Treasury for the purpose of debt service on encumbered military family housing, incomes from the disposal of family housing at closed military installations.

Sixth, it continues the domestic leasing authority for 7,500 units of family housing but raises the rental from a maximum of $160 to $175 per month, and extends the rental authority to include units which are owned by any agency of the United States or were built in consultation with the Department of Defense under governmental financing.

Seventh, in connection with the homeowners assistance program, as contained originally in the Housing and Urban Renewal Act of 1965, and as amended by the Demonstration Cities Act of 1966, the Congress was requested to authorize $27,000,000 to reimburse both military and civilian employees of the Department of Defense for losses resulting from the base closure program. The committee reduced the amount to $22,000,000 and restricted the payments to military personnel only. Unlike civilian employees, the military man is ordered to a specific location and has no choice to reject the assignment. The committee believed that civilian employees of the Department of Defense must be treated on the same basis with all other civilian employees of the Government where no such relief is provided.

Eighth, the committee slightly increased the cost limitations for cold-storage warehousing, regular warehousing, permanent barracks spaces, and bachelor officers quarters.

Ninth, we included a provision requiring the retention and operation of the Naval Academy dairy farm as an economic and morale-building asset to the Department of the Navy.

Tenth, we also included a provision amending the military construction authorization bill of last year to give to the services a greater latitude in the construction of minimum fallout protection in new construction.

Eleventh, lastly, we have included a section establishing by law the location of the various naval districts as they are currently constituted and requiring that the commandant of each naval district be an officer of not below the rank of rear admiral.

This is the bill. I believe it is a sound one, meeting not only the needs of the services but responsive also to the American public in these troublesome times.

I want to make it perfectly clear that no one in this Congress is more economy minded than I am. But at the same time I think of economy, I also think of military necessity and whatever projects are required, I feel we have a responsibility to authorize. Naturally, we don't depend solely upon ourselves but must place reliance upon the factual presentations made by the Department of Defense and the various services. It is only then that we exercise our individual and collective judgments as members of this committee in determining what we believe to be the items of military necessity.

Ladies and gentlemen, I urge you to support this bill which would provide the necessary facilities for our military forces.

Some of you have asked me to discuss a little more in detail title VII of the bill regarding homeowners' relief so, even though I have concluded my statement, I will try to comply with your request.

Gentlemen, probably the most complex subject in this bill is title VII, the Homeowners Assistance section. The Department of Defense requested authorization in the amount of $27 million to implement the provisions of section 1013 of Public Law 89-754. But to understand the request, it is necessary to understand the basic law.

Section 1013 of Public Law 89-754 authorizes the Secretary of Defense to provide assistance to military or civilian homeowners by reducing their losses incident to the disposal of their homes, when the military installations at which they were serving or employed are ordered to be closed in whole or in part. To provide such assistance, the Secretary of Defense is authorized to acquire title to, hold, manage, and dispose of or in lieu thereof, to reimburse the military or civilian employee for certain losses upon the private sale of or foreclosure against any property improved with a one- or two-family dwelling.

The act establishes in the Treasury a fund to be available to the Secretary of Defense for extending such financial assistance to qualified homeowners but subsection 1013(i) requires that appropriations for the acquisition of properties must be authorized by a military construction authorization act and that no moneys in the fund may be expended except as may be provided in appropriation acts.

This means that while we have a law on the book permitting such payments, it is necessary that an authorization be made in order that funds may be appropriated to implement this act. During the consideration by the committee, we learned that DOD studies had been made and it indicates that there are about 124,600 military personnel and 81,200 civilian employees who will be affected by the base closures and that, of these, 12,980 military personnel and 32,370 civilian personnel will be eligible homeowners.

The law is quite specific as to the persons who will be eligible for assistance. The Secretary of Defense under this basic legislation may provide assistance with respect to any property improved with a one- or two-family dwelling which is situated at or near a military base or installation which the Department of Defense has subsequent to November 1, 1964, ordered to be closed in whole or in part, if he determines that, first, the owner of such property is or has been a Federal employee employed at or in connection with such a base or installation—other than a temporary employee serving under a time limitation—or a serviceman assigned thereto; second, that the closing of such a base or installation has required or will require the termination of such owner's employment or service at or in connection with such base or installation; and third, that as the result of the actual or pending closure of such installation there is no present market for the sale of such property upon reasonable terms and conditions.

To be eligible for the benefits under this law, the employee or military personnel must be or have been, first, assigned or employed in connection with the installation at the time of the public announcement of the closure action; second, transferred from such installation or activity or terminated as employees as a result of reduction in force within 6 months prior to the public announcement of the closure action; or third, transferred from the installation or activity on an overseas tour unaccompanied by dependents within 15 months prior to public announcement of the closure action.

Then, there is a further limitation: At the time of the public announcement of the closure action or at the time of transfer or termination of employment, such personnel must, first, have been the owner-occupant of the dwelling or, second, have vacated the owned dwelling as a result of being ordered into on-post housing during a 6-month period prior to the closure announcement.

The benefits conferred by this legislation represent an attempt to prevent a catastrophic loss to employee homeowners who were affected by the base closure decision. The relief can be in several forms. For those whose homes have been foreclosed, the Government will pay the deficiency judgments debts owing to the VA or FHA and other foreclosure costs directly on behalf of the applicant. To the extent that the applicant may have already paid all or part of his valid foreclosure cost, the Government would reimburse him. For those whose homes have been already sold, the Government will obtain fair market value appraisals, both current and prior to the base closure announcement for the property for which the assistance is sought, and will remit to the applicant a check in the amount by which 90 percent of the prior fair market value exceeds the current market value or the actual sales price, whichever is higher.

For those who are still in possession of their home, the Government will obtain a current and a prior fair market value appraisal and inform the applicants of the amounts of such appraisal so that they may elect to first, sell privately and claim loss compensation or, second, assign their properties to the Government for the amount of outstanding mortgages or, third, assign their properties to the Government for 90 percent of the fair market value.

In essence, gentlemen, this is the basic legislation which was considered not by our committee but by another committee of the House and of the Senate. As you will recall, this was voted on as a portion of the conference report of the Demonstration Cities Act of 1966 after many amendments had been made to this section on the Senate floor.

As I said previously, the bill as requested by the Department of Defense this year would have provided $27 million in authorization of funds to implement the basic legislation.

Frankly, many questions were raised during the hearings concerning this matter, and we found ourselves somewhat in a dilemma.

Some Members believed that this was the beginning of a vast new program guaranteeing to Department of Defense employees benefits against losses occasioned by the closing down of installations. Those who argued this position felt that civilian employees of the Military Establishment should not be given any greater rights than civilian employees of a veterans hospital or any other governmental activity which has been closed. In other words, they believed there was discriminatory treatment in this legislation between civilian employees of the military and other branches of the Government. Others contended that if we start this type of program, there is no stopping point because the small businessman such as the motel owner or the service station owner also is vitally affected by a base closure, and suggested that if we begin to provide relief to civilian employees we should also provide them to members of the business community. Others believed that if this program should commence at all, it should date from the date the present Secretary of Defense made his first base closure announcement.

Counterarguments were made by some other members of the committee. They pointed out that the closure of a military installation was similar to closure of a major industry in a one-industry town, and that the housing market would be completely depressed, thus forcing catastrophic losses on all homeowners who were required to leave their homes in order to seek employment elsewhere. They also argued that coincidental with the base closure program, economic assistance for development of the community is provided to the local civilian and business leaders, frequently with the result that the community is in as good economic position as had the military base continued in operation.

There was extensive discussion over the governmental responsibility to the military and civilian employee with the recognition that the military employee had no choice of assignment unlike his civilian counterpart. Upon being assigned to a military installation and finding no military quarters available, the military man could only acquire family housing in the private sector of the economy if his family were to be with him.

Thus, while the nature of the losses may be the same to both the military and civilian employee, the circumstances leading to the losses are somewhat different.

Therefore, the committee took a middle-of-the-road position providing reimbursement or payment to military while excluding civilian employees from such coverage.

The committee discussed the fact that the Demonstration Cities Act of 1966 which required the armed services to authorize this money, could be amended so that of the Congress desires civilian employees who are thus affected could be reimbursed by some other means but not through authorization by the Armed Services Committee.

I can assure you that we have enough problems and responsibilities taking care of the military without overseeing a program which takes care of the civilian employees for this type of loss.

Mr. EDWARDS of Alabama. Mr. Chairman, will the gentleman yield?

Mr. RIVERS. I yield to the gentleman from Alabama.

Mr. EDWARDS of Alabama. I thank the distinguished chairman of the Committee on Armed Services for yielding.

Is the chairman saying that some other committee should concern itself with civilians or is the gentleman saying that because these are civilians you have rejected them?

Mr. RIVERS. We have rejected civilian coverage.

Mr. EDWARDS of Alabama. The gentleman is not suggesting that another committee of this body ought to consider this particular phase of this problem?

Mr. RIVERS. I am not going to suggest anything, because if trouble develops, they would pick us out of the crowd.

Mr. EDWARDS of Alabama. Mr. Chairman, if the gentleman will yield further, I am sure that the gentleman knows that in my home city, the city of Mobile, Ala., there is located the Brookley Air Force Base, one of these bases affected, and I might say that it is the largest installation of its type of all those ordered closed back in 1964. We had some 13,000 civilians, as the gentleman in the well knows, and some 1,000 military personnel involved.

I think one of the theories behind this original proposal was that this impact would find many people with their life's savings invested in their homes and who would find their life's savings wiped out. I say this particularly with reference to 13,000 civilian employees who had investments in their homes all of a sudden thrown on the open market and who could not hope by any stretch of the imagination to come out with anything like their original investment in these homes. This, of course, was the reason behind the civilians being included in the model cities bill to which the chairman referred.

I think that there are civilian employees left all over the country, many of them who have come from our city of Mobile, who have been desperately waiting on the day when this legislation would be passed which would have included them and which was included in the President's budget. This is going to represent a considerable drain upon them, perhaps, even to the point of bankruptcy in many cases, as the result of the omission of this part of the bill.

I would remind the chairman that the committee has included $22 million for the military while the President's budget only called for $27 million which would have included the civilians as well.

Mr. RIVERS. Now let me ask the gentleman—has the gentleman finished his statement?

Mr. EDWARDS of Alabama. Yes.

Mr. RIVERS. The thing that worried our committee was this: Where would we start? I am fully aware of the Brookley Air Force Base which is located in Mobile, Ala. One of the worst mistakes the Secretary of Defense ever made—that is quite a statement I am making—one of the worst mistakes he has ever made was when he closed down Brookley Air Force Base.

Mr. EDWARDS of Alabama. The gentleman from South Carolina and I agree on that point.

Mr. RIVERS. He also closed Rome, N.Y.; he closed down Middletown, Pa., two other materiel bases; he has closed down the Brooklyn Navy Yard. He closed down numbers of other large installations. And, we wondered where to start and where we would end. I do not think that our policy for civilians has been thoroughly worked out. Hence, I do not think that our committee had the time to look into this thing. But we did have the time to look out for the military people who are assigned to go to a certain community and there may not be any housing there.

I can tell you about the Donaldson Air Force Base in Greenville, S.C. The real estate lobby prevented our committee from building one house—not one house—and the military had to deny housing in this community, whether they liked it or not. The same way in Savannah, Ga., at Hunter Air Force Base. McNamara closed it out overnight. And these people are definitely limited. Take, for instance, a master sergeant with $100 a month for his basic allowance for housing. He could not stand much of that. And when by direction of higher level he is sent to some other place, this is manifestly unfair, and this we know, and we were willing to present that in the committee. And we are going to continue to look at this and bring it to the attention of Mr. PATMAN's committee to handle it over there. I know it passed in the other body. I am sorry to say, but a lot of things passed the other body.

Mr. EDWARDS of Alabama. If the gentleman will yield further, you take in a place where it ends naturally, say, a small place in a town where there are not too many people involved, or too many employees involved—those homes can be absorbed into the local economy. And of course, naturally with bases that are going on working every day and people leave for whatever purposes it may be, those homes can be absorbed, but when you dump them on the market like that overnight because of the action of the Secretary of Defense, it then leaves not only the community in a bad way when that occurs, but it also affects those many homeowners who have been forced from their homes certainly not for anything they have done. And there are a few cities like that, certainly Mobile is one of them, where it has had such a severe impact that it is almost impossible to overcome it. We have over 1,200 vacant homes in the city of Mobile today, because of the closing of the Brownsville Air Force Base. Most of those homes are owned by civilian employees who had to be transferred in order to keep their jobs, and in order to keep their seniority, and those homes are sitting there with no one in them, and no prospects of purchasers for them.

Certainly it is my feeling that when the Secretary of Defense arrives at such an unwise decision that some provision should be made to see that these folks are not left penniless insofar as their survival is concerned.

Mr. RIVERS. I might state to the gentleman that I supported his contention in the committee, but the committee voted me down, and I am here this afternoon to favor the action of the committee, because the committee in its wisdom turned this down, and I must support the position of the committee.

Mr. EDWARDS of Alabama. I am aware of the position of the chairman.

Mr. RIVERS. I believe that if we start on this perhaps we ought to know more about it than we know now, but I know we are right as far as the military bases are concerned.

Mr. PIRNIE. Mr. Chairman, will the gentleman yield?

Mr. RIVERS I yield to the distinguished member of the committee.

Mr. PIRNIE. I thank the distinguished chairman for yielding. I would simply like to say to my colleague from Alabama that I fully understand his concern for his people, because in my district there was a similar action with respect to the air materiel area, as the chairman has already indicated, but the date that was selected here did not happen to include that action.

Therefore the chairman is exactly correct when he says that there has to be a study to determine the time when this should be effective and the ground rules which should control, because we do not wish to be unfair to people who have given good service to their country and who are hurt by actions over which they have no control. But the same situation sometimes results from arbitrary cancellation of contracts where an area is similarly affected.

I would like to join my chairman in the statement that we do intend to be fair and we wish to do what we can to properly protect the national interest. It is not an easy problem to resolve.

I thank the gentleman for yielding.

Mr. RIVERS. I thank the gentleman.

Mr. SIKES. Mr. Chairman, will the gentleman yield?

Mr. RIVERS. I yield to the distinguished gentleman from Florida.

Mr. SIKES. I have listened with great interest and appreciation to the comments of my distinguished friend, the chairman of the great Committee on Armed Services.

This is a bill to which the subcommittee that I am honored to head, the Subcommittee on Military Construction of the Committee on Appropriations devotes much time.

I am particularly pleased to note that the bill now before us authorizes substantially more in funds and carries many more line items than has been the case in a number of years.

In this measure we are approaching a level which permits the military services to achieve a reasonably satisfactory degree of modernization. Particularly is this needed in areas such as barracks, bachelor officer quarters, and family housing. These have been so seriously neglected for years. Equally important are training facilities, which are so essential to the adequate preparation of the military forces for their job of winning wars and that of providing protection for this Nation and support for its commitments worldwide.

I recall, very well just 2 years ago that the committees of Congress went through the difficult and trying job of providing an authorization and an appropriation bill for a fully justified military construction program only to have a very substantial part of that program deferred for months by the Secretary of Defense. There was no question about the need for the facilities, and nearly all of them subsequently were built but at higher cost. Despite the efforts of the Congress to provide the needed construction facilities with the assurances of witnesses from the Pentagon at that time that all of the facilities were needed and were going to be built, the program was subjected to the deferral period, with its delays in securing needed facilities and its added costs.

I take this time to ask the distinguished chairman whether he has concern that a similar situation may prevail this year. We have gone through this once and a whisper is going around that something of the kind may be in the making again. I will be extremely disturbed if after the work of the committees of Congress and the assurances of need from defense witnesses, that we should find ourselves again going through deferral or postponement. Does that gentleman have information on this matter?

Mr. RIVERS. Let me try to respond to the gentleman. A few days ago I saw a release in a paper—and that is where I get most of my information—I saw a release in the paper where the Secretary is going to cut $3 billion—I think it was $3 billion—or it may be $10 billion. But I will yield to the gentleman from Massachusetts [Mr. BATES] to check my figures. It was either $3 billion or $10 billion that he said he was going to cut of fat out of the military budget.

Mr. BATES. I was going to cover this in my remarks.

Mr. RIVERS. I see.

Mr. BATES. But reference was made to a 15 percent cut.

Mr. RIVERS. Anyway, it was around $3 billion that he said he would take of fat out of the budget. I did not know that there was any fat in it. If we had any fat in it, we tried to get it out. It was on the 19th of July when we reported this bill out that I directed this letter to the same committee that just reported out the authorization bill.

Mr. Chairman, for the information of the Committee, I would like to read a letter which I sent to the Secretary of Defense, Mr. McNamara, and his response hereto:

JULY 19, 1967.

Hon. ROBERT S. MCNAMARA,
Secretary of Defense,
Washington, D.C.

DEAR MR. SECRETARY: The Committee on Armed Services has today ordered reported H.R. 9356, the Military Construction bill for Fiscal Year 1968.

Prior to bringing this bill to the Floor of the House of Representatives I wish to have your assurance that funds will be requested for the construction of the projects authorized by the bill and that all the projects so authorized will be constructed.

I will appreciate your responding to me at the earliest possible time.

Sincerely,

L. MENDEL RIVERS,
Chairman.

THE SECRETARY OF DEFENSE,
Washington, July 28, 1967.

Hon. L. MENDEL RIVERS,
Chairman, Committee on Armed Services,
House of Representatives,
Washington, D.C.

DEAR MR. CHAIRMAN: With reference to your letter of July 19, 1967, this is to assure you that with the exception of the several additions made by the Committee, the appropriation estimates now before the Congress support all the new projects proposed for authorization in the 1968 program that are contained in H.R. 9356. Depending on appropriations actually granted by Congress and subject to our regular and continuing review of the requirements for individual projects as they come up for execution, we propose to go forward with the 1968 construction program in the normal manner.

The President's Budget estimates for 1968 do not contain any new appropriation estimates for either the Army National Guard or the Army Reserve construction programs.

Sincerely,

ROBERT S. MCNAMARA.

Mr. SIKES. Mr. Chairman, will the gentleman yield further?

Mr. RIVERS. I yield to the gentleman from Florida.

Mr. SIKES. That letter gives no real assurance. It is as wide open as a barn with a busted door. Anything could happen under that language.

Mr. RIVERS. If I understand the letter correctly, it says:

> In response to your letter, we will do the same thing we have been doing. We will continue to review, and after review if we decide to spend the money, we will spend it. Furthermore, Mr. Chairman, you are informed that the things you have added have not been authorized by the President's budget. Furthermore, you authorized $10 million for the Guard and $10 million for the Reserve, and these are not in the President's budget and, in so many words, we do not plan to spend a nickel more than we have said to you and that is that.

Mr. SIKES. If the gentleman will yield further, I think the essential thing is that the authorization committee has worked long and hard to bring forth a good bill containing needed projects. The Appropriations Committee is engaged in similar work. As soon as we have an authorization bill, we will be on the floor with the appropriations bill. Having gone through this exercise, and depending for our basis upon the assurance of those men from the Pentagon whose responsibility it is to know what is needed in new military facilities, I hope that the Congress will insist that the projects be built and built speedily. I trust the gentleman will concur.

Mr. RIVERS. I do concur.

I will say this to the gentleman: We do not get too many assurances, but we have added only one or two projects. One of them is for the Reserve and the other for the Guard. If we have ever needed a Guard, that day is now.

This morning I appointed a special committee to look into the readiness of the Guard and to see whether or not it is equipped to do the pressing things it may be called upon to do.

The most important thing on earth to this country now, with the exception of the deaths in Vietnam—with the exception of the young men who are giving their lives to a war of no resolution, with the exception of that, law and order are the most important things in this country today, and indeed it will be the most important issue in the next presidential election. Mark you that today. That is the only force the Government has had, the National Guard.

The Constitution gives the States the right to have State militias. That is the Guard, and we are going to insist on its readiness, its equipment, and its training of men. I have notified the committee that I will appoint a special committee to look into this matter and report back to the committee, which means to you [Mr. GROSS], and every other Member of the House of Representatives.

I believe the answer to that is "Yes," Mr. Chairman, and I will say this to the gentlewoman from New York. Her intense interest in this area brought this dramatically to the attention of the committee, and we had a special inquiry made into this to take care of those men assigned up in Iceland. It was because of her interest in this. This is not the first interest she has brought to the committee about the welfare of these young men. I am sure the answer is "Yes." If not, I will look into it, and I will give the gentlewoman a complete written report on it.

Mrs. KELLY. Mr. Chairman, I thank the gentleman for his remarks. Also, I hope he realizes we can absorb the 500 units requested in that area. The gentleman will see that it is done?

Mr. RIVERS. The gentlewoman has my assurance on that.

Mr. FLYNT. Mr. Chairman, will the gentleman yield?

Mr. RIVERS. I yield to the gentleman from Georgia.

Mr. FLYNT. Mr. Chairman, I thank the distinguished gentleman from South Carolina, the chairman of the Committee on Armed Services, for yielding to me at this time. Naturally, I expect to support the bill which he brings to the floor today, as I always do, and I shall do so with a great deal of pleasure. But, with the distinguished chairman of the Committee on Armed Services, I would like briefly to reopen the discussion and colloquy between the chairman of the committee and the gentleman from Alabama a few minutes ago with regard to title VII of this bill.

I hope that the chairman of the committee who brings this bill to the floor, during the remainder of the time allocated to general debate and, as far as possible, when we get under the 5-minute rule, with his colleagues on the Committee on Armed Services, will perhaps reconsider as we seek to ask him to support relief for these people who, in many instances, have been the innocent victims of base closings in many parts of the United States.

Let me say that in the district I represent we have been very fortunate and have not had any bases closed, but we have many fine civil service employees who have been transferred into one or more of the bases in and near the boundaries of our districts who are being imminently faced with bankruptcy proceedings unless they can obtain some relief under the provisions of Public Law 89-754. It would seem to those of us who have discussed this with these innocent victims of base closings, that the request which they have presented to us seems to be fair and reasonable.

If the gentleman from South Carolina will yield further, I believe the cost to the Government will be negligible. In all probability, the Government will recoup and recover most, and possibly all, of the funds which would be expended if an appropriate amendment could be adopted. I believe sincerely that no actual loss will accrue to the Treasury of the United States. On the other hand, there will be hundreds and perhaps thousands of civilian employees who will lose their life savings and who may, as a result of this, be forced into involuntary bankruptcy, and lose their jobs and means of livelihood. However, by a simple amendment to include both military and civilian personnel, we can grant to each the benefits which are now provided only to military personnel under the provisions of title VII of this act. Certainly, I support the language of the bill, as far as it goes, to extend these benefits to the military personnel who are covered under the language of the bill which the committee in its judgment and wisdom has before us.

I do hope, when we reach the consideration of the bill under the 5-minute rule, that the members of the Committee on Armed Services will be inclined to accept an amendment which will extend to the displaced civilian employees who are about to lose their homes and their life's savings, the same benefits which the bill in its present form extends to military personnel.

Mr. RIVERS. We have not closed our eyes to this entire problem. Indeed, we do not believe it has received sufficient thought by the proper committees.

I do not believe we have enough information now to include all the civilians. The military personnel are different. They were assigned there.

I do not know what size house John Smith, who may be a GS-12 or a GS-14, might have. He might have a $60,000 house. He might decide he had much equity. I do not know.

I believe that this has not had the thought it should have had. The parent committee, the Banking and Currency Committee, which created the organization downtown to take the paper on these houses, perhaps should address itself to these problems.

NASA may put up a lot of installations at New Orleans or at Houston or at some other place in the West. The Atomic Energy Commission, or the Veterans' Administration, may do that. Those things involve civilians.

I believe this problem should be considered from an overall standpoint.

As to the military personnel, we know where we are.

I am not closing my eyes. I had the same thing happen in my district. That may surprise the gentleman. I have had military installations closed in my district. We do not read that in the Washington papers, but it has happened.

Mr. FLYNT. In this connection, I fear that the distinguished gentleman from South Carolina, the chairman of the Committee on Armed Services, may be confusing the issue, if he believes the only people who are going to be adversely affected by this omission are civilians in the grades of GS-15 or GS-16.

Mr. RIVERS. Of course not, I did not say that.

Mr. FLYNT. Let me refer to the wage board employees.

Mr. RIVERS. Where do we stop? What date would we put on this? Would we start after World War II?

Mr. FLYNT. The amendment I would propose to offer would simply implement the provisions of section 1013 of Public Law 89-754.

Mr. RIVERS. We may want to include Rome, N.Y., where Mr. PIRNIE comes from. We may want to include San Bernardino, Calif. We may want to include Middletown, Pa.

Mr. FLYNT. Would not the gentleman agree we could at least take a step in the right direction, and if further implementation should be needed later we could do it? As I said before, I do not believe this legislation will be a burden on the Treasury. I believe the Treasury will recoup nearly every dollar it expends. At the same time, this will protect the life's savings and perhaps the gainful employment of many hundreds or perhaps thousands of dedicated and devoted civilian employees at these installations.

Mr. RIVERS. That could happen. We know where the military personnel are. I do not believe we can handle the whole program.

The gentleman would not want to overlook the VA employee who has a $4,000-a-year job, would he?

Mr. FLYNT. Mr. Chairman, will the gentleman yield further?

Mr. RIVERS. I yield to the gentleman.

Mr. FLYNT. In answering that question, the gentleman from South Carolina is the one who suggested extending it across the board. What I would suggest doing is simply implementing the provisions of Public Law 89-754, to which title VII applies, to let it extend to the people who have been innocent victims of these base closings by the Secretary of Defense.

Mr. RIVERS. Generally the gentleman is right, but he is wrong now. I will tell him why. They imposed this on the Committee on Armed Services, to take care of the civilians, but this is out of our line.

Normally the gentleman is right.

Next year, if they can bring in something that comes within our jurisdiction, I may be the first one to support it. Indeed, I supported this.

But, I think the committee was wise—I think the committee was wise. Now they have a whole year to look at the whole spectrum and let the proper committee have it. I am sure, however, that our committee acted wisely.

Mr. GROSS. Mr. Chairman, will the gentleman yield?

Mr. RIVERS. I yield to the gentleman from Iowa.

Mr. GROSS. I thank the gentleman from South Carolina for yielding. And, on this subject I wish to say that the committee exercised real good wisdom in omitting indemnification on the bases that has been discussed here.

The question—and I apologize because I did not hear all of the gentleman's previous remarks—where did he say, and what is the location, of this highly important outloading ammunition city?

Mr. RIVERS. Port Chicago, Calif.

Mr. GROSS. Port Chicago, Calif.?

Mr. RIVERS. Port Chicago, Calif. That is in the congressional district which is represented by the distinguished gentleman from California [Mr. WALDIE].

Mr. GROSS. Mr. Chairman, if the gentleman will yield further, I shall not ask the gentleman the question, but I am curious to know if the gentleman has the answer and I would be glad to have it—I am curious to know what happened to all of that real estate that was closed up when the San Jacinto Ammunition Center was closed out some years back? The gentleman from South Carolina will recall that we had quite a hassle over that question on the floor of the House at that time.

Mr. RIVERS. Yes, quite a hassle.

Mr. GROSS. I just wondered if that had been sold back to Houston, Tex., or does the gentleman have that information?

Mr. RIVERS. I do not have that information, but I will tell the gentleman that if he will direct a letter to the General Services Administration, they will surely tell him the facts with respect thereto.

Mr. GROSS. I have been trying to keep up with that information, but at times I have not had very much luck.

I really rose to ask the gentleman from South Carolina if there is anything—any money—for installations in the Panama Canal Zone or in Panama?

Mr. RIVERS. I think there is.

Mr. GROSS. And, if there is any money in this bill for Wheelus Air Base in Libya?

Mr. RIVERS. There is nothing for Libya—I know there is nothing for Libya. There is something in Panama, and I would be glad to get that information for the gentleman.

Mr. GROSS. Let us take Panama. Is there any saving language contained in the bill with respect to that situation? The gentleman is well aware of the fact that we are trying to give away the Panama Canal to the Panamanians, and if we are going to give the station at Coco Solo—the Navy station on the east side of the Panama Canal—if they are going to give away further real estate and further naval property, why would we want to go in and improve the property pending disposition of this treaty? Also, is there any saving language in this bill with respect to these situations?

Mr. RIVERS. I do not think there is any saving clause in this bill. But I do not know why we should not entertain one, if the gentleman has a proposal to that effect. I am sure our chief counsel who sits now with the distinguished gentleman from Massachusetts [Mr. BATES] would have no opposition as well as the gentleman from Massachusetts, and I would have no opposition to such a saving clause.

Mr. GROSS. Mr. Chairman, if the gentleman will yield further, I hope the gentleman would agree with me that we have no business going in and spending a considerable amount of money, if we are going to give away these properties.

Mr. RIVERS. However, in the meantime, we must provide for our military people assigned to this area.

Mr. GROSS. I agree with the gentleman from South Carolina, but I think we ought to have some understanding as to the tenure involved.

Mr. RIVERS. I would not object to that—some saving clause.

I will say this to the gentleman from Iowa: Seldom do we ever disagree, seldom do we ever disagree.

Mr. GROSS. The gentleman is absolutely correct.

Mr. JONAS. Mr. Chairman, will the gentleman yield?

Mr. RIVERS. I yield to the gentleman from North Carolina.

Mr. JONAS. I would like to ask the distinguished gentleman, the chairman of this very important committee, two questions and, perhaps, the answer to the first one was given in his opening remarks which I missed.

Is it true that this bill is $257 million under the budget request?

Mr. RIVERS. I think—plus the $60 million——

Mr. JONAS. Let us put it another way: Was the total budget request $2.635 billion, but you cut it down——

Mr. RIVERS. Roughly $321 million.

Mr. JONAS. Two hundred and fifty-seven million dollars; is that correct?

Mr. RIVERS. We cut the budget request, roughly, 12 percent.

Mr. JONAS. I am trying to get some figures in the RECORD and not necessarily for my own use right now.

Was the total budget request $2.635 billion, and is the total amount authorized by this bill $2.378 billion?

Mr. BATES. Mr. Chairman, will the gentleman yield?

Mr. RIVERS. I yield to the gentleman from Massachusetts, but I can say right now, that we denied or deferred $321 million.

I now yield to the gentleman from Massachusetts to give you the exact figure.

Mr. BATES. The gentleman from North Carolina [Mr. JONAS] is correct, that the budget figure was $2.6 billion, and the amount contained in this bill is $2.3 billion. The original request by the various departments was $3.5 billion.

Mr. RIVERS. Does that answer the gentleman's question?

Mr. JONAS. That is satisfactory.

The CHAIRMAN. The time of the gentleman from South Carolina has again expired.

Mr. JONAS. Would the gentleman from South Carolina take 1 additional minute?

Mr. RIVERS. I thank the gentleman.

Mr. JONAS. Mr. Chairman, will the gentleman yield for 1 more minute?

Mr. RIVERS. Yes, I will yield to the gentleman.

Mr. JONAS. Mr. Chairman, I read over the weekend that some of our military leaders now are saying that we were going to have to withdraw in the South Pacific back to a line closer to the United States. I do not have the exact details in my mind, but is the gentleman aware of that proposal? Has any discussion been had with the members of the gentleman's committee about the prospects of withdrawing our troops and our bases and consolidating them in the Marianas?

Mr. BATES. Mr. Chairman, will the gentleman yield?

Mr. RIVERS. I yield to the gentleman from Massachusetts.

Mr. BATES. I will say to the gentleman from North Carolina that I understand there was an article with respect to that matter in the U.S. News & World Report, but I also understand further that the Department of Defense has denied it.

Mr. JONAS. I just wondered if there was any substance to the report I read.

Mr. RIVERS. We have no knowledge of it.

Mr. JONAS. I am sure if there was any substance to it the committee would have heard about it.

Mr. RIVERS. I would hope so.

Mr. JONAS. I would certainly hope so also.

The CHAIRMAN. The gentleman has consumed 59 minutes.

The Chair recognizes the gentleman from Massachusetts.

Mr. BATES. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I rise in support of the bill, H.R. 11722, the military construction authorization bill. This year the bill includes almost 1,800 items, for a total worth of about two and one-third billion dollars. It is the largest military construction bill we have had in many, many years.

The committee has worked diligently and, as the distinguished chairman has already indicated, we have cut about 12 percent from this bill on items that we do not feel will detract from our national security. We held 29 sessions in 6 weeks in order to secure very detailed information. While this was a difficult, exacting, and time-consuming task, I do believe our effort was well worth the while.

In going over the material, not only did we study it with the most careful scrutiny in order to be sure the items would appropriately serve the interest of our national defense, but we were also able to learn many things we had not known before.

One thing is clear: The Department of Defense has not kept the Committee on Armed Services completely in its confidence on all of its plans. Much of it, as the chairman has indicated, we read in newspapers and periodicals.

However, there is hardly a program for which construction is not needed sooner or later. And in the bill that we now have before us, at this point, the Committee on Armed Services finds out specifically what the Department's plans are. But sometimes it is very, very late.

Let me give you some examples.

The Committee on Armed Services has a very special subcommittee on antisubmarine warfare. That is because antisubmarine warfare is one of the most crucial problems that our Nation faces.

It also has another subcommittee which annually reviews all of the research and development of the Department of Defense, including its laboratories.

Yet neither of these committees even heard of a new underseas warfare laboratory that the Navy wanted to start on the Pacific coast until the Navy came in to our committee this year with a request for funds to construct the laboratory at Los Alamitos. And we have had several meetings of subcommittees, but never once before this particular construction bill was presented to us had any of the members of the committees had any information whatsoever on this new project.

As a consequence, we had to send a special subcommittee under the distinguished gentleman from Virginia [Mr. PORTER HARDY] to California to examine this project.

Not too long ago I was driving down Independence Avenue and I saw a new building being erected. I asked what the building was. At that particular point I could not receive any information, but I pursued the matter further and I was advised that it was the new Forrestal Building. I said, "Do you mean it is a building named after the first Secretary of Defense, the late James Forrestal?" They said "Yes." I said "Is this a building for the Armed Forces?" And I was told yes, it was. But the Committee on Armed Services was not even advised about it.

It did go through the Congress but through the Committee on Public Works and in a lump sum, so that nobody really knew that the Forrestal Building was, in fact, to be built.

Let me give you one other example. In 1958 the Congress passed the Department of Defense Reorganization Act, including the so-called McCormack amendment. It has been the contention of the House Committee on Armed Services that the powers granted under this act to effect any consolidation of existing functions should be preceded by an act of the Congress. The later established Defense Supply Agency was the kind of agency that the McCormack amendment was addressed to, as the committee understood the amendment. We wanted to know what was going on. If new agencies were to be established or if there was to be a consolidation of existing agencies, we expected the Department of Defense would come before the Congress and certainly before our committee to advise us as to its intention. But never did we hear of what was going on until it became a fact.

Over the past years there have been other Department of Defense operations which have been put together without first bringing them to the Congress for our information and for our approval. Thus today there is a Defense Communication Agency and the Defense Intelligence Agency, among others.

The tendency to centralize and put all of their eggs in one basket is to me very disquieting and the results can even be questionable. Although we have spent millions and millions of dollars to develop the facilities for our Defense Communication Agency, we still find that we cannot handle our communications adequately.

Look at the trouble we recently had in respect to getting a vital message to the U.S.S. *Liberty*. The basic communication to that ship was routed not through regular channels but by mistake into Greece, and there was a delay. An information copy was directed to the ship, but did it go to the ship? Not at all. It went to the Pacific—while the U.S.S. *Liberty* was in the Mediterranean.

So we are concerned about the centralization of many of these agencies.

We wonder what would happen if there was a real emergency so that our communications network would really have to be used in a really extended situation.

This year in the military construction

hearings we learned for the first time that there are now two new defense agencies, the National Agency Check Center and a Defense Central Index of Investigation. Never before did our committee know about these two agencies until they came before us on this bill and told us that the agencies were already established but that they needed a new building. If we had not had the military construction bill, I doubt if we ever would have heard of them.

We should have the opportunity to examine the pros and cons at any time that the administration decides to set up a new agency. Without this examination we have lost the checks and balances built into our Constitution.

Last year we found out about the new Defense Language Institute when the Department wanted funds to build new facilities at Biggs Air Force Base. The Armed Services Committee refused to go along with the proposal to move everything down to Biggs and deleted the item until the matter could be thoroughly studied. Now this year we find that there are more funds being sought to establish language facilities at Fort Bragg. Thus, it is only through the military construction bill that we often find out what is going on.

And they cannot build any building unless we are requested to enable them to do so, unless they do it through the General Services Administration, and we have now reached an agreement that any time the occupancy of any building shall exceed 50 percent by the Department of Defense, it shall in fact clear through our committee.

But it is not just that these new agencies have been formed without congressional knowledge or approval. One by one the functions of the Army, Navy and Air Force can be drawn off and put into some new Defense agency until there is merely a shell of the old organizations. Yet the Constitution clearly gave Congress the powers—

> To raise and support Armies; to provide and maintain a Navy.

It appears that our Founding Fathers were most wise when, in addition to the above powers, they also buttressed the power of Congress—

> To exercise exclusive Legislation in all Cases whatsoever . . . over all Places purchased by the Consent of the Legislature of the State in which the Same shall be, for the erection of Forts, Magazines, Arsenals, dock-Yards, and other needful Buildings.

By maintaining its control over the construction of all new buildings, the Congress has been able to keep informed of Defense policy.

For many years now the Atomic Energy Commission has had the statutory duty to keep the Joint Committee on Atomic Energy "fully and currently informed" with respect to all aspects of the atomic programs. Just this year the House has sought to write into substantive law the requirement that the National Aeronautics and Space Administration shall keep the space committees "fully and currently informed." I would like to suggest that the Armed Services Committees should seriously consider adding this kind of language to their statutory powers so that we can learn about Defense policies firsthand rather than after the fact, when it might well be too late.

One of the things that our annual review of the construction budget permits us to do is to keep a rein on the ability of the Armed Forces to construct without undue frills. Thus it is that the committee can, by examining costs per square foot, come to some consideration as to the relative amount of gold plating that has gone into or might go into a particular building. Likewise, by examining the costs to landscape and grade, the committee has been able to determine in many instances that particular structures are being built with too much folderol, and had the services reexamine them.

Another type of item which has been included in the construction program for this year has been sewage treatment plants. During the review by the committee it was found that sometimes these plants were built in conjunction with local plants or were built to accommodate, in part, local needs besides the needs of the military. Thanks to the efforts of the committee, we have been sure that where local needs are being taken care of, the local governments are paying their share of the facilities. In fact, at one particular base we felt that the Armed Forces were helping to build a sewage treatment plant even though it had no particular need of it at this time. The cost was exorbitant and the committee eliminated the item.

This leads me to comment upon the method by which the Department of Defense arrived at its proposal for the military construction bill.

Listen to this, because I think it gives a new insight into how the Department of Defense is presently operated. The Department received from various departments proposals totaling over $3.5 billion. It took these proposals originally and cut them from $3.5 billion to $1.5 billion for submission to the President. At the White House an additional $1.1 billion was added to the bill. Why? Because of a military requirement that the President deemed necessary? Not at all. It was only because the construction industry needed some assistance. They had fallen upon hard times. They wanted to pick up the economy, so the President added $1.1 billion to this bill—to this military bill—not to help the military, but to shore up the economy.

The items which were thus added were not necessarily of the highest priority. Hence it was that when the committee decided to review some items or to delay some others, they went through those items rated with the lowest priority by the services, and we cut them approximately $330 million from this bill, or 12 percent of what was submitted to us. The items which were retained were those which, while not originally of the highest priority, nevertheless would have been included in next year's bill.

I have criticized the Secretary of Defense for his part in allowing the Defense construction bill to be used for purposes other than those which are strictly military. I had assumed that the Secretary of Defense had as his primary obligation the defense of this country.

In 1966, after the Congress had authorized certain construction, the Secretary of Defense refused to spend the money until early this year. This involves some 8,500 units of family housing for our military. When the Secretary of Defense came before our committee originally, he said of all the items in the bill, these 8,500 units for our military housing were the most important. Yet he cut it down, and slowed it up for a period of 2 years. This year he has started to build these houses. At that time, he authorized the expenditure of funds previously granted by the Congress. Why? In order to assist the construction industry. The press release that came out indicated the Secretary of Defense had now permitted the release of this money for three reasons: First. He said it was a need. It has been a need for 2 years. Second. He said it would help the morale. It would have helped the morale of the Armed Forces a lot more if they did not have to wait 2 years. Third. He said it was also to help the construction industry. It seems to me he ought to be in another department than in the Defense Department if it is upon this basis he is going to exercise judgment.

In order to be sure that our Armed Forces do receive adequate recognition for their efforts, there have been two areas in which the Armed Services Committee has been especially outspoken: first, in connection with adequate housing for our military personnel, and, second, in connection with adequate hospital facilities for them.

The construction which had been included in the bill in 1966 and which the Secretary of Defense authorized only at the beginning of this year was primarily for housing. Hence it was that even though the needs of our military personnel had been recognized for some time, it was not until early this year that the necessary housing, as already funded by the Congress, had construction started. In addition, in this year's military construction bill, there were additional sums approved for housing—indeed, this year we have approved $809,000,000 for family housing expenditures, including 12,500 new family housing units, $267,000,000. The Armed Services Committee has been urging the Department of Defense to approve adequate housing for its military personnel for a number of years now. We hope that when this is authorized and appropriated by the Congress, that the Secretary of Defense will not again decide to defer this program until sometime when it will do the construction industry a lot more good than it will at this particular moment.

Let me proceed further with respect to the hospital situation. For many years now, the Armed Services Committee has been emphasizing the necessity of providing adequate medical facilities for the servicemen and their families. In particular, I have been pointing to the Chelsea Hospital in Massachusetts as being old enough to be in a museum itself. This year we made a special effort to study the hospital situation. We even set aside one special hearing to be devoted only to the problem of hospitals. While we have been told that the armed services cannot design one central core for a standard hospital of a set size, with the special needs of that hospital taken care of in addition to the wings, this is what we have been told. This year, I am glad to report, there are many new hospital projects which have been put into the program. Now, perhaps we can begin to look toward the time when the serviceman and his family will receive adequate hospital treatment without being turned away in emergencies.

One of the most important provisions of this bill is the title which would establish by statute the naval districts. During recent years, there has been much consolidation of naval districts by departmental unilateral order. I do not think that this has been the wisest way to proceed. It was the latest move to have the 1st and 3d Naval Districts combine in New York City that has caused the most consternation. If there should be such a move, it would be the larger, Boston office which would be required to move to join with the smaller New York office. To my mind, there is no reason for any such kind of amalgamation. The duties in New England are very real and very large. The duties in New York cover a very much smaller seacoast and a very much smaller naval activity. It is time that the Congress attacked the problem head on by writing the naval districts into statutory law. Then when the Department of Defense wants to change those districts it must come back to the Congress and present its case. If the case is well considered and will provide a benefit to the country as a whole, the change will be adopted by the Congress. On the other hand, if the proposed change is as lacking in sense as the proposed move of the Boston headquarters into New York, then it will be rejected. It is time that the Congress took one more step toward reacquiring its constitutional prerogative.

After we completed the hearings on this bill, I read in the newspapers that the Department of Defense intended to cut its programs by approximately 15 percent. I asked the chairman of the committee whether he was advised of this new development. He advised me he was not. I then suggested to him that we write a letter to the Secretary of Defense asking if there was any substance to this rumor of cutting the military appropriations by 15 percent. The chairman wrote that letter, he made that inquiry of the Secretary of Defense, and we received yesterday a reply, to which the chairman of the committee has previously referred. I want to read this letter. It is signed by Robert S. McNamara, the Secretary of Defense, and it is addressed to the Honorable MENDEL RIVERS, chairman of the House Armed Services Committee.

> MY DEAR MR. CHAIRMAN, with reference to your letter of July 19, 1967, this is to assure you that with the exception of the several additions made by the Committee, the appropriation estimates now before the Congress support all the new projects proposed for authorization in the 1968 program that are contained in H.R. 9356.

Let us back up a little bit. What does he say? "I want to assure you that with the exception of the additions which were added by the Congress, we will perhaps proceed." In other words, there is the fount of knowledge. Regardless of what new developments there may be, regardless of what position the Congress assumes, and regardless of our constitutional obligation to provide and maintain the armed services, he says this, and the name of the Secretary of Defense or his title never appear in the Constitution of the United States.

He is a creature of the Congress. Yet he said in this letter that the things he recommended were one thing but there would be exceptions so far as the items we thought were necessary.

I heard those same kinds of comments some 10 or 15 years ago, when this Congress believed it was important and imperative for the defense of this Nation to build nuclear submarines. The Secretary of Defense and the Secretary of the Navy at that time said there was no need for nuclear submarines, that they were too expensive. Where is the man who would stand in this place today and say that our Polaris submarines are not the strongest arm of our national defense?

The Secretary of Defense in his letter of July 28 said he could not approve the items which we have listed. What does he say with respect to his own items? Let me read further. He said:

> Depending on appropriations actually granted by Congress and subject to our regular and continuing review of the requirements for individual projects as they come up for execution, we propose to go forward with the 1968 construction program in the normal manner.

What does that mean, "in the normal manner"?

To me, Mr. Chairman, this was not a fitting response to a committee which is diligently trying to do its work.

We wanted to know: does the Secretary of Defense now intend to cut these bills presently before us? If he does, I believe we are entitled to that information.

Is it necessary for us to go once again to our prime source, the newspapers of this country?

This morning I picked up the Washington Post. For the second time I find out from the newspapers, in a headline, that "Economies May Slow Missile Replacement."

It is said that the Air Force has passed the word—not to the Congress, but has passed the word that there is an "economy drive now underway."

What is this economy drive for the national defense? Certainly we have not heard it. We listened for 6 weeks to representatives of the Department of Defense, but not once were we advised that this bill should be cut. They said that all these items were vitally needed for national defense.

Now the newspaper advises us that the Air Force says there is an—

> Economy drive now underway, the Minuteman I strategic missiles will not be replaced as fast as planned with the improved Minuteman II.

As originally planned, that is.

Only 2 weeks ago the American Security Council wrote a paper in which it criticized the gap being closed by the Russians in reference to our superiority in missiles. Although we are now pretty far ahead of the Russians, in no time at all, in terms of missiles and megatonnage, they will surpass us.

The Secretary of Defense said we should not be concerned about megatonnage because, after all, the important thing is whether we can hit the target and have enough missiles to do this. When he was before us he said we were not only having the Minuteman II, but further than that we wanted to pursue the Minuteman III. Now the newspaper article says we are not going to get the Minuteman III, and we are not even going to get the Minuteman II on schedule. We will get the Minuteman I.

Well, there is a direct relationship between the number of missiles that can hit a target and the megatonnage involved, as the Secretary of Defense indicated, but if we are going to be short on megatonnage, as he indicated, and now, as indicated in this article, we are going to cut down on the missile systems which are more accurate than the ones we presently have, the net effect is clear. We will be superior in neither megatonnage nor missiles.

Mr. Chairman, I do not want to take further time of the committee. We have gone through this bill carefully. I believe that the items now in the bill are important and are necessary. We have examined every single line, every single item that is in the bill. We believe that it is necessary, and after 6 weeks of study, Mr. Chairman, I recommend this bill to the House.

Mr. Chairman, I yield such time as he may consume to the gentleman from Ohio [Mr. CLANCY].

Mr. CLANCY. Mr. Chairman, I would like to add my endorsement to the authorization bill before us. I have examined this bill carefully and find it is a well-balanced bill which provides for the immediate essential needs of the services. I am particularly pleased with the resumption of normal programing by the Department of Defense. The extremely limited program last year requires a larger construction program this year if we are to continue to modernize and rehabilitate obsolete facilities in a timely fashion. I am pleased that the Department of Defense revised its original plans and increased its program by $1.2 billion to correct the reduction of the previous year. I only hope there is no deferral by the Defense Department of any portion of this program as was the case in December 1965. With construction costs rising at 3 to 5 percent per year any such deferral would indeed prove costly.

Each of the services has included in its portion of the bill a request for deficiency authorization for projects previously authorized of approximately $9 million. These deficiencies developed from several causes; in some cases actual construction costs have exceeded the estimates, while in other cases the refinement of designs and estimates has indicated a need for larger amounts. In the great majority of these cases the deficiency was not due to the deferral of projects by the Department of Defense in December 1965. I expect that the deficiencies that will be generated by that deferral action will have to be addressed in a future construction authorization bill.

Gentlemen, the military construction bill is but a very small percentage of our military budget. It has, however, received a very long and thorough review by the House Armed Services Committee. I, therefore, hope you will join me in supporting the bill recommended by the committee.

Mr. BATES. Mr. Chairman, I yield such time as he may consume to the gentleman from Ohio [Mr. Brown].

Mr. BROWN of Ohio. Mr. Chairman, I rise in support of this legislation.

Mr. Chairman, authorizations in the military construction authorization bill for fiscal year 1968 for Wright-Patterson Air Force Base, a large portion of which lies in my congressional district, total $11.093 million. This represents a cut of nearly $14 million in the original budget request submitted by the Department of the Air Force in January.

Chairman Rivers has given assurances that all the projects deferred for Wright-Patterson Air Force Base, including a $7.084 million item for a laboratory addition to the foreign technology division, a $3.140 million item for an energy conversion laboratory, and a $2.740 million item for an aerospace medical research laboratory, will be given favorable consideration by the Armed Services Committee if requested again next year by the Department of the Air Force.

The distinguished chairman of the Armed Services Committee has also repeated to me many times in both public and private conversations his fundamental view that Wright-Patterson Air Force Base is one of the most significant and vital military installations in the United States. In this, of course, I concur, but I would like to take a moment to spell out for my colleagues why the chairman and I believe this to be true.

I am sure my colleagues would expect me to feel that this large military complex located in the Seventh Ohio District, which I have the honor to represent, is vital simply because it is in my district. Each of us tends to feel that the military installations in his own bailiwick are important. But in Wright-Patterson we have something unique. Not only do we have the advanced training school for the "brains" of the Air Force, the Air Force Institute of Technology, but we have a research complex which goes into many areas of pure and applied research. It is this accumulation of knowledge and brainpower which will keep our Nation ahead of any potential adversary. The study and accumulation of knowledge being done at Wright-Patterson will assure the superiority of American equipment, firepower, manpower, method, and materiel in generations to come.

Such research, of course, may be deferred briefly in the interest of economy, but it cannot be deferred indefinitely unless we are to obviously and grievously risk the future security of our Nation. I am reassured by the chairman's assurances about the future mission of Wright-Patterson Air Force Base, but I am more reassured by the items which are included in the authorization this year for the avionics science laboratory and the flight dynamics research laboratory.

It is my strong feeling that to unnecessarily defer investment in the additional research and technology which have been proposed for Wright-Patterson Air Force Base would be a grievous error and I shall be personally watchful that such projects as are recommended by the Air Force for Wright-Patterson Air Force Base are restored to the authorization of the Defense Department at the earliest practical moment. I trust that the chairman and the members of the Armed Services Committee will join me at that time and share my concern for undue deferment of such facilities in the vital area of research and technological development.

Mr. BATES. Mr. Chairman, I have no further requests for time and I yield back the balance of my time.

Mr. RIVERS. Mr. Chairman, I yield such time as he may consume to the gentleman from Massachusetts [Mr. Philbin].

Mr. PHILBIN. I thank you, Mr. Chairman.

Mr. Chairman, I wish to congratulate and compliment my distinguished, able, and great chairman, the gentleman from South Carolina [Mr. Rivers], for the splendid, explanatory remarks which he has made on this bill, and for his excellent analysis of its various provisions.

In addition, Mr. Chairman, I wish to commend and compliment my distinguished and able colleague, the gentleman from Massachusetts [Mr. Bates], for the fine speech that he has made and for his penetrating discussion of the bill.

I shall not talk in extenso with respect to this measure at this time, because I feel that after these two fine speeches which the Members have heard by my distinguished chairman and by my esteemed colleague [Mr. Bates], anything I might say might well be construed as carrying coals to Newcastle.

But I am very strongly in favor of this bill. A great deal of hard, intelligent work has been put into it, and it represents the best efforts of a great committee.

Mr. Chairman, I urge the House to give it its unanimous support. Thank you very much, Mr. Chairman. I ask unanimous consent to revise and extend my remarks.

Mr. RIVERS. I thank the distinguished gentleman from Massachusetts.

Mr. Chairman, I yield such time as he may consume to the gentleman from Louisiana [Mr. Hébert].

Mr. HÉBERT. Mr. Chairman, I would like to associate myself with the remarks which have just been made by the distinguished gentleman from Massachusetts [Mr. Philbin] and to echo the words of praise for the leadership which we have received in making this bill possible for presentation to the House.

Both the gentleman from Massachusetts [Mr. Bates] on the Republican side and the gentleman from South Carolina [Mr. Rivers], our own distinguished and beloved chairman, have made excellent statements in support of this bill. Of course, I support in toto and wholeheartedly this legislation which the committee has worked so hard upon.

Mr. Chairman and members of the Committee, I appreciate the opportunity to present the fiscal year 1968 Air Force construction request in support of our research and development program.

The construction request we are presenting today directly and substantially supports the Air Force research and development effort previously discussed with the committee. The effectiveness of this effort and our flexibility to exploit technological advances and military technology are keenly dependent upon the availability and adequacy of a modern, high quality research and development physical plant.

R. & D. technical facilities provide the technological base with which to insure that our scientific/engineering homework is complete before we make large-scale production investments in our weapons arsenal. They provide us the capability to respond to the uncertainties and technological breakthroughs in R. & D. They provide the "technical building blocks" that we need for research, exploratory development, advanced development, engineering development, operational systems development and systems testing and evaluation.

The investment in research and development facilities of past years has contributed significantly to the world position we enjoy today. Just as surely, our technical capabilities in the seventies will be closely linked to the foresight we use today in providing the necessary R. & D. support.

It is indeed gratifying to look back and see that the work of our dedicated scientific and engineering people, carried out in laboratories and test facilities provided in years gone by, has been responsible to a large degree for the present military and space achievements.

We cannot stand still to admire yesterday's achievements. Rather, we must recognize that dedicated efforts of today are essential if we are to maintain our national status in the years to come. The Soviets are hard at work, investing huge sums of money in research and development. The Soviet objectives behind this heavy investment is obvious. We too must work hard and make investments now to counter those Soviet objectives and insure our freedom and way of life in the future.

We must always guard against the temptation to defer the technology programs and to reduce the R. & D. effort in favor of forces in being. The consequences of deferred technology are deferred capabilities, missed opportunities, national deficiencies and ultimately, the inability to compete technologically or militarily. Our actions today can avoid the costly crash programs of tomorrow.

This past year we have reviewed a great number of interrelated individual efforts—including R. & D. construction requirements. We have geared our

R. & D. effort to changing military requirements, new technological and scientific discoveries, and the tremendous military and economic advantages to be gained. Our R. & D. construction request is an integral part of this effort and the objective has been to make the most effective use of our resources—men, money, time, and facilities—devoted to research and development.

In looking ahead, the Congress must continue to exploit the advantage of dynamic, forward-looking research and development. Continued progress requires timely and adequate resource support. The provision of carefully selected new R. & D. facilities is inherent to our resource and development effort. We must provide our dedicated scientists and engineers with the facility resources required to attain the gains of advancing tchnology. Specialized R. & D. facilities are required to meet the unique state-of-the-art requirements of many of our R. & D. programs. Our R. & D. physical plant must keep pace with our efforts in exploring new frontiers of knowledge and new avenues of technology. We must provide for large ground aerospace test facilities so that our future weapon systems will have a place to be adequately and economically tested before incurring the risks and expense of flight.

We are ahead in R. & D. We must stay ahead. To this end we have included in our fiscal year 1968 military construction program those facilities required to carry out our research and development effort. Some of the facilities in this year's program are as follows:

At Brooks AFB, Tex., we are proposing an environmental oral physiology laboratory. This facility is to conduct inhouse studies and interdisciplinary research on the causes and factors which influence the cause of dental and maxillofacial disease. The objective is to develop techniques of maxillofacial surgery and the other specialties of dentistry. It should be noted that locating this facility at Brooks AFB provides the Air Force the opportunity to exploit the panoply of knowledge which emanates from other activities at the school of aerospace medicine.

At the Bishop Site of Edwards AFB, Calif., we are proposing a high-altitude test facility consisting of an austere, granite-stabilized 3,000- by 150-foot test strip and a 40- by 40-foot prefab building. This facility will allow performance evaluation of rotary wing, V/STOL, and other special purpose aircraft at a 10,000-foot altitude in order to substantiate the high altitude take-off, hover, and landing characteristics of the aircraft. We are also providing aircraft test facilities for C–5A aircraft.

At Eglin AFB, Fla., we are proposing an armament engineering and evaluation facility. This provides a three-story building for those nonnuclear munitions R.D.T. & E. functions for which the Air Force is solely responsible. We are also proposing a two-story building for an electromagnetic warfare engineering facility for electronic countermeasures work. An armament test preparation facility will provide experimental facilities needed for an in-house capability to study the chemstry and physics of explosive and to fabricate high explosive assemblies and prototype warheads.

At Holloman AFB, N. Mex., we are providing test track power alterations. This is required to provide trackside instrumentation camera coverage for an expanding track workload.

At L. G. Hanscon Field, Mass., we are proposing an optical physics lab. This provides a capability in low energy, molecular and optical physics, and application of the results to military problems.

At Wright-Patterson AFB, Ohio, we are proposing the second increment for the Avionics Lab. This second increment is required to support in-house research missions on navigation and guidance, advance weapons, reconnaissance, communications, electronic warfare, surveillance, electronic techniques, and bionics.

At the Arnold Engineering Development Center, Tenn., we are providing for a modification to the supersonic wind tunnel. This system will permit rapid injection and retraction of the test section for the purpose of making necessary model modifications without tunnel shutdown. This will increase test time capability by 30 percent. We are also proposing alterations to the hyperballistic armament test cell to increase velocities from 15,000 feet per second to 25,000 feet per second.

Additions are being made to the space launch complexes at the Eastern Test Range, the Western Test Ranges, and also the Satellite Control Facilities.

Gentlemen, this briefly reviews some facilities required to directly support our R. & D. program. As you can see, this is a modest request. We have been diligent in our effort to include only those facilities required to support the Air Force R. & D. effort.

Mr. RIVERS. Mr. Chairman, I yield such time as he may consume to the gentleman from Florida [Mr. BENNETT].

Mr. BENNETT. Mr. Chairman, I favor the passage of this legislation.

The Nation has called on the military services to honor our commitments at many places around the world. They are carrying their responsibilities at home and abroad with distinction and valor. The people who bear these burdens, the soldiers, sailors, marines, and airmen, mature and young, men and women, are well trained and well equipped to perform their many and varied duties. Where do they achieve this status? A large part of it at our camps, stations, and bases. The buildings and structures at these installations, and of course, dedicated military people, permit us to maintain this well trained and well equipped status.

Many of our military installations have not been maintained up-to-date in keeping with the rapid advances of science and technology since the end of World War II. They may be deficient in troop housing, utilities, shops, piers, parking apron, and other facility categories which are necessary for the proper operation and administration of the installations. Many facilities antedate World War II; many were built during the war. Most of these are worn out and need replacement; some may be structurally sound and may be effectively and economically rehabilitated. Whatever the case may be, we owe it to our uniformed people to provide them the wherewithal to perform their difficult tasks adequately.

Our distinguished colleague from South Carolina, the eminent chairman of our Armed Services Committee, has clearly pointed a way in which this body may exercise its responsibilities; that is, to support his recommendation for enactment of the Department of Defense military construction authorization bill for fiscal year 1968, H.R. 11722. His objective presentation and intelligent analysis of this bill leave few questions unanswered and form the bases of knowledgeable endorsement by all of us.

The learned views of the distinguished gentleman from Massachusetts, the ranking minority member of our Armed Services Committee, have been expressed in his usual candid, unbiased manner. His important support is indicative of the nonpolitical nature of this bill.

There can be no doubt in anyone's mind that this bill would authorize a sizable amount for military construction. This fact is emphasized by comparing it to the unusually small amount authorized for this purpose last year. The insufficiencies in this respect in prior years and the unsettled conditions in the world today have contributed to the accumulation in each of the military departments of a considerable amount of unsatisfied facility requirements.

I sincerely believe that no military construction authorization bill of recent years has been scrutinized more closely nor has been analyzed more carefully than the one we are now considering. Problem areas were studied in detail to the extent that several subcommittees made on-site investigations. They reported their conclusions to the full Armed Services Committee before decisions were reached. The Navy program contained several such problem areas. I should like to speak to the Navy program in general and to these problem areas in particular.

Title II of the bill would authorize construction at Navy and Marine Corps installations in the amount of $474.2 million. By analyzing the Navy program it becomes evident that it has been thoughtfully planned, that it is well balanced. First things have been placed first. Most of the construction is for stations in the United States; less than one-tenth being for overseas activities. About one-third of the program, or $157.4 million, is allocated for construction of living facilities. These consist of bachelor quarters for officers and enlisted, messhalls, a few enlisted men's clubs and other recreational facilities, chapels and other community type facilities for use mostly during off-duty hours. Some of these facilities will be new, to satisfy numerical deficiencies; others will be for rehabilitation of existing structures to modernize them at relatively low cost. This appears to be a proper proportion of the program to devote to the well-being of the most important element of our defense, highly motivated people.

The second largest segment of the program, about one-fourth, or $119.1 million, will be used for operational and training facilities. This also is a seemly proportion of the program, since such facilities are essential for carrying out the missions of the stations. Examples of facilities in this category are piers, airfield runways, and undersea weapons training building.

Other portions of the program are as essential and as urgently needed as those I have just mentioned. They are, however, of lesser importance to the direct purpose of the installations. Two of them will provide for maintenance facilities and utilities. Each composes approximately one-eighth of the program, for $63.3 and $60.4 million, respectively. Alteration of drydocks, and combat vehicle maintenance shops are typical examples of facilities in the maintenance category which are covered in the Navy program. Line items for water main and electric power system are examples of utilities which must be provided to make the buildings usable. Another prime and important example is sewerage improvements. With respect to this type of utility, the bill we are considering would authorize the construction of 27 such line items for $19.2 million at various naval and Marine Corps installations throughout the country. This is the first increment of a continuing Navy program to eliminate the dumping of sewage from their installations into the adjacent rivers and harbors. This pollution abatement program is proceeding in accordance with recommendations of the Congress and Executive order. Although this type of facility will not improve fleet readiness per se, it will definitely be beneficial to the health and welfare of the surrounding communities. This program merits your approval.

The other facility categories comprise the remaining one-sixth of the Navy program for $74.1 million. These are the support facilities so vital to development of improved weapons systems and to the proper operation of the Navy and Marine Corps installations. They include facilities for research and development, supply, medical care, administration, and land acquisition. A research and development line item in the original Navy program submitted to the Congress would have provided for construction of the Underseas Warfare Laboratory on the grounds of the Naval Air Station at Los Alamitos, Calif. This would have replaced the present inadequate laboratory at Pasadena. Your Armed Services Committee recognizes that it is extremely urgent to coordinate and expand our resources and to proceed with the work in this highly important research field. However, there are several serious problems relating to the Navy proposal. Your committee considered it prudent to defer hearings on it until the problems could be resolved. Similarly, your committee has deferred approval of the project for construction of a naval hopital at Roosevelt Roads, P.R., because of unresolved problems.

On the other hand, your committee has approved a major line item for land acquisition for $19.8 million at the Naval Weapons Station, Concord, Calif. As you know, this station supports very importantly, the operations of all of our services in Southeast Asia. Many questions have been raised on the desirability of this proposal which would include acquisition of their own of Port Chicago and the dislocation of its some 2,800 inhabitants. The committee decision was reached only after serious and prolonged study. This involved lengthy debate on the merits, disadvantages, and possible alternatives on the Navy proposal; onsite investigation by a subcommittee and its report to the full committee. I sincerely believe that the committee decision was right because it involves the safety of hundreds of people.

Although I have touched sparingly on this bill and have mentioned a few details on only the Navy portion of it, I can assure you that your Armed Services Committee has gone into it thoroughly. It is a complex bill which has been given the careful, sober consideration of each committee member. Each project in it is urgently required to permit the shore installations of the Navy and Marine Corps to provide effective support of their operating forces.

Gentlemen, I recommend your approval of H.R. 11722.

Mr. RIVERS. Mr. Chairman, I yield such time as he may consume to the gentleman from Virginia [Mr. Hardy].

Mr. HARDY. Mr. Chairman, I would like to make this observation about this bill.

The Committee on Armed Services has devoted a great deal of time to this military construction bill. During the deliberations of our committee and during my tenure of service on the committee, there never has been as much attention and as much real study and work devoted to the consideration of military construction legislation as this bill has received. The chairman and all the members of the committee have worked tirelessly on this bill. It has done an outstanding job and I am in complete support of this measure.

Mr. RIVERS. Mr. Chairman, I yield such time as he may consume to the gentleman from Maryland [Mr. Machen].

Mr. MACHEN. Mr. Chairman, I rise in support of this legislation.

The bill we are debating today—the military construction authorization bill for fiscal year 1968—is one of the single most important legislative packages we will consider in the first session of the 90th Congress. This bill is directed at maintaining facilities for the operation and the personnel of our military services.

Under the leadership of the gentleman from South Carolina, Chairman Rivers, who I commend today, we on the Armed Services Committee have given painstaking consideration to every facet of this legislation.

This $2.3 billion authorization bill we reported out is not a rubberstamp on the Defense Department's request to us. The Defense Department presented us with the largest single bill for military construction calling for line item authorization ever brought before our committee. We went into this huge request with tenacity and objectivity, and we reduced the departmental request by more than $322 million. There may be room for even more reductions without an adverse effect on our national objectives. Even with the reductions we made, this legislative package contains $809 million in authority for military family housing and homeowners' assistance, and $1,569.8 million in authority for construction of new operational facilities to support our Active and Reserve Forces.

Mr. Chairman, there are several aspects of this authorization bill of particular interest to me. First, it authorizes $33.1 million to begin a phased program of pollution abatement at military installations. We intend to eliminate inadequate sewage and industrial waste disposal at military installations. We believe that in asking the private sector of our country to control and prevent pollution we must also keep our own house in order. Secondly, this bill contains authorization for a total of $9,254,000 for military construction projects in Prince Georges and Charles Counties, Md. Specifically, the legislation recommends authorization for $925,000 in troop housing and utilities, and $975,000 for 50 units of military family housing at the Naval Communications Station, Cheltenham, and $5,850,000 for 300 units of military family housing at Andrews Air Force Base, Camp Springs, both in Prince Georges County; and $1,208,000 for utilities and ground improvements at the Naval Ordnance Station, Indian Head, and $296,000 for training facilities at the Naval School, Explosive Ordnance Disposal, Indian Head, both in Charles County. Thirdly, the overall authorization bill contains the specific language of a bill I introduced last June to prohibit the Navy from disposing of the U.S. Naval Academy dairy farm in Gambrills, Md. Introduction of my bill followed the recommendation of a special subcommittee I headed in the second session of the 89th Congress after the Secretary of the Navy announced plans to close the dairy farm. I am very pleased and gratified that Chairman Rivers and the whole committee saw fit to include my bill in the overall authorization. Inasmuch as we proved beyond a shadow of a doubt that it would cost the taxpayers unnecessarily to close the dairy farm, and inasmuch as we had the bipartisan support of elected officials and private citizens in Anne Arundel County to maintain the farm, enactment of this legislation will protect the dairy farm from future attempts at disposal, and will guarantee that the Naval Academy midshipmen will continue to receive the highest quality milk and milk products at the lowest cost to the taxpayers.

In closing, Mr. Chairman, I urge my colleagues to support this legislation as we reported it out of committee. I also wish to express my deep respect for the excellent leadership which our committee chairman has provided members of his committee in considering this vital legislation. This bill we are considering is a tribute to his fine craftsmanship and knowledge of military matters.

Mr. RIVERS. Mr. Chairman, I yield such time as he may consume to the gentleman from Georgia [Mr. Hagan].

Mr. HAGAN. Mr. Chairman, I appreciate the gentleman yielding me this time.

Mr. Chairman, your Committee on Armed Services has been meeting over the past 6 weeks for hearings on the Defense military construction authorization bill for the fiscal year 1968. During the period the committee examined the construction requirements of the Department of Defense in great detail. This was a weighty and difficult task when one considers the sheer bulk of the Defense Department's fiscal year 1968 request which totaled $2,635,238,000 for new authorizations including $814,000,000 for all housing expenditures and $1,821,238,000 for construction. This year's Defense Department request was approximately 2½ times the magnitude of last year's request, and represents the largest single military construction request the Armed Services Committee has considered during the last 5 years.

As a member of your Committee on Armed Services I fully agree with the remarks made by our able chairman in his presentation of the military construction authorization bill. It has my personal support and I strongly recommend its indorsement. The committee chairman has presented a clear and concise summation of the details of this bill. He has singled out problem areas with which the committee was concerned and has indicated proposed solutions. I believe the proposals as outlined are indicative of the inherent responsibilities and prerogatives of the Congress.

I wish to express my personal appreciation to the Honorable L. MENDEL RIVERS, chairman of the House Armed Services Committee, for his recent visit with me to Fort Stewart, Ga.

The occasion, last Friday, was the unveiling of a new name for the helicopter training complex at Fort Stewart at Hinesville and Hunter Army Airfield at Savannah, Ga., which has been designated the U.S. Army Flight Training Center. The complex is under the command of the very able Brig. Gen. Frank Meszar. I predict it will become one of the great Army training centers of our Nation.

Chairman RIVERS made this trip to Georgia in keeping with his constant willingness to take a firsthand look at America's military installations, whenever possible.

Mr. Chairman, the committee notes with an extreme sense of satisfaction that the fiscal year 1968 Department of Defense authorization request reflects a return to the more realistic programing levels essential for replacing its aging facilities and improving the standards of living accommodations for military personnel. The bill also provides for those projects which must be started in fiscal year 1968 to meet essential operational schedules, to support new missions, or which are deemed essential for the health and safety of personnel, and improvements to seriously deficient facilities.

After extensive hearings by the full committee and review of each individual line item requested by the services, the committee was successful in effecting total reductions of $316,395,000 in the bill. The reductions represent some 12 percent of the total requested and represent projects which the committee felt were not of immediate or critical urgency and which would impose no hardship on the services if deferred. The Committee on Armed Services is convinced that the deferred requirements will certainly not impair the operational effectiveness of the armed services nor will they in any way jeopardize our national security.

The bill we now seek to bring before the House would authorize construction at 447 military bases throughout the world and includes 1,450 line items. This might be contrasted with the 280 military bases and 650 line items provided for in the bill for last year. New authority granted in this bill totals, $2,378,843,000 as compared with $996,519,000 in the annual authorizing legislation last year. Of the total in this bill, $1,569,843,000 is for construction in support of active and reserve component forces, $809,000,000 for family housing expenditures including 12,500 new family housing units at an estimated cost of $267,000,000. The committee has also approved $28,240,000 for deficiency authorization against projects authorized in prior years.

I should like now to speak in support of the specific titles.

TITLE I—ARMY

Title I proposes new authorization for the Army in the amount of $379,830,000. Of this amount, $271,327,000 is for projects inside the United States, $105,630,000 is for projects outside the United States, and $2,873,000 is for classified projects.

The Army is continuing in its efforts to improve and replace its obsolescent facilities on an orderly basis, in annual increments of construction. This program represents approximately 2 percent of its total inventory and is a step in the right direction.

The bill provides for construction at 58 Army military bases, including 54 inside the United States and four which are outside the United States.

Title I includes another significant provision which is related to U.S. participation in the sharing of costs with foreign governments for construction of military facilities and installations for collective defense of the North Atlantic Treaty area. In the past this authority was contained in the Foreign Assistance Act of 1961, as amended; however, since these requirements relate to support of our U.S. forces rather than the support of foreign aid operations, this authority will be included in the annual military construction bill.

The most critical and largest category of facilities in title I is troop housing and community facilities. For this category, we have approved $74.2 million including authorization for 12,981 enlisted men's spaces at nine installations in the United States and 130 enlisted men's barracks spaces overseas as well as 703 spaces for bachelor officers at two installations in the United States. A dependent school addition at Kwajalein, and an enlisted men's service club with a branch library at Fort Leonard Wood, Mo.

The next important category is operational and training facilities for which we have approved $173.3 million. This provides for air defense facilities, improved general academic and specialized instructional buildings at the armor, artillery, and special forces schools, and ranges and specialized unit training facilities as well as $60 million for NATO infrastructure.

The sum of $39.9 million is proposed for maintenance, production, and supply facilities to provide essential facilities for the production, stockage, maintenance, and repair of military hardware including field and depot maintenance shops and production, assembly, and maintenance facilities for rockets, guided missiles, and various types of conventional ammunition.

In the research and development category we have approved $21.5 million, the bulk of which is devoted to new laboratory facilities in the fields of infrared devices, nuclear defense, mobility, limited war techniques and ballistic instrumentation. A significant amount, $12.3 million, has been included for range facilities to support the development and test of Nike X.

For hospitals and medical facilities, the sum of $40.4 million include authorization for the construction of three new hospitals, a major addition to an existing hospital and five smaller medical facilities.

We have approved $4.4 million for improvements or additions to command and administrative facilities at five U.S. bases.

The sum of $25.8 million has been approved for utilities with a significant amount $5.2 million directed toward the pollution abatement program. Additional sums are included for augmentation of electrical power generating and distribution systems, improvements to water supply and treatment installations, and road improvements at two installations.

The remaining Army category would authorize the acquisition of mineral interests, on a training site, at Fort Gordon, Ga., at a cost of $260,000.

TITLE II—NAVY

The Navy would be authorized military construction in title II in the total amount of $474,202,000. This amount includes $430,097,000 for projects inside the United States, $37,321,000 for projects outside the United States, and $6,784,000 for classified projects.

The bill proposed for authorization this year presented a program by naval districts and areas instead of presentation by system commands and bureaus as was done last year.

Past Navy programs have emphasized operational facilities to improve fleet readiness and the major portion of the budgets were used to modernize its shore facilities in keeping with the modernization of ships, aircraft and weapons systems. As a result, less than 15 percent of those budgets were for improving living conditions for sailors and marines. Many of these dedicated officers and enlisted men serve protracted tours of duty at sea and at advanced bases separated from families and friends. To mitigate these hardships, we have approved $156 million for barracks, bachelor officers quarters, messhalls, and a few recreation facilities, to support new or expanded missions or corrections of other deficiencies. This amount represents approximately 33 percent of the total program and is a start toward bringing the development of installations into proper perspective.

We have approved $55.6 million for Navy operational facilities. Major items contemplate improvement of operational and support facilities for carriers, fleet air squadrons, communications, and ammunition outloading facilities.

Training facilities: $57.7 million.

Approved projects in this category would expand electronic instruction, training of pilots, submarine crews, hospital corpsmen and recruits, and would augment academic facilities at the Naval Academy and the Navy Post Graduate School.

Maintenance, production, and supply facilities: $70.8 million.

The Navy has continuing requirements ashore to support its fleet of surface ships and submarines and this bill would authorize the modernization of various shore-based Marine maintenance and supply facilities. The bulk of the authorization would provide improved field and depot maintenance facilities, with other large segments devoted to production and maintenance of weapons and warehousing, and storage of POL, explosives, and general items of equipment and supply.

Research and development: $10.4 million.

The Navy approval includes substantial amounts for laboratory facilities for underwater research, including submarine warfare and aircraft testing and explosives development.

Hospital and medical facilities: $10.8 million.

Authorization approved in this category would provide for the replacement of a hospital at Adak, Alaska, and miscellaneous clinic improvements at nine bases.

Administrative facilities: $26.6 million.

Major significant Navy projects include three engineering buildings at U.S. shipyards and miscellaneous facilities including data processing facilities at 11 Navy bases.

Utilities: $64.3 million.

We have granted $19.2 million in this category toward implementation of a program for water pollution abatement by improving waste disposal facilities at 26 locations. The remainder provides for electrical power sources, transmission lines, expansion and improvement of station roadways, and improvement of steamplants and steam transmission lines.

Real estate: $23 million.

The bulk of this approval, $19.8 million, provides for the acquisition of privately owned land, including the town of Port Chicago, to provide an area cleared of human habitation within a radius of approximately 2 miles from the piers. The advantages and disadvantages of the Navy proposal were debated at length during the hearings and an onsite investigation of its merits was made by a subcommittee. With the catastrophe of July 1944 in mind, the committee considers it in the best interests of all concerned that the Navy be authorized to acquire the land within the zone of the greatest danger in event of an explosion during loading operations. The remainder of $3.2 million is for other minor acquisitions including $2.5 million for fee purchase of additional land for an explosion safety area at Patrick AFB where an advanced model of the fleet ballistic missile, the Poseidon, is being tested.

TITLE III—AIR FORCE

Title III proposes new authorizations for the Air Force in the amount of $433,511,000. Of this amount $316,699,000 is for projects inside the United States, $28,816,000 for projects outside the United States, and $87,996,000 for classified projects.

This year the program provides for construction at 130 major installations. Of these, 109 are located within the 50 States, territories, and possessions. Sixteen are in the Atlantic, European/Middle East area and five are in the Pacific area.

The Air Force real property facilities, like those of all other services, consist of many buildings and facilities that have been kept in use long beyond their expected life span. The increasing obsolescence of real property continues to be a matter of concern. This year we have a well-balanced program accommodating the requirements of expanded tactical operations, new transport aircraft, new tactical fighters and research and development facilities leading to the continuation of U.S. leadership in areospace. The "things for people" are contained in this program in significant quantities to provide improvement in living and working conditions for Air Force personnel, military, and civilian. This program represents a forward step after the very austere program of last year.

I will now provide some details of the content of title III:

The bill would provide construction to support the Air Defense Command which is responsible for the aerospace defense of the United States. Projects in this category amount to $15,920,000 and consist primarily of air traffic control facilities, headquarters, and command support facilities, and various base operating activities of the Air Defense Command, and some cleanup work in the NORAD Combat Operations Center.

The sum of $30,122,000 is included for facilities in the Air Force Logistic Command whose mission is to provide an efficient system of procurement, production, surveillance, maintenance, and supply for the U.S. Air Force; provide general overall logistical support for all activities and agencies of the U.S. Air Force and train specialized units for accomplishment of specified logistics functions in overseas areas and theaters. A large portion of the projects in this program are at Wright-Patterson Air Force Base which is the headquarters of the Air Force Logistic Command, but which also support the large research and development effort at this base.

We have approved $52,818,000 for facilities in support of the Air Force Systems Command which is responsible for the primary research and development effort within the Air Force to advance aerospace systems and to acquire qualitatively superior Air Force systems and materials needed to accomplish the Air Force mission. Major projects in this command are a laboratory at Brooks AFB, aircraft test facilities at Edwards AFB, armament engineering facilities at Eglin AFB, and a number of facilities at both the eastern and western test ranges.

The amount of $59,980,000 has been included for facilities in the Air Training Command to provide flying training, air crew training, basic and advanced technical training and basic military training. Included in this program are accommodations for basic military trainees at Lackland AFB. This is a major program to replace the substandard facilities currently used by the basic military trainees at the Air Force Basic Training Center.

The bill also provides $934,000 for the Air University at Maxwell AFB; $14,938,000 for various locations within the Alaskan Air Command, and $10,741,000 is authorized in this bill for Headquarters Command at Bolling, and includes site development for a new Defense office building to be located on the Anacostia-Bolling grounds.

For the Military Airlift Command the bill authorizes $33,771,000. The mission of this command is to provide a military airlift system for all airlift tasks in emergency operations. This command also supervises their operations, the air weather service, the air audio visual service, the air rescue service, and aeromedical evacuation system. A major project in the approved program is a new command headquarters building to be located at Scott AFB, Ill. The bill provides facilities to locate the C-5 transport training unit at Altus AFB, Okla. This unit was formerly scheduled to be located at Charleston AFB, S.C.

We have approved $39,595,000 for the Strategic Air Command which is one of the foremost deterrents of major worldwide aggression. It maintains intensive and inclusive capability for worldwide aerial bombardment against enemies of the United States. Projects include all types of facilities at various SAC bases.

The bill also includes $48,230,000 for Tactical Air Command. This provides facilities in support of those aerospace forces providing tactical air operations which independently or in coordination with ground or naval forces, gain or maintain air superiority, prevent movement of enemy forces, seek out and destroy those forces. Tactical Air Command has achieved prominence in the Southeast Asia conflict. Facility improvements to accommodate new fighter aircraft receive due attention in this program.

The bill authorizes $5,323,000 for the Air Force Academy including the balance of the projects needed for the cadet wing expansion authorized by the Congress.

Also included is $1,867,000 for aircraft control and warning systems projects in the continental United States.

For projects outside the United States, the majority of which are for U.S. Air Forces Europe, the bill includes $28,816,000 and the classified section of the bill will provide $87,996,000.

TITLE IV

We have approved $169 million for Defense agencies in title IV. Of this amount

$19 million is provided for the construction of new and rehabilitation of existing facilities at 13 installations, three of which are outside the United States. These projects are for support of the Defense Supply Agency, the Defense Communications Agency, the Defense Atomic Support Agency, and the National Security Agency. The remaining $150 million provides authorization to the Secretary of Defense for emergency construction to provide for unforeseen construction requirements determined by the Secretary to be vital to the security of the United States.

TITLE V

The authorization provided in title V of this bill for construction in support of Southeast Asia activities amounts to $75 million, including $33,156,000 for the Department of the Army, $17,964,000 for the Department of Navy, and $23,880,000 for the Department of the Air Force. These items represent follow-on elements of the military construction program authorized in the fiscal year 1967 supplemental legislation for southeast Asia.

TITLE VI

This title contains $787 million in authorization for all costs related to military family housing, including $267 million for construction of new family housing units and $520 million for housing support costs. The committee has reviewed all aspects of this new construction program and fully supports the policies and findings of the Department of Defense. Accordingly, the committee has authorized all 12,500 new units requested by the Department of Defense.

Other authorizations such as for leasing, rental guarantee are being continued for fiscal year 1968.

TITLE VII

Authorizes the Secretary of Defense to assist military homeowners by acquiring their properties, or by reimbursement for losses on sales of such properties, which are situated at or near a military installation ordered, after November 1, 1964, to be closed in whole or in part. The bill authorizes $22,000,000 for this purpose.

TITLE IX

Title IX contains authorization to support the facilities requirements of the Reserve Components during fiscal year 1968 in the amount of $38.3 million, including $10 million for the Army National Guard, $10 million for the Army Reserve, $4.5 million for the Naval and Marine Corps Reserves, $9.8 million for the Air National Guard, and $4 million for the Air Force Reserve.

In accordance with the procedures established in fiscal year 1963, the Congress will be furnished advance notification of projects to be constructed under each lump-sum authorization.

Mr. RIVERS. Mr. Chairman, I yield such time as he may consume to the gentleman from Missouri [Mr. RANDALL].

Mr RANDALL. I thank the gentleman very much for yielding. I rise in support of H.R. 11722.

Mr. Chairman, I shall not take much time. I will point out this bill is a little different or I should say somewhat unique from other military construction authorization bills.

The membership of this House should know that in this bill we are dealing with over 1,700 line items, which means separate and distinct building projects in the United States and around the world.

As a member of the Armed Services Committee, I can assure my colleagues in the House that your committee has carefully gone over these projects item by item, page by page. There was careful consideration and close scrutiny given each and every one of those items. There has been a lot of time devoted to a study of these items, day after day. Many hours were put in while the House was in session during afternoon as well as forenoons. Each and every one of these line items has stood the test, or they would not be placed before you for the consideration of the membership of the House today.

Through the leadership of our chairman, and the diligent work of the committee, we believe this to be a good authorization bill, and worthy of support by every Member of the House.

I would like now to call the attention of the House to a new item appearing in the military construction authorization bill for the first time. This item is for the U.S. share of the costs of multilateral programs for the collective defense of the North Atlantic Treaty Organization. This NATO infrastructure authority in title I of the bill was not inserted by the committee but was in the bill when it was presented to Congress.

The reason for the inclusion of NATO infrastructure authority in the military construction authorization bill is very simple. The projects undertaken are in every respect military construction projects and involve acquisition and construction of facilities to be used by the United States and allied forces in the NATO area. They relate to the support of our own forces. In the past this authority was contained in the Foreign Assistance Act of 1961, as amended; however, those requirements did not constitute foreign aid in any real sense but rather were support for our own military forces. Thus the committee concurred with the Defense Department that this authority should be included in the annual military construction bill.

The inclusion of this kind of authority in a military construction bill is not without precedent. The weapons procurement bill signed by the President June 5, 1967, contains the following language:

> Funds authorized for appropriation for the use of the Armed Forces of the United States under this or any other act are authorized to be made available for their stated purposes to support: (1) Vietnamese and other free world forces in Vietnam, (2) local forces in Laos and Thailand; and for related costs during the fiscal year 1968 on such terms and conditions as the Secretary of Defense may determine.

This language in that bill appeared for the same reason as the authority for NATO infrastructure in this bill; that is because it is directly related to the support of our own military forces in those areas.

As originally proposed by the Defense Department, the bill contained general language authorizing the carrying out of multilateral arrangements with any foreign government for sharing costs for acquiring and constructing military facilities and installations for collective defense. The committee considered this language to be much too broad and much too general and modified it to read as follows:

> Various locations: for the U.S. share of the cost of multilateral programs for acquisition or construction of military facilities and installations, including international military headquarters, for the collective defense of the North Atlantic Treaty area, $60 million provided that within 30 days after the end of each quarter, the Secretary of the Army shall furnish the committees on Armed Services and on Appropriations of the Senate and the House of Representatives a description of obligations incurred as the U.S. share of such multilateral programs.

This modification does three things:

First. It places the authority in the Secretary of the Army who is, in fact, the executive agent for this construction;

Second. It limits the construction authority to NATO, thereby excluding any construction for SEATO, CENTO, or any other like organizations;

Third. It limits the specific amount to $60 million for fiscal year 1968.

The insertion of the $60 million does not add to the total of the military budget as this was the amount contemplated for expenditure by the Department of Defense.

The committee has examined this item very carefully and has concluded that it belongs properly in the military construction bill.

Mr. Chairman, at the commencement of my remarks I made the observation that this was a unique military construction bill. I pointed out above that it was unique as far as provision for inclusion of NATO infrastructure authority. Also the bill is quite unique in another particular, to which I shall now address some comment.

Congress over the past several years has expressed its mandate in the Federal Water Pollution Control Act, starting way back in the 84th Congress and adding amendments in the 87th and the 89th Congress. In the 87th and the 88th Congress it was my privilege to serve upon the Natural Resources Subcommittee of the House Committee on Government Operations, which held hearings from coast to coast on the subject of water pollution. During those hearings we discovered, again and again, that among the worst offenders were some of the military establishments in the areas where the hearings were held. The feeling was expressed almost regularly, and quite repeatedly, that these Government installations were not setting good examples for municipalities or the various industries to follow. In other words, if the Federal Government did not take the lead, why should industry spend its money, or municipalities concern themselves with the problem of pollution abatement?

It is for this reason, Mr. Chairman, that it is so good to see included in this military construction authorization bill this year a number of projects for sewage waste treatment plants, as well as additions and modifications to existing plants. The various services requested a large number of treatment plants, and in discussions during the hearings some members of the committee took the view that our first obligation was to provide housing for troops, warehouses, storage facilities, yards and docks, runways, and other projects that could be regarded as the sinews of the military, rather than spending a lot of money on what had heretofore been regarded as frills or at the best, conveniences rather than necessities.

It was for this reason, Mr. Chairman, that the review of these pollution abatement projects was very extensive. We made a start, but only a small start, for our various military installations scattered throughout this country, to set an example for nearby municipalities and industry. We approved 5.2 million in treatment plants for the Army, 19.2 million for the Navy, and 8.7 million for the Air Force, at a number of locations. There you have a total of 32 million for pollution abatement contained in a military construction authorization bill which has always traditionally been a bill relating only to military operational requirements. Thus it is that your Armed Services Committee has started a substantial program and a necessary program, if the military departments are to cooperate with the Federal, State, and local pollution authorities, and if the Federal Government is to be a leader for municipalities and industry to emulate.

The Members of this House may be assured that each of these pollution projects have been carefully examined, that each is designed in the most economical fashion to fit the load conditions and capability of receiving streams. In many instances, these projects are actually joint efforts with local communities. Not only is this bill unique in that the military has for one of the first time begun to take care of its own sewage, but has offered cooperation with local subdivisions, even to the extent of becoming part of a joint effort with local communities, in several instances.

Your committee has examined every item in this bill very carefully, and concluded that both the ordinary construction projects and these two unique departures properly belong in the military construction bill. I urge the support of this bill as presented.

Mr. RIVERS. Mr. Chairman, I yield 9 minutes to the gentleman from New York [Mr. PIKE].

Mr. PIKE. Mr. Chairman, I thank the chairman for granting me this time to express the views with which I am rather sure he will disagree.

Mr. Chairman, I voted against this bill in the committee, and I shall vote against it in the House today. I have learned not to expect anyone whatsoever to be swayed by my reasoning, and in fact, so little swayed has anyone ever been by my reasoning that I frequently question it myself.

Nevertheless there are certain things about this legislation which impel me to vote against it, and there may be a few Members who would like to know why.

This is the seventh military construction bill which has come to the floor since I have been in Congress, and it is larger by $450 million than any military construction bill which has been brought to the floor in the past 7 years. It is $450 million bigger than the bill for 1966; it is $1,322,000,000 bigger than last year's bill; it is $788 million bigger than the bill for 1965; it is $745 million bigger than the bill for 1964; it is $860 million bigger than the bill for 1963. There are those who would argue that it has to be bigger because we have scrimped so with our military construction in recent years. The bill for 1963, which it is $860 million larger than, was itself twice as big as the military construction bill in 1962. In 1962 the House approved a bill for military construction for $761 million. This bill is not $761 million; it is $2,378,843,000. I have not filed minority views on this bill because I think the committee report speaks for itself. I call your attention to the language on the bottom of page 5 of the committee report, which says:

> The committee explored the reasons why this bill was of such great magnitude. They learned that late in 1966 and early 1967 $1,200 million was added to the legislative request as was originally contained in the Department of Defense plans for military construction for this fiscal year. The Assistant Secretary of Defense for Installations and Logistics stated that the Department of Defense had been following the economic situation very closely and had concluded after a review of key indices that the inflationary trends of a year ago have abated to a point where the construction economy can both absorb and benefit from an increase in construction placements.

In January of this year $1,200,000,000 was added to this bill by the Defense Department because "the inflationary trends of a year ago have abated to a point where the construction economy can both absorb and benefit from an increase in construction places." They did not say that they added $1,200,000,000 where the services wanted $1,200,000,000 added, and they did not. They added $1,200,000,000 where it would provide the most jobs. I have no objection to the Federal Government helping to provide jobs in areas of serious unemployment, but is there anyone in this Chamber who believes that the inflationary trends in this country have abated to a point where the military construction bill should be used, not simply to serve the interests of national defense, but as a job-creating vehicle?

The committee did cut $322 million worth of items from the Defense Department's request. Some of these were cut from the $1,200,000,000 which was added on; some of these were cut from items which the military had considered necessary and which had been approved from the very beginning.

I do not doubt that many of the projects included in this bill are essential. I do not doubt that all of them are desirable. I do doubt, however, very, very strongly that inflation has disappeared as a problem from the American economic scene. I doubt the wisdom of Congress in passing a bill of this size as a means of combating deflation.

I would like to think that this huge authorization would be spent wisely, but I have no such confidence.

Since it has become known that I voted against this bill in committee I have received complaints of tremendously wasteful military expenditures all over the United States of America, involving all three services, and in particular involving the Defense Construction Supply Center. Money sometimes comes too easily to the military. It comes so easily to the military that the Defense Construction Supply Center does not even bother to check the list prices contained in the catalogs of the manufacturers from which they purchase.

I am informed that on February 7 of this year the Defense Construction Supply Center in Columbus, Ohio, purchased some gears which were listed in the manufacturers' catalog by a part number at a price of $3.43 each. The Defense Supply Center did not pay $3.43 each; they paid $194.30 each, and an item which should have cost $30.87 cost $1,748.70.

I am informed that on April 27 of this year the same Defense Construction Supply Center bought some more gears of a different size. They were listed in the manufacturers' catalog at $10.75 each; they bought 40 of them, and they should have paid $430, although the manufacturers' catalog also said that quantity discounts were available. They didn't get a quantity discount, and they did not pay $10.75 each. They paid $62.50 each for the same items, and instead of paying $430 or less, they paid $2,500.

On May 3 of this year this same Defense Construction Supply Center paid $511 for some shafts listed in the manufacturers' catalog at $10, and $342.90 for some clamps which should have cost $39.

Mr. Chairman, I could go on and on and on with such items. I will simply say that I believe that this bill is approximately twice as big as it ought to be, and I believe further that as long as Congress rolls over and plays dead whenever the military asks for anything, there will never be any end to purchasing agents spending the taxpayers' money who do not even bother to check the catalog prices of the companies from whom they are purchasing, nor, I regret to say, will there be any end to companies which delight in gouging the Federal Government and the American taxpayer.

Mr. HARDY. Mr. Chairman, will the gentleman yield?

Mr. PIKE. I am happy to yield to the gentleman from Virginia.

Mr. HARDY. Let me compliment the gentleman for bringing to the attention of the committee some of the weaknesses that he has discovered in procurements made at the military construction supply center at Columbus, Ga.

Mr. PIKE. Columbus, Ohio.

Mr. HARDY. Excuse me. I am glad to have the record straight.

I would like to compliment the gentleman also on the diligence that he has always exhibited as the ranking Democrat on our Committee for Special Investigations. Without his help, we would not have been able to accomplish nearly so much as we have in some of the investigations which the subcommittee has conducted. The gentleman is aware of the fact that this subject matter he has brought up is particularly within our area, and I would like to suggest to him that in view of the fact that he has gathered some very pertinent information—and, incidentally, I might say if there are enough of these items, there might be sufficient even to recoup the amount that is proposed to be expended by that installation in this bill—but if the gentleman will provide the information which he has to the subcommittee, I can assure him that he will have the complete cooperation of our staff and, for that matter, of myself and the rest of the committee.

We have worked very well together, all of us, and I would think we might be able to accomplish a great deal in pursuing this particular subject.

Mr. PIKE. I thank the gentleman, but I remind him that the last time I asked the committee which he heads so ably to investigate a very major procurement the gentleman had to tell me that we did not have time.

Mr. RIVERS. Mr. Chairman, I yield 3 minutes to the gentleman from Maryland.

Mr. LONG of Maryland. Mr. Chairman, I rise in support of the military construction authorization bill for fiscal 1968. When I was on the Armed Services Committee, I was privileged to observe the dedication and wisdom of the members of that committee, including the chairman, and I am very pleased to see no diminution of those qualities since I left the committee and see it now from the outside.

I also wish to commend the distinguished members of the Armed Services Committee for their decision to delete from this authorization more than $5 million which would have financed a wasteful duplication of existing naval training facilities.

I refer to the funds the Navy requested for the construction of unnecessary facilities, including barracks and messhall, for a WAVE recruit camp the Navy wanted to relocate from Bainbridge, Md., where it now is, to Orlando, Fla.

The Armed Services Committee wisely deferred these funds to allow the Navy to reconsider its decision to move the WAVES from Bainbridge.

The truth is that the WAVE training center at Bainbridge, Md., is perfectly adequate for the Navy's needs and the decision to move it was without justification.

The Navy has been successfully training WAVE recruits at Bainbridge since 1951, and the service has yet to give a convincing explanation of how these ladies would be better trained at Orlando. About 2,000 WAVES are trained at the Maryland center each year by a permanent staff of 177 officers and enlisted women.

Moreover, the Navy has just spent $1.2 million to build a new WAVE barracks at Bainbridge, and another $2 million for renovation of military housing at the base. In view of this recent $3.2 million expenditure for Bainbridge and its WAVE center, the House should vote to preserve our investment there.

The Navy estimates it will cost $3.4 million to move the WAVES and certain other facilities from Bainbridge to Orlando. Among these facilities is the nuclear power school, which the Navy wants to move to Florida despite the fact that constant contact between personnel at the school and at the New London, Conn., submarine base is essential. If this transfer is funded, this Congress will find, deeply buried in some future Navy request for funds, a large increase in travel money to pay for transportation between Florida and Connecticut.

I urge the Members of this House to approve the action of its committee this year, and I also urge similar action next year to delete funds for unnecessary transfers of facilities from Bainbridge, Md.

Mr. RIVERS. Mr. Chairman, I yield 9 minutes to the distinguished gentleman from California [Mr. WALDIE].

Mr. WALDIE. I thank the chairman.

Mr. Chairman, I would be remiss if I did not express as completely and as sincerely as I can my extreme gratitude for the very generous and very courteous treatment given to me by the Armed Services Committee and particularly its chairman, and also by the chairman of the special subcommittee that visited my district, Congressman PRICE, and the members of that subcommittee. I have just been overwhelmed in terms of the courtesy and kindness shown me, even though the recommendation of the subcommittee and of the committee is one with which I disagree.

I have expressed my disagreement to the chairman of the committee and to the committee. The reason they recommended contrary to my view is not because the committee members did not deeply and seriously and fully consider the proposal that was before them, and my arguments against them. I believe that their reason for refusing my proposal was due to my lack of eloquence initially, and perhaps due to one factor that is not nearly as easily defined. That is the fact that subsequent to the committee hearings, there were two items of evidence that, had I had them in my possession at the time of the committee hearings and at the time the subcommittee visited, and had those gentlemen had these facts before them at that time, it is likely or at least probable they would have come up with a different conclusion.

I am speaking about the conclusion where the committee supports the Navy's request for $19.8 million for purposes of condemning a community of 3,100 population in my congressional district of Port Chicago. The reason the Navy has requested this community be condemned and the community be moved out is because the Navy, in operating that ammunition depot, has three piers at which they load and offload ammunition on and from ships. Within a 2-mile zone of those piers, because of Defense Department regulations, because they handle a minimum of 9 million pounds each, they must clear all habitable buildings within that 2-mile area.

Unhappily, that is not the only defect, and there is a much more serious defect causing hazard to the people I represent, and I am calling that to the attention of the committee. That inadequacy involves the fact that the three piers that are located in my congressional district are not slightly, but markedly, defective in their failure to comply with Department of Defense regulations that set up distances that must be maintained to handle quantities of ammunition in that great amount. They are not only defective in the manner in which the Navy is seeking to have them corrected, in that they have habitable dwellings within the 2-mile zone, but they are defective in that the piers themselves are 400 to 500 feet short of minimum length to prevent simultaneous detonation of two ships containing 4.5 million pounds of ammunition. Because they are so defective in that length, both ships have to be considered as detonating simultaneously if one of them explodes. It is because of that 9 million pound factor that the 2-mile zone has to be cleared.

That is a sufficiently serious defect that great concern on my part and the people I represent has been expressed about that.

There is an even more serious defect. The same Department of Defense regulations require that piers that load 9 million pounds of ammunition be separated by 3,745 feet from each other. The purpose of that is to prevent an explosion at one pier communicating to a pile of ammunition stacked on a pier adjoining, awaiting loading on a ship.

They are in fact only 2,100 feet separate, so there is a failure of 1,675 feet short of meeting minimum safety regulations for the Navy in terms of the separation of these piers.

The jeopardy that deficiency exposes my county to is precisely stated according to Navy regulations. These are not my regulations and not my computations, but according to Navy regulations there is a possibility or a probability of a 9-million-pound explosion at one pier because of the inadequate length of each pier, which otherwise could be held to a $4\frac{1}{2}$-million-pound explosion, at least 50 percent of the time, and a likelihood that the 9-million-pound explosion will communicate to the second pier because of the fact that the piers are separated only 50 percent of the required minimum distance, and that will communicate to a third pier, exposing the people in my county to an explosion of 9 million pounds three successive times.

In 1944 we had an explosion at this pier; $3\frac{1}{2}$ million pounds of ammunition exploded. On the basis of that explosion these quantity-distance safety regulations were derived.

With that explosion of $3\frac{1}{2}$ million pounds, 322 men were killed on the piers, all naval personnel working ships or loading ammunition; 33 people were injured in this community which the Navy proposal seeks to eliminate. No people were killed in that community.

By permitting those defective piers to

remain, the hazard being permitted to continue is primarily to the Government's own people, to people we have employed, to the naval people working on those piers and the six ships that will be serviced at those piers.

I have been arguing—I have not made my point sufficiently clear for the committee to adopt it, but I have been arguing, first, for the expenditure of the money not directed at the removing of Port Chicago. That will remove only a small portion of the hazard. The money should be spent to correct the defective piers and to eliminate the hazard for people working at the piers, for the ships at the piers.

Even more importantly, for the population of 150,000 immediately adjacent to those piers, but beyond the confines of the 2-mile hazard zone, the removal of Port Chicago does nothing to decrease the hazard to those people. That hazard is more than it was in 1944.

In 1944, with the 3½-million-pound explosion, in this area of 150,000 people there were only 40,000 people. The population has increased to 150,000 since 1944, and considerable injuries were found within that body of 40,000 people at that time.

I made a proposal that the money should be expended to remove those piers from the present location 1 mile further north out into midstream, at a location called Roe Island.

The Navy maintained, during the committee hearings, that this was an absurd proposal, that it had no merit whatsoever, and that it should be discounted by the committee.

I have found, subsequent to the committee hearings, through a circumstance which is completely unexplainable by me—perhaps it is because I am new around here—that the Navy itself, in 1965, had made a proposal, signed by Secretary of the Navy Nitze, which had gone through every level of the chain of command up to the Secretary of the Navy, proposing precisely the recommendation that two of these piers be located on Roe Island at a cost of $30 million.

The Secretary of the Navy said at that time:

> The fulfillment of this item—

Meaning those piers being moved to Roe Island—

> would relieve the Navy of unfavorable publicity and liability in the future. It will fulfill the moral obligation to the community of Port Chicago and accordingly remove the imminent danger to the development and growth of the privately-held lands adjacent to the station without impeding the mobilization capability of this major West Coast ammunition loading facility.

There was one other argument made by the Navy before the committee, which was persuasive to them, relative to costs. The cost was $20 million to remove a portion of the habitable dwellings within the 2-mile zone. There will remain, however, within the 2-mile zone, factories employing people, on the contention, they advocated to the committee, that the exposure to these factories was not sufficiently great so that they would recommend that the factories be cleared from the 2-mile zone, despite the fact that the regulations required it.

Subsequent to those committee hearings I received a piece of evidence which came to my attention, and about which I had no information prior thereto. The Navy itself had a report as to what would happen to the major factory in that district, that they procured on June 1, and they had it in their possession during the time of the committee hearings when they were representing that there would be no undue hazard to the people working in those plants.

The CHAIRMAN. The time of the gentleman from California has expired.

Mr. RIVERS. Mr. Chairman, I yield an additional one-half minute to the gentleman from California for the purpose of asking the gentleman a question.

The CHAIRMAN. The gentleman from California is recognized for one-half additional minute.

Mr. RIVERS. Mr. Chairman, does the gentleman from California state that the Navy denied us information which could have assisted the committee in arriving at another decision for Port Chicago and for the provision of Port Chicago and the docks located there?

Mr. WALDIE. Yes, Mr. Chairman, I did. The information to which I refer is information that first came to my attention through auditing a hearing which was held in the other body. I then asked the Navy that they permit me to see the change order to which reference was made. I was denied that permission. Finally, it was granted to me, but only in the company of a Navy officer. I was not able to copy that information on my copying machine. I was required to take it in longhand.

Mr. RIVERS. Mr. Chairman, I yield 2 minutes to the gentleman from Washington [Mr. HICKS].

Mr. HICKS. Mr. Chairman, I thank the gentleman for yielding this time to me.

Mr. Chairman and members of the Committee, I take this time during which I first wish to commend the gentleman from South Carolina [Mr. RIVERS], the chairman of the Committee on Armed Services for the eminently fair manner in which this bill and the hearings thereon were conducted, as is true on all bills that are considered in his committee.

Mr. Chairman, I rise in support of this legislation.

But I asked for this particular time to speak in conjunction with the problem which was raised by my colleague, the gentleman from California [Mr. WALDIE].

Mr. Chairman, one of the ways in which the proper transport situation could be assisted, would be to make adequate utilization of a facility that already exists in my district, the naval ammunition depot at Bangor. This facility is surrounded by hills, mountains and the deep channel of the Puget Sound. Yet only a very small percentage of the West Coast ammunition is stored and shipped from this ammunition depot. Moving some of this usage from Port Chicago north to the naval ammunition depot at Bangor in the State of Washington, would serve two purposes. No. 1, it might eliminate the need for one of those dangerous piers at Port Chicago mentioned by the gentleman from California [Mr. WALDIE]; and, No. 2, it would disperse the ammunition shipping facilities.

At the present time should something happen that would put Port Chicago out of business, 70 percent of the capability of transporting ammunition from the West Coast would be down the drain. That would not happen if adequate utilization were made of the Navy ammunition depot at Bangor. That would be one thing I would commend to the Navy to look into today and I would like to determine their reason for refusing to utilize it.

Mr. RIVERS. Mr. Chairman, in the remaining time on this side of the aisle, there is only one disturbing fact that has been brought to my attention and that is that in our eagerness to protect the people of Port Chicago—and having sent the distinguished gentleman from Illinois [Mr. PRICE] out there as the chairman of a special subcommittee—I am disturbed that the Navy would withhold information from us and the necessary data upon which we could arrive at a conclusion for the protection of the inhabitants of this area, and at the same time serve the requirements of the military.

With this in mind, in conference I am persuaded that we may have to arrive at a different conclusion, but to protect these people and save lives—that is the important thing. And that is my reply to the statement.

Mr. BIESTER. Mr. Chairman, part of the housing contemplated by this bill will occur in my district at the Johnsville Naval Air Development Center in an area near to existing civilian residences which are single-family units. Warminster Township, in which this housing is to be located, has had a very unfortunate experience with Federal housing built during World War II which was substandard in construction. There has been, therefore, some resistance in the community to the proposed Navy housing.

I have worked with the Armed Services Committee, with the Navy, and with the township in an attempt to solve the difficulties which this housing will cause in the township and also to meet the need of Navy personnel for good housing facilities in the area. I should like to point out that J. G. Devlin, captain, CEC, U.S. Navy, Assistant Commander for Family Housing, met with the local township officials on the site and considered in some detail the problems which the housing would create and the efforts which the Government would take to resolve those problems. Because his report of that meeting clarifies the matter considerably, I should like to hereby enclose it for the RECORD. I base my view of this item on the assurances set forth in Captain Devlin's report, which is as follows:

JULY 18, 1967.

MEMORANDUM FOR THE RECORD

Subject: Meeting between Navy representatives and Warminster Township Supervisors.

1. On July 17, 1967 a meeting was held at the Warminster Municipal Building between the Board Supervisors of Warminster Township and the Navy. The Navy was principally

represented by Captain Stevens, Commanding Officer, East Central Division, Naval Facilities Engineering Command; Captain Witmer, Commanding Officer, Naval Air Development Center, Johnsville, Pa.; Captain Devlin, Assistant Commander Navy Family Housing, Naval Facilities Engineering Command Headquarters; and Mr. Pinciotti was the principal spokesman for the Town Supervisors.

2. In connection with project for the construction of 300 houses at the NADC Johnsville, Mr. Pinciotti said that there were four problems that were of concern to the Township:

(1) The design of the housing.

(2) The use of land fill for disposal of trash and garbage.

(3) Funds to develop off site utilities to serve the new housing project.

(4) Utility Rates.

1. In regard to the design of the housing, Mr. Pinciotti brought out two main areas of concern: one was the use of row or townhouses and the other was the local building codes. It was pointed out by Captain Devlin that the Navy is just about to select an architect to develop this project. As now envisioned, the project will have both the townhouses and duplexes. An effort will be made to use the duplexes to make an acceptable transition from existing local housing and the Navy project. In addition, we will investigate the feasibility of constructing additional duplex units. However, we are limited by the amount of land available at a safe distance from the runways, and economic considerations. Regardless of the design mix of this project, I am certain the housing will be esthetically pleasing. The first review of the architect's plans will be at the 15% level, at which point overall picture of the architect's concept is apparent. We will be glad to allow the Town Supervisors to review the plans and will discuss with them any objections. With regard to local building codes, it is true that the Federal Government building and Federal land is not subject to local codes. However, as a matter of practice, the Federal Government normally meets and usually exceeds local codes.

2. With regard to the use of land fill for disposal of trash, the Navy strongly backs President Johnson's anti pollution program and will go to great lengths to avoid causing nuisance problems in the disposal of waste. Well run land fill is an acceptable sanitary method of disposal and the Navy was not aware of any objections to this present practice. However, the present land fill will be exhausted in another year and other methods of disposal will have to be developed. In this connection, the Navy is working with local officials on this problem. As for the disposal of trash and garbage from the proposed housing project, the Navy would be willing to contract on a bid basis with a local trash and garbage collection company for disposal in the same manner as it is handled in the local housing areas of the Township.

3. The Navy realizes that the Township has a difficult problem in funding the extension of utilities, water and sewerage, to accommodate the proposed housing. The Navy has a responsibility and is willing to fund its fair share of any utilities required to service the proposed housing. As a matter of practice, the Navy prefers to be serviced by the local utilities. On an economic basis, however, the Navy cannot afford to invest more for utility services than it would cost to develop its own. So that the problem can be discussed specifically, the Navy will make an engineering study of the utility system for the housing project. They will then discuss the whole problem with the Township engineers. It is felt that an agreement can be reached which will be equitable to all concerned.

4. The question of utility rates should lend itself to an equitable solution. Since the Navy would receive its water at one point, it feels it qualifies as a bulk user. The rates to be charged should be in accordance with the schedule of rates as established by the Township.

5. Though many extraneous matters were discussed the above discuss the main problems. From the viewpoint of the Navy representatives, we were cordially received by the Township Supervisors and felt that there was a spirit of cooperation aimed at obtaining solutions. We realize that the proposed housing is of concern to the Township, but if it is approached with the understanding of the problems of both sides then equitable solutions can be developed. The meeting indicated that this attitude does exist on both sides and that together the existing problems can be solved.

J. G. DEVLIN,
Captain, CEC, U.S. Navy, Assistant Commander for Family Housing.

Mr. HANNA. Mr. Chairman, few if any Members of this Congress would argue against the need for developing a strong undersea warfare program. Our experience during World War II often tragically made clear the vital importance of undersea and submarine warfare. The Battle of the North Atlantic proved the effectiveness of a well-trained, efficiently operated, smoothly coordinated submarine effort.

Today the United States and its allies are faced with a substantially greater danger from undersea warfare programs. This threat emanates from the Soviet Union. It is estimated that the Soviet Navy includes about 400 submarines, of which approximately 50 are nuclear powered.

Every indication suggests the Soviet undersea warfare capability will improve, and that the nuclear-powered Soviet submarine fleet of the future will be capable of undertaking long-range operations and operating quietly at great depths, armed with a variety of weapons for both land and bombardment and attacks upon shipping, including longer range subsurface-launched ballistic missiles.

What has our response to this undersea warfare threat been?

Our nuclear fleet of submarines is well known but does not meet the overall demands and strategic requirements necessary to undersea warfare. In a word, our antisubmarine warfare program has not been adequate.

On June 12, I attempted to point out the deficiencies in the present program. At that time, I suggested evidence which indicates:

First. Our present program for the construction of nuclear submarines may not be sufficient in light of the Soviet threat.

Second. Present surface ship programs have deficiencies in meeting the real requirements of antisubmarine warfare.

Third. There has been a reluctance to expedite the development of shipbased aircraft antisubmarine warfare systems.

Fourth. The antisubmarine warfare program in the past has been inadequately coordinated.

Fifth. There is serious doubt as to the adequacy of current antisubmarine warfare programs for research, development, testing and evaluation.

However, most recently with the appointment of Admiral Martel as Director of antisubmarine warfare programs much progress in this area of our national defense has been made.

One of the most important realizations by the Department of the Navy, in its attempt to upgrade our antisubmarine warfare effort, has been that if there is any one single shortcoming which threatens our undersea warfare capability and, therefore, our superiority at sea, it is the fact that we are operating with antiquated facilities which are both costly and ineffective.

It was in recognition of this fact that the Navy Department adopted the proposal of the President's Marine Resources Advisory Committee that a single center responsible for conducting technical and research activities be created on both the east and west coasts.

After extensive study the Department of the Navy decided to establish the Undersea Warfare Laboratory at the Los Alamitos Naval Air Station in Los Alamitos, Calif. A number of excellent reasons suggested Los Alamitos, and I will review these reasons shortly.

After determining the site, the Navy invested over a quarter million dollars in specifications and plans, including relocating at Los Alamitos the Naval Ordnance Test Station and its personnel presently located at Pasadena.

Let me make clear that the Department of the Navy has considered alternative sites for the Laboratory, but after extensive study has determined that Los Alamitos is the best site available. This was reestablished even after the House Armed Services Committee requested the Department of the Navy to once again review alternative sites. This review was made, but has not altered the Navy's original position that Los Alamitos is the best site available for the Undersea Warfare Laboratory.

The Navy considers the Laboratory a priority item. The Department would like to begin developing the site as soon as possible. This was made clear in testimony before the Armed Services Committee. I believe the members of the Armed Services Committee understand the importance of the facility, for it is referred to as an "admittedly important facility" in the report accompanying H.R. 11722.

Yet, despite the agreement on the priority of the authorization for the Undersea Warfare Laboratory, especially in light of its importance in our national defense posture, the Armed Services Committee has seen fit to delete the Navy's requested authorization for the program.

Despite expert testimony from the Department of the Navy that extensive study went into determining the need for the Laboratory, and the excellence of the site location at Los Alamitos, the Armed Services Committee now advises Congress that consideration of this program can be delayed because the committee "believes a number of related factors have not yet been fully developed." Page 28, committee report.

Would the committee have us believe that the Navy, after extensive planning, and two site investigations, has left additional questions undeveloped? I seriously doubt this.

Then why has the House committee chosen not to include this project in its bill? Two main reasons have been given. Let me elaborate on them briefly and concurrently try to raise a few points in connection with each.

The first reason given for the House committee's refusal to authorize the construction of this facility at Los Alamitos was that all possible sites were not fully investigated. I have explored this question with the Navy Department and the Department of Defense. They advise me that this site was selected after 3 years of studies, on-site inspections, and detailed cost-effectiveness studies of alternative areas.

At the request of the House committee, the Department reopened its review of alternative sites in February. I was informed by the Assistant Secretary of Defense for Installations and Logistics that this review did not materially alter the Department's position that Los Alamitos was the best available location because:

First. It is centrally located, and could therefore serve as a control point for coordinating research, development, and testing functions being carried out at adjoining facilities.

Second. It could, if authorized this session, be completed by 1970, at least 1 year sooner than any other site evaluated including the most frequently mentioned alternative site, Pasadena, Calif.

Third. It could be constructed at a relatively low cost, due to the fact that the land would require minimal preparation and is wholly Government owned.

Fourth. There is plenty of available Government land. It is estimated that 35 to 50 acres will be needed. There are over 100 acres of land available for this purpose at Los Alamitos.

Objections were also raised to this project in the House committee because of a reported lack of coordination in the planning of this facility between the Assistant Secretary of the Navy for Research, Development, Test, and Evaluation and the Director of antisubmarine warfare programs. I have discussed this with both of these individuals or parties authorized to speak for them. They have assured me that the necessary coordination has been effected and that, though questions still remain to be answered, there are no important barriers to the development of the relationships necessary to insure the effective execution of the missions assigned to this facility.

There are a number of specific reasons why the Department of the Navy finds Los Alamitos a particularly well qualified location for the Undersea Warfare Laboratory.

First, its close proximity to the ocean and specifically the Los Angeles and Long Beach harbors, which, in combination, comprise the fourth largest marine complex in the United States.

Second, Los Alamitos has distinct advantages in the matter of air transportation—both for flights to and from the ranges and for flights by visitors from other areas. It would be a simple matter, for instance, for the warfare center personnel to fly by plane or helicopter to other installations—or for other military personnel to fly directly to Los Alamitos.

Third, Los Alamitos has excellent access to ground transportation. It is in the immediate proximity of three major freeways, the San Diego, San Gabriel, and Garden Grove. Vehicular transportation is important in several ways and particularly in relation to access to test ranges and other test facilities.

Los Alamitos is 179 miles from the China Lake Naval Ordnance Test Center, 15 miles from Long Beach NOTS, 37 miles from Morris Dam, and only 3 from the Seal Beach Naval Weapons Station.

The problem of transportation also is important in relation to the location of residences of existing personnel and availability of housing and services at any new location.

It is generally agreed that the residential areas of employees should be in close proximity to the location of employment. This would not be the case in the event of a relocation of the NOTS facility from Pasadena to Los Alamitos, but no employee would be more than an hour's drive away and more than 25 percent of the present civilian employees of the lab would actually be within 30 minutes driving time.

Proximity to institutions of higher learning is an important factor in site location for they provide a source of scientific information and engineering services and an opportunity for professional growth for station personnel. Los Alamitos is conveniently located close to a number of excellent institutions of higher learning. This proximity to major colleges and universities represents the location's fourth advantage.

The educational institutions in close proximity include:

First. The University of Southern California with its famed Allen Hancock Foundation Marine Biology Institute which has been long dedicated to oceanological research in coastal areas.

The University of Southern California, in cooperation with seven other colleges and universities, including the University of California at Irvine, is presently constructing a marine science center on a 275-acre site embracing two harbors at Fisherman's Cove on Santa Catalina Island.

The Hancock Foundation's Marine Biology Institute is to be relocated here and will contain the core research and teaching facilities.

Second. California State College at Long Beach, where it is proposed to establish a Marine Institute of Science and Technology, called MIST, which would be operated by the State colleges and provide services and facilities to private industries.

The proximity to Los Alamitos of Long Beach State College, California State College at Fullerton, and the University of California at Irvin are important for surveys have shown that approximately 15 percent of the NOTS Pasadena scientific and engineering personnel at any given time attend college or university courses and of these approximately eighty percent are enrolled in a State college or university.

Third. The Scripps Institute of Oceanography and the University of California Institute of Marine Resources at La Jolla and the Navy's Electronics Laboratory at Point Loma.

Scripps Institute currently is involved in work on more than 100 active contracts and grants, including mapping the ocean bottom, long-range sonar research for the Navy and visibility research for the Department of Defense. It also worked in cooperation with the Navy on the experiments with Sea Lab II, an operation in which teams of divers spent 45 days on the bottom in 200 feet of water.

Fourth. The California Institute of Technology Kerskhoff Marine Laboratory at Corona Del Mar, where practically all of the biological and marine research of that institution is conducted.

Fifth. Los Alamitos will be conveniently located near a great reservoir of research and development talent represented by major local aerospace firms, some directly engaged in programs relating to undersea technology.

Northrop's Nortronics Division and North American's Autonetics Division, both close to Los Alamitos, are already heavily committed to programs vital to our undersea warfare posture. Nortronics, at both its Palos Verdes and Anaheim facilities, is doing major research and development work on the Navy's deep submergence systems program. Autonetics at both its Anaheim plant and its new ocean systems operations division at Long Beach Harbor is engaged in a variety of programs involving propulsion, acoustic and magnetic sensors, exploration navigation systems and devices and a work boat—Mark III and IV, known as the Beaver—designed to perform meaningful tasks on the ocean bottom.

In addition, Hughes' Ground Systems Division which has contributed much to Navy radar, is working on improving sonar devices and underwater visibility.

Besides the major aerospace firms, there are a number of other companies in close proximity to Los Alamitos with strong support capabilities.

A number of other questions have been raised concerning problems of inconvenience to personnel in moving the Naval Ordnance Test Station, now located in Pasadena, to the Los Alamitos Naval Station. These questions have centered around the following issues:

First. The availability of housing in Orange County, particularly the areas immediately adjacent to the naval station.

Second. The quality and availability of educational facilities.

Third. The fear that there would be a loss of experienced personnel resulting from inconvenience connected with moving.

In regard to the first question concerning the availability of housing in the area, the following facts should be brought to the House's attention.

First. Current market statistics clearly point out that the average resale home cost in southwest Orange County is $21,226, as compared to $27,300 in Pasadena. Moderate cost housing is more available in southwest Orange County than Pasadena, the alternative site being given the most serious consideration.

Second. Southwest Orange County has an abundance of new and resale moderately priced housing under $22,000. This housing is of good quality and primarily in the modern category. Pasadena, on the other hand, has a relative lack of moderately priced housing. In addition, much of Pasadena's existing units are considered old.

Third. Home financing in southwest Orange County is predominantly FHA and VA. This financing provides better terms on a nondiscriminatory basis. The Pasadena area is dependent primarily on conventional financing.

This summary points up the fact that modern housing is available in southwest Orange County at all price ranges. The promise that these conditions will continue to exist into the immediate future is superior, especially when compared with the situation in Pasadena.

In regard to the availability and quality of education in the Los Alamitos area, the following facts must be taken into account:

First. Any objective study of the quality of elementary and secondary education in California will rank Orange County schools in the top strata.

Second. Consistently, the voters of the various school districts in Orange County have supported necessary bonds and overrides for expansion and quality programs. This contrasts sharply with the Pasadena situation where five bond issues in the past 5 years have failed.

Third. Many of the local districts surrounding the Los Alamitos Naval Base have been singled out by State and National organizations for their educational innovations and the high quality of their programing.

The Anaheim school districts—Los Alamitos is included within Anaheim's high school district—are the recognized pioneers in educational television.

The Fountain Valley school district's innovative and imaginative curriculum planning was recently lauded in an article in the National School Administrator's Journal.

Although Orange County's rate of high school dropouts is one of the lowest in California, the U.S. Office of Education considers the county's program of recouping school dropouts the most effective in the country.

Fourth. The availability of public institutions of higher learning is unexcelled. Within a very reasonable range from the Naval Station are two campuses of the California State Colleges—Cal State Fullerton and Cal State Long Beach—campuses of the University of California—U. Cal Irvine—and innumerable community colleges—Fullerton, Santa Ana, Golden West, Orange Coast, Long Beach City, and Cerritos, to name a few. In addition, there are a number of private institutions of higher learning within the area.

Finally, the questions relating to the loss of critical personnel, and the disruption of operations because of relocation of facilities is not borne out by the facts of recent experiences of two major firms who have moved into Orange County. North American Aviation and Atlantic Research, Inc. have both relocated major facilities from other regions within the Los Angeles basin into Orange County. In both instances, it required the relocation of large numbers of critical employees. From both of these programs, as well as others, the following general conclusions were drawn:

First. In all cases, almost all the critical employees stayed with the companies and have either moved into Orange County or are commuting.

Second. Commuting, even to the point of 30 to 40 minutes each way per day, has not worked any special hardships on employees who remained in the area of the companies' previous locations. A half hour, or more, commuting time to and from work is a usual and common practice for many thousands of people in the Los Angeles area.

Third. Housing, recreation, quality education, and other facilities were readily available, and no hardships in any of these areas were reported.

Fourth. There was no disruption or loss of efficiency in the operations of the above mentioned firms during the period when employees were being relocated.

At every point, it is abundantly evident that experience and existing facilities and programs in southwest Orange County should more than adequately answer the questions relative to the impact on personnel who would be affected by a transfer of the present NOTS facility in Pasadena to Los Alamitos. In every instance, the evidence that the impact would be minimal and even beneficial is positive and abundant.

There should be no doubt, and I am certain that the Members of the Armed Services Committee would agree, of the importance and priority of developing the Undersea Warfare Laboratory. Soviet emphasis in this area requires that our national effort in antisubmarine warfare be immediate and of the highest quality.

The Department of the Navy, understanding its responsibilities in this area, has carefully constructed and presented a program which will be of significant meaning in the total undersea warfare effort. After careful consideration and extensive study, the Department of the Navy, and the Department of Defense, is asking Congress that it immediately authorize the construction of the Undersea Warfare Laboratory at the Los Alamitos Naval Air Base.

Knowing the importance of the program to our national defense, and knowing the careful and meticulous attention the Navy has put into the preparation of their proposal, this session of the 90th Congress has the obligation to both authorize and appropriate the necessary $8,495,000 to get this vital program underway. We should not tolerate any further delay.

Mr. PHILBIN. Mr. Chairman, this bill is much more complex than any military construction authorization bill of recent years. It authorizes about $2.3 billion, and involves more than the usual run of problems and controversial features.

I am deeply interested in the entire bill, but I would be less than candid, if I did not express special approval of the provisions of the bill which establish by law the various naval districts of the country.

This feature, if finally approved by the Congress, will retain the great naval district at Boston as well as the other great naval districts of the country.

The original Navy program included a project for construction start on a center to conduct research in undersea warfare with which the committee was in general agreement, but felt that additional information was required concerning its possible impact upon existing laboratories, and the limited availability of experienced scientists and engineers.

The committee moved to mitigate possible catastrophe by explosion at loading piers at Port Chicago, Calif., where great hazards to human life, as well as property, need to be eliminated.

Title I includes very substantial items at 54 Army installations in the United States including provision for the collective defense of the North Atlantic Treaty Organization and several classified installations.

Necessary modernization and replacement projects are covered and important projects are contained for our activities in Southeast Asia, and numerous projects to replace troop housing facilities and essential conveniences for armed services personnel. In fact, the bill makes many vital provisions for the Army, Navy, Air Force, and Marine Corps across the board.

We have reduced budget and Defense Department requests by some 12 percent or more in our search for practical economy in the interest of the taxpayers that will also permit undiminished efficiency and strength in our defense components.

Our action in this regard was based on official information available to us from the various departments and from other sources, and the cuts made by the committee represent our best judgment at this time.

Let me observe, however, that if the changing scene and future developments should clearly show that further economies and reductions are possible without impairing the required potential of our defense agencies, this committee would be the first to approve additional economies when we are convinced they are reasonable and will not impair our overall military strength.

I strongly favor practical economy in this Government at every possible point, including defense and the armed services, because it is my conviction that this Congress has a clear mandate from the American people to keep all our expenditures in line and within reasonable budgetary requirements at all times.

Mr. Chairman, I do not want to repeat what has been so well said here by previous speakers, who have made such interesting, informative presentations. It is my view that all the services have been considerately treated and provided with valuable, essential support for their plans, operations, and requirements.

Most of the other projects in the bill now before you are more mundane. They are, nonetheless, just as urgent and valid as the naval weapons station project. A block of the proposed projects would provide living facilities, in keeping with modern requirements, for Navy and Marine Corps officers and enlisted men and women. In the main, these include new and rehabilitated bachelor quarters, messhalls, and a limited number of community facilities such as enlisted men's clubs, chapels, and athletic fields. The scope of these personnel support types of facilities approach one-third of the Navy program measured in dollars.

Another block of facilities of noteworthy merit consists of 27 line items for $19.2 million. These are for construction of sewerage improvements at various Navy and Marine Corps installations in the United States. This is an action to safeguard an invaluable resource of the country. It will reduce the sewage pollution of the streams, rivers, and harbors adjacent to the military installations. It is the first of a number of increments in the Navy plans. Can anyone deny that this plan has virtue? It should be implemented as soon as possible.

The remaining portions of the Navy program are comprised of facility categories with which most Members of this body are generally familiar. A number of the facilities are for support of ships and aircraft, such as piers and airfield pavement. Some are for training of Navy men and marines in the multitude of skills they require—for shipboard operation, for operation of aircraft, weapons, electronic equipment. Others are for maintenance functions, supply, administration, care of the sick and wounded—in fact, the entire gamut of facility categories, including utilities, to make the various structures operable.

The bill contains many items, more than 1,700 of them, for our great Army and great Air Force, which like our great Navy, stand as powerful components of our mighty striking force and defense system.

The committee has given careful attention, both as to the conventional and nuclear aspects, of their construction needs.

For fear of being reptitious, I will not treat of these items at this time, but I want to stress the needs we have attempted to serve, and pay highest tribute to the Army, Navy, Air Force, and Marine Corps for their invaluable contributions to the Nation and the cause of peace.

Even as we work for total readiness at home and abroad, let us never cease to strive for a just, lasting peace with freedom, justice, and security for our own Nation and the world. I hope and pray that Hanoi and Russia will soon listen to our pleas and prayers for peace and agree to a conference to arrange fair terms and conditions so that the whole world can again enjoy reconciliation and just peace and amity and understanding between all nations and all peoples.

I am convinced that this bill is sound. I recommend your favorable action on it. Let us strive urgently for a just peace.

The CHAIRMAN. All time having expired, the Clerk will read.

The Clerk read as follows:

Be it enacted by the Senate and House of Representative of the United States of America in Congress assembled,

TITLE I

SEC. 101. The Secretary of the Army may establish or develop military installations and facilities by acquiring, constructing, converting, rehabilitating, or installing permanent or temporary public works, including site preparation, appurtenances, utilities, and equipment for the following projects:

INSIDE THE UNITED STATES

UNITED STATES CONTINENTAL ARMY COMMAND

(First Army)

Fort Belvoir, Virginia: Operational and training facilities, and research, development, and test facilities, $3,869,000.

Fort Devens, Massachusetts: Maintenance facilities, and utilities, $1,304,000.

Fort Eustis, Virginia: Training facilities, maintenance facilities, and utilities, $976,000.

Fort Hamilton, New York: Operational facilities, $127,000.

A. P. Hill Military Reservation, Virginia: Training facilities, supply facilities, troop housing, and utilities, $4,893,000.

Indiantown Gap Military Reservation, Pennsylvania: Training facilities, $581,000.

Fort Knox, Kentucky: Training facilities and utilities, $1,545,000.

Fort Lee, Virginia: Maintenance facilities, medical facilities, and utilities, $1,034,000.

Fort George G. Meade, Maryland: Hospital facilities, $1,907,000.

Camp Pickett, Virginia: Training facilities, $141,000.

(Third Army)

Fort Benning, Georgia: Troop housing and utilities, $3,759,000.

Fort Bragg, North Carolina: Operational and training facilities, maintenance facilities, supply facilities, administrative facilities, troop housing, and utilities, $17,800,000.

Fort Campbell, Kentucky: Hospital facilities and utilities, $312,000.

Fort Gordon, Georgia: Training facilities, supply facilities, utilities, and real estate, $4,364,000.

Fort Jackson, South Carolina: Hospital facilities, $10,365,000.

Fort Rucker, Alabama: Training facilities and troop housing, $2,118,000.

(Fourth Army)

Fort Bliss, Texas: Training facilities, supply facilities, and utilities, $792,000.

Fort Hood, Tex.: Maintenance facilities and utilities, $3,075,000.

Fort Polk, Louisiana: Training facilities, and supply facilities, $1,148,000.

Fort Sill, Oklahoma: Training facilities and community facilities, $3,636,000.

Fort Wolters, Texas: Utilities, $379,000.

(Fifth Army)

Fort Carson, Colorado: Operational and training facilities, maintenance facilities, troop housing and community facilities, and utilities, $20,929,000.

Fort Benjamin Harrison, Indiana: Operational facilities, administrative facilities, and utilities, $4,462,000.

Fort Leavenworth, Kansas: Administrative facilities, $392,000.

Fort Riley, Kansas: Training facilities, maintenance facilities, medical facilities, troop housing, and utilities, $22,122,000.

Fort Leonard Wood, Missouri: Training facilities, medical facilities, community facilities, and utilities, $2,575,000.

(Sixth Army)

Fort Irwin, California: Operational facilities, $217,000.

Fort Lewis, Washington: Maintenance facilities, $2,523,000.

Fort Ord, California: Hospital facilities, and troop housing, $27,329,000.

(Military District of Washington)

Fort Myer, Virginia: Troop housing, and utilities, $1,680,000.

(CONUS Various)

CONUS Various Locations: Community facilities, $1,053,000.

UNITED STATES ARMY MATERIEL COMMAND

Aberdeen Proving Ground, Maryland: Research, development, and test facilities, and utilities, $2,184,000.

Aeronautical Maintenance Center, Texas: Utilities, $419,000.

Anniston Army Depot, Alabama: Maintenance facilities, and utilities, $1,937,000.

Detroit Arsenal, Michigan: Research, development and test facilities, $1,819,000.

Letterkenny Army Depot, Pennsylvania: Maintenance facilities and supply facilities, $552,000.

Lexington Blue Grass Army Depot, Kentucky: Maintenance facilities, $160,000.

New Cumberland Army Depot, Pennsylvania: Utilities, $330,000.

Pine Bluff Arsenal, Arkansas: Production facilities, $1,713,000.

Pueblo Army Depot, Colorado: Maintenance, and supply facilities, $855,000.

Red River Army Depot, Texas: Operational facilities, supply facilities, and administrative facilities, $376,000.

Redstone Arsenal, Alabama: Training facilities, research, development and test facilities, and administrative facilities, $646,000.

Sacramento Army Depot, California: Supply facilities, $93,000.

Savanna Army Depot, Illinois: Operational facilities, and utilities, $102,000.

Sharpe Army Depot, California: Supply facilities, $199,000.

Tobyhanna Army Depot, Pennsylvania: Maintenance facilities, $268,000.

Tooele Army Depot, Utah: Supply facilities, $680,000.

Watertown Arsenal, Massachusetts: Research, development, and test facilities, $3,471,000.

White Sands Missile Range, New Mexico: Research, development, and test facilities, and utilities, $4,781,000.

Fort Wingate Army Depot, New Mexico: Utilities, $166,000.

Yuma Proving Ground, Arizona: Research, development, and test facilities, $176,000.

UNITED STATES ARMY AIR DEFENSE COMMAND

Chicago Defense Area, Illinois: Operational facilities, $365,000.

Detroit Defense Area, Michigan: Operational facilities, $130,000.

New York Defense Area, New York: Troop housing, $327,000.

CONUS Various Locations: Operational facilities, research, development, and test facilities, and utilities, $65,779,000.

UNITED STATES ARMY SECURITY AGENCY

Two Rock Ranch Station, California: Supply facilities, $174,000.

Vint Hill Farms, Virginia: Operational facilities and supply facilities, $542,000.

UNITED STATES ARMY STRATEGIC COMMUNICATIONS COMMAND

CONUS Various Locations: Operational facilities, $1,147,000.

Fort Ritchie, Maryland: Utilities, $216,000.

UNITED STATES MILITARY ACADEMY

United States Military Academy, West Point, New York: Training facilities, supply facilities, troop housing, and utilities, $15,495,000.

ARMY MEDICAL SERVICE

Fitzsimons Army Hospital, Colorado: Hospital facilities, $9,555,000.

Madigan General Hospital, Washington: Medical facilities, $185,000.

CORPS OF ENGINEERS

Army Map Service, Maryland: Utilities, $156,000.

MILITARY TRAFFIC MANAGEMENT AND TERMINAL SERVICE

Bayonne Naval Supply Center, New Jersey: Operational facilities, and supply facilities, $582,000.

Sunny Point, North Carolina: Utilities, $70,000.

erately priced housing under $22,000. This housing is of good quality and primarily in the modern category. Pasadena, on the other hand, has a relative lack of moderately priced housing. In addition, much of Pasadena's existing units are considered old.

Third. Home financing in southwest Orange County is predominantly FHA and VA. This financing provides better terms on a nondiscriminatory basis. The Pasadena area is dependent primarily on conventional financing.

This summary points up the fact that modern housing is available in southwest Orange County at all price ranges. The promise that these conditions will continue to exist into the immediate future is superior, especially when compared with the situation in Pasadena.

In regard to the availability and quality of education in the Los Alamitos area, the following facts must be taken into account:

First. Any objective study of the quality of elementary and secondary education in California will rank Orange County schools in the top strata.

Second. Consistently, the voters of the various school districts in Orange County have supported necessary bonds and overrides for expansion and quality programs. This contrasts sharply with the Pasadena situation where five bond issues in the past 5 years have failed.

Third. Many of the local districts surrounding the Los Alamitos Naval Base have been singled out by State and National organizations for their educational innovations and the high quality of their programing.

The Anaheim school districts—Los Alamitos is included within Anaheim's high school district—are the recognized pioneers in educational television.

The Fountain Valley school district's innovative and imaginative curriculum planning was recently lauded in an article in the National School Administrator's Journal.

Although Orange County's rate of high school dropouts is one of the lowest in California, the U.S. Office of Education considers the county's program of recouping school dropouts the most effective in the country.

Fourth. The availability of public institutions of higher learning is unexcelled. Within a very reasonable range from the Naval Station are two campuses of the California State Colleges—Cal State Fullerton and Cal State Long Beach—campuses of the University of California—U. Cal Irvine—and innumerable community colleges—Fullerton, Santa Ana, Golden West, Orange Coast, Long Beach City, and Cerritos, to name a few. In addition, there are a number of private institutions of higher learning within the area.

Finally, the questions relating to the loss of critical personnel, and the disruption of operations because of relocation of facilities is not borne out by the facts of recent experiences of two major firms who have moved into Orange County. North American Aviation and Atlantic Research, Inc. have both relocated major facilities from other regions within the Los Angeles basin into Orange County. In both instances, it required the relocation of large numbers of critical employees. From both of these programs, as well as others, the following general conclusions were drawn:

First. In all cases, almost all the critical employees stayed with the companies and have either moved into Orange County or are commuting.

Second. Commuting, even to the point of 30 to 40 minutes each way per day, has not worked any special hardships on employees who remained in the area of the companies' previous locations. A half hour, or more, commuting time to and from work is a usual and common practice for many thousands of people in the Los Angeles area.

Third. Housing, recreation, quality education, and other facilities were readily available, and no hardships in any of these areas were reported.

Fourth. There was no disruption or loss of efficiency in the operations of the above mentioned firms during the period when employees were being relocated.

At every point, it is abundantly evident that experience and existing facilities and programs in southwest Orange County should more than adequately answer the questions relative to the impact on personnel who would be affected by a transfer of the present NOTS facility in Pasadena to Los Alamitos. In every instance, the evidence that the impact would be minimal and even beneficial is positive and abundant.

There should be no doubt, and I am certain that the Members of the Armed Services Committee would agree, of the importance and priority of developing the Undersea Warfare Laboratory. Soviet emphasis in this area requires that our national effort in antisubmarine warfare be immediate and of the highest quality.

The Department of the Navy, understanding its responsibilities in this area, has carefully constructed and presented a program which will be of significant meaning in the total undersea warfare effort. After careful consideration and extensive study, the Department of the Navy, and the Department of Defense, is asking Congress that it immediately authorize the construction of the Undersea Warfare Laboratory at the Los Alamitos Naval Air Base.

Knowing the importance of the program to our national defense, and knowing the careful and meticulous attention the Navy has put into the preparation of their proposal, this session of the 90th Congress has the obligation to both authorize and appropriate the necessary $8,495,000 to get this vital program underway. We should not tolerate any further delay.

Mr. PHILBIN. Mr. Chairman, this bill is much more complex than any military construction authorization bill of recent years. It authorizes about $2.3 billion, and involves more than the usual run of problems and controversial features.

I am deeply interested in the entire bill, but I would be less than candid, if I did not express special approval of the provisions of the bill which establish by law the various naval districts of the country.

This feature, if finally approved by the Congress, will retain the great naval district at Boston as well as the other great naval districts of the country.

The original Navy program included a project for construction start on a center to conduct research in undersea warfare with which the committee was in general agreement, but felt that additional information was required concerning its possible impact upon existing laboratories, and the limited availability of experienced scientists and engineers.

The committee moved to mitigate possible catastrophe by explosion at loading piers at Port Chicago, Calif., where great hazards to human life, as well as property, need to be eliminated.

Title I includes very substantial items at 54 Army installations in the United States including provision for the collective defense of the North Atlantic Treaty Organization and several classified installations.

Necessary modernization and replacement projects are covered and important projects are contained for our activities in Southeast Asia, and numerous projects to replace troop housing facilities and essential conveniences for armed services personnel. In fact, the bill makes many vital provisions for the Army, Navy, Air Force, and Marine Corps across the board.

We have reduced budget and Defense Department requests by some 12 percent or more in our search for practical economy in the interest of the taxpayers that will also permit undiminished efficiency and strength in our defense components.

Our action in this regard was based on official information available to us from the various departments and from other sources, and the cuts made by the committee represent our best judgment at this time.

Let me observe, however, that if the changing scene and future developments should clearly show that further economies and reductions are possible without impairing the required potential of our defense agencies, this committee would be the first to approve additional economies when we are convinced they are reasonable and will not impair our overall military strength.

I strongly favor practical economy in this Government at every possible point, including defense and the armed services, because it is my conviction that this Congress has a clear mandate from the American people to keep all our expenditures in line and within reasonable budgetary requirements at all times.

Mr. Chairman, I do not want to repeat what has been so well said here by previous speakers, who have made such interesting, informative presentations. It is my view that all the services have been considerately treated and provided with valuable, essential support for their plans, operations, and requirements.

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I am convinced that this bill is sound. I recommend your favorable action on it. Let us strive urgently for a just peace.

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TITLE I

SEC. 101. The Secretary of the Army may establish or develop military installations and facilities by acquiring, constructing, converting, rehabilitating, or installing permanent or temporary public works, including site preparation, appurtenances, utilities, and equipment for the following projects:

INSIDE THE UNITED STATES

UNITED STATES CONTINENTAL ARMY COMMAND

(First Army)

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Fort Knox, Kentucky: Training facilities and utilities, $1,545,000.

Fort Lee, Virginia: Maintenance facilities, medical facilities, and utilities, $1,034,000.

Fort George G. Meade, Maryland: Hospital facilities, $1,907,000.

Camp Pickett, Virginia: Training facilities, $141,000.

(Third Army)

Fort Benning, Georgia: Troop housing and utilities, $3,759,000.

Fort Bragg, North Carolina: Operational and training facilities, maintenance facilities, supply facilities, administrative facilities, troop housing, and utilities, $17,800,000.

Fort Campbell, Kentucky: Hospital facilities and utilities, $312,000.

Fort Gordon, Georgia: Training facilities, supply facilities, utilities, and real estate, $4,364,000.

Fort Jackson, South Carolina: Hospital facilities, $10,365,000.

Fort Rucker, Alabama: Training facilities and troop housing, $2,118,000.

(Fourth Army)

Fort Bliss, Texas: Training facilities, supply facilities, and utilities, $792,000.

Fort Hood, Tex.: Maintenance facilities and utilities, $3,075,000.

Fort Polk, Louisiana: Training facilities, and supply facilities, $1,148,000.

Fort Sill, Oklahoma: Training facilities and community facilities, $3,636,000.

Fort Wolters, Texas: Utilities, $379,000.

(Fifth Army)

Fort Carson, Colorado: Operational and training facilities, maintenance facilities, troop housing and community facilities, and utilities, $20,929,000.

Fort Benjamin Harrison, Indiana: Operational facilities, administrative facilities, and utilities, $4,462,000.

Fort Leavenworth, Kansas: Administrative facilities, $392,000.

Fort Riley, Kansas: Training facilities, maintenance facilities, medical facilities, troop housing, and utilities, $22,122,000.

Fort Leonard Wood, Missouri: Training facilities, medical facilities, community facilities, and utilities, $2,575,000.

(Sixth Army)

Fort Irwin, California: Operational facilities, $217,000.

Fort Lewis, Washington: Maintenance facilities, $2,523,000.

Fort Ord, California: Hospital facilities, and troop housing, $27,329,000.

(Military District of Washington)

Fort Myer, Virginia: Troop housing, and utilities, $1,680,000.

(CONUS Various)

CONUS Various Locations: Community facilities, $1,053,000.

UNITED STATES ARMY MATERIEL COMMAND

Aberdeen Proving Ground, Maryland: Research, development, and test facilities, and utilities, $2,184,000.

Aeronautical Maintenance Center, Texas: Utilities, $419,000.

Anniston Army Depot, Alabama: Maintenance facilities, and utilities, $1,937,000.

Detroit Arsenal, Michigan: Research, development and test facilities, $1,819,000.

Letterkenny Army Depot, Pennsylvania: Maintenance facilities and supply facilities, $552,000.

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New Cumberland Army Depot, Pennsylvania: Utilities, $330,000.

Pine Bluff Arsenal, Arkansas: Production facilities, $1,713,000.

Pueblo Army Depot, Colorado: Maintenance, and supply facilities, $855,000.

Red River Army Depot, Texas: Operational facilities, supply facilities, and administrative facilities, $376,000.

Redstone Arsenal, Alabama: Training facilities, research, development and test facilities, and administrative facilities, $646,000.

Sacramento Army Depot, California: Supply facilities, $93,000.

Savanna Army Depot, Illinois: Operational facilities, and utilities, $102,000.

Sharpe Army Depot, California: Supply facilities, $199,000.

Tobyhanna Army Depot, Pennsylvania: Maintenance facilities, $268,000.

Tooele Army Depot, Utah: Supply facilities, $680,000.

Watertown Arsenal, Massachusetts: Research, development, and test facilities, $3,471,000.

White Sands Missile Range, New Mexico: Research, development, and test facilities, and utilities, $4,781,000.

Fort Wingate Army Depot, New Mexico: Utilities, $166,000.

Yuma Proving Ground, Arizona: Research, development, and test facilities, $176,000.

UNITED STATES ARMY AIR DEFENSE COMMAND

Chicago Defense Area, Illinois: Operational facilities, $365,000.

Detroit Defense Area, Michigan: Operational facilities, $130,000.

New York Defense Area, New York: Troop housing, $327,000.

CONUS Various Locations: Operational facilities, research, development, and test facilities, and utilities, $65,779,000.

UNITED STATES ARMY SECURITY AGENCY

Two Rock Ranch Station, California: Supply facilities, $174,000.

Vint Hill Farms, Virginia: Operational facilities and supply facilities, $542,000.

UNITED STATES ARMY STRATEGIC COMMUNICATIONS COMMAND

CONUS Various Locations: Operational facilities, $1,147,000.

Fort Ritchie, Maryland: Utilities, $216,000.

UNITED STATES MILITARY ACADEMY

United States Military Academy, West Point, New York: Training facilities, supply facilities, troop housing, and utilities, $15,495,000.

ARMY MEDICAL SERVICE

Fitzsimons Army Hospital, Colorado: Hospital facilities, $9,555,000.

Madigan General Hospital, Washington: Medical facilities, $185,000.

CORPS OF ENGINEERS

Army Map Service, Maryland: Utilities, $156,000.

MILITARY TRAFFIC MANAGEMENT AND TERMINAL SERVICE

Bayonne Naval Supply Center, New Jersey: Operational facilities, and supply facilities, $582,000.

Sunny Point, North Carolina: Utilities, $70,000.

UNITED STATES ARMY, ALASKA

Fort Greely, Alaska: Operational facilities, $852,000.

UNITED STATES ARMY, HAWAII

Fort De Russy, Hawaii: Troop housing and utilities, $7,132,000.

Schofield Barracks, Hawaii: Training facilities, $286,000.

OUTSIDE THE UNITED STATES

UNITED STATES ARMY, PACIFIC

Camp Zama, Japan: Supply facilities, $193,000.

Korea: Hospital facilities, $2,810,000.

UNITED STATES ARMY FORCES, SOUTHERN COMMAND

Fort Clayton, Canal Zone: Utilities $7,985,000.

UNITED STATES ARMY MATERIEL COMMAND

Kwajalein Atoll: Research, development, and test facilities, housing and community facilities, $12,255,000.

UNITED STATES ARMY SECURITY AGENCY

Various locations: Operational facilities, housing and community facilities, and utilities, $4,556,000.

UNITED STATES ARMY, EUROPE

Gerrmany: Supply facilities, $7,195,000.

Various locations: Operational facilities and supply facilities, $6,815,000.

Various locations: For the United States share of the cost of multilateral programs for the acquisition or construction of military facilities and installations, including international military headquarters, for the collective defense of the North Atlantic Treaty Area, $60,000,000: *Provided*, That, within thirty days after the end of each quarter, the Secretary of the Army shall furnish to the Committees on Armed Services and on Appropriations of the Senate and the House of Representatives a description of obligations incurred as the United States share of such multilateral programs.

UNITED STATES ARMY STRATEGIC COMMUNICATIONS COMMAND

Various locations: Operational facilities and utilities, $3,821,000.

SEC. 102. The Secretary of the Army may establish or develop classified military installations and facilities by acquiring, constructing, converting, rehabilitating, or installing permanent or temporary public works, including land acquisitions, site preparation, appurtenances, utilities, and equipment in the amount of $2,873,000.

SEC. 103. The Secretary of the Army may establish or develop Army installations and facilities by proceeding with construction made necessary by changes in Army missions and responsibilities which have been occasioned by: (a) unforeseen security considerations, (b) new weapons developments, (c) new and unforeseen research and development requirements, or (d) improved production schedules, if the Secretary of Defense determines that deferral of such construction for inclusion in the next military construction authorization Act would be inconsistent with interests of national security, and in connection therewith to acquire, construct, convert, rehabilitate, or install permanent or temporary public works, including land acquisition, site preparation, appurtenances, utilities, and equipment, in the total amount of $10,000,000: *Provided*, That the Secretary of the Army, or his designee, shall notify the Committees on Armed Services of the Senate and House of Representatives, immediately upon reaching a final decision to implement, of the cost of construction in any public work undertaken under this section, including those real estate actions pertaining thereto. This authorization will expire as of September 30, 1968, except for those public works projects concerning which the Committees on Armed Services of the Senate and House of Representatives have been notified pursuant to this section prior to that date.

SEC. 104. (a) Public Law 87-554, as amended, is amended under the heading "INSIDE THE UNITED STATES" in section 101, as follows:

(1) Under the subheading "CONTINENTAL ARMY COMMAND (Third Army)" with respect to Fort McClellan, Alabama, strike out "$1,352,000" and insert in place thereof "$1,554,000;"

(b) Public Law 87-554, as amended, is amended by striking out in clause (1) of section 602 "$102,370,000" and "$150,879,000" and inserting in place thereof "$102,572,000" and "$151,081,000" respectively.

SEC. 105. (a) Public Law 88-174, as amended, is amended under the heading "INSIDE THE UNITED STATES" in section 101, as follows:

(1) Under the subheading "ARMY COMPONENT COMMANDS (Pacific Command Area)" with respect to Schofield Barracks, Hawaii, strike out "$913,000" and insert in place thereof "$1,006,000."

(b) Public Law 88-174, as amended, is amended by striking out in clause (1) of section 602 "$155,826,000" and "$200,695,000" and inserting in place thereof "$155,919,000" and "$200,788,000" respectively.

SEC. 106. (a) Public Law 88-390, as amended, is amended under the heading "INSIDE THE UNITED STATES" in section 101, as follows:

(1) Under the subheading "CONTINENTAL ARMY COMMAND (Military District of Washington, District of Columbia)" with respect to Fort Myer, Virginia, strike out "$4,052,000" and insert in place thereof "$4,330,000."

(2) Under the subheading "CONTINENTAL ARMY COMMAND (Fifth Army)" with respect to Fort Sheridan, Illinois, strike out $5,544,000" and insert in place thereof "$6,350,000."

(3) Under the subheading "UNITED STATES ARMY MATERIEL COMMAND (United States Army Missile Command)" with respect to Redstone Arsenal, Alabama, strike out "$2,389,000" and insert in place thereof "$2,563,000."

(4) Under the subheading "TECHNICAL SERVICES FACILITIES (Signal Corps)" with respect to Army Pictorial Center, New York, strike out "$1,120,000" and insert in place thereof "$1,185,000."

(5) Under the subheading "TECHNICAL SERVICES FACILITIES (Medical Service)" with respect to Letterman General Hospital, California, strike out "$14,305,000" and insert in place thereof "$15,424,000".

(b) Public Law 88-390, as amended, is amended by striking out in clause (1) of section 602 "$252,994,000" and "$304,055,000" and inserting "$255,436,000" and "$306,497,000", respectively.

SEC. 107. (a) Public Law 89-188, as amended, is amended under the heading "INSIDE THE UNITED STATES" in section 101, as follows:

(1) Under the subheading "CONTINENTAL ARMY COMMAND, less Army Materiel Command (Fifth Army)" with respect to Fort Leonard Wood, Missouri, strike out "$16,084,000" and insert in place thereof "$16,536,000".

(b) Public Law 89-188 is amended by striking out in clause (1) of section 602, "$253,722,000" and "$310,583,000" and inserting "$254,174,000" and "$311,035,000", repectively.

SEC. 108. (a) Public Law 89-568 is amended under the heading "INSIDE THE UNITED STATES" in section 101, as follows:

(1) Under the heading "INSIDE THE UNITED STATES" and under the subheading "UNITED STATES CONTINENTAL ARMY COMMAND (First Army)" with respect to United States Military Academy, West Point, New York, strike out "$2,451,000" and insert in place thereof "$2,705,000."

(2) Under the heading "OUTSIDE THE UNITED STATES" and under the subheading "UNITED STATES ARMY MATERIEL COMMAND" with respect to Kwajalein Atoll, strike out "$31,333,000" and insert in place thereof "$36,907,000."

(b) Public Law 89-568 is amended by striking out in clause (1) of section 602 "$57,219,000," "$36,141,000," and "$126,360,000" and inserting "$57,473,000," "$41,715,000" and "$132,188,000."

TITLE II

SEC. 201. The Secretary of the Navy may establish or develop military installations and facilities by acquiring, constructing, converting, rehabilitating, or installing permanent or temporary public works, including site preparation, appurtenances, utilities, and equipment for the following projects:

INSIDE THE UNITED STATES

FIRST NAVAL DISTRICT

Naval Shipyard, Portsmouth, New Hampshire: Utilities, $575,000.

Naval Shipyard, Boston, Massachusetts: Utilities, $496,000.

Naval Construction Battalion Center, Davisville, Rhode Island: Troop housing, $2,613,000.

Naval Station, Newport, Rhode Island: Operational facilities, and troop housing, $4,368,000.

Naval Supply Depot, Newport, Rhode Island: Supply facilities, $82,000.

Naval Destroyer School, Newport, Rhode Island: Training facilities, $1,486,000.

Naval Schools Command, Newport, Rhode Island: Training facilities, $2,848,000.

Navy Public Works Center, Newport, Rhode Island: Operational facilities, and utilities and ground improvements, $1,697,000.

Naval Air Station, Quonset Point, Rhode Island: Maintenance facilities, and utilities, $2,823,000.

THIRD NAVAL DISTRICT

Naval Submarine Base, New London, Connecticut: Operational facilities, and maintenance facilities, $2,129,000.

Naval Submarine School, New London, Connecticut: Training facilities, $1,607,000.

Naval Submarine Medical Center, New London, Connecticut: Medical facilities, $1,590,000.

FOURTH NAVAL DISTRICT

Naval Air Station, Lakehurst, New Jersey: Troop housing, and utilities and ground improvements, $2,766,000.

Naval Air Test Facility, Lakehurst, New Jersey: Operational facilities, and research, development, and test facilities, $839,000.

Naval Air Development Center, Johnsville, Pennsylvania: Research, development, and test facilities, $1,684,000.

Naval Supply Depot, Mechanicsburg, Pennsylvania: Administrative facilities, $296,000.

Naval Shipyard, Philadelphia, Pennsylvania: Maintenance facilities, and administrative facilities, $1,526,000.

Naval Station, Philadelphia, Pennsylvania: Troop housing, and utilities and ground improvements, $1,859,000.

Navy Aviation Supply Office, Philadelphia, Pennsylvania: Administrative facilities, $80,000.

Naval Air Technical Services Facility, Philadelphia, Pennsylvania: Administrative facilities, $586,000.

DISTRICT OF COLUMBIA NAVAL DISTRICT

Naval Scientific and Technical Intelligence Center, District of Columbia: Administrative facilities, $1,374,000.

Naval Research Laboratory, District of Columbia: Operational facilities, and utilities, $874,000.

Naval Security Station, District of Columbia: Administrative facilities, $2,271,000.

Naval Academy, Annapolis, Maryland: Training facilities, community facilities, and utilities and ground improvements, $3,578,000.

Naval Hospital, Annapolis, Maryland: Hospital and medical facilities, $134,000.

Naval Radio Station, Annapolis, Maryland: Operational facilities, $5,000,000.

National Naval Medical Center, Bethesda, Maryland: Utilities, $630,000.

Naval Communication Station, Cheltenham, Maryland: Troop housing, and utilities, $925,000.

Naval Ordnance Station, Indian Head, Maryland: Utilities and ground improvements, $1,208,000.

Naval School, Explosive Ordnance Disposal, Indian Head, Maryland: Training facilities, $296,000.

Naval Air Test Center, Patuxent River, Maryland: Operational and training facilities, maintenance facilities, research, development, and test facilities, troop housing, and utilities, $9,850000.

FIFTH NAVAL DISTRICT

Naval Hospital, Camp Lejeune, North Carolina; Troop housing, $267,000.

Naval Facility, Cape Hatteras, North Carolina: Troop housing $92,000.

Marine Corps Air Station, Cherry Point, North Carolina: Operational and training facilities, maintenance facilities, supply facilities, troop housing, and utilities, $5,349,000.

Marine Corps Air Facility, New River, North Carolina: Operational facilities, and troop housing, $2,866,000.

Fleet Anti-War Warfare Training Center, Dam Neck, Virginia: Training facilities, and troop housing, $2,378,000.

Naval Radio Station, Driver, Virginia: Troop housing, $86,000.

Naval Amphibious Base, Little Creek, Virginia: Medical facilities, troop housing, and utilities, $6,072,000.

Naval Amphibious School, Little Creek, Virginia: Training facilities, $693,000.

Naval Shipyard, Norfolk, Virginia: Maintenance facilities, administrative facilities, and troop housing, $4,723,000.

Headquarters, Commander in Chief, Atlantic Fleet, Norfolk, Virginia: Troop housing, $2,508,000.

Fleet Operations Control Center, Norfolk, Virginia: Utilities, $424,000.

Naval Station, Norfolk, Virginia: Operational facilities, maintenance facilities, troop housing, and utilities, $8,062,000.

Naval Air Station, Norfolk, Virginia: Maintenance facilities, and troop housing, $4,714,000.

Naval Supply Center, Norfolk, Virginia: Operational facilities, $43,000.

Armed Forces Staff College, Norfolk, Virginia: Troop housing, $808,000.

Fleet Training Center, Norfolk, Virginia: Training facilities, $65,000.

Naval Schools Command, Norfolk, Virginia: Training facilities, $1,787,000.

Nuclear Weapons Training Center, Atlantic, Norfolk, Virginia: Training facilities, $1,557,000.

Navy Preventive Medicine Unit, Norfolk, Virginia: Medical facilities, $339,000.

Naval Radio Station, Northwest, Virginia: Troop housing and community facilities, $320,000.

Naval Air Station, Oceana, Virginia: Operational and training facilities, maintenance facilities, troop housing, and utilities, $9,831,000.

Naval Hospital, Portsmouth, Virginia: Troop housing, $1,084,000.

Naval Weapons Station, Yorktown, Virginia: Maintenance facilities, research, development, and test facilities, and utilities and ground improvements, $2,051,000.

SIXTH NAVAL DISTRICT

Naval Air Station, Cecil Field, Florida: Operational and training facilities, and troop housing, $3,590,000.

Naval Air Station, Jacksonville, Florida: Maintenance facilities, $5,179,000.

Naval Hospital, Jacksonville, Florida: Troop housing, $302,000.

Naval Station, Mayport, Florida: Operational facilities, supply facilities, administrative facilities, and troop housing and community facilities, $5,651,000.

Naval Station, Key West, Florida: Operational facilities, $300,000.

Naval Air Station, Key West, Florida: Supply facilities, utilities and ground improvements, and real estate, $1,511,000.

Naval Hospital, Key West, Florida: Troop housing, $243,000.

Naval Training Center, Orlando, Florida: Operational and training facilities, supply facilities, administrative facilites, troop housing and community facilities, and utilities and ground improvements, $14,464,000.

Naval Ordnance Test Unit, Patrick Air Force Base, Florida: Operational facilities, and real estate, $7,188,000.

Navy Mine Defense Laboratory, Panama City, Florida: Troop housing, $441,000.

Naval Air Station, Pensacola, Florida: Maintenance facilities, supply facilities, troop housing, and utilities and ground improvements, $5,608,000.

Naval Aviation Medical Center, Pensacola, Florida: Troop housing, $338,000.

Naval Communications Training Center, Pensacola, Florida: Training facilities, and troop housing, $1,864,000.

Navy Public Works Center, Pensacola, Florida: Utilities, $3,001,000.

Naval Auxiliary Air Station, Saufley Field, Florida: Operational facilities, and troop housing, $1,317,000.

Naval Auxiliary Air Station, Whiting Field, Florida: Troop housing, $1,020,000.

Naval Air Station, Albany, Georgia: Operational facilities, maintenance facilities, and utilities, $1,530,000.

Naval Air Station, Glynco, Georgia: Supply facilities, and troop housing, $1,098,000.

Marine Corps Air Station, Beaufort, South Carolina: Operational facilities, maintenance facilities, supply facilities, and community facilities, $955,000.

Naval Shipyard, Charleston, South Carolina: Operational facilities, maintenance facilities, and administrative facilities, $3,063,000.

Naval Station, Charleston, South Carolina: Community facilities, and utilities and ground improvements, $4,048,000.

Naval Weapons Station, Charleston, South Carolina: Operational facilities, maintenance facilities, administrative facilities, community facilities, and utilities and ground improvements, $17,172,000.

Naval Air Station, Memphis, Tennesseee: Troop housing, and utilities and ground improvements, $5,246,000.

EIGHTH NAVAL DISTRICT

Naval Auxiliary Air Station, Chase Field, Texas: Operational and training facilities, maintenance facilities, administrative facilities, troop housing, utilities and ground improvements, and real estate, $12,784,000.

Naval Air Station, Corpus Christi, Texas: Troop housing, and utilities and ground improvements, $3,603,000.

Naval Hospital, Corpus Christi, Texas: Troop housing, $344,000.

Naval Auxiliary Air Station, Kingsville, Texas: Operational facilities, maintenance facilities, and troop housing, $3,894,000.

NINTH NAVAL DISTRICT

Naval Air Station, Glenview, Illinois: Community facilities, $122,000.

Naval Training Center, Great Lakes, Illinois: Troop housing, $6,869,000.

Naval Hospital Corps School, Great Lakes, Illinois: Training facilities, $1,561,000.

Navy Public Works Center, Great Lakes, Illinois: Utilities, $306,000.

Naval Ammunition Depot, Crane, Indiana: Maintenance facilities, $225,000.

ELEVENTH NAVAL DISTRICT

Naval Observatory, Flagstaff, Arizona: Research, development, and test facilities, $704,000.

Marine Corps Air Station, Yuma, Arizona: Operational facilities, medical facilities, community facilities, and utilities, $1,849,000.

Naval Ordnance Test Station, China Lake, California: Operational facilities, and research, development, and test facilities, $3,041,000.

Naval Aerospace Recovery Facility, El Centro, California: Research, development, and test facilities, $460,000.

Naval Air Facility, El Centro, California: Troop housing, $427,000.

Marine Corps Air Station, El Toro, California: Operational and training facilities, maintenance facilities, and hospital and medical facilities, $3,723,000.

Naval Shipyard, Long Beach, California: Operational facilities, maintenance facilities, and utilities and ground improvements, $626,000.

Naval Station, Long Beach, California: Community facilities, $800,000.

Fleet Anti-Submarine Warfare Training Facility, Long Beach, California: Training facilities, $434,000.

Naval Dental Clinic, Long Beach, California: Medical facilities, $821,000.

Pacific Missile Range, Point Mugu, California: Research, development, and test facilities; and, on San Nicolas Island, troop housing, $703,000.

Naval Ship Missile Systems Engineering Station, Port Hueneme, California: Administrative facilities, $1,591,000.

Naval Construction Battalion Center, Port Hueneme, California: Troop housing, $2,638,000.

Marine Corps Air Facility, Santa Ana, California: Operational facilities, and troop housing, $1,145,000.

Marine Corps Auxiliary Landing Field, Camp Pendleton, California: Operational and training facilities, $222,000.

Naval Amphibious Base, Coronado, California: Administrative facilities, troop housing, and utilities, $8,380,000.

Naval Air Station, Miramar, California: Operational facilities, maintenance facilities, medical facilities, administrative facilities, and utilities, $6,590,000.

Naval Air Station, North Island, California: Operational and training facilities, maintenance facilities, administrative facilities, troop housing, and utilities and ground improvements, $7,692,000.

Naval Auxiliary Air Station, Ream Field, California: Operational and training facilities, maintenance facilities, and troop housing, $1,309,000.

Naval Submarine Support Facility, San Diego, California: Operational and training facilities, maintenance facilities, and troop housing, $4,720,000.

Fleet Anti-Air Warfare Training Center, San Diego, California: Administrative facilities, $475,000.

Fleet Anti-Submarine Warfare School, San Diego, California: Training facilities, and administrative facilities, $2,128,000.

Naval Training Center, San Diego, California: Training facilities, and troop housing, $12,491,000.

Naval Hospital, San Diego, California: Troop housing, $986,000.

TWELFTH NAVAL DISTRICT

Naval Air Station, Lemoore, California: Operational and training facilities, maintenance facilities, troop housing, and utilities, $6,216,000.

Naval Air Station, Alameda, California: Maintenance facilities, $280,000.

Naval Weapons Station, Concord, California: Utilities and ground improvements, and real estate, $20,079,000.

Naval Radio Station, Dixon, California: Medical facilities, and troop housing, $172,000.

Naval Schools Command, Mare Island, California: Troop housing, $2,738,000.

Naval Air Station, Moffett Field, California: Utilities and ground improvements, $119,000.

Naval Postgraduate School, Monterey, California: Training facilities, $1,794,000.

Naval Hospital, Oakland, California: Troop housing, $1,436,000.

Naval Medical Research Unit, Oakland, California: Research, development, and test facilities, $412,000.

Naval Shipyard, San Francisco Bay, California: Troop housing at Hunters Point; and maintenance facilities, administrative facilities, community facilities, and utilities at Mare Island, $9,174,000.

Naval Station, Treasure Island, California: Utilities and ground improvements, $850,000.

Naval Schools Command, Treasure Island, California: Training facilities, and troop housing, $5,825,000.

Naval Ammunition Depot, Hawthorne, Nevada: Maintenance facilities, and supply facilities, $598,000.

THIRTEENTH NAVAL DISTRICT

Naval Facility, Coos Head, Oregon: Utilities and ground improvements, $65,000.

Naval Shipyard, Bremerton, Washington: Operational facilities, maintenance facilities, administrative facilities, and utilities, $6,923,000.

Naval Hospital, Bremerton, Washington: Troop housing, $83,000.

Naval Radio Station, Jim Creek, Oso, Washington: Community facilities, $130,000.

Naval Communication Station, Puget Sound, Washington: Operational facilities, $713,000.

Naval Supply Depot, Seattle, Washington: Utilities and ground improvements, $252,000.

Naval Air Station, Whidbey Island, Washington: Maintenance facilities, and troop housing, $1,866,000.

FOURTEENTH NAVAL DISTRICT

Naval Communication Station, Honolulu, Oahu, Hawaii: Troop housing, $370,000.

Naval Shipyard, Pearl Harbor, Oahu, Hawaii: Maintenance facilities, administrative facilities, and utilities, $2,237,000.

Headquarters, Commander in Chief, Pacific Fleet, Pearl Harbor, Oahu, Hawaii: Administrative facilities, $735,000.

Naval Station, Pearl Harbor, Oahu, Hawaii: Operational facilities, and troop housing, $1,395,000.

Naval Submarine Base, Pearl Harbor, Oahu, Hawaii: Maintenance facilities, and troop housing, $2,042,000.

Naval Supply Center, Pearl Harbor, Oahu, Hawaii: Operational facilities, $62,000.

Fleet Submarine Training Facility, Pearl Harbor, Oahu, Hawaii: Training facilities, $944,000.

Navy Public Works Center, Pearl Harbor, Oahu, Hawaii: Utilities and ground improvements, $5,431,000.

Marine Corps Air Station, Kaneohe Bay, Oahu, Hawaii: Maintenance facilities, and utilities and ground improvements, $1,183,000.

Fleet Operations Control Center, Kunia, Oahu, Hawaii: Troop housing, and utilities, $1,728,000.

Naval Ammunition Depot, Oahu, Hawaii: Maintenance facilities, and utilities and ground improvements, $1,170,000.

Naval Air Station, Barbers Point, Oahu, Hawaii: Operational facilities, and utilities and ground improvements, $494,000.

Naval Radio Station, Lualualei, Oahu, Hawaii: Operational facilities, utilities and ground improvements, $6,793,000.

Pacific Fleet Tactical Range, Barking Sands, Kauai, Hawaii: Operation facilities, and maintenance facilities, $678,000.

SEVENTEENTH NAVAL DISTRICT

Naval Station, Adak, Alaska: Maintenance facilities, hospital and medical facilities, community facilities, and utilities, $7,000,000.

Naval Arctic Research Laboratory, Barrow, Alaska: Maintenance facilities, $1,563,000.

Naval Radio Station, Buskin Lake, Kodiak, Alaska: Operational facilities, $686,000.

VARIOUS LOCATIONS

Various Locations: Operational facilities, $55,000.

Various Naval Communication Activities: Utilities, $3,278,000.

MARINE CORPS GROUND FORCES FACILITIES

Marine Corps Schools, Quantico, Virginia: Troop housing, and utilities and ground improvements, $2,294,000.

Marine Corps Base, Camp Lejeune, North Carolina: Medical facilities, troop housing, and utilities and ground improvements, $12,507,000.

Marine Corps Supply Center, Albany, Georgia: Maintenance facilities, and utilities, $892,000.

Marine Corps Recruit Depot, Parris Island, South Carolina: Training facilities, medical facilities, and troop housing, $2,149,000.

Marine Corps Supply Center, Barstow, California: Operational facilities, maintenance facilities, and troop housing and community facilities, $1,230,000.

Marine Corps Base, Twentynine Palms, California: Operational and training facilities, and utilities, $6,704,000.

Marine Corps Base, Camp Pendleton, California: Maintenance facilities, troop housing and community facilities, and utilities, $11,290,000.

Marine Corps Recruit Depot, San Diego, California: Troop housing, $912,000.

Camp H. M. Smith, Aiea, Oahu, Hawaii: Troop housing, $1,549,000.

Outside the United States

TENTH NAVAL DISTRICT

Naval Facility, Antigua, West Indies: Utilities, $87,000.

Naval Station, Guantanamo Bay, Cuba: Troop housing, $3,918,000.

Naval Air Station, Guantanamo Bay, Cuba: Troop housing, $1,600,000.

Naval Station, Roosevelt Roads, Puerto Rico: Operational facilities, and maintenance facilities, $1,468,000.

Naval Radio Station, Sabana Seca, Puerto Rico: Troop housing and community facilities, $513,000.

FOURTEENTH NAVAL DISTRICT

Naval Station, Midway Islands: Utilities and ground improvements, $1,669,000.

ATLANTIC AREA

Naval Station, Bermuda: Operational facilities, $1,253,000.

EUROPEAN AREA

Naval Communication Station, Londonderry, Northern Ireland: Medical facilities, $116,000.

Naval Radio Station, Guardamar del Segura, Spain: Community facilities, $53,000.

Naval Station, Rota, Spain: Community facilities, $288,000.

Naval Communication Station, Nea Makri, Greece: Maintenance facilities, and supply facilities, $133,000.

PACIFIC OCEAN AREA

Naval Communication Station, North West Cape, Australia: Supply facilities, $426,000.

Naval Air Station, Agana, Guam, Mariana Islands: Operational facilities, and community facilities, $467,000.

Naval Communication Station, Finegayan, Guam, Mariana Islands: Troop housing, $142,000.

Naval Facility, Guam, Mariana Islands: Operational facilities, $2,000,000.

Naval Station, Guam, Mariana Islands: Operational facilities, and troop housing, $3,947,000.

Naval Supply Depot, Guam, Mariana Islands: Supply facilities, $2,590,000.

Navy Public Works Center, Guam, Mariana Islands: Utilities and ground improvements, and real estate, $8,452,000.

Naval Radio Station, Totsuka, Japan: Utilities, $97,000.

Naval Ordnance Facility, Yokosuka, Japan: Maintenance facilities, $336,000.

Marine Corps Air Facility, Futema, Okinawa: Operational facilities, supply facilities, and troop housing, $6,169,000.

Fleet Activities, Ryukyus, Okinawa: Community facilities, $80,000.

Naval Air Station, Cubi Point, Republic of the Philippines: Medical facilities, $105,000.

Naval Communication Station, San Miguel, Republic of the Philippines: Community facilities, $501,000.

Naval Station, Subic Bay, Republic of the Philippines: Community facilities, $179,000.

VARIOUS LOCATIONS

Various Locations: Operational facilities, $65,000.

Various Naval Communication Activities: Utilities, $662,000.

Sec. 202. The Secretary of the Navy may establish or develop classified naval installations and facilities by acquiring, converting, rehabilitating, or installing permanent or temporary public works, including land acquisition, site preparation, appurtenances, utilities, and equipment in the total amount of $6,784,000.

Sec. 203. The Secretary of the Navy may establish or develop Navy installations and facilities by proceeding with construction made necessary by changes in Navy missions and responsibilities which have been occasioned by: (a) unforeseen security considerations, (b) new weapons developments, (c) new and unforeseen research and development requirements, or (d) improved production schedules, if the Secretary of Defense determines that deferral of such construction for inclusion in the next military construction authorization Act would be inconsistent with interests of national security, and in connection therewith to acquire, construct, convert, rehabilitate, or install permanent or temporary public works, including land acquisition, site preparation, appurtenances, utilities, and equipment, in the total amount of $10,000,000: *Provided*, That the Secretary of the Navy, or his designee, shall notify the Committees on Armed Services of the Senate and House of Representatives, immediately upon reaching a decision to implement, of the cost of construction of any public work undertaken under this section, including those real estate actions pertaining thereto. This authorization will expire as of September 30, 1968, except for those public works projects concerning which the Committee on Armed Services of the Senate and House of Representatives have been notified pursuant to this section prior to that date.

Sec. 204. (a) Public Law 88–174, as amended, is amended in title II, section 201, under the heading "Inside the United States" and subheading "bureau of ships (Naval Shipyards)" with respect to Naval Shipyards, Mare Island, California, by striking out "$850,000" and inserting in place thereof "$908,000".

(b) Public Law 88–174, as amended, is amended in section 602, clause (2), by striking out "$116,031,000" and "$202,930,000" and inserting respectively in place thereof "$116,089,000" and "$202,988,000".

Sec. 205. (a) Public Law 88–390 is amended in title II, section 201, under the heading "Inside the United States" and subheading "bureau of ships facilities (Naval Shipyards)" with respect to the Naval Shipyard, Portsmouth, New Hampshire, by striking out "$4,760,000" and inserting in place thereof "$5,240,000".

(b) Public Law 88–390 is amended in section 602, clause (2), by striking out "$160,237,000" and "$225,639,000" and inserting respectively in place thereof "$160,717,000" and "$226,119,000".

Sec. 206. (a) Public Law 89–188, as amended, is amended under the heading "Inside

THE UNITED STATES" in section 201, as follows:

(1) Under the subheading "BUREAU OF SHIPS FACILITIES (Naval Shipyards)" with respect to Naval Shipyard, Long Beach, California, and Naval Shipyard, Pearl Harbor, Oahu, Hawaii, strike out "$2,931,000" and "$3,591,000", respectively, and insert in place thereof "$3,857,000" and "$4,650,000", respectively.

(2) Under the subheading "FLEET BASE FACILITIES" with respect to Naval Station, Key West, Florida, and Naval Station, Treasure Island, California, strike out "$1,293,000" and "$1,856,000", respectively, and insert in place thereof "$1,462,000" and "$2,234,000", respectively.

(3) Under the subheading "MARINE CORPS FACILITIES" with respect to Marine Corps Base, Camp Lejeune, North Carolina, strike out "$7,126,000" and insert in place thereof "$8,402,000".

(4) Under the subheading "SERVICE SCHOOL FACILITIES" with respect to Naval Training Center, Great Lakes, Illinois, strike out "$11,457,000" and insert in place thereof "$12,732,000".

(5) Under the subheading "MEDICAL FACILITIES" with respect to Naval Dispensary and Dental Clinic, Pearl Harbor, Oahu, Hawaii, strike out "$2,800,000" and insert in place thereof, "$3,026,000".

(6) Under the heading "COMMUNICATION FACILITIES" with respect to Naval Autodin Facility, Albany, Georgia, and Naval Autodin Facility, Syracuse, New York, strike out "$313,000" and "$45,000", respectively, and insert in place thereof "$926,000" and "$135,000", respectively.

(7) Under the heading "OFFICE OF NAVAL RESEARCH FACILITIES" with respect to Naval Research Laboratory, District of Columbia, strike out "$5,560,000" and insert in place thereof "$7,368,000".

(8) Under the heading "OUTSIDE THE UNITED STATES" and subheading "FLEET BASE FACILITIES" with respect to Headquarters Support Activity, Taipei, Republic of China, strike out "$199,000" and insert in place thereof "$370,000".

(b) Public Law 89–188, as amended, is amended by striking out in clause (2) of section 602 "$228,770,000", "$34,436,000", and "$314,305,000" and inserting in place thereof "$236,590,000", "$34,607,000", and "$322,296,000", respectively.

TITLE III

SEC. 301. The Secretary of the Air Force may establish or develop military installations and facilities by acquiring, constructing, converting, rehabilitating, or installing permanent or temporary public works, including site preparation, appurtenances, utilities, and equipment, for the following projects:

INSIDE THE UNITED STATES

AIR DEFENSE COMMAND

Duluth Municipal Airport, Duluth Minnesota: Administrative facilities and community facilities, $316,000.

Hamilton Air Force Base, San Rafael, California: Utilities, $204,000.

Kingsley Field, Klamath Falls, Oregon: Administrative facilities and utilities, $290,000.

McChord Air Force Base, Tacoma, Washington: Operational facilities and utilities, $1,598,000.

Niagara Falls Municipal Airport, Niagara Falls, New York: Maintenance facilities, community facilities, and utilities, $377,000.

NORAD Headquarters, Colorado Springs, Colorado: Operational facilities, $1,201,000.

Otis Air Force Base, Falmouth, Massachusetts: Hospital facilities and utilities, $2,805,000.

Oxnard Air Force Base, Camarillo, California: Training facilities, $264,000.

Paine Field, Everett, Washington: Operational facilities, $401,000.

Perrin Air Force Base, Sherman, Texas: Operational and training facilities and maintenance facilities, $1,105,000.

Peterson Field, Colorado Springs, Colorado: Operational and training facilities, maintenance facilities, administrative facilities, troop housing, and utilities, $6,264,000.

Selfridge Air Force Base, Mount Clemens, Michigan: Utilities, $255,000.

Stewart Air Force Base, Newburgh, New York: Utilities, $166,000.

Suffolk County Air Force Base, Westhampton Beach, New York: Utilities, $475,000.

Tyndall Air Force Base, Panama City, Florida: Supply facilities and administrative facilities, $199,000.

AIR FORCE LOGISTICS COMMAND

Griffiss Air Force Base, Rome, New York: Maintenance facilities and community facilities, $730,000.

Hill Air Force Base, Ogden, Utah: Operational facilities, maintenance facilities, administrative facilities, and community facilities, $1,628,000.

Kelly Air Force Base, San Antonio, Texas: Operational facilities, maintenance facilities, supply facilities, medical facilities, administrative facilities, troop housing, and utilities, $3,146,000.

McClellan Air Force Base, Sacramento, California: Operational facilities, maintenance facilities, administrative facilities, and utilities, $6,440,000.

Newark Air Force Station, Newark, Ohio: Maintenance facilities and utilities, $365,000.

Robins Air Force Base, Macon, Georgia: Operational facilities, maintenance facilities, administrative facilities, troop housing and community facilities, and utilities, $4,420,000.

Tinker Air Force Base, Oklahoma City, Oklahoma: Maintenance facilities and utilities, $2,300,000.

Wright-Patterson Air Force Base, Dayton, Ohio: Training facilities, maintenance facilities, research, development, and test facilities, and utilities, $11,093,000.

AIR FORCE SYSTEMS COMMAND

Arnold Engineering Development Center, Tullahoma, Tennessee: Research, development, and test facilities, supply facilities, and community facilities, $1,704,000.

Brooks Air Force Base, San Antonio, Texas: Research, development, and test facilities, medical facilities, and troop housing, $4,185,000.

Edwards Air Force Base, Muroc, California: Operational facilities, research, development, and test facilities, and supply facilities, $4,023,000.

Eglin Air Force Base, Valparaiso, Florida: Operational facilities, research, development, and test facilities, administrative facilities, and troop housing and community facilities, $7,750,000.

Eglin Auxiliary Airfield Numbered 9, Valparaiso, Florida: Operational facilities, and troop housing and community facilities, $1,636,000.

Grenier Field, Manchester, New Hampshire: Troop housing, $465,000.

Holloman Air Force Base, Alamogordo, New Mexico: Operational facilities, maintenance facilities, research, development, and test facilities, troop housing, and utilities, $2,563,000.

Kirtland Air Force Base, Albuquerque, New Mexico: Operational facilities and utilities, $181,000.

Laurence G. Hanscom Field, Bedford, Massachusetts: Operational facilities, research, development, and test facilities, supply facilities, and utilities, $1,648,000.

Patrick Air Force Base, Cocoa, Florida: Operational facilities, maintenance facilities, and research, development, and test facilities, $1,040,000.

Eastern Test Range, Cocoa, Florida: Research, development, and test facilities, supply facilities, and utilities, $4,787,000.

Western Test Range, Lompoc, California: Operational facilities, research, development, and test facilities, troop housing, and utilities, $15,699,000.

Satellite Tracking Facilities: Operational facilities, research, development, and test facilities, and utilities, $7,137,000.

AIR TRAINING COMMAND

Chanute Air Force Base, Rantoul, Illinois: Training facilities, hospital facilities, medical facilities, troop housing, and utilities, $2,523,000.

Craig Air Force Base, Selma, Alabama: Operational and training facilities, maintenance facilities, and troop housing, $1,665,000.

Keesler Air Force Base, Biloxi, Mississippi: Operational and training facilities and administrative facilities, $3,071,000.

Lackland Air Force Base, San Antonio, Texas: Training facilities, maintenance facilities, supply facilities, and troop housing and community facilities, $23,457,000.

Laughlin Air Force Base, Del Rio, Texas: Operational and training facilities, administrative facilities, and utilities, $736,000.

Lowry Air Force Base, Denver, Colorado: Training facilities and troop housing and community facilities, $6,089,000.

Mather Air Force Base, Sacramento, California: Operational facilities, maintenance facilities, hospital facilities, administrative facilities, and utilities, $6,396,000.

Moody Air Force Base, Valdosta, Georgia: Operational and training facilities, $875,000.

Randolph Air Force Base, San Antonio, Texas: Troop housing and utilities, $1,203,000.

Reese Air Force Base, Lubbock, Texas: Operational and training facilities, hospital facilities, troop housing, and utilities, $3,795,000.

Sheppard Air Force Base, Wichita Falls, Texas: Operational and training facilities, maintenance facilities, and troop housing, $4,800,000.

Vance Air Force Base, Enid, Oklahoma: Training facilities and utilities, $619,000.

Webb Air Force Base, Big Spring, Texas: Hospital facilities, administrative facilities, and utilities, $2,296,000.

Williams Air Force Base, Chandler, Arizona: Operational facilities, administrative facilities, and utilities, $2,455,000.

AIR UNIVERSITY

Maxwell Air Force Base, Montgomery, Alabama: Supply facilities, administrative facilities, troop housing, and utilities, $934,000.

ALASKAN AIR COMMAND

Eielson Air Force Base, Fairbanks, Alaska: Maintenance facilities and utilities, $225,000.

Elmendorf Air Force Base, Anchorage, Alaska: Operational facilities, maintenance facilities, and utilities, $3,390,000.

Various Locations: Operational facilities, maintenance facilities, troop housing, and utilities, $11,323,000.

HEADQUARTERS COMMAND

Bolling Air Force Base, Washington, District of Columbia: Maintenance facilities, medical facilities, administrative facilities, community facilities, utilities, and ground improvements, $10,741,000.

MILITARY AIRLIFT COMMAND

Altus Air Force Base, Altus, Oklahoma: Training facilities, maintenance facilities, administrative facilities, and troop housing, $3,655,000.

Charleston Air Force Base, Charleston, South Carolina: Operational and training facilities, maintenance facilities, supply facilities, administrative facilities, and utilities, $7,892,000.

Dover Air Force Base, Dover, Delaware: Operational facilities and utilities, $866,000.

McGuire Air Force Base, Wrightstown, New Jersey: Operational facilities, troop housing, and utilities, $1,543,000.

Norton Air Force Base, San Bernardino, California: Operational and training facilities, maintenance facilities, troop housing and community facilities, and utilities, $4,967,000.

Scott Air Force Base, Belleville, Illinois: Operational facilities, maintenance facilities, administrative facilities, community facilities, utilities, and real estate, $8,761,000.

Travis Air Force Base, Fairfield, California: Operational facilities, maintenance facilities, supply facilities, troop housing, and utilities, $6,047,000.

PACIFIC AIR FORCE

Hickam Air Force Base, Honolulu, Hawaii: Medical facilities, troop housing facilities, and utilities, $2,566,000.

STRATEGIC AIR COMMAND

Barksdale Air Force Base, Shreveport, Louisiana: Operational facilities, hospital facilities, troop housing, and utilities, $4,483,000.

Beale Air Force Base, Marysville, California: Supply facilities, administrative facilities, and utilities, $356,000.

Blytheville Air Force Base, Blytheville, Arkansas: Utilities, $88,000.

Bunker Hill Air Force Base, Peru, Indiana: Operational facilities, maintenance facilities, and utilities, $795,000.

Carswell Air Force Base, Fort Worth, Texas: Operational and training facilities, maintenance facilities, supply facilities, and troop housing, $1,689,000.

Castle Air Force Base, Merced, California: Administrative facilities, $123,000.

Columbus Air Force Base, Columbus, Mississippi: Operational facilities, hospital facilities, and administrative facilities, $1,132,000.

Davis-Monthan Air Force Base, Tucson, Arizona: Operational facilities, maintenance facilities, troop housing and community facilities, and utilities, $2,954,000.

Dyess Air Force Base, Abilene, Texas: Training facilities, administrative facilities, and troop housing, $537,000.

. Ellsworth Air Force Base, Rapid, City, South Dakota: Operational facilities, administrative facilities, and utilities, $229,000.

Francis E. Warren Air Force Base, Cheyenne, Wyoming: Operational facilities, maintenance facilities, and utilities, $345,000.

Fairchild Air Force Base, Spokane, Washington: Operational facilities and medical facilities, $389,000.

Grand Forks Air Force Base, Grand Forks, North Dakota: Operational facilities, maintenance facilities, hospital facilities, medical facilities, and administrative facilities, $1,652,000.

Homestead Air Force Base, Homestead, Florida: Administrative facilities, troop housing, and utilities, $584,000.

K. I. Sawyer Municipal Airport, Marquette, Michigan: Operational facilities, maintenance facilities, and utilities, $1,032,000.

Little Rock Air Force Base, Little Rock, Arkansas: Operational facilities, supply facilities, administrative facilities and troop housing and community facilities, $759,000.

Loring Air Force Base, Limestone, Maine: Operational facilities, administrative facilities, community facilities, and utilities, $388,000.

Malmstrom Air Force Base, Great Falls, Montana: Operational facilities, administrative facilities, community facilities, and utilities, $1,428,000.

March Air Force Base, Riverside, California: Administrative facilities, and community facilities, $5,471,000.

McCoy Air Force Base, Orlando, Florida: Supply facilities, administrative facilities, and troop housing, $430,000.

Minot Air Force Base, Minot, North Dakota: Operational and training facilities, maintenance facilities, troop housing, and utilities, $1,354,000.

Offutt Air Force Base, Omaha, Nebraska: Operational facilities, troop housing, and utilities, $960,000.

Pease Air Force Base, Portsmouth, New Hampshire: Operational and training facilities, maintenance facilities, and administrative facilities, $2,203,000.

Plattsburgh Air Force Base, Plattsburgh, New York: Operational and training facilities, maintenance facilities, and community facilities, $2,068,000.

Vandenberg Air Force Base, Lompoc, California: Maintenance facilities, supply facilities, administrative facilities, and utilities, $3,581,000.

Westover Air Force Base, Chicopee Falls, Massachusetts: Training facilities, maintenance facilities, troop housing, and utilities, $3,495,000.

Whiteman Air Force Base, Knob Noster, Missouri: Operational facilities, maintenance facilities, and utilities, $248,000.

Wurtsmith Air Force Base, Oscoda, Michigan: Operational facilities, maintenance facilities, supply facilities, troop housing, and utilities, $822,000.

TACTICAL AIR COMMAND

Bergstrom Air Force Base, Austin, Texas: Operational facilities, maintenance facilities, supply facilities, hospital facilities, administrative facilities, troop housing and community facilities, and utilities, $6,461,000.

Cannon Air Force Base, Clovis, New Mexico: Operational and training facilities, maintenance facilities, supply facilities, administrative facilities, troop housing and community facilities, and utilities, $6,311,000.

England Air Force Base, Alexandria, Louisiana: Operational facilities, supply facilities, troop housing and community facilities, and real estate, $4,410,000.

Forbes Air Force Base, Topeka, Kansas: Operational facilities, and troop housing, $970,000.

George Air Force Base, Victorville, California: Operational and training facilities, maintenance facilities, supply facilities, troop housing and community facilities, and utilities, $3,176,000.

Langley Air Force Base, Hampton, Virginia: Operational facilities, maintenance facilities, and troop housing, $2,243,000.

Lockbourne Air Force Base, Columbus, Ohio: Utilities, $51,000.

Luke Air Force Base, Phoenix, Arizona: Operational and training facilities, maintenance facilities, supply facilities, administrative facilities, and troop housing and community facilities, $3,526,000.

MacDill Air Force Base, Tampa, Florida: Operational facilities, maintenance facilities, supply facilities, troop housing, and utilities, $6,129,000.

McConnell Air Force Base, Wichita, Kansas: Operational facilities, supply facilities, troop housing, and utilities, $2,395,000.

Mountain Home Air Force Base, Mountain Home, Idaho: Operational facilities and administrative facilities, $470,000.

Myrtle Beach Air Force Base, Myrtle Beach, South Carolina: Community facilities and utilities, $669,000.

Nellis Air Force Base, Las Vegas, Nevada: Training facilities, maintenance facilities, supply facilities, administrative facilities, troop housing, and utilities, $4,201,000.

Pope Air Force Base, Fort Bragg, North Carolina: Operational facilities, maintenance facilities, medical facilities, administrative facilities, troop housing, and utilities, $5,023,000.

Seymour Johnson Air Force Base, Goldsboro, North Carolina: Training facilities, administrative facilities, and community facilities, $613,000.

Shaw Air Force Base, Sumter, South Carolina: Supply facilities, administrative facilities, troop housing, and utilities, $1,582,000.

UNITED STATES AIR FORCE ACADEMY

United States Air Force Academy, Colorado Springs, Colorado: Training facilities, hospital facilities, troop housing and community facilities, and utilities, $5,323,000.

AIRCRAFT CONTROL AND WARNING SYSTEM

Various Locations: Maintenance facilities, administrative facilities, troop housing, and utilities, $1,801,000.

OUTSIDE THE UNITED STATES

AIR DEFENSE COMMAND

Various Locations: Operational facilities, maintenance facilities, and troop housing, $818,000.

MILITARY AIRLIFT COMMAND

Wake Island Air Force Station, Wake Island: Operational facilities and maintenance facilities, $484,000.

Kindley Air Base, Bermuda: Operational facilities and community facilities, $1,096,000.

PACIFIC AIR FORCE

Okinawa: Supply facilities, community facilities, and utilities, $2,255,000.

Various Locations: Operational facilities and troop housing and community facilities, $1,355,000.

STRATEGIC AIR COMMAND

Andersen Air Force Base, Guam: Troop housing and utilities, $1,255,000.

Ramey Air Force Base, Puerto Rico: Administrative facilities, troop housing and community facilities, and utilities, $1,778,000.

Goose Air Base, Canada: Administrative facilities and utilities, $90,000.

UNITED STATES AIR FORCES IN EUROPE

Germany: Operational and training facilities, maintenance facilities, supply facilities, and troop housing and community facilities, $2,502,000.

United Kingdom: Operational and training facilities, maintenance facilities, supply facilities, troop housing and community facilities, and utilities, $10,457,000.

Various Locations: Operational facilities, maintenance facilities, supply facilities, troop housing and community facilities, and utilities, $4,615,000.

UNITED STATES AIR FORCES SOUTHERN COMMAND

Howard Air Force Base, Canal Zone: Operational facilities, troop housing, and utilities, $1,625,000.

UNITED STATES AIR FORCE SECURITY SERVICE

Various Locations: Operational facilities, community facilities, and utilities, $486,000.

SEC. 302. The Secretary of the Air Force may establish or develop classified military installations and facilities by acquiring, constructing, converting, rehabilitating, or installing permanent or temporary public works, including land acquisition, site preparation, appurtenances, utilities, and equipment in the total amount of $87,996,000.

SEC. 303. The Secretary of the Air Force may establish or develop Air Force installations and facilities by proceeding with construction made necessary by changes in Air Force missions and responsibilities which have been occasioned by: (a) unforeseen security consideration, (b) new weapons developments, (c) new and unforeseen research and development requirements, or (d) improved production schedules, if the Secretary of Defense determines that deferral of such construction for inclusion in the next Military Construction Authorization Act would be inconsistent with interests of national security, and in connection therewith to acquire, construct, convert, rehabilitate, or install permanent or temporary public works, including land acquisition, site preparation, appurtenances, utilities, and equipment in the total amount of $10,000,000:

Provided, That the Secretary of the Air Force, or his designee, shall notify the Committees on Armed Services of the Senate and House of Representatives, immediately upon reaching a final decision to implement, of the cost of construction of any public work undertaken under this section, including those real estate actions pertaining thereto. This authorization will expire as of September 30, 1968, except for those public work projects concerning which the Committees on Armed Services of the Senate and House of Representatives have been notified pursuant to this section prior to that date.

SEC. 304. (a) Public Law 87–57, as amended, is amended unded the heading "INSIDE THE UNITED STATES" in section 301, as follows:

(1) Under the subheading "TACTICAL AIR COMMAND", with respect to Nellis Air Force Base, Las Vegas, Nevada, strike out "$2,433,000" and insert in place thereof "$2,504,000".

(b) Public Law 87–57, as amended, is amended by striking out in clause (3) of section 602 "$146,868,000" and "$474,461,000" and inserting in place thereof "$146,939,000" and "$474,532,000", respectively.

SEC. 305. (a) Public Law 88–390, as amended, is amended under the heading "INSIDE THE UNITED STATES" in section 301, as follows:

(1) Under the subheading "MILITARY AIR TRANSPORT SERVICE", with respect to Scott Air Force Base, Belleville, Illinois, strike out "$3,137,000" and insert in place thereof "$3,998,000".

(2) Under the subheading "STRATEGIC AIR COMMAND", with respect to Offutt Air Force Base, Omaha, Nebraska, strike out "$1,888,000" and insert in place thereof "$2,259,000".

(b) Public Law 88–390, as amended, is amended by striking out in clause (3) of section 602 "$165,327,000" and "$303,447,000" and inserting in place thereof "$166,559,000" and "$304,679,000", respectively.

SEC. 306. (a) Public Law 89–188, as amended, is amended under the heading "INSIDE THE UNITED STATES" in section 301, as follows:

(1) Under the subheading "AIR DEFENSE COMMAND", with respect to McChord Air Force Base, Tacoma, Washington, strike out "$3,736,000" and insert in place thereof "$4,277,000".

(2) Under the subheading "AIR TRAINING COMMAND" with respect to Chanute Air Force Base, Rantoul, Illinois, strike out "$5,442,000" and insert in place thereof "$6,347,000".

(3) Under the subheading "AIR TRAINING COMMAND" with respect to Lackland Air Force Base, San Antonio, Texas, strike out "$5,510,000" and insert in place thereof "$6,663,000".

(4) Under the subheading "AIR TRAINING COMMAND" with respect to Moody Air Force Base, Valdosta, Georgia, strike out "$1,782,000" and insert in place thereof "$2,017,000".

(5) Under the subheading "AIR TRAINING COMMAND" with respect to Randolph Air Force Base, San Antonio, Texas, strike out "$651,000" and insert in place thereof "$732,000".

(6) Under the subheading "AIR UNIVERSITY" with respect to Maxwell Air Force Base, Montgomery, Alabama, strike out "$770,000" and insert in place thereof "$970,000".

(7) Under the subheading "MILITARY AIR TRANSPORT SERVICE" with respect to McGuire Air Force Base, Wrightstown, New Jersey, strike out "$2,094,000" and insert in place thereof "$2,440,000".

(8) Under the subheading "MILITARY AIR TRANSPORT SERVICE" with respect to Scott Air Force Base, Belleville, Illinois, strike out "$2,240,000" and insert in place thereof "$2,612,000".

(9) Under the subheading "STRATEGIC AIR COMMAND" with respect to Bunker Hill Air Force Base, Peru, Indiana, strike out "$1,785,000" and insert in place thereof "$1,945,000".

(10) Under the subheading "STRATEGIC AIR COMMAND" with respect to K. I. Sawyer Municipal Airport, Marquette, Michigan, strike out "$148,000" and insert in place thereof "$223,000".

(11) Under the subheading "STRATEGIC AIR COMMAND" with respect to Lockbourne Air Force Base, Columbus, Ohio, strike out "$565,000" and insert in place thereof "$706,000".

(12) Under the subheading "STRATEGIC AIR COMMAND" with respect to McCoy Air Force Base, Orlando, Florida, strike out "$40,000" and insert in place thereof "$66,000".

(13) Under the subheading "STRATEGIC AIR COMMAND" with respect to Minot Air Force Base, Minot, North Dakota, strike out "$109,000" and insert in place thereof "$132,000".

(14) Under the subheading "STRATEGIC AIR COMMAND" with respect to Whiteman Air Force Base, Knob Noster, Missouri, strike out "$218,000" and insert in place thereof "$250,000".

(15) Under the subheading "STRATEGIC AIR COMMAND", with respect to Wurtsmith Air Force Base, Oscoda, Michigan, strike out "$45,000" and insert in place thereof "$70,000".

(16) Under the subheading "TACTICAL AIR COMMAND" with respect to Langley Air Force Base, Hampton, Virginia, strike out "$3,696,000" and insert in place thereof "$4,063,000".

(17) Under the subheading "TACTICAL AIR COMMAND" with respect to Pope Air Force Base, Fort Bragg, North Carolina, strike out "$2,560,000" and insert in place thereof "$2,801,000".

(18) Under the subheading "TACTICAL AIR COMMAND" with respect to Shaw Air Force Base, Sumter, South Carolina, strike out "$1,189,000" and insert in place thereof "$1,267,000".

(b) Public Law 89–188, as amended, is amended by striking out in clause (3) of section 602 "$210,630,000" and "$334,376,000" and inserting in place thereof "$215,631,000" and "$339,377,000", respectively.

SEC. 307. (a) Public Law 89–568 is amended under the heading "INSIDE THE UNITED STATES" in section 301, as follows:

(1) Under the subheading "AIR FORCE SYSTEMS COMMAND" with respect to Eglin Air Force Base, Valparaiso, Florida, strike out "$6,277,000" and insert in place thereof "$7,262,000".

(2) Under the subheading "AIR TRAINING COMMAND" with respect to Chanute Air Force Base, Rantoul, Illinois, strike out "$586,000" and insert in place thereof "$885,000".

(3) Under the subheading "AIR TRAINING COMMAND" with respect to Vance Air Force Base, Enid, Oklahoma, strike out $1,169,000" and insert in place thereof "$1,313,000".

(4) Under the subheading "ALASKAN AIR COMMAND" with respect to Elmendorf Air Force Base, Anchorage, Alaska, strike out "$1,265,000" and insert in place thereof "$1,500,000".

(5) Under the subheading "MILITARY AIRLIFT COMMAND" with respect to Norton Air Force Base, San Bernardino, California, strike out "$7,706,000" and insert in place thereof "$8,560,000".

(6) Under the subheading "STRATEGIC AIR COMMAND" with respect to Minot Air Force Base, Minot, North Dakota, strike out "$440,000" and insert in place thereof "$498,000".

(b) Public Law 89–568 is amended by striking out in clause (3) of section 602 "$107,098,000" and "$198,014,000" and inserting in place thereof "$109,673,000" and "$200,589,000", respectively.

TITLE IV

SEC. 401. The Secretary of Defense may establish or develop military installations and facilities by acquiring, constructing, converting, rehabilitating, or installing permanent or temporary public works, including site preparation, appurtenances, utilities, and equipment, for defense agencies for the following projects:

INSIDE THE UNITED STATES

DEFENSE ATOMIC SUPPORT AGENCY

Sandia Base, New Mexico: Administrative facilities and hospital and medical facilities, $1,732,000.

DEFENSE COMMUNICATIONS AGENCY

National Military Command System Support Center, Pentagon, Washington, D.C.: Administrative facilities, $600,000.

DEFENSE SUPPLY AGENCY

Defense Contract Administration Services Region, Chicago, Illinois: Administrative facilities, $1,255,000.

Defense Depot, Mechanicsburg, Pennsylvania: Supply facilities, $375,000.

Defense Construction Supply Center, Columbus, Ohio: Maintenance facilities and supply facilities, $847,000.

Defense Supply Depot, Tracy, California: Supply facilities, $4,026,000.

Defense General Support Center, Richmond, Virginia: Administrative facilities, $198,000.

Defense Logistics Services Center, Battle Creek, Michigan: Administrative facilities, $305,000.

Defense Personnel Support Center, Philadelphia, Pennsylvania: Administrative facilities and utilities, $2,429,000.

NATIONAL SECURITY AGENCY

Fort George G. Meade, Maryland: Operational facilities, production facilities, and utilities, $3,416,000.

OUTSIDE THE UNITED STATES

DEFENSE ATOMIC SUPPORT AGENCY

Johnston Island: Community facilities, and ground improvements, $1,410,000.

NATIONAL SECURITY AGENCY

Various Locations, Europe: Operational facilities, troop housing, and utilities, $2,407,000.

SEC. 402. The Secretary of Defense may establish or develop installations and facilities which he determines to be vital to the security of the United States, and in connection therewith to acquire, construct, convert, rehabilitate, or install permanent or temporary public works, including land acquisition, site preparation, appurtenances, utilities, and equipment in the total amount of $150,000,000, of which $50,000,000 is restricted to construction and rehabilitation of highways in Southeast Asia, and provided, that the Secretary of Defense, or his designee, shall notify the Committees on Armed Services of the Senate and the House of Representatives, immediately upon reaching a final decision to implement, of the cost of construction of any public work undertaken under this section, including those real estate actions pertaining thereto.

SEC. 403. (a) Public Law 89–188, as amended, is amended under the heading "INSIDE THE UNITED STATES" in section 401 as follows:

(1) Under the subheading "DEFENSE INTELLIGENCE AGENCY" with respect to Arlington Hall Station, Arlington, Virginia, strike out "$17,900,000" and insert in place thereof "$19,715,000".

(b) Public Law 89–188, as amended is amended, by striking out in clause (4) of section 602 "$100,051,000" and inserting in place thereof "$101,866,000".

TITLE V

SEC. 501. The Secretary of each military department may establish or develop military installations and facilities by acquiring, constructing, converting, rehabilitating, or installing permanent or temporary public works, including land acquisition, site preparation, appurtenances, utilities, and equipment, which are necessary outside the United States in connection with military activities in Southeast Asia, or in support of such activities in the total amount as follows:

Department of the Army, $33,156,000

Department of the Navy, $17,964,000

Department of the Air Force, $23,880,000: *Provided,* That materials only are authorized in connection with dependent military housing facilities for the Vietnamese.

SEC. 502. The Secretary of Defense, in connection with construction projects undertaken in South Vietnam pursuant to section 501 above, shall furnish to the Committees on Armed Services of the Senate and House of Representatives such reports as were heretofore furnished pursuant to section 401(c) of Public Law 89–367 (80 Stat. 36, 37).

MILITARY FAMILY HOUSING

SEC. 601. The Secretary of Defense, or his designee, is authorized to construct, at the locations hereinafter named, family housing units and trailer court facilities in the numbers hereinafter listed, but no family housing construction shall be commenced at any such locations in the United States, until the Secretary shall have consulted with the Secretary, Department of Housing and Urban Development, as to the availability of adequate private housing at such locations. If agreement cannot be reached with respect to the availability of adequate private housing at any location, the Secretary of Defense shall immediately notify the Committee on Armed Services of the House of Representatives and the Senate, in writing, of such difference of opinion, and no contract for construction at such location shall be entered into for a period of thirty days after such notification has been given. This authority shall include the authority to acquire land, and interests in land, by gift, purchase, exchange of Government-owned land, or otherwise.

Family housing units for—

(a) The Department of the Army, two thousand eight hundred and fifty units, $53,954,000:

Redstone Arsenal, Alabama, two hundred units.

Presidio of San Francisco, California, two hundred units.

Fort Benning, Georgia, three hundred and sixty units.

Fort Gordon, Georgia, four hundred units.

Rock Island Arsenal, Illinois, fifty units.

Fort Leavenworth, Kansas, four hundred units.

Fort Meade, Maryland, three hundred units.

Carlisle Barracks, Pennslvania, one hundred units.

Fort Jackson, South Carolina, two hundred units.

Fort Hood, Texas, one hundred and twenty units.

Fort Belvoir, Virginia, two hundred and fifty units.

Fort Stewart, Georgia, one hundred and twenty units.

Pacific Side, Canal Zone, one hundred and fifty units.

(b) The Department of the Navy, five thousand and seventy units, $102,040,000:

Marine Corps Air Station, Yuma, Arizona, four hundred and thirty units.

Naval Complex, Long Beach, California, five hundred units.

Naval Submarine Base, New London, Connecticut, three hundred units.

Naval Station, Washington, District of Columbia, one hundred and fifty-eight units.

Naval Auxiliary Air Station, Whiting Field, Florida, one hundred units.

Naval Air Station, Pensacola, Florida, one hundred units.

Naval Supply Corps School, Athens, Georgia, forty-two units.

Naval Complex, Oahu, Hawaii, five hundred units.

David Taylor Model Basin Field Station, Bayview, Idaho, four units.

Naval Air Station, Glenview, Illinois, one hundred and fifty units.

Naval Security Group Activity, Winter Harbor, Maine, thirty-two units.

Naval Communication Station, Cheltenham, Maryland, fifty units.

Naval Air Test Center, Patuxent River, Maryland, two hundred units.

Naval Complex, Boston, Massachusetts, two hundred units.

Naval Facility, Nantucket, Massachusetts, fourteen units.

Naval Ammunition Depot, Hawthorne, Nevada, one hundred units.

Naval Ammunition Depot, McAlester, Oklahoma, thirty units.

Naval Complex, Johnsville, Pennsylvania, three hundred units.

Naval Complex, South Philadelphia, Pennsylvania, two hundred units.

Naval Complex, Newport, Rhode Island, two hundred units.

Naval Air Station, Quonset Point, Rhode Island, two hundred units.

Naval Complex, Charleston, South Carolina, one hundred and fifty units.

Naval Complex, Norfolk, Virginia, one hundred units.

Naval Security Group Activity, Marietta, Washington, thirty units.

Naval Air Station, Whidbey Island, Washington, two hundred and fifty units.

Naval Communications Station, Sugar Grove, West Virginia, twenty units.

Naval Station, Guam, two hundred units.

Naval Communication Station, North West Cape, Australia, seventy units.

Naval Base, Guantanamo Bay, Cuba, two hundred units.

Naval Station, Keflavik, Iceland, one hundred and forty units.

Naval Station, Subic Bay, Republic of the Philippines, one hundred units.

(c) The Department of the Air Force, four thousand five hundred and eighty units, $91,135,000:

Craig Air Force Base, Alabama, three hundred units.

Maxwell Air Force Base, Alabama, two hundred units.

Luke Air Force Range, Arizona, four units.

George Air Force Base, California, three hundred and seventy-two units.

Norton Air Force Base, California, two hundred units.

Dover Air Force Base, Delaware, one unit.

Bolling Air Force Base, District of Columbia, one hundred and fifty-eight units.

Tyndall Air Force Base, Florida, one hundred and sixty units.

Hickam-Wheeler Air Force Bases, Hawaii, four hundred units.

Bunker Hill Air Force Base, Indiana, two hundred units.

McConnell Air Force Base, Kansas, two hundred units.

Andrews Air Force Base, Maryland, three hundred units.

L. G. Hanscom Field, Massachusetts, one hundred units.

Offutt Air Force Base, Nebraska, two hundred units.

Tinker Air Force Base, Oklahoma, three hundred units.

Shaw Air Force Base, South Carolina, three hundred units.

Bergstrom Air Force Base, Texas, fourteen units.

Laredo Air Force Base, Texas, four hundred units.

Laughlin Air Force Base, Texas, one hundred units.

Reese Air Force Base, Texas, one unit.

Ramey Air Force Base, Puerto Rico, one hundred units.

Anderson Air Force Base, Guam, two hundred units.

Wake Island Air Force Station, twenty units.

Albrook-Howard Air Force Bases, Canal Zone, fifty units.

Bentwaters Air Base, United Kingdom, two hundred units.

Upper Heyford Air Base, United Kingdom, one hundred units.

SEC. 602. Authorization for the construction of family housing provided in this Act shall be subject, under such regulations as the Secretary of Defense may prescribe, to the following limitations on cost, which shall include shades, screens, ranges, refrigerators, and all other installed equipment and fixtures:

(a) The average unit cost for each military department for all units of family housing constructed in the United States (other than Hawaii and Alaska) and Puerto Rico shall not exceed $19,500, including the cost of the family unit and the proportionate costs of site preparation and installation of utilities.

(b) No family housing unit in the areas listed in subsection (a) shall be constructed at a total cost exceeding $35,000, including the cost of the family unit and the proportionate costs of site preparation and installation of utilities: *Provided,* That as to any family housing unit for the commanding officer of any station or installation, and for any such unit for the incumbent of a command position senior to such commander, the limitations of this subjection (b) may be increased 20 per centum for general and flag officers.

(c) When family housing units are constructed in areas other than those listed in subsection (a), the average cost of all such units, in any project of fifty units or more, shall not exceed $32,000, and in no event shall the cost of any unit exceed $40,000. The cost limitations of this subsection shall be exclusive of land acquisition, site preparation, and installation of utilities.

SEC. 603. Notwithstanding the limitations contained in prior Military Construction Authorizations Acts on cost of construction of family housing, the limitations on such cost contained in section 602 of this Act shall apply to all prior authorizations for construction of family housing not heretofore repealed and for which construction contracts have not been executed by the date of enactment of this Act.

SEC. 604. (a) Sections 4774(b) and 9774(b) of title 10, United States Code, are amended to read as follows:

"(b) The maximum limitations prescribed by subsection (a) may be increased in the amounts provided for construction of quarters of the commanding officer of any station, airbase, or other installation, and for construction of quarters for the incumbent of any command position senior to such commander, based on the grade authorized for such positions:

"(1) For general officers, 20 per centum.

"(2) For colonels, 15 per centum.

"(3) For lieutenant colonels or majors, 10 per centum."

(b) Section 7574(b) of title 10, United States Code, is amended to read as follows:

"(b) The maximum limitations prescribed by subsection (a) may be increased in the amounts provided for construction of quarters of the commanding officer of any station, airbase, or other installation, and for construction of quarters for the incumbent of any command position senior to such commander, based on the grade authorized for such positions:

"(1) For flag officers in the Navy and general officers in the Marine Corps, 20 per centum.

"(2) For captains in the Navy and colonels in the Marine Corps, 15 per centum.

"(3) For commanders and lieutenant commanders in the Navy and lieutenant colonels and majors in the Marine Corps, 10 per centum."

SEC. 605. Notwithstanding the limitation contained in section 609 of Public Law 87–57 or any other provision of law, on the maximum cost of rehabilitating a family housing unit, the Secretary of Defense, or his designee, is authorized to repair and rehabilitate the damaged family housing unit at the Naval Training Center, Great Lakes, Illinois, which is designated for occupancy by the Commandant, Ninth Naval District, at a cost not in excess of $40,000.

SEC. 606. The Secretary of Defense, or his designee, is authorized to accomplish alterations, additions, expansions, or extensions not otherwise authorized by law, to existing public quarters at a cost not to exceed—

(a) For the Department of the Army, $7,000,000.

(b) For the Department of the Navy, $5,000,000.

(c) For the Department of the Air Force, $5,000,000.

(d) For the Defense Agencies, $671,000.

SEC. 607. Section 507 of Public Law 88–174 (77 Stat. 307, 326), as amended by section 505 of Public Law 89–188 (79 Stat. 793, 814), is amended to read as follows:

"SEC. 507. For the purpose of providing military family housing in foreign countries, the Secretary of Defense is authorized to enter into agreements guaranteeing the builders or other sponsors of such housing a rental return equivalent to a specified portion of the annual rental income which the builders or other sponsors would receive from the tenants if the housing were fully occupied: *Provided*, That the aggregate amount guaranteed under such agreements entered into during the fiscal years 1968 and 1969 shall not exceed such amount as may be applicable to five thousand units: *Provided further*, That no such agreement shall guarantee the payment of more than 97 per centum of the anticipated rentals, nor shall any guarantee extend for a period of more than ten years, nor shall the average guaranteed rental on any project exceed $185 per unit per month, including the cost of maintenance and operation."

SEC. 608. Section 501(b) of Public Law 87–554 (76 Stat. 223, 237) is amended by deleting the period at the end thereof and adding the following new clause: "and (3) notwithstanding any other provision of law, for the purpose of debt service, proceeds of the disposal of family housing of the Department of Defense, including related land and improvements, whether disposed of by the Department of Defense or any other Federal agency, but less those expenses payable pursuant to section 204(b) of the Federal Property and Administrative Services Act of 1949, as amended (40 U.S.C. 485(b)), to remain available until expended."

SEC. 609. Section 515 of Public Law 84–161 (69 Stat. 324, 352), as amended, is amended to read as follows:

"SEC. 515. During fiscal years 1968 and 1969, the Secretaries of the Army, Navy, and Air Force, respectively, are authorized to lease housing facilities at or near military installations in the United States, Puerto Rico, and Guam, for assignment as public quarters to military personnel and their dependents, if any, without rental charge, upon a determination by the Secretary of Defense, or his designee, that there is a lack of adequate housing facilities, at or near such military installations. Such housing facilities may be leased on an individual basis and not more than seven thousand five hundred such units may be so leased at any one time. Expenditures for the rental of such housing facilities may not exceed an average of $175 per unit per month for each military department, including the cost of utilities and maintenance and operation."

SEC. 610. In addition to the leasing authority of section 515 of Public Law 84–161 (69 Stat. 324, 352), as amended, and upon a determination by the Secretary of Defense that a valid military requirement exists, and under such regulations as he may prescribe, the Secretary of a military department is authorized to lease, at or near military installations in the United States, Puerto Rico, and Guam, housing facilities which are either (a) owned by the United States, or any department or agency thereof, or (b) which were built in consultation with the Department of Defense in order to meet military requirements and which were financed by mortgages insured by an agency of the United States. Such housing facilities, to be available for assignment as public quarters to military personnel and their dependents without rental charge, may be leased on an individual basis. Expenditures for the rental of such housing facilities may not exceed an average of $175 per unit per month for each military department, including the cost of utilities and maintenance and operation: *Provided*, That not more than seven thousand five hundred units may be leased at any one time under authority of this section and said section 515, as amended.

SEC. 611. Subsection (g) of section 407 of Public Law 85–241 (71 Stat. 531, 556), as amended (42 U.S.C. 1594j(g)) is amended by adding the following sentence at the end thereof: "Any such housing so exempted in connection with depot-type installations, as to which the Secretary of Defense, or his designee, determines, subsequent to July 1, 1967, that indefinite retention may be necessary to satisfy unanticipated housing requirements resulting from future expanded activity at such installations, may be retained and utilized as necessary, notwithstanding that the foregoing criteria are no longer satisfied."

SEC. 612. The Secretary of Defense, or his designee, is authorized to acquire by transfer, without reimbursement, all rights and interests of the Federal Bureau of Prisons, Department of Justice, in ten family housing units located on Auxiliary Field Numbered 6, Eglin Air Force Base, Florida.

SEC. 613. There is authorized to be appropriated for use by the Secretary of Defense, or his designee, for military family housing as authorized by law for the following purposes:

(a) for construction and acquisition of family housing, including improvements to adequate quarters, improvements to inadequate quarters, minor construction, rental guarantee payments, construction and acquisition of trailer court facilities, and planning, an amount not to exceed $267,000,000 and

(b) for support of military family housing including operating expenses, leasing, maintenance of real property, payments of principal and interest on mortgage debts incurred, payments to the Commodity Credit Corporation, and mortgage insurance premiums authorized under section 222 of the National Housing Act, as amended (12 U.S.C. 1715m), an amount not to exceed $520,000,000.

TITLE VII

HOMEOWNERS ASSISTANCE

SEC. 701. In accordance with subsection 1013(i) of Public Law 89–754 (80 Stat. 1255, 1292) there is authorized to be appropriated for use by the Secretary of Defense for the purposes of section 1013 of Public Law 89–754, including acquisition of properties, an amount not to exceed $22,000,000, to be available on behalf of military personnel only.

TITLE VIII

GENERAL PROVISIONS

SEC. 801. The Secretary of each military department may proceed to establish or develop installations and facilities under this Act without regard to section 3648 of the Revised Statutes, as amended (31 U.S.C. 529), and sections 4774(d) and 9774(d) of title 10, United States Code. The authority to place permanent or temporary improvements on land includes authority for surveys, administration, overhead, planning, and supervision incident to construction. That authority may be exercised before title to the land is approved under section 355 of the Revised Statutes, as amended (40 U.S.C. 255), and even though the land is held temporarily. The authority to acquire real estate or lands includes authority to make surveys and to acquire land, and interests in land (including temporary use), by gift, purchase, exchange of Government-owned land, or otherwise.

SEC. 802. There are authorized to be appropriated such sums as may be necessary for the purposes of this Act, but appropriations for public works projects authorized by titles I, II, III, IV, V, VI, and VII shall not exceed—

(1) for title I: Inside the United States, $271,327,000; outside the United States $105,630,000; section 102, $2,873,000; or a total of $379,830,000.

(2) for title II: Inside the United States, $430,097,000; outside the United States, $37,321,000; section 202, $6,784,000; or a total of $474,202,000.

(3) for title III: Inside the United States, $316,699,000; outside the United States, $28,816,000; section 302, $87,996,000; or a total of $433,511,000.

(4) for title IV: A total of $169,000,000.

(5) for title V: Southeast Asia support—Department of the Army, $33,156,000; Department of the Navy, $17,964,000; Department of the Air Force, $23,880,000.

(6) for title VI: Military family housing, $787,000,000.

(7) for title VII: Homeowners assistance, $22,000,000.

SEC. 803. Any of the amounts named in titles I, II, III, and IV of this Act, may, in the discretion of the Secretary concerned, be increased by 5 per centum for projects inside the United States (other than Alaska) and by 10 per centum for projects outside the United States or in Alaska, if he determines in the case of any particular project that such increase (1) is required for the sole purpose of meeting unusual variations in cost arising in connection with that project, and (2) could not have been reasonably anticipated at the time such project was submitted to the Congress. However, the total costs of all projects in each such title may not be more than the total amount authorized to be appropriated for projects in that title.

SEC. 804. Contracts for construction made by the United States for performance within the United States and its possessions under this Act shall be executed under the jurisdiction and supervision of the Corps of Engineers, Department of the Army, or the Naval Facilities Engineering Command, Department of the Navy, unless the Secretary of Defense or his designee determines that because such jurisdiction and supervision is wholly impracticable such contracts should be executed under the jurisdiction and supervision of another department or Government agency, and shall be awarded, insofar as practicable, on a competitive basis to the lowest responsible bidder, if the national security will not be impaired and the award is consistent with chapter 137 of title 10, United States Code. Regulations issued by the Secretary of Defense implementing the provisions of this section shall provide the department or agency requiring such construction with the right to select either the Corps of Engineers, Department of the Army, or the Naval Facilities Engineering Command, Department of the Navy, as its construction agent, providing that under the facts and circumstances that exist at the time of the selection of the construction agent, such selection will not result in any increased cost to the United States. The Secretaries of the military departments shall report semiannually to the President of the Senate and the Speaker of the House of Representatives with respect to all contracts awarded on other than a competitive basis to the lowest responsible bidder.

SEC. 805. (a) As of October 1, 1968, all authorizations for military public works (other than family housing) to be accomplished by the Secretary of a military department in connection with the establishment or development of military installations and facilities, and all authorizations for appropriations therefor, that are contained in titles I, II, III, and IV of the Act of September 12, 1966, Public Law 89-568 (80 Stat. 739), and not superseded or otherwise modified by a later authorization are repealed except authorizations for public works projects as to which appropriated funds have been obligated for construction contracts or land acquisitions in whole or in part before October 1, 1968, and authorizations for appropriations therefor.

(b) Effective fifteen months from the date of enactment of this Act, all authorizations for construction of family housing which are contained in this Act are repealed except authorizations for family housing projects as to which appropriated funds have been obligated for construction contracts or land acquisitions or manufactured structural component contracts in whole or in part before such date.

SEC. 806. None of the authority contained in titles I, II, III, IV and V of this Act shall be deemed to authorize any building construction project inside the United States (other than Alaska) at a unit cost in excess of—

(1) $36 per square foot for cold storage warehousing;

(2) $9 per square foot for regular warehousing;

(3) $2,900 per person for permanent barracks;

(4) $10,200 per person for bachelor officer quarters; unless the Secretary of Defense or his designee determines that, because of special circumstances, application to such project of the limitations on unit costs contained in this section is impracticable: *Provided*, That notwithstanding the limitations contained in prior Military Construction Authorization Acts on unit costs, the limitations on such costs contained in this section shall apply to all prior authorizations for such construction not heretofore repealed and for which construction contracts have not been awarded by the date of enactment of this Act.

SEC. 807. (a) The Naval Academy Dairy Farm is a self-supporting operation, an economic and morale-building asset to the Department of the Navy, and shall continue in its present status and function.

(b) Notwithstanding the provisions of the Federal Property and Administrative Services Act of 1949 (40 U.S.C. 471 et seq.) or any other provision of law, the real property located in Gambrills, Anne Arundel County, Maryland, and comprising the Naval Academy Dairy Farm shall not be determined excess to the needs of the holding agency or transferred, reassigned, or otherwise disposed of by such agency, nor shall any action be taken by the Navy to close, dispose of or phase out the Naval Academy Dairy Farm unless specially authorized by an Act of Congress.

SEC. 808. Section 610 of the Military Construction Authorization Act, 1967 (Public Law 89-568; 80 Stat. 756) is amended as follows:

(a) By inserting, after the words "under this Act" appearing in subsection (b), the following: "or hereafter authorized" and

(b) By striking the period at the end thereof, substituting a colon therefor and adding the following: "*Provided, however*, That this authorization may be averaged and applied to a single facility of two or more facilities, or among projects on an installation, when such application will result in more fallout shelter space, or is needed to meet minimum fallout protection standards in such facilities or projects."

SEC. 809. Titles I, II, III, IV, V, VI, VII, and VIII of this Act may be cited as the "Military Construction Authorization Act, 1968."

TITLE IX

RESERVE FORCES FACILITIES

SEC. 901. Subject to chapter 133 of title 10, United States Code, the Secretary of Defense may establish or develop additional facilities for the Reserve Forces, including the acquisition of land therefor, but the cost of such facilities shall not exceed—

(1) for Department of the Army:

(a) Army National Guard of the United States, $10,000,000.

(b) Army Reserve, $10,000,000.

(2) for Department of the Navy: Naval and Marine Corps Reserves, $4,500,000.

(3) for Department of the Air Force:

(a) Air National Guard of the United States, $9,800,000.

(b) Air Force Reserve, $4,000,000.

SEC. 902. The Secretary of Defense may establish or develop installations and facilities under this title without regard to section 3648 of the Revised Statutes, as amended (31 U.S.C. 529), and sections 4774(d) and 9774(d) of title 10, United States Code. The authority to place permanent or temporary improvements on land includes authority for surveys, administration, overhead, planning, and supervision incident to construction. That authority may be exercised before title to the land is approved under section 355 of the Revised Statutes, as amended (40 U.S.C. 255), and even though the land is held temporarily. The authority to acquire real estate or land includes authority to make surveys and to acquire land, and interests in land (including temporary use), by gift, purchase, exchange of Government-owned land, or otherwise.

SEC. 903. This title may be cited as the "Reserve Forces Facilities Authorization Act, 1968."

TITLE X

NAVAL DISTRICTS AND THE RANK OF COMMANDANTS THEREOF

SEC. 1001. Part I of subtitle C of title 10, United States Code, is amended as follows:

(1) A new chapter 516 is inserted after chapter 515 reading as follows:

"CHAPTER 516.—NAVAL DISTRICTS

"Sec.
"5221. Naval districts.
"5222. Commandants of naval districts.

"§ 5221. Naval districts.

"There shall be included within the organization of the Department of the Navy, naval districts. These naval districts and their headquarters are as listed in the subjoined table:

"District No.	States and counties	Headquarters
1	Maine, New Hampshire, Vermont, Massachusetts, and Rhode Island (including Block Island)	Boston.
3	Connecticut, New York, northern part of New Jersey, including the counties of Monmouth, Middlesex, Somerset, Hunterdon, and all counties north thereof; also Nantucket Shoals Lightship.	New York.
4	Pennsylvania; southern part of New Jersey, including counties of Mercer, Burlington, Ocean, and all counties south thereof; Delaware, including Winter Quarter Shoal Light Vessel; Ohio.	Philadelphia.
5	Maryland less Anne Arundel, Prince Georges, Montgomery, St. Marys, Calvert, and Charles Counties; West Virginia; Virginia less Arlington, Fairfax, Stafford, King George, Prince William, and Westmoreland Counties and the city of Alexandria: also all waters of Chesapeake Bay including its arms and tributaries except waters within the Fourth Naval District and the counties comprising the Naval District Washington, D.C., west of a line extending from Smith Point to Point Lookout thence following the general contour of the shoreline of St. Marys, Calvert, and Anne Arundel Counties, as paired by straight lines from headland to headland across rivers and estuaries; Kentucky; and the counties of Currituck, Camden, Pasquotank, Gates, Perquimans, Chowan, Dare, Tyrrell, Washington, Hyde, Beaufort, Pamlico, Craven, Jones, Carteret, and Onslow in North Carolina.	Norfolk.
6	North Carolina less the counties of Currituck, Camden, Pasquotank, Gates, Perquimans, Chowan, Dare, Tyrrell, Washington, Hyde, Beaufort, Pamlico, Craven, Jones, Carteret, and Onslow; South Carolina; Georgia; Florida; Alabama; Tennessee; and Mississippi.	Charleston.
8	Louisiana, Arkansas, Oklahoma, Texas, and New Mexico	New Orleans.
9	Michigan, Indiana, Illinois, Wisconsin, Minnesota, Iowa, Missouri, North Dakota, South Dakota, Nebraska, Kansas, Colorado, and Wyoming	Great Lakes.
10	Starting from a point in latitude 18°05′ north, longitude 85°00′ west, due north along the 85th meridian to a point due west of Cape San Antonio on the west coast of Cuba; thence due east to Cape San Antonio; thence along the north coast of Cuba to Cape Maysi; thence from Cape Maysi to Matthewtown, Great Inagua; thence along the south coast of Great Inagua, taking departure from the east coast of Great Inagua due east along the 21st parallel to longitude 70° west; thence to latitude 20° north, longitude 65° west thence to latitude 19° north, longitude 62° west; thence to latitude 17° north, longitude 60° west; thence to the northern tip of Barbados Island and along the east coast to the southern tip of Barbados; thence to a point at the seaward end of the British Guiana-Venezuela boundary on thence in a northwesterly direction along the northern sea boundary of Venezuela to the seaward end of the Venezuela-Colombia boundary; thence northeastward and northwestward along the sea boundary of Colombia to the northernmost point of the Colombian sea boundary; thence to the starting point. The inclusion within the above boundaries of islands, land masses or territorial waters of sovereign countries other than the United States does not extend the command functions and responsibilities of the commandant to those islands, land masses or territorial waters. The commandant's responsibilities extend only to United States territories, possessions, naval reservations, and naval activities located within the geographical limits hereby established, and then subject to the provisions of international treaties or agreements to which the United States is a party.	San Juan, P.R.
11	Arizona; Clark County, Nevada; southern part of California, including counties of Santa Barbara, Kern, and San Bernardino, and all counties south thereof	San Diego.
12	Utah, Nevada (except Clark County), northern part of California, including counties of San Luis Obispo, Kings, Tulare, Inyo and all counties north thereof	San Francisco.
13	Washington, Oregon, Idaho, and Montana	Seattle.
14	The Hawaiian Islands and islands to the westward and southward including the Midway Islands, Kure, Wake, Johnston and Palmyra Islands, Kingman Reef and Kwajalein Atoll (Marshall Islands).	Pearl Harbor.
15	Panama Canal Zone	Balboa.
17	Alaska, including Aleutians	Kodiak.

"Naval District Washington, D.C.	States and counties	Headquarters
	The Potomac River up to the Frederick County line; the District of Columbia; the counties of Anne Arundel, Prince Georges, Montgomery, St. Marys, Calvert, and Charles in Maryland; the counties of Arlington, Fairfax, Stafford, King George, Prince William and Westmoreland in Virginia; and the cities of Alexandria, Falls Church, and Fairfax, Virginia. The waters of the Naval District Washington, D.C., include the waters within the counties comprising the command west of a line extending from Smith Point to Point Lookout, thence following the general contour of the shoreline of St. Marys, Calvert, and Anne Arundel Counties, as faired by straight lines from headland to headland across rivers and estuaries.	Washington, D.C.

"§ 5222. Commandants of naval districts

"The Secretary of the Navy shall detail an officer of the Navy not below the grade of rear admiral as commandant of each of the naval districts listed in section 5221 of this title."

(2) The chapter analysis is amended by inserting the following item after item 515:

"516. Naval districts."

Mr. RIVERS (during the reading of the bill). Mr. Chairman, I ask unanimous consent that the further reading of the bill be dispensed with, and that it be open to amendment at any point.

The CHAIRMAN. Is there objection to the request of the gentleman from South Carolina?

There was no objection.

COMMITTEE AMENDMENTS

Mr. RIVERS. Mr. Chairman, I offer six technical committee amendments.

The CHAIRMAN. The Clerk will report the committee amendments.

The Clerk read as follows:

Committee amendments offered by Mr. RIVERS: On page 5, line 20, strike out "Operational facilities," and on line 21, capitalize the initial "S" in the next word.

On page 7, line 2, strike out "research, development, and test facilities,".

On page 7, line 16, strike out "supply facilities,".

On page 30, line 18, strike out "Community" and insert in lieu thereof "Operational facilities, and community".

On page 43, lines 18 and 19, strike out "Operational facilities," and capitalize the initial "M" in the next word.

On page 61, after line 14, insert "Title VI".

Mr. RIVERS. Mr. Chairman, these amendments represent errors in draftsmanship caused by pressure of time in getting the report and the bill into final form, also printers errors, and errors that would follow as a result of committee amendments whereas, for instance, a project for an installation may have been changed, but the utilities were not as a result removed.

As I say, Mr. Chairman, these amendments are purely technical in nature, and are proposed simply to round out the bill.

Mr. Chairman, I ask unanimous consent that the amendments be considered en bloc.

The CHAIRMAN. Is there objection to the request of the gentleman from South Carolina that the amendments be considered en bloc?

There was no objection.

The amendments were agreed to.

AMENDMENT OFFERED BY MR. MATHIAS OF MARYLAND

Mr. MATHIAS of Maryland. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. MATHIAS of Maryland: On page 81, line 4, strike out "unless specially authorized by an Act of Congress" and insert in lieu thereof "until after the expiration of thirty days from the date upon which a full report of the facts, including the justification for such proposed action, is submitted by the Secretary of Defense to the Committees on Armed Services of the Senate and House of Representatives."

Mr. MATHIAS of Maryland. Mr. Chairman, my affection and my respect for the chairman of the Committee on Armed Services, the gentleman from South Carolina, and for the ranking minority member of the committee, the gentleman from Massachusetts, are sufficiently deep that I can disagree with them in one particular without undermining either, and I must disagree verv strongly with the language in section 807 in the committee bill.

Mr. Chairman, I also have a high regard for cows, whether they are found at the Naval Academy dairy farm or elsewhere in Maryland, or at any other place in the country. But, Mr. Chairman, I have made it a matter of high principle to treat all cows with a fine degree of impartiality.

I strongly dissent from the proposition that 600 cows at Gambrills, Md., should be beatified by this bill and be hereafter considered as sacred cows. This bill exempts these 600 sacred cows from the rule of reason. It would exempt these 600 sacred cows from the laws of economics, and it would exempt these 600 sacred cows from the disciplines of the free enterprise system.

Mr. Chairman, I believe in treating all cows alike.

Section 807 as presented to the House would perpetuate a situation which is an insult to the free enterprise farmers of America and which violates the principle of prohibiting Government competition with the taxpayers who support it. If we today endorse the proposition that the Government can compete freely with the private sector, it will be difficult for us to attempt to discipline the executive branch when they choose to violate what has heretofore been considered a matter of faith.

Section 807 as presented to the House ignores a careful study made by the General Accounting Office which determined that it is more expensive to keep socialized cows at the Naval Academy than it would be to purchase milk and cream and ice cream from the cows who are in the business.

Section 807 is a roadblock to the modern economic use by the Navy or by some other branch of the Government of one of the most valuable tracts of land that the Federal Government owns today. I favor the retention of real estate that is owned by the Government for Government use which might result in 4,900 new employees in Anne Arundel County, Md., instead of the present 49, and it is not right from either the local or the national point of view to make this evolution more difficult.

Section 807 is unfair to the midshipmen at Annapolis. The Comptroller General has reported that it would be cheaper to buy milk for the Academy mess. If we are paying more than we ought to pay for milk under the present dairy farm system, the midshipmen could have more milk or more of something else under the normal free enterprise system of procurement in force at the Military Academy, at the Air Force Academy, and at every other military establishment around the world.

Mr. Chairman, the amendment that I have offered does not do violence to this bill. It merely puts into effect the same language with regard to the department's establishment of a military installation which the Committee on Armed Services accepted last year and which was embodied in the last military construction bill. I believe that it is a fair amendment. It does not give the Executive any arbitrary authority to close anything. It simply puts both sides on notice as to what the intention of the other might be.

Section 807 of this bill would make the Naval Academy Dairy Farm at Gambrills, Md., a permanent installation. If this action is adopted, it would require a special act of Congress to authorize the Navy to close, phase out, or dispose of the dairy farm, to declare the property excess, or to reassign or dispose of this acreage.

This is just one small section in a very large bill. Similarly, the dairy farm is just one among many fine Maryland dairy farms, and just one among many Government-operated businesses. Yet I feel that we should discuss thoroughly the important issues which this small item has raised.

The first question here is simply whether we should completely tie the hands of the Department of the Navy, the Naval Academy, and the government and people of Anne Arundel County, by making this installation permanent. The second question here is whether it is appropriate to give this small facility a thicker congressional shield than that which protects far greater and more strategic installations such as Fort Detrick, Andrews Air Force Base, Fort Meade, and probably the Pentagon itself.

Mr. Chairman, I believe that the Naval Academy Dairy Farm should not be made a sacred cow. Accordingly, I have offered an amendment to section 807 to require that the dairy farm could be phased out, or its assets or property disposed of, after 30 days' notice and full justifications have been submitted by the Secretary of Defense to the Committees on Armed Services of the Senate and House of Representatives.

The language of this amendment is identical to the wording of section 611 of the Military Construction Authorization Act of 1965—Public Law 89-188—the act in which we finally reached a compromise between the desire of the Congress to review military base closings, and the preference of the executive branch for unfettered discretion in such matters.

This act does not presently apply to the dairy farm because its provisions for 30 days' notice cover only those bases which have a total of more than 250 military and civilian employees. In 1965, the total complement of the dairy farm was one naval officer and 45 full-time civilian employees.

Mr. Chairman, the Naval Academy Dairy Farm was established in 1911, at a time when adequate supplies of top quality, healthy milk and dairy products could not be guaranteed through commercial markets for the midshipmen's mess. Since 1911 the farm has grown, and has become one of the most progressive dairy operations in this area, one in which the officers and men of the Naval Academy, and many distinguished alumni of Annapolis, can justifiably take pride.

tained in titles I, II, III, and IV of the Act of September 12, 1966, Public Law 89–568 (80 Stat. 739), and not superseded or otherwise modified by a later authorization are repealed except authorizations for public works projects as to which appropriated funds have been obligated for construction contracts or land acquisitions in whole or in part before October 1, 1968, and authorizations for appropriations therefor.

(b) Effective fifteen months from the date of enactment of this Act, all authorizations for construction of family housing which are contained in this Act are repealed except authorizations for family housing projects as to which appropriated funds have been obligated for construction contracts or land acquisitions or manufactured structural component contracts in whole or in part before such date.

SEC. 806. None of the authority contained in titles I, II, III, IV and V of this Act shall be deemed to authorize any building construction project inside the United States (other than Alaska) at a unit cost in excess of—

(1) $36 per square foot for cold storage warehousing;

(2) $9 per square foot for regular warehousing;

(3) $2,900 per person for permanent barracks;

(4) $10,200 per person for bachelor officer quarters; unless the Secretary of Defense or his designee determines that, because of special circumstances, application to such project of the limitations on unit costs contained in this section is impracticable: *Provided*, That notwithstanding the limitations contained in prior Military Construction Authorization Acts on unit costs, the limitations on such costs contained in this section shall apply to all prior authorizations for such construction not heretofore repealed and for which construction contracts have not been awarded by the date of enactment of this Act.

SEC. 807. (a) The Naval Academy Dairy Farm is a self-supporting operation, an economic and morale-building asset to the Department of the Navy, and shall continue in its present status and function.

(b) Notwithstanding the provisions of the Federal Property and Administrative Services Act of 1949 (40 U.S.C. 471 et seq.) or any other provision of law, the real property located in Gambrills, Anne Arundel County, Maryland, and comprising the Naval Academy Dairy Farm shall not be determined excess to the needs of the holding agency or transferred, reassigned, or otherwise disposed of by such agency, nor shall any action be taken by the Navy to close, dispose of or phase out the Naval Academy Dairy Farm unless specially authorized by an Act of Congress.

SEC. 808. Section 610 of the Military Construction Authorization Act, 1967 (Public Law 89–568; 80 Stat. 756) is amended as follows:

(a) By inserting, after the words "under this Act" appearing in subsection (b), the following: "or hereafter authorized" and

(b) By striking the period at the end thereof, substituting a colon therefor and adding the following: "*Provided, however*, That this authorization may be averaged and applied to a single facility of two or more facilities, or among projects on an installation, when such application will result in more fallout shelter space, or is needed to meet minimum fallout protection standards in such facilities or projects."

SEC. 809. Titles I, II, III, IV, V, VI, VII, and VIII of this Act may be cited as the "Military Construction Authorization Act, 1968."

TITLE IX

RESERVE FORCES FACILITIES

SEC. 901. Subject to chapter 133 of title 10, United States Code, the Secretary of Defense may establish or develop additional facilities for the Reserve Forces, including the acquisition of land therefor, but the cost of such facilities shall not exceed—

(1) for Department of the Army:

(a) Army National Guard of the United States, $10,000,000.

(b) Army Reserve, $10,000,000.

(2) for Department of the Navy: Naval and Marine Corps Reserves, $4,500,000.

(3) for Department of the Air Force:

(a) Air National Guard of the United States, $9,800,000.

(b) Air Force Reserve, $4,000,000.

SEC. 902. The Secretary of Defense may establish or develop installations and facilities under this title without regard to section 3648 of the Revised Statutes, as amended (31 U.S.C. 529), and sections 4774(d) and 9774(d) of title 10, United States Code. The authority to place permanent or temporary improvements on land includes authority for surveys, administration, overhead, planning, and supervision incident to construction. That authority may be exercised before title to the land is approved under section 355 of the Revised Statutes, as amended (40 U.S.C. 255), and even though the land is held temporarily. The authority to acquire real estate or land includes authority to make surveys and to acquire land, and interests in land (including temporary use), by gift, purchase, exchange of Government-owned land, or otherwise.

SEC. 903. This title may be cited as the "Reserve Forces Facilities Authorization Act, 1968."

TITLE X

NAVAL DISTRICTS AND THE RANK OF COMMANDANTS THEREOF

SEC. 1001. Part I of subtitle C of title 10, United States Code, is amended as follows:

(1) A new chapter 516 is inserted after chapter 515 reading as follows:

"CHAPTER 516.—NAVAL DISTRICTS

"Sec.

"5221. Naval districts.

"5222. Commandants of naval districts.

"§ 5221. Naval districts.

"There shall be included within the organization of the Department of the Navy, naval districts. These naval districts and their headquarters are as listed in the subjoined table:

"District No.	States and counties	Headquarters
1	Maine, New Hampshire, Vermont, Massachusetts, and Rhode Island (including Block Island)	Boston.
3	Connecticut, New York, northern part of New Jersey, including the counties of Monmouth, Middlesex, Somerset, Hunterdon, and all counties north thereof; also Nantucket Shoals Lightship.	New York.
4	Pennsylvania; southern part of New Jersey, including counties of Mercer, Burlington, Ocean, and all counties south thereof; Delaware, including Winter Quarter Shoal Light Vessel; Ohio.	Philadelphia.
5	Maryland less Anne Arundel, Prince Georges, Montgomery, St. Marys, Calvert, and Charles Counties; West Virginia; Virginia less Arlington, Fairfax, Stafford, King George, Prince William, and Westmoreland Counties and the city of Alexandria: also all waters of Chesapeake Bay including its arms and tributaries except waters within the Fourth Naval District and the counties comprising the Naval District Washington, D.C., west of a line extending from Smith Point to Point Lookout thence following the general contour of the shoreline of St. Marys, Calvert, and Anne Arundel Counties, as paired by straight lines from headland to headland across rivers and estuaries; Kentucky; and the counties of Currituck, Camden, Pasquotank, Gates, Perquimans, Chowan, Dare, Tyrrell, Washington, Hyde, Beaufort, Pamlico, Craven, Jones, Carteret, and Onslow in North Carolina.	Norfolk.
6	North Carolina less the counties of Currituck, Camden, Pasquotank, Gates, Perquimans, Chowan, Dare, Tyrrell, Washington, Hyde, Beaufort, Pamlico, Craven, Jones, Carteret, and Onslow; South Carolina; Georgia; Florida; Alabama; Tennessee; and Mississippi.	Charleston.
8	Louisiana, Arkansas, Oklahoma, Texas, and New Mexico	New Orleans.
9	Michigan, Indiana, Illinois, Wisconsin, Minnesota, Iowa, Missouri, North Dakota, South Dakota, Nebraska, Kansas, Colorado, and Wyoming	Great Lakes.
10	Starting from a point in latitude 18°05' north, longitude 85°00' west, due north along the 85th meridian to a point due west of Cape San Antonio on the west coast of Cuba; thence due east to Cape San Antonio; thence along the north coast of Cuba to Cape Maysi; thence from Cape Maysi to Matthewtown, Great Inagua; thence along the south coast of Great Inagua, taking departure from the east coast of Great Inagua due east along the 21st parallel to longitude 70° west; thence to latitude 20° north, longitude 65° west thence to latitude 19° north, longitude 62° west; thence to latitude 17° north, longitude 60° west; thence to the northern tip of Barbados Island and along the east coast to the southern tip of Barbados; thence to a point at the seaward end of the British Guiana-Venezuela boundary on thence in a northwesterly direction along the northern sea boundary of Venezuela to the seaward end of the Venezuela-Colombia boundary; thence northeastward and northwestward along the sea boundary of Colombia to the northernmost point of the Colombian sea boundary; thence to the starting point. The inclusion within the above boundaries of islands, land masses or territorial waters of sovereign countries other than the United States does not extend the command functions and responsibilities of the commandant to those islands, land masses or territorial waters. The commandant's responsibilities extend only to United States territories, possessions, naval reservations, and naval activities located within the geographical limits hereby established, and then subject to the provisions of international treaties or agreements to which the United States is a party.	San Juan, P.R.
11	Arizona; Clark County, Nevada; southern part of California, including counties of Santa Barbara, Kern, and San Bernardino, and all counties south thereof	San Diego.
12	Utah, Nevada (except Clark County), northern part of California, including counties of San Luis Obispo, Kings, Tulare, Inyo and all counties north thereof	San Francisco.
13	Washington, Oregon, Idaho, and Montana	Seattle.
14	The Hawaiian Islands and islands to the westward and southward including the Midway Islands, Kure, Wake, Johnston and Palmyra Islands, Kingman Reef and Kwajalein Atoll (Marshall Islands).	Pearl Harbor.
15	Panama Canal Zone	Balboa.
17	Alaska, including Aleutians	Kodiak.

"Naval District Washington, D.C.	States and counties	Headquarters
	The Potomac River up to the Frederick County line; the District of Columbia; the counties of Anne Arundel, Prince Georges, Montgomery, St. Marys, Calvert, and Charles in Maryland; the counties of Arlington, Fairfax, Stafford, King George, Prince William and Westmoreland in Virginia; and the cities of Alexandria, Falls Church, and Fairfax, Virginia. The waters of the Naval District Washington, D.C., include the waters within the counties comprising the command west of a line extending from Smith Point to Point Lookout, thence following the general contour of the shoreline of St. Marys, Calvert, and Anne Arundel Counties, as faired by straight lines from headland to headland across rivers and estuaries.	Washington, D.C.

"§ 5222. Commandants of naval districts

"The Secretary of the Navy shall detail an officer of the Navy not below the grade of rear admiral as commandant of each of the naval districts listed in section 5221 of this title."

(2) The chapter analysis is amended by inserting the following item after item 515:

"516. Naval districts."

Mr. RIVERS (during the reading of the bill). Mr. Chairman, I ask unanimous consent that the further reading of the bill be dispensed with, and that it be open to amendment at any point.

The CHAIRMAN. Is there objection to the request of the gentleman from South Carolina?

There was no objection.

COMMITTEE AMENDMENTS

Mr. RIVERS. Mr. Chairman, I offer six technical committee amendments.

The CHAIRMAN. The Clerk will report the committee amendments.

The Clerk read as follows:

Committee amendments offered by Mr. RIVERS: On page 5, line 20, strike out "Operational facilities," and on line 21, capitalize the initial "S" in the next word.

On page 7, line 2, strike out "research, development, and test facilities,".

On page 7, line 16, strike out "supply facilities,".

On page 30, line 18, strike out "Community" and insert in lieu thereof "Operational facilities, and community".

On page 43, lines 18 and 19, strike out "Operational facilities," and capitalize the initial "M" in the next word.

On page 61, after line 14, insert "Title VI".

Mr. RIVERS. Mr. Chairman, these amendments represent errors in draftsmanship caused by pressure of time in getting the report and the bill into final form, also printers errors, and errors that would follow as a result of committee amendments whereas, for instance, a project for an installation may have been changed, but the utilities were not as a result removed.

As I say, Mr. Chairman, these amendments are purely technical in nature, and are proposed simply to round out the bill.

Mr. Chairman, I ask unanimous consent that the amendments be considered en bloc.

The CHAIRMAN. Is there objection to the request of the gentleman from South Carolina that the amendments be considered en bloc?

There was no objection.

The amendments were agreed to.

AMENDMENT OFFERED BY MR. MATHIAS OF MARYLAND

Mr. MATHIAS of Maryland. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. MATHIAS of Maryland: On page 81, line 4, strike out "unless specially authorized by an Act of Congress" and insert in lieu thereof "until after the expiration of thirty days from the date upon which a full report of the facts, including the justification for such proposed action, is submitted by the Secretary of Defense to the Committees on Armed Services of the Senate and House of Representatives."

Mr. MATHIAS of Maryland. Mr. Chairman, my affection and my respect for the chairman of the Committee on Armed Services, the gentleman from South Carolina, and for the ranking minority member of the committee, the gentleman from Massachusetts, are sufficiently deep that I can disagree with them in one particular without undermining either, and I must disagree verv strongly with the language in section 807 in the committee bill.

Mr. Chairman, I also have a high regard for cows, whether they are found at the Naval Academy dairy farm or elsewhere in Maryland, or at any other place in the country. But, Mr. Chairman, I have made it a matter of high principle to treat all cows with a fine degree of impartiality.

I strongly dissent from the proposition that 600 cows at Gambrills, Md., should be beatified by this bill and be hereafter considered as sacred cows. This bill exempts these 600 sacred cows from the rule of reason. It would exempt these 600 sacred cows from the laws of economics, and it would exempt these 600 sacred cows from the disciplines of the free enterprise system.

Mr. Chairman, I believe in treating all cows alike.

Section 807 as presented to the House would perpetuate a situation which is an insult to the free enterprise farmers of America and which violates the principle of prohibiting Government competition with the taxpayers who support it. If we today endorse the proposition that the Government can compete freely with the private sector, it will be difficult for us to attempt to discipline the executive branch when they choose to violate what has heretofore been considered a matter of faith.

Section 807 as presented to the House ignores a careful study made by the General Accounting Office which determined that it is more expensive to keep socialized cows at the Naval Academy than it would be to purchase milk and cream and ice cream from the cows who are in the business.

Section 807 is a roadblock to the modern economic use by the Navy or by some other branch of the Government of one of the most valuable tracts of land that the Federal Government owns today. I favor the retention of real estate that is owned by the Government for Government use which might result in 4,900 new employees in Anne Arundel County, Md., instead of the present 49, and it is not right from either the local or the national point of view to make this evolution more difficult.

Section 807 is unfair to the midshipmen at Annapolis. The Comptroller General has reported that it would be cheaper to buy milk for the Academy mess. If we are paying more than we ought to pay for milk under the present dairy farm system, the midshipmen could have more milk or more of something else under the normal free enterprise system of procurement in force at the Military Academy, at the Air Force Academy, and at every other military establishment around the world.

Mr. Chairman, the amendment that I have offered does not do violence to this bill. It merely puts into effect the same language with regard to the department's establishment of a military installation which the Committee on Armed Services accepted last year and which was embodied in the last military construction bill. I believe that it is a fair amendment. It does not give the Executive any arbitrary authority to close anything. It simply puts both sides on notice as to what the intention of the other might be.

Section 807 of this bill would make the Naval Academy Dairy Farm at Gambrills, Md., a permanent installation. If this action is adopted, it would require a special act of Congress to authorize the Navy to close, phase out, or dispose of the dairy farm, to declare the property excess, or to reassign or dispose of this acreage.

This is just one small section in a very large bill. Similarly, the dairy farm is just one among many fine Maryland dairy farms, and just one among many Government-operated businesses. Yet I feel that we should discuss thoroughly the important issues which this small item has raised.

The first question here is simply whether we should completely tie the hands of the Department of the Navy, the Naval Academy, and the government and people of Anne Arundel County, by making this installation permanent. The second question here is whether it is appropriate to give this small facility a thicker congressional shield than that which protects far greater and more strategic installations such as Fort Detrick, Andrews Air Force Base, Fort Meade, and probably the Pentagon itself.

Mr. Chairman, I believe that the Naval Academy Dairy Farm should not be made a sacred cow. Accordingly, I have offered an amendment to section 807 to require that the dairy farm could be phased out, or its assets or property disposed of, after 30 days' notice and full justifications have been submitted by the Secretary of Defense to the Committees on Armed Services of the Senate and House of Representatives.

The language of this amendment is identical to the wording of section 611 of the Military Construction Authorization Act of 1965—Public Law 89-188—the act in which we finally reached a compromise between the desire of the Congress to review military base closings, and the preference of the executive branch for unfettered discretion in such matters.

This act does not presently apply to the dairy farm because its provisions for 30 days' notice cover only those bases which have a total of more than 250 military and civilian employees. In 1965, the total complement of the dairy farm was one naval officer and 45 full-time civilian employees.

Mr. Chairman, the Naval Academy Dairy Farm was established in 1911, at a time when adequate supplies of top quality, healthy milk and dairy products could not be guaranteed through commercial markets for the midshipmen's mess. Since 1911 the farm has grown, and has become one of the most progressive dairy operations in this area, one in which the officers and men of the Naval Academy, and many distinguished alumni of Annapolis, can justifiably take pride.

Since 1911, however, the commercial dairy industry of Maryland has also grown and improved, to the point where it now ranks among the first in the Nation, and is completely capable of providing the quantities and quality of milk which the midshipmen need.

To me, it seems to be time to reexamine the justification for the Naval Academy Dairy Farm, to see whether considerations of comparative cost support maintaining this Government business in competition with private enterprise. Accordingly, 2 years ago I asked the General Accounting Office to investigate the situation, assess all of the direct and indirect costs involved, and determine whether a saving to the taxpayers could be realized if the farm were closed.

In all candor, I must state that right now cost comparisons are conflicting and inconclusive. The GAO reported in March 1966 that potential savings of $83,803 per year could be realized if the farm were closed. The Navy Department initially accepted that finding, and made preliminary plans for phasing out the farm's operations. More recently, however, new conclusions about disposition of the assets, and a new audit by the Navy Department, have produced cost justifications for continuing and even modernizing the farm.

Section 807 of the pending bill is a response to this situation—a response which seems to be overenthusiastic and out of proportion. Rather than continuing the discussion over costs, section 807 would effectively end it, by taking the future disposition of the dairy farm out of the realm of executive action into the sphere of congressional prerogatives.

I might point out that the complete protection provided in this section far exceeds the requirements for executive notice to Congress which the President vetoed in 1965 as an invasion of his discretion. I am not suggesting that the President will, or should, veto this bill simply to keep his flexibility in determining the future of the dairy farm. I am suggesting that it is imprudent and unwise for us to freeze any single installation into law, especially when the facility involved is so small and, in the overall scheme of things, not the most vital to our national defense.

Mr. Chairman, I believe that this question should remain open. I do not advocate arbitrary closing of the farm. I do believe, however, that the Navy should have the discretion to phase out its operations, with adequate notice to Congress, when and if the evidence clearly shows that purchase of milk for the midshipmen from commercial markets would be more economical.

Similarly, I do not advocate abandoning the dairy farm's real estate or removing the Federal presence from Anne Arundel County. The dairy farm has been a good neighbor, and its 876 acres at Gambrills represent not only valuable property, but open space which is increasingly important as the county grows more crowded. I do believe, however, that at some future time it may become appropriate to locate another Federal installation on that property, perhaps replacing the 45 dairy farm workers with, for example, 4,500 scientists and engineers. On the other hand, at some future time it may be desirable to use this land as the basis for a valuable recreational facility. I believe strongly that none of these options should be foreclosed.

Mr. Chairman, I can certainly understand the sentimental attachment to the dairy farm which is felt by many Annapolis alumni and by many long-time Anne Arundel County residents. But such sentiment should not be enshrined in law. My amedment to section 807 will not affect the present operations or the immediate future of the dairy farm. It will restore proper proportions to the question of the midshipmen's milk.

Mr. RIVERS. Mr. Chairman, will the gentleman yield?

Mr. MATHIAS of Maryland. I am delighted to yield to my friend, the gentleman from South Carolina.

Mr. RIVERS. Does the effect of the gentleman's amendment, Mr. Chairman, give the Secretary of Defense the right to close lock, stock, and barrel, this dairy at Annapolis after giving the Congress 30 days' notice?

Mr. MATHIAS of Maryland. I believe that the distinguished chairman of the Committee on Armed Services is very familiar with this language, because it is the identical language that appears in existing legislation on this subject. It would simply put the Naval Academy dairy farm in the same category as other installations around the country.

Mr. RIVERS. Does it give the right to close this after 30 day's notice to the Congress?

Mr. MATHIAS of Maryland. The amendment would provide as follows, and I will read the amendment:

> * * * the Naval Academy Dairy Farm shall not be determined excess to the needs of the holding agency or transferred, reassigned, or otherwise disposed of by such agency, nor shall any action be taken by the Navy to close, dispose of or phase out (or any other words that the gentleman might want to use) the Naval Academy Dairy Farm until after the expiration of thirty days from the date upon which a full report of the facts, including the justification for such proposed action is submitted by the Secretary of Defense to the Committee on Armed Services of the Senate and House of Representatives.

Is that not the language in the existing legislation as applicable to other installations?

Mr. Chairman, at this point I offer the report of the Comptroller General for inclusion in the RECORD.

COMPTROLLER GENERAL OF
THE UNITED STATES,
Washington, D.C., March 23, 1966.

To the President of the Senate and the Speaker of the House of Representatives:

Herewith is our report on the operation of a dairy farm by the United States Naval Academy, Annapolis, Maryland.

The dairy was established in 1911 to provide the midshipmen with a source of pure milk following an outbreak of typhoid fever attributed to the unprocessed milk purchased for the midshipmen's mess. In the 54 years which have passed since the dairy was established, commercial dairy operations have improved to the point that there is no longer any reason to consider it necessary for the Naval Academy to operate a dairy to ensure the availability of a supply of pure milk and milk products. Further, its continued operation appears to be contrary to Government policies with respect to competition with private enterprise and retention of real property.

The records maintained by the dairy indicate that the cost to the Government for milk and milk products obtained from the Academy dairy was less than the prices charged other Government activities by commercial sources. We found, however that certain additional adjustments to the dairy farm costs were necessary in order to reflect the true cost to the Government. After these adjustments, annual savings of about $84,000 would be realized by the Government if the Academy dairy farm was sold and the Academy's milk needs were obtained from commercial sources.

Inasmuch as the continued operation of the dairy farm appears contrary to Government policy and in view of the economies which could be realized through discontinuing its operation, we proposed to the Navy that consideration be given to the disposal of the dairy farm.

The Navy has agreed that the dairy is no longer necessary and has advised us that a plan will be developed to phase out the dairy with the objective of minimizing the impact on the local farm community and providing the maximum return on the midshipmen's store investment. The Navy advised us also that the Department of Defense was preparing a directive which would provide specific guidelines for an evaluation of commercial activities operated by the military departments in order to arrive at a decision which would be in the best interests of the Government.

Concerning the Navy's comment on providing the maximum return on the midshipmen's store investment in the dairy farm, we were advised by a cognizant official that the Navy was considering whether the midshipmen's store should participate in the proceeds from the sale of the dairy farm. We were further advised by this official that a final decision on this matter had not been made by the Navy as of January 18, 1966.

It should be recognized that the computations in this report were based on the assumption that the proceeds from the sale of the dairy farm would accrue to the United States Government and that any other disposition of such proceeds would alter the comparative costs of the procurement of dairy products by the Academy and, thus, the savings to the Government. In the event that the Navy determines that any proceeds from the sale of the dairy should not be deposited with the Treasury, the proposed disposition of the proceeds should be submitted with appropriate explanation of the basis for the Navy's determination to the Comptroller General for a decision.

Since the Navy plans to phase out the dairy at the Naval Academy, we are making no recommendations at this time. We shall, however, continue to examine into the economic aspects of these commercial activities which are operated by the military departments.

This review was undertaken in response to a request from Congressman Charles McC. Mathias, Jr. However, we are reporting our findings to the Congress because the matter relates to the general policy of the Government in conducting activities to produce supplies available from private enterprise.

Copies of this report are being sent today to the President of the United States, the Secretary of Defense, the Secretary of the Navy, and the Secretary of Agriculture.

ELMER B. STAATS,
Comptroller General of the United States.

REPORT ON OPERATION OF A DAIRY FARM BY THE U.S. NAVAL ACADEMY, ANNAPOLIS, MD., DEPARTMENT OF THE NAVY

INTRODUCTION

The General Accounting Office has examined into the operation of the Naval Academy dairy, an activity of the midshipmen's store of the United States Naval Academy, Annapolis, Maryland. Our review, conducted at the request of Congressman Charles McC. Mathias, Jr., was made pursuant to the Budget and Accounting Act, 1921 (31 U.S.C. 53), and the Accounting and Auditing Act of 1950 (31 U.S.C. 67).

Our examination was directed, primarily, toward an evaluation of the Naval Academy's need to operate a dairy to fulfill its mission. In connection therewith, we considered (a) the purpose for which the dairy had been established and the need for its continued existence, (b) the relative costs to the Government for milk and milk products produced by the Academy dairy with those available from commercial sources, and (c) the operation of the Academy dairy in relation to the Government's policies with respect to retention of high value properties and competition with private enterprise.

Our review was performed at the United States Naval Academy dairy, Gambrills, Maryland; the United States Naval Academy, Annapolis, Maryland; and the Bureau of Naval Personnel, Washington, D.C.

The principal officials of the Departments of Defense and the Navy responsible for administration of activities discussed in this report are listed in appendix I.

BACKGROUND

A dairy was established at the Naval Academy in 1911 as the result of certain health problems. A medical board determined that a serious outbreak of typhoid fever in 1910 and other illnesses prevalent among the midshipmen had been caused by the raw, unprocessed milk purchased for the midshipmen's mess. At that time, the pasteurization process was little known or used. To ensure that milk supplied to the midshipmen's mess was of the highest purity attainable, the midshipmen's store, an organization which operated such facilities as the cobblershop, tailorshop, and barbershop for the midshipmen, established a small dairy herd and the necessary facilities with the expenditure of $40,000 in 1911. The facilities were located on Naval Academy property which is now the location of Naval Academy quarters known as Perry Circle.

In 1913 the size of the brigade of midshipmen had grown, and it became necessary to increase the size of the herd and facilities to meet the demand for milk. The midshipmen's store was not in a position to fund such expansion. Consequently, the Naval Academy turned to the Congress for funds to buy land and buildings necessary for the increased herd.

The act of March 4, 1913 (37 Stat. 904), appropriated $100,000 "For the purchase of the necessary land for the location of the Naval Academy dairy * * * and for the transfer to the new dairy site, and re-erection thereon, of buildings belonging to the present dairy, the repair and alteration of such buildings as may be found on the land to be purchased, and for all other necessary purposes connected with the establishment of a dairy on such land * * *." The act contained the provisions (1) "That the cost of said land shall not exceed $75,000" and (2) "That the amount appropriated * * * shall be treated as an advance to the midshipmen's store fund at the Naval Academy, to be ultimately repaid to the United States." The record indicates that the advance was repaid in full on January 20, 1925.

The act of August 29, 1916 (39 Stat. 603), appropriated $100,000 as an additional advance to be returned to the United States and the act of March 28, 1918 (40 Stat. 488), appropriated $55,000 also as an advance to be returned.

The act of March 4, 1925 (43 Stat. 1278), repealed those portions of the act of August 29, 1916, and March 28, 1918, which required the ultimate return to the United States of advances aggregating $155,000 made to the midshipmen's store fund with the provisions (1) "That the dairy and farm, cattle and work animals, machinery and implements, buildings, and other stock, equipment, and supplies heretofore purchased from the funds so advanced shall become and remain the property of the United States" and (2) "That the dairy farm shall be continued and operated as an activity of the midshipmen's store."

The Comptroller General in a decision dated February 26, 1926 (5 Comp. Gen. 663, 664), stated that:

"From the provisions of the above acts, it appears that the only funds expended in the establishment, maintenance, and operation of the dairy farm were public funds, either appropriated by the Congress or accruing through profits from the sale of the dairy-farm products, etc., which profits must also be regarded as Government funds. The moneys expended in the establishment and development of the dairy farm having been exclusively Government funds it appears that the dairy farm was the property of the United States from the time of its establishment and that therefore the act of March 4, 1925, passed no title in the property to the United States, the title having been in the United States at the time of the passage of the act. It is also shown by these acts that the Naval Academy dairy farm is an instrumentality of the Government under the administrative control of the Secretary of the Navy, as an activity of the midshipmen's store."

The dairy is located in Gambrills, Anne Arundel County, Maryland, on 876 acres of land. This location is close to Friendship Airport, Annapolis, and Baltimore, Maryland, and Washington, D.C. There are approximately 97 buildings and/or structures that were erected during the period 1914 to 1963, of which 19 are used as housing for permanent civilian employees of the dairy and their families. In addition, one large housing unit is occupied by a Lieutenant Commander, United States Navy, the sole military person assigned to the dairy. In 1964, there were 45 permanent civilian employees of the dairy.

The farm's dairy herd at December 31, 1964, consisted of 377 cows, 262 calves, and 4 bulls. Through the years the dairy has improved its facilities and now provides homogenized, pasteurized milk in half gallon cartons to the midshipmen's mess. It also provides to the midshipmen's mess, chocolate milk and cereal cream in half gallon cartons and heavy cream in six-gallon containers.

Milk production is regulated by the dairy management so as to provide the highest production when the brigade of midshipmen is in residence at the Academy and its lowest production when the brigade is not in residence. Production averages 1,400 to 1,500 gallons of milk a day during the winter months and drops to approximately 700 gallons a day in the summer months. During the summer months, the dairy separates the milk to produce heavy cream which it freezes for use in making ice cream for the midshipmen's mess when the brigade returns. The resulting skim milk is either fed to the calves or processed at the dairy's milk-drying plant to produce powdered milk. The powdered milk is sold, used as a feed supplement in feeding the regular herd, or bartered for other animal feed. In addition, a large portion of the feed for the dairy herd is grown on the dairy's land or on land it leases.

The Academy dairy is not designed to be a profit-making organization, consequently, prices charged for the milk and milk products produced at the dairy closely approximate the actual cost of the dairy operation.

FINDINGS

Academy dairy not needed for health or economic reasons

Our review disclosed that adequate supplies of milk and milk products are readily available from commercial sources to satisfy the needs of the Naval Academy. We found also that the continued operation of the Academy dairy farm would prevent the Government from realizing estimated annual savings of about $84,000. In our opinion, therefore, the dairy farm is no longer required for the purpose for which it was established and its continued operation appears to be contrary to the Government's policies with respect to competition with private enterprise and retention of real estate. The Navy has agreed and has informed us that it plans to close the dairy in a prompt and orderly fashion and with minimum impact on the local community.

Operation of the dairy no longer required to safeguard midshipmen's health

As stated in the background section of this report (see p. 2), the Naval Academy in 1911 established a dairy to provide the midshipmen with a source of pure, safe milk. At that time pasteurization was not a general practice and the midshipmen had suffered typhoid fever and other illnesses attributable to impure milk. In the 54 years which have passed since establishment of the dairy, the quality of commercially available milk has improved greatly. Almost all milk sold in fluid form is pasteurized, and it is no longer necessary for the Academy to operate its own dairy to ensure the availability of safe, pure milk and milk products.

Also, an adequate supply of pasteurized fluid milk—produced, processed, and distributed under regulations established to assure wholesomeness and purity—is readily available in the Upper Chesapeake Bay, Maryland, the marketing area in which the Naval Academy is located. The Federal market administrator has compiled data which shows that during calendar year 1964 receipts of milk by cooperative associations and pool plant operators in this area amounted to about 91.4 million gallons. These data disclosed that about 65.9 million gallons of this milk were processed and sold in fluid form during that year. There being no market for the remaining 25.5 million gallons of milk in fluid form, this quantity was considered to be surplus and was converted into manufactured dairy products. The 25.5 million gallons of surplus fluid milk were more than adequate to satisfy the Naval Academy's demand for fluid milk, which is the equivalent of about 415,000 gallons a year.

Furthermore, responsible officials in the Consumer and Marketing Service and Agricultural Stabilization and Conservation Service, United States Department of Agriculture, formally advised us that adequate supplies of milk were available in the Upper Chesapeake Bay area, and in other areas, to supply the Academy's needs.

Cost of milk available from commercial sources is comparable to the cost of milk produced by the Academy dairy

Although the records maintained by the dairy indicate that the cost to the Government for milk and milk products obtained from the Academy dairy was less than the prices charged other Government activities by commercial producers, we found that certain additional adjustments were necessary to reflect the true cost to the Government.

For example, adjustments were necessary for interest savings to the Government, for certain salaries and also for Federal payments to Anne Arundel County. As shown in the following schedule, after these adjustments are made to the dairy farm costs, an annual savings of about $84,000 would be obtained if the dairy farm were not in operation.

COMPARISON OF COMMERCIAL PRICES WITH COST TO PRODUCE MILK AND MILK PRODUCTS AT NAVAL ACADEMY DAIRY FARM DURING 1964

	Sales to Naval Academy (in gallons)	Commercial prices per gallon	Total sales at commercial dairy prices
Commercial prices: [1]			
Whole milk	242,262	$0.6276	$152,044
Chocolate milk	11,078	.708	7,843
Coffee and cereal cream	24,743	1.52	37,609
Heavy cream	9,846	3.60	35,446
			$232,942
Dairy farm:			
Cost of sales			171,174
Salaries and related costs			20,937
Insurance (fire, comprehensive)			11,298
Utilities			7,970
Maintenance and repair			2,989
Supplies and services			1,699
Loss on death of cattle			1,020
Other income			11,942
Total			[2] 205,145
Difference			27,797
Other elements:			
Interest savings on real property			68,100
Interest savings on net assets			26,000
Manager's salary and allowances			10,500
Payments to Anne Arundel County			7,000
Subtotal			111,600
Estimated annual savings			83,803

[1] Based on 1964 Defense Supply Agency contract for Washington area.

[2] Obtained from Naval Academy dairy financial statement, Jan. 1–Dec. 31, 1964.

A discussion on each of the additional adjustments which were included in our comparison follows.

Interest savings

The Government could realize at least $1.7 million if the dairy was sold at its current value. The Academy dairy occupies 876 acres of land situated about one mile from Maryland Highway Number 3, a four lane divided highway. Also, it is located about 5 miles from the head of the Severn River, and within short distances of Friendship Airport, Annapolis and Baltimore, Maryland, and Washington, D.C. The terrain of the dairy is described as having a gentle roll, and is well suited for residential or industrial purposes. In May 1965, Anne Arundel County officials informed us that, if used for residential or industrial purposes, the land would have a probable market value of at least $1,752,000, or the equivalent value of $2,000 an acre.

At rates currently paid for funds borrowed by the Government, reduction of the Federal debt by $1,752,000 would reduce interest costs by about $68,100 annually. We did not consider it practical to estimate the current market value of the remaining net assets (such as production and breeding herds, buildings, and machinery and equipment), which according to dairy records were valued at about $670,000 at December 31, 1964. However, assuming that the $670,000 value is a realizable amount, we estimate that the Government would reduce its annual interest costs by an additional $26,000 if the money received from the sale of the assets was used to pay the liabilities of the dairy farm and the remainder returned to the Treasury to reduce the Federal debt.

Salary and allowances

The dairy farm is managed by a naval officer, presently a Lieutenant Commander. We estimate that his pay and allowances, including maintenance of his residence, for calendar year 1964, during which time he held the rank of Lieutenant, amounted to approximately $10,500.

Payments to Anne Arundel County

Payments are made by the Federal Government under the provisions of the act of September 30, 1950 (20 U.S.C. 236), to the Anne Arundel School District as financial assistance to the school district for providing education for children whose parents are employed by the dairy.

In January 1964, 31 of the children of dairy employees living on the dairy property were attending the Anne Arundel County schools. Navy officials estimated an annual Federal payment under this school-aid program of about $7,000.

Other items

Although we recognize that certain other costs may be appropriate for consideration in making cost comparisons, we did not consider them to be of sufficient significance to alter our conclusion as to the economy of purchasing milk and milk products from commercial sources. These costs include depreciation which, according to the dairy farm records, amounted to about $2,100 in 1964 and Federal income taxes which would be foregone under a Government operation. Both of these factors, if included, would make a commercial operation even more attractive.

We did not include an amount in our comparison for discontinued-service retirement of the 45 employees at the dairy farm since the employees are entitled only to Social Security retirement benefits.

In view of the above, it is apparent that it would be more economical for the Government to purchase the milk and milk products from commercial sources rather than to maintain and operate the dairy farm.

Government policy concerning competition with private enterprise

Government policy in effect during our review concerning competition with private enterprise was set forth in Bureau of the Budget Bulletin No. 60–2 dated September 21, 1959, which stated that generally the Federal Government would not carry on any activity to provide a product for its own use if such product could be procured from commercial sources. It also stated that the continuing use of a Government operation on the grounds that procurement from commercial sources would involve higher costs might be justified only if the costs were analyzed on a comparable basis and the differences were found to be substantial and disproportionately large. The Bulletin required also that, in making cost comparisons, the costs assigned to the Government operation must cover all direct and indirect costs of the Government.

Effective March 31, 1966, Bureau of the Budget Bulletin No. 60–2 will be superseded by Bureau of the Budget Circular No. A–76. This Circular restates the Government's general policy of relying on the private enterprise system to supply its needs and—except under specified conditions generally relating to effective conduct of the Government's programs, none of which appear pertinent to the case involved—prohibits Government operation of a commercial or industrial activity unless the Government can provide or is providing a product or service at a lower cost. The Circular also contains guidelines for the analyses of comparative costs.

In making our cost comparisons as discussed in the preceding section of this report, we considered those direct and indirect costs that were incurred by the Academy dairy farm during calendar year 1964.

Our comparison disclosed that potential savings would accrue to the Government if the dairy farm was sold and the milk and milk products were purchased by the Naval Academy from commercial concerns. It is our opinion, therefore, that continued operation of the dairy farm would be contrary to Government policy concerning competition with private enterprise.

Government policy on retention of real property holdings

Government policy on the retention of real property holdings is set forth in Bureau of the Budget Circular No. A–2, dated October 18, 1955, and generally states that unneeded real property holdings should not be retained by the Government. The Circular sets forth general guidelines to be applied by the heads of executive agencies when making the determination as to the necessity for retention of the real property. One of the general guidelines listed in the circular as it would pertain to the real property at the dairy farm follows.

"They are being used by the Government to produce goods or services which are available from private enterprise, except when it is demonstrated clearly in each instance that it is not in the public interest to obtain such requirements from private enterprise."

The implementing instruction issued by the Department of Defense is Directive 4165.20, dated August 29, 1958. The directive lists seven factors which should be considered when evaluating whether real property holdings should be retained.

The factor pertinent to the matter discussed in this report is that the product for which the property is utilized cannot be obtained from private enterprise. In determining whether the product can be obtained from private enterprise, the directive requires that the instructions as contained in the implementing DOD directive on Bureau of the Budget Bulletin No. 60–2 be utilized.

As shown on page 12 in the preceding section of this report, application of the instructions set forth in Bureau of the Budget Bulletin No. 60–2 should result in a decision to procure the milk and milk products from commercial concerns. Therefore, it appears that retention of the real property, valued at about $1,752,000, would be contrary to Government policy on this matter since the purpose for which it is currently being utilized would no longer exist and that retention of the property would prohibit the Government from obtaining a reduction in the annual interest cost which we estimate to be about $68,100. (See p. 9.)

Review by Navy of the dairy farm operation

During the past several years, the Navy has on various occasions reviewed the operations of the Naval Academy dairy with respect to the need for its continued operations, as well as the consideration of alternate uses for the land in the event of termination of dairy operations. On each occasion the Navy has decided that it was realizing sufficient benefits to justify continued operation of the dairy.

While the Navy may realize some economic benefits from the dairy, its continued operation by the Academy is not economical to the Government when all elements of cost are considered. As shown on page 8, continued operation of the dairy farm would prevent the Government from realizing estimated annual savings of about $84,000. In the sense that the Academy dairy does not offer its products on the open market, it is not in direct competition with private enterprise. As shown on page 7, however, the surplus fluid milk available in the area from commercial sources is more than enough to meet the Academy's needs.

The dairy is operated as a nonappropriated fund activity. The funds expended in the establishment, maintenance, and operation of the dairy, however, have been public funds, either appropriated by the Congress or accruing through profits from the sale of dairy products, which profits are also regarded as Government funds.

Agency comments and our conclusions

We brought our findings to the attention of the Secretary of Defense and proposed that prompt consideration be given to the disposal of the Naval Academy dairy—including land, buildings, dairy herd, machinery, and other assets. We also proposed that the Secretary of Defense advise the various military services that determinations as to the economic feasibility of retaining installations or facilities should not be based on the economic benefits to an individual service but should be based on whether continued operation of such installations or facilities is economical, considering the Government as a whole.

In a letter dated October 25, 1965, the Assistant Secretary of the Navy (Financial Management) commented on our proposals at the request of the Secretary of Defense. (See Appendix II.)

The Navy advised us that a plan would be developed to phase out the Naval Academy dairy with the objective of minimizing the impact on the local farm community and providing the maximum return on the midshipmen's store investment. The Navy advised us also that the Department of Defense was preparing a directive which would provide specific guidelines for an evaluation of commercial activities operated by the military departments so as to arrive at a decision which would be in the best interest of the Government.

Concerning the Navy's comment on providing the maximum return on the midshipmen's store investment in the dairy farm, we were advised by a cognizant official that the Navy was considering whether the midshipmen's store should participate in the proceeds from the sale of the dairy farm. We were further advised by this official that a final decision on this matter had not been made by the Navy as of January 18, 1966.

It should be recognized that the computations in this report were based on the assumption that the proceeds from the sale of the dairy farm would accrue to the United States Government and that any other disposition of such proceeds would alter the comparative costs of the procurement of dairy products by the Academy and, thus, the savings to the Government. Also, in the event that the Navy determines that any proceeds from the sale of the dairy should not be deposited with the Treasury, the proposed disposition of the proceeds should be submitted with appropriate explanation of the basis for the Navy's determination to the Comptroller General for a decision.

Since the Navy plans to phase out the dairy at the Naval Academy, we are making no recommendations at this time. We shall, however, continue to examine into the economic aspects of those commercial activities which are operated by the military departments.

PRINCIPAL OFFICIALS OF THE DEPARTMENT OF DEFENSE AND THE DEPARTMENT OF THE NAVY RESPONSIBLE FOR ADMINISTRATION OF ACTIVITIES DISCUSSED IN THIS REPORT

DEPARTMENT OF DEFENSE

	Tenure of office	
	From	To
Secretary of Defense: Robert S. McNamara	January 1961	Present.
Deputy Secretary of Defense:		
Roswell L. Gilpatric	do	January 1964.
Cyrus R. Vance	January 1964	Present.

DEPARTMENT OF THE NAVY

	From	To
Secretary of the Navy:		
Fred Korth	January 1962	November 1963.
Paul H. Nitze	November 1963	Present.
Under Secretary of the Navy:		
Paul B. Fay, Jr	February 1961	January 1965.
Kenneth E. BeLieu	February 1965	June 1965.
Robert H. B. Baldwin	July 1965	Present.
Assistant Secretary of the Navy (Installations and Logistics):		
Kenneth E. BeLieu	February 1961	February 1965.
Graeme C. Bannerman	February 1965	Present.
Chief of Naval Operations:		
Adm. George W. Anderson	August 1961	July 1963.
Adm. David L. McDonald	August 1963	Present.
Chief, Bureau of Naval Personnel:		
Vice Adm. William R. Smedberg III	February 1960	February 1964.
Rear Adm. A. S. Heyward, Jr	February 1964	March 1964.
Vice Adm. Benedict J. Semmes, Jr	April 1964	Present.
Superintendent, U.S. Naval Academy:		
Rear Adm. C. C. Kirkpatrick, Jr	August 1962	January 1964.
Rear Adm. C. S. Minter, Jr	January 1964	Present.

APPENDIX II

DEPARTMENT OF THE NAVY,
OFFICE OF THE SECRETARY,
Washington, D.C., October 25, 1965.

Mr. J. K. FASICK,
Associate Director, Defense Accounting and Auditing Division, U.S. General Accounting Office, Washington, D.C.

DEAR MR. FASICK: The Secretary of Defense has asked me to reply to your letter of 31 August 1965 which forwarded your draft report on operation of a dairy farm by the United States Naval Academy.

I am enclosing the Navy reply to the report.

Sincerely yours,
VICTOR M. LONGSTREET,
Assistant Secretary of the Navy (Financial Management).

Enclosure.

NAVY STATEMENT ON GAO DRAFT REPORT OF AUGUST 31, 1965, ON REVIEW OF OPERATION OF A DAIRY FARM BY THE U.S. NAVAL ACADEMY—OSD CASE NO. 2359

GAO FINDINGS

The General Accounting Office (GAO) has examined into the operation of the Naval Academy Dairy. They found that the milk and milk products required by the Naval Academy can be obtained from local commercial sources at comparable or lower costs than the cost to the Government of operating the Academy's dairy farm. They believe that disposal of the dairy, including the land it occupies, would make at least $1.9 million available to the Government which could be used to reduce governmental indebtedness with a reduction in interest cost of about $200,200 annually and that subsidies paid by the Government could have been reduced by as much as $135,000.

GAO RECOMMENDATIONS

The GAO recommended:

(1) That the Secretary of Defense give prompt consideration to disposal of the Naval Academy dairy farm, including the land, buildings, dairy herd, machinery, improvements and other assets.

(2) That the Secretary of Defense advise the various military services that determinations as to the economic feasibility of retaining installations or facilities should not be based on the economic benefits to an individual service, but should be based on whether continued operation of such installations or facilities is economical considering the Government as a whole.

NAVY STATEMENT

The Department of the Navy will develop a plan to phase out the U.S. Naval Academy Dairy with the objective of minimizing the impact on the local farming community, and providing the maximum return on the Midshipmen's Store investment. The Department of the Navy will proceed therewith upon approval of said plan.

DEFENSE STATEMENT

The Department of Defense is now preparing a new directive on operation of commercial or industrial activities within the Defense Department. This directive will provide for a systematic review of all commercial activities operated by the military departments, and will also give specific guidelines to the military services for uniform evaluation of the direct and related costs so as to arrive at a decision with reference to each case which will be in the best interest of the Government.

Mr. RIVERS. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, I ask unanimous consent that all debate on the pending amendment and all amendments thereto close in 15 minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from South Carolina?

There was no objection.

The CHAIRMAN. The Chair recognizes the gentleman from South Carolina [Mr. Rivers].

Mr. BATES. Mr. Chairman, will the gentleman yield?

Mr. RIVERS. I yield to the gentleman from Massachusetts.

Mr. BATES. I believe it should be pointed out to the membership that the dairy farm at Annapolis under discussion at the moment is not the property of the U.S. Government. This is something that was paid for by the midshipmen. This is the midshipmen's dairy. So they are in business down there. A lot of times as we see the practices in the military, we do wish, as the gentleman from New York [Mr. Pike] said a little while ago, there was a little more business management in the operation and perhaps we would be better off.

Mr. HARDY. Mr. Chairman, will the gentleman yield?

Mr. RIVERS. I yield to the gentleman from Virginia.

Mr. HARDY. I wanted to comment on a statement made by the gentleman from Maryland in connection with the Comptroller General's statement on the economics involved in this particular subject. The gentleman may not know that a special committee of the Committee on Government Operations, under the chairmanship of the gentleman from Illinois [Mr. Dawson], made a study of this matter. No report was issued. However, there were conferences with the Comptroller General and his auditors in connection with the matter.

Frankly, I think it was concluded that actually it was more economical to conduct the farm than to depend on outside sources for milk. I think if the facts were adequately developed, it would be found the original Comptroller General's decision was in error.

Mr. MATHIAS of Maryland. Mr. Chairman, will the gentleman yield at this point so that I will not have to interrupt his statement?

Mr. RIVERS. Mr. Chairman, how much do I have remaining?

The CHAIRMAN. The gentleman from South Carolina has 4 minutes.

Mr. RIVERS. I yield a quarter of a minute to the gentleman from Maryland. Pardon me, if I could yield a quarter of a minute, Mr. Chairman, I would yield it to the gentleman from Maryland. I yield to the gentleman from Maryland and hope he will not take more than one quarter of a minute.

Mr. MATHIAS of Maryand. Mr. Chairman, I will offer the decision of the Comptroller General so that the Record will be clear.

Mr. RIVERS. Mr. Chairman, to begin with, the Secretary of Defense does not own this farm. It was established in 1911 with the expenditure of $40,000 from the midshipmen's store fund. They borrowed the money from the Government, which they paid back. They borrowed other money which the Government decided to give them. They own this dairy.

I appointed a special subcommittee to inquire into the retention of the farm. This investigation disclosed the continuation would result in a savings rather than additional cost. It will affect the morale of the midshipmen by denying them cream, the best milk on earth, and ice cream any time they wish it. The most recent Navy audit disclosed that by producing its own milk for the midshipmen through the period July 1967–June 1970, would result in a savings of $199,200. It is always good to say, "Get the Government out of business. Get the Government out of business." I am against socialism, too. But what about these boys that are being trained to give their lives for their country? Why do we not leave this dairy alone?

Do you know why? Because somebody says, "That is mighty valuable land down there. Would it not look good if it was subdivided?"

"Those are valuable cows down there. I would like to get them at an auction, because they are the best on earth."

Do not give away this dairy. Do not take it from these boys. They are asking you through me to stop this effort.

The Navy, after coming to this earthshaking conclusion to close this dairy, have now changed their minds and they have so advised me. Pursuant to their request, I am putting a provision in the bill so they cannot change their minds. Would you not rather that they live by law than by the whims of some executive?

Furthermore, if we leave them alone, we would like to see this dairy modernized, and when we do, the milk will cost 6 cents less a gallon. We have plans for this dairy. Leave it alone. Do not let these people who would like to have it get it. Let us let them make a living somewhere else. These dairies have trouble getting help now, take it from me. Milk is going up every day, while at the Naval Academy it is going down every day.

I love the distinguished gentleman from Maryland. He is one of the most dedicated men in the House. But this is one of the few times on record where he is exactly 100 percent wrong.

I yield back the rest of my time.

Mr. BATES. Mr. Chairman, I oppose the amendment.

Mr. MATHIAS of Maryland. Mr. Chairman, will the gentleman yield?

Mr. BATES. I yield to the gentleman from Maryland.

Mr. MATHIAS of Maryland. Mr. Chairman, since this question of the ownership of the land has been raised, I would like to read from the Comptroller General's report which sets it out in full:

> It is true that the original funds were advanced by the United States and there were some repayments from the midshipmen stores fund, but by the act of March 4, 1925, it was declared that the dairy and farm, cattle and work animals, machinery and implements, buildings and other . . . equipment purchased under the General Services funds shall become the property of the United States.

This, I think settles any question whether this is U.S. property insofar as the owned portion of this farm is concerned.

However, it is not generally known that almost half this acreage is rented land, rented from other people in that vicinity.

Mr. BATES. Mr. Chairman, we are familiar with that. It is true the Government did take over this property. It also took over property of the Naval Home in Philadelphia, and also the Soldiers' Home. Why? Because there was some money in the bank. They guaranteed that the Soldiers' Home and the dairy farm would continue. They have continued and, Mr. Chairman, I believe they should be continued today.

Mr. MACHEN. Mr. Chairman, I oppose the amendment.

Mr. Chairman, I will not take my full time. I had the privilege of serving as chairman of the subcommittee last year that looked into the question of closing of the dairy farm in Annapolis. First, let me make it clear that from our indepth review of this matter, we found the milk produced on the dairy farm represents only twenty-two one-hundreths of 1 percent of the milk produced in the State of Maryland each year. The land involved, 876 acres, lies in the center of the complex between Washington and Baltimore and Annapolis. It is an area that, without exception, the elected officials of the county of Anne Arundel, Democrats and Republicans alike, were unanimous in wanting to keep—that is, the dairy farm—as open space because of the fantastic suburban growth all around.

In addition thereto, while the dairy is being operated it has only one officer there, and all of the other employees are paid from the 55 cents per gallon that is paid for this milk under the 1964 figures. Today the equivalent milk on the commercial market runs 70 cents a gallon.

Mr. RIVERS. Mr. Chairman, if the gentleman will yield, it is 73.4 cents.

Mr. MACHEN. I just checked it 3 months ago, Mr. Chairman; I was not up to date.

Mr. RIVERS. Every day it is going up, and the cost of the dairy is going down every day.

Mr. MACHEN. Mr. Chairman, I think after the subcommittee's report, and now with the adoption of it by the Armed Services Committee, I believe the Navy and the Defense Department also realized that they had made a mistake and reconsidered their action on their own, and the action taken by our subcommittee and committee is only to be certain they cannot arbitrarily act in the future against the will of most of the people in the area involved and against the best interests of the Academy. Certainly, there is a savings to the Academy and to the taxpayers.

I might add, the Navy has indicated that if the land had been sold, the proceeds would have gone into the midshipmen's store fund and would not have gone back to the Federal Government as the Comptroller General had stated.

Mr. RIVERS. Mr. Chairman, will the gentleman yield?

Mr. MACHEN. I yield to the chairman of the committee.

Mr. RIVERS. First of all, Mr. Chairman, as chairman of the committee, I want to congratulate the chairman of the subcommittee for handling the subcommittee which dealt with this matter. As a result, they took a new look at this, and it will save $200,000 a year. If the land is sold, it goes into the midshipmen's fund. This is owned by the midshipmen, and we are protecting them now. If we modernize this, it will save us 7 cents a gallon on milk. This is a worthwhile undertaking.

There is a morale factor, Mr. Chairman, which cannot be evaluated by anybody's pecuniary hallucinations, regardless of who it is. The morale of those boys is the most important thing on earth to us, so let us save this for the good of our boys and, incidentally, save a few hundred thousand dollars a year.

Mr. MACHEN. Mr. Chairman, in closing, I do urge that the amendment be rejected.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Maryland [Mr. MATHIAS].

The amendment was rejected.

Mr. MATSUNAGA. Mr. Chairman, I ask unanimous consent to extend my remarks at this point in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Hawaii?

There was no objection.

Mr. MATSUNAGA. Mr. Chairman, I rise for the purpose of asking the distinguished chairman of the Armed Services Committee a question in order to write proper legislative intent and history into the RECORD.

With reference to the item on page 8 of the bill (H.R. 11722), providing for troop housing and utilities at Fort DeRussey, Hawaii, am I correct in assuming that the type of construction, whether it be hotel type or motel type billeting, will be left solely to the discretion of the Army?

Mr. RIVERS. The gentleman from Hawaii is correct in his assumption.

Mr. MATSUNAGA. I thank the distinguished chairman for his clarifying statement, which I am sure will settle the controversy which has been stirred up in my home State over this matter. I can now report back that this legislation makes no specifications as to what type of building or buildings should be constructed at Fort DeRussey.

The CHAIRMAN. Under the rule, the Committee rises.

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. ANDREWS of Alabama, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee having had under consideration the bill (H.R. 11722) to authorize certain construction at military installations, and for other purposes, pursuant to House Resolution 828, he reported the bill back to the House with sundry amendments adopted by the Committee of the Whole.

The SPEAKER. Under the rule, the previous question is ordered.

Is a separate vote demanded on any amendment? If not, the Chair will put them en gros.

The amendments were agreed to.

The SPEAKER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

The SPEAKER. The question is on the passage of the bill.

Mr. RIVERS. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 394, nays 2, not voting 36, as follows:

[Roll No. 192]

YEAS—394

Abbitt
Abernethy
Adair
Adams
Addabbo
Albert
Andrews, Ala.
Annunzio
Arends
Ashbrook
Ashley
Ashmore
Aspinall
Ayres
Baring
Barrett
Bates
Battin
Belcher
Bennett
Berry
Betts
Bevill
Biester
Bingham
Blackburn
Blanton
Blatnik
Boggs
Boland
Bolling
Bolton
Bow
Brademas
Brasco
Bray
Brinkley
Brock
Brooks
Broomfield
Brotzman
Brown, Mich.
Brown, Ohio
Broyhill, N.C.
Buchanan
Burke, Mass.
Burleson
Burton, Calif.
Bush
Button
Byrne, Pa.
Byrnes, Wis.
Cabell
Cahill
Carey
Carter
Casey
Cederberg
Celler
Chamberlain
Clancy
Clark
Clausen, Don H.
Clawson, Del
Cleveland
Cohelan
Collier
Colmer
Conable
Conte
Corbett
Cowger
Cramer
Culver
Cunningham
Curtis
Daddario
Daniels
Davis, Ga.
Davis, Wis.
Dawson
de la Garza
Delaney
Dellenback
Denney
Dent
Devine
Dickinson
Dingell
Dole
Donohue
Dorn
Dow
Dowdy
Downing
Dulski
Duncan
Dwyer
Eckhardt
Edmondson
Edwards, Ala.
Edwards, Calif.
Edwards, La.
Eilberg
Erlenborn
Esch
Eshleman
Evans, Colo.
Everett
Evins, Tenn.
Fallon
Farbstein
Fascell
Feighan
Findley
Fino
Fisher
Flood
Foley
Ford, Gerald R.
Fountain
Fraser
Frelinghuysen
Friedel
Fulton, Pa.
Fulton, Tenn.
Fuqua
Galifianakis
Gallagher
Gardner
Gathings
Gettys
Giaimo
Gilbert
Gonzalez
Goodell
Goodling
Gray
Green, Oreg.
Green, Pa.
Griffiths
Gross
Grover
Gubser
Gude
Gurney
Hagan
Haley
Hall
Halleck
Halpern
Hamilton
Hammerschmidt
Hanley
Hanna
Hansen, Idaho
Hansen, Wash.
Hardy
Harrison
Harsha
Harvey
Hathaway
Hawkins
Hays
Hébert
Hechler, W. Va.
Heckler, Mass.
Helstoski
Henderson
Herlong
Hicks
Holifield
Holland
Horton
Hosmer
Howard
Hull
Hungate
Hunt
Hutchinson
Irwin
Jacobs
Jarman
Joelson
Johnson, Calif.
Johnson, Pa.
Jonas
Jones, Ala.
Jones, N.C.
Karsten
Karth
Kastenmeier
Kazen
Kee
Keith
Kelly
King, Calif.
King, N.Y.
Kirwan
Kleppe
Kluczynski
Kuykendall
Kyl
Kyros
Landrum
Langen
Latta
Leggett
Lennon
Lloyd
Long, La.
Long, Md.
Lukens
McCarthy
McClory
McCulloch
McDade
McDonald, Mich.
McEwen
McFall
McMillan
Macdonald, Mass.
MacGregor
Machen
Madden
Mahon
Mailliard
Marsh
Martin
Mathias, Calif.
Mathias, Md.
Matsunaga
May
Mayne
Meeds
Meskill
Michel
Miller, Calif.
Miller, Ohio
Mills
Minish
Mink
Minshall
Mize
Monagan
Montgomery
Moore
Moorhead
Morgan
Morris, N. Mex.
Morse, Mass.
Mosher
Moss
Multer
Murphy, Ill.
Myers
Natcher
Nedzi
Nelsen
Nichols
Nix
O'Hara, Ill.
O'Hara, Mich.
O'Konski
Olsen
O'Neal, Ga.
O'Neill, Mass.
Passman
Patman
Patten
Pelly
Pepper
Perkins
Pettis
Philbin
Pickle
Pirnie
Poage
Poff
Pollock
Pool
Price, Ill.
Price, Tex.
Pryor
Pucinski
Purcell
Quie
Quillen
Railsback
Randall
Rarick
Rees
Reid, Ill.
Reid, N.Y.
Reifel
Reinecke
Reuss
Rhodes, Ariz.
Rhodes, Pa.
Riegle
Rivers
Roberts
Robison
Rodino
Rogers, Colo.
Rogers, Fla.
Ronan
Rooney, N.Y.
Rooney, Pa.
Rosenthal
Roth
Roudebush
Roush
Roybal
Rumsfeld
Ruppe
Ryan
St Germain
St. Onge
Sandman
Satterfield
Saylor
Schadeberg
Scherle
Scheuer
Schneebeli
Schweiker
Schwengel
Scott
Selden
Shipley
Shriver
Sikes
Skubitz
Slack
Smith, Calif.
Smith, Iowa
Smith, N.Y.
Smith, Okla.
Snyder
Springer
Stafford
Staggers
Stanton
Steed
Steiger, Ariz.
Steiger, Wis.
Stephens
Stratton
Stubblefield
Stuckey
Sullivan
Taft
Talcott
Teague, Calif.
Teague, Tex.
Tenzer
Thompson, Ga.
Thomson, Wis.
Tiernan
Tuck
Ullman
Utt
Van Deerlin
Vander Jagt
Vanik
Vigorito
Waggonner
Waldie
Walker
Wampler
Watkins
Watson
Watts
Whalen
Whalley
White
Whitener
Whitten
Widnall
Wiggins
Williams, Pa.
Willis
Wilson, Charles H.
Winn
Wolff
Wydler
Wylie
Wyman
Yates
Young
Zablocki
Zion
Zwach

NAYS—2

Ottinger
Pike

NOT VOTING—36

Anderson, Ill.
Anderson, Tenn.
Andrews, N. Dak.
Bell
Brown, Calif.
Broyhill, Va.
Burke, Fla.
Burton, Utah
Conyers
Corman
Derwinski
Diggs
Flynt
Ford, William D.
Garmatz
Gibbons
Ichord
Jones, Mo.
Kornegay
Kupferman
Laird
Lipscomb
McClure
Morton
Murphy, N.Y.
Resnick
Rostenkowski
Sisk
Taylor
Thompson, N.J.
Tunney
Udall
Williams, Miss.
Wilson, Bob
Wright
Wyatt

So the bill was passed.

The Clerk announced the following pairs:

Mr. Brown of California with Mr. Bell.

Mr. Kornegay with Mr. Broyhill of Virginia.

Mr. Garmatz with Mr. Laird.

Mr. Rostenkowski with Mr. Derwinski.

Mr. Corman with Mr. Morton.

Mr. Murphy of New York with Mr. Anderson of Illinois.

Mr. Ichord with Mr. Lipscomb.

Mr. Udall with Mr. Bob Wilson.

Mr. Thompson of New Jersey with Mr. McClure.

Mr. William D. Ford with Mr. Kupferman.

Mr. Taylor with Mr. Wyatt.

Mr. Wright with Mr. Burton of Utah.

Mr. Flynt with Mr. Andrews of North Dakota.

Mr. Williams of Mississippi with Mr. Burke of Florida.

Mr. Sisk with Mr. Anderson of Tennessee.

Mr. Diggs with Mr. Resnick.

Mr. Tunney with Mr. Conyers.

Mr. OTTINGER changed his vote from "yea" to "nay."

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

GENERAL LEAVE TO EXTEND

Mr. RIVERS. Mr. Speaker, I ask unanimous consent that all Members may have

5 legislatives days in which to extend their remarks on the bill just passed, H.R. 11722.

The SPEAKER. Is there objection to the request of the gentleman from South Carolina?

There was no objection.

FOOD IRRADIATION PROGRAM

Mr. PRICE of Illinois. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. PRICE of Illinois. Mr. Speaker, as chairman of the Joint Atomic Energy Committee's Subcommittee on Research, Development, and Radiation, which has followed very closely the Government's program to develop methods of preserving food by ionizing radiation, I took more than a passing interest in the report issued recently under the aegis of the President's Science Advisory Committee entitled "The World Food Program." The section of the report dealing with the food irradiation program concludes with the following sentence:

> These and other problems indicate that radiation is not likely to have a significant application for food preservation in the foreseeable future.

Mr. Speaker, the basis for this statement completely escapes me. There is nothing in the report itself which provides a basis for such an assertion, and most certainly there is no information which has come to the attention of the Joint Committee which would support it. On the contrary, the information which the Joint Committee has developed in its numerous hearings on this program is in direct contradiction to what the report of the President's Science Advisory Committee has to say on the matter. Thus far the results of the collaborative AEC-Army program to develop this important technology have been highly encouraging. Potatoes, bacon, and flour preserved by ionizing radiation have already been approved by the Food and Drug Administration for unlimited human consumption, and a number of other food products are now before the FDA for approval.

If there is some unstated reason that would justify the report's allegation I would like to hear it, and I know the other members of the Joint Committee would also. For this reason the Joint Committee has written to Dr. Donald F. Hornig, Special Assistant to the President for Science and Technology, asking that he furnish any information that he may have which would support the questioned pronouncement. The committee has also asked that he inform us whether either of the primary sources of information on this subject, the Army and the Atomic Energy Commission, was consulted in this connection prior to publication of the referenced statement. Nothing in the report would indicate that knowledgeable technical personnel from either of these Government agencies had an opportunity to provide specific information for the report or to review the questioned statement prior to its publication. When responses to our questions have been received, I anticipate I will have more to say on this subject.

While waiting for Dr. Hornig's response to our questions, Mr. Speaker, I am happy to note that the Joint Committee is not alone in questioning aloud the basis for this statement. I have here a copy of a letter which has been sent to Dr. Hornig by Mr. Anthony A. Bertsch, Assistant Administrator for Industrial Mobilization in the Business and Defense Services Administration of the Department of Commerce and Chairman of the Interdepartmental Committee on Radiation Preservation of Food. The letter speaks for itself, Mr. Speaker, but I would call particular attention to the last paragraph of Mr. Bertsch's letter, wherein he calls for the issuance of a clarifying statement to set the record straight.

Mr. Speaker, I include Mr. Bertsch's letter to Dr. Hornig at this point in the RECORD.

JULY 5, 1967.

Mr. DONALD F. HORNIG,
Special Assistant to the President for Science and Technology, the White House, Washington, D.C.

DEAR MR. HORNIG: The Interdepartmental Committee on Radiation Preservation of Food, established in 1956, which includes representation of all major executive departments of the Federal Government has, since inception of the National Food Irradiation Program, directed its efforts toward stimulating industry interest and participation in the achievement of an early commercialization of this new process. Attention has also been directed to the potential role of irradiated foods in the solution to world food problems.

The statement on radiation (page 550) in the report by the World Food Panel of the President's Science Advisory Committee, just released, implies that food irradiation involves harmful effects and that it is not likely to have significant application as a means of food preservation in the foreseeable future. This evaluation appears to us to overlook many significant developments since the inception of the program and especially in recent years.

Intensive wholesomeness studies on some 21 radiation sterilized foods conducted by the Surgeon General of the U.S. Army, and other studies on low dose radiation applications conducted by the Atomic Energy Commission, have shown irradiated foods to be wholesome. In fact, in a statement before the Joint Committee on Atomic Energy, June 9, 1965, the Surgeon General concluded that ". . . it can be stated that foods irradiated up to absorbed doses of 5.6 megarads with a cobalt 60 source of gamma radiation or with electrons with energies up to 10 million electron volts have been found to be wholesome; i.e., safe, and nutritionally adequate."

One might say that in all of the history of food processing, no preservation method has ever received such intensive scrutiny, all of which has demonstrated the safety of the process.

One of the primary objectives of the Interdepartmental Committee has been that of attaining industry interest and participation. We believe great progress has been made by the United States National Food Irradiation Program, and by the more than fifty other nations that are actively engaged in food irradiation research and development. The conclusion of your Subcommittee that radiation is not likely to have a significant application for food preservation in the foreseeable future overlooks such developments and may very well impede future progress here and abroad.

The Marine Products Development Irradiator at Gloucester has been in operation for more than two years and has conducted many cooperative programs with industry to measure the practical effects of distributing irradiated marine products under commercial conditions. The Grain Products Irradiator in Savannah, Georgia, was dedicated last month. On July 3, 1967, the Hawaii Development Irradiator in Honolulu was dedicated. The Atomic Energy Commission, the Army, and the Department of Commerce have just selected a proposal for the establishment of an industry-built and operated pilot plant meat irradiator with only minimum Governmental support. The proposal was one of 10 (many of which involved participation of a number of business firms and groups). All of these developments, as well as the findings of many recent studies, indicate a favorable outlook for the commercialization of food irradiation within the "foreseeable" future.

As Chairman of the Interdepartmental Committee on Radiation Preservation of Food, I would like to suggest that your office issue a statement clarifying the report of the Panel on World Food Supply with reference to food irradiation. It seems to us imperative that the implication in the report that this process is unsafe be clarified, and that readers of the report have knowledge of the many favorable developments which suggest that the process may well have significant applications within the foreseeable future. We believe that such a statement should incorporate the current evaluation of this program by the U.S. Army Natick Laboratories, the Division of Isotopes Development, Atomic Energy Commission, the U.S. Department of Commerce, and the Interdepartmental Committee on Radiation Preservation of Food. Such a clarification appears to be essential to achievement of the objectives of your Subcommittee. If we can assist your office in this connection, we will be happy to do so.

Sincerely yours,

A. A. BERTSCH,
Chairman.

SARGENT SHRIVER CITES NEED FOR OEO

Mr. PRICE of Illinois. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. PRICE of Illinois. Mr. Speaker, some of the critics of our national strategy against poverty would have you believe this year represents Sargent Shriver's last stand before the Congress. They would like to shoot down the Office of Economic Opportunity and Mr. Shriver with it.

Mr. Shriver will be making courageous stands for what he believes in far into the future, of course, and I was pleased to see this same view reflected in a fascinating column by Mary Inger of the Star Publications of Cook County, Ill.

The Star columnist was on hand for Mr. Shriver's opening appearance before the House Committee on Education and Labor when he spoke strongly and persuasively of the need for a central, independent agency to coordinate and direct the war against poverty.

Because of my faith in Mr. Shriver's ability and my agreement with the need for such an agency, I want to bring the column to the attention of the House and include it at this point in the Record.

The Pad: Faces Opening Guns in Fight on OEO

(By Mary Inger)

Washington, D.C.—What was needed was a miracle man. What we got was Sargent Shriver, a reasonable facsimile thereof. Yesterday June 12, he faced the opening guns in the war against the war on poverty in the very large House committee on education and labor now holding hearings on proposed amendments to the Economic Opportunity Act of 1964.

The public discussion of poverty has shifted considerably as a result of the two and a half-year-old program. Time was when a good many Republicans scoffed at what they termed President Kennedy's exaggerated claims about poverty in the United States. They don't do that anymore. They are now agreeing that the gap between the haves and have-nots can and should be narrowed and they propose that they can do it better than the Office of Economic Opportunity can do it.

At times yesterday the partisan political flak sent up by both Democrats and Republicans got so heavy that it was hard to see Shriver, but each time the smoke cleared away, there he was holding to his central argument that OEO has and can continue to release more creativity in communities across the country where there is need and will to act than any other agency of government has or any proposed substitute could.

For a Cook countian sitting in the audience there was particular fun and interest in listening to the partisan bullets whistling across the head of a man who wasn't there, Mayor Daley. Congressman Quie (R., Minn.) is the major spokesman in the committee for the Republican idea, called "Opportunity Crusade." His line of questioning re participation of the poor in Chicago drew immediate fire from Congressman Pucinski (D., Ill.) who accused the minority of having snooped around Chicago for more than two years trying to discredit the Chicago program and the Chicago mayor and having failed.

Pucinski's excessive partisanship was matched by that of Congressman Erlenborn (R., Ill.) who recited a long list of complaints about his inability to get reliable information from anybody at OEO about anything, but in the end he failed to direct Shriver to produce for the record the information that he asserted he had sought and failed to get.

Throughout it all, Shriver kept his cool, responding with warmth only once. In this case to what he took to be the insinuation of Republican Congressman Esch that he was there to protect his job. Shriver responded with incontestable truth that he could find employment with more money and less pain any day in the week. It's not equally clear somehow that all congressmen could do that.

Listening to Shriver yesterday, I thought about what man could have taken on this impossible task and have done it better and could think of no one. A more cautious man could have avoided some of the office's errors, no doubt, but such a man could probably not have gotten enough of the show on the road in two and a half years to bring Congress to the point where they are now . . . that of arguing about means, not goals.

The same dynamism that Shriver brought to the concept of the Peace corps he has brought to OEO. Looking at his troops that accompanied him yesterday to the Hill, I estimated their average age to be about 26. While we might, on occasion, as we deal with them wish for a little more maturity and a little less brashness, the central task is really one for the young non-case-hardened to bring off.

There are sober critics of the program who wish it well on both sides of the political aisle and the best thing that can happen is that as they strive to improve it, they will contribute to our public understanding of the magnitude, difficulty and complexity of this task to which we are only barely committed.

There are other critics, however, who while shedding crocodile tears for the poor would like nothing better than to abolish the entire effort. These people, too, are to be found on both sides of the aisle. Neither the reactionary Republican nor the Southern Bourbon has the slightest stomach for financing a deliberate social revolution no matter how clearly its time may have come. The old GOP-Dixie coalition is far from dead, as Republican House Leader Ford proclaimed just two days before it went into action to kill off rent supplements for poor people and reduce the Model Cities funds.

The poverty bill will be another testing ground. It remains yet to be seen just how "new" the much touted "new Republicanism" really is. By far the most important result from this Congress' action on the poverty program is what it will tell poor people about this society. The effects on the 1968 elections, while secondary, will be fascinating. As wag Russell Baker said recently: "All early political indicators suggest that the Republicans have an excellent chance of beating President Johnson next year if they resist the temptation to run a Republican against him."

(Editor's Note.—The opinions expressed in the foregoing column are those of the writer, and do not necessarily coincide with those of this newspaper.)

BENNETT INTRODUCES HOUSE FINANCIAL DISCLOSURE ACT

Mr. BENNETT. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. BENNETT. Mr. Speaker, Will Rogers once said, "Politics has got so expensive it takes a lot of money even to get beat with."

He could have added in 1967: "It takes a lot of money just to stay in office."

We have been recently educated, along with the rest of the country, on the high cost of being in public life when the other body considered the case of Senator Dodd.

Fifteen years ago, the Nation was dismayed about the revelation of an unpublic fund for Senator Richard M. Nixon, who was the Republican vice-presidential nominee. A fund of over $18,000 from 76 contributors was described as "a private fund to be used to cover expenses of running Nixon's office that are not covered by Government allowances."

There should be no evil implication attached to the collection of funds from the general public for the financing of legitimate political expenses. But the public has a right to know who is contributing to their elected officials and in what amounts, just as in the case of campaign contributions. Otherwise the public cannot intelligently pass judgment on possible conflicts of interest.

The disclosure idea, it has been said, comes as close as anything to being the all-purpose cleanser of American politics. It attaches no moral overtones to the financial situation of a particular Member or candidate. Rather, it recognizes as the final arbiter in any controversy the public, who must have the knowledge of all such facts in order to express their opinions on the behavior of their elected representatives. As public office is a public trust, so must public disclosure be the responsibility of any public official.

In 1958, we were able to enact a "Code of Ethics for Government Service," which covers all Federal employees, including Members of Congress. But this code has no penalty clause or penalty procedures to make it wholly effective, although the Civil Service Commission has said it has been a very worthwhile instrument in the Federal service.

Now a code specifically for the House is being proposed; but to be very effective it will also have to have penalty provisions and procedures. The bill I am introducing today is a step in that direction. The proposed legislation is titled, "The House Financial Disclosure Act." It calls for financial disclosure by Representatives and by candidates for the House. The bill would require a complete account of income, of assets, of gifts, and of liabilities, as well as a description of all "slush" funds maintained by or for the Member or candidate. It includes a provision to extend the authority of the Committee on Standards of Official Conduct so that it may examine the financial reports of Members. The courts would have jurisdiction to impose a $1,000 fine and 1 year in prison for those who fail to file the required data.

I feel the need for such a measure is today greater than ever before. Recent exposures of misconduct in the Congress and intimations of wrongdoing have seriously affected the public's regard for Congress. National polls reveal that some 60 percent of the country's citizens consider most Senators and Representatives to be as guilty of unethical behavior as was Adam Clayton Powell. Positive action is called for by the situation, action demonstrating a sincere concern by Congress for enforcement of standards of conduct. I am hopeful the House will react favorably to this proposal, and that it may be one of the first steps toward enacting a workable code of ethics for this body. A copy of the bill follows:

A bill to provide for public disclosure by Members of the House of Representatives and by candidates for such office and to give the House Committee on Standards of Official Conduct appropriate jurisdiction

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "House Financial Disclosure Act."

Sec. 2. (a) Each person serving as a Member of the House at the beginning of a calendar year shall file with the Clerk of the House of Representatives and the Committee on Standards of Official Conduct of the House of Representatives on or before January 31 of that year a written report containing the information required by this Act covering the preceding calendar year.

(b) Each candidate for the House of Representatives who is not a Member of the House shall file with the Clerk of the House at least fifteen days before the date on which is held the first election in which he is a candidate a written report containing the information required by this Act covering the preceding calendar year. Where an individual becomes a candidate after the beginning of such fifteen day period, he shall file such a report within twenty-four hours after becoming a candidate.

(c) The report required to be filed under subsections (a) and (b) of this section shall be verified by the oath or affirmation of the person filing such report.

(d) All reports required under subsection (a) of this section shall be maintained by the Clerk of the House for the duration of the Member's consecutive terms in office as public records available for inspection at reasonable times by the public. All reports required under subsection (b) of this section shall be maintained for a period of one year by the Clerk of the House of Representatives as public records which shall be available for inspection at reasonable times by the public.

SEC. 3. (a) The report of the Member or candidate as required in this Act shall include a complete account of the Member's or candidate's gross income and that of his spouse and dependent children. For the purposes of this Act, gross income shall be defined as set forth in section 61 of the Internal Revenue Code of 1954, as amended (26 U.S.C. 61). The report of income shall specifically include, though not to the exclusion of other items listed in section 61, the following information:

(1) The names and addresses of all persons and organizations from whom was received by the Member or candidate, or on his behalf with his knowledge and consent, any honorarium or compensation for services, including fees, commissions, salaries, and similar items, and the amount of such honorarium or compensation for services, or if not money, the substance of the honorarium or compensation and the appraised value thereof;

(2) Gross income derived from business enterprises including the amounts thereof; the nature of his interest in the business, and the names and addresses of each such business.

(3) An itemization of all gains derived from dealings in property, including the names and addresses of other parties involved and a brief description of the transaction which took place.

(4) The sources from which were derived income from interest and the amounts thereof;

(5) The sources from which rents were derived and the amounts thereof;

(6) The sources from which royalties were derived and the amounts thereof;

(7) The sources from which dividends were derived and the amounts thereof;

(8) The names and addresses of all persons and organizations from whom he received assistance in the discharge of indebtedness and the aggregate amount or appraised value thereof;

(9) Itemization of income or benefits derived from distribution of the Member's or candidate's share in any partnership or professional group, and the names and addresses of all persons and organizations from whose payments such distributions are made, provided, however, that no such names and addresses need be furnished when the distribution to the Member or candidate from any such person or organization in said year is less than $1,000.

(10) Itemization of income derived from an estate or trust in which the Member or candidate has an interest and the nature of that interest.

(b) The report shall list all gifts to the Member or candidate which in aggregate value exceed $100 in the year from a particular source. Included in the report shall be the name and address of the donor, the amount or value of his gifts, and a description thereof. The report shall also contain the name and address of a donor to the Member or candidate, his spouse and his dependent children when the amounts or values or such gifts given in the course of a calendar year from a particular source exceed $500, and shall describe each such gift and the value thereof.

(c) The report shall list assets held by the Member or candidate, by his spouse or dependent children, or by any of them jointly. The list shall include the value of each asset and a brief description thereof, but household furnishings and personal effects need not be reported.

(d) The report shall include the names and addresses of each person and organization to whom the Member or candidate, his wife or dependent children, or any of them jointly owe an aggregate amount in excess of $5,000, and include a statement of the total aggregate indebtedness of the Member or candidate and such family members.

(e) The report shall include a statement of any funds established by the Member or candidate, or on his behalf, to assist him in defraying expenses which may be incurred by reason of his being a Member or candidate. The report shall set forth the names and addresses of all persons contributing to the funds, the amount of each contribution, the amount of each expenditure from such funds, and the purpose of each such expenditure.

SEC. 4. (a) Section 2 of House Resolution 418, Ninetieth Congress, is amended by inserting "(a)" after "Sec. 2", and by adding at the end thereof the following:

"(b) The Committee shall have jurisdiction to review the report filed with it by a Member, under the House Financial Disclosure Act, and shall recommend to the House appropriate disciplinary action against any Member who it determines has failed to file any such report or knowingly and willfully filed a false report. Such violations shall be reported to the Attorney General. The Committee shall develop and prescribe the forms to be used in making such reports."

(b) Subsection (a) of this section is enacted as an exercise of the rulemaking power of the House of Representatives, with full recognition of the right of such House to make changes therein at any time, in the same manner and to the same extent as in the case of any other rule of such House.

SEC. 5. Any Member or candidate who willfully fails to file a report required by this Act, or who knowingly and willfully files a false report under this Act, shall be fined not more than $1,000 or imprisoned for a period of time not to exceed one year or both.

SEC. 6. For purposes of this Act—

(1) The term "Member" means a Member of the House of Representatives and the Resident Commissioner from Puerto Rico.

(2) The term "candidate" means an individual who has taken the action necessary under the law of a State to qualify him to be a candidate either in a primary election held to nominate a candidate for election to the House of Representatives, or in a general or special election held to fill the office of Member of the House of Representatives.

(3) The term "election" means a general or special election held to select a Member and a primary election held to nominate candidates for the office of Member.

(4) The term "gift" shall refer to something of value voluntarily transferred from one party to another without compensation or monetary consideration.

(5) The term "fund" shall refer to a sum of money or other material resources available for the use of a Member or candidate or anyone acting on his behalf.

(6) The term "asset" shall refer to an item of value owned or in which exists a beneficial interest.

EAST-WEST TRADE AND WAR IN VIETNAM

Mr. WHITENER. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

Mr. WHITENER. Mr. Speaker, I am introducing today a resolution regarding East-West trade. The resolution would create a select committee to investigate: First, East-West trade and its impact on the productivity and capability of nations which directly or indirectly supply North Vietnam, North Korea, the Middle East, Cuba, or any Communist faction within any nation in Latin America with military, technical, economic, or financial assistance; second, the effectiveness of those U.S. laws, regulations, commitments, and policies governing trade with or aid to nations which directly or indirectly supply North Vietnam, North Korea, the Middle East, Cuba, or any Communist faction within any nation in Latin America with military, technical, economic, or financial assistance; and third, the extent of the participation of international organizations, groups, or funds which extend or guarantee credit, in aiding nations which supply North Vietnam, North Korea, the Middle East, Cuba, or any faction within any nation in Latin America with military, technical, economic, or financial assistance.

The select committee would be composed of nine Members of the House of Representatives to be appointed by the Speaker, one of whom the Speaker will designate as chairman.

It would be incumbent upon the select committee to conduct hearings and make investigations bearing upon East-West trade and report back to the House as soon as practicable during the present Congress. At that time the committee would make such recommendations to the House as it deemed necessary and proper.

In my judgment such a select committee can render a great public service by doing the type of study which is called for by the resolution. No such study has been made by a committee of the Congress since 1962. It is now time that a further inquiry be made.

Mr. Speaker, as I said at the beginning of these remarks, the purpose of my resolution is simply to set up a select committee to investigate, to find out, to seek truth in the realm of East-West trade in context of the United States involvement in Vietnam and the U.S.S.R.'s declared policy of backing "wars of liberation." As it is only the truth that can make us free, it is only the truth that can keep us free and able to legislate responsibly in the field of East-West trade for the future security of the United States.

It is for this reason, Mr. Speaker, that

I sponsor the resolution and urge its support by my colleagues on both sides of the aisle.

GIVE HIM HIS WALKING PAPERS

Mr. MULTER. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. MULTER. Mr. Speaker, when one gets too big for his shoes, it is time to give him his walking papers. That is what should be done with U.N. Secretary General U Thant.

He has now attempted to make himself the spokesman for the United Nations—a spokesman of not what the United Nations has enunciated but what he thinks the United Nations should enunciate.

Instead of being the impartial agent of the United Nations to implement its decisions, he now pretends to be the maker of those decisions, even when the United Nations has not spoken on the subject.

No human being can be denied the right to have his own opinions, but one who accepts the position of being an impartial agent has no right to make it appear that his opinions are those of the organization he represents.

Too frequently, U Thant has made it very plain that he has been taking sides in the disputes before the United Nations.

He has shown by word and by deed that he is pro-Russian Communist, that he is pro-Arab and that he is anti-American, that he is anti-Israel and now he shows that he is pro-Chinese Communist, pro-Vietcong, and antieverything that the free world stands for.

His ugly bias and prejudice is unbefitting any administrative officer of any agency of any government. It is much worse when it comes from the chief administrative officer of the United Nations.

He has now destroyed his influence and his conduct tends to impair and impede, if not actually destroy, the influence of the United Nations. His loss of objectivity is a reflection on the possibility of the loss of such objectivity on the part of the United Nations, difficult as it is to obtain in that body in any event. It is time that he is told to use his walking shoes to seek another job.

I direct my colleagues' attention to the following editorial which appeared in this morning's Washington Post:

> #### DISTORTED VIEW
>
> U.N. Secretary General U Thant has not changed the nature of the struggle in Vietnam by his crude effort to transform it into a simple war for independence that Americans should understand because of 1776. But he has gravely impaired his own standing, as an agent of the United Nations, to seek a rational termination of the conflict.
>
> Undoubtedly the desire of the Vietnamese for independence is a large element in the struggle. But this sentiment actuates the anti-Communist Vietnamese no less than the supporters of Ho Chi Minh. They too want to be free to manage their own affairs, and they are fighting to maintain this right against the aggressive conquest launched against them by Hanoi. When the Secretary General of the United Nations ignores this aspect of the war and tries to make it appear that Hanoi is merely resisting imperialism from the United States, he flagrantly distorts history and encourages the illusions on which aggression feeds.
>
> Such a biased view of the conflict in Vietnam would be a misfortune coming from any eminent source. When it comes from the chief administrative officer of the United Nations, it is doubly unfortunate; for it undercuts the influence of the U.N. and deprives the international community of its natural leadership in an objective study of all possible approaches to peace.

LETTER FROM PATRICK CARDINAL O'BOYLE

Mr. JACOBS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Indiana?

There was no objection.

Mr. JACOBS. Mr. Speaker, never have I been prouder of a clergyman of the Roman Catholic Church than last Sunday when at the Georgetown University Chapel I heard read the following letter from Patrick Cardinal O'Boyle, archbishop of Washington. It and the service at Georgetown that day were relevant to the suffering of God's children, and, therefore, to the best meaning of religion. The statement follows:

> My dear people in Christ: Our President spoke for all of us when he said last Thursday evening, for all the world to hear that "we have endured a week such as no nation should live through: a time of violence and tragedy." Now that the violence, at long last, has subsided—permanently, we hope and pray—some of us may be sorely tempted to throw up our hands in utter despair and to settle, in a mood of bitter hatred and cynical frustration, for an uncertain and uneasy stalemate, a state of permanent martial law. This would be a fatal mistake, and one which would only compound the frightful tragedy of recent days.
>
> We would be better advised to look for signs of progress and hope on the darkened horizon of urban America. For my own part, I see at least a glimmer of hope in the fact that so many Americans, instead of pinning the blame on someone else as a kind of sacrificial scapegoat, are now willing, perhaps for the first time, to examine their own conscience and to assume their own full share of responsibility for the disastrous events of the past few weeks.
>
> Under no circumstances, can the violence and lawlessness which have paralyzed so many of our urban centers be excused or condoned. Every right-minded citizen must concur with the solemn judgment of four of the nation's most respected Negro leaders, namely, that "killing, arson and looting are criminal acts and should be dealt with as such." The President of the United States has already assured the nation that these crimes will most certainly be dealt with as high office can command that we cannot be satisfied with "the uneasy calm of martial law" but must look for "a public order built on steady progress in meeting the needs of our people."
>
> We believe that God is calling each of us to respond to this urgent challenge in terms of our religious faith and to do so with complete honesty and with a firm resolve to amend our ways and to make reparation for our past failures and past sins of omission.
>
> #### NEEDED—UNDERSTANDING AND COMPASSION
>
> We are obliged, as followers of Christ, to be ambassadors of reconciliation. We must bring to our disorganized and demoralized urban centers a healing ministry, a ministry of understanding and compassion.
>
> We need to probe beneath the violence and destruction of the recent riots and to try to understand their underlying causes. We must do everything within our power to remedy, without delay, the long-standing injustices and festering grievances which are the natural breeding ground of lawless rebellion.
>
> We must come to realize that riots, however senseless they may be, are the frenzied cry of alienated people who are trying to tell us, out of a sense of enervating despair and utter hopelessness, that they want to be heard and want to participate as full-fledged American citizens in the economic, social and cultural life of our cities and our nation. Riots are a way—a completely irrational way, if you will, but for some people, unfortunately, the only way they can think of—to get their message to the rest of us who have long since achieved the rights and benefits and privileges which they are now determined, after many generations of neglect and delay, to achieve for themselves and their children.
>
> We Christians, following the example of our Lord and Master who had compassion on the multitude and showed a special predilection for the poor and underprivileged, must listen humbly and attentively to this desperate call from the festering slums of America and must repentantly strive to see the hand of God's judgment in the shattering events of recent days.
>
> We must be willing to acknowledge our own responsibility for perpetuating a system which sooner or later, as the recent riots have tragically demonstrated, was inevitably bound to erupt in violence.
>
> We must honestly recognize and admit that we have not done many of the things that we should have been doing and have too often done things which we ought not to have been doing in the field of social justice.
>
> #### TOO LITTLE, TOO LATE
>
> Our efforts to eliminate segregated slum housing have been feeble. Our support of desperately needed programs of job training and job opportunities for unemployed Negroes in our ghettos has been far less than adequate. Our education system throughout the nation moves at a snail's pace in its faltering efforts to readjust to the rapidly changing situation in our crowded urban centers and to provide the kind of education needed in the inner city. Our programs of urban renewal have not been designed primarily to meet the needs of disadvantaged low income families. Too often, to the contrary, these families have been the victims rather than the beneficiaries of urban renewal. Our welfare programs have too often been paternalistic, demeaning, and inadequate and have weakened family life.
>
> We have tolerated the commercial exploitation of ghetto residents by excessively high prices, inflated credit rates, and inferior products.
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> * * * * *
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> We have too often taken it for granted, all too paternalistically, that we, as outsiders, know what is best for people in the ghetto. We have not fully understood that they need and want—desperately want—to participate in the making of decisions which affect their lives; that they need and want to find a sense of dignity and human worth in responsibly working out their own destiny. We have too readily assumed that we have a "model" city, unmindful of the fact that for tens of thousands of our fellow citizens the nation's capital is a blighted ghetto.

INTERFAITH ACTION

I have already noted that I see some hope in the fact that so many Christians—and so many of our fellow citizens of other faiths—are approaching the current crisis in this spirit of honest self-examination and sincere repentence. This is a good beginning but we must now be prepared to pay the price of our religious convictions. As the President has pointed out, "This is not a time for angry reaction. It is a time for action, starting with legislative action to improve life in our cities."

In response to this challenge, we should immediately adopt certain priority measures designed to meet the immediate crisis and must do so, in the word of the President, "not because we are frightened by conflict, but because we are fired by conscience." At the national level, we need, at the very minimum, dramatic and far-reaching improvements in the anti-poverty program of the Federal government, whatever the cost of these improvements! We also need a far-reaching program of Federal public works to provide employment for the great mass of unemployed Negro youth and a vastly expanded health and welfare program, together with an adequate program of rent supplements.

LOCAL NEEDS

Here at the local level we need: An adequate system of local self government; an increased budget for our public schools; a Model Cities program; a substantial increase in the number of low and moderate income housing units either at the Bolling Air Force Base or at the National Training School site.

All of these legislative programs will cost money and may call for an increase of taxes. Let us not selfishly reject them for this reason and, above all, let us not use the costly war in Vietnam as a feeble excuse or rationalization for postponing action on them in the Congress. We are not faced with a choice between guns and butter—between the tragic war in Vietnam and a vast program of domestic social and economic reform. Whatever the cost of the war, we have no choice but to meet our responsibilities here at home. To refuse to do so and to rationalize our refusal in the name of the war, would be a tragic distortion of the meaning of true patriotism and might well result in a national disaster much worse than any defeat which we have ever suffered in a time of war.

Needless to add, the list of legislative reforms referred to above is not meant to be exhaustive, nor is it meant to suggest that legislation alone can be expected to solve the present crisis. On the contrary, private initiative is absolutely indispensable on many fronts. We therefore appeal to the business community, to organized labor, realtors, investors and every other influential group in the private economy to begin to look for new and imaginative methods of helping to solve the explosive problems of our blighted cities. In turn, we solemnly pledge the full support of the Catholic Church in the Archdiocese of Washington in this common effort to make up for lost time and to develop "a public order built on steady progress in meeting the needs of our people."

Faithfully yours in Christ,
Patrick Cardinal O'Boyle,
Archbishop of Washington.

STOKELY CARMICHAEL—J. EDGAR HOOVER RIGHT AGAIN

Mr. ROGERS of Florida. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. ROGERS of Florida. Mr. Speaker, that J. Edgar Hoover is right again is no surprise to most Americans. We have come to expect Mr. Hoover to be on top of every situation of concern to the FBI. For this I commend him. I refer to his comments on Stokely Carmichael, RAM, and riots, made last February before the House Appropriations Committee.

In February, long before summer riots began to spread across the land, and long before Carmichael exposed himself by going to Castro's Cuba and calling for a revolution in the United States, FBI Director Hoover told the Congress:

> Since assuming chairmanship of SNCC, Carmichael is generally considered the chief architect of Black Power.

Mr. Hoover said:

> In espousing his philosophy of Black Power, Carmichael has been in frequent contact with Max Stanford, field chairman of the Revolutionary Action Movement (RAM), a highly secret, all-Negro, Marxist-Leninist, Chinese-Communist-oriented organization which advocates guerrilla warfare to obtain its goals, and has afforded Stanford assistance and guidance.

Mr. Hoover indicated that RAM is dedicated to the overthrow of the capitalist system in the United States, by violence if necessary, and its replacement by a socialist system oriented toward the Chinese Communist interpretation of Marxism-Leninism. The FBI found that various leaders of the organization have participated in activities organized by the more militant civil rights leaders in order to expand its influence in racially tense areas.

Mr. Hoover has pointed out that some civil rights leaders, while themselves deploring violence, have called for civil disobedience by saying that an individual often has to break a particular law in order to obey a higher law—to which Mr. Hoover replies:

> Such a course of action is fraught with danger, for if everyone took it upon himself to break any law that he believed was morally unjust, it is readily apparent there would be complete chaos in this country. Respect for law and order cannot be a part-time thing. Under such conditions, there only tends to be a growing disregard of the law and its enforcement.

Mr. Hoover was right in February. His words prove true today. The chaos he warned us of is here. Many cities have witnessed insurrection. Many others fear they will be next on the growing list. Carmichael is attending a Communist revolutionary convention in Havana. Lawbreakers are too often excused as victims of a "social disease," while law enforcement agencies are accused of police brutality.

The Justice Department, in spite of the findings of Mr. Hoover and the FBI, seems to feel powerless. The Department has taken no firm action to enforce present law. It has questioned the need for new antiriot laws. It quibbles about words like "insurrection" and "civil disturbance," the words "request" and "recommend," while the fifth largest city of the greatest Nation on earth is set on fire.

Rap Brown is free to travel the country, preaching hate and violence. His presence in Washington is not questioned by the Justice Department. He calls for the destruction of the city the very night, in the same city, the President calls for prayer and understanding.

The American people are concerned. They are concerned about the warnings of their FBI Director. They are concerned about their lives and their property and the exercise of their rights and liberties.

The law must be enforced. The Stokely Carmichaels, Rap Browns, and others like them must be severely dealt with. The Justice Department must respond. It must enforce the laws available to the Federal Government now. It must respond to the grave crisis facing the Nation today without further delay.

HOUSE COMMITTEE ON URBAN AFFAIRS

Mr. HARVEY. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the Record.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. HARVEY. Mr. Speaker, yesterday's short newspaper headline summed it up in three words—"Now, It's Milwaukee."

Mob law is rampant throughout the cities of our Nation. Practically all areas of our Nation have been struck by rioting and violent civil disorders.

Our Nation is in a crisis. That crisis centers in our cities.

In the days, weeks, months, and, yes, years ahead, we will take the necessary steps to end this mob rule and restore peace and order. We also must continue to weed out the roots of this madness.

I, for one, support legislation introduced by Minority Leader Gerald R. Ford, House Concurrent Resolution 425, to investigate and study the "elements, causes, and extent of riots and violent civil disorders throughout the Nation."

No one can deny that the problems and troubles of our cities are not lessening. Obviously, they are becoming worse. Congress has not been oblivious to the difficulties in our cities. This, too, is obvious by the legislation it has considered and, in many instances, passed in recent years.

Nonetheless, I believe Congress can now best demonstrate its continuing concern and interest in the future well-being of the Nation's cities by creating a new, permanent Committee on Urban Affairs for both the House and Senate.

This is not a startling new proposal. Yet, because of the current unrest and turmoil in our cities, such a suggestion is more timely today.

Therefore, I have today introduced a resolution to organize a House Committee on Urban Affairs to consist of 25 members. This committee would deal with legislation in such areas as housing, urban renewal and slum clearance; prevention and elimination of urban blight; air and water pollution; water supplies and sewage facilities; and transportation.

As has been pointed out in previous studies, there are no less than eight standing committees of the House of Representatives with jurisdiction over urban programs. It is easy to understand why coordination is practically impossible.

This new committee also would enable Congress to better consider priorities in considering the legislative needs of our cities. Perhaps if this proposed committee had been in operation, the recent antirat measure would have fared better.

Of course, contrary to some claims, this legislation would not have prevented the Detroit riot, and probably no other. One of the strong arguments against that $40 million measure was the fact that there are presently four other Federal agencies engaged in the control and elimination of rats. It was pointed out that the city of Detroit has made the greatest progress in rat control under existing programs. For example, Detroit drastically reduced the incidents of rat bites from 123 in 1951 to 17 in 1965. It also cut down on the number of incidents of rat-transmitted diseases and the percentage of rat-infested buildings.

We must streamline our present capability so that we can more effectively deal with urban problems. This streamlining, like the antiriot bill passed recently, will not automatically resolve our cities' problems—but it could help.

In years past, Congress has adjusted to meet pressing needs. We have seen the establishment of the Committees on Agriculture, Public Works, Education and Labor, Select Committee on Small Business, to name a few, organized to meet specific problems.

Certainly, our cities have pressing problems today. Let us begin to resolve these problems by taking positive, concrete action here in Congress with the establishment of the House Committee on Urban Affairs.

ATOMIC WASTE DISPOSAL

Mr. SAYLOR. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. SAYLOR. Mr. Speaker, recently, the Secretary of Labor issued the regulations pertaining to the limits of radiation in uranium mines, which is supposedly to reduce the number of future deaths of miners.

I wish to call the attention of my colleagues to the conflicting statements which has been issued over the years of the safety factors of the atomic power program:

Malcolm Kildale's "Radioactive Digest"

"I have tabulated *1400* accidents involving radiation hazards of which I can vouch for a thousand. Let the truth about atomic accidents be told the American people." Leo Goodman, Secretary, Atomic Energy Technical Committee of AFL–CIO's Industrial Union Department.

"In the 20-year history of the nation's nuclear program, there have been no civilian reactor accidents which have caused loss of life or endangered public health and safety." James F. Young, Vice-President, Engineering Services, General Electric Company—Speech, Dec. 15, 1966.

"This safety record is no accident, but the result of very careful analysis and control, incidentally, that are continuing and will be continued without abatement." Dr. Glenn T. Seaborg, Chairman, Atomic Energy Commission.

Death by radiation—* * * "the victim was the fifth known peace-time casualty from massive exposure to radiation; three of the first four accidents occurred in Atomic Energy Commission facilities." Scientific American, June 1965.

"First, an economic atomic power industry cannot be built in this country with plants restricted to remote and thinly settled areas. They must be in or near the areas they serve. * * * Second, the atomic power program is nearing that point where it can stand on its own two feet without federal support. As a New York Times editorial put it, 'To slow down now is like faltering just short of the finish line in a two-mile race.'" John W. Simpson, Group Vice President, Westinghouse Electric Corporation (Speech Nov. 21, 1963).

"Too many catastrophes have occurred after the most solemn assurances that they were impossible—from the sinking of the unsinkable Titanic to the recent Apollo tragedy—to justify rushing approval of anything so potentially hazardous as a nuclear plant in the heart of a city of eight million people." Editorial, New York Times, May 14, 1967.

"Some 500 mines in the United States produce uranium ores and the waste products of these operations are not a major problem. While some radioactive dust and radon gas—produced by the naturally-occurring radium associated with uranium ores—results from mining operations, harmful concentrations of these airborne radioactive materials can be prevented by sufficient ventilation." From the Annual Report to Congress for 1959 of the U.S. Atomic Energy Commission.

"The hazards of radioactive materials stem from their basic characteristics. Radiation cannot be detected by the senses (except in massive doses); its effects are often cumulative and may not be evident for some time; and it can damage both an individual and, by impairing his reproductive cells, future generations of his descendants." Radioactive Wastes, Atomic Energy Commission, Division of Technical Information, 1965.

"I want to reaffirm the basic AEC policy that all activities under its cognizance will be conducted in a manner which assures that operating personnel and the general public are well protected against all hazards." AEC Commissioner James T. Ramey, October 3, 1963.

The Atomic Energy Commission proposed in a statement by Commissioner James T. Ramey to a Joint Committee on an Atomic Energy Subcommittee on Radiation, "an early enforcement of limits to radiation in the (uranium) mines in order to cut the chances of future deaths." James T. Ramey, Commissioner, A.E.C., May 10, 1967.

In view of these comments, the words of the late Winston Churchill seem very apropros:

> Men occasionally stumble over the truth, but most of them pick themselves up and hurry off as if nothing had happened.

THE AMERICAN CRISIS

Mr. KLEPPE. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from North Dakota?

There was no objection.

Mr. KLEPPE. Mr. Speaker, under the leave to extend my remarks in the RECORD, I include an excerpt from my newsletter and further remarks concerning riots in America's cities. The costly, bloody war in Vietnam is today being overshadowed in the minds of many by rioting in America and the threat of more to come. Again and again, this question is being raised: If we cannot pacify our own cities, how can we expect to pacify Vietnam, halfway around the world?

In a newsletter distributed to the people of North Dakota's west district this week, I commented on this dangerous and tragic situation:

> Today the most serious and immediate threat to the security of the United States comes from within, not from without. This is not to say that the ever-present menace of the international Communist conspiracy has abated. It has not. In fact, it is a part of the agony our major cities are suffering as looters, arsonists and killers continue to tear apart the very fabric of American society.
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> State and local law enforcement have broken down in the strife-torn areas. Police stand by helplessly, unable even to begin to cope with wholesale looting. Fires rage unchecked in block after block of Detroit and other cities because there is not enough equipment to deal with such holocausts and because firemen are pinned down by snipers.
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> What is happening has no connection with civil rights, job opportunities or discrimination as such. Instead, we are witnessing a massive assault upon law and order, upon the personal security and the property of millions of law-abiding Americans of every creed and color. This is in essence a civil war. It has been openly declared by many leaders of the extremist groups who incite their followers to take to the streets to burn, pillage, maim and shoot. This unbridled force can only be met with superior force.
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> It is a great tragedy that the extremists have already destroyed more jobs for Negroes than the "War on Poverty" has been able to provide. When block after block of shops, stores and other business places are burned, the jobs of thousands upon thousands of Negroes who work there go up in flames along with the buildings. The "Molotov Cocktail" is no respecter of color. Negro-owned business places are just as combustible as those operated by whites.
>
> I joined with an overwhelming majority of my colleagues in approving a House bill which would impose severe criminal penalties on persons who move from state to state inciting riots. It would also ban the use of interstate facilities such as the mails, telephone and telegraph for such purposes. This is by no means a solution to the riot problem. It is a beginning. It would serve as a backup for state and municipal riot laws and ordinances which cannot effectively reach beyond state lines. It would enable the Federal government to prosecute the "hit and run" agitators who turn one city into a shambles and then move on to promote further violence in other states.
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> This headline in the Washington Post of July 26 clearly shows the link between Communism and U.S. riots: "Carmichael Turns Up in Havana, Calls for U.S. Guerrilla Warfare." The Cuban news agency quotes this self-styled "civil rights leader" as saying: "We are preparing groups of urban guerrillas for our defense in the cities . . . It is going to be a struggle to the death." Carmichael reportedly is also planning to visit North Vietnam shortly.
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> For purely political reasons, some politicians have been promising Negroes more for tomorrow than could possibly be delivered over a period of many years. False hopes have been raised and this undoubtedly has contributed to the climate which makes for riots. Then come the firebrands who whip their followers into a frenzied belief that violence

will bring fulfillment of their demands. Self help and individual initiative receive no encouragement. Instead, the doctrine is that government can and should do it all.

In this hour, I commend to every American these words from retired Supreme Court Justice Charles E. Whittaker:

"Can any thoughtful person reasonably believe that a disorderly society can survive? In all recorded history, none ever has. On the contrary: History shows that every society which became lawless soon sucumbed, and that the first evidences of each society's decay appeared in the toleration of disobedience of its laws and the judgments of its courts."

Mr. Speaker, I believe America is at that crossroads.

I believe the Nation wants some quicker answers than the President's recently appointed Commission on riot causes is likely to supply. The Nation also wants some quicker solutions than are likely to stem from this study.

Since the Congress is being blamed either directly or by innuendo by some administration spokesmen and by much of the liberal press for the conditions which produced the riots, it seems particularly appropriate that the Congress itself should conduct an immediate and thorough investigation of the matter.

From the evidence which has been put forward thus far in news reports, riot studies and statements by police and public officials in the many cities hit by serious violence, these facts seem to emerge:

First. Most of the rioters arrested in Detroit, Newark, Watts, and other cities had jobs at the time they poured out into the streets to burn, loot, and shoot. Perhaps many of them believed they should have better jobs. Even so, this raises the question of whether widespread unemployment was a basic cause of the riots.

Second. A study by the University of California at Los Angeles found it was not just the poorest Negroes who were riot prone:

> A significant number of Negroes, successful or unsuccessful, are emotionally prepared for violence as a strategy or solution to end the problem of segregation, exploitation and subordination.

The study suggests that those who are "better off" may vent their resentment by joining in a riot. In other words, the level of income of the individual may not be a major factor in his decision to riot or not to riot.

Third. A large percentage, reportedly up to 50 percent in some instances, of the people arrested in these many riots—and this includes some whites, as well—had previous felony convictions. This indicates that the criminal element plays a major role in fomenting and participating in riots. It also raises the question of whether most of these people should have been at large. To what extent have easy bail, lax parole practices and recent court decisions, which seem to protect the criminal rather than society, contributed to the presence of these looters, arsonists, and gunmen on the streets?

Fourth. Detroit was described—up to the time of its days of violence—as a model city in the field of race relations. It supposedly had made giant strides in housing, job opportunities, job training, and education. Certainly the violence in Plainfield, for example, did not stem from overcrowding, tenements, and joblessness. It had no tenements. Its rate of unemployment was low.

Fifth. Outsiders demonstrably played a part in some of the city riots. The record of arrests in Newark, for example, clearly shows this. This raises the question of whether there is a master plan and a timetable for riots in American cities. Certainly the pattern of violence was much the same in many cases. The coordinated activities of snipers and "Molotov cocktail" hurlers strongly suggest organized operations.

Sixth. The riots and the Communist conspiracy have at least some links. Witness Stokely Carmichael in Havana at Castro's side. His successor as director of the inappropriately named Student Nonviolent Coordinating Committee is obviously cut from the same cloth. Hubert "Rap" Brown, whose incendiary speech in Cambridge, Md., was immediately followed by the burning of the Negro business section of the community and its church and school, is a perfect example of why the Nation needs the kind of Federal antiriot legislation which the House recently passed. Brown has been associated with RAM, which J. Edgar Hoover has described as "a highly militant, secretive organization following the Chinese-oriented Marxist-Leninist line that believes in replacing capitalism with socialism."

Today the Communists can certainly buy more rioting for a ruble right here in America than they can anywhere else in the world. They would be incredibly stupid if they were not exploiting this explosive situation. And the Communists are not incredibly stupid. I believe the Congress should move swiftly to determine the extent of Communist support and participation in these riots.

Mr. Speaker, yesterday, Vice President Hubert H. Humphrey, in a speech to representatives of some 14,000 municipal governments meeting in Boston, sought to pin responsibility for the riots on the Congress. He is quoted as saying:

> The delay, the "go slow, take it easy" attitude (of Congress) aids and abets frustration in our urban slums, it denies government—federal, state and local—the tools and resources required to combat slumism—crime, ignorance, disease and poverty.

This is most interesting, especially when it is read along with an earlier statement he made in New Orleans on July 18, 1966. He said:

> If I had to live in a slum, I think you'd have had more trouble than you've had already—because I've got enough spark left in me to lead a mighty good revolt.

This open invitation to "more trouble" and "revolt" by Hubert Humphrey lacks the incendiary tone of Hubert Brown's exhortations to the mob but it is even more disturbing because it comes from a man who is just one heartbeat from the Presidency.

On "Meet the Press" Sunday, Detroit Mayor Cavanagh said that a riot here in Washington might "lift the veil off Congress."

Since the Congress is being so widely blamed for the riots, I believe the time has come for us to lift a few veils ourselves.

PUBLIC EMPLOYEES: AN EMERGING FORCE

Mr. OLSEN. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Montana?

There was no objection.

Mr. OLSEN. Mr. Speaker, the past decade has seen all awakening of interest in union organization among civil servants at all levels—local, State, and Federal.

David L. Perlman, an assistant editor of the AFL–CIO News, traced the recent history of public employee unionism in an article in the American Federationist, monthly magazine of the AFL–CIO. Since this is a subject that is of special interest to all of us, under unanimous consent, I place Mr. Perlman's study in the Record at this point:

Public Employes: An Emerging Force

(By David L. Perlman)

A decade ago, the public employe field—federal, state and local—was labeled the "growth stock" of the labor movement.

That's just what it has been and the boom shows no sign of petering out. The curve of membership, bargaining units and contracts points sharply upward and may go a long way before reaching a plateau.

There have been unions in the government service since the 19th century. And there have been examples of success to cite.

The postal unions, after surviving a bitter quarter-century of management union-busting attacks, demonstrated that a muscular, politically potent union could flourish even in the midst of a bureaucracy.

The coalition of craft unions in the Tennessee Valley Authority proved 30 years ago that collective bargaining could work successfully when an agency was given leeway to negotiate and make binding agreements. The Government Printing Office and some U.S. Department of Interior installations verified this experience, as did a scattering of cities.

Nevertheless, the surge of union growth in the private sector during the 1930s and 1940s had no parallel in government employment.

By the mid-1950s, union organization in the federal service still drifted up and down in a narrow range. There was a measurable expansion of union membership in city, county and state employment—but only when measured from its low starting point. And this in the nation's most rapidly expanding field of employment.

It would have been hard to quarrel with one commentator's description of public employe unionism of yesteryear as "the 97-pound weakling" of the labor movement.

The era of explosive growth dates from the late 1950s in the non-federal field and to the advent of the Kennedy Administration in the federal civil service.

In both areas, election of labor-backed candidates to public office helped bring about new ground rules which opened the door to largescale organization.

The key was and is the trade union fundamentals of exclusive bargaining rights for the union which represents a majority and a written contract enabling unions to do the basic day-to-day job of representing workers on grievances as well as negotiating basic conditions of employment. Along with a dues checkoff—now common at all levels of government—this has provided both the organizing impetus and the stability necessary to retain and expand on an initial organizing success.

The first sign of a massive breakthrough came when big cities like Philadelphia and New York City demonstrated that a labor relations policy based on collective bargaining worked with a large, diverse workforce which included laborers and tax collectors, hospital attendants and typists, zoo keepers and draftsmen, mechanics and street cleaners.

The pillars of city halls did not topple nor did civil service commissions crumble when conditions of employment were negotiated instead of being set unilaterally.

It took a bit of adjustment, to be sure. There were personnel directors whose ingrained reaction to union contract proposals was along the lines of, "We can't agree to this. It's against civil service regulations." Then the union reply. A shrug, "So let's negotiate a change in the regulations. Why not?" And, indeed, why not?

The example of the cities made it easier for President Kennedy's task force to draw up a labor relations code for the federal government. And the federal executive order in turn spurred additional state, county and city laws and policies.

There are weaknesses in the federal policy and further steps toward meaningful collective bargaining are overdue. But critics of the policy agree the impact of Kennedy's executive order has been comparable to that of the Wagner Act in the private sector.

The other indispensable ingredient in the surge of public employe unionism has been the growing militancy of public employes.

Perhaps, as one union president suggests, it is the change from the depression generation, when a civil service job and pension represented security—insulation against breadlines and the factory scrap heap.

Before World War II, both pay and fringe benefits in public employment were generally superior to those in private industry.

But during and after the war, pay scales in government lagged far behind the private sector and the catch-up raises at two- or four-year intervals seldom closed the gap. Unions in private industry were catching up and starting to surpass government fringe benefits.

In recent years, public employes have been regaining some of the lost ground. And the lesson has not been lost that militant unions have gotten the best settlements.

To the general public, the visible phase has been strikes and picket line demonstrations by local public employes, including teachers. Strikes of city and county workers are not new, but there have been more of them—despite the prevalence of "no strike" laws.

And it would be hard to convince negotiators who bargain with local governments that the willingness of workers to strike if necessary hasn't been a major factor in reaching good settlements without a strike.

A news item from Gary, Indiana, makes the point: "The highest salaries in the nation for beginning teachers were won by negotiators for the Gary Teachers Union in a marathon bargaining session that ended only 30 minutes before a scheduled strike."

It was, incidentally, a first contract—made possible through a representation election in which the Teachers' local defeated the local affiliate of the National Education Association by a 1,529 to 267 margin.

There are unions which do not seek the right to strike, including the solidly-organized Fire Fighters and federal employe unions whose leaders recognize that strike talk might boomerang in Congress. But there are incidents such as the limited strike threat by New York City firefighters and the reaction of rank-and-file delegates to a speech by AFL–CIO President George Meany at a big Postal Clerks pay rally.

Meany had the current railroad dispute in mind when he told the delegates that workers "don't like to strike, but sure like to have the right to strike." The prolonged applause which interrupted the speech at that point was dramatic evidence that workers who think they are not getting a fair share react the same, whether in public or private employment.

A great many unions have some public employe membership and contracts with government agencies. Virtually every trade is represented either in separate contracts or in joint bargaining such as the metal trades agreements. But as a quick benchmark of growth, let's take a look at unions made up almost entirely of public workers or with a large percentage of such workers.

In 1959, the American Federation of Teachers had fewer than 50,000 members. Currently the AFT reports over 140,000.

The American Federation of State, County and Municipal Employes had already grown to a respectable 174,000 membership. But its latest report shows 330,000 members.

From 60,000 in 1959, the American Federation of Government Employes has passed the 235,000 mark.

There has been a comparable growth in the public employe membership of unions whose major strength is in private industry.

The Machinists, which for many years had an active federal employe district, more than doubled its government employe membership since the advent of federal collective bargaining.

Unions bargaining through metal trades councils quickly won exclusive recognition in most naval shipyards, although the closing of several big shipyards cut the growth rate in recent years.

The Building Service Employes showed a 35 percent increase in the public employe sector—both local and state and in the federal government.

The Laborers, barely represented in the public employe field before 1960, jumped from 7,500 to nearly 30,000 and are now actively organizing.

All the AFL–CIO maritime unions have contracts covering government vessels—another byproduct of the presidential executive order.

In the federal field, unions now have exclusive bargaining rights covering well over 1 million workers—with AFL–CIO affiliates accounting for 90 percent of the total. More than half of these—600,000—are in the postal service, where union membership long has been the norm.

Outside the postal service, however, the growth is keyed to the new era of collective bargaining.

By the spring of 1963, 15 months after the presidential order, unions had won exclusive bargaining rights for 94,000 non-postal federal employes.

By mid-1965, the number had grown to 300,000. The latest official tally was in August 1966 and the current figures certainly are higher. But at that time the total had reached 445,000. Of these, 252,000 were blue collar wage board workers and 194,000 were classified salaried employes.

It should be noted that the classified group includes such occupations as hospital attendants and guards as well as white collar jobs. And, in all areas of public employment, the bulk of union members are manual workers. But in both the federal and nonfederal fields, the proportion of organized white collar workers is moving up—slowly but apparently steadily.

It has not been easy to stake out clear-cut lines in public employe unionism.

In the era of no contracts, several unions often had conclaves of membership and old arguments over industrial versus craft bargaining units echoed at all levels of government. The possibility of meaningful bargaining also brought additional unions into the field. Adding to the complications was the presence of a number of unaffiliated organizations actively competing for membership. Some of these carved out an ultra-militant stance, with a shriller appeal to workers. Others shunned the word union and basked in the approving smiles of old-line supervisors.

AFL–CIO affiliates, however, have more than held their own and, as bargaining units are determined and contracts negotiated, the area of conflict has shrunken.

At the same time that unions have moved to take advantage of the opportunities for organizing, they also have faced the problem of leadership training from the shop steward to the negotiating committee level—and the problem of translating votes in bargaining elections into memberships.

The AFL–CIO Department of Education has helped supply this training, especially in the federal field, with individual unions, the Metal Trades Department and the Government Employes Council.

One problem, still to be fully resolved, is to sign up all the workers in a unit after winning representation elections overwhelmingly. The long-established unions, such as postal groups and the Fire Fighters, do not have this problem because a new worker is made aware that the union is something everyone belongs to.

Part of the problem, perhaps, is the more limited area of bargaining in most government agencies. In many cases, as in the federal service, wages are set by legislative action for white collar workers and on the basis of prevailing wage scales for blue collar workers. One of the chief goals of AFL–CIO unions in the federal service is to achieve a much greater degree of union participation in determining wage scales.

The union shop exists in some city and county jurisdictions, although it is still the exception. In the federal service, it appears a long way off, although concepts can change quickly. The writer remembers sitting in on a panel discussion at a conference of federal personnel officials in the mid-1950s. Bill Ryan of Machinists' District 44 shocked the audience—and perhaps some of the panelists from other unions—by insisting that collective bargaining must be the basis of government employe-management relations. It seemed then a more distant possibility in the federal service than the union shop does now.

There has been a changed attitude, too, towards the role of civil service commissions. Once they saw themselves, and to an extent were viewed by the embryo public employe unions, as avenues of appeal and arbiters between the worker and his agency. Now union negotiators tend to view them as arms of management and seek independent arbitration, factfinding and mediation as a substitute for a paternalistic personnel agency.

Attitudes towards the Hatch Act and the little Hatch Acts that have sprung up at the state and local levels have changed also. Government workers want and need protection against political kickbacks and the mass patronage turnover when a new administration takes office. But they see no reason why this requires them to give up their own citizenship rights, including the right to support their friends and oppose their enemies.

Postal workers have long been one of Washington's most powerful lobbies and other government employe unions are taking a leaf from the same book.

At the state and city level, public employe unions work hard at lobbying, usually in close cooperation with AFL–CIO central bodies. One of New York's biggest union demonstrations recently overflowed Madison Square Garden into nearby streets as members of the AFSCME, the Transit Workers and the Teachers bitterly protested a punitive state anti-strike law.

What will the future bring? The potential for organizing remains great. About 40 percent of the federal government's 2.5 million civilian workers are organized and the figure probably will pass the 50 percent mark within a few years.

In the non-federal sector of public employment, a smaller percentage are union members or work under a union contract. A 1964 Labor Department estimate was 544,000 members of AFL–CIO unions—about 7.5 percent of total government employment. The number is considerably higher today and state and local employment is expected to soar from 7.7 million in 1965 to 11.4 million by 1975.

Some localities still bitterly resist union organization; a few have even made union recognition illegal. But in the federal government and in a growing number of states and cities, the union organizer's greatest foe is apathy, not management intimidation.

The potential for meaningful collective bargaining also is great. Some of the frustrations which limit bargaining today will be swept away and that, in turn, will make union membership more meaningful and valuable to the public worker.

In vigor of leadership, in acceptance of a more realistic dues structure than the "bargain basement" rates of a few years back, unions representing government employes are becoming a more significant factor in the American labor movement.

The past decade has been bright. The future looks even brighter.

EXTENSION OF FOOD-STAMP PROGRAM

Mr. KEE. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from West Virginia?

There was no objection.

Mr. KEE. Mr. Speaker, I rise to urge extension of the food-stamp program for a 2- or 3-year period. The program not only needs but deserves more than a 1-year extension in order that disadvantaged Americans whose health depends on food assistance may continue to have the opportunity to benefit from food stamps.

As we all recall, the legislation to extend the food-stamp program was passed by the House on June 8, and by the Senate soon thereafter. The House bill contains a 1-year extension and the Senate version provides for 3 additional years. Unfortunately, the conferees are deadlocked with the House managers holding fast for not more than a 1-year extension.

The food-stamp program should be continued. It should not be permitted to die.

It is designed to permit families in need to enjoy more and better food and this is exactly what it has been doing.

A food-stamp recipient's wife spoke for many others when she said that before they began receiving food stamps her children got up from the table hungry.

> There were times near the end of the month when we didn't have anything to eat—

She said—

> This worried me so much that I became ill and ran up a $100 doctor bill. Now that we have food stamps—we always have plenty to eat—and the children can have fresh fruit and other foods whenever they want them.

The manager of a national retail food chain recently had high praise for food stamps. He said that the food-stamp program administered by the U.S. Department of Agriculture's Consumer and Marketing Service is the best Federal program he was acquainted with. He termed it the best organized, the best administered, the least complicated in operation, and the most effective in reaching and benefiting the most people.

It is unusual when a private businessman praises a Federal program. I have heard many favorable comments about the food-stamp program. And I am pleased to note that during the year just ended on June 30 the program has grown to cover almost 2,000,000 qualified individuals throughout the Nation. For a program which moved from a pilot program just 3 years ago—this is a remarkable record.

There is an excellent reason for a 2- or 3-year extension of the food-stamp program. Local officials operate the program at the local level. They need to be given at least a 2-year assurance so they can mesh the gears of local government machinery with the Federal program.

Recent changes in the program made by the U.S. Department of Agriculture for the State of Mississippi makes it possible to reach more people in need. These changes will be extended to other States as rapidly as possible. It will speed up the massive and difficult program of insuring that every person has the opportunity of a full and nutritious diet.

The food-stamp program has proved an effective means and a reasonable way to feed hungry people. On behalf of the hungry people who benefit so much from it, I urge authorization of at least a 2-year extension.

DEMONSTRATION CITIES PLANNING

Mr. JONAS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

Mr. JONAS. Mr. Speaker, I thought we were going to have a moratorium on blame fixing for the disasters that recently have struck Detroit, Newark, and cities in other areas of the country. I believe people generally would welcome such a moratorium and would prefer to see the executive and legislative branches of the Government get on with the business of identifying those responsible for the riots and seeing that they are punished, and that we then proceed to take affirmative steps to prevent a recurrence of the riots and disorders.

But, Mr. Speaker, yesterday in Boston the Vice President joined the chorus of those who are seeking to place the blame on Congress for what has transpired. This frantic effort to find a scapegoat to blame for the wave of lawlessness sweeping the country is becoming ludicrous. It is being alleged, for example, that Congress is not moving fast enough to provide funds for the demonstration cities program and that this somehow is partly responsible for the rioting. Let us see if the facts justify that charge.

The fact is that last October Congress provided the administration with $11 million to be used in making grants to a number of cities to help them finance the preparation of their demonstration city plans. By May 1, 194 cities across the country had filed applications for planning grants.

Today—August 1, 1967—9 months after the money had been provided for the administration to go forward with these planning grants, none of the money has been distributed to the cities that filed timely applications.

I cannot account for this continuing delay to get a program started which is so widely heralded by its spokesmen as one of the administration's main weapons to be used in the war against riots. Since the money in question was made available by Congress 9 months ago and none of it has yet been spent, and since 194 cities have had their applications on file for planning grants for the last 3 months, it would seem that Congress should not be blamed for the delay in getting this program underway.

I am not making any charges against anyone or undertaking to blame anyone for this delay. I am merely pointing out that, in view of the facts which I have related, it would appear that the Vice President and others who are directing their fire at Congress are aiming at the wrong target. It would be more appropriate for the Vice President and others who are criticizing Congress to spend some time stimulating action by the administration instead of spending so much time trying to pass the buck.

RAT EXTERMINATION

Then it is being alleged that because the House did not approve a new rat extermination bill recently, this has somehow contributed to the rioting. Those who make this charge obviously did not read the report on the bill as filed by the Committee on Banking and Currency. For example, that report cites the experience of the city of Detroit as a model showing what can be accomplished in a continuous campaign against rats. The report stated that the incidence of rat bites in Detroit has been reduced from 123 in 1951 to 17 in 1965; that the incidence of rat-transmitted disease has been reduced in Detroit from a dozen or more cases per year in the 1940's to less than one case per year in the 1960's—no cases in 1966—and that the program has drastically reduced the percentage of rat-infested buildings. Yet this progress in rat extermination did not prevent the riots in Detroit.

The reason the new rat program was voted down in the House was not because Members are opposed to rat extermination but because we already have four departments and agencies of the Government engaged in rat extermination, and it was considered more advisable to continue with these existing programs than start a brandnew one.

In the supplemental views of our colleague, Representative Henry S. Reuss, of Wisconsin, which are attached to the committee's report on the bill in question, the gentleman from Wisconsin [Mr. REUSS], after having first expressed his concern over the existence of rats in slum areas and elsewhere and his approval of the objectives of the legislation, stated:

> In dictating to the cities that they must have a rat-control program, the bill could skew local public health priorities. Whether rats present an extremely serious public health problem, as they do here in the District, or a less serious problem, as they may in other cities, the city would undertake the rat-eradication program. The bill dictates a uniformity of action where there may not be a uniformity of need for action. By artificially raising the priority of rat control by its grant-in-aid inducement, the bill could draw money away from other higher priority local problems—perhaps from treatment of alcoholism, narcotics control, or prevention of venereal disease, all serious public health problems which affect the slum family and slum child. More particularly, the bill could fragment and skew the local public health agency's program for attacking all carriers of communicable diseases. . . .

And in the minority views attached to the committee's report, the gentleman from Wisconsin [Mr. REUSS] was quoted as having said, while interrogating Secretary Weaver who was testifying in favor of the bill, the following:

> I am all for exterminating rats, but just last year the Congress was at great pains to take some 10 or a dozen public health programs, including programs in the environmental field, and to put them together into one program so as to move toward greater flexibility in Federal-State-local relations. It was a remarkable piece of legislation in the Public Health Service. The President signed it last October. Under that act, which gives localities freedom to choose the things they want to concentrate on, at least seven States are now coming in with excellent sector rat control programs. But here, having done all that, what do we do but come in with another tiny specific program, very costly to administer. It gets HUD into the health business, it confuses the local health departments who have been dealing uniformly with the Public Health Service of HEW, it is going to result in shopping around, whether you get rat-control money from HEW or whether you get it from HUD.

ALLEGED NEGLECT OF CITIES

And it is being alleged that Congress has been indifferent about the needs of our cities. The distinguished chairman of the House Committee on Appropriations, the gentleman from Texas, [Mr. MAHON], completely demolished this allegation in a hard-hitting speech on the floor yesterday. He listed a number of programs which Congress is funding this year in a continuing effort to aid the urban communities of our country to solve their problem. He cited the statement of President Johnson, contained on page 28 of his budget message of last January, that $25.6 billion is being programed for expenditure in fiscal year 1968 for benefits and services which aid the poor. I would like to add a few more examples to those the gentleman from Texas [Mr. MAHON] cited.

First, let me call attention to the fact that Housing and Urban Development Secretary Weaver testified last year that Federal disbursements having impact on urban communities amounted to $28.4 billion in 1966. Part of this money came out of previously appropriated but unspent funds, part out of revolving funds and part out of current appropriations.

Following is a partial list of Federal grant-in-aid programs for cities:

Grants for basic water and sewer facilities.
Public works planning advances.
Public facility loans.
Grants for neighborhood facilities.
Grants for code enforcement.
Demolition grants.
Community renewal grants.
Rehabilitation grants.
Demonstration grants.
Urban planning grants.
Metropolitan development incentive grants.
Open space land program.
Urban renewal demonstration grants.
Urban planning grants.
Urban information and technical assistance grants.
Community development training program.
Fellowships for city planning.
Urban research and technology.
Low income housing and demonstration program.
Rent certificate program.
Public housing program.
Housing for the elderly.
Urban renewal program.

It is a disservice to the country for public officials to misrepresent the facts about congressional interest in the welfare of the urban communities of the country.

THE ADMINISTRATION SHOULD "THINK AGAIN" BEFORE OPPOSING ANTIRIOT MEASURES

Mr. CRAMER. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. CRAMER. Mr. Speaker, the Senate Judiciary Committee will begin hearings tomorrow on the House-passed antiriot bill. From statements made by the Attorney General, and from the absence of any meaningful proposals by the President, it appears that the administration will continue to testify in opposition to this legislation.

The administration, it appears, will oppose this measure despite the clear and present danger to this Nation's welfare being posed by the riots and violence which have been tearing up and burning America's cities over the past month. Not even the Chief Executive's plea for a day of prayer had any effect on quelling the urban warfare this Nation is experiencing. On the very Sunday he proclaimed a day of prayer and on Monday thereafter, nearly a dozen riots took place and, thumbing their noses at any suggestion of praying for or accomplishing domestic tranquillity, the black power advocates used a church in Washington, D.C., to urge more riots and revolution, more shooting and looting, more bullets and bombing.

Stokely Carmichael is in Cuba consorting with Castro on how to accomplish guerrilla warfare on the streets of America.

In his television address to the American people in which he called for a day of prayer, the President also asked the rioters to "think again." I now ask the President and the Attorney General to think again before opposing the bill which is a necessary Federal weapon with which to fight the violence and bloodshed that has marked our cities. My distinguished colleague from Florida suggested the Attorney General has not been doing it, and the Attorney General says he has not been doing it because he does not have the authority to do it as there is no Federal law. I urge that we give him that power by passing this bill.

Think again, Mr. President, of the innocent victims of these riots who have lost their lives, and the innocent victims who have been maimed and wounded as a result of these riots, as a result of the violence which Federal authorities are presently powerless to prevent.

Think again, Mr. President, of the poor shopkeeper whose life savings have been lost to the looters and vandals.

Think again, Mr. President, of the children who must now live under even more crowded conditions because the buildings in which they lived have been burned to the ground.

And, think again, Mr. President, of the policemen and firemen who have lost their lives because of a sniper's bullet, a vandal's well-aimed rock, or an arsonist's fire.

I ask the President to think again before opposing a responsible bill which will give the Federal authorities power to investigate these riots which have become national in scope, which will provide a strong deterrent to the seditionists who are traveling from one State to another to teach and preach violence and bloodshed, and which will demonstrate that not only do the Congress and the Executive oppose rioting as a legitimate form of protest, but further that they are strongly in support of Federal laws to outlaw such anarchy.

THE NATION WILL LONG REMEMBER ADM. DAVID LAMAR McDONALD

Mr. ROGERS of Florida. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. ROGERS of Florida. Mr. Speaker, I would like to call to the attention of my colleagues the retirement of a good friend, an outstanding American, and a man whose dedication to the United States insures that his name will be recorded in the history of our Nation. The Chief of Naval Operations, Adm. David Lamar McDonald's retirement today brings to a close 43 years of service in the U.S. Navy. His contributions to the Navy and to the defense of this Nation are outstanding.

His rise from a cadet at the U.S. Naval Academy to the Chief of Naval Operations alone speaks for his qualifications and dedication.

Along the way he has served valiantly as his numerous decorations will attest. Twelve times he has been decorated by his Nation, including the Distinguished Service Medal and the Bronze Star. Six other nations have bestowed decorations upon him for his work.

The Bronze Star was given him for his service aboard the U.S.S. *Essex* as officer in charge of the Combat Information Center during the battle of Leyte Gulf. When the ship was hit by the enemy, his efforts in organizing were so effective that normal operations were suspended for only 30 minutes with a minimum loss of efficiency.

Admiral McDonald went on to join the staff of the Commander of the Air Forces. In the following years Admiral McDonald was the commanding officer of the U.S.S. *Mindoro* and later the U.S.S. *Coral Sea*.

In 1960 he became the Deputy Assistant Chief of Staff of the Supreme Headquarters of Allied Powers in Europe.

Three years later he became the Commander in Chief of U.S. Naval Forces in Europe and Commander in Chief, U.S. Naval Forces, in the Eastern Atlantic and Mediterranean and by the end of 1963, he was the Commander of Naval Component of all U.S. forces in Europe.

In August of that year, he became Chief of Naval Operations and has served in that position since.

But these are the obvious historical things which show on the record.

Admiral McDonald's contributions to operating procedures that have improved the Navy and thus better served the Nation are many and perhaps not so obvious to those outside the Navy.

One of the programs which came into being during his service as Chief of Naval Operations was the search and rescue operation in the Tonkin Gulf. As a former pilot, Admiral McDonald well knew the danger of flying and the morale problems faced when a comrade is shot down.

The search and rescue program now being used in Vietnam is the most effective combat rescue operation the world has ever known. As of July 3, 1967, a total of 320 U.S. pilots and crewmen had been rescued from the waters of the Tonkin Gulf—an investment of lives, morale, and dollars whose importance is almost impossible to overestimate.

It is only fair to point out at this time that, while credit is due Admiral McDonald, he makes the point that Secretary of the Navy Paul H. Nitze shares any credit given him.

Also during the tenure of Admiral McDonald and Secretary Nitze, the F–4 was developed for interservice use. The inception of the F–4 took place when Admiral McDonald, then a rear admiral, was director of the Air Warfare Division of OPNAV.

Despite these and other historic advances which were made by the contributions of Admiral McDonald, he will also be remembered for his efforts to raise the morale and standards for the regular sailor.

Sharing his dedication through these years has been his lovely wife, Tommy, who has given of her time, energy, and devotion. She shared her husband's problems and helped in every way she could.

This Nation and the men of our Armed Forces owe Admiral McDonald a debt of gratitude for his long and meritorious service. His name will rank high in the annals of Naval history, and rightly so.

Mr. GERALD R. FORD. Mr. Speaker, will the gentleman from Florida yield?

Mr. ROGERS of Florida. I am delighted to yield to the distinguished minority leader, the gentleman from Michigan [Mr. GERALD R. FORD].

Mr. GERALD R. FORD. Mr. Speaker, I appreciate the gentleman from Florida [Mr. ROGERS] yielding to me at this time. I commend the gentleman for saying what so many of us feel concerning Admiral McDonald and his lovely wife.

Mr. Speaker, it is my opinion that Dave McDonald has performed a superb job as Chief of Naval Operations during his 4 years of service. He has headed the Navy in the uniformed service during a very difficult and a very trying time. I feel that his contribution to the Navy of the present and the Navy of the future will go down in history as extremely significant.

Mr. Speaker, I am sure that the country owes a deep debt of gratitude to Admiral McDonald, and I wish to say on a very personal basis that there is no finer gentleman, no finer naval officer in my opinion.

Mr. ROGERS of Florida. I thank the distinguished minority leader.

Mr. EDMONDSON. Mr. Speaker, will the gentleman yield?

Mr. ROGERS of Florida. I am delighted to yield to my distinguished colleague, the gentleman from Oklahoma [Mr. EDMONDSON].

Mr. EDMONDSON. Mr. Speaker, I was delighted to hear the remarks which the distinguished gentleman from Florida [Mr. ROGERS] has made on the subject of a great naval officer and a great American. I wish to concur wholeheartedly with what the gentleman from Florida has said and with what our distinguished minority leader, the distinguished gentleman from Michigan [Mr. GERALD R. FORD], said with reference to the distinguished career and today's retirement of Admiral McDonald.

Mr. Speaker, in my opinion Admiral McDonald has been one of the outstanding naval officers of our time. I know that he will long be remembered and highly respected in the ranks of the Navy.

EQUALITY FOR LATIN AMERICAN IMMIGRANTS

Mr. RYAN. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. RYAN. Mr. Speaker, in 1965 the Congress, recognizing the inherent inequality of the national origin quota system of our previous immigration law, passed the new Immigration and Nationality Act. Premised on the theory that immigrants should be admitted to the United States on an equal basis rather than on the irrational basis of nationality, the new law represented a vast improvement in our immigration policy. However, not long after the effective date certain defects became manifest.

The labor certificates requirement of section 214, and its implementing procedures, involve not only an unwarranted amount of redtape, but impose on the potential immigrant the burden of proving the existence of a job opening in the United States. Earlier this year I introduced legislation, H.R. 7775, designed to mitigate this situation.

Mr. Speaker, there is another defect which needs a remedy—a defect which cuts against our new immigration policy. Notwithstanding the intent to expunge from the statute books laws discriminating against certain aliens on a basis of nationality per se, the Congress by enacting section 245(c) established a different standard for those persons emigrating from Western Hemisphere nations than for those from nations not within the Western Hemisphere. Section 245(c) not only visits great hardship upon many Latin Americans, but it constitutes blatant discrimination.

Last year the Congress eliminated one of the inequities imposed by section 245 (c). Under Public Law 89–732 those, who had emigrated from a Western Hemisphere country on a temporary visa and who in good faith had applied for permanent resident status prior to December 1, 1965—the effective date of the new immigration law—were exempt from the necessity of leaving the United States to obtain a permanent immigration visa.

Moreover, Public Law 89–732 created a special exception for Cubans admitted or paroled into the United States subsequent to January 1, 1959. The Attorney General, due to Public Law 89–732, may adjust the status of such persons to that of an alien lawfully admitted for permanent residence, if the applicant would be otherwise eligible.

Except for Cubans, the existing law, section 245, operates to the detriment of one from a Western Hemisphere nation, compared to immigrants, from non-Western Hemisphere nations, seeking to change from temporary to permanent status.

The effect is such that one of the latter category can change his status without first returning to his country. One from a Western Hemisphere country, except Cuba, is, however, specifically precluded, by subsection (c) of section 245, from obtaining permanent resident status unless he applies for a permanent visa outside the United States.

Thus, for example, one from a non-Western Hemisphere nation, visiting the United States on a temporary visa could apply for and, if eligible, obtain a permanent visa without first having to return to his country. Except for Cubans, one in a similar situation, were he from a Western Hemisphere nation, would be required to leave the United States prior to applying for and obtaining a permanent visa even were he to meet all other qualifications.

Mr. Speaker, not only does this constitute unwarranted discriminatory treatment of those from Western Hemisphere nations, it violates the spirit of justice and equality which prompted President Kennedy and President Johnson to recommend to the Congress the Nationality and Immigration Act of 1965.

In light of this discriminatory effect, I have introduced a bill which would repeal section 245(c) of the Immigration and Nationality Act, a bill, the enactment of which will place all who seek permanent status on an equal footing.

Expeditious action by the Congress on this proposed amendment will not waive any substantive standard an immigrant must meet in order to obtain permanent status. However, it will elevate the Latin American immigrant to exactly the same level as an immigrant from any other country in the world. By so doing, the Congress will further strengthen the philosophy underlying our new immigration policy, that of equality of treatment.

PERSONAL EXPLANATION

Mr. FULTON of Pennsylvania. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. FULTON of Pennsylvania. Mr. Speaker, on Monday afternoon, July 31, 1967, it was necessary for me to leave the House floor for a scheduled meeting in our State capitol in Harrisburg, Pa., on Highway Route 88. Problems of rerouting and immediate construction must be settled at once by cooperation of Federal, State, and local officials. As this is the main route from the city of Pittsburgh to our Allegheny County annual fair in my congressional district, attended by over a million visitors, I have felt it of high importance in our area to help break an impasse by working out cooperation by officials, contractors, and local parties.

On conference report on H.R. 6098 passage on Monday, July 31, 1967, I would have voted "no."

SOUTHERN CALIFORNIA'S RAPID TRANSIT CRISIS

Mr. BUSH. Mr. Speaker, I ask unanimous consent that the gentleman from California [Mr. REINECKE] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. REINECKE. Mr. Speaker, one of the major problems facing our Nation's cities is rapid transportation. My city of Los Angeles with its vast urban sprawl of satellite suffers more than most cities because of its geographical size.

Mr. Robert P. Sutton, vice president of CBS radio and general manager of KNX in Los Angeles, has just finished an excellent series of radio editorials on the southern California rapid transit crisis. The series included five separate editorials dealing with various aspects of the rapid transit problem. The fifth editorial contains some very excellent and specific suggestions for action to alleviate the transit problems.

For the information of the House I submit for the RECORD these editorials in the order of their broadcast:

[July 17, 1967]

WHAT'S THE FARE FROM HERE?

Today we begin a 5-part series on the most studied subject in Southern California—Rapid Transit. Since 1925, there have been over 45 studies of this problem. It seems that studying rapid transit has become a major California industry.

Our focus today is on the most critical part of the problem—money. All other questions about rapid transit are secondary to the one of how we pay for it.

Almost every expert says public transportation must be subsidized. It is subsidized in most major cities in the country. For example, New York spends $170 million a year supporting its system. Assuming we have to have subsidized rapid transit here, how much money will it cost?

The Southern California Rapid Transit District estimates the two-phase system will cost about $1.6 billion. Privately, experts guess the final cost will run between 2 and 3 billion dollars. We are told that fares will pay the system's operating costs but not the capital investment cost. In other words, the cost of building the system will have to be paid for by the taxpayers.

The money will probably be raised by selling bonds. The cost of paying off these bonds is hard to predict precisely. It will depend on various factors in the bond market when they are sold. Nevertheless, bond experts estimate it will take approximately $100 million per year for every $1 billion worth of bonds. If we assume 2 billion as the cost of building the system, we see that it will require an annual payment of $200 million to pay off the bonds.

This $200 million will have to be paid by the taxpayers of Southern California. It might be in the form of a real estate tax; or, it might be a gasoline tax; or, it might be a sales tax; or, any number of other possibilities. For example, last Thursday the State Assembly passed two transit tax bills. One increases the cost of gasoline and the other hikes the vehicle tax by 25%. Even if these go through, they won't raise near enough money to finance construction of the system.

What it comes down to is this: no matter how it's sliced, the taxpayers are going to get hit for approximately $200 million more a year. Now this is more than the total real estate and personal property tax combined which was collected for all of the 67 cities of Los Angeles County in 1966.

Therefore, without arguing about systems, hardware, routes, or anything else, KNX asks two simple questions: Is the taxpayer *willing* to pay for a rapid transit system? And, if he is willing, is he able to pay it?

Tomorrow we will examine another part of the problem in our KNX editorial, entitled "A Fast Train To No-Where."

[July 18, 1967]

A FAST TRAIN TO NOWHERE

Southern California rapid transit appears to be a fast train to nowhere. This is our second comment in our current series on rapid transit. Our focus today is on the organization of the transit effort.

For years Southern California had a variety of bus and streetcar companies. World War II gas rationing made these very important to us. However, the end of the war saw a dramatic change. There was a massive shift to the private car; a flood of immigrants to California; the explosion of the suburbs; and, a sharp decline in public transportation.

Many voices have called for a revitalized public transit system for Los Angeles. In fact, since 1925 there have been 45 studies of the problem. So far, about the only thing everybody agrees on is that we have a problem. Beyond that there is nothing but a babble of plans, suggestions, arguments, criticisms, demands, warnings, hopes, and prayers.

In 1962, the Southern California Rapid Transit District was formed. With its formation many assumed that we finally had a central and coordinated transit agency. One that was going to provide regional public transportation for all of Southern California. This is not true.

Of the seven counties in Southern California, the Transit District only covers 3. Orange County, the second most populous country in California, is not included. Furthermore, even in Los Angeles County there are still 15 different bus companies. Their schedules are not coordinated and you generally can't transfer from one system to another.

As for the role of government in coordinating transportation in Southern California—this is a huge joke. There are more than 300 separate agencies in this area dealing with public transportation. It is unbelievably absurd that the air, sea, highway, freeway, taxicab, pipeline, truck, rail, bus, and rapid transit systems here are virtually uncoordinated.

With the fantastic brain-power and technological skill we have in Southern California, the present condition of public transportation is incredible.

KNX believes that what is needed is a central transportation authority for planning and action. It must be an organization with money and with the power to get action. Until we get this sort of coordinated effort, Southern California public transportation will be a fast train to nowhere.

Tomorrow we will look at the transit system proposed for Los Angeles. We will ask one of the fundamental questions that has never been answered. It is a question on which the success or failure of the proposed system depends.

[July 19, 1967]

YOU CAN'T GET THERE FROM HERE

Many people have a recurring nightmare about the proposed rapid transit system. What if we spend the billions needed to build it and then find out it doesn't do the job?

The plan proposed by the Rapid Transit district is a twin-rail train system radiating from downtown Los Angeles like spokes on a wheel.

The criticisms of this plan are many. First, the twin-rail system is the same kind that has been used for over a century. Today, technology is rushing toward a breakthrough that may make it as archaic as button shoes. The scientists who studied California's transportation needs for the Governor two years ago, regard the twin-rail system as a ridiculous dodo.

Besides, a fixed rail system cannot move to meet changing community needs. Older cities started with a rail system early in life and grew up around it—we didn't. Instead of expanding outward from the central city along rail lines, Los Angeles moved outward in waves. Imposing a spoke rail pattern on our sprawling, low-density city now is foolishness. Transit experts agree that you must have a land density over twice that of Los Angeles' in order to make a rail system pay out. As for the spoke pattern, one local wit puts it this way: you can go anywhere you want to just as long as you go downtown first.

Beyond this, passenger rail systems are consistent money losers. This is because the public won't pay for what it doesn't want. The automobile is more comfortable, more convenient, and faster. It costs more to operate but this is not particularly meaningful in our relatively affluent society. In short, the transit train offers little to lure people out of their cars. The fallacy of transit thinking for years has been its almost total concentration on the supply side of the supply-and-demand equation. The notion is that, if you build a transit system, most people will automatically use it. This is simply not true. One twin-rail transit system has already gone broke in Los Angeles because it ignored the demand side of the picture.

Further, the system is designed solely to solve the downtown commuter problem. It is virtually useless for going to the market, to recreation areas, to the doctor, to school, or anyplace except downtown to work.

Finally, the greatest deficiency in transit plans for Southern California is this: The system appears designed primarily to serve downtown Los Angeles. To build it will require vote approval of a huge bond issue. Most of these voters not only don't live or work downtown—they very rarely go there.

KNX asks this question: Will the suburban voter willingly shoulder a gigantic tax burden for something that doesn't appear to benefit him? An opinion poll last February revealed that 58% favored using public funds for rapid transit. However, nowhere in the poll was the voter told the price tag. He was not told how much his taxes would go up to build rapid transit. He was asked his blind opinion about an unknown figure. This poll, then, fails to answer the question. And, yet, the success or failure of rapid transit hangs by the thread of that answer.

This has been number 3 of our 5-part transit series. Tomorrow we will look at the Rapid Transit District itself and the charge that our bus riders are the economic serfs of out-of-state financial interests.

[July 20, 1967]

WHOSE HAND IS AT THE HELM

Today KNX continues its series of the transit problem with a look at the Southern California Rapid Transit District. This is the oganization that is supposed to solve our transit dilemma.

To begin with, its name is a misnomer. It neither covers Southern California nor all of rapid transit. It does not include Orange County—the second most populous county in the state. Even in the area it does cover, the District's authority is spotty. For example, there are 13 other bus companies in Los Angeles county alone. As for "rapid," the average speed estimated for the proposed transit system is about 30 miles per hour. Hardly "rapid" by any modern standard.

Another concern is the experience of District personnel. Almost none of them has had any experience operating a modern rail system. These are the people who will have to run a rail system that is ¼ the size of New York City's. Also, the present District exists primarily for the benefit of its bondholders. The needs of the public are secondary. To illustrate: the recent flap about a subsidy of fare increase is due to the bondholders. They require the District to charge *double* depreciation expense. If it were not for this, neither a subsidy nor a fare hike would be needed.

This situation may continue with the new transit system. The District has hired economic experts to study the new transit plan. Clearly, their recommendations will swing a lot of weight in the final plan of our transit system. This firm of experts is Cloverdale and Colquitts—the same firm that is the economic advisor and representative of the present bondholders.

Finally, we must realize that, what has seemed to be several different groups tackling the transit problem over the years, has always been the same one. The name on the front door changes from time to time, but the faces remain the same.

A look at the group's history shows study after study without any action; it shows ineptness in both politics and public relations; and, it shows a total lack of imagination and bold leadership.

KNX can only conclude that there is an enormous job to be done and, on the basis of past performance, the Southern California Rapid Transit District cannot provide the leadership to do it.

[July 21, 1967]

WHAT TO DO UNTIL THE DOCTOR ARRIVES

For almost half a century, we have done little about our public transportation problem but talk. The proposed transit rail system is 5 to 10 years away from being fully operational. Therefore, in this final editorial of our current series, KNX will suggest what can be done *now* to move cars and people better.

First, existing bus service must be dramatically improved. This is vital whether or not a rail system is built. For example, a major barrier to jobs for the poor of South Central Los Angeles is the lack of good public transportation. What good is a job if you can't get to it? We need one central transit authority for all Southern California . . . vastly increased rush-hour service . . . and, much better public information about bus service.

Next, we must discourage use of private cars in congested areas. Monthly parkers and those parking before 9 A.M. and between 4 and 6 P.M., in congested areas should be heavily taxed . . . selected freeway on-ramps should be closed during rush hours . . . employers should contribute all or part of the fare for employees who commute by bus . . . there should be incentives for car pools . . . there should be a city-wide, computer matched car-pool system—car pools have been tried within companies but never on a city-wide basis . . . there should be mini-bus service within congested areas and between these areas and outlying parking lots.

In addition, we must help cars move better. Traffic signals should be synchronized so traffic can flow smoothly without stopping . . . alternative surface routes should be publicized and clearly marked . . . all public works money should be pooled in a concentrated effort to eliminate road bottlenecks . . . work and school hours should be staggered to stretch out the rush hour load . . . and, intrastate traffic should be routed around congested areas during rush hours.

Then, there should be special commuter services such as: commuter trains on our existing network of tracks . . . executive commuter bus service . . . use of school buses to supplement evening rush hour service . . . special shopper buses during the off-peak hours when most of our buses are now idle . . . we should have special weekend bus service to recreation areas . . . we should eliminate the overlapping and duplication of the more than 300 transportation agencies we now have . . . and, we should allow the operation of jitneys and peso-cabs throughout the community.

These are just a sample of the many things that could be done *now* to improve transportation in the Southland. Many of them could be done within the next 30 days with little or no additional expense.

KNK says that our fundamental need is for a central transportation authority. One that has the money, the power, and the will to coordinate all transportation in Southern California. To create such an authority and to do what else must be done takes courage, imagination, and bold initiative by our political leaders. The sooner they do it, the sooner we'll all get home to dinner.

NEIGHBORHOOD ACTION CRUSADE

Mr. BUSH. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. BUSH. Mr. Speaker, last Thursday, the four of us wrote a letter to the President asking him to use the persuasive powers of his Office to initiate a Neighborhood Action Crusade to defuse the tensions now threatening the lives and property of urban Americans. We have sent copies of this letter to all Governors and the mayors of approximately 150 of our Nation's largest cities, urging them to implement the program at the local level.

We are faced with a national crisis. Newark, Detroit, Milwaukee, and Cambridge are examples of what can happen elsewhere during the remainder of the summer.

Steps to remove the causes of the current riots will be searched out and, hopefully, these ills will be eliminated at some future date.

We are here today, however, to urge the immediate implementation of a program of preventive action—a program to relieve the tensions during the remainder of the summer before more riots become reality. We are here today to urge a united effort by the President, the Congress, the Governors, the mayors of our major cities and their citizens to quiet civil unrest.

The Neighborhood Action Crusade, we feel, can help provide this relief. It can give the President's Commission and a bipartisan congressional committee the needed time to make a thorough study with effective recommendations.

We view a substantial portion of the immediate problem as one of continuing communications—keeping in touch with the neighborhoods where riot situations exist. Clearly, a contributing cause is the basic breakdown of communications among Negro Americans, the leaders of their organizations, and the elected officials of our country. As Mayor Cavanagh of Detroit reportedly said last week in reference to the problem:

> I find out that all the civil rights leaders we've been dealing with don't even know the people in the streets.

The overwhelming majority of Negro Americans are dedicated citizens, strongly opposed to disorder and violence. Involvement of these, our fellow citizens, in keeping the peace within their own neighborhoods is essential to the resolution of the current crisis in our cities.

We urge the creation of the Neighborhood Action Crusade—largely local volunteer organizations to work constructively in rallying the stabilizing influence that exists in the neighborhoods. In this way, local neighborhood leaders, working within their own areas, can provide understanding, continuing communications, and positive direction in this crusade to assure peace in America's cities. Whereas law enforcement will not be their mission, leadership will be.

Volunteers would serve their own neighborhoods. Local government would provide administrative services and coordination of the program. The Federal Government would provide the funds and equipment to support the local effort.

We believe this can be a low-cost program of short duration carried out within existing appropriations and well-established executive precedents.

For these reasons, we are introducing a joint resolution calling upon the President to take immediate steps to launch the Neighborhood Action Crusade.

We invite our colleagues to join with us as cosponsors. We hope our plan is the beginning of a united front aimed at creating a workable tool, readily available, to ease the tension in our cities.

In addition, Mr. Speaker, there follows the letter which we four sent to the President, the Governors, and the mayors of 150 of our largest cities:

Congress of the United States,
House of Representatives,
Washington, D.C., July 27, 1967.

Dear Mr. President: We recognize the tremendous pressures on your office now, and, therefore, we hesitate to take up your time; however, in the interest of reducing national tensions we want to pass along to you a suggestion for a program which might help immeasurably in keeping order in cities threatened with violence.

The overwhelming majority of Negro Americans are dedicated citizens, strongly opposed to disorder and violence. Involvement of these, our fellow citizens, in keeping the peace within their own neighborhoods is essential to the resolution of the current crises in our cities.

We suggest you use the persuasive powers of the Presidency by dramatically calling upon the communities to initiate a Neighborhood Action Crusade to de-fuse the tensions now threatening the lives and property of urban Americans. We view the Crusade as autonomous local programs organized, developed, and directed completely by local citizens.

We urge the creation of the Neighborhood Action Crusade—local quasi-volunteer organizations to work constructively in rallying the stabilizing influence that exists in the neighborhoods. In this way, local neighborhood leaders, working within their own areas, can provide continuing communication and positive direction in this crusade to assure peace in America's cities. In many instances, this should be done on a block-by-block basis.

Volunteers would serve their own neighborhoods. Local government would provide administrative services and coordination of the program. The federal government would provide the funds and equipment to support the local effort.

We recall the success of the air raid warden program in England in World War II—admittedly hazardous duty. Here were volunteers asking what they could do for their country—serving without pay to help weather a crisis.

We suggest that this program be tried in those cities most frequently mentioned as so-called "target cities." We do not offer this as a panacea, but it could be a big step forward for the balance of the summer.

Sincerely yours,
George Bush,
Member of Congress.
William O. Cowger,
Member of Congress.
Charles E. Goodell,
Member of Congress.
William A. Steiger,
Member of Congress.

Congress of the United States,
House of Representatives,
Washington, D.C., August 1, 1967.

Dear Mayor ———: Enclosed is a letter we have written the President in the hope of providing a constructive suggestion to defuse the tensions now threatening the lives and property of urban Americans.

We have urged the President to use the persuasive powers of his office to initiate a Neighborhood Action Crusade. Our plan enlists volunteers to serve their own neighborhoods, to provide continuing communication and positive direction to assure peace in our cities.

Knowing how vitally concerned you are with this problem, we ask you to review this program. We urge its immediate implementation to the extent that it is desirable in your jurisdiction. We would appreciate your reaction and ideas as to its value. We do not consider this a panacea or a long term solution, but we believe it may offer immediate hope of reducing tensions.

Also enclosed is a resolution which we are offering on the House floor, Wednesday, August 2. We are asking our colleagues in both the Senate and the House to join us in this effort. Additionally we have written the Governor of your state asking for his advice on the plan.

Please let us have your thoughts.

Sincerely yours,
George Bush,
Member of Congress.
William O. Cowger,
Member of Congress.
Charles E. Goodell,
Member of Congress.
William A. Steiger,
Member of Congress.

Congress of the United States,
House of Representatives,
Washington, D.C., August 1, 1967.

Dear Governor ———: Enclosed is a letter we have written the President in the hope of providing a constructive suggestion to defuse the tensions now threatening the lives and property of urban Americans.

We have urged the President to use the persuasive powers of his office to initiate a Neighborhood Action Crusade. Our plan enlists volunteers to serve their own neighborhoods, to provide continuing communication and positive direction to assure peace in our cities.

Knowing how vitally concerned you are with this problem, we ask you to review this program. We urge its immediate implementation to the extent that it is desirable in your jurisdiction. We would appreciate your reaction and ideas as to its value. We do not consider this a panacea or a long term solution, but we believe it may offer immediate hope of reducing tensions.

An additional enclosure is a resolution which we are offering on the House floor, Wednesday, August 2. We are asking our colleagues in both the Senate and the House to join us in this effort. Also, we have written the Mayors seen on the enclosed list, asking for their advice.

Please let us have your thoughts.

Sincerely yours,
George Bush,
Member of Congress.
William O. Cowger,
Member of Congress.
Charles E. Goodell,
Member of Congress.
William A. Steiger,
Member of Congress.

PRAISE FOR RURAL JOB DEVELOPMENT ACT

Mr. BUSH. Mr. Speaker, I ask unanimous consent that the gentleman from Kansas [Mr. Mize] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. MIZE. Mr. Speaker, although there have been many letters of praise, plus editorial comment, about the Rural Job Development Act which I introduced in the House last week to supplement the legislation authored by the junior Senator from Kansas [Mr. Pearson] and his colleagues, one letter which I feel is particularly apropos to the problem at hand came from Father John Lahey of St. Joseph's Church, Damar, Kans. Under leave to extend my remarks, I ask that Father Lahey's letter appear in the Record. He sets forth some additional reasons why the adoption of this legislation is in the public interest. The letter follows:

St. Joseph's Church,
Damar, Kans., July 25, 1967.

Hon. Chester Mize,
House of Representatives,
Washington, D.C.

Dear Congressman Mize: I read recently, with considerable interest, of your proposed bill on rural job development.

Your efforts, and that of Senator Pearson, seem particularly timely in view of the riots which are now sweeping our large cities and producing problems which these centers of population are thus far unable to cope with. It is rather appalling, to say the least, to see so many small rural towns literally "die" because of the lack of job opportunities, while the problems of over-populated "inner cities" continue to mount.

The sad part about the situation is the fact that many of these small towns already have schools, housing and many of the other necessities to support a larger population if they could only come up with more job opportunities for potential residents. If the ever-decreasing farm population could somehow be replaced with workers in small businesses, manufacturing enterprises and the like these communities could not only survive, but could at the same time, I believe, contribute immeasurably to the solution of the very problems confronting cities (eg racial discrimination, over-crowding, etc)

I wish to compliment you for your efforts on behalf of the "small town" and wish you every success in your venture. I would appreciate receiving a copy of your bill and other pertinent literature.

Respectfully yours,
Rev. John Lahey.

P.S.—Thank you for your kind note on the occasion of my recent ordination to the priesthood.

JOHN McNAUGHTON

Mr. BUSH. Mr. Speaker, I ask unanimous consent that the gentleman from Illinois [Mr. Michel] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. MICHEL. Mr. Speaker, last week was a very sad one for us as we attended the funeral of John McNaughton, his wife, Sarah, and their youngest son, Ted, who were killed in the tragic airplane accident in North Carolina.

Many glowing tributes have been said and written about John whose star shone so brightly in public service. We were personally very proud of John's many fine achievements since he comes from our congressional district and his family is so deeply rooted in Pekin, Ill. The funeral, with the highest military honors for both John and his wife who was a former Wave, was a most impressive one which I shall never forget. The Navy hymn and anthem sung by the Navy Band Sea Chanters was very beautifully done and the eulogy of Mr. Yarmolinsky and sermon of Dr. Mason were most appropriate.

Mr. Speaker, as a lasting tribute to John McNaughton, I should like to have printed in the RECORD at this point the funeral service, the eulogy, sermon, and several of the articles written by John's father, Mr. F. F. McNaughton and appearing in the McNaughton family newspaper, the Pekin Times, on July 20, 21, 22, 24, and 25.

We shall mourn for years the loss of our friend John McNaughton, for he was truly one of our Nation's brightest rising stars:

Funeral Service for John Theodore McNaughton, Sarah Elizabeth Fulkman McNaughton, Theodore McNaughton, Tuesday, July 25, 1967, the Cathedral Church of St. Peter and St. Paul in the City and Diocese of Washington

THE ORDER OF SERVICE

(One o'clock)

The prelude

O Welt, ich muss dich lassen, Johannes Brahms.

The Navy Hymn, John Dykes.

Mein junges Leben hat ein End, Jan Pieterszoon Sweelinck.

Das alte Jahr vergangen ist, Johann Sebastian Bach.

Prelude and Fugue in E minor, Johann Sebastian Bach.

Jesu, Joy of Man's Desiring, Johann Sebastian Bach.

The people stand as the procession enters the Cathedral.

Then shall the Minister say—

I am the resurrection, and the life: he that believeth in me, though he were dead, yet shall he live: and whosoever liveth and believeth in me shall never die.

For I am persuaded, that neither death, nor life, nor angels, nor principalities, nor things present, nor things to come, nor height, nor depth, nor any other creature, shall be able to separate us from the love of God, which is in Christ Jesus our Lord.

Then shall be read responsively the 23rd Psalm.

The Lord is my shepherd; therefore can I lack nothing.

He shall feed me in a green pasture, and lead me forth beside the waters of comfort.

He shall convert my soul, and bring me forth in the paths of righteousness for his Name's sake.

Yea, though I walk through the valley of the shadow of death, I will fear no evil; for thou art with me; thy rod and thy staff comfort me.

Thou shalt prepare a table before me in the presence of them that trouble me; thou hast anointed my head with oil, and my cup shall be full.

Surely thy loving-kindness and mercy shall follow me all the days of my life; and I will dwell in the house of the Lord for ever.

Hymn (Tune: St. Anne), William Croft, 1708.

O God our help in ages past,
  Our hope for years to come,
Our shelter from the stormy blast,
  And our eternal home:

Under the shadow of Thy throne
  Thy saints have dwelt secure;
Sufficient is Thine arm alone,
  And our defence is sure.

Before the hills in order stood,
  Or earth received her frame,
From everlasting Thou art God,
  To endless years the same.

A thousand ages in Thy sight
  Are like an evening gone;
Short as the watch that ends the night
  Before the rising sun.

O God, our help in ages past,
  Our hope for years to come,
Be Thou our guide while life shall last,
  And our eternal home. Amen.

(Isaac Watts: 1719; based on Psalm 90.)

Eulogy: *Read by Adam Yarmolinsky, Professor, Harvard Law School.*

Anthem: *Ralph Vaughan Williams.*

Let us now praise famous men, and our fathers that begat us. Such as did bear rule in their kingdom, men renowned for their power. Leaders of the people by their counsels, and by their knowledge. Such as found out musical tunes, and recited verses in writing: All these were honored in their generations, and were the glory of their times. And some there be, which have no memorial; who are perished, as though they had never been. Their bodies are buried in peace; but their name liveth for evermore (*from Ecclesiasticus 44.*)

Sermon: *Dr. Joseph A. Mason, Grace Methodist Church, Pekin, Illinois.*

Then shall the Minister say, The Lord be with you.

People. And with thy spirit.

Minister. Let us pray.

(All kneel.) Our Father, who art in heaven, Hallowed be thy Name. Thy Kingdom come. Thy will be done, On earth as it is in heaven. Give us this day our daily bread. And forgive us our trespasses, As we forgive those who trespass against us. And lead us not into temptation, But deliver us from evil. For thine is the kingdom, and the power, and the glory, for ever and ever. Amen.

The prayers: *The Reverend Canon William G. Workman, Canon Precentor, Washington Cathedral.*

The Navy Hymn (sung kneeling): *"Melita."*

The blessing: *The Right Reverend Paul Moore, Jr., Suffragan Bishop of Washington.*

Seven-Fold Amen: *John Stainer.*

The Organ will play the National Anthem.

The Congregation will remain in their places until the procession has left the Cathedral.

Music by the United States Navy Band Sea Chanters directed by Warrent Officer Eugene McGowan.

[From the Pekin Times, July 26, 1967]

Eulogy: "Everyone Learned From Him," Says McNaughton's Eulogist

Secretary of the Navy-designate John T. McNaughton was eulogized Tuesday in Washington National Cathedral by Dr. Adam Yarmolinsky, professor at Harvard Law School, where McNaughton held the rank of full professor and was a faculty member from 1953 until going to Washington, D.C., early in 1961, upon request of the late President John F. Kennedy.

The Navy Secretary-Designate, who with his wife, the former Sarah (Sally) Fulkman, and their younger son, Ted, 11, died in a plane crash near Hendersonville, N.C. last Wednesday, would have assumed his new duties as head of the United States Navy on Aug. 1.

Following is the eulogy delivered by Dr. Yarmolinsky, as official representative of Harvard Law School:

"The last time I saw John McNaughton was just a month ago when we spent an evening with a group of friends talking about the enormous demands that people in the world of ideas make on their government to be wise and just and good, and the enormous difficulty that people in government have in getting anything done at all.

"If ever anyone was fitted by temperament, by preparation, and by rigorous self-discipline to bridge the gap between those two worlds, it was John McNaughton.

"He recognized, as sharply as anyone I've known, the difficulties of effecting a change in the practice of government, once a decision had been taken in principle. Whether the task was to remove obsolete missiles from foreign bases, or to introduce new concepts into NATO doctrine, he knew in advance the kind of effort that would be required, and he marshalled all his resources to meet the challenge.

"And those resources were his sheer intelligence, his articulateness, and the physical energy that enabled him to put in 12-hour days six days a week. It was a measured energy too. He seldom came into the Pentagon on Sunday mornings. Part of that time was reserved for accumulated reading at home on matters that could be deferred during the week.

"His multiple careers, as a newspaperman, a lawyer, and a teacher, all contributed to his achievement.

"Whether it was a clause in the test-ban treaty, or the sham of the naval quarantine proclamation in the Cuba missile crisis, or a reply to Congressional mail, his lawyer's skills were focused on the problem as he turned to the typewriter that was always available behind his desk. No bureaucratic controversy ever dimmed his lawyer's sense of fair play. He insisted on precision in thought and word. I remember when we were considering a man for promotion to a new job, and I observed that he had some blind spots. John corrected me: "He doesn't have blind spots; he has bright spots. He sees some things so clearly they obscure other things he ought to pay attention to." There were few blind spots or bright spots in John McNaughton's vision of the world. He had already mastered the lawyer's highest art, the art of the relevant.

"His newspaperman's sense of where the spotlight of popular attention would turn stood him often in good stead. One day he came out of a meeting and called for special precautions to anticipate a possible news leak, because, he said, an incident in the meeting was the kind of story he would want to tell his wife, and that was an infallible test of news. The story did leak almost immediately, but the government was prepared and could minimize the consequences.

"Since he first taught the law of evidence at Harvard, John McNaughton never stopped being a teacher. Everyone who came into contact with him, learned from him. And the standards he set for his students were no higher than the standards he set for himself.

"With all the talents and energies that he brought to his work, he still had talents and energies to spare. His physical energies found expression in class tennis, his mental energies in music and painting. The abstract oil painting he did of the Cuba missile crisis expressed not only for him, but for many of his associates, the feelings we shared during those critical days.

"John never wasted energy. I wondered why he chose the stairs rather than the escalator to reach his office till I discovered that one could get there faster by taking the steps two at a time instead of riding with the crowd.

"John made time in his life for his family, whom he loved. He and Sally were on the way back from picking up Ted at summer camp when they were all killed. We cannot speak of him without speaking of them.

"Sally's openness and grace warmed her friends, while the work she did in the District schools warmed many who never knew her. She enjoyed her roles as hostess, housewife, and mother, and she enjoyed them in part because she did them so well. We can be happy that she had the satisfaction of seeing Alex well launched into life. And we know that Alex will have the support of his whole family, from Indiana to California, just as John and Sally did.

"John McNaughton had few illusions about the problems he faced in his work. He never underestimated his own antagonists or his country's. His view of the world was expressed in Houseman's poem:

" 'I to my perils
Of cheat and charmer
Came clad in armour
By stars benign.
Hope lies to morals
And most believe her,
But man's deceiver
Was never mine.
The thoughts of others
Were light and fleeting,
Of lovers' meeting
Or luck or fame.
Mine were of trouble,
And mine were steady;
So I was ready
When trouble came.'

"But John was not a gloomy man. He was a natural member of Mr. Justice Holmes' 'imaginary society of jobbists, who,' Holmes said, 'were free to be egotists or altruists on the usual Saturday half holiday provided they were neither while on their job. Their job is their contribution to the general welfare and when a man is on that, he will do it better the less he thinks either of himself or of his neighbors, and the more he puts all his energy into the problem he has to solve.'

"If, as has been said, happiness consists of the fullest use of one's powers in the pursuit of excellence, then John McNaughton was indeed a happy man."

[From the Pekin Times, July 26, 1967]

SERMON: HONOR, INTEGRITY ARE JOHN T. MCNAUGHTON'S LEGACIES TO SON: MASON

"For everything there is a season . . . and a time for every matter under heaven.
There is a time to be born and a time to die,
A time to weep and a time to laugh
A time to dance—and a time to mourn."

This is our time for mourning.

But as we mourn, we are not without comfort. There is a balm in Gilead, there is solace for our souls, there is healing for our wounds.

Such comfort we have found today in God's Word as we have heard it read; in the great hymn of our faith as we have heard it sung; in the eloquent words of eulogy from the lips and heart of a trusted friend. There is comfort, too, in the wealth of tender memories that reach back far across the years as happy moments are lived and relived over and over again. Of these memories I shall not seek to speak—for they are your own. Private and precious—in them your loved ones seem very, very close again.

There is a quality of life which lives on after man has gone—that which is noblest and finest—that which endears him to his loved ones and his associates. For John McNaughton, that quality was integrity.

In 1953, General Dean, a prisoner of the Communists at Chong-ju, was told he had 30 minutes to live, and was given writing material for a farewell message to his family. The letter was not long—I remember one line. Referring to his son, he said, "Tell Bill the word is integrity." With John McNaughton—and with his family, the word is integrity—and this is the noble legacy he leaves for his son—honor, integrity.

Back home, Mr. McNaughton, Sr., has a daily column, "The Editor's Letter," in our paper. It is the best part of the paper—the first thing to which we turn each day. Somehow, his columns remind me of the Psalms: one day grappling with some great international problem—one day probing at the mysteries of the universe and speculating about the space age—the next a wistful memory out of the distant past and the next opening up his heart, revealing some anguish of his spirit, and bringing tears to our eyes.

And, like the psalmist, his words carry penetrating spiritual insights. On the day following the tragic news that stunned our nation, he wrote simply "John's life is an unfinished story." He went on, then to speak of shining dreams now shattered—of Sally's charm and ready laughter—of young Ted. And then in closing he recalled their last letter from John, received only an hour before his death, a letter that closed with these words: "All's well, John."

Now we take heart today that our faith is a faith built for the storm. Surely "we are not as those who have no hope." For what we believe about life and death is largely determined by what we believe about God and Man:

We believe God is a Spirit, and man, created in His image, is spirit.

We believe that God is Eternal, and man, created in His image, bears the stamp of immortality.

So this is our faith—that life is not finished—for John, or Sally, or Ted.

Their story is "to be continued" in the eternal dreams and purposes of God.

To be sure, lonely hours will come when we shall echo the ancient cry of anguish—"Why, God, why?" But this calls for an answer God does not intend us to have; our hearts and minds are not great enough to hold it. The puny measuring sticks of man can never measure the horizons of God's infinite wisdom and love.

We can only declare with Whittier—

"To one fixed trust our spirit clings,
We know that God is good!"

And somewhere out there in the great Beyonds of God, life goes on—for John, and Sally, and Ted—together.

This is the faith in which we come today to lay our dead away: "Their story is not finished."

But, if in some dark and lonely hour that faith should ever waver, may we recall John's own last words of confident reassurance: "All's well! All's well!"

[From the Pekin Times, July 20, 1967]

THE EDITOR'S LETTER

(By F. F. McNaughton)

John's life is an unfinished story.

He had ongoing plans.

He had stacks of notes on the very inside of things in these exciting years; notes that now will not find their way into books.

His mother, too, had an unfinished book. For years, with painstaking effort, she has been assembling a memory book of little and big events in John's life. This summer she was bringing it to a sort of semicolon, and planned to give it to John this Christmas.

But now! How small will be the Christmas box to Washington, D.C.

We will read the memory book.

Thanks, John, for wonderful, wonderful memories.

John escaped wolf packs of submarines in the Atlantic. He escaped suicide dive bombers in the Pacific. Only 10 days ago he escaped death's tricks in Vietnam. Then yesterday, while John and Sally were bringing Ted home for his 12th birthday, Death reached out and took them all.

Ted is a big loss, too.

Dean and later (two weeks ago) Foy visited in John and Sally's home, and both had been telling us what a brilliant child Ted was.

Ted didn't get a chance at life.

Sally also had so much more of youthful life to offer. She was quick of mind and quick with laughter. She handled help well and during their years in Paris, she became fluent with French. Having a second language helped greatly in entertaining, at which she was expert.

She was an only child.

Ceil and I take comfort in the fact that John enjoyed life.

Going up is fun. Much of John's life, he was going up. There had to be bad years ahead—bad years and old age. That plane crash freed him of them.

Nobody knows how much we'll miss his letters. His last one came an hour before his death.

Last words of letter were:

"All's well.—John."

Again, John, thanks for wonderful, wonderful memories.

[From the Pekin Times, July 21, 1967]

THE EDITOR'S LETTER

(By F. F. McNaughton)

When heartbreaking news comes to a friend, I wonder:

"Where did he get the news?"

"How did he hear it."

Ours came from a phone call.

But not crushing, at first.

The phone call came from Sally's mother, Mrs. John A. Fulkman of LaGrange.

"Did you hear about the plane crash?"

"No I've been outside."

I must have misunderstood the next words. (Our party line is not working well.)

I heard her say "Atlanta."

"They could not have been at Atlanta."

Maybe she said the flight originated in Atlanta.

Anyway, I promised to call the Pentagon. Then I told Ceil there had been a plane crash in North Carolina; and we just had a letter written the day before from John in Asheville, N.C.

So I called personally for John at the Pentagon.

"Sorry, he's out of city."

Then John's secretary heard my voice ask: "Is he due home this morning?"

Instantly she said:

"Mr. McNaughton, don't leave the line."

She never had said it that way before.

John's aide, Col. Hixon, came on the wire: "Mr. McNaughton, we too have heard the radio reports."

I asked:

"Were John and Sally and Ted scheduled for that plane?"

"Yes; but we do not know if they got on it nor do we know if there were survivors. Will call you as soon as we learn anything."

To Ceil I said: "The information is very bad, John doesn't miss planes."

Half hour later the Pentagon called:

"Their names were on the passenger list."

Another half hour later:

"They were seen going thru the gate."

'Twas more than one gate they were to pass within minutes.

The second one was forever.

[From the Pekin Times, July 22, 1967]

THE EDITOR'S LETTER

(By F. F. McNaughton)

Tears are in our eyes.

Tears over the honors which our government plans to give to John and Sally.

Yes, and to little Ted.

Perhaps not before in Washington have the caskets of man and wife both been flagdraped in a full military funeral.

Right after our arrival in Washington, Secretary McNamara told us the plan. (All pending the recovery of John's body).

We had thought perhaps we would have a quiet service in the chapel at Arlington National Cemetery.

"Oh, no," they said.

It will be in the great National Cathedral. John, having been appointed Secretary of the Navy, and Sally, having been an officer in the WAVES, the Navy band will play and the WAVES Chanteers will sing during the cathedral service.

The Defense Department is sending a plane to Pekin to get the Reverend Joseph A. Mason, D. D., pastor of the church in which John grew up. Also, it will pick up pallbearers from Pekin; some from Sally's home city; and a president of an Indiana university.

Ah—there came an interruption.

We've just found Alex.

Found him in Venice, Italy.

Dean has just joined the Defense Department in telling Alex that all his family had been killed.

When I was interrupted, I was about to tell you that the route to the cemetery will be the same as that taken for the late President Kennedy; and, note this, the three will be buried in one grave within nine feet of the lawn that surrounds the grave of President Kennedy, who brought John to Washington.

When Dean learned that we were to get that burial plot, it was almost more than he could take.

So greatly did he want that spot, on a little knoll, on a direct line between the Lincoln Memorial and the Robert E. Lee mansion.

President Kennedy, too, has a boy buried with him.

[From the Pekin Times, July 24, 1967]

THE EDITOR'S LETTER

(By. F. F. McNaughton)

At high noon Tuesday (Illinois time) the nation will begin its memorial service for Secretary of the Navy-Designate John T. McNaughton, and for his wife, Sally, who was an officer in the WAVES, and for brilliant young Ted, who would have been 12 yesterday.

Two events Sunday made the Tuesday funeral possible.

First, we found Alex in Venice, Italy. Dean and Alex' Grandmother Fulkman flew to New York and met the Pan-American jet that brought Alex winging home from Europe. They and John's highly capable aide, Col. Nixon, whisked Alex (18 and 6'4''), and his traveling buddy right on to Washington.

Second, the FBI identified John's body.

So now we have the third coffin; the second flag-draped casket; and we are digging the one grave for the three of them. We had been in deep dismay lest John's body never be found. That would have been no grave in Arlington, close to the President who brought him to high government circles.

To our dying day we shall be grateful to and proud of the men who will honor John and Sally by being their honorary pallbearers.

They are:

Governor Otto Kerner of John's and Sally's home state.

Senator Everett McKinley Dirksen from John's home town of Pekin, Ill.

Robert McNamara, Secretary of Defense.

McGeorge Bundy, special assistant to President Johnson, next door neighbor and tennis partner from Cambridge, Mass., days.

Deputy Secretary of the Treasury Joseph Barr from Bicknell, Ind., where John was born. They were fraternity brothers at DePauw University.

Deputy Secretary of Defense Paul Nitze.

Dr. William E. Kerstetter, president of DePauw University, where John was a trustee, and from which both John and Sally were graduated.

James M. Unland, thru whom Pekin friends are showing their personal sorrow in the loss of John, Sally and young Ted.

As this is being written, the sun is shining on beautiful Arlington National cemetery; but the forecast for Tuesday is "chance of showers." So those who have not already left for Washington would do well to bring rain gear. However, the memorial service will be inside the great National Cathedral, where all attention will be on the Navy band, the Sea Chanters, the speakers, and distinguished guests of this and foreign nations.

The time of the service will be 1 p.m. EDT, Washington; noon, CDT.

[From the Pekin Times, July 25, 1967]

THE EDITOR'S LETTER

(By F. F. McNaughton)

If some day you go to Washington, D.C., and if you should want to visit the grave where John T. McNaughton and his wife, Sally, and their son, Ted, were buried together on July 25, 1967, here are the directions for finding the grave:

You drive across the Potomac River to the Arlington National Cemetery.

The Memorial Bridge crosses the Potomac on a direct line from the Lincoln Memorial to the Robert E. Lee Mansion.

You ask how to get to the President Kennedy grave. It is in the front yard of the Robert E. Lee Mansion which has a wide front porch with many tall pillars.

The Kennedy plot is about as big as half a city block. A sidewalk circles it—a wide sidewalk, because thousands climb that circle.

You are directed to go up the right side of the circle.

About midway up, behind a small magnolia tree, there is a knoll; and on this lovely grassy knoll is the grave of Oliver Wendell Holmes—one of the nation's most beloved men.

Immediately beside the Holmes grave, on the right as you face it, will be a new tombstone with the one word, McNaughton. (On the other side will be a statement of who is buried in the grave. and a brief history of John's life.)

If you miss it on the way up, you can stand at the Kennedy grave and look across the Potomac towards the Lincoln Memorial. The McNaughton grave, where we just now, after a full military funeral with the President of the United States in attendance, put John, Sally and Ted, will be about 30 degrees to your left, and a few feet from the edge of the grass which is part of the expansive Kennedy area.

ATTENTION: BIG SPENDERS AND DO-GOODERS

Mr. BUSH. Mr. Speaker, I ask unanimous consent that the gentleman from Ohio [Mr. Devine] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. DEVINE. Mr. Speaker, from time to time Members of Congress are requested by constituents to invite the attention of other Members to certain problems or issues.

By letter dated July 27, 1967, Mrs. Faye Wilson of 93 E. Chase Road, Columbus, Ohio, for herself and other "worried citizens" indicated a desire to express their views to the President and the Congress as follows:

Mr. President and Congress:

This letter is only for the big spenders and so called "do gooders." This is from little taxpayers. We cannot afford *any* new income or social security taxes on top of the state and local ones. Inflation takes care of what's left "after" taxes. We younger married people have enough burdens without more! We stand to lose our little homes we're attempting to pay for. *We* can't increase taxes or a "debt limit." We live on what we make and feel the government should do the same. Why *want* something one can't afford?

Your "War on Poverty" should be called *"for"* Poverty! Why is it your tax increases only affect us "median" income people.

Never the rich? Why social security increases *up to* $7,800 or $10,800? Why not *after* $20,000 or up? Why Medicare for the rich? *Surely* they can pay their own doctor bills! Soon there will be only the very poor or very rich! Various "war on poverty" schemes have been tried and failed for 30 years! Surely it's time to admit it can't be done? You can lead a horse to water but you can't make it drink! People that won't help themselves *can't* be helped! "Eradicate poverty" indeed! For shame, gentlemen! You're trying to go over God's Head! Jesus said "the poor ye shall have with ye always." And *you're* going to "eradicate" poverty!

We come from the hills of Ky (not all of us from Ky or South) where people are very poor, and have worked hard to get where we are. It makes us mad to see us being pushed back where we started by high taxes and supporting people too sorry to work and educate themselves. We worked for 40¢ an hour to put ourselves thru high school and feel others can do the same. Some of our parents went thru the 4th or 6th grades only, but they never went on welfare or A.D.C.! They worked at any job they could find and still do! There are *pages* of want ads for maids, cooks, laundry work, service station attendents and so on! You don't need college for these jobs. Also most unemployment offices have job training programs, and yet people aren't working!

There's the Hod Carriers & Common Laborer's Union, etc., that "uneducated" men, or that have guts enough to WORK! Most of the poverty money seems to go for salaries, for we don't see anyone that's been "helped."

Why should our hard earned money go for high school "dropouts." Let them return to school or night school! We have children in school and can't afford to send them to college at the rate things are going! I don't see *you*, Mr. President, or the Kennedys, and other rich people donating *all* your salaries or *all* your money to poor people! You give all your "dough" away *then* we'll believe you're sincere!

As for Viet Nam, we say either win the "war" or get out! Why waste one American's life when Viet Nam will go to the Reds anyway? Get Mr. McNamara out of office, and get someone who knows what he's doing, IF possible!

Also more should be done to stop these race riots and crime. There *are* poor whites as well as *other* minority races living in the slums and they aren't rioting! Neither are the decent Negroes. They realize it'll take time and work on their parts, too, to improve their conditions! *I'm* a Southerner, but feel Negroes that are qualified and work should have the same pay, jobs and homes we whites have. No, its not poverty causing these riots! They're instigated by guess who?

Have slum landlords fix up their property and if people don't keep it clean and nice, *evict* them! It's not right for landlords to fix up places only to have them wrecked. Being poor is no excuse for being *dirty* or without morals!

As for these "beatnick" teenagers and students being so bad, no wonder! Too many mothers *have* to go to work to support them and aren't at home to guide them. Babies don't need their mother at home as much as older children! Too many parents today seem too "busy" or lazy to teach their children morals and respect for others they cry "what's wrong with kids?" I say what's *wrong* with these parents. I've seen children 12 and under left *alone* to roam while *both* parents work, also 2 yr. olds playing in the streets and roaming over the neighborhood *alone!* And this in so called "professional" or upper class neighborhoods!

Gentlemen, we are told we are a free country, governed by the people! Not so anymore! We go vote, but for what? Our wishes aren't carried out you all know whats *"good"* for us better than we do! You all cry "fight communism," then proceed to practice it yourselves in the guise of wars on poverty, medicare, and other schemes. No, we no longer have a free country governed by the people, or it wouldn't be in this mess!

Does power and position mean that much to you, gentlemen, that you'll do *anything* to stay in office? Your grandchildren will grow up, too, you know: and there was *once* powerful and wealthy families in Russia, China etc.? Where are *they* now? They *started* out to help the "workers" and poor, too!

No wonder Americans are confused and in a "state of apathy and do nothing." What good does voting, etc., do? We seem to be fighting a losing battle so *why* try?

"Unfortunately," we are "die hards" or this letter wouldn't have been written!

Mrs. Faye Wilson
and Worried Citizens.

LEST WE GET TOO SMUG

Mr. BUSH. Mr. Speaker, I ask unanimous consent that the gentleman from New Jersey [Mr. Widnall] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. WIDNALL. Mr. Speaker, contrary to the thoughts of some Americans, senseless destruction is by no means confined to the ghetto. There are times when it occurs, and where it takes place, away from the underprivileged, that defy even rationalization. Does it make any sense for one of the highest per capita income counties in the country to experience the type of destruction to its parks described in a column by William A. Caldwell in the major suburban daily newspaper, the Record, of Bergen County, N.J.?

Just contemplate it. In white, middle-class, suburban America, plumbers equipment is used to rip out pipes and toilets in park restrooms, special tools are brought in to dismantle heavy equipment like bulldozers, drag races take place on public golf courses, lumber is dumped into ponds, equipment is stolen, even signs identifying trees and plants are slashed.

What do these people lack in terms of equal opportunity? In schools? In jobs? Perhaps we should ask, What do they lack in moral education directed toward their responsibilities within society? Is there really any answer? Or are we left, with Columnist Caldwell, to consider the young who "mugs nature herself under the cover of darkness" as a mystery, leaving us with nothing to do "but gasp a prayer."

There is a certain self-satisfied type of American who looks to the ghetto riots with a mixture of fear and disgust, and smugly believes that "it can't happen here"—meaning his own comfortable community or neighborhood. But it does happen "here." And how do we cope with society when "the parks are not safe in the parks anymore"?

The column by William A. Caldwell in the August 5, 1967, issue of the Record, of Hackensack, N.J., follows for all thoughtful Americans to consider:

The Enemy in the Park

(By William A. Caldwell)

In a way that ought to but won't fascinate the President's select committee on what's bugging us this time, the violence in the suburbs this short, wet summer is more noteworthy than the violence in the ghettos.

Regardless of the midcity rioter's psychic anatomy, you know what he wants.

He wants equality. He wants respect. He wants not to be different or treated differently when he goes to ask for a house or a job or an education.

It doesn't matter whether you hold with William Golding in "Lord of the Flies" that humanity is innately and incurably evil or with Albert Camus in "The Plague" that it is innately and incurably noble. Violence in the slum states a demand. Give me liberty or give me six bottles of whisky, a color television set, and the studious attention of the United States Army.

The ghetto rioter serves an ultimatum. Receiving no response, he goes to war. He walks with kings. You have to grant to kings and rioters the virtue of clarity.

But I can't help wondering what a white boy, well brought up in the suburbs of wide lawns and strong family structures, has in mind when he wrecks a county park.

It seems to me that when James A. McFaul, executive director of the Bergen County Park Commission, described the other day the mean and mindless disfigurement of public parks he raised a question that goes to the heart of mankind's dreadful illness.

A rioter's anger can be understood, and so can his willingness to appease himself with an armload of booze and toasters and maybe an air-conditioner he'll never know how to install and operate.

He is a simple case of cause and effect. The rioter has a purpose, and the fact that it is an evil purpose need not be relevant. At the very least he's getting even with somebody for something.

This is lofty ethics indeed compared with the motivation of young people who spend their evenings destroying their own parks.

Look at Mr. McFaul's catalogue of destruction and defacement in parks which the people decreed so that the pressure of living crammed together might be relieved a little for us all, including the young:

Plumbers' equipment is lugged into the parks to rip out pipes and toilets in rest rooms.

Specialized tools are brought to disable heavy equipment like bulldozers.

Obscenities are written or painted on fences and buildings—of course.

Motorcycle riders drag race on the fairways and greens of the Overpeck Golf Course, which hasn't been opened to players yet, and our most precious resource has been riding bicycles through newly seeded greens.

Windows are broken, lumber is laboriously dragged to a pond and dumped in, surveyors' stakes are ripped up, equipment and materials are stolen, signs identifying trees and plants are slashed.

This is a protest against what? It is a demand for what? It is a statement of what hunger of grievance or wrath?

The questions are meant to be considered seriously, because it seems to me that until we understand what impels young people to desecrate themselves and their own household we shall not understand why young people become old people who make a mess of the world they must live in.

Again, the rioter in the ghetto is comprehensible. He knows what he's doing and why. Comprehensible is the gang of privileged suburbanites who so hate their world that they took a sledge-hammer to Pascack Hills High School. Likewise as respectable as a law in physics is the Klansman who mugs Catholics, the Wasp who mugs Jews, the white Christian who dynamites black churches. They are as natural and specific as a rattlesnake.

But in the presence of the black and bottomless mystery of the child who loathes woods and seedling grass and air and open space, who assaults with tools the environment which defines him and holds him in his shape, who mugs Nature herself under cover of darkness—in the presence of this mystery what can you do but gasp a prayer?

We have learned to deal at least inwardly with the sound of shots and shattered glass and running feet. But how shall we cope when the parks aren't safe in the parks anymore?

TAX INCREASE?

Mr. BUSH. Mr. Speaker, I ask unanimous consent that the gentleman from Missouri [Mr. Curtis] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. CURTIS. Mr. Speaker, a statement by the Committee on Taxation of the National Association of Manufacturers on the state of the economy makes an excellent presentation of the magnitude of our present fiscal dilemma, and the reasons for its existence. The statement points out the basic reason for the fiscal crisis—uncontrolled Federal spending—and suggests long-range methods by which the Congress could acquire and assert meaningful control over the pace of Federal spending.

All of the alternative ways to finance a deficit of the size presently contemplated—$30 billion in fiscal 1968—involve economic damage. Marketing $30 billion of Government bonds to the public would raise interest rates to intolerable levels, and seriously depress the housing industry, State and local government construction, and business investment. If the Federal Reserve System purchased $30 billion in bonds, the uncontrolled expansion of the money supply would certainly lead to increased inflation. The problems in financing the deficit by a tax increase are the economic harm that higher tax rates might cause, plus the danger that higher rates could bring on a recession—and actually reduce total revenue.

The only way out of the fiscal mess is a cut in Federal expenditures by as much as possoble, but at least by $10 billion. Then, and only then, would it be worthwhile to discuss what mix of a tax increase, debt financing, and sale of capital assets would cause the least harm to the economy. The statement referred to follows:

Government Action in the Current Fiscal Crisis

(Statement of views of the NAM Taxation Committee)

The present state of the American economy in general, and the fiscal situation of the federal government in particular, make this a period of extreme difficulty in the formulation of tax policy. An increase in taxation could delay and impede a resumption of economic growth after the present business slowdown. Profits have been on a downslide since a year ago, and there has been some impairment of business confidence. A tax increase might make these tendencies worse. But the large federal deficit which appears likely in the absence of a tax increase would also have severely damaging effects on the economy.

The reason the country finds itself in this unpleasant dilemma is its earlier failure to exercise control over the growth of federal spending. Non-defense spending has been rising at a faster rate than the revenue yielded by the existing tax system. This continuous growth of non-defense spending is the heart of the nation's present fiscal problems. Any program for dealing with these problems must have as its keystone a concerted and carefully planned effort to regain control over non-defense spending.

The immediate situation is that we are threatened with a fiscal 1968 federal deficit which, in the opinion of reliable authorities, may go close to $30 billion. The necessity for funding a deficit of this magnitude would place severe strains on the nation's credit resources, and raise interest rates to a level which would make it extremely difficult for the private economy to provide capital, particularly in such fields as housing, state and local construction, and business investment. Alternatively, if the Federal Reserve System were to expand the credit base so as to accommodate funding so large a deficit at low interest rates, the nation would be subjected to powerful inflationary pressures.

The most desirable method of dealing with this problem, of course, would be to eliminate or greatly reduce the threatened 1968 deficit by a cut in expenditures. To control inflation, expenditure reduction is more effective than tax increases which may be passed on in part in higher prices. Without extensive evaluation of programs, Congress and the Administration may, however, be limited at this time in their ability to accomplish an adequate reduction in non-defense spending for fiscal 1968 since much of the spending is a result of substantive legislation passed in earlier years. If this turns out to be the case, an increase in taxation might be considered as "the least of the evils."

There is an inherent danger, however, in using a tax increase as a corrective for an excessive deficit. A tax increase might so reduce the pressures for spending reduction, that its end-effect could be to increase expenditures over what they otherwise would have been, rather than to reduce the deficit below what it otherwise would have been. Whatever is done in the present fiscal crisis must guard against such a tendency.

At the present juncture, anything that is done, and anything that is not done, involves its own set of risks. But decisions have to be made, and the NAM Taxation Committee recommends the following program for government action during the present fiscal crisis:

(1) Congress and the Administration should immediately undertake a program for reducing federal expenditures and controlling their future growth. This program should have the following characteristics:

a. It should be carefully planned and organized. The same kind of detailed planning should be applied to achieve economy as is now applied to developing proposals that involve spending more money.

b. Specific responsibility for the program should be assigned to definite persons in the Administration and to definite members of Congress. Without such an assignment, efforts to achieve economy might amount to no more than pious declarations.

c. The program should have the short-run objective of reducing the deficit in fiscal 1968, so as to avoid or minimize the need for a tax increase.

d. The program should also have the long-run objective of regaining control over the growth of spending in the future. This would require consideration of changes in substantive legislation, as well as appropriations. This long-run effort would be necessary to ensure that any tax increase enacted in 1967 or 1968 would be only temporary, and would not be used to support a permanently higher level of spending. The concept incorporated in H.R. 10520 introduced by Chairman Mills on June 5, 1967 merits support as part of a long-range program to control federal spending. It would establish a Government Program Evaluation Commission comprised of private citizens whose duties it would be to evaluate existing federal programs and make recommendations to the President and to the Congress as to their effectiveness, whether they should be continued, and their relative priority. Without a high-level coordinated effort of this nature, proliferation of federal programs can be expected to continue unabated.

(2) If, after such an economy effort it appears that the nation is nevertheless threatened with the probability of a deficit in fiscal 1968 so large as to be potentially damaging to the economy, Congress may be impelled to enact a tax increase. If a tax increase is enacted by Congress, it should be designed in accordance with the following principles:

a. Any tax increase should be clearly labeled "temporary" and should provide for its own termination at the end of one year. A tax increase for any longer period would reduce the pressures for government economy, and is therefore undesirable.

b. Any tax increase should be of such character as to do minimum damage to business profitability and business confidence, since these factors are so vital in determining the general level of employment and economic activity. For example, any further speedup of corporate tax collections, especially one which is concentrated on small business, should be avoided at this time. Past speedup of such collections has impaired the cash resources of business for meeting its needs for current operation and expansion.

c. Decision as to the dollar amount of any tax increase must of necessity be a compromise. It should be sufficient to reduce the deficit substantially, but not so great as to impair the economy. We should not try to make up by a rise in taxes that part of the deficit which results from the present economic slowdown. Such a course would be self-defeating.

d. During the period of any temporary tax increase, no fundamental changes in the tax structure should be made.

e. Any tax increase should take the form of a one-year surcharge of a common fixed percentage on all net liabilities for personal and corporate income taxes.

(3) In undertaking such a program, Congress should make a firm declaration of its intention to halt the excessive growth of federal spending and to be guided, in both appropriations and substantive legislation, by that objective. This will help create confidence that any tax increase if enacted will in fact be temporary, and thus minimize its adverse impact on the economy. The absence of assurance on this point would create the fear that such a tax increase is only the first of a series.

* * * * *

At the time of its enactment, the 1964 tax reduction was hailed as a clear indication that henceforth the Nation would seek to grow by expansion of the private economy rather than by expansion of government. The NAM Taxation Committee is convinced that this is still the wish of the American people. The program recommended above is designed to get us back on that track as quickly as possible.

If the economy continues to maintain its growth trend of the 1960's, the over-all gain of federal revenues should approach $8–$10 billion per year. There are many indications that this revenue gain may be appropriated for expansion of existing programs and adoption of new programs. Taxpayers, who bear the cost of government and to whom the government turns when revenue emergencies arise, should insist that in the disposition of the expected revenue gain, absolute priority be accorded to tax rate reduction when the present emergency is over.

PULP AND PAPER INDUSTRY TRADE EXPERT EVALUATES U.S. FOREIGN PULP AND PAPER TRADE AND KENNEDY ROUND

Mr. BUSH. Mr. Speaker, I ask unanimous consent that the gentleman from Missouri [Mr. CURTIS] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. CURTIS. Mr. Speaker, Mr. Eric G. Lagerloef, international trade director of the American Paper Institute, recently spoke on the question "Did the Paper Industry Benefit From the Kennedy Round?" at a meeting of the institute's government relations committee in Washington on July 20. Mr. Lagerloef answers the question he posed affirmatively, concluding that the pulp and paper industry, on balance, did benefit from the Kennedy round of trade negotiations.

I recommend Mr. Lagerloef's speech to those who are interested in a good explanation of the results of the trade negotiations in the pulp and paper sector.

I also draw particular notice to Mr. Lagerloef's concluding remarks about the problems of the future in trade negotiations:

> The future thrust of international trade conferences will be on non-tariff barriers . . . Since our industry will have no really strong arguments on tariffs, it might be well for us to begin thinking about these non-tariff barriers, and artificial trade obstacles. Many export opportunities are present, but we are hindered by local regulations which could possibly be eliminated through negotiations.

Because it is our exporters themselves who are hindered by other-than-tariff barriers, and who therefore have the facts about them, they must bring such cases to government with adequate documentation. Mr. Lagerloef recognizes this and asks his industry's international trade committee, whose members represent 20 companies accounting for 80 percent of U.S. pulp and paper exports, to bring such cases to light. I repeat my previous assurances that I will do everything possible to try to correct those non-tariff barriers brought to my attention.

Mr. Lagerloef's speech follows:

DID THE PAPER INDUSTRY BENEFIT FROM THE KENNEDY ROUND?

Just a little over a year and a half ago, I had the pleasure of talking to you on the current and near-term outlook for U.S. pulp and paper exports. At that time, I directed my talk to four main topics: balance of payments, GATT developments, the Trade Expansion Act of 1962 and the prospects for trade legislation.

Today, the main emphasis will be on the results of the Kennedy Round and its possible long term effect on the paper industry. Brief reference will be made to the other three topics to provide continuity of developments.

In this discussion I would like to give a brief review of GATT and the long, intensive negotiations; and then, take what country information is available and review each in the light of the concessions granted.

THE KENNEDY ROUND—THE SIXTH GATT NEGOTIATION

The General Agreement on Tariffs and Trade or GATT was established by the Havana Charter of 1947, and was ostensibly set up to break down world trade barriers to provide for a greater flow of trade and for a quicker rehabilitation of the world after the devastating World War II. Since its inception, six negotiating sessions have been held, the first five providing but modest progress, while the last, the Kennedy Round, proved that the way for freer world trade was now open. These latter negotiations begun in May, 1963, were concluded May 15, 1967—four years later. The general agreement was signed on June 30th, the exact date the negotiating power under the Trade Expansion Act of 1962 expired. For many months the outcome was in doubt, but in the final two weeks of very intensive bargaining, pieces fell into place and the results were successful. Had it not been for the sincere desire on the part of the major trading nations to successfully conclude the many months of arduous negotiating so that many nations would benefit, the negotiations would have ended in failure.

At these sessions, 60,000 items, covering $40 billion in world trade were negotiated. The United States alone had 6,300 products on the bargaining table, valued at $16 billion—$8 billion each in import and export trade. Fifty-four countries participated, and of these, forty-six signed the accord. However, of this number only thirty-eight undertook to make tariff concessions, but these included all the principal trading nations, accounting for seventy-five percent of world trade.

Many important agreements and understandings were arrived at on anti-dumping, agricultural products and with the less developed countries, but I am going to confine my remarks to the industrial sector, which includes pulp, paper and board. Here is where our interests lie and where specific emphasis should be placed.

Let me just explain the staging process which under the Trade Expansion Act of 1962, required the United States to phase out its concessions in five successive steps. With a general 50 percent cut given on most products, inclusive of all paper and board items, the first 10 percent cut will go into effect January 1, 1968, and for the next four successive years, tariffs will be lowered 10 percent annually, until the final stage is reached January 1, 1972. For example, if the current duty rate on a product is 5 percent, the rate will drop to 4 percent on January 1, 1968, and there will be a 1 percent decline each January 1 up to 1972.

RÉSUMÉ OF U.S. TARIFFS CUTS SINCE 1930

The Smoot-Hawley Tariff Act of 1930 was highly protectionist in character and the paper and board industry had protective tariffs ranging from 5 to 75 percent, with the major number of items covered by rates of 30 percent and above. Over the years, due principally to the first five GATT negotiations, tariffs had been whittled down to less than half of the 1930 rate in many instances. It is a well known fact that in these bargaining sessions, paper and board were used to negotiate lower duties for other products abroad. Despite strong protests from the industry before each GATT negotiating session, the State Department continued this practice.

In the Kennedy Round, paper and board products were offered on a linear basis cut of 50 per cent, as were the products of many other industries. In these latest negotiations, several large trading nations, especially Canada, offered meaningful cuts in paper and board tariffs. Each of the countries where information is now available, though in some instances somewhat sketchy, will be reviewed later in this talk.

Our industry can expect an increase in imports of paper and board over the next several years, due to the across-the-board cuts. The question can now be asked, how much of an effect will these added imports have on certain sectors of our industry? Past cuts in tariffs have caused a number of maladjustments, but generally speaking, developments in new and faster paper machines and the growth in output per man-hour have been able to balance off some of the effects of these imports.

An analysis of the import value of dutiable paper and board in 1966 shows that cumulative value was about $96 million. If one were to subtract building board items from this total, the value would drop to about $80 million. This figure has not varied very much over the past several years. It will be interesting to see if there will be a marked rise over the next five years as duty rates are gradually lowered.

In the fall of 1963, when the Office of Special Representative for Trade Negotiations announced public hearings as a prelude to the GATT negotiations, it was stated that all dutiable paper and board items with a rate of 5 percent or less ad valorem would be offered on a "free list." Inclusive of building board, eleven paper and board grades were in this category, with an approximate import value of about $9 million. In the Kennedy Round, only six of these items were placed on the "free list," but these will be phased-out over a period of five years. They were building boards of vegetable fibers, inclusive of wood fibre, building papers and building paper felts, beer mat board, pulpboard in rolls chiefly used in the manufacture of building boards, untreated; paperboard, not specially provided for, inclusive of wet machine board, and other, and hanging paper. 1966 imports were about 36,000 tons, valued at about $4.8 million. The remaining five items not placed on the "free list," were offered on the general list for 50 percent cuts.

Before reviewing the paper and board tariff cuts made by other countries, as now available, I would like to explain the workings of the "Most Favored Nation" clause, better known as MFN. Under the GATT Charter, each negotiating country is obliged to extend to all other participating nations on an equal basis, all tariff cuts that have been agreed upon, whether or not the other trading partners even place those items up for negotiation. Our industry as previously stated, has had a sad series of experiences in this field, for we did not receive any meaningful cuts in paper and board tariffs from our major trading partners in the past. In fact, in most cases, they kept their paper and board tariffs up, but gave concessions in other products. These results are what made a very strong impression on our industry, and its statement backing the Trade Expansion Act of 1962 for freer world trade could really be called a last gesture and a hope that the Kennedy Round could achieve in part or in whole what the previous five negotiations failed to attain.

The importance of the duty cuts received from other countries, though they may be less than they had been hoped for, will still further open up our export markets for pulp, paper and board. Our industry is beginning to rely more and more on world markets as an outlet, as evident in the growing export volume. Last year, wood pulp exports were over 1.5 million tons, while paper and board exports neared the 2 million ton mark. In value, this was over $700 million, an increase of over 10 percent from 1965, and over $200 million since 1963.

To summarize briefly this overall review of our industry's experience in tariff cuts under the six GATT negotiations, suffice it to say that duty rates had been cut substantially, and the latest 50 percent cut will set many paper and board duty rates in the 5 percent or less category by January 1, 1972. The final rates were enumerated in our industry letters of June 30th and July 7th.

OTHER COUNTRY CONCESSIONS

Before giving you what information is available at this early date from other countries, it should be pointed out that there may be minor modifications in the rates, as errors and omissions are reviewed by the negotiating participants because of the hectic atmosphere of the "do or die" last two weeks of negotiating.

Canada

The first country to be reviewed is Canada, which has issued very complete information. This was sent to our industry on July 11, based on data received from the Canadian Pulp and Paper Association.

Canada is our largest single market for exports of paper, board and products, $87 million in 1966; and that she has granted very broad concessions is a hopeful sign that this important market can be expanded. Canada for years has had a tariff on paper and board products ranging from 20 to 25 percent, but averaging about 22½ per cent. She granted concessions averaging about 33⅓ per cent, but in some cases placed several articles on the "free list" to match U.S. like concessions. Generally speaking, her duties will be reduced to the 15 to 17½ per cent range. Concessions on items where existing duty rates are in the 5 to 7½ per cent range should result in the complete elimination of these duties.

Of specific interest to you gentlemen, are two items on which rates were reduced significantly, namely printing papers and paperboard. Printing papers, coated or uncoated, in rolls or rectangular sheets, weighing over 18 pounds (Canadian Tariff No. 19750–1) has been reduced 44 per cent, from 22½ per cent to 12½ per cent. This matches the U.S. concession. Giner Board has been reduced from 20 per cent to 15 per cent.

Tariff concessions made will be staged over a period of four years beginning January 1, 1968, with the rates being reduced by no less than one fifth on January 1 next, and the next four successive years. This follows the schedule of U.S. staging. Precise information about the staging percentages is not available as yet.

The fact that this is the first time that Canada granted significant concessions is an important plus for our industry. Previously, she received the benefits of the U.S. concessions under the Most Favored Nation without granting much in the way of reciprocity.

The Common Market (EEC)

As a unit, the EEC is our most important market. In 1966 pulp and paper exports to this area amounted to $157 million, an increase of $50 million since 1963. Our pulp exports have grown from $55 million to $77 million in this three year span.

The Common Market duties on paper and board have been cut 25 per cent, from 16 to 12 per cent. On wood pulp, the rate has been cut 50 per cent, from 6 to 3 per cent. The 3 per cent rate will apply only to tonnage above the duty-free quota of 1,935,000 metric tons, about 2,128,500 short tons. Newsprint remains unchanged at 7 per cent, but this rate will apply only to imports above the duty-free quota of 625,000 metric tons, 687,500 short tons.

Though details are still not yet available from Ambassador Roth's office, it has been reported that kraft linerboard has been reduced from 16 to 12 per cent; corrugated container board from 21 to 14 per cent; other papers (building paper; wet machine board; writing and reproduction paper) from 16 to 12 per cent and paper and paperboard, cut to size from 13–16 to 6.5 to 12 per cent.

It should be pointed out here that the Common Market staging will be different from the other negotiating countries. Due to the EEC's Common External Tariff (CXT) reaching 16 percent on July 1, 1968, and the internal tariff reaching zero on the same date, the EEC resolved that rather than go through the throes of figuring and refiguring its Common External Tariff on both January 1, and July 1, 1968, it would put its first tariff cut into effect on July 1, 1968. To catch up with other negotiating countries, the EEC will cut its CXT rates 40 percent or two-fifths. The next cut of 20 percent or one-fifth will be January 1, 1970, and then successively in stages until January 1, 1972. By January 1, 1970, the EEC will have reached an equal basis of cuts with the other GATT participating nations.

The United Kingdom

The United Kingdom is our second largest market, importing $23 million of pulp and $41 million of paper and board from the United States last year. It is our largest customer for linerboard, and we are the largest supplier. It was hoped that the United Kingdom would grant meaningful concessions, but as it turned out, only minor cuts were effected in its MFN rates.

Originally she had offered 50 percent cuts, but in view of the fact that she could not obtain certain concessions from the United States, which we were unable to give, the U.K. reduced her offers on paper and board and other products to less than 20 percent. She also retained the Commonwealth Preference, thus continuing duty-free paper and board from Canada. Pulp has always been duty-free from all suppliers.

Information available to date on a limited number of items shows that linerboard was reduced from 13⅓ to 10 percent; Machine glazed paper from 14 to 12 percent; tissue from 16½ to 15 percent; printing paper from 16⅔ to 15 percent; and writing paper from 16⅔ to 15 percent.

The staging of cuts has not been announced yet, but on the basis of the minimal concessions granted, they will be very small each year.

Switzerland

The only reported concession granted by Switzerland was on wood pulp. Duty rates will be reduced from the current 70 Swiss Francs to 40 Swiss Francs. This is a reduction of about 43 per cent, and would apply to all grades of paper pulps, bleached and unbleached.

U. S. exports of wood pulp to Switzerland last year amounted to about $1.3 million, and paper, board and productions, about $4.7 million.

No information is available upon the staging of the wood pulp cuts. Possible paper and board cuts are to be announced later.

Japan

Information on Japanese concessions on paper and board is still sketchy.

Newsprint duties were lowered from 7.5 to 5.5 per cent; and paper and board, impregnated, coated, etc. in rolls and sheets, n.e.s. from 20 to 10 per cent. Other cuts are expected in the 35 to 50 per cent range.

In all likelihood, as further data becomes available, substantial concessions will have been made in the paper and board grades.

Japan is a large market for U. S. pulp and paper. Pulp exports in 1966 were $50 million and paper and board $6.6 million. In the latter category, meaningful concessions can open up this market still further.

BALANCE OF PAYMENTS AND INVESTMENTS ABROAD

Earlier in this talk, I stated I would briefly refer to these two important subjects, and how the Kennedy Round may effect their future status.

The Kennedy Round should provide a strong stimulus to exports and thus aid in gradual elimination of the payments shortage. Though our imports are still sizeable, principally pulp and newsprint from Canada, the expected increase in exports will help.

As to investments abroad, it was the contention of the speakers at the Chamber of Commerce Forum on the Kennedy Round on July 7th that with tariff barriers going down, there will be less incentive for United States companies to invest abroad. Our industry's direct investments abroad are in the neighborhood of $1.3 billion, of which 80 per cent are in Canada. It is reasonable to believe that U.S. investments in Canada will slow down sharply after present projected pulp and paper mills have been completed. As to the rest of the world, I believe our industry will do only very selective investing, as investments are already substantial in about forty-two countries.

SUMMARY

To bring together all the loose ends of the many subjects covered in this review, let me refer back again to the title: "Did the Paper Industry Benefit from the Kennedy Round?"

On the minus side, the industry has taken its sixth and largest tariff cut since 1948. This cut, however, will be phased over five years to allow for such dislocations as will inevitably occur as imports increase. Also on the minus side is that several of the countries did not give as large concessions as had been hoped for, and therefore, the known results in many instances are a disappointment; they were only moderately successful. Our industry's continued and strong requests for true reciprocity were only partially met, but it must be said that we were more successful than in all the previous five negotiations combined. It cost us, but we did receive more than a "widow's mite" this time.

My own point of view is that there was more achieved on the plus side than ever before and that this outweighs the minus factors that resulted. Canada at long last has granted concessions; the Common Market's external tariff has been lowered 25 percent; and as other country data becomes available, we may find that additional opportunities will reveal themselves, which are not evident as yet.

The purpose of the Kennedy Round was to achieve trade liberalization among the major trading nations of the world. In addition, the less developed countries in time would have greater access to world markets, which in turn would benefit their slowly expanding economies. Another plus of the Kennedy Round was that opportunities have been opened up within the framework, and these can be used as a tool to further expand exports. This may lead to more aggressive selling abroad to take full advantage of what has been offered, limited though it may be in some instances.

Our industry achieved over $700 million in sales abroad last year; and in 1967, exports should reach $760 million. It is reasonably expected that we can achieve $1 billion in exports in 1970. Not impossible, but it will take a great deal of travel and aggressive selling.

As a final comment and one which may offer a balm to those who have looked askance at the Kennedy Round results, this will be the last tariff cutting session for some time, for as far as the United States is concerned not too much is left on paper and board to bargain with. The future thrust of international trade conferences will be on non-tariff barriers. Ambassador Roth's office, at the President's request, is to develop a comprehensive study of future trade policy, with the sole purpose in mind of further opening up world markets for all U.S. industry. All industries have been assured a voice in formulating a new trade policy through in-depth conferences with high level administration officials. Since our industry will have no really strong arguments on tariffs, it might be well for us all to begin thinking about these non-tariff barriers, and artificial trade obstacles. Many export opportunities are present, but we are hindered by local regulations which could possibly be eliminated through negotiations.

The API's new International Trade Committee representing 20 companies which account for close to 80 per cent of U.S. exports, would welcome any suggestions or assistance you may wish to offer.

Thank you.

BOSTON HERALD SUPPORT FOR INCREASED TRADE—GLASSBORO OR KENNEDY ROUND?

Mr. BUSH. Mr. Speaker, I ask unanimous consent that the gentleman from Missouri [Mr. CURTIS] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. CURTIS. Mr. Speaker, an editorial in the July 3, 1967, Boston Herald properly emphasizes the importance of the Kennedy round trade negotiations to increased world interchanges of goods, believing that—

> Such exchanges, far more than mere words, lead to better understanding among the diverse nations and peoples of the world.

In the opinion of the Boston Herald, therefore, the successful conclusion of the Kennedy round has made the world a little safer, "far more so than the summit conference at Glassboro."

I agree with this assessment, having long argued that there is more war and peace wrapped up in trade than in any other single area of international affairs. I also urge that individual Americans reflect on the importance of world trade as the Boston Herald has, and that individual American industries, which tend to seek relief from economic stresses through special import controls, also realize that in arguing for special trade controls they could endanger the carefully created web of international economic relationships that are immensely more important than the summit conferences at Glassboro.

The Boston Herald editorial referred to follows:

OF WINE AND BOURBON

Agreements from the Kennedy Round of tariff negotiations have been signed by 46 nations, and the whole world stands to gain in what is the largest liberalization of international trade in history. Clothing, textiles, iron and steel, agricultural products, cameras, tape recorders, cars, liquor and thousands of other goods imported into the U.S. will be cheaper, provided that wholesalers and retailers pass the savings on to customers.

Some will argue, of course, that lowering trade barriers will hurt American industry and put American workers out of work. We don't agree. For the beauty of a large tariff agreement including many countries is that the U.S. can also export much more, particularly to those developed countries that have huge markets for Amercian manufactured goods.

The economic significance of freer trade is that it allows a more efficient use of the world's goods by those participating in the agreement. The lowering of tariffs in this case, for instance, should allow the American to enjoy a fine French wine at a lower price. Conversely, it will allow the Frenchman to enjoy a fine Kentucky bourbon at a lower price.

Such exchanges, far more than mere words, lead to better understanding among the diverse nations and peoples of the world. Good will, rather than the flag, follows trade in the modern world.

Significantly, 38 of the 46 nations signing the pact undertook tariff concessions. The eight that did not were developing nations. Like New England in the 18th and 19th centuries they need a measure of protection for their infant industries.

Far more than the summit conference in Glassboro, we think the successful conclusion of the Kennedy Round has made the world a little safer.

ORGANIZATION OF JAPANESE INDUSTRY

Mr. BUSH. Mr. Speaker, I ask unanimous consent that the gentleman from Missouri [Mr. Curtis] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. CURTIS. Mr. Speaker, an item in the July 21 Foreign Letter of the Whaley-Eaton News Service has come to my attention. It notes that a Japanese research organization has called for the reorganization of Japan's steel and synthetic fiber industries into larger groupings to make them more able to "compete internationally." It makes similar recommendations for other industries.

This recommendation for the steel industry is particularly interesting, as the Japanese industry, already reported to be the lowest-cost steel industry in the world, is by its rapid expansion and new capacity continuing to undermine price levels in Western European steel markets and in the United States. The Japanese steel industry, it would seem, hardly needs to become "more competitive." It operates now, according to scholars of the industry, at very low rates of return on investment. Government subsidy and cartelization are no substitute for marketplace efficiency bringing about lower prices. Indeed, these techniques merely hide and redistribute the real economic costs. The interest of Japanese steel industry, it would seem, would not be to become more internationally competitive, but more internally competitive to bring about real efficiencies. To allow prices to rise at least fractionally, to increase it own profits, or to cover its real costs, and thus take pressure off the hard-pressed European and American steel industries, would be beneficial to Japan, both domestically and internationally.

Beyond this observation about Japanese steel, I would make the further observation that Japanese industry as a whole would do well to increase its independence of Government control.

Many Japanese are acutely aware that one of the criticisms most frequently leveled against them by their competitors in other countries is that Japanese industry tends to be cartelized and even subsidized. Reports of the nature of the Whaley-Eaton letters simply increase the concern of those like myself who want American business to compete with Japanese business in foreign and domestic markets, but who want such competition to be based on fair marketplace rules. The article referred to follows:

> A Japanese Research Organization, supported by business firms, recommends streamlining the steel and synthetic fiber industries into three groups so as to be able to "fight" international competition.
>
> The Japan Economic Research Institute said the automobile and petroleum refining industries should be combined into two or three groups each.
>
> In recommending concentration into big business rather than encouraging small firms, JERI said the petrochemical industry should promote enterprises, or groups of enterprises, having facilities for producing a minimum of 300,000 tons of ethylene a year.
>
> For two other industries, there were these suggestions:
>
> Machine tool firms should continue to strengthen their grouping and reorganization moves.
>
> Electronic computer makers which rely chiefly on domestic capital for their operations should be strengthened with Government aid.
>
> The Government, however, JERI added, should take steps to maintain "proper conditions for competition" within the consolidation program.

FEDERAL SHARE OF HIGHWAY PROJECTS

Mr. BUSH. Mr. Speaker, I ask unanimous consent that the gentleman from Idaho [Mr. McClure] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. McCLURE. Mr. Speaker, I am happy to join with the gentleman from Idaho, Congressman Hansen, in introducing legislation today which would relieve the burden of States having untaxable public lands for which they receive no proper compensation under the present system of matching Federal funds for primary and secondary highway systems.

The present formula includes a reduction in the requirement for a State's contribution for Indian reservation lands and other large public domain lands. However, a serious inequity exists in its exclusion of such lands as national parks, national forests, public lands, and monuments, all vast untaxable areas. The burden of financing public highway systems falls directly on the people of these States through the responsibility of matching Federal highway funds. A truly equitable system must allow due compensation for these untaxable lands which are not now taken into consideration.

The national parks, forests, public lands, and monuments which comprise so vast an area of my own State of Idaho, and of which its people are so justly proud, have thus become the source of a financial burden which they can no longer be forced to bear. In the public interest, these lands must be maintained, and the importance of an adequate public highway system to the enjoyment of these lands as well as to the economy of the State is undeniable, but the burden must be relieved.

This proposal seeks to avoid the necessity of increasing Federal appropriations by decreasing the percentage by which the States will be required to match Federal highway funds in proportion to the acreage of untaxable areas in the State not now included in the formula.

Consideration of these lands in the proposed formula would allow the States to use State highway funds for purposes designated by the State, free of Federel programing requirements and regulations. Increased State control of its own funds would facilitate the execution of highway projects and hopefully increase the efficiency of its programs for the improvement of its State highway system.

AMERICANS ABROAD: BEHAVIOR FOR CRUSADERS

Mr. BUSH. Mr. Speaker, I ask unanimous consent that the gentleman from New Hampshire [Mr. Cleveland] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. CLEVELAND. Mr. Speaker, on several occasions, I have spoken highly of the Experiment in International Living on the floor of the House—especially in the Congressional Record, volume 110, part 3, page 2866, and in the Congressional Record, volume 110, part 3, page 3662. It has long been a leader among organizations working in international youth-exchange programs. Since its modest beginning in 1932, it has enjoyed such success that it now yearly arranges homestays for over 2,000 young Americans who go abroad in its programs, and for over 2,000 young visitors to our country.

Those who go abroad under its auspices return with a deep appreciation of another culture. Almost without exception, experimenters come to consider their homestay family as their "second family"—they refer to their Austrian brothers, Canadian fathers, and Norwegian sisters, to the confusion of nonexperimenters, and to the nostalgic understanding of other experimenters.

EXPECT THE UNEXPECTED

In recent years, it has assumed the task of training many of the Americans who are going abroad to live for extended periods of time. These include Peace Corps volunteers, diplomats, businessmen, and students. The motto of the Experiment in International Living, duty-free quota of 625,000 metric tons, 687,500 short tons.

Though details are still not yet available from Ambassador Roth's office, it has been reported that kraft linerboard has been reduced from 16 to 12 per cent; corrugated container board from 21 to 14 per cent; other papers (building paper; wet machine board; writing and reproduction paper) from 16 to 12 per cent and paper and paperboard, cut to size from 13–16 to 6.5 to 12 per cent.

It should be pointed out here that the Common Market staging will be different from the other negotiating countries. Due to the EEC's Common External Tariff (CXT) reaching 16 percent on July 1, 1968, and the internal tariff reaching zero on the same date, the EEC resolved that rather than go through the throes of figuring and refiguring its Common External Tariff on both January 1, and July 1, 1968, it would put its first tariff cut into effect on July 1, 1968. To catch up with other negotiating countries, the EEC will cut its CXT rates 40 percent or two-fifths. The next cut of 20 percent or one-fifth will be January 1, 1970, and then successively in stages until January 1, 1972. By January 1, 1970, the EEC will have reached an equal basis of cuts with the other GATT participating nations.

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Mr. CURTIS. Mr. Speaker, an editorial in the July 3, 1967, Boston Herald properly emphasizes the importance of the Kennedy round trade negotiations to increased world interchanges of goods, believing that—

> Such exchanges, far more than mere words, lead to better understanding among the diverse nations and peoples of the world.

In the opinion of the Boston Herald, therefore, the successful conclusion of the Kennedy round has made the world a little safer, "far more so than the summit conference at Glassboro."

I agree with this assessment, having long argued that there is more war and peace wrapped up in trade than in any other single area of international affairs. I also urge that individual Americans reflect on the importance of world trade as the Boston Herald has, and that individual American industries, which tend to seek relief from economic stresses through special import controls, also realize that in arguing for special trade controls they could endanger the carefully created web of international economic relationships that are immensely more important than the summit conferences at Glassboro.

The Boston Herald editorial referred to follows:

OF WINE AND BOURBON

Agreements from the Kennedy Round of tariff negotiations have been signed by 46 nations, and the whole world stands to gain in what is the largest liberalization of international trade in history. Clothing, textiles, iron and steel, agricultural products, cameras, tape recorders, cars, liquor and thousands of other goods imported into the U.S. will be cheaper, provided that wholesalers and retailers pass the savings on to customers.

Some will argue, of course, that lowering trade barriers will hurt American industry and put American workers out of work. We don't agree. For the beauty of a large tariff agreement including many countries is that the U.S. can also export much more, particularly to those developed countries that have huge markets for Amercian manufactured goods.

The economic significance of freer trade is that it allows a more efficient use of the world's goods by those participating in the agreement. The lowering of tariffs in this case, for instance, should allow the American to enjoy a fine French wine at a lower price. Conversely, it will allow the Frenchman to enjoy a fine Kentucky bourbon at a lower price.

Such exchanges, far more than mere words, lead to better understanding among the diverse nations and peoples of the world. Good will, rather than the flag, follows trade in the modern world.

Significantly, 38 of the 46 nations signing the pact undertook tariff concessions. The eight that did not were developing nations. Like New England in the 18th and 19th centuries they need a measure of protection for their infant industries.

Far more than the summit conference in Glassboro, we think the successful conclusion of the Kennedy Round has made the world a little safer.

ORGANIZATION OF JAPANESE INDUSTRY

Mr. BUSH. Mr. Speaker, I ask unanimous consent that the gentleman from Missouri [Mr. Curtis] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. CURTIS. Mr. Speaker, an item in the July 21 Foreign Letter of the Whaley-Eaton News Service has come to my attention. It notes that a Japanese research organization has called for the reorganization of Japan's steel and synthetic fiber industries into larger groupings to make them more able to "compete internationally." It makes similar recommendations for other industries.

This recommendation for the steel industry is particularly interesting, as the Japanese industry, already reported to be the lowest-cost steel industry in the world, is by its rapid expansion and new capacity continuing to undermine price levels in Western European steel markets and in the United States. The Japanese steel industry, it would seem, hardly needs to become "more competitive." It operates now, according to scholars of the industry, at very low rates of return on investment. Government subsidy and cartelization are no substitute for marketplace efficiency bringing about lower prices. Indeed, these techniques merely hide and redistribute the real economic costs. The interest of Japanese steel industry, it would seem, would not be to become more internationally competitive, but more internally competitive to bring about real efficiencies. To allow prices to rise at least fractionally, to increase it own profits, or to cover its real costs, and thus take pressure off the hard-pressed European and American steel industries, would be beneficial to Japan, both domestically and internationally.

Beyond this observation about Japanese steel, I would make the further observation that Japanese industry as a whole would do well to increase its independence of Government control.

Many Japanese are acutely aware that one of the criticisms most frequently leveled against them by their competitors in other countries is that Japanese industry tends to be cartelized and even subsidized. Reports of the nature of the Whaley-Eaton letters simply increase the concern of those like myself who want American business to compete with Japanese business in foreign and domestic markets, but who want such competition to be based on fair marketplace rules. The article referred to follows:

> A Japanese Research Organization, supported by business firms, recommends streamlining the steel and synthetic fiber industries into three groups so as to be able to "fight" international competition.
>
> The Japan Economic Research Institute said the automobile and petroleum refining industries should be combined into two or three groups each.
>
> In recommending concentration into big business rather than encouraging small firms, JERI said the petrochemical industry should promote enterprises, or groups of enterprises, having facilities for producing a minimum of 300,000 tons of ethylene a year.
>
> For two other industries, there were these suggestions:
>
> Machine tool firms should continue to strengthen their grouping and reorganization moves.
>
> Electronic computer makers which rely chiefly on domestic capital for their operations should be strengthened with Government aid.
>
> The Government, however, JERI added, should take steps to maintain "proper conditions for competition" within the consolidation program.

FEDERAL SHARE OF HIGHWAY PROJECTS

Mr. BUSH. Mr. Speaker, I ask unanimous consent that the gentleman from Idaho [Mr. McClure] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. McCLURE. Mr. Speaker, I am happy to join with the gentleman from Idaho, Congressman Hansen, in introducing legislation today which would relieve the burden of States having untaxable public lands for which they receive no proper compensation under the present system of matching Federal funds for primary and secondary highway systems.

The present formula includes a reduction in the requirement for a State's contribution for Indian reservation lands and other large public domain lands. However, a serious inequity exists in its exclusion of such lands as national parks, national forests, public lands, and monuments, all vast untaxable areas. The burden of financing public highway systems falls directly on the people of these States through the responsibility of matching Federal highway funds. A truly equitable system must allow due compensation for these untaxable lands which are not now taken into consideration.

The national parks, forests, public lands, and monuments which comprise so vast an area of my own State of Idaho, and of which its people are so justly proud, have thus become the source of a financial burden which they can no longer be forced to bear. In the public interest, these lands must be maintained, and the importance of an adequate public highway system to the enjoyment of these lands as well as to the economy of the State is undeniable, but the burden must be relieved.

This proposal seeks to avoid the necessity of increasing Federal appropriations by decreasing the percentage by which the States will be required to match Federal highway funds in proportion to the acreage of untaxable areas in the State not now included in the formula.

Consideration of these lands in the proposed formula would allow the States to use State highway funds for purposes designated by the State, free of Federel programing requirements and regulations. Increased State control of its own funds would facilitate the execution of highway projects and hopefully increase the efficiency of its programs for the improvement of its State highway system.

AMERICANS ABROAD: BEHAVIOR FOR CRUSADERS

Mr. BUSH. Mr. Speaker, I ask unanimous consent that the gentleman from New Hampshire [Mr. Cleveland] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. CLEVELAND. Mr. Speaker, on several occasions, I have spoken highly of the Experiment in International Living on the floor of the House—especially in the Congressional Record, volume 110, part 3, page 2866, and in the Congressional Record, volume 110, part 3, page 3662. It has long been a leader among organizations working in international youth-exchange programs. Since its modest beginning in 1932, it has enjoyed such success that it now yearly arranges homestays for over 2,000 young Americans who go abroad in its programs, and for over 2,000 young visitors to our country.

Those who go abroad under its auspices return with a deep appreciation of another culture. Almost without exception, experimenters come to consider their homestay family as their "second family"—they refer to their Austrian brothers, Canadian fathers, and Norwegian sisters, to the confusion of nonexperimenters, and to the nostalgic understanding of other experimenters.

EXPECT THE UNEXPECTED

In recent years, it has assumed the task of training many of the Americans who are going abroad to live for extended periods of time. These include Peace Corps volunteers, diplomats, businessmen, and students. The motto of the Experiment in International Living, "Expect the unexpected," is the key to their training.

True to its name, the Experiment in International Living has been a clear leader in experimental programs designed to prepare Americans for life abroad, especially in the underdeveloped countries. Since 1961, the experiment has trained over 1,500 volunteers for the Peace Corps, and has made a great contribution toward making that program the success that it is. Its training programs have been unorthodox—and very successful.

The fine work of the Experiment in promoting international understanding deserves the commendation and appreciation of us all. This excellent organization certainly contrasts with the very expensive foreign aid programs operated by the Federal Government. While the objectives are somewhat different, the ill-will and bitter feeling that all too frequently has accompanied foreign aid should make us appreciate the good work of the Experiment all the more—and perhaps learn some lessons from them.

The July 21, 1967, issue of Time magazine has a fine article on the work of the Experiment in International Living. The article follows. I hope it will receive the wide attention it deserves.

BEHAVIOR FOR CRUSADERS

Dropped into Berlin one morning without guide or direction, the young man in search of education floundered in a mere mess of misunderstanding.

So wrote befuddled Bostonian Henry Adams about his first trip to Europe in 1858. Until recently, most Americans were hardly better prepared than Adams was to face the languages, customs and currencies of the countries they planned to visit. But more and more U.S. citizens today face the prospect of living abroad for extended periods during their lifetime, as students, diplomats, businessmen or Peace Corps volunteers. Training them to cope with alien habits has become a burgeoning new branch of American education.

One of the best trainers in the business is the Experiment in International Living in Putney, Vt., which this summer is prepreparing 2,700 Americans for life in 44 different lands. The Peace Corps is relying on the Experiment to prepare 174 volunteers for duty in Afghanistan, Brazil, and Iran, has sent it 1,500 trainees in all since 1961. A score of colleges and universities, including Pomona and Dartmouth, count on it to manage their overseas studies program. At the same time, the school also serves as a welcoming center for 2,000 foreign students preparing to live in the U.S. Among them are members of the State Department-sponsored Volunteers to America, a kind of "reverse Peace Corps."

HARD KNOCKS

The Experiment's training programs for the Peace Corps, which last as long as twelve weeks, are a common-sense blend of inventiveness, idealism and practical pointers. Languages, ranging from Iran and Afghanistan's Farsi to Yugoslavia's Serbo-Croatian, are taught by natives in classes of ten or fewer, using audio-lingual techniques developed by U.S. Army language schools. Training officers for the Peace Corps are generally about the same age as their students, frequently have fresh but forceful ways of preparing them for expectable hardships. To give her 28 Afganistan-bound charges some notion of what they face, Anne Janeway, 30, deprived them of chairs, beds, eating utensils, showers and Western-style toilets. She even staged a mock wedding, Afghan-style, between a girl volunteer and an Experiment staffer.

One goal of the Experiment is to purge its trainees of any notion that their problems can be solved by calling the nearest U.S. consulate or American Express office. Thus most Peace Corps trainees go through "Operation Drop-Off," whereby they are simply put down in a big city or an isolated New England town with a few dollars, told to penetrate the "local culture" and survive for up to two weeks on newly formed friendships. Initially, the hazards of the project were more apparent than its benefits. Two Iran-bound trainees could find lodging the first night only in a jail, while one frightened girl sat numbly in a general store all day, afraid to ask for help, until a clergyman came to her rescue.

Home Stays. The Experiment in International Living was founded in 1932 by Donald B. Watt, the son of a wealthy department-store owner from Lancaster, Pa. Originally, Experiment did little more than arrange for students to board during summer vacations with amenable European families, after giving them a brief and genteel orientation on how to act politely overseas. Under Watt's successor, former Colgate Administrator Gordon Boyce, the Experiment still handles more than two thousand students bound for summer "home stays" the world over, but the emphasis is increasingly on good works as well as foreign family living. Some of the Experiment's home-stayers are building an international youth camp in the French Alps, while others are conducting a health survey in Nigeria, teaching English to secondary school children in Japan.

In addition to its other projects, the Experiment has just launched an International Career Training Program, a 15-month course (tuition: $3,000) blending academic study, home stays and travel designed to train men and women for employment abroad by government, business or foundations. In the future, the Experiment hopes to develop other programs specifically aimed at service to the underdeveloped world. "I am convinced that the latter half of the 20th Century," says Boyce, "will be looked upon as equal to the Crusades or the great migrations in the movement of men and ideas among nations."

CONSCIENCE VERSUS CONSTITUENTS: A CHOICE

Mr. BUSH. Mr. Speaker, I ask unanimous consent that the gentleman from New Hampshire [Mr. CLEVELAND] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. CLEVELAND. Mr. Speaker, all Representatives are occasionally faced with the disturbing fact that on some issues they must vote against the views of a majority of their constituents. As elected Representatives, we do, of course, reflect the views of our constituents as we understand them, but when it comes time to vote, our ultimate guides should be our consciences.

The English statesman, Edmund Burke, wrote:

> Certainly, Gentlemen, it ought to be the happiness and glory of a representative to live in the strictest union, the closest correspondence, and the most unreserved communication with his constituents. . . . It is his duty to sacrifice his response, his pleasure, his satisfactions, to theirs—and above all, ever, and in all cases, to prefer their interest to his own.
>
> But his unbiased opinion, his mature judgment, his enlightened conscience, he ought not to sacrifice to you, to any man, or to any set of men living. . . . Your representative owes you, not his industry only, but his judgment; and he betrays, instead of serving you, if he sacrifices it to your opinion.

I was very glad to read an excellent editorial entitled "Fundamental Question," which clearly comes to grips with this conflict. This editorial was printed in the July 10, 1967, edition of the Valley News of Lebanon, N.H.

Mr. Speaker, I commend the Valley News and its editor, Mr. Marvin Midgette, for this intelligent and revealing editorial. I insert it in the RECORD in hopes that both my colleagues and many voters alike will profit from reading it.

FUNDAMENTAL QUESTION

A fundamental question in our American system of representative government is whether our elected officials should vote the issues according to the majority wishes of the people in their own districts—or according to their own personal convictions.

The question arises in all levels of government.

On a relatively small, local controversy, but important nonetheless, we've expressed doubts these past few months whether the Orford School Board has always voted or acted in accordance with the Orford citizenry majority. On many issues, we've taken issue with the majority of the Board, and particularly its chairman, because we felt they were not serving the best interests of the citizens—including the students—of Orford.

In other Upper Valley communities—we're thinking particularly of Lebanon—we've seen fairly conclusive evidence that the elected officials didn't always follow majority opinion. Yet on the Urban Renewal controversy, we believe the Lebanon councilors were sound and correct and considerably more far sighted in their thinking than those who opposed the project.

On a much larger scale, we have nothing but praise for Cong. James C. Cleveland's (R–N.H.) efforts to determine the feelings of the folks back home through his annual questionnaire, the answers to which he is currently compiling and which, if his past questionnaires are any indication, will strongly influence his voting record.

In this connection we're reminded of the case of Rep. Lee H. Hamilton (D–Ind.). Hamilton represents a largely rural district with strong Republican conversative leanings, yet he frequently votes along liberal Great Society lines.

Recently Hamilton polled his district with this question: "Should I vote according to my own conscience and judgment?"

About 9,000 voters responded. Only 31 per cent of them wanted him to vote according to his own convictions. The overwhelming rest wanted him to be governed by the back home majority thinking.

If second-termer Hamilton wants a third term in the House, he's got some serious thinking to do.

For ourselves, we'd like our officials at all levels to travel double-hitched. Certainly they must be guided by the feelings of the home folks. But there will be times when they must follow their own personal convictions, when they must use their own best judgment regardless of how we feel.

After all, our vote which helped elect them was really a vote of confidence in their abilities to think for themselves and to dig to the heart of complex and often unfamiliar issues which we the home folks, with our limited opportunities to get all the facts, obviously can't always grasp with the same understanding they can.

Besides, it should never be in the American tradition to elect rubber stamps.

TO WIDEN THE CHICKAMAUGA DAM BRIDGE

Mr. BUSH. Mr. Speaker, I ask unanimous consent that the gentleman from Tennessee [Mr. Brock] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. BROCK. Mr. Speaker, I am today reintroducing my bill to authorize funds for the Tennessee Valley Authority to widen the Chickamauga Dam bridge to four lanes.

The two-lane bridge, which connects a four-lane highway, is located on State Highway 153 and spans the Chickamauga Dam 7 miles upstream from Chattanooga on the Tennessee River.

There was a vital need for expansion of the bridge when I introduced the bill over a year ago in the last session of the Congress—the need is even greater today.

Congestion at the bridge is not only extremely burdensome to the hundreds of people who commute daily to Chattanooga. It also is hazardous and has been the direct cause of numerous accidents.

The traffic conditions at the bridge continue to deteriorate, and I urge my colleagues to take immediate action on the measure in order that this situation can be alleviated.

CONGRESSIONAL INVOLVEMENT IN VIETNAM POLICY

Mr. BUSH. Mr. Speaker, I ask unanimous consent that the gentleman from Pennsylvania [Mr. Biester] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. BIESTER. Mr. Speaker, I have been concerned for some time that the Congress has not sufficiently involved itself in the determination of policy in Vietnam and specific steps to bring that conflict to an early, honorable, and purposeful end.

I was therefore impressed with the unique proposal made by my colleague from Massachusetts [Mr. Morse], and seven other Members of this House, which proposal might bring a conclusion to the hostilities. This proposal should not be taken as a weakening of our determination to protect the sovereignty and independence of South Vietnam, but rather as a demonstration of our continuing efforts to do so while at the same time actively seeking a peaceful and diplomatic solution to this agonizing situation.

In essence, tested gradual deescalation by both sides with appropriate safeguards makes sense to me, both in its military and diplomatic possibilities. It offers the chance to deescalate in steps toward peace without jeopardizing the security, safety, and military position of American servicemen in the field. It recognizes the nature of a limited war, and constitutes a positive approach to the specific problems.

I wish to associate myself with this proposal. I hope that as the administration studies it, so will Hanoi. As Members of this House, we have the heavy responsibility to seek by every effort to find a way to an honorable peace for Vietnam and for ourselves.

ILLINOIS POINTS THE WAY FOR GUN CONTROL LEGISLATION

Mr. BUSH. Mr. Speaker, I ask unanimous consent that the gentleman from Illinois [Mr. Findley] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. FINDLEY. Mr. Speaker, yesterday the able and hard-working president pro tempore of the Illinois State Senate, Russell Arrington, testified before the U.S. Senate Judiciary Committee, Subcommittee on Juvenile Delinquency, on the current controversy over firearms registration.

Illinois this year, under the capable leadership of Senator Arrington, passed a gun control bill that had wide public and bipartisan support. The provisions of the Illinois law are simple. In order to purchase or possess any firearm or ammunition a person must receive an owner identification card from the State Department of Public Safety following its thorough investigation. Several specified categories such as convicted felons, narcotics addicts, mental patients, and juvenile delinquents are prohibited from obtaining a card. The card must be carried on the person and displayed upon demand at every sale and at any time that one is in possession of firearms or ammunition thus providing continuing control.

Senator Arrington correctly believes that control of firearms is basically a local responsibility, a function of the exercise of normal police powers which rests with the States. However, he also reminds us that it is the Federal Government which must control interstate traffic of these weapons.

Because of the timeliness of his remarks, Mr. Speaker, I insert the text of the Senator's statement in my remarks at this point:

Statement by Senator W. Russell Arrington, President pro tempore and Majority Leader, Illinois State Senate, Before the U.S. Senate Judiciary Committee, Subcommittee on Juvenile Delinquency, July 31, 1967

Mr. Chairman and distinguished Senators, I am honored and most appreciative of this opportunity to discuss with you our common concerns for the control of firearms in our troubled States and Nation.

In Illinois we have recognized the great danger posed by uncontrolled access to deadly weapons. We recently have taken a giant step forward with new stringent state legislation. Unfortunately, the record for years of most States' response to this problem has been not unlike that of the Congress, despite the diligent efforts of members of this subcommittee and others.

But time is running out! The opportunity and need for a creative and practical common Federal-State effort is at hand.

Gun control is basically a local responsibility—a function of the exercise of normal police powers which rests with the States. The enforcement of criminal laws designed to promote internal order are basically a local obligation. We in the States are not fearful of that responsibility nor unmindful of its significance. Rather, we welcome the opportunity to demonstrate that state and local government, close to the people and responsive to their needs, can forthrightly do the job.

Several groups in Illinois this past year mounted a massive public campaign for gun control legislation. Most had hastily seized on a typical gun registration bill as the answer before they had explored any new ideas. The ensuing verbal jousts which were echoed in 46 other state legislatures this past year are quite familiar to each of you. We developed in Illinois a new approach in the belief that the real solution was more than a cataloging of ownership. Far more important was the need for a system to control the flow of weapons before they fell into undesirable hands, not after.

Once our proposal was introduced and after several working sessions with those from both sides of the traditional registration controversy, we were able to fashion a law which provided a new and genuine answer.

Surprisingly, we received enthusiastic support not only from all major law enforcement officials and the very active Special Mayor's Citizen Committee for Gun Control, but also from all legitimate sportsmen and gun collectors. We had bridged successfully the unfortunate gap in understanding which had existed between these two groups. The bills passed both Houses of our General Assembly with strong bi-partisan support. We have been assured of their approval in the coming week by Governor Otto Kerner whose deep common concern for strong gun control laws is indicated by his recent special appointment by the President.

The provisions of our Illinois law are simple. In order to purchase or possess any firearm or ammunition a person must receive an owner identification card from the State Department of Public Safety following its thorough investigation. Several specified categories such as convicted felons, narcotics addicts, mental patients and juvenile delinquents are prohibited from obtaining a card. The card must be carried on the person and displayed upon demand at every sale and at any time that one is in possession of firearms or ammunition—thus providing continuing control.

This law is a tough gun control measure. It will make a significant impact within the borders of our State. But standing alone we knew it would solve only part of the problem. The recent report of the President's Commission on Law Enforcement and Administration of Justice stated the issue succinctly: "Strict controls by one State or city are nullified when a potential criminal can secure a firearm merely by going into a neighboring jurisdiction with lax controls or none at all . . . A truly effective system of regulation requires a meshing of state and federal action."

The Chicago Police Department recently made a spot-check survey of three California firms dealing in the mail-order sale of firearms. During the period of survey these three firms mailed weapons to 4,069 Chicagoans. Of these purchasers, 948 had prior criminal records. Thus, nearly ¼ of these sales should not have been made. Under the law as it heretofore existed in Illinois we were powerless to act. But with our new Illinois Gun Control law, in conjunction with the present 1938 Federal statute, we will be able to prohibit such illicit traffic in firearms.

We have to rely on federal law to achieve interstate control. The opportunity for Federal-state cooperation in this area is available in Section 2(c) of the Federal Firearms Act of 1938. The Illinois law was built around this provision of the Federal Firearms Act. Under that law, before an out-of-state seller of firearms can transport weapons into Illinois, he must verify that the purchaser has a valid identification card.

With your permission, I should like to offer some suggestions regarding proposed Federal legislation, so that we might continue and expand our concerted efforts at all levels of government.

First: The provisions of Section 2(c) should not be weakened. The requirement that a state license for purchasing guns must be exhibited to the out-of-state dealer is crucial. This is the only tool we presently have to control mail-order sales; its removal would create a regrettable loophole in firearms control.

Second: This section of the Federal Firearms Act should be broadened to be applicable to other forms of state gun control laws, not solely those that require a license to be obtained prior to purchase. The Federal government interstate power should operate to enforce differing approaches of local authorities.

Third: The law should be applicable to over-the-counter sales to out-of-state residents as well as mail-order sales. It is only a half solution to prohibit an unqualified Illinois resident from purchasing a gun from a California mail-order house, for instance, and yet allow him to purchase unrestrained across the counter 10 minutes away in Indiana or Missouri.

Fourth: The law should be applicable to the out-of-state sale of ammunition in similar manner as the sale of weapons. A unique feature of our Illinois Act is to include ammunition. This has attracted considerable interest as a particularly effective way to provide a frequent and continuous check on gun users. Further, it is easy to manufacture firearms. The well-publicized "zip-gun" of the juvenile gangs provides a good example. But it is more difficult to obtain needed ammunition. States regulating ammunition need the assistance of authorities in enforcing that provision as well.

Recent tragic events have demonstrated that the availability and use of guns is only one part of the real trouble. The frightening attitudes of disrespect, anarchy and mob psychology turned to mob rule will not be altogether removed by better laws controlling firearms—however stringent they may be. But it will help considerably.

Last week I addressed the Midwest Council of State Governments in Omaha and sought support for such gun control laws in other states. The enthusiastic response was indicative of the new positive resolve of state governments to assume their rightful burdens of responsibility. Last weekend the National Society of State Legislators met in Chicago. We worked with leaders from several states to shape this approach to gun control to their own state's use. Federal action now should spur state action to join the common fight for basic law and order.

A true partnership of balanced federalism can provide the answer. I hope I have outlined some areas today where your considerations of new federal legislation will recognize and assist our state laws in this joint endeavor. The full exercise of the States' police power within its own borders coupled with the interstate shipment controls of the Federal government can get the job done. Your utilization of this partnership may pave the way for you as it did for us in Illinois, to the practical achievement of getting enough support and votes to legislate meaningfully in this emotion-laden area.

PEACEFUL LIBERATION POLICY

Mr. BUSH. Mr. Speaker, I ask unanimous consent that the gentleman from Illinois [Mr. Findley] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. FINDLEY. Mr. Speaker, the United States should use every available tool of foreign policy to advance freedom of the press through the world. The right of free expression in other countries is almost as important to our basic interests as it is right here at home.

We seek a world, as well as a nation, in which the personal freedoms essential to the dignity of man are secure, and press freedom is the key to all other freedoms. In countries where people can read newspapers which are free of government censorship and control, the local regime is unlikely to put over policies hostile to our national interests. It is as simple as that.

We will therefore serve both our national self-interest, as well as the broader and higher interests of universal brotherhood, by using foreign aid, military aid, and trade concessions as bargaining tools to encourage and advance press freedom in foreign countries.

The fact that press freedom in Yugoslavia is in what the University of Missouri calls a transitional status shows that change for the better is possible, even in Communist countries.

We should demand loosening-up of press restrictions as a condition in granting aid. Our aid should be used as a reward for progress, and conversely, it should be withdrawn if press restrictions are reimposed.

The Johnson administration recently let the Tito regime in Yugoslavia buy $9 million in vegetable oil on low credit terms heavily subsidized by the U.S. taxpayer, and about the same time relieved Poland of the need to pay in dollars a $17 million debt due this year. The administration last October approved Export-Import Bank credit to most of the Communist bloc countries, and then asked Congress to extend most-favored-nation treatment to them—a tariff advantage that has already been extended to Poland and Yugoslavia, to their substantial benefit.

These could have been tied to specific forward steps toward press freedom—or to some similar improvement in basic freedoms. But nothing of the kind was even attempted, so far as I can determine, despite the fact that the University of Missouri School of Journalism rates all Communist bloc nations except Yugoslavia as having the world's highest degree of press control.

Yugoslavia, I am glad to report, is a notable exception. There at least the status of press freedom is in a mid-position, and to describe it the university uses the hopeful expression, transitional. It shows that loosening of controls is possible, and perhaps it is more than a coincidence that Yugoslavia is least active of all bloc countries in aiding our Vietnam enemies.

Even there, however, press freedom is far from the desirable level. Evidence of this is the recent 4-year prison term given the would-be political journalist, Mihajlo Mihajlov, for his attempts at free expression.

GOVERNOR ROMNEY'S "REPORT TO THE PEOPLE ON THE DETROIT RIOT AND OTHER CIVIL DISTURBANCES"

Mr. BUSH. Mr. Speaker, I ask unanimous consent that the gentleman from Michigan [Mr. Chamberlain] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. CHAMBERLAIN. Mr. Speaker, as the Nation begins the search for the causes and solutions of the outbreaks of disorder and violence which are plaguing the land, I believe that recent appraisals made by Gov. George Romney, of Michigan, relating specifically to the Detroit, and also to the national, situation deserve careful study and consideration. I, therefore, am inserting the Governor's "Report to the People on the Detroit Riot and Other Civil Disturbances," which was broadcast statewide on July 30, 1967; and his address before the National Association of County Officials meeting in Detroit on July 31, 1967, at this point in the Record.

Gov. George Romney's Report to the People on the Detroit Riots and Other Civil Disturbances

My fellow citizens, Detroit and much of Michigan has just lived through seven days of terror and trouble and tension.

The magnitude of the damage done cannot be over emphasized . . . not only the physical and material damage, but the emotional damage to our citizens as well.

The statistics are still not complete.

We know that at least 40 persons have died, and at least 300 have officially been reported as injured.

We know that Detroit was rocked with about 1,600 fires, and that property damage in Detroit has been estimated by the Detroit Fire Department at $500 million. That would be equivalent to the destruction of every taxable building in counties the size of Berrien, Jackson, Calhoun or Muskegon.

We know that more than 4,000 persons have been arrested in Detroit and other Michigan cities.

We know that the trouble in Detroit ignited outbreaks of disorder in Grand Rapids, Flint, Saginaw, Muskegon, Benton Harbor, Kalamazoo, Albion and Pontiac . . . all of them of a serious nature or a potentially serious nature, overshadowed only by the magnitude of the Detroit riot.

And we also know that many other Michigan cities lived the past week in tension and fear . . . afraid that violence would spread even further.

It appears tonight that Michigan is again ready for normal activity, and that violence has been contained for now.

This is a credit to the fine law enforcement and fire fighting personnel in Michigan, and their valiant and untiring efforts in Detroit and the other Michigan cities.

It is also a credit to the men of our outstanding state police force, which was hurled into the centers of gravest crisis, and the men of the Michigan National Guard, who upheld the finest traditions of that organization.

And it is also a credit to the Federal troops who answered Michigan's call for more help.

Without the personal efforts of the thousands of fire fighting, law enforcement and military personnel, doctors, nurses and the communications media, Michigan would be in far sadder shape tonight than it is.

On behalf of all Michigan citizens, I extend my warmest thanks to these men, and the women and children of their families.

Sadly, the price of public service has been heavy for some families.

The toll of the injured includes 29 firemen, 70 Detroit policemen, 4 state troopers, and 19 members of the National Guard. The hopes and prayers of a grateful state are with those seriously hurt.

In addition, two Detroit officers have paid the supreme sacrifice in line of duty, to protect the lives of their fellow citizens. The sympathies of the entire state are extended to the families of police officer Jerome Olshove, and fire fighter Carl Smith.

And we all profoundly regret the loss of those killed in the disorder and grieve for their loved ones.

My purpose in reporting to the people of Michigan tonight is fourfold:

1. To try to avoid an even greater tragedy and to make Detroit and our entire state a place where every citizen has equal opportunity.

2. To try to prevent a backlash that could only result in a third explosion in Detroit even more devastating than those in 1943 and 1967.

3. To help defeat the effort of some members of each race to build two separate societies in America.

4. To pledge strengthened law enforcement and firm maintenance of law and order.

What happened in Detroit could start in most big cities. Unless we take the proper course, this nation in the years ahead could be plunged into civil guerrilla warfare.

In the days and months ahead, questions will be raised and debate will rage over what actions the country should take.

Some already are saying the answer is brute force such as would be used on mad dogs.

Others are questioning present social and economic programs because they claim the Negroes don't appreciate what has already been done; instead of doing more to eliminate social and racial injustice, these critics would do less.

Some white people and public officials will advocate the return to states rights as a way to legalize segregation. White extremist organizations are preaching hate and arming.

More and more Negroes are listening to and supporting Negro leaders who advocate a separate black society in America. These militant revolutionists are preaching hate, violence and rebellion; furthermore, they are organizing on a national basis, and they are arming for that purpose. We should not ignore these grave facts.

As citizens of Michigan, as Americans, we must unhesitatingly reject all these divisive courses. A nation is no stronger without than it is within. The fate of our nation—yes, the fate of a free world—could be determined by the choices we make and the actions we take.

The riot in Detroit was not caused just by events and circumstances in Detroit. It was caused more by national conditions than by Detroit although we could and should have done much more on our own to prevent it.

None of us can afford to be indifferent to what happened, why it happened, and what we must do to keep it from happening again.

Exactly what was the Detroit riot?

It was integrated looting, with whites and Negroes both taking part, sometimes side by side; and the looting was conducted by a small minority of the populations of both races.

It was an attack on property, policemen and fire fighters; the targets of the firebombers appeared to be selective for the purpose of hitting white owned property.

It produced an integrated effort to restore law and order, with Negro and white both working for peace, again side by side.

There were few instances of Negroes out to mob whites, or vice versa; this was the biggest difference between the 1943 riot and the 1967 riot.

When order was finally restored to Detroit, it was through sufficient force; until our force was strong enough, disorder reigned.

But the question that begs for answer is this . . . why did it happen?

There is no single response, but in my judgment, these are among the reasons:

1. Because too many do not really believe and practice the belief that each American is endowed by his creator with the same inalienable rights and must have equal opportunity for self-development and participation in a truly open society.

2. Because of a decline in religious faith and moral character that leads to a rising pattern of permissiveness, corruption and crime.

3. Because we have failed to recognize the urgency of eliminating social injustice and human discrimination.

4. Because we have failed to adequately support responsible Negro leadership.

5. Because the movement of Negroes to the northern urban areas has created great concentrations of unskilled and uneducated people living in unbelievable poverty and human indignity, surrounded by the world's first generally affluent society.

6. Because well-intentioned urban renewal programs displaced ghetto Negroes from their homes in other sections of the city and produced even greater overcrowding in the already incendiary 12th Street area.

7. Because too many Negroes have become supersensitive to race even to the point of defending those guilty of violating the law and even advocating violence and revolution.

8. Because the response to non-violent demonstration and peaceful petition has been superficial and politically self-serving.

9. Because too many people have thought they could escape the problems of the ghetto by moving to the suburbs.

10. Because we have undermined self-reliance and weakened personal initiative.

11. Because our welfare rules have rewarded illegitimacy and penalized family life.

12. Because we have in too many ways substituted government money and professionals for our personal responsibilities as neighbors and brothers.

13. Because most white people do not really know any Negroes and because most Negroes do not really know any white people.

14. Because in places like 12th Street, Detroit, children see adults who violate the law with impunity and prosper.

15. Because of long-standing friction between the Negroes and a predominantly white police force.

16. Because of low police pay and low teacher salaries.

17. Because poverty is being made worse by inflation.

18. Because the greatest economic progress in America is now being made by those who have organized the greatest amount of private power.

This then, is a catalogue of some deficiencies in our society and our personal attitudes and endeavors that have built up the situation which resulted in the havoc of the Detroit riot.

How do we stop lawlessness and violence that can lead to riots?

(*a*) Enforce the law without fear or favor; apply the force necessary to maintain law and order; and use weapons to the extent necessary.

(*b*) The use of force must never be brutal or unreasonable but it must be adequate and consistent with the crime. This has been my standing order to state personnel at all times.

(*c*) Criminal acts cannot be ignored or go unpunished.

These policies worked in Highland Park, Hamtramck, Pontiac, Saginaw and Grand Rapids. They will be used to prevent disturbances from becoming riots whenever state police or National Guard assistance is required.

In the case of Detroit, my on-the-scene appraisal resulted in the decision to ask for Federal troops at 3:00 a.m. on Monday, July 24. This early effort to secure Federal assistance was to make certain we could apply adequate force to bring the rioting under control as quickly as possible, and I was assured at that time by the Attorney General of the United States that my oral request was adequate. That request was never withdrawn nor did I ever cease pressing for the earliest possible use of Federal troops on the streets. As Governor of Michigan I have not hesitated to take the steps necessary to maintain law and order, and I will not hesitate in the future.

Now, what must we do to avoid a repetition of the Detroit riot or to keep something even worse from happening?

First, we must be willing to involve ourselves personally in helping to solve the problems of our communities and our brothers. We must not expect government or the other fellow to do it all.

Second, we must create genuine equality of opportunity in education, in employment, and in housing.

In education, we must work with preschool programs, with community schools; we must develop summer educational programs or summer job programs for our school aged youth, emphasize adult education, work toward a metropolitan school system where every youngster in the metropolitan area will have equal educational opportunity and equal financial support for his schooling.

In employment, emphasize study-work vocational training; replace hiring tokenism with employer in-plant training, and hiring of Negroes across the board; have genuine merit promotion; remove union apprenticeship and other restrictions to equality of job opportunity.

In housing, we must have open housing on a statewide basis. Zoning that creates either large scale economic or racial segregation should be eliminated. We must provide low cost private housing through non-profit organizations in all parts of the metropolitan area, and throughout the state. We must compel real estate agents to show all listed properties, report all offers, and abstain from any effort based on race or religion to influence the property owner in the listing and sale of property.

Third, provide adequate funds for the State Civil Rights Commission.

Fourth, stimulate local human rights ordinances and human relations commissions.

Fifth, encourage more private initiative and responsibility in eliminating social injustice in all fields involving all races.

Sixth, accelerate metropolitan regional planning and services without eliminating needed decentralization of city and neighborhood organizations.

Seventh, secure a just application of the principle of reward related to contribution so as to permanently improve teacher and police compensation.

Eighth, provide improved training for the police and National Guard.

Ninth, Federal encouragement of state, local and private action through cooperation with and reliance on the states except in those instances where state policies do not measure up to basic national standards.

In our free society where we can use our rights as citizens to change that which needs to be changed, there is no justification for any violation of the law. If each individual is free to decide which laws he considers moral and which ones he will obey, we are on the sure road to lawlessness, riots and anarchy. The social and economic injustice that exists cannot be corrected in this way. It can only be corrected through law and obedience to law, both God given and man made. Violation of law to secure needed social and economic improvement cannot be countenanced. No American has the right to break the law.

I know that all but a small number of white and Negro citizens now recognize that criminal conduct must be curbed and punished quickly whether it is committed by black or white—that enforcing the law is not a discrimination against race.

I appeal to every citizen to increase respect for law by every word and deed.

American success and abundance have produced a generation of Americans, too many of whom have been allowed to grow up by doing as they please, without sound discipline in their homes, churches, schools or amusements. Too many have not known the meaning nor do they understand the essentiality and value of authority.

Young people want and need to have rules and have them enforced. They lack respect for parents, clergy, and teachers who let them do as they please. Permissiveness, laxity, and rationalizing away the validity of proven principles of human decency and moral responsibility are eroding the foundations of American life.

On every hand, each of us must accept a personal responsibility to fill this void and rebuild respect for law and authority.

Considering all of those conditions, I have faith the people of Michigan will support necessary action. I believe you will recognize that the principal responsibility to prevent another holocaust is yours individually; and through all of the private institutions of which you are a part.

The greatest satisfactions from life come when we inconvenience ourselves to do things for others. The greatest human progress is produced by those who find ways to more fully serve others.

The greatest human problems are overcome only when we care enough to help another.

Time prevents discussion of all the many emergency steps being taken to meet food, clothing, housing and other needs, as well as the moving voluntary response of citizens and private organizations.

Mayor Cavanagh and I have, with the support of representative community leadership, designated John L. Hudson, Jr. to head a representative area-wide committee to mobilize action programs needed to rebuild a better Detroit.

In addition the Mayor and I plan to appoint a joint group of top experts to searchingly investigate the causes of the riot, the actions taken to end it, and the programs needed to eliminate state and local conditions that helped trigger it.

I believe we can rebuild Detroit and make it a model for the nation in human well being for all.

Detroit and Michigan have provided national and world leadership in many fields. We can do it in race relations and urban improvements. We have made a start and we must press forward. It will take persistence and total commitment. Human beings change slowly. There are no short cuts. The achievement of essential goals will take time. There will be those who will not do their part. But this must not discourage us or delay us. For the fate of America depends on our success in demonstrating that all that America is is for every American to enjoy, and all that America can be is for every American to build.

Thank you and may God help us.

Address Prepared for Delivery by Gov. George Romney, of Michigan, National Association of County Officials, Detroit, Mich., July 31, 1967

I had planned to talk this morning about the importance of local government and outline ways to make it more effective. However, I know that in the course of this past week your attention, like that of all Michigan state and local government officials, has been focused on the tragic holocaust which has devastated this city.

There are lessons in the Detroit experience for all Americans, and particularly for local government officials. I don't mean to suggest that any of us here are ready with pat or easy answers to guide you in dealing with civil disorders or in getting at their root causes. We are seeking these answers ourselves. But surely there is much that we have already learned, and much more to be learned, which will improve the safety and quality of life in our urban centers.

Detroit has been particularly sensitive to interracial relations ever since 1943, when whites and Negroes battled each other in a bloody race riot. In the intervening years Detroit has been regarded a leader in good race relations, and Negroes have undeniably made great progress.

Despite major racial disturbances in other cities in recent years, Detroit has remained calm. In 1963, for example, 100,000 Negroes and whites marched peacefully and quietly together down Woodward Avenue to urge national improvements in civil rights legislation. We had reason to hope that the lessons of 1943 had been well learned and that Detroit would be free from strife.

But our whole state has just undergone seven days of terror and trouble and tension.

As I said in a report to the people last night, the magnitude of the damage cannot be overemphasized . . . not only the physical and material damage, but the emotional damage to our citizens as well.

The statistics are still not clear.

At least 40 persons have died, and at least 300 have officially been reported as injured.

Detroit was rocked with over 1,600 fires and property damage in Detroit has been estimated by the Detroit Fire Department at $500 million. That would be equivalent to the destruction of every taxable building in any of the Michigan counties of Berrien, Muskegon, Jackson or Calhoun.

More than 4,000 persons have been arrested in Detroit and other Michigan cities.

Trouble in Detroit ignited outbreaks of disorder in Grand Rapids, Flint, Saginaw, Muskegon, Benton Harbor, Kalamazoo, Albion and Pontiac . . . all of them of a serious nature or a potentially serious nature, overshadowed only by the magnitude of the Detroit riot.

And many other Michigan cities lived the past week in tension and fear . . . afraid that lawlessness would spread even further.

It appears that we are back to normal now. Considering the size and spread of our holocaust, this is a great tribute to the dedicated effectiveness of the men of state and local police departments. Our fire fighters, our National Guardsmen and Federal troops.

The toll for public service was high. Two Detroit officers, policeman Jerome Olshove and fireman Carl Smith gave their lives. The list of injured included 70 Detroit police officers, 29 Detroit firemen, 19 National Guardsmen and 4 state troopers.

Without the personal efforts of the thousands of fire fighting, law enforcement and military personnel, Michigan would be in far sadder shape today than it is.

Most of you are generally familiar with the history of Michigan's trouble this past week.

It began at about 4:00 a.m. July 23, when Detroit police conducted a routine raid on an illegal drinking place and arrested 80 persons. The arrests were orderly, but a crowd gathered. Someone threw a bottle through the window of a police car. Sparked by this incident, hoodlums in the crowd nearby broke store windows. More people gathered, and a pattern of vandalism and looting followed.

Detroit police, following a strategy designed to avoid inflaming racial incidents, tried to seal off the area and confine the violence to the few blocks on 12th Street in midtown Detroit. This pattern of police restraint, which had worked successfully in a potentially similar disorder in Detroit last year, this time failed to bring the situation under control.

Instead arson and destruction and looting spread. By Sunday afternoon, Detroit city officials requested state help. I immediately committed 200 state police and 1200 National Guardsmen. At the time city officials estimated these numbers would be enough to handle the outbreak.

But by early Sunday evening, the looting and violence spread from the 12th Street area where it had begun, and it became apparent that the situation was beyond the capacity of Detroit and state police and the Guardsmen then committed. The main body of the guard, then in summer camp 200 miles north, was ordered immediately to Detroit.

Things kept getting worse through Sunday night, and it appeared that even the entire 5,000 man National Guard in support of state and local police would probably not be enough to prevent major disorder. Early last Monday morning, about 2:30 a.m., Mayor Cavanagh and I advised the Vice President and soon afterwards, the Attorney General, that in our judgment Federal troops would be needed to prevent a major riot. Federal troops finally arrived at the riot scenes about 22 hours later, although Mayor Cavanagh and I were consistent in our request for assistance.

Calling on the United States Army in a civil disorder is a tough and difficult decision. Equally difficult must be the decision to send the Army to help control civil disorder. I'm confident local, state and federal officials all made their separate decision only after the most careful consideration and with the greatest reluctance. I know for my part that I did.

But the most important consideration to me had to be the lives and safety of American citizens, not only in Detroit but in other potential trouble spots throughout our state.

From a high point of disorder through Monday night, the violence in Detroit was doggedly and systematically brought under control during the next several days. By this last weekend, I was able to lift the curfew and other restrictions which disorder demanded. The most serious outbreak outside of Detroit apparently was in Grand Rapids, where state police also were sent to help local officials.

In most other Michigan cities where violence briefly flared or was imminently threatened, stern enforcement tactics at the outset apparently were instrumental in minimizing the disorder.

That, in brief, is what happened in Michigan. I would like to outline to you, as responsible local government officials, where we go from here. Some of you, I know, have faced these problems in your own localities, others of you, I fear, will in the future.

The most immediate problem before us now is the task of rebuilding.

It calls for all of the resources we can bring to bear. It is not just a task for the Federal Government, though we need its help, and I am satisfied that blanket Federal disaster aid should be forthcoming, in addition to the Small Business Administration loans already authorized.

The Federal Disaster Act of 1950 defines "major disaster" to include: "Any . . . fire,

. . . other catastrophe . . . which, in the determination of the President, is or threatens to be of sufficient severity and magnitude to warrant disaster assistance by the Federal Government. . . ."

The principal physical damage in Detroit was caused by fire, and the damage was of a severity and magnitude unmatched in this country. I think that if, as was decided a couple of weeks ago, this statute authorizes Federal aid to a suburb inundated by a heavy rain, then Detroit citizens should be eligible for assistance in repairing fire damage resulting from this period of violence.

Our state and local units of government have major responsibilities in the rebuilding process which they are prepared to meet.

First among these is the matter of continuing maintenance of law and order. This must have priority attention. One thing we have learned is that both local and state police departments must be strengthened and rendered better able to deal with the sort of emergency situation with which we were confronted in Michigan. This is a matter of more policemen, it is a matter of more effective techniques for coping with problems of this character, and it is a matter of better pay and more comprehensive training. Our cities, our counties and our states must be better equipped to enforce the law than they are at present.

But the rebuilding task is not one for government alone. It is one in which every citizen has an important responsibility. Here are some of the things which have to be done, and which require the combined efforts of government and of our people working as individuals and through their enterprises and voluntary associations.

First, there is the matter of emergency aid to victims of the disaster . . . for food, clothing, shelter, medical assistance. This appears to be going forward effectively with magnificent efforts by both the public and private sectors.

Second, steps must be taken to insure prompt and complete justice for the thousands of people who have been arrested and who are now in custody. The Detroit Bar Association, the Wolverine Bar Association of Negro Attorneys, and others, in cooperation with the courts, are organizing to provide volunteer legal representation for those accused.

Third, the clean up of areas which have suffered major destruction must go forward rapidly. We do not want the ugly scars of burned out buildings to mar our progress to a better community. The labor organizations of Greater Detroit have volunteered help in this clean up, I know this will be of great help, not only for the physical appearance but for the spirit of the city.

Fourth, insurance claims must be expedited, and in cooperation with the insurance industry the State Department has set up an insurance information center to aid disaster victims.

Fifth, jobs must be found for those unemployed because their employers were burned out. The Michigan Employment Security Commission is taking steps to assist those economic victims of the riot.

All of these measures are designed to deal with the emergency aspects of our problem.

Next is the matter of the development of long range plans for rebuilding. We have already begun to mobilize our resources for this purpose.

Last Thursday, while the ashes still smouldered, Mayor Cavanagh and I called together the leadership of the metropolitan Detroit community to report to them and to solicit their commitment to the rebuilding effort. The response from every segment of our community life was overwhelming. Joseph Hudson, Jr. has been named chairman of a top level representative group to mobilize the community commitments to rebuild.

Detroit has a long tradition of responding to crisis, and I am confident that we are well launched in our response to this one.

Many things must be done to accomplish the physical and commercial rebirth of the devastated areas. Here are some of them:

. . . We must assure the availability of credit on reasonable terms to those who wish to rebuild lost businesses and homes. SBA loans will help, but this may also require government loan insurance. From my contact with those who want to rebuild, they are not looking for handouts or artificially low interest rates. They want credit available to them on fair and competitive terms, so that they can stay out of the hands of the "sharks."

. . . We must assure the availability of insurance protection for those who wish to rebuild. This, too, may require government re-insurance. But if normal business services are to be available in the devastated areas, we must make it possible for businessmen to invest there without extraordinary risk.

. . . We must consider the use of some of the devastated area for parks and recreation facilities, letting air, sunshine and breathing room into some of the most congested areas of the city.

But more important than the physical and commercial restoration of the area is the strengthening of its human resources.

We must make sure that to the extent possible the "outsiders" are made full participants in our society. This will require the best that is in all of us.

The final point I want to cover today is perhaps the most important and the most difficult.

What can we do to make sure that something like the Detroit riot does not happen again?

Just as there appeared to be no clear, single cause of the riot, there appear to be no clear, single answer. But there are several things we can do that, in my opinion, will lessen the chance of another riot.

1. Maintaining law and order is the only solid basis for a stable society. Without law and order we can accomplish nothing. We must enforce the laws firmly, fairly, and in proper time. We must make it plain that the public policy is respect for law and order. Those who choose the way of the lawless must be on firm notice that violence and lawlessness will not be tolerated. There can be no such things permitted as a little looting, a little rioting, a little sniping, a little arson. We must be firm in this resolve.

2. We must recognize the Detroit riot for what it was . . . and for what it was not. The Detroit riot certainly involved race, but there were few incidents of a gang of whites out to get Negroes, or vice versa. Those responsible for the Detroit riot, in my opinion, had various motives:

Those who wanted something for nothing . . . the genuine lawless.

Those who sought only thrills, kicks, or excitement.

The black extremists, under the influence of black separatism or black supremacy.

Those who, once the riot was started, were caught up in the infection of the moment . . . who, under normal circumstances and without a riot atmosphere would never even think of burning, looting or violence.

Those who genuinely feel deprived by circumstances, by society, by the white community . . . who truly feel their chances for self improvement are frustrated.

The fact remains that all those who joined in the disorder make up only a small fraction of the total population of either race. The vast majority of both races were victims.

But even though the percentage of participants is small, they are important. That even a small percentage could wreck such violence and disorder proclaims its importance.

To protect and strengthen our community and our society, the differing motives of riots must be recognized as different and dealt with in different ways.

For the lawless, there must be strict law enforcement.

For the confused, there must be understanding and guidance.

For the extremists, there must be controls and channels for conversion.

For the genuinely disaffected, there must be concern and improvement.

3. We must recognize that the drive for human justice has gained ground during the past few years. All our efforts have not been wasted, all our programs designed to bring about equal opportunity are not now valueless. We must not permit a backlash to weaken the valuable programs and policies designed to bring about first class status for all citizens. I believe our people yearn for effective answers to maintenance of law and order, and for the solutions to problems that continue to create and perpetuate the ghettos of our cities.

I don't believe our efforts have been ineffective. I believe instead they have been incomplete. While these attitudes and programs have been successful in improving the lives of most Negroes in Michigan and elsewhere, there remain a minority within the minority that is still outside the increasing affluence of our Negro communities, and views these gains with growing envy and even enmity.

In disorder's frenzied aftermath, we must not accept indictments of futility and despair, but rather build on our progress and intensify our struggle toward full social and economic equality.

4. In the backwash of questioning and disgust and fear, the dangers of the demagogue follow just as certainly as rats follow a flood. Demagoguery knows no color barrier, there will be unreasonable appeals from both whites and Negroes, men of reason should recognize these dangers, and guard against compounding error by piling misdirection on top of disorder.

5. Detroit, especially after Newark and Watts and other charred ruins, must cause us to re-evaluate our national priorities. We have paid attention to our internal problems, but not enough attention. We have assigned them priorities, but not high enough priorities. The human, social and economic problems of our own people must become our number one national objective.

6. And finally, we must each face squarely as individuals the dilemma that the Detroit riots have raised in each man's heart.

The flames in the ghettos of America grow from many sparks . . . from the declining moral atmosphere in our country, from the disregard for duly constituted authority, from the disdain for law and order, from the aura of permissiveness our society encourages, from the refusal to accept personal responsibility, from our reverence for gold instead of God.

The flames leap higher when fed with prejudice and poverty and frustration and despair.

America is indeed "one nation, under God, indivisible".

But a minority of our fellow citizens are questioning with some justification the next phrase in our pledge of allegiance to America." They question whether there is in fact "liberty and justice for all".

This question cannot be answered by violence and riot. That route cannot be permitted, and will not be permitted in Michigan.

But the answers must be made. And it must come from the hearts of each American.

FAIRNESS DOCTRINE?

The SPEAKER pro tempore (Mr. ECKHARDT). Under previous order of the House, the gentleman from Tennessee

[Mr. QUILLEN] is recognized for 30 minutes.

Mr. QUILLEN. Mr. Speaker, on June 2, the Federal Communications Commission extended the so-called fairness doctrine to commercial advertising. Although at first glance, I was appalled and disturbed over the ruling, I set the matter aside to allow for a more complete study and analysis on a later date.

It was but a short time after the ruling was handed down that expressions of alarm and concern could be heard from colleagues on both sides of the aisle. I decided then to give the matter immediate attention, and I was pleased to find that the Nation's media as well as the Congress was concerned and speaking out in opposition to the ruling.

On file in my office are newspaper editorials, comments by newspaper columnists, printed comments by broadcasting stations, and magazine articles numbering in the hundreds. Although I feel that all of the printed matter on this subject deserves a place in the RECORD, to insert it all would take a great deal of space and be costly.

Instead, Mr. Speaker, I have chosen an editorial from the Johnson City Press-Chronicle in my district, and several others which, I think, are a good cross-section sampling and which, in my opinion, truly reflect the attitudes and positions of those who have spoken out on the issue.

[From the Johnson City (Tenn.) Morning Press-Chronicle]

In All Fairness

Whether you believe that cigarets are a serious health hazard or not, the Federal Communications Commission's application of its "fairness doctrine" to broadcasters accepting cigaret advertising has opened up new areas of confusion.

Under its doctrine, the FCC says that broadcasters accepting cigaret commercials must provide a "significant amount of time" —paid or free—for the antismoking point of view. Stations can comply with its ruling, the FCC says, by presenting each week "in addition to appropriate news reports and other programing" dealing with cigaret hazards to health "a number of public service announcements of the American Cancer Society or the Department of Health, Education and Welfare."

It is the "personal opinion" of FCC Counsel Henry Geller that a station can satisfy the "significant time" requirement by devoting one-third as much time to antismoking programing as it does to cigaret commercials.

Guidelines so loosely drawn and interpreted are bound to pose questions. For instance, who besides the cancer society and HEW is to be selected to prepare antismoking announcements? Who is going to handle, and pay for, the staggering job of policing the FCC's vague "significant amount" requirement?

Then there is the possibility that the FCC may be abusing its considerable authority. The Cigaret Labeling Act of 1965 prohibits any Governmental requirement that health warnings be included in cigaret advertising or on packages other than the "caution" package label specified in the act. The FCC's ruling on broadcasters apparently seeks to wriggle free of this limitation.

Surely a court test of the legality of the FCC action is in order. The public has come to tolerate cigaret commercials; if it is faced with anticigaret commercials as well, the mass tuning-out might make the whole issue academic.

[From the Tucson (Ariz.) Citizen, June 12, 1967]

FCC Has Opened a Can of Worms

The Federal Communications Commission has opened a can of worms by applying its "fair treatment" doctrine to cigarette commercials carried by radio and television stations.

In the broadcast industry, this FCC decision is bound to have ramifications and consequences as significant and far-reaching as those which the Supreme Court's one-man, one-vote ruling had on state and local governments.

What the FCC ruling means is that every radio and TV station which carries cigarette advertising—and don't they all?—will have to provide not necessarily equal time, but a "significant amount of time" for "responsible groups" to present the case against cigarette smoking.

This opens a pretty wide door. The American Cancer Society or the U.S. Department of Health, Education and Welfare presumably can now have a substantial number of anti-cigarette "commercials" broadcast by every radio and TV station in the country.

Ever since statistical research linked cigarette smoking with lung cancer, cigarette advertising has been controversial.

Until now FCC has applied its "fairness doctrine" primarily to politics. With the recent ruling, however, it has extended the doctrine to advertising of controversial products.

Once you start this game, where do you stop it?

There are other controversial products. If the FCC is to be consistent and fair, it will have to apply its fairness doctrine to at least some of the others.

How about automobiles? If a TV network carries advertising for the Superburp 8, can Ralph Nader or the National Safety Council demand a "significant amount of time" to declare the darn thing is "unsafe at any speed"?

Can an air pollution expert then go on the air to warn that the Superburp 8, along with automobiles in general, is producing most of the smog which is choking our large cities and poisoning the population?

The primary reason for the existence of FCC is to assign frequencies and prevent one station's interfering with another. The commission has come a long way past that and seems preparing to go even further.

We seriously question whether the broadcast industry can live with many more stringent regulations. In both politics and commerce, the FCC should quit trying to dictate program content with mandatory rules based on the fairness doctrine. General guidelines which give the station operator some latitude, while pricking his social conscience, might be of honest help to the industry and the public.

[From the New York Daily News, June 27, 1967]

This Fight Is Essential

The Federal Communications Commission on June 2 ruled that television and radio stations carrying cigaret commercials must give "a significant amount of time" to the ideas and opinions of persons who claim cigaret smoking injures the health.

After thinking it over for a time, the Columbia Broadcasting System has protested the ruling in a strong letter to the FCC, and the National Association of Broadcasters says it will fight the FCC on this point "all the way to the Supreme Court."

It is to be hoped that these and other interested parties will indeed fight the FCC in all available arenas.

The ruling is a tyrannical piece of bureaucratic impudence, as we see it. If allowed to go unchallenged, it could lead to complete FCC control of TV and radio program content—and there would go a tremendous chunk of freedom down the drain.

[From the Rockford (Ill.) Register-Republic, June 22, 1967]

"Equal Time" Doctrine Becomes More Absurd

Difficulties in applying the Federal Communications Commission's "equal time" doctrine came to light for the second time in recent days when the United States Court of Appeals upheld the so-called fairness requirement.

The appeals court in Washington ruled that the doctrine under which radio and television stations must give free time to persons wanting to answer statements or charges is constitutional.

The court made its ruling after an author who had been attacked in a broadcast over a Pennsylvania radio station by the Rev. Billy James Hargis' Christian Crusade appealed to the FCC. The author charged that the station at first told him he would have to buy time for a reply but later said he could have free time if he was unable to pay for it. The FCC ordered the station to give the author free time, and the station filed suit.

Absurdity of the "equal time" doctrine was pointed up recently when the FCC ruled that radio and television stations which broadcast cigarette advertisements must provide equal time for the anti-smoking lobby to reply.

The "equal time" doctrine violates the constitutional right of free speech, in addition to forcing broadcasters to permit replies to trivial and unimportant points.

[From the San Diego (Calif.) Union, July 10, 1967]

Not "Fair" Doctrine

An entirely new and ominous concept of the use of federal powers has appeared with the latest edict of the Federal Communications Commission. By ruling that television stations must give free time for anti-smoking propaganda commensurate with cigarette advertising time, the commission has opened a Pandora's box.

From the practical standpoint the FCC has not specified exactly what the opposing agencies may demand in the way of time, nor given any guidelines as to content.

From the standpoint of legality and precedent, the ruling is totally unwise and unsound. There are well-meaning groups opposed to almost everything advertised, from milk to automobiles, on the grounds of hazards to human life. Their objections, in their own eyes, are valid and should be heard. This new rule could lead to widespread abuse of such "public service" demands to negate legitimate advertising.

Cigarettes are not illegal. By a 1965 act of Congress they must carry certain cautionary words concerning health on their packages. But only a caution. The FCC interprets this in a much wider sense than Congress intended and has paved the way for outright official control of advertising, the backbone of the United States free enterprise system.

The "fairness doctrine" of the FCC has been accepted as a necessary adjunct to opposing views in political matters. It was never meant to apply to the content of paid advertising time, which can always be answered in other advertisements.

A test case of this ruling is needed quickly.

[From the Lafayette (Ind.) Leader, June 15, 1967]

Amazing Ruling

Since television came into popular and widespread use not too many years ago it has provided speakers, writers, comedians, columnists and commentators (to mention only a few) with grist for their mills. New developments and unusual turns appear to follow one another in rapid succession.

The most recent conversation piece to hit the television industry is the weird ruling by the Federal Communications Commission concerning the donation of free time for crackpots to answer paid commercials.

FCC now says that broadcasters who use cigarette commercials must make free time available for rebuttal comment by people who say cigarettes are harmful to the health.

There is no way to determine how much thought the Commission gave to this theory before making its ruling, but evidently not much. Such a practice could lead to utter chaos in the broadcasting business. The "equal time" ruling could be applied to any product advertised on television, from mouthwash to automobiles.

Incredible as it may seem, such a procedure leaves the advertiser in the position of paying for the time required to permit someone to knock his product. The advertisers pay for the television industry to operate and any free time donated to whatever purpose is necessarily paid for by the paid commercials.

The FCC calls this unusual ruling a "fairness" doctrine. However, it is rather difficult for a layman to see what's fair about it.

The groundwork was laid back in 1963 when FCC first issued its manifesto concerning "fairness" in political broadcasts. There was nothing fair about that either. One political ideology should be just as able to pay for its commercials as another. Nevertheless FCC formed an opening wedge with the political ruling and now it has used the doctrine to cover the entire spectrum of broadcasting.

The ruling is probably more dangerous than may appear on the surface. If the Commission can thus dictate to the broadcasters what they must carry on the airwaves, it can just as easily tell them what they must not carry. It could be the beginning of a complete take over of the television industry by the Federal Communications Commission.

It should be hoped that the recent ruling will evoke sufficient protest to cause Congress to move for corrective measures on the activities of some of the Federal authorities who get carried away with their work.

[From the Baton Rouge (La.) Advocate, June 13, 1967]

Free Time for Critics

Among the less plausible rulings handed down recently by federal agencies is the one on which the Federal Communications Commission says that radio and television stations which broadcast cigarette advertisements must provide time for anti-smoking programs. Stations may attempt to get sponsors for the anti-smoking message, but if this is not done they must provide the time free of charge.

The FCC says that it has acted on the basis of its "fairness doctrine" which requires that broadcasters make available reasonable opportunity for conflicting points of view to be aired.

The "fairness doctrine," reasonable enough in principle, already has been subjected to some unusual interpretations by the FCC. But no previous interpretation has been as unusual as this or so potentially productive of confusion and controversy. If it is applied in all similar situations, television and radio stations soon will be making available about half their time free to speakers who have some complaint against products advertised or against the manner in which they are advertised.

The FCC says it does not intend any such result and that the ruling is confined solely to cigarette advertising. But on the basis of precedent, the anti-cholesterol people certainly can demand free time to "answer" advertisements of meat, eggs, milk and many other foods. The Women's Christian Temperance Union will expect free time to answer beer and liquor advertisements. Safety critic Ralph Nader may demand free time to answer motor company advertisements. He says cars are more unsafe than cigarettes and that he has a lot of statistics to back up his claim.

Lest we seem to carry our logic—or that of the FCC—to a ridiculous conclusion, we add only that the agency's latest ruling soon may appear mischievous and troublesome, even to its authors.

[From the Salem (Mass.) News, June 14, 1967]

Tortuous Road

Demands for "equal time" on the air waves usually have been sounded in the arena of politics. Recently one arose over cigarettes, and now the Federal Communications Commission has agreed that tobacco foes have a right, without charge, to the TV screen.

Networks carrying cigarette ads, ruled FCC, must devote an unspecified amount of free time to the view that smoking may be harmful to health, just as it says on the packages.

But demands for equal time lead to still more demands, and the temperance groups may now ask why beer commercials should not be answered with discourses on temperance.

Educating the public is a tortuous road and one the government should—but will not—travel with caution.

[From the Detroit (Mich.) Free Press, June 14, 1967]

"Doctrine of Fairness"

Columnist Roscoe Drummond touched on part of the problem about free air time in his column the other day.

Mr. Drummond pointed out that the new ruling of the Federal Communications Commission, that radio and TV stations must provide substantial free time to those who wish to answer controversial cigaret advertising, can't be limited to that. What the FCC calls its "doctrine of fairness" would apply to many other groups and products, ranging from jet airplanes to beer to pacifists objecting to the recruiting ads.

This is all true enough, but the essential question is even more basic. Why should a radio or TV station have to supply free air time to anyone to answer something said on paid time?

If a cigaret company buys time to promote its product, anti-smokers should also have to buy the time to answer.

[From the Independence (Kans.) Reporter, June 18, 1967]

A Poor FCC Ruling

The Federal Communications Commission sat down on a hornet's nest when it ruled if broadcasters put cigaret commercials on the air they must also give time to those who oppose smoking. Whatever one thinks about smoking's pros and cons it seems hard to get around the view of the National Association of Broadcasters that this ruling is a "dangerous intrusion into American business."

The real hornet's nest lies in the implications of what the FCC has ordered. If those who don't favor smoking get broadcast time to answer cigaret commercials how about those who oppose drinking or fast driving or, for that matter, the use of deodorants? Is the FCC to be the arbiter of which advertising claims can be disputed on free time?

The FCC should reconsider an ill-considered action.

Mr. Speaker, I agree with the editorial from the Johnson City paper—surely a court test of the legality of the FCC action is in order, and I am hopeful that the next action in this matter is along this line.

FOOD PRICE STRUCTURE

Mr. TIERNAN. Mr. Speaker, I ask unanimous consent that the gentleman from Texas [Mr. Purcell] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Rhode Island?

There was no objection.

Mr. PURCELL. Mr. Speaker, the problem of the Nation's food price structure is one which concerns all our citizens, on the farms and in the cities alike.

As a Member of Congress representing both an agricultural and urban constituency, I am especially aware of the need to keep our citizens informed regarding this vital area of economic concern.

Recently there appeared in the July 24, 1967, issue of the magazine U.S. News & World Report an excellent article entitled "Housewives Wrong? Food Really a Bargain?" This article objectively reports on the current situation prevailing in the American food marketplace, and offers substantial evidence that despite economic pressures, food remains the American consumer's biggest bargain.

Mr. Speaker, I commend this article to the attention of all Members of Congress as an excellent study and source of information dealing with one of the most important economic subjects of the day, and ask unanimous consent that it be included in the Record.

Housewives Wrong? Food Really a Bargain?—What the Facts Show

A new stir is developing over rising food prices, and yet the facts show it is not food that pinches the family budget.

People spend a smaller part of income on food than ever.

Farmers are in a profit squeeze. So are supermarkets. Still, a feeling grows that somebody is getting rich at housewives' expense. The truth is food prices are edging up again, and housewives are grumbling. The belief is widespread that the cost of food is the major factor in the long-term rise in the cost of living.

The facts, however, tell quite a different story.

Food actually is a bargain when its cost is related to that of other items which go to make up the family budget. Official figures shown in the charts and tables on these pages tell the story.

The average family today is spending a smaller portion of its income on food than at any time since records of this kind have been kept. On an average, 17.6 cents of each dollar of income, after taxes, is spent to keep the family fed. That leaves 82.4 cents to be spent on other necessities and luxuries.

Not only that, but the farmer's share of the dollar spent on food is expected to drop this year to 32 cents—close to the lowest level recorded since the end of World War II.

DEMANDS OF HOUSEWIVES

Labor is getting a bigger cut of the food dollar. This is due in part to insistence of housewives on more services in supermarkets and more convenience foods that are either precooked or partially processed.

It is not the supermarkets that are getting rich in the fast-changing food business, in spite of all the clamor a few months ago about profiteering, packaging, trading stamps and prizes.

Grocers, in fact, are in something of a depression, struggling to make ends meet by cutting costs and stepping up sales.

A study of eight large food chains by the U.S. Department of Agriculture found profits of these firms amounted to 1.2 cents on each dollar of sales each year from 1957 through 1964, and then dropped to 1.1 cents to 1965.

Using returns from the same companies, the Economic Unit of "U.S. News & World

Report" found that the profit margin held at 1.1 cents in 1966, but will narrow to .8 cent this year. The 1967 figure is based on returns during the first quarter of the year. As the over-all price of food edges upward, grocers are wondering whether there will be a new clamor by housewives, with boycotts such as spread across the U.S. last year. Those boycotts were abandoned when the price of farm products eased off and prices in supermarkets followed suit.

WHAT'S AHEAD?

After eight straight months of declining food prices, the Government's latest cost-of-living report showed an upturn in May. The increase in food prices is expected to continue in the months to come.

Rising prices for milk, bakery products, fruits and many fresh vegetables were the major cause for the upturn of the food-price index. Now prices at meat counters are reflecting the higher prices that farmers have been receiving for cattle, hogs and sheep.

The White House moved on June 30 to firm up prices paid to farmers for milk by ordering a cutback in imported dairy products.

The volume of dairy imports coming into the U.S. had more than tripled since 1965. And there is growing pressure in Congress to restrict more sharply the volume of imported beef.

In its most recent outlook on food costs, the U.S. Department of Agriculture reported:

"Average retail food prices are expected to rise more than seasonally this summer, if supplies of many livestock products are reduced, as now indicated, and demand continues strong. Prices likely will be relatively strong in final months of the year."

UPROAR: THE CAUSES

Why is it that housewives react so sharply to any increase in food prices?

Part of the answer appears to be that Americans have come to expect food to be cheap when compared with other things they have to buy. Until the last two years, food prices rose at a rate considerably less than that of other items in the cost of living.

In 1964, the price of food consumed in American homes had jumped by 4.7 per cent from the 1957–59 period that is used as a base in the Government's cost-of-living reports.

But, in the same period, prices of all other items in living costs had gone up by 8.9 per cent.

Through 1965 and most of 1966, food prices advanced sharply, touching off an outcry among the nation's homemakers. Then, in the last four months of 1966, costs eased off and continued to decline through the first four months of 1967.

Another reason increases in food prices trigger quick reaction from housewives is that food is the largest single item in the family budget. Thus, any increase in the price of food is quickly noticed.

The impact of food on the family budget is seen in the chart on page 70. Figures there show what happens to the family's spending dollar.

Whereas food will take only 17.6 cents of the average family's income dollar this year, it will take 19.2 cents of each dollar actually spent.

The next largest items in family spending are housing, which takes 14.58 cents of the dollar, and household operations, which take 14.33 cents.

Transportation is next in line, getting 12.33 cents of the spending dollar. Medical care takes 7.37 cents, and recreation accounts for 6.34 cents. Tobacco, liquor and wine get 4.92 cents.

The same chart shows that food is taking 3.69 cents less of the average family's spending dollar now than it did 10 years ago. Meanwhile, spending for housing, recreation, medical care and other items has been rising.

Actually, the families of this country today are enjoying 9 billion dollars more spending power for things besides food than they would have had if forced to spend the same proportion of their income on food that they spent only five years ago.

COST VERSUS POPULATION

Total outlay for food produced on American farms has been rising as population has increased and per capita consumption of food has edged upward.

This year, U.S. families will spend an estimated 86 billion dollars for foods produced by the nation's farmers. That is 27.7 billion more than the total outlay of 58.3 billion dollars in 1957.

Of this additional 27.7 billion dollars spent for food, the farmer is getting 7.1 billion. Profits of corporations in the business of processing, distributing and retailing food will be up a billion dollars. Another 8.6 billion will go to labor engaged in getting the food from farmers to housewives. Packing, fuel, electricity and all other costs will account for 11 billion of the total increase spent for food this year as compared with 1957.

THE MIDDLEMAN

Companies processing and retailing food are faced with shrinking margins in a business where profits are already low when compared with those of most industries.

Profits of member companies of the National Association of Food Chains averaged 1.31 cents out of each dollar of sales in 1966, and the association reports: "Current average profit rate is reliably estimated to be at or very slightly below 1 per cent."

Food-processing firms reported profits of 2.7 cents on each dollar of sales in 1966—the same margin as in 1964 and 1965. This year's profit margin in food processing, based on returns of the first three months of 1967, will be down to 2.5 cents.

For comparison, profits of manufacturing firms averaged 5.6 cents in 1966.

Wages paid to labor in the food-processing and retailing firms have been in a steady rise. The increase from 1965 to 1966 was 4 per cent, according to food-industry officials.

Farmers are finding profits no easier to come by than are food processors and retailers. Their share of the food dollar has been dwindling over the long term.

Farmers' share of the food dollar was 44.4 cents in 1948. It had dropped to 40.9 cents in 1950. By 1964, it was down to 31.4 cents, the lowest since the end of World War II.

In 1965 and 1966, when most farm prices were increasing, the farmers' share of the food dollar climbed back up, reaching 32.9 cents in 1965 and 33.7 cents in 1966.

This year, however, it will drop again to an estimated 32 cents.

FARM EXPENSES HIGH, TOO

Farmers, it is true, are taking in more and more money in most years. That is reflected in the fact that their share of the increased spending for food in the last 10 years will come to an estimated 7.1 billion dollars this year. But farmers, unlike industrial workers who have little expense connected with their jobs, have been hit hard by rising costs.

The gross income of U.S. farmers is expected to total around 49.5 billion dollars in 1967, equaling the record high received in 1966.

But economists of the Agriculture Department say the increase in farm-production expenses this year probably will exceed the average annual increase of a billion dollars in the past decade.

Expenses of farmers are running 4 per cent above those of 1966, thus eroding the net income that they can expect to have left at the end of the year.

Agricultural economists say farmers have been subsidizing America's food bargains. While getting less and less of each dollar spent for food, the growers have increased efficiency and volume in an effort to maintain income.

Agriculture Secretary Orville L. Freeman describes the farmers' situation in these words:

"Our farm prices today are lower than they were 20 years ago. Yet the cost of what the farmer has to pay has gone up 35 per cent.

"Only by increasing his labor productivity 6 per cent annually, which is more than twice the improvement made by American industry, has the American farmer managed to survive.

"It's true that Government payments will help some, but, even so, our per capita farm income today is only two-thirds of our nonfarm income."

WHY INCREASES ARE NEEDED

The nation's grocers are trying to prepare housewives for the increases in food prices that are being predicted by Government officials.

This comment comes from Clarence G. Adamy, president of the National Association of Food Chains:

"Food prices are going to increase this summer and fall, regardless of the most favorable growing conditions and regardless of every cost-cutting economy food distributors can apply.

"As a matter of fact, food retailers want prices to go up. Modest increases are needed in some basic food products—notably beef, milk, poultry, and eggs—in order to interest a sufficient number of farmers to stay in the business.

"Unless the business of producing these basic farm goods is made more attractive, we will face very serious shortages in the years ahead."

Whether housewives like it or not, there is broad agreement in the nation's food industry that prices in the grocery store are headed upward.

FOOD CHAINS ARE CAUGHT IN A PROFIT SQUEEZE

[Figures in cents]

Earnings per dollar of sales, for eight large food chains:

1950	1.3
1955	1.0
1960	1.2
1965	1.1
1967 (prelim.)	0.8

(Source: through 1966, U.S. Dept. of Agriculture; preliminary estimate for 1967 by USN&WR Economic Unit based on first three months of the year.)

Actually, the profit margin of chain stores could fall even lower than .8 of a cent in 1967. At that level, it would equal the historic low of 1952.

HOW PEOPLE'S SPENDING PATTERNS ARE CHANGING—HERE IS THE BREAKDOWN OF EACH DOLLAR OF CONSUMER SPENDING AMONG VARIOUS GOODS AND SERVICES

[In cents]

	10 years ago	Now (1967 estimate)	Change
Food	22.89	19.20	−3.69
Tobacco, liquor, wine, etc	5.27	4.92	−.35
Clothing, shoes	10.49	10.45	−.04
Housing, including rental value of owner-occupied homes	13.68	14.58	+.90
Household operations	14.63	14.33	−.30
Medical care	5.40	7.37	+1.97
Transportation	13.47	12.33	−1.14
Recreation	5.45	6.34	+.89
Haircuts, other personal care	1.52	1.75	+.23
Legal and financial fees, other personal business	4.21	5.28	+1.07
Private education	1.01	1.40	+.39
Other expense	1.98	2.04	+.06

Note: In general, the trend of these boom years has been toward spending a smaller proportion of each dollar for the basic necessities of life, and a larger proportion for "discretionary" items, notably services of many kinds.

Source: 10 years ago, U.S. Department of Commerce: 1967, estimates by U.S.N. & W.R. Economic Unit based on official data.

ACHIEVING STABILITY IN THE HOUSING INDUSTRY

Mr. TIERNAN. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. Ottinger] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Rhode Island?

There was no objection.

Mr. OTTINGER. Mr. Speaker, I am sure that every Member of Congress remembers vividly the financial turmoil of last year, when interest rates reached record levels and the housing industry was plunged into a depression. While there is no firm indication that we are about to enter a similar period of chaos, signs point ominously to a tightening of credit that could set back the housing market just as it is on the verge of recovery.

On no less than three occasions since 1950, the housing industry has been severely constricted as the Federal Reserve tightened credit to ward off inflation. Last year, the cost of mortgage loans rose to their highest levels in the past 40 years and the construction rate of new homes and apartments dropped 909,000 units for the year.

In my view, this boom and bust cycle in the housing industry is intolerable. Congress has an obligation to take positive steps to encourage stability in this vital sector of the economy. Before the year 2000 the increase in population and income will create a demand for new housing greater than all the housing built since this Nation was first colonized. In light of this, recurrences of the 1966 fiasco would be intolerable.

The Department of Treasury stated, in a report to the Senate Subcommittee on Housing and Urban Affairs, that:

> Without question, the 1966 decline in housing starts can be explained in terms of the reduced availability and increased cost of mortgage money. If it were not for reductions in availability of mortgage funds, housing starts probably would have increased in 1966; so it seems reasonable to assert that financial conditions fully accounted, and in effect more than accounted, for the year-to-year decline in housing starts.

The cause of the 1966 shortage of mortgage money was just part of the overall lack of sufficient savings to meet the combined demands of consumers for financing their purchases, business for financing plant and equipment and expansion of inventories, and the Federal Government for its increased military and domestic programs.

The burden, however, fell mainly on homebuilding and its related industries. I think it is appropriate that we take legislative action to alleviate that extra burden on the housing industry, but I want to make clear that such action is necessitated by the administration's failure to adopt and implement a sound fiscal policy and conduct that policy in close coordination with monetary policy.

While the administration has been willing, even eager, to stimulate the economy when it lagged behind full capacity, and employment was at an undesirable level, it has been reluctant to take appropriate steps to eliminate some of the excess demand that has put pressure on capacity and prices. Instead of reducing expenditures or closing tax loopholes, it has insisted upon funds for programs that could either be eliminated outright—such as farm subsidies, certain "pork barrel" public works, and the supersonic transport—or deferred until such time as economic stability is achieved.

I want to issue a clear warning to all those who may have been lulled into a false sense of security by the relatively easy money situation of the past few months: last year's experience may well be repeated. Many segments of the business community are already making preparations for a tight money period. It is time that the Federal Government faced up to the realization that monetary policy alone is an inadequate tool to promote a healthy economy, and that when not used in tandem with responsible fiscal policy, can wreak havoc with vital segments of American banking and business. As Governor Robertson of the Federal Reserve Board stated last year during hearings on the mortgage credit crisis:

> If fiscal policy is not used, monetary policy must be used, and this in turn will result in an upward pressure on interest rates which could focus the impact of monetary policy more on the housing industry than on other areas of the economy.

Unfortunately, the effect of fiscal and monetary policies on the homebuilding and related industries is never fully discussed until they have been carried out and their impact is being felt. Decisions made by the Federal Reserve Board, the Bureau of the Budget, the Department of the Treasury, the Department of Housing and Urban Development and the Federal Home Loan Bank Board can turn the volume of homebuilding up full blast or reduce it to a mere trickle. But the Congress never debates these decisions until it is too late—until savings banks and savings and loan associations are teetering on the brink of insolvency, construction workers are laid off their jobs, and would-be homeowners are unable to find credit.

Fluctuations in the homebuilding industry do not occur by accident. They are the result of policies that have been planned and implemented, and as such, they can be anticipated. We can plan and anticipate far better than we have been doing, and I am introducing legislation today that will enable the administration and the Congress to do the kind of planning that is necessary to achieve stability in homebuilding.

This legislation provides—

> The program of the President as expressed in his annual message to the Congress shall include statements and recommendations concerning a residential construction goal. In furtherance of the realization of this goal the President shall transmit to the Senate and the House of Representatives, after the beginning of each session of the Congress, but not later than January 20, a report which shall include the following: (1) a statement indicating the minimum number of housing units which should be started during the then calendar year, or such year and the next following calendar year, in order to be consistent with the program of the President; (2) an indication of the manner in which fiscal and monetary policies will be administered by the executive agencies to achieve the number of housing units specified under clause (1); and (3) any recommendation for legislative action that the President determines is necessary or desirable in order that the construction of such specified number of housing units may be started.

Had this legislation been in effect a year ago, Congress would not have been faced with taking emergency steps to bring the homebuilding industry out of a depression. Congress would have already deliberated and debated the administration's economic plans and outlook and taken appropriate action to maintain stability in this vital area.

This has been recognized by the U.S. Savings & Loan League, which told the Senate Subcommittee on Housing and Urban Affairs:

> We would also believe that the top level of government will be much more quick to recognize and prevent actions that will start the chain of events that dries up housing credit and home construction. Perhaps some Congressional statement in legislation or a report directing greater consideration to housing credit and homebuilding in establishing monetary policy would be appropriate.

Enactment of the legislation I have introduced today is mandatory if we are to insure that there will be stability in the allocation of public and private resources to meet this Nation's housing needs.

THE ESSENTIAL MISSION

Mr. TIERNAN. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. Farbstein] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Rhode Island?

There was no objection.

Mr. FARBSTEIN. Mr. Speaker, let us not permit the awful rioting and destruction which have plagued Newark, Detroit, and other cities in recent weeks to cloud our vision or to divert us from our essential mission. We have known for many years that we live in an extremely difficult and painful period of history. We also know of the terribly urgent problems which urban ghettos pose for our Nation, and of the potential for social explosion which urban poverty breeds.

Certainly we must support the President in demanding an end to rioting, pillage, and violence. Certainly we must support local law enforcement authorities in demanding just retribution for those who have so flagrantly and shamefully violated the basic concepts of our social order. Certainly we must see to it that law and order prevail.

But these imperatives, Mr. Speaker, should never blind us to the fundamental need to proceed, calmly and responsibly, with effective programs to overcome poverty, and to bring decent jobs, decent homes, and decent education to all Americans.

In this connection, Mr. Speaker, it is especially crucial to our future as a nation that we proceed undaunted with the war on poverty, which has opened up to millions of disadvantaged Americans the first chance to help themselves, and to earn their own opportunity for constructive and purposeful citizenship in a healthy society. Now more than ever, Mr. Speaker, we must rededicate ourselves—without regard to party affiliation—to overcoming the ravages of poverty and deprivation by maintaining and strengthening a program that is working well, and that provides hope where only despair has existed before.

So let us have an end to the rioting and disorder, Mr. Speaker, and let us punish those who are guilty, but let us act as statesmen to see that the war on poverty is won, and the sores of social discontent removed from our body politic.

H.R. 11978: CONGRESSMAN CLAUDE PEPPER'S BILL TO INCREASE THE EFFECTIVENESS OF CERTAIN STUDENT LOAN PROGRAMS

Mr. TIERNAN. Mr. Speaker, I ask unanimous consent that the gentleman from Florida [Mr. PEPPER] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Rhode Island?

There was no objection.

Mr. PEPPER. Mr. Speaker, the guaranteed student loan program, which was authorized by the Higher Education Act of 1965, has met with severe setbacks and has to date been unable to meet its full potential.

This program of low-interest insured loans to qualified college students is a commendable one. It was intended to assist middle- and low-income families in financing college educations for their children.

The loan program provides that all qualified students are eligible to receive insured low-interest loans regardless of family income, and that those students from families having an adjusted income of less than $15,000 would have all their interest paid by the Federal Government while they are in school and 3 percentage points of the 6 percent total during the repayment period which begins 9 months after the student leaves college or graduate school.

The loans may be made to students by banks and other lending institutions and insured by State loan guarantee authorities or by private nonprofit agencies. A Federal loan insurance program is authorized on a standby basis, if adequate State and private plans are not reasonably accessible to students. To date the Federal Government has not guaranteed any student loans.

The Federal Government advances money, known as "seed money," to strengthen or to help establish State and private nonprofit agencies insurance funds.

This loan program which got underway last summer has provided about $360 million in loans to an estimated 430,000 students—a praiseworthy achievement, but unfortunately not adequate to the student demand for these loans.

The average cost today of attending a public college or university is estimated by the Office of Education at $1,020 an academic year—and for a private college or university at $2,066 a year. Many writers and economists have arrived at considerably higher estimates.

The latest estimate of the Bureau of Census put the median money income of American families with heads under 65 years at $7,352. Clearly those families with incomes of $7,352 or less would find it very difficult if not impossible to support one, let alone two or more children through college. Therefore it is imperative that we, in a nation that honors equality of educational opportunity as a basic principle of justice, aid those families who have present difficulties in sending their children through college.

It has been obvious for many months now that the problems besetting this program have resulted in a reluctance on the part of many private lenders to participate and a refusal of others to accept more than a very limited number of applications for insured loans to students.

Consequently many students have been unable to obtain these loans, and have been unable to continue their education.

There are two main problems Mr. Speaker, that have prevented this program from functioning fully. First, the banks and other lenders contend that the maximum interest rate of 6 percent does not cover the cost to the lenders in today's tight money market.

When this maximum interest rate was arrived at over 2 years ago, it was considered a break-even rate for the lenders. The banks and other lending institutions insist that this was never a realistic appraisal, and that 6 percent maximum has proved to be a "loss" rate for them.

Student loans are given for comparatively long terms. The loans do not contribute to bank liquidity through repayment of principle in the way that other loans, including installment loans, do. Repayment of principle on an installment loan, which is comparable to a student loan, begins within a month after credit has been extended, whereas repayment on student loans may not begin until at least 9 months after the borrower completes his course of study. Loans are repaid within 5 to 10 years after graduation. This creates a long timelag in the "rollover" time of this money.

This 6 percent interest maximum is the same rate that many banks charge their prime business borrowers.

Second, there is a burdensome amount of paper work involved in making and processing these loans. Student loans, because of the extra paperwork and the extra time involved, cost more than most other types of loans.

These pressing problems must be remedied before the lenders will decide in favor of allocating their limited funds for student loans.

Today I am introducing a bill to increase the effectiveness of the guaranteed student loan programs. This bill would amend provisions of the Higher Education Act of 1965 and of the National Vocational Loan Insurance Act of 1965, to encourage banks and other lenders to participate fully in this timely and much needed student loan program.

Since the main obstacles to the efficient functioning of this program are the maximum interest rate allowable on loans, and the cumbersome and costly paperwork involved in making these loans, my amendments concern themselves largely with these two areas.

My bill would permit the President of the United States, after consultation with the Federal Reserve Board, to set interest rates, by Executive order, in excess of 6 percent when the President has determined that such a rate is necessary for this program to be fully realized, and would provide for Federal payment of the additional interest cost.

I am fully aware of the fact that 11 States—Delaware, Maine, Maryland, New Jersey, New York, North Carolina, Pennsylvania, Tennessee, Vermont, Virginia, and West Virginia—have usury laws which set contract rates at a 6-percent maximum. These States could, however, amend their usury laws to make an exception of the long-term guaranteed student loans, as many States now make other exceptions to their usury laws when it serves an important public purpose.

This interest rate, set by the President in an Executive order, would not be mandatory. A lending institution could charge less than the maximum. But this variable ceiling would prevent the establishmemt by the Federal Government of any arbitrary interest figure which might become a bar to the effectiveness of this program. It would enable the President to assure that, insofar as the Federal Government would be concerned, there would be no arbitrary barrier across the road of higher education.

I further propose that the private lenders be entitled to charge certain fees, to be set on an appropriate basis by the Secretary, to cover the costs of making these loans that are not adequately compensated for by allowable interest charges.

Private lenders would be permitted up to $35 for processing each approved student loan application and up to $35 for work involved in consolidation or other conversion fees when the repayment period begins. A servicing fee of up to $1 for each installment payable by the borrower would also be permitted. All processing, consolidation and other conversion fees would be paid for by the Federal Government.

The passage of these amendments would insure fulfillment of the great potential of the guaranteed student loan program, by giving it greater appeal to those lending institutions that have to date been reluctant to commit themselves to this program.

Today we are faced with the problem of ever-spiraling costs to the student and his family for attendance at an institution of higher learning. Over the past 10 years the cost of attending a public institution has risen 19 percent and there has been a 41-percent increase in private school costs.

If we are to make meaningful financial assistance to all students willing and able to benefit from a college education, then we must amend the guaranteed student loan program. This program is based on sound principles and with the adoption of my amendments it could make a major contribution to the financing of undergraduate, graduate, and vocational education for students of low- and middle-income families. A democracy must invest in the education of all its young people if it is to flourish.

CONGRESSMAN PEPPER INTRODUCES THE HOSPITAL EMERGENCY ASSISTANCE ACT OF 1967

Mr. TIERNAN. Mr. Speaker, I ask unanimous consent that the gentleman from Florida [Mr. Pepper] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Rhode Island?

There was no objection.

Mr. PEPPER. Mr. Speaker, there are serious problems in many of our Nation's hospitals—problems of inadequate and overcrowded facilities, problems of people with serious fractures and other disorders having to wait hours for admittance and treatment in overburdened hospitals. In an effort to alleviate this critical shortage and relieve the misery caused in many communities by this crisis in hospital facilities, I am introducing the Hospital Emergency Assistance Act of 1967. This bill is cosponsored in the other body by Senators Magnuson and Tydings.

Feeling as I do that this legislation represents the best in the fine tradition of creative legislative assistance to hospital construction and care first established by the Hill-Burton program in 1946 and continued through the years, it is my pleasure to introduce today H.R. 11979, a program of direct emergency Federal aid to critically overburdened and obsolescent hospitals in the Nation. I also commend my colleague from New York [Mr. Ottinger] for his leadership on this legislation. I would like to submit, at this point in the Record, a telegram from the AFL–CIO and a letter from the American Hospital Association in support of this legislation.

Washington, D.C.,
July 26, 1967.

Hon. Richard L. Ottinger,
House Office Building,
Washington, D.C.:

The AFL–CIO strongly supports H.R. 6418, as amended, to include hospital emergency assistance programs. We urgently request your support.

Andrew J. Biemiller,
Director, Department of Legislation.

American Hospital Association,
Washington Service Bureau,
Washington, D.C., July 18, 1967.

Hon. Richard L. Ottinger,
Longworth House Office Building,
House of Representatives,
Washington, D.C.

Dear Mr. Ottinger: We were greatly interested in the firm support evidenced by the Interstate and Foreign Commerce Committee in adopting your amendment to H.R. 6418. Certainly this indicates the concern the Congress has in the need for additional hospital facilities.

An inquiry has been made as to whether we believe your proposal is in conflict with the Hill-Burton program. As we understand your proposal it would offer emergency financing to relieve the immediate pressure upon hospitals not only for the construction of hospital beds, but other services which may be needed. We further understand that the amendments resulting from your proposal would be administered in such a manner as to be consistent with the over-all planning of the Hill-Burton program. Therefore, it does not appear to us that your proposal is in conflict with the Hill-Burton program.

May we express to you our appreciation for your deep concern in the needs of hospitals and for your efforts to assist them in meeting the needs of their communities for hospital services.

Sincerely yours,
Kenneth Williamson,
Associate Director.

CONGRESSMAN CLAUDE PEPPER'S AMENDMENTS TO THE ECONOMIC OPPORTUNITY ACT

Mr. TIERNAN. Mr. Speaker, I ask unanimous consent that the gentleman from Florida [Mr. Pepper] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Rhode Island?

There was no objection.

Mr. PEPPER. Mr. Speaker, I have introduced four amendments to the current OEO bill in an attempt to fight for the attitude that our senior citizens can serve some useful purpose to our great national effort in decreasing the poverty which has ensnared so many of our citizens, while at the same time raise their standard of living because of Government recompense for their services. I would like to give a brief summary of these amendments.

My first proposal would earmark a total of $150 million of the funds appropriated for title II of the Economic Opportunity Act to be used for programs to assist senior citizens who are poor. This figure is not pulled out of thin air. The aged poor in this country represent one-seventh of our total population, and therefore should benefit from at least one-seventh of the moneys expended by OEO.

My second, third, and fourth amendments would encourage administrators of the poverty programs to make maximum use of senior citizens in administrative and advisory capacities; would suggest that when current contracts for community action programs come up for renewal and examination, the Office of Economic Opportunity require that the agency show that it has made an effort to use all qualified senior citizens who are interested in participating; and before OEO renews a grant the program must demonstrate its use of senior citizens.

Senior citizens who are ready, willing, and able to serve, and who have the required expertise, should be allowed to serve. It is a criminal waste of good talent and important resources not to take advantage of those dedicated senior citizens who want to do something to aid and advance the general standard of living in our great democracy so that we may become a stronger nation, better able to meet the increasing challenges of our future.

Mr. Speaker, I have requested permission to insert after this statement my testimony before the House Committee on Education and Labor on July 28, which, I believe will clarify many points of these proposals:

Statement of the Honorable Claude Pepper, a Representative in Congress From the State of Florida

Mr. Pepper. Thank you.

Chairman Perkins. It gives me a great pleasure to welcome my distinguished colleague before this committee.

Mr. Pepper. Thank you.

Chairman Perkins. It is always his custom to come here on matters of great importance to the nation. Naturally, you are one of the outstanding students of Government in the Congress. You have demonstrated that in so many different ways. It is a pleasure to welcome the gentleman that has taken so much interest before the House Committee on Rules where we get more measures like this.

Proceed, Senator Pepper, in any way you like.

Mr. Pepper. Thank you, Mr. Chairman, and members of this distinguished committee. It is a great pleasure for me to have the opportunity to speak here today in favor of HR 8311, the Economic Opportunity Amendments of 1967. I have given my continuous support to the programs authorized by this act, and would enthusiastically urge that they be extended and in some cases expanded.

I would like to commend this committee for their diligent efforts in evaluating the poverty program. In a program so new and so innovative in its approach, there is a great danger of improper activities being funded, of mismanagement of funds, and of funds being used for political purposes. We in Congress must constantly be vigilant in watching for this type of criticism, and must make every effort to see to it that such activities are not funded by the Federal government.

On the whole, however, I think the antipoverty programs have made an impressive record. It may be a period of years before we can evaluate their long-term effectiveness. But as we see individuals being trained so that they may secure permanent employment, as we see little children in Head Start receiving much-needed medical attention, as we see students able to finish high school because they are enrolled in the Neighborhood Youth Corps—we know that the poverty program is having an immensely important impact.

I will give my full support to the 1967 Amendments. However, there are several changes which I would like to see made in the legislation. I hope this committee will take these suggestions under consideration before the bill is reported out.

The first amendment I would suggest is one which would amend Section 205(a) of the Economic Opportunity Act by inserting a sentence to the effect that title II funds could be used for construction of night illumination systems for public recreational areas. This amendment would read:

"Page 50, at the end of line 12, insert the following: Component programs may also include projects for the construction of night illumination systems for public recreational areas."

Such an addition would serve the purpose of directing OEO to allow funds allocated for summer programs to be spent on erecting the lighting fixtures so that the recreational programs at the swimming pool, playground, or baseball diamond could be continued into the evening hours.

I very much favor the expenditure of funds for summer programs. I have seen how helpful these programs can be in keeping young people occupied and out of trouble. The President, in his message to the Congress requesting the appropriation of $75 million for summer programs and specifically mentioned that the funds would be used "to keep schools, libraries and playgrounds open, to build swimming pools, and to light basketball courts and baseball diamonds in the evenings." Congress acted with dispatch and passed this appropriation, with the understanding that playground lighting was an integral part of the program.

And yet, when the community action agency in my home district in Miami submitted their application for funds for their summer program, they were told they could not have the money for providing illumination. The policy of the Office of Economic Opportunity was to provide funds for the operation of recreation programs, insofar as this includes the payment of salaries of youth workers to supervise the playground or the swimming pool at night, but not to construct or operate the lights. OEO cited legislative restrictions on construction in its programs. I talked to Mr. Shriver personally about this and Mr. Chairman he affirmed this understanding of the limitations against this sort of provision in the law.

Fortunately, in this case our local authorities were able to work out an arrangement to provide part of the lighting needed. But I think we should remove any doubt that while we prohibit use of OEO funds for general construction, the Congress does not intend that OEO should be prohibited from assisting in the provision of lighting equipment where this is necessary to permit recreation areas to operate at night. We are all too aware this summer of the use of time and energy for violence, which might be channeled into the playground.

I would strongly urge this committee to consider adding a sentence to the Act to specify that it is the intent of Congress that funds may be used for this purpose to encourage wherever possible wholesome recreation and help reduce restless and lawless activity in our crowded urban centers.

The second area of concern to me is the matter of programs for senior citizens. One-third of those persons over the age of 65 do not have enough income to escape from being poor. The number of persons in this category is approximately five million. This means that the aged constitute one-seventh of the poor in this country.

A primary emphasis of the programs authorized by the Economic Opportunity Act is to assist young people in gaining the education and training to enable them to break out of the cycle of poverty and become self-supporting adults. The Job Corps, the Neighborhood Youth Corps, Project Head Start, Upward Bound—all of these focus on children and youth. I would not suggest that these programs assisting young persons are not of prime importance. They must be continued, indeed expanded.

But this concentration on youth tends to let us forget the sizable group of senior citizens who are experiencing want and deprivation.

No one intends to ignore this group. Much has been said about including them in the war on poverty. But the time for talk is over. I think we must come down to some concrete proposals.

Therefore, Mr. Chairman, I am offering three amendments to H.R. 8311 which will encourage greater attention to older Americans and to the role they can and should have in the Economic Opportunity Act programs. My first proposal would earmark a total of $150 million of the funds appropriated for Title II of this Act to be used for programs to assist senior citizens who are poor. This amendment should read:

"Page 76, after line 12, insert the following:

" '(c) Section 610 of such Act is amended by adding at the end thereof the following: "Of the funds appropriated to carry out this Act for a fiscal year, not less than $150,000,000 shall be expended on special programs for the elderly poor".'

"And redesignate subsections (c), (d), and (e), as (d), (e), and (f) respectively."

This figure has not just been pulled out of the air. My reasoning is this. The aged represent one-seventh of the total number of poor Americans, therefore, they should benefit from one-seventh of the programs. The Office of Economic Opportunity has asked for $1 billion $22 million for urban and rural community action programs under Title II. The fair share of this amount that should be allocated to programs for senior citizens is approximately $150 million.

Chairman Perkins. Just a moment, Mr. Pepper. I want you to summarize the last minute what you have submitted there. You read an amendment to the $150 million being earmarked, but I was busy. What did you say after that? And I will follow you then.

Mr. Pepper. Just summarize?

Chairman Perkins. No, just the last paragraph.

Mr. Pepper. I recommended $150 million. This figure has not just been pulled out of the air. Our reasoning is that the aged represent one-seventh of the total number of poor persons, therefore, they should benefit from one-seventh of the programs for the poor.

The Office of Economic Opportunity has asked for $1 billion $22 million for urban and rural community action programs under Title II. The fair share of this amount which should be allocated to programs for senior citizens would be about one-seventh of that amount, about $150 million.

Chairman Perkins. I see.

Go ahead.

Mr. Pepper. During these hearings, you have heard how successful the Foster Grandparents program has been. This program which provides employment for the aged poor, demonstrates what can be done. As of March of 1966, 21 foster grandparent projects had been funded. This number has increased to a current level of 49 projects. However, this represents an expenditure of only $5.5 million. Ten million dollars is planned for funding for fiscal year 1958. I am sure there are other types of programs which could be designed to give senior citizens a chance for part-time work, a chance to earn much-needed income, and at the same time, perform a necessary task to help others who are in need.

Now, this is the second amendment, also, in the field of aid to senior citizens. My second amendment reads:

"Page 76, after line 16, insert the following:

" '(d) Part A of Title VI of such Act is amended by adding at the end thereof the following:

" ' "USE OF VOLUNTEER SERVICES OF SENIOR CITIZENS

" ' "Sec. 610–2. The Administrator shall encourage all persons charged with carrying out programs under this Act to make maximum use in administrative and advisory capacities of the volunteer services of persons who, by reason of having retired from their regular employment, may be considered senior citizens".'

"And redesignate subsections (d) and (e) as (e) and (f), respectively."

Chairman Perkins. Senator Pepper, I agree wholeheartedly with this statement. I met with the Commission of Aged in my office resulting from a walk that I took over the holidays and seeing that which is being done for our elderly people had just made me sick. We were supposed to have VISTA workers, Appalachian volunteers, but the people who were unable to get out of their bed were being completely overlooked and were receiving some public assistance.

We have this elderly group that we know these people and it would be the greatest thing that we could possibly do to see that their time and mind was occupied in this direction, especially in areas where we will not have any trained nurses any time in the future. I am speaking now of the rural areas. You are more likely addressing yourself to urban areas.

I, personally, am going to insist on an amendment of this kind. I think that you are so right where we could so wisely spend some money and we must do something along this line.

Mr. Pepper. Mr. Chairman, you know how gratified I am to hear you say that. I am advised Mr. Shriver when asked the question testified before the Senate that nothing is being done for senior citizens, there was no program designed, as I understand it, for senior citizens.

Mr. Chairman, it is intended to require the maximum use of senior citizens in programs authorized by the Economic Opportunity Act. Section 610 specifies that it is the intent of Congress that whenever feasible the special problems of the elderly poor should be considered in the development, conduct, and administration of programs under this Act. I find no fault with this section, but I do have doubts as to whether it has been implemented to the fullest extent possible.

I am sure that in many cities, counties, towns, and villages, many of our senior citizens are vitally interested in the war on poverty. Not only are they interested, but many of them have had special experience which could be effectively utilized in the many programs in operation. They have worked as teachers, social workers, businessmen, and lawyers, thereby possessing skills which are in great demand in such programs as Head Start, community action, neighborhood legal services, and adult education and training.

Chairman Perkins. Let me interrupt and state in your area that is true but in my particular area here these people who are above 65 years of age in a rural area are just more or less withering on the vine, living on a very little income, so many of them are, and we should put those people to work.

Mr. Pepper. They are so eager to work.

Chairman Perkins. They are eager and they want to do it and they are dedicated. They are the type of individual that are dedicated to that community and we should make arrangements for them to participate as so-called VISTAs or whatever they may be to do something for these elderly people that are being overlooked.

Mr. Pepper. They will bless you forever, Mr. Chairman, for your wonderful leadership of that.

President Johnson, in his January 23rd message to the 90th Congress on Aid for the Aged, requested that the Office of Economic Opportunity "initiate and expand programs to make a wider range of volunteer activities available to older citizens." He mentioned such fields as tutors, classroom aides in Head Start, and greater participation in VISTA.

My proposal would require that some specific regulations be drawn up to encourage the community action agencies and others administering anti-poverty programs to make greater use of senior citizens. I would suggest that when the current contracts come up for renewal and examination, the Office of Economic Opportunity require that the agency show that it has made an effort to hire qualified senior citizens interested in helping in the war against poverty.

By fully utilizing this segment of our population, we will make the war on poverty even more successful, first by securing the services of skilled employees, and second, by involving still another group in the total community effort to eliminate poverty.

My third amendment is related to the second, but focused on another aspect of the poverty program. It reads:

"Page 76, after line 12, insert the following:

" '(c) Section 610 of such Act is amended by adding at the end thereof the following new sentence: "The Director shall take such action as may be necessary to insure that in carrying out programs under this Act maximum use is made of the services of persons who, by reason of having retired from regular employment, may be considered senior citizens".'

"And redesignate subsections (c), (d), and (e) as (d), (e) and (f)."

Chairman Perkins. Let me interrupt you. What do you think about some language directing VISTA workers to make special efforts to provide services for senior citizens, particularly in isolated rural areas, and implementing the law to the extent that local senior citizens who are qualified may participate? Do you think that would be a good amendment?

Mr. Pepper. Yes; I do, Mr. Chairman.

Chairman Perkins. The reason I say that to you, Mr. Pepper, we have reached the youngsters so well in many areas of my district but when you get out on one of these towns up the creek as I like to go up and down on occasions, many of these elderly people on public assistance will say to me, "Well, we hear all about this poverty program and we are discouraged. You know, we are supposed to get medical treatment and the red tape is so much that under the medical program as administered by the Economic Opportunity Act they won't even go in and charge the medicine that they must buy. They pay for it out of the old age assistance check."

I ran into three cases of that kind down there in one day and they said to me, "Why can't you help us somewhere along the line?"

It just points up the fact that we need here just what you are talking about and as Chairman of this committee if we don't do something about it, I am going to offer an amendment on the Floor of the House because this just must be done; we cannot neglect these people up and down these creeks where our local Appalachian volunteers and VISTAs have completely forgotten about them.

It is time for us to put some language in the bill to see that we make special efforts to provide services to senior citizens. I know this particularly in the isloated rural areas, and I think the same is true as you say in your area.

Mr. Pepper. Mr. Chairman, I don't think you could do a more commendable thing.

Chairman Perkins. It just burns me up to see people who profess to know the area and make great headlines and never touch the real needs in the area.

Mr. Pepper. They don't want to be bothered in many instances, Mr. Chairman, with the senior citizens; they just think they don't want to be bothered with them and yet they are the greatest reservoir of untapped resources I believe in the United States.

Chairman Perkins. I agree wholeheartedly.

Mr. Pepper. I happen to be 66 years old; maybe I should not boast about it, but if anybody told me that I was living in a community and retired and I could not do something to help in one of these programs, as we crackers say, I would want to fight them about it.

Now, there are two categories. One of them is the group where $200, $250 a month would be a bonanza to them, give them a little income, give them something to do. The other group is people well to do who made a business success, retired from their own business but want to do something because they are good Americans; they want to help their country and they got tired of resting and fishing and doing the recreational things.

I have had many of them come to me, bankers and businessmen. One had me to lunch one day across from the bank. He said, "I am one of the boys at the bank; I want to do something. Can't you get me in this OEO program? I have been a successful businessman; I have been healthy."

He was a handsome fellow, well dressed. He would gladly serve for $200 a month or nothing, for that matter, but we cannot find a place for him.

Chairman Perkins. One other point that I feel I must press myself to in the rural areas. I have been on housing and I know the Housing Administration, I feel, has done a most worthy job but from the standpoint of rural housing it has been practically nil and these people reside in what we may term huts and just want a little better opportunity to know it is no fault of their own, and I am speaking about these senior citizens.

We should utilize these senior citizens who are living on a meager income in my area, many of them, $40 a month, $45 a month, depth of economic security, never were able to take advantage of the Social Security Act. We should utilize this where they have nowhere to work as a fairly good carpenter and knowing a little something about building, put them under some competent supervisor and get some loans even though the Government has to subsidize them which would be small, $500 or $1,000, to winterize the home, put a decent roof over their heads.

There is nothing in this District of Columbia that will compare with some of these rural shacks that prevail in my district. I am just hopeful that our Government is not going to forget about these people because they are not rioting and rising up against the Government and all these things.

We have got to recognize the real needs of the people wherever they are, whether they are in a ghetto in the metropolitan area or in a rural area. It has been my point of view and I have found that I have long supported every piece of legislation to come before the Congress, to help the citizens, to promote the general welfare of the people in those areas, but I likewise feel that the time is long past due that we should do something about these poor people.

Mr. Pepper. Mr. Chairman, I want to offer this caution. I think you are going to have to make the language strong in order to get the administrative people to carry out what we have in mind.

Thank you very much.

Chairman Perkins. Thank you so much for your appearance. You have been most helpful.

Mr. Pepper. Mr. Chairman, may I just add this?

The proposal would amend the Act to encourage the use of senior citizens as volunteers in administrative and advisory capacities. This would not be a mandatory requirement, but would rather be considered as a guideline for those directing the programs. The focus in this proposal would be on making use of the expertise and knowledge of senior citizens in administering programs.

There is an added benefit which will accrue from the increased use of senior citizens as volunteers. This is in the lowering of the costs of administering the programs. In an effort such as the Economic Opportunity Act which is specifically designed to eliminate poverty, we are especially conscious of the sums allocated to administer the programs.

The ideal is to use as much of the budget as possible for direct assistance to the poor themselves, and not siphon off large amounts for overhead. The use of volunteer help at the administrative level can prove to be of great value by securing talented persons with a commitment to the program, who are willing to contribute their time and energy without compensation.

I urge your consideration of these four amendments. I hope that they can be added to the proposal now before you. They will add to the effectiveness of the Economic Opportunity Act in its efforts to eliminate poverty.

THE RATS COME EVERY NIGHT

Mr. TIERNAN. Mr. Speaker, I ask unanimous consent that the gentleman from New Jersey [Mr. Thompson] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Rhode Island?

There was no objection.

Mr. THOMPSON of New Jersey. Mr. Speaker, last Thursday—July 20, 1967—the House refused even to debate the Rat Extermination Act of 1967. During consideration of the rule, a number of Members seemed to find the idea of Federal aid to control the proliferation of rats in American cities a subject for humorous remarks.

It would be wonderful if all Americans could join these Members in a good laugh over rats. Unfortunately, they cannot. For many Americans, rats, the diseases they carry, the bites they inflict, are to be dealt with every day. For these Americans the problem of rats cannot be laughed away.

Mr. Jimmy Breslin, the distinguished columnist, has put this matter in its proper perspective and I commend to all Members his article which appeared July 25 in the Washington Post.

The article is as follows:

Harlem's Endless Battle: The Rats Come Every Night

(By Jimmy Breslin)

New York.—At eight o'clock at night, the rats come up from the spaces around the sewer pipes under the boiler room where they have slept all day. They cling to the big rusted pipe and come up into the boiler room and then they start up the pipes which are inside the walls of the five-story tenement. The rats come for food and water in the apartments where the people live.

As the rats crawled through the building, many of the people who live at 220 East 111th St. in the part of New York called East Harlem were out on the sidewalk. Many of them talked about the trouble of the night before, when a man with a knife was killed by a cop up at the corner.

The neighborhood made the first motions towards a riot, then stopped when Mayor Lindsay arrived and plunged into the crowd. Now, two games of dice were played by men standing in semi-circles around the bottom of the stoop. Four men sat on milk boxes around a card table playing dominoes. Pedro Perdomo, in a yellow polo shirt and floppy field worker's hat, sat on a car fender and pounded a bongo drum held between his knees.

"Yare, yare," he sang out.

"Caro," four people yelled back.

TAKES OFF SHOE

Upstairs, in apartment three on the third floor, Cathy Marrero shrieked. Her husband Ebro broke in a smile. They had just chased two rats from under the kitchen sink and the rats had run into the bathroom and Ebro had slammed the door on them. Now, Ebro said. Now I have them. The rats always stay in the bathroom, licking water from the tub. They never crawl out of the room. Ebro bent down and took off his left shoe.

"Ha," he said.

"Here," his wife said. She handed him a flatiron. Ebro shook his head no. He held the shoe up in his right hand and opened the bathroom door slowly, and slid inside. He slammed the door behind him. He began shouting, "Ho, ha, ho," while he beat the two rats in the bathtub to death with the shoe. The shoe sounded hollow against the sides of the bathtub.

Ebro opened the door and came out, his face and arms glistening with sweat. He pointed to the rats inside, in the bathtub. They were very small rats for East Harlem. They were much larger than mice, but still very small for East Harlem, where rats are very big.

"You came just in time," Ebro said.

"Do you chase them like this every night?" he was asked.

DOING THE DISHES

"Every night? how could you work in the morning if you do this?" He said, "They just came this time right out under the sink while my wife is doing the dishes. She started chasing them. So I chase too."

His wife came in with a handbrush and a paper bag. She swept the two dead rats into a paper bag. She reached over and emptied the two dead rats out of the paper bag and into the toilet. She flushed the toilet. She put the paper bag into the bathtub. Ebro lit a match and set the bag on fire. After the paper bag burned away, his wife took a bottle of disinfectant from the shelf and poured it all over the bathtub. The disinfectant smelled strong and Ebro left.

He walked out to the living room while his wife scrubbed the bathtub. To get to the living room you go first into the kitchen, then through two rooms that have no doors or windows. A bed, and a crib next to it, was in each room. You come out into a small front room that has a linoleum floor. A broken couch, two rocking chairs and a stuffed chair covered with a plastic filled the small room.

A framed Army discharge certificate and pictures of John F. Kennedy and the Sacred Heart were on the wall over the couch. The two sooty windows were open to the hot air of the street and the sound of the bongo drum.

"The rats come every night?" Ebro was asked.

"All night long," he said. "You see into the kitchen from here? See the refrigerator? I have two by four wood holding it up. That is so we can get underneath it with a broom to chase the rats when they get under it."

"Don't you use a rat trap or poison?"

"The children," he said. "You cannot have traps and poison around with babies. No. Nobody uses traps because everybody has babies. Have you ever smelled a rat when he dies under the floorboards or between the walls? No way to get him out."

"Why don't you try cats?"

CAT DISAPPEARS

He smiled. "The janitor got this big cat and put him in the boiler room. One morning he told me to come and look. There was cat fur all around the boiler room. And no cat. Huh. There are rats in the boiler room bigger than any cat."

A dog then? "Sometimes dogs are good, sometimes they're not. Is more trouble than it's worth anyway. There are so many rats in this neighborhood for anything to work."

Ebro is 27. He works for the Railway Express Agency. His wife came into the room with cans of beer. Ebro and his wife sat and drank from the cans.

"Our baby is only three weeks," she said. "We keep him in bed with us. The other two, we have the crib set up high. No rats come there so far. But you still can't leave a baby alone."

"Has anybody been bitten by them?"

"Who hasn't?" Ebro said.

"What do you do when you get bitten?"

"Nothing," he said. "Oh, some people have had to go to the doctor. But with me, only nips."

"Come into the kitchen and be quiet and you hear them," his wife said.

SOUNDS IN THE WALLS

We went into the kitchen and drank beer from the cans and listened for what seemed like a long time but was only 10 minutes. Then there was this sound in the walls. A scratching sound. The tumbling, scrambling sound when one of the rats moved quickly.

It is a sound by itself. And when you are young, and you sleep on the side of the bed next to the wall and rats scratch against the wall at your ear, you carry the sound with you for the rest of your life. It is something that is heard by people in every poor neighborhood in every city in the Nation. And it is one of the reasons why this is our longest of summers. Last week, the House of Representatives thought it all was a cause for laughter.

PRESIDENT JOHNSON APPLAUDED

Mr. TIERNAN. Mr. Speaker, I ask unanimous consent that the gentleman from New Jersey [Mr. THOMPSON] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Rhode Island?

There was no objection.

Mr. THOMPSON of New Jersey. Mr. Speaker, I warmly commend the President for a frank, clear, and compassionate appeal to the Nation to bind up its wounds of recent weeks, restore law and order, and, most important, restore that spirit of American respect which must exist between men if our society is to endure.

I congratulate the President on the excellent panel of leaders he has chosen to make a thorough investigation of the riots.

He made clear the fact that there is a time to analyze riots, and there is a time to halt them and punish the perpetrators.

The Nation, the cities, the States have taken those steps. But order will not be maintained solely by weapons and troops, although the President's proposal to give riot training to the National Guard is an excellent one.

True order must be built on progress.

True order must be built on opportunity.

The President cited many dynamic and imaginative, economic and social opportunity programs his administration has fostered—from health to education, from job training to housing, from model cities to law enforcement assistance.

In the President's phrase, this is not the time to turn away from America's reform programs.

Riots will be put down. Violence will be prosecuted. Economic and social programs must go on.

HAL I. LEYSHON

Mr. TIERNAN. Mr. Speaker, I ask unanimous consent that the gentleman from New Jersey [Mr. THOMPSON] may extend his remarks at this point in the RECORD and include extraneous matter

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Rhode Island?

There was no objection.

Mr. THOMPSON of New Jersey. Mr. Speaker, on July 9 the death of Hal I. Leyshon saddened a far-flung circle of friends who, over the years, had known him both as an exceptionally able public relations consultant and as a fine person.

His professional excellence insured the consistent success of his endeavors—for tourism in the State of Florida, the election of President Harry S. Truman, the American Federation of Musicians and its president, James Petrillo, and the government of the U.S. Virgin Islands, to name a few.

In particular, Hal's relentless efforts for legislation to repeal the cabaret tax, to establish a Federal Council on the Arts and a Foundation for the Arts and Humanities and to insure their quality have benefited the entire Nation.

I am deeply grieved by the death of my close friend, Hal Leyshon. I know his many friends on both sides of the aisle share my feeling of loss.

A profound sense of justice and beauty, personal integrity, and foresight marked Hal as a man and pervaded his work. His spirit was dynamic; his causes, many. After winning the Pulitzer Prize in 1938 for exposing corruption in Miami politics, he founded Leyshon and Associates, a public relations promotion firm which soon achieved professional recognition. During World War II, he served as a public information officer for the Army Air Forces. Discharged as a lieutenant colonel, he conducted the Air Power League's successful national campaign for congressional approval of equal status in the services for the Air Force.

Throughout the next two decades, Leyshon and Associates worked for other such diverse clients as the Kansas State Centennial, the National American Red Cross, Trans World Airlines, the Democratic National Committee, and, his favorite, the American Federation of Musicians. Just recently, Hal finished plans for the National Governors' Conference to be held in the Virgin Islands in October.

Meanwhile he continued to write, drawing from his own experiences. He collaborated with John M. Redding in 1943 on "Skyways to Berlin," a book of vividly recalled Air Force experiences. The year 1950 saw publication of "Front Page Deadline," written with Jack Kofoed, about a Southern newspaper's crusades. Hal also maintained membership in the Overseas Press Club, the Miami Club, the National Press Club, and the Welsh Society of St. David's.

Personally, I will remember Hal for his unstinting devotion to the arts and deep involvement in their national promotion; to him they expressed the finest qualities in humanity and especially in American life. I can think of no more fitting tribute to this honored friend than that we continue to further them in the same spirit of excellence and dedication that he embodied.

In this, as in our other endeavors, Hal will always be missed deeply.

MISLEADING ANTIPOVERTY PROGRAM CRITICISM

Mr. TIERNAN. Mr. Speaker, I ask unanimous consent that the gentleman from Iowa [Mr. SMITH] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Rhode Island?

There was no objection.

Mr. SMITH of Iowa. Mr. Speaker, there has recently been some more criticism of the poverty program based upon what some local group had proposed to do. Under the program as structured by Congress, local agencies and councils made up of volunteer personnel plan and structure and propose programs. The local community must pay 10 percent of the cost but volunteer services can be given credit toward that 10 percent. With thousands of local groups and tens of thousands of ideas of programs, of course, there will be some proposals that are out of line and there are many proposals that are not approved by poverty program officials. It is not surprising that there are still proposals being made that are out of line but it is surprising that anyone would still assume that a proposal by a local agency amounted to some kind of action by poverty program officials. It is also surprising that there would be so much comment manufactured over a misinterpretation of what was a mere local proposal to start with. To further clarify the record, I am submitting for the RECORD a statement by OEO and a letter from its Director, Sargent Shriver, to me.

They are as follows:

[From the Office of Economic Opportunity, Washington, D.C., July 26, 1967]

OEO STATEMENT ON LOCAL SHARE CONTRIBUTIONS

The policy of the North Central Region of the Office of Economic Opportunity does not and will not allow local share contributions for general news coverage or editorial comment.

In-kind credit has been given for spot announcements contributed by local Iowa stations. The spots have announced recruitment for the Neighborhood Youth Corps and Job Corps, an innoculation clinic for small children, and the location and telephone number of newly-established rural outreach offices.

No in-kind arrangement was ever made, nor will be made, pertaining to general news coverage or editorial comment with radio or television stations.

No arrangement of this nature was ever concluded with a newspaper, nor will be. A proposal by a local community action program in Iowa suggested such an arrangement. It was a local proposal to local press. No application containing such a proposal has been approved by the OEO regional office in Kansas City. Should one be received there, no such proposal would be approved.

We naturally hope public communications media throughout the country will continue to aid the War on Poverty by public service announcements of the availability of its programs—and be objective, impartial, factual, and thorough in their reportorial analysis of anti-poverty issues. We feel the press and radio-television must do this of their own volition.

The OEO will not permit local share, in-kind arrangements dealing with public service announcements or statements in any news media.

OFFICE OF ECONOMIC OPPORTUNITY,
Washington, D.C., July 28, 1967.

Hon. NEAL SMITH,
House of Representatives,
Washington, D.C.

DEAR NEAL: I wanted to write you regarding the concern that has been expressed over an OEO program in Iowa as a result of a July 22 editorial carried by the Des Moines Register.

First, let me say that this matter relates to the local share required of communities in their participation in anti-poverty programs. To qualify for Federal assistance a community must contribute a local share toward the project. This share is evaluated in dollars but often is provided in kind through building space, volunteer services, etc.

What we are talking about, therefore, is a proposal that a community ought to be able to count against its local share the amount of public service time and space local radio stations and newspapers provide for announcements of such things as Head Start and Job Corps recruitment, community meetings, etc.

The inference in the editorial of any form of bribery whatsoever is totally inaccurate. The Community Action Agency has nothing to offer the station or paper in return for the public service announcements carried in the interest of the community.

As you will see in the enclosed statement, the Office of Economic Opportunity has never permitted local in-kind credit for news coverage in the press or on radio-television. The charge that it has is totally incorrect.

The North Central Regional Office and the Southeast Regional Office of OEO did permit in-kind credit for certain services that normally would have been paid for. You will note the specific nature of these notices in the statement.

OEO will not condone local in-kind credit for material of narrative, reportorial or editorial nature. No such credit was ever granted for newspaper coverage. A local agency in Iowa did contact local newspapers without OEO approval or knowledge. As the enclosed statement emphasizes, any arrangement would not have been approved had it been received.

Obviously, any arrangement that would appear to be an approach to communications media for its favor can not be tolerated. And, obviously, it would be rejected by communications media if proposed.

To make our position absolutely clear, a memorandum is being prepared that will prohibit any local in-kind credit provision of any nature for all communications media.

OEO makes every effort to present facts and information on its programs in the public interest. In no way does OEO attempt to induce or angle for special favors.

With every best wish.

Sincerely,

SARGENT SHRIVER,
Director.

THE NEED FOR CLOSER MEAT INSPECTION

Mr. TIERNAN. Mr. Speaker, I ask unanimous consent that the gentleman from Iowa [Mr. SMITH] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Rhode Island?

There was no objection.

Mr. SMITH of Iowa. Mr. Speaker, several additional newspaper articles and editorials containing information relative to the need for closer meat inspection have appeared, and should be of interest to those who read the CONGRESSIONAL RECORD, especially in view of the fact that the bill is under active consideration by the subcommittee this week.

They are as follows:

[From the Des Moines Register, July 31, 1967]

LARGE PACKERS TELL VIEWS ON FEDERAL MEAT INSPECTION

(By Nick Kotz)

WASHINGTON, D.C.—Most of the largest national meat packing firms are opposed to legislation which would expand federal meat inspection to cover large intrastate plants now exempt from federal inspection.

The Register interviewed executives of seven large national firms to discover their individual views on legislation which is now reaching a crucial stage in Congress. A few of the firms were found to be more favorable than the official position of the meat industry.

TWO PROPOSALS

A House agriculture subcommittee Wednesday will consider proposals aimed at strengthening federal and state inspection and eliminating abuses which U.S. Department of Agriculture (USDA) investigators have uncovered in the meat industry.

The American Meat Institute (A.M.I.), which represents the largest packers, is considered to have powerful influence in determining what kind of meat legislation is written by Congress.

One proposal (H.R. 61618), endorsed by the Johnson administration, would provide federal funds and technical assistance to help states improve their now inadequate or non-existent inspection systems. This bill also seeks stronger controls over unwholesome meat.

The Meat Institute originally proposed amendments to H.R. 6168 which supporters considered crippling, and generally testified that the legislation was not needed. However, the institute now may be offering less resistance to this bill as support builds for additional legislation.

The second bill would bring large intrastate packers (with $250,000 gross annual sales) under federal inspection. At present, only plants selling across a state line are subject to federal inspection. The Meat Institute strongly opposes this second bill.

About 15 per cent of meat slaughtering and 25 per cent of meat processing is not under federal inspection.

Representative Neal Smith (Dem., Ia.), sponsor of both bills, and Representative Thomas Foley (Dem., Wash.) are pushing for a combination of the two bills. A close vote is expected in the subcommittee with Representatives Wiley Mayne (Rep., Ia.) and John Zwach (Rep., Minn.) possibly holding the key votes on the issue of expanding federal inspection.

Some of the national firms have opposed the legislation out of fear that an expanded federal system would provide dual standards for large and small plants. Some are simply philosophically opposed to bigger federal government. Some fear the increased costs of inspection will be shifted from general revenue sources to the packers.

Thomas Glaze, public relations director for Swift & Co., the nation's largest firm, said his company supports the meat institute position. Namely, Swift wants H.R. 6168 amended, but doesn't necessarily endorse it, and opposes H.R. 1314 to provide expanded federal inspection.

NINETY-EIGHT PERCENT INSPECTED

Glaze said 98 per cent of Swift slaughtering is under federal inspection, and 90 per cent of processing is federally inspected.

Glaze said it was against company policy to disclose how many Swift plants are not under federal inspection. He said these plants are operated under "standards equal to or superior to state standards."

Armour and Co., the second largest firm, takes a more positive attitude toward H.R. 6168.

John Shell, public relations director for Armour, said his firm positively supports H.R. 6168 with only several minor reservations. Supporters of the bill also consider the Armour reservations would not injure the bill.

Shell said 100 per cent of Armour's slaughtering and 95 per cent of the firm's processing is carried on under federal inspection. He said 11 processing plants in 10 states do not have federal inspection.

SUPPORT INSTITUTE

Harry Barker, vice-president of Wilson & Co., the third largest firm, said his company supports the Meat Institute's position on the legislation.

He said 100 per cent of Wilson slaughtering and about 95 per cent of Wilson processing is under federal inspection. He said fewer than 10 small branch processing plants are not under federal inspection.

The strongest endorsement of the legislation came from Oscar Mayer & Co., which prides itself on having 100 per cent federal inspection of both slaughtering and processing.

Thomas Woit, a Mayer official, said: "We favor legislation to promote the public health. Speaking in a broad sense, we would endorse both of these bills."

Robert Gray, chairman of the board of George A. Hormel Co., said he supports H.R. 6168, by which the federal government would help states improve their own inspection systems.

OPPOSED EXPANSION

"That would probably do a good job," said Gray. "Some of the states need to improve inspection and the federal people have the experience to teach them."

However, Gray said he opposed expanded federal inspection "because I don't think you can scatter federal inspection and do it economically or well."

Gray said 100 per cent of Hormel slaughtering and more than 99 per cent of processing is under federal inspection. He said only one processing plant is not under federal inspection, and it will be replaced by a new federally inspected plant.

John Blankenship, executive vice-president of John Morrell & Co., said he believes the "states should try to have better inspection of their own" without federal aid, and said he opposes expanded federal inspection. He questioned where the federal government will get funds to help states or broaden federal inspection.

ST. PAUL PLANT

Blankenship said 100 per cent of Morrell slaughtering and 99 per cent of processing is under federal inspection. The only processing not under federal inspection is in a small St. Paul, Minn., plant, he said.

Howard Fisher, a vice-president of the Cudahy Packing Co., said 100 per cent of his firm's slaughtering and about 75–80 per cent of processing is under federal inspection. He said the firm has nine small processing plants not under federal inspection.

William Cameron, board chairman of Rath Packing Co., of Waterloo, said all of his firm's plants are under federal inspection.

Cameron said he believes that all meat packing plants should be under adequate government inspection to guarantee wholesomeness of meat products.

The Rath official said he does not know what type of legislation would be best to achieve this objective, but he added:

"If there are plants without adequate inspection, then something should be done about it.

"I'm concerned about the sanitary side—that the whole industry does not get a bad name because of the actions of some uninspected plants."

[From the Minneapolis Tribune, July 18, 1967]

THOSE ABUSES IN THE SLAUGHTERHOUSE

"It makes me sick," was the reaction of a Minneapolis housewife upon reading in the Sunday Tribune about filthy meat slaughtering practices found in some Minnesota plants. She and other consumers have a right to be sickened and shocked over the lack of enough inspections to insure a safe total meat supply in this state.

Minnesota Agriculture Commissioner Russell G. Schwandt says the state does inspect meat plants twice a year or more for sanitary conditions. The state also runs tests of meat products to protect against adulteration. But Minnesota is one of nine states that do not require the crucial before and after slaughter inspections needed to keep out diseased animals, and to maintain a continuous check on slaughtering practices. Only the federal government does this here on meat bound for interstate channels.

In Minnesota, only 46 plants are federally inspected; 401 plants are not. The plant comparison exaggerates the problem because the large federally inspected establishments turn out the bulk of the meat products. The uninspected plants are mostly small operations. But this should not minimize the need for regular inspection of all plants. All meat should be safe.

A U.S. Department of Agriculture investigation showed what can happen from lack of regular inspections. Equipment was found to be unclean; pus, manure and urine had been splashed onto animal carcasses.

The shuddering result of such shoddy practices can be the spread of disease, such as salmonellosis—the increasingly prevalent cause of stomach aches often erroneously attributed to influenza.

The Minnesota Agriculture Department asked the 1967 legislature for $200,000 to increase its meat plant inspection program. It failed to win approval.

Congress and federal officials are prodding the states to act, possibly with the encouragement of federal aid. The Minnesota Legislature dropped the ball this year; it should not repeat the mistake in 1969.

[From the Washington Post, July 27, 1967]

PROTECTING CONSUMERS

American consumers now have an additional debt of gratitude to Ralph Nader—this time for letting them know something about the dangers they face from filthy meat plants. Hitherto undisclosed reports to the Agriculture Department, depicting loathsome conditions in small local establishment, cannot fail to induce revulsion in anyone who reads them. They also cannot fail to create a sharp loss of appetite for ground meat products generally.

We should think, therefore, that all responsible meat packers would be among those pressing most vigorously for the strengthened Federal meat inspection measures which Mr. Nader is urging Congress to adopt. Packers whose plants meet fair standards of sanitation have nothing to fear from inspection. They have a great deal to fear, however, from a popular anxiety that the frankfurters, sausages and bolognas offered for sale in public places may be seriously contaminated. In any event, this is a form of protection indispensable to the public health.

[From the Des Moines Register, July 29, 1967]

FOR CLOSER MEAT INSPECTION

Testimony at recent hearings of a U.S. House subcommittee called attention to filthy sanitary conditions and processing of unwholesome meat for human consumption in many packing plants not under federal inspection.

State inspection systems to eliminate these abuses exist in only 23 states, including Iowa. The Iowa meat inspection act, passed in 1965, requires licensing of processing plants and provides for regular inspections. There is mandatory examination of animals before and after slaughter, and inspection of processed meat in "channels of trade."

State officials say, however, that the $250,000 appropriated for inspection has been inadequate for the job to be done. Large and medium-sized plants are not being adequately inspected. Though animal slaughter is effectively regulated, inspection of other processing operations is not as good.

A Johnson Administration bill to remedy this, sponsored by U.S. Representative Neal Smith (Dem., Ia.), would provide a major overhaul of the 60-year-old meat inspection act and would help states improve their programs. It would pay up to 50 per cent of state costs and gives states technical and laboratory assistance.

It also would curtail exemptions from federal inspection giver to plants that sell meat and specialty items to hotels and restaurants in other states. Twelve Iowa firms, in Sioux City, Davenport, Council Bluffs, Conrad, Fort Madison, Homestead, Amana and Cresco, would thus come under federal inspection.

Smith says some large packing plants in Iowa refuse to sell across state lines, in order to escape federal inspection, and he is sponsoring another bill to extend coverage to them. The old law is based on a narrow definition of interstate commerce, and some plants subject to the federal Taft-Hartley Labor Act are not under federal inspection.

To qualify for the federal aid, states must have sanitary requirements "substantially equivalent to and consistent with" federal regulations. This would mean upgrading Iowa standards. However, operators would not have to "go out with blueprints and change their plants to qualify," a federal spokesman said.

Most Iowa plants could qualify with a good cleaning up, he said. It would mean such things as having 180-degree water to sterilize knives and saws, removing wooden tables and benches, putting screens on windows and cleaning equipment better.

L. B. Liddy, Iowa secretary of agriculture, said he has no real objection to the proposed act, except that it means a new "encroachment of the federal government into state matters." This does not seem a valid criticism, in view of the abuses by intrastate packing plants, and especially since the act would be voluntary for states and they would retain control of inspection programs. A rigid "states' rights" position on a matter of public health is absurd. If Iowa can obtain federal help in upholding meat sanitary standards, it should welcome that help.

The proposed legislation would demand essentially the same purity in meat for the dinner table from local, intrastate plants as from those plants now federally inspected. This is a logical, further step in protecting the consumer and assuring wholesome foods.

[From the New York Times, July 23, 1967]

FEDERAL INSPECTION SOUGHT FOR MEAT THAT IS NOT NOW COVERED BY U.S. LAW

(By William M. Blair)

WASHINGTON, July 22.—A warning was sounded this week that consumers may have been lulled into a false sense of security because they believe the 60-year-old Federal meat inspection law assures them of wholesome products.

Witnesses at a House hearing testified that, although consumers are protected on most of their meat purchases, there still is a considerable amount beyond the reach of the Federal law that is subject to suspicion.

The meat that escapes Federal inspection is that processed for sale within a state because the law applies only to products in interstate commerce.

Eighty-four per cent of the 126.7 million livestock slaughtered last year came under Federal scrutiny, but the remaining 20.2 million head were from non-Federally inspected plants. About 25 per cent of all processed meat is sold within state boundaries and is free from Federal inspection.

THE 1966 EXTENSION SOUGHT

The subject of meat inspection arose as a House Agriculture subcommittee held its first hearings on a bill to amend the 1906 meat inspection law to extend Federal inspection standards to plants handling intrastate meat.

Twenty-six states have laws that make inspection mandatory before and after slaughter, and 24 of these have mandatory inspection of meat processing. Thirteen states have voluntary inspection, but with varying degrees of success because of lack of state financial support.

Nine states have no inspection laws. Even in states with mandatory inspection statutes, the subcommittee was told that Federal investigators found filthy plant conditions and unwholesome meat and meat products.

Five years ago, the Department of Agriculture investigated conditions in non-Federally inspected meat plants. It found unhealthy conditions, including slaughter of diseased animals, contamination of meat products through inadequate methods of control, and lack of procedures to detect or control parasites that could be transmitted to man.

REPORT CONVINCING

The department's report convinced some Federal officials and some members of Congress that the Federal meat inspection system should be extended to intrastate slaughtering and processing.

Representative Neal Smith, Democrat of Iowa, a leader in the fight to overhaul the meat inspection law, told the subcommittee that he had introduced bills to amend the law for seven years but that "this is the first time that there has actually been a House hearing."

Mr. Smith and the Administration sought two years ago to amend the law to require states to meet Federal inspection requirements or have the Government move in.

The bill died quietly in the House Agriculture Committee after opposition from the meat industry and the National Association of State Departments of Agriculture.

The same opposition has appeared again, coming up with a series of amendments to pending bills that Mr. Smith and other sponsors contend would cripple the proposals to bring all meat under mandatory inspection.

Representative Smith has introduced a new Administration bill and one of his own. The bills are regarded as weaker than the former proposals but are described as at least a start toward more complete meat inspection for consumers.

UNITED STATES WOULD PAY 50 PERCENT

In addition, Representative William J. Green, Democrat of Pennsylvania, has introduced a bill identical to the Administration's proposal. The bills would provide for Federal-state agreements under which the Federal Government would pay 50 per cent of the cost and supply technical assistance to states willing to create and enforce Federal standards.

Mr. Green's statement to the subcommittee backed up what the Federal investigators found five years ago in their report, which only now is being given circulation.

He said that Pennsylvania had 30 inspectors for all food and spends only $200,000 a year specifically for meat inspection.

This means, he said, "that Pennsylvania is operating at the same level it was in 1915 when it passed its present weak voluntary law."

He said that only 132 of 1,263 meat processing or slaughtering plants were Federally inspected in Pennsylvania.

Mr. Smith's bill would make Federal inspection mandatory in large intrastate plants that are covered by the Taft-Hartley Act, a labor law that covers collective bargaining but not meat inspection.

"If they are large enough so that we have a national interest in their labor management problems," he said, "I think we should be interested in the wholesomeness of the product they sell."

"Almost all buyers of retail meats assume that they are buying meat that would be safe to eat and that had been Federally inspected," Mr. Smith said. "But the fact is that there is enough uninspected meat slaughtered in large slaughterhouses each day to feed approximately 30 million people."

Some large packing companies have plants solely for production and sales within a state to meet local competition.

The American Meat Institute, which represents major packers, the National Independent Meat Packers Association, the Western State Meat Packers Association, Inc. and the state agricultural departments group said the Administration was reaching out for more power and was trying to take over activities that they believe are properly those of the states.

[From the Washington Evening Star, July 28, 1967]

Tainted Meat

The Agriculture Department's reports on meat packing practices, now in the spotlight thanks to Ralph Nader, are shocking documents. The investigations of Maryland and Virginia slaughtering and processing plants, particularly, have uncovered examples of laxity and filth more appropriate to the Middle Ages.

Maryland is one of nine states that have no inspection laws at all; although Attorney General Burch is reported to be drafting a statute patterned on California's strict inspection requirements. Three-fourths of animals slaughtered in Maryland now are not under the Federal Meat Inspection Act. Whether inspections are needed the reader can infer from the following passages, quoted at random about Maryland processing plants:

"The walls, floors and ceilings in rooms where meat was being prepared were dirty . . . One end of a meat hopper on a grinder which appeared to have been recently used had a number of dead flies in it . . . Sheep carcasses in the cooler were soiled due to unsanitary dressing and were hung so low that a portion of each carcass was dragging on the cooler floor which was covered with grossly unclean sawdust . . . Some beef quarters in the cooler which originated from a U.S.-inspected establishment, were grossly contaminated by sawdust and dirt."

Virginia, which has a voluntary inspection program, fared somewhat better—but not much. Some sample comments on its meat plants: "Curing drums were dirty inside and out; curing solution had extraneous matter floating on top indicating contamination of product . . . Buckets of products in the cooler had extensive mold growths on them . . . Ceilings with leaks dripping on exposed meat causing serious contamination . . ."

It was this kind of horror, described in Upton Sinclair's novel, The Jungle, that led to federal meat inspection law in 1906. But huge quantities of meat, being processed and consumed within each state's borders, are escaping such regulations. The public is not being protected. And the situation is an outrage.

Virginia's voluntary system will become mandatory next year. Governor Agnew has promised to press for controls over Maryland's packing plants in January. But as of now, 24 states lack laws providing for mandatory inspection of animals before and after slaughter, and even in those states with laws, lack of funds and equipment handicaps programs.

A House Agriculture subcommittee is now studying the administration's bill to empower federal authorities to intervene where state regulations fail to do the job. The bill should be passed, if only to spur states into action they should have taken years ago.

[From the Washington Sunday Star, July 23, 1967]

Intrastate or Interstate? Origin Makes Difference With Meat

(By John Fialka)

What is the difference between an intrastate and an interstate hamburger?

This was the question before a House Agriculture subcommittee last week. The panel is trying to find ways to protect consumers from a flow of meat from dead, dying, disabled and diseased animals that evade federal inspection laws and avoid a spotty system of state inspection laws.

Meat industry critics, including Rep. Neal Smith, D-Iowa, have charged that while the tainted meat, commonly called "4-D" meat in the trade, is originally sold to renderers and animal food manufacturers, it is often resold and reprocessed for human consumption.

New chemicals that impart fresh color, smell and flavor are used to disguise the tainted meat, so that "unscrupulous operators" can compete favorably against producers of federally inspected meat, by selling the tainted product slightly cheaper, Rep. Smith and the Department of Agriculture have charged.

According to an Agriculture Department estimate, 8.75 billion pounds of meat, or one-fourth of the commercially processed meat products in the nation are not federally inspected. Nineteen million head of cattle are slaughtered in plants solely under state jurisdiction.

Nine states, including Maryland, have no state inspection laws at all. Thirteen, including Virginia, have voluntary inspection programs. The packing house owner who wants inspection orders and pays for it. The remaining states have various types of mandatory inspection programs, which, according to Agriculture, are "generally well below federal standards." (Virginia will switch to a mandatory system next year.)

Gov. Spiro T. Agnew of Maryland said Friday he will ask the General Assembly next January to take action to assure the quality of meat sold in Maryland. He said he was "gravely concerned" over testimony that sanitary conditions are often unsatisfactory at Maryland plants not inspected by the federal government.

Although the Agriculture Department says it will be satisfied with greater powers to help detect and stop the flow of "4–D" meat, Rep. Smith and others charge that they will never get at the source of the tainted meat unless they change the "outmoded" definition of intrastate commerce in the original, 1906, Federal Meat Inspection Act.

Because the powers of the federal government have been greatly expanded in the intervening years, the intrastate vs. the interstate hamburger question has, in cases like Maryland's, led to some striking inconsistencies.

Although almost all Maryland packing houses are governed by federal labor laws, 74.1 percent of the animals slaughtered in the state are not under the federal meat inspection act.

The meat avoids state inspection too, because Maryland has no state law. Only five states rank higher in production of federally uninspected meat, according to Agriculture figures revealed last week.

Rep. Smith wants to give federal meat inspectors the same jurisdiction as the labor laws have. According to Smith, the expanded jurisdiction should reach all but the smallest meat lockers and farm slaughterhouses.

State officials and meat industry spokesmen have been adamant: No new legislation is needed because the present system works fine, they testified.

The differences between meat industry executives, like Aled P. Davies, vice president of the American Meat Institute, and advocates of stronger legislation, such as Rep. Thomas S. Foley, D-Wash., have led to some odd exchanges:

Foley: Do you think that I, traveling as an American citizen coming from some place else, have any complaint if I am injured or made ill by tainted meat in that state? (Referring to a state with no inspection law.)

Davies: No more than the citizens of that state have.

Foley: Can you tell me a good way to determine what is interstate and what is intrastate in a hamburger?

SUGGESTS SEEING PACKAGE

Davies: Ask to see the package from where it came. (Davies here stated that he had done a considerable amount of traveling with his family and never ran across "4–D" meat.)

Foley: But you are a great deal more skilled in knowing what you are doing than most citizens.

Davies: I can smell.

Ralph Nader, the automobile industry critic, charged last week that the Agriculture Department was protecting the meat industry by refusing to release background reports made by federal inspectors, who quietly entered a representative sample of local packing houses in all 50 states in September 1962.

Their resulting reports, many of which outlined shockingly unsanitary conditions, were made at the request of a congressional committee interested in what the states were doing in meat inspection.

However, Agriculture used them as the basis for a relatively mild summary statement made to Congress in 1963. The state-by-state reports were revealed only last week, after Nader's outburst.

"We actually have had them available for some time. It's just that nobody's asked us for them," said one Agriculture official.

Among the reports, few noted as many abuses as the one on Maryland.

"The many infractions of even the most basic rules of good sanitary practices observed in nearly every plant visited indicates that the control exercised is quite inadequate to assure production of clean wholesome meat products intended for human consumption," the report concludes.

Although the report was made in 1962, an Agriculture spokesman noted that the situation in the Free State is "still about the same" because of the lack of a state inspection law. Furthermore, he said, nearly three-fourths of the 320,304 animals slaughtered in Maryland in 1966 did not come under federal inspection.

Although the state polices food processing plants under a sanitary food law and despite a Baltimore meat inspection act, O. J. Schrag, the veterinarian who was in charge of the Maryland inspection, stated, "The human health hazards engendered by the uncontrolled and unscrupulous operator are almost limitless."

A sample of conditions described in the report, conditions which Schrag reported were leading to "gross bacterial contamination" including danger from tuberculosis and trichinosis, follows:

"There were a great number of live (and dead flies) in the department which were swarming on exposed meat and equipment. One end of a meat hopper on a grinder which appeared to have been recently used had a number of dead flies in it."

"Processing operations including cutting, grinding and mixing of meat products were conducted in a room which was not only very unclean as described above, but had many flies which were lighting on exposed meat. A tubful of meat which was being ground into sausage was unclean."

". . . partially skinned cattle heads pending removal of the edible portions, were placed on a filthy floor and collectively stored thus subjecting the edible portions to gross bacterial contamination."

Although Schrag found similar abuses in Virginia, he concluded in his report on that state than "generally, plant sanitation was satisfactory."

A Department of Agriculture spokesman said that while meat brought into the District is federally inspected, there is no federal inspection for meat processing plants in Washington. The inclusion of the District under the jurisdiction of the Federal Meat Inspection Act, he said, is provided for in a bill now before a House Agriculture subcommittee.

VICE PRESIDENT HUMPHREY DID NOT SAY CONGRESS HAS ABETTED RIOTS—HE SAID FAILURE TO ACT ON URBAN PROGRAMS HAS ABETTED FRUSTRATION AND DENIED GOVERNMENT URGENTLY NEEDED TOOLS

Mr. TIERNAN. Mr. Speaker, I ask objection to the request of the gentleman from Minnesota [Mr. Fraser] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Rhode Island?

There was no objection.

Mr. FRASER. Mr. Speaker, Vice President Humphrey addressed the convention of the League of Cities in Boston yesterday on our urban crisis.

I am concerned that some of the headlines in the newspapers and some of the television coverage gave the impression that the Vice President said the Congress is abetting riots.

The Vice President did not make this charge—and I think all of us know him too well to believe that he would make so simplistic an analysis of this complex and serious situation. He said to the mayors that the reluctance of the Congress to act on pending urban measures is one of the factors that abets frustration and denies to all levels of government the tools that they urgently need to do the job.

In his speech to these leaders of more than 1,500 local governments, the Vice President primarily stressed his belief and the Federal Government's determination that violence and riots cannot be tolerated.

Indeed, a principal theme of the Vice President's speech was that the riots will be stopped and order will be restored, and that the "malicious individuals who spark disorders will be found and prosecuted."

He went on to say that there should be no ill-founded compassion for the rioters because, "there can be no freedom, no equal opportunity, no social justice in an environment of mob rule and criminal behavior."

Second, the Vice President pointed out that the administration and the Congress have made substantial efforts to make our cities more livable. In effect, he said the Congress has done much but that there is still much more to be done. He said, and from all reports the mayors vigorously agreed, that action on pending measures such as model cities, rent supplements, and the Crime Control Act is urgently needed.

I repeat, the Vice President said that the apparent reluctance of the Congress to act on pending measures abets the frustration in the ghettos and denies to State and local governments the tools they need to improve the conditions of life there. He did not say that Congress has abetted the riots.

Further, the Vice President listed for the mayors actions which they can take such as expanding their youth opportunity programs, and recruiting additional leadership from business and industry.

The full transcript of the Vice President's address to the League of Cities shows that he made a careful analysis. He emphasized two key responses in this crisis. These are, according to the Vice President, firm action to crush the riots and enforce the law, and second, firm action by all levels of government to cure the fundamental economic, educational, and social ills which exist in our urban slums and which create frustration and hopelessness.

I insert in the Record the full transcript of the Vice President's address:

Address to the National League of Cities Convention by Vice President Hubert H. Humphrey, Boston, Mass., July 31, 1967

I think most of you know that when I come to you at gatherings such as this, I generally am in a rather effervescent spirit and all too often regale you with a certain amount of Midwestern humor, some of which is not always apropos to the occasion. But today I feel the times and circumstances necessitate a much more sober and reflective posture, and so I am going to forgo the pleasure of the joy and the frivolity and the light touch, and get right down to business.

I am in Boston, Massachusetts, Boston of Bunker Hill and Boston of the Tea Party, Boston that means so much to the history of this Republic. It is a great city of industry, of culture and of learning. I am in the presence of Mayors and city officials who have conducted themselves with honor and distinction. Some of these Mayors of great cities will address you later—Mayor Lindsay of New York, our friend Mayor Tate of Philadelphia, and others. And may I just for a moment in this public forum pay my respects to the Mayor of New York for his leadership, for his willingness to serve his country at the call of his President. May I also say, Mayor, what I have wanted to say for some time, that I consider your "Summer Youth Program" one of the finest, if not the finest, in the nation. I salute you for it, sir.

Today I speak to you not as a former Mayor, even though on other occasions I have surely used that fulcrum for my position of strength with you, if any. I speak to you not as a former United States Senator or even as your Vice President. But I come to you not as a partisan either, but as a concerned American, a fellow citizen. The simple truth is that our nation is in trouble, serious trouble. We meet today at a time when the fabric of American democracy is strained and torn in many places. And that strain is greatest in our cities, which means that we face nothing less than a grave national crisis.

Why? Because we are an urban nation. Seventy per cent of our people now live in cities, and the figures indicate that by the year 1977, eighty per cent of our people will be living in cities. So what happens in our cities happens to America. And it is by the quality of life in our cities that the character of our civilization must be judged. It is in our cities, in your cities, in your towns that American democracy representative government, will either succeed or fail, survive or perish. And the picture before us this morning in the cities of America gives us little cause for rejoicing. This is a time in our history when we must squarely face up to the responsibilities of American citizenship. Oh, we all jealously guard our rights as Americans, and we talk of those rights. We point with great pride to our abundance of our national economy. But let me underscore at this moment that every right carries with it a commensurate responsibility. There is no freedom without duty. There is no role of leadership without responsibility. And as our rights expand, and our material wealth increases, so also do the responsibilities and the duties, not just of the Mayors or the governmental officials, but of every American.

Abraham Lincoln put it well when he spoke at a time of another crisis. He said, "No personal significance or insignificance can spare one or another of us. The fiery trial through which we pass will light us down in honor or dishonor to the last generation. . . ." And then those immortal words that every school child remembers, "We shall nobly save or meanly lose the last best hope on earth." Ladies and gentlemen, those are not words of mere sentimentality; they are words of prophecy. The fact of the matter is that our democratic institutions public or private, federal government, city governments, state governments, county governments, are constantly being tested, and today are being tested in the refiner's fire.

The question is bluntly posed: Do these institutions that we cherish so much really serve the interests of the people? Can they cope with the fundamental problems of American society today? Now unless we can answer with a resounding "yes," history will and must record that we did not nobly save, but rather meanly lost our democratic heritage.

Now, the challenge before American cities is in two parts, as I see it. There is, of course, the immediate, critical problem of lawlessness—looting, arson, violence, riots. And then there is the fundamental problem of what has brought us to our present state, and what must be done about it.

Now, with regard to the former, let me read to you once again this forceful and courageous statement by the nation's foremost responsible Civil Rights leaders. "Killing, arson, looting are criminal acts, and should be dealt with as such. Equally guilty are those who incite, provoke and call specifically for such action." Listen to these words. "There is no injustice which justifies the present destruction of the Negro community and its people." I think those words well describe the situation.

Now you know and I know and the rioters themselves need to know that riots will be crushed, if not by local police alone, or by the combination of local and state police, then if need be by the National Guard or by Federal troops. Order will be restored in this land, and those malicious individuals who spark and incite riots and violence will be found and will be prosecuted. Rioters and riots must not be rewarded by misplaced compassion, but rather suffer the stern judgment of an outraged community and the law.

Now the fundamental responsibility of government at all levels is the maintenance of public order, and that responsibility will be met. You will help meet it. The Governors will help meet it. The President and the Government of the United States will help meet it.

Now the cost may be high, and it is. The price in human suffering may be great, and it is. But that price will have to be paid, for there can be no freedom, no representative government, no equal opportunity, no social justice, in an environment of mob rule and criminal behavior. Where the law of the jungle rules, the ninety-nine per cent of our citizens who are innocent victims of the violent few can enjoy no protection. You have your responsibility to that ninety-nine per cent for their protection.

The injured can have no avenue of appeal where mob rule prevails. Under these conditions the society itself dissolves and representative government is in peril. Let's not underestimate what is happening in our country. These are times that try men's souls.

Now what I have said is true, but my fellow Americans, I am ashamed to have to say it. My words, and I think they are true words, are themselves a symptom of the crisis which has now been reached in urban America. This crisis consists of much more than lawlessness, violence and looting. Perhaps it can best be described with simple words, like hopelessness and despair. It expresses a widespread pattern of inadequate opportunity, of frustrated ambitions.

It is, in fact, a feature of the revolution of rising expectations which we so readily acclaim and proclaim in other nations, and so slowly accommodate in our own. And, paradoxically, the troubles in some ways are a result of the progress, because as things seem to get better, there is always a period of restlessness and turbulence.

My fellow Americans, I have used an analogy which I want to share with you about this situation. I travel a great deal by plane as many of you do. But my granddaughter, whenever she sees a plane go by, she says, "That's Papa." She thinks I live up there. And to some degree she is quite an accurate observer.

But every time that I plan to travel on that plane, I turn on the "Today" show in the morning and look at that weather map and its record of the low pressure systems and the high pressure systems. And it will show, for example, a new high pressure system coming in from our neighbor to the North, Canada. It sweeps across the country meeting as the weatherman says that static low pressure system which seems to hang over the mountains.

Ladies and gentlemen, you and I know that that means turbulence. You and I pray for the fact that we have a good aircraft in which to fly, that the pilot knows his business, that the co-pilot is tending to his business, that the navigator is a competent man, and that the entire apparatus, personnel and all, is in tip top shape. We know just as surely as we board the plane that, with all that we may do, with radar and so forth to avoid it, we are going to go through a period of turbulence.

Ladies and gentlemen, there is a great change taking place in America. A new high pressure system of social opportunity and social justice is beginning to move across America, and the low pressure system, stagnant, weighted down with smog and fog, is hanging over the mountains. And as the new system passes through it, there is turbulence. Ladies and gentlemen, that is what is happening in America.

This is not to be looked upon with despair, but with hope. But we must also make sure that the craft in which we fly, the ship of state, in this instance the plane, to use the analogy, is strong and worthy, and that we chart our course the best we can for a safe landing.

We are building a new America, and in the building of a new America, old things must give way. So what I speak of then is progress.

For the last fifteen years the United States has made unprecedented progress in the whole area of human rights and civil rights. The legal right of every American to vote has been assured by Federal law. Segregated schools have been declared unconstitutional and outlawed. Public accommodations have been made legally available to all. That's the law. But do these liberties really have substance? Or should I put it this way? Do these liberties really have substance for all of our citizens? Do they guarantee real individual opportunity which is the starting point of the great American dream?

Remember, that coupled with this precious freedom there must be the opportunity to make something of that freedom. Far too often the promise of legal rights which bewitches those of us in government has only made the lack of real opportunity more bitter and more frustrating.

What do Fair Employment Practices mean to a man who can't get a job or who lacks the skills to even hold a decent job? What does school desegregation mean when education in many of our cities, without regard to region, is inadequate? What does the promise of open housing mean when a poor family can't even find decent low income housing in most of our cities? And, my fellow Americans, we are not much better along in providing low income housing for our needy people today than we were ten years ago. Oh, we've made progress, but we have more people.

These rights when they yield no practical benefits, these legal rights, can mean more frustration, less sense of personal dignity, more hostility, and less identification with the values of the larger and richer society. You see, there was a time when the poor suffered quietly. They were out of sight, out of mind, many of them lost, in a sense, in rural America. But those were the days before television.

Television has changed America. You can no longer hide the good or the bad. We are going through a period when, for the first time, Americans are seeing a war fought on television. And the same television that brings the war news also brings the vivid portrayal of what goes on in this country. So the child of the slums knows how you live, how I live, where we live, the fun that we have, the jobs that we have, the incomes that we have, and the dreams that we have.

Today every slum child who ever watches television is forcefully reminded that there is another America, different from his own, a different society, and to him it is an America from which he is practically excluded.

Now we do not need riots, however, to tell us what is wrong in our urban slums. Nor do the conditions in urban slums justify violence. We all know these things, and I talk to you now as just a fellow citizen that has traveled around the country. You know as much about it or more than I. We all know that in the slums, gentlemen, the garbage pick up is at best infrequent if it occurs at all. I said to a group of my colleagues in government only two days ago in Washington, "Get in your car and go to Southeast Washington, and then go to Northwest Washington. They are both in the federal city. Take a look. Take a look at the streets. Take a look at the sidewalks. Take a look at the garbage. Why is it that in Northwest Washington you can have receptacles for scrap papers and in Southeast Washington none? Why is it in Northwest Washington the streets can be clean and the sidewalks can be solid and stable, and in Southeast Washington the streets are in havoc? There are people living in both places." So I emphasize my point.

You know that in the slums the streets are dirtier than anywhere else in the city, and less frequently swept. And in these areas in the Northern cities the snow is often plowed away the last. The incidence of crime there is the highest; and the vigor of law enforcement there the least. Housing is decrepit, obsolete, broken down. And I am going to say to you what I have said before. If we were as interested in enforcing our building codes as we are in our traffic laws, if you would put out as many tickets on the landlord who refuses to take care of his house as required by the law as you do for the fellow that overparks his car downtown, you'd have a different city. Make no mistake about it.

You see, the people themselves tell us what is needed. They know that sometimes public transportation is not adequate. I see my good friend here, Mayor Naftalin of Minneapolis, who I think has done one of the most creditable jobs of any Mayor and I salute him. Mayor Naftalin met last week with some of the residents of the North Side, and those residents adopted a list of what they called demands which were presented to him, and this is what they asked for: an expanded human relations course for city policemen, along with expanded employment opportunities for minority groups in the police and fire departments; increased job training and greater employment opportunities; a policy of recruiting school teachers from minority groups; and the teaching of minority group history in the schools.

That last point, by the way, is rather important. History lends dignity.

Fair rents, better housing; better parks and street lighting were also listed. Now these were put in the form of demands, but they are really not unreasonable requests. Some of them have already been met. They apply in nearly every one of our major cities today, and a host of reports have cited these points.

These needs, however, in no way justify riots, looting and arson. I think we have to be clear in our thinking about this. But there can be no doubt that they provide a combustible environment in which a spark, an act of criminal violence, can burst into the flame of social disorder and social disaster.

I think it would be very interesting to get from this great assemblage of top grade public officials what it is you think the cause of the riots is. I have so many things that run through my mind. I know so much and yet so little. And a man's judgment is no better than his information. Everybody seems to have their own point of view. But we need to somehow or another to catalog it, bring it together, which I will mention to you in a moment.

There can be no question that if the fundamental economic, educational and social ills which undeniably exist in some of our urban slums were cured, the agony of frustration and hopelessness which now exists for some would be largely eliminated.

May I say once again at this point, the American Negro family over the years has been a very patient family, and the individual has been a very patient individual. I do not want this fine assembly of public officials to put together the handful—and a very small handful it is—of those who lead and precipitate violence in one package with those who are fearful, who are the victims of that violence, who are trying to do a good job, and who are trying to be good citizens. These riots are not racial. These riots are injuring Americans, some of whom happen to be of a different color. No group of people in the world needs and wants better police protection, more law and order, than the poor and needy, and many of these happen to be our Negro families, our Negro Americans.

Now I don't mean to suggest that nothing has been done to meet this crisis. To the contrary, you've done a great deal. The Federal government has initiated large and comprehensive programs of urban renewal, aid to education, manpower training, war on poverty, health services and community development. As I said to a group this morning, we have in our present fiscal year budget approximately $25½ billion for Federal aid to the poor. We have $10 billion, identified that will go into our cities and urban in an analysis by the Bureau of the Budget counties. Much has been done. More than ever before. And you who are leading these cities are giving greater leadership than ever before.

The Job Corps, VISTA, Head Start for the pre-schoolers, aid to education—these and many other federal programs, in cooperation with state and local government, are designed specifically to alleviate the poverty in our cities and are now in operation. But I must say again that what has been done and is being done is clearly not enough. At best it is only a beginning on which to build, on which to grow. But we must proceed with what we have.

I'd like to suggest that the first thing that we can do to build further is to make sure that the legislation now before the Congress—and there is, friends, a long list of it—be promptly enacted, and that the outstanding requests for Federal funds to be shared with cities and states be promptly enacted.

This isn't politics. This isn't partisanship. Many of you Mayors are elected on a nonpartisan basis. When your city is poor, you're poor. When your city is wracked with violence, it doesn't make any difference about your politics. Violence has taken place in cities with Democratic Mayors and Republican Mayors and Democratic Governors and Republican Governors. Politics has no place in this, unless you want to be a demagogue. This is an American problem. It belongs to all of us.

I feel that a sense of urgency is lacking on Capitol Hill. And what I say here, I have said there. I appeal to you, the vanguard of this great urban life, to join us now in insisting that this sense of urgency be paramount in the hearts and the minds of every single member of the Congress of the United States.

I happen to believe that this delay, this go-slow, take-it-easy and hold-off-and-take-another-look attitude aids and abets frustration in our urban slums. It denies to you, it denies to every level of government, the tools and the resources required to combat slumism. And my fellow Americans, if we can get as excited about the curse and the evil of slumism as we do about Communism, then we are going to start to make progress.

Slumism is the number one challenging problem in America today. It aids and abets all of our problems. The children of slumism are crime and ignorance, unemployment, disease and poverty.

Let's look at crime now for just a minute. Is there anything we can do about it? Well, law enforcement is essentially a local responsibility, but it is the responsibility of all of us. The police power rests with the States under our Constitution, but that doesn't exonerate anyone from ultimate responsibility. The President of the United States proposed months ago what we call The Safe Streets and Crime Control Act. This was a Presidential proposal, but it came from the report of the National Crime Commission itself, a nonpartisan Commission.

Now this bill is designed to help you, Mr. Mayor. It will provide federal grants to support local programs of crime prevention, police training, improved correctional facilities. You are the one that is responsible for local law enforcement. I remember when things went wrong when I was Mayor, they didn't look around at Washington too much. They got at me first. And you'll be right there. You won't be forgotten. Don't worry.

This bill is designed to help you extend adequate police coverage to all of the neighborhoods in your city, so that the law will be both adequately enforced and worthy of respect.

The President has also proposed a sale of firearms control bill, and narcotic control legislation. What kind of nonsense is this that anyone is able to go out and buy automatic weapons? I like to hunt pheasants, but I've never known a submachine gun to get one. Our firearms controls are totally inadequate. And narcotics legislation needs to be strengthened in light of the surge of dope peddling and addiction in this country. I doubt if there is one Mayor in this room who considers this legislation unnecessary. These bills must be enacted, and we need your help.

And then there are key existing programs which need to be funded, which could make substantial contributions. Take the sad case of rent supplements. We asked for a modest program and we got nothing. And what do rent supplements do? Well, first of all, for those of you who think that public housing is not what you want, it permits private housing for the poor, worthy of human dignity. But Congress has refused to appropriate a penny.

Take the case of Metropolitan Development Grants. Congress gave not a cent. The request for Urban Research funds was chopped off by 75 percent. Now if you know all of the answers for your city, we don't need any urban research funds. But we just don't know all the answers.

The request for urban information and technical assistance funds was reduced by two-thirds, and that is money for the smaller cities where you can't afford to buy the high priced talent that is frequently required for urban planning.

The President requested an extension of the Economic Opportunity Act, but neither House has acted on the Bill at all. You'd think there were no poor.

Open housing, whatever your views may be, is entitled to a hearing.

The House of Representatives just 11 days ago had an opportunity to do something that would be of pragmatic and practical importance. Oh you know, you've heard about it, the rat extermination measure. And it was laughed out of the House of Representatives. Well, ladies and gentlemen, let me tell you something, we see to it that we have a program for rodent control in graineries, in grain bins. Oh yes, the Commodity Credit Corporation and the Department of Agriculture and the Congress see to it that we don't have too many mice and rats in our grain. But that same Congress was unwilling to appropriate one nickel to see to it that rats would be kept out of the tenements and the slums, when we know that we know how to do it. I think it is time that you became somewhat righteously indignant.

We appropriate millions of dollars for the screw worm and boll weevil, but when did calves and cotton become more important than children? And to the Mayors of the smaller communities where the rat problem is not significant, let me tell you that it is a problem in Chicago, Detroit and Washington, and in Philadelphia and New York and Los Angeles and San Francisco. And when you start to demolish many buildings under urban renewal the rats spread even to your house, so don't be too fussy. You may have a visitor.

Well, we've got a chance. The Senate is going to consider this bill, and I want you to be heard. A nation that prides itself on deodorants and toothpaste and cigarettes ought to be able to do a little something about rat legislation. I've never been for rats of any kind in any way. You can take a strong stand against rats.

Now let's take a look at another measure, called the Model Cities Act. Oh I know that everybody says, well this is old hat. It isn't old hat. You haven't tried it on yet. You've heard a lot about it. And there are 193 applications right now pending in Washington and more to come. What I think, though, is that very few people seem to realize what this Model Cities Act is all about. It offers a framework within which we can create the grand design for a totally new urban America. It's like a basic structure, a constitution for a new city.

I'd like to call it the New America Act, because most Americans are going to live in cities.

It provides for a working partnership between all levels of government and private enterprise. We can't really do anything in this country unless we put everybody together on the same team. Government can't do it. The Federal government, state or city government can't do it alone. You know that. And private enterprise is unable to do it alone many times because what we're asking them to do is not profitable. And you know when you run a corporation, it is a little bit different than running a social welfare agency. The people that run these businesses have a fiduciary responsibility. They have a responsibility to the stockholders, and you can't expect them to go in and work and clean up your slums and do what needs to be done unless there is some possibility of a modest reward for effort and material.

Well, the Model Cities Act says let's work together. This Act does for the cities, my dear friends, what the National Aeronautics and Space Act did for the space program, if you'll go to work at it. And I notice that some of you were a little bit unhappy about the amount we spent in space. Listen, accentuate the positive. This is your Act. Go to work on it. You'll make the space program look like it is lost in space, if you'll get going on Model Cities. It can provide for the rebirth of our cities, their physical structure and human structure.

Well, in this session of Congress we've had a host of proposals made to help restore the slums, for a major private enterprise effort for housing of the poor, for genuine participation of the neighborhood residents in community rebuilding, for comprehensive planning for the blending of physical and social development. All of this is in this Congress, bill after bill, and also the unique breakthroughs for applying space technology to our cities. Now all of these things are part and parcel of the Model Cities Program, and it is all there. We don't need new legislation, dear friends, any more than you need a new Constitution of the United States. The Model Cities Program is for the cities what the Constitution of the United States is for the basic fundamental law of this nation. You can build with it; you can work with it. But you've got to put it to work. And I want to tell you a 200-pound man that hopes to be an athlete cannot afford to be anemic. And the Model Cities Program's hemoglobin count is mighty low. It is at a dangerous level. Pernicious anemia has set in.

The House of Representatives cut two-thirds of the funds requested by the President for this unique national program—two-thirds. And by the way, the program wasn't funded too big in the first place. The budget request was bare bones minimum. Two-thirds of it has been cut out. I want to know if you're going to do something about getting it restored. Any nation that can afford to put a man on the moon can afford to put a man on his feet right here on earth, and you know it. I don't want to be misunderstood. I think we can do both. And if I can get as much enthusiasm out of our Mayors and our people for a Model Cities Program as we have for the lunar program, we'll have things moving.

We're in competition with the Russians to get to the moon. What about being in competition with the whole world to make the finest society that mankind ever dreamed of right here on the face of this earth? Right here in the United States of America. What makes you think we can lead the rest of the world to a better life if we can't lead our own people? What makes you think we can combat poverty in Asia if we can't combat it right here in the United States of America?

Well, I know that progress is going to be slow. It never goes as fast as we want. Maybe there is good reason for it, because we need to take a good hard look. Jobs, schools, housing, hospitals—these things can't be accomplished overnight. But we need to dream big dreams and we need to get excited about them. We can't be deterred by the size and the complexity of the task. There is always somebody telling you, "Oh, it is just too much for me." Tell him to move over. Get him a ticket to the ball game. Just say, "Look, we've got work to do."

We cannot allow public revulsion against the lawlessness of the few to impede our efforts for the many. And I know there are going to be many people who will say, "Well we're not going to do a thing, because look, they've got riots." Those are the same ones before that didn't want to do anything. They've just got a new argument.

I wish to make this prediction, that if we stop now, we can look forward to nothing but catastrophe. There are some things, however, that all of us can do and we can do quickly to produce some immediate results. During the last few months many of you have received from me as the Chairman of the President's Council on Youth Opportunity, bulletin after bulletin about your appointing a Youth Opportunity Council. I hope you have. If you haven't, do so. The young people of your city—the needy young people—need you. And by the way, you need them. They'll make you feel better. Whenever I get thoroughly disgusted and discouraged in Washington, I go out and meet some of the young people of this land. They make you feel good, because they are the hope.

We have suggested ways in which public facilities, such as National Guard armories and other facilities, can be used by you. The National Guard has restated its rules and regulations. That armory in your town is available to you for a recreation program. The parks are available to you to be used for your youth program. Mr. Mayor, don't ask the Federal Government to do something until you've tried it yourself.

If you really believe in local government—and most of us mouth it day in and day out, and I've done a fair share of it, bowing down in reverence to local government and local responsibility and individual responsibility—I ask this question: What have we done back home? Schools can be pressed into service. What makes you think that schools ought to be a nine months proposition? Schools ought to be in service twelve months a year. My dear friends, I predict there will be a whole lot less vandalism and property destruction of a school that is put to use than one that is padlocked. Talk to your school board. Oh, I know it costs a little more money. It costs some money to stay well. It costs some money to see a good doctor. It just costs some money to be a good citizen.

We have reported to you imaginative programs which are working well across the cities, and you have received those bulletins. I hope you haven't filed them away. I know you get a lot of mail. I realize that. But take a look at them.

We have strongly urged that your youth councils continue to function throughout the year, that a summertime program be expanded into a year round program. Now these successful youth programs require plenty of imagination and not much money.

I want you to ask your newspapers back home to help you. If they'll be as busy reporting what you are doing for youths as what the youth are doing when they get in trouble, you'll have a well balanced presentation. And you ought to talk to the Editor, you ought to talk to the TV producer, the radio man. Talk to them; talk to the disc jockeys and get them in. Ask them, "What are you doing to help here?"

Everybody has a public responsibility today. And I say it from this platform that the media has a responsibility with the Mayors to accentuate the positive, to help rebuild America, not just to report its inadequacies. If the American people knew as much about the Reverend Leon Sullivan of Philadelphia as they do about some of these other persons that are out causing trouble, then you would have a different picture. This one man alone, as Mayor Tate can tell you, has helped save the lives of literally thousands of people through job training. And you've got to search and search to find out much about Reverend Leon Sullivan. But Rap Brown and Stokely, they get the news. By the way, if you don't have an OIC in your community, that ingenious concept of training and retraining for the young hard core, unemployed, you write to the Reverend Leon Sullivan in Philadelphia or to Hubert Humphrey.

These programs are doing things, and this is the good news of our day. They need your encouragement.

Now what else can you do? I said that if you don't have the material that you think that you need on this youth program, write to me. I'm deeply involved in it.

You can and you must make sure that your police and fire departments hire and train as many people as possible from the disadvantaged sections of your cities. Oh, I know it is a problem to recruit, but I'm going to be honest with you. If you're half as ingenious hiring people from minority groups as we were in discriminating against them for years, you'll find them. You'll find them.

Let me say a word about Civil Service regulations. They're not handed down from Heaven. They're written by some lawyer. They can be rewritten. Everybody doesn't need a high school diploma. Everybody need a high school degree. There are some people that have done quite well even without them. I'm not advocating it, but you can search them out. My father didn't graduate from college. He has done almost better than anybody that I have ever met. He had character. He had sense. There is a difference between education and good sense. Some people are just under educated, but still have a lot of sense. I repeat. Look for these people. Recruit them. Find them. And bring them in to your services.

You can reeducate, too, your present police force in community relations. Tie your university and your college in with your police department. And if you don't have one available right there at hand go to your state university. Ask them to set up a police training course. It doesn't need to be the special province of a half dozen colleges or universities across the country. Every state university in America could have a training course for police officers as a part of a good community life for the American people. Put our universities to work. They ought not to be meadows of meditation. That's not in the script. These are all paid for by you and the other taxpayers. The men on those campuses are experts, many of them. They want to help. Get in touch with them. Ask them. You can request—and I might add in a very plaintive voice, you can demand—from your community more police and more support for your police.

I call upon every Mayor in this audience to go home now and have an honor day for your police department.

Let's start to respect this police officer. Let's ask the American community to respect this police officer. He has the toughest job in the world. And let's train this police officer. Let's give him a sense of dignity and self-respect. Let him know that the community is behind him. Let's try to build conditions in our community so that he doesn't always have to be the law enforcement man, but rather one that helps promote law observance.

Can I just get rid of another little old prejudice of mine? We put most of our police officers in automobiles and they cruise and cruise and cruise, and the only time anybody ever sees them is when somebody is in real trouble. I know it takes more men; I know it is going to cost more money. But it will be a wise investment. There is no way to have better policing than to have a man on the beat that gets to know what is going on in that community. Oh, I know it is old fashioned, but it still makes sense.

I have drawn my fair share of public administration charts in my lifetime. They are good to teach from, but seldom do you use them as you should. You need people in contact with people. You need that police officer out there on that beat, who can go talk to the priest or the minister or the rabbi or the community worker or to the parents before the trouble sets in, rather than just waiting until the cars come roaring in, sirens shrieking, red light ablaze and two officers jumping out. Then you've got trouble. This is just my suggestion. Many of you have already taken it. But I know of no better way than direct communication.

You can adopt the Crime Commission recommendation that community service officers be added to your urban police forces. You can and should recruit returning Negro veterans into your community services. They are fine men, well trained. I mean recruit them into the whole spectrum of community services, not just police services. Look for them. They're there. When your cousin wants a job, tell him to wait awhile. Take a look for the other fellow. And by the way, we all have that problem.

You can improve cooperation with regional and local offices of the Federal government agencies, and they have been instructed to work with you. If they are not, write me. They are supposed to be working with you.

You can urge business and labor to work in cooperation with city officials to establish job training programs, and job training programs that have relevance to the industry in your area. How many of these programs are now in operation? Are their lists full? We know there are training positions, under Federal government today, programs which are not fully occupied. Make a note right now to check on these programs, your Neighborhood Youth Corps, your industrial training programs, your On-The-Job Training Program. Are the positions filled? Are the programs running smoothly?

If you find problems, I ask you once again, if you don't know where else to call, call the general practitioner of the Federal government, the Vice President of the United States. I don't claim to be an expert, but I do know how to open letters, and do know how to read the mail and answer the telephone, and I do know where the government is and where it operates and how it operates. I want to help you. I want to be your business agent in the National Government. And I think I can help you if you'll work with me.

Well, I've kept you long. But this is a message that I've wanted to get to you. You can establish realistic lines of communication, and you must, with the minority leadership in your cities. I think I am about to utter a profound truth to you, that in many cases we have aided and abetted men of violence by our reluctance to deal with men of reason. All too often we have ignored the patient counsel of those leaders who know most about the conditions that we are trying to correct, and then trouble comes. We need their help, these men of reason, and we need their guidance. And it is up to you to ask for it, to look for them, to find out who they are, and to work with them.

You also can make sure that you are fully utilizing the human resources of the antipoverty programs. Contrary to the ridiculous charges that this program has encouraged violence, the truth of the matter is that in city after city, with almost no exception, members of the Neighborhood Youth Corps, VISTA, the neighborhood center programs, and the police cadet programs have done a magnificent job in preventing outbreaks and in calming them after they have started.

These disadvantaged young men and women can serve as special patrols, as special emissaries or special aides in a wide variety of ways. In all of the dozens of cities that have been wracked with violence this summer, there has hardly been a single incident in which a Head Start center, a health center, a community action headquarters, a neighborhood center, or a youth opportunity center has been vandalized or burned. I think that tells us something.

One of the most important actions that you can take is checking on the effectiveness of these programs. Needless to say, sometimes they are not as effective as we would want them. At all levels of government, we must be sure that we do not continue to rely on old remedies when new and better ones are available.

I am originally a pharmacist, and there used to be a period of time years back that the old folks would have up there on the shelf what they called the Quassia Cup. That was the Quassia bark filled with a lot of stagnant water. When it started to taste bad enough, you drank it. It was supposed to cure your ills. It didn't. It killed many people. But it didn't cure any ills.

We're away from that day. We are away from the day when you poured turpentine on every wound. Now you start to use Penicillin and the myecin drugs and the new vaccines. Mayors, my fellow local officials, we must also apply all the new techniques of community development and government to our problems.

WORKING GROUP ON COMMUNITY SECURITY

I'd like to suggest to the League of Cities, therefore, this proposition. Will you consider in this Convention establishing a special working group on community security to identify those programs and approaches which have proven particularly useful in other cities or in your city in calming tensions and in quelling violence?

Let's start to communicate with each other and pool our information together, but not just in Washington where Mayor Lindsay and Governor Kerner will be heading up this fine Commission. I ask you to do this and have a group that can work with the Federal agencies, with the Justice Department, the FBI, and all the other law enforcement instrumentalities, as well as with the community agencies.

When I think about the responsibilities of city government, I can't help but be reminded of the words of the late President Franklin Roosevelt, who said these words. "The test of our progress is not whether we add more to the abundance of those who have too much, it is whether we provide enough for those who have too little."

Now that philosophy applied very well today. We want all of our neighborhoods to be wholesome and healthful, to have good public services, public schools and hospitals and community agencies. But where there are poor people living in poor housing and in poor neighborhoods, that is where the greatest effort must be concentrated. It is they who need the best schools, the best public transport, the best housing code and sanitation enforcement, and the best street lighting. It is they who have been most deprived of opportunity, and who require our greatest efforts.

The crisis we face is a crisis for all America. Responsibility for it and the obligation to overcome it bears equally on every citizen in these fifty States, black or white, Republican or Democrat, rich or poor. For whose fault is it when our cities bleed and burn? Whose fault is it when the American child drops out of school? Whose fault is it when a willing and able bodied man doesn't get work? The answer, my friends, is that it is the fault of every one of us. It is the fault of the racial extremist who incites to riot. It is the fault of the looter and the sniper, the criminal who denies his neighbors the right to live in peace. And it is the fault of governments who do too little and too late

Edmund Burke, the great British statesman, once said, "Evil triumphs where good men fail to act." We need to act. Ghettoes—I hate the word—ghettoes have no place in America. They are the very antithesis of this nation, of an open society, of freedom of choice, of freedom of movement. Ghettoes are prisons. They make democracy a frail pretense.

So let us solemnly resolve in this Convention assembled to abolish ghettoes from our cities. Indeed I would like to banish the word from the English language. It is repulsive, repugnant, ugly. In a broader sense, the ghettoes, however, are only an extension of the blight which affects our total urban life, or affects at least a terribly critical part of it: the blight of congestion, of dirt, of polluted water and air, tensions, crime and slums, the blight from which the affluent seek escape by running away to the suburbs. Are we going to turn over these great cities to mob rule by running away? Are these choking and dying cities an adequate expression of American civilization in the last third of the Twentieth Century? I think not. And let's resolve to say no, to mobilize the necessary resources to create the parks, the transport, the housing, and all the other facilities needed to provide every American a promise of this good America.

My good friend, Governor Otto Kerner of Illinois, wisely said last Friday night what I leave for you as a message of hope and promise. "America does not seek separatism, segregation or spiritual secession. Any man who preaches these doctrines is an enemy of freedom." America does not seek separatism, segregation or spiritual secession. Any man who preaches these doctrines is an enemy of freedom. The Governor spoke profound truth.

At this time we need to recognize more than ever before that we are one people. We must work not with black power or white power, but with citizens' moral power. We must work together as Americans to create a society where there is not a white suburb or a black ghetto, where economic fear and irrational tensions and racial prejudice do not exist, where there is one citizenship—not Negro American, not white American, not Catholic American, Protestant American, Jewish American—but where there is one citizenship, citizen of the United States of America.

Thank you very much.

PROPOSED ORGANIZATION OF EMERGENCY ARMED FORCES INFORMATION CENTER

Mr. TIERNAN. Mr. Speaker, I ask unanimous consent that the gentleman from Pennsylvania [Mr. ROONEY] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Rhode Island?

There was no objection.

Mr. ROONEY of Pennsylvania. Mr. Speaker, in the wake of a tragedy which stunned America and caused grave anxiety for the families and friends of 5,200 officers and men aboard the U.S.S. *Forrestal* this past weekend, I have written today to Secretary of Defense Robert S. McNamara and the Secretaries of the Army, Navy, and Air Force, urging the organization of an emergency armed services information center.

Undoubtedly, virtually every Member of Congress was contacted this past weekend by parents, wives, or other relatives of the officers and men aboard the *Forrestal*, seeking information about their safety.

Perhaps other Members experienced, as I did, a great deal of difficulty in securing information until the start of office hours Monday morning.

I believe the answer is to plan an armed services information center which can become operational almost instantly upon word of some major tragedy affecting U.S. military personnel. Information about casualties from the tragedy scene could be channeled to the information center as quickly as it is received. To be fully functional, the center should be staffed around the clock for several days after the tragedy.

Such an information center could serve as a receiving center for inquiries from every congressional district. Constituents could then contact congressional offices in their own district to request information. These inquiries in turn could be directed to the emergency information center.

In the wake of the *Forrestal* tragedy, I began receiving inquiries Saturday. They continued through Sunday and Monday. But until offices opened Monday morning it was virtually impossible to get information to calm distraught families.

I do want to commend the press and radio, particularly in my district, for their efforts. Many of the names of men aboard the *Forrestal* from my district were relayed to me by local newsmen. We were able to work together to allay the fears of family and friends in the shortest time possible.

THE U.S.S. "FORRESTAL"

Mr. TIERNAN. Mr. Speaker, I ask unanimous consent that the gentleman from Pennsylvania [Mr. ROONEY] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Rhode Island?

There was no objection.

Mr. ROONEY of Pennsylvania. Mr. Speaker, late yesterday America learned the full gravity of the tragic mishap which struck the U.S.S. *Forrestal* as it was about to launch an air mission over North Vietnam Saturday. We now know that this accident has taken a toll of 136 dead and missing and 64 injured among the officers and men aboard the *Forrestal*.

The dollar loss was $135 million. The loss of aircraft totaled 21 destroyed and 42 damaged, accounting for $85 million of the overall dollar cost of this mishap.

The price of this accident has grown to fantastic proportions, making clear, I believe, the need for a congressional investigation of this and other types of mishaps which have taken a high toll of American lives and property in the Southeast Asian zone of conflict.

This morning's press reported that flames shooting from a jet being started for takeoff ignited a missile mounted on a plane behind. One of the ship's officers described this as one of the hazards of war. I contend it is not a hazard of war but an accident which possibly could have been prevented by nothing more than a slightly different formation of planes awaiting takeoff on the flight deck of the carrier. I say possibly it could have been prevented. It is just a possibility, but one which should be considered. Certainly, we can not permit such a possibility to go unchecked until another carrier preparing to launch its aircraft experiences a similarly tragic accident.

We now know that there was a very real possibility that the entire ship would sink. With some 5,000 men aboard, this could have been the most tragic accident in all naval history. The raw courage and determination of the *Forrestal's* officers and men prevented such a fate.

I hope my colleagues will join with me in supporting House Resolution 836 to authorize an investigation—a broad investigation of mishaps involving our Armed Forces—by the House Armed Services Committee. We must find ways to prevent further tragedies due to mishaps.

SUPPORTING THE DOMESTIC TRAWL FISHING INDUSTRY

Mr. TIERNAN. Mr. Speaker, I ask unanimous consent that the gentlewoman from Oregon [Mrs. GREEN] may extend her remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Rhode Island?

There was no objection.

Mrs. GREEN of Oregon. Mr. Speaker, the 54th Legislative Assembly of the State of Oregon has memorialized the Congress of the United States to support the domestic trawl fishing industry.

Therefore, Mr. Speaker, under unanimous consent I place this in the body of the RECORD. Joining with me is Congressman AL ULLMAN:

[Oregon Legislative Assembly—1967 regular session]

SENATE JOINT MEMORIAL 9

To the Honorable Senate and House of Representatives of the United States of America, in Congress Assembled, the Secretary of the Interior and the President of the United States:

We, your memorialists, the Fifty-fourth Legislative Assembly of the State of Oregon, in legislative session assembled, most respectfully represent as follows:

Whereas the importance and nutritional value of fish and shellfish in the world (fish protein concentrate) and the American diet are becoming increasingly more important as a protein resource; and

Whereas our federal agencies involved have found on three occasions since 1953–54 that our domestic trawl fish industry was being hurt or injured by importations, and yet executive administrative action has not been forthcoming to provide this needed protection; and

Whereas the United States domestic fishery production has decreased and diminished consistently since 1954 to the point of having dropped in world production from second place to fifth place (1964) with Norway overtaking the United States in 1966; and

Whereas the domestic fishing industry, having been severely criticized for not having upgraded itself, has found so doing impossible as long as any and all foreign nations can so conveniently ship fishery products into the United States; and

Whereas the United States production of these species in 1966 was only 19.2 percent of the total United States supply and that from imports was 80.8 percent (U.S.D.I. Bureau of Commercial Fisheries Annual Summary, "Packaged Fishery Products—1966," C. F. S. No. 4343); and

Whereas foreign fishing on our coasts and importations are one and the same problem and are destroying the domestic trawl industry; and

Whereas the processing plants of Oregon are limiting the landings of other trawled seafoods due to the heavy and steadily increasing imports of similar species; now, therefore,

Be It Resolved by the Legislative Assembly of the State of Oregon:

(1) The Congress of the United States is memorialized to take appropriate action to ensure and provide a sound and healthy domestic trawl fishery through quota protection on such imported products.

(2) A copy of this memorial shall be transmitted to the President of the United States, to the Secretary of the Interior and to each member of the Oregon Congressional Delegation.

CECIL L. EDWARDS,
Secretary of Senate.
E. D. DOBBS PITTS,
President of Senate.
F. F. MONTGOMERY,
Speaker of House.

WAR, RIOT, AND PRIORITIES

Mr. TIERNAN. Mr. Speaker, I ask unanimous consent that the gentleman from California [Mr. EDWARDS] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Rhode Island?

There was no objection.

Mr. EDWARDS of California. Mr. Speaker, the following is the full text of a statement on "War, Riot, and Priorities" issued today by the following 10 Democratic Congressmen:

Hon. PHILLIP BURTON, of California.
Hon. JOHN CONYERS, JR., of Michigan.
Hon. JOHN G. DOW, of New York.
Hon. DON EDWARDS, of California.
Hon. AUGUSTUS F. HAWKINS, of California.
Hon. HENRY HELSTOSKI, of New Jersey.
Hon. ROBERT W. KASTENMEIER, of Wisconsin.
Hon. BENJAMIN S. ROSENTHAL, of New York.
Hon. EDWARD R. ROYBAL, of California.
Hon. WILLIAM F. RYAN, of New York.

The statement follows:

WAR, RIOT, AND PRIORITIES

Our nation is in crisis. We fight a stalemated war 10,000 miles from our shores, there is no immediate prospect for peace. We face despair and disruption in our cities; there is no immediate prospect for solution.

Never before, in modern American history, have our national priorities seemed more seriously unbalanced. Never before have we Americans been more distracted from our basic responsibilities. Never before has national sentiment been more confused. And never before has enlightened opinion been more frustrated and paralyzed.

This vacuum of vision and leadership, in turn, is being filled by a movement of hostility and reaction. Faced with the despair of the oppressed, the response of this movement is to demand more force, more punishment. The deprived, whether in Vietnam or the ghetto, cry out for redress and independence; but their call is not understood. And so their violent rebellion is attributed to external conspiracy, to scapegoats. Thus, even in desperate violence, the oppressed are ignored.

America, then, is threatened not only by overwhelming problems, but by the dangerous consequences of our response, a cycle of vigilantism and repression, in domestic and foreign policy alike, which may ultimately tear apart the soul of this nation.

Never since we have been in Congress have we been more alarmed for the future of our country. Each of us is willing to accept some measure of responsibility for the imbalance of American national priorities and the inadequacy of our national response to crisis. We are sure others in Congress who think as we do will join in so admitting.

And so we must be frank about who we are, how we feel, and what we expect. Confronted by continued stalemate in Vietnam, greater violence in the cities, and an increasingly reactionary response to that twin prospect, we have little confidence that progressive forces in Congress will of themselves succeed in redefining American priorities and redirecting American energies.

We seek, therefore, a national movement for social reconstruction to help reverse the dangerous drift to reaction currently threatening our public life.

Such a project must acknowledge the great lesson of Summer 1967; *the crisis of our ghettos is more urgent than the war in Vietnam*. To bring real and lasting peace to our cities, we must end war in Asia.

First, then, the war must end . . . now. America must reject the present course of escalation and instead offer our adversaries a compromise peace, which accepts a coalition government for South Vietnam, and the eventual withdrawal of American troops.

Second, we must begin, in effect, a Marshall Plan for the cities, a redistribution of American affluence and a new plan for the full participation of this nation's deprived in reconstructing every ghetto in every city of this country. Our public resources must be stretcthed to their limits, and supplemented by funds currently spent for War. And from the affluent and the comfortable of this nation—an enormous and unprecedented majority—we must require personal commitment and material sacrifice.

This country, then, must turn about. It must limit its unwarranted preoccupation with other continents—and face itself. This historic task is no longer a matter of simple choice. At stake is our self-preservation.

We ten Congressmen are only a few. We will devote all our energies, and all the leadership we can exercise in the constituencies we represent. But the effort must be national. It must rise from the people and the neighborhoods of America. It must find representation and power in Congress. And it must have leadership. Thus, finally, we appeal to our President to chart a new course for this nation, to apply his great energy and political skill to a redefined national agenda, and to regain an initiative and momentum for progress which has been gradually surrendered over the past several years.

STATEMENT OF THE NEW YORK CITY COUNCIL ON CONSUMER AFFAIRS

Mr. TIERNAN. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. Rosenthal] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Rhode Island?

There was no objection.

Mr. ROSENTHAL. Mr. Speaker, as a Member of Congress from the city of New York, and as the chairman of the Special Inquiry on Consumer Representation in the Federal Government—a subcommittee of the House Government Operations Committee—I was extremely happy to receive the statement of the New York City Council on Consumer Affairs, which will be placed in the record of the hearings being held by that subcommittee.

However, in addition to being made a part of those hearings, the statement was, in my judgment, one which should be widely disseminated, and given maximum publicity. It demonstrates that the city of New York felt that the consumer was important enough to warrant the establishment of an agency for the express purpose of protecting his interests.

The council has taken a firm stand in favor of expanded consumer information services on the part of Government, and has endorsed my bill, H.R. 7114, to create a Department of Consumer Affairs and a National Consumer Information Foundation.

I commend Mayor John V. Lindsay for his recognition of the importance of the consuming public, and in his desire to involve the local city government in activities which will benefit the citizens of New York City. And I commend the council for giving the consumer the representation he warrants, and for performing a necessary and important role in protecting the bewildered buyer who, for so many years, has been the victim in today's complex marketplace.

I set forth at this point the statement from the New York City Council on Consumer Affairs:

Statement of the New York City Council on Consumer Affairs to the Special Inquiry on Consumer Representation in the Federal Government of the House Committee on Government Operations

The New York City Council on Consumer Affairs was set up on April 23, 1967 by Executive Order of Mayor John V. Lindsay "to take affirmative action to protect the consumer interests of the citizens of New York." It is composed of commissioners of major City departments with special responsibilities in the consumer field. The Council is concerned with all matters affecting the interest of the citizens of New York City as consumers.

The Council favors efforts to obtain and disseminate full information to consumers. Federal government purchasing standards, formulated at taxpayer expense, surely should be available to aid him shop knowledgeably in an increasingly complex market. One Federal agency, perhaps the General Services Administratation, should be responsible for organizing and publishing all existing standards in a form useful to consumers. A system, such as the "Info-Tag" proposal of H.R. 7114 (90th Congress, first session), which will let manufacturers tell the consumer whether their products meet Federal standards, would also be highly desirable.

The need for more consumer information is beyond dispute. The Truth-in-Packaging Act and the pending Truth-in-Lending bill demonstrate the concern of Congress and of the nation for the bewildered buyer. American business has succeeded in producing a wide range of high quality consumer goods, but the poor and uneducated shopper—and especially the welfare recipient—is often deceived by inferior goods sold at inflated prices by some unscrupulous merchants. If manufacturers and merchants could advertise that their products met Federal standards, even the unsophisticated shopper would have concrete information about the products he is offered.

The New York City Council on Consumer Affairs urges that Federal purchasing standards be made public. We support appropriate administrative action or legislation to accomplish this objective.

KENNEDY ROUND

Mr. TIERNAN. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. Rosenthal] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Rhode Island?

There was no objection.

Mr. ROSENTHAL. Mr. Speaker, the Kennedy round of tariff negotiations, concluded this past May, has been characterized as the most ambitious attempt ever made to achieve the liberalization of international trade. After 4 years of negotiations, 50 nations accounting for about 80 percent of world trade, agreed to cut tariffs an average of 35 percent on industrial goods over the next 5 years and to liberalize trade in farm products. I think it important to emphasize, Mr. Speaker, that the successful conclusion of these negotiations continues a trend dating back more than three decades. In 1931–35 the average U.S. tariff was 50 percent of an item's imported value. At the outset of the Kennedy round, this figure had shrunk to about 11 percent. While it is much too early to measure the total effect of Kennedy round negotiations on all segments of American industry, it seems quite clear as a general proposition that the Kennedy round and, indeed, the entire trend toward a freer world marketplace, promises the opening of vast new markets for U.S. industrial and agricultural products, and, of great interest to me, substantially lower prices and increased product variety for America's 200 million consumers.

It is because an effort is currently underway in the House and in the Senate to reverse this trend, good for all of the people of the United States and the rest of the world, that I report today to my colleagues in the House of Representatives. The instruments of this attempted reversal are H.R. 9475, introduced by the distinguished chairman of the Ways and Means Committee [Mr. Mills], and companion bills in the Senate. These bills seek to amend the Meat Import Act of 1964, enacted by the 88th Congress. In the same spirit and tradition of "commercial partnership" between the United States and its neighbors around the world that produced the successful Kennedy round tariff agreements.

The Meat Import Act of 1964 authorized, among other things, the importation into the United States of rather substantial quantities of inexpensive lean beef, used extensively by millions of consumers in hamburgers, frankfurters, and other low-cost convenience foods. H.R. 9475, if enacted, would curtail significantly the amount of inexpensive lean beef now permitted to be imported into the United States. Because there are inadequate amounts of this lean beef produced by cattlemen here, limiting its importation would necessitate the use of more costly grain-fed cattle meats for hamburgers and frankfurters and raise their cost dramatically to the consumer. It has been estimated by some that such a curtailment would raise the cost as must as 30 percent.

It seems clear that this imported beef poses little if any threat to America's cattle industry which concentrates on "fat" cattle of higher grades and cost destined for steaks, chops, and other high-priced meat cuts. Equally clear is that enactment of H.R. 9475 would fly in the face of this promising trend toward the liberalization of international trade and would damage the economic interests of the consumer, particularly the poor consumer, whose hamburger consumption exceeds the 33 pounds per capita average.

It is noteworthy, Mr. Speaker, that only last month the entire membership of the President's National Advisory Commission on Food and Fiber called for further liberalization of world trade, particularly in farm products, and suggested that the United States should eliminate its import quotas for meat.

It is my view that the welfare of 200 million American consumers requires the defeat of this legislation. A sensible and convincing argument against enactment has been prepared by the Meat Importers Council of America. They have prepared a "Clout the Consumer" letter to Members of Congress and a "Statement of Points in Opposition" to H.R. 9475. I urge all those Members of Congress interested in the plight of the consumer—a plight which has received too little attention from us all—to read the material which I am inserting in the RECORD at this point:

MEAT IMPORTERS' COUNCIL, INC.,
New York, N.Y., June 6, 1967.

Re H.R. 9475.

A number of bills deserving the label *"Clout The Consumer"* have recently been introduced, apparently in good faith, in both the Senate and House, seeking to revise the present Meat Import Law (P.L. 88-482) with new, unnecessary quotas.

Hasty consideration of these proposals would deprive the Congress of its prerogative to inquire into all of the facts in order to determine if such legislation would really help the cattle and livestock feeder industries. Furthermore, Congress should know what effect such proposals would have on consumers by increasing the cost of hamburger, frankfurters and other convenience foods upon which millions of Americans depend.

It is hard to believe that the Congress, in this day of inflationary consumer prices, will allow passage of a *"Clout The Consumer"* Bill without: (1) considering *all* of the facts; (2) hearing both sides; (3) checking into claims of cattlemen; (4) checking into the effect on millions of American families; (5) listening to major consumer organizations; and (6) consultation with the Executive Branch.

Since this is a complex and technical subject, we enclose a statement covering certain points which, we believe, merit your consideration and respectfully urge you ask for full and open hearings.

Sincerely,

KENNETH ROBERSON,
Chairman.

STATEMENT OF POINTS IN OPPOSITION TO S. 1588, H.R. 9475, ETC.

JUNE 6, 1967.

"Clout The Consumer"?: Why do we term this an attempt at *"Clout The Consumer"* legislation?

Millions of American families rely on hamburgers, frankfurters and other convenience foods for their basic meals. Any proposal that would tend to increase the cost of these important, reasonably-priced food items is a *"Clout The Consumer"* Bill.

Hamburgers, Frankfurters and Other Convenience Foods: These low-cost popular food products, so important to the vast number of American consumers, are made of so-called manufacturing meat—a lean meat, produced by grass-fed cattle. Imports of such meat are primarily from Australia, New Zealand and Ireland.

U.S. Production: The U.S. cattle industry concentrates on sending its animals to feedlots to be grain-fed and to become "fat" cattle of higher grade and cost, destined for steaks, chops and other high-priced cuts. Use of this more costly grain-fed cattle meat for hamburgers and frankfurters would raise the prices of these foods so drastically as to price them out of the economic reach of the lower-income families.

Purpose of Proposed Legislation: The sponsors of this legislation, the American National Cattlemen's Association and the National Livestock Feeders Association, readily admit that their main purpose in seeking further to limit these imports is sharply to raise consumer prices. They do not deny that the price of the low-cost hamburgers and frankfurters will be the most harshly affected. They cannot deny that the overproduction of U.S. grain-fed fat cattle for steaks, chops and the higher-priced cuts is in no way related to the need for imported lean meat for hamburgers and frankfurters, or that a sufficient supply of this manufacturing meat is not produced within the U.S. to fulfill needs.

If a "subsidy" is the true objective, would it not be more forthright to ask the Congress for that help without resorting to subterfuge in the form of a *"Clout The Consumer"* Bill?

Over the years, the American National Cattlemen's Association and the National Livestock Feeders Association have prided themselves on rejecting any thought of Federal subsidies. This new campaign to *"Clout The Consumer"* seems to be an effort to obtain another type of "subsidy" through a "tax"—but one levied only against the American consumer who depends on hamburger and frankfurters at a reasonable cost.

If the U.S. cattle and livestock feeder industries are indeed in trouble, as they claim, we favor doing everything practical to assist them. But this isolated attack on meat imports, without first having *all* the facts, seems hardly a practical or sound way to solve the problem.

When the facts are brought to light, they will clearly disclose these relevant points: (1) Imports consist of entirely different types of meat than are produced in sufficient quantity within the United States; (2) they are not competitive with the vast amount of grain-fed U.S.-produced meat; (3) further meat import limitations will in no way solve the real economic problems of the U.S. cattle and feeder industries but will result only in penalizing the vast number of families who eat hamburger and frankfurters, etc., at their main meals since such meat imports are used for these basic nutritious consumer products; (4) further import limitations will mean sharp and severe price rises, making the cost of hamburger and frankfurters prohibitive for millions of lower-income U.S. consumers; (5) proponents readily admit that consumer price rises are their primary purpose.

Our Position: We stand ready to rely on the facts.

The cattle and livestock feeder industries deserve to be helped *if* they have serious economic troubles. An objective effort to diagnose and to isolate the real cause of the cattlemen's "ailment" seems to be a reasonable request.

Therefore, we urge the Congress to order a full and objective inquiry into *all* of the facts, including realistic reasons for the current plight of the U.S. cattlemen and livestock feeders. The appropriate method is to order public hearings, conducted by appropriate Committees of both Chambers of the Congress and by the U.S. Tariff Commission. Both sides deserve a chance to be heard. Major consumer organizations of the nation should be given an opportunity to know the true facts and to present their views.

THE MEAT IMPORTERS COUNCIL.
NEW YORK, N.Y.

REPORT ON RURAL-URBAN DAY IN INDIANA

Mr. TIERNAN. Mr. Speaker, I ask unanimous consent that the gentleman from Indiana [Mr. HAMILTON] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Rhode Island?

There was no objection.

Mr. HAMILTON. Mr. Speaker, recently Congressman J. EDWARD ROUSH, of Indiana's Fifth Congressional District, and I sponsored in Indiana a Rural-Urban Day. We invited three of our "big city" colleagues to the Hoosier State to learn firsthand, some of the problems facing Indiana farmers.

Our visitors, Congressmen FRANK ANNUNZIO, JONATHAN BINGHAM, and JAMES CORMAN toured Indiana farms and talked to farmers and farm leaders during their 1-day stay in Indiana.

We were assisted in our day of tours and talks by two distinguished Purdue University staff members, Prof. N. S. Hadley and Dr. J. O. Dunbar. These two experts on Indiana agriculture accompanied us every step of the way, supplying statistics and other information when it was needed.

Professor Hadley and Dr. Dunbar subsequently reported to President Frederick Hovde of Purdue, dean of agriculture Earl L. Butz and Dr. Howard G. Diesslin, director of extension service at Purdue, on the outcome of the trip. Their report is as follows:

On Friday, July 21, 1967, we accompanied a tour of Indiana Agriculture, led by Congressman J. Edward Roush of the 5th District and Lee H. Hamilton of the 9th District. Guests on the tour were three congressmen from the three largest cities in the United States: Jonathan Bingham, of New York, Frank Annunzio, Chicago and James Corman of Los Angeles. (These three cities have 46 congressmen). On this tour the congressmen inspected the farms of Max Townsend and Ronald Smith in Grant county and the Elk Creek Watershed and the farm of Roscoe Walker in Washington county. These farmers had capital investments of about $250,000 each and are representative of the 25 percent of the farmers who produce 75 percent of Indiana's farm output. The congressmen also visited with farm leaders from both the 5th and 9th districts. At the invitation of the congressmen, we served as consultants throughout the day.

The following are our impressions of the day:

We believe the urban congressmen's understanding of agricultural problems was greatly improved. They were genuinely impressed by the large capital outlays associated with farming. They were likewise impressed by the evident high caliber of the managerial capacities of the farmers visited. They commented on the relatively meager return to capital and management in farming, compared to urban businesses. They recognized the necessity for continued improvements in scientific and technical know-how, as a guarantee for an abundant and economical source of food for urban people. They were astounded by the rapid rate of technical advancement in agriculture. One of the urban congressmen said, "now I know what a County Agent does."

It was evident that they were sympathetic to the problems of all farmers; that they recognized the role of commercial farmers in providing food for the nation and that programs designed to help low income farmers must be of a different nature than those for commercial agriculture.

Congressmen Roush and Hamilton are to be commended for recognizing the importance of having urban congressmen acquainted with agriculture and for doing something about it. Both of these men recognize that farming is becoming more strictly a business and much less a way of life. That the farmer business man is like any other business man but does have special problems. And that the political potence of American agriculture is declining. They recognize that the interests of farmers can be best served by acquainting city people and their representatives with their stake in an efficient, productive and progressive agriculture.

Farmers contacted on the tour did an excellent job of pointing out major problems faced by farmers. Their concerns can be generally classified as follows:

1. Large and growing capital requirements in modern farming.
2. The pressure to substitute capital for labor.
3. The need for abundant, stable and reasonably priced credit.
4. The pressure to increase efficiency.
5. The importance of continuing research and education.
6. The cost-price squeeze.
7. The importance of governmental action in maintaining a reasonable balance between production and effective demand.
8. The pressures generated by agricultural imports.
9. The need to insulate the domestic market from strategic reserves of feed and food.
10. The farmers declining share of the consumers dollar.
11. The importance of resource development and conservation.

The County Agents in both Grant and Washington counties gave valuable assistance in helping to arrange and conduct the visits. George (Mac) Adams received special praise from Congressman Hamilton and his staff for his tireless, imaginative, practical and enthusiastic assistance.

Meanwhile, newspaper accounts of the day in Indiana continue to appear in Indiana publications and I submit the following excellent article "A Congressional Turnabout" by Miss Marguerite Davis which appeared in a recent issue of the Louisville, Ky., Times:

A Congressional Turnabout—City Representatives Propose Urban Tours for Their Rural Colleagues

(By Marguerite Davis)

Washington.—Big-city congressmen, impressed by their one-day tour of Indiana farms for a first-hand study of the farmer's problems, are thinking of returning the compliment.

Rep. Frank Annunzio, D-Ill., whose district is comprised of downtown Chicago, said he discussed the idea with two other "city slickers" who made the July 21 trip with him—Democratic Reps. Jonathan B. Bingham, of New York City, and James C. Corman, of suburban Los Angeles.

The plan would be to take rural-area congressmen on a tour of the cities, show them the slums, the dilapidated housing, the overcrowded, under-equipped schools.

TRIP CALLED BIG SUCCESS

Reps. J. Edward Roush and Lee H. Hamilton, Indiana Democrats who sponsored the farm tour of their districts, endorsed the idea. They said that if they were invited, they would accept.

Meanwhile, all concerned agree the Indiana trip was an outstanding success.

"My principal impression was the size of the investment required for a farm, the difficulty and complexity of the operation, the fact that so much equipment is needed," Bingham said. "Farmers have to be highly educated people . . . in management, planning finance—and these are just family farms."

Annunzio said he planned to confer with Labor Secretary W. Willard Wirtz about the possibility of assigning unemployed persons to farm work.

"Something has to be done to get labor for the farmers," he said. "Someone has to use imagination to sell people on going to work on farms . . . to romanticize farm life, if necessary.

A MUCH HARDER LIFE

He conceded the need for better returns for the farmers, but said their plight could be worse.

"These people are getting 4.5 to 5 per cent return on their money and it's not enough," he said. "They're small-business men, and that's the problem of all small-business men.

"But with all their problems, they at least have clear air to breath and good food to eat. The small-business men in the city have a much harder life."

FLOOD INSURANCE NEEDED

Mr. TIERNAN. Mr. Speaker, I ask unanimous consent that the gentleman from Oregon [Mr. Ullman] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Rhode Island?

There was no objection.

Mr. ULLMAN. Mr. Speaker, 2 years ago during the Christmas season, Oregon was suddenly struck by a series of crippling floods which ravaged virtually the entire State and led President Johnson to declare a disaster area.

The individuals whose houses and places of business were damaged or destroyed generally had no insurance to protect them from such an eventuality.

Even now, tens of thousands of American families living in flood-danger areas are unable to obtain insurance policies which cover these natural disasters.

For a number of years, various Federal programs to create a system of flood insurance have been discussed. Earlier in this session, I was pleased to introduce H.R. 3264. I am now happy to join with my colleague from Florida [Mr. Pepper] in introducing an improved version of my earlier bill. This measure, prepared by the Department of Housing and Urban Development, will not only help to protect citizens but will also discourage future unwise construction in flood plain areas. As Mr. Williams, of New Jersey, one of the Senate sponsors, has pointed out, it should reduce the needs for Federal relief expenditures for flood-stricken regions by leading to more prudent use of these lands.

Numerous insurance companies have indicated their support for this bill and have agreed that for the first time, it will be economically feasible for them to offer protection against floods. As designed, the proposed system will serve as another example of cooperation between the private and public sectors of American life.

WARSAW UPRISING

Mr. TIERNAN. Mr. Speaker, I ask unanimous consent that the gentleman from New Jersey [Mr. Rodino] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Rhode Island?

There was no objection.

Mr. RODINO. Mr. Speaker, today, I should like to join my countrymen in paying tribute and respect to the Polish nation and in particular to the people of Warsaw who on August 1, 1943, joined their compatriots in other parts of the country in a brave uprising against the German occupying army.

Polish histories almost invariably begin with descriptions of Poland's geographic situation. Whether or not it is explicitly noted, it becomes immediately apparent to the reader that Poland, lying on the great central European plain, is unprotected by natural barriers from her two powerful neighbors, Germany and Russia. Historically, her geographic environment has been the bane of Polish independence.

When Germany and the Soviet Union, after invading Poland in September 1939, across her eastern and western boundaries, signed the Ribbentrop-Molotov "Treaty of Friendship and Frontiers," Poland was being partitioned by foreign powers for the fifth time in her history. On October 6, Hitler proclaimed the end of the Polish State. This reckless disregard for the territorial sovereignty of Poland was the immediate cause for a declaration of war on Germany by the West European nations.

Poland suffered incomparable losses throughout the war. In the German-occupied area, S.S. leader Himmler carried out a ruthless program of Germanization under his newly acquired title of "Commissioner for the Consolidation of German Nationality." Polish inhabitants of western Poland were driven away, murdered, or deported as forced labor to central Germany. Polish schools were closed, libraries and archives destroyed, newspapers suppressed. The entire teaching staff of Jagellon University in Cracow, one of the oldest and finest universities in Europe, was arrested and many were killed at Sachsenhausen camp. Similarly, in eastern Poland, large numbers of Poles were deported to Russia.

After the German invasion of Russia and eastern Poland in June 1941, the Poles found themselves allied with the Soviet Union against Germany.

Though Polish divisions abroad fought bravely against the axis in Africa, in air battles over Western Europe, in the Italian campaign, and in the invasion of France, their homeland was a victim of treachery. When the Red Army approached Warsaw in 1943, ostensibly to liberate the capital, the Polish underground, encouraged by broadcasts from the Soviet Union, rebelled against the Nazi troops in the city. While the Germans sent reinforcements from their retreating army to crush the revolt, the Soviet Army waited across the Vistula River a few miles from the city for 5 weeks. This delay enabled the Germans to conduct an unprecedented campaign of murder and systematic demolition. The citizens of Warsaw had expected immediate aid.

Nevertheless, when support was not forthcoming, they fought dauntlessly against insuperable odds. The Russians arrived after the entire city was razed. One cannot fail to be deeply moved by this tragedy of betrayed hope and needless destruction.

Twenty-four years later, Warsaw stands as vital testimony to the determination and courage of the Polish citizens. Conquering tremendous hardship, the Poles have rebuilt their cities on fields of rubble, restoring entire old sections stone by stone to their former beauty. Today in Warsaw, it is possible to turn a corner and walk down a narrow street that holds shimmering memories of the past and then to turn again into the modern city to see proud promise for the future. Despite a continuing foreign presence on Poland's political stage, it cannot be said that the Poles of Warsaw fought to no avail. Their traditional spirit and courage will never be defeated.

LETTER FROM MRS. ERNESTINE ROSSANO

Mr. TIERNAN. Mr. Speaker, I ask unanimous consent that the gentleman from Pennsylvania [Mr. Barrett] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Rhode Island?

There was no objection.

Mr. BARRETT. Mr. Speaker, I think my colleagues will be interested to hear about a letter written to Sargent Shriver, on July 13, 1967, by Mrs. Ernestine Rossano, one of my constituents. She writes to commend the Job Corps program for what it has done for her grandson, who joined the Job Corps in February 1967.

When he joined the Job Corps, she writes, he couldn't read a second-grade book. He was first sent to Trapper Creek Job Corps Center in Montana and, after accomplishing the necessary basic education skills, he transferred to the Kilmer Job Corps Center in New Jersey. He came home on leave between these assignments, and his grandmother noticed a decided improvement. He was more of a man now. He had learned to read in just a few months and the moment he arrived home he took a book to read and proudly display his accomplishment.

Mrs. Rossano feels that the Job Corps is something to be proud of, and I am sure many of my constituents would agree with her. I am sure that letters of application like Mrs. Rossano's give a great deal of satisfaction to all those associated with the Job Corps program and can be multiplied by many thousands.

I commend her letter to my colleagues and insert it in the Record.

July 13, 1967.

Dear Sargent Shriver: I am writting in reference of my grandson who lived with me, and has joined the Job Corp Center in Feb of 67. What I want to say when he joined he couldn't read a second grade book. He came home on leave when he was transfered from Trapper Creek Montana to Kilmer JCC Eddison, N.J.

I am very happy for the big improvement, he is more of a man then the boy that jo ned, he was so proud to think he has learned to read, he just could'nt wait for the moment he got home he took a book out and started to read. To think he could'nt read at all a few months ago. The JCC is something to be real proud of what can be done for boys a job well done. May God Bless you and keep up the JCC.

Thank You.

A proud Grandmother,

Mrs. Ernestine Rossano,
Philadelphia, Pa.

P.S.—Please answer this letter.

Thank You.

A MATTER OF ENLIGHTENED SELF-INTEREST

Mr. TIERNAN. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. Bingham] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Rhode Island?

There was no objection.

Mr. BINGHAM. Mr. Speaker, Mr. Henry Fluegel Silver of my State, a public spirited citizen and highly successful chartered life underwriter, recently wrote to me about the importance of developing multilateral assistance for the developing nations.

For the benefit of my colleagues and other readers of the Congressional Record, I insert his letter herewith:

New York, N.Y.

Representative Jonathan B. Bingham,
U.S. House of Representatives,
Washington, D.C.

Dear Representative Bingham: The mass poverty of the underdeveloped countries is almost beyond the grasp of our understanding. As a result, we have found it easier to pay lip service to our moral obligations than to take the practical and hard steps necessary to attack this problem meaningfully.

No country can hope to offer, indefinitely, food surpluses to the starving of the world on a unilateral basis. Even food aid organized on an international basis cannot be regarded as a permanent solution. The food surpluses of the high productivity nations will shortly be exhausted. Putting back into production their entire idle acreage will not begin to take up the slack in this race between need and available resources.

The financial and material aid needed by the developing nations over the next 15–25 years cannot be provided by any single nation. On the other hand, for the rich nations to simply increase their share of the aid required without consideration of the larger economic issues involved, is to throw good money after bad. The poor nations cannot profitably use this aid in a logical and well-planned development program if they continue to suffer under the burdens of an increasing debt-service, unfavorable foreign trade arrangements, and a shortage of foreign exchange.

The long-range planning now required can only be accomplished on an intergovernmental basis. Agencies within the United Nations are the obvious channels for the aid resources now required. If the United States were to initiate this step it could begin to erase the unfortunate and unfair image is has acquired as a neo-colonial and imperialist power. It would gain the confidence of the ordinary people of the world through two steps: its support of the United Nations, and its willingness to take action that implies some form of economic sacrifice. It is a matter of enlightened self-interest to embark on this path. Herbert Waters, the assistant administrator of the Agency for International Development put it cogently when he said: Hunger used to be the silent enemy of man. Starvation used to be the silent way of death. Not any more. Instead of silence, it can mean a resounding roar of violence."

As the most powerful nation on earth it behooves us to utilize our affluence and influence for the international general welfare. By so doing we ensure a decent world for our posterity to inhabit.

Sincerely,

Henry Fluegel Silver.

FEDERAL MAGISTRATES ACT

Mr. TIERNAN. Mr. Speaker, I ask unanimous consent that the gentleman from Texas [Mr. Gonzalez] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Rhode Island?

There was no objection.

Mr. GONZALEZ. Mr. Speaker, under unanimous consent I wish to address this body in support of the Federal Magistrates Act, S. 945, as amended, which passed the Senate on June 29. S. 945 would abolish the office of the U.S. commissioner and establish in its place in the judicial branch of our Government a system of U.S. magistrates.

I am a cosponsor of this legislation, having introduced H.R. 8520. I heartily endorse its purpose of revamping our system of commissioners which has changed little for over a century. On the level where many of our citizens have their first contact with the Federal judiciary, it would require that magistrates be attorneys whenever possible, it would afford secure terms of office to magistrates, it would compensate magistrates with salaries not case fees, and it would establish uniform procedures. Further, this legislation would relieve our overburdened U.S. district courts from certain cases which could more desirably be decided on a lower level, and the magistrates could be assigned various other duties to assist the courts.

The magistrate would assume the duties of the present commissioner, such as issuing warrants and setting bail at men, we served as consultants throughout the day.

The following are our impressions of the day:

We believe the urban congressmen's understanding of agricultural problems was greatly improved. They were genuinely impressed by the large capital outlays associated with farming. They were likewise impressed by the evident high caliber of the managerial capacities of the farmers visited. They commented on the relatively meager return to capital and management in farming, compared to urban businesses. They recognized the necessity for continued improvements in scientific and technical know-how, as a guarantee for an abundant and economical source of food for urban people. They were astounded by the rapid rate of technical advancement in agriculture. One of the urban congressmen said, "now I know what a County Agent does."

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"But with all their problems, they at least have clear air to breath and good food to eat. The small-business men in the city have a much harder life."

FLOOD INSURANCE NEEDED

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Mr. RODINO. Mr. Speaker, today, I should like to join my countrymen in paying tribute and respect to the Polish nation and in particular to the people of Warsaw who on August 1, 1943, joined their compatriots in other parts of the country in a brave uprising against the German occupying army.

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Poland suffered incomparable losses throughout the war. In the German-occupied area, S.S. leader Himmler carried out a ruthless program of Germanization under his newly acquired title of "Commissioner for the Consolidation of German Nationality." Polish inhabitants of western Poland were driven away, murdered, or deported as forced labor to central Germany. Polish schools were closed, libraries and archives destroyed, newspapers suppressed. The entire teaching staff of Jagellon University in Cracow, one of the oldest and finest universities in Europe, was arrested and many were killed at Sachsenhausen camp. Similarly, in eastern Poland, large numbers of Poles were deported to Russia.

After the German invasion of Russia and eastern Poland in June 1941, the Poles found themselves allied with the Soviet Union against Germany.

Though Polish divisions abroad fought bravely against the axis in Africa, in air battles over Western Europe, in the Italian campaign, and in the invasion of France, their homeland was a victim of treachery. When the Red Army approached Warsaw in 1943, ostensibly to liberate the capital, the Polish underground, encouraged by broadcasts from the Soviet Union, rebelled against the Nazi troops in the city. While the Germans sent reinforcements from their retreating army to crush the revolt, the Soviet Army waited across the Vistula River a few miles from the city for 5 weeks. This delay enabled the Germans to conduct an unprecedented campaign of murder and systematic demolition. The citizens of Warsaw had expected immediate aid.

Nevertheless, when support was not forthcoming, they fought dauntlessly against insuperable odds. The Russians arrived after the entire city was razed. One cannot fail to be deeply moved by this tragedy of betrayed hope and needless destruction.

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The SPEAKER pro tempore. Is there objection to the request of the gentleman from Rhode Island?

There was no objection.

Mr. BARRETT. Mr. Speaker, I think my colleagues will be interested to hear about a letter written to Sargent Shriver, on July 13, 1967, by Mrs. Ernestine Rossano, one of my constituents. She writes to commend the Job Corps program for what it has done for her grandson, who joined the Job Corps in February 1967.

When he joined the Job Corps, she writes, he couldn't read a second-grade book. He was first sent to Trapper Creek Job Corps Center in Montana and, after accomplishing the necessary basic education skills, he transferred to the Kilmer Job Corps Center in New Jersey. He came home on leave between these assignments, and his grandmother noticed a decided improvement. He was more of a man now. He had learned to read in just a few months and the moment he arrived home he took a book to read and proudly display his accomplishment.

Mrs. Rossano feels that the Job Corps is something to be proud of, and I am sure many of my constituents would agree with her. I am sure that letters of application like Mrs. Rossano's give a great deal of satisfaction to all those associated with the Job Corps program and can be multiplied by many thousands.

I commend her letter to my colleagues and insert it in the Record.

July 13, 1967.

Dear Sargent Shriver: I am writting in reference of my grandson who lived with me, and has joined the Job Corp Center in Feb of 67. What I want to say when he joined he couldn't read a second grade book. He came home on leave when he was transfered from Trapper Creek Montana to Kilmer JCC Eddison, N.J.

I am very happy for the big improvement, he is more of a man then the boy that joined, he was so proud to think he has learned to read, he just could'nt wait for the moment he got home he took a book out and started to read. To think he could'nt read at all a few months ago. The JCC is something to be real proud of what can be done for boys a job well done. May God Bless you and keep up the JCC.

Thank You.

A proud Grandmother,

Mrs. Ernestine Rossano,
Philadelphia, Pa.

P.S.—Please answer this letter.
Thank You.

A MATTER OF ENLIGHTENED SELF-INTEREST

Mr. TIERNAN. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. Bingham] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Rhode Island?

There was no objection.

Mr. BINGHAM. Mr. Speaker, Mr. Henry Fluegel Silver of my State, a public spirited citizen and highly successful chartered life underwriter, recently wrote to me about the importance of developing multilateral assistance for the developing nations.

For the benefit of my colleagues and other readers of the Congressional Record, I insert his letter herewith:

New York, N.Y.

Representative Jonathan B. Bingham,
U.S. House of Representatives,
Washington, D.C.

Dear Representative Bingham: The mass poverty of the underdeveloped countries is almost beyond the grasp of our understanding. As a result, we have found it easier to pay lip service to our moral obligations than to take the practical and hard steps necessary to attack this problem meaningfully.

No country can hope to offer, indefinitely, food surpluses to the starving of the world on a unilateral basis. Even food aid organized on an international basis cannot be regarded as a permanent solution. The food surpluses of the high productivity nations will shortly be exhausted. Putting back into production their entire idle acreage will not begin to take up the slack in this race between need and available resources.

The financial and material aid needed by the developing nations over the next 15–25 years cannot be provided by any single nation. On the other hand, for the rich nations to simply increase their share of the aid required without consideration of the larger economic issues involved, is to throw good money after bad. The poor nations cannot profitably use this aid in a logical and well-planned development program if they continue to suffer under the burdens of an increasing debt-service, unfavorable foreign trade arrangements, and a shortage of foreign exchange.

The long-range planning now required can only be accomplished on an intergovernmental basis. Agencies within the United Nations are the obvious channels for the aid resources now required. If the United States were to initiate this step it could begin to erase the unfortunate and unfair image is has acquired as a neo-colonial and imperialist power. It would gain the confidence of the ordinary people of the world through two steps: its support of the United Nations, and its willingness to take action that implies some form of economic sacrifice. It is a matter of enlightened self-interest to embark on this path. Herbert Waters, the assistant administrator of the Agency for International Development put it cogently when he said: Hunger used to be the silent enemy of man. Starvation used to be the silent way of death. Not any more. Instead of silence, it can mean a resounding roar of violence."

As the most powerful nation on earth it behooves us to utilize our affluence and influence for the international general welfare. By so doing we ensure a decent world for our posterity to inhabit.

Sincerely,

Henry Fluegel Silver.

FEDERAL MAGISTRATES ACT

Mr. TIERNAN. Mr. Speaker, I ask unanimous consent that the gentleman from Texas [Mr. Gonzalez] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Rhode Island?

There was no objection.

Mr. GONZALEZ. Mr. Speaker, under unanimous consent I wish to address this body in support of the Federal Magistrates Act, S. 945, as amended, which passed the Senate on June 29. S. 945 would abolish the office of the U.S. commissioner and establish in its place in the judicial branch of our Government a system of U.S. magistrates.

I am a cosponsor of this legislation, having introduced H.R. 8520. I heartily endorse its purpose of revamping our system of commissioners which has changed little for over a century. On the level where many of our citizens have their first contact with the Federal judiciary, it would require that magistrates be attorneys whenever possible, it would afford secure terms of office to magistrates, it would compensate magistrates with salaries not case fees, and it would establish uniform procedures. Further, this legislation would relieve our overburdened U.S. district courts from certain cases which could more desirably be decided on a lower level, and the magistrates could be assigned various other duties to assist the courts.

The magistrate would assume the duties of the present commissioner, such as issuing warrants and setting bail at preliminary hearings. In addition, the trial jurisdiction of a magistrate would extend to those accused of misdemeanors that are punishable by imprisonment for not more than 1 year of a fine of not more than $1,000 or both, providing the accused waives his right to trial before a U.S. district court and waives any right to a trial by jury. A magistrate's decision can be appealed to the district court.

I have sounded out several officials in my district on the Federal Magistrates Act. The Honorable Adrian A. Spears, the distinguished and energetic chief judge of the western district of Texas, U.S. District Court, has said this legislation would be a tremendous step forward. Attorney James L. M. Miller, a commissioner himself, writes me:

> As you know the bill has the support of all the judges, the American Bar Association, and that extensive hearings were had before the Senate Subcommittee clearly showed the need for the reform as set out in your bill. . . . the Commissioner system, based on a fee system (and in many cases the Commissioners are not lawyers) is archaic, inefficient, and a detriment to the administration of justice in the Federal System. The bill in the Senate passed without a dissenting vote! It is hoped that the bill would pass in the House this month.

Mr. Speaker, a judicial system cannot be said to deliver justice unless its decisions are swift and sure. I believe the Federal Magistrates Act would significantly improve the quality and dispatch of justice. I commend to my colleagues' attention to Senate Report No. 357 on S. 945, and the hearings before the Tydings Subcommittee on Improvement in Judicial Machinery of the Senate Judiciary Committee entitled "Federal Magistrates Act"—90th Congress—and "U.S. Commissioner System"—89th Congress. S. 945 is pending before the House Judiciary Committee, and I urge my colleagues to join me in requesting prompt consideration of this legislation as soon as the press of committee business allows.

FREEDOM AND THE RISING CRIME WAVE—SPEECH BY ASSOCIATE JUSTICE I. BEVERLY LAKE

Mr. TIERNAN. Mr. Speaker, I ask unanimous consent that the gentleman from North Carolina [Mr. HENDERSON] may extend his remarks at this point in the RECORD and include extraneous

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Rhode Island?

There was no objection.

Mr. HENDERSON. Mr. Speaker, Associate Justice I. Beverly Lake recently spoke before the American Legion post at Dunn, N.C., which is in the district I have the honor to represent, on the subject "Freedom and the Rising Crime Wave."

Justice Lake is an outstanding public servant, having distinguished himself as a practicing lawyer, a law professor at Wake Forest College, assistant attorney general of the State of North Carolina, and now as a member of the supreme court of his native State.

His speech has attracted widespread interest, and several of our colleagues in the House of Representatives have indicated their appreciation and interest in his expression.

With this in mind I am including the text of the referred-to speech in the RECORD:

FREEDOM AND THE RISING CRIME WAVE

(Speech to Dunn, N.C., post of the American Legion, July 7, 1967, by I. Beverly Lake)

One of the many satisfactions I get from being a grandfather is that now I get invited to birthday parties again. A birthday celebration is a wonderful time of pleasure—recollection, pleasant companionship and anticipation of nice things to come. We had a birthday celebration this week—the birthday of our country.

In order that their fellow Americans and all the world of their time, and we who were to come after them upon this great land, might know the reason for their decision to embark upon the desperate course of revolution against the greatest military power in the world, Thomas Jefferson and his associates set down in the Declaration of Independence the more serious abuses of power by the King and his ministers. It is a catalogue of the evil fruit which grows upon the tree of tyranny—a picture of the conditions which our fathers found so intolerable they joined the signers of the Declaration in pledging their lives, their fortunes and their sacred honor to destroy. Since those conditions were the result of acts of their government, there were many who, in good conscience, said, "This Declaration is treason; we must obey the law; we may properly ask the Government to do better but we must have law and order."

The Book of Judges in the Holy Scriptures recounts a dark and dismal century in the history of Israel. It closes with this descriptive and thought provoking sentence: "In those days there was no king in Israel; every man did that which was right in his own eyes." That is a picture of anarchy—no law, no courts, no police. It is a picture of a desperate time of struggle for a hand-to-mouth existence in a community filled with fear and anxiety whenever the sun went down.

Through these two windows of history we see the extremes—lawless anarchy and blind obedience to an all powerful government. Both have been tried by mankind over and over and over again. The results of each are well known. The results of each are inevitable. The results of each are insecurity, anxiety, fear, the denial of opportunity and the destruction of ambition. Somewhere between the two lies the happy land of freedom of opportunity, of freedom from fear, and of the responsibility of the individual for his own welfare which must always accompany freedom if freedom is to live and grow.

Here in this country of ours, and especially in this State of ours, we have not reached that Promised Land, but we have been given glimpses of it. We know that it is real, and we are nearer to it than any other people on earth. We have been brought in sight of it by the wisdom of men, whom I believe to have been guided by God, in conceiving the idea of a government limited in its powers by a written Constitution, interpreted and applied by judges, administrators and legislators committed to a faith in such a government. We have been brought in sight of this Promised Land by the plodding footsteps of men and women, unknown to the historian, unacquainted with the niceties of constitutional law, but aware of the opportunities of freedom, conscious of their own responsibility for themselves and their families, and aware that they and their children could not prosper, materially or spiritually, if either their government controlled their lives or lawlessness roamed their streets. We stand upon the borders of this Promised Land. Some day History will write an appraisal of our America. Will it be like that of the early Israelites? Will History say of us also: "These people were brought to the borders of the Promised Land, but they were too stupid, too lazy, too fearful to go on and possess it, so they died in the wilderness?"

You members of the American Legion have demonstrated your faith in and your love for this country of ours in many ways. Some of you have heard the sound of enemy shells and bullets, some have flown in combat, some have sailed the cold, dark ocean wondering if you would see the sun rise again. You have seen your friends die. Some of you carry in your own bodies reminders of the battlefield. You know, far better than I, what your boys, and the sons of your neighbors, are experiencing at this hour in the hills and swamps of Vietnam while the Peaceniks parade and burn their draft cards, while the government in Washington holds back our field commanders lest they go all out and win a victory comparable to that of General Dayan in the Sinai Desert, while the federal courts, which we have seen move so quickly upon an appeal in order to destroy the constitutional powers of the states, dawdle and delay in the case of Cassius Clay. For what you have done in training camp and in battle I am garteful. I am also grateful for what you are doing in holding meetings like this, for all that you and the American fighting men before you have done for our country on the battlefield and on the seas and in the skies will be wasted if we lose our freedom here at home either to an increasingly powerful and arrogant federal government or to the rising tide of lawlessness and crime.

It is heartening to see occasions like this here in Harnett County, and in place after place elsewhere throughout our State, in which the people of the community gather to express appreciation to their police officers. In a few weeks I shall have lived 61 years in North Carolina and will finish my 39th year as a North Carolina lawyer, observing and participating in the work of our courts. In all of that time I cannot remember a single instance in which a police officer anywhere in this State was discourteous to me or mistreated me. I have had one or two stop me and tell me things that I was doing which I shouldn't do in my automobile, and I am a better driver today because they did, but never have I personally experienced any police brutality or police arrogance. When I was practicing law in the courts of this county and elsewhere and especially so since I have been a Justice of the Supreme Court, I have been impressed with the efficiency of our police officers and their basic fairness. Undoubtedly there are some officers who are both cruel and stupid. Unquestionably there are some who are subject to corruption, graft and improper influence. The ideal police officer does not exist in human form in North Carolina any more than does the ideal judge or the ideal preacher, but we can say proudly and truthfully that in North Carolina the law abiding citizen has no basis for fear of police brutality and we must be swift to denounce that slanderous charge by the agitators of criminal violence whenever it is raised as a smoke screen for their own unlawful conduct.

Fearless Fosdick is one of Al Capp's contributions to our Sunday morning pleasure because he is so far from being a true picture of our American policeman. But what if he were not? What if he were just a slight exaggeration? Then we should be living in a police state. I wonder if Fearless Fosdick would be as amusing to the people of Warsaw or Budapest or East Berlin as he is to the children of Dunn and Wake Forest. The people of those cities know what police brutality really means. You see they live in a country which has a government not limited by a constitution like ours. They can tell you all about life in a Welfare State. They can tell you what it is like to live in a community where the police are supreme and the greatest crime is to advocate a change in the government. I am glad you police officers do not represent a government like that. You and we share the responsibility for seeing to it that you never do.

It must be galling to you to see a man you know to be guilty of a crime go free because his guilt could not be proved within the rules of evidence. It is to judges also—at least to those in this State. The rules of evidence are not Divinely inspired, but if police officers and judges throw them aside, we shall find that we have paid too big a price for the convictions of a handful of criminals, for those rules help to prevent a police state from being fastened upon our country. The acquittal of the innocent is as important in the building of a law abiding, peaceful and prosperous community as is the conviction of the criminal.

A few days ago there came to my desk a publication containing a letter from a Congressman from another state. He was advising his constituents not to travel with their families to Washington this summer because it is not a safe place for them to visit. Can you imagine that! The capital of our country so riddled by lawlessness and violent crime that a man cannot safely carry his children there to see the Washington Monument, the Capitol, the White House, the Library of Congress and the Smithsonian Institution! Why?

You do not have to look far to find the answer. It lies on the doorstep of the Supreme Court of the United States, on the portico of the White House and all along that beautiful avenue which runs between them. Washington is an unsafe place for the American people to visit this summer because the police of Washington have been hamstrung by a series of Federal Administrations concerned more with political victory than with law and order in the capital city of America. It is time that we, the American people, bring home to all would be rulers of our country that political victory and law and order must go hand in hand, that we will not stand for the coddling of criminals for political expediency, and if they can't do something about it we can and we will on election day.

I hope there will never come a time when in the heart of the typical American there is not a feeling of pity and concern for the man or woman charged with crime, when we, individually and as a community, will not be determined that no innocent person be punished, that no guilty person be punished with undue severity, when we, individually and as a community, will not be ready to grant to the person who has offended and repented the mercy and the forgiveness which some day we shall seek for ourselves, but there is a difference between concern and indulgence, between mercy and mush, between justice and sentimentality.

All over America there is a rising wave of crime—all sorts of crime. While it rises and sweeps on, we are floundering in a swamp of mush about the guilt of society. There has never been anywhere on earth a society which offers more hope, opportunity and assistance to the oppressed and handicapped than America. Yet it is here in our country that we have the highest rate of major crime of any civilized country on earth.

To some extent that crime rate is attributable, it is true, to our traditional love of freedom from governmental control, which is our strength and which must not be allowed to be lost, but the recent rise in crime in America is not due to that. It is due to the coddling of criminals, the hamstringing of our police with textbook sociology, the constant drumfire from television and from pulpit that Society is responsble for the misdeeds of the dope-peddler, the kidnapper, the rapist, the arsonist and the gangster. That is utter nonsense and the sooner we start saying so the sooner we shall have our people back on the road to the Promised Land of freedom and of law and order.

We must recognize and act upon the truth that there are in this world of ours men who are cold-blooded, cruel and merciless beasts. To them the only thing of importance is the satisfaction of their desires. They did not get that way through mistreatment in the kindergarten. But if they did, what of it? That is the way they are and they must be dealt with on that basis. A rattlesnake just cannot help being venomous, but you cannot cure him of it by kindness. I do not pretend to know enough about the intricate workings of the human mind to know whether a man, who knows the difference between right and wrong, can by reason of a mental defect, have a truly irresistable urge to kidnap and torture a child to death just for the satisfaction of seeing the child suffer, but, assuming he does have that kind of mentality, should we not be more concerned with protecting the remaining children of our communities than with his comfort and welfare? Should we not so deal with him as to discourage others from pretending they have a like disease?

If our country is to go forward into the Promised Land which lies before us we must stop and then turn back this rising wave of crime. It is no light task, but one which will require much time and the efforts of us all. The government, the church, the school, the home all have important roles to play if we are to conquer this lawlessness and free our country from its power.

Of course, slum conditions and lack of economic opportunity provide a breeding place for crime and lawlessness. By no means are poverty and lack of hope for economic improvement the only source of crime. It is, however, a matter of plain common sense that we work hard to get rid of such conditions wherever they exist. It is equally important that, while we are so engaged we do not condone lawlessness in the slums on the ground that things are excusable there which cannot be tolerated elsewhere. Crime, like disease, does not stop at area boundary lines.

The real breeding place of crime, however, is not in the city slum or in rural poverty. Its real breeding place is in the human mind and the human heart. Here the school, the church, the home are our chief sources of strength and our chief and most costly failures. Increasingly, our schools are being beset with the evils we foresaw would result from the tragic blunder and disregard of law by the Supreme Court of the United States thirteen years ago. They are beset by troubles far more serious than mere inadequate salaries for teachers. One of our American shortcomings is the belief that an abundance of money will solve everything. It will not solve the problems of our schools. Our educational program in the elementary grades continues to be inadequate for the same reasons it was inadequate when I first talked to you about it seven years ago. Not only does it act as a drag on the efficiency of our schools for higher education, but the elementary school continues to be the only school ever attended by many who come from environments most likely to serve as breeding places of lawlessness. To train the mind of a child to think clearly and to know the truth and to appreciate the beautiful, is no guaranty that he or she will become a law-abiding citizen, but it greatly increases the probability, and that is a good enough reason to improve our elementary schools.

The condition facing our country calls upon the church to turn its attention once more from street demonstrations, economics and sociology to that breeding place of crime and lawlessness, the human heart, bearing in mind that our Lord, during His ministry on earth, was more concerned with the heart than with the stomach. Our country needs very badly slum clearance and full employment, but she needs far more the therapy which comes from an application of His Gospel to the hearts of men and women, the inspiration to goodness and clean living which comes to the mind filled with His practical rules of life, the hope which comes to one who knows the cleansing power of His love. Why should a church which has these things in its arsenal go forth to battle against crime armed only with the latest books on Sociology, Economics and Psychiatry?

We are properly concerned about the threat of the rising tide of crime to those we love in our homes. We think quite rightly about the danger of the burglar in the night for it is an increasing danger, but how much more terrible it is if Crime, itself, reaches into our home and takes one of our own. I had a long distance call the other night from the mother of a man in one of our prisons. She wanted me to tell her how to get a post-conviction hearing for her son. Of course, I told her that since I am on the Court I could not advise her about that. She would have to employ a lawyer. But as I hung up the phone I thought what a terrible thing it must be for a parent to have a child who is a criminal by choice. It is not necessarily the parent's fault, for we know that children frequently wander far from the path pointed out to them at home and in which their parents walk, but the writer of the Book of Proverbs was not indulging in idle talk when he said, "Train up a child in the way he should go and when he is old he will not depart from it." The changes in our home life and economic conditions resulting in so many mothers working away from home and leaving their little ones to a nursery or to their own devices after school have put a great strain upon the most important years of character building. When this is unavoidable, greater, not less effort is required to build into the child those principles of right and wrong which are the foundation of the law-abiding life, and which are built into the child by the happy combination of patience, love and discipline.

When all these forces are at work to clean up the breeding places of crime we shall still have with us the true, hardened criminal. We shall still have with us the crafty ones who incite their less intelligent associates to riot and disorder, to burning and pillaging and senseless destruction of a city. So we shall always need the strong hand of government—the police and the courts. As we who are charged, particularly, with this responsibility, move to meet it, let us remember that a government of free people depends for its strength upon their respect, and let us so conduct the arrest, investigation and trial procedures that we shall merit the respect we ask of our fellow citizens. The trial of a man or woman accused of a crime is a serious matter, not an entertainment, and should never be taken lightly. It should be conducted with dignity in order that the accused may be acquitted if innocent, convicted if guilty.

We desperately need in this country a simple, clear statement of policy from the government in Washington that it is the intent of our government to have in our national capital, and in every other city and town of our land, a community which is safe for law-abiding people to live in and to visit and move about in as they see fit. We need now a clear statement from Washington that to that end the federal government is going to provide the areas lawfully under its control with police protection and is going to leave the governments of the states and cities free to exercise the powers which the

Constitution of the United States guarantees they shall have.

The time has come to stop pussy-footing around the problem of crime and lawlessless. We need to have it made clear to all from one end of America to the other that this may or may not be a long, hot summer, but it is going to be a law-abiding one. We also need to make it clear to Washington that our determination to have our States and our cities law-abiding communities does not mean that we intend to sit quietly by, accepting everything which comes out of Washington, while a growing federal government encroaches more and more upon the powers of our State and upon our freedom as individuals. Obedience to law includes obedience by the federal government, including its courts, to the supreme law of our land—the Constitution of our country. The remedy for lawlessness by the government, itself, is in the ballot box.

Once more let me say to you police officers, "Thank you" and express again my appreciation to all of you who have made this occasion possible. In a few minutes I shall be on my way home, traveling many miles along dark and somewhat lonely roads without a gun and without a thought of danger except from a careless driver. That is a wonderful privilege which we have in this land of free, law-abiding North Carolinians. It is something worth keeping.

This evening I have had the great pleasure of renewing association with you friends who have built here in Harnett County a true Great Society, not a make believe one. You cannot have a true Great Society withour great people. You cannot have great people without building into them a great faith. To that great faith in freedom within the law under the guidance of the Author of Liberty, which has given us this State we love, let us continue to commit our fortunes, our lives and our sacred honor.

A SPEECH BY ASSOCIATE JUSTICE I. BEVERLY LAKE—MESSAGE FOR ALL AMERICAN CITIZENS

Mr. TIERNAN. Mr. Speaker, I ask unanimous consent that the gentleman from North Carolina [Mr. Lennon] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Rhode Island?

There was no objection.

Mr. LENNON. Mr. Speaker, I commend my colleague and friend, the gentleman from North Carolina, Congressman Henderson, for making available to the Members of the Congress the speech of Associate Justice I. Beverly Lake of the North Carolina Supreme Court.

I trust it will be read and seriously considered by all Members of the Congress. In Justice Lake's speech there is a message for all American citizens who believe in justice with law and order.

POVERTY IN THE RURAL SOUTH: I—THE PROBLEM EXPOSED

Mr. TIERNAN. Mr. Speaker, I ask unanimous consent that the gentleman from Michigan [Mr. Conyers] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Rhode Island?

There was no objection.

Mr. CONYERS. Mr. Speaker, the urgent need for vigorous application of the Office of Economic Opportunity rural poverty program has been underlined in a series of recent articles which I would like to call to my colleagues' attention.

They point out the human story behind the many discouraging and confusing statistics which we see daily. They explain what it means to say that as total number of white farm residents declines 4 percent, the number of Negro farm residents declines 10 percent. They show what happens to the people "lost" in the census, the 68,085 Negroes who disappeared from agricultural census of owners, part owners, and tenants between the years 1959 and 1964 in eight Southern States.

In general they show what happens to these "invisible men" who are too poor even to take advantage of the Federal farm programs or the various economic development and assistance efforts of the Federal Government. Hopefully, such articles mean that these people will no longer be invisible.

[From the Washington Post, July 9, 1967]

THE WASHINGTON POST EXPLORES HUNGER IN MISSISSIPPI—CHANCE DETERMINES DIET ON LADY BIRD AVENUE

(By William Chapman)

BELZONI, MISS., July 8.—Gussie Shaw and her fatherless brood of four had bologna sandwiches for breakfast—the squarest meal of the day.

The alternatives were rice or grits or beans or one of the five cans of meat that the U.S. Department of Agriculture and the State of Mississippi allot them each month.

There is never any milk or fresh meat or fruit. The drinking water comes from a community faucet that drips slowly by the side of an alley renamed, in a now-forgotten enthusiasm for beautification, "Lady Bird Avenue."

The absurd question is asked, and Gussie Shaw explodes:

"Of course the kids are hungry! Vernora, come here and show the man."

She lifts the blouse on the skinny 5-year-old girl and exposes, along with the frail chest, a stomach blotched with sores—"risings," Mrs. Shaw explains, "and the home remedy never did no good."

The Shaws of Lady Bird Avenue and their counterparts throughout rural Mississippi have become, to their surprise, symbols of a growing national concern—one that harks back to the shocked public discovery of American rural poverty during the early New Deal era.

Negroes in Mississippi are starving, a team of distinguished doctors declared recently—starving in the sense that acute malnutrition shortens their life span, dying young from an accumulation of hunger-induced diseases that go untreated for years.

The doctors, who will present their story to a Senate subcommittee Tuesday in Washington, found children suffering from parasitic diseases—trichinosis and hookworm; children with skin shrunk by malnutrition; children with ulcerating sores, boils, abscesses, rat bites; children who could not undergo even minor operations without first receiving blood transfusions.

The nonmedical observer touring Mississippi can find with ease what the doctors discovered.

In Belzoni, self-proclaimed "heart of the Delta," many Negro children get up hungry and go to bed hungry.

"They come in the morning and don't even stop at the classroom," observed Willie Mae Burns, director of a voluntary Head Start program for preschoolers.

"They just walk right to the kitchen and ask for something to eat. We give them some bread to hold them until they get the hot lunch."

Virtually all the children of Lady Bird Avenue are visibly underweight. Sores left from untreated infections spot their bodies. Most have runny noses, the observable signs of never-ending summer colds.

Raw sores cover the chin and mouth of Sharon Pearson, age 22 months. Her mother, Odessa, said that a doctor diagnosed the case two months ago as chicken pox and gave her a cheap salve that healed nothing.

"You don't go to the doctor unless it's life or death," said Bessie Thurman. "You do what you can at home. You fight the fever with everything you've got. I waited too late for one of mine. He died."

The staple diet on Lady Bird Avenue is determined by what the commodity food distribution center downtown is handing out.

Usually it is beans, rice, margarine, lard, meal, peanut butter, raisins, powdered milk, and one can of meat for each person in the family.

"I get it once a month and it lasts a week and a half," Mrs. Shaw said. The rest of the month she charges at a neighborhood grocery and tries to pay the bill when her $43 welfare check comes in.

"The commodities are just no good," interposed another Belzoni mother.

"They give you this rolled wheat and the kids won't eat it—all it does in my house is draw the roaches. You eat the commodities when there's nothing else, and sometimes not even then."

What the doctors found is nothing new for Mississippi, nor is it limited to this State. Poverty-induced hunger can be found throughout the rural South, in the dark corners of Appalachia and in Northern city slums.

It has been spotlighted in Mississippi because the physicians toured on behalf of a voluntary Head Start program, Friends of the Children of Mississippi, and as a result of a visiting Senate subcommittee headed by Sen. Joseph S. Clark (D-Pa.). Yesterday, Walter P. Reuther's Citizen's Crusade Against Poverty launched a survey to determine the extent of hunger and malnutrition in America.

Whether hunger is more widespread in Mississippi than in other Southern states is debatable. Welfare checks are smaller here; State appropriations are sufficient to pay only 27 per cent of what is considered the standard needs of people on welfare.

Furthermore, women with dependent children recently received notice that their checks will be smaller next time because the State's 2-year appropriation is running out.

Another factor is the uneven transition Mississippi is making from one type of Federal food aid to another. Most counties have had the commodity food distributions, free bags of foodstuffs that the Department of Agriculture wants to get rid of.

However, this year county after county has been switching to the food stamp program, which allows the poor to buy coupons worth more money for regular foods bought in commercial markets.

Midway in the transition it was discovered that many Negroes could not afford the minimum purchase requirement for food stamps. Their free commodity foods were taken away but nothing replaced them.

In Leflore County in the Delta, for example, more than 20,000 persons were picking up their bags of commodities when food stamps came in. But in the next two months only 8300 had shifted to food stamps.

Nearly 12,000 persons so poor that they had needed free foods suddenly were getting nothing.

The Department of Agriculture, finally sensing the crisis, changed its Mississippi food stamp program this summer to lower the prices. The Office of Economic Opportunity started a loan program in several counties to help the poorest poor borrow money to buy their first stamps.

But Mississippi is by no means at the bottom in Government food-aid programs. Every county in the State offers either commodity foods or food stamps. Many Southern counties offer neither.

About 35 per cent of Mississippi's poor receive one or the other—the highest rate in the Nation. By contrast, only 1.5 per cent of South Carolina's poor receive either.

While most Mississippi newspapers belittled the hunger reports, the State government, prodded and encouraged by Federal agencies, moved this summer to help some of the poorest. It is hiring dieticians, beginning to expand nutrition classes, and instructing county officials who have the real power over food programs to act reasonably in getting food to the poor.

Evelyn Gandy, director of welfare for the State, admits "there are problems" but denies that a new and alarming crisis has arisen.

The same assessment comes from Martin Fraley, director of Mississippi's OEO office and a long-time political friend of Gov. Paul B. Johnson.

"The State agencies are doing all they can," he says. "We are all working together."

A bleaker account comes from Marian Wright, Jackson Negro attorney for the NAACP's Legal Defense and Education Fund. She has made extensive investigations of welfare programs and the operations of commodity foods and food stamps.

Neither, she says, will ever provide a minimal healthy diet for people like the Shaws of Lady Bird Avenue.

"What Mississippi needs," she said, "is an emergency distribution of the kind of food other people eat. Mississippi is a disaster area and it ought to be declared one."

[From the New York Times]

THE NEW YORK TIMES FINDS POVERTY IS A WAY OF LIFE IN MISSISSIPPI—THE DELTA: POVERTY IS A WAY OF LIFE

(By Walter Rugaber)

GREENVILLE, MISS., July 27.—Government officials have quietly gathered new evidence of widespread unemployment and hunger among unskilled farm workers in the Delta region of Mississippi.

The picture that emerges is neither as bright as some Mississippians have implied nor as dark as the state's most outspoken critics have charged. But the information does suggest a serious economic dislocation among Negroes.

As examples, nearly 55,000 people are living on farms this year with practically no hope of employment there.

Sixty per cent of the poor families in two Delta counties get less than two-thirds of a recommended "minimum" diet.

And the state fails to take advantage of programs yielding at least $75-million a year in Federal welfare funds intended to help relieve the problem.

The national implications of rural poverty, which has caused thousands of Negroes to move into big-city ghettos over the last 20 years, have received renewed attention in recent months.

Furthermore, the growing problems of the agricultural South, as they were reflected in a series of interviews in the Delta, may send new waves of Negroes to the Northern slums.

Senators Joseph S. Clark of Pennsylvania and Robert F. Kennedy of New York, both Democrats toured the Delta in April. Mr. Clark is chairman and Mr. Kennedy a member of the Senate Subcommittee on Manpower, Employment, and Poverty. The panel held hearings in Washington earlier this month and heard more testimony on conditions in Mississippi.

A team of physicians examined between 600 and 700 Negro children in the state last May and reported the discovery of substantial hunger and disease among them. One of the most pointed charges came from Dr. Raymond M. Wheeler of Charlotte, N.C.

Dr. Wheeler said what he had seen made him more and more inclined to believe reports that "those who control the state" hope to eliminate Negroes by driving them out of the area or starving them to death.

However, one of Dr. Wheeler's colleagues disagreed. Dr. Cyril Walwyn, a Negro member of the team who regularly practices in the Delta, said in a recent interview that he could find no evidence of a conscious conspiracy to force Negroes out.

"They [the whites] don't need them [the Negroes] any more and it is no matter to them if they leave," Dr. Walwyn said. "But I don't think they've taken any active measures to drive them away."

Most observers believe that poverty in the Delta—and in other areas of the South as well—cannot be easily attributed to any single factor. This is an innocent-looking land, but it is far too complex for that.

The Delta is a flat alluvial plain, 200 miles long and about 65 miles wide, created during countless floods by the two major river systems that nearly surround it: the Lower Mississippi and the Coldwater-Tallahatchie-Yazoo.

The rivers embrace six million acres of the richest land in America. Large but generally unpretentious plantations still dominate the region, and cotton, as William Faulkner once observed, "grows man-tall in the very cracks of the sidewalk."

NOTHING NEW IN HUNGER

But Negroes encountered hunger and hardship in the Delta a long time ago. Frank E. Smith, a former Congressman from the area, who is now a director of the Tennessee Valley Authority, has written that pellagra, a chronic skin disease, and other ills resulting from dietary deficiencies were commonplace "in the floodtime of the old plantation system."

W. C. Handy, an obscure musician in the Delta, heard Negroes picking out songs about their existence more than 60 years ago. He took the music to Memphis, and some of the first blue notes on Beale Street carried these lines:

"Money don't zactly grow
on trees—
On cotton stalks it grows
with ease . . ."

In 1933, a group of Delta farmers watched in amazement as a strange new device picked as much cotton in an hour as a man could pick in a week. It was the first successful demonstration of an early cotton-picking machine.

The threat was immediately apparent to some. A fearful newspaper editor suggested dumping the contraption in a nearby creek, and a civic group warned of "the heavy menace hanging over the Negroes of the South."

Still, the change at first seemed gentle. In 1953, Mississippi farmers planted 2,554,000 acres of cotton and only 14 per cent of the Delta's crop was picked by machine. But in 10 years the revolution was in full stride.

Last year, the Government cut the state's cotton allotment by 30 per cent, and only 1,032,000 acres were planted. Moreover, the peak work season dropped to less than 50 days from more than 120 days in the 1950's.

EFFECTS OF MECHANIZATION

Mechanization last year cut the required man-hours per acre to fewer than 35, far below the 165 once needed by men and mules. More than 90 per cent of the crop was picked by machine, and chemical fertilizers made hand weeding obsolete.

Between 1960 and 1965, more than 60,000 Negroes between the ages of 15 and 44 left the state. The change was already susbtantial, but the Federal Government added another factor that made this the year of a final shakeout.

Under the new minimum wage law, which took effect last Feb. 1, a farmer who had hired more than 500 man-days of labor during any calendar quarter of 1966 must pay his workers $1 an hour. The average rate last year was $3 a day.

The demand for seasonal labor promptly collapsed. A Negro woman still living on a farm in Bolivar County glanced at the fields surrounding her home and said: "They'll burn this cotton down before they'll pay that dollar-an-hour."

James Thompson, a 45-year-old farm worker from Bolivar County, said he had obtained nothing but an occasional odd-job so far this year. At one time he had two children in a Head Start program, but the youngest, a son, was withdrawn. "The boy done wore out his shoes," Mr. Thompson explained.

The child played barefoot in the dirt nearby. "I wouldn't want him to go without shoes," Mr. Thompson said. "It don't look proper. You wouldn't want your children to go up there without shoes."

THOUSANDS CAUGHT IN CRASH

Despite the earlier upheavals, thousands have—been caught in the current crash. They had lingered on the farms for many reasons—loyalty to paternal white employers, the hope that some other kind of work might turn up, the simple human reluctance to find a new home.

The Mississippi Employment Security Commission and the Delta Council, a regional organization of planners, found after an intensive survey of the area's farms this year that 54,830 people had been "affected" by the cutback in employment.

The figures include 24,658 persons of "work age," between 16 and 64. Of the remaining 30,172, 5,416 were over 65 and 24,756 were youngsters under 16.

The problem is especially acute in some areas. In Bolivar County, for example, this year's farm unemployment involved 25 per cent of the estimated Negro population in 1965. In Sharkey County it involves 32 per cent of the Negroes.

The employment service reported that about one-third of the jobless were between the ages of 46 and 64. In addition to the higher age level, it said, the group generally has no more than simple farm experience and limited education.

NO EASY SOLUTION SEEN

These characteristics, the report concluded, "pose a serious employment problem for which there is no easy solution."

Women make up more than half the group, which is also true of the other categories.

Negroes now comprise about 62 per cent of the Delta's population, but many whites believe that continued migration will drive the Negro proportion to 40 per cent or less in the next 15 or 20 years.

In 1950, the employment service and the Delta Council began sending Negro farm workers into other states for off-season agricultural jobs. About 7,000 people were dispatched last year, but officials said most of them had returned to Mississippi.

The virtual obliteration of unskilled labor has left some Negroes in an improved position. Plantation owners must now maintain a force of semi-skilled employes to drive the tractors and operate the machines.

There are perhaps 27,000 working at these jobs. The farmers, who need steady men for this work, appear to be willing in many cases to pay the minimum wage and to provide work all year long. Some progressive employers have done even more.

As many as 25 families once worked on the land now owned by Monty Payne, a farmer in Washington County. There were six last year, but now Mr. Payne has three.

For these full-time workers he has built two new homes and plans to construct a third soon.

HOUSES DESCRIBED

Each of the houses, Mr. Payne said, are three-bedroom brick structures with tile floors, central heating, insulation, washing machines, built-in kitchen cabinets and carports. He said there was no rent for families earning less than $3,000 a year.

Mr. Payne is unusual. In fact, informed observers say that many planters have raised rents even on their older houses to help offset the pay increases for semi-skilled workers required by the new minimum wage regulations.

In addition to the agricultural jobs that remain, the Delta Council hopes that industrial expansion will help take up some of the slack in employment. The organization said factories had provided more than 21,000 new jobs over the last 10 years.

A Negro factory worker in Rolling Fork, who asked not to be named, earns $1.40 an hour after 12 years at the Delta Implement Company there. But he is relatively affluent: his home boasts an air conditioner, a television set, and a telephone.

But even the whole decade's increase in industrial employment would be insufficient to absorb this year's dislocation on the land, and for thousands of Negroes public welfare has become an immensely important question.

Officials at the United States Department of Health, Education and Welfare recently conducted a confidential study on the amount of Federal welfare funds that would be available to Mississippi in standard circumstances.

COULD OBTAIN EXTRA AID

Informed sources said the study showed that the state, by raising an extra $15 million in matching funds and by meeting other requirements, could obtain at least $75 million in additional Federal welfare aid.

This is an enormous sum by Mississippi standards. The sources said the state received about $100 million in welfare money from Washington. The figures do not include poverty program funds.

The study included a series of complicated estimates for Federal programs, such as medical aid to the indigent, which Mississippi does not have at all. Precise statistics in such instances are not available.

Mississippi currently devotes about 8 per cent of its budget to welfare, but there have been widespread charges that the programs are arbitrarily administered and heavily tinged with racial discrimination.

Miss Marian Wright, Jackson attorney for the N.A.A.C.P. Legal Defense and Educational Fund, Inc., believes that the Federal Government could produce "many, many easy solutions to the kinds of problems we're bogged down in now."

"The Federal agencies are just in the habit of working through state agencies and going along with the traditional programs," Miss Wright said. "They have given very little imaginative thought to these problems."

A Washington source who is outside the Government agrees. For one thing, he said, extra Federal money can be obtained by the state with "demonstration program" funds, provided by Washington without strings.

But, he noted, last year's appropriation was only $2 million for the entire nation.

Another possibility, he said, is to permit the payment of matching funds in kind. In effect, he explained, this is a bookkeeping procedure such as the one used by the poverty program to permit poor people to donate work to a government.

Other observers cited additional oversights. A state official noted that although agricultural mechanization has been easily discernible for 20 years, no provision has been made to help the people hurt by it.

"The agricultural establishment has done a good job of raising productivity," the official said, "but it hasn't done anything to prepare for the displacement. I guess what the workers needed was a John L. Lewis."

Many of the Negroes themselves are unprepared to take full advantage of the aid that is available. They are poorly educated at home as well as at school and, one Negro said, "they need someone to lead them to the water so they can drink."

Unemployment and welfare problems show up at meal time. Last May, the Department of Agriculture made an intensive survey among 509 representative poor families in two Delta counties, Washington and Sunflower. Both are relatively wealthy.

SIXTY PERCENT BELOW MINIMUM DIET

Preliminary results of the study indicate that 60 per cent of the families received less than two-thirds of the "minimum" dietary allowances recommended by the National Research Council. Nationally, only 13 per cent are as poorly nourished.

The diets of those involved in the study were especially short of fresh fruits, vegetables, and milk, a nutritional expert reported. But there were fewer shortages of proteins, fats, and sweets.

The department found that the value of all food consumed by the average individual was only $4 a week, or about 57 cents a day. This included any free food aid distributed by the Federal Government.

The physicians who toured Mississippi in May reported extensively on the secondary effects of hunger. But James H. Christenberry, the prosecuting attorney for Sharkey County, said he did not need a doctor's appraisal.

"You sit right here in this doorway," said Mr. Christenberry, whose office faces the courthouse, "and watch people go by and look at their legs. The Negroes' legs are little bitty things."

"See that girl there" he asked, pointing out a Negro teen-ager with spindly legs. "That's what I'm talking about. Now I don't know whether that's slow starvation or not, but the whites' legs are sure bigger."

OTHER DIFFERENCES

There are other differences, too. In 1965, the last year for which figures are available, nearly 40 per cent of the Negro children born in Mississippi were delivered by midwives. Only two-tenths of 1 per cent of the white children were thus delivered.

The state's infant mortality rate is the highest in the nation. Beginning in 1941, the number of Negro children who died before reaching their first birthday declined dramatically. But in 1946 the rate reversed and began climbing almost as sharply.

It moved from 40.8 deaths per 1,000 live births in 1946 to 42.6 in 1950, 46.4 in 1955, 54.4 in 1960, and 55.1 in 1965—higher than the rate in 1942. The number has declined steadily for whites and is now less than half that for Negroes.

The death rate among white babies declines with age, but among Negroes, it increases. Between the ages of 28 days and one year, Negro children die in Mississippi at a rate five times greater than that for whites.

Negroes in Mississippi generally die younger than whites. Less than 48 per cent of the Negroes who died in 1965 had reached age 65. The median age at death was 63.5 for Negroes and 70.4 for whites.

Negroes frequently live in dilapidated houses. Current statistics are unavailable, but the Delta Council is asking farmers to tear down abandoned shacks, some occupied only recently, on the ground that they are eyesores.

MORE THAN EYESORES

Negroes still living in the same type of structures consider them somewhat more than eyesores. A visitor stopping at random often finds gloomy interiors, empty windows, leaking roofs, and substantial cracks in the walls and floors.

"I wouldn't stay here another winter for anything in the world," said a Negro in Bolivar County whose windows have no glass. "I promised the good Lord that if He'd keep me alive another year I'd get my family somewhere else."

Mrs. Mary Dixon Kennedy, whose 18-year-old daughter is recovering from acute pneumonia and tuberculosis, is without running water. She must carry whatever water she needs a substantial distance. A bath, she said, requires two trips.

Mrs. Edna Earl, 27, expects her ninth child in August. Her husband, a tractor driver, was shot and killed last month while trying to stop a brawl at a rustic hangout that Mrs. Earl described as a "country juke."

She and the eight children sleep on three beds and a cot. When it rains, she said, the water runs onto one of the beds. There is a hydrant outside and a privy in the back. The rent is $10 a month.

Mrs. Earl said her family lived mainly on surplus food distributed by the Government but that she was able to charge some items at a nearby grocery. Her credit is good because she expects to begin receiving $80 a month in welfare payments soon.

"I'm just not going to be able to get to a hospital to have the baby," she said in a high-pitched voice. "I guess I'll have to get me a granny lady (midwife). Then, with an embarrassed laugh, she added:

"I don't have a penny to my name right now."

POVERTY IN THE RURAL SOUTH—II: KOTZ OF THE MINNEAPOLIS TRIBUNE GRAPHICALLY DESCRIBES THE PROBLEM AND ONE TENTATIVE ATTEMPT AT SOLUTION

Mr. TIERNAN. Mr. Speaker, I ask unanimous consent that the gentleman from Michigan [Mr. Conyers] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Rhode Island?

There was no objection.

Mr. CONYERS. Mr. Speaker, rarely has the tragedy of a whole community of the desperately poor been translated from a statistical to a human account with as much success as in a striking series of articles by Mr. Nick Kotz of the Minneapolis Tribune. Both Mr. Kotz and the Cowles Publications are to be commended for it.

I think one can see here the immediacy of the problems of poverty in many parts of the rural South—health, education, unemployment, hunger, inadequate housing, utter anonymity of the poor in our society, and the creeping disintegration of individual hopes and community action which these conditions promote. But one can also see reason for hope. Vigorous application of Office of Economic Opportunity rural poverty programs shows that we can start to attack these problems with some success. So far we have, unfortunately, only acted on a small scale with demonstration projects. Mr. Kotz tells us the story of one such project which started in July 1966.

Two programs were announced by OEO in July 1966 to provide basic education and limited vocational training for migrant and seasonal workers in Lowndes and Wilcox Counties, Ala., and in Coahoma County, Miss. In Lowndes and Wilcox Counties, 24,436 out of 27,037 Negroes earn less than $3,000 per year. In Coahoma County, in the delta area of Mississippi, the site of the other project, thousands live in primitive wooden shacks Others, having been forced off plantations, unemployed, and with little hope of finding a job, search for housing where there is none. These are the "invisible" poor, many not even on the census rolls and, therefore, not even counted as members of our society, and most below the educational or financial status to be reached by Federal or State aid. Ordinarily, they would go on to live out 20 years, or maybe 40 years, as transients. Their families might disintegrate. They would have no community to which to go for aid, or hope. Their invisible lives would slide into invisible deaths.

Mr. Kotz tells the important story of the hundreds of Negro Americans who are learning to read and write, to build their own houses, to set up cooperative programs to fulfill their economic needs, to do all these things as a community. Most important of all they are learning to hope. "These rural Negro poor," related Mr. Kotz, adding significantly, I think, "they also show the determination to make something of this chance."

In Hayneville, 30 to 70 workers are, for the first time, learning to read and to write. "Things are finally happening in Wilcox County," one Negro minister puts it. In Coahoma County, Mr. Kotz found the OEO officials and the 277 enrollees enthusiastic about the new self-help housing program. People now paying up to $40 a month for shacks unfit for habitation are given an opportunity to learn, to get jobs, and to own decent homes. And in Clarksdale, Miss., the Coahoma County seat, the author found OEO officials were "knifing through red-tape and bypassing State and local government resistance, and working with willing local leaders to improve the education and raise the hopes of thousands of rural Negroes."

These programs, of course, met with much resistance, as have other OEO projects in the South. The Alabama project was vetoed by Gov. Lurleen Wallace, but Sargent Shriver, Director of the OEO, overrode the veto.

While these programs offer hope, we all know that hope is not enough. Job discrimination is a reality and jobs are scarce enough for everyone in the South today. Many hopeful graduates of job training programs drop by the wayside. Aaron Henry, president of the Mississippi State NAACP, and a druggist in Coahoma County, calls this problem the "casualty rate," among those who have gained new hope, but are faced with the same old lack of opportunity.

The problems of the rural South are brought forth accurately but forcefully in the Kotz series. The tragedy of the poor there needs no rhetoric to magnify its existence. At the same time, the situation described calls out for increased community action by showing that it can succeed. The publisher, editor, and the author of this fine series of articles are to be congratulated. I would like to include it in the RECORD:

IN THE DEEP SOUTH, THE ENEMY IS POVERTY

"YOU'VE GOT A DREAM"—"AND YOU'VE GOT A NIGHTMARE, BABY!"

(By Nick Kotz)

HAYNEVILLE, ALA.—Former Gov. George Wallace temporarily blocked the first rural poverty program here by charging it would be run by black-power racists. White extremists slowed the program by burning its headquarters and intimidating white supporters.

Yet several hundred adult Negroes have started learning to write, read—and hope.

This is Lowndes County, the original base of Stokely Carmichael and the Freedom party, better known by its voting ballot symbol—the black panther.

Lowndes and neighboring Wilcox County are also home for 34,156 people, including 27,037 Negroes. The people are desperately poor, with 24,436 Negroes and 2,411 whites from families earning less than $3,000 per year.

Yet statistics alone alone cannot tell the story of the thousands of illiterate, underfed Negroes living in the flimsiest wooden shacks—and working irregularly, if at all, as farm hands at $4 a day.

Nor can abstract white fears of "black power" explain adequately:

How these programs became all-Negro;

How the local power structure fought tooth and nail to stop the programs, and

How these programs—insufficient as they are—got started only because a few Negro leaders and federal officials resisted terror and enormous political pressure.

In July 1966, the Office of Economic Opportunity (OEO) announced two programs to provide basic education and limited vocational training for migrant and seasonal workers in Lowndes and Wilcox.

The programs—they would involve $302,000 in Wilcox and $241,000 in Lowndes—applied if the household head earned less than $1,000 annually and had less than a sixth-grade education. The 550 families involved would receive stipends of about $30 a week during the 36-week course.

Several thousand persons clamored eagerly to join, and several hundred of these are taking the courses without pay.

Black Panthers Wallace cries

After the initial OEO announcement, Wallace loudly and dramatically protested that the Lowndes program was dominated by Black Panther politicians and that the board chairman was a convicted murderer.

He complained that the Wilcox leadership came from the Rev. Dr. Martin Luther King's Southern Christian Leadership Conference.

OEO suspended the grants. It conducted an investigation in which it found Wallace's charges without base. It reinstated the programs after the November election—in which the Wallace family triumphed and the Black Panther party fizzled.

Wallace, joined by the state's congressional delegation, then complained that the governing boards were all-Negro instead of being integrated.

(Gov. Lurleen Wallace and most of the Alabama congressional delegation last week claimed black-power domination in protesting a new $390,000 OEO grant to help the farmers in Lowndes, Wilcox and eight neighboring counties improve their farm income through use of a cooperative. Again, OEO said the Wallace charges are without foundation.)

What about Wallace's charges? And what about the facts of life here in the Black Belt?

Robert Strickland, the Lowndes poverty board president, did—in fact—serve five years in prison for murdering a white man. But he also received a full pardon—after his lawyer finally convinced state officials that he was provoked by the murdered man and two companions, who had hounded and threatened him for weeks.

Strickland and John Hulett, another board member, were—in fact—actively involved in Black Panther politics. They rose as tough, natural leaders from a down-trodden Negro majority that had got nothing from local white officials.

But Strickland resigned from the party when he was appointed chairman, and young Hulett now is learning how to administer rural poverty programs in a federally supported school at the University of Wisconsin.

A most parliamentary panther

These former Black Panthers appeared neither racist nor dangerous as they conducted a poverty board meeting recently in a house trailer in a middle-class white neighborhood.

Strickland, a bricklayer, presided over the meeting with elaborate dignity and attention to Robert's Rules of Order.

The meeting's agenda:

Hiring a doctor to give medical exams;

Arranging for the summer visit of an integrated group of VISTA volunteers;

Urging program employees to keep better records and hold down nonessential expenses.

Hulett, on a practical-training trip from his Wisconsin school, offered suggestions about improving training programs, bookkeeping and leadership.

Why did whites, with two exceptions, refuse to serve on the Lowndes board, and why did white appointees to the Wilcox board suddenly decide they had made no commitment to serve?

The first program headquarters was an abandoned church at the present site of the house trailer. The church was burned to the ground after the group met there.

The organization met the next day at another church. It also was burned.

Several days later a white church burned.

The first church was owned by a white cafe owner who was warned about what would happen if he rented to the poverty group. The lease had been arranged by a county probate judge who soon found his cattle poisoned. In the white church congregation was a doctor who had been bold enough to suggest that a federal health program should be initiated for the poor.

There are a few whites who have not been afraid to help, particularly the Rev. Francis Walters, a softspoken, steel-willed Southerner who is on four poverty boards in the area.

"Francis integrates all our boards," said one Negro admirer of the young minister, who serves as director of the Selma inter-religious project.

These embryonic poverty programs in action show the sorry state of the rural Negro poor. They also show their determination to make something of this chance.

"Some of our pupils have even learned to count a little," Strickland commented wryly. "Some have started figuring their debts to the landowners—and discovered they didn't really have any."

What about a vacation in Finland?

Down the road from Hayneville, there's a Wilcox County training center. It's in a ramshackle house in the Negro section of Camden.

The two young Negro teachers are late, but the 20 pupils—weather-beaten farm hands aged 30 to 70—have started the class without them. You can hear them pray and then sing, off key, "We Shall Overcome."

The crowded room has crudely hung wallpaper. A bright yellow poster advertises vacations in Finland.

The reading lesson, like most, involves Negro history and is designed not only to improve reading skills but also to stimulate interest. Its aim is to build pride, to whet the students' appetites to learn—about themselves, about civics, about the vast world outside the Black Belt.

Today's lesson is the story of how Toussaint l'Ouverture freed Haitian Negroes from French rule and set up an independent republic.

The text is accurate, but it would make a Southern segregationist squirm.

Some of the pupils read haltingly, others with obviously little comprehension, and a few with considerable fluency. The teachers help them along line by line and then ask each student to summarize the story.

"The planters thought those slaves were just having a big time, but they was planning a revolution."

"The planters made a lot of money on those crops. Those slaves came from Africa. The cry of those poor people was liberty, equality and brotherhood."

Earlier in the day, there was another class, conducted for mothers and young children. In one room, the mothers learned reading, writing, home economics, and child rearing. In the other, the children played with watercolors and blocks.

In the evening, several hundred teenagers meet at the program centers to discuss their problems, their schooling and their aspirations for the future.

That future is uncertain. The power structure still rigidly rejects all change. Local government will not request programs for housing or vocational education. Farm jobs are disappearing in the wake of machinery, weed-control chemicals and the $1-an-hour minimum wage.

But there is potential for industry in a new dam and new paper mill—and therefore for jobs, if Negroes can get trained for them—and hired. And there is the ultimate potential of the Negro vote.

The poverty program students have registered to vote.

As one Negro minister puts it: "Things are finally happening in Wilcox County."

PRIMITIVE SHACKS ABOUND AMONG THE MANSIONS

LEXINGTON, MISS.—"Relocation is a dirty word to Negroes here in the Delta," said Joseph Wheatley, education director of a Coahoma County poverty program. "The white politicians think it is the social remedy," he said. "Our people want to build decent homes and stay here."

"The jack rabbits have stopped running," said Robert Strickland, president of the poverty board in Lowndes County, Ala. It was his way of saying that frightened Negroes have left, that those remaining intend to stay put and fight for a better life.

Poor Negroes in the Deep South have so far been thwarted in their desire for better housing.

As one travels across the Black Belt of Alabama and the Delta of Mississippi, the housing picture unfolds dramatically:

Thousands of Negroes (and some whites) live in primitive wooden shacks;

A number of middle-class white families live in neat white bungalows;

A few wealthy white landowners and businessmen live in neo-colonial mansions that match the most glamorized versions of life in the Old South.

The Negroes have additional problems. Many thousands are being forced off plantations where they are no longer needed. Hundreds remaining on plantations have discovered that their tenancy rights are endangered if they register to vote, support civil rights activities or express dissatisfaction with 50-cents-an-hour wages.

The basic housing problem is how to finance even the most modest dwellings for Negroes who have little if any income.

The Agriculture Department briefly operated a small grant program. It helped several thousand families. But congressional appropriations subcommittees, dominated by Southern segregationists, have adamantly refused to fund this program for several years.

Is self-help romantic?

Now, the Office of Economic Opportunity (OEO) is attempting to get the rural poor into brick houses under a self-help concept. Poverty workers would provide building supervision while enrollees in training courses would work together to build their new homes.

OEO officials are fighting desperately for this plan as the only one that, at the moment, is feasible. Agriculture Department officials brand the plan romantic and have fought against making necessary loans because they regard the concept as financially unsound.

Housing and Urban Development Secretary Robert C. Weaver told a presidential commission that the self-help idea was impractical. Weaver quickly added that his department doesn't have any programs to help the rural poor into housing.

Impractical and romantic or not, several hundred Negro farm hands are eagerly constructing a model home at the OEO migrant training school on the Saints College campus in Lexington.

The Lexington plan is simple enough in theory. The trainees use a mold to make special interlocking, air-dried bricks that fit together like the pieces of a jigsaw puzzle. OEO officials say the homes can be built for $2,500—if the Negroes make their own bricks and perform the labor.

Warren Booker, vocational teacher at the project said:

"We have about 15 who would start building tomorrow if they could get their hands on the brick molds.

"One fellow is so excited he has already started collecting sand from a creek to make the bricks. All he needs is the cement and brick molds and he's ready to go."

If the project fails, many will be sadly disappointed, said the Rev. R. M. Stevens, assistant director of the training program.

"These men had chopped a little cotton and loafed the rest of the year. Now they are learning they have abilities and skills they never dreamed of," Mr. Stevens said. "They are having the thrill of putting up a floodlight, of holding a skil saw for the first time, of wearing a white carpenter's uniform instead of blue overalls."

The 277 enrollees receive $30 a week during the 36-week program. They spend two-thirds of their time in basic education courses, the rest in vocational training.

Tom Karter, national director of the OEO migrant division, says the plan will work if the Farmers Home Administration will grant the trainees $2,500 loans, repayable at $20 or $25 a month.

Karter and his projects officer, Kenneth Vallis, have journeyed to the South almost weekly in an effort to make their training and self-help housing programs work. They are advising local program directors in Lexington, in Wilcox County, Ala., and elsewhere to have their trainees apply for the loans.

Agriculture or social service?

As matters now stand, OEO is supplying training funds for a self-help housing program the Farmers Home Administration will not approve.

"The Agriculture Department simply is not a social service agency," commented Joseph Doherty, the administration's special assistant for economic opportunity programs established under the antipoverty law.

"Thirty-six weeks of guaranteed income is just not enough to justify a loan," Doherty said of the OEO plan. "At the end of the 36 weeks, they might not get jobs. If they do, they generally will be located somewhere else. Loans must be repaid. These are a lot of romantic notions—making your own bricks."

Doherty said his office might approve loans if OEO or another agency established a program entirely devoted to building the homes and welfare agencies guaranteed that the home buyer could use welfare funds to make repayment.

Doherty's suggestion would eliminate any possibility of homes for several hundred able-bodied male family heads now in the training program, since they are not eligible for welfare payments in either Mississippi or Alabama.

"These people are now paying $10 to $40 per month rent for shacks unfit for human habitation," said Karter. "Now they finally have the opportunity to learn, to get the opportunity to learn, to get jobs, and to own decent homes. The government should give them that chance."

Aside from federal financing problems, poverty program officials here say that the white resistance to the possibility of Negroes' building permanent, brick homes is increasing.

These whites fear that Negroes—who make up two-thirds of the Delta population and are registering to vote—now may remain permanently and keep voting.

Sue Geiger, a poverty worker at Freedom City located outside Greenville, criticized a plan to move 300 Negro families to the predominantly white Gulf Coast area.

"We see this as a plan to move Negroes to an area where they will have no political power," she said.

"This is their home. We say they have a right to jobs and homes here."

AFTER A MAN LEARNS, WHAT HAPPENS TO HIM?

CLARKSDALE, MISS.—It was an unusual graduation ceremony. The 450 graduates ranged in age from 25 to 65. Almost all were poor Negroes from the cotton fields of the Mississippi Delta.

An overflow audience in the city auditorium listened intently as the graduates delivered short speeches about what school meant to them:

"Many of us couldn't read or write when we entered the program. Now we don't have to make an X to sign our names."

"I used to go to the back room when the children had company. Now I stay and take part in the conversation."

"Forty-eight of 52 in our group have registered to vote. Our ideas about citizenship have improved."

The proud graduates had raised their average educational level by 3½ grades during the 36-week basic education course financed by an Office of Economic Opportunity (OEO) program for migrant and seasonal farm workers.

Board members of Coahoma Opportunities, Inc., the sponsoring community action agency, listened proudly—and momentarily forgot their deep worries.

But the next morning the board met federal and state officials and once again banged head-on into the realities of poverty programs in the Deep South.

The big question: What next?

OEO's Migrant Division—knifing through red tape and bypassing state and local government resistance—has worked with willing local leaders to improve the education and raise the hopes of thousands of rural Negroes.

Most need further vocational training before they can qualify for even semiskilled jobs. Job discrimination is still a reality and jobs in the rural South are scarce enough for anyone.

Federally sponsored but state-operated vocational training programs are accepting few of them. Low-cost homes are not available for Negroes who now believe life owes them something better than a plantation shack.

The Coahoma board meeting was typical—federal and local poverty program officials allied on one side, federal and state labor department representatives on the other.

Dr. Aaron Henry, a Negro Coahoma board member and Mississippi president of the National Association for the Advancement of Colored People, got to the point quickly. Directing his comments to a U.S. Labor Department official, Henry asked:

"What are you going to do about the guy who is dumb and the guy who needs more education? I'm concerned about the casualty rate."

Andrew Carr, white board member and plantation owner, chimed in: "OEO has done its job. What's the Labor Department going to do?"

Specifically, the board wanted the Labor Department to offer a year of basic education in its manpower training program, so that more graduates of the OEO migrant school might qualify for vocational training.

Dreams and open doors

After Henry made an impassioned appeal for federal aid in bringing jobs to Clarksdale, Carr smiled and said: "You've got a dream, too." He referred to the Rev. Dr. Martin Luther King's famous speech in which he chanted repeatedly: "I have a dream."

Henry smiled back: "And you've got a nightmare, baby."

Bennie Gooden, assistant director of the poverty program, analyzed Carr's contribution:

"He opened doors of the power structure. We couldn't get the Board of Supervisors or any local officials to meet with us.

"He's rich enough, and influential enough, and brave enough not to have to give in to the pressure."

It was pressure against the program that brought Carr into it.

"I didn't even know what community action was until 1965, when Henry asked me to serve on a Head Start board to help little children," he related. "Then, the 14 white segregationists on the board resigned, and he asked me whether I could get 11 white members in four days."

Carr said he thought the job an easy one until he was turned down by one friend after another. When a prominent minister refused to serve, Carr's deep commitment began.

"If you as a minister won't serve," Carr told him, "that gives me all the more inspiration to make this program work."

Carr finally rounded up 10 new white board members by the deadline the project faced to get federal funding.

Carr does not speak like a zealot and he discourages any notion that he is one.

"I've always believed personally in equal rights, but I probably wouldn't be interested if there weren't such gross injustice against Negroes," he said.

Adding another motive, he said: "I've got five children. I want peace here."

He said his family has not suffered repercussions from his poverty work.

"As a matter of fact," he said, "our 10-year-old daughter worked last summer as a volunteer in the Head Start program.

"We haven't been harmed because 95 per cent of our people here are sheep, 4 per cent are bigots and 1 per cent are with us. The bigots are cowards, like most gangsters."

"Literacy is your job," replied a state labor official, H. A. (Sawdust) Sanders, a heavy-set former football star who is typical of Mississippi officials who are finally but slowly accepting change.

"Congress says it's your job, too," shot back Tom Karter, national director of OEO's Migrant Division. "Your job doesn't just consist of teaching a man to turn a bolt one way. We're dealing with the hard-core unemployed."

Carr and Henry said 150 of the previous night's graduates could meet present education requirements for manpower training, and asked: "How many will you take?"

Sanders replied skeptically: "I've seen them. I'll wait for their applications with a great deal of interest. I'm here to serve, but I'm here on a businesslike basis."

The Carrs, Henrys and Karters don't believe that any neat businesslike solutions exist for the multiple problems that have grown out of 300 years of slavery and stark poverty.

James Townsend, the U.S. Labor Department representative, stated repeatedly that he could make no commitments.

The meeting ended inconclusively, as have countless similar discussions held in Washington and in the Deep South.

Fallen crowd the wayside

Wherever one looks at rural poverty programs in Alabama and Mississippi, the problems and complaints are the same: OEO programs provide a start, but programs of the labor, agriculture and education departments move slowly, if at all, through rigid federal-state-local channels—channels dominated in the South by the established white power structure.

Scores of available federal programs administered by the Departments of Labor, Agriculture and Health, Education and Welfare have never been approved by Southern state and local officials for the rural Negro poor.

In Clarksdale, Lexington and Greenville, Miss., poverty directors express concern about what Aaron Henry calls the casualty rate:

At a converted bowling alley in Clarksdale, a Negro instructor teaches 20 OEO trainees how to operate woodworking machines but asks: "Where are we going to get them jobs?"

At Lexington, Robert Clark, director of the OEO basic education program, comments: "Seventy-seven of our last 300 graduates got jobs. Only 13 were accepted into manpower training programs. I guess the rest will try farming and finding whatever odd jobs they can."

Also at Lexington, 10 Negro women, attractive in starched blue-and-white uniforms, busily study the duties of a nurse's aide, but their teacher says: "Only one is assured of a job."

At a poverty meeting in Greenville, board secretary Thelma Barnes asks indignantly: "Just what are these people supposed to do after they become auto mechanics?"

At Freedom City—home of displaced Negro farm workers outside Greenville—Walter Abney, neatly attired in his first suit, struts proudly about, smiling and shaking hands with everyone in sight.

Abney, who is enrolled in a 12-week church-operated and state-approved literacy program, tells how he earned $2.50 a day chopping cotton—until the plantation owner booted him out for asking for food during the workless and payless winter.

"I couldn't read or write my own name when I started school," says Abney. "I want to be a carpenter. They talk like there's going to be jobs for us."

A local poverty worker expresses doubt whether Abney will make it and notes acidly: "Walter is one of those instant new men they're turning out in a 12-week course that is much too short to accomplish much."

What are the answers?

One obvious need expressed everywhere is for longer, more comprehensive federal programs in which the various departments pool their programs and funds.

Relocation is no answer. No one thinks semiliterate rural Negroes can improve themselves in already overcrowded northern city slums.

Ship men out or bring work in?

The Rev. R. M. Stevens, Negro assistant director of the Lexington literacy program, commented on two other suggested solutions:

"The power structure's idea is to ship 5,000 Negroes out of the Delta and cut down that 2–1 Negro population ratio. Our idea is to bring in more industry and have the federal government supply public works jobs."

Then Stevens turned to lesser objectives, also unfulfilled:

"Right now, we're reduced to such ideas as forming co-ops to rework used furniture and sell it in Jackson. That might not work either. But at the least, the upholstery class students are improving their own furniture and can teach their neighbors how to do it."

Sue Geiger, a young white woman from Davenport, Iowa, working in the Freedom City program, took the discussion one step further:

"Some of these people will never get jobs. That's why we're so concerned about the inadequate food-stamp and welfare programs. Our real hope is in the next generation, if we don't starve them to death first."

And what of civil rights?

"The federal government is not moving fast enough. Only when the government becomes truly resolute can we effect change. People in Washington make a lot of pretty plans but they either backtrack on them or they get lost in the bureaucratic shuffle."

These words, radical for Mississippi, were spoken by Carr, the rich white plantation owner.

Carr and Henry are twin forces propelling a poverty program that may some day change the face of conservative, segregationist Clarksdale.

They are the most unlikely pair one could find in Mississippi.

Henry, a dentist and pharmacist, formal and reserved, probably is the most skilled, pragmatic Negro leader in the state.

Carr, 40, owner of a 2,500-acre plantation and part owner of a bank, looks every inch the Southern aristocrat. He is a handsome man with clear blue eyes and wavy brown hair. He speaks in the relaxed soft drawl of a well-bred Southern gentleman.

President of a poverty program violently opposed by the local white power structure, Carr looks instead like the golf chairman from the local country club.

In a sporty multicolored sweater, regimental necktie and white button-down shirt, he lounges easily in a hard metal chair at a meeting of Coahoma Opportunities, Inc.

But when he starts to speak, he projects a different picture—the first white man to come to the aid of the poverty program when it was being systematically boycotted by every white leader in Clarksdale.

Carr and Henry, the program vice-president, speak almost with one voice in protesting that the federal government isn't doing enough to help the local poverty program.

They also kid each other in a camaraderie shared by few Negroes and whites in the Deep South.

"Nothing Could Be Worse"

Smoothly and quietly, Carr gave his views on various issues involved in civil rights and the poverty program.

On housing: "Nothing could be worse here than housing. It's so horrible it's not fit for animals." (Carr is building brick, air-conditioned housing for his 10 permanent plantation workers.)

On city government: "Our mayor has a fifth-grade education. I can't get him to apply for a federal work experience program."

On the school system: "There's not a single Negro in our schools. No one has a workable plan for integration. The schools have turned down federal school aid."

On the need for strong federal support: "The Negro vote will eventually take care of these problems. But what do you want us to do now—solve these things through our own little riots?"

On solving the housing problem: "I would cut off all Farmers Home Administration and Federal Housing Authority loans. The builders would decide immediately they support integration and poverty programs. Aside from OEO, Farmers Home Administration has the greatest potential for helping the poor. But it doesn't. The Agriculture Department is just helping the commercial farmer.

On politics: "Things are never really going to change until Sens. Eastland and Stennis and the governor are changed."

But Carr and Henry already are leading the way toward change.

They are creating a series of services for the poor—education, job training, a credit union, recreation—which rival functions of the official government.

And other white men are coming forward to serve.

The county board of education is slowly starting to help the program.

Gustav (Gus) Roessler, a former stockbroker and member of the White Citizens Council, is the director of the program. He, too, is respected by the Negro participants.

Dr. Frank Marascalco, obstetrician, serves on the poverty board. Commenting on the first poverty trainees, he said:

"Two or three hundred of those people were barely breathing when they came through the door. These people had never received any major treatment. Some had hernias in their stomachs as large as footballs, others had severe prostate trouble."

"We (the Coahoma poverty organization) are the only representative body of democracy in the whole State of Mississippi," Carr stated matter-of-factly.

But he quickly added that individual white leaders are fighting for justice elsewhere in the state.

One finds them in newspaper editors like Hodding Carter III at Greenville and Hazel Brannon Smith at Lexington, and attorney Jimmy Christenberry in Rolling Fork.

But for a Northerner, the most lasting impressions of the Delta—the flat, rich cotton country—are of the pathetic Negro poor, of their rising determination to overcome and of the white leaders who have chosen to stand beside them.

POVERTY IN THE RURAL SOUTH: III. SWAFCA PROGRAM IS SMALL STEP BUT IN THE RIGHT DIRECTION

Mr. TIERNAN. Mr. Speaker, I ask unanimous consent that the gentleman from Michigan [Mr. Conyers] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Rhode Island?

There was no objection.

Mr. CONYERS. Mr. Speaker, a most encouraging and valuable attack against rural poverty in the South has recently been taken by the Office of Economic Opportunity. Sargent Shriver, Director of the Office of Economic Opportunity, is to be commended for reaffirming the program's commitment dealing with the problems of rural poverty in his overriding of Alabama Gov. Lurleen Wallace's veto of the Southwest Alabama Farmer's Cooperative Association grant. This particular program is designed to strike at the roots of poverty by encouraging community action to deal with the basic economic problems which plague low-income farm operators. The SWAFCA program is a small but important step because it is in the right direction.

The cooperative program of SWAFCA covers 10 of the poorest counties in Alabama. More than 30 percent of the farms in the 10-county area produce income under $500 per year. Most of the farm families involved earn less than $1,000 per year, while the average farm family in America makes over $4,700 per year.

The SWAFCA program seeks to test the hypothesis that low-income farm operators can develop the social and economic foundation which will enable them to remain on their land. At present, many farm families are forced to migrate to the already overcrowded slums in big cities. Secretary of Agriculture Orville Freeman estimates that 40,000 to 60,000 people may migrate from the South this summer. Hopefully, this program will pave the way for broad measures to halt this massive dislocation of persons by providing incentive and opportunity to remain on the land.

The project seeks to aid community action by:

First, promoting the development of cooperative management, marketing, and supply organizations.

Second, encouraging the use of modern technological resources.

Third, aiding the development of insurance programs to lower interest rates for farm loans, and

Fourth, calling for democratic self-determination of the development of the program.

I join the Citizen's Crusade Against Poverty, the National Council of Churches' Anti-Poverty Task Force, the National Catholic Rural Life Conference, the Cooperative League of the USA, the Southern Regional Council, and the National Sharecroppers Fund in support of the SWAFCA project. By teaching farmers to diversify their crops it serves to broaden their hopes by offering a real alternative to the age-old pattern of migration to city slums.

By affirming this Nation's commitment to wiping out poverty, OEO has shown the kind of leadership and imagination that have been too often lacking in other departments of the Government. Mr. Shriver and his staff are to be congratulated for their handling of this program.

The story behind the grant and its eventual victory over the massed and powerful opposition brought against it is both interesting and instructive. In order to report the full story in some detail I would like to include in the Record at this point various newspaper articles and statements from the Office of Economic Opportunity:

A. The Background of the Controversy

[From the Washington (D.C.) Evening Star, April 12, 1967]

OEO Faces Controversy Over Alabama Co-op

(By Robert Walters)

The Office of Economic Opportunity is facing a major new controversy over the funding of an Alabama antipoverty program designed to assist a farm cooperative farmer by low-income Negroes in 10 Black Belt counties.

Battle lines already have been drawn in the simmering dispute. Virtually all the state's leading politicians oppose the program and a wide variety of civil rights, labor and religious groups support it.

If their differences are not resolved, the dispute threatens to involve Alabama Gov. Lurleen Wallace in her third direct confrontation with the federal government since she stook office earlier this year.

Approximately 20 Alabama farmers planned to meet today with top OEO officials to make a direct appeal for approval of a one-year, $503,540 federal grant to their organization, the Southwest Alabama Farmers Cooperative Association.

Federal officials at the Agriculture Department and Economic Development Administration as well as OEO view the project as an important experiment to help determine the future of much of the rural South.

Low-income Negro farmers are increasingly being forced to leave their land because of mechanization, reduced cotton acreage allotments, minimum wage laws, lack of education and racial discrimination.

The Agriculture Department estimates that in the next three years more than 1.5 million impoverished Southern farmers, most of them Negroes, will be forced to relocate—and the great bulk will move into Northern and Western big-city ghettoes.

The Alabama project is intended to "reverse this trend" by building "a mechanism of social and economic development which will keep these farmers in rural America, where they choose to stay, and out of the city slum," according to OEO officials.

The first phase of the program is aimed at establishing a supply and marketing cooperative to enable the farmers to produce and sell a variety of crops, starting with field peas, okra and cucumbers.

In its second phase, the program will seek to aid the nonfarm residents of the area through establishment of health, self-help housing, education and recreation projects as well as a variety of self-supporting business enterprises.

The virtually all-Negro cooperative has promised to seek white members, but its leaders say the absence of many low-income white farmers in the area, coupled with "the fear of Klan terrorism," will make the task a difficult one.

Mrs. Wallace has hinted that she will exercise her power to veto the program if the grant is approved by OEO.

[From the New York Times, Apr. 13, 1967]

Leaders of Negro Farm Co-op in Alabama Go to Washington To Seek Funds

(By Roy Reed)

Washington, April 12.—A dozen leaders of a Negro farmers' cooperative in Alabama came to Washington today to try to shake loose a Federal grant that is being opposed by the concerted political power of their state.

The farmers drove here in two cars to try to put over their new organization, the Southwest Alabama Farmers Cooperative Association, as a practical way for low-income farmers to save on the purchase of supplies and get higher prices for their peas, okra and cucumbers.

The Office of Economic Opportunity is considering a $503,540 demonstration grant to the cooperative as part of its effort to find new ways of fighting poverty.

The grant reportedly was almost ready for approval until Alabama's two Senators and four of its eight Representatives descended on the Office of Economic Opportunity last week and, for three hours, expressed opposition to it.

EARLY DECISION PLEDGED

Spokesmen for the antipoverty agency declined to speculate today on the status of the proposed grant except to say that a decision would be made shortly. One said the proposal was on the desk of Sargent Shriver, the director, and was being closely studied by the agency's economic advisers.

The cooperative is being opposed not only in Washington but also by powerful white leaders in Alabama. The opposition there includes many of the county and city officials in the 10 Black Belt counties that the cooperative covers, as well as the owners of at least one packing company, a pickle manufacturer who stands to pay higher prices for cucumbers if the cooperative succeeds.

Fears of a Negro political take-over are being aroused as the opposition campaign is pressed in the Black Belt, a region that contains rich, dark soil and is dominated by a white minority that is outnumbered in some counties by as much as four to one.

A spokesman for one of the Congressmen said today that the cooperative was controlled by "Black Panther people." Black Panther is a name applied to certain militant Negro political groups that were organized in a few Alabama counties prior to the 1966 elections in Alabama. The organizations showed little electoral strength and some have disintegrated since then.

LINK DENIED BY MODERATES

Moderate civil rights leaders in Alabama deny that the Panthers control the cooperative or have any substantial connection with it.

Joe R. Johnson, leader of the delegation of farmers, said today at the antipoverty agency that the cooperative needed the Federal money now, during spring planting, if it was to do any good.

"I'd like to take it home with me today," he said.

Mr. Johnson's group met with half a dozen antipoverty officials led by Bertrand Harding, deputy director.

The farmers brought with them several nonfarmer friends, including representatives of two well-known Negro schools, Tuskegee Institute at Tuskegee, Ala., and Southern University at Baton Rouge, La.

Dr. Asa C. Sims, professor of horticulture at Southern, and the Rev. Robert Smith, director of religious extension service at Tuskegee, told the Federal officials that the cooperative was needed an was feasible.

The white political leaders who met with the Federal officials last week argued, along with white business leaders from Alabama, that the cooperative would duplicate services already provided by Federal, state and local agencies.

About 850 families belong to the cooperative. Mr. Johnson said they formed it more than a year ago but had not yet begun full operation.

An 80,000-pound purchase of fertilizer this year demonstrated that the cooperative can save money for the farmers, a spokesman for the antipoverty agency said. The spokesman did not know the amount saved but it had been substantial.

The cooperative hopes to get higher prices for its vegetables by controlling the time of selling and by bargaining with packers.

The members live in 10 counties once dominated by cotton but now well down the road toward agricultural diversification. The counties are Choctaw, Dallas (Selma), Greene, Hale, Lowndes (where Mrs. Viola Liuzzo, the civil rights worker, was murdered in 1965), Marengo, Monroe, Perry, Sumter and Wilcox.

Jack Venable, administrative assistant to Representative Bill Nichols of Alabama, said the cooperative had been organized mainly by Miss Shirley Mesher, a 37-year-old white civil rights worker. Miss Mesher first went to Alabama in 1965 to help manage the Selma-to-Montgomery march headed by the Rev. Dr. Martin Luther King Jr.

She helped organize the militant Negro political organization in Selma and Dallas County last year. The group is referred to as "Black Panther" by whites in Selma.

Miss Mesher now is an unpaid, volunteer coordinator for the Office of Economic Opportunity. Her efforts for the farmers' cooperative coupled with her past political work are the basis for the charge that the cooperative is controlled by Black Panthers. Mr. Venable said that Miss Mesher's hand-picked candidates were elected to the governing board of the cooperative in each of the 10 counties.

Mrs. Albert Turner of Marion, Ala., the wife of the Alabama director of Dr. King's Southern Christian Leadership Conference, said today in a telephone interview that she and her husband were members of the cooperative and that she knew of no Black Panthers connected with it in their county. The Turners have steered clear of the Panther organizations.

Fred Gray, a lawyer in Tuskegee, is the cooperative's lawyer. He accompanied the delegation to Washington and helped argue its case. Mr. Gray is influential in the moderate element of Negro politics in Alabama.

The grant would be for one year. The money would be used mainly to hire a staff and buy equipment, such as 10 small trucks for carrying produce.

Mr. Venable said the budget included money for two-way radio communications systems in the trucks. He said the assumption among white Alabamians was that radios would be used to help organize Black Panther political groups.

B. THE ORIGINAL GRANT TO SWAFCA IS ANNOUNCED

FARM COOPERATIVE GRANT TO 10 ALABAMA COUNTIES

The Office of Economic Opportunity today announced a comprehensive demonstration grant of $399,967 to the Southwest Alabama Farmers Cooperative Association (SWAFCA), a 10-county cooperative in one of the Nation's most depressed rural areas.

The grant is designed to test ways by which poor farmers can significantly raise their income, become self-sufficient and develop farm-related programs.

The Cooperative originally requested $503,460, but it was determined by OEO that a lesser amount would be adequate to successfully implement the proposed program. The project has been endorsed as economically feasible by the Department of Agriculture and the Economic Development Agency, both of whom will provide expert assistance to the Cooperative. Both agencies have agreed that SWAFCA is an innovative demonstration program which will not in any way duplicate existing services and programs.

The Southwest Alabama Farmers Cooperative Association cooperative will initially include 800 farm families in 10 Blackbelt counties of Alabama. It is anticipated that the co-op's membership will expand to 1,500 families during the first year of production. Membership is open to all low-income farmers in the 10-county area. Nine of these counties are among the poorest in the country. Most of the farm families involved earn less than $1,000 per year.

Because of mechanization, reduced cotton allotments, falling farm prices, and other factors, more than 300 former local farmers have been identified by SWAFCA as ready to leave the land. Without alternatives, these farmers and their families, and many others will also find it necessary to relocate into cities, thus repeating the pattern of migration to city slums that has continued over recent years.

The grant announced today aims at reversing this trend, and better the plight of these farmers with a self-help program of economic development, crop and livestock diversification, and experimentation with higher profit and yield farming.

The project will test new concepts in OEO's programs of assistance to low-income farm families in the Southern blackbelt. There is no equivalent in the existing OEO programs in the area. A large part of the grant will be allocated for agricultural, marketing and business specialists to provide necessary technical assistance, and insure sound management practices.

The first crops that will be marketed through the co-op will be okra, peas, cucumbers and corn. Additional crops and farm products are to be added in the fall season and during the next year. A special feature of this grant is a provision for a "loan insurance" fund which will enable the cooperative to provide security for loans from private sources for basic farm supplies and equipment.

Questions raised concerning the SWAFCA proposal have been answered by a thorough investigation and re-evaluation by OEO in consultation with other Federal agencies. The examination showed that the program is structurally and economically sound, that SWAFCA's Board has been democratically elected by its member farmers, and that the potential staff members are fully competent. As in the original proposal, OEO will provide a liaison project manager and on-going evaluations of the project.

Joseph Johnson, of Dallas County, is President of SWAFCA. Calvin S. Orsborn, a businessman in Selma, has been named as Co-op (business) Manager. SWAFCA will employ a comptroller and an accountant. Additionally, periodic audits will be performed by an independent firm. OEO must approve the Co-op's appointment of all key personnel.

Among those supporting the project are the Cooperative League of the U.S.A., the Souther Regional Council, the National Sharecroppers Fund, and the National Catholic Rural Life Conference. Dr. B. D. Mayberry, Dean of the School of Agriculture, Tuskegee Institute; James Patton, Past President of the National Farmers' Union; John Baker, Assistant Secretary, United States Department of Agriculture, and Ross Davis, Director of the Economic Development Agency are among those who have reviewed the proposal and believe it to be an economically sound and promising pilot program.

SWAFCA will operate in the Southwest Alabama counties of Dallas, Lowndes, Wilcox, Perry, Hale, Greene, Monroe, Marengo, Choctaw, and Sumter.

C. OPPOSITION TO THE ORIGINAL SWAFCA GRANT

[From the Washington Post, May 12, 1967]

OEO GRANT TO CO-OP IN ALABAMA STIRS CLASH

(By Robert E. Baker)

The Office of Economic Opportunity granted $400,000 to a Negro farmers' cooperative in Alabama yesterday—and immediately precipitated another confrontation between that State and the Federal Government.

"I can assure you," said Gov. Lurleen Wallace in Montgomery, "that it will be vetoed."

But the threat by Alabama's First Lady appeared more symbolic than real. This is a demonstration project subject to gubernatorial veto within 30 days. But the veto can be overridden by War on Poverty Director Sargent Shriver.

"If the Governor vetoes this unwise project, then these people in Washington should respect her wishes," said Rep. George W. Andrews (D.-Ala.), dean of the Alabama delegation and a senior member of the House Appropriations Committee.

But it seems unlikely that OEO would back down. It had already heard objections from congressmen and other Alabama officials at a session two weeks ago before making the final approval.

The grant will go to the Southwest Farmers Cooperative Association operating in 10 counties, nine of them among the poorest in the nation.

Its aim is to help the farmers create an economic atmosphere that will allow them to stay there, rather than migrate to big city slums.

The grant will be used to teach improved production methods to farm families—800 initially and up to 1500 within a year.

Mayor Joe Smitherman of Selma, where the cooperative will have headquarters, and other officials have charged that the grant would likely be used to promote "Black Power" politics. (The cooperative is open to all poor farming families but is predominantly Negro.)

All of Alabama's Representatives and Senators, except for Republican Rep. William L. Dickinson, who was in Vietnam, and Democratic Rep. Robert E. Jones, whose North Alabama district is far removed from the cooperative, met with OEO officials to voice their objections.

Their main objection was that the cooperative lacked the experts to accomplish its objectives. They wanted any such funding to go through existing channels, such as Auburn University's Agriculture Extension Service.

But the OEO in its announcement said that the cooperative's grant request was thoroughly investigated and that Federal experts, including Agriculture Department specialists, would help.

While Alabama officials expressed their shock and dismay at the grant, the National Council of Churches and the Citizens Crusade Against Poverty praised it as imaginative and significant.

"This economic self-help program is a reaffirmation of the basic mandate of Congress that programs funded by OEO should strike at the roots of poverty—and be carried out with the maximum feasible participation of the poor," said Richard W. Boone, executive director of the Crusade, a coalition of church, civil rights, labor and business groups working in the poverty field.

[From the New York Times, May 12, 1967]

Alabama Co-op Gets Poverty Aid Despite Opposition in Congress

(By Joseph A. Loftus)

WASHINGTON, May 11.—The Office of Economic Opportunity has decided to grant $399,967 to an Alabama cooperative of Negro farmers despite the opposition of the state's concerted political power.

The antipoverty agency, which announced the grant last night, was caught for more than a month in a political pressure squeeze between the Alabama politicians on one side and liberal, union, and church-oriented groups, such as the Citizens' Crusade Against Poverty.

Gov. Lurleen B. Wallace of Alabama has authority under the Economic Opportunity Act to veto the grant and thus force the poverty agency director to reconsider it. The director has the authority, however, to override such a veto.

The area was once devoted predominantly to cotton, but the cooperative's leading crops now are cucumbers, okra, and peas.

The conflict was analogous to last winter's long fight over refunding the Child Development Group of Mississippi, a Head Start project opposed by Mississippi political power. The project was cut off in September, then refunded on a smaller scale after months of cross fire.

The Mississippi fight strained relations between Sargent Shriver, the poverty agency director, and the Citizens' Crusade. Today, however, Richard W. Boone, executive director of the crusade, said in a statement:

"Mr. Shriver and his staff are to be congratulated on making this grant. In doing so, the O.E.O. has displayed the kind of leadership and imagination that have been too often lacking in other departments of the Government in the recent past."

UNIDENTIFIED TARGETS

Mr. Boone did not identify his targets but was believed to mean old-line agencies that are reluctant to tackle grass roots problems that could lead to political recriminations. A recent example was the Agriculture Department's refusal to provide emergency food for Mississippi persons who, a Senate subcommittee had found, were hungry, if not starving.

The recipient of the grant is the Southwest Alabama Farmers Cooperative Association operating in Dallas, Lowndes, Wilcox, Perry, Hale, Greene, Monroe, Marengo, Choctaw, and Sumter counties.

The grant is designed to test ways by which poor farmers can significantly raise their income and become self-sufficient. With organization and captial, for example, they can buy fertilizer and other supplies at savings. By cooperative selling they can bargain with the larger buyers for higher prices.

CONGRESSIONAL OPPOSITION

Representative William Nichols, a Democrat, who is one of six members of the Alabama Congressional delegation that went to the poverty agency offices and argued for three hours against the project, said in a statement today:

"I strongly oppose this grant along with other local and state officials on the ground that the leadership of the cooperative was insufficient to handle such a project. We felt along with other members of the Alabama delegation that if the project were to be funded the leadership should be strengthened to include directly members of the State Extension Service and other Agriculture officials."

Donald M. Baker, general counsel for the poverty agency, was in Selma, Dallas County, today for talks with Sheriff Wilson Baker and Mayor Joel Smitherman in connection with the grant.

The O.E.O. public affairs office said the agency was not expecting harassment of the cooperative and that Mr. Baker's trip was a courtesy to explain to local officials the rationale of the grant.

D. Support for the Original SWAFCA Grant

Support was voiced early for the imaginative new program. Dr. Martin Luther King called it "an encouraging step forward in the war on poverty, a ray of hope for those in the Nation's poorest counties who live in unbelievable conditions of despair." Walter P. Reuther, head of the Citizens Crusade Against Poverty, hailed the program as the "first real opportunity for many." And Roy Wilkins of the NAACP said it was "a chance to bring some real democracy to rural Alabama." More support was reported in the Montgomery Alabama Advertiser shortly after the grant was announced.

Religious Organizations Back Disputed Grant

Three leaders of national religious organizations have issued a statement supporting the decision of the U.S. Office of Economic Opportunity to allocate funds to the Southwest Alabama Farmers Cooperative Association at Selma.

The statement was issued by Dr. J. Edward Carothers, chairman of the anti-poverty task force of the National Council of Churches, New York; Mathew Ahmann of Chicago, director of the National Catholic Conference for Interracial Justice, and Rabbi Henry Siegman, executive vice president of the Synagogue Council of America, New York.

The grant to the association has been criticized by Selma Mayor Joe Smitherman, Dallas County Probate Judge Bernard Reynolds and others. The officials claim the organization would be run by advocates of the "Black Power" movement.

The religious leaders said the allocation of $399,967 for the association's rural readjustment project "is one of the significant developments of the war on poverty."

Their statement added: "This program will help create the social and economic atmosphere in hard-pressed rural areas of the Deep South that will make it possible for people to succeed where they are. It will help reduce the necessity for migration of the rural poor from slums in the country to slums in the city."

Dr. Carothers, Ahmann and Rabbi Siegman said the Selma-based association's "officers and board have been careful not to become identified with any political or civil rights organization, so it is with deep feeling that we denounce those who are using smear tactics . . ."

The three organizations whose leaders issued the statement support the Selma Interreligious Project, established after the 1965 Selma march to promote racial justice.

E. Governor Wallace's Veto and Sargent Shriver's Overruling of That Veto

Gov. Lurleen Wallace of Alabama vetoed the project on June 16. The Governor made several procedural objections, and also said that she felt that the money would be used to subsidize Negro political action. She also claimed that the board in control of the program had not been democratically elected and that, in any case, the program only duplicated existing services.

The OEO subsequently made an exhaustive study of the program with the help of several other Federal agencies. The study revealed no substance to the Governor's objections. I would like to include the account of Mr. Shriver's overriding Governor Wallace's veto that was printed in the Washington Post. I would like to also enclose, at this point, a copy of a memorandum from Theodore Berry, director of the community action program, to Mr. Shriver. This memorandum was sent to Governor Wallace with the letter formally rejecting her objections.

[From the Washington (D.C.) Post, July 4, 1967]

Alabama Overruled on Veto of OEO Grant

(By Jean M. White)

Sargent Shriver has overturned Gov. Lurleen Wallace's veto of $400,000 poverty grant to a Negro farmers' cooperative in Alabama.

The letter overriding the veto was mailed from the office of Economic Opportunity yesterday. A spokesman said the contents cannot be released until the letter is received by the Governor's office.

But Shriver is known to have answered point by point the reasons given by Mrs. Wallace in her veto letter.

One of these was the charge that the grant would likely be used to promote "Black Power" politics in Alabama. The OEO and FBI have investigated and found no evidence to support this charge.

Mrs. Wallace's veto of the grant to the farmers' cooperative was the latest in the list of confrontations between Alabama and the Federal Government. Earlier OEO had overridden Gov. George Wallace's veto of a grant for a migrant workers' project.

The poverty chief can overturn a gubernatorial veto on demonstration projects.

The $400,000 grant will go to the Southwest Alabama Farmers Cooperative Association to teach improved agriculture production methods to farm families.

About 800 families will be helped at first and up to 1,500 within a year. The cooperative will operate in ten counties—nine of them among the poorest in the Nation. The hope is that the poor farmers will be able to stay on their farms rather than migrate to slums in the big cities.

Before making its final grant to the cooperative two months ago, OEO had heard objections from Alabama Congressmen and officials.

One objection from them was that the cooperative didn't have expert advice. They wanted the funds channeled through existing channels such as university agricultural extension services.

OEO answered that Agriculture Department specialists would be available for advice.

Reconsideration of Governor Wallace's Veto of the Southwest Alabama Farmers' Cooperative Association

Office of Economic Opportunity,
Washington, D.C., June 30, 1967.

To: The Director.
Through: Deputy Director.

RECOMMENDATION

For the reasons stated below, I urge you to reconsider Governor Wallace's veto of the Southwest Alabama Farmers' Cooperative Association grant and find the grant to be "fully consistent with the provisions and in furtherance of the purposes of" Part A of Title II of the Economic Opportunity Act of 1964, as amended.

Attached for your signature are the following documents:

(1) Formal statement of reconsideration.
(2) Letter for Governor Wallace.
(3) Letter of notification to the grantee.

JUSTIFICATION OF RECOMMENDATION

1. The objections expressed by the Governor in her June 16, 1967 veto letter are without merit.

A. The objections numbered 2 through 7 have not previously been made to this agency and, therefore, deserve to be answered fully.

I. The grant was made pursuant to the FY 67 Research and Demonstration plan as required by Section 207 of the Economic Opportunity Act of 1964, as amended.

II. Section 207 requires that the Research and Demonstration plan "to the extent it contemplates activities or programs that may be undertaken by other Federal agencies or the making of grants or contracts that might be made by other Federal agencies having demonstration and research responsibilities, shall be approved by the Director only after consultation with such agencies." This has been done. The Act does not require consultation with other agencies before each grant is made. Nevertheless, the Department of Agirculture and the Economic Development Administration of the Department of Commerce were consulted before the SWAFCA grant was made. Both agencies support the grant. Copies of the Department of Agriculture support memoranda are attached.

III. The grant proposal was filed in the Southeast Regional Office as required by Section 207 of the Economic Opportunity Act of 1964, as amended. The Regional Office comments, which are attached, anticipated opposition by "local leaders," including some local CAA officials and requested that some kind of control "be placed" on Shirley Mesher, a white worker who was instrumental in the development of the project, but plainly stated that "with greater emphasis being placed on rural programs, this program could be a wonderful opportunity for the Office of Economic Opportunity to enhance its position in this area."

IV. Section 209(d) of the Economic Opportunity Act of 1964, as amended, states that "when the Director of OEO receives an application from a private nonprofit agency for a community action program to be carried on in a community in which there is a community action agency carrying on a number of component programs, he shall, within five days, give notice to such community action agency and the Governor of the state in which the community is located of the receipt of such application." This provision applies only to applications for Section 204 and 205 "community action programs" and does not extend to applications for Section 207 demonstration grants. More important, none of the interested parties was prejudiced by OEO's failure to notify them within five days from the receipt of the SWAFCA application. Representatives of both the CAA's in the ten county SWAFCA area had an opportunity to discuss their concerns with OEO officials in Washington. The Governor was given ample time to review, and to veto, the grant.

V. I do not know precisely what, OEO regulations the Governor believes to be violated by the composition of the SWAFCA Board of Directors; but I suspect she is referring to Part B(6) of the CAP Guide which states that broadly-based community action programs are to be preferred. To be "broadly based, a community action agency must provide ample opportunity for participation in policy making by the major public and private agencies responsible for services and programs concerned with poverty, other elements in the community as a whole, and the population to be served by the community action program. . . . Representatives from private and public agencies shall include at least one representative of the chief elected officials, or official, of the community, the board of education, the public welfare agency and the major private social service agencies. Consideration should also be given to representation by the public health agency, the public housing, and urban renewal agencies, the local office of the state employment services. . . ." But Section 7 of Part B states that "the existence of a broadly-based community action agency is not a prerequisite to the granting of Federal assistance." In any case, the CAP Section 204 and 205 community action program components, not Section 207 demonstration programs.

It would be inappropriate to permit one or both the CAA's in the 10-county area to control SWAFCA. Each CAA operates in only one of the ten counties and even if both would be willing to work together—which is extremely unlikely—their combined area would extend to only two of the ten affected counties.

B. The Governor's remaining objections have already been dealt with at length either in the justification of the SWAFCA grant, the letter from Mr. Harding to Probate Judge Reynolds of Dallas County, Alabama, or in both. These documents are attached for your information. It would serve no purpose to repeat their contents here. Suffice it to say that:

(1) The project does not duplicate existing services. FHA has stated that it cannot provide a large enough loan to permit SWAFCA to purchase necessary equipment, seed, fertilizer and insecticides. Many of the cooperative's members are too poor to meet FHA individual loan criteria, and to date less than 15% of the farmers have been able to obtain such loans. Less than 1% have ever received soil tests or any extensive service training.

(2) The proposal submitted by the Dallas County CAP did not represent a viable alternative; it was little more than a copy of the agricultural services technical assistance component of the SWAFCA project, and did not include cooperative buying or selling, loan insurance fund, or economic development assistance.

(3) FBI and OEO investigations have not substantiated the charge that participants in SWAFCA have committed illegal acts or that SWAFCA would use grant monies for unauthorized purposes. Background investigations of the SWAFCA Board of Directors and of Shirley Mesher, the white civil rights worker who was instrumental in the organization of SWAFCA, have uncovered no objectionable information. Evidence tending to implicate SWAFCA, its members, its staff, or its sympathizers with "SNCC" or violent "Black Power" activities has been, at best, insubstantial. The Hatch Act, OEO guidelines and the grant itself prohibit grant funds from being used for partisan political purposes. Title VI of the Civil Rights Act of 1964 and a special condition to the grant will insure that interested poor white farmers in the area are given an opportunity to become members of the cooperative.

(4) No authorized OEO official "guaranteed" funding of SWAFCA prior to the time the grant was actually made. I have not heard of any statements that were made in February; I know that on April 3, Peter Mickelsen, while attending a meeting in Selma, stated that he would do everything he could to insure that the grant was made. Mr. Harding's letter to Judge Reynolds apologized for any misunderstanding created by this statement.

(5) Salaries, which are far from exorbitant, compare favorably with wages paid for comparable work in the area when the lack of fringe benefits or job security is considered. Some have been increased above their original level at the suggestion of RPP&E. Salaries have been set at the lowest level that will attract the technical staff that will be essential to the success of the project.

OEO concurrence on all staff appointments will insure that only the highest quality personnel are hired. Mr. Calvin Orsborn, who is the cooperative's business manager, is one of the most respected and successful Negro businessmen in the area. Mr. Vincent Jones, who has offered to become the comptroller for SWAFCA, holds a B.S. in accounting from Southern University and a M.S. from the University of Chicago and is currently an assistant professor of accounting and the coordinator of the accounting section of the School of Business of Southern University. Dr. Asa C. Simms, Jr., who has offered to become the horticulturist, holds a B.S. in horticulture from Hampton University, an M.S. in botany and plant pathology from Ohio State, and a Ph. D. in botany and plant pathology from Ohio State, and is currently a professor of biology at Southern University.

(6) The risk involved in the project is certainly substantial especially if the project's opponents engage in physical or economic harassment; but risk is inherent in demonstrations unless we are to demonstrate only foregone conclusions. RPP&E, the Department of Agriculture, two independent consulting firms (Robert Nathan Associates and Continental Allied, Inc.) all believe that it is economically feasible.

2. Although the project has been severely criticized by local Alabama politicians, it has been strongly supported by liberal politicians from all areas of the country, and by a wide range of civil rights groups and liberal church organizations. In addition, it has been treated sympathetically by the news media—e.g., CBS–TV, NBC–TV, NY Times, Christian Science Monitor, Washington Post, New Republic, Washington Star, Jet, and fourteen language services of the Voice of America.

3. Most important, the project is truly innovative; it attempts to give poor farmers an opportunity to manage their own affairs and, by increasing their capacity to earn income, offers them an opportunity to remain in rural areas. The regional cooperative envisioned in the project should greatly increase its members bargaining power, enabling them to buy necessary supplies and equipment more cheaply, and receive higher prices for their produce. Modern farm techniques and methods imparted through intensive technical assistance should improve crop selection and increase crop yields and economic development assistance will help the program participants discover other profitable economic ventures. The concepts embodied in this demonstration will not help all poor farmers; but the project is, I believe, an exciting self-help venture worthy of our support.

Theodore M. Berry,
Director, Community Action Program.

Concurrence:

D. Hess.
G. Green.
D. Baker.

THE POVERTY PROGRAM

Mr. TIERNAN. Mr. Speaker, I ask unanimous consent that the gentleman from Pennsylvania [Mr. Holland] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Rhode Island?

There was no objection.

Mr. HOLLAND. Mr. Speaker, for the rest of this session, I am sure every piece of legislation will be considered in terms of what it can do about the riots. The poverty legislation, now pending before the Committee on Education and Labor, is a logical bill to ask this question about. The enemies of the poverty program are, of course, leaping to the chance to discredit the program by linking it somehow to the riots. We are told by some that if we even have a poverty program next year, it will only be "rewarding the rioters," and that all we have tried to do for the 30 million American poor should be jettisoned because maybe one-twentieth of 1 percent of them were involved in riots. That makes sense, Mr. Speaker, about as much sense as trying to control floods by tearing down all the levees on all our rivers because somebody somewhere was heard to express the hope it would rain the day before a cloudburst.

Yesterday, Mr. Sargent Shriver, Director of the Office of Economic Opportunity, testified before the Education and Labor Committee on the poverty program with special attention to the charges that poverty workers were involved.

With his characteristic candor he admitted that there was some involvement. In 27 cities where there have been disturbances this year, there are 12,128 paid poverty workers. In those same cities, there have been 6,733 persons arrested for involvement in the riots. Of these, precisely six individuals were paid poverty workers. Like I said, one-twentieth of 1 percent. If that is the case that the enemies of the poverty program have to make, I hope they do not expect to be taken seriously.

Mr. Speaker, I am inserting Mr. Shriver's very enlightening and moving testimony at this point in the Record, and I commend it to my colleagues.

Statement by Sargent Shriver, Director, Office of Economic Opportunity, Before the Committee on Education and Labor, U.S. House of Representatives, July 31, 1967

Mr. Chairman and Members of the Committee: Five months ago this Committee was presented with a tightened and strengthened version of the Economic Opportunity Act proposed by this Administration for Fiscal Year 1968. Two months later a substitute bill was introduced by certain members of this Committee.

In your consideration of antipoverty legislation you have held more than six weeks of hearings and listened to more than 100 witnesses—the great majority of them from outside government.

I am glad to have this opportunity to sum up the record as it looks to me.

The question at which you have taken a long, hard look is this: Should there be an Office of Economic Opportunity? Of the 97 public witnesses who have appeared before you, 64 have addressed themselves to this question in their testimony. Of these, only one called for the elimination of OEO, the independent agency the Congress established to hear and serve the needs of the poor.

These are some of the witnesses who voiced a strong appeal for the continuation of OEO:

Mitchell Ginsberg, distinguished scholar and Commissioner of Welfare of New York City—speaking for the National Association of Social Workers.

Andrew Biemiller, Legislative Director of the AFL–CIO, speaking for 14 million American working men and women.

Consignor Corcoran, Executive Secretary of the National Conference of Catholic Charities, speaking for millions of fellow Americans.

Rabbi Richard Hirsch, Director of the Religious Action Center, speaking on behalf of the Inter-religious Committee Against Poverty, a coordinating body of all religious groups in America.

Mrs. Bruce Benson, Vice President of the League of Women Voters, speaking on behalf of thousands of informed and active women across America.

Miss Dorothy Height, President of the National Council of Negro Women, representing tens of thousands of women long active in the struggle against poverty.

Joseph Barr, Mayor of Pittsburgh, and President of the U.S. Conference of Mayors, speaking for the chief executives of the nation's 600 largest cities.

Whitney Young, Director of the National Urban League, distinguished civil rights leader.

Arthur Flemming, President of the University of Oregon, former Secretary of HEW, and representing the National Council of Churches.

Clarence Mitchell, Washington representative of the NAACP, speaking for half a million members of that organization.

William Gossett, President-elect of the American Bar Association, thousands of whose members have already been helpful in the War on Poverty.

Richard Boone, Director of the Citizen's Crusade Against Poverty, a coalition of over one hundred national organizations in every walk of American life.

Mrs. Fred Harris, speaking technically only for herself, but, in effect, speaking for millions of Americans on Indian reservations, in migrant labor streams, and in rural America.

I could go on and on. The 4,000 pages of testimony already in your record are replete with the names of others—business leaders, health experts, conservationists, veterans, religious leaders, women—the whole spectrum of American society—speaking with one voice. "We need the OEO."

Another major issue that came before this Committee was whether or not Job Corps should be converted into a vocational education program under the Office of Education. Those in our country most familiar with Job Corps said: "No". It should not. The Secretary of Labor said: "No." Top officials of HEW said: "No." Dean William Perlmutter of the State College of New York said: "No." G. C. Whitaker, Board Chairman of Graflex, said: "No." Dr. Spencer Smith of the Citizen's Committee on Natural Resources, said: "No."

These were some of the witnesses who saw the value of Job Corps. They want it kept a part of OEO to serve—in cooperation with American business—the hardest hit of the poor.

Another big issue concerned Head Start. Should it also be transferred to the Office of Education? Here too, the record is clear. While some educators, testifying on the Elementary & Secondary Education Act have said that Head Start should be transferred—those who are experts on the subject of poverty, say: "No."

Head Start is more than an educational program. It affects the total life and culture of the child—his health, his parents, behavior, environment, diet and outlook. The entire program is directly related to the community action effort. Your witnesses agreed that Head Start should remain a part of OEO.

Another question concerned the earmarking of funds. No witness nor any Member of Congress suggested that local community initiative be limited by the earmarking of funds. To the contrary, all witnesses speaking on the issue strongly urged there be no earmarking of community action funds.

Every witness who commented on local share, urged a return to the 90–10 federal-local matching requirement, rather than an increase in the share required by local communities. This testimony runs contrary to the proposal of the Opportunity Crusade that even greater funds be demanded from the local communities.

OEO is sometimes accused of spending too much—but the witnesses who appeared here thought the opposite: OEO is not spending nearly enough.

Whitney Young said we should spend at least $10 billion a year.

AFL–CIO said spend more money.

The Citizen's Crusade Against Poverty said spend more.

Clarence Mitchell of the NAACP said spend more.

The representatives of America's bar associations—who identified themselves as Republicans as well as Democrats—urged the Legal Services Program spend 3 times as much as now.

Educators said: "Double Upward Bound."

Mayors asked for twice as many Neighborhood Youth Corps enrollees.

The Governor of Alaska, for one, urged us to double VISTA. And, following the recent trouble in Detroit, Governor Romney sent an urgent telegram requesting 200 additional VISTA Volunteers. I am happy to tell you that by 5:00 PM of the day the Governor sent the telegram, 35 VISTA Volunteers arrived. 46 arrived Saturday. 50 arrived Sunday. 55 more will be there today. 2 tomorrow, and 57 more Wednesday. This is a poverty program in action where it is needed. And it is needed everywhere.

That's the record. You heard it. I heard it. The American public has heard it. No one can conclude from the testimony that OEO is not doing its job. Its performance is known and its record is clear.

On the other hand, what witness or what group has spoken on behalf of the proposed Opportunity Crusade? No one said, let's try something else. *No* witness has explained yet why the substitute bill would provide a better program.

Where were the witnesses who thought OEO should be dismantled and destroyed? Only the U.S. Chamber of Commerce thought Job Corps and Head Start should be shifted. But, not even the Chamber said the OEO should be eliminated. Who came here to say OEO should be given less money? No one.

The record is clear. OEO has been given bipartisan support to speak and work on behalf of America's poor. It has been given bipartisan support for the President's request for a 2.06 billion dollar appropriation. Now it is our urgent responsibility to let the poor of urban and rural America know that it is not a question of *how long* it will take to defeat poverty, but *how soon*.

Since you began your hearing, American streets have become American battlegrounds. Instead of guns and butter, it seems now to be guns and guns.

Let me make my position unmistakably clear. When I became Director of OEO, I took an oath—a simple oath to defend this country against all enemies, foreign and domestic. I consider those who would mock our laws, shatter our peace, burn our homes and kill our people to be enemies of our country. To promote, encourage, tolerate or excuse violence is against every intention I have had, against every action I have taken since I came to Washington in 1961.

After the riots began, voices of reason and order swiftly announced: "We will not tolerate violence. We will not permit lawlessness."

And they are right.

But there are voices that say, "We cannot, as a nation, tolerate the conditions that produce violence and lawlessness."

And they are right, too.

The programs of the War on Poverty and the countless people who have volunteered or are employed to carry them out are squarely on the side of law and order.

Yet, we have seen cynical attempts to create doubt and fear about the role of the War on Poverty in the aftermath of violence and disorder.

Such attempts are unworthy of any public official or private citizen. And they cannot be permitted to stay the hand or weaken the resolve of Congress in passing that legislation most needed to eliminate discontent and eradicate the causes of violence and disorder.

Let there be no mistake about it. Riots that barnstorm the country in June, July and August are not just quaint "happenings." Beneath the surface of America's cities is an explosive store of discontent waiting for a random spark to ignite it.

It is discontent with joblessness. Discontent with inhuman housing. Discontent with money-hungry landlords and merchants. Discontent with the raw differences between justice, health, and convenience for the poor and the rest of America. These are the combustibles that fire up a riot.

But even if there were no riots, even if every impoverished section of America remained quiet and uncomplaining, the conditions are wrong. They are wrong socially, politically and morally. And they must be corrected—wherever they exist.

Through the Economic Opportunity legislation, you have provided a variety of mechanisms in the best traditions of America to right these wrongs. The 4,000 pages of testimony accumulated in these hearings provide ample evidence they are working.

But what about these charges that employees of antipoverty programs have been involved in stimulating, encouraging and participating in acts of violence?

We have canvassed the cities and have found that these allegations are simply not true.

To the contrary. In almost every one of the 1,050 communities where community action exists, there is ample evidence that the CAA is calming fears and frustration: bridging the communications gap between the poor and the rest of the community; providing the opportunities that put people to work; giving them training and eductaion; and showing them that health and justice exist for them right where they live.

These efforts are recognized across the nation.

The Honorable Harold M. Tollefson, Mayor of Tacoma, Washington and the president of the National League of Cities, said, "We are disturbed at recent charges . . . that the antipoverty program has been responsible for stirring up unrest. The antipoverty program in city after ctiy has been responsible for just the opposite of that."

Because of the riots and the problems they reflect, Cardinal O'Boyle of Washington, yesterday called for the development of a stronger antipoverty program "whatever the cost."

Last Friday, John Lindsay, the Republican Mayor of New York, defended the antipoverty program strongly when asked if the arrest of four young participants reflected the failure of the program. "It is not the failure of the program," he said. "Since July 1, we have recruited 35,000 youngsters . . . in the Neighborhood Youth Corps. If you only recruit youngsters who never had a problem or never will have a problem, then the program is a failure."

Let me back up these comments with additional facts.

In the 27 cities that have had riots this summer, there are 12,128 persons who are direct employees of OEO funded agencies. Most of them neighborhood workers, health aides, clerical staff, community organizers, live in or near the ghetto neighborhoods in which the riots occurred. In these 27 cities, a total of 6,733 persons were arrested. In the same 27 cities, *six* of the 12,128 paid poverty workers were arrested. To date, none of the six has come to trial and none has been convicted.

In 27 cities, the total estimated damage to buildings in the ghettos is $273,652,800. OEO pays the rent on 491 facilities in these 27 cities. Not a single one was burned. Not a single one was looted. And the total damage was confined to a few broken plate glass windows. Why? Because like buildings displaying the Red Cross in time of war, the people recognized that these facilities were among the few places where they could find refuge and aid.

In Detroit alone, 3,783 persons were arrested. There are *1,547* paid anti-poverty workers in that city but *not a single one is under arrest.*

Let me give you a rundown on cities and a handful of the stories of individual and group heroism that surfaced during the riots. These are the stories that largely have yet to make national headlines.

In Detroit, all the Centers on this map continued operations during the entire period of the riot. In the first two nights of the riot, these two Centers, Western and Southeastern, were open all night. All the Centers were open until 8 PM, during the night of the holocaust, and they began closing their doors an hour earlier only when the curfew was established.

This is the sub-station at 8906 12th Street, an area where some of the worst damage was inflicted—that sustained a broken window.

This is a storefront facility used by two Outreach workers. A large plate glass window on the front was broken. The repair cost, as I said earlier, is estimated at $150.

Of a total of 1,547 paid anti-poverty workers in these and other Centers in the city, 1,165 live in or in close proximity to the riot area. In the early stages of the outbursts, these men and women worked continuously, trying to calm the unruly crowds. Toward the end of the riot and even now, neighborhood workers and community organizers circulated through the area and tried to find out what help was needed in the way of food, clothing and shelter for the victims burned out.

These workers were put into action by the CAP Director, Phil Rutledge, who was assigned by the Mayor to head a special committee coordinating the efforts of private and public agencies to aid victims of the riot. The four main Centers have been used as food distribution points.

In Newark, on the first night of the riot, members of the Community Action staff attempted to disperse the crowd in front of a police station, but were unsuccessful. Throughout the riot, many of the CAP staff continued to get people off the streets.

During the worst days and nights, 30 Neighborhood Youth Corps police cadets worked 12-hour shifts. Four were at the 4th Precinct which was rushed three times by rioters. The cadets manned the communication system, took over desk duties and freed patrolmen for anti-riot duties.

"They were magnificent," said Newark Police Commissioner Dominick A. Spina.

Two hundred NYC enrollees working for the Housing Authority aided in everything from emergency food distribution to loading and unloading trucks. To the best of our knowledge none of the 2,560 NYC enrollees is known to have been involved in the rioting or looting.

In Grand Rapids, a week ago today, the Community Action Agency in that city ordered a task force of street workers into the riot area to help police. The task force consisted of 16 summer antipoverty workers. It was expanded the next night to 50. The whites in the group worked in the downtown area and the Negroes moved about the southeast side, telling folks to "cool it." Members of the group received police identification cards and some were issued bullhorns. On the second night of rioting, two of them received shotgun wounds during the performance of their duties.

The Grand Rapids press described them as a "group of young Negroes bent on trying to keep Grand Rapids cool." Captain Francis Pierce, head of the police riot squad, said "They are doing a beautiful job and, believe me, we appreciate it."

The task force of street workers is a $20,000 component of Grand Rapids $49,000 Emergency Summer Program.

In Toledo some 25 neighborhood center Outreach workers maintained the only communication with teenage rioters on Monday and Tuesday nights. In order to cool tempers, neighborhood poverty centers manned all-night telephones to take complaints and grievances. suggesting every time that they should be resolved in conversation rather than in conflict, in mediation rather than with Molotov cocktails.

In city after city, the poverty workers have tried to prevent, not cause, riots. When riots did occur, they were working next to the police and national guard to bring an end to the lawlessness.

The Grand Rapids press described them as a "group of young Negroes bent on trying to keep Grand Rapids cool." Captain Francis Pierce, head of the police riot squad, said "They are doing a beautiful job and, believe me, we appreciate it."

The task force of street workers is a $20,000 component of Grand Rapids $49,000 Emergency Summer Program.

In Toledo some 25 neighborhood center Outreach workers maintained the only communication with teenage rioters on Monday and Tuesday nights. In order to cool tempers, neighborhood poverty centers manned all-night telephones to take complaints and grievances, suggesting every time that they should be resolved in conversation rather than in conflict, in mediation rather than with Molotov cocktails.

In city after city, the poverty workers have tried to prevent, not cause, riots. When riots did occur, they were working next to the police and national guard to bring an end to the lawlessness.

In Elizabeth, N.J., for example, the director of the community action agency, after a night of high tension and some violence, convened a meeting of responsible adult leaders of the Negro community, helped them get up a list of requests, and acted as spokesman for the community in presenting these requests to the mayor. The mayor agreed to most of the requests, which were concerned solely with actions to keep tensions down, including designation of a group of men from the community to tour the streets, talk to youngsters and help keep the area calm. They wore special identifying insignia bearing the legend "Peace Keeper," which had been selected by the mayor. So far, this band of "Peace Keepers," sometimes walking the streets until the early morning hours, has proved effective in sparing Elizabeth the agony of a riot.

Last weekend, I received a telegram which summarizes how effective poverty workers have been. The telegram is from the Mayor of Newark, Hugh J. Addonizio:

"Let there be no mistake about my position in regard to the national anti-poverty program. I support the program and all it has done to bring hope to many including thousands in my own city. Any suggestion or interpretation of remarks attributed to me which suggest I am opposed to anti-poverty programs are wrong. . . . There is no mayor anywhere in America who can say he wants the elimination of the anti-poverty program . . . programs such as our Legal Services Project, Head Start, the Neighborhood Youth Corps, our year-round pre-school and our summer recreation programs are all now indispensable parts of our community's life . . . Newark and all our cities would be worse without this program."

Whenever man-made tragedy strikes, it is popular to look for a scapegoat. But the time has come for action—not recrimination. Let us adopt the position most eloquently stated by Senator Thruston Morton who said last Wednesday: "I deplore the irresponsibility of seeking to place blame for a national tragedy. Our time of troubles will not be remedied by blatant accusations and pious political posturing." It is time also for the sense of urgent priorities which led Senator Morton to his recommendation that funds immediately be put into our cities to give jobs to the jobless and hope to the hopeless.

The facts I have presented prove that OEO offers alternatives to violence; that OEO has taught the poor to build up, not tear down; that once the riots began, OEO smothered, not fanned, the flames.

Who then is responsible for the riots? I mean ultimate responsibility, not merely who shot the first gun or looted the first store.

All America is responsible. All of us here in this room. We are all actors in this American tragedy. We are in trouble because too many Americans prefer not to know each other. Not to care about each other. As Governor Romney said just yesterday, "Most white people do not know any Negroes. Most Negroes do not know any white people." This terrible isolation is what breeds distrust and hatred.

I am not saying Americans must all become friendly with each other or that privacy is evil. I'm just saying that ignorance of our fellow citizen's needs destroys more than it protects.

Our country is destroyed when the man in the suburban house in Chevy Chase does not know about the man in the ghetto house in Cardozo.

Our country is destroyed when the affluent know more about the Beverly Hillbillies than the destitute poor in the Appalachian hollows in Kentucky or West Virginia.

Our country is destroyed when a dog on Park Avenue eats better than a human being a few blocks over on First Avenue.

Our country is destroyed when we are soft-hearted about sending slum kids to summer camp but then soft-headed about job training programs for unemployed fathers.

Our country is destroyed when the scourge of rat bites on the bodies of poor children is treated as a laughing matter and funds are denied which could put an end to this infestation.

In Chicago, an OEO program has demonstrated that rats can be eradicated on a city-wide basis. Yet, we refuse to extend our knowledge to benefit the poor of every city.

Our country is destroyed in a thousand ways like this.

It is foolish to think the country can go on like this. More and more the poor who are cut off from American life are repeating the statement of Churchill when someone tried to ignore Britain: "We will not be dealt with as part of a blob." And we in America cannot treat the poor as a blob. Their needs must be met in the same manner and speed that the appetites of the affluent are satisfied.

The need for jobs. The need for education. The need for decent housing. The need for health. The need for justice.

There must be a total elimination of poverty. Right now, OEO funding in Detroit represents only 14 percent of the need that this city has expressed. In Hartford, we are spending only six percent of that city's need. New York gets 10 percent of its need. Atlanta, 21 percent.

But we cannot use lack of money as an excuse for lack of effort. What we don't have in financial resources we must make up in human resources.

The Administration bill calls for a massive effort to create an army of volunteers for the War on Poverty to supplement the 375,000 Americans who, this year alone, joined with us in the battle. But, in addition to this citizens volunteer corps, why can't the successful businessmen in our cities devote a few hours a week to working with the struggling businessmen in the slums?

Why can't a Catholic or Protestant parish in a suburban area adopt a church in the inner city?

Why can't our country clubs allow poor children to swim in the pool on Mondays when the clubs are closed?

Why can't architects devote some of their time to working with the poor to build new communities?

In short, why can't all Americans begin to use the alternative of democracy—because without democracy, there is no alternative.

In conclusion, I want to say a word about ghettos. Right away we think of a city slum. But there is another kind of ghetto—an interior ghetto of the mind where we seal off parts of democracy that don't suit us, where we box off our obligations to justice and shut out our commitments to fairness. This ghetto of the mind is no less stinking and rotten than the ghetto of the city.

Right now, all of us have ghettos to get out of. The sooner we begin, the sooner this country can become what its founders meant it to be.

In truth, the War on Poverty is not being fought for the poor. It is for all Americans —because all Americans stand to gain by it. Not just with peace in our cities, but also peace in our hearts.

Five years ago a young and valiant President, speaking on the steps of the Capitol of the United States, spoke these words:

"To those peoples in the huts and villages of half the globe struggling to break the bonds of mass misery, we pledge our best efforts to help them help themselves, for whatever period is required—not because the communists may be doing it, not because we seek their votes, but because it is right. If a free society cannot help the many who are poor, it cannot save the few who are rich."

What President Kennedy, five years ago, pledged to the poor and destitute beyond the shores of America, we must *now*, both pledge and give to those who live in the ghettos of our cities and the blighted areas of rural America.

We must do it "Not because the Communists may be doing it, not because we seek their votes, but because it is right."

CUT THE LITIGATION—SAVE THE NEW HAVEN

Mr. TIERNAN. Mr. Speaker, I ask unanimous consent that the gentleman from Connecticut [Mr. MONAGAN] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Rhode Island?

There was no objection.

Mr. MONAGAN. Mr. Speaker, the New Haven Railroad, which serves the Connecticut Fifth Congressional District, which I represent, faces possible liquidation within the next 60 to 90 days unless immediate action is taken to effect the merger of the Pennsylvania and the New York Central Railroads, and to insure the inclusion of the New Haven in the Penn Central system.

Because the Antitrust Division of the Department of Justice has intervened in the litigation concerning the proposed merger which has been approved by the Interstate Commerce Commission, I have urged Attorney General Ramsey Clark to speed pending cases to permit immediate approval of the proposed merger under the conditions outlined by the Interstate Commerce Commission.

I include herewith a copy of my letter to the Attorney General:

HOUSE OF REPRESENTATIVES,
Washington, D.C., July 28, 1967.

Hon. RAMSEY CLARK,
Attorney General, Department of Justice,
Washington, D.C.

DEAR MR. ATTORNEY GENERAL: The Antitrust Division of the Department of Justice has intervened in the proposed merger of the New York Central and Pennsylvania Railroads, which has been approved by the Interstate Commerce Commission and therefore I am directing this letter to you.

The New Haven Railroad, which serves the District which I represent, faces liquidation within the next 60 to 90 days unless immediate action is taken to effect the merger of the Pennsylvania and the New York Central Railroads and particularly to insure the inclusion of the New Haven in the Penn-Central system.

Litigation of the proposed merger has already created delays which have proved costly to the New Haven. Further delays will result in the disintegration of the New Haven and I, therefore, urge you to take action in the courts which will facilitate and not impede this merger and the inclusion of the New Haven therein. With the same interest in mind, I also urge you to recommend the immediate acquisition on a lease basis of the New Haven by the Penn-Central system, upon approval of the merger and pending completion of formal take-over agreements.

The urgency of stabilizing the New Haven has been clearly defined and the disaster to the economy of New York, Connecticut, and other New England States which would result from its closing is well known to the executive, legislative, and judicial branches of the Federal government.

At the time of the recent railroad strike, the nation became painfully conscious of the importance of uninterrupted railroad service to the economy of the nation and to our defense production and military efforts. Connecticut is one of our country's arsenals and the impact of the liquidation of the New Haven would be felt not only in the States immediately affected, but also in our war effort. It should be remembered also that the economic welfare of more than 9,000 employees of the New Haven is at stake and this is a vital consideration.

Because of the involvement of the Justice Department in this matter and the delays which have brought the New Haven to the point of collapse, I emphasize to you as Attorney General the need for speedy action and the necessity to move pending litigation to permit immediate approval of the proposed merger under the conditions outlined by the Interstate Commerce Commission.

Sincerely yours,

JOHN S. MONAGAN,
Member of Congress.

AMENDING THE FEDERAL MEAT INSPECTION ACT

Mr. TIERNAN. Mr. Speaker, I ask unanimous consent that the gentleman from North Carolina [Mr. Jones] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Rhode Island?

There was no objection.

Mr. JONES of North Carolina. Mr. Speaker, along with others I have been severely critical of the trend of the Federal Government taking over governmental functions and services that could be handled better at the State and local levels; and certainly, nothing has occurred to change my thinking in this area.

However, I want to call to the attention of my colleagues an administration-sponsored proposal that seeks to avoid centralization in Washington of one of our most important consumer protection services. I am referring to the proposed legislation to amend the Federal Meat Inspection Act (H.R. 6168) which includes provisions designed to aid the States in strengthening their own programs.

For some time, I have shared with others a deep concern over the fact that not all meat products are inspected to assure consumers of their wholesomeness. I have been concerned, too, with the great disparity between local, State, and Federal rules and regulations governing the inspection, sanitary processing, and labeling of meat products.

Most people mistakenly believe that all meat products are inspected. Consequently, they are apathetic or outright opposed to any suggestions that State and local governments need additional funds to step up meat inspection activities. Too few realize the hazards now present to their health, and the opportunities for fraud and deception that accompany weak or nonexistent State or local inspection programs.

The truth of the matter is that the Federal meat inspection program—which is so ably administered by the U.S. Department of Agriculture's Consumer and Marketing Service—applies only to those firms which conduct part or all of their business across State lines.

It does not apply to those firms which operate solely in intrastate commerce. The inspection of this important segment of the meatpacking industry is the responsibility of State and local governments.

Even with rapid transportation and widespread marketing, the amount of nonfederally inspected meat and meat products in this country is significant. Approximately 19 million head—or 15 percent of the commercially slaughtered animals—are slaughtered in plants which do not have Federal inspection. In addition, an estimated 8¾ billion pounds—or about one-fourth of the commercially processed meat products—are produced and sold without Federal inspection. Many of these products are subject to State or local laws, but significant amounts are sold without any form of Government inspection.

While most of the States have some form of meat inspection law, only slightly more than half of the States require mandatory inspection. Further the degree to which these State laws are implemented varies greatly between States.

Most States recognize the need for new or improved inspection programs. During the past year, 18 actively considered meat inspection legislation, although not all of them succeeded in passing their proposals. Unfortunately, most States are confronted with a shortage of money and trained manpower with which to support effective, mandatory meat inspection programs for products produced and sold within their own borders.

In view of this situation, one might think that the Federal Government should bring all meat inspection under its Federal program. But, that is not the intent of the administration's proposal. Rather, it seeks to provide Federal assistance to the States to enable them to strengthen their own programs and to provide a means by which the States and the Federal Government can coordinate the respective efforts.

Specifically, the proposed legislation includes provisions through which USDA and a State can cooperate in the development and administration of a State meat inspection program. To qualify, the State must have a meat inspection law imposing mandatory inspection and sanitation requirements for intrastate operators comparable to Federal requirements.

Cooperation would include furnishing advisory assistance in planning and developing the State program, furnishing technical and laboratory assistance, and aid in the training of inspection personnel. Up to 50 percent of the estimated total cost of the cooperative program would be furnished by the Federal Government.

In addition, the Secretary of Agriculture would be authorized to appoint advisory committees of State officials to help evaluate State programs and develop better coordination and uniformity between State and Federal systems.

Consumers expect and demand a wholesome supply of meat and meat products that are free of adulteration, truthfully labeled and processed under sanitary conditions. They do not care who provides the service—their concern is that they be protected.

By working together, as proposed, Federal and State governments can fulfill their obligation to protect the health and welfare of consumers. The protection demanded can thus be provided.

RESIGNATION FROM COMMITTEE ON PUBLIC WORKS

The SPEAKER pro tempore. The Chair lays before the House a communication which the Clerk will read.

The Clerk read as follows:

Congress of the United States,
House of Representatives,
Washington, D.C., August 1, 1967.

Hon. John W. McCormack,
Speaker, House of Representatives,
Washington, D.C.

Dear Mr. Speaker: It is with considerable regret that I submit my resignation as a member of the Committee on Public Works effective today.

It has been a privilege and honor for me to work with the many fine Members of this Committee during the 89th and 90th Congresses. My association with and participation in the deliberations of this group will always remain a pleasant and rewarding experience.

Sincerely,

Joe Skubitz.

The SPEAKER pro tempore. Without objection, the resignation is accepted. There was no objection.

ELECTION TO COMMITTEE ON INTERSTATE AND FOREIGN COMMERCE

Mr. GERALD R. FORD. Mr. Speaker, I offer a resolution (H. Res. 837), and ask for its immediate consideration.

The Clerk read the resolution, as follows:

House Resolution 837

Resolved, That Joe Skubitz, of Kansas, be and he is hereby, elected a member of the standing committee of the House of Representatives on Interstate and Foreign Commerce.

The resolution was agreed to.

A motion to reconsider was laid on the table.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. Flynt (at the request of Mr. Rodino), for Tuesday, August 1, on account of official business.

Mr. Kornegay (at the request of Mr. Albert), for July 31 and August 1, on account of official business.

Mr. Corman (at the request of Mr. Albert), on account of official business.

Mr. McCulloch (at the request of Mr. Albert), on account of official business.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

Mr. Olsen, for 1 hour, on August 10.

Mr. Edmondson, for 30 minutes, tomorrow, August 2, 1967; to revise and extend his remarks and to include extraneous matter.

Mr. Quillen (at the request of Mr. Bush), for 30 minutes, today.

Mr. Cohelan (at the request of Mr. Tiernan), for 5 minutes, today.

EXTENSION OF REMARKS

By unanimous consent, permission to extend remarks in the Congressional Record, or to revise and extend remarks was granted to:

Mr. Perkins.

Mr. Mathias of Maryland and to revise and extend his remarks and include extraneous material in the Committee of the Whole today on military construction bill.

(The following Members (at the request of Mr. Bush) and to include extraneous matter:)

Mr. Utt.

Mr. HUNT.
Mr. BUCHANAN.
Mr. DENNEY.

(The following Members (at the request of Mr. TIERNAN) and to include extraneous matter:)

Mr. IRWIN.
Mr. MOORHEAD.
Mr. O'HARA of Michigan.
Mr. MACDONALD of Massachusetts.
Mr. COLMER.
Mrs. SULLIVAN.

SENATE BILLS AND A CONCURRENT RESOLUTION REFERRED

Bills and a concurrent resolution of the Senate of the following titles were taken from the Speaker's table and, under the rules, referred as follows:

S. 63. An act for the relief of Dr. Enrique Alberto Rojas-Vila; to the Committee on the Judiciary.

S. 64. An act for the relief of Dr. Luis Osvaldo Martinez-Farinas; to the Committee on the Judiciary.

S. 491. An act to determine the rights and interests of the Navajo Tribe and the Ute Mountain Tribe of the Ute Mountain Reservation in and to certain lands in the State of New Mexico, and for other purposes; to the Committee on Interior and Insular Affairs.

S. 528. An act to place in trust status certain lands on the Wind River Indian Reservation in Wyoming; to the Committee on Interior and Insular Affairs.

S. 741. An act for the relief of Rumiko Samanski; to the Committee on the Judiciary.

S. 811. An act for the relief of Valentina Sidorova Parkevich; to the Committee on the Judiciary.

S. 828. An act to amend section 5(b) of the Act of March 18, 1966 (Public Law 89-372), so as to make the prohibition contained therein on the filling of certain vacancies in the office of district judge for the eastern district of Pennsylvania inapplicable to the first vacancy occurring after the enactment of such Act; to the Committee on the Judiciary.

S. 946. An act to amend the Tucker Act to increase from $10,000 to $50,000 the limitation on the jurisdiction of the U.S. district courts in suits against the United States for breach of contract or for compensation; to the Committee on the Judiciary.

S. 1105. An act for the relief of Dr. G. F. Valdes-Fauli; to the Committee on the Judiciary.

S. 1279. An act for the relief of Dr. Francisco Monts; to the Committee on the Judiciary.

S. 1394. An act for the relief of Dr. Jorge Santiago Vidal Santiago; to the Committee on the Judiciary.

S. 1406. An act for the relief of Dr. Jorge Mestas; to the Committee on the Judiciary.

S. 1410. An act for the relief of Tran Van Nguyen; to the Committee on the Judiciary.

S. 1458. An act for the relief of Lee Duk Hee; to the Committee on the Judiciary.

S. 1471. An act for the relief of Dr. Hugo Gonzalez; to the Committee on the Judiciary.

S. 1482. An act for the relief of Dr. Ernesto Nestor Prieto; to the Committee on the Judiciary.

S. 1483. An act for the relief of Dr. Pedro Lopez Garcia; to the Committee on the Judiciary.

S. 1500. An act for the relief of Dr. Adela Aurora Rubio Madariaga; to the Committee on the Judiciary.

S. 1525. An act for the relief of Dr. Mario R. Garcini; to the Committee on the Judiciary.

S. 1544. An act for the relief of Jose Eduardo Aunon; to the Committee on the Judiciary.

S. 1557. An act for the relief of Dr. Carlos E. Garciga; to the Committee on the Judiciary.

S. 1606. An act for the relief of John (Giovanni) Denaro; to the Committee on the Judiciary.

S. 1647. An act for the relief of Dr. Maria del Carmen Trabadelo de Arias; to the Committee on the Judiciary.

S. 1898. An act for the relief of John Anthony Bacsalmasey; to the Committee on the Judiciary.

S. Con. Res. 36. Concurrent resolution favoring the suspension of deportation of certain aliens; to the Committee on the Judiciary.

ENROLLED BILLS SIGNED

Mr. BURLESON, from the Committee on House Administration, reported that that committee had examined and found truly enrolled bills of the House of the following titles, which were thereupon signed by the Speaker:

H.R. 1517. An act for the relief of Mrs. Matteo Groppo;

H.R. 1532. An act for the relief of Dr. Alfredo A. Navarro;

H.R. 1564. An act for the relief of Antonina Rondinelli Asci;

H.R. 1612. An act for the relief of John Joseph Shea;

H.R. 1724. An act for the relief of Hwang Duk Hwa;

H.R. 1814. An act for the relief of Giovanni and Francesco Urga-Ferraro;

H.R. 1818. An act for the relief of Marina Panagiotis Restos;

H.R. 2532. An act to provide for the disposition of funds appropriated to pay a judgment in favor of the Ottawa Tribe of Oklahoma in docket numbered 303 of the Indian Claims Commission, and for other purposes;

H.R. 3221. An act for the relief of Dr. Alexander D. Cross;

H.R. 3522. An act for the relief of Dr. Rafael F. Suarez;

H.R. 3631. An act to provide for the dedication of certain streets on the Agua Caliente Indian Reservation and to convey title to certain platted streets, alleys, and strips of land;

H.R. 5224. An act for the relief of Dr. Guillermo Fresco De Jongh;

H.R. 5862. An act for the relief of Dr. Juan F. Chaves;

H.R. 5996. An act for the relief of Dr. Bernardino D. Marcelo;

H.R. 6098. An act to provide an extension of the interest equalization tax, and for other purposes;

H.R. 9080. An act for the relief of Federico de la Cruz-Munoz; and

H.R. 11089. An act to amend title 5, United States Code, to provide additional group life insurance and accidental death and dismemberment insurance for Federal employees, and to strengthen the financial condition of the Employees' Life Insurance Fund.

SENATE ENROLLED JOINT RESOLUTION SIGNED

The SPEAKER announced his signature to an enrolled Joint Resolution of the Senate of the following title:

S.J. Res. 98. Joint resolution authorizing the National Advisory Commission on Civil Disorders to compel the attendance and testimony of witnesses and the production of evidence.

BILLS PRESENTED TO THE PRESIDENT

Mr. BURLESON, from the Committee on House Administration, reported that that committee did on the following dates present to the President, for his approval, bills of the House of the following titles:

On July 31, 1967:

H.R. 6098. An act to provide an extension of the interest equalization tax, and for other purposes.

On August 1, 1967:

H.R. 11089. An act to amend title 5, United States Code, to provide additional group life insurance and accidental death and dismemberment insurance for Federal employees, and to strengthen the financial condition of the employees' life insurance fund.

ADJOURNMENT

Mr. TIERNAN. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 4 o'clock and 45 minutes p.m.), the House adjourned until tomorrow, Wednesday, August 2, 1967, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

966. A letter from the Chairman, Federal Power Commission, transmitting a set of recently issued publications entitled "Prevention of Power Failure," pursuant to the provisions of section 202 of the Federal Power Act; to the Committee on Interstate and Foreign Commerce.

967. A letter from the Commissioner, Immigration and Naturalization Service, U.S. Department of Justice, transmitting copies of orders entered in the cases of certain aliens found admissible to the United States, pursuant to the provisions of section 212(a)(28)(I)(ii) of the Immigration and Nationality Act; to the Committee on the Judiciary.

968. A letter from the Commissioner, Immigration and Naturalization Service, U.S. Department of Justice, transmitting copies of orders entered in behalf of certain aliens, pursuant to the provisions of section 212(d)(6) of the Immigration and Nationality Act; to the Committee on the Judiciary.

969. A letter from the Commissioner, Immigration and Naturalization Service, U.S. Department of Justice, transmitting reports concerning visa petitions approved, according certain beneficiaries third preference and sixth preference classification, pursuant to the provisions of section 204(d) of the Immigration and Nationality Act, as amended; to the Committee on the Judiciary.

970. A letter from the Secretary of the Interior, transmitting a report on the manpower and training needs of the States and of local governments in water pollution control, pursuant to the provisions of Public Law 89-753; to the Committee on Public Works.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. JOHNSON of California: Committee on Interior and Insular Affairs. H.R. 43. A bill to authorize the Secretary of the Interior to construct, operate, and maintain the San Felipe division, Central Valley project, California, and for other purposes; with amendment (Rept. No. 523). Referred to the Committee of the Whole House on the State of the Union.

Mr. PHILBIN: Committee on Armed Services. H.R. 5784. A bill to authorize the disposal of molybdenum from the national stockpile (Rept. No. 524). Referred to the Committee of the Whole House on the State of the Union.

Mr. PHILBIN: Committee on Armed Services. H.R. 5787. A bill to authorize the disposal of rare-earth materials from the stockpile and the supplemental stockpile (Rept. No. 525). Referred to the Committee of the Whole House on the State of the Union.

Mr. PHILBIN: Committee on Armed Services. H.R. 5788. A bill to authorize the disposal of bismuth from the national stockpile and the supplemental stockpile (Rept. No. 526). Referred to the Committee of the Whole House on the State of the Union.

Mr. HÉBERT: Committee on Armed Services. H.R. 839. A bill to amend title 10, United States Code, to provide that members of the Armed Forces shall be retired in the highest grade satisfactorily held in any armed force, and for other purposes (Rept. No. 527). Referred to the Committee of the Whole House on the State of the Union.

Mr. HÉBERT: Committee on Armed Services. H.R. 2630. A bill to provide for the furnishing of a uniform and the presentation of a flag of the United States for deceased members of the National Guard; with amendment (Rept. No. 528). Referred to the Committee of the Whole House on the State of the Union.

Mr. RIVERS: Committee on Armed Services. H.R. 5645. A bill to revise the provisions of title 10, United States Code, relating to the recoupment of disability severance pay under certain conditions (Rept. No. 529). Referred to the Committee of the Whole House on the State of the Union.

Mr. RIVERS: Committee on Armed Services. H.R. 8009. A bill to amend title 10, United States Code, to remove the restriction on the use of certain private institutions under the dependents' medical care program (Rept. No. 530). Referred to the Committee of the Whole House on the State of the Union.

Mr. RIVERS: Committee on Armed Services. H.R. 8375. A bill to amend title 37, United States Code, to authorize a dislocation allowance under certain circumstances, certain reimbursements, transportation for dependents, and travel and transportation allowances under certain circumstances, and for other purposes; with amendment (Rept. No. 531). Referred to the Committee of the Whole House on the State of the Union.

Mr. RIVERS: Committee on Armed Services. H.R. 10242. A bill to amend title 10, United States Code, relating to the authorized strengths by grade for medical officers on active duty in the Army, Navy, and Air Force; with amendment (Rept. No. 532). Referred to the Committee of the Whole House on the State of the Union.

Mr. RIVERS: Committee on Armed Services. H.R. 11144. A bill to authorize an increase in the number of Marine Corps Reserve officers who may serve in an active status in the combined grades of brigadier and major general (Rept. No. 533). Referred to the Committee of the Whole House on the State of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. ABERNETHY:

H.R. 11962. A bill to provide for orderly trade in textile articles; to the Committee on Ways and Means.

By Mr. ASHBROOK:

H.R. 11963. A bill to amend the Internal Security Act of 1950, and for other purposes; to the Committee on Un-American Activities.

By Mr. BOLAND:

H.R. 11964. A bill to incorporate Pop Warner Little Scholars, Inc.; to the Committee on the Judiciary.

By Mr. BRINKLEY:

H.R. 11965. A bill to suspend for 10 years Federal benefits for conviction of rioting and prohiting entitlement to such benefits thereafter;to the Committee on the Judiciary.

By Mr. BROCK:

H.R. 11966. A bill to amend section 320 of title 23 of the United States Code to increase the authorization of funds for designing and constructing bridges on Federal dams; to the Committee on Public Works.

By Mr. DORN:

H.R. 11967. A bill to exclude from income certain reimbursed moving expenses; to the Committee on Ways and Means.

By Mr. EDWARDS of Louisiana:

H.R. 11968. A bill to provide for the training and equipping of the National Guard in riot control; to the Committee on Armed Services.

H.R. 11969. A bill to amend title 18 of the United States Code so as to prohibit the transportation and shipment in interstate or foreign commerce of alligators and alligator hides taken in violation of Federal or State laws; to the Committee on the Judiciary.

By Mr. FOUNTAIN:

H.R. 11970. A bill to provide for orderly trade in textile articles; to the Committee on Ways and Means.

By Mr. GALLAGHER:

H.R. 11971. A bill to amend title II of the Social Security Act to provide that a woman need not have been married to a man for any particular period of time prior to his death in order to qualify as his widow for benefit purposes if he was a member of the Armed Forces drawing combat pay when he died; to the Committee on Ways and Means.

By Mr. HALPERN:

H.R. 11972. A bill to amend the public health laws relating to mental retardation to extend, expand, and improve them, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. JONES of North Carolina:

H.R. 11973. A bill to provide for orderly trade in textile articles; to the Committee on Ways and Means.

By Mr. McFALL:

H.R. 11974. A bill relating to the income tax treatment of certain losses sustained by patrons of cooperative organizations; to the Committee on Ways and Means.

By Mr. MORSE:

H.R. 11975. A bill to provide for orderly trade in textile articles; to the Committee on Ways and Means.

By Mr. OLSEN:

H.R. 11976. A bill to amend section 3 of the act of July 23, 1955 (ch. 375, 69 Stat. 368); to the Committee on Interior and Insular Affairs.

By Mr. PELLY:

H.R. 11977. A bill to provide for the training and equipping of the National Guard in riot control; to the Committee on Armed Services.

By Mr. PEPPER:

H.R. 11978. A bill to increase the effectiveness of certain student loan insurance programs; to the Committee on Education and Labor.

H.R. 11979. A bill to establish an emergency program of direct Federal assistance in the form of direct grants and loans to certain hospitals in critical need of new facilities in order to meet increasing demands for service; to the Committee on Interstate and Foreign Commerce.

By Mr. PERKINS:

H.R. 11980. A bill to promote the general welfare, foreign policy, and national security of the United States; to the Committee on Ways and Means.

By Mr. PIRNIE:

H.R. 11981. A bill to provide for orderly trade in textile articles; to the Committee on Ways and Means.

By Mr. QUILLEN:

H.R. 11982. A bill to provide for orderly trade in textile articles; to the Committee on Ways and Means.

By Mr. RODINO:

H.R. 11983. A bill to provide that the nuclear accelerator to be constructed at Weston, Ill., shall be named the Enrico Fermi Nuclear Accelerator in memory of the late Dr. Enrico Fermi; to the Joint Committee on Atomic Energy.

H.R. 11984. A bill to authorize the Secretary of the Interior to study the most feasible and desirable means of establishing certain portions of the tidelands, Outer Continental Shelf, seaward areas, and Great Lakes of the United States as marine sanctuaries and for other purposes; to the Committee on Merchant Marine and Fisheries.

By Mr. ROYBAL:

H.R. 11935. A bill to amend chapter 113 of title 18, United States Code, to prohibit the transportation, use, sale, or receipt, for unlawful purposes, of credit cards in interstate or foreign commerce; to the Committee on the Judiciary.

H.R. 11986. A bill to provide for uniform annual observances of certain legal public holidays on Mondays, and for other purposes; to the Committee on the Judiciary.

H.R. 11987. A bill to authorize the Secretary of the Interior to study the feasible and desirable means of establishing a marine sanctuary in the Santa Barbara Channel, Calif.; to the Committee on Merchant Marine and Fisheries.

H.R. 11988. A bill to authorize the Secretary of the Interior to study the most feasible and desirable means of establishing certain portions of the tidelands, Outer Continental Shelf, seaward areas, and Great Lakes of the United States as marine sanctuaries, and for other purposes; to the Committee on Merchant Marine and Fisheries.

By Mr. RYAN:

H.R. 11989. A bill to repeal subsection (c) of section 245 of the Immigration and Nationality Act, to permit adjustment of status of persons from the Western Hemisphere on the same basis as other aliens; to the Committee on the Judiciary.

By Mr. STUBBLEFIELD:

H.R. 11990. A bill to amend the marketing quota provisions of the Agricultural Adjustment Act of 1938, as amended; to the Committee on Agriculture.

By Mr. WHITTEN:

H.R. 11991. A bill to provide for orderly trade in textile articles; to the Committee on Ways and Means.

By Mr. BENNETT:

H.R. 11992. A bill to provide for public disclosure by Members of the House of Representatives and by candidates for such office and to give the House Committee on Standards of Official Conduct appropriate jurisdiction; to the Committee on Rules.

By Mr. CELLER (for himself and Messrs. Feighan, Rodino, McCulloch, and Moore):

H.R. 11993. A bill to amend the act of October 3, 1965; to the Committee on the Judiciary.

By Mr. DINGELL:

H.R. 11994. A bill to restrict the disposition of lands acquired as part of the national wildlife refuge system; to the Committee on Merchant Marine and Fisheries.

By Mr. ECKHARDT (for himself, Mr. Eilberg, and Mr. Gonzalez):

H.R. 11995. A bill to assist State and local governments by authorizing grants to States and units of general local government for improvements in law enforcement and criminal justice, and to establish a National Police Academy, and for other purposes; to the Committee on the Judiciary.

By Mr. HALPERN:

H.R. 11996. A bill to assist State and local governments in reducing the incidence of crime, to increase the effectiveness, fairness, and coordination of law enforcement and criminal justice systems at all levels of government, and for other purposes; to the Committee on the Judiciary.

By Mr. HENDERSON:

H.R. 11997. A bill to recognize the essential nature of police work by amending the Military Selective Service Act of 1967 to provide for the deferment of police officers (including highway patrolmen) from induction into the Armed Forces; to the Committee on Armed Services.

By Mr. IRWIN:

H.R. 11998. A bill to provide for the establishment of a program under which tickets to professional, semiprofessional, and amateur baseball, football, basketball, hockey, and soccer games will be furnished at no cost by local police officers and firemen to individuals under the age of 19, particularly such individuals who are economically underprivileged; to the Committee on Interior and Insular Affairs.

By Mr. LONG of Maryland:

H.R. 11999. A bill to authorize certain real property to be used for educational purposes; to the Committee on Government Operations.

By Mr. McCLURE (for himself and Mr. Hansen of Idaho):

H.R. 12000. A bill relating to the Federal share of the cost of certain Federal-aid highway projects; to the Committee on Public Works.

By Mr. ROGERS of Colorado:

H.R. 12001. A bill to amend the Criminal Code to expand the jurisdiction of U.S. commissioners relative to petty offenses committed within Federal lands; to the Committee on the Judiciary.

By Mr. TUNNEY:

H.R. 12002. A bill to declare that the United States holds certain lands in trust for the Quechan Indians of the Fort Yuma Reservation, Calif. and Ariz.; to the Committee on Interior and Insular Affairs.

By Mr. ULLMAN:

H.R. 12003. A bill to amend the Agricultural Marketing Agreement Act of 1937 to authorize marketing orders with respect to blackberries; to the Committee on Agriculture.

H.R. 12004. A bill to amend the Federal Flood Insurance Act of 1956 to provide for a national program of flood insurance, and for other purposes; to the Committee on Banking and Currency.

H.R. 12005. A bill to provide for orderly trade in textile articles; to the Committee on Ways and Means.

By Mr. BINGHAM:

H.R. 12006. A bill to provide for equitable acquisition practices, fair compensation, and effective relocation assistance in real property acquisitions for Federal and federally assisted programs, and for other purposes; to the Committee on Ways and Means.

By Mr. BROWN of California:

H.R. 12007. A bill to authorize the Secretary of the Interior to study the most feasible and desirable means of establishing certain portions of the tidelands, bays, and estuaries, Outer Continental Shelf, seaward areas, and Great Lakes of the United States as marine sanctuaries, and for other purposes; to the Committee on Merchant Marine and Fisheries.

By Mr. FOLEY:

H.R. 12008. A bill to establish a National Institute of Criminal Justice; to the Committee on the Judiciary.

By Mr. HARSHA:

H.R. 12009. A bill to transfer to the Board of Commissioners of the District of Columbia the functions, powers, and duties of the National Capital Planning Commission and certain other instrumentalities in the District of Columbia; to the Committee on the District of Columbia.

By Mr. MOORE:

H.R. 12010. A bill to grant the consent of the United States to the Wheeling Creek Watershed Protection and Flood Prevention District compact; to the Committee on the Judiciary.

By Mr. RARICK:

H.R. 12011. A bill to authorize the Secretary of Agriculture and the Surgeon General of the United States to provide food and medical services on an emergency basis from unexpended funds previously appropriated for UNICEF, UNO, and UNESCO, to prevent loss of life and nutritional diseases; to the Committee on Foreign Affairs.

By Mr. RIVERS:

H.R. 12012. A bill to encourage worldwide interest in U.S. developments and accomplishments in military and related aviation and equipment by authorizing Federal sponsorship of an international aeronautical exposition in the United States; to the Committee on Armed Services.

By Mr. OTTINGER:

H.J. Res. 757. Joint resolution to establish a national housing goal; to the Committee on Banking and Currency.

By Mr. ADDABBO:

H.J. Res. 758. Joint resolution concerning a neighborhood action crusade; to the Committee on Banking and Currency.

By Mr. GOODELL (for himself, Mr. Bush, Mr. Cowger, Mr. Steiger of Wisconsin, Mr. Denney, Mr. Wydler, Mr. Rumsfeld, Mr. Stanton, Mr. Pollock, Mr. Schneebeli, Mr. Frelinghuysen, Mr. Gude, Mr. Mize, Mr. Battin, Mr. Conable, Mr. MacGregor, Mr. Dellenback, Mr. Quie, Mr. Arends, Mr. Railsback, Mr. Anderson of Illinois, Mr. Blackburn, Mr. Gerald R. Ford, Mr. Polanco-Abreu, and Mr. Saylor):

H.J. Res. 759. Joint resolution to call upon the President of the United States to promote voluntary neighborhood action crusades by communities to rally law-abiding urban slum dwellers in preventing riots; to the Committee on Banking and Currency.

By Mr. LATTA:

H.J. Res. 760. Joint resolution to call upon the President of the United States to promote voluntary neighborhood action crusades by communities to rally law-abiding urban slum dwellers in preventing riots; to the Committee on Banking and Currency.

By Mr. MAILLIARD (for himself, Mr. Laird, Mr. Brown of Michigan, Mrs. Dwyer, Mr. Pettis, Mr. Kleppe, Mr. Meskill, Mr. Biester, Mr. Dickinson, Mr. Robison, Mr. Gardner, Mr. Findley, Mr. McEwen, Mr. Price of Texas, Mr. Conte, Mr. Don H. Clausen, and Mr. Eshleman):

H.J. Res. 761 Joint resolution concerning a neighborhood action crusade; to the Committee on Banking and Currency.

By Mr. ULLMAN:

H.J. Res. 762. Joint resolution to establish a national housing goal; to the Committee on Bank and Currency.

By Mr. FOUNTAIN:

H. Con. Res. 442. Concurrent resolution creating a Joint Select Committee To Investigate Civil Disorders; to the Committee on Rules.

By Mr. GALIFIANAKIS:

H. Con. Res. 443. Concurrent resolution creating a Joint Select Committee To Investigate Civil Disorders; to the Committee on Rules.

By Mr. HENDERSON:

H. Con. Res. 444. Concurrent resolution creating a Joint Select Committee To Investigate Civil Disorders; to the Committee on Rules.

By Mr. JONES of North Carolina:

H. Con. Res. 445. Concurrent resolution creating a Joint Select Committee To Investigate Civil Disorders; to the Committee on Rules

By Mr. LENNON:

H. Con. Res. 446. Concurrent resolution creating a Joint Select Committee To Investigate Civil Disorders; to the Committee on Rules.

By Mr. CELLER:

H. Res. 838. Resolution authorizing the Committee on the Judiciary to conduct studies and investigations relating to certain matters within its jurisdiction; to the Committee on Rules.

H. Res. 839. Resolution authorizing the Committee on the Judiciary to conduct studies and investigations relating to certain matters within its jurisdiction; to the Committee on Rules.

By Mr. HARVEY:

H. Res. 840. Resolution to amend the Rules of the House of Representatives to create a standing committee to be known as the Committee on Urban Affairs; to the Committee on Rules.

By Mr. REINECKE:

H. Res. 841. Resolution creating a select committee to conduct an investigation of the cause of recent riots in large metropolitan areas; to the Committee on Rules.

By Mr. RIVERS:

H. Res. 842. Resolution to provide for the further expenses of the investigation and study authorized by House Resolution 124; to the Committee on House Administration.

By Mr. WHITENER:

H. Res. 843. Resolution creating a select committee to study the impact of East-West trade and assistance to nations which support aggression, directly or indirectly; to the Committee on Rules.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. ADDABBO:

H.R. 12013. A bill for the relief of Alberto Sciuto; to the Committee on the Judiciary.

By Mr. DON H. CLAUSEN:

H.R. 12014. A bill for the relief of Theodore Alkousakis; to the Committee on the Judiciary.

H.R. 12015. A bill for the relief of Takio Nozu; to the Committee on the Judiciary.

By Mrs. GREEN of Oregon:

H.R. 12016. A bill for the relief of Wong Kang Hong; to the Committee on the Judiciary.

By Mr. HUTCHINSON:

H.R. 12017. A bill for the relief of Curt Arvid Knoppel; to the Committee on the Judiciary.

By Mr. MINSHALL:

H.R. 12018. A bill for the relief of Giovanni Matta; to the Committee on the Judiciary.

By Mr. MULTER:

H.R. 12019. A bill to exempt from taxation certain property of the B'nai B'rith Henry Monsky Foundation in the District of Columbia; to the Committee on the District of Columbia.

By Mr. O'NEILL of Massachusetts:

H.R. 12020. A bill for the relief of Maria I. Gomes; to the Committee on the Judiciary.

H.R. 12021. A bill for the relief of Serafim da Cunha; to the Committee on the Judiciary.

By Mr. PELLY:

H.R. 12022. A bill for the relief of May Avila Bermudez; to the Committee on the Judiciary.

H.R. 12023. A bill for the relief of Jaime Pico de Vera; to the Committee on the Judiciary.

By Mr. WIGGINS:

H.R. 12024. A bill for the relief of Lourdes E. Samonte; to the Committee on the Judiciary.

By Mr. O'NEILL of Massachusetts:

H. Res. 844. Resolution to refer the bill (H.R. 4058) entitled "A bill for the relief of the JE-IL Brick Co." to the chief commissioner of the Court of Claims pursuant to sections 1492 and 2509 of title 28, United States Code; to the Committee on the Judiciary.

By Mr. TENZER:

H. Res. 845. Resolution to refer the bill (H.R. 11961) entitled "A bill for the relief of S. Leon Levy" to the chief commissioner of the Court of Claims pursuant to sections 1492 and 2509 of title 28, United States Code; to the Committee on the Judiciary.

PETITIONS, ETC.

Under clause 1 of rule XXII,

135. The SPEAKER presented a petition of the executive vice president, National Rivers and Harbors Congress, relative to the report of the projects committee of the National Rivers and Harbors Congress, prepared at the annual convention of the association, which was referred to the Committee on Public Works.

EXTENSIONS OF REMARKS

A Salute to the President of Girls' Nation, Miss Cathy Johnson

EXTENSION OF REMARKS

OF

HON. JOHN BUCHANAN

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, August 1, 1967

Mr. BUCHANAN. Mr. Speaker, it is my pleasure to call to the attention of the Congress the election of Miss Cathy Johnson of Birmingham, Ala., as president of Girls' Nation.

Cathy, who has just finished her junior year at Shades Valley High School, is the daughter of Mr. and Mrs. Edward C. Johnson. She is a member of the National Honor Society, French National Honor Society, French Club, American Friends Service Club, pep squad, History Club, a representative on the student council, and will be president of usherettes at her school next year.

A straight "A" student, Miss Johnson is a member of the Shades Valley Presbyterian Church in Birmingham. Prior to her election as the national president, Cathy was elected Alabama Governor of Girls' State and led the Alabama delegation at the 21st annual session of Girls' Nation, now in progress at American University.

Girls' State, culminated by Girls' Nation, is the youth citizenship training program conducted annually by the American Legion Auxiliary to give high school juniors experience in the process of government, preparing them for their approaching citizenship responsibilities.

Girls' State sessions are held each year in State capitals in which high school juniors chosen for qualities of leadership set up their own miniature city, county, and State governments run by the rules of procedure based on State and local law. From Girls' State two senators are selected to represent their constituents at Girls' Nation.

Mr. Speaker, it is a fact that the future of our country rests with our youth. The girls participating in the Girls' Nation convention are preparing themselves for the role they will soon assume in their society. With young people of the quality of these fine young ladies in the Girls' Nation convention taking an active interest in public life, America can look to the future optimistically.

We in Alabama are especially proud of our delegation and of Miss Cathy Johnson. She represents the type of high-thinking, progressive leadership we in Alabama would like to be characteristic of all our political leaders. It is natural then that we have followed with interest the rise of this outstanding young lady. It is with great pride that the people of Alabama salute Miss Cathy Johnson on her election as president of Girls' Nation.

Republicans and Rats

EXTENSION OF REMARKS

OF

HON. JAMES G. O'HARA

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, August 1, 1967

Mr. O'HARA of Michigan. Mr. Speaker, a couple of weeks ago, most of the Republican membership in this body decided to make a party issue of the Rat Extermination Act of 1967. Seventy-nine percent of them refused to permit that bill to come to a vote. They demonstrated party solidarity. And by doing so they killed—or tried to kill—one more positive program to help the poor and the city dweller across the Nation.

The Republicans say they are against rats. Yet, they refused to let this body vote the modest sum of $20 million for a Federal assistance program to control and eliminate rats.

The Republicans also say they are for Federal aid to education. Yet, most of them supported proposals which seriously threatened the continuation of the Elementary and Secondary Education Act.

The Republicans say they are for helping the poor, yet they propose bills which would dismember the Office of Economic Opportunity.

Mr. Speaker, the Republican vote against the Rat Extermination Act of 1967 is part and parcel of the same vote against people and cities which the Republicans have been casting for 50 years.

They have demonstrated again that they are out to retard President Johnson's progressive domestic programs—thus they vote against rat extermination, children, and the poor.

When the people get all the facts on the callous Republican vote against rat control, there is going to be a popular reaction which will surprise even the most hardened of my Republican colleagues.

The Republican vote against the Rat Extermination Act of 1967 is a vote against the cities.

Mr. Speaker, it almost amounts to a vote against health and for disease. Certainly, it is a vote against urban rehabilitation.

And it is an insult to all of us in the body who want to move America forward by supporting President Johnson's compassionate urban programs.

Mr. Speaker, I urge those of conscience in this House to reconsider the Rat Extermination Act and vote the modest 2-year assistance program the President has recommended.

Hon. Christian A. Herter

EXTENSION OF REMARKS

OF

HON. TORBERT H. MACDONALD

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, August 1, 1967

Mr. MACDONALD of Massachusetts. Mr. Speaker, this Nation lost a great statesman with the passing of the Honorable Christian A. Herter, of Massachusetts. He was an accomplished, dedicated, and devoted public officeholder and continued to serve his Nation until the time of his death.

Christian Herter served honorably and well in our State Department at the beginning of his long and varied career of public service. He served as a member of the Massachusetts State Legislature and was Speaker of that body. He served here as a Member of Congress for five consecutive terms and compiled a most distinguished record here. He was admired and respected by all who knew him in the Congress. His leaving this body to return to Massachusetts was regretted by members of both parties. He served two terms as chief executive of the State of Massachusetts. He then returned to the State Department as Under Secretary and finally as Secretary of State.

His abilities were recognized by leaders of both our great political parties and by many of those here who numbered him among their friends.

Mr. Herter served as Secretary of State under President Eisenhower. He was then appointed Special Assistant for Trade Negotiations by President Kennedy, a post he retained under President Johnson. His efforts on behalf of international trade expansion for this country will long be remembered.

He is missed not just here but throughout the world.

My deepest sympathy is extended to his family.

Results of 1967 Public Opinion Questionnaire

EXTENSION OF REMARKS

OF

HON. JOHN E. HUNT

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, August 1, 1967

Mr. HUNT. Mr. Speaker, as a freshman Congressman, I felt it was extremely important to me to know the feelings of the people I represent in the First Congressional District of New Jersey, and for this reason, I distributed a public opinion questionnaire to my constituents.

Their responses have proven to be extremely valuable and show the great concern they feel about the many serious issues facing our country.

The question which seemed to arouse the greatest amount of interest and comments among my constituents was the one involving the war in Vietnam, a matter of concern to all of us. Sixty-nine percent of those polled favored mounting a strategically sound effort for military victory; 17 percent favored holding key positions and trying to negotiate a settlement; only 7 percent favored continuing our present course, and 7 percent favored withdrawing as soon as possible.

Mr. Speaker, I place in the RECORD the seven questions and the answers to my 1967 public opinion questionnaire:

[Results in percent]

1. What should we do about Vietnam?

Continue our present course	7
Mount a strategically sound effort for military victory	69
Hold key positions and try to negotiate a settlement	17
Withdraw as soon as possible	7

2. Do you favor a surtax of 6 percent on personal and corporate income tax?

Yes	13
No	87

3. Do you favor expanding trade with communist oriented countries?

Yes	27
No	73

4. Do you believe the executive branch of the Government is providing the people with adequate, factual, information about what it is doing?

Yes	21
No	79

5. Do you favor sharing of federal taxes with state and local governments without federal control?

Yes	53
No	47

6. Do you favor the establishment of a new Hoover-type commission to help streamline and reorganize the Federal Government?

Yes	78
No	22

7. Do you favor taking politics out of the Post Office Department, and requiring Postmasters and others to be selected on merit alone?

[Results in percent]

Yes	95
No	5

Job Corps at Camp Breckinridge, Ky.

EXTENSION OF REMARKS

OF

HON. CARL D. PERKINS

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, August 1, 1967

Mr. PERKINS. Mr. Speaker, in past weeks we have heard considerable discussion about the effectiveness of our Federal antipoverty programs in dealing with the enormous problems of the disadvantaged Americans. I would like to bring to the attention of my colleagues a report on the Breckinridge Job Corps Center in Kentucky which shows the dramatic success of the work going on there to train 1,800 young men to be productive members of society. This center exemplifies the nationwide success that we continue to read of all the Job Corps centers.

The report which I have referred to was written by the distinguished Member of the House, Representative FRANK HORTON, from the 36th Congressional District of New York. The distinguished Representative has firsthand knowledge of this success story from his recent visit to the center to deliver the commencement address to a graduating class of 34 young men. His report indicates that these high school "dropouts" are on the road to developing a commitment, not only to a useful occupation, but even more significantly, to a better way of life which emphasizes the breaking away from a poverty-welfare existence and moving upward to independence and self-esteem.

I would like to urge my colleagues to read Congressman HORTON's findings at Breckenridge and for the benefit of those who have not seen his article, I include it in the RECORD:

SALVAGING THE NATION'S REJECTED YOUTH

(By Congressman FRANK HORTON)

A few days ago, I had the opportunity to see a new edition of the American dream taking shape in the state of Kentucky. People from Rochester and the 36th Congressional District are closely involved in making the dream come true.

Early in 1966, Graflex, Inc., one of the fine corporations in the 36th District, contracted with the Federal government's Office of Economic Opportunity to take over operation of the Men's Job Corps Center in Breckenridge, Kentucky.

When I arrived last week in Breckinridge at the invitation of Graflex board chairman Gaylord C. Whitaker to tour the center and deliver a commencement address, about 1,800 young men were being trained in 11 different occupations, including general automotive repair, service station operation, small and marine engine repair, automotive sales, auto repair, welding, heater and burner repair, electronics, landscaping and nursery work and the culinary arts.

"Give a man a fish and you feed him for a day. Teach a man to fish and you feed him for a lifetime." That's the Breckinridge philosophy which Mr. Whitaker voiced at the commencement exercises and it is working.

A typical Job Corpsman entering the camp is between 16 and 21 years old, has a reading level equal to a fifth-grader, has completed only 7 years of formal schooling, is 7 pounds underweight and, in most cases, has never held a steady job. Nearly half are from broken homes, half come from families on the relief rolls and 8 out of 10 never have been examined by a doctor or a dentist. Ten per cent have been punished for a serious crime.

The Job Corpsmen have their own student "government" with officers and regular meetings to consider camp affairs. Combine this with the valuable training received in many manual arts, and you have the beginning of a man of responsibility. I was greatly impressed with the dedication and enthusiasm of two of the student leaders who served as our guides during a tour of the Breckinridge camp, Governor Noah Williams and Sandy Phillips, Secretary of State, both studying electronics.

I addressed a group of 34 Corpsmen who spent about 9 months at the camp. The investment made in them, both in money and manpower, is significant. But it represents only a fraction of the cost which local, state and federal governments would have spent in maintaining them through relief programs if they did not receive the fine training available there.

Seven out of ten stay in the program and complete it. Arrest rates for Job Corps graduates are about half the national average. The benefit that the Job Corps gives in re-creating human dignity is, of course, immeasurable. Certainly, there are problems in the administration of some centers. But this is inevitable, considering the vastness of the program. The Job Corps system works—I am convinced of that.

At the commencement ceremonies, I told the graduates and spectators: "You are the living examples of the success of this program. The fact that 34 graduates stand ready today to go into the job market means that both you and Breckinridge have confidence that you have successfully learned a valuable occupational skill. My only advice to you is that you apply the same hard work toward developing this skill after you leave here as you applied in learning the skill under the guidance of the Breckinridge staff. As businessmen from Graflex and other successful companies have told you, there is no substitute for a skilled, honest and reliable worker."

The Breckinridge operation is a prime example of the way in which private industry and the Federal government can cooperate to make this country move forward. Graflex took on this job with the confidence that it could do the job well. That confidence has been borne out, and I am proud of my Graflex constituents for their contribution. The Job Corps program, while far from perfect, is a realistic answer for the nation's disadvantaged youth. Hope has replaced despair, and economic equality is the result.

In Tribute to John E. Franson

EXTENSION OF REMARKS

OF

HON. WILLIAM M. COLMER

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Tuesday, August 1, 1967

Mr. COLMER. Mr. Speaker, on July 22, John E. Franson, forest supervisor of the national forests in Mississippi, succumbed to a heart attack. He was a good and respected friend, and an outstanding leader in promoting the conservation and use of forest resources in Mississippi.

During his long years of dedicated public service with the U.S. Department of Agriculture's Forest Service, he also applied his professional skills on national forests in Michigan, New Hampshire, and Pennsylvania.

He inspired fellow employees and State and county officials to actions aimed at better protection and conservation of natural resources. He did an exceptional job of communicating to public officials and the public, all activities and accomplishments on the national forests.

Mr. Franson's leadership manifested itself in the initiation of progressive management programs on the Mississippi national forests and in a strong spirit of cooperation with the State's public and private agencies directed toward better mutual understanding and working relationships. This resulted in such achievements as improved wildlife habitat, an effective range management program, more road construction and better road design, fewer forest fires and less damage to the State's natural resources, and jobs for people on forest beautification and recreation projects.

Indeed, the State of Mississippi has lost one of its most ardent champions of conservation. His good works remain with us.

The 45th Birthday of Radio Station WJAG, of Norfolk, Nebr.

EXTENSION OF REMARKS

OF

HON. ROBERT V. DENNEY

OF NEBRASKA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, August 1, 1967

Mr. DENNEY. Mr. Speaker, if our democracy is to maintain its strength and vigor it must be grounded in a strong public interest. As we all know, newspapers and radios contribute strongly toward an informed citizenry and, therefore, to strong public interest in our Nation.

Radio station WJAG, of Norfolk, Nebr., has recently celebrated its 45th birthday. It is to this station's 45 years of continual public service that I call the attention of my colleagues.

One of the oldest stations in the Midwest, WJAG has not changed ownership since it obtained its first Federal license on July 26, 1922. Founded by Gene Huss, and now directed by his son, Jerry Huss, this broadcasting organization has been expanded over the years to four stations now called the Beef Empire stations.

Bob Thomas, a good friend and another second-generation son of the station, is the very able vice president and general manager of the Beef Empire stations. His father, Art Thomas, was a past manager of WJAG.

Mr. Speaker, WJAG and other stations like it have made the job of representing our constituents well considerably easier by their continual efforts to educate their listeners on the issues and events of our country. It is fitting and proper that we recognize WJAG's contribution in this area as she celebrates her 45th birthday.

A New Awareness of the World in Which We Live

EXTENSION OF REMARKS

OF

HON. DONALD J. IRWIN

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Tuesday, August 1, 1967

Mr. IRWIN. Mr. Speaker, the vast network of communications systems linking distant continents together today has given Americans a new awareness of the world in which they live.

And this awareness has fathered an insatiable curiosity about the philosophies, problems, objectives, customs, and traditions of other nations and peoples.

Through newspapers, magazines, and other periodicals, the most primitive aborigine in the deepest jungles of Africa becomes a very believable person with social, political, and economical problems just as real as those which face Americans themselves.

Concern for and interest in people of other nations among an informed society is certainly understandable, since knowledge spawns tolerance and understanding. These are key ingredients in a free world society characterized by international friendships.

On the other hand, misapprehension and mistrust are dangerous seeds being sown by those who would profit by promoting suspicions among nations. Such intrigue must not go unchallenged.

While government and free enterprise organizations are actively working to establish highly favorable relations with other peoples, we must reach out in other directions to find new methods of promoting a more favorable national image. This is a responsibility which should be borne by every American.

Each of the more than two million Americans who travel abroad each year has the opportunity to perform a real service for his country. Through his personal contacts with the residents of foreign nations, the individual tourist becomes an extension of our diplomatic service and an ambassador-without-portfolio in the countries through which he is traveling.

Many American travelers possess impressive credentials, such as the knowledge of customs, traditions, and language of foreign nations. Obviously, they are well equipped to serve the best interests of their country while traveling abroad.

Unfortunately, other Americans are ill equipped to represent their country while visiting other nations. They are indifferent to the values of individual diplomacy and this indifference contributes to the success of those who would create suspicions about our great Republic.

A growing awareness of what constitutes the highest standards of individual diplomacy has given birth recently to a number of privately financed programs whose explicit purpose is to educate the American tourist on his responsibilities while traveling abroad.

One such program is being conducted today by Club Internationale, a nationwide vacation club whose members save in advance for low-cost, luxury vacations. The club is headquartered in Washington and, within less than 3 years, has grown in membership to more than 15,000 persons in 35 chapters across the United States

Club Internationale was established explicitly for the purpose of placing foreign vacations within the financial range of those who might not normally be able to afford them. But beyond the vacation program itself, the club sponsors a unique people-to-people program designed to equip members with the essential tools of effective individual diplomacy.

Through programs sponsored by individual chapters of Club Internationale, members have the opportunity to participate in language lessons and cultural studies, and to correspond with people in whose countries they will be visiting. And special arrangements with foreign governments permit members to actually visit in the homes of foreign nationals in order to savor more fully the customs and traditions of various foreign countries.

These principles of good international relations are further reflected through other activities. For instance, one Club Internationale chapter has adopted an Ecuadorean child through the Foster Parents Plan, Inc., and is helping to pay for such essentials as his education, food, and clothing.

Such programs are certainly worthy of our recognition and support.

House Hearings on Consumer Credit, Truth-in-Lending Legislation To Begin Monday, August 7, 1967

EXTENSION OF REMARKS

OF

HON. LEONOR K. SULLIVAN

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Tuesday, August 1, 1967

Mrs. SULLIVAN. Mr. Speaker, House hearings on S. 5, the truth-in-lending bill passed by the Senate on July 11, and on a comprehensive consumer credit protection bill, H.R. 11601, will begin next Monday, August 7, 1967, in the Subcommittee on Consumer Affairs of the Committee on Banking and Currency.

So many requests are coming in from organizations wishing to be heard during the hearings that it will be necessary to schedule afternoon as well as morning sessions, even though there may be interruptions in the afternoon sessions because of business on the House floor.

S. 5, as passed by the Senate, requires an annual percentage rate disclosure on all finance charges in credit transactions except for first mortgages, open end or revolving charges such as made by department stores, and on transactions on which the cost of credit is $10 or less. Business and commercial credit transactions are also exempt.

H.R. 11601, which I introduced as chairman of the Subcommittee on Consumer Affairs, joined by five other subcommittee members as cosponsors—and cosponsored, also, in a separate bill, by numerous other Members of the House—contains all of the disclosure requirements of S. 5, but none of its exemptions except for business and commercial credit transactions. Thus, it includes first mortgages and revolving charges, and does not set a minimum figure for coverage.

BROAD COVERAGE OF CONSUMER CREDIT PROTECTION BILL

In addition, H.R. 11601 would establish a Federal ceiling of 18 percent on the annual percentage rate of any consumer credit transaction, unless the States have lower ceilings. Also, it would prohibit the garnishment of wages for the satisfaction of debts; it would create a National Commission on Consumer Finance to make an investigation of the entire consumer credit industry; it would also give to the Federal Reserve Board of Governors standby powers to restrict or regulate consumer credit in periods of national emergency, and to establish minimum margins for trading in commodity futures contracts.

In view of the far-reaching nature of some of the proposals in H.R. 11601, and in view of the fact also that the House committee has not previously held hearings on truth-in-lending legislation, we intend to make every effort to provide an opportunity to those organizations which want to be heard on this legislation to testify before us.

However, we do not plan to permit the hearings to drag out over a long period of time. Hence, we are requesting witnesses to submit their written statements in advance for inclusion in the record and for review by members of the subcommittee prior to the hearing, so that we can devote the time to questioning of witnesses and, thus, speed up the proceedings.

I have assured President Johnson, Speaker McCormack, Chairman Wright Patman of the parent committee, and others who are anxious to have effective truth-in-lending legislation enacted in this session, that we will do our best to get a good bill out of the subcommittee reasonably soon. Whether it will contain all of the provisions of H.R. 11601 will depend largely upon the nature of the information we are able to develop in the hearings beginning next Monday.

The schedule of witnesses will be made public after confirmation of tentative assignments has been received from prospective witnesses with whom the subcommittee has been in contact.

COSPONSORS OF CONSUMER CREDIT PROTECTION BILL

Consumer Affairs Subcommittee members who have joined me in introducing H.R. 11601 include Representatives Henry B. Gonzalez of Texas, Joseph G. Minish of New Jersey, Frank Annunzio of Illinois, Jonathan B. Bingham of New York, Democrats; and Seymour Halpern of New York, Republican.

An identical bill, H.R. 11806, introduced by Representative Abraham J. Multer of New York, ranking member of the Committee on Banking and Currency, is cosponsored by Representatives William A. Barrett of Pennsylvania, Peter W. Rodino, Jr. of New Jersey, Henry S. Reuss of Wisconsin, Leonard Farbstein of New York, Roman C. Pucinski of Illinois, William F. Ryan of New York, Fernand St Germain of Rhode Island, Benjamin S. Rosenthal of New York, Robert L. Leggett of California, Spark M. Matsunaga of Hawaii, James J. Howard of New Jersey, Joseph P. Vigorito of Pennsylvania, Patsy T. Mink of Hawaii, Joseph Y. Resnick of New York, James H. Scheuer of New York, and Frank J. Brasco of New York, all Democrats.

Numerous other bills on consumer credit pending before the subcommittee are restricted, as is S. 5, to credit disclosure requirements only.

What Is This?—Blackmail?

EXTENSION OF REMARKS

OF

HON. JAMES B. UTT

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, August 1, 1967

Mr. UTT. Mr. Speaker, in February 1959, Lyndon Johnson, then Senator, urged a group of members of the National Rural Electric Cooperatives, meeting in the Capital, to fight for their rights in Congress, saying:

> I don't know how many beer bottles you folks have, but the time has come when you must ask no quarter and give none. Fight them . . . in the corridors of the Capitol, in each House, generate public opinion, support your organization—and eventually, if necessary, use your beer bottles.

Democrat Congressman Thomas G. Abernethy, on the House floor on July 25, 1967, criticized the President for seeking minority votes by joining their chant, "We Shall Overcome."

Vice President Humphrey, speaking in New Orleans on July 18, 1966, stated:

> If I had to live in a slum, I think you would have had more trouble than you've had already, because I've got enough spark left in me to lead a mighty good revolt.

With top leaders of our country making such statements, it is easier, to understand, but no less reprehensible, when militant civil rights leaders travel the country making inflammatory statements and speeches.

Stokely Carmichael, now showing his true Red color in Havana, in a speech in Florida referred to the bricking up of walls where formerly windows had been broken by Molotov cocktails. He said:

> We are coming back next time with dynamite.

In Havana he said:

> This fight is not going to be a simple street meeting. It is going to be a fight to the death.

His successor as head of the Student "Nonviolent" Coordinating Committee, H. Rap Brown, is presently free on bail, accused of inciting the Cambridge riots. Among many inflammatory statements of which he is quoted were:

> I don't know who burned the school down, but you should have burned it down long ago.

And—

> You better get yourselves some guns.

When arrested, he said:

> We built this country and we'll tear it down.

At a more recent press conference, Brown stated:

> If Washington, D.C., don't come around, Washington, D.C., should be burned down.

Max Stanford, field chairman of the Revolutionary Action Movement—RAM—a highly secret all-Negro, Marxist-Leninist, Chinese-Communist-oriented organization, had been in frequent contact with Stokely Carmichael. He threatened to "disrupt the whole country," and called for "burning down Washington," and said:

> If we don't get justice, we're going to tear this country apart.

Since 1961, according to the Library of Congress, there have been 128 riots of national importance in the United States; some involving Negroes, some whites, and some both. Most of these were racial disturbances.

With each new riot, a representative of the Urban League, or the NAACP, or CORE, or some other Negro group, blames it on the lack of Federal spending for poverty elimination, and states emphatically that riots will continue until massive funds are channeled into the ghettos.

What is this? Blackmail? How can anyone define it in any other terms? Have Americans become so conditioned to such illegal pressures that they no longer speak up? When Castro demanded ransom, we paid it in spite of a great outcry from those who retain a spark of the American spirit and courage which prompted those immortal words, "Millions for defense, but not one cent for tribute."

And since then we have witnessed repeated use of this dirtiest of all pressure tactics in both national and international affairs, and with each failure to oppose it, blackmail has come more to be considered an honorable means of obtaining that which logic and argument cannot convince has merit.

The answer to these grasping, ungrateful, power-seeking leaders should be for Congress to declare that help will be forthcoming in direct proportion to the degree of self-help evident in an area. It does not cost anything to clean a place up; it takes only effort to clear weeds and remove trash; it requires but one thing to start an improvement program, and that is desire. Then, and only then, when the effort has been started, should funds be provided for grass seed, for building materials, and for other necessities, and for job training.

Spending of massive sums in urban renewal types of slum clearance is but a temporary wash job unless it is accompanied by massive efforts by those who have influence—the white and Negro leaders of the area—who will devote their talents to uplifting the slum residents to self-sufficiency. How much more constructive and really helpful would such a leader be than one who exhorts to murder, robbery, and arson.

The funds spent for welfare, antipoverty programs, job training, housing, and urban renewal have run into the billions. The projects have been sold on the basis of helping to eliminate the ghettos, the slums, and poverty generally. As project upon project has been added, and million dollars upon million dollars, so have riots increased in size, intensity, and numbers.

The idea has proved wrong, just as the welfare state throughout history has failed. Yet, with every new disturbance, the same voices are heard condemning those who will not vote for enlarging the very plans which have failed so miserably.

Congressman ABERNETHY rightfully criticized the liberal elements of both parties for sowing the seeds of rebellion. The riots are the result "of the political bidding contest the two parties have been engaged in, in their all-out effort to get the minority racial vote," he said. In spite of all the assistance given, the situation worsened because, as he said, "The black power boys came back for more, and more, and more, and more."

As Dr. Joseph Jackson, great Negro leader of the National Baptist Convention, says:

> No sociologist has yet told us what corrupts the human spirit more, poverty or wealth. I am convinced that men have the power to withstand and defy an evil environment.

We hear that these ghettos are tinder dry, and just waiting for a spark to ignite them into an inferno, that such ignition is spontaneous when conditions get to a certain combination of elements, just as a fire starts by spontaneous combustion in a home. Rubbish. Consider the "elements" of the Detroit riot.

Police raided an after-hours drinking establishment at 5 o'clock on a Sunday morning—nice lawful endeavor, so the police were wrong in interfering. "Spontaneously," 200 bottle-and-rock-throwing persons gathered at 5 a.m. Then, again "spontaneously," fires erupted throughout the neighborhood. Firemen raced to the scene, and, as they got out to begin battling the blazes, sniper fire broke out from the rooftops. It was a consistent pattern throughout the area—but it was "spontaneous."

Again I say, rubbish. Unrehearsed mobs do not gather and then disperse through an area, with individuals each doing the identical thing in an identical way at an identical time. Our police departments in these major cities are not the "town constables" of bygone days. They know what is going on, and how it is being done, and would have the situation in hand, if they were not forced by higher authority to use kid gloves.

FBI Director J. Edgar Hoover, now in his 50th year in that agency, can hardly be considered ill-informed. Describing the Negro riots, he said:

> Communists and other subversives and extremists strive and labor ceaselessly to precipitate racial trouble and to take advantage of racial discord in this country. Such elements were active in exploiting and aggravating the riots, for example, in Harlem, Watts, Cleveland, and Chicago.

Our Attorney General, the top law-enforcement official in the Nation, thinks our crime is merely a social problem. So long as he thus continues to think, just so long will hoodlums, whether so-called civil rights leaders or not, continue to enforce their demands upon society by the pure and unadulterated blackmail now being used.

Today, according to some estimates, there are 15 million poor families. Give them each $5,000 a year, for a total cost of $75 billion annually, and what would we have? One hundred seventy-five million people would be poorer; the 15 million families would have lost that much more self-respect and self-reliance, and riots would increase. Instead of being thankful for the $5,000, many would be looking at those making $10,000 and would be rioting to force additional "massive Federal funds" to eliminate the ghettos of poverty.

One of the basic problems is that the administration promised far more than it could give, legislatively or financially, and gave far more than could be responsibly absorbed. The Negro people can be helped, but self-help must be accompanied by self-responsibility, and remain a major portion of the assistance program. In the meantime, insurrection must be stopped, and now is the time.

The War Profiteers

EXTENSION OF REMARKS

OF

HON. WILLIAM S. MOORHEAD

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, August 1, 1967

Mr. MOORHEAD. Mr. Speaker, one of our distinguished colleagues, the Honorable HENRY B. GONZALEZ, has been a longtime leader in the congressional fight to curb wartime profiteering.

In an article in the August 1967 issue of the Progressive magazine, entitled "The War Profiteers," Mr. GONZALEZ charges that "the sudden and tremendous upsurge in procurement" for the war in Vietnam in the past 18 months has loosened Government procurement practices and set the stage for profiteering.

He notes that "in fiscal 1966 prime contract awards soared to $38.2 billion, an increase of more than $10 billion" over fiscal 1965, and that estimates for prime contracts in fiscal 1967 range as high as $45 billion.

Mr. GONZALEZ asks if the Renegotiation Board, the Government agency created in 1951 to beat back the profiteers during the Korean war, will be able to do a thorough job in recovering excess profits from Vietnam war contractors.

The issues that Mr. GONZALEZ raises in his thoughtful article are of great concern to this body. Therefore, I insert the article in the RECORD at this point and urge my colleagues to give it their close attention:

THE WAR PROFITEERS

(By HENRY B. GONZALEZ)

During a war, it is necessary for a nation to mobilize both its human and material resources—men, arms, equipment, and other supplies. But there is a crucial difference in the ways by which men and property are pressed into service for war.

Men are drafted. If they are in the prescribed age bracket and otherwise qualify, they are mobilized, willing or not. The civilian who is conscripted into the military sacrifices the comforts of his family, his home, his job, his security, and possibly his life. The individual has no opportunity to bargain or negotiate for his pay and benefits. His compensation is fixed by law and it is pitifully low.

Property, on the other hand, is purchased, much of it through the awarding of contracts by the government, usually at great profit to corporations.

One would suppose that those persons who supply the government with property in time of war would be willing to do it without exacting excessive profits. In light of the heavy sacrifices by those who go to war, those who do not fight but who benefit from the war by doing business with the Government should at least be expected not to take advantage of the situation by profiteering.

But the facts make it clear that profiteering is taking place on a considerable scale and there is evidence that it is on the upswing.

"War profiteering" apparently is an unmentionable subject in Washington. Even the independent Renegotiation Board, established in 1951 to beat back the profiteers during the Korean War, prefers the term "excess profits." Nevertheless, the Board made determinations of excess profits in the amount of $24.5 million in fiscal year 1966. This money was returned to the U.S. Treasury by private contractors. In addition, $23.2 million was received by the Government through "voluntary refunds" and "voluntary price reductions" in connection with renegotiation proceedings. These recoveries, although small, are all the more remarkable in light of what Congress has done to the Renegotiation Board since it was created in 1951.

War profiteers grow fattest and richest when elected public officials, the press, and other news media ignore the issue. It is in the absence of public attention today that the profiteer can successfully push his special interest legislation with one hand while pocketing "excess profits" with the other.

There was a time when war profiteering was a more glamorous and a more newsworthy issue. Some of us can recall the headlines made by the then Senator Harry S. Truman with his extensive Senate investigations into profiteering during World War II.

The War Contracts Price Adjustment Board, predecessor to the present Board, recovered more than $11 billion dollars in "excess profits" from private contractors doing business with their Government during World War II. More than $800 million was recovered in the aftermath of the Korean War. The real question is, how much got away?

The reason that profiteering increases in time of war is easily understood. During such periods the Government's need for supplies and materials increases suddenly to great heights. The requirement for speed in production eliminates the opportunity for often long, cautious negotiations, careful surveys, and other steps which sound purchasing policy otherwise requires. The practice of inviting bids for Government contracts is set aside; competition decreases and often disappears. The forecasting of costs of production becomes impossible except as a matter of guesswork. As a result, contractors, in seeking to guard against contingencies and often for less justifiable reasons, skyrocket their costs. It is during this crucial time, when the nation's need is greatest but its ability to proceed with caution is least that negligent and unscrupulous dealings are widely practiced.

Senator William Proxmire of Wisconsin, chairman of the Economy in Government Subcommittee, recently said that when he found out how the Defense Department is currently spending its enormous budget—an annual average of $1,600 for each American family—it "shocked me out of my chair."

No better example of the taking of "excess profits" exists than the one documented by the case of *Boeing Airplane Co. v. U.S.*, decided by the United States Tax Court in 1962. Boeing had attempted to charge, as a legitimate expense on its Government contract for military aircraft, the cost of the design, development, and construction of the prototype of the 707 commercial airliner.

Another item claimed by Boeing as a legitimate expense against its contract was $629,000 for "institutional" advertising, selling expense, and entertainment expense. The court found that the "institutional" advertising consisted in Boeing keeping its name before the public as a producer of commercial aircraft. This is not a new practice. Then Senator Harry S. Truman wrote in *The Progressive* in 1943 of parallel abuses in World War II, and pointed out that "the advertising costs the corporations practically nothing because the taxpayer foots the bill."

In the Boeing case the selling expenses were incurred in connection with its commercial business, and the entertainment expense was in part for the purchase of meals and the general entertainment of visitors and business associates. None of these items was allowed by the court.

Boeing had appealed a $9.8 million determination of excess profits by the Renegotiation Board. The court determined that Boeing owed the government not $9.8 million, but $13 million in excess profits, underscoring the weakness, or at least the moderation, of the Renegotiation Board. But renegotiation cases seldom reach the courts. If they did there might well be more Boeing-type cases.

A North American Aviation, Inc. case, decided by the Board in 1962, held that the company had received excess profits in the total amount of $16.5 million. And a $10 million refund of excess profits was obtained from General Motors in 1958, as a result of a Congressional investigation into the production of the F081F airplanes.

It is no surprise, then, that there is a movement to abolish the Renegotiation Board, or that among the strongest members of the movement are the aerospace industries. In a letter dated March 23, 1966, the Aerospace Industries Association of America, Inc. stated to the House Ways and Means Committee:

"This association is convinced that expiration of the [Renogotiation] Act would not harm the nation's defense effort and would not increase the cost of procurement."

It is the level of procurement and the relative rate of procurement that determines the profiteer. As an obvious example, Government procurement reached record high levels in an extremely short period with the outbreak of World War II. A similar situation occurred with the Korean War. Vietnam, until recently, has been somewhat different. It is the sudden and tremendous upsurge in procurement that loosens up Government—mainly Defense Department—practices and sets the stage for profiteering. For Vietnam there was no sudden upsurge until last year.

For several years preceding 1966, procurement and prime contract awards by the Department of Defense had remained at a high but a fairly steady level. In fiscal year 1964, prime contract awards totaled $28.7 billion. In fiscal 1965, the figure even declined, to $27.9 billion. But in fiscal 1966 prime contract awards soared to $38.2 billion, an increase of more than $10 billion or approximately thirty-nine per cent in a one year period—a sudden and tremendous upsurge.

The figures for the first six months of fiscal year 1967 show a twenty-eight per cent increase over the 1966 figures. The best estimate projects about a twenty per cent increase for the full year, which will place prime contract awards for 1967 at $45 billion. This amount will be the highest dollar amount in any year since World War II, including the Korean period. Inevitably these increases will add a greater workload to the Renegotiation Board and will hopefully result in large recoveries of excess profits. But how well-equipped is the Board to do a thorough job?

The Government's earliest attempts to curb profiteering resulted in the Vinson-Trammell Act of 1934. This law, as later amended, fixed profits on shipbuilding at ten per cent and on aircraft at twelve per cent. Unfortunately, neither the Vinson-Trammell Act nor subsequent attempts to restrict excessive profits by building safeguards around the contract itself worked as intended. Vinson-Trammell contractors simply padded their costs to defeat the statutory percentage limitation on profits. Cost-plus-fixed-fee contracts; lump sum contracts; escalator clauses; permitting price adjustments in accordance with fluctuations of labor and other costs; and letters of intent to negotiate a formal contract were all tried without material success.

With the experience of World War I, when profiteering reached a zenith, and the failure of Vinson-Trammell, still fresh in Government circles, the principle of renegotiation was introduced at the outset of World War II. Under the Renegotiation Act of 1942 the Government reserved the right to renegotiate wartime contracts by procurement officials. Thus, a contractor may be called upon to refund to the Treasury that portion of his profits for the fiscal year examined—on contracts with Government departments named in the Act—which are determined by the Board to be excessive.

The Renegotiation Act of 1951 made the Board independent for the first time. But the Act is temporary and must be renewed every two years. The 1951 Act was strong and sound. It enabled the Government to recover more than $800 million in connection with contract awards during the Korean War, in addition to large voluntary refunds.

Beginning in 1954, however, a series of amendments was pushed through Congress with the intent of *reducing* the ability of the Board to do the job intended. For example, under the original Act, contractors whose prime contract awards totaled at least $250,000 during the fiscal year were subject to renegotiation. The 1954 amendments raised the floor to $500,000. In 1956 the floor was again raised, to $1 million.

An even more serious limitation on the Board's ability to police the profiteers is the multitude of exemptions that have been inserted into the Act. Contracts for "durable productive equipment," meaning machinery, tools, or other productive equipment with a useful life of more than five years, are exempt. There is an exemption for "Standard Commercial Articles or Services"—articles customarily maintained in stock by the contractor, the commercial non-governmental sales from which constitute at least thirty-five per cent of the total sales of that article during the fiscal year. This covers a huge range of products and services.

Other limitations now include an exemption for construction contracts let by competitive bidding, a five year carry-forward loss provision, and elimination from the Act of a number of Government agencies which were originally covered. These agencies include the Coast Guard, Department of Commerce, Tennessee Valley Authority, Bureau of Mines, Bureau of Reclamation, and the Canal Zone Government.

There is a time lag of about eighteen months between the awarding of prime contracts and the time they come before the Renegotiation Board for review, if they ever do. So the impact upon the Board's activities as a result of the huge step-up in Defense procurement for Vietnam has not yet been felt. When it does hit, it will confront a Board hamstrung not only by statutory limitations and with its jurisdiction narrowly defined. It will also find a Board seriously reduced in manpower. The Board's activities are conducted today with less than twenty-five per cent of the personnel it had during the Korean War.

The profiteers who intentionally gouge the Government for excessive profits during a time of war are also guilty of consciously withdrawing efficiency from our industrial capacity. These private-businessmen profiteers are in reality guilty of sabotage.

It is a peculiar system of national values when young men are vilified and sent to the penitentiary for refusing conscription—a method of coercion the opposition to which was responsible in large part for the formation of the United States—while contractors and corporate executives are permitted to stay home and profiteer off the people in a time of war. In light of the heavy sacrifices made by the men who do the fighting and dying, one would expect that those who do business with the Government would not take advantage of the situation by profiteering.

Our history has been one of rampant war profiteering, and I am convinced, as even the limited annual reports of the Renegotiation Board reveal, that profiteering is going on now, is increasing, and will continue to increase unless something more realistic is done to stop it. For this reason, I have introduced legislation to put some meaning into renegotiation. My bill, H.R. 6792, would bring the floor for contracts subject to renegotiation back down to $250,000, eliminate the all important standard commercial articles exemption, eliminate the competitive bid-construction exemption, eliminate other exemptions with respect to subcontracts, and place TVA under coverage of the Act.

These changes would restore the Board to approximately the condition it was in and the strength it had at the outbreak of the Korean War. There is no excuse for not taking proper safeguards against profiteering. By confining the Board the way it is restricted at present, we have, in effect, locked up the policeman on the beat in the middle of a crime wave.

But powerful forces are moving to do just that. Last year a serious effort was made to kill the Board by not extending the Renegotiation Act. The Act was extended, until 1968. An even more serious effort to kill it will surely be made next year. In the meantime, an investigation of the Renegotiation Act was authorized. Both the law and the Board have been examined and investigated several times. The latest Congressional investigation of the Board was as recent as 1962.

What we ought to be investigating is not the Board, but profiteering itself. A full-fledged Congressional investigation into profiteering, in which the names of contractors and corporations who have taken excessive profits in the past would be revealed, and in which the appropriate officials could be examined, would be both a revealing and an enlightening lesson. It could lead to important new legislation.

SENATE

WEDNESDAY, AUGUST 2, 1967

The Senate met at 11 o'clock a.m., and was called to order by the President pro tempore.

Dr. Maggart B. Howell, district superintendent of the Methodist Church, Waco district, Waco, Tex., offered the following prayer:

Our Father, upon whose truth our country was formed, by whose mercy we remain a nation:

We praise Thee, great, good, graspable God, for our Republic—these sacred Halls, Thy servants who minister here, and the citizens who have sent them. We are Thine. This is Thy world, not ours.

We repent of our sins in it, littleness when we ought to have been big, dullness to our brother's need, blindness to Thy truth, way, life; love of ease instead of painful pursuit of godly growth, loose living contrary to the disciplined life. Do Thou forgive us!

God bless America, land that we love. Help us restore law and order coupled with a compassion for the exploited least of our brethren. Grant us to see that "obedience to law is liberty"; that we can be free only as we accept the shackles of freedom. Enable us to be not so much our brother's keeper as our brother's brother. Give us concern instead of complacency, sharing in place of selfish indulgence. Sustain our sons and daughters in Vietnam. Assist us to find peace in justice for all people. Give us perspective to know what is right, and courage to do it.

We pray for our President and the Congress. Grant these our brothers wisdom for decisions, courage for proper action, stamina to persevere in their tedious tasks, the will to please God rather than men. Keep their families; nurture their children; guard their homes.

And now, O God, we commit ourselves to Thee "to serve this present age, our calling to fulfill. Oh, may it all our powers engage to do our Master's will." In Christ's name. Amen.

MESSAGES FROM THE PRESIDENT

Messages in writing from the President of the United States submitting nominations were communicated to the Senate by Mr. Geisler, one of his secretaries.

MESSAGE FROM THE HOUSE

A message from the House of Representatives by Mr. Hackney, one of its reading clerks, announced that the House had passed the bill (S. 454) for the relief of Richard K. Jones, with an amendment, in which it requested the concurrence of the Senate.

The message also announced that the House had passed the following bills, in which it requested the concurrence of the Senate:

H.R. 1674. An act for the relief of Frank I. Mellin, Jr.;

H.R. 1680. An act for the relief of Mrs. Lessie Edwards;

H.R. 2668. An act for the relief of Sevasti Diakides;

H.R. 4015. An act for the relief of T. Michael Smith;

H.R. 6666. An act for the relief of Mrs. Marilyn Shorette;

H.R. 7324. An act for the relief of Alfredo F. Mondez, M.D.;

H.R. 8254. An act for the relief of Jan Drobot; and

H.R. 11722. An act to authorize certain construction at military installations and for other purposes.

ENROLLED BILLS SIGNED

The message further announced that the Speaker had affixed his signature to the following enrolled bills, and they were signed by the Vice President:

H.R. 1517. An act for the relief of Mrs. Matteo Groppo;

H.R. 1532. An act for the relief of Dr. Alfredo A. Navarro;

H.R. 1564. An act for the relief of Antonina Roundinelli Asci;

H.R. 1612. An act for the relief of John Joseph Shea;

H.R. 1724. An act for the relief of Hwang Duk Hwa;

H.R. 1814. An act for the relief of Giovanni and Francesco Urga-Ferraro;

H.R. 1818. An act for the relief of Marina Panagiotis Restos;

H.R. 2532. An act to provide for the disposition of funds appropriated to pay a judgment in favor of the Ottawa Tribe of Oklahoma in docket No. 303 of the Indian Claims Commission, and for other purposes;

H.R. 3221. An act for the relief of Dr. Alexander D. Cross;

H.R. 3522. An act for the relief of Dr. Rafael F. Suarez;

H.R. 3631. An act to provide for the dedication of certain streets on the Agua Caliente Indian Reservation and to convey title to certain platted streets, alleys, and strips of land;

H.R. 5224. An act for the relief of Dr. Guillermo Fresco De Jongh;

H.R. 5862. An act for the relief of Dr. Juan F. Chaves;

H.R. 5996. An act for the relief of Dr. Bernardino D. Marcelo; and

H.R. 9080. An act for the relief of Federico de la Cruz-Munoz.

HOUSE BILLS REFERRED

The following bills were severally read twice by their titles, and referred, as indicated:

H.R. 1674. An act for the relief of Frank I. Mellin, Jr.;

H.R. 1680. An act for the relief of Mrs. Lessie Edwards;

H.R. 2668. An act for the relief of Sevasti Diakides;

H.R. 4015. An act for the relief of T. Michael Smith;

H.R. 6666. An act for the relief of Mrs. Marilyn Shorette;

H.R. 7324. An act for the relief of Alfredo F. Mondez, M.D.; and

H.R. 8254. An act for the relief of Jan Drobot; to the Committee on the Judiciary.

H.R. 11722. An act to authorize certain construction at military installations and for other purposes; to the Committee on Armed Services.

THE JOURNAL

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the reading of the Journal of the proceedings of Monday, July 31, 1967, be dispensed with.

The PRESIDENT pro tempore. Without objection, it is so ordered.

COMMITTEE MEETINGS DURING SENATE SESSION

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the following committees and subcommittees be authorized to meet during the session of the Senate today:

Committee on the Judiciary.

Subcommittee on Investigations of the Committee on Government Operations.

Subcommittee on Employment, Manpower, and Poverty of the Committee on Labor and Public Welfare.

Subcommittee on Migratory Labor of the Committee on Labor and Public Welfare.

Committee on Agriculture and Forestry.

Committee on Banking and Currency.

The PRESIDENT pro tempore. Without objection, it is so ordered.

EXECUTIVE SESSION

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of executive business.

There being no objection, the Senate proceeded to the consideration of executive business.

EXECUTIVE MESSAGES REFERRED

The PRESIDENT pro tempore laid before the Senate messages from the President of the United States submitting sundry nominations, which were referred to the appropriate committees.

(For nominations this day received, see the end of Senate proceedings.)

The PRESIDENT pro tempore. If there be no reports of committees, the nominations on the Executive Calendar will be stated.

NATIONAL SCIENCE BOARD

The legislative clerk read the nomination of Dr. Roger W. Heyns, of California, to be a member of the National Science Board.

The PRESIDENT pro tempore. Without objection, the nomination is considered and confirmed.

EQUAL EMPLOYMENT OPPORTUNITY COMMISSION

The legislative clerk read the nomination of Clifford L. Alexander, Jr., of New

York, to be a member of the Equal Employment Opportunity Commission.

The PRESIDENT pro tempore. Without objection, the nomination is considered and confirmed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the President be immediately notified of the confirmation of these nominations.

The PRESIDENT pro tempore. Without objection, it is so ordered.

LEGISLATIVE SESSION

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of legislative business.

There being no objection, the Senate resumed the consideration of legislative business.

THE CALENDAR

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of measures on the calendar, beginning with Calendar No. 442 and the succeeding measures in sequence.

The PRESIDENT pro tempore. Without objection, it is so ordered.

LAND IN TRUST FOR THE CHEYENNE AND ARAPAHO TRIBES OF OKLAHOMA

The Senate proceeded to consider the bill (S. 1173) to declare that certain land of the United States is held by the United States in trust for the Cheyenne and Arapaho Tribes of Oklahoma which had reported from the Committee on Interior and Insular Affairs with amendments on page 1, at the beginning of line 5, to strike out "are hereby declared to be held by the United States in trust for the Cheyenne and Arapaho Tribes of Oklahoma" and insert "are hereby conveyed to the Cheyenne and Arapaho Tribes of Oklahoma"; on page 2, line 10, after the word "of", to strike out "284 feet;" and insert "1,487 feet; thence south 88 degrees 20 minutes east for a distance of 284 feet;"; after line 21, to insert a new section, as follows:

SEC. 2. The title of the tribes to the land conveyed pursuant to this Act shall be subject to no exemption from taxation or restriction on use, management, or disposition because of Indian ownership.

On page 3, at the beginning of line 1, to change the section number from "2" to "3"; and, at the beginning of line 4, to change the section number from "3" to "4"; so as to make the bill read:

S. 1173

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, all right, title, and interest of the United States in and to the following described land, and improvements thereon, are hereby conveyed to the Cheyenne and Arapaho Tribes of Oklahoma:

All of the northwest quarter section 18, township 12 north, range 16 west, Indian meridian, Custer County, State of Oklahoma, except approximately thirty-one and twenty-five-hundredths acres located in the easterly part of the east half northwest quarter described as follows:

Beginning at a point 259 feet west of the northeast corner of the east half northwest quarter section 18, township 12 north, range 16 west, thence west along the north section line of said section 18 for a distance of 426 feet; thence south 1 degree 20 minutes west for a distance of 1,487 feet; thence south 88 degrees 20 minutes east for a distance of 284 feet; then south 0 degree 50 minutes west for a distance of 987.5 feet; thence south 42 degrees 54 minutes west for a distance of 223.9 feet to the east-west quarter section line of said section 18; thence east along said quarter section line for a distance of 570 feet to the southeast corner of said northwest quarter of section 18; thence north 0 degree 43 minutes east along the north-south quarter section line for a distance of 2,315 feet; thence west for a distance of 259 feet; thence north 0 degree 43 minutes east for a distance of 325 feet to the point of beginning.

SEC. 2. The title of the tribes to the land conveyed pursuant to this Act shall be subject to no exemption from taxation or restriction on use, management, or disposition because of Indian ownership.

SEC. 3. This conveyance is subject to existing rights-of-way for waterlines, electric transmission lines, roads, and railroads.

SEC. 4. The Indian Claims Commission is directed to determine, in accordance with the provisions of section 2 of the Act of August 13, 1946 (60 Stat. 1050), the extent to which the value of the title conveyed by this Act should or should not be set off against any claim against the United States determined by the Commission.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 456), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

PURPOSE

The purpose of the bill, as introduced, is to donate approximately 116 acres of Federal land to the Cheyenne and Arapaho Tribes of Oklahoma.

The subject lands were originally part of an Indian allotment which was relinquished and subsequently became classified as unallotted land with title vesting in the United States. For many years the land has been utilized for school farm station purposes in connection with Segar Indian School located a short distance from the city of Clinton, Okla. The lands are now surplus to the needs of the Bureau of Indian Affairs, and it is proposed that they be donated to the tribes for an old-age rest home, housing development, commercial or light industrial use, and agricultural purposes.

By Resolution No. 343–S15, dated April 26, 1967, the business committee of the Cheyenne and Arapaho Tribes requested that these lands be conveyed to them in fee simple rather than in trust status. The committee has therefore amended the bill to provide that the land will be given to the tribes without any restriction on its use, management, or disposition because of Indian ownership.

COST

The Department of the Interior advised the committee that the land to be given to the tribes by this bill is currently valued at $30,000. The committee notes that section 3 of the bill provides for a possible set off of the value conveyed by the bill in connection with any claim which the Cheyenne and Arapaho Indians may have pending before the Indian Claims Commission.

The amendments were agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended, so as to read: "A bill to convey certain federally owned lands to the Cheyenne and Arapaho Tribes of Oklahoma."

NONREIMBURSABLE EXPENSES OF CERTAIN RECLAMATION PROJECTS

The Senate proceeded to consider the bill (S. 1251) to make certain reclamation project expenses nonreimbursable which had been reported from the Committee on Interior and Insular Affairs with amendments in line 4, after the word "supplemented", to insert "or the law applicable to Indian irrigation projects,"; and, in line 8, after the word "any", to strike out "Federal" and insert "irrigation or"; so as to make the bill read:

S. 1251

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, notwithstanding any provision of the Federal reclamation laws, as amended and supplemented, or the laws applicable to Indian irrigation projects, severance payments to employees of the Department of the Interior resulting from the transfer to a non-Federal agency of operation and maintenance responsibilities for any irrigation or reclamation project shall be nonreimbursable and nonreturnable.

Mr. JORDAN of Idaho. Mr. President, S. 1251 would correct a situation which, without its passage, could result in private entities being forced to pay obligations which are properly those of the Federal Government.

It would make nonreimbursable the severance payments to which departmental employees are entitled when their Federal employment is terminated because of the transfer of reclamation works to a local agency for operation and maintenance.

Section 6 of the Reclamation Project Act of 1939 requires the entity contracting for repayment of irrigation construction costs of a project to advance operation and maintenance funds to the United States during the time the Bureau of Reclamation operates the project. After the responsibility for operation and maintenance of project works is transferred to the contracing entity, that entity operates and maintains the works at its own expense and at no cost to the United States.

It has long been the policy of the Department of Interior and the Bureau that responsibility for operation and maintenance of an irrigation project be turned over to the water users organization once the facilities are complete and reasonably well stabilized and the organization is competent, willing, and financially able to operate and maintain the works.

Under section 9 of the Federal Employees Salary Act of 1965, employees involuntarily separated from the Federal service and who meet requirements of the act are entitled to severance pay. Thus employees whose Federal employment is terminated as a result of the transfer of operation and maintenance responsibilities are entitled to severance pay.

Since their Federal salaries are included as a part of the operation and maintenance expenses of a project, there is no alternative to requiring the water users organization to either advance funds or reimburse the Government for funds disbursed to these employees for severance pay. This requirement complicates the transfer of operation and maintenance negotiations, and may even preclude such transfer.

The Federal employees involved may have been employed by the Government in other localities, so that severance benefits to which they are entitled are based, in part, upon employment on other projects. It is inequitable to require the water users organization to assume severance pay obligations.

The Senate Interior and Insular Affairs Committee does not believe this was the intention of the Congress when Public Law 89–301 was enacted. The committee further believes the Congress intended that all severance pay for Federal employees should be a liability of the Federal Government and not one that would or should be passed on to water users or other contracting entities. Enactment of S. 1251 would cure this inequity.

Testimony from both the Bureau of Reclamation and the irrigation districts involved indicated that about $500,000 would be charged against the local farmers in the event they took over the operation and management of the districts and where required to repay the Government for the severance pay of former Government employees who were separated from their jobs as a result of the takeover.

It is the opinion of the Senate Interior and Insular Affairs Committee that this is an obligation properly chargeable to the Bureau of Reclamation, not the farmers.

The committee therefore unanimously recommends the enactment of S. 1251 as amended.

Mr. President, the Department of the Interior recommends enactment of this legislation. The Department urged that the measure as introduced be broadened to apply to Indian irrigation projects as well as Federal reclamation projects. New language was inserted in the bill by the committee so that the version now before the Senate does extend to Indian irrigation projects.

The Bureau of the Budget has advised that if Congress feels this legislation is justified the Bureau has no objection to its enactment.

I strongly feel that this legislation is justified.

It is inequitable to require private citizens or private entities to make payments which the Federal Government owes according to the clear intent of a Federal law. The severance pay responsibilities resulting from the Federal Employees Salary Act were clearly intended to be Federal responsibilities.

This legislation would simply prevent the application of provisions of the Reclamation Project Act of 1939 in a manner which conflicts with this intent.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 457), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

PURPOSE

S. 1251 would make nonreimbursable the severance payments to which departmental employees are entitled when their Federal employment is terminated because of the transfer of reclamation works to a local agency for operation and maintenance.

Section 6 of the Reclamation Project Act of 1939 requires the entity contracting for repayment of irrigation construction costs of a project to advance operation and maintenance funds to the United States during the time the Bureau of Reclamation operates the project. After the responsibility for operation and maintenance of project works is transferred to the contracting entity, that entity operates and maintains the works at its own expense and at no cost to the United States.

It has long been the policy of the Department and the Bureau that responsibility for operation and maintenance of an irrigation project be turned over to the water users organization once the facilities are complete and reasonably well stabilized and the organization is competent, willing, and financially able to operate and maintain the works.

Under section 9 of the Federal Employees Salary Act of 1965, employees involuntarily separated from the Federal service and who meet requirements of the act are entitled to severance pay. Thus employees whose Federal employment is terminated as a result of the transfer of operation and maintenance responsibilities are entitled to severance pay.

Since their Federal salaries are included as a part of the operation and maintenance expenses of a project, there is no alternative to requiring the water users organization to either advance funds or reimburse the Government for funds disbursed to these employees for severance pay. This requirement complicates the transfer of operation and maintenance negotiations, and may even preclude such transfer.

The Federal employees involved may have been employed by the Government in other localities, so that severance benefits to which they are entitled are based, in part, upon employment on other projects. It is inequitable to require the water users organization to assume severance pay obligations.

The committee does not believe this was the intention of the Congress when Public Law 89–301 was enacted. The committee further believes the Congress intended that all severance pay for Federal employees should be a liability of the Federal Government and not one that would or should be passed on to water users or other contracting entities. Enactment of S. 1251 would cure this inequity.

Testimony from both the Bureau of Reclamation and the irrigation districts involved indicated that about $500,000 would be charged against the local farmers in the event they took over the operation and management of the districts and were required to repay the Government for the severance pay of former Government employees who were separated from their jobs as a result of the takeover.

It is the opinion of the Senate Interior and Insular Affairs Committee that this is an obligation properly chargeable to the Bureau of Reclamation, not the farmers.

The committee therefore unanimously recommends the enactment of S. 1251 as amended.

The amendments were agreed to.

The bill was ordered to be engrossed for a third reading, read the time time, and passed.

FREE ENTRY OF FOUR-OCTAVE CARILLON FOR USE OF NORTHFIELD AND MOUNT HERMON SCHOOLS, EAST NORTHFIELD, MASS.

The bill (H.R.1566) to provide for the free entry of a four-octave carillon for the use of the Northfield and Mount Hermon Schools, East Northfield, Mass., was considered, ordered to a third reading, read the third time, and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 458), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

PURPOSE

The purpose of H.R. 1566 is to provide for the free entry of a four-octave carillon for the use of the Northfield and Mount Hermon Schools, East Northfield, Mass.

GENERAL STATEMENT

H.R. 1566 would direct the Secretary of the Treasury to admit free of duty a four-octave carillon for the use of the Northfield and Mount Hermon Schools, East Northfield, Mass. The bill further provides that if liquidation of the entry has become final, such entry is to be reliquidated and appropriate refund of duty made.

It is the understanding of the Committee on Finance that the carillon being imported for the Northfield and Mount Hermon Schools is being cast in France, a portion of the bronze for the bells having been obtained from eight bells which were shipped from Northfield to France for recasting. In the absence of legislation, the carillon would be classified under the provisions of item 725.38 of the Tariff Schedules of the United States and dutiable at the rate of 6.5 percent ad valorem.

The committee has been advised that there is no domestic production of carillon bells and that domestic firms contracting for installations of carillons are dependent on imports of tuned bells to be used in such installations. The Tariff Commission, in reporting to the committee on H.R. 1566, stated that the information available to it indicates that carillon bells are not produced in the United States.

In the circumstances, the Committee on Finance, like the Committee on Ways and Means of the House, is of the opinion that this legislation is meritorious and consistent with prior legislation of this nature, and recommends its enactment.

FREE ENTRY OF CERTAIN ARTICLES FOR USE OF PRINCETON UNIVERSITY, PRINCETON, N.J.

The bill (H.R. 1886) to provide for the free entry of certain articles for the use of Princeton University, Princeton, N.J., was considered, ordered to a third reading, read the third time, and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 459), explaining the purposes of the bill.

There being no objection, the excerpt

was ordered to be printed in the RECORD, as follows:

PURPOSE

The purpose of H.R. 1886 is to provide for the free entry of one mass spectrometer and one rheogoniometer for the use of Princeton University, Princeton, N.J.

GENERAL STATEMENT

H.R. 1886 would direct the Secretary of the Treasury to admit free of duty one mass spectrometer and one rheogoniometer for the use of Princeton University, Princeton, N.J. The bill also provides for reliquidation with an appropriate refund of duty should the articles be covered by an entry the liquidation of which has become final.

The Weissenberg rheogoniometer is a unique instrument for measuring fluid viscosity. The instrument purchased by Princeton University is a Weissenberg model R16 rheogoniometer manufactured by Farol Research Engineers, Ltd., of England. In its report on H.R. 1886, the Department of Commerce advised the committee that it "knows of no other commercial instrument, manufactured in the United States or elsewhere, that was capable of meeting the university's requirements for which the British instrument was purchased.

A mass spectrometer is a scientific device used to provide chemical analyses, measurements, and other research features. Ordinarily, they are built to specifications to meet the particular requirements of the user. In the use of this instrument, the material to be studied is subjected to an ionizing process after which the ions formed are physically separated according to mass by electromagnetic means so that a mass spectrum is produced. The mass spectrometer purchased by Princeton University is an AEI model MS9 mass spectrometer made in England. Your committee is advised that the British instrument can perform a number of research functions that could not be duplicated by domestically produced mass spectrometers of this type.

In this connection, the report of the Department of Commerce on H.R. 1886 further states:

"Therefore, within the context of the needs of Princeton University, this Department must conclude that, at the time the university purchased these two instruments, no instruments of equivalent scientific value were available from domestic manufacturers of such instruments."

The committee is informed that the subject instruments were imported prior to February 1, 1967, and therefore Public Law 89-651, the Educational, Scientific, and Cultural Materials Importation Act of 1966, which became effective on that date would not be applicable.

In the circumstances, the Committee on Finance, like the Committee on Ways and Means of the House, is of the opinion that this legislation is meritorious and consistent with prior legislation of this nature, and recommends its enactment.

FREE ENTRY OF CARILLON FOR USE OF UNIVERSITY OF CALIFORNIA AT RIVERSIDE

The bill (H.R. 3737) to provide for the free entry of a carillon for the use of the University of California at Riverside was considered, ordered to a third reading, read the third time, and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 460), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

PURPOSE

The purpose of H.R. 3737 is to provide for the free entry of a carillon for the use of the University of California at Riverside, Calif.

GENERAL STATEMENT

H.R. 3737 would direct the Secretary of the Treasury to admit free of duty a carillon imported for the use of the University of California at Riverside, Calif., and further provides for reliquidation of the entry and appropriate refund of duty in the event liquidation of the entry has become final.

The Committee on Finance is advised that the carillon, which was purchased from Les Fils de Georges Paccard in France, will serve as the esthetic focal point of the University of California at Riverside campus, and will also be used for educational purposes by the music department of the university. In the absence of legislation, the carillon would be classifiable under the provisions of item 725.38 of the Tariff Schedules of the United States and dutiable at the rate of 6.5 percent ad valorem.

In its report to the committee on H.R. 3737, the Tariff Commission stated that the information available to it indicates that carillin bells are not produced in the United States.

In the circumstances, the Committee on Finance, like the Committee on Ways and Means of the House, is of the opinion that this legislation is meritorious and consistent with prior legislation of this nature, and recommends its enactment.

FREE ENTRY OF MASS SPECTROMETER FOR USE OF INDIANA UNIVERSITY

The bill (H.R. 4934) to provide for the free entry of one mass spectrometer for the use of Indiana University was considered, ordered to a third reading, read the third time, and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 461), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

PURPOSE

The purpose of H.R. 4934 is to provide for the free entry of one mass spectrometer for the use of Indiana University.

GENERAL STATEMENT

H.R. 4934 would direct the Secretary of the Treasury to admit, free of duty, one mass spectrometer for the use of Indiana University. The bill also provides that if liquidation of the entry has become final, the entry is to be reliquidated and appropriate refund of duty made.

A mass spectrometer is a scientific device used to provide chemical analyses, measurements, and other research features. Ordinarily, they are built to specifications to meet the particular requirements of the user. In the use of this instrument, the material to be studied is subjected to an ionizing process after which the ions formed are physically separated according to mass by electromagnetic means so that a mass spectrum is produced. The mass spectrometer purchased by Indiana University is a model MS9 mass spectrometer made in England by Associated Electronic Industries. The committee is advised that the British instrument could perform a number of research functions that could not be duplicated by domestically produced mass spectrometers of this type.

In this connection, the Department of Commerce advised your committee as follows:

"Therefore, within the context of the needs of Indiana University, this Department must conclude that, at the time the university purchased this instrument, no instrument of equivalent scientific value was available from domestic manufacturers."

Your committee is informed that the subject instrument was imported prior to February 1, 1967, and therefore Public Law 89-651, the Educational, Scientific, and Cultural Materials Importation Act of 1966, which became effective on that date would not be applicable.

In the circumstances, the Committee on Finance, like the Committee on Ways and Means of the House, is of the opinion that this legislation is meritorious and consistent with prior legislation of this nature, and recommends its enactment.

FREE ENTRY OF TRIAXIAL APPARATUS AND RHEOGONIOMETER FOR USE OF NORTHWESTERN UNIVERSITY

The bill (H.R. 4977) to provide for the free entry of a triaxial apparatus and rheogoniometer for the use of Northwestern University was considered, ordered to a third reading, read the third time, and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 462), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

PURPOSE

The purpose of H.R. 4977 is to provide for the free entry of a triaxial apparatus and rheogoniometer for the use of Northwestern University, Evanston, Ill.

GENERAL STATEMENT

H.R. 4977 would direct the Secretary of the Treasury to admit, free of duty, a Norwegian triaxial apparatus and a Weissenberg rheogoniometer (including all accompanying equipment, parts, accessories, and appurtenances), imported for the use of Northwestern University, Evanston, Ill. The bill further provides that if liquidation of the entry of any of the articles concerned has become final, the entry is to be reliquidated and appropriate refund of duty made.

The Weissenberg rheogoniometer is a unique instrument for measuring fluid viscosity. The instrument purchased by Northwestern University is a Weissenberg model (R-16) rheogoniometer manufactured by Farol Research Engineers, Ltd., of England. In its report on H.R. 4977, the Department of Commerce advised your committee that it "knows of no other commercial instrument, manufactured in the United States or elsewhere, that was capable of meeting the university's requirements for which the British instrument was purchased."

The triaxial apparatus purchased by the university is a Norwegian triaxial apparatus used for soil testing. Your committee was advised that there is no known soil testing apparatus produced in the United States which has the required characteristics.

In this connection, the report of the Department of Commerce further states:

"Therefore, within the context of the needs of Northwestern University, this Department must conclude that, at the time the university purchased these two instruments, no instruments of equivalent scientific value were available from domestic manufacturers of such instruments."

The committee is informed that the subject instruments were imported prior to February 1, 1967, and therefore, Public Law 89-651, the Educational, Scientific, and Cultural Materials Importation Act of 1966, which became effective on that date, would not be applicable.

In the circumstances, the Committee on Finance, like the Committee on Ways and Means of the House, is of the opinion that this legislation is meritorious and consistent with prior legislation of this nature, and recommends its enactment.

FREE ENTRY OF SHIP MODEL FOR USE OF THE LUTHERAN CHURCH OF THE COVENANT, MAPLE HEIGHTS, OHIO

The bill (H.R. 3029) to provide for the free entry of one ship model for the use of the Lutheran Church of the Covenant, Maple Heights, Ohio, was considered, ordered to a third reading, read the third time, and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 463), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

PURPOSE

The purpose of H.R. 3029 is to provide for the free entry of one ship model for the use of the Lutheran Church of the Covenant, Maple Heights, Ohio.

GENERAL STATEMENT

H.R. 3029 would direct the Secretary of the Treasury to admit free of duty one ship model for the use of the Lutheran Church of the Covenant, Maple Heights, Ohio. The bill further provides, that if the liquidation of the entry of the article has become final, such entry shall be reliquidated and appropriate refund of duty made.

The committee is advised that the ship model, which was made in Denmark, is a replica, approximately 53 by 40 inches in size, of the German ship *Olbers* which in 1839 brought from Europe a group of immigrants who established the Missouri Synod of the Lutheran Church. The model is to be hung in the nave of the church and is intended to serve as a memorial to these founders.

Your committee was also advised by the Department of Commerce that the model was given to the church by its pastor and that the pastor "attempted, without success, to have a model of this particular ship made in the United States."

In the circumstances, the Committee on Finance, like the Committee on Ways and Means of the House, is of the opinion that this legislation is meritorious and consistent with prior legislation of this nature, and recommends its enactment.

FREE ENTRY OF RHEOGONIOMETER FOR USE OF TUFTS UNIVERSITY, BOSTON, MASS.

The Senate proceeded to consider the bill (H.R. 2470) to provide for the free entry of one rheogoniometer for the use of Tufts University, Boston, Mass., which had been reported from the Committee on Finance with amendments on page 1, line 3, after the word "that" to insert "(a)"; after line 7, to insert:

(b) The Secretary of the Treasury is authorized and directed to admit free of duty one digital polarimeter (including all accompanying equipment, parts, accessories, and appurtenances) for the use of Mount Holyoke College.

On page 2, after line 2, to insert:

(c) The Secretary of the Treasury is authorized and directed to admit free of duty one gas-liquid chromatograph mass spectrometer (including all accompanying equipment, parts, accessories, and appurtenances) for the use of the Massachusetts Division of the American Cancer Society.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 464), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

PURPOSE OF HOUSE BILL

The purpose of H.R. 2470 is to permit the free entry of one rheogoniometer for the use of Tufts University, Boston, Mass.

SUMMARY OF COMMITTEE AMENDMENTS

The Committee on Finance amended the House bill to provide for the free importation of one Perkin-Elmer automatic digital polarimeter with accessories for the use of Mount Holyoke College, South Hadley, Mass., and one gas-liquid chromatograph mass spectrometer with accessories for the use of the Massachusetts Division of the American Cancer Society.

GENERAL EXPLANATION OF HOUSE BILL

H.R. 2470 would direct the Secretary of the Treasury to admit free of duty one rheogoniometer (including all accompanying equipments, parts, accessories, and appurtenances) for the use of Tufts University, Boston, Mass. The bill further provides that if liquidation of the entry has become final, the entry is to be reliquidated and appropriate refund of duty made.

Rheogoniometers are high-precision devices to measure viscoelastic properties of a wide range of liquids, foams, suspensions, and so forth, that otherwise would be difficult to measure because they do not obey Newtonian principles; that is, the rate of flow of these substances does not relate directly to the pressure applied to them. The instrument, originally developed by a research engineering concern in England, represents a new development in viscometric measurement, and the committee is advised that it is not commercially produced in the United States. In this connection, the Department of Commerce advised your committee in its report on the bill that it knows of no other commercial instrument, manufactured in the United States or elsewhere, that was capable of meeting the university's requirements for which the British instrument was purchased. Your committee is informed that the subject instrument was imported prior to February 1, 1967, and therefore Public Law 89–651, the Educational, Scientific, and Cultural Materials Act of 1966, which became effective on that date would not be applicable. This act provides for free importation of scientific instruments by scientific and educational institutions when comparable instruments are not available from domestic sources.

EXPLANATION OF COMMITTEE AMENDMENTS

The committee amended the House bill in two respects. First, to provide for the free importation of one Perkin-Elmer automatic digital polarimeter (including all accompanying equipment, parts, accessories, and appurtenances) for the use of Mount Holyoke College. A digital polarimeter is a laboratory instrument which has a variety of uses and applications dependent upon the molecular configuration of certain organic compounds. Polarimeters measure the degree of rotation of a beam of polarized light passing through a solution of the compound under study. In the sugar industry solutions are analyzed for their sucrose content in routine plant control. The strength and purity of many drugs and other chemicals can be measured by the use of polarimeters. Certain recording polarimeters may be used to follow the progress of chemical reactions by measuring the degree of rotation of the beam of polarized light at various intervals of time. A digital polarimeter is one having an automatic readout which indicates the results automatically on a numerical dial. An important feature of this letter type of equipment is that it permits accurate measurements to be made by nonspecialist operators. This amendment contains the substance of S. 1380.

The second amendment made by the committee authorizes the free entry of one gas-liquid chromatograph mass spectrometer (including all accompanying equipment, parts, accessories, and appurtenances) for the use of the Massachusetts Division of the American Cancer Society. This is a highly specialized instrument which combines the function of a mass spectrometer and a gas chromatograph in a single integrated apparatus. This spectrometer represents a technological breakthrough in the study of steroid hormones; how they are formed, transported, and degraded in normal individuals and in cancer patients. This amendment embodies the text of S. 1381.

The amendments further provide that if liquidation of the entry has become final, the entry is to be reliquidated and appropriate refund of duty made.

The recommendation of the committee on these amendments is consistent with prior committee action to permit the free importation of similar scientific instruments for the use of educational and scientific institutions when domestically produced instruments of equivalent sicentific value were not available. Since the transactions surrounding the purchase and importation of these instruments took place prior to February 1, 1967, Public Law 89–651, the Educational, Scientific, and Cultural Materials Act of 1966 is not applicable.

In the circumstances, the Committee on Finance is of the opinion that this legislation, as amended, is meritorious and consistent with prior legislation of this nature and recommends its enactment.

The amendments were agreed to.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill was read the third time, and passed.

The title was amended so as to read: "An act to provide for the free entry of certain scientific instruments and apparatus for the use of Tufts University, Mount Holyoke College, and the Massachusetts Division of the American Cancer Society."

AMENDMENT OF THE INDIAN LONG-TERM LEASING ACT

The Senate proceeded to consider the bill (S. 285), to amend the Indian Long-Term Leasing Act which had been reported from the Committee on Interior and Insular Affairs with amendments on page 1, line 11, after the word "this" to strike out "section" and insert "Act"; on page 2, line 7, after the word "exceed" to strike out "twenty-five" and insert "forty"; in line 8, to strike out "fifty-five" and insert "sixty-five"; in line 9, after the word "except" to insert "such other"; in line 11, after the word "Reservation" where it appears the first time to insert "the Fort Mojave Reservation, the Pyramid Lake Reservation, the Pueblo of Pojoaque, the Pueblo of Tesuque, the Pueblo of Cochiti, the

Pueblo of Zuni, the Hualapai Reservation, the Yavapai Reservation, the San Carlos Apache Reservation, the Gila River Reservation, the Havasupai Reservation, the Tulalip Reservation, the Swinomish Reservation, the Lummi Reservation,"; and in line 20 after the word "renew" to strike out "which extends" and insert "which, if exercised, would extend"; so as to make the bill read:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 1 of the Act of August 9, 1955 (69 Stat. 539), as amended, is hereby amended to read as follows: "Any restricted Indian lands, whether tribally or individually owned, may be leased by the Indian owners, with the approval of the Secretary of the Interior, for public, religious, educational, recreational, residential, business, farming, or grazing purposes, including the development or utilization of natural resources in connection with operations under such leases, but no lease shall be executed under this Act for purposes that are subject to the laws governing mining leases of Indian lands. The term of a grazing lease or a farming lease that does not require the making of a substantial investment in the improvement of the land shall not exceed ten years. The term of a farming lease that requires the making of a substantial investment in the improvement of the land shall not exceed forty years. The term of any other lease shall not exceed sixty-five years, except such other leases of land on the Agua Caliente (Palm Springs) Reservation, the Dania Reservation, the Southern Ute Reservation, the Fort Mojave Reservation, the Pyramid Lake Reservation, the Pueblo of Pojoaque, the Pueblo of Tesuque, the Pueblo of Cochiti, the Pueblo of Zuni, the Hualapai Reservation, the Yavapai Reservaton, the San Carlos Apache Reservation, the Gila River Reservation, the Havasupai Reservation, the Tulalip Reservation, the Swinomish Reservation, the Lummi Reservation, and the Navajo Reservation which may be for a term of not to exceed ninety-nine years. No lease shall contain an option to renew which, if exercised, would extend the term beyond the maximum term permitted by this Act. The Secretary of the Interior shall not approve any lease with a term that is longer than is necessary in his judgment to obtain maximum economic benefits for the Indian owners."

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 465), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

PURPOSE OF THE BILL

The primary purpose of S. 285, as amended is to amend section 1 of the 1955 Indian Leasing Act (69 Stat. 539) relating to leases of individual and tribal lands for public, religious, educational, recreational residential, and business purposes by increasing the maximum term of such leases from 50 to 65 years. In addition, the bill authorizes leases for up to 99 years for several Indian pueblos and reservations in the States of New Mexico, Arizona, and Washington, and provides for farming leases up to 40 years in length under certain circumstances on all reservations.

BACKGROUND

The Senate report on S. 34, a bill that became Public Law 255, 84th Congress, the Long-Term Leasing Act, explained the need for such legislation in the following terms:

"The bill, as reported, would permit the Indian owners of restricted Indian lands in the United States to lease their lands for a period of 25 years with the approval of the Secretary, for public, religious, educational, recreational, residential, or business purposes, including the development or utilization of natural resources in connection with operations under such leases. In addition, these lands could be leased for farming purposes which require the making of substantial investment in the improvement of the land for the production of specialized crops. The bill in section 2 would also authorize leasing of restricted lands of deceased Indians for the benefit of their heirs or devisees.

"In general, the laws now governing the leasing of restricted Indian lands preclude leasing for periods of longer than 5 years. The absence of authority for long-term leases discriminates against Indians who own restricted lands that are suitable for the location of business establishments, residential subdivisions, summer homes, airports, or for other purposes that require a substantial outlay of capital by the prospective lessee. It also penalizes Indian owners of raw but potentially valuable farmlands on which the cost of subjugation is too great for the Indian himself to finance. In such cases, prospective lessees are willing to undertake these expensive improvements only if guaranteed tenure by a long-term lease.

"Because of existing limitations upon the duration of leases, many Indian lands which could be profitably utilized under long-term leases are idle, and the Indians are deprived of much-needed income. Other lands that are leased for shorter periods would bring much higher rentals to the Indians if the lands could be leased on a long-term basis. Enactment of S. 34 will remove these unfair restrictions."

As attempts have been made to negotiate long-term development leases under this act it has become obvious that the term is insufficient.

Beginning in 1959, the 1955 act has been amended six times to allow development leases to be made for terms of up to 99 years on the Palm Springs, Navajo, Dania, Southern Ute, Fort Mojave, and Pyramid Lake Reservations. Congress has also granted 99-year-lease authority on the Colorado River, the San Xavier, and the Salt River Reservations by legislation which does not amend the 1955 act.

NEED

There are several reasons why a general 50-year lease term or a 25-year farming term are inadequate to permit the proper development of Indian property:

First, a 50-year-lease term excludes much financing which should be available. Such a term effectively prevents obtaining FHA mortgage insurance and loans from Federal savings and loan associations because of statutory or regulatory limitations. It also excludes loans from other institutional sources, which although they may not be inhibited by law, require lease terms exceeding 50 years before they will loan on the security of a lease.

Second, a 50-year-lease term makes no allowance for a large development which must be carried out over a period of years. A large residential-recreational complex such as is contemplated on some reservations may require 10, 15, or even 20 years to complete.

Third, a 50-year term does not allow for any buffer to protect a developer. Most reservations are, to one degree or another, removed from existing developed areas and therefore anyone proposing to develop land there faces risks and uncertainties not existing in established communities. Furthermore, in almost every area, a buyer's resistance to leases exists which must be overcome. These and similar factors may prevent development at as rapid a pace as anticipated when a lease is made.

Fourth, a 50-year term does not take into consideration the problem of refinancing when a holder of a lease wishes to sell his interest. This is particularly critical where housing developments are concerned. The same limitations apply in refinancing already mentioned for original financing and some latitude must exist, either in the original lease term or in the ability to extend that term later, so that refinancing will be possible.

Fifth, the Bureau of Indian Affairs has encountered difficulty in leasing certain Indians lands for farming purposes where, under existing 25-year authority, the lessee is required to make a substantial investment. This is demonstrated most dramatically in those reservation areas best suited for orchard purposes. Studies indicate that a lease period of not less than 40 years is necessary to permit the amortization of cost of subjugating and planting citrus and apple orchards.

AMENDMENTS

As introduced, S. 285 would have permitted leases for 55 years and limited farming leases to 25 years. Although the Department of the Interior recommended 99-year leasing on all reservations, the committee believes it is desirable to amend the 1955 act to permit leases for public, religious, educational, recreational, residential, and business purposes on all Indian reservations where the 50-year limitation applies for terms not to exceed a maximum of 65 years. It also recommends that a maximum lease term for farm leases of up to 40 years should be available with respect to all reservations where substantial investment is required to maximize economic development. S. 285 has been amended to reflect these recommendations and to include in the 1955 act, as amended, the following tribes who have requested and need leasing authority for terms up to 99 years:

Pueblo of Pojoaque, Pueblo of Tesuque, Pueblo of Cochiti,

Pueblo of Zuni, Hualapai, Yavapai, San Carlos Apache,

Havasupai, Gila River, Tulalip, Swinomish, and Lummi.

The bill omits the reference in the present law to the production of specialized crops, but it retains the basic provision about substantial investments in the improvement of the land. Farming leases that do not require substantial investments in improvements are included in the bill in order that all nonmineral leasing authority may be included in one act.

S. 285 reduces the existing authority for farming leases that require the making of a substantial investment in the improvement of the land on the Agua Caliente (Palm Springs), Dania (Hollywood), Southern Ute, Fort Mojave, Navajo, Pyramid Lake, and Colorado River Reservations, from 99 years to a maximum of 40 years.

The bill retains the language of the present law to the effect that business leases may include the "development or utilization of natural resources in connection with operations under such leases," but adds a clarifying statement that the authority to lease land for the development or utilization of natural resources does not extend to leases for purposes that are subject to the Indian mineral leasing laws.

The Secretary of the Interior may not approve any lease with a term longer than is necessary to obtain maximum economic benefits for the Indian owners.

The amendments were agreed to.

The bill was ordered to be engrossed for a third reading, was read the third time, and passed.

INCREASE IN AUTHORIZATION FOR INDIAN ADULT VOCATIONAL EDUCATION

The Senate proceeded to consider the bill (S. 306) to increase the amounts authorized for Indian adult vocational education which had been reported from the Committee on Interior and Insular Affairs with an amendment in line 7, after the word "thereof" to strike out "'$20,000,000'" and insert "$25,000,000"; so as to make the bill read:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 2 of the Act entitled "An Act relative to employment for certain adult Indians on or near Indian reservations", approved August 3, 1956 (25 U.S.C. 309a), is amended by striking out "$15,000,000" and inserting in lieu thereof "$25,000,000".

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the Record an excerpt from the report (No. 466), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the Record, as follows:

PURPOSE

The purpose of S. 306 is to amend the act of August 3, 1956 (70 Stat. 986, 25 U.S.C. 309), entitled "An act relative to employment for certain adult Indians on or near Indian reservations," by increasing the amount authorized to be appropriated for the program from $15 to $25 million annually.

NEED

This legislation is necessary in order to accommodate the large number of Indians who are seeking additional education under the 1956 act. The response of the Indians to the opportunity afforded them in vocational courses and on-the-job training has been most favorable. From its inception through fiscal year 1966, approximately 18,000 individuals have enrolled in various vocational programs throughout the United States. Of this number, more than 11,000 have completed training; 2,200 are still in training; and 4,500 have discontinued.

At the hearing on S. 306 on June 26, 1967, the committee received testimony from Department of the Interior witnesses to the effect that this program is extremely popular among the younger generation of Indians, and it is expected that there will be a substantial increase in the demand for these services in the near future. The committee was also advised that many of the Indians who have participated in the program are now residing in urban localities and experiencing full employment and modern conveniences enjoyed by other members of the American society.

During fiscal year 1966, 5,072 heads of families or single persons were furnished institutional training. Of this number 2,109 completed training, 888 discontinued training, and the balance of 2,075 was still in training on July 1. In addition, 1,652 persons were placed in on-the-job training.

Notwithstanding the fact that this program has been increased approximately every 2 years since 1956, there is still a backlog of more than 900 applicants for training for whom funds are not available. The committee feels that this program is one of the most successful undertakings of the Bureau of Indian Affairs and strongly recommends the continuance and enlargement of it, which S. 306 will make possible.

Although the bill as introduced provided for only a $5 million increase, it was the committee's belief, based on the testimony received, that the $10 million figure recommended by the Department of the Interior should be adopted. Although there has been a substantial expenditure of funds for this program (approximately $50 million since fiscal year 1962), the successful training and placement of those who have taken advantage of the program has returned to the Federal treasury many thousands of dollars in tax revenue, and, therefore, to some extent the program is self-supporting.

COST

Annual appropriations authorized for the Indian adult vocational training program will be increased by $10 million; i.e., from $15 million to $25 million per year.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, was read the third time, and passed.

EMERGENCY FOOD AND MEDICAL SERVICES

The bill (S. 2138) to authorize the Secretary of Agriculture and the Surgeon General of the United States to provide food and medical services, on an emergency basis, to prevent human suffering or loss of life, was announced as next in order.

The PRESIDENT pro tempore. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on Labor and Public Welfare, with an amendment to strike out all after the enacting clause and insert:

That (a) notwithstanding any other provision of law, the Secretary of Health, Education, and Welfare and the Secretary of Agriculture are authorized to take such action as may be necessary on an emergency basis to provide nutritious food and medical services to any individual in any State whenever such action is required to prevent the loss of such individual's life, physical impairment, or to avoid suffering caused by lack of nutritious food or medical attention.

(b) Regulations and procedures for carrying out the provisions of this section in any State shall be jointly issued by the Secretary of Health, Education, and Welfare, the Secretary of Agriculture and the Governor of such State. Such regulations and procedures shall be adopted by the affirmative vote of any two of the above-named officials.

Sec. 2. The Secretary of Health, Education, and Welfare and the Secretary of Agriculture, in consultation and cooperation with other officials of the Federal Government, shall make a comprehensive study of the incidence and location of serious hunger and malnutrition and health problems incident thereto in the United States and shall report their findings and recommendations for dealing with these conditions to the Congress within six months from the date of enactment of this Act. The conduct of this study shall in no way interfere with or delay action under the first section of this Act.

Sec. 3. For the purpose of carrying out the provisions of this Act there are hereby authorized to be appropriated, for the fiscal year ending June 30, 1968, the sum of $25,000,000, and for the next succeeding fiscal year, the sum of $50,000,000.

Sec. 4. As used in the Act, the term "State" means the fifty States and the District of Columbia; and the term "Governor" shall, in the case of the District of Columbia, be deemed to mean the Commissioners of the District of Columbia.

ORDER FOR TRANSACTION OF ROUTINE BUSINESS

Mr. MANSFIELD. Mr. President, this bill is the unfinished business. I ask unanimous consent that at the conclusion of the consideration of the bill, there be a period for the transaction of routine morning business, with statements limited to 3 minutes.

The PRESIDENT pro tempore. Without objection, it is so ordered.

ORDER OF BUSINESS

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the pending business be temporarily laid aside, and that the Senate proceed to the consideration of Calendar No. 454, S. 862.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

SMALL RECLAMATION PROJECTS ACT OF 1956

The bill (S. 862) to amend the Small Reclamation Projects Act of 1956, as amended, was announced as next in order.

The PRESIDENT pro tempore. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on Interior and Insular Affairs with an amendment to strike out all after the enacting clause and insert:

That the Small Reclamation Projects Act of 1956 (70 Stat. 1044), as amended, is hereby further amended as follows:

(1) In section 2, subsection (d) strike the text of item (i) and insert the following:

"(i) any complete water development for irrigation or for irrigation and domestic, municipal, and/or industrial use, including incidental features thereof, or a distinct unit of such an undertaking or a rehabilitation and betterment program for a similar existing project, authorized to be constructed pursuant to the Federal reclamation laws".

(2) Section 4, subsection (d), strike the subsection, and insert the following:

"(d) The Secretary shall not participate financially in any such project until thirty days from the date on which the Secretary's findings and approval have been transmitted to the Congress. The provisions of this subsection shall not be applicable to proposals made under section 6 of this Act."

(3) Section 4, subsection (e), strike out the word "irrigation" wherever it now appears; and add to the end of the first sentence of said subsection the words "irrigation or for irrigation and domestic, municipal, and/or industrial use."

So as to make the bill read:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Small Reclamation Projects Act of 1956 (70 Stat. 1044), as amended, is hereby further amended as follows:

(1) In section 2, subsection (d) strike the text of item (i) and insert the following:

"(i) any complete water development for irrigation or for irrigation and domestic, municipal, and/or industrial use, including incidental features thereof or a distinct unit of such an undertaking or a rehabilitation and betterment program for a similar existing project, authorized to be constructed pursuant to the Federal reclamation laws".

(2) Section 4, subsection (d), strike the subsection, and insert the following:

"(d) The Secretary shall not participate financially in any such project until thirty days from the date on which the Secretary's findings and approval have been transmitted to the Congress. The provisions of this subsection shall not be applicable to proposals made under section 6 of this Act."

(3) Section 4, subsection (e), strike out the word "irrigation" wherever it now appears; and add to the end of the first sentence of said subsection the words "irrigation or for irrigation and domestic, municipal, and/or industrial use."

The PRESIDENT pro tempore. The question on agreeing to the committee amendment.

The committee amendment was agreed to.

Mr. MOSS. Mr. President, I rise to support S. 862, which incorporates the provisions of my bill, S. 1609, to amend the Small Reclamation Projects Act of 1956 to provide that projects may qualify for loans to build projects to supply water primarily for irrigation, but which might, during the payout period, due to changing conditions, turn out to provide water more than one-half for municipal and industrial use.

During the 10 years that the small reclamation loan program has been in operation, numerous projects have been qualified for assistance on the basis that they are needed to provide water primarily for irrigation, although it was possible that someday they might be used principally to supply residential and industrial water.

However, in the last year it has become evident that the Department of the Interior has developed a new interpretation of the law, and now holds that projects do not qualify if, during the course of the loan repayment period, the water uses might become primarily for other than irrigation purposes. This interpretation has already killed the loan application of the Roy Water Conservancy Subdistrict in my State of Utah, and it is threatening other applications.

For example, the Valley Center Municipal Water District near Escondido, Calif., has just filed an application for a small project which contemplates a shift during the project's life from irrigation uses to municipal purposes.

Again, at Fort Collins, Colo., users of irrigation water in three large ditches are contemplating improvements which would be of value to the city and also to Colorado State University which is located there.

Neither of these projects would qualify for small project loans under the present policies of the Department of the Interior. The proposed amendments to the Small Reclamation Projects Act would enable both of them to qualify.

The folly of separating water used for municipal use and for irrigation use, in small projects, is being recognized by many of the States. Last winter the Montana Legislature amended two laws to make possible projects which would serve multipurpose, county-city water lines.

At the Senate hearings held on S. 1609, Mr. W. S. Gookin, president of the Association of Western States Engineers, and State engineer for Arizona, stated:

> Where population is increasing as rapidly as is ours, there is a tendency for municipal and domestic uses to expand into the irrigation area . . . The obvious answer is to design and construct multipurpose systems to serve irrigation and municipal uses, with provision for progressive conversion from irrigation to municipal supplies.

In other words, Montana has recognized its problem and dealt with it so far as State legislation is concerned, and Arizona is facing up to the importance of allowing flexibility in planning so water supplies may serve both irrigaters and urban users, if necessary. Passage of this bill would help both States implement their plans.

May I point out also that the Water Supply Act of 1958 specifically provides for the inclusion of storage for future municipal use, and that the very recent report of the President's National Advisory Commission on Food and Fiber recommends greater flexibility in projects for water development, especially a flexibility that would facilitate the shift from irrigation to municipal and industrial uses.

If this concept is sound for large reclamation and multiple purpose projects, and if a national advisory commission dedicated to the production of more food and fiber feels it is a wise procedure, why is it not a valid approach for a small water project?

Under the philosophy which now prevails in the Department of the Interior, each small reclamation project which comes up for approval is subject to a great guessing game. They are approved or disapproved on the basis of someone's guess as to what type of development will take place 40 or 50 years hence in the area in which the project is to be located.

Or they might be approved, as was the application of the West San Bernardino County Water District, with the unique provision that the project be terminated should municipal requirements exceed those for irrigation.

Mr. President, why is it not good business to plan a system for agricultural use now which can be converted gradually to municipal and industrial use if urbanization of the area makes this desirable? Why should we not do the comprehensive planning necessary now to supply today's needs, and be ready for tomorrow's when they come?

If we do not make some provision of this type of development in the Small Reclamation Act, many small projects which we need now will not be built. Ordinarily, there is no other place such a project can go for financing. It is difficult to obtain sufficient financing from private sources because undeveloped or partially developed areas have little or no bonding capacity. And there are no other Federal programs under which they can qualify.

Let me make it clear, of course, that I am not talking about grants or subsidies for these projects, but about loans which will be fully repaid, with interest.

Mr. President, I was the sponsor of the bill which Congress enacted last session to improve and extend the Small Reclamation Projects Act of 1956. This very successful program must continue.

At the time my bill was under consideration last year, the problems I have discussed today had not arisen. We in Congress were not aware of the change of policy about to take place in the Department of the Interior.

So it now becomes necessary to amend the Small Reclamation Projects Act again. I ask that S. 862, which has been amended by the Interior Committee to include the provisions of S. 1609, be passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 468), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

PURPOSE

On January 20, 1967, the Secretary of the Interior transmitted to the Congress draft legislation proposing an amendment to the Small Reclamation Projects Act. He also advised that after the end of the 89th Congress no further small reclamation projects would be transmitted to the Congress until the change that had been suggested was adopted.

In his letter of transmittal he stated:

"The present provisions of subsection 4(d) are similar to those in a bill vetoed by the President, S. 327, 89th Congress, the proposed Pacific Northwest Disaster Relief Act of 1965. In his veto message on that bill the President based his objection to such provisions on the ground that they violated the separation-of-powers doctrine by encroaching on executive responsibility which cannot be shared with a committee of the Congress. The President expressed the same constitutional objections to comparable authority in the Flood Control Act of 1965 and has directed the Secretary of the Army not to use that authority."

Although the committee does not necessarily agree with the conclusions of the executive agencies either on policy on constitutional issues, it was agreed to report the bill in order to continue the small reclamation projects program which has proven to be successful. It is such an insignificant matter pertaining to a power seldom if ever used. We therefore believe the Congress should approve the bill and remove the veto power of the respective Interior and Insular Affairs Committees over project proposals.

AMENDMENTS

On April 24, 1967, Senator Moss, of Utah, introduced in the Senate S. 1609, a bill to further amend the Small Reclamation Projects Act for the purpose of redefining and clarifying the sections providing for qualifications of applicants for small projects loans.

A favorable report on the proposal was received from the Department of the Interior. On June 7, 1967, the Water and Power Resources Subcommittee of the Interior and Insular Affairs Committee held hearings on both S. 862 and S. 1609.

Since both measures provided for amendment of the Small Reclamation Projects Act, it was the committee decision to incorporate the provisions of both in a single measure and favorably report the amended version to the Senate.

The purpose of S. 1609, the text of which constitutes the amendments to S. 862, is to clarify the authority of the Department of the Interior to make loans to certain projects which might not now qualify or in which eligibility is now questioned.

The projects in question are those which would now supply water mainly for irrigation purposes but which might, sometime during the payout period of the loan, be used primarily to supply other types of uses due to the changing character of the area served by the project.

Applications on projects of this type have been rejected or are being held up by the Department of the Interior under its present interpretation of the law.

The holdup in the approval of projects resulted in the introduction of S. 1609 to permit Congress to clarify its intention. Applications are now being approved or disapproved on the basis of an uncertain estimate as to what type of development will take place in the future in the area in which projects are located.

Enactment of this bill would take the guesswork out of decisions as to whether or not a small reclamation project is eligible for a loan by removing from the basic act the requirement that the project be and remain primarily for irrigation to be eligible for a loan.

In its favorable report on S. 1609 the Department stated:

"The present legislation governing the program limits consideration to proposals supporting projects which are primarily for the purposes of irrigation water supply. There is a need in the program for coverage of projects in which the agricultural water supply is not the principal project purpose. Many projects, which at the time of applications for loans are primarily irrigation projects, are in areas which will probably be converted to nonagricultural use in the near future. Projects of this type present difficulty in the administration of the program.

"The Small Reclamation Projects Act is supplementary to the Federal reclamation laws and the program authorized by it is an adjunct to the regular reclamation program. In recent years, the regular program has increasingly responded to the need for municipal and industrial water supply. The proposed measure would assist the loan program in proceeding in a parallel direction."

The committee concurs in this reasoning and unanimously recommends the enactment of S. 862 as amended.

The **PRESIDENT** pro tempore. The bill is open to further amendment. If there be no further amendment to be proposed, the question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed for a third reading, was read the third time, and passed.

EMERGENCY FOOD AND MEDICAL SERVICES

The Senate resumed the consideration of the bill (S. 2138) to authorize the Secretary of Agriculture and the Surgeon General of the United States to provide food and medical services, on an emergency basis, to prevent human suffering or loss of life.

Mr. CLARK. Mr. President, I move the adoption of the committee amendment.

The committee amendment was agreed to.

Mr. CLARK. Mr. President, the purpose of S. 2138 is to authorize the Secretary of Health, Education, and Welfare and the Secretary of Agriculture to take such emergency action as may be necessary in any State, under regulations and procedures jointly issued with the Governor of State, to provide food and medical services to any individual to prevent the loss of such individual's life, to prevent an individual's physical impairment or to avoid suffering caused by lack of food or medical attention. Regulations and procedures would be adopted by the affirmative vote of any two of these officials.

This bill was introduced by the Senator from Mississippi [Mr. STENNIS]. It was approved unanimously, as an emergency measure, by all 16 members of the Committee on Labor and Public Welfare; and it is brought before the Senate in the hope that it can be passed this morning and sent to the House.

I ask unanimous consent that appropriate sections from the committee report may be reprinted in the RECORD at this point.

There being no objection, the excerpts were ordered to be printed in the RECORD, as follows:

HUNGER IN AMERICA

In a small Appalachian town near the border between Virginia and Tennessee five small children tore apart and devoured a chicken before it could be cooked. It was the first meat the family had to eat for 3 months.

In the San Joaquin Valley of California, 50 yards off a seldom-traveled road, a migrant family of seven, the youngest child not yet two, were living in a pickup truck abandoned by a small stream. They had had no breakfast and did not know where they would find food for lunch. In other years they could have fished but the stream had dried up.

In Cleveland, Miss., a middle-aged mother had signed up for food stamps but had never been able to pay the $12 to buy $76 worth of food stamps because she had no income. She and her six children had eaten rice and biscuits left over from surplus commodities which had been distributed the month before. They would go without lunch. Her youngest baby, a few weeks old, had never had milk.

In the village of Anatuvak Pass, Alaska, the population of 114 lives almost entirely on caribou meat, shot once each year and buried in the frozen ground during the 3 days on which thousands of caribou pass through that area. Because she lacked the nutrients to sustain proper bone development, a 5-year-old girl lost all her teeth and can no longer eat caribou meat.

These are but four of the many hungry American families which the Subcommittee on Employment, Manpower, and Poverty of the Committee on Labor and Public Welfare has seen or had reported to it during the first 4 months of hearings and field inspection trips to nine States in its 8-month examination and evaluation of the war on poverty.

The subcommittee also received specific reports as to acute and serious hunger and malnutrition among rural families living in New Mexico, Arkansas, and South Carolina, on Indian reservations in South Dakota and Oklahoma, and among urban families in Pennsylvania and Washington, D.C.

Testimony was also heard of the medical effects of chronic hunger and malnutrition. One physician who recently testified before the subcommittee summarized what he and four other doctors had observed in these words:

> We saw children whose nutritional and medical condition we can only describe as shocking—even to a group of physicians whose work involves daily confrontation with disease and suffering. In child after child we saw evidence of vitamin and mineral deficiencies; serious untreated skin infections and ulcerations; eye and ear diseases, also unattended bone diseases; the prevalence of bacterial and parasitic diseases as well as severe anemia with resulting loss of energy and ability to lead a normally active life; diseases of the heart and the lungs, requiring surgery, which have gone undiagnosed and untreated; epileptic and other neurological disorders; severe kidney ailments that in other children would warrant immediate hospitalization; and, finally, in boys and girls in every county we visited, obvious evidence of severe malnutrition, with injury to the body's tissues—its muscles, bones, and skin as well as an associated psychological state of fatigue, listlessness, and exhaustion.

NEED FOR LEGISLATION

Eighteen months ago a Member of the House of Representatives reported to Federal officials desperate conditions of near starvation among families living in the Mississippi River Delta. Similar reports were made in the summer of 1966 to the Secretary of Agriculture by the Agriculture Department's Civil Rights Advisory Commission with recommendations for immediate action.

On April 26, 1967, the Secretary of Agriculture reported to the Subcommittee on Employment, Manpower, and Poverty that the mechanization of agriculture and better use of chemicals has lessened the need for fieldworkers in the Southeastern United States and "has brought about a situation in which it is estimated that 40,000 to 60,000 people with little or no cash income may be living in the delta area this summer."

On April 27, 1967, the subcommittee urged the President of the United States to take immediate emergency action to provide necessary food and other assistance to families suffering from acute hunger and malnutrition. Again on June 19, 1967, the subcommittee urged the Secretaries of Agriculture and Health, Education, and Welfare and the Director of the Office of Economic Opportunity to provide emergency assistance to such families.

On July 12, 1967, the subcommittee heard testimony from the Secretary of Agriculture, the Surgeon General of the United States, and the Director of the Office of Economic Opportunity. At this hearing the subcommittee sought to determine the extent of the Federal Government's knowledge of the incidence, location, and effects of serious hunger and malnutrition; the steps which had been taken to provide necessary food and medical assistance; and what, if any, additional legislative authority would be needed to provide such assistance on an emergency basis.

The Secretary of Agriculture has authority in an emergency under the Food Stamp Act of 1964 to distribute surplus commodities in areas where food stamp programs are in operation. The Secretary testified, however, that he believed such authority to be too limited to enable him to provide necessary emergency assistance to individuals, and that, in any event, the Federal Government, in such emergencies, can distribute only surplus foods available at the time.

In light of testimony given by the Secretary of Agriculture and because the record is clear that necessary food and medical attention is not or has not been made available through existing programs under present authority, the committee believes that additional legislation is required to authorize such assistance on an emergency basis.

Mr. STENNIS. Mr. President, as the author of the bill, I am glad to see it come to the floor for consideration today, and I hope it will be passed.

I wish to make some remarks later today, as a part of the legislative history of the bill, but I understand that the majority leader wishes to proceed with some other measures on the calendar, and I am entirely willing that the bill be considered and passed at this time. I shall forego making my remarks now, with the understanding that when I do make them, they will follow the remarks of the Senator from Pennsylvania.

My subsequent remarks will include the points I wish to make now: First, this is an emergency program, as the Senator from Pennsylvania has so well stated. Second, I consider an essential and necessary part of the bill the provision that it put the power and the money in the hands of the Secretary of Agriculture and the Secretary of HEW, and that the Governor of a State in which the program operates be a member of the three-man Board—but the controlling vote shall be any two members of this three-member group.

I shall enlarge on these remarks as a part of the history of the bill later.

Mr. President, the Senator from Pennsylvania, as the chairman of the subcommittee in the preparation of the bill, has certainly extended to me every courtesy and consideration and I do want to say this on the Senate floor as well as thank him.

Mr. CLARK. I thank the distinguished Senator from Mississippi.

Mr. JAVITS. Mr. President, with respect to the position of the minority in this matter it has been noted by the Senator from Pennsylvania that there was a unanimous report of the entire committee. The ranking minority member of the subcommittee, the Senator from Vermont [Mr. Prouty], as well as I, and other members of the minority joined in supporting the bill.

This bill is something upon which we can all agree. Whatever may be the lacunae in the operation or the powers of the various Government departments, whatever restrictions are put on them by regulation or by law, this bill seeks to exorcise starvation or severe malnutrition in our country. The Senator from Mississippi and all of us feel the same way on this matter. Mr. President, this bill, in my judgment, carries out our common intention.

I wish to call special attention to section 2 which seeks to make available to all of us information as to whether this situation really exists in other parts of the country other than the one on which we are focusing at the moment. That section is tremendously essential as an element of the bill. I wish to express my gratitude to the Senator from Mississippi [Mr. Stennis] and the Senator from Pennsylvania [Mr. Clark] for including this provision. It was a difficult question, and now we will have an authoritative finding on it soon.

Mr. CLARK. I thank the Senator.

Mr. MORSE. Mr. President, will the Senator yield?

Mr. CLARK. I yield to the Senator from Oregon.

Mr. MORSE. Mr. President, I wish to say to the Senator from Pennsylvania and the Senator from Mississippi that I join with them and the Senator from New York in highly approving this bill. However, not only do I wish to commend them but I wish to highly praise the Senator from Pennsylvania and his committee, and the Senator from Mississippi [Mr. Stennis] for the course of action they have followed in connection with the bringing before us today, ready for passage in the Senate, this humanitarian bill. This legislation demonstrates what the Senate can do when it wants to pass legislation quickly, and legislation that should be passed quickly. Only a few days ago the Senator from Mississippi [Mr. Stennis] stood on the floor of the Senate and introduced this bill and made an eloquent argument in support of it, pointing out, quite rightly, that after all, this represents pretty much a national problem and it is not limited to any particular area of our country.

In this instance, only a few days thereafter, we have completed committee hearings and committee action, the bill has been placed on the Senate Calendar, and under the leadership of our great majority leader, the Senator from Montana [Mr. Mansfield], the bill is ready for a vote on the floor of the Senate within the next few minutes.

Mr. President, I shall characterize this bill because Senators have heard me talk so many times about the moral law and have heard me say so many times that one of the basic responsibilities of statesmanship in the Senate is to implement in legislative form the great moral principles that we prate about so often we, as Senators, do fall short of accomplishing our obligation in carrying out the moral law. This is a moral law and I would characterize it as carrying out the Biblical teaching that we are our brother's keeper. That is the purpose of the bill and I am delighted to be one of its cosponsors. It will be a privilege to vote for the bill in a few moments.

Mr. CLARK. Mr. President, I thank the Senator from Oregon.

Mr. STENNIS. Mr. President, it is understood that my remarks to be made on the legislative history of the bill and my ideas about this not being an encroachment nor substitute for the stamp plan or commodity plan will be considered as a part of the legislative history.

Mr. CLARK. Together with any comments that members of the committee or other Senators wish to make.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. KENNEDY of Massachusetts. Mr. President, I urge immediate passage of S. 2138 as the first step in meeting a national health emergency.

The hearings which the Subcommittee on Manpower, Employment, and Poverty, held in Mississippi during April and in Washington during July, have laid bare with dramatic and frightening proof the nature of this emergency. There are pockets of people throughout this Nation who face imminent starvation, and who are suffering and dying from the want of the most rudimentary medical treatment. In Mississippi, the subcommittee saw the deplorable conditions first hand. In Washington, the subcommittee saw photographs and heard testimony which document the conditions in which these Americans lived.

As shocking as the fact that these conditions exist is the fact that the Nation is, to a large degree, ignorant of them. Even now, the full extent of the problems is not evident; we know only that starvation and extreme ill-health problems exist in some areas, and must undoubtedly exist in others.

The bill before us meets the emergency condition with immediate action. Because the dimensions of the problem are not now known, the bill is necessarily flexible. On the one hand it authorizes immediate action by the Secretaries of HEW and Agriculture to prevent starvation and suffering; on the other hand, it authorizes a comprehensive study to locate and examine the serious food and health problems which are known to exist throughout the Nation.

The dual function of the bill is to search out the hunger in the Nation and to erase it by swift action.

Programs which are designed to alleviate the burdens of poverty in the future are essential; but a measure such as this which meets immediate needs, which feeds those who are starving today, and which eases the suffering of those plagued with unnecessary disabilities, must be given the highest priority. We must act now to remove what is a mark of shame in our Nation.

The distinguished Senator from Mississippi, who introduced this bill, Senator Stennis, deserves the admiration of all of us for his forthright action. Just so do the chairman of the subcommittee, Senator Clark, and the chairman of the Committee on Labor and Public Welfare, Senator Hill, deserve the appreciation of all Americans for their close attention to, and swift action on, this bill.

Mr. President, this bill is a strong step in the right direction. I know the members of the committee and of the Senate will continue their scrutiny of the needs to be met and the efforts designed to meet them. Only then can we be assured that this emergency will be alleviated.

Mr. PROUTY. Mr. President, I rise in support of the bill, S. 2138, which I hope will be passed forthwith by the Senate.

As a member of the Committee on Labor and Public Welfare and ranking Republican on the Poverty Subcommittee, I attended the hearings on the subject of starving Americans. We heard reports from medical doctors who testified that indeed there were persons starving and without medical attention.

While these doctors spoke of incidents within their personal knowledge in the State of Mississippi, I am well aware that there could be other unfortunate persons in our country who, through no fault of their own, may be, if not starving, perhaps suffering from malnutrition; who, if not dying, may perhaps be in dire need of medical assistance.

Mr. President this bill seeks to take care of emergency situations, where persons needing help are unable to afford it.

These people will, if this bill becomes law, be able to receive immediate and emergency assistance when, for whatever reason, they do not receive assistance from any other Government program. With this legislation, we are simply assuring that these people will be helped.

Mr. President, the current poverty hearings which our subcommittee has been holding during this entire session of Congress, have given me reason to believe that persons who need more and better food and medical help are not confined within the State of Mississippi. They can and most probably do live in other areas of our country.

In the South, perhaps automation has been partly responsible for fewer jobs for cotton workers. Most probably many of these people are simply not trained for other work and therefore are unable to help themselves in this situation.

However, they are entitled to something far better than malnutrition and illness. They, and others like them, wherever they may be in the United States must receive the assistance they need.

This bill is a first step in coming to grips with such emergency situations where people are simply lacking in the means to provide necessary food for themselves and their families. The emergency will permit them to be helped through this legislation.

But, Mr. President, other action must be taken by the Congress. We must find the means by which these people can be helped to acquire some skills to become productive and self-supporting.

Mr. President, I hope the Senate will pass this bill without delay, and that the House will do likewise. Then, I hope that we can get at the larger problem of training which is absolutely necessary to eliminate the evil which we are trying to meet in emergency situations with the pending bill.

Mr. KENNEDY of New York. Mr. President, today the Senate considers S. 2138, which will provide emergency food and medical assistance to people all over the country who have needs so urgent as to constitute an emergency.

The stark fact, which has emerged and captured public attention over the last few months, is that all over this Nation there are people who do not have enough to eat—people, especially children, who have so little to eat that they suffer from disease and have no energy, so little to eat that their lives are slowly wasting away, to end in a premature death.

The Subcommittee on Employment, Manpower, and Poverty focused its attention on the problem when it visited the Mississippi Delta in April. But subsequent inquiries have brought home the sad knowledge that the conditions of hunger which we observed there are not unique. Just in the last 4 months I have also seen migrant children in California, Indian children in Utah and Arizona, Negro children here in Washington, D.C., and in New York City—all of whom have one tragic thing in common—they do not have enough to eat. To some of these children, meat and milk are a rarity. In some of these places, two meals a day are a luxury. For too many, in short, one meal a day of rice or beans or grits is the rule.

As a result of their diets, children in some of these places have serious medical problems. Some that I saw had swollen bellies and sores that would not heal. Many had wasted limbs and suffered from extreme lethargy.

Nor is the incidence of hunger confined to the areas I have mentioned. There are people in every major American city, Eskimos in Alaska, mountain people in Appalachia, Mexican Americans in rural Texas and New Mexico, Indians in South Dakota and the Southwest, who do not have enough to eat.

We know enough now to be certain that in this great, rich land of ours, we have a national hunger problem. Our Federal food programs are reaching millions, but they are failing to reach hundreds of thousands of others, and among those not being reached are some of the poorest of our citizens, those who do not know about Government programs, and have not been contacted by Federal or local officials. These are the hungry—the people who are almost invisible to the rest of us as we go about our daily lives.

The bill before us today will help us begin to reach those who have not been reached. At the present time we do not know how many people this is. But the lowest estimate far exceeds the number who can be reached with the $25 million which S. 2138 authorizes for fiscal 1968, so there is no danger that the money we authorize today will go unused. In 6 months we will know far more about the extent of the problem. At that time the study authorized by the bill will have been completed and we will have the benefit of other information which the Departments of Health, Education, and Welfare, and Agriculture are now gathering. At that time we can reassess the matter and decide if more money is needed.

And a board of inquiry composed of distinguished citizens, organized by the Citizens Crusade Against Poverty, will have reported to us by that time as well.

The funds made available by this bill will help people buy food stamps, will help get food to counties which have no Federal food program at all, and will help to improve the diet offered by the present commodity program. The funds will also help get urgently needed medical care to people who need it on an emergency basis. The bill will help pay the administrative costs of deputizing private doctors to go in on a voluntary basis to the areas of greatest need. It will help accelerate the implementation of new programs to bring organized medical care to areas where service is now nonexistent.

In short, this is constructive and urgently needed legislation. I urge the Senate to pass it today, and I hope that the other body will act expeditiously to enact it as well.

Mr. STENNIS. Mr. President, will the Senator yield to me for 1 minute?

Mr. CLARK. I yield.

Mr. STENNIS. Mr. President, the Senator from Michigan [Mr. HART] telephoned me about becoming a cosponsor of the bill. I readily consented, of course. I am afraid that he did not understand that he had to ask consent on the floor of the Senate in this situation.

I ask unanimous consent that the name of the Senator from Michigan [Mr. HART] be added as a cosponsor of the bill.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MANSFIELD. Mr. President, will the Senator yield?

Mr. STENNIS. I yield.

Mr. MANSFIELD. Mr. President, I ask that the Senator make the same request for me.

Mr. STENNIS. I am delighted. I ask unanimous consent that the name of the Senator from Montana [Mr. MANSFIELD] be added as a cosponsor of the bill.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MURPHY. Mr. President, will the Senator yield?

Mr. CLARK. I yield.

Mr. MURPHY. Mr. President, I want to say how gratifying it has been for me to have the privilege of joining with the Senator from Mississippi [Mr. STENNIS], the Senator from Pennsylvania [Mr. CLARK], and the Senator from New York [Mr. JAVITS], in connection with this bill.

The bill fills a need which I was surprised existed. We found there was hunger in one area of our country, and 8 weeks later, to my amazement, we were still trying to unravel the bureaucratic maze to make it possible to take care of the hungry people. I had thought the emergency power of the President could do it; I understood the Secretary of Agriculture was involved, and that the States were involved. I think the bill provides a study so we will find where the needs exist; and also quickly and decisively, and without a waste of time, the hungry people can be taken care of.

This bill authorizes the Secretary of Agriculture and the Secretary of Health, Education, and Welfare, to provide food and medical services on an emergency basis to prevent human suffering or loss of life.

It is good and timely legislation. Moreover, it demonstrates the ability of Congress to respond affirmatively and quickly to a demonstrated need.

In recent days, the Congress has been criticized in some quarters for allegedly dragging its feet to meet problems besetting our urban areas. The critics have been misinformed. It is not Congress that has been slow to act. This legislation shows that the legislative branch can react quickly when shown that there is a need.

Along with other members of the Subcommittee on Employment, Manpower, and Poverty, I was in Mississippi last April and heard witnesses testify that citizens there were suffering from malnutrition. At that time, I urged immediate Presidential action to determine whether starvation conditions did, in fact, exist and, if so, to remedy the situation at once. After a delay, the Secretary of Agriculture took only one administrative action. Responding to a letter signed by all members of the Subcommittee on Employment, Manpower, and Poverty, the Secretary reduced the cost of food stamps from $2 to 50 cents.

I must confess that I was somewhat shocked at the inability of the executive branch to resolve internal disagreements over this problem. It was therefore more pleasing to me when Senator STENNIS introduced this legislation with the aim of doing something more substantial than the minimum effort shown by the Agriculture Department.

This bill authorizes $25 million for a

direct attack on hunger. It holds a promise of doing something about marginal diets prevailing among residents of a few, scattered areas of our great Nation. These funds, while minimal, may save hundreds of children from growing to adulthood crippled either in body or mind by the debilitating diseases that flourish where nutritious diets have been absent.

For the record, I do not believe that there is actual starvation in Mississippi or elsewhere in this country. The word itself connotes a condition leading inevitably to death. I do not believe such conditions exist.

On the other hand, I do believe that there are Americans living in scattered areas of the country who exist on a diet lacking in nutritional values. These unfortunate people need better food. This bill will help them receive it.

Where immediate attention is required, this legislation provides a way to channel nutritious food to those requiring it. It can be implemented upon the affirmative action of two out of three officials named in the legislation. These are the Secretaries of Agriculture, and Health, Education, and Welfare and the Governor of the State concerned.

Congress can respond affirmatively in cases of need, and this bill proves it.

I congratulate the Senator from Mississippi for the authorship of the bill. I am happy to be listed as a cosponsor. This is one of the most gratifying pieces of legislation I have observed in my experience in the Senate.

Mr. **CLARK**. I thank the distinguished Senator from California.

Mr. **JAVITS**. Mr. President, will the Senator yield?

Mr **CLARK**. I yield.

Mr. **JAVITS**. Mr. President, I wish to note that section 2, the study to which I referred, although the report does not so state, is intended to include Puerto Rico and possessions of the United States, although the bill does not cover those areas, other than in section 2.

Mr. **BYRD** of Virginia. Mr. President, will the Senator yield?

Mr. **CLARK**. I yield.

Mr. **BYRD** of Virginia. Mr. President, I wish to express my support for this legislation which has been introduced by the Senator from Mississippi [Mr. STENNIS].

Mr. **CLARK**. I thank the Senator.

Mr. **STENNIS**. Mr. President, this bill, S. 2138, is purely an emergency measure to authorize special consideration and treatment of any person who may be found in actual need of food or medical treatment, if the person is not able to supply same and is not being supplied through some existing program of aid. It is not to be considered as an encroachment on, or an impairment of, or in any way as a substitute for, the present authority of the Secretary of Agriculture in connection with the food stamp program or the furnishing of surplus food.

As the original author of the bill, I wish to emphasize the fact that I consider paragraph B of section I of the bill as reported by the Senate committee, as being essential for its proper operation, and I will vigorously oppose to the limit any version the bill may take hereafter which does not preserve this feature of the bill. Of course, it is understood that the Secretary of Health, Education, and Welfare will operate under the terms of this bill through the Surgeon General, who in turn will act in cooperation with the State departments of health in the various States. The two Federal officials and the Governor of the State concerned are to be full partners in establishing the rules and regulations under which this program will be conducted.

I emphasize further, Mr. President, that I do not think that there will be any extensive need for the operation of this program in Mississippi. Those who may be there now without sufficient medical attention or without fully adequate food are not great in number, and many of these are instances where the parents of children do not have the information that is necessary to utilize aid either in food or in medical attention which is presently available for them.

In my State we already have a food program, either the food stamp plan or the surplus food program, in every county in the State. We have a unit of the State public health service in every county of the State, including substations in many counties of the State. I feel that with the proper attention to those who are not now reached by the existing programs, that all those in actual need can be readily supplied by the emergency program and within a reasonable time be brought under the protection of the existing regular programs.

This bill is not intended as a substitute for any current program. Passage of the legislation should not in any way be considered as suggesting faults with any existing program, but this legislation would simply permit temporary freedom of action in supplementing what the present programs are already doing.

Mr. President, I have not changed my mind in any fashion regarding my fundamental belief that every able-bodied person should do everything they can to earn their way and support themselves and their own; no such person has the right to live off the public or the government. Every person should be encouraged to meet his personal obligation rather than look to the government for support. Further, I believe that any government aid program, either by its terms or its administration that fails to follow this principle is gradually destroying our form of government, enslaving our people and bringing them to a state of dependence.

The **PRESIDING OFFICER**. The question is on the engrossment and third reading of the bill.

The bill (S. 2138) was ordered to be engrossed for a third reading and was read the third time.

The **PRESIDING OFFICER**. The bill having been read the third time, the question is, Shall it pass?

So the bill (S. 2138) was passed.

The title was amended so as to read: "A bill to authorize the Secretary of Health, Education, and Welfare and the Secretary of Agriculture to provide food and medical services on an emergency basis to prevent human suffering or loss of life."

Mr. **MANSFIELD**. Mr. President, I move to reconsider the vote by which the bill was passed.

Mr. **JAVITS**. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

MESSAGE FROM THE HOUSE RECEIVED DURING ADJOURNMENT

Under authority of the order of the Senate of July 31, 1967,

The Secretary of the Senate, on July 31, 1967, received the following message from the House of Representatives:

That the House had passed, without amendment, the joint resolution (S.J. Res. 98) authorizing the National Advisory Commission on Civil Disorders to compel the attendance and testimony of witnesses and the production of evidence.

The message also announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 11089) to amend title 5, United States Code, to provide additional group life insurance and accidental death and dismemberment insurance for Federal employees, and to strengthen the financial condition of the employees' life insurance fund.

ENROLLED BILLS SIGNED

The message further announced that the Speaker had affixed his signature to the following enrolled bills:

H.R. 6098. An act to provide an extension of the interest equalization tax, and for other purposes; and

H.R. 11089. An act to amend title 5, United States Code, to provide additional group life insurance and accidental death and dismemberment insurance for Federal employees, and to strengthen the financial condition of the employees' life insurance fund.

MESSAGE FROM THE HOUSE RECEIVED DURING ADJOURNMENT—ENROLLED JOINT RESOLUTION SIGNED

Under authority of the order of the Senate of July 31, 1967,

The Secretary of the Senate, on August 1, 1967, received the following message from the House of Representatives:

That the Speaker had affixed his signature to the enrolled joint resolution (S.J. Res. 98) authorizing the National Advisory Commission on Civil Disorders to compel the attendance and testimony of witnesses and the production of evidence.

ENROLLED BILL SIGNED DURING ADJOURNMENT

Under authority of the order of the Senate of July 31, 1967,

The **PRESIDENT** pro tempore announced that, on July 31, 1967, he signed the enrolled bill (H.R. 6098) to provide an extension of the interest equalization tax, and for other purposes, which had previously been signed by the Speaker of the House of Representatives.

ENROLLED BILLS AND JOINT RESOLUTION SIGNED DURING ADJOURNMENT

Under authority of the order of the Senate of July 31, 1967,

The PRESIDENT pro tempore announced that, on August 1, 1967, the Vice President signed the following enrolled bills and joint resolution, which had previously been signed by the Speaker of the House of Representatives:

S. 1648. An act to extend the authority for exemptions from the antitrust laws to assist in safeguarding the balance-in-payments position of the United States;

H.R. 11089. An act to amend title 5, United States Code, to provide additional group life insurance and accidental death and dismemberment insurance for Federal employees, and to strengthen the financial condition of the employees' life insurance fund; and

S.J. Res. 98. Joint resolution authorizing the National Advisory Commission on Civil Disorders to compel the attendance and testimony of witnesses and the production of evidence.

REPORTS OF COMMITTEES SUBMITTED DURING ADJOURNMENT

Under authority of the order of the Senate of July 31, 1967,

The following reports of committees were submitted on August 1, 1967:

By Mr. CLARK, from the Committee on Labor and Public Welfare, with amendments:

S. 2138. A bill to authorize the Secretary of Agriculture and the Surgeon General of the United States to provide food and medical services on an emergency basis to prevent human suffering or loss of life (Rept. No. 467).

By Mr. JACKSON, from the Committee on Interior and Insular Affairs, with an amendment:

S. 862. A bill to amend the Small Reclamation Projects Act of 1956, as amended (Rept. No. 468).

By Mr. HILL, from the Committee on Appropriations, with amendments:

H.R. 10196. An act making appropriations for the Departments of Labor, and Health, Education, and Welfare, and related agencies, for the fiscal year ending June 30, 1968, and for other purposes (Rept. No. 469).

By Mr. JORDAN of North Carolina, from the Committee on Rules and Administration, with amendments:

S. Res. 150. Resolution authorizing the Committee on Government Operations to investigate crime and lawlessness within the United States (Rept. No. 470).

EXECUTIVE COMMUNICATIONS, ETC.

The PRESIDENT pro tempore laid before the Senate the following letters, which were referred as indicated:

Report on Issuance of Bank Insurance and Guarantees Issued in Connection With Exports to Yugoslavia

A letter from the Secretary, Export-Import Bank of Washington, D.C., reporting, pursuant to law, on the amount of Export-Import Bank Insurance and guarantees issued in connection with U.S. exports to Yugoslavia for the month of June 1967; to the Committee on Appropriations.

Report on Grants to Nonprofit Institutions and Organizations for Support of Scientific Research Programs

A letter from the Deputy Assistant Secretary for Administration, Department of the Interior, transmitting, pursuant to law, a report of that Department on grants made to nonprofit and organizations for support of scientific research programs, for the calendar year 1966 (with an accompanying report); to the Committee on Government Operations.

Suspension of Deportation of Certain Aliens

Two letters from the Commissioner, Immigration and Naturalization Service, Department of Justice, transmitting, pursuant to law, copies of orders suspending deportation of certain aliens, together with a statement of the facts and pertinent provisions of law pertaining to each alien, and the reasons for ordering such suspenion (with accompanying papers); to the Committee on the Judiciary.

Temporary Admission Into the United States of Certain Aliens

A letter from the Commissioner, Immigration and Naturalization Service, Department of Justice, transmitting, pursuant to law, copies of orders entered granting temporary admission into the United States of certain aliens (with accompanying papers); to the Committee on the Judiciary.

Admission Into the United States of Certain Defector Aliens

A letter from the Commissioner, Immigration and Naturalization Service, Department of Justice, transmitting, pursuant to law, copies of orders entered granting admission into the United States of certain defector aliens (with accompanying papers); to the Committee on the Judiciary.

Third Preference and Sixth Preference Classification for Certain Aliens

A letter from the Commissioner, Immigration and Naturalization Service, Department of Justice, transmitting, pursuant to law, reports relating to third preference and sixth preference classification for certain aliens (with accompanying papers); to the Committee on the Judiciary.

Report on Automotive Air Pollution

A letter from the Secretary of Health, Education, and Welfare, Washington, D.C., transmitting, pursuant to law, a report on automotive air pollution, dated June 1967 (with an accompanying report); to the Committee on Public Works.

Report on Manpower and Training Needs in Water Pollution Control

A letter from the Secretary of the Interior, transmitting, pursuant to law, a report on manpower and training needs in water pollution control, dated June 30, 1967 (with an accompanying report); to the Committee on Public Works.

PETITIONS AND MEMORIALS

Petitions, etc., were laid before the Senate, or presented, and referred as indicated:

By the PRESIDENT pro tempore:

A joint resolution of the General Assembly of the State of Illinois; to the Committee on the Judiciary:

"H.J. Res. 34

"Whereas, Under the Constitution of the United States, Presidential and Vice-Presidential Electors in the several states are elected on a statewide basis, each state being entitled to as many electors as it has senators and representatives in Congress; and

"Whereas, The Presidential and Vice-Presidential Electors who receive the plurality of the popular vote in a particular state become entitled to cast the total number of electoral votes allocated to that state irrespective of how many votes may have been cast for other Elector candidates; and

"Whereas, This method of electing the President and Vice-President is unfair and unjust in that it does not reflect the minority votes cast; and

"Whereas, The need for a change has been recognized by members of Congress on numerous occasions through the introduction of various proposals for amending the Constitution; therefore, be it

"Resolved, By the House of Representatives of the Seventy-fifth General Assembly of the State of Illinois, the Senate concurring herein, that application is hereby made to Congress under Article V of the Constitution of the United States for the calling of a Convention to propose an Article of Amendment to the Constitution providing for a fair and just division of the electoral votes within the States in the election of the President and Vice-President; and, be it further

"Resolved, That if Congress proposes such an Article of Amendment this application for a Convention is withdrawn and shall no longer have effect; and, be it further

"Resolved, That the Secretary of State is directed to transmit copies of this application to the President of the Senate, the Speaker of the House of Representatives of the United States, to all members of Congress from the State of Illinois, and to the Secretary of State of each of the other forty-nine States.

"Adopted by the House, March 29, 1967.

"———— ————,
"Speaker of the House.
"Fredric B. Selcki,
"Clerk of the House.

"Concurred in by the Senate, June 28, 1967.

"Samuel H. Shapiro,
"President of the Senate.
"Edward E. Fernandes,
"Secretary of the Senate."

By Mr. HICKENLOOPER:

A concurrent resolution of the Legislature of the State of Iowa; to the Committee on Public Works:

"S. Con. Res. 52

"Whereas, millions of federal and state tax dollars are being spent for highway beautification and billboard control programs; and

"Whereas, federal law requires one of the most obnoxious of all billboards, namely: the erection of "your highway taxes at work" signs on construction projects involving federal funds; and

"Whereas, the American public has very few illusions as to whose tax dollars are being spent; and

"Whereas, national, state and local news media very ably and objectively provide the public with all the information required on these billboard signs and detailed information is available to interested citizens in county court houses; and

"Whereas, the tax funds spent for the manufacture, erection and dismantling of these signs would serve public interests better if used for road improvement purposes; and

"Whereas, the placement of these signs have in some instances contributed to highway accidents and have been used in many states for misleading political advertising in favor of incumbent politicians; and

"Whereas, we consider the many thousands of dollars spent for these signs a public nuisance and a waste of public funds; Now therefore,

"Be it resolved by the Senate of the sixty-second General Assembly of the State of Iowa; the House of Representatives concurring;

"That, we respectfully request the Congress to repeal this requirement by federal legislation and that copies of this resolution be sent to the Honorable members of the U.S. Senate, Bourke B. Hickenlooper, and Jack Miller, and the Honorable members of the Congress, Fred Schwengel, John C. Culver, H. R. Gross, John Kyl, Neal Smith, Wiley Mayne, and William J. Scherle.

"We, Robert D. Fulton, Lieutenant Governor of Iowa and President of the Senate, Al Meacham, Secretary of the Senate, Maurice E. Baringer, Speaker of the House of Representatives, and William R. Kendrick, Chief Clerk of the House of Representatives, hereby certify that the above and foregoing resolution was adopted by the Senate and House of Representatives of the Sixty-second General Assembly of Iowa.

"Robert D. Fulton,
"Lieutenant Governor of Iowa,
President of the Senate.
"Maurice E. Baringer,
"Speaker of the House.
"Al Meacham,
"Secretary of the Senate.
"William R. Kendrick,
"Chief Clerk of the House."

REPORTS OF A COMMITTEE

The following reports of a committee were submitted:

By Mr. BARTLETT, from the Committee on Commerce, without amendment:

H.R. 7043. An act to authorize and direct the Secretary of the Department under which the U.S. Coast Guard is operating to cause the vessel *Northwind*, owned by Wallace P. Smith, Jr., of Centreville, Md., to be documented as a vessel of the United States with coastwise privileges (Rept. No. 471).

By Mr. BARTLETT, from the Committee on Commerce, with an amendment:

S. 706. A bill to amend section 27 of the Shipping Act, 1916 (Rept. No. 472).

REPORT ENTITLED "CONSTITUTIONAL RIGHTS"—REPORT OF A COMMITTEE (S. REPT. NO. 473)

Mr. ERVIN. Mr. President, from the Committee on the Judiciary, I submit an annual report entitled "Constitutional Rights," pursuant to Senate Resolution 194, 89th Congress, second session, and ask unanimous consent that the report be printed.

The PRESIDING OFFICER. The report will be received and printed, as requested by the Senator from North Carolina.

BILLS AND JOINT RESOLUTIONS INTRODUCED

Bills and joint resolutions were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. FONG (for himself, Mr. Bartlett, Mr. Bible, Mr. Cannon, Mr. Church, Mr. Fannin, Mr. Gruening, Mr. Hatfield, Mr. Hayden, Mr. Inouye, Mr. Jackson, Mr. Jordan of Idaho, Mr. Kuchel, Mr. Magnuson, Mr. Mansfield, Mr. Metcalf, Mr. Morse, and Mr. Murphy):

S. 2201. A bill to provide for the appointment of additional circuit judges; to the Committee on the Judiciary.

(See the remarks of Mr. Fong when he introduced the above bill, which appear under a separate heading.)

By Mr. MORSE:

S. 2202. A bill to amend the Communications Act of 1934 in order to prohibit the broadcasting of any advertising of alcoholic beverages between certain hours; to the Committee on Commerce.

(See the remarks of Mr. Morse when he introduced the above bill, which appear under a separate heading.)

By Mr. JAVITS:

S. 2203. A bill to amend title IV of the Economic Opportunity Act of 1964 to create a program to develop job opportunities in rural and urban areas of high unemployment and to raise levels of managerial skills and business ownership in those areas, and to strengthen the existing program of loans to small business concerns; to the Committee on Labor and Public Welfare.

(See the remarks of Mr. Javits when he introduced the above bill, which appear under a separate heading.)

By Mr. McINTYRE:

S. 2204. A bill to amend and clarify the statement of the purposes of urban planning in section 701 of the Housing Act of 1954; to the Committee on Banking and Currency.

By Mr. GRUENING:

S. 2205. A bill for the relief of Per Einer Jonsson; to the Committee on the Judiciary.

By Mr. HOLLAND:

S. 2206. A bill for the relief of Dr. Jorge Rolando Guerra-Reyes; to the Committee on the Judiciary.

By Mr. SPONG:

S. 2207. A bill authorizing modification of the Salem Church Dam and Reservoir, Rappahannock River, Va.; to the Committee on Public Works.

By Mr. MOSS:

S. 2208. A bill for the relief of Themistocles Ioanis Giannakos; to the Committee on the Judiciary.

By Mr. SCOTT:

S. 2209. A bill to clarify the application of certain provisions of law in the case of major disasters resulting from civil disorder; to the Committee on Banking and Currency.

(See the remarks of Mr. Scott when he introduced the above bill, which appears under a separate heading.)

By Mr. CLARK (for himself, Mr. Bartlett, Mr. Cannon, Mr. Church, Mr. Kennedy of Massachusetts, Mr. Magnuson, Mr. Metcalf, Mr. McCarthy, Mr. Mondale, Mr. Muskie, Mr. Pastore, Mr. Pell, Mr. Tydings, Mr. Kennedy of New York, Mr. Inouye, Mr. Moss, and Mr. McGovern):

S. 2210. A bill to be known as the Employment Service Act of 1967; to the Committee on Labor and Public Welfare.

(See the remarks of Mr. Clark when he introduced the above bill, which appears under a separate heading.)

By Mr. RANDOLPH (for himself and Mr. Young of Ohio):

S. 2211. A bill to amend Title 46, Section 1159 to provide for construction aid for certain vessels operating on the inland rivers and waterways; to the Committee on Commerce.

By Mr. RIBICOFF:

S. 2212. A bill to direct the Secretary of the Interior to study and formulate a comprehensive plan containing recommendations regarding the action that should be taken to preserve, develop, and make accessible for public use and benefit the Long Island Sound and related shoreline areas in the States of New York, Connecticut, and Rhode Island; to the Committee on Interior and Insular Affairs.

(See the remarks of Mr. Ribicoff when he introduced the above bill, which appear under a separate heading.)

By Mr. BAKER:

S. 2213. A bill for the relief of Wilkinson and Jenkins Construction Co., Inc.; to the Committee on the Judiciary.

By Mr. BURDICK:

S. 2214. A bill for the relief of Arthur Rike; to the Committee on the Judiciary.

By Mr. McGOVERN:

S. 2215. A bill to provide for the appointment of an additional district judge for the district of South Dakota; to the Committee on the Judiciary.

By Mr. McCLELLAN:

S. 2216. A bill to establish a National Commission on New Technological Uses of Copyrighted Works; to the Committee on the Judiciary.

(See the remarks of Mr. McClellan when he introduced the above bill, which appear under a separate heading.)

By Mr. McCARTHY (for himself, Mr. Hart, Mr. Church, and Mr. Nelson):

S. 2217. A bill to amend the Tariff Schedules of the United States to increase the rate of duty on honey, and to impose quotas on the quantity of honey which may be imported into the United States; to the Committee on Finance.

By Mr. McCARTHY (for himself, Mr. Brooke, Mr. Javits, and Mr. Tydings):

S. J. Res. 99. Joint resolution to authorize and direct the Franklin Delano Roosevelt Commission to raise funds for the construction of a memorial; to the Committee on Rules and Administration.

(See the remarks of Mr. McCarthy when he introduced the above joint resolution, which appear under a separate heading.)

By Mr. BURDICK:

S. J. Res. 100. Joint resolution to create a commission to study the bankruptcy laws of the United States; to the Committee on the Judiciary.

CONCURRENT RESOLUTION

EXPRESSION OF THE SENSE OF THE CONGRESS WITH RESPECT TO THE INTERNATIONAL ANTIDUMPING CODE

Mr. HARTKE (for himself and Mr. Scott) submitted a concurrent resolution (S. Con. Res. 38) expressing the sense of the Congress with respect to the International Antidumping Code, which was referred to the Committee on Foreign Relations.

(See the above concurrent resolution printed in full when submitted by Mr. Hartke, which appears under a separate heading.)

RESOLUTION

AMENDMENT OF RULE XXXIV RELATIVE TO SERVING ALCOHOLIC BEVERAGES ON THE SENATE SIDE OF THE CAPITOL

Mr. MORSE submitted a resolution (S. Res. 152) to amend rule XXXIV relative to serving alcoholic beverages on the Senate side of the Capitol, which was referred to the Committee on Rules and Administration.

(See the above resolution printed in full when submitted by Mr. Morse, which appears under a separate heading.)

ENLARGEMENT OF NINTH CIRCUIT COURT OF APPEALS

Mr. FONG. Mr. President, I introduce, for appropriate committee reference, for myself and 17 other Senators, a bill to increase the number of circuit judges on the U.S. Court of Appeals for the Ninth Circuit from nine to 13.

I am very pleased to announce, Mr. President, that my colleague from Hawaii [Mr. Inouye], and the following

Senators have joined me as cosponsors of the proposal: Senators BARTLETT and GRUENING, of Alaska; Senators FANNIN and HAYDEN, of Arizona; Senators KUCHEL and MURPHY, of California; Senators CHURCH and JORDAN, of Idaho; Senators MANSFIELD and METCALF, of Montana; Senators BIBLE and CANNON, of Nevada; Senators HATFIELD and MORSE, of Oregon; and Senators JACKSON and MAGNUSON, of Washington.

These nine States which I have mentioned—plus the Territory of Guam and the Pacific Mandated Islands—comprise the ninth judicial circuit.

Thus, all nine States within the ninth circuit, through their duly elected Senators, support the bill.

Mr. President, in the matter of its efficiency in hearing cases, the Court of Appeals of the Ninth Circuit has a proud record indeed.

The Congress, in 1954, increased the size of the court from seven to nine judges. Since that time, no further additions have been made to the number of judges for that bench. In contrast, since 1954 the number of circuit judges were increased in eight other circuits.

In the 13 years from 1954 to 1967 the ninth circuit court's caseload has increased by approximately 75 percent.

In spite of the facts that first, the court has not been enlarged since 1954; and, second, the court's caseload has increased tremendously in those 13 years—the court has managed to hear cases as promptly as the cases were ready for argument.

This enviable record has been maintained by hard work, for the court hears cases during every single month of the year.

Recently, I am told, the court has been forced to ask one district judge in the circuit to sit on nearly 80 percent of the cases arising in the circuit. This fiscal year the caseload is expected to increase even further, so that a district judge of the circuit may be required to sit on almost every case.

Mr. President, this is an intolerable situation. Because of the steadily expanding workload in the 14 districts of the circuit, the use of district judges for court of appeals work should not be allowed to continue.

It is a well-known fact that the total population of the nine States of the ninth circuit has increased tremendously in the past 13 years. But the additions in judicial manpower have been considerably less than proportionate to the increase in population.

These facts make a compelling case for legislation to provide adequate relief to the ninth circuit.

To those who might question the efficiency of a court of appeals having a membership of 13 judges, I cite the experience of the Fifth Circuit Court of Appeals. The 89th Congress in 1966 increased on a temporary basis the membership on that court from 9 to 13. I am informed that this increase has not resulted in an unmanageable unit. Of course, the reason why such a unit—though admittedly large—is workable, is because normally circuit judges sit in panels of three.

Mr. President, the time has come when we must either add more judges to the ninth circuit or divide the circuit. From time to time in years past there have been suggestions to divide the ninth circuit. But one cannot divide the circuit—and then, a few years later, if the division turned out not to be feasible—put it together again.

It is therefore far more logical to me to experiment with the larger court first. Should the enlarged court prove to be unworkable, division of the circuit then might be considered.

My proposal to increase membership on the Ninth Circuit Court of Appeals by four judges has the support of the Judicial Conference of the United States which, at its March 1967, meetings, recommended—among other things—that the size of the ninth circuit bench be so enlarged.

I strongly urge the Senate to adopt this clearly meritorious measure.

Mr. President, I ask that the text of the bill be printed at this point in the RECORD.

The **PRESIDING OFFICER**. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the RECORD.

The bill (S. 2201) to provide for the appointment of additional circuit judges, introduced by Mr. FONG (for himself and other Senators), was received, read twice by its title, referred to the Committee on the Judiciary, and ordered to be printed in the RECORD, as follows:

S. 2201

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. The President shall appoint, by and with the advice and consent of the Senate, four additional circuit judges for the ninth circuit.

SEC. 2. In order that the table contained in section 44(a) of title 28 of the United States Code will reflect the change made by section 1 in the number of circuit judges for said circuit, such table is amended to read as follows with respect to said circuit:

"Circuits *Number of Judges*

* * * * *

"Ninth .... Thirteen"

* * * * *

Mr. METCALF. Mr. President, I am very pleased to join in cosponsoring the bill, introduced by the distinguished senior Senator from Hawaii, Senator FONG, to provide for an additional four judges on the U.S. Court of Appeals for the Ninth Circuit.

Since Congress authorized the addition of two judges in 1954, Alaska and Hawaii have been admitted to the Union and the population of the nine Western States in the circuit has increased from 24 million in 1960 to 28 million in 1966, according to the estimate of the Census Bureau. It is clearly impossible for the ninth circuit judges to continue to carry a caseload 80 percent greater than it was 13 years ago. Inevitably, the quality expected of our courts will suffer if this situation is not corrected. Mr. Will Shafroth, consultant of the Administrative Office of the U.S. Courts, recently conducted a survey of the business of the ninth circuit. He reported:

> Since 1955 . . . the number of incoming cases has doubled, the pending load has increased by 80 per cent and signs of docket congestion are mounting. There is no doubt that help is needed.

On January 5 of this year the Judicial Council of the Ninth Circuit unanimously adopted a resolution favoring the addition of four new judges to the court as soon as possible, and in March the Judicial Conference of the United States made a similar recommendation.

Mr. President, I urge enacement of this vitally important legislation.

Mr. GRUENING. Mr. President, when a workload becomes too heavy in private industry, new employees are hired. When a dentist or doctor has a full caseload, he can no longer accept new patients.

Today, in the U.S. Court of Appeals for the Ninth Circuit, the court's caseload has reached a point where it is necessary to increase the court if cases are to be heard promptly. Therefore, I am pleased to cosponsor the bill which is being introduced today by the knowledgeable Senator from Hawaii [Mr. FONG]. He is an attorney and is the only Senator from the ninth circuit who serves on the Committee on the Judiciary.

It is significant, I believe, that every Senator representing a State in the ninth circuit is a cosponsor of the bill.

Reference has been made to the increased work of the circuit judges on the U.S. Court of Appeals for the Ninth Circuit. I ask unanimous consent to have printed in the RECORD a table showing the growth of population in the States of Alaska, Hawaii, Arizona, California, Idaho, Montana, Nevada, Oregon, and Washington. The table illustrates the desirability of increasing the number of circuit judges from nine to 13.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

EXHIBIT 1.—U.S. POPULATION [1]

[In thousands]

State	1910	1920	1930	1940	1950	1960
Hawaii	192	256	368	423	500	633
Alaska	64	55	59	73	129	226
Arizona	204	334	436	499	750	1,302
California	2,378	3,427	5,677	6,907	10,586	15,717
Idaho	326	432	445	525	589	667
Montana	376	549	538	559	591	675
Nevada	82	77	91	110	160	285
Oregon	673	783	954	1,090	1,521	1,769
Washington	1,142	1,357	1,563	1,736	2,379	2,853
Total	5,437	7,270	10,131	11,922	17,205	24,127

[1] "Statistical Abstract of the United States," 1965, U.S. Department of Commerce, Bureau of the Census.

BILL TO CURB ADVERTISING OF ALCOHOLIC BEVERAGES ON RADIO AND TELEVISION

Mr. MORSE. Mr. President, I ask unanimous consent to proceed for 15 minutes.

The **PRESIDING OFFICER** (Mr. GORE in the chair). Without objection, it is so ordered.

Mr. MORSE. Mr. President, I send to the desk, and ask to have printed at the close of my remarks, a bill to curb the advertising on radio and television of alcoholic beverages.

The **PRESIDING OFFICER**. Without objection, it is so ordered.

(See exhibit 1.)

Mr. MORSE. Mr. President, briefly, the bill amends part 1 of title III of the Communications Act to ban broadcast advertising of all alcoholic beverages between the hours of 3 p.m. and 10 p.m., local time.

Voluntary advertising codes generally prohibit the televising of commercials for what we call hard liquor. But television advertising of beer and wine has risen dramatically in recent years.

Where beer ads are aimed at youthful audiences, I think they are just as harmful to the health and well-being of the community as ads for hard liquor are concerned.

Brewers of alcoholic beverages spend a quarter of a billion dollars each year in an effort to market their products. Millions in the television and radio audience who hear and see these ads are teenagers, most of whom cannot legally drink beer. A recent survey printed by Radio Advertising Bureau, Inc., shows that teenage boys listen to the radio 4.3 hours daily on the average, while teenage girls listen an average of 5.3 hours daily. On the average, 87.9 percent of the teenage boys and 89.5 percent of teenage girls hear radio each day. For the good of this growing proportion of the population, the advertising of any alcoholic beverage which appeals—if not in word, then by strong implication, for their participation should be eliminated when the audience is composed of a significant percentage of teenagers.

As I have noted, the legal age for drinking beer is 21 in a majority of States. Thirty-five States have established 21 as the legal age for sale of all alcoholic beverages.

Twelve States have established 18 years as the legal age for sale of beer. Two States fixed 20 and another 19 as the legal age for buying beer. One State has a different age for boys from that of girls.

I ask unanimous consent that the table showing these legal ages for purchase of alcoholic beverages be printed at this point in my remarks.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

Legal drinking age for alcoholic beverages

Thirty-five States have established 21 years as the legal age for sale of all alcoholic beverages to minors:

Alabama
Alaska
Arizona
Arkansas
California
Connecticut
Delaware
Florida
Georgia
Illinois
Indiana
Iowa
Kentucky
Maine
Maryland
Massachusetts
Michigan
Minnesota
Missouri
Montana
Nebraska
Nevada
New Hampshire
New Jersey
New Mexico
North Dakota
Oregon
Pennsylvania
Rhode Island
Tennessee
Texas
Utah
Vermont
Washington
Wyoming

Thirteen States have established 21 years of age as the legal age for sale of all alcoholic beverages to minors except as follows:

	Years
Colorado: 3.2 beer	18
District of Columbia: light wine and beer	18
Idaho: beer	20
Kansas: 3.2 beer	18
Mississippi: beer	18
North Carolina: beer	18
Ohio: 3.2 beer	18
Oklahoma:	
Males: 3.2 beer	21
Females:	
On sale	21
Off sale	18
South Carolina: beer and wine	18
South Dakota: 3.2 beer	19
Virginia: 3.2 beer	18
West Virginia: 3.2 beer	18
Wisconsin: beer	18

Three States have established the legal age for sale of alcoholic beverages as follows:

	Years
Hawaii: all alcoholic beverages	20
Louisiana: all alcoholic beverages	18
New York: all alcoholic beverages	18

Mr. MORSE. Mr. President, the usefulness of the television medium in promoting the sale of beer is evident from its increasing use by the brewing industry. In 1961, brewers spent 58.1 cents per barrel for advertising on television. In 1965, however, brewers spent 87 cents per barrel for advertising on television. This is an increase of over $30 million each year. Newspaper advertising fell off accordingly, falling from 14.5 cents per barrel to 9.8 cents per barrel over the same period. These figures are found in Advertising Age for May 22, 1967.

I am sure there will be no quarrel from the brewing industry nor from the broadcasters whose facilities it uses that the purpose of television and radio commercials is to increase the use of beer and wine by the American people, and to direct specific attention to the product of the advertiser. Advertising is designed to show and to infer that consumption of beer or wine is enjoyable and is, in fact, a desirable part of social activity. Most young people do not like their first taste of alcohol; but advertising seeks to overcome that distaste.

Although the advertising of hard liquor does not appear on television by voluntary restraint of the industry, there is no restraint nationally on beer and wine advertising, other than what the Code of the National Association of Broadcasters call "good taste and discretion." Good taste and discretion are defined to preclude the actual showing of drinking on camera, or its sound. References to the alcoholic content or the strength of the alcohol in the beverage are precluded.

This does not mean that extensive local restrictions against beer advertising are not in existence, because they are. I am advised, for instance, that by local agreement, beer ads are not shown in the Seattle, Wash., area before 8 p.m., so as to avoid at least part of the broadcast time when children might be viewing.

In Oregon, all alcoholic beverage ads, including beer, are banned from showing all of Sunday.

I have not surveyed all the States and foreign countries to determine the kind and extent of limitations in this field, but they are widespread and represent a community concern about the pressure advertisers put upon young people to drink beer.

This is no idle concern. In recent months, the high death rate resulting from heavy smoking has led to some new legislation requiring health warnings to be put on packages of cigarettes, and it has led to an FCC ruling that broadcasters must extend some form of equal time that will point out the dangers of smoking.

No such warnings, and no such expressions of the harmful effect of drinking appear on beer cans, nor is there as yet an effort within the FCC to require broadcasters to present equal presentation of the harmful effects of drinking.

That such effects occur cannot be denied by anyone. I am a little dismayed to read that legislators, the medical profession, and others are beginning to think of hallucinagenic drugs as a danger to individuals and to the community, when the dangers of alcohol are infinitely more widespread and yet provoke far less alarm.

We have a clinic or two in the country now that seek to deal with the effects of LSD; but the cost of alcoholism, both in money terms and in terms of human values is so infinitely greater that it can scarcely be estimated.

ALCOHOL AND CRIME

The President's Crime Commission stirred up quite a controversy with some of its reports, especially the ones on the courts, on the police, and on narcotics and drugs. But the special task force report on drunkenness caused little interest or comment despite some of its findings that were far more sensational than those contained in its other reports.

For example: one in every three arrests in the United States is for drunkenness, and if arrests for related offenses such as drunken driving and disorderly conduct stemming from drinking were included, the figure would be about half of all arrests. There were 2 million arrests for drunkenness alone. As the task force report states:

> The great volume of these arrests places an extremely heavy load on the operations of the criminal justice system. It burdens police, clogs lower criminal courts, and crowds penal institutions throughout the United States.

May I digress to say that alcoholism is one of the great threats to the stability of the American population. The spread of alcoholism in this country is so alarming that we are going to have to take a look at it as a form of serious sickness among the American people. As the figures I am about to disclose show, the country must take a long, hard look at the problem of alcoholism, with especial reference to hard liquor, when the statistics show that more hard liquor is consumed per capita in the District of Columbia than in any other city of the Nation.

We in Congress have a moral responsibility—and I come back again to the moral law—to see to it that we impose restrictions at least on the advertising practices of the manufacturers of this form of drug—for that is what it really is—the excessive taking of which develops into alcoholism.

The principle of applying the moral law that we are our brother's keeper is not limited only to supplying food and shelter; it extends to applying reasonable restrictions on the practices of the advertisers in this country, who must assume a fair share of the responsibility for producing alcoholism among our people. They create the want, and once the want is created, the addiction develops on the part of thousands and thousands of our fellow citizens.

There is now attention being given in the District of Columbia and in other jurisdictions as to whether drunkenness should not be treated as a sickness rather than as criminal activity. No matter which course is followed, we can be sure that coping with drunkenness is already extremely expensive to American society, and will continue to be, so long as the end result of drinking is treated instead of drinking itself.

The Crime Commission recommends that drunkenness be treated as a sickness, thereby relieving the police, the jails, and the courts of dealing with it. But that will not relieve our welfare departments, and our hospitals and our correctional institutions from dealing with it. In fact, giving medical treatment to alcoholics will be a lot more expensive than the present, inadequate treatment of treating them as criminals, and releasing them without treatment when their sentence is served.

This country has over 5 million identified alcoholics, and millions more not identified. Stated generously, one citizen out of 40 is an alcoholic. Considering that about 40 percent of the population is 21 or under, one person out of 24 adults is an alcoholic.

Alcoholism is the nation's fourth largest health program, as well as being the first largest criminal problem. Politicians and citizens in all walks of life can view with alarm all they like the use of narcotic and exotic drugs. But they are straining at the gnat and swallowing the camel, so far as relative magnitude of the problems are concerned.

Occasional, or social drinking, as distinguished from alcoholism, is also a growing problem for our society.

Take the relationship between drinking and crimes of violence. A study of homicides in the city of Philadelphia in 1948–52 showed that either or both the victim and the slayer had been drinking immediately prior to the killing in nearly two-thirds of the cases.

A program in Columbus, Ohio, during the period of March 1951 to March 1955 was conducted into the use of alcohol by all persons picked up during or immediately after the commission of a felony. To quote the report:

> The figures show that crimes of physical violence are associated with intoxicated persons. Cuttings (11 to 1 under the influence of alcohol), the carrying of concealed weapons (8 to 1 under the influence of alcohol), and other assaults (10 to 1 under the influence of alcohol), are definitely crimes of alcohol influence, even crimes of true intoxication.

The Crime Commission Task Force report says of these various studies:

> Thus, the closest relationship between intoxication and criminal behavior (except for public intoxication) has been established for criminal categories involving assaultive behavior. This relationship is especially high for lower-class Negroes and whites. More than likely, aggression in these groups is weakly controlled and the drinking of alcoholic beverages serves as a triggering mechanism for the external release of aggression. There are certain types of key situations located in lower-class life in which alcohol is a major factor in triggering assaultive behavior. Shupe's conclusion that 64 percent of his sample of 882 individuals were under the influence of alcohol to such an extent that their inhibitions were reduced is of major significance to American criminologists. Excessive drinking of alcoholic beverages is a significant fact in the commission of crimes.

ALCOHOL AND HIGHWAY DEATHS

The terrible toll of human life that alcohol takes on the highways was also summarized by the task force:

> The Congress currently is very concerned, as is the country, with reducing the horrible toll of deaths on the nation's highways. Unfortunately, very little attention has been directed by the federal government to a significant factor in vehicular accidents—drunkenness and alcoholism. Mr. Pyle, director of the National Safety Council, estimates that perhaps one-half of those involved in fatal automobile accidents are under the influence of alcohol.
>
> This can be confirmed by spot studies made by scientists throughout the country. For example, of the first 43 individuals killed in motor vehicle accidents in St. Louis County, Missouri, in 1966, 30 had alcohol-blood levels of 0.15 or higher, which is indicative of heavy intoxication. The New York Times, March 13, 1966, reports that in San Antonio in the last 9 years, 61 percent of the drivers and pedestrians killed have been intoxicated. The blood alcohol levels were 0.15 or higher.

That is the level of heavy intoxication.

These people who are "under the influence" do not have to be alcoholics to kill many innocent people. I think we have a moral responsibility to the people of not shunting off what I think is a clear obligation of Congress to move in the field of some control of drinking.

The **PRESIDING OFFICER.** The time of the Senator has expired.

Mr. **MORSE.** I ask unanimous consent to have an additional 5 minutes.

The **PRESIDING OFFICER.** Without objection, it is so ordered.

Mr. **MORSE.** Mr. President, in 1965, 49,000 deaths and 1,800,000 injuries occurred on the Nation's highways. The high correlation between alcohol and traffic accidents calls for a lot more attention to this problem than we have been willing to give it in the past. We have blamed bad tires and passed laws against them; we blame poor highway design, and try to do something about it; we blame faulty engineering of cars and try to pass laws against that; but the one big, known quantity about traffic accidents that we know about and have failed to mention is the presence of a drinking driver or pedestrian. About that, we have done nothing. We seem unwilling even to mention it.

One of the appendixes of the Crime Commission report begins with these words:

> The basic question is, is alcohol related to crime? The basic answer is, Yes.

I recommend to my fellow Senators a reading of the Report on Drunkenness. It is available from the Government Printing Office. It should lead to a restudy by legal agencies, by criminologists, by sociologists, and by every element in government that deals with crime, health, and public safety of the role of alcohol in our national life.

I am not going to say that my bill will curb alcoholism or even curb drinking. I am not claiming that it will make the streets safe, prevent riots, in which drinking plays a very large role, or end automobile accidents. But it will limit the appeal by advertisers of intoxicating beverages that is thrust upon the young people of this country. For when you get the young person into excessive drinking, you assure for him condemnation to alcoholism.

My bill seeks to focus attention on the tremendous social and economic cost of drinking among the American people. It seeks to ask whether young people—many of whom are under the legal age even for buying beer—should be exposed to constant pressure from advertisers, using the most popular advertising medium, to buy and consume alcoholic beverages. Beer and wine are alcoholic beverages; let there be no mistake about that. And let there be no mistake, contrary to a great deal of propaganda that is given the American people, when you start young people on excessive drinking of beer and wine, it will lead to excessive drinking of hard liquor.

We are not going to come to grips with crime, or with highway deaths, and perhaps not even with riots in the immediate future, without coming to grips with the role that alcohol and young people play in all of them.

The **PRESIDING OFFICER.** The bill will be received and appropriately referred; and, without objection, the bill will be printed in the RECORD.

The bill (S. 2202) to amend the Communications Act of 1934 in order to ban the broadcasting of any advertising of alcoholic beverages between certain hours, introduced by Mr. MORSE, was received, read twice by its title, referred to the Committee on Commerce, and ordered to be printed in the RECORD, as follows:

S. 2202

Be in enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That part I of title III of the Communications Act of 1934 is amended by inserting at the end thereof, a new section as follows:

"BAN ON BROADCASTING OF ADVERTISING OF ALCOHOLIC BEVERAGES BETWEEN CERTAIN HOURS

"SEC. 331. (a) No licensee shall broadcast any advertising of any alcoholic beverage between the hours of 3 and 10 post-meridian, local standard time or daylight saving time when in effect.

"(b) For the purpose of this section the term—

"(1) 'advertising' means any information about a product disseminated for the purpose of promoting the use of such product; and

"(2) 'alcoholic beverage' means any beverage containing more than one half of one percentum of alcohol by volume."

SEC. 2. The amendment made by this Act shall take effect on the ninetieth day after the date of its enactment.

ORDER OF BUSINESS

Mr. JAVITS. Mr. President, I ask unanimous consent that I may address the Senate for 25 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

AN ECONOMIC DEVELOPMENT STRATEGY FOR OUR CITIES

I. THE AGONY OF THE CITIES

Mr. JAVITS. Mr. President, I rise to speak today of the agony of our cities, of the source of the causes of that turmoil, and of solutions.

In the light of burning buildings, and to the accompaniment of the sound of gunfire, America's understanding of itself is on trial. We are now a country whose conception of its problems and of the type and pace of necessary solutions has been savagely overtaken by events.

For some years, the phenomenon of urbanization has been the dominant domestic trend in this country—a trend far outrunning our ability to realize it and deal with it. In many ways, we still pamper ourselves in the belief that this is not happening, and we act accordingly. There are State legislatures still, for the most part, dominated by ideas fixed in a time before city slums intruded on the public conscience. The Congress cuts down and into the bone of programs focused on city problems—model cities, rent supplements, rat eradication, and antipoverty. We still harbor a sense of priorities which, at least until faced with widespread riot and civil disturbance, permits the allotment of the national treasure into foreign and domestic programs whose urgency is far less than that of the threat to our basic domestic security which we now face.

If they produce a fundamental reshaping of our national priorities, we may some day be able to regard the riots of this summer as a blessing in disguise which saved us from an even worse conflagration at a later date. They have at least focused attention on the most dangerous byproduct of urbanization—the big city slum. It is to deal with the problems of those slums that I am introducing this legislation today.

This legislation seeks to deal with two related problems which are fundamental to the pathology and psychosis of the slum. We have been aware of the first problem for some time—that of massive and chronic unemployment—but a series of 10 Labor Department slum surveys conducted in November 1966 gave us our first clear idea of the staggering dimensions of the problem. These surveys showed that the unemployment rate in these areas was about 10 percent, or three times the average for the rest of the country; one of every five of those slum residents working full time was earning an income below the poverty line; at least a fifth of the adult men could not even be found in the surveys, and their employment status was unknown; "subemployment" in these areas, measuring joblessness, nonparticipation in the labor force, and earnings below the poverty line, averaged 34 percent, varying from 24 to 47 percent; the most serious single problem was perhaps that of unemployment among nonwhite teenagers—now averaging 30 percent; and the employment gap between white and nonwhite teenagers is increasing, though the gap for adult males is narrowing.

The study concluded that "unemployment—or subemployment—in city slums is so much worse than it is in the country as a whole that the national measurements of unemployment are utterly irrelevant." Moreover, there is evidence that the situation is deteriorating. The Labor Department reports that "social and economic conditions are getting worse, not better, in slum areas" and a recent study of the welfare rolls in New York City shows that dependency is deepening, with the average length of stay on assistance under aid to families with dependent children lengthening in recent years from 23 to 28 months.

Of course the other indices of social and economic deprivation are also higher in the slums than elsewhere, such as the percentages of substandard homes, of high school dropouts, of infant mortality and the like. But jobs, I would insist, is the most fundamental of these problems, for with adequate jobs people have the incomes to purchase their own solutions to many of their other problems. Higher incomes can set off a domino effect to community self-improvement in areas such as health and housing. As Secretary Wirtz recently put it, "jobs are the live ammunition in the war on poverty."

A second fundamental problem, but one which we have tended to overlook, is the lack of involvement of the slum resident in the ownership and management of the business community which serves him. The riots have shown us the depths of this alienation and resentment, as white-owned stores were burned and looted while "soul brother" establishments were spared. Though he is tragically mistaken, the slum Negro sees himself as having no stake in the economic life of his community and no realistic possibility of becoming a part of it—hence there is no community morality against destroying it. The corner store, while it is the place where he gets his groceries, is too often also the place where he cannot get credit, where the prices go up on the days the welfare checks come out, where excessive credit charges are imposed, and where he cannot get a job. As we now know, these irritants can slowly fester and grow into massive violence and civil disorder.

We pride ourselves on our system of private enterprise and capitalism, secure in the belief that where everyone shares in the responsibilities and benefits, all will remain guardians of the system and will prosper. We must now ask what we are prepared to do to insure that all groups do in fact participate and have a stake in the preservation of the economic system. We have known for some time that our small business development efforts in the ghettos were sadly neglected, and the riots only spotlight the need; we now must seek to train and assist men to become owners and entrepreneurs in our society with as much vigor as we are now training them to become other peoples' employees.

But before we can logically proceed to develop solutions to these problems of slum unemployment and lack of involvement in business ownership and management, we must probe further into some of their proximate causes.

II. SLUM UNEMPLOYMENT

A. CAUSES AND CONTRIBUTING TRENDS

There are at least three contributing causes to slum unemployment which I will discuss and each has its champions and interest groups asserting its primacy.

First. Skills gap: There are those who see slum unemployment largely as a matter of a gap between lack of education and skills on the one hand and the substantial skills and education demand of the available jobs on the other hand. In this view, the problem is primarily one of a skills gap, and there is much to support this view. In gross terms, the number of unemployed in the country is not greatly different from the number of available jobs. In New York City in 1966, over 80 percent of the available jobs were in the white collar, craftsman, and operative categories, while only 31 percent of the unemployed people in the three ghetto areas surveyed fell into those categories.

Second. Geographic gap: There are those who point to the location of new businesses and the migration of existing businesses outside the central cities as a key element in the slum unemployment picture. This view—that the jobs are leaving the people—is also accurate. Between 1954 and 1965, almost two-thirds of all new industrial buildings and a little over half of all new stores were constructed outside the central cities. In some cities, the flight of new construction was even greater—rising in Los Angeles to 85 percent of the new industrial buildings and 63 percent of the stores. By another index, total employment in seven large central cities increased by only 50,000 while employment in the metropolitan rings surrounding those same cities increased by 900,000. The outmigration of existing businesses from the central cities compounds this growing geographic gap between jobs and people. For example, within just the past few months New Yorkers have been informed that the Pepsi-Cola, American Can, Corn Products, Avco, Union Camp, and similar companies will soon leave the city.

A report entitled "Program Planning for Economic Development" prepared by the Economic Development Administration documents this conclusion that jobs are deserting the people and that normal economic growth processes are not helping to solve problems of area unemployment. That report projected employment, income and population changes for each county in the United States and concluded in cautious terms that by 1975, first, "problems of high unemployment may arise increasingly in the large cities," second, "traditional migration patterns, if unchanged, may aggravate the area unemployment problem," and, third, "although almost all counties will have a 1975 real median family income above today's area distress threshold, disparities between rich and poor counties may be slightly greater than today." Specifically, the EDA concluded:

> Even if all the labor force absorbed by expanding job opportunities in suburban and outer-ring counties comes from the central cities, 9.8 percent of the population of the 25 largest metropolitan areas still must either migrate to smaller, rapidly growing counties or find jobs at home not projected by our analysis. This 9.8 percent is an enormous figure in absolute numbers—7.1 million persons (or 2.9 million jobs).

Finally, the migration of businesses has contributed to what we have called the skills gap, since the migration has been largely a flight of industrial and semiskilled jobs, of exactly the kind in which slum residents could most easily be placed or trained.

Third. Migration: A prime cause of slum unemployment in recent years has been the heavy migration of low-skilled persons into the big city ghettoes. Some 10 million people migrated from rural to urban areas between 1950 and 1960 and there is every indication that the trend will continue in the near future. The migration to the central cities has, of course, largely been a Negro migration—Negro population in central cities increased by 20 percent between 1960 and 1965 while white population there declined by 1 percent. In particular, the number of Negro teenagers in the central cities rose by over 50 percent in this short 5-year period. The magnitude of the inmigration trend is staggering: between 50 and 60 percent of nonwhites in those six Northern and Western cities of greatest Negro population—New York, Chicago, Philadelphia, Detroit, Washington, and Los Angeles—are inmigrants, and about 80 percent of those came from the South. With these migration figures in mind, one must conclude that any attack on the unemployment problem in big city slums requires a collateral attack designed to slow down the inmigration which constantly overwhelms all our urban job training and job development efforts.

We should note parenthetically that while the job growth rate of the central cities and of rural areas is low—much less than the national average—the suburbs and those counties with a population of 50,000 to 500,000 are undergoing a steady and healthy job growth trend. These are the areas where the migrants from the South should be locating, but because of discrimination in housing and high housing costs caused by suburban zoning practices and low-intensity land use practices, they are forced into the central cities. Negroes represented only about 5 percent of the population in suburbia in 1965, which is exactly the same level of penetration they had achieved a generation earlier, in 1940.

B. STRATEGIES FOR ATTACK ON SLUM UNEMPLOYMENT

The examination of these three contributing causes to slum unemployment suggests several different strategies for solutions, and again each strategy has its champions.

First. Job training programs: Those who center their attention on the skills gap, tend, naturally enough, to opt for vocational education and training as the best prescription. This has been, by and large, the approach of the Office of Economic Opportunity and the Department of Labor under the Job Corps, the Neighborhood Youth Corps, and the Manpower Development and Training Act. There is no doubt that job training is a crucial weapon in the arsenal needed to attack the problem, but job training cannot do the whole job—it cannot cope with the growing geographic gap between jobs and people.

Second. Urban economic development: A second and complementary weapon is needed—a program to promote urban economic development and the growth of jobs within the geographic reach of the slum resident. Historically, economic development has been perhaps the most important and successful tool for the elimination of poverty. The percentage of American families with incomes below the purchasing power equivalent of $3,000 a year in 1965—that is, purchasing power measured in constant 1965 dollars—has declined tremendously as the country has prospered. In 1896, 67 percent of the families were below this $3,000 purchasing power level, with the figure dropping to 30 percent in 1950, 20 percent in 1960, 17 percent in 1965, and to an estimated 10 to 12 percent by 1976.

But we cannot rely upon private market forces and the continued growth in prosperity for the average citizen to solve the problem of slum poverty. For, as the Department of Labor slum survey concluded, "no conceivable increase in the gross national product would stir these backwaters." Some way is needed to influence private industrial and business location decisions so as to better locate the available jobs near the available people.

No Federal program is effectively doing that now. In fact, the entire Federal war on poverty, encompassing several Departments and some $26 billion in fiscal year 1968, is hardly concerned with urban economic development at all. The Economic Development Administration of the Department of Commerce is prevented, by a restricted statutory definition of the "redevelopment areas" it can serve, from entering most urban communities. The Department of Labor has programs to provide trained employees but does little to stimulate the provision of jobs. The Office of Economic Opportunity has only a tangential involvement in this area, through the funding—which it is about to terminate—of Small Business Development Centers designed to provide management counseling and assistance to ghetto entrepreneurs in gaining loans from the Small Business Administration. In short, the Federal Government has not energetically attempted to redirect economic growth processes in order to stir ghetto backwaters; rather, it has emphasized individual services and rehabilitation.

An effort was made last year to introduce a partial economic development strategy into the Economic Opportunity Act under the special impact program, coauthored by Senator ROBERT KENNEDY and myself. That program does encourage more imaginative arrangements with private enterprise but, as I can now see with the gift of hindsight, was not sufficiently explicit with regard to the kinds of complementary economic development activities which might be undertaken in connection with its concentrated manpower training and employment programs. The statute itself made no reference to economic development. And regardless of how its authors may have viewed its purposes, the administering agency, the Department of Labor, has not used the provision as a source of economic development funds except in one project in Bedford-Stuyvesant where businessmen themselves conceived a variety of economic development components and drew up the application, and where Senator KENNEDY and I sit on the board of directors. This is not surprising, after all, since the economic development expertise in this Government is not located in the Department of Labor but in the Economic Development Admininstration in the Department of Commerce—the agency to which my new bill is directed. I am very hopeful that my colleague from New York will join me in this effort and that perhaps we can work these new provisions into a package with the existing manpower aspects of the special impact program.

Under this second strategy of urban economic development, proponents would advance a variety of incentives to business to induce location of job-producing enterprises in ghetto areas. For example, under the most recent of these proposals, a bill introduced by Senators KENNEDY of New York and PEARSON of Kansas and cosponsored by a number of Senators including me, certain tax incentives would be provided for this purpose. There is certainly much to be said for this strategy. Not only would it stimulate the provision of jobs available to slum residents, but it would pave the way for the establishment of satellite small businesses and would increase a city's tax base in such a way as to allow the provision of more and better public services.

But important doubts have been raised about the wisdom of such a scheme to bring big business into the cities. The flight of industry to the suburbs is based upon important economic factors, such as a general shift from production techniques which could be housed in multistory buildings to those which require extensive land and single-story production lines. Moreover, with the growth of the interstate highway system and of circumferential highways or beltways, important economies in transportation are often available by plant location in the suburbs rather than in the congested metropolitan areas. In short, it may not be wise, in any cost-benefit sense, to spend our funds in a highly costly effort to reverse the economic logic now controlling private business location decisions. Mr. Jonathan Lindley, the Deputy Assistant Secretary for Policy Coordination in the Economic Development Administration, has put it this way:

> It may be that multi-million population urban complexes suffer from such massive growing pains that the marginal costs of living or doing business are climbing so sharply so as to discourage future economic growth. . . . It may not be a wise investment to pay the costs of any *further growth*—or the costs of attempting to create employment

opportunities on a massive scale in these complexes.

Finally, it must be observed that with the recent big city riots, the price of inducing business to locate in urban slums may be very high indeed; in fact, there may not be any price at all at which this kind of decision can be bought.

Nevertheless, the importance of bringing at least some jobs into these urban areas seems to me to demand that we at least seriously experiment with the provision of such incentives to business and with this urban economic development strategy.

Third. Rural economic development: A third possible approach is founded in the need to do something to halt the steady stream of rural migrants into the central cities. Since that migration is itself the product of the disappearance of both farm and nonfarm jobs—that is, the result of the push of lack of jobs as much as the pull of opportunity in the cities—it would make sense to devote effort to rural economic development in the hope of slowing or stemming that tide.

The Federal Government is in fact making some efforts to achieve that kind of rural development; the Appalachian and EDA programs are largely rural in focus. A new bill to stimulate the development of industry in rural areas by the provision of tax incentives has recently been offered by Senators HARRIS, of Oklahoma, and PEARSON, of Kansas, and it is, in most of its provisions, the mirror image of the urban industry tax incentive proposal I mentioned earlier. In my view, more effort in this direction makes a great deal of sense, but should be concentrated on those rural areas which are the source of most of the inmigration to the Northern central cities and should be only one part of a broader strategy on urbanization which has some direct impact on these unemployed persons already in the festering slums.

Fourth. Bringing people to the jobs: There is a fourth possible strategy which needs to be examined—one which is in many ways possibly the most economical. Under this approach, rather than employing costly incentives to reverse the trend of normal plant location decisions, we would instead accept the fact that economic and job growth is taking place principally in the suburbs and counties of 50,000 to 500,000 population and would try to bring the people to the jobs. Involved in this strategy would be an effort to direct the migration streams from the South toward these growth centers, as well as an effort to relocate or at least provide commuting transportation for the unemployed slum dweller. Not only may this be the path of least economic resistance, but it would also produce the greatest racial integration—a goal of which we must not lose sight.

Of course, when it comes to relocating unemployed Negroes in these growth centers, be they Negroes from the rural South or the northern slums, the primary difficulty is not economics but rather racial discrimination. Open housing is the key to such relocation, and becomes as crucial in any balanced economic development strategy as it is important on purely legal and civil rights grounds.

While open housing legislation may, unfortunately, be some time in coming, there is, it seems to me, one form of action which we can pursue much more actively right now—that of assisting the slum dweller to commute to jobs outside his neighborhood or outside the central city. At present, transportation costs to outlying jobs are more than most slum residents can meet. For example, the Traffic Commission of New York City estimates that it would cost a worker in Harlem $40 a month to commute by public transportation to an aircraft factory on Long Island, a plant in Yonkers, or a shipyard on Staten Island; the cost of such transportation for a resident of Bedford-Stuyvesant in New York would be nearly $50 a month. Similarly, the Labor Department estimates it costs from 50 cents to $1.78 to make a round trip between central Los Angeles and the nearest industrialized areas. And the lack of inexpensive transportation not only prevents the slum dweller from commuting to these areas for work, it also tends to prevent him from even getting to those areas to look for a job.

The provision of transportation assistance, either directly to the employee for his use on public or private transportation or to the employer to allow him to make company buses available to and from central city areas, is a technique that we need to exploit far more energetically.

C. CONCLUSIONS

I am forced to conclude from the foregoing analysis that there is a skills gap, and a geographic gap between people and jobs, and a constant problem of inmigration to the central cities, and that no solution to the problem of slum employment is possible without taking account of all these phenomena and the strategies needed to deal with them. We need a comprehensive approach, not simply an ad hoc process whereby one group champions rural economic development and another presses for urban development.

But I am also forced to conclude that both political and economic realities dictate that we will not soon be able to undertake any such comprehensive approach on a nationwide basis. We have limited public resources which must, if they are to have any appreciable impact, be concentrated on a limited number of areas, and be combined with the maximum amount of private sector resources which can be brought to bear.

III. NONPARTICIPATION IN COMMUNITY BUSINESS LIFE

The second of the fundamental problems which the legislation I am introducing today deals with is that of lack of involvement by the slum dweller in the management or ownership of business. This is a problem with psychological consequences which are as important as its economic byproducts, for it means that the slum resident has no direct stake in the business life of his community. The people who own and manage the stores and small businesses are not his people. He himself has little prospect of ever being able to acquire the training and the capital to go into business for himself. In all our talk about the merits of home ownership in building a stake in progress, we must not forget that business ownership is as important in that regard. Moreover, the fact of absentee ownership of most of the business in the ghettoes means that most of the profits leave the area rather than remaining to generate further economic activity, much in the way in which capital flees from the underdeveloped countries.

Despite the need for correcting this imbalance, we have very few Federal resources going into programs for the development of indigenously managed and owned small business in the ghettoes. The new tax incentive bill which has been offered would not deal with this problem, since its assistance is available only to establishments that employ 50 or more workers. Hence, it would tend only to produce the import of absentee-owned business into the ghetto.

The antipoverty program under the Economic Opportunity Act does have one program which deals with this problem, but it has been only a limited success. Under title IV of that act, the Small Business Administration may make loans and guarantees of loans of up to $25,000 over 15 years and at 5½ percent interest to establish and preserve small business concerns. The only statutory language which connects the program with the problems of the poor is the injunction to the Administrator that the loans be made "with particular emphasis on employment of the long-term unemployed." Title IV also grants authority to the OEO to provide screening, counseling, and management guidance to entrepreneurs eligible for the SBA loans, providing $5 million in fiscal year 1967 for the administrative expenses of so-called Small Business Development Centers—SBDC's—established to carry out these functions. For a variety of reasons, the OEO has decided to terminate the SBDC program, and it was only through the intervention of the Senate Subcommittee on Employment, Manpower, and Poverty, acting at my suggestion, that the program has been continued until August 31, 1967, to allow the Congress to make a determination about its future.

Some idea of performance under the title IV program can be derived from a report prepared by a private management consulting firm, Kirschner Associates, on its operations in New York City. A sample of 20 percent of the loans outstanding as of early 1967 showed that: the average loan was $9,427; 69 percent of the loans went to preexisting businesses and the balance to new enterprises; 47 percent of the recipients received some type of management training through the SBDC program; annual sales volume increased by an average of $18,500 for each business; the businesses reported employing on the average of 1.9 new employees, of which 78 percent—1.4 persons per business—were previously unemployed, at an average salary of $3,000. Default rates were, however, quite high—30 percent of the loans surveyed were in default. Coupling the loss rate with average SBDC operating costs of

$1,500 per loan, the cost of the program was about $4,500 per loan of $10,000, or, measuring benefits a different way, about $3,200 per new job created.

Given these cost figures, it is not altogether surprising that the OEO decided to terminate the SBDC program; SBA was to continue the loan aspect of the program, but under generally increased eligibility requirements and with much less concentration on the ghettoes so that the default ratio could be expected to drop. The Kirschner analysis of the New York City program concluded that, first, the program had had little visible impact, since the establishments assisted were widely dispersed; second, relatively few employment opportunities had been created, and at an expense which was not competitive with the costs of training programs which also put the unemployed to work; and third, the crucial function of the SBDC's in providing management guidance and counseling had not been properly fulfilled by their offering of relatively brief and superficial programs which did little to prepare businessmen of limited backgrounds for operation in a highly competitive environment. The report noted generally that "the area of training and education for small business management has been seriously neglected on a national basis."

While the Kirschner analysis did tend to conclude that the SBDC program had been of limited success at substantial cost, it did point out that some important psychological gains had been registered—that "minority groups of businessmen are given the feeling that there is a program for them and that they can work out of poverty in a traditional way." The report did not measure what may be a further benefit of the program—the psychological and economic impact on the community at large of having locally owned and managed small business.

I conclude from these and other reports, together with a wide variety of testimony which has been taken in both the Senate Committee on Labor and Public Welfare and the Select Committee on Small Business that our program of assistance for small business in disadvantaged areas must be retained, but in a markedly revised form.

The expense of creating and preserving ghetto small business does not mean that the effort should not be undertaken, but it does lead me to believe that there is a better way.

First, I believe that the goals of the title IV program must be clarified. This should not be a program whose success is measured in the number of long-term unemployed who are hired. A struggling small business is the kind of operation which can least tolerate employing the hard-core unemployed. Larger businesses with a greater margin of stability must be brought in to accomplish that purpose, and for that purpose we need a broadly conceived urban economic development program, not a small business loan program. Rather, the goal of the title IV program should be the promotion of viable small business located in slum areas or owned and managed by residents of those areas.

Second, I believe that we need a concentrated approach. While the loan program should be broadly available on a national basis, some substantial part of its resources should be channeled into limited numbers of big city slums in order to produce a visible impact and a noticeable psychological effect.

Third, the SBDC program should be retained in principle, though somewhat changed in emphasis. It is crucially important to retain some kind of organization which is outstationed in the ghettos and which acts as the advocate of the small businessman, not simply as his downtown banker. As an earlier Kirschner report indicated, the location of the center has a great deal to do with who is served; if we wish to reach the residents of the slums, the services offered must be readily accessible to them. Moreover, only by being located in the ghetto can the program achieve the kind of community participation, through trade associations, citizens' advisory councils and the like, which is necessary if it is to have its full impact.

Finally, and perhaps most importantly, much more emphasis must be given to providing an expanded range of technical and management services to the small businessman. Intensive forms of business education and training must be developed using the resources of established firms to the maximum. I would personally favor the development of a kind of on-the-job training for businessmen whereby existing firms would provide the training on contract from the Government or in return for certain other incentives. Moreover, the assistance rendered should not be limited simply to management training, but should encompass a variety of more sophisticated technical aids including market research, feasibility studies, and the organization of trade associations and cooperatives. I emphasize again that the provision of intensive technical and management assistance is absolutely crucial; it makes no sense to put a slum dweller or low-income person into business without taking the necessary steps to insure that he will be able to compete successfully.

IV. THE BILL

The legislation I am offering today, built on the foregoing analysis, proposes a completely revised title IV of the Economic Opportunity Act.

In a wholly new part A of title IV, an economic development strategy is introduced into the antipoverty program for the first time. The Department of Commerce, the only Government agency with any substantial economic development expertise, is authorized to make grants or to contract with local public or private organizations to promote the economic development of a limited number of areas having "high concentrations of unemployed or low-income individuals." This assistance may go to those underdeveloped rural areas which are producing the waves of migration which are engulfing the cities as well as to the slums of the central cities. The number of areas which are assisted, however, must be strictly limited by the Secretary in order to produce an appreciable impact and some useful test results; dispersion of program funds must be avoided. Further concentration of resources is achieved by requiring that areas selected for assistance must be receiving heavy dosages of manpower training funds under the special impacts or Kennedy-Javits program, for an economic development program makes little sense unless it is part of a package involving job training.

Local governmental prerogatives are preserved by requiring that the chief executive of any area selected for assistance must give his written consent and by specifying that the program be coordinated with local planning under model cities and other laws. It is contemplated that the program will be administered at the local level in many cases through local economic development corporations, and the legislation mandates the maximum involvement of local businessmen in the planning and conduct of programs, whether through their participation on boards of directors of the development corporation, advisory councils, or other mechanisms.

The Secretary of Commerce is empowered to undertake a variety of economic development activities designed to produce added employment opportunities for the residents of the rural and urban depressed areas which are served. A key provision makes possible the offering of a wide variety of incentives to businesses to locate establishments in or near the areas served, with a provision that the Secretary must have reasonable grounds to believe in all cases that the employment opportunities created or made available will be filled primarily by unemployed or low-income residents of the area served. The means by which the Secretary may establish such a reasonable belief that the employment opportunities will be so filled are left flexible, though they might include such techniques as joint certification by the employer and the State employment service, or a contract with the employment service to provide a certain number of acceptable employees.

Because we have so little experience in putting together a package of incentives which can induce business to move into or near ghetto areas, I am suggesting that the Secretary's authority be relatively unlimited to allow experimentation and tailoring to individual situations. In some cases loans or guarantees may be sufficient, in other cases interest subsidies or insurance premium arrangements or lease guarantees may be necessary. The Secretary is encouraged to experiment broadly so as to give us some accurate ideas about which are the most effective and efficient means for promoting this business development.

Since land for plant location or expansion purposes is a key ingredient, the bill instructs the Secretary of Housing and Urban Development to make use of his authority under the urban renewal legislation—to allot 30 percent of grant expenditures to nonresidential uses—in a manner which supports the business development activities proposed.

To a large extent this urban renewal authority has not previously been used in connection with economic development activities aimed at producing jobs for slum residents.

The Secretary is also authorized to undertake or to sponsor economic research, feasibility studies, and other kinds of technical assistance in support of his development activities.

The bill involves several protective limitations on the Secretary's action. First, financial assistance may not be provided which would result in the relocation of establishments from one place to another if such relocation would result in an increase in unemployment in the area of original location. Second, the Secretary is instructed to insure that all projects will promote the development of entrepreneurial and managerial skills by the residents of the areas served. Under this provision, the Secretary is expected to experiment with a variety of incentives to encourage larger businesses to help in providing management training and counseling to ghetto residents. This might be done by on-the-job management training courses, or by establishment of some "buddy system" between the larger businesses and small establishments in the area, or through similar means.

A somewhat different kind of activity which the Secretary is authorized to undertake involves the process of getting people to jobs in outlying and suburban areas. Under this provision, he is authorized to provide assistance for programs to make means of travel available to residents of the areas served so that they may commute to work. I would hope that the local economic development corporations or other agencies administering the program at the local level would seek to encourage large employers to recruit actively and to hire from the ghetto areas, with the Government providing funds to cover commuting costs, whether by public transportation or by company bus.

A third set of authorized activities is aimed at assisting small businesses in the areas served. While the economic development activities and incentives related to large business described above would have the greatest impact in terms of reducing unemployment, small business development activities are needed to balance the economic life of the community and to raise levels of business management and ownership among the residents of the areas served.

Small business development is to be carried out through a variety of mechanisms which go far beyond the limited assistance previously provided by title IV. First, the Secretary of Commerce is authorized to provide financial assistance to new or existing businesses, and is encouraged to provide such assistance through the development of new private capital resources by the use of government guarantees and the organization of pooling arrangements among private lending institutions. Second, the Secretary is authorized to undertake, either directly or through local sponsors the provision of technical assistance such as market research, feasibility studies, the identification of business opportunities that are going unexploited, and a one-stop service function at the local level for small ghetto businessmen in the relations with government programs and public services.

A particularly important and promising form of technical assistance singled out in the law is the encouragement by local sponsors of impact areas. Along similar lines, the Secretary is authorized to coordinate with other Federal departments and agencies with regard to Federal procurement, contracting, subcontracting and bank deposits so that those Federal activities may support economic development in the areas served.

Finally, the Secretary is given broad authority to provide management counseling and training services to businessmen on a nationwide basis, with special emphasis placed on the development of new training techniques and on programs of longer duration. Under this provision, the EDA is expected to take over the functions of the OEO under the SBDC program, a function which would not be alien to it since the EDA was largely responsible for the development of the first SBDC's. EDA would not be compelled to preserve the existing SBDC's, but could refund those that it thought effective. It is expected that to this extent the practice of outstanding business development centers in the ghettoes would be continued, however. In this way the small businessmen in the areas served would have an advocate of their interests and a source of management training funded by a different Federal agency than their banker—the SBA.

Part B of the new title IV would preserve the existing SBA loan program, but with some significant changes. First, language requiring that particular emphasis be given to "employment of the long-term unemployed" is replaced in favor of emphasis on the "preservation or establishment of small business concerns located in areas of high concentration of unemployed or low-income individuals or owned by low-income individuals." This change is in line with the conclusions of the experts that fledgling small businesses should not be loaded with the added vulnerabilities of hiring the hard-core unemployed, and that a more proper goal for the program is the development of businesses in the ghettos or owned by low-income persons. To bolster this emphasis, and to combat dissipation of the loans whereby no visible impact is made, the Administrator is enjoined to make at least 50 percent of the loans to businesses in areas of high concentrations of unemployed or low-income persons or to low-income persons. The law specifically provides that the definition of low income as applied to owners of businesses may be different than the figure used to define the poverty line under other programs in the act; in this manner, the Administrator is given some flexibility so that he is not forced to deal with persons whose incomes are so low that they cannot be regarded as even minimum risks. Finally, the level of management training programs is strengthened by placing special emphasis on the development of programs which are of sufficient scope and duration to produce self-sufficiency in business on the part of those trained.

Funding under the program is set at $75 million for fiscal year 1968 in the recognition that only a relatively modest amount could be wisely spent in the first year of operation. Added funds might be made available, however, from amounts appropriated for use by the EDA under the Economic Development Act, since my bill classes areas served under its provisions as "redevelopment areas" eligible for funding under the EDA law. The maximum Federal share of program costs is 90 percent, and the bill follows the language of the existing special impact program with regard to the other matters involved in determining local and Federal shares.

Mr. President, it will take brains and organization to solve the problems of the cities, but it will also take money. We cannot shortchange the slums and the ghettos and expect much more than what we are getting now. I defer to no Member of this body when it comes to repressing riots and answering violence with stern police and law enforcement measures. But the art of governance is to avoid riots, not to incur them and then suppress them. The measure I am introducing is intended to deal with the basic causes, in the hope of avoiding them.

Finally, we need programs with a visible impact. The ghetto dweller will understand only the visible impact. The measure I am introducing proposes to give that impact in the most critical area—by providing jobs and the opportunity to be in business for oneself and by concentrating resources in a few areas.

Mr. President, the most effective way in which we can deal with the problems of riots and violence in our big cities is to give relief to the proper claims of injustice which are made by ghetto dwellers and to concentrate the resources on his problems which we seem able to concentrate on so many other problems.

Mr. President, this is a matter of internal security and of moral necessity fully equal to the problems of external security and morality which we face in Vietnam and elsewhere in the world and which consume 70 percent of the Federal budget. We can and we must find resources to meet the problem, and I am confident that we will do so as we come to recognize the basic causes of the disorders we are witnessing.

Mr. President, I ask unanimous consent that the bill I am introducing be printed at this point in the Record.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the Record.

The bill (S. 2203) to amend title IV of the Economic Opportunity Act of 1964 to create a program to develop job opportunities in rural and urban areas of high unemployment and to raise levels of managerial skills and business ownership in those areas, and to strengthen the existing program of loans to small business concerns, introduced by Mr. Javits, was received, read twice by its title, referred to the Committee on Labor and Public Welfare, and ordered to be printed in the Record, as follows:

S. 2203

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Business Development Assistance Act of 1967".

SEC. 2. Title IV of the Economic Opportunity Act of 1964 is amended to read as follows:

"TITLE IV—BUSINESS DEVELOPMENT ASSISTANCE AND LOAN PROGRAMS

"PART A—SPECIAL BUSINESS DEVELOPMENT PROJECTS TO REDUCE CONCENTRATED UNEMPLOYMENT

"STATEMENT OF PURPOSE

"SEC. 401. The purpose of this part is to assist organizations and programs designed to deal with the problems of areas in which there are high concentrations of unemployed and low-income individuals by—

"(1) preserving existing business enterprises, developing new business opportunities, and encouraging entry of other business enterprises into these areas;

"(2) raising levels of managerial skills and business ownership in these areas; and

"(3) mobilizing for these objectives private as well as public resources and skills.

"ESTABLISHMENT OF PROGRAMS

"SEC. 402. (a) The Secretary of Commerce is authorized to make grants to or contracts with public and private organizations, including local economic development corporations, for projects designed to carry out the purpose of this part in or on behalf of a limited number of areas (defined without regard to political or other boundaries) selected from those urban areas identified by the Director as having high concentrations of unemployed or low-income individuals and from those rural areas identified by the Director as having high levels of unemployment and of outmigration to the urban areas served. Any urban area selected for assistance under this section must be among those receiving assistance under section 131 of this Act. The Secretary of Commerce shall consult with the Director, the Secretary of Labor, and the Secretary of Housing and Urban Development in selecting the areas to be served. No area may be selected under this section without the written assent of the chief executive of the city, county, or other political subdivision in which the area is located.

"(b) Financial assistance under this section may be provided for planning, conducting, administering and evaluating projects, including without limitation—

"(1) the preparation of comprehensive economic development plans and the conduct of relevant economic research for the areas served;

"(2) the furnishing of incentives to business to locate or maintain enterprises in or near the areas served, including without limitation loans, loan guarantees, arrangements with lending institutions to ease loan terms and conditions, insurance, and arrangements involving the acquisition and lease or sale of land;

"(3) the furnishing of travel assistance to permit employers to make transportation to and from work available for, or to pay transportation costs incurred by, employees who are residents of the areas served;

"(4) the furnishing of technical and financial assistance to existing or new business enterprises in the areas served including the identification and development of new business opportunities, the development of new capital resources through the use of guarantees, pooling arrangements, or otherwise, economic feasibility studies, market research, and centralized services with regard to government programs and public services;

"(5) the establishment and strengthening of business service agencies, including trade associations and cooperatives;

"(6) the encouragement of the placement of subcontracts by major businesses with enterprises assisted or eligible for assistance under this part, including the provision of incentives and assistance to such major businesses so that they will aid in the training and upgrading of potential subcontractors; and

"(7) the furnishing of business counseling, management training and legal and other related services, including the development of management training opportunities in existing businesses, with special emphasis upon the development of management counseling and training programs of a scope and duration sufficient to develop entrepreneurial and managerial self-sufficiency on the part of the individuals served. Services under this provision may be made available to individuals and businesses wherever located, including areas other than those selected under section 402(a) and including the provision of such services to the recipients of assistance under part B of this title.

"(c) Financial assistance under this section shall not be extended to assist in the relocation of establishments from one area to another if such relocation would result in an increase in unemployment in the area of original location.

"(d) The number of areas served under this section must be sufficiently restricted in number within the limits of the funds available so that all programs are of the necessary size and scope to have an appreciable impact in the areas served.

"(e) The Secretary of Commerce shall take such action as may be necessary and appropriate, in coordination and cooperation with the heads of other Federal departments and agencies, so that contracts and subcontracts entered into, and deposits made, by the Federal Government or in connection with programs aided with Federal funds, contain provisions to further the purposes of this part.

"GENERAL CONDITIONS FOR PROGRAM APPROVAL

"SEC. 403. (a) The Secretary of Commerce shall not provide financial assistance for any project unless he determines that—

"(1) any business enterprise assisted under section 402(b)(2) is located within the area served or in such relation to such area that the Secretary has reasonable grounds to believe that the employment opportunities made available will be or are filled primarily by residents of such area;

"(2) the project will promote, where feasible, the development of entrepreneurial and managerial skills by the residents of the areas served;

"(3) the project will, where feasible, promote the ownership or participation in ownership of the business enterprises assisted under this section by residents of the areas served;

"(4) the project will be planned and carried out with the maximum participation of local buinessmen, through service on a project advisory council or governing board, or through other appropriate means;

"(5) the project will be appropriately coordinated with local planning under this Act, the Demonstration Cities and Metropolitan Development Act of 1966, and with other relevant plans for physical and human resources development of the areas served.

"(b) Assistance under this part shall be granted under such regulations as the Director shall prescribe to assure fiscal control, fund accounting and reporting procedures necessary to achieve compliance with the provisions of this part.

"APPLICATION OF OTHER FEDERAL RESOURCES

"SEC. 404. (a) The Secretary of Labor shall, to the extent practicable, make available in or on behalf of the areas served under section 402 such resources under work and training programs and labor relocation programs under his jurisdiction as may be necessary to carry out the purpose of this part.

"(b) The Secretary of Housing and Urban Development shall make available under the authority granted to him under title I of the Housing Act of 1949 such land for business location and expansion purposes as may be necessary to carry out the purpose of this part.

"(c) Areas selected for assistance under section 401 of this Act shall be deemed 'redevelopment areas' within the meaning of section 401 of the Public Works and Economic Development Act of 1965 and shall qualify for assistance under the provisions of title II of that Act.

"EVALUATION

"SEC. 405. Each project to which payments are made under section 402 shall provide for a thorough evaluation of the effectiveness of the project in achieving the goals of this part. This evaluation shall be conducted by such public or private organizations as the Secretary of Labor shall designate with a view to determining, among other things, the extent to which the activities undertaken have assisted in providing employment for residents of the areas served, have helped to increase the number of residents from the areas served who are employed in managerial positions or who are participating in business ownership, and have strengthened the economic activity and stability of the area served. Such evaluations shall be made public and a summary of them, together with a report on the program, shall be transmitted by the Secretary to the President and the Congress on an annual basis.

"FEDERAL SHARE OF PROGRAM COSTS

"SEC. 406. Federal grants to any program carried out pursuant to this part shall not exceed 90 per centum of the cost of such program, including costs of administration, unless the Secretary of Commerce determines, pursuant to regulations adopted and promulgated by him establishing objective criteria for such determinations, that assistance in excess of such percentages is required in furtherance of the purposes of this part. Non-Federal contributions may be in cash or in kind, fairly evaluated, including but not limited to plant, equipment, and services: *Provided,* That where capital investment is required under a contract with a private organization (other than a nonprofit organization), the Federal share thereof shall not exceed 90 per centum of such capital investment and the non-Federal share thereof shall be as defined above.

"AUTHORIZATION OF APPROPRIATIONS

"SEC. 407. The Secretary of Commerce shall carry out the programs provided for in this part during the fiscal year ending June 30, 1968, and the three succeeding fiscal years. For the purpose of carrying out this part, there is hereby authorized to be appropriated the sum of $75,000,000 for the fiscal year ending June 30, 1968, and the three succeeding fiscal years only such sum may be appropriated as the Congress may hereafter authorize by law.

"PART B—SMALL BUSINESS LOANS AND ASSISTANCE

"STATEMENT OF PURPOSE

"SEC. 410. The purpose of this part is to assist in the establishment, preservation, and strengthening of small business concerns and to improve the managerial skills employed in such enterprises, with special attention to small business concerns located in urban areas of high concentration of unemployed or low-income individuals or owned by low-income individuals, and to mobilize for these objectives private as well as public managerial skills and resources.

"LOANS, PARTICIPATIONS, AND GUARANTIES

"SEC. 411. (a) The Administrator of the Small Business Administration is authorized to make, participate (on an immediate basis) in, or guarantee loans, repayable in not more than fifteen years, to any small business concern (*as defined in section 3 of the Small* Business Act (15 U.S.C. 632) and regulations issued thereunder), or to any qualified person seeking to establish such a concern, when he determines that such loans will assist in carrying out the purposes of this part, with particular emphasis on the preservation or establishment of small business concerns located in urban areas of high concentration of unemployed or low-income individuals or owned by low-income individuals: *Provided, however,* That no such loans shall be made, participated in, or guaranteed if the total of such Federal assistance to a single borrower outstanding at any one time would exceed $25,000. The Administrator of the Small Business Administration may defer payments on the principal of such loans for a grace period and use such other methods as he deems necessary and appropriate to assure the successful establishment and operation of such concern. The Administrator of the Small Business Administration may, in his discretion, as a condition of such financial assistance, require that the borrower take steps to improve his management skills by participating in a management training program, including such programs provided under part A of this title, which is approved by the Administrator of the Small Business Administration: *Provided, however,* That no such management training program may be approved unless it is of sufficient scope and duration to develop entrepreneurial and managerial self-sufficiency on the part of the individuals served. The Administrator of the Small Business Administration shall encourage, as far as possible, the participation of the private business community in the program of assistance to such concerns.

"(b) The Administrator of the Small Business Administration is authorized to make grants to, or contract with, public or private agencies, or combinations thereof, to pay all or part of the costs necessary to enable such agencies to provide screening, counseling, management guidance, or similar assistance with respect to persons or small business concerns which receive or may be eligible for assistance under subsection (a). Financial assistance under this subsection shall be subject to the provisions of section 208 of this Act.

"(c) To the extent necessary or appropriate to carry out the programs provided for in this part the Administrator of the Small Business Administration shall have the same powers as are conferred upon the Director under section 602 of this Act.

"LOAN TERMS AND CONDITIONS

"SEC. 412. Loans made pursuant to section 402 (including immediate participation in and guaranties of such loans) shall have such terms and conditions as the Administrator of the Small Business Administration shall determine, subject to the following limitations—

"(a) there is reasonable assurance of repayment of the loan;

"(b) the financial assistance is not otherwise available on reasonable terms from private sources or other Federal, State, or local programs;

"(c) the amount of the loan, together with other funds available, is adequate to assure completion of the project or achievement of the purposes for which the loan is made;

"(d) the loan bears interest at a rate not less than (1) a rate determined by the Secretary of the Treasury, taking into consideration the average market yield on outstanding Treasury obligations of comparable maturity, plus (2) such additional charge, if any, toward covering other costs of the program as the Administrator of the Small Business Administration may determine to be consistent with its purposes: *Provided, however,* That the rate of interest charged on loans made in redevelopment areas designated under the Area Redevelopment Act (42 U.S.C. 2501 et seq.) shall not exceed the rate currently applicable to new loans made under section 6 of that Act (42 U.S.C. 2505); and

"(e) fees not in excess of amounts necessary to cover administrative expenses and probable losses may be required on loan guaranties.

"LIMITATION ON FINANCIAL ASSISTANCE

"SEC. 413. No financial assistance shall be extended pursuant to this part where the Administrator of the Small Business Administration determines that the assistance will be used in relocating establishments from one area to another or in financing subcontractors to enable them to undertake work theretofore performed in another area by other subcontractors or contractors.

"DISTRIBUTION OF FINANCIAL ASSISTANCE

"SEC. 414. The Administrator of the Small Business Administration shall take such steps as may be necessary to insure that, in any fiscal year, at least 50 per centum of the amounts loaned or guaranteed pursuant to this part are allotted to small business concerns located in urban areas identified by the Director as having high concentrations of unemployed or low-income individuals, or to small business concerns owned by low-income individuals. The Administrator of the Small Business Administration and the Director shall jointly establish criteria to define the term 'low-income' as it applies to owners of small business concerns eligible to be assisted under this part, which criteria need not correspond to criteria establishing low income pursuant to any other provision of this Act.

"DURATION OF PROGRAM

"SEC. 415. The Administrator of the Small Business Administration shall carry out the programs provided for in this part during the fiscal year ending June 30, 1968, and the three succeeding fiscal years."

RIOT RELIEF BILL

Mr. SCOTT. Mr. President, I introduce for appropriate reference a bill which clarifies the application of certain provisions of existing law in the case of major disasters resulting from civil disorder. A similar bill has been introduced by 15 Republican Members of the House of Representatives.

My bill redefines "major disaster" in the Disaster Relief Act of 1950 to include riots, and makes assistance applicable to the victims of riots through the Small Business Act, the rent supplements section of the Housing and Urban Development Act of 1965, the urban renewal section of the Housing Act of 1949, and the mortgage insurance section of the National Housing Act.

The determination of a disaster area will still be up to the President, but my bill will clarify the meaning of disaster so as to leave no doubt or cause for hesitancy concerning the legality of providing assistance to the victims of riots such as those which have shaken our Nation in the past days.

The purpose of my bill is not to reward the violent, but to improve the condition of the innocent victims of violence. Violence cannot and must not be tolerated. But laws to repress violence will not cure intolerable inequalities.

My bill is not offered as an all-purpose solution to our problems, but as a beginning in the massive pacification and development programs needed in our urban areas. The United States is spending millions of dollars a day for pacification in Vietnam and seems to be unable to cope with the powder keg on which we perch here at home. We cannot simply pray that things simmer down and hope that they do not flare up again.

The Congress should reexamine its priorities and bring legislation promptly to the floor of both its Houses.

It is good that President Johnson has taken quick action on the recommendation of Senator BROOKE of Massachusetts to investigate the cause of the riots. The question recurs: What will be done while the probers probe?

Last week, nine other Republican Senators and myself urged that Congress provide the necessary funds for recently enacted urban programs, including model cities and rent supplements. I will continue to press hard for these funds.

Next week, the Housing Subcommittee of the Senate Banking and Currency Committee will complete hearings on the rat extermination bill. I urge a favorable report by the committee and intend to rally as much support as possible to pass effective rat control legislation. I see nothing amusing in the ravages of rodents and still less in the failure of local administrations to do much about it.

Another area where legislation is needed is a program for Federal reinsurance guarantees so that individuals and businesses in cities hit by riot can receive future insurance protection.

These measures, desirable as they are, will not bring an end to the conditions which cause riots. Yet they are a part of the massive commitment which must be made, and sustained, by every level of government, by business, by every American in every walk of life, to see that all parts of our cities are fit for human habitation and that all our fellow citizens share in the promise of a prosperous and civilized nation.

We have a mandate, in this country, to bring about the restoration of domestic tranquillity.

The PRESIDING OFFICER. The bill will be received and appropriately referred.

The bill (S. 2209) to clarify the application of certain provisions of law in the case of major disasters resulting from civil disorder, introduced by Mr. SCOTT, was received, read twice by its title, and referred to the Committee on Banking and Currency.

EMPLOYMENT SERVICE ACT OF 1967

Mr. CLARK. Mr. President, I send to the desk, for appropriate reference, a bill, proposed by the administration, entitled "the Employment Service Act of 1967."

I ask that the bill be held at the desk for additional cosponsors until August 13, 1967.

This bill would update the Wagner-Peyser Act of 1933, which is the charter for the Federal-State public employment service system. The bill is designed primarily to provide a more comprehensive and definitive statement by the Congress of the major role the employment service must play and the functions it must perform to provide, throughout the Nation, a comprehensive manpower services system.

When it was established 34 years ago the Employment Service was conceived primarily as a labor exchange with the purpose of finding workers to fill available jobs and jobs for available workers. Today, there are heavy demands upon the service for a wide variety of manpower services.

In the past 6 years the Congress has enacted a wide variety of manpower training, vocational education, work experience, and related programs. The Federal-State public employment service system, with its network of 2,000 State and local offices, is one of the vital instruments for carrying out these programs.

This bill is designed to modernize and update this instrument. For example, it recognizes the needs of persons who have severe difficulties in securing or holding employment for comprehensive manpower services; the need for rapid communication of employment information and data; the need for working with all elements in the community, public and private, in developing jobs; and the need for highly trained personnel to operate the system.

Last year the Senate passed the Manpower Services Act of 1966. That legislation, as does the bill introduced today, resulted from extensive reviews of the operations of the public employment service by the Senate Subcommittee on Employment, Manpower, and Poverty and the House Select Subcommittee on Labor.

The Manpower Services Act of 1966 did not, unfortunately, pass the House last year.

The Subcommittee on Employment, Manpower, and Poverty will, as soon as possible, begin hearings on the proposed Employment Services Act of 1967. We will, of course, as will all Members of the Senate, want to carefully compare this proposal with last year's legislation and other proposals for modernizing the public employment service which have been advanced from time to time.

Mr. President, I ask that the provisions of the proposed Employment Services Act of 1967, together with a letter and an explanatory statement be printed in the RECORD.

The **PRESIDING OFFICER**. The bill will be received and appropriately referred; and, without objection, the bill, letter, and statement will be printed in the RECORD, and the bill will be held at the desk, as requested by the Senator from Pennsylvania.

The bill (S. 2210) to be known as the Employment Service Act of 1967, introduced by Mr. CLARK (for himself and other Senators), was received, read twice by its title, referred to the Committee on Labor and Public Welfare, and ordered to be printed in the RECORD, as follows:

S. 2210

EMPLOYMENT SERVICE ACT OF 1967

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, in order to maintain, strengthen, and improve the operations of the Federal-State public employment service system established under the Act of June 6, 1933, as amended (48 Stat. 113), such Act is amended to read as follows:

"SHORT TITLE, FINDINGS, AND DECLARATION OF PURPOSE

"SEC. 1. (a) This Act may be cited as the Employment Service Act of 1967.

"(b) The Congress hereby finds that availability of comprehensive manpower services is essential to the social and economic growth of the nation and to the full realization of individual potential, and reaffirms its belief (i) in freedom of individual vocational choice, (ii) in the importance of retaining numerous means through which employers may seek qualified workers and workers may find suitable jobs, and (iii) in the importance of the Federal-State public employment service system as a substantial source of direct assistance to workers and employers in maintaining and strengthening a free job market, and in effectively carrying out Federal, State and local manpower policies and programs.

"(c) The Congress declares that in order to attain these goals the Federal-State public employment service system should (1) operate effectively and cooperatively at local, State and national levels, providing not merely a labor exchange but comprehensive manpower services; (2) be directed towards assuring the best possible opportunities for utilization of the Nation's manpower resources and assisting workers generally to work at their highest capabilities; (3) develop and disseminate manpower information including information on the size, characteristics and location of the working population and on public and private manpower needs; (4) provide services needed to fill job vacancies expeditiously, to enable individual job seekers to secure and retain satisfactory employment, and to increase the employability of those who for any reason have severe difficulties in obtaining and holding jobs by new approaches and special services; and (5) improve the personnel engaged in the operation of the service and improve the management policies and practices related to its operation, including the adoption of policy governing the establishment of salary scales necessary to attract and retain competent and proficient personnel.

"ESTABLISHMENT OF THE FEDERAL-STATE EMPLOYMENT SERVICE

"SEC. 2. (a) The Secretary of Labor (hereinafter referred to as the Secretary) shall:

"(1) promote, develop, coordinate, and assist in establishing and maintaining a Federal-State system of public employment service offices to provide comprehensive employment services in the several States and the political subdivisions thereof in which there shall be located a veterans' employment service;

"(2) assist the States in meeting manpower and employment problems and in increasing the usefulness of the public employment service offices throughout the country by (i) developing and prescribing minimum standards of efficiency, (ii) promoting consistency in their administrative and statistical procedures, (iii) furnishing and publishing information as to opportunities for employment and sources of available labor supply and other information of value to the operation of the job market or the economic growth of the State, and (iv) maintaining a system for facilitating the placement of workers across State boundaries;

"(3) maintain a United States Employment Service within the Department of Labor, with which State and local public employment service offices established pursuant to this Act shall be affiliated. The United States Employment Service shall include a veterans' service to be devoted to securing employment for veterans, a farm placement service, and a public employment service for the District of Columbia. In case of appointments for nonclerical positions in the Veterans' Employment Service, the Secretary shall appoint only persons who are "veterans of any war," as that term is defined at 38 U.S.C. 101 (12), or have served in the active "armed forces," as that term is defined at 10 U.S.C. 101 (4), since January 31, 1955, and who have been discharged or released from the armed forces under conditions other than dishonorable.

"(b) The term "State," as used in this Act, means the several States, the Commonwealth of Puerto Rico, Guam, and the Virgin Islands.

"(c) The term "State Agency" means the agency within a State which is charged under State law with the responsibility of administering the State Employment Service.

"FUNCTIONS OF THE FEDERAL-STATE PUBLIC EMPLOYMENT SERVICE SYSTEM

"SEC. 3. The Federal-State employment service and its various offices shall:

"(a) Provide and facilitate the use of employment services, including, but not limited to, such services as counseling, testing, placement, information and assistance to improve employability, and referral for training, by all persons legally qualified to engage in gainful employment;

"(b) (1) Provide employers with job market information, including information on sources of available labor supply; occupational, aptitude, and related tests and testing services; and screening and referral services for qualified workers to fill placement needs; (2) assist employers (i) in preventing, alleviating, and resolving skill shortages and undesirable turnover; (ii) by providing information which helps anticipate their future manpower needs; (iii) in identifying entry jobs and training needs; (iv) by helping to achieve equal employment opportunity; (v) in adjusting to technological change and other occupational manpower problems; and (vi) in developing programs to alleviate the effects of mass layoffs; and (3) encourage employers to develop and use techniques to make job modifications to increase the use of available workers;

"(c) Develop and provide appropriate occupational, aptitude, and related tests or testing services: *Provided*, That test material shall only be made available under such circumstances as the Secretary may prescribe;

"(d) Develop in cooperation with employers, labor organizations, schools, colleges, and other public and private nonprofit organizations, increased opportunities for employment, and explore all practical ways to develop an effective exchange of information with such individuals, agencies, and organizations.

"(e) Provide human resources development services with respect to persons needing such services, especially those with severe difficulties in seeking or holding employment for any reason, including:

"(1) the identification of and reaching out to such persons, in both urban and rural areas, and providing them with special counseling services in order to determine their needs;

"(2) the development and implementation of plans for manpower services commensurate with individual needs, such as selective placement services and referral for remedial education, institutional training, on-the-job training, rehabilitation, medical examination, and medical care;

"(3) the development of employment opportunities commensurate with the capabilities of such persons;

"(4) the providing of job counseling and individualized placement services, including the assignment of specialists as appropriate to the needs and available staffing resources in each public employment service office, and as required by cooperative arrangements which are required by law with other agencies; and

"(5) the providing of services to assist and follow up on such persons after placement.

"(f) Pay, or otherwise provide under such regulations as are prescribed by the Secretary for any portion of the local transportation of a person described in subsection (e) of this section between a public employment service office or his place of residence and his place of work or interview: *Provided*, That payment to any individual shall be made only for such period of time as the Secretary finds necessary to foster his employment.

"INTERAREA AND INTERSTATE PLACEMENT

"SEC. 4. For the purpose of providing job seekers with maximum opportunity for employment and employers with qualified workers as expeditiously as practicable:

"(a) The State agency shall:

"(i) Establish and maintain an effective system for the location and placement of workers between job markets that do not extend across State boundaries, and

"(ii) Cooperate with other State agencies and with the Secretary in providing an effective system for the location and placement of workers between job markets that extend across State boundaries.

"(b) The Secretary may, in maintaining a system for facilitating the location and placement of workers across State boundaries, establish, operate, or otherwise provide for multi-job market interstate clearance centers. These centers will be responsible for coordinating the efforts of the State agencies in the interstate clearance process and for providing them with information concerning the availability of relocation assistance, housing, transportation, and other community services and facilities.

"PLANNING AND PROGRAMS FOR EMPLOYMENT DISLOCATIONS AND MANPOWER SHORTAGES

"SEC. 5. The Secretary shall, through the Federal-State public employment service system, develop and maintain programs for:

"(1) identifying employment needs arising from dislocations in employment including technological and economic dislocations, mass layoffs, chronic unemployment, dislocations resulting from acquisitions of real property under Federal or Federally aided programs, and related problems;

"(2) obtaining advance knowledge of coming shifts and dislocations in employment and employment needs arising therefrom;

"(3) assuring that the Federal-State public employment service provides necessary services in order to avoid or relieve any adverse impact of such conditions upon workers, including stimulation of local community efforts and assistance in securing Federal, State, and local resources to increase employment opportunities and facilitate reemployment; and

"(4) dealing with manpower shortages through appropriate means, such as (i) assistance to employers in fully utilizing available labor supply, and (ii) improvement in the labor supply by interstate clearance, identification of training needs and employability assistance.

"CONTRACTS FOR SPECIAL EMPLOYMENT SERVICES

"SEC. 6. The Secretary, after consultation with the State Agencies, any State Agency, or both, may contract (i) with public or private nonprofit organizations for special manpower services not customarily provided by the Federal-State public employment service system where the organization has a demonstrated capability of providing such services, and (ii) with any public or private organization having a demonstrated capacity for performing the work for special studies and demonstration and research projects related to the effective operation of the public employment offices.

"EMPLOYMENT AND MANPOWER INFORMATION

"SEC. 7. (a) The Federal-State public employment service system shall develop, collect, analyze, and distribute employment and manpower information, including information for use in planning of vocational and technical education programs, occupational guidance, testing and employment counseling, economic planning by communities and States and by private businesses, and for other uses required to achieve a more efficient functioning of the job market. Such information may include, but shall not be limited to, employment information related to the types and distribution of occupations and the qualifications required for their performance, manpower and occupational shortages, labor area classifications, occupational classifications, employment changes, technological developments, characteristics of the labor force, and changes in the economy of local and regional areas.

"(b) The Federal-State public employment service system shall disseminate such information among employers, labor organizations, educational institutions, and other public or private organizations and among other departments and agencies of the Government engaged in carrying out Federal programs concerning manpower development and utilization.

"(c) The Secretary shall provide technical assistance to the public employment offices to further the development and expansion of methods and systems for collecting, analyzing, and distributing manpower information including the development, as part of the local public employment service, of Local Manpower Information Centers to facilitate such collection and dissemination.

"(d) The Federal-State public employment service system shall conduct studies and undertake demonstration projects to further the use of automatic data processing and information retrieval systems in the Federal-State public employment service. Such demonstration projects shall include, but not be limited to, the establishment, in one or more employment service offices, of a model labor market information system, on a State or interstate basis, that will provide specific employment information on both employment opportunities and skills available in the labor market to interested applicants seeking placement, and to individuals, organizations, or institutions.

"(e) The Secretary shall make appropriate arrangements under which each "Executive agency," as that term is defined at 5 U.S.C. 105, shall provide such information to appropriate offices of the Federal-State public employment service system as the Secretary, with the concurrence of the Civil Service Commission, shall request concerning opportunities for employment in the Federal Government.

"STATE PLANS

"SEC. 8. (a) Any State desiring to receive the benefits of this Act shall, through the State Agency, submit to the Secretary a State plan and annual amendments or supplements thereto, which shall include such provisions as the Secretary by rules and regulations shall prescribe for carrying out this Act, including:

"(1) A provision that the State will abide by the Act and the rules and regulations established by the Secretary.

"(2) A provision that the State will replace within a reasonable time any funds received under this Act which are lost or, because of any action or contingency, have been expended for purposes other than or in amounts in excess of those found necessary by the Secretary for the proper and efficient administration of the public employment service offices.

"(3) A provision for training of State public employment service personnel which may include provisions for orientation, in-service and out-service training, payment of tuition, and educational leave with pay.

"(4) A provision that its local public employment service offices will, to the extent practicable, with due consideration to the size and complexity of the areas in which the offices are located and to other relevant factors, be devoted exclusively to carrying out employment service functions and be located in offices separate from those administering the State unemployment insurance program. Such provision will indicate the extent to which such local public employment offices are and will be carrying out other than employment service functions and the extent to which they are and will be physically separated from offices administering the State unemployment insurance program, together with the factors which the State Agency considered relevant in making such determinations.

"(5) A provision that the State will provide placement and other manpower services to veterans.

"(b) If such plans are in conformity with the provisions of this Act and the rules and regulations established hereunder and reasonably appropriate and adequate to carry out its purposes, they shall be approved by the Secretary and due notice of approval shall be given to the State Agency.

"PERSONNEL AND TRAINING

"SEC. 9. (a) The Secretary is authorized to:

"(1) carry out, directly or through contracts with institutions of higher education or other qualified agencies, organizations or institutions, training programs and courses for persons occupying or preparing to occupy positions within the Federal-State employment security program, in order to improve their qualifications therefor, which may include the establishment and operation of regional centers for the training of such personnel, with such stipends and allowances as may be permitted under regulations of the Secretary;

"(2) develop training materials for and provide technical assistance to the State agencies in the operation of their training programs;

"(3) under such regulations as he may prescribe, award fellowships and traineeships, to persons in the Federal-State employment security agencies who agree to complete prescribed periods of service after completion of such fellowships or traineeships, in order to prepare or improve their qualifications for services as counselors and counselor aides and for service in other professional occupations or as aides thereto.
The Secretary may, to the extent that he finds such action to be necessary, prescribe requirements to assure that any person receiving a fellowship, traineeship, stipend or allowance shall repay the costs thereof to the extent that such person fails to serve for the period prescribed by the Secretary.

"(b)(1) The Secretary with the concurrence of the State may detail Federal employees to State public employment services and the Secretary may concur in the detailing of State employees to the Department of Labor for temporary periods for training or other employment service purposes, and the provisions of section 507 of the Elementary and Secondary Education Act of 1965 (79 Stat. 27) or any more general program of interchange enacted by a law amending, supplementing, or replacing section 507 shall apply to any such assignment.

"(2) The Secretary shall encourage the making of arrangements between States under which employees of one State Agency may be granted leaves of absence to enable them to become employed for temporary periods by the State Agency of another State.

"ADMINISTRATION

"SEC. 10. (a) It shall be the duty of the Secretary to ascertain whether the system of public employment service offices maintained in each State is conducted in accordance with this Act, the State plan, and the rules and regulations and the standards of efficiency, prescribed by the Secretary in accordance with the provisions of this Act. If the Secretary finds that, in the operation of the employment service in a State, there is a failure on the part of the State to comply with this Act, the approved State plan, or the rules, regulations, and standards of efficiency prescribed by the Secretary under this Act, the Secretary may withhold or revoke in whole or in part any certification under section 13(b). *Provided,* That any partial revocation or withholding shall be in an amount not in excess of amounts necessary for those categories or parts of the operation of the State public employment service affected by such failure. Before any such action, the Secretary shall provide the State Agency with reasonable notice of such proposed action and the reason therefor and with opportunity for a hearing.

"(b) Each State Agency shall maintain such records, and shall submit to the Secretary an annual report and such other reports, in such form and containing such information as he shall prescribe. Each State Agency shall comply with such provisions as the Secretary may from time to time deem necessary to assure the correctness and verification of such records and reports.

"(c)(1) The Secretary shall establish an employment service and unemployment insurance advisory council which shall be composed of men and women representing employers and employees in equal numbers and the public for the purpose of formulating proposed policies and advising the Secretary on problems relating to the employment service and the unemployment insurance program and insuring impartiality, neutrality, and freedom from political influence in the solution of such problems. The Secretary may establish two or more subcommittees with like representation, one for the employment service and one for the unemployment insurance program.

"(2) The members of the council shall be selected from time to time without regard to the Civil Service laws in such manner and for such period as the Secretary shall prescribe and members appointed to the council shall serve without compensation, but when attending meetings of the council, they shall be allowed necessary travel expenses, including per diem in lieu of subsistence, as authorized by law (5 U.S.C. 5703) for persons in the Government service employed intermittently.

"(3) The council and each subcommittee thereof shall have access to all files and records of the United States Employment Service, and shall be furnished necessary personnel including adequate secretarial and clerical assistance.

"(4) The Secretary may require the organization of State advisory councils.

"(d) The Secretary is authorized to issue such rules and regulations, and orders as may be necessary to carry out the provisions of this Act.

"JUDICIAL REVIEW

"SEC. 11. A State agency dissatisfied with a final action of the Secretary under section 10(a) of this Act may appeal to the United States court of appeals for the circuit in which the State is located, by filing a petition with such court within sixty days after such final action. A copy of the petition shall be forthwith transmitted by the clerk of the court to the Secretary, or any officer designated by him for that purpose. The Secretary thereupon shall file in the court the record of the proceedings on which he based his action, as provided in section 2112 of title 28, United States Code. Upon the filing of such petition, the court shall have jurisdiction to affirm the action of the Secretary or to set it aside, in whole or in part, temporarily or permanently, but until the filing of the record, the Secretary may modify or set aside his order. The findings of the Secretary as to the facts, if supported by substantial evidence, shall be conclusive, but the court, for good cause shown, may remand the case to the Secretary to take further evidence, and the Secretary may thereupon make new or modified findings of fact and may modify his previous action, and shall file in the court the record of the further proceedings. Such new or modified findings of fact shall likewise be conclusive if supported by substantial evidence. Any judicial proceeding under this section shall be entitled to, and, upon the request of the Secretary or the State, shall receive a preference and shall be heard and determined as expeditiously as possible. The judgment of the court affirming or setting aside, in whole or in part, any action of the Secretary shall be final, subject to review by the Supreme Court of the United States upon certiorari or certification as provided in section 1254 of title 28, United States Code. The commencement of proceedings under this section shall not, unless specifically so ordered by the court, operate as a stay of the Secretary's action. In the event the Secretary's determination is not appealed by the State, or if an appeal is taken and the Secretary's determination is approved by the court, the State involved shall have 30-days in which to satisfy the Secretary that it will comply with such determination. If it fails to do so within the 30-day period, the Secretary may enter into a contract with a public or private organization or institution for the carrying out of such operations, or parts thereof as are the subject of his determination.

"USE OF OTHER FEDERAL AND STATE PROGRAMS

"SEC. 12. (a) In order to avoid unnecessary expense and duplication of functions among Government agencies, each department, agency, or establishment of the United States shall cooperate with the Secretary in carrying out the provisions of this Act.

"(b) Individuals who need special services in order to increase their personal qualifications for employment shall be referred by the Federal-State public employment service system to programs operated under other Federal or State legislation when such other programs are able adequately to provide the needed services. Where such programs are not able to provide such services in any field in which the Department of Health, Education, and Welfare has responsibilities, that Department shall be given an opportunity to provide the services on a reimbursable basis to the extent authority to pay for the services does not exist in legislation administered through that Department. If, after being given reasonable notice to do so, the Department of Health, Education, and Welfare cannot provide such services, the Secretary may provide such services either directly or pursuant to section 6 of this Act. This subsection is not applicable to experimental or demonstration projects undertaken by the Secretary through authority vested in him by this Act.

"APPROPRIATIONS; CERTIFICATION OF FUNDS TO STATES

"SEC. 13. (a) There is authorized to be appropriated, in addition to such funds as are made available for expenditure from the employment security administration account established under the Social Security Act, out of any money in the Treasury not otherwise appropriated, such amounts, from time to time, as the Congress may deem necessary to carry out the purposes of this Act, including the financing of the transportation of individuals under subsection 3(f) of this Act.

"(b) The Secretary shall from time to time certify to the Secretary of the Treasury for payment to each State such amounts as the Secretary determines to be necessary for the proper and efficient administration of its responsibilities under this Act if the State is found to be in compliance with this Act, the approved State plan, and the rules, regulations, and standards of efficiency prescribed by the Secretary hereunder. Such funds shall be expended solely for the purposes and in the amounts found necessary by the Secretary for the proper and efficient administration of the State's responsibilities under this Act.

"ACCEPTANCE BY STATES; EFFECTIVE DATE OF ACT

"SEC. 14. Any State which has accepted the provisions of the Act of June 6, 1933, shall be deemed to have accepted the provisions of this Act: *Provided,* That where any State does not have legal authority to comply with the requirements of this Act, the effective date of such requirements with respect to such State shall be 180 days after the convening of the State's first regular legislative session following enactment of this Act."

The letter and statement, presented by Mr. CLARK, are as follows:

U.S. DEPARTMENT OF LABOR,
Washington, D.C., June 27, 1967.

Hon. HUBERT H. HUMPHREY,
President of the Senate,
Washington, D.C.

DEAR MR. PRESIDENT: I am enclosing a draft bill, the "Employment Service Act of 1967", to carry out the President's recommendation in his Economic Report for 1967 for legislation to improve the effectiveness of the Federal-State employment service.

This draft bill would modernize the Wagner Peyser Act, which 34 years ago founded the Federal-State public employment service system. The bill is designed primarily to provide a more comprehensive and definitive statement by the Congress of the major role the service needs to play and the functions which it needs to perform to deal with the Nation's employment, manpower, and human resources development problems.

When it was established 34 years ago the Employment Service was conceived primarily as a labor exchange with the purpose of finding workers to fill available jobs and jobs for available workers. Today, there are heavy demands upon the Service for a wide variety of manpower services. We have undertaken and Congress has enacted a broad range of programs to make it possible for the Nation's workers to take advantage of modern employment opportunities as they arise. These programs are effective only insofar as up-dated machinery and institutions exist for effectuating them. The Federal-State public employment service system, with its network of 2,000 State and local offices, is one of the vital instruments for carrying out these programs. The proposed bill will modernize and up-date this instrument.

The bill, for example, recognizes the needs of persons who have severe difficulties in securing or holding employment for comprehensive manpower services; the need for rapid communication of employment information and data; the need for working with all elements in the community, public and private, in developing jobs; and the need for highly trained personnel to operate the system.

This proposal grew out of the extensive review of the operations of the public employment service by both Congressional committees, including consideration of Employment Service bills by the 89th Congress, and a study by a special Task Force which I appointed in the fall of 1965, composed of a group of distinguished citizens from business, labor, and the public, under the Chairmanship of Dean George Shultz, University of Chicago School of Business.

I urge the bill's early enactment.

The Bureau of the Budget advises that there is no objection to the submission of the draft bill and that its enactment would be in accordance with the program of the President.

Sincerely,

W. WILLARD WIRTZ,
Secretary of Labor.

EXPLANATORY STATEMENT—A BILL FOR AN "EMPLOYMENT SERVICE ACT OF 1967"

This bill revises and re-enacts in toto the Wagner-Peyser Act (29 U.S.C. 49–49k), under which the Federal-State public employment service system was established thirty-four years ago. This system is an important part of the Nation's effort to achieve effective development, distribution, and use of the manpower resources which are basic to the economic and social growth and full realization of individual potential. Although the provisions of the present Wagner-Peyser Act are general enough to permit the public employment service to engage in a wide range of activities, they do not explicitly state the full range of manpower functions expected from a modern, comprehensive service. The bill, which retains the existing Federal-State structure of the system, is designed to provide a comprehensive and unmistakably clear statement by the Congress of the major role the service needs to play and the chief functions it needs to perform in the Nation's urgent efforts to deal with its employment, manpower, and human resource development problems.

This draft bill reflects most of the major recommendations of a special Task Force appointed by the Secretary of Labor, composed of representatives of labor, management and the public under the Chairmanship of Dean George Shultz of the University of Chicago School of Business. The Task Force took full account of extensive hearings conducted in 1963 and 1964 by Committees in both the House and the Senate relating to the role of the United States Employment Service and the Federal-State public employment service system in the conduct of the nation's manpower policies. The Task Force filed a unanimous report with the Secretary of Labor on December 23, 1965.

Provisions of the bill which do not repeat the terms of the Wagner-Peyser Act may be summarized as follows:

(1) Assistance to employers is specified and includes the providing of information which helps employers anticipate their future manpower needs, helping them to achieve equal employment opportunity, encouraging employers to develop and use techniques to make job modifications to increase the use of available workers, and screening and referral services to fill placement needs.

(2) The service is expressly directed to develop and provide appropriate tests and testing services.

(3) The service is expressly directed to develop, in cooperation with employers, labor organizations, schools, colleges, and other public and private agencies and organizations, increased opportunities for employment and explore ways to develop an effective exchange of information with such parties.

(4) The service is directed to reach out to persons who have severe difficulties in securing or holding employment for any reason with a comprehensive human resources development program, and to encourage use of the program and its specialized manpower services to improve their employability.

(5) The Secretary of Labor is authorized to establish multiple job-market clearance centers to assist in the interstate recruitment and placement of workers and the exchange of information on a multiple job-market basis. Such centers also shall provide information with respect to the availability of relocation assistance, housing, transportation, and other community services and facilities.

(6) The Secretary of Labor is directed to develop and maintain through the Federal-State employment service system programs for identifying and dealing with dislocations in employment, including technological and economic dislocations, mass layoffs, and chronic unemployment, and dislocations resulting from the acquisition of real property under Federal or Federally aided programs.

(7) The Secretary of Labor, after consultation with the State agencies, and State agencies, may contract with public or private nonprofit organizations for special manpower services not customarily provided by the Federal-State employment service system, where the organization has a demonstrated capability of providing such services and with any public or private organization leaving the demonstrated capacity for special studies and demonstration and research projects related to the effective operation of the public employment offices.

(8) The Federal-State employment service system is directed to develop and distribute comprehensive and varied employment and manpower information, assist the States in carrying out such activities, and conduct studies and projects regarding the use of automatic data processing and information retrieval systems.

(9) State plans must provide for the separation of employment service offices from unemployment insurance offices to the maximum extent practicable and indicate the extent to which the State will achieve such separation.

(10) In order to improve the qualifications of personnel in the Federal-State employment service, the Secretary of Labor is authorized to enter into contracts with institutions of higher education, establish training centers, develop training materials, provide technical assistance to States, award fellowships and traineeships, exchange personnel with State agencies, and encourage the exchange of personnel between State agencies.

(11) The Secretary of Labor is given not only the Wagner-Peyser authority to withhold or revoke certification of a State plan but also authority to direct the Secretary of the Treasury to withhold part or all of any funds otherwise payable to a State whenever he determines as to that State that it is not complying with this Act or its approved State plan. The right of judicial review of any such action is given to the States in the United States court of appeals for the circuit in which the State is located. If the Secretary's action is not appealed or if his action is upheld on appeal, the Secretary may contract with another public or private organization to carry out the services which were the subject of the determination.

(12) The bill makes it clear that appropriations from the general funds of the Treasury which are authorized are in addition to amounts available for expenditure from the employment security administration account established under the Social Security Act.

Mr. BYRD of West Virginia subsequently said: Mr. President, I ask the Chair if the Chair has ruled on the request of the senior Senator from Pennsylvania that the Employment Services Act of 1967 remain at the desk for additional cosponsors?

Mr. CLARK. Mr. President, I understand that there is a standing objection by the able and distinguished senior Senator from Illinois [Mr. DIRKSEN] to allowing bills to lie on the desk.

This, to my way of thinking, is the sort of thing which we lawyers refer to as de minimis non curat lex, or, in other words, "Let us not make a great-to-do about a trifle."

It means a little more footwork on the part of my staff. However, we will get to work, put on our roller skates, go around, and come up with the same number of cosponsors as if the senior Senator from Illinois had not raised the objection.

I wish the attachés would call these comments to the attention of my able friend who, like myself, does not always read every comment in the CONGRESSIONAL RECORD.

The PRESIDING OFFICER. Does the Senator from West Virginia have an objection?

Mr. BYRD of West Virginia. I personally have no objection, but am merely calling the matter to the attention of the able Senator from Pennsylvania in an attempt to protect the rights of the minority while the minority is not present on the floor.

Mr. CLARK. I said a word before about senatorial courtesy. I imagine that in the interest of senatorial courtesy I should withdraw my request so as to not embarrass the Senator from West Virginia who otherwise would be forced to object. I therefore withdraw my unanimous-consent request.

Mr. BYRD of West Virginia. Mr. President, I thank the Senator.

CONSERVATION AND DEVELOPMENT OF THE LONG ISLAND SOUND AREA

Mr. RIBICOFF. Mr. President, Connecticut has a deep and vital interest in one of America's major natural resources. The great Long Island Sound, gouged out by advancing glaciers from Labrador during the ice ages, lies between Connecticut and Long Island proper. It is an arm of the Atlantic stretching 90 miles from Plum Island, Great Gull Island, and Fishers Island on the east to its narrow western gateway at Throgg's Neck, where the waters of the sound meet the swift cross currents of the East River of New York. It is an important coastal shipping route and a source of lobsters, crabs, clams, and oysters, as well as sport fishing of all kinds.

Its many inlets and coves provide Connecticut with 253 miles of coastline—more than 200 miles of sandy beaches. The countless inlets and coves combined with the more than 1,000 square miles of this great inland waterway provide recreational sailing and boating. Moreover, the wet lands, marshes, and bogs provide a habitat for much of our most valued waterfowl.

But the natural beauties, past productivity, and potentialities of the Long Island Sound are dangerously threatened. In this region, as in many other areas of our Nation, water pollution, shoreline erosion, destruction of marine and waterfowl life, and the ruin of wildlife-protecting wet lands have reached alarming proportions.

Pollution, dredging, silting, the destruction of wet lands—all take their toll. The oyster beds diminish, the crabs and lobsters disappear. The waterfowl go away. The shoreline erodes. The beauty is gone.

This careless destruction must be checked. The Long Island Sound is now a natural, open recreational asset lying at the very doorstep of one of the world's greatest population centers. It is at the heart of the New York metropolitan region, the central link in the great Atlantic urban area, extending 460 miles from Maine to Virginia. This area has a population of 42 million people, 21 percent of the Nation's total population. It generates more than one-quarter of the Nation's income and has a similar concentration of its Government employment, corporate headquarters, manufacturing and cultural facilities. One-third of the Nation's library books, 38 percent of its bank deposits, 36 percent of its largest insurance companies, and 40 percent of its trade by sea are there. By the year 2000—33 years from now—the New York metropolitan region alone is expected to increase by 60 percent to more than 30 million people. Thus, the 1,000 square miles of natural beauty of the Long Island Sound are literally surrounded by our Nation's greatest metropolitan area.

But the sound will not remain an asset of natural beauty forever. Only through the coordinated efforts of the States concerned and with the cooperation of the Federal Government will it be possible to stop the destruction of the natural resources of these areas and preserve their recreational and historic values.

I, therefore, introduce for appropriate reference, a bill to provide a 3-year study to determine the best methods of coping with the problems which threaten the conservation and development of the Long Island Sound.

This study looks toward development of a master plan to preserve, develop, and make accessible for the public benefit, inspiration, and use, the scenic and natural fish and wildlife values of the coastal areas bordering Long Island Sound in the States of New York, Connecticut, and Rhode Island.

This proposal in no way compromises the autonomy of any State or local government unit involved. The study and formulation of a plan would be conducted by the Secretary of the Interior jointly with the States involved. The Secretary is affirmatively directed to consult with, and seek the participation of, interested private groups as well as local county, town, and village officials.

If we are to achieve our goal—the preservation of the physical integrity of the Long Island Sound—we must have the cooperation, the support, and the wisdom of all interested citizens, local and State governments, and regional jurisdictions. Without their help and guidance, the Federal Government cannot hope to succeed in this effort.

This legislation is similar to a bill I introduced in the 89th Congress.

I ask unanimous consent that the bill be printed in the RECORD at this point.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the RECORD.

The bill (S. 2212) to direct the Secretary of the Interior to study and formulate a comprehensive plan containing recommendations regarding the action that should be taken to preserve, develop, and make accessible for public use and benefit the Long Island Sound and related shoreline areas in the States of New York, Connecticut, and Rhode Island, introduced by Mr. RIBICOFF, was received, read twice by its title, referred to the Committee on Interior and Insular Affairs, and ordered to be printed in the RECORD, as follows:

S. 2212

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) the Secretary of the Interior shall study, investigate, and formulate a comprehensive plan containing recommendations regarding the action that should be taken to preserve, develop, and make accessible for the public benefit, inspiration, and use, the unique scenic beauty, as well as the natural, historic, archeological, recreation, fish and wildlife values of the Long Island Sound including its adjacent shoreline, within the States of New York, Connecticut, and Rhode Island. The Secretary shall conduct such study and formulate such comprehensive plan jointly with the States of New York, Connecticut, and Rhode Island, or any one of them, if they are willing to participate in such joint study and in the formulation of such comprehensive plan, and shall consult with and seek the participation of appropriate county, town, and village officials and other interested Federal and State agencies and commissions and private groups.

(b) The results of the study, and the comprehensive plan, shall be submitted to the President and to the Governors of the States of New York, Connecticut, and Rhode Island within three years after the date of this Act, including appropriate recommendations together with the recommendations of other Federal and local agencies involved. The President shall transmit to the Congress, within six months thereafter, his recommendation for such legislation as he deems appropriate. The study shall contain, but not be limited to, findings with respect to—

(1) the scenic, scientific, historic, recreational, and other natural values of the water and related land resources involved, the ways and means of preserving and enhancing the natural beauty of the landscape and conserving outdoor resources and the feasibility of eliminating or diminishing the pollution of the water involved;

(2) the potential alternative beneficial uses of the water and related land resource involved, taking into consideration all appropriate existing and probable uses of the land for industrial, commercial, transportation, and residential purposes and for public services;

(3) the type of Federal, State, or coordinated Federal, State, regional, and local government administrations, including consideration of a Federal-State compact that is feasible and desirable in the public interest to preserve, develop, and make accessible the values set forth in paragraph (1) of the water and related land resources involved for public use and benefit;

(4) the extent to which land or interests therein and scenic or other easements will need to be acquired by the Federal, State, or local governments and the estimated cost of acquiring, developing, and administering such land or interests therein and scenic or other easements, for public use and benefit.

(c) The Secretary of the Interior, in cooperation with the Governors of the participating States, at the end of each of the next three calendar quarters after the date of this Act, shall provide for such publicity as he deems sufficient to inform the interested public of the progress made on the study undertaken pursuant to this Act, and shall schedule hearings in each of the States involved.

SEC. 2. There are hereby authorized to be appropriated such sums as may be necessary for the Department of the Interior to carry out its functions under this Act.

ESTABLISHMENT OF A NATIONAL COMMISSION ON NEW TECHNOLOGICAL USES OF COPYRIGHTED WORKS

Mr. McCLELLAN. Mr. President, as chairman of the Subcommittee on Patents, Trademarks, and Copyrights of the Committee on the Judiciary, I introduce, for appropriate reference, a bill to establish a National Commission on New Technological Uses of Copyrighted Works.

The subcommittee has currently under consideration legislation providing for the first general revision of the copyright laws since 1909. Although many of the issues presented by this legislation have been exhaustively studied by the Copyright Office and during congressional hearings, it has become apparent that the rapid development of technology requires further study of the need for possible modifications in the copyright law.

During the subcommittee hearings there was considerable testimony concerning the relationship between such technologies as information storage and retrieval systems and various forms of machine reproduction, and the copyright law. The Congress, at the present time, lacks sufficient information on which to base an informed judgment as to what changes in the copyright law may be necessary in the light of these scientific advances. On the other hand, the need for modernizing the copyright law is urgent and should not await the resolution of these new issues.

I, therefore, concluded that the most desirable course of action would be to proceed with the consideration of the pending copyright revision bill, but establish at the earliest opportunity a national commission to study the copyright implications of these technological advances and to make recommendations to the President and Congress concerning the need for any changes in our copyright law or procedure. Accordingly, on July 25, under the auspices of the subcommittee, a meeting was attended by approximately 150 representatives of publishers, authors, educators, the computer industry, and representatives of executive agencies to discuss the establishment of the National Commission. I had the opportunity to speak briefly at the opening of this session and am pleased that there was unanimous support expressed for the creation of the Commission.

The bill which I am introducing today provides for a Commission of 23 members with the Librarian of Congress as Chairman. It will consist of two Members of the House, two Members of the Senate, and 18 members nominated by the President, with the advice and consent of the Senate, representing copyright owners, users of copyrighted materials, and the public generally. The Commission is directed to present an interim report in 1 year and a final report within 3 years.

In the course of the subcommittee hearings, several witnesses proposed that there should be a moratorium during the period of the Commission's study as to the copyright liability of certain nonprofit users of information storage systems. Such amendments will receive the consideration of the subcommittee when it proceeds to mark up the pending copyright revision bill. I have taken no position concerning the desirability of such a moratorium.

The PRESIDING OFFICER. The bill will be received and appropriately referred.

The bill (S. 2216) to establish a National Commission on New Technological Uses of Copyrighted Works, introduced by Mr. McCLELLAN, was received, read twice by its title, and referred to the Committee on the Judiciary.

ORDER OF BUSINESS

The PRESIDING OFFICER. Is there further morning business?

Mr. McCARTHY. Mr. President, I ask unanimous consent that I may proceed for 10 minutes.

The PRESIDING OFFICER (Mr. Nelson in the chair). Without objection, it is so ordered.

MEMORIAL TO PRESIDENT ROOSEVELT

Mr. McCARTHY. Mr. President, on behalf of the Senator from Massachusetts [Mr. Brooke], the Senator from New York [Mr. Javits], the Senator from Maryland [Mr. Tydings], and myself I introduce, for appropriate reference, a joint resolution to authorize and direct the Franklin Delano Roosevelt Memorial Commission to raise funds for the construction of a memorial to President Roosevelt.

The PRESIDING OFFICER. The joint resolution will be received and appropriately referred.

The joint resolution (S.J. Res. 99) to authorize and direct the Franklin Delano Roosevelt Commission to raise funds for the construction of a memorial, introduced by Mr. McCarthy (for himself and other Senators), was received, read twice by its title, and referred to the Committee on Rules and Administration.

Mr. McCARTHY. Mr. President, I introduce this resolution in the name of the four Senate Members of the Memorial Commission. The resolution authorizes and provides the procedures for erection of a suitable memorial in the West Potomac Park to a great President of the United States.

The proposed memorial will be a monument of distinction to honor President Roosevelt, a leader of the people of the United States in the bitter days of the depression and a leader of the peoples of the world in the dangerous years of World War II.

President Roosevelt was not a mere custodian of the past but one who moved from tradition and with faith in the people and in democracy to open doors to a greater realization of the four freedoms at home and around the world.

The Congress in 1955 took the first step to provide a great memorial to his leadership and to express the gratitude of the people of the Nation when it established the Franklin Delano Roosevelt Memorial Commission.

The Commission was authorized to make expenditures for services and otherwise for the purpose of carrying out the provisions of the resolution. It was authorized to accept gifts to be used in carrying out the provisions of the resolution or to be used in connection with the construction or other expenses of such memorial, to hold hearings, organize contests, enter into contracts for personal services and otherwise, and avail itself of the assistance and advice of the Commission of Fine Arts, the National Capital Planning Commission, and the National Capital Regional Planning Council, and such commissions and council should, upon request, render such assistance and advice.

From 1955 to 1959 the Franklin Delano Roosevelt Memorial Commission examined sites and discussed ways of getting a design and moved forward toward agreement of what kind of memorial should be constructed.

Public Law 86-214 was passed on August 19, 1959. It approved a portion of West Potomac Park as the site for the memorial, and provided for a competition with advice and assistance of the Fine Arts Commission. Suitable prizes or payments to those who won the competition were provided. The competition was held and a prize was awarded in 1960 to the firm of Pedersen and Tilney.

In February of 1962 the Fine Arts Commission turned down the winning design. On October 2, 1962, Representative Frank Thompson, Jr., asked unanimous consent for approval of Representative Eugene Keogh's House Joint Resolution 712, which would have provided approval by Congress to move ahead.

The House of Representatives approved the substitute motion of Representative Thomas P. O'Neill, Jr., which became Public Law 87-842 on October 18, 1962. In effect, this action directed the Franklin Delano Roosevelt Memorial Commission to consult with the Fine Arts Commission to determine if the proposed design could be modified to secure approval of the Fine Arts Commission; and if not, the Franklin Delano Roosevelt Memorial Commission was authorized to secure, with the advice and approval of the Fine Arts Commission, a suitable memorial and report to Congress by 1963.

After the passage of the first act, President Kennedy, in June of 1963, appointed new members to the Fine Arts Commission. They were: William Walton, chairman; Burnham Kelly, architect; Gordon Bunshaft, architect; John Carl Warnecke, architect; Theodore Roszak, sculptor; Hideo Sasaki, landscape architect; and Aline Saarinen, art critic.

The Fine Arts Commission then, in 1964, approved a scaled down version of the original, plus a statue of Franklin D. Roosevelt. This involved a compromise both on the part of the designers of the memorial and on the part of the Fine Arts Commission, and, in my view, a questionable way to proceed.

In 1965, the Chairman of the Commission, Francis Biddle, announced that he was resigning and indicated that while the Franklin Delano Roosevelt Memorial Commission had not canceled the revised memorial design, it was doubtful that the necessary $4.5 million could be raised, because of widespread opposition and the concessions and compromises which had been made along the way.

Subsequently, in 1965, Representative Eugene Keogh was made the new chairman, and in January of 1966, the Commission met and determined that the altered design of Pedersen and Tilney, as previously approved by the Commission of Fine Arts, could not be built in view of the announced opposition to it.

The conditions of the 1962 joint resolution having been satisfied, the Franklin Delano Roosevelt Memorial Commission therefore reverted to its original authority, the joint resolution of 1955, and determined to invite a number of distinguished architects to discuss their views of a memorial which would represent in some kind of sculpture or physical form the meaning of Franklin D. Roosevelt. A subcommittee of the Commission was established to select five architects of the number to whom the original invitations were sent. Interviews with each were held on June 6, 1966, and on June 8 of the same year the Commission selected Marcel Breuer to design the memorial.

I ask unanimous consent that the names of the men to whom the original invitations were sent be printed in the Record, and also their response to the invitation.

There being no objection, the lists were ordered to be printed in the Record, as follows:

Franklin Delano Roosevelt Memorial Commission Response to Letters

ARCHITECTS

Marcel Breuer, 635 Madison Avenue, New York 22, New York: Favorable.

Andrew F. Euston, Sr., 153 Court Street, New Haven, Connecticut: Favorable.

Ulrich Franzen, 41 East 57th Street, New York, N.Y. 10022: Favorable.

Wallace K. Harrison, 630 Fifth Avenue, New York 20, New York: Favorable.

Philip Johnson, 375 Park Avenue, New York, N.Y. 10022: Favorable.

Louis I. Kahn, 1501 Walnut Street, Philadelphia 2, Pennsylvania: Favorable.

Frances D. Letherbridge, 1300 Connecticut Ave., Washington 36, D.C., Favorable.

Joseph D. Murphy, Murphy and Mackey, 6124 Enright Street, St. Louis 12, Missouri: Favorable.

Richard J. Neutra, 2379 Glendale Blvd., Los Angeles 39, California: Favorable.

I. M. Pei, 385 Madison Avenue, New York, N.Y. 10017: Favorable.

Kevin Roche, Eero Sarrinen & Assoc., 20 Davis Street, Hamden, Connecticut 06517: Favorable.

Paul Rudolph, 26 West 58th Street, New York, New York: Favorable.

Lorimer Rich, 19 West 57th Street, New York 19, New York: Favorable.

Arthur H. Rosenfeld, 114 East 32nd Street, New York 16, New York: Unfavorable.

Paul Thiry, 800 Columbia Street, Seattle, Washington 98104: Favorable.

Harry Weese, 140 East Ontario Street, Chicago 11, Illinois: Favorable.

Paul R. Williams, 3440 Wilshire Blvd., Los Angeles, Calif. 90005: Favorable.

Eric Gugler, 101 Park Avenue, New York 17, New York: Favorable.

Dan Kiley**, Wings Point, Charlotte, Vermont: Favorable.

E. Lawrence Bellante, Bellante & Claus Bldg., Scranton, Pa. 18503: Favorable.

Barry Byrne, 1013 Ridge Avenue, Evanston, Illinois 60202: Favorable.

Edward L. Barnes, 303 East 65th Street, New York, N.Y. 10021: Favorable.

Walter Gropius, 63 Brattle Street, Cambridge, Mass. 02138: Unfavorable.

John Carl Warnecke, 55 Montgomery Street, San Francisco, California: Favorable.

Jose Luis Sert, 26 Church Street, Cambridge, Mass. 02138: Favorable.

Thomas Sharp, 1 Farndon Road, Oxford, England: Favorable.

Skidmore, Owings & Merrill, 400 Park Avenue, New York, N.Y. 10022: Unfavorable.

Edward Durell Stone, 7 East 67th Street, New York, N.Y. 10022: Favorable.

Minoru Yamasaki, 1025 East Maple Road, Birmingham, Mich. 48011: Favorable.

David Norton Yerkes, 8001 MacArthur Blvd., Washington, D.C. 20034: Favorable.

**Landscape Architect.

R. Buckminster Fuller,* Box 909, Carbondale, Illinois 62901: Favorable.

Nathaniel C. Curtis, Jr., 2475 Canal Street, Box 53406, New Orleans, Louisiana 70150: Favorable.

Thomas F. Galvin, 221 West 57th Street, New York, N.Y. 10019: Favorable.

George E. Kassabaum, 1430 Olive Street, St. Louis, Missouri 63103: Favorable.

Gerhard M. Kallmann, 711 Boylston Street, Boston 16, Massachusetts: Favorable.

Vincent Kling, 917 Corinthian Avenue, Philadelphia 30, Pa.: Unfavorable.

Ralph Rapson, 720 Washington Ave., S.E., Minneapolis, Minnesota 55414: Favorable.

FRANKLIN DELANO ROOSEVELT MEMORIAL COMMISSION FAVORABLE REPLIES FROM FINALISTS IN COMPETITION

Mr. Norman Hoberman, 16 East 52nd Street, New York, N.Y. 10022.

Mr. Rolf Myller, 200 East 37th Street, New York, N.Y. 10016.

Mr. J. E. Luders, Luders & Associates, Irvington-on-Hudson, N.Y. 10533.

Mr. Hideo Sasaki *, Sasaki, Dawson, DeMay Assoc., Inc., 23 Main Street, Watertown, Massachusetts 02172.

Abraham W. Geller, 220 East 23rd Street, New York 10, New York.

Tasso Katselas, 4951 Centre Avenue, Pittsburgh, Pa. 15213.

Mr. McCARTHY. Mr. President, we attempted to reach outstanding architects in this country and also from other countries who we thought had some understanding of the particular purpose we were seeking for the Roosevelt Memorial.

The Commission, on December 20, 1966, met in New York with the architect, who then presented his design. At an executive session held later in the day, the members unanimously approved the Breuer design and indicated that they would take the necessary steps to insure completion of the memorial.

On January 26, 1967, Mr. Breuer presented his design to the Commission of Fine Arts. That Commission unanimously rejected the design.

Representative Keogh, who had been Chairman since 1965, retired from Congress and of necessity also retired as Chairman of the Commission.

At its next meeting in March of this year the Commission renewed its approval of the Breuer design. Members of Congress on the Commission stated their intention to introduce appropriate legislation to provide for approval of the Breuer design, to authorize the Commission to solicit funds for building the memorial and to authorize operating expenses for the project.

The resolution we are introducing today is in keeping with that decision on the part of the Commission. We did have an opinion that it was not necessary to come back for full authorization and that we perhaps had sufficient authority in the original resolution; but it was the judgment of the Members of Congress on the Commission, that it would be better to bring the whole proposal before Congress again, in the hope that we could build a solid base upon which an appeal could be made throughout the country to raise money to help pay for the memorial. We hope to secure this approval soon in order that the memorial be completed by the time of the 25th anniversary of the death of Franklin D. Roosevelt.

Mr. President, I ask unanimous consent to have printed in the RECORD the statement by Mr. Breuer explaining and interpreting his design for the memorial.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT OF MARCEL BREUER ON THE FRANKLIN DELANO ROOSEVELT MEMORIAL IN WASHINGTON, D.C.

As part of the silhouette of the Capital, this Memorial expands in width rather than in height. It is an open plaza, a focal core in the park, there where West Potomac Park is the narrowest and where large expanses of water come the closest: the Potomac and the adjacent Tidal Basin. Here, there is a great view of the Washington Monument on the opposite shore, across a reflecting plane of water.

The design tends to complement rather than compete with the Lincoln and Washington Memorials: its height is about half that of the former and one-ninth of the latter. Its border line is not continuous but reaches into the park and mingles with elements of nature: trees, planting, water. Thus, the Memorial becomes very much a part of the land itself, a place to relax, to stroll, to sit around, to contemplate—in the shadow of trees and stone walls, or in the sun.

While the Memorial first of all is intended to be an inviting, leisurely, earth-and-nature-bound place, its composition has further meaning, symbolizing Franklin Delano Roosevelt's philosophy and government and identifying his personality.

The center of the Memorial is a plaza, like the center of a rotating turbine. Stone walls, like stone blades, are released from this core, evocative of ideas launched during the dynamic Roosevelt era. These stone walls emerge monumental, sixty feet high, denoting the momentum of great concepts. Their contours descend to meet the earth, much as the President's concepts reached out to the people for understanding, acceptance and to become an integral part of the Nation's thinking.

The walls—stone darts—move away from the core in tangential directions, according to the physical law of centrifugal force, and each is flanked by water, an element which had much to do with F.D.R.'s personality.

At the very center stands, or rather hovers, a large granite block. Its monumental size,—32 feet in all three dimensions—its shape, the basic and eternal cube, and the material, all suggest strength and durability. The fact that it seemingly floats above ground and the fact that its polished dark surface reflects the changing sky, the clouds and the sun, expresses spirit and flexibility in addition to endurance: again symbolic of F.D.R. himself.

It is important that the composition of the design will be clearly perceived from above,—from the many planes approaching the Washington Airport over the Potomac and from the top of the Washington Monument, by its millions of visitors yearly.

Roosevelt was a modern man, searching. He discovered and supported new solutions and it would perhaps be anachronistic to identify him in this Memorial by the usual idolizing statue. Consequently, the Project combines two other means in order to achieve direct personal reference to him.

The first of these means is to let the visitor hear the actual voice of F.D.R.; not an overamplified version, but the sound of his normal speaking voice. Its strong, moving, and particular melody was surely an important projection of his personality, carried by radio into the home of every American family. Our technology makes this possible and it is suggested that perhaps eight to ten quotations from his speeches, each two to three minutes, be heard by the visitor. Not the whole Memorial should be filled with sound; by no means. Only a small section of the plaza should be within range, perhaps an area containing 30 to 40 people, while others, according to their own mood, can find quiet contemplation. Between each spoken quotation will always be an interval—perhaps five minutes—and the listeners will, of course, move along. Thus, changing groups could receive F.D.R.'s ideas, emotions and the quality of his voice: perhaps the most direct way to grasp his personality.

The second means of identification would be to visualize Roosevelt in true realistic action and not as a symbolic or generalized figure. Again, our modern technology proves helpful. The Project employs an entirely new technique in transferring a photographic image to granite, but in a three dimensional way. It adapts the texture of halftone engraving, and recesses it into the granite surface. The process needed experimentation, which was made possible by the collaboration of the stone cutters' industry. Thus, we can show F.D.R. as the statesman, for instance, in bas relief, in a lasting and noble material: a true documentary record with the faithfulness of a three dimensional photo. This image would be engraved on the granite block's approach side: the three other sides would remain unbroken polished stone.

Walls and paving of the Memorial are suggested in rough hewn gray granite, as well as the benches under the trees, newly planted magnolias.

The location of the Memorial permits the preservation of nearly all existing trees; a very few will have to be moved and a substantial number of new trees will be added.

The avenue of approach leads along a straight line of beeches, running north-south and thereby falling into the order of the Capital's basic axial composition.

On the avenue to the Memorial, the visitor passes by the proposed National Rose Garden to the west, as well as a new refreshment kiosk with adjacent landing dock for small craft to the east. The early flowering magnolias, then the cherry trees blossoming along the shore and the various kinds of roses will enliven the surrounding land from early spring through late summer. The Memorial should not only be for the transient visitor, but as well for the recreation and leisurely enjoyment of the population. Also expressive of F.D.R.'s human philosophy.

This Project is coordinated with the new Master Plan of the Mall, suggested by the Department of the Interior, which eliminates automobile traffic and parking in the great central park areas. Minibuses starting from peripheral parking complexes will serve the parks and monuments.

To conclude: the Memorial attempts to reflect the spirit of Franklin Delano Roosevelt by an integration of natural elements; basic materials, modern technology and unsophisticated human pleasures.

	Acres
Total area of West Potomac Park____	66.0
Area designated for the memorial including principal approach__________	5.8
Area designated for the National Rose Garden including access path_______	4.4

Mr. McCARTHY. Mr. President, I also ask unanimous consent to have printed in the RECORD the names and a partial list of the professional work of the five architects who were selected by the Memorial Commission for interviews. The report also includes information about several other architects and indicates the quality of the architects and the architectural firms the Commission considered before we accepted the Breuer design.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

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*Engineer.

To: The Honorable Eugene J. McCarthy.
From: Government and General Research Division.
Subject: Request of May 18, 1966, for certain information about a selected list of thirteen architects.

Below is the requested information as to principal works of these architects, so far as we were able to ascertain.

Bellante & Caluss: No List.

Breuer, Marcel: Buildings and Projects 1945–1961 (which we chose from a total of 44): St. John's Abbey and University, Collegeville, Minnesota; St. Francis de Sales Church, Muskegon, Michigan; New York University, University Heights, New York; Charles Center, Baltimore, Maryland; *UNESCO Headquarters,* Paris; Temple B'Nai Jeshurun, Short Hills, New Jersey; Hunter College of the City of New York, Bronx; Whitby Schools, Greenwich, Connecticut; Railroad Station, New London, Connecticut; Members' Housing, Institute for Advanced Study, Princeton, New Jersey; Torrington Manufacturing Company of Oakville, Ontario, Canada, and also of Los Angeles, California; U.S. Embassy, The Hague, The Netherlands; Litchfield Schools, Litchfield, Connecticut; Ferry House, Cooperative Dormitory, Vassar College, Poughkeepsie, New York; Arts Center, Sarah Lawrence College, Bronxville, New York; Exhibition House, Garden of the Museum of Modern Art, New York; private residences.

Galvin, Thomas Francis: No List.

Gugler, Eric: Architectural works include: Executive Office Building, White House, Washington, D.C.; Adams inscription, Office of the President of the United States, state dining room. The White House, Forman schools, Litchfield, Connecticut; memorial to Harvey Firestone, Akron, Ohio; and to Drs. William and Charles Mayo, Rochester, Minnesota; Anzio-Nettuno Memorial, Italy; American Battle Monuments Commission; buildings, Wabash College, Crawfordsville, Indiana; mural decoration, chronological tables, historical geography (in association with historians and other painters), The Educational Building, Capitol Park, Harrisburg, Pennsylvania. Recipient, 1st prize Chicago War Memorial, 1929.

Harrison, Wallace Kirkman: Co-architect Rockefeller Center; architect Metropolitan Opera, Lincoln Center, New York; Redevelopment Center, Albany, New York; Museum of Science, New York; Idlewild; with associates, the United Nation marble and glass tower.

Heller, Simeon: Principal works: Flushing Medical Building, Flushing, New York; Redfern Houses, Rockaway, Long Island; Woodbourne Correctional Institution, Woodbourne, New York; Cresthaven Club House, Whitestone, New York; American Red Cross Building, Jamaica, New York; Eutectic Welding Alloys Corp. Office Building, Flushing, New York; Recipient, several 1st prizes.

Johnson, Philip Cortelyou: Principal works: Museum Modern Art Annex and Sculpture Court, New York; New York State Theater, Lincoln Center, New York City; Glass House, New Canaan, Connecticut; co-architect Segram Building, New York City.

Kahn, Louis I.: Designed The Rational City Plan as part of Houses and Housing exhibit at Museum of Modern Art, New York. Principal works: Pine Ford Area Housing Development, Middletown, Pennsylvania; Stanton Road Housing Development Project, Washington, D.C.; Carver Court Housing Development, Coatesville, Pennsylvania; Lincoln Road Housing Development, Coatesville, Pennsylvania; Pennypack Woods Housing Development, Philadelphia; Lily Ponds Housing Development, Washington, D.C.; Willow Run War Town Development Project, Detroit, Michigan; Awarded gold medal, Philadelphia Chapter AIA. Other awards.

Neutra, Richard Joseph: Began as architect and city planner in Switzerland. Designed and built large and small dwelling groups, office buildings in Los Angeles and San Francisco; open air schools; architect for over 100 residences; resident centers for National Youth Administration; 5 public housing projects; Channel Heights, 160 acres postwar housing project with full traffic segregation. Consultant, National Youth Administration, U.S. Housing Authority, U.S. Treasury on post office buildings, Federal *Works Agency, Federal Public Housing Authority,* 10-year development plan for Guam; Sacramento rehabilitation plan. Architect and consultant for hospitals, schools, Government of Puerto Rico. Recipient of over 50 1st and 2nd prizes, competitions for projects and executed commercial and residential *designs; also of many awards.*

Pei, Ieoh Ming: Principal projects include: Gulf Oil Building, Atlanta, Georgia; Offices, Webb & Knapp, Inc., New York City; Mile High Center, Denver; Roosevelt Field Shopping Center, Long Island; Franklin National Bank, Long Island; Court House Square Development, Denver; architect and planner S. W., Washington, D.C. Redevelopment; new campus for Tunghai University, Formosa; John F. Kennedy Memorial Library at Harvard University. Concentrates mostly on commercial buildings and urban development schemes.

Rudolph, Paul Marvin: Practice: residential, commercial, institutional architecture; visiting critic, architectural schools—Cornell, Tulane, Harvard, Princeton universities, University of California, University of Pennsylvania, Alabama Polytechnic Institute. Some principal works: Arts Center, Wellesley College, Massachusetts; Mary Cooper Jewett Arts Center, Wellesley, Massachusetts; Greeley Memorial Laboratory, School of Forestry, Yale University, New Haven, Connecticut. Recipient of many awards.

Ruston, Andrew F., Sr.: No List.

Sharp, Thomas: Designer of plans for Durham, Exeter, Oxford, Salisbury, Chichester, King's Lynn, Taunton, St. Andrews, Kensington, Todmorden, Minehead, Stockport, Rugby and other towns; new villages in Northumberland for Forestry Commission; new seaside village, Port-Eynon, South Wales; relandscaping of St. John's Backs, Cambridge University; planning adviser, Vienna.

Source: *Who's Who in America,* 1966–67; *Who's Who 1966.* Great Britain; *American Architects Directory, AIA.* 1962; *Marcel Breuer Buildings and Projects, 1921–61.* 1963; *Architecture USA.* Ian McCallum. 1950; Library of Congress Card Catalog; *Architecture in America.* Wayne Andrews, 1960.

FRANCES E. ANDREWS.

Mr. McCARTHY. Mr. President, I also ask unanimous consent to have printed in the RECORD two articles, one from a recent issue of the Christian Science Monitor, written by Jane H. Kay, a report on the architectural achievements of Marcel Breuer; and an article from House Beautiful, of March 1967, entitled "The Selective Eye of Marcel Breuer," written by Peter Blake, editor of the Architectural Forum and a practicing architect, which describes what Mr. Breuer has accomplished, and makes comments about the Roosevelt Memorial which he presented to our committee.

There being no objection, the two articles were ordered to be printed in the RECORD, as follows:

[From House Beautiful, March 1967]

THE SELECTIVE EYE OF MARCEL BREUER

"No, you dont," Breuer said, a bit sharply. "You never *have* to compromise." The occasion was a symposium on the pros and cons of modern interior design. It was a listless affair, and Marcel Breuer, who is rather shy at formal, public gatherings was slightly ill at ease at the meeting.

But now he perked up. A lamp manufacturer had just said that he sometimes had to bend a little because "public taste" was always so far behind him. "No, you don't ever have to compromise," Breuer repeated. "You can always switch to making bicycles!"

This little episode of several years ago tells one or two things about Marcel Breuer—an architect, designer, and teacher who has been *quite a bit ahead of public,* as well as professional, taste over the past 40 years and longer. Throughout this remarkable career, Breuer has always had the courage of his convictions, and the courage of his taste. Both have been of a very high quality, and both continue to be.

It has not always been easy for Breuer to stick to his guns. There were many years when sticking to his guns meant little or no work, little or no recognition. Today, this seems almost unbelievable, for Marcel Breuer is now one of the most sought-after architects on the international scene. After completing the UNESCO Headquarters in Paris in 1958, in collaboration with Nervi and Zehrfuss, he was commissioned to do more and more important work: his new Whitney Museum in New York opened last fall; the large headquarters for the new Department of Housing and Urban Development (also known as HUD) is under construction in Washington; the FDR Memorial Commission selected him to design the capital's memorial to Roosevelt, on a peninsula overlooking the Tidal Basin (the design was released just before Christmas); in New York, Mayor Lindsay has asked him to work with the Japanese architect, Kenzo Tange, and the California landscape architect, Lawrence Halprin, to turn the World's Fair site into a great "sports park," capable of accommodating future Olympic Games; in France, Breuer is planning a new town and a new ski resort. And there are many other projects, either on his drawing boards or under construction.

Almost all of this impressive achievement is the work of the past 15 years. Until 1950, Breuer had completed only about a dozen private houses in Europe and in the United States, a couple of small apartment blocks in Switzerland, two or three little exhibitions, and a few interiors. He had also designed some furniture, entered a handful of competitions, and come up with a number of theoretical projects for buildings and complexes of buildings. Breuer was, by that time, almost 50 years old, and a good many critics were beginning to say, regretfully, that he had somehow missed the boat.

Those who tended to write off Breuer in those days failed to recognize three qualities in his early work and in his own character that would eventually lead him to the kind of recognition he enjoys today:

First, the fact that, through the years from 1920 to 1950, he had formulated and clarified, at least on paper, many of the architectural concepts he was to employ in his later years. In short, when the opportunities arose, he was thoroughly prepared to tackle almost any problem, however large.

Second, the fact that in the 1920's and 1930's Breuer had laid the foundation for much of what we today recognize as modern furniture design. In other words, the exceedingly *avant* chairs and tables of steel, aluminum, plastics, bent and molded wood, which Breuer invented during those two decades, were finally being accepted by the general public—and their inventor was being accepted with them.

And finally, the fact that Breuer had been an outstandingly popular and successful teacher—first at the German Bauhaus, later at the Graduate School of Design at Harvard—and the fact that his former students, in their own practices as architects, were changing the climate of architecture in the United States and in many other parts of the world. That change in climate meant increasing opportunities for Breuer, too. And the loyalty of his former students made

Breuer's name better and better known to the public. Prior to 1950 or thereabout, the general public had rarely heard of Marcel Breuer. "He is an architect's architect." Wallace K. Harrison once said about him in those days. Breuer's fellow professionals were quite familiar with his early European work, of course; and they had seen plans and photographs of the beautifully detailed, painstakingly studied little houses that Breuer, in partnership with Walter Gropius, had designed and built in New England in the period of the late 30's and early 40's.

One of the tiniest of their houses, a vacation cottage Gropius and Breuer built in Weyland, Massachusetts in 1940, may have had a more profound influence on the design vocabulary of modern domestic architecture in the United States than almost any other American house of the period—and that little cottage measured all of 700 square feet, plus a porch and a cellar!

But the size of things has nothing to do with their quality, and some of Breuer's earliest designs were very small indeed. Yet these small objects—stools, chairs, tables, and so on—not only revolutionized furniture design throughout the world; they also represented in microcosm a statement of design philosophy that is applicable to much larger objects and to much larger structures.

Breuer was born in 1902, in the Hungarian town of Pecs, the son of a doctor. At the age of 18, he took off for Vienna, hoping to study painting and sculpture at the Academy of Art. His first look at the place was sufficient; the tired eclecticism of the Academy was not for him. Instead, because he felt he should learn something practical, he became an apprentice to a Viennese furniture designer who maintained a cabinet workshop on the side. That was more like it, but—alas!—Breuer was singularly unskilled. "One day I tried to adjust the blade of a planer by hammering away at its edge," Breuer recalls. "I was so embarrassed by the way I botched up that job, I just left and never went back."

Shortly after that little tragedy, a fellow Hungarian told Breuer of the new Bauhaus school in Weimar, Germany, then being organized by the architect, Walter Gropius. Breuer packed up and left Vienna. He arrived at the Bauhaus late in 1920, to become a member of the "first generation" of Bauhaus students.

That first generation was pretty much left to its own devices—the students really had to teach themselves. Gropius had managed, initially, to attract several creative artists, like Feininger and Klee; but the concept of the Bauhaus school—to teach an approach to design, not a style or a dogma—this concept implied that any "curriculum" would have to be very flexible and would only evolve after some years of experimentation.

Breuer thoroughly enjoyed this chance to experiment. Before very long, he was fully occupied with furniture design and furniture-making, and, at the age of 22, he was appointed Master of the Carpentry Shop. A year later he became head of the Furniture Department. By that time he was designing all the furniture that would go into the new Bauhaus buildings that Gropius was planning for the city of Dessau. He had been one of the first Bauhaus students and had become its youngest teacher; and though his preoccupation was furniture, he saw furniture, as an integral part of architecture, and he was always, ultimately, concerned with the latter.

Breuer's earliest chairs and cabinets were made of wood, or of food and fabric. But in 1925 he developed an entirely new kind of chair, and with this one design decisively changed the development of modern furniture.

The new design was born quite simply. When the Bauhaus moved to Dessau, Breuer decided to buy himself a bicycle. It was his first, and when he got it, he spent a long time looking it over, admiring its handsome frame, especially the elegantly curved, chromium-plated handlebars. And then he had an idea: "I thought—why not make furniture out of this tubular steel? I went to the bicycle manufacturer, who obviously thought I must be drunk. Who would ever use plated steel inside a home! Well, I went ahead anyway." His first chair of nickel-plated tubular steel is now known as the "Wassily Chair," and it is being manufactured again in Italy. It is a marvelously complex framework of pipes—a sort of jungle-gym—between which are stretched seven pieces of tough canvas. It is quite as comfortable as any overstuffed easy chair—but, being virtually transparent, it doesn't appear to occupy any space at all.

The Wassily Chair was the first one in a whole series of tubular, steel-supported pieces—stools, settees, chairs of every shape and type, tables, and cabinets. Some of these are still (or again) in production and are being sold through elegant furniture stores; others are now part of our anonymous folk art. One of these chairs, the S-chair, or cantilevered-chair, designed in 1928, is so thoroughly familiar to every inhabitant of any industrialized nation that he or she would probably be startled to hear that it had been "designed" by anyone at all. It has become the safety-pin of modern furniture. And there are other pieces that have since reappeared, with insignificant variations, as the "designs" of latter-day creators.

Such anonymity or plagiarism doesn't seem to bother Breuer very much. He is a gentle, jolly man, who is happy that he did what he did in furniture design in the 20's and 30's, but has since moved on to things that are, perhaps, more important to him. For despite the fact that his furniture of those two decades has done more to shape today's interiors than the work of any other designer of the time, he was not really designing chairs at all. He was exploring basic principles in architecture, and chairs were easy, inexpensive objects with which to experiment.

The principles were two. First, he would try to translate some of the notions of the Constructivist painters and sculptors into design. This meant creating objects in which different functions were expressed with different materials and with different forms. For example, a chair might consist of two functional elements: a supporting frame, which had to be very strong and might be made of steel; and a supported surface, which would have to be comfortable, adjusted to the human figure, and made of a soft material, fabric or leather, backed up with upholstery. The two functions, the two kinds of materials, Breuer would separate from one another visually so that the resulting chair would be a very clear statement of this analytical process.

The distinction-between-functions in a chair seemed to him equally applicable to the distinction-between-functions in a building. In his later houses, he would separate the daytime areas from the bedroom complex, join them in a tenuous, glassy link, and let the resulting composition declare itself in terms of functions. Or he would express the structure of a building as an independent element—a kind of delicate bone structure—and then insert into that structural framework the various spaces that people need to live in.

The second principle that Breuer was trying to explore in those days was this: He felt that there was a fundamental difference between the technology of the past and the technology of our time. Several years ago he told me: "Builders of the past always used gravity to defeat gravity. The best symbol of their method is the Egyptian pyramid—very broad at the bottom and narrowing to a point at the top. The new kind of structure possible today—the cantilever structure—in its most expressive form is hollow below and substantial on top—just the reverse of the pyramid. It represents a new epoch in the history of man—the defeat of gravity." This is a fine explanation of the Whitney Museum—and it is also a principle Breuer explored in his delicately supported steel chairs of the 1920's.

In the 1930's, when Breuer had moved to England to get away from the stifling mess in Germany, he continued his work in furniture design, *this time using laminated wood,* plywood, plastics, and bent aluminum to demonstrate the new structural esthetics to which he had become devoted a decade earlier. The chairs and tables he designed then are direct precursors of those developed during the subsequent decade by such highly inventive designers as Charles Eames—and Eames is the first to acknowledge his debt to Breuer.

But there was more to these new pieces of furniture than technological advance. The very fact that Breuer used natural wood, a traditional rather than a modern, synthetic material, and bent it to serve the human form was a fairly significant development in his work.

Today, the fact that a designer uses natural materials, naturally finished, hardly seems worthy of comment. But in the early decades of the so-called International Style, it was an article of faith that one must use only industrial materials and industrial forms. Breuer had never been dogmatic about such things. In fact, his background—his youth in Hungary, and his travels around the Mediterranean in the early 1930's—had opened his eyes to resources in other cultures and in other times. One day he shocked some young Swiss students of architecture by telling them that "there are many old peasant farmsteads that we find far more stimulating than many so-called modern houses." On another occasion he said that "the basis of modern architecture is not new materials, but a new mentality. Modern architecture would exist even in stone, wood, and brick." Those were fighting words in the 1920's and 1930's; only Frank Lloyd Wright, in America, and some of his followers were heard to talk in those terms.

While Breuer was designing his new furniture and building a few small structures in Germany, England, and Switzerland, he was also engaged in a continuous struggle to clarify, for himself, certain fundamental ideas about architecture and urban design. In Europe it has long been a tradition to select architects for important commissions by way of a competition, and this method has often given young men their first real break.

Breuer entered several of these competitions, with varying degrees of success. Though none of his competition entries was ever built, many of them were widely published and gained him a very considerable reputation among other architects. There were designs for theatres, hospitals, housing units, factories, prefabricated houses, expositions, and many other projects that showed a rare clarity and a convincing and unaffected talent. And there was one project in 1936—a theoretical "Civic Center of the Future," sponsored by a British trade association—which gave Breuer a chance to sum up a good many of his earlier architectural investigations.

A handsome scale model of this Civic Center was built (actually, it was more like a whole downtown redevelopment) and the numerous structures shown in this scale model were designed in considerable detail. In retrospect, this little project, done more than 30 years ago, seems uncannily prophetic.

Here, in sketch form, Breuer developed a prototype to which he would later return in his UNESCO Headquarters; a prototype for the cantilevered façade of the Whitney Museum; a prototype for a restaurant he would later build in Argentina; a prototype for the IBM Research Center he would build 25 years later in the south of France; and many other sketch ideas that would crop up, in much refined form, in later projects in many parts of the world—and not only in Breuer's own projects.

Many of Breuer's generation have gone through this process of clarification on paper. But very few of them have been able, subsequently, to resist the temptation to succumb to a kind of hucksterism: In the world of art and architecture, just as in the world of Seventh Avenue, there are enormous pressures that tend to force even the best of artists to change their style regularly, to come up with new gimmicks, new gadgets, new tricks every six months or every year. An artist who remains utterly consistent year after year just isn't news—and to stay in the news is one way of staying solvent.

Breuer has always resisted this temptation. He has resisted it in part because beneath his warm and gentle exterior there is the stubbornness of a very tough Hungarian peasant. But he has been able to resist the temptation to become fashionable primarily because he possesses a basic integrity that makes it unthinkable for him to play the huckster game. He knows that, if things were ever to get really rugged, he could always switch to designing bicycles.

In 1937 Walter Gropius, Breuer's original teacher and mentor, was called to Harvard as Chairman of the Department of Architecture. Gropius, in turn, called for Breuer, who was practicing in England, to come and join him. Breuer was only 35 years old, not much older than some of his students. He was an instant success, spending many hours in the school's drafting rooms, guiding, searching, but mostly giving confidence to his pupils. Among them were such now famous architects as Philip Johnson, I. M. Pei, Edward L. Barnes, John Johansen, Eliot Noyes, Willo von Moltke, Landis Gores, and many more. What makes this group so fascinating is the consistency of talent and competence that they represent and the extraordinary diversity in their work today. They got no dogma from Breuer—all they learned from him was an approach and a devotion to architecture.

Many of these students came to work for Gropius and Breuer in the office that the two maintained in Cambridge, and for Breuer alone when the latter moved to New York after World War II to open his own independent practice. The work produced in those offices, as suggested earlier, consisted primarily of houses that were actually built and theoretical projects that were not.

Those houses in New England and in the area around New York City had all the polish and sophistication of the early International Style work Gropius and Breuer had done in Europe. But in addition, these houses incorporated materials, textures, and details borrowed and translated from the local vernacular. Walls of rough fieldstone, natural wood siding, floors of flagstone—all these devices and many more became part and parcel of the new domestic vocabulary that these architects developed—a vocabulary that has since spread all over the country and over many parts of the world. The architecture was self-assured; its forms and spaces, modern; its structure, disciplined and clearly expressed; its colors, painterly and dramatic; its materials, taken from a wide range of available sources. Breuer, who is not exactly glib, described these homes with characteristic modesty: "I know what my esthetics are, but it is better to discuss architecture in terms of practical requirements." And, indeed, those houses really worked!

Breuer still designs houses now and then, because—although architects with big offices really cannot afford to spend very much time on private houses—he takes great pleasure in such exercises. Yet most of his work today is on a very different scale, and he has made the transition with great aplomb.

Thirty years ago, when Macel Breuer came to the United States, he began one of his few public speeches by saying: "Ladies and gentlemen, if I were asked what is the most important task of our time, I would say it is to select." A less modest architect might have said "to invent," or "to overthrow the past." But Breuer, a man of great sensitivity, a lover of the past, a friend of the other arts, a kind and sensitive observer of the human condition, and a champion of the future—a man, in short without dogmatic prejudice, decided that the most important task was "to select." Because Breuer is a civilized man, he has selected well; and because he is an artist, he has transformed the ideas and objects of his choice into a convincing and highly personal vision.

[From the Christian Science Monitor]

ARCHITECT'S IMPACT

(NOTE.—The Whitney Museum; the office building for the Department of Housing and Urban Development; the Roosevelt Memorial: A galaxy of such projects has brought a long-influential architect to a new peak of public attention. The following article discusses Marcel Breuer's concern with design, durability, and the "human side.")

(By Jane H. Kay)

NEW YORK.—

"Colors which you can hear with ears;
Sounds to see with eyes;
The void you touch with your elbows;
The taste of space on your tongue;
The fragrance of dimensions;
The juice of stone."

These lines by Marcel Breuer confront the issue of "What is architecture?" much as their author has approached the tangible building—with a gritty grasp of many materials, with awareness of all the senses, with an intense concern for the human being served by the architectural shell.

Today Hungarian-born Breuer finds himself at the peak of public attention. The shadow of his new Whitney Museum of American Art looms impressively in an inverse pyramid along Madison Avenue, its front taking reverse steps up and outward, much as Breuer scoops chunks out of ordinary notions of straight-up skyscrapers.

Meanwhile, his design for the Franklin D. Roosevelt Memorial in Washington (due late this year), will allow him a free sculptural statement akin to the Washington and Lincoln Memorials.

At the same time other projects—for Yale University, for the Department of Housing and Urban Development (the HUD office building), and for an entire town (Bayonne, France)—dot, or will dot, the world landscape.

But let not the seemingly sudden timing deceive. A member of the second generation of Bauhaus pioneers, developer of the first tubular chairs, architectural innovator for more than 40 years, and a leading architect among architects, Breuer has made an impact similar to that of previous peers.

ROLE PRAISED

For instance, of his work at Harvard's School of Design (from 1937 to 1946 with Gropius), critic Peter Blake wrote: "It is undoubtedly due in part to Breuer—a man almost as young as those whom he taught and influenced—that the Harvard 'gospel' has spread so fast and so convincingly. Few other schools of great architects have produced so many excellent apprentices in so short a time."

Marcel Breuer—crinkly eyed, cordial, and somewhat reticent—now must submit to the distractions of publicity given his Whitney Museum. With a quick, quiet wit, he answers questions and bows to applause.

The museum's unorthodox treatment of an odd-corner wedge and its novel form invite controversy. But museum staffers, commentators, and even more vociferous sidewalk observers have looked with favor upon it.

Some may find the entrance a trifle forbidding; most regard the structure as a strong, fresh approach. There has been nothing like the waves of scowls bestowed on fellow Manhattan museums—Frank Lloyd Wright's handsome Guggenheim, scored for its picture-resisting walls; Edward Durell Stone's romantic Gallery of Modern Art with its overplush, rigid interior.

ISSUES FACED

Breuer's Whitney squarely faces all the pragmatic issues of museum management and exhibition; storage, adjustable walls, high ceilings. But it does not allow interior function (a nasty word these days) to deny an exterior sculptural form.

To the architect, however, the new building simply embodies evolving ideas and attitudes. The rugged materials, for example, are Breuer staples. The bushhammered concrete served his De Bijénkorf department store. Granite has surfaced other structures, as well as such personal furnishings as the striking, polished conference desk in his Manhattan office.

More broadly, the strength and substance of the building, taken as an anti-Madison Avenue statement, merely substantiates deeper philosophies. "I like to give a durable impression to the buildings, that they are permanent, that they are there to "stay," Breuer said in a recent interview.

From an architect whose statements on space, spaciousness, and transparency (via glass) have long rung clear, this seems an attempt to restore a balance tipped too far toward towering glass nonentities.

IDENTITY SOUGHT

"I meant it [the Whitney] as a durable statement," said Breuer. "I felt that an art museum should be a visible architecture which is there and is immediately recognized as something special. It shouldn't blend into a group of other buildings, just as a church shouldn't."

Not surprisingly, some of Breuer's most purely sculptural efforts have been religious "monuments" such as St. John's Abbey in Collegeville, Minn., or the Annunciation Priory in Bismarck, N.D.

Still, this architect, who "started out as a painter but felt I should be nearer to the realities of daily life," posits sculpture as vital to all his work—from the concrete columns of his French research center for International Business Machines (near Nice), to the play and balance made by windows in the United States Embassy (The Hague), and the classic furniture done mostly in the late 20's when he served as Bauhaus master carpenter.

In the whole range of his work, the blending of design and comfort stand as prime goals. "I am very concerned with comforts," he says. The odd-angled windows of the Whitney, for instance, are to let "you know the sun is shining," provide a "psychological contact inside and outside," and "secondly, to serve the outside of the building."

As for the museum's floor surface of separate bumpy stone oblongs, he used them "because I think you walk better on a slightly rough surface." The lush carpeted rooms balancing the big chambers he sees as "a kind of human touch."

Beyond the dramatic play of light and shadow, beyond impressions of historic permanence, Breuer's desire to serve a building's inhabitants—architecture as problem solving—is compelling.

"This is very important to me," Breuer continues, "this human side of architecture." He cites the HUD project nearing completion for "the café opens on the back side of the building on a garden—these things are even more important in a government office building."

SYMBOL FORGED

Pragmatics are vital. But in the same capital city, Breuer now faces his next and in a sense most consciously "creative" project: the Roosevelt Memorial, which is intended to perform an aesthetic function.

This, says Breuer, is a "purely sculptural type of building." It pays tribute to a man he respects and admires. And his models must be not mundanely purposeful buildings, of course, but a few looming memorial works from the past. The Lincoln Memorial, for example:

"I think it is a very good building. It is one of the best memorials I know. I think of the pyramid, which is a good memorial, or the obelisk, the Arc de Triomphe."

The challenge of constructing a symbol for a nation does not seem to bother Breuer. For in a sense it summarizes the human, spiritual, and aesthetic needs in which he roots all his work.

Do lofty comparisons with predecessors intimidate him? With a gentle smile, the architect turns to the questions: "I am probably not the type who is frightened by architectural tasks. So I start with complete confidence in it."

LEGISLATION BY THE EXECUTIVE? CONGRESS STILL CREATES AND PASSES LAWS

Mr. HARTKE. Mr. President, on June 30 of this year, at Geneva, the International Antidumping Code was signed. The United States is a party to this agreement which attempts to internationalize the procedures whereby each country determines whether there has been dumping of distressed articles and commodities on domestic markets.

My concern over this agreement does not arise so much from the substantive provisions of the code, though I take issue with them also. The fundamental problem dominating the scene is that here we are confronted with the most recent and certainly the most obvious example of "legislation" by the Executive. We in Congress again are being cast in the role of spectator in areas that are the constitutional and traditional domain of Congress. The Constitution specifically reserves the regulation of trade and commerce to Congress. And I feel that this is a power that cannot be given away without changing or violating the Constitution.

On this point, Mr. President, an extremely important and historical debate took place on the floor of the Senate on July 31. Senator Fulbright's resolution, defining a "commitment" goes to the heart of the problem of the separation-of-powers doctrine. This is another example of the erosion of the advise and consent duty of the U.S. Senate in the formulation of foreign policy.

I have expressed my views on the erosion of congressional powers on practically every front of our constitutional domain before the Subcommittee on Separation of Powers of the Judiciary Committee. I hope that the Congress will meet this present challenge. The very existence and activity of the Subcommittee on the Separation of Powers indicates that there is an awareness that we must halt the loss of powers from the Congress, powers we constitutionally could not delegate.

But in returning, Mr. President, to specifics, I have been assured by the Office of the Special Representative for Trade that the Code does not need legislation to make it, in effect, the law of the land.

Aside from the legal incompetence of these assurances, this constitutes one of the most remarkable arguments I have ever encountered during my years in the Senate. I have seen the Senate presented with one agreement or resolution after another that the administration insists is of the most urgent nature and cannot be afforded the "luxury" of careful debate and judicious consideration. It is continually said we take far too long and that urgent issues will pass us by should the Senate carry out its prerogative—nay, its bounden duty—to consider these matters carefully; yet with dispatch.

There are many examples, Mr. President, of our being, in effect, rushed into hasty approval. I need not go into the dreary catalog of resolutions, agreements, and commitments that have burdened this body and the Nation. I need not read the list of national disasters, both small and great, that have resulted from the implementation of these agreements. Their ill effects range from threats to our national security to erosion of our national morality; from mass exportation of American jobs to making domestic markets even more vulnerable to the unfair trade practices of our trading "partners."

Mr. President, I maintain had there been sufficient debate and careful consideration many of these ill effects could have been lessened, if not avoided altogether. I say none of this, Mr. President, as an indictment; rather as a appeal for us to protect our collective rights, the rights of the people.

I have spoken of my continuing amazement over the present matter of consideration; the antidumping code. Time after time, I have received assurances from the administration that the Antidumping Code needs no enabling legislation and that I need not bother with it. But, Mr. President, it is the right and duty of the Congress of the United States to make the law and anything that may change that law. It is the right and duty of the Congress to decide what areas of national activity might change the law or its substantive administration, and that includes "international agreements"—particularly this very unusual kind we are confronted with today. What we have in substance is a form of legislation by Executive fiat. The administration gives its own interpretation to the Constitution. It is the same approach in which the administration uses in telling Congress not to concern itself with a declaration of war; international trade and commerce; or raising and supporting the Armed Forces or levying and collecting taxes.

Mr. President, we have seen over the past 25 to 30 years a gradual erosion of congressional power. Today, I maintain, we are seeing not only erosion but also deliberate encroachment on the constitutional domain of the Congress.

As I said earlier, my colleagues in both Houses of Congress are speaking out more and more on this vital problem.

In fact, the following 42 Senators have joined me in sponsoring S. 1726, my bill to amend the antidumping law through congressional action: Senators Scott, Bayh, Bennett, Bible, Boggs, Brewster, Brooke, Burdick, Byrd of West Virginia, Carlson, Clark, Curtis, Dirksen, Dodd, Dominick, Ervin, Fannin, Hansen, Hickenlooper, Hollings, Inouye, Kuchel, Lausche, McCarthy, Metcalf, Miller, Morse, Moss, Mundt, Murphy, Nelson, Pearson, Prouty, Randolph, Ribicoff, Sparkman, Symington, Talmadge, Thurmond, Tower, Yarborough, and Young of Ohio.

The majority leader of the House, Representative Albert, has sent me the following letter:

> Thank you for your letter and for your analysis of the conflict between the Anti-Dumping Code and the Anti-Dumping Act of 1921. I certainly agree with you on the opinions you have expressed and hope I can be of help in implementing your recommendations.
>
> Sincerely,
>
> Carl Albert,
> *Member of Congress.*

Representative Reinecke is today offering my resolution in the House of Representatives. These men recognize not only the specific economic problem but also the transcendent problem. A problem that could have most serious effects on the nature and future course of the Republic. A problem that has seen full flower in the Tonkin Bay Resolution, the Canadian-American Auto Parts Agreement, the Defense Department's refusal to build two nuclear frigates as specifically directed, proposed "legislation" by the Internal Revenue Service on taxing at 48 percent the advertising income of nonprofit organizations. The list goes on and on. But in the Anti-Dumping Code we have reached a new plateau.

With the majority of these other agreements or resolutions we have been given the courtesy of a quick look-see before implementation. We have been party to discussions and consultations that have been, "after the fact briefings" as my distinguished colleague, Senator Fulbright, calls them. All this, Mr. President, still maintains the facade of constitutionality, the veneer of serious consultation. But what have we been treated to in the Anti-Dumping Code fiasco? We have been treated to deception, evasion, and the most politically inept cold shoulder the Congress has seen in many years.

As I said earlier, we have been told this is not our concern. When we look at the bare bones of that statement and then look at who is saying it and to whom it is being said, it leaves a thinking person absolutely aghast. The executive branch of our Government is telling the lawmaking branch that that code negotiated by the Executive, without legislative leave, not only does not need its approval but is also none of its business.

Mr. President, there are direct conflicts between the law of the land and this agreement negotiated without authorization; indeed, in spite of the declared will of the Senate.

It is my position, Mr. President, that this code violates Senate Concurrent Resolution 100, amends and even repeals sections of the present antidumping law, and is, in fact, further "legislation by the Executive." This code has not been submitted to Congress nor its committees for approval or implementing legislation. I list three of the more glaring "amendments" contained in the code:

First. To impose antidumping tariffs, a finding of dumping is necessary. Under our present antidumping law, section 201(a), the Tariff Commission exercises its discretion in finding injury, which freedom of judicious action the proposed code plans to restrict by declaring that dumped imports must be found as "demonstrably the principal cause of material injury."

Second. The proposed code, article 4, defines the term "domestic industry" to include all of the industry producing the item in question. Yet the law—section 201—does not restrict the Commission this way. It permits it to make its own determination based on the particular facts obtaining.

Third. Article 5 of the proposed code provides that a dumping investigation shall be initiated only when there is evidence of both, first, dumping prices, and, second, injury to domestic industry—and that these two areas of inquiry may then be investigated or "considered simultaneously." Yet the standing law—section 201a—states specifically that injury shall be determined only after determination of dumping. Further, provisional measures are specifically authorized. Both of these sections of the present law are "repealed" by the code, should it go into effect.

These three "amendments," Mr. President have been agreed to by the executive branch of our Government. Have we reached such an abdication of power here in the Congress that we will put up with this sort of encroachment? Have we become so lulled by the sweet nothings of the administration when they tell us not to bother ourselves over this or that? I think not, Mr. President. I hope that Congress will make clear to the Executive that the limit has been reached. No longer should we tolerate the unconstitutional, unwise, and dangerous proceedings of the past. Congress should not permit any further erosion of its constitutional mandate. Indeed, Congress must take steps to see returned specific powers since granted to the Executive on one pretext or another. Congress should continue to expedite matters needing speedy action in order that it will be a rare situation indeed that will elicit the granting of discretionary powers that can be used or misused as the spirit moves the administration.

Here we begin, Mr. President, to make clear this resolve. I submit for the consideration of the Senate and the House of Representatives of the United States the following concurrent resolution:

S. CON. RES. 38

Resolved by the Senate (the House of Representatives concurring), That it is the sense of Congress that—

(1) the provisions of the International Antidumping Code, signed at Geneva on June 30, 1967, are inconsistent with, and in conflict with, the provisions of the Antidumping Act, 1921;

(2) the President should submit the International Antidumping Code to the Senate for its advice and consent in accordance with article II, section 2, of the Constitution of the United States; and

(3) the provisions of the International Antidumping Code should become effective in the United States only at the time specified in legislation enacted by Congress to implement the provisions of the Code.

Mr. President, agreement to this concurrent resolution by both Houses of Congress will convey to all concerned that Congress is still the lawmaking body of the land. Overwhelming support for this resolution would indicate unequivocally that we recognize clearly our duty and will take other steps should this expression of our will be ignored. There is more than one arrow in our grasp, Mr. President. As I look at the Great Seal of the Senate above me, I count 14 in the eagle's claw. I am sure that in protection of the law and our duty we will be willing to use every one of those arrows and create more by legislation if it becomes necessary.

Mr. President, a great deal has been said on the floor of both Houses about the rule of law. Great internal dissensions have rent the fabric of civil peace. A great deal of anguish, bewilderment, and tragic loss have been visited on our citizenry. In relation to this, I should like here to draw a parallel.

Our country and the laws that govern it are based on the Constitution, the fountain of our greatness and the laws that foster that greatness. We deviate from that Constitution at great peril to the Republic. We in Washington, in all branches of Government, can learn a great and vivid object lesson from this summer of discontent. We can learn how dangerous it is for us, the makers, administrators, and judges of the law to depart from the rule of law. Can we do less than what we preach to others? Are expediency, pressure, lassitude, other commitments and lack of time, good and sufficient reason for unconstitutional executive "legislation?" I say no.

Let us all join in re-sorting the governmental equation to its previous balance; that balance of powers woven into the fiber of our Nation; that balance and separation of powers found so essential by the architects of our Nation and its greatness. Let it not be said of us; we gave away what was not ours to give: the rights of the people vested in us, their representatives, their collective voice.

Mr. President, I ask that this resolution be appropriately referred.

The PRESIDING OFFICER. Without objection, it is so ordered.

The concurrent resolution (S. Con. Res. 38) was referred to the Committee on Foreign Relations.

Mr. SCOTT. Mr. President, I am delighted to join my distinguished colleague from Indiana in sponsoring this resolution and I hope that it will receive early and favorable consideration. I ask unanimous consent that a letter from my able colleague to all Members of Congress explaining the background and purposes of our resolution be printed in the RECORD.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

U.S. SENATE,
COMMITTEE ON FINANCE,
Washington, D.C., July 25, 1967.

DEAR COLLEAGUE: The Office of the Special Representative for Trade Negotiations has only recently made public the provisions of the International Antidumping Code which was signed on June 30. Ambassador Roth, the President's Special Representative for Trade Negotiations, recently testified before the Joint Economic Committee of the Congress that no Congressional action is required to make the Code effective. The Code is scheduled to become effective on July 1, 1968.

The position of Ambassador Roth evidently is that the Code does not conflict with the Antidumping Act of 1921 and therefore no Congressional approval or implementation is necessary. By the same process of reasoning, Ambassador Roth presumably would agree that if the Code in any way amends the Act, Congressional approval or implementation is necessary before the Code becomes binding in the United States.

It seems to me that Ambassador Roth's position that there is no conflict between the Antidumping Act of 1921 and the Code is clearly erroneous. At this stage, I am not concerned with whether the provisions of the Code are desirable or undesirable as a matter of economic policy, but only with whether the Congress has been improperly bypassed and whether Senate Concurrent Resolution 100, described below, has been defied by the failure of the Office of the Special Representative to present the Code to Congress for approval. The crucial question at this point, therefore, is whether the provisions of the Code conflict with any of the substantive provisions of the Act. As noted, it is my position there is direct conflict between the Code and the Act and that the Code can become effective in the United States *only* if approved by Congress.

While the Code would subject the Antidumping Act to a multitude of amendments, I limit myself here to an examination of three fundamental amendments of the Act. First, Article 3 of the Code specifies that a determination of injury may be made only if it is found that "dumped imports are demonstrably the principal cause of material injury or of threat of material injury to a domestic industry . . ." Section 201(a) of the Antidumping Act vests the Tariff Commission with authority to determine whether "an industry in the United States is being or is likely to be injured . . . by reason of the importation of (dumped) merchandise." The Act does not restrict the Tariff Commission to affirmative findings of injury or likelihood of injury only when satisfied that dumped imports are "demonstrably the principal cause of material injury."

Thus, it is clear that the Tariff Commission's authority to make injury determinations, as conferred upon it by Section 201 of the Antidumping Act, would be materially altered and circumscribed by Article 3 of the Antidumping Code.

Secondly, Article 4 of the Code defines the term "domestic industry" to include *all* of a country's producers of a product which is "like" the dumped imported product under consideration. Only in "exceptional circumstances" may a regional competitive market be considered as the industry affected. Such exceptional circumstances can be found only if the producers supplying a regional competitive market sell "all or almost all of their products in such market." Further, an additional restriction on the Tariff Commission's authority to find injury is imposed, since "all or almost all of the total production" in the regional market must be injured.

Section 201 of the Antidumping Act does

not restrict the Tariff Commission in its determination of what constitutes "an industry in the United States." In a considerable number of cases, the Commission has concluded that regional markets and regional industries may be found without regard to whether the producers supplying a limited competitive market "sell all or almost all their products" in such market, and without regard to whether "all or almost all" of the producers are injured.

Thus, it is clear that Article 4 of the Code in providing substantial limitations in its definition of industry and in adding a further restriction on the authority to make affirmative determinations of injury, would severely curtail the present powers of the Tariff Commission under Section 201 of the Antidumping Act.

Thirdly, Article 5 of the Code provides that a dumping investigation shall be initiated only when supported by evidence of both dumped prices and of injury to the industry involved, and requires that evidence of dumping and of injury shall be "considered simultaneouly." In addition, Article 10 forbids the institution of any provisional measures, which specifically include the authority to order withholding of appraisement unless there is "sufficient evidence of injury" as well as of dumping.

Section 201(a) of the Antidumping Act was amended in 1954 and transferred from Treasury to the Tariff Commission sole responsibility for injury determinations. This subsection specifies that the Commission shall make a determination of injury only *after* being advised by Treasury that a dumping price has been found by that agency. The Senate Finance Committee Report on the 1954 amendment made this crystal clear:

"This title would also transfer the injury determination under the dumping law to the Tariff Commission and provide that it be made within 3 months from the determination of the question of a dumping price by the Secretary."

Furthermore, Section 201(b) of the Act specifically requires that Treasury "shall authorize . . . . the withholding of appraisement" whenever Treasury, in the course of an investigation and before a formal finding of dumping prices, "has reason to believe or suspect" that sales have been made at a dumping price. The Act specifies Treasury then "shall forthwith publish notice of that fact . . . . and shall authorize . . . . the withholding of appraisement reports." At that stage the Tariff Commission, not having been advised by Treasury of a determination of dumping and on the existence of "sufficient investigation, much less make a finding of injury or of the existence of "sufficient evidence of injury", whatever this phrase as used in the Code may mean.

Thus, it is patently clear that by requiring simultaneous investigations of dumping and of injury, and by requiring decisions on dumping and on the existence of "sufficient evidence of injury" as conditions precedent to the withholding of appraisement, Articles 5 and 10 of the Code conflict directly with the provisions of subsection (a) and (b) of Section 201 of the Antidumping Act.

The refusal of the Office of the Special Representative to recognize and respect the areas of policy determinations which are the province of Congress, can hardly be viewed as a mere oversight, attributable to inadequate familiarity with the well-established doctrine of the separation of powers. Last summer the Senate overwhelmingly adopted Senate Concurrent Resolution 100, advising the Executive Branch generally and warning the Office specifically against including in the Kennedy Round negotiations matters outside the scope of the Trade Expansion Act of 1962. Dumping was one of the matters which was specified. As summed up by the Senate Finance Committee in its report on Senate Concurrent Resolution 100:

"This problem (dumping) concerns unfair trade practices in a domestic economy and it is difficult for us to understand why Congress should be bypassed at the crucial policy-making stages, and permitted to participate only after policy has been frozen in an international trade agreement."

Notwithstanding this clear warning by the Senate, the Office of the Special Representative persisted in negotiating the Antidumping Code which conflicts directly with, and, if the Code becomes effective, would amend the Antidump Act of 1921 in many substantive respects. In point of fact the Code would emasculate the Antidump Act of 1921 and for all practical purposes strike the Act from the statute books. As I mentioned earlier, the three points of conflict listed above are merely illustrative to a multitude of substantive changes in the Act. In my opinion, these changes would prevent it from imposing any meaningful restraint on the unfair trade practice of dumping.

This usurpation of Congressional functions should not be allowed to go unchallenged. I therefore intend to urge the Chairman of the Senate Finance Committee that an appropriate resolution should be favorably reported by the Committee and should be adopted by the Senate and by the House, expressing the sense of Congress that the Code should not become effective in the United States unless and until the Code has been approved by the Congress. The resolution should also advise the President to withdraw from the Code immediately, well before it is scheduled to become effective on July 1, 1968. The resolution should further advise the President that if he desires to have the Code become effective in this country, the United States must first withdraw from the Code and then submit it as a proposed international agreement to the Congress for approval. At that time, I will, of course, oppose Congress giving its approval to the complete emasculation of the Antidumping Act. The Act, which is concerned with the unfair trade practice of price discrimination in this market, needs to be strengthened not weakened and emasculated. This is the purpose sought to be achieved by S. 1726 which I introduced on May 9, 1967 for myself and for forty other Senators on both sides of the aisle.

I hope that you will agree with me that the action of the Office of the Special Representative in defiance of the clear will of the Senate constitutes usurpation of Congressional authority and must not be allowed to go unchallenged. If you do agree with me, I urge you to communicate your views to the Chairman of the Senate Finance Committee, to other members of the Senate and also to the Chairman of the Ways and Means Committee of the House and other members of the House.

Sincerely,

Vance Hartke,
U.S. Senator.

CONSUMPTION OF ALCOHOLIC BEVERAGES IN THE CAPITOL

Mr. MORSE. Mr. President, I turn to another measure, which is in a sense a companion bill, one that I have introduced annually for a number of years and will continue to introduce annually, if for no other reason than for educational purposes. Perhaps I can finally educate the Rules Committee of the Senate to the degree that they will give the bill hearings and give an opportunity to be heard to many organizations that have sought an opportunity to testify in support of it. I send to the desk and ask for appropriate reference, again, of the resolution which seeks to bring an end to the serving of hard liquor in any public room in the Capitol of the United States, or in any public room in the Senate Office Buildings. It limits itself to our jurisdiction as the Senate, as Senators know. I ask that the resolution be appropriately referred, and that it be printed in the Record.

The PRESIDING OFFICER. The resolution will be received and appropriately referred; and, without objection, the resolution will be printed in the Record, as requested by the Senator from Oregon.

The resolution (S. Res. 152) was referred to the Committee on Rules and Administration, as follows:

S. Res. 152

Resolved, That rule XXXIV of the Standing Rules of the Senate (relating to regulation of the Senate wing of the Capitol) is amended by adding at the end thereof the following new paragraph:

"3. The serving of alcoholic beverages shall not be permitted within any portion of the Senate side of the Capitol, or any portion of any office building set aside for the use of the Senate, other than a room or suite which is assigned for occupancy by a Member or officer of the Senate for the transaction of the business of his office. As used in this paragraph, the term 'alcoholic beverage' means any alcoholic beverage containing more than 24 per centum of alcohol by volume."

Mr. MORSE. As Senators know, every year I have named room S–207 over here the Senate saloon, for that is what it is. In that major conference room of the Senate of the United States, hard liquor receptions are frequently given.

I am a great believer in the private enterprise system. I happen to believe that if anyone wants to give a reception, a cocktail party, or whatever you want to call it he ought to rent a hotel room and support the hotels which are here in large number for this very purpose. But we should not desecrate the dome of the Capitol of the United States, and, in my judgment, not insult the taxpayers of the United States by serving a single drop of hard liquor at any time in any public room of the Capitol or the Senate Office Buildings. I think that our colleagues over in the House of Representatives should take the same attitude with regard to the rooms that fall under the jurisdiction of the House.

Mr. President, without arguing further I ask unanimous consent that certain paragraphs of remarks I made in 1962 on this subject matter be printed in the Record at this point, so that I can save the time of the Senate.

There being no objection, the excerpts were ordered to be printed in the Record as follows:

Mr. Morse. Mr. President, I shall be very brief in my comments about the resolution; but, because I think it will have some bearing on the matter of cosponsorship, I wish to make this statement tonight about the resolution:

To my great pleasure, although my surprise, a very large number of Senators—and, Mr. President, in my judgment, when one uses the word "large" in connection with the Senate, it means at least a dozen or more Senators—at least a dozen or more Senators have come to me, today, and have said to me—and now I paraphrase their statements, but do so accurately: "Wayne, if you ever get a vote on your resolution, I will vote for it, because you are dead right."

* * * * *

I warn the Senate that this practice, which has developed in the last 2 or 3 years, is going to rise to plague and embarrass this body if we do not put a stop to it right now; and it is going to result in a public reaction in this country—once the American people come to understand the situation—that will, and should, do great damage to the prestige of the Senate because the American people have every right to resent a policy of the Senate which, in effect, turns the Capitol and the Senate Office Buildings into a saloon on those occasions when these drinking parties—and I understand that the affair last night could better be described as a drinking bout or brawl—occur in buildings paid for and maintained by the taxpayers of the United States.

Mr. President, in my judgment this is wrong. If Senators want to give drinking parties, there are places where they can give them; they can rent reception rooms at hotels. But I, for one—and I am satisfied that millions of Americans will agree with me—do not think the Capitol of the United States, or the part of it over which the Senate has jurisdiction, or the Senate Office Buildings, insofar as these public rooms are concerned, should be desecrated by the serving of hard liquor at so-called official or semiofficial Senate affairs.

* * * * *

Let me say to the Rules Committee that it will have a job, if it does not stop this, in preparing rules and regulations that we Senators can follow when requests are made for the use of these rooms for one purpose or another.

My solution is a direct and simple one, impartial and uniform in its applicability. The answer is going to be a flat, "No, you cannot use any of these rooms for any affair, if part of the purpose of the affair is to serve hard liquor for the function."

You will be surprised, Mr. President, how that would reduce the requests for the use of the rooms. Tell them to go to the hotels. Let me say, somewhat facetiously and good-naturedly, that I should obtain a great deal of support for my resolution from private enterprises in the District of Columbia, hotel associations and everybody else that might rent rooms for receptions and affairs of the nature of which we are coming to give here in the Capitol and in the Senate Office Buildings.

* * * * *

Mr. Morse. Mr. President, I wish to speak on a delicate subject. No matter how I phrase my position, I am afraid I will offend some of my colleagues in the Senate. It always pains me when I offend my colleagues. But when I think they are wrong, I must risk their suffering at my expense.

I think they are wrong about a social policy that has been developing in the Senate with increasing frequency in recent years. I believe it ought to be stopped. I refer to official and semiofficial and, I understand, sometimes unofficial use of the physical facilities in the Capitol and in the Senate Office Buildings. I do not know about the House, and I would not purport to advise the House. However, I have a responsibility to advise the Senate, as does each Senator.

There is a growing social pattern of holding affairs in rooms in the Capitol and in the Senate Office Buildings at which hard liquor is served. In my opinion it cannot be justified. In the opinion of millions of American citizens it constitutes a desecration of public facilities in the Capitol and in the Senate Office Buildings. It ought to be stopped forthwith. At least I think that official action should be taken by Congress and that Members of Congress should be asked to stand up and be counted on the issue. Let them answer back home for any vote in support of such a desecration of the buildings belonging to the taxpayers of this country.

Oh, there are many reasons that cause me to take this position. I mention only a few. First, I do not believe it is a good example for lawmakers to be setting for the youth of this country. Furthermore, the matter of the consumption of hard liquor from the viewpoint of many people involves a moral issue. I am not a prohibitionist in the sense that I advocate a return of the 18th amendment. But I am a prohibitionist in the sense that I believe we ought to prohibit the use of the public facilities of the Capitol and the Senate Office Buildings for any affair at which hard liquor is served. At least we ought to make it an issue of policy, to be approved or disapproved by Congress. I do not believe that Members of Congress should take it upon themselves to hold affairs and invite Members of Congress and members of the Cabinet and other public officials and private citizens to come to the Capitol and to the Senate Office Buildings for an affair at which hard liquor is served.

From the standpoint of congressional policy the serving of hard liquor in the Capitol or in the Senate Office Buildings at any function that is carried on by the remotest stretch of the imagination as an official or semiofficial function of the Senate or of a committee or by a group of Senators cannot be justified, when it amounts to the setting up of a bar in connection with an affair.

I should much prefer that I did not deem it necessary to comment on this subject, but I am not responsible for decisions which result in the serving of hard liquor at these affairs. I am satisfied that if the question had been presented to us as a matter of policy, it would not be approved by Congress in a yea-and-nay vote.

I close my comments by saying that I will not knowingly attend such an affair; and if I find myself in such an affair, and hard liquor is being served, I will immediately absent myself from such an affair, because I do not think it is good public policy.

Mr. MORSE. I close with my plea again to the Committee on Rules, "Come on, and give me hearings," for there are representatives of church groups in every State of this Union who would like to come here and testify in support of this resolution; and support of the resolution is not limited to representatives of church groups. Many civic groups in this country are shocked when they learn that hard liquor is served in the Capitol of the United States and in the Senate Office Buildings.

I am not talking about the private offices of Senators. That is their business. For those private offices, in a sense, are the same as the living rooms of their homes.

But I wish to say, Mr. President, that I think my resolution is entitled to a hearing. I think the American people are entitled to register their protests about this support of what leads to alcoholism in this country, even by the social practices of the Senate of the United States, in serving hard liquor in the Capitol Building and in the Senate Office Buildings, at official public functions conducted under the auspices of the Senate.

ENROLLED BILL AND JOINT RESOLUTION PRESENTED

The Secretary of the Senate reported that, on August 1, 1967, he presented to the President of the United States the following enrolled bill and joint resolution:

S. 1648. An act to extend the authority for exemptions from the antitrust laws to assist in safeguarding the balance-in-payments position of the United States; and

S.J. Res. 98. Joint resolution authorizing the National Advisory Commission on Civil Disorders to compel the attendance and testimony of witnesses and the production of evidence.

INVESTIGATION OF CRIME AND LAWLESSNESS WITHIN THE UNITED STATES—AMENDMENT

AMENDMENT NO. 232

Mr. COOPER submitted an amendment, intended to be proposed by him, to the resolution (S. Res. 150) authorizing the Committee on Government Operations to investigate crime and lawlessness within the United States, which was ordered to lie on the table and to be printed.

ADDITIONAL COSPONSORS OF BILLS AND JOINT RESOLUTION

Mr. STENNIS. Mr. President, I ask unanimous consent that, at its next printing, the names of the Senator from Michigan [Mr. Hart] and the Senator from Montana [Mr. Mansfield] be added as cosponsors of the bill (S. 2138) to authorize the Secretary of Agriculture and the Surgeon General of the United States to provide food and medical services on an emergency basis to prevent human suffering or loss of life.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BYRD of West Virginia. Mr. President, on behalf of the Senator from Wisconsin [Mr. Proxmire], I ask unanimous consent that, at its next printing, the name of the Senator from Wisconsin [Mr. Nelson] be added as a cosponsor of the bill (S. 2146) to abolish the Subversive Activities Control Board and transfer the powers, duties, and functions thereof to the Department of Justice, and for other purposes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MUNDT. Mr. President, I ask unanimous consent, at its next printing, to add the name of the Senator from Oklahoma [Mr. Harris] as a cosponsor of Senate Joint Resolution 64, the commission to establish a balanced economic development.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MUNDT. I ask unanimous consent, at its next printing, to add the names of the Senator from South Carolina [Mr. Thurmond] and the Senator from Idaho [Mr. Jordan] as cosponsors of S. 2097 to double the custom duties on articles imported from Communist countries selling or furnishing materiel to North Vietnam; and S. 2098, to prohibit the export of articles to Communist countries selling or furnishing materiel to North Vietnam.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. TOWER. Mr. President, I ask unanimous consent that, at its next printing, the name of the Senator from

South Carolina [Mr. Hollings] be added as a cosponsor of the bill (S. 2170) to amend title 10, United States Code, to equalize the retirement pay of members of the uniformed services of equal rank and years of service, and for other purposes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BYRD of West Virginia. Mr. President, on behalf of the Senator from South Carolina [Mr. Hollings], I ask unanimous consent that, at its next printing, the names of the Senator from Colorado [Mr. Allott], the Senator from North Dakota [Mr. Burdick], the Senator from Nevada [Mr. Cannon], the Senator from Kansas [Mr. Carlson], the Senator from Idaho [Mr. Church], the Senator from Connecticut [Mr. Dodd], the Senator from Indiana [Mr. Hartke], the Senator from Idaho [Mr. Jordan], the Senator from Missouri [Mr. Long], the Senator from Oregon [Mr. Morse], the Senator from New Mexico [Mr. Montoya], and the Senator from Montana [Mr. Metcalf] be added as cosponsors of the bill (S. 1796) to impose quotas on the importation of certain textile articles.

The PRESIDING OFFICER. Without objection, it is so ordered.

ADDITIONAL COSPONSOR OF BILLS

Mr. TOWER. Mr. President, I ask unanimous consent that my name may be added as a cosponsor of several measures, a list of which I send to the desk, together with remarks to be printed in the Record.

The PRESIDING OFFICER. Without objection, it is so ordered.

The list, presented by Mr. Tower, is as follows:

S. Con. Res. 25, to require Department of Transportation to conduct nationwide study of potential future uses of all rail lines in the U.S.

S. 1305, to establish a joint committee on science and technology.

S. 1611, to require annual approval by the Congress of aggregate accounts of expenditure authorizations contained in general appropriations acts.

S.J. Res. 54, equal rights for women.

S. 1322, would require the Secretary of Agriculture and Director of Bureau of Budget to make a separate accounting of funds requested for the Department of Agriculture for programs and activities that primarily stabilize farm income and those that primarily benefit consumers, businessmen, and the general public.

S. 1263, to provide a national charter for Fair Campaign Practices Committee.

The remarks, presented by Mr. Tower, are as follows:

Cosponsor of Senate Concurrent Resolution 25 (Allott)

Mr. Tower. Mr. President, the concern of the Congress about adequate transportation facilities dates back to the earliest days of the Republic. The most recent example of Congressional concern is a significant study proposed by the distinguished senior senator from Colorado, Mr. Allott, whose bill I wish to lend my name in co-sponsoring.

Since the end of World War II railroad passenger traffic has been on a steady decline. Long haul passenger traffic has almost ceased to exist. Recent experiences, however, show us that in many major cities and urban areas of the Nation an infinite number of cars cannot be accommodated on conventional highways without prohibitive expense and destruction of too much property for right of way and parking in the process. In the projections of population, I am sure that this entire Nation will be faced with a gigantic problem of mobility in the not-too-distant future.

Without distinguishing cause from effect, it is safe to observe that most people are not riding the trains, and the railroads are not doing much to promote further passenger travel. The Post Office Department, for many years one of the largest customers of the railroads, has begun a systematic discontinuance of its contracts with the railroads to haul mail. Thus, the railroads soon argue that it can no longer justify the operation of a passenger train because they are no longer needed to haul mail. The discontinuance of these trains is causing a hardship to many communities, large and small, across the Nation. The abandonment of rail service leaves many communities isolated from other adequate reliable year-around forms of passenger transportation.

Senator Allott's bill will ask the Department of Transportation to conduct a nationwide study of the potential future uses of all rail lines in the United States. The study is designed to determine if future population growth will indicate eventual usage of surface rail lines for high-speed passenger service and if high-speed rail service can be adaptable to railway Post Office operations. This study will also seek out if there is any longrange passenger and mail route potential from the development of economical feeder service from areas of low population density to areas of high density where high-speed service is most likely to be operated. The study will also define the future megalopolis areas of the Nation. This sort of timetable for such experiments might be suggested by the department in line with the population projections now available.

It would be appropriate to examine the railroad systems overseas where high-powered passenger service in countries like France and Japan are whisking people through the country at phenomenal speeds. The Post Office Department should coordinate with the Department of Transportation in this study to determine the potential for mail service on high-speed or feeder trains. The resolution will ask the Post Office Department to declare a moratorium on the cancellation of all railway Post Office contracts with the railroads.

From the time when postal roads were first authorized and now to the present time with the creation of the Department of Transportation, Congress has never failed to act when the best interests of the nation and the nation's rail system were at stake. I, therefore, am happy to join in co-sponsoring this needed legislation to once again aid the rail transportation system of our country which has served as a backbone of our nation's transportation system for many a decade.

S. 1305—Allott: Establishment of Joint Committee on Science and Technology

Mr. Tower. Mr. President, I wish to join in co-sponsoring S. 1305, introduced by my distinguished colleague from Colorado, Mr. Allott. The bill will establish in the Congress a Joint Committee on Science and Technology enabling members of Congress to respond more adequately and knowledgeably to the challenges posed by the phenomenal growth of science and technology in America since World War II.

One reason why much power has shifted from the legislative branch to the executive branch over the years is due to the fact that we have been prone to accept programs which are conceived in and proposed by the Executive with too little question, and this is especially true of programs having major scientific and technical content. Within the Executive Office of the President there is a Special Assistant for Science and Technology, the President's Science Advisory Committee, the Office of Science and Technology, and the Federal Council for Science and Technology. Through these bodies the Executive has immeasurably strengthened its hand both with respect to shaping national science policy and to drafting legislation designed to implement that policy.

Because of the highly compartmentalized congressional committee structure, with its dispersed legislative authorities and jurisdictions, it is difficult to obtain the comprehensive information describing the total Federal scientific and technical effort. And, although the appropriations committees of both houses review all federal spending, it is impossible to gain an overall picture of our research and development programs. The enormity of the Federal budget necessitates apportionment among the various appropriations subcommittees.

There are in the House and Senate combined a total of 32 committees and 109 subcommittees having jurisdictional interest in scientific and technological activities. Thus the legislative branch reviews such legislation in a fragmented manner by various committees and subcommittees according to their jurisdiction over specific departments.

A great value in this legislation lies in the provisions for checking the Executive branch by:

(1) Establishing priorities in terms of our national goals for support of programs in space, agriculture, health services, education, oceanography, and so forth.

(2) Examining the relationship between governmental and nongovernmental organizations engaged in scientific and technical pursuits to find what measure of cooperation exists between them.

(3) Distributing Federal research grants and contracts in a manner that will be geographically equitable without sacrificing the quality of research obtained.

The enactment of S. 1305 will allow Congress to assume a greater responsibility for the thorough surveillance of Federal scientific and technical programs, and for suggesting new courses of action and fresh approaches to problems.

S. 1611 (Allott) Cosponsor

Mr. Tower. Mr. President, several weeks ago my distinguished colleague from Colorado, Mr. Allott, introduced S. 1611, a bill to require annual approval by the Congress of aggregate amounts of expenditure authorizations contained in general appropriation acts. Today, I wish to join with him and other distinguished colleagues in co-sponsoring this needed legislation.

This country has had only six balanced budgets since 1930. The reason is that neither the President nor the Congress has shown the kind of restraint that in many cases should have been exercised. The administration in the past four years has spent a total of 40 billion dollars more than the government has taken in. By the end of 1968, the indications are that the 5-year deficit may exceed $58 billion. This is an average deficit of $10 billion a year. Thus we have been using a credit card and have had to raise our national debt ceiling ten times as a result. Interest costs on the national debt represent the largest single expenditure, outside of defense, in the entire administrative budget. For the fiscal year 1967, the government now estimates that direct interest on the public debt, which excludes interest paid by the Federal agencies, will amount to $13.5 increasing to $14.2 billion in fiscal 1968.

In January, the President's economic advisers told the Congress that all is well in this year 1967 despite a clear evidence of economic slowdown. In March, the President told the country that the economy is listing a little. The budget is no longer a sound economical document. It is no longer an accurate indication of the way things are moving. A budget which is so indecisive and so contradictory can not be counted on by the business community.

Today the Federal Government owns 34 percent of the land, buys 23 percent of what is produced, contracts for 30 percent of all construction, generates one-quarter of the Nation's electric power, and hires directly or indirectly one fourth of the people in this country. Uncle Sam takes 67% of all taxes collected in this country, but the Federal debt has grown to be 3.5 times larger than the total debt of all states combined.

Thus we can see that the Federal government is so immense and involves such enormous quantities of money, that every single American family is affected whenever the administration engages in some form of a new fiscal experiment. Tax increases or decreases have perhaps the greatest impact upon the middle-income family, those with incomes between $7,000 and $15,000 annually. A tax increase or decrease has almost an immediate effect upon consumption of consumer goods and investments, and therefore upon the general level of the economy.

With 62 percent of the personal income taxes being paid by those earning less than $15,000 a year, increases in such taxes should be considered more in the light of being a last resort to raising needed revenue. We should look first to reducing Federal expenditures.

The Executive Branch has its Bureau of the Budget which acts as a focal point for all requests for funds by the various departments and agencies. Through the Bureau of the Budget, the President looks at the total federal spending requirements and can place a top limit upon it, requiring the Bureau of the Budget and the departments to adjust their programs and spending accordingly. However, once the budget is received in Congress, it is dissected into 13 separate appropriation bills and is never again looked upon as a whole. These 13 separate appropriation bills wind their way through the appropriation process at varying speeds. Some become law before the end of the fiscal year while others do not emerge until fall, months after the first bill was signed.

Senator Allott's bill would require that Congress adopt a joint resolution approving the aggregate amount contained in those separate bills before the money would be available for expenditure. Congress could then review not only the merits of individual programs, but the total amount of new funds to be provided as against expected total income for the fiscal year. The bill would cover the bulk of congressional appropriations and would oblige us to consider the budget requests in relation to anticipated income for the year. It would enable us to review our action on the earlier passed bills in light of what action we take on later bills. I think it would be informative both to the Congress and to the citizens of the United States. Our constituents would soon demand the Federal Treasury to be equated with an increase in taxes. Under such circumstances, only the most meritorious programs would be given easy approval. Thus S. 1611 will once again return to the Congress a needed power over the purse strings of governmental spending.

Cosponsor Senate Joint Resolution 54

Mr. Tower. Mr. President, I wish to join with many of my fellow colleagues on both sides of the isle who have joined with the distinguished senior senator from Minnesota in sponsoring an amendment to the Constitution to establish equality of rights for men and women under the Constitution and the Federal and State statutes and to guarantee the equality of rights already won.

The effort to secure an equality under the law in basic human and legal rights is an ancient one. Women have courageously fought to improve their status in this country and have succeeded admirably in this century with such accomplishments as the 19th amendment. It was hoped by many that the 19th amendment would result in general revision of laws and practices so that discrimination against women would end. The 88th Congress found it necessary to include in title VII of the 1964 Civil Rights Act a provision to prohibit discrimination on the basis of sex as well as race. The provision prohibits discrimination in connection with employment, referral for employment, membership in labor organizations, and participation in apprenticeship or other training programs. Even this legislation does not reach to many employment situations which are not covered by Title VII.

However, after nearly half a century, discrimination against adult women continues to exist as regards property rights, inheritance rights, the right to own and control one's earnings, educational opportunity, employment opportunities, jury service, and other areas.

Senate Joint Resolution 54 applies only to governmental action. It would not apply to private or to individual action, but hopefully would serve as an impetus to state and local governments to further the cause of equality for women.

In many states, a woman cannot handle or own separate property in the same manner as her husband. In some states, she cannot engage in business or pursue a profession or occupation as freely as can a member of the male sex. Women are classified separately for purposes of jury service in many states. Community-property states do not vest in the wife the same degree of property rights as her husband enjoys. The inheritance rights of widows differ from those of widowers in some states. Restrictive work laws, which purport to protect women by denying them a man's freedom to pursue employment, actually result in discrimination in the employment of women by making it so burdensome upon employers. Such protective restriction hinder women in their competition with men for supervisory, technical, and professional job opportunities.

Just as equal protection under the fourteenth amendment does not mean mathematical equality, this amendment does not contemplate that women must be treated in all respects the same as men. Nor does it mean that all legal differentiation of the sexes will be abolished. The proposed amendment would confirm equal rights under the law for both men and women. In instances where laws are burdensome to men solely because of their sex, men would thus benefit from the amendment.

The need and merit of this proposal is testified to by the distinguished Americans who over the years have desired the adoption of such an amendment. The 1960 Republican platform urged Congress to submit a constitutional amendment providing equal rights for women. Previously the Eisenhower administration declared that Congress should make certain that women are not denied equal rights with men.

The United States, as a signatory to the United Nations charter, has confirmed its faith in equal rights of men and women. It is my opinion that our nation should join with such democratic nations as Japan and West Germany in providing a constitutional guarantee of equal treatment under the law for all adult Americans regardless of their sex.

Cosponsor of S. 1322 (Mondale)

Mr. Tower. Mr. President, the American farmer is tired of being accused of annually raiding the United States Treasury and being told that he pockets enough of the agriculture budget to enable him to live well. The American farmer is equally disturbed at being told that he never had it so good. Considering the condition of the farmer with respect to such derision, I wish to join in co-sponsoring S. 1322, introduced by my distinguished colleague from Minnesota, Mr. Mondale. Nearly every farm organization in the country testified in favor of the bill last year when hearings were held in the Senate Agriculture Committee. The organizations supporting this measure are the National Farmers Union, the National Grange, the National Council of Farmer Cooperatives, the National Milk Producers Federation, National Federation of Grain Cooperatives, American Farm Bureaus Federation, National Creameries Association, and the National Farmers Organization.

S. 1322 is designed to make quite clear to the public that the budget of the Department of Agriculture is not a $7 billion subsidy to the American farmer. It should make clear that the consumers, businessmen, and the general public receive substantial benefits from the USDA budget. Many do not realize that over two-thirds of the USDA budget goes for programs benefiting the general public, rather than the farmer alone.

The one-third or so, amount of the budget that helps the farmer directly on his income programs also provides a clear benefit to the general public by helping to maintain a healthy and sound agricultural economy. Investments we make in our farm program is a great investment for each of us because the American farmer contributes tremendous efficiency and productivity to our economy. If the price of food had increased as much as the price of all other products since 1952, the housewives of America would have had to spend over $7 billion more for food last year than they actually did.

Mr. Mondale's bill would require the Secretary of Agriculture and the Director of the Bureau of the Budget to make a separate accounting of funds requested for the Department of Agriculture for programs and activities that primarily stabilize farm income and those that primarily benefit consumers, businessmen, and the general public for other purposes. Such legislation will enlighten the general public as well as provide for needed accounting of appropriation so that the American taxpayer will know more fully where his tax dollar is going and whom is it really benefiting.

Cosponsor of S. 1263 (Kuchel)

Mr. TOWER. Mr. President, the climate of American politics over the years has been improved significantly by the Fair Campaign Practices Committee. My distinguished colleague from California, Mr. Kuchel, has introduced S. 1263, a bill to grant the organization a national charter. I wish to join with him and other distinguished colleagues in co-sponsoring this meritorious legislation.

In 1954, a code of fair campaign practices was established with the help of a number of U.S. Senators who were dedicated to the ideals of their political profession. Since then the committee has publicized the Code, has convinced candidates to adhere to the principles it sets forth, and has pinpointed violations. The committee has also served the noble tasks of existing as a forum for consideration of the propriety and the truthfulness of campaign statements.

The purposes of this timely legislation is to elevate the standards of ethics and morality which prevail in the conduct of campaign for election to a political office whether on the national, state, or local levels. Wide publicity is to be given to the requirements of the laws of the several states and the Federal Government concerning such practices as well as stressing the importance of the proper functioning of our American form of government and lessening any evils inherent in such practices.

The Fair Campaign Practices Committee is a non-profit, non-partisan, non-political corporation composed of many distinguished Americans, including the two living former Presidents. It is operated exclusively for educational purposes. Like the rest of the members of the United States Senate, I appreciate a campaign conducted with the issues honestly debated and forcefully presented; such a political campaign gives the voters a clear basis for choice. The Fair Campaign Practices Committee is working for such a political atmosphere and urges politicians and citizen-voters to abide by such directives. Senator Kuchel's bill will provide the committee with a national charter which will reward the committee for the work it has done in the past as well as aiding its work and goals for the future.

NOTICE OF HEARINGS ON FAIR HOUSING ACT OF 1967 AND RELATED BILLS

Mr. SPARKMAN. Mr. President, I should like to announce that the Subcommittee on Housing and Urban Affairs of the Committee on Banking and Currency will hold hearings on August 21, 22, and 23, 1967, on the following bills: S. 1358, a bill to enact the Fair Housing Act of 1967; S. 2114, a bill to supplement the financing of construction and purchasing of homes where there is evidence of discriminatory lending practices, and any related bills subsequently introduced.

The hearings will be held in room 5302, New Senate Office Building and will commence at 10 a.m. each day.

Persons wishing to testify on the bills should contact Mrs. Dixie Lamb of the subcommittee staff, room 5226, New Senate Office Building; telephone, 225-6348.

Mr. MONDALE. Mr. President, I am most pleased to note the announcement today of hearings—on August 21, 22, and 23—on the Fair Housing Act of 1967. These hearings could not have come at a better time. The civil unrest and disorders of the last few weeks have focused the attention of the Nation on urban ghetto conditions and causes. And it is beyond dispute that one of the major contributing factors to the creation and continuation of the urban ghetto is the "white wall" that has been built around the people of the central cities.

Frustration and despair lead to frustrating, despairing behavior. Those who believe that their condition could not be worse also believe that they have nothing to lose by a violent reaction against society. This is the stuff of revolutions and insurrections.

Without in the least condoning or excusing violence and riots—which I do not—we can reasonably identify and isolate the factors which brought them about.

One of these factors is enforced ghetto living. Ghetto dwellers, particularly Negroes and minority groups, cannot now or ever see any prospect of leaving the ghetto without superhuman efforts and perseverance—regardless of what their educational attainment or income level might be.

Ghetto living and segregated housing is truly "forced housing." This "forced housing" is found everywhere in the United States—a dangerous cancer in the South and North alike.

When I introduced this legislation last March, I said on the floor of the Senate that continued inaction on the problems of our slums would risk major social disaster. I am not pleased that this disaster—a prophecy fulfilled—is upon us—but it is—and it is high time we shook off our apathy and took action.

Segregation in housing not only continues to exist, but statistics indicate it is increasing. More Negroes and other minority groups are being forced to live or remain living in ghettos every year. And the conditions, within the ghettos are also getting worse. By almost every social indicator we have now—crime, comparative employment rates, illegitimacy, family income, and school segregation—our urban ghettos are worse now than they were 5 years ago. We can let that decline continue—and I repeat—continue only at the risk of continuing major social disaster.

I hope that we will be able to draw some good out of the evil of rioting and disorder. I hope that the shock and worry of recent days will lead us to a major domestic effort to attack the ills of the cities.

We are committed in principle to equal justice and equal opportunity for every American citizen. What is needed, first of all, is legal recognition of these rights in housing. And what is also needed is full implementation of pledges now embodied in Federal laws and programs on education, slums, and job opportunity.

This bill will not put every Negro in the ghetto in a white suburb tomorrow. The normal laws of economics will prevent that from happening. But it will offer hope and opportunity—if not for the adults in the ghettos, at least for their children—that they will be able to escape the ghetto pressure cooker.

While this bill—in its requirements and provisions—is a very modest measure, it is an absolutely essential step in the process of assuring full legal equality for all Americans.

The Housing Subcommittee of the Senate Banking and Currency Committee will explore this issue in a rational, dispassionate manner. And I am sure that the hearings will disclose that the case for the Fair Housing Act is unshakeable and clear.

UNITED STATES-CANADIAN AUTOMOBILE AGREEMENT

Mr. GORE. Mr. President, according to the Wall Street Journal of August 1, 1967, the earnings of Ford Motor Co. of Canada were up sharply in the first half of 1967 as compared with the same period in 1966. Earnings of Ford of Canada increased from $15.5 million in the first half of 1966 to $24.6 million in the first half of 1967. This is an increase of 59 percent.

Mr. President, compare this with the record of Ford Motor Co. in the United States. Ford Motor Co., of Michigan, had a decrease of earnings during the same period of 37.5 percent.

This is quite a contrast. Ford of Canada up 59 percent and Ford of the United States down 37½ percent.

Mr. President, Senators will recall the United States-Canadian Automobile Agreement. The figures I have cited are partially the result of that unfortunate agreement. Only this morning, in my office, I held a conference with executives of a large American company which does a great deal of business supplying parts to automobile manufacturing concerns.

I asked these gentlemen what their experience was in this country, and they said that their operations here resulted in a much smaller earning capacity than their earnings in Canada supplying the expanding automobile industry which has been increasing.

Thus, we can see some of the fruits of this improvident United States-Canadian agreement. Of all the improvident agreements which President Johnson has worked out with big business in the pursuit of causus and support, I think this is one of the most inexcusable. It has cost the United States thousands of jobs and many millions in profits.

I hope that, some day, Congress will soon see the error of this way and will repeal the agreement.

LET US KNEEL WITH THE PRESIDENT

Mr. HAYDEN. Mr. President, Mrs. Mattie Richards Tyler, for 19 years associate editor of the Blue Moon poetry magazine, and past District of Columbia branch president of the National League of American Pen Women, last Sunday night wrote a poem entitled "Let Us Kneel With the President." I ask unanimous consent to have it printed in the RECORD.

There being no objection, the poem was ordered to be printed in the RECORD, as follows:

LET US KNEEL WITH THE PRESIDENT

Across our troubled land a well-known voice
Rang out with great authority to all
Our citizens. For him there was no choice
Except to answer riot's heinous call
With armored might. Detroit's skies were red
As arson spread . . . and homes went up in flames!

The homeless, injured, innocent, and dead
Were helpless victims of these lawless shames!

Again, tonight, our President is speaking—
His voice reflects the sorrow in his heart;
And we believe that he is truly seeking
The strength of God to help him play his part.

The proclamation—that he signs tonight—
Should send us to our knees for guidance, light.

APPROPRIATIONS FOR DEPARTMENTS OF LABOR AND HEALTH, EDUCATION, AND WELFARE

Mr. MANSFIELD. Mr. President, I ask unanimous consent that at the conclusion of transaction of further routine morning business, Calendar No. 455, H.R. 10196, be laid before the Senate and made the pending business.

The PRESIDING OFFICER. The bill will be stated by title.

The ASSISTANT LEGISLATIVE CLERK. A bill (H.R. 10196) making appropriations for the Departments of Labor and Health, Education, and Welfare, and related agencies, for the fiscal year ending June 30, 1968, and for other purposes.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill.

AUTHORIZATION OF APPROPRIATIONS TO NATIONAL AERONAUTICS AND SPACE ADMINISTRATION—CONFERENCE REPORT

Mr. ANDERSON. Mr. President, I submit a report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 1296) to authorize appropriations to the National Aeronautics and Space Administration for research and development, construction of facilities, and administrative operations, and for other purposes. I ask unanimous consent for the present consideration of the report.

The PRESIDING OFFICER. The report will be read for the information of the Senate.

The assistant legislative clerk read the report as follows:

Conference Report (H. Rept. No. 535)

The committee of conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 1296) to authorize appropriations to the National Aeronautics and Space Administration for research and development, construction of facilities, and administrative operations, and for other purposes, having met, after full and free conference, have agreed to recommend and do recommend to their respective House as follows:

That the Senate recede from its disagreement to the amendment of the House and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the House amendment insert the following:

"That there is hereby authorized to be appropriated to the National Aeronautics and Space Administration the sum of $4,865,751,000, as follows:

"(a) For 'Research and development,' for the following programs:

"(1) Apollo, $2,521,500,000;

"(2) Apollo applications, $347,700,000;

"(3) Advanced missions, $2,500,000;

"(4) Physics and astronomy, $145,500,000;

"(5) Lunar and planetary exploration, $131,900,000;

"(6) Voyager, $42,000,000;

"(7) Bioscience, $41,800,000;

"(8) Space applications, $99,500,000;

"(9) Launch vehicle procurement, $157,700,000;

"(10) Space vehicle systems, $36,000,000;

"(11) Electronics systems, $39,200,000;

"(12) Human factor systems, $21,000,000;

"(13) Basic research, $21,465,000;

"(14) Space power and electric propulsion systems, $44,000,000;

"(15) Nuclear rockets, $73,000,000;

"(16) Chemical propulsion, $41,000,000 of which $3,000,000 is to be used only for the large solid motor project;

"(17) Aeronautics, $68,800,000;

"(18) Tracking and data acquisition, $290,000,000;

"(19) Sustaining university program, $20,000,000;

"(20) Technology utilization, $5,000,000.

"(b) For 'Construction of facilities,' including land acquisitions, as follows:

"(1) Ames Research Center, Moffet Field, California, $5,365,000;

"(2) Goddard Space Flight Center, Greenbelt, Maryland, $565,000;

"(3) Jet Propulsion Laboratory, Pasadena, California, $3,125,000;

"(4) John F. Kennedy Space Center, National Aeronautics and Space Administration, Kennedy Space Center, Florida, $24,885,000;

"(5) Lewis Research Center, Cleveland and Sandusky, Ohio, $2,115,000;

"(6) Manned Spacecraft Center, Houston, Texas, $2,425,000;

"(7) George C. Marshall Space Flight Center, Huntsville, Alabama, $870,000;

"(8) Michoud Assembly Facility, New Orleans and Slidell, Louisiana, $2,010,000;

"(9) Nuclear Rocket Development Station, Nevada, $19,500,000;

"(10) Wallops Station, Wallops Island, Virginia, $740,000;

"(11) Various locations, $2,880,000;

"(12) Facility planning and design not otherwise provided for, $5,500,000;

"(c) For 'Administrative operations,' $648,206,000.

"(d) Appropriations for 'Research and development' may be used (1) for any items of a capital nature (other than acquisition of land) which may be required for the performance of research and development contracts and (2) for grants to nonprofit institutions of higher education, or to nonprofit organizations whose primary purpose is the conduct of scientific research, for purchase or construction of additional research facilities; and title to such facilities shall be vested in the United States unless the Administrator determines that the national program of aeronautical and space activities will best be served by vesting title in any such grantee institution or organization. Each such grant shall be made under such conditions as the Administrator shall determine to be required to insure that the United States will receive therefrom benefit adequate to justify the making of that grant. None of the funds appropriated for 'Research and development' pursuant to this Act may be used for construction of any major facility, the estimated cost of which, including collateral equipment, exceeds $250,000, unless the Administrator or his designee has notified the Speaker of the House of Representatives and the President of the Senate and the Committee on Science and Astronautics of the House of Representatives and the Committee on Aeronautical and Space Sciences of the Senate of the nature, location, and estimated cost of such facility.

"(e) When so specified in an appropriation Act, (1) any amount appropriated for 'Research and development' or for 'Construction of facilities' may remain available without fiscal year limitation, and (2) maintenance and operation of facilities, and support services contracts may be entered into under the 'Administrative operations' appropriation for periods not in excess of twelve months beginning at any time during the fiscal year.

"(f) Appropriations made pursuant to subsection 1(c) may be used, but not to exceed $35,000, for scientific consultations or extraordinary expenses upon the approval or authority of the Administrator and his determination shall be final and conclusive upon the accounting officers of the Government.

"(g) No part of the funds appropriated pursuant to subsection 1(c) for maintenance, repairs, alterations, and minor construction shall be used for the construction of any new facility the estimated cost of which, including collateral equipment, exceeds $100,000.

"Sec. 2. Authorization is hereby granted whereby any of the amounts prescribed in paragraphs (1), (2), (3), (4), (5), (6), (7), (8), (9), (10), and (11) of subsection 1(b) may, in the discretion of the Administrator of the National Aeronautics and Space Administration, be varied upward 5 per centum to meet unusual cost variations, but the total cost of all work authorized under such paragraphs shall not exceed the total of the amounts specified in such paragraphs.

"Sec. 3. Not to exceed one-half of 1 per centum of the funds appropriated pursuant to subsection 1(a) hereof may be transferred to the 'Construction of facilities' appropriation, and, when so transferred, together with $10,000,000 of the funds appropriated pursuant to subsection 1(b) hereof (other than funds appropriated pursuant to paragraph (12) of such subsection) shall be available for expenditure to construct, expand, or modify laboratories and other installations at any location (including locations specified in subsection 1(b), if (1) the Administrator determines such action to be necessary because of changes in the national program of aeronautical and space activities or new scientific or engineering developments, and (2) he determines that deferral of such action until the enactment of the next authorization Act would be inconsistent with the interest of the Nation in aeronautical and space activities. The funds so made available may be expended to acquire, construct, convert, rehabilitate, or install permanent or temporary public works, including land acquisition, site preparation, appurtenances, utilities, and equipment. No portion of such sums may be obligated for expenditure or expended to construct, expand, or modify laboratories and other installations unless (A) a period of thirty days has passed after the Administrator or his designee has transmitted to the Speaker of the House of Representatives and to the President of the Senate and to the Committee on Science and Astronautics of the House of Representatives and to the Committee on Aeronautical and Space Sciences of the Senate a written report containing a full and complete statement concerning (1) the nature of such construction, expansion, or modification, (2) the cost thereof including the cost of any real estate action pertaining thereto, and (3) the reason why such construction, expansion, or modification is necessary in the national interest, or (B) each such committee before the expiration of such period has transmitted to the Administrator written notice to the effect that such committee has no objection to the proposed action.

"Sec. 4. Notwithstanding any other provision of this Act—

"(1) no amount appropriated pursuant to this Act may be used for any program deleted by the Congress from requests as originally made to either the House Committee on Science and Astronautics or the Senate Committee on Aeronautical and Space Sciences,

"(2) no amount appropriated pursuant to this Act may be used for any program in excess of the amount actually authorized for that particular program by sections 1(a) and 1(c), and

"(3) no amount appropriated pursuant to this Act may be used for any program which has not been presented to or requested of either such committee,

unless (A) a period of thirty days has passed after the receipt by the Speaker of the House of Representatives and the President of the Senate and each such committee of notice given by the Administrator or his designee containing a full and complete statement of the action proposed to be taken and the facts and circumstances relied upon in support of such proposed action, or (B) each such committee before the expiration of such period has transmitted to the Administrator written notice to the effect that such committee has no objection to the proposed action.

"Sec. 5. It is the sense of Congress that it is in the national interest that consideration be given to geographical distribution of Federal research funds whenever feasible, and that the National Aeronautics and Space Administration should explore ways and means of distributing its research and development funds whenever feasible.

"Sec. 6. There is hereby established an Aerospace Safety Advisory Panel consisting of a maximum of nine members who shall be appointed by the Administrator for terms of six years each. The Panel shall review safety studies and operations plans referred to it and shall make reports thereon, shall advise the Administrator with respect to the hazards of proposed or existing facilities and proposed operations and with respect to the adequacy of proposed or existing safety standards and shall perform such other duties as the Administrator may request. One member shall be designated by the Panel as its Chairman. Members of the Panel who are officers or employees of the Federal Government shall receive no compensation for their services as such, but shall be allowed necessary travel expenses (or in the alternative, mileage for use of privately owned vehicles and a per diem in lieu of subsistence not to exceed the rates prescribed in 5 U.S.C. 5702, 5704), and other necessary expenses incurred by them in the performance of duties vested in the Panel, without regard to the provisions of subchapter I, chapter 57 of title 5 of the United States Code, the Standardized Government Travel Regulations, or 5 U.S.C. 5731. Members of the Panel appointed from outside the Federal Government shall each receive compensation at the rate of $100 for each day such member is engaged in the actual performance of duties vested in the Panel in addition to reimbursement for travel, subsistence, and other necessary expenses in accordance with the provisions of the foregoing sentence. Not more than four such members shall be chosen from among the officers and employees of the National Aeronautics and Space Administration.

"Sec. 7. This Act may be cited as the 'National Aeronautics and Space Administration Authorization Act, 1968.' "

And the House agree to the same.

Clinton P. Anderson,
Stuart Symington,
John Stennis,
Margaret Chase Smith,
Bourke B. Hickenlooper,
Managers on the Part of the Senate.

George P. Miller,
Olin E. Teague,
Joseph E. Karth,
Ken Hechler,
Emilio Q. Daddario,
James G. Fulton,
Charles A. Mosher,
Richard L. Roudebush,
Alphonzo Bell,
Managers on the Part of the House.

The PRESIDING OFFICER. Is there objection to the present consideration of the report?

There being no objection, the Senate proceeded to consider the report.

Mr. ANDERSON. Mr. President, the total authorization request for the National Aeronautics and Space Administration for fiscal year 1968 was $5.1 billion. The Senate approved a total authorization of $4,851,006,000. The House in its action on the authorization request amended S. 1296 by approving a total of $4,927,182,000, an amount $76,176,000 above the Senate authorization. The conferees are recommending a total authorization of $4,865,751,000, which is $234,249,000 below the NASA request, $61,431,000 below the House bill and $14,745,000 above the amount approved by the Senate in S. 1296.

I believe it is essential to point out that the total amount of $4,927,182,000 set forth in the House bill was $136,400,000 above the total of the line items in the bill. All of this difference occurred within the research and development section of the bill. This rather unique circumstance resulted from House floor action and a parliamentary ruling which precluded more than one amendment to the total figure in the bill even though several of the research and development line items were independently reduced during a separate floor action. The House Parliamentarian also ruled that the House conferees were governed by the total amount in the bill and not by the total of the line items. Consequently the House and Senate conferees were restricted to the totals in the two bills, a difference of $76,176,000, the lower amount being the $4,851,006,000 approved by the Senate. It was within this framework that the conferees agreed to the recommended authorization of $4,865,751,000, an amount $14,745,000 above the Senate bill.

RESEARCH AND DEVELOPMENT

In agreeing upon this total amount the conferees recommended a reduction of $204,435,000 in the NASA request for research and development, an amount $71,969,000 above the House total for research and development programs and $11.865 million above the total approved by the Senate for those programs.

In the area of manned space flight your conferees agreed to the $25 million reduction in the Apollo program which was recommended by the House and to a further reduction of $2.5 million in the study funds approved for advanced missions. As a partial offset to these reductions the Senate conferees receded to the House $13 million of the Senate's $120 million cut in the Apollo applications program, which resulted in a net reduction of $107 million in the original NASA request for this program.

The House concurred with the Senate amount of $145.5 million for the physics and astronomy program with the understanding that the Senate would interpose no objection to the initiation by NASA of the Sunblazer project if NASA is able to finance the project from available funds. This action on the part of the conferees permits NASA to pursue the ongoing OAO and OGO projects in which the Nation has a substantial investment at this time.

The House approved $50 million to initiate development of the Voyager program with the objective of one unmanned launch to Mars in 1973 and one in 1975. Each launch of a Saturn V vehicle would carry two spacecraft capable of orbiting the planet for an extended period of time and placing a survivable scientific capsule on the Martian surface if desired. NASA requested $71.5 million for this program which was carefully reviewed by your Committee on Aeronautical and Space Sciences.

As you will recall, from my statement to the Senate, the committee did not oppose this program in principle but was concerned as to the total amount requested for the program in fiscal year 1968 in view of the extremely tight budget condition. Your committee felt that further review and deferral of this program was possible and accordingly did not recommend initiation of the Voyager program to the Senate.

The House also approved a two-flight Marine-class unmanned spacecraft project to the planet Mars in 1971. This project would be similar to the already approved 1969 Marine-Mars project except that it would release an atmospheric probe to obtain a profile of the Martian atmosphere. The Senate was not convinced that this project would make a significant contribution to the overall planetary program and did not authorize it.

However, the Senate conferees were presented with House approval of the initiation of two Mars programs in conference. Accordingly your conferees undertook additional study of the overall planetary program and concluded that a measurably reduced Voyager effort in fiscal year 1968 would provide a logical follow-on to the 1969 Mariner-Mars project currently underway. The scientific community strongly emphasizes the need for more comprehensive data about Mars for studies that may provide significant knowledge about the earth's environment. Your conferees, during this reexamination, were not persuaded that there was any new justification for the 1971 Mariner-Mars project, however.

As a result of the foregoing, the Senate conferees receded $42 million to the House to initiate the proposed Voyager program in fiscal year 1968 with the objective of the initial flight during the 1973 launch opportunity. The House conferees agreed that the 1971 Mariner project, budgeted at $10.1 million for fiscal year 1968, should be dropped. In view of this and the fact that it has been determined that a fruitful program can be conducted at the $42 million level, a reduction of $29.5 million below the NASA request, your conferees recommend the adoption of the proposed Voyager program by the Senate.

The Senate conferees receded $2.5 million in the bioscience program with the understanding that this program—already in progress for several years—should be continued on the basis of the planned six spacecraft and that the cut being made by the Congress was not to be interpreted as a curtailment of the number of spacecraft originally planned.

The conferees agreed to $99.5 million for the space applications program, a reduction of $2.4 million below the Senate approved amount. The House conferees withdrew their objection to funding continuation of the Nimbus meteorological satellite and the Geos geodetic satellite projects.

The conferees agreed to $157.7 million for launch vehicles for the unmanned space science and applications programs, the amount approved by the Senate.

The House made nominal economy reductions totaling $5.035 million in the space vehicle systems, electronics systems, basic research, and space power and electric propulsion systems programs. Although the Senate conferees believe that these programs in advanced research and technology are basic to maintaining the future technological strength of the Nation and, therefore, should be fully supported, the Senate conferees receded to the House position in each instance in the interest of achieving agreement on this bill.

The conferees agreed to $73 million for the continuation of the nuclear rocket program, a reduction of $1 million below the amount authorized in the Senate bill.

The Senate had approved $38 million for the chemical propulsion program whereas the House approved $49 million, of which $12 million was specifically reserved for continuing development of the 260-inch large solid rocket motor. The Senate conferees noted that the original demonstration project for the 260-inch solid motor was completed in June of this year and that NASA only contemplated the continuation of component technology effort in the large solid motor area. However, in the spirit of compromise and in recognition of a reasonable degree of success in the demonstration project, your conferees agreed to a total of $41 million for the overall program, an amount $3 million above the Senate bill. It was agreed that this $3 million is to be used only for the large solid motor project.

The Senate conferees receded $7.7 million to the House for the tracking and data acquisition program, thereby resulting in an authorization level of $290 million. Your conferees believed that the continued delays in the Apollo unmanned flight schedule should enable NASA to effect savings in this area this year.

CONSTRUCTION OF FACILITIES

The House conferees agreed to the Senate authorization of $19.5 million to initiate construction of two test stands and a control center at the nuclear rocket development station for the nuclear rocket program. The House had approved $16.5 million for this project.

As stated earlier in this statement, the Senate conferees agreed that NASA could initiate the small unmanned spacecraft Sunblazer project if funds could be provided from other areas of the NASA program. Accordingly, and as a result of negotiation within the construction of facilities authorization, your conferees agreed to $2.88 million for the construction of an antenna field in support of the Sunblazer flight project.

The action of the conferees results in a recommended authorization of $69,980,000 for NASA's construction of facilities program for fiscal year 1968.

ADMINISTRATIVE OPERATIONS

The House and the Senate versions of S. 1296 contain the identical amount of $648,206,000 for administrative operations for fiscal year 1968 and, therefore, this amount was not an item in conference.

LEGISLATIVE CHANGES

The House version of S. 1296 contained three legislative provisions which were not included in the Senate bill.

The first provision would require NASA prior to the award, renewal, or extension of a support service contract of $100,000 or more, to make a study comparing the cost of obtaining such services by contract against performance by NASA employees. The study would use cost criteria established by the Bureau of the Budget. Further, the provision would require that the Administrator of NASA prior to any such award make a written determination that the cost of obtaining the services through contract is no greater than through direct NASA employment or that the success of the NASA program requires the use of a service contract rather than direct employment, including the reasons for such a determination.

This provision is concerned with a very complex subject which has been studied extensively over the years by the Bureau of the Budget and which, in turn, has issued regulations applicable to all agencies. The Senate conferees recognized the intent of the House provision; however, it was noted that this area of concern has a Government-wide impact and is not limited to NASA. For this reason, and in view of the fact that only the most limited hearings have been held on the subject, the conferees agreed that the provision should not be included in the bill.

Second, the House bill provided for the establishment of an Aerospace Safety Advisory Panel appointed by the Administrator of NASA. This Panel would review safety studies and operations plans referred to it and make reports thereon, advise the Administrator of NASA as to the hazards of proposed or existing facilities and proposed operations and as to the adequacy of proposed or existing safety standards, and perform such other duties as the Administrator might request. As indicated by its title, this Panel would act in an advisory capacity to the Administrator of NASA to effect independent reviews of space activities with the objective of making a meaningful contribution to the safety of these activities. The Senate conferees agreed that such a Panel could possibly enhance the safety of the many complex operations involved in the space program provided that it was understood that this Panel would in no way relieve the Administrator of ultimate responsibility for safety. On this basis, the Senate conferees acceded, with some modifications, to the provision proposed by the House.

Third, the House bill proposed language providing that the Administrator of NASA should keep the space committees of the respective Houses of Congress fully and currently informed on all activities of NASA. It was the position of the Senate conferees that the information policy contained in the House language is the express intent of section 303 of the National Aeronautics and Space Act of 1958, as amended, and therefore, additional legislative action was not required in this regard. The conferees agreed that the Administrator should under current provisions of law keep the members of the respective space committees currently informed of all activities. Accordingly, the conferees agreed the House provision would not be included in the bill.

Mr. President, I ask unanimous consent to have printed in the RECORD a table showing the summary of the authorization action on S. 1296 setting forth the amounts requested for the various activities, the amounts approved by each House, and the amounts finally agreed on by the conferees.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

SUMMARY OF ACTION OF CONFEREES ON S. 1296, NASA AUTHORIZATION FOR FISCAL YEAR 1968

[In thousands]

	Budget request	House approved	Senate approved	Conferees approved
Research and development:				
Apollo	$2,546,500	$2,521,500	$2,546,500	$2,521,500
Apollo applications	454,700	379,700	334,700	347,700
Advanced missions	8,000	0	5,000	2,500
Physics and astronomy	147,500	131,631	145,500	145,500
Lunar and planetary exploration	142,000	142,000	131,900	131,900
Voyager	71,500	50,000	0	42,000
Bioscience	44,300	41,800	44,300	41,800
Space applications	104,200	94,500	101,900	99,500
Launch vehicle procurement	165,100	72,000	157,700	157,700
Space vehicle systems	37,000	36,000	37,000	36,000
Electronics systems	40,200	39,200	40,200	39,200
Human factor systems	21,000	21,000	21,000	21,000
Basic research	23,500	21,465	23,500	21,465
Space-power and electric propulsion systems	45,000	44,000	45,000	44,000
Nuclear rockets	74,000	50,000	74,000	73,000
Chemical propulsion	38,000	49,000	38,000	41,000
Aeronautics	66,800	66,800	66,800	66,800
Tracking and data acquisition	297,700	290,000	297,700	290,000
Sustaining university program	20,000	20,000	20,000	20,000
Technology utilization	5,000	5,000	5,000	5,000
Total	4,352,000	4,075,596	4,135,700	4,147,565
Construction of facilities:				
Ames Research Center	5,365	5,365	5,365	5,365
Electronics Research Center	6,220	0	0	0
Goddard Space Flight Center	565	565	565	565
Jet Propulsion Laboratory	3,125	3,125	3,125	3,125
John F. Kennedy Space Center	24,885	24,885	24,885	24,885
Lewis Research Center	2,115	2,115	2,115	2,115
Manned Spacecraft Center	2,425	2,425	2,425	2,425
George C. Marshall Space Flight Center	870	870	870	870
Michoud Assembly Facility	2,010	2,010	2,010	2,010
Nuclear Rocket Development Station	22,500	16,500	19,500	19,500
Wallops Station	740	740	740	740
Various locations	2,880	2,880	0	2,880
Facility planning and design	3,000	5,500	5,500	5,500
Total	76,700	66,980	67,100	69,980
Administrative operations	671,300	648,206	648,206	648,206
Grand total	5,100,000	4,927,182	4,851,006	4,865,751

Mrs. SMITH. Mr. President, as ranking minority member of the committee, I would like to add my observations on S. 1296, the NASA authorization bill for fiscal year 1968. First, I would like to take this opportunity to congratulate the chairman for the excellent manner in which he handled the conference meetings on the bill.

Since the chairman has thoroughly explained the conference agreements, I will not take the time of the Senate to explain further. I believe it is suffice to say that the authorizing amount speaks for itself; we have agreed to a total authorization which is within three-tenths of 1 percent of the amount initially passed by the Senate.

In most instances, the conferees held to the Senate's position that, whenever practicable, proposed new programs be deferred in favor of continuing successful ongoing programs for which substantial investments had been incurred in previous years.

In my view, the bill before the Senate provides for a well-balanced space program at a moderate funding level, and I commend its passage to my colleagues.

The PRESIDING OFFICER. The question is on agreeing to the conference report.

Mr. YOUNG of Ohio. Mr. President, before that vote is taken, may I say a word?

The PRESIDING OFFICER. Does the Senator from New Mexico and the Senator from New York yield to the Senator from Ohio?

Mr. JAVITS. I ask unanimous consent that I may yield to the Senator from Ohio without losing my right to the floor.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. YOUNG of Ohio. I thank the Senator from New York. I shall be very brief.

Mr. President, the report of the conferees on S. 1296, the NASA authorization bill for fiscal year 1968, is the culmination of 6 months' work by the Space Committees of the Senate and the House.

As a member of the Senate Committee on Aeronautical and Space Sciences, I can assure you that your committee and particularly the chairman of our committee, the distinguished senior Senator from New Mexico [Mr. ANDERSON] and the ranking minority member scrutinized the NASA budget thoroughly. Each item was carefully weighed; all possible alternatives were considered; and possible deferrals were explored. The committee recommended to the Senate a bill with a total authorization of $4,851,006,000—approximately $250 million less than requested by NASA officials.

I am happy to note that the total authorization agreed to by the conferees is $4,865,751,000—less than $15 million more than the amount recommended by the Space Committee and approved by the Senate. This attests to the fact that our conferees have worked diligently to preserve the economy sought by the Senate.

The bill reported by the chairman and his detailed statement further attest to the diligent efforts of the Senate conferees to achieve a balanced space effort; an effort balanced on the one hand by astounding successes in technology as evidenced by our accomplishments in space science and applications and by the need to make investments in future goals, and on the other hand to reduce expenditures because of the urgent budget problems we face due to tremendous expenditures for our involvement in the civil war in Vietnam and on the vital domestic problems now facing our Nation. I commend the conferees on their work.

Mr. ANDERSON. I thank the Senator from Ohio. I am grateful for the fine work that was done by the conferees, particularly the Senator from Maine, MARGARET CHASE SMITH.

The PRESIDING OFFICER. The question is on agreeing to the conference report.

The conference report was agreed to.

MAX L. GRANT ON THE MIDDLE EAST

Mr. PASTORE. Mr. President, as passions, domestic and international, compete for the headlines today, we are inclined to forget that yesterday's mortal dangers of the Middle East can still be the torment of tomorrow.

But it is the great concern of good Americans, dedicated to democracy and humanity. They are men schooled in history and speaking with the reasoned discipline of responsible and successful men of business.

The thoughts of these men are of the highest value to all thinking men.

The value placed on the opinion of one such man is evidenced by the editorial judgment of the Providence Evening Bulletin in its edition of July 24. That newspaper gives headline recognition in its valuable editorial columns to the conclusions of Max L. Grant, an outstanding citizen and industrialist of my State of Rhode Island.

I can speak at firsthand of his character, competence, and community devotion—and I speak both out of official appreciation and personal friendship.

Mr. Grant's thoughts are a timely text for all who have the peace of the world at heart. I ask unanimous consent that his statement, "Not a Time To Be Passive" be printed in the RECORD at this point in my remarks.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

NOT A TIME TO BE PASSIVE

(NOTE.—The following is an expression of opinion by Max L. Grant, a retired Providence industrialist who for many years was active in the local and national Zionist movement. Mr. Grant, now 78 years old, was a member of the National Executive Committee of the Zionist Organization of America at the time of the Balfour Declaration and was familiar with Chaim Weizmann, Lord Reading, Lord Balfour and others who figured prominently in the establishment of Palestine as a Jewish homeland after World War II.)

(By Max L. Grant)

When Hitler attacked the Jews in Germany, the religious world mistakenly thought it was only an attack upon the Jews.

When Hitler desecrated cathedrals and churches, and attacked priests, nuns, and ministers alike, then the religious world began to realize that the attack was an attack, not upon the Jews, but an attack upon religion itself.

The attacker always attacks the weakest member of any group, and the Jews, being the weakest religious group, were the victim of the anti-religious Hitler's attack upon religion itself.

Six million Jews would not have died, and Catholic and Protestant religious leaders would not have suffered, if the truth of the situation had been realized earlier.

WEAKEST NATION

It was thought that the world, through hard lesson, had realized that an attack upon any minority group is an attack upon the entire group of which it is a member. Today, the Jew in Israel is attacked because his is the weakest democratic nation in the world, and basically attacked by the anti-religious and the anti-democratic nation, Russia.

The silence and lack of proper support of democratic Israel by other democratic nations is all the more surprising because the Russians have definitely named, though falsely, the nations that it is attacking through Israel.

If the democratic nations were half as vociferous in defending the right and rights of Israel as the Russians are in defending the lies and the hate of the Arabs, the outlook for the democracies of the world would be brighter.

There are two claims that the Russians and the Arabs make against the Israelis: first, that the land does not belong to the Jews but to the Arabs, and second, that the Israelis are aggressors, and so not entitled to the spoils of victory.

Let's look at the record. No nation ever had better title to a land than the Israelis.

If we believe the Bible, the Jews were led out of Egypt, the land of bondage, through the Red Sea, which God split, so that they could get into the land which God promised them.

In that land they further established nationhood and a claim by having their own kings, their own culture, their own language, and their own laws. Though they lost their land by conquest, they perhaps are the only nation in the world that never gave up title to their land, because every year, while in the Diaspora, Jews at Passover Service would pray, "Next Year In Jerusalem!"

During the First World War, a Jewish legion, under the British General Allenby, took Palestine, not from the Egyptians, but from the Turks, who owned and ruled it, which gives the Israelis still another claim to the land; in fact to the whole of Palestine, not to the small portion which was allotted to them.

Let's look further on the record.

What claim has any nation in the world, including our own, to its territory if you will nullify the value of purchase and conquest?

There was a great scientist by the name of Chaim Weizmann, living in England, who invented TNT. When the British government asked him what he wanted for his invention, he said, "Nothing for me, but the promise of the British Empire to restore the land of Palestine to my people, the rightful owners."

LAND RETURNED

As a result of this came the Balfour Declaration, declaring that Palestine would be returned to its rightful owners when they showed they were able to take care of themselves.

Then came the recognition of the state of Israel by most of the nations of the world, including Russia, and its admittance as such into the United Nations.

The Arabs are a Semitic people like the Jews, so they could not possibly be anti-Semitic. The Arabs nations refused to recognize the state of Israel and vowed to destroy it. Why? Because it was so thoroughly representative of the democratic Western world that by comparison the feudal system and the enslavement of the masses of Arabs would have to disappear.

For the very same reason the Russians became allies of the Arabs realizing that in the Mideast, if Israel was to succeed, it would be detrimental and affect adversely the non-religious and the non-democratic philosophies of the Russians, because only in a democracy can there be individual initiative, freedom of religion, freedom of speech, and freedom of human dignity.

It is now no longer a secret that Israel and the Arab nations were only pawns in the hands of the Russians, and that its antagonism was not for the small land of Israel, but the democratic institutions and the world democracies that it represented in the Mideast.

The world now knows that the real aggressor is Russia. It is Russia that inspired the hatred of the Arabs against Israel and their fellow Semites. It is Russia that supplied the Arabs billions of dollars worth of arms, technical advice and assistance.

When Denmark and Canada, with the obvious support of Great Britain and the United States, called the first session of the Security Council of the United Nations, acting upon the warning of the Secretary General U Thant that a war was about to break out, it was Russia who claimed that the threat of war was a myth and that the session was entirely called for dramatic purposes only.

SURE OF VICTORY

At that time, Russia and the Arabs were convinced that with 80,000,000 Arabs fighting 2,000,000 Israeli, with a couple of billions of dollars worth of arms supplied by Russia to Egypt and Syria, and military advice and arms previously furnished Jordan by Great Britain and the United States who really were neutral that the war of annihilation of Israel was a certainty, and so played for time so that it could win supremacy of the Mideast over the Western democratic nations.

It was only after Russia and its Arab allies were so quickly, so surprisingly, so overwhelmingly defeated, that the Russians, in desperation, called one session after another of the same Security Council in order to obtain a ceasefire.

Why did it want a ceasefire? Only because Russia knew that given time, it and its allies, the Arab nations, would have been further vanquished in a war in which it and its allies, the Arabs, were the real aggressors.

Does anyone question the fact that there would never have been a ceasefire if Russia and its allies had won that war? Does anyone question or doubt that the only reason that the Security Council for once was able to get a unanimous, unvetoed resolution on a ceasefire was because Russia and its allies wanted to be saved from further punishment, and Israel and the democratic nations were not looking for further victory and retaliation.

What does the success of Israel mean to world democracy?

The answer is in the answer to the question, where would the democratic nations be if Russia and the Arab nations had won the war?

Let us hope that the world will not make the same mistake it made in the Hitler Day and that it will assert itself in order to accomplish real peace and good will on earth.

I believe it is crystal clear that the Russian attack is not on Israel, but on the United States and Great Britain.

The Arab Nations are openly boasting of Russia's arms, without denial from Russia, and the Russians have openly brought warships to Egypt loaded with missiles and technical advisors.

Is this a "cease fire" gesture? Is this a "peace" gesture? Is this a "neutral" gesture?

The United States and the free countries were just simply lucky in their neutrality. Can we, by any stretch of the imagination, hope we will be just as fortunate in our passivity?

MODERN MIRACLE

For 2,000,000, in a few days, to vanquish 80,000,000 people—for one of the smallest nations, in a few days, to defeat the ambitions of one of the greatest nations, is just as much a miracle today as was the "crossing of the Red Sea" in another day.

Miracles, however, do not happen every time, nor every day.

If we remain neutral and passive long enough, all of the gains and victories that are ours now will be neutralized, and our status as a world power will have been put in the most dangerous kind of jeopardy.

Why the urgency of declaring ourselves now? Because now Russia is weak, and our showing of our determination to keep our victory could be a deterrent against her making further advances in the Mideast.

Russia knows that its greatest enemy is China. They are not only rivals in their ideologies, but they are neighbors with conflicting interests, with one determined to hold land that it had previously seized and the other determined to take back land that was previously seized.

Russia knows also that, in addition to manpower, China also has the mighty power of the bomb.

Any visitor to Berlin can tell you that one cannon on the western side can demolish the wall, and Russia knows full well that the moment she is busy trying to fight allies with 80,000,000 liabilities, the Germans will smash the wall, and the Russians will then be faced with a United Germany, which they cannot afford.

If we have our hands full with a small number of undisciplined allies in Vietnam—imagine the predicament of Russia with 80,000,000 Arabs.

MORTAL ENEMIES

Russia and Poland all through their history have been mortal enemies and Poland, time and again, has suffered at the hands of Russia. What do you think Poland will do when Russia is busy at war?

Romania has dared to disagree with Russia when Russian power was at its height, and, even in the United Nations showed its independence. What do you think Romania will do when Russia is busy at war?

Hungary has flooded its streets with blood in its attempt to resist the Russian oppression, and it is an ordinary occurrence now for their highest officials to seek asylum in the United States. What do you think Hungary will do while Russia is at war?

Czechoslovakia, from the very beginning, has declared its independence of Russia, and sought to supplant Russia as a leader in the Communist world. It also has sought the good-will of the United States. What do you think Czechoslovakia will do while Russia is busy at war?

All of these things Russia knows as well as we do, and that is why Russia dares not go to war.

This is not the time to be passive! This is not the time to be neutral! This is the time to declare, to be positive, to be determined, and to be prepared, if we are to avoid the disasters of war.

Is there any sensible being who can honestly say that with the Russian might, and the continuance of drilling and arming of the Arabs, and the lack of support on the part of any real power, that Israel can again, and alone, repeat the miracle? It would be pure nonsense to expect that.

What would happen if the Russians and Arabs vanquished Israel? Russia would immediately be in control of the world, which would include the United States.

By controlling the oil supplies of the Arab lands, it would dictate to Europe, including France, and, dictating to Europe, it will give Cuba the power to dictate to South America, and then the rest of the natiors, out of fear if for no other reason, will have to submit to the Russian power and ideology.

Where then will the United States stand?

ANOTHER DIPLOMATIC HINT

Mr. YOUNG of Ohio. Mr. President, in the July 31 edition of the New York Post there appeared an excellent editorial under the caption "Another Diplomatic Hint." This editorial caustically and scathingly but very concisely points out the absurdity of the position taken by Secretary of State Dean Rusk regarding Premier Kosygin's important statement to President Johnson and repeated to Premier Miki of Japan that negotiations to end the Vietnam war could begin provided the United States unconditionally halted the bombing of North Vietnam.

This fine editorial in the New York Post rebuked Secretary Rusk for his belligerency. May I add that Secretary Rusk had this rebuke coming to him, and the editorial writer accomplished it in a most satiric and sarcastic manner.

Mr. President, I ask unanimous consent that this editorial of the New York Post be printed in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

ANOTHER DIPLOMATIC HINT

WASHINGTON, July 30.—Secretary of State Dean Rusk confirmed today that Soviet Premier Alexei N. Kosygin told President Johnson last month that negotiations to end the Vietnam war could begin if the U.S. unconditionally halts its bombing of North Vietnam.

"There'll be no secret about that," Rusk said. ". . . The problem with that is, that we need to know what the actual effect would be, the result would be, if we stopped the bombing."

If we may exercise the right of reply to the distinguished representative of the United States: the actual effect, Mr. Secretary, the result would seem to be that peace negotiations might then begin. In other words, if we stop the bombing, our adversaries are said to be ready to reciprocate by talking peace.

To translate further, if we continue the futile bombing, all the evidence suggests they will not talk about anything. Thank you; we waive consecutive interpretation.

ASIATIC LEADERS DISLIKE U.S. INVOLVEMENT IN VIETNAM CIVIL WAR—PHILIPPINE ADMINISTRATION, FORMERLY FRIENDLY, NOW HOSTILE

Mr. YOUNG of Ohio. Mr. President, it is noteworthy that President Marcos of the Philippine Republic specifically requested that Clark Clifford and Gen. Maxwell Taylor, President Johnson's special ambassadors to Asiatic capitals and heads of state, should not come to Manila. He very definitely did not extend an invitation to them. President Marcos' administration is in the midst of a bitter political campaign. His party's candidates for seats in the Philippine Congress are hard pressed and his majority is likely to become a minority. Marcos is denounced by opposition leaders in every part of the Philippine Republic, and the principal arguments against him are that he committed 2,000 noncombat Philippine Army Engineers to Vietnam to aid the American aggressors against the integrity and independence of Vietnam.

It was highly embarrassing to President Johnson that our special envoys were snubbed and specifically made unwelcome. It was further embarrassing to President Johnson that engine trouble caused their jet while en route on a nonstop flight to Korea to land and be grounded for 7 hours at Clark Airbase which is less than 60 miles from Manila and within a half hour of Marcos' presidential palace by helicopter. So for 7 hours our two ambassadors remained at the Clark Airbase in an embarrassed huddle while the jet was undergoing needed repairs. Not one official, even minor, of the official family of President Marcos greeted them.

Here is further concrete proof that the chiefs of state of all Asiatic nations are hostile to our intervention in Vietnam. Anti-American rioting in India, Pakistan, Japan, and other Asian capitals has made this crystal clear. Even our puppet, Chiang Kai-shek, has only offered to send but a few hundred soldiers into Vietnam. This is his manifestation of gratitude for the billions of American dollars lavished on him during the past 20 years. The Governments of Australia and New Zealand alone of all Asiatic nations have demonstrated gratitude to the United States for saving them in World War II. They have manifested their friendship by sending in a few thousand soldiers. Then, by increasing the grant of American taxpayers' money by more than $200 million additional economic aid to South Korea, some 50,000 South Korean soldiers have been brought to Vietnam on American transports, and in Vietnam they are paid, armed, fed, and maintained on the same basis as our own soldiers, even to PX privileges. They have acquitted themselves nobly in combat against the VC. Koreans are fine combat soldiers.

King George III, through Lord North, his foreign minister, by payment of less than 500,000 English pounds, purchased the use of 15,000 Hessian soldiers from the Duke of Hesse-Kassel in what is now Germany, and transported them to America to fight against the patriots in our Revolutionary War. They fought alongside the tories or loyalists against those Americans seeking liberation from English colonialism. Historians of our War for Independence term the Hessians as mercenaries. The South Korean soldiers fighting in Vietnam at American taxpayers' expense are not termed mercenaries, although it is difficult to make a distinction. They, like our GI's in South Vietnam, are fighting on the side of the tories and against the forces of the National Liberation Front. The head of the National Liberation Front is a Saigon lawyer who is not a Communist. Undoubtedly, most of the VC against whom our GI's are fighting are not Communists and do not know what communism is. Those who are Communists are nationalist Communists. Ho Chi Minh and the Government of what is termed North Vietnam are nationalist Communists. North Vietnam is definitely not a satellite of Communist China, just as Tito's Yugoslavia, which is a nationalist Communist country, is not a satellite of the Soviet Union. Historically there never was a North and a South Vietnam. The Geneva Convention of 1954 recognized this and provided specifically that the division at the 17th parallel was a temporary demarcation line and not to be regarded as a national boundary, and that following an election throughout all Vietnam pledged for 1956, and agreed to by John Foster Dulles, Vietnam would be reunited under a newly elected President. Unfortunately, at the instigation of our CIA and on order of our puppet President, Diem, of the Saigon government, this pledged election was called off.

ORDER OF BUSINESS

Mr. CLARK. Mr. President, I ask unanimous consent that I may proceed for not in excess of 15 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMENDATION OF REPRESENTATIVE GEORGE H. MAHON

Mr. BYRD of Virginia. Mr. President, I rise to commend Congressman GEORGE H. MAHON, Democrat, of Texas, chairman of the House Appropriations Committee.

Congress MAHON was justifiably angered by the unjustified attack on the Congress by Detroit Mayor Jerome P. Cavanagh.

Mayor Cavanagh, in a televised statement, charged a "reactionary Congress" with the troubles in Detroit and elsewhere.

Congressman MAHON, one of the ablest men in either branch of the Congress, described Mayor Cavanagh's statement as "malicious, indefensible, and arrogant."

I concur in Congressman MAHON's appraisal.

The Texas Democrat, in a speech to the House of Representatives on Monday, declared:

> It was not lack of money, it was lack of leadership that caused disorders in Detroit.

Congressman MAHON said:

> Detroit had received $100 million in urban renewal money since 1960 and has been one of the most favored cities in receiving other Federal aid.

For example, the facts show that Detroit has received $41 million in poverty funds. Only New York and Chicago received more.

Because Congressman MAHON's words are thoughtful and factual, I would like to read some of his statements to my colleagues in the Senate. I now quote the chairman of the House Appropriations Committee:

> Is he (Mayor Cavanagh) utterly opposed to all forms of self-help at the local level?
>
> Can he only look to Washington for more handouts? Handouts from Washington and more Federal money is, seemingly, an obsession with him. Does he think that money, especially Federal money, is the answer to everything? He does not seem to understand that leadership—and he has not provided it in Detroit—he does not seem to understand that leadership and discipline are most important.
>
> Mr. Speaker, this Congress, since 1960, has provided $100 million to the city of Detroit in grant reservations for urban renewal. One wonders, what is being done with that money? Did it do great good?
>
> What has the Congress done for the poor?
>
> On page 28 of the budget message of last January, the President shows that for benefits and services which aid the poor, the current fiscal 1968 expenditure is estimated at $25.6 billion.
>
> Nothing for the poor, Mr. Speaker?
>
> The corresponding figure for fiscal 1967 was $22 billion. The comparable amount for 1960 was only about a third of the 1968 amount.
>
> The mayor did not mention these tremendous sums. Regretfully, nobody else has recently put the spotlight on the vast spending programs which Congress has funded. It is time for somebody to take note of what Congress is trying to do for the poor. We are not required to lie down or hide or crouch in a corner as though we were afraid of some of these arrogant misrepresentations. There are those who do not want the people of the Nation to know the truth.
>
> Yes, what has Congress done for the poor and for the cities?
>
> For housing and community development, for example, as it is classified in the President's 1968 budget, the estimate for 1968 is $3 billion. That is five times what it was in fiscal 1960. The House has made some adjustments, based on the justifications, but it has provided very substantial sums—as it has, in fact, in previous years.
>
> For grants to States for public assistance, this House has passed appropriations for fiscal 1968 of over $4 billion, and it was every dollar that was authorized and requested. This is more than twice the amount appropriated for 1960. Is this niggardly, Mr. Speaker?

To me, it seems obvious that Congressman MAHON is right and Mayor Cavanagh is wrong in blaming the Detroit rioting on inadequate Federal funds.

But even if there had been inadequate funds, that, in my opinion, is not justification for the rioting, looting, burning, and killing which took place in the city of which Jerome P. Cavanagh is mayor.

Again I commend the distinguished Congressman from Texas, the chairman of the House Appropriations Committee, for setting the record straight.

MALTHUS, MARX, AND THE NORTH AMERICAN BREADBASKET

Mr. ELLENDER. Mr. President, in the July issue of Foreign Affairs, an outstanding publication treating with international relations, the Secretary of Agriculture, Orville L. Freeman, has written a highly informative article entitled "Malthus, Marx, and the North American Bread Basket." In this article, Secretary Freeman discusses food production and its effect upon international relations. He has shown very graphically the failure of the Communist countries of the world in their agricultural attempts to increase production. Communist leaders of today are finding out that by ignoring agriculture, Marx and his disciples blundered very seriously in their attempt to change the world to their own liking.

Secretary Freeman points out very

clearly a fact which has largely been ignored in this country. That is the influence which our vast foodstores and our production capacity has had upon the foreign policy of this Nation and much of the rest of the world. It would not surprise me, Mr. President, if our food aid programs through the years have accomplished more in influencing the actions of other nations than most of our military policies.

I ask unanimous consent that the article written by Secretary Freeman in the July issue of Foreign Affairs be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

MALTHUS, MARX, AND THE NORTH AMERICAN BREADBASKET

(By Orville L. Freeman)

North America's dramatic emergence over the past generation as the world's principal supplier of food can be illustrated with a half dozen numbers. During the late 1930s, three of the world's seven major geographic regions supplied virtually all of the grain moving into the world market. Latin America, with exports of nine million metric tons yearly, was the leading food exporter, and grain exports were an important source of foreign exchange earnings. North America and Eastern Europe (including the Soviet Union) were each exporting five millions tons yearly. Most of the grain exported from these three regions, principally wheat and corn, went to Western Europe.

Thirty years later, the pattern of world grain trade has been altered beyond recognition. As of 1966, Latin America, with net grain exports of two million tons, was scarcely self-sufficient. Exports from Argentina were largely offset by imports into Brazil and other smaller importing countries. Eastern Europe, including the Soviet Union, no longer exported grain but on the contrary was an importer; in 1966 the area imported some fourteen million tons, largely from Canada.

Of all the changes in the pattern of world grain trade between the late 1930s and 1966, the change in the position of North America was most pronounced. As shown by the table on the next page, net grain exports increased from five million tons to sixty million tons, providing in 1966 some 85 percent of the combined grain exports of the net exporting regions. Australia has substantially increased its exports, but its share of the total has remained at about 12 percent. North America has clearly emerged as the breadbasket of the world.

About three-fourths of North America's grain exports originate in the United States; the remaining one-fourth, coming from Canada, consists largely of wheat. U.S. grain exports are presently rather even divided between wheat and feedgrains. Significantly, the United States alone could export easily the entire sixty million tons yearly if it were to remove all remaining production constraints.

Several factors have contributed to North America's growing importance as a source of food for the rest of the world. Three of these stand out. On the demand side, both the forces identified by Malthus and the adverse influence of Marxian thought on agriculture in the communist countries have contributed to the steadily growing excess of food consumption over production outside North America. On the supply side, the massive application of science to agriculture in the United States has resulted in an impressive increase in its capacity for producing food, making it possible to respond to growing needs abroad.

WORLD GRAIN TRADE BY MAJOR GEOGRAPHIC REGIONS

[In millions of metric tons]

Region	1934–38	1960	Estimated, 1966
North America	+5	+39	+60
Latin America	+9	0	+2
Western Europe	−24	−25	−23
Eastern Europe (including U.S.S.R.)	+5	0	−14
Africa	+1	−2	−3
Asia	+2	−16	−30
Oceania (Australia and New Zealand)	+3	+6	+8

Note: Plus=net exports; minus=net imports. Minor imbalances between world imports and exports in a given year may be due to rounding or variations in reporting methods used by various countries.

II

Malthus first described the threat of uncontrolled population growth in 1797, nearly 170 years ago. His theory that population would tend to grow geometrically while food production would increase arithmetically has proved valid throughout much of the world. Half a century after his gloomy prognosis Ireland's population was sharply reduced by a famine.

It is commonly supposed that food shortages exist in the less developed countries because agriculture is performing poorly there. This is not exactly the case. Food production is increasing almost as rapidly in the less developed countries as in the developed ones. Between 1957–59 and 1966, total food production in the less developed countries increased 19 percent as compared to 22 percent in the developed countries. But population growth rates in less developed countries were double those in the more advanced countries, largely offsetting the overall gains in food production. Latin America and Western Europe illustrate this. Both have expanded food production at about 2.5 to 3.0 percent annually over the past decade. In Europe, where population is increasing at about 1 percent per year, this has meant progress and a steady upgrading of diets. But in Latin America, where population has been multiplying at nearly 3 percent per year, food output per person has not been gaining.

Rates of population increase in the less developed countries today are without precedent. In several they are well above 3 percent yearly, in some instances approaching the biological maximum. Populations growing at 3 percent yearly double within a generation and multiply eighteenfold within a century. To the agriculturalist, this Malthusian arithmetic is frightening. A less developed country today is, almost by definition, one with a rapid rate of population growth. There are not many exceptions. The impact of modern health measures has reduced death rates, but comparable reductions in birth rates have not been achieved. Even a population growth rate of 3 percent could be tolerable if there were vast areas of fertile, well-watered land to be brought under the plow. But unfortunately, most of the frontiers have long since disappeared and the supply of new land which can be brought into production quickly and cheaply is fast diminishing.

The world food problem is, however, more than a race between food and people. In reality it is a race between the production of food and the demand for food. There are two reasons for the sharp increase in the world demand for food: population growth is one; the other is rising per capita incomes.

In some countries, rising incomes are generating more growth in the demand for food than is population increase. This is certainly the case in Japan, where incomes have risen 7 percent annually over the past decade, but where population has grown less than 1 percent annually. The same is also true for many countries in Europe, particularly West Germany, France, Sweden and Italy. To construe the problem merely as a race between food and people fails to grasp the whole issue.

In no country prior to World War II had population growth rates or per capita incomes risen rapidly over an extended period. High, sustained rates of growth in both population and income per person are largely postwar phenomena, and to make things more difficult, they have occurred simultaneously. The result, in recent years, has been a rate of increase in demand which the world's farmers have not matched.

The difference in diets between a low-income, less developed country and a more advanced country such as the United States or Canada is much more than merely the difference between 2,000 calories per person per day and 3,000 calories. Caloric intake measures only the quantitative aspects of diet. It gives no indication of quality; it does not show whether malnutrition exists—from, say, the lack of protein.

To provide the high-protein diet enjoyed by North Americans requires close to one ton of grain per person per year. Of this total only about 150 pounds are consumed directly as grain. Most of the remainder is consumed indirectly in the form of meat, milk and eggs. The amount of grain available per capita in the less developed nations averages about 400 pounds per year. Deducting some 10 percent of this for seed leaves 360 pounds for consumption, or less than one pound per person per day. Nearly all of this must be consumed directly to meet minimum energy requirements. Little is left for conversion into meat, milk and eggs—the traditional sources of protein in the more developed nations.

For every $2 rise in annual per capita income there is a corresponding rise in grain requirements of at least one pound. The significant point is that virtually every country, regardless of its level of development, is striving to improve per capita income over the next few years. If these plans succeed, much more food must be obtained somewhere.

III

Just as the developing countries are, almost by definition, countries with rapid rates of population growth, so communist countries are countries with a poorly performing farm sector. There are few, if any, significant exceptions. To name a communist country—Poland, Czechoslovakia, East Germany, the Soviet Union, Albania, Mainland China, Cuba—is to name a country having problems with agriculture.

All of these nations have claimed allegiance to Marxian thought—in agriculture as well as in the rest of the economy. Actually, Marx himself had little to say about agriculture. He was a city boy, primarily interested in diagnosing the social ills of early industrial societies. It was largely his followers who assumed that agriculture, like industry, could be readily organized on a large scale under state control. And it was they who went on to exploit agriculture in order to provide the basis for industrialization. Agriculture was given neither sufficient inputs nor incentives.

The communist countries are beginning to pay dearly for this policy. Food shortages have become a drain on their foreign exchange and a drag on their economic growth. The decision to organize agriculture on a large-scale, authoritarian basis has cost the communist countries literally billions of dollars in inefficiently used resources and lost economic growth.

Khrushchev's rise to power was closely followed by several efforts to cure Russia's farm ills. The Machine Tractor Stations were abolished; large areas were planted to corn in an effort to emulate successes in the American Midwest; and vast areas of virgin land were plowed and planted to wheat in areas of marginal rainfall. Output did increase from 1954 to 1957, and in 1958 Khrushchev promised the Soviet people that they would soon surpass the Americans in per capita production of meat, milk and eggs. At the same time, however, investment in agriculture was reduced. In the following years, output stagnated at 1958 levels. Yet in 1963 when I visited the Kremlin, Khrushchev was still bragging loudly. That year drought struck, accentuating an already weak position, and in 1964 the Soviet Union imported more wheat than any country in history. Khrushchev was out of office before drought occurred again in 1965.

The dramatic reversals in Chinese agriculture, following the Great Leap of 1958 and during the early 1960s, were equally abrupt. Many, principally those who had failed to gauge the weaknesses of the Great Leap, particularly in agriculture, were much surprised in 1961 when China turned to Western countries for several million tons of imported grain. This continuing dependence on food from abroad probably reveals more accurately than any other available information the true state of affairs in Chinese agriculture. Another indicator is the reported effort to move twenty million urban immigrants back to the rural areas from whence they came "to provide more labor to produce food." What it may disclose is not so much a shortage of labor in the countryside as the inability of the Peking régime to procure food in the countryside for movement to the cities. To avoid hunger and possibly famine in the cities, Peking has imported food from abroad and exported people back to the countryside where their village kin are more willing to share their food with them. A generation ago Mainland China was the leading producer of soybeans, supplying some 90 percent of all the soybeans entering the world market. In recent years, however, a steadily expanding population has reduced the outflow of soybeans to a trickle. Today, the United States produces three-fourths of the world soybean crop, enabling it to provide some 90 percent of the soybeans entering a vastly enlarged international market.

Mainland China is, perhaps ominously, suffering from both the influence of Marx and the forces identified by Malthus.

IV

Offsetting the effects of the forces described by Malthus and the adverse influence of Marxian thought on food production has been the impressive development of North America's capacity for producing food. Several factors have contributed to this. To begin with, the United States has an excellent piece of agricultural real estate. Its Midwest, or Corn Belt, is one of the largest areas of fertile, well-watered farmland in the world. The only other areas even remotely approaching it in both size and inherent fertility are Northwestern Europe, the pampas of Argentina and the Gangetic plain of India.

Not only did we start with good farmland but we have done an excellent job of developing it. Through scientific soil and water management we have made inherently fertile soils even more fertile. Perhaps the most important single factor contributing to our unparalleled productivity has been the family farm. As a production unit it is the most efficient yet devised. Other forms of production organization are in use or have been experimented with, but most have not worked well. This is particularly true for most of the systems embodying very large production units such as collectives, communes or haciendas. The family farm, where the social unit and the production unit are identical, provides a stronger link between effort and reward than any other system. As a result, they are continuing to grow in both size and efficiency. Although many of these production units run up to several hundred acres in size and have assets frequently exceeding $100,000, they are not corporate farms. They are still family units, owned and operated by the family, using mostly family labor. The number of large corporate farms is exceedingly small, and actually declining.

Another factor contributing to the success of American agriculture has been the careful delineation of the government's role. There seems to be a great deal of confusion as to the proper role for the public and private sectors in many of the hungry countries today. The record of U.S. agriculture provides some clues. The government has never been directly engaged in agricultural production. Actions such as the Homestead Act of 1862 were specifically designed to encourage private settlement and production. Neither has the government engaged in producing and distributing any of the multitude of inputs that modern agriculture requires. This has been left entirely to private industry.

Conversely, we did decide that government should conduct agricultural research and education. The idea that problems in agriculture should be subject to systematic research took root over a century ago. The first publicity supported agricultural research in the United States took place before the Civil War in the Patent Office, the predecessor of the Department of Agriculture. Since the passage of the Hatch Act in 1887, the Land Grant Colleges have been an important partner in agricultural research. This government-sponsored work was the precursor of the concept of research and development in modern industry. We also decided at an early date that the government should be involved in extending new ideas and techniques from the laboratory and experimental plot to the farm. The result has been our widely respected Extension Service. The discoveries made through research sponsored by the Department of Agriculture are public property. As soon as new varieties are developed they are released, to be multiplied and distributed by private industry, hopefully at a profit. Similarly, when the process for developing frozen citrus concentrates had been perfected in Department laboratories, it was turned over to private industry.

Public policy recognized, after much struggle, that three million production units—producing literally dozens of different commodities and scattered throughout the United States—are not likely to be able to bargain effectively with the non-farm economy. As a result, government has influenced the terms of trade between farmers and the rest of the economy, generally by means of price supports. This policy, dating from the late 1930s, was instrumental in triggering what we now term the modern agricultural revolution. The effect of an assured price level backed by government is to encourage farmers to invest both short-term production capital in fertilizer and in superior but expensive seed of new and improved varieties; and longer term capital in productive capacity—in irrigation, drainage and other improvements in land and other capital assets.

Governments in nearly all of the countries with modern, productive agriculture now operate price-support programs for principal crops. Thus we see government serving as a guarantor of minimum price, a referee in the marketplace and a catalyst to technological progress. This is not to say that the pattern we have chosen to follow in the United States is the precise policy that should be adopted by the developing countries, but it may be a useful guide. Involving government too directly in agriculture—often for political reasons—has resulted in a great waste of resources in developing countries.

Inevitably, the agricultural successes of the North American breadbasket and stagnation in communist agriculture have affected the balance of power between East and West. Indeed, North American food and our capacity for producing it have been instrumental in tilting the scales in favor of the West.

About the same time as Khrushchev's 1958 promise of a better diet and, implicitly, a better performance in agriculture, the Soviet leaders were also challenging the United States to a general economic competition. This was to replace the more overt military and political competition characterizing the earlier stages of the cold war. In some areas of economic competition the Soviets are performing exceedingly well. The overwhelming advantage we once enjoyed in the production of steel has been narrowed; the generation of hydroelectric power has increased rapidly in the Soviet Union, narrowing the gap between the two economies; in the space race we do not know whether the language first spoken on the moon will be English or Russian.

But in agriculture there is no contest. The United States, with scarcely 6 percent of its people still on the farm, is feeding 200 million Americans, 60 million Indians and the equivalent of at least another 100 million people in other parts of the world. The Soviets, by contrast, with close to half of their labor force still tied to agriculture, are importing grain to provide bread for their people. If we were as far ahead of the Russians in the space race as we are in agriculture, we would by now be running a shuttle service to the moon.

The impressive food-producing capability of North America and our growing lead over the countries of the East are beginning to have an impact on the countries of the Third World. During the early post-colonial years, many of the newly independent peoples could be satisfied with slogans and flag waving. Now they are hungry; they want food, not slogans. Rising rice prices in Djakarta helped to undermine Sukarno. Empty shelves in the food shops of Accra contributed to the overthrow of Nkrumah. More and more, the less developed countries are turning for assistance to those with food and food-producing know-how.

Our unmatched food-producing capability has strengthened our foreign policy immeasurably. For instance, during the period since World War II, and particularly since the communist takeover of the Chinese Mainland in 1949, the Japanese and U.S. economies have become increasingly integrated. Traditionally, China and Japan were natural trading partners, with China supplying basic raw materials and foodstuffs in exchange for Japanese manufactures; Japan looked to China for much of its imports of soybeans, rice and other farm products. But China can no longer supply Japan's needs. Today, Japan looks to the United States for the bulk of its imports of farm products—wheat, rice, feedgrains, soybeans and cotton. The flow of farm commodities crossing the Pacific from the United States to Japan may exceed $1 billion in 1967. Without our ability to generate huge farm exports, these strong economic ties could not have developed. In geographic terms Japan is off the coast of China, but in economic terms it is just off the coast of California. This is but one of the more dramatic illustrations of the value of a productive farm sector in supporting our foreign policy.

The growing food deficits common to nearly all the communist economies are causing them to become politically and militarily vulnerable. During the early 1950s the Communist Chinese did not hesitate to intervene massively in the Korean conflict, but today, though they have threatened to intervene in Viet Nam, in fact they have not done so. Nor do I think they will. During the early 1950s China was self-sufficient in food production. During the 1960s, however, it has imported five to six million tons of grain annually. In addition, its dependence on imported fertilizer has increased to the point where it is now the world's leading importer. Significantly, nearly all the imports of both food and fertilizer come from the

West—Australia and Canada in the case of grain, Western Europe and Japan in the case of fertilizer.

Combined imports of food grains and fertilizer into China now require nearly 40 percent of her total export earnings. Data on food production trends within China are unreliable but the fact that the Chinese leadership, intent on industrializing, is willing to use such a large share of available foreign exchange for food and fertilizer—essentially consumer goods—indicates just how hard pressed the Chinese are on the food front. In the event of a showdown with the Chinese in Viet Nam, or anywhere else in Asia, it is quite likely that exports of food from Australia and Canada would cease. Imports of fertilizer might also be halted, and China would then face a near famine or possibly worse.

Food deficits in Eastern Europe are also affecting the relationships between countries. The fact that nearly all the Comecon countries have grain deficits has loosened the economic and, therefore, the political ties binding them together. As recently as the early 1960s, the Soviet Union was supplying large quantities of grain to the East European countries in exchange for industrial products, such as chemicals from East Germany and machine tools from Czechoslovakia. As of the mid-1960s, however, the East European countries are turning increasingly to Canada for wheat and to the United States for feedgrains. East Germany, once the breadbasket of all Germany, must today import large and growing quantities of food and feed. The East European countries are finding that their natural trading partners lie to the West as well as to the East.

The embarrassing food shortages plaguing almost every communist economy are causing governments to invest more resources in agriculture, with the result that production is likely to increase. The Soviet Union enjoyed a bumper crop in 1966. This is not to say, however, that it, or any of the other communist countries, will become a leading grain exporter. The pressure for internal improvement in diets, as the standard of living improves, is too great. Some very substantial gains in grain production will be required before the Soviet Union can satisfy the growing desire of its people for more meat, milk and eggs.

As agriculture failed in one communist country after another, and they turned to the West for food imports, the communist strategists in Moscow must have faced a dilemma as they plotted their takeover of the world. What if they were successful? Who would be left to feed them?

VI

As the East-West ideological conflict begins to fade, it is clear that a new North-South polarization is beginning to take shape between the have and have-not countries. This new polarization—which is essentially economic rather than political—threatens to be a pervasive and divisive force. In spite of all the rhetoric describing the need to narrow the gap, the gulf is widening, both absolutely and relatively. Nowhere is this growing gap so painfully evident as in the case of food.

For the past seven years, increases in world food production have almost exactly equalled those in population growth. But the expansion in production plus the continuing reduction in stocks in recent years have not been sufficient to cover the additional demand created by rising incomes. The result has been rising prices for basic food commodities such as wheat and rice, both within individual countries and in world markets.

Those countries which are more advanced and which have stronger purchasing power have been increasing their per capita consumption. In several countries where purchasing power is weak, either because of a lack of income or lack of foreign exchange, per capita consumption has declined. Two drought years are only a partial explanation of why per capita food supplies in India in 1966–67 were 5 percent below those of the early 1960s.

This decline, of course, has been concentrated in the low-income groups. Those of middle and upper income have increased their expenditures for food to offset at least partially the rise in prices. Those at the bottom of the economic scale, already using most of their income to buy their meager daily rations of food, have not been able to do so. When they have tightened their belts to the last notch, they take to the streets. Food demonstrations or riots erupt periodically, and with increasing frequency, in the major cities of Asia, North Africa and Latin America.

Perhaps the best illustration of just how acute this problem is becoming is the trend in rice prices in recent years. Nearly all of the world's rice-consuming peoples, except the Japanese, are continuing to multiply at an unabated rate. The area of land which can be used to produce rice, however, is rather rigidly defined by temperature, the availability of water and type of soil. The result has been a growing worldwide shortage of rice and rising prices over the past few years, and particularly the last several months. The price of rice, traditionally somewhat higher than wheat, has now climbed to the point where a ton of rice can be exchanged for two tons of wheat in the world grain market. Although this has not seriously affected the more advanced countries such as Japan or the smaller rice-importing countries of Europe, it has sharply reduced the ability of low-income, rice-consuming countries to import the rice they need.

An analysis of the trends in world stocks of grain—held almost entirely by the major exporters of wheat, feedgrains and rice—shows the emergence of some new and disturbing trends. During the eight years from 1953 to 1961, world grain stocks increased by an average margin of nine million tons each year. During this period world production was running ahead of consumption. During the six years from 1961 until 1967, world stocks of grain declined each year. Most of this decline, averaging fourteen million tons per year, took place in the United States. This means that since 1961 grain consumption has been exceeding production by 1.4 percent a year. Stated otherwise, production is going up only 2 percent a year, while consumption has been increasing at about 3.4 percent annually.

This excess of consumption over production has been met by using the surplus stocks held by the major exporting countries, particularly the United States. But if food deficits continue to grow in the less developed countries, the exporting nations will not be able to fill the growing food gap. Five years ago, we in the United States had the world's two major reserves in the race between food needs and food production: some fifty million tons of excess grain in storage, and a large area of fertile cropland made idle under our farm programs. During the early 1960s, idle cropland increased and in 1966 exceeded fifty million acres. Decisions within the past year to increase acreages of wheat, feedgrains, rice and soybeans will bring nearly one-half of this cropland back into production. Once this ready reserve is exhausted, it will become much more difficult for the world to achieve any abrupt increases in production to meet additional demand.

Since World War II, and more particularly since passage of Public Law 480, the 1954 enabling legislation for our food aid program, the United States has been attempting to alleviate world hunger by shipping food abroad. By the end of 1966, about 176 million metric tons of food worth $15.7 billion had been shipped abroad under concessional terms. Despite this massive program we are still as far from solving the problem as when we began—perhaps further than ever.

The growing economic distance between the have countries of the North and the have-not countries of the South is, moreover, now a source of social unrest and political instability. Secretary Robert McNamara gave a speech in Montreal last May in which he pointed out the relationship between the living standards in various countries and the incidence of social unrest and violent political upheaval. In that speech he made a short but very significant statement: "Security is development." For our purposes I would like to narrow that a bit and say "Security is food." Without an adequate supply of food in the developing countries, the prospects for economic and political stability are not good.

If we are ever to solve the world food problem, we must now begin concentrating in earnest on increasing food production in the less developed nations. We have a pretty good idea of what is needed. In varying proportion according to particular situations, the hungry countries need: increased quantities of fertilizer and other farm chemicals, improved varieties of seeds, increased availability of water, added credit, productive price policies, improved marketing facilities and expanded research and education. What makes progress so difficult is that most of these must be brought together at the same time and place.

It is well recognized that these inputs are in short supply in most of the less developed nations. But one key item that is perhaps less well recognized is the lack of trained agriculturalists. Skilled and educated manpower is essential in every phase of a program designed to improve the production and marketing of agricultural products. Yet in virtually none of the less developed nations is the supply of trained manpower in agriculture anywhere near adequate. In many cases, there is only a handful of educated researchers, planners and extension workers. Colleges of agriculture are few and their output small.

By comparison, in the United States we have land-grant institutions in every state, plus many privately supported institutions, which have been graduating trained agriculturalists for many decades. We have a relatively vast reservoir of highly skilled professional manpower (although still more is needed). In the Department of Agriculture alone we have 40,000 professional agriculturalists, only a few of whom are in Washington; most are working in the field throughout the 3,100 counties in the United States. These professionals include agronomists, entomologists, plant geneticists, agricultural economists and a host of others needed to develop and maintain high levels of productivity.

Until the less developed nations can build up cadres of trained personnel of their own, the logical approach is to make use of agriculturalists from the advanced nations. The United States has, for many years, been loaning know-how through A.I.D. and its predecessor agencies, and through programs operated by State universities and private consulting organizations. More recently these programs have been broadened to include the Department of Agriculture through the establishment of an International Agricultural Development Service which is financed by, and works closely with, A.I.D.

In addition to providing trained biological and social scientists, the Department is increasingly called upon to assist in formulating the policies so essential for rapid progress in agriculture. Food price policies must become producer oriented, providing the farmer with a price for his products which makes the use of modern agricultural technology profitable. Policies governing foreign private investment must encourage the influx of capital, management and marketing know-how needed to produce and distribute the sorely needed inputs.

This is not a job government can or should do alone. The participation and cooperation of industry—with its special skills and resources—is also urgently needed. As a nation we must cease asking how much it will cost to solve the food/population problem and begin asking how much it will cost if we fail to solve the problem in the allotted time. Time is the critical dimension. Today's hungry countries must compress the progress of centuries into decades and decades into years if they are to feed their rapidly multiplying peoples. Our aid is essential. As a nation we must now exercise the same imagination and resourcefulness which brought us to our current position of world agricultural leadership. We must devise more effective ways of linking our skills in producing food with the needs of the less fortunate multitudes abroad. The challenge has never been greater, or the stakes higher.

CIVIL DISORDERS IN AMERICAN CITIES

Mr. CLARK. Mr. President, one of the sardonic and mildly amusing parts of senatorial courtesy is that one never knows, when one yields temporarily to his respected colleagues, what they are going to talk about. It so happens that my good friend, the Senator from Virginia [Mr. BYRD], spoke in praise of Representative MAHON for having criticized Mayor Cavanagh, who in turn criticized the Congress for not taking adequate action in connection with the riots a few days ago. The purpose of my rising is to defend Mayor Cavanagh and Vice President HUMPHREY against attacks which have been made against them by various Members of Congress.

Mr. President, one of the unhappiest consequences of the civil disorders that have descended upon American cities like a maelstrom of fire and violence in recent weeks has been the frantic search for a scapegoat.

This search can end only in futility and corroding bitterness. Thoughtful leaders of both the white and Negro communities are in agreement that no single cause, no individual or group of individuals, can be held primarily responsible for the bloodshed, the devastation, the enormous property losses, and the incitement of animosities that we hoped were disappearing from the American scene.

Particularly I regret that the desperate casting about for a scapegoat has directed calumny at the Vice President of the United States and at Mayor Jerome Cavanagh, of Detroit. The quality of this criticism is disclosed, in part, by the fact that much of it has come from spokesmen for rural areas that have no ghettos and have never had the searing experience of riots, shootings, and whole neighborhoods put to the torch.

To say that such criticism of Vice President HUMPHREY and Mayor Cavanagh is wholly unjustified is to give only part of the truth.

More than any other individual, Vice President HUMPHREY was responsible for the enactment of virtually all our major civil rights legislation, including the Voters Rights Act and the Civil Rights Act. He must be given grateful credit for guiding through the Senate much of the important, far-reaching social and economic legislation of recent years, including the antipoverty measures.

I know personally, as do many Senators, of Vice President HUMPHREY's devoted and tireless work, as Chairman of the President's Council on Youth Opportunity, to persuade industry and business to provide summer employment for young people. His successful work in this and other areas has done much to enlarge the job opportunities and raise the living standards of tens of thousands of disadvantaged young people. The Vice President's campaign has contributed immeasurably toward the eradication of explosive frictions in America's large cities.

Mayor Cavanagh, as should now be well known, is the chief executive of a city which had made greater progress in interracial relations than any other city its size.

For years—

The Washington Post pointed out recently—

> Detroit has been the American model of intelligence and political courage applied to the governance of a huge industrial city. Mayor Cavanagh has gone further over a longer period of years to respond to the people of the slums than any other big-city mayor.

Thus the Washington Post.

I fully agree with Mayor Cavanagh's conclusions:

> It is a national malady, that which occurred in Detroit, and could just as easily have happened in any other major city.

We know that to be true. After Detroit it happened in Milwaukee, a city with one of the oldest and most enlightened progressive traditions in the United States.

There the mayor, an extremely able public servant, was more fortunate than Mayor Cavanagh in being able to stop rioting. It does not follow from this that Mayor Cavanagh was derelict in any way in doing his duty, and I commend him for having done an excellent job under most difficult conditions.

No, Mr. President, there should be no hunt for a scapegoat, no witchburning spree to ease our own consciences.

These will not solve our crushing urban problems; they will not prevent a recurrence of madness in our streets.

What we need now, what we must have, is a rethinking of our national priorities. We need to set our sights higher toward the complete eradication—and as very fast as possible—of poverty and deprivation. We must end forever the shame of widespread hunger and malnutrition. We must eliminate crime-breeding and disease-spreading slums.

This, Mr. President is where Congress does come in. I am not one who thinks Congress, solely and alone, is to blame for what has happened in our cities this summer. But I will say, Mr. President, we have not done our share towards assuring that in the poverty-stricken areas of this country, Federal funds were made available under wise laws to do everything possible to prevent the tragic circumstances which have taken place in city after city across the country.

But Mayor Cavanagh has never been content to rest upon past achievement or accept the status quo. Last March he testified before the Senate Subcommittee on Employment, Manpower, and Poverty, which I serve as chairman, and wisely combined a report on what Detroit had achieved with a perspective of what remained to be done. He declared:

> Summer anti-poverty programs have been unwisely eliminated. They provide badly needed work experience and income during that critical time when young people are out of school. In Detroit, juvenile crime rates for example, have dropped as much as 30% in areas where summer programs were in effect.

In his testimony Mayor Cavanagh strongly urged that the proposed $2 billion appropriation for the war on poverty programs be increased to $3 billion. He saw the risks of "too little and too late" and pleaded with Congress for expanded programs to aid public housing and education.

Now that Detroit is devastated and Newark is devastated—Plainfield, N.J., having by a miracle escaped devastation, as did Milwaukee—the time has come for Congress to get to work and provide help for the innocent victims. This is not a question, Mr. President, of rewarding people who have rioted and insurrected against the government. The percentage of the inhabitants of our ghetto areas who have engaged in rioting is small indeed. Those who did so engage should be arrested, arraigned, tried, convicted, and punished; but, Mr. President, that is not the underlying question with which we have to deal.

I suggest that Congress get to work. Yesterday I voted nay on the question of authorizing the McClellan committee to investigate the cause of riots, which should be an entirely separate question from putting down riots, arresting and sending people to jail, or using violence against violence. I hope that the philosophy of revenge will not prevail in the course of the investigation which is to be carried on despite my negative vote in the Rules Committee.

If there is one thing we need more than any other in the area of control of violence and rioting, it is the anti-gun bill, I wonder why it has not come out of those committees of Congress with so many members who are so much interested in punishing the guilty and so little interested in doing anything to help the people in the ghettos—and rural areas, too—whose miserable plight is unquestionably the underlying reason for the violence which has occurred.

We must at all costs erase illiteracy and ignorance. We can and must rebuild America in a brighter image of social justice and economic democracy.

Archibald MacLeish once wrote, "America was promises." It is that still. America is promises that we can redeem and even redeem in this generation—if that is our spirit and our determination.

I call today, Mr. President, on the Congress of the United States to do its part. In my opinion, we have not hitherto done our part.

Mr. President, there are some indications that the violence visited upon some of our cities may not—just possibly—result in any extensive white backlash or greater alienation of the races. It is possible that for many the disorders may create a larger humanitarian concern and a deep-rooted feeling that this must not happen again. In this respect I ask unanimous consent to have printed in the RECORD at this point the following news report from Grosse Pointe, Mich., which appeared in the Wall Street Journal of August 1.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

DETROIT AREA WHITES GIVE SPONTANEOUS AID TO NEGRO RIOT VICTIMS—THEY SHARE THEIR HOMES, FOOD WITH THE DEPRIVED—HIPPIES, HOUSEWIVES, UNIONISTS HELP

(By Roger Rapoport)

GROSSE POINTE, MICH.—When the Allen McCraes viewed the burned-out ruin of their Detroit apartment, they had no idea they would find temporary shelter in this posh suburb. They are Negroes, and this wealthy white community never has laid out the welcome mat for black families.

But the McCraes now are temporarily settled in the comfortable brown brick residence of Martin Peters, a white engineer for General Motors Corp. At mealtimes, Mrs. Peters just adds another leaf to the table. The four McCrae boys get along fine with the Peters' two-year-old daughter and the neighbors have been friendly and helpful; some have loaned the McCrae boys guinea pigs to play with and care for, invited them to swim in their children's pools and urged them to use their backyard swings and slides. Others have loaned bedding and given extra food to the Peters.

The Detroit riots undoubtedly have hardened the attitudes of many whites against Negroes. But, as the Peters' generosity indicates, the plight of many Negroes left homeless and deprived of other essentials by the riot has roused a good deal of white sympathy, too. Like the Peters, many whites are actively trying to help.

THE HIPPIES' HELPING HAND

Some here are taking in homeless Negro families. Others are loading up the Negro milkman with goods for him to take back to the inner city neighborhood that is his home. Relief centers at churches and schools here and in other white neighborhoods are piled high with items ranging from Kleenex to tinned Argentine corned beef, donated by families who have been oblivious to inner city problems before. Suburban housewives, union members, local hippies all are aiding riot victims.

All of this activity "has little to do with civil rights," says Father Robert Rokusek of St. Ambrose Roman Catholic Church in Grosse Pointe. "It's really just a spontaneous reaction to people in need."

It's certainly true that many whites now helping Negroes don't fit the classic "white liberal" stereotype. Mrs. J. A. Campbell of Ann Arbor, for example, says: "I am certainly not involved in any civil rights organizations, and I think a lot of this current trouble was instigated by Negroes who have been pushing too hard for integration during the past 10 years. But I want to help some of the innocent victims of the riots." Mrs. Campbell is doing just that, offering to put up as many as 50 riot victims in vacant apartment units she handles as manager of Michigan Management Co., a rental agency.

A white housewife on Detroit's Northeast side says: "My neighborhood is as bigoted as they come. If a colored person drives past, people call him names. But I can't figure out my neighbors now; many of them are actually helping the Negroes by donating at relief centers and doing other charitable things. Back-fence talk centers on poor victimized Negroes, rather than the evildoers."

TV GIVES WHITES THE PICTURE

Russell Leach, president of the Wayne County AFL–CIO, thinks television coverage of the Detroit disaster has helped spur such relief efforts among whites. "Many people in the suburbs never have got to the heart of Detroit. When they see the TV news, they can understand the Negroes' plight," he says.

Traditional welfare agencies find themselves buried in white largesse. Brigadier Cecil Briggs, coordinator of disaster services for the Salvation Army, says 11 volunteer and 40 regular trucks have been working 12-hour shifts and have collected nearly 50 tons of goods since the riots began. "We're looking for a new warehouse to store the stuff," he adds.

At the Interfaith Emergency Center in Detroit, a 23-year-old girl from suburban Southfield pleads with officials to accept gift clothing. "We've got more than we can handle now," she is told—but the garments are accepted anyway.

Some help comes, unsolicited, from far away. One food wholesaler in West Virginia sent up a whole semi-trailer full of food. In other cases, aid efforts are local and personal. Jim Hall, a Negro milkman who works in Grosse Pointe but lives in the heart of the riot area, last week found himself the recipient of bread, cooked chicken, canned food, coffee and sugar heaped upon him by his customers. He used much of it himself, and gave some of the rest away to National Guardsmen patrolling the riot area.

Evidently white housewives are not just palming off leftovers and hand-me-downs on riot victims. Many shopping bags full of donated groceries have cash-register stubs in them, indicating a fresh run to the supermarket. "People are purchasing these donations as if they were going to feed their own families," says Mr. Leach of the Wayne County AFL–CIO. He is dispatching 15 relief trucks manned by union volunteers, seminarians and YMCA men to stricken areas throughout the city.

Some churches are serving as placement centers for homeless Negroes. Ninety families belonging to St. Mary's of suburban Redford have offered to take in riot victims and 10 families (including the Peters) have volunteered at St. Ambrose's in Grosse Pointe. Only a few of the volunteers actually have had Negroes placed with them so far, however.

A massive cleanup effort in Detroit lies ahead, and Walter Reuther, president of the United Auto Workers Union, has pledged the help of some 600,000 union members (from the UAW and other unions) living in the metropolitan area.

Mr. Reuther and Robert E. Toohey, Detroit's commissioner of public works, already have outlined an ambitious plan that they hope will turn many of the rubble heaps now dotting the city into small parks. Mr. Toohey thinks as many as 50 present building sites may be made into parks, and plans a "blitz" effort to convert them beginning August 12.

Local hippies say they'll help in the cleanup. According to 22-year-old Pun Plamondon, something called trans-Luv Energies, which he describes as an "unorganized organization" that sponsors some hippie doings, has picked up $100 worth of brooms donated by a local business and will stage a "sweep-in" at the riot area next weekend. Trans-Luv may also put on a street dance and dispense free Koolaid, he says.

All this doesn't mean that the white community is unanimous in its determination to get the Negro community back on its feet. It's clear that while the riots have jolted some whites into a new concern for Negro victims, they have embittered others. After one Detroit paper ran a feature story on a white family that was hosting a Negro family, the white family received so many crank calls and threats that they had to disconnect their phone. Says one white secretary in Detroit: "My only donation (to the Negroes) has been ammunition for my husband's rifle."

Mr. CLARK. Mr. President, this account is entitled "Detroit Area Whites Give Spontaneous Aid to Negro Riot Victims: They Share Their Homes, Food With the Deprived; Hippies, Housewives, Unionists Help."

I think that spirit is the spirit in which the dreadful plight of the rioters and the dreadful poverty of the ghettos can eventually be overcome. The task must be undertaken in the spirit of good citizenship, and must be undertaken, of course, in the spirit of justice, but must be undertaken primarily in the spirit of compassion and cooperation.

In this regard, Mr. President, I commend those able citizens, headed by David Rockefeller of New York, and including Mayor Joseph Barr of Pittsburgh and Mayor Lindsay of New York, including labor leaders, church leaders, and members of civil rights organizations, who make up the Urban Coalition. They have organized in order to make a private citizens' survey of what needs to be done to remedy slum conditions in America, and thus overcome the tendency towards riots.

I ask unanimous consent to have printed in the RECORD an editorial entitled "Coalition for Better Cities," published in this morning's New York Times.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

COALITION FOR BETTER CITIES

While commissions to "investigate" urban riots proliferate in Washington, a group of outstanding citizens has decided to take the lead in spurring the country to positive action to improve housing, schools and jobs, the obvious needs to combat despair in the slums.

This private initiative pools the energies of such dissimilar Americans as David Rockefeller, Walter P. Reuther, Bayard Rustin, Mayor Lindsay and Gerald Phillipe, chairman of the board of General Electric. They and their associates in a new Urban Coalition plan to mobilize a thousand leaders in religion, education, business, labor, civil rights and municipal government at an emergency convocation in Washington later this month.

That meeting could become the generator of as dramatic a goad to the national conscience as was provided by the civil rights March on Washington four years ago. The spread of rioting from one racial ghetto to another has made it plain that the critical problem now is faster progress toward making real the promises of social justice embodied in the laws for which tens of thousands marched in 1963.

Unquestionably, no amount of effort, no outlay of funds, no application of public or private resources will eradicate the roots of unrest swiftly enough to guarantee civic tranquillity this year or next. But reliance on repression without a massive readjustment of priorities to tackle the sources of hopelessness merely means a downward spiral of hate, with increasingly violent eruptions as its outrider.

The statement of the coalition leaders stresses that lawlessness in all its forms cannot be tolerated, but it reminds the nation that the acceptance of law and order by the minorities demands a clear demonstration by the majority of its belief that "justice, social progress and equality are the right of every citizen."

Congress is urged to move without delay on urban problems, especially in the provision of new training programs and jobs for the unemployed. However, there is no disposition to push the whole burden onto Government. The coalition calls on every American "to join in the creation of a new political, social, economic and moral climate which will make possible the breaking up of the vicious cycle of the ghetto."

The shortage now is as much of will and ideas as it is of public and private money. A state of guerrilla warfare is developing between many in the white and black communities. The diversity of the elements in the Urban Coalition represents a serious and significant effort to end this drift, even rush, toward an ugly kind of American apartheid. Reconstruction of attitudes and redefinition of priorities are essential precedents to reuniting America's riven cities.

Mr. CLARK. Mr. President, I commend the President of the United States for the mixed commission of legislators, private citizens, and Government officials which he has appointed to study in depth not only the immediate but the underlying causes of these riots. I am grateful that my friend, David Ginsberg, has been made executive director, and I pledge my cooperation, as chairman of the Subcommittee on Manpower, Employment, and Poverty, to make available the enormous amount of information we have collected in the study we have been conducting in depth, since the first of the year, into poverty conditions and the underlying causes therefor. I hope that between the President's commission and the group gathered together by Mr. Rockefeller, and the others, we will be able, in short order, to determine what additional things need to be done to remedy these conditions. I also hope that the Senate Subcommittee on Investigations under the chairmanship of Senator McCLELLAN, which has been authorized to go into these matters, will give the same careful attention to the underlying causes of the riots which I am sure the other two commissions will undertake.

RESOLUTIONS OF THE SIXTH GENERAL ASSEMBLY OF THE UNITARIAN UNIVERSALIST ASSOCIATION

Mr. CLARK. Mr. President, the Sixth General Assembly of the Unitarian Universalist Association was held on May 5, 1967, at Denver, Colo.

Resolutions were adopted by the assembly on the subjects of Vietnam, strengthening the United Nations, freedom of dissent, draft reform, and conscientious objection, reform of congressional operation, freedom budget and poverty, and the American Indian.

These resolutions are well worth the careful consideration of Members of Congress and readers of the CONGRESSIONAL RECORD generally, and I ask unanimous consent that they be printed in the RECORD at this point.

There being no objection, the resolutions were ordered to be printed in the RECORD, as follows:

GENERAL RESOLUTION ON VIETNAM

Whereas, the 1966 (Fifth) General Assembly of the Unitarian Universalist Association passed the following resolution:

Reaffirming the intent of its 1964 resolution urging "The United States to reconsider its policy in Vietnam and to explore solutions other than military."

The Unitarian Universalist Association notes again that the present war in Vietnam threatens to escalate into a world nuclear war; urges the Government of the United States to negotiate with any and all principals in the conflict, including the National Liberation Front, in seeking a cease-fire, the holding of internationally-supervised free elections, and in aiding the formation of a representative government of South Vietnam; and

Transmits to the President and the Congress its continued deep concern for an immediate peace in Vietnam.

The Sixth General Assembly of the Unitarian Universalist Association reaffirms its previous resolution and further:

1. Commends the Secretary-General of the United Nations for the initiative he has taken in seeking a cease-fire and peace in Vietnam and endorses his specific proposals for:

(a) Cessation of the bombing of North Vietnam, and

(b) The scaling down of all military operations by all parties in Vietnam, and

(c) Discussions among all parties directly involved in the conflict.

2. Urges the United States government to take substantial immediate and long term steps of de-escalation without any prior conditions placed on the National Liberation Front and the North Vietnam government.

3. Urges the government of the United States to give its citizens accurate and complete information about events in Vietnam, and to recognize that responsible debate on United States policies in Southeast Asia and opposition to the war should not be equated with a lack of patriotism.

4. Encourages immediate public and private efforts to heal the wounded civilians of all Vietnam, and to reconstruct and develop the war-ravaged land.

5. Transmits again to the President and the Congress its continued deep concern for immediate peace in Vietnam.

6. Urges member churches and fellowships through congregational action to take a public position on the war in Vietnam.

7. Urges, in view of the continuing difficulty in inducing any unilateral steps toward peace by any of the parties to the conflict that there be a reciprocal de-escalation, including the progressive removal of all foreign troops and the grounding of all foreign aircraft in North and South Vietnam and that the use of terrorism and murder by all parties against the people of Vietnam be terminated.

GENERAL RESOLUTION ON STRENGTHENING THE UNITED NATIONS

Convinced that world order and peace require increased support for a strengthening of the United Nations,

The Unitarian Universalist Association:

Commends the continuing and courageous efforts of the Secretary-General employing the facilities of the United Nations in peacemaking and peace-keeping, and

Urges the governments of the United States and Canada to work for strengthening of the United Nations, with or without changes in its Charter, to make it an international instrument capable of assuring security and enforcing a rule of law among nations.

And urges that the United States Senate advise and consent to the ratification of the following Human Rights Conventions:

1. The Supplementary Convention to the Abolition of Slavery, the Slave Trade, and Institutions and Practices similar to Slavery, prepared under the direction of the United Nations in 1956, to which 61 nations are now parties.

2. The Convention on the Abolition of Forced Labor, adopted by the International Labor Organization in 1957, to which 74 nations are now parties.

3. The Convention on the Political Rights of Women, opened for signature by the United Nations in 1953, to which 44 nations are now parties—as requested by President Kennedy nearly four years ago, and

4. To advise and consent to ratification of the Convention on the Prevention and Punishment of the Crime of Genocide.

FREEDOM OF DISSENT

Whereas, controversy over foreign policy and civil rights has been attended by violence, including physical assault and public abuse directed towards those expressing a controversial point of view, and

Whereas, controversial spokesmen have at times been denied permission to speak in public places, and

Whereas, those who remain silent while violence and abuse continue must share responsibility for the destruction of one of the most precious features of our heritage, the right to speak our conscience freely.

Be it therefore resolved: That the 1967 General Assembly of the Unitarian Universalist Association recognizes and supports national and local leaders who have defended the right to give peaceful and public expression of dissent and urges all responsible national and local leaders to follow their example, and reaffirms the rights of all persons to give peaceful and public expression of dissent from established policies and to ensure that such persons receive the protection to which they are entitled by law. We further urge that public facilities (including the facilities of Unitarian and Universalist churches and fellowships) be made readily available for speakers with diverse viewpoints to express themselves publicly; and call upon the communications media to provide more equitable opportunity for presentation of dissent from majority points of view.

DRAFT REFORM AND CONSCIENTIOUS OBJECTION

Noting that present administration of the Selective Service System has resulted in many inequities and uncertainties for the young men facing service, and

Noting, also, that the right of conscientious objection to military service has long been recognized as lawful if based upon religious belief and that the Supreme Court has affirmed that an ethical and moral philosophy is parallel to belief in a Supreme Being and thus qualifies under the definition of religious belief.

The Unitarian Universalist Association:

Recommends that Congress, in considering renewal of the Selective Service Act, affirm, as nearly as possible, the principle of equality of sacrifice and should:

1. Reduce the discretionary powers of local draft boards by establishing uniform regulations regarding deferments;

2. Provide that those granted educational deferments, upon termination of those deferments, be subject to the same chance of induction as all others eligible, without regard to age, marriage, or offspring;

3. Provide for educational deferment for part-time students upon their demonstrating that they must work to finance their education;

4. Prohibit use of the draft to punish for unlawful acts punishable by civil authority;

5. Require the selection of draftees by lot from among those presently eligible for military service;

6. Broaden the concept of conscientious

objection in the law to include all those opposed to military service on ethical and moral grounds.

7. Require that local draft boards be representative of the ethnic, social and economic composition of the community.

8. Recognize that objection to participation in a particular war can be central to the belief of an individual, and therefore constitute valid grounds for conscientious objection, as does opposition to all war.

Be it further resolved: That the 1967 General Assembly of the Unitarian Universalist Association:

1. Calls upon the Department of Social Responsibility to cooperate with the LRY and SRL in providing all possible information, encouragement, and assistance to our ministers, churches, and fellowships, to insure effective counseling of draft eligible youth and youth approaching draft age;

2. Recognizes the responsibility of Unitarian Universalists to youth who have secured conscientious objector classification and who prefer to fulfill their alternative service requirements under the sponsorship of the Unitarian Universalist Association or its affiliated organizations;

3. Calls upon the Unitarian Universalist Service Committee to increase immediately its alternative service programs in order to help a significant number of applicants;

4. Encourages youth who are conscientious objectors to war to apply for conscientious objector status under the provisions of the Selective Service Act.

5. Extends our support to those persons who in the exercise of their moral choice and through the demands of their individual consciences refuse to register for Selective Service or refuse classifications which are contrary to their consciences.

REFORM OF CONGRESSIONAL OPERATION

Affirming that a strong legislative branch of Federal Government is a necessary component of the United States constitutional system and that independence, intelligence and integrity are qualities essential to lawmaking bodies in a democracy; and

Observing that respect for and confidence in the United States Congress has been diminished by the improper exercise of power by some committee chairmen.

The Unitarian Universalist Association:

Urges that the United States Congress adopt a code of ethics for all its members, with penalties for violations; and

Recommends that Congress choose committee chairman on the basis of qualifications not limited to seniority.

FREEDOM BUDGET AND POVERTY

Noting that one-fifth of the population of the United States lives in poverty which makes it difficult to live with dignity;

Noting, also, that the United States has embarked upon an anti-poverty program which has had critical cutbacks in funds and faces possible further reductions;

The Unitarian Universalist Association:

Affirms that, in spite of the high cost of the Vietnam War, the country can afford effective measures to eliminate poverty and must increase its efforts so that the living conditions and aspirations of the poor will be raised, and

Proposes that a study be initiated by all member churches and fellowships of the A. Philip Randolph Institute's blueprint, *A Freedom Budget for All Americans,* which proposes the expenditure of sufficient funds to eradicate poverty in the United States in the next decade.

THE AMERICAN INDIAN

Be it resolved: That the Unitarian Universalist Association urge the Congress to develop and adopt a new comprehensive national policy for the American Indians (including the Eskimos and Aleut). This policy should be based on:

1. Their participation in matters of direct concern to them.

2. Protection of their property.

3. Preservation of historical identity and culture of these peoples.

4. Assistance to those Indians who desire to relocate off the reservation.

5. Coordination of programs among Federal, State and local agencies to fulfill the nation's moral and legal obligations to the American Indian, the Eskimos and Aleut.

Reasons: The 400,000 reservation Indians have the lowest standards of living of any group in the United States. They receive only half the education of the average U.S. citizen, have approximately two-thirds the life expectancy, and are receiving between one-fourth and one-third as much income as other U.S. citizens.

American Indians off the reservation have a much higher unemployment rate and are subject to social and economic discrimination.

The programs of the U.S. Bureau of Indian Affairs have not sufficiently assisted the American Indian either in the preservation of his cultural values or in preparing for life off the reservation.

ENCOURAGEMENT FOR THE DOVES IN THE KREMLIN

Mr. CLARK. Mr. President, the New York Times magazine for last Sunday, July 30, published a perceptive and interesting article by Roswell L. Gilpatric, who served for 3 years as Deputy Secretary of Defense.

Mr. Gilpatric is now practicing law in New York.

The article is entitled "We Should Encourage the Doves in the Kremlin."

The article reads in part:

> Never again in our time may there be greater opportunities than today for the U.S. and U.S.S.R. to deal with world problems by accommodation rather than by force.

Mr. Gilpatric has laid it on the line concerning what we must do to substitute international conferences for international wars.

Mr. President, I ask unanimous consent that the article to which I have referred be printed at this point in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From The New York Times Magazine, July 30, 1967]

WE SHOULD ENCOURAGE THE DOVES IN THE KREMLIN

(NOTE.—"Never again in our time may there be greater opportunities than today for the U.S. and U.S.S.R. to deal with world problems by accommodation rather than by force." Right, the summiteers meet the press at Glassboro.)

(By Roswell L. Gilpatric [1])

In the months immediately ahead the Soviet Union and the United States face a number of decisions that could well govern not only their own destinies but the peace of the world for many years to come. These decisions must be reached in the face of divisions within both Governments over whether to pursue hard or soft lines toward each other. For the U.S. this means not only resolving its own conflicts but also conducting itself so as to strengthen the dove rather than the hawk faction in the Soviet political leadership group.

In considering the series of international issues facing the Soviet Union and our Government, let us start with the latest world crisis in the Middle East. By their support and sponsorship of the two sets of protagonists, the U.S.S.R. and the U.S. certainly helped to ignite the Arab-Israeli conflict although their own national interests are less involved than those of other nations. Each of the two great superpowers has invested heavily in the Middle East, the Soviet Union in arms furnished to a number of Arab countries and the U.S. in oil installations and, to a lesser extent, in military assistance provided primarily to Jordan and Israel. Although neither the U.S. nor Russia depends on the oil reserves of the Persian Gulf and North Africa, the nations of Western Europe do, and other powers such as India have a stake in the use of the Suez Canal. An inability to defuse the explosive issues between Israel and the Arab world, through the good offices of the United Nations or some other multilateral effort, would have grave consequences for both Russia and the U.S.

Were the fighting in the Middle East to resume either with the arms already there or with fresh supplies from one or both of the great powers, neither could escape involvement in the ensuing conflagration. In short, neither can afford to permit hostile relations between the Arabs and the Israelis to continue indefinitely. Each recognized as much in the messages exchanged over the Moscow-Washington hot line during the early days of the crisis in May and June, as well as by their subsequent restraint in conduct and the Johnson-Kosygin face-to-face talks at Glassboro. No amount of inflammatory oratory in the U.N. should obscure this fundamental mutuality of interest on the part of the Soviet Union and the U.S. The primary responsibility for preventing a recurrence of Israeli-Arab hostilities lies, however, with the Russians, who must decide whether to provide or withhold fresh arms from Egypt.

Until now the Soviet response has been ambiguous. Renewed arms shipments, including MIG aircraft and Stalin tanks, have been reaching Alexandria and Cairo either direct from Russia or through one or another of its friends, such as Algeria. It is not yet clear, however, whether the volume of these replacements for war materiel destroyed by the Israelis will reach proportions sufficient to restore the prior Arab-Israeli power equation. Nor has there been any public reaction by the Soviet Union either to the concern repeatedly expressed by our Government over a renewed arms race in the Middle East or to President Johnson's proposal that all arms supplied to Middle East countries be registered with the U.N. Other than continuing to caution restraint on Israel, there is probably little more that the U.S. can do to avoid exacerbating Soviet feelings over the debacle that has befallen its Arab friends.

The same state of affairs does not obtain in the Far East, where the degree of engagement is greater for the U.S. and where it is American lives that are being lost to Soviet-furnished weapons. Thus far, basic relations between the U.S.S.R. and the U.S. have weathered the perils to each posed by the Vietnam conflict, but it is far from certain that they would survive another major scaling-up in the intensity of that conflict. This summer will see a determination whether there is to be another such round, with the initiative resting with the U.S., in contrast to the situation in the Middle East, where the Soviets hold the key.

U.S. military leaders, backed by considerable Congressional and public sentiment and enthusiastically endorsed by their South Vietnamese counterparts, have been urging on the President a major increase in American force levels in Vietnam. The figures most frequently mentioned were another two to four divisions, or their equivalent in brigades and battalions, which would add between 75,000 and 150,000 more U.S. military personnel to the 480,000 already authorized for deployment in South Vietnam besides the 80,000 airmen and Navy men stationed nearby in Thailand or on offshore vessels. If our military commanders had their way, this increase in forces would be accomplished by at least a partial call-up of Reserves rather than awaiting the slower process of inducting and training new recruits. If the President had accepted these recommendations of his military commanders, he could well have been forced to broaden the impact of the sacrifices thereby entailed by instituting wage and price controls as well as more drastic tax measures. Indeed, the result might have been to put the country into a state of semimobilization.

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[1] Roswell L. Gilpatric served three years as Deputy Secretary of Defense. He is now practicing law in New York.

As a result, however, of Secretary McNamara's "ninth coming" to Vietnam and the subsequent discussions at the White House, our top military men are on record as being ready to accept less than what they would like to have by way of additional forces for Vietnam. Instead of several divisions or their equivalent in other units, it now appears that the additional force destined for Vietnam will be the one division with supporting units—involving some 25,000 to 35,000 men—that can be dispatched from the U.S. without mobilization of Reserve units. With this increase, which would bring our total forces in Vietnam to not much over 500,000 men, coupled with more efficient utilization of the troops already in place, General Westmoreland will be enabled to continue his present strategy of spoiling actions against North Vietnam and Vietcong units to forestall their effective use in large-scale attacks. Yet in Russian and Chinese eyes such a relatively modest reinforcement of U.S. forces would belie any intent on our part to scale up the present level of conflict or to launch a ground-force invasion of North Vietnam.

It is not only more manpower that our military commanders would like to have at their disposal in Vietnam. They also want to extend and deepen the attacks against the North by air and sea and on the ground. On the other hand, it has been argued, I believe correctly, that by confining U.S. bombing to the area in North Vietnam south of Hanoi and Haiphong, and avoiding the Red River valley and delta region, no great sacrifice would be entailed in the effective interdiction of North Vietnamese lines of communication into the South. This is particularly true since the Vietcong and the North Vietnamese have been forced, by General Westmoreland's spoiling tactics, to shift the principal area of their military actions from the II Corps in the Highlands and III Corps around Saigon to the I Corps directly south of the 17th Parallel. In view of this development, the political consequences of thus limiting U.S. bombing of North Vietnam may be more important than the purely military consequences, which at best are debatable.

It is not difficult to predict the reaction of the Soviet Union to a major escalation by the U.S. in Vietnam, whether it be through a massive buildup in ground forces there or a sharpening of tactics. In the first place, there would be bound to occur a step-up in the quantities of war materiel now being supplied to North Vietnam by the Russians, consisting primarily of MIG aircraft, surface-to-air (antiaircraft) missiles, heavy artillery and petroleum products to fuel North Vietnam's war economy. Moreover, it is possible that the character of the Russian-furnished weapons would be changed from defensive to offensive types. That is to say, the North Vietnamese might receive Soviet bombers as well as fighter aircraft and medium- or long-range instead of short-range missiles and heavy mortars.

Furthermore, any moderating influence which Moscow may now be in a position to exercise over Hanoi would certainly lessen, if not evaporate entirely, in the face of stepped-up military activities by the U.S. This would be particularly likely if the President also sanctioned the use of more aggressive U.S. tactics, such as the bombing or mining of Haiphong harbor, long urged by some U.S. military commanders. A ground invasion of the North, whether by a thrust across the demilitarized zone or seaborne landings along the coast, would be sure to produce major reactions by the Soviet Union as well as by Red China.

Thus the issues in the Vietnam conflict that the President must resolve this summer could represent a watershed in the U.S.-Soviet relations, with the choice of slopes pretty much in our hands. But even more may be at stake in the outcome of the negotiations at Geneva over the proposed nonproliferation treaty and of the working-level discussions that will be taking place between Moscow and Washington regarding future production and deployment of both defensive—such as the antiballistic missile—and offensive strategic weapons systems.

The 17-nation disarmament conference in Geneva is at present mired down by a double stalemate. The U.S. and the Soviet Union are still at odds over the inspection provisions of any nonproliferation treaty, and the nonnuclear nations are not yet ready to accept a freezing of their present have-not status without as yet unagreed-upon promises and concessions by the nuclear powers. Whether the removal of either of these obstacles will be facilitated by fears of a renewed Middle East crisis or by the Johnson-Kosygin exchanges at Glassboro is yet to be seen. Should another clash of arms occur in the Middle East, the weapons might not, as heretofore, be confined to conventional types. Still another imponderable influence on the Geneva negotiations is the impact of Red China's first hydrogen-bomb test.

The questions that have been raised about the proposed nonproliferation treaty by Western-aligned powers such as Germany, Italy and Japan and by nonaligned nations like India and Sweden could delay their ratification of a treaty, but are unlikely for the present to cause them to alter their present national policies not to develop themselves, or to acquire from others, nuclear weapons. In the long run, however, the deterrent effect of a nonproliferation treaty will rest on the attitudes of the two principal nuclear powers, Russia and the U.S. If those powers come into agreement on the treaty, it will, like their earlier acceptance of a ban against space weapons, have an important influence on the conduct of the nonnuclear nations even without their signatures.

For the U.S. the choice is essentially one of priorities: Should our course of action be dictated by what is most likely to facilitate agreement with the Soviets or should we subordinate that objective to pleasing our allies, particularly West Germany? For some time it has been U.S. policy to keep the Germans happy, whether the issue be over the level of U.S. forces in Germany or U.S. moves to develop a détente with the U.S.S.R. Of late, however, the German Government has not reciprocated our solicitude. Apparently its recent decision to cut the German defense budget materially, a step which could cause a reduction in Germany's own army strength, was taken without prior consultation with the U.S. Thus the time may be ripe for the U.S. to give top priority in the Geneva negotiations to reaching an accord with the Soviet Union.

On the other hand, should the efforts toward a treaty bog down over unresolved differences with the Soviet, we have more to lose than just strengthening the hands of the Russian hawks. Without a treaty some of the present have-not nations will feel free to change their present policies, and national self-interest, rather than international well-being, will be the governing consideration. No action by Communist China or France in pursuing their own nuclear goals will be nearly as significant as nonaction by the U.S.S.R. and the U.S. The next few months is likely to bring the world to the fork in this particular road.

Within the same time frame, working groups of Americans and Russians will be putting to the test President Johnson's proposal of last January, which Premier Kosygin cautiously undertook to explore, for a suspension of the arms race between their two countries in strategic weapons. Here again the timing could be critical. On the one hand, the Soviets have already deployed some sort of an antiballistic missile system around Moscow and perhaps elsewhere. We are told that they are also building up their force of ICBM's in a determined effort to reduce the present margin of superiority which the U.S. enjoys in that category of strategic weapons.

Not to be overtaken or outdone, the U.S. is about to embark on a new generation of long-range missiles (the Poseidons) and may feel itself compelled to go into production of ABM's for at least a limited or "thin" deployment that could provide for area defense against a "low" Soviet threat as well as an ultimate ICBM capability by Red China.

Each set of programs could necessitate the expenditures of billions of dollars or rubles, and neither would serve to stabilize the military equation between the two greatest powers. Instead, the result would be an endless and costly recycling of an arms race that could only further imperil the peace of the world.

In these forthcoming discussions the U.S. negotiators have important concessions to offer in order to induce the Soviets to suspend their ongoing programs in ABM's and ICBM's. Besides being willing to forego deployment of its own ABM system, the Nike X, which is probably superior technically to what the Russians now have, the U.S. might agree to hold up proceeding with the Poseidon program and not to enlarge its present forces of Minutemen and Polaris ICBM's. Thanks to the efficacy of satellite-based reconnaissance—and we should assume that the Soviets have a capability comparable to our own—on-site inspection, an anathema in Russian arms-control doctrine, should not be necessary to police an understanding with the Soviets for mutual forbearance in further build-ups of strategic arms, defensive or offensive.

It is not only in the Middle East and Far East and in the arms-control areas that the U.S. and the U.S.S.R. find themselves at crossroads. Also at stake are the future of the U.N., progress in the development of Africa and the hope for avoiding further strife between India and Pakistan.

Should the U.N. fail to provide a medium for preventing a recurrence of conflict in the Middle East, it will be primarily because Russia and the U.S. cannot see eye to eye on the value of an international peace-helping organization. With Red China outside and France disaffected, the U.N. only keeps functioning because the Soviets and ourselves find some use in it. But the U.N. can scarcely withstand many more major failures.

In the case of Africa, such problems as those posed by Rhodesia's struggle with the British, the break-up of Nigeria, insurrection in the Congo and the difficulties being encountered by such moderate leaders as Kaunda of Zambia, Nyerere of Tanzania and Kenyatta of Kenya cannot be laid at the door of either Russia or the U.S. But the solution to those problems can well hinge on assistance furnished by either or both of the two great powers. Such assistance will only be forthcoming if those powers are relieved of other burdens they are carrying through lack of understanding on larger issues and if suspicions of each other's motives are lessened.

The future of the uneasy truce between India and Pakistan likewise depends on Soviet-U.S. cooperation, as may indeed the ultimate survival of India itself. By a series of reciprocal or agreed-upon Soviet-U.S. actions, India and Pakistan were pulled apart from suicidal war, and since then India has been kept alive mainly through American and Russian food shipments. Red China alone would profit if the U.S. and Soviet Russia parted company in their policies toward the subcontinent of Asia.

Viewed pragmatically, the Soviets have more to gain than the U.S. through following a parallel rather than a divergent course of action in each of the critical areas where choices must now be made. In terms of global political effects, the chief gainer from a U.S.–U.S.S.R. cleavage would be Red China, and the principal consequence among the developing nations would be anarchy or chaos. The notion that the Soviets can profit from fishing in troubled waters has not withstood many practical tests. Witness the results of Soviet intervention in Africa and Latin America. Even on its own periphery, Russia has not been notably successful in its efforts to divide and conquer.

But the real crunch for the Soviets, in the event they cannot bring themselves into an accommodation with the U.S. on the critical issues they face together, would be in the effects on the Russian domestic economy. Technologically, that economy lags 20 to 50 years behind that of the U.S., notwithstanding the great progress in industrial development achieved by the Soviets since World War II. In such areas as computer and laser technology, to mention but two examples, there is far more of a gap between the Soviet economy and its American counterpart than that of which the nations in Western Europe are wont to complain. In supporting a military and space budget almost the equivalent of ours with about half of our gross national product, the Soviets have had to forgo advances in many other facets of their society, including, of course, the consumer-goods industry.

Their dilemma can only be aggravated by any scaling-up in military expenditure, or in what we term foreign aid forced upon them by an effort to match or outdo U.S. efforts to change the balance of power. In any spending contest with the U.S., the Russian economy will, for the near term at least, be at a serious disadvantage. The Soviets' current problems with divergent elements among the bloc countries, notably Rumania, are but one manifestation of the price the U.S.S.R. will have to pay if the hard-line view should prevail in the Politburo. In this connection, should the U.S. support the recently advanced candidacy of Rumania's Foreign Minister for the presidency of the United Nations General Assembly, the result might be to strengthen the position of the Soviet doves.

For the U.S. the cost of a failure to find common ground with the Soviet Union on the great world issues confronting them both is less obvious, but still of deep significance. With the second-highest budget deficit since World War II for the fiscal year just ended last June 30, the U.S. will be hard pressed to meet all the calls being placed on its economy without major sacrifices in some of its most cherished objectives. Foremost among those will be the rebuilding of its cities, the remaking of its transportation systems and the advancement of its educational programs. All of these now contend for Federal funds with the antipoverty program.

This contention can only grow fiercer should our military budget, now at a level of over $75 billion a year, or 60 per cent of the total Federal budget, go even higher as a result of a further escalation in Vietnam, an intervention in the Middle East or a new round of spending for strategic weapons, defensive or offensive. Of course, one answer would be to put the U.S. economy on a wartime footing, complete with high taxes and stringent price and wage controls. But these measures would only provide temporary relief from the pressure created by the basic imbalance between means and ends.

Another casualty flowing from a return to the cold-war conditions between the Soviet Union and the U.S. during the post-World War II years would be meaningful U.S. support for the Latin-American common market as well as the continuance of even minimal assistance to the emerging but still primitive economies in Africa. Our foreign-aid program is already suffering from attrition that does not stem entirely from lack of Congressional understanding and competition with internal programs.

The benefits to be derived from a common U.S.-U.S.S.R. approach to the current roster of world crises are thus evident. It remains to inquire whether both nations are so positioned politically and psychologically as to be able to reap those benefits.

In seeking such an approach, the U.S. must recognize the dilemma faced by Russia in its relations with Red China. On the one hand, the Soviets will continue to be sensitive to Chinese charges of American-Russian collusion and to be concerned over any resultant challenge by Red China to Soviet leadership of the Communist world. On the other hand, Soviet security vis-à-vis threats posed by the vast land and population mass to the east would be immeasurably strengthened by not having to contend with militancy from the West. For our Government the objective should be to encourage the Russian desire for security without forgoing entirely the search for ways to reintroduce China into the society of civilized nations.

No one time could be ideal for achieving a better U.S. relationship with the Soviet Union, but the obstacles to positive action seem less formidable at this juncture than at any period since World War II. In both countries, as demonstrated by the cease-fire in the Middle East and the talks at Glassboro, the civilian leaders are cautious and practical men, possessed of strong convictions but not given to following adventurous impulses. Neither enjoys such overwhelming political power as would warrant playing for high stakes; both must live with divided home fronts. Each has a fair understanding of the other's problems, and behind the public display of propagandistic statements a sensible channel of communications has been maintained.

Although in each country there will be found strongly articulate centers of militaristic opinion and chauvinism, the older generation of World War II-trained military leaders, now largely retired, is being replaced by a more sophisticated and less emotionally influenced group of active officers who recognize the limitations on the use of military power to achieve political aims. In consequence, the civilian heads of both countries are less subject to pressure for strictly military solutions. Even what President Eisenhower called the "military-industrial complex" in the U.S. business community has become sufficiently diversified in the last decade as no longer to be dependent for prosperity on a high level of defense orders.

Granted the limitations of present-day diplomacy and that sure-fire mechanisms of international statecraft have yet to be devised, there appears to be a large measure of commonality between U.S. and Soviet national interests. Even where those interests diverge, the separation is often no greater than that between two sides of the same street.

It would be vain at this juncture to hope for a series of "open covenants openly arrived at" between Russia and America. Initially, at least, the dialogue should be a private one, without the publicity that would be grist for the Red Chinese propaganda mill. Such a closed-circuit disclosure would naturally excite suspicions and worries among friends and foes of both the two world superpowers, as would any notion of a condominium between them. The optimum would be a succession of parallel actions taken warily step by step, with occasional steps backward but, one hopes, a preponderance forward.

There may be hiatuses and periods of apparent stalemate during elections and changes in government. But never again in our time may there occur greater opportunities than exist today for the U.S. and Soviet Russia to deal with world problems by accommodation and by understanding rather than at cross purposes and with force.

Mr. MURPHY. Mr. President, will the Senator yield?

Mr. CLARK. I yield.

Mr. MURPHY. Is that not the same Mr. Roswell Gilpatric who was accused of managing news while he was in service with the Department of Defense?

Mr. CLARK. I thought that was Arthur Sylvester.

Mr. MURPHY. I asked the question because I wanted to make certain.

Mr. CLARK. It was an officer in the Department of Defense. I do not think it was Mr. Gilpatric. I could be wrong.

SENATOR MONDALE'S TESTIMONY ON HOUSING LEGISLATION

Mr. KENNEDY of New York. Mr. President, on July 21, the distinguished and able junior Senator from Minnesota [Mr. MONDALE] testified before the Housing and Urban Affairs Subcommittee of the Committee on Banking and Currency. A part of that testimony dealt with the two significant housing bills that he has introduced in Congress this session. The first bill offers an approach to the problem of providing moderate-income families with the opportunity to purchase decent housing. The second proposal establishes a revolving Federal fund to aid nonprofit sponsors obtain the necessary expertise if they are to become involved in the effort to meet the housing needs of our urban poor.

Of the greatest interest, however, is Senator MONDALE's testimony concerning the priorities which this Nation must establish in treating the problems of the urban ghetto. He indicates—quite correctly—that we must concentrate first on providing all of our citizens with equal opportunity in the field of housing as well as in employment and education. Second, he points out most succinctly that we must intensify our efforts to improve the economic possibilities open to the poor. This Nation must be prepared to expend sufficient funds to train and then locate meaningful employment opportunities for all our disadvantaged citizens. Finally, Senator MONDALE states that we must supply more and better housing for low- and moderate-income families, and that for those who want and can afford it, this Nation should offer the possibility of homeownership. Nevertheless, he demonstrates only too clearly that supplying new housing units and offering homeownership are not panaceas. Families on welfare and men without income cannot afford decent living facilities whether they cost $100 or $75 or even $50 a month.

Mr. President, I think that Senator MONDALE's testimony should be read by all of us, so that we will be in a better position to evaluate the proposals presently under consideration in the 90th Congress. Our urban problems are pressing ones, and we must begin to find appropriate answers right now. Therefore, I ask unanimous consent that the testimony be printed in the RECORD.

There being no objection, the testimony was ordered to be printed in the RECORD, as follows:

STATEMENT OF WALTER F. MONDALE BEFORE THE HOUSING AND URBAN AFFAIRS SUBCOMMITTEE, BANKING AND CURRENCY COMMITTEE, JULY 21, 1967

Mr. Chairman, I appreciate this opportunity to appear before the Committee in the role of a witness to testify on the two bills I have introduced.

Talk of the urban crisis has become so common we are apt to forget what is at the heart of it. Poverty and discrimination, yes. But there is another important ingredient—a loss of confidence in the capacity of the governmental system to meet dire domestic needs. It is not enough to set up programs. We have to appropriate funds for them.

New programs are needed, but we add to the crisis of confidence when we do not fund the old ones. How can we expect anything but disillusionment and despair when programs like rent supplements and Model Cities are underfunded and even unfunded. I have two bills to talk about, but I want to make it absolutely clear that they are not alternatives to or substitutes for existing programs. They are supplementary and complimentary.

We have to clarify the situation. Many of the witnesses who have already testified have talked about the need to set priorities in our programs. I cannot agree with them more. The riots in Newark were not caused because this city had the second lowest percentage of home ownership in the country. Rather the riots were caused because of the frustration, the alienation, and the hostility of one segment of the community resulting from years of despair and disillusionment. We must deal with this attitude on the part of the Negro population and other poor people in our ghettos. We must meet the problems of the ghetto head on. And to do this, we have to accomplish much more than home ownership. This cannot be viewed as a panacea to the problems.

We must set up priorities. Fair housing legislation must be first. We must have the means available to break up the ghettos; we must provide all citizens with the freedom to live where they choose.

The second priority is the improvement of the economic opportunities of the poor. We must expand the anti-poverty effort, increase our expenditures for education in deprived areas, and invest more to attract business to the ghetto and to attract the Negro and low income person to the jobs. Increased job training, and programs like the Job Corps will assist here.

Our third priority is providing the poor with decent housing, and creating the environment necessary for viable neighborhoods. Model cities, rent supplements and FHA programs for the low and moderate income, public housing and urban renewal must be continued. We have pending at this time the appropriations bill for the Department of Housing and Urban Development. We have to make sure that these programs are restored to at least the level of the initial budget request.

A word about our rehabilitation program is needed. Congressman Widnall, when he appeared the other day, praised the efforts of the rehabilitation program. The apparent successes of this program are a bit misleading. Rehabilitation and programs emphasizing old dwellings have better results initially because they utilize existing housing. However we must recognize that with an expanding population—our housing supply must increase. This means new buildings have to be constructed and this means that we must subsidize the cost and rents of these units, programs such as 221(d)(3), and rent supplements do this. Our housing market varies from one city to another, some have housing shortages, other excess housing that can be rehabilitated. Programs to fit the needs of all cities must be available.

As part of this housing priority we need some program of home ownership for the low to moderate income families. But we must keep it in perspective. Again, I repeat it is not a panacea, it is not the final answer. We must create a society where people can live where they want to, and have the education and skills necessary to have an income sufficient to buy a home even at a subsidized rate. I have two bills that deal with the housing opportunities for the families of modest means.

Even with the impressive array of programs enacted in the 89th Congress, problems still exist. First, millions of modest income people in this country can no longer afford or obtain mortgage credit. "Redlined" residential areas, credit barriers for minority groups, and the constant threat of tight money are reducing home-buying opportunities even while our over-all economy is expanding. Secondly, we have called upon non-profit organizations to play an important part in housing low and moderate income families, but we have not given these organizations the aid and assistance needed in complicated and expensive undertakings.

The housing market resembles the job market. Just as the lower income and discriminated against are the last hired and the first fired, they are the last to get mortgage credit when money loosens and the first to be cut off when money tightens.

Housing finance also resembles consumer finance—the poor pay more. When an area is "redlined" by respectable lending institutions, the exploiters come in. The search for quick profits takes over. High rents and high interest loans encourage overcrowding, improper conversion, and rapid turnover. In their book on the costs of segregation, *Equality and Beyond*, George and Eunice Grier describe the housing situation for minority groups:

> ". . . some Negro families are forced to pay prices so exorbitant that they have little money for which to keep up their properties. Moreover, monthly housing costs often are increased by extortionate financing arrangements—such as 'lease-purchase' plans or high interest rate second and third mortgages—which Negroes must accept because 'reputable' mortgage lending institutions either refuse their business outright or are unwilling to lend money on properties priced at the inflated levels many Negroes must pay. In all too many cases, usurious costs are incurred because the properties are in the hands of speculators who insist on profiting outrageously not merely from the sale itself but from the financing as well."

Frustration is not restricted to the very poor. Frequently the family who experiences success enough to achieve a steady though modest income cannot obtain mortgage credit on reasonable terms. Moderate income families in the ghetto may have the economic capacity to meet monthly mortgage payments, and move to a neighborhood of older but sound and comfortable single-family dwellings. But the chances are great that such a family will be denied credit. The family will probably believe that racial discrimination is the reason. Lending institutions may say it is because older areas are high risk areas.

Whatever the response, the effect is the same. The family is denied adequate housing at a reasonable cost. The neighborhood goes down. Decline is inevitable when there is no money to fix-up and to preserve the single-family character of a neighborhood.

In her much praised books, *The Decline and Life of Great Cities*, Jane Jacobs points out that "droughts of mortgage money" are the cause of much urban decay. Over-cautious lending policies and the unavailability of reasonable credit account in part for the nearly two billion dollars spent on urban renewal.

Urban economists and others concerned with city problems agree that an orderly "turnover" process in older housing is necessary to prevent slum formation. In our recent hearings on mortgage credit, business groups urged the use of the so-called "filtering" process for low and moderate income families. But we have to be realistic; private lenders are reluctant to take risks on older dwellings. And the cost of mortgage credit is too great for low and moderate income families.

On a $15,000 house, the difference in cost between financing a 30 year mortgage at 7% and at 4% is more than $10,000. As mortgage credit costs increase, this limits those who can obtain it. An increase of only one percent in the interest rate raises by $500 to $600, the annual income required to purchase even an inexpensive house.

To meet the dual problem of the high cost of credit and the scarcity of mortgage money for lower-priced housing, I have proposed a Home Purchase Assistance amendment to the National Housing Act. The purpose of the bill is to broaden the government's housing program for families of modest means. The chart at the end contrasts my bill with existing legislation. The 221(d)(3) program mainly provides rental housing. The 221(h) program covers housing to be substantially rehabilitated for resale of low-income families. But the family of modest means who wishes to purchase a home has no program to turn to.

Not every low and moderate income family wants to purchase a house. And not every family who wants to purchase can do so. Supporting services and organizations may make some difference, but we do not know how much and at what cost.

What we do know is that credit is scarce for certain groups and areas, and that it is expensive for everyone. A subsidy in the form of an interest write-down and a freely acknowledged high risk program will put some people back in the housing market and help to conserve some neighborhoods.

I think these are worthwhile objectives. Like so many other worthwhile objectives they cost money. The $30 million I am asking for in the first year could enable 100,000 families to *start* purchasing an older but sound and adequate home.

Additional money would be necessary to cover losses. My request is for a $10 million reserve fund. This fund would not replenish itself because no premiums are charged.

Essentially my proposal calls for full FHA mortgage guarantees on previously occupied homes. The government subsidy would consist of the "risk" fund and a write-down on interest rates to 3%. The government-provided assistance would run for the life of the mortgage and be provided at a constant level. The monthly assistance would be a modest $30 or less.

Private lenders would make and service the mortgages. FHA would insure them. FNMA special assistance would be available in tight money periods. Thus the proposal relies mainly on existing institutions and on experts in the field now. For this reason I hope to see immediate benefits.

Housing problems are not restricted to the low income. My bill calls for the 221(d)(3) limits of eligibility. In Minneapolis-St. Paul for a family of four, this limit is $8050; for a family of seven $10,450. In a small, low-cost community such as Corinth, Mississippi, the limits go to $5100 for a family of four and $6650 for a family of seven. The chart below gives other examples of maximum eligibility.

221(d)(3) INCOME LIMITS FOR SELECTED CITIES

City	4-person family	7-person family
Corinth, Miss	$5,100	$6,650
Gainesville, Fla	6,300	8,200
Los Angeles, Calif	8,400	10,900
Minneapolis-St. Paul	8,050	10,450
Newark, N.J	8,500	11,550
Peoria, Ill	7,600	9,900
Providence, R.I	7,400	9,600
Shreveport, La	6,550	8,500
St. Louis, Mo	8,500	11,050

The lower limit would be determined by acquisition costs and other expenses such as taxes, hazard insurance, and repairs. Mortgage limits are set at $12,500 and at $15,000 for high cost areas. In addition, large families would be entitled to an extra $2500 increase.

A significant number of existing homes do fall within the cost limits of the proposal. In a recent period, more than a quarter of the buyers of new homes sold their old homes for under $10,000. Nearly that many sold for between $10,000 and $15,000. About one in nine FHA mortgages on existing homes last year was less than $10,000. Over half fell in the $10,000 to $16,000 range.

This is in the range of the moderate income family. A $10,000 house at 3% for 35 years requires a monthly debt service payment of less than $40. But other housing expenses average more than $40 per month. An income of close to $4000 would thus be necessary. On a $15,000 mortgage, a minimum income of about $5400 would be required.

With the scarcity and high cost of credit, there is no difficulty in finding eligible people. The problem, which would have to be faced administratively, if not legislatively, is how to define and select those of greatest need.

One way to handle the problem is to work through non-profit organizations and let them make the choices. But I am reluctant to tie every new housing program directly to non-profit sponsors. They can play a part; my second bill, Operation HELP, is intended to strengthen them. But I do not think we can count on such organizations to service every community in the nation.

Non-profit organizations may be necessary to promote neighborhood revival, as aimed for under Mrs. Sullivan's 221(h) program. But I do not think every modest income family needs an intermediary or supporting services to purchase a home. Some may even look on these organizations as patronizing.

My proposal aims for flexibility—non-profit sponsors may be involved but are not required. Reviving a neighborhood that has gone down may be attempted, or an objective might be to prevent a neighborhood from beginning to deteriorate. Or, the need served might simply be adequate housing for a family otherwise excluded from the housing market.

I want to add a few comments about Operation HELP. Several existing programs depend on non-profit sponsors. In addition to 221(h) enacted last year, 221(d)(3), rent supplements, elderly housing and rural housing programs all enable non-profit sponsors such as church groups to become active in the housing field.

These groups often do not have the technical experts necessary to deal with the maze of problems associated with planning, developing, financing and even managing projects. In somewhat the same pattern as Title IX of last year's legislation, the Urban Information and Technical Assistance Services title, grants would be made to the states to promote and assist nonprofit sponsors.

At the federal level a revolving fund would be established as a second way of helping non-profit sponsors. No interest loans could be made to cover pre-construction costs such as architectural and other fees, market surveys, and site options. Some non-profit organizations do not have capital that can be freed to cover expenses preliminary to the actual construction of a project. The need has already been recognized this year in the Appalachia bill.

Both of my bills try to facilitate the workings of existing institutions. Both draw upon previous experience. Their aim is to supplement current programs. They, in turn, will stand in need of modification, and I am open to any suggestions.

Mr. Chairman, thank you for this chance to speak before the committee. I request that a section-by-section analysis of my bill, and a report on non-profit housing sponsors be placed in the record.

LOW AND MODERATE HOUSING PROGRAMS EXCLUSIVE OF RENT SUPPLEMENTS AND PUBLIC HOUSING

Program	Type of housing	Interest rate charged mortgagor	Maximum amount insurable	Subsidy mechanism	Intermediary	Eligibility requirements	Downpayment and maximum repayment time
221(d)(2)	1- to 4-family, new or existing, owner-occupied.	6 percent plus ½ percent premium.	$12,500 on 1-family unit, $15,000 in high-cost areas.	None (housing specifications more lenient than under 203).	None	None specified	$200 and 40 years for displacees.
221(d)(3) BMIR	Multifamily, new or rehabilitated, rental or cooperative.	3 percent	$13,500 per 2-bedroom unit and $17,000 per 3-bedroom unit for walkups, higher for elevator type.	FNMA special assistance.	Nonprofit sponsor.	Moderate income, set administratively.	No down and 40 years.
221(h)	Single-family, owner-occupied, minimum of 5 units per project, substantially rehabilitated.	do	Not specified	do	do	Low income, rent supplement eligibility.	$200 down and 25 years (time is set administratively).
Home purchase assistance, proposed 235.	Single-family, existing, owner-occupied.	do	Same as (d)(2) with an additional $2,500 for large families.	Appropriated fund	None required	Moderate income, same as 221(d)(3).	$200 or 3 percent and 35 years.

THE BOY SCOUT WORLD JAMBOREE

Mr. JORDAN of Idaho. Mr. President, yesterday an event of international interest and importance commenced in Idaho. The Boy Scout World Jamboree, the first to be held in the United States went into full swing at Farragut State Park. More than 14,000 Scouts and leaders representing 100 nations and territories traveled over our country's varied landscape visting many points of interest en route and now they are all gathered at the selected site in northern Idaho.

With the preparations complete and the event now in progress, I wish to commend all the people who have made it a reality. Nearly 100 national corporations have cooperated by donating both financial aid and special services; many Idaho businesses and individuals have given generously of their time, energy, and materials. Special preparations have been made offering the boys everything from a complete aquatics and fishing program to a full scale western rodeo.

The theme of the Jamboree, "For Friendship," is being accomplished in a realistic example of fellowship and brotherhood on an individual level that transcends national boundaries. We could all take a lesson from these youths in their eagerness to understand and learn from each other. The Jamboree is providing an open atmosphere for the exchange of culture and philosophy within the common context of outdoor living.

No one could have enunciated the purpose of such gatherings better than the founder of Scouting, Lord Baden-Powell, speaking at the First World Jamboree in 1920. He said:

> Let us go forth from here fully determined that we will develop among ourselves and our boys that comradeship through the worldwide spirit of the Scout brotherhood, so that we may help to develop peace and happiness in the world and goodwill among men.

The current World Jamboree is a tribute to traditional American hospitality and I am confident that, conducted in the spirit of Lord Baden-Powell's words, it will prove for those attending an experience in fellowship which will make a lasting and positive impression.

DEATH OF DESMOND FITZ GERALD

Mr. KENNEDY of New York. Mr. President, the death of Desmond Fitz Gerald is a great loss to the Nation and a tragic personal loss to his family and those of us who worked with him.

Dez Fitz Gerald was a man of extraordinary dedication who applied all of his mental and physical resources to the tasks in which he was involved. I worked with him on many occasions, and his ideas were uniformly challenging and his judgment invariably informed by knowledge and wisdom. Because his work involved the Central Intelligence Agency, it is difficult to detail all the major and important tasks that he performed on behalf of his country. I can only say, therefore, that he was one of the really fine public servants and that for his services to our country we should all be truly grateful.

His grieving family, his wife and children, can take consolation in the fact that no man served his country in a time of great peril and danger with more strength and dedication than he.

CIVIL DISORDERS

Mr. FULBRIGHT. Mr. President, during the past few weeks the Nation has been shaken by the civil disorder which erupted in some of our major cities and in various smaller cities.

Each of us, I am sure, has many unanswered questions as to the causes of such outbreaks. Have we failed to provide sufficient programs or sufficient funds to alleviate the devastating effects of slum living conditions? Or, have the programs which we created proven beneficial to the slum residents they proposed to help? Where do we go next?

Frankly, these questions remain unanswered. But we do know two things: The answer is not retribution; nor is the answer a "reward for the rioters."

I do not presume to have instant answers nor solutions. However, I believe noteworthy an editorial in the Wall Street Journal of July 31, which warned of the public's antipathy toward "legislators who lead Negroes on with airy promises of instant progress and then come up with hasty, ill-conceived programs that can produce little but increased frustration."

This warning was sounded most recently in Senate hearings by Dr. Robert C. Weaver, Secretary, Department of Housing and Urban Development, who cautioned us on a hasty adoption of a homeownership plan for the poor. As the Journal editorial noted, Dr. Weaver said:

> Pride in home ownership can quickly turn into fresh bitterness and disillusionment.

He continued to say:

> We've got to be honest with the people out there.

I would recommend that my colleagues read this excellent editorial and I request permission to insert this editorial from the Wall Street Journal, July 31, at this point in the RECORD.

In addition, Mr. President, there appeared in the Evening Star on the same date an article by Mr. Eliot Janeway, entitled "Vietnam War Gulps Domestic Funds." This article puts in some perspective the relationship between the war in Vietnam and our unsolved urban problems. I ask unanimous consent that Mr. Janeway's article also be inserted in the RECORD.

There being no objection, the editorial and article were ordered to be printed in the RECORD, as follows:

[From the Wall Street Journal, July 31, 1967]

PLAYING POLITICS WITH RIOTS

Though some people deplore the idea, this summer's riots are a legitimate political issue. If the issue is thoroughly aired, it's even possible that constructive measures will result.

In the political battling up to now, of course, certain of the contestants have scarcely distinguished themselves. President Johnson scored no points by delaying dispatch of Federal troops to Detroit while he made it clear that the order was inspired by Michigan's Governor Romney, who may oppose him for the Presidency in 1968.

Congressional Republicans, moreover, were at best superficial in their effort to sum up the current situation. While it's hardly unusual for the party out of power to blame almost everything on the existing Administration, vague charges do little to solve the nation's problems.

With enough debate in this area, however, the public's views may become clearer to their elected leaders. At any rate, that should be the result of the workings of politics in a democracy.

First and foremost, it should be evident that the overwhelming majority of the public, white and Negro, wants and expects preservation of law and order. If further evidence of near-unanimity were needed, it was provided by last week's statement from Roy Wilkins and other Negro leaders; they said nothing could justify "the present destruction" and also urged criminal prosecution of those who help incite violence.

Politicians who sound out their constituencies with any care aren't likely to find that the general desire for repression of riots has yet become a push for new repression of Negroes. But they probably will find a growing public antipathy toward legislators who lead Negroes on with airy promises of instant progress and then come up with hasty, ill-conceived programs that can produce little but increased frustration.

Some lawmakers, for instance, seem to think the prime need is a massive new effort to turn all, or nearly all, of the poor into homeowners. Yet Robert C. Weaver, Secretary of Housing and Urban Development, quite correctly cautions that some families are simply incapable of carrying the financial burden, even when aided by liberal Federal subsidies. In such cases, he told a Congressional committee recently, pride in home ownership can quickly turn into fresh bitterness and disillusionment.

The Secretary also stressed that even the most gigantic Federal subsidies cannot possibly produce immediate solutions to problems that have been building up for a century and more, "We've got to be honest with the people out there, he warned.

That does not mean that "the people out there should be told that their lot is hopeless. There is room, though, for a little more mention of the indispensability of self-help and a little less effort to tout the Federal Government as a power that either can or should do everything for everybody.

It is in assessing the role of Government, what it is or ought to be, that there is wide room for political debate. If a particular phase of the antipoverty program is floundering badly, and some of them certainly are, criticism plainly can be constructive. Perhaps the program can be made to work better or maybe resources that would otherwise be merely wasted can be diverted into more useful channels.

In the process tempers will be frayed and the politics won't always be high-minded. Thinking and rethinking the problems will consume a lot of time and, now and then, will continue to lead to solutions that actually aren't solutions at all.

The workings of a democracy, after all, are seldom neat and orderly. When they're given a chance, however, they can sometimes produce astonishing results.

[From the Washington (D.C.) Evening Star, July 31, 1967]

VIETNAM WAR GULPS DOMESTIC FUNDS

(By Eliot Janeway)

NEW YORK.—Since 1965, the Johnson administration has been bogged down in the jungle. But it is beginning to look like it is the wrong jungle. The explosions in our cities have caught the federal government overcommitted in Vietnam and undermobilized to root out the source of the cancer at home.

Money cannot win wars but lack of money can lose them. If money could buy victory, Vietnam would long since have been won. It has set a new record for dollars spent and goals unrealized.

LOCAL MONEY NEEDED

Worse yet, we are far from the end or even the beginning of the end. Expensive though the war has already become, our commitments of money are necessarily escalating along with our commitments of military manpower and equipment. The cost of the war is admittedly running substantially ahead of the budgetary provision for it.

A year ago, when war costs were already running at the rate of $2 billion a month, Secretary of Defense Robert McNamara was admitting to only $1 billion a month. If McNamara's arithmetic proves as wrong this year as it did last, the country will wake up to discover it has a $4-billion-a-month war on its hands. A realistic estimate of the present drain is $3 billion a month, or at an annual rate of $36 billion.

The $36 billion will not buy a year's peace in our riot-torn cities. But it would begin to put together the makings of a pretty impressive shopping list of everything that's needed—all the way from nursing homes for the old people to nursery schools for the young, with schools, hospitals, and housing.

Of course, the money that's needed to meet the challenge of the second front—in the jungle war in our cities—could not and would not come from the federal government, even if Vietnam were over and done with. This is the kind of money the cities and states are obliged to raise by their own borrowings, backed by their own use of the taxing power. It is the kind of money need that is best identified and met close to home.

The trouble is that the federal government needs to scoop so much money out of the stream to pay for the running cost of the war that it has crowded state and local governments away. Even before the disaster in Detroit forced the country to recognize that it is involved in not one jungle war but two, and while Vietnam was still costing very much less than it is now, states and cities were withdrawing bond issues and making do without new money for old projects.

LITTLE LEFT FOR CITIES

The underfinanced condition of the federal treasury is the main reason why the present inflation is making cash worth more, not less, and why it is going to be worth still more. The banking firm of Salomon Brothers & Hutzler, in its authoritative weekly commentary on money conditions, calculates that the Treasury supplied $12 billion of lendable cash to the money market during the first half of 1967, but will borrow more than $16 billion back during the second half—a greater than seasonal shift. The latest Treasury borrowing announcement suggests that this may be a low guesstimate.

This net change in the federal government's money-using operations will preempt $28 billion of market availability from less powerful borrowers within half a year. This is the scale on which the cities and the states behind them are on notice to find the money to get ahead of their blight and to defuse the time bombs ticking in their ghettos.

Lyndon Johnson is on notice to make room in our congested money market for our war-torn cities and their tax-burdened citizens.

FOUR PROMINENT NEGRO LEADERS SUPPORT PRESIDENT JOHNSON'S CALL FOR LAW AND ORDER

Mr. MONDALE. Mr. President, on July 26, four of the most distinguished

Negro leaders in the United States issued a joint statement strongly and unequivocally condemning riots and civil disruptions as methods for resolving urgent national problems. Dr. Martin Luther King, Roy Wilkins, Whitney Young, and A. Philip Randolph added their respected voices to that of the President and many Members of the Congress in urging an immediate return to reason while condemning rioting which, in the words of the statement, is destructive of the Negro community itself.

On July 27 at a Government Research Subcommittee hearing on S. 843, the Full Opportunity and Social Accounting Act introduced by myself and 10 other Senators, I commended Whitney Young for his role and that of his associates in the development of this constructive and sagacious statement. I asked that the statement be inserted in the hearing record at that time because of its excellence and I will ask that it be reprinted in the Congressional Record today for the same reason.

Mr. President, this statement by four prominent Negro Americans rightfully reminds both the Negro and white communities that just as no injustice justifies violence, no injustice can be forgotten once the violence subsides. The underlying causes for violent civil disorders do not vanish with the coming of dawn as do the snipers and looters. Those deeply rooted, pernicious problems of human injustice, deprivation and despair remain for reasonable men to deal with. Mr. Young made an eloquent plea for the tools needed to combat and eradicate the causes of such disorders at the hearing on S. 843. President Johnson's recent address to the Nation mirrored that plea.

Mr. President, it is imperative in the difficult days ahead that we unite behind the leadership of the President in condemning violent disorders, in determining as best we can their true causes, and in acting with dispatch and determination to eradicate the social illness of which riots are symptomatic. I was delighted with the President's decision to establish a blue-ribbon Commission to determine the true source of riots in our cities. I was particularly pleased with the President's selection of Senator Harris as a member of the Commission, for Senator Harris and I had previously cosponsored Senate Joint Resolution 97 which specifically endorsed the urgent need for such an advisory panel.

Mr. President, I believe we already know in a fragmentary way the roots of rebellion, looting, pillaging, and murder in our great cities. However, the President's Commission will lend authoritativeness to those intuitive beliefs and will point up the imperative need for quick action by the Congress and the public to eliminate the seeds of destruction too long cultivated in our cities. The Commission's work will also demonstrate, I think, the great need which exists for an ongoing systematic appraisal of our progress in providing full social opportunity for all our citizens. The Council of Social Advisers proposed by S. 843 could provide that essential appraisal.

Mr. President, I ask unanimous consent that the text of the statement by Messrs. King, Randolph, Young, and Wilkins be inserted in the Record at this point.

There being no objection, the statement was ordered to be printed in the Record, as follows:

[From the Washington (D.C.) Star,
July 26, 1967]

A Plea to Negroes

(Text of a statement made by four top Negro leaders today appealing for an end of rioting)

Developments in Newark, Detroit and other strife-torn cities make it crystal clear that the primary victims of the riots are the Negro citizens. That they have grave grievances of long standing cannot be denied or minimized. That the riots have not contributed in any substantial measure to the eradication of these just complaints is by now obvious to all.

We are confident that the overwhelming majority of the Negro community joins us in opposition to violence in the streets. Who is without the necessities of life when the neighborhood stores are destroyed and looted? Whose children are without milk because deliveries cannot be made?

Who loses wages because of a breakdown in transportation or destruction of the place of employment? Who are the dead, the injured and the imprisoned? It is the Negroes who pay and pay and pay, whether or not they are individually involved in the rioting. And for what?

Killing, arson, looting are criminal acts and should be dealt with as such. Equally guilty are those who incite, provoke and call specifically for such action. There is no injustice which justifies the present destruction of the Negro community and its people.

We who have fought so long and so hard to achieve justice for all Americans have consistently opposed violence as a means of redress. Riots have proved ineffective, disruptive and highly damaging to the Negro population, to the civil rights cause, and to the entire nation.

We call upon Negro citizens throughout the nation to forego the temptation to disregard the law. This does not mean that we should submit tamely to joblessness, inadequate housing, poor schooling, insult, humiliation and attack. It does require a redoubling of efforts through legitimate means to end these wrongs and disabilities.

We appeal not only to black Americans, but also to our fellow white citizens who are not blameless. The disabilities imposed upon Negro citizens are a century old. They remain because the white citizenry in general supports these restrictions.

The 90th Congress has exhibited an incredible indifference to hardships of the ghetto dwellers. Only last week the House defeated a rat-control bill which would have enabled the cities to get rid of the rats which infest the slums.

And finally, we support President Johnson's call "upon all our people, black and white alike, in all our cities to join in a determined program to maintain law and order, to condemn and to combat lawlessness in all its forms and firmly to show by word and by deed that riot, looting and public disorder will just not be tolerated."

No one benefits under mob law. Let's end it now!

Signed by: Martin Luther King Jr., A. Philip Randolph, Roy Wilkins, and Whitney M. Young Jr.

NEW DEFENSE PERIMETER IN THE PACIFIC OCEAN

Mr. FONG. Mr. President, the turmoil and civil war that are currently raging over mainland China have caught the attention of the world—both Communist and non-Communist. Because of China's size and population, no country or policymaker can afford to ignore the great change that has taken place over the past few years, especially in the field of military technology.

China's rapid progress in developing a nuclear capability will make some of our military bases—in Japan, Okinawa, and the Philippines—vulnerable to Chinese blackmail or attack in the near future.

There have been serious discussions among some of our top military and political planners about the possibility of American withdrawal from our forward bases around mainland China to areas that are beyond the range of intermediate range ballistic missiles.

The move, if it is to come, will probably be to the Mariana Islands—included in this chain of islands are Guam, Saipan, Tinian, and Rota—which are some 2,000 miles from China's mainland.

Although the vast South Pacific has been out of the mainstream of world history, it have become an area of great importance to the United States. The security of our country, a Pacific power by virtue of its long Pacific coastline and the presence of Hawaii in the middle of it, is intimately involved in the changes taking place around the vast Pacific basin.

Mr. President, because any new major defense consideration in the Pacific is of the greatest importance and concern to not only the people of my State but to the entire Nation, I wish to call the attention of my colleagues to a very interesting and enlightening article that deals with the possibility of the United States forming a new defense perimeter in the Pacific.

I ask unanimous consent that "New Defense Line in Pacific: Search on for Bases Closer to Home," that appeared in the August 7 issue of U.S. News & World Report be printed in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

New Defense Line in Pacific: Search on for Bases Closer to Home

(Note.—Time is growing short for a big decision in the Far East—where to build new defenses once U.S. gives up island bases hugging Red China. Military men say the day is near. Pentagon's choice centers on Guam and other Marianas, known to GI's in World War II. State Department has its own ideas for the Marianas. A showdown may be coming.)

A major change in U.S. strategy is now taking shape. It is to mean a withdrawal from bases in the Pacific to a line closer to home than at any time since World War II.

Strategists are looking ahead to the day when vital U.S. installations that have helped contain Communist China for almost two decades are going to have to be given up—in Okinawa, Japan, the Philippines, possibly elsewhere.

The withdrawal is regarded as just a matter of time. Some experts say it will occur in three to five years. Others insist the move will be forced even sooner.

In Japan, emotional and political pressures are building up to get the U.S. out of Okinawa—and out of Japan itself.

That is only one of two reasons why new plans are being made.

The other: The rapid growth of Red China as a nuclear power is making it clear that today's forward Pacific bases will soon be too close for safety to missile bases on the China mainland.

The big question is: Where to move?

The preference of top military planners is already known. There will be a withdrawal to the Mariana Islands, if present planning is approved.

The Marianas, including the island of Guam, are 2,000 miles from China's mainland—out of range of intermediate-range ballistic missiles, but still close enough to function as a "forward defense" for the continental U.S.

What will be needed is a complex of troop-staging and logistics bases for conventional wars in Asia. Sites for nuclear stockpiling will also be required, with missile bases and huge airfields for atomic bombers. A fleet-repair facility able to handle the biggest carriers is under consideration.

Military men do not want to center all this on one island, as was done on Oahu in the Hawaiian Islands before World War II. There, the single attack on Pearl Harbor in 1941 had a devastating effect.

Military officials would like to fortify four separate islands in the Marianas. In addition to Guam, they would include three nearby islands made famous in World War II—Saipan, Tinian and Rota.

The map on these pages gives details on the exact location, size and suitability of these islands.

ISLANDS IN TRUSTEESHIP

Guam belongs to the U.S. and is an important base already. But the other three islands are unfortified and belong to no one. They were seized from Japan in World War II and are now part of the Trust Territory of the Pacific Islands, administered by the U.S. for the United Nations. Their future status is indefinite.

Fortifying these islands cannot be done without ruffling some feathers in the U.S. State Department and at the United Nations. Military men, aware of this, insist that it is in America's vital interest to make the move despite the political consequences.

In recent weeks, military authorities have surveyed existing facilities on Guam with an eye to expansion. They found the island not nearly big enough for all the future needs.

Guam already is being used as the major base for B–52 bombers on missions to Vietnam. It serves as the support center for Polaris atomic submarines on long-range patrols off the China coast. It is a big naval-supply base.

Says one officer:

"I don't see how we can make intelligent plans for the future without including Saipan, Tinian and Rota. We would be insane to put all our eggs in one basket on Guam alone."

Withdrawal from the present forward defense line will mean giving up half a dozen big air bases in Japan, as well as naval bases at Sasebo and at Yokosuka, regarded as the finest naval-repair facility in the Pacific.

A pullback from the Philippines would raise a need to replace the sprawling Clark Air Force Base as well as the big naval bases at Cubi Point and Subic Bay.

IF OKINAWA GOES

It will be the loss of Okinawa, however, that will be most damaging. The U.S. has invested more than 1 billion dollars in the postwar years on what is probably the most elaborate multiservice military installation anywhere in the world.

Since the start of the Vietnam war, activity has increased tenfold. Okinawa, long the mainstay of U.S. defenses in the Western Pacific, has now become also a giant funnel through which much of the paraphernalia of war pours into South Vietnam and Southeast Asia.

U.S. money and imagination have turned the island—67 miles long and from 2½ to 19 miles wide—into one vast patchwork of military posts, airfields, an Army port, training camps, ammunition dumps, warehouse depots, storage areas and housing complexes. In all, there are 117 separate military installations on the one island.

Under terms of the 1952 peace treaty with Japan, from which the island was wrested in World War II, no time limit was placed on the U.S. occupation of Okinawa.

In recent years, however, pressure has been growing in Japan to force the U.S. to loosen its hold on the island and eventually to return it outright.

A former Ambassador to Japan, Edwin O. Reischauer, considers this demand for reversion "the gravest problem in Japanese-American relations."

Resurgent nationalism in Japan is one reason for the demand. So is the desire to wipe out a lingering vestige of wartime defeat and what many Japanese consider an "unequal" peace treaty.

Okinawans themselves want to be reunited with the Japanese, whose race, language and culture are similar.

U.S. military men insist that a showdown over Okinawa is coming much faster than State Department officials are willing to recognize.

THE NUCLEAR THREAT

Weighing heavily on the minds of military men responsible for U.S. security is the emergence of Red China as a nuclear power. This by itself lessens the value of Okinawa. The island is barely 500 miles from the Chinese mainland—within range not only of relatively short-range missiles but also of Red bombers and submarines.

U.S. strategists insist that sound military doctrine, leaving aside any political factors, dictates that the U.S. fall back from a position within an enemy's nuclear reach.

Hawaii, once the key defense outpost in the Pacific, is now considered too far to the rear of U.S. defense commitments in Asia. Islands such as Wake and Midway are not large enough to support modern military complexes. Only the Mariana Islands fill the bill.

Legally, there is nothing to stop the U.S. from moving ahead now and fortifying the islands.

In 1947 the U.N. Security Council gave the U.S. a "strategic" trusteeship over the Marianas and all of Micronesia—the former Japanese mandate that includes more than 2,000 islands covering an area the size of the U.S.

This was the only strategic trusteeship granted. It differs from 11 other U.N. trusteeships in that it entitles the U.S. "to establish naval, military and air bases and to erect fortifications in the trust territory."

State Department legal experts concede that the U.S. could move ahead "without asking approval from anyone, the language of the trusteeship agreement is so strong."

PRECEDENT ON KWAJALEIN

The U.S. already has established a precedent elsewhere in Micronesia by turning the island of Kwajalein into a site for nuclear-missile tests. That event was simply "noted in the trustee's annual report to the Security Council."

But there are hitches, and these are leading to friction between military men and some State Department officials.

The U.S. is supposed to be preparing the Micronesians for "self-determination" under the trusteeship agreement. That would carry with it the right to veto any U.S. plan to erect bases in the Marianas. Military men familiar with the situation know what they want: to go right ahead and fortify the Marianas while they are still in U.S. hands. At the same time, they would give the inhabitants of the Marianas the chance to vote themselves out of Micronesia and into a union with Guam.

This would make Saipan, Tinian and Rota part of the U.S. territory of Guam. Its people would be American citizens, as are Guamanians. The rest of Micronesia could go its own way.

Sentiment in the Marianas, right now, is in favor of joining with Guam, its best trading partner.

A U.S. official reports: "The people of the Marianas, especially on Saipan, feel very close to the U.S. and would like to be even closer."

State Department officials, however, are dead set against letting the Marianas detach themselves from the rest of Micronesia. The Marianas, they point out, are the most progressive and best-developed of the Pacific trust islands. They doubt that the rest of Micronesia could ever set up a going economy without the Marianas.

These officials see the Marianas as part of an independent Micronesian union of the future, taking its own course in the world. They detect a growing cohesion among Micronesia's 100,000 widely dispersed people, and they do not want to disturb it.

The U.N.'s Trusteeship Council, in its most recent report, also opposed separating the Marianas and joining them to Guam.

There the matter now stands. In the military view, the State Department may turn out to be the big stumbling block to fortifying the Marianas, despite the recognized legal right of this country to do so.

Says one top military officer: "If it has its way, the State Department is sure to drag its heels for years on this whole issue, as it does on other things that relate to U.S. interests."

THE BASIC QUESTION

It boils down to this question, in the view of military planners: Will long-range defense of the Pacific take precedence over the ideas of a united Micronesia?

A State Department official counters:

"The military will not make the decision. The Micronesian people themselves will have the right to choose their own future status."

With a pullback from forward bases only a matter of time, and with the search on for alternative bases, military men are seeking a clear-cut decision on the Marianas.

THE METROPOLITAN DEVELOPMENT SUPPLEMENTARY GRANTS PROGRAM

Mr. MONDALE. Mr. President, it was my privilege to be appointed this year to the Housing and Urban Affairs Subcommittee of the Banking and Currency Committee. As a member of this subcommittee I have tried to look at the full range of urban problems now facing us. A great deal of attention has been given to the model cities program, and this is proper. It is important that we reverse the decline of older neighborhoods and revitalize inner-city areas. But we must remember that our urban problems are not restricted to central cities and older business and residential districts. We are a nation of many expanding metropolitan areas. As such we face problems other than blight at the core of a few large cities. Urban sprawl, rapid growth, and an ever-rising demand for services and facilities place the suburbs and other outlying communities in difficult economic and governmental circumstances. Increasingly we have come to realize that the financial and legal capacity of rapid-growth areas may not be adequate to meet their problems.

Efforts to help these growth areas culminated last year in an important but neglected and unfunded piece of legislation: The metropolitan development supplementary grant program. I would like to review the needs that led up to that legislation and make a plea that we provide funds for this program. We must meet the problems of growth adequately and intelligently.

The Federal Government has in the past responded to several needs of developing communities. Grants have been made available for a variety of public programs and facilities: To provide transportation, for recreational purposes, to acquire and develop open spaces, for water and sewer facilities, for community beautification and historic preservation, to mention only some. These programs are important and will remain so. In the last decade municipal tax revenues rose 60 percent, expenditures 76 percent, and debt 80 percent. Furthermore, capital outlays over the past two decades, which have been enormous, will be exceeded greatly in the next single decade. Unquestionably, then, small and large cities, suburbs and central cities alike have needed and do need aid in order to meet their financial responsibilities.

Financial aid alone is not sufficient, however. If growth problems are to be met adequately, needs have to be foreseen and public facilities and programs coordinated. Thus the Department of Housing and Urban Development also provides money for comprehensive planning in urban areas. Indeed, the value of such planning for all jurisdictions has come to be appreciated. Legislation is now pending which would authorize comprehensive planning for rural as well as urban areas.

Planning agencies have made important contributions, but it is not enough to do studies and make recommendations. Real economy and efficiency require that actual projects, not just paper proposals, be carried out in accordance with areawide needs. This is the essential reason for the metropolitan development supplementary grants program. It assumes that good planning has been done and that an incentive would assure programing in accordance with that planning. It is not, we should all note, a device to assure excellence in planning. We have good planning. Our most pressing problem concerns the effectiveness of planning, not the quality of it. Under the metropolitan development supplementary grants program, an incentive would be offered for local governments to cooperate in a voluntary program of meeting growth needs. In this way locally elected officials would be encouraged to make sure that opportunities to cooperate and to coordinate their efforts will not be lost.

Mr. John Mulroy, speaking on behalf of the National Association of Counties, referred to the metropolitan development legislation of last year as "probably the most important step Congress has taken to emphasize and encourage the drastic need for coordination at the local level." One reason we require so much money for local public facilities is that mistakes were made in the past when existing areas were developed. Duplicating and conflicting facilities have resulted from a lack of developmental planning and project coordination. Neither the Federal Government nor State and local governments can afford further costly mistakes. We cannot afford, for example, to have schools built on land that is taken for highways. There have been too many unfortunate instances in which one community has contaminated the water supply of another. We must pursue savings that can come from such projects as a consolidated rather than fragmented water or sewage system. Economies of scale can be realized in the construction of projects and in the operation of services.

The Advisory Commission on Intergovernmental Relations has thoroughly documented the costs of failing to achieve cooperation in one area, that of combating pollution and supplying water. The costs have been high. Ground-water reserves have been depleted in some places, recreational areas spoiled in others. Suburban homeowners, unaware of the inadequacies of their original water and waste facilities, have often resisted the construction of a community system and then, in the face of a crisis, opted for a small, inefficient system. As a result some suburbanites have made triple investments. The Advisory Commission described the process this way:

> For the homeowner, individual systems usually are a source of inconvenience and expense. Initial installation costs, in a development of any size, are generally higher than those of either a rudimentary community system or a connection to a central system. Upkeep, particularly for septic tanks, is higher than normal sewer use charges, ranging from $40 to $100 a year in most areas. As the system begins to fail, maintenance charges rise sharply. Fire insurance costs reflect the lessened protection available with individual water supply systems. And in most areas, the resale value of a home with individual systems is lower than one with community water and sewer service. Additional outlays inevitably are necessary when wells run dry or become polluted, or when the septic tank no longer works.
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> Since the homeowner generally is unaware that his original water and waste facilities are temporary, he resists proposals to build a community system until the hazards produce a crisis. Then the inclination is to take the cheapest alternative, usually a small, inefficient community system. Thus the homeowner pays twice for his water supply, and sometimes three times for sewerage disposal, as the small community systems are absorbed into larger, more economical, and more logical collection and treatment systems. There is an inevitable element of civic disillusionment built in this costly process.

Incentive grants to stimulate cooperation among local governments would assure that Federal funds are being used efficiently at the point of impact. Surely we must exercise our responsibility to see that federally assisted projects are being executed effectively by not duplicating one another needlessly. And certainly we should make sure that the benefits of one project are not nullified by another project through a failure to achieve cooperation and understanding.

Metropolitan development supplementary grants are widely supported as an effective means for synchronizing Federal projects in growth areas. Local government officials have given the program their strong endorsement. Representatives of the National League of Cities, the National Association of Counties, and the U.S. Conference of Mayors have appeared before both authorizing and appropriating committees to ask that the program be put into effect. In fact, all three of these organizations have urged that the program be expanded to include rural and nonmetropolitan areas.

In a report to the Intergovernmental Relations Subcommittee, the Joint Center for Urban Studies of MIT and Harvard supported financial incentives for local cooperation. The executive branch has also given stanch backing. Last year's Presidential message on cities called for supplemental grants to any jurisdictions which show "that they are ready to be guided by their own plans in working out the patterns of their own development and where they establish the joint institutional arrangements necessary to carry out these plans." Almost all parties concerned agree that financial incentives are the most practical and acceptable way to achieve local cooperation and joint action. Section 205 of last year's legislation authorized the necessary grants. If we do not provide the incentives for cooperation now, we face a proliferation of problems and continuation of inefficiencies.

As we give consideration to incentives in the form of supplemental grants, we should keep in mind specifically what the Federal role is in rapid-growth areas. The report by the Joint Center for Urban Studies explained that role clearly:

> The nature of the Federal Government's responsibility for and interest in metropolitan development differs in kind from that of State and local governments. Federal action should and does seek limited ends, in terms of assuring and increasing the efficiency of the Federal investment in metropolitan areas. It properly should and does leave to local and State entities the detailed decisions as to the goals, organization, and powers of the bodies set up to do metropolitan planning, review, and cooperation.
>
> Consequently, the Federal Government should not act with respect to the specifics of metropolitan planning, but only more generally, to buttress the climate in which cooperation at the metropolitan level grows. Procedural requirements attached to substantive benefits can contribute to this atmosphere by opening channels of communication and creating areas for negotiation within the everyday workings of the local decisionmaking process. Administrative actions and incentives clarify the roles and purposes of metropolitan planning agencies, thus giving them a more concrete place in the governmental structure, so that the Federal Government may achieve a wiser and more economical use of its program in metropolitan areas.

The metropolitan development supplementary grants are admirably suited to the attainment of these limited goals. The grants would be an incentive to coordinated and planned metropolitan development, but would involve no Federal supervision and guidance. State and local bodies and agencies would receive supplemental grants for projects carried out in accordance with their own metropolitan planning and programing.

To be eligible for supplemental grants, an area would need to: First, establish metropolitanwide arrangements adequate for coordinating development policies and activities affecting the larger area; second, undertake metropolitan-wide planning and programing adequate for evaluating the location, financing, and scheduling of public facility projects and for evaluating other proposed land uses which have significance to more than one jurisdiction; and, third, see that public facility projects and other land uses which have a major impact on the development of the metropolitan area are carried out in accordance with comprehensive planning.

The supplementary grants may not exceed 20 percent of the cost of an eligible project, and the total Federal contribution is limited to 80 percent. Communities could receive supplemental assistance under 10 Federal programs administered by five different departments:

First. Grants for basic water and sewer facilities, administerd by the Department of Housing and Urban Development under the Housing and Urban Development Act of 1965;

Second. Grants for the construction and modernization of hospitals and other medical facilities, administered by the Department of Health, Education, and Welfare under the Public Health Services Act—Hill-Burton Act;

Third. Grants for the construction of libraries, administered by the Department of Health, Education, and Welfare under title II of the Library Services and Construction Act;

Fourth. Grants for construction of sewer treatment works, administered by the Department of the Interior under the Federal Water Pollution Control Act;

Fifth. Grants for highway construction—Federal-aid primary and secondary systems and urban extension, but not the Interstate System—administered by the Department of Transportation;

Sixth. Grants for airport development, administered by the Federal Aviation Agency, Department of Transportation under the Federal Airport Act;

Seventh. Grants for urban mass transportation facilities and equipment, administered by the Department of Housing and Urban Development under the Urban Mass Transportation Act of 1964;

Eighth. Grants for acquisition and development of open space land, for urban beautification and improvement or for historic preservation administered by the Department of Housing and Urban Development under the Housing Act of 1961—the historic preservation provisions are added to the 1961 act by the Demonstration Cities and Metropolitan Development Act of 1966;

Ninth. Grants for the acquisition and development of lands and waters for recreation purposes; administered by the Department of the Interior under the Land and Water Conservation Fund Act of 1965;

Tenth. Grants for public works and facilities in redevelopment areas, administered by the Department of Commerce under the Public Works and Economic Development Act of 1965—but only if they involve works or facilities of a type which the Secretary of Housing and Urban Development determines to be eligible under items 1 to 9, above.

Each of these programs has particular relevance to growth patterns. Each therefore represents a critical need for cooperation across jurisdictional lines. By tying incentives to the actual execution of projects, the role of elected officials in planning and programing would be strengthened. Areawide plans would no longer be neglected, but closely related to each area's agenda of action and development.

Mr. President, in conclusion I want to say again that the rapid expansion of metropolitan areas is creating problems we must cope with. Urban communities, some of them rural and nonmetropolitan in character a few years ago, now face abrupt increases in expenditures to pay for needed public facilities. Growth has pushed many of these communities to the limits of their financial capacity. The metropolitan development supplementary grants would aid these communities, and do so in a way that would foster sound growth. We need to coordinate Federal programs in development areas, to promote economy and efficiency in capital improvements, to strengthen arrangements for cooperation on policies and projects of area-wide signifiance, to utilize the planning process as an effective guide to metropolitan development, to make consistent the activities of special districts and general governments in metropolitan areas, and to involve the elected officials in comprehensive planning. All of these needs could be served by the supplementary grants program. Our communities cannot go it alone financially or otherwise. These incentive grants would help local governments and enable them to achieve the kind of growth they want. I think this is an excellent way to maximize benefits from Federal assistance.

JOHN McNAUGHTON—A EULOGY

Mr. KENNEDY of New York. Mr. President, John McNaughton was a man of great ability and integrity. His services will be badly missed in the years ahead. I had the privilege of working with him on a number of matters and I know particularly how important his contributions were during the period of the Cuban missile crisis of 1962 and the Test Ban Treaty in 1963.

He knew the importance of the United States being strong but he also realized the necessity of this country making an effort to reach an understanding with the Soviet Union. He understood the importance of military power and at the same time he was one of the leading advocates within the Government of the use of that power in a measured, careful, and responsible way. I was always impressed as were all of his colleagues with his keenness of mind and his special sense of dedication.

Adam Yarmolinsky, who was with the Department of Defense and worked side by side with John McNaughton, knew him well as a friend as well as a colleague. At the funeral services at the Washington Cathedral, Mr. Yarmolinsky delivered the eulogy and caught, in the most touching way, the spirit of John McNaughton and his family—his wife and son, who died with him, as well as Alexander, his sole surviving son, and his marvelous parents.

I ask unanimous consent that this eulogy of John McNaughton, an outstanding and dedicated public servant, be placed in the RECORD.

There being no objection, the eulogy was ordered to be printed in the RECORD, as follows:

EULOGY BY ADAM YARMOLINSKY

The last time I saw John McNaughton was just a month ago when we spent an evening with a group of friends talking about the enormous demands that people in the world of ideas make on their government, to be wise and just and good, and the enormous difficulty that people in government have in getting anything done at all.

If ever anyone was fitted by temperament, preparation, and rigorous self-discipline to bridge the gap between those two worlds, it was John McNaughton.

He recognized, as sharply as anyone I've known, the difficulties of effecting a change in the practice of government, once a decision has been taken in principle. Whether the task was to remove obsolete missiles from foreign bases, or to introduce new concepts into NATO doctrine, he knew in advance the kind of effort that would be required, and he marshalled all his resources to meet the challenge.

And those resources were formidable. We all recognized his sheer intelligence, his articulateness, and the physical energy that enabled him to put in twelve-hour days six days a week. It was a measured energy too. He seldom came into the Pentagon on Sunday mornings. Part of that time was reserved for accumulated reading at home on matters that could be deferred during the week.

His multiple careers, as a newspaperman, a lawyer, and a teacher, all contributed to his achievement.

Whether it was a clause in the test-ban treaty, or the shape of the naval quarantine proclamation in the Cuba missile crisis, or a reply to Congressional mail, his lawyer's skills were focused on the problem as he turned to the typewriter that was always available behind his desk. No bureaucratic controversy ever dimmed his lawyer's sense of fair play. He insisted on precision in thought and word. I remember when we were considering a man for promotion to a new job, and I observed that he had some blind spots. John corrected me: "He doesn't have blind spots; he has bright spots. He sees some things so clearly they obscure other things he ought to pay attention to." There were few blind spots or bright spots in John McNaughton's vision of the world. He had already mastered the lawyer's highest art, the art of the relevant.

His newspaperman's sense of where the spotlight of popular attention would turn stood him often in good stead. One day he came out of a meeting and called for special precautions to anticipate a possible news leak, because, he said, an incident in the meeting was the kind of story he would want to tell his wife, and that was an infallible test of news. The story did leak almost immediately, but the government was prepared and could minimize the consequences.

Since he first taught the law of evidence at Harvard, John McNaughton never stopped being a teacher. Everyone who came into contact with him, learned from him. And the standards he set for his students were no higher than the standards he set for himself.

With all the talents and energies that he brought to his work, he still had talents and energies to spare. His physical energies found expression in tournament tennis, and his mental energies in music and painting. The abstract oil painting he did of the Cuba missile crisis expressed not only for him, but for many of his associates, the feelings we shared during those critical days.

John never wasted energy. I wondered why he chose the stairs rather than the escalator to reach his official office until I discovered that one could get there faster by taking the steps two at a time, instead of riding with the crowd.

John made time in his life for his family, whom he loved. He and Sally were on the way back from picking up Ted at summer camp when they were all killed. We cannot speak of him without speaking of them.

Sally's openness and grace warmed her friends, while the work she did in the District schools warmed many who never knew her. She enjoyed her roles as hostess, housewife, and mother, and she enjoyed them in part because she did them so well. We can be happy that she had the satisfaction of seeing Alex well launched into life. And we know that Alex will have the support of his whole family, from Indiana to California, just as John and Sally did.

John McNaughton had few illusions about the problems he faced in his work. He never underestimated his own antagonists or his country's. His view of the world was expressed in Housman's poem:

"I to my perils
Of cheat and charmer
Came clad in armour
By stars benign.
Hope lies to mortals
And most believe her,
But man's deceiver
Was never mine.

"The thought of others
Were light and fleeting,
Of lovers' meeting
Or luck or fame.
Mine were of trouble,
And mine were steady;
So I was ready
When trouble came."

But John was not a gloomy man. He was a natural member of Justice Holmes' "imaginary society of jobbists, who," Holmes said, "were free to be egotists or altruists on the usual Saturday half holiday, provided they were neither while on their job. Their job is their contribution to the general welfare, and when a man is on that, he will do it better the less he thinks either of himself or of his neighbors, and the more he puts all his energy into the problem he has to solve."

If, as has been said, happiness consists in the fullest use of one's powers in the pursuit of excellence, then John McNaughton was indeed a happy man.

GLOBAL INTERVENTION

Mr. FULBRIGHT. Mr. President, I ask unanimous consent that two recent editorials from the St. Louis Post-Dispatch be printed in the RECORD. These are excellent editorials and deserve the attention of the Senate.

There being no objection, the editorials were ordered to be printed in the RECORD, as follows:

GLOBAL INTERVENTION

Senatorial criticism of President Johnson's new military venture in The Congo may be an encouraging sign that thoughtful Americans are beginning to question the underlying doctrine of global armed intervention which is expressed so tragically in our Vietnam involvement.

The criticism comes from Senators as far apart as Russell and Stennis on one side and Fulbright and Mansfield on the other. They will do the nation a service if they provoke critical examination of the whole philosophy which casts the United States in the role of self-appointed world policeman, meddling in the internal affairs of nations on every continent, unilaterally exercising military power wherever some faceless CIA functionary decides it should be done.

The dispatch of 150 troops and three transport planes to support the Mobutu government against a purely internal rebellion is a small intervention, as such affairs go. But so was the Vietnam intervention deceptively limited at one time. The basic issue is the attitudes and assumptions which have led our Government so often to behave like an imperial power without an empire. Who decided, and by what popular mandate, that it is the American mission to use its national military power to overthrow governments or support governments anywhere it wishes?

Our first intervention in The Congo, in 1960, was justified because we were supplying the airlift for UN peacekeeping operations undertaken by collective decision in keeping with the UN's obligation to assist a peaceful transition from colonialism. Our second, in 1964, was a strictly national, unilateral exercise in support of then President Tshombe. Tshombe was driven out of The Congo and now we find ourselves intervening for the third time (unilaterally again) in behalf of his enemy-successor. Altogether, we have invested more than half a billion dollars in these adventures, all without Congress or the people having anything to say about it.

The State Department explains nothing when it says we have an obligation to uphold the "territorial integrity and unity" of The Congo. This amounts to arguing that we have a commitment because we have a commitment. Who decided, and by what popular mandate, that it is our unilateral responsibility to put down Congolese rebellions? Under the UN Charter we have an unquestioned duty to support collectively authorized peace-keeping missions, but the same Charter prohibits us from using armed force on the basis of our own national decision to uphold what we nationally decide is some country's territorial integrity.

As Senator Fulbright says, this policy constitutes an open invitation to Russia and China to embark on the same kind of foreign military adventures. We are constantly accusing them of doing so, but the fact remains it is our troops, not theirs, that are scattered all over the globe. It is time to call a halt to this open-ended doctrine of global intervention, and we hope the Senate debate marks a move in that direction.

FAR DOWN A DANGEROUS ROAD

When you think about it, there was something extraordinary about President Johnson's news conference at which he announced a decision had been made on increasing authorized troop levels in Vietnam. He had Gens. Wheeler and Westmoreland with him, and insisted that they publicly go on record as ratifying the decision, though none would say what it was. There had been a meeting of the minds, the President said, and the Generals were required to declare that they were satisfied.

What made this spectacle extraordinary is that in a civilian-run government there ought to be no question of having to satisfy the generals on such a basic policy decision as expansion of a war. A President would be expected to consult his military advisers among others, but in the end the decision and the responsibility ought to be his and his alone. The whole episode raises deeply disturbing questions as to how far our Government already has become a captive of the military.

By contrast, one may recall Walter Lippmann's anecdote about World War II, when Winston Churchill came to this country to co-ordinate strategy, the question being whether to strike first against Hitler or to concentrate American forces against Japan. Our military chiefs were divided, and so was the country. Those who favored the Roosevelt strategy of "Hitler first" asked Churchill to send his Chiefs of Staff before Congress to argue the case. As Mr. Lippmann tells it, Churchill let out a roar at the very idea of sending a British general before a parliamentary body. "I am the Minister of Defense," he said, "and I, not the generals, will state the policy of His Majesty's government."

That proud assertion of civilian prerogative is a far cry from President Johnson's press conference on Thursday. A few months ago the President, in an effort to stifle dissent on the war, brought Gen. Westmoreland home to address Congress and the nation. He was using the General's uniform and prestige to win an argument which he himself had not been able to win. The tactic did not succeed; the public's doubts and misgivings about this war have not been laid to rest but have intensified. The question now becomes who has been using whom. When a President seeks military allies to bolster his case with the voters, he runs the risk of delivering himself into their hands.

In the President's defense it must be acknowledged that he faces a baffling problem in dealing with a military establishment which does not scruple to conduct itself like an independent pressure group. Each service has its own captive Senators and Representatives, its lobbyists from the munitions industries dependent upon it, its public relations men and opinion manipulators. The ideal of a disciplined military organization advising but in the end carrying out the orders of a civilian government has been degraded to the reality of an arrogant and powerful military-industrial apparatus which undertakes not merely to carry out policy decisions but to make them.

Pressure of every variety is brought upon the President, Congress and the public to deliver what the military leaders want, whether it be more troops for Vietnam, new and costly weapons systems, expansion of nuclear overkill capacity, or even diplomatic policies touching on the most critical relationships of America with the world.

More and more it becomes a matter of course that when the military chiefs are unable to win presidential approval for their demands they go over his head to Congress and the country, grinding out propaganda and conducting pressure campaigns, based on the exploitation of fear and insecurity, for ever-greater military expenditure and dominance.

Richard Dudman reported recently in the *Post-Dispatch* a whole series of such public-opinion battles: to expand the war in Vietnam, to continue and intensify the bombing of the North, to frighten the country with the specter of a "megatonnage gap," to build more aircraft carriers, to embark on vast new nuclear weapons production, to build a costly and highly questionable antimissile system which is certain to escalate the arms race to unheard-of heights. All this the generals want, on top of the greatest panoply of military power ever put together, which spends in a year more tax money than the whole Government spent a few years ago.

Because Secretary McNamara has sought in some degree to curb the unappeasable military appetite, he has become the focus of resentment by the arms establishment, and there are signs of a campaign now either to tame him or to force his resignation.

When a President considers it necessary to win public approval from the leading generals for the most solemn policy decisions which he alone was elected to make, we are far gone down the dangerous road to military control. How and whether the trend can be reversed raises the most profound questions concerning the future of American society.

THE ORGANIZATION DEVELOPMENT PROGRAM OF THE DEPARTMENT OF STATE

Mr. LONG of Missouri. Mr. President, one of the most criticized agencies of

Government is the Department of State. They are the recipient of many brickbats. They rarely seem to get many bouquets.

I would like to give them a public bouquet for their ambitious and forward-looking organization development program, which is designed to cut down radically on redtape and inefficiency.

The program is of interest to me as an individual Senator and as chairman of the Subcommittee on Administrative Practice and Procedure. I believe it will be of interest to the Senate. Therefore, I ask unanimous consent to have printed in the Record an article describing this new program, written by Bill Andronicos and published in the Federal Times of August 2, 1967.

There being no objection, the article was ordered to be printed in the Record, as follows:

To Boost Efficiency—Ambitious Training Program Undertaken in State

(By Bill Andronicos)

Washington.—Although few people are aware of it, a training revolution currently is taking place within the Department of State. Its goal is to bring about effective management practices while at the same time wiping out the Department's reputation for red tape, excessive caution, and sluggishness.

From all indications, this revolution marks only the start of an ambitious training program which officials hope ultimately will eliminate such shortcomings as untapped employee potential, intergroup conflict, too many layers of supervision, excessive paper work, and poor communication.

Apparently, the State Department has realized that it would have to change its image from one of a traditionally bureaucratic organization into one shaped by staff participation and responsibility.

And like other federal agencies, the State Department has become acutely aware that a change of this magnitude—although difficult—could be achieved through training programs headed by men with exceptional skills and men knowledgeable in new concepts of management. The Department also realized that a large-scale project of this scope would involve radical changes.

For these and other reasons, former Deputy. Under Secretary of State for Administration William Crockett has implemented a training project which has come to be known as ACORD—Action for Organization Development.

Consequently, the State Department has joined the community of federal departments and agencies that now have begun pushing for improved training programs.

Described by Crockett as a program that is "unique and farreaching." ACORD basically is an action program designed to bring to bear on the State Department the insights and new knowledge of the social and behavioral sciences—as applied to training programs. It does this through a variety of methods—none of which stand alone.

Here is a list of major methods used by the ACORD program—as outlined by Crockett in a report forwarded to the Presidential Task Force on Career Advancement:

Special seminars. One-week seminars on organizational development make use of the training method pioneered by the National Training Laboratories (NTL) known variously as laboratory training, human relations training, T-grouping. These seminars are conducted by NTL trainers about once every two months for the State Department.

Outside training opportunities. The program also makes it possible for individual State Department employees to attend the outside T-groups (training groups) put on by NTL. For persons who will be highly active in the program, opportunities are made available for special training, such as NTL's Intern Program in Organizational Development at Bethel, Me., and the new 10-week UCLA program in organizational development.

Team-building and problem-solving sessions. These are short, off-side meetings—one to three days in length—organized by an NTL trainer. They provide a closer organizational focus than the outside training opportunities and special seminars in that they generally involve persons who work together, concentrating on building teamwork as well as with dealing with specific problems.

Building an external consulting team. An important element of the organic character of the ACORD program includes the association with the State Department of a team of top-flight social scientists from the NTL network of more than 250 trainers. In addition to serving as training staff in the special seminars and team-building and problem-solving sessions, these men work closely with line operators to help assure a strong link between training and follow-up action within the organization.

Building an internal consulting team. Staff members of this team are developing and refining skills that will make them useful as internal consultants to program managers for organizational development purposes.

Linking consultants and staff. To permit increased involvement and better continuity, individual consultants are assigned to specific branches of the organization as the program progresses. For example, two outside consultants and one ACORD staff member are assigned to the Bureau of African Affairs. As a team, they are able to work with line operators in diagnosing problems, conducting relevant research, and organizing off-site meetings for team-building or problem-solving purposes.

Structural and procedural changes. It is not enough to work on the interpersonal level without regard for organizational structure and procedures. All three are interrelated and have an impact on the overall goal of improved organizational effectiveness. Hence, the systems approach involves taking into account not only interpersonal relationships, but also the way staff meetings are conducted, how people are promoted and compensated, and the like.

Research. A general body of theory—coupled with general research findings and outside experience—all are indispensable toward working out concepts and initiating research programs. Hence, a variety of action-oriented research efforts are carried on—ranging from a project of advance interviewing of training participants in an off-site meeting to large-scale interviewing and survery research to determine the effects of a major reorganization.

The success of the ACORD program, according to Crockett, rests squarely on the body of theory that has emerged from the research and writings of such modern organization theorists as Rensis Likert, Chris Argyris, Warren Bemis and others.

"They hold that the classic bureaucratic structure," said Crockett, "was an efficient type of organization during the industrial revolution, but is now becoming obsolete under severe pressures of technological and social change."

The role of management, Crockett pointed out in his report, is to create conditions that will increase the maximum potential of employees—and at the same time, permit closer identification of the employee's as well as the organization's goals.

"Modern organization theorists," said Crockett, "have drawn heavily on small group research and theory, emphasizing the importance of effective groups in large organizations."

Another important theme in modern organization theory, according to the ACORD report, is the systems approach which recognizes that significant change in one part of the total system inevitably affects the other parts.

Conversely, failure to bring about a change in a major part of the system in line with attempts to change other parts seriously inhibits progress.

For example, many organizations routinely send employees off to human relations training, but do virtually nothing about familiarizing them with organizational development. According to the report, this may be useful to the individual, but the pay-off for the organization is likely to be minimal.

Similarly, reorganization may be desirable, but changing the structure alone is an inadequate approach to real organizational change.

"Nowhere in the organic approach nor in organization theory will one find a ready formula, a pat answer, to the enormously complex problems of organizational change and development," said Crockett. "There are important generalizations to be made use of, but in the last analysis the program must be tailored to the specific organizational needs and setting."

Like most large organizations, Crockett added, the Department of State is "very much a traditional bureaucracy," and it is confronted by a complex and changing environment. For that reason, organizational change is inevitable.

Consequently, the intent of the ACORD program is designed to help stimulate gradual change in positive directions—toward newer forms that contribute toward greater responsiveness and better communication.

Actually, the emergence of the ACORD program was not an overnight brainchild. On the contrary, it resulted from a number of change efforts carried on over the past several years by the Office of the Deputy Under Secretary of State for Administration.

One category of changes was technological and procedural in character. Innovative efforts have included a three-year project to develop a comprehensive programming system for the foreign affairs community in countries where a large number of federal departments are active, development of a manpower utilization system, and preliminary work on a substantive information system.

Another category of changes in the State Department has been structural in character. In July 1965, the Department's administrative area underwent reorganization in directions advocated by such organization theorists as the late Douglas MacGregor of the Massachusetts Institute of Technology and Rensis Likert of the University of Michigan.

Layers of hierarchy—as many as seven and eight in some cases—were stripped away in an effort known as "Management by Objectives and Programs." The effort, according to the report, has been noticeably effective in terms of job enlargement and clarification of program goals.

Whatever the case, the gradual organizational changes provided insights into what could be done with training programs.

Some experience, for example, was gained with experiments in human relations training—a program designed for high-ranking officers at its outset. This was followed by consultations with eminent social scientists from the National Training Laboratories network. By early 1966, a general program plan had evolved, and a small ACORD staff was established.

In the overall operation of the ACORD program, it was found that the T-group method has been a valuable tool in helping the program get started as well as in providing a focal point for disseminating information about the program and its objectives and creating a receptive attitude in matters concerning organizational changes.

Laboratory training under the ACORD program lays the foundation for subsequent team-building or problem-solving meetings, held away from the work site and generally lasting two or three days.

Basically, there is no difference between a team-building meeting and a problem-solving meeting. The former seeks to establish an effective working group, with stress on relationships. The latter seeks to work out specific problems within or among existing groups.

Whatever the case, these team-building meetings can do much to improve working relationships in many areas where communication tends to be lacking, change obstructed, problem-solving blocked, and competition rather than collaboration promoted. Typical of such areas of conflict are the relationships between Foreign Service officers and Civil Service employees—or of staff members in Washington and those scattered around the world.

One thing is certain. The ACORD program is still quite new—and undoubtedly will undergo a number of changes though the changes are unpredictable at this point.

Although the program has touched only a segment of the total organization, it reportedly already has begun moving from a first-stage of general involvement through the training-group method to specific real-life issues in the organizational setting.

As the program progresses, the report predicts, more and more resources will be devoted to teambuilding and problem solving.

A greater degree of interagency participation in the program also is predicted. Already, a small number of persons from other foreign affairs agencies, as well as from the Bureau of the Budget and the Civil Service Commission, have joined the State Department in the ACORD program. The effectiveness of inter-agency groups, says the report, will increasingly be a major consideration as the program becomes more operative in the regional bureaus.

NEW KING CRAB PLANT OPENS

Mr. BARTLETT. Mr. President, last Friday, July 28, my colleague, Senator Ernest Gruening, and I had the great pleasure of being at Seldovia, Alaska, when the new Wakefield king crab plant was dedicated. It was a great day. Seldovia is located in one of the most scenic areas of Alaska, and the beauties of nature that day were enhanced by the fact there was not a cloud in the sky. Seldovia has a magnificent harbor, and the community is a going concern after having been hard hit by the tsunami waves in the great earthquake of Good Friday, 1964.

The entire town turned out for the dedication of the Wakefield plant, and many visitors came from other places, some from far away. The plant itself is the most modern in the world, and Richard Pace, the manager, said that more king crab will be processed, frozen, and sent out to the waiting markets of the world this year than was produced in the old plant during the entire calendar year 1966.

The Alaska king crab industry owes much to Lowell Wakefield. He pioneered its development. He insisted from the start on a quality product, produced under rigid sanitary controls. As a result, Wakefield king crab commands a premium price wherever it is sold.

The Alaska king crab industry is the fastest growing segment of the U.S. fishing industry.

Back in 1935, the catch of king crab in Alaska totaled 2,000 pounds. By 1946 the total had increased only to 23,000 pounds. The next year it jumped to 753,000 pounds, and by 1957 was up to 13 million pounds. By 1965, the take was 131,671,000 pounds, and last year there was a further gain of 158,900 pounds.

Many companies are now engaged in the king crab industry, all of them turning out a product which, because it loses nothing in the freezing process and thus reaches the consumer virtually unchanged in taste from the time it was taken from the icy waters off the Alaska coast, has found such acceptance in every market in which it has been placed that demand customarily exceeds supply.

For the part he has played in all of this, Lowell Wakefield has every right to be proud and Alaskans salute him for having started out long ago with a capital investment based on a mortgage on his home to lead the industry to the position where it now is.

When Mayor Charles E. Knight, of Seldovia, opened the dedication ceremonies last Friday with a message of welcome, he spoke for all Alaskans who are amazed and delighted by the terrific progress made by the king crab industry.

THE LAKE ERIE-OHIO RIVER CANAL

Mr. LAUSCHE. Mr. President, the outspoken criticism against the now defunct Lake Erie-Ohio River Canal by the able Senator from Wisconsin [Mr. Proxmire], no doubt helped crystalize in the minds of many that the project was unsound and not in the best public interest.

The Senator's effective opposition is recognized in an editorial that appeared in the Milwaukee Journal, Wednesday, July 19. I ask unanimous consent that the editorial be printed in the Record at this point.

Incidentally, on July 20, the House Appropriations Committee virtually killed the canal when it refused to appropriate the requested funds.

There being no objection, the editorial was ordered to be printed in the Record, as follows:

Go at It, Senator

Sen. Proxmire (D-Wis.), who is getting quite a reputation as an "economizer" in Congress, has leveled his sights on the proposed $1 billion, 120 mile canal to link Lake Erie and the Ohio river. It is, in the parlance of the times, an excellent choice among targets of opportunity.

Despite protests throughout the country, the "E & O" idea has been moving steadily through Congress. Why? Simply because congressmen are afraid to attack pork barrel projects because someday they might suffer retaliation.

But in this case at least, as the senator suggests, the Vietnam war should take precedence over such a huge expenditure. Even without considering the war, the project is extremely difficult to justify. The canal would follow a route now served by underused railroads. It would be frozen in the winter. It would drain Lake Erie (remember our recent low water problem?). Furthermore, engineers cannot agree on how much benefit it would confer. One study by the army corps of engineers put the benefit at 2.1 to 1, which means $2.10 of benefit for every $1 invested. But other corps studies have put the ratio at 1.7 to 1, 1.3 to 1 and 1.2 to 1.

Anybody care to invest?

VIETNAM—EDITOR'S VIEWPOINT

Mr. CHURCH. Mr. President, several weeks ago 15 of my Senate colleagues joined me in a statement warning the Hanoi government not to misinterpret the debate in the United States over American policy in Vietnam. Comment from the national press was widespread, and I ask that several representative editorials be printed here in the Record.

There being no objection, the editorials were ordered to be printed in the Record, as follows:

[From the Cleveland Plain Dealer, May 18, 1967]

The Senate's "Doves" Tell Hanoi

Those in Hanoi who count on American dissent on the homefront to bring a pullout in Vietnam should have grave second thoughts after the statement issued by 16 senatorial critics of President Johnson's war policies.

The 16 senators, each in his own way, will continue to oppose specific acts of escalation of the war. They may call for bombing halts and other efforts at de-escalation. But they will "steadfastly oppose" any American pullout that is not the result of honorable negotiations.

Their statement, in effect, is a strong call to Hanoi to come to the bargaining table.

It follows increasing signs in the public opinion polls that the average American may be hardening, rather than softening in his attitude toward a North Vietnam that will not talk.

The United States, Hanoi must know, cannot be defeated militarily in Vietnam, and now the 16 most prominent "doves" in the Senate have made it clear that this nation is united in a determination to stay the course—either to military triumph or to a preferred, earlier, honorable settlement around the negotiating table.

Actually, none of the 16 senators who signed the statement ever has called for a unilateral American pullout. But the relentless vigor of the specific policy dissents of some of them—most notably, J. W. Fulbright of Arkansas, Wayne Morse of Oregon and the general spokesman yesterday, Frank Church of Idaho—may have aroused false hopes in Hanoi.

At home their dissent has been a healthful things—and indeed at times may have won the secret gratitude of President Johnson in that other debate of his, the one with the nation's outright "hawks." The arguments of the 16 must continue to have a careful hearing, especially as threatened escalation increases the possibility of the deeper involvement of Red China and the Soviet Union in the war.

Once again, the next step is up to Hanoi.

[From the San Jose (Calif.) Mercury, May 19, 1967]

"Doves" Clarify a Point

Sen. Frank Church (D-Ida.) performed a notable public service in collecting 18 senatorial signatures to a statement clarifying American war aims in Vietnam.

Church and 17 other senators, most of them considered "doves" as regards the Vietnam war, warned the Communist North Vietnamese government that dissent in the United States must not be equated with a flagging of will.

While Church and his colleagues expressed hope that Hanoi "would yet choose to open one of the diplomatic doors available to it which will send both sides to the conference table," they cautioned that the vast majority of the American people are opposed to a unilateral withdrawal of United States forces from Vietnam.

Further, Church and his colleagues cautioned Hanoi that the dissenters in this country are in a distinct minority.

"This is not to be interpreted as a change of position of any of the signers," Church noted, adding: "rather it underlines the importance that we continue the debate . . . There is much vitality in dissent."

The point is well taken. Dissent must never be stifled in any society that aspires to freedom for the individual. At the same time, care must be taken that dissent not be misconstrued.

The men in Hanoi, who may be avoiding the negotiating table in the hope that dissent in the United States will cause America to pull out of Vietnam, would do well to heed the words of Sen. Church and his fellows. They put the issue in proper perspective when they said:

"The signers of this declaration, both Democrats and Republicans, share the conviction that the tragic war in Vietnam should be ended by negotiation of a mutually acceptable settlement. However, in the absence of such a settlement, we remain steadfastly opposed to any unilateral withdrawal of American troops from South Vietnam.

"We hold to this position, regardless of our partisan differences, because we believe it to be right. Moreover, we are certain that the American people, in overwhelming numbers, uphold the same position . . ."

[From the Chicago Daily News, May 19, 1967]

Sixteen Responsible Senators

Sixteen U.S. senators produced an example of responsible dissent when they warned Hanoi that their differences with the President should not be confused with disunity.

The 16 ranged from the most spreadeagle doves on Capitol Hill—J. William Fulbright (D-Ark.) and Wayne Morse (D-Ore.)—to moderate Mark Hatfield (R-Ore.). None abandoned his views but all warned Hanoi not to misinterpret them. All agreed, and let it be known, that the enemy's choice was between negotiations or a hotter war: All went on record against a unilateral withdrawal of American troops.

The Responsible Sixteen cleared their statement with Sec. of State Dean Rusk. The vision of J. William Fulbright and Wayne Morse asking Dean Rusk to check their pronouncements is alone striking evidence of national unity.

The re-emergence of the American consensus is predictable as the war mounts. So is the hardening of American public opinion: The day before the senators made their statement, the Louis Harris Poll showed that—for the first time—the number of Americans favoring a total victory in Vietnam had surpassed those favoring a supervised withdrawal.

In warning the enemy not to take comfort from their dissent, the senators have demonstrated their responsibility. As the emotions and pressures of a united people at war continue to mount, the President will have opportunity to demonstrate his, too.

[From the Washington Evening Star, May 18, 1967]

Message to Hanoi

The message from the Senate critics of the administration's Vietnam policy to the leadership in Hanoi is a demonstration of responsible statesmanship in a time of national and world crisis. And it is just barely possible that the import of the message might penetrate the walls of self-deception with which the Communist leaders have surrounded themselves, setting in motion forces that will lead to negotiation and eventual peace.

The message to Ho Chi Minh and his lieutenants was clear enough. Led by Senator Church, the principal dissenters from the President's war policy announced their steadfast opposition to any American withdrawal in the absence of an honorable peace, urged Hanoi to come to the conference table, warned that continued refusal to negotiate can only lead to further escalation and pointed out that "the American people, in overwhelming numbers," are opposed to unilateral withdrawal. Included among the 16 signers were Senators Fulbright, Kennedy, Morse, Gruening, Hatfield and Cooper.

It is impossible, of course, to judge what the reaction in Hanoi will be. Perhaps the leaders, blinded by their ignorance of this nation and by their own wishful propaganda, may conclude that the dissenters were brainwashed or pressured into issuing the statement. But if reason remains alive in the North Vietnam capital, they will see that their hope for a popular uprising to force a pullout of America forces is without any rational foundation.

The Senate critics have made it clear that they have not abandoned their basic objections to President Johnson's conduct of the war. They have, however, acknowledged that their dissent could be misinterpreted as weakness and could be a factor in prolonging the war. They have tried to correct any such misunderstanding on the part of Hanoi. Whatever the result, they merit a Well Done!

[From Idaho Daily Statesman, May 22, 1967]

The Complex Vietnam Situation

It is becoming more apparent that the nation's options are growing fewer in the Vietnam War and the chances of a larger conflict are increasing. President Johnson must follow a delicate path, seeking military measures that will weaken the will of North Vietnam while guarding against measures that will bring Red China into the conflict.

General William Westmoreland asked Americans three weeks ago for "resolve, confidence, patience, determination and continued support." As the war continues the word patience will become more critical.

A statement by Senator Frank Church and 15 other senators who have been critical of administration policies has helped clear the air. Hopefully, it will put the position of the United States in better perspective in Hanoi.

The senators advised the North Vietnamese that the Senate critics do not support a pullout of American troops before a "mutually acceptable settlement" was reached. If Hanoi entertains hopes that the United States will back down on its present commitment, this should weaken them.

Senator Church and the 15 others also said they would continue the debate over the war. The statement suggested that while they are in support of the present effort, the senators want the nation to consider the dangers of further escalation. They said "the catastrophe of a limitless war in Asia must be fully assessed, while there is still time."

During the past week statements by Chinese leaders were reported in a series of stories by Simon Malley, an American reporter who has covered the United Nations for 18 years for various African and Asian newspapers.

While the weight that should be given the statements by the Chinese is debatable, they are interesting. Among them were:

That Chinese volunteers would enter the war if United States forces enter North Vietnam, or if Hanoi is threatened with a "sell-out peace." But Prime Minister Chou En-lai, who made those statements also said that if the United States enters North Vietnam "China will have to reconsider its present policy. Americans won't be allowed to approach our borders. Our security would be at stake."

Chou En-lai said that if the United States should violate Chinese territory after Chinese volunteers had been sent into North Vietnam, that Chinese troops would be sent into Thailand, Korea, Laos or other nations with U.S. bases.

Chinese leaders said they expected the United States to attack them.

The leaders said they expect a Republican to win the presidency in 1968, but see little difference among American politicians on a policy of maintaining United States bases around China.

They support more wars of "national liberation" like Vietnam in Asia, Africa and South America.

The Chinese leaders, in the Malley interviews, repeatedly referred to the Soviet government as Communist "revisionists" and complained that it opposes wars of "national liberation" and is in collusion with the United States. Chou En-lai described armed conflict with Russia on the Chinese border as probable.

Since the interviews have appeared in print, their authenticity has been denied by the Red Chinese. China watchers in the United States believe that the Chinese expected them to be published in Asia and Africa, where the Russians and Chinese are rivals in seeking converts to their brand of communism, rather than in the West.

U.S. diplomatic officials have described the Chinese statements as essentially defensive. But the statements point up the danger of Chinese intervention, a danger with the administration must carefully be weighed.

Chinese advocacy of more wars of "national liberation" gives support to the American policy of containing communism in Southeast Asia. While the cost in Vietnam has been high, and can be expected to grow, would withdrawal serve to discourage such wars?

It is the expansionist militancy of the Red Chinese and their Communist allies that has required the American commitment in Southeast Asia. While the President's critics have pointed out the heavy cost of war, they have not pointed out how communism can be contained in Southeast Asia by other means.

There are no easy answers in the Vietnam struggle, and continuing debate is needed. Tolerance is important, both on the part of the President's critics, and the critics of his critics.

[From the Denver Post, May 18, 1967]

Senate Doves Clarify Positions

A profoundly important process of clarification of Vietnam war murkiness was started Wednesday in Washington by senatorial critics of the administration's position. We hope the administration can carry the process a step or two further.

The 16 senators of both parties, who signed a statement opposing any U.S. troop withdrawal from Vietnam until a mutually acceptable settlement is reached, have done a significant service for their country and for the cause of peace.

Their statement should dispel, as they put it, "any misconception in Hanoi about the realities of the political situation in the United States" and about "the nature of the dissent in this country." That is, the North Vietnamese and National Liberation Front should no longer harbor any illusion that the pressure of dissent could force the administration into any unilateral troop withdrawal from Vietnam.

For the senatorial "doves" involved, this was truly a responsible and courageous action.

But it may be necessary to clear away a couple of other ambiguities in the U.S. position before Hanoi and the NLF can see the value of brass-tacks negotiations.

The President and the State Department have done much in the last six months to clarify, and in some ways soften, the U.S. negotiating position. But some fuzziness remains.

For instance, on Jan. 27, 1967, the State Department released an elaboration of the 14-point U.S. list of conditions for a peaceful statement.

A key is Point 8, stating that "we do not desire to retain U.S. troops in South Vietnam after peace is assured." In elaboration, the State Department cites the Manila Conference communique of Oct. 25, 1966, stating that U.S. forces will be withdrawn "as the other side withdraws its forces to the North, ceases infiltration and the level of violence subsides."

But on Oct. 26, Nguyen Van Thieu, South Vietnamese chief of state, had fuzzed this point up by insisting that "the other side" includes Viet Cong forces as well as those of North Vietnam. And no U.S. source has disavowed this interpretation; the State Department elaboration in January did not mention it.

Yet Van Thieu's interpretation must be totally unacceptable to the NLF—and to North Vietnam—because the Viet Cong troops are Southerners who can hardly be expected to "withdraw" to the North.

We have no way of knowing whether this particular point strikes the NLF and Hanoi as so unrealistic that they consider negotiations a waste of time—but that is possible.

As long as it is possible, we believe it might be well worth the administration's time to try and remove all ambiguity about which forces have to leave South Vietnam before U.S. forces will.

Since military escalation has gone about as far as it can safely go, and since the senatorial "doves" have done their responsible bit to make clear to Hanoi that negotiations are essential to end this war, it would seem wise for the administration now to clarify any remaining doubts about our position that might deter Hanoi from agreeing to negotiations.

OHIO MOVES TO PROTECT INDIVIDUALS

Mr. LAUSCHE. Mr. President, the Cleveland Plain Dealer issue of July 26 carried an editorial "Ohio Moves To Protect Individuals." The editorial among other things states:

> The public needs the stiffest protection from this outburst of crime in the streets. This is not mere delinquency or hooliganism. It is near anarchy.

I concur fully with the thoughts expressed in this editorial; I ask unanimous consent that a copy of what the editor of the Plain Dealer said, be printed in the Congressional Record, as of this date.

There being no objection, the editorial was ordered to be printed in the Record, as follows:

Ohio Moves To Protect Individuals

The Ohio Legislature is taking a series of necessary and courageous actions to deal with potential riot situations like those afflicting many northern cities.

The public needs the stiffest protection from this outburst of crime in the streets. This is not mere delinquency or hooliganism. It is near anarchy.

What Ohio is doing adds up to an ounce of prevention being worth a pound of cure:

The House yesterday passed, 84 to 2, a bill allowing the chief executive of a municipality to cordon off any riot-threatened area, prohibiting entry or exit.

The same bill prohibits purchase, sale or transportation of firearms, other dangerous weapons or explosives in a riot area or one likely to become the scene of a riot.

The House on Monday sent the Senate a bill empowering the governor to send the state militia into riot-threatened areas without having to wait for a local request. The militia would have full power to keep peace in that area.

From that bill the House committee wisely stripped provisions allowing the governor to proclaim martial law in cases of civil disorder. Instead of military rule taking over from civilian law and civilian courts, the bill specifies that any military arrest of civilians "shall be for the purpose of escorting such civilians to civil authorities." The limitation on military authority reminds everyone that this still is a government of laws.

In May the governor signed into law a bill prohibiting the manufacture, possession or sale of firebombs.

Last week the governor signed into law a bill allowing state authorities to cut off liquor sales in areas of disturbance.

We urge the Ohio Senate speedily to complete action on the House-passed bills. First things must come first in this ugly situation, and the safety of the individual must be paramount.

THE PRESIDENT'S APPEAL FOR ORDER, PEACE, AND JUSTICE ACROSS THE NATION

Mr. INOUYE. Mr. President, last week, President Johnson made an eloquent and moving appeal to the Nation to halt the continuing violence which has ravaged many of our cities.

He asked for restoration of law and order, and peace among our citizens.

He established an excellent bipartisan national Commission to search out the root causes of the disorders, and to propose action solutions for the future.

But true peace and order cannot come from the muzzle of a gun, the President said.

True order will come from programs. True order will come from dedication and understanding.

Government programs are not the total solution to the problems of our cities; yet, without those programs, the people in our cities would be without hope.

Money invested in new human programs is not the total answer either; yet, such an investment gives people the assurance that government cares.

The President, in calling upon the Nation to reestablish order, has proposed that we not be satisfied merely with order, but to strive for progress, even amidst present difficult conditions.

We have a duty to restore law and order, President Johnson said. And he, as President, has acted consistently to do so.

We also have a duty to set the foundations for future law and order. And President Johnson has done that with the most comprehensive human resources program in recent history.

This is no time to turn away from our goals, the President told the Nation.

President Johnson has laid before us a blueprint of what our future might be.

We can quell the riots, and then go back to business as usual. Or we can restore law and order and strike out into the future continuing the fight against man's ills of poverty, disease, ignorance, bias.

The text of the President's address to the Nation on civil disorders, given on July 27, has already been printed in the Congressional Record of Monday, July 31, 1967, at page 20746. It is a speech which all of us should absorb, and which we should communicate to our colleagues and constituents.

INTERNAL REVENUE SERVICE TYRANNY

Mr. LAUSCHE. Mr. President, my attention has been called to an article entitled "Tyranny in the Internal Revenue Service," written by John Barron, and published in the Reader's Digest for August 1967.

In his article, Mr. Barron vividly describes the abuses practiced by agents of the Internal Revenue Service, with their mighty power, against persons whom they suspect of failing to meet their tax obligations. Every one of us realizes that, to the extent that one individual fails to meet his tax obligation, others are compelled to bear a part of that delinquency. The article points out, however, that it is the little fellow, mainly, who feels the bullying practiced by certain agents in their efforts to establish ingratiating records of work with their superiors. The introductory sentence of the article summarizes its general theme. It reads:

> Today, evidence from all over the country discloses that the IRS has bullied, degraded, and crushed innocent citizens in the name of collecting taxes.

I join in the views expressed by the several Senators who are quoted by Mr. Barron, concerning the instances of complaints that are brought to their attention, when tyrannical threats have been made by agents in attempting to prove the truth of their suspicions.

While I believe that most Internal Revenue Service agents are courteous and helpful, it behooves the Internal Revenue Commissioner to deal firmly with agents who abuse the power which they possess.

I ask unanimous consent that Mr. Barron's article be printed in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

Tyranny in the Internal Revenue Service

(By John Barron)

(Note.—Today, evidence from all over the country discloses that the IRS has bullied, degraded and crushed innocent citizens in the name of collecting taxes.)

Whenever an income-tax cheat gets by, the rest of us has to make up the loss in revenue for which he is responsible. In fairness to the great majority of honest Americans, we must encourage the Internal Revenue Service to use every honorable means to collect what is owed the government. But something is now dangerously amiss. In its pursuit of our dollars, the IRS is resorting to tactics that threaten *all* taxpayers.

"Too many Americans pay more than their share of taxes because they are intimidated by a tax-collecting octopus which has them at a disadvantage and keeps them that way," declares Sen. Warren Magnuson (D., Wash.). No one can know just how many are treated unfairly by IRS. Last year it subjected 3,500,000 returns to special examination, extracting extra payments from 1,900,000 citizens because of alleged errors.[1] Moreover, literally no one is beyond IRS's reach, whether he has made a mistake or not. Bewildered, afraid, lacking money to hire lawyers, the lone individual often succumbs in silence when the awesome powers of government are brought down upon him. But today evidence from all over the country shows that in the name of collecting taxes IRS has bullied, degraded and crushed countless innocent citizens—while unaccountably favoring others. For example:

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[1] In the entire nation only 1324 taxpayers were found guilty of actual fraud last year.

In Kansas City, Mo., two IRS agents intruded upon Mrs. Michael Darrah while she was nursing her six-week-old baby. The young mother pleaded with the men to come back another time. Instead, for four tortuous hours they questioned her about an income-tax charge against her father, Kenneth R. Layne. When she sought to call him for advice, one man ordered, "Don't touch that phone." Unsure of her rights, Mrs. Darrah asked permission to call a lawyer. "That will only make it worse for your father," an agent threateningly told her. For the terrified woman, it was tantamount to being held a prisoner in her own home. Ultimately, a jury unanimously concluded that Layne was innocent of any crime. But his daughter, never accused of anything, suffered a nervous breakdown.

In Oakland, Calif., attorney Lew M. Warden, Jr., patiently answered questions about his tax return until an IRS agent demanded all his records. "Those files contain confidential information about some of my clients," Warden protested. "You have no right to them." So IRS arbitrarily disallowed his legitimate business deductions for three years and claimed he owed $19,501.41 in back taxes. It seized his bank account, ordered tenants of a cottage he owned to pay their rent to the government, confiscated his sailboat. Worse still, the constant IRS harassment took him away from his law practice so much that his income plummeted.

Insisting on a day in court, Warden spent his last savings preparing for his tax trial scheduled April 5, 1965. But on April 1, after hounding him for 33 months, the IRS suddenly dropped all charges. For, as it should have known all along, Warden had done nothing wrong and owed it nothing.

PROOF PILED HIGH

All this may sound incredible to those who have not yet been victimized by IRS. I was skeptical too—at first. But the proof has been piled high by court rulings, Congressional investigations, unrefuted sworn testimony, documented complaints to Congress and by the *admissions of IRS officials themselves*. It is so overwhelming that concern now grips a cross section of Congress.

More than half the Senate membership has gone on record as calling for something to be done about the way small taxpayers are abused by IRS. "My files, like those of every other Senator, are filled with moving appeals from taxpayers whose experiences with IRS have turned into nightmares of inquisition," says Sen. Norris Cotton (R., N.H.).

Alarmed by multiplying complaints, the Senate Judiciary Subcommittee on Administrative Practice and Procedure two years ago began asking IRS officials and their victims questions under oath. The ensuing Senate hearings produced astounding testimony disclosing that: IRS has defied court orders, criminally picked locks, stolen records and threatened reputable people. It has illegally tapped telephones, seized, opened and read personal letters while spying on the private mail of tens of thousands of citizens. It has illegally bugged phone booths and hidden microphones where taxpayers talk with their lawyers.

Moreover, such lawlessness has been encouraged from high levels of IRS. Its Washington headquarters has bought elaborate spying equipment for use about the country. IRS sent many agents to an official Treasury School near the White House to learn how to commit such illegal acts as wiretapping and lock picking. IRS has maintained on call in Washington a staff of specialists in illegal snooping. "I violate state laws at all times," special agent Thomas Mennitt has testified. "It's part of my duties."

Summing up interviews with 621 individuals and 2756 pages of sworn testimony, Sen. Edward V. Long (D., Mo.), chairman of the Senate subcommittee probing into IRS practices, declares: "IRS has become morally corrupted by the enormous power with which we in Congress have unwisely entrusted it. Too often, it acts like a Gestapo preying upon defenseless citizens." Senate Minority Leader Everett Dirksen, a subcommittee member, reports: "Outraged constituents have inundated my desk with letters blistering the Revenue Service's collection practices. They show it is frequently the small taxpayer who is hurt worst in his attempt to deal with a giant bureaucracy like IRS."

NAKED POWER

Many IRS employees who have witnessed such practices firsthand are deeply disturbed. As a result, they have secretly provided Congress with evidence, a major reason why IRS abuses are now being exposed. Indeed, IRS's own personnel have openly applauded, through their National Association of Internal Revenue Employes, the Senate investigation, even while top IRS bureaucrats have tried to cover up and withhold data. After privately interviewing dozens of IRS agents, I have concluded that most, as individuals, want to be just and reasonable.

What, then, is the matter? Meeting me furtively in San Francisco, one veteran agent explained: "Sometimes you feel like the cop who's got to hand out so many tickets a month if he expects to get ahead. You're judged by how often you bring in more dough. Under such pressure I have seen people determined to find taxpayer error whether it's there or not."

Clearly, from all the evidence, the root of the problem is the IRS "system." For Congress has given so much raw, naked power to this one agency that it is a law unto itself. Consider some of the things it can do—without the approval of any court, judge or anyone else.

IRS can audit, interrogate or investigate anyone, for as long as it wants. In Kansas City, Mo., policeman Paul R. Campbell halted a speeding car driven by an IRS agent. "We'll just have to check your taxes," the agent was quoted as saying, after other arguments failed to stop the officer from writing a ticket. Sure enough, soon after Campbell filed his next tax return, IRS ordered him to report for an examination which lasted two hours. Unable to find anything wrong, it nevertheless pestered him for another four months with phone calls, letters and more interrogations before admitting he owed nothing.

In a small Tennessee town, an IRS agent riffled through mail on a businessman's desk, pried open an envelope and found a letter linking him with "another woman." The agent showed a copy to the man's wife, trying to anger her so that she would agree to inform against her husband.

IRS can assert that a citizen owes taxes, force him to prove he does not. After contracting to sell his home in suburban Detroit, businessman Roger Logan (not his real name) discovered that IRS had slapped liens of $210.07 and $400.07 on it for alleged nonpayment of taxes. Logan's wife presented canceled checks and copies of past returns to prove no taxes were due, but without avail. "The best thing to do," an IRS clerk advised, "is to pay off the liens. Then, if you're telling the truth, you can sue to get your money back." Only after Logan got help from a lawyer friend would IRS even take the trouble to verify that he indeed owed nothing. The agency had tied up his home simply because it had two old claims against someone with a *similar* name.

IRS can merely claim that a citizen owes taxes; then, if he fails to pay instantly, it can immediately confiscate his salary or all the money he has deposited in a bank, or seize everything he owns.

Nobody knows this better than farmer Noel Smith of Taylor, Mo. IRS checked Smith's books for nine years without telling him it suspected any significant irregularity. Then one morning a friend ran up to him with a newspaper report that IRS was taking over his farms. Smith rushed to town, only to learn that IRS had confiscated all his money in the bank, the contents of his safe-deposit box, even an insurance policy belonging to his 70-year-old mother. Five days later, IRS formally demanded that he pay it a staggering $501,000.

With help from friends, Smith hired lawyers and accountants to unravel the fantastic IRS claims. Meanwhile, the agency began selling off his stored grain, using sledgehammers to batter apart his bins. "High-handed," "unlawful," declared the U.S. Court of Appeals upon hearing what IRS had done.

Nevertheless, IRS kept custody of Smith's property and denied him income from it for four years before deciding that he actually owed $54,573 in taxes. Smith paid this "ransom," as he termed it, so that he could recover his land. Another year Smith overpaid his taxes but had to sue to force IRS to give him back $7820 the government owed him. And to this day IRS is still after him. "I did not think it could happen in the United States," Smith told Senate investigators.

But I have found that it does happen. To make sure that people who complain are not just disgruntled crackpots or conniving tax dodgers, I traveled across the country talking to IRS victims, their families and neighbors. And I found that when IRS misuses its vast powers, the people most likely to suffer are not gangsters or rich tax cheats. They are ordinary people who do not command batteries of lawyers and who have no special influence in Washington. And what IRS does to one citizen, it can do to any other.

KICKING PEOPLE AROUND

Look at what happened not long ago in Richland, Mo., a small town in the Ozark foothills. As he told the Senate committee, the local bank president, Gordon W. Warren, was alone in his office when two IRS agents marched in and demanded the records of a depositor. "I'll just notify this customer," Warren said, reaching for the phone. "If you do that," an agent hold him, "you'll be liable to a $10,000 fine and a ten-year imprisonment." The threats were as illegal as they were inexcusable. But how could Warren know?

Down the street an IRS agent confronted a waitress with a $275 tax claim. When she protested, the agent threatened to confiscate and "dispose of" her old car unless she paid up *that day*. Near tears, she went to see Warren, who agreed to lend her the $275 necessary to hold IRS off. Only after she spent days getting a sworn affidavit to document her deductions did IRS admit she didn't owe the bill which it tried to intimidate her into paying.

Across the railroad, Fred and Katherine Tomlinson run a one-room Dairy Queen shop. They have never made a lot of money, but enough to rear their children and make their own way. On March 31, 1965, a worried bank cashier ran to see them. "The IRS has seized your bank account," he reported. "They claim you didn't pay your taxes last year." Tomlinson couldn't understand: "The government's never said anything to us about owing any money." That night, he and his wife dug out a canceled check proving they had paid in full, and mailed it to IRS. Meanwhile, checks they previously had written bounced because of the IRS seizure of their funds. "I'm so ashamed," Katherine told her husband. Not until eight days later would IRS restore their money—without the least apology.

This callous disregard of the rights, feelings and welfare of ordinary people goes on all the time. Last March 28, IRS without forewarning attached the salary of Chicago salesman Jerry G. Pfnister, Thus Pfnister was branded as "financially irresponsible" in the eyes of his associates. Only later would IRS give him a letter admitting that it had made an error and he owed nothing. But that has failed to restore Pfnister's reputation.

Conform—Or Else. The attitude that it can do as it pleases sometimes causes IRS to lash out vindictively at people who disagree or cause it trouble, even at its own employes.

Claude F. Salter, for example, is a distinguished veteran of 34 years with IRS. His record as chief of its San Francisco audit division was so outstanding that IRS admits "we cannot deny that he did perform well." Salter was stubborn, though, when it came to principles. To superiors who asked special treatment for certain taxpayers, he consistently said no. So in the spring of 1964, these officials tried to have him declared unfit by ordering him to the U.S. Public Health Service Hospital and sending along a letter implying that he was mentally ill. A battery of psychiatrists and physicians told Salter that he was well adjusted, intelligent and healthy. Nevertheless, IRS soon demoted him to a lesser job where he could not influence policy.

In Dedham, Mass., 31-year-old accountant Donald R. Lord responded to a knock on his front door one Saturday morning, still in his pajamas, and three IRS agents pushed past him into his home. They ordered him to get out corporate records entrusted to him by a local businessman. "You'd better coöperate if you expect to stay in business," Lord was warned. "Don't make any phone calls, or you'll be subject to prosecution."

After interrogating him most of the day, the agents confiscated boxes of papers, threatening him with a jail sentence if he resisted, and drove away.

Soon thereafter, a neighbor phoned: "Some IRS men were here today, asking questions about you." Meanwhile, IRS agents went to Lord's bank and copied his financial records. Others hounded his relatives with interrogations and even tried to question his 88-year-old grandmother.

Angered and worried, Lord engaged a distinguished Boston lawyer, Lawrence O'Donnell. Subsequently IRS, by its own admission, subpoenaed Lord to appear at a conference in a secret office which had been carefully bugged in advance. Suddenly O'Donnell, too, was subjected to hostile IRS examination. An employe at Boston's Carney Hospital, where O'Donnell had undergone five critical operations, tipped him off that IRS was questioning his medical expenses. Moreover, as IRS later admitted, agents pored over his tax returns covering six years, hunting futilely for some error.

The Federal District Court in Boston declared that IRS's "unlawful pressures" against Lord came "close to extortion." It ruled the seizure of the business records completely illegal, and forbade IRS to make any further use of them. Yet, as O'Donnell subsequently proved with testimony of one agent who resigned in disgust, IRS made copies of these records and continued to use them—in arrogant contempt of the court order.

A Double Standard. And now, consider undisputed evidence which Sen. John J. Williams (R., Del.) has unveiled on the floor of the Senate. It shows that while mercilessly trying to take the last cent of some taxpayers, IRS has treated others quite differently.

Over a period of seven years, IRS allowed the New York-based real-estate firm of Webb & Knapp to pile up tax debts of more than $27 million, while the Federal Housing Administration lavished on it $67 million in government-insured loans. Upshot? Webb & Knapp defaulted on the loans, and IRS in December 1965 wrote off a whopping $26 million as "uncollectible." Similarly, IRS last year simply wrote off as "uncollectible" a tax bill of more than $23 million owed by six American shipping companies controlled by Greek magnate Stavros Niarchos.

As Senator Williams notes, still harder to explain is the treatment of people like Lawrence L. Callanan. An official of the Steamfitters Local No. 562 in St. Louis, Callanan was convicted in 1954 of extortion, received a 12-year sentence. He was paroled in 1960, and in April 1964 President Johnson commuted his sentence, thereby enabling him to become a union leader again. The same month, IRS settled his unpaid tax debt of $40,219.84 for a token $17,000 plus an agreement that he would pay more if his income rose. "No prospect of any material increase (in income)," said IRS. A few months later, Callanan's union lieutenant, John L. Lawler, handed over $25,000 to "Friends of L.B.J." Next, Callanan, supposedly without money for his taxes, kicked in $2000 to the Democratic National Committee. Then he emerged as director of the lush "voluntary" political fund of Local No. 562, his salary reported at $15,000 to $20,000.

Honest citizens can derive little comfort, too, from the knowledge that IRS has issued a special ruling to reduce the tax that criminals owe on money they steal! Internal Revenue Bulletin No. 1966–42 of October 17, 1966, states: "Embezzled funds will be taken into account if a taxpayer chooses the benefits of the income-averaging provisions." So if a crook gets away with, say, $100,000, it will be okay for him to pay taxes on only $20,000 of stolen money a year over a five-year period.

A BRIDLE FOR BUREAUCRACY

In the face of such outrageous practices, why do we allow IRS power that we would not dare entrust to any other agency? We would never allow police to roam the land grabbing property, confiscating bank accounts, persecuting people at will. If we ever are to start preventing Big Bureaucracy from dehumanizing our lives, the place to begin is with the most powerful bureaucracy of all—the Internal Revenue Service.

Aghast at the discovery that IRS was reading private letters, Congress passed a law in 1965 forbidding it to further rifle the mails. Commissioner Sheldon Cohen has pledged an end to the illegal wiretapping, bugging and other illegalities, promised to purge IRS of the attitude that the taxpayer is the "adversary." Experience shows, though, that no government agency can be trusted to reform itself. Clearly, some reforms from the outside are needed.

Senator Magnuson, joined by 59 other Senators, has proposed the establishment of Small Tax Courts where taxpayers—without hiring a lawyer—could informally present grievances in disputes with IRS involving less than $2500. But, in line with the basic legal principle that a man is innocent until proved guilty, Congress must now make an exhaustive examination of the arbitrary powers which IRS has demonstrated itself unfit to exercise. Before grabbing anyone's salary or bank account, IRS should have to show in court some proof that taxes are owed. Before walking off with all a man owns, IRS should be required to convince a judge that the taxpayer is hiding his money or is about to flee.

It is important for all of us to stop being afraid of IRS. When it acts unfairly, we should speak out.

Let your Congressman know what you think of IRS abuses—and that your vote in 1968 is going to be influenced by what he does to stop them. Moreover, if you have documentary evidence of such abuses, give it to your Congressman or to the Senate Investigators.[2] For only public indignation, backed by facts, will force reforms.

Reforms no doubt will make the work of IRS somewhat more difficult. But in recent years we have chosen, through the courts, to erect a maze of legal procedures to protect the rights of the most depraved and dangerous criminals. It is time we did something about protecting the rights of the honest American taxpayer, too.

THE NATIONAL GUARD AND RIOTS

Mr. McINTYRE. Mr. President, the recent order from the Department of Defense to increase the training of National Guard units in the techniques of riot control are commendable. However, in the light of events in Detroit, they seem too much like "locking the barn door after the horse has been stolen." The very structure of the National Guard is such that one of its primary functions is to serve in emergencies at the order of the State Governors. And the riots in major cities are precisely the sorts of emergencies that demand use of Guard units. Nevertheless, in Detroit, objective observers reported that the Michigan National Guardsmen were ill prepared to carry out their function. Morale was poor, discipline was lacking, and the tactics used were open to serious question.

I should like to quote a few paragraphs from the current Time magazine:

> In Detroit as in Newark, where over-excited police and state troopers engaged in a brief shootout with one another by mistake, fire discipline was lethally lax.
>
> That was also true of National Guardsmen. The crack of the sniper's bullet—and sometimes simply the bang of a firecracker or the pop of a light bulb—brought forth fantastic fusillades from police and National Guard rifles, shotguns, machine guns and pistols., Four-year-old Tonia Blanding was shot dead in an apartment when lawmen saw her uncle strike a match to light a cigarette, mistook the flare for a sniper's muzzle flash, and poured bullets through the window.
>
> By any measure, the Guard's performance was appalling. National Guard armed personnel carriers rumbled through the streets blasting out street lights with 50-cal. machine guns and spraying downtown suspect buildings. Seeing a negro man walk by, one Guardsman, rifle at the ready, ordered, "You get out of here, boy. Faster, boy. You run out of here." The man had no choice but to accept the humiliation and jog off. A couple and their three friends were ordered to lie on the ground, and then were threatened by more than a dozen Guardsmen armed with automatic weapons. Lieut, General John L. Throckmorton, the Army paratroop commander who took control of the Guardsmen when they were federalized, was asked what he thought of them. "Look," he pleaded, "don't put me on a spot like that."
>
> Governor Romney was even more to the point. "We knew we couldn't depend on the National Guard" he admitted. "That's why we asked for the Army." The paratroops, some 40% of them Viet Nam veterans and more than one-fourth of them Negroes, displayed stern fire discipline and did an excellent job. "Our policy is to use an absolute minimum of force" explained a paratroop

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[2] Senate Judiciary Subcommittee on Administrative Practice and Procedure, Room 3214, New Senate Office Building, Washington, D.C. 20510.

colonel. "I'd rather miss 100 snipers than hit a single innocent person."

The Guardsmen were not wholly to blame. Most are young, inexperienced "weekend warriors" incapable of handling what some officials are now calling "urban guerrilla warfare". Riot-control training barely exists; even military policemen in the Guard receive only one day of it. In New Jersey, where the Guardsmen's rough behavior brought a barrage of protests from Negroes, National Guard Major General James F. Cantwell conceded that the time had come for special training. "It is apparent" he wrote in a letter to the Secretary of the Army, "that there is a need for an immediate re-examination of the currently prescribed training, tactics and techniques."

In this connection, Mr. President, I am happy to be able to say that the State of New Hampshire, with no Negro problem confronting it, has nevertheless effected a system of riot control coordinated between State police and the New Hampshire National Guard. The techniques, set up by Colonel Regan of the State police and General McSwiney of the National Guard, have been accepted as a proper means of riot control. The State police have not only trained law-enforcement officers in local communities in these techniques, but have been invited into the neighboring States of Maine and Vermont. The New Hampshire State Police have been consulted by the FBI; and when that organization published its manual on riot control at the President's direction a few years ago, the assistance of Colonel Regan was acknowledged. The New Hampshire State police have published their own manual of procedures pertaining to crowd and riot control which has been distributed to State police agencies throughout the United States. And it is also worthy of note that Colonel Regan is recognized throughout the Nation as an authority on the problems of riot control.

Certainly, New Hampshire is one of the first States to have its National Guard cooperate with its State police in a unified operation to control disorders. It is essential, Mr. President, that all other States go further than the mere training of National Guard units in these new and necessary techniques. Complete, smooth coordination between various law enforcement agencies is imperative. Otherwise, the inadequacy of the deterrent forces will serve as temptation for further disorder, as well as cause loss of public confidence in the capability of the enforcement agencies.

Mr. President, the lead editorial in yesterday's Washington Post is particularly appropriate. I ask unanimous consent that it be printed in the Record at this point.

There being no objection, the editorial was ordered to be printed in the Record, as follows:

Suppressing Insurrection

The first lesson the Nation must absorb from the open warfare in the cities is that almost all of the police forces and National Guard units which have been involved have not acquitted themselves with glory. In reports from many cities, but particularly in those from Newark and Detroit, it is clear that policemen and guardsmen were terrified by what they confronted and reacted more like vigilantes than like professionals.

This is a harsh judgment to make about the men who were attempting to save those cities from looters, fire-bombers and snipers. But it is a judgment that is recognized by Major Cavanagh's proposal for Federal riot police and, to a lesser extent, by an appeal from the National Guard Association for a complete re-evaluation by the Army of the tactics now prescribed for crowd and riot control.

Neither the judgment nor the appeal should come as a surprise. Nothing in the training or experience of policemen or guardsmen has equipped them to face the new kind of lawlessness presented in our cities. The problem is a difficult one. Rioting, arson, looting and sniping must be put down quickly and forcefully when they erupt. But they must be put down with tactics and with weapons that separate the innocent from the guilty and that do not encourage the belief, already far too widespread in the slums, that law and order mean suppression and mistreatment for all who happen to be there. The problem is disquietingly like that of the hamlets of Vietnam: how to disarm the terrorists while winning the loyalty of the others.

It is wrong—morally and tactically—for the police to stand by and watch looters ransack stores, as they did in the first hours of the trouble in Detroit. That was a calculated risk, taken by police in the hope that things would quiet down, but it served only to create the belief that all looting would go unpunished. It is just as wrong—morally and tactically—for police or guardsmen to spray apartment buildings with indiscriminate machinegun fire because they think a sniper is firing at them from one window. Such haphazard shooting is wrong morally because it is likely to kill more of the innocent than of the guilty; it is wrong tactically because, as the FBI has told police forces, it is not the effective way to stop sniping.

The bankruptcy of thinking about how to cope with this kind of insurrection is illustrated by the reported statement of the Commander of the New York National Guard that it is "entirely possible" he will order the use of hand grenades, recoilless rifles, bazookas, and other "heavy weapons" if New York City has trouble like Detroit's. It is not much comfort that he thinks the chance of using artillery is "very remote." In light of the way in which machine guns were used in Detroit, it is not inconceivable that a single sniper's fire would result in a bazooka attack on an apartment building, killing the sniper but also killing everyone else in the building.

All this leads us to the conclusion that police and guardsmen are letting fear and passion overrun judgment. This may be understandable because the situations are terrifying. But it is not acceptable because overkill can create only more terror and hatred among the innocent and can serve only to escalate the fighting. A man who is shot at for doing nothing is likely to find a gun and shoot first the next time.

There is something quite significant in the welcome that the bystanders in Detroit gave to the paratroopers. It tells us that the people in the slums who were innocent believed the military would get the job done—quickly, efficiently, and fairly—something they did not believe the police could do or that the Guard had done.

The easy lesson to be drawn is that Federal troops—or Federal riot police—should be committed quickly to quell every disturbance. But this is so out of keeping with the entire tradition of America that it must be avoided. The primary function of every level of government is to maintain law and order. If our cities and our states can no longer do this, the structure of the Nation is in even graver danger than these riots have indicated.

The greater lesson is that the local police forces have lost touch with reality. A major reason why ghetto dwellers do not cooperate with the police is that they fear and hate police. The indiscriminate shooting, intimidation, and arresting that went on in Detroit and Newark can only intensify that fear and hatred. It is up to the President's new Commission to give us leadership on how to break this circle. It is also up to that Commission to give the police a new set of tactics on how to deal with this kind of insurrection, a set that is based on firmness with the criminals but on decent respect for the bystanders.

The problem of the National Guard is somewhat easier. In some places, like Maryland, Guard units have distinguished themselves in handling riots. In few places do they start with the disadvantages of distrust that the police face. But the tactics and the training of the Guardsmen are totally inadequate. It is up to the Department of the Army to see that these units become able to restore law and order fairly and efficiently. If the Guard is unable to accomplish that, its usefulness is ended and it should be dissolved.

CREDIT CARD STUDY

Mr. PROXMIRE. Mr. President, I invite the attention of the Senate to a study presently being undertaken by the Federal Reserve System in conjunction with the Comptroller of the Currency and the Federal Deposit Insurance Corporation of one of the most interesting and exciting innovations in the banking industry today—the credit card.

Although presently constituting only a small percentage of total bank business—credit card operations are not yet a billion dollar business—the credit card is one of the fastest growing and most controversial developments in bank technology. It is because of this growth and controversy that I was pleased to hear of the much warranted attention being granted this field.

On one side of the credit card discussion the card is seen as the panacea for keeping the banking industry abreast of advances in the remainder of the private economy. It is seen as a beginning toward the "checkless society" and the arrival of computer banking at its peak.

On the other hand, charges have been made that credit card programs are dangerous to the bank depositor because cards overextend credit with inadequate control, to the consumer because they make loans and excessive borrowing too easy, to the retail credit card firms because banks may tend to dominate this field and stifle competition, and to the bank itself because volume requirements of credit card operations may force credit cards to be too dominant in the mix of bank services.

Despite such argument, however, there is unanimity that the credit card will have a far-reaching impact on both the banking industry and the consumer.

The uncertainty of the huge impact credit cards will have makes understanding and evaluating their implications of the utmost importance. The Federal Reserve along with the Comptroller of the Currency and the Federal Deposit Insurance Corporation are, therefore, to be commended for seeking the knowledge to deal with the significant questions arising with new technology.

For the moment we have our leisure to examine the credit card area. It is still a phenomenon confined to a relatively few banks and amounting to a small proportion of bank business. Further, it is primarily the large banks which are involved in the field; banks that can afford whatever risk there is in this field. The "checkless society," too, is something not immediately around the next corner.

It is eminently clear, however, that this field is one of the fastest growing in the country. A field nonexistent in the early 1950's has grown to the point where there are now a reported 1,000 credit card or related plans in operation. This is an area, in other words, of great concern for national policymaking.

I am convinced that an effort toward understanding this field is being made, and I draw this information to the attention of the Senate.

THE REACTIVATION OF THE BATTLESHIP "NEW JERSEY"

Mr. McINTYRE. Mr. President, I wish to commend heartily the decision of Secretary McNamara to reactivate the battleship *New Jersey* and to assign it to the Pacific fleet for duty off South Vietnam. I have long contended that the larger guns of a battleship with their longer range would augment the firepower of the United States in Southeast Asia. Too, the use of the battleship will not be contingent on weather conditions which frequently hamper the use of airpower.

The *New Jersey's* 16-inch guns can fire 1,900-pound projectiles 15 miles inside North Vietnam while the ship is standing 6 miles offshore. This compares very favorably with cruisers and destroyers.

Although it is estimated the reactivation of the ship will take 9 months, the shakedown phase for its 1,400 men and 70 officers can be accomplished during its trip to Vietnam. At that time, the *New Jersey* will be the only major battleship on active duty in the navies of the major world powers.

And in this era of small conflicts in remote sections of the world, the voice of the *New Jersey* will be heard effectively in the idiom of modern warfare.

BATTLESHIPS FOR THE VIETNAM WAR

Mr. HANSEN. Mr. President, Senators who have spoken out in favor of the use of battleships in the Vietnam war were informed yesterday that the *New Jersey*—presently at the Philadelphia Naval Shipyard—will be reactivated and used to bombard Vietnamese targets with its 16-inch guns.

The decision yesterday by Secretary of Defense McNamara concurred in a Navy proposal to bring the battlewagon back into service. It means that the United States will have the only combat-capable battleship in the world today.

It was announced late in May that an $800,000 exploratory demothballing of the *New Jersey* would take place to ascertain the cost of readying the ship for Vietnam duty.

I am informed that the *New Jersey's* electronic equipment will be updated, and that the ship will be ready for service in the Tonkin Gulf area probably by May or June of next year.

As I pointed out in a speech to the Senate on April 11:

> We have lost enough aircraft and had enough men killed in strikes against targets within battleship range to justify the commissioning and manning of at least three battleships.

That assertion is even more valid today, as our plane losses over North Vietnam have passed the 600 mark. The cost of the war is astronomical: some $75 million per day. This does not count the tragedy of the *Forrestal*, which probably has cost upwards of $175,000,000 and a great number of casualties.

The cost more than justifies the employment of battleships to strike targets to which we are now committing and risking men and aircraft.

Speculation in the press today is that the big guns of the *New Jersey*—guns which can hurl 2,000-pound shells some 20 miles—"could hit 85 percent of the inland targets now being bombed in South and North Vietnam." I am not competent to evaluate that precise statistic, but I have been informed by military men that a clear majority of coastal targets in the battle area can be brought under the guns of the *New Jersey*. If this is true, it should make a marked difference in the rate of losses of our aircraft and pilots on both sides of the 17th parallel.

I commend Mr. McNamara for this decision. I think it should have been made many months ago.

I would not be too surprised if, somewhere down the road, the use of the *New Jersey* should prove to be so relatively economical, efficacious, and militarily sound that another of our mothballed battleships—the *Iowa*, the *Missouri*, or the *Wisconsin*—might be brought into service.

For the time being, we can be assured that the massive firepower of the *New Jersey* and the service of her 1,400-man, 70-officer crew, will be a part of the effort to bring the war in Vietnam to a conclusion.

I ask unanimous consent that press accounts of the decision to reactivate the *New Jersey*, and other related material, be printed in the RECORD.

There being no objection, the items were ordered to be printed in the RECORD, as follows:

[From the New York Times, Aug. 2, 1967]

THE NEW JERSEY IS CALLED TO DUTY—WORLD WAR II BATTLESHIP TO BE REACTIVATED FOR WAR

WASHINGTON, AUGUST 1.—Secretary of Defense Robert S. McNamara today ordered the battleship New Jersey taken out of mothballs to bolster United States naval fire power in the Vietnam war.

A Pentagon announcement said it would take nine to 10 months to prepare the big battle wagon for sea duty.

The cost of reactivating the ship "on an austere basis," will be approximately $27-million, the Pentagon said.

Stripping away the preservatives and restoring the ship for active duty will require about nine months.

Tentative plans are for the New Jersey to undergo the usual "shakedown" phase while on the way to Vietnam where her 16-inch guns will be used to bombard deep into North Vietnam's coastal areas.

The shakedown phase will involve test firing of the heavy guns and training for the battleship's crew of 1,400 enlisted men and about 70 officers.

The Navy a few days ago completed an $800,000 study ordered by Mr. McNamara to determine how much it would cost to get the New Jersey back into fighting condition.

Many naval officers have contended for some time that a battleship's bigger guns and longer firing range would significantly bolster United States fire power in the war. Mr. McNamara ordered the New Jersey reactivated on the basis of a Navy recommendation.

He said the ship would be assigned to the Pacific Fleet "to augment the naval gunfire support in Southeast Asia."

The Pentagon said modernization work would be limited mainly to an updating of the New Jersey's electronic equipment.

SHELLING RED TRAFFIC

The Seventh Fleet currently has two or three cruisers and a larger number of destroyers assigned to shelling Communist coastal traffic and inland targets of North Vietnam.

The New Jersey will bring to bear nine 16-inch guns, compared with the eight-inch guns of the cruisers and five-inch weapons of the destroyers.

The battleship's 16-inch barrels can hurl a 1,900-pound projectile 15 miles inside North Vietnam while standing off the coast six miles. In addition to her biggest guns, the New Jersey's armament includes 20 five-inch guns.

The 45,000-ton, 887-foot-long vessel was first commissioned in May, 1943, at the Philadelphia Naval Shipyard where she now lies in reserve. She served in the Pacific from January, 1944, until the Japanese surrender in the summer of 1945.

Adm. William F. Halsey used the New Jersey as his flagship when he commanded the United States Third Fleet in the Pacific.

The New Jersey later served with the United Nations forces in Korea, firing more than 7,000 rounds of 16-inch shells against Communist targets during two tours of duty in the Korean war.

[From the Washington (D.C.) Post, Aug 2, 1967]

RETIRED BATTLESHIP TO BE REACTIVATED

The Defense Department announced yesterday it would send the reactivated battleship USS New Jersey to bombard Vietnam targets with its 16-inch guns. It will be the world's only combat-capable battleship.

The Pentagon said it would spend $27 million and 10 months to take the New Jersey out of mothballs at Philadelphia and refit it for duty with the 7th fleet.

The Navy recently completed an $800,000 study to determine whether or not it would be economically feasible to refurbish a battlewagon for duty in Vietnam. Yesterday's announcement was expected.

The New Jersey, retired 10 years ago, is equipped with nine 16-inch guns which can hurl a 1900-pound projectile 21 miles.

Battleship proponents claim the big guns could hit 85 per cent of the inland targets now being bombed in South and North Vietnam.

There are no battleships now active in the U.S. Navy. Three others—the Iowa, Wisconsin and Missouri—also are in mothballs.

Nor are there any serviceable battleships operating in other navies, which will make the New Jersey the only combat-ready battleship in the world.

[From the Wyoming State Tribune, May 12, 1967]

BATTLESHIPS, FINALLY?

It now appears Wyoming's Senator Hansen has achieved at least a partial victory in the matter of battleships for Vietnam. On April 12 the freshman Republican from our state in a Senate floor speech called on the Defense Department to order the recommissioning of two battleships for use in the war in the Far East.

Yesterday, the Navy was reported to have asked Secretary of Defense McNamara for permission to de-mothball at least one of the four big World War II battleships now in fleet storage. The most likely candidate for the re-commissioning is the New Jersey with a main battery of nine 16-inch guns.

Despite denial by the Pentagon that any such request has been made by the Navy, the story apparently originated from two good sources: Rep. Richard S. Schweiker (R-Pa.), a member of the House Armed Services Committee whose home district (Montgomery County, Pa.) adjoins Philadelphia where the New Jersey is in storage; and the New York Times.

The New Jersey or any other battleship of its class would be employed in Vietnam for offshore fire support missions. As this newspaper has pointed out in a previous editorial, its capabilities include delivery of a 2,700-lb. round of ammunition a maximum distance of 24 miles, with higher precision performance and under maximum safety conditions to its crew compared to those afforded an aircraft and its personnel.

AMBASSADOR GOLDBERG LETTER TO ABA PRESIDENT FORCEFULLY STATES THE CASE FOR RATIFICATION OF THE HUMAN RIGHTS CONVENTIONS—CXI

Mr. PROXMIRE. Mr. President, the American Bar Association is presently holding its annual convention in Honolulu. It is expected that the delegates will take some formal position on the Human Rights Conventions on Forced Labor, Political Rights of Women, and Slavery, all of which are presently before the full Foreign Relations Committee.

On May 8, 1967, Ambassador Arthur J. Goldberg met with the president of the American Bar Association, Orison Marden. Ambassador Goldberg's objective, at that time, was to emphasize the importance of affirmative Senate action on these three human rights conventions.

On May 11, 1967, Ambassador Goldberg wrote to Mr. Marden, forcefully summarizing his support of U.S. ratification and urging the American Bar Association to lend its great prestige to the fight for ratification.

I think, as the American Bar Association meets at its annual convention, it would be good to recall particularly one paragraph of Ambassador Goldberg's letter to Orison Marden:

> It seems to me that what is or is not a matter of "international concern" and properly within the treaty power must be determined by contemporary fact—by reference to the effective protection of our country's interests in an increasingly interdependent world. I would be extremely disappointed to see the American Bar Association give support to a restrictive conception of the treaty power which would make us the only major country impotent to participate through treaties in the world-wide promotion of basic human rights whose implementation is vital to the achievement of our foreign policy objectives, including that of world peace.

Mr. President, Ambassador Arthur J. Goldberg has once again brilliantly and convincingly presented a compelling argument for Senate ratification of the Human Rights Conventions on Forced Labor, Political Rights of Women, and Slavery.

I ask unanimous consent that the letter of May 11, 1967, from Ambassador Goldberg to Orison Marden, Esq., be printed in the RECORD.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

U.S. REPRESENTATIVE TO THE
UNITED NATIONS,
May 11, 1967.

ORISON MARDEN, Esq.,
President, American Bar Association,
Washington, D.C.

DEAR MR. PRESIDENT: It was good of you to come at short notice to lunch with me Monday to discuss the three human rights conventions now under consideration by the Senate Foreign Relations Subcommittee. As you requested, I am sending along, for distribution to the Board of Governors, copies of my statement before the Subcommittee as well as a memorandum of law explaining why our adherence to these conventions would be a proper exercise of the treaty power.

As I emphasized during our luncheon together, it is very important to my work here that the Senate act favorably on these conventions before the summer recess. I would therefore hope that the Board of Governors could express its support for the conventions or, at the very least, take such action as will enable the Senate Subcommittee to complete its work on the conventions without further delay.

Needless to say, approval of the three treaties under consideration by the Senate Foreign Relations Subcommittee would not involve a decision one way or another on other human rights conventions. These other conventions can and should be considered separately on their merits if and when they are presented to the Senate for advice and consent.

Why the interests of our country would be served by ratification of the three conventions now under consideration in the Senate is indicated in my enclosed statement. Our failure to ratify United Nations conventions on such fundamental human rights as slavery, forced labor, and the political rights of women has become, quite frankly, a major diplomatic embarrassment. Our ratification of these conventions, on the other hand, would encourage other countries which have not yet ratified to reconsider their stand and put us in a position, as a party, to exert our influence more effectively on behalf of the international observance of these basic standards.

The United Nations, as you know, has proclaimed 1968 as the International Year for Human Rights, a year for new achievements and progress in this important area of international concern. Our country would be in a better position to participate effectively in the UN's program for Human Rights Year if we could ratify the three treaties before the year begins.

The various legal questions that have been raised with regard to the three conventions should be fully answered, I believe, in the enclosures. The conventions deal with matters already within the Federal competence, so that no Federal-State question is involved. None of them would require any change in existing American law. As my statement before the Subcommittee explains, the provisions of the Forced Labor Convention, together with its drafting history, confirm that punishment for illegal strikes or other illegal labor activities is not prohibited. Similarly, the provisions of the Political Rights of Women Convention, together with its drafting history, make clear that it applies only to public office and public functions established by national law, and that it does not apply to military service.

I understand that some have challenged the constitutionality of our adherence to these treaties on the grounds that they deal with "the relations between a State and its own citizens and therefore involve domestic questions" which are not proper subjects for the exercise of the treaty power. This challenge, in my view has no basis in the US Constitution as interpreted by the Supreme Court or in US treaty practice. As the memorandum of law indicates, the relevant test is not whether a treaty deals with a matter that is "domestic" in the restrictive sense used above but whether it deals with a matter "which is properly the subject of negotiations with a foreign country." *Geofroy v. Riggs*, 133 U.S. 258, 267 (1890). As Charles Evans Hughes once put it, the question is whether the treaty deals with a matter of "international concern."

The United States has entered into many treaties regulating relations between a government and its own citizens. Examples are given in the memorandum of law. One of these treaties, the 1926 Slavery Convention ratified by the Hoover Administration, commits the parties to abolish slavery within their respective jurisdictions and also to take measures to prevent forced labor within their jurisdictions from developing into conditions analogous to slavery. If these matters were within the treaty power 40 years ago, they can hardly be outside the treaty power today.

It seems to me that what is or is not a matter of "international concern" and properly within the treaty power must be determined by contemporary fact—by reference to the effective protection of our country's interests in an increasingly interdependent world. I would be extremely disappointed to see the American Bar Association give support to a restrictive conception of the treaty power which would make us the only major country impotent to participate through treaties in the world-wide promotion of basic human rights whose implementation is vital to the achievement of our foreign policy objectives, including that of world peace. I would also be greatly troubled by a restrictive interpretation of the treaty power which might prevent us from promoting the harmonization and unification of private laws affecting the activities of US citizens and business men in foreign countries.

Once more, let me thank you for giving me this opportunity to present these views to the members of the Board of Governors.

With best regards,

Sincerely,

ARTHUR J. GOLDBERG.

AMERICA AT THE CROSSROADS

Mr. SCOTT. Mr. President, I invite the attention of the Senate to a stirring editorial entitled "America at the Crossroads," published in the Christian Science Monitor today.

As the editorial points out, the overriding need in this hour of national crisis is "For a greater spirit of love and brotherhood among men—expressed in practical channels of action."

I ask unanimous consent that the editorial be printed in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

AMERICA AT THE CROSSROADS

This is a time for all Americans, white and black, to rise above the psychology of hate, anger, fear, and retaliation. The greatest long-term danger in the rampage of urban riots is the poison it would release into the nation's mental atmosphere—the changes it would produce in the attitudes of Americans toward each other.

One leading newspaper says this summer may be "the point in time when the American Negro finally lost all hope in the white man." Some fear the mounting violence will provoke a white backlash compounded of fear, anger, and violent retaliation. Senator Case of New Jersey cites the danger that the riots could split the nation "for all time into two warring camps." These thing simply must not be allowed to happen.

How can they be averted? There is a need for both honest soul-searching and intelligent action:

There is need for basic changes in white attitudes toward Negroes and Negro attitudes toward whites. The truth of human brotherhood under one God must be more fully accepted and practiced. Whites must recognize the deep feelings of inferiority and rejection so cruelly foisted on the black man by white society, and now so powerful in motivating violence—and reach out positively, compassionately, patiently, respectfully to bridge the gulf with genuine love and fellowship and practical help. Negroes must courageously reject the prophets of race hate who go up and down the country inciting to arson and pillage and preaching destruction of organized society; violence will only compound the Negroes' problems.

There is need to recognize that in many basic aspects the underlying problem is neither black nor white. The problem of the slums—noise, congestion, dirt, ugliness, injustice, unemployment—is the problem of our cities, vast and uncontrolled monstrosities producing environments intolerable for human habitation. Our whole society faces this growing urban challenge—and apathy, politicking, and conservatism must not be allowed to stand in the way of bold and drastic solutions.

There is need to counteract the contagion of violence. We live today in a supercharged mental atmosphere. Television, movies, novels, plays, and the press peddle and dramatize violence beyond all reason. Riots produce their own hypnosis. Police Chief Girardin of Detroit tells of people who looted on impulse they couldn't control; who now are ashamed and call the police to get rid of the new clothing and television sets they wake up to find in their homes. The answer to this mesmeric contagion is a profound respect for law and conscience. Without obedience to law, civilized society would revert to the jungle—and that helps nobody, black or white.

There is need to challenge and check the sudden trend toward a wholesale rejection of organized society. This trend is fostered by many segments of our society—mass media seeking sensation, the alienated young, a few intellectuals who would clothe hedonism and nihilism with elegant words. Such mental suggestions, polluting the atmosphere like swamp gas, encourage racial explosions. For all its ills, civilized society, and American society in particular, is worth saving. Solutions lie in the direction of patiently improving it—not senselessly destroying it.

There is need for prompt and decisive action to stop wanton violence wherever it occurs—action to maintain law and order. Delays caused by political cleavages or personal animosities, such as seem to have occurred in the Detroit situation, are inexcusable. While recent Supreme Court decisions have strengthened the civil rights of the accused, this trend must not lead to a prevailing permissiveness toward crime or to a timidity on the part of police that would tolerate criminal acts. The balance must be redressed.

There is need to avoid acts of stupidity and insensitivity which would exacerbate race relations. The merriment of congressmen in rejecting the rat-control bill disclosed an appalling ignorance of the state of present public thought and emotion, and of the problems and sensitivities of slum dwellers. This was but one of a number of recent incidents at the governmental level which have unwisely and unnecessarily inflamed Negro sentiment.

There is need for immediate and vigorous action—now—at the federal, state, and local levels, both by governmental and private agencies, to remove the social conditions which cause riots—the unemployment, misery, and hopelessness of the ghettos. Apathy and delay are the enemies. It is time for the nation to wake up to the danger and act decisively.

Underlying all of these necessities is the need for a greater spirit of love and brotherhood among men—expressed in practical channels of action. However ignored and dishonored at times, this is the spirit which has made the American commonwealth a melting pot and a bright chapter in history. Hate leading to fear, selfishness leading to apathy, anger leading to revenge, violence leading to retaliation will never solve anything. These won't help the Negro to be free, and they won't help white society to protect itself from destruction.

The words of the founder of this newspaper, Mary Baker Eddy, referring to the abolition of slavery in the United States, are eloquently apropos today: "A few immortal sentences, breathing the omnipotence of divine justice, have been potent to break despotic fetters and abolish the whipping-post and slave market; but oppression neither went down in blood, nor did the breath of freedom come from the cannon's mouth. Love is the liberator."

AIR POLLUTION CONTROL AND THE RESPONSIBILITY OF THE BUSINESS COMMUNITY

Mr. COOPER. Mr. President, today's Wall Street Journal contains an editorial commenting on the air pollution control bill which the Senate recently passed.

The editorial points out the need for close cooperation between industry and the Department of Health, Education, and Welfare if the sections of the bill providing for flexible regional control standards are to be effective. The editorial comments on the important role and responsibilities of industry in this regard:

> An industry forfeits much of those rights, though, if it fails to move full speed in developing the technology necessary in its particular field. Nothing will bring unreasonable regulation faster than for business to insist it will take decades to develop the technology, and then finding it can be developed in a few years after all once an obstreperous public body sets deadlines.
>
> Nor should regional pollution control become an excuse for inaction on severe but isolated problems. Even if there is no other pollution source within 500 miles, no one should be forced to look forward indefinitely to living in, say, the stench identified with paper mills.
>
> Finally, no business should take refuge in the narrow-minded argument that its particular brand of pollution has not yet been proved dangerous. The nation will make little progress with its pollution problem if it tacitly assumes anything can be belched into the air until the last "t" is crossed in a report proving it kills people.

Mr. President, I ask unanimous consent that the entire editorial be printed in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

A BUSINESS RESPONSIBILITY

The air pollution control bill the Senate passed the other day represents a victory for business spokesmen. If it becomes law, as seems entirely likely, the business community will bear a particular responsibility to see that it works effectively.

Before the Senate committee which unanimously approved the current bill, industrial groups including the U.S. Chamber of Commerce and the National Association of Manufacturers argued for a strictly regional approach to pollution control. They won deletion of an Administration proposal to set national standards for smokestack emissions by various industries.

The bill now would allow the Department of Health, Education and Welfare to define "air quality control regions" based on local pollution problems, weather patterns and geography. State commissions would then set air quality and emission standards; if they failed to do so, HEW could step in with its own rules.

The bill unquestionably represents badly needed progress against a serious problem. In one recent public opinion poll, for instance, air pollution control proved a more popular field for government action than any other domestic concern. And since it frequently is an interstate problem, at least an umbrella of Federal law seems appropriate.

The bill's regional approach, moreover, recognizes that different areas do have different pollution problems. It allows each region to concentrate its efforts first on its most pressing ones. It also avoids needless investment in pollution control equipment in areas where the problem is not acute.

If a regional approach is ultimately approved, however, its success will depend a good deal on the attitudes the business community takes. A multiplicity of regional agencies will create ideal opportunities for obstructionism. These opportunities doubtless will tempt some businessmen, so a bit of quiet suasion from their peers will be entirely in order. Fortunately, a number of the nation's most prominent companies are fully aware of their responsibility.

In dealing with either national or regional control authorities, of course, business has every right to insist that regulation remain reasonable. It has every right to ask for recognition of and time to adjust to the inevitable difficulties. It has every right to insist that standards move in step with the development of control technology that is both available and economically feasible.

An industry forfeits much of those rights, though, if it fails to move full speed in developing the technology necessary in its particular field. Nothing will bring unreasonable regulation faster than for business to insist it will take decades to develop the technology, and then finding it can be developed in a few years after all once an obstreperous public body sets deadlines.

Nor should regional pollution control become an excuse for inaction on severe but isolated problems. Even if there is no other pollution source within 500 miles, no one should be forced to look forward indefinitely to living in, say, the stench identified with paper mills.

Finally, no business should take refuge in the narrow-minded argument that its particular brand of pollution has not yet been proved dangerous. The nation will make little progress with its pollution problem if it tacitly assumes anything can be belched into the air until the last "t" is crossed in a report proving it kills people.

The controlling assumption, rather, ought to be that all air pollution is perforce obnoxious and ought to be reduced as rapidly as possible within the limits of feasibility. And, as Surgeon General William H. Stewart has said, "we should push that word 'feasibility' just as far as we can."

If the business community endorses that kind of assumption—and the indications are most of it is headed that way—it can rest confident in its argument that regional control will prove itself preferable to inflexible Federal standards.

THE MOON PROJECT

Mr. ANDERSON. Mr. President, the Evening Star of Thursday, July 27, 1967, contains an excellent article entitled "The Moon Project Is Back on the Track," written by William Hines.

While the Apollo program still has a long way to go, it has come a long way since the tragic accident of January 27, 1967. Mr. Hines in his article discusses some of the major problems, their solutions and the changes they have brought about in the program. It is particularly encouraging that the relationship between the Agency and the contractor is vastly improved.

Mr. President, I ask unanimous consent that the article be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

THE MOON PROJECT IS BACK ON THE TRACK

(By William Hines)

LOS ANGELES.—Six months after an accident that killed three men and shook the nation, project Apollo is back on track.

This is the clear impression gained on a coast-to-coast tour of the centers of action in America's $25 billion moon program. The progress made since fire ravaged Apollo spacecraft 012 is by no means so obvious at the seat of power and policy in Washington as in the field where it is performance, not talk, that counts.

Half a year after that unforgettable night of Jan. 27 the process of trauma, shock and recuperation has run its course. Much remains to be done, of course—and it will be another nine or 10 months before astronauts fly again—but things are moving once more.

At Downey, near here, where Apollo spacecraft are built, at Houston, where flights will be controlled, and at Cape Kennedy where they will begin, there is a noticeable air of confidence (but not over-confidence) mingled with caution (but not over-caution).

A sadder but wiser Apollo team has emerged from the disaster at pad 34 with the realization that "pretty good" simply is not good enough.

Most of those on the Apollo team six months ago are still on it, but something new has been added. This is a thin but significant layer of managerial talent at the three key locations.

The National Aeronautics and Space Administration's top management in Washington—Administrator James E. Webb, Deputy Administrator Robert C. Seamans, and Associate Administrator George E. Mueller—are relying on this leaven of know-how to spell the difference between the failure of 1967 and, hopefully, the successes of 1968 and beyond.

The process of comeback from the Apollo fire has not been easy or cheap in any measurable terms.

From the coldly financial angle, the accident and its aftermath probably cost $100 million. In terms of time, the short-range delay will amount to 14 or 15 months in resuming manned flights, and the long-range delay probably will push the initial lunar landing out of the 1960s and into the 1970s.

In engineering and manufacturing talent, too, the cost was high. Modification of the spacecraft turned out to be much more extensive than most people realized when work began a few months ago. Problem begat problem as the redesign progressed.

The accident was costly as well in terms of lives, careers and reputations. Virgil I. Grissom, Edward H. White II and Roger B. Chaffee, the astronauts assigned to the first Apollo mission, died physically. Some key managers died—or were severely injured—professionally when they were selected as scapegoats. And finally, the corporate "images" of NASA and its principal Apollo contractor, North American Aviation Inc., suffered blemishes that have not entirely disappeared.

Both NASA and North American today know that nothing short of first-rate performance will restore the public confidence that was shaken over a four-month period beginning with the fire and ending with the conclusion of congressional hearings late in the spring.

MANY CHANGES

To insure top performance, both the agency and its contractor have streamlined their organizations, strengthened project management and ironed out procedural difficulties—such as endless haggling over contracts—that hampered the smooth operation of project Apollo for several years.

Of all the changes since Jan. 27, the most significant ones have occurred within the North American organization. This huge corporation, one of the largest aerospace companies in the world, came in for an uncommon amount of criticism—most of it justified—during the hearings on Capitol Hill.

What occurred in North American's corporate offices here, and in huddles with top NASA management in Washington following the accident, can only be surmised. But it is reasonable to assume that the company was instructed to straighten up and fly right . . . or run the risk of losing the biggest single piece of the Apollo action.

The company's response has been a subtle but quite radical reorganization of its Apollo operations, centering on a hard-driving man named William B. Bergen as president of North American's newly renamed Space Division (formerly Space and Information Systems Division).

Bergen joined North American in April after a long career as president of the Martin-Marietta Corp., which lost out to North American in Apollo contract competition in 1961 under circumstances not fully explained even today. Within a month he was handed the Apollo assignment by North American's president, J. Leland Atwood.

Along with the assignment, Bergen seems to have received virtually unlimited authority, plus—as he says—"access to any resource in the entire corporation."

Thus events ironically came full circle, and the man who would have run Apollo had Martin won the contract found himself running it for North American.

CAPE JOB UPRATED

Two of Bergen's earliest actions were directed at hardening two noticeable soft spots in the space division's structure—manufacturing at Downey and launch-checkout operations at Cape Kennedy.

To bolster the former he called in North American's top manufacturing expert, Ralph Ruud, and made him executive vice president. To shape up Florida he hired a longtime Martin associate, Bastian (Buz) Hello, and elevated the cape job to vice-presidential level. At the same time, Bergen smoothed out some organizational kinks and tangled lines of authority that had hampered Apollo operations for years.

Meanwhile, NASA had been making changes, too. Maj. Gen. Samuel C. Phillips, an Air Force officer on duty as Apollo manager at NASA headquarters and author of the controversial "Phillips Report" that made headlines last spring, was tightening his control over the project. A recent development was the appointment of a close Phillips associate, Rear Adm. Roderick O. Middleton, to head Apollo operations in Florida.

At Houston the Apollo program is in the hands of George M. Low, who was deputy director of the Manned Spacecraft Center until February and who most people expect will be center director some day. Low has a long reputation as a forceful administrator, dating back to the earliest days of Project Mercury. His Apollo spacecraft chief is an old associate from the Mercury days, Kenneth Kleinknecht.

All these men are focusing their attention now on one goal—to fly, as soon as possible, a safe and workable spacecraft. Not all the problems are solved by any means, but as one of them said "we see the light at the end of the tunnel."

What is the biggest problem? Unanimously, the experts say selection of truly fireproof materials tops all others. Grissom, White and Chaffee died not only because of sloppy workmanship, but also because of sloppy disregard of the most elementary safety precautions. Something like 70 pounds of highly inflammable materials were in the cabin where they died; one pound, the safety experts say, would have been a dangerous amount.

A $60,000 SPACE SUIT

The stated objective now is to put nothing into the spacecraft which could burn under any conceivable circumstances. All concerned agree that this goal will never be achieved, but it will be striven for and the experts believe they can come close.

Safety will not be cheap, however. Richard S. Johnston, head of the crew systems division at NASA-Houston, estimated that a truly fireproof space suit (such as is now being developed) will cost about twice as much as the suits worn by the astronauts who died—$50,000 to $60,000 vs. $30,000. The first Mercury suits cost about $7,000 each.

The experts are about ready to give up in their search for a completely non-burnable replacement for Velcro, the material Dale Myers, manager of the Apollo spacecraft program at North American-Downey, calls "the greatest substitute for gravity the astronauts have."

Velcro is a nylon material fashioned of tiny soft loops on one face and small rigid hooks on the other. It works on the principle of a cockleburr in a dog's fur. When pressed together, the two faces of Velcro mesh firmly and hold with surprising tenacity.

In the spacecraft, pieces of Velcro pile are attached to the cabin walls, and pieces of Velcro hook are placed on cameras, tools, notebooks and the like. Thus, things the astronauts need can be kept handy without danger of their floating around in the weightless state and getting lost.

Johnston, at Houston, has spent a lot of time and money looking for an absolutely fireproof Velcro substitute. He thinks that what will happen in the end is that NASA will settle for a combination of materials 95 or 96 percent (by weight) nonflammable.

VERY CONFIDENT

Kleinknecht believes that with redesign of the Apollo cabin interior, fire never again will be a fatal problem. "I feel very confident," he says, "that while you may not be able to say there won't be a fire, any fire that breaks out will be localized."

It was not the initial ignition of a burnable substance by a short-circuit spark that killed the astronauts, but rather the explosive rush of flames through an oxygen-charged cabin filled with combustible material.

Kleinknecht ranks the development of a quick-opening hatch or cabin door, as the chief design change resulting from the fire. The old-style hatch took about 90 seconds to open, even in an emergency, and in this period Grissom and his crew were overcome and died. The new hatch should be operable within about three seconds.

Making a quick-opening hatch caused problems that might not be immediately apparent. The new hatch turned out to be considerably heavier than the old one, and unfortunately was situated on the side of the spacecraft that was supposed to be light. Consequently, ballast had to be installed on the other side to compensate, with the result that the redesigned spacecraft is some 400 pounds heavier than the old one.

"We're always fighting weight," says Kleinknecht.

The weight problem has created another set of difficulties for the spacecraft designers. Once the gross weight passed a certain point, the existing parachute system was found to be inadequate for the worst conceivable emergency case. So it is undergoing redesign, too—and inevitably the new parachute system will be heavier than the old one, and so the snowballing process continues.

All these design changes require testing, which consumes a great deal of time and money, both of which are becoming increasingly scarce.

TARGET DATE

Officially, the story on schedules now is that all the pieces will be assembled at Downey into a flyable spacecraft by the end of this year and this will be ready for the first manned flight before April 1. Well-informed outsiders believe that while the shipping date may be met, the flight date probably will not be.

Astronaut Walter M. Schirra, who will command the first mission, publicly bet $5 during a "Meet the Press" program last May 21 that he would fly before a year had passed. Last week at Houston, Kleinknecht observed that this looked to him like "a close bet either way."

While there is probably as much schedule-urgency now as before the fire, it seems clear that corner-cutting is out. North American had a habit, under the old regime, of shipping spacecraft to the Cape in unfinished condition to meet shipping deadlines. Bergen says he is determined that this will not happen in the future.

"My firm philosophy is that the Cape should not be an extension of the manufacturing and test procedure," Bergen says. "It should be the recipient of a flyable bird."

He has set up what amounts to an adversary system to bring this policy into effect. Buz Hello, at the Cape, is in effect a customer of Dale Myers at Downey. If the customer doesn't like what he receives from the factory, back goes the bird. This policy was in effect at Martin-Marietta during the Gemini program and on one occasion Hello refused to accept a Titan 2 rocket at the Baltimore plant and sent it back to Denver.

This accent on personal responsibility is more characteristic of the new regime at North American than of the old one. For the first time now, there is a single boss in Florida instead of a "troika" reporting back to various people on the West Coast. In Hello's view the new arrangement has improved morale at the Cape.

ONE BOSS

"It's not that it's Buz Hello," he explains. "It could be Charlie Brown, who cares? But there's a boss here now—one boss—and he's a vice president, and he's somebody the people on the job can identify with."

The feeling of identity is central to Bergen's way of doing business, and he has brought this down to the level of the individual spacecraft, tying a high-level engineer's name and reputation to each bird manufactured at Downey and flown from Cape Kennedy. The first manned spacecraft—No. 101—is the responsibility of Sanford Falbaum, long a key man in the space division.

Another important development is an improved climate of cooperation between NASA and North American. Insiders and outsiders agree that there has been a virtual revolution in contractor-customer relations. As Kleinknecht put it in an interview at Houston:

"I'm gratified over their (North American's) attitude and reaction. Before, with North American, you almost had to put it in writing to get anything done. Everything that we suggested or talked about, North American was on the defensive about. Now they are very receptive."

Part of the problem was that contract modification was always handled at the corporate level. At Bergen's insistence, this is now a function of the space division.

At least some of North American's receptiveness is attributable to the fact that the company is running scared. There was considerable pressure in Congress, after the Apollo accident report, to punish the company for shortcomings revealed by it and the earlier Phillips report. Some legislators demanded that the Apollo job be taken away from North American.

COMPROMISE

This probably would have done as much harm as good in terms of future progress, and NASA compromised. The agency took some lucrative parts of North American's Apollo responsibilities, including spacecraft modification and some phases of prelaunch checkout. But it left the basic job of building the bird.

North American clearly (and properly) read this action for what it was: a one-last-chance warning.

Phillips, responding to a question from the Senate Space Committee last spring, said he was still not completely satisfied with North American's performance. Neither is North American, says Dale Myers, the Apollo spacecraft chief at Downey. "There's still work to be done," he comments. "We're never satisfied. We can't afford to be."

This is a healthy change from the defensiveness that characterized North American's first reaction to criticism. Undertandably there remains a sensitivity among pre-fire North American officials—a feeling that not all the criticism they received was justified.

The new people—those who came aboard after the fire—have no vested interest in the tragedy, hence no particular sensitivity about it. Says Buz Hello at Cape Kennedy:

"How could they be too rough on North American? We built the spacecraft, didn't we?"

Of the Apollo review board's voluminous report on the Jan. 27 accident, Hello comments, "what I've read of it was good engineering and an honest reflection of the facts."

Bergen, the big boss, has passed the word to his colleagues not to fight the problem, but to solve it. They have come, he says, to accept the accident report's findings and recommendations as justified.

"I can find no argument by people here with the findings of the board," Bergen asserts. "It is no subject of controversy at all."

RACIAL RIOTING

Mr. TALMADGE. Mr. President, the well-known syndicated columnist and political satirist Art Buchwald has injected some levity into the racial rioting situation.

In his column in Tuesday's Washington Post, Mr. Buchwald writes in a humorous—yet very serious—vein about how militant Negro leaders come into prominence and would-be leadership by virtue of being played up as larger than life by the news media.

Mr. Buchwald writes of two imaginary characters called "Robert Runneymeade" and "Huggins Haplap" whose "black power" threats are given far more publicity and credence than they deserve, until the point is reached that they are suddenly famous, or infamous.

I think we can find parallels from these two characters in some of the people who purport to speak for the Negroes today, and who go about telling their people to "shoot and loot."

I call this column to the attention of the Senate and ask unanimous consent that it be printed in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

Capitol Punishment: The Anatomy of a Leader

(By Art Buchwald)

Negro "leaders" aren't born these days, but made and in most instances by the news media.

Take the case of Robert Runneymeade as an example. Robert Runneymeade has been standing on the corner of Spring and Maple for the past three years (except when he's been in jail) saying to three or four hangers-on, "We ought to shake someone up."

Nobody ever paid much attention to Robert Runneymeade until a few months ago when a reporter for a local newspaper, doing a story on violence in the ghettoes, happened to overhear Runneymeade say to his friends:

"Man, we ought to burn down this town."

The next day a story appeared in the paper that "Robert Runneymeade, a leader of the Black Power movement, told a militant crowd at Spring and Maple that it was time to burn down the town."

A television crew was dispatched the next evening to Spring and Maple where his pals were congratulating Runneymeade on making the front pages of the newspaper. The TV commentator stuck a microphone in front of Robert Runneymeade's face, lights were turned on and for the next 20 minutes, Runneymeade said "the Mayor, the City Council, the 'honkies' and President Johnson have to talk to me."

The opposition television station sent out its camera crews to get the views of Runneymeade, and with all the lights and trucks a large crowd gathered, as they will when they see TV cameras.

The news media claimed that the crowd who had gathered were all Runneymeade's followers, when in fact most of them had never heard of Runneymeade, and those who knew him thought he was a joke.

But the press was not too interested as to how many followers Runneymeade really had. He was now talking about burning down the Yosemite National Park and this certainly had news value.

In the meantime the networks had plugged into Runneymeade and he started holding press conferences telling everyone, "I'm not going to take any stuff from anyone, and if I have to wipe out the United States Marine Corps I'm going to do it."

The Negro people still considered Runneymeade a joke, but the white people were scared out of their wits by his television appearances and his statements in the press. Things got so bad that when the President of the United States went on television to talk about the riots his statement was placed on the bottom of the page, and a statement made by Runneymeade threatening to use tanks against the public library was given a six column headline.

It got so bad that no matter what happened, Runneymeade was the first interviewed as to what his opinion was on the issues of the day. Runneymeade was quoted on Red China, Vietnam, the Middle East crisis. He appeared on the covers of both leading news magazines. The majority of the Negro community kept insisting that Runneymeade did not speak for them, but no one could make a headline or a TV news story out of that.

Unfortunately, the publicity had gone to Runneymeade's head, and one day he announced he was banning all white newspapermen from his press conferences.

Since they couldn't cover him anymore, the news media sought out another "Negro leader" on the corner of Marble and Sycamore streets. His name was Huggins Haplap and he was overheard by a reporter the other day saying to a girl he was trying to impress, "I'm going to burn down the Grand Coulee Dam." It shouldn't be long before Haplap becomes a feared American household name.

ADDRESS BY RETIRED AMBASSADOR KARL LOTT RANKIN, OF MAINE

Mrs. SMITH. Mr. President, a profound address was recently given by a retired distinguished Ambassador of the United States, Karl Lott Rankin. We, of Maine, are quite proud of Karl Rankin, for he is one of Maine's foremost citizens. He and Mrs. Rankin are residents of South Bridgton, Maine. Following a long and extremely honorable career as a top diplomat for the United States and foreign service career leader of the State Department, Ambassador Rankin returned to South Bridgton for his richly deserved retirement.

I have known Ambassador Rankin and Mrs. Rankin for many years. I am deeply impressed not only with Ambassador Rankin's depth and breadth of knowledge but also with his perception and wisdom.

His address on July 24, 1967, to the Waterville, Maine, Rotary Club provides a remarkable insight and perception on a matter of utmost importance to the people of the United States. I endorse it to every Member of the Senate and to every American as "must" reading and I ask unanimous consent that it be printed in the RECORD.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

CONVERGING WITH COMMUNISM

(Remarks of K. L. Rankin before the Waterville Rotary Club, July 24, 1967)

Several years ago I was talking with Marshal Tito of Yugoslavia about various matters of mutual interest. On leaving, I expressed the hope that our views in general were drawing closer. He agreed so readily that I was startled. What I meant, of course, was that the Yugoslav communist regime might be moving toward the Western or American way of thinking. What Tito probably had in mind was that compromise on our side appeared more significant to him. Today, I would like to examine whether we are indeed moving toward the disaster which is communism.

In recent years we have heard much about internal changes in the countries of Eastern Europe. In the economic field, we learn that incentives of various kinds are spurring production, that domestic business enterprises now have a large degree of autonomy in handling their affairs, that supply and demand are being permitted to determine what will be produced and the price for which it will be sold. We also hear that there is greater freedom of expression and of movement. Travel by foreign tourists is actively encouraged, and only rarely do they get into trouble today by wandering into a forbidden area, or taking a photograph of the wrong subject. Terror as an instrument of policy is now used with restraint. Wholesale political executions, formerly a trademark of communist rule, have all but ceased.

The changes we have seen in varying degrees througout communist Europe, in the later 1950s and the 1960s, are nearly all to the good. But we should also consider whether we have moved in their direction at the same time, as Marshal Tito seemed to think.

We are likely to describe the differences between the communist world and ourselves in terms of the "Four Freedoms." Unfortunately, the issues here are easily confused, since we are dealing with things difficult to measure. Of course, in a modern society, absolute freedom is impossible. Lenin once said, "Freedom is precious, so precious that it must be rationed." We could agree, but first we would insist on knowing who is to do the rationing, and how he, in turn, is to be chosen and controlled. So immediately we encounter very practical questions. In safeguarding our freedom, therefore, it should be useful to consider some of the more important tangible differences between communist and what we consider democratic states, as matters stand today.

Superficial examination of the form of government in a communist country suggests more similarities than differences from a democracy. A popularly elected legislature, and elected or appointed officials in the executive branch, together with a judiciary not unlike our own in organization, govern a communist state in a general pattern not unfamiliar to us. Undoubtedly, the basic practical difference is the absence of an organized political opposition. This by no means eliminates the need for communist politicians to seek popular support. In addition to continuous Party propaganda, candidates for office often campaign strenuously before elections. Public attendance at political meetings may be larger, and almost certainly the turnout at the polls will be greater, than in our country. The only question is whether the Party candidate will poll 101 percent or only 99 percent of the vote. But Rule No. 1 in the communist book appears to be: Never allow a genuine political opposition to be organized.

The absence of a political opposition means, of course, that important decisions are made at inner councils of the ruling group, usually behind closed doors, rather than in public, at the polls, or on the floor of the legislature. Such councils may witness bitter arguments, but Party discipline usually prevails, and the public rarely learns the details. Only in exceptional cases do differences come out into the open. Even then, the oligarchy, which is all but identical with the top levels of government, remains self-perpetuating. Individuals may be purged, but the machine continues to operate much as before.

Inevitably, any kind of regime, whether democratic or totalitarian, uses the machinery of government to increase its influence and strengthen its chances of remaining in power. Up to a point, this is entirely legitimate. Traditionally, a democracy turns the rascals out when they go too far, or stay in too long. There is no corresponding check on a self-perpetuating oligarchy, other than internal stresses. These have proved woefully inadequate to serve the public interest. Thus the mechanism of government in a totalitarian state is inevitably and continuously adapted to maintaining the position of the oligarchy in power. The means become the end.

We need not be cynical. Most regimes believe that what they are doing is in the best interest of their respective countries. Hence, they feel amply justified in taking steps likely to keep them in power. And what is more natural than to present these steps in ideological terms? Communists are particularly diligent in this respect, as we see in Red China today. Mao Tse-tung's Great Proletarian Cultural Revolution is quite simply a power struggle. We handle it more delicately in this country, I am glad to say. Without questioning the humanitarian sincerity behind the Great Society, no one overlooks its attractions as a vote-getter.

In addition to the absence of an organized political opposition in a communist country, a highly significant factor is the number of persons on the public payroll. Precise comparisons are impossible, but the proportion evidently is far greater in a communist state than with us. The point I want to emphasize is the large percentage of the population dependent on a government salary for its livelihood, and on political connections for preferment. Big Brother is not unaware of the power which this places in his hands.

We should be wary of generalizations about communist agriculture. In some countries the collective farm is predominant, while in Yugoslavia, for example, 90 percent of the arable land is in private hands. But we have long since learned that effective control can be more important than legal ownership. In general, the Yugoslav farmer is allowed to own no more than 25 acres. If he is a good farmer, and has a good piece of land, he can support his family at a subsistence level, and enjoy a degree of independence. But if he wishes to improve his lot, and give his children more than a minimum of education, he must join a cooperative. The resulting advantages include the use of farm machinery, which he could not otherwise afford, as well as assistance in obtaining seeds, fertilizer, transportation, and credit, besides help in marketing his produce. But the cooperative, while nominally run by its members, is, in fact, simply another link in the mechanism of state control.

Meanwhile, large state-operated farms in communist countries have developed along lines not unlike corporate farms in the United States. Ours have come about by a process of evolution, because they are more efficient. Their communist counterparts have developed partly for the same reason, but an added attraction is the close political control which can be exercised over and through the farm management. The workers, despite window-dressing in the form of councils where they may vote on problems affecting the farm, are, in effect, simply employees of the State. Again, the political power of the ruling regime is reinforced.

I have referred to the new emphasis on incentive and autonomy for industrial and commercial enterprises in communist countries. They still have a long way to go before approaching the present status of American business. But the creation here of state-owned corporations, the frequent mergers among our big firms, the chronic problems of small business, and the steady growth of government regulation, all suggest that we are converging with important trends evident under communism. Practical economics may be expected to direct democratic and communist production into patterns of ever increasing similarity. Communists will be influenced in large degree by doctrinaire power politics. We can permit the same to happen, or we can supervise monopoly in a manner to encourage private investment and foster efficient operation, while giving the public such protection as may be necessary.

In the field of private savings and investment, there remains a fundamental difference between the communist system and our own. One of the chief arguments for public instead of private investment in backward countries is that economic development has been held back by the unwillingness of private investors, foreign and domestic, to provide sufficient capital. It may be countered that the political climate, and accompanying economic instability, have been primarily at fault. Be that as it may, in the United States, in Western Europe, and in some other parts of the world, individual savings and investment have evolved in a manner which has no counterpart under communism. True, one can put money in a bank, at interest, or buy local government bonds, in virtually all countries. But the communist record of continuous inflation, and repeated devaluation, prevents all but the most naive citizen from placing any substantial funds in this way. Gold hidden in a sock or mattress and, for the bigger operator, a bank account somehow opened in Switzerland, usually represent the practical limits of investment opportunity. Both are illegal, of course, and direct investment in any productive enterprise is anathema under communism.

Doubtless the large and chronic budget deficits of communist states have been primarily responsible for a history of currency depreciation and price inflation substantially worse than the sorry record of capitalist countries. But communist leadership is not unaware of certain political advantages in this process. A depreciating currency undermines one more element of independence for the individual citizen. A man with a good bank account, and a substantial equity in life insurance, may look the whole world in the face, but only if these assets are in terms of sound money. Otherwise, he is at the mercy of the State, and communist governments are anything but merciful toward private investment.

In certain countries of Eastern Europe an individual may own one or two houses. This does not represent investment, however, except as the owner and his family may use the houses to live in. If rented, all but a minor fraction of the income is taken by the State. Real property cannot be sold without special permission, and again the State takes a large part of the proceeds. Small business enterprises, particularly in the service branches, may be allowed to exist with perhaps five or fewer employees. But any signs of prosperity bring in a ruthless tax collector, whose business it is to see that private enterprise is unprofitable.

We have gone a long way since the time when the economic functions of government were virtually limited to collecting a few moderate taxes, punishing fraud, and maintaining convertibility of the currency. We would not turn back the clock if we could; modern society has become too complex. But as we move along ever more rapidly, we should keep in mind the communist experience. If our political party in opposition becomes ineffective; if a majority of our citizens become directly dependent on the State for their livelihood, whether for salaries, wages, or other benefits; if success in life comes to depend more on political connections than on efficient performance; if profit from private investment is to be penalized; if our money is to be continuously and substantially depreciated; then we should indeed be converging with the communist world. And our freedom would be in great peril.

Meanwhile, we should watch carefully for changes on the communist side. Their facility with propaganda makes it of primary importance to avoid being misled by wishful thinking or by superficial developments. I suggest that we look in particular for the emergence of a genuine and effective political opposition in communist states. This would have several implications. For one thing, wars are almost invariably started by nations where a single political group dominates. At the same time, we should watch for significant changes in attitude toward private investment, and property rights in general. I am not suggesting that private property is sacrosanct. But while protecting the public interest, a reasonable and sympathetic disposition by the State toward the property rights of individuals is essential to a free society. If and when any communist-ruled countries are ready to admit that this also can foster a more dynamic economy, they will have come a long way toward us and freedom.

MILWAUKEE JOURNAL EDITORIALS PROVIDE THOUGHT-PROVOKING COMMENT ON RECENT GHETTO RIOTS

Mr. PROXMIRE. Mr. President, last Thursday and Friday, the Milwaukee Journal, one of the Nation's finest newspapers, carried two excellent editorials on the steps that should and must be taken to meet the riot problem head on. The Thursday editorial anticipated President Johnson's Thursday night address to the Nation by calling for punishment of the rioters but also emphasizing the need for concerted social action to eradicate the poverty and despair that breed riot conditions. The Friday editorial commented favorably and with insight on the President's Thursday night talk.

As the Journal states:

> We have not begun to reach the great mass of youth who are the critical group—idle, neglected, at odds with the world, neither taught nor given reason to respect others in an orderly society.

These youth, who make up such a large proportion of the ghetto population, must be educated to respect law and order by being shown that senseless violence—burning and looting—will not be tolerated by a civilized society. But these same young men and women must also be educated to hold decent jobs so that they can share in the rewards of civilized society. If we do not balance punishment for wrongdoing with a corresponding opportunity to achieve the fruits of hard work and respect for law and order we will be treating the symptoms but not the disease.

Mr. President, so that my colleagues may read and ponder these excellent editorials, I ask unanimous consent to have them inserted in the Record at this point.

There being no objection, the editorials were ordered to be printed in the Record, as follows:

[From the Milwaukee Journal, July 27, 1967]

Now There Are Two Tasks: (1) Put Down Anarchy; (2) Root Out Causes

The summer madness of wrecking, burning and looting cities has no just cause as in a true revolution. It has nothing to do with legal civil rights, lacks even the crudest ideology. It is mass criminality for the sheer freewheeling hell of it.

Hate and frustration add to its proportions but far from wholly explain it, much less excuse it. It is not even wholly racial, as notably in Detroit, where whites, too, took part in the rampage and great numbers of Negroes were despoiled in their homes and property. The overwhelming bulk of Negro citizens are as aghast and sickened as anybody else; the estimate is that only about 2% of Newark Negroes joined in the lawlessness there.

As President Johnson proclaims, the nation must and will do whatever is necessary to suppress and punish such rioting, pillage and arson as any other criminal conduct. This would be so even if the wrong were done in the name of high principle, for nobody and no cause ever gains anything from anarchy. Lawfulness is the only conceivable way of reform and progress. It is a prerequisite, not a byproduct.

That being said, several perspectives remain to be thought out in the wake of Newark and Detroit. One is to put the rioting in the context of this country's enormous size and preponderant law abidance. Many millions of us have worries and problems and struggles but almost all in most places are determined to work them out peaceably and are doing so.

By this measure it is a very few here and there who would blow the lid off, whom some others will always join for deviltry. Terms like "civil war" and "insurrection" are fright talk out of all proportion. The worst real worry is over the extent to which some promoters of "black power" psychology have lost touch with reality and sense, and responsible Negro citizens are suffering failures to make their influence effective.

Despite the irrelevance of the rioting to any coherent civil rights "movement," it does have a civil rights meaning in the broadest sense of educational and economic deprivation. The easy reaction of politicians to riots is to blame "outside agitators," but the true provocateurs, the spawning grounds of violence, are the "inside agitators"—poverty, ignorance, joblessness, slums, delinquency.

And the civil rights movement that peaked in great legislation on the legal front has been losing momentum for the follow-through in this basic area, for which legal rights are only the mechanics. The work at eradicating these evils, which become conspicuous and dangerous most of all as unassimilated Negroes crowd into northern cities, has not gone far enough fast enough. The white community hasn't had enough heart for it.

This in part is a redoubling of the tragedy of Vietnam. We feel forced to allocate resources down the drain in Asia that we have been unwilling to match or divert back home. Even without that distraction, however, the overall attitude of the nation toward its social failures must appear too indifferent, or too gradualistic at best, to be tolerable. This makes for a violent spirit even without being so reasoned out.

We have not stopped to think that we must be doing something wrong, to re-examine the premises of habitual activities. One sharp example: Urban renewal, for all its good, has itself been providing only one new dwelling unit for every six old ones that it has destroyed; slums just get relocated.

Congress has so far lost its zest that in refusing to make war on rats it fairly scoffs at the poor and the ill housed, to whom rats are both an actual plague and a symbol of their plight. Cities have refused to acknowledge the presence of racial problems by even a show of action in key areas like school policy, police administration, open housing legislation. While an open housing ordinance, for instance, is not a sole remedy, the repeated refusal of white aldermen to vote for one, as in Milwaukee, is a provocation and sends out a message.

The riot reports nail down two specific community failures. Most of the mob who ravaged Detroit were youths, and so many of Newark's black majority of population are under age that adult Negroes eligible to vote are a distinct minority. We have not begun to reach the great mass of youth who are the critical group—idle, neglected, at odds with the world, neither taught nor given reason to respect others in an orderly society. Also in these frightful outbreaks, to no small extent, we are reaping the whirlwind of neglect to control access to firearms.

The most disturbing and challenging observation in the aftermath is this: Even considerable good faith efforts to keep harmony in a city and work against the conditions in which violence may break out are not a sure reliance. "We had thought we were in pretty good shape" to keep things cool, said Gov. Hughes of New Jersey after Newark. And Detroit, after severe racial troubles 24 years ago, was feeling pretty proud of having developed good interracial communications and good police-community relations, as well as fortunate in having a high ratio of employed and well paid Negroes in a comparatively desegregated housing pattern. The holocaust came anyway.

The blunt truth remains that having a large and depressed Negro minority in the United States is a white problem to solve. It is the white majority that has imposed the burdens of segregation, deprivation and alienation on that minority, and it is the white community that has the power to make the decisions for change. Most Negroes perceive or sense this. Not enough whites do.

[From the Milwaukee Journal, July 28, 1967]

The President's Message

President Johnson's television message to the nation Thursday night on the tumult in the cities was appropriately forceful, yet wisely humane.

Violence and destruction cannot, will not, be tolerated, the president said. And the full brunt of this country's police power will be mobilized to stop it, if need be.

But the country must not allow its heart to harden further against Negro Americans—the vast majority of whom have had nothing to do with the rioting. The president pleaded for continued compassion, for understanding of the seething social morass—the poverty, deprivation and discrimination—that has spawned the maelstrom.

Whether a special advisory commission, however impressive its membership, can tell the president and the nation anything really new about the riots and why they have occurred is doubtful.

The president's most substantial suggestion was to order new training standards for riot control procedures for national guard units across the country. If the national guard, as now seems likely, is to be the main line of defense behind local police it will have to be far better prepared. The Newark and Detroit riots particularly have revealed that many national guardsmen are much too trigger happy.

The president also was right on target with his harsh criticism of congress for killing measures such as the proposed rat control law. It is bitterly ironical that in a period in which lives were snuffed out and hundreds of millions of dollars worth of property smashed and damaged, the house of representatives could not bring itself to vote $20 million to help keep rats from biting children of the slums.

Even a hyperactive congress is no guarantee, of course, against the sort of violence the nation has seen in recent days. The task of slicing the roots of social injustice and community upheaval is hard and difficult. But the United States has no choice but to get on with the job so that, as the president said, "this land of ours may truly be 'one nation under God— with liberty and justice for all.' "

HON. H. REX LEE, FORMER GOVERNOR OF AMERICAN SAMOA

Mr. INOUYE. Mr. President, former Territorial Secretary Owen Aspinall took the oath of office yesterday as the new Governor of American Samoa and I wish him well.

The name of former Gov. H. Rex Lee has become a living legend in those islands far to the south of Hawaii since he assumed office in May of 1961.

Former Governor Lee has completed a monumental task in American Samoa and is now in Washington awaiting what I hope will be an even more challenging assignment.

The Honolulu Advertiser, in its issue of July 20, 1967, reviewed Governor Lee's accomplishments in American Samoa and also praised him in an editorial.

I ask unanimous consent that the article and editorial be printed in the Record.

There being no objection, the article and editorial were ordered to be printed in the Record, as follows:

[From the Honolulu Advertiser, July 20, 1967]

American Samoa and Rex Lee

The end of Governor H. Rex Lee's tenure in American Samoa is the end of the longest period—six years and 65 days—that anyone has remained in that job. It is the end of an aggressive era of growth that may not soon be equalled in that South Pacific territory.

As any of Lee's 43 predecessors would testify (26 Navy governors, six civilian governors, and several commandants and acting governors), being an effective chief executive of American Samoa is not easy.

Although the position has traditionally been—and still is—a political appointment, many of Lee's predecessors found little to be grateful for. Before 1961 there were no paved roads and the territory's airport could accommodate only propeller-driven aircraft on its crushed-coral runways. The quaint but old Rainmaker Hotel was the only inn in the islands. Neither telephone service nor electricity was available outside of Pago Pago Bay. Filariasis and other diseases were widespread. And the territory's backwoods school system was in urgent need of improvement.

These obstacles, plus a traditional lack of cooperation and interest in Washington, made life less than paradise for the governors of American Samoa, which the Navy administered until the Interior Department took over in 1951.

One governor stayed 65 days, one stayed 18 days, and one ended his misery by committing suicide in the rambling frame governor's mansion that overlooks Pago Pago Bay.

Rex Lee was sent to American Samoa in May 1961 after serving 15 years in various Interior Department positions, the last being deputy commissioner of the Bureau of Indian Affairs. He recalls that he didn't particularly want the Samoa position, but he accepted it on an agreement to stay one year and prepare Pago Pago for the July 1962 conference of the South Pacific Commission. It was the first time the SPC had scheduled a conference on American soil.

The preparations involved minimum capital improvements—building an auditorium and housing, among other things. But on his arrival Lee saw there was a much larger job to be done in education, in sanitation, in road-building, in tourism, in electrification, and economic development.

From the beginning, Rex Lee was determined to keep Samoa for Samoans, to keep "the best of the old and the best of the new", and not sacrifice cultural heritage for any of the myriad forms of progress he hoped to bring to the islands.

Lee demonstrated his success at upholding that conviction—and his skill as the most productive lobbyist to work on American Samoa's behalf in Washington. Some of his accomplishments over the last six years:

A new jet airport, with Polynesian-style terminal buildings and a 9,000-foot runway that extends out into the sea atop a coral reef.

The installation of new power generators and the extension of electricity throughout 95 percent of Tutuila (the main island) and on the three Manu'a islands of American Samoa.

The establishment of a massive public works compound with the territory's first asphalt plant, electrical shop, prefabricated building materials shop and other facilities.

A $2 million luxury hotel, the Pago Pago Intercontinental, that is Samoan-owned and the only hotel in the territory.

A Samoa-for-Samoans economic development enterprise (the American Samoan Development Corp.) that permits Samoans to have a share in their future.

A unique and entirely new education system that utilizes the world's largest instructional television facilities to bring education to all of the territory's youth.

Stateside personnel staff the research, teaching and studio facilities; Samoan teachers reinforce the television teaching in the schools.

The birth of a tourism industry, not only through the construction of the hotel and airport, but also through the establishment of a government tourism office, a continuing beautification campaign and recent legislation making American Samoa a duty-free port.

A much-needed new water supply system for Tutuila.

Legislation gradually taking away power from the governor and shifting it to the Legislature, plus continuing overall legislation guiding American Samoa more firmly on a course toward self-government and self-support.

A $3.5 million tropical medical center which, when completed in January, will be one of the finest hospitals in the South Pacific.

A paved coastal highway extending from one end of Tutuila to the other, including breathtaking paved access over two mountain passes (Poloa and Fagasa).

A new public marketplace in downtown Pago Pago (The Fagatogo Public Market) that, for the first time, provides Samoan farmers with a sheltered, sanitary area for selling their produce.

The opening of a second tuna-canning plant (Starkist) on Pago Pago Bay and the rapid increase of tuna canning. During fiscal 1966 Starkist and Van Camp exported nearly $20 million worth of canned tuna. Today both canneries employ several hundred Samoan production-line processors and nearly 4,000 Korean, Japanese and Nationalist Chinese fishermen.

Some critics of Governor Lee claim that juvenile delinquency and crime statistics have increased since his arrival, and that American Samoa is being de-Samoanized. These contentions are true, but it is also true that:

The development of American Samoa has stemmed the one-way exodus of education-seeking Samoans to the mainland U.S. and Hawaii. Indeed, there have returned to Samoa many families whose children were reared in a more permissive stateside society.

Prior to the appointment of Honolulu policeman Dewey Allen as the territory's commissioner of public safety two years ago no police records were kept.

Since then crime has been better reported to the police, better reported in the territory's emerging press, and better prosecuted than ever before.

Samoa is indeed changing but not with disregard for the customs and culture of the islands and certainly not without the cognizance and consent of the people, as expressed through the chiefs who are their elected (House of Representatives), and chosen (Senate) legislators.

Some observers ask, "Why progress?" "Why change the healthy, happy people of American Samoa?"

Aside from the often-proved point that no society remains static, there is some doubt that the people of the Samoan islands were as healthy and as happy as many travel books claim.

But a far more compelling justification for Governor Lee's programs is reflected in the insight he has often expressed—that American Samoa doesn't have to extend itself to the world beyond its horizons if it chooses not to, but it is inevitable that the world—through modern technology, communications and transportation—will extend itself to Samoa, especially as the Pacific Era expands.

What will American Samoa do when that day comes? Will it sell its heritage and its dignity for whatever is immediately pleasurable? Will it lose its identity as Samoa?

It is precisely in an awareness of these potential evils that many of Governor Lee's programs—especially an emphasis on education—have been based.

The people of Samoa do not have to imitate or accept what is beyond the horizon, but they must know how to deal with it, for someday that horizon will come to their shores.

[From the Honolulu Advertiser, July 20, 1967]

LIFE WITHOUT LEE

Few men have had the combination of ability and opportunity to accomplish so much good in the Pacific islands as Rex Lee in American Samoa.

Few islands have seen such dramatic progressive change in one man's administration.

As the article on the opposite page notes, Governor Lee's departure marks the end of an era.

It's worthwhile noting that Rex Lee is a government service career man. Fair or not, the image of the professional bureaucrat, especially one coming from the Bureau of Indian Affairs, is generally not high.

Yet Lee is a bureaucrat in the finest sense of the word. With vigor, imagination, skill, diplomacy and contacts in Washington, he gave his administration and Samoa both movement and respect.

Even our national image as a "colonialist" power benefited!

Six weeks before he was named Governor the Readers Digest exposed the tropical slum conditions of American Samoa with an article properly titled "America's Shame of the South Seas." Before he left the magazine had another article properly titled "America's Showplace of the South Seas."

As important as anything else Lee accomplished this in a way designed to preserve Samoan culture and to make sure the economic benefits go to the Samoan people.

He made enemies, particularly among businessmen. He thought some of them were gouging the public and he said so.

He made mistakes and freely acknowledges them. But he is right in feeling "our successes outnumbered our failures."

Along with everything, Lee brought to American Samoa dedication. Few persons there are probably aware that Lee was about to be named assistant secretary of the Department of Interior when Samoa was devastated by a hurricane last year. He turned down the promotion and returned to rebuild after the damage.

Now Lee is finally off to a new job to be announced soon in Washington, a promotion he deserves.

Samoa, meanwhile, faces the adjustment to life without Lee. It has many talented people, and it has a start. The question is whether it will be able to keep up and increase the momentum in education and development.

The administrative challenge goes to Lee's successor, Territorial Secretary Owen Aspinall, who becomes governor August 1.

He has everyone's best wishes. But like Lee he will be judged not by the friends he makes but by his accomplishments.

THE ROLE OF CONGRESS IN THE NATION'S FOREIGN POLICY

Mr. FULBRIGHT. Mr. President, the Washington Post has today published an editorial entitled "National Commitment," which argues, as so many seem to argue these days, that the way to deal with criticism is not to examine the questions at issue but to get rid of the critic. Carrying the argument in the editorial to its logical conclusion, perhaps the way to "a smoother working relationship between the White House and Congress" is to have Congress remain silent whenever it does not agree with the policies of the Executive.

Fortunately, not every editor takes this dim view of Congress. The Washington Star, in an editorial published today, believes that Congress does have a role to play in our Nation's foreign policy and presents a more balanced view of our basic constitutional system.

In order that those who are interested may read the views of important newspapers on the subject of executive-legislative relations, I ask unanimous consent to have printed in the RECORD the Washington Post and Washington Star editorials, and also an excellent editorial on the same subject, published in the Los Angeles Times of August 2, 1967.

There being no objection, the editorials were ordered to be printed in the RECORD, as follows:

[From the Washington Post, Aug. 2, 1967]

NATIONAL COMMITMENT

Senator Fulbright has won some support for his "national commitment" resolution because of the feeling that Congress should be playing a larger role in the determination of our foreign policy. Senators are instinctively sensitive about the dominant role of the President under our system. Periodically they talk of doing something about it. But neither constitutional history nor the facts of the modern world can be changed by a Senate resolution.

Mr. Fulbright wants the Senate to declare that a national commitment by the United States can come about only through affirmative action by both the President and Congress "through means of a treaty, convention or other legislative instrumentality." But the resolution would do little more than define a "national commitment." If the Government wished to pursue a national policy unsupported by any treaty, convention or legislative act, it could obviously do so without calling it a national commitment.

If the Fulbright proposal were anything more binding, it would run into formidable difficulties. For example, the President may make some types of national commitments through executive agreements which are not mentioned in the Fulbright resolution. In some instances, too, the President necessarily commits the United States to war by responding immediately to an attack from abroad, either upon the country itself or upon its vital interests, without waiting for a declaration of war from Congress. It would be futile to attempt to limit this power or leave it in a state of confusion, for neither the President nor Congress would give heed to the words of a resolution in case a new emergency should arise.

The central fact about our constitutional system is that the President and Congress must agree upon a foreign policy if it is to be successful. In practice the country has come to rely almost exclusively upon the President to initiate policy in this area, for only he has authority to negotiate with other nations. Congress has ample means of checking the executive, however, through the Senate's approval of treaties, through enactment of supporting legislation and control of the purse strings. The Administration's policy in Vietnam, at which Senator Fulbright is really aiming, could be sharply altered by Congress if it had any disposition to do so.

Congress ought to be eternally vigilant about the exercise of its proper powers to influence foreign policy. But it will find no mileage in the proposed Fulbright resolution. Indeed, recent history makes it impossible to view this gesture from the chairman of the Senate Foreign Relations Committee as anything more than continued harassment of the Administration because of its Vietnam policy. In this campaign, the Senator has precious little support in Congress. A resolution candidly aimed at substituting his policy for that of the Administration would be overwhelmingly rejected.

The unfortunate truth is that there is little hope for a smoother working relationship between the White House and Congress so long as Mr. Fulbright retains his present position.

[From the Evening Star, Aug. 2, 1967]

CONCERN IN THE SENATE

The bipartisan support for Senator Fulbright's proposal to investigate the scope and nature of our "national commitments" is a warning signal which will not go unheeded in the White House. For this support, although the point was not spelled out in so many words, is plainly a reflection of concern and uneasiness over where we stand now in this matter of commitments and toward what eventualities we may be headed. No one was heard to say that President Johnson is leading us willy-nilly into a nuclear war via the commitment route. But the debate, as we read it, suggests that no more blank checks will be written by the Senate.

The resolution, upon which hearings will be held, says "it is the sense of the Senate that a national commitment by the United States to a foreign power necessarily and exclusively results from affirmative action taken by the executive and legislative branches of the U.S. government through means of a treaty, convention or other legislative instrumentality specifically intended to give effect to such a commitment." In other words, the Congress, and especially the Senate, does not propose to be bound by any "commitment" entered into by the executive branch, acting alone. Such things as the "Asian doctrine," whatever the intent of that declaration may have been, embraces no binding commitment as far as Congress is concerned.

Senator Fulbright said his resolution "does not attempt to restrict the constitutional power and responsibility of the President or to revoke any past decisions. It does not respond to any current crisis situation abroad, and it is not a measure directed against any single administration in this century—or against anyone at all."

Satisfied on the constitutional point, Senator Russell, chairman of the Armed Services Committee and generally a staunch administration supporter, threw his considerable influence behind the resolution. He thought it would be a "great service" to the nation to find out what commitments are real and which ones are essentially rhetorical. A dozen or more senators on both sides of the aisle expressed similar sentiments.

Underlying this no doubt was a certain sense of frustration over the course of the war in Vietnam. The recent dispatch by the President of troop transport planes to the Congo probably played a part. Another unspoken factor had to do with what our "commitment" might have turned out to be had the recent war in the Middle East gone against Israel.

There probably were other concerns. Basically, however, the Fulbright resolution is a move to reverse what he called the "gradual erosion" of the role of Congress in the determination of "national security." This erosion, true enough, has come about largely by default. A useful purpose should be served in these dangerous times, however, by trying to find out just what are our national commitments, express or implied, and in seeking to erect a modest safeguard against speeches or other statements which might emerge later on as new and unsuspected "national commitments."

[From the Los Angeles Times, Aug. 2, 1967]

Fulbright Move Is Timely

Concern is growing, in Congress and the nation, that the United States has allowed itself to become saddled with a whole collection of vague and ill-defined commitments around the world—commitments which could lead to future Vietnam-type entanglements.

As a result, Sen. William Fulbright (D-Ark.) has picked up support from Republicans as well as Democrats, Hawks as well as Doves, for his resolution asserting that Congress must be an equal partner in the making of any "national commitment" to a foreign power.

Fulbright's personal obsession is with the Vietnam war, which he vehemently opposes. He charges that the Executive Branch has, on occasion, justified the U.S. role on grounds that our military aid program committed us to South Vietnam's defense.

Whatever the historical background, the United States is committed in Vietnam now by the very presence of almost a half-million troops—and few senators would deny that fact.

Fulbright's resolution attracts support even from supporters of the war, however, because of a broader worry that we are overcommitted around the world.

There has been an increasing tendency, the senators feel, to make commitments in speeches and press conferences instead of through formal treaties and executive agreements.

The furor which arose recently when President Johnson sent three planes and a few dozen troops to the Congo dramatized the nervousness over being drawn into a new "Vietnam" without congressional approval.

Sen. Richard B. Russell (D-Ga.), powerful chairman of the Senate Armed Services Committee, observed Monday that there has been too much "loose talk about commitments." He said the status of America's worldwide obligations consequently needs clarification.

The Fulbright resolution, unlike the proposed Bricker amendment of a few years ago, would not curtail or limit the President's treaty-making powers. In fact, it wouldn't change existing law at all.

The resolution, in effect, would simply put the White House, and the world at large, on notice that the Senate will recognize as binding only those commitments which have been submitted for review in a traditional manner.

Fulbright's initiative is clearly in the national interest, provided the senators curb the temptation to go beyond the declaration of principle into ill-advised attempts to dictate the details of foreign policy.

The Senate is off base, for example, when it specifically excludes certain countries from foreign aid, or denies the President the flexibility he needs in making U.S. arms transactions.

It would be irresponsible, too, to deny the validity of executive agreements which reflect a formal understanding between the parties involved, and which are immediately made available for congressional review.

But the Senate is entirely justified in serving notice that neither the mere extension of foreign aid, nor a speech by the President or a subordinate, constitutes a binding commitment upon the United States.

FIRST ANNIVERSARY OF MILITARY REST AND RECREATION PROGRAM IN HAWAII

Mr. INOUYE. Mr. President, today marks the first anniversary of the inauguration of the military's rest and recreation program in Hawaii. During this period a total of 44,879 servicemen have been flown to Hawaii from South Vietnam for a 6-day rest period.

The total breakdown by service is as follows:

	Number	Percent
Army	27,905	62
Marine	8,619	19
Air Force	5,325	11
Navy	2,835	6
Coast Guard	70	.05
Civilian	125	.05
Total	44,879	100

I know that my colleagues will be pleased to learn that an average of 70 percent of the men on each flight are joined by their dependents from the mainland. These joyous reunions, in the midst of the bitter Vietnam conflict, touch the depths of the human heart.

Most of the servicemen stay in local hotels with the assistance of the Hawaii Visitors Bureau, our State tourist information agency which derives part of its support from private contributions.

Most of the hotels offer a special discount to men on R. & R. leave as do many other commercial establishments. We believe that we have been effective in welcoming the servicemen on an equal status with the many tourists who visit our State.

About 4,000 men stayed in Government quarters provided at Fort DeRussy in Waikiki, a post which has served as a recreation center for military personnel in recent years.

Many of the buildings are dilapidated and termite ridden, and I was happy to note that the Department of Defense hopes to build a new 500-unit complex on the property.

In view of the already heavy demands which our booming tourist industry imposes on our hotels, I can assure you that these proposed improvements at Fort DeRussy are badly needed.

Our troops have conducted themselves with unmatched decorum in Hawaii and we have had no troublesome incidents.

The people of Hawaii are honored and pleased by the opportunity to extend their aloha spirit to these men.

RIGHTS OF TAXPAYERS

Mr. LONG of Missouri. Mr. President, I invite the Senate's attention to certain correspondence I have had with Internal Revenue Service Commissioner Sheldon S. Cohen with respect to the legal obligation of citizens to keep records, produce records, and answer questions relating to tax liability.

Fortunately, most Internal Revenue Service agents are courteous, considerate, and helpful. Most citizens try to cooperate 100 percent with IRS, and this, certainly, is as it should be. Our tax system depends on this great degree of cooperation.

However, in hearings before the Subcommittee on Administrative Practice and Procedure, we have encountered instances in which IRS employees have been discourteous, inconsiderate, and even tyrannical. Criminal cases have been veiled in civil clothing to obtain information illegally. Taxpayers have been bullied and threatened, especially small taxpayers and those without legal assistance.

What should taxpayers do when faced with such a situation? Do all lawyers even know what the obligations of taxpayers are as to recordkeeping, record producing, and question answering?

The answer seems to be "No." For this reason, I wrote to Commissioner Cohen on April 17, 1967, and received his reply on July 7, 1967. As his reply is most instructive and will help the Congress, as well as taxpayers, their lawyers and accountants, I ask unanimous consent that the correspondence be printed in the Record.

There being no objection, the correspondence was ordered to be printed in the Record, as follows:

April 17, 1967.

Commissioner Sheldon S. Cohen,
Internal Revenue Service, Department of the Treasury, Washington, D.C.

Dear Commissioner Cohen: It would be helpful to our subcommittee if you would ask the appropriate member of your legal staff to prepare an answer (with citations, if possible) to the following question: What procedures, civil and criminal, does IRS possess for use in cases of taxpayers who are recalcitrant as to (1) record keeping, (2) record production, and/or (3) answering questions.

As complete a summary as possible would be appreciated very much.

Kind regards.

Sincerely,

Edward V. Long,
Chairman.

U.S. Treasury Department,
Internal Revenue Service,
Washington, D.C., July 7, 1967.

Hon. Edward V. Long,
Chairman, Subcommittee on Administrative Practice and Procedure, Committee on the Judiciary, U.S. Senate, Washington, D.C.

Dear Mr. Chairman: Your April 17, 1967 letter to me was referred to Chief Counsel for consideration and was acknowledged by him on April 24. I am now pleased to enclose copy of a summary prepared in the Chief Counsel's office in answer to your inquiry.

With best wishes.

Sincerely,

Sheldon S. Cohen,
Commissioner.

U.S. Government Memorandum

CC:CL–3487

May 19, 1967.

To: Mr. Sheldon S. Cohen, Commissioner.
From: Lester R. Vretz, chief counsel.
Subject: Senator Edward V. Long's April 17, 1967, inquiry.

Senator Long's April 17, 1967 letter to you, which has been referred to this office, was written on behalf of the Subcommittee on Administrative Practice and Procedure of the Senate Committee on the Judiciary. The inquiry referred to us is a request for as complete a summary as possible (with citations) in answer to the question: What procedures, civil and criminal, does IRS possess for use in cases of taxpayers who are recalcitrant as to (1) record keeping, (2) record production, and/or (3) answering questions?

The record keeping provision in the Internal Revenue Code is section 6001 requiring every person liable for any tax to keep records as prescribed by the Secretary of the Treasury or his delegate. This applies to all taxes but is amplified by additional sections in the Code applicable to special taxes such as those on narcotics, alcohol, tobacco and firearms, which special taxes are not covered by this memorandum as far as procedures available other than those generally applicable to all taxes.

Apart from the civil or criminal penalties for failure to pay or for underpayment of tax, there are generally no civil sanctions available for failure to keep records. A willful failure to keep records or supply information as required by law or regulations is a misdemeanor under section 7203 of the Internal Revenue Code. However, no reported case has been found of a conviction for willful failure to keep records. This lack of prosecution may be due to the difficulty of determining what records are required, for example, since a taxpayer is not required to claim expense deductions on his return, theoretically no record of expenses need be maintained. There is also the difficulty of proving willfulness without proving a civil deficiency. With respect to the section 7203 provision for failure to furnish information, the only reported case found of a conviction apart from failure to pay is *Pappas* v. *United States,* 216 F. 2d 515 (10th Cir. 1954), under section 145(a), the predecessor of section 7203, for willful failure to furnish balance sheet information required for a partnership for 1951.

Where taxpayers are recalcitrant as to record keeping, record production or answering questions, the Internal Revenue Service normally proceeds under the authority of section 7602 of the Internal Revenue Code (26 U.S.C. 7602), which reads:

"SEC. 7602. For the purpose of ascertaining the correctness of any return making a return where none has been made, determining the liability of any person for any internal revenue tax or the liability at law or in equity of any transferee of fiduciary of any person in respect of any internal revenue tax, or collecting any such liability, the Secretary or his delegate is authorized—

"(1) To examine any books, papers, records, or other data which may be relevant or material to such inquiry;

"(2) To summon the person liable for tax or required to perform the act, or any officer or employee of such person or any person having possession, custody, or care of books of account containing entries relating to the business of the person liable for tax or required to perform the act, or any other person the Secretary or his delegate may deem proper, to appear before the Secretary or his delegate at a time and place named in the summons and to produce such books, papers, records, or other data, and to give such testimony, under oath, as may be relevant or material to such inquiry; and

"(3) To take such testimony of the person concerned, under oath, as may be relevant or material to such inquiry."

The provisions in the foregoing section with respect to tax determination have been substantially the same ever since the Revenue Act of 1921, 42 Stat. 310.

Information from taxpayers and third parties may be, and usually is, sought on a voluntary basis as permitted by section 7602(1). Third parties as well as taxpayers may be summoned under section 7602(2). If the summons is not complied with, enforcement may be sought by requesting the Department of Justice to secure an enforcement order from a United States district court. Sections 7402(b) and 7604(a), which are virtually identical, provide for jurisdiction of such court to compel attendance, testimony, or production of books, papers, or other data from a person summoned. Section 7604(b) provides for body attachments and for punishment of contempts. These civil enforcement sections are explained in *Reisman v. Caplin,* 375 U.S. 440 (1964). Also mentioned in that case is the criminal section 7210 providing for prosecution for failure to obey a summons issued under section 7602. The only such prosecution of which we find a record is *United States v. Becker,* 259 F. 2d 869 (2d Cir. 1958). This section 7210 is stated by *Reisman* as not applicable where the summoned witness (taxpayer or third party) appears and interposes good faith challenges to the summons.

Good faith challenges in the form of constitutional and other federally recognized privileges are of course recognized by the Service. For example, the privilege against self-incrimination under the Fifth Amendment may be a proper basis by an individual taxpayer for refusing to answer specific questions or to furnish his records.

The authority of the Service to investigate under section 7602 is restricted by section 7605(b) reading:

"(b) Restriction on Examination of Taxpayer.—

"No taxpayer shall be subjected to unnecessary examination or investigations, and only one inspection of a taxpayer's books of account shall be made for each taxable year unless the taxpayer requests otherwise or unless the Secretary or his delegate, after investigation, notifies the taxpayer in writing that an additional inspection is necessary."

The Service follows the above requirement of giving notice before a second examination is made of the taxpayer's books of account. Such reexaminations are relatively rare.

If the taxpayer fails to support claimed expenses, the Service may disallow the same for lack of substantiation. The Service is not required to prove that the taxpayer did not incur the claimed expense. Because of a rule of indulgence established in the Second Circuit in 1930 in *George M. Cohan,* 39 F. 2d 540, and subsequent problems with claims based on estimates, the authority to disallow certain unsubstantiated entertainment and similar expenses was covered by section 274 effective for years ended after December 31, 1962. However, information is quite generally sought by investigation under the authority of section 7602 with respect to expenses so that the Service can establish the tax liability, or possibly have evidence to rebut any proof the taxpayer may later furnish after initially failing to substantiate the expense.

With respect to unreported income it is usually necessary for the Service to develop the information. Information returns are of course used for this purpose for salaries, dividends, interest and certain other types of income. Third party information is necessarily sought under the provisions of section 7602 from voluntary and summoned witnesses for many types of income such as that of professional persons and individual operators of businesses.

Once tax has been determined by investigation or otherwise, interest and additions may be added. Section 6651 provides an addition to tax for failure to file a tax return, other than for reasonable cause, of 5 percent per month or fraction thereof, not exceeding 25 percent in the aggregate. A failure to keep records or to furnish information may be negligence for which 5 percent of the tax underpayment may be added under section 6653(a). In case of civil fraud, 50 percent of the tax underpayment may be added under section 6653(b). Failure to file certain information returns by payors, other than for reasonable cause, is subject to extra payments under section 6652.

Investigation by the Service may include whether there has been a criminal violation of the internal revenue laws. If the facts disclose violations subject to criminal penalties, the Service seeks to obtain whatever evidence is required to sustain criminal penalties or civil additions to tax. In the order of their use, the main criminal provisions are section 7201 for willful attempted evasion either of payment of taxes or the tax liability itself, section 7203 for willful failure to file a return and section 7206(2) defining the offense of aiding, counseling, or procuring the preparation of a false return or other document. Before recommending prosecution under section 7201 or 7203, the Service must usually develop enough information to show a substantial tax liability that was not met in addition to criminal intent. The net worth-nondeductible expenditure method is often used by the Service to reconstruct the income of suspected tax evaders. This method was approved by the Supreme Court in *Holland* v. *United States,* 348 U.S. 121 (1954).

A summons issued to a third party for records and information about the taxpayer under investigation is one of the natural ways to develop facts which are not voluntarily given. The use of a summons under section 7602 in a criminal investigation is explained and authorized in the leading case of *Boren* v. *Tucker,* 239 F. 2d 767 (9th Cir. 1956). Such use of the summons is also approved in *United States* v. *Powell,* 379 U.S. 48 (1964), where the Supreme Court at page 57 stated:

"In *Oklahoma Press Pub. Co.* v. *Walling,* 327 U.S. 186, 216, in reference to the Administrator's subpoena power under the Fair Labor Standards Act, the Court said 'his investigative function, in searching out violations with a view to securing enforcement of the Act, is essentially the same as the grand jury's, or the court's in issuing other pretrial orders for the discovery of evidence, and is governed by the same limitations,' and accordingly applied the view that inquiry must not be 'limited . . . by forecasts of the probably result of the investigation.' In *United States* v. *Morton Salt Co.,* 338 U.S. 632, 642–643, the Court said of the Federal Trade Commission, 'It has a power of inquisition, if one chooses to call it that, which is not derived from the judicial function. It is more analogous to the grand jury, which does not depend on a case or controversy for power to get evidence, but can investigate merely on suspicion that the law is being violated, or even just because it wants assurance that it is not.' While the power of the Commissioner of Internal Revenue derives from a different body of statutes, we do not think that analogies to other agency situations are without force when the scope of the Commissioner's power is called in question."

As explained in *Boren* v. *Tucker, supra,* a summons may not be used after indictment to obtain information to aid in prosecution of a taxpayer. As a practical matter the summons is used by the Service in the investigatory stage.

Collection procedures are provided in the Internal Revenue Code for use against taxpayers who do not pay voluntarily. The first step normally is assessment under the authority of section 6201. Notice and demand must be made as soon as practicable within 60 days after assessment as provided in section 6303.

A lien for taxes is provided by section 6321 reading:

"SEC. 6321. If any person liable to pay any tax neglects or refuses to pay the same after demand, the amount (including any interest, additional amount, addition to tax, or assessable penalty, together with any costs that may accrue in addition thereto) shall be a lien in favor of the United States upon all property and rights to property, whether real or personal, belonging to such person."

This lien arises under section 6322 at the time the assessment is made. Lien notice filing requirements and many of the tax lien priority matters are covered by section 6323 as amended by the Federal Tax Lien Act of 1966 (P.L. 89–719).

Administrative enforcement after assessment and lien is by levy under section 6331. Levy is defined to include distraint and seizure and applies to all property of the taxpayer or rights to property. After seizure, property may be sold under procedures specified in section 6335. Real property sold under the provisions of section 6335 may be redeemed within 120 days after the nonjudicial sale under the provisions of section 6337.

Authority to investigate and issue summonses in aid of collection of any tax liability is provided in section 7602. The Service may also demand production of books to secure information about property subject to levy under section 6333, which states:

"Sec. 6333. If a levy has been made or is about to be made on any property, or right to property, any person having custody or control of any books or records, containing evidence or statements relating to the property or right to property subject to levy, shall, upon demand of the Secretary or his delegate, exhibit such books or records to the Secretary or his delegate."

Jeopardy provisions in the Internal Revenue Code are availed of in unusual circumstances. Section 6851 with respect to income tax in jeopardy authorizes an early termination of a taxable year so that immediate assessment and collection may be made of unpaid taxes for the terminated and preceding taxable year. This section is useful against persons about to depart from the United States or those whose property is likely to become unavailable for payment of tax unless the Government moves for immediate seizure after assessment and lien. Section 6861 authorizes jeopardy assessments of income, estate and gift taxes after normal due dates so that immediate collection may be enforced. Section 6862 authorizes jeopardy assessments of taxes other than income, estate and gift. Under the three mentioned jeopardy provisions, collection by levy is permissible immediately after assessment and notice.

In addition to administrative levy and seizure, sections 7401 through 7403 provide for civil actions for collection or recovery of taxes to be handled by the Department of Justice upon request of proper representatives of the Internal Revenue Service. Where the nature and extent of the property interest levied upon is unclear, court proceedings are commonly used in an effort to secure a more adequate recovery than would be available on a nonjudicial sale. Where it is deemed desirable to operate a property subject to lien, the Department of Justice at the request of the Service may ask the United States district court to appoint a receiver under section 7403(c).

Supplementing the foregoing collection procedures applicable generally to federal tax liabilities are provisions applicable to specified taxes. Delinquent withheld income and withheld social security taxes may be collected under section 6672 from any person who willfully fails to collect and pay over such tax. This is a collection measure and the word "willfully" in this section does not mean an act done with fraudulent or evil purpose, but applies to an act done knowingly and intentionally in disregard of the statutory requirement as explained in Revenue Ruling 54–158, 1954–1 C.B. 247. A criminal provision in section 7215 may be applicable after investigation, recommendation for prosecution to the Department of Justice and successful prosecution if the Government has first served written notice under section 7512 to deposit withheld or collected taxes in a separate bank account.

To summarize, the procedures for use in cases of taxpayers who are recalcitrant as to (1) record keeping, (2) record production, and/or (3) answering questions are mainly investigative under section 7602 to determine tax liability. Section 6001 requires that records be kept and section 7602 authorizes the Service to examine records. The sanctions are civil and criminal and apply for the most part after tax has been determined by investigation and ascertainment of facts. Civil sanctions are liability for tax deficiencies or additional taxes plus interest and additions for failure to file or failure to pay under sections 6651, 6652 and 6653. Interest and additions are assessable along with tax and are collectible the same as taxes under the nonjudicial and judicial collection procedures previously outlined.

Criminal sanctions are of course applied by the United States district courts after criminal proceedings are instituted by the Department of Justice upon recommendation of the Internal Revenue Service. In criminal matters the function of the Service is to investigate and secure facts upon which to base a recommendation for criminal prosecution or to close out the criminal investigation without a recommendation for prosecution.

In policy instructions and announcements it is emphasized that the goal of the Service is to administer the laws fairly and impartially, that administration should be both reasonable and vigorous and that the constitutional rights and other legal rights of all persons will be fully respected and observed.

SENATOR ALLOTT URGES REVIEW OF RAIL TRANSPORTATION POTENTIAL

Mr. SCOTT. Mr. President, the able and distinguished senior Senator from Colorado [Mr. Allott], together with many other Senators, including myself, is sponsoring Senate Concurrent Resolution 25, which urges the Secretary of Transportation to make a full and complete investigation and study of the potential of rail transportation, especially rail passenger and mail service. The resolution also calls for a moratorium on further discontinuances of such services pending completion of the study.

Senator Allott presented an excellent statement in support of Senate Concurrent Resolution 25 in an appearance Monday before the Surface Transportation Subcommittee of the Committee on Commerce, which is holding hearings on the problem to which the resolution is addressed. I ask unanimous consent that Senator Allott's statement be printed in the Record.

There being no objection, the testimony was ordered to be printed in the Record, as follows:

Testimony of Senator Gordon Allott Before Surface Transportation Subcommittee of Senate Commerce Committee, Monday, July 31, 1967, on Senate Concurrent Resolution 25

Mr. Chairman, I am pleased to have this opportunity to discuss the important problems of surface transportation with you. As this committee knows, I have twice addressed myself to this subject in recent weeks on the floor of the Senate. Those remarks were in connection with Senate Concurrent Resolution No. 25, which was co-sponsored by 22 Senators, two of whom are members of this committee (Mr. Scott and Mr. Cannon).

Actually there has been unprecedented interest in the whole question of surface transportation in the past few months as evidenced by the number of proposals you have before you for consideration. And it is little wonder that the problems connected with moving people on the ground are attracting attention. Already there are over 94 million cars, trucks, and buses on our streets and highways. Over twice as many as in 1950.

Had it not been for some foresight by the Congress, in the early 1950's and a decision to build the Interstate Highway System, the number of vehicles on our highways today would be enough to strangle whole areas of the country. And this construction of Interstate Freeways, with their urban expressway counterparts, has taught us many important lessons. Among the most important lesson we have learned is that highways will not solve all of our problems. While we would be in a sad state of affairs without the present Interstate System, and while we may have to approve a similar network before the present one is even completed, it is apparent that our primary concern in solving the surface transportation problems of the future must be with moving people, not just cars.

No one would ever suggest that citizens abandon their cars in favor of other forms of ground transportation. But the truth of the matter is that if we plan only for cars and not people we will be faced with impossible spending problems which will take unthinkable sums for possible solutions that will be inadequate and often obsolete before they can be implemented.

The result of the projections in this area are staggering. In just eight short years we will add over 30 million vehicles to our already overcrowded streets and highways. By 1975, there will be almost 124 million vehicles competing for expressway lanes, downtown parking, and most of all for a fast route to another city. For as the number of vehicles is growing at a far faster rate than the population, so also are the number of trips per day, per vehicle is increasing at an even faster rate. For we Americans continue to find more reasons to go more places.

Our present population in the United States is nearing 200 million persons. We now have about one vehicle on our streets for every 2.1 persons in the nation. By 1999, only 32 years away, our population will have doubled; our ratio of vehicles to persons will have increased to 1.1 vehicles for each man, woman and child. At that time, projections indicate that we will have nearly 265 million passenger cars on our streets and roadways. Add to that another 95 million trucks and buses, and, gentlemen, you have a problem which is hardly believeable from our past experiences.

The number of freeways it will take to accommodate these vehicles is fantastic. But there is one factor which is often overlooked regarding intercity highways. These highways have connections with other highways which lead directly into the heart of our urban centers. Where are we going to park more than 360 million vehicles? A moderate size parking space for each vehicle would still necessitate an area nearly 28 times the size of the District of Columbia just to provide a place to put these vehicles. If you stop to think about it, you undoubtedly make more trips, long and short, daily or occasionally, than you did 10 years ago. Chances are you will make an even greater number 10 years from this date, and who knows how much the average individual will need to travel by 1999? He may not be able to get anywhere at all, unless the Congress concerns itself with this whole question to an increasing extent.

We took a giant step forward with the passage of the High Speed Ground Transportation Act of 1965 for which my colleague Senator Claiborne Pell fought with such vigor. Congress recognized that this was an area which deserved increased attention, and out of this act developed the Northeast Corridor Project which will inaugurate high speed train service on the Pennsylvania and New Haven Railroads later this year. Also out of this act developed the experimental train which will haul passengers between Washington and Florida beginning next year. The act further provided money for considerable research for some more exotic forms of transportation in the future. I believe that such research is necessary. I would be the last to rule out vacuum tubes or air cushions as modes of travel in the future. Meanwhile, however, a problem is developing and is developing fast. It is one which will require solutions based on the best of today's technology. That is why the Northeast Corridor Project is of great interest to me. Because of this project's importance to the whole question of surface transportation, I would ask, Mr. Chairman, that a recent letter I directed to the Department of Transportation and that Department's answer to my inquiries be made a part of the record:

"Hon. Alan S. Boyd,
"Secretary of Transportation,
"Washington, D.C.

"Dear Mr. Secretary: Having a longstanding and continuing interest in surface rail transportation, and as a member of the newly formed Transportation Subcommittee of the Senate Appropriations Committee, I am both interested and concerned over several aspects of the high-speed rail demonstration project in the northeast corridor.

"This experiment is highly significant because many of its results will have general application to rail service in other parts of the United States; therefore, an adequate marketing or promotional program is an important factor to the success and the validity of the test if a determination is to be made with respect to the acceptability of high-speed rail transportation to the traveling public. I would appreciate receiving information with respect to the promotion program as envisioned by your Department.

"Fares are, of course, an important consideration to the traveling public and may also be utilized effectively in promotion programs. Since high-speed rail transportation will have to compete with airlines, buses and highway travel, the competitiveness of the fare structure would be of interest to me.

"The ability of high-speed rail transportation to compete with other modes of transportation may be determined more by the level and quality of service to be offered than by any other factor. Service, of course, includes many aspects—some readily definable and others somewhat indefinable, such as the general attitude and cheerfulness of employees. Attractive facilities, frequency of scheduled trains, connections with other modes of transportation, baggage handling, food service, ticketing, and innovations in all of these will have a direct bearing on the quality of service. I would be most interested in your plans in this regard.

"Reliability of the equipment and safety will have a definite impact upon the public image created, and are therefore important factors in a successful and fair test of this mode of transportation. This experiment has the potential of capturing the imagination of the traveling public, and hopefully could be the long-range answer to congested highways and airports, becoming an important part of this Nation's total transportation system.

"My concern over the future of transportation and how the transportation needs of this Nation will be met, impels me to follow the northeast corridor demonstration project with great interest. Your early reply will be appreciated.

"Best regards,

"Gordon Allott,
"U.S. Senator."

"Hon. Gordon Allott,
"U.S. Senate,
"Washington, D.C.

"Dear Senator Allott: Your letter of May 23, 1967 addressed to Secretary Boyd has been referred to me. We welcome your helpful comments and the opportunity of commenting on the important aspects of the Demonstrations Program on which you request information.

"We share, of course, your evaluation of the importance of a sound program. To ensure that the participating railroads' expenditures for advertising are efficiently tailored to the market and to the particular requirements of the design of our demonstration experiments, as well as adequate in size, we have asked several competing advertising agencies experienced in carrier advertising to pre-test the market. This activity has included so-called 'sparking' sessions by panels of representative travelers, a new method of in-depth analysis which is finding increasing acceptance. On both the Pennsylvania and the New Haven railroad demonstrations, agencies have been at work for close to a year on such problems as symbols, competitive capabilities and copy themes.

"Since the core of the Demonstrations Program is the measurement of public reactions to specific service factors, we expect the advertising programs to incorporate down-to-earth themes like schedules, amenities and fares.

"In response to your helpful comments on fare levels, may I point out that both the New Haven and the Pennsylvania Railroads now offer special inducement fares which are well under air rates and closely competitive with bus fares. There is nothing in our arrangements with either railroad to prevent continuance or expansion of bargain fares on conventional trains which will continue to operate.

"Since the demonstration trains themselves have limited seating capacity, however, it is our feeling that a modest premium over standard fares for their use is not only necessary but provides a good test of 'pocket book' demand for higher speeds, greater frequency and much higher comfort levels. Once we've had experience with loadings on demonstration trains, we may find it both possible and fruitful to experiment with lower incentive fares.

"Other aspects of service you emphasize are also at the heart of the demonstration program. Our contract with the Pennsylvania divides the two year period of operation into four phases, in each of which varying combinations of service factors will be tested. For example, coach attendants will be tried on selected runs during one period to determine if their acceptance by the public is worth their substantial cost.

"Other aspects of service—such as luggage handling—which we know demand improvement have been researched, and the findings will be applied throughout the experiment. Thus, the problem of providing self-service luggage carts at multi-level stations will be tackled by the installation of specialized moving ramps. New stations providing ample parking facilities will be provided on the New York-Washington route in the Maryland and New Jersey suburban areas, with financial partnership of local authorities.

"With the assistance of both the Department of Transportation and the Department of Labor, the Pennsylvania Railroad has devised an intensive program of employee training for the new service. The New Haven Railroad will be required to train employees for new skills involved in a new type of food service and passenger assistance.

"With regard to reliability and safety, the equipment for all three demonstrations is either new in concept or advanced in speed and braking capabilities. Arrangements with suppliers call for performance tests prior to its acceptance and meeting precise standards of acceleration, braking distance, riding comfort, climate control, noise level and illumination, among other specifications.

"Your comments have given us an opportunity to evaluate our experiments against objective opinion. Let us know if we can provide further information."

"Robert A. Nelson,
"Director, Office of High Speed Ground Transportation."

I shall continue to maintain a keen interest in this specific demonstration of high speed rail transportation. However, there is one major problem with this and other projects which have evolved as the result of the 1965 action of Congress: Our present transportation plans are sectional in nature. The Northeast Corridor Project, valuable as it is, may at best serve to improve transportation between Washington and New York, and New York and Boston. This area is already feeling the strain of overcrowded streets and highways that most likely will be felt in other key areas of the country, including, I might add, my own state of Colorado in the years ahead. A demonstration project should give us much information on the technical aspects of operating passenger vehicles at high speeds. This information is badly needed in this country because, despite the fact that trains in Japan and France have achieved excellent speed records with passenger runs, passenger trains in the United States are running slower than they did 30 years ago! This demonstration project, however, even if it is successful, will not even begin to answer many of the key questions the Congress will need to know if we are to properly plan for the auto avalanche of the future. And Mr. Chairman, I have directed most of my comments thus far at the onslaught of vehicles on highways. I would be remiss if I neglected to mention our overcrowded airspace, which cannot indefinitely continue to accommodate more and larger planes.

We must determine, Mr. Chairman, where the population centers of the nation will be and, if we can, what demand there will be for inter-megalopolis and intra-megalopolis transportation. Such demand will not only be between Washington and New York, it will certainly be between cities like Chicago and Cleveland, and it will most likely develop between Cheyenne, Wyoming and Pueblo, Colorado, to cite an example which would have seemed preposterous only a few years ago. Yes, Mr. Chairman, feasibility is an important consideration. (Although I must admit that with European trains running at such high speeds on a daily basis, and with European use of auto carrier trains long established, it would seem a bit redundant to concentrate on the feasibility question for too long a time.) Thus more than feasibility, we must answer the question of acceptability. An alternate method of transportation to the automobile will not just be desirable in the future, it will be a necessity!

With regard to the train which may be built to haul automobiles to and from Washington and Florida beginning next year: present railroad service between these two points is reasonably heavily patronized, thus this demonstration may in fact not at all prove whether such an operation would be an acceptable alternative to highways. Thus in my resolution, I have specifically called for a study of this type of rail transportation. I would not attempt to prejudice such a study, but the operation of auto carrier service between New York and Cleveland or Chicago and Pittsburgh or some point in the East to Denver would almost have to be considered in origin and destination reports as part of the study.

Right of way necessary to operate some kind of surface transportation vehicles is also a highly important consideration. The study I proposed, hopefully, would begin to define the areas of population in which we need to concentrate our efforts. In areas where the acquisition of a right of way corridor is indicated, various public and private agencies might begin to purchase land now rather than being subjected to untold legal and physical restrictions in the future, the least of which is not real estate speculation. Where should transportation corridors be located? What use can we make of existing railroad and power line rights of way? What will the development of super cross country railroads through mergers and other factors, mean to the concept of high speed ground transportation? We must have these questions answered and sound answers will determine our actions. I am fully aware of the financial implications of providing transportation facilities for the future. I am also painfully aware of the cost of not providing them. The widely known transportation authority, Martin E. Bruening, Traffic Engineer for the City of Milwaukee, Wisconsin, has suggested that five percent of the money we spend each year to operate and maintain highway vehicles would yield enough money to provide mass rapid transit for every citizen without the necessity of any fares or other charges. It is not that surface mass transportation should be operated to the exclusion of the private automobile, but we did wish to call attention to the basic uneconomic status of the automobile as part of the whole transportation picture, particularly when projected to the 265 million mark in 1999.

Another important aspect of the study proposed in my resolution is electrification. The United States is now the only major nation in the world which does not have the greater portion of its railroad system in operation, under construction or under consideration for electrification. Yet it is well known that although the initial capital investment is higher, electric locomotives last far longer, can operate at faster speeds, pull more tonnage and require less maintenance and operating costs than does conventional equipment. As I previously indicated, France and Japan have set records for speed and comfort in rail passenger service. Their service is electrified. Great Britain, the Scandinavian countries, the Soviet Union, almost any nation I would mention, is constructing or expanding electrified service. Yet here in the United States, outside of a few miles of commuter operation on the Reading, Long Island and New York Central Railroads, our only examples of heavy electrification are the Pennsylvania Railroad between Harrisburg and Philadelphia and Washington and New York and the Milwaukee Road in Montana, Idaho and Washington in the far west, which is now used for freight service only. John W. Barriger III, the energetic President of the Missouri-Kansas-Texas Railroad, envisions the need for electrified super railroads spanning the nation in a few years. He may well be right. Such railroads could carry passenger as well as freight trains, if they were properly designed. It is sad to say, but we have much to learn from the "old world" in the area of high speed rail service. Mr. Barriger says that the railroads are presently held to DC3 capabilities, while supersonic airplanes are being built. I have long been a supporter of the supersonic transport air service, but these planes will not answer the problems associated with the movement of people on the ground . . . which will be necessary no matter how fast man learns his planes can fly him.

With all the talk about the future and what we must do to solve the challenges which face us, we must also be very mindful of the present. That is why, on the one hand, my resolution calls for the study by the new Department of Transportation, about which I have just elaborated and on the other hand asks the Interstate Commerce Commission to declare a moratorium on the discontinuance of passenger trains and further asks the Post Office Department to declare a moratorium on the cancellation of Railway Post Office contracts. Let me say before going any further that I am not in favor of requiring railroads to operate truly unprofitable passenger trains indefinitely. On the other hand, the Chairman of the Interstate Commerce Commission, William H. Tucker, who shares our concern for the future of passenger service on the rails, testified before the Independent Offices Subcommittee of the Senate Appropriations Committee on June 6th, that in his opinion the cancellation of Railway Post Office contracts has greatly accelerated the demise of passenger trains. He cited the example of the Milwaukee Road, which he said would have continued to operate a set of passenger trains, even at a small loss, providing that Railway Post Office contracts were not cancelled. The Post Office pulled the mail off the trains, and the railroad was forced to discontinue service because of an unavoidably large deficit. There can be little doubt, Mr. Chairman, that at some point along the line, the Post Office made a decision to eliminate en route distribution of Railway Post Office service. ICC Chairman Tucker indicated that such a decision had been made. Yet the Post Office Department denies the existence of such a policy and insists that each train is being considered individually according to the service it renders and the purpose it fulfills in distributing the mail.

Yet, Mr. Chairman, reports from reliable sources persist that the Post Office will institute a plan which will eliminate the jobs of 80% of the present Railway Post Office work force.

It could be the Post Office Department, fearful that this committee might act favorably on a measure which would keep the RPO's on passenger trains, is seeking to eliminate almost all the trains before such a resolution could even be considered by the Congress. In that way, they would have not had to bother to comply with what might be the "sense of Congress."

Just recently a member of my staff attended a nationwide meeting of Railway Post Office Clerks at which William Hartigan, who heads the Bureau of Transportation and International Services in the Post Office, was the featured speaker. Nearly every clerk in the audience, according to my assistant in attendance, recited specific and concrete examples to Mr. Hartigan of instances where the Post Office had, as a matter of policy, discouraged the use and efficiency of Railway Post Office services. If the complaints of these men are true, then it indeed must be clear that the Post Office Department bears a good deal of the responsibility, not only for the virtual demise of the highly reliable en route mail distribution system, but also for the discontinuance of Railway Passenger Service to many of the nation's cities and towns. And Mr. Chairman, the discontinuance of rail service has caused great hardship to many communities in virtually all the states. Often the service has not been adequately replaced by busses. Local airlines, whose operations are, of course, governed by the weather, have partly filled the gap. But this has presented a problem to our government, because we have had to subsidize many of these runs just to insure that various towns and cities had some kind of passenger service. I am sure I need not elaborate on my views on the mail service before this committee. Time and time again I have listened to officials of the Post Office Department attempt to justify their rejection of Railway Post Office service. Department officials tell us air and truck service is saving money. They submit figures to show us that the substitution is saving money. But the fact is, Mr. Chairman, that the figures are theirs. If you have ever examined their balance sheets, then you know how difficult, if not impossible, they are to comprehend. In the end, we have to take *their* word to justify *their* policy, so if the cost question may be debatable, the service question is not. The mail is moving at an ever slower pace. It may get from city A to city B faster by plane, but it is not sorted en route.

We know that plane delivered mail often sits a day or two at the point of delivery before being sorted and delivered. On railway cars, the mail is ready for delivery upon arrival. Notwithstanding the fact that the action of the Post Office Department has been directly responsible for the abandonment of passenger service, the Post Office Department now points to the few trains left and asks: "How can we operate with the few trains that are left for our use?" The Congress should consider calling a halt to this situation. In addition, however, the contention by the Post Office Department that they do not have sufficient trains available to them is not entirely correct. While passenger trains may not be in operation on all lines, at all times, most major railroads run daily scheduled fast freight trains. They operate with a timetable similar to that of a passenger train. In fact, in most cases passenger trains must take a second place to these fast freights. The weak arguments which the Post Office Department advances against the use of freight trains for mail distribution thinly conceals their overall plan to totally abandon Railway Post Office service. If the Post Office Department *wants* to haul mail by rail, I have every confidence that it is possible to do so. In addition, Mr. Chairman, I believe that present and future air and ground traffic conditions must be taken into consideration when discussing the mail aspect of the resolution. If population and therefore traffic projections over the next few years and beyond are accurate, then we must ask ourselves if it is wise to add mail carrying trucks to our already overcrowded highways; moreover we must ask if it is prudent to depend on air service for most long distance mail when that service can get bogged down in airport and airline congestion as well as weather conditions. If proper consideration is given to the mail aspect of this problem, I for one believe, that the question of passenger train abandonments . . . considering the few trains left in service . . . will almost take care of itself.

Mr. Chairman, the Post Office Department, if Congress sees fit to adopt my resolution, could well continue Railway Post Office service on present passenger trains, thus keeping many of them in operation. In addition, to provide fast and efficient handling of the mail, the Department might wish to reconsider its policy of disregarding Railway Post Office Service in favor of trucks and planes, which have served only to complicate the already complicated problem of hauling the mail. Thus, the Post Office could, if it wanted to, use fast freights to haul mail. The revenue obtained by the railroads from such usage might help to prolong service on passenger trains which do not now carry mail.

In conclusion, Mr. Chairman, let me point out that my resolution has been drawn in such a way as to allow Congress to express its will in this important matter, without resorting to specific amendments to Section 13a of the Interstate Commerce Act. We are at the beginning of an era. We, as members of Congress, are in the same position as those members of Congress who pushed for an Interstate Highway program in the early 1950's. Of course, I urge favorable consideration of my resolution. But more than that, I urge you to take a long hard look at this whole question. In doing so, we may preserve an important freedom for future generations . . . the freedom of unrestricted travel.

Thank you.

STOKELY CARMICHAEL

Mr. LAUSCHE. Mr. President, on July 28 there came to my office a letter from Mrs. Martha Cooper Judy. Mrs. Judy is the daughter of the distinguished former Governor of Ohio, Myers Y. Cooper, now deceased. She writes:

> What can be done about Stokely Carmichael? I understand he is a Jamaican. Can you do anything about having his passport taken from him and keeping him out of the United States?

I can well understand her apprehension about allowing Stokely Carmichael to reenter the United States, having in mind his hostility to our system of government and his friendship with the Communists of the world.

Stokely Carmichael is now in Havana, Cuba, attending the so-called Latin American Solidarity Conference. He is there to promote the interests of the Communists and to destroy the principles and the strength of our Nation.

In my opinion, Stokely Carmichael went to Cuba in a circuitous way, violating the laws of the United States.

I ask unanimous consent that there be printed in the RECORD an article entitled "Carmichael Asks Cubans To Join Negroes in Revolt," published in the Washington Star of July 28.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

CARMICHAEL ASKS CUBANS TO JOIN NEGROES IN REVOLT

HAVANA.—Stokely Carmichael, American civil rights leader, said, "Detroit and New York are also Vietnams" and exhorted young Cubans to join American Negroes in an international revolution in an interview published yesterday in the newspaper "Rebel Youth."

Carmichael, who flew to Havana as a guest of Premier Fidel Castro's Communist government to attend the Latin American Solidarity Conference, said, "We should internationalize our struggle."

The Trinidad-born Negro said in the interview, "If we are going to make a reality of (revolutionary Ernesto "Che") Guevara's words about making two or three more Vietnams, it should be known that Detroit and New York are also Vietnams."

Mr. LAUSCHE. Mr. President, I concur completely in what Martha Cooper Judy said in her letter; however, I am deeply pained to believe that under the past policies of the Department of Justice and the Department of State no action will be taken against Stokely Carmichael. The indefensible and threadbare position will be repeated that the prosecution of Stokely Carmichael will further inflame the revolutionaries within our country to continue in their violent action against our Government. Such a position, of course, is unthinkable to men of character. Yet, I am afraid that the future action of the Department of Justice and the Department of State will be inexcusably a repetition of the positions which they have taken in the past.

McGHEE TYSON AIRPORT CELEBRATES 30TH BIRTHDAY

Mr. BAKER. Mr. President, on Saturday, July 29, 1967, Knoxville's McGhee Tyson Airport celebrated its 30th birthday. Since July 29, 1937, when the first airliner landed at this fine airport, McGhee Tyson has grown by leaps and bounds.

Frank Jordan wrote an excellent article for the Knoxville Journal on the occasion of this anniversary. I ask unanimous consent that it be printed in the RECORD. It details the history of the airport and emphasizes how much not only Knoxville but the surrounding counties have profited from its expansion and continued progress.

I salute the people who have made this possible and I want to pledge again my full backing to McGhee Tyson Airport and its superb record of accomplishment.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

McGHEE TYSON AIRPORT, BORN IN DEPRESSION, AGE 30 TODAY

(By Frank Jordan)

Knoxville's McGee Tyson Airport, born on the heels of the depression and with some degree of skepticism for its financial success, will celebrate its 30th birthday today as one of the city's most successful investments.

Airplanes were in their infancy and the era of air travel was just beginning when city officials acted in November, 1935, to purchase 350 acres of property near Alcoa for construction of an airport.

Since the area had been hard hit by the depression and the tight money situation was just beginning to ease, it was normal that some persons had jitters when the city announced it was purchasing the property for $35,000 as a joint venture with the cities of Alcoa and Maryville which put up $5000 each.

This was just eight years after Charles Lindbergh made his famed ocean-spanning flight from New York to Paris.

In 1936, the Work Progress Administration constructed the field and terminal building at a cost of approximately $750,000. The following year all of the property was deeded to Knoxville and on July 29, 1937, the first airplane landed at the new facility.

Col. Harry S. Berry, then state WPA administrator, flew into the new airport on the first eastbound plane to use the field. American Airlines transferred its operations from Island Airport to the new port which was officially named McGhee Tyson Airport after Charles McGhee Tyson, a Knoxville native and lieutenant in the Navy who was killed in action over the North Sea in 1918.

Colonel Berry said, "Knoxville must develop more air traffic through here to make the airport a paying proposition. I figure that maintenance will amount to about $15,000 a year."

He proposed a shuttle line between Knoxville and Chattanooga airports and said that if such a line was established, the WPA would build an emergency field at Athens.

The chief source of revenue for the city for maintenance was from the sale of gasoline. The city received three and one-half cents for every gallon of gasoline sold at the airport.

American Airlines was the only commercial firm using the airport at the time and it ran but two planes a day through Knoxville. Berry said Nashville and Memphis airports were stop-over points for some 15 or 20 planes.

The City Manager George Dempster began working with Atlanta, Lexington and Cincinnati officials in an effort to sell the Post Office Department on the need for an air mail line from Atlanta to Cincinnati through Knoxville. This was later established and thus McGhee Tyson Airport began its fantastic growth. Capital Airlines (now United) began service here in 1940.

The administration building was expanded in 1941, 1952, 1960 and 1964. Delta Airlines initiated service to and from Knoxville in 1941, Piedmont Airlines in 1952 and Southern Airways in 1960. The federal government built a 7500-foot runaway in the 1950s which was extended to 9000 feet in 1965 and Delta Airlines started using it for the first jet service to the airport that year.

In 1943, the US Navy took over operation of the airport and rebuilt the landing area. On Jan. 1, 1945, the Navy turned the airport back to the city.

Commercial air travel has expanded rapidly since 1949 when 65,622 persons enplaned at McGhee Tyson. In 1956 there were 134,311 and in 1966 the number grew to 266,934. Since the number of persons arriving at the airport are about the same as those leaving, it is safe to say that in excess of 500,000 persons were moved through the airport by commercial firms last year.

Passengers on private and industrial planes arriving and leaving the airport last year are estimated at more than 500,000.

A total of 484 tons of air cargo passed through the airport in 1949 compared with 1263.06 in 1966. In 1949, a total of 104.0 tons of mail was moved through the airport compared with 324.88 tons last year.

Revenue to the city from the airport was $130,484.88 in 1949, $236,449.07 in 1960 and $484,231 in 1966. Airport Manager Alan Atkin said "no doubt we will exceed $500,000 this year."

Today there are 400 employes on the commercial side of the airport and between 700 and 1000 on the Air National Guard side. Property now consists of 1800 acres with 850 to 900 acres leased to the ANG.

But although the growth of the airport has been steady, the future looks even brighter. Mayor Leonard Rogers said, "Air traffic through our airport is growing at a rapid pace and we are progressing with an orderly plan for expansion."

A new air cargo building to handle airline cargo and freight forwarding facilities is expected to get under construction later this year at a cost of more than $300,000. It will contain 20,000 square feet and will be financed with revenues derived from the tenants using the building. It will be located near the entrance to the airport along Alcoa Highway.

Plans are also being discussed for a further expansion of the terminal building and ramp.

CENTRAL ARIZONA PROJECT

Mr. JACKSON. Mr. President, in connection with Senate consideration of S. 1004, a bill to authorize the central Arizona project and other reclamation projects in the Upper Colorado River Basin, the Department of the Interior has furnished certain financial and other data. I ask unanimous consent that this data be printed in the RECORD, and that it be considered as a supplement to the executive communications of the Bureau of the Budget and the Department of the Interior printed on pages 67 to 83 of the Senate Interior Committee's report on S. 1004—Report No. 408, 90th Congress, first session, July 26, 1967.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

ESTIMATED ADDITIONAL MAN-YEARS OF CIVILIAN EMPLOYMENT AND EXPENDITURES FOR THE 1ST 5 YEARS OF UPPER COLORADO RIVER BASIN PROJECTS—CONSOLIDATED ANIMAS-LA PLATA, DOLORES, DALLAS CREEK, WEST DIVIDE, SAN MIGUEL

	1st[1]	2d	3d	4th	5th
Estimated additional man-years of civilian employment:					
Executive direction:					
Executive	7	15	15	19	20
Clerical	6	10	10	14	15
Total, executive direction	13	25	25	33	35
Administrative services and support:					
Accountant	5	16	20	48	56
Clerical	6	18	23	54	68
Property management	3	7	9	27	33
Records maintenance	3	7	9	27	33
Total, administrative services and support	17	48	61	156	190
Substantive (program):					
Engineering aids	26	56	73	397	698
Engineers	23	38	55	240	406
Geologists	4	7	8	10	13
Other	5	13	15	44	58
Total, substantive	58	114	151	691	1,175
Total, estimated additional man-years of civilian employment	88	187	237	880	1,400
Estimated additional expenditures:					
Personal services (in thousands of dollars)	880	1,870	2,370	8,800	14,000
All other (in thousands of dollars)	480	450	4,002	24,373	42,032
Total estimated additional expenditures (in thousands of dollars)	1,360	2,320	6,372	33,173	56,032

[1] Assumes all projects initiated in same year.

ESTIMATED ADDITIONAL MAN-YEARS OF CIVILIAN EMPLOYMENT AND EXPENDITURES FOR THE FIRST 5 YEARS OF CENTRAL ARIZONA PROJECT

	1st	2d	3d	4th	5th
Estimated additional man-years of civilian employment:					
Executive direction:[1]					
Executive	0	0	0	0	0
Clerical	0	0	0	0	0
Total, executive direction	0	0	0	0	0
Administrative services and support:					
Administrative officer and assistant	3	4	11	15	16
Clerical	7	15	43	37	69
Property, procurement finance, etc	1	9	22	26	33
Total, administrative services and support	11	28	76	78	118
Substantive (program):					
Engineering aids and technicians	79	120	198	260	290
Inspectors	0	38	100	163	178
Engineers and geologists	69	111	117	169	208
Total, substantive	148	269	415	592	676
Total, estimated additional man-years of civilian employment	159	297	491	670	794
Estimated additional expenditures:					
Personal services (in thousands of dollars)[2]	660	1,890	3,250	4,760	5,990
All other (in thousands of dollars)	6,226	16,218	104,331	120,133	115,831
Total estimated additional expenditures (in thousands of dollars)	6,886	18,108	107,581	124,893	121,821

[1] Assumes direction by existing offices.

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LITTLE HOLLYWOOD, KANAB, UTAH

Mr. MOSS. Mr. President, the economy of Utah is primarily based on full development and use of our natural resources. We have some of the finest national parks and monuments, Great Salt Lake, a growing State park system, and millions of acres of highly scenic public lands. Bringing visitors to our remote areas is "big business" in Utah.

Along with tourism in Utah there is a growing demand to use our scenery for location filming of motion pictures. The current quarterly issue of "Our Public Lands" which is produced by the Bureau of Land Management, features an article on "Little Hollywood," Kanab, Utah.

I ask unanimous consent that the article be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

LITTLE HOLLYWOOD

(By Darwin Nelson)

Little Hollywood, they call it—Kanab, Utah, population about 1,700—for here amid colorful scenery and unspoiled vastness movie makers find just the brand of western flavor needed for many of their productions.

In recent years, scenes for several major movies have been filmed in the Kanab area, among them "Duel at Diablo," "Greatest Story Ever Told," "Sergeants Three" and "Westward the Women." Last summer several scenes for "The Long Ride Home" were made on public domain near the Paria River, and for several weeks Kanab was "home" for such stars as Glenn Ford, George Hamilton, Max Baer, Jr., Inger Stevens and Paul Peterson. It wasn't the first time Glenn Ford had been on location in Kanab; 25 years ago he spent some time off the set participating in a local rodeo.

Television often has used southern Utah scenery. Sometimes the filming is only for short commercials. But much of the Daniel Boone series was shot near Kanab, and last summer the area was locale for considerable filming for the "Death Valley Days" series.

LAND USE PERMIT REQUIRED

When a film crew moves onto BLM-administered land, the company takes out a special land use permit with the BLM district office having jurisdiction. Rentals are based on comparable rentals of private lands and usually range from $25 to $50 per day of filming. Any special requirements (such as blasting as done in scenes for "Duel at Diablo") must be specially authorized. In addition, the film company signs an agreement to restore the area to its previous condition and posts a bond for cleanup and restoration.

The area involved in a movie set usually is rather small—only an acre or two. The movie company may set up elaborate equipment to shoot certain scenes, then move to another site many miles away. Often the camera angle must be planned carefully to keep incongruous landmarks out of the picture. Often a scene in a trackless wilderness is filmed just a few yards from a paved road simply by training cameras to eliminate any view of the road.

STOKELY CARMICHAEL

Mr. LAUSCHE. Mr. President, on July 28 there came to my office a letter from Mrs. Martha Cooper Judy. Mrs. Judy is the daughter of the distinguished former Governor of Ohio, Myers Y. Cooper, now deceased. She writes:

> What can be done about Stokely Carmichael? I understand he is a Jamaican. Can you do anything about having his passport taken from him and keeping him out of the United States?

I can well understand her apprehension about allowing Stokely Carmichael to reenter the United States, having in mind his hostility to our system of government and his friendship with the Communists of the world.

Stokely Carmichael is now in Havana, Cuba, attending the so-called Latin American Solidarity Conference. He is there to promote the interests of the Communists and to destroy the principles and the strength of our Nation.

In my opinion, Stokely Carmichael went to Cuba in a circuitous way, violating the laws of the United States.

I ask unanimous consent that there be printed in the RECORD an article entitled "Carmichael Asks Cubans To Join Negroes in Revolt," published in the Washington Star of July 28.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

CARMICHAEL ASKS CUBANS TO JOIN NEGROES IN REVOLT

HAVANA.—Stokely Carmichael, American civil rights leader, said, "Detroit and New York are also Vietnams" and exhorted young Cubans to join American Negroes in an international revolution in an interview published yesterday in the newspaper "Rebel Youth."

Carmichael, who flew to Havana as a guest of Premier Fidel Castro's Communist government to attend the Latin American Solidarity Conference, said, "We should internationalize our struggle."

The Trinidad-born Negro said in the interview, "If we are going to make a reality of (revolutionary Ernesto "Che") Guevara's words about making two or three more Vietnams, it should be known that Detroit and New York are also Vietnams."

Mr. LAUSCHE. Mr. President, I concur completely in what Martha Cooper Judy said in her letter; however, I am deeply pained to believe that under the past policies of the Department of Justice and the Department of State no action will be taken against Stokely Carmichael. The indefensible and threadbare position will be repeated that the prosecution of Stokely Carmichael will further inflame the revolutionaries within our country to continue in their violent action against our Government. Such a position, of course, is unthinkable to men of character. Yet, I am afraid that the future action of the Department of Justice and the Department of State will be inexcusably a repetition of the positions which they have taken in the past.

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MANY DETAILS INVOLVED

So, shooting a movie scene isn't as casual as you might think. First of all, the site must be carefully selected. Then arrangements must be made for the BLM special land use permit. Movie and television companies work through local agents to arrange dates, location and rentals. Sometimes extensive preparations must be made to ready the selected site for specific needs of the scene—maybe artificial rocks need to be put in place, or real ones rearranged, in spite of the natural grandeur of the location. Also, arrangements must be made for the crew and cast.

And after a few days of filming, the company moves on, except for a crew that stays behind to restore the area to its original appearance, if there has been any disturbance.

The next time you see a movie showing the "Wild West" or some other scenic area, there's a good chance that at least a few of the scenes were filmed in southern Utah, on public land administered by the BLM Kanab District.

THE NEED FOR AN EFFECTIVE GOVERNMENT EMPLOYMENT TRAINING PROGRAM

Mr. TYDINGS. Mr. President, earlier this year I introduced two bills, S. 1360 and S. 1361, to establish Government employment opportunity programs in the Federal and District of Columbia Governments. The basic premise of those bills was that considerable numbers of job vacancies exist in the Government service which are not filled because of the absence of qualified applicants. Yet at the same time, willing workers remain unemployed—workers who could fill job vacancies if they were offered training and if entrance requirements were directly related to job needs.

Although the Government has exhorted private industry to make great efforts to open job opportunities, through training programs and redesign of job entrance requirements, I believe that the Government has not done enough to this end in its role as employer. S. 1360 and S. 1361 attempt to change this situation by mandating the Federal and District of Columbia Governments to institute job training programs which lead directly to employment in specific Government jobs, in which successful completion of the training program is an automatic qualification for the job itself. In addition, the bills would mandate the two governments to restructure jobs across the board so that appropriate aspects of technical or professional jobs could be performed by nontechnical or nonprofessional workers. Such job redesign would both open up new job opportunities for lower skilled workers and would free needed professional and technical workers for jobs which clearly require their skills.

Although the Federal Government in particular has instituted programs which have the same purpose as the legislation I have introduced, I do not believe that these programs have been given either the priority or the detailed administrative attention which is required. The Federal Government is paying lipservice to the idea of training the disadvantaged for Government employment, but is failing to commit sufficient resources to translate this idea into a significant reality. The "business as usual" attitude with which the Federal Government is approaching this matter and the need for the passage of legislation such as I have introduced are clearly demonstratd by an article by William Raspberry which was published in the Washington Post of July 31. I ask unanimous consent that the article be printed in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

U.S. Fumbles Job Program

(By William Raspberry)

Several Government agencies, according to the Civil Service Commissioner, need computer programmers and operators. A good many unemployed and underemployed Washingtonians are interested in the growing data processing field.

Thus is was that the Labor Department's Manpower Development and Training program set up a computer course. The idea was that the Government-financed program would help meet the needs of both the agencies and the job-seekers. Graduates were to be hired without the necessity of passing a written examination, and everything was going to be lovely.

Last Friday, 63 trainees completed the eight-month program, 34 operators and 29 programmers. And, although they have been job-hunting for six weeks or more, only six of them have found work: one operator with a local private employer and five programmers with the Ford Motor Co. in Detroit. Not one has been accepted by the Government.

Ernest Courtney, placement specialist for the U.S. Employment Service, explained why. "At the present time, for the training they have received, and for their education and experience, there is no applicable Civil Service examination.

Except under special circumstances, Civil Service appointments must be made from a register. Without an official announcement of the positions and an examination based on their requirements, there can be no register.

As a result, there seem to be only two ways the trainees can be hired by the Government: as GS–2 or GS–3 computer aides, or through the Federal Service Entrance Examination.

The former, at salaries of $75 and $82 a week respectively, would leave underemployed trainees scarcely better off than they were before, and the latter seldom is negotiated successfully by non-college graduates.

Graduates of earlier operator/programmer courses (this is the fourth class) were hired through CSC's TAPER program—Temporary Appointment Pending Establishment of a Register. But TAPER appointments aren't being used much any more, reportedly because of Congressional pressure.

There are other problems. The recently graduated class, which started eight months ago with 70 members, is nearly twice as large as earlier classes, doubling placement problems.

Graduates have been seeking work at the same agencies—private and Governmental—that hired members of earlier classes. Because of the previous placements, the need of those agencies is less acute now.

In addition, mid-summer is probably the worst time of year to be job-hunting. Many employers have taken on summer help and it is near the end of the fiscal year. Most Government agencies haven't had their next year's budgets approved yet and therefore must hold hirings to last year's levels.

As a result of these factors, several members of last Friday's class have begun to fear they will never be hired by the Government.

The despair is premature. Courtney and Civil Service officials agree.

"There is an absolute certainty they will be hired," Courtney said, adding that the attitude of the current class is "not so good" as other classes.

He is disappointed, however, that the Civil Service Commission has been so slow in issuing an announcement that will cover graduates of the computer course.

Civil Service is apologetic about the delay. A CSC spokesman, while denying any knowledge of an agreement between his agency and the U.S. Employment Service to place the trainees, acknowledged that CSC had known about the courses and the Government's need for the graduates.

He said an appropriate job announcement would be circulated "near the end of August."

Thus, it appears that this class of graduates eventually will go to work. Their current status, however, points up some shortcomings both of the Manpower program and of the Civil Service Commission.

This is not the first time the Government has spent money to train the jobless or underemployed without making certain in advance that there would be jobs for them.

CSC, for its part, ought to be able to move more swiftly to place the trainees, particularly after it has established the Government's need for them.

It is both silly and wasteful for men who are ready to go to work for agencies that need them to sit and draw unemployment compensation while CSC dawdles over a job announcement.

COMPREHENSIVE PLANNING AND COORDINATION ACT

Mr. SCOTT. Mr. President, I ask unanimous consent that my statement of July 28 to the Subcommittee on Housing and Urban Affairs of the Committee on Banking and Currency, in support of my proposed Comprehensive Planning and Coordination Act of 1967, be printed in the Record.

There being no objection, the statement was ordered to be printed in the Record, as follows:

Mr. Chairman, on February 2, I introduced S. 799, the Comprehensive Planning and Coordination Act of 1967. My bill was referred to the Committee on Government Operations.

On April 5, you introduced S. 1445, the Administation's bill to amend and extend various laws relating to housing and urban development. Section 209 of your bill proposes certain amendments to Section 701 of the Housing Act of 1954 which inaugurated the Urban Planning Assistance Program, the so-called 701 Program, administered by the Department of Housing and Urban Development (HUD).

Since my bill, S. 799, and Section 209 of S. 1445 dealt with the same subject, planning, I decided that it was appropriate to bring the substance of my proposal to the attention of your Subcommittee. Accordingly, on April 17, I introduced Amendment No. 165, which is one of the 33 measures under consideration in the present hearings of your Subcommittee. My amendment simply strikes Section 209 from S. 1445 and adds as a new title to S. 1445 the full text of my proposed Comprehensive Planning and Coordination Act of 1967, S. 799.

As a member of the Pennsylvania State Planning Board, I have been well posted on an important aspect of planning, i.e., State planning, and I am impressed with its value as a management tool at the disposal of the chief executive. As a Senator, I have become impressed with the increasing complexity of intergovernmental relations in our Federal system. I have also become increasingly convinced of the need for bringing order out of the growing chaos resulting from the rapid proliferation of Federal grants-in-aid and for strengthening the ability of the States and local governments to manage the myriad of development activities for which they are responsible.

In offering my amendment to S. 1445, I seek to strengthen the process of planning. I seek to make planning an integral part of the political decision-making process.

I seek to recognize the essential role of the elected public official and to give the Governors of our States a better chance to govern effectively.

I seek to develop an exchange of information based upon need and capacity and to strengthen the ability of local people to deal with local situations.

We need to recognize the essential partnership role of the Federal Government in assisting the financing of social, economic and physical resource development programs. But at the same time, we need to utilize that Federal role in a way that would strengthen our Federal system rather than weaken it.

We must improve the excellence of planning in all functional fields, be they health, water resources, recreation, or vocational rehabilitation, in any or all of these or other fields, by making this type of very important functional planning a part of a truly comprehensive planning process.

Finally, I seek to regularize and to make more consistent the Federal Government's participation in the financing of planning programs at all levels of government.

With these considerations in mind, I turn to the rationale of my amendment. Following that, I shall relate my amendment to the 701 Program.

Planning is an essential management tool that is well known and highly regarded in business and industry. Only in recent years, however, has government come to recognize its value and utility.

Albert Waterson has defined planning as "an organized, intelligent attempt to select the best available alternatives to achieve specific goals." It is a continuing process that comprises the selection and articulation of goals, the identification of opportunities to advance toward those goals, and the removal of obstacles blocking the path toward them, as well as the laying out of alternative courses of action which can lead to the attainment of those goals.

Goal-setting is a vital element of the planning process. In our democratic political system, it involves not only government administrators, but legislators and the citizenry as well.

Dr. Charles Kimball, President of the Midwest Research Institute in Kansas City, has described the value of the goal-setting phase of community planning:

"Setting community goals sounds a call for unity among all thoughtful, creative and interested persons willing to focus honestly on both the assets and liabilities of their city.

"There is much to be said for this kind of undertaking. A carefully conceived plan and an honest effort to implement that plan will enable a community to do at least two things better. First, the community will begin to anticipate changes in the total environment. This means it will be better able to take advantage of new opportunities or to better meet competitive threats, instead of reacting in a totally defensive manner, often the case without such planning. There will be some measure of control over total environment, rather than control by outside forces.

"Secondly, a community with goals will be able to experiment with ideas before risking resources in any great amount. It will be able to simulate courses of action and test the likely consequences, without involving large amounts of either scarce time or dollar capital."

The Comprehensive Planning and Coordination Act of 1967 is designed to encourage the development of an integrated system of planning at all levels of government. My amendment is concerned with comprehensive planning, a type of planning which provides a broad framework for decisions affecting the development of the human, economic, and physical resources of a locality, a metropolitan area, a region, or a State.

Section 701 of the Housing Act of 1954, especially as amended in 1959, was intended to support comprehensive planning. As implemented, however, the 701 Program has veered from its original purpose to the extent that narrower functional planning (for example, health, water resources, or recreation) competes with comprehensive planning for assistance authorized by Section 701. This deflected focus of the program is the consequence of frequent and patchwork revision of Section 701 since 1959.

The Comprehensive Planning and Coordination Act of 1967 seeks to redirect the 701 Program to its original purpose.

There are several fundamental points of difference between my proposal and the present 701 program:

First, my proposal is oriented almost exclusively to comprehensive development planning. As defined in my amendment, comprehensive development planning cuts across the whole spectrum of public activity at the several levels of government—physical, economic, and social. It is process-oriented in that, while it may result in the production of plans, its basic purpose is to provide a framework of goals, policies, and standards within which planning for various functions such as land and facilities, medical, welfare, and educational services, etc., can be directed and coordinated. My proposal does not provide support for functional planning.

The 701 Program, on the other hand, is substantially narrower in that it is primarily concerned with planning for physical development. (I note, however, that S. 1445 proposes to broaden the focus of the 701 Program.) It is, as administered, primarily product-oriented in that while it is interested in promoting the process of planning, grants are based on the production of specific plans for physical development, ranging from broad land use plans to more specific functional plans such as for transportation, water and sewer systems, and airport locations. In this sense, as supporting functional planning, it is broader than my proposal.

Let me point out here that my amendment, while repealing certain parts of Section 701 of the Housing Act of 1954, would retain those provisions authorizing assistance for functional planning.

Second, my amendment conceives of comprehensive development planning as an executive function. It provides Governors and regional planning instrumentalities of elected officials with staff capabilities for effective direction and coordination of regional development activities. The grants authorized by my amendment are, in effect, the "glue money" for which Governors and the locally elected officials have been calling.

Similarly, my amendment places responsibility for the administration of comprehensive development planning assistance in the Executive Office of the President rather than in a line department or agency, since it is a program to assist the effective coordination, at the State and regional levels of government, of *all* Federal programs of assistance to those levels of government. (It may be argued that grant programs should not be administered from the Executive Office. However, both OEO and OEP provide ample precedent, and the assistance provided by my proposal is an undergirding for the whole range of functional grant programs administered by the line agencies. It is government-wide in its effect.) Moreover, my amendment encourages the development of planning, programming, and budgeting systems (PPBS) at those levels of government to parallel the Federal PPBS which is coordinated in the Executive Office of the President.

While the 701 Program can be utilized as an instrument to promote planning as an executive function, that is not its focus, and, as I have already indicated, its scope is narrower than that of my proposal.

Third, the grant allocation formula in my amendment provides a necessary continuity to comprehensive development planning by providing an assured annual basis of support to States and regions. This tends to support the idea of making comprehensive planning a process rather than a stop-start, project-oriented activity. The 701 Program, on the other hand, is administered essentially as a first-come, first-served, project-by-project program.

Finally, my proposal covers rural as well as urban areas. The 701 Program, while it provides assistance to small communities, is basically urban-oriented, as its name, "The Urban Planning Assistance Program," suggests. (This would be changed, of course, by the amendments to 701 proposed in Section 209 of S. 1445.)

In sum, my amendment aims at providing Governors and local elected officials with a tool for State, interstate, regional, and local development decision-making. It is concerned with comprehensive planning as a process for coordinating and integrating more specific functional and agency program planning and for meshing local plans into regional and Statewide programs. While more precise in its focus on comprehensive planning alone than is the 701 Program, it is broader in scope in that its covers economic and human resource planning as well as physical resource planning, and it covers rural as well as urban areas.

Mr. Chairman, Congress has enacted within a few short years a wide and imposing array of new programs to improve our environment and our well-being. Now, Congress must see to it that these programs work effectively. Proper management is the need, and planning the key management tool.

Recognizing that planning, as I have defined it, has only recently taken hold in government, I feel that we must now concentrate on its development as an integrated system at all levels of government. This is what the Comprehensive Planning and Coordination Act of 1967 seeks to accomplish.

Having no pride of authorship, I am not wedded to the language of my amendment in its entirety. But I believe that the thrust of my proposal is sound and that its basic concepts merit serious consideration. In this connection, I note with pleasure that several public interest groups and the Chamber of Commerce of the United States have endorsed these concepts in their appearances before this Subcommittee during its present hearings.

Comprehensive planning should encompass the full spectrum of the development concerns of national, State, and local governments. It should be a continuing process and an executive function. It should be the responsibility of the elected officials, the decision-makers. Finally, those responsible for planning at the State and local levels should be assured of a minimum regular base of Federal financial support so that they can develop meaningful plans on a continuing basis.

These are some of my concerns. Together they provide a proper framework for comprehensive planning. I earnestly hope that this Subcommittee in its wisdom can report out legislation that will strengthen the planning process as an essential step toward making the myriad of Federal programs, most of which relate to urban and community development, work.

CHRISTIAN HERTER

Mr. KENNEDY of Massachusetts. Mr. President, with the death of Christian Herter, the Nation lost an admired leader and many Americans lost a treasured friend. He was known not only for ability and dedication, but for his humility and humor as well. His death was a time for sadness.

Although born in Paris, Christian Herter adopted Massachusetts as his home State, and throughout his life he served in its finest traditions. His dedication to duty transcended political difference, and his personal courage was unsurpassed. His long career in the service of Massachusetts and to the American people speaks eloquently in his behalf.

Within a year of his graduation from Harvard in 1915, he took a post in the American Embassy in Berlin and served until forced to leave at the outbreak of World War I. Despite his efforts to enlist, he was turned down by the Army because of his height. He entered the Foreign Service instead, and went to the Versailles Peace Conference as an aide to the U.S. delegate. After the Conference he worked for Herbert Hoover—first on the American Relief Council in Germany and later in the Department of Commerce.

In 1924, he returned to private life as an editor and lecturer, until 1930, when he was elected to the Massachusetts Legislature. In 6 years, he rose to be speaker of the house, and 4 years later he was elected to the U.S. House of Representatives. As a Member of Congress, he was instrumental in forming the bipartisan coalition behind the Marshall plan, and helped to make it a truly national undertaking.

In 1952, he ran for the governorship of Massachusetts and won by 44,000 votes. As Governor, he reorganized the department of corporations and taxation, raising State revenues by 40 percent; he created the department of natural resources; he fought for reform in the courts and for academic freedom at the University of Massachusetts.

In 1956 he chose not to run for a third term, but instead accepted a post as Under Secretary of State under John Foster Dulles. He succeeded Mr. Dulles as Secretary in 1959 and served with courage and distinction.

In 1961, when President Kennedy appointed him as U.S. Special Trade Representative to the Geneva negotiations, Mr. Herter's career had spanned 50 years and his accomplishments were those of a distinguished statesman. A lesser man would have retired with honor, but, despite crippling arthritis, Christian Herter accepted a new challenge. It was largely due to his patience and determination that these negotiations bore fruit. The General Agreement on Tariffs and Trade stands as a fitting memorial to a man who devoted much of his life to the ideal of international cooperation.

The qualities of Christian Herter as an individual were as exceptional as his qualities as a public servant. Despite his devotion to purpose, he never antagonized those with whom he disagreed. His integrity, his humor, and his charm earned the affection and respect of all whom he encountered. The strength to be drawn from his example is surpassed only by the loss which we suffered by his death.

Christian Herter was a man of whom Massachusetts and the Nation can be proud.

THE FUTURE OF THE OEO

Mr. JAVITS. Mr. President, I ask unanimous consent to have printed at this point in the RECORD several articles from a recent edition of New Generation, a quarterly magazine which is published by the National Committee on Employment of Youth. One of the most serious questions before the Congress this summer concerns the war on poverty and its administrative agency, the Office of Economic Opportunity. As we are well aware, there is much controversy about the future of the antipoverty program. Some people feel that OEO should be dismantled; others feel that the basic structure and functions should be preserved, or even expanded. Still others feel that some fundamental changes are necessary to make the program more effective. In the New Generation, these different positions are presented, debated, and analyzed.

The contributors to this magazine all agree that a central administrative organization is needed which would have an impact on the basic elements of poverty—lack of jobs, poor housing, low income, and little education. However, they disagree over OEO's capacity to do the job effectively and efficiently. Mr. Richard W. Boone, the executive director of the Citizens Crusade Against Poverty, outlines the problems and advantages involved in changing the structure of the OEO. Mr. Hyman Bookbinder, Assistant Director of OEO, defends the present structure and functions of the OEO, while Representative CHARLES E. GOODELL, Republican, of New York, suggests that better coordination of the antipoverty program could be achieved if the OEO was phased out of existence. Mr. Kenneth Marshall, the vice president of the Metropolitan Research Center, urges a change of focus in the OEO. And Prof. S. M. Miller discusses some of the future problems confronting OEO. The dialog in the New Generation is, I feel, an accurate reflection of the major issues facing the Congress in its debate about the future of the antipoverty program. Therefore, I would recommend this magazine to Senators as an informative and useful aid in their study of this problem.

There being no objection, the articles were ordered to be printed in the RECORD, as follows:

A CHANGE IN STRUCTURE

(By Richard W. Boone)

(*The following article represents the author's views as an individual and not as a representative of the Citizens' Crusade Against Poverty.*)

In the three years since its birth, the Office of Economic Opportunity has launched important anti-poverty projects with a speed unmatched by any federal agency since the New Deal. Two years ago, for instance, Head Start was just an idea in a staff meeting; now it is a nationally recognized program that makes a positive difference in the lives of thousands of poor pre-school children.

By focusing attention on doing things a new way—by involving poor people in programs as participants rather than as wards of society—OEO has taken positive steps to narrow the gap between the poor and the rest of society. Through representation on policy-making and advisory boards, poor people have gained a taste of democracy in action. They have proven that they can perform many duties formerly reserved for persons with special credentials or professional training. The challenge to participate has rekindled the thinking and changed outmoded and insensitive administrative practices in many agencies outside the poverty programs.

The OEO has taken on an unparalleled role as a catalyst for the development of leadership among those who have been traditionally excluded from local decision-making. It is hardly surprising that some of these new leaders have emerged as critics of the very programs that set out to serve them.

It was just this role of catalyst that the planners of the Economic Opportunity Act originally conceived as the central purpose of OEO. Its funds were to be used as "cement." OEO was to bring about the coordination of local groups that ordinarily might never work with one another. The Bureau of the Budget wanted a program that would eliminate the fantastic amount of overlap, duplication, and competition existing in the operation of federal programs addressed to the poverty problem. It hoped that the Office of Economic Opportunity, through its Community Action Program, would provide at the local level the instrument for coordinating and directing local (public and private), state and federal resources. And the Economic Opportunity Act's planners also hoped to bring coordination to Washington by giving the director of OEO power to induce other federal agencies to give funding preference to programs which meshed together as parts of a comprehensive Community Action plan.

OEO embarked upon new and demanding tasks. The rapidity with which it moved programs into the field, involving the poor and supporting new program designs, gave the impression of a new and massive attack upon poverty. That impression, further cultivated by political rhetoric, produced expectations which could not be realized. It is now painfully clear that we promised much more than we could produce.

While OEO should be credited with some notable successes, it has only partially fulfilled its role as catalyst. Expediency and speed have frequently marked the delicate process of developing solid and responsive Community Action Agencies and their governing boards. Administrators skilled and sensitive to concepts of community action have been in short supply.

Hampered by local personnel problems and a lack of adequate support at the federal level (particularly in the amount of resources available and effective demand for their coordination), other weaknesses became apparent. Locally, program goals were not well formulated. In too many cases projects were developed to deal with the effects rather than the causes of poverty. Only through the lack of funds were priorities set. Finally, only minimal attempts were made to build effective market research and evaluation systems.

Responsibility for these problems goes far beyond the Office of Economic Opportunity. The Administration, the Congress and the general public have yet to grasp the full potential of the local Community Action Program idea.

If we allow these programs to fail, we shall have to invent something to take their place. The current program is based upon local administration and initiative, certainly a conservative idea today. If this kind of "localism" fails, what system will take its place?

How do we avoid failure and increase the effectiveness of the war on poverty? The past two years have been a testing period. In the future, however, if the nation is to avoid the frustration which has characterized so much of the war on poverty, we must move quickly toward a national action strategy based upon a more clearly defined set of goals. I would suggest three guiding principles against which all poverty-related programs should be measured:

Economic Security: What is the impact of a particular program in providing economic security for a poor person and his family?

Freedom: What impact does the program have in protecting and promoting freedom for the persons affected and their power to have alternatives and make choices in all areas of fundamental human concern?

Responsibility: How does the program provide opportunities for persons involved to make effective contributions to their families, to their communities, and, generally, for the common good?

We must measure our plans and the effectiveness of our operational programs against these general policy goals. There must be a thorough assessment of the success and lack of success of programs—not just of the Office of Economic Opportunity—but also of Labor, the Department of Health, Education, and Welfare, the Agriculture Department and HUD—all of which must play vital roles in the war against poverty.

Secondly, there must be better "links" between programs—not from the point of view of what is institutionally correct or bureaucratically feasible—but from the point of view of the consumer and his needs. What links, for example, must there be between programs such as the Neighborhood Youth Corps, the Job Corps, and Upward Bound that make sense to a high school dropout, and which would provide him with options to progress from basic work experience, education, and training to a formal college education and a permanent exit from poverty?

Third, while increasing the effectiveness of existing programs through systems of market research (including consumer-oriented evaluation), we must keep alert to other options which could increase the effectiveness of our national anti-poverty efforts. It is crucial that OEO, as the bridgehead for innovative and catalytic action, not fall into the trap—ensnaring so much of the federal system—of developing such a vested interest in perpetuating and expanding its own programs and voices proposing new programs and strategy changes are muted by the agency's bureaucratic and political investments.

Three years ago, serious discussion of the guaranteed income, tax refunds to the states and educational stipends and incentives was not feasible. Now, partly because of the groundwork laid by OEO, these ideas are being discussed. We should remain alert to the options they may offer as a means to achieve the basic goals of the Economic Opportunity Act. OEO must be free to play a leading role in that dialogue.

However, I doubt whether the Office of Economic Opportunity can remain responsive to its policy goals and *new* operational strategies while continuing to expand its direct operational responsibilities. If federal agency history is any guide, as OEO increases its direct operations (through administering bigger programs and adding new ones) it will find its ability to innovate, criticize, evaluate and mobilize decreasing. As it increases its operational "domain" its constituency will shift from the poor to middlemen, the carriers of its programs, and to those who help to designate the carriers.

For the foregoing reasons I recommend that, *over time* and as a basic policy, OEO delegate its program operations to other federal agencies, allowing it to concentrate on improving the effectiveness of Community Action Programs and to develop the planning, development, monitoring and evaluation functions consistent with its role as planner and catalyst. Without offering a timetable for action, I propose:

The Office of Economic Opportunity be renamed the Office for Community Action Against Poverty (OCA). It should remain a major operational arm within the Executive Offices of the President, with "supportive surveillance" by the President or Vice President, acting as his designee.

An Administrative Operations Committee be created by the President for purposes of continuing consultation with the Director of the Office for Community Action. The Committee should be comprised of the Vice President (acting for the President), the Chairman of the Council of Economic Advisers, the Director of the Bureau of the Budget, and the Director of the OCA.

OCA be responsible for planning long- and short-range policies and programs addressed to poverty.

OCA provide funds for the planning, organization, training and administrative costs of local Community Action Agencies.

OCA have a program development and *initial* program operations responsibility. Through Congressional appropriation and authorization, a pool of funds should be provided for developing "national demonstration programs" similar to Head Start, Legal Services, etc. These should be run through local CAA's.

In establishing OCA, with the exception of its Community Action Program, delegate to other federal agencies full-scale program operations now under OEO's direct administration. Thus, Head Start, the Job Corps, etc., should be delegated to other federal agencies. However, delegation authority and program guidelines must be "tough," calling for program operations through local CAA's. Depending upon successful operation, new national demonstration programs developed and initially operated by the OCA, upon building up beyond the demonstration phase, should be delegated to other federal agencies.

OCA assume responsibility for monitoring, evaluation and budget control over delegated programs. Monitoring and evaluation systems should be developed by contracts with independent organizations outside the federal government. (Exceptions could occur to this general policy.)

OCA concentrate its own administrative efforts on increasing the quality of the Community Action Programs and in working towards more effective coordination of other federal programs in behalf of the work of local CAA's. Evaluation of local CAA operations should be contracted out and this process should be monitored by a staff answerable to the Administrative Operations Committee.

By unburdening OEO of major program administration responsibilities and allowing it to concentrate on the other functions outlined above, the agency would be more likely to act as an advocate for the needs of the poor and less driven to support "delivery programs" regardless of their quality.

Depending on the quality and strength of the delegation and monitoring functions, lodging programs in other agencies might well strengthen the character and quality of related programs in those agencies. Further, with such a plan it might be possible to reduce current Cabinet-level warfare over authority to operate specific anti-poverty programs.

Once out of the general operations field, the OCA, with the support of the Administrative Operations Committee and the President, could move to coordinate the investment of other federal resources in local Community Action Programs. Then for the first time we would have a central operation of government-wide scope—planning, developing, monitoring and evaluating programs in the war against poverty.

WE NEED AN OEO

(By Hyman Bookbinder)

Any discussion of the future of the Office of Economic Opportunity requires that we understand why it was created in the first place, what it is supposed to do, and what in fact it has done.

The OEO was created because there was a demonstrated need for a central focus and central thrust at the federal level aimed at hard-core poverty in an affluent America. The OEO serves as an initiator, innovator, coordinator and evaluator of programs aimed at getting people out of poverty. In three short years, it has made an impact on federal, local and private programs that has fully justified its creation. Further, I believe there can be no war on poverty without a central anti-poverty agency.

America's concern for its impoverished did not start in 1964. Nor did welfare programs. Or manpower programs. Or education. Or housing. Prior to 1964, the federal government alone spent billions of dollars yearly on behalf of its poor, and private charities spent additional billions.

But in 1964 the cruel and shameful fact of the matter was that 35 million Americans were living in abject poverty. All of the "categoric" programs together—important as each was—just did not add up to a meaningful, coordinated attack on the root causes of poverty. Millions of third-generation welfare families could be counted. A million poor kids were being born each year, most of them undoubtedly locked into poverty for the rest of their lives.

So in 1964 this nation declared war on poverty. It said that compassion was not enough. It said that housing programs and education programs and health programs were not enough. It said that billions of dollars spent in categoric programs provided no guarantee that the really poor people would be reached or helped.

Above all, through its President and its Congress, this nation declared that poverty in America required a specialized, concentrated, focused attention. An Office of Economic Opportunity was created in the Office of the President to give it the maximum recognition and "clout." Its mandate was not only to operate several new programs included in the Economic Opportunity Act but also to take a look at the whole fabric of government and private programs designed to help the poor escape from poverty. It created a Cabinet-level Economic Opportunity Council, chaired by the OEO director and including a majority of the President's Cabinet plus other important agency heads. It provided authority and funds for the development of new programs and for the support of local community efforts.

As a result, for the first time in history, the poor of America were given their own agency in government, their own spokesman, their own defender. They finally got what the farmers had always had, what business had, what the veterans had, what the utilities had. They had the OEO.

It is only two and a half years since Congress first established OEO. In my judgment—granted, it is a prejudiced one—this has been the most constructive and peaceful (most of the time) revolution in human affairs in our nation's history. We do not contend that many millions of Americans have already been permanently rescued from a life of poverty—but we do know that at least 10 million have been taking those first steps out of poverty because of what OEO has done.

During this first stage, however, it is less important to count the numbers rescued than it is to count the major changes taking place in America:

The American people have come to know that there is indeed a problem of poverty in America. Fewer of them now make the cruel indictment that poor people are immoral or shiftless or lazy. The war on poverty has helped the non-poor to understand the nature of poverty.

Over a thousand communities have organized themselves for a local attack on poverty, bringing together coalitions of persons and groups who never even talked to one another.

The poor themselves are acquiring a voice and a role and a power undreamt of only three years ago. They are demonstrating a capacity for organizing, for career development, for subprofessional assistance, for community leadership that means even more than economic security. The word is really dignity.

The educational, welfare and related fields are learning that there may be new and better ways to meet the needs of poor people. Programs like Head Start, Upward Bound, Foster Grandparents, Neighborhood Health Centers and Legal Services didn't even exist three years ago. Today, they have the almost unanimous support of school systems, bar associations and medical groups.

Has everything been rosy during these thirty months? Have there been no mistakes or gaps or failures? Of course not. But, frankly, here's one OEO official who's stopped making apologies for mistakes or failures. The record is just too good to be apologetic: Over a million kids in Head Start. Almost a million in Neighborhood Youth Corps. The first 40,000 Job Corps graduates earning an average of $1.71 an hour. Twenty-five thousand poor kids making it to college because of Upward Bound. Ninety thousand poor people in Community Action jobs or boards. New hopes and outlooks that can't be fed into a computer.

So now we come to the question, "What about the future of OEO?"

Will there *always* be an OEO? My answer is simple. I hope not. I hope that the day will come when poverty will have been licked sufficiently to warrant a declaration of victory and the end of an explicit poverty program. Even before that, perhaps, there may be a day when it will be appropriate to say that some regular federal department can take up the mopping-up operations of the war. And before even that happy day, we might consider the wisdom of delegating or spinning off more programs to the regular agencies. If by future, then, we mean some time far off, I have little interest in such speculation.

As to what should happen to OEO *now*—or next year—my answer is just as simple. *We need an OEO.* If we had been functioning without one, we would have to invent it. If we should follow the advice of Congressman Goodell, we would be surrendering; there would just be no war on poverty. We would be back where we were five and ten and fifty years ago—a number of nice, probably useful, categoric programs that would soon lose their central focus: helping the poorest of the poor.

Last year there was much speculation about the future of OEO. Much of it was based on idle gossip; some of it was the result of superficial arithmetic about the political composition of Congress; some of it came from those disturbed by the new programs.

The President, in his proposals to Congress this year, has made it quite clear where the Administration stands. It seeks renewed authorization for a strong OEO, with all of the programs remaining within the orbit of OEO. It seeks an increase of 25 per cent in total funds for these programs. It seeks even stronger coordinating authority for OEO.

Support for the Administration's position has come quickly and impressively from a wide range of organizations. The Citizens' Crusade Against Poverty, the labor movement, the church groups, the civil rights groups, the private agencies, business leaders, the women's groups—these and many more have stated their support for a central, strong agency. If they have any objection, it's that OEO may not have *enough* authority or funds.

The two other principal positions being advocated in this issue of *New Generation* are, I hope it is realized, diametrically opposed to each other—even though both would abolish the OEO as it presently exists. Dick Boone is completely sold, and correctly so, on the need for a central vehicle for coordination and direction in a war on poverty; but he would divest this agency of all operating responsibility except Community Action. As I understand it, he does not propose that this be done immediately. Congressman Goodell, on the other hand, would totally abolish OEO and not have any central body at all. One can speculate that there may come a day when the Boone or Goodell positions might make sense. But they do not today.

There are many programs in the war on poverty that need constant, objective evaluation. There are many programs outside of the OEO orbit that require evaluation and coordination with others. There are problems of income maintenance and welfare policies and education policy that are crucial for the poor. Somewhere in the federal establishment there must be some central force, some central focus, some central direction. The war on poverty has only just started. This is no time for disarmament, for dismemberment, for fragmentation of all programs into the old agencies.

The Goodell program is actually a high compliment to OEO. It would retain every one of the many programs OEO has developed and administered—but it would destroy the agency that did the innovating and got them rolling. It would cut the top off—creating a sort of topless poverty program. It is hard to think that this is really a serious proposal.

The very existence of OEO—yesterday, today, and tomorrow—is recognition of this basic truth: Poverty in America is not a single, simple problem, requiring a simple solution. It is a multi-caused and a multi-causing phenomenon. It needs some organization that will continue to prod, to inspire, to cajole, to police, to inspect, to do whatever needs to be done with and to every institution in the federal government, private agencies, labor, business and education.

I have concentrated on the issue of OEO's very existence because I believe that this will be the central issue in Congress this year. But, of course, there are other issues. The future of OEO and the war on poverty will be affected by these other issues, among others:

Will there be adequate funds to meet the growing demands and rising expectations of the poor?

Will there be a satisfactory blending of the new and the old programs in a combined attack on the causes and the effects of hard-core poverty?

Will the economy be able to provide all of the jobs needed for those who are trained by poverty programs?

To sum up, there's a busy future ahead for OEO!

A CHANGE OF FOCUS

(By Kenneth E. Marshall)

To criticize the Office of Economic Opportunity and to recommend substantial changes in its programs and policies is not to deny the OEO's substantial accomplishments. Perhaps most significant among them has been the sponsorship of local Community Action Agencies, some of which have provided exciting opportunities for poor persons and their selected representatives to participate in a variety of programs.

The Community Action Program authorized under Title II of the Economic Opportunity Act of 1964 has provided the impetus for significant positive changes in the nature of social services, their location, and the types of persons involved in dispensing such services. The programs have sought to decentralize and coordinate social-welfare services. They have been in the vanguard of the movement to develop a wide variety of nonprofessional job opportunities such as Head Start aides, public-health and neighborhood aides.

Despite these very real accomplishments, however, the Economic Opportunity Act is a misnomer, and the agency established to wage the massive war against poverty declared by President Johnson in 1964 has been prevented from the beginning from seriously carrying out this mission. Rather than authorizing direct ways of improving the economic status of poor persons through jobs, better housing and economic-support programs such as family allowances, the legislation that set up OEO primarily offers a cluster of welfare, training and educational services. Although Title II permitted sponsorship of income and job-producing Neighborhood Economic Development Corporations, few such enterprises have been launched with OEO funds. The small-business program authorized under Title IV of the Act is a notable casualty. This program was crippled by mean-test restrictions that virtually insured its failure.

After the widely broadcast promises of a war against poverty, the failure of local Community Action Programs to provide jobs, improved housing and tangible economic opportunities has led to a kind of contamination and distortion of the programs and services provided. Often, as a result of the scarcity of new opportunities, the most vocal and active members of the poverty communities have sought and found jobs with the Community Action Agency itself—as Head Start aides or public-health aides, for instance. When these persons have been dispatched as community organizers to build neighborhood boards and stimulate community action, the response of many of their neighbors—not so fortunate to have had their economic circumstances as immediately and strikingly improved by the poverty program—has ranged from apathy to cynicism.

In the absence of large-scale programs providing substantial investment for the development of jobs, new housing and other tangible community improvements, a selfish scramble for the few available new jobs is to be expected. This hardly creates the climate out of which efforts to organize volunteer groups of the indigenous poor for altruistic community action can develop.

The amount of money made available for locally designed and sponsored programs has been substantially reduced to provide funds for pre-packaged programs directly administered by OEO. Some of these, such as Head Start, have proven popular if but tenuously connected to any realistic and tangible concept of economic opportunity, while others, such as the Job Corps, can be proven to be almost completely irrelevant to the needs of the persons for whom they are intended.

Estimates of per-capita cost of the Job Corps program have ranged as high as $11,000. It would have been interesting to see what an enterprising youth with volunteer guidance from a mature businessman could have done with that amount of money in setting up a neighborhood business venture.

In directly sponsoring a number of social services, educational and remedial programs, and in restricting the Community Action groups almost exclusively to uniform programs on the local level, the OEO has fallen into the trap of seeking the elimination of poverty primarily through a cluster of services and programs that impute to the poor—either directly or indirectly—the key blame for their poverty.

The major immediate beneficiaries of these programs have been non-poor persons who have been afforded the opportunity of executive, technical and professional positions in the program. While there is certainly nothing wrong with this per se, the almost exclusive reliance on the services approach has seriously compromised OEO. Because it administers the programs, it has a vested interest in their continuation, whether or not they prove effective.

In 1964, the same year that the Economic Opportunity Act was passed, another important decision relevant to the question of poverty in the United States was made—namely, the decision to reduce federal taxes by $12 billion. Some of the participants in the discussion that led to this decision vigorously argued that the government "surplus" share of the rapidly expanding gross national product should be used in ways to improve the social as well as the private economy. But these voices did not prevail, with the result, as one commentator noted, that "a major government measure [an income tax cut] that cost $12 billion in terms of lost revenue channeled not a cent to those most in need of additional funds."

The OEO has no voice in such fundamental decisions. Thus while the first three years of the poverty program have produced a number of modest successes—in the expansion of social services, the creation of "new careers" for the poor, and in the increased involvement of the poor in Community Action planning and policy—none of these programmatic approaches of themselves can substantially move the impoverished into the mainstream of the American economic system. By and large, the poor are still circumscribed within limited labor-force categories.

Unquestionably, there is a need for a major reorganization of the OEO and for basic changes in its policies and focus. Most of the programs it now administers could be run as well (or as poorly) by traditional agencies. Changes must be designed to enable the OEO or another structure to address itself instead to the following fundamental issues that are vital to the development of genuine economic opportunities for the poor:

Substantial reduction of the unemployment rate among the poor.

The sponsorship and development of locally based and independent commercial and community-service enterprises. These can increase the impact of federal funds expended in anti-poverty projects.

Non-stigmatizing income-maintenance programs for persons incapable of working.

In summary, what is being recommended as the new prime focus of the OEO is a systematic application of profit and non-profit corporate concepts to the development of social and community services and the expansion of economic opportunities and income maintenance in our impoverished communities. This will call for, among other things:

The development of strategies that link non-profit organizations administering anti-poverty and slum-development projects with major profitmaking enterprises.

The redirection of a portion of governmental purchasing power into businesses and other enterprises owned and operated by people in poverty communities.

Two recent OEO grants in the area of ghetto and rural economic development give an indication of an exciting new direction that should be taken on a larger scale by OEO. These are the Southwest Alabama Farmers Cooperative (approved over the veto of the Governor) and the Harlem Economic Developemnt Corporation.

If the OEO could shift from its present programmatic emphasis to that recommended here, there is no question that it would gain increased relevance and would be the vital arm of the war against poverty. Failing that, there appears to be no significant purpose that could be served by this organization in a true war against poverty.

WEIGHING THE ALTERNATIVES

(By S. M. Miller)

Before determining what kind of organization is needed for the poverty program, we need to discuss: (1) what kind of poverty program is likely in coming years; and (2) how different political settings would affect the size and direction of the program.

For the past three years, America has waged Poverty War I. The Office of Economic Opportunity led this war under a legislative mandate permitting only a very limited set of activities. The emphasis, largely on youth, centered on training and education, social services and coordination. Participation of the poor emerged as a further major activity. The authority granted by the legislation involved no direct provision of jobs. Nor did it call for the improvement and extension of the cash-transfer system. Thus the anti-poverty program, as it was conceived in the enabling legislation, could not possibly succeed in eliminating poverty on any large scale. Broader economic policies were not primarily concerned with the poor.

Now we seem to be on the verge of waging Poverty War II. Poverty War II will have a much heavier emphasis on the direct production of jobs (nonprofessional and other jobs) and on income (improving public assistance and Social Security as vehicles for the transfer of income and, possibly, the provision of a national minimum income). We already are seeing much more emphasis on jobs, and the next two years will likely see new attention to income.

The jobs-income emphasis of Poverty War II will result in a de-emphasis on participation of the poor. The Labor Department's role will expand and traditional agencies, such as the United States Employment Service, will be strengthened. But the events, in my opinion, will tend soon toward a Poverty War III, in which these problems will be dominant:

A sizable, neglected population of the "poorest," the "most difficult" and the "hard core" are not being caught up in the overall poverty efforts. The need for special selective programs, ranging from intensive personal attention to new adaptations of so-called "sheltered employment," will be evident.

The importance of institutional change in education will again gain prominence as it becomes clear that spending more money on education has a limited effect on improving its quality. The need for better links and interaction between school and community will be strongly felt.

Coordination—the phasing and staging of activities among the diverse programs—will be important. Overlapping, fragmentation and bureaucratic encrustations will grow and become even worse obstacles.

General low-quality programs will continue to be a major difficulty.

Social inclusion-participation will still remain a problem despite jobs and income programs, for poverty in the affluent society is not only a condition of income deficiency. It is also a state of social and political exclusion. Participation of the poor will return as an important issue.

It is doubtful if innovation in terms of new ideas (rather than new programs) will be a problem in the big cities. It will be in isolated, rural areas such as Appalachia and the Indian reservations. In the big cities, we do not lack the essential big ideas; we lack their effective implementation on a mass and quality scale.

Overall, the issues that Poverty War III will raise or reraise will be those of selectivity, institutional change, coordination, quality and participation—all of which call for strong direction from Washington. Communities are unlikely to move without such pressure.

Against this view of expected directions, we come back to the question of whether OEO should survive in its present form—or survive at all—as the organization to carry on the antipoverty war. No possible structuring of the poverty program can possibly meet all of the objectives of an expanding, well-supported, innovative, sensitive, coordinated, relevant, high-quality, flexible and aggressive set of programs. Some losses will have to occur. But the object must be to keep these losses at a minimum—a goal that is highly dependent on the administrative structure we set up.

This raises some vital questions involving the OEO. If OEO actually conducts programs, it runs into the opposition of other agencies. Can it be both a critic—asking for institutional change, spotting the need for new directions—and a program operator? One obvious conclusion is that it cannot be both without continual conflicts and reversals. Some people argue that it would be more important to act as critic (with some experimental funds) than program operator.

Which raises another question: Can OEO be an effective critic, institutionalized within the federal government and monitoring poverty programs? I find it hard to see how it would really be possible to have much impact on existing agencies if OEO's role is mainly one of monitoring and evaluation. These kinds of squeezes are extraordinarily easy for traditional agencies to evade. The type of organization needed to put pressure on them is not generated within the government. Pressure would have to come from outside the government to criticize effectively, for instance, a Labor Department program or an HEW Program. It would be very difficult for an inside agency to exercise sufficient scrutiny and stress on existing bureaus.

While I like the cleanliness of the model of OEO as a critic-experimenter, as propounded by Richard Boone, I fear it is likely to be an ineffective role. The Council of Economic Advisers model does not fully fit though it is attractive. The CEA summarizes economic trends; its staff spots emerging problems; it participates in the formation of economic policy and has the broadest view of economic activity of any governmental organ. It has importance because it sits in the Executive Office. It took the CEA about twenty years to gain credence for its role, and the road might be longer for a poverty intelligency agency. Objectives are clearer and theory better developed in economic than in social policy. The CEA was effective when there was agreement about the importance of economic growth; when price increases and the political liabilities of taxation vied for supremacy, the Council's role was reduced. Furthermore, economic policies do not require close scrutiny of agencies as does concern with quality, relevance and coordination of poverty programs.

Congressman Goodell's proposed solution—to do away entirely with the OEO, spinning off its programs to other federal agencies—has a pleasant symmetry to it. Existing agencies would expand and adapt themselves to the new needs of the day. But the policy of infiltration—which is essentially what he is suggesting—to bring in a program from outside as a spur to existing agencies—is very dubious. The history of the last six years, as Martin Rein and I have tried to show in our analysis of demonstration projects, shows that infiltration has had a limited effect in changing institutions.

Major political questions are how to get much more funding for poverty actions and how to move national policies so that they are more directed toward improving the plight of the poor.

To get more funding today probably requires: (a) expanding the poverty appeal by getting more poverty programs attuned to the non-Negro poor; and (b) connecting poverty programs to economic development and growth (e.g. Appalachian regional economic development or subsidies to private business for job training and development of model cities). The strategy here is to make poverty efforts a byproduct of programs with other major objectives. This is a dangerous tack to follow, for our recent experience is that if poverty concerns are not central, programs yield little for the poor.

General advance, I would argue, without specific attention to the poor, will not help the remaining poor today. The gain of the poverty programs and OEO is that we developed programs specifically beamed to aid the poor. Even if the programs were not good, this selective approach rescued the poor from the limbo of hopefully benefiting from policies primarily concerned with other groups and issues. Special attention to the poor on a national, expensive scale is still needed.

Despite all the criticisms that have been leveled against it—including those I have voiced myself—I come to the conclusion that we still need the continued existence of the OEO as we now know it, as a beleaguered mongrel of experimenter, critic, innovator, coordinator and inducer. The strengthened and enlarged role of monitor and critic could be played by organizations independent of government.

To support the general contours of OEO is not to accept its present mode of operations nor its inadequate attention to the work of other agencies. Reforms are needed. Perhaps eventually, but not prematurely, some of the programs that are now part of OEO should go into conventional agencies. For the time being, however, I feel that most should remain in OEO.

The existence of parallel institutions, which appears to be random and disturbing, is perhaps one of the ways you really get change. Disequilibrium, disturbances, and parallelism perhaps provide more of an impact on existing situations than do highly integrated, rational models such as those suggested by Richard Boone and Congressman Goodell.

THE IMPACT OF INCREASED MINIMUM WAGES

Mr. SMATHERS. Mr. President, there is a great deal of concern about the impact of increased minimum wages resulting from amendments passed last year to the Fair Labor Standards Act upon employment in various sections of the country, especially on the maintenance of high employment in retail stores.

I share this concern.

It is possible to be misled by Labor Department statistics which show that from January of this year through June, total employment in retailing increased from 9,973,000 to 10,031,000. These figures reflect high consumer spending in many large metropolitan areas and in our relatively affluent suburbs. Nongovernment surveys, however, indicate that in many localities in the South, the Midwest, and the Rocky Mountain regions, thousands of small business owners have been forced to discharge marginal, low-productivity workers when the minimum wage was raised in February.

Formerly, businesses with sales of less than $1,000,000 were exempt from minimum wage standards. The 1966 amendments, however, lowered this exemption, as of February 1967, to firms with income of $500,000, and on February 1, 1969, small businesses with income of only $250,000 will also be forced to pay many of their marginal workers $1.30 per hour—wages that the business firm's profits simply will not justify.

I had grave doubts last year during the debate on these amendments that the Congress was acting wisely in extending mandatory wage increases to smaller businesses. It is well known that our smaller business firms hire many workers who are young and inexperienced, others who are old and slow, and still others who may be physically handicapped. These marginal workers need their jobs, and their services are needed by the small proprietors who employ them. But these employees are not capable of skilled performances on the job and such work is not expected of them. They do what they can, and the employer pays them wages commensurate with their abilities and output.

It seems to me ironic, Mr. President, that at the same time that Congress is doing everything within its power to reduce poverty and to achieve a goal of full employment, it should have enacted inflexible wage legislation which already has jeopardized many thousands of jobs in our small towns and rural regions.

The evidence is mounting that Congress should lose no time in taking a long, hard look at the impact which the 1966 amendments to the Fair Labor Standards Act have had on employment. In this connection, there has come to my attention a survey conducted by the National Retail Merchants Association entitled "Current and Future Impact of Retailing of the 1966 Amendments to the Fair Labor Standards Act."

Among the conclusions reached by this study which merit serious attention by Members of Congress are the following:

First, increases in minimum wages have adversely affected those very workers which the act intended to help—the unskilled, the older employees, and young trainees.

Second, it has actually reduced employment in those stores covered by the act.

Third, the workweek of full-time employees has been reduced, and overtime eliminated.

Fourth, many full-time workers have been placed on a part-time basis.

In the belief, Mr. President, that Members of Congress will find the data and the conclusions of this study of great current interest, I ask unanimous consent that it be printed in the Record.

There being no objection, the survey was ordered to be printed in the Record, as follows:

Current and Future Impact on Retailing of the 1966 Amendments to the Fair Labor Standards Act

(Note.—A survey of Retail Department and Women's Specialty Stores on the current and future effects of the 1966 amendments to the Fair Labor Standards Act increasing the federal minimum wages and extending coverage to smaller retail enterprises. Prepared by Personnel and Employee Relations Division, National Retail Merchants Association, New York, N.Y.)

The 1966 amendments to the Fair Labor Standards Act which became effective on February 1, 1967 have imposed severe and unwarranted burdens on retail enterprises covered by the 1961 amendments, on those enterprises newly covered for the first time, and will impose undue hardships on the truly small enterprises to be covered in 1969.

It is the position of the National Retail Merchants Association, a voluntary trade association representing some 1,800 retail enterprises operating approximately 15,000 individual units, large and small, that this Act should be amended in this session of Congress. Relief from some of the severe and unrealistic provisions incorporated in the 1966 amendments should be provided in the interest of retail employees themselves, employers and the consuming public. They are obviously needed.

This view is shared and supported by many other branches of the retail industry.

Members surveyed

NRMA's position is supported by exhaustive survey of its members in 1966 while amendments were being debated and, more significantly, by information currently collected (May–June, 1967) from a sampling of member stores' experience. The latter has been obtained through a series of three special questionnaires. These questionnaires were directed respectively to:

(a) Previously covered retail enterprises doing in excess of $1,000,000 annual sales volume, under the 1961 Amendments to the Act, and which are now subject to a $1.40 per hour minimum, and which, unless the Act is currently amended, will be faced with a $1.60 per hour minimum on February 1, 1968. Sampling of this group was concentrated on department stores doing from $1 to $20 million annual sales volume, which according to the 1963 Census of the Retail Trade represents the great bulk of such stores numerically, accounting for some 3,230 establishments. (Part I following)

(b) Newly covered retail enterprises by the 1966 Amendments with annual sales volume of $500,000 to $1,000,000—which minimum wage will escalate from $1.00 per hour February 1, 1967 to $1.60 per hour as of February 1, 1971. (Part II following)

(c) To be covered very small retail enterprises doing $250,000 to $500,000 which will be subject, as of February 1, 1969, to a $1.30 per hour federal rate and which will similarly escalate to $1.60 in 1971. (Part III following)

Association members currently were asked to provide information on the present and future impact of the FLSA 1966 amendments on their business with respect to payroll expense, employment, increased profits, and consumer prices and customer services.

Amendments needed

The information which we have received from our members clearly and overwhelmingly indicates that three amendments to the present Act on behalf of retailing and its customers are needed. These are:

1. A delay of the application of the $1.60 hourly rate for previously covered retail enterprises from February 1, 1968 to February 1, 1969, or preferably to 1970. The 1966 amendments for these stores would boost the minimum wage in 17 months from September 3, 1966 to February 1, 1968 by 28%. This obviously exceeds substantially the Administration's previous Wage Guide Lines of 3.2% annually and from the history of the Fair Labor Standards Act of 1937 represents the highest and most unrealistic jump percentagewise of any previous legislated increases.

2. A pegging of retail coverage to enterprises doing $500,000 or more, thereby exempting smaller stores with sales volume of $250,000 to $500,000 really the small town

main street store in competition with stores in larger nearby communities.

3. A wage differential of 10% under the existing current minimum wage for those temporary employees comprising secondary wage earners entering the department store and general merchandise field each year during the months of October, November, and December. This differential is less than the current 85% wage differential for full-time high school students for those retail employers who have applied for and obtained such student certificates.

The rationale for these amendments is documented later in this report.

General impact

We know from our studies last year and current studies (May-June, 1967) that amendments to the Fair Labor Standards Act beginning in 1961 and now greatly magnified by the 1966 Amendments have had these *general effects* on the retail industry and the public it serves. We state this unreservedly, irrespective of contrary statements issued by the AFL-CIO Unions and in certain areas by the [*] U.S. Department of Labor through its Wage and Hour and Public Contracts Division.

1. Increases in the federal minimum wage have affected adversely those very individuals which the Act was designed to help—namely, the marginal unskilled worker, the older worker, and young students, all of whose productivity does not warrant the higher minimum wages imposed. These individuals have either been deprived of present employment or will be deprived of future employment.

2. It has caused a reduction in employment in the stores covered by the Act even though such reduction of current employment has been offset by employment in the opening of new stores to meet the demands of an exploding population. Stated in reverse, to answer the Secretary of Labor, who stated that employment in retailing from 1961 to 1965 has increased by 300,000, this employment figure would be considerably higher except for the attrition which has taken place to meet higher minimum wages. It cannot be realistically assumed that those individuals working in downtown stores can automatically move to and take advantage of the new stores opening in suburban areas and shopping centers.

3. It has shortened the work week for regular full-time employees in order to meet the hourly minimums imposed. In other words, retailing has had to abandon its long-established concept of weekly wages for its employees in favor of an hourly wage payment policy. In most cases this adjustment has resulted in no weekly increase in take-home pay for these individuals but simply more leisure time, thereby contributing undoubtedly to more moon-lighting and more competition for those individuals totally unemployed.

4. It has caused many employers to place regular full-time employees on a part-time or short hour work schedule, with reduction in take-home pay even though their hourly rates meet the minimum imposed.

5. It has drastically minimized the employment of students in preference to employment of more mature and potentially more productive individuals. This is more serious than Government agencies recognize or than the unions wish to admit.

6. It has forced stores to curtail or eliminate many of the services which they provided to their customers free of charge, or to impose new or increased charges in order to maintain these services. More significantly, it has forced stores to drastically reduce their store and department staff coverage to a point where customers are not getting the prompt and personalized service to which they have been accustomed and to which they should be entitled.

7. It has caused a very substantial increase in payroll costs, in spite of the stores' efforts to offset such expense by other means. It must be remembered that stores have been faced with added expense, confronted not only with wage increases to bring marginal employees up to the new minimums but proportionate wage increases for those earning above the minimum in order to maintain established wage differentials. Possibly it makes sense to the academician or the unions to bring in new inexperienced, untested employees at the same rate as regular employees with several years of experience, but it doesn't to these latter employees. The question of maintaining established wage differentials as a sound personnel administration policy has long been ignored or understated by Government agencies or by unions.

8. It has had a direct and substantially adverse effect on store profits. This is true for the small and large stores alike. One only needs to read current profit reports of large and small enterprises.

9. It has caused a substantial increase in the consumer price index at both wholesale and retail levels. The consumer price index as of May, 1967 is 2.7% higher than a year previous. This increase, not so specifically measured, has been even greater in the area of retail service establishments, namely, repair of customer's own goods, alteration charges on merchandise purchased, delivery charges or restrictions, hair cuts and beauty salons, shoe shines, outside laundry services, etc. If retailers are to live with and absorb these increased wage costs they must strive for higher mark-on for the goods they purchase and sell. To the extent they may succeed, consumer prices will rise even more.

10. It has undoubtedly contributed substantially to forcing small business enterprises out of business, although this cannot be officially documented either by Government or private business agencies. While failures of small stores basically are due either to inefficient management or to excessive competition, unquestionably the added payroll costs resulting from increased minimum wage faced by these stores going out of business has been a contributory factor.

These conclusions, we confidently feel, are documented in the following sections of this report as applied to those stores previously covered by the 1961 amendments and as anticipated and projected by the stores newly covered by the 1966 amendments and for those stores which, unless the Act is changed, will be covered in 1969.

Since the most measurable impact is to be found among those stores which are now faced with the $1.40 minimum, and will be faced with a $1.60 rate in 1969, an analysis of information received from members in this size group is presented first, in Part I.

PART I—IMPACT OF $1.40 MINIMUM WAGE RATE ON STORES PREVIOUSLY COVERED BY FLSA

The group surveyed

Among previously covered establishments replies to the survey were received from a total of 47 stores in 22 states—25 stores with annual sales volume of $1 to $5 million, and 22 with yearly sales of over $5 million. Most of this latter group have sales between $5 and $20 million per year, with only a limited number of larger stores included in the tabulation. Not all stores answered every question, so that the summaries in general are based on a total of 33 to 39 stores providing complete—or nearly complete—answers to the questions asked.

Number of employees

As a general background, the number of regular full-time and part-time employees on the payroll as of February 1, 1967 of the 39 stores providing most of the survey data was as follows:

NUMBER OF REGULAR EMPLOYEES

Volume group	Number of stores	Number of employees			Ratio of part time to total	Percent of part time to total
		Full time	Part time	Total		
$1,000,000 to $5,000,000	21	2,615	795	3,410	1 to 4.3	20.4
Over $5,000,000	18	15,947	6,230	22,177	1 to 3.6	28.1
All stores	39	18,562	7,025	25,587	1 to 3.6	27.5

Executives, supervisory and contingent or "on call" employees have been excluded from this tabulation.

The employment picture shown reflects current practice in the utilization of short-hour people following the application in these stores of, first, the $1.25 minimum rate, and second, the $1.40 rate. It will be noted that there is one part-timer to 4-plus full-time employees in the smaller volume group, and this ratio is less than one to four in the larger volume stores. Percentagewise, 20% of the total employee group consists of part-timers in the smaller size stores, with the figure rising to 28% in stores of larger size.

The impact of the $1.40 rate—and the coming $1.60 rate—on retail employment will be discussed in further detail later on in this summary.

Effect of $1.40 rates on payroll

The stores surveyed were asked to report both dollar and percentage increases in payroll they had experienced in meeting the $1.40 minimum. They were also asked to report dollar percentage increases in payroll which they had made to maintain wage differentials for those employees who were already at or over the $1.40 rate. That this ripple effect is a fact of life which must be taken into consideration in estimating the cost of a minimum wage increase is shown clearly in Table I.

TABLE I.—ANNUAL PAYROLL INCREASES FOR $1.40 RATE

Volume group	Number of stores	To meet $1.40 rate		To maintain differentials		Total payroll increases	
		Amount	Median percent	Amount	Median percent	Amount	Median percent
$1,000,000 to $5,000,000	15	$286,000	4.4	$143,000	1.8	$429,000	7.7
Over $5,000,000	17	1,764,000	5.0	1,326,000	2.6	3,090,000	5.4
All stores	32	2,050,000	4.6	1,469,000	2.1	3,519,000	7.6

These 32 stores have incurred annual payroll increases of $2,050,000 or 4.6% of total payroll, merely to meet the required $1.40 rate. The percent of increase for individual stores ranged from a low of 0.5% to a high of 12.0%, with the middle half of the figure falling between 2.9% and 7.9%. The corollary increases to maintain customary wage differentials amounted to $1,469,000, or a rise of 2.1% in payroll costs. Here the figures ranged from 0.3% to 6.3%, with the middle half reporting rises of 1.1% to 3.6%.

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[*] The annual 4H report by the Secretary of the U.S. Department of Labor to Congress.

In all, therefore, the annual payroll expenditures of these 32 stores will be 7.6% or over $3,500,000 higher as a result of the $1.40 minimum rate. The individual total payroll increases ranged from a low of 0.8% to a high of 14.3% with half of the group experiencing added costs of 5.4% to 9.6%.

Profit decreases anticipated

Because retailing is an industry of traditionally low net profit (less than 3% of sales after Federal taxes), the stores surveyed were asked to report their actual net profit for 1966. They were then asked to forecast this figure for the year 1967, taking into consideration *only* the effect of the payroll increases they had indicated. Table II summarizes the answers of 31 of the 32 stores represented in Table I. The store missing from the compilation is already experiencing a loss and expects that loss to be aggravated.

TABLE II.—NET PROFIT IN PERCENT TO SALES [1]

Volume group	Number of stores	Net profit for 1966				Anticipated profit for 1967			
		Low	High	Median	Middle range	Low	High	Median	Middle range
$1,000,000 to $5,000,000	14	0.5	6.2	3.0	2.8-3.3	0.1	5.0	2.0	1.2-2.6
Over $5,000,000	17	1.2	4.9	2.1	1.9-2.9	.2	4.5	1.5	.8-2.6
All stores	31	.5	6.2	2.6	2.1-3.1	.1	5.0	1.8	1.3-2.5

[1] After Federal taxes.

These stores showed a median profit of 2.6% for 1966, and anticipate a median profit of 1.8% for 1967. In relation to current profit figures, expected decreases because of higher payroll costs represent a falling off of from 5% to 85% of the 1966 net profit figure. Half of the total group anticipate that their profit figure will be cut by from 17% to 50%, with the median decrease at 31% for these stores.

What the $1.60 rate will do

Answering the question as to what further payroll increases will be involved in meeting the scheduled $1.60 rate in February 1968, 38 stores projected the following picture.

TABLE III.—ANTICIPATED PAYROLL INCREASES FOR $1.60 RATE

Volume group	Number of stores	Amount	Percent	
			Median	Middle range
$1,000,000 to $5,000,000	20	$738,000	8.3	5.0 to 11.5
Over $5,000,000	18	4,871,000	8.3	5.2 to 13.0
All stores	38	5,609,000	8.3	5.0 to 12.6

Individual estimates of increases ran from a low of 0.8% to a high of 20.4%, although half the group, as shown in Table III, placed the added cost of the $1.60 rate at between 5% and 12.6% of payroll.

To obtain an overall picture of the combined impact of the $1.40 minimum rate and the forthcoming $1.60 minimum, the actual increases involved in meeting the $1.40 requirements were correlated with the anticipated increases needed to meet the $1.60 level in 32 stores providing complete figures. These stores had increased their payroll costs by $3,442,000 in adjusting to the $1.40 rate; they estimated further payroll expense of $4,297,000 to comply with the $1.60 rate, or a total of $7,739,000 in all. The median increase in payroll costs involved in adjusting to the two rates is 16.8%, with the middle half of the group registering increases between 9.5% and 22.4%. These figures are low in relation to total impact, since the estimated increase to meet the $1.60 rate is based on a total payroll which has already been raised on the average by 7% to 8% to comply with the $1.40 requirement.

It is obvious, therefore, that within a period of one year—February 1, 1967 to February 1, 1968—typical retail stores of various sizes will be subjected to payroll increases of anywhere from 10% to 25% on the average. No attempt has been made here to reflect the unfavorable effect of the $1.60 rate on the net profit of these stores for 1968, but there is no doubt that the further whittling down of profits will lead to additional action to reduce manpower requirements.

The personnel aspect

The efforts of stores to meet and in part offset the added payroll expense imposed by the $1.40 minimum rate have taken several forms. First and foremost has been concentration on minimizing as far as possible actual manpower requirements. Action in this direction has consisted of (1) shortening store open hours—often by delaying the morning opening time; (2) laying off full-time or part-time employees where this is feasible; (3) reducing the work week of full-time employees to 36 or 37½ hours instead of the previous 38 to 40 hours; (4) replacement of full-time workers by short-hour people; (5) rescheduling of part-time employees to reduce the number of hours involved; and (6) employment of fewer extras and contingents, and fewer high school students.

Specific examples of action in these various areas will illustrate the direct concentration by stores on minimizing manpower requirements in the face of higher labor costs.

At the initiation of the $1.40 rate—or in anticipation of that event—9 of the smaller size group laid off 35 full-time employees, while 9 of the larger size group separated a total of 223 full-time employees from their payrolls. Furthermore, 10 of the $1 to $5 million group and 8 of the larger one reduced the full-time schedules of 93 employees and 303 employees, respectively, to a part-time status. "Part-time" in this instance normally applies to schedules of 20 to 26 hours, and does not include weekly schedules of over 30 hours. These figures in themselves may not seem large but applying the pattern to 3,230 department store establishments in the one million and over sales bracket, it is clear that there will be a very heavy impact on employment.

Thirteen stores—7 in the smaller and 6 in the larger size group—have taken the step of shortening the employee work week. In one case the new weekly schedule calls for 34 hours; in four stores, 35 hours; in one instances each 35½, 36 and 36½ hours, and in three more cases, 37½ hours, with the remainder not specifying. One additional store which has not changed the work week of those currently employed is hiring new people on a 35-hour basis.

The shortening of the employee work week through a reduction in store open hours is not completely reflected in these figures. A number of stores merely stated that they had reduced store open hours without specifying whether or not this affected the employee schedule. However, when the store open hours are reduced from 38¾ to 36½, as they were in one instance, it is obvious that this action also shortens the employees' work week.

Another aspect of the move to reduce total man-hours is the more careful scheduling of sales floor coverage. Twelve stores reported action of this kind in such typical terms as: "We are using more part-time people 11 to 3", "We have rescheduled all part-timers and extras to save hours, and replace full-time people with short-hour workers when terminations occur" and "We have made a careful analysis of department need."

The cumulative effect of these various steps is apparent in the answers of 16 stores to the specific question: "On the average, how many weekly man-hours have been cut from your payroll?" (This was tied in to the initiation of the $1.40 rate in the question immediately preceding, which covered lay-offs and reduction to a part-time basis because of the wage increase.)

Nine stores in the $1 to $5 million group indicated that they had eliminated 2,434 weekly man-hours from the payroll, while ten stores in the larger store group reported a decrease of 15,802 weekly man-hours. The entire group replying had therefore reduced weekly employment by a total of 18,236 man-hours—the equivalent of 455 40-hour weeks deleted from the payrolls of only 19 stores.

In relation to the total man-hours of these individual stores, these reductions ranged from 1% to 16.3%, with the median figure at 4%. In half of this group the total man-hours utilized had been reduced by from 2.5% to 7.3%.

There is also an intimation that there will be increased pressure by management for higher production from employees. One store plans to intensify its training for better supervision and productivity; another says it will stress production; and two more are counting on using "better people" who presumably will be more productive. One store says flatly that "There will be more weeding out of deadwood—non-productive, older, 'sentimental' employees"—a philosophy which may well of necessity be adopted by other stores.

Miscellaneous moves

Increased labor costs have also spurred store efforts to reduce manpower needs by other moves. Among these are the increased use of electronic data processing; automation in such areas as materials handling; a shift to automatic elevators; the expansion of self-service and check-out operations; the discontinuance of some customer services; the consolidation of merchandise departments for economy of personnel and sometimes the elimination of unprofitable departments.

These and other actions have all been directed towards offsetting increased payroll expense without either raising prices to the public or depriving them of services for which there is a real demand. Only four of this total group of stores reported that mark-up has been increased to meet additional labor costs.

Planned moves to meet $1.60 rate

In contrast to store efforts to meet the expense of the $1.40 rate without higher mark-up, 14 stores report that it will be necessary to raise prices when the $1.60 rate is made effective.

Other than this, the squeeze on man-hours used will be intensified, according to the replies. Some of those who have already shortened the work week indicate that it will be cut still further—from 37½ to 34, for example, and from 37½ to 35 in another case. Others who have not yet reduced the weekly schedule merely say that they plan to do so.

Terminations of full-time employees will be made in several cases—7 full-timers in one of the smaller volume stores, and 20 in a larger organization. This latter store also plans to reduce 30 full-time schedules to a part-time basis, and to eliminate its commission on sales. A third store will reduce its sales-supporting force by 2.5 people.

Replies in general project further action along the lines already taken to meet the $1.40 rate, with a great deal of emphasis on the use of more part-timers. Self-service will be expanded, more labor-saving devices will be introduced, and store hours will be shortened in some cases. There will be definite attempts to increase the productivity of individual employees and to eliminate "marginal and less productive" employees.

The general tenor of the individual comments is that every effort will be made to minimize the total number of man-hours utilized, and to see that those who are employed are sufficiently productive to be worth keeping on the payroll.

Peak season man-hour requirements

An additional aspect of manpower utilization covered in the survey relates to the customary build-up of the store force during October, November, and December to take care of the heavy pre-Christmas volume.

The great majority of the workers added at this time are not primary but secondary wage earners. They come from the ranks of retired employees who want to supplement their Social Security and pension income; from former employees who left to raise a family but who can come back to work for a few months to earn some extra money; from high school and college students, eager to find jobs which will provide spending money or help to pay for their education; and from "moonlighters" of all kinds—teachers, business men, municipal employees, etc.—who want to increase their incomes for one reason or another.

To get some indication of the number of additional man-hours of employment involved in this peak season build-up of store personnel, the stores surveyed were asked to report the man-hours added to the payroll in October; those added in November, over the October figure; and those added in December, beyond the November figure. In this one instance, figures from 40 stores were available and have been included in Table IV.

TABLE IV.—ADDITIONAL MONTHLY MAN-HOUR REQUIREMENTS DURING FALL SEASON

Volume group	Number of stores	Man-hours added			
		October	November (over October)	December (over November)	Total[1]
$1,000,000 to $5,000,000	21	10,802	26,891	153,815	240,003
Over $5,000,000	19	163,318	322,647	663,180	1,798,428
All stores	40	174,120	349,538	816,995	2,038,431

[1] Reflects continuation of October employment through November and December and November employment through December.

The sample is small in comparison with the total number of retail stores in the country, and the fact that this limited group of stores is responsible for well over two million additional man-hours of employment during the three-month fall season—over and above their normal quota—is a significant indication of the importance of the peak-period staffing problem to department stores generally.

The importance of this seasonal employment problem is demonstrated by the Federal Reserve Board's figures, which showed that in 1965 35.7% of total department store sales were done in these three months.

If it were possible to employ people at a 10% differential against the $1.40 rate, the payroll savings involved would total over $285,000. Even more important, this concession would protect and encourage the hiring of high school and college students who may otherwise find it difficult to obtain employment at the higher rate. Stores hesitate to bring in young and inexperienced workers when they must be paid the same rate as more experienced regular employees, creating resentment among the older workers.

Employment in general merchandise stores, as reported by the U.S. Department of Labor in 1965, further substantiates the seasonal character of this segment of retailing. The average number of paid employees engaged monthly in general merchandise stores for the quarter of October, November, and December 1965, was 1,990,800 as compared to a monthly average for the previous nine months of 1,623,900, or 22.6% greater.

PART II—IMPACT ON STORES NEWLY COVERED BY THE FAIR LABOR STANDARDS ACT 1966 AMENDMENTS

This section deals with those retail enterprises with annual sales volume from $500,000 to $1,000,000. The amended Act applies to these retail enterprises a minimum wage of $1.00 per hour beginning February 1, 1967, and increasing each year thereafter by 15¢ per hour until a minimum wage of $1.60 per hour is reached on February 1, 1971.

Consequently the current and projected impact on these enterprises is highly conjectural and a detailed statistical analysis would neither document the immediate impact of the $1.00 per hour minimum or the projected $1.30 per hour minimum as of September 1, 1969, nor would such analysis be really meaningful as of this date. The reasons are several and should be obvious.

Since the 1961 Amendments to the FLSA covered the larger retail enterprises at $1.00 per hour and escalated to $1.25 as of September 3, 1966, these uncovered retail establishments had to remain competitive in the local labor market;—they had to match the escalated rates between 1961 and 1965 as closely as possible. In addition, some 15 states have a Retail State Minimum wage of $1.25 or more as of 1967.

Consequently, many of these newly covered stores experience now no problem in meeting the $1.00 minimum rate nor will they have much difficulty in meeting a $1.30 rate in 1969. Certainly at the present status of our economy all of these retailers will experience a heavy impact when the Federal minimum reaches $1.60 per hour.

For these newly covered retail enterprises the impact is not so much from the minimum wage level as it is from the myriad of rulings and interpretations imposed by the Wage and Hour Administration, which will drastically alter their present operational procedures. We refer not only to involved record keeping, but "suffering to work" when not required, overtime compensation for employees on any form of commission basis, and other complications.

Particularly restrictive on these establishments—and mostly unknown to them—are the tests they must meet to exempt executive and administrative employees from premium overtime pay. These limitations not only require a minimum weekly salary test of $100 but a routine work test of not devoting more than 40% of their working time to routine duties of those they supervise. This is where these newly covered stores will find it most difficult and costly to be in compliance with the Act to which they are now subject.

General impact

Without attempting statistical evaluation we offer the following observations on these newly covered retail enterprises. These stores generally operate either one or frequently two establishments. They employed on the average 53 employees, of which 43 were full-time and 10 regular part-time employees.

Those stores located in states with a dollar per hour minimum or less, or with no minimum, estimated that their payroll expense would be increased by 20% to 25% to bring their lower paid employees up to $1.30 in 1969 and in addition 10% to 15% to maintain wage differentials for high earning employees—in other words, a total increase of about 30%.

Stores currently observing a $1.25 to $1.30 minimum estimate that their payroll would be further increased by anywhere from 10% to 25% to meet the $1.60 minimum in 1971.

These stores on the average operate with 5 to 6 executives, about 20% of whom were either not earning $100 a week to exempt them from overtime or were engaged in more than 40% routine duties which would disqualify them for overtime exemption. To meet the executive and administrative tests for overtime purposes, the present executive payroll would have to be increased by about 10%.

The net profit after taxes of the stores sampled range from 1.5% to 2.75% of net sales. They estimate that these profits would be reduced by 50% to meet the $1.30 minimum in 1969. With respect to the $1.60 minimum applicable in 1971, these stores with hardly an exception stated that their profits would be wiped out.

The action these stores would have to take to meet the impact of the 1966 amendment, listed in the order of the frequency with which reported, is as follows:—1) reduce the number of work hours for their regular full-time employees; 2) replace full-time employees with part-time employees or short hour workers; and 3) place some of their full-time or part-time employees on an "on call" basis from day to day or send employees home on a day by day basis when sales volume does not warrant their presence.

PART III—ENTERPRISES DOING BETWEEN $250,000 AND $500,000

A sample of some 16 stores doing between $250,000 and $500,000 was taken. These are the stores which became subject to coverage in February, 1969.

The 16 stores studied are located in 13 states, a large portion of which have state minimum wages of $1.25. The annual sales volume of four of these stores was between $250,000 and $300,000. The other 12 stores had a volume of $300,000 to $500,000. For the most part they were located in communities having a population below 50,000, with a smaller proportion in the 50,000 to 100,000 bracket. The average number of employees found in these stores was 12 full-time and eight part-time employees, making an average total of 20. With only two exceptions these stores operated just one establishment and are basically women's apparel specialty stores.

The percentage payroll increase anticipated in order to bring employees up to the $1.30 minimum in February, 1969 ranges from 10% to 22%, with the median figure at 15%. An additional payroll increase of approximately 15% was anticipated to maintain existing wage differentials for more productive and higher paid employees.

Eighty percent of these stores reported that they do not employ high school students. The few that do raise a serious question as to whether they will continue such a policy.

The net profit after taxes in 1966 for these stores ranged from ½ of 1% to 5%, with a median figure of 2% of net sales. These stores estimated that with the imposition of the $1.30 minimum, their profits would be reduced by 20% or more.

They were not asked to project what their payroll or profit experience would be when the minimum wage reaches $1.60 per hour.

To meet the impact of the federal minimum wage, a large majority of these stores stated that they would have to reduce the number of work hours for their full-time employees.

A majority stated that they would probably have to place their full-time or part-time employees on an "on call" basis from day-to-day in order to more closely adjust coverage to customer traffic.

Again, many stated that they would have to replace full-time employees with part-time or short hour workers. Many also stated that they would have to lay off some of their regular employees in order to keep payroll costs in line.

Again, with these very small stores, as with the larger stores, the marginal and less productive employees, along with the older workers, will be penalized the most and it is obvious that many students will be denied employment.

Conclusion

We believe that the experiences reported above from those member stores selected in this sample are representative of the membership of the National Retail Merchants Association as a whole as well as of many branches of the retail industry. The information presented, in our opinion, confirms the need for the amendments which the Association is recommending, namely: that there should be a delay in applying the $1.60 per hour minimum to February 1969 or preferably 1970; that a differential rate of 10% from the prevailing minimum wage each year should be allowed for those seasonal employees working during October, November, and December; and, finally, that coverage under the Fair Labor Standards Act should not be extended to those small retailers with annual sales volume from $250,000 up to $500,000.

In most instances, competition in the local labor market for these very small stores will take care of the minimum wage aspects of the Act. To get good people they will have to remain as competitive as possible in the employment market. We see no reason, however, why these small stores should be subject to all of the complex rules and regulations which have been established by the Wage and Hour Administration of the U.S. Department of Labor to administer the Fair Labor Standards Act. This is particularly true with respect to the tests which have been established for executive and administrative workers with which the smaller stores would find it most difficult if not impossible to comply.

QUESTIONS AND ANSWERS ON REVENUE SHARING

Mr. JAVITS. Mr. President, for the past 3 days, the Subcommittee on Fiscal Policy of the Joint Economic Committee has been holding hearings on revenue sharing and its alternatives.

We had before us some of the outstanding experts in the field of State and local fiscal problems, and the record being established in our hearings and the staff studies released concurrently are a major contribution to focusing public and congressional attention on the fiscal problems of the States and local governments, and on the limitations involved in our existing Federal categorical grants-in-aid programs.

Basically, these hearings raise the question whether the trend toward greater centralization of the disposition of public expenditures at the Federal level is a good or a bad thing for our federal system, and if so, how this trend can be arrested while continuing to meet our vital domestic social needs. Perhaps centralization is an "irreversible trend of history," as one writer put it today, but let us explore this question and the possibilities of the federal system with the greatest care.

I ask unanimous consent that the excellent testimony given before our subcommittee this morning by Dr. Walter Heller, former Chairman of the Council of Economic Advisers, and by Joseph Pechman, director of economic studies of the Brookings Institution, on this vital subject, be printed in the Record.

There being no objection, the testimony was ordered to be printed in the Record, as follows:

Questions and Answers on Revenue Sharing

(Statement to the Subcommittee on Fiscal Policy of the Joint Economic Committee. August 2, 1967, by Walter W. Heller, professor of economics, University of Minnesota, and Joseph A. Pechman, director of economic studies of the Brookings Institution)

We were very pleased to receive this invitation to present our views on revenue sharing to this Committee. First broached in 1964, the idea that the federal government should share some of its revenues with state-local government with few strings attached has an unusual degree of support from elected public officials and legislators in both political parties, scholars, businessmen, and other opinion leaders. It also has evoked a great deal of criticism from similar groups. The compendium which this Committee has assembled and these hearings will perform an extremely valuable service in identifying the major issues and in evaluating alternative solutions.

Like everything else in politics, there seem to be about as many different versions of the revenue sharing plan as there are supporters. In this statement, we should like to outline in the form of questions and answers the major elements of our plan, to explain its rationale, and to evaluate some of the more important suggestions for modifying it.

Q. What are the major purposes of revenue sharing?

A. Revenue sharing is intended to allocate to the states and local governments, *on a permanent basis*, a portion of the very productive and highly "growth-elastic" receipts of the federal government. The bulk of federal revenues is derived from income taxes, which rise at a faster rate than income as income grows. By contrast, state-local revenues barely keep pace with income. State-local needs have outstripped the potentialities of their revenue system at constant tax rates, with the result that tax rates have been pushed steadily upward throughout the postwar period and many new taxes have been added. Since state-local taxes are on balance regressive, the higher state-local taxes impose unnecessarily harsh burdens on low-income recipients. In addition, essential public services are not adequately supported in many, if not most, communities because they do not have the means to finance them.

Although there is no room for revenue sharing in the federal budget this year, it is not too soon to plan for using the nation's fiscal resources productively once Vietnam relaxes its fiscal grip. In view of their large unmet needs, the states and local governments should receive a generous share of the huge federal revenue potential in the post-Vietnam economy. Revenue sharing clearly deserves to be considered among the major competing alternatives, certainly before tax reduction is carried too far.

Q. What are the essential features of the revenue-sharing plan?

A. The core of the revenue-sharing plan is the regular distribution of a specified portion of the federal individual income tax to the states primarily on the basis of population and with few strings attached. This distribution would be over and above existing and future conditional grants. The essential features of the plan are as follows:

A percentage set-aside. The federal government would each year set aside and distribute to the states an eventual 2 percent of the federal individual income tax base (the amount reported as net taxable income by all individuals). This would mean that, under the existing rate schedule, the federal government would collect 2 percentage points in each bracket for the states and 12 to 68 percentage points for itself.

Use of a trust fund. The sums collected for the states would be placed in a trust fund from which periodic distributions would be made. The trust fund would be the natural vehicle for handling such earmarked funds, just as it is in the case of payroll taxes for social security purposes and motor vehicle and gasoline taxes for the highway program. It would underscore the fact that the states receive the funds as a matter of right, free from the uncertainties and hazards of the annual appropriation process.

The federal commitment to share income tax revenues with the states would be a contractual one in the sense of being payable—at whatever percentage Congress provided—through thick and thin, through surplus and deficit in the federal budget. The plan could hardly have its claimed advantages of stiffening and strengthening state and local governments if they were always fearful that federal deficits would deprive them of their share of the federal income tax.

Per capita distribution. The states would share the income tax proceeds on the basis of population. Per capita sharing would transfer some funds from states with high incomes—and therefore high per capita income tax liabilities—to low-income, low-tax states. If the modest equalization implicit in per capita sharing were deemed too limited, a small portion of the fund could be set aside for supplements to states with low per capita income or with a high incidence of poverty and dependency.

Pass-through. Whether to leave the fiscal claims of the localities to the mercies of the political process and the institutional realities of each state or to require a pass-through to them is not an easy question. Previously, we have left this question open, but we now conclude that the legitimate—and pressing—claims of local government require explicit recognition in the basic formula of revenue sharing.

Few strings. Constraints on the use of the funds would be much less detailed than those applying to conditional grants. However, the funds would not be available for highway construction, since there is a special federal trust fund for its own earmarked revenue sources for this purpose. An audit of the actual use of the funds would be required, as well as certification by the appropriate state and local officials that all applicable federal laws, such as the Civil Rights Act, have been complied with in the activities financed by the grants.

Revenue impact. The federal individual income tax base will reach the $300 billion mark in 1967. Accordingly, each percent of the base would provide the states with $3 billion a year. If 2 percent of the income tax base were being distributed in 1967, the grant would be $6 billion, or roughly $30 per capita. Without taking account of special equalization features, this would mean, for example, grants of about $60 million for Arkansas, $560 million for California, $60 million for Colorado, $320 million for Illinois, $180 million for Massachusetts, $110 million each for Louisiana and Minnesota, $120 million for Missouri, $20 million for Montana, $560 million for New York, $150 million for North Carolina, $360 million for Pennsylvania, $30 million for Utah, $130 million for Virginia, and $120 million for Wisconsin.

The income tax base, to which the allotments are keyed, has grown from $65 billion in 1946 to $128 billion in 1955, $210 billion in 1963, and the estimated $300 billion in 1967—and has risen from 31 percent of GNP in 1946 to an estimated 38 percent in 1967. By 1972, the base should grow to $425 billion (assuming a 6-percent annual growth in money GNP, and the base growing 20 percent faster than GNP). On this base, the 2-percent to be set aside for the states would reach $8.5 billion by 1972. Truly, a share in the federal income tax would be a share in U.S. economic growth.

The competing claims of federal tax cuts and expenditure increases would probably require that the plan start modestly (perhaps at one half of 1 percent or 1 percent) and build up gradually to 2 percent over three or four years. This gradual build-up would moderate the impact of the new plan on the federal budget during the first few years after its adoption and enable the states to program their fiscal affairs more efficiently.

Q. Why is the per capita method used to distribute funds? Why not return the money where it came from?

A. The per capita method of distributing the grants among the states was chosen because it is the best available index of both fiscal capacity and need. It allocates more money to the relatively populous states; at the same time, it automatically distributes relatively more to a poor state than to a rich state. For example, a $25 per capita distribution would amount to 10 percent of the budget of a state that can afford to spend $250 per capita and only 5 percent of the budget of a state that can afford to spend $500 per capita.

As we have already indicated, more equalization could easily be provided if desired. We favor using a small part of the fund—say, 10 percent—for the poorest third of the states. This additional allotment—though a small part of the aggregate grants—would raise the average per capita grant in the ten poorest states by over 50 percent.

Tax effort might also be given some weight in the formula to give the states an incentive to maintain or increase tax collections out of their own sources. Such a spur could be built in by weighting the per capita grants to each state by the ratio of that state's tax effort to the average tax effort in the country—tax effort being defined as the ratio of state-local revenues to personal income. An interesting and rather mixed set of above- and below-par states emerges by this standard. For example, in 1964:

Louisiana, New Mexico, and North Dakota would have had effort indexes of 120 or above.

Nine States would have had an index of 85 or less: Connecticut, Delaware, Illinois, Maryland, Missouri, New Jersey, Ohio, Pennsylvania, and Virginia.

On the other hand, it would be totally inappropriate to allocate the funds in proportion to the amounts collected from each state. This would give disproportionately larger shares to the wealthiest states, and would widen rather than narrow differentials in state fiscal capacities.

Q. What happens during a recession? Aren't you worried that the states and local governments would be in trouble if the revenue sharing funds declined?

A. The tax base has declined only twice since the end of World War II—by 4 percent in 1949 and by less than one-tenth of 1 percent in 1958. These are within the range of fluctuations that state and local governments have become accustomed to in their own tax sources. Nevertheless, in a deep recession, there would be no problem. In such circumstances, the Congress could easily add to the normal amounts going into the revenue sharing reserve fund to prevent financial distress at the state-local level. Few anti-recession measures would be as efficient from both the efficiency and stabilization standpoints.

Q. The federal government already has a well-developed system of categorical grants? Why do we need general-purpose grants?

A. Categorical and general-purpose grants have very different functions and these cannot be satisfied if the federal system were limited to one or the other.

In distributing future fiscal dividends, the federal government can and should give high priority to categorical aid. Their dramatic growth will doubtless continue. They tripled in the 1950s, reaching $7 billion by 1960. They are well on the way to tripling again by 1970, as is reflected in the President's request of $17.5 billion in categorical aids for fiscal 1968.

In appraising the relative role of conditional or unconditional grants, one must be clear on the distinction between the defects or flaws in the administration of the existing grant-in-aid system—those which can presumably be overcome by improvements in it—and those which are intrinsic to the conditional grant-in-aid instrument.

Keen awareness of the limitations in practice was expressed in testimony before the Senate Subcommittee on Intergovernmental Relations last year by the Director of the Bureau of the Budget. He identified the problems as proliferation of programs to a total of 162 by early-1966, under 399 separate authorizations; excessive categorization of grants which, together with direct negotiations between individual bureaus and their counterparts in state-local governments, have led to bypassing of governors and mayors and weakening of their control over their own administrations; the difficulties in coordination and broad policy planning by federal, state, and local governments that result from the fragmentation of grants and appropriations.[1]

These problems suggest that there are limits, in terms of efficiency in practical application, to increased reliance on central direction of resources through conditional federal grants. They obviously call for reforms internal to the grant-in-aid system. To conclude that the categorical grant-in-aid system needs to be scuttled not only goes too far, but misses the point.

Categorical grants are needed because the benefits of many public services "spill over" from the community in which they are performed to other communities. Expenditures for such services would be too low if financed entirely by state-local sources, because each state or community would tend to pay only for the benefits likely to accrue to its own citizens. States have a well-developed system of categorical grants to local governments for this reason. Unless the federal government steps in to represent the national interest in the benefits derived from state-local services, the latter will be badly undernourished. So categorical grants-in-aid must continue to be our *major* reliance in transferring federal funds to the states.

General purpose or block grants are justified on substantially different grounds. In the first place, all states do not have equal capacity to pay for local services. Even though the poorer states make a larger relative revenue effort, they are unable to match the revenue-raising ability of the richest states. Second, federal use of the best tax sources leaves a substantial gap between state-local need and state-local fiscal capacity. Moreover, no state can push its rates much higher than the rates in neighboring states for fear of placing its citizens and business enterprises at a disadvantage. This justifies some federal assistance even for purely state-local activities, with the poorer states needing relatively more help because of their low fiscal capacity.

The categorical grant system cannot perform these functions. Though they admirably serve the national purpose, they often put state-local finance at cross-purposes. In drawing on a limited supply of resources to finance and staff particular activities, the matching grant may siphon resources away from nonaided programs. The poorer the state, the greater the tax effort that must be made to achieve any given amount of matching, and hence the less that is left over for purely state-local functions. To some extent, then, the state-local government trades fiscal freedom for fiscal strength.

In contrast, general-purpose grants would combine flexibility with strength. On the one hand, the funds would not be tied to specified national interests, bound by detailed controls, forced into particular channels and subject to annual federal decisions. On the other, it would not have to be wrung out of a reluctant state-local tax base at great political risk to innovative governors and legislators. In short, revenue sharing would provide a dependable flow of federal funds in a form that would enlarge, not restrict, the options of the state and local decisionmakers.

For these reasons, the general-purpose grants are needed to supplement the categorical grants, but not to replace them. Considering the large unmet needs throughout the country for public programs with large spillover effects, the adoption of revenue sharing should not be the occasion for reducing categorical grants. It is a well-known axiom of logic that two objectives cannot be satisfied by using only one instrument.

Q. We have been told that the major domestic problem is the plight of our cities. How can you make sure that the cities will get a fair share of the revenue sharing funds?

A. Per capita revenue sharing would miss its mark if it failed to relieve some of the intense fiscal pressures on local, and particularly urban, governments. Indeed, it is in and through the metropolitan area that most of our aspirations for a greater society will be achieved or thwarted. Revenue sharing cannot be expected to break the bottlenecks of tradition and vested interest that stand in our path. But it can be expected to provide some of the financial resources needed for that battle, always bearing in mind that it will be a supplement to federal programs for model cities, for urban redevelopment, for community action against poverty, and the like.

The question is not *whether* revenue sharing should put funds at the disposal of local governments, but *how*. Can one count on relief coming automatically from a general grant made to the states, or should a specific part of the state shares be specifically reserved for the local units?

All states give aid to local units and most give significant amounts. As a matter of fact, the state grant-in-aid system for local governments is much more highly developed than the federal grant system. In the aggregate, transfers from state to local governments account for more than a third of state expenditures and about 30 percent of local general revenues. By contrast, federal grants amount to only 17 percent of state-local revenues. Thus, even without any specific requirements, we would expect the local governments to receive at least a third of any general funds the states might receive from the federal government.

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[1] Charles L. Schultze, Hearings before the Subcommittee on Intergovernmental Relations of the Committee on Government Operations, U.S. Senate, 89 Cong, 2nd Sess, Part I: The Federal Level, pp. 390–91.

Nevertheless, in the light of urgent local needs and the observed tendency of state capitals to shortchange their major central cities, we have been persuaded that an explicit "pass-through" rule may be desirable to recognize the legitimate claims of local government. This can be done in one of three ways:

1. *State plans.* The most flexible method of handling the problem is to require the governors to prepare plans for the use of the funds. As guidance for the development of these plans, the Congress might indicate the general areas which it regarded as most urgent, including the need for making funds available to local governments. To be sure that the plan represented a broad spectrum of opinion in the state, the governor might be directed to consult with local officials and representatives of local citizens associations before incorporating the plan in his budget. The development of such plans would provide the occasion for a complete review and possibly a revamping of state-local relations throughout the country.

2. *Minimum pass-through.* The legislation might provide a minimum percentage pass-through for all states. In view of recent trends, the minimum should be at least 40 percent and might even be as high as 50 percent. This would prevent any state from short-changing its local governments (although it might be difficult to detect offsetting reductions in existing grants if the state legislature was of a mind to do so). The disadvantage of a fixed percentage is that the extent to which the states delegate responsibilities to, and share revenues with, local governments varies greatly. In some states, the appropriate percentage may well exceed the 50 percent mark, and in others it may be below it. The danger is that any minimum percentage is likely to become a maximum, so that stipulating the percentage may do more harm than good in some states.

3. *Minimum pass-through plus guaranteed share for cities.* Providing a minimum pass-through percentage does not insure a fair allocation to the large central cities, most of which are in dire financial straits and need relatively more help than other communities because of their heavy public welfare loads and disappearing bases as the middle-class continues its exodus to the suburbs. A minimum per capita outlay from the revenue sharing grant to these central cities would solve the problem, but it is virtually impossible to settle on a simple cut-off rule for such cities. For example, if all cities with population above 50,000 were included in this special proviso, no city in Alaska, Idaho, North Dakota, Vermont, or Wyoming would be protected for the minimum. In other states, the counties are major operational units and should be eligible for special treatment if this approach is taken. Moreover, the existing distribution of state-local responsibilities for education, health, welfare, and highways differ greatly and it would be impossible, as well as unwise, to set a given figure that would be equitable in all states.

It is, nevertheless, true that the problem should not be insuperable, since there are only 50 states to deal with and our senators and congressmen are very familiar with their state-local patterns and problems. An objective review of these problems on a state-by-state basis by the Congressional Committees, or the Advisory Commission on Intergovernmental Relations, or an ad hoc Commission that might be set up for this explicit purpose should be able to come up with acceptable solutions. Any formula or set of formulas that would be included in any revenue sharing plan could be made subject to periodic review. Furthermore, the legislation could provide escape clauses from the statutory minima in the event that the governors and mayors of the principal local governments make an official request to the trustee of the revenue sharing funds.

These approaches suggest the range of alternatives. Although the problem is complicated by the large number and variety of local government units and the varying state-local relationships throughout the country, it should be possible to arrive at an equitable solution—provided the problem is approached sympathetically and in a constructive attitude by the major decision makers at all levels of government.

Q. You argue that the states and local governments need financial assistance. Don't most of the current projections show that they will be accumulating large surpluses in the next few years?

A. In spite of dramatic postwar growth in categorical aids as well as state-local tax revenues, there has been no let-up in the intense fiscal pressures on states and localities. Some recent projections seem to suggest that prosperity in state-local finance is just around the corner, that spending pressures will relent while revenues grow. But these projections are vulnerable on two counts:

First, they rely too heavily on projections of demographic factors, which tend to show that the pressure for government services at the state-local level will not build up as fast during the next decade as it did during the last. But these projections not only underemphasize current deficiencies in state-local services, but tend to underestimate the demand for increased *quality* of these services, which—because of the slow growth in productivity in these sectors—must reflect itself in increased expenditures. Virtually all projections of state-local financial needs have in the past underestimated the great surge in state-local expenditures for this reason.

Second, the projections show relatively small net surpluses on balance for all state and local governments. This aggregation process tends to obscure the sharp pressures for higher expenditures and taxes, because they lump together states where pressures will be heavy with those where pressures will be lighter. In those circumstances where surpluses will be developing, expenditures will tend to rise to eliminate them, since there will be urgent unmet needs in such states. In all the others, it will be necessary to raise taxes to keep going.

Recent and current tax activity among the states testify to the unrelenting pressures for more funds. Between 1959 and 1967, every state but one raised rates or adopted a new major tax; there were 230 rate increases and 19 new tax adoptions in this period. This year, the governors asked their legislatures for $3 billion in additional revenues, and many of these proposed have already been enacted. In the first six months of 1967:

Michigan enacted new personal and corporate income taxes.

Nebraska added new personal and corporate income taxes and a sales tax.

West Virginia adopted a corporate income tax.

Minnesota added a sales tax.

Increases in sales tax rates were enacted in Illinois, Iowa, Nevada, North Dakota, Rhode Island, Washington, Wyoming.

Individual income tax rates were increased in California, Iowa, Maryland, Montana, Vermont.

Corporation income tax rates were raised in California, Iowa, Maryland, Minnesota, Montana, Tennessee.

In addition to these actions already taken, other state legislatures are still considering proposals by their governors. The California revisions, which increased state taxes by more than 20 percent, were approved by the Governor on July 29. Only two states—Kansas and North Carolina—lowered taxes to some extent, and both were cases of tax reductions concentrated at the lower income levels.

All this activity does not warrant the complacent conclusion that state and local governments can meet future needs with their present resources. The projections which were made as recently as last year are already out of date, and will become increasingly so with the passage of time.

Q. Many people have recommended a federal income tax credit for state income taxes as a substitute for revenue sharing. Wouldn't the credit do the trick?

A. Federal income tax crediting for state income taxes is an attractive device, particularly if it could be coupled with tax sharing or general assistance. But, if a choice has to be made, the balance of advantages favors the revenue sharing plan:

First, because of its contributions to interstate equalization, which the income tax credit can't possibly duplicate;

Second, because its entire proceeds would flow into state and local treasuries while a good part of the benefits of the tax credit would initially accrue directly to the taxpayers rather than to their governments;

Third, because the tax credit would have to overcome the barriers involved in inducing 15 states to adopt a tax they have not chosen to adopt on their own.

Having said this, however, we wish to add that adoption of an income tax credit would be a major advance in federal-state fiscal relations, a very good second best to the revenue sharing approach.

Q. Why give any money at all to the state governments. Aren't they obsolete?

A. We believe that the states are an essential feature of our federal system of government. A local government is an efficient form of government for some things, but not for many others. In taxation, for example, large local differentials in tax rates on income or sales tend to encourage people to move to other communities or to purchase elsewhere to avoid the tax. As for expenditures, only a few very large cities have the financial means to support higher education and even these few are having troubles. As a matter of fact, with the growth of population, the state governments are rapidly becoming metropolitan governments in the true sense of the word. Thus, for reasons of efficiency, the state governments cannot be permitted to wither away.

No doubt, one can find examples to fit almost any charge, but a fair appraisal of the situation is that most states have been doing a good job in recent years. The state governments have actually used most of their scarce resources for urgently needed state and local programs. Between 1955 and 1965, general expenditures of state governments rose steeply by $23 billion, to around $40 billion. Of this increase, about 60 percent went for education, health, welfare, and housing; more than two thirds of this amount went to education—most of it through grants to local governments. This evidence suggests that, if the states were to receive unencumbered funds from the federal government, they would spend them on urgently needed services whether the particular service were stipulated or not. To be specific, if the federal government allocated $6 billion for revenue sharing, there is little doubt that about $3 billion of this money would be spent on teachers' salaries, school buildings, and other educational needs.

There is little doubt that the quality of state governments varies widely, but most observers agree that most state governors are competent and dedicated public officials. Many of them have surrounded themselves with excellent staffs, and are shaking up the old state bureaucracies and introducing new programs and policies that are sometimes ahead of thinking in Washington. As the effects of reapportionment are felt, conditions will improve even in those states where many of us have despaired of making progress in improving administration. Furthermore, there is no point in denying urgent fiscal aid to the "good" states merely because there are some "bad" states ("good" and "bad" in their attitude toward public services). As the last election demonstrated, states change complexion rapidly under the impetus of new administrations. It should also be added that the state governments do not have a monopoly on incompetence—some of the federal agencies administering grants are something less than models of efficiency.

In conclusion, revenue sharing expresses the traditional faith most of us have in pluralism and decentralization, diversity, innovation, and experimentation. For those who lack that faith—for died-in-the-wool Hamiltonians and those who want the states to wither away—there can be little attraction in revenue-sharing or other instruments relying heavily on state-local discretion and decision. Yet, apart from the philosophic virtues of federalism, all of us have a direct stake in the financial health of state-local governments for the simple reason that they perform the bulk of essential civilian services in the country. Revenue sharing would help them do their jobs better by providing new financial elbow-room, free of fatal political penalties for innovative and expansive-minded state-local officials (i.e., by serving our federalist interest in vitality and independence at the state-local level); by nourishing the purely local services and building up the staff and structure needed to carry out effectively the national-interest or spillover type of services financed by categorical aid (i.e., by serving the universal interest in competence and efficiency); by enabling the economically weaker states to provide the same scope and quality of services as their wealthier brethren without putting crushingly heavier burdens on their citizens (i.e., by serving the national interest in reducing interstate disparities in levels of services associated with any given tax effort).

PUERTO RICAN PLEBISCITE

Mr. BURDICK. Mr. President, as chairman of the Subcommittee on Territories and Insular Affairs of the Committee on Interior and Insular Affairs, I invite the attention of the American people to a matter of significant interest. In these troubled times, I believe it demonstrates for the world an example of democracy in action.

On July 23 the people of the Commonwealth of Puerto Rico participated in a plebiscite to determine whether they should continued their Commonwealth status, seek statehood, or strive for independence from the United States.

The final returns were decisive. With slightly over 65 percent of the qualified and registered voters participating, approximately 60 percent of the voters, or 452,081, expressed a preference for a continuation of the Commonwealth status, which has proved to be a dynamic partnership between the United States and Puerto Rico for the past 15 years; 273,315 voters, or 39 percent of those voting, favored statehood at this time, and this is a significant number of those who voted. Only 4,208 people, just six-tenths of 1 percent of those voting, desired independence from the United States.

Historically, no territory of this Nation has been granted statehood unless a preponderance of its residents indicated that this was their desire. In keeping with this precedent, it is unlikely that congressional consideration of statehood for Puerto Rico can be scheduled until there are signs that considerable more Puerto Ricans desire it.

I am heartened that this plebiscite showed that over 99 percent of the voters endorsed the continuation of a close association with the United States as an integral part of our federal system. A choice has been made which makes it possible for the U.S. citizens of the mainland and Puerto Rico to look ahead with confidence and confirmed belief in the continued success of our relationship. Now that the plebiscite is over, I suggest that all the people of Puerto Rico unite and channel their energies toward increasing the economic and social progress realized in recent years on the island. This progress not only has helped the people of Puerto Rico, but has strengthened and served as an inspiration to the entire Nation.

AGRICULTURAL EXPORTS

Mr. CARLSON. Mr. President, agriculture has a direct interest in food needs, world trade, and export problems.

U.S. agricultural exports for the last decade have been on an almost constantly rising escalator. It is estimated that farm exports for 1967 should approach the $6.8 billion level. In 1955, our farm exports totaled $3.1 billion, and it is estimated by 1980 our farm exports will reach $10 billion.

It is interesting to note that our agricultural exports continue to increase while our farm population continues to decrease.

U.S. farm product exports account for about one-fifth of the world total. About one of every four cropped acres in this country is devoted to export production. With wheat, 65 percent of our production goes abroad. More than 42 percent of our soybeans, 28 percent of our tobacco, and 21 percent of our cotton last year went for export.

Mr. Tony T. Dechant, president of the National Farmers Union, recently discussed food needs, world trade, and export problems before the Joint Economic Committee. I ask unanimous consent that his statement be printed in the RECORD.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT OF TONY T. DECHANT, PRESIDENT, NATIONAL FARMERS UNION, PRESENTED TO THE SUBCOMMITTEE ON FOREIGN ECONOMIC POLICY OF THE JOINT ECONOMIC COMMITTEE, CONCERNING FOOD NEEDS, WORLD TRADE, AND EXPORT PROBLEMS, JULY 27, 1967

The projections of "The World Food Budget"[1] indicate that in the 1960–1970 decade there will be some improvement in per capita consumption of the diet-deficit area and that some of the improvement will result from expansion in trade. Nevertheless, in 1970 the total cost of the food deficit is estimated at $6.8 billion.

It would be possible to narrow the $6.8 billion nutritional gap through increased food imports under certain conditions. But to achieve these conditions, as foreseen in "The World Food Budget," it will be necessary to overcome several roadblocks that are deterrents to the expansion of trade.

These barriers include: (1) the low level of per capita income in the deficit area that limits the purchase of food imports under normal commercial terms, (2) faulty distribution systems that restrict the movement of foods to consumers, and (3) trade policies, including both tariff and nontariff controls.

DIET-DEFICIT AREAS

The greatest potential for increasing food and fiber consumption lies in the so-called diet-deficit areas of the world made up of Asia—except Japan and Israel—all but the Southern tip of Africa, Northern South America and almost all of Central America and the Caribbean.

The striking change that has occurred in the pattern of world food trade in recent years is the general shift of the diet-deficit areas away from a net export position, a trend which is expected to continue through the decade of the 1960's. Traditionally, except for a few countries which have had a large export surplus in petroleum and minerals, many countries of the deficit area have depended on net exports of agricultural commodities—non-food as well as food—to pay for nonagricultural imports. In other countries the consumption of some food commodities, such as sugar and bananas, has been at high levels, with a balance still available for export.

This shift has resulted primarily from two basic factors: Increased food consumption, and the failure of food production, particularly grains, to keep up with population growth. Projections for 1970 indicate that food exports of the deficit area will increase 31 percent over the 1959–61 average but that this will more than be offset by an increase of 45 percent in food imports.

EXPANDING TRADE WITH DEVELOPING NATIONS

The implications to be drawn from this description of the hungry part of the world will effect the destiny of our American democracy and representative democratic government in the developing nations.

Solving the problems of this area would mark an historic moment for our generation. It would make possible a great break-through in the expansion of trade among nations of the free world.

Such a break-through would make it possible to meet perhaps the greatest moral challenge of our time. I refer, of course, to the vast discrepancy between the high living standards and modern development of the people of the "rich nations" compared with the grinding poverty of the people of the "poor nations."

Barbara Ward in her recent book, *The Rich Nations and the Poor Nations,* made this perceptive comment when she said, "The talk of spreading freedom is 'irrational' unless we do something to build a congenial environment for it."

We have come to realize that the resources of the United States alone are not sufficient to attack the basic causes of poverty in the less-developed two-thirds of the world. We urgently need the help of Western Europe and the advanced nations of the Pacific.

Farmers Union has long contended that social and economic development can proceed only on the basis of trade policies which enable the least able member of the economic community to have access to its rightful and fair share of the developing markets.

It seems to us in recent years, two major events have sharpened our thoughts as a nation, and as farm people, to the ultimate need for an economic union or common market operating much as do our fifty states in exchange and trade matters.

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[1] "The World Food Budget" is a publication of the U.S. Department of Agriculture.

First, the less-developed nations will for some time continue to require technical assistance and the other AID programs, in initiating and implementing the social reforms without which the rich grow richer and the poor become poorer. But without the opportunity to sell their products abroad, on a market favorable to their advancement, their efforts at self-help will be negligible.

Many of these nations are presently almost totally dependent upon the foreign sales of one or two commodities. Only broad-based trade relationships among the non-communist nations of the Atlantic Community, the countries of the Western Hemisphere, as well as the Near and Far East, can meet the peculiar trade needs of the developing countries. For example, we should assist in negotiating additional international trade agreements for those commodities produced by these nations that enter importantly into world trade.

The United States Congress ratified the International Coffee Agreement by a wide margin. More of this kind of cooperation is essential if we are to break the poverty cycles in these areas.

Recognizing the difficulties in moving a world-wide program, Farmers Union urges that three regional efforts be made by our government: (1) moving on a transitional basis toward ultimate integration in to the Atlantic Economy Community; (2) facing up to our hemispheric responsibilities, particularly in relation to our Latin American neighbors and (3) building responsible and far freer trade relations with the democratic nations of the far Pacific community, including Oceania.

The interest of the American farmer will be best served by expanding trade in agricultural commodities.

Second, the so-called social market in developing countries can, with economic growth and development ultimately become a dollar market for our agricultural commodities. Looking toward this development we should fully utilize our unique opportunity to use food and fiber to promote widespread and rapid economic development in order to raise living standards in less-developed regions and nations.

TRADE POTENTIAL

International trade, historically, has been important in the supply and distribution of food commodities. It is an avenue without which consumption in some countries would fall below adequate levels, and consumption in other countries would lack variety or quality. It is open most often to those customers that have the means to buy and sell under normal commercial terms, whereas world trade may have limited access to countries with insufficient purchasing power and where consumption is often below adequate levels.

In 1959–61, average world food exports were in the order of $15.8 billion. For 1970, world food exports are projected to increase 37 percent over the 1959–61 level. With this gain, it is anticipated that world food shortages will have been evident in certain areas of the world.

United States food exports for 1970 are projected to increase 50 percent above the 1959–61 level—from $3.2 billion to $4.8 billion. About $1.8 billion of this total is projected to be shipped under government-financed programs, as compared with $1.2 billion in 1959–61, with an increasing proportion going to countries where diets are inadequate.

We could, and I refer to the United States and Canada, sell more food if the problem of distribution within the developing nations could be solved. Unfortunately, there is no immediate prospect for modern harbors, transportation systems, highways and the rest of the economic infrastructure that is taken for granted in our country. But I would like to suggest that as a beginning that we support our government *in an intensified effort to protect the prices and incomes of primary producers, especially in the developing areas.* Too often we find food passing through three or four hands and being sold to consumers at three or four times the price paid to farmers. Supporting the development of cooperatives and government price support programs are essential steps to increasing income to primary producers, to increasing food production and to sound economic growth.

TRADE POLICIES—COOPERATION AND UNDERSTANDING

Turning now to the matter of trade policy and the position of the organization I represent. Trade is a two-way street. It is best carried on where a well-defined set of rules governs the flow. Such a set of rules is necessary in a world where all major agriculture producing nations have domestic price support programs as well as restrictions on imports of agricultural and industrial goods.

It is a matter of common sense to realize (1) that everybody would be better off if we produced and distributed more goods, and services, in the most economical manner possible and (2) that people all over the world have common aspirations, needs and vested interests similar to our own.

In terms of the total economy of the free world, this means that each country should produce what it can produce most efficiently trading the excess for goods produced more efficiently by other countries. This, of course, is the premise underlying the regional market arrangements.

We are cognizant of the fact, however, that in existing ways of conducting trade we have a network of human institutions such as laws, custom, investment in plant, etc. Every nation has attempted to solve its own economic problem in its own way. In agriculture, for example, the aim in every major agricultural producing nation has been to raise the relatively low income of farm families. In this connection, the justification for assisting farmers in the United States needs no amplification. Congress on many occasions has passed vitally needed and important legislation to give some measure of stability to prices and to income of agricultural producers.

In the United States this has been accomplished in various ways. Two examples of such Congressional action on the trade front are Section 22 of the Agricultural Adjustment Act, as amended, and Section 8(a) of the Trade Agreement Extension Act of 1951.

In spite of record-high exports in fiscal years 1965 and 1966 farm families are not doing so well economically. Compared with other groups in the economy, farm-family incomes are low.

The average income of persons on farms is less than two-thirds—about 60 percent—of the per capita income of the non-farm population.

Farmers who are 7 percent of the population receive only 2.9 percent of the Nation's income excluding income from services.

I challenge those who call farm prices inflationary and who want to whittle them down to look as farmers do, at the current parity price levels of commodity prices in the market place. (National average figures, June 15, 1967).

Beef cattle were at 80 percent of parity—down 7 points from a year ago.

Wheat was selling *in the market* at 57 percent of parity with certificates on domestic consumption bringing producer returns to around 70 percent of parity.

Corn prices were at 78 percent of parity.

Soybeans with a near balance between supply and demand, although a large crop is expected in 1967, brought only 82 percent of parity.

Egg prices (seasonally adjusted) were only 63 percent of parity.

Cotton, 46 percent of parity.

Rice with smallest carryover in a decade, 75 percent of parity.

Peanuts with a good workable program of supply control, 80 percent of parity.

Manufacturing milk, 84 percent of parity.

Butterfat, 77 percent of parity.

All milk at wholesale level, 88 percent of parity.

The total net income of farm operators, excluding inventory change is down 10 percent from 1947–49 to 1966—$16.8 to $15.2 billion. Per farm income has increased only because of the declining number on farms. *The simple fact is that while farmers are worse off, most everybody else is better off.*

In spite of these economic troubles, we hear a great deal these days at home, about how a freer domestic agricultural economy would promote trade and about the need to reduce the difference between domestic agricultural prices and world prices. This talk does not emanate from agricultural interest or the sincere representation of agricultural interests.

The fact is that there is no such thing as an automatically-operating free market system. Any market is free only within a framework of law, property rights, wealth distribution, trade practices, and other rules of the game. In this connection every major agricultural nation in the free world has some kind of price support program.

It is out of the need for orderly trade that the General Agreement on Tariffs and Trade was established and that the United States Congress has enacted the Trade Expansion Act and further simplified customs procedures.

It is due to the need for even greater economic cooperation that we in Farmers Union have supported a well-defined world food policy, additional international commodity agreements on the order of those in effect for sugar, wheat and coffee.

We in Farmers Union want the United States to follow intelligent, enlightened and humanitarian foreign economic policies. But we do not want to see the total cost of such policies loaded upon farmers' already sore backs, or for that matter on the backs of coal miners or any other small group of the labor force.

In the case of both exports and imports, programs and policies should be established as they have been in the case of International Wheat Agreement and the Sugar Act, to spread the costs to all the people instead of putting all of them directly on the small number of producers concerned.

Certainly present is the challenge to North American agriculture from the developing common market or Western Europe which suggests that we proceed with initiative and good will but at the same time mindful of several underlying principles which would guide us.

(1) As a general principle, we in Farmers Union urge that no United States farmer (or other producer), whom we expect to remain in production, to produce for export or to meet the competition of imports, at any price less than full parity.

(2) There are probably some industries in which the entire need and demand can be met continuously and safely through complete dependence on imports. In such cases, we urge that these injured domestic industries be helped to make adjustments by means other than excluding exports, such as through conversion to other lines, extension of unemployment insurance, assistance in retraining workers, and outright purchase, where required. We know of no domestically produced agricultural commodity to which this applies.

(3) Program and policies affecting agricultural imports and exports should be designed to provide full parity returns to domestic producers in ways that will be

consistent with minimum hindrance to international trade and economic operation, and preferably by methods that will spread the costs to all people in accordance with ability to pay, rather than through increased retail prices to consumers.

To be more specific: Notwithstanding any other provision of law, whenever a reduction in import duties will result in decreasing income and employment in a domestic industry or result in reducing prices received by farmers so that such prices reflect less than 100 percent of parity, we urge that the President be authorized and directed to instruct the Secretary of Agricultural to initiate and put into operation a domestic farm price support program for the affected agricultural commodies through compensatory payments in combination with other means of price support at a level reflecting 100 percent of parity.

We need to realize that the European Common Market is a reality. It would seem reasonable that the inevitable should be approached with a creative vigor. We should not wait for time and events to drag us in, but move in at the greatest point of advantage.

Therefore, we believe that it is in the interest of the American farm economy to enter with domestic price patterns which enable farmers a fair economic return and, at the same time, enable transitions to proceed on an equitable basis.

Since World War II, we have known that an Economic Union of the Free World Community, where we like it or not, is inevitable. It is high time that we move toward greater economic cooperation with other nations of the free world in ways that provide fair returns to family farmers.

Differences in agricultural policies, cost of production, inflationary pressures, investment in farming and custom and tradition are all factors that must be considered in trying to arrive at some common trade policy. The European Economic Community, for example, has not fully resolved those differences between member countries and this continues to be a most perplexing problem. It was a major roadblock to present negotiations in the Kennedy Round.

Every major agricultural producing nation in the world which has a democractic government responsible to its primary producers has developed programs and policies designed to increase the bargaining power of such producers in the market place. We find this true in farming, fisheries and lumber. International agreements, therefore, continue to be proposed by the United States as instruments through which to expand trade to the benefit of both importing and exporting nations.

Agricultural negotiations in the Kennedy Round have prompted resolutions and response from major European and American farm groups who are members of the International Federation of Agricultural Producers. In this connection, IFAP outlined five basic considerations in a statement of the Joint North American-European meeting three years ago in Washington, D.C. The statement is still sound and will serve future negotiations as well as it served to express farmer-interest in the Kennedy Round.

The statement said: "At the forthcoming Gatt negotiations, the agricultural exporting countries will be seeking 'concessions' on agricultural products analogous to those obtained for industrial products. Since tariffs are a comparatively unimportant element in the support policies adopted by governments in the agricultural sector, the same rules (especially the proposed across-the-board tariff cuts) as are applied to industry cannot in general be applied to agriculture. A special approach will be required.

"If the negotiations are to be successful in the agricultural sector they must start from the basis that the governments cannot 'negotiate' their responsibility to ensure that the incomes of their farm populations bear fair relationship and trend with those in other sectors and that the elimination of serious modification of existing agricultural support measures is not feasible. Governments will therefore be seeking to reconcile the need for income support for agricultural producers and their desire to develop international trade in agricultural products.

"Towards the end, the most promising approach will be to examine the position on a commodity-by-commodity basis and to devise—as long as advocated by IFAP—commodity arrangements or agreements, as appropriate, for individual commodities or groups of commodities.

"In whatever proposals are made, there must be a basis for reciprocity regarding both obligations and benefits. Thus to the extent that exporting countries are ready to ensure that their production is retained at a level broadly in line with outlets and that countries must be prepared to make their fair contribution to the establishment of a sound balance on world markets.

"Governments must at all times remain conscious of the fact that trade among North American and European countries is only part of world trade and that recent experiences have shown that great opportunities exist for expanding agricultural exports, commercial as well as occasional, to countries outside the North Atlantic areas."

Farmers union supports agreements in Kennedy round statement of President Tony T. Dechant

"The agreement on cereals and agricultural products provided substantial guarantees against low farm prices.

"The higher price floor for wheat and the beginning of food aid shared by other developed countries, including Japan, are significant gains for the United States.

"Farmers Union has traditionally supported international commodity agreements as an extension of the domestic farm program and essential to price and income protection for United States farmers.

"The new agreement provides a minimum price of $1.73 a bushel for hard red winter wheat at Gulf ports as contrasted to $1.50 per bu. for hard red winter wheat under the old International Wheat Agreement. This amounts to a 23c increase in the old IWA minimum price.

"Since the average price of U.S. wheat for the past three years has been approximately 10c to 15c above the old IWA minimum, wheat prices at the Gulf ports are expected to be in excess of the $1.73 per bushel minimum set by the new cereals arrangement by approximately the same amount.

"USDA has predicted that world prices of wheat under the new agreement will increase by 10c to 25c per bushel over the average of the past three years. However, since Gulf port wheat prices today are averaging $1.83 a bushel, no immediate farm-level price increase is expected for U.S. producers. The practical effect of the new cereal grain agreement, however, is to provide a substantial guarantee against low farm prices.

"Farmers Union would have preferred a 40-cent increase in the minimum price of the old IWA. But Farmers Union supports the compromise in the belief that it is a step forward in promoting international trade and in strengthening the domestic wheat market.

"Ambassador Roth did a fine job in bringing about a fair balance between industrial and agricultural trade concessions by the United States and other countries.

"Another major accomplishment is the sharing of food aid by both exporting and importing countries amounting to 4.5 million tons of cereal grains. Importing countries will contribute more than 50 percent either in the form of cereal grains or cash. The United States will contribute 42 percent of the total or approximately 2 million tons of cereal grains to include, in addition to wheat, corn, grain sorghum and other grains where donor and recipient countries agree.

"The multilateral food aid program is especially significant since it is the first time in history that the food aid has been a part of international trade agreement.

"Farmers Union will inform members of Congress of its support of the agreement and will work for Senate ratification."

SENATOR BAKER AND "THE FUTURE OF FEDERALISM"

Mr. MUNDT. Mr. President, the junior Senator from Tennessee [Mr. BAKER] delivered an impressive critique on the subject "The Future of Federalism" at the annual conference of the National Association of Counties in Detroit, Mich., on last Monday, July 31.

Senator BAKER argued that—

> The restructuring of our government and our federalism should be pushed to the top of our list of national domestic priorities, for the business of making government effective is the first step in attacking the plethora of social problems that are accompanying our ascent into the revolutionary space-age.
>
> We must take bold and innovative steps now. The nation can no longer afford to postpone shaping new tools and techniques, new ideas ad philosophies for the future of federalism. Old ideas will not satisfy the vitality of this modern generation.

The Senator's careful comments are impressive and timely. Even if we discover the root causes of our social problems, we cannot have effective government action, where that is appropriate, unless we have an effective governing process. It is clear to me, and to many others, I think, that in order to have the most economical, efficient, and effective government, we must begin to strengthen our State and local governments.

Senator BAKER argues persuasively for an immediate beginning of some sort of Federal revenue-sharing program that will begin the job of revitalizing our State and local governments. Both the junior Senator from Tennessee and I are firm believers in revenue sharing, and have introduced bills to achieve this purpose.

Senator BAKER in his short tenure in the Senate has already distinguished himself in the field of intergovernmental relations. His contributions to the Intergovernmental Relations Subcommittee of the Government Operations Committee, on which I serve as the ranking minority member, have been invaluable. He has served as a diligent and hard-working member of the minority while at the same time working closely with the majority in an effort to secure sound, feasible legislation.

Mr. President, I believe Senator BAKER's challenging address should be read by all who are interested in the direction to be taken if we are to assure for this country a strong Federal system of government. I ask unanimous consent that it be printed in the RECORD.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

Our Nation today is in the midst of a historic reappraisal of our government and our federalism. There are exciting developments in the crucial dialogue about what New Direction our partnership of governments must chart for the future.

The dialogue and discussion is not new, but there is an unmistakable newness in its tone and in its spirit. And there is a new emphasis. Rather than asking what to do, or whether to do it, the Nation is more and more talking about *how* we shall do it. And I think the new tone, the new spirit and the new emphasis is refreshing and healthy for the nation. For too long the debate on federalism has been dominated by those who resist almost any involvement by government in almost any effort, and those who seem always to insist, with sort of a knee-jerk reaction, that every new problem should be met with a highly specific, highly categorical, and highly regulated grant-in-aid from the national government.

Signs of interest in this crucial dialogue are more and more apparent. The Senate Subcommittees chaired by Senators Muskie and Ribicoff—of which I am proud to be a member—have been holding hearings which might be regarded as the beginning of this reappraisal of the role of the federal government and of the states, cities, and counties in creating the kind of balanced and vigorous federalism which brings out the most imaginative efforts of *all* of its citizens—not just the best plans of a bigger bureaucracy.

The tensions caused in many communities by wholly new anti-poverty agencies created out of the whims and wisdom of Washington have added to the build-up of support for a reappraisal of American federalism of the mid-'60's.

The Committee for Economic Development and the National Association of Counties have contributed to the dialogue by developing invaluable studies on modernizing state and local government.

Even from the most tragic parts of our daily lives comes stimulus for the reappraisal of federalism. The war in Vietnam has brought about a virtual moratorium on reflex-type federal categorical grants and has given us time to think more clearly and rationally about the future. And the riots and destruction, the deaths and injuries that have swept through many of our cities in the last several days have reminded us of the need for meaningful and effective government solutions to social problems, rather than panaceas that only excite hopes which must later be crushed.

The essential question today is the *delivery* question, namely how to deliver in the best way the public services which we believe should be provided to our citizens. I believe that we must endeavor to meet public needs on a basis which gives much greater attention than in the past to the role that the states, cities and counties must play. Only in this way can we make certain that the job of government gets done and gets done well.

One would think that today, in 1967, there would not be much opposition to suggestions for strengthening state and local governments and restructuring the federal relationship. But there are those who still doubt the capacity of state and locally elected officials to govern. There are those who still contend, sometimes only by implication, that the correct role of a state or local governmental body is as an administrative arm of the all-powerful national government. These persons would prefer to categorize states, cities and counties as mere "service-stations of federalism."

I must confess that I grow quite tired, and often a little irritated, at such arguments. Those who would deny state and local governments a larger share of the responsibility for governing are living in the past. They are devotees of tired, old depression techniques which are useless in space-age America. And in today's debate over techniques of government, these apostles of the thirties should be seen as what they really are, guardians of the status quo, and obstacles to progress in federalism.

I prefer to believe, as I think you do, that the nation should leave to private initiative what it can, should next use the level of government closest to the community for all that it can, and, finally, should reserve for the strong national government only those clearly national responsibilities which state and local governments cannot adequately perform. Further, I believe that these levels of government do not work independently; for our federalism is not like a neatly structured three-layer cake. Rather, our federalism has the complexity of a swirling marble cake, producing partnerships of innumerable forms and shapes capable of stimulating and releasing the imagination of all levels of government for the most effective job of governing.

The most impressive argument in support of the increased importance of local and state government is, of course, close scrutiny of what they are able to do now. Bold innovations are being made in county government. As a Tennessean and as a strong believer in modernized county government, I am proud of what has been accomplished in Nashville, a city whose new county metropolitan government leads the nation in innovation. In June of 1962, after 12 years of working for this reform, the voters established "Metropolitan Nashville-Davidson County." This is one unit under a strong mayor-council government, and it has meant eliminating separate school districts, road, and police departments and consolidating 87 departments and agencies down to a streamlined 25.

The Nashville plan closely follows the July 1966 report of the Committee for Economic Development on "Modernizing Local Government." That report calls for "reconstituted county governments as the basic framework for handling area-wide problems" in situations where a single county contains all or most of the metropolitan area as does Tennessee's Davidson County. This is a position which I know NACO embraces, and I believe it signifies the essential role which counties can play in many areas of the nation.

States, too, have a vital and growing role in our federalism, and I for one am struck by the modernization strides which have been made by many states in the past five years. Constitutional revision is moving ahead in many states. Modern budget data processing systems have been adopted. School districts have been pared down. More professional talents and a higher caliber elected leadership have emerged on the scene in many states. I am honored today to be on the platform with Governor Romney, who has courageously demonstrated that state governments can be strong, imaginative and vital, and Governor Agnew, who in a few short months has established himself as a chief executive who acts upon a strong belief that a modern state government can be an active and important servant of the people.

The momentum is gaining, not just in fiscal responses to growing needs, but in political modernization as well. Much remains to be done, by the states, by localities, by counties. But, I am convinced that the role which the federal government must play is to *assist* and *support* this reform, not stifle it as has too often been the case in the past.

In this respect, it is important to remember, and to emphasize again and again, that it is not enough merely to speak of themes and directions when we are dealing with the future of federalism. The laboratory, of course, is absolutely essential. And flowery phrases, promises and platitudes, hastily contrived commissions and long conferences all have their place. But what we need most today is to face the hard realities and actually implement bold new innovations in federalism. Particularly on the national government level, I find a distressingly small amount of such innovation.

Let me briefly discuss with you one example of what I am talking about. There seems to be general agreement, and I think quite properly so, that during the next decade the nation will commit a much larger share of its federally collected revenues to helping state and local governments solve their problems. The President has suggested that such aid, which now amounts to about $17 billion, will quadruple within five years to nearly $60 billion. I, for one, and I think there are many who agree, believe that to parcel out this amount of money through the maze of more than 400 highly restrictive, categorical grant-in-aid programs which we have today, would not only not work effectively, but would sound the death knell of effective and responsible local government.

Therefore, I strongly favor a program of no-strings-attached federal revenue sharing as the centerpiece of a balanced and rational program which would strengthen, rather than destroy, federalism as state and local governments assume more and more responsibility. By providing state and local governments with more resources, we can unleash their imagination to tackle the tough problems that they are best equipped to deal with.

My major effort as a United States Senator has been to encourage the immediate beginning of some sort of federal-revenue sharing program. During my first speech on the floor of the Senate, I introduced a bill, S. 1236, which I believe could provide such a sensible beginning.

I am delighted that NACO—and increasingly other influential groups and political leaders on both sides of the political spectrum—also support this position. Public opinion polls show that more than 70 percent of the American people support this concept, a phenomenon which has been reflected in Congress where nearly 100 different revenue-sharing bills have been introduced by both Republicans and Democrats.

The reaction of this Administration to this proposal to strengthen state and local governments has been, I am sorry to say, completely negative.

No one program, even one as bold as revenue-sharing, is the one answer. For the cities and for the counties which encompass metropolitan areas—I also believe we should reshape the now-too-specific "model cities" program to help all metropolitan areas on the basis of need. This aid, too, must encourage flexibility and better planning. It must not be based, however, on plans alone, but upon the real and pressing needs of the poor in the core of some of our nation's too-long neglected metropolitan areas.

Neither can one policy instrument do this job. Tax policy which brings private industry into the vital work of building better housing for the poor should be used to make the rebuilding of deteriorated urban and rural areas a true partnership of government and business. Many larger businesses are exploring these potentials and were greatly disappointed when in mid-1966 the so-called "Woods Hole Plan" for setting up COMSAT-styled public-private housing corporations was rejected by the Administration.

Standardization and simplification of existing federal aids is long overdue and now seems finally to be recognized.

Thus, a three-level kind of strategy has emerged and, despite the pressures of the war in Vietnam, some of it should be implemented now: First, there should be a modest beginning to federal revenue-sharing, which would be a basis for making more general and flexible the inevitable increased aid to help all states and localities; second, we can initiate flexible and broad approaches for dealing with the real needs of our deteriorating urban areas; private industry should be involved in this process; and, third, there should be a major effort to rationalize and streamline the loosely defined federal categorical grant-in-aid system so that it does not hamstring leadership and hold back progress where it can be, and is being made;

Finally, I would urge that some appropriate organization be established now to bring associations like NACO, into the process of evaluating and shaping big policy alternatives that will be possible when the war ends or Vietnam spending levels off. The group should also include governors, mayors and related and interested groups. The results should be made known for all to study and evaluate.

In short, the restructuring of our government and our federalism should be pushed to the top of our list of national domestic priorities, for the business of making government effective is the first step in attacking the plethora of social problems that are accompanying our ascent into the revolutionary space-age. We must take bold and innovative steps now. The nation can no longer afford to postpone shaping new tools and techniques, new ideas and philosophies for the future of federalism. Old ideas will not satisfy the vitality of this modern generation.

THE POPE'S PLEA FOR POOR NATIONS

Mr. McCARTHY. Mr. President, earlier in the year Pope Paul VI addressed an encyclical letter to all men of good will concerning the development of peoples of the world. It is an affirmation of the universal solidarity of men and of the urgent need for international cooperation and international institutions for development. He states his belief that the social and economic development of the poor nations is both a moral duty and also an essential step to peace among nations.

The Senate will soon begin debate on the foreign aid bill. The case made by Pope Paul for assistance to the poor nations is related to this issue. I ask unanimous consent that the text of the encyclical be printed in the RECORD, together with a comment on it entitled "The Pope's Plea for Poor Nations," written by Benjamin L. Masse, and published in America for August 5.

There being no objection, the items were ordered to be printed in the RECORD, as follows:

[From America, Aug. 5, 1967]

THE POPE'S PLEA FOR POOR NATIONS

(By Benjamin L. Masse)

So much dust has been raised about a few paragraphs in Pope Paul's "On the Development of Peoples" that we may be in some danger of failing to see the encyclical in perspective.

It is unquestionably a major document, committing the resources of the Church to the eradication of poverty on a global scale and bestowing its blessing on secular initiatives toward the same goal. It is a moving appeal, not only to Catholics but to all men, to regard the socio-economic development of poor countries both as a moral duty and an essential condition of world peace. ("The way to peace," the Pope writes, "lies in the area of development.") Set against a historical background, it brings to a climax an evolution of the Church's social teaching that started with Pope Pius XII during World War II and was notably enriched by Pope John XXIII and the Fathers of the Vatican Council—an evolution that has proceeded from an almost exclusive emphasis on justice within nations to an overriding concern for justice among them.

Despite flurries of criticism, here and abroad, and dissatisfaction with the English and Latin versions of the original French text, the encyclical was very well received. It may be worthwhile to consider here a small sample of the favorable comment, since it will then be readily apparent that the encyclical, regardless of efforts to belittle it or turn it to partisan ideological advantage, touched a responsive chord and has rich possibilities of good.

First of all, the reaction at the United Nations was heartwarming.

Secretary General U. Thant welcomed it personally as a "very wise appeal." "It has been received in all quarters of the UN," he told reporters, "with positive interest."

Paul Hoffman, director of the UN Development Program, said: "The whole world must welcome the vigorous advocacy of global development expressed by His Holiness Pope Paul VI. The cause for which he so eloquently pleads is clearly in the common interests of the entire world community."

In Rome, where he called a press conference, the head of the UN Food and Agricultural Organization, B. R. Sen of India, told reporters: "The completeness with which it examines problems of national building as an international challenge cannot fail to reach every sector of the advanced as well as the developing countries. We have every confidence it will bring new hope to those who still must receive help and a new sense of purpose to those who are in a position to give it."

Leading newspapers of the world were also laudatory.

The London *Times* said that the Pope, "with a dash long absent from his formal pronouncements," had issued a "crisp and urgent call for action." The encyclical, it added, was "appropriately timed."

The Manchester *Guardian*, though disappointed over the encyclical's treatment of the population problem (as was the *Times*), said nevertheless: "Its detachment and the quality of much of its reasoning will give it authority independent of its spiritual authority among Roman Catholics."

The New York *Times* was similarly impressed by the quality of the Pope's thought. The economic philosophy of the encyclical, it wrote, "is sophisticated, comprehensive and penetrating, and it shows a profound grasp of the problems of developed versus underdeveloped countries in their technical as well as moral and religious aspects."

Le Figaro, famous conservative Parisian daily, thought that the encyclical shed "new light on the problems of capitalism, property, industry and labor" and welcomed the Pope's idea of a world-wide fund to "wage war on misery."

From Madrid to Moscow, from Manila to Buenos Aires, the press, even when it had reservations, broadly agreed with *L'Unitá*, the Italian Communist daily, that *Populorum Progressio*, to use the Latin title, was of "capital importance to the world." "With this great encyclical," said Radio Prague, not without the usual tendentious note, "the Church returns to its original principles of authentic Christianity."

Perhaps of even greater significance for the future was the uniformly friendly response of religious leaders.

From Geneva, Dr. Eugene Carson Blake, general secretary of the World Council of Churches, hailed the document as a "chart and charter of the road" to a "world community of peace." He welcomed the papal invitation to join hands in a great and pressing cause: "All Christian churches and, I am sure, the World Council of Churches, long active in the work of development for peace, will welcome the invitation to collaborate . . . in surveying the route, in laying the foundations and in smoothing the way."

Even before Dr. Blake spoke, Dr. Arthur S. Flemming, president of the National Council of Churches, described the encyclical as "an outstanding document and one of great significance to the life of the Church." He called on all NCC's 34 Protestant and Orthodox members to give it "immediate and careful study." He was sure it would facilitate "meaningful dialogue between leaders of the Protestant and Roman Catholic Churches."

The feasibility of increased dialogue was also emphasized in Geneva, where Rev. Paul Abrecht, executive secretary of the WCC's Department on Church and Society, said that "the prospect of a united Christian social thinking on a broader range than ever before seemed possible." He buttressed his case by citing seven "striking similarities" between the teaching of Pope Paul and the conclusions of last year's World Conference on Church and Society.

Jewish leaders indicated that the dialogue could easily be expanded. "Every religionist, every humanist, every man and woman of good will," said Rabbi Jacob J. Weinstein, president of the Central Conference of American Rabbis, "can hail this declaration as one of the heartwarming utterances of this dark period in our world history." And Rabbi Balfour Brickner, director of the Commission on Interfaith Activities of the Union of American Hebrew Congregations, added: "It is a ringing challenge to the power people of the world. It demonstrates the courage and leadership in practical affairs which men have the right to expect from religion in the 20th century. The encyclical moves the Church into the forward ranks of the progressive and socially significant."

This sample of comment on Pope Paul's encyclical, limited though it is, shows that the document has merit, on the technical as well as ethical level, and great importance for our times. What, then, are we to make of the criticisms of the document? How legitimate are they? Do they raise a serious doubt about its value as an inspiring Christian answer to one of the most urgent problems of our times?

In addition to difficulties with translations of the original text, the criticism has focused on three areas: the treatment of the demographic problem, the emphasis on responsibilities of rich and poor nations, and a judgment on the morality of economic systems.

With respect to translations, one must concede that a few mistakes were made in the Latin and English versions that obscure or distort the meaning of the French original. Though regretable, these errors are scarcely of earth-shaking importance. To attempt to make it seem as if they are is to miss the forest for the trees. We can hope, as AMERICA said editorially on May 20, that eventually the Vatican will recognize the original text of an encyclical, no matter what its language, as the "authentic one." For our present purpose, it is enough to say 1) that the original drafts of *Populorum Progressio* were all in French, and that it was the French text that Pope Paul, on Feb. 20, approved for publication; and 2) that by and large the English text authorized by the Vatican is faithful to the original and can be read with confidence and cited with a large measure of authority.

To turn, then, to more serious matters.

Much of the secular press, including the London *Times*, *Le Monde* of Paris and the New York *Times*, felt let down because the Pope, as *Le Monde* said, was merely "conventional" in dealing with birth control. Part of the church press, notably the Anglican *Church Times*, shared that feeling. Though a few editors welcomed the statement that governments may legitimately concern themselves with population control, and regarded this as a sign of progress in the Church's thinking, they generally agreed with the judgment of the London *Times* that in the encyclical "demographic policy is not defined as confidently as economic policy."

From the point of view of men who see nothing morally wrong in the responsible use of contraceptives, and who are persuaded at the same time that lower birth rates are essential to the development of some poor countries, criticism of that kind is certainly reasonable and understandable. Some might even consider it legitimate, in the sense that it points to a weakness in the encyclical. Even if that is granted, however, the encyclical remains a solid, noble and moving appeal to the world's conscience.

One can also concede some substance to the complaint that the Holy Father does not sufficiently stress the duties of poor countries to help themselves. He certainly does not ignore the issue, however. In §10, for instance, he deplores the scandalous gap in many of the poor countries between a small, affluent minority and the poverty-stricken masses. In the following paragraph, he refers to the cruel conflict between traditional social institutions and the demands of modern, technological progress, with the older people reluctant to abandon the ways of their ancestors and younger people eager to embrace new techniques.

In §24, the Pope assails certain systems of land tenure, going so far as to approve expropriation when the common good requires it. He is also critical of those rich people who, instead of putting their capital to work at home, shift it abroad.

In other sections of the encyclical the Pope emphasizes the duty of poor countries to guarantee efficient use of the aid given them (§ 59), condemns an exaggerated nationalism that impedes economic progress (§ 62) and expresses grief over racial and tribal rivalries that sow hatred, incite to civil wars and keep peoples from collaborating for the well-being of all (§ 63). Finally, there occurs the flat statement: "The peoples themselves have the prime responsibility to work for their own development" (§ 77).

That may not satisfy tax-paying citizens of donor countries, who are keenly aware of the corruption, waste and hypersensitivity that combine to make foreign aid, in too many cases, a disillusioning experience. But let the point pass. The greater obligation today rests on the rich countries, and it is to them that *Populorum Progressio* is mainly addressed.

We come then to the final charge, that the encyclical is hostile to private enterprise; that it advocates, to quote the *Wall Street Journal,* "warmed-over Marxism."

That criticism seems to me completely without foundation. It is based either on a hasty reading of the encyclical, or on a lack of knowledge of the Church's social teaching, or on ignorance of Marxism—or on some combination of all of these. The fact is that *Populorum Progressio* is no more anticapitalist, or pro-Socialist—no more inimical to private property, the profit motive and competitive markets—than any of the other socio-economic documents of the Popes. In all these respects, Pope Paul is in the tradition of Leo XIII, Pius XI, Pius XII and John XXIII.

Beginning with *Rerum Novarum* in 1891, the Church has consistently rejected economic liberalism (laissez-faire capitalism) as irreconcilable with divine law. (To that extent, Leo XIII was no less "radical" than Karl Marx.) What this means is that the Church condemned: 1) a concept of private property that denied its social character; 2) a concept of competition that made it the sole directive force in the economy; and 3) a concept of society that made of government a sort of passive policeman, with no authority to intervene positively in the economy in behalf of the common good.

None of this means that the Church rejects capitalism as such (that is, a system based on private ownership of the means of production) or sees no virtue in competition and free markets, or favors a government-dominated economy. It certainly does not mean that the Church condemns private ownership. On all these basic points, the Church is at loggerheads with Marxian socialism.

Even those unfamiliar with the development of papal social teaching should be able to understand much of this from the text of *Populorum Progressio* itself.

Pope Paul does not say, as Marxists would, that individual initiative and competition cannot make an important, even essential, contribution to the development of poor nations. He merely insists that they cannot do the job alone. Actually, he exhorts governments to associate private initiative with the work of development, since by so doing they will avoid the "danger of complete collectivization or of arbitrary planning." He gives government a critically important role in foreign assistance, as, indeed, we all do, but not an unlimited one (§ 33).

So far as free trade goes, the Holy Father does not reject it among equals. He describes it, in fact, as "an incentive to progress and a reward for effort." He only insists that, where great inequalities exist between traders, "prices that are 'freely' set in the market can produce unfair results" (§ 58). Consequently, special arrangements must be made so that trade between rich and poor countries will be "subject to the demands of social justice" (§ 59).

Nor is the Pope opposed to private property. When he talks about expropriation of big and largely idle landed estates, he is not condemning ownership, but only its abuse. In the context, he is advocating a redistribution of private ownership, not its elimination.

Earlier in the encyclical, the Pope had given the fundamental moral principle that dictates the Church's doctrine on private property and all private economic activity.

Citing the biblical teaching that the whole of creation is meant for man, Pope Paul continues: "If the world is made to furnish each individual with the means of livelihood and the instruments for his growth and progress, each man has therefore the right to find in the world what is necessary for himself. . . . All other rights whatsoever, including those of property and of free commerce, are to be subordinated to this principle" (§ 22).

All the capitalist countries today accept the same principle. None of them supports absolute freedom of property or trade. Their economies are in truth mixed economies, with considerable public ownership and a network of regulatory bodies, and only Marxists, mechanically mouthing old slogans, and an unreconstructed minority of rugged individualists carry on the dusty 19th-century polemic. It was no accident that the Marxist and the reactionary press both misread *Populorum Progressio.*

For those pro-capitalist critics who had access only to the English version of the encyclical, there is a mitigating circumstance, though not a major one. Two sentences of § 26, which deals with "liberal capitalism," were inaccurately translated from the French and could conceivably be read—if one ignored the context and an illuminating footnote reference—as a judgment on contemporary private-enterprise economies. A literal translation of the French text reads as follows:

"But a system was unfortunately constructed on these new conditions of society that considered profit as the essential motive of economic progress, competition as the supreme law of the economy, private ownership of the means of production as an absolute right, without limits or corresponding social obligations. This unchecked liberalism led to the dictatorship rightly denounced by Pius XI as the source of the 'international imperialism of money'."

By shifting tenses—"has been constructed" for "was constructed"; "considers" for "considered"; "leads" for "led"—the English translator obscured the obvious historical character of the paragraph. The Pope is referring to the system of laissez-faire capitalism that accompanied the Industrial Revolution and was condemned by Leo XIII in 1891, and whose consequences, as they appeared forty years later, Pius XI deplored in *Quadragesimo Anno.* Even to one unfamiliar with the literature, the reference to Pius XI should have indicated the historical framework of the Pope's thought. Furthermore, since the Pope goes on to speak of a "certain type of capitalism" whose "consequences still persist," it is evident that he has in mind a system that existed and did its mischief in the past.

Unfortunately, the Latin translation by substituting *"opiniones"* for the French *"système,"* compounded the confusion. Even such a serious writer as Vermont Royster, editor of the *Wall Street Journal,* was led to suggest that some of the Vatican's translators, presumably indulging a bias against capitalism, had taken liberties with the Pope's thought.

That is all there is to the alleged anticapitalism of *Populorum Progressio.* It is much ado about very little. That is why the knowledgeable London *Times,* after noting simply that Pope Paul repeats the Church's traditional teaching on capitalism, went on from there to the heart of his message—the application of that teaching to problems confronting the international community today. The *Times* perceptively observed that in the doctrine of his predecessors the Pope finds warrant for international commodity agreements, soft loans, grants-in-aid and other devices that have no place in a laissez-faire system dominated by the quest for profit.

In a commencement address on May 27, at the College of St. Thomas in St. Paul, Vice President Hubert H. Humphrey emphasized the same thought. With Pope Paul, he said, we move beyond a preoccupation with "social justice in a national context . . . to focus on justice in a global setting." And he cited *Populorum Progressio*: "Today the principal fact we must all recognize is that the social question has become world-wide." (§ 3).

That is the glory of the encyclical. It obliges us to raise our sights—if we would be truly sons of God and brothers one of another—beyond our own nation to the common good of all the world. It warns us, solemnly and movingly, that unless we do so, the peace we seek will forever escape us. For the development of the poor, misery-burdened nations of the world, which is a moral imperative, is also, in Pope Paul's words, "the new name for peace."

ENCYCLICAL LETTER OF POPE PAUL VI "ON THE DEVELOPMENT OF PEOPLES"

Development of Peoples

(1) The development of peoples has the Church's close attention, particularly the development of those peoples who are striving to escape from hunger, misery, endemic diseases and ignorance; of those who are looking for a wider share in the benefits of civilisation and a more active improvement of their human qualities; of those who are aiming purposefully at their complete fulfilment. Following on the Second Vatican Ecumenical Council a renewed consciousness of the demands of the Gospel makes it her duty to put herself at the service of all, to help them grasp their serious problem in all its dimensions, and to convince them that solidarity in action at this turning point in human history is a matter of urgency.

Social Teaching of the Popes

(2) Our predecessors in their great encyclicals, Leo XIII in *Rerum Novarum,*[1] Pius

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[1] Cf. *Acta Leonis* XIII, t. XI (1892), pp. 97-148.

XI in *Quadragesimo Anno* [2] and John XXIII in *Mater et Magistra* [3] and *Pacem in Terris* [4]—not to mention the messages of Pius XII [5] to the world—did not fail in the duty of their office of shedding the light of the Gospel on the social questions of their times.

The Principal Fact

(3) Today the principal fact that we must all recognise is that the social question has become world-wide. John XXIII stated this in unambiguous terms [6] and the Council echoed him in its Pastoral Constitution on *The Church in the Modern World*.[7] This teaching is important and its application urgent. Today the peoples in hunger are making a dramatic appeal to the peoples blessed with abundance. The Church shudders at this cry of anguish and calls each one to give a loving response of charity to this bother's cry for help.

Our Journeys

(4) Before We became Pope, two journeys, to Latin America in 1960 and to Africa in 1962, brought Us into direct contact with the acute problems pressing on continents full of life and hope. Then on becoming Father of all We made further journeys, to the Holy Land and India, and were able to see and virtually touch the very serious difficulties besetting peoples of long-standing civilisations who are at grips with the problem of development. While the Second Vatican Ecumenical Council was being held in Rome, providential circumstances permitted Us to address in person the General Assembly of the United Nations, and We pleaded the cause of poor peoples before this distinguished body.

Justice and Peace

(5) Then quite recently, in Our desire to carry out the wishes of the Council and give specific expression to the Holy See's contribution to this great cause of peoples in development. We considered it Our duty to set up a Pontifical Commission in the Church's central administration, charged with "bringing to the whole of God's People the full knowledge of the part expected of them at the present time, so as to further the progress of poorer peoples, to encourage social justice among nations, to offer to less developed nations the means whereby they can further their own progress" [8]: its name, which is also its programme, is *Justice and Peace*. We think that this can and should bring together men of good will with our Catholic sons and our Christian brothers. So it is to all that We address this solemn appeal for concrete action towards man's complete development and the development of all mankind.

PART I. FOR MAN'S COMPLETE DEVELOPMENT

1. The data of the problem

Men's Aspirations

(6) Freedom from misery, the greater assurance of finding subsistence, health and fixed employment; an increased share of responsibility without oppression of any kind and in security from situations that do violence to their dignity as men; better education—in brief, to seek to do more, know more and have more in order to be more: that is what men aspire to now when a greater number of them are condemned to live in conditions that make this lawful desire illusory. Besides, peoples who have recently gained national independence experience the need to add to this political freedom a fitting autonomous growth, social as well as economic, in order to assure their citizens of a full human enhancement and to take their rightful place with other nations.

Colonisation and Colonialism

(7) Though insufficient for the immensity and urgency of the task, the means inherited from the past are not lacking. It must certainly be recognized that colonising powers have often furthered their own interests, power or glory, and that their departure has sometimes left a precarious economy, bound up for instance with the production of one kind of crop whose market prices are subject to sudden and considerable variation. Yet while recognising the damage done by a certain type of colonialism and its consequences, one must at the same time acknowledge the qualities and achievement of colonisers who brought their science and technical knowledge and left beneficial results of their presence in so many underprivileged regions. The structures established by them persist, however incomplete they may be; they diminished ignorance and sickness, brought the benefits of communications and improved living conditions.

(8) Yet once this is admitted, it remains only too true that the resultant situation is manifestly inadequate for facing the hard reality of modern economics. Left to itself it works rather to widen the differences in the world's levels of life, not to diminish them: rich peoples enjoy rapid growth whereas the poor develop slowly. The imbalance is on the increase: some produce a surplus of foodstuffs, other cruelly lack them and see their exports made uncertain.

Increasing Awareness

(9) At the same time social conflicts have taken on world dimensions. The acute disquiet which has taken hold of the poor classes in countries that are becoming industrialised, is now embracing those whose economy is almost exclusively agrarian: farming people, too, are becoming aware of their "undeserved hardship".[9] There is also the scandal of glaring inequalities not merely in the enjoyment of possessions but even more in the exercise of power. While a small restricted group enjoys a refined civilisation in certain regions, the remainder of the population, poor and scattered, is "deprived of nearly all possibility of personal initiative and of responsibility, and oftentimes even its living and working conditions are unworthy of the human person".[10]

Conflict of Civilisations

(10) Furthermore, the conflict between traditional civilisations and the new elements of industrial civilisation break down structures which do not adapt themselves to new conditions. Their framework, sometimes rigid, was the indispensable prop to personal and family life; older people remain attached to it, the young escape from it, as from a useless barrier, to turn eagerly to new forms of life in society. The conflict of the generations is made more serious by a tragic dilemma: whether to retain ancestral institutions and convictions and renounce progress, or to admit techniques and civilisations from outside and reject along with the traditions of the past all their human richness. In effect, the moral, spiritual and religious supports of the past too often give way without securing in return any guarantee of a place in the new world.

Conclusion

(11) In this confusion the temptation becomes stronger to risk being swept away towards types of messianism which give promises but create illusions. The resulting dangers are patent: violent popular reactions, agitation towards insurrection, and a drifting towards totalitarian ideologies. Such are the data of the problem. Its seriousness is evident to all.

2. The Church and development

Work of the Missionaries

(12) True to the teaching and example of her divine Founder, who cited the preaching of the Gospel to the poor as a sign of His mission,[11] the Church has never failed to foster the human progress of the nations to which she brings faith in Christ. Her missionaries have built, not only churches, but also hostels and hospitals, schools and universities. Teaching the local populations the means of deriving the best advantages from their natural resources, missionaries have often protected them from the greed of foreigners. Without doubt their work, inasmuch as it was human, was not perfect, and sometimes the announcement of the authentic Gospel message was infiltrated by many ways of thinking and acting which were characteristic of their home country. But the missionaries were also able to develop and foster local institutions. In many a region they were among the pioneers in material progress as well as in cultural advancement. Let it suffice to recall the example of Father Charles de Foucauld, whose charity earned him the title "Universal Brother", and who edited an invaluable dictionary of the Touareg language. We ought to pay tribute to these pioneers who have been too often forgotten, but who were urged on by the love of Christ, just as we honour their imitators and successors who today still continue to put themselves at the generous and unselfish service of those to whom they announce the Gospel.

Church and World

(13) However, local and individual undertakings are no longer enough. The present situation of the world demands concerted action based on a clear vision of all economic, social, cultural, and spiritual aspects. Experienced in human affairs, the Church, without attempting to interfere in any way in the politics of States, "seeks but a solitary goal: to carry forward the work of Christ Himself under the lead of the befriending Spirit. And Christ entered this world to give witness to the truth, to rescue and not to sit in judgment, to serve and not to be served".[12] Founded to establish on earth the Kingdom of Heaven and not to conquer any earthly power, the Church clearly states that the two realms are distinct, just as the two powers, ecclesiastical and civil, are supreme, each in its own domain.[13] But, since the Church lives in history, she ought to "scrutinize the signs of the times and interpret them in the light of the Gospel".[14] Sharing the noblest aspirations of men and suffering when she sees them not satisfied, she wishes to help them attain their full flowering, and that is why she offers men what she possesses as her characteristic attribute: a global vision of man and of the human race.

Christian vision of development

(14) Development cannot be limited to mere economic growth. In order to be authentic, it must be complete: integral, that is, it has to promote the good of every man and of the whole man. As an eminent spe-

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[2] Cf. *AAS* 23 (1931), pp. 177–228.

[3] Cf. *AAS* 53 (1961), pp. 401–64.

[4] Cf. *AAS* 55 (1963), pp. 257–304.

[5] Cf. in particular the Radio Message of June 1, 1941, for the 50th anniversary of *Rerum Novarum*, in *AAS* 33 (1941), pp. 195–205; Christmas Radio Message of 1942, in *AAS* 35 (1943), pp. 9–24; Address to a group of workers on the anniversary of *Rerum Novarum*, May 14, 1953, in *AAS* 45 (1953), pp. 402–8.

[6] Cf. Encyclical *Mater et Magistra*, May 15, 1961: *AAS* 53 (1961), p. 440.

[7] *Gaudium et Spes*, nn. 63–72: *AAS* 58 (1966), pp. 1084–94.

[8] Motu Proprio *Catholicam Christi Ecclesiam*, Jan. 6, 1967, *AAS* 59 (1967), p. 27.

[9] Encyclical *Rerum Novarum*, May 15, 1891: *Acta Leonis XIII*, t. XI (1892), p. 98.

[10] *Gaudium et Spes*, n. 63, § 3.

[11] Cf. Lk 7: 22.

[12] *Gaudium et Spes*, n. 3, § 2.

[13] Cf. Encyclical *Immortale Dei*, Nov. 1, 1885: *Acta Leonis XIII*, t. V (1885), p. 127.

[14] *Gaudium et Spes*, n. 4, § 1.

cialist has very rightly and emphatically declared: "We do not believe in separating the economic from the human, nor development from the civilisations in which it exists. What we hold important is man, each man and each group of men, and we even include the whole of humanity".[15]

The Vocation to Self-Fulfillment

(15) In the design of God, every man is called upon to develop and fulfill himself, for every life is a vocation. At birth, everyone is granted, in germ, a set of aptitudes and qualities for him to bring to fruition. Their coming to maturity, which will be the result of education received from the environment and personal efforts, will allow each man to direct himself toward the destiny intended for him by his Creator. Endowed with intelligence and freedom, he is responsible for his fulfillment as he is for his salvation. He is aided, or sometimes impeded, by those who educate him and those with whom he lives, but each one remains, whatever be these influences affecting him, the principal agent of his own success or failure. By the unaided effort of his own intelligence and his will, each man can grow in humanity, can enhance his personal worth, can become more a person.

Personal Responsibility

(16) However, this self-fulfillment is not something optional. Just as the whole of creation is ordained to its Creator, so spiritual beings should of their own accord orientate their lives to God, the first truth and the supreme good. Thus it is that human fulfillment constitutes, as it were, a summary of our duties. But there is much more: this harmonious enrichment of nature by personal and responsible effort is ordered to a further perfection. By reason of his union with Christ, the source of life, man attains to new fulfillment of himself, to a transcendent humanism which gives him his greatest possible perfection: this is the highest goal of personal development.

And Communal Responsibility

(17) But each man is a member of society. He is part of the whole of mankind. It is not just certain individuals, but all men who are called to this fullness of development. Civilisations are born, develop and die. But humanity is advancing along the path of history like the waves of a rising tide encroaching gradually on the shore. We have inherited from past generations, and we have benefitted from the work of our contemporaries: for this reason we have obligations towards all, and we cannot refuse to interest ourselves in those who will come after us to enlarge the human family. The reality of human solidarity, which is a benefit for us, also imposes a duty.

Scale of Values

(18) This personal and communal development would be threatened if the true scale of values were undermined. The desire for necessities is legitimate, and work undertaken to obtain them is a duty: If any man will not work, neither let him eat.[16] But the acquiring of temporal goods can lead to greed, to the insatiable desire for more, and can make increased power a tempting objective. Individuals, families and nations can be overcome by avarice, be they poor or rich, and all can fall victim to a stifling materialism.

The Ambivalence of Growth

(19) Increased possession is not the ultimate goal of nations nor of individuals. All growth is ambivalent. It is essential if man is to develop as a man, but in a way it imprisons man if he considers it the supreme good, and it restricts his vision: Then we see hearts harden and minds close, and men no longer gather together in friendship but out of self-interest, which soon leads to oppositions and disunity. The exclusive pursuit of possessions thus become an obstacle to individual fulfilment and to man's true greatness. Both for nations and for individual men, avarice is the most evident form of moral underdevelopment.

Towards a More Human Condition

(20) If further development calls for the work of more and more technicians, even more necessary is the deep thought and reflection of wise men in search of a new humanism which will enable modern man to find himself anew by embracing the higher values of love and friendship, of prayer and contemplation.[17] This is what will permit the fullness of authentic development, a development which is for each and all the transition from less human conditions to those which are more human.

The Ideal To Be Pursued

(21) Less human conditions: the lack of material necessities for those who are without the minimum essential for life, the moral deficiencies of those who are mutilated by selfishness. Less human conditions: oppressive social structures, whether due to the abuses of ownership or to the abuses of power, to the exploitation of workers or to unjust transactions. Conditions that are more human: the passage from misery towards the possession of necessities, victory over social scourges, the growth of knowledge, the acquisition of culture. Additional conditions that are more human: increased esteem for the dignity of others, the turning toward the spirit of poverty,[18] cooperation for the common good, the will and desire for peace. Conditions that are still more human: the acknowledgement by man of supreme values, and of God their source and their finality. Conditions that, finally and above all, are more human: faith, a gift of God accepted by the good will of man, and unity in the charity of Christ, Who calls us all to share as sons in the life of the living God, the Father of all men.

3. Action to be undertaken

The Universal Purpose of Created Things

(22) "Fill the earth and subdue it":[19] the Bible, from the first page on, teaches us that the whole of creation is for man, that it is his responsibility to develop it by intelligent effort and by means of his labour to perfect it, so to speak, for his use. If the world is made to furnish each individual with the means of livelihood and the instruments for his growth and progress, each man has therefore the right to find in the world what is necessary for himself. The recent Council reminded us of this: "God intended the earth and all that it contains for the use of every human being and people. Thus, as all men follow justice and unite in charity, created goods should abound for them on a reasonable basis".[20] All other rights whatsoever, including those of property and of free commerce, are to be subordinated to this principle. They should not hinder but on the contrary favour its application. It is a grave and urgent social duty to redirect them to their primary finality.

Property

(23) "If someone who has the riches of this world sees his brother in need and closes his heart to him, how does the love of God abide in him?"[21] It is well known how strong were the words used by the Fathers of the Church to describe the proper attitude of persons who possess anything towards persons in need. To quote Saint Ambrose: "You are not making a gift of your possessions to the poor person. You are handing over to him what is his. For what has been given in common for the use of all, you have arrogated to yourself. The world is given to all, and not only to the rich".[22] That is, private property does not constitute for anyone an absolute and unconditioned right. No one is justified in keeping for his exclusive use what he does not need, when others lack necessities. In a word, "according to the traditional doctrine as found in the Fathers of the Church and the great theologians, the right to property must never be exercised to the detriment of the common good". If there should arise a conflict "between acquired private rights and primary community exigencies", it is the responsibility of public authorities "to look for a solution, with the active participation of individuals and social groups".[23]

Use of Revenue

(24) If certain landed estates impede the general prosperity because they are extensive, unused or poorly used, or because they bring hardship to peoples or are detrimental to the interests of the country, the common good sometimes demands their expropriation. While giving a clear statement on this,[24] the Council recalled no less clearly that the available revenue is not to be used in accordance with mere whim, and that no place must be given to selfish speculation. Consequently it is unacceptable that citizens with abundant incomes from the resources and activity of their country should transfer a considerable part of this income abroad purely for their own advantage, without care for the manifest wrong they inflict on their country by doing this.[25]

Industrialization

(25) The introduction of industry is a necessity for economic growth and human progress; it is also a sign of development and contributes to it. By persistent work and use of his intelligence man gradually wrests nature's secrets from her and finds a better application for her riches. As his self-mastery increases, he develops a taste for research and discovery, an ability to take a calculated risk, boldness in enterprises, generosity in what he does and a sense of responsibility.

Liberal Capitalism

(26) But it is unfortunate that on these new conditions of society a system has been constructed which considers profit as the key motive for economic progress, competition as the supreme law of economics, and private ownership of the means of production as an absolute right that has no limits and carries no corresponding social obligation. This unchecked liberalism leads to dictatorship rightly denounced by Pius XI as producing "the international imperialism of money".[26] One cannot condemn such abuses too strongly by solemnly recalling once again

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[15] L.-J. Lebret, O. P., *Dynamique concrète du développement*, Paris: Economie et Humanisme, Les Editions Ouvrières, 1961, p. 28.

[16] 2 Thes 3: 10.

[17] Cf., for example, J. Maritain, *Les conditions spirituelles du progrès et de la paix, in Rencontre des cultures à l'UNESCO sous le signe du Concile œcuménique Vatican II*, Paris: Mame, 1966, p. 66.

[18] Cf. Mt 5: 3.

[19] Gen. 1: 28.

[20] *Gaudium et Spes*, n. 69, § 1.

[21] 1 Jn 3: 17.

[22] *De Nabuthe*, c. 12, n. 53; (P. L. 14, 747). Cf. J.-R. Palanque, *Saint Ambroise et l'empire romain*, Paris: de Boccard, 1933, pp. 336 f.

[23] Letter to the 52nd Session of the French Social Weeks (Brest, 1965), in *L'homme et la révolution urbaine*, Lyons, Chronique sociale, 1965, pp. 8 and 9. Cf. *L'Osservatore Romano*, July 10, 1965; *Documentation catholique*, t. 62, Paris, 1965, col. 1365.

[24] *Gaudium et Spes*, n. 71, § 6.

[25] Cf., *ibid.*, n. 65, § 3.

[26] Encyclical *Quadragesimo Anno*, May 15, 1931, *AAS* 23 (1931), p. 212.

that the economy is at the service of man.[27] But if it is true that a type of capitalism has been the source of excessive suffering, injustices and fratricidal conflicts whose effects still persist, it would also be wrong to attribute to industrialisation itself evils that belong to the woeful system which accompanied it. On the contrary one must recognise in all justice the irreplaceable contribution made by the organisation of labour and of industry to what development has accomplished.

Work

(27) Similarly with work: while it can sometimes be given exaggerated significance, it is for all something willed and blessed by God. Man created to His image "must cooperate with his Creator in the perfecting of creation and communicate to the earth the spiritual imprint he himself has received".[28] God Who has endowed man with intelligence, imagination and sensitivity, has also given him the means of completing His work in a certain way: whether he be artist or craftsman, engaged in management, industry or agriculture, everyone who works is a creator. Bent over a material that resists his efforts, a man by his work gives his imprint to it, acquiring, as he does so, perseverance, skill and a spirit of invention. Further, when work is done in common, when hope, hardship, ambition and joy are shared, it brings together and firmly unites the wills, minds and hearts of men: in its accomplishment, men find themselves to be brothers.[29]

Contrary Effects of Work

(28) Work of course can have contrary effects, for it promises money, pleasure and power, invites some to selfishness, others to revolt; it also develops professional awareness, sense of duty and charity to one's neighbour. When it is more scientific and better organised, there is a risk of its dehumanising those who perform it, by making them its servants, for work is human only if it remains intelligent and free. John XXIII gave a reminder of the urgency of giving everyone who works his proper dignity by making him a true sharer in the work he does with others: "every effort should be made that the enterprise become a community of persons in the dealings, activities and standing of all its members".[30] Man's labour means much more still for the Christian: the mission of sharing in the creation of the supernatural world [31] which remains incomplete until we all come to build up together that perfect Man of whom St. Paul speaks "who realises the fulness of Christ".[32]

Urgency of the Task To Be Done

(29) We must make haste: too many are suffering, and the distance is growing that separates the progress of some and the stagnation, not to say the regression, of others. Yet the work required should advance smoothly if there is not to be the risk of losing indispensable equilibrium. A hasty agrarian reform can fail. Industrialisation if introduced suddenly can displace structures still necessary, and produce hardships in society which would be a setback in terms of human values.

Temptation to Violence

(30) There are certainly situations whose injustice cries to heaven. When whole populations destitute of necessities live in a state of dependence barring them from all initiative and responsibility, and all opportunity to advance culturally and share in social and political life, recourse to violence, as a means to right these wrongs to human dignity, is a grave temptation.

Revolution

(31) We know, however, that a revolutionary uprising—save where there is manifest, long-standing tyranny which would do great damage to fundamental personal rights and dangerous harm to the common good of the country—produces new injustices, throws more elements out of balance and brings on new disasters. A real evil should not be fought against at the cost of greater misery.

Reform

(32) We want to be clearly understood: the present situation must be faced with courage and the injustices linked with it must be fought against and overcome. Development demands bold transformations, innovations that go deep. Urgent reforms should be undertaken without delay. It is for each one to take his share in them with generosity, particularly those whose education, position and opportunities afford them wide scope for action. May they show an example, and give of their own possessions as several of Our brothers in the episcopacy have done.[33] In so doing they will live up to men's expectations and be faithful to the Spirit of God, since it is "the ferment of the Gospel which has aroused and continues to arouse in man's heart the irresistible requirements of his dignity".[34]

Programmes and Planning

(33) Individual initiative alone and the mere free play of competition could never assure successful development. One must avoid the risk of increasing still more the wealth of the rich and the dominion of the strong, whilst leaving the poor in their misery and adding to the servitude of the oppressed. Hence programmes are necessary in order "to encourage, stimulate, coordinate, supplement and integrate" [35] the activity of individuals and of intermediary bodies. It pertains to the public authorities to choose, even to lay down the objectives to be pursued, the ends to be achieved, and the means for attaining these, and it is for them to stimulate all the forces engaged in this common activity. But let them take care to associate private initiative and intermediary bodies with this work. They will thus avoid the danger of complete collectivisation or of arbitrary planning, which, by denying liberty, would prevent the exercise of the fundamental rights of the human person.

At Man's Service

(34) This is true since every programme, made to increase production, has, in the last analysis, no other *raison d'être* than the service of man. Such programmes should reduce inequalities, fight discriminations, free man from various types of servitude and enable him to be the instrument of his own material betterment, of his moral progress and of his spiritual growth. To speak of development, is in effect to show as much concern for social progress as for economic growth. It is not sufficient to increase overall wealth for it to be distributed equitably. It is not sufficient to promote technology to render the world a more human place in which to live. The mistakes of their predecessors should warn those on the road to development of the dangers to be avoided in this field. Tomorrow's technocracy can beget evils no less redoubtable than those due to the liberalism of yesterday. Economics and technology have no meaning except from man whom they should serve. And man is only truly man in as far as, master of his own acts and judge of their worth, he is author of his own advancement, in keeping with the nature which was given to him by his Creator and whose possibilities and exigencies he himself freely assumes.

Efforts To Achieve Literacy

(35) It can even be affirmed that economic growth depends in the very first place upon social progress: thus basic education is the primary object of any plan of development. Indeed hunger for education is no less debasing than hunger for food: an illiterate is a person with an undernourished mind. To be able to read and write, to acquire a professional formation, means to recover confidence in oneself and to discover that one can progress along with the others. As We said in Our message to the UNESCO Congress held in 1965 at Teheran, for man literacy is "a fundamental factor of social integration, as well as of personal enrichment, and for society it is a privileged instrument of economic progress and of development".[36] We also rejoice at the good work accomplished in this field by private initiative, by the public authorities and by international organisations: these are the primary agents of development, because they render man capable of acting for himself.

The Family

(36) But man finds his true identity only in his social milieu, where the family plays a fundamental role. The family's influence may have been excessive, at some periods of history and in some places, when it was exercised to the detriment of the fundamental rights of the individual. The long-standing social frameworks, often too rigid and badly organised, existing in developing countries, are, nevertheless, still necessary for a time, yet progressively relaxing their excessive hold on the population. But the natural family, monogamous and stable, such as the divine plan conceived it [37] and as Christianity sanctified it, must remain the place where "the various generations come together and help one another to grow wiser and to harmonise personal rights with the other requirements of social life".[38]

Demography

(37) It is true that too frequently an accelerated demographic increase adds its own difficulties to the problems of development: the size of the population increases more rapidly than available resources, and things are found to have reached apparently an impasse. From that moment the temptation is great to check the demographic increase by means of radical measures. It is certain that public authorities can intervene, within the limit of their competence, by favouring the availability of appropriate information and by adopting suitable measures, provided that these be in conformity with the moral law and that they respect the rightful freedom of married couples. Where the inalienable right to marriage and procreation is lack-

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[27] Cf., for example, Colin Clark, *The Conditions of Economic Progress,* 3rd ed., London: Macmillan and Co., and New York: St. Martin's Press, 1960, pp. 3–6.

[28] Letter to the 51st Session of the French Social Weeks (Lyons, 1964), in *Le travail et les travailleurs dans la société contemporaine,* Lyons, Chronique sociale, 1965, p. 6. Cf. *L'Osservatore Romano,* July 10, 1964; *Documentation catholique,* t. 61, Paris, 1964, col. 931.

[29] Cf., for example, M.-D. Chenu, O. P., *Pour une théologie du travail,* Paris: Editions du Seuil, 1955. Eng. tr.: *The Theology of Work: An Exploration,* Dublin: Gill and Sons, 1963.

[30] *Mater at Magistra, AAS* 53 (1961), n. 423.

[31] Cf., for example, O. von Nell-Breuning, S. J., *Wirtschaft und Gesellschaft,* t. 1: *Grundfragen,* Freiburg: Herder, 1956, pp. 183–84.

[32] Eph 4: 13.

[33] Cf., for example, Bishop Manuel Larrain Errázuriz of Talca, Chile, President of CELAM, (Lettre pastorale sur de développement et la paix.) Paris: Pax Christi, 1965.

[34] *Gauduim et Spes,* n. 26, § 4.

[35] *Mater et Magistra, AAS* 53 (1961), p. 414.

[36] *L'Osservatore Romano,* Sept. 11, 1965; *Documentation catholique,* t. 62. Paris, 1965, col. 1674–75.

[37] Mt 19: 16.

[38] *Gaudium et Spes,* n. 52, § 2.

ing, human dignity has ceased to exist. Finally, it is for the parents to decide, with full knowledge of the matter, on the number of their children, taking into account their responsibilities towards God, themselves, the children they have already brought into the world, and the community to which they belong. In all this they must follow the demands of their own conscience enlightened by God's law authentically interpreted, and sustained by confidence in Him.[39]

Professional Organizations

(38) In the task of development, man, who finds his life's primary environment in the family, is often aided by professional organisations. If it is their objective to promote the interests of their members, their responsibility is also great with regard to the educative task which at the same time they can and ought to accomplish. By means of the information they provide and the formation they propose, they can do much to give to all a sense of the common good and of the consequent obligations that fall upon each person.

Legitimate Pluralism

(39) All social action involves a doctrine. The Christian cannot admit that which is based upon a materialistic and atheistic philosophy, which respects neither the religious orientation of life to its final end, nor human freedom and dignity. But, provided that these values are safeguarded, a pluralism of professional organisations and trade unions is admissible, and from certain points of view useful, if thereby liberty is protected and emulation stimulated. And We most willingly pay homage to all those who labour in them to give unselfish service to their brothers.

Promotion of Culture

(40) In addition to professional organisations, there are also institutions which are at work. Their role is no less important for the success of development. "The future of the world stands in peril", the Council gravely affirms, "unless wiser men are forthcoming". And it adds: "many nations, poorer in economic goods, are quite rich in wisdom and able to offer noteworthy advantages to others".[40] Rich or poor, each country possesses a civilisation handed down by their ancestors: institutions called for by life in this world, and higher manifestations of the life of the spirit, manifestations of an artistic, intellectual and religious character. When the latter possess true human values, it would be grave error to sacrifice them to the former. A people that would act in this way would thereby lose the best of its patrimony; in order to live, it would be sacrificing its reasons for living. Christ's teaching also applies to people: "What does it profit a man to gain the whole world if he suffers the loss of his soul."[41]

Materialism: Source of Temptation

(41) Less well-off peoples can never be sufficiently on their guard against this temptation which comes to them from wealthy nations. For these nations all too often set an example of success in a highly technical and culturally developed civilization; they also provide the model for a way of acting that is principally aimed at the conquest of material prosperity. Not that material prosperity of itself precludes the activity of the human spirit. On the contrary, the human spirit, "increasingly free of its bondage to creatures, can be more easily drawn to the worship and contemplation of the Creator".[42] However, "modern civilization itself often complicates the approach to God, not for any essential reason, but because it is excessively engrossed in earthly affairs".[43] Developing nations must know how to discriminate among those things that are held out to them; they must be able to assess critically, and eliminate those deceptive goods which would only bring about a lowering of the human ideal, and to accept those values that are sound and beneficial, in order to develop them alongside their own, in accordance with their own genius.

Conclusion

(42) What must be aimed at is complete humanism.[44] And what is that if not the fully-rounded development of the whole man and of all men? A humanism closed in on itself, and not open to the values of the spirit and to God Who is their source, could achieve apparent success. True, man can organise the world apart from God, but "without God man can organise it in the end only to man's detriment. An isolated humanism is an inhuman humanism".[45] There is no true humanism but that which is open to the Absolute and is conscious of a vocation which gives human life its true meaning. Far from being the ultimate measure of all things, man can only realise himself by reaching beyond himself. As Pascal has said so well: "Man infinitely surpass man".[46]

PART II. THE DEVELOPMENT OF THE HUMAN RACE IN THE SPIRIT OF SOLIDARITY

Introduction

(43) There can be no progress towards the complete development of man without the simultaneous development of all humanity in the spirit of solidarity. As We said at Bombay: "Man must meet man, nation meet nation, as brothers and sisters, as children of God. In this mutual understanding and friendship, in this sacred communion, we must also begin to work together to build the common future of the human race".[47] We also suggested a search for concrete and practical ways of organisation and cooperation so that all available resources be pooled and thus a true communion among all nations be achieved.

Brotherhood of Peoples

(44) This duty is the concern especially of better-off nations. Their obligations stem from a brotherhood that is at once human and supernatural, and take on a three-fold aspect: the duty of human solidarity—the aid that the rich nations must give to developing countries; the duty of social justice—the rectification of inequitable trade relations between powerful nations and weak nations; the duty of universal charity—the effort to bring about a world that is more human towards all men, where all will be able to give and receive, without one group making progress at the expense of the other. The question is urgent, for on it depends the future of the civilisation of the world.

1. Aid for the weak

War Against Hunger

(45) "If a brother or a sister be naked", says Saint James; "if they lack their daily nourishment, and one of you says to them: 'Go in peace, be warmed and be filled', without giving them what is necessary for the body, what good does it do?".[48] Today no one can be ignorant any longer of the fact that in whole continents countless men and women are ravished by hunger, countless numbers of children are undernourished, so that many of them die in infancy, while the physical growth and mental development of many others are retarded and as a result whole regions are condemned to the most depressing despondency.[49]

Today

(46) Anguished appeals have already been sounded in the past: that of John XXIII was warmly received. We Ourselves repeated it in Our Christmas Message of 1963,[50] and again in 1966 on behalf of India.[51] The campaign against hunger being carried on by the Food and Agricultural Organisation (FAO) and encouraged by the Holy See, has been generously supported. Our *Caritas Internationalis* is at work everywhere, and many Catholics, at the urging of Our Brothers in the episcopacy, contribute generously of their means and spend themselves without counting the cost in assisting those who are in want, continually widening the circle of those they look upon as neighbours.

Tomorrow

(47) But neither all this nor the private and public funds that have been invested, nor the gifts and loans that have been made, can suffice. It is not just a matter of eliminating hunger, nor even of reducing poverty. The struggle aagainst destitution, though urgent and necessary, is not enough. It is a question, rather, of building a world where every man, no matter what his race, religion or nationality, can live a fully human life, freed from servitude imposed on him by other men or by natural forces over which he has not sufficient control; a world where freedom is not an empty word and where the poor man Lazarus can sit down at the same table with the rich man.[52] This demands great generosity, much sacrifice and unceasing effort on the part of the rich man. Let each one examine his conscience, a conscience that conveys a new message for our times. Is he prepared to support out of his own pocket works and undertakings organized in favour of the most destitute? Is he ready to pay higher taxes so that the public authorities can intensify their efforts in favour of development? Is he ready to pay a higher price for imported goods so that the producer may be more justly rewarded? Or to leave his country, if necessary and if he is young, in order to assist in this development of the young nations?

Duty of Human Solidarity

(48) The same duty of solidarity that rests on individuals exists also for nations: "Advanced nations have a very heavy obligation to help the developing peoples".[53] It is necessary to put this teaching of the Council into effect. Although it is normal that a nation should be the first to benefit from the gifts that Providence has bestowed on it as the fruit of the labours of its people, still no country can claim on that account to keep its wealth for itself alone. Every nation must produce more and better quality goods to give to all its inhabitants a truly human standard of living, and also to contribute to the common development of the human race. Given the increasing needs of the under-developed countries, it should

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[39] Cf. *ibid.*, n. 50–51 and note 14; and n. 87, §§ 2 and 3.

[40] *Ibid.*, n. 15, § 3.

[41] Mt 16: 26.

[42] *Gaudium et Spes*, n. 57, § 4.

[43] *Ibid.*, n. 19, § 2.

[44] Cf., for example, J. Maritain, *L'humanisme intégral*, Paris: Aubier, 1936. Eng. tr.: *True Humanism*, London: Geoffrey Bles, and New York: Charles Scribner's Sons, 1938.

[45] H. de Lubac, S. J., *Le drame de l'humanisme athée*, 3rd ed., Paris, Spes, 1945, p. 10. Eng. tr. *The Drama of Atheistic Humanism*, London: Sheed and Ward, 1949, p. VII.

[46] *Pensées*, ed. Brunschvicg, n. 434. Cf. M. Zundel, *L'homme passe l'homme*, Le Caire, Editions du lien, 1944.

[47] Address to the Representatives of non-Christian Religions, Dec. 3, 1964, *AAS* 57 (1965), p. 132.

[48] Jas 2: 15-16.

[49] Cf. *Mater et Magistra*, *AAS* 53 (1961, pp. 440 f.

[50] Cf. *AAS* 56 (1964), pp. 57–58.

[51] Cf. *Encicliche e Discorsi di Paolo VI*, vol. IX, Roma ed. Paoline, 1966, pp. 132–36, *Documentation catholique*, t. 43, Paris, 1966 col. 403–6.

[52] Cf. Lk 16: 19–31.

[53] *Gaudium et Spes*, n. 86, § 3.

be considered quite normal for an advanced country to devote a part of its production to meet their needs, and to train teachers, engineers, technicians and scholars prepared to put their knowledge and their skill at the disposal of less fortunate peoples.

Superfluous Wealth

(49) We must repeat once more that the superfluous wealth of rich countries should be placed at the service of poor nations. The rule which up to now held good for the benefit of those nearest to us, must today be applied to all the needy of this world. Besides, the rich will be the first to benefit as a result. Otherwise their continued greed will certainly call down upon them the judgment of God and the wrath of the poor, with consequences no one can foretell. If today's flourishing civilisations remain selfishly wrapped up in themselves, they could easily place their highest values in jeopardy, sacrificing their will to be great to the desire to possess more. To them we could apply also the parable of the rich man whose fields yielded an abundant harvest and who did not know where to store his harvest: "God said to him: 'Fool, this night do they demand your soul of you' ".[54]

Planning

(50) In order to be fully effective, these efforts ought not remain scattered or isolated, much less be in competition for reasons of power or prestige: the present situation calls for concerted planning. A planned programme is of course better and more effective than occasional aid left to individual goodwill. It presupposes, as We said above, careful study, the selection of ends and the choice of means, as well as a reorganisation of efforts to meet the needs of the present and the demands of the foreseeable future. More important, a concerted plan has advantages that go beyond the field of economic growth and social progress; for in addition it gives significance and value to the work undertaken. While shaping the world it sets a higher value on man.

World Fund

(51) But it is necessary to go still further. At Bombay We called for the establishment of a great *World Fund*, to be made up of part of the money spent on arms, to relieve the most destitute of this world.[55] What is true of the immediate struggle against want, holds good also when there is a question of development. Only world-wide collaboration, of which a common fund would be both means and symbol, will succeed in overcoming vain rivalries and in establishing a fruitful and peaceful exchange between peoples.

Its Advantages

(52) There is certainly no need to do away with bilateral and multilateral agreements: they allow ties of dependence and feelings of bitterness, left over from the era of colonialism, to yield place to the happier relationship of friendship, based on a footing of constitutional and political equality. However, if they were to be fitted into the framework of worldwide collaboration, they would be beyond all suspicion, and as a result there would be less distrust on the part of the receiving nations. These would have less cause for fearing that, under the cloak of financial aid or technical assistance, there lurk certain manifestations of what has come to be called neo-colonialism, in the form of political pressures and economic suzerainty aimed at maintaining or acquiring complete dominance.

Its Urgency

(53) Besides, who does not see that such a fund would make it easier to take measures to prevent certain wasteful expenditures, the result of fear or pride? When so many people are hungry, when so many families suffer from destitution, when so many remain steeped in ignorance, when so many schools, hospitals and homes worthy of the name remain to be built, all public or private squandering of wealth, all expenditure prompted by motives of national or personal ostentation, every exhausting armaments race, becomes an intolerable scandal. We are conscious of our duty to denounce it. Would that those in authority listened to our words before it is too late!

Dialogue To Be Started

(54) This means that it is absolutely necessary to create among all peoples that dialogue for whose establishment We expressed Our hope in Our first Encyclical *Ecclesiam Suam*.[56] This dialogue between those who contribute wealth and those who benefit from it, will provide the possibility of making an assessment of the contribution necessary, not only drawn up in terms of the generosity and the available wealth of the donor nations, but also conditioned by the real needs of the receiving countries and the use to which the financial assistance can be put. Developing countries will thus no longer risk being overwhelmed by debts whose repayment swallows up the greater part of their gains. Rates of interest and time for repayment of the loan could be so arranged as not to be too great a burden on either party, taking into account free gifts, interest-free or low-interest loans, and the time needed for liquidating the debts. Guarantees could be given to those who provide the capital that it will be put to use according to an agreed plan and with a reasonable measure of efficiency, since there is no question of encouraging parasites or the indolent. And the receiving countries could demand that there be no interference in their political life or subversion of their social structures. As sovereign states they have the right to conduct their own affairs, to decide on their policies and to move freely towards the kind of society they choose. What must be brought about, therefore, is a system of cooperation freely undertaken, an effective and mutual sharing, carried out with equal dignity on either side, for the construction of a more human world.

Its Necessity

(55) The task might seem impossible in those regions where the cares of day-to-way survival fill the entire existence of families incapable of planning the kind of work which would open the way to a future that is less desperate. These, however, are the men and women who must be helped, who must be persuaded to work for their own betterment and endeavour to acquire gradually the means to that end. This common task will not succeed without concerted, constant and courageous efforts. But let everyone be convinced of this: the very life of poor nations, civil peace in developing countries, and world peace itself are at stake.

2. Equity in trade relations

(56) The efforts which are being made to assist developing nations on a financial and technical basis, though considerable, would be illusory if their benefits were to be partially nullified as a consequence of the trade relations existing between rich and poor countries. The confidence of these latter would be severely shaken if they had the impression that what was being given them with one hand was being taken away with the other.

Increasing Disproportion

(57) Of course, highly industrialised nations export for the most part manufactured goods, while countries with less developed economies have only food, fibres and other raw materials to sell. As a result of technical progress the value of manufactured goods is rapidly increasing and they can always find an adequate market. On the other hand, raw materials produced by under-developed countries are subject to wide and sudden fluctuations in price, a state of affairs far removed from the progressively increasing value of industrial products. As a result, nations whose industrialisation is limited are faced with serious difficulties when they have to rely on their exports to balance their economy and to carry out their plans for development. The poor nations remain ever poor while the rich ones become still richer.

Beyond Liberalism

(58) In other words, the rule of free trade, taken by itself, is no longer able to govern international relations. Its advantages are certainly evident when the parties involved are not affected by any excessive inequalities of economic power: it is an incentive to progress and a reward for effort. That is why industrially developed countries see in it a law of justice. But the situation is no longer the same when economic conditions differ too widely from country to country: prices which are "freely" set in the market can produce unfair results. One must recognise that it is the fundamental principle of liberalism, as the rule for commercial exchange, which is questioned here.

Contractual Justice Between Nations

(59) The teaching of Leo XIII in *Rerum Novarum* is always valid: if the positions of the contracting parties are too unequal, the consent of the parties does not suffice to guarantee the justice of their contract, and the rule of free agreement remains subservient to the demands of the natural law.[57] What was true of the just wage for the individual is also true of international contracts: an economy of exchange can no longer be based solely on the law of free competition, a law which, in its turn, too often creates an economic dictatorship. Freedom of trade is fair only if it is subject to the demands of social justice.

Measures To Be Taken

(60) Moreover, this has been understood by the developed nations themselves, which are striving, by means of appropriate measures, to re-establish within their own economies a balance, which competition, if left to itself, tends to compromise. Thus it happens that these nations often support their agriculture at the price of sacrifices imposed on economically more favoured sectors. Similarly, to maintain the commercial relations which are developing among themselves, especially within a common market, the financial, fiscal, and social policy of these nations tries to restore comparable opportunities to competing industries which are not equally prospering.

International Agreements

(61) In this area one cannot employ two systems of weights and measures. What holds for a national economy or among developed countries is valid also in commercial relations between rich nations and poor nations. Without abolishing the competitive market, it should be kept within the limits which make it just and moral, and therefore human. In trade between developed and under-developed economies, conditions are too disparate and the degrees of genuine freedom available too unequal. In order that international trade be human and moral, social justice requires that it restore to the participants a certain equality of opportunity. This equality is a long-term objective, but to reach it, we must begin now to create true equality in discussions and negotiations.

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[54] Lk 12: 20.

[55] Message to the world, entrusted to Journalists on Dec. 4, 1964. Cf. *AAS* 57 (1965), p. 135.

[56] Cf. *AAS* 56 (1964), pp. 639 f.

[57] Cf. *Acta Leonis XIII*, t. XI (1892), p. 131.

Here again international agreements on a rather wide scale would be helpful: they would establish general norms for regulating certain prices, for guaranteeing certain types of production, for supporting certain new industries. Who is there who does not see that such a common effort aimed at increased justice in business relations between peoples would bestow on developing nations positive assistance, the effects of which would be not only immediate but lasting?

Obstacles to Overcome: Nationalism

(62) Among still other obstacles which are opposed to the formation of a world which is more just and which is better organised toward a universal solidarity, we wish to speak of nationalism and racism. It is only natural that communities which have recently reached their political independence should be jealous of a national unity which is still fragile, and that they should strive to protect it. Likewise, it is to be expected that nations endowed with an ancient culture should be proud of the patrimony which their history has bequeathed to them. But these legitimate feelings should be ennobled by that universal charity which embraces the entire human family. Nationalism isolates people from their true good. It would be especially harmful where the weakness of national economies demands rather the pooling of efforts, of knowledge and of funds, in order to implement programmes of development and to increase commercial and cultural exchange.

Racism

(63) Racism is not the exclusive lot of young nations, where sometimes it hides beneath the rivalries of clans and political parties, with heavy losses for justice and at the risk of civil war. During the colonial period it often flared up between the colonists and the indigenous population, and stood in the way of mutually profitable understanding, often giving rise to bitterness in the wake of genuine injustices. It is still an obstacle to collaboration among disadvantaged nations and a cause of division and hatred within countries whenever individuals and families see the inviolable rights of the human person held in scorn, as they themselves are unjustly subjected to a regime of discrimination because of their race or their colour.

Towards a Unified World

(64) We are deeply distressed by such a situation which is laden with threats for the future. We are, nonetheless, hopeful: a more deeply felt need for collaboration, a heightened sense of unity will finally triumph over misunderstandings and selfishness. We hope that the countries whose development is less advanced will be able to take advantage of their proximity in order to organise among themselves, on a broadened territorial basis, areas for concerted development: to draw up programmes in common, to coordinate investments, to distribute the means of production, and to organise trade. We hope also that multilateral and international bodies, by means of the reorganisation which is required, will discover the ways that will allow peoples which are still under-developed to break through the barriers which seem to enclose them and to discover for themselves, in full fidelity to their own proper genius, the means for their social and human progress.

Peoples as Artisans of Their Own Destiny

(65) Such is the goal we must attain. World unity, even more effective, should allow all peoples to become the artisans of their destiny. The past has too often been characterized by relationships of violence between nations; may the day dawn when international relations will be marked with the stamp of mutual respect and friendship, of interdependence in collaboration, the betterment of all seen as the responsibility of each individual. The younger or weaker nations ask to assume their active part in the construction of a better world, one which shows deeper respect for the rights and the vocation of the individual. This is a legitimate appeal; everyone should hear it and respond to it.

3. Universal charity

(66) The world is sick. Its illness consists less in the unproductive monopolisation of resources by a small number of men than in the lack of brotherhood among individuals and peoples.

The Duty of Welcoming Others

(67) We cannot insist too much on the duty of welcoming others—a duty springing from human solidarity and Christian charity—which is incumbent both on the families and the cultural organisations of the host countries. Centres of welcome and hostels must be multiplied, especially for youths. This must be done first to protect them from loneliness, the feeling of abandonment and distress, which undermine all moral resistance. This is also necessary to protect them from the unhealthy situation in which they find themselves, forced as they are to compare the extreme poverty of their homeland with the luxury and waste which often surround them. It should be done also to protect them against the subversive teachings and temptations to aggression which assail them, as they recall so much "unmerited misery".[58] Finally, and above all, this hospitality should aim to provide them, in the warm atmosphere of a brotherly welcome, with the example of wholesome living, an esteem for genuine and effective Christian charity, an esteem for spiritual values.

The Dramatic Situation of Young Students

(68) It is painful to think of the numerous young people who come to more advanced countries to receive the science, the competence, and the culture which will make them more qualified to serve their homeland, and who certainly acquire there a formation of high quality, but who too often lose the esteem for the spiritual values which often were to be found, as a precious patrimony, in the civilisations where they had grown up.

Emigrant Workers

(69) The same welcome is due to emigrant workers, who live in conditions which are often inhuman, and who economise on what they earn in order to send a little relief to their family living in misery in their native land.

Social Sensitivity

(70) Our second recommendation is for those whose business calls them to countries recently opened to industrialisation: industrialists, merchants, leaders or representatives of larger enterprises. It happens that they are not lacking in social sensitivity in their own country; why then do they return to the inhuman principles of individualism when they operate in less developed countries? Their advantaged situation should on the contrary move them to become the initiators of social progress and of human advancement in the area where their business calls them. Their very sense of organisation should suggest to them the means for making intelligent use of the labour of the indigenous population, of forming qualified workers, of training engineers and staffs, of giving scope to their initiative, of introducing them progressively into higher positions, thus preparing them to share, in the near future, in the responsibilities of management. At least let justice always rule the relations between superiors and their subordinates. Let standard contracts with reciprocal obligations govern these relationships. Finally, let no one, whatever his status, be subjected unjustly to the arbitrariness of others.

Development Missions

(71) We are happy that experts are being sent in larger and larger numbers on development missions by institutions, whether international or bilateral, or by private organisations: "they ought not conduct themselves in a lordly fashion, but as helpers and co-workers".[59] A people quickly perceives whether those who come to help them do so with or without affection, whether they come merely to apply their techniques or to recognise in man his full value.

Their message is in danger of being rejected if it is not presented in the context of brotherly love.

Qualities Sought for in the Experts

(72) Hence, necessary technical competence must be accompanied by authentic signs of distinguished love. Freed of all nationalistic pride and of every appearance of racism, experts should learn how to work in close collaboration with all. They realise that their competence does not confer on them a superiority in every field. The civilisation which formed them contains, without doubt, elements of universal humanism, but it is not the only civilisation nor does it enjoy a monopoly of valuable elements. Moreover it cannot be imported without undergoing adaptations. The men on these missions will be intent on discovering, along with its history, the component elements of the cultural riches of the country receiving them. Mutual understanding will be established which will enrich both cultures.

Dialogue Between Civilisations

(73) Between civilisations, as between persons, sincere dialogue indeed creates brotherhood. The work of development will draw nations together in the attainment of goals pursued with a common effort if all, from governments and their representatives to the last expert, are inspired by brotherly love and moved by the sincere desire to build a civilisation founded on world solidarity. A dialogue based on man, and not on commodities or technical skills, will then begin. It will be fruitful if it brings to the peoples who benefit from it the means of self-betterment and spiritual growth, if the technicians act as educators, and if the instruction imparted is characterised by so lofty a spiritual and moral tone that it guarantees not merely economic, but human development. When aid programmes have terminated, the relationships thus established will endure. Who does not see of what importance they will be for the peace of the world?

Appeal to Youth

(74) Many young people have already responded with warmth and enthusiasm to the appeal of Pius XII for lay missionaries.[60] Many also are those who have spontaneously put themselves at the disposition of official or private organizations which are collaborating with developing nations. We are pleased to learn that in certain nations "military service" can be partially accomplished by doing "social service", a "service pure and simple". We bless these undertakings and the good will which inspires them. May all those who wish to belong to Christ hear His appeal: "I was hungry and you gave me to eat, thirsty and you gave me to drink, a stranger and you took me in, naked and you clothed me, sick and you visited me, a prisoner and you came to see me".[61] No one can remain indifferent to the lot of his brothers who are still buried in wretchedness, and victims of insecurity, slaves of ignorance. Like the heart of Christ, the heart of the Chris-

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[58] Cr. *ibid.*, p. 98.

[59] *Gaudium et Spes*, n. 85, § 2.

[60] Cf. Encyclical *Fidei Donum*, Apr. 21, 1957. *AAS* 49 (1957), p. 246.

[61] Mt 25: 35–36.

tian must sympathise with this misery: "I have pity on this multitude".[62]

Prayer and Action

(75) The prayer of all ought to rise with fervour to the Almighty. Having become aware of such great misfortunes, the human race will apply itself with intelligence and steadfastness to abolish them. This prayer should be matched by the resolute commitment of each individual—according to the measure of his strength and possibilities—to the struggle against underdevelopment. May individuals, social groups, and nations join hands in brotherly fashion, the strong aiding the weak to grow, exerting all their competence, enthusiasm and disinterested love. More than any other, the individual who is animated by true charity labours skilfully to discover the causes of misery, to find the means to combat it, to overcome it resolutely. A creator of peace, he "will follow his path, lighting the lamps of joy and playing their brilliance and loveliness on the hearts of men across the surface of the globe, leading them to recognise, across all frontiers, the faces of their brothers, the faces of their friends".[63]

Development is the new name for peace

Conclusion

(76) Excessive economic, social and cultural inequalities among peoples arouse tensions and conflicts, and are a danger to peace. As We said to the Fathers of the Council when We returned from Our journey of peace to the United Nations: "The condition of the peoples in process of development ought to be the object of our consideration; or better: our charity for the poor in the world—and there are multitudes of them—must become more considerate, more active, more generous."[64] To wage war on misery and to struggle against injustice is to promote, along with improved conditions, the human and spiritual progress of all men, and therefore the common good of humanity. Peace cannot be limited to a mere absence of war, the result of an ever precarious balance of forces. No, peace is something that is built up day after day, in the pursuit of an order intended by God, which implies a more perfect form of justice among men.[65]

End to Isolation

(77) The peoples themselves have the prime responsibility to work for their own development. But they will not bring this about in isolation. Regional agreements among weak nations for mutual support, understandings of wider scope entered into for their help, more far-reaching agreements to establish programmes for closer cooperation among groups of nations—these are the milestones on the road to development that leads to peace.

Towards an Effective World Authority

(78) This international collaboration on a world-wide scale requires institutions that will prepare, coordinate and direct it, until finally there is established an order of justice which is universally recognised. With all Our heart, We encourage these organisations which have undertaken this collaboration for the development of the peoples of the world, and Our wish is that they grow in prestige and authority. "Your vocation", as We said to the representatives of the United Nations in New York, "is to bring not some people but all peoples to treat each other as brothers . . . Who does not see the necessity of thus establishing progressively a world authority, capable of acting effectively in the juridical and political sectors?"[66]

A Well-Founded Hope for a Better World

(79) Some would consider such hopes utopian. It may be that these persons are not realistic enough, and that they have not perceived the dynamism of a world which desires to live more fraternally—a world which, in spite of its ignorance, its mistakes and even its sins, its relapses into barbarism and its wanderings far from the road of salvation, is, even unawares, taking slow but sure steps towards its Creator. This road towards a greater humanity requires effort and sacrifice; but suffering itself, accepted for the love of brethren, favours the progress of the entire human family. Christians know that union with the sacrifice of our Saviour contributes to the building up of the Body of Christ in its plentitude: the assembled people of God.[67]

Universal Solidarity

(80) We are all united in this progress toward God. We have desired to remind all men how crucial is the present moment, how urgent the work to be done. The hour for action has now sounded. At stake are the survival of so many innocent children and, for many families overcome by misery, the access to conditions fit for human beings; at stake are the peace of the world and the future of civilisation. It is time for all men and all peoples to face up to their responsibilities.

A FINAL APPEAL

Catholics

(81) First, We appeal to all Our sons. In countries undergoing development no less than in others, the laymen should take up as their own proper task the renewal of the temporal order. If the role of the Hierarchy is to teach and to interpret authentically the norms of morality to be followed in this matter, it belongs to the laymen, without waiting passively for orders and directives, to take the initiative freely and to infuse a Christian spirit into the mentality, customs, laws and structures of the community in which they live.[68] Changes are necessary, basic reforms are indispensable: the laymen should strive resolutely to permeate them with the spirit of the Gospel. We ask Our Catholic sons who belong to the more favoured nations, to bring their talents and give their active participation to organisations, be they of an official or private nature, civil or religious, which are working to overcome the difficulties of the developing nations. They will certainly desire to be in the first ranks of those who collaborate to establish as fact and reality an international morality based on justice and equity.

Christians and Believers

(82) We are sure that all Christians, our brethren, will wish to expand their common cooperative effort in order to help mankind vanquish selfishness, pride and rivalries, to overcome ambitions and injustices, to open up to all the road to a more human life, where each man will be loved and helped as his brother, as his neighbour. And, still deeply impressed by the memory of Our unforgettable encounter in Bombay with our non-Christian brethren, We invite them anew to work with all their heart and their intelligence towards this goal, that all the children of men may lead a life worthy of the children of God.

Men of Good Will

(83) Finally, We turn to all men of good will who believe that the way to peace lies in the area of development. Delegates to international organisations, government officials, gentlemen of the press, educators: all of you, each in your own way, are the builders of a new world. We entreat Almighty God to enlighten your minds and strengthen your determination to alert public opinion and to involve the peoples of the world. Educators, it is your task to awaken in persons, from their earliest years, a love for the peoples who live in misery. Gentlemen of the press, it is up to you to place before our eyes the story of the efforts exerted to promote mutual assistance among peoples, as well as the spectacle of the miseries which men tend to forget in order to quiet their consciences. Thus at least the wealthy will know that the poor stand outside their doors waiting to receive some left-overs from their banquets.

Government Authorities

(84) Government officials, it is your concern to mobilise your peoples to form a more effective world solidarity, and above all to make them accept the necessary taxes on their luxuries and their wasteful expenditures, in order to bring about development and to save the peace. Delegates to international organisations, it depends on you to see that the dangerous and futile rivalry of powers should give place to collaboration which is friendly, peaceful and free of vested interests, in order to achieve a responsible development of mankind in which all men will have an opportunity to find their fulfilment.

Men of Learning

(85) If it is true that the world is in trouble because of the lack of thinking, then We call upon men of reflection and of learning, Catholics, Christians, those who hold God in honour, who thirst for an absolute, for justice and for truth: We call upon all men of good will. Following Christ, We make bold to ask you earnestly: "seek and you shall find",[69] open the paths which lead to mutual assistance among peoples, to a deepening of human knowledge, to an enlargement of heart, to a more brotherly way of living within a truly universal human society.

A Task for All

(86) All of you who have heard the appeal of suffering peoples, all of you who are working to answer their cries, you are the apostles of a development which is good and genuine, which is not wealth that is self-centered and sought for its own sake, but rather an economy which is put at the service of man, the bread which is daily distributed to all, as a source of brotherhood and a sign of Providence.

Blessing

(87) With a full heart We bless you, and We appeal to all men of good will to join you in a spirit of brotherhood. For, if the new name for peace is development, who would not wish to labour for it with all his powers? Yes, We ask you, all of you, to heed Our cry of anguish, in the name of the Lord.

(From the Vatican, on the Feast of Easter, the twenty-sixth day of March in the year one thousand nine hundred and sixty-seven.)

NUCLEAR-PROPELLED NAVAL SHIPS

Mr. JACKSON. Mr. President, the need to move ahead with more nuclear-propelled ships in our Navy is creating attention throughout the Nation.

I recently had published in the RECORD strong editorials in support of more nuclear propulsion in our fleet written by two of my home State newspapers, the

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[62] Mk 8: 2.

[63] Address of John XXIII upon Reception of the Balzan Prize for Peace, May 10, 1963, *AAS* 55 (1963), p. 455.

[64] *AAS* 57 (1965), p. 896.

[65] Cf. Encyclical *Pacem in terris*, Apr. 11, 1963, *AAS* 55 (1963), p. 301.

[66] *AAS* 57 (1965), p. 880.

[67] Cf. Eph. 4: 12; *Lumen Gentium*, n. 13.

[68] Cf. *Apostolicam Actuositatem*, nn. 7, 13 and 24.

[69] Lk 11: 9

Seattle Times and the Tacoma News-Tribune.

I ask unanimous consent to have printed in the RECORD an editorial on the subject entitled "Our Nuclear Horses," written for the Honolulu Advertiser, of July 13, 1967. I recommend it to all Members of Congress.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

OUR NUCLEAR HORSES

One thing the Middle East crisis has done is add fuel to the debate over nuclear powered ships.

To many it has seemed that nuclear power systems were obviously the coming thing—just a matter of time.

But the history of the civilian nuclear merchant ship Savannah has hardly been encouraging. In two years of commercial operations, she not only failed to turn a profit; it required some $3.5 million in government subsidies to keep her financially afloat.

A decision to put the nuclear merchantman in mothballs was recently reversed on basis of arguments it would be a blow to our national prestige. The Milwaukee Journal joked the Savannah's new sailing cry is: "Damn the expenses; full steam ahead."

The relative expenses are high. The cost of a nuclear destroyer, for example, is about 50 per cent more than one burning oil.

This has been a real factor with Pentagon cost analysis men who have held back on development of nuclear vessels. This was dramatized recently with the launching of conventionally-powered carrier John F. Kennedy.

The Navy has only four nuclear powered surface ships—the carrier Enterprise, the cruiser Long Beach and the frigates Bainbridge and Truxtun.

The Middle East crisis and cutoff of Arab oil has served to underscore some other cost factors.

There is plenty of oil in the world. But the cutoff has forced the Navy to switch its Vietnam supply route from the relatively nearby Persian Gulf to the U.S. West and Gulf coasts and Caribbean.

Instead of 25 tankers, 60 are now required, at an additional cost of $252 million a year, to supply the land and sea petroleum needs of the war.

Even before the Mideast crisis, the Navy's waspish Vice Admiral Hyman Rickover dissented strongly from Pentagon policy against nuclear vessels in testimony before the House Defense Appropriations Committee.

Rickover argued that the combat capability of the nuclear carrier Enterprise was sharply restricted by the limited range of its escort vessels. Either the carrier's potential range or its protective screen were curtailed, he said.

The Rickover argument is that the cost is worth the gain in achieving virtually unlimited range and avoiding refueling problems.

He quoted Winston Churchill, who as head of the Admiralty fought for and achieved a reversal of a British Navy economy-prompted switch from oil back to cheaper but slower coal-burning destroyers.

Said Churchill: "Building slow destroyers! One might as well breed slow race horses."

The future of nuclear powered merchant ships apparently awaits cost reduction in construction costs. It may also be that a full nuclear Navy is now both unnecessary and a long way off.

But it would also seem there is a case for moving faster toward nuclear-powered task forces of ships that are all capable of operating together with maximum speed, range and efficiency.

There are times when you need your fastest horses.

MORE EFFECTIVE EDUCATION FOR THE GHETTOS

Mr. JAVITS. Mr. President, in 1965, with the enactment of the Elementary and Secondary Education Act, the Congress undertook a special responsibility for education of children from low income families. The national viewpoint with respect to desegregation of schools had been expressed earlier through Supreme Court decisions and the enactment by Congress of title VI of the Civil Rights Act which bars segregation in programs utilizing Federal funds.

The distinguished American columnist, Joseph Alsop, in a penetrating article in the New Republic of July 22, has examined the problems of quality education in the ghetto, with emphasis on the questions of integration as a means of raising the quality of the schools and of special quality education programs such as the more effective school (MES) program in New York City which has received funds under title I of the Elementary and Secondary Education Act. In this area of racial tensions the Alsop article focuses on the low level of ghetto education which has been labeled the shame of our cities.

I ask unanimous consent that the article be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

NO MORE NONSENSE ABOUT GHETTO EDUCATION!

(By Joseph Alsop)

It is time to stop talking nonsense about Negro education. It is time to start dealing with the hard, cruel facts of the problem of the ghetto schools, which is in turn the very core of the race problem in the United States. Above all it is time to cease repeating, "End *de facto* segregation!" as though this virtuous incantation were a magical spell. For school desegregation must always be a central and essential goal; but sad experience has proved that desegregation is very far from being an instant remedy.

For any practical-minded man, who holds that putting an end to racial injustice is the highest and most urgent task of this country at this time, the foregoing are the only possible comments on Judge James Skelly Wright's much-publicized decision concerning the District of Columbia's schools. The school system of the capital is sordid and shameful, and Judge Wright's moral indignation is only too well founded, as *The New Republic's* Alexander M. Bickel pointed out in these pages two weeks ago. Yet this decision can even be described as wicked; for it is always wicked to hold out false hopes and offer fake panaceas to those in desperate need of hope and help. And that, in essence, is precisely what Judge Wright's decision has done to the people of Washington—a city which has gradually become no more than a gigantic Negro ghetto thinly concealed behind a pompous white federal facade.

In justice to Judge Wright, it must be said at once that his evident good intentions were by no means the only good features of his decision. His condemnation of the discriminatory "track system" was fully justified. His comparison between the District's school expenditures—near to the lowest per pupil of any big city in this country—and the District's police expenditure—the nation's highest *per capita*—was both pointed and valuable. It was useful to emphasize, too, that per-pupil outlays in the District's few remaining white and quasi-white schools exceeded the outlays in the deep ghetto schools by over a third. But it must be noted also, in this connection, that Judge Wright was here unknowingly putting his finger on one of the greatest deficiencies in the extremely deficient Coleman report (which seems to have influenced him greatly). For the Coleman report, as Samuel Bowles and Henry M. Levin have noted in an important paper, never tested its conclusions about "equal" education by exploring the widespread existence of differential, per pupil outlays *within* school districts, as here in Washington.

But all this sinks into insignificance, as compared with the main thrust of Judge Wright's decision, which was to put forward more desegregation as the solution for the ghetto school problem in Washington, and presumably, as the solution in all the other American big cities where the same problem is festering and growing more inflamed with every passing year. In Washington, to begin with, serious school desegregation is such an obvious impossibility that it is plain silly to talk about it. Officially, any school that is more than half Negro is defined as segregated. But in the District of Columbia, the primary and elementary schools are 93 percent Negro, and even the high schools are pushing up toward 90 percent. Therefore, total, forcible homogenization of the entire school system would still leave Washington with overwhelmingly segregated schools. Indeed, this kind of forcible homogenization would quite certainly result in even greater segregation; for the predictable consequence would be an increase in the Negro percentage in the primary and elementary schools from 93 percent to 98 or 99 percent.

Unprepared desegregation in a grossly underfinanced school system has in fact been one of the two main causes of this city's transformation into an urban super-ghetto—a kind of near-Watts on a metropolitan scale. Since the war, every one of the great urban centers above the Mason-Dixon line has received countless thousands of Negro immigrants from the South. From this cause alone, Washington's Negro population has grown very greatly; but Negro immigration has been only one aspect of the two-sided demographic movement that has now produced a city two-thirds Negro and one-third white. The other aspect, equally important, has been white emigration to the affluent suburbs. And the crucial role of the schools in this white emigration can in turn be clearly seen, if you merely look at those who have fled and those who have stayed behind. Those who have stayed behind number close to 250,000; yet this white population of about a quarter of a million includes only 13,000 children of school age! Of the District's 13,000 white children of school age, furthermore, rather more than 5,000 attend parochial or other private schools. The conclusion is inescapable that Washington's remaining white population is almost exclusively composed of (a) old people, (b) single people, (c) couples without children of school age, and (d) couples who can afford to send their children to parochial or private schools or who live in the few neighborhoods where the schools are still mainly white. No such demographic result as that shown above could conceivably have been produced in the normal course of events. It means, beyond question, that just about every white couple outside the above-listed categories has moved to the suburbs, at least as soon as it as it came time to send the children to school.

The available statistics are grossly inadequate, but enough is known to show that precisely the same kind of two-sided demographic movement is tending to produce much the same sort of result in a good many other American urban centers. Washington, which has been treated as an exceptional case, is merely an *advanced* case. The best figures I have got thus far are for last year. Taking the percentages of Negro children in the primary and elementary schools as the gauge, one can then show how far six other major cities have traveled to date, along the road that has made the nation's capital into a concealed super-ghetto. Here is the picture:

Baltimore, schools 64 percent Negro, equals Washington in 1954–55.

Chicago, schools 56 percent Negro, equals Washington in 1952–53.

Cleveland, schools 53 percent Negro, equals Washington in 1951–52.

Detroit, schools 57 percent Negro, equals Washington in 1953–54.

Philadelphia, schools 60 percent Negro, nearly equals Washington in 1954–55.

St. Louis, schools 64 percent Negro, equals Washington in 1954–55.

Two fundamental problems are revealed by these figures. The first is what may be called the progressive ghettoization of a whole series of America's great urban conglomerations. In the fairly near future, this phenomenon can too easily produce social and economic consequences that hardly bear thinking about. Ghetto city centers, from which even commerce, banking and industry will have fled to the fatly affluent white suburbs, are not an attractive prospect, either for the wretched ghetto-denizens, or for anyone else. But this is not the problem to which I have been trying to address myself. I have been trying to show, rather, that in almost all cases, the practical result of *unprepared* desegregation is *an enlarged ghetto with a greater number of segregated schools than there were in the first instance.* This has in truth been the experience in every major Northern city known to me. Furthermore, it has been the experience in a good many cases in which the ugly influence of racial prejudice can be effectively ruled out. In the first flush of civil rights enthusiasm, for example, the parents of a liberal-Jewish neighborhood in Brooklyn voted all but unanimously to pair their school with a nearby ghetto school. The New York Board of Education promised special support (which took the ludicrously inadequate form of a general patch-up of the school buildings). PS 7 and PS 8 were then merged, wholly on the motion of the white parents. But within a very short time, two segregated schools had come into being where there had been one before. The pairing caused school quality to go to Hell in a hack; and the white parents, seeing their children's education in jeopardy, either sent them to private schools or moved to the suburbs. And these were the very same parents, mind you, who had sponsored the pairing.

WHEN THE BURDEN BECOMES TOO MUCH

This is only one item of evidence—there is a mass of it, for instance, in the supporting studies behind the Watts report—to show that school quality is a far more important factor than racial feeling, in this white flight from desegregated schools that has made such a mockery of the good intentions of people like Judge Wright. When a middle-class school receives a massive infusion of children of extremely deprived background—whether Puerto Rican, or Mexican-American, or Appalachian white, or Negro—there are only two possible results. Either the added burden of the disadvantaged, educationally retarded children becomes too much for the teaching staff, whereupon school quality promptly and shockingly deteriorates and middle-class emigration quickly begins. Or the local school authorities take all the special measures that are needed to maintain school quality, in which case—thus far an almost unheard-of case—there is an excellent chance that most of the emigration can be averted.

Nor is this the end of the grim story. If we are honest with ourselves, the overwhelming majority of the children of the ghettos are going to be educated exclusively in ghetto schools; and this is going to go on happening for many years to come, no matter how much poulticing and patching and court-ordering we may do. Free busing can and should be offered. Gerrymandered white school districts can and should be condemned (while due preparation is also made to maintain school quality). More integrated housing patterns can and should be promoted by every means possible. But these measures (strengthened, if you please, by every other measure you may happen to fancy) can never do more than fray the fringes of the ghetto school problem in cities with school populations 50 percent Negro and above. It is scandalous—it is indeed a bitter indictment of the large group in the American intellectual community that has concerned itself with the matter—that so few have been willing to face the distasteful, inescapable truth, which has been glaringly visible for years. The truth is that whatever else we may do, the problem of the ghetto schools must be mainly solved *inside the ghetto schools,* at any rate for a long time to come.

THE UNIQUE NONREMEDY

As an example of the scandal, consider the recent Civil Rights Commission report on "Racial Isolation in the Public Schools." It shows that America's schools are just about as segregated as they ever were, despite all the court orders that have been issued since 1954, and all the attempts, more or less sincere, to comply with those court orders. It says nothing of the white emigration that has played such a huge role in making a nonsense of the court orders. Using evidence chosen with suspicious selectivity (and misusing it gravely at that, if the Philadelphia data are any guide), the report further seeks to discredit school improvement inside the ghettos. By implication, it takes the shocking though fashionable liberal educators' view once so bitterly but accurately summarized by Floyd McKissick in this journal's pages, that if you "put Negro with Negro, you get stupidity." And having established school desegregation as the unique remedy, the report finally proposed busing on a massive scale as the best means to secure desegregation. Yet the report is datelined Washington, where no amount of busing would make the school system anything but segregated—short of a constitutional amendment permitting forcible imposition of wholly different living and schooling patterns in the District, Maryland and Virginia. Are we then to conclude that more than 90,000 Negro schoolchildren in Washington are to be forever condemned to defeat and despair? Or are we to conclude that this report, like so many other very-similar documents, is the product of the kind of self-serving, reasoning that must too often be expected, alas, from virtuous academics with a personal vested interest in a badly researched theory?

The answer is, of course, that it is not only viciously heartless and socially disastrous, but also wholly needless, to accept the viewpoint of the Civil Rights Commission and Judge Wright. There is something arrogant, there is even something disgusting, in this strange view that ghetto children can never be rescued, can never be educated, unless they are subjected to the benign classroom influence of white middle-class children. Ghetto children have all the potential of any other children; but in their background of poverty and deprivation, they have a heavy handicap. What is needed, therefore, is to overcome the handicap, by those special measures I have already mentioned as useful and needful to prepare for school desegregation, wherever desegregation is feasible. This means taking a series of steps of the most ABC simplicity. First, the children's school experience must begin early, at least in pre-kindergarten. For the inability to speak common English, which afflicts so many children of the ghettos, can only be overcome by catching them very young. Second, they must be taught in small classes—not more than 15 pre-kindergarten and kindergarten, and not more than 22 or so in grades one through six. Otherwise, *teaching* will cease and keeping order will become the sole aim. For ghetto children mainly come from homes wholly unoriented to learning and to books. Gaining and holding their learning-attention (which is the right way to maintain sound discipline) is therefore the most difficult feat for every teacher in every ghetto school. And only reduced classes permit good, average teachers to accomplish this feat. Third, a certain number of backup teachers are needed—one extra for each three or four classes—so that when Billy and Sally, Victor and Jane begin to fall behind, these laggards can be promptly gathered into still smaller classes, for more concentrated work until they catch up again. Fourth, all the obvious extras in the way of remedial reading, health care, psychiatric care, etc., also have to be provided. These are, in fact, the principal features of the More Effective Schools program, that has been under way in New York City for three years. One wonders why this program was not chosen for study by the authors of the Civil Rights Commission's report. Perhaps the answer is that in the More Effective Schools, all children have shown a very great average improvement, and those children who have begun in pre-kindergarten and continued on from there are actually performing, on average, *at grade level or above.* If this program had been chosen for analysis, it would have sadly undermined the thesis of the authors of the Civil Rights Commission report; but it is nonetheless quite wonderful news, which should be published in Mao-style Big Character Posters in the corridors of every university where educational theorists flourish.

That it should be news at all, is a considerable showup of the ways of thinking and working and dealing with facts of all too many American white liberal intellectuals. In this instance, it goes without saying that properly prepared school desegregation is the ideal solution of the educational problem of America's Negro minority. It goes without saying, too, that wherever desegregation can be successfully accomplished, the moral and social duty to accomplish it must never be dodged or ducked, even if the needed preparations for successful desegregation are difficult, time-consuming and costly. But a good many of our liberal intellectuals never appear to have heard the rule, *"Le mieux est l'ennemi du bien"*; it never appears to occur to them, in fact, that exclusive pursuit of the ideal solution can prevent the practical solution; and few of them seem to have bothered to do the tedious homework, on urban demographic patterns, for instance, that would have shown them how far the ideal solution is out of reach for most ghetto children at present. Their performance would be less unadmirable, I must add, if they had been content to urge their ideal solution, despite its unreality for all but a small minority of ghetto children. But they have not been content. A good many of the liberal educators and sociologists have done everything possible to discredit and to block the practical solution of the educational problem of our Negro minority, which is radical school improvement inside the ghetto. These people seem to have taken the attitude, in fact, that if they could not get desegregation, nothing else would do—and to hell with the millions of Negro children who have little hope of entering integrated schools!

QUALITY ON THE CHEAP

This has been a main reason, one suspects, for the extraordinary belatedness and extreme paucity of the serious attempts to help these children, and for the almost universal failure to defend and support those attempts when they have been made. In New York in 1957, for instance, the Demonstration School Project produced excellent results at the high school level, at a cost of about $200 per pupil above the normal outlay. Whereupon the New York Board of Education, by an automatic reflex, tried to get the same results at about one-third the extra cost, in the Higher Horizons program, which was a flat bust. But did anyone protest the debasement of the Demonstration School Project into Higher Horizons? Almost no one did; and meanwhile a chorus of progressive educators has ever since been heard, proclaiming that Higher Horizons' wholly predictable failure was final proof of the uselessness of improved education in ghetto schools. In the same fashion, the More Effective Schools program, which has an extra per-pupil cost of about $430 a year, is beginning to be nibbled to death by the economy-ducks on the Board of Education; but no one has sprung to its defense except this writer and, far more importantly, the United Federation of Teachers, whose leaders largely devised the program. And this program, launched in 1964–65, is literally the first to produce clear test results showing that ghetto children can be given a fully adequate education in ghetto schools. For when the testers say that the childern who were caught young enough by the More Effective Schools are performing, on average, *at grade level and above,* they merely mean that these children are performing just as well as white middle-class children. And this is the first case of complete victory over that terrible educational lag that is the curse of America's Negro minority.

For economic and social reasons, because of injustice and discrimination, above all, because of the circumstances in which this heedless, ruthless society condemns them to live, Negro children normally enter the first grade considerably behind white children; and worse still, they generally fall further and further behind, the longer they stay in school. On average, those who stay through high school are by then three and a half years below grade level, which means that the *average Negro high school graduate only has a slightly better than eighth grade education.* "Stay through high school" is in fact the right phrase, rather than "go through high school." Since the average is at the level of eighth-grade-plus, it is not surprising that the military draft tests have revealed a shockingly high proportion of functional illiterates, even among Negro high school graduates. Add the two-thirds and more of Negro boys and girls who drop out before finishing high school, and you have a frightening result.

Briefly, 400,000-plus eighteen-year-old Negroes are annually injected into this country's socio-economic bloodstream; but of these 400,000-plus, hardly 10 percent have the true equivalent of a normal white middle-class high-school education—which means no more than an ordinary *blue-collar education!* In other words, we annually add to the American body politic no less than 360,000 Negroes of both sexes who are wholly unequipped to get or hold any job in which grossly deficient schooling is a handicap—and that means, more and more with every passing year, just about any job at all! If a malevolent and astute racist were asked to design a system guaranteed to prevent Negro achievement, to promote bitterness, frustration and violence, to perpetuate and even to intensify discrimination, this is the system that he would surely come up with. To reform this system, any outlay, any sacrifice, any effort, however great and however painful, is not merely a moral imperative; it is also a political and social imperative of the most pressing and urgent character. And the system is not going to be reformed, alas, by more desegregation orders.

WHAT WILL IT ALL COST?

The outlays for adequate reform will be enormous indeed, when and if we make up our minds to pursue desegregation by all means possible, but also, and above all at this stage, to insure quality education in the ghetto schools that are beyond practical reach of early desegregation. The job can only be done by the federal government, for the cities and states are already overstrained; and it will cost billions—how many billions, no one has figured out, but certainly quite a number.

There are two points to make in this connection. First of all, anyone who discovered a reasonably reliable cancer cure, and then withheld it because of its expense, would be treated as a monster. And in effect, we are talking, here, about a social-political-economic cancer that is approaching the terminal stage. Secondly, however, the proof by the More Effective Schools that improved schools really can cure the cancer is by no means a proof that the MES program is the ideal cure. There may be other, better, perhaps cheaper ways to get comparable results. Since what is required is positive discrimination—by which I mean very much heavier investment per pupil in ghetto and other deprived neighborhoods—it is obvious that the discrimination should be no greater than is absolutely necessary. (In New York there is already resentment of the MES program, even within the ghettos, among parents of children whose neighborhood schools have not been included in the program—and since there are only 21 More Effective Schools, and expansion of the program has been halted by the duck-nibblers, that means, potentially, resentment by something like nine-tenths of the ghetto parents in New York.) Thus a systematic and unbiased effort should be inaugurated, to see whether comparable results can be attained in more economical ways. Such an effort should center in New York City, for the test-background of MES, though so brief, is unique and therefore essential for comparative purposes. Instead of unsystematic nibbling, such as the Board of Education has now begun, expansion of the MES program should clearly be resumed. A follow-on program should equally clearly be adopted, in particular in the relevant junior high schools. Otherwise many of the MES children will experience the kind of disheartening setback on entering jungle-junior-high, that the Head Start children have experienced when they have entered unimproved primary schools. But these supportive measures should also be combined with experiments to discover whether altering this or that expensive feature—using one backup teacher for every four classes, instead of one for every three as at present, for example—will produce satisfactory results.

The only point on which there should be no compromise is the schoolchildren performing *at grade level*. And if even larger investments are shown to be required—for example, in recreational and para-education activities after normal schools hours, in the schools of the very most tragic neighborhoods—then there should be no nasty nonsense about this being "too expensive," to quote the mole-sighted new chairman of the New York Board of Education, Albert Giardino. When you are talking about cancer cures, "too expensive" is an impermissible phrase. And of course, in this systematic experimental effort, due attention should also be given to the other efforts of school improvement much more recently launched under Title I of the Education Act, which will surely be remembered as the greatest domestic achievement of the Johnson Administration. If one or another of these show, when the tests have all been made, that there is another, cheaper or better way to get the ghetto children to perform *at grade level,* that will be the system to back wholeheartedly.

In this business, there are only three rules. First, face the facts as they are, and deal with them as they are. Second, spend no more than is needed for the children to perform, on average, at grade level; for this is the outside limit of positive discrimination that other people are likely to tolerate. But, third, invest until it hurts cruelly, if need be, so that the average performance of the children of the ghettos reaches grade level or above; for there is no other cure for the cancer that threatens American urban life.

I am not so foolish as to suppose that the hoary, furtive vice of racial prejudice can be abruptly overcome by this long-range cure, any more than I suppose that *prepared* school desegregation can do more than greatly soften the effects of racial prejudice. But I submit, the white people of goodwill in America, and above all our well-intended liberal intellectuals, have been almost inconceivably unrealistic, flabbly-minded and lazy about learning the facts concerning this cardinal American problem. Take a minority differentiated by skin color. Tolerate a national school system that gives nine-tenths of this minority an education very widely inferior to the normal education of blue collar workers, let alone persons of higher achievement. How, then, can you expect or hope for an end to discrimination and racial prejudice?

Or if you want the other side of the medal, look at the few areas in American life, in which prejudice and discrimination have been, if not absolutely banished, at least minimized in recent years to the point where there is no grave problem. Too few people recall that in the lifetimes of a good many of us, Marian Anderson and Joe Lewis were, in some sense, nine day wonders as well as precursors. And too few people are even aware that real integration of the armed services only began in the line in Korea. (I can still remember AWOL Negro soldiers from the segregated logistical units, and even from the unhappy 24th Regiment, coming up to the hottest parts of the line—one or two, or three or four, or even 10 or 12 a day—to ask whether there was any place for them in battalions in combat; and I remember, too, how they were warmly welcomed, though the battalion commanders always knew they were AWOL, simply because the line was stretched so thin in those first months of the war!) Yet in the arts—not just jazz, but all the arts and throughout show business—and sports and the armed services, discrimination has now been so largely overcome. And what has so largely overcome discrimination in these tragically few departments of our national life? Brilliant Negro achievements is the answer. And what has permitted this achievement in these special areas? Again, the answer is the relative easiness of achievement in these few areas, despite deficient schooling for those with aptitude and ambition and courage.

MORAL CART BEFORE THE PRACTICAL HORSE

Once again, I am not so foolish as to suppose that high achievement in every area of national life would be immediately guaranteed, even if every one of the 400,000-plus Negroes who become 18 each year were assured of a first-rate high school education, with the university to follow, of course, for the abler boys and girls. Prejudice is an ugly reality. The tentacles of custom, born of prejudice, are also ugly realities. Yet those same tentacles had the armed forces in their grip less than two decades ago, and had the world of sports in their grip hardly more than three decades ago. And what has lopped off the tentacles? Negro achivement, and nothing but Negro achievement. For no amount of enforced desegregation would have ended discrimination in the hard-bitten army and harder-bitten professional sports teams, if Negroes had not pegged even, and often much better than even, with their white fellow soldiers and fellow athletes. Yet in most areas of our national life, conspicuous Negro achievement is all but impossible, because so few American Negroes as yet receive normally decent schooling. Give them the needed education. At the outset, it may be, only seven in 20 will break through the barriers of prejudice and custom. But those few will surely inspire the next generation to say, "If *they* could do it, *we* can do it." And by the same token, white prejudice will surely be eroded, in every area where Negroes are enabled to achieve highly.

The truth is that in our approach to almost every aspect of the race problem—whether segregation, or discrimination, or Negro poverty, or whatever it may be—we have persistently been placing the moral cart before the practical horse. Education is the key to the whole problem, because education leads to jobs; jobs lead to achievement; and achievement reduces discrimination. That is the common-sense formula, which puts the horse ahead of the cart. And if we do not get the moral cart moving at long last—if we cannot provide good education and decent jobs for our Negro fellow citizens, and if these first steps do not begin to erode discrimination and open ever wider doors of opportunity—then this country can too soon become a place in which none will wish to live, who still care much about the things that America is supposed to stand for.

Some may say: "But if many white Americans have always cared so much about these things America is supposed to stand for, why this belated sense of urgency? Why did not Franklin Roosevelt, for instance, begin pressing for serious civil rights legislation nearly 40 years ago?" In the abstract, those who say this will be dead right. But the sad truth is that any national problem that is highly controversial, very difficult, yet possible to shove under the rug, invariably ends by getting shoved under the rug with extreme firmness. While the race problem in America was mainly a rural Southern problem, it could still be shoved under the rug. But in the last two decades and more, our race problem has more and more become a Northern urban problem, as well as a more and more urban problem even in the South, where the major cities show the same pattern of demographic change already traced above. In this new guise, the race problem cannot any longer be shoved under the rug. Justice must be done at last, or we must expect a gradual decline toward the sort of country that will choose a new President Verwoerd. Those are, literally, the choices before us. For my own part, I am confident that justice can and will be done, at no matter what cost to the budget and the taxpayer, if only we can manage to look at the problem in common-sense terms.

CONCLUSION OF MORNING BUSINESS

Mr. BYRD of West Virginia. Mr. President, is there further morning business?

The PRESIDING OFFICER. Is there further morning business? If not, the morning business is concluded.

LABOR, HEW APPROPRIATIONS, 1968

The PRESIDING OFFICER. Under the previous unanimous-consent order, the Chair lays before the Senate the unfinished business, H.R. 10196, which will be stated by title.

The Legislative Clerk. A bill (H.R. 10196) making appropriations for the Departments of Labor and Health, Education, and Welfare, and related agencies, for the fiscal year ending June 30, 1968, and for other purposes.

The Senate proceeded to consider the bill which had been reported from the Committee on Appropriations with amendments.

Mr. BYRD of West Virginia. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

PARTIAL REVISION OF THE RADIO REGULATIONS, GENEVA, 1959, WITH AN ADDITIONAL PROTOCOL

The PRESIDING OFFICER. The hour of 1 o'clock p.m. having arrived, the Chair, as in executive session, lays before the Senate the treaty designated as Executive H, for 90th Congress, first session, which will be read by title.

The Assistant Legislative Clerk. Executive H, 90th Congress, first session, a partial revision of the Radio Regulations (Geneva, 1959), with an additional protocol.

The PRESIDING OFFICER. The question is, Will the Senate advise and consent to the resolution of ratification? On this question the yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk called the roll.

Mr. BYRD of West Virginia. I announce that the Senator from Indiana [Mr. Bayh], the Senator from Oklahoma [Mr. Harris], the Senator from Michigan [Mr. Hart], the Senator from Louisiana [Mr. Long], and the Senator from Maine [Mr. Muskie], are absent on official business.

I also announce that the Senator from Maryland [Mr. Brewster], the Senator from Wyoming [Mr. McGee], the Senator from Montana [Mr. Metcalf], the Senator from Rhode Island [Mr. Pell], the Senator from Florida [Mr. Smathers] and the Senator from Texas [Mr. Yarborough], are necessarily absent.

I further announce that, if present and voting, the Senator from Indiana [Mr. Bayh], the Senator from Maryland [Mr. Brewster], the Senator from Oklahoma [Mr. Harris], the Senator from Michigan [Mr. Hart], the Senator from Louisiana [Mr. Long], the Senator from Wyoming [Mr. McGee], the Senator from Montana [Mr. Metcalf], the Senator from Maine [Mr. Muskie], the Senator from Rhode Island [Mr. Pell], the Senator from Florida [Mr. Smathers] and the Senator from Texas [Mr. Yarborough] would each vote "yea."

Mr. DIRKSEN. I announce that the Senator from California [Mr. Kuchel] and the Senator from Iowa [Mr. Miller] are necessarily absent.

The Senator from Michigan [Mr. Griffin] is detained on official business.

If present and voting, the Senator from Michigan [Mr. Griffin], the Senator from California [Mr. Kuchel], and the Senator from Iowa [Mr. Miller] would each vote "yea."

The yeas and nays resulted—yeas 86, nays 0, as follows:

[No. 198 Ex.]

YEAS—86

Aiken
Allott
Anderson
Baker
Bartlett
Bennett
Bible
Boggs
Brooke
Burdick
Byrd, Va.
Byrd, W. Va.
Cannon
Carlson
Case
Church
Clark
Cooper
Cotton
Curtis
Dirksen
Dodd
Dominick
Eastland
Ellender
Ervin
Fannin
Fong
Fulbright

Gore
Gruening
Hansen
Hartke
Hatfield
Hayden
Hickenlooper
Hill
Holland
Hollings
Hruska
Inouye
Jackson
Javits
Jordan, N.C.
Jordan, Idaho
Kennedy, Mass.
Kennedy, N.Y.
Lausche
Long, Mo.
Magnuson
Mansfield
McCarthy
McClellan
McGovern
McIntyre
Mondale
Monroney
Montoya

Morse
Morton
Moss
Mundt
Murphy
Nelson
Pastore
Pearson
Percy
Prouty
Proxmire
Randolph
Ribicoff
Russell
Scott
Smith
Sparkman
Spong
Stennis
Symington
Talmadge
Thurmond
Tower
Tydings
Williams, N.J.
Williams, Del.
Young, N. Dak.
Young, Ohio

NAYS—0

NOT VOTING—14

Bayh
Brewster
Griffin
Harris
Hart

Kuchel
Long, La.
McGee
Metcalf
Miller

Muskie
Pell
Smathers
Yarborough

The PRESIDING OFFICER. Two-thirds of the Senators present and voting having voted in the affirmative, the resolution of ratification is agreed to.

LABOR, HEW APPROPRIATIONS, 1968

The Senate resumed the consideration of the bill (H.R. 10196) making appropriations for the Departments of Labor and Health, Education, and Welfare, and related agencies, for the fiscal year ending June 30, 1968, and for other purposes.

Mr. HILL. Mr. President, the bill, H.R. 10196, making appropriations for the Departments of Labor, and Health, Education, and Welfare, and related agencies for the fiscal year ending June 30, 1968, and for other purposes, as reported to the Senate by the Committee on Appropriations totals $13,409,835,000, an increase of $272,347,000 over the House allowance, an increase of $393,270,800 over the appropriations for 1967, but under the budget estimates by $14,311,000.

I might say that of this increase of $272,347,000 over the House allowance, $68,193,000 was added by the consideration of budget estimates not considered by the House, estimates that had no authorization at the time the House acted on the bill.

For the Department of Labor the committee recommends an appropriation of $625,562,000, a reduction of $9,462,000 from the House allowance, and a decrease of $17,740,278 from the comparable 1967 appropriation, and a decrease of $27,411,000 under the budget estimate. The committee recommended only two changes in the Department of Labor budget, a reduction of $9,500,000 from the House allowance for manpower development and training activities, a newly created program for the training of prison inmates by the Department, a responsibility in the opinion of the committee, *of the Department of Justice and* of the State agencies; and an increase of $38,000 to provide for the President's Committee on Employment of the Handicapped, the full amount authorized, $500,000, for that organization under the able direction of Mr. Harold Russell.

For the Department of Heath, Education, and Welfare, the committee recommends appropriations totaling $12,724,440,000, an increase of $281,809,000 over the House allowance, an increase of $403,752,800 over the 1967 appropriations, and an increase of $13,150,000 over the budget estimates.

For the Food and Drug Administration, the committee recommends a small reduction of $225,000 from the House allowance of $66,225,000 for salaries and expenses. This reduction is the result of an unobligated balance of some $370,000 for fiscal year 1967. For buildings and facilities, the committee has approved the budget estimate of $1,150,000, but has stricken the House proviso which would have forbidden the planning and construction of laboratory No. 2 within 50 miles of the District of Columbia. The committee feels that the selection of the site is a proper function of the Food and Drug Administration.

For the Office of Education, the committee recommends a total of $3,943,015,000, a sum I should inform my colleagues, which exceeds the total amount recommended by this committee for the entire Department for fiscal year 1961 when we reported a bill recommending a total appropriation of $3,913,890,631, of which $489,248,331 was for the Office of Education. This recommendation includes increases of $108,900,000 for the Office of Education, $51 million for elementary and secondary educational activities, $33.8 million for school assistance in federally affected areas—providing $450 million, of the $461.5 million needed to pay full entitlements, $18.1 million for the Teachers Corps, an item not considered by the House, inasmuch as there was, at the time they acted, no authorization for the program, $1 million for libraries and community services, and $5 million for educational improvement for the handicapped.

For the Vocational Rehabilitation Administration, the committee recommends appropriations of $389,303,000, an increase of $4,194,000 over the House allowance. The committee allowed the full budget estimate, $65,484,000, an increase of $3,044,000 for research and training; added $1 million for grants for rehabilitation services and facilities for the construction grant program in order to assure that sufficient funds are available for construction and related requirements for a research and training center in the Chicago area. The committee also restored $150,000 of the House reduction of $302,000 for salaries and expenses, Vocational Rehabilitation Administration.

For the Public Health Service, the committee recommends a total of $2,817,976,000, an increase of $149,002,000 over the House allowance. For the National Institutes of Health, a total of $1,252,225,000 is recommended, an increase of $77,801,000. Included in the recommended *increases for NIH are $9 million* for cancer, $10 million for heart, $2 million for dental health activities, $3,250,000 for arthritis, $7 million for neurology, $4.5 million for allergy, $4 million for general medical sciences, $6 million for child health, $10 million, to allow the budget estimate, for the regional medical program, $3,326,000 for environmental health sciences, $3.5 million for general research and services, $15 million for grants for construction of health research facilities—for this program the NIH had at the close of business on June 30, 1967, 53 approved and unpaid projects in the amount of some $61 million, or $26 million in excess of the budget estimate presented by the administration this year. Sundry other increases are included by the committee for the Public Health Service—$750,000 additional for the schools of public health; $2,188,000 for chronic diseases to provide additional funds for work on arthritis and work on pediatric pulmonary centers for the cystic fibrosis sufferers; $600,000 to provide sufficient funds to man the newly opened Arctic Health Institute; $803,000, the increase sought by the Department, for the program on emergency health services; $60 million, of which $50 million, the budget estimate, is for construction grants for community mental health centers, and $10 million for the staffing of such centers, the balance of the annual authorization for the program; $2.5 million to allow the full budget estimate for the National Library of Medicine and to provide a total of $6.5 million for construction grants for the regional library program; and $4,360,000 for buildings and facilities, of which $4,260,000 is provided for the construction costs of the Appalachian environmental health field station, and $100,000 is for preliminary planning for a headquarters building for the Public Health Service.

The whole field of immunologic research is developing so rapidly that the Institute needs an additional sum above the President's request to take prompt advantage of the latest research findings. The new methods utilize allergic reactions which until now have been known only as the cause of disease. This new concept makes it possible to use the cause of one disease for the treatment of another. It is a challenging concept which calls for further exploration. The bill, therefore, provides $500,000 of the increase in immunology for the start of a collaborative program on immunotherapy. This program should extend current clinical studies, and it should examine underlying immunological mechanisms with a view toward applying the principles involved to other medical problems.

It is of utmost importance that research and development in the fields of automated laboratory instrumentation and procedures be developed as quickly as possible in order that patient needs in heart disease, cancer and stroke, as well as other important causes of disease and disability, be provided the best medical care and services of which our country is capable. Testimony before this committee has been convincing that through automation with suitable quality *controls the best medical care can be* brought to the patient with considerable reduction in unit cost.

The savings thus available could amount to several billion dollars, but even more important, a highly increased quality of medical care would be widely available. In order to provide flexibility and to insure efficiency and speed in program operation, $5 million of the foregoing sums for research grant projects are to be made available interchangeably for contracts under the collaborative research and development program of the General Medical Sciences Institute. With this interchangeability provided there is no increase in the request for research grants. However, the committee is convinced that flexibility thus provided will provide the necessary funds for research and development in these special areas.

The committee has approved $1,011,631,000 in general funds for the Social Security Administration, as well as $631,500,000 in trust funds for the operation of the social security offices.

For the Welfare Administration, the bill contains $4,379,636,000 for the public assistance program, the program of the Children's Bureau, and for the Office of the Commissioner. Only a small increase of $93,000, for "Assistance for repatriated U.S. nationals" is included, that resulting from the enactment of continuing authorization, which had not been passed when the House acted on the bill.

For the Administration on Aging the committee has approved the full budget estimate, $18,450,000.

For special institutions the committee has approved a total of $35,726,000, an increase of $186,000 over the House allowance. The committee added $70,000 for "Salaries and expenses, Gallaudet College" to provide for the rental of a new computer. The college has a computer received as a gift several years ago but it is somewhat antiquated and does not offer the opportunity for a complete training of the students. The committee also added $116,000 for the construction of an extension to the student cafeteria.

For the Office of the Secretary the committee approved a total of $37,987,000, an increase of $1,209,000, of which $400,000 was approved for the immediate Office of the Secretary, $209,000 for the Office of Field Coordination, and $600,000 for "Foreign language training and area programs," the latter item included $300,000 for the international education program.

Mr. President, I ask unanimous consent that the committee amendments be agreed to en bloc, and that the bill as thus amended be considered for the purpose of amendment as original text; provided, however, that no point of order against any amendment shall be deemed to have been waived by the adoption of this agreement.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendments agreed to en bloc, are as follows:

On page 2, at the beginning of line 7, to strike out "$394,997,000" and insert "$385,497,000".

On page 7, line 21, after the word "than", to strike out "$462,000" and insert "$500,000"; and, in line 24, after "(63 Stat. 409)", to strike out "$4,429,000" and insert "$4,467,000".

On page 12, line 15, after the word "elsewhere", to strike out "$66,225,000" and insert "$66,000,000".

On page 12 line 20, after the word "*expended*", to strike out the colon and "*Provided,* That none of the funds contained in this paragraph shall be used to plan the facility, identified in the budget justifications as 'Laboratory No. 2', to be located within a radius of fifty miles of the District of Columbia.".

On page 13, line 11, after "(20 U.S.C. ch. 17; Public Laws 88–665, 89–329, 89–698, and 89–752)", to strike out "$1,645,707,000" and insert "$1,696,707,000"; in line 21, after the numerals "1965", to strike out "$208,750,000" and insert "$213,750,000"; on page 14, line 1, after the word "Act", to strike out "$50,000,000" and insert "$96,000,000"; in line 5, after the word "administrative", to insert "supervisory, and other"; and, in line 10, after the word "of", to strike out "$47,000,000" and insert "$88,000,000".

On page 14, at the beginning of line 18, to strike out "$439,137,000" and insert "$472,937,000"; in the same line, after the word "which", to strike out "$416,200,000" and insert "$450,000,000"; and, on page 15, line 4, after the word "date", to insert a colon and "*Provided further,* That no part of this appropriation for payments tc local educational agencies for the maintenance and operation of schools shall be available to carry out the provisions of legislation enacted after June 30, 1967."

On page 15, after line 8, to insert:

"TEACHER CORPS

"For the Teacher Corps authorized in Part B of title V of the Higher Education Act of 1965, as amended, $18,100,000 for the purposes of section 514 of said Act: *Provided,* That none of these funds may be used to pay in excess of 90 per centum of the salary and other emoluments in the Teacher Corps: *Provided further,* That none of these funds may be spent on behalf of any Teacher Corps program in any local school system prior to approval of such program by the State educational agency of the State in which the school system is located."

On page 18, line 14, after the numerals "1966", to strike out "$155,500,000" and insert "$156,500,000"; and, on page 19, line 1, after the numerals "1965", to strike out "$4,000,000" and insert "$5,000,000".

On page 19, line 17, after "(20 U.S.C. 871–880)", to strike out "$53,400,000" and insert "$58,400,000".

On page 20, line 20, after the figures "$37,385,000", to insert a colon and "*Provided,* That the sum made available in the 'Department of Health, Education, and Welfare Appropriation Act 1967' for transfer to the 'Office of Secretary, salaries and expenses' for a comprehensive study of training programs financed in whole or in part with Federal funds shall remain available until June 30, 1968."

On page 22, line 1, after the word "amended", to strike out "$311,550,000" and insert "$312,550,000"; in the same line, after the word "which", to strike out '$287,000,000" and insert "$286,000,000"; in line 4, after "section 3", to strike out "$7,500,000" and insert $8,500,000, of which $7,500,000"; in line 8 after "(A)", to insert a comma and "and of which $1,000,000 (to remain available, together with sums heretofore appropriated for this purpose, through June 30, 1969) shall be for State planning for the development of comprehensive vocational rehabilitation programs under section 4(a)(2)(B):"; in line 13, after the amendment just above stated, to strike out "$3,850,000" and insert "$4,850,000"; and, on page 23, line 4, after the word "or", to strike out "relocation" and insert "reallocation".

On page 24, line 5, after "(74 Stat. 364)", to strike out "$62,440,000" and insert "$65,484,000".

On page 24, line 22, after the word "Administration", to strike out "$5,319,000" and insert "$5,469,000".

On page 26, at the beginning of line 20, *to strike out "$164,163,000" and insert* "$164,913,000".

On page 27, line 18, after the word "Act", to insert "including $35,000,000 for the purpose of subsection (2) of said section,".

On page 28, line 10, after the word "diseases", to strike out $27,504,000" and insert "$29,692,000".

On page 29, line 19, to strike out "$41,594,000" and insert "$42,194,000".

On page 30, at the beginning of line 17, to insert a colon and "*Provided further,* That there may be transferred to this appropriation from "Community mental health resource support" an amount not to exceed the sum of the allotment adjustment made by the Secretary pursuant to section 202(c) of the Community Mental Health Centers Act."

On page 31, line 5, after the word "amended", to strike out "$62,830,000" and insert "$63,633,000".

On page 32, line 15, after the word "Act", to strike out "$183,356,000" and insert "$192,356,000".

On page 32, line 19, to strike out "$167,954,000" and insert "$177,954,000".

On page 32, line 24, to strike out "$30,307,000" and insert "$32,307,000".

On page 33, line 5, after the word "diseases", to strike out "$143,954,000" and insert "$147,204,000".

On page 33, line 9, after the word "blindness", to strike out "$128,633,000" and insert "$135,633,000".

On page 33, line 15, after the word "diseases", to strike out "$94,422,000" and insert "$98,922,000".

On page 33, line 23, after the word "anesthesiologists", to strike out "$160,284,000" and insert "$164,284,000".

On page 34, line 5, after the word "development", to strike out "$68,621,000" and insert "$74,621,000".

On page 34, line 7, after the word "Act", to strike out "$54,314,000" and insert "$64,314,000"; and, in line 8, after the word "which", to strike out "$49,400,000" and insert "$59,400,000".

On page 34, line 13, after the word "activities", to strike out "$17,289,000" and insert "$20,615,000".

On page 34, at the beginning of line 21, to strike out "$81,141,000" and insert "$84,641,000".

On page 35, at the beginning of line 6, to strike out "$35,000,000" and insert "$50,000,000".

On page 35, line 12, after the word "of", to strike out "$61,700,000" and insert "$75,000,000".

On page 35, line 19, after the word "Sciences", to strike out "$500,000" and insert "$725,000, to remain available until December 31, 1968".

On page 36, line 17, after "(Public Law 89–793)", to strike out "$50,168,000" and insert "$110,168,000, of which $50,000,000 for construction shall remain available until June 30, 1969: *Provided,* That there may be transferred to this appropriation from "Community health services" an amount not to exceed the sum of the allotment adjustments made by the Secretary pursuant to section 132(c) of the Mental Retardation Facilities Construction Act.".

On page 37, line 10, after "(79 Stat. 1059)", to strike out "$18,662,000" and insert "$21,162,000"; and, in the same line, after the word "which", to strike out "$4,000,000" and insert "$6,500,000".

On page 37, line 17, after the word "sites", to strike out "$10,715,000" and insert "$15,075,000".

On page 39, after line 17, to insert:

"HEALTH EDUCATION LOANS

"The Secretary is hereby authorized to make such expenditures, within the limits of funds available in the following revolving funds, and in accord with law, and to make such contracts and commitments without regard to fiscal year limitation as provided by section 104 of the Government Cooperation Control Act, as amended, as may be necessary in carrying out the programs set forth in the budget for the current fiscal year for the 'Health Professions Education Fund' and the 'Nurse Training Fund'."

On page 42, line 17, after the word "out", to insert "section 1113 of the Social Security Act, as amended (42 U.S.C. 1313), and of carrying out"; and, at the beginning of line 23, to strike out "$432,000" and insert "$525,000".

On page 45, after line 10, to strike out:

"Grants to States, next succeeding fiscal year: For making, after May 31 of the current fiscal year, payments to States under titles I, IV, V, X, XIV, XVI, and XIX, respectively, of the Social Security Act, as amended, for the first quarter of the next succeeding fiscal year, such sums as may be necessary, the obligations incurred and the expenditures made thereunder for payments under each of such titles to be charged to the appropriation therefor for that fiscal year."

And, in lieu thereof, to insert:

"Grants to States, payments after April 30: For making, after April 30 of the current fiscal year, payments to States under titles I, IV, V, X, XIV, XVI, and XIX, respectively, of the Social Security Act, as amended, for the last two months of the current fiscal year and for the first quarter of the next succeeding fiscal year, such sums as may be necessary, the obligations incurred and the expenditures made thereunder for payments under each of such titles to be charged to the subsequent appropriation therefor for the current or succeeding fiscal year."

On page 46, after line 14, to insert:

"ADMINISTRATION ON AGING

"COORDINATION AND DEVELOPMENT OF PROGRAMS FOR THE AGING

"For grants for community planning, services, and training, and for grants and contracts for research and development projects and training projects, and for consultative services, technical assistance, training and other services, relating to programs for the aged and aging, and for salaries and expenses in connection therewith, as authorized by the Older Americans Act of 1965, as amended, $18,450,000."

On page 47, at the beginning of line 20, to strike out "personnel" and insert "personal"; and, in line 22, after "(Public Law 420)", to strike out "$2,878,000" and insert "$2,948,000".

On page 48, at the beginning of line 11, to strike out "$2,196,000" and insert "$2,312,000".

On page 49, line 25, after the word "Deaf", to strike out "$6,739,000" and insert "$7,139,000".

On page 50, line 9, after the word "Coordination", to strike out "$2,000,000" and insert "$2,209,000".

On page 52, line 1, after the numerals "1961", to strike out "$15,700,000" and insert "and for carrying out the purposes of Public Law 89–698, $16,300,000".

On page 58, after line 14, to strike out:

"Sec. 907. No part of the funds appropriated by this Act shall be used to provide payments, assistance, or services, in any form, with respect to any individual who—

"(1) incites, promotes, encourages, or carries on, or facilitates the incitement, promotion, encouragement, or carrying on of, a riot or other civil disturbance in violation of Federal, State, or local laws designed to preserve the peace of the community concerned or to protect the persons or property of residents of such community; or

"(2) assists, encourages, or instructs any person to commit or perform any act specified in paragraph (1)."

And, in lieu thereof, to insert:

"Sec. 907. No part of the funds appropriated under this Act shall be used to provide payments, assistance, or services, in any form, with respect to any individual convicted in any Federal, State, or local court of competent jurisdiction, of inciting, promoting, or carrying on a riot, or any group activity resulting in material damage to property or injury to persons, found to be in violation of Federal, State, or local laws designed to protect persons or property in the community concerned."

Mr. PASTORE. Mr. President, I want to take a moment to pay a word of tribute to my very distinguished colleague, the veteran legislator from the great State of Alabama [Mr. Hill].

I know of no man who strives more assiduously and more compassionately to work out the responsibility that is his, as chairman of the Committee on Health, Education, and Labor.

I realize that the bill does not provide all the money which those interested in particular programs would like to have, but I can say this: the Senator from Alabama has been most fair. He has been attentive to his responsibility, and also to the budget and the fiscal situation of the country. He has hammered out a bill which does justice to all the people concerned. When it comes to the health aspects of this country's responsibility, he has met in full measure.

I take this occasion to compliment him on a job well done.

Mr. HILL. Mr. President, I want to express my heartfelt appreciation to the distinguished Senator from Rhode Island for his most generous words.

In the years that I have been chairman of the subcommittee handling this bill, no one has contributed more, no one has done more, no one has fought more battles for the bill or fought more brilliantly or more effective battles than has the distinguished Senator from Rhode Island.

Therefore, any credit or any honor which might come from passage of the proposed legislation certainly must be wholly shared with the distinguished Senator from Rhode Island for the brilliant part he has played in the passage of this bill.

Mr. COTTON. Mr. President, will the Senator from Alabama yield?

Mr. HILL. I am happy to yield to the Senator from New Hampshire, provided that I do not lose my right to the floor.

Mr. COTTON. I wish to join the distinguished Senator from Rhode Island in saying a word of commendation, appreciation, and admiration for the distinguished Senator from Alabama, the chairman of the subcommittee reporting the pending bill.

I have served on his subcommittee ever since I became a member of the Appropriations Committee. Until this year I was the ranking minority member of the subcommittee. That place has been taken—and very ably—by the distinguished Senator from New York [Mr. Javits], so I am not speaking for the minority but only for myself.

Once more, as in the past, I want the Record to show that the contributions made to the welfare of our country by the Senator from Alabama in his long, painstaking and expert treatment of the pending bill year after year are beyond estimate by any of us.

Each one of us who serves with him realizes how dedicated he is to this cause. One thing we do not always realize is that even though he is dedicated to the projects in the bill, he always exercises care and discretion and does not hesitate to protect the public treasury and the taxpayers of this country, as much as he possibly can, in dealing with the appropriations in the bill.

I know of no committee chairman who has been more fair, who has been more considerate of witnesses who come before it, who has been more considerate of his colleagues who served with him on the committee, and who has been any more frank, honest, and faithful than the Senator from Alabama.

After my senior colleague has spoken, I have something more to say about the bill; but I want to take this opportunity once more to express how much I esteem it a privilege to work with him on the subcommittee.

Mr. HILL. Mr. President, from the depths of my heart, I want to thank the distinguished Senator from New Hampshire for his most kind and generous words. Up until this year and for a number of years, he was the ranking minority member of this committee, and he and I worked together in the closest possible association. Nobody could have been more helpful, nobody could have been more constructive, nobody could have contributed more as the ranking minority member than did the distinguished Senator from New Hampshire. It was with much regret that he no longer was the ranking minority member in this session, but he has been tremendously helpful in this session, just as he had been in session after session, and I am deeply grateful to him.

Mr. COTTON. I thank the Senator.

Mr. JAVITS. Mr. President, the praise which has been paid the distinguished Senator from Alabama [Mr. Hill] is very richly deserved. I now not only have the privilege of serving on the subcommittee as the ranking member on the minority side, as a result of the cooperation on the part of my senior colleague, but also as ranking minority member of the legislative committee which considers the HEW matters in this body.

I must say that the usefulness of this crossfire of information which is in the hands of both of us has been tremendously demonstrated in the work of the Appropriations Subcommittee. Also, we all have deeper respect for the Senator from Alabama [Mr. Hill] because of his honesty and his integrity. He never endeavors to overwhelm any of us by seniority or authority, but subjects his own most dearly held ideas to a completely objective scrutiny. I know of no man in the Senate with a better temper for dissent than the Senator from Alabama.

In addition, the passion which he has held for decades in the interest of the health of all Americans, in the deliberations of the committee, has demonstrated very clearly that his deep feelings upon this subject are very much dictated by the conviction that the greatest resource of our Nation is its people. His dedication to the health of the people, which has been his passion and interest throughout his life in the Senate, has been recognized not only here but by the whole medical fraternity throughout the United States and even the world.

I think it is gratifying that, in the fullness of his faculties and authority and power, we can pay him this deserved tribute both as a man and as a legislator. I think the people of his State should know that they have contributed an outstanding leader in the field of health and education, the work which is done by the Department of Labor in many of these very same fields, and the Congress of the United States.

Mr. President, in the time I have been the ranking minority member of the subcommittee, I have already experienced a tremendous gratification in the cooperation and in the working as a brother in arms with Senator Hill. I hope the feeling of cooperation which we have had in the committee will continue to represent a truthful and constructive aspect of the work of our committee as it implements the work of the legislative committee.

Mr. HILL. I thank the Senator for his most generous words. Since he has become the ranking minority member of the committee, he has worked in closest cooperation. He has been tremendously helpful. He has been most constructive and effective in every way. He has contributed very much to the bill that we now have before us. I express to him my deep appreciation.

Mr. JAVITS. I thank the Senator very much.

Mr. BYRD of West Virginia. Mr. President, will the Senator yield?

Mr. JAVITS. I yield.

Mr. BYRD of West Virginia. I want to take a moment to express my gratitude to Senator Hill, the distinguished chairman of the Appropriations Subcommittee which handles this increasingly important appropriation bill, for his excellent and painstaking and studious work in the preparation of this bill, in holding long and tedious hearings, and in presenting the bill in his very able way to the Senate, as he does year after year.

I want to express the appreciation of those of my colleagues who may not be on the floor at this moment, and the appreciation of the people of my State, and the people of America, to this great Senator, who possesses not only a great mind but also a great, humanitarian, and understanding heart.

His services to the people of the Nation in the field of health will never be adequately portrayed by words, but the American people know about them today, and they are going to continue to receive the benefits that flow from the untiring and persevering labors of our great chairman.

I feel honored to be on his subcommittee. I must say, as one member of that subcommittee, that all of the laudatory comments that can be expressed toward this great chairman, the senior Senator from Alabama, will indeed not be enough. He is the one who spends the long and countless hours working on this bill, while others of us perhaps are working on other matters. He is the one who listens to the testimony. He is the one who sits day after day and week after week hearing the witnesses at the hearings.

So, I join our other friends who have spoken today, Senator Pastore, Senator Javits, and Senator Cotton, in expressing thanks and commendations to this great man, the Senator from Alabama [Mr. Hill].

Let me also express my appreciation to the ranking minority member of the subcommittee, the senior Senator from New York, who has so ably assisted our chairman in bringing this good bill to the floor.

Before I close, I also want to express my thanks to the clerk of the subcommittee, Mr. Herman Downey, who renders to us all such able assistance and courteous cooperation at all times.

Mr. HILL. Mr. President, will the Senator yield to me?

Mr. BYRD of West Virginia. I yield.

Mr. HILL. I wish to express my appreciation to the distinguished Senator from West Virginia for his most generous words. He has been a member of the subcommittee which handles this bill for some years now, and he has given great effort and great devotion to the work of this subcommittee in bringing out these bills. As the Senator from West Virginia well knows, it takes the team to win the game, and no man could have been a more valuable or helpful member of this team or could have done more than has the Senator from West Virginia. So if this team has won any victories, he can certainly claim a very large share of any honor or glory that may have come from those victories for the part he played in them.

Mr. BYRD of West Virginia. I thank the Senator for his most gracious and charitable remarks.

Mr. JAVITS. Mr. President, I should like to join the Senator from West Virginia in expressing appreciation to the clerk of the committee, Mr. Herman Downey. I have now had a little experience with and appreciate the tremendous amount of expertise and tradition which he brings to the work of the subcommittee, and I wish to pay my tribute to him, as other Senators have, in respect to his constructive activities, which facilitates so markedly the work of the subcommittee.

Before the Senator from West Virginia [Mr. Byrd] leaves the floor, I would like, if I may, to clarify one thing which I think should be clarified, with respect to the paragraph which appears at the bottom of page 11 of the report, dealing with the support of activities under the Elementary Secondary Education Act, for which the committee recommendation is $1,696,707,000, which is contained in this bill, and which, incidentally, is a material increase over the amount of the bill provided by the other body.

It reads as follows:

> The committee recommends that no funds herein provided for the Office of Education shall be used for bussing of public school students or for any other activities calculated to eliminate racial imbalance in the public schools.

I wish to represent to the Senate that the Senator from West Virginia felt extremely strongly about this matter, and that what was accomplished with respect to the appropriations for elementary and secondary education would, in my opinion, probably have been impossible if an effort had not been made, in the utmost good faith, to meet the very sincere convictions of the Senator from West Virginia.

However, as we discussed the matter in the committee, his views upon this subject were very sharply confined to the matter of pressing this idea of eliminating racial imbalance as the prime reason for the busing. He did not, as I understood his feeling, intend to reach busing which was incident to the development of such things as educational parks, which was indeed one of the matters very close to my heart; or did he intend to restrict dealing with the problems of overcrowding or obsolescent facilities, where an incident would involve the busing of children to another place with the use of some part of this appropriation. His intention as I understand it was to zero in specifically on that particular type of busing which was calculated to bring about a correction of racial imbalance.

I ask the Senator whether that is his specific intent, because I think, in all deference to his sincere convictions which caused us to include this statement, we still wish to be precise about his meaning.

Mr. BYRD of West Virginia. Mr. President, I feel that the distinguished senior Senator from New York has precisely stated my feelings in this matter.

I do not object, of course, to the busing of students to relieve overcrowding in the public school system. I do object to deliberate, planned busing of public school students calculated to eliminate racial imbalance in public schools. I feel strongly about this. I believe that such busing, calculated to eliminate racial imbalance, flies squarely in the face of the 1964 Civil Rights Act, in which the word "desegregation" was stated not to mean the assignment of students to public schools in order to overcome racial imbalance. Moreover, forced integration of public school children has never been required by any U.S. Supreme Court decisions nor has there been any decision of that Court requiring the elimination of racial imbalance in the public schools.

I merely wanted the language to be stated in the report, so as to put the Office of Education on notice that the committee does not expect to see any funds in this bill used to bus students to public schools in America with the calculated intent of doing so to eliminate racial imbalance. But insofar as busing to relieve overcrowded conditions is concerned, that is quite a different thing, and there is no objection by this Senator to such busing when it is rightfully justified on this sole basis and where there exists no feasible alternative to relieve overcrowding.

Mr. JAVITS. I ask the Senator to clarify two points. First, the Senator, then, as I understand it, reads the paragraph preceding the paragraph I have read from the report—

> The committee calls attention to the following language in Public Law 88-352, Civil Rights Act, 1964: " 'Desegregation' shall not mean the assignment of students to public schools in order to overcome racial imbalance"—

With the paragraph which we are discussing; he feels they are to be taken together, as the one is designed to complement the other. Is that correct?

Mr. BYRD of West Virginia. Yes; they are designed to be taken together, and additionally, if I may add, the busing of public school students is cited as only one of many activities which may be calculated to eliminate racial imbalance in the public schools.

Mr. JAVITS. The second point is this: Would the Senator also add to the word "overcrowding" when he used, "obsolescent facilities," as this, too, is often a reason for busing?

Mr. BYRD of West Virginia. Indeed it is.

The PRESIDING OFFICER. The Chair requests that the Senator suspend until order is restored. The Senate will be in order.

The Senator from West Virginia may proceed.

Mr. BYRD of West Virginia. Indeed it is, Mr. President. I believe that the Senator from New York and I have achieved a complete meeting of minds on this question.

Mr. JAVITS. I thank the Senator very much.

Mr. BYRD of West Virginia. I thank the Senator from New York.

Mr. KENNEDY of Massachusetts. Mr. President, on page 11 of the report before us there appears a recommendation by the Appropriations Committee regarding the use of funds for assisting in the elimination of racial imbalance in public schools. I know I am correct in assuming that the committee has no intention of interferring with, or obstructing, the local initiatives and State authority to provide the highest quality education for students of all races and to take whatever steps in their judgment are incidental to achieve such quality education. Certainly, even if this recommendation were fully carried out, it could in no way affect any program that I know of now funded by the Office of Education.

I shall shortly be reintroducing in revised form the measure which I introduced last year to assist State and local governments who voluntarily determine that they wish to proceed with the elimination of the racial isolation in the schools, when they deem this phenomenon to be contrary to the interests of the students in their localities. We had extensive hearings in the Labor Committee on S. 2928 last year and there was ample testimony and evidence supporting the need for this measure. I will have much more to say about it in the near future but briefly stated the point of this bill is that those States and localities where, by legislative action, school board action, or other local decisions, a decision has been made to remove the evil of racial isolation in the schools, this voluntary initiative should not be penalized by making the applications for funds for this purpose compete for the limited funds available under title I and title III of the Elementary and Secondary Education Act. Because this is a bill and a concept which is based on, and rewards, local and State initiatives and voluntary action, and does not impose any mandatory Federal requirements, I believe it will merit and receive broad support from Senators of all parties and all persuasions.

Mr. JAVITS. Mr. President, to continue very briefly on the bill: I hope that Senators understand that just because we appropriate money does not mean that the money is spent. This is an added factor which Congress must always have in mind. Anyone who listened to the debate and the discussion in the committee will realize that we certainly matched minds and arguments, and that the struggles were very real, indeed titanic, upon many of these items. One would think that, having gone through such a difficult time in achieving a majority in favor of the bill—I think the final vote was unanimous, whatever may have been our internal and intermediate differences—at the very least, the money appropriated ought to be spent.

But, Mr. President, it is not. At the end of fiscal year 1967, I estimate that between $80 million and $100 million of appropriated funds will be held back by the Department of Health, Education, and Welfare upon the instructions of the Bureau of the Budget.

Mr. President, in view of the statements of the President and the administration that these programs need beefing up in the face of the riots and violence, this situation of internal insecurity, of which the absence of education and training, and the lack of the job opportunity which results from training, and other problems sought to be alleviated by this bill are considered to be basic causes, I express the hope that at the very least the administration will permit the Department to spend what we intended it should spend for the objectives for which we intended the funds should be spent. I hope very much that we will not run into the same situation which we have run into in 1967, where we thought we were doing what they absolutely required as the very basic minimum, but where, nevertheless, the White House has enforced a material cutback of appropriated funds. Indeed, it has stated that it expects a cutback of 15 percent. I hope very much, Mr. President, that the left hand, in this case, will know what the right hand is doing, and that what we appropriated in so sensitive an area as the one I am discussing will actually be expended for the purpose for which we appropriated it.

Finally, Mr. President, I wish to point out that one of the grave defaults, I think, in meeting the responsibilities which are so pressingly urgent today, is the failure to deal more effectively with this problem of elementary and secondary education. We have increased the total appropriation over that of 1967 by some $250 million; but considering the need which we find in the ghettos and the slums, what we are doing is really completely inadequate for the purpose; and, indeed, we are appropriating but 50 percent of the authorization. The distinguished Senator from Oregon [Mr. MORSE] is the chairman of the Education Subcommittee, upon which I have the honor to serve as well. I am sure he will pay his respects to this situation, as indeed he should, and I wish to join him in so doing. I know of no problem greater than the educational problem in the slums and ghettos dealing as it does with children and youth.

There has been much talk about 11-month schools, about using school premises the year around. I can testify, as a former slum child myself, that this would be enormously helpful, especially in these areas.

I had a colleague in the House years ago, who came from Pennsylvania. He always used to say, "Where are we going to get the money?"

I disagree thoroughly with those who think that this problem takes brains, genius, great skill, and dedication, but no money. It does take money, and the money largely has got to come from the Federal Government in as sensitive and difficult a field as the educational field.

I pay tribute to my dear friend, the senior Senator from Rhode Island [Mr. PASTORE] for the monumental job he did in the committee to get a little more money for the Teachers Corps, one of the most inventive ideas we have had in this educational field.

Enlisting the ideas and the enthusiasm of youths, I was able to lift the appropriations up one rung of the ladder. However, it was only because of the fine intuitive spirit of my good friend, the senior Senator from Rhode Island, that the appropriations got lifted to where they are in the pending bill.

The amount is only about half of the authorization. It is still very inadequate, but I pay tribute to the Senator from Rhode Island for what he did.

Mr. PASTORE. Mr. President, will the Senator yield?

Mr. JAVITS. I yield.

Mr. PASTORE. Mr. President, I know that many Senators are somewhat dissatisfied, as I am, that full funding is not available.

We did have very many practical questions to ponder. I repeat that the Senator from Alabama [Mr. HILL] was very compassionate and considerate.

We had to consider the pending bill in the context of the money that was available, the fact that we may be asked very shortly to increase taxes, and the fact that we might end up with a deficit of between $20 billion and $24 billion.

These are serious questions. While the House has approved nothing because the authorization bill had not passed at the time, the amount we receive from the Senate is a workable amount. I would like to see a great deal more. I would like to see the $33 million. However, it is my understanding that the Department can get along with this amount.

Mr. JAVITS. Mr. President, I thank my colleague.

I reiterate that without the assistance of the Senator from Rhode Island we would not have been this successful.

Mr. MORSE. Mr. President, will the Senator yield?

Mr. JAVITS. I yield.

Mr. MORSE. Mr. President, I understand the point of view of the Senator from Rhode Island. However, the administration would like to have the $33 million. They need the $33 million for reasons which I will point out in a speech that I will make shortly. If we act here, that money can go toward an immediate solution of some ghetto problems.

We need to put some money into those ghettos fast. This is no place to cut back. There are perhaps other places in which to cut back but, in my judgment, the fact that the Teachers Corps can deliver immediately by meeting crisis after crisis does justify giving the $33 million.

If we go to the House with the $18.1 million figure, we will run a great danger that that figure might be cut back in the House-Senate conference to a pittance. We should take the President's estimate to conference instead.

Mr. JAVITS. Mr. President, I pledge to my colleague that I will support him in whatever he does. But, I think that the Senator from Rhode Island and I would bleed and die rather than see a penny of this amount reduced.

Mr. PASTORE. Mr. President, I hope that the House will accept the amount contained in the bill passed by the Senate.

I, too, would like to have $33 million included in the bill, as would the senior Senator from Oregon. However, taking everything into account, under the circumstances we did the best that we could do.

I hope that the executive department will assert its good offices to see to it that the House goes along with the Senate amount.

I certainly hope that the amount is not cut in half again.

I say to my good friend, the senior Senator from Oregon, that I think he is conducting a worthy crusade. I wish him the best of luck. But, I am a realist.

I sincerely hope that the amount we pass will not be less than the committee allowed.

Mr. JAVITS. I thank my colleague. His work is always indispensable, as he knows.

Mr. HILL. Mr. President, will the Senator yield?

Mr. JAVITS. I yield.

Mr. HILL. Mr. President, there is contained in the bill for education alone the amount of $3,943,015,000. That is practically $4 billion.

As the Senator knows, we appropriated in the supplemental bill in May, under the leadership of the distinguished senior Senator from Rhode Island, $3,823,700. However, we have $18,100,000 for this purpose.

Nothing was contained in the bill for this purpose as it came from the House. Almost $4 billion is now contained in the bill.

Mr. JAVITS. There is no question about the fact, and I repeat, that the Senator from Alabama [Mr. Hill] is certainly mindful of the problems which we are discussing. He has been as helpful as he could be with respect to the problems.

The Senator from Rhode Island [Mr. Pastore], the Senator from Oregon [Mr. Morse], and I are talking about the ultimates which will be required.

I point out that in the city of New York, with roughly 1 million public school children, we have an education budget that is close to $1 billion.

New York City has a population in round figures of approximately 4 percent of the national population. That gives some concept of the order of magnitude.

Anyone who has been in the slums during this period and has seen the youngsters standing around on corners and sitting on stoops with blank looks during the day and looking for excitement during the night, if the climate will allow it, begins to understand some of the psychology of violence and riots.

I am sure that is what animates my colleague.

Mr. President, I pay tribute to the senior Senator from New Hampshire [Mr. Cotton], whom I replaced rather than displaced because he was its architect as the ranking member on the subcommittee.

The senior Senator from New Hampshire has been so friendly and tremendously helpful in guiding me in the work which I have tried to do. He has given me great support in matters concerning which I may not have been as sure of myself as I was of the fact that he wanted to help me in carrying out this new assignment.

I am very grateful to him.

With all the prayers and patriotism and good will in the world, it takes money to do what must be done to repair decades of deprivation in the ghettos. We also have the stark psychological fact that 10 million Americans from rural areas, mainly Negroes, have migrated into the great cities in one decade alone.

That problem will be met by the pending bill, albeit very inadequately. It bears out what the Senator from Oregon said about the Teachers Corps.

We are not trying to assess upon the Nation exclusively local problems. We are seeking to have the Nation bear the responsibility for an enormous sociological shift of population in the country which has taken so many of our taxpaying elements from the big cities—especially the bigger cities—and transferred them to the suburbs where they pay income taxes, but no city taxes.

This is not what the cities bargained for and is not what they need.

We must have the help of the Federal Government—albeit this would be very inadequate assistance—to deal with the matter.

I hope that at the very least the Senate will approve the measure as the committee brought it to the Senate floor.

Mr. MORSE. Mr. President——

Mr. COTTON. Mr. President——

The **PRESIDING OFFICER.** The Senator from New Hampshire is recognized.

Mr. COTTON. Mr. President, I say for the benefit of the distinguished Senator from Oregon that I realize he is about to make a very constructive speech. However, I will raise one point only and I should like to do it at this time.

Mr. President, the senior Senator from New Hampshire was deeply interested during the deliberations of the subcommittee and during its markup, in adding to some of the educational funds and, I think, was instrumental in increasing somewhat certain of these funds. His keen interest in the field of education has increased even more since he has served on the committee.

The Senator from New Hampshire has been interested in the colloquy that just occurred regarding the Teachers Corps—the remarks made by the distinguished Senator from Rhode Island and the distinguished Senator from New York.

The Senate and the members of the committee, who fought so hard for funds for the Teachers Corps, should have in mind that they have had some help from downtown—some rather questionable help.

I greatly admire the sturdy way in which the Senator from Rhode Island [Mr. Pastore] fought in the full committee for the increase in funds for the Teachers Corps. By main strength and by his deep sincerity and able presentation, he secured the $18 million which now is in the bill.

I say frankly that he did not have the vote of the Senator from New Hampshire. The Senator from New Hampshire, as a matter of conviction through the years, has not been in favor of the Federal Teachers Corps; because the Senator from New Hampshire is one of those who believes that we should never open the door, not even a crack, to the Federal Government paying teachers in our schools.

Under the Teachers Corps, of course, teachers are paid by the local school district, but 90 percent of the salaries of the trainees is reimbursed by the Federal Government.

It has been stated again and again that the Federal Government and the Teachers Corps exercise no supervision whatever, that the matter is entirely in the hands of the local authorities. But some of us—certainly, the Senator from New Hampshire—believe that a danger exists in that situation.

In the full committee, the Senator from Rhode Island succeeded in getting an increase. The House gave nothing to the Teachers Corps, because the Corps was not authorized in time for them to do so. I believe the subcommittee reported some $13 million, and the Senator from Rhode Island, with the assistance of other Senators, brought it up to $18 million.

So far as the Senator from New Hampshire is concerned, he feels honor bound, as a member of the subcommittee—even though he voted against it and reserved the right to vote against it on the floor—to go along with the Senator from Rhode Island; and I sincerely hope that no one will attempt to take away any of the money that has been authorized.

However, Mr. President, in this morning's Washington Post I read an article containing a statement by the Director of the Teachers Corps. The article begins in this manner:

> The Director of the Teacher Corps bitterly attacked the Senate Appropriations Committee yesterday for cutting the Corps program by half at a time when teachers are desperately needed in the slums.

I continue to read:

> "You'd think we would begin to search for ways to turn the situation around in the cities," said Corps Director Richard A. Graham. "I know there is concern about rewarding the rioters—

Incidentally, Mr. President, I do not know of anyone who even expressed any suggestion—any remote suggestion—that we should not give money to the Teachers Corps because it would be rewarding rioters. That is just errant nonsense, and the Committee on Appropriations does not act on matters before it in any such spirit.

He continues:

> but these were programs that were worked out with some care before the riots began."

Then this bitter, sarcastic, vindictive attack on the Appropriations Committee continues by this man downtown, who is the head of the Teachers Corps, on the day before we vote.

No Member of the Senate is more liberal in providing hearings than is the Senator from Alabama; and if Graham had wanted to come before the subcommittee, all he had to do was to pick up his telephone. He does not appreciate the work that the Senator from Rhode Island and others have put into this matter to authorize $18 million.

He continues—this is typical—and he names cities:

> The budget cutting "will knock out programs for Newark, Illinois, Memphis, New Orleans, Milwaukee, Minneapolis, Harlem, Kansas City, San Francisco, Buffalo and other cities" Graham said.

In other words, he selects cities in many of which there has been trouble, and says that the action of the Appropriations Committee cuts the appropriations in those cities.

That, of course, is the typical argument of a bureaucrat. He gets money from the committee, when he was not going to get 1 cent, or he was going to get perhaps $13 million, given to him reluctantly.

By dint of the earnest effort of the Senator from Rhode Island and others, he gets enough money so that, as I am informed by the committee staff, there can be 600 new trainees during the fall of 1967 and 1,500 more during the summer of 1968, and all told there will be more trainees than there were last year in the Teachers Corps program.

Then he proceeds to attack the Appropriations Committee in the most vindictive way.

Mr. HILL. Mr. President, will the Senator yield?

Mr. COTTON. I yield.

Mr. HILL. Just last May, he also received $3,823,700.

Mr. COTTON. I thank the Senator.

I am not particularly excited about the question of the Teachers Corps. I certainly do not care anything about this man Graham. I have never seen him and I do not know him. I know something about him by just reading this article. In the first place, he has no sense. He has no judgment. A man who is drawing the taxpayers' money to administer a national program should be a little more restrained when he attacks a committee of the U.S. Senate, upon which sit men who fought his fight only yesterday, long and nobly.

I know, furthermore, that he has no judgment, when he puts such an attack in the newspaper on the morning when this bill is being considered by the Senate. Were it not for the fact that I do not want the Teachers Corps or the cause of education to suffer from any anger on my part, that article would cause me to introduce an amendment—and to fight for it—to eliminate every cent authorized for the program. I would not do that, because the money goes to the Teachers Corps, not to this man, Richard A. Graham.

I mention this matter particularly because I am afraid that Mr. Graham is not the only bureaucrat downtown who has grown so arrogant that he does not hesitate to insult committees of the Senate, on which sit men who have been elected—not handed out a political appointment—by the people of their States to represent them here. Fortunately most of the men downtown have a little more sense than Mr. Graham.

I wish to add the following thought: Some of us were in this Chamber for years when Lyndon Johnson sat over in that chair as the majority leader of the Senate. Many of us have had the privilege of serving with him and under him. There is no one on either side of the aisle who would say he was not a talented and most able leader, who knew the proprieties, and he knew how to deal—not wheeling and dealing, necessarily—but how to deal, how to compromise, how to obtain as much as he could for the causes in which he believed or with which he was charged to lead for the administration. He knew them very well.

Mr. President, if Lyndon Johnson were sitting in this chair as the majority leader of the Senate today, and a man downtown, appointed by the President to administer a department had no more sense than to come out and attack the Committee on Appropriations after they had saved him some of the money, by the very methods of compromise that Lyndon Johnson used so skillfully and so well, in getting legislation before us, as has the Senator from Rhode Island, I think that Lyndon Johnson would have gotten up on the floor of the Senate and demanded that the President fire that man because a bureaucrat who has become so entrenched and so sure of his infallibility that he undertakes to lecture the Committee on Appropriations on the day the Senate is going to vote does not indicate either the commonsense or ability to make him fit to administer an agency of Government.

Mr. President, I hope that there will be no question raised. I am ready to vote for the bill. I am ready to vote for all of the bill. We had compromises, but I say these few words because it seems to me that the Senate and its committees are entitled to be defended, when they are charged with the responsibility of cutting here, cutting there, and choosing. Mr. President, this man could have no conception of the problems of the Committee on Appropriations. We have to weigh and give priorities by the scores and scores of worthy projects. Everybody is denied something. Then, we come in unanimously with the best composite judgment we can give.

If we are going to sit here tamely and be lectured and assaulted by these self-opinionated, blownup bureaucrats to whom someone has had the ill judgment to grant some authority, and who are being paid out of the Treasury, we are very foolish if we submit to it.

Mr. President, I sincerely hope that I will have the opportunity next year to sit on the subcommittee, and have this Mr.—what is his name?—Richard A. Graham, that great and eloquent man, come before us. I hope that I may have the exquisite joy of teaching this gentleman a few facts of life, a few rules of courtesy, and a few rules of ordinary diplomacy and commonsense.

Mr. HILL. Mr. President, will the Senator yield?

Mr. COTTON. I yield.

Mr. HILL. Mr. President, I commend the distinguished Senator from New Hampshire for his remarks. I am in wholehearted agreement with him. If I am the chairman of this subcommittee in the next Congress, and I expect to be unless something unforeseen happens, I will certainly make sure that the Senator from New Hampshire is right there with me when Mr. Graham comes before the subcommittee.

Mr. COTTON. I thank the Senator. I appreciate that statement more than I can say.

Mr. JAVITS. Mr. President, will the Senator yield?

Mr. HILL. I yield.

Mr. JAVITS. Mr. President, I can understand the Senator's criticism. I am sure that it would have been the path of wisdom and discretion not to have issued such a statement. I do feel that sometimes a man feels so keenly about a particular program, and I am sure that is the case here, that we have to temper judgment with some—I shall not use the word mercy—understanding of the passion which may move a man in this way.

Mr. President, I wish to add to the statement of the Senator from Alabama [Mr. HILL]. I, too, would want to be present at the subcommittee meeting and be sure my colleague from New Hampshire is there.

I hope that this enthusiasm and passion for the job will be translated into top performance. I think that this gentleman, when he hears or reads the proceedings of this afternoon, will have learned something about what it takes to be the head of a Corps and how intelligent one must be with respect to conduct becoming the head of a Corps of this character.

I find no fault with my colleague. I hope we will temper our judgment with the fact that undoubtedly this is a man of deep commitment and let us at least say that we expect him to transmit that energy and devotion for the job and perhaps learn a good hard lesson from what the Senator has said.

Mr. COTTON. I thank the Senator. I am not reproaching Mr. Graham for his enthusiasm and dedication to his job. I feel that job is not safe in the hands of someone who knows no better, as a matter of expediency and policy, than to follow the course he is following.

In addition, this matter has another meaning. As I said before, my only objection to the Teachers Corps is that I still believe that when the Federal Government is paying 90 percent of the salaries of teachers, even though it is being paid through the local school authorities, the Federal Government can exercise some influence on those teachers.

I have opposed the spread of the Teachers Corps because I do not want the Federal Government in command of teachers in our public schools. The answer always has been, "Well, no, we are not doing that; we do not want to do it; our policy is against it."

They assert the Teachers Corps would never interfere in any way, shape, or manner with the conduct, policy, and work of the teacher in the school. But here is a man I would not trust not to interfere.

If he is so presuming, so persistent, and so arrogant as to thoughtlessly, without even knowing what he is talking about, attack his best friends on the committee, he is the kind of man I would not trust not to interfere. That is what leads me to think that he is dangerous in this position, if the newspaper report is an accurate reflection of his judgment.

Mr. NELSON. Mr. President, I am concerned about the article referred to by the Senator from New Hampshire. I wish the Senator from New Hampshire to listen to my observations, because I think that Mr. Graham's attitude and viewpoint have not been accurately represented in the article. I should also like to have the chairman, the Senator from Alabama [Mr. HILL], listen to my observations.

Mr. Graham comes from Wisconsin. He is a very distinguished and highly regarded Republican businessman in my State. Several years ago he sold his business and went into the Peace Corps and ran a successful overseas program for the Peace Corps.

At the time his name was being considered for the Teachers Corps, I told the White House that I had known Mr. Graham for many years and, partisan politics aside, I thought that he was one of the finest men I had ever met in my life, with great judgment, great humility, great decency, and great ability.

When the article was published this morning, Mr. Graham called my office. I did not get an opportunity to speak with him. He told a member of my staff, however, that the story misrepresented his attitude and his viewpoint, that he had no intention to criticize the Appropriations Committee.

If the Senator will look carefully at the article, he will note that there are really no quotes in it which can be characterized as being a bitter criticism of the Appropriations Committee.

The reporter says so, yes. He writes:

> The director of the Teacher Corps bitterly attacked the Senate Appropriations Committee yesterday for cutting the Corps program by half at a time when teachers are desperately needed in the slums.

There are no bitter words anywhere in the article directly attributable to Mr. Graham. He did not make any. If one reads every single word in the article, one might not argue with him, but there is no bitterness or any attack upon the Appropriations Committee by Mr. Graham.

> You'd think we would begin to search for ways to turn the situation around in the cities,

Said Corps Director Richard A. Graham:

> I know there is concern about rewarding the rioters, but these were programs that were worked out with some care before the riots began.

There is another quote:

> The budget-cutting "will knock out programs for Newark, Illinois, Memphis, . . ."

That is correct. That happens to be a fact. For instance, they were going to expand in Milwaukee and other Wisconsin cities, but they will not be able to do so now. However, this is a simple statement of fact and not a bitter attack of any kind.

Going down further in the article, there are only two words in which Mr. Graham is quoted:

> Graham said that the cutting back will "turn off" many dedicated young people who seek the challenge of tough teaching jobs in the slums.

I think that is correct, Mr. President, but it is not a bitter attack on the committee.

The next one is:

> He argued that the Corps could give major aid to school systems "that are going to have trouble this fall getting first year teachers to staff many of the schools in the burned out sections of these cities."

Mr. President, I think that is correct, but it is not a bitter attack upon the committee.

Here is another quotation from the article:

> Graham said the committee's approval of $33 million requested for the Corps "kind of hacked us up."

Well, I do not believe that is a bitter attack upon the committee.

I recite these quotes only because if they were bitter attacks upon the committee, and intended as such by Mr. Graham, I would be the most astonished man in this Chamber because I have known him for some 15 to 18 years and he is one of the finest, gentlest persons I know.

He tried to reach me this morning, but when he could not do so, he talked to a member of my staff and told him that he did not make and would not make such a bitter attack upon the committee.

I am sure that when anyone gets the opportunity to meet Mr. Graham and talk to him about this matter, he will find that the story, as stated in the newspaper, does not represent Mr. Graham's viewpoint.

Mr. COTTON. Mr. President, will the Senator from Wisconsin yield?

Mr. NELSON. I yield.

Mr. COTTON. I thank the Senator from Wisconsin for his remarks and I appreciate his explanation. I am not surprised to learn that Mr. Graham is a Republican, because no Democrat would be so inept. It is only a Republican who puts his foot in it, on the wrong day, in the wrong place, and with the wrong people. A Democrat would do it much more smoothly.

However, I am not satisfied. I should think that Mr. Graham would be prepared to come to our subcommittee and talk to us about this in advance and present his suggestions rather than wait for the morning after and put them in the paper.

I do not entirely set that interpretation on some of his words. One thing that irritates me is the insinuation—and this is a quote: "I know there is concern about rewarding the rioters," which is a distinct implication that some of us were cutting down or withholding some of the funds from this program and that our attitude had something to do with the rioting. Any member on the committee, I am sure, will testify that there was not one single suggestion or thought about that, that it was a question of how much we could squeeze out for the Teachers Corps. There was opposition by two or three of us who had been opposed to the Teachers Corps for the reason I have stated; namely, that of payments to teachers by the Federal Government.

That was entirely uncalled for. There could be no facts in it. I am assuming it was unintentional, perhaps, and pure guesswork. All I say is, Mr. Graham may be the fine fellow the Senator from Wisconsin says he is. The Senator says so and he knows him, and I would take the Senator's judgment as a man. I have no desire to assail Mr. Graham personally, but I still think that the people downtown had better learn we have our problems in the Senate. As long as they are on the Government payroll, they had better restrain themselves and learn not to judge what we do without adequate knowledge. Mr. Graham could not have known anything about the rest of the parts of the bill which we had to weigh and to which we had to give priorities.

I regret if I have said anything offensive to the Senator from Wisconsin in my remarks, as he knows that I am not a harsh and bitter person. I have nothing against this man. I just did not like it and I thought it should be mentioned. If I did not mention it gently enough, I am certainly sorry.

I thank the Senator from Wisconsin for his analysis of this particular gentleman. I am willing to take the Senator at his word. I repeat: I think that these fellows downtown—had better learn a little common sense about dealing with the public and those of us who have so many difficult problems to cope with in making our decisions.

Mr. NELSON. I thank the Senator. No, Mr. Graham did not make a bitter attack upon the committee. I would certainly understand the valid resentment of the Senator from New Hampshire and the Senator from Alabama if he had, but since I have known Mr. Graham for many years and know the kind of gentleman he is, I am satisfied that when he tells my staff he did not make a bitter attack upon the committee, he did not intend to do so.

As to the quotation, "I know there is concern about rewarding the rioters," we are looking at a newsstory. Knowing Mr. Graham as I do, without having had an opportunity to talk to him about this incident, I give him the benefit of the doubt. I am sure what happened was, the appropriations came out at one-half the authorization, and as all Senators know, forthwith we find a reporter on the telephone. The Senator and I have been in politics for many years. When we discuss an appropriation with a reporter, certain quotations go into the newspaper. I have had that happen to me often enough. The quotation does not represent the total picture at all. I think that is the case here. Since he is a friend of mine—though he is a fine Republican, as I have said—and since I am pleased to see men of his quality give up their businesses, sell their businesses, and come into the Government because they want to do something constructive for their Government and the people, I thought it was my obligation to tell the Senator what kind of a gentleman Mr. Graham is.

Mr. COTTON. If the Senator will yield, if there was a reporter on the phone—this is an old expedient, and I am sure all of us have seen this happen—we shoot our mouth off. Then if the newspaperman quotes what we said, we immediately say we did not say it. I am not saying this is the case with Mr. Graham, but whoever wrote this story started out this way:

> The Director of the Teachers Corps bitterly attacked the Senate committee for cutting the Corps program in half.

Mr. NELSON. Will the Senator yield at that point?

Mr. COTTON. Yes.

Mr. NELSON. I would think that if the reporter wanted to quote a U.S. Senator or a Director of the Teachers Corps as bitterly attacking the Appropriations Committee, he would put the bitter attack in quotes. It is nowhere in the story. The leadoff is that he bitterly attacks. Where is the bitter attack? That to me is the strangest part of the story. That is why I am glad to make the statement that when he called my office he said he made no bitter attack. I know him too well. It is out of character for him.

Mr. COTTON. I am sure the newspaperman thought he had bitterly attacked it.

Mr. TYDINGS. Mr. President, I wonder

if I may have unanimous consent to put a question to the distinguished chairman of the subcommittee?

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. TYDINGS. It is my understanding that both the House-passed and the Senate-reported versions of the Labor-HEW Appropriations Act, H.R. 10165, contain an authorization for planning a badly needed research laboratory for the Food and Drug Administration. The House version of H.R. 10165, however, contains a rider proposed by Representative MELVIN LAIRD to preclude construction of the laboratory at Beltsville, Md., the site the Food and Drug Administration says is the best available location. Although the Laird rider would merely forbid actual construction of the laboratory within 50 miles of Washington, I believe that the House was in error to arbitrarily forbid the Food and Drug Administration to build its laboratory within 50 miles of its headquarters in Washington and its existing research facilities here. Regardless of whether or not the Beltsville facility is finally selected, I believe maximum efficiency for the Food and Drug Administration and Government economy are the only considerations which should guide the Food and Drug Administration in its site selection.

My query is: When the Senate Appropriations Committee struck the Laird rider from the Appropriations Committee bill, did it intend that the Secretary should choose the best available location for that laboratory in order to achieve maximum economy and efficiency in construction and operation without regard to its distance from or proximity to the National Capital or any other locality?

Mr. HILL. That is absolutely correct. The committee was seeking to have the Secretary select the site on the basis of maximum economy and efficiency both in the construction of any new building or buildings and in the operation of the laboratory.

Mr. TYDINGS. Would it be appropriate to say the Senate committee wants the Secretary to keep efficiency and economy foremost in mind, and not political considerations, whether it be on the part of the majority or minority or anybody else?

Mr. HILL. I would say that economy and efficiency ought to be of paramount consideration in making this selection, and what will make for the greatest economy so far as the Government and taxpayers are concerned and what will make for the greatest efficiency so far as the agency is concerned.

Mr. TYDINGS. I thank the Senator.

The PRESIDING OFFICER. The bill is open to amendment. If there be no amendment——

Mr. MANSFIELD. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. MORSE. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MORSE. Mr. President, I want to assure the Senator from Alabama [Mr. HILL], every member of the Labor-HEW Subcommittee, and the full Appropriations Committee that I do not rise to criticize the committee. I am going to set forth a different judgment that I have from that of the committee with respect to what I think the amount ought to be for the Teachers Corps.

I really rise to praise the committee for what I think are some great improvements it has made by increasing its recommended amounts over the Bureau of the Budget recommendations, with respect to a good many parts of the bill. But I am sure no one would defend me more than my colleague, the Senator from Alabama [Mr. HILL], who is my chief on the Senate Committee on Labor and Public Welfare, and has been for years. He is a man and a Senator for whom I have the greatest of admiration. I believe that Senator HILL would take the position that if a Senator feels an amendment ought to be offered to an appropriation bill, even though he would find himself on the other side, he would expect that Senator to carry out that trust. That is all I am proceeding to do in this matter.

When I finish the speech I shall make on this appropriation bill, there will be no doubt, I think, in the mind of anyone as to the motivation of the Senator from Oregon. It is to work with, and not against, the Appropriations Committee. When I think a higher figure ought to be recommended, as in the case of the Teachers Corps, it is my duty, as I see that duty, to make such a recommendation.

I shall have something to say about the increases I feel are justified in a number of programs financed by the bill as I proceed with my speech. May I say further, however, to the chairman of the subcommittee and to all members of the subcommittee—who obviously are not going to agree with me on my recommendation to return to the recommendation of the administration of $33 million to replace the $18.1 million contained in the committee report—that I am sure they will recognize my speaking most sincerely words of praise for the great record of the Senator from Alabama both on this subcommittee and as chairman of the Senate Committee on Labor and Public Welfare, out of which committee came the authorization legislation.

I express again, as I have many times over the years, my point of view that no one in Congress, and I think no one in the country, has done more to build a great monument of achievement in the field of building up the health services and health resources of our country than has LISTER HILL. Very rarely do I find myself having any difference of opinion with him in connection with amounts in appropriation bills.

However, I do have an obligation to raise my voice in connection with my chairmanship of the Subcommittee on Education, with respect to the substantive legislation that is considered and passed by the Senate. These bills contain the authorization amounts. After all, it is the legislative committee, which passes on questions of policy. It is the committee, not the Committee on Appropriations which has the responsibility of determining the merits of the policy involved in an education bill. In the educational area this committee is the Committee on Labor and Public Welfare, of which my subcommittee is an agent.

I announce now that I intend to ask for a rollcall vote on my amendment, which I shall subsequently offer. I hope that the staff will notify the majority leader, the minority leader, and others that I shall plead for a rollcall vote, because I think there should be a record vote on this matter, for reasons that I shall set forth in my substantive argument. But what I seek to do this afternoon, may I say to my fellow Senators—is to call the attention of the Senate to the fact that the committee whose primary responsibility is to pass upon the merits of educational policy vis-a-vis, in this particular instance, the Teachers Corps, is not the Committee on Appropriations, but the Committee on Labor and Public Welfare.

This is the committee that took the evidence. It is the committee that heard the educators. It is the committee that made the record on the need, and the extent of the need, for the Teachers Corps—not the Committee on Appropriations.

I ask my good friend, the Senator from New Hampshire, in response to his comment concerning the fact that Mr. Richard Graham did not appear before the Appropriations Committee—Was he asked to? He did appear before my subcommittee, and he bore out exactly what the Senator from Wisconsin [Mr. NELSON] said about him. We had an opportunity to sit there and judge the nature of this man Richard Graham. I do not know what happened in the telephonic interview that he had with the newspaperman. It is not for me to judge. I do know that he got in touch with a member of the staff of the Senate committee, and expressed great concern.

Since the Senator from New Hampshire has now returned to the Chamber, I repeat what I have stated. I said that the Senator from New Hampshire had made the point that Mr. Graham did not appear before the Committee on Appropriations, and that I do not know whether he was asked. I assume he was asked to, for certainly he should not be expected to volunteer to appear before the Committee on Appropriations.

He did appear, however, before the Committee on Labor and Public Welfare, and in my opinion was a most effective witness. We had an opportunity to decide the kind of a man he was, to test his qualifications, and the impression he left bore out what the Senator from Wisconsin said about him.

I think the report in the paper is most unfortunate. I think, on the face of it, it shows that he was inept on that occasion; but I wish to say that the impression that he left with us on the Committee on Labor and Public Welfare was most favorable. He made a great case. In fact, Mr. President, I ask unanimous consent that at the conclusion of my remarks, an excerpt from Mr. Graham's testimony which I have marked, starting on page 187 of the record of the hearings, be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 1.)

Mr. MORSE. His testimony speaks for itself. I am very sad about this newspaper story, because, inept as it is, I think he has done a great injustice to himself, let me put it that way. I think it is too bad.

He notified a member of the staff that he would welcome an opportunity to appear and be interrogated in regard to it, and make perfectly clear that this is not his intention.

I know also, as the Senator from New Hampshire stated, that as we go into press conferences, frequently our views may be distorted or twisted, or taken out of context. I have had that experience. I know also the experience of going into news conferences and coming out afterwards wishing I had not said some of the things I said.

I have never denied anything I said in a news conference, but that does not mean I have not on occasion wished I had not said some of the things I said.

I do not know what happened in this news conference. All I have to say is that on the basis of observation of Mr. Graham when he appeared before our committee and testified and was cross-examined at some length, I was dumbfounded by the implications of the article in the Post this morning.

Mr. COTTON. Mr. President, will the Senator yield?

Mr. MORSE. As I said before, I rise to criticize no one. My motivation here is to make a plea on substantive legislation which I think warrants increasing the amount the committee has recommended.

I yield to the Senator from New Hampshire.

Mr. COTTON. Mr. President, I thank the Senator for yielding. I should like to make this very clear to the Senator from Oregon: When I ventured to speak of this newspaper article, because I thought it was the type of thing the Senate should not pass over unnoticed, I was not aware and had not been told that the Senator from Oregon intended to offer an amendment to increase the amount for the Teachers Corps. Had I known that, I would certainly have withheld what I had to say until later, because I want to make it perfectly clear that Mr. Graham is not on trial here; the question is purely one of how much should be appropriated for the Teachers Corps. I do not want any Senator to be influenced to the slightest degree by the article in question, in passing upon the absolute merits of this question. I shall consider the matter solely on its merits; as far as I am concerned, the Senator from Oregon may even be opening the path to move for reduction of the appropriation. It should be considered strictly on its merits, and as far as further discussion about Mr. Graham is concerned, I hope that will be unnecessary. Let us deal with the problem before us. I did not intend to prejudice the Teachers Corps by my remarks.

Mr. MORSE. I thank the Senator from New Hampshire. Nothing in my comments was intended to imply that that was the intention of the Senator from New Hampshire. In fact, the Senator was called off the floor while the quorum call was in progress, and did not return in time to hear the beginning of my remarks, but the Senator from Alabama did, and the Senator from Rhode Island did; and I want the Senator from New Hampshire to know what I said by way of repetition.

I made it clear, when I rose to speak, that the Senator from Oregon did not wish to criticize any member of the Committee on Appropriations, or the committee itself. I praise it, because I am highly pleased with the increase in its recommendations for a number of items in its report, where it has sought to correct what I have thought needed to be corrected, including some underfunding recommendations of the Bureau of the Budget.

Then, while the Senator was off the floor, I expressed, as the Senator has heard me do many times over the years, my great esteem for the Senator from Alabama. But the Senator from Alabama would be first to take the position that if I differed with the committee on the amount recommended for any item on an appropriation bill, he would expect me to offer my amendment, and whatever views I had in support of the amendment, and let the Senate work its will.

The second point I had covered before the Senator from New Hampshire came back to the floor was that I wanted to point out that the committee which has the responsibility of passing upon policy as far as the substance of legislation is concerned is the legislative committee, which in this instance is the Committee on Labor and Public Welfare, of which the distinguished Senator from Alabama is chairman.

I think, as I recall, that I used the phrase that, in this respect, he is my chief and has served for many years as my chief adviser and leader on the Senate Committee on Labor and Public Welfare.

The legislative committee brought forth the bill containing the Teacher Corps $33 million authorization figure.

Certainly the Senator from Alabama [Mr. HILL] had a responsibility as chairman of the Subcommittee on Appropriations to exercise his best judgment in regard to whatever policy ought to be followed within the Appropriations Committee. He sits as chairman of the legislative committee and wears one hat. When he sits on the Committee on Appropriations he wears another hat.

What I want to plead for in the Senate this afternoon is that when we start to making educational policy, we should see what the record is. The whole record was not made before the Committee on Appropriations vis-a-vis the Teachers Corps.

A record on educational policy with respect to the Teachers Corps was made before the Senate Committee on Labor and Public Welfare Subcommittee of which I am the chairman. The chairman of the full committee is the Senator from Alabama [Mr. HILL].

I call attention to the matter of educational policy that was made in those hearings. And I have brought the hearings of record here.

On the basis of this policy, the thesis and thrust of my argument is that the Appropriations Committee ought to recommend what the administration is asking for—$33 million, rather than $18 million.

I yield to the distinguished junior Senator from Illinois.

The PRESIDING OFFICER. The Senator from Illinois is recognized.

Mr. PERCY. Mr. President, I associate myself with the comments of the distinguished senior Senator from Oregon.

A year and a half ago I went to visit a major Teachers Corps establishment located in the country in Illinois. I spent a day with these young people and inquired of groups of 10 or 15 at a time, going around the table, as to what motivated them to sign up in the Teachers Corps and what their background was.

I asked each of the groups whether some incentive would not be necessary to get the teachers to go into the culturally deprived areas. I was pleasantly surprised that, almost universally, they said:

> No. This is not like the State Department where you get a 25 percent allowance for a hardship position. You should not offer a financial incentive. You should offer the incentive to those who have the knowledge, the understanding, the special skills, and training. People have to be motivated. They will not do this unless they are motivated. You will not motivate the right people by a monetary reward. Those who would most likely have benefited by such a monetary reward flatly refused, person after person.

I left there, after spending a day with these people, absolutely convinced that this program supplies the best possible investment that we could make of our Federal funds that are being put into the culturally deprived areas of America.

I support the amendment of the Senator from Oregon to restore the full amount of $33 million requested by the administration.

I believe this is truly one of the great programs that we have at this time. We would be making a tragic mistake if we were to cut a penny out of the program—particularly at this time.

I ask unanimous consent to have printed in the RECORD at this point an article which illustrates the need for such dedicated and specially trained teachers, printed in the Wall Street Journal, of July 25, 1967.

There being no objection, the article was ordered to be printed in the RECORD as follows:

SLUM TEACHERS—THEY NEED A KNACK THAT DOESN'T COME WITH A CERTIFICATE

(By W. Stewart Pinkerton, Jr.)

It takes more than good intentions and a raft of education courses to teach in the slums.

Educators are increasingly afraid that many professional teachers working with poverty youngsters are woefully unprepared to cope with the specialized problems they face.

The biggest block is a teacher's inability to relate emotionally to his pupils; ironically, this often stems from the teacher's own education. David Martin of the University of Southern California's department of education contends most poverty youngsters live in an environment that makes extensive use of nonverbal, or emotional, communication.

"Personal feelings are much more important to the ghetto child," he says, "Many teachers never realize this and are talked to so much themselves during their training they get trained out of an ability to communicate on a level of 'feeling.' As a result, they come out insensitive and figure the only way to get through to the kids is talk, talk, talk. Of course this doesn't work, but neither the teacher nor the pupil understands what's wrong."

Another, perhaps related, impediment lies in the use of language. Kenneth Johnson, an assistant professor of education at USC and a specialist in linguistics, contends that differences in pronunciations, usage and vocabulary can often be so great that the middle class teacher is effectively speaking a different language than her pupils.

Educators contend communication between teachers and poverty pupils is also impaired by Federal and state certification criteria that make no distinction for the teaching attributes required in poverty areas. Such programs as Head Start and the Job Corps, for example, require that teachers be certified. But these rules tend to screen out those who can best communicate, educators argue. Says Kenneth Clark, a professor of psychology at City College of New York: "The teaching art has been dehumanized and preempted by irrelevant licensing restrictions," contributing "significantly" to a breakdown of rapport.

AVERAGE DOESN'T MEAN A THING

"We need teachers who know how to raise a family on $100 a month," asserts one Negro social worker in Los Angeles. Maurice M. Sampson, an official at the Opportunities Industrialization Center in Philadelphia, agrees that teacher identification with the pupil is the key factor and that it's often frustrated by personnel standards: "Those responsible for standards use people at their own level as being average. But when you're dealing with the poor, that average doesn't mean a thing and those standards just aren't realistic."

Stan Myles, an official of the Westminster Neighborhood Association Inc., a highly successful basic education and vocational training program in Los Angeles' Watts section, illustrates the point. Recently, he says, a 20-year-old Negro enrolled who didn't know there were 30 days in a month. "He had absolutely no concept of a calendar." After exhausting regular means, Mr. Myles finally asked the youth if a judge put him in jail for 90 days, how long would that be? The young man thought for a moment, then quickly replied: "Three months."

The fact that Mr. Myles could identify with the youth's environment paid off. "One of the characteristics of the ghetto is that you're likely to get busted," explains USC's Professor Martin. "In middle-class society being put in jail is frowned upon, but to the ghetto resident it's often a fact of everyday life."

Understanding language differences can prove to be just as important. USC's Mr. Johnson says that one of the characteristics of the Negro dialect is a tremendous variance in the usage of the verb "to be." To the untrained ear, the differences can be baffling. Recently, for example, Mr. Johnson walked into a slum classroom accompanied by the school's Caucasian principal. The teacher wasn't in the room, so the principal asked a little Negro girl where the teacher was. "She be's gone," was the reply. Figuring the pupil meant the teacher just stepped out for a moment, the principal said, "We'll stop by a little later."

Actually, Mr. Johnson explains, the girl meant something quite different. The use of "be's" signifies "all the time," he says. So what the pupil was really saying was that the teacher was usually gone. She came to class occasionally, but it was more common for her to be absent.

DOUGH OR DOOR?

Thus the girl was giving the principal a very important piece of information, which he misinterpreted. Similarly, Mr. Johnson explains some other language deviations that can prove bothersome to teachers: Dropping final Rs (so the words "dough" and "door" come out alike) and dropping final consonant clusters.

"Many teachers tend to look on these differences as being incorrect and sloppy," he says. "It does deviate from so-called standard English, but the deviations are systematic and the patterns occur again and again, but many middle-class teachers just call it sloppy and say the kids aren't capable of learning."

It's further argued that the whole concept of the usual teacher-pupil relationship, generally reinforced in many poverty projects by personnel standards, needs some re-evaluation. The question is especially relevant in poverty programs since the enrollees are generally school dropouts: It's reasoned that if a pupil droped out of school, chances are good that he could drop out of the poverty program if he's put back under the same conditions.

Educators contend the usual classroom aura should be eliminated. The U.S. Labor Department and the Department of Health, Education and Welfare jointly fund four skill centers in Los Angeles, which provide vocational and pre-vocational training. The teaching requirements are high: In three of the centers, run by the Los Angeles city schools, a teaching credential is mandatory. In the other, run by a private trade school, basic education instructors need five years of on-the-job experience. Most of the classes could pass for regular high school sessions.

At the Watts center, for instance, "no smoking" signs line the halls and classrooms, and instructors in basic education generally prevail from behind the standard teacher's desk. Students sit in regulation school-type study desks. The centers are considered successful, but the dropout rate is one of the highest for programs of its kind in the area, 25% despite the fact all the students are paid while they attend. (Adults get $45 a week, plus $5 a week for each dependent, and young people get $20 a week.)

Skill center officials refuse to equate the dropout rate and the high absenteeism (25% to 30% for youngsters) with any communications gap between teacher and pupil. "The kids get every break," says one official. "They can change teachers or counselors anytime they want."

But the most successful of the centers, in predominantly Mexican-American East Los Angeles, is the one that emphasizes what skill center coordinator Jim Allison calls "unstructured school situations." In the classes, free of grades to relieve pupils of the pressures of competition, students gather in small seminar-type groups around a table instead of the usual classroom layout. The job placement rate for graduates here is between 90% and 100%, compared with an average of 85% at the other centers. Similarly, the 20% dropout rate and the 15% average absenteeism are below the general skill center average.

WANTED: MOTIVATION

Another successful venture into a nonclassroom approach is at Operation Bootstrap, a privately supported training program in Los Angeles. It has no requirements for its 10 volunteer teachers other than "sincere motivation," according to Robert Hall, one of the program's co-founders. Bootstrap shuns the usual teacher-pupil relationship, and tries to put emphasis on individual instruction.

Ida Mosely, a pretty, 23-year-old Negro, teaches power sewing to about 10 Bootstrap pupils. She dispenses with formal lectures and moves about from machine to machine, giving students individual attention. A Bootstrap graduate herself, Miss Mosely finished high school, enrolled in a Federal job training program, but quit after only a few weeks. "It was just like high school," she says, "We had lessons all day long in a regular classroom with an hour off for lunch. Here we have very few restrictions, and the pupils can come and go when they want." Mr. Hall claims this approach results in close to 100% of the students staying with the program from beginning to end.

To be sure, teaching methods shouldn't be so unstructured as to leave pupils ill-prepared to face life in the outside world, educators point out. Thus, at the skill centers, students in some of the vocational courses have to punch in at a time clock every morning, to get them to accept some of the outward disciplines of the working world.

And the emphasis on the ability to communicate rather than formal teaching credentials makes it a lot harder to identify the special breed of teacher needed for poverty areas. At the Opportunities Industrialization Center in Philadelphia, prospective teachers are put through a battery of personal interviews. "In each and every case the prospect is being interviewed by a person who we know can communicate with the poor," says Mr. Sampson. "We figure if the interviewer can communicate with the prospect, we've got a pretty good idea that he'll work out."

Clearly, no single teaching task is going to set the poverty pupil easily on the right course. But it's becoming increasingly apparent that some of the middle-class rules need to be scrapped.

Mr. MORSE. Mr. President, I appreciate the support of the junior Senator from Illinois. It means a great deal to me.

The amendment which I will offer after I make my argument is an amendment that carries out what I know is the preference of the administration in respect to obtaining more money for the Teachers Corps, for reasons that I shall set forth in my speech. What is needed is an immediate teacher transfusion into the ghetto areas of this country. The restoration of the larger figure I shall propose will make that possible for reasons that I am about to state.

Mr. KENNEDY of Massachusetts. Mr. President, will the Senator yield?

Mr. MORSE. Mr. President, I yield to the distinguished senior Senator from Massachusetts.

Mr. KENNEDY of Massachusetts. Mr. President, I commend the distinguished senior Senator from Oregon for taking the floor of the U.S. Senate and making this fight to restore the funds for the Teachers Corps.

There certainly has been no better champion of the Teachers Corps. No one has developed a greater understanding of the need for the Teachers Corps than has the distinguished senior Senator from Oregon. It is my understanding—and I wish the senior Senator from Oregon would correct me if I am wrong—that the Teachers Corps has been embraced by the many school districts in which it functions.

It has been embraced by the outstanding educational institutions who provide training for those who will participate in these programs, and the various educational associations have also been providing a degree of cooperation.

Most importantly it has been embraced by the children who have benefited from the Teachers Corps and who have been improving their skill and knowledge.

There has been great national concern for the betterment of the young people who have been disadvantaged in our Nation. This program has stimulated within the educational profession new vocations to work with the disadvantaged of this country.

And it is my understanding that the record has been compelling and complete and fully justifies the whole authorization made by the committee.

Mr. President, the National Teachers Corps came into existence 2 years ago. Since that time it has suffered endless delays and threats to its very existence. The expectations held out to our poorest school districts in authorizing legislation have been dashed on almost every occasion by our failures in appropriating legislation. The National Teachers Corps is the classic example of unmet hopes—of promises made and accepted in good faith that have been broken time and again. It seems to me that in this time of terrible strife it is totally inappropriate for the U.S. Senate to give half a loaf to the innocent children in our most deprived schools. If the case can be made that we have failed their parents and we are reaping the rewards of that failure now, then we should be able to make the case that we will not fail the young and create another generation of Americans cynical and disbelieving.

When the fiscal 1968 appropriation for the National Teachers Corps was before the House of Representatives, no money was appropriated at all. But it was clearly stated at the time in the House report that the failure to appropriate money for the Corps was based on the fact that authorizing legislation had not been enacted; and the House clearly stated that it was withholding money from the Corps "without prejudice." The bill before us today, however, was reported from the Senate committee after the Teachers Corps authorization was enacted. Yet the administration's request for $33 million, that is, the request for the full authorization that we enacted, has been cut to $18.1 million. This cut could be explained if the House had appropriated nothing because of a stated opposition to the Teachers Corps and the Senate was trying to halve the difference in preparation for a conference. But I would repeat again that the House appropriated no funds "without prejudice" and there is no good reason why the Senate should not go to the House with the full authorization met.

The cutdown in funds for the Teachers Corps is simply another slice from this program, simply another discouragement to the dedicated members of the education profession who have joined this organization in the hopes of elevating the minds of our young and to the school systems throughout the country that are waiting for their Corps members. School systems from practically every State—Mississippi, Connecticut, the Far West—have all asked for the Teachers Corps, and I might say that Members of this body from those areas have inquired of the Teachers Corps why the requests from their States are not being met.

Under this appropriation, if allowed to stand at $18 million, there will be many more such inquiries, for instead of 2,100 new entrants this summer and fall into the Corps there will only be 1,100. Instead of 2,500 entrants next summer and fall there will only be 1,500. And unfortunately the hardest hit school systems will be those trying to work for the advancement of thousands of children of Mexican-American descent as well as the children of the hundreds of thousands of our migrant laborers.

Mr. President, I would remind the Senate that the National Teachers Corps—a concept now endorsed by every educational group in this country—has in its 2 years of existence received only $20 million. But they have done much with this. They have somehow attracted over 1,000 Corps members and they have somehow interested some of our better higher educational institutions to participate in this program. But most important, they have brought the best in educational opportunities to countless numbers of young people who need it the most. The argument is made by the Senate committee that the Corps has been relying upon forward financing and this is one of the reasons cited for why their appropriation is being cut.

The Senator from Oregon will bear me out when I point out that forward financing has not been a procedure discredited when used under title V of the Higher Education Act for experienced teacher fellowship programs and prospective teacher fellowship programs. In the case of the Teachers Corps the reliance on forward financing is even more understandable. Our better institutions of higher education cannot be asked in September after money is fully appropriated to set up a training program in September—plans must be made in the prior winter for the sophisticated programs that the Corps relies on. And it is very clear that most institutions would not set up programs for the Teachers Corps 9 months in advance without some financial commitment from the Corps in light of the terrible history that the Corps has had here in the Congress.

Mr. President, I would ask those in this body who are interested in education, who are interested in our young and above all who are committed to a more healthy society to support the Senator from Oregon in his efforts today. There are 18 school districts that I know of whose programs are fully cleared with State authorities, whose proposals are acceptable to all and whose school principals are expecting the Corps members that are now set to go—but will not go at the current level of appropriation. And there are 15 more today who are set to go in a matter of weeks if we gave them the slightest indication that we were prepared to support this program as we promised in earlier legislation. The $33 million is modest enough—we almost cannot afford not to give it. Is this not the feeling of the distinguished Senator from Oregon?

Mr. MORSE. I answer the question of the Senator from Massachusetts by saying that the answer is a loud and resounding yes.

I hold in my hand the exhibit that supports my answer. It is contained in the testimony of the Deputy Commissioner of Education in our hearings record starting on page 183.

While the Senator from Massachusetts and the Senator from Wisconsin [Mr. Nelson]—the two original authors of the Teachers Corps legislation—are not members of my subcommittee, they attended our hearings, and they presented testimony for which I again thank them, as I have personally thanked them heretofore.

Read the record. This is the legislative record. This is the record of the legislative committee.

The Appropriations Committee can produce no such record. The Appropriations Committee cannot come forward with the supporting evidence for cutting the administration request for full appropriation of this bill authorization of $33 million. However, my committee record can support the full funding of this program.

Read the record of what the heads of these various educational agencies that were referred to by the junior Senator from Massachusetts in his statement. There is the support and also the evidence of the remarkable record that has already been accomplished with the pittances that have been appropriated heretofore compared with the need.

If it would help, I would get down on both knees in this plea. All I can say is that here is the hour of opportunity and, I happen to think, legislative responsibility, too.

Here is the hour when we can set aside by appropriations, as far as the Senate is concerned, the money that will give this transfusion that these educators are pleading for with which to get the teachers they say are sorely needed now—not next year, but now.

We should put this special assistance into the ghettos of America where we know one of the great social and economic crises confronts us in regard to the poverty-stricken. This money would go to aid little boys and girls, as the testimony contained within the covers of this volume show.

There is not even a book in their homes that we can really consider to be an educational book. There may be some comic books. There may be some other books of very questionable nature that should not be in their homes, but there is not a cultural book, there is not a literary book. Why? Because they come from illiterate parents, poverty-stricken parents.

Do not forget that you have a whole group of teachers in this country besides the teacher in the classroom. The home has to be a great teacher. The Sunday School has to be a great teacher. The people in the community in which children live must be teachers. That is all part of the educational process. Education is not ladled out only in the classroom. Here is a group of teachers—part of the Teachers Corps program—that works with the home, too.

Many of the Teachers Corps training programs are for those teachers who are being trained to deal with the disadvantaged children of this country. They get into the home and try to reach the parents. They confer with the ministers of the churches—if the people whose children they seek to help are church members.

I do not wish to appear deeply moved, although I am. I want to keep the discussion completely on a factual basis. But the facts are here, and the facts support the $33 million, not the proposed cut.

Mr. KENNEDY of Massachusetts. I wish to indicate to the Senator from Oregon that I am in complete accord with the observations he has made this afternoon.

This morning I attended a hearing before the Committee on the Judiciary on the antirioting bill. The committee is beginning to delve into that legislation and also, to some extent, will analyze the cause and development of riots and what useful legislation can be introduced.

Certainly, it is ironic that in one breath we are beginning a study of that nature and in the second breath we are addressing ourselves to what I believe, in a small but useful way, could certainly contribute to the restoration of confidence, providing greater opportunity to those in various parts of our country who are disadvantaged. That is what I believe we are doing by supporting the amendment of the Senator from Oregon.

I again commend him for his efforts in the fight he is making on the floor of the Senate this afternoon. I look forward to supporting his amendment, and I am hopeful that all other Senators will do so.

Mr. MORSE. Mr. President, I wish to yield to the Senator from Oklahoma, but before doing so I wish to congratulate him publicly and to commend him and pledge my assistance to him in connection with the Presidential appointment he has just received, in which he has been thrown into the caldron of the boiling problem concerning the ghettos of America and the disturbing situation that has developed as manifested by various riots and extremist actions in the cities of the country. I am very proud of him, and I am also very proud to yield to him at this time.

Mr. HARRIS. Mr. President, I am honored by the very generous comments of the distinguished Senator from Oregon. What he has said about the new Presidential Commission on Civil Disorder is to some degree involved in what he is attempting to do on the floor of the Senate today—to restore a pitifully small amount, in comparison with our Federal budget—for education, and particularly for the Teachers Corps. Over the years, the distinguished Senator from Oregon has performed immensely valuable service for this Nation in the field of education.

Mr. President, our country now and in the years ahead will be tested more, perhaps, than it has ever been tested since its foundation. Forces of change are at work in our country and in the world which most of us can just barely commence to grasp: the entire problem of urbanization and rural-to-urban shift of population, the resultant breakdown of family; the resultant lessening of the pressure of conformity through knowing your neighbors and being known by your neighbors, and where you fit into things, which are hand in hand with the urbanization process; the fantastic explosion of knowledge and technology in this country, where 85 percent of all the Ph. D. degrees granted in the history of America have been granted since the end of World War II; the figure most of us have heard a good many times—90 percent of all the scientists in the history of the world are alive today. Think of what pressures that puts on people for training and retraining and for education.

If you are disadvantaged today, if you come from a poverty background today, you have many more obstacles to overcome than you had, say, back in the days when the Italians and the Irish were moving upward in our society, at a time when a sixth-grade education was a tremendous accomplishment, and when a substantial percentage of the jobs in America were for the unskilled.

Consider the change in population, the population growth alone, and then the change in the age distribution, with the majority of people in this country now 25 years of age or younger. Think of the wrenching change that that in itself may cause.

I believe these are the best educated, the most dedicated, and the most committed young people this country has ever produced. But they will make us look at ourselves and examine what we do. They will question us and our society, and they are already doing so.

This is a changing world. That is a difficult concept to live with, but I believe it is the central concept of our age.

All these factors, and many more, put more stress on education than on any other segment of our society.

Not long ago, I toured a rural poverty area in eastern Oklahoma, in one of which counties 46 percent of the people above the age of 25 have less than an eighth-grade education. I remember in particular one man whose home I visited. He was a seasonal employee, when he could get work. He helped sack grain during the grain season.

He said, "Old J. B."—he called his boss "J. B."—"kind of helps me out through the winter, and I can get along on $20 or $25 a week sometimes when he has odd jobs for me to do."

We were in his house, which had no screendoor, and flies were in and out, as were the dogs. He had several small children, some with scabs on their faces, and the children were running back and forth.

My wife and I spoke with him. I said, "What do you have in mind for your children? What sort of future would you like to see for your children?"

He said, "I would like to see them go to college and get a college education, so they wouldn't be like me, so they would be able to get a good job."

You do not know whether to laugh or cry. It is either terribly ridiculous, or it is terribly sad, perhaps both, that a man in those conditions would aspire to a college education for his children, when he lives in those poverty conditions. But he does, and I want us to help make that dream come true.

Consider the Job Corps, Mr. President. Fifty percent of the young men in the Job Corps, mostly from urban slums, according to the testimony of Sargent Shriver which we heard today before our Commission, are functionally illiterate, passed along from year to year in school, and yet really cannot read or write.

I have had personal contact with two young men from the Job Corps who had been in it for a month and came to Washington, D.C., recently as a part of their program. They were taken on a tour of the Capitol and related buildings. I spoke with them afterward, and they could not even relate what they had seen. They had no way to know what these buildings were or how they fit into our society or government. They had no way to describe it, because they had no experience or education which would fit them to understand what they had seen, and they just could not relate it.

Mr. President, those are the people that, one way or another, you and I better be involved with, because we are involved with them whether we like it or not, and so is this country.

I am unable to understand those persons who say there is not a need for this program, the Teachers Corps, in that county in Oklahoma, where 46 percent of the people over 25 have less than an eighth-grade education. I wish everyone could go with me to that school district which has an assessed property valuation of less than $500,000—and that is not for tax collected—from which ad valorem taxes must be collected to pay for that school, plus State aid and plus the start we have made in this country, under the leadership of the distinguished Senator from Oregon, for Federal aid to that school district. If anyone says that without that aid those children have much of a future, it is because they do not know the facts.

The American people are decent people. They want to do the right thing. They first have to be given the facts.

Dick Graham, who heads the Teachers Corps, is a man of uncommon dedication and extraordinary ability. This is a pitifully small amount of money he needs to deal with these problems.

I supported the cut the Space Committee made of $250 million in that program. I would have supported the additional $100 million cut under the amendment offered by the Senator from Wisconsin. I supported the amendment of the Senator from Rhode Island [Mr. PASTORE], to delay this year building of the fantastically expensive project by the Atomic Energy Commission in Weston, Ill., not because it is not needed, but because we have to put first things first, and we have to have some system of priorities.

Mr. President, this amount is little enough. It is hardly worth the length of time we have spent on it here today. It is little enough money, but it is basic to the future of this country.

The other day a witness before the Subcommittee on Government Research, of which I am chairman, said:

> America will go ahead whether there is lawlessness in our ghettos and whether we do some of the things we should do about human development, about which we know very little.

He said:

> We will still have an America.

That is true, but not nearly the kind of America that you and I think about and not nearly the kind of America that you and I want for ourselves and our children.

Lately I have heard people say, "What are you going to do with people who will not work? What are you going to do with people who will not come into these training programs when we offer them?"

I say: What are we going to do? Are we only going to criticize, penalize, institutionalize, and "welfarize"? Those are the questions facing America. Those who ask, "What are you going to do with that kind of people" have asked the question which must be asked, but in a much more meaningful way.

If we are not going to do it by new innovations and give the school boards this small additional amount of Teacher Corps people under their supervision and control, then I think we are not facing up to the serious new chain of problems this country confronts.

I am proud to endorse the effort of the distinguished Senator from Oregon, and I join with him in the hope that the Senate will adopt this amendment and restore this cut.

Mr. MORSE. Mr. President, I think the Senator has made my case more powerfully and eloquently than I could. I only wish to suplement it by significant factual material taken from our record so that we can make the record here. I share every view that he has expressed.

With respect to the question which the Senator posed, "What are we going to do," we are going to try to get help into those poverty-stricken areas with trained personnel, which this program helps to train, so we can help before those people reach adulthood and before they get into the same situation. We are going to try to save that kind of human loss.

In addition, I wish to say to the economizers, save that economic loss because in the age of the Nation in which we are entering we are trying to train these people for normal adjustment into a society to be employable and this is sound economy. It will save money many, many times the cost of a program, such as I am pleading for this afternoon. How? By the increased wealth that these people trained for employment will pour into the economic productive power of the Republic from their earnings. It will repay over and over again the paltry cost we are asking for by way of this amendment.

Mr. HART. Mr. President, will the Senator yield?

Mr. MORSE. I yield.

Mr. HART. Mr. President, once again I wish to thank the distinguished Senator from Oregon for attempting to persuade the Senate and the Congress to respond at least in part to what he has seen over the years to be a crying need.

I was struck, as was the Senator from Oregon, by the points eloquently made just now by the Senator from Oklahoma [Mr. HARRIS].

A few minutes earlier I heard the Senator from Massachusetts [Mr. KENNEDY] contrast the settings in which he and I found ourselves today. This morning we were sitting with the Committee on the Judiciary as we took up the antiriot bill, and this afternoon there is the subject under discussion in the Senate Chambers now, to beef up the Teachers Corps.

Law and order are essential to the survival of society. Nobody quarrels with that. However, an antiriot bill responds to a problem produced by conditions and it is the conditions, in part, to which the Senator from Oregon is now asking us to look.

Mr. President, nightsticks and riot guns are pretty cheap; schools and excellent teachers are not. Which do we want?

One most important fact, which a study of the District rioting must develop, is a precise profile of those who were participants in the rioting. I think the word is "profile." What I have in mind is the age, residence, family, and community record, education and employment history of the participants. Preliminary reports are that of some 5,000 youths who were involved in the several federally sponsored poverty programs in Detroit, only three were involved in the violence and lawlessness of last week. Let those who chide the Federal efforts run those figures around in their mind. To me they have a very clear message—and more fully supporting the Teachers Corps is one part of it.

A great American city sees riot and fire cause loss of a half billion dollars to a billion dollars, in less than a week. We could spend our money more prudently in preventing than in reconstructing the wounded city.

We have been tagged—the Senator from Oregon and myself, among others—over the years as big spenders.

We tried to make the case that the spending we were seeking Congress to make was sound bookkeeping economics, as well as the long term right thing to do. I would hate to think that it took the loss of part of a great city to make the case we fumbled with around here for so many years, but if it does at least there is some worthwhile byproduct of the violence in Detroit.

We can do as we think correct about the antiriot bill, but the antiriot bill will not stop riots in our cities. It does not go to the causes. Beefing up the Teachers Corps does respond in part to conditions which produce the riots.

I see where a poll has been taken and the majority of the people of this country believe the riots are the product of conspiracy. Apparently affluent, middle class, white America—and that describes us here—simply does not know what it is like today to live in a ghetto and be black. One of the problems is: How do you come out of a home of darkness, as the Senator from Oregon described, and go into a school that does not give you as good a break as my children get when they go to the schools which they attend, and ever get out of the ghetto? Society now requires excellent educational equipment because, unlike earlier ghetto generations the jobs are not there for one whose qualification is just a strong back. So education, quality education, early and regular, is a key to get out of that ghetto. Without it chances are good you would know you are in a dead end street—with nothing to lose. It does not justify or excuse rioting, but it makes it predictable.

It is the Teachers Corps and other things on the list of the big spenders which are essential, if we are to respond to the alarms that ring in the cities across the Nation during this summer. The Senator from Oregon tried for years and years to persuade the Congress that the Federal Government had a responsibility to aid primary and secondary education; not the refinements of the Teachers Corps, just to make the point that there was a Federal responsibility in primary and secondary education because the quality of the product of that system would determine the strength and survival of this country. I supported him when I came here in 1959. We ran short of votes time after time in the Senate. Finally the breakthrough came. Now we get the same bookkeeper's attitude on refinements in aid to education such as the Teachers Corps. Not to question anyone's motives in these attitudes, but the judgment which is involved, the incredible distortion of priorities—we mumble about authorizing $2 billion or $3 billion to go to the moon and the next day argue whether we can afford $150 million for model cities, or boost the Teachers Corps appropriation to the too low figure Budget recommends.

The Senator from Oregon asks us to provide more adequately support of an imaginative and new instrument which seeks to respond to an obvious and glaring need. The tools at hand with which to respond to our national needs are limited. At best, their results will be painfully slow in maturing. I hope that the effort of the Senator from Oregon to strengthen this tool, limited though it may be, will be supported. I thank him again for giving us the opportunity to run the risk of being tagged big spenders.

Mr. MORSE. I thank the Senator from Michigan for the powerful support he has given me. Whenever the Senator from Michigan throws his influence behind a bill, it is powerful support. I also appreciate the penetrating and unanswerable arguments that he has offered. I am pleased to be associated with him in this cause.

Mr. CLARK. Mr. President, will the Senator from Oregon yield?

Mr. MORSE. I am happy to yield to the Senator from Pennsylvania.

Mr. CLARK. I thank the Senator for yielding to me. I want to assure him of my support in the effort he is making to restore the all too small request of the administration for funding the Teachers Corps program. However, preliminarily, I join the Senator from Oregon in the kind words he said about our mutual friend, the Senator from Alabama, who has been an inspired leader of the Committee on Labor and Public Welfare. I know that he has labored hard in the vineyard, not only for the cause of health, which is so dear to his heart, but also for the cause of education. I suspect that there is no man in the Senate who is as interested as the Senator from Alabama in seeing to it that gross inequities in our educational system are remedied.

I commend the Senator from Oregon for turning to the record which was made in the Legislative Subcommittee on Education, which he chairs, with respect to the Teachers Corps. It is my understanding, and I ask him whether this is not correct, that after the witnesses had appeared before the education subcommittee, on which I have the honor to serve, under the leadership of the Senator from Oregon, after we went to the markup of that part of the bill dealing with the Teachers Corps, we found substantial unanimity in the subcommittee in support of the concept of the Teachers Corps. The only disagreement we had—a relatively small one—was how much of the cost should be funded by the localities and how much by the Federal Government.

Mr. MORSE. That is a correct statement of fact. The record will support it.

Mr. CLARK. So that the Republican members of the Subcommittee on Education were in accord with the Democratic members. My recollection is that the same situation prevailed in the full committee in the view that the Teachers Corps was a most useful innovation to remedy a glaring defect in the whole educational system with particular reference to poverty impacted areas; is that not correct?

Mr. MORSE. The Senator is right. He has refreshed my memory some, but I am going to ask the Senator from New York [Mr. Javits] to refresh my memory further in the statement I now make, that we brought to the floor of the Senate a unanimous report so far as the Teachers Corps was concerned; is that not true?

Mr. JAVITS. As well as I can remember, it was tied up in the higher education bill.

Mr. MORSE. That is right.

Mr. JAVITS. But I do think that it finally worked out that way.

Mr. MORSE. Remember, we got a unanimous vote to report the bill with a reservation guaranteed by the chairman of the subcommittee to every member that they could offer their amendments on the floor of the Senate and I would join in urging a rollcall vote. But in regard to the Teachers Corps, there was no plan to offer any amendments and a unanimous vote was recorded for the Teachers Corps in the bill; is that not correct?

Mr. JAVITS. That is my understanding; yes.

Mr. MORSE. Is that not the understanding of the Senator from Pennsylvania as well?

Mr. CLARK. Yes, it is.

I should like to point out what the Senator from Oregon knows, that while the Teachers Corps is primarily an educational measure, it has an overriding and extremely important implication in connection with the war on poverty because the work of the Teachers Corps is done primarily in poverty-infested areas to build up, as the Senator from Michigan has so well stated, equal educational opportunities for every American boy and girl regardless of race, creed, color, or the income of the child's parents; is that not correct?

Mr. MORSE. That is correct.

Mr. CLARK. Let me say what I think needs to be said, that the intensive study of the Teachers Corps concept took place in the legislative subcommittee chaired by the Senator from Oregon, on which I have the honor to serve. I have just had the opportunity to look at the record made in the Appropriations Committee from which the recommendation comes. I hold in my hands the 2 volumes of the Senate hearings which were held in connection with the appropriations bill now before the Senate.

As I turn to volume 1 of the hearings, I note that 1,570 pages of testimony were considered by the committee in marking up the bill. That, I say to my friend from Oregon, is a gargantuan task. I do not know, because I have not attempted to check through the report of the committee, how many separate items the subcommittee, under the distinguished chairmanship of the Senator from Alabama, had to consider in coming to the very important conclusions, with respect to the bill which, as we know, represents an appropriation of some $13½ billion.

Mr. President, I find now, upon examining the record, that there is only one page and a half with respect to the Teachers Corps. I also see that there are two volumes and 2,842 pages of the record, but only 1½ pages on the Teachers Corps.

Now, I am not being critical, because the committee obviously had no time to go into each of the items in great detail. All we have on the Teachers Corps before the Appropriations Committee is 1½ pages of testimony by John Gardner, Secretary of HEW. Therefore, I say, it is not extraordinary at all that the subcommittee which reported the bill could not have had an opportunity to familiarize itself with the vital necessity of the program in terms of education, in terms of poverty, and in terms of rehabilitation, and bringing equal educational opportunities to the minds and hearts of millions of young American boys and girls.

I call the attention—because it is worth saying—of some of my dear colleagues who come from relatively rural States, to what Mr. Gardner said.

From page 684 of the record, I quote:

> Finally, on the question of whether the Teacher Corps assists only large cities, I would like to make it clear that a significant portion of the program is directed toward impoverished rural areas. Of the school districts already involved, over 25 percent are in rural areas.

The Senator from New York [Mr. Javits] knows, as does his colleague [Mr. Kennedy], and the Senator from California [Mr. Murphy], of the shocking condition of inadequate educational opportunities which we saw with our own eyes in the delta region of Mississippi, which we all know also exists in counties of Appalachia, where there are white and not Negro children involved, and which we also know exists all over the country.

I remember very well a dear friend of mine, and I suspect of the Senator from New Hampshire who, I note, is looking at me with somewhat of a quizzical gaze on his face, the former Secretary of HEW, now a distinguished judge on the court of appeals—I believe it is the fifth circuit in Ohio. I refer to Mr. Celebrezze, former mayor of Cleveland, an office in which the distinguished Senator from Ohio [Mr. Lausche] served before he came here. The Senator from Alabama, and I think the Senator from New York, will remember that Mr. Celebreze came into a meeting we had on the education bill in the early days of the Kennedy administration. He said, with appealing candor:

> I want to see something done for the school children of the lower income families. When I grew up in Cleveland, I was a child of immigrant parents. There was not a book in our house. My mother and father did not speak very good English, but I went to school in the first grade in Cleveland in competition with the sons of doctors and lawyers and businessmen and I was at a disadvantage.

He said:

> I was able to make it. I was lucky. Many kids did not make it because they were not lucky. I want to do something for the children of poverty-stricken parents to see that they get a better break than I did.

That is what the Teachers Corps is all about.

Mr. COTTON. Mr. President, will the Senator from Oregon yield to me, without losing his right to the floor, to permit me to put a question to the Senator from Pennsylvania?

Mr. CLARK. Will the Senator permit me to finish my sentence?

Mr. LAUSCHE. Finish the phrase.

Mr. CLARK. The Senator from Ohio, I think, believes I would be too long if I finished the sentence, but he would like me to finish the phrase.

This is what the Teachers Corps is all about. The record before the Committee on Labor and Public Welfare substantiates the position taken by the Senator from Oregon. The record before the Appropriations Committee is necessarily inadequate for the serious purposes which we seek to obtain. I hope the amendment of the Senator from Oregon prevails.

I am happy now to yield to the Senator for a question.

Mr. MORSE. Mr. President, I yield to the Senator from New Hampshire to ask the Senator from Pennsylvania a question.

Mr. COTTON. The Senator from New Hampshire was interested in the statement of the Senator from Pennsylvania when he indicated that the Committee on Labor and Public Welfare was fully versed in this matter and the Appropriations Committee was extremely ignorant.

Mr. CLARK. I did not say that. I said it did not have the same opportunity to obtain the basic facts.

Mr. COTTON. I did not quote the Senator as saying "ignorant," but, if I understand the English language, the Senator said the legislative committee held information which the Appropriations Committee did not have. Therefore, I would like some of that information. One, is it true, from what was told us in the legislative committee, that all the members of the Teachers Corps except supervisors are at the same time either graduate or undergraduate students in college?

Mr. CLARK. I think that is correct, but the Senator from Oregon is much more versed in that, and I leave it to him to answer the question.

Mr. MORSE. Cadets. They are being trained as teachers for the poverty-stricken areas. Until Public Law 90–35 became law all trainees held the bachelor's degree.

Mr. COTTON. Is it true that up until last June, when the Senator's committee again acted on this question, they had to be graduates of colleges, but at the same time they were in the Teachers Corps they were doing graduate study?

Mr. MORSE. Most of them were that, but they did not all have to be. Experiing, it has been possible for the Teacher of whom had advanced degrees.

Mr. COTTON. The Senator from New Hampshire had understood that, until last June, juniors and seniors in colleges as well as graduate students could be.

Mr. MORSE. Most of the experienced teachers were practicing teachers prior to the time they entered the corps. The young education graduates may have had experience as a so-called teacher aide. Most as undergraduates who were going to school principally in the education departments of nearby universities did practice teaching. Do not forget that we have had a practice teacher training program in connection with departments of education in the centers of our universities for many years.

Mr. COTTON. In that very tiny bit of testimony before our subcommittee, it was indicated that with the exception, I believe, of supervisors, all of the members of the Teachers Corps were either doing their 2 years in their junior and senior years in college, working toward their baccalaureate degree, or they were studying for a master's degree or a graduate degree, and at the same time teaching in the Teachers Corps. Is that true?

Mr. MORSE. That will be true of almost all of them in the new programs authorized in Public Law 90–35.

Mr. COTTON. Were not they called supervisors?

Mr. MORSE. No, they were not called supervisors; they were really experienced teachers working with the trainees.

Mr. COTTON. Is it not true that these students, either in their last 2 years in college or working toward a graduate degree, are getting their tuition paid and $75 a week and teaching at the same time?

Mr. MORSE. That is correct. Since the signing of Public Law 90–35.

Mr. COTTON. After they stay there 2 years and have had their tuition paid and have performed at least a part of the time in teaching, they are perfectly free to leave teaching and go to blacksmithing if they want to: they are no longer obliged to stay in the slum schools to give the benefit of their training?

Mr. MORSE. They are not in any kind of involuntary servitude.

Mr. COTTON. That is a clever answer, but I want the fact.

Mr. MORSE. Let us face up to the selectivity of these individuals. Let us face up to the record they make so they are selected to do the work. We are dealing with dedicated young people. The Senator from Vermont [Mr. PROUTY] is present on the floor, and he can go into the details, but he feels that some forgiveness program ought to be extended in connection with this training program, too. I will have to tell the Senator that we cannot guarantee that they are going to stay on, but do not think for a moment that they are not earning their money and much more than the money spent during their training period, just as other teachers do. They go into the title I schools and they are the ones who are working closely with developing individual training of the poverty-stricken students. They are going to spend the time on duty, talking with the illiterate student, helping to bring him up to the grade required for his age. The fact that a corpsman may or may not have a teacher's certificate does not mean that, under capable supervision, he is incapable of teaching. We are not wasting any money.

Mr. COTTON. The Senator from New Hampshire is not even intimating that these people are not dedicated, and, even though some of them are juniors and seniors, training as teachers, that they are not capable of rendering valuable service—indeed, far from that. What the Senator from New Hampshire is trying to find out, from an abysmal ignorance, and what he learned on the Appropriations Committee from those who know, is how much teaching service we get in the slums and the other poor areas of this country for the governmental dollar that we put in.

Mr. MORSE. A great deal.

Mr. COTTON. If the Senator from New Hampshire may complete the statement so he can get the answer, it seems to me, one, that the Senator from New Hampshire, representing a rural area, is familiar with some of the poorer areas referred to by the Senator from Pennsylvania. Some of these areas cannot get any of the services from the Teachers Corps because there is not a college or university near enough to them so that students could do their work in an adjacent college or university.

So, unless they are in the neighborhood or within reasonable striking distance from a college or university, then those people are completely deprived of the services.

In the case of those whose service is rendered to the slums and to the poorer places, the Government money spent, $75 a week in salaries, and funds to pay the tuition, for part-time teaching, and then, at the end of 2 years, they may go out completely. I am just trying to find out if we are actually getting the most, for these poorer places, in teaching, from this kind of compensation and this kind of arrangement.

Mr. CLARK. Mr. President, will the Senator from Oregon permit me to make an observation at that point?

Mr. MORSE. Yes.

Mr. CLARK. I think the Senator's question is highly intelligent, and I do not think that I, at least, have a categorical answer to it; but I should like, because I think it is pertinent, to read to the Senator from New Hampshire a part of the testimony on that point given before the Appropriations Subcommittee by the Secretary of Health, Education, and Welfare, Mr. Gardner. That testimony is found on pages 683 and 684 of the hearings:

> One of the most promising approaches to helping the deprived schoolchild is the Teacher Corps. The major obstacle to educating deprived children is getting an adequate supply of talented concerned teachers to work in poverty areas.
>
> Through the Teacher Corps, these schools can make use of teams of experienced teachers and teaching interns who are well prepared and eager to teach in these deprived areas.
>
> Today, over 1,200 Teacher Corps members are working in local schools. School districts requested more than twice this number. The corps has been successful in attracting young people into teaching and in bringing former teachers out of retirement. The program has also proved attractive to Peace Corps members returning from their tours of duty. The Teacher Corps has attracted talented people who might not otherwise have joined the teaching profession.

And then this:

> The key to the effectiveness of the Teacher Corps is that it embodies one of our country's most important values: the desire to help other people. The Teacher Corps provides a method for translating such personal idealism into concrete action.

Then, skipping a portion of the testimony, Secretary Gardner continued:

> As for the charge that the objectives of the Teacher Corps can be met through other programs, I would like to point out that the Corps is the only teacher training program in existence today that is specially tailored to meet the needs of the underprivileged. It does this by making it possible for local school districts to draw upon a national pool of teachers and teaching interns. It would be very difficult for most economically disadvantaged areas to attract the kind of teachers who have joined the Teacher Corps. The Corps offers the flexibility and effectiveness of national recruitment without impairing the local autonomy.

And finally:

> The large number of membership applications, the significant interest shown by school districts across the country, and the magnitude of the problem of teaching the disadvantaged lead us to propose an expansion of the Teacher Corps, both in 1967 and 1968. I am convinced that this program is worthy of increased support from Congress.

I thank the Senator from New Hampshire for his unfailing patience.

Mr. COTTON. I thank the Senator from Pennsylvania and the Senator from Oregon.

I shall not take any further time, other than to say this: I was seeking information only. I was not suggesting what the Senator from Oregon referred to, I thought rather glibly, as involuntary servitude. I myself introduced and saw through Congress and signed by the President a bill providing that money would be loaned to medical students, and that they would be forgiven the loan for such period of time as they would practice medicine in communities that badly needed the services of a doctor. That bill was patterned on a teacher law with which the Senator from Oregon is thoroughly familiar—it helped teachers obtain their education, and they were forgiven some loans if they spent a little time afterwards.

I was trying to find out if there is any element of that sort in this Teachers Corps; and the answer, I gather, is "No."

Mr. MORSE. The answer is "No" for the trainees, when the Senator puts it that way. But these interns, trainees, are earning every dollar that they are paid for their hours of teaching. Do not forget, many schools are located near educational institutions. The University of Washington at Seattle, Portland State University, the University of California at Berkeley, New York University, Ohio State University, all could have programs if money was available and if the institution applied. Existing programs are connected with those universities as far as all work on trainee advanced degrees are concerned.

Teachers are under the sponsorship of a teacher of experience who works in the school, under the general supervision of the superintendent of the school. The quality of their work is reviewed. They are working. It is not a question of a loan where forgiveness is extended if they come back and work for 2 years. The school districts are hiring people to perform a service for which the corpsmen receive pay, through providing a team service much more valuable than the collective pay they receive.

Mr. NELSON. Mr. President, will the Senator yield?

Mr. MORSE. I yield.

Mr. NELSON. I should like to respond, in part, to the very good question of the Senator from New Hampshire.

When this bill was drafted by Senator KENNEDY and myself, we had in mind several fundamental objectives. One was to recruit college graduates who had no intention of going into teaching. They had obtained their degrees, but they did not have their teacher's credentials. We thought that this would be a challenge that would attract college graduates with bachelor's degrees into the teaching profession, if they could have the challenge of teaching in a deprived area. Second, we had examined the challenge of helping students in the deprived areas, who needed assistance. Moreover, we had the feeling—which I think was correct—that if you take a youngster, and his first experience in life is teaching in a deprived area, and he is motivated enough to go there to teach, then a good percentage will stay in that area, where they are needed very badly.

In response to the question as to whether there is any obligation for them to stay, there is no obligation to stay, but there is a very strong factor in favor of their staying, because the reason they came was to accept the challenge of teaching in a deprived area.

In conjunction with that program, we worked it out with the colleges and universities that if the Corps members took a certain number of credits, established or set by the university, at the end of 2 years they would receive their master's degrees in education.

So, therefore, they came in because they wanted the challenge, and they spent 2 years to get a master's degree in education, which places them at a good education level for teaching in our primary and secondary schools.

Therefore the expectation is that if they spend the time to get the master's degree in education, a substantial percentage will stay in the profession in which they hold their degrees.

As to the teaching question, I have read letters of the school principals involved. I know every Senator is busy; I know how busy the Senator from New Hampshire is. The reason I read the letters from the principals was because, as one of the authors of the bill, I was especially interested. I read some 75 to 85 letters written by the principals of that many schools where they had Teachers Corps teams. They were universally enthusiastic about the results achieved. I recite for the Senator just one, to show the way it worked in one of the Wisconsin schools—and I am sure the plan is similar elsewhere.

The team of three Teachers Corps teachers were assigned, in this particular school, 11 students each. Those 11 students were flunking three courses or more. The principal of the school told me that, furthermore, a substantial percentage of those who were flunking three or more courses were very serious disciplinary problems.

Previously when they were sent to him every week or every other week with disciplinary problems, he would discipline them and nothing was accomplished. However, now the students were selected and sent to the Teachers Corps teacher, and on a one-for-one-basis, the Teachers Corps teacher worked with the students on the courses which they were flunking.

I do not have the exact figure at hand, but I will furnish it to the Senator later. With respect to these 33 kids, the teaching effort was so successful in a matter of months that 75 percent of them were flunking one course or no courses at all.

The principal said that the disciplinary problems of these children just disappeared and that for the first time they had somebody who was interested in them. The Teachers Corps teachers went to the homes of the parents of the children with whom they were working and became friends and acquaintances of the parents.

For the first time, the parents saw somebody from the school system that had a teaching relationship with the children they loved. And for the first time these parents came to PTA meetings. And they did not seek out the principal. They sought out the Teachers Corps teacher who had been helping their son or daughter.

The principal said:

> It is the finest thing that has ever happened to me.

The program is producing marvelous results. Unfortunately, they do not have enough teachers to take the individual students and deal with their problems on a one-by-one basis, which is necessary with students who are flunking two or three courses.

I think the results have been very good. I think the fact that they have been motivated to come to the private schools and seek master's degrees gives us some assurance that a substantial percentage of them will continue in the teaching profession where we need them so badly.

Mr. MORSE. Mr. President, I yield to the Senator from Vermont.

Mr. PROUTY. Mr. President, while I continue to support the amendment offered by the distinguished senior Senator from Oregon, I do feel that the distinguished senior Senator from New Hampshire has raised a very important and valid question in many respects.

I point out first that the average cost per trainee, including tuition and teaching salary, is $7,500 a year. The average cost for the supervisors is, I believe, in the vicinity of $10,200 a year. Under the National Defense Education Act, 100-percent loan forgiveness is granted for those college students who agree to teach in the poverty areas for a period of seven years.

There is some incentive for them to come into these areas, and they will probably stay there.

Under the Teachers Corps, however, there is no such incentive.

Also we must remember that the youngsters for the most part—the juniors, seniors, and graduates—have had no experience in teaching. Yet, we are told that if we are going to have teachers in the low income areas they must be the most competent we can obtain.

We are bringing these young people in without any experience whatsoever. They may acquire some ability and may learn. But unless they are persuaded to stay in these areas, they will not accomplish a great deal. We are spending an inordinate amount of money to train them.

As I said before, I intend to support the amendment. I did so in the committee and in the subcommittee. However, I do have serious reservations as to the manner in which the program is being conducted at the present time. I think it should be strengthened and improved.

For that reason, I will support the amendment.

Mr. PASTORE. Mr. President, will the Senator yield?

Mr. MORSE. I yield.

Mr. PASTORE. Mr. President, there are three programs that we have—and I use the word advisedly—combated with over the past few years. It strikes me that for some reason we have not been able to convey the right concept and the right purpose of these programs even to the Members of Congress.

No. 1 is the foreign aid program.

No. 2 is the rent supplement program.

No. 3 is the Teachers Corps.

It has been my misfortune to be the manager of all three.

When the matter of the Teachers Corps came before the committee, I made it my business to communicate with the people at the grass roots to find out precisely what the answer was to the question that has been raised by the distinguished Senator from Vermont. "Why couldn't we get experienced teachers to do this job? Why was it necessary to have special training?"

All of that was explained, and it was explained very explicitly. As a matter of fact, this has been one of the most successful programs we have ever had—so much so that all of the superintendents of schools in my State, and an abundance of superintendents of schools throughout the entire Nation, have written in applauding, complimenting, and congratulating Congress for having sent these young men and women to these localities.

Apparently there is a group, a very small group, of our children that for some reason has not assimilated to education. For some reason, they are disinterested.

It is because of the special training that these teachers have had that they have developed the talent and the training to interest these people in securing an education. They are doing a marvelous job.

No program has been more highly endorsed by the educators in this country than has the Teachers Corps.

I merely bring this out at this point because I have been in the thick of it. I knew of the problems we had on the floor of the Senate. I knew of the misunderstanding on the part of some—as sincere as it might be—and I knew that a lot of people said: "Why do we have to do this? Why don't the communities do it?"

As a matter of fact, many communities in the United States of America cannot afford to do it.

A certain fragment of our young people for some reason have become dropouts and will continue to become dropouts unless we get someone who has the innate talent and training to interest these people in education.

I have gone so far as to ask some people: "What do they do? Do they come into the classroom and take care of a whole classroom of young people?"

The answer is: "No. The regular teacher recognizes within a short time certain pupils who do not assimilate education well."

It is not that they segregate them. They keep them apart and the children are given this special training.

They tell me that the children are later allowed to go back to the regular classes. They become acclimated to the whole system of education, and it works out very well. There are exceptions here and there. We cannot create a program that is perfect.

Some people learn quicker than others. Some will never assimilate to education. However, the fact remains, in answer to the question raised by the Senator from Vermont, that we have gone into this matter in quite some detail.

This sometimes has frustrated me, because I believe in this program so much that sometimes I become impatient with those who do not quite understand it. And I think that this is a fault on my part. It is only a case of a sincere misunderstanding.

The same thing is true with respect to rent supplements. We can come on the floor and talk until we are blue in the face, and we cannot convince more than perhaps a small percent of Congress that this is not a giveaway program. It is not a giveaway program.

The same thing is true with respect to foreign aid.

I have urged some Senators time and time again that the foreign aid program is a necessary program. The senior Senator from Oregon is one man whom I cannot convince with respect to the foreign aid. However, the fact remains that I have had the hard task of being the manager of the foreign aid program, the Teacher Corps program, and the rent supplement program.

I can tell the Senate that they have been the hardest nuts to crack in the Senate.

Mr. MORSE. Mr. President, I thank the Senator from Rhode Island. He does not know how many pages will go into the Record without being read by me because in his very condensed statement he has made my argument.

Mr. President, I yield to the distinguished Senator from Vermont.

Mr. PROUTY. Mr. President, I could also put many pages into the Record from the hearings. However, I will not do so because I feel that the program has great potential and it has already done a lot of good.

That is the reason why I will support the amendment. However, we should not assume that it is perfect, because it is not. It is a long way from that.

Mr. MAGNUSON. Mr. President, will the Senator yield?

Mr. MORSE. I yield.

Mr. MAGNUSON. I am not as familiar as I should be with this program, but we have wrestled with it in the Appropriations Committee two or three times. One of the things that some people were worried about—not necessarily a criticism—was the number of so-called supervisors. Does the Senator from Oregon know what percentage of the number would be supervisors? The clerk thinks it would be about 20 percent.

Mr. MORSE. I do not believe it is that high. We must remember that the supervisors are also experienced teachers.

Mr. MAGNUSON. That was going to be my second question.

Mr. MORSE. A number of the student aides are assigned to an experienced teacher who carries the title of team leader.

Mr. MAGNUSON. That is the second question I was going to ask. A supervisor is not literally only a supervisor. A supervisor is a teacher who supervises perhaps eight or 10 of the student aides and sort of steers the program.

Mr. MORSE. As the Senator from Rhode Island has pointed out, the supervisors in a school system know where the misfit little boys and girls are. The supervisors assign the little misfit boys and girls to one of the trainees for individual work. It does not mean that the children are taken out of the classroom. Part of the time they are out of the classroom.

I listened to a discussion of this program in the Philadelphia area, where they are trying to deal with the behavior problem youngsters. As a result of this program, what did they find in many instances? The children came to the school in the morning without a morsel of food, and of course they misbehaved. It was found that by this individual work and by bringing in some bran flakes or corn flakes and some milk, to give the children something to eat, in the matter of a few days their behavior pattern was completely revolutionized.

More is done than simply teaching the children reading, arithmetic, and spelling. They deal with the behavior problems of the children. The corpsmen go to the homes of the children. They work with the parents and with the ministers. They work with the leaders in the communities, to see what they can do about the families that have the children with behavior problems.

Mr. MAGNUSON. I wanted to clear up that one point. The supervisors also are teachers?

Mr. MORSE. They are experienced teachers.

Mr. JAVITS. Mr. President, will the Senator yield?

Mr. MORSE. I yield.

Mr. JAVITS. Mr. President, I am almost in the same position as the Senator from Rhode Island. I am the ranking minority member of the Appropriations Subcommittee and the ranking minority member of the Education Subcommittee, as well as of the Committee on Labor and Public Welfare.

I am absolutely convinced of the validity and soundness of this program. I believe it is an indispensable tool in dealing with the conditions which have brought on riots and violence and which are continuing them to this moment. It is an answer to the idealistic striving of American youth, shown in the Peace Corps and in VISTA. My own daughter is in VISTA, and I know a little about that program.

I should like to present another matter to the Senate. Let the Senate know how serious this matter is. This is the only place where what we are doing can be done. There was no appropriation in the House, because there had been no authorization bill.

Mr. MORSE. The Senator is correct.

Mr. JAVITS. What we do here is it, subject to bargaining in conference. So if we do not increase the amount here, that is the end of it.

The second point: I have been animated by the fact that I did not want to see the Teachers Corps become the Senate's rat control bill. I believe the other body has suffered very seriously—and its conscience must be its guide—in having turned down that bill when it did. I do not wish to see the Senate in a similar position.

In the subcommittee, with the tremendous support of the Senator from Rhode Island [Mr. Pastore] in the principal committee, we did our utmost for this program. I want the Senate to know that.

You cannot fight without troops, and the sentiment very sincerely held by the distinguished members of our subcommittee and committee did not give us the votes. We did extraordinarily well to have brought the measure to the floor. I paid my tribute to the heroism of Senator Pastore, and I do it again, with the price tag that is on the bill now—$18,100,000.

The point I should like to leave with the Senate is this: Only the Senate can do this. We presented the matter before the subcommittee. Senator Hill was very sympathetic to us. We knew, by that instinct which makes us what we are, that the votes were not there. Yet, there is the gravest danger that this will be the Senate's rat control bill. So I can do nothing, in the deepest conscience—although I owe the greatest loyalty to the chairman and the committee, and I am a part of its machinery—but support the amendment. However, the Senate should know that this is the only chance; and at a time such as this, I hope that Senators will understand the meaning of this affirmatively as well as the danger of it negatively.

I hope the amendment is adopted.

Mr. MORSE. I appreciate the comments of the Senator from New York.

I am not going to yield for awhile. The Senator from Alabama has been very patient with me. He knows, however, that I am under an obligation and gladly fulfilled the obligation of yielding to other Senators for a couple of hours. They have made my case.

I say to the Senator from Alabama that I am going to insert in the Record the major speech that I had prepared for this bill. Much of it, may I say to the Senator from Alabama, highly commends him for the great job he has done as chairman of the committee, in increasing the amounts for one educational program after another above the recommendations of the Bureau of the Budget. In this speech, I pay to him and to his committee, in my interest as the chairman of the Subcommittee on Education, my very deep thanks. I told the Senator earlier that I consider that I have a trust and a duty, as the chairman of the substantive legislative committee, to point out my belief that the amount for the Teachers Corps should be increased.

Mr. President, I ask unanimous consent that my full speech be printed in the Record at the conclusion of my remarks including excerpts from the "notes and working papers" mentioned therein.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 2.)

Mr. MORSE. I am disappointed that we do not have in this bill the full authorized amount of $33 million for the Teachers Corps. As I said earlier, two of the exhibits that I brought to the floor of the Senate this afternoon are part of the legislative record, the record of the legislative committee, which, as the Senator from Pennsylvania [Mr. Clark] pointed out, was based on hearings.

We took the evidence on the policy. We took the evidence on the proof of need of the program. We took the evidence on how well it has been working. Listen to the testimony of these educators as to what these dedicated young people are doing as they join in this crusade. Somebody used the word "crusade"—the Senator from Oregon never hesitates to lead a crusade, when it is a crusade that is in the public interest. The Senator from Rhode Island made that statement. I am proud to be a part of this crusade. I am not its leader, but I am certainly its follower.

This matter calls for a rededication legislatively to human values, with respect to the ghettos of America, in an hour of great crisis.

In addition, I ask unanimous consent that some of the testimony of J. Graham Sullivan, Deputy Commissioner of the Office of Education and Welfare, be printed in the Record, together with certain other excerpts from the legislative record before my committee on this bill.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 3.)

Mr. MORSE. I refer to the report that I filed with the Senate and to which I referred when I was managing the Teacher Corps bill, for it deals with the matter of the shortages of teachers. I ask unanimous consent that the material on page 4 of that report, and such other material that deals with the subject of the shortages of teachers, be printed in the Record.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 4.)

Mr. MORSE. Mr. President, in the first paragraph of the subheading "Teachers Corps," of Senate Report No. 363, there will be found:

> Last fall the nation was faced with an unprecedented shortage of almost 170,000 qualified teachers. The shortage was most acute in urban slums and depressed rural areas.

There is no question about the great need for teachers and teachers in the slum ghetto areas. Here is a program that seeks to train them, and while they are being trained, as the testimony shows, they earn over and over again every dollar that is paid them.

Therefore, I now send to the desk, and then I shall be finished, an amendment in behalf of myself, Mr. Harris, Mr. Clark, Mr. Hart, Mr. Nelson, Mr. Randolph, Mr. Yarborough, Mr. Church, Mr. Williams of New Jersey, Mr. Kennedy of Massachusetts, Mr. Kennedy of New York, Mr. Mondale, Mr. Hartke, and Mr. Gruening.

Mr. President, the amendment would seek to raise the amount from $18.1 million to $33 million. That is the amount that the administration seeks. I have been advised by the Department today that I speak the desire of the administration; that it strongly urges the $33 million because of the great ghetto crisis we have at the present time for teachers in order to do something to serve the educational needs of the underprivileged in the slum areas, city and rural, of the country.

Mr. President, I ask that the amendment be stated, and then I would like to have the privilege of asking for a rollcall vote; then I shall yield to the Senator from Minnesota [Mr. Mondale] who has told me he will have a brief statement.

The PRESIDING OFFICER (Mr. Byrd of Virginia in the chair). The amendment will be stated.

The assistant legislative clerk read as follows:

> The Senator from Oregon [Mr. Morse] proposes an amendment for himself and others as follows:
>
> On page 15, lines 11 and 12, delete "$18,000,000", and insert in lieu thereof the following: "$33,000,000."

Mr. MORSE. Mr. President, I ask for the yeas and nays.

The yeas and nays were ordered.

Mr. MORSE. Mr. President, I ask unanimous consent that my amendment containing the names of the distinguished Senators who are joining me in this effort be printed at the conclusion of my remarks.

The PRESIDING OFFICER. Without objection it is so ordered.

(See exhibit 5.)

Mr. MORSE. Mr. President, I now yield to the Senator from Minnesota.

Mr. MONDALE. Mr. President, I thank the distinguished Senator from Oregon. Once again I am proud to join with him as he addresses the Senate in connection with recommendations for our educational system.

I am proud to speak in behalf of adequate funding for the Teacher Corps program, initially proposed by the Senator from Wisconsin [Mr. Nelson].

I speak in support of the amendment proposed by the distinguished Senator from Oregon to restore the appropriation for Teacher Corps programs to the level of the authorization. I am proud to be listed as a cosponsor of the amendment.

Two institutions of higher education in Minnesota are ready today to begin preparing Teacher Corps trainees for an expanded program in the Minneapolis public schools. Minneapolis is one of those cities recently cursed by civil riots. That program, like every proposed expansion of this effort to bring better educational opportunity to the children of the slums, is at stake this afternoon.

In April I called the attention of this body to a report on the Minneapolis Teacher Corps program in the Minneapolis Tribune. I would like to quote very briefly from that article:

> "According to Mrs. Edna A. Anderson, Harrison (school's) principal, the (15 classroom) centers have revolutionized the school's curriculum of the year . . ."
>
> "It's a very effective program in my judgment," said Superintendent John B. Davis, Jr.
>
> "School officials in many cities are reported to feel the same way . . ."

Mr. President, this Teacher Corps program is supported by educational organizations throughout the Nation, including those which typically oppose Federal programs. It is beyond my understanding that such a small appropriation to build on the universal success of the first year's experiments should be cut from the appropriation.

I have mentioned the Minneapolis schools, which I know well. But this matter goes far beyond Minneapolis or Minnesota and far beyond the narrow concern of education alone.

Mr. President, I want to read a segment of a letter I received late last week from a young man who wants to work with the Minneapolis program if it can operate next fall:

> The Teacher Corps doesn't stop at the end of summer. It doesn't abandon the Negro when it gets too cold to riot.
>
> Our cities have just been through a trying period which, like the anvil, they have had

to bear. But with programs like the Teacher Corps they can become the hammer.

Minneapolis needs an expanded Teacher Corps this year. Now is the time to strike.

That is what Edward Fashingbauer told me about the Teachers Corps.

Mr. President, the Teachers Corps is another part of the national urban program aimed at compensating for the deprivation of the slums and providing an equal chance for a new generation of young people to become real participants in the society.

I do not believe the Senate wants to let those young people down. I urge adoption of the Morse amendment.

Mr. MORSE. I thank the Senator very much. I believe the evidence which he has placed in the RECORD relating this problem to the situation in Minneapolis and the Minnesota schools is very persuasive and it should be given great heed by Senators.

Mr. President, I ask unanimous consent to have printed in the RECORD testimony given before the Appropriations Subcommittee on Educational Funding, a part of which not only deals with the Teachers Corps but also other aspects of the educational funding programs.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 6.)

Mr. MORSE. Mr. President, I yield the floor.

EXHIBIT 1

PREPARED STATEMENT OF RICHARD GRAHAM, DIRECTOR, TEACHERS CORPS, OFFICE OF EDUCATION, U.S. DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Mr. Chairman and Members of the Subcommittee, I am honored to appear before you to tell how the Teacher Corps has fared in its first year.

The Teacher Corps was created to help poor children in the core of the large cities, in small towns whose industrial base has been shot out from under them or never existed, on Indian reservations where pride and prejudice have kept youngsters hungry and apart and ignorant, in immigrant and migrant villages where the shifting of supply and demand dictates the course of life.

But how do you teach a sullen, hungry child who doesn't care to learn? and how do you begin to break through to him in schools which many teaching interns back from Peace Corps duty abroad have told me are far worse than anything they saw in foreign countries?

It's a tough job to break through the guard of youngsters who have lived in slums all their lives, to get them not only to learn but to want to learn. "The real thing," says one of our veteran team leaders, "is when a kid comes up to you at the beginning of the year and says: 'You're not going to teach me anything because I don't want to learn', and when, at the end of the year, he has learned."

To accomplish this takes special skills and special training. Such special training—training for teachers in poverty neighborhoods—is a job few individual schools or universities can do alone, for none of us knows a great deal about how this should be done. But we—our universities and schools—are learning.

The job of the Teacher Corps is to help make this learning possible—and to help universities and schools extend the skills we are learning to new teachers so that the 8 million children of poverty in this country can look forward to more than they have had before. This year the Teacher Corps touched a quarter of a million children in the schools and communities of the inner cities and the rural poor.

Often schools that most need specially trained teachers can least afford to hire them, let alone establish training programs of their own. School superintendent after school superintendent from big and little systems across the country have told us that only Federal funds make the program financially feasible for their poorer schools:

From Fannindel Schools in Ladonia, Texas: "My school's finances could not have made possible the services of these teachers except for the Teacher Corps."

From a member of the school board of Macy, Nebraska: "To get qualified people to come to us just for the money is pretty hard for us to do because of the fact that we have a limited amount of money and for us to go out and try to recruit the teacher, the type of people we need, it would cost us a lot of money we could not afford."

From the Los Angeles area: "Dr. Siemer from Jurupa stated the districts do not have financial resources to do the job. Mr. Dickey, superintendent of Willowbrook, stated often the districts with the greatest need are least able to finance programs to take care of that need.

Mr. Hodes, assistant superintendent at Enterprise, stated our district has been operating on a deficit budget for the last 5 years. If the Federal Government would subsidize farms, oil depletion, and so on, why can't human beings in urban areas be subsidized?

Dr. Seaton said we need the quality offered by a National Teacher Corps intern program. It is difficult to compete in the open market for teachers . . ."

In the past few weeks, we have received our first tangible progress reports from the field on how well we are doing that job. I would like to summarize for you what some of these reports say about the Teacher Corps.

A recent NEA survey of superintendents and principals working with Teacher Corps teams found that 91 percent of all superintendents and 84 percent of the principals want more. The average request is for three times more Corpsmen than are now available.

A *Southern Education Report* teacher education survey in April showed that close to 97 percent of colleges and universities surveyed believe that teacher-education schools have a special responsibility to help improve the education of the disadvantaged. But only 16 percent have changed their methods of training such teachers in the past five years, and only 41 percent plan to do so in the foreseeable future. About half of the 16 percent that *have* made changes have Teacher Corps programs.

The superintendent of Hattiesburg Public Schools in Mississippi had this to say about his Teacher Corps teams:

"The values of such a program are many but I would like to mention some of the outstanding ones. First—providing additional teaching personnel to a regular faculty which in turn gives more individual help to children in disadvantaged areas. Second—providing a teacher-training, on-the-job program to better train young teacher interns to work with children who are in need of more than just regular school help. Third—the additional services to the schools that the seventeen Corps members have provided are too numerous to mention, but these range from providing leadership in establishing a new reading program to teaching music, and art and working with parents in a counseling situation where parents and students are involved in seeking better solutions to problems.

"Every principal in our twelve elementary schools has requested a team for next school session."

A Miami (Florida) principal told us:

"I only have one fear with regard to the young interns of the Teacher Corps . . . that with their energy and talent and their special training they will soon leave the classroom. Some school system will try to make administrators out of them. And they are needed so desperately in the classroom."

The Assistant Superintendent of Enterprise City Schools in Compton, California wrote us:

"I have worked with many educational programs, and this is the shining light. As for the Corpsmen, their idealism has been rekindled in us old cynics. They're so committed they've recommitted some of us—how do you like that?"

And the principal of a school in Memphis, Tennessee told us:

"The Teacher Corps is the best thing that ever happened to our school. Every day it is a delight to be with them. What's going on here inspires me to want to do more."

This kind of enthusiasm for the Teacher Corps is typical of the reports from the men and women who know the Corps best—the teachers and principals and superintendents of the schools which are hosts to Teacher Corps teams.

But the Corps is now beginning to make an impact outside this inner circle. The National Advisory Council—which recently visited a sample of school districts where the Corps is operating—concluded that:

"The National Teacher Corps is too badly needed and too promising to be either discontinued or treated as a temporary stopgap. Of all present investments of public effort, few are likely to yield so large a return."

Many, including the National Advisory Council, believe that the Corps' greatest impact may be on the colleges themselves. "The Teacher Corps", reads the report:

"Has proved itself a useful weapon in the attack on the disadvantages under which too many American children labor. The direct effect on the children with whom the Corps members work would be justification enough to continue that work. The Corps will quite clearly have other effects as well. The most significant of these may very well be its influence on the capacity of the educational systems of the universities to reach those children who have been most grievously neglected."

* * * * *

What produces this enthusiasm from superintendents, principals, teachers, and teacher educators alike? We believe it is the simple, small, day-to-day things Corps interns and teachers try to do to tune in on the homely problems bugging the children they work with.

In Chicago, three teacher-interns are tutoring in college subjects a group of former "Lawndale Gang" members who are bright enough to get in the Loop Junior College.

In El Paso, Texas on the Mexican border, new materials created by Corps members are being used with beginning readers in a program designed to eliminate the need for remedial reading later on.

A team working in Bell Junior High in New Orleans helped lower the dropout rate by getting parents involved.

The work of Corps teams reaches far beyond the classroom to establish new rapport between school and community.

A "halfway house" has been opened in a Honolulu store front to lure truants and dropouts back into classes.

In Philadelphia, interns introduced evening "arm chair" classes in the homes of semiliterate parents of some of their pupils.

In Pontiac, Michigan, Corps teams developed home visits around a "cause", the need for a Community Health Clinic. With help from the community and a committee of parents they found a building to house a health unit, obtained nurse and doctor services, and brought in a mobile health unit.

None of these activities is an end in itself. But to the student-teacher they are the keys to knowing and understanding the larger environment which shapes the lives and habits of their pupils. And from this understanding comes acceptance and what Frank Riessman of N.Y.U. calls "contact," or connecting with the style and interests of a child. From this comes good teaching.

This is how Kathleen Rosentretter, an intern and former Peace Corps volunteer, explains its value:

"When a boy falls asleep at his desk, I recall the visit I made to an apartment house without glass in the windows. At night, the nine children sleep curled around the only radiator. When the boy awakes in class, I merely inform him of what he had missed and will have to make up on his own time.

"If the noise level rises during a class activity, I no longer become alarmed, because I know that noise is synonymous with city ghetto life and is more frequently an indication that learning is taking place.

"But when I catch a student's blank stare, I know that the same ghetto clamor has now created a difficult result. The student is practicing a technique of escape he has perfected after living in a three room apartment with ten people who shout, argue and cry a great deal. I attempt to change the tempo of class activity to draw him back to the reality of the classroom."

This kind of sensitivity we desperately need in the teacher of the ghetto.

Why is such extensive and specialized preparation necessary for this job? One answer is that too many teachers on their first assignment are dropped into a classroom of students whose life is utterly strange to them; pupils whose existence is inconceivable to the recent college graduate; whose behavior is conditioned by reward patterns incomprehensible to the campus coed; whose learning patterns are far removed from the book-centered university. The new teacher in such a situation undergoes a kind of cultural shock.

So far, despite program uncertainties, the dropout rate among Teacher Corps interns is about half that of the national average. Because with the Teacher Corps the job shock comes before, and not after, graduation, far more of the Teacher Corps graduates are likely to stay with teaching than is generally the case—particularly among ghetto teachers.

Working as part of a team, the young intern's morale is more easily lifted. There is always someone to turn to when the going gets rough. There is a group commitment which keeps performance high. One teacher-intern told us recently: "I wish I was at least three people so that I could do three times what I am doing."

This is the kind of person who is making the Teacher Corps work. The Teacher Corps' unique contribution is that it is able to attract bright, dedicated, imaginative, warm young people to one of the toughest jobs in the teaching profession.

The reasons are many, but one is pervasive. The Teacher Corps represents a national commitment to improve education where it is failing to do its job. The Teacher Corps means a chance to work and study with others who really care and who are willing to forego private advantage for the satisfaction of service.

"Its main value," in the words of the Advisory Council report, "is that it is an instrument for harnessing the idealism of an unusual group of young people who, but for the Corps, would never have been drawn to the teaching profession. In apparent contrast to the majority of certified teachers, these young people prefer to work with the special challenge of disadvantaged schools. Through the Teacher Corps, they can put their dedication and their abilities to work in the service of the Nation, the school and the needy child. The Corps constitutes a way of recruiting these people and deploying them across the country to schools which badly need them but which in the past have lacked the time, the means, and perhaps the imagination to seek and attract them."

This opportunity attracts college graduates who had not previously considered teaching. It is helping to raise the sights and stature of dedicated teachers who are already working with the disadvantaged. Assignment to a slum school has traditionally stigmatized a teacher as either a neophyte or a reject.

The Teacher Corps is helping to show that teaching the disadvantaged child can attract our best, most respected and most dedicated young men and women.

It is helping to show these young people that nothing is more rewarding than taking part in this national effort to eliminate poverty of the mind in the schools of the poor.

Most of all, it is helping to show poverty youngsters that they, too, can learn. One little boy from a Miami inner city school where Corpsmen work put it this way: "I like to be here. I'm smart in here."

EXHIBIT 2

HEW APPROPRIATIONS, 1968

If I may have the attention of the distinguished senior Senator from Alabama, the Chairman of the Labor-HEW appropriations subcommittee, I should like to review with him for a few minutes certain items in the pending appropriations measure.

First, I wish to commend the Senator and his associates for having brought to the floor of the Senate a bill which is $108,900,000 over sums appropriated to the Office of Education over the House allowance. I urge the Senator and his colleague to be adamant in conference committee to retain these increases.

I particularly further wish to commend the committee for having exceeded the President's budget by $15.5 million for elementary and secondary educational activities, and by $33.8 million for Federally impacted areas funding, and by $5 million for educational improvement for our handicapped. I am particularly grateful to the chairman of the subcommittee and his colleagues for having added $41 million for Title III NDEA matching grants and for having added, in addition, $5 million to fund the supervisory services of Title III of NDEA.

I think it is very important to stress in the light of the comments recently made by the President of the Senate and the Secretary of Agriculture, that the Senate at least can point to some areas where the President's budget for education has been exceeded.

Having said this, in all candor, however, I think we must go to the basic root problem which faces every concerned citizen in the field of educational financing, and that is that the President, upon the advice of the Bureau of the Budget, has not seen fit to request funds which have been authorized by the Congress and by overwhelming majorities in the Senate. As the distinguished floor leader of the bill knows, I had occasion to present to the subcommittee fairly detailed testimony concerning the degree to which program after program was underfinanced in the budget estimates. The Administration's requests in the field of educational financing were half a loaf at best and a heel of the loaf in many programs.

Let me recapitulate.

Title I of the Elementary and Secondary Education Act carries an authorization, of about $2.4 billion. The Administration request was in the neighborhood for this title alone of $1.2 billion, roughly, 50 percent, half a loaf.

This despite the fact that on a per child basis we have decreased the funding of programs for children who need it most in our worst slums from $210 per child to about $150 per child. It is for this reason, that I earnestly hope that the additional $137,590,000 provided for Title I ESEA programs can be held in conference. As I said in my testimony:

"One of the principles which has been emphasized by the Office of Education since the program was initiated is that there should be a substantial investment of resources for each child participating in the program. This point has been emphasized as a means of avoiding watered-down and ineffective programs. The history of recent years is replete with examples of education programs which have blossomed successfully on an experimental basis of adequate resources and then faded quickly when the services and resources were spread too thin over the children to be served. It is now well established that educationally deprived children require resources far in excess of those needed for the average middle-class child. In recognition of this principle, the authorizing legislation was based on a principle of increasing the financial resources available to educationally deprived children. This principle is being discarded at the very time that we are beginning to see positive signs of success in our treatment of the needs of educationally deprived children."

I regret that the committee felt unable under our student assistance programs of Title II of the National Defense Education Act, to provide more than $190 million even though $225 million is authorized for this purpose. I am pleased, however, that vocational work-study programs are to be funded by $10 million.

I also commend the committee on funding specifically the dissemination of information provided in Title VII of ESEA, even though I would have wished that more than $500 thousand could have been allotted for this purpose.

Many of us will regret that the financing of the Teacher Corps was not at a higher figure than the $18.1 million carried in the bill. Senators will recall that the authorizing language for this splendid program was enacted under extreme time pressures to assure that the program could be maintained and expanded. A recent television program dramatically described the activities of the Teacher Corps in one of our great cities. The dedication of the young people participating in that program was apparent to all who watched it. It is a great pity that because we will not be appropriating to the limit of the authorization, unless my amendment is adopted many equivalently dedicated young men and women will be foreclosed from providing services to slum children.

I think it significant in the context of the program I have alluded to that its value was such that the older men on the block where the school was established quietly gathered to protect it when it was threatened by would-be arsonists. I plead with the Senate to amend the section of this bill to return to $33 million budget request.

I turn now to one of the other disappointing aspects of the appropriations bill before us. This is in the realm of higher educational activities and I would direct the attention of the Senate to page 13 of Report 469. Last year we appropriated $1,176,602,308 for higher educational activities. The Administration budget was some $3.4 million less for these activities. The House allowance was a further reduction to the figure which is contained in the Senate bill of $1,158,194,000. Yet the committee report itself on page 13 states that although the allowance for college facilities construction grants represents a decrease below the 1967 appropriations, the Department estimates that actual construction will begin on 1,765 projects during 1968 as compared to the 1,155 projects that were under construction at the end of 1967. More projects are being constructed yet less Federal money is being made available to help to meet the cost through the up to one-third matching grants and the Federal loan funds.

If my memory serves me correctly, the testimony before the legislative committee indicated that sums in the neighborhood of three to four billion dollars will be needed every year. While this would not all come from the Federal source, it was pointed out to us that it was becoming increasingly difficult to raise funds for these necessary purposes from the private sector and from revenues available from State sources.

I have another comment that relates to action of the Senate committee in acquiescing in the curtailment of Title IV NDEA fellowships. If I am correct, the subcommittee decreased by $10 million fellowship funds while making a concomitant increase in $10 million in junior and community college construction funds. This will curtail the fellowship program under Title IV NDEA by a considerable number of college teachers.

I do not want the Senator to misunderstand me—I fully approve of increased construction funds for the junior and community college segment of higher education. I would have preferred to see a far greater increase in all college construction, but I am happy that at least one segment which needs it badly will have an increase. But I am concerned that the fellowship provisions which have been in the act since 1958 and which were expanded subsequently, are to be curtailed since this will impair the attainment at an early date of an objective which is shared by many of us, to strengthen our graduate schools and to make sure that they are geographically distributed throughout our nation.

There is one other area which causes me concern and that is the funding of programs described on page 14 of the report under the heading of "Library and Community Services."

First, let me applaud the action of the subcommittee in making available $1 million to the Library of Congress above the House allowance for the necessary cataloging activities.

I am concerned, however, that Title I of the Higher Education Act, which provides for university extension and community service programs, was held to the $10 million level of last year. This is a program which is of immediate benefit to individuals in communities of every size throughout our nation. At this point, I ask unanimous consent that I may insert excerpts from the committee print entitled "Notes and Working Papers on the Administration of Programs Authorized under P.L. 89–329", which gives a breakdown of the kinds of projects that have been funded in the states. The materials may be found on pages 15 through 43, of the committee print. I am particularly proud of the work that has been done by Vice Chancellor Sherburne of the Oregon State System of Higher Education under whose authority falls the operation of Oregon's university extension program. I regret that he and his associates in all of our colleges and universities in Oregon during this fiscal year will be unable to expand to any extent the scope of their operations as the result of the, in my judgment, underfunding that we are asked to approve in this bill.

In conclusion, as far as educational activities and programs administered by the Office of Education are concerned, the bill before us is a mixed bag. There are a number of increases which we should hail; there are decreases which I can but deplore. But the responsibility for recommending to the Congress current financing of programs authorized by the Congress is basically and primarily the responsibility of the executive departments, the Bureau of the Budget, and the President of the United States. The Congress cannot be held completely responsible for the underfunding of educational programs if the executive branch refuses to send up adequate estimates. In the increases that have been made in some of the programs, the Appropriations Committee has shown that it need not feel itself bound to take the Bureau of the Budget requests as gospel.

As one Senator, I am sorry that they did not demonstrate by affirmative action this independent judgment in more areas but I am a realist enough to know that it is very difficult to exceed to any real degree the dollar amounts which have behind them the force of the Bureau of the Budget recommendations.

HIGHER EDUCATION ACT OF 1965—TITLE I, FISCAL YEAR 1966

ALABAMA

The authorized State agency in Alabama is the University of Alabama. It has approved the following community service projects to be conducted by institutions of higher education.

Institution and Federal allocation

Auburn University:	
Municipal recreation leadership conferences	$9,800
Introduction to physical planning for local government officials	12,820
Public administration seminars for the range of State and local government personnel (in cooperation with the University of Alabama)	26,350
Courses for small business operators—human relations, fiscal management, et cetera	24,350
Tuskeegee Institute:	
Public health instructor training courses	4,909
Community planning seminar for local leaders	5,137
Public administration seminar for local leaders	1,750
University of Alabama:	
Leadership training for isolated groups (aged, poor, minorities)	26,800
Courses for small business operators—human relations, fiscal management, et cetera (in cooperation with Auburn University)	24,350
Public administration seminars for the range of State and local government personnel (in 10 cities cooperating with the Alabama League of Municipalities)	43,200
Total program allocations	179,466
Administration of State plan	5,264
Total Federal allocation to State	184,730

ALASKA

Institution and Federal allocation

University of Alaska: "Statewide radio series on solutions available to community problems"	$49,170
Administration of State plan	11,812
Total Federal allocation to State	60,982

ARIZONA

The authorized State agency in Arizona is the Arizona State Commission for Higher Education. It has approved the following community service projects to be conducted by institutions of higher education.

Institution and Federal Allocation

Arizona State University:	
Institute for 50 government officials on interdepartmental cooperation	$3,455
Television broadcasts of services to the aged	22,918
Conference on problems of urbanization for 35 selected officials	15,000
Forum on new possibilities for problem-solving	12,000
Training in responsibilities for new-elected city officials	500

Institution and Federal allocation—Con.

Arizona Western College: Management training for farm foremen	$2,738
Northern Arizona University:	
Workshop for home economics teachers	8,333
Management instruction for government leaders	1,065
Economic instruction for government leaders	1,065
Management instruction for non-profit organization leaders	1,065
Testing rehabilitation for Indians	8,475
Seminar on child neurological impairments	2,797
Language films for Indians	2,925
University of Arizona:	
Workshops for lay leaders on community service	8,565
Establishment of a nurse-training program	21,631
Workshop for local leaders in formulating community goals	4,110
In-service training for elected municipal officials	1,248
Public service seminars on the value of community planning	1,357
Continuing education for para-professionals in public health services	14,079
Total	131,429
Administrative costs	6,905
Total Federal allocation	138,334

ARKANSAS

The authorized State agency in Arkansas is the University of Arkansas. It has approved the following community service projects to be conducted by institutions of higher education.

Institution and Federal allocation

University of Arkansas, Fayetteville:	
Conference on Fort Smith region urban development	$9,000
Conference on Little Rock region urban development	32,750
Westark Junior College, Fort Smith:	
Program for development of a mass transportation system	9,693
University of Arkansas, Little Rock	75,000
Total program alloactions	126,443
Administrative costs	21,511
Total Federal allocation to State	147,954

CALIFORNIA

The authorized State agency in California is the Coordinating Council for Higher Education. It has approved the following community service projects to be conducted by institutions of higher education.

Institution and Federal allocation

California State College, Los Angeles: Demonstration (pilot) program for college and community involvement	$63,097
Chico State College, Chico: Project to assist local governmental units in the implementation of new programs for education, economics, agriculture	55,235
College of San Mateo: An educational television attack on community problems	7,500
Humboldt State College, Arcata: A center for land use planning and community service	58,463
Los Angeles City Junior College District: Development of human resources through the community college	3,450
Sacramento State College: Continuing education for area community development specialists	18,750
San Diego Junior College: Problems of senior citizens	37,500

Institution and Federal allocation—Con.	
San Fernando Valley State College, Northridge: Community development and training institute	$59,319
San Francisco State College:	
Community development and training institute	11,149
Community stabilization through educational innovation	39,986
University of California at Berkeley:	
Rural environment and interrelationships with urban areas	39,169
Statewide programs on urban planning in relation to the State planning office's State development program	111,355
University of Southern California: Community relations seminars; behavioral science perspectives	29,599
Total	535,472
Administrative cost	11,498
Total allocated funds	546,970

COLORADO

The authorized State agency in Colorado is the Colorado Commission on Higher Education. It has approved the following community service projects to be conducted by institutions of higher education.

Institutions and Federal allocation	
University of Colorado: Leadership training pilot projects in 1 metropolitan area and 1 2d class city to be extended to other communities	$72,498
Colorado State University: Improvement of local governmental services by conducting a series of educational conferences for governmental personnel at all levels on a statewide basis	72,357
Total program allocations	144,855
Administration of State plan	3,000
Total Federal funds allocated to State	147,855

CONNECTICUT

The authorized State agency in Connecticut is the Commission on Cooperation with Federal Authorities in Matters Pertaining to Higher Education. It has approved the following community service projects to be conducted by institutions of higher education.

Institution and Federal allocation	
Danbury State College: Conferences for local community leaders and Government officers on area resource development	$6,652
New Haven College: Area conferences on the pressing community problems	8,080
Fairfield University: Development of cultural and recreational resources with governmental agencies in the area	4,756
Rensselaer Polytechnic Institute: A series of conferences with local community and government leadership for improved resource use	2,500
University of Connecticut:	
Conferences and consultations on sanitation, water pollution, land use; courses for governmental officials, and working with the aged	15,420
Information technology for the management of urban and suburban area (2-year project):	
1966	54,363
1967	49,266
Willimantic State College: Conferences with local leadership on a wide range of community problems	2,850
Yale University: A series of conferences and consultations with public school systems in the greater Hartford area to improve the program for disadvantaged	$19,940
Total program allocations	163,827
Administration of State plan	5,000
Total Federal funds allocated to State	168,827

DELAWARE

The authorized State agency in Delaware is the University of Delaware. It has approved the following community service projects to be conducted by institutions of higher education.

Institution and Federal allocation	
Delaware State College:	
Opportunities and services available to disadvantaged citizens	$4,275
Training recreation leaders for low-income neighborhoods	12,586
University of Delaware:	
Program on human relations in family life	1,500
Professional seminar on family interaction and human change	6,000
Continuing education program in law enforcement	3,000
Professional development for State and metropolitan police administrators	2,500
Professional development for welfare workers	2,000
Leadership and communications training for neighborhood center workers	4,000
Professional development for municipal officials	2,000
Professional development for municipal clerks and finance officers	1,500
Public administration courses for Government employees	2,000
Social work methodology for public welfare personnel	2,500
Educational counseling services for unemployed women	8,000
Management techniques for municipal officials	30,300
Information and communications program for State urban officials	22,456
Wesley College:	
Seminar to prepare substitute teachers	900
Conference on information and communications	3,000
Total program allocations	108,517
Administration of State plan	3,750
Total Federal allocation to State	112,267

DISTRICT OF COLUMBIA

The authorized State agency in the District of Columbia is the Consortium of Universities of the Metropolitan Area. It has approved the following community service projects to be conducted by institutions of higher education:

Institution and Federal allocation	
Consortium of Universities: Continuing education for the urban public service	$39,000
Catholic University: Allocation of education technology to the problems of disadvantaged youth	9,000
District of Columbia Teachers' College: Institute in group relations for public officials	7,500
George Washington University: Training of staff of public and private institutions in problems of children	9,750
Georgetown University: Improving the skills and effectiveness of community leadership	$32,250
Total program allocations	97,500
Administration of State plan	7,500
Total Federal allocation to State	105,000

FLORIDA

The authorized State agency in Florida is the State Board of Education . . . Florida. It has approved the following community service projects to be conducted by institutions of higher education.

Institution and Federal allocation	
Brevard Junior College, Cocoa: Courses in citizenship and family responsibility	$10,000
Florida State University, Tallahassee:	
Field service for graduate students in urban planning	35,000
Employment training for mature women	15,000
Civic education for community leaders	7,138
Indian River Junior College, Fort Pierce: Courses for aged in employment and attitudes towards age	20,000
Marymount College, Boca Raton: Encourage mental well-being in women	10,350
University of Miami, Coral Gables:	
Civic education for adults	45,000
Pilot program in Cuban culture; vocational refugee programs	661
Pilot program in personal continuing education for women	3,235
University of Florida, Gainesville:	
Educational experience in urban planning	18,750
Service and research center for small communities	------
Workshops and counseling for senior citizens	17,025
University of South Florida, Tampa:	
Kindergarten-nursery school teacher training	3,937
Consumer education	3,000
Total program allocation	214,096
Uncommitted funds	636
Administrative costs	25,000
Total Federation allocation	239,732

GEORGIA

The authorized State agency in Georgia is the University of Georgia. It has approved the following community service projects to be conducted by institutions of higher education.

Institution and Federal allocation	
Abraham Baldwin Agricultural College: Community development for community leaders	$3,000
Armstrong State College of Savannah: Professional development for local government personnel	2,703
Berry College: Continuing education for the Goose Valley area	3,060
Columbus College:	
Seminar in group communications	1,134
Improving instruction in adult education	2,888
Georgia Institute of Technology:	
Workshops for planning agency personnel	3,280
Community workshops in industrial development	15,203
Institute for planning aids	9,498
Instruction in the handling of information to support community development programs	16,985

Institution and Federal allocation—Con.

Middle Georgia College:	
Business law for small business proprietors	$1,093
Workshop on traffic and safety problems in middle Georgia	1,463
South Georgia College: Seminar on handling the social environment	2,625
West Georgia College:	
Workshop on integration of public facilities	1,154
Workshop for foster parents	1,872
Inservice education program for law enforcement personnel	2,758
Counselor training programs for community leaders	4,066
Course in community development, phase I	1,404
Course in community development, phase II	4,725
University of Georgia:	
Local government fiscal management courses	32,704
Local government personnel administration courses	6,330
Local government supervisory methods course	3,519
Pilot project: Testing and introductory community development courses in two communities	4,350
Workshop for community adult education leaders	5,750
The act of growing old—an interdisciplinary course	15,000
Institute for police training officers	5,703
Introductory course in community development in 10 communities	28,929
Total program allocations	181,196
Administration of State plan	25,000
Total Federal allocation to State	206,196

GUAM

The authorized State agency in Hawaii is the State Department of Budget and Finance. It has approved the following community service projects to be conducted by institutions of higher education.

Institution and Federal allocation

College of Guam:	
Continuing education and community service program for the island of Guam	$25,096
Administration of State plan	1,606
Total Federal allocation to State	26,702

HAWAII

The authorized State agency in Hawaii is the State department of budget and finance. It has approved the following community service projects to be conducted by institutions of higher education.

Institution and Federal allocation

University of Hawaii:	
In-service training project for community planners	$31,500
Statewide Hawaii Lyceum series	13,000
Statewide discussions of public policy issues	13,000
Training institutes for labor educators	22,510
Interagency pilot projects to train correctional personnel	34,500
Total program allocations	114,510
Administration of State plan	3,000
Total Federal allocation to State	117,000

IDAHO

The authorized State agency in Idaho is Idaho State Commission for Higher Education Facilities. It has approved the following community service projects to be conducted by institutions of higher education.

Institution and Federal allocation

Idaho State University: Application of State study on air transport	$36,000
University of Idaho:	
Conferences on land use for community leaders	10,000
Training of community recreation leaders	10,000
Education of youth counselors at the community level	8,000
Seminars on urban transportation problems for local and State officials	8,000
Establishment of Idaho Safety Center to provide consultation services	16,000
Training program in civic duties for newly elected city councilmen	10,000
Training program for new county commissioners	10,000
Total	108,000
Administrative costs	9,015
Total Federal allocation	117,015

ILLINOIS

The authorized State agency in Illinois is the Illinois Board of Higher Education. It has approved the following community service projects to be conducted by institutions of higher education.

Institution and Federal allocation

Barat College, Lake Forest: Volunteer school social worker training program	$7,342
Bradley University, Peoria:	
Volunteer social agency, board member training program	3,945
Clergy human relations skills training	3,300
Peoria officials training in municipal administration	3,600
Seminar for Negro leadership in Peoria	3,300
Illinois State University, Normal: Normal/Bloomington community relations improvement	9,322
Loyola University, Chicago: Seminars in urban problems for Chicago civic leaders	22,034
Northern Illinois, Dekale: Training program—internship for Puerto Rican social workers	18,752
Southern Illinois University, Carbondale:	
Training program for local tax assessors	10,416
Community services surveyor training	5,935
Workshop in human relations for teachers and ministers	22,178
Indigenous personnel training in community action projects	51,974
Training program for human relations commission members	11,125
University of Chicago: Workshop for welfare service center personnel	85,872
University of Illinois at Urbana:	
Worksohp for university personnel in community consultation	19,020
Field service for future teachers in problem schools	72,815
Total	350,930
Administrative costs	9,803
Total Federal allocation	360,743

IOWA

The authorized State agency in Iowa is the State Board of Regents. It has approved the following community service projects to be conducted by institutions of higher education.

Institution and Federal allocation

Drake University:	
Workshop for neighborhood leadership through communication and group identification with community problems	$6,840
Workshop in the techniques of municipal administration	5,310
Law enforcement seminar	6,435
Iowa State University:	
Short course for social welfare workers on growth and development of children	1,567
State coordination center of consumer education	23,308
Short course for social welfare workers on care of family in the home	1,213
Information dissemination program for school building and planning	7,876
Water pollution control and sanitation program	6,491
Job instruction training for municipal administrative personnel	1,470
Human relations of management for municipal administrative personnel	1,470
Basic principles of managing for municipal administrative personnel	1,470
Urban planning; administration of plans; urban design, esthetic responsibility	17,302
University of Iowa:	
Training program for community leaders and persons on the job in local governments	31,078
Development of an integrated series of short police courses	12,081
Community alcoholism program	20,597
Community theater regional workshops	12,437
Projected park and recreation conference	1,615
Therapeutic recreation workshop	960
Total program allocation	159,520
Administration of State plan	8,763
Total Federal allocation to State	168,283

KANSAS

The authorized State agency in Kansas is the Kansas Higher Education Facilities Commission. It has approved the following community service projects to be conducted by institutions of higher education.

Institution and Federal allocation

Kansas State University, Manhattan: Courses and conferences in regional planning and development	$37,386
University of Kansas, Lawrence: Consultation on resource mobilization, cultural programs, and communications	44,235
Wichita State University, Wichita: Conferences in government problems, fiscal problems of urbanization, high school curriculum, police administration, and fire science	71,409
Total	153,030
Administrative costs	2,047
Total Federal allocation	155,077

KENTUCKY

The authorized State agency in Kentucky is the University of Kentucky. It has approved the following community service projects to be conducted by institutions of higher education.

Institution and Federal allocation

Bellarmine College: Education in civic affairs to increase participation	$6,554

Institution and Federal allocation—Con.	
Eastern Kentucky State University:	
Consultant service to 15 counties to establish driver education courses	$8,625
Demonstration workshop in offering and coordinating cultural affairs	5,568
Consultant service to 21 counties to increase recreation facilities	10,845
Workshop to develop management skills in local officials elected and appointed	4,932
Pilot consultant service to 6 counties to improve cooperation between local and State agencies and civic groups	10,733
Lees Junior College: Pilot project to recruit and train social workers especially suited for Appalachia	11,103
Paducah Junior College: Leadership seminars on community problems in Paducah	2,457
University of Kentucky Research Foundation:	
Pilot project to develop and utilize the talents of older citizens in solving community problems	11,422
Demonstration film for TV on safe driving practices	41,149
Seminar workshops, and a publication to foresee growth in Ashland, Ky	18,007
University of Louisville:	
Pilot project for education in municipal government policy-making	6,617
Workshops for managers and personnel on public recreation	4,190
Western Kentucky State University: Demonstration project for 21 counties on cultural affairs	15,405
Total	157,607
Administrative cost	20,544
Total Federal allocation	178,151

LOUISIANA

The authorized State agency in Louisiana is the Louisiana Commission on Extension and Continuing Education. It has approved the following community service projects to be conducted by institutions of higher education.

Institution and Federal allocation	
F. T. Nicholls State College: Hospital administration courses	$3,600
Grambling College: Family life institutes in principal north Louisiana parishes	15,425
Louisiana State University (Baton Rouge):	
Workshop for school board members	7,320
Series of workshops (7) in governmental leadership and management (statewide)	53,610
Northwestern State College: Improving schoolplant facilities and services for Natchitoches Parish and immediate area	16,900
Southern University (New Orleans branch): Community leadership conferences in five target areas in lower income areas of New Orleans	27,360
Tulane University: Seminars on community problems for established leadership in New Orleans	3,245
University of Southwestern Louisiana: Workshops for newspaper reporters on the government and community	2,730
Loyola University: Training of elementary teacher to work with modified Montessori techniques with low income families	31,810
Total program allocations	162,000
Administration of State plan (including $15,570 for research on community problems)	$24,214
Total Federal allocation to State	186,214

MAINE

The Authorized State agency in Maine is the University of Maine. It has approved the following community service projects to be conducted by institutions of higher education.

Institution and Federal allocation	
Bowdoin College: A 2-phase program for improved land use along Maine's seacoast; model programs and relevant conferences	$45,900
University of Maine: Training program for guidance counselors in schools and community agencies; in cooperation with Aroostook State College and St. Francis College—11 programs	69,684
Westbrook Junior College: Course on "Parent and adolescent; a study in communication"	3,225
Total	118,809
Administrative cost	5,650
Total Federal allocation	124,459

MARYLAND

The authorized State agency in Maryland is the University of Maryland. It has approved the following community service projects to be conducted by institutions of higher education.

Institution and Federal allocation	
Allegany Community College, Cumberland:	
Medical secretary training	$2,534
Workshop in management techniques for county leaders	12,254
Charles County Community College, La Plata: Regional civic education program	20,459
Coppin State College, Baltimore: Conference for mutual understanding; public officials, labor and industry heads, community leaders	11,096
Essex Community College, Essex: Civic education for problem solving techniques	20,825
University of Maryland, College Park:	
Regional seminar of the Constitutional Convention	63,651
Leadership seminars in community needs, structure, and resources—regional	29,316
Total	160,135
Administrative costs	24,966
Federal allocation total	185,101

MASSACHUSETTS

The authorized State agency in Massachusetts is the Massachusetts Higher Education Facilities Commission. It has approved the following community service projects to be conducted by institutions of higher education.

Institution and Federal allocation	
Babson Institute: A 15-session seminar for local urban redevelopment committee in eastern Massachusetts	$3,750
Boston University: A series of conferences for representatives of civic and professional organizations, governmental agencies and institution for more effective resource allocation	17,006
Bridgewater State College: A series of conferences and demonstrations for municipal commissions in relation to water pollution control in southeastern Massachusetts	$9,000
Clark University: Conferences and seminars for parents and teachers to overcome resistance to new content and methods in public schools	13,500
Harvard University:	
A series of conferences for attorneys with regard to mental health information by Harvard Medical School faculty	21,000
Experimental research project with the community serving as a laboratory for relationships betwen race relations and learning problems	77,500
Dean Junior College: 4 sets of seminars for municipal administrators, school committee members, budgetary and charter revision personnel	11,790
Greenfield Community College: Education of community leadership in a semirural community	9,000
Lowell Technological Institute: Seminars to increase the impact of technological resources to city officers, teachers, and the business community	22,050
Massachusetts Institute of Technology: Seminars for teachers, settlement workers, parents with regard to motivating the disadvantaged to continue their education	5,250
Northeastern University:	
Seminars on urban problems and social change for clergy of all faiths	15,375
Program in alcohol education for professional, volunteers, and service groups acting in a social service role	15,000
North Shore Community College: Conferences with local leadership on returning post-high school population to the labor market	4,500
Radcliffe College: Conference for women in volunteer agencies on the process of social change	900
Springfield College:	
Course for youth serving individuals, parents, and teachers to work more effectively with disadvantaged youths	4,148
Police training	3,578
Tufts University:	
Demonstration project to improve educational opportunities for the disadvantaged in an urban area	8,509
A yearlong seminar for indigenous local leaders to deal with practical problems of the urban setting	6,375
University of Massachusetts: The application of intercommunity problem solving means to air and water pollution by courses for civil servants, workshop for educators and consultation services	45,000
Wentworth Institute: Conferences and seminars for recruiters of potential employees from disadvantaged areas	6,000
Total program allocations	229,111
Administration of State plan	2,163
Total Federal funds allocated to State	231,274

MICHIGAN

The authorized State agency in Michigan is the State Department of Education. It has approved the following community services projects to be conducted by institutions of higher education:

Institution and Federal allocation

Michigan State University:	
Leadership conference for city officials	$13, 436
Criminal justice in Michigan communities	7, 300
Statewide race relations program pilot project	3, 064
Michigan Technological University:	
Health education program for Upper Peninsula	26, 387
Northern Michigan University:	
Health education program for Upper Peninsula	13, 490
Leadership training program for Upper Peninsula	30, 538
Oakland University:	
Workshop on poverty for community	2, 967
Orientation to poverty program	3, 580
University of Michigan:	
Program for community councils on community problems	26, 267
Planning for urban renewal commissions	14, 362
Program to combat adverse effects of economic migration (pilot project)	14, 110
Wayne State University:	
Demonstration project in library facilities for southeastern Michigan	28, 234
Conferences and workshops for police officials	10, 677
Kalamazoo College: Coordination program for Kalamazoo County officials	13, 615
Madonna College: Reading improvement program for post-secondary-level adults	7, 125
Marygrove College: Community conferences series for changing minority neighborhood groups	5, 000
University of Detroit: Community leaders seminars conferences on selected urban problems	12, 619
Flint Community Junior College: Meeting the needs of working women and mature women	27, 059
Oakland Community College:	
Program for senior citizens	18, 000
Youth opportunities program	15, 000
Total program allocation	292, 830
State plan administration	8, 805
Total Federal allocation to State	301, 635

MINNESOTA

The authorized State agency in Minnesota is the Minnesota Liaison and Facilities Commission. It has approved the following community service projects to be conducted by institutions of higher education.

Institution and Federal allocation

Augsburg College: Academic town meeting committee to discuss community problems	$56, 906
Bemidji State College: Northern Minnesota leadership development	2, 315
Mankato State College: Community development in the urban Mankato area	5, 460
Moorehead State College: Development of a community social service program	8, 162
St. John's University: Programs for education of present and future community leaders	25, 635
University of Minnesota:	
Governmental in-service training	29, 000

Institution and Federal allocation—Con.

University of Minnesota—Continued	
Statewide coordinated counseling for women; operation second chance	$23, 775
Impact of alternative choices of urban development	26, 242
University certificate program in assessing and appraisal	8, 276
Total program allocation	185, 771
Administration of State plan	1, 407
Total Federal allocation to State	187, 178

MISSISSIPPI

The authorized State agency in Mississippi is the Mississippi Board of Trustees of the Institutions of Higher Learning. It has approved the following community service projects to be conducted by institutions of higher education.

Institution and Federal allocation

Jackson State College:	
Seminar for the development of community leaders	$5, 650
Institute for In-Service Teachers	5, 000
Teacher Institute in Aerospace Education	2, 220
Teachers workshop in modern mathematics	3, 375
Guidance seminar for counselors	3, 600
Mississippi State University: Programs for cooperative community development	40, 000
University of Mississippi:	
Series of conferences of aging	16, 500
Adult education institutes on problem solving	35, 289
University of Southern Mississippi:	
Workshop and seminars for counselors on family problems	9, 051
Improving community recreation program in south Mississippi	5, 000
Total program allocations	125, 685
Administration of State plan	9, 580
Total Federal allocation to State	135, 265

MISSOURI

The authorized State agency in Missouri is the Office of State and Regional Planning and Community Development. It has approved the following community service projects to be conducted by institutions of higher education.

Institution and Federal allocation

Central Missouri State College, Warrensburg: Conference of police and and law enforcement for police and community	$16, 538
Drury College, Springfield:	
College courses in social sciences for policemen	6, 900
Regional seminars in community planning	6, 450
Park College, Parkville:	
Seminars in problems of Platte County for mayors, judges, and clerks	600
Institute to assess role of small community in a metropolitan area	900
St. Louis University:	
Research on metropolitan problems; conferences with local administrators—emphasis on building inspection	21, 505
Instruction for voluntary leadership: board members; conference on philanthropy; urban decisionmaking; role of clergy	13, 626
Institutes in nurse administration and pedagogy	9, 345

Institution and Federal allocation—Con.

University of Missouri at Columbia:	
Conference for local officials for improved awareness and skills	$35, 000
Conference on Federal programs for small communities; training in fiscal management	11, 803
Conferences for local officials on administration of public works and technical problems of public facilities	9, 228
University of Missouri at Kansas City: Management and planning clinics in total administration for communities of all sizes	11, 000
University of Missouri at Rolla: Courses in land use for administrators of urban fringe communities	21, 380
University of Missouri at St. Louis: Symposia on public schools for policy and administrative clientele	14, 387
Washington University, St. Louis:	
1-year certificate training program for community leaders of disadvantaged	13, 743
Urban housing specialist as consultant for St. Louis area	22, 377
Human relations institute and a course on minority status in American life	2, 341
Total	207, 123
Administration costs	3, 500
Total Federal allocation	210, 623

NEBRASKA

The authorized State agency in Nebraska is the University of Nebraska. It has approved the following community service projects to be conducted by institutions of higher education,

Institution and Federal allocation

Kearney State College: Developing new solutions to community problems	$8, 598
University of Nebraska:	
Training local leaders for community planning	13, 008
Training and consultation program for the development of community recreation potentials in southeastern Nebraska	55, 770
Economic education program for Nebraska communities	45, 000
University of Omaha: Statewide law enforcement and security seminars for officials	10, 116
Total program allocations	132, 492
Administration of State plan	3, 863
Total Federal allocation to State	136,355

NEW HAMPSHIRE

The authorized State agency in New Hampshire is the University of New Hampshire. It has approved the following community service projects to be conducted by institutions of higher education.

Institution and Federal allocation

Dartmouth:	
Economic and community development education through recorded lectures	$25, 500
Community official and leader training in improved community decisionmaking	46, 750
University of New Hampshire:	
Beautification conservation	11, 250
Regional and community development and economic growth course	4, 825
Total program allocations	88, 325

Institution and Federal allocation—Con.

Uncommitted funds	$26,075
Administration of State plan	1,898
Total Federal allocation to State	116,298

NEW JERSEY

The authorized State agency in New Jersey is the New Jersey State Commission for the Higher Education Facilities Act. It has approved the following community service projects to be conducted by institutions of higher education.

Institution and Federal allocation

Fairleigh Dickinson University:	
Volunteers and governmental corps projects	$20,000
Program to upgrade the knowledge among health workers concerning special and environmental impact on health	21,150
Pollution control education, air and water	33,210
Leadership training program for community recreation	14,835
Middlesex County College: To provide employment opportunities	7,695
Montclair State College: Health, adult education, and aging	43,587
Newark College of Engineering:	
Upgrading government personnel	4,500
Water supply and pollution control	12,000
Rutgers State University:	
Improved government personnel	35,000
Community problem of the aging	3,433
Municipal, air and water resources management	55,000
Community problem of unemployment	11,400
Total program allocations	261,810
Administration of State plan	3,000
Total Federal allocation to State	264,810

NEW MEXICO

The authorized State agency in New Mexico is the University of New Mexico. It has approved the following community service projects to be conducted by institutions of higher education:

Institution and Federal allocation

The University of New Mexico in cooperation with Eastern New Mexico University, Highlands University, New Mexico Institute of Mining & Technology, New Mexico State University, University of Albuquerque, University of Santa Fe, Western New Mexico University:	
Conferences for public officials and community leaders on poverty, housing and youth opportunities	$42,667
Orientation and training of local government officials	44,000
Program on the stimuli and obstacle to economic growth	21,625
Total program allocations	108,292
Administration of State plan	16,761
Total Federal allocation to State	125,053

NEW YORK

The authorized State agency in New York is the Board of Regents of the University of the State of New York. It has approved the following community service projects to be conducted by institutions of higher education.

Institution and Federal allocation

Bank Street College of Education New York City: "Crisis Films" on Adolescence	$30,747
Barnard College, New York City: Workshop for community service for women	15,000
City University of New York, New York City Community College: Training program for department of buildings	49,527
Columbia University, New York City: Intergroup relations training in community service	35,000
Speakers' bureau on drug use (College of Pharmacy)	30,000
Cornell University, Ithaca: Program for government-employer-employee cooperation	67,030
Fordham University, New York City: Leadership in perretirement programs	19,604
Hofstra University, Hempstead: Community agency research training for women	24,336
Hunter College, City University of New York: Seminars on community service and community government	10,000
Mount St. Mary College, Newburgh: Seminar on human relations for community agencies	10,000
New School for Social Research, New York City: Demonstration program for borough planning boards	6,290
TV film series on city government	17,410
New York University, New York City: Seminars on civil liberties and civil disobedience	19,928
Class in consumer problems for disadvantaged	28,455
Pratt Institute, Brooklyn: Leadership training for Brooklyn civic leaders	15,000
State University of New York at Albany: Seminar for government, labor, and industry in urban problems	5,000
State University of New York at Buffalo: Center for leadership training and planning for Niagara frontier	30,000
State University of New York Agricultural & Technical College at Cobleskill: Workshop in management skills	3,475
State University of New York Agricultural & Technical College at Farmingdale: Community workshops for elderly and mature women	12,000
Suffolk County Community College, Seldon: Program in higher education for Negro youth	14,748
Syracuse University, Syracuse:	
Political science course for urban officials	25,000
Seminar on county problems for officials and citizens	58,000
Westchester Community College, Valhalla: Program for associate's degree in fire science	8,000
Total	534,550
Administrative costs	7,399
Total Federal allocation	541,949

NORTH CAROLINA

The authorized State agency in North Carolina is the North Carolina Board of Higher Education.

Institution and Federal allocation

Agricultural & Technical College: Training lay leaders of economically depressed communities	$6,132
East Carolina College: Employment and job training information	$26,395
North Carolina State University:	
Community service center	32,805
Professional counseling center	13,130
Orientation to job opportunities	12,020
Education of recreation leaders	11,610
Police science general curriculum	15,451
Prison emigrant counseling service	8,993
Rockingham Community College: Public health improvement program	11,781
University of North Carolina, Chapel Hill:	
Radio seminars for physicians	1,000
Community problem-solving information	29,314
Summer teacher institutes	15,750
Education for recreational personnel	4,400
University of North Carolina, Greensboro: Workshop for intergroup relations	6,070
Total Program Allocations	194,851
Administrative costs	7,500
Uncommitted funds	17,695
Total Federal allocation to State	220,046

NORTH DAKOTA

The authorized State agency in North Dakota is the North Dakota Higher Education Facilities Commission. It has approved the following community service projects to be conducted by institutions of higher education.

Institution and Federal allocation

University of North Dakota:	
Continuing legal education	$22,500
Business management for homes for aged	11,250
Continuing public administration (cooperative program: North Dakota State University and University of North Dakota)	30,000
Inventory and identification of solutions to problems of youth (sponsored by University of North Dakota in cooperation with other institutions of higher education in North Dakota)	7,500
North Dakota State University:	
Extension program in pharmacy for hospital and nursing home pharmacists	7,500
Special course program in basic business management	7,500
Special program macroeconomists	3,000
Statewide seminar program in human development (family and individual development)	2,400
Assumption College: Seminar program in historical and political development	4,500
Bismarck Junior College: Uniform and commercial code instruction (in cooperation with other institutions and professional organizations)	9,375
Dickinson State: Institute in creative problem solving	5,000
Total program allocations	110,525
Administration of State plan	5,550
Total Federal allocation to State	116,075

OHIO

The authorized State agency in Ohio is the Ohio Board of Regents. It has approved the following community service projects to be conducted by institutions of higher education.

Institution and Federal allocation

Case Institute of Technology: Statistical analysis of juvenile delinquency in Cleveland, to improve planning	$12,295
Cleveland State University: Institutes on the sociological and psychological aspects of housing problems for housing officials	3,850
Cuyahoga Community College: A voational and educational counseling and referral center for mature women	32,535
Kent State University:	
A lecture-workshop series for senior level officials in public and private transit agencies	16,420
Research project and conferences on land use in urban fringe areas	25,563
Ohio State University:	
A clinic on air and water pollution for municipal officials	21,564
Instructor training project for instructors of water and waste water plant operation	2,925
Workshops for officials and attorneys on new zoning techniques	2,590
Management development project for high-level state administrators	62,550
Ohio University:	
A mayors' conference for 54 mayors on community problems	4,831
A 5-county planning education program for Ohio Appalachia communities	21,802
University of Akron:	
A training conference for subprofessional social workers	5,864
A seminar of officials to improve interagency cooperation	10,223
University of Cincinnati: A census tract data center to improve community information	24,192
University of Dayton: A consumer education program for the disadvantaged	8,658
Western Reserve University: A training and recruiting project to develop probation officers	48,296
Wittenberg University: A management development project for community service agencies	33,593
JOINTLY SPONSORED PROJECTS	
Antioch College, Central State, University of Dayton, Wright State:	
An inservice training project for nursing home directors and managers	3,124
Pilot training project for juvenile delinquency social workers	3,292
Total	344,167
Administrative costs	6,856
Total Federal allocation	351,023

OKLAHOMA

The authorized State agency in Oklahoma is the University of Oklahoma. It has approved the following community service projects to be conducted by institutions of higher education.

Institution and Federal allocation

Cameron Junior College: Seminars on transportation, mental health, and youth opportunities	$5,775
Connors State Agricultural College:	
Seminars for community officials and laymen on public health	1,950
Leadership education for community recreation officials	1,950
The El Reno College:	
Courses and seminars on art as a means of recreation at El Reno, Okla	$1,500
Courses and seminars on art as a means of recreation at Yukon, Okla	1,500
Leadership education in municipal, county, and State government in El Reno, Okla	3,250
Leadership education in municipal, county, and State government in Yukon, Okla	3,250
Murray State Agriculture College:	
Cooperation, government agencies	5,100
Northeastern State College:	
Leadership education on long-range planning for community growth	3,300
Leadership education on discovering community resources	3,300
Northern Oklahoma Junior College:	
Adult education courses on mental health for Blackwell, Okla	3,283
Adult education courses on mental health for Blackwell, Okla	3,283
Northwestern State College:	
Community education to increase participation in public recreation in Waynoka, Okla	2,000
Community education to increase participation in public recreation in Alva, Okla	2,000
Panhandle A. & M. College:	
Training project for youth opportunity leadership in Goodwell, Okla	1,200
Training project for youth opportunity leadership in Guymon, Okla	1,200
Potean Community College: Training project for health, medical, and paramedical personnel	3,000
Sayre Junior College: Leadership education for public recreation development	1,500
Southeastern State College: Leadership education in community housing needs	6,400
Southwestern State College:	
Community education in the nature and origin of poverty in Contor, Okla	3,575
Community education in the nature and origin of poverty in Clinton, Okla	3,575
The University of Oklahoma: Regular seminars for specialists and community leaders in community problems	12,858
Northeastern Oklahoma A. & M.:	
College and civic conference on community recreation facilities	2,658
Youth opportunity discovery group	2,658
JOINTLY SPONSORED PROJECTS	
Education for municipal employment	21,000
Central State College	4,000
Langston University	4,000
Oklahoma City University	4,000
Oklahoma State University	4,000
University of Oklahoma	5,000
Community education for better understanding of municipal government	9,000
Central State College	1,800
Langston University	1,800
Oklahoma City University	1,800
Oklahoma State University	1,800
University of Oklahoma	1,800
Oklahoma State University:	
Professors for the city of Tulsa, Okla	$25,799
Project 1	5,733
Project 2	5,733
Project 3	14,333
Total program allocations	135,864
Administration of State plan	25,000
Total Federal allocation to State	160,864

OREGON

The authorized State agency in Oregon is the Educational Coordinating Council. It has approved the following community service projects to be conducted by institutions of higher education:

Institution and Federal allocation

Eastern Oregon College (La Grande):	
School board conferences on finance, organization, curriculum, and personnel	$5,905
Oregon State University (Corvallis):	
Action programs for small town local leadership	35,656
Portland State College:	
Program in community planning for mental health	20,209
Urban studies center for overall planning and communication	28,472
University of Oregon (Eugene):	
Community field service training program for future community leaders	24,000
Civic training for newly elected mayors, councilmen, and commissioners in Oregon	10,009
Development and distribution of comprehensive annotated bibliography of community problems in Oregon	7,476
University of Oregon—Oregon State University—Portland State: Conferences in urban planning for planning commissioners	8,022
Total program allocations	139,749
Administration of State plan	6,746
Total Federal funds allocated to State	146,495

PENNSYLVANIA

The authorized State agency in Pennsylvania is the Department of Public Instruction. It has approved the following community service projects to be conducted by institutions of higher education:

Institution and Federal allocation

Pennsylvania State University:	
Development for urban planners	$26,250
Seminars for trade urban members	30,426
Develop videotapes on school-community relations	22,500
Agriculture extension courses for agriculture teachers	7,962
Off-farm business management courses for agriculture teachers	7,082
Wilkes College:	
Seminars for county planning commissioners	1,275
Seminars on municipal purchasing	1,350
Lectures on community and governmental development	3,750
Improvement of local communications	2,902
Temple University: Development of better services for disadvantaged groups	47,670
Lycoming College: Courses for social welfare workers	3,750

Institution and Federal allocation—Con.	
Carnegie Institute of Technology:	
Research on local transportation	$20,400
Community development courses for civil engineers	23,274
Seminars for high school counselors	6,140
PMC Colleges: Counseling local government officials on urban affairs	10,686
Indiana University of Pennsylvania:	
Seminars for labor leaders	6,675
Immaculate College: Extension education courses for low-income people	2,718
Cannon College:	
Research and consultation on land use and housing	6,396
Research for the improvement of the local administrative system	10,376
La Salle College: On-campus training in community development	4,500
University of Pittsburgh:	
Survey for the improvement of information and communications	7,273
Courses to increase competence of local officials in dealing with emergency problems	12,710
Courses on health and welfare for social welfare executives	27,708
Development of criteria for use in the selection and training for municipal police officers	32,724
University of Pittsburgh School of Pharmacy: Seminars for personnel in the health profession	3,452
Bucks County Community College: Workshops for teachers of retarded children	3,750
Clarion State College: Data collection to improve information and communication	29,751
Cheyey State College: Development of methods for providing community service through means other than course offering	9,000
Total program allocations	372,450
Administration of State plan	11,738
Total Federal allocation to State	384,188

RHODE ISLAND

The authorized State agency in Rhode Island is the University of Rhode Island. It has approved the following community service projects to be conducted by institutions of higher education.

Institution and Federal allocation	
University of Rhode Island:	
Adult education program in community problem solving	$56,778
Training Program for Municipal Leaders	48,000
Bryant College, Providence College, Rhode Island College: Training Program in Adult Education	16,629
Total program allocations	121,407
Administration of State plan	1,000
Total Federal allocation to State	122,407

SOUTH CAROLINA

The authorized State agency in South Carolina is the State Budget and Control Board. It has approved the following community service projects to be conducted by institutions of higher education.

Institution and Federal allocation	
Benedict College: Program to relieve critical shortage of recreational leaders for afterschool programs in culturally deprived areas	$8,416
Furman University: Collegiate educational service corps for work in community development	$8,384
University of South Carolina:	
Community leadership development for neighborhood settlement houses	3,866
Child development program for preschoolers in slum areas	21,389
Educational program in local resources and community development	26,320
Program for community leaders in problems of economic development, and housing and transportation problems	73,892
Training program for community action among city leadership	15,200
Leadership conference on problems and prospects for adult education in South Carolina	2,000
Total program allocation	159,467
Administrative cost	2,906
Total Federal allocations to State	162,373

TENNESSEE

The authorized State agency in Tennessee is the University of Tennessee. It has approved the following community service projects to be conducted:

Institution and Federal allocation	
Austin Peay State College:	
A pilot county-city leadership conference	$1,875
A pilot business and economic forum	1,200
Bethel College: Leadership education in economic development and needs	6,750
East Tennessee State University:	
Leadership education in the economic development of east Tennessee, western North Carolina, and southwestern Virginia	2,979
Training course in swimming pool sanitation	1,340
Workshop for specialists in the rehabilitation of multihandicapped children	1,376
Knoxville College: A course to develop leadership skills	5,250
Lambuth College: A project to develop a county family services bureau	5,500
Lemoyne College: A continuing race relations conference	1,875
Meharry Medical College: An institute on pharmacological therapy for rural physicians	4,658
Memphis State University:	
An institute of urban development, education and training to meet community problems	5,438
Training and instruction for law enforcement officials	5,250
Southwestern College of Memphis: Leadership education in local government	2,250
Tennessee Technological University:	
Public education in sanitary environments	2,700
An engineering counseling service for industries and communities	5,175
University of Tennessee:	
(Coordinating) demonstration research project on the identification of community needs	26,250
(Coordinating) training in responsibilities for school board members throughout Tennessee	45,750
University of Tennessee—Continued	
Economic education in low-income families	$7,500
Cooperative continuing education for public health in medicine, dentistry, pharmacy, and nursing (jointly with Vanderbilt Medical School, Meharry Medical College, and the university research center and hospital)	15,000
Public dental health education by television	9,000
Field consultation with officials solving urban and suburban problems	18,750
Total program allocations	175,866
Administration of State plan	18,088
Total Federal funds allocated to State	193,954

TEXAS

The authorized State agency in Texas is the Coordinating Board, Texas College and University System. It has approved the following community service projects to be conducted by institutions of higher education.

Institution and Federal allocation	
Baylor University:	
Establishment of legal services for the poor in McLennan County area	$1,245
Preparation of teachers of the functionally illiterate	8,333
North Texas State University:	
Joint university center for community service	37,500
Seminars in public administration and urban affairs	9,410
Southern Methodist University:	
Urban and regional planning seminar	3,375
The metropolitan problem—an urban policy seminar	5,025
Texas A. & M. University:	
Community services program in transportation	38,084
Community service seminars	20,100
Education in local law enforcement	20,100
Educational programs for youths in correctional institutions	53,901
Texas Christian University:	
Institutional appraisal and analysis of community needs	7,938
Seminars on utilization of governmental programs for community development	8,373
Texas Woman's University:	
Consultative services to social welfare agencies in the Dallas-Fort Worth metropolitan area	5,083
Community service and continuing education program in nursing	5,676
Texas Technological College: A pilot program for urban parks in metropolitan communities	31,855
University of Houston: Workshop for executive personnel in city and county governments	15,000
University of Texas:	
Executive development short courses for urban and regional planning officers	15,791
Professional development training of urban administrators and community leaders	17,454
Community employee training	8,800
Total committed funds	313,043
Uncommitted funds	18,916
Administrative costs	25,000
Total Federal allocation	356,959

UTAH

The authorized State agency in Utah is the Utah Coordinating Council of Higher Education. It has approved the following community service projects to be conducted by institutions of higher education.

Institution and Federal allocation

University of Utah:	
Study of college and university extension services in relation to State needs	$7,243
Data compiling on student abilities, educational services, and occupational specialties in the State	15,582
Conventions of faculty and officials, dealing with municipal government problem analysis and solution	11,250
Seminars for selected communities in leadership training, problem identification, citizen involvement, planning	11,250
Training for planning officials and board members	7,500
Instruction for newly elected officials concerning legal, intergovernmental, and social frameworks	9,225
Documentary films on community problems	9,000
Conferences on resource allocation	2,250
Conferences on land use	1,500
Utah State University: Training for leadership training, administered to community resource development councils	14,625
Weber State College: Course work in job skills for municipal officials	18,000
Total	107,425
Administrative costs	16,639
Total Federal allocation	124,064

VERMONT

The authorized State agency in Vermont is the University of Vermont and State Agricultural College. It has approved the following community service projects to be conducted by institutions of higher education.

Institution and Federal allocation

Goddard College: Cooperative community service programs to attack community development problems	$14,605
University of Vermont:	
Urban specialist in Burington community to attack problems in housing, health, rehabilitation and others related to poverty	14,997
Assistance to the greater Burlington community in expanding opportunities for disadvantaged youth	14,993
Improvement of community health and employment opportunities through a program in institutional administration	9,184
The use of two-way television for community service and continuing education programs	21,600
Expansion of community health service through continuing education for the registered professional nurse	8,261
A program to enlighten communities in the effective use of educational television for community enrichment	16,582
Total program allocations	100,222
Administration of State plan	9,572
Total Federal allocation to State	109,794

VIRGIN ISLANDS

The authorized territorial agency in the Virgin Islands is the College of the Virgin Islands. It has approved the following community service projects to be conducted by institutions of higher education.

Institution and Federal allocation

College of the Virgin Islands:	
Community development conferences for community leaders	$9,354
Seminar on human relations and poverty	6,300
Community leaders seminar on poverty	9,450
Total program allocations	25,104
Administration of territorial plan	900
Total Federal allocation to territorial plan	26,004

VIRGINIA

The authorized State agency in Virginia is the University of Virginia. It has approved the following community service projects to be conducted by institutions of higher education.

Institution and Federal allocation

College of William and Mary, Williamsburg: Training for school guidance counselors, and teachers	$9,093
Ferrum Junior College, Ferrum: Instruction for recreational leaders	7,860
Hampton Institute, Hampton:	
Seminar for part-time welfare personnel	5,793
Training of practical nurses for social work	5,766
Medical College of Virginia, Richmond:	
Video-tapes—medical education for hospitals and community	15,000
Physician continuing education in problems of disadvantaged	7,500
Richmond Professional Institute, Richmond:	
Workshop in human relations for subprofessional recreation leaders	6,785
Telecasts for teachers of problem children	9,000
University of Richmond, Richmond:	
Workshop for higher education-community service planning	8,931
University of Virginia, Charlottesville:	
Continuing education for opthalmologists	7,057
Continuing education for medical personnel	22,500
Workshop in "recreation for the handicapped child"	1,861
Virginia Polytechnic Institute, Blacksburg, Va.:	
Civic workshop for neighborhood workers; problem solving seminar for community leaders	13,500
Continuing education in home economics	20,156
Virginia State College, Petersburg: Consultation in human relations and development	19,500
Virginia State College, Norfolk: Social action experience for welfare clientele	23,194
Virginia Union University, Richmond: Education in Federal programs for disadvantaged	18,458
Total	201,954
Administrative costs	6,048
Total Federal allocation	208,002

WASHINGTON

The authorized State agency in Washington is the Department of Commerce and Economic Development. It has approved the following service projects to be conducted by institutions of higher education.

Institution and Federal allocation

University of Washington, Seattle:	
Inservice training for city officials	$5,479
Conference to review the problem of legal counsel for the indigent	7,751
Citizens conference for improved government	6,978
Improve legal knowledge of magistrates	3,654
Conference of juvenile court judges, to develop uniform court procedures	3,611
Inservice training on conservation and beautification to highway planners	11,160
Western Washington State College, Bellingham:	
Public service TV broadcasts on water pollution	4,830
Counseling to State on long-range economic planning	8,260
Public education for teachers and parents to prevent dropouts	11,734
Washington State University, Pullman: Inservice training for nurses	19,498
Eastern Washington State College, Cheney:	
Conferences on Government operations—city and county in the Spokane area	17,450
Community leadership training on metropolitan problems	24,113
Everett Junior College, Everett: Seminar series on sanitation, housing, traffic control, and race relations	9,044
Gonzaga University, Spokane: Seminar series on accelerating economic growth	25,828
Tacoma Community College: Training program in law enforcement	5,567
Total	164,977
Administrative costs	8,401
Total Federal allocation	173,378

WEST VIRGINIA

The authorized State agency in West Virginia is the Board of Governors, West Virginia University. It has approved the following community service projects to be conducted by institutions of higher education.

Institution and Federal allocation

West Virginia University, Morgantown, Bethany College, Wheeling College:	
Training for citizens and officials for better government:	
Project 1	$48,896
Project 2	3,420
Project 3	3,600
West Virginia University, Wheeling College:	
Training for government officials in the technique and relevance of planning:	
Project 1	13,369
Project 2	1,242
West Virginia University, Bethany College:	
Improvement of intergovernment cooperation in community problem solving:	
Project 1	35,297
Project 2	3,897
West Virginia University: Research and workshops in the university, businesses, schools, labor, and government agencies, to explore new possibilities of community service	24,443
Total	134,164
Administrative costs	10,946
Total Federal allocation	145,110

WISCONSIN

The authorized State agency in Wisconsin is the Board of Regents of the University of Wisconsin. It has approved the following community service projects to be conducted by institutions of higher education.

Institution and Federal allocation

Marquette University:	
Supervisory development training program for Metropolitan Milwaukee police personnel	$4,965
Leadership training in youth recreational programs	862
Universities community educational services for metropolitan areas	18,819
Milwaukee Institute of Technology:	
The world of work-vocational guidance through television	8,000
Wisconsin State University (Oshkosh): Fox River Valley Career Development & Resource Center	35,800
Wisconsin State University (Platteville):	
Problems of law enforcement in rural areas	3,124
Rural local governments' administrative problems, regional planning, and cooperation	2,000
Wisconsin State University (Superior): Punched card data processing for community administrative personnel	492
Wisconsin State University (Stevens Point): Stevens Point area planning project	3,000
University of Wisconsin—Center (Green Bay): Development of children's drama program in 10 northeast Wisconsin communities	17,763
University of Wisconsin—Center (Wood County): Compilation and dissemination of cultural information in Quad City area	5,000
University of Wisconsin Extension:	
Medical audiovisual instructional programs	12,942
Residential seminar of local government administrators	7,441
Family Financial Counseling Center of Metropolitan Milwaukee	23,970
Clergy urban reorientation effort	11,850
Paint Box Art Center—Neighborhood art center demonstration	10,343
Developing an extension course for library aids	5,172
Study of higher education community service and continuing education processes	6,525
University of Wisconsin (Milwaukee):	
School boards and school problems: A clinical approach	9,002
Continuing education for deaf adults	8,601
Total program allocations	195,671
Administration of State plan	5,950
Total Federal funds allocated to State	201,621

WYOMING

The authorized State agency in Wyoming is the Board of Trustees of the University of Wyoming. It has approved the following community service projects to be conducted by institutions of higher education.

Institution and Federal allocation

University of Wyoming, Casper College, Goshen County Community College, Northern Wyoming Community College, Northwest Community College, Western Wyoming Community College:	
Conferences and visits to combat migration of the young	$29,584
Educational programs in local government responsibilities and techniques	$27,366
Conferences and visits for development of mass communication media	26,408
Total	83,359
Administrative costs	25,000
Total Federal allocation	108,359

EXHIBIT 3

PREPARED STATEMENT OF J. GRAHAM SULLIVAN, DEPUTY COMMISSIONER, OFFICE OF EDUCATION, U.S. DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

* * * * *

We have proposed inclusion of the entire Teacher Corps authorization in this title because we think that the Corps has proven itself a significant part of the Nation's arsenal in the war against illiteracy and educational deprivation, a war in which Title I is a major weapon.

Last fall, during the early weeks of the school year, the Nation faced with an unprecedented shortage of almost 170,000 qualified teachers. Some of our major cities were short as many as 2,000 teachers on the opening day of school. As expected, these teacher shortages were most acute in the urban slums and depressed rural areas. In the elementary schools of Philadelphia's ghettos, the teacher vacancy rate was approximately 20 percent or almost twice as high as the vacancy rates of other schools in the district. Moreover, it has been concluded through various reports and studies that simply filling such teacher vacancies will not solve the problems of education in ghetto schools. The January report of the National Advisory Council on the Education of Disadvantaged Children stressed the need for—

(1) Adapting academic content to the special problems of the disadvantaged child.

(2) Improving and expanding inservice training of teachers.

(3) Involving parents and the community-at-large in school programs.

These fundamental points are embodied in the Teacher Corps Training program which combines the following elements:

Graduate training aimed at preparing teacher-interns to develop academic materials and techniques relevant to the deprived students;

Supplementary teacher-related responsibilities, in public school classrooms which constitute an unprecedented two-year inservice training period;

Community participation through which the intern not only becomes familiar with the sociology of poverty, but also becomes intimately acquainted with the community in which he is serving.

The Teacher Corps stands as the only nationwide effort specifically designed to attract and prepare men and women for highly skilled professional performance in serving disadvantaged children in our urban and rural schools.

From its inception, the Teacher Corps has appealed to men and women who conscientiously desire to teach youngsters for whom education has often missed the mark. Through the vehicle of nationwide recruiting, it has been possible for the Teacher Corps to attract recent college graduates who would never have been reached through local recruitment efforts alone—men and women who have become committed to developing a skill in teaching disadvantaged children. It has evoked the pride of experienced teacher-volunteers who specifically sought the children. It has evoked the pride of experienced teacher-volunteers who specifically sought the challenge of this difficult task most people shun. In fact, the number of high quality applicants for the Teacher Corps exceeded authorized positions by more than 8 to 1. Ten thousand applicants sought the job of helping raise the educational level of disadvantaged children.

Although we are doing much through Title I of the Elementary and Secondary Education Act to assist local school districts is supporting teacher specialists and aides and enriched remedial classes, the Teacher Corps is a necessary complement to that program. It taps a vast reservoir of talent from all over the country to be channeled to the areas of greatest need. The fact is that schools in poor areas face the almost impossible task of attracting and retaining good teaching staff. As teachers originally assigned to schools in disadvantaged areas acquire seniority, they all too often transfer to other schools with better working conditions and a student body easier to teach. The Teacher Corps through its nationwide recruitment of college graduates commits teacher-interns to at least 2 years of service in schools with 50 percent or better of the student population coming from low-income families. In fact, the Teacher Corps has recruited such dedicated people that a recent National Education Association survey pointed out 81 percent of the volunteers planned to continue teaching children in poverty schools. After recruiting this raw talent, the Teacher Corps in cooperation with State educational agencies and universities made arrangements for preservice training. The experienced teacher volunteers worked alongside the college graduates in developing and refining their knowledge of how to reach and teach the poor child.

When preservice training was completed, 277 teams under the continued guidance of 268 team leaders were ready for action in the field.

During the past school year, these Teacher Corps members have been at work in 275 schools in 111 school districts located in 29 States, the District of Columbia and Puerto Rico. Each team has served only at the request of a local school system. Nine hundred and forty-five of the members are teacher-interns receiving advanced training at 50 colleges and universities. They spend part of every week working in an elementary or secondary school and part at a nearby university working toward their Master's degree. The interns come from a wide variety of background—some volunteered immediately after completing college—others worked for a few years first. They include Peace Corps volunteers, secretaries, VISTA workers, writers, artists, and others. More than 75 percent majored in subject fields other than education.

The team leaders represent a different facet of the Corps. For the most part, they were nominated for the Corps by their principals and superintendents because they were the most talented teachers in their own schools. They are certified, usually have a Master's degree, and have taught in slum schools for about 5 years. The responsibility for the Corps' steady progress depends on them. The team leaders' classrooms are often used as learning laboratories for interns and for any regular teachers who wish to observe. They supervise three to ten teacher-interns. During both preservice and inservice training it is their job to share the lessons they have learned from previous years of teaching youngsters from deprived areas.

Among the school systems that requested Teacher Corps teams are 20 of the Nation's 25 largest cities: New York, Chicago, Detroit, Houston, New Orleans, Cleveland, San Diego, Buffalo, Memphis, and others. Corps members are also teaching in the rural schools of Appalachia and the Ozarks, and in the Spanish-speaking communities of Florida, California, and the Southwest. They are working with the children of migrant laborers, Indians, and Spanish-American immigrants. Seventy percent of the teams are engaged in preschool and elementary school projects; the remainder deals with secondary school children.

The Teacher Corps is this country's first, full-scale teacher internship program. The two-year combined preservice and inservice program incorporates year round academic instruction with practical classroom experience. It develops a competency and interest on the part of trainees which gives them the incentive to continue teaching and reinforces the conviction that the disadvantaged can be educated.

The Teacher Corps program is also generating new insights into teacher preparation. The most recent report of the National Advisory Council on the Education of the Disadvantaged dated April 20, stated that—

"Of the 11 universities visited, 6 had modified their courses to include some special material on the education of disadvantaged children. Ten were reported as having the enthusiastic support of the university faculties associated with them for the training programs."

The report also stated: "The practical experience of Corps members is providing useful substance for the university seminars and is having a beneficial effect on other courses."

These changes have been brought about because colleges and universities are introducing into the regular teacher education programs promising innovations learned in the Teacher Corps training centers.

Concerning these training programs, let me again quote from the Advisory Council Report:

"The National Teacher Corps has proved itself a useful weapon in the attack on the disadvantages under which all too many American children labor. The direct effect on the children with whom the Corpsmembers work would be justification enough to continue that work. But the Corps will quite clearly have other effects as well. The most significant of these may very well be its influence on the capacity of the educational systems of the universities to reach those children who have been most grievously neglected."

Let me emphasize that the distinctive characteristic of the Teacher Corps is that the training programs are diverse and are developed along with service aspects so as to be truly responsible to local needs. The resources of the community and the particular needs of its schools are brought to bear on the kinds of teacher training programs which the Corpsmembers are receiving.

I have touched on some of the educational reasons which I believe make the Teacher Corps at present a unique program worthy of expansion. * * *

But even with the tripling of the program, the Teacher Corps will not solve the teacher shortage nor will it find all the solutions to the problem of educating the disadvantaged. But it will help. It is already having a healthy influence on teacher education programs in our institutions of higher education. It will bring new people into poverty schools who otherwise would not have prepared for a career in education. It will offer these schools supplementary presonnel during the two-year training period, and many will be interested in continuing to teach disadvantaged children who would not have made that commitment without the Teachers Corps experience. It will reduce the burden upon the regular classroom teacher. It will provide an apprentice teacher who can give youngsters the individual instruction and attention they need. And, the Teacher Corps will provide a new source of superbly trained teachers to those schools which need them the most but have the least.

Finally, I support the statement of President Meredith Wilson who chairs the Advisory Council to whose reports I have so often referred:

"The National Teacher Corps is too badly needed and too promising to be either discontinued or treated as a temporary stopgap. Of all present investments of public effort, few are likely to yield so large a return."

If it meets with the pleasure of the Committee, Mr. Chairman, I would like at this time to ask Mr. Richard Graham to elaborate upon the operation of the Teacher Corps and its first year in action.

Prepared Statement of Harold Howe II, U.S. Commissioner of Education, Department of Health, Education, and Welfare

* * * * *

EXTENSION OF THE TEACHER CORPS

I have already appeared before this Subcommittee on May 25 in support of the Teacher Corps and its extension, with amendments, beyond the end of this fiscal year. I would like to reemphasize the significance of the Teacher Corps as a part of the Nation's arsenal in the war against illiteracy and educational deprivation. This is a promising program; it should be continued.

The need for this program has been well documented. Last fall, the Nation faced an unprecedented shortage of almost 170,000 qualified teachers. Our urban slums and depressed rural areas felt the greatest impact of this shortage. Many educators have strongly supported an increase and improved program of support of this program by the Federal Government, designed to attract and prepare men and women for teaching in schools serving disadvantaged children.

The Teacher Corps was not funded in its first year of existence. A relatively small supplemental appropriation for fiscal year 1966 enabled it to become a reality.

1,213 Teacher Corps members are teaching in 111 school districts serving 275 schools across the Nation.

They are teaching in 29 States, the District of Columbia, and Puerto Rico.

More than 900 of these Corps members are teacher-interns receiving advanced training at 50 colleges and universities.

The House Committee on Education and Labor only three days ago reported H.R. 10943, which would extend the authorization for the Teacher Corps for three years, through fiscal year 1970, and would make the following major changes:

(1) Local educational agencies would be given the responsibility to recruit, select, and enroll Teacher Corps members.

(2) The State educational agency would be required to approve a local educational agency's request for Corps members and the arrangements for their training.

(3) Federal contributions for Teacher Corps salaries would be based on the local educational agency's ability to pay. The Federal share would be limited to 90 percent, except in exceptional cases.

(4) Teacher-interns would be paid at the rate of $75 per week plus $15 per dependent, or at the lowest rate for teaching full-time in the school system in which they teach, whichever is less.

(5) Students in their third and fourth year of undergraduate study would be eligible to become teacher-interns.

(6) The name of the program would be changed from the National Teacher Corps to the Teacher Corps.

(7) Teacher Corps teams could be assigned to a migrant group whose children are not enrolled in a regular school.

(8) Teacher Corps teams could be assigned to schools for Indian children operated by the Bureau of Indian Affairs.

Certain other amendments to the Teacher Corps program are also contained in H.R. 10943. These include a revision in the method of allocating the program throughout the States and a prohibition against participation by Teacher Corps members in the NDEA student loan program and the educational opportunity grant program during the time in which they are enrolled in the Corps. For these purposes, H.R. 10943 authorizes an appropriation of $33 million for fiscal year 1968, $46 million for fiscal year 1969, and $56 million for fiscal year 1970.

Without this legislation, the Teacher Corps would die at the end of this fiscal year. The time and effort which have been put into recruitment, training, and placement of Corps members would be wasted. Even worse, the promise of better education made to the children of the ghetto and of remote rural areas would be broken. This must not happen.

The Office of Education has carefully studied the changes in the Teacher Corps proposed in H.R. 10943. Several are identical to those contained in S. 1125. Others were developed by the House Committee on Education and Labor with my cooperation and with that of Mr. Graham. I believe they are, in every case, consistent with the original objectives of the Corps, as conceived by the Congress in 1965. With these amendments, the Teacher Corps will continue to be an effective instrument, both for strengthening educational opportunity in depressed urban and rural areas and for broadening and improving teacher preparation programs thoughout the Nation.

In summary, these proposals represent significant additions to and refinements of existing legislation. The programs contained in this legislation do not call for dramatic new levels of funding, but they do promise more effective use of existing authorizations. They do not in every instance possess the glamor of innovation, but they do promise the benefits of consolidation. They are most worthy of your consideration, and I urge their approval by this Subcommittee and the Congress.

I appreciate the opportunity to appear before you this morning. I will be happy to answer any questions you may care to ask.

Need for Additional Number of Teachers (Office of Education)

The current shortage of teachers makes it imperative that we accelerate our efforts to increase the supply of elementary and secondary school personnel. Research studies show that the elementary and secondary education teacher shortage is grave and likely to continue, especially in selected critical fields.

It is expected that the public schools of the United States will continue to expand their enrollments at the rate of approximately one million students per year. This will necessitate an increase of about 50,000 new teachers each year to accommodate this increase. We must also be prepared to train enough new teachers to replace those who will be retiring each year and those who leave the profession for various reasons. This figure is estimated to be about 175,000. Approximately 30,000 new teachers are needed to relieve overcrowding and eliminate part-time sessions. If we are to provide for desirable instruction and services not now provided we would need to add about 20,000 additional teachers. A serious effort should also be made to replace those persons now teaching win a substandard certificate. Approximately 10,000 such teachers are now employed.

On the basis of the above figures it appears that approximately 285,000 new teachers will be needed each year if we are to meet the current teacher shortage. This is far more than is currently entering the profession each year.

The greatest shortage of teachers is in the elementary schools. This condition is likely to continue. The preponderance of the instructional task is centered in the elementary school and is likely to increase in size and scope as the demand for nursery school and kindergarten increases. It has proved to be more difficult to encourage students to prepare for elementary school teaching than for secondary school teaching.

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE, OFFICE OF EDUCATION,
Washington, D.C., May 15, 1967.

Hon. WAYNE MORSE,
U.S. Senate,
Washington, D.C.

DEAR SENATOR MORSE: On the basis of discussions held on April 5, 1967, between your educational staff specialists, Charles Lee and Jack Forsythe, and Office of Education personnel, it gives me pleasure to forward all information requested concerning the Teacher Corps.

Requests regarding information concerning Teacher Corps financial obligations, Corps activities among Indians, Corps operations within the Migrant Amendment to Title I, and unsolicited testimonials concerning the Teacher Corps are enclosed.

If clarification of any information is desired, we shall be glad to be of further assistance.

Sincerely yours,
J. GRAHAM SULLIVAN
(For Harold Howe, II,
U.S. Commissioner of Education).

ITEM 1. TEACHER CORPS OBLIGATIONS

State or area	Fiscal year 1966	Fiscal year 1967,[1] estimated
Alabama		
Alaska		
Arizona	$13,336	$48,635
Arkansas	177,772	203,201
California	508,658	678,188
Colorado		
Connecticut		
Delaware		
District of Columbia	147,921	347,832
Florida	172,371	232,199
Georgia	180,999	46,791
Hawaii	30,000	35,582
Idaho		
Illinois	736,962	617,211
Indiana	167,754	260,112
Iowa		
Kansas		
Kentucky	321,550	331,138
Louisiana	60,474	117,478
Maine		
Maryland		
Massachusetts	259,699	321,811
Michigan	145,024	271,833
Minnesota	20,000	73,770
Mississippi	152,400	184,178
Missouri		
Montana		
Nebraska	118,934	175,898
Nevada		
New Hampshire		
New Jersey		23,565
New Mexico	137,484	98,216
New York	517,406	776,708
North Carolina	237,614	155,100
North Dakota		
Ohio	305,821	342,238
Oklahoma	37,500	51,168
Oregon	138,445	164,337
Pennsylvania	405,828	484,482
Rhode Island	121,767	170,662
South Carolina	91,794	64,704
South Dakota		
Tennessee	204,955	142,942
Texas	386,468	437,965
Utah		
Vermont		
Virginia	169,613	81,451
Washington		
West Virginia	120,061	186,033
Wisconsin	133,016	173,484
Wyoming		
U.S. service schools		
Canal Zone		
Guam		
Puerto Rico	103,301	86,399
Virgin Islands		
Total	6,324,937	7,385,311

[1] Fiscal year 1967 payments to Corps members for travel expenses and the costs of moving household goods and dependents are not included in the State distributions. Addition of these items will raise estimated 1967 obligations to $7,500,000.

ITEM 2

Macy, Nebraska, is the home of the Omaha Indians. In Macy, four interns and their team leader were asked to serve a school of 299 pupils staffed by 13 teachers, only six of whom held B.A. degrees. They discovered that the nearest library was in Sioux City, Iowa, some 30 miles west, and that Nebraska residents weren't eligible to take out books.

The Macy community itself is not unlike many reservation towns. Sixty-seven percent of its population is unemployed. Most of the families live on incomes of less than $2,000 annually. Many of the households have no electricity. Few of the streets are paved; roads turn to mud at the mention of rain.

Dropout rates after eighth grade were astonishingly high. Only 70 pupils from Macy were commuting the ten miles to the nearest high school. Youngsters who earn their high school diploma are the exception. For most of the young, this is the Indian cycle of poverty: After eighth grade, (all that is required by Nebraska law), the dropout wanders into one of the nearby population centers. Lacking skills, he finds no employment and cannot apply for welfare because he is not a resident. Eventually he returns to the reservation to spend the rest of his life listless, unemployed, a ward of the U.S. Government.

The Teacher Corps team, under the leadership of veteran teacher Steve Larsen, set up shop at Macy in a burned-out and abandoned Tribal Council building. They painted and refurnished one wing.

They raised funds to buy 700 books, the nucleus of a library—Macy's first. They kept the building open evenings as a study center. Now, children from homes without lights come to study, and to read the new books.

Larsen, a speech therapist, began working with small groups with reading problems—a program vital to any isolated Indian community. Corps members also worked towards establishing rapport with the children and their parents. A new experience for many Indian families was to have a teacher visit their homes, not to punish the pupil, but to help him. Equally novel was the pupil's visit to the home of the Corpsman. Many children saw as much of the Corpsmen outside of school as inside.

Have they any measurable results? How have the Corpsmen been accepted?

Victor Robinson, former member of all-Indian Macy Board of Education said, "It is such a big help. I think all reservations in the United States should have (Teacher Corps) teams." Mr. Eddy Cline, also member of the Macy Board of Education, "I am sure that if we would choose to do so, we could go out and get 99% of the parents in our community to sign a petition that the National Teacher Corps should be continued." Bureau of Indian Affairs officers in Washington are quick to add their approval for the Corps. Bureau Commissioner Robert L. Bennett says, "There is a need for dedicated people sympathetic to the special needs of Indian children to be trained to work in the local schools." As the Bureau transfers its educational responsibilities to local school districts, the need for especially trained teachers will be intensified. "At Macy, and in other schools serving Indian children, those involved in Teacher Corps programs are demonstrating a desire and an ability to help meet our needs and to do so at low costs."

ITEM 3

The purpose of including an authority for the Teacher Corps to work with "private agencies"[1] involved in education of children of migrant workers is to bring Teacher Corps into line with present Title I authority. Under Title I a local school can provide teachers to a private agency which has a migrant project and this cooperative effort can be funded through the local school's Title I funds. This amendment merely allows local schools to utilize Teacher Corpsmen in the same manner.

ITEM 4

Comments on the Teacher Corps

I believe that the National Teacher Corps is one of the very best of all the new programs in education. I am constantly observing the fine fruits of this organization.—Jack J. Efurd, Superintendent, Gentry Public Schools, Gentry, Arkansas.

There is no aspect of our society that needs more serious attention than that of education. There is no aspect of education that needs more serious attention than teacher training. There is no aspect of teacher training that needs more attention than the encouragement of young people to enter the teaching profession. The National Teacher Corps is an exciting new attempt to provide the encouragement needed for young people to enter teaching.—William N. McGowan, Executive Secretary, California Association of Secondary School Administrators, Burlingame, California.

For the past four years my principal assignment has been working with and developing projects that have either been funded through Federal or State sources. I have seen many projects in operation, but as far as I am concerned the Teacher Corps stands far in the forefront as an excellent example of a joint partnership between the local school district, the University and the Federal government. The dedication and commitment on the part of the Corps members is truly outstanding. The Corps is a beacon light for those of us who have worked for many years in disadvantaged areas. Don't allow this light to burn out.—Don Hodes, Assistant Superintendent, Enterprise City School District, Compton, California.

Teachers and residents of the Willowbrook School District are requesting additional teams of National Teacher Corpsmen. Their ability to work with teachers, parents and pupils has strengthened the total educational program. We have never witnessed such radical changes in a school district in such a short period of time.—Thurman C. Johnson, Assistant Superintendent, Special Projects, Willowbrook School District, Los Angeles, California.

The program is an excellent one, for it has brought into the field of education people who are very much interested in the educational program for the disadvantaged. In order to really evaluate the success or failure of the program, it should be extended.

I would recommend that the school district be brought in to aid in the program of the interns' university work. There is a need for much closer communication with the university and also to strengthen the role of the team leader.—Robert L. Seaton, Director, Special Projects, Jurupa Unified School District, Riverside, California.

The National Teacher Corps offers an outstanding opportunity to use a full year or more of intensive training or internship for potential teachers. This method of developing creative young people into professional educators to meet one of our country's great needs is imperative.

Unfortunately Colorado does not have a program operating by which direct comparison can be made.—Carl E. Slatt, Director Special Services, Sheridan Public Schools, Fort Logan, Colorado.

My major reason for writing this letter is to suggest that as your program expands you might find members of the Teacher Corps who might be interested in coming to Hartford. When and if this occurs we will cooperate in every way. Perhaps as people leave the Teacher Corps they may be looking for permanent positions. If they are, I hope you will place Hartford on your list, for we will be interested in people who have warmth, concern, and a special love for kids.—Medill Blair, Superintendent of Schools, Hartford, Connecticut.

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[1] The term "private agency" does not refer to private schools.

We believe the National Teacher Corps is serving several needs in education. 1. Many who would not otherwise enter teaching, are enrolled and are getting very fine training. 2. Children are receiving more individual help and direction which is already proving worthwhile in our schools here in Centralia. 3. The use of Corps teachers is causing services to be given to students and teachers which could not be given in the past for lack of personnel. The value is now obvious and Boards of Education will provide some of these services to their schools in the future. 4. By having 21 Corps members in our schools, we have seen orientation and innovation really in operation. This is good, I believe, since we're prone to continue exactly the same year after year. Teachers who hardly knew how to use assistance are definitely expanding their room programs, to the good of the youngsters.—W. E. McAllister, Superintendent, Centralia City School, Centralia, Illinois.

The AFT is still keenly interested in the National Teacher Corps and we will do everything possible to help make the NTC a vital force in American education. * * *

Confusion regarding the purpose of the Teacher Corps has been responsible for much of the opposition to it. Teacher professionalists have feared that poorly trained youngsters trying to teach on enthusiasm alone will be put into positions which should be filled by fully certificated teachers. * * * Other opponents have claimed that the Corps takes teachers out of the classroom instead of putting more teachers to work.

* * * The NTC should not be in the business of supplying "cannon fodder" for the high casualty sectors of the educational wars. Instead, the Corps should be a training ground for highly motivated and specially prepared new teachers who could not only survive but could also succeed in their educational missions. * * * The NTC will begin to inject better prepared additional teachers into the nation's teaching force beginning with the 1968–69 school year, and the job cannot be done in any less time. Teacher Corps graduates can be expected to be more likely to make teaching their career than would teachers who have not had the benefit of such training. Thus teacher turnover would be reduced, and the total number of active teachers would be increased.

Experience has shown that it is wasteful to send beginning teachers with only a term of practice teaching into the schools on a sink-or-swim basis. The National Teacher Corps can perform a function not now being done adequately by our teacher training institutions. Furthermore, this is the proper function of the Corps, a function which fills a great and pressing national need.—Charles Cogen, President, American Federation of Teachers, Chicago, Illinois.

The Citizens Schools Committee voted at its board meeting of January 4 that it "affirm continuation of the National Teacher Corps," and that a committee be appointed to plan procedures toward this end.—Robert J. Ahrens, President, Chicago Citizens Schools Committee, Chicago, Illinois.

As an administrator in charge of two (Teacher Corps) teams functioning in our school district, I am not just a casual observer. The work of the interns has been well accepted by the children and teachers in our schools.

The head-teacher (team leader) constitutes a weak link in the program.—H. T. Peterson, Special Assistant to the Superintnedent, Maywood Public Schools, Maywood, Illinois.

Wolfe County School System was denied the N.T.C. for school year 1966–67 because of no housing. We are very sorry, for we need the program badly.—Frank Rose, Superintendent, Wolfe County Schools, Compton, Kentucky.

It is a little program that is making a big difference in our system.—John W. Ambrose, Acting Superintendent, Lexington City Schools, Lexington, Kentucky.

The Teacher Corps has every mark of being an effective and efficient means of solving one of our most serious national problems. It brings the university, the local education agency, the teachers in service, and corpsmen to grips with the *real* situation. Things will never be the same once the Corps has been there. We are all growing because of the Teacher Corps.—Sister M. Loyola, Director, Teacher Education, Xavier University, New Orleans, Louisiana.

There are no National Teacher Corps persons in the State of Maine. We had applied, but were refused because none were trained for this area. We feel that the National Teacher Corps could perform a definite service in our system and we hope that the program will be continued so that our children will benefit.—Raymond Brennich, Superintendent of Schools, Madawaska, Maine.

I am writing this letter to you as a general plea for the continuation of the National Teacher Corps established under the Higher Education Act of 1965. As a counselor to students in their senior year of college, I have an excellent opportunity to discuss their career choices with them. As you may realize, a significant portion of them are interested in a teaching career. What may interest you even more is that many of these students want to be able to combine the teaching experience with the more general aspect of social service to the people in underdeveloped and impoverished areas. As the federal programs stand presently, students interested in such a program are forced to go into the Peace Corps.

However, many students feel that in addition to the opportunities provided by the Peace Corps, there are many places in the United States (e.g., Appalachia) which would provide just such an opportunity. At its inception, the National Teacher Corps satisfied the need for this type of program. It combined all the good aspects of the teaching profession with the needs of the impoverished areas in this country. Students were interested in the program when it was organized and, if anything, they are even more interested in it now. I hope that as the year progresses, the need for the continuation of this program will be realized and that it will receive the support from the Congress that it so rightly deserves.—Lawrence F. Stevens, Assistant Director, Office for Graduate and Career Plans, Harvard University, Cambridge, Massachusetts.

Our participation in a program with the National Teachers Corps has provided a new avenue in which we might mutually attack problems inherent in disadvantaged areas.

In the opinion of those of us working closely with these problems, Corpsmen have made a very vital contribution toward making life richer for the children of poverty.

I suggest (1) that during the two-year period, a well structured, formalized practice teaching period be incorporated; and (2) that a much closer working relationship between the local education agency and the participating college be effected.—John E. Deady. Superintendent of Schools, Springfield Public Schools, Springfield, Massachusetts.

We have some great people in our Teacher Corps and I hope to find similar competence in Minneapolis.—John B. Davis, Jr.; Former Superintendent of Schools, Worcester Public Schools, Worcester, Massachusetts; Superintendent of Schools, Minneapolis, Minnesota.

We had the opportunity of having four members of the National Teachers Corps join our staff in September of 1966. We have found their services to be extremely helpful and beneficial to the students with whom they have been working.

The members of our team have a sincere dedication to their work and their contributions have been many.

They have worked with children with reading disabilities, offered opportunities in creative dramatics, provided individual help to students in Language Arts, participated in an after school study center, cooperated with Head-Start teachers in creative dramatics, worked with individuals and small groups in elementary science projects and given help to students in creative writing activities.

We have found our Teacher Corps members to be very interested in this program and have devoted many hours over and above that normally expected in helping students they service.

As stated above, their contributions have been many. We are proud to be a part of the National Teacher Corps program and have witnessed the progress children can make under the guidance and influence of people in this program.—Robert E. Bailey, Assistant for Instruction, Oak Park School District, Oak Park, Michigan.

The work of the three Teacher Corps teams in the Pontiac area has been outstanding. As a method of teacher training and community service it is one of the most useful innovations implemented by the federal government.—B. C. VanDoughnett, Director, Community Action Programs, Pontiac School District, Pontiac, Michigan.

I think the N.T.C. is a very fine program and can do lots of good in our schools. It will help train people to go into the teaching profession that are needed so badly now. The team we have in our county is doing a wonderful job. I hope there will be money appropriated to continue this worthy program.—Carl Loftin, Superintendent, Marion County Schools, Columbia, Mississippi.

The National Teacher Corps is the brightest beam of hope the children on the (Indian) reservation have yet seen. Our remote locale and the low salaries we pay have impeded our attempts to get qualified teachers.—Alfred Gilpin, President of Tribal Council, Member of the School Board, Macy, Nebraska.

The Teacher Corps is one of the most practical ways of training teachers specifically for poverty and under-privileged children that I have encountered. It takes degreed people who desire to serve in this capacity and places them in situations where they get practical experience in methods and further attitude development. The Corps is essential to metropolitan school districts because no other agency is adequately facing this problem in this time of teacher shortage. This work, which supplements the work done at the colleges and universities, must continue if we are to face the problem of educating children in poverty area schools at this time.—Paul J. Turnquist, Assistant Superintendent, Omaha Public Schools, Omaha, Nebraska.

I am most pleased to endorse the concept of the National Teacher Corps. While we have had a number of problems with the program this first year in Trenton, we have been generally pleased with the progress being made. The inner city school today needs assistance from the federal level in many ways, and the National Teacher Corps is a dramatic way of expressing federal concern for our problems. The Teacher Corps team at our Jefferson School is beginning to make a significant contribution. We have recently set up a planning committee in this school to assist this team in learning better ways of meeting the needs of the inner city child and in carrying out a number of innovative programs.

My only suggestion is that there should be more participation in the early stages by the public school personnel before a Teacher Corps team is sent to a community.—Richard

T. Beck, Superintendent of Schools, Trenton, New Jersey.

The Teacher Corps team assigned to our school district has been of outstanding help in working with low-income, Spanish-speaking children who are in need of extra help and encouragement in school work. Additionally, we view the Corps as an exceptionally practical way to prepare teachers who have both the techniques and understanding needed to work with such children.

We feel that the team leader's salary is set too high. For example, our team leader is paid more than the principal of the school in which he works. Let me emphasize, however, that the program has been very worthwhile, and that our principal in this situation would not for one moment give up his team because of the compensation factors. It is *my* feeling that he is being dealt with unfairly when he contributes freely so much time and effort on behalf of a group whose leader is being paid more than he is for doing a much smaller job.—James P. Miller, Assistant Superintendent, Gadsden Independent School District, Anthony, New Mexico.

We feel that the Teacher Corps team at Hatch Valley Municipal School, Hatch, New Mexico, is fulfilling the expectations we had in requesting it.

In personal qualities and professional dedication the interns are the kind of prospective teachers we are happy to employ.—M. E. Linton, Superintendent, Hatch Valley Municipal School District No. 11, Hatch, New Mexico.

I know an arithmetic teacher named Mr. Fenton Strickland, who is a Teacher Corps intern. He is a nice man. I like when he comes to get me to go with him. He never scolds me, so I am good with him. I am good all the time and also I do my homework. He only helps me with the problems. I do all the rest. I hope that I can go to arithmetic with him every day.—Anthony Strickland (no relation), Sixth Grade, School 8, Buffalo, New York.

Numerous Columbia students are inquiring at this office about the National Teacher Corps, but we have been able to give them little current information. They are interested in applying, but when I telephoned headquarters last week they said the future is uncertain.

As far as Columbia University goes, the uncertainty of your future programs is a shame, since National Teacher Corps appeals to many here as a first-class introduction to teaching and service together. There is so much enthusiasm for the program among some of our best students that we would hate to see it founder. With what they could offer the program and what the program could offer them, we hope the kinks get ironed out. Please keep us posted.—Richard M. Gummere, Jr., Director, Career Planning Division, Columbia University, New York, New York.

One of the most encouraging aspects of education today is the interest which both professional teachers and enlightened members of the community are taking in finding better approaches to the solution of our problems. It is only natural, therefore, that we should be interested in the National Teacher Corps and what it is trying to do not only to increase the supply of competent teachers but also to stimulate further improvement in those who are already teaching.—Harry N. Rivlin, Dean of the School of Education, Fordham University, New York, New York.

We have been pleased and impressed with the manner in which the National Teacher Corps program is operating at the present time. Not only are the corpsmen being gradually inducted into the teaching profession, but they have been getting fine training in successful ways in which to teach disadvantaged children. Moreover, they have been rendering valuable community service working directly with children from the schools to which they are assigned. We feel confident that at the end of their training period the corpsmen will develop into outstanding teachers of disadvantaged youth.

We suggest that the program be shortened to consist of an initial preservice summer program, a full school year of internship, and a second summer of course work. At the end of this full calendar year the corpsmen should be ready to take over full-time teaching assignments.—Theodore H. Lang, Deputy Superintendent of Schools, New York City, New York.

I should like to call your attention to the outstanding service the Teacher Corps is performing at our school. Not only are they doing very effective work in their small-group instruction, but they also help out in time of special need or emergency situations. They have been most helpful and cooperative. They have become good teachers and are performing an essential service to the school.—Joseph Strell, Principal, Public School 155, New York, New York.

While it is too early to base support of the National Teacher Corps on actual performance, there is no doubt whatever as to the usefulness and the value of this program. Because of uncertainties over funding, difficulties were encountered in New York City last summer but those teachers who were trained and placed according to preliminary reports, are living up to the high expectations that accompanied the plan.

NTC can make a tremendous contribution to the improvement of the education and well-being of children in the disadvantaged areas of New York and other large cities and it is our fervent hope that Congress can be brought to understand the importance of this project and to arrange for adequate long-term support.—Frederick C. McLaughlin, Director, Public Education Association, New York, New York.

We have the Teacher Corps in our school system and it is doing a wonderful job for us. Corpsmen are helping the minority groups in our school develop a better self-image of themselves and also their work has improved immensely with the aid of the Corps. We have been able to offer many things for these students which we were unable to do before this time.

I think it has been handled very well this year. The only thing wrong was the delay in funding the program which caused a delay in our plans. However, I realize that it was not your fault in this manner.—Marvin Stokes, Superintendent of Schools, Byng School, Ada, Oklahoma.

The team from the National Teacher Corps that has been working in our school during the 1966–67 school year is doing fine work. Corpsmen have assessed the school situation here well and in most instances have cooperated in an excellent way with our school faculty, students, parents, and other citizens of this community. I feel that it is a very worthwhile program.—A. W. Barrett, Superintendent, Konawa Public Schools, Konawa, Oklahoma.

What we are doing at the college is learning from National Teacher Corps. Oh, we are teaching. We have some very good teachers working with the Corpsmen. No doubt! But more than that, *we are learning*. What Dr. Sorber said about the already visible effects of NTC upon our programming is truer than even he knows. Truer, perhaps than even I know, but I do know that we are even now planning to revise our total undergraduate and graduate teacher education program. The kinds of things we are learning through NTC about involving potential teachers with people in the community—the kinds of things we are learning about involving potential teachers with other teachers in the school in which these potential teachers are working, and with administrators and students in these schools, the kinds of things we are learning about giving these people an opportunity to use their own creative abilities and intelligences instead of constantly telling them precisely what it is that they ought to do so that they can be made in our mold. It is teaching us what we need to do in teacher education. I think it's very safe to predict that the fringe benefit of the NTC money will be to revitalize teacher education throughout the United States.—Leon Osview, Assistant Dean, College of Education, Temple University, Philadelphia, Pennsylvania.

I can assure you that my staff and I shall lend you our wholehearted support in your efforts to make the National Teacher Corps a program of excellence.—J.R. Rackley, Superintendent, Department of Public Instruction, Commonwealth of Pennsylvania.

I have had the pleasure of seeing several of our Teacher Corps teams in operation during the past four months.

I have been delighted with their services to the school, and especially their services to the community.

I would very much like to see this program not only continued but expanded greatly because of what it is doing to help disadvantaged children.—Thomas C. Rosica, Director of Federal Programs, Board of Education, The School District of Philadelphia, Pennsylvania.

If the Corps should end tomorrow, the College of Education at Temple would never be the same. We are constantly incorporating the new techniques we've learned with Teacher Corps into the regular curriculum for all education majors.—Dr. Evan Sorber, Assistant Professor of Early Childhood and Elementary Education, Assistant Director, Teacher Corps Project, Temple University, Philadelphia, Pennsylvania.

While the National Teacher Corps has been plagued with a variety of problems, I am one who still stands strongly behind the program. It is a fine beginning toward improved practices of recruiting and training of teaching personnel for schools in our country serving substantial numbers of disadvantaged boys and girls. I still look for this program to change for the better but I think it would be a mistake to stop what we have begun.

You might well borrow the President's phrase which he used shortly after taking office, "Let us continue."—Philip Eby McPherson, Director of Development, Pittsburgh Public Schools, Pittsburgh, Pennsylvania.

The Teacher Corps has been a boon in the Moore Elementary School. Small groups working with the interns have been provided with individualized instruction in art, science and reading. Teachers are delighted with their competence and cooperation.

We hope that this innovative program will continue and that we can secure the services of more interns.—Wheler Matthews, Principal, Moore Elementary School, Sumter School District #17, Sumter, South Carolina.

We are pleased to have a Teacher Corps program in operation in our school district and hope that the program will be continued and, if possible, expanded.—Morgan E. Evans, Superintendent, Galveston Independent School District, Galveston, Texas.

My school was fortunate in being able to secure the services of two teachers from the National Teacher Corps program. These two teachers are working in our elementary schools with children from low income families. Marked improvement, after four months, is noted in the attitudes and learning processes of these children as a result of the work of these two Corps members. My school's finances could not have made possible the services of these teachers except for the Teacher Corps.

I need one more teacher from the Teacher Corps for high school work, especially in the field of choral music and speech.—F. C. Burnett, Superintendent, Fannindel Schools, Ladonia, Texas.

Our school has one Corps teacher. He is working with seven teachers as a trainee which relieves them for a few minutes each day and helps over two hundred students from grades one to six. The Corps makes this possible. Just arrange for more.—John R. Meadows, Superintendent, Simms Common School District #6, Simms, Texas.

Staff members from two school systems where the NTC members are employed have stated that these new employees have enriched their curriculum and express the desire to continue the employment of Corps members.—Rex Smith, State Superintendent of Schools, West Virginia.

The National Teacher Corps as I know it in my district has made a definite contribution to the education of educationally disadvantaged children. An investment in education is certainly not money misused.—Henry A. Ray, Assistant Superintendent, Wayne County Schools, Wayne, West Virginia.

As principal of an inner city elementary school, I have greatly appreciated our Teacher Corps team and their efforts this year. Being able to have greater individualization of instruction, starting community school activities for our children, and enriching the experiences of disadvantaged youth are just a few of the present benefits. The greatest good will will be realized when these specially trained personnel become inner city teachers.—Roger M. Jones, Principal, Harfield Elementary School, Racine, Wisconsin.

The Corpsmen come prepared to accept the situation. They have a very realistic approach to teaching, and their work on a one-to-one basis has lessened the demand on the students who are beginning to think of the school in a new light—one of helpfulness. The Corps is very important to this school.—Kenneth Place, Principal, Vieau School, Milwaukee, Wisconsin.

ITEM 5

More comments on the Teacher Corps

Our Teacher Corpsmen have made tremendous progress in remedial work and speech therapy. They are providing services in the community that could not have been accomplished through regular school finances.—T. O. Adams, Superintendent, Nemo Vista Public School, Center Ridge, Arkansas.

Our district feels the National Teacher Corps is of great value to our students and to our community as a whole. This group is able to get to the heart of many problems—but better still—they are able to use preventive methods and prevent many things from even becoming problems. Our regular teaching staff have great praise for these people, as do our parents and community leaders.

These programs should always be set up on a two year basis—giving both the school districts and National Teacher Corps a chance for better planning and removing the uncertainty attached.—Arlene M. Bitely, Member, Garvey Board of Education, Monterey Park, California.

Should the Teacher Corps need affirmation of the continuing need for its existence for endorsement of its merit and valuable assistance to local education agencies provided in the first year of operation, please do not hesitate to call on me at any time.—Thomas J. Pollino, Director, Instructional Development, Monterey County, Monterey, California.

The ten corpsmen and the three team leaders currently assigned to our school system are rendering significant educational and community services to the high schools where they are assigned. The principals have expressed their interest in the continuation of the program and their appreciation of the services renderd.

It would be helpful if the administrative and fiscal arrangments could be settled prior to the beginning of the program each year. We realize that there were many exigencies beyond the control of the Teacher Corps staff and that you did the best you could under difficult circumstances.—George F. Ostheimer, General Superintendent, Indianapolis Public Schools, Indianapolis, Indiana.

It is one of the greatest training pograms I have ever witnessed because it gives the trainees experiences that they would never have gotten in a normal training program. The Teacher Corps has helped to interrelate the various communities. We have six distinct types who have only these things in common: one parent, distrust and aggressive behavior.

Corpsmen have organized many additional after-school clubs (Corpsmen carry from two to three clubs per week) and taken over the noon lunch program where they have introduced a variety of activities to break the routine of that program.—Robert Wagner, Principal, Heinhold Junior High School, Cincinnati, Ohio.

Lincoln Heights Local School District in Cincinnati should be saturated with Corpsmen.—Dr. William L. Carter, Dean, School of Education, Teacher Corps Program Director, University of Cincinnati.

I wish that I had about 10 more Corps members just like the ones I have. Then I would have the most swinging program in the state.—William Smith, Principal, Patrick Henry Junior High School, Cleveland, Ohio.

The Corpsmen have exhibited "staying power" through very trying circumstances and we hope to keep them in our system.

Let us examine our school and community activities and see if we can broaden these. Let's make sure these interns get a chance to work in every area of a school day and become more involved in the community.—Principals, teachers and Corps team leaders in the Cleveland Public Schools.

We are pleased to be a part of the efforts being made through the Teacher Corps and hope that we shall be able to continue in this outstanding endeavor. We are thoroughly convinced that it is a practical and effective type of program.—F. H. Gorman, Dean, College of Education, Municipal University of Omaha, Omaha, Nebraska.

The five young people sent to me are exceptional. You have to realize that I had four classrooms from September to Christmas without qualified teachers. I placed Teacher Corpsmen in these schools to help with remedial work in Language Arts, to help with better relationship between the schools and the parents, and they have done a magnificent piece of work.

I am writing to all the Congressman from this region to help make the Teacher Corps a broader and bigger project because the professional personnel problem is predicted to get much worse. These young people are enthusiastic, prepared, and willing to work with underprivileged children and we are in dire need of their help.—R. A. dela Garza, Superintendent of Schools, Rio Grande City Consolidated Independent School District, Rio Grande City, Texas.

Phyllis Strick, the team leader, is helping me to get ready for my high school equivalency test. I didn't even know I could take a test.—Lydia Gonzales, Ben Bolt, Texas.

Our teachers see these Teacher Corps kids here till 5:30, 6 o'clock . . . They are beginning to get competitive, now nobody runs out when the bell rings, all doing a better job.—Principal, A Chicago Public School.

There is no question, in our minds, that the National Teachers Corps is doing a fine job and will serve a real need in providing qualified teachers of a caliber never before equaled. Keep up the good work—we need more forward-thinking people to get education to those who need it—to get education to them in a way that they will understand.—Charles E. Skidmore, District Superintendent, Santee School District, Santee, California.

They (the Corpsmen) have an entirely different attitude—they are not always right—but they bring us something we need.—Miss Maude Carson, Principal, Jensen School, Chicago, Illinois.

One Assistant Principal bluntly said, "I really don't know how we would have survived this year without the National Teacher Corps. They have really helped us out, especially in problem cases. When problems get tough I frequently go to them (the Teacher Corps) for help."—Assistant Principal, Northern High School, Detroit, Michigan.

The National Teacher Corps at New York University has provided the School of Education with unusual opportunities to attempt innovations in its teacher education programs. It has also enabled us to develop viable ways of improving our working relationships with local education agencies to make the teaching experiences of our students more meaningful.—Daniel E. Griffith, Dean of School of Education, New York University, New York, New York.

The Corpsmembers have been most useful in implementing school curricula designed especially for the culturally deprived pupils in Dade County.—Terrence T. O'Connor, Ph. D., Director of Inservice Education, Dade County Public Schools, Miami, Florida.

In summary, I should like to re-emphasize the fact that I endorse the program on the ground that it is valuable to the interns, to the community, to the school system, and most particularly to those individual students who have profited not only academically, but socially in having their opinions of themselves altered.—Mable E. Ray, Supervisor of Elementary Education, Worcester, Massachusetts.

Basically, Teacher Corps is a good idea and can render a great service in areas similar to ours. We are in the lower part of the Appalachian Area and some might think of this area as not applicable as West Virginia and other places further North. This small mountain county has a high percentage of dropouts. The folks are in what might be thought of as a cut-off area far from any cities, and many have not gone out of the county. We're trying to help the situation.

The 1960 Census shows that 39% of our pupils come from homes with less than $2,000 income. Our recent survey shows this same condition with income rate at $2,500. Inflation and higher costs put these folk in about the same condition.

In the Western part of Macon County, over a mountain about 3,400 feet, roads impassable in winter; at least not safe for bus travel, and 30 miles away; we have Nantahala School where the percentages of deprived is 55%. We'd like to get a Teacher Corps team next year that would work there and in the Cowee School which is closer but has the need. A team that could go live with these folk could, in our opinion do a lot of good.

Give me some idea of the prospects. We have not made any effort through Western Carolina College which directs our present team, but would like to begin some plans. What encouragement can Teacher Corps give us.—Berry Floyd, Administrative Assistant, Macon County Schools, Franklin, North Carolina.

We feel this program has been very beneficial for our school and community. We hope that this program can continue in our community.—PTA President, Willard School.

Be it resolved that Title V–B of the Higher Education Act of 1965 created a National Teacher Corps and whereas the National Teacher Corps is helping to revitalize education in low income areas by providing financial incentives for local school districts to hire teaching personnel and whereas the authorization for the Teacher Corps expires June 30, 1967 and whereas the Teacher Corps has been hampered by a meager appropriation of only $7.5 million during fiscal year 1967 and whereas President Johnson has requested legislation to strengthen and expand the National Teacher Corps, therefore be it resolved that the Young Democratic Clubs of America urge Congress to renew the authorization of the National Teachers Corps and to make substantial increases in its appropriation.—Adopted by the National Committee of the Young Democrats, Salt Lake City, Utah.

In spite of the complications which we encountered here at the University of Wisconsin-Milwaukee in the initiation of our program and its funding, we have been delighted to be associated with this important project. Of particular significance, in my judgment, has been the opportunity which our Teacher Corps program has provided for close University-Public School System cooperation. Our present program includes interns working in both the Milwaukee Public Schools and the Racine Public Schools. The program has provided a means by which a number of our faculty members could work closely wtih representatives of the public schools in a common effort to improve the education of boys and girls. In the case of the Milwaukee Public Schools such cooperation has developed to a point where the director of our program is on a joint appointment with the Public Schools. Further, a key member of the Public School staff, recently retired has joined our staff and has greatly facilitated the relationships between School System and University.

Another important contribution of the Teacher Corps program can be found in its emphasis on the designing of teacher education programs to meet local school needs. Rather than detaching preparation programs from the realty of school and community as is too often the case at many institutions, this program has emphasized efforts to build in prospective teachers a sensitivity to community problems and school needs and to design their training programs to effectively meet those problems and needs.

Much more could be said in support of the Teacher Corps program but let me simply conclude with reaffirmation of our enthusiasm for the program and our sincere hope that it will be continued and expanded in the years ahead. If there are ways in which this office can be of assistance to you in support of the National Teacher Corps please feel free to call upon us.—George W. Denemark, Dean, University of Wisconsin-Milwaukee, Milwaukee, Wisconsin.

The Teacher Corps is the best thing that ever happened to our school. Every day it is a delight to be with them. What's going on here inspires me to want to do more.—Isaiah Goodrich, Principal, Ford Road School, Memphis, Tennessee.

They (Corpsmen) are a godsend. We have always wanted to devote more time to the individual problems of our children. We can do it now through the Teacher Corps team. I just wish we had more of them.—A classroom teacher, Ford Road School, Memphis, Tennessee.

In the process of learning and of watching these young interns learn, we are all undergoing a creative process. We older teachers learn from the interns by seeing in a fresh light the relationship between teacher and child . . . The hardest thing to put over to young teachers is the need to be patient—with both the children and his profession. At the same time that we stress this, we try to be careful not to destroy the creative spirit or sense of urgency and need for accomplishment. I think these interns are well balanced in their perceptions about teaching.—Mrs. Bertha Johnson, Teacher Corps Team Leader, Ford Road School, Memphis, Tennessee.

The Teacher Corps program which you direct has, I feel, tremendous growth potential, and I am, indeed, very much interested in doing whatever I can to help you achieve its goal of excellence.—John M. Hyams, Division of Compensatory Education, ESEA, Title I, Harrisburg, Pennsylvania.

We feel that the National Teacher Corps is a highly successful program and that it will be a great help in alleviating the teacher shortage.—C. R. Dale, Assistant Superintendent, Haywood County Schools, Waynesville, North Carolina.

ITEM 6

Still more comments on the Teacher Corps

I am writing to you in the hope that the program is to be a continuing one, for it has indeed been successful thus far at Roger Williams. The services rendered by the interns, under the direction and guidance of Miss Fee, have been of inestimable value to the students, the faculty, and to me personally, and I should be disappointed to lose such fine and innovative, educational assistance.—Donald W. Oliver, Principal, Roger Williams Junior High School, Providence, Rhode Island.

I am a strong supporter of the principles of the National Teacher Corps and I would like to see it expanded.

This is the kind of work which many veterans of the Peace Corps, having completed their work with that organization, may well be willing to tackle.

While we shall have to move cautiously and check as we go along, I believe the NTC program is going to show that its benefits are well worth the millions of dollars to be spent.—William G. Saltonstall, Chairman, State Board of Education, Massachusetts.

We have had some adjustments to make, of course, but I think the overall program is very good, the idea behind it very good. We are certainly going to ask for more units again next year.—Dr. J. M. Hanks, Superintendent, Ysleta Independent School District, El Paso, Texas.

This is one of our finest programs. But we could not have attempted it without the help of the Corpsmen, for we lacked the personnel and local finances that were necessary.

We are very definitely going to make fine teachers out of the interns and we think we are going to be able to keep them all in Laurel when they are through with the Teacher Corps.—Mrs. J. M. Caughman, Superintendent, Laurel Municipal Separate School District, Laurel, Mississippi.

We hope the program will be financed and financed well. For it is one of the better programs that we have. Many others don't measure up to Teacher Corps. It was handled through the proper educational channels and there was never any confusion as to its objectives. It had its stops and starts and its bad days, but throughout it was a program to give an educational boost to kids who really need it.

We started with good people and they have gotten good instructions from Memphis State University. And in the schools they have gotten close supervision from their team leaders, cooperating teachers and from the principals. And as a result of all this, we are going to produce a group of superior teachers.—Mr. Walter S. Carter, Jr., Superintendent, DeSoto County Schools, Hernando, Mississippi.

If anything should happen to the Teacher Corps we would be willing to hire every one of the interns as regular teachers. They are wonderful people.

Some of the principals were a little leery in the beginning. But in recent meetings with them I've noticed that every principal with a team in his building now wants them back next year . . . either as interns or as regular faculty members. And the principals that haven't had them yet tell me that they want a team for next year.—Dr. Sam L. Spinks, Superintendent, Hattiesburg Municipal Separate School District, Hattiesburg, Mississippi.

The Teacher Corps has been an effective training ground for teachers (interns) in the Hood River School District. The interns have been cooperative and intensely interested in improving their skills as teachers and working for the benefit of youth.—Jack C. Jensen, Project Coordinator, Hood River County School District Number 1–R, Hood River, Oregon.

As a grateful principal, I feel that the National Teacher Corps represents some of the most economically sound, best-spent dollars aimed at helping urban-centered children—Elliot G. Jacoby, Principal, Pratt-Arnold Elementary School, Philadelphia, Pennsylvania.

These young teachers are getting more experience than the average starting teacher gets. This assignment is good for them because they can get acquainted with different grade levels and with the ways of doing things in the classroom and around the school before becoming full-time teachers.—John J. Anthony, Principal, Aog Elementary School, El Paso, Texas.

They've got zeal! I'd give every drop of blood I've sweated over this project again if I had to get the people to work with our kids.—Thomas J. Pollino, Curriculum Director, Salinas Intermediate Education District, Salinas, California.

At first, I was very much concerned that the teachers assigned would be misfits and castoffs from other school systems. I have found this not to be the case. They take their work seriously and actually have been an immense help to our educational program. They spend time, even beyond the required hours, trying to help these children raise their educational and social levels.

I wish we could double the number of teachers that had been assigned to us.—Gene C. Farley, Superintendent, Hopkinsville School District, Hopkinsville, Kentucky.

It is our impression, and that of visitors from school systems throughout our state, that as a result of National Teacher Corps aid, the children are far more responsive, more verbal and also more responsible. We believe specifically, that the functional intelligence level of the preprimary group may well be raised over a three year period, by an average of 20 IQ points, to a level equal to the national average.

We unequivocally endorse this program and request that the number of persons assigned to Sumter be tripled.—Dr. L. C. McArthur, Jr., Superintendent, Sumter School District #17, Sumter, South Carolina.

In summary, I should like to re-emphasize the fact that I endorse the program on the ground that it is valuable to the interns, to the community, to the school system, and most particularly to those individual students who have profited not only academically, but socially in having their opinions of themselves altered.—Mabel K. Ray, Supervisor of Elementary Education, Worcester, Massachusetts.

We in the Boston public schools are hoping that the present efforts of the Johnson administration to expand the National Teacher Corps program will make it possible to carry out the original goals in this legislation.—William H. Ohrenberger, Superintendent, Boston School System.

We all share the feeling that the Congress can be persuaded to act favorably on the President's request that the limited Teacher Corps resources currently available be augmented to the extent that we can enlarge and improve upon our current operation.—Alfred Russo, Coordinator, Department of Public Schools, Providence, Rhode Island.

"For some people," said a friend of the Corps, "going into an area like that is like going to Nigeria. They have the Peace Corps spirit, and the Teachers Corps gives them a chance to play the national game of helping people."

The hope is that Congress will allow many more players.—Mary McGrory, Syndicated Newspaper Columnist.

At these prices, it remains the best bargain in the federal education program.—*Life* Editorial, March 17, 1967.

We have an NTC (National Teacher Corps) organization which I appreciated because I know this is being done in order to better my school and its surrounding conditions. This organization has helped to promote a small newspaper, which will be known as the Crusader (our school symbol) to be published in February and another in May.

The NTC is really a great organization and we the members of Andrew J. Bell would like to have more interns like this in our school.—Pamela Ann Dickerson, 9th Grade Student, Andrew J. Bell Junior High School, New Orleans, Louisiana.

We are so happy with these young people from the Teacher Corps. They are really taking charge of problems we have been unable to do a thing about before they came.—T. O. Adams, Principal, Center Ridge School, Center Ridge, Arkansas.

We, of the New York City Board of Education, have been greatly impressed both with the quality of the training they are receiving and with the effectiveness of their work. We are most anxious that this National Teacher Corps program be continued for the coming school year and urge that you support Congressional action which will provide the necessary funds.—Bernard E. Donovan, Superintendent of Schools, Board of Education, City of New York.

Because the Corps members are selected from those who had not previously prepared for teaching, they represent an additional to the number of highly qualified teachers. At the same time, their academic programs are developed specifically for teaching disadvantaged children, and have proven to be an important means in improving teacher education.—"Memogram", National Congress of Parents and Teachers.

The Bureau of Indian Affairs strongly endorses the work of the Teacher Corps. On the Omaha Indian Reservation at Macy, Nebraska the Corps members have demonstrated the sensitivity, the commitment and the teaching ability that Indian children deserve and must receive, if they are to have an equal opportunity in America.—Commissioner Robert L. Bennett, Bureau of Indian Affairs.

The Teacher Corps program provides an excellent proving ground for what can become a regular Master of Arts in Teaching program. The two-year Corps program is unique in providing extensive opportunity for community involvement of the interns while they are actually involved in teaching/learning activities in the schools. This part of the program is based on the assumption that the teacher must get into the community in order to understand the culture of poverty.

Interns have influenced classroom teachers to change their attitudes toward disadvantaged children and to try new, less text-book oriented techniques. Interns are being recognized and accepted by parent and community groups as individuals sincerely concerned with understanding and improving their condition of life.—Caryl G. Hedden, Director, National Teacher Corps Center, State University College, Buffalo, New York.

The Teacher Corps is a better way of training teachers than most present programs at colleges and universities. These programs have not been preparing teachers to meet the needs of low-income children. Consequently the teachers who come out of such programs often do not know how to reach the youngsters who most desperately need help.

We have been pleased with our Corpsmen because their internship in the school focuses on the needs of children. Daily contact with children molds the idealism of the Corpsmen into realistic channels of service. I want to emphasize this realism. It is important.—Willard Fletcher, Director of Elementary Education, Portland Public Schools, Portland, Oregon.

The inner city school today needs assistance from the federal level in many ways. and the National Teacher Corps is a dramatic way of expressing federal concern for our problems. The Teacher Corps team at our Jefferson School is beginning to make a significant contribution. We have recently set up a planning committee in this school to assist this team in learning better ways of meeting the needs of the inner city child and in carrying out a number of innovative programs.

My only suggestion is that there should be more participation in the early stages by the public school personnel before a Teacher Corps team is sent to a community.—Richard T. Beck, Superintendent of Schools, Trenton, New Jersey.

I must admit that I had some reservation regarding the effectiveness of a National Teacher Corps. . . . However, my apprehensions proved to be groundless, and the Teacher Corps team, under the capable direction of its team leader, has proven to be a valuable asset to the school and to its instructional program.—John Schertzl, Principal, Wells Street Junior High School, Milwaukee, Wisconsin.

We have seen positive results educationally for many children because of the individual help the team has provided.—Roger M. Jones, Principal, Garfield School, Racine, Wisconsin.

It is my sincere hope that the National Teacher Corps program will be continued in our school during the coming terms. It is my feeling that the efforts put forth by the members of the team in working with these children who have availed themselves of their assistance will be felt more and more as the program continues.—Joseph Leonelli, Principal, Oliver Hazard Perry Junior High School, Providence, Rhode Island.

The Teacher Corps is the shining light. I'm committed to it 100 per cent. (Corpsmen's) Idealism has been rekindled in us old cynics. They're so committed they have recommitted some of us. How do you like that?—Donald Hodes, Assistant Superintendent. Enterprise City School District, Compton, California.

Since the Corps has only been operating for such a short time, there is no doubt in my mind that its full potential has hardly begun to be realized despite the mark already being made on the education of the children here.—Martin Kesselman, Principal, William McIntyre School, Philadelphia, Pennsylvania.

All of us are having difficulty keeping the most able, the most competent teachers within the target areas of deprivation. Requests for transfers out of those areas is, in our disrict, four or five times the numbers who request transfers in. In fact, it is hard to get people to go into those areas. So there is a need for stimulating the preparation of people with those understandings, attitudes, human relations, to go into those schools. I think the Teacher Corps does strike at a very specific need of the schools in deprived areas.—Dr. Ralph Dailard, Superintendent, San Diego School, San Diego, California.

Our Teacher Corps people sparks up the regular staff.—Mr. Chalmer, Principal, P.S.

They bring life to us all.—Miss Williams, Principal, P.S. 32, Buffalo, New York.

ITEM 7

Southern schoolmen comment on the National Teacher Corps

The Teacher Corps has rendered a tremendously valuable service in the Atlanta Public Schools. I am more convinced every day that "business as usual" will not solve the extremely difficult educational problems involved in teaching culturally deprived children. The Teacher Corps offers a resource that can be utilized as local school systems feel most appropriate and profitable in solving these most complex problems.—Dr. John Letson, Superintendent, Atlanta Public Schools.

The National Teacher Corps has been most successful and helpful to this school system. We have complete control of the program from the selection of personnel to defining and assigning duties and responsibilities.

The values of such a program are many but I would like to mention some of the outstanding ones. First—providing additional teaching personnel to a regular faculty which in turn gives more individual help to children in disadvantaged areas: second—providing a teacher-training, on-the-job program to better train young teacher interns to work with children who are in need of more than just regular school help; third—the additional services to the schools that the seventeen NTC members have provided are too numerous to mention, but these range from providing leadership in establishing a new reading program to teaching music, and art and working with parents in a counseling situation where parents and students are involved in seeking better solutions to problems.

Every principal in our twelve elementary school has requested an NTC for next school session.—Dr. Sam Spinks, Superintendent, Hattiesburg Public Schools, Hattiesburg, Mississippi.

This is one of our finest programs. But we could not have attempted it without the help of the Corpsmen, for we lacked the personnel and local finances that were necessary.

We are very definitely going to make fine teachers out of the interns and we think we are going to be able to keep them all in Laurel when they are through with the Teacher Corps.—Mr. J. M. Caughman, Superintendent, Laurel Municipal Separate School District, Laurel, Mississippi.

The Teacher Corps has been a boon in the Moore Elementary School. Small groups working with the interns have been provided with individualized instruction in art, science and reading. Teachers are delighted with their competence and cooperation.

We hope that this innovative program will continue and that we can secure the services of more interns.—Wheler Matthews, Principal, Moore Elementary School, Sumter School District # 17, Sumter, South Carolina.

My school was fortunate in being able to to secure the services of two teachers from the National Teacher Corps program. These two teachers are working in our elementary schools with children from low income families. Marked improvement, after four months, is noted in the attitudes and learning processes of these children as a result of the work of these two Corps members. My school's finances could not have made possible the services of these teachers except for the Teacher Corps.

I need one more teacher from the Teacher Corps for high school work, especially in the field of choral music and speech.—F. C. Burnett, Superintendent, Fannindel Schools, Ladonia, Texas.

It is our impression, and that of visitors from school systems throughout our state, that as a result of National Teacher Corps aid, the children are far more responsive, more verbal and also more responsible. We believe specifically, that the functional intelligence level of the preprimary group may well be raised over a three year period, by an average of 20 IQ points, to a level equal to the national average.

We unequivocally endorse this program and request that the number of persons assigned to Sumter be tripled.—Dr. L. C. McArthur, Jr., Superintendent, Sumter School District #17, Sumter, South Carolina.

I only have one fear with regard to the young interns of the Teacher Corps * * * that with their energy and talent and their special training they will soon leave the classroom. Some school system will try to make administrators out of them. And they are needed so desperately in the classroom.—Cleaophus Allgood, Principal, Dorsey Junior High School, Miami, Florida.

We hope that the Teacher Corps program will be financed * * * and financed well, for it is one of the better programs that we have. Many others don't measure up to the Teacher Corps. It was handled through the proper educational channels and there was never any confusion as to its objectives. It had its stops and starts and its bad days, but throughout, it was a program to give an educational boost to kids who really need it.

We started with good people and they have gotten good instruction from Memphis State University. And in the schools they have gotten close supervision from their team leaders, cooperating teachers and from the principals. As a result of all of this, we are going to produce a group of truly superior teachers.—Mr. Walter S. Carter, Jr., Superintendent, De Soto County Schools, Hernando, Mississippi.

Our Teacher Corpsmen have made tremendous progress in remedial work and speech therapy. They are providing services in the community that could not have been accomplished through regular school finances.—T. O. Adams, Superintendent, Nemo Vista Public School, Center Ridge, Arkansas.

The Teacher Corps is the best thing that ever happened to our school. Every day it is a delight to be with them. What's going on here inspires me to want to do more.—Isaiah Goodrich, Principal, Ford Road School, Memphis, Tennessee.

I believe that the National Teacher Corps is one of the very best of all the new programs in education. I am constantly observing the fine fruits of this organization.—Jack J. Efurd, Superintendent, Gentry Public Schools, Gentry, Arkansas.

Wolfe County School System was denied the NTC for school year 1966–67 because of no housing. We are very sorry, for we need the program badly.—Frank Rose, Superintendent, Wolfe County Schools, Compton, Kentucky.

It is a little program that is making a big difference in our system.—John W. Ambrose, Acting Superintendent, Lexington City Schools, Lexington, Kentucky.

The Teacher Corps has every mark of being an effective and efficient means of solving one of our most serious national problems. It brings the university, the local education agency, the teachers in service, and Corpsmen to grips with the *real* situation. Things will never be the same once the Corps has been there. We are all growing because of the Teacher Corps.—Sister M. Loyola, Director, Teacher Education, Xavier University, New Orleans, Louisiana.

I think the NTC is a very fine program and can do lots of good in our schools. It will help train people to go into the teaching profession that are needed so badly now. The team we have in our county is doing a wonderful job. I hope there will be money appropriated to continue this worthy program.—Carl Loftin, Superintendent, Marion County Schools, Columbia, Mississippi.

We have the Teacher Corps in our school system and it is doing a wonderful job for us. Corpsmen are helping the minority groups in our school develop a better self-image of themselves and also their work has improved immensely with the aid of the Corps. We have been able to offer many things for these students which we were unable to do before this time.

I think it has been handled very well this year. The only thing wrong was the delay in funding the program which caused a delay in our plans. However, I realize that it was not your fault in this matter.—Marvin Stokes, Superintendent of Schools, Byng School, Ada, Oklahoma.

The team from the National Teacher Corps that has been working in our school during the 1966–67 school year is doing fine work. Corpsmen have assessed the school situation here well and in most instances have cooperated in an excellent way with our school faculty, students, parents, and other citizens of this community. I feel that it is a very worthwhile program.—A. W. Barrett, Superintendent, Konawa Public Schools, Konawa, Oklahoma.

We feel that the National Teacher Corps is a highly successful program and that it will be a great help in alleviating the teacher shortage.—C. R. Dale, Assistant Superintendent, Haywood County Schools, Waynesville, North Carolina.

In the Western part of Macon County, over a mountain 3,400 feet, roads impassable in winter; at least not safe for bus travel, and 30 miles away; we have Nantahala School where the percentages of deprived is 55%. We'd like to get a Teacher Corps team next year that would work there and in the Cowee School which is closer but has the need. A team that could go live with these folk could, in our opinion do a lot of good.

Give me some idea of the prospects. We have not made any effort through Western Carolina College which directs our present team, but would like to begin some plans. What encouragement can Teacher Corps give us.—Berry Floyd, Administrative Assistant, Macon County Schools, Franklin, North Carolina.

VIEAU SCHOOL,
OFFICE OF THE PRINCIPAL,
Milwaukee, Wis., February 17, 1967.

Hon. GAYLORD NELSON,
Senate Office Building,
Washington, D.C.

DEAR SENATOR NELSON: Last June three interns of the *National Teachers Corps* and a supervisor were assigned to Vieau for the summer session. Since the administrator of the summer school was my vice principal, I received a fine briefing on their performance and thereby had a good idea of what could be expected of them in fall. Then, too, I attended an orientation meeting in late summer which served to acquaint me fully with the program.

My expectations have been more than fulfilled. With the addition of two more interns (in January) we have a fine team of alert, conscientious and energetic young people in the process of learning and practicing the arts of teaching.

These interns, under the excellent immediate supervision of Miss Mary McLaughlin have been a boon to our school and community.

They have done some excellent work in small group and "one-on-one" intensive tutoring and counseling. They have taken "class disturbers" and have given these children a willing ear in which to pour their attention needs. They have increased the self concept—the sense of importance of our love starved problem children, and thereby alleviated the regular classroom teachers' frustrations on this score.

Our interns have organized and rehearsed various groups of children for school programs in connection with special projects and holiday recognition. They have refereed scheduled intramural athletic contests.

They have gone into the community, visited parents and have improved the school-home rapport.

In a word, they have been *invaluable* to our school and community.

Currently, they are engaged in full scale "practice" teaching. Each intern works under the classroom supervision of a master teacher. While it is impossible to continue the diverse activities afore mentioned while intensively engaged in student teaching, many of the individual tutoring programs are still maintained where there is a need.

In closing let me say that we at Vieau feel very fortunate in having the NTC with us. Their dedication, their flexibility (which is, perhaps, one of their greatest attributes) and their cooperation, have meant much to our school and community. They are valuable members of the team; we hope their training here will make them valuable members of our teaching profession.

Sincerely,

K. G. PLACE,
Principal.

RUFUS KING HIGH SCHOOL,
Milwaukee, Wis., February 17, 1967.

Hon. GAYLORD NELSON,
Senate Office Building,
Washington, D.C.

DEAR SENATOR NELSON: I am very happy to restate my sentiments, concerning the National Teacher Corps.

Here at Rufus King High School we have seen the results of a remarkably happy marriage between an ingenious plan and a team of intelligent, sympathetic, energetic, and devoted, young Corps members. There has been a lessening of the work load for all; a marked increase in teacher morale; and, most important, an abrupt about face in attitude toward citizenship and scholarship on the part of some of our most difficult pupils.

We have exposed the Corpsmen to the entire scope of school experience, and they have passed each test admirably. Solutions for many of the problems they have tackled are not readily apparent. However, their ideas are fresh, and their concepts are new. They are not tied down to old, worn-out practices. We have every reason to hope that in the foreseeable future the National Teacher Corps will contribute valuable insights into methods of dealing with deprived youngsters.

Very truly yours,

J. A. POWERS,
Principal.

WELLS STREET JUNIOR HIGH SCHOOL,
Milwaukee, Wis., February 15, 1967.

Hon. GAYLORD NELSON,
Senate Office Building,
Washington, D.C.

DEAR SENATOR NELSON: As we enter the second half of the school year which offered our first experience with the National Teacher Corps, I should like to take this opportunity to report to you on the progress of our Teacher Corps Team.

Wells Street Junior High School is a central city school with a non-white enrollment of approximately 60% and a large number of culturally disadvantaged pupils of various social and ethnic groups. Our total enrollment is 1068. Our Teacher Corps Team consists of four young interns, two men and two women, and a very competent team leader who has had teaching experience at this school.

I must admit that I had some reservation regarding the effectiveness of a National Teacher Corps when I was first approached regarding the assignment of such a group to this school. I questioned the administrative and teaching time involved and the facilities required in relation to expected results. I also considered the matter of relations between the team members and our regular teaching staff. However, my apprehensions proved to be groundless, and the Teacher Corps Team, under the capable direction of its team leader, has proven to be a valuable asset to the school and to its instructional program. Corps members have involved themselves in community activities and home contacts. They have offered valuable assistance in our attempts to improve attendance and tardiness, both of which are severe problems at this school. They have offered academic help to pupils individually and in small groups and have involved themselves in counseling on a one-to-one basis with problem pupils. They have acquainted themselves with pupil control problems by assisting our regular staff in the supervision of corridors and cafeteria

The one problem which presented itself during the first half of this year was beyond the control of our school system and the University of Wisconsin-Milwaukee. This resulted from the uncertainty of funding when the Congress failed to provide the funds to carry out the program. Should the program continue—and I strongly recommend that it should—it is most advisable that the people in the program be given the status and security that comes with knowledge that their efforts are acceptable. Every effort should be made to provide funds and to plan for the coming year well in advance.

On behalf of the teaching staff of Wells Street Junior High School I wish to offer my sincerest appreciation for your interest and efforts in making the Teacher Corps a reality.

Sincerely yours,

JOHN SCHERTZL,
Principal.

GARFIELD SCHOOL,
UNIFIED SCHOOL DISTRICT NO. 1,
Racine, Wis., February 17, 1967.

Hon. GAYLORD NELSON,
Senate Office Building,
Washington, D.C.

DEAR SENATOR NELSON: Garfield Elementary School in Racine has a Teacher Corps Team on its staff this year. As principal of the school, I feel they have been of much help to us. Garfield is an inner-city school with many socially, educationally, and economically disadvantaged children among its enrollment. The Team has been working in the areas of tutoring individuals and small groups, helping teachers with units of study in the classroom, making home visits and contacts, and operating after school activities for the children.

We have seen positive results educationally for many children because of the individual help the Team has provided. With the help of a Team member, the classroom teachers have been able to try and accomplish some exciting and interesting projects that have motivated learning for their students. The after school activities are correlated with learning situations during the regular school day. Because of these activities many children have a more positive attitude toward school and life in general.

I am looking forward to having this Team with us again for the next school year. I trust funds will be made available for this purpose.

Sincerely,

ROGER M. JONES,
Principal.

N. FIFTH STREET SCHOOL,
OFFICE OF THE PRINCIPAL,
Milwaukee, Wis., February 20, 1967.

Hon. GAYLORD NELSON,
Senate Office Building,
Washington, D.C.

DEAR SENATOR NELSON: The National Teachers Corps interns who have been a part of our teaching staff since September are making a decidedly significant contribution through their work with children. At the same time they are developing understandings and skills that will enable them to work successfully with the disadvantaged.

We have long known that children with serious emotional problems would be greatly benefited by individualized instruction. Twenty-six children are seen daily in tutoring situations by the four members of our teaching corps. This forty minute period in a one-to-one relationship or as a member of a small group represents a most valuable advantage for each child involved both in terms of individualized learning opportunity and the psychological help given the child in the small group inter-change.

Each intern works with class-sized groups in a student teaching situation for a quarter of a day and participates in classroom activities for the entire day on Thursday of each week. This daily contact with the children is enabling them to develop competence with techniques in their training period, that are now usually attained by teachers in service. Interns who develop confidence in their own ability to work successfully with disadvantaged children will be a genuine asset to our profession.

In addition Mr. Whang and Mr. Lawhorn are offering a forty-five minute supervised physical education program after school, two afternoons each week. Miss Owens and Mrs. Roth are setting up a study program for mothers to assist them in helping their children with homework and to encourage them to appreciate the importance of their interest in promoting the progress of their children.

These community-oriented projects will further deepen the interns understanding of the disadvantaged. At the same time, they will be supplying enrichment experiences of real benefit to children and their parents.

The success of this program is significantly sharpened by the constant guidance and evaluations of such experienced team leaders as Mr. Litscher. Teachers in training rarely have this concentrated a degree of guidance.

Those of us who have worked with Central City children for years have been aware of a need for specialized preparation for the teachers of our children.

The approach inaugurated by the National Teachers Corps is truly an encouraging one. Efforts seem to be directed toward setting up a program that will seek creative solutions for the problem of preparing teachers for their vital task.

Very truly yours,

GLADYS CAUGHLIN,
Principal.

RESPONSES OF OFFICE OF EDUCATION TO QUESTIONS FROM SENATOR JAVITS (MAY 25, 1967)

Q. Title 1 of ESEA provides that funds should be expended in areas having high concentrations of children from low-income families. However, this legislation provides that Teachers Corpsmen shall be used in areas having "concentrations of children from low-income families." Why do you feel that the Teachers Corps should not also cover "high" concentrations, especially in the light of the Administration's opposition last year to the Senate's eliminating "high" from Title I of ESEA?

A. At the present time, guidelines encourage projects to be conducted in schools where at least one-half of the children are from low-income families. However, the legislation does not include such language. The addition of the word "high" to the legislation would, therefore, be acceptable to both program offices and the Administration.

Q. The fear has been expressed that recruitment of teachers by the Teacher Corps will make teacher hiring more difficult for remote non-poverty rural areas now experiencing difficulties in securing teachers. What are your views?

A. The Teacher Corps does not recruit experienced teachers. Experienced teachers who serve as team leaders do so mostly in their own schools. Last year 72% of the team leaders served in their own areas. This year we expect that about 90% of the team leaders will be selected by the schools from among their own teachers. Last year 42% of the Teacher Corps interns, BA graduates who are not teachers, came from the local area. This year we estimate that it will be 50% or more since present interns, in behalf of their school systems and universities, will recruit at nearby campuses. Because of nationwide publicity some 30% to 40% of applications will come directly to the Teacher Corps. Their names will be submitted to programs in their areas in which they have asked to serve. Further, since the Teacher Corps recruits new sources of manpower for the teaching profession, the program should benefit non-poverty rural areas in the final analysis.

Q. The House has seen fit to extend the Teachers Corps for two years instead of the three years requested by the Administration. Is this two-year extension satisfactory to you?

A. A three-year extension is preferable to a two-year extension. The major weakness of Teachers Corps is that local schools and universities have not had enough time for planning. Any extension that increases the opportunity to plan will make possible more effective, less expensive programs.

Q. Does not the Administration find it inconsistent on one hand to advocate adding a local control provision for the National Teachers Corps but to fight against adding such provisions in other education legislation?

A. The Teacher Corps has always emphasized local control. The language change represents no policy change for the Corps. The "local control" amendment is also consistent with all other educational policies of the United States Office of Education. Visibility for this principle was simply required in the case of the Teacher Corps program.

Q. Does the OE have sufficient experience to indicate what becomes of individuals after leaving the Teachers Corps? Do they continue teaching in poverty areas? Do they engage in training others for poverty-area teaching service? Is there any OE program for Teacher Corps "veterans"?

A. Since the Teacher Corps program is one designed for two years of service the program has not yet "graduated" its first class of veteran Teacher Corps members. However, an opinion survey was taken of the members by the Office. In this survey 91 percent of Teacher Corps interns did say they would continue in teaching; 81 percent in poverty schools. Experience with Master of Arts in Teaching Programs that have many elements of Teacher Corps training indicates that more teachers stay on the job when they have received specialized training in the teaching of the disadvantaged than do teachers trained at the undergraduate level for no specific teaching assignment.

Q. It has been indicated that of 10,000 applicants for the Teacher Corps only 1,213 were selected. Given the shortages of teachers in poverty areas, are those who cannot be used referred to school boards needing poverty-area teachers? Is there any special disposition with respect to the 88 percent of applicants who cannot be used?

A. All applicants have been asked for permission to refer them to school systems. Almost all applicants have granted this permission. Their names have been offered to any school system that is interested. Their names have also been made available to a central clearing agency, but such agencies charge a fee for making references. Articles have also appeared in various publications of NEA which inform school districts that Teacher Corps-Washington has files on hand of persons who wish to serve in poverty areas.

Q. Since the Federal Government furnishes all teachers in BIA schools, why does the Administration recommend amending the Act to provide OE funds—which otherwise would go for Teachers Corpsmen in the States—for the Teacher Corps for these BIA schools? To put it still another way, why should one Federal agency give subventions to another—should not Congress eliminate the "middleman" and give BIA the additional funds?

A. The Administration is requesting authority to place Teacher Corps teams in BIA schools because it is thought that such teams could greatly benefit the children in the schools. At present, BIA does not have the authority to employ or fund a two-year master's program combining both pre-service and in-service training for specialized teachers of low-income children. The Indian children now residing in or attending BIA schools would not receive the same benefits from simply increasing BIA funds to employ more "regular trained" teachers as they would from two years of service from Teacher Corps specialized personnel.

Responses of Office of Education to Questions From Senator Prouty

(May 25, 1967)

Q. I note that you are requesting that authority for the Teacher Corps be transferred from Title V of the Higher Education Act of 1965 to Title I of the Elementary and Secondary Education Act.

Why do you feel that the purposes of the Corps would be better served under the ESEA; and at the same time why wouldn't the program for the preparation of personnel in the education of handicapped children, which is now provided under P.L. 85–926, not also be transferred to ESEA?

A. It is appropriate that the Teacher Corps program be placed in Title I of the ESEA since it is currently administered jointly with other elementary and secondary education programs by the Bureau of Elementary and Secondary Education. The Teacher Corps was enacted with the mandate to supplement teaching staffs in poverty schools and to train new teachers for the disadvantaged. Only schools having concentrations of children from low-income families are eligible for Teacher Corps projects. In this respect the Teacher Corps is directed to the same schools as Title I. Teacher Corps teams have been at work this year in Title I schools, providing an added resource to assist teachers in poverty schools. The program for training personnel for the education of the handicapped is currently administered jointly with other such programs for the handicapped by the Bureau of the Handicapped. It would, therefore, seem most appropriate to continue the present method of administration for this program.

Q. Would you explain to the Committee how salaries for experienced teachers are determined?

I noted in testimony given before the other Body earlier that the average salary is $8,770 for the first year and $9,800 for the second. This would appear to me quite high when you compare it to the average annual salary of classroom teachers in the United States which is $6,828. My understanding is that only San Francisco pays more than what experienced teachers are now receiving, which I understand is an average of $10,248. Furthermore, 92% of all classroom teachers earn less than $8,500. It would appear to me that the continuation of salaries at this level does a great disservice to our dedicated teachers who are performing the same work for far less pay and publicity. Would you care to comment?

A. Experienced teachers who serve as team leaders are paid according to local scales for comparable training, experience and responsibilities. Team leaders generally have master's degrees and 5 to 8 years of experience. Most of them are also paid a stipend for their supervisory responsibilities as team leaders for 3 to 4 interns on the basis of local stipend scales for such responsibilities. The schools selected their better trained and more experienced teachers as Teacher Corps team leaders. Rather than a disservice to the dedicated teachers in the schools, such service, therefore, has offered them an opportunity for greater responsibility and recognition.

Q. For years we in Vermont, and I assume that other States, have had teacher training programs whereby senior education majors are assigned to particular schools in Vermont to practice teaching for a number of weeks. The cost of this is borne by the student and the institution and is part of the curriculum. Would you comment on how this differs from the Teacher Corps?

A. The qualifications of a senior education major involved in practice teaching are quite different from those of a Teacher Corps intern. A senior education major is by definition an undergraduate student without any academic credentials at the time of his or her internship. The student or practice teacher, therefore, costs the school in terms of time demanded from the resident faculty and money in terms of bonuses paid to such faculty for undertaking the supervision of a student-teacher.

The conditions under which the student-teacher does his or her practice teaching also differ greatly from those conditions in which the Teacher Corps interns do service. Most practice teaching is carried out in model schools rather than in the poverty schools. Usually, the student-teacher is not held responsible for taking university courses or performing service to the community in projects outside regular school hours.

On the other hand, a Teacher Corps intern is a highly qualified person by the time he begins his practice teaching in a school. He has his BA and has completed pre-service training in the education of the disadvantaged. He is part of a team; he is supervised by and learns from a team leader outside the resident faculty. As such he contributes supplementary staff to the school rather than costing the school in terms of money and the time of the resident faculty. The conditions under which a Teacher Corps intern earns his master's and does his "practice teaching" are far from those of the model school. He must deal with schools which report at least 50 percent of their enrollment is low-income. He must work closely with university faculty and the community while earning his master's and doing his service. The demands on his time are, therefore, twice as great as those of the student-teacher.

Q. You will remember that during our deliberations on the Higher Education Act of 1965, we passed an amendment which provides for 100% loan forgiveness for students with NDEA loans who agree to teach in certain schools which have a large proportion of disadvantaged children. Does this loan forgiveness apply to the Teacher Corpsmen also?

A. NDEA loan forgiveness does not apply to Teacher Corps interns because they are not regarded as having assumed full responsibility of teaching in the classroom. Theoretically, loan forgiveness does apply to the Teacher Corps experienced teachers. As the basic requirement for an experienced teacher to qualify for the Teacher Corps is a master's degree and five years of teaching experience, very few of these experienced teachers are still receiving loan forgiveness. The best estimate is fewer than 20 out of 268 experienced teachers now with the Teacher Corps program, are receiving this NDEA loan forgiveness.

Q. Do you feel that stipends, even at the reduced level of $75 a week, are necessary to attract dedicated personnel in the Teacher Corps, especially since Peace Corpsmen and VISTA volunteers dedicate two years of their lives to serving the less fortunate for only a $50 month stipend?

A. At $75 a week subject to federal, State and local taxes, the Teacher Corps interns will receive substantially less than the stipend paid to a person on a graduate fellowship. VISTA and Peace Corps Volunteers receive clothing, housing, food, and money put aside in a bank in addition to their monthly allowance. It will be as hard to live in the big cities of America on $75 a week as it is for a Peace Corps Volunteer to live in most parts of the world. At the end of their first year, most Teacher Corpsmen will receive offers of greater pay, but, so far, have chosen to be trained in this way in order to be able to do a better job.

Q. At present, who determines what schools the Corpsmen will serve in—is it the State Department of Education, the local school districts or your office?

A. The local school systems themselves request and develop Teacher Corps programs in cooperation with a nearby university that offers a master's degree program. The joint proposals must be approved by the State Department of Education. The legislation requires a distribution of programs among the States based on percentages of the population in poverty. Teacher Corps in Washington has the authority to finally approve projects only on the basis of quality determined by criteria established for such projects.

Statement of John M. Lumley, Director, Division of Federal Relations, National Education Association; Jointly for NEA and the American Association of School Administrators

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Mr. Lumley. The statement that I make for the National Education Association also has been approved by the American Association of School Administration. It will be a joint statement.

Senator Yarborough. So, this is a joint statement that you are making on behalf of the NEA?

Mr. Lumley. Yes.

Senator Yarborough. Fine. Thank you. We are glad to have it.

* * * * *

TEACHERS CORPS COMMENTS

Senator Dominick. I wanted to ask you about the Teachers Corps again that you referred to.

Do you envisage this as a method of getting more teachers in the school system as a whole, or do you envision this as getting teachers into those areas where it is difficult to get anybody to teach at the present time?

Mr. Lumley. Well, primarily it is to get more teachers that are dedicated that will go into the so-called ghetto schools or the disadvantaged schools. This will be, I think, a greater contribution than getting more teachers. And I think that the inclusion of the third and fourth year people will even increase this. I tend to believe that these young people are idealistic and if they go into these schools and learn the problems there, that they will tend to stay, in answer to the question that you raised before.

I will hasten to say that I would hope eventually the Teachers Corps would go out of business, that the——

Senator Dominick. Is it not a natural attribute of any body who is paying for the school system in their area and is in large portion overburdened by property taxes which are the main things that support it to suddenly say, "Holy smokes, we have got a bonanza here. We are going to ask for as many Teacher Corps people as we can because the Federal Government is going to pay for it and we don't have to worry about it"?

Mr. Lumley. Well, I believe the way the Teachers Corps has operated—and I think that Mr. Graham, the Director, has done a remarkable job in this, has been to get the school districts to assume a greater responsibility by showing them what can be done with these Teachers Corps people and then eliminate them and not do what you are saying, not add teachers to the school district. In other words, they accept—that is the reason I said I would hope that eventually the Teachers Corps, the system of the Teachers Corps would put them out of business. I do not think that is going to be next year or the year after, but eventually will be.

Senator Dominick. You are a realist just as I am. There are very few agencies of government that ever get started that then wither away by their own efforts.

Mr. Lumley. That is true.

Senator Dominick. And here we are talking about 1,200 that are now enrolled, 2,500 for the next year, 5,000 for the next, and you have got a built-in bureaucracy that is enormous. And my question to you is, do you envisage any problem of this simply becoming a Federal overlay of teaching skills throughout the country, and is this necessarily good or bad?

Mr. Lumley. Well, the danger would be there. I would have to say the danger would be there, but I do not believe that it works out that way, and I believe that title V with its provision for the school districts to do some things in teacher training on their own would help alleviate this and would get them to meet these needs and not have this Federal overlay.

Senator Dominick. What relationship do you see, if any, between the fact that you have regional centers set up determining new courses, new techniques of teaching paid for by the Federal Government, and then you have the National Teachers Corps going into the school districts, presumably having been trained in the techniques and thereby tending to use those as opposed to whatever the curriculum may be in the local areas?

Mr. Lumley. The amendments in H.R. 10943 put this, the control and the recruitment of Teachers Corpsmen at the local level and in the higher education at the college or university level, and I believe that this is the protection against the problem. It is a problem that we have been concerned about. As I say—when I say "We," I am talking about the National Education Association—we are getting into this idea of more and more moving toward a centralized system, which is the last thing we want.

Senator Dominick. How does the NEA feel about third- and fourth-year students teaching without having an undergraduate degree?

Mr. Lumley. They would have to go in as interns—I am sure that there would be no way presently in—I could not say positively there would not be any State, but I would say I do not know of any State that would license a 2-year person as a teacher, so they would be going in as an intern under a master teacher.

DISMISSAL PROVISIONS

Senator Dominick. Under this bill does an administrator, school superintendent, or administrator have the right to fire these people whenever they feel so inclined, or is there any tenure involved?

Mr. Lumley. I do not believe there is any tenure, as I would read the bill, although it would have to be a common action between the school district and the Teachers Corps at the national office. I am pretty sure that they can dismiss—they could determine—in other words, I do not see any reason why they could not terminate the contract completely.

Senator Dominick. Mr. Graham, do you have any comment on that?

Mr. Graham. No, sir, it does not have to be in common action. The local school system can fire them—they can ask for 5 days' notice, but that is just a formality. They can be fired by that local school system and there is no tenure. Some school systems this past year entered into contracts with these people and gave them a kind of tenure, but that was a surprise to us.

Now, if a person is really cutting the mustard, if he is performing and if it has been a personality matter and if there has been—if there is another school system that looks over the performance of this individual and says we would like him in our school, then he may be reassigned, but he has to leave that local school right now.

Senator Dominick. Thank you.

UNDERGRADUATE CORPSMEN

Mr. Graham. There was—in that earlier question, sir, about these people who have had 2 years' education and then they perform in a local school system—as Dr. Lumley suggested, that is entirely up to that school system, that university and the State, and here will be a division among the States. Some States that have a hesitancy about having that kind of person in their school will elect to take just those people who have completed their undergraduate work and are working at the graduate level. Other States may say, "No, we would like some people who are not working at the graduate level." But that would be at their option.

Senator Dominick. Thank you.

The revised Teacher Corps program contained in HR 10943, sub-part 1 of Part B, places more responsibility on the local and state education agencies and in the teacher education institutions for recruitment and training of Teacher Corps participants. We believe this improves the Teacher Corps program and will allay some of the fears of federal control which the present program has raised in the minds of some. We believe the amounts authorized in the bill are reasonable and that the Teacher Corps program will be a useful part of the Education Professions Development Act. The NEA has supported the Teacher Corps from the beginning and continues to believe that this program can be a valuable part of the total effort to improve educational opportunities for disadvantaged children. The Teacher Corps program, as an experimental project, is very useful in helping to identify the best methods of preparing teachers to teach in economically and socially disadvantaged areas. It also has brought inspiring and dedicated young people into contact with realities of the way of life of those of our nation who live in poverty—to the mutual benefit of both groups. Those educational administrators who have had firsthand experience with the Teachers Corps are overwhelmingly in favor of continuing the program. Attached hereto is a summary of a survey of Teacher Corps programs which the Committee may find of interest.

We note with approval that the Teacher Corps program will be extended to cover state and other agencies involved in programs of educating children of migratory agricultural workers.

Division of Federal Relations, National Educational Association

NEA QUESTIONNAIRE ON TEACHER CORPS, FEB. 17, 1967

1. How do you rate the *preservice* (summer) training program of the Teacher Corpsmen assigned to your school or school system?

	Superintendents	Principals
Excellent	31	59
Adequate	44	73
Inadequate	6	12
Uncertain	7	46

2. How do you rate the *inservice* (follow-up) training that the Teacher Corpsmen are receiving at the cooperating colleges or university?

	Superintendents	Principals
Excellent	39	73
Adequate	39	82
Inadequate	5	15
Uncertain	5	33

3. What do you see as the greatest benefit from the Teacher Corps program?

	Superintendents	Principals
A source of personnel available now for work in schools serving the poverty areas	42	84
A future source of qualified teachers for work in schools serving the poverty areas	41	97
Other	5	19

4. How do you rate the motivation of Teacher Corpsmen compared with other beginning teachers in the schools serving the poverty areas?

	Superintendents	Principals
Corpsmen are more highly motivated	60	111
No difference is observed between corpsmen and other beginning teachers	20	56
Corpsmen are not as highly motivated	4	21
Uncertain	4	8

5. In general, how would you describe the cooperation of Corpsmen with your regular school staff?

	Superintendents	Principals
Corpsmen are working well with the regular staff	79	176
Corpsmen are not working well with the regular staff	3	10
Other	6	12

6. What is your impression of the attitude of your regular staff toward the Corpsmen?

	Superintendents	Principals
Very enthusiastic	30	54
Favorable	50	117
Unfavorable	3	7
Neutral	5	18

7. Please explain briefly your answer in Question 6 above: (The following statements are indicative of the responses of the superintendents and principals.)

(a) "There have been many requests by regular teachers to have NTC members work with them in their classrooms."

(b) "Regular teaching staff is grateful for additional assistance, however, some teachers are envious of the fact that corpsmen are released two days a week to attend classes at the university while making the same salary."

(c) "The regular staff and the community are very enthusiastic."

(d) "Our teachers are pleased with the teacher corps and are real proud of the help the corps has given them. We would like to see the program continued."

(e) "At first there was distrust and suspicion. Most of it is gone. Still there is envy and it is based on the payment received to go to school."

(f) "At first they did not understand the purpose of teacher corps. This is understandable in view of all the delays involved. Congress could improve this for the future years by passing appropriations sooner."

(g) "Our staff is highly pleased with the enthusiasm and progress in two schools now using the NTC program. Both pupils and teachers are happy in the unusual accomplishments of this enriching approach to learning."

(h) "The interest of the corpsmen not as great as was anticipated. The cooperating college did not send us the team that we requested; therefore, we had to make numerous changes when they arrived in our system."

8. What are your plans for next year?

	Superintendents	Principals
I plan to ask for additional corpsmen	49	67
I plan to keep the present corpsmen for the 2d year and then to ask for replacements	26	74
I plan to keep the present corpsmen for the 2d year, but I do not think I will ask for replacements	5	14
I plan to dismiss the present corpsmen at the end of the 1st year	2	3
Other	5	33

NOTE.—If you are a *principal,* please answer Questions 9 and 10, skip Questions 11, 12, and 13, and continue with Question 14.

If you are a *superintendent,* please skip Questions 9 and 10 and continue with Question 11.

9. How many Corpsmen are now assigned to your school?

______Number of Corpsmen

10. Including the Corpsmen now in your school how many Corpsmen could you use efficiently to supplement the services of your regular staff?

______Minimum number

______Maximum number

11. How many schools in your system now have Corpsmen?

______Number of schools

12. How many Corpsmen are now working in your system?

______Number of Corpsmen

13. What are your *additional needs* for Corpsmen?

______Estimated number of additional schools

______Estimated number of additional Corpsmen

14. Please give your evaluation and any other comments you care to make about the effectiveness of the Teacher Corps as a program for training teachers to work in poverty areas. (The following statements are indicative of the response of the superintendents and principals.)

(a) "We believe the NTC can help us to do a better job in preparing children for productive learning. We think the school must do more than offer the students the traditional curriculum during the regular school day. Corpsmen can introduce these pupils to the world outside the routine and provide learning situations during the school day that are appropriate for the individual and small groups."

(b) "The National Teacher Corps members are highly motivated, concerned with the individual child, demonstrate concern. Good model for traditional teachers. Establish rapport with students."

(c) "The Teacher Corps members are much more highly motivated to work in poverty areas than the average teachers."

(d) "It is a very good program for training teachers to work in poverty areas."

(e) "Unlike teachers who are hired directly from teacher colleges of other teacher training institutions, Teacher Corps personnel have been prepared for some difficult situations which they are likely to find in the innercity schools. Because they treat the children with more understanding, they are more likely to reach the children and to do a more effective job than the teacher trained in a traditional manner."

15. Please give any additional comments about the usefulness of the work the Corpsmen are doing now. Include here your comments about any new services or programs that have been possible this year because of the help of the Corpsmen. (The following statements are indicative of the responses of the superintendents *and* principals.)

(a) "Our Corps members have served our area well in the short time we have had them. The interns have performed invaluable services in remedial programs for individuals and small groups. The contact with the community and its problems have been useful both to the community and to the Corps members themselves."

(b) "Such activities as home visits, creative writing, tutorial services, remedial reading instruction, and 4–H Club work are some of the services being performed by the Corpsmen. We find the members most willing to accept responsibility and to have a good attitude toward the children."

(c) "The Corpsmen on the whole are doing community work and have been able to greatly enrich and assist in our Title I work."

(d) "Use of NTC has enabled us to reduce the pupil-teacher ratio."

(e) "The shortage of teachers has been such that we had five classrooms without teachers from September to Christmas. We integrated the Corpsmen with a language arts remedial program under Title I. They have introduced new methods into teaching. They work both with the parents and with the children. They are very devoted and conscientious with the children. I only wish we had 25 instead of 5 that I might put them in all our schools. We have not had a single incident or problem with the Corpsmen. Please help to get more adequate funds so we can have more."

(f) "Because the interns and the team leader are not required to teach a full load of classes, they can offer individual help to some children. They are planning also to offer a new type of seminar in order to help some of our under-achieving students who might benefit from small group work. The preservice and inservice training stresses the use of innovative material and the Teacher Corps team is planning to experiment with the use of some new materials which might be valuable in this school and which might be valuable in similar schools."

Summary of Teacher Corps funding request, June 22, 1967

1967 supplemental	$3, 823, 700
1968 budget request:	
Preservice in September 1967 for 450	1, 011, 150
Preservice in January 1968 for 850	1, 908, 250
Continuation costs for 1966 group	7, 402, 700
First year training and salaries for 600 (July 1967)	3, 492, 000
First year training and salaries for 1,050 (Aug. and Sept. 1967)	4, 620, 300
First year training and salaries for 850 (Jan. 1968)	1, 942, 900
Second summer for 1967 group	2, 970, 000
Preservice training for new Corps members to begin training in June 1968	3, 876, 125
1968–69 Academic year inservice training costs, 1967 Group	2, 359, 800
Total	33, 003, 225
Total 1968 appropriation request	33, 000, 000

TEACHER CORPS—FISCAL YEAR 1967 SUPPLEMENTAL FUNDS

	Number	Unit cost	Total costs	Remarks
A. 1967 summer training for 750 of the 883 interns enrolled as of Apr. 30, 1967:				
1. Training allowance	750	$750	$562, 500	Average of 10 weeks training at university.
2. Stipends and dependents allowance:				
a. Corpsman's stipend	750	750	562, 500	Based on $75 per week for 10 weeks.
b. Dependents allowance	750	150	112, 500	Based on $15 per week for 10 weeks.
Total of A	--------	--------	1, 273, 500	To be obligated by June 30, 1967.
B. 1967 preservice training for 1,150[1] new recruits:				
1. Transportation to preservice training	1, 150	100	115, 000	Travel cost from residence to training site.
2. Training costs for interns	920	1, 200	1, 104, 000	Provides for instructional costs for 11-week period and includes supplies, equipment, staff, and other expenses incurred by the universicy.
3. Stipend and dependents allowance:				
a. Interns	920	825	760, 000	Based on $75 per week for 11 weeks.
b. Dependents	920	165	1520, 00	Based on $15 per week for 11 weeks.
4. Salaries for experienced teachers	230	1, 925	443, 200	Based on $175 per week for 11 weeks.
5. Transportation to residence (dropouts)	120	100	12, 000	Estimated 10-percent dropout rate from preservice.
Total of B	--------	--------	2, 586, 000	To be obligated by June 30, 1967.
1967 supplemental	--------	--------	3, 823, 700	

[1] Approximately 550 will begin training in July and August and 600 will begin training in September.

TEACHER CORPS—1968 BUDGET REQUIREMENTS

	Number	Unit cost	Total costs	Remarks
A. 1967 preservice training for an additional 450 new recruits in September and October of 1967:				
1. Transportation to preservice training	450	$100	$45, 000	Travel costs from residence to training site.
2. Training costs for interns	360	1, 200	432, 000	Provides for instructional costs for 11-week period and includes supplies, equipment, staff and other expenses incurred by the university.
3. Stipends and dependents allowance:				
(a) Interns	360	825	297, 000	Based on $75 per week for 11 weeks.
(b) Dependents	360	165	59, 400	Based on $15 per week for 11 weeks.
4. Salaries for experienced teachers	90	1, 925	173, 250	Based on $175 per week for 11 weeks.
5. Transportation to residence (dropouts)	45	100	45, 000	Estimated 10 percent dropout rate from preservice.
Total of A	--------	--------	1, 011, 150	

TEACHER CORPS—1968 BUDGET REQUIREMENTS—Continued

	Number	Unit cost	Total costs	Remarks
B. Preservice training for 850 new recruits beginning in January and February 1968:				
1. Transportation to preservice training	850	$100	$85,000	Travel costs from residence to training site.
2. Training costs for interns	680	1,200	816,000	Provides for instructional costs for 11-week period and includes supplies, equipment, staff and other expenses incurred by the university.
3. Stipends and dependents allowance:				
(a) Interns	680	825	561,000	Based on $75 per week for 11 weeks.
(b) Dependents	680	165	112,200	Based on $15 per week for 11 weeks.
4. Salaries for experienced teachers	170	1,925	327,250	Based on $175 per week for 11 weeks.
5. Transportation to residence (dropouts)	68	100	6,800	Estimated 10 percent dropout rate from preservice.
Total of B			1,908,250	
C. 1967-68 academic year costs to continue 750 interns and 150 experienced teachers enrolled as of Apr. 30, 1967:				
1. Inservice training for interns	750	1,900	1,425,000	Estimated instructional costs to institutions.
2. Salaries during assignment:				
(a) Interns	750	5,384	4,038,000	Based on 90 percent of estimated base salary plus 100 percent of employee benefits.
(b) Experienced teachers	140	10,041	1,405,700	Based on 90 percent of estimated base salary and estimated supervisory payment plus 100 percent of employee benefits.
3. Local school administration	890	400	356,000	Cost varies among school districts and as negotiated on the basis of individual circumstances such as the number of corps members, location of assignment, and availability of local administration support.
4. Transportation to residence	890	200	178,000	Travel and shipment of household goods from assignment to residence upon completion of service.
Total of C			7,402,700	Can be funded under continuing resolution beginning July 1, 1967.
D. 1967-68 academic year costs to train 600 Corps members expected to be authorized by 1967 supplemental and begin in July 1967:				
1. Inservice training for interns	392	1,900	745,000	Estimated instructional cost to institution.
2. Transportation to teaching assignment	490	100	49,000	Estimated cost of transporting household goods and dependents and Corps members to inservice site.
3. Salaries during assignment:				
(a) Interns	392	3,240	1,270,000	Based on 90 percent of $75 per week plus $15 per dependent for 40 weeks.
Benefits	392	317	124,000	Benefits based on 8.8 percent of $3,600 salary (includes items such as employers share of social security, health benefits, workman's compensation, retirement, etc.).
(b) Experienced teachers	98	10,041	984,000	Based on 90 percent of estimated base salary and estimated supervisory payment plus 100 percent of employee benefits.
4. Local school administration	496	400	196,000	Cost varies among school districts and is negotiated on the basis of individual circumstances such as the number of Corps members, location of assignments, and availability of local administrative support.
Total of D			3,492,000	Can be funded under continuing resolution beginning July 1, 1967.
E. 1967-68 academic year costs to train 1,050 Corps members to begin in the fall of 1967:				
1. Inservice training for interns	856	950	813,200	Based on training institutions costs for ½ of the academic year.
2. Transportation to teaching assignment	945	100	94,500	Estimated cost of transporting household goods and dependents and Corps members to inservice site.
3. Salaries during assignment:				
(a) Interns	856	2,268	1,941,400	Based on 90 percent of $75 per week plus $15 per dependent for 7/10 of the regular school year (28 weeks). Benefits based on 8.8 percent of $2,520 salary (includes items such as employer's share of social security, health benefits, workman's compenisation, retirement, etc.) for 7/10 of the regular school year.
Benefits	856	222	190,000	
(b) Experienced teachers	189	6,966	1,316,600	Based on 90 percent of estmated base salary and estimated supervisory payment plus 100 percent of employee benefits for 7/10 of the regular school year.
4. Local school administration	945	280	264,600	Based on 7/10 of a full year.
Total of E			4,620,300	
F. 1967-68 academic year costs to train 850 Corps members to be started in the winter of 1967:				
1. Inservice training for interns	612	633	387,400	Based on training institution costs for ⅓ of the academic year.
2. Transportation to teaching assignment	765	100	76,500	Estimated cost of transporting household goods and dependents and Corps members to inservice site.
3. Salaries during assignment:				
(a) Interns	612	1,260	771,100	Based on 90 percent of $75 per week plus $15 per dependent for 3½ months (14 weeks).
Benefits	612	111	67,900	Benefits based on 8.8 percent of salary (includes items such as employers' share of social security, health benefits, workman's compensation, retirement, etc.) for 3½ months.
(b) Experienced teachers	153	3,483	532,900	Based on 90 percent of estimated base salary and estimated supervisory payment plus 100 percent of employee benefits for 3½ months.
4. Local school administration	765	140	107,100	Based on 3½ months.
Total of F			1,942,900	
G. 1968 summer training for 864 interns expected to be authorized by the 1967 supplemental:				
1. Training costs	864	750	648,000	Average of 10 weeks training at university
2. Stipends and dependents' allowance:				
(a) Interns' stipend	864	750	648,000	Based on $75 per week for 10 weeks.
(b) Dependents' allowance	864	150	129,600	Based on $15 per week for 10 weeks.
Total of G			1,425,600	
H. 1968 Summer training for 324 interns expected to be authorized by the 1968 appropriation and who will enter in Fall 1967:				
1. Training costs	324	750	243,000	Average of 10 weeks' training at university.
2. Stipends and dependents' allowance:				
(a) Interns' stipend	324	750	243,000	Based on $75 per week for 10 weeks.
(b) Dependents' allowance	324	150	48,600	Based on $15 per week for 10 weeks.
Total of H			534,600	
I. 1968 summer training for 612 interns expected to be authorized by the 1968 appropriation and who will enter in winter 1968:				
1. Training costs	612	750	459,000	Average of 10 weeks' training at university.
2. Stipends and dependents' allowance:				
(a) Interns' stipend	612	750	459,000	Based on $75 per week for 10 weeks.
(b) Dependents' allowance	612	150	91,800	Based on $15 per week for 10 weeks.
Total of I			1,009,800	
Total of G, H, and I			2,970,000	

TEACHER CORPS—1968 BUDGET REQUIREMENTS—Continued

	Number	Unit cost	Total costs	Remarks
J. 1968 summer training for 2,500 new Corps members:				
1. Transportation to preservice	1,725	$100	$177,500	Travel cost from residence to training site for Corps members.
2. Training cost for interns	1,380	1,200	1,656,000	Provides for instructional costs for 11 weeks and includes supplies, equipment, staff, and other expenses incurred by the university.
3. Stipends and dependents' allowance:				
(a) Interns	1,380	825	1,138,500	Based on $75 per week for 11 weeks.
(b) Dependents	1,380	165	227,700	Based on $15 per week for 11 weeks.
4. Salaries for experienced teachers	345	1,925	664,125	Based on $175 per week for 11 weeks.
5. Transportation to residence for dropout	173	100	17,300	Travel cost from school to residence.
Total of J	--------	--------	3,876,125	To be funded from the 1968 appropriation.
K. 1968–69 academic year inservice training costs:				
1. 1967 group of interns	1,800	1,900	3,420,000	Estimated instructional cost to institute.
2. 1968 group of interns	1,242	1,900	2,359,800	Do.
Total of K	--------	--------	5,779,800	

EXHIBIT 4

TEACHER CORPS

Last fall, the Nation was faced with an unprecedented shortage of almost 170,000 qualified teachers. The shortage was most acute in the urban slums and in depressed rural areas.

Testimony and evidence presented to the committee strongly supports an increased and improved program of support by the Federal Government to attract and prepare men and women for teaching in schools serving disadvantaged children. The Federal involvement to date has been limited. Institutes to provide advanced training for teachers of disadvantaged youth have been supported under title XI of the National Defense Education Act. The National Teacher Corps has been acclaimed by most local educational agencies having a Teacher Corps team; yet the program has been small in comparison to the national need. Recognizing and considering seriously the potential value of the Teacher Corps the committee has given the utmost attention to this program.

A total of 1,213 Teacher Corps members are engaged in 111 school districts serving in 275 schools across the Nation.

EXHIBIT 5

H.R. 10196

Amendment intended to be proposed by Mr. Morse, for himself, and Mr. Harris, Mr. Clark, Mr. Hart, Mr. Nelson, Mr. Randolph, Mr. Yarborough, Mr. Church, Mr. Williams (N.J.), Mr. Kennedy (Mass.), Mr. Kennedy (N.Y.), Mr. Mondale, Mr. Hartke and Mr. Gruening to the bill (H.R. 10196) Departments of Labor, and Health, Education, and Welfare, and Related Agencies Appropriation Bill, 1968

On page 15, lines 11 and 12, delete "$18,100,000" and insert in lieu thereof the following: "$33,000,000".

EXHIBIT 6

EDUCATIONAL FUNDING

(Statement of Senator WAYNE MORSE, Democrat, of Oregon, before the Subcommittee on Labor-HEW Appropriations, Senate Committee on Appropriations)

Mr. Chairman, members of the subcommittee, the funding of educational programs authorized by the Congress is one of the most important responsibilities placed upon members of the Senate. As I review the estimates of the Administration in this area, I am filled with a deep concern. With your permission, I would like to share with you the areas of my concern and the reasons for my disquiet.

Many major pieces of educational legislation were enacted in the 88th and 89th Congresses. It is principally to the funding of these that I shall address myself, but as chairman of the Education Subcommittee I am the first to realize the importance of the great landmark legislation which preceded those years. I refer particularly to the Hill-Elliott Act, sometimes called the National Defense Education Act of 1958, and Public Laws 815 and 874, the impacted areas laws.

These three statutes have, as has the Smith-Hughes Act of 1917, and its successor vocational education legislation, clearly demonstrated their usefulness, and their political strength through the support given by the American people to the programs they engendered.

Let us look, then, at the first of the proposals before you for the funding of the various titles of the National Defense Education Act.

NDEA ESTIMATES

Title II programs

First let me call to your attention the student loan provisions of Title II of the National Defense Education Act which was funded in fiscal year 1967 with an appropriation of $190 million. The authorizations contained in the 1966 amendments to that act now permit funding of the direct loan program up to $225 million. The legislative committee in arriving at the $225 million figure recognized that even this amount would be insufficient to meet all of the needs of eligible students. The bill as passed the Senate therefore contained additional language authorizing a participation sales mechanism which, had it operated as forecast by the Administration, could have generated up to $250 million of NDEA loan capacity. We were unable to retain this language in our conference with the House.

The Administration is still convinced of the utility of sales participation and that proposal is again before us this year in S. 1126, the Higher Education Amendments of 1967.

Testimony presented before the legislative committee last year by both the Administration and outside witnesses indicates clearly that there is a need in fiscal year 1968 for direct loan funds of a magnitude of up to $250 million. I am at a loss to comprehend why this program carries only a Bureau of the Budget estimate to the Congress of $190 million. I recognize that in the budget submission process frequently it becomes expedient for the Bureau of the Budget to make arbitrary cuts, but I plead with you gentlemen, that in the educational area we be guided by educational rather than budgetary considerations. I strongly urge you to give serious consideration to funding Title II student loans at the full authorization of $225 million.

If Title II student loan programs were funded at the $225 million level authorized by statute, I would point out to the subcommittee, as shown in the following table, that this addition of $35 million to the estimates, as submitted, would enable 1,724 additional students from Alabama, 11,780 additional students from New York, and 1,027 additional students from Oregon an opportunity to achieve financing of their higher education costs. For the nation as a whole, if $225 million is appropriated, 79,384 additional eligible students could have this type of financial assistance provided.

TABLE I.—NUMBER OF ELIGIBLE STUDENTS IN SELECTED STATES UNDER TITLE II, NDEA PROGRAM, BY APPROPRIATION LEVEL, 1968

State	(a) Title II funding at $190,000,000	(b) Title II funding at $225,000,000	Increase (col. (b) minus col. (a))
Alabama	6,898	8,622	1,724
New York	23,487	39,267	11,780
Oregon	5,498	6,705	1,207
All States	419,000	498,384	79,384

Title III: Matching grants of equipment

When we turn, however, to Title III NDEA, the matching grant program for the purchase of equipment, it is here where we see undeniable evidence of budgetary reaction to the detriment of a program which has demonstrated that it has the confidence of our school teachers and principals.

In my own State, in this year, of the first 850 odd claims paid, Oregon local school districts over-matched the Federal contribution by $862,112. That is to say, more than $860,000 was spent by school systems for the purposes of Title III over and above what would have been requested merely to meet the 50–50 matching provisions. The authorization contained in the legislation for fiscal year 1968 for grants to the States for Title III purposes amounts nationally to $96,800,000. The Bureau of the Budget estimate for this item is $47 million, and this in the face of fiscal year 1967's appropriation of $79,200,000. Requesting funds of only 48.5 per cent of the authorization, I submit, is not sound financing of a vital educational program. It is, rather, a program of attrition of the concept.

This is compounded by the failure of the Bureau of the Budget to provide any funding at all for the key area of Title III, the area of supervisory services.

Last year, the Congress provided $5.5 million to enable State departments of education to employ the personnel who work with the school districts in planning and evaluating their Title III programs. Money for State supervisory services in connection with Title III expenditures is well spent if the most effective use of the money is to be made.

Elimination of this item is a vital blow at the effectiveness of Title III. It will be contended, I suppose, that these services can be provided if a broadening of Title V of the Elementary and Secondary Education Act is further authorized by the statute and fully funded. However, I ask you to question that representation.

I suggest that the better part of wisdom is to continue to fund services which have proven their worth until such a time as replacement mechanisms have been approved by the Congress and adequately funded by the Congress in a subsequent year. To hazard this important service upon a contingency is to run the risk of crippling a service in the event that actions in another area are not taken. I urge you, therefore, to restore the full $10 million authorized for supervisory services. This will enable Title III programs to continue to operate effectively, and I strongly urge that most serious consideration be also given to funding the State grant operations at the level of at least $90 million.

How effective is the Title III program? As I have indicated, it has strong support in my own State, as was made manifest to me on March 28, 1967 when I met with a group of Oregon superintendents. I thought you should also know that the legislative subcommittee, in connection with its oversight functions by letter dated February 28, 1967 has requested the Commissioner of Education to provide the Education Subcommittee with an analysis of the operations of the program. On March 13, by follow-up letter to the Commissioner, the subcommittee requested further information concerning this program. I ask unanimous consent that the two letters to which I have referred, together with the March 20 reply from the Commissioner of Education, appear at this point in my testimony.

Prior to the time your subcommittee completes its mark-up on the bill, I hope to have the complete report promised by the Commissioner in his letter of March 20. With your permission, I should like to forward this to you for inclusion in your hearings record, if it is received in sufficient time to enable its being included.

Mr. Chairman, I have dwelt at some length on the Title III NDEA program because if the Bureau of the Budget estimates are funded precisely as recommended, my State would be cut by $321,750. What this means when the matching factor is taken into account is that instructional materials to the value of $643,500 will be denied the children in the schools of my State. It is not a prospect that I can face with equanimity.

In the current fiscal year Oregon received some $84,371 for State administration of the Title III programs. I understand that if the various changes proposed by the Executive Branch are adopted, this figure would be reduced in fiscal year 1968 to but $19,157. This is a cut of $65,214. My own position on this is quite clear. I shall do everything that I can to support full funding of educational programs because of my own conviction that educational considerations rather than budgetary considerations should determine Congressional policy with respect to the education of the boys and girls for whose benefit the public money is to be used.

Title IV: Fellowships

Well I am pleased to note in the Bureau of the Budget estimates for 1968 that there is a slightly over $15 million increase over the $80 million recommended, however, it should be borne in mind that this is about $11 million less than could have been usefully supported by the Department. As a matter of fact, if the fellowship program under Title IV of NDEA were to operate at the level of the authorizations this would enable an additional 2,040 fellows to undertake graduate study. If your committee funds this vital program, in terms of our human resources, at only the $96.6 million figure recommended by the Bureau of the Budget, you will be closing the door to advanced study for 683 young men and women, including 18 students from Alabama, 167 students from New York, and 28 students from Oregon.

Why is this so important? Witness after witness has testified before our committee that teacher shortages, particularly in the higher educational area, are becoming increasingly acute.

We know that today there are approximately 6.05 million students enrolled in institutions of higher education. We also know the conservative projections indicate that a scant eight years from now almost nine million students will be attending our colleges and universities. This means that somehow, someway, if we are not to dilute the educational opportunity to be afforded the three million additional undergraduate students, we will have to fund from some source the additional collegiate teaching personnel needed.

Title IV of NDEA is an excellent mechanism to accomplish this national purpose. It should be used to the full.

The funds recommended to the Congress by the Bureau of the Budget will permit some 5,460 students to start the long road to the Ph. D. Last year we started 5,775 on that route. I ask you, does it make good sense in the national interest to cut back, even by 315, training opportunities which will generate the teachers needed by the nine million college students of 1975? Ought we not now fund this program to its full authorization and thus increase rather than decrease training opportunities?

Title V: Guidance, counseling, and testing

Thirty million dollars is authorized in Title V of NDEA for grants to the States for guidance, counseling and testing activities. In my view, the authorization itself, in this area is insufficient. I am confident that after the Education Subcommittee's analytic review of Title V is completed there will be recommendations emerging for an increased funding of these functions.

I would point out that since the inception of the program, amendments to the title have increased the scope of its activities. What originally started out as a purely secondary school program was expanded by amendments to the enabling legislation so that Title V now encompasses activities in the elementary, secondary and certain higher education areas. The authorization of Title V at the time the amendments were taken was not increased to the extent that many on the Senate side would have wished. I am therefore, somewhat concerned to note that the Bureau of the Budget recommendations in this area contemplate no expansion of the program, and, in effect fund this program at little more than 80 per cent of its authorization.

We have added between 1966 and 1967 almost a million more youngsters to our elementary and secondary schools, nationwide. In 1968 it is anticipated that this number will be increased by an additional 800,000 students. By 1975 our projected enrollments indicate almost four million more youngsters in our public schools than were there last year.

How, then, can we justify holding appropriations for the guidance, counseling and testing functions at the same level of $24.5 million that prevailed in 1967? Here, too, I ask you to consider the evidence carefully and ask yourselves the question of whether you can in good conscience recommend to the Senate that there be a retrogression in services to the boys and girls in our schools.

In this area, the ounce of prevention is less costly than the pound of cure. The motivation of a young person, which is strengthened, is less costly to evoke than is the cost of the repair work necessary to bring the dropout back into the school situation.

Title VI: Language and area centers

With respect to this program, which has recently been departmentalized in part as the result of amendments made in the International Education Act, which has yet to be funded, the current authorization would permit an $18 million expenditure. The Bureau of the Budget has recommended that this be funded at an 87.2 per cent level. In view of the organizational changes which have occurred and in view of the expanded opportunities given through other areas in the International Education Act, which, if implemented by adequate funds, would enable progress to be made in this area, I urge only that if the full authorization cannot be supplied, at least the budget estimate be fully supported in the appropriations bill reported.

Title VII: Educational media research

The budget request for Title VII, the educational media research title of NDEA, is within $600,000 of the full authorization. This represents a twelve per cent cut under full funding. I would urge that the $5 million authorization be appropriated. The additional $600,000 could well be spent on the training of teachers in the use of new media. Such training does not overlap the Title XI NDEA institutes authorization since the latter are for educational media specialists. It would be most salutary, in my judgment, to fund institute programs for classroom teachers so that they could be better prepared skillfully to use of the media in their subject matter courses.

Title X: Statistical services

With respect, however, to Title X, grants to the States for statistical services, I note that no money is being requested this year by the Bureau of the Budget on the grounds that this authority can be met under grants advanced under Title V of the Elementary and Secondary Education Act.

The authorization in NDEA for this program at present amounts to $2.8 million. Since there are a great many areas which need funding under Title V of ESEA, I urge you to continue to use the Title X authorization until such a time as it is clear beyond a doubt that Title V of ESEA authorities are large enough to absorb this specific program.

I would further point out that when a program which has earmarked visible funds, is merged into the anonymity of a general authority, pressures are generated within each of the 50 States to reduce commitment to the previously visible areas.

I regard this as a most important program, since the statistic generated are the underpinning of the decisions we must make in determining educational policy. To run the chance of decreasing the validity of the basis of our policymaking, through cutting back on objective fact-finding, is to risk consequences in the aggregate which are far greater in cost than is this relatively small amount of $2.8 million.

For this fiscal year of 1968 I therefore urge that you restore to the bill $2.8 million, which is the amount that I am assured could be used with prudent care by the Department in carrying out the authorities of the title.

Title XI: Teachers institutes for advanced study

The Bureau of the Budget has requested but $35.5 million for this program whose authorization in the act stands as $56 million. In effect, the Bureau of the Budget is requesting a 63.3 per cent funding of this program.

Yet this is a program which has operated very successfully and which enjoys great support throughout the country. I would point out that the money expended is being spent by the institutions of higher education in your States and that its benefits are multiplied many times over through the increased effectiveness in the classroom situation of the teachers who participate.

It will be said that it is the hope of the Administration that enabling legislation in Title V of the Higher Education Act will permit greater flexibility in the use of educational training funds and that in time it would be the hope of the Administration to phase this important part of NDEA out of existence.

There is a problem here, however, of which I think we are all cognizant. Once before, at the request of the Administration, we transferred from the Title XI institutes, training authorities, which we were assured could be met under other statutory authorities. Unfortunately, the program which should have provided the institutes did not have sufficient money in it to meet all the training needs, with the result that no training for one period of time was contemplated for school librarians. Many of us were in receipt of communications from these school librarians who were, understandably, very concerned. I do not think it is the part of wisdom for us at this time to permit such a situation again to develop with respect to other disciplines. We would be far better advised to fund this training program for teachers at the full authorization and continue to do so during any period of transition to other authorities. For that reason, I respectfully urge you to provide full funding for this program in the 1968 appropriations bill.

PUBLIC LAWS 815 AND 874

The impacted areas legislation, Public Laws 815 and 874, for the construction costs and the operation and maintenance costs respectively, of school districts, are no strangers to this committee. These are programs which, since 1950, have enjoyed such strong Congressional support that their extension and expansion has carried with it many of our newer educational departures in legislation.

Our most recent expansions which brought the benefits of this legislation to the larger cities of this country, has not yet been fully recognized through adequate funding. It is, therefore, somewhat shocking to me that under P.L. 874 the budget estimate is lower than what was appropriated for fiscal year 1967.

The same is true with respect to P.L. 815.

Furthermore, the budget estimates are based upon the assumption that the Congress will permit the temporary provisions of P.L. 815 to lapse. I may not be a very accurate prophet with respect to educational legislation, but I think over my years in the Senate I have gained the experience necessary to qualify in political arithmetic. My very strong intuition tells me that before an Elementary and Secondary Education Amendments Act emerges from the legislative committee on the Senate side it will include provisions further extending the temporary provisions of P.L. 815. To assert otherwise would be to fly in the face of Congressional history.

If I am correct in this assessment, then it would seem to me that the choice before the Appropriations Committee, if it is to act in harmony with the sentiment of the Senate, would be whether to fund this program in the regular appropriations bill or whether it would under fund it with a very high probability approaching certainty that it would be necessary to come at a later date before the Senate with supplemental appropriations.

Included within S. 1125, the Elementary and Secondary Amendments of 1967, are recommendations regarding the continuation of one of the P.L. 874 programs, the School Disaster Act. I have already had representations as chairman of the Education Subcommittee from some of my colleagues that they are eager and anxious to broaden and to expand the coverage of that act, enabling additional schools to benefit from the protections it offers. I am sure the same representations will be made to you by your colleagues.

We all have a stake in this. A geographically small area through tornado or other local manifestation of nature's terrible energies can be devastated. Since this protection against natural disaster is based upon funds appropriated for P.L. 815 and 874, it is my belief that both programs ought to carry sufficient money so as to act as an adequate reserve against the contingencies of nature.

I would point out, once again, that not more money can be spent from these funds than is authorized under the formulas contained within the acts and if the funds are not needed they revert to the Treasury. The Congress, therefore, runs no risk in overappropriating in these areas. The Congress could run a risk, however, in being held accountable if the funds are empty when they are most needed.

VOCATIONAL EDUCATION ACT OF 1963

While in general the budget estimates of almost $200 million to fund grants to the States under the Vocational Education Act of 1963 is sufficient to meet the purposes of that legislation until such a time as the authorizations are increased, there is one area of funding under this authority which does cause me some concern.

No money is provided in the budget for the vocational work-study program, which last year received an appropriation of $10 million. The argument is made that the Bureau of the Budget would prefer to concentrate its funding activities in this area of assistance to young people within the Neighborhood Youth Corps, authorized under the poverty programs.

This will mean that many programs in many of our States which have previously been funded will be forced out of existence. The authorization for vocational work-study, however, continues through fiscal year 1968. The basic legislation will come under the review of the legislative committee during this session of the Congress. The Administration bill, S. 1125, has been introduced. Hearings will be held. During the course of those hearings, I am confident that testimony will be elicited which will enable a Congressional determination to be made of our educational policy in this area of youth education.

It would be my hope that your committee would see fit to provide as an addition to the President's budget, at least the $10 million that was provided last year, and that the phasing out of this program if it is to be accomplished, be done through the exercise of legislative authority rather than at the behest of the Bureau of the Budget.

HIGHER EDUCATION FUNDING

Mr. Chairman, I turn now to the funding of authorities contained in the Higher Education Facilities Act of 1963 and the Higher Education Act of 1965.

Higher Education Facilities Act of 1963: Funds for construction

The authorizing legislation cantains an authorization of some $728 million. The estimate submitted to the Congress by the Bureau of the Budget provides only $390 million. Earlier I spoke of the anticipated enrollments expected by 1975 in higher education, estimated to be nine million students as contrasted to the present six million plus. As the budget estimates are reviewed by you in your mark-up sessions, I would have you ask yourselves this question: How long does it take to build an adequate academic facilites structure? From the time the decision is taken to the time that the doors are opened for the first class is at least three years. This is the lead time you must keep in mind. What you authorize for fiscal year 1968 has an important bearing on the number of youngsters a college can accommodate in fiscal year 1970 or 1971, and after. The $728 million authorized by the legislation for fiscal year 1968 by no means will meet the needs which have been estimated by American Council on Education in testimony before my subcommittee. This testimony, which may be found on page 271 of our hearings record on the Higher Education Amendments of 1966, suggests a magnitude of total need of $4.375 billion per year. I ask unanimous consent that the text of the entire letter under date of July 20, 1966 signed by Dr. John F. Morse, Director of the Commission on Federal Relations of the American Council on Education, appear in the hearings record at this point in my remarks.

I would point out that it is the judgment of the educational authorities that there will be a need for new construction starts each year for the next ten years of somewhere between three and four billion dollars. Since the time that letter was received, I have come across no new evidence that would suggest that a lower figure can be anticipated. This item and the Title II authorization of $120 million for graduate school facilities construction which the Bureau of the Budget wishes to fund only at $50 million, are crucial educational policy decisions which must be made by the Congress.

I recognize the grave responsibility the President has for the national budget as a whole and what he believes can be absorbed by our economy. But I also am cognizant of my own responsibilities as a Senator and as chairman of the legislative subcommittee dealing with these matters, and I urge upon you that you review the budget estimates for school construction at the higher education level on the basis of the demographic facts and the economic benefits to the nation of higher education and that you fund these authorities in such a manner and at such levels as will enable us and our successors to keep our commitment to the American people that we intend to permit each young student to have access to education and training commensurate with his talents and abilities.

I have perhaps over-wearied the Senate by reiterating the point that expenditures in this area ought to be considered as capital investment. At the risk of repeating the obvious once again, and in the interests of our national security in the highest sense, I urge you to provide the full amounts authorized under existing law in the field of higher education construction.

HIGHER EDUCATION ACT OF 1965 PROGRAMS

I commend to your attention the committee print entitled, "Notes and Working Papers Concerning the Administration of Programs Authorized under Public Law 89–329, the Higher Education Act of 1965, during Fiscal Year 1966." The materials contained in the committee print, copies of which have been furnished the subcommittee, were brought together at my direction in order that we might in the legislative committee have a brief overview of how well these programs have gotten underway in the first year of their existence.

Title I: Continuing education

Under Title I of the Higher Education Act, $50 million was authorized to be appropriated. Only one-fifth of that amount was appropriated in fiscal year 1967. For 1968 the Bureau of the Budget recommends to you only $16.5 million. How was the $10 million spent in fiscal year 1967?

The answer to this is set forth on pages 8 through 43 of the committee print. I will not weary the subcommittee with a recapitulation of the materials in the committee print, but I would like to cite three of the participating States' programs.

The State of Alabama received $184,730 of the $10 million appropriation. What was it spent for?

Among other items, public administration seminars for the range of State and local government personnel in cooperation with the University of Alabama, $26,350. Public health instructor training courses, $4,900. Public administration seminars for the range of State and local government personnel in cooperation with the Alabama League of Municipalities, $43,200. Another $48,700 was spent on courses for small business operators in fiscal management, and $12,820 was spent to introduce courses in physical planning to local government officials.

In New York, which had $541,940 allocated to it, $49,527 went for a training program for department of buildings under the sponsorship of the City University of New York and New York City Community College; $30,000 went to the College of Pharmacy of Columbia University for a speakers bureau on drug use; $5,000 went for a seminar for government, labor and industry in meeting urban programs under the sponsorship of the State University at Albany; $30,000 was spent by the State University at Buffalo in leadership training and planning for the Niagara frontier; $58,000 was used by Syracuse University for seminars on county problems for officials and citizens.

In my own State of Oregon, which received but $146,495, $10,000 was spent by the University of Oregon in training courses of newly elected mayors, councilmen and commissioners in Oregon; $35,656 for action programs under Oregon State University at Corvallis for small town local leadership; and $8,022 was applied by the joint effort of the University of Oregon, Oregon State University, and Portland State University at conferences in urban planning for planning commissioners.

These are illustrative examples of the kinds of programs of immediate benefit to the men and women, to the citizens of our nation. There are a great variety of programs that could be supported under the authorities of Title I, but I think you will agree with me after you review the data set forth, that this program has justified its existence, and is deserving of far greater support than is contained in the one-third financing contemplated by the Bureau of the Budget. Citizens who are concerned about crime would surely applaud training programs for local law enforcement officers. Insurance men can see the need for courses directed to the education of firemen. This program is one which is controlled by the institutions of higher education in the States and the training it provides is responsive to locally felt needs. I urge its full funding.

Title II: College library assistance and library training and research

We turn now to Title II, the College Library Assistance, Library Training and Research title of the act. You will find a review of this program on pages 49 through 58 of the committee print.

The authorization for college library resources was established at $50 million for fiscal year 1968. The Bureau of the Budget proposes that you appropriate one-half or $25 million. Since I believe that the college library is at the very center and core of any higher educational endeavor, I cannot in good conscience do other than to urge that the budget estimates for this highly important program be fixed at the authorization ceiling.

I also urge that you restore to the full $15 million of the authorization funds for library training and library research. Here the Bureau of the Budget recommends only 78.6 per cent of the authorization.

In testimony before my subcommittee, personnel shortages in the librarian field have been documented time and time again. It is only through provision of adequate financial resources that we can start to make a beginning in reducing the educational training backlog for library personnel.

Within Title II also is the item for cataloging of library materials by the Library of Congress, authorized at $7.7 million for fiscal year 1968. Here the Bureau of the Budget is asking only for 51.4 per cent financing. I urge you to inquire carefully of the Administration representatives what possible factual justification they could have for a cut of this magnitude in this program. Either there have been developments since the enactment of the 1966 law which were not then apparent to the Administration, or budgetary considerations once again have been given primacy over the educational needs of our schools and colleges.

Title III: Strengthening developing institutions

Title III of the Higher Education Act is concerned with strengthening developing institutions. It is discussed on pages 62–92 of the committee print. Although this program carries an authorization of $55 million, the Bureau of the Budget is asking for funding at only 54.5 per cent or $30 million. A review of the programs, which were supported in the first year of the operation of this title, can support, in my judgment, the full funding needed if this program is to expand and to provide the types and kinds of services needed by so many institutions that now cannot be served. Only one small program is now funded in my State, yet I know that some of our recently established junior and community colleges which are geographically removed from the main stream of academic progress could usefully participate in this program.

Title IV: Student assistance

The student assistance title of the Higher Education Act, Title IV, has three parts.

Part A provides for initial economic opportunity grants authorized at $70 million and funded by the Bureau of the Budget at but $58.1 million. Continuing grants to support those individuals previously awarded this type of assistance are encompassed within the title. It was the judgment of the Department of Health, Education, and Welfare that $110 million would be needed to meet these costs. Yet the Bureau of the Budget has submitted only $97.5 million to meet what I assume must be fixed costs. Here I would suggest that the subcommittee might very well wish to make inquiry of the Bureau of the Budget regarding the basis of the reduced estimate. Was it based on later figures as to the number of youngsters who had dropped out of the program, or do they contemplate removing this type of assistance from a substantial number of young people? If the latter is the conclusion that is reached, then I can see no possible justification which in equity could be urged for the course of action pursued.

I am also very grieved to note that in Part C of Title IV, the College Work-Study Program, the Bureau of the Budget is willing to fund 70 per cent of the authorized amount. I do not see how this cut can be justified on the basis of a decreased need on the part of the students. I can only assume that considerations other than educational considerations played a part in the decision. If this is the case, I would urge that the subcommittee restore to the program at the very least the $171,600,000 requested by the Department and preferably the $200 million authorized by the Congress.

Title V: Teacher programs

Title V of the Higher Education Act contains teacher training proposals of two types: the National Teacher Corps and fellowships for teachers.

I have on a number of occasions on the floor of the Senate in recent months brought to the attention of my colleagues my strong support for full funding of the Teacher Corps. I can understand that until further authorizing legislation passes the Congress and is enacted into law, there is no basis at this time for the Appropriations Committee including an item for this program except on a contingency basis. I urge that language be written into the bill on the basis that S. 1125 has been introduced in the Senate and that companion legislation, H.R. 7819, has received the approval of the House Committee on Education and Labor, and it should be considered shortly on the floor of the House. I urge that no less than $21 million, the figure contained in H.R. 7819 for fiscal year 1968, be provided on the contingency basis.

It is my own hope that when the legislation has cleared the Senate and the conference of the two Houses, a basis will have been laid for a much larger appropriation.

May I call to your attention the following comments taken from letters received by the Teacher Corps as to the merits of the program.

The first is from Mr. J. M. Caughman, Superintendent, Laurel Municipal Separate School District, Laurel, Mississippi. He says:

"This is one of our finest programs. But we could not have attempted it without the help of the Corpsmen, for we lacked the personnel and local finances that were necessary.

"We are very definitely going to make fine teachers out of the interns and we think we are going to be able to keep them all in Laurel when they are through with the Teacher Corps."

The second is from Mr. Walter S. Carter, Jr., Superintendent, De Soto County Schools, Hernando, Mississippi. He says:

"We have 2 teams and both have been extremely successful. Their work with small troups and sometimes full classes, has been in schools where 90% of the students come from poverty families.

"I would like to give a lot of credit to Memphis State University because their work in selection and training of these interns has given us two fine teams.

"When it first came out I informed my board of education that we had no interest at all in Teacher Corps. But talks with people from Old Mississippi and from Memphis State encouraged me to try the Corpsmen on an experimental basis.

"Naturally, there was a little reservation on both sides at first . . . on the part of the regular teachers and on the part of the interns. But once it was established that it was a purely educational program, and once they really got down to work, the problems began to disappear. There was a growing respect on both sides.

"We hope the program will be financed and financed well. For it is one of the better programs that we know. Many others don't measure up to Teacher Corps. It was handled through the proper educational channels and there was never any confusion as to its objectives. It had its stops and starts and its bad days, but throughout it was a program to give an educational boost to kids who really need it.

"We started with good people and they have gotten good instructions from Memphis State University. And in the schools they have gotten close supervision from their team leaders, cooperating teachers and from the principals. And as a result of all this, we are going to produce a group of superior teachers."

Sentiments similar to this have been received from school districts all over the country. They constitute, in my judgment, a powerful testimonial as to the value of this program.

With respect to Part C of Title B, masters fellowships for prospective and experienced teachers, I note that the Bureau of the Budget proposes to fund this program at 12.5 per cent of the authorized figure. Again, I can only reiterate what I have said before in other connections—that if we are to meet the responsibilities in providing training for teachers, we cannot shirk our responsibilities to fund these programs to the level of need. I therefore urge that in reporting the bill to the floor it contain not less than a full appropriation of the authorization formula.

Title VI: Improvement of undergraduate instruction

Title VI of the Higher Education Act of 1965 brought to higher education the kind and type of matching grant support that has proved to be so successful at the elementary and secondary level under the Title III authorities of NDEA. As you know, the authorizations for Title VI are divided into three parts: $10 million is authorized for TV equipment, $60 million for other types of matching equipment and materials, with but $5 million earmarked for institutes in the training of teachers in the use of these new educational media materials.

I would urge that this program, which has received much support in our legislative committee hearings, be fully funded at the authorized amount. I deplore the fact that the Bureau of the Budget for this new program is requesting but 14 per cent of the 1968 authorization for TV equipment, only about 21.6 per cent for the funding of the matching grants for other equipment, and but half of the authorized amount for institutes. These cuts cannot be justified on the basis of educational policy considerations. As is shown by the figures available to you, the Department of Health, Education, and Welfare requested from the Bureau of the Budget funding of TV equipment at 75 per cent of the authorization, funding of other equipment on the basis of two-thirds of the authorization, and funding at 100 per cent of the authorization for the institute portion of the statute.

Time and time again in our hearings witnesses urged that adequate funding be made available to institutions of higher education in order that those who teach our teachers may have an opportunity to acquaint themselves with more effective methods of transmitting their knowledge. Title VI, if properly funded, can, in my judgment, increase the efficiency of our teacher training programs and thus enhance greatly the quality of education that can be given to the boys and girls attending our elementary and secondary schools.

To use an agricultural analogy, money in this area is the seed corn that will make for a bountiful harvest if the Congress is willing to accept the responsibility of a prudent farmer and invest to the degree necessary, in the equipment and materials and services of Title VI in order to increase the quality and quantity of our educational production.

LIBRARY SERVICES AND CONSTRUCTION ACT

The Library Services and Construction Act, as amended, funds four titles. The authorization for Title I, library services, for 1968 is $45 million. Library construction is authorized under Title II at $50 million. Inter-library cooperation, the substance of Title III, carries an authorization of $7.5 million. Title IV, the specialized State library services title, contains authorization of $7.5 million for State institutional library services and $4 million for library services for the physically handicapped. The Bureau of the Budget is requesting 77.7 per cent for the Title I authorization, only 54.3 per cent of the construction authorization of Title II, less than one-third or 31.6 per cent of the inter-library cooperation authorization, a woefully inadequate 28.2 per cent for State institutional library services, and a scant one-third of the authorization provided by the Congress for library services for our physically handicapped citizens.

I suspect that when the Bureau of the Budget prepared the estimates which are now being considered they were operating on the basis that deferral of construction was necessary to protect the public interest against inflationary price rises. I submit to you the situation at the present time should cause us to take a second look at that philosophy. Certainly, the Administration itself in recent weeks has reversed its policy as demonstrated by the release of highway construction funds and its long overdue permission to the Office of Education to exercise reallocation authorities under Title I of ESEA. I suggest to you gentlemen, therefore, that should you accept my recommendation that full funding be given to the construction programs you would not be going counter to action taken in other areas by the Administration. If your interrogation of the agency officials brings forth an unchanged position, then I ask you to consider most carefully the public interest question of whether as a nation we ought to adopt a policy which gives priority to our highways over priority to meeting the educational needs and requirements of our citizenry and their children. At the very least, gentlemen, I suggest that equality of treatment ought to be given to these objectives. I know that restoration of full funding to the Library Services and Construction Act would meet with the full approbation of the people.

FUNDING OF PUBLIC LAW 89–10

ELEMENTARY AND SECONDARY EDUCATION PROGRAMS

Within the past several weeks the State educational agencies were notified of the final allocations under Title I of the Elementary and Secondary Education Act. These allocations distributed a fiscal year appropriation which amounts to $1,053,410,000. However, the allocations which have been made represent only 74 per cent of the amount which the Congress authorized for this program and which many members of this body anticipated would be available.

In the 1966 amendments to Title I of the Elementary and Secondary Education Act we provided a formula which substantially increased the authorization for fiscal year 1967 and for fiscal year 1968. This was done through a precise formula which was based on identified poor children in accordance with census data, AFDC data and for other children who are classified as neglected, delinquent or foster children. The intent of these amendments was to increase substantially the amounts available to schools to provide programs for educationally disadvantaged children. The distressing fact of life is that the amounts which were recommended by the Administration and which are now available carry out only a fraction of the Congressional intent.

Last spring after the President submitted his FY 1967 budget to Congress, and the U.S. Office of Education advised the States of the amounts available, it was predicted that the appropriation request of the President would fund about 85 per cent of the authorizations contained in the Administration proposals in Title I for fiscal year 1967.

The Congress, in its consideration of the legislation, provided liberalizing amendments which increased the authorizations by $125,000,000 beyond the Administration proposals. To be exact, the authorizations approved by the Congress amounted to $1,430,000,000 and the authorizations proposed in the Administration bill were estimated at $1,305,000,000. However, despite the fact that the Congress added $125,000,000 in authorizations for programs designed to aid the children of poverty in their quest for educational equality, the appropriation request of the Administration remained unchanged.

The appropriation language which was included in the Appropriation Act for fiscal year 1967 also contained a substantive provision which in effect amended the provision of the statute which calls for ratable reduction of allocations which appropriations are less than the amounts authorized. This new provision stipulates that State allocations may not be less than the amount spent by the States during the preceding year, fiscal year 1966. The effect of this proviso is that about one-half of the States receive allocations based on the minimum stipulated in the Appropriation Act, while the other half are paid in accordance with the ratable reduction provision of the basic statute. Thus, instead of all States receiving 74 per cent of their entitlements, one-half receive in excess of this sum while the others receive 70 per cent of their Title I entitlements.

Across the country, the effect of the reduced appropriation is to curtail education projects for disadvantaged children. At the very time that these remarkably successful programs should be strengthened and expanded, many districts and State offices are finding that they are already overcommitted in their programs for the fiscal year and must reduce staff in order to stay within the funds which are available. Others must forego planned summer programs which are of special benefit to educationally disadvantaged children.

Last summer, local schools conducted summer programs for educationally deprived children which cost $250,000,000 in Title I funds. The National Advisory Council on the Education of the Disadvantaged Children in its report released on November 25, 1966, made a special study of the summer programs conducted under Title I last year. The Council produced a very thoughtful report on these programs and concluded that a substantial portion of the Title I funds should be used in this manner. Two paragraphs from the Council's report summarize their conclusions:

"In summary, the Council believes that *future summer programs, besides being important in themselves, can have special beneficial effects on the year-round success of Title I programs which can be attained in no other way*. They provide an atmosphere of experimentation and innovation by freeing teachers from the rigid 'winter school' requirements of fixed schedules and prescribed texts. By reducing pupil-teacher ratios, summer programs invite the development of closer, warmer classroom relationships. Finally, and of prime importance, they enable intensive programs of teacher training. These important advantages lead the Council to believe that dollars thoughtfully expended on summer schools may be among the most productive dollars spent by Title I. Their full potential will be realized when successful practices discovered in summer are transplanted to 'regular' school as year-round practices.

"The Council is deeply concerned for the future of summer programs. Many of the summer projects visited by its observers came into existence only because Title I money was appropriated by Congress too late for full use in the regular school year. Since these districts now have earlier assurance of funds for the new school year, many are planning to dispense with summer programs. This, the Council is convinced, would be a great loss, both to the pupils and educators. *So strong is this feeling that the Council recommends an early decision by appropriate officials to reserve a substantial percentage of Title I funds for summer programs.*"

However, in light of the fact that the Title I programs for fiscal year 1967 got underway in the schools last September, most districts have used their funds and will be unable to continue the successful programs conducted last summer.

The programs which have been launched by the nation's schools under Title I of the Elementary and Secondary Education Act are bringing about vast improvements in the educational services to disadvantaged children. The programs have been cited by the Commissioner of Education and by other leading authorities as remarkable for their effect on new educational practices for the poor children of the nation. Over eight million children benefitted from these programs in fiscal year 1966. We know that the number of these children who need to be served is even greater this year. This will not be possible because of the stretch-out in the use of funds this year for children served last year.

On a per capita basis the amount authorized for each eligible child in the program has actually decreased for fiscal year 1966–67. The formula last year produced an allowance of about $210 per child, whereas the amounts available this year authorize approximately $170 per eligible child in the formula. This is caused by the addition of 500,000 children to the formula without a proportionate increase in appropriations.

The fiscal year 1967 situation was further aggravated by a decision of the Administration, which was enforced until late in March to withhold authority from the States to reallot Title I funds to districts within the State whenever some districts with unused allotments would make funds available to other districts that need additional funds. This authority was clearly intended by the

Congress to be used to offset the negative effects of ratable reduction. Last April, the States were assured by the Office of Education that this reallotment would ease the impact of reduced grants. Only in late March, because of budget decisions which had previously ignored program requirements, has this promise to the districts been honored. How can we expect our schools to operate in this atmosphere of uncertainty?

In fiscal year 1968 the amendments provided by the legislation increase the family low-income factor under which children are determined to be eligible from $2,000 to $3,000. Another amendment provides a minimum rate of payment per child in the formula based on the national average expenditure per pupil, whenever the national average exceeds the average expenditure in the State in which an eligible district is located. Thus, the estimated authorization for fiscal year 1968 amounts to $2.4 billion as compared with the current year authorization of $1,430,000,000. The legislative committees of Congress which considered this legislation gave extensive study to the formula as well as to the needs of educationally deprived children in our schools which the program is intended to help. The hearings were comprehensive and the conference committee thoroughly examined the formula before the final report was issued on October 18, 1966.

Against the authorization of $2.4 billion, the budget request for fiscal year 1968 amounts to only $1.2 billion. Thus, it is proposed that the program be financed for next year at 50 per cent of the authorized amount. In other words, it is proposed that we slide back from 70 per cent programs in 1967 to 50 per cent programs in 1968 at a time when we should be expanding our effort. The number of eligible children in the formula in fiscal year 1968 will rise from 6 million to 8 million with the result that the amount available per child will decrease again to a sum close to $150 per child. Thus, in the three years the program will have been in operation the average amount available on a per capita basis for each educationally disadvantaged child in the formula will have gone steadily down from $210, to $170, to $150, despite nominal increases in total appropriations.

One of the principles which has been emphasized by the Office of Education since the program was initiated is that there should be a substantial investment of resources for each child participating in the program. This point has been emphasized as a means of avoiding watered-down and ineffective programs. The history of recent years is replete with examples of education programs which have blossomed successfully on an experimental basis of adequate resources and then faded quickly when the services and resources were spread too thin over the children to be served. It is now well established that educationally deprived children require resources far in excess of those needed for the average, middle-class child. In recognition of this principle, the authorizing legislation was based on a principle of increasing the financial resources available to educationally deprived children. This principle is being discarded at the very time that we are beginning to see positive signs of success in our treatment of the needs of educationally deprived children.

The Commissioner of Education has now reported to the Congress on the analysis of the reports received from the States last fall covering the programs conducted during fiscal year 1966, the first year of the program. These reports reveal that State after State has indicated the success of its efforts. There follows a listing of quotations included in the report revealing the nature of changes which have come about as a result of the Title I programs.

WHAT THE STATES SAID ABOUT TITLE I

Following are excerpts from the evaluation reports submitted by State agencies:

Alaska: "The fiscal 1966 programs under Title I, ESEA have been most effective in enhancing educational opportunities for disadvantaged youth."

Arkansas: "Probably the most outstanding effect of Title I in general has been on educators themselves. Most have gained insight into the problems and needs of deprived children who in most instances make up at least one-third of the school population. The program has caused educators to assess their school programs from the standpoint of individual needs rather than the needs of the schools."

California: "School district personnel generally agree that the students improved attitude, motivation and interest toward learning. As these are important factors in learning, continued growth may be anticipated. Teachers also reported a positive change in their own attitudes towards these children and in their techniques in working with disadvantaged children."

Connecticut: "There is considerable evidence that teachers, administrators, and other persons associated with our schools feel that progress is being made in improving the educational opportunities of deprived children and youth."

Delaware: ". . . The children . . . became more anxious to succeed at their own rate and they worked in small groups with much more ease and confidence . . ."

District of Columbia: "In general, the allotment of large sums of money for programs providing individual services which have never been possible before has actually been a tremendous impetus and uplifting influence upon both students and professional staff of the District."

Florida: "This program is helping almost helpless children to gain confidence in themselves. It is affording opportunities for experiences that will 'widen their horizons' and help them to develop a new outlook on life."

Georgia: "Superintendents, principals, teachers, and Title I staff workers on the State and local level approach consensus in lauding the enhancement of educational opportunities, experiences, achievement, and general attitudes for Title I beneficiaries and 'spin off' benefits for all others in the educational institution."

Guam: "Title I has enhanced education of the deprived by providing educational experiences which would have not been possible due to financial conditions in our school system."

Hawaii: "The results have proven most beneficial to both teachers and students; since more time can be devoted to classroom preparations and the actual instructions, the quality of teaching improved."

Idaho: "Many children have had cultural experiences that might not have been available in their lifetime if it had not been for Title I."

Illinois: "Perhaps one of the most important accomplishments of Title I, is the improved attitude on the part of teachers and other school personnel working with these disadvantaged children."

Indiana: ". . . It seems that the future of the disadvantaged in these LEA's local educational agencies was heightened by their Title I programs."

Iowa: "The Title I project in some cases has had a significant impact on the entire staff of the LEA and will probably precipitate different types of experiences not only for the Title I children but for the other children in the local education agency as well."

Kansas: "For the first time, the underprivileged student could realize and take part in the cultural advantages of the more privileged group of society."

Kentucky: "There is no doubt that Title I projects are having a great impact on educational opportunities, experiences and general attitudes toward education as they relate to culturally deprived students."

Maine: "For the first time, in many instances, school personnel have been able to provide special attention to the educationally disadvantaged children, and to concentrate their efforts in an attempt to meet the needs of these children. The reported results have been most rewarding . . . Thousands of children have been helped."

Maryland: "Indications are that educational opportunities have indeed been extended significantly through this program and that it has provided experiences which should result in improved levels of achievement and in much improved general attitude toward education."

Massachusetts: "Insofar as it can be determined at this time, there is a very real 'carry over' of project benefits, both academically and attitudinally, from the period of project operation through present time.

"This is to us, one of the marked accomplishments of the program.

Michigan: "This was the first time the spotlight has been placed on the deprived youngster and as a result many teachers gave serious thought to improving methods in this area."

Missouri: "General observation of Title I projects in operation indicate there has been a substantial amount of good derived from the services provided through this program."

Mississippi: "This program has allowed and provided pupils a chance to learn by bringing about a better school environment and extending services heretofore unheard of in the schools of this state. Materials, equipment, improved facilities, food services, health services, and other specialized services have brought about an atmosphere more conducive to learning. Perhaps, of equal importance has been the capture of a new vision by teachers and this vision, this enthusiastic spirit, has been caught by pupils and translated into improved attitudes and a deepened interest in education."

Montana: "Nearly all schools reported good cooperation with and from non-public school officials. One school superintendent reported outstanding cooperation from the non-public school, and indicated that he believed the public relations for the public school were improved."

Nebraska: "Title I students and teachers seem to have an enthusiasm for learning that is not so apparent in the regular classes."

New Hampshire: "In this short period of time we have passed through the embryonic stage of a revolutionary educational venture. Much has been learned. We have become knowledgeable about the need of educationally deprived children; but in no way can we now consider ourselves experts, nor claim that these needs are completely fulfilled."

New Mexico: "If we are to grade ourselves on a total evaluation of our Title I program, we feel that we must give ourselves a superior rating."

Nevada: "Title I . . . has forced the public schools, colleges, universities, and the lay public to become more aware of a certain segment of the student population of the nation's schools. As a result . . . we have seen evidence of many efforts to provide compensatory educational programs and services to a group of youngsters who otherwise would still have been floundering in the regular school program."

Oklahoma: "The ESEA program has allowed more flexibility in the providing of necessary facilities, personnel, materials and equipment required to provide equal and upgraded educational opportunities for the school children of this state. These deprived students . . . have shown much progress in achievement areas and an overall improvement of attitude toward school."

Oregon: "There has been gratification in the response and interest on the part of the children. . . . Many school administrators and teachers became much more aware of the needs of these educationally disadvantaged children. . . . If Title I continues over a period of many years the results should be excellent in bringing about improvement for the educationally disadvantaged children."

South Dakota: "Many excellent projects have been initiated. . . . Particularly gratifying were those programs dealing with health, teacher aids, instructional secretaries, guidance, special education, pilot studies, and teaching load reduction. . . . A well trained teacher with adequate facilities can be of primary importance if her time is not taken up with all sorts of administrative duties and her class load is within reason."

South Carolina: "For the first year of operation Title I has begun to provide high priority schools with the basic services and programs enjoyed as a matter of course by schools located in more affluent areas. There is a beginning being made toward a more sophisticated evaluation of the characteristics and needs of the deprived."

Tennessee: "The introduction of the Title I philosophy, which was not new to the teachers in the deprived schools but was simply a crystallization of their often verbalized aspirations for their pupils, schools, and communities, stimulated them to new action. Perhaps it is this revitalization itself that reflected the impact of Title I legislation most dramatically. . ."

Texas: "There is no doubt that pupil achievement was heightened in many instances, in areas of behavior far beyond the traditional academic subjects."

Trust Territory: "The Title I program is helping the deprived schools of Micronesia bridge the gap between isolated island life and the technological 20th Century. The program is providing teachers, supplies, and equipment, so necessary for creating educational opportunities for children that have little or no concept of what exists beyond the reefs of their small islands. . . . A number of projects have provided job-related experiences that were designed to help youth master social skills needed to become self-supporting, self-respecting, and self-directing."

Utah: "It would be safe to say that most of the projects showed greater than normally expected achievement, growth, and that a much greater breadth of experiences was provided for the educationally disadvantaged children than is normal. It caused educators to plan and evaluate more in depth than had previously been the case."

Vermont: "Remedial reading programs have shown substantial gains in reading skills and in overcoming a feeling of inferiority arising from under-achievement."

Virgin Islands: "Title I motivated staff in changing complacent attitudes toward educational needs of disadvantaged children."

Virginia: "Title I is seen by the LEA as a tool for combating the drop-out problem by means of early remediation, attendance and counseling service and an offering of realistic vocational and industrial courses which will hold the child's interests through to graduation and provide him with skills to find a job after high school."

Washington: "It can be generalized that Title I has enhanced the educational opportunities, experiences, achievements and general attitudes (of children) towards education."

Wisconsin: "Across the country, from hard facts or soft data, test scores, teacher impressions, parent reactions, finger-printed and smudged notes from children, etc., the reaction to Title I in general has been that it has, in fact, had a significant impact on education, and that the disadvantaged children are being given a greater opportunity to participate in the existing educational system. Within the first year of operation with the mammoth problems, hang-ups, and a majority of people who completely 'lost their cool,' the fact that Title I got off the ground, and in addition accomplished significant gains is pretty phenomenal."

Wyoming: "Title I has become very successful in changing the attitudes of children, teachers, parents, and administrators."

The question before us now is whether we are going to impose educational stalemate on the schools and pass out another rejection slip to the children of poverty. Every year that passes is irreplaceable. The time to educate children is while they are children. The clear message of our recent successful efforts to educate the children of poverty—both Project Head Start and Title I of ESEA—is that we must begin early in their life, provide continuous and enriched services, and that we must substantially increase the resources for these disadvantaged children. A national calamity awaits us if we persist in ignoring the educational needs of millions of children, whose educational failure will be on our hands if we let them down in this hour of educational crisis.

The sad situation that exists today is that vital education efforts for disadvantaged children are completely throttled by arbitrary decisions that ignore Congressional intent and which deny human needs. "Cost reduction" has taken over in the Administration to the point where major program decisions and policies are governed completely by the whims of budget examiners. Apparently the Congress must examine these decisions and make its judgment as to national needs and priorities.

Title II: School library resources, textbooks and other instructional materials

Title II, which funds school library resources at the elementary and secondary level, is a program which is at the very core and heart of educational quality improvement. The authorization for 1968 for this program is $154.5 million. The Bureau of the Budget has requested but $105 million for the program, slightly more than two-thirds of the authorization. I strongly urge that this program be fully funded because until we can bring all of our school libraries to at least minimum standards we literally will be unable to accomplish much in the many other programs of educational revitalization which the record of hearings in the past few years indicates are needed.

Title III: Supplementary educational centers and services

With respect to Title III, supplementary educational services and centers, portion of the act whose authorization for 1968 was $515 million, I think it is to be deplored that the Bureau of the Budget is asking for only a 46.6 per cent or $240 million in appropriated funds. Just the other day I received word regarding six Title III ESEA programs in my State that received funding under the January 1st deadline. At the same time I learned that eight programs had to be refused and four were placed in suspense. The additional funding I seek in this area would prevent the necessity next year of having to reject sound projects and programs.

This year in the January proposal review period, nationally there were some 1,723 programs presented to the Office of Education. Only 173 were funded. More than 500 had to be placed in the hold category. These school districts who have submitted proposals this year in good faith and at the expenditure of much time and energy of dedicated personnel cannot help but take into account the action of the Congress on this appropriations bill when they come to deciding whether the game is worth the candle next year. This program has begun very well. Do not quench its spirit and effectiveness by denying to it the financial resources which are authorized.

Title IV: Cooperative research

Cooperative research activities have no precise authorization ceiling. Seventy million dollars was appropriated last year. The Department of Health, Education, and Welfare could, with economy and efficiency utilize, in my understanding, at least $138 million for fiscal year 1968 but the Bureau of the Budget is presenting estimates to you of only $71,850,000. Since many of the research programs need serial financing from two to three years, holding the status quo in terms of appropriations means that new programs cannot be funded, if existing research is to be brought to its conclusion. I urge you to provide at least $138 million for the program.

Title V: Strengthening State departments of education

When we turn to Title V, that aspect of ESEA which is devoted to strengthening the resources of State departments of education, we find that the Bureau of the Budget is proposing only 59.9 per cent of the $50 million authorization. If the Congress is serious in its desire to bring into being a truly cooperative Federal-State system then it would seem to me incumbent upon us to provide the financing necessary in this educational area to accomplish our objective.

I would point out also that under the budget formulation the $29,750,000 estimate is not the $7,750,000 increase over the $22 million appropriated last year that it would seem to be since that additional $7,750,000 figure includes precisely the amount that the Administration does not propose to fund under State supervisory services and programs Title III and X of the NDEA. So here again, we see the budget estimates represent no progress in meeting the problems of educational financing at the State level despite the increase in schools and educational services needed because of population growth. The Bureau of the Budget is marching backward by giving you an estimate at last year's level. Do not forget that our programs of the past few years have created heavy demands upon the State educational authorities. Next year I am sure the load will be even heavier. Therefore, I urge the full appropriation of the authorization of this title.

Title VI: Education of handicapped children

Perhaps the most severe decrease made by the Bureau of the Budget this year is in the area which one would have thought would command our greatest sympathy. The new Title VI of ESEA, is a State grant, State plan program devoted to meeting the special educational needs and requirements of handicapped children including the provision of related medical and other services. In this title, the Bureau of the Budget made no mere 50 per cent slash, there is more than a 90 per cent slash. The Bureau of the Budget for Title VI recommends 9.7 per cent of the authorization for fiscal year 1968. This is an unconscionably low figure which deserves to be rejected. It is a reflection on the intelligence of those Senators who have long and wholeheartedly supported on bipartisan lines this recognition of the obligation we owe to the children who, through no fault of their own are unable to compete on an equal basis with other boys and girls because of their handicaps.

It has taken a long time and much work and effort on the part of a great many to gain recognition for special education. I hope you will crown that work with adequate recognition through full financing of this program.

Title VII: Dissemination of information

Mr. Chairman, Title VII of ESEA authorized a very modest $2 million for a program of dissemination of information in the field of education. It was put into our legislative bill at the urging of one of your colleagues on the committee, Senator Yarborough. It had the full support of all of our members. But it is totally lacking, evidently, in any support by the Bureau of the Budget. No money is provided in the estimates for this item. I can only hope that this was an oversight. I cannot believe that an Administration, headed by a man who in the Senate and as President has consistently supported education, would have knowingly deleted an authorization for this purpose by withholding approval of its funding. The ten year or more lag in bringing research findings from the university to the elementary and secondary classrooms is due in part to the fact that dissemination of educational information is not strongly funded. I hope that you will include this item in your reported bill.

ADULT EDUCATION ACT OF 1966

Mr. Chairman, I bring this portion of my statement to a close by commending to you the funding at the $60 million level authorized for the Adult Education Act. Here the Bureau of the Budget is proposing to you 73.6 per cent of the authorization but, Mr. Chairman, in view of the testimony taken before the legislative committee, it is my personal judgment that even the $60 million authorization, if fully funded, would not result in any waste in this State matching grant, State plan program operation. Indeed, and again in my judgment, I doubt that the $60 million would meet the type and needs in this area.

You have only to review, as I trust you will, some of the correspondence I have appended to my statement from the young men and women who are receiving help under the present program to become convinced of its value. In this connection, Mr. Chairman, I ask your indulgence that the letters I have attached as an appendix to this statement be printed in full in your hearings record, because each letter in its individual way testifies far more ably that I can to the value of each of the programs I have discussed during the course of my presentation.

CONCLUSION

This completes my review of the appropriation needs as I see them. In concluding my statement to you I can only urge that as you weigh and analyze the multitude of considerations which have a proper part in coming to your collective decision on these segments of the total Labor-HEW appropriations bill you keep foremost in your mind's eye the impact of your funding decisions upon the aspirations of the boys and girls and young men and women whose lives will be affected by the preparation each receives during these years from kindergarten through graduate school. The shape and destiny of the 21st Century will be formed by them.

Our generation has great cause to be thankful for the foresight of our predecessors in these chambers. The steps that they took enabled us to serve in our time, our generation. We should do likewise for our successors.

Through the multitude of daily decisions which press upon us in myriad detail we sometimes forget that our prime responsibility transcends the immediate. We ought to take into account the decades which lie ahead in our planning and our funding.

Therefore, I urge you that most serious consideration be given to funding each of the educational measures at the fully authorized amounts. It is only in this way I feel that we can keep America strong. These young Americans are the only true natural resource of this country. Consider their welfare in your mark-up sessions and I am confident that the welfare of the nation will be well served.

Thank you.

Mr. LAUSCHE. Mr. President, I have listened to the arguments for the last 2 hours in connection with a measure which describes the people of the United States as being sort of unconscious to their responsibility in the field of providing health, educational, and welfare services.

I now wish to say a word in behalf of the taxpayers of our Nation. I want to point out the tremendous increase in the expenditures made by the Federal Government in the last 2 years in providing educational, health, and welfare services. I want to acquaint Senators assembled here with the fact that the appropriation bill of 1966, without considering supplemental appropriations, was $8,859,000,000 for 1966, and the bill now before us assigns to the program $13,409,835,000.

In 1967, the appropriation was $10,473,000,000. In 1968, the measure which we have before us now, provides for $13,409,835,000.

In other words, in 2 years, the moneys provided by the taxpayers of the United States for the services which I mentioned heretofore, have increased, without considering the supplementals, from $8.859 million to $13.5 million. The increase is more than 50 percent in 2 years. It is wonderful to talk about expanding services. I do not believe there is a single Senator that does not subscribe to the charitable and merciful views expressed on the floor of the Senate today, but if we contemplate increasing expenditures in every department by 50 percent in 2 years, what will the eventual tax burden be that will fall upon the people of this country?

Remember that within a month we will be asked to adopt an increase in taxes in the form of a surcharge tax of 6 percent—the talk now is 10 percent. Not one word of exception do I take to the arguments made today about the need to help, but I do take exception—and deeply—to the arguments that Congress has not attempted to perform its duty. The augmentation will be 50 percent in 2 years. I submit to the Senate that that is not an insignificant amount of money—$8,859,000,000 in 1966, and $13 billion in 1968.

With regard to the Teachers Corps, just one word. It may be fine, yet I doubt the advisability of having a pool of teachers in Washington sent out to the different communities which may ask for them—a pool of teachers which will cost the Government $7,500 a teacher a year.

How many teachers will we have before the whole program is over? How many of these teachers to be sent out of Washington will there be on the Federal payroll?

I am not moved by the argument that school superintendents will plead, "Send us these teachers." Certainly they will say that because the Federal Government will be paying $7,500 a year to each teacher while their services are being rendered in the local communities.

In summary, I am not complaining about the arguments made here today for the need to expand services. I merely want to point out that in 2 years we will have expanded the programs in an amount equal to 50 percent.

It is ironical to condemn Congress and the taxpayers that they have not been performing their duty. The tax burden is getting pretty heavy. I know it is getting heavy so far as I am concerned, with Montgomery County in Maryland wanting income taxes, with Cuyahoga County in Ohio wanting taxes, with the city of Cleveland wanting taxes, with the State government wanting taxes, and with the Federal Government wanting taxes, and every other governmental unit searching for additional means to provide moneys for their expenditures.

Mr. NELSON. Mr. President, will the Senator from Ohio yield for an inquiry?

Mr. LAUSCHE. I yield.

Mr. NELSON. Did I correctly understand the Senator to say that the cost would be $7,500 a year per teacher?

Mr. LAUSCHE. That is what I believe I heard the Senator from New Hampshire say, that the cost would be about $7,500 a year per teacher. They will be paid $75 a week for 52 weeks and the cost of other prerequisites. They would be students in the colleges and not accredited teachers.

Mr. COTTON. If the Senator from Ohio will yield, let me say that the Senator from Vermont [Mr. PROUTY] made that statement.

Mr. PROUTY. The average cost, including salary, would be $7,500 a year. I underestimated the cost of the supervisors.

Mr. LAUSCHE. Nine thousand dollars?

Mr. PROUTY. Eleven thousand dollars.

Mr. LAUSCHE. Well, I did not know that.

Mr. PROUTY. I believe it is $10,200.

Mr. LAUSCHE. Mr. President, I yield the floor.

Mr. HILL. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. HILL. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. HILL. Mr. President, I have great appreciation for the Senator from Oregon and all he has done for the cause of education and promoting that cause, but I want to say that the Committee on Appropriations—the full committee as well as the subcommittee—considered this item and reported the bill out of committee that is now before the Senate. It contains practically $4 billion for education. The exact figure is $3,943,015,000—$4 billion for education alone.

Frankly, the committee had in mind trying to stay within the overall budget, having in mind the war in Vietnam, the expense and costs of that war, and having also in mind the imminence of an increase in taxes.

The truth is that with the amount of money now provided in the bill for this item, which is $18.1 million, together with the supplementary amount which our distinguished friend from Rhode Island [Mr. PASTORE] put in the supplemental bill in May, about 2 months ago, there will be a total of $21,923,700 for the Teachers Corps.

I may say, in that connection, that the regular appropriation for the fiscal year

1967 was $7,500,000 for this item. So we will have now about three times what the appropriation was for the fiscal year 1967.

I say again, the bill contains altogether some $4 billion for education. So it is the strong feeling of the committee that the pending amendment should be rejected.

Mr. MORSE. Mr. President, I shall take only 1 minute in reply. Referring to the report of the committee itself, it is $14,311,000 under the budget estimate. So the committee could give me this slight amount for the Teachers Corps, to get it up to $33 million, and still be within the budget.

Mr. HILL. Mr. President, if we could have a consensus that no Senator would ask for any more, then it might be all right. I do not mind saying that I have been approached with a suggestion to increase the amount provided for mental retardation—that has a tremendous appeal as far as I am concerned—as well as for other items.

Mr. MORSE. I was using these figures to have a little fun with the Senator, to point out that we would still be within the budget estimate.

Mr. HILL. If Senator Morse had all he wanted, we would be within the budget, but magnificent as he is, and great as he is, he is one out of 100.

Mr. MORSE. But I am thinking of thousands and thousands of little boys and girls. I am pleading for them through this amendment. I am pleading for this critical need. That is why we have to look at the purpose and the benefits that will come out of it. Human welfare is involved here.

I also point out that the administration seeks this amendment. The administration urges adoption of this amendment. They know the problem that confronts us in regard to the poverty-stricken ghettos of the country at this time. Here is the transfusion going into the schools of those ghettos by supplying the teaching aids they need.

Lastly, I want to say to my friend from Alabama that I think we have a clear duty to evaluate the money that is going into education. True, we have a bill with $4 billion, but this ought to be very near the top of the list. Not only is it not at the top of the list, but the committee has eliminated a large amount from what the testimony showed the need is and what the legislative committee recommended. That is where the policy statements were made.

Finally, let me say I think we have to take a look at whether or not we are going to spend this money where it is sorely needed and save elsewhere. I am not going into a discussion of where we can save, but there are places where we can save without in any way affecting the life of a human being, but this amendment would save the lives of human beings.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Oregon. The yeas and nays have been ordered, and the clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. BYRD of West Virginia. I announce that the Senator from New Mexico [Mr. Anderson] and the Senator from Indiana [Mr. Bayh] are absent on official business.

I also announce that the Senator from Maryland [Mr. Brewster], the Senator from Alaska [Mr. Gruening], the Senator from Wyoming [Mr. McGee], the Senator from Montana [Mr. Metcalf], the Senator from Rhode Island [Mr. Pell], and the Senator from Texas [Mr. Yarborough] are necessarily absent.

I further announce that, if present and voting, the Senator from Alaska [Mr. Gruening] and the Senator from Maryland [Mr. Brewster] would each vote "yea."

Mr. DIRKSEN. I announce that the Senator from Tennessee [Mr. Baker], the Senator from California [Mr. Kuchel], and the Senator from Iowa [Mr. Miller] are necessarily absent.

The Senator from Arizona [Mr. Fannin] is detained on official business.

On this vote, the Senator from California [Mr. Kuchel] is paired with the Senator from Iowa [Mr. Miller]. If present and voting, the Senator from California would vote "yea" and the Senator from Iowa would vote "nay."

The result was announced—yeas 43, nays 45, as follows:

[No. 199 Leg.]

YEAS—43

Aiken
Brooke
Burdick
Case
Church
Clark
Cooper
Dodd
Fong
Fulbright
Gore
Griffin
Harris
Hart
Hartke
Hatfield
Inouye
Jackson
Javits
Kennedy, Mass.
Kennedy, N.Y.
Long, Mo.
Magnuson
McCarthy
McGovern
McIntyre
Mondale
Montoya
Morse
Moss
Muskie
Nelson
Pastore
Percy
Prouty
Proxmire
Randolph
Ribicoff
Scott
Symington
Tydings
Williams, N.J.
Young, Ohio

NAYS—45

Allott
Bartlett
Bennett
Bible
Boggs
Byrd, Va.
Byrd, W. Va.
Cannon
Carlson
Cotton
Curtis
Dirksen
Dominick
Eastland
Ellender
Ervin
Hansen
Hayden
Hickenlooper
Hill
Holland
Hollings
Hruska
Jordan, N.C.
Jordan, Idaho
Lausche
Long, La.
Mansfield
McClellan
Monroney
Morton
Mundt
Murphy
Pearson
Russell
Smathers
Smith
Sparkman
Spong
Stennis
Talmadge
Thurmond
Tower
Williams, Del.
Young, N. Dak.

NOT VOTING—12

Anderson
Baker
Bayh
Brewster
Fannin
Gruening
Kuchel
McGee
Metcalf
Miller
Pell
Yarborough

So Mr. Morse's amendment was rejected.

Mr. HILL. Mr. President, I move to reconsider the vote by which the amendment was rejected.

Mr. MANSFIELD. Mr. President, I move to lay that motion on the table.

The motion was agreed to.

Mr. HARTKE. Mr. President, I send an amendment to the desk and ask that it be stated.

The PRESIDING OFFICER. The amendment will be stated.

The assistant legislative clerk read as follows:

On page 30, line 8, strike out "$51,234,000" and insert in lieu thereof "$66,234,000".

On page 30, line 8, strike out "$15,000,000" and insert in lieu thereof "$30,000,000".

Mr. HARTKE. Mr. President, I ask for the yeas and nays on my amendment.

The yeas and nays were ordered.

HARTKE AMENDMENT ON MENTAL RETARDATION CENTER CONSTRUCTION FUNDS

Mr. HARTKE. Mr. President, my amendment would give vitally needed support to the construction of mental retardation facilities by providing, as the Appropriations Committee has done for the past 3 years, for full funding of the authorization. Specifically, the change I propose applies to line 2 of page 29 of the bill, in which the figure of $51,234,000 would be changed to $66,234,000 and the sum of $15,000,000 would be changed to $30,000,000.

Mr. HILL. Mr. President, will the Senator yield?

Mr. PASTORE. Mr. President, may we have order? We cannot hear the colloquy.

The PRESIDING OFFICER. Let there be order in the Chamber.

Mr. HILL. Mr. President, I have checked on this matter. There is $12,157,000 remaining unobligated as of July 1, the end of the fiscal year. So that really all we need to bring the amount to the full $30 million is $2,843,000.

Mr. HARTKE. Mr. President, I say to my distinguished committee chairman that he has done an excellent job on the appropriations. However, it is my understanding from checking with the agency that the correct amount is now $10 million. It was $12 million at the time the hearings were held. However, I understand that it is now only $10 million. The agency will therefore have not merely $15 million, but $25 million without adding to the appropriation.

But to say that this is equivalent to a $25 million appropriation is a misconception as to the operations of the program. The situation is, and has consistently been, the same as in previous years. The money appropriated has obligational authority which extends over 2 years, so that there is no requirement that it should all be spent during the fiscal year. Because programs move slowly, it is the plan of the operational people to actually make some two-thirds of the expenditure in any one appropriation not in the current fiscal year but in the succeeding year.

Thus, in fiscal year 1966 when $12.5 million was appropriated, there was obligated out of that sum in fiscal year 1966 only about one-third. Two-thirds was obligated in 1967 and spent in 1967 fiscal year. But now that year is ended. Was there money left over? No. At least none which was available for distribution. There was, at the end of fiscal year 1967, $12,000 left which had not been spent from the fiscal year 1966 $12.5 million. But there was exactly $18 out of that amount which could have been spent. The remainder of the $12,000 was specifically earmarked for American Samoa, Guam, and the Virgin Islands, and their programs were not off the ground. It could not be spent for other purposes, and it was accordingly returned to the Treasury. So if there is any report that $10 or $12 million remains for this program, it is only a technical truth—the need and the obligational authority remain. The full $30 million for fiscal year 1968 appropriations, to match the authorization, is still essential.

Mr. President, unless these additional funds are provided, every State in the Nation or, more specifically, the mentally retarded of every State in the Nation, will be shortchanged.

Most of us recall the passage in 1963 of the Mental Retardation and Community Mental Health Centers Construction Act, Public Law 88–164. It was an effort to move us out of the dark ages treatment of mental illness and mental retardation, from the era of shame to the era of understanding. For we have come to understand that the old attitude of families being ashamed of a retarded relative, "putting them away" in an institution of the kind which in England long ago produced the word "bedlam" by derivation from the name of one of those outmoded institutions, can no longer be tolerated.

President John F. Kennedy took a great interest in that problem. He did much to encourage our bringing it out into the light, looking at it frankly, and striving to deal with it on the basis of modern medicine, research, and treatment. Under the act a 4-year program was authorized which included—and it is this specific portion to which my amendment applies—formula grants to States for the construction of public and other nonprofit facilities for the retarded.

Authorization for fiscal 1965 was $10,000,000 and $10,000,000 was appropriated. Authorization for fiscal 1966 was $12,500,000 and $12,500,000 was appropriated. Authorization for fiscal 1967 was $15,000,000 and $15,000,000 was appropriated. Authorization for fiscal 1968 was $30,000,000—and as I have noted, the appropriations if this bill is enacted as it stands will be only half that amount, $15,000,000, no increase in a program in which we have vigorously and enthusiastically involved every State in the Union with its matching funds, communities and private citizens as well, all of whom have been given every reason to believe that their plans could safely be counted on for advancement again this year.

Let me point out in the hearing record a portion of an exchange on this point between the chairman, Senator HILL, and Dr. Paul Q. Peterson, Deputy Director of the Bureau of Health Service for HEW, as recorded on page 1523, volume II. Senator HILL said to Dr. Peterson:

> You have quite a reduction from your request, do you not?

Dr. Peterson replied:

> We had a reduction of approximately $30 million from our original request submitted to the Bureau of the Budget. . . . $20 million was reduced from the mental retardation request, most of this being in the community and university-based facility construction.
>
> Senator HILL. Most of that $20 million would have gone into construction.
>
> Dr. PETERSON. This is correct.
>
> Senator HILL. When you delay the construction, you delay the programs, do you not?
>
> Dr. PETERSON. Yes, sir. This is one of the tragedies.
>
> Senator HILL. You received quite a reduction.
>
> Dr. PETERSON. Yes, sir; it was about 30 percent.

Mr. President, this discussion in an almost casual way reveals the clue to the magnitude of the problem which my amendment would alleviate. It is indeed one of the tragedies of the budget, one of the casualties of our niggling frugality with great helpful public domestic programs in the cost-cutting atmosphere of the moment, that we throw roadblocks in the way of a great program which involves every State in the Nation, halting the construction and halting the work of improvement for the mentally retarded. They cannot help themselves. We have helped them with the act we passed in 1963. We have promised more help. Now we are taking away that help.

On March 1, President Johnson sent to Congress a message on domestic health and education proposals. At that time he said:

> The achievements of the past three years promise a dramatic enrichment of American life. They already include in the field of health:
>
> . . . Thirty-two new clinics for retarded children.
>
> . . . We have begun to ease the tragic burden of the mentally retarded and their families. By construction of research and service facilities, and by support of state programs, the federal government helps combat this dread handicap.
>
> We shall continue our increasing attack on this problem. . . .

Is this any way to "continue our increasing attack on this problem"—to delay the construction, to delay the programs, as Senator HILL recognized in the hearings, the delay this cut from the Department request is achieving?

I have said that every State is affected, and so are the mentally retarded in every State. I have secured from the Department of Health, Education, and Welfare a complete tabulation of the 167 projects which had been approved as of June 30, 1967. These are the community facilities. In addition, there are the university-based mental retardation facilities which are not shown in this table. Seventeen of these have been approved and 14 are under construction. Of the authorized community mental retardation centers, 56 are under construction. In order that Senators may be able to see the situation in their own States, I ask unanimous consent that this table, furnished at my request, may appear in the RECORD.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

TABLE I.—COMMUNITY FACILITY PROJECTS APPROVED BY TYPE OF FACILITY, FISCAL YEARS 1966 AND 1967

Type of facility	Number of projects	Number of retarded served			Estimated, total cost	Estimated, Federal share
		Existing	Additional	Total		
Diagnostic and evaluation clinics	36	800	1,590	2,380	$3,194,473	$1,494,109
Day facilities	61	3,706	3,983	7,689	20,629,906	7,708,835
Residential facilities	27	4,324	5,624	9,948	21,770,674	7,095,432
Day and residential	8	337	364	701	3,655,957	946,541
Diagnostic and evaluation and day facilities	33	4,725	6,754	11,479	22,416,805	7,462,685
Diagnostic and evaluation and residential facilities	9	5,080	442	5,522	3,176,036	1,525,194
Comprehensive [1]	23	2,386	4,796	7,182	32,809,368	4,797,110
Total	167	21,358	23,543	44,901	107,653,219	31,029,609

[1] Refers to a project providing diagnostic and evaluation, day and residential programs.

MENTAL RETARDATION COMMUNITY FACILITIES CONSTRUCTION PROGRAM APPROVED PROJECTS AS OF JUNE 30, 1967 (PUBLIC LAW 88–164, MENTAL RETARDATION FACILITIES AND COMMUNITY MENTAL HEALTH CENTERS CONSTRUCTION ACT OF 1963, TITLE I, PT. C)

[D—Day care center; D. & E.—Diagnostic and evaluation center; R—Residential center]

State, name, and locaton	Type	Number of retarded served			Estimated total cost	Estimated Federal share
		Existing	Additional	Total		
Alabama: Opportunity Center School, Birmingham	D	108	100	208	$403,800	$269,200
Alaska: Harborview Memorial Hospital, Valdez	R	150	0	150	3,557,716	81,679
Arizona:						
Valley of Sun School, Phoenix	R	145	0	145	112,230	56,115
Arizona Children's Colony, Coolidge	R; D. & E.	1,040	200	1,240	461,987	157,272
Arkansas:						
Bost School for Limited Children, Fort Smith	D	33	30	63	211,800	132,000
Arkansas Children's Colony, Conway	D. & E.; R.	740	40	780	195,000	116,197
Jenkins Memorial Children's Center, Pine Bluff	D	68	52	120	344,686	210,136

MENTAL RETARDATION COMMUNITY FACILITIES CONSTRUCTION PROGRAM APPROVED PROJECTS AS OF JUNE 30, 1967 (PUBLIC LAW 88-164, MENTAL RETARDATION FACILITIES AND COMMUNITY MENTAL HEALTH CENTERS CONSTRUCTION ACT OF 1963, TITLE I, PT. C)—Continued

[D—Day care center; D. & E.—Diagnostic and evaluation center; R—Residential center]

State, name, and location	Type	Number of retarded served			Estimated total cost	Estimated Federal share
		Existing	Additional	Total		
California:						
Home of Guiding Hands, Lakeside	R	0	192	192	$2,176,793	$625,669
Youth Activity Center, Stockton	D	36	44	80	94,126	30,877
Dubnoff School for Educational Therapy, North Hollywood	D	48	36	84	344,712	114,904
Las Trampas School, Lafayette	D; R	30	49	79	796,206	231,049
St. Vincent's School, Santa Barbara	D; R	155	25	180	456,679	148,874
Salem Christian School for Handicapped, Ontario	D; R	24	48	72	664,090	179,677
Spastic Children's Foundation, Los Angeles	D. & E.; D; R	85	85	170	761,568	253,856
Child Development Clinic, Children's Hospital, San Diego	D. & E.; D	44	206	250	484,286	142,855
Colorado:						
Laradon Hall School for Exceptional Children, Denver	D. & E.; D; R	191	80	271	150,722	67,825
Residential and Training Facility for Mentally Retarded Children, Julesburg	D; R	8	23	31	75,000	33,750
Robin Rogers School, Cortez	D	7	2	9	31,600	14,220
MH & MR Center of Boulder County, Inc., Boulder	D	61	61	122	445,655	200,545
Connecticut:						
Seaside Regional Center, Waterford	R	240	30	270	253,000	33,000
Do	D. & E.; D; R	0	56	56	150,690	34,677
Hartford Regional Center for the Mentally Retarded, Hartford	D. & E.; D; R	66	26	92	234,600	50,000
New Haven Regional Center for the Mentally Retarded, New Haven	D. & E.; D; R	46	30	76	235,000	50,000
Putnam Regional Center for the Mentally Retarded, Putnam	D. & E.; D	93	110	203	469,587	65,000
Delaware: Hospital for Mentally Retarded, Georgetown	R	480	0	480	1,698,350	200,000
District of Columbia:						
St. Gertrude's School of Arts & Crafts, Washington	D; R	45	10	55	549,830	108,274
Jewish Foundation for Retarded Children, Inc., Washington	D; R	75	69	144	783,751	108,275
District of Columbia Public Health Department	D. & E.; D; R	0	300	300	7,639,192	300,000
Florida:						
Morning Star School, Pinellas Park	D	0	43	43	123,300	61,650
Morning Star School, Jacksonville	D	39	30	69	127,018	63,509
Morning Star School, Orlando	D	26	14	40	99,000	49,500
Sunland Training Center, Miami	D. & E.; D; R	340	1,160	1,500	4,245,000	326,422
MacDonald Speech & Hearing Clinic, Tampa	D. & E.; D	207	110	317	59,767	29,883
Open Door School, New Port Richey	D	10	10	10	32.000	16,000
Marian Center for Exceptional Children, Opa-Locka	D	67	96	163	394,020	197,010
Palm Beach Habilitation Center, Lake Worth	R	79	45	124	292,000	127,750
Brevard Training Center School, Eau Gallie	D	31	14	45	110,000	55,000
Georgia: Georgia Retardation Center, Doraville	D. & E.	0	200	200	1,846,544	923,272
Hawaii:						
Ho'opono Annex (Lanakila Crafts), Honolulu	D	65	130	195	943,243	100,000
Waimano Training School, Pearl City, Oahu	R	83	6	89	1,035,000	200,000
Idaho:						
Idaho State School and Hospital, Nampa	D	773	0	773	398,257	234,971
Idaho State School and Hospital, Nampa	R	0	0	0	163,749	96,612
Mentally Retarded Child Development Center, Twin Falls	D	5	40	45	174,352	104,612
Mentally Retarded Child Development Center, Lewiston	D	38	10	48	168,352	97,432
Mentally Retarded Child Development Center, Bonneville	D	8	39	47	174,352	104,612
Illinois:						
Clearbrook Center for Retarded, Rolling Meadows	D. & E.; D	64	80	144	165,477	64,536
Warren Achievement School for Handicapped Children, Monmouth	D. & E.; D	30	40	70	292,718	106,149
Little City Facility for the Mentally Retarded, Palatine	D. & E.; R	89	50	139	482,830	171,285
Park Lawn School and Activity Center, Oak Lawn	D. & E.; D	41	23	64	516,502	199,571
Hope School for Blind, Multiple Handicapped Children, Springfield	D. & E.; R	28	12	40	223,951	136,610
Progress School, Decatur	D	64	106	170	493,068	310,633
Indiana:						
Wabash Center for the Mentally Retarded, Lafayette	D. & E.; D	65	55	120	561,473	238,500
Green Acres, Richmond	D	64	89	153	455,680	218,611
Mentally Retarded Comprehensive Center (Council for Retarded Children-St. Joseph County, Inc.) South Bend	D. & E.; D	63	138	201	1,224,284	476,200
Iowa: Blackhawk Development Center, Waterloo	D. & E.; D	182	174	356	947,732	396,904
Kansas: Lakemary Center, Paola	D. & E.; D; R	0	79	79	1,095,000	545,000
Kentucky:						
Sheltered Workshop & Occupational Training Center, Louisville	D	39	128	167	334,910	209,148
J. U. Kevil Mental Retardation Center, Mayfield	D	0	50	50	366,935	191,220
Owensboro Council for Retarded Children, Inc., Owensboro	D	78	71	149	94,132	60,000
Louisiana:						
Ruston State School, Ruston	R	150	42	192	420,000	252,000
Do	R	0	0	0	690,000	414,000
Pinecrest State School, Pineville	R	39	0	39	40,000	24,000
Maine:						
Hilltop School, Waterville	D	20	30	50	108,000	62,640
Opportunity Training Center for Retarded Children, Presque Isle	D	38	32	70	220,538	127,912
Katahdin Friends of Exceptional Children, Inc., East Millinocket	D	15	0	15	78,000	45,240
Maryland: Metropolitan Washington Center for Mentally Retarded, Beltsville	D & E; D; R	0	578	578	4,444,000	323,472
Massachusetts:						
Hathorne State School (new school for the mentally retarded), Danvers	D. & E.; D; R	205	132	337	939,000	206,828
Do	D. & E.; D; R	1,000	128	1,128	955,340	217,114
Community Agencies Building, Concord	D. & E.; D; R	47	47	94	387,500	53,978
Michigan:						
Lansing Training and Evaluation Center, Lansing	D. & E.; D	69	199	268	1,433,700	459,000
Clare-Gladwin Day Center, Clare	D	15	25	44	159,000	76,081
Western Michigan Mental Retardation Center, Muskegon	D. & E.; D; R	0	650	650	4,833,000	295,768
Minnesota:						
Mount Olivet Rolling Acres, Victoria	R	15	25	40	687,148	188,578
Louise Whitbeck Fraser School, Richfield	D	60	40	100	310,589	141,571
Hammer School, Inc., Wayzata	R	42	16	58	208,500	104,250
Lake Park-Wild Rice Children's Home, Fergus Falls	R	25	15	40	431,550	215,775
Missouri:						
Hannibal Regional Diagnostic Clinic for Mentally Retarded, Hannibal	D. & E.; D; R	0	80	80	495,238	214,097
Sikeston Regional Diagnostic Clinic for Mentally Retarded, Sikeston	D. & E.; D; R	0	300	300	490,865	210,717
Kirksville Regional Diagnostic Clinic for Mentally Retarded, Kirksville	D. & E.; D; R	0	300	300	432,897	212,985
Kansas City Regional Diagnostic Clinic for Mentally Retarded, Kansas City	D. & E.; D; R	0	300	300	616,453	303,295
Montana:						
Montana State Training School and Hospital, Boulder	R	940	150	1,090	691,615	100,000
Eastern Montana Facility for Mentally Retarded, Glendive	D. & E.; D; R	0	46	46	348,333	183,333
Nevada:						
Washoe Association for Retarded Children Development Center, Reno	D	17	36	53	146,256	49,724
Opportunity Center, Las Vegas	D	34	66	100	216,445	73,739
Mental retardation children's cottages, Las Vegas	R	0	24	24	227,200	78,861
Mental retardation children's cottages, Sparks (Reno)	R	0	24	24	227,900	79,104
New Hampshire:						
Laconia State school, Laconia	D. & E.; R	976	100	1,076	400,000	200,000
Mary Hitchcock Memorial Hospital, Hanover	D. & E.; D	253	585	838	234,600	117,300

MENTAL RETARDATION COMMUNITY FACILITIES CONSTRUCTION PROGRAM APPROVED PROJECTS AS OF JUNE 30, 1967 (PUBLIC LAW 88-164, MENTAL RETARDATION FACILITIES AND COMMUNITY MENTAL HEALTH CENTERS CONSTRUCTION ACT OF 1963, TITLE I, PT. C)—Continued

[D—Day care center; D. & E.—Diagnostic and evaluation center; R—Residential center]

State, name, and location	Type	Number of retarded served			Estimated total cost	Estimated Federal share
		Existing	Additional	Total		
New Jersey:						
Cumberland County Day Care Center, Vineland	D	8	40	48	$352,144	$124,314
Passaic County Day Care Center, Totowa	D	16	64	80	468,517	124,117
Mercer County Day Care Center, Trenton	D	16	64	80	529,096	123,737
Camden County Day Care Center, Ashland	D	5	75	80	434,491	152,888
Somerset County Day Care Center, Manville	D	8	32	40	426,651	137,427
Warren County Day Care Center, Washington Township	D	13	27	40	187,155	71,118
Alhambra Pavilion Day Care Center for Mentally Retarded Children, Newark	D. & E.; D	30	90	120	263,000	99,940
New Mexico:						
Vista Larga Center, Albuquerque	D. & E.; D	0	250	250	200,000	100,000
Child Development Center of Lea County, Inc., Hobbs	D	13	27	40	50,200	25,000
New York:						
Jefferson County ARC Training Center, Watertown	D	20	59	79	282,900	79,300
Maimonides School, New York	D. & E.; D; R	0	50	50	600,980	100,000
Association for Help of Retarded Children Day Training Center, Brookville	D. & E.; D	317	224	541	611,662	203,887
Monroe County Center for Rehabilitation Agencies, Inc., Rochester	D	486	200	686	3,758,870	552,457
Shield of David Institute for Retarded Children, Bayside	D. & E.; D	0	250	250	700,000	200,000
Rockland County Comprehensive Mental Health Center, Pomona	D	10	60	70	171,909	57,303
Dutchess County Mental Health Center, Poughkeepsie	D. & E.; D	227	85	312	1,200,000	366,667
Rensselaer County ARC Training Center, Troy	D	42	49	91	59,825	18,042
Nassau County Cerebral Palsy Treatment and Rehabilitation Center, Roosevelt	D. & E.; D	199	0	199	308,000	34,550
North Carolina:						
Facility for the Mentally Retarded, Butner	R	0	36	36	445,946	317,555
Western Carolina College Mental Health and Mentally Retarded Center, Cullowhee	D. & E.; D	208	222	430	579,768	168,004
Eastern Carolina Sheltered Workshop, Greenville	D. & E.; D	0	1,489	1,489	284,706	179,367
North Dakota: Mental Retardation Evaluation Center, Fargo	D. & E.	0	180	180	592,685	164,415
Ohio:						
Mahoning County School for Retarded, Youngstown	D. & E.; D	316	529	845	1,290,434	240,526
Richland County School for the Mentally Retarded, Mansfield	D	163	146	309	480,197	116,416
Bessie Benner Metzenbaum School for Retarded Children, Chesterland	D	66	48	114	275,193	22,992
Resident Home for Mentally Retarded of Hamilton County, Cincinnati	D; R	0	50	50	216,765	73,006
Columbiana County School for Retarded, Rogers	D	114	26	140	349,822	107,000
Fairhaven School for Mentally Retarded Children, Niles	D	188	100	288	396,200	143,066
Lorain County School for Retarded Children, Carlisle	D. & E.; D	251	25	276	1,505,200	318,310
Oklahoma:						
Paul's Valley State School, Paul's Valley	D. & E.	800	300	1,100	275,244	137,622
Kay County Council Day Care Center, Ponca City	D	21	29	50	146,800	73,400
Dale Rogers Center, Oklahoma City	D	78	150	228	440,450	220,225
Oregon:						
Pearl Buck School, Eugene	D	55	45	100	247,288	123,644
Portland Children's Center, Portland	D	95	40	135	165,000	82,500
Pennsylvania:						
Lebanon County Workshop, Lebanon	D	60	140	200	500,000	170,000
Allied Services Community Residential Center for the Mentally Retarded, Scranton	D. & E.; D; R	100	30	130	388,290	154,677
Mercer County Sheltered Workshop, Hickory	D. & E.: D	36	39	75	369,450	167,182
Clelian Heights School for Exceptional Children ,Greensburg	D. & E.; D; R	25	75	100	1,789,500	223,200
Handicrafters, Inc., Cain	D. & E.; D	58	104	162	370,000	153,264
Sheltered Workshop of York County, York	D	90	74	164	326,300	106,590
Erie Center for Education and Training for the Mentally Retarded, Erie	D. & E.; D; R	158	200	358	983,300	142,450
Bishop Sheltered Workshop, York County, Inc., Jim Thorpe	D	0	50	50	66,975	22,771
Puerto Rico: Psychopedagogic Institute of Puerto Rico, Bayamon	D. & E.; D; R	123	64	187	592,900	427,416
Rhode Island:						
Dr. Joseph Ladd School, Exeter	D. & E.; R	1,008	0	1,008	321,080	169,485
J. Arthur Trudeau Memorial Center, Warwick	D. & E.; D	3	97	100	152,445	34,973
South Carolina: Educational Facility—South Carolina Children's Habilitation Center, Summerville	R	214	204	418	2,466,017	612,360
South Dakota: Adjustment Training Center, Sioux Falls	D. & E.; D	42	60	102	523,065	300,000
Tennessee:						
D. & E. Day Center for Clover Bottom Hospital and School, Donelson	D. & E.; D	1,284	213	1,497	366,268	209,761
Orange Grove Center for Retarded Children, Chattanooga	D. & E.; D	382	618	1,000	3,180,000	500,000
Texas:						
Beaumont State Center for Human Development, Beaumont	D. & E.; D	0	140	140	681,820	381,820
Amarillo State Center for Human Development, Amarillo	D. & E.; D	0	140	140	511,363	286,363
Austin State School—Prevocational Training Center, Austin	D; R	0	90	90	113,636	63,636
Community Training and Activity Center, Austin	D	131	144	275	151,136	84,636
Resident living units, Corpus Christi State School, Corpus Christi	R	0	218	218	1,387,500	777,000
Resident living units, Lubbock State School, Lubbock	R	0	218	218	1,250,000	700,000
Resident living units, Lufkin State School, Lufkin	R	695	1,920	2,615	2,166,790	1,213,400
Recreation and training building, Mexia State School, Mexia	R	0	2,366	2,366	511,363	286,363
Marbridge House, Houston	R	45	32	77	92,040	51,542
Do	R	32	13	45	68,660	38,450
Diagnostic and Evaluation Center, Lufkin State School, Lufkin	D. & E.	0	300	300	160,000	89,600
Diagnostic and Evaluation Center, Lubbock State School, Lubbock	D. & E.	0	300	300	160,000	89,600
Diagnostic and Evaluation Center, Corpus Christi State School, Corpus Christi	D. & E.	0	300	300	160,000	89,600
Education and training unit, Lufkin State School, Lufkin	D	0	125	125	246,000	137,760
Education and training unit, Lubbock State School, Lubbock	D	0	125	125	246,000	137,760
Education and training unit, Corpus Christi State School, Corpus Christi	D	0	125	125	246,000	137,760
Denton State School, education and training unit, Denton	D	0	120	120	136,363	76,363
Utah:						
Utah State Training School, American	R	950	28	978	270,640	100,000
Weber Training School for the Handicapped, Ogden	D. & E.; D.	133	54	187	1,273,500	499,447
Vermont:						
Brandon Training School, Brandon	D. & E.; R	789	20	809	335,572	190,672
Brandon Training School, Brandon	D. & E.; R	0	20	20	409,328	209,328
Virginia:						
Joseph Willard Health Center, Fairfax	D. & E.; D	0	72	72	559,908	303,325
George Mason Center, Arlington	D	93	106	199	182,000	100,100
Woodrow Wilson Rehabilitation Center, Fisherville	D. & E.; R	410	0	410	346,288	174,534
Washington: Fircrest Halfway House, Seattle	D	0	108	108	592,633	266,685
West Virginia:						
Green Acres, Lesage	R	0	20	20	198,967	121,370
Roney's Point, Roney's Point	D	0	155	155	694,965	190,767
Wisconsin:						
Community Service Center, Green Bay	D. & E.; D	101	300	401	896,000	338,400
Kenosha Achievement Center, Kenosha	D. & E.; D	27	33	60	200,000	80,000
Wyoming: School for Trainable Retarded Children and Work Training Center, Casper	D	44	6	50	415,000	200,000
Total (projects, 167)		21,358	23,543	44,901	107,653,219	31,029,906

Mr. HARTKE. Mr. President, I also ask unanimous consent that another table, showing the allotments to States and the State authority in charge of the program, may appear in the RECORD.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

STATE AGENCIES DESIGNATED TO ADMINISTER THE PROGRAM OF CONSTRUCTION OF FACILITIES FOR THE MENTALLY RETARDED AND ALLOTMENTS TO STATES, FISCAL YEARS 1967 AND 1968

(Public Law 88-164, Mental Retardation Facilities and Community Mental Health Centers Construction Act of 1963, Title I, Pt. C)

State	State authority	Allotments [1]
Alabama	Board of health	$326,682
Alaska	Department of health and welfare	100,000
American Samoa	Not designated	2,572
Arizona	Board of health	124,910
Arkansas	do	189,497
California	Department of public health	1,134,452
Colorado	do	138,038
Connecticut	Department of health	165,344
Delaware	Board of health	100,000
District of Columbia	Department of public health	100,000
Florida	Board of commissioners of State institutions	435,269
Georgia	Department of public health	380,272
Guam	Not designated	7,686
Hawaii	Department of health	100,000
Idaho	Board of health	100,000
Illinois	Department of mental health	658,437
Indiana	Board of health	345,337
Iowa	Department of health	201,474
Kansas	Board of social welfare	164,492
Kentucky	Department of health	282,512
Louisiana	Department of hospitals	318,243
Maine	Department of health and welfare	100,000
Maryland	Board of health and mental hygiene	230,897
Massachusetts	Department of mental health	335,178
Michigan	Department of public health	564,697
Minnesota	Department of public welfare	263,204
Mississippi	Interagency on mental illness and mental retardation	255,504
Missouri	Department of public health and welfare	305,926
Montana	Board of health	100,000
Nebraska	Department of health	108,217
Nevada	Department of health and welfare	100,000
New Hampshire	do	100,000
New Jersey	Department of institutions and agencies	415,449
New Mexico	Department of public health	100,000
New York	Department of mental hygiene	1,065,902
North Carolina	North Carolina Medical Care Commission	432,015
North Dakota	Department of health	100,000
Ohio	Department of mental hygiene and correction	703,866
Oklahoma	Department of public welfare	198,490
Oregon	Board of control	130,664
Pennsylvania	Department of public welfare	785,762
Puerto Rico	Department of health	291,718
Rhode Island	do	100,000
South Carolina	Board of health	251,426
South Dakota	Department of health	100,000
Tennessee	Department of mental health	339,611
Texas	State department of mental health and mental retardation	835,914
Utah	Department of health	100,000
Vermont	Department of mental health	100,000
Virginia	Board of health	349,116
Virgin Islands	Department of health	4,418
Washington	Department of institutions	204,372
West Virginia	Department of health	154,121
Wisconsin	Board of health	298,296
Wyoming	do	100,000

[1] Allotments for fiscal year 1968 tentative, for fiscal year 1967 actual. Fiscal year 1967, $15,000,000; fiscal year 1968, $15,000,000.

Mr. HARTKE. Mr. President, according to the the analysis of the Department, facilities which have been funded to date will enable an additional 25,543 retarded persons to be served. The Department has estimated, in a statement which I also have obtained from them, and I quote, that "during the fiscal year 1968, 150 projects could be reasonably expected to be approved for Federal aid if Federal funds were available for allocation." Mr. President, this is nearly as many projects—projects already approved by the State agencies—as the total of 167 which the entire program has generated to date. Everyone knows that it takes time to build the support and momentum for a new program. The momentum has been building, the cooperation of volunteer organizations, the enthusiasm and the know-how. Now just as we are ready to expand significantly, we are condemned to lose much of that forward drive. It is no wonder that cartoonists have taken to depicting the Great Society programs in tatters while the military program wears diamonds. If it is true that we can afford both, that we are not condemned to cut back essentials, then why should we halt such a great beneficial program as this in mental retardation? The $15 million additional which I propose will be an expenditure whose benefits are far out of proportion to the actual sum; its loss will lose more than the money, as discouragement strikes those involved and plans are cut back.

Mr. President, I find a further inconsistency in the fact that there is before the Congress legislation to extend and push forward with the same program. On April 25 and 26 the House Committee on Interstate and Foreign Commerce held hearings on the Mental Retardation Facilities bill, which includes $30 million in authorization for fiscal year 1968. At that time Dr. Harold Visotsky stated that his organization, the National Association of State Mental Health Program Directors, last year conducted a survey of the number of applicants waiting for admission to public residential facilities.

They found these facts:

In the 49 States responding there was a combined waiting list of 31,509 persons.

In most States people stay on the list about 2 years before they can gain admission.

In some States the wait is as long as 5 or 6 years.

There are two to three times the number of mentally retarded in need of help as those on the waiting lists. The need was clearly stated when Dr. Visotsky, who directs the Illinois Mental Health Department, said, and I want to emphasize this:

> The waiting lists are at 30,000 instead of 90,000 simply because 60,000 families know the futility of applying for help.

The President said:

> We shall continue our increasing attack on this problem.

Let us uphold the President. Let us see to it that the shame of the old-fashioned asylum is wiped out as rapidly as possible, that hope is given to parents and families, that we do not make the mentally retarded—who are certainly among the "least of these" in our society—bear the burden of the cost of Vietnam.

Dr. Visotsky submitted a table, which I shall not ask to have inserted, but which has some interesting details from the survey. Similar examples could be given from other States, but I cite only these:

Florida at the time of the survey had a waiting list of 1,456 as compared with a capacity of 4,000. Of those waiting, 45 were listed as "critical emergency" and 292 as "active urgent."

My own State of Indiana had a waiting list of 1,478 as against a capacity of 3,850. Some cases have been on the waiting list as long as 5 years. But we are vigorously attacking the problem, and about this I will be more specific shortly.

Tennessee has a capacity of 2,100—and a waiting list of 2,000, including an estimated 700 "critical" cases.

In Louisiana two-thirds as many are on the waiting list as in the mental retardation facilities—1,480 waiting, capacity 2,100.

We do not have time here to review the entire program State by State. But let me therefore present Indiana as a single case study of the way in which the program is about to be affected gravely by the lack of funding to full authorization.

Under the law, each State designates an agency to administer the program, submits a plan for the use of funds and receives and allotment from the appropriated funds. The agency—department of public health, department of mental health, or whatever it may be—makes the initial decision on all applications for Federal aid. Says a statement in the material I have received from the Department:

> More importantly, State agencies do not encourage the formal submission of applications which do not have a fair certainty of approval and allocation of Federal funds.

Under the program in fiscal 1966 and fiscal 1967, Indiana has had approved and funded centers at Lafayette, Richmond, and South Bend, which will serve an additional 282 patients beyond the 192 reached by the existing facilities in those places. In addition, centers have been approved for federal funds through fiscal year 1967 at Logansport and Gary, with a total to date of $1,065,583 raised by State and local people, divided equally, in order to match the like Federal share.

But as I have said, it takes time for new programs to pick up the resources and the development of plans for the future. Under the cutback of funds from the $30 million authorized to the $15 million now in the bill, the total Indiana share for 1968 will be less than $350,000, whereas if my amendment to retain the authorized sums is passed, the amount will still be only some $720,000. Yet, there are right now five applications totaling over $4 million in the office of the State Commissioner of Mental Health. Requests for 1968 approved by the State, and for which State and local matching funds are available, include mental retardation centers in my home town of Evansville, in Indianapolis, in Bloomington, in Logansport and Elkhart.

Mr. President, I ask unanimous consent to have printed in the Record at this point a letter addressed to me by Mrs. Donna Mikels Shea of the Community Service Council of Metropolitan Indianapolis, setting forth what she calls the developing "crisis situation" in our Indiana program.

There being no objection, the letter was ordered to be printed in the Record, as follows:

Community Service Council of Metropolitan Indianapolis, Inc.,
Indianapolis, Ind., July 17, 1967.

Hon. Vance Hartke,
Senate Office Building,
Washington, D.C.

Dear Senator Hartke: A crisis situation is developing in Indiana, unless steps are taken to correct it, in connection with the development of comprehensive community mental health services.

The Community Service Council of Metropolitan Indianapolis, Inc., which conducted the research study on mental illness and retardation facilities and needs for Central Indiana and which is staffing the citizen effort to implement this study, is attempting to elicit your interest and support in this vital area.

The facts are these:

P.L. 88–164 authorized the construction of facilities for the mentally retarded over a *four-year* period for the the sums of $10 million, $12.5 million, $15 million and $30 million for the fiscal years 1965, 1966, 1967 and 1968. Fiscal year 1968, which began this last July 1, was to give Indiana $719,278 as compared to last year's $345,337. The efforts over the state in connection with the comprehensive program for the retarded were based upon the full authorized amount being appropriated by the present Congress. We now find that the budget before the Congress is a "hold the line" budget for this program and we will end up with only $345,337.

There are five applications totaling over $4 million in the office of the State Commissioner of Mental Health at this time, and several more would come in if they were given the "go ahead." State and local funds are available to underwrite fifty per cent of these costs. The applications were submitted with the understanding that the remainder would be provided through matching federal funds. Indiana will suffer drastically if we do not get the additional money. The $30 million as originally authorized is, in our opinion, necessary and is a small price to pay to meet this great need.

We believe that it would be beneficial for you to hear from the "grass roots" on the true need for the additional money. Is it possible that your calendar includes a time for you to be in Indiana in the next several weeks? We would be glad to make the arrangements which would afford you an opportunity to evaluate personally the tremendous public understanding and support which has been developed for providing a future for these citizens. Without this support, they will have little to look forward to in the way of services to meet their needs.

Sincerely yours,
Mrs. Donna Mikels Shea,
Public Relations Director.

Mr. HARTKE. Mr. President, I am sure Indiana is not alone, but I want to emphasize that Indiana has taken this program very, very seriously. The State has been divided into planning regions and surveys have been carried out. In the central region, in which Indianapolis falls, the study shows that 89 percent of the retarded are not receiving any kind of care. The State and the communities back the programs with remarkable effort and zeal. For one example, the Marion County, Ind., Council has voted to commit $375,000 in property tax money to match State and Federal funds for construction of a $1,500,000 center for the retarded.

One more evidence of the seriousness with which the program is being developed—whose corollary is the seriousness with which the planners are afflicted by curtailment. In Indiana we have gone at the raising of the matching funds by special dedicated taxes legislation.

This year, following the previous provision of matching funds by the State through a cigarette tax increase, the Indiana Legislature passed a bill providing a special dedicated cigarette tax. From it, one-twelfth of the income from the tax is earmarked, to provide more than $3 million per year, from 1967 through 1969. After 1969, that rises to one-sixth of the tax take on the 3-cent-per-package tax, or $6.6 million per year for both construction and operation of mental retardation facilities and mental health centers.

Mr. President, I know there are a great many programs which are suffering from less funds than they had anticipated, from less funds than they deserve. But to me, speaking for the helpless retarded persons of Indiana and the Nation in this appeal today, there is no cause which more deserves the expansion by a mere $15 million than does tnis program for which I ask full funding—a $15 million sum which will run the war in Vietnam, incidentally, for less than 4 hours. We need this change, and I trust my colleagues will give it full support.

Mr. JAVITS. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. HARTKE. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. HARTKE. Mr. President, in accordance with my discussion with the chairman of the committee and the members of the committee, I ask unanimous consent that my amendment be modified to provide for a $10 million increase rather than $15 million, which would mean that the $15 million would be increased to $25 million. The modified amendment would then read as follows:

On page 30, line 8, strike out "$51,234,000" and insert in lieu thereof "$61,234,000".

On page 30, line 8, strike out "$15,000,000" and insert in lieu thereof "$25,000,000".

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. HILL. Mr. President, will the Senator yield?

Mr. HARTKE. I yield.

Mr. HILL. I have discussed the matter with the distinguished ranking minority member of the committee. If the Senator from Indiana will modify his amendment to that effect, we will take it to conference.

Mr. JAVITS. I have talked with my predecessor in this office, the Senator from New Hampshire [Mr. Cotton], and we will join with Senator Hill in taking it to conference.

Mr. HARTKE. I thank the Senators. I believe this is a worthwhile step forward.

Mr. President, I ask unanimous consent that the order for the yeas and nays be rescinded.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

Mr. WILLIAMS of Delaware. Mr. President, I have no objection to the Senator modifying his amendment, but how much would that still be adding to the bill?

Mr. HARTKE. Ten million dollars.

Mr. WILLIAMS of Delaware. The bill is already $3.4 billion over what was appropriated to the same agency last year. All this talk about the bill being only $393 million——

Mr. HILL. Fourteen million dollars under the budget estimates.

Mr. WILLIAMS of Delaware. I am going to discuss this budget figure. While it is only $393,270,000 over the total appropriation of last year, that figure included the $3 billion supplemental appropriations as well.

Mr. President, last year for fiscal 1967 under H.R. 14745, which was acted upon on September 22, 1966, there was appropriated $10,473,309,500, which is $3 billion less than that which is being appropriated in the corresponding bill now before the Senate.

In 1965, for fiscal 1966, $8,859,970,100 was appropriated for this same agency, including all supplemental appropriation, which means that in the 2 years we have increased expenditures by $4.6 billion—$3 billion of which was in the past 12 months.

The committee report includes in its computation the supplemental appropriation, but there will also be a supplemental appropriation later this year, which, of course, will add to this year's appropriation. Let there be no confusion about what we are doing.

Senators have the budget estimates of this year as submitted to the Congress for these agencies for the same programs. The fiscal 1968 budget estimate is about $3.5 billion more than a year ago. The Senator from Alabama pointed out that the committee is $14 million under those estimates. However, that still leaves close to $3.5 billion more than there was appropriated a year ago for this same agency.

Certainly many of these programs are

meritorious, but let us remember that there will be a request for a tax increase before us shortly to cope with a $20–25 billion deficit.

Mr. President, I have no objection to the Senator from Indiana modifying his amendment if he sees fit, but I want a rollcall vote on the amendment.

Mr. PASTORE. Ask for it.

Mr. WILLIAMS of Delaware. Let the Senator from Indiana modify his amendment first.

Mr. PASTORE. He has done so.

Mr. WILLIAMS of Delaware. Mr. President, has the amendment been modified?

The PRESIDING OFFICER. The amendment has been modified.

Mr. WILLIAMS of Delaware. Mr. President, I ask for the yeas and nays on the amendment.

Mr. HARTKE. Mr. President, as I understand the situation, the Senator from Delaware has requested the yeas and nays; is that correct?

The PRESIDING OFFICER. Yes.

Mr. HARTKE. On the modification of the amendment; on the reduction of $5 million from the original amendment?

The PRESIDING OFFICER. The Senator will suspend for a moment.

Mr. HOLLAND. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. HOLLAND. What have the yeas and nays been ordered upon?

The PRESIDING OFFICER. Will the Senator withhold his request for a moment?

Mr. HARTKE. Mr. President, I thought my amendment was adopted.

The PRESIDING OFFICER. By unanimous consent, the Senator from Indiana [Mr. HARTKE] modified his amendment to provide for a $10 million instead of a $15 million increase, and by unanimous consent, the yeas and nays were withdrawn.

Mr. BYRD of West Virginia. Mr. President, a parliamentary inquiry.

Mr. HOLLAND. Mr. President, I thought the Senator from Delaware had asked for the yeas and nays.

Mr. WILLIAMS of Delaware. On the amendment, as modified.

The PRESIDING OFFICER. The Senator has asked for them, but they were not ordered.

Mr. MORSE. Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. The yeas and nays have been requested. There is a sufficient second.

The yeas and nays were ordered.

Mr. BYRD of West Virginia. Mr. President, are not the yeas and nays on the amendment offered by the senior Senator from Indiana, as modified?

The PRESIDING OFFICER. The Senator is correct.

Mr. HARTKE. As agreed to by the chairman of the committee.

Mr. HILL. Not the chairman of the committee, but the two ranking minority members.

Mr. MORSE. Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. The yeas and nays have been ordered.

Mr. LAUSCHE. Mr. President, does the Senator from Delaware have the floor?

The PRESIDING OFFICER. At the present time no one has the floor.

Mr. LAUSCHE. Mr. President, I ask that I be recognized.

The PRESIDING OFFICER. The Senator from Ohio is recognized.

Mr. LAUSCHE. Mr. President, I have just heard a statement made by the Senator from Delaware [Mr. WILLIAMS]. I wish to ask him certain questions on what he said.

Is it a fact that the 1966 appropriation bill for the services contemplated in the measure before us amounted to $8,859,970,000?

Mr. WILLIAMS of Delaware. The Senator is correct; that was the amount for the fiscal year 1966, including the supplemental appropriation.

Mr. LAUSCHE. I am sorry. I could not hear the Senator. Was the amount $8,859,970,000?

Mr. WILLIAMS of Delaware. The Senator is correct.

Mr. LAUSCHE. What was the appropriation for 1967?

Mr. WILLIAMS of Delaware. The appropriation for the 1967 fiscal year, which was enacted under H.R. 1475 on September 22 last year, was a total of $10,473,309,500, or $3 billion less than the bill that is now before us. Last year there were around $3.25 billion added in the supplemental appropriation, but we always get supplemental appropriations and there will be another in January. We know that.

Senators must compare the bill which is now before us, which provides $13.409 billion, with $10.473 billion which was appropriated last year for the same agencies and programs. This represents an increase, if this is accepted as it is, of $3 billion.

I agree that one could take any of these programs and show that they are meritorious. The suggestion of the Senator from Indiana [Mr. HARTKE] is certainly an appealing argument.

But how appealing will a request for a tax increase be next week. Let us remember as we vote for these increases that the Senate is actually voting for tax increases later. Those who are voting for this $3 billion increase now, are forcing the tax increase tomorrow.

Mr. LAUSCHE. Mr. President, may we have order?

The PRESIDING OFFICER. The Senate will be in order.

Mr. LAUSCHE. Mr. President, is it not a fact that the appropriations bill regularly brought before the Senate in 1966 provided for approximately $8,860,000,000 and that the appropriation bill now before us on this date provides for $13 billion or, in other words, $4.7 billion more or 50 percent more than we provided 2 years ago?

Mr. WILLIAMS of Delaware. The Senator is correct. The amendment pending would increase the amount by another $10 million.

Mr. LAUSCHE. The present bill is 50 percent more than we provided 2 years ago and yet, the argument is made in the Senate that the Congress is not performing its duty; that the taxpayers are not spending enough; and that we have to increase the amount of augmentation by more than 50 percent.

Mr. WILLIAMS of Delaware. The Senator is correct. When the taxpayers are faced with this year's $25 billion deficit and the tax increase which is forced on them as a result of this spending, they will think they have done enough.

Mr. COTTON. Mr. President, the distinguished Senator from Alabama [Mr. HILL] indicated that the ranking minority members, the Senator from New York [Mr. JAVITS] and I, agreed to accept the amendment of the Senator from Indiana.

What happened in connection with the acceptance was that we would accept it and take it to conference. I agreed with my colleagues that that was all right. However, taking an amendment to conference under those circumstances and taking an amendment to conference after a rollcall vote on the floor of the Senate are two different breeds of cats.

I wish to make clear that I do not by that agreement indicate that I am going to vote for the amendment. I shall be compelled to vote against it.

Mr. HOLLAND. Mr. President, this is a very appealing cause, one of the many appealing causes in the bill. This item was considered by the full Committee on Appropriations.

We decided that, having in mind the tremendous increase, the $15 million added to the amount of carryover would be an ample amount to carry the program. We find this situation now: We find a request for an appropriation for this appealing objective of $25 million, with a $10 million carryover, making a total of $35 million, when the total authorization is only $30 million.

I do not feel that I could vote for this very sizable increase, particularly when it carries a total amount available larger than the full authorization.

Mr. President, I shall not support the amendment.

Mr. HARTKE. I want to make the situation clear. I ask for a rollcall vote on an amendment to increase the appropriation by $15 million to the full amount authorized. In consultation with the chairman of the committee, and ranking members, I agreed to withdraw a rollcall vote and agreed to reduce the amount by $5 million, to a $10 million figure. I did not then ask for a rollcall. I asked that the rollcall be withdrawn. If the Senator from Delaware insists on a rollcall, I am prepared to vote.

The PRESIDING OFFICER. The question is on agreeing to the amendment, as modified, of the Senator from Indiana [Mr. HARTKE].

On this question the yeas and nays have been ordered, and the clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. BARTLETT (after having voted in the negative). On this vote I have a pair with the distinguished junior Senator from Montana [Mr. METCALF]. If he were present and voting, he would vote "yea." If I were at liberty to vote, I would vote "nay." I withdraw my vote.

Mr. BYRD of West Virginia. I announce that the Senator from New Mexico [Mr. ANDERSON], the Senator from Indiana [Mr. BAYH], the Senator from

Arizona [Mr. HAYDEN], and the Senator from Montana [Mr. MANSFIELD], are absent on official business.

I also announce that the Senator from Maryland [Mr. BREWSTER], the Senator from Alaska [Mr. GRUENING], the Senator from Minnesota [Mr. MCCARTHY], the Senator from Wyoming [Mr. MCGEE], the Senator from Montana [Mr. METCALF], the Senator from Rhode Island [Mr. PELL], the Senator from Florida [Mr. SMATHERS], the Senator from Texas [Mr. YARBOROUGH], and the Senator from Ohio [Mr. YOUNG] are necessarily absent.

I further announce that, if present and voting, the Senator from Indiana [Mr. BAYH], the Senator from Maryland [Mr. BREWSTER], the Senator from Alaska [Mr. GRUENING], and the Senator from Ohio [Mr. YOUNG] would each vote "yea."

Mr. HICKENLOOPER. I announce that the Senator from Tennessee [Mr. BAKER], the Senator from California [Mr. KUCHEL], and the Senator from Iowa [Mr. MILLER] are necessarily absent.

The Senator from Illinois [Mr. DIRKSEN] is detained on official business.

If present and voting, the Senator from Iowa [Mr. MILLER] would vote "nay."

The result was announced—yeas 49, nays 33, as follows:

[No. 200 Leg.]

YEAS—49

Aiken
Bible
Brooke
Burdick
Byrd, W. Va.
Cannon
Carlson
Case
Church
Clark
Cooper
Dodd
Fannin
Fulbright
Gore
Harris
Hart
Hartke
Hatfield
Hill
Inouye
Jackson
Javits
Kennedy, Mass.
Kennedy, N.Y.
Long, Mo.
Long, La.
Magnuson
McGovern
McIntyre
Mondale
Monroney
Montoya
Morse
Moss
Muskie
Nelson
Pastore
Percy
Prouty
Proxmire
Randolph
Ribicoff
Sparkman
Stennis
Symington
Tydings
Williams, N.J.
Young, N. Dak.

NAYS—33

Allott
Bennett
Boggs
Byrd, Va.
Cotton
Curtis
Dominick
Eastland
Ellender
Ervin
Fong
Griffin
Hansen
Hickenlooper
Holland
Hollings
Hruska
Jordan, N.C.
Jordan, Idaho
Lausche
McClellan
Morton
Mundt
Murphy
Pearson
Russell
Scott
Smith
Spong
Talmadge
Thurmond
Tower
Williams, Del.

NOT VOTING—18

Anderson
Baker
Bartlett
Bayh
Brewster
Dirksen
Gruening
Hayden
Kuchel
Mansfield
McCarthy
McGee
Metcalf
Miller
Pell
Smathers
Yarborough
Young, Ohio

So Mr. HARTKE's amendment, as modified, was agreed to.

Mr. PASTORE. Mr. President, I move to reconsider the vote by which the amendment was adopted.

Mr. JAVITS. Mr. President, I move to lay that motion on the table.

The motion to lay on the table was agreed to.

The PRESIDING OFFICER. The bill is open to further amendment.

Mr. WILLIAMS of Delaware. Mr. President, I send to the desk a motion, which I ask to have stated.

The PRESIDING OFFICER. The clerk will state the motion.

The ASSISTANT LEGISLATIVE CLERK. The Senator from Delaware [Mr. WILLIAMS] moves to recommit H.R. 10196 to the Committee on Appropriations with instructions to cut 5 percent from the appropriations as contained in this bill.

Mr. WILLIAMS of Delaware. Mr. President, I shall delay the Senate for only a few minutes. Once again I point out that the bill which is before us is exactly $2,946,525,500 more than was appropriated for the same agencies 1 year ago. The increase is about $4.6 billion more than was appropriated for the same agencies 2 years ago.

We cannot afford to continue these increases in the light of the pending $25 billion deficit. This is the reason we are confronted with the $20-billion to $25-billion deficit and the prospect of a substantial tax increase in the next few months. We must curtail some of these expenditures, and there is only one place to start, and that is, on the appropriations.

I do not think there is an agency of Government that cannot eliminate 5 percent from its appropriation without curtailing essential services.

President Johnson, as recently as September 25 last year, issued an executive order freezing the number of employees at the July 1, 1966, figure. Since that executive order went into effect 208,000 additional employees have been added. That alone is costing us $1.4 billion extra to meet the payroll as compared to what it would have cost if the administration had lived up to its own executive order.

Then, going back further to December 1965, President Johnson on that date promised to reduce Federal employees during the remainder of the 1966 fiscal year by 25,000. Instead of reducing them he added another 190,000 in those 7 months.

When we consider these extra 400,000 employees that have been added to the public payroll in the last 18 months over the amounts that President Johnson said he needed on two occasions, we find the extra and unnecessary cost of these additional employees in all the agencies is about $2.8 billion a year.

Certainly we can reduce by 5 percent this appropriation, which has already been increased by $3 billion over last year's appropriation. This would reduce the $13.4 billion appropriation bill by about $675 million.

If this amendment cutting the appropriation to a realistic level is adopted I shall vote for the bill. But I will not vote for a bill providing a 30-percent increase over last year's appropriation. Congress should not forget that there is a war in Vietnam, and we just cannot afford these ever-expanding expenditures.

I ask for the yeas and nays on my motion.

The yeas and nays were ordered.

Mr. HILL. Mr. President, I know the Senate is anxious to vote. I only want to say that there are 126 items in this bill. The committee had testimony on each and every one of them. We sat there hour after hour, day after day, hearing testimony on all 126 items.

To me it would be ridiculous to say we are going to slash the appropriation by 5 percent, no matter where it might be, whether in the field of education, health, or labor. It might affect the mentally ill or mentally retarded or the education of children.

It would be a foolish thing for the Senate to do after the committee had given careful consideration to all these items.

I urge the Senate to vote the motion down.

Mr. JAVITS. Mr. President, I would like to testify to the tremendous care which has been taken by the subcommittee and the whole committee, which are experienced economizers, I think, with respect to this bill, together with other members of the committee who had various aspects of the bill that they helped preserve, more help in the way of money, in view of the situation in the country.

I was deeply disappointed by many of the things which were done, but the chairman of the subcommittee, the Senator from Alabama [Mr. HILL], has held together the bill within the confines of the budget, and yet tried to do everything that could be done within those confines to help solve the very difficult problems which this bill proposes to meet—and this bill, I remind my fellow Senators, is directly, more than any other appropriation bill, zeroed in at the problems facing the country today.

Second, without wishing in any way to disparage the efforts of the Senator from Delaware [Mr. WILLIAMS]—and I often vote with him; he is certainly one of our very constructive Senators, and helps to expose many wrong things and to lead us toward many decisions which are wise for the country—I should like to point out that, in all fairness, he has not given us the total bill. The fact is that we appropriated, with supplementals, not very much less last year than we are appropriating in this bill; and, what is even more important, the supplementals are yet to come before us; if we think we are being too heavily taxed, or think we should strike down what the supplemental contains because we are doing enough already, we are over 21, and will do it.

This is the greatest deliberative body in the world. I doubt very much that it is in a mood to make meat ax cuts on a bill of this character, rather than scalpel cuts. If the Senator from Delaware has cut A, B, or C, for which a case can be made, I am sure he has an excellent chance of having the Senate go along with him.

Finally, Mr. President, I point out that this country is not standing still. The population increases something like 2 or 3 percent a year. The gross national product increases in excess of that—something like 7 or 8 percent a year. I have just had brought to me the gross national product figures. For 1966, on an annual basis, the gross national product increased 8 percent. For 1967, it increased between 6 and 7 percent. The tax take increases, and the needs of the country increase. We are grown men, and we have to recognize it.

So the idea of coming in here and suddenly saying, "I do not know where to cut, so slash it across the board," I do not think it is fair to us or to the country. As I said a moment ago, while I have the greatest respect for the views of the Senator from Delaware, I believe in this instance we would be unwise to act in this fashion—after a committee heavily weighted with people who have a very sharp eye to economy has reported the bill unanimously—by agreeing to the amendment of the Senator from Delaware. I join with the Senator from Alabama in expressing the hope that the amendment will be rejected.

Mr. HILL. Mr. President, as the Senator from New York has stated, we are under the overall budget. Very few bills which come to the floor of the Senate are under the overall budget.

Mr. JAVITS. The Senator from Alabama has made it an article of faith to be under the overall budget.

Mr. HILL. That is right. Moreover, the time to have acted was when the bills came in authorizing these many expenditures. That was the time to cut, rather than attempt to make a meat ax cut now, right down through the list of 126 items.

Mr. JAVITS. I join with the Senator in hoping the Senate will reject the amendment.

Mr. WILLIAMS of Delaware. Mr. President, I shall only take a moment.

I fully agree with the Senator from New York and the Senator from Alabama that the proper way to offer an amendment to cut an appropriation bill is to be specific on the various items proposed to be cut. I wish that were possible, but I call attention to the fact that this is a $13.5 billion appropriation bill which the committee has been studying for 7 months but which was not available to us until 11 o'clock this morning. There are 3,000 pages of hearings. Those hearings and the $13.5 billion bill were not printed and available to the Members of the Senate until this morning. I did receive a committee print last night, but Members of the Senate did not have the actual bill until today.

The normal procedure is to let these appropriation bills lie over 3 days. They should be held over at least 1 day for study, but we are told that this one must be rushed through today. What is the great emergency that we should pass a $13.5 billion appropriation bill before Senators ever have a chance to read it?

It is impossible in a few hours' time to be specific in proposing cuts. This is the only method by which we can approach the problem—to send the bill back to the committee, instructing it to make the cuts where it thinks best.

There is precedent for such a procedure. The Senate has done this many times before. Furthermore, I certainly would not call an across-the-board cut a ridiculous suggestion; I have entirely too much respect for the man in the White House, who has just made a similar suggestion. We are being told that he has asked the executive agencies to report to him how they can make a 10 percent across-the-board cut in domestic spending. Certainly the Senator is not going to call President Johnson ridiculous for having made such a suggestion.

Mr. President, if Congress feels cuts can be made let us vote for it. If not let us vote accordingly. Let us not pass the buck to the White House. I am ready to vote.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Delaware. On this question, the yeas and nays have been ordered, and the clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. LAUSCHE (after having voted in the affirmative). On this vote I have a pair with the Senator from Montana [Mr. MANSFIELD]. If he were present, he would vote "nay"; if I were at liberty to vote, I would vote "yea." I therefore withdraw my vote.

Mr. BYRD of West Virginia. I announce that the Senator from New Mexico [Mr. ANDERSON], the Senator from Indiana [Mr. BAYH], the Senator from Arizona [Mr. HAYDEN], and the Senator from Montana [Mr. MANSFIELD] are absent on official business.

I also announce that the Senator from Maryland [Mr. BREWSTER], the Senator from Alaska [Mr. GRUENING], the Senator from Wyoming [Mr. MCGEE], the Senator from Montana [Mr. METCALF], the Senator from Rhode Island [Mr. PELL], the Senator from Florida [Mr. SMATHERS], the Senator from Texas [Mr. YARBOROUGH], and the Senator from Ohio [Mr. YOUNG] are necessarily absent.

I further announce that, if present and voting, the Senator from Maryland [Mr. BREWSTER], the Senator from Alaska [Mr. GRUENING], the Senator from Arizona [Mr. HAYDEN], and the Senator from Ohio [Mr. YOUNG] would each vote "nay."

On this vote, the Senator from Ohio [Mr. LAUSCHE] is paired with the Senator from Montana [Mr. MANSFIELD]. If present and voting, the Senator from Ohio would vote "yea," and the Senator from Montana would vote "nay."

Mr. HICKENLOOPER. I announce that the Senator from Tennessee [Mr. BAKER], the Senator from California [Mr. KUCHEL], and the Senator from Iowa [Mr. MILLER] are necessarily absent.

The Senator from Illinois [Mr. DIRKSEN] is detained on official business.

On this vote, the Senator from Iowa [Mr. MILLER] is paired with the Senator from California [Mr. KUCHEL]. If present and voting, the Senator from Iowa would vote "yea," and the Senator from California would vote "nay."

The result was announced—yeas 19, nays 64, as follows:

[No. 201 Leg.]

YEAS—19

Bennett
Carlson
Curtis
Dominick
Ervin
Griffin
Hansen
Hickenlooper
Hollings
Hruska
Jordan, N.C.
Morton
Murphy
Percy
Proxmire
Thurmond
Tower
Williams, Del
Young, N. Dak.

NAYS—64

Aiken
Allott
Bartlett
Bible
Boggs
Brooke
Burdick
Byrd, Va.
Byrd, W. Va.
Cannon
Case
Church
Clark
Cooper
Cotton
Dodd
Eastland
Ellender
Fannin
Fong
Fulbright
Gore
Harris
Hart
Hartke
Hatfield
Hill
Holland
Inouye
Jackson
Javits
Jordan, Idaho
Kennedy, Mass.
Kennedy, N.Y.
Long, Mo.
Long, La.
Magnuson
McCarthy
McClellan
McGovern
McIntyre
Mondale
Monroney
Montoya
Morse
Moss
Mundt
Muskie
Nelson
Pastore
Pearson
Prouty
Randolph
Ribicoff
Russell
Scott
Smith
Sparkman
Spong
Stennis
Symington
Talmadge
Tydings
Williams, N.J.

NOT VOTING—17

Anderson
Baker
Bayh
Brewster
Dirksen
Gruening
Hayden
Kuchel
Lausche
Mansfield
McGee
Metcalf
Miller
Pell
Smathers
Yarborough
Young, Ohio

So the motion of Mr. WILLIAMS of Delaware to recommit the bill was rejected.

The PRESIDING OFFICER. The bill is open to further amendment.

The Senator from Delaware is recognized.

Mr. BYRD of West Virginia. Mr. President, will the Senator yield briefly to me?

Mr. WILLIAMS of Delaware. I yield.

Mr. BYRD of West Virginia. Mr. President, it is my understanding that the distinguished Senator from Delaware has two amendments. These two amendments can be disposed of quickly. And if the bill can be quickly advanced to third reading, it is the intention of the leadership to ask for the yeas and nays on the passage of the bill. I thank the Senator for yielding.

Mr. WILLIAMS of Delaware. Mr. President, I send an amendment to the desk and ask that it be stated.

The PRESIDING OFFICER. The amendment will be stated.

The assistant legislative clerk read, as follows:

On page 39 beginning on line 1 strike out all down to and including line 17, as follows:

"PARTICIPATION SALES AUTHORIZATION

"The Federal National Mortgage Association, as trustee, is hereby authorized to issue beneficial interests or participations in such loan assets of the Health Professions Education Fund and the Nurse Training Fund as may be placed in trust with such association in accordance with section 302(c) of the Federal National Mortgage Association charter act, as amended, in an aggregate principal amount of not to exceed $15,000,000: *Provided,* That this authorization shall remain available until June 30, 1969.

"PAYMENT OF SALES INSUFFICIENCIES

"For the payment of such insufficiencies as may be required by the trustee on account of outstanding beneficial interests or participations in assets of the Public Health Service in Health Professions Education Fund assets or Nurse Training Fund assets, authorized by this act to be issued pursuant to said section 302(c), $250,000."

Mr. WILLIAMS of Delaware. Mr. President, my amendment would strike from the bill the authority to sell an additional $15 million in participation certificates and along with it the authority for financing the transaction.

If this were done it would be in line with the position that I had taken heretofore; namely, that back-door financing is wrong.

I understand that the chairman of the

committee is willing to accept the amendment. If so I am ready to vote.

Mr. HILL. Mr. President, I have discussed the amendment with the Senator from New York, and we are willing to take the amendment to conference.

Mr. JAVITS. Mr. President, will the Senator yield?

Mr. WILLIAMS of Delaware. I yield.

Mr. JAVITS. Mr. President, I have talked also with the Senator from Delaware. He is putting us to our proof to determine if there is adequate proof as to the hard, substantive reasons why it is desirable to do this. The matter can be debated and resolved in conference.

It is for that reason that I concurred with my chairman that we take the amendment to conference.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Delaware.

The amendment was agreed to.

Mr. WILLIAMS of Delaware. Mr. President, I send to the desk an amendment which deals with the same principle and ask that it be stated.

The PRESIDING OFFICER. The amendment will be stated.

The assistant legislative clerk read as follows:

> On page 21 beginning on line 3 strike all down to and including line 20, as follows:
>
> "PARTICIPATION SALES AUTHORIZATIONS
>
> "The Federal National Mortgage Association, as trustee, is hereby authorized to issue beneficial interests or participations in such assets from loans made by the Commissioner of Education for construction of academic facilities as may be placed in trust with such Association in accordance with section 302(c) of the Federal National Mortgage Association Charter Act, as amended, in an aggregate principal amount not to exceed $100,000,000 in addition to amounts heretofore authorized: *Provided*, That the foregoing authorization shall remain available until June 30, 1969.
>
> "PAYMENT OF PARTICIPATION SALES INSUFFICIENCIES
>
> "For the payment of such insufficiencies as may be required by the trustee on account of outstanding beneficial interests or participations in assets of the Office of Education authorized by this Act to be issued pursuant to section 302(c) of the Federal National Mortgage Association Charter Act, as amended, $925,000."

Mr. WILLIAMS of Delaware. Mr. President, the pending amendment would strike from the bill the authority to sell $100 million worth of participation certificates. The same argument prevails in this case. This is back-door financing and should not be approved.

I understand that the chairman of the committee is willing to accept the amendment.

Mr. HILL. Mr. President, I have conferred with the distinguished senior Senator from New York, and we are willing to accept the amendment and take it to conference.

Mr. JAVITS. Mr. President, on the same basis that I stated before, I concur with my chairman.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Delaware.

The amendment was agreed to.

The PRESIDING OFFICER. The bill is open to further amendment. If there be no further amendment to be proposed, the question is on the engrossment of the amendments and third reading of the bill.

Mr. HILL. Mr. President, I send to the desk an amendment and ask that it be stated.

The PRESIDING OFFICER. The amendment will be stated.

The assistant legislative clerk read as follows:

> On page 28, in line 11, delete the figure "$29,692,000" and insert in lieu thereof "$32,692,000".

Mr. HILL. Mr. President, my amendment would not take us over the overall budget. The amount would still be within the overall budget.

It would provide $1 million for the establishment of coronary care units in small hospitals.

It would provide $1 million for a comprehensive program on high blood pressure control.

It would provide $1 million for vital community stroke detection and treatment programs.

The PRESIDING OFFICER. The Senator from Alabama has the floor.

Mr. HILL. I have conferred with the distinguished Senator from New York.

Mr. JAVITS. If the Senate is agreeable, it is an amendment which we will take to conference with the House.

The PRESIDING OFFICER. The question is on agreeing to the amendment.

The amendment was agreed to.

Mr. JAVITS. Mr. President, before the third reading, I should like to ask a couple of questions of the Senator from Alabama, if there are no other amendments.

Senators will note that section 907, which appears at page 59 and is popularly known as the Hobson amendment, deals with a denial of payments, assistance, or services with respect to any individual convicted, and so forth, in a Federal court of inciting, promoting, or carrying on a riot.

First, I should like to ask whether it is understood that the proposed amendment, if agreed to, will be effective only after the effective date of this act—to wit, the Appropriation Act.

Mr. HILL. That is correct.

Mr. JAVITS. Secondly, again, the words "with respect to" give rise to a possible implication that it could affect any generic program—for example, a hospital or another institution—where that particular individual may be seeking more of the benefit of this act and may, by some happenstance, receive it. It is understood, therefore, that the amendment applies only to that individual and to any service, payment, or assistance to that individual?

Mr. HILL. To that particular individual.

Mr. JAVITS. And does not contaminate any institution or hospital?

Mr. HILL. It does not. It applies only to the convicted individual.

Mr. JAVITS. Finally, is it understood—because otherwise there would be grave doubt as to its constitutionality—that it does not include social security, medicare, or any other trust fund situation?

Mr. HILL. It does not.

Mr. JAVITS. I thank the Senator.

Mr. THURMOND. Mr. President, since the Williams amendment to reduce this appropriation was defeated, I am unable to support the bill.

The Senate Appropriations Committee added $272,347,000 to the bill over and above that provided in the bill as passed by the House of Representatives.

It is imperative that we reduce Federal spending in all possible programs. The deficit for the present fiscal year, fiscal year 1968, is variously projected to be from between $15 to $30 billion. The President recently indicated at a press conference that his previously recommended 6-percent surcharge would be reevaluated in terms of our financial situation. This can only mean that the President will probably recommend a tax increase somewhat in excess of this in the near future.

Mr. RIBICOFF. Mr. President, during the time I served as Secretary of Health, Education, and Welfare, a series of constructive changes were made in our public welfare programs. We moved from what before that time had been essentially a program of providing maintenance to meet daily necessities to a more broadly conceived program of provision of constructive and rehabilitative services which would enable individuals to achieve a greater degree of self-care and if possible, self-support.

At the same time we strengthened the administrative procedures used in the administration of the public welfare programs with the aim of assuring that only eligible needy people received assistance, and that they received it in accordance with their actual needs. As a part of this process we strengthened procedures for dealing with cases of recipient fraud, and we instituted an internal control mechanism which provided for repetitive independent checks on a statistical sampling basis of eligibility determination, and related questions.

Although these measures were quite important, we needed new authority to provide additional stimulus for the constructive social services which would move recipients off of the welfare rolls to self-support whenever that was feasible.

The Public Welfare Amendments of 1962, which were formulated during my period in office, gave the Federal Government the tools to redirect the program along these constructive lines. This is now being done. It was my desire that the public assistance programs be good programs, available to those who are truly in need and bringing opportunities for independence to those who can in any way be helped. I believe, for example, that every State and the District of Columbia must include aid to needy children whose parents are unemployed.

The Senate Committee on Appropriations, in reporting out the Labor-HEW and related agencies appropriation bill, included a paragraph on the subject of the responsibility of the Federal Government with respect to the eligibility of assistance recipients. The report suggests that the Department of Health, Education, and Welfare, in its guidelines to States, require that in the determination of eligibility for public assistance, thorough checks be made, including inspection of the premises with the permission of the client. The paragraph in the current report is almost identical to the language included in last year's report. This means that the State must do what is necessary in all cases to assure that persons receiving assistance are eligible but does not require any basic changes in current procedures.

Increasingly, experience has shown that eligibility can be determined on the basis of information furnished through the client, and inspection of the premises is not needed in every case of a needy aged person, blind or disabled person, or dependent child. Many methods of obtaining needed information now being used, including such means as the use of simple declaration forms, hold the promise of substantially releasing the time of caseworkers so that more emphasis can be placed on the provision of constructive and rehabilitative services.

Where the need for a home visit is indicated in the determination of initial or continuing eligibility this should be done. Since the permission of the client is required, visits would not be made during unusual hours, such as late at night, because it would be difficult to conclude that a public assistance applicant or recipient could give valid permission under all such circumstances.

Whatever procedures are used, there is no question that there must be thorough checks to assure that only eligible persons receive assistance. In any case where there is any doubt as to eligibility or the slightest indication of fraud, prompt and effective followup should be taken.

The language contemplates that welfare departments will continue to require appropriate verification with respect to items about which there might be reasonable doubt.

During this present session of Congress we have been presented with new opportunities to make further improvements in the public welfare programs. Recently I introduced, and Congress enacted, a 1-year extension of the programs incorporated in the 1962 Public Welfare Amendments which otherwise would have expired on June 30, 1967. We will soon be offered an opportunity to review these programs and propose further strengthening and improvement as a part of our consideration of the administration's 1967 Social Security Act Amendments. We must obviously take a new hard and constructive look to insure that our programs are effectively geared to aid our least fortunate citizens.

Every effort must be made to adjust our programs to meet new and changing needs. We must insist on high standards of efficiency of administration and assure that each dollar spent goes to meet most urgent needs. No waste or inefficiency can be tolerated in meeting the urgent and pressing needs of the poor of our Nation.

Mr. HARTKE. Mr. President, the appropriations bill which is before us is something to be concerned about. In the provisions for education I do not see the needed acceleration in new ideas or in support for old ideas which have been good.

When we look at two major concerns of our society, we see the tremendous needs for acceleration of our educational programs. In domestic and foreign affairs we are in almost desperate need of increased education. To call for more rational behavior means to call for better information and broader knowledge.

In domestic affairs we are in desperate need of increasing knowledge to appreciate what is good, and increasing ability to overcome what is bad, in our society. For many—both the rioters and the indifferent—there is a lack of such knowledge and ability. The prime hope of a democracy is to get at this lack by accelerating our educational programs. I say programs because there must be different approaches to the many different situations.

Let me point to some examples which concern me. Higher educational activities is decreased by $15 million from the budget estimate, $18.4 million below the 1967 amount. Work-study programs and student loans, both so necessary right now, are just two items in this category which need maximum support.

Adult basic education is caught in a squeeze because of the percentage limitation on community services. This is unfortunate, because we certainly need acceleration in this area to break through some old and hardened problems.

I am unhappy to see that the Teachers Corps was decreased from the request of $33 million to $18.1 million. With the turmoil and chaos of our inner-city situation, we need to support the Teachers Corps as our frontline forces in these troubled areas. The events of the past weeks will make the teacher supply situation very critical in many cities. The Teachers Corps may be our best hope for communication as well as education.

In foreign affairs we are certainly in need of accelerating our education. The mantle of world leadership fits so uncomfortably because we just do not know enough about the world. About one-half of our colleges and universities do not even offer courses about the nonwestern world. Many have very minimal offerings for a very small number of students.

Our world leadership role calls for a citizenry which is better informed about the world and its diverse cultures. The foreign policy of a democratic government must be supported by an informed public. America and Western Europe are not our only concerns; international relations now mean so much more than before. As our foreign policy has become more complex, our educational base needs to be broadened.

In addition to the public need for increased knowledge and understanding of the world, there is the need for more professional people to adequately staff our governmental posts. By professional I mean people who know the country where they work and its relationship to the world situation.

Our colleges are aware of the changing needs. They need support to get at the difficult work of revising their curriculums. They need support in the difficult task of finding adequate staff for the new courses. Almost two-thirds of the colleges and universities were involved in the planning and development of the International Education Act of 1966. The 44 task force projects and the 15 regional conferences found the colleges and universities demonstrating their concern.

This brings me to the very minimal support given to implementation of the International Education Act. Against the request for $20.8 million to make this act productive we have an amount of $600,000. Half of this, $300,000, is to carry on in a decelerated way the foreign language grant and fellowship programs which were transferred to the International Education Act. This leaves only $300,000 for the new hopes in the new International Education Act.

The act was important in 1966, when we passed it by voice vote in the Senate. It is even more important today. In spite of our budgetary problems this year, I look forward to the acceleration of this crucially important educational program. I equate the future of our effectiveness as a world leader with our ability to achieve the objectives of the International Education Act.

There is no doubt about the difficulty we are in this year as we address ourselves to the appropriations. We cannot sustain the Vietnam drain from our resources of $25 to $35 billion and sustain the broad base of our domestic progress. It is right now—when we consider the appropriations for the fiscal year—that we get a clear picture of the costs of Vietnam to our society.

It has been said that we can afford "guns and butter"; it has been said that we cannot afford both together. I believe that it is a question of priorities. I believe that we are in need of reevaluating and rearranging our priorities. I believe that the highest priorities of this Congress must be the health, safety, and progress of the American people. We cannot—we dare not—let this priority of the American people be veiled, compromised, or abrogated. Vietnam, when put in the most favorable rhetoric, does not promise achievements which warrant interference with the health, safety, and progress of the American people.

Mr. PERCY. Mr. President, I rise to speak on behalf of the International Education Act of 1966, which would strengthen American educational resources for international studies and research. Educating the American people in the role of their own country and others in international relations is of the utmost importance. There is no field in which we need trained personnel more. I am disappointed that the Senate Appropriations Committee could not have seen fit to appropriate enough money to enable the International Education Act to start its work. However, I am glad that they have kept the idea alive through the funding of a commission to pursue the idea in depth, and trust that the commission will make a valuable contribution for the Congress to act upon.

If the people of the United States are to make intelligent decisions on the role their country is to play in the world arena, the highest priority should be given to such efforts as the International Education Act. There is no field of endeavor where our lack of understanding is greater, our need for skilled personnel and research more urgent, and the stakes more final; for at stake is the survival of our country, the free world, and mankind itself.

The PRESIDING OFFICER (Mr. TYDINGS in the chair). The bill is open to further amendment. If there be no further amendment to be proposed, the question is on the engrossment of the amendments and the third reading of the bill.

The amendments were ordered to be engrossed, and the bill to be read a third time.

The bill was read the third time.

Mr. ALLOTT. Mr. President, I ask for the yeas and nays on final passage.

The yeas and nays were ordered.

Mr. LAUSCHE. Mr. President, I will vote against the bill because it provides for the expenditure of $4.3 billion more than was spent 2 years ago. It provides for the expenditure of $2.7 billion more than was spent last year. I cannot reconcile these increases in expenditures with the recommendation of the President that no new taxes be imposed uopn the taxpayers of the Nation.

The PRESIDING OFFICER. The bill having been read the third time, the question is, Shall it pass? On this question the yeas and nays have been ordered, and the clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. BENNETT (after having voted in the negative). On this vote I have a pair with the senior Senator from Montana [Mr. MANSFIELD]. If he were present and voting he would vote "yea." If I were permitted to vote I would vote "nay." I withdraw my vote.

Mr. BYRD of West Virginia. I announce that the Senator from New Mexico [Mr. ANDERSON], the Senator from Indiana [Mr. BAYH], the Senator from Arizona [Mr. HAYDEN], and the Senator from Montana [Mr. MANSFIELD] are absent on official business.

I also announce that the Senator from Maryland [Mr. BREWSTER], the Senator from Alaska [Mr. GRUENING], the Senator from Wyoming [Mr. MCGEE], the Senator from Montana [Mr. METCALF], the Senator from Rhode Island [Mr. PELL], the Senator from Texas [Mr. YARBOROUGH], and the Senator from Ohio [Mr. YOUNG] are necessarily absent.

I further announce that, if present and voting the Senator from New Mexico [Mr. ANDERSON], the Senator from Indiana [Mr. BAYH], the Senator from Maryland [Mr. BREWSTER], the Senator from Alaska [Mr. GRUENING], the Senator from Arizona [Mr. HAYDEN], the Senator from Wyoming [Mr. MCGEE], the Senator from Montana [Mr. METCALF], the Senator from Rhode Island [Mr. PELL], the Senator from Texas [Mr. YARBOROUGH], and the Senator from Ohio [Mr. YOUNG] would each vote "yea."

On this vote, the Senator from Utah [Mr. BENNETT] is paired with the Senator from Montana [Mr. MANSFIELD]. If present and voting, the Senator from Utah would vote "nay" and the Senator from Montana would vote "yea."

Mr. HICKENLOOPER. I announce that the Senator from Tennessee [Mr. BAKER], the Senator from California [Mr. KUCHEL] and the Senator from Iowa [Mr. MILLER] are necessarily absent.

The Senator from Illinois [Mr. DIRKSEN] is detained on official business, and if present and voting, would vote "yea."

On this vote, the Senator from California [Mr. KUCHEL] is paired with the Senator from Iowa [Mr. MILLER]. If present and voting, the Senator from California would vote "yea" and the Senator from Iowa would vote "nay."

The result was announced—yeas 80, nays 4, as follows:

[No. 202 Leg.]

YEAS—80

Aiken
Allott
Bartlett
Bible
Boggs
Brooke
Burdick
Byrd, Va.
Byrd, W. Va.
Cannon
Carlson
Case
Church
Clark
Cooper
Cotton
Curtis
Dodd
Dominick
Eastland
Ellender
Ervin
Fannin
Fong
Fulbright
Gore
Griffin
Hansen
Harris
Hart
Hartke
Hatfield
Hickenlooper
Hill
Holland
Hollings
Hruska
Inouye
Jackson
Javits
Jordan, N.C.
Jordan, Idaho
Kennedy, Mass.
Kennedy, N.Y.
Long, Mo.
Long, La.
Magnuson
McCarthy
McClellan
McGovern
McIntyre
Mondale
Monroney
Montoya
Morse
Morton
Moss
Mundt
Murphy
Muskie
Nelson
Pastore
Pearson
Percy
Prouty
Proxmire
Randolph
Ribicoff
Russell
Scott
Smathers
Smith
Sparkman
Spong
Stennis
Symington
Talmadge
Tydings
Williams, N.J.
Young, N. Dak.

NAYS—4

Lausche
Thurmond
Tower
Williams, Del.

NOT VOTING—16

Anderson
Baker
Bayh
Bennett
Brewster
Dirksen
Gruening
Hayden
Kuchel
Mansfield
McGee
Metcalf
Miller
Pell
Yarborough
Young, Ohio

So the bill (H.R. 10196) was passed.

Mr. HILL. Mr. President, I move to reconsider the vote by which the bill was passed.

Mr. JAVITS. Mr. President, I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. HILL. Mr. President, I move that the Senate insist on its amendments and request a conference with the House of Representatives on the disagreeing votes thereon, and that the Chair appoint the conferees on the part of the Senate.

The motion was agreed to; and the Presiding Officer appointed Mr. HILL, Mr. RUSSELL, Mr. MAGNUSON, Mr. STENNIS, Mr. BIBLE, Mr. BYRD of West Virginia, Mr. JAVITS, and Mr. COTTON conferees on the part of the Senate.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Hackney, one of its reading clerks, announced that the House had passed a bill (H.R. 3195) for the relief of Eli Eleonora Bianchi, in which it requested the concurrence of the Senate.

HOUSE BILL REFERRED

The bill (H.R. 3195) for the relief of Eli Eleonora Bianchi, was read twice by its title and referred to the Committee on the Judiciary.

ORDER FOR ADJOURNMENT UNTIL 10 A.M. TOMORROW

Mr. MANSFIELD. Mr. President, I ask unanimous consent that when the Senate completes its business today, it stand in adjournment until 10 o'clock a.m., tomorrow.

The PRESIDING OFFICER. Without objection, it is so ordered.

ORDER FOR RECOGNITION OF SENATOR PROXMIRE AND SENATOR RANDOLPH

Mr. MANSFIELD. Mr. President, I ask unanimous consent that after the approval of the Journal on tomorrow, the distinguished Senator from Wisconsin [Mr. PROXMIRE] be recognized for 25 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that at the conclusion of the remarks by the Senator from Wisconsin [Mr. PROXMIRE], the distinguished Senator from West Virginia [Mr. RANDOLPH], who wishes to engage in a colloquy with the distinguished Senator from Kentucky [Mr. COOPER], be allowed 30 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. JAVITS. Mr. President, will the Senator yield?

Mr. MANSFIELD. I yield.

Mr. JAVITS. May we have permission for committees to meet while these speeches are taking place?

Mr. MANSFIELD. I am certain that the usual rule will apply, that during these speeches and the morning hour which will follow, all committees will be authorized to meet, under the rules.

Mr. JAVITS. I thank the Senator.

LEGISLATIVE PROGRAM

Mr. JAVITS. Mr. President, I would like to inquire of the Senator from West Virginia [Mr. BYRD], the acting majority leader, about the program for tomorrow and the rest of the week.

Mr. BYRD of West Virginia. Mr. President, in response to the query by the distinguished Senator from New York, it is the intention of the leadership, before the Senate adjourns today, to lay before the Senate, as the pending business for tomorrow, Calendar 395, S. 1004, the bill to authorize the construction, operation, and maintenance of the central Arizona project.

Under the previous order, the Senate will convene at 10 o'clock tomorrow morning. There are unanimous-consent agreements permitting various Senators to speak after the approval of the Journal, after which the Senate will proceed to the consideration of the bill, S. 1004.

Mr. JAVITS. Is the acting majority leader able to tell us the schedule for the remainder of the week?

Mr. BYRD of West Virginia. As far as I am informed, S. 1004, the Arizona project bill, may—and I stress the word may—wind up the business for the week. I am not sure, but at this moment that is the only matter the leadership knows about.

Mr. JAVITS. I thank the Senator.

STOKELY CARMICHAEL SHOULD BE APPREHENDED UPON HIS RETURN TO THE UNITED STATES FROM CUBA

Mr. THURMOND. Mr. President, Stokely Carmichael, one of this country's chief black power advocates and leaders, is in Cuba calling for the overthrow of the American Government by force. He should and must be brought to the bar of justice the moment he returns to this country, if he returns at all.

Several months ago Life magazine published an article on Carmichael which pictured him not as a revolutionary and insurrectionist, but as a gentle man deeply concerned with the needs of the downtrodden. I wrote Life's editor a letter which was published by the magazine, and I have made statements here in the Senate to bring attention to Carmichael's Communist ties. This man and others who have infiltrated the civil rights movement are revolutionaries, pure and simple.

Mr. President, after the front-page article in today's Washington Post, it would seem impossible to me for anyone to doubt further that Carmichael is following the Communist line by advocating the destruction of every fabric of our Government. He is proposing steps which set race against race and urging guerrilla warfare in our cities, looking toward the overthrow of government by law.

I ask unanimous consent that this article, which is headlined "Carmichael Lauds Cuban Communism" and is written by John M. Goshko of the Washington Post foreign service, be printed at this point in my remarks.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

CARMICHAEL LAUDS CUBAN COMMUNISM

(By John M. Goshko)

HAVANA, August 1.—Stokely Carmichael, the American Negro militant most closely identified with the Black Power movement, today showered abuse on the United States and praised communism as it is practiced here in Fidel Castro's Cuba.

Carmichael avoided responding directly to questions as to whether he considers himself a Communist. Asked whether Black Power can be equated to communism, he answered:

"Communism can be many things—Russian, Czech, Yugoslavia, Cuban. The system we like best is the Cuban."

Of the U.S. Communist Party, he said: "There are no proletarians in the U.S. Communist Party. It is the party of the rich."

His comments at a marathon four-hour press conference were the principal side attraction at today's session of the Latin American Solidarity Organization meeting. In terms of delegate and press interest, they almost overshadowed the conference's working sessions themselves.

Carmichael is here as a guest of the Cuban government, and conference members yesterday elected him an honorary delegate by acclamation.

At Carmichael's insistence, all representatives of U.S. news media were barred from his press conference today. However, what he said was learned later from tape recordings and notes by Latin and European newsmen who attended the conference.

In his comments, the 25-year-old former head of the Student Nonviolent Coordinating Committee expressed his satisfaction at the wave of rioting and racial unrest sweeping U.S. cities. Among his random remarks were these:

"Forty per cent of the troops in Vietnam are Negro, and some good may come of it because when they come back they will be trained to kill in the streets.

". . . Green Berets, now in Latin America protecting military governments, may have to go back to the U.S. to protect their mothers, fathers and families.

[He was quoted by Havana radio as saying American Negroes "will have enough arms of all kinds to continue the fight for their liberation," the Associated Press reported. A later broadcast quoted him, "We have to fight in the United States in order to change the structure of that capitalist society."]

". . . guerrilla warfare is the best training for fighting in the cities because they (the whites) will not dare bomb their own cities."

The American Negro's battle, he said, must be fought on two fronts: "The fight against racism and the fight against capitalism. Racism is a result of capitalism."

[Carmichael envisaged the possible assassination of President Johnson and British Prime Minister Wilson as acts of vengeance for the murder of Negro leaders, Communist sources said, according to Reuters.

[Carmichael also included Secretary of State Dean Rusk and Defense Secretary Robert S. McNamara as possible targets of assassins at his press conference.

[The Communist sources also said Carmichael, asked whether he himself might be assassinated, replied that the U.S. Central Intelligence Agency had an international license to kill.]

Carmichael said his three greatest heroes were assassinated black nationalist leader Malcolm X, guerrilla warfare expert Ernesto (Che) Guevara and Chinese Communist leader Mao Tse-tung. He charged that Malcolm X was killed by CIA-paid Cuban refugees and said he believes Che Guevara's slogan, "You must teach them to hate so you can turn them into an effective fighting machine."

Other random Carmichael comments included these:

On reports that the State Department might lift his passport for traveling to Cuba without U.S. Government permission: "Since I was 15 years old I've not asked anyone's permission to go anywhere at any time for any reason. So I say to hell with the State Department."

On Negro intellectuals: "There are none as far as I am concerned because they only write about what they do not know and feel. What I consider an intellectual is someone like Fidel Castro. To him there is no art and there is no politics in it."

On integration: "There can be no integration until people are the same. Therefore integration does not exist in the United States."

Mr. THURMOND. Mr. President, the statements attributed to Carmichael in this article are surprising to me in that he has shown his hand publicly so early in the black power movement here in America. That he is an insurrectionist can be understood by anyone who can read the printed word. He lists top Communists as his idols, he talks about the likelihood of the assassination of the President and other national leaders, he envisions the recall of American troops from abroad to protect their families here in this country and talks of the need of additional arms in the hands of Negroes to continue the battle for liberation. He is calling for continued guerrilla warfare in our cities and suggesting that Negro soldiers returning from Vietnam be enlisted in such warfare.

Mr. President, the American people must understand—before it is too late—that the leadership of the civil rights movement has passed into the hands of the black power advocates, and that this Nation this moment is experiencing an open rebellion. And let us not think for one moment that these black power leaders would not be in the White House, here in Congress, in control of our Government agencies, cities, and armies if they had the firepower to accomplish it.

An equally grave danger to this country lies more in the social and political changes that a rebellion of this type may engender. The riots which are ravaging our cities are being handled by the Government in such a way as to weaken the fabric of our Nation which our forefathers so arduously constructed. The effect to date of such outbursts has been to push this Nation more rapidly toward socialism, toward the day when all citizens are dependent upon the Government for everything—including their freedom which will then be lost.

It is almost a joke that Carmichael is known in America as the former chairman of the Student Nonviolent Coordinating Committee. Nonviolent in what respect, I ask? His successor, Hubert Gerold Brown, gave us a taste of his nonviolence in Cambridge, Md., last week.

Mr. President, I call upon the Justice Department and the Chief Executive to lay political considerations aside and see that Carmichael is brought to justice if he dares return to this country; that, if he returns, he be charged with advocating the overthrow of the American Government by force and encouraging the assassination of the President and other national authorities. If this violence is not stopped, who is to say what member of our Government or Member of Congress will have a weapon fired at him at any time? I further call upon the Justice Department to go into the ruins of our cities and arrest all others who are making it known to the public that they advocate similar policies. It is way past time for the Justice Department to enforce the laws passed by the Congress.

There is absolutely no question that men advocating such policies as those subscribed to Carmichael are a clear and present danger to the security and well-being of this Nation. While it is my opinion that sufficient laws are already on the books to deal with such insurgents, I would state here and now that if the President and Justice Department feel such is not the case, they should forthwith recommend to the Congress such laws as they deem necessary.

Mr. President, I assure you that unless firm leadership is exerted immediately to save this country, we will shortly reach the point of anarchy, if we are not already there.

THOUGHTS FROM A DETROIT NOTEBOOK

Mr. HART. Mr. President, 24 years ago Detroit said, "It will never happen here again." But last week—despite all the sincerity and effort that backed up that vow—it did happen again. Somehow, the model city failed.

It is a time then for questions, for soul searching, for determination to learn the lesson available from such noble efforts coming to such an ignoble end. This is a project not for one city. It is a duty for the Nation.

Scores of persons much more qualified than I will be immersed in the search for these answers for months ahead. This is as it should be. But this time we cannot duck "until we get the report." This time we must recognize the emergency situation. This time we must recognize that many of the answers will come not from statistics but from honesty—and commonsense.

Today, then, I offer some of my reflections as I made my way through the devastated city in the hope that mixed in them may be an idea which can grow into steps to prevent other Detroits.

Were the rioters right? Of course not. This rioting and violence will destroy the dreams and hopes of all of us; Negro and white, rich and poor alike.

Nothing can be said in support of this senseless destruction by a mindless mob. But nothing that is said in condemnation will stop it.

What can be done now to stop this domestic anarchy? The harsh answer seems to be that there may be nothing that can be done to stop it at once. It is possible that people who have neglected the whole assortment of social ills for a hundred years cannot wholly escape the consequences of this failure and folly. But we can, and must, take steps to maintain law and order and to punish to the full extent of the law those who do criminal acts.

We are paying now for what we did not do in the last century—and longer. We should make sure that our posterity, 100 years from now, does not pay for what we fail to do now.

Must we then accept a growing disrespect for law and order? We must not, can not, and will not. Society owes that to every citizen. Every citizen expects and deserves no less. And this includes not only the citizens in the suburbs, but those in the ghettos—who had nothing to do with the riot but who lost their property because of it. Steps must be taken to beef up our riot control forces so order can be reestablished quickly when violence breaks out. Each citizen must be confident that lawbreakers will be punished promptly, quickly, and firmly within the confines of the law.

There is no issue before the Nation more critical—more important—or more meritorious.

Why did the riot happen? A popular answer these days is that this was an uprising of the "have-nots" against the "haves." That is probably at least partially right. But, it seems to me that the rioters are more than "have-nots"; they are "left-outs." They belong to no world but their own. Indeed, it is true that theirs is a world void of hope, of expectation, of satisfaction, of stability. It is a world where the police can arrive in 5 minutes, but it may take months to get the building code inspector in. It is a world where the inhabitants feel every rent day is a looting day. It is a world where you learn to distrust outsiders because someway, somehow, they always mean bad news to you.

But mostly the rioters are those "left out." Some progress has been made in developing cohesiveness in our cities today. Gradually, members of the Negro community have moved into the establishment—and have established outstanding records. Detroit, in particular, shows this advance. It is the only city in this country that sends two Negro Representatives to Congress. Negroes sit on our courts, the Detroit Common Council, our State legislature, and all our decisionmaking bodies. Saginaw and Flint, two other cities which experienced civil disorder last week, have Negro mayors.

But, just by virtue of the way the establishment works, the people who join it do not come from the corner of 12th Street and Virginia Park, the hard core of Detroit's riot. And the residents of the ghettos, as Congressman JOHN CONYERS, who ably represents the Virginia Park district said, do not identify with him, or their Government, or their school boards, or their police departments.

It is entirely possible that only when interaction between all people in a city takes place will we be entirely safe from such lawless pleas for attention. We will never be unless most people are involved.

Could we have seen it coming? This is where we must be scrupulously honest. It couldn't happen in Detroit because they had been working for 24 years to prevent it. Urban renewal and the poverty program had been employed in a total over the years of about $250 million.

But, a recent survey in the hardest hit riot area showed that 91 percent feared being robbed and 93 percent wanted to move out. Only 17 percent of the residents owned their own homes, compared to 60 percent in the rest of the city. Thirty-three percent of Detroit's Negroes were at the poverty level and 15 percent of the whites. But the Negroes were concentrated—crowded into exactly the area that exploded.

The fact is that some of us did say it could happen in Detroit, before it happened. On the Saturday of Newark—2 weeks before Detroit—I made such a speech in Michigan. But always we had hoped we had moved in time.

We should have seen it coming. There were not only these statistics, but eminent men who were warning us of the development of a new and massive class filled with dissatisfaction and frustration.

So, we could have forecast Detroit. And certainly we can forecast that other cities stand in line for such havoc.

Were there outside agitators? So far no one has uncovered evidence that there were. But this is one area that we must have a thorough investigation by experts—not witch hunters. It may be that some of the participants will turn out to be from other than Detroit.

But even if we find that, we must realize that if these same troublemakers went a few miles out of Detroit to, say, Grosse Pointe or Bloomfield Hills, they could have agitated and agitated, and there would have been no riot.

What is the lesson in Detroit? Many. But the most important is that we must recognize the emergency that faces us as just that. And we must understand that many of the solutions will cost money. But riots cost money, too. About $500 million in property was destroyed in Detroit. Adding the business losses the final figure may be fattened to $1 billion. Early estimates only from the State and county—with city and Federal figures not in—on costs of fighting the riot are close to $6 million.

Faced with such bookkeeping figures we must ask ourselves which is the better economy—prevention or restoration?

Detroit, after Newark, after scores of riots, must instill in each of us a determination to fight this war and to win it—just as we have won every war this country has ever fought. The winning of this war is critical to our survival as any in our history—including the Civil War.

We must move quickly and with a sense of urgency. We must sharpen existing and develop new solutions and be able to shrug off ill-fated projects and initiate better ones—just as we do with ill-fated space projects.

This means a hard look at our war on poverty—beefing up the best programs and adapting the others so they will work better.

It means we will fail—and more than once. But we will also succeed.

Failure is no crime; it means only that you are trying, and when you try and try, sometimes you succeed. This country has a good batting average on domestic progress. We have every reason to expect that—given the same dedication we have devoted to winning other wars, we can win this one.

Private capital participating cooperatively with public is essential, just as in every other war. But, lest it be claimed, it was not recognized, obvious though it is, unless it is spoken here—money—money help alone is not the answer. The whole list of tested individual commitments are essential: personal and private discipline, honest self-examination, willingness to become involved in community action—on and on. Absent this, it will be money largely wasted, as in any war if the hardware was in undisciplined hands.

I think that is the big message Detroit has for us—one we had better understand and act upon.

But there is a last message, one that many of us have been learning the past few years, which must not now be abandoned. Never has it been more important that we understand it.

No group must be condemned for the

actions of its members. We must remember that it was an individual who tossed each fire bomb and another individual's home was burned. It was an individual who squeezed the trigger and another individual who was injured.

If we forget that each man must be judged on his own worth, then we will go from one big disaster to still more horrible disasters. We would see this country torn apart, and it would not be the doing of some outside conspiracy. It would be from our own failure to practice the creed we preach.

RIOTS IN OUR CITIES

Mr. BYRD of West Virginia. Mr. President, on last Friday, July 28, 1967, I had the privilege of addressing the annual convention of the West Virginia Bankers Association, which was held at the Greenbrier in White Sulphur Springs, W. Va.

My remarks were on a subject of vital concern to me personally and, I believe, to every law-abiding citizen in the United States—the recent rioting which has taken place in our cities and which will be recorded as one of the most shocking and saddening events our Nation has witnessed in its entire 191-year history. The title of my address was "Riots in Our Cities."

I ask unanimous consent to include the address in the Record.

There being no objection, the remarks were ordered to be printed in the Record, as follows:

Riots in Our Cities

(Speech by Senator Robert C. Byrd for West Virginia Bankers Association, July 28, 1967)

David Lawrence, editor of U.S. News & World Report, stated in the August 29, 1966 issue of that publication:

"Historians some day will write that the United States in the 1960s experienced an era of anarchy unparalleled in a free country governed originally by a written Constitution and once dedicated to the principle of law and order."

The rioting which has recently broken out in Detroit, Newark, Cambridge, Maryland, and dozens of other American cities is surely one of the most shocking and saddening events our nation has witnessed in its entire 191 year history. These riots constitute anarchy—nothing less. No other word can more precisely describe them. We read of persons breaking store windows—looting and pillaging, setting fire to homes and automobiles, sniping at police, killing innocent passersby.

We read of policemen who are beaten, stomped, and shot to death with their own gun; we hear of firemen who are attacked with bricks, stones, and bullets while attempting to do their duty. National Guardsmen and regular Army troops patrol the rubble-strewn, smoke-filled streets. Entire city blocks are gutted, businesses wrecked, and the damage in Detroit alone is already estimated to be $500 million.

Our Nation is undergoing a time of crisis in its cities, the likes of which it has never before experienced. It shocks and numbs every man and woman, white or Negro, who loves his country and who wants to see it prosper in unity and in peace.

The scenes we read of ought to give all of us pause—pause for reflection as well as pause for action.

For riots breed riots, violence feeds violence, and if this vicious chain is not broken, the result can be a total breakdown of civil order. The horrors which have been inflicted upon Detroit, Newark, and other major American cities can spread to other areas unless the responsible leaders of our Nation take firm, and immediate steps.

Rhetoric is not enough. Nor is this a time for carping, partisan criticism. The need is for prompt and resolute action—action to kill this terrible anarchy at its roots before it erupts again and again until at last the whole country is engulfed in a mad race war.

There *is* no easy answer to the problem, no single cause, no simple solution. But of one thing we can be sure. The flames the rioters have ignited must be extinguished; the snipers must be cleared from their perches; *order must be restored*.

It was not by accident that our Founding Fathers wrote the words "insure domestic tranquillity" into the Preamble of our Constitution. In fact, this is listed as one of the primary objectives to be achieved by the Constitution itself. Internal peace and stability are essential to the life of any nation, state or city. Without peace and stability, without order, the descent into the maelstrom of anarchy will be swift and certain.

A city cannot long endure if its food supply is cut off—if its normal arteries of commerce are severed—if its gas lines are ruptured and its electric power shut off. Chaos will result.

Only firm action can effectively deal with the kind of violence that has swept over our cities. This is no time to temporize, vacillate, or hesitate. As I said in the Senate on Tuesday, these insurrections must be put down with determined force. The hoodlums and rioters should be warned that police and National Guardsmen will no longer wait until fired upon before firing their own weapons. Adult looters, caught in the act, and brick and bottle throwers should be shot on the spot. Force must be met quickly with greater force.

Order must be restored and maintained. The rule of law must *not* yield to the rule of the jungle.

What are the causes behind the violence and the rioting? There is no *single* cause. There is *no* justification. Regrettably, while most people in public life are willing to say that rioting must stop, most of these same people usually go on to refer to what they deem to be root causes, and, of course, in doing so, they are, whether they realize it or not, attempting to justify the riots. In any event, the rioters are encouraged to believe that their actions have been justified. So we hear the usual hackneyed root reasons given. Heat, frustration, police brutality, discrimination, poverty, slums, ghettos. We heard them after the Watts riot. We heard them after Newark. They are always the same.

It may be easier to say what some of the causes *are not*.

Some say discrimination has caused the riots.

But there is the story of a people many centuries ago who were discriminated against. For hundreds of years they lived under the lash of a harsh taskmaster.

When their yoke of bondage was broken, they wandered for years in the desert, homeless. And it was in the course of these wanderings that they received those words which constitute the most famous, most durable, most reliable code of law that man has ever known—The Ten Commandments. These people were not in the Promised Land when they agreed to live by the Commandments, "Thou Shalt Not Kill; and Thou Shalt Not Steal."

No, these people were hungering, they were thirsting, homeless, and in a strange land. Yet, they knew that if they were to endure as a nation and as a people it would have to be a society under law.

And they are still alive and vibrant today after the sufferings and sorrows of thousands of years, because they live under a strict code of law.

And the Jews are not alone. There have been others. No, it is not discrimination that breeds riots and disorder. It just need not be so. The early immigrants into this country knew discrimination. The Italians, the Lebanese, the Poles, Hungarians, and others—they knew it. Yet, these disadvantaged immigrants, many of whom could not even speak English, did not riot. They did not burn their cities, plunder and loot stores and shops, or resort to anarchy and murder.

No, discrimination is not an excuse. Moreover, there are more laws on the statute books today against discrimination than ever before in the history of our country, while at the same time there is more unrest, more crime, and more violence in the streets. The Federal Government is doing more today than ever before to discourage and combat discrimination.

As a matter of interest, in recent years, Federal policies and congressional statutes, have, in actual practice, often favored Negro jobseekers and Negro jobholders. Federal agencies go out of their way to employ and promote Negroes.

Look at Post Office Department, and you will see that Negroes have been employed in increasing numbers. Moreover, civil service standards have, in some instances, been lowered in order to accommodate Negro applicants. But even in the face of these things, riots are increasing and have become the order of the day.

The ghettos are said to be the root cause of the riots. But the early immigrants, to whom I have already referred, also lived in ghettos.

But they did not ask the government to come and take *them* out of the ghettos in which they lived. Federal aid programs were not lavished upon *them*. Yet they kept their ghettos clean, and their ghettos did not become slums.

They went to work with a will and they lifted themselves up by their own bootstraps. If they could not find work, they peddled papers, laces, fish, or fruits and vegetables, and saved their pennies for that day when they could open their own shops.

These immigrants did not demand Federal handouts or a dole, nor did they believe that they had a right to burn or destroy the property of other people or to terrorize entire cities with firebombs and snipers' bullets.

And what I have said is just as true of many of our Negro citizens who have shown themselves to be likewise worthy of respect. They have worked hard and saved a little here and a little there, and bought for themselves a home.

Many of these responsible Negro citizens have been the first to suffer in Detroit and other riot-torn cities. Many of them will be the first to go hungry. Many of their homes were the first to be burned by the raging fires.

Slums are blamed for the riots. Yet, no slum was ever deliberately planned to be a slum. No slum was ever deliberately built.

Slums develop as a result of the carelessness of their inhabitants. Slums are developed by slummy people. The people can be taken out of the slums, but the slums cannot be taken out of some people.

As long as people throw their trash into the hallways, and toss their garbage into the yards and onto the streets there will continue to be slums. As long as some people insist on ripping up the steps and the bannisters, tearing off the wallpaper, punching holes in the walls, kicking the panels out of the doors, breaking the windows and ripping loose the plumbing, there will be slums. And wherever they go, the slums will follow. Watts was not a slum. Plainfield, New Jersey, with its tree-lined streets and two-family apartments, was not a slum.

The charge is often made that police brutality is at the root of the growing unrest in our cities. One is at a loss, however, to understand how this can be the case, when the vastly overwhelming majority of such charges have been proved untrue and utterly unfounded. Our Nation has come to a sad state of affairs when a police officer cannot make an arrest in the proper performance of his duty, and in properly enforcing the laws of the community, without immediately being surrounded by a jeering, threatening mob shouting "Police brutality." It has become virtually a pattern throughout the country, and the fuse to many of the recent riots has been ignited by an arrest properly executed. What is going to happen to law and order if the community is unable, through its properly constituted authorities, to enforce the law? Anarchy will result. Mob rule will prevail. Every man will be a law unto himself. And every man will arm for his own protection and for the protection of his own family.

"Society based on the rule that each one is a law unto himself would soon be confronted with disorder and anarchy." (Justice Harlan, U.S.S.C.)

No, police brutality is not the cause of the unrest sweeping over the Nation. I do not condone police brutality, but I do not believe that much of it can be found to exist.

The citizen who obeys the laws and who conducts himself properly will need have no fear of police brutality. All too often, the individual who charges police brutality has been guilty, first, of breaking the law, and then of resisting the officer who made the arrest. The policeman is more often abused and mistreated than is the person who cries "Police brutality."

Some people say the riots result from the slow pace of integration and poor educational facilities. But one does not have to have an integrated, interracial education to have a good education. Otherwise, it would be impossible to get a good education in many European schools and few Americans, relatively speaking, would have had a good education over the years.

Moreover, most people of my age in America can remember the one-room school, the two-room school, the school without running water and without plumbing, the school with a Burnside stove. I am not advocating that we go back to that, but more moneys are being spent today, and rightly so, to educate people in these troubled areas than were ever spent before.

Of course, not all of the schools in the crowded cities are the best—no one would maintain that to be the case—but they are rapidly being replaced with new and modern facilities, and even the oldest and worst of the city schools today are often better than many of those in which most Americans my age and older acquired their education. Yet, poor school facilities were never heretofore considered an excuse or justification for rioting.

After all, it is not the school so much, perhaps, as it is the student himself. We can only provide the opportunity for an education, but if the student shows no inclination to take advantage of the opportunity, he will not become educated. Education cannot be administered as a drug through a hypodermic needle. It cannot be absorbed by osmosis. It requires effort. And many people will never put forth the effort to learn, regardless of how modern the school may be.

There are those who blame the riots on poverty. Yet, poverty-stricken white Americans outnumber poverty-stricken Negroes, but white Americans have not resorted to violence in the streets. Moreover, there are millions of poor Negroes in America today who deplore the riots.

If poverty were an excuse for rioting, Abraham Lincoln would have been the Stokely Carmichael of his day and Booker T. Washington would have been the Floyd McKissick or the Rap Brown of his time.

I remember the depression of the early 1930's. Thousands of men and women and children in West Virginia were inadequately clothed, fed, and sheltered, but they did not attempt to take the law into their own hands. Negroes and white saw hunger in the mining communities, but they did not find in this an excuse to burn and loot and destroy. The mining communities where I lived as a boy, and during my early adult years, were areas of grinding poverty.

I have seen men wearing hemp sacks around their feet in the wintertime because they lacked shoes. I have seen Christmases come and go without a stick of candy in many a home. I have seen children without shoes and tables without food. I have seen men without jobs, and I have seen rat-infested houses. As to plumbing fixtures, there were none. Air conditioning was unheard of. Few people could boast of owning a radio or refrigerator, and fewer still possessed an automobile.

Yet, these poor people, as a general rule, kept their floors scrubbed and their steps clean. Here and there they planted a flower or a piece of shrubbery. Their few bits of clothing were washed on a scrubboard in a No. 3 tub. They could not afford the luxury of a washing machine. Yet, these people, Negro and white, were law-abiding citizens and they taught their children to obey the law and to respect governmental authority.

People tried to help one another rather than hurt one another. People sought to give, even when they had little to give, instead of taking that which was not rightfully theirs. And, believe it or not, people did not have to lock their doors at nights and bar their windows. Nobody ever heard of homes being burglarized, of women being raped, of old men being knocked to the ground and robbed, and of pockets being picked in those communities.

So, I cannot have much sympathy with those who attempt to blame the riots upon poverty. Strangely enough, many of these so-called poverty-stricken rioters seem to be mainly interested in looting the liquor stores. According to the news reports, these are the establishments that are first looted.

Some would have us believe that these rioters want jobs. I happen to believe that most of them would not hit a lick at a snake. They are allergic to work, and as the old saying goes, a drop of their sweat would cure the leprosy.

One has only to look at the job opportunities in the Washington Metropolitan area, or in any other city, to see that many jobs go begging for want of people to fill them, The Eastern Panhandle of West Virginia is a great apple-growing area, and it is but a few miles from the Nation's Capital. Yet, fruit pickers have to be imported every year to help harvest West Virginia apples. There are reported to be between 7,000 and 8,000 individuals in the city of Washington who supposedly constitute the hard core unemployed, and yet, heretofore, it has been impossible to recruit people from this area who are willing to travel to the apple orchards, just a few miles away, to help harvest the fruit.

Look at the classified section in the Washington newspapers on any day of the week, and one will find advertisement after advertisement calling for domestic help. Most of these domestics can get $12 for 8 hours' work and their transportation paid and lunch provided, but all too many of the employable women do not want to work, and so the jobs are not filled. Many of these people would rather draw welfare checks than go to work.

Just travel a dozen blocks from the Capitol building, in any one of three directions, and look at the young, defiant hoodlums who are congregated on the street corners and listen to their vulgar language, and you will readily understand the reluctance of employers to give them jobs. The element about which I speak would constitute a danger to the employer, in the first place, and, in the second place, they are absolutely untrustworthy.

When a man heaves a brick through a store window and makes off with a television set or other loot, he thereby brands himself as an irresponsible individual who is not worthy of employment and one whom no sensible employer would want to hire.

So, where these so-called "causes" of the riots are cited again and again, people are just not thinking.

In a degree, however, it is understandable that the rioters would harbor the idea that they have a vested right to do wrong because they have sometimes been encouraged to believe this. They have been so encouraged by those who say that poverty or discrimination or lack of jobs, et cetera, are the causes for riots. Public officials, if they are forced by recent events to deplore the riots, often do so in one sentence, but, almost invariably, they immediately embark upon a speech wherein they seek to excuse the violence and excuse those who perpetrate it by placing the blame upon a society which has been unable fully to eradicate poverty, discrimination, and unemployment. Little wonder that the rioters are encouraged to do violence.

I do not maintain that poverty and slums and unemployment are to be ignored, or that we should close our eyes to these things. Indeed, we should take feasible action to effectively deal with them. I do say, however, that they are not a justification for insurrection and riot. They are not an excuse for violence. Most people have had to work for what they own. Most people are willing to work for what they receive. Most people have demonstrated the patience, the initiative, and the effort to get where they are, and the obstacles they have had to overcome have often been great.

The issue here is whether a minority group should be able to bring such pressure to bear on Government by the threat of violence that it can exact funds from the Public Treasury.

If democracy means anything at all, it means that the taxpayers' money—that the people's property which has been taken for public purposes—shall be spent only in accordance with laws and policies determined by the people's representatives. And if democracy means anything at all, it means that such laws and policies are formulated and adopted only through a process whereby the people's representatives are persuaded to support them by rational arguments presented in democratic debate.

To shortcut the process of debate by threatening violence is to attack democracy itself. Whoever takes up and uses—however indirectly—the threat of violence is guilty of something like blackmail. And it may behoove us all to remember Mr. Justice Frankfurter's admonition: "Respect for law cannot be turned off and on as though it were a hot-water faucet."

Increasing numbers of public leaders are attempting to persuade Congress to vote more funds for various urban and antipoverty programs by warning Members of Congress of the violent consequences that will occur should Congress not fund such programs.

To make such an argument is equivalent to saying: "Fund these programs in the amounts we ask for, or else."

So what is the solution to this most vexing problem of our age?

I wish I could tell you in a few easy phrases or simple words, but there are none.

Perhaps the entire problem is impossible of solution. For, while some say the answer lies in more Federal aid to these areas in the form of urban renewal, school subsidies, and poverty programs, will not this simply aggravate the problem of individuals who refuse to work? If everything is done for them by "Uncle" why should they make any personal effort to do it themselves.

Are those who toil and save, those who live by the law, are they to be forced to pay, through already high taxes and through higher insurance rates, for the repair and uplifting of the slums and their inhabitants? Yes, but is this not a form of tribute or protection money to keep the natives happy and quiet?

These are all profoundly difficult problems and I am man enough to admit that I cannot even begin to know all of the answers to them. I already have urged some action which I hope will at least put some sort of damper on these terrible fires.

I am a co-sponsor of the anti-riot bill. This bill makes it a federal crime to incite or participate in a riot which impairs interstate or foreign commerce, or to interfere with a fireman or law enforcement officer who is performing official duties incident to or during a riot. I do not maintain that this bill will be a cure-all, if it is enacted. Moreover, I would not be at all surprised if the Supreme Court of the United States, as presently constituted, were to rule such a law unconstitutional!

In the long run, every effort should be put forth to stamp out illiteracy, and the emphasis, for every individual, should be upon education. Education for the sake of education, rather than integration for integration's sake, is the important thing. Education will light the paths to mutual respect, cooperation, and better understanding. Education is the cornerstone for amicable race relations.

Booker T. Washington, one of the greatest of American Negroes, lived as a boy in Malden, West Virginia, where he toiled in the salt works and in the mines. In later years, when he had become a great educator, he made a statement, the wisdom of which can benefit not only the Negro boy or girl, but also the white youth who is desirous of making a success in life:

> "When a Negro girl learns to cook, to wash dishes, to sew, to write a book, or a Negro boy learns to groom horses, or to grow sweet-potatoes, or to produce butter, or to build a house, or to be able to practice medicine, as well or better than someone else they will be rewarded regardless of race or color."

Moreover, every man should have the opportunity for employment on the basis of merit, and he should expect to be chosen only on the basis of merit, education, training, experience, industry, and character—not the color of his skin. Nor should the color of one's skin be a badge for preferential treatment in hiring and promotion any more than it should be a badge for discriminatory treatment.

Also, family planning is imperative, and civil rights organizations should make intensive efforts to promote such. The high birth rate among low-income Negro families simply cannot be over-looked. For, whatever importance may be assigned to unemployment as a factor in riots and other developments which have racial overtones, the fact is that, in this age of automation, cybernation, and advancing technology, the problem of unemployment will always be with us, and no amount of Government largess and costly poverty programs will constitute a panacea therefor as long as the birth rate is permitted to soar, unchecked and uncontrolled, among those families least prepared and least able to provide for large numbers of children who, in later years, will be unprepared candidates for jobs which no longer exist.

Additionally, the problem of illegitimacy must be dealt with. An indication of the concomitant social evils can be seen in the fact that there were 12 times as many cases of venereal disease per 100,000 people in Harlem as there were per 100,000 people in New York City as a whole.

Illegitimacy is, more and more, becoming a frightening factor in this whole equation. How the Nation can continue to close its eyes to this disturbing fact is beyond comprehension. Something will have to be done about it, or the burden of crime, riots, and the dole will ultimately become unbearable. Militant civil rights groups should stop blaming the white power structure for all of the ills that are visited upon the Negro community.

Negroes must themselves take the lead in doing something constructive for themselves; and they can do this by waging war upon the evils of illegitimacy as one important beginning.

The Negro's lot can be infinitely better in the future if something is done now to encourage and promote planned parenthood and parental responsibility. This is not to say that illegitimacy is nonexistent among whites, but the statistics show clearly where the problem is greatest, and it should there be attacked most intensely.

Finally, no amount of Government paternalism can take the place of drive and ambition when it comes to developing the substantial and upright citizen. Hard work, perseverence, and self-accomplishment breed independence and strength, and courage and resourcefulness in the man or woman. Somehow the glory of honest toil is going to have to be restored if this Nation is going to survive all of the domestic dangers that confront it. There is no question but that the Central Government has a responsibility to assist, a responsibility to provide certain services, but if that Government is to endure, the people must not be encouraged more and more to depend upon the Government for the supplying of every want and every need. A nation on the dole can never hope to maintain the moral fiber, the spiritual strength, and the rugged resourcefulness to keep her people free.

Easy money, easy living, laziness, shiftlessness—all these go hand in hand with irresponsibility, a disordered society, and ultimate decay.

Disobedience to law and acts of violence by a few can hurt the just cause of the many. Not alone this. The perpetuation of ours as a government of laws depends upon the preservation of the constitutional process through which the rights of minorities can be safeguarded and only through which the freedoms of all our citizens will endure.

It may be a tedious process, a long and painstaking process, but, like the mills of the gods, it grinds exceedingly fine. And anything that is antithetic to that constitutional process, whether it be the false doctrine of self-determination by one's conscience as to what laws should be obeyed or disobeyed does violence to this Republic and to constitutional American liberty.

In the words of a former Supreme Court Justice:

> The foundation of a republic is the virtue of its citizens. They are at once sovereigns and subjects. As the foundation is undermined, the structure is weakened. When it is destroyed, the fabric must fall. Such is the voice of universal history. (Swayne, U.S.S.C.)

CENTRAL ARIZONA PROJECT ACT

Mr. BYRD of West Virginia. Mr. President, I move that the Senate proceed to the consideration of Calendar No. 395, S. 1004. I do this so that the bill will become the pending business.

The PRESIDING OFFICER. The bill will be stated by title.

The LEGISLATIVE CLERK. A bill (S. 1004) to authorize the construction, operation, and maintenance of the central Arizona project, Arizona-New Mexico, and for other purposes.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill which had been reported from the Committee on Interior and Insular Affairs, with an amendment to strike out all after the enacting clause and insert:

SECTION 1. That this Act may be cited as the "Central Arizona Project Act".

SEC. 2. (a) For the purposes of furnishing irrigation water and municipal water supplies to the water-deficient areas of Arizona and western New Mexico through direct diversion or exchange of water, generation of electric power and energy, control of floods, conservation and development of fish and wildlife resources, enhancement of recreation opportunities, and for other purposes, the Secretary of the Interior (hereinafter referred to as the "Secretary") shall construct, operate, and maintain the Central Arizona Project, consisting of the following principal works: (1) a system of main conduits and canals, including a main canal and pumping plants (Granite Reef aqueduct and pumping plants), for diverting and carrying water from Lake Havasu to Orme Dam or suitable alternative, which system shall have a capacity of not less than three thousand cubic feet per second; (2) Orme Dam and Reservoir and power-pumping plant or suitable alternative; (3) Buttes Dam and Reservoir, which shall be so operated as to not prejudice the rights of any user in and to the waters of the Gila River as those rights are set forth in the decree entered by the United States District Court for the District of Arizona on June 29, 1935, in United States against Gila Valley Irrigation District and others (Globe Equity Numbered 59); (4) Hooker Dam and Reservoir, which shall be constructed in such a manner as to give effect to the provisions of subsections (f), (g), and (h) of this section; (5) Charleston Dam and Reservoir; (6) Tucson aqueducts and pumping plants; (7) Salt-Gila aqueduct; (8) canals, regulating facilities, hydroelectric powerplants, and electrical transmission facilities; (9) related water distribution and drainage works; and (10) appurtenant works: Provided, That for a period of 27 years from the effective date of this Act, in any year in which, as determined by the Secretary, there will be insufficient mainstream Colorado River water to satisfy the consumptive uses of two million eight hundred thousand, four million four hundred thousand, and three hundred thousand acre-feet in Arizona, California, and Nevada, respectively, diversions for the said purposes of the Central Arizona Project shall be so limited as to assure the availability of water in quantities sufficient to provide for the aggregate annual consumptive use of four million four hundred thousand acre-feet in the State of California. Except as to the terms and provision of this priority, the rights of Arizona under the decision in Arizona against California (373 U.S. 546) are not affected, abridged, or impaired. The terms "consumptive use" and "main stream" as used in this Act shall have the meanings assigned to those terms in the decree in Arizona against California, dated March 9, 1964 (376 U.S. 340).

(b) (1) The Secretary may enter into an agreement with non-Federal interests proposing to construct a thermal generating powerplant whereby the United States shall acquire the right to such portion of the capacity of such plant, including delivery of power and energy over appurtenant transmission facilities to mutually agreed upon delivery points, as he determines is required in connection with the Central Arizona Project. Power and energy acquired thereunder may be disposed of intermittently by the Secretary when not required in connection with the Central Arizona Project. The agreement shall provide, among other things, that—

(i) The United States shall pay not more than that portion of the total construction cost, exclusive of interest during construction, of the powerplant, and of any switchyards and transmission facilities serving the United States, as is represented by the ratios of the respective capacities to be provided for the United States therein to the total capacities of such facilities. The Secretary shall make the Federal portion of such costs available to the non-Federal interests during the construction period, including the period of preparation of designs and specifications, in such installments as will facilitate a timely construction schedule, but no funds other than for preconstruction activities shall be made available by the Secretary until he determines that adequate contractual arrangements are in effect covering water and fuel supplies for the thermal generating powerplant;

(ii) Annual operation and maintenance costs, including provisions for depreciation (except as to depreciation on the pro rata share of construction cost borne by the United States in accordance with the foregoing subdivision (i)) shall be apportioned between the United States and the non-Federal interests on an equitable basis taking into account the ratios determined in accordance with the foregoing subdivision (i);

(iii) The United States shall be given appropriate credit for any interests in Federal lands administered by the Department of the Interior that are made available for the powerplant and appurtenances;

(iv) Costs to be borne by the United States under subdivisions (i) and (ii) shall not include (a) interest and interest during construction, (b) financing charges, (c) franchise fees, and (d) such other costs as shall be specified in the agreement.

(2) The thermal generating plant referred to in subparagraph (1) of this subsection shall be located in Arizona, and if it is served by water diverted from the drainage area of the Colorado River system above Lee Ferry, consumptive use of water in connection therewith shall be charged against the apportionment to Arizona made by article III (a) of the Upper Colorado River Basin Compact (63 Stat. 31) and such use shall not increase Arizona's entitlement to consumptive use under said compact.

(c) Unless and until otherwise provided by Congress, water from the Central Arizona Project shall not be made available directly or indirectly for the irrigation of lands not having a recent irrigation history as determined by the Secretary, except in the case of Indian lands, national wildlife refuges, and, with the approval of the Secretary, State-administered wildlife management areas.

(d)(1) Irrigation and municipal and industrial water supply under the Central Arizona Project within the State of Arizona may, in the event the Secretary determines that it is necessary to effect repayment, be pursuant to master contracts with organizations which have power to levy assessments against all taxable real property within their boundaries. The terms and conditions of contracts or other arrangements whereby each such organization makes water from the Central Arizonal Project available to users within its boundaries shall be subject to the Secretary's approval and the United States shall, if the Secretary determines such action is desirable to facilitate carrying out the provisions of this Act, have the right to require that it be a party to such contracts or that contracts subsidiary to the master contracts be entered into between the United States and any user. The provisions of this subparagraph (1) shall not apply to the supplying of water to an Indian tribe for use within the boundaries of an Indian reservation.

(2) Any obligation assumed pursuant to section 9(d) of the Reclamation Project Act of 1939 (43 U.S.C. 485h(d)) with respect to any project contract unit or irrigation block shall be repaid over a basic period of not more than fifty years; any water service provided pursuant to section 9(e) of the Reclamation Project Act of 1939 (43 U.S.C. 485h(e)) may be on the basis of delivery of water for a period of fifty years and for the delivery of such water at an identical price per acre-foot for water of the same class at the several points of delivery from the main canals and conduits and from such other points of delivery as the Secretary may designate; and long-term contracts relating to irrigation water supply shall provide that water made available thereunder may be made available by the Secretary for municipal or industrial purposes if and to the extent that such water is not required by the contractor for irrigation purposes.

(3) Contracts relating to municipal and industrial water supply under the Central Arizona Project may be made without regard to the limitations of the last sentence of section 9(c) of the Reclamation Project Act of 1939 (43 U.S.C. 485h(c)); may provide for the delivery of such water at an identical price per acre-foot for water of the same class at the several points of delivery from the main canals and conduits; and may provide for repayment over a period of fifty years if made pursuant to clause (1) of said section and for the delivery of water over a period of fifty years if made pursuant to clause (2) thereof.

(e) Each contract under which water is provided under the Central Arizona Project shall require that (1) there be in effect measures, adequate in the judgment of the Secretary, to control expansion of irrigation from aquifers affected by irrigation in the contract service area; (2) the canals and distribution system through which water is conveyed after its delivery by the United States to the contractors shall be provided and maintained with linings, adequate in his judgment to prevent excessive conveyance losses; and (3) neither the contractor nor the Secretary shall pump or permit others to pump ground water from within the exterior boundaries of the service area of a contractor receiving water from the Central Arizona Project for any use outside said contractor's service area unless the Secretary and such contractor shall agree, or shall have previously agreed, that a surplus of ground water exists and that drainage is or was required. Such contracts shall be subordinate at all times to the satisfaction of all existing contracts between the Secretary and users in Arizona heretofore made pursuant to the Boulder Canyon Project Act (45 Stat. 1057).

(f) The Secretary may require in any contract under which water is provided from the Central Arizona Project that the contractor agree to accept main stream water in exchange for or in replacement of existing supplies from sources other than the main stream. The Secretary shall so require in the case of users in Arizona who also use water from the Gila River system, to the extent necessary to make available to users of water from the Gila River system in New Mexico additional quantities of water as provided in and under the conditions specified in subsection (h) of this section: *Provided*, That such exchanges and replacements shall be accomplished without economic injury or cost to such Arizona contractors.

(g) In times of shortage or reduction of main stream Colorado River water for the Central Arizona Project, as determined by the Secretary, users which have yielded water from other sources in exchange for main stream water supplied by that project shall have a first priority to receive main stream water, as against other users supplied by that project which have not so yielded water from other sources, but only in quantities adequate to replace the water so yielded.

(h) In the operation of the Central Arizona Project, the Secretary shall offer to contract with water users in New Mexico for water from the Gila River, its tributaries and underground water sources, in amounts that will permit consumptive use of water in New Mexico not to exceed an annual average in any period of ten consecutive years of eighteen thousand acre-feet, including reservoir evaporation, over and above the consumptive uses provided for by article IV of the decree of the Supreme Court of the United States in Arizona against California (376 U.S. 340). Such increased consumptive uses shall not begin until and shall continue only so long as delivery of Colorado River water to downstream Gila River users in Arizona is being accomplished in accordance with this Act, in quantities sufficient to replace any diminution of their supply resulting from such diversions from the Gila River, its tributaries and underground water sources. In determining the amount required for this purpose full consideration shall be given to any differences in the quality of the waters involved. All additional consumptive uses provided for in this subsection shall be subject to all rights in New Mexico and Arizona as established by the decree entered by the United States District Court for the District of Arizona on June 29, 1935, in United States against Gila Valley Irrigation District and others (Globe Equity Numbered 59) and to all other rights existing on the effective date of this Act in New Mexico and Arizona to water from the Gila River, its tributaries and underground water sources, and shall be junior thereto and shall be made only to the extent possible without economic injury or cost to the holders of such rights.

(i) For a period of ten years from the date of enactment of this Act, no water from the projects authorized by this Act shall be delivered to any water user for the production on newly irrigated lands of any basic agricultural commodity, as defined in the Agricultural Act of 1949, or any amendment thereof, if the total supply of such commodity for the marketing year in which the bulk of the crop would normally be marketed is in excess of the normal supply as defined in section 301(b)(10) of the Agricultural Adjustment Act of 1938, as amended, unless the Secretary of Agriculture calls for an increase in production of such commodity in the interest of national security.

(j) The Secretary shall integrate the Dixie project, heretofore authorized, into the repayment arrangement and participation in the Development Fund established by section 5 of this Act consistent with the provisions of this Act.

Sec. 3. The conservation and development of the fish and wildlife resources and the enhancement of recreation opportunities in connection with the Central Arizona Project works authorized pursuant to this Act shall be in accordance with the provisions of the Federal Water Project Recreation Act (79 Stat. 213).

Sec. 4. The Secretary shall determine the repayment capability of Indian lands within, under, or served by the Central Arizona Project. Construction costs allocated to irrigation of Indian lands (including provision of water for incidental domestic and stock water uses) and within the repayment capability of such lands shall be subject to the Act of July 1, 1932 (47 Stat. 464), and such costs as are beyond repayment capability of such lands shall be nonreimbursable.

Sec. 5. (a) There is hereby established

a separate fund in the Treasury of the United States, to be known as the Lower Colorado River Basin Development Fund (hereafter called the "Development Fund"), which shall remain available until expended as hereafter provided, for carrying out the provisions of section 2 of this Act, and to be expended or applied in connection with water conservation and development for the Lower Colorado River Basin as may hereafter be prescribed by the Congress.

(b) All appropriations made for the purpose of carrying out the aforesaid provisions of section 2, and such projects as are hereafter authorized by the Congress for water conservation and development for the Lower Colorado River Basin, shall be credited to the Development Fund as advances from the general fund of the Treasury and shall be available for such purposes.

(c) There shall also be credited to the Development Fund—

(1) All revenues collected in connection with the operation of the works and facilities authorized pursuant to section 2 and hereafter authorized in furtherance of the purposes of this Act (except entrance, admission, and other recreation fees or charges and proceeds received from recreation concessionaires); and

(2) All Federal revenues from the Boulder Canyon and Parker-Davis projects which, after completion of repayment requirements of the said Boulder Canyon and Parker-Davis projects, are surplus, as determined by the Secretary, to the operation, maintenance, and replacement requirements of those projects: *Provided, however,* That the Secretary is authorized and directed to continue the in-lieu-of-taxes payments to the States of Arizona and Nevada provided for in section 2(c) of the Boulder Canyon Project Adjustment Act so long as revenues accrue from the operation of the Boulder Canyon Project.

(3) All Federal revenues from the portion of the Pacific Northwest-Pacific Southwest intertie, located in the States of Nevada and Arizona which, after completion of repayment requirements of the said part of the Pacific Northwest-Pacific Southwest intertie located in the States of Nevada and Arizona, are surplus, as determined by the Secretary, to the operation, maintenance, and replacement requirements of said portion of the Pacific Northwest-Pacific Southwest intertie and related facilities.

(d) All revenues collected and credited to the development fund pursuant to this Act shall be available, without further appropriation, for—

(1) defraying the costs of operation, maintenance, and replacements of, and emergency expenditures for, all facilities of the project within such separate limitations as may be included in annual appropriation Acts;

(2) payments, if any, as required by section 8 of this Act;

(3) payments as required by subsection (f) of this section; and

(4) payments to reimburse water users in the State of Arizona for losses sustained as a result of diminution of the production of hydroelectric power at Coolidge Dam, Arizona, resulting from exchanges of water between users in the States of Arizona and New Mexico as set forth in section 2 of this Act.

(e) Revenues credited to the Development Fund shall not be available for construction of the works authorized pursuant to section 2 of this Act except on appropriation by the Congress.

(f) Revenues in the Development Fund in excess of the amount necessary to meet the requirements of clauses (1), (2), and (4) of section (d) of this section shall be paid annually to the general fund of the Treasury to return—

(1) the costs of the project or separable feature thereof, authorized pursuant to section 2 of this Act which are allocated to irrigation, commercial power, or municipal and industrial water supply, pursuant to this Act, within a period not exceeding fifty years from the date of completion of each such unit or separable feature, exclusive of any development period authorized by law; and

(2) interest (including interest during construction) on the unamortized balance of the investment in the commercial power and municipal and industrial water supply features of the project at a rate determined by the Secretary of the Treasury in accordance with the provisions of subsection (g) of this section, and interest due shall be a first charge.

(g) The interest rate applicable to those portions of the reimbursable costs of the Central Arizona Project which are properly allocated to commercial power development and municipal and industrial water supply shall be determined by the Secretary of the Treasury, as of the beginning of the fiscal year in which the first advance is made for initiating construction of such project, on the basis of the computed average interest rate payable by the Treasury upon its outstanding marketable public obligations which are neither due nor callable for redemption for fifteen years from the date of issue.

(h) Business-type budgets shall be submitted to the Congress annually for all operations financed by the development fund.

SEC. 6. The Secretary may undertake programs for water salvage along and adjacent to the main stream of the Colorado River and for ground water recovery. Such programs shall be consistent with maintenance of a reasonable degree of undisturbed habitat for fish and wildlife in the area, as determined by the Secretary.

SEC. 7. (a) In order to provide for the construction, operation, and maintenance of the Animas-La Plata Federal reclamation project, Colorado-New Mexico; the Dolores, Dallas Creek; West Divide, and San Miguel Federal reclamation projects, Colorado, as participating projects under the Colorado River Storage Project Act (70 Stat. 105; 43 U.S.C. 620), and to provide for the completion of planning reports on other participating projects, subsection (2) of section 1 of said Act is hereby further amended by deleting the words "Pine River extension", and inserting in lieu thereof the words "Animas-La Plata, Dolores, Dallas Creek, West Divide, San Miguel". Section 2 of said Act is hereby further amended by deleting the words "Parshall, Troublesome, Rabbit Ear, San Miguel, West Divide, Tomichi Creek, East River, Ohio Creek, Dallas Creek, Dolores, Fruit Growers extension, Animas-La Plata", and inserting after the words "Yellow Jacket" the words "Basalt, Middle Park (including the Troublesome, Rabbit Ear, and Azure units), Upper Gunnison (including the East River, Ohio Creek, and Tomichi Creek units), Lower Yampa (including the Juniper and Great Northern units), Upper Yampa (including the Hayden Mesa, Wessels, and Toponas units)", and by inserting after the "Sublette" the words "(including the Kendall Reservoir on Green River and a diversion of water from the Green River to the North Platte River Basin in Wyoming), Uintah unit and the Ute Indian unit of the central Utah, San Juan County (Utah), Price River, Grand County (Utah), Ute Indian unit extension of the central Utah, Gray Canyon, and Juniper (Utah)". The amount which section 12 of said Act authorizes to be appropriated is hereby further increased by the sum of $360,000,000 plus or minus such amounts, if any, as may be required, by reason of changes in construction costs as indicated by engineering cost indexes applicable to the type of construction involved. This additional sum shall be available solely for the construction of the projects herein authorized.

(b) The Animas-La Plata Federal reclamation project shall be constructed and operated in substantial accordance with the engineering plans set out in the report of the Secretary transmitted to the Congress on May 4, 1966, and printed as House Document Numbered 436, Eighty-ninth Congress: *Provided,* That the project construction of the Animas-La Plata Federal reclamation project shall not be undertaken until and unless the States of Colorado and New Mexico shall have ratified the following compact to which the consent of Congress is hereby given:

"ANIMAS-LA PLATA PROJECT COMPACT

"The State of Colorado and the State of New Mexico, in order to implement the operation of the Animas-La Plata Federal Reclamation Project, Colorado-New Mexico, a proposed participating project under the Colorado River Storage Project Act (70 Stat. 105), and being moved by considerations of interstate comity, have resolved to conclude a compact for these purposes and have agreed upon the following articles:

"ARTICLE I

"A. The right to store and divert water in Colorado and New Mexico from the La Plata and Animas River systems, including return flow to the La Plata River from Animas River diversions, for uses in New Mexico under the Animas-La Plata Federal Reclamation Project shall be valid and of equal priority with those rights granted by decree of the Colorado state courts for the uses of water in Colorado for that project, providing such uses in New Mexico are within the allocation of water made to that state by articles III and XIV of the Upper Colorado River Basin Compact (63 Stat. 31).

"B. The restrictions of the last sentence of Section (a) of Article IX of the Upper Colorado River Basin Compact shall not be construed to vitiate paragraph A of this article.

"ARTICLE II

"This Compact shall become binding and obligatory when it shall have been ratified by the legislatures of each of the signatory States."

(c) The Secretary shall, for the Animas-La Plata, Dolores, Dallas Creek, San Miguel, West Divide, and Seedskadee participating projects of the Colorado River storage project, establish the nonexcess irrigable acreage for which any single ownership may receive project water at one hundred and sixty acres of class 1 land or the equivalent thereof, as determined by the Secretary, in other land classes.

(d) The words "any western slope appropriations" contained in paragraph (i) of that section of Senate Document Numbered 80, Seventy-fifth Congress, first session, entitled "Manner of Operation of Project Facilities and Auxiliary Features," shall mean and refer to the appropriation heretofore made for the storage of water in Green Mountain Reservoir, a unit of the Colorado-Big Thompson Federal reclamation project, Colorado; and the Secretary is directed to act in accordance with such meaning and reference. It is the sense of Congress that this directive defines and observes the purpose of said paragraph (i), and does not in any way affect or alter any rights or obligations arising under said Senate Document Numbered 80 or under the laws of the State of Colorado.

SEC. 8. The Upper Colorado River Basin fund established under section 5 of the Act of April 11, 1956 (70 Stat. 107), shall be reimbursed from the Colorado River development fund established by section 2 of the Boulder Canyon Project Adjustment Act (54 Stat. 774), for all expenditures heretofore or hereafter made from the Upper Colorado River Basin fund to meet deficiencies in generation at Hoover Dam during the filling period of reservoirs of storage units of the Colorado River storage project pursuant to the criteria for the filling of Glen Canyon Reservoir (27 Fed. Reg. 6851, July 19, 1962).

For this purpose $500,000 for each year of operation of Hoover Dam and powerplant, commencing with the enactment of this Act, shall be transferred from the Colorado River development fund to the Upper Colorado River Basin fund, in lieu of application of said amounts to the purposes stated in section 2(d) of the Boulder Canyon Project Adjustment Act, until such reimbursement is accomplished. To the extent that any deficiency in such reimbursement remains as of June 1, 1987, the amount of the remaining deficiency shall then be transferred to the Upper Colorado River Basin fund from net revenues derived from the sale of electric energy generated at Hoover Dam.

SEC. 9. Nothing in this Act shall be construed to alter, amend, repeal, modify, or be in conflict with the provisions of the Colorado River compact (45 Stat. 1057), the Upper Colorado River Basin compact (63 Stat. 31), the water treaty of 1944 with the United Mexican States (Treaty Series 994), the decree entered by the Supreme Court of the United States in Arizona against California and others (376 U.S. 340), or, except as otherwise provided herein, the Boulder Canyon Project Act (45 Stat. 1057), the Boulder Canyon Project Adjustment Act (54 Stat. 774), or the Colorado River Storage Project Act (70 Stat. 105).

SEC. 10. The Secretary is directed to—

(a) make reports as to the annual consumptive uses and losses of water from the Colorado River system after each successive five-year period, beginning with the five-year period starting on October 1, 1965. Such reports shall include a detailed breakdown of the beneficial consumptive use of water on a State-by-State basis. Specific figures on quantities consumptively used from the major tributary streams flowing into the Colorado River shall also be included on a State-by-State basis. Such reports shall be prepared in consultation with the States of the lower basin individually and with the Upper Colorado River Commission, and shall be transmitted to the President, the Congress, and to the Governors of each State signatory to the Colorado River compact;

(b) condition all contracts for the delivery of water originating in the drainage basin of the Colorado River system upon the availability of water under the Colorado River compact.

SEC. 11. (a) The Secretary shall propose criteria for the coordinated long-range operation of the reservoirs constructed and operated under the authority of the Colorado River Storage Project Act and the Boulder Canyon Project Act, consistent with the provisions of those statutes, the Boulder Canyon Project Adjustment Act, the Colorado River compact, the Upper Colorado River compact and the Mexican Water Treaty. To effect in part the purposes expressed in this paragraph, the criteria shall make provision for the storage of water in storage units of the Colorado River storage project and releases of water from Lake Powell in the following listed order of priority:

(1) Releases to supply one-half the deficiency described in article III(c) of the Colorado River compact, if any such deficiency exists and is chargeable to the States of the upper division.

(2) Releases to comply with article III(d) of the Colorado River compact.

(3) Storage of water not required for the releases specified in clauses (1) and (2) of this subsection to the extent that the Secretary, after consultation with the Upper Colorado River Commission and representatives of the three lower division States and taking into consideration all relevant factors (including, but not limited to, historic streamflows, the most critical period of record, and probabilities of water supply), shall find to be reasonably necessary to assure deliveries under clauses (1) and (2) without impairment of annual consumptive uses in the upper basin pursuant to the Colorado River compact: *Provided*, That water not so required to be stored shall be released from Lake Powell: (i) to the extent it can be reasonably applied in the States of the lower division to the uses specified in article III(e) of the Colorado River compact, but no such releases shall be made when the active storage in Lake Powell is less than the active storage in Lake Mead, (ii) to maintain, as nearly as practicable, active storage in Lake Mead equal to the active storage in Lake Powell, and (iii) to avoid anticipated spills from Lake Powell.

(b) Not later than July 1, 1968, the criteria proposed in accordance with the foregoing subsection (a) of this section shall be submitted to the Governors of the seven Colorado River Basin States and to such other parties and agencies as the Secretary may deem appropriate for their review and comment. After receipt of comments on the proposed criteria, but not later than January 1, 1969, the Secretary shall adopt appropriate criteria in accordance with this section and publish the same in the Federal Register. Beginning January 1, 1970, and yearly thereafter, the Secretary shall transmit to the Congress and to the Governors of the Colorado River Basin States a report describing the actual operation under the adopted criteria for the preceding compact water year and the projected operation for the current year. As a result of actual operating experience or unforeseen circumstances, the Secretary may thereafter modify the criteria to better achieve the purposes specified in subsection (a) of this section, but only after correspondence with the Governors of the seven Colorado River Basin States and appropriate consultation with such State representatives as each Governor may designate.

(c) Section 7 of the Colorado River Storage Project Act shall be administered in accordance with the foregoing criteria.

SEC. 12. (a) Rights of the upper basin to the consumptive use of water apportioned to that basin from the Colorado River system by the Colorado River compact shall not be reduced or prejudiced by any use of such water in the lower basin.

(b) Nothing in this Act shall be construed so as to impair, conflict with, or otherwise change the duties and powers of the Upper Colorado River Commission.

SEC. 13. Part I of the Federal Power Act (41 Stat. 1063; 16 U.S.C. 791a–823) shall not be applicable to the reach of the Coloardo River between Lake Mead and the present western boundary of the Grand Canyon National Park until and unless otherwise provided by Congress.

SEC. 14. Except as otherwise provided in this Act in constructing, operating, and maintaining the Central Arizona Project, the Secretary shall be governed by the Federal reclamation laws (Act of June 17, 1902; 32 Stat. 388 and Acts amendatory thereof or supplementary thereto) to which laws this Act shall be deemed a supplement.

SEC. 15. (a) All terms used in this Act which are defined in the Colorado River compact shall have the meanings there defined.

(b) "Main stream" means the main stream of the Colorado River downstream from Lee Ferry within the United States, including the reservoirs thereon.

(c) "User" or "water user" in relation to main stream water in the lower basin means the United States, or any person or legal entity, entitled under the decree of the Supreme Court of the United States in Arizona against California, and others (376 U.S. 340), to use main stream water when available thereunder.

(d) "Active storage" means that amount of water in reservoir storage, exclusive of bank storage, which can be released through the existing reservoir outlet works.

(e) "Colorado River Basin States" means the States of Arizona, California, Colorado, Nevada, New Mexico, Utah, and Wyoming.

SEC. 16. There is hereby authorized to be appropriated for construction of the Central Arizona Project, including prepayment for power generation and transmission facilities, but exclusive of distribution and drainage facilities for non-Indian lands, $768,000,000 (October 1963 prices) plus or minus such amounts, if any, as may be justified by reason of ordinary fluctuations in construction costs as indicated by engineering cost indexes applicable to the types of construction involved herein, and not to exceed $100,000,000 for construction of distribution and drainage facilities for non-Indian lands and, in addition thereto, such sums as may be required for operation and maintenance of the project.

ADJOURNMENT UNTIL 10 A.M. TOMORROW

Mr. BYRD of West Virginia. Mr. President, if there is no further business to come before the Senate, I move, in accordance with the order previously entered, that the Senate stand in adjournment until 10 o'clock tomorrow morning.

The motion was agreed to; and (at 6 o'clock and 53 minutes p.m.) the Senate adjourned until tomorrow, August 3, 1967, at 10 o'clock a.m.

NOMINATIONS

Executive nominations received by the Senate August 2, 1967:

DEPUTY DIRECTOR OF PEACE CORPS

Brent K. Ashabranner, of Oklahoma, to be Deputy Director of the Peace Corps.

UPPER GREAT LAKES REGIONAL COMMISSION

Harold G. Jordahl, Jr., of Wisconsin, to be Alternate Federal Cochairman of the Upper Great Lakes Regional Commission.

IN THE AIR FORCE

The following-named officers for promotion in the Regular Air Force, under the appropriate provisions of chapter 835, title 10, United States Code, as amended. All officers are subject to physical examination required by law:

Lieutenant colonel to colonel

LINE OF THE AIR FORCE

Aaron, Thomas R., 09689.
Abbott, Charles W., 15243.
Abbott, Edgar L., 34547.
Adcock, James K., 20589.
Adkins, Harold F., 34250.
Akin, John A., 49171.
Albright, John S., 24703.
Alden, William A., 22658.
Alder, Louis O., 16280.
Aldrich, Thomas A., 16418.
Alexander, Glenn R., 14777.
Alexander, Wiley L., 8670.
Algermissen, Robert L., 15846.
Allen, Charles S., 16305.
Allman, Conrad S., 15984.
Allran, Braxton E., 16128.
Almon, Sam L., 34802.
Amundson, Maynard N., 12501.
Anderson, Carmon H., 50348.
Anderson, Charles C., Jr., 33257.
Anderson, Charles K., 20616.
Anderson, George R., 23653.
Anderson, Robert S., 15199.
Anderson, Winston P., 15848.
Andrews, George A., 15103.
Angel, Angel J., 34497.
Angel, Ralph W., 49235.
Angert, Russell R., Jr., 49177.
Anthony, William H., 22993.
Arabinko, Nicholas, 34822.
Argersinger, James B., 16404.
Armstrong, Robert H., 15899.

Armstrong, William P., 16471.
Arnold, William A., Jr., 14944.
Ashman, Robert E., 48721.
Aszman, Burton H., 07342.
Auger, Gerald F., 16009.
Austin, Noel D., 15825.
Babb, James W., 22606.
Back, John V., 12953.
Bahls, Roy A., 15878.
Bailer, Harold W., 13460.
Bailey, James A., 49199.
Bailey, James W., 16293.
Bailey, Joseph A., 13505.
Bailey, Richard F., 12414.
Bailey, Wallis T., 34836.
Baker, Homer A., Jr., 33126.
Baker, Kemper W., 15791.
Baker, Marshall E., 20675.
Baker, Ogden Z., 33452.
Ballengee, Chester K., 34866.
Banias, Bill B., 51846.
Barker, Darold K., 8819.
Barnhart, Harley E., 15488.
Barrett, Burton S., 15589.
Barrett, Edward C., 49260.
Barzee, Kenneth G., 14326.
Basham, Hal J., 51088.
Bastian, Earl L., 10693.
Bates, Vergil H., 51085.
Bauer, Charles L., III, 50959.
Bean, John R., 50326.
Beck, Joseph P., 12578.
Beckelman, Jack D., 7600.
Becker, Edgar J., 35104.
Becklund, William B., 35091.
Bedell, William I., 35068.
Beeson, Ellwood H., 34653.
Beisner, Gerald J., 18251.
Bell, Robert M., 18145.
Bell, Roland L., 50338.
Belles, Harold A., 34851.
Benkoski, Stanley J., 15723.
Bennett, George W., 49213.
Bennett, John J., 16218.
Benton, Roger G., 11524.
Berger, Marvin E., 12337.
Berman, Samuel D., 34186.
Berodt, Howard H., 14782.
Bettis, Howard E., 34273.
Betts, Howard M., 34619.
Bierbaum, Henry G., 34991.
Biles, Howard K., 15426.
Bjoring, Donell E., 49264.
Blake, John E., 23671.
Blakelock, John H., 50427.
Blankenship, Jack F., 16463.
Blevins, Mack A., 15533.
Blizzard, Alpheus, W., Jr., 15200.
Blumberg, Jules M., 16096.
Boarman, William C., Jr., 51790.
Bogard, Wayne C., 9433.
Bohn, John W., Jr., 51044.
Bolint, Michael J., Jr., 11636.
Bolnick, Ralph, 34848.
Boning, John, 15955.
Boomgaard, Norman C., 51078.
Boothe, Marvin R., 15741.
Borders, John E., 16290.
Borodkin, Marvin, 15626.
Bosworth, Richard A., 15330.
Bosworth, Wallace C., Jr., 14302.
Bowers, Charles J., 33072.
Bowling, Temple, 33103.
Bowman, Aaron J., 34569.
Boyd, Clifton L., 15635.
Boyd, Raymond A., 15295.
Branham, Ethel B., 5202.
Brazier, Harold W., 9932.
Brewer, Sidney W., 49274.
Bridston, John W., 49238.
Bright, William, 14746.
Brookins, Richard C., 33015.
Brooks, William D., Jr., 14712.
Brotherton, Robert G., 15909.
Broughton, Roy J., Jr., 27677.
Broughton, Thomas E., 14280.
Brouns, Robert C., 15811.
Brown, Clement F., Jr., 11517.
Brown, David R., 33763.
Brown, George A., 15892.
Brown, Henry W., 15225.
Browning, George A., III, 33934.
Brunner, Bertram G., 35088.
Bruss, Robert E., 32619.
Bryan, Raymond J., 16453.
Bryson, John W., 26425.
Buckingham, Kent O., 14533.
Budnik, Eugene J., 14344.
BuJol, George W., 12660.
Bundy, Wayne M., 49293.
Burch, George E., 34967.
Burke, Leonard F., 33525.
Burkhart, James M., 18230.
Burleson, Aaron C., 15581.
Burningham, Haven R., 14450.
Burrell, Gordon E., 15891.
Bussells, Chatham P., 13738.
Butt, Oscar A., 15346.
Buzze, Frank C., 34392.
Cadden, James J., 34007.
Caldwell, George P., 15006.
Calhoun, John D., 15836.
Campbell, Donald L., 34651.
Campbell, Leslie J., Jr., 16397.
Campbell, Richard A., 32639.
Canant, Orion P. D., 15464.
Cannon, Edgar A., 35024.
Cannon, William B., 11574.
Carrington, Richard T., Jr., 15384.
Carson, Clarence L., 14127.
Carson, Russell V., 12520.
Carter, Robert F., 14297.
Cartledge, Binford M., 12214.
Casale, Richard S., 28159.
Castleberry, Marvin H., 32689.
Casto, Lloyd L., 14771.
Catlin, Benjamin S., III, 16304.
Caton, Edward H., 15681.
Caylor, William R., 23665.
Chadbourne, Arthur R., Jr., 34776.
Chance, James H., 15355.
Chapman, Roy M., Jr., 16225.
Chardi, Merlin L., 33734.
Charlson, William E., 15932.
Chauret, Colin J. N., 15218.
Cheadle, Geoffrey, 15830.
Chesser, Alvin J., 12996.
Chisholm, Steward J., 33669.
Christenson, John M., 16021.
Christian, Harold W., Jr., 15462.
Christianson, Lyle C., 11477.
Church, Irvan J., 51089.
Clark, Francis B., 34915.
Clark, Kenneth B., 22625.
Clark, Leo J., 50363.
Clayton, Benjamin H., 33777.
Clayton, Lawrence L., Jr., 15952.
Cloninger, Charles R., 13587.
Cloppas, William P. J., 16431.
Coggin, Roy J., 33697.
Coggins, David R., 15987.
Colby, Eldon N., 33832.
Cole, Earle M., 51051.
Cole, Ray M., 15568.
Coleman, James E., 16195.
Coleman, Kenneth, 15737.
Comstock, Harold E., 9104.
Connolly, Lawrence D., 33810.
Cook, William J., 34753.
Coombs, Merle G., 34828.
Coon, Elmer D., 34119.
Coons, Richard L., 16039.
Cooper, Roy D., 10355.
Cooper, William H., 50394.
Copeland, Phillips J., 14920.
Copley, John O., 32715.
Cosel, Richard M., 10628.
Cottingham, William O., Jr., 34562.
Cotton, Allen B., 14124.
Couch, James F., 33312.
Cowan, Harold G., 50304.
Crabtree, Robert O., 33512.
Cracken, Louis W., 34920.
Craig, William L., 16319.
Crain, Franklin C., 34819.
Crawford, Ben, 10028.
Critchlow, David M., 16011.
Crosland, Roy T., 8167.
Croyts, Harold S., 15277.
Cumberpatch, James R., 15876.
Cummings, Sherman R., 32662.
Cunliffe, Richard K., 8958.
Cunningham, Donal B., 13761.
Curfman, Arden B., 15427.
Currie, Donald A., Jr., 15491.
Curto, Domencio A., 15803.
Cusic, William D., Jr., 15014.
Czapar, Charles H., 15863.
Daffron, Thomas A., 51917.
Daggitt, William E., 33122.
Dahlberg, Arvid E., 33565.
Dahlgren, Thomas C., 49244.
Dalton, William L., 33551.
Dana, Henry, 50293.
Daniel, Garland S., 13591.
Davenport, Harry E., 34725.
Davidson, David T., 15759.
Davis, William C., 16279.
Dean, John J., 33585.
Debruler, Henson R., 34846.
Decoster, James V., 34409.
Delonga, Peter R., 15567.
Demont, John V., 15636.
Dennen, Richard L., 15837.
Denning, Kemp H., Jr., 15541.
Devereaux, John M., 32876.
Diehl, Alfred J., 15461.
Dietrich, William A., 16351.
Dingivan, Edward A., 15262.
Dixon, Floyd E., Jr., 51035.
Donnell, Carroll H., 50415.
Doom, Richard C., 22579.
Dossey, Don E., 33513.
Douglass, Walter A., 14742.
Dow, Hugh D., 14797.
Dowless, James R., 34397.
Downing, Elijah M., 34038.
Doyle, Richard M., 16203.
Duke, Daniel F., Jr., 16043.
Dulle, Albert B., 16476.
Duncan, William G., 34647.
Dunlap, Carl K., 15364.
Dunlap, Thomas J., Jr., 34590.
Dunn, Ray A., Jr., 15915.
Eby, Charlie C., 50364.
Edmunds, Alan C., 15875.
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Wiseman, Omar R., 78492.
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Wright, Tilden P., III, 3151712.
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Ziccardi, Vincent A., 83900.
Ziemniak, Edward M., 3163804.
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Armstrong, Ro, 3161597.
Collier, Robert L., 79124.
Hanify, Edward, 3159494.
Moore, Thomas, 3158892.
Trezza, Anthony, 3157581.
White, Clement H., 83883.
Zizzi, Martin E., 83904.

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Birch, Shelton R., 3154516.
Bomar, John B., Jr., 3157370.
Collins, David H., 83901.
Curtis, Harry G., 83923.
Davis, Douglas J., 3168830.
Dobbs, Melvin B., 3133360.
Hunter, John S., III, 79982.
MacNaughton, Mich G., 78484.
Parker, Frank M., III, 3162995.
Pettit, Robert A., 83903.
Ryan, Michael J., 3159996.
Stone, Kenneth M., 3160543.
Thornell, Michael J., 3157353.
Tremblay, Roland A., 3160160.

CONFIRMATIONS

Executive nominations confirmed by the Senate August 2, 1967:

NATIONAL SCIENCE BOARD

Dr. Roger W. Heyns, of California, to be a member of the National Science Board, National Science Foundation, for the remainder of the term expiring May 10, 1970.

EQUAL EMPLOYMENT OPPORTUNITY COMMISSION

Clifford L. Alexander, Jr., of New York, to be a member of the Equal Employment Opportunity Commission for the term expiring July 1, 1972.

HOUSE OF REPRESENTATIVES

WEDNESDAY, AUGUST 2, 1967

The House met at 12 o'clock noon.

The Chaplain, Rev. Edward G. Latch, D.D., offered the following prayer:

This is the victory that overcometh the world, even our faith. 1 John 5: 4.

Almighty God, we come together in prayer at this noon hour to offer unto Thee the devotion of our hearts and to invoke Thy blessing upon us as we seek to solve the problems of our troubled times. May we never be provincial in our principles, intolerant in our interests, or bigoted in our beliefs; but may we always be courageous in character, sympathetic in spirit, and loving in life.

Help us to see our daily duties in proper perspective, to discharge them faithfully and to leave the outcome with Thee. Grant that the people of our country may seek a greater unity of spirit and work together for a better social order and a higher spiritual life.

Bless our President, our Speaker, these Representatives of our people and all who are in positions of responsibility—may they be men and women of real courage, true confidence, and deep conviction as they endeavor to provide dynamic leadership and moral stamina for these days of crises.

Together may we move forward to a new day of peace on earth and good will among men, through Jesus Christ our Lord. Amen.

THE JOURNAL

The Journal of the proceedings of yesterday was read and approved.

MISS KATHY JOHNSON FROM BIRMINGHAM, ALA., ELECTED PRESIDENT OF GIRLS' NATION

Mr. BURLESON. Mr. Speaker, I ask unanimous consent that the gentleman from Alabama [Mr. BEVILL] may extend his remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. BEVILL. Mr. Speaker, Miss Kathy Johnson, a student from Shades Valley High School in Birmingham, Ala., has been elected President of Girls' Nation. Kathy's running mate was Anne Meisselman from Alexandria, Va.

I feel that Girls' State and Girls' Nation have played vital roles in the teaching of government procedure and citizenship to our young adults throughout America. Hours of planning and hard campaigning precede the elections and these young ladies are to be commended for the fine job they do.

Kathy served as the governor of Girls' State in Alabama where she campaigned with a promise to abolish capital punishment.

Another young Alabamian from Brewton, Ala., Miss Margaret Hayes was elected president pro tempore of the senate. Margaret served as speaker of the house during Girls' State and was the mayor of her city. Of course, we cannot forget the many adults who spend endless hours of work with the delegates in the capacity of chaperones. We in Alabama are proud of Mrs. Mary George Waite, from Centre, Ala., a former national chairman of Girls' Nation, for her time in performing this valuable service to these young people.

FREE WORLD TRADE WITH COMMUNIST NATIONS

Mr. WHITENER. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

Mr. WHITENER. Mr. Speaker, I have been very interested in the comments by our distinguished colleague from New Jersey [Mr. JOELSON], with reference to his inquiry into the handling of Communist cargoes by free world vessels. I commend the gentleman for having looked into the matter more fully.

I would hope that in some way we could bring about a realization on the part of these friendly nations, or alleged friendly nations, that they are doing the cause of freedom a great injustice by handling cargo which is actually destined to destroy American youth.

My main purpose in asking for this time was to point out that on yesterday I introduced a resolution to provide for the appointment of a select committee to explore the question of East-West trade. Today many of my colleagues have indicated they will introduce identical resolutions.

I would urge all Members to look at the resolution which was introduced. If any Member feels he can join in the introduction of an identical resolution and give us his support, we will be most grateful.

HOODLUMS OR CRACKPOTS SHOULD NOT BE ALLOWED TO ALTER MILITARY POLICY IN VIETNAM

Mr. STRATTON. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. STRATTON. Mr. Speaker, I was a little appalled to see in the press this morning a report that 10 Members of this distinguished body have called for our immediate withdrawal from Vietnam so that we could devote our full attention to the problems created by the riots and disturbances.

Frankly, I cannot think of any more dangerous or irresponsible proposal than this.

In the first place, this simply gives more encouragement to the Communists in North Vietnam to think that if they just hang on for a little bit longer we will throw in the sponge and they can pick up all the marbles without any strings attached.

Second, what is this to happen to the world's greatest Nation, if we must now confess that our foreign and our military policies can be altered by a few hoodlums or, as the distinguished gentleman from Pennsylvania [Mr. NIX] called them a few moment ago, a few crackpots?

Surely, this country can do whatever needs to be done to deal with the domestic problems that we face. We have already done a great deal in this Congress, as the gentleman from Texas [Mr. MAHON] reminded us a couple of days ago, and we have additional legislation now pending before us today to do more.

But, Mr. Speaker, the day that we cannot stand up against Communist aggression in Southeast Asia simply because we have a few problems here at home, then on that day we might as well turn the whole world over to communism—lock, stock, and barrel.

POOR JUDGMENT OF OUR MAJOR COMMUNICATIONS MEDIA IN GIVING WIDESPREAD EXPOSURE TO RACIAL EXTREMISTS

Mr. HALL. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the Record.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mr. HALL. Mr. Speaker, since last Thursday, when I raised questions concerning poor judgment and responsibility by some of our major communications media in giving such widespread exposure to racial extremists, other responsible voices have begun to speak out on the subject.

I especially want to commend the distinguished majority whip in the House, the Honorable Hale Boggs, for joining me in questioning the propriety of network news show producers who turn their facilities over to the "Rap" Browns and the Stokely Carmichaels. Those who furnish a microphone for insurrectionists become an accessory to the fact, by turning a whisper into volcanic eruption.

I also commend Senator Hugh Scott, who yesterday called upon the news media to draw up a code of emergency procedures to be followed in reporting riots. I would only make one further suggestion regarding the Senator's suggestions—He says:

> The news media must balance the inflammatory statements by presenting at the same time appeals for law and order by responsible leaders.

I do not think the issue is quite as simple as that, and I question whether there is any obligation on the part of the news media to carry the inflammatory statement in the first place. Years ago, when a radio network carried the Orson Welles story about "an invasion from Mars" as though it were really happening, it acted quickly to correct the false impression. But the damage was already done, and thousands of people panicked.

Since my remarks last Thursday on the floor of the House, I have received several hundred letters from across the Nation. This mail has come from news media, from public relations counsel, and from concerned citizens. Without a single exception it has all been favorable to the point of view I expressed. I think it would be educational for the leaders of the three major television networks to read these comments and for other leaders in the field of journalism. My file is open to them for that purpose.

DISTRESSING DEVELOPMENTS IN VIETNAM

Mr. PELLY. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Washington?

There was no objection.

Mr. PELLY. Mr. Speaker, there were two items on the front page of the New York Times this morning which, to put it mildly, were most distressing.

One of these had to do with a Senate investigating committee's disclosure of $896,000 in kickbacks by U.S. drug concerns to a South Vietnamese importer who recently resigned from Premier Ky's Cabinet.

Another was an article saying the junta in Saigon is drawing up a plan to perpetuate its power after the September 3 election.

If the United States, Mr. Speaker, is fighting, and American men are dying, to enrich a few business people in Saigon, and to prolong the rule of a few military generals, the American people should know about it.

It looks to me like American men, in resisting Communist aggression, may be involved in trying to settle which is better; six or half a dozen.

Mr. Speaker, I have gone along with General Eisenhower and other leaders who have supported President Johnson. My support has not been based entirely on reason, but rather that right or wrong our country's honor and interests were at stake.

But, if the forthcoming election in South Vietnam is not free, or if the election results are thwarted by the junta, then we might reconsider as to whether we are sacrificing American lives and resources in vain.

If so, the President would do well to replace Secretary Rusk and find someone who can come up with an alternative program for peace in Southeast Asia.

PETITION TO DISCHARGE H.R. 7 FROM THE POST OFFICE AND CIVIL SERVICE COMMITTEE

Mr. CUNNINGHAM. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Nebraska?

There was no objection.

Mr. CUNNINGHAM. Mr. Speaker, as the original cosponsor of legislation to reclassify the first four pay levels of the postal field service. I have waited patiently for the Commitee on Post Office and Civil Service to take action on what, according to my limited research, is one of the most popular pieces of legislation introduced in the House. I refer to H.R. 7, the bill introduced by the gentleman from Montana, and my own bill, H.R. 425, introduced on the same day, January 10.

At the latest count there have been introduced 197 bills either identical to or with the same purpose of H.R. 7. In addition to this, there are more than 50 bills with the purpose of reclassifying postal employee pay levels in general, making a grand total of 250 bills of similar intent.

Mr. Speaker, the overwhelming number of sponsors of reclassification legislation speaks for itself. Certainly no legislation in my memory has gathered such outstanding backing. The subcommittee in charge of these bills has held hearings but nothing more has been done.

I suggest, Mr. Speaker, that the time has arrived to take some action, and therefore I today, introduce a petition to discharge H.R. 7 from the Post Office and Civil Service Committee, and bring it to the floor of the House so that my many colleagues who share my concern for postal employees and the postal service in general may have the opportunity to vote into law this important legislation.

ERRONEOUS EMPHASIS BY THE NEWS MEDIA

Mr. CEDERBERG. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. CEDERBERG. Mr. Speaker, last night I was impressed by the remarks of the head of the National Association for the Advancement of Colored People, Mr. Roy Wilkins, on the Walter Cronkite show. Mr. Wilkins said at that time—and I certainly agree with him—that the news media of this country—television, radio, and the press—give far too much attention to the rabble-rousers who incite riot around the country.

He referred to the fact that some of these leaders have probably a following of 10 or 15 people, and yet they get nationwide coverage on these news broadcasts throughout the Nation, far in excess of what they deserve.

Mr. Speaker, it seems to me the time has come that this situation should be corrected.

Mr. BOGGS. Mr. Speaker, will the gentleman yield?

Mr. CEDERBERG. Yes, I yield to the gentleman from Louisiana.

Mr. BOGGS. Mr. Speaker, I commend the gentleman from Michigan on his statement. The gentleman was not present on the floor yesterday when I made exactly the same statement.

Mr. CEDERBERG. I thank the gentleman.

Mr. Speaker, as I say, I was impressed by Mr. Wilkins' comments because I believe he is a responsible leader. I would think the news media would give more time to those who are trying to solve some of these problems than to those who are trying to create them.

Mr. Speaker, we have over 20 million fine colored people in this country who have made a great contribution to the culture of our country with little or no friction, and who never are in trouble. It just seems to me there ought to be a general revision of the news media reporting of all kinds in this country to give more space and attention to those who are trying to be helpful in the problems that are disturbing to all of us, regardless of their race, creed, or color.

INCORRECT NEWS REPORTING

Mr. DULSKI. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. DULSKI. Mr. Speaker, last week a feature writer for the Washington Post wrote that a lobbyist had taken part in an executive session of the Postal Rates Subcommittee of the Committee on Post Office and Civil Service.

A Washington Daily News article today quotes that writer as saying:

> I saw it with my own eyes. I was out in the corridor waiting for the subcommittee to break up. * * * There wasn't any doubt about it.

Mr. Speaker, these statements are absolutely untrue. I personally sat in most of the subcommittee executive sessions, and no one was present except the members and official committee staff. Every member of the subcommittee, including the ranking minority member of the committee, the gentleman from Pennsylvania [Mr. CORBETT], if polled will certify that no one took any part in any executive session except the members and official staff personnel.

The insistence of the writer concerned is most regrettable, and is an unwarranted reflection on the integrity of our committee and its Postal Rates Subcommittee.

NEWSPAPER REPORTING

Mr. CORBETT. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. CORBETT. Mr. Speaker, I rise to support the testimony of the gentleman from New York. Somewhere, somehow there has been a regrettable mistake made. I attended every meeting of the subcommittee during the executive session hearings and I can bear witness that no unauthorized person ever was there.

As a matter of fact, at the beginning of the meetings I reemphasized to the chairman and to the members of the subcommittee that we were in executive session and that no unauthorized persons could be present and that the actions of the committee were private.

I regret that this mistake has been made. I do not doubt the words of the reporter who said he saw this gentleman come from a room on which there was a sign on the door "Executive Session." That may be true but it is also true that there was no meeting of the executive session going on when anybody was there who should not have been there.

I am happy to support the statements made by the gentleman from New York which I know are correct.

Mr. CUNNINGHAM. Mr. Speaker, will the gentleman yield?

Mr. CORBETT. I yield to the gentleman.

Mr. CUNNINGHAM. I have a high regard for the columnist in question and I think he is one of the finest of reporters when reporting news of the Committee on the Post Office and Civil Service. But I can also join with our chairman and with our ranking minority member in saying that I attended all of these meetings and that the gentleman in question was never present at any of them.

RIOTS AND LAWLESSNESS

Mr. SELDEN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Alabama?

There was no objection.

Mr. SELDEN. Mr. Speaker, I concur with several of the speakers who have preceded me this morning in concluding that among the more amazing, and I might say appalling, recommendations made by some as a result of the recent outbreak of riots and lawlessness throughout the Nation is that this criminal violence should serve as an excuse for the United States withdrawing its commitments to maintain the freedom of the Republic of Vietnam.

The idea that American resolve and determination to maintain its international commitments could be weakened or diverted by actions of a criminal and lawless element here at home would, indeed, prove heartening to the international forces of aggression, but our Communist enemies in Vietnam and throughout the world should know that this idea has very little currency among the overwhelming majority of the American people.

Mr. RIVERS. Mr. Speaker, will the gentleman yield?

Mr. SELDEN. I yield to the gentleman.

Mr. RIVERS. I unqualifiedly, unequivocally, and most determinedly and most decidedly associate myself with the remarks of the gentleman from Alabama.

Mr. SELDEN. I thank the distinguished chairman of the Armed Services Committee.

We in this country are not going to tolerate lawlessness here at home, nor are we going to encourage lawlessness in international affairs by abandoning our former commitments and virtually throwing small, free nations to the Communist world.

To recommend that we do so—that is, to suggest that the rule of law is somehow divisible and that the only way we can handle lawlessness here at home is to encourage it overseas—is to advocate a course of conduct which could only result in national dishonor and international catastrophe.

CALL OF THE HOUSE

Mr. WYDLER. Mr. Speaker, I make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

Mr. ALBERT. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 193]

Anderson, Ill.
Anderson, Tenn.
Andrews, N. Dak.
Ashley
Brown, Calif.
Burke, Fla.
Burton, Utah
Button
Corman
Davis, Ga.
Ford, William D.
Gibbons
Griffiths
Henderson
Holifield
Jones, Mo.
Kupferman
McClure
Morton
O'Hara, Ill.
Pool
Sisk
Taylor
Teague, Tex.
Tunney
Udall
Williams, Miss.
Wright
Wyatt, Oreg.

The SPEAKER. On this rollcall, 401 Members have answered to their names, a quorum.

By unanimous consent, further proceedings under the call were dispensed with.

UNQUALIFIED SUPPORT FOR "PRESIDENT JOHNSON"

Mr. BUCHANAN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Alabama?

There was no objection.

Mr. BUCHANAN. Mr. Speaker, I rise to announce my total and unqualified support for "President Johnson" and to say further that the President's high ability is exceeded only by the President's charm and perspicacity.

It should be obvious by now that I am talking about President Cathy Johnson of Girls' Nation. She is one of my constituents and the first young lady from Alabama to have this high honor. She is president of the 21st Girls' Nation, which is now in progress at American University. We are very proud of Miss Johnson.

VIETNAM ELECTIONS

Mr. RYAN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. RYAN. Mr. Speaker, the administration has professed great faith in the forthcoming elections in South Vietnam. However, these highly touted elections are becoming more and more ludicrous to contemplate.

There was the action of the Constituent Assembly in excluding certain candidates such as General Minh and the economist, Au Troung Thanh, and thus removing from the campaign any meaningful debate over peace aims.

Last week General Ky announced in advance that he is prepared to "stirke a coup d'etat" and overthrow any elected government if there were trickery, which, of course, he would define.

Today's New York Times reports that the ruling generals are planning to continue to run the Government despite the elections.

Writing in the New York Times today, R. W. Apple, Jr., quotes one of these generals as saying:

> We are willing to go along with the voting, but things must come out right.

Mr. Speaker, it is time for the Secretary of State to make clear the U.S. position on the arrogant attitude of General Ky and his associates. Is the United States going to stand by and acquiesce in a sham election? Is the United States going to permit the Saigon generals to make a mockery out of the democratic process and self-determination, which we are supposedly in Vietnam to guarantee? Is this the process of self-determination, Mr. Speaker, for which the United States has committed its resources, its power, and its prestige?

I call upon the Secretary of State to clarify immediately the position of the United States on this crucial issue.

LAW ENFORCEMENT AND CRIMINAL JUSTICE ASSISTANCE ACT OF 1967

Mr. DELANEY. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 825 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. Res. 825

> *Resolved*, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 5037) to assist State and local governments in reducing the incidence of crime, to increase the effectiveness, fairness, and coordination of law enforcement and criminal justice systems at all levels of government, and for other purposes. After general debate, which shall be confined to the bill and shall continue not to exceed five hours, to be equally divided and controlled by the chairman and ranking minority member of the Committee on the Judiciary, the bill shall be read for amendment under the five-minute rule. It shall be in order to consider the amendment in the nature of a substitute recommended by the Committee on the Judiciary now printed in the bill, and such substitute for the purpose of amendment shall be considered under the five-minute rule as an original bill, and read by titles instead of by sections. At the conclusion of such consideration, the Committee shall rise and report the bill to the House with such amendments as may have been adopted, and any Member may demand a separate vote in the House on any of the amendments adopted to the bill or committee amendment in the nature of a substitute. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

The SPEAKER. The gentleman from New York [Mr. Delaney] is recognized for 1 hour.

Mr. DELANEY. Mr. Speaker, I yield 30 minutes to the gentleman from California [Mr. Smith], pending which I yield myself such time as I may consume.

Mr. Speaker, House Resolution 825 provides an open rule with 5 hours of general debate for consideration of H.R. 5037 to assist State and local government in reducing the incidence of crime, to increase the effectiveness, fairness, and coordination of law enforcement and criminal justice systems at all levels of government, and for other purposes. The resolution further provides that it shall be in order to consider the amendment in the nature of a substitute now printed in the bill under the 5-minute rule as an original bill.

In the United States today, the Crime Commission reports, one boy in six is referred to the juvenile court. In 1965, more than 2 million Americans were received in prisons or juvenile training schools, or placed on probation. One Crime Commission study indicates that about 40 percent of all male children now living in the United States will be arrested for a nontraffic offense during their lives. A survey of 1,700 persons found that 91 percent of them admitted they had committed acts for which they might have received jail or prison sentences. The range of behavior involved in criminal activity is much broader than is popularly believed.

Under H.R. 5037, the Federal Government seeks to create and guide new investment consonant with our historical conviction that law enforcement and criminal justice administration must continue to be primarily local responsibilities. Crime is essentially a local problem that must be dealt with by State and local governments. Lawlessness, however, has been shown by the President's Commission on Law Enforcement and Administration of Justice to be a national phenomenon that reaches into every section of the country. National assistance is needed to support and encourage greater effort by State and local governments to find new answers to the threats presented by criminal activity.

H.R. 5037, as amended, provides Federal financial support to supplement the expenditures of States and units of general local government in their efforts to cope with lawlessness by improvement of law enforcement and the administration of criminal justice. The bill provides a program in the Department of Justice of Federal grant assistance to encourage States and local governments to prepare and adopt comprehensive law enforcement plans; to stimulate allocation of new resources and the development of technological innovations, improved training, and significant new facilities for crime prevention and control; and to encourage research, development, and training to improve law enforcement and to increase respect for law and order.

Mr. Speaker, I urge the adoption of House Resolution 825 in order that immediate consideration may be given to H.R. 5037.

Mr. SMITH of California. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, House Resolution 825 provides an open rule with 5 hours of debate for the consideration of H.R. 5037, the Law Enforcement and Criminal Justice Assistance Act of 1967. It also makes in order the amended language in the bill as a substitute for the original bill.

The purpose of the bill is to provide Federal financial assistance to State and local governments to improve their efforts to handle law enforcement and the administration of criminal justice—the local criminal court system. Two primary grant programs are set up by the bill, a planning grant program and, upon approval of a plan, operational grants. Additionally, Federal funds will be available for research into new developments and techniques in the field.

Title I authorizes the Attorney General to make grants to States, local governments, or combinations of such units of government for planning grants which upgrade and improve local law enforcement and criminal justice. The Federal share of the cost of planning cannot exceed 90 percent of the costs entailed. These plans are to be submitted to the Attorney General for his approval, based on regulations which he will prescribe. They are to include new and innovative concepts, ideas for improving local or State operations. On page 18 of the bill are listed some of the projects which a plan "may" include if it is to be approved by the Attorney General. Mentioned are such areas as community relations, management and organization, recruitment and training of personnel, and improved equipment.

Title II sets up the program of operational grants, available to local or State Governments who have submitted an approved plan to the Attorney General. These grants may not exceed 60 percent of the costs of the projects included in the plan and cannot replace, but must supplement local or State spending in the area. The bill provides that grant money may not be used to pay the salaries of personnel except, "(a) the compensation of personnel for time engaged in conducting or undergoing training programs," and "(b) specialized personnel performing innovative functions." Section 202(b) (2) (b) is a very large loophole, covering as it will any new program and the personnel performing it.

Authorizations are for only fiscal 1968, but it is an ongoing program. Planning grants are authorized at $22,500,000, only $9,000,000 for operational grants, and $13,500,000 for research grants. An additional $5,000,000 may be used as the Attorney General sees fit; $50,000,000 is the total authorization.

Various members of the distinguished Judiciary Committee have submitted supplemental views, general minority views, additional views, and separate views. I will not try to cover all the various members' remarks inasmuch as you have the report before you and they will have ample time to express their opinions during the 5 hours of debate. However, it is noted that some members pointed out what they referred to as basic inadequacies in the bill. Comments are that this measure will eventually create a Federal Police Force, that once the planning is over and operational grant costs begin, it may cost as much as $1,000,000,000 a year. Comments are that the biggest need of local law enforcement is better trained men.

There are also comments that the bill

simply passes out Federal money with no real attempt to reach the main problems. That no assistance is provided to State and local officials in dealing with organized crime. That the regulations to be promulgated by the Attorney General may deter local initiative. That the end result may be federalization and control of law enforcement and criminal justice by the Attorney General.

The report would indicate that a number of amendments may be offered in an effort to correct what the various members believe to be deficiencies in this proposed legislation.

There was discussion before the Rules Committee as to various schools conducted by the FBI, a possible duplication, and so forth. The FBI has for many years been doing an outstanding job in training local law enforcement. During the 1966 fiscal year, for example, the FBI conducted well over 5,000 training schools which were attended by some 163,000 officers. Additionally, last year the FBI held 227 special conferences with a total attendance of over 18,000. In this same area, the FBI National Police Academy is being expanded and soon will be able to accommodate 1,200 officers yearly, a six-fold increase over the present number the FBI can accommodate.

Mr. Speaker, there is no doubt whatsoever but that each and every Member of the House of Representatives wants to do everything he or she possibly can to decrease the amount of crime in the United States. I certainly hope that this measure, when finally passed, will help to do so. Only time will tell. But certainly something has to be done.

I personally have two concerns. One is that we do not end up at any time in the future with a Federal police force. During the general debate today, I certainly hope that the record will be made crystal clear that this is not the intention or purpose of this bill in any way. My second concern has to do with the plans of the local law enforcement agencies desiring assistance under the bill being submitted to the Attorney General for approval. I would much prefer that this authority be given to an experienced law enforcement officer, or to a small group or commission of experienced law enforcement officers. The Attorney General is a prosecuting office both in civil and criminal matters. They are not necessarily trained in the field of law enforcement investigation. True, the various U.S. attorneys and the assistants have access to the reports of the various Federal investigative agencies and are, to that extent, familiar with the investigative problems of law enforcement but they have not, for the most part, had actual experience in the field.

I certainly hope that the individual in the Attorney General's office to whom this responsibility is designated will be a man who has had a long and outstanding experience in actual law enforcement work.

I also note that the language in the bill, to some extent, goes along the lines of the federally assisted program and title 6 of the Civil Rights Act. I certainly hope that history will be made during the debate today from the standpoint of making certain that in approving any local requests, it will not be possible to place conditions therein as to the number of persons the local enforcement agency must have from a standpoint of race, sex, color, or creed.

Mr. Speaker, I urge the adoption of the rule and reserve the balance of my time.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. SMITH of California. Yes, I am happy to yield to the gentleman from Iowa.

Mr. GROSS. I share the gentleman's concern, a real concern, that out of this may grow a national police force. To that I am unalterably opposed.

I hope that before the bill comes to a final vote, that there are adequate safeguards against the establishment of any such force.

I wonder if the gentleman would agree with me that we are going far afield in section 203 of this bill in providing for brick and mortar? I believe there are enough facilities presently available such as National Guard armories and the present academy operated by the FBI to do the job of training, rather than embark, as this bill provides, on additional buildings, even though they may be financed 50 percent by other subdivisions of government.

Again I want to reiterate what I said a few days ago on the floor of the House. I want to see legislation, if it is possible to enact it, to provide that the courts back up the police departments. I say to you again that this legislation will be meaningless; the training of police and other law enforcement officers across the country, if the courts continue to fail, as in all too many cases, to back up our enforcement officers.

I thank the gentleman for yielding.

Mr. SMITH of California. I find myself in agreement with the gentleman's comments.

Mr. CAHILL. Mr. Speaker, will the gentleman yield?

Mr. SMITH of California. I yield to the gentleman from New Jersey.

Mr. CAHILL. Mr. Speaker, I too share the gentleman's concern about the bill as it is presently written, but I would like to say to the gentleman in the well and the gentleman from Iowa, as a member of the committee, that there are those of us on the committee who will, during the course of the debate, try to point out to the membership some of the glaring weaknesses and omissions of this bill, and who will at the appropriate time seek to amend the bill so that it can be a constructive force in combating what all of us thoroughly recognize is a great need in our Nation today, and through some effective means to fight, correct, and prevent the crimes we are experiencing in our Nation.

I join the gentleman hopefully in the thought the bill will be sufficiently improved through the action of the Committee of the Whole so that it can be supported by most Members of the House.

Mr. SMITH of California. Mr. Speaker, this is one of our most serious problems facing us today, and when these amendments are offered, as suggested probably some would be, I certainly hope the Members will be here on the floor to give them consideration so that when the bill is passed we will pass the best bill we believe we possibly can pass to help alleviate this serious situation.

The SPEAKER. The gentleman from California has consumed 11 minutes.

Mr. DELANEY. Mr. Speaker, I now yield 10 minutes to the distinguished chairman of the Armed Services Committee.

(By unanimous consent, Mr. RIVERS was granted permission to speak out of order.)

APPOINTMENT OF SPECIAL SUBCOMMITTEE OF THE HOUSE COMMITTEE ON ARMED SERVICES, TO INQUIRE INTO THE CAPABILITY OF THE NATIONAL GUARD TO COPE WITH LOCAL DISORDER

Mr. RIVERS. Mr. Speaker, I have today appointed a special subcommittee of the House Armed Services Committee to inquire into the capability and availability of our Reserve and Active Armed Forces to assist local and State authorities in coping with civil disturbances. This subcommittee will therefore concern itself, not only with our State National Guard units, but also our Federal Active Forces.

As you know, the President, in his message to the American people last Thursday night, directed the Secretary of Defense "to issue new training standards for riot control procedures to National Guard units across the country." The President said the training would begin immediately.

The conditions that exist in the Nation today require our committee to ascertain just how effective our National Guard units are when they serve in their capacity as members of the State militia. After all, their equipment is furnished by the Federal Government and their training is paid for by the Federal Government. Thus, it is incumbent upon our committee to ascertain whether our National Guard units have the necessary equipment, and whether they have received the kind of training they need for this type of duty, and finally, what the Congress can and should do to help the Governors of every State to control these riots.

But, Mr. Speaker, I pose this question: Should each Governor's motivation and stimulation for fulfilling his responsibility for protecting life and property come from the Congress? I think not. I think we must not forget that the Governors of each State have a constitutional responsibility to their people to protect them within their own States. This is why they have local law enforcement agencies—as well as a State militia.

Now, if these State militia forces do not have adequate equipment and they have not been adequately trained, it is incumbent upon us, because we have assumed this responsibility, to provide the equipment and training. On the other hand, we cannot ask the National Guard to step in to quell each local disorder.

It is incumbent upon the Governors and local law enforcement officers to also take steps to quell riots. I hope we will never reach the point in this country where the State and local governments will do nothing for themselves while they wait for their direction from Washington.

I received a letter the other day indicating that the guerrilla activity to which Carmichael referred, in Havana, would be initiated in 10 cities in California concurrently. I do not know whether this is true or not.

I want to assure this House right now that our committee is not going to inquire into the cause of riots or whether or not there is a conspiracy. This is someone else's concern.

Our concern is whether there is a Federal obligation to improve our National Guard equipment and training to meet local disorders that cannot be met by local police or local law enforcement agencies.

We want to be sure that the Guard has the capability of fulfilling its constitutional responsibility. We want to be sure that it is trained to meet any eventuality within the confines of its capability.

A State is only allocated so many Guard troops. We want to know what they can do, and whether the allotted number is adequate.

Mr. Speaker, I commend the President for his prompt action with respect to the orders he issued to the Secretary of Defense.

Congress must also act promptly. It is required of us in section 4 of article IV of the Constitution, which says:

> The United States shall guarantee to every state in the union a Republican form of government, and shall protect each of them against Invasion; and upon Application of the Legislature or of the Executive (whenever the Legislature cannot be convened) against domestic Violence.

Mr. Speaker, I include at this point a letter which I have directed to Congressman HÉBERT, of Louisiana:

HOUSE OF REPRESENTATIVES,
COMMITTEE ON ARMED SERVICES,
Washington, D.C., August 2, 1967.

Hon. F. EDWARD HÉBERT,
House of Representatives,
Washington, D.C.

DEAR MR. HÉBERT: Pursuant to the authority vested in me by Committee Resolution No. 4, 90th Congress, I hereby appoint you as Chairman of a Special Subcommittee to inquire into the capability and availability of our Reserve and active armed forces to assist local and State authorities in coping with civil disturbances.

The Subcommittee will be composed of the following Members: Mr. Hébert, Chairman; Mr. Hardy, Mr. Lennon, Mr. Hagan, Mr. Long, Mr. Bray, Mr. Chamberlain, Mr. Pirnie, Mr. Clancy.

Mr. Bates and I will serve as ex officio Members.

For the purpose of this inquiry the Subcommittee is empowered to take whatever action necessary to fully discharge its mission. The Subcommittee is directed to report on, among other things, the following particulars:

1. The capability of State National Guard and Federal Forces to cope with civil disturbances, with specific reference to—
   (1) Numbers of personnel;
   (2) Location of personnel;
   (3) Unit structure;
   (4) Available equipment;
   (5) Training; and
   (6) Deficiencies.
2. The availability of these Federal Forces and State National Guard Forces with respect to—
   (1) Legal availability;
   (2) Physical availability; and
   (3) Responsiveness.
3. The existence of plans and procedures on a Federal, State, and local level to utilize such Federal and State National Guard forces.

The Subcommittee is requested to initiate its inquiry as soon as possible, and to make its report at the earliest practicable date.

Sincerely,

L. MENDEL RIVERS,
Chairman.

LAW ENFORCEMENT AND CRIMINAL JUSTICE ASSISTANCE ACT OF 1967

Mr. SMITH of California. Mr. Speaker, I yield 5 minutes to the gentleman from Ohio [Mr. LATTA].

Mr. LATTA. Mr. Speaker, I rise in support of the resolution to bring this bill to the floor for consideration, because I think this is one of the most important bills that this House will consider this year.

I wish also to take this occasion to commend the Judiciary Committee for changing the bill in several regards, beginning with the title. The title of this bill as submitted to the Judiciary Committee seemed to have a propaganda ring: "Safe Streets and Crime Control Act of 1967." I think the change of title to "Law Enforcement and Criminal Justice Assistance Act of 1967" takes out the propaganda.

I would also like to say that I hope during the course of the amendment of this bill, more money will be put into action programs and not so much into planning. Under the present language of the bill most of the money would go into planning and this money under section 201 would not be available until January 1, 1968.

This appears on page 19, lines 20 and 21 of the bill. It says:

> (b) (1) No grant may be made under section 201—
>
> (A) before January 1, 1968, or

I believe that everybody in this House realizes we have a major problem with crime in the United States and that this crime is here today, and it cannot wait until January 1, 1968.

As I brought out before the Rules Committee when this matter was being discussed, I believe we probably could have expanded the already existing program of the FBI which has been training local law enforcement officers for years, thereby accomplishing the purposes of one section of the bill in a much shorter time than we can by creating a whole new department to do the same work.

I was amazed that the chairman of the committee indicated this was not brought up before the committee, but it was later revealed by another member of the committee that this was discussed. I hope this possibility will be discussed during the debate on this bill. The FBI has done a tremendous job in teaching and instructing local law enforcement officers and I have yet to hear a single complaint. Since we need this service now, I hope serious thought is given to expanding this FBI School.

Mr. DELANEY. Mr. Speaker, I yield 5 minutes to the distinguished chairman of the Judiciary Committee, the gentleman from New York [Mr. CELLER].

Mr. CELLER. Mr. Speaker, I wish to state at the outset that those who have any qualms about this bill having any tendency to set up a Federal police force should read section 408 on pages 28 and 29 of the bill, which, indeed, should dispel those qualms. That section reads as follows:

> SEC. 408. Nothing contained in this Act shall be construed to authorize any department, agency, officer, or employee of the United States to exercise any direction, supervision, or control over any police force or other agency of any State or local law enforcement and criminal justice system.

The bill before us is really a safe city streets bill. It is not an antiriot bill. It seeks to make city streets as free as possible from crime. Unfortunately, crime has spread like an octopus, and its tentacles have fastened onto our streets. We are loath to leave our homes at night for fear of attacks upon our persons or property. This is indeed a sad commentary on a nation of law and order.

To dispel this fear, to dissipate this gloomy aspect, to prevent personal assaults and battery, to restore the confidence of citizens, we must strengthen our local police and law enforcement agencies. We must recoup the strength of law enforcement groups and make our police wiser and more efficient. Obsolete and outmoded methods of detection must yield to new techniques and new expertise. Personnel might have to be augmented. Electronic equipment must replace old, hackneyed, and useless gadgets, and data processing systems must be appropriately set up. Federal grants for setting up these improvements, supplemented by local appropriations, are provided for by this bill.

A fresh start must be inaugurated in the attacks on the cause and cure of crime. The riots now blazing forth in our cities, however, should not force us into any precipitous rash action. There is no specific cure-all for these epidemics of lawlessness and violence.

They are to be, as we know, the objects of study by the Commission just appointed by the President.

I am happy to note that two distinguished Members of the House, two eminent members of the House Committee on the Judiciary, Messrs. MCCULLOCH and CORMAN, are on that Commission.

That Commission will make specific recommendations for us to consider. We dare not be impatient. We cannot, in our anxiety to do something, offer a cure that may be worse than the disease.

Remember, policing neighborhoods in cities plagued with crime demands not force alone, but something far more difficult and intricate; namely, great patience and wise counsel and new techniques. There are required enlightened and intelligent local police units, special training, and new scientific weapons and facilities. There is also required further improvement in local community relations, better rapport between local officials and local police and minority groups.

The bill before us will measurably grant these reforms.

Do not expect absolute guarantees and absolute insurance against further difficulty. But the bill should greatly help to reduce crime, help local police to do their duty, and help develop responsible leadership among minority groups, leading to earnest cooperation, to help make our city streets safe.

This bill is not an antiriot panacea. It is a bill to attack on a broad gage in a broad manner crime in our city streets.

I hope that the rule will prevail.

Mr. SMITH of California. Mr. Speaker, I yield 5 minutes to the gentleman from Iowa [Mr. KYL].

Mr. KYL. Mr. Speaker, the bill we discuss today is another in a long list which promises more than can reasonably be expected. Its thrust is directed against the symptoms of the disease rather than the malady itself. Yet any effort to curb crime must be commended.

The burgeoning crime of the Nation is a consequence of multiple factors, the largest of which, I believe, is the attitude of the populace generally, and the deflation of our sense of values. Unless that attitude is altered, this bill is but an attempt to stop the ocean's tide with a shotgun blast.

It has become fashionable in our Nation to discard old standards of conduct because they are no longer relevant to our time. This could be constructive if new, valid, and purposeful standards were adopted. They have not been.

So what we have now is a kind of spiritual vacuum which finds us believing in nothing and living accordingly. This spiritual anarchy is worse, in the long run, than political anarchy which becomes its part.

We here tend to avoid the broad, basic, philosophic problems because there is no easy legislative solution. But we here have an awesome responsibility individually and collectively for, as was said so long ago:

> Moral habits, induced by public practices, are far quicker in making their way into men's private lives, than the failings and faults of individuals are in infecting the city at large.

I suppose my concern could be best summarized by borrowing from Learned Hand, who said:

> That community is already in the process of dissolution where each man begins to eye his neighbor as a possible enemy, where nonconformity with the accepted creed, political as well as religious, is a mark of disaffection; where denunciation, without specification or backing, takes the place of evidence; where orthodoxy chokes freedom of dissent; where faith in the eventual supremacy of reason has become so timid that we dare not enter our convictions in the open lists, to win or lose.

Mr. HALL. Mr. Speaker, will the gentleman yield?

Mr. KYL. I yield to the gentleman from Missouri.

Mr. HALL. I appreciate the gentleman yielding.

I simply rise to inquire about a point of information.

I wonder if the distinguished chairman of the Committee on the Judiciary could tell us what happened to H.R. 8027 which exactly 2 years ago today, in 1965, passed this House unanimously and provided the sum of $10 million for the first year of its operation, for almost identically the same purposes as this bill, H.R. 5037, which is now pending before us today, and which has come out of the same committee?

What I am particularly anxious for the Members to know is what subsequent amounts were funded, in subsequent fiscal years, and whether that bill and subsequent appropriations were passed by the other body and enacted into law?

I have a copy of the bill and the report of the committe before me and, of course, it is referred to in today's report.

Mr. KYL. Mr. Speaker, I would yield to the chairman of the Committee on the Judiciary for a response to the gentleman from Missouri.

Mr. CELLER. This is the testimony of the Attorney General, Mr. Clark, and I quote:

> Mr. CLARK. Mr. Chairman, the Law Enforcement Assistant Act of 1965, which was recommended by the President in his crime message in March of that year, had as its primary purpose experimentation, demonstration, and the establishment of pilot projects and programs. It was not designed as a general support program for criminal justice agencies at State and local levels. I think the committee is most fortunate—I think the administration is most fortunate—to have had these months of experience under that program. We have at this time expended something over $10 million from funds appropriated under the Law Enforcement Assistance Act.
>
> During the first fiscal year of the act's existence, $7,249,000 was appropriated and virtually all of those funds were expended.
>
> The appropriation for the current fiscal year is about the same level, $7,250,000. Among the things that have been done with these funds, as an illustration, is the creation of police science courses in colleges that have never given police science training before. For instance, we have created in colleges that never had any police science courses before, a program for young people to study police science as they prepare to enter into a life in law enforcement.

The SPEAKER pro tempore (Mr. BLATNIK). The time of the gentleman from Iowa [Mr. KYL] has expired.

Mr. DELANEY. Mr. Speaker, I yield the gentleman 1 additional minute.

Mr. CELLER. Mr. Speaker, if I may continue in response to the query of the gentleman from Missouri:

> There are at least 15 States today that have these courses that they can offer to young men that did not have them before the Law Enforcement Assistance Act, and in my judgment would not have them today except for the act. So this provides both an experience on which we can go forward with this new program, and an opportunity to build upon what has already been done. All of the principles of the Law Enforcement Assistance Act which we feel have worked so well are embodied in title III of the new act.

Mr. HALL. Mr. Speaker, will the gentleman yield further?

Mr. KYL. Yes, I yield further to the gentleman from Missouri.

Mr. HALL. Mr. Speaker, I appreciate the gentleman from New York reading the learned treatise on the Law Enforcement Act of 1965, although, in fact, I was not seeking a differentiation between it and today's bill. I simply wanted to know about how the funds were to be expended—whether if it did become enacted into law or not—how the funds were appropriated. However, the dissertation raises a logical next query.

I think the gentleman from New York has at least rationalized the question as to whether it is not duplicative or overlapping with the bill that is pending before us today.

But does not the distinguished chairman agree with me that all of these comprehensive law enforcement plans and other innovations, including new training and new facilities for crime prevention and control alleged and described in this proposed legislation, will be worthless if the Federal courts do not support and back up the constabulary?

Mr. CELLER. I would say the original Law Enforcement Assistance Act was too narrow in terms, and would not permit the wide efforts that are embraced in the bill before us.

Mr. HALL. I thank the gentleman.

Mr. DELANEY. Mr. Speaker, I now yield 5 minutes to the gentleman from New Jersey [Mr. JOELSON].

(By unanimous consent, Mr. JOELSON was granted permission to speak out of order.)

Mr. JOELSON. Mr. Speaker, on July 20 this House by a vote of 207 to 106 refused even to consider what was called the Rat Control Extermination Act, which we know would have authorized $20 million for each fiscal year, 1968 and 1969, to provide two-thirds of the cost of local programs for rat extermination and control.

This legislation was offered in response to a request of the President to Congress in his message on urban and rural poverty.

During debate on the rule, I pointed out to the House that one of the gentlemen who was active in opposition to the bill had appeared before the Committee on Appropriations requesting increased funds for blackbird control. I was aware that Congress had made substantial appropriations to protect livestock plants from rodents, pests, and predatory animals, but I must confess that I never fully appreciated the extent of our solicitude for members of the animal and—yes, also the vegetable kingdoms.

Mr. Speaker, I have done a little research, and I would like to tell the Members about some of the appropriations we have come up with in the last 2 years.

In fiscal year 1966 there was appropriated for grasshopper and mormon cricket control $1,445,000, and in 1967 $1,271,000.

For fire ant control and eradication, we have been most generous. In 1967 we provided $5,389,000 to eradicate and control these ants, and over a 10-year period we provided $29.2 million to eradicate and control fire ants.

In 1967 we provided $1,205,000 for boll weevil research. Boll worm research received $616,000, while pink boll worm research received only a modest $401,000. This was probably because they were pinks, and they did not get as much as the others.

Witch weed control received $2,902,000 in 1966, and $3,239,000 in 1967.

For white fringe beetle eradication, we provided $946,000 in 1966, and $985,000 in 1967.

Bee culture investigation was funded at $908,798 in 1966, and $890,000 in 1967.

I have the list of all of these appropriations.

Mr. MINSHALL. Mr. Speaker, will the gentleman yield?

Mr. JOELSON. Not at this time. I would like to put the rest of this into the Record first.

In 1966, for animal diseases and parasite research we provided $14,297,000, and in 1967 $14,766,000. Research on lespedeza, lupines, trefoil and southern legumes, $224,000 in 1966, and $237,000 in 1967.

Investigations to reduce crop damage caused by nematodes $1,024,000 in 1966 and $1,100,000 in 1967.

Cereal leaf beetle control: $1,080,000 in 1966 and $1,272,000 in 1967.

I hate to do this to the gracious lady from Hawaii but I must point out that in 1966 we appropriated $10,000 to eliminate the Southern green stinkbug in Hawaii.

Scabies eradiation (sheep) got $1,480,000 in 1966 and $1,573,000 in 1967.

Screw-worm eradication got $4,123,000 in 1966 and $3,968,000 in 1967. I do not have the time to list in full our largesse for plants and beasts, but it appears that the total for the 2 years is about $500,000,000. Mr. Speaker now that we have ministered to the flora and fauna, how about people?

The SPEAKER. The time of the gentleman has expired.

Mr. SMITH of California. Mr. Speaker, I yield 3 minutes to the gentleman from Iowa [Mr. Gross].

Mr. GROSS. Mr. Speaker, I would like to ask the gentleman from New York, the chairman of the Committee on the Judiciary, a question or two concerning the fate of the bill, H.R. 8027, which he discussed a few moments ago with the gentleman from Missouri [Mr. Hall].

That bill—similar to the pending legislation—enacted in 1965, called for an appropriation of $10,000,000 the first year. I do not know what was actually appropriated either in the first or second year. But what was the result of that bill, H.R. 8027, a bill similar to the present bill?

Mr. CELLER. In the first place, the pending bill, H.R. 5037, would repeal the Law Enforcement Assistance Act of 1965. If the gentleman is interested in what happened under the Law Enforcement Act, I suggest the reading of pages 164 and 165 of the anticrime program hearings and the gentleman will see that more than 50 different grants were made under the Law Enforcement Act in fiscal 1967. I do not want to take the time to read it.

Mr. GROSS. How much has been spent under the 1965 act, let me ask the gentleman that question and will the gentleman be more specific?

Mr. CELLER. A little over $7,000,000 in the first fiscal year and about the same amount in the second fiscal year.

Mr. GROSS. I thought that there was $10,000,000 appropriated in the first year.

Mr. CELLER. But 7,200,000-and-some-odd dollars was spent the first year. But I think it might be well to read the nature of some of these grants.

Mr. GROSS. Was there any accomplishment as a result of the spending of that money?

Mr. CELLER. Does the gentleman want me to read these grants? It would take me a few minutes. I mean you have to read them to understand the nature of the work.

Mr. GROSS. What was the tangible result? What did the Judiciary Committee ascertain was the tangible result of these funds that were already spent?

Mr. CELLER. It was spent on research for improving local police forces.

Mr. GROSS. Were they improved?

Mr. CELLER. Of course, so far as we know they were improved.

The West Virginia Governor's Committe on Crime received funds.

The District of Columbia Metropolitan Police Department received funds.

Michigan's Governor's Committee on Crime received funds.

The Tucson, Ariz., Police Department received funds.

The Southern Police Institute of Kentucky received funds.

Mr. GROSS. I am asking the gentleman what were the tangible results of these and other grants of money?

Mr. CELLER. The gentleman does not seem to want to understand or to know what has been done.

Mr. GROSS. Yes, I do. That is the information I am seeking.

Mr. CELLER. I am reading to the gentleman what was done. The gentleman is so impatient it seems that he does not want to know.

Mr. GROSS. I only have 2 or 3 minutes. I can read to whom the grants were made. I hope the chairman of the Committee on the Judiciary questioned the witnesses or listened to the testimony as to what was accomplished. Now I ask again, what was accomplished by the expenditure of these millions of dollars in the last 2 years? That is the question I would like to have answered rather than reading where the grants went.

Mr. CELLER. For example, the St. Louis Metropolitan Police Department got $158,781.

Mr. GROSS. Mr. Speaker, I yield back the balance of my time.

Mr. DELANEY. Mr. Speaker, I move the previous question.

The previous question was ordered.

The resolution was agreed to.

COMMUNICATION FROM THE COMMITTEE ON AGRICULTURE

The SPEAKER laid before the House the following communication from the Committee on Agriculture, which was read and, together with the accompanying papers, referred to the Committee on Appropriations:

House of Representatives,
Committee on Agriculture,
Washington, D.C., July 31, 1967.

Hon. John W. McCormack,
The Speaker, House of Representatives,
Washington, D.C.

Dear Mr. Speaker: Pursuant to the provisions of section 2 of the Watershed Protection and Flood Prevention Act, as amended, the Committee on Agriculture today considered and unanimously approved the work plans transmitted to you by Executive Communication and referred to this committee. The work plans involved are:

Trail Creek, watershed, Idaho and Wyoming, executive communication No. 2822, 89th Congress.

Star Valley-Dry Creek, watershed, Wyoming, executive communication No. 2809, 89th Congress.

Upper Bayou-Teche, watershed, Louisiana, executive communication No. 743, 90th Congress.

The House Committee on Agriculture today approved two projects which are primarily irrigation projects. These projects, the Star Valley-Dry Creek and the Trail Creek, were submitted to the committee during the Second Session of the 89th Congress.

Since the enactment of the Watershed Protection and Flood Prevention Act (P.L. 83–566), the House Committee on Agriculture, in exercising its lawful examination of each project submitted to it by the President through the Bureau of the Budget, has sought to approve only those projects whose primary purpose is flood prevention. The committee has felt, and still feels, that a project must first be justified on the grounds of flood prevention. This is a sound and constructive policy which has created a highly successful program in all sections of the United States.

The approval of these two projects does not constitute a change in the committee's policy. These two projects were fully planned at the local level and sent to the committee for its consideration without any knowledge on the part of the local sponsors of the committee's policy. The committee does not wish to work a hardship on those who have worked so long on these projects; therefore, an exception has been made in these cases. However, the committee takes this occasion to make its position perfectly clear on projects whose primary purpose is not flood prevention.

As it has in the past, the committee will welcome incidental benefits such as recreation, irrigation, and municipal water supply which are consistent with good soil and water management; however, such benefits must be secondary to flood prevention.

The Watershed Protection and Flood Prevention Act has been a flood prevention program and a highly successful one. To try to expand it into other vast areas such as irrigation which are better served by other programs, in the opinion of the committee, would only serve to diminish its effectiveness.

The Committee respectfully urges the Department of Agriculture to carefully consider this policy in order that no further projects whose primary purpose is not flood prevention will be submitted to the committee.

Sincerely yours,

W. R. Poage,
Chairman.

LAW ENFORCEMENT AND CRIMINAL JUSTICE ASSISTANCE ACT OF 1967

Mr. CELLER. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 5037) to assist State and local governments in reducing the incidence of crime, to increase the effectiveness, fairness, and coordination of law enforcement and criminal justice systems at all levels of government, and for other purposes.

The motion was agreed to.

IN COMMITTEE OF THE WHOLE

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill H.R. 5037, with Mr. ROSTENKOWSKI in the chair.

The Clerk read the title of the bill.

By unanimous consent, the first reading of the bill was dispensed with.

The CHAIRMAN. Under the rule, the gentleman from New York [Mr. CELLER] will be recognized for 2½ hours, and the gentleman from Ohio [Mr. MCCULLOCH] will be recognized for 2½ hours.

The Chair recognizes the gentleman from New York.

Mr. CELLER Mr. Chairman, I yield myself 10 minutes.

Mr. Chairman, H.R. 5037 is the heart of the national strategy against crime, against crime in general. Under it the Federal Government seeks to create and guide new investment consistent with our historical conviction that law enforcement and criminal justice administration must continue to be primarily local—and I emphasize "local"— responsibility. Crime is essentially a local problem that must be dealt with by the State and local governments.

Mr. HÉBERT. Mr. Chairman, will the gentleman yield?

Mr. CELLER. Mr. Chairman, I always yield to the distinguished gentleman from Louisiana.

Mr. HÉBERT. Mr. Chairman, during the gentleman's presentation on the rule, he quoted the section from the bill which, according to his interpretation, prevents the organization of a national police force. Now the gentleman is referring to complete local control, as expressed by himself, in the granting of these funds if this bill is enacted. Is that correct?

Mr. CELLER. That is correct.

Mr. HÉBERT. Is there anything in this legislation which would prohibit a Federal agency—in this instance, the Justice Department, the cognizant department—from setting up certain guidelines and then refusing to grant money unless those guidelines were followed by the local agency?

Mr. CELLER. There is a provision in the bill that no regulations can be prepared or promulgated unless and until the Attorney General consults with the local authorities. After consultation, there must be notice and hearings under the Administrative Procedure Act, and only then shall the regulations be in effect. Those regulations would be the guidelines. But he must embrace within the consideration as a condition precedent for the regulations, consultation with local authorities.

Mr. HÉBERT. Then there is a provision in the bill which authorizes the cognizant department to set up guidelines after consultation with local authorities? It does not have to follow the advice of local authorities, but only after consultation it can set up guidelines, and if the local authorities do not agree with those guidelines, they cannot receive Federal money.

Mr. CELLER. There is provision also that if a grant is made and the grant is withheld subsequently, the local authorities can appeal to the court.

Mr. HÉBERT. We have had another experience in that area where, on the floor, when this was discussed, particularly in the education bill, with which the gentleman is familiar, it was specifically stated that Federal grants and Federal assistance would not be withheld because of certain restrictions, and yet we find ourselves in a situation where the Department of Health, Education, and Welfare has taken unto itself the authority to set up guidelines and has refused to give the local community the money for its assistance in the educational field unless these guidelines were followed. Not surprisingly so, we have certain guidelines enforced under compulsion of the Fifth Circuit Court of Appeals, whereby five States are under a compulsion of the courts, and the other 45 States do not have these guidelines.

Mr. CELLER. Of course, if we do not have any trust or confidence in anybody or anyone connected with the Government, I do not think we would be able to function very well. I think there are enough safeguards in this bill to prevent a recurrence of the difficulties that the gentleman mentioned.

Mr. HÉBERT. Of course, my distinguished friend realizes and knows that these niceties are always repeated on the floor in discussion of the bill, but once this gets downtown, frankly I have no confidence in the Department of Justice and no confidence in the Department of Health, Education, and Welfare. This is my own personal opinion. And I have no confidence in certain courts of this land, but this is beside the point.

All I am trying to establish is that, regardless of the so-called savings clause which the distinguished gentleman from New York read during discussion on the rule, regardless of that and regardless of his interpretation, which I respect all the time, the fact does remain that there is Federal control over these funds if we pass this legislation.

Mr. CELLER. I think the gentleman, knows, because he is the very distinguished and erudite and scholarly and effective Member from the State of Louisiana, whose word means a great deal in this Chamber, that he could breathe his hot breath down the neck of the Attorney General on that which he thinks is improper, and I think the Attorney General would respond appropriately, because I am quite sure that if he breathed his hot breath down my neck, I would respond appropriately.

Mr. HÉBERT. My gracious friend from New York is always gracious, but I must say now, since we have engaged in this colloquy and we have this time, that it should be of interest to the House to know that the Department of Justice right now refuses to enforce the laws on the books which would curb and prevent riots and send to jail those people who are guilty.

Perhaps it would also be of interest to the gentleman—and I would repeat all those adjectives he used with reference to me in his favor—to know that the Assistant Attorney General of the United States, in open testimony before the Committee on Armed Services, when read the criminal statute which would prevent the so-called riots and certain segments of dissent, gave a remarkable answer. I am sure the gentleman wishes to share this remarkable reply. When the statute was read to Mr. Vinson he said, "I am unfamiliar with that statute." I asked him, "What did you say?" He said, "I am unfamiliar with that statute."

Am I to have confidence in the Department of Justice, when its chief enforcement officer is unfamiliar with the criminal statute to which we address ourselves?

Mr. CELLER. So far as my experience is concerned anent the Department of Justice, I find the head of that Department very effective and a very painstaking and honest official who has done an excellent job. I am quite sure that the gentleman can have the greatest confidence in the work that he will do under this bill. He has shown heretofore that he is dedicated and wants to enforce the law.

We grow impatient at times, in times of stress and emergency, and we want thus and so to be done, but we forget sometimes that there are restrictions which hold the hands of enforcement officers. There are the provisions in the Constitution which preclude precipitate action.

I would suggest the gentleman be a bit more charitable, that he be a bit more patient. I am quite sure the end result will be that if he will have confidence in the Attorney General and his staff they will properly enforce the law.

Mr. HÉBERT. I appreciate the gentleman's philosophical kindness, but my patience is running out after 27 years, and my charity is almost ended. Could we return to a discussion of what the bill provides?

Mr. CELLER. I have been here 44 years. My patience has not run out. I have been sorely tried many, many times.

Mr. HÉBERT. The gentleman is to be commended. That is the reason why I have such admiration for him. Those of us younger are more impatient, and our patience does run out far faster than that of those who are older and so mellow.

Mr. CELLER. I congratulate the gentleman on his youthful enthusiasm.

Mr. HÉBERT. It is because of my youthful enthusiasm that I want to keep the fire of old age burning.

Again I ask the gentleman, what is his reaction to a witness from the Department of Justice who, when read the criminal statute, says he is unfamiliar with that statute?

Mr. CELLER. If the gentleman asked me about a particular statute and asked if I remembered it, very often I probably could not answer, either. If I asked the gentleman the same thing, he probably could not answer. There is a plethora of statutes with which I am not presently acquainted. It is difficult to keep them all in mind.

Mr. HÉBERT. Of course.

Mr. CELLER. I do not know which one the gentleman referred to.

Mr. HÉBERT. Of course, I recognize the inadequacy of my attempt to banter with the gentleman from New York, who is so gracious and is so superior in this type of colloquy.

I say to the gentleman that, if the Assistant Attorney General comes before a committee as a witness to discuss certain statutes he should come equipped as a witness to discuss those statutes.

That is beside the point. I am thankful to my old friend for enduring my questions this long.

Mr. CELLER. It is no endurance.

The CHAIRMAN. The time yielded by the gentleman from New York has expired.

Mr. CELLER. Mr. Chairman, I yield myself 10 minutes more.

Mr. HÉBERT. I still go back to my original question.

Mr. CELLER. I say to the gentleman, I believe he referred to the Assistant Attorney General, Mr. Fred Vinson.

Mr. HÉBERT. That is correct.

Mr. CELLER. He is the son of a very fine Supreme Court Justice.

Mr. HÉBERT. An illustrious Supreme Court Justice, a former Member of this body.

Mr. CELLER. A former Member of this body. From what I know of the present Fred Vinson, I would say that the apple has not fallen far from the tree.

Mr. HÉBERT. I could not, of course, reflect on that. I knew Fred Vinson, the father, very well, as I knew the father of the present Attorney General very well, when he occupied the same position. His father occupied the seat.

My daughter is a very wonderful girl, and I am in love with her, but I am not going to dispute all of these philosophies about how I love her. I want to know what the action is, and the action here as we come down to conclusion in your summation and your answer, is that we have got to trust somebody.

Mr. CELLER. That is correct; we have got to trust somebody. That is the philosophy of life. We have to place confidence somewhere. If we do not have that, we are lost.

Mr. HÉBERT. Well, of course, we are lost, but what we have to do is place this confidence and trust where it has been proven justified and in reviewing the history of this situation, as I mentioned the other day on the floor of the House, I know of no way of judging the future, except by the past. And, judging the future by the past, I have no confidence in some of the present courts and the present situation. The gentleman has referred to the poor results—as related to the police. It is a wonder that they can arrest anyone—that the police can arrest anyone—under the rulings of the present Supreme Court.

I do not wish, however, to get into that phase here. I want to say this to the gentleman. I thank the gentleman very, very much. He has answered my question, the question to the effect that the bill does contain the authority to set up guidelines, and if those guidelines are not followed, the money will be withheld. And, whenever you have Federal money, you have Federal control. You have control anytime any Federal money is involved. There are too many people who want to grab the dollar under any pretense.

Mr. CELLER. I am anxious to get back on the track again. I do not feel that that is an accurate summation of what I said. There are problems which seem to defy solution.

Mr. HÉBERT. Yes, some of the courts as they are constituted bring this about.

Mr. CELLER. Oh, the gentleman is not as cynical as all that, I am sure.

Mr. HÉBERT. I am more cynical than that, after seeing so much happen.

I thank the gentleman from New York very much. The gentleman is still my dear friend.

Mr. CELLER. Mr. Chairman, lawlessness has been shown by the President's Commission on Law Enforcement to be a national symptom that reaches into every section of the country. The national system is needed to support and encourage greater effort by State and local governments to find new answers to the threats pending by criminal activity.

Mr. Chairman, I repeat, as I said in the discussion on the rule, that this is not an antiriot bill. It is a bill that seeks to make our city streets safe.

The bill, as amended, provides Federal financial support in the form of grant assistance in order to supplement the expenditures of States and units of general local government for the improvement of law enforcement, including riot control.

Mr. Chairman, there are four types of grant programs contained in the bill.

No. 1, title I grants funds and makes them available to encourage the development of comprehensive law enforcement plans. The Federal share in this program is 90 percent of the total cost of the plan. For fiscal year 1968, $22.5 million are earmarked for these planning grants.

Title II, sections 201 and 202, provide grant funds for action—and I emphasize "action"—programs to develop new enforcement techniques, to improve training and to develop new facilities. The Federal share in this action grant program is 60 percent of the cost of the projects involved.

Title II, section 203, provides grant funds for the construction of buildings and other physical facilities to fulfill innovative functions. The condition precedent is that it must fulfill innovative functions.

For example, there may be recommended a data processing arrangement and a building may be required for that purpose. Funds could be used for erection and construction of a specially designed building which would house the data processing facility. The Federal share in this construction program is 50 percent of the cost of construction. A total of $9 million is earmarked for title II grants in 1968.

Mr. BINGHAM. Mr. Chairman, will the gentleman yield for a question?

Mr. CELLER. I yield to the gentleman.

Mr. BINGHAM. I thank the gentleman for yielding.

Mr. Chairman, I wonder if the distinguished chairman could comment on the amount of $9 million that he just referred to. It appears to me that for the admirable purposes that are laid out in title II, and the very extensive operations that would be undertaken there, that $9 million is a very small sum to be authorized.

Mr. CELLER. It provides in title II for grants for new approaches in law enforcement. It is what is known as the "action" grant program.

If the gentleman will read the bill, it is pretty well specified as to its purpose. The $9,000,000 for title II grants must be used in the 6-month period between January 1, 1968, and June 30, 1968, the end of the fiscal year.

Mr. BINGHAM. Would the chairman say that is the reason the amount is so low? My point being that for all of this activity the amount specified seems very, very low.

Mr. CELLER. I would say to the gentleman I would rather have had the amount larger, but I am afraid to confess we had considerable difficulty in committee in establishing this figure—it was sort of a compromise. But the gentleman must remember that there must be planning during the time between now and the first of the year. And the title II money must be used in this fiscal year. There are only 6 months involved. If it were for a longer period we probably would have put in a larger amount. It is only because of the shortness of the period of time involved that it was made $9 million.

Mr. BINGHAM. I thank the gentleman.

Mr. CELLER. Title III grants are made available for research, development, and training purposes, including the establishment of national and regional institutes.

Federal share in this research program may be up to 100 percent of the total cost. For fiscal year 1968 $13.5 million is delegated for research grants under title III.

The report of the President's Crime Commission contains a wealth of information about all phases of the multitude of factors that bear upon criminal behavior, and law enforcement problems, the problems that now trouble the United States.

Criminal behavior pervades a much greater segment of the American society than previously had been comprehended generally.

I have right here these volumes which can give the Members some idea of the gigantic work which has been done by the President's Crime Commission. The titles themselves are very significant:

Task Force Reports on: "Organized Crime"; "Crime and Its Impact, an Assessment"; "The Police"; "Juvenile Delinquency and Youth Crime"; "Science and Technology"; "Narcotics and Drug Abuse"; and "Drunkenness." The principal report is "The Challenge of Crime in a Free Society."

It is the most comprehensive series of reports that has ever been undertaken by the U.S. Government. I would almost say that it is the most comprehensive report that has been undertaken by any organization, private or public.

Much of the substance of the bill comes not only from the recommendations of the Attorney General's office but also from these volumes that we have here before you now, as published by the President's Commission on Crime.

In the United States today, for example, the Crime Commission reports one boy in six is referred to a juvenile court.

In 1965, more than 2 million Americans were received in prisons or juvenile training schools, or placed on probation.

One Crime Commission study indicates that about 40 percent of all male children now living in the United States will actually be arrested for a nontraffic offense during their lives.

A survey of 1,700 persons found that 91 percent of the sample admitted that they had committed acts for which they might have received jail or prison sentences.

Mr. Chairman, that is a horrendous statement to make about any nation. Yet, it can be made of our Nation—and to our shame. We must address ourselves to this situation. This bill is an attempt at addressing ourselves to these problems—and it is not a complete answer. It is only a beginning. We are only at the threshold of the attack on this stupendous problem.

Notwithstanding the many alarming statistics which show the extent of crime, and which show the increase in crime, and which show the changing nature of criminal behavior in the United States, the national strategy recommended by the Crime Commission in chapter 13 of its report makes one thing crystal clear.

We will not solve the problems of crime and law enforcement in the United States by precipitous, piecemeal, and frantic action.

I repeat—let not the riots in our cities cause us to lose our balanced judgment in this regard.

These problems demand a systematized and orderly approach. We need planning at every level, but particularly at the local government level, to bring this matter into focus. There are myriad facets to be considered and dealt with if meaningful action is to be taken. This means, above all else, that the officials charged with law enforcement and criminal justice administration must establish working machinery and devise procedures for problem solution.

Significant reform cannot be achieved overnight at the stroke of a pen. It cannot be ordered from above by the Federal Government. It will not come to us like manna from Heaven. It must be carefully nurtured and encouraged by federal supplementary assistance to local agencies. When the units of local government and the States have established effectively working planning agencies, that cooperate with each other on mutual problems, then the United States will be in a position to start to make headway in the reforms that obviously are needed. Then we will be in a position to improve the quality of personnel, to devise programs to meet new needs, and to establish the necessary new organizations and procedures.

H.R. 5037 provides support for, and gives substance to, the Crime Commission's recommendations. The act makes provision for grants to be administered by the Department of Justice to assist in planning, for implementing innovative concepts, for research, and for new facilities.

The grants can cover the spectrum of criminal justice and will emphasize such priority areas as:

First, specialized training, education, and recruitment programs, including intense training in such critical areas as organized crime and police-community relations, and the development of police tactical squads and antiriot training.

Second, modernization of equipment, including portable two-way radios for patrol officers, new alarm systems, and improved laboratory instrumentation for applying advanced techniques in identification.

Third, programs for the reorganization of personnel structures and the coordination and consolidation of overlapping law enforcement and criminal justice agencies.

Fourth, advanced techniques for rehabilitating offenders, including the establishment of vocational prerelease guidance in jails, work-release programs, and community-based corrections facilities.

Fifth, high-speed systems for collecting and transmitting data and information to police, prosecutors, courts, and corrections agencies.

Sixth, crime prevention programs in schools, colleges, welfare agencies, and other institutions.

The Judiciary Committee has spent long hours in deliberations on the various provisions that are now in H.R. 5037, as reported. There were five executive sessions in subcommittee, and there were five executive meetings in the full Committee. The bill before you contains a good, workable, and systematic method for coming to grips with the real problems in law enforcement and criminal justice administration. The Committee's report reflects fully all of the considerations that have been brought to bear on this bill.

I urge that the bill be accepted.

There are some typographical errors on page 7 of the report; the date in item No. 7 should be June 30, 1969, and on page 15, the date in section 414 should be June 30, 1969, in lieu of June 30, 1967. Efforts will be made by unanimous consent to make appropriate changes therein.

Mr. McCULLOCH. Mr. Chairman, I yield myself such time as I may need.

Mr. Chairman, our Constitution and laws were and are designed to endure as the foundation of freedom. They are the guardians of our liberties. They are the protectors of our lives and our fortunes. They establish justice and promote domestic tranquillity. They insure order in our society without sacrificing the fundamental rights and liberties to which all Americans were, in 1776, declared endowed by their Creator.

Today the debate begins in the Committee of the Whole House on the State of the Union on the most troublesome and most difficult domestic problems of our time—crime in America. As we proceed in this debate we must remember that preservation of law and order is the first and fundamental function of government. We must remember that every citizen expects, and is entitled to expect, that his government will protect his person and his property. And we must further remember that a truly effective approach to fighting crime in America must involve a coordinated, combined and cooperative undertaking of local, State, and Federal Government.

We are witnessing, in our time, a serious threat to these fundamental rights and liberties. A year ago the President reported to the Congress that there is—

A forcible rape every 26 minutes,

A robbery every 5 minutes,

An aggravated assault every 3 minutes,

A car theft every minute, and

A burglary every 28 seconds.

This means that during the 5 hours of general debate on this bill there are likely to be more than 1,100 serious crimes committed in our country. Based on averages, in these 5 hours, there will be 11 rapes, 60 robberies, 100 aggravated assaults, 300 car thefts, and 640 burglaries. And such alarming statistics do not reflect the multibillion-dollar impact of oragnized crime on the American economy and the multimillion-dollar property losses from recent riots and violent civil disorder. I cite these facts as unmistakable evidence of the need to improve law enforcement and criminal justice throughout the Nation.

Mr. CELLER. Mr. Chairman, will the gentleman yield?

Mr. McCULLOCH. I yield to the able chairman of our committee, the gentleman from New York [Mr. CELLER].

Mr. CELLER. Mr. Chairman, I should have made this statement before. I make it now, and I make it gladly. I compliment the gentleman on his painstaking efforts and his help in fashioning this bill before us. He has been most cooperative and has shown rare wisdom, real earnestness, and indefatigable industry in helping us work out real difficulties concerning this legislation.

Mr. McCULLOCH. Mr. Chairman, I thank the gentleman from New York, the able chairman of our committee.

Mr. Chairman, the distinguished chairman of the Judiciary Committee, my able colleague the gentleman from New York [Mr. CELLER], has outlined the particulars of this legislation, which our committee believes will properly and effectively commit the Federal Government in assisting the States and the many thousand political subdivisions thereof to more effectively discharge their duties and responsibilities. Our committee believes this bill will give State and local law enforcement agencies the necessary assistance to more effectively fight crime. It will assist in the recruitment, education, and training for State and local police and correctional personnel. It will provide assistance for the acquisition of modern police equipment. It will provide for crime prevention programs in schools, colleges, and other educational institutions throughout the country. In short, assistance will be available to improve all phases of the law enforcement and criminal justice process.

H.R. 5037 authorizes $50 million to

implement this assistance program during the remainder of this fiscal year. The Attorney General testified that the President would seek $300 million next year and thereafter an estimated billion dollars a year to carry out this program. Some believe that this is too little while others declare it is too much. I am of the opinion that we dare not put a price tag on the cost of our war on crime, crime that costs so unbelievably much in material wealth in addition to its frightful cost in loss of life and in loss of freedom. This program must be funded to the extent necessary to accomplish its declared purpose.

Mr. Chairman, the immediate beneficiaries of this legislation will be the some 420,000 policemen working for some 40,000 law enforcement agencies throughout the Nation. These are the men who have the responsibility of dealing with crime hour by hour, when, where, and as it occurs. These are men who did not create and cannot resolve the social conditions that stimulate crime. They did not start and cannot stop the convulsive social changes that are taking place in our country. They do not enact the laws they are required to enforce nor do they have the power to determine the guilt or innocence of those they arrest.

These are men who we expect to understand the intricate complexities of the rapidly developing statutory and court made laws and the frustrating problems of urban life. We expect these men to risk their lives to save ours. However, our expectations from these men have far exceeded our concern for them.

We seldom praise but often criticize the police. We have not provided them with the education and training necessary to effectively perform their duties. We have not paid adequate salaries nor have we provided modern scientific and technological equipment. This legislation is concerned for these men and with providing them the tools necessary to effectively perform their duties. It was Justice Frankfurter who once said: "The bite of the law is in its enforcement." I would add, without effective law enforcement, we will neither deter the criminal nor effectively apprehend, indict, prosecute, try, or rehabilitate the criminal.

Effective law enforcement begins at the local level. H.R. 5037 would establish a Federal grant program designed to stimulate and encourage local initiative. This legislation fully recognizes and preserves the essentially local character of law enforcement.

Mr. Chairman, this legislation had more time, attention, and study than any other legislation before the Judiciary Committee this year. Our subcommittee held 4 days of public hearings and our subcommittee spent 5 days on this legislation in executive session. The full Judiciary Committee devoted 5 days of executive consideration to this measure. Our careful study resulted in some 25 amendments to improve the program and administration of the program created by H.R. 5037. I am much pleased that the minority made such significant contributions to the improvement of this bill.

Mr. Chairman, our Nation cannot long pursue its quest for human dignity behind locked doors. Crime and fear of crime strikes at the liberty and the freedom of our citizens. No elected or appointed Government official should rest until every man, woman, and child can walk any street, enjoy any park, drive on any road or highway, and live secure in his person and property, in any community, at any time of day or night, free from fear or threat of harm.

To all my colleagues who are so concerned and want to do something about crime in our time, I recommend this legislation.

Mr. RODINO. Mr. Chairman, I yield myself 10 minutes.

Mr. Chairman, crime is a matter of urgent public concern. The people of this Nation are aroused and many are frightened. The National Crime Commission found in a survey that 43 percent of their respondents said that they stay off the streets at night because of their fear of crime; 35 percent said they do not speak to strangers any more because of their fear of crime. This situation is intolerable. Law and order must be restored and Congress bears a substantial responsibility to take action in this regard.

The President has stated that crime must be rooted out in local communities by local authorities. He has pledged that the Federal Government can, and will, help. We are all aware of the awesome and frightening rise in the crime rate. We use the word "escalation" to describe many phenomena in our life today. It can certainly be aptly applied to the incidence of crime in our Nation.

I must emphasize that the crimes we are talking about—the street crimes, the common law crimes, robbery, rape, aggravated assault, burglary—are local crimes. We do not want a national police force, or local police forces dominated and controlled by Federal authorities. The Federal help, therefore, must be through financial assistance, encouragement, and guidance, but not control. This is the type of assistance that is provided by the act which we are considering today.

In recognition of the crime problem, the President appointed the National Crime Commission to make a study and to recommend solutions. The work of the Commission has been described as the most comprehensive study of crime ever undertaken. Its report contains a wealth of valuable information and meaningful recommendations. However, if the work of this Commission is to make a significant contribution to our way of life, the recommendations must be implemented.

The heart of the report listed several basic objectives. Two of these objectives, I believe, are particularly pertinent for us today. First:

> All levels of Government must take responsibility for planning and implementing the changes that must be made in the criminal justice system if crime is to be reduced.

Second:

> The police, courts and correctional agencies must be given substantially greater amounts of money if they are to improve their abilities to control crime.

We are, thus, talking about planning for changes and improvements in our law enforcement system and then for getting the money to implement the plans. This is what the act before us today will do.

The bill contemplates three basic types of grants: First, planning; second, action; and third, research and demonstrations. Federal grants will be made available to cover up to 90 percent of the planning costs, 60 percent of the cost for initial action programs, 50 percent of the costs of innovative construction projects, and up to 100 percent of the cost for research and special demonstration projects. The program is broad. It covers the entire range of law enforcement activities and will make funds available for such important purposes as specialized training and education for law enforcement personnel and modernization of their equipment. While I do not pretend to know all of the answers for how we can prevent our city riots, I am absolutely convinced that if the police authorities in our cities could have better training and the latest available equipment the scope and devastation of the riot activities could be substantially limited.

In my own congressional district we have seen the tragic consequences of civil disorder and rioting in the streets. This is too great a burden for any community to bear. We all deplore these riots and condemn the criminal behavior they unleash, and yet I think we all agree that no simple solution will be immediately forthcoming. The improvements, however, which can be made under this act in our local law enforcement forces can go a long way toward enabling them to cope with the problem. Hopefully there will then be less of this needless and deplorable loss of life and destruction of property.

The act before us does not contemplate a takeover of law enforcement functions by the Federal Government or a complete subsidization of local law enforcement efforts. The act will require much from State and local authorities. They must do the planning and will have to provide increasing amounts of their own funds. It will be a partnership, but with control and supervision remaining, as it is today, with the State and local authorities.

The Law Enforcement Assistance Act was enacted in September 1965. It authorized a comparatively modest program of Federal financial assistance to State and local agencies engaged in law enforcement. The program under that act was an experimental effort designed to foster new approaches, new resources, and new capabilities for dealing with crime and criminals. Valuable experience has been gained during the almost 2 years of progress under that act and now is the time to take the big step and put the experience gained to best use.

The Federal Government participates in many areas of our national life by providing funds which would not otherwise be available to State and local authorities for prosecuting needed programs. It does not make sense that we should neglect the area which is perhaps the most important to the well-being of the people of our Nation—law and order. Experience has shown us—and the report of the National Crime Commission clearly documents the fact—that individual local jurisdictions cannot meet the crime challenge alone. A comprehensive program of Federal assistance is essential. The act before us is the recommended vehicle. It is the heart of the President's crime program. It has been thoroughly studied and considered by the Judiciary Committee. Some changes in the original proposal have been made by the committee. It is a good bill and I earnestly recommend its enactment at the earliest possible time.

Mr. McCLORY. Mr. Chairman, will the gentleman yield?

Mr. RODINO. I yield to the gentleman.

Mr. McCLORY. I just want to question some of the statements that the gentleman from New Jersey [Mr. Rodino] made so far as local and State control of plans and utilization of the funds actually granted. As I read the bill, while these applications are going to pass through the Governor's office of the State from which an application is filed, the decision and the control of funds granted under this legislation in titles I and II is vested solely in the Attorney General, and he may, in his own discretion, bypass a State and make grants directly to a municipality or combinations of municipalities, whether it is in accordance with a State plan or not.

I think the gentleman wishes that the bill did what he has said in his remarks on that score but I do not think, as it now appears before the committee, that the bill carries out those wishes. I hope the gentleman will support appropriate amendments that will carry out the gentleman's views, as I believe he has expressed them.

The CHAIRMAN. The time of the gentleman has expired.

Mr. McCULLOCH. Mr. Chairman, I yield 10 minutes to the gentleman from Virginia [Mr. Poff].

Mr. POFF. Mr. Chairman, I favor legislation in this field.

Mr. Chairman, every statistic illustrates that largely because the Federal Government has preempted the revenue sources, State and local governments need the financial assistance.

I want to add, however, in its original form I did not favor the bill, H.R. 5037. As the report indicates, during the course of the committee deliberation, some 25 amendments were adopted. The total effect of those amendments was beneficial. They improve the bill. Yet, Mr. Chairman, there is still much room for improvement.

A number of amendments have already been drafted and will be laid on the Speaker's desk tomorrow. Some are relatively inconsequential and procedural, but there are two amendments which are substantive in nature and substantial in consequence.

Essentially, these two amendments, which for the purposes of identification, we may call the Cahill amendment and the McClory amendment, will first modify the emphasis in this legislation; second, erect a scale of priorities; and, third, place primary control in the States rather than in the Federal Government.

Briefly, the Cahill amendment was inspired by the fears that many of us have that title II is so loosely drawn, so imprecise, and grants so much authority to the Attorney General that it might, although obviously not so intended, lay the foundation later for the germination of a national police force. And I suggest that whatever your persuasion, conservative or liberal, you are concerned about the prospect of a national police force.

Title II, which deals with action grants, has no proper safeguards. The Attorney General is vested with sole and exclusive power to handle $50 million in the next fiscal year and thereafter up to $1 billion a year as he sees fit and when he sees fit. The only limitation which is placed upon his discretion is that no more than 15 percent of the total authorization may be allocated to one State, and that limitation, I submit, simply means that the Attorney General may, if he chooses to do so, grant the entire authorization to seven States, and the other 43 States and the District of Columbia would be denied any money whatever.

Mr. GROSS. Mr. Chairman, I make the point of order that a quorum is not present.

The CHAIRMAN. Evidently a quorum is not present.

The Clerk will call the roll.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 194]

Anderson, Ill.
Anderson, Tenn.
Andrews, N. Dak.
Ashley
Baring
Battin
Brown, Calif.
Burke, Fla.
Burton, Utah
Button
Byrnes, Wis.
Corman
Davis, Ga.
Dawson
Diggs
Dingell
Edwards, Ala.
Evins, Tenn.
Ford, William D.
Gibbons
Hanna
Hansen, Wash.
Henderson
Holland
Jones, Mo.
Kupferman
Long, Md.
McClure
Morris, N. Mex.
Morton
Nedzi
Nix
O'Hara, Ill.
Pool
Rarick
Resnick
Sisk
Steed
Taylor
Teague, Calif.
Udall
Williams, Miss.
Wright
Wyatt

Accordingly the Committee rose; and the Speaker pro tempore (Mr. Albert) having assumed the chair, Mr. Rostenkowski, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill H.R. 5037, and finding itself without a quorum, he had directed the roll to be called, when 387 Members responded to their names, a quorum, and he submitted herewith the names of the absentees to be spread upon the Journal.

The Committee resumed its sitting.

The CHAIRMAN. The gentleman from Virginia has 6 minutes remaining.

Mr. POFF. Mr. Chairman, let me recapitulate hurriedly. I have said that I favor legislation in this field, but in its original form I did not favor H.R. 5037. All the 25 amendments adopted during committee deliberations materially and substantively improved the bill, but yet they leave room for further improvement. I said that two amendments would be offered by the gentleman from New Jersey [Mr. Cahill] and the gentleman from Illinois [Mr. McClory], which in their total effect would modify the emphasis, erect a scale of priorities, and place primary control in the States rather than in the Federal Government.

I have said, too, that the Cahill amendment, which will be offered as soon as possible after the bill is read for amendment, is inspired by the fears that some of us have that title II in its present form could possibly in future years, under other Attorneys General, lay the foundation for a national police force.

I have pointed out that under title II, as it is now written, there is little restraint upon the power of the Attorney General to allocate funds among the several States. Indeed, the Attorney General can, if he chooses to do so, place all the money authorized with seven States. The only limitation which now exists is that no State shall receive more than 15 percent of the total amount authorized.

Mr. MacGREGOR. Mr. Chairman, will the gentleman yield?

Mr. POFF. I yield to the gentleman from Minnesota.

Mr. MacGREGOR. Mr. Chairman, I think it should be made clear—and the gentleman will correct me if I am wrong—that the language of H.R. 5037 would also permit the Attorney General to exhaust the money under title II in grants to only seven cities of the United States, providing only that no two cities were in any one State.

Mr. POFF. The gentleman is eminently correct.

Mr. CAHILL. Mr. Chairman, will the gentleman yield?

Mr. POFF. I yield to the gentleman from New Jersey.

Mr. CAHILL. Mr. Chairman, the gentleman has said, as I understand it, that there is no formula that is spelled out in the statute for the distribution of these funds to local municipalities. There has to be some formula. How does the gentleman suggest these funds will be distributed?

Mr. POFF. I believe that the formula which is fixed precisely in the language of the amendment which will be offered by the distinguished gentleman from New Jersey is a workable formula.

Mr. CAHILL. But I am speaking about the lack of a formula in the administration bill. Assuming the amendment I am going to suggest is not adopted, who will govern the distribution of the funds?

Mr. POFF. The Attorney General in his sole discretion will determine what State or what local unit of the State will receive funds, and how much.

Mr. CAHILL. Do I understand then that the Attorney General will then have determined which States or which municipalities will get all the money provided for in this bill?

Mr. POFF. The gentleman is correct. Repeating what I said earlier, it is possible, under such a lack of formula, that 43 States in the Nation might not receive a single penny.

Also, with respect to title II, I think it is important to note the Attorney General not only has the power to decide what States and municipalities will receive the money, not only how much each will receive, but also for what purposes the money received will be spent. I point particularly to the language in section 201 of title II which says:

> The purposes for which grants may be made may include but shall not be limited to—

And thereafter follows an inventory of the uses to which the money can be put. Nevertheless, the Attorney General can put the money to uses other than those specifically itemized, so long as in his judgment it promotes the general purposes of the bill.

I also call attention to the fact that there is no adequate safeguard in title II to insure that the Federal moneys will be a supplement to, rather than a substitute for, local funds.

The amendment which will be offered by the gentleman from New Jersey [Mr. Cahill] will require that whatever funds go to localities will be in addition to, rather than in lieu of moneys the localities would normally spend in law enforcement and criminal justice.

Mr. Chairman, I think, too, I should say one word before closing about the amendment which will be offered by the gentleman from Illinois [Mr. McClory]. All law enforcement personnel and members of the President's Crime Commission agree that the primary need in the field of law enforcement is in the areas of training and basic research in techniques of crime prevention, crime control, prisoner rehabilitation, and so forth. The McClory amendment will be designed to establish a National Institute of Law Enforcement and Criminal Justice patterned after the National Institutes of Health with regional institutes situated at strategic points around the Nation.

Mr. CELLER. Mr. Chairman, will the gentleman yield?

Mr. POFF. I yield to the chairman of the Judiciary Committee, the gentleman from New York [Mr. Celler].

Mr. CELLER. Mr. Chairman, I think in the colloquy between the good gentleman from Virginia and the gentleman from Minnesota, the statement was made—and I may be incorrect—that it is conceivable that only seven cities may receive all the moneys under this act. I am curious to know how that deduction has been made.

Mr. POFF. As the distinguished gentleman knows, the bill provides that no State shall receive more than 15 percent of the funds. That is the only limitation imposed upon the Attorney General. It is possible, then, that six States each would receive 15 percent of the funds and the seventh State 10 percent of the funds.

The gentleman from Minnesota inquired if the same reasoning did not apply to muncipalities, and the answer to that question was yes, if those municipalities were in seven separate States.

Mr. CELLER. Does not the gentleman from Virginia believe, and does not the gentleman from Minnesota believe that is pretty farfetched?

Mr. POFF. I do not.

Mr. CELLER. Do you really believe that the Attorney General would limit it to seven cities or seven States?

Mr. POFF. I believe it is highly unlikely that the Attorney General would do so. I am simply analyzing the definition of power now involved in title II. Insofar as the raw naked power is concerned, the Attorney General would be empowered to grant all the money to seven States.

Mr. MacGREGOR. Mr. Chairman, will the gentleman yield?

Mr. POFF. I yield to the gentleman from Minnesota.

Mr. MacGREGOR. I believe the distinguished chairman of the Judiciary Committee would agree with me that we should not be obliged to speculate as to what the Attorney General might do. We are the legislative arm of the Government. It is up to us to give the Attorney General reasonable, reasoned, definitive guidelines by which he shall proceed.

I can envision—and envision very easily—the prospect of Boston, New York, Philadelphia, Baltimore, Cleveland, Chicago, and Detroit, seven cities, getting all of the funds under title II of this bill, and this will quickly become the big money part of the bill, as the gentleman knows.

The CHAIRMAN. The time of the gentleman from Virginia has expired.

Mr. CELLER. Mr. Chairman, I yield the gentleman from Virginia 2 additional minutes.

Mr. Chairman, will the gentleman yield?

Mr. POFF. I yield to the gentleman from New York.

Mr. CELLER. I should like to say that if any Attorney General took a course of that sort he certainly should be subject to criticism if not impeachment. I would be the first to offer a resolution of criticism if this went to an extreme of that sort.

I might modify my point of view if Minneapolis were included.

Mr. MacGREGOR. Mr. Chairman, will the gentleman yield?

Mr. POFF. I yield to the gentleman from Minnesota.

Mr. MacGREGOR. I would hope that we would not have to take the impeachment route. I would hope that the chairman of the Judiciary Committee would join with us in the amendment route, so as to improve the bill and to obviate the possibility which the gentleman from Virginia has pointed out.

Mr. POFF. Mr. Chairman, I thank the gentleman.

In the few seconds I have remaining, I should like to respond to questions which have been asked of me informally; namely, why does this legislation not deal with such things as wiretapping, gun control, search and seizure, witness immunity, interrogation, probation, parole, rehabilitation and other such matters?

The reason, simply stated, Mr. Chairman, is that such matters are not germane to this bill. In due time we earnestly hope that the distinguished chairman of the committee will hold hearings in each of these several areas and that before this session of Congress adjourns the House will have an opportunity to express its will on these important matters.

As the chairman of the committee said, and as the distinguished gentleman from Ohio said, there is no problem on the domestic scene which more completely occupies the thoughts and the fears of the American people than this question of crime run rampant. If this Congress adjourns without dealing with that problem, it will deserve the everlasting indictment of the American people.

Mr. CELLER. Mr. Chairman, I yield myself 3 minutes.

With reference to the colloquy just had, I should like to read a brief statement concerning allocations to States.

The question was asked of the Attorney General:

> How is the percentage of 15 percent in section 410 arrived at? Should this percentage be more flexible? Should title III be exempt from the 15 percent requirement because some institution might be operating in the State serving a multiplicity of States in a given region?

This is the answer:

> Section 14 is designed to insure that all of the funds available under the Act are not spent in just a few States. It should be read together with section 411(c) which supplements it by directing the Attorney General to promulgate regulations to "establish criteria to achieve a distribution among States of assistance under this Act."

Further, Mr. Chairman:

> The 15-percent figure is an outside maximum; the criteria to be formulated under section 412 will provide for flexibility within that maximum. The 15-percent figure itself is the same figure provided under section 114 and 209 of the Model Cities Act. The Act establishing the Neighborhood Youth Corps provides that no more than 12½ percent of the funds appropriated may be used in any one State.
>
> We would not object to exempting grants under title III from the 15-percent requirement insofar as the grant relates to an institution serving more than one State or involves research or studies not directly related to a specific State.

Mr. Chairman, it strikes me that that is a complete answer and should allay the fears of the gentleman from Virginia and the gentleman from Minnesota to the effect that a small number of cities or a small number of States will absorb all of the moneys appropriated under this bill. I do not think they need have any fear on that score whatsoever.

And, finally, it is not unprecedented to use a percentage of that sort, as the Attorney General indicated clearly, is the process followed on two separate, distinct occasions.

Mr. POFF. Mr. Chairman, I yield 10 minutes to the gentleman from New Jersey [Mr. Cahill].

Mr. CAHILL. Mr. Chairman, I rise with mixed emotions, because of the great respect I have for the chairman of the Committee on the Judiciary, and the recognition of the great leadership he has demonstrated throughout the years. Therefore it is with great regret that I take issue with him today. But I would merely observe that those of us who have known the chairman and have seen him in action on the floor of this House, must recognize, I am sure, that his heart is not in this legislation.

I have seen the chairman when he was forceful, dynamic, and persuasive; but I think in this particular case those of us who know him know the situation and understand.

There is a police publication—I do not know whether the House is familiar with it or not—called "Law and Order." It is distributed to the police departments of the United States. They have an article on this bill, and the title of the article is "Trick or Treat."

One of the members of the Judiciary Committee has described this bill as the most publicized and the least underfunded bill that has ever come before the House of Representatives. I think of it as "too little, too late, and too bad." Mr. Chairman, everyone who speaks in this House of Representatives today will tell you how much we need legislation to combat crime in the cities; everyone will talk about the crime throughout the country, but nobody today is talking about this bill, and what it does not do and what it should do.

Mr. Chairman, I believe we have to be realistic. The lack of attendance in the House of Representatives right now is illustrative to me that an overwhelming number of Congressmen are going to vote for this bill. They have already made up their minds that it is a crime bill, and they are going to be for it, and they do not have to listen to anyone. They know how they are going to vote.

Here is the problem. We have three choices. We can either vote against this bill, which most Members will believe would be politically unwise, or we can vote for this bill, which those who understand the bill in its present form would regret, or we can take a third alternative, which I propose to take, and that is to try and improve the bill so that while it will not do what we hopefully wish it would do, it will at least be constructive, and may contribute in some small way in the fight against crime.

My friends—and I do not have very much time—if you will consider for one minute what is the major problem in the United States in relation to crime, you will have to come up with two words: "organized crime."

If you have read the report of the President's Commission on Crime, you will recognize that the overwhelming problem in every State in the United States today is organized crime. What does this bill do about it? Absolutely nothing. As a matter of fact, the proponents of this bill, the administration, are publicly opposed to one recommendation of the President's Commission on Crime, that will effectively combat organized crime, and that is electronic evesdropping.

It will be said the purpose of this bill is not to fight organized crime. I agree with that, but I say it is regrettable. If this administration and this Congress really wants to do something about crime in the United States, they can do it, but in order to do it we must spend 10 times more money, we must be prepared scientifically, and we must give the police officers the implements to do the job. This bill does not do it.

Let us talk about the bill. Here are my objections to the bill:

First of all, it vests absolute authority in the Attorney General. There is no formula to allocate the funds provided in the bill.

Now I am told, and I wish the chairman would check on this, that as a result of this bill the Attorney General has appointed several task forces within the Department of Justice for the purpose of developing an acceptable formula, and that they in turn have submitted several reports many pages long, with all kinds of fancy words about formulas. One of the things I am told these task forces report is that one of the problems caused by the lack of a statutory formula in the bill is the possibility of and the invitation to political pressures.

I am told, Mr. Chairman, that that concern is expressed in a memorandum prepared at the request of the Attorney General by the staff of the Attorney General, and that is why a formula of some kind is essential.

Since the bill does not have a formula, who do you think is going to decide on the formula and draw up the formula? The Attorney General's staff. And of course the Attorney General is going to be the one who is empowered to implement the entire program.

It seems to me if we are going to give the Attorney General all this authority, he should at least have some guidelines. In this legislation he has none.

The other deficiency I would like to point out is this:

I am told that there are approximately 40,000 units of local government or police organizations that could qualify under the terminology of this bill.

Mr. CELLER. Mr. Chairman, will the gentleman yield?

Mr. CAHILL. I yield to the gentleman.

Mr. CELLER. The gentleman probably does not recall we did have actually formulas in the bill as originally presented. If the gentleman will turn to page 5, he will see we had provisions for "improvement expenditure." We had "qualifying expenditures" and we set forth the formulas in these pages. What happened to them? I am sorry to state that an amendment came from your side of the aisle in committee striking out these formulas. So we now have a bill that is bare of formulas before us.

We did not strike this out. The gentleman's side struck this out of the bill.

Mr. CAHILL. I will say to the gentleman though, as a matter of fact, that your side of the aisle controls the Committee on the Judiciary and the majority of the members are on your side of the aisle.

Mr. MacGREGOR. Mr. Chairman, will the gentleman yield?

Mr. CAHILL. I yield to the gentleman.

Mr. MacGREGOR. The provision which the chairman referred to which we struck out in committee related exclusively to the formula spelling out State effort. It had nothing to do with the formula for distribution of Federal funds.

The gentleman from New Jersey [Mr. CAHILL] is making an excellent point about the lack of a legislative formula for the distribution of Federal funds. No such formula ever was in the bill, it is not in the bill now and it should be put in the bill by amendment.

Mr. CAHILL. I would also say, it is my understanding, that while it may be remote, it is possible that only nine cities in nine different States could get the money provided in this bill. But what is not remote and what assuredly is the fact, is that the Department of Justice is estimating that at the very most there will be 300 units of local government who will be successful in obtaining funds and none of them will be local governments with under 50,000 in population in spite of the fact that the gentleman from Illinois [Mr. McCLORY] introduced an amendment accepted by the Committee on the Judiciary which had as its objective the qualification of all municipalities regardless of their size.

Someone said here that this is going to help some 200,000 or 300,000 police officers in the United States. It is going to do nothing of the kind. There is no money here for police salaries.

Mr. FLYNT. Mr. Chairman, I make the point of order that a quorum is not present.

The CHAIRMAN. The Chair will count. [After counting.] Seventy-six Members are present, not a quorum. The Clerk will call the roll.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 195]

Anderson, Ill.
Anderson, Tenn.
Andrews, N. Dak.
Ashbrook
Ashley
Brown, Calif.
Burke, Fla.
Burton, Utah
Button
Conyers
Davis, Ga.
Dawson
Dent
Diggs
Eilberg
Everett
Evins, Tenn.
Ford, William D.
Fulton, Tenn.
Gibbons
Hanna
Henderson
Holland
Ichord
Jones, Mo.
Kupferman
Leggett
McClure
Mink
Morton
O'Hara, Ill.
Resnick
Sisk
Taylor
Teague, Tex.
Udall
Williams, Miss.
Wright
Wyatt
Wyman

Accordingly the Committee rose; and the Speaker pro tempore (Mr. ALBERT) having resumed the chair, Mr. ROSTENKOWSKI, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill H.R. 5037, and finding itself without a quorum, he had directed the roll to be called, when 387 Members responded to their names, a quorum, and he submitted herewith the names of the absentees to be spread upon the Journal.

The Committee resumed its sitting.

The CHAIRMAN. The gentleman from New Jersey [Mr. CAHILL] is recognized.

Mr. McCULLOCH. Mr. Chairman, I yield 2 additional minutes to the gentleman from New Jersey [Mr. CAHILL].

Mr. CAHILL. Mr. Chairman, I have been discussing the legislation that is pending and I have been trying to point out to the House two of the glaring defects in the bill as I see it.

The first defect is the lack of an acceptable formula and the second and equally important deficiency, in my judgment, is the fact that the application for planning grants are made by local municipalities or local governmental bodies or local police departments without any overall State planning. The result, as I see it, could lead not only to a great deal of duplication but it would seem to me it could lead to chaos.

How is the Attorney General of the United States going to process the great number of applications that may be filed pursuant to the provisions of this bill? I am told that in the testimony before the Judiciary Committee it was estimated there could be as many as 40,000 eligible applicants.

Just imagine—in one county that I represent there are 31 different municipalities. Each one of those municipalities if it wanted to qualify would file a separate application. Each of those applications may incorporate facets of law enforcement that others have already incorporated. The Attorney General then would be confronted in one county and in one State with some 31 plans and he and he alone would make the decision as to which, if any, of these municipalities would qualify.

In the short time that is allotted to me, let me say that at the appropriate time the gentleman from Illinois [Mr. Railsback] and I will offer appropriate amendments, recognizing the realities of the situation, and recognizing that nobody in the House of Representatives wants to vote against a crime bill—no matter how inadequate—no matter how insufficient the money—no matter what it fails to do—if it makes any contribution at all. Everybody wants to vote for such legislation.

So we hope that we can recommend to the House an improvement which will in essence still give the Attorney General of the United States the final authority for the approval or disapproval of a State law enforcement and criminal justice plan. But he will be limited to 50 plans. These will be plans by individual States made only after a State planning agency has investigated, evaluated, and made a determination as to what is best in that particular State to combat crime.

Certainly what New York State needs, Nevada may not need—or Arizona or Utah. Certainly what is good for New Jersey may not suffice in New Mexico.

The CHAIRMAN. The time of the gentleman has again expired.

Mr. McCULLOCH. Mr. Chairman, I yield 2 additional minutes to the gentleman from New Jersey [Mr. Cahill].

The CHAIRMAN. The gentleman from New Jersey [Mr. Cahill] is recognized for 2 additional minutes.

Mr. McCULLOCH. Mr. Chairman, will the gentleman yield?

Mr. CAHILL. I am happy to yield to the very distinguished ranking minority member of the committee.

Mr. McCULLOCH. My good friend and able colleague on the committee has talked about the possibility of what may happen to various States. Does my good friend know that our former effective colleague, now mayor of the city of New York, has no such fear and approves the section that is now in the bill?

Mr. CAHILL. I am fully aware of the mayor's position and I certainly understand why the mayor of the great city of New York would have no alternative but to feel that way, because he hopes for his own city of New York to get most of the funds for New York. But I must add that it is my understanding that the equally capable, competent, distinguished, and friendly Governor of New York believes just the opposite is necessary, and he supports the plan that the gentleman from Illinois [Mr. Railsback] and I hope to present.

I believe that any planning agency that was preparing an overall plan for New York State would recognize that a great deal of the aid would have to be directed to New York City, the same as would happen in any State having large urban areas. But my thought is that what is good for New York City might also help some of the outlying communities. It seems that if we give New York City something but not everything, we might also be able to give Rochester, Binghamton, Utica, or Buffalo something. In that way, it seems to me that with a uniform State plan, we can help New York City and also other deserving and needy cities.

Mr. RAILSBACK. Mr. Chairman, will the gentleman yield?

Mr. CAHILL. I yield to the gentleman from Illinois.

Mr. RAILSBACK. Is it not true that the question posed by our distinguished ranking Member states exactly the problem? We would have applications from large cities to the exclusion, possibly, of many of the States. Has that not actually been conceded? Earlier you mentioned some task force memorandums. Was it not actually conceded that there might be some States that might be entirely excluded from any of the funds?

Mr. CAHILL. It is my opinion that it is not only possible but entirely probable that many States would be excluded. It seems to me that if we are going to prepare an intelligent and logical approach to the crime problem in the United States, we should have a national plan aided by the careful, thoughtful State plans I have mentioned.

Mr. CELLER. Mr. Chairman, I yield myself 2 minutes.

First, I wish to call attention to the fact that the Governor of the great State of New Jersey, the Garden State, from whence the gentleman from New Jersey comes, has approved the bill as written. At this point I want to read his letter in the Record:

State of New Jersey,
Office of the Governor,
Trenton, May 10, 1967.

Representative Emanuel Celler,
Chairman, House Judiciary Committee, Subcommittee No. 5, Rayburn Office Building, House of Representatives, Washington, D.C.

Dear Congressman Celler: It is my sincere belief that S. 917, "The Safe Streets and Crime Control Act of 1967," is one of the most important measures before this session of the United States Congress.

As you are aware, the National Crime Commission depicted in great detail the needs of law enforcement and correctional agencies at the State and local levels. Attorney General Arthur J. Sills and Commissioner of Institutions and Agencies, Dr. Lloyd W. McCorkle, have impressed upon me the need for extensive federal financial aid if the many progressive programs they, and others in their fields, consider essential are to be realized. Advanced facilities for the treatment of offenders, the establishment of regional police training schools, and the creation of a statewide communications network are but a few of the more significant advances which we anticipate as a result of increased federal aid.

On behalf of all law enforcement and correctional officials, and indeed the people of this State, I am appealing to you to lend your wholehearted support to the enactment of "The Safe Streets and Crime Control Act of 1967."

Sincerely yours,
Richard J. Hughes,
Governor.

I have two telegrams from chiefs of police. One from the International Association of Chiefs of Police, President Willian Morris, and one from Quinn Tamm, executive director. I read these two telegrams in support of the bill as written:

Washington, D.C.,
June 15, 1967.

Congressman Emanuel Celler,
Chairman, Committee on the Judiciary, House of Representatives, Washington, D.C.:

The International Association of Chiefs of Police strongly urges retention of title 2 of the safe streets and crime control bill. This title provides grants for actual improvement expenditures in police departments and criminal justice agencies. We are opposed to changes or substitutions which would eliminate this key provision or delay its adoption.

William Morris,
President, IACP.

Washington, D.C.,
June 15, 1967.

Members of the Committee on the Judiciary, House of Representatives, Washington, D.C.:

On behalf of the membership of the International Association of Chiefs of Police, I respectfully ask that you withdraw consideration of any recent bill which would alter the intent of title 2 of the safe streets and crime control bill as it was introduced in H.R. 5037. Title 2 provides for grants to support new approaches and improvements in law enforcement agencies and is directly aimed at reducing the staggering crime problem in the United States. This bill should receive the unanimous support of Congress, the executive branch and the public. I would welcome an opportunity to appear before your committee to address this issue.

Quinn Tamm,
Executive Director, International Association of Chiefs of Police.

I now will read a lengthy telegram from the distinguished mayor of the city of New York, John V. Lindsay, approving the bill as written:

June 21, 1967.

Hon. William McCulloch,
House of Representatives,
Washington, D.C.

Dear Bill: I sponsored the following resolution before the U.S. Conference of Mayors Resolutions Committee on the Safe Streets and Crime Control Act. The resolution passed by unanimous vote. I deeply believe that this legislation is vital for the safety of New York and other major cities and I hope you will support a bill with a large-scale grant-in-aid program and with provision for direct funding of major cities as outlined in the resolution whereas law enforcement, control of crime, and reduction of juvenile delinquency are matters of the highest priority in our city; and

Whereas, the crime rate across the nation has continued to rise at a rapid pace, making more effective law enforcement a concern of major national proportions; and

Whereas, experience under the Law Enforcement Assistance Act of 1965 has led to the exploration of new techniques and ideas in crime prevention and criminal rehabilitation; and

Whereas, the President's Commission on Law Enforcement and Administration of Justice has recommended specific ways to strengthen and improve the administration of criminal justice; and

Whereas, our nation's cities, which have primary responsibility for law enforcement, are prepared to make substantial investments in crime control programs based on this research and experience, now

Therefore, *Be It Resolved,* That the U.S. Conference of Mayors commends the commission for its report and urges the Congress to implement the recommendations in the report forthwith through enactment of the Safe Streets and Crime Control Act.

Be It Further Resolved, That the conference urges the Congress to provide in the Safe Streets and Crime Control Act a program of grant-in-aid for operational crime control programs with immediate funding in the first year of one hundred million dollars and in the second year of three hundred million dollars for operating programs which will benefit from this research and experience.

Be It Further Resolved, That the conference urges the Congress to provide for direct funding for these operational crime control programs to the cities, where most crime occurs and where the most intensive experience in the administration of justice has been gained.

Best wishes,

JOHN V. LINDSAY.

Finally, I read another letter, sent to me today August 2, from the Executive Director of the International Association of Chiefs of Police:

INTERNATIONAL ASSOCIATION OF
CHIEFS OF POLICE, INC.,
Washington, D.C., August 2, 1967.

Hon. EMANUEL CELLER,
House of Representatives,
Washington, D.C.

MY DEAR CONGRESSMAN CELLER: I note that the bill entitled "Law Enforcement and Criminal Justice Assistance Act of 1967," H.R. 5037, will be brought up for debate in the House of Representative today. On behalf of the 6200 United States members of our international association, I wish to take this opportunity of emphasizing our strong support for this legislation. No one is more vitally concerned about the matters covered by this bill than are the police chiefs of our nation who are sworn to protect the lives, liberties, and properties of our citizens. We most fervently hope the bill will receive favorable consideration by the Congress.

We will welcome the opportunity to be of assistance by providing professional law enforcement data, advice or counsel, upon your request.

Sincerely,

QUINN TAMM,
Executive Director.

Apparently those communications approve the bill without the amendment that has been suggested by the gentleman from New Jersey.

Mr. RODINO. Mr. Chairman, will the gentleman yield?

Mr. CELLER. I yield to the gentleman from New Jersey.

Mr. RODINO. I would like to point out to the chairman of the committee that the International Conference of Police Associations directed an inquiry. In that communication they state they would be opposed to the channeling of funds through the Governors of States who would administer the funds provided for in the bill, and they feel, the International Conference of Police Associations, which represents over 200,000 local, county, and State law enforcement officers, that they would oppose an amendment that would permit the police departments to make application to receive the money other than directly from the Federal Government. I will read the entire letter:

INTERNATIONAL CONFERENCE OF
POLICE ASSOCIATIONS,
Washington, D.C., May 19, 1967.

Hon. EMANUEL CELLER,
House of Representatives,
Washington, D.C.

DEAR CONGRESSMAN CELLER: With reference to H.R. 5037 known as the "Safe Streets" bill I am informed that when the committee considers this bill next week that an amendment will be proposed channeling all funds through the governor of the state who will administer the funds provided for in this bill.

The International Conference of Police Associations representing over 200,000 local, county, and state law enforcement officers respectfully request that you oppose this amendment and let the police department make application and receive the moneys direct from the Federal Government.

Respectfully yours,

ROYCE L. GIVENS,
Executive Director.

Mr. McCULLOCH. Mr. Chairman, I yield 10 minutes to the gentleman from Minnesota [Mr. MACGREGOR].

Mr. MACGREGOR. Mr. Chairman, I should like to take this time today to respond first to some statements that have been made during the preceding debate that are lacking to some degree in accuracy; second it will be necessary to repeat some of the things that the gentleman from New Jersey [Mr. CAHILL] and I said to a largely empty House in this body last Thursday; and third, I will outline some of the deficiencies in this bill and suggest remedies by nature of amendment, the consideration of which we will hopefully reach tomorrow.

It was stated earlier in the debate that there is no basis for the belief that many of us hold, the fear that many of us have, that this legislation will lead to a national police force. I must respectfully disagree. I trust the Members of the House will take the time to read—as I am sure many have—the general minority views in the committee report, together with the additional separate views that have been filed.

Speaking as one Member, I have not stated, nor do I hold here today, that the passage of H.R. 5037 will guarantee a national police force tomorrow. What I have said before and repeat here today is that the passage of this bill without substantial improving amendments will start America down the road toward a federeally influenced and ultimately a federally controlled local police system in America.

I ask the Members to consider with me the experiences that they have had in their own congressional districts, which I am sure is the same as I have had in mine, as a result of administrative discretionary authority in the Elementary and Secondary Education Act. There were great protestations that there would be no direction of local programs from the Office of Education. We were assured that the programs would be conceived at the local level and designed to meet local needs, and applications would be drawn in accordance with them and submitted to the Office of Education for simple approval or rejection. Let me tell you what has happened within the past 18 months to one of the least fortunate and most disadvantaged school district in my congressional district.

They have great needs. They tailored an application to meet those needs. It was rejected by the Office of Education. They asked the reasons. Suggestions were made as to how they might amend their application. The school district amended it and submitted it again, and it was rejected again. They asked for the reasons. They considered a third amendment, they amended the application a third time, and submitted it a third time, and it was rejected. Finally it went back to Washington a fourth time. During the process of review and amendment, it kept getting further away from what the school district needed, until, after the fourth submission, it did not really meet the school district's needs at all, but because of the situation the school district and its officials were in, they had to submit the application once again.

Of course, by this time, they thought it met the requirements of the Office of Education, even though it was no longer related to the true needs of the school district. But it was rejected a fourth time, and they finally gave up.

That is a pattern, Members of the House, which is repeated in program after program after program. It constitutes a scenario for Federal influence and ultimate control. And the way this legislation is drafted, more discretionary authority is given to a Federal official than in any program now on the books. Please read this bill in its present form: "As the Attorney General shall determine" and "in the discretion of the Attorney General." There is almost no restraint at all.

What will happen? Local police forces will tailor their applications, either initially or after rejection and amendment, to what the Attorney General thinks ought to be their course in law enforcement, not to what local officials know to be the law enforcement needs of their communities.

We will offer tomorrow amendments which will correct that situation, which will guarantee that local law enforcement will be aided by the passage of this bill in a fashion best suited to meet the needs of localities and States throughout America.

We point out in our minority views that there are no fixed priorities in this bill. If the Members will look at title I and title II, there they will see an enumerated list of projects or programs which would be eligible for Federal funds. There is no emphasis on what are the most pressing needs. There is no direction at all either to the applicant, the local governmental unit or State, or to the dispensing authority, the Attorney General, as to where priority emphasis should lie.

Those of us on the Committee on the Judiciary, and I am sure a great many others in this body, have carefully studied the report of the President's Crime Commission. In that report there is repeated emphasis on the need to give priority consideration to the problems of organized crime.

Amendments will be offered to give a

proper direction to this program and to give priority emphasis to projects and programs assuring an effective attack on organized crime.

We will also offer amendments to deal with the problem which is uppermost in the mind of every American today. That problem is the crisis produced by the breakdown in law and order and in law enforcement flowing directly from urban riots and violent civil disorders.

The minority will offer, with the earnest hope that we may have support from both the majority and minority Members in this body, amendments which will give priority emphasis to an attack on urban riots and violent civil disorders as well as on organized crime.

Mr. Chairman, there have been introduced both in this body and in our sister body across the Capitol, during this Congress, proposals which would decentralize the FBI training school. When we ask any local police chief, "What do you need?" he says, "I need better trained men." When we go to a municipality, what do we hear from the city council? It is, "We wish we could send all of our officers, not just the chief, to Washington, D.C., to attend the FBI school, to be brought up to date on the most modern methods, but we cannot afford the expense of sending them to Washington and maintaining them, and the community cannot be without their professional services while they are gone."

We will offer amendments addressed to this complaint and to this desperate need of communities throughout America.

We will, through the good offices of the gentleman from Illinois [Mr. McClory] offer a sweeping proposal that will retain what is good in title III, as the committee presents it to us, and that will incorporate the best provisions of proposals offered by the gentleman from Florida [Mr. Cramer] and others, to establish, through a national institute, a regional system of research and training centers for law enforcement officials.

And we will seek to direct that priority emphasis be given to research in riot analysis, including causation.

There would be under our amendment, priority treatment for the training of local and State law enforcement personnel in riot suppression and control, and hopefully in riot prevention.

Mr. CAHILL. Mr. Chairman, will the gentleman yield?

Mr. MacGREGOR. I yield to the gentleman from New Jersey.

Mr. CAHILL. I wish to say to the gentleman, since he referred to the President's Commission on Crime and the emphasis it placed on the fight against organized crime, I found that in 1966 and 1967, $1,450,000 was made available to that Commission. They made a series of recommendations.

I wrote to the Attorney General under date of July 12, and I asked the Attorney General to outline for me what the Justice Department was doing to implement the recommendations made by the Commission for which we spent all that money. I have not as yet had an affirmative reply. I have had an interim reply under date of July 17 indicating that it was being referred to an appropriate authority for reply.

I want to compliment the gentleman, because I think he has pointed out not only the weaknesses of this bill, but the thrust which the expenditure of funds really should take in our country.

Mr. MacGREGOR. I thank the gentleman from New Jersey.

In summary, Mr. Chairman——

Mr. WAGGONNER. Mr. Chairman, I make the point of order that a quorum is not present.

The CHAIRMAN. The Chair will count. Evidently a quorum is not present. The Clerk will call the roll.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 196]

Adams
Anderson, Ill.
Anderson, Tenn.
Andrews, N. Dak.
Ashley
Aspinall
Brown, Calif.
Burke, Fla.
Burton, Utah
Dawson
Diggs
Edwards, Calif.
Everett
Evins, Tenn.
Ford, William D.
Fulton, Tenn.
Gibbons
Hansen, Idaho
Hathaway
Henderson
Holland
Jones, Mo.
Karsten
Kluczynski
Kupferman
McClure
Morton
Nix
O'Hara, Ill.
Ottinger
Pucinski
Resnick
Sisk
Taylor
Udall
Williams, Miss.
Williams, Pa.
Willis
Wright
Wyatt

Accordingly the Committee rose; and the Speaker pro tempore (Mr. Albert) having resumed the chair, Mr. Rostenkowski, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill H.R. 5037, and finding itself without a quorum, he had directed the roll to be called, when 388 Members responded to their names, a quorum, and he submitted herewith the names of the absentees to be spread upon the Journal.

Mr. WAGGONNER. Mr. Speaker——

The SPEAKER pro tempore. For what purpose does the gentleman from Louisiana rise?

Mr. WAGGONNER. Mr. Speaker, I make the point of order that a quorum is not present.

The SPEAKER pro tempore. The point of order is out of order. The Chair has just announced a quorum.

The Committee resumed its sitting.

The CHAIRMAN. When the Committee rose the gentleman from Minnesota's [Mr. MacGregor] time had expired.

The Chair recognizes the gentleman from Ohio [Mr. McCulloch].

Mr. McCULLOCH. Mr. Chairman, I am pleased to yield 1 additional minute to the gentleman from Minnesota [Mr. MacGregor].

Mr. MacGREGOR. Mr. Chairman, I would like to conclude on the following note: Whether I happen to agree with him or disagree with him, the chairman of the Committee on the Judiciary is always fair, and on this bill he has been very fair with all of us who serve on that committee. He has been considerate of our views both in the subcommittee and in the full committee, and I thank him for this fairness which the gentleman has displayed.

Mr. Chairman, the gentleman from Ohio—although he and I have differences of opinion currently on H.R. 5037—has been most gracious, generous, and of great assistance to those of us on the Republican side.

I am sure, Mr. Chairman, that on tomorrow the members of the Committee will have the opportunity of voting for three basic amendments: No. 1, block grants to the States instead of categorical grants at the discretion of Federal officials; No. 2, distribution and control of funds by the States, and not by one appointed Federal officer; No. 3, priority legislative direction and emphasis on the law enforcement problems in the areas of organized crime in America, and needed research and training in riot analysis and prevention as well as supression and control of urban riots and violent civil disorders.

Mr. Chairman, I urge the members of the Committee to support these strengthening amendments.

The CHAIRMAN. The time of the gentleman from Minnesota has again expired.

Mr. CELLER. Mr. Chairman, I yield 10 minutes to the gentleman from Colorado [Mr. Rogers].

Mr. FEIGHAN. Mr. Chairman, will the gentleman yield?

Mr. ROGERS of Colorado. I yield to the gentleman from Ohio.

Mr. FEIGHAN. Mr. Chairman, there can be no question that there has been a growth in crime throughout this Nation. While crime is essentially a local problem to be dealt with by State and local law enforcement agencies, there is a definite need for national assistance. New answers must be found to solve the problem of the growth of crime. This bill is part of the President's program against crime. H.R. 5037 is designed to assist State and local governments to create new methods to combat crime and approve administration of criminal justice.

This bill provides for grants to be admiistered by the Department of Justice to carry out the recommendations of the President's Commission on Law Enforcement and the Administration of Justice.

Under title I, grants are made available for the development of law enforcement plans; $22,500,000 is set aside for these planning grants for the fiscal year 1968. Under title II, $9 million is set aside for grants to develop new techniques, develop new facilities, and improve the training of personnel. Funds are also made available for the construction of new buildings and other physical facilities that are innovative in purpose. Also, under title III of the bill, $13,500,000 for the fiscal year 1968 is available for research, development, and training. This would include national and regional institutes.

It should be kept in mind that this bill is designed to assist and not to interfere with local law enforcement. There is nothing in the bill whereby this financial assistance by the Federal Government would encroach upon the historic police powers of the States. Local authorities have stated the immediate need for some form of financial assistance. There is no other source they can reach out to, except the Federal Government. Our streets must be made safe and the administration of our criminal justice must be improved. This act, as I said, is designed primarily to do those things and no more. It is supplementary in nature to the activities of the State and local governments in combating crime. We must encourage new methods by research to train and educate law enforcement personnel.

I believe that the enactment of H.R. 5037 will strike a major blow at criminal activity throughout this Nation and provide the means whereby the administration of justice will be uplifted. The approval of this bill will mark the cooperation between the States and the Federal Government, both as to will and finance in combating crime. However, the States and localities must coordinate their efforts and provide financial expenditures of their own. If the cities and States are willing to increase their expenditures for police and courts, the Federal Government will then be in a position to assist them in the development of new techniques in the fields of law enforcement and the administration of criminal justice. The President, in his message on crime, has requested this legislation. Organizations of State and local governments have likewise done so. This Congress is now called upon to answer these requests. I am pleased to lend my efforts to provide the needed financial assistance, as this bill provides.

Mr. ANNUNZIO. Mr. Chairman, will the gentleman yield?

Mr. ROGERS of Colorado. I yield to the gentleman from Illinois [Mr. ANNUNZIO].

Mr. ANNUNZIO. Mr. Chairman, I rise in support of this legislation.

Mr. Chairman, the Law Enforcement and Criminal Justice and Assistance Act of 1967 is a measure which President Johnson has called fundamental to the safety of the individual, fundamental to the security of our homes, and fundamental to the enduring stability of our great society. This act would provide the kind of assistance local governments need to meet problems that urbanization and increased population have brought to law enforcement.

In 1965 Congress passed the Law Enforcement Assistance Act. Under it the Federal Government has provided approximately $15 million to train police officers and to staff correctional institutions; to conduct research on crime; to modernize law enforcement operations; and to experiment with new techniques for crime control. The results have been heartening but the funds have not been sufficient to combat the ever-increasing menace of crime in our society.

Also in 1965 the President appointed a National Commission to study all aspects of crime and criminal justice and to make specific recommendations to him. The Commission on Law Enforcement and the Administration of Criminal Justice made its report early this year, and now for the first time we have accurate current facts and figures as to the state of crime in this country. We have learned that the amount of crime is estimated by the Commission to be two to 10 times the reported rate for many crimes. The poorest people suffer the most—they are the most frequent victims of rape, robbery, and burglary.

This act embodies the recommendations of the Crime Commission as to many measures which can be taken to contain and eventually reduce crime across the Nation. The Federal commitment which we make will stimulate the commitment of additional local funds for such items as: specialized training, education, and recruitment programs for law enforcement agencies; modernization of law enforcement equipment and techniques; crime prevention programs in schools, colleges, welfare agencies, and other institutions; new rehabilitation techniques including community-based correctional facilities; devices to increase public protection and safety; and improvement in community and police relations. I urge prompt passage of this legislation.

Mr. MONAGAN. Mr. Chairman, will the gentleman yield?

Mr. ROGERS of Colorado. I yield to the gentleman from Connecticut.

Mr. MONAGAN. Mr. Chairman, I am going to vote for H.R. 5037, but I want to state my reasons because I believe that my reaction to this bill is not untypical of Members of the House, nor of the public at large.

This bill purports to assist State and local governments in reducing the incidence of crime and increasing the fairness of law enforcement. In these times one would not lightly oppose any legislation which was calculated to improve the racial climate and at the same time provide local police forces with some of the tools which they need to cope with the problems of modern crime.

No one can be blind to the increase in crime which has been set out in the committee report and residents of Washington and other large cities are acutely aware of the dangers in the city streets. It is therefore incumbent upon Congress to take action in this area and the present bill constitutes a step in the right direction.

Several things should be emphasized in this connection, however. First, even though $50 million is authorized by this legislation, the expenditure of money alone will not solve the problem of rising crime rates. Firm enforcement of the law by the courts and a change from the almost pathological concern with the protection of the wrongdoer as against the safeguarding of the community are clearly indicated. In addition, the honest, hard-working and public-spirited policeman must be given the feeling that the community supports him in his reasonable acts to carry out the law.

In other words, what I am saying is that the spirit of the law enforcement agencies is more important than the funds that are made available to them. This is not to say that the policeman does not deserve a fairer shake from government. Today he must be an expert in a hundred different fields—he must be on obstetrician, a psychiatrist, a clerical expert, an athlete, and a public relations man. I strongly support the payment of an adequate wage for police officers. At the same time, I daresay that they would almost be willing to forgo increased pay if they were sure of increased support on the part of the general public.

For these reasons and with these reservations I support this legislation.

Mr. ROGERS of Colorado. Mr. Speaker, I ask unanimous consent that the gentleman from New Jersey [Mr. MINISH] may extend his remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Colorado?

There was no objection.

Mr. MINISH. Mr. Chairman, I rise in support of the Law Enforcement and Criminal Justice Assistance Act of 1967. As a representative from the riot-torn city of Newark, N.J., I am especially aware of the need for efficient and effective crime prevention and control in the United States. In this regard, I am also introducing today a comprehensive gun-control bill designed to halt this country's traffic in death and destruction.

H.R. 5037 establishes in the Department of Justice a new Office of Law Enforcement and Criminal Justice Assistance designed to provide much needed planning and training program grants to state and local law enforcement agencies. In addition, research funds will be available to colleges, universities, and other private institutions, for the purpose of studying and devising new and better methods of law enforcement.

Mr. Chairman, there were, according to the Federal Bureau of Investigation, 2,780,000 serious crimes reported to the police in 1965; in relation to population increase this represents a 35-percent rise over 1960. Moreover, studies conducted by the National Crime Commission indicate that more than twice as many aggravated assaults, burglaries, and larcenies occur as are reported to the police, and that in some communities the figure may be 10 times as high. These statistics, I am sure, give all decent, law-abiding citizens cause for alarm.

Before I go any further, let me emphasize that I do not mean to imply that the men and women working in the various branches of our law enforcement and criminal justice system are at fault. On the contrary, all indications are that, with few exceptions, they are capable, intelligent, overworked, underpaid, and insufficiently appreciated.

Mr. Chairman, the adverse conditions under which the police of this country must perform their daily tasks contribute greatly to the present lack of qualified applicants for police openings. A 1965 study conducted by the National League of Cities found that 65.5 percent of 284 responding departments were operating below authorized staff. In my own district, Newark's police department is currently 170 men short of its full complement of police officers.

The Federal money which this act provides would serve as an aid and a stimulus to both local and State law enforcement agencies. It would afford them the opportunity to take full advantage of the research and recommendations provided by the report of the President's National Crime Commission, and to research and develop innovative ideas and programs of their own. Despite the modest expenditure involved, it is my opinion that this is a well conceived bill, that it is based on careful thought and considerable study, and I urge that it be passed. Law enforcement and criminal administration are, as they should remain, primarily State and local responsibilities and I cannot emphasize too strongly that nothing in this bill authorizes any official or agency of the Federal Government to exercise direction, supervision, or control over any local or State police force. However, as has been all too clear over the last 6 weeks, crime is a national problem and we at the Federal level must assist in its control. National concern is necessary to support and encourage greater effort by State and local governments to find new answers to threats presented by criminal activity.

Mr. ROGERS of Colorado. Mr. Chairman, I rise in support of the proposed legislation, H.R. 5037, as reported by the Committee on the Judiciary.

I think that all of us readily agree that the question of maintenance of law and order has helped to make our democratic system great. Throughout the entire time that this country has developed we have supported enforcement of law at the local level. The great overall strength of our Nation has been brought about through the cooperation of all units of government: counties, the States, and the Federal Government, in the field of law enforcement.

Transportation improvements and scientific developments have created many new and difficult problems that can only be solved by the continued working together of these various groups.

The proposal we are considering here today would give financial assistance to the States, or to combinations of States, cities, counties, or other units of local government. The objective to be gained by this legislation is to train personnel who will be well equipped to meet the crime problem. It also has as the objective the development of the new techniques that will improve the administration of criminal justice.

Unfortunately, Mr. Chairman, in many respects this bill was amended by the full Committee on the Judiciary. Unfortunately in this debate a great deal has not been said, about what, in part, the bill itself actually contains.

The greatest criticism that we have heard so far is that it gives to the Attorney General of the United States authorization to control every police department in the United States. I will refute that through a discussion of the various titles of this bill. If you take a good look at title I you will see that its purpose is to encourage States and units of general local government to prepare and adopt comprehensive plans based on their evaluation of State and local problems of law enforcement and criminal justice.

How do we go about it? In section 1, we provide that the State or unit itself must make the plan, and that the Federal Government only contributes 90 percent of the cost of that particular plan.

The amendments that were made in this bill limited the amounts that could be spent on each title thereof. The original bill and this bill provide for the expenditure of $50 million. The amendment limits the amount that can be spent by the Attorney General to $22.5 million in connection with title I, and there must be a contribution made by the State or the local government unit of 10 percent of that amount.

If a State, county, or city unit, or a combination thereof, arrive at the conclusion that they do not want to contribute their 10 percent, they do not have to apply. That is one guideline that the bill gives to the Attorney General in connection with each of these grants.

Let me next draw your attention to the fact that the provisions of title II, in section 201, establish methods by which grants may be made. In other words, that is another guideline to the Attorney General that he should follow.

Again, in section 204, the Attorney General is authorized to make grants to an applicant under this title only—mind you, the word says "only"—if such applicant has on file with the Attorney General his current law enforcement and criminal justice plan which conforms with the purpose and requirement of this act.

How can you who have been present on the floor say that the Attorney General's power is unlimited?

Read section 204 of this act, and you can only come to the conclusion that the local groups themselves must come forward with a plan. If they do not come forward with a plan, then they cannot participate. You who have stood in the well of this House and have said that there are no guidelines, and that the Attorney General's discretion is unlimited in the allocation of money, apparently have just not read the bill.

Let me go one step further. Some say there will be a police state. May I point out to you very definitely that in this legislation we prohibit the payment of salary by the Federal Government to any police officer except for purposes of training. Now how can the Federal Government control police departments in any part of the United States if the Federal Government does not compensate personnel?

What control would the Attorney General have? The Attorney General obviously would have no control. All that this bill does is to provide that there shall be plans and training programs for the local enforcement officers. How much plainer can it be?

If the Federal Government is to give the money, should it not require the applicant to come forward and say this is the plan we have in mind, and having this plan in mind, this is what we anticipate doing.

Local government units themselves must make contributions as provided in this bill. I direct your attention to the fact that section 202 provides that the Attorney General must determine that "the application for such grant contains or is supported by adequate assurances that Federal funds made available under the application will be so used as to supplement, and to the extent practical, increase the amount of funds that the applicant (or applicants jointly in the case of a combination of States or units of general local government) would, in the absence of such Federal funds, make available for law enforcement and criminal justice purposes."

Mr. LONG of Maryland. Mr. Chairman, I make the point of order that a quorum is not present.

The CHAIRMAN. The Chair will count. [After counting.] One hundred and two Members are present, a quorum.

The gentleman from Colorado [Mr. ROGERS] is recognized.

Mr. ROGERS of Colorado. Mr. Chairman, I will conclude my statement by saying that throughout the bill that has been presented, there are standards set forth. Plans must be presented by the counties, the cities and the States or a combination of any units thereof before any money is available.

The CHAIRMAN. The time of the gentleman from Colorado has expired.

Mr. CELLER. Mr. Chairman, I yield the gentleman 5 additional minutes.

Mr. ROGERS of Colorado. Mr. Chairman, the objective and purpose is for training and to develop new techniques. All you have to do is to comply with the requirements. There is a standard. The State or county unit must submit its plan.

Mr. Chairman, I now yield to the gentleman from Illinois [Mr. RAILSBACK].

Mr. RAILSBACK. First, I thank the gentleman for yielding. I wish to ask this question: What if, under the administration bill, a community, a local unit of government or a combination thereof, submits a program which would carry out the purposes of innovation and also the purposes outlined under Section 201—in other words, fills out a proper application, has an innovative purpose, has a population of more than 50,000 persons? Is there anything under those circumstances that requires the Attorney General to approve that program and to allocate funds to that particular community?

Mr. ROGERS of Colorado. There is no provision of law to compel the Attorney General to grant the application. The point is that in order for the people at the local level to participate—and most of you over there say crime is a local problem and that law enforcement should be a local level responsibility—they must make application after they come forward with a plan. I am sure if they come forward with a plan which meets the requirements set forth, the Attorney General would give it proper and just consideration.

Mr. RAILSBACK. From your earlier comment—and I agree with your earlier comment—even though they have a properly filled application, even though they comply with the purposes and so forth, the sole discretion lies within the Attorney General's hands to do anything he pleases with that money. Is that correct?

Mr. ROGERS of Colorado. They must meet the standards. First, let me read section 101:

> It is the purpose of this title to encourage States and units of general local government to prepare and adopt comprehensive plans——

Mr. RAILSBACK. That is title I. I am talking about title II.

Mr. ROGERS of Colorado. All right. Subsequently, I shall refer to title II. First, you have a provision in section 102 of title I which states:

> SEC. 102. The Attorney General is authorized to make grants to States, units of general local government, or combinations of such States or units, for preparing, developing, or revising the plans described in section 204.

If they meet these requirements described in section 204 and there is a need they can participate. Certainly somebody has got to make a decision, and the Attorney General is the one responsible for compliance with the act, so far as the Federal Government grant is involved.

Mr. RAILSBACK. It is involved, but it is not all the money. Is there anything that requires the Attorney General under title I—going back to title I—to do anything? Is that not exactly the same as title II: It is still within the sole discretion of the Attorney General even to give the planning funds?

Mr. ROGERS of Colorado. It is not in his discretion until the local people themselves submit a plan. They must show they have a problem that they feel should be met. If the Attorney General agrees that they do have a problem, and that they do have a plan that complies, then he is in a position to approve it. But if there has not been a plan submitted, he does not have the right to make a grant.

Mr. RAILSBACK. May I ask this one last question: Is there any assurance under title I, which relates to the planning funds—and I am especially interested in this in the light of the Attorney General's testimony before our committee that he wanted to get the States moving—is there any assurance at all that all the States would at least get some money to begin planning to combat crime?

Mr. ROGERS of Colorado. To the extent that the Attorney General has the money, I think he would properly administer it so each State can participate.

Mr. CELLER. Mr. Chairman, I yield the gentleman from Colorado [Mr. ROGERS] 2 additional minutes.

Mr. ROGERS of Colorado. Mr. Chairman, I yield to the gentleman from Oklahoma [Mr. EDMONDSON].

Mr. EDMONDSON. Mr. Chairman, I merely want to say that I concur wholeheartedly with the statement made a little earlier today by the distinguished chairman of this committee regarding the very high caliber and the very fine character which the Attorney General brings to the office which he now holds. I think he is eminently qualified to fulfill the responsibilities that are placed on him by this bill.

I commend the committee for its action in bringing this bill to the floor of the House, and particularly I express one Member's appreciation of section 301 and the emphasis which it places upon new methods for prevention and reduction of crime and increasing respect for law and order, and for programs to try to develop new approaches in these particular areas.

I think this bill is a very important step in a very significant direction. I certainly hope it will be adopted overwhelmingly by the House.

Mr. ROGERS of Colorado. Mr. Chairman, I yield to the gentleman from New Jersey [Mr. RODINO].

Mr. RODINO. Mr. Chairman, I want to point out in connection with one of the questions directed to the gentleman from Colorado that regarding the Attorney General's discretion in this matter, if one looks at section 412 on page 30, the section there reads:

> The Attorney General may disapprove an application for a grant for which funds are available under title I, II, or III of this Act only if he determines that the program or project for which a grant is sought will not fulfill the aims of this Act or that such aims will not be fulfilled in an economical and efficient manner.

These are certainly restrictions on the discretion of the Attorney General and a guideline that provides a measure of control.

Mr. McCULLOCH. Mr. Chairman, I yield 10 minutes to the gentleman from Maryland [Mr. MATHIAS].

Mr. MATHIAS of Maryland. Mr. Chairman, I thank the distinguished gentleman from Ohio, the ranking minority member of the committee, for yielding me this time to comment very briefly on the legislation entitled "Law Enforcement and Criminal Justice Assistance Act."

It should be a matter of regret to every Member of this House to have to devote these hours to a crime control bill. I can assure the Members that it is for me a matter of duty and the shouldering of a responsibility which has caused me to support this bill and to urge its passage by this House.

The stark fact is that we have to act, and we have to act now to control the rapidly rising rate of crime. We can no more safely ignore this unhappy fact of modern life than we can sweep a lighted match under the rug.

This bill offers a program to step up the fight against crime. It is not the final answer. It is the beginning. It should not be considered as the termination of a journey, but rather as the departure on a journey. It is in this light that I think we have to support the bill and implement the program which the bill authorizes.

I would like to say a word about the support that this bill has in various parts of the country and specifically in my own State of Maryand. The Governor of Maryland has unique police powers. The Governor of Maryland is not only, as its chief executive, responsible under the Constitution for law and order in the State, but he is the commander of the Metropolitan Police Force of the City of Baltimore. So he has very unusual police responsibilities. In addition, in recent years, the Maryland State Police, which was originally the highway patrol, has assumed larger and larger obligations in law enforcement and in the criminal detection field.

Of course, the Maryland State police are a State agency directly under the Governor.

Our distinguished Governor, Spiro T. Agnew, has publicly announced his support for this bill. I should like to read a short portion of Governor Agnew's statement of support, because I believe it is significant. The Governor of Maryland says this:

> H.R. 5037 should serve as a catalyst to encourage our states and cities, with the assistance of the Federal government, to begin remedial action in a concerted effort to fight crime. It is a beginning only. The challenge is not solely a law enforcement problem but summons all the resources of the community. While we may dispute the priorities that must be established, and the mechanics to be employed through legislation such as this, there is certainly no dispute as to the enormity of the problem and the absolute necessity for cooperative and concerted action at every level of government. I therefore endorse wholeheartedly H.R. 5037 as a first step in our nationwide effort to fight crime and strongly urge its passage by the Congress.

I am very happy Governor Agnew has taken that position, because it is exactly the way I personally feel. I hope it is the way the House will feel at the conclusion of this debate.

Mr. CELLER. Mr. Chairman, will the gentleman yield?

Mr. MATHIAS of Maryland. I am glad to yield to the gentleman from New York.

Mr. CELLER. Is the gentleman worried that this bill would have the possibility or probability of setting up some sort of police state or Federal police force?

Mr. MATHIAS of Maryland. As the distinguished chairman of the Judiciary Committee knows, we discussed this in committee and I believe certainly concluded that there is no danger of a Federal police state emanating from this bill. The bill is hedged with safeguards for individual liberty. There is respect for the authority and the dignity of the States of the Union.

I have no personal apprehension that a Federal police state could be the result of the bill. As a matter of fact, I believe the bill contains a feature which goes a long way toward preventing the creation of a police state, because it contains the first effort that has been made by the Congress to guide the direction of the collection of criminal intelligence data by modern computer methods. This could be a tremendous tool of a police state if it were uncontrolled. This bill takes the first step in bringing this under proper congressional control.

Mr. Chairman, throughout this debate we will hear many references to newspaper articles, editorials, the reports of the President's Commission on Crime and other bodies, speeches, statements and other contemporary documents.

I would like to refer briefly to an older source, and recall to you these goals: "in order to form a more perfect Union, establish justice, insure domestic tranquility, provide for the common defense, promote the general welfare, and secure the blessings of liberty to ourselves and our posterity."

These are the purposes for which our Constitution was shaped and our republic established. These are the purposes toward which our predecessors labored here. And these are the essential purposes toward which we strive today.

Today our Nation, although rich and powerful, is deeply troubled. Our traditional concepts of federalism have been challenged and found wanting. Our systems of justice have been proved not adequate, and too often not just. Domestic tranquility has been shattered in too many areas. To many Americans, it seems that the common defense and the general welfare have become not coordinate goals, but competitors for public attention and investment. Above all, the blessings of liberty have not been secured for all Americans.

I do not believe that our Nation is in decline, or that freedom in the United States is going to be replaced by the regimentation of impersonal forces, the dictatorship of lawlessness, or the tyranny of fear. I do not believe that our Nation, so great in material wealth, has become so weak in vision or so small in spirit that we are no longer masters of our own future.

In the past, this body has responded magnificently to the dictates of the times. When leadership has been demanded, we have provided it. When wisdom has been demanded, we have furnished it. When statesmanship has been demanded, we have given it.

These times—this year, this summer, and this week—demand that we act in full maturity, and set aside all childish things.

This week and this bill offer us our first real chance to respond to the criticism of this body which has, regrettably, become so popular. We can respond not only through the conclusions we reach, but more basically through the way in which we reach them—through the tone and tenor of debate, through the intelligence with which we work, and through the extent to which we focus on real problems rather than on shadows or cliches.

Having said that, Mr. Chairman, I want to emphasize that this bill is not a panacea. It should not be overadvertised, nor offered as a simple or ultimate solution. Certainly it is not that. It is, however, a valuable and constructive step, one which builds on the progress of the past and holds out hope for leading us to further progress in the future.

This is essentially a modest bill. Its initial authorization, $50 million, shrinks in the context of the $60 million in stolen automobiles unrecovered or the $284 million in goods stolen by burglars in 1965. Even the projected cost of this program is small when placed against the estimates of $4 billion in total annual losses from crimes against property, the $7 billion annual impact of gambling, or the immeasurable human impact of crime in America.

The thrust of this measure is toward constructive innovation in every phase of law enforcement and the administration of justice. It is directed at the entire spectrum, from crime prevention through detection, prosecution and defense, sentencing, corrections, rehabilitation, and counseling. In all of these areas, the bill seeks to encourage experimentation with new methods and advanced technology, and to promote wider use of successful programs.

Our experience with the Law Enforcement Assistance Act has given us an outline of the types of projects which could be advanced through this bill. The major emphasis of this 2-year-old program has been on training programs of many kinds, development of improved procedures for police, courts and corrections, and innovations in communications and data processing.

Some of these efforts have had dramatic results—for example, where improved communications have cut police reaction time in half. Most of them, however, will have a cumulative impact, which may not be statistically significant for several years, and in some cases will be visible primarily in terms of improved morale, better relations between law enforcement officers and citizens, and the reduction of fear in given neighborhoods.

Mr. Chairman, we have heard a great deal of debate about the impact of this legislation on our Federal system. Of course law enforcement in this country has always been primarily a local responsibility, in concept and in fact. It is so today. For example, of the $2.8 billion spent on police nationwide in 1965, $2.2 billion was local funds. Of the total of over $4.2 billion invested in law enforcement and the administration of justice, including courts and corrections, in fiscal 1965, the latest year for which all figures are available, the Federal contribution was only $376 million, less than 9 percent.

We have now reached the point in law enforcement, however, when local and State resources alone cannot handle the job. Our central cities, especially, are suffering the pressures of limited tax bases, and problems which are expanding much faster than city governments' ability to finance remedies and services. While the financial position of most State governments is not as bleak, they too are feeling growing pressures.

In short, we have reached the point in law enforcement which we have hit in the past in other areas such as education, public facilities, water and sewer systems, highways and medical care—the point at which it is essential, and appropriate, for the Federal Government to provide assistance, out of its far greater revenues, to enable State and local governments to carry out their administrative responsibilities and provide the finest services to the people.

Mr. Chairman, in these other areas, Federal grants-in-aid have not brought Federal controls. They have brought better public services, more advanced techniques, more modern methods, and better responses to public needs. We have every reason to expect the same benefits in the area of law enforcement from this bill.

I am somewhat confused, in fact, to find the concept of local control over law enforcement asserted most aggressively by some who have been so eager to blame the Federal Government for breakdowns in domestic peace. In simplest terms, we cannot have things both ways. We cannot deny local governments the help they need, and then expect them to continue to do the job under increasingly difficult circumstances. We cannot order Federal aid out of our cities, and then criticize Washington for neglecting city problems.

If it comes to this choice, I would rather send local police departments Federal money than Federal troops.

I do not think this is the choice before us now. I do think, however, that unless we bolster local law enforcement now, unless we make our system of justice more efficient, more effective and more humane, we will go farther down the road toward just that choice.

In conclusion, Mr. Chairman, I would like to include in the RECORD a statement by the distinguished Governor of Maryland, the Honorable Spiro T. Agnew, which outlines very well both the great efforts which my State is making to improve law enforcement and crime prevention, and the tremendous benefits which even the modest program launched in H.R. 5037 could bring.

At this point I insert Governor Agnew's full statement of support:

STATEMENT BY GOV. SPIRO T. AGNEW, OF MARYLAND, ON H.R. 5037, THE "SAFE STREETS BILL," SUBMITTED TO THE HOUSE JUDICIARY COMMITTEE MAY 9, 1967

The citizens of Maryland are grateful that the National administration has at last given cognizance to a problem that has been a frustration to our states and our cities for the last decade.

This recognition is reflected in the "Safe Streets Bill", H.R. 5037, now before your committee for consideration. I support this legislation as a start toward a more vigorous attack on crime throughout the United States, but in endorsing the Bill I would also like to bring to your attention several reservations I have about its limited scope and effect.

It is unfortunate, in my opinion, that H.R. 5037 provides for only $50 million in its first year to fight crime in America, when the President's own commission in its report recognizes crime as a billion dollar problem. The State of Maryland alone this year, without including any Federal grants, will spend over $91 million to combat crime in our State. We have already begun on our own to uplift the educational standards and minimum training requirements of law enforcement officers through the new Maryland Police Training Commission. The Commission was established last year and the new standards will take effect June 1. We also have embarked on a reorganization of our State correctional system. We hope by a rigid investigation to rid the system of misfits and obtain better overall quality in our personnel. We also hope to establish better planning, research and training for our parole and probation personnel to more realistically and more economically screen and rehabilitate those who have violated our laws.

While we welcome the Federal assistance that will become available through H.R. 5037, I think we should take a more realistic approach to our attack on crime. I believe that too much emphasis has been placed on the "innovative functions" and not enough on the practical day-to-day problems of our law enforcement and correctional officers.

I do not disparage the value of or the philosophy behind the requirement of "innovative function." In fact, I have already encouraged in Maryland the use of the tools available to us in this electronic age by sponsoring budgetary legislation that will provide our State and the metropolitan Baltimore area with computerized record keeping of criminal data.

But even with such steps, how can we expect professional production from our law enforcement officers, our correctional officers, and our parole and probation personnel when we pay them salaries in some areas of our country equivalent to those of common laborers? Thus, while I favor the provisions of H.R. 5037 for planning and program grants to state and local governments, and its encouragement of innovative efforts against street crimes, I cannot help but feel that we are overlooking the "nuts and bolts" of this problem. We should be putting more and better qualified law enforcement officers on the street, more and better qualified correctional officers in our penal institutions, and finally, more and better qualified officers in a position to supervise our parole and probation subjects.

We have attempted in our State to do something about this aspect of the problem this year by specific State grants to local governments for public safety. Included in a new fiscal reform package enacted by the Legislature is $15,846,000 in State aid for this purpose.

But increasing the budgets of police departments only a fragment of the job to be done. Prosecutors, judges, the prison administration and the parole board all must cooperate in a coordinated effort to improve law enforcement. All are indispensable links in the chain.

Necessary to all of these efforts, if we are to successfully combat crime, is a larger effort to rehabilitate the environment which breeds and sustains crime. The struggle against poverty, slums, ignorance and prejudice is overwhelming in scope and by its very nature slow and gradual. But unless we prevail in this effort, all others will be for naught. It encompasses the whole spectrum of our community life—education, family organization, employment opportunities, and housing.

H.R. 5037 should serve as a catalyst to encourage our states and cities, with the assistance of the Federal government, to begin remedial action in a concerted effort to fight crime. It is a beginning only. The challenge is not solely a law enforcement problem but summons all the resources of the community. While we may dispute the priorities that must be established, and the mechanics to be employed through legislation such as this, there is certainly no dispute as to the enormity of the problem and the absolute necessity for cooperative and concerted action at every level of government. I therefore endorse wholeheartedly H.R. 5037 as a first step in our nationwide effort to fight crime and strongly urge its passage by the Congress.

Mr. CELLER. Mr. Chairman, I yield 5 minutes to the gentleman from Missouri [Mr. HUNGATE].

Mr. BENNETT. Mr. Chairman, will the gentleman yield?

Mr. HUNGATE. I yield to the gentleman from Florida.

Mr. BENNETT. Mr. Chairman, in light of the events in our urban areas of the past few days, I am sure that I do not have to emphasize the importance of this bill to Members of the House. Decisive action is necessary if the tide of crime is to be stemmed.

I was happy to cosponsor the antiriot legislation passed by the House several weeks ago. Last week I introduced a bill to require riot training of all National Guard units, which has been now ordered by the President. The passage of the bill before us today will be another step along the difficult road back to a Nation which is safe for its own citizens.

Crime in the United States is a national tragedy. We are learning more and more about this serious problem daily. We know, according to the latest Federal Bureau of Investigation figures, that the serious crime rate in 1966 is up 11 percent over 1965, while the crimes committed by those under 18 years of age increased 9 percent in 1966 over 1965. These statistics indicate a national responsibility which must be met at the Federal, State, and local level.

The President's Commission on Law Enforcement and Administration of Justice has recently published a report on the whole aspect of crime and juvenile delinquency in the Nation. This Commission was appointed in July 1965 and on February 19, 1967, filed its first report, "The Challenge of Crime in a Free Society." This report made more than 200 specific recommendations for preventing crime, for improving operations of the police, the courts, and the correctional agencies, and for mobilizing government and private support for these tasks.

The facts of the rising crime rate have been of serious consideration to me for many years. It was because of this strong interest that I introduced in the House of Representatives on February 16, 1965, a package of three anticrime bills.

One of the bills called for the establishment of a National Advisory Commission on Interstate Crime. I am pleased to say that this legislation was administratively enacted when the President named his Commission on Law Enforcement and Administration of Justice on July 23, 1965.

Another bill in the package called for a White House Conference on Crime Prevention and Juvenile Delinquency. The purpose of this legislation was to call national attention to the problem of crime in America and to bring together the best minds from all over the Nation to discuss what could be done about the tremendous yearly jump in juvenile delinquency and crime rates in America. This was accomplished through the work of the President's Commission, which employed a full-time staff of 40 and retained hundreds of consultants throughout the country. The Commission sponsored many conferences and worked with every level of government in developing its report, which was announced by the President this year.

The third bill which I introduced 2 years ago, provides grants to teach law enforcement officers modern methods of crime detection, and to provide grants for research to determine the causes and cures for various types of criminal behavior. This bill, H.R. 230, is pending in the House Education and Labor Committee, and the thrust of the legislation is included in H.R. 5037, the bill before us today.

It was my privilege to cosponsor the Law Enforcement Assistance Act of 1965, which passed the House on a vote of 362 to 0. This act is now working to insure trained police officers and to assist law enforcement agencies in stopping crime. I have introduced House Joint Resolution 716 in this session of Congress, calling for a Joint Committee To Investigate Crime, which I feel will have long range consequences in this battle.

Today, Mr. Chairman, it is my honor to support the objectives of H.R. 5037, to assist local government in fighting crime. While the principal responsibility for fighting crime and juvenile delinquency rests with the States and local governments, the Federal Government has an important interest in the welfare of the 200 million Americans.

> Public order is the first business of government—

President Johnson said in his message on crime to the Congress this year—

> When public order breaks down, when men and women are afraid to use the public streets, their confidence is seriously shaken. When hundreds of thousands of young people enter adulthood carrying the burden of police records, when contempt and mistrust too often characterize public attitudes toward lawful authority, all—young and old, private citizens and public officials—suffer the consequences.

Local law enforcement agencies are in great need of Federal assistance for their programs. R. C. Blanton, Jr., chief of police, of my hometown, Jacksonville, Fla., wrote me:

> The interest at the federal level regarding the problems involved with crime and law enforcement is most encouraging to those of us who are directly involved in local law enforcement.

Education and training of his officers are Chief Blanton's major concerns today. He is an outstanding officer and enlightened leader.

We have talked too long about the problems of juvenile delinquency and crime, with too little action. We have a problem which is gnawing at the roots of our Nation's moral and ethical fiber.

The greatest need in America today is to have a safe society. Crime costs our Nation $27 million annually, and we must do what Abraham Lincoln once said:

> Let reverence for the laws . . . become the political religion of the nation.

Only through a strengthened program to fight crime in America, through acts such as the one before the House today, can we stop the spiralling and disgraceful rising crime rate.

Mr. HUNGATE. Mr. Chairman, I have had a deep interest in this field since the American Bar Association started studying the problem in 1956, and the study was directed particularly to the States of Wisconsin, Michigan, and Kansas. I know the interest of all in this body is extremely high on this problem that has cast itself upon us, and we are, I believe, considering a vital piece of legislation that is capable of providing a keystone in our bipartisan campaign against crime.

The bill represents an important program for assisting the State and local governments to combat the crime and lawlessness that plague us daily.

As the President's Crime Commission has mentioned, there are many important problems our States, cities, and towns cannot solve on their own, due largely to limited taxing power that has been referred to by my colleagues on the other side of the aisle.

This act is a direct outcome of the studies of the President's Crime Commission, and it can make, I believe, the major financial assistance available which is so necessary if we are to make significant national improvement in our law enforcement.

One item covered by this bill which I believe is very urgent and important is police recruitment. We have heard discussion recently on the floor of this body of the tremendous problem all our cities and municipalities have in securing adequate numbers of men for their police forces.

The distinguished minority leader of the Committee on the Judiciary raised the point that we have some judicial legislation and I would say some sociological jurisprudence that has not always acted to strengthen the hand of the officers or the men who are sent out to enforce our laws on the front line. After all, I believe when a criminal is rushing at him with a knife, a police officer does not always have time to make nice, technical, and legal distinctions, or to ponder the question whether the criminal as an infant has enjoyed proper toilet training, or was loved by his mother. There are times when they simply must act, to defend the public.

So I would hope the other branches of our Government would also show the same interest and concern for our police as has been shown here today.

Much has been said about urban law enforcement in our cities. Certainly there are a great number of problems that face our urban centers, but I would also hope we would likewise show our concern in this bill to see that it does something for the rural areas.

Then along this line, Mr. Chairman, some discussion has been had about the 50,000 population requirement.

I believe that requirement was removed from the bill, is that correct?

Mr. CELLER. Yes.

Mr. HUNGATE. The requirement as to the populations of 50,000 and over, that requirement is no longer in the bill?

Mr. CELLER. The gentleman is correct.

Mr. RAILSBACK. Mr. Chairman, will the gentleman yield?

Mr. HUNGATE. I yield to the gentleman from Illinois.

Mr. RAILSBACK. Mr. Chairman, I thank the gentleman from Missouri for yielding.

I would say in answer to the gentleman's inquiry that the mention of a 50,000 population requirement was made in reference to a Department of Justice task force memorandum which gave a proposed allocation breakdown of priorities in the allocation of funds, and there is strong reference made to the size of the areas that would be considered based on a projection, and taking into consideration the points. And there is quite a premium placed on population so far as the allocation of funds from the various applicants. So the reference of the 50,000 population figure comes from that particular proposed memorandum which discusses in detail the allocation points the gentleman is talking about.

Mr. HUNGATE. Mr. Chairman, I thank the gentleman for his contribution, and I know the gentleman's concern for law enforcement in the rural areas as well as in the urban areas is as strong as mine.

But the point I would make is the fact that the bill we are discussing here today no longer contains the 50,000-population requirement?

Mr. RAILSBACK. That is correct.

Mr. HUNGATE. I would join with the distinguished gentleman, and I would add that if such a directive as he has mentioned is promulgated that we would have the opportunity to attack that provision together, because I believe, while the preponderance of crime is in our urban areas, that a life lost in a small hamlet of perhaps 50 people is just as important as a life taken in an urban area, and I, therefore, think the training of the rural police officer is just as important.

Mr. RAILSBACK. Mr. Chairman, will the gentleman yield further?

Mr. HUNGATE. I believe I would like to finish this first, and then we can come back later, if time permits.

This bill would also provide for an approved education and training program for police activities which is very essential as I have indicated. It would provide for special police training programs in critical areas such as riot control.

I would like to say here it has been stated that this is not a riot control act, and it is not such, but it would include that and I intend at the appropriate time to offer an amendment to, I believe it is, page 18 in section 201 to show among the other purposes included in the act, so that there can be no question about it, would be a riot prevention and control.

The CHAIRMAN. The time of the gentleman from Missouri has expired.

Mr. CELLER. Mr. Chairman, I yield the gentleman 2 minutes.

Mr. Chairman, I would say to the gentleman, I am quite sure the amendment to which I have referred will be acceptable.

Mr. HUNGATE. I think it is important that we make crystal clear and plain the support that this Congress wishes to give to local law enforcement officials in what is presently their paramount problem.

There is substantial financing here I think that we provide to State and local governments—to be exact $50 million of which $5 million, and which is proof I think of the wisdom of this Committee, is left open so that it can be applied as experience is developed to any one of the three titles. Or we may find that we have not provided enough funds as some have already suggested perhaps under the action part in title II. There is nothing to prevent this $5 million from being offered to them under that title or in any other way that it becomes apparently needed.

I will concur in the statements previously made that there have been some 25 or so amendments to the bill. In my judgment they are constructive and greatly improve the measure.

I see that we have some 1,551 pages of testimony. I think this says to us that we should consider carefully and make haste slowly in rewriting the bill or extensively amending it on the floor of this House.

As I have indicated, I hope to offer an amendment to make it precisely clear that riot control is certainly not out of our minds and is not excluded from the purpose of this act, but it is included.

The distinguished gentleman from Iowa quoted one of my favorite jurists, Learned Hand in saying, "We cannot seek to advance in a spiritual vacuum."

This is the condition that must be remedied.

I think this bill in title II, section 201, where it provides for public education relating to crime prevention and encouraging respect for law and order, including education programs in schools and community agencies—is a vital feature of the bill.

Mr. Chairman, my distinguished colleague, the gentleman from Missouri [Mr. HALL] discussed earlier in the debate the law enforcement assistance act. It has been my privilege to visit one of these projects which I think is ready for additional action and funds. That is the alcoholic detoxification center in the city of St. Louis which is doing a job in keeping up with the legal developments and seeking to treat people who suffer from the affliction of alcoholism as sick people and to help make them useful members of our society.

I would hope that this bill clearly applies to them so that they can continue such a program.

As to the question of local responsibility, I believe the President's Crime Commission's figures indicate that there are some 50 Federal law enforcement agencies as defined, 200 State agencies and 39,750 at the local level.

Of the funds spent on law enforcement, 79 percent are spent on the local level. I think that is where our problem is.

I am sure that most, if not all of you agree with me, that that is where the problem must be solved and the job remains for us to provide the sinews.

Referring to the question of the attack on organized crime at the national level, I would submit that providing for facilities for training and modern equipment in a fine way to attack organized crime.

I would suggest that I do not think that we can be afraid of a national police force at the same time that we favor wiretapping. I think you can have one but I would question whether you could enjoy both privileges and I think that your concern with individual liberty almost forces you to take a different stand on this question.

We in Missouri are not interested in a national police force. We have denied our state police force, that is our state highway patrol, the right of search and seizure. That shows you how extensively we guard our individual liberties.

This bill as I read it would permit a village to take part in the program. I am going to agree with what I think my colleague, the gentleman from Illinois [Mr. RAILSBACK] would say, that it may be unlikely that many villages would come into the program but I think that becomes our task as Congressmen to see they are included. The problem of the 31 municipalities has been discussed in relation to the plethora of applications that might be made under this bill. I am familiar with that situation, I have 238.

I think it will be a difficult problem, but I see no way better to draft the bill to meet the problem that we seek to cure.

Concern has been shown about the discretion that will be given the Attorney General. I think any time discretion is given to anyone I am concerned. But I think the more important part of the amendment that the gentleman from Minnesota will offer, if I understand it correctly, would result in the virtual elimination of title II, and I am more concerned if we should lose title II, which I regard as the action section of this measure, than I am concerned about the discretion of the Attorney General.

Mr. MacGREGOR. Mr. Chairman, will the gentleman yield?

Mr. HUNGATE. I yield to the gentleman from Minnesota.

Mr. MacGREGOR. The amendments to which I referred will be offered by Mr. Cahill. They are supported by the minority members of the Judiciary Committee. They will not—I repeat, they will not—result in the loss of title II. They will, if adopted, result in a strengthening of title II, the control of which will be in the hands of the States.

Mr. HUNGATE. Mr. Chairman, I would just like to close with a phrase of our chairman. I think, as he has said in the past, there may be problems with this bill, as there are with any bill, because, after all, the sun has its spots, the diamond has its flaws, but gold will not rust, and the good will shine through. I urge enactment of the bill.

Mr. McCULLOCH. Mr. Chairman, I yield myself such time as I may need.

I regret that I must ask for time at this late hour, but I think it would serve a useful purpose to say that the fear expressed by members of the committee that this legislation could be the beginning of a police state is not supported either by fact, experience, or by the legislation in question.

Mr. Chairman, more than half a century ago the same fear was expressed concerning the FBI. In all the years since that agency was created there has been no Federal department or bureau of Government that has had greater respect or greater love or affection than the FBI in our national system.

Furthermore, this legislation itself provides in section 408:

> Nothing contained in this Act shall be construed to authorize any department, agency, officer, or employee of the United States to exercise any direction, supervision, or control over any police force or other agency of any State or local law enforcement and criminal justice system.

Mr. Chairman, in view of the conditions that are prevalent in this land, I would like to give you a statistic that was brought to my attention only yesterday. From October 1964 until July 1967, there were 1,833 sessions held by the FBI at which 70,282 police officers from political subdivisions throughout the Nation were trained in antiriot control. The record continues to be that good or better. But the FBI undertakes this work only when requested to do so by the local or the State government.

Mr. WAGGONNER. Mr. Chairman, will the gentleman yield?

Mr. McCULLOCH. I regret that I cannot yield at this time, for I have gone 4 minutes beyond the agreed to. I shall yield to the gentleman tomorrow.

Mr. CELLER. Mr. Chairman, I yield 2 minutes to the gentleman from Michigan [Mr. Dingell].

Mr. DINGELL. Mr. Chairman, on tomorrow when we have entered the amendatory stage of this legislation, I will be offering an amendment to increase the funds available under this legislation by $25 million.

It will also be to include therein a specific program whereby the Attorney General may make grants to assist communities to carry out riot control plans, to enable the Attorney General to make grants for training of law enforcement officers of communities in techniques of riot control, training police and other public employees in means of preventing and controlling riots, and providing material useful in controlling riots such as water cannon and nontoxic gases, and maintaining an auxiliary and reserve police who will be available readily for prevention of riots and control of riots.

It will contemplate a provision, in addition to this, to impose upon the Attorney General certain accountability necessary to insure that this section will be appropriately and properly carried out.

It is my feeling that this sum of $20 million is a very modest figure. The city of Detroit had losses in excess of a quarter billion dollars and maybe in excess of $1 billion. The rest of the Nation last week, when Detroit was undergoing this terrible time of pillaging and killing and shooting and arson was undergoing losses which may also have exceeded the $1 billion, so the total investment of $25 million in the light of the need and the circumstances, I believe, will be a very small figure.

It is my thinking this amendment will not only improve but make this legislation most useful to the particular problem we have.

As my colleagues know, it has long been the practice and the constitutional role and the law of this country that the States and municipalities have had the first responsibility, indeed almost the total responsibility, for protection of the individual citizen against ordinary crime. But one thing which we have found the same municipalities and States totally incapable of is the prevention and controlling of riots which are now inflicting our land.

Mr. CELLER. Mr. Chairman, I now yield 2 minutes to the gentleman from New York [Mr. Ryan].

Mr. RYAN. Mr. Chairman, the tragic breakdown of civil order in so many of our urban centers has underscored the urgency of new approaches to law enforcement and improvements in criminal justice. Antiagitator bills are only an admission of ignorance. In contrast, the bill which is before us today, if coupled with a massive effort to eliminate the causes of crime, could begin to achieve some progress.

But more efficient techniques of law enforcement are only one side of the picture. Enforcement of law can never be more than a supplement to respect for law. If the decline in respect for law continues, especially in our urban centers, then improved police techniques will lead only to the security of the police state. While the breakdown of law and order cannot be tolerated, neither can our great cities be permitted to degenerate into occupied territories.

In our country the police have served as an instrument of the majority of the community for the control of proscribed behavior. Historically, the sheriff was an elective office, as it still is in most of rural America. In this manner, law and law enforcement maintained a legitimacy for the vast majority of the community.

The Jeffersonian concept of democracy based on the community is simply not possible in a metropolis of millions because millions of people can never constitute a community. The result is a profound feeling of powerlessness and helplessness and alienation whether the issue is schools, garbage collections, urban renewal, or police. However, in our inner cities resentment of the police no longer is an aberration.

If the recent riots teach anything, it is that city government and law itself is losing its legitimacy in the ghetto. As the most visible and powerful instrument of the status quo, the police are in a difficult position. Virtually every riot has begun with an incident of confrontation between local people and the police.

Mr. Chairman, the slogan "support your local police" comes naturally when the local police are supportive of your interests. But, to the inhabitants of city slums the police too often are neither local nor theirs.

Those Members on the other side of the aisle who believe that the Federal Government should not intrude upon State and local prerogatives in this and other legislation should recognize a powerful analogy: City hall is often just as far away from the ghetto, if not more so, as Washington is from the State capital. Those who assert that police powers have always been a local function—and they have been—should recognize that, as far as the urban ghetto is concerned, they have ceased to be so.

Mr. Chairman, if respect for law is to be developed, then new approaches will have to be tried and new relationships created. I believe this bill provides the opportunity for a number of imaginative proposals to be tested on a demonstration basis. Section 302 of H.R. 5037 provides:

> The Attorney General is authorized to make grants to, or enter into contracts with, institutions of higher education and other public agencies or private organizations to conduct research, demonstrations, or special projects pertaining to the purposes described in this Act and which will be of regional or national importance or will make a significant contribution to the achieving of those purposes.

That language provides the Attorney General may make grants for research, demonstrations, and special projects. In my opinion, this language authorizes the Attorney General to encourage research, demonstrations, and special projects with respect to the feasibility of the involvement in law enforcement functions by institutions and persons indigenous to neighborhood communities.

In fact, the President alluded to this idea in his February 6 message on crime, when he suggested "community service officers who would maintain close relations with people in their areas and be alert to potentially dangerous conditions that should be brought to the attention of other city agencies for prompt action."

I urge the Attorney General to plan a project to determine the feasibility of involving indigenous community persons and groups in law enforcement functions. A demonstration project might vest certain police functions in local community units. I do not mean vigilante groups, nor do I mean police athletic league-type programs. I mean a program, akin to the community alert patrols in Watts, which will be seen by the community as responsive to the community.

People in the community could act as buffers between the community and the police, easing tensions and hostility. In East Harlem recently the efforts of local young men were credited with helping to cool things off—to use the vernacular. I understand there is a program in the District of Columbia involving local people.

The involvement of local residents might well prevent the kind of incident between the police and the community which so often has set off riots.

Mr. Chairman, these are uncharted waters. I am simply asking that more research be undertaken. Our cities are facing not crisis—but catastrophe. We must search for and find genuine solutions, more imaginative than the simple imposition of greater and greater amounts of repressive force. There is hope in the approach I have described.

Let me ask the distinguished chairman of the Judiciary Committee if he agrees that this is a program which could be carried out and funded under section 302 as it is written in this bill? I would ask for the comment of the chairman on this point, that is, the concept of the involvement of local indigenous people in law enforcement functions such as I have described under H.R. 5037.

Mr. CELLER. I believe that would improve community relations and create a better rapport between the minority groups and the police.

Mr. RYAN. Does the chairman believe that would be a useful type of program for the Attorney General to encourage under this bill; one which would be important, in fact, in terms of developing a relationship between the community and the police, a project which the Attorney General can sanction?

Mr. CELLER. My answer is in the affirmative.

Mr. RYAN. I believe that is important for us to establish, Mr. Chairman, because I had planned to offer an amendment along this line. The chairman has replied, and also has advised me off the floor, that he firmly believes this bill would encompass the kind of program I have described.

Mr. CELLER. Mr. Chairman, I yield such time as he may consume to the gentleman from New York [Mr. TENZER].

Mr. TENZER. Mr. Chairman, I rise in support of H.R. 5037, the Law Enforcement and Criminal Justice Assistance Act of 1967.

The purpose of the legislation before the House today is to provide Federal assistance to States and local governments in the fight against crime and to encourage accelerated research and training programs at the local level.

The report of the President's Commission on Law Enforcement and Administration of Justice has recognized the complexity of the subject of crime control and prevention and its relationship to other social and human problems. This report was already referred to by the distinguished chairman of our Judiciary Committee.

The House Judiciary Committee which held extensive and revealing hearings on the subject of crime in both the 89th and 90th Congresses, has reported this bill, which is based on the tradition that law enforcement must remain a local responsibility.

Because of the scope of the crime problem we must provide Federal assistance to the end that an effective partnership may be formed between the Federal Government and local governments to strengthen the attack on the growing menace of crime in the United States.

This is an important bill, in fact, it is essential. It not only aids localities in meeting the crime problem, but also serves notice that our Government will not tolerate efforts to undermine the law and order, upon which our society is founded.

This bill will not, in and of itself, put an end to criminal activities in this country. It will, however, aid in the development of the skills and manpower necessary to do so. While not a panacea, the program it creates is an example of the creative federalism of which President Johnson has spoken. The bill allocates Federal moneys to the States and units of general local government, for the continuation and innovation of programs to deal with crime. In so doing, it places the responsibility for action where it should be, on the States and political subdivisions who are charged with the duty of law enforcement.

Mr. Chairman, I am disturbed, as I am sure we all are, by the rise of the crime rate in this country. I am alarmed at the resultant fear which has spread throughout our population. I support, and will continue to support, every effort to resist and reduce this spread of crime and every program to alleviate the conditions in which crime and criminals breed.

We are today engaged in debating a measure designed to utilize and improve modern methods of law enforcement. Though the step we are taking is small, it is a step in the direction of facing up to our responsibility—to deal with this problem.

It should be clear to all of us, that the Law Enforcement and Criminal Justice Assistance Act of 1967 is not the cure-all for the problem of crime in our country. The problem is complex—it involves every facet of our daily lives. The solution requires that all our resources must be utilized in eradicating the elements of crime from our midst. Mr. Chairman, the Congress cannot stop and must not stop with the passage of this bill alone.

I have been to the well of this House repeatedly pleading for the establishment of priorities by the Congress. Surely this body recognizes that criminals are not born, they are made. It is upon this problem that we will be called on to focus our attention; if we are to successfully wage an effective "war on crime."

In the wake of the recent riots, elected officials and other public servants have called for measures to prevent such disturbances before they begin. The bill before us seeks to do precisely that. However, it does not go far enough and perhaps at this time cannot go further. We may not be able to stop the individual crime before it is committed, but we may be able to change the conditions in which the individual turns into and becomes a criminal.

Therefore we must devote our energies not only to anticrime bills but also to legislation which goes to the root causes of crime—antislum bills and antipoorhousing bills. While we concentrate on reducing crime, we must not overlook our obligation to eliminate the conditions in which crime breeds. Let us not forget that the society which refused to face up to its responsibility to create total equality, must now bear partial responsibility for the ruins in its urban centers.

I am sure that we all recognize the complexity of the problem we are seeking to solve. I am certain we all want to see our Nation grow and prosper in an environment of law and order. I do not question that we all have the same goal, the same dreams, the same ends for our Nation. I question the means to be used to achieve those desired ends. I urge my colleagues to vote for H.R. 5037 but to do so cognizant of the fact that this is only the beginning of the war on crime.

Mr. Chairman, H.R. 5037 is not an antiriot bill—it is much more than that—it declares war on all crime—including rioting and looting.

The purpose of this legislation is to help our local governments to combat crime without treading on local control or relieving local responsibility for enforcement of the law.

The focus of this legislation is on crime as a whole and not on any particular type of crime. We are developing here the resources necessary to protect the communities of our Nation from all varieties of unlawful activity.

Particularizing any single crime is contrary to the stated purpose of this bill. To let the tragic circumstances of the past weeks lead us to last minute amendments which would appear to cure the problem of riots, would be poor legislative practice.

This bill will encourage and assist States and local governments to develop comprehensive and long-range research and training programs to improve law enforcement practices against all categories of crime and lawlessness.

We need this bill because our local communities cannot carry the burden of the costs of the war on crime without Federal financial assistance. This bill will provide such help.

The bill seeks to forge an effective alliance between all levels of government in an all-out attack on crime. It focuses on the need to find local solutions to local problems. For this reason, any effort to give the State governments control over the resources to be utilized by the localities is contrary to the very purposes of the bill.

Eighty-three percent of all law enforcement personnel in the Nation are employed by local governments. Surely if we are to effectively aid in the development of new methods of law enforcement such aid must go to those who deal on a day-to-day basis and most fully understand the problem.

The legislation provides for coordination of efforts at the Federal, State, and local level in the field of law enforcement. Applications for Federal assistance must be submitted to the Governor of the State for his evaluation—section 403(b)(1). The Judiciary Committee rejected a proposal for a veto by the Governor and another proposal for block grants to the States to be distributed by State planning agencies.

These proposals would in effect create a new plateau of bureaucracy at the State level rather than give the aid directly to the agencies now involved in the fight against crime.

Responsibility for law enforcement should not be taken away from the local governments. A shift to State control would weaken the effectiveness of the local law enforcement agencies which are closest to the people who must be protected.

Attorney General Clark stated before the House Judiciary Committee:

> But the State doesn't have the experience it doesn't have the people, it does not make the investment in law enforcement and police that the local governments make. (Hearings page 65).

The expertise and the foundation for the attack on crime rests at the local level and I urge my colleagues to reject any amendments which would attempt to shift the emphasis away from local government.

Local government is spending six times as much as State governments on law enforcement, and nine times as much as the Federal Government in this field. There are nearly 40,000 local law enforcement agencies, as compared with 200 State agencies and only 50 Federal agencies involved in law enforcement.

Law enforcement at the local level must be strengthened by cooperation and direct assistance from the Federal Government. The President's Crime Commission has rendered an outstanding service to the American people by its thoughtful and enlightening report on "The Challenge of Crime in a Free Society." Now it is time for the Congress to implement proposals of the report and to take action to make our streets safer and our communities secure places in which to raise our children.

Hopefully, future generations of Americans will know that the fight against crime was strengthened by the passage of this bill. They will also know that we have not been found wanting in passage of other legislation designed to meet the root causes of crime—such as legislation to improve housing, education, and employment opportunities—the basic human needs of the people.

This is a first step. It is a major bill but only a small step in meeting the challenges which face this Nation at home.

Mr. CELLER. Mr. Chairman, I yield such time as he may consume to the gentleman from New York [Mr. McCarthy].

Mr. McCARTHY. Mr. Chairman, I think this bill is needed but I believe it is severely crippled by the absence of interstate firearms control.

I understand that my friend and colleague from New York [Mr. Bingham] will attempt to offer an amendment to add the administration's firearms bill to this bill but that it will be objected to as not germane. You will recall that I tried to add the firearms bill to the so-called antiriot bill but it was ruled not germane at that time.

I do not see how we can seriously come to grips with the problem of crime and riots without facing up to the need for a strong firearms control bill.

Last year, almost four times as many Americans were killed by firearms right here in the United States as were killed in Vietnam.

The latest figures on deaths from guns have just recently become available. They show a shocking increase in deaths and injuries from guns.

Murders with guns in the United States rose 14 percent in 1966, to 6,400 from 5,600 in 1965. Aggravated assaults last year with guns jumped 24 percent, to 43,000 from 34,700 the previous year.

Evidence indicates that the easy availability of firearms is itself a major factor in deaths. One out of every 20 assaults with a weapon resulted in death. Where firearms were used, almost one out of every five assaults resulted in the death of the victim.

While the bill I am cosponsoring would require firearms importers, manufacturers and dealers to obtain Federal licenses and would restrict the sale of mortars, hand grenades, antitank guns and other destructive devices, its main thrust is aimed at mail-order sales. In this connection, Attorney General Clark July 18 told the Senate that half the 2 million weapons sold in the United States last year were by mail-order houses.

> Among the purchasers—

He said—

> were known dangerous criminals, mental defectives, angry spouses, habitual drunkards, children and drug addicts.

Detroit police recently told Senate investigators they had stopped "dozens and dozens of people" entering the city from out of the State and confiscated many guns. More than 500 persons arrested during the Detroit riots had felony records and most of them brought handguns into the city. One small car was bringing in a veritable arsenal of weapons from Ohio, the investigators reported.

FBI Director J. Edgar Hoover February 16 told a congressional committee:

> I feel that better control of firearms is definitely needed.

Later, during the questioning by Representative Smith of Iowa, he declared:

> I think mail-order purchases should be banned . . .

When asked by Mr. Smith if the FBI receives information on new revolvers sold, he replied:

> No. The present Federal firearms control laws are under the Treasury Department and they apply only to machineguns and certain other weapons specified under the laws.

Besides Mr. Hoover, President Johnson, Senators, Congressmen, the International Association of Chiefs of Police, Governor Hughes of New Jersey, Mayor Lindsay of New York, and others support this bill.

Mr. RHODES of Arizona. Mr. Chairman, I ask unanimous consent to extend my remarks at this point in the Record.

The CHAIRMAN. Is there objection to the request of the gentleman from Arizona?

There was no objection.

Mr. RHODES of Arizona. Mr. Chairman, the events of recent weeks have starkly dramatized the crisis in law enforcement in this country. The very ability of government to maintain law and order and to provide personal safety has been challenged. Local law enforcement, criminal justice, techniques of correction and rehabilitation must be updated and improved.

H.R. 5037, the Law Enforcement and Criminal Justice Assistance Act of 1967, properly amended, could be an important step in the establishment of a Federal program to provide assistance to local law enforcement agencies. Unfortunately, the administration bill that was originally submitted contained the standard Great Society formula. It stifled local initiative and direction and placed maximum Federal control in the hands of the Attorney General. In an effort to improve the bill, the Republican members of the Judiciary Committee obtained a number of amendments. For example:

An appropriate judicial review is provided in cases where the Attorney General cuts off funds.

Congressional oversight on the operation of the data bank has been established.

The open-end authorization was eliminated, thereby insuring essential legislative review of this act.

The direct Federal payment of regular police salaries has been banned.

The present emergency demands that meaningful and appropriate Federal assistance be given to State and local law enforcement agencies. However, this crisis must not be used as a vehicle to place Federal control over State and local police administration and to lay the foundation for a centralized Federal police force. Therefore, additional and essential safeguards on the broad powers of the Federal administrator should be adopted.

Law enforcement and criminal justice administration are primarily local responsibilities. Crime is essentially a local problem that must be dealt with by State and local governments. Even the Attorney General has stated:

> We would hope to have all the States really working for a fully comprehensive plan for the State.

Any provision or measure that would upset or reverse this historic concept must be avoided. The recent riots have reemphasized the basic fact that the

State and its designated agencies must have the primary responsibility for coordinating the law enforcement effort within a State. Certainly, experience under the "poverty" program has demonstrated that failure to coordinate Federal activities with State activities creates serious financial and administrative problems.

In a letter dated June 8, 1967, the National Governors' Conference noted that "the State holds the primary responsibility for establishing the coordinating machinery needed for intergovernmental assistance programs." It was then suggested that H.R. 5037 be amended so that where a State has a plan for an appropriately balanced distribution of aid to local law enforcement activities, the Attorney General shall make all grants to the State agency designated by the Governor to administer such plan. On July 18, 1967, Gov. Nelson A. Rockefeller also urged the adoption of an amendment that would "assure that the State can effectively coordinate application for assistance." Governor Rockefeller pointed out:

> If comprehensive crime control envisioned by H.R. 5037 is to be effective, it is essential that the legislation recognize the primary role of the State, especially in developing a statewide comprehensive plan.

We support an amendment of this type. We believe it will provide essential State coordination and eliminate the Federal Government's power to dominate and control local law enforcement. We reject the Democratic majority's contention that—

> The Attorney General should have the maximum discretion in promulgating regulations and in administering the authorized programs to determine the population size that would be most appropriate for participation in the light of all considerations relevant to the particular programs.

We believe that an appropriate allocation formula should be adopted. In the present bill, the only limitation on the Attorney General's discretion to distribute funds, is the prohibition "that not more than 15 percent of the funds appropriated or allocated for any fiscal year to carry out the purposes of this act shall be used within any one State."

Certainly, there must be a statutory assurance that there will be a meaningful amount of funds available for every State.

We believe that serious consideration should be given to the establishment of a National Institute of Law Enforcement and Criminal Justice which in turn would be authorized to establish regional training institutes. In order to have a real impact on our law enforcement problems, the education and training of law enforcement and criminal justice personnel and research must be emphasized. Improved training of local and State law enforcement personnel in riot prevention, riot suppression, and riot control is needed. New techniques for combating organized crime must be developed. These objectives can be accomplished through an institute similar to the National Institutes of Health or the National Academy of Sciences. Moreover, the improved methods for crime detection, prevention, prosecution, and rehabilitation can be developed and taught in this manner without the danger of dominance by the Federal Government.

Mr. HALPERN. Mr. Chairman, I ask unanimous consent to extend my remarks at this point in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. HALPERN. Mr. Chairman, I address you today to urge the House adoption of the law enforcement and criminal justice assistance bill, H.R. 5037, which authorizes $50 million for Federal grants in fiscal 1968 to help State and local governments plan, modernize and in general improve their methods of law enforcement and administration of criminal justice.

Crime in the United States is increasing at a continuous and alarming rate. There is no simple answer and no panacea that will automatically reverse this trend. Crime is symptomatic of other failures of our society. The causes of its rise are many, being deep seated in social and economic ills. However, while we are aware of these root causes and are acting to correct them, we cannot condone lawlessness and violence in our cities and towns. In 1966 the number of serious crimes reported to the police increased 11 percent over the previous year. Over the 5-year period of 1960–65, violent crimes were up 25 percent and property crimes were up 36 percent. Law-abiding citizens are afraid to venture outside at night in dread of the mugger, robber, and rapist. Mothers fear if their children are a few minutes late from school. Doors are bolted with triple locks; iron gates enclose stores after closing and sometimes even during working hours.

Protecting the lives, property and rights of our citizens is a prime responsibility of government. Crime will not wait in the wings while we seek to attack its underlying causes. We must equip our State and local law enforcement agencies now with the tools to combat the spread of crime and to secure the public safety. The law enforcement and criminal justice assistance bill is a vital piece of legislation. It combines improvements in the efficiency and effectiveness of crime prevention and control with programs for the rehabilitation of offenders and with educational efforts to increase respect for law and order.

Law enforcement must continue to be primarily a State and local function and responsibility. However, Federal funds are needed to supplement local financial resources which simply are not adequate to meet the growing needs for crime control. The States and cities must be encouraged to develop innovative and modern techniques of law enforcement. Federal grants will enable the States and cities to formulate comprehensive law enforcement plans, to incorporate technical innovations, improve police recruitment and training, utilize new facilities and modern equipment, and engage in research in crime prevention and control.

One of the serious problems in combating crime is the difficulty police departments around the country are having in maintaining their forces at adequate strength and in recruiting new personnel. A 1966 survey by the National League of Cities disclosed that over 65 percent of the police departments polled were understaffed. On the average, police departments are 5 percent below authorized strength. While needed department strength increases at a rate of about 3 percent a year, personnel leave their departments at a rate of 5.4 percent a year. With this unfavorable ratio, 50,000 new police officers will be needed in 1967 alone. One of the major reasons for the loss of police personnel is the lack of adequate compensation. In order to keep its present policemen and to raise the quality of its force, salaries must be made more competitive with other occupations and private industry jobs. The Law Enforcement bill can help alleviate this critical situation. By authorizing the Federal Government to share with the State and local governments in the cost of research, innovative services, new equipment development and training, the State and local units will be able to devote more of their own resources to the compensation of their policemen.

H.R. 5037 is an important bill, urgently needed. It recognizes the primary responsibility of State and local governments for law enforcement while making a beneficial Federal contribution through support for local programs. In line with this, I hope that the House will give every consideration in the debate which will follow to the proposed amendments designed to give greater participation to the States under the act. We should be flexible and weigh all suggestions on their merits.

I urge the adoption of the Law Enforcement and Criminal Justice Assistance Act. Its enactment can substantially help to reduce the incidence of crime in this country and make for safer communities in which to live.

Mr. CELLER. Mr. Chairman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly the Committee rose; and the Speaker pro tempore (Mr. ALBERT) having resumed the chair, Mr. ROSTENKOWSKI, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 5037) to assist State and local governments in reducing the incidence of crime, to increase the effectiveness, fairness, and coordination of law enforcement and criminal justice systems at all levels of government, and for other purposes, had come to no resolution thereon.

SUMMARY OF COMMITTEE DECISIONS INVOLVING THE "SOCIAL SECURITY AMENDMENTS OF 1967"

Mr. MILLS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

Mr. MILLS. Mr. Speaker, I ask unanimous consent to have printed at this point in the RECORD a summary of committee decisions arrived at for purposes of introducing a clean bill involving the "Social Security Amendments of 1967," in order that Members may have information regarding these recommendations.

Mr. Speaker, the committee will introduce the bill tomorrow and report it tomorrow.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

The summary is as follows:

SUMMARY OF COMMITTEE DECISIONS FOR PURPOSES OF INTRODUCING CLEAN BILL, THE "SOCIAL SECURITY AMENDMENTS OF 1967"

I. MAJOR CHANGES IN OLD-AGE, SURVIVORS, AN DISABILITY INSURANCE AND HEALTH INSURANCE PROGRAMS

Increase in Social Security Benefits

A general benefit increase of 12½ percent would be provided for people on the rolls. The minimum benefit would be increased from $44 to $50 a month. Under the bill monthly benefits would range from $50 to $159.80 for retired workers now on the social security rolls who began to draw benefits at age 65 or later. Under existing law, the benefit range for those now on the rolls is $44 a month to $142.

The special benefit paid to certain uninsured individuals aged 72 and over would be increased from $35 to $40 a month for a single person and from $52.50 to $60 a month for a couple.

The amount of earnings which would be subject to tax and could be used in the computation of benefits would be increased from $6600 to $7600 a year, effective January 1, 1968.

The $168 maximum benefit (based on average monthly earnings of $550) eventually payable under present law would be increased to $189.00. The increase in the amount of earnings that can be used in the benefit computation would result in a maximum benefit of $212 (based on average monthly earnings of $633) in the future. The maximum benefits payable to a family on a single earnings record would be increased to $423.60, rather than $368 as under present law.

The increased benefits would be payable beginning with the second month after the month in which the bill is enacted. It is estimated that 23.7 million people would be paid $3.2 billion in additional benefits in 1968. Of this amount, $52 million would be paid out of general revenues as benefits for 708 thousand people over 72 who have not worked long enough to be insured under the social security program.

Illustrative monthly benefits payable under present law and under the Committee's bill are shown in the following tables:

OLD-AGE BENEFITS [1]

Average monthly earnings	WORKER		Husband and wife [2]	
	Present law	Under bill	Present law	Under bill
$67	$44.00	$50.00	$66.00	$75.00
$150	78.20	88.00	117.30	132.00
$250	101.70	114.50	152.60	171.80
$300	112.40	126.50	168.60	189.80
$350	124.20	139.80	186.30	209.70
$400	135.90	152.90	203.90	229.40
$550	168.00	189.00	252.00	283.50
$633	(3)	212.00	(3)	317.00

[1] For a worker age 65 or older at the time of retirement and a wife age 65 or older at the time when she comes on the rolls.

[2] Survivor benefit amounts for a widowed mother and 1 child or for 2 parents would be the same as the benefits for a man and wife.

[3] Not applicable, since the highest possible average earnings mount is $550.

SURVIVORS' BENEFITS

Average monthly earnings	Widow, age 62, widower, or parent		Widowed mother and 2 children	
	Present law	Under bill	Present law	Under bill [1]
$67	$44.00	$50.00	$66.00	$75.00
$150	64.60	72.60	120.00	132.00
$250	84.00	94.50	202.40	202.40
$300	92.80	104.40	240.00	240.00
$350	102.60	115.40	279.60	280.80
$400	112.20	126.20	306.00	322.40
$550	138.60	156.00	368.00	391.20
$633	(2)	174.90	(2)	423.60

[1] For families already on the benefit rolls who are affected by the maximum-benefit provisions, the amounts payable under the bill would in some cases be somewhat higher than those shown here.

[2] Not applicable, since the highest possible average earnings amount is $550.

Benefits to Disabled Widows and Widowers

Monthly social security benefits would be payable between ages 50 and 62 to disabled widows and widowers of covered deceased workers. If benefits were first payable at age 50, the benefit would be 50 percent of the primary insurance amount. The amount would increase, depending on the age at which benefits begin, up to 82½ percent of the primary insurance amount at age 62. The reduction would continue to apply to benefits payable after age 62.

A special definition of disability that would apply to a widow and widower would also be provided. Under this definition a person would be disabled only if the disability is one that, under regulations prescribed by the Secretary, is deemed to be severe enough to preclude any gainful activity.

Monthly benefits for disabled widows would be payable for the second month after the month in which the bill is enacted. An estimated 65,000 disabled widows and widowers would be eligible for benefits on enactment and an estimated $60 million in benefits would be paid in 1968.

Definition of Disability

A more detailed definition of disability would be provided in the law. The law would provide guidelines under which a person could be disabled only if he is unable to engage in any kind of substantial gainful work which exists in the national economy even though such work does not exist in the general area in which he lives.

Insured Status for Workers Disabled While Young

A worker who becomes disabled before the age of 31 could qualify for disability insurance if he worked in one-half of the quarters between the time he is 21 and the time he is disabled, with a minimum of six quarters of coverage. This requirement would be an alternative to the present requirement that the worker must have had five years out of the last ten years in covered employment.

Benefits under this provision would be payable for the second month after the month in which the bill is enacted.

It is estimated that about 100,000 people, disabled workers and their dependents would become entitled to benefits on enactment and that $70 million in monthly benefits would be paid in 1968.

Additional Wage Credits for Servicemen

For social security benefit purposes, the pay of a person in the armed forces would be deemed to be $100 a month more than he is actually paid. The additional cost of paying benefits would be paid out of general revenues.

Creation of Special Advisory Commission to Make Recommendations Concerning Health Insurance for Disability Beneficiaries

The Secretary of Health, Education, and Welfare is authorized and directed to establish a Special Advisory Commission to study the problems relative to including the disabled under the health insurance program, and also any special problems with regard to the costs which would be involved in such coverage. Such commission is to make its report by January 1, 1969. There is sufficient existing statutory authorization for this; therefore, rather than a provision being included in the bill, the Committee report will direct that such a study be made.

Increase in Number of Covered Hospital Days

The number of days of hospitalization which could be covered in a spell of illness would be increased from 90 to 120 days. However, the patient would have to pay a co-insurance amount equal to one-half the daily cost ($20 at the present time) for those additional days.

Payment to Physicians Under the Supplementary Medical Insurance Program

In addition to the two methods of paying for physicians' services provided under existing law ("receipted bill" and "assignment"), the following method would be provided: A physician would be authorized to submit his itemized bill to the insurance carrier for payment. Payment would be made to him if the bill was no more than the "reasonable charge" for the services as determined by the carrier. If the charge was higher than the "reasonable charge", the payment would go to the patient. If the physician does not wish to receive the payment himself, he may direct that payment be made to the patient. If the physician is unwilling to submit the bill, the patient may submit the itemized bill and be paid 80 percent of the reasonable charge.

The amendment would be effective with respect to payments for services furnished in or after January, 1968.

Transfer of Out-Patient Hospital Services to the Supplementary Medical Insurance Program

Hospital out-patient diagnostic services would be covered under the supplementary medical insurance program rather than under the hospital insurance program as under present law. The effect of the change is that all hospital out-patient benefits would be covered under the supplementary medical insurance program and thus subject to the deductible and co-insurance features. This change would be effective for services performed after 1967.

Earnings Limitation

The amount a person may earn without having his social security benefits withheld would be increased. Under the present law, a person who earns more than $1500 a year loses some or all of his benefits depending on how much he earns. However, he is paid benefits for any month in which he earns not more than $125. The amount a person may earn and still get all of his benefits would be increased from $1500 to $1680 a year. Also, the amount a person may earn in one month and still get full benefits for that month (regardless of how much he earns in the year) would be increased from $125 to $140.

The provision would be effective for earnings in 1968.

The Dependency of the Child on His Mother

A child would be deemed dependent on his mother under the same conditions that, under present law, a child is deemed dependent on his father. As a result, a child could become entitled to benefits if at the time his mother dies, or retires, or becomes disabled, she was either fully or currently insured. Under present law, currently insured status (coverage in six out of the last 13 quarters ending with death, retirement or disability) is required unless the mother was actually supporting the child.

Children's benefits would be payable under this provision beginning with the second month after the month in which the bill is enacted. An estimated 175,000 children would become entitled to benefits at that time and an estimated $85 million in additional benefits would be payable in 1968.

Financing

The present and proposed tax schedule is:

COMBINED EMPLOYER—EMPLOYEE CONTRIBUTION RATE

[In percent]

Period	OASDI		HI		Total	
	Present law	Proposal	Present law	Proposal	Present law	Proposal
1967	7.8	7.8	1.0	1.0	8.8	8.8
1968	7.8	7.8	1.0	1.0	8.8	8.8
1969–70	8.8	8.4	1.0	1.2	9.8	9.6
1971–72	8.8	9.2	1.0	1.2	9.8	10.4
1973–75	9.7	10.0	1.1	1.3	10.8	11.3
1987 and after	9.7	10.0	1.6	1.8	11.3	11.8

The amount of earnings taxed would be increased from $6600 to $7600 a year, effective January 1, 1968.

The portion of social security taxes that is allocated to the Disability Insurance Trust Fund would be increased from 0.70% of taxable wages to 0.95% beginning in 1968.

The Supplementary Medical Insurance Trust Fund is now provided with a contingency fund for 1966 and 1967. This fund is provided as a safety measure in the early years before the trust fund has had time to build up a surplus, and it would be continued for an additional two years.

II. OTHER CHANGES IN THE OLD-AGE, SURVIVORS, AND DISABILITY INSURANCE, AND THE HEALTH INSURANCE PROGRAMS

A. Health insurance

Requirement That a Physician Certify the Need of In-Patient Hospital Services

The requirement in the present law that a physician certify that an in-patient in a hospital requires hospitalization at the time the individual enters the hospital would be eliminated.

Experimentation With Hospital Reimbursement Methods

The Department of Health, Education and Welfare would be given authority to experiment with alternative methods of reimbursing hospitals which would provide incentives to keep costs down while maintaining quality of care.

Payment for Purchase of Durable Medical Equipment

When durable medical equipment is needed for the treatment of an individual, payment for the equipment would be made on a rental basis or a purchase basis, whichever would be more economical.

Blood Deductibles

A unit of packed red blood cells would be treated as a pint of blood for deductible purposes under the hospital insurance program; the patient would have to replace two pints of blood for the first pint of blood received (rather than one pint as under present law) for purposes of the three-pint deductible; and the three-pint deductible provisions would apply to the Supplementary Medical Insurance Program as well as to the Hospital Insurance Program.

Enrollment Under Supplementary Medical Insurance Program

An individual who is over 65, but believes, on the basis of documentary evidence, that he has just reached age 65, would be allowed to enroll in the supplementary medical insurance program as if he had attained age 65 on the date shown in the evidence.

Transitional Provisions for Uninsured Individuals Under the Hospital Insurance Program

A person who attains the age 65 after 1968 could become entitled to hospital insurance benefits if he has a minimum of three quarters of coverage in 1968 (existing law requires six) and six quarters of coverage in 1969. The number needed in later years would increase by three in each year until the regular insured status requirement prevails.

Reimbursement for Civil Service Retirement Annuitants for Premium Payments Under the Supplementary Medical Insurance Program

The Civil Service Retirement system would be permitted to reimburse certain Civil Service retirement annuitants who are members of group health plans for the payments they make to the supplementary medical insurance program.

Appropriations to Supplementary Medical Insurance Trust Fund

Whenever the transfer of general revenue to the supplementary medical insurance trust fund is not made at the time the employee contribution is made, the general revenues of the Treasury would pay, in addition to the Government share, an amount equal to the interest that would be paid had the transfer been made on time.

Health Insurance Benefits Advisory Council

The Health Insurance Benefits Advisory Council established under the present law would assume the duties of the National Medical Review Committee called for under present law. (The Medical Review Committee has not yet been formed.) The Health Insurance Benefits Advisory Council would increase its membership from 16 to 19 persons.

Podiatry Services

The definition of a physician would be amended to include a doctor of podiatry with respect to the functions he is authorized to perform under the laws of the state in which he works. However, no payment would be made for routine foot care. The amendment would be effective for services performed after 1967.

Payment for Certain Radiological or Pathological Services

The payment of full "reasonable charges" for radiological or pathological services furnished by physicians to hospital in-patients would be authorized. Under existing law, a 20% coinsurance is applicable. This change would be effective for services performed after 1967.

Payment for Physical Therapy Furnished by Hospitals

Physical therapy that is furnished to an out-patient in his home or in a nursing home would be provided under the hospital insurance program. The services must be provided under the supervision of a hospital.

Payment for Portable X-Ray Services

Diagnostic X-rays taken in a patient's home or in a nursing home would be covered under the hospital insurance program even though they were not under the direct supervision of a physician, subject to health and safety regulations.

Allied Medical Services

The Secretary of Health, Education, and Welfare will conduct a study of the feasibility and desirability of including allied medical services under the supplementary insurance program. The Secretary is to report to the Congress by December, 1968.

B. Old-age, survivors and disability insurance

Coverage of Clergymen

Under the present law, clergymen and members of religious orders (except those who have taken a vow of poverty) can become covered under the social security program at their own option. The bill would change this provision so that the services a clergyman performs in the exercise of his ministry would be covered unless, within two years after becoming a clergyman or two years after the enactment of the bill, he states that he is conscientiously opposed to social security coverage on religious grounds. The services performed by a member of a religious order who has taken a vow of poverty would be covered or excluded on the same basis as services performed by other clergymen.

Coverage of State and Local Employees

A state would be permitted to provide social security coverage, under the divided retirement system option, for a person who is in a position for which social security coverage is available but who himself is not personally eligible for coverage. Under present law such a person can only be covered under the regular referendum provisions.

Under the bill, the services of a person who is employed on a temporary basis for certain emergency services cannot be covered by social security beginning January 1, 1968. Such an exclusion is now optional with the states.

Also, under the bill, a state may, at its option, exclude from social security coverage election officials or election workers who earn less than $50 in a calendar quarter.

Definition of Widow, Widower and Step-child

A widow, widower or step-child would be considered as such for social security purposes if the marriage existed for nine months or in case of death in line of duty in the service or in case of accidental death, if the marriage existed for three months unless it is determined that the deceased individual could not have reasonably been expected to live for nine months at the time the marriage occurred.

Limitation on Wife's Benefit

There will be instituted a limitation on the wife's benefit of a maximum of $105 a month. The effect of this provision will not be felt until many years into the future.

Requirements for Husbands and Widowers Insurance Benefits

The requirement in present law that a dependent husband or widower may become entitled to social security benefits on his wife's earnings only if his wife is currently insured at the time she died or retired would be repealed.

Disability Benefits Affected by the Receipt of Workmen's Compensation

A change would be made so that in reducing the social security benefits payable to a person who is also entitled to workmen's compensation, the computation of his average earnings can include earnings in excess of the annual amount taxable under social security.

Self-Employment Partnership Income

The partnership income of retired partners would not be taxed for Social Security purposes.

Underpayments

An order of priority for the payment of benefits due to a person who has died would be provided. The benefits would be paid: first, to the widow, then to the children of the deceased entitled to social security benefits on the same earnings record; second, to the estate of the deceased person; and third, to the widow or children not entitled to a social security benefit on the basis of the deceased person's earnings record.

A somewhat different procedure would be followed in the case of claims for benefits on behalf of deceased individuals under the supplementary medical insurance program. For these claims, the benefit would be payable first, to the person who paid for the services; second, to the estate of the person; and third, to the widow and children of the individual.

Simplification of Benefit Computation

Where wages earned before 1951 are used in the benefit computation, certain assumptions would be made so that the benefit could be computed by mechanical means.

Extension of Time for Filing Reports of Earnings

The Secretary of Health, Education, and Welfare would be authorized to grant an extension of the time in which a person may file his report of earnings for earnings test purposes if there is a valid reason for his not filing it on time. Permission to file a late report may be given in advance of the date on which the report is to be filed.

Penalties for Failure To File Timely Reports of Earnings

Under the present law, it is possible for a person to be penalized in amounts in excess of the actual benefit payable to him in some months. The amendments would eliminate the possibility of this occurring in the future.

Limitation on Payments of Benefits to Aliens Outside the United States

Under present law, an alien who is outside the United States for six consecutive months has his benefits withheld under certain conditions. This provision would be changed so that, for purposes of the six-months provision, an alien who is outside the United States for more than 30 days would be considered outside the United States until he returns to the United States for 30 consecutive days within six months after he leaves the country.

An additional provision would be added so that when a person who is not a citizen of the United States is outside the United States for six months or more, he could be paid benefits only if he is a citizen of a country that provides under its reciprocal social security system for the payment of benefits to United States citizens who are living in the United States. (Payment would continue to be made under certain circumstances to a person who is a citizen of a country that has no social security system.)

Also, whenever an alien is outside of the United States and living in a country in which the Treasury has suspended payments, no benefit would be paid to that person for any month in which the Treasury has suspended payments. Any amounts currently accumulated for aliens now living in countries where payment cannot be made would be limited to 12 monthly benefits.

Disclosure to Courts of Whereabouts of Certain Individuals

Upon request, the Social Security Administration would furnish a court with the most recent address if the court wishes the information in connection with a support or maintenance order for a child.

Report of Board of Trustees

The date on which the annual report of the trustees of the social security trust funds is due would be changed from March to April. The report would contain a single actuarial analysis of the benefit disbursements made with respect to disabled beneficiaries.

Chairman of Advisory Council on Social Security

The Chairman of the Advisory Council on Social Security would be a member of the Council appointed by the Secretary rather than the Commissioner of Social Security. The Commissioner of Social Security would no longer be a member of the Council.

General Saving Provision

Where a person becomes entitled to benefits as a result of the Social Security Amendments of 1967, the benefit paid to any other person on that account would not be reduced by the family maximum provision because the new person became entitled to benefits.

III. CHANGES IN PROGRAM OF AID TO FAMILIES WITH DEPENDENT CHILDREN (AFDC) AND CHILD WELFARE

Family Employment and Other Services

Each state would be required to develop a program for each family on the AFDC rolls designed to get the adult members, and older children not attending school, into employment thus removing the family from the public assistance rolls. Among the specific things the states would be required to do are the following: (1) establish programs designed to reduce the incidence of illegitimate births, (2) assure that each adult in the family is furnished employment counseling, testing, and training, (3) offer family planning services in all appropriate cases, (4) bring to the attention of the appropriate courts or law enforcement agencies situations where children are being neglected or abused with a view to removing the child from the family or correcting the situation, (5) make protective or vendor payments where it is determined that the adult relative cannot manage funds effectively for the benefit of the dependent children, and (6) establish programs, under a single unit of organization, for determining paternity of children and using all laws applicable to obtain support for children from their deserting fathers. These provisions would be effective with October 1, 1967, and would be mandatory on the states beginning July 1, 1969.

States would be required to make available day care services when needed for the children of those mothers who are determined to be able to work or take training. States would also be required to furnish other child welfare services which would contribute toward getting the family off the assistance rolls. The Federal Government would match these services on an 85-percent basis prior to July 1, 1969, and at 75 percent thereafter.

Community Work and Training Programs

States would be required to establish community work and training programs in every area of the state where a significant number of AFDC families live. Every adult member and child over 16 not attending school for whom it was determined that work or training is appropriate would be required to participate or face the loss of assistance. Only a few states have work and training programs at the present time, and then only in some areas of the state. All states would be required to have such programs by July 1, 1969. Unlike present law, there would be Federal matching of 75 percent (85 percent prior to July 1, 1969) for training, supervision, and materials.

Work Incentives

Under the bill, each state would be required effective July 1, 1969 (optional until then) to have an earnings exemption under its program. Under this provision, the first $30 of earned family income plus ⅓ of earnings above that amount would be retained by the family. A family would have to fall below the usual assistance levels to qualify initially for assistance and for the earnings exemption. Persons voluntarily quitting a job or reducing their earnings in order to qualify would not receive the exemption. The earnings of children under age 16 and those 16 to 21 attending school full time would be completely exempt.

Children of Unemployed Fathers

Under present law, the states can establish programs for the dependent children of unemployed parents and receive federal matching. The definition of unemployment is left up to the individual states. Under the bill, states would have programs only for the children of unemployed *fathers* and the definition of unemployment would be made by the Federal Government. In addition, the fathers under these programs would be required to have had a substantial connection with the work force. That is, they must have either exhausted their unemployment compensation rights or have had a year and a half of work during a three-year period ending in the year before assistance is granted. The assistance would not be available if the father were receiving unemployment compensation. The fathers would not be eligible under the federal program if the father turned down work, or refused to accept training, or refused to register at the employment office. In addition, each father would have to be enrolled in a work and training program within 30 days of coming on the assistance rolls. States which now have programs for the children of unemployed parents under present law would not have to bring in any new people until July 1, 1969. However, people on the rolls who do not meet the new criteria would have to go off the rolls by October 1, 1967. States starting up programs in the future would have to comply immediately with the new provisions in order to receive federal matching funds.

Federal Payments for Foster Home Care of Dependent Children

Effective with July 1, 1969, states would have to provide AFDC payments for children who are placed in a foster home if in the six months before proceedings started in the court they would have been eligible for AFDC if they had lived in the home of a relative. The provision would be optional with the states before July 1, 1969. Under present law, children in foster care are eligible for AFDC payments only if they actually received such payments in the month they were placed in foster care. Federal matching would be available for grants up to an average of $100 a month per child.

Emergency Assistance for Needy Children

Under the bill, federal funds would be available on a 50–50 basis for cash payments, and 75 percent federal to 25 percent state and local for services, to meet the costs of providing emergency assistance to dependent children and their families. The assistance would be limited to a 30-day period and no more than one 30-day period in a year would be paid for. Included among the items covered under the provisions would be the following: (1) money payments, (2) payments to purchase items needed by the family immediately (such as emergency living accommodations), (3) medical care, and (4) a wide variety of services for the children and the family to help the family cope with almost any type of emergency that may arise.

Child Welfare Services

Under the bill, child welfare services would be moved to the section of the law which provides for the AFDC program and states would be required to furnish such services to AFDC children through a single organizational unit in the state and local agency which handles the AFDC program. The Federal Government would provide 75 percent of the cost of such services to AFDC children. Authorization for grants to states for other related welfare services would be increased by about $40 million a year. The non-AFDC child welfare program would be moved from Title V to Title IV of the Social Security Act, and the authorizations increased to $100 million for fiscal year 1969 ($45 million over the $55 million in present law) and to $110 million for each year thereafter ($60 million under present law). Research, training, or demonstration projects would be funded at levels determined by later Congresses. This provision would be effective July 1, 1969.

Limitation on Aid to Families With Dependent Children Eligibles

The proportion of all children under age 21 who were receiving Aid to Families with Dependent Children (AFDC) in each state in January 1967, on the basis that the father was absent from the home, could not be exceeded after 1967. For example, if a state had 4 percent of its minor children on AFDC in January, 1967, because the father is absent, the state would not get federal matching payments for children in excess of 4 percent of the population under 21 in 1968 or later years.

IV. TITLE XIX AMENDMENTS

Limitation on Federal Participation in Medical Assistance

Under the bill, states would be limited in setting income levels for eligibility to Medicaid for which federal matching funds would be available. The income level for Medicaid could not be higher than 133⅓ percent of the income level for eligibility for the Aid-to-Families-with-Dependent-Children program, or, if lower, 133⅓ percent of the state per capita income applied to a family with four members (and comparable amounts for families of different size). The 133⅓ percent proportions would go into effect on January 1, 1970. For states which now have Title XIX plans, for the period from July 1, 1968, to January 1, 1969, the proportion would be 150 percent rather than 133⅓ percent and for the period from January 1, 1969, to January 1, 1970, the proportion would be 140 percent.

Maintenance of State Effort

Under the bill, states would be given additional alternatives for measuring state effort under provisions to assure that the state maintains its fiscal effort after new Federal funds become available. Maintenance of effort could be determined on the basis of money payments alone instead of money payments and medical care as under present law. Also, the current expenditure could be measured on the basis of a full fiscal year rather than a quarter. In addition, child welfare expenditures could be included in the determination either with money payments alone or with money payments and medical assistance.

Coordination of Title XIX and the Supplementary Medical Insurance Program

Under the bill, states would have until January 1, 1970 (rather than January 1, 1969, as under present law), to buy-in Title XVIII supplementary medical insurance for persons eligible for medicaid. Also, the bill would allow people who are eligible for medicaid but who do not receive cash assistance to be included in the group for which the state can purchase such coverage. There would be no Federal matching toward the state's share of the premium in such cases. The bill would provide that Federal matching amounts would not be available to states for services which could have been covered under the supplementary medical insurance program but were not.

Modification of Comparability Provisions

Under the bill, states would not have to include in medicaid coverage for recipients less than 65 years old the same items which the aged receive under the supplementary medical insurance program which is furnished to them under the buy-in provisions discussed above.

Required Services Under State Medicaid Programs

Under present law, the states are required to include five named types of coverage effective with July 1, 1967. Under the bill, this provision would be made less restrictive, allowing the states to have either any seven of fourteen named benefits in the law, or the five types of benefits now required.

Extent of Federal Financial Participation in State Administrative Expenses

Under the bill, states would be able to get the same 75-percent Federal matching for physicians and other professional medical personnel working on the medicaid program in the state health agencies which they now get when such personnel work in the "single state agency," usually the public assistance agency. Under present law, the matching is 50 percent in such cases.

Advisory Council on Medical Assistance

Under the bill, an Advisory Council on Medical Assistance, consisting of 21 persons from outside the Government, would be established to advise the Secretary of Health, Education, and Welfare in matters of administration of the medicaid program.

Free Choice for Persons Eligible for Medicaid

Effective July 1, 1969 (July 1, 1972, for Puerto Rico, the Virgin Islands, and Guam), people covered under the Medicaid program would have free choice of qualified medical facilities and practitioners.

Use of State Agencies To Assist Health Facilities To Participate in the Various Health Programs Under the Social Security Act

Under the bill, states could receive 75-percent Federal matching for the services which state health agencies perform in helping health facilities to qualify for participation in the various health programs under the Social Security Act (including medicare, medicaid, and the child health programs) and to improve their fiscal records for payment purposes. Similar provisions in the medicare program (which finances such services on a 100-percent basis from the federal hospital insurance trust fund) would be repealed effective with July 1, 1969, when this provision would go into effect.

Payments for Services and Care by a Third Party

Under the bill, states would have to take steps to assure that the medical expenses of a person covered under the medicaid program which a third party had a legal obligation to pay would not be paid for. This provision would be effective January 1, 1968.

Direct Billing of Patients Under Medicaid

At the option of the states, medicaid recipients who are not also cash assistance recipients (those who are medically needy) could receive reimbursement directly for physicians' services on the basis of an itemized bill paid or unpaid.

V. CHILD HEALTH AMENDMENTS

Under the bill, several separate sections of the Act dealing with health services to infants, crippled children and to expectant mothers would be combined, with the result that the expenditures for the various present programs are visible in one provision. The bill would authorize $250 million for all child health programs in fiscal year 1969, increasing by $25 million each year until a level of $350 million is reached for fiscal years 1973 and thereafter. 50 percent of the total authorization would be for formula grants to the states; 40 percent for project grants; and 10 percent for research and training. Beginning July 1972, the authorization for project grants will cease and the states will be required to assume basic responsibility for these programs.

VI. OTHER PUBLIC ASSISTANCE AMENDMENTS

Federal Payments for Repairs to Homes of Assistance Recipients

States would get 50-percent matching payments to meet the cost (not to exceed $500) of repairing the home of an assistance recipient if the home could not be occupied, and the cost of rental quarters would exceed the cost of repairs. The change would be effective October 14, 1967.

Limitation on Federal Matching for Puerto Rico, Guam, and Virgin Islands

The dollar limit for federal financial participation in public assistance for Puerto Rico would be raised from the present $9.8 million to $12.5 million for 1968, $15 million for 1969, $18 million for 1970, $21 million for 1971 and $24 million for 1972 and thereafter. A separate $2 million limit on payments toward family planning services and expenses to support community work and training programs would also apply.

Proportionate increases in the dollar maximums for Guam and the Virgin Islands would be made.

Under medicaid an overall dollar limit of $20 million would be imposed (in lieu of limitation made applicable to the States by the bill) and the ratio of Federal matching would be changed from 55 percent to 50 percent.

Social Work Manpower and Training

The bill would authorize $5 million for the fiscal year ending June 30, 1969, and the three following years, for grants to colleges and universities to build up programs for training social workers. At least one-half of the amount appropriated each year would have to be used for undergraduate training.

Permanent Authority To Support Demonstration Projects

The amount of federal funds to support public assistance demonstration projects would be increased from $2 million a year to $4 million and be made permanent.

(No changes in existing income tax provisions are included in this bill.)

FREE WORLD SHIPPING TO NORTH VIETNAM

Mr. JOELSON. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. JOELSON. Mr. Speaker, as a result of some charges made on the floor about free world shipping to North Vietnam, I wrote to the State Department and asked what, if anything, had been done about this. I have today received a letter from Assistant Secretary William Macomber. He has consented for me to read the letter into the RECORD. It appears that although we are greatly disturbed by the fact that any free world vessel is utilized to support the North Vietnam Government, the State Department is doing everything within its power to meet the problem. I will read as much of the letter as I can:

DEPARTMENT OF STATE,
Washington, August 1, 1967.

Hon. CHARLES S. JOELSON,
House of Representatives,
Washington, D.C.

DEAR CONGRESSMAN JOELSON: Thank you for your letter of July 11, 1967 requesting a statement about free world vessels calling at North Vietnamese ports and asking what can be done about it. This is a matter of great and continuing concern to the Department of State. We have repeatedly brought it to the attention of the Governments concerned and are exploring what steps can be taken to insure the removal of remaining ships from this trade.

During the first six months of 1967 there were 39 arrivals of free world ships in North Vietnam ports compared with 54 in the first half of 1966 and 74 for all of 1966. The increase of 19 in the first half of 1967 compared with the last six months of 1966 is due entirely to Hong Kong registered ships flying the British flag which account for roughly 80 percent of the total arrivals. With the exception of one Italian arrival the remaining arrivals during the first half of 1967 were by ships under the Cypriot and Maltese flags.

All British flag vessels registered in the United Kingdom have been withdrawn from this trade. The remaining British flag ships are registered in Hong Kong, operating under time charter to Communist China or North Vietnam, and believed to be under control of Communist Chinese interests. We have asked the British Government to look again into the possibility of dealing with the problem of Hong Kong registered shipping. In this connection the British Government will no doubt take into consideration the likely reaction of the Communist Chinese towards the Crown Colony.

The Italian vessel belongs to a shipping company in Genoa which is reported to be Communist controlled and which occasionally send a ship to North Vietnam. These ships are on time charter to North Vietnam. The United States Government has on several occasions expressed its concern to the Italian Government about the involvement of these vessels in the North Vietnam trade. It appears that under present Italian law the Italian Government does not have the legal means whereby it can prevent the Genoan firm from chartering its vessels.

We have made repeated representations to the Government of Cyprus concerning their ships and they have now assured us that they have taken the necessary steps to control this trade. With regard to the one Maltese flag vessel which is still in the North Vietnam trade, we understand that the charter will expire in August of this year. We have made clear to the government of Malta our strong opposition to free world shipping to North Vietnam.

I have tried to answer as directly as possible your request for a full statement on this subject. May I assure you once again that the State Department follows these matters very closely. I trust that you will let me know if you have further questions.

Sincerely yours,

William B. Macomber, Jr.,
Assistant Secretary for Congressional Relations.

So, Mr. Speaker, I believe we are doing the best we can with a difficult problem. I hope the State Department will continue to try to see that no free-world vessel shall support the North Vietnam war effort.

PHILADELPHIA PROGRESS

Mr. NIX. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. NIX. Mr. Speaker, in this time of tensions and of violence I think it might be encouraging for me to say to this House some of the things that are happening in Philadelphia.

Mr. Speaker, on the editorial pages and the front page of the Philadelphia Inquirer on the date of Tuesday, August 1, 1967, are accounts and opinions of a truly fine happening.

As the editorial points out, some popular myths about people who live in city slums—people who are out of work and on relief—were quickly dispelled by that happening.

You have all heard the myth, I am sure that people who are among the hard core unemployed, do not want to work, never did and never will as long as they can collect a welfare check.

Well on Monday, an event took place in Philadelphia, that in my opinion, represents one of the most important steps toward the relief of tension and toward the maintenance of calm in Philadelphia as well as dispelling that popular myth.

That happening was the institution of the jobmobile, a new city sponsored, antipoverty program announced and instituted by Philadelphia Mayor James Tate and other officials in that city.

The jobmobile concept is basically simple. It simply sets up a mobile office in the heart of the problem area for the purpose of giving jobs to the people of the area who have been among the unemployed.

The mayor called all his departments and urged them to list all vacancies. He called on hospitals, institutions, private business and told them of the project and urged them to look at their job vacancies and list them.

The jobmobile project directors then sent the word to the people that the office would be open at 10 a.m. on Monday, July 31 right in their own neighborhood to give them jobs if they wanted them.

The line started forming at 7 a.m. in the morning.

By 7:30, there were more than 500 persons waiting on line.

There were men and women, young and old. There was a blind man and members of a gang. There were laborers and there were people who had been taking courses through other antipoverty programs to learn a skill or a trade or just a way of making a living.

There were the promised jobs. Some 400 were filled when the office closed at night. They were jobs for sewer cleaners and street cleaners, for hospital attendants, for clerks, and they were filled by happy, thankful people.

The project was considered a success. The papers hailed it. The people hailed it.

And another call went out to private business to open their ranks to another group of people for jobmobile—to take the jobs to the slums.

Mr. Speaker, this is the kind of project that may well be emulated throughout the country.

Certainly, I think that I should bring it to the attention of this body for the benefit of its membership.

As that editorial pointed out, the jobmobile could well serve to open some eyes and change some views.

I noticed in today's paper that one concern has offered an additional 2,500 jobs. I likewise noticed that the Governor of the Commonwealth of Pennsylvania has now come into the picture.

Mr. BOGGS. Mr. Speaker, will the gentleman yield?

Mr. NIX. I am happy to yield to the distinguished gentleman from Louisiana.

Mr. BOGGS. Mr. Speaker, I would like to commend the gentleman on the very constructive statement he is making here. This is exactly the kind of thing that I was referring to in the remarks I made here on yesterday. This type of community action by the city officials and the community leaders at all levels is the ultimate solution to the problems that confront us in the urban centers of our country. I congratulate the gentleman for the contribution he is making to this.

Mr. NIX. Mr. Speaker, I thank the gentleman very much and I agree that it is the solution. The interest of the people in the community and the contribution to the extent of furnishing employment—that is where it should begin and through that I think it can succeed.

We are going to have some people in Philadelphia who are going to oppose this type of procedure. Let me say just one last thing: Vouchsafe to us the right to have a few crackpots. We have them everywhere else in the world.

PROPOSED AMENDMENT OF SECTION 6(a) OF THE NATURAL GAS ACT

Mr. BURLESON. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. BURLESON. Mr. Speaker, I have today introduced a bill which would amend section 6(a) of the Natural Gas Act and would require the Federal Power Commission, for ratemaking purposes under sections 4 and 5 of the Natural Gas Act, to give effect to changes in the purchasing power of the dollar from and after December 31, 1966, in determining the utility plant and related reserve for depreciation components of the rate base of natural-gas pipeline companies, but would not require the Federal Power Commission to determine or use a rate base or cost of service for facilities used in the production or gathering of natural gas or the reserves from which such gas is produced.

The basic question involved in ratemaking with respect to natural-gas pipeline companies regulated by the FPC under the Natural Gas Act is how much, in total revenue, should a natural-gas pipeline company be authorized to collect through the rates charged for its jurisdictional sales and service, and what are the standards to be applied in making this determination. At the outset, it should be noted that the Natural Gas Act does not provide a formula by which just and reasonable rates are to be determined. In *Federal Power Commission v. Hope Natural Gas Company,* 320 U.S. 591 (1944), the Supreme Court stated (pp. 600–601):

> Congress, however, has provided no formula by which the "just and reasonable" rate is to be determined. It has not filled in the details of the general prescription of § 4(a) and § 5(a). It has not expressed in a specific rule the fixed principle of "just and reasonable".

In the absence of legislative expression as to the method to be employed in determining "just and reasonable" rates, the Commission has used for many years a "cost of service" formula, including as an integral part thereof a "rate base" composed principally of the depreciated original cost of the plant and equipment used and useful in serving the public, on which a percentage return is allowed. In Hope, the court concluded that this was an appropriate method of determining just and reasonable rates, stating further that under the statutory standard of "just and reasonable" it is the result reached, not the method employed, which is controlling.

The FPC "cost of service" formula may be simply defined as the sum total of, first, proper operating expenses; second, depreciation expense; third, taxes; and fourth, percentage return on a rate base consisting principally of the net—depreciated—original cost of the property—plant—devoted to the public service.

I am convinced that:

First. The Federal Power Commission regulatory policy, which relates the allowable return to the natural gas pipeline industry to a rate base set in terms of original cost less depreciation, without allowance for changes in the purchasing power of the dollar, tends to accelerate the movement of the rate base toward the vanishing point.

Second. The natural gas pipeline industry is subjected by the FPC, in the final analysis, to a price-income policy which bears no fair degree of similarity to that generally pursued in the American economy.

Third. Viewing the size and importance of this industry on the national scene, an improvement in the prospects and performance of the industry by changes in specific regulatory policy is of high nationwide significance. This significance extends to those who invest in the industry, draw profits from it, and work within it. It extends to the consumers—household, commercial, and industrial—whom the industry serves or should serve. It extends also to the whole American economy and the public at large.

This bill is designed to correct a situation that is presently working against the best interests of consumers and equity investors; a situation created by present practices of the Federal Power Commission which does not acknowledge the proper consumer-investor relationship, a relationship that is essential under our economic system.

It must be recognized that under our system more abundant services to the consumer, at costs consistent with optimum service—always to be sought—depend upon many factors and their interrelationships, especially the consumer-investor relationship. Thus, doing best by the consumer in the long run depends upon striking a workable balance between the consumer interest in the price he pays and the consumer interest in adequate investment, technological progress, and profits by the industries which serve the consumer.

This principle, involving recognition of the mutual interests of consumers and investors, is elementary economics. It is at the heart of the American system of enterprise and has frequently been recognized in national economic policies. A compelling example in recent years is that the massive tax reductions, designed to stimulate the economy, improve the rate of growth, and reduce unemployment, have been allocated to both consumers and investors. The 1967 reenactment of the 7-percent investment tax credit, in response to the request of an administration highly oriented to the interests of consumers, demonstrates once again this basic principle of mutual interests.

If, as my bill proposes, the Federal Power Commission is required, in the future, to fix prices adjusted more realistically to investment and profit needs, far more consumers will enjoy the use of gas at price levels which will still confer upon these consumers the very large price advantage of gas over competitive fuels.

My bill will accomplish this in the following manner:

If the FPC determines a rate base, the bill will require an adjustment to amounts in natural-gas pipeline companies' plant accounts to reflect—solely for this determination—changes in the purchasing power of the dollar from and after December 31, 1966, such changes to be determined by use of the Consumer Price Index of the United States Bureau of Labor Statistics or other superseding index published in lieu thereof by the United States Government. Enactment of the proposed legislation will partially offset, in the future, the dilution of "return" now occurring by virtue of the FPC's practice of rigidly adhering to the use of the original cost of plant less depreciation related thereto, without any adjustment to offset the impact of the forces of inflation. This dilution of return is readily observed when it is realized that dollars allowed to be earned as "return" are dollars of "current" purchasing power and thus undeniably not equal in purchasing power to dollars invested in the utility plant in past years. The bill proposes to afford protection against "further increases" in this dilution of return by providing that the adjustments which must be made to reflect future changes in the purchasing power of the dollar shall not be nullified, in whole or in part, by off-setting adjustments in any other components of the natural-gas pipeline company's cost of service. This latter provision has been incorporated to make it clear, for example, that the FPC cannot seek to offset the effect of the required adjustment in rate base by reducing the percentage of return which otherwise would be allowed under the approach which has historically been used by the FPC. If inflation continues, the required adjustments to reflect the changes in the purchasing power of the dollar will result in a larger amount of nominal rate base dollars to which the percentage return will apply.

As noted above, the proposed amendment would not require the FPC to determine or use a rate base or cost of service for facilities used in the production or gathering of natural gas or the reserves from which such gas is produced.

The bill does not propose any adjustment in the annual depreciation allowances for any changes in the purchasing power of the dollar. Such depreciation allowance would continue in the same historical amount and would be based on the original cost of plant, as is presently the FPC practice. Thus, "economic" or "price level" depreciation is not proposed by the instant bill. The related depreciation reserve would, however, be adjusted for changes in the purchasing power of the dollar subsequent to December 31, 1966, to correspond with related adjustments to the plant account, thus giving the ratepayer the same protection against further dilution of dollars contributed by him toward depreciation as accorded the investor against further dilution of dollars invested by him.

The physical consumption of natural gas rose from 4,428 billion cubic feet in 1947 to 16,033 billion in 1965, and the share of natural gas in total U.S. power use rose from 15.5 percent to 34.5 percent.

The cost advantages of gas to household and industrial consumers are very large. In six major cities throughout the Nation in 1965, the average fuel cost per season for average homes using gas was strikingly less in the main than in the cases of those using fuel oil, coal, and electricity.

Despite this cost advantage, the average annual rate of expansion of gas sales in physical terms by the major pipeline companies declined from 8 percent during 1953–60 to 4.8 percent during 1960–66. This, despite the fact that the U.S. economy grew twice as rapidly in real terms during the latter period as during the earlier period.

Comparing 1953–60 with 1960–64—later data not presently available—investment in plant and equipment for long line transmission of gas shifted from an annual average rate of advance of 9.3 percent to an average annual rate of decline of 7.4 percent. In contrast, during 1960–65, the average annual rate of advance of investment in plant and equipment was 7.8 percent for all of U.S. industries, and 9.2 percent for total manufacturing.

The natural gas pipeline industry's average rate of growth in profits after taxes declined from 11.4 percent during 1953–60 to 3.9 percent during 1960–65. In contrast, during 1960–65, the average annual rate of growth in profits after taxes was 10.8 percent for all U.S. industries, and 12.8 percent for total manufacturing.

During 1960–65, according to Standard and Poor's index, the average annual increase in stock prices for selected natural gas pipelines was 6.5 percent, compared with ranges of 8.4 percent to 10.7 percent for selected telephone companies, natural gas distributors, industrials, public utilities, and electric utilities.

The tremendous increases in interest costs since 1952 have impacted with special severity on natural gas pipeline companies because of the extraordinarily high bonded indebtedness of such companies. In 1965, the long-term debt of the major natural gas pipeline companies came to 59.8 percent of capital and surplus, compared with ratios in ranges of 51.5 to 8.7 percent for A and B electric utility companies, all manufacturing, and motor vehicles. Further, the ratio of gross earnings to interest obligations on the high percentage of debt in the pipeline industry has been decreasing which, in turn, increases the risks of financing and thus increases the interest costs which must be paid on new debt capital.

The basic reason for these adverse trends, both absolute and comparative, is that prices allowable to the industry—under recent and current FPC regulatory practices—have made no significant allowance for the longrun upward movement in the general price level which imports a long-term downward movement in the purchasing power of the dollar. This works against the expansion of facilities on a scale large enough to provide needed expansion of service to the consumer. It also creates a serious competitive disadvantage for the pipeline industry, especially from the viewpoint of obtaining capital, compared with most American enterprises which—by various means—have their incomes adjusted to compensate for trends in the purchasing power of the dollar.

To take the most recent example: From 1965 to 1966, consumer prices advanced 3 percent; wholesale prices, 3.3 percent; and industrial prices, 2.1 percent. Meanwhile, prices received by the major natural-gas pipeline companies declined 0.5 percent. The long-term significance of this can be demonstrated by use of a hypothetical but reasonable example: A 1.75-percent average annual increase from 1966 forward in the Consumer Price Index—the best single measurement of changes in the purchasing power of the dollar—would mean that the rate base of natural-gas pipelines, to which the allowable rate of return is applied, would need to be 16.9 percent higher in 1975 than in 1966, merely to compensate incomewise for the decline in the purchasing power of the dollar. No such process of adjustment is available under current FPC regulatory practices.

Utilizing generally accepted methods of projection, estimates have been made as to the needed expansion of investment and related undertakings on the part of the industry, and needed returns to investors adequate to promote this rate of expansion, in order that the industry's service to consumers in the years ahead may be expanded at optimum rates. To support such investment and related undertakings, the operating income of the major gas pipeline companies would need to rise from $630 million—estimated—in 1966 to $1,250.5 million in 1975 if the purchasing power of the dollar in general were to remain stable, and would need to rise to $1,461.8 million in 1975 if the Consumer Price Index were to rise at an average annual rate of 1.75 percent with a corresponding decline in the purchasing power of the dollar. But if gas prices were to be maintained in future at the 1965 level, the projected level of sales would yield an income shortfall of almost 18 percent in 1975 if the purchasing power of the dollar remained stable, and an income shortfall of almost 30 percent in 1975 if the Consumer Price Index advanced at an average annual rate of 1.75 percent.

The meaning of this is that current FPC regulatory policies would not permit the industry, in the future, to expand its investment and related undertakings nearly sufficiently to achieve the projected level of sales. This would deprive many potential consumers, pro tanto, of the cost advantage and other benefits which gas offers. It is, therefore, proposed that, from the end of 1966 forward, the rate base to which the rate of return is applied should be adjusted in FPC rate proceedings to compensate for the actual decline in the purchasing power of the dollar, to the date as of which the rate base is determined. This formula is extremely conservative. It would permit no compensatory adjustment in the rate base for all the years from 1966 backward, when failure to make allowance for the declining purchasing power of the dollar prevented recovery of sufficient income—measured in terms of promoting the best service to the public.

The application of the proposed formula, on the basis of an assumed averaged annual increase in the Consumer Price Index of 1.75 percent, would yield to the industry in 1975 an operating income estimated at $1,200.3 million at the projected or optimum level of sales. Even this level of operating income would be almost 18 percent below the estimated needed level of $1,461.8 million as set forth and explained above. This again illustrates the extremely conservative nature of the proposed formula.

The proposal would not require increases in prices paid by the consumer comparable to increases in the rate base and correspondingly in the return to pipeline company equity investors. The prices paid by the consumer include all costs of producing the gas and getting it to the consumer, including returns to equity investors. As the return to pipeline company equity investors is only a very small fraction of these total costs which the consumer must cover, an increase in the rate base of 1.75 percent—in the event of a 1.75-percent increase in the Consumer Price Index—and a corresponding increase of 1.75 percent in the return to pipeline company equity investors, would require only an 0.5-percent increase in prices paid by the consumer.

Under the proposed formula, gas would continue to offer very large cost advantages to the consumer. As of 1975, looking at six major cities throughout the Nation, the average cost—low and high estimates for various cities—of gas per season for the average home would be within the range of $63 to $173, compared with costs—low and high estimates for the same cities—ranging from $81 to $228 for fuel oil, $93 to $331 for coal, and $114 to $470 for electricity. Thus, despite possible increases in the price of gas, in the event of substantial declines in the purchasing power of the dollar, the natural gas pipeline industry will still be able to bring to consumers the cost benefits which gas would still enjoy over competitive fuels.

And because gas would still enjoy these cost advantages, the proposal would benefit consumers by enabling the natural gas pipeline industry to expand its facilities enough to serve consumers more widely than if the investment program of the industry continued to be restrained by inadequate returns to equity investors. This incentive to expansion would also be beneficial to the national economy.

I urge consideration and passage of this proposed legislation at the earliest practicable time.

PROPOSED SELECT COMMITTEE TO INVESTIGATE IMPACT OF U.S. TRADE AND AID TO NATIONS WHICH SUPPORT AGGRESSION

Mr. ABBITT. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Virginia?

There was no objection.

Mr. ABBITT. Mr. Speaker, I, along with others, have today introduced a resolution providing for the creation of a select committee to be appointed by the Speaker to investigate the impact of U.S. trade and aid to nations which support aggression and turmoil in North Vietnam, the Middle East, North Korea, Cuba, or any Communist faction within any other nation in the Western Hemisphere. In addition to this, it would also study the extent of our participation in and financial contributions to organizations, institutions and groups who aid or assist any nation that supplies North Vietnam, the Middle East, North Korea, Cuba, and so forth with military, economic, or financial assistance.

Mr. Speaker, I think this is a well worthwhile and necessary study. For years now, the American government has been appropriating billions of dollars for foreign aid to so-called friendly nations and in many instances to known unfriendly nations. We have seen on occasion ammunition supplied by American dollars thrown back at American servicemen causing death and destruction.

We are in an all-out war in Vietnam. The flower of American manhood is being cut down in the steaming jungles because of the aggression of the Communist North Vietnamese Government. Certainly, we realize that the casualties would not be mounting; the draft would not have to be extended; we would not now be sinking in the mire of what we have so often and so authoritatively been warned against—a prolonged war in Asia were the U.S.S.R. not supplying Hanoi with military, technical and economic assistance.

I hasten to add that Russia is not the only nation that is furnishing supplies to North Vietnam. Russia is not the only nation that is supplying Castro in Cuba who is causing so much unrest, dissatisfaction and guerrilla activities in Latin and South America. It is high time, in my opinion, that we have a reappraisement of our foreign policy as it affects aid to nations involved in trading with the enemy. The peace of free nations is threatened by the Communist war of aggression in Vietnam, by the explosive division of world interests in the Middle East and by the activation of cold war fronts in Latin America.

We are entitled to know, the mothers and fathers of the boys who are fighting and dying in Vietnam are entitled to know, all of our people are entitled to know, what effect our foreign aid is having upon the war in Vietnam, upon the buildup of the Communist nations and the effect upon our own economic stability. For this reason, I join in the effort to create a select committee to investigate painstakingly the impact of East-West trade and aid to nations which support aggression and turmoil in North Vietnam, the Middle East, and elsewhere.

In addition to all of this, we should know where the American taxpayers' money is being spent to aid and assist other nations, to what extent it is building up our enemies, to what extent it is building up the economic stability of those nations that are trading with our enemies and making it possible for North Vietnam and others to continue the war of aggression against South Vietnam and our Armed Forces. We know that there are many so-called friendly nations receiving substantial aid from America who at one and the same time are sending needed materials to North Vietnam that they might build up their military machine so as to continue their murderous attacks upon our servicemen in South Vietnam.

I am violently opposed to furnishing any aid whatever to any country that supplied any material to North Vietnam as well as to Castro and other Communist countries. We need a thorough, painstaking, worthwhile study of this entire problem and I believe that if this resolution or a similar one is adopted and the Speaker appoints a select committee of dedicated Americans then we may know to what extent American taxpayers' money is being used to build up the enemy to better enable him to murder our boys.

It is disheartening to see the executive branch of our Government call for all-out sanctions against little Rhodesia, the one free country that is closely associated with us and who is not supplying our enemies and is willing to work with and assist us in our efforts to down communism; then to see the executive department turn around and recommend all-out aid and assistance to those nations that are trading with North Vietnam, trading with Cuba and helping them build up their war machines to oppose the free world. Something must be done to put a stop to such a destructive course being charted by our Nation—helping our enemies and tearing down our friends.

This committee could assess any mistakes we are making in giving aid to nations which work against the interest of our country and world peace and to critically analyze not only aid being given to our enemy, North Vietnam, by friendly nations to the United States but also to ascertain and see what source of assistance to Communist nations is coming directly from the United States.

Something drastic has happened to American foreign policy since World War II which I cannot understand. I cannot recall in our history or the history of any other nation for that matter, a deliberate, conscious policy of giving material aid to those who have openly avowed a desire for our destruction. Yet we seem to be pursuing just such a policy.

On several occasions, we may be justly accused of giving aid to Cuba ourselves. Within recent memory, we sold large quantities of grain to Russia which eyewitnesses claimed was reshipped to Cuba. Even if the grain had not been reshipped, the military and industrial use of the grain by Russia—rather than for civilian consumption—would not seem to be in the best interest of this country.

My constituents are justifiably alarmed over the possibility of our Export-Import Bank putting up the money for the Fiat Co., of Italy to build an automobile plant in Russia. The Banking and Currency Committee accepted testimony to the effect that the building of the plant in Russia might divert a portion of the Russian economy from production of war material to consumer goods.

Even now, there is talk of expanding trade with Russia and other Communist countries in goods having high war-use potential. Many aspects of American foreign policy tend to work to our disadvantage by allowing or sanctioning trade with nations which are directly or indirectly supplying foods and services to North Vietnam and the Vietcong. It is not only a confused and destructive, but irrational, policy which permits so-called allies to ship materials to North Vietnam and American money to finance industrial production which may either directly or indirectly provide weapons, ammunitions, trucks or other military equipment which results in the loss of American lives and the buildup of the military machine of our enemies. Aid to governments around the world which denounce us and do everything in their power to hurt us falls in a similar category.

SHORT-TERM INTEREST RATES INCREASED 358 PERCENT AFTER PRESIDENT EISENHOWER TOOK OFFICE

Mr. PATMAN. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the Record and include extraneous matter.

The **SPEAKER** pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. PATMAN. Mr. Speaker, a few days ago, I inserted in the Record a table documenting the $43.2 billion in excess interest charges paid on the national debt since 1951. These have been excessive, unnecessary, and usurious interest charges which have been allowed under the regime of Chairman William McChesney Martin of the Federal Reserve Board.

Actually, the origin of these present extortionate, excessive, and in some cases usurious interest rates can be traced directly to the administration of President Dwight Eisenhower and the support that the Republican party has given the banking lobby the last 100 years. It was President Eisenhower who, either through design or bad advice, let the Federal Reserve Board seize its so-called "independence." Of course the word "independence" does not appear anywhere in the Federal Reserve Act or any of its amendments and it is an incontrovertible fact that the Congress and the President have not granted the Federal Reserve System "independence." Yet, President Eisenhower, in his benevolence, let them run off with this artificial independence and, since that time, we have had round after round of high interest rates. I discussed the effect of long-term interest rates in a speech appearing in the daily Congressional Record last Thursday, July 27.

We do not have a limitation on the interest that may be paid on short-term borrowings and, as a result, the interest rates on this type of Government security have practically gone through the roof.

Since 1939, the U.S. Treasury has issued $1,664,000,000,000 worth of 3-month Treasury bills. On this sum it has paid almost $9 billion in interest.

Once again, there is a startling contrast between the 14-year periods—the first from 1939 through 1952 and the second from 1953 through 1966.

For the 14-year period 1939–1952, the Treasury issued $587.3 billion worth of 91-day Treasury bills and paid a total interest of $1.147 billion.

For the second 14-year period, from 1953 through 1966, the Treasury issued $1,007,800,000,000 and paid a total interest of $7.051 billion.

Mr. Speaker, I place in the Record a table showing the average annual yield on 91-day Treasury bills since 1939:

Average annual yield on 91-day Treasury bills

Year:	Yield
1939	0.023
1940	.014
1941	.103
1942	.326
1943	.373
1944	.375
1945	.375
1946	.375
1947	.594
1948	1.040
1949	1.102
1950	1.218
1951	1.552
1952	1.766
Average yield (14-year period)	.645
1953	1.931
1954	.953
1955	1.753
1956	2.658
1957	3.267
1958	1.839

Average annual yield on 91-day Treasury bills—Continued

1959	3.405
1960	2.928
1961	2.378
1962	2.778
1963	3.157
1964	3.549
1965	3.954
1966	4.811
Average yield (14-year period)	2.797

Mr. Speaker, this has been a tragic and unnecessary waste of the taxpayers' money. It is obvious that the Federal Reserve Board—working with the Roosevelt and Truman administrations—was able to keep interest rates down from 1939 through 1952. And we should remember that this was a very difficult period for the country—a time of depression, a time of war, and a time of postwar recovery. We had all types of economic conditions and yet we kept interest rates down.

Therefore, it is obvious that the high interest rates which are imposed on the people today are the result of a calculated design. They have been raised by the manipulations of the Federal Reserve System and no one can contradict the fact that the Federal Reserve could bring these rates down tomorrow morning if it so desired.

However, Mr. Speaker, it is obvious that the Federal Reserve will not do this voluntarily. It will require action by the Congress to get results. It is up to the Congress to wipe out the myth of the "independence" seized by the Federal Reserve under President Eisenhower and to take whatever action is necessary to reduce interest rates.

Mr. Speaker, I place in the RECORD a table showing the interest that has been paid on 91-day Treasury bills since 1939.

AMOUNT OF 3-MONTH TREASURY BILLS ISSUED AND INTEREST PAID BY FISCAL YEARS 1939-66

Fiscal year	Amount issued (billions)	Interest paid (millions)
1st 14-year period:		
1939	$5.2	$0.3
1940	5.4	.4
1941	5.8	.6
1942	6.8	4.2
1943	32.6	30.7
1944	54.0	51.2
1945	66.1	62.7
1946	68.1	64.6
1947	66.7	63.4
1948	58.6	132.1
1949	48.9	139.2
1950	50.5	140.1
1951	54.5	190.2
1952	64.1	267.3
Total	587.3	1,147.0
2d 14-year period:		
1953	73.0	351.1
1954	78.0	269.4
1955	79.5	234.3
1956	83.2	484.9
1957	88.8	670.3
1958	88.8	539.5
1959	78.4	497.7
1960	60.1	563.9
1961	55.4	331.3
1962	60.2	722.2
1963	67.1	492.2
1964	66.1	576.7
1965	62.9	594.1
1966	66.3	723.4
Total	1,007.8	7,051.0

Mr. Speaker, translating these figures into everyday terms, it can be shown that the American taxpayer, from 1939 through 1952, paid only $1.95 in interest on each $1,000 worth of 91-day Treasury bills. But in 1953—with the advent of the Eisenhower administration—this figure skyrocketed. As a result, in the second 14-year period—1953 through 1966—the Treasury—that is, the American people—had to pay $6.99 interest for every $1,000 worth of 91-day bills issued. The $1.95 for the first 14 years—$6.99 for the second 14-year period or 358 percent increase.

Reducing this to percentages, it cost 358 percent more to finance 91-day Treasury bills in the period 1953 through 1966, as compared to the 1939-52 period.

THE NEWS MEDIA HAS DONE MUCH TO SENSATIONALIZE AND PUBLICIZE CHARACTERS SUCH AS STOKELY CARMICHAEL, H. RAP BROWN AND OTHER SUCH INSURRECTIONISTS

Mr. MINSHALL. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. MINSHALL. Mr. Speaker, the news media has done much to sensationalize and publicize characters such as Stokely Carmichael, H. Rap Brown and other such insurrectionists. Radio and television, the news magazines, and the daily press have provided them with a forum for their inflammatory and seditious and treasonous statements. The broadcast time and newsprint space accorded to these hoodlums have undoubtedly contributed much to the riots. Carmichael or Brown shouting their Communist-inspired call to battle on a street corner would not have the impact they have won without the wide publicity they have received.

It is therefore a pleasure to insert in the RECORD at this point the commendable policy which WAVA, the all-news station which covers the Washington metropolitan area, has adopted. I wish to personally congratulate Mr. Arthur W. Arundel, Jr., president of WAVA, on his editoral, which was broadcast earlier this week. The editorial follows:

RIOT NEWS POLICY ADOPTED BY ALL-NEWS STATION

(The following statement was issued by Arthur W. Arundel, President of WAVA, Washington's All-News Radio Station:)

The determination of all Americans of goodwill, black and white, to accelerate as rapidly as possible the legitimate rights of the Negro minority in our country should not be impeded. And to the extent that publicity through mass media, both electronic and printed, serve to advance the drive toward equal rights and opportunities for all our citizens, these channels of public communication serve a constructive purpose.

However, with the destructive recent spread of rioting, looting and burning in American cities, it has become increasingly clear to this broadcaster that irresponsible militants and demagogues who do not have the support of the responsible Negro majority have realized an ability to use mass media to propagandize for violence.

Accordingly, this station has now instituted a policy of voluntary editorial restraint which while insuring continued coverage of legitimate news related to disorder, will deny its facilities to those individuals whose known or obvious purpose is to incite violence or insurrection.

The WAVA news staff has developed detailed procedures and guidelines in support of this policy on coverage of riots and individuals connected with riot conditions.

WAVA's policy in this regard will continue until the business of accelerating civil rights in this country is no longer undermined by irresponsible militant spokesmen who profess leadership but who in fact are seriously jeopardizing the civil rights effort.

This matter is of particular and timely importance in view of the fact that the Nation's Capital has thus far been spared the bitter upheavals suffered by other major American cities.

It is our most sincere hope that other broadcasters and print media will adopt similar procedures in the common best interest of the public and within the rights of a free press. Without voluntary restraint, we may be involuntary provocators of violent emotion. The freedom of the press ultimately has as much at stake as the Nation itself in current rebellion against law.

GIRLS' NATION VISITS CONGRESS

Mr. BRAY. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Indiana?

There was no objection.

Mr. BRAY. Mr. Speaker, today the Congress of the United States is honored by the presence of the 100 young ladies from all over the country who are attending the 21st annual session of Girls' Nation at American University.

The following is a brief history of Girls' State and Girls' Nation program:

Back in the depression ridden days of the early 30's, The American Legion grew concerned over irresponsible statements to the effect that Democracy was "on the skids." How, it wondered, could America train its young people in the processes of self government as effectively as Fascist Italy and Nazi Germany seemed to be training their youth groups in the promulgation of totalitarian forms of government. Deciding that the best way to learn something was by practicing it, American Legionnaires began, in 1935, gathering teenage representatives of high schools together for a few days each summer in a citizenship training program on the processes of city and state government. They called it "Boys State."

As this program succeeded and spread throughout the United States, the American Legion Auxiliary began providing similar opportunities for girls of high school age. Thus "Girls State" was founded. The first Girls States were conducted in 1938 and since 1948 have been a regular part of the Auxiliary's better citizenship activity in all but one of the states plus the Auxiliary's Departments of the Panama Canal Zone and the District of Columbia.

Girls Nation, the youth citizenship program in the processes of federal government to which Girls State sends two "Senators" apiece, is an annual climax to the Girls State program and has been held in the Nation's Capital for one week each summer since 1947.

Girls State is staffed by American Legion Auxiliary members who volunteer their time and effort to this enterprise. Its administrative costs are defrayed by their Department (state) organizations. All costs for Girls Nation, including transporation, are financed by the American Legion Auxiliary's national organization. Delegates to Girls State are selected with the help of high school principals on the basis of potential leadership qualities and must be between their Junior and Senior years in high school to qualify. Through these programs, it is estimated that each summer the American Legion Auxiliary is adding 17,000 girls trained in the processes of government to a group that by the end of 1967 will total about 347,000.

On Washington's Birthday, February 22, 1964, the American Legion Auxiliary received one of the four top American Awards from the Freedoms Foundation at Valley Forge honoring its 1963 Girls Nation Program. Other Girls Nation Programs helped win similar George Washington Honor Medals.

The National Association of Secondary School Principals has placed Girls Nation on its "Approved List" of National Contests and Activities for 1967–1968.

I am happy and proud to pay a well-deserved tribute to these young ladies and all who make Girls' State and Girls' Nation such an outstanding and successful program. All too often, it seems that the only American young people who receive any notice are those who would turn against all the values of our society and our way of life. However, the real representation of our youth is found in girls such as these who visit us today. They bring a breath of fresh air into a weary and sometimes cynical world, and with young persons of their quality preparing for future leadership, we can rest assured our country will be in good hands.

SUPPOSED TREATY WHICH HAD BEEN AGREED TO TRANSFERRING SOVEREIGNTY RIGHTS OF THE PANAMA CANAL ZONE

Mr. HALL. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mr. HALL. Mr. Speaker, on June 27 I sent a telegram to the President, after hearing of the treaty which had supposedly been agreed to transferring sovereignty rights of the Panama Canal Zone. This remains an area of vital concern to the people, their representatives, and of course the other body of Congress which must ratify—or not—in the event the President does deem to sign this greatest of all giveaways, based on wrong advice or premise. As a result of this telegram there were several exchanges of correspondence between myself and Mr. Macomber, Junior, Assistant Secretary of State for Congressional Relations. Because this issue, presumably, soon will be decided by the U.S. Senate, I insert at this point in the Record, a copy of my telegram to the President; the reply from Mr. Macomber; a copy of my letter to Mr. Macomber, and his subsequent reply:

June 27, 1967.

President Lydon B. Johnson,
White House
Washington, D.C.:

In the interest of hemispheric defense I urgently request you not to forfeit our sovereign rights by implementing the proposed Panama Canal Treaty.

Durward G. Hall,
Member of Congress.

Department of State,
Washington, July 5, 1967.

Hon. Durward G. Hall,
House of Representatives,
Washington, D.C.

Dear Congressman Hall: The President has brought to my attention your cable of June 27, 1967 concerning the proposed new Panama Canal treaties. In view of the interest you have expressed in the question of sovereignty in the Canal Zone, I wish to make clear the position that has been taken on this issue in the recently concluded Treaty negotiations.

The United States objective in the negotiations has been to insure the continued efficient operation and security of the Panama Canal while at the same time seeking to remove sources of conflict that have troubled our relations with Panama in recent years and imperiled stability on the Isthmus. One of these sources of conflict has been the sovereignty issue.

Under the treaty of 1903, which presently governs the Canal, Panama gave the United States the exercise of sovereign rights in the Canal Zone. Although the United States has recognized that Panama retains a titular sovereignty in the Zone, Panama has claimed that it is entitled to exercise some governmental authority there.

On September 24, 1965 President Johnson announced that the United States and Panamanian negotiators had agreed that the new treaties should make some provision for effective recognition of Panamanian sovereignty in the Canal Zone. However, he emphasized at the same time that the United States would continue its responsibility, to be exercised in cooperation with Panama, for the administration, management, and operation of the Canal and that United States forces and military facilities would be maintained on the Isthmus.

This Presidential statement, a copy of which is enclosed, established the precepts that have guided our negotiators in the preparation of the new treaties. We believe that it provides a firm basis for the continued protection of our vital strategic and commercial interest in the Canal.

I hope this information will be useful to you. If I can be of further assistance, please do not hesitate to let me know.

Sincerely yours,
William B. Macomber, Jr.,
Assistant Secretary for Congressional Relations.

House of Representatives,
Washington, D.C., July 11, 1967.

Mr. William B. Macomber, Jr.,
Assistant Secretary for Congressional Relations, Department of State, Washington, D.C.

My Dear Mr. Macomber: In all politeness I thank you for your letter of 5 July 1967, at the request of Barefoot Sanders for the President, in turn replying to my telegram of 27 June.

I disagree thoroughly that it provides a basis for continued protection of our vital strategic and commercial interest in the Canal. The information you sent is *not* useful to me, and you can be of further assistance by advising the Secretary of State and the President of our violent opposition to the Treaty.

Obviously the mistake was made in the accord, predicated on prior President's commitment, and the statement you enclosed from the White House dated 24 September 1965. This is not a political issue, but one of principles and rights involving the very origin of the country now known as the Republic of Panama. Our sovereignty is not now and has never been in question. We are simply negotiating away our "apples" in spite of showing our strength and determination. The latter two characteristics are the only things, to my knowledge, that the other family of nations has ever respected.

If the President, the Secretary of State, and the "negotiators" have failed to appreciate the over 130 co-sponsors of House Con. Joint Resolution stating a consensus of the Congress against such a Treaty, they are at least ill advised. My questions are still unanswered as to the strategic import of closing the Canal should some of Castro's commies take over in the Republic after we yielded away "our apples!"

With sincere concern,
Durward G. Hall,
Member of Congress.

Assistant Secretary of State,
Washington, July 26, 1967.

Hon. Durward G. Hall,
House of Representatives.

Dear Congressman Hall: I have received your letter of July 11, 1967, concerning the new Panama Canal treaties.

I appreciate your consideration in informing us more fully about the reasons for your opposition to the new treaties. Unfortunately there is little I can add in a substantive way to my letter to you of July 5. I do want to assure you, however, that the senior officials to whom you referred in your letter of July 11 are aware of the concern reflected in the resolutions which have been introduced in the House.

It is our hope, of course, that these concerns will be dispelled as a result of testimony before the Congress regarding these new treaties.

Again, thank you for writing.

Sincerely,
William B. Macomber, Jr.

EAST-WEST TRADE AND THE WAR IN VIETNAM

Mr. HALL. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mr. HALL. Mr. Speaker, at this time I wish to congratulate my distinguished colleague from North Carolina, Basil Whitener, for introducing yesterday a resolution that would create a select committee to study the impact of East-West trade and assistance to nations which support aggression, directly or indirectly in Vietnam, North Korea, the Middle East, and in Latin America.

It is an extreme pleasure to join the gentleman from North Carolina and others in sponsoring this timely and urgent resolution.

There has been much talk lately on "building bridges" to the East. One section of this span is trade. Yet, while we are constructing spans and beams from our shore, the Soviet Union and its Communist satellites are burning our bridges behind us by supplying arms—and other military strategic materials—to the North Vietnamese aggressors which are in turn maiming the bodies of American boys and taking their lives. The Communist materials are also being used in Latin America by the lifelong Communist, Castro, to create so-called "wars of liberation" right on our own doorstep.

Mr. Speaker, only through a new and exhaustive study in this area can we adopt proper policies that will hasten an ending of the war in Vietnam and Southeast Asia, check aggression in our own hemisphere, check Soviet expansion in the Middle East, and truly create an atmosphere of true reciprocal "bridge building."

Finally, Mr. Speaker, this study could be of great assistance in evaluating the results of the Kennedy rounds, since this country is inundated with foreign imports, especially in the form of shoes, textiles, farm and dairy products, steel, and others. It has been progressively so, since the fateful day the "Reciprocal Trade Treaty of 1962" was enacted.

RESOLUTION FOR CONGRESSIONAL ASSENT TO ALL COMMITMENTS TO FOREIGN POWERS

Mr. PEPPER. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. PEPPER. Mr. Speaker, the Washington Post yesterday noted that the able chairman of the Foreign Relations Committee of the other body had introduced a resolution calling for a hearing and calling for a determination that the Congress had to give its assent to any commitment on the part of the Government of the United States to a foreign power.

No doubt that subject may with propriety be examined by the Congress. But it seems to me the time has come when it should be made clear by an amendment to the Constitution of our country that when the Congress gives its assent to a commitment that the President proposes to a foreign power that it ought to be by both the Senate and the House of Representatives, even in the case of a treaty—and not just by the Senate—whatever the historical reason may have been for the Senate exclusively being vested with the power to advise and consent to a treaty. There is no longer justification for that great power king exclusively rested in the other body.

Mr. Speaker, I introduced a resolution providing that both bodies of the Congress must advise and consent to a treaty in the 89th Congress. That was House Joint Resolution 482. I am today introducing the same resolution and ask that it appear at the end of these remarks.

I may say, Mr. Speaker, that I introduced that same resolution when I was a Member of the other body and a member of the Committee on Foreign Relations of the other body. It was upon my recommendation that the Legislature of the State of Florida adopted a resolution endorsing this proposed amendment.

So, Mr. Speaker, I think while the other body is disposed to require congressional assent to a commitment by our country to a foreign power we ought to make it clear that when we say congressional assent, we mean the assent of both Houses of the Congress, that is the Congress of the United States—which of course, must implement any commitment if it is to be effective—and not just one body of the Congress.

Mr. Speaker, I hope we may have early hearings on this proposal and that it may have the favorable consideration of this House.

Mr. Speaker, the article to which I referred is as follows:

Fulbright Stirs Debate on Hill Role—Offers Resolution To Restore Voice on U.S. Commitments

(By Robert C. Albright)

Sen. J. William Fulbright (D-Ark.) touched off an old-fashioned separation-of-powers debate in the Senate yesterday with a call for return of the constitutional role of Congress in determining "national commitments" abroad.

The chairman of the Senate Foreign Relations Committee introduced a "sense of the Senate" resolution to nail down his premise. He immediately received the backing of Senate Armed Services Chairman Richard B. Russell (D–Ga.) and a wide bipartisan cross section of other Senators, some of them strong Administration supporters on Vietnam and other foreign policy issues in the past.

TEXT OF RESOLUTION

The Fulbright resolution reads:

"Whereas accurate definition of the term, national commitment, in recent years has become obscured.

"Therefore, be it resolved that it is the sense of the Senate that a national commitment by the United States to a foreign power necessarily and exclusively results from affirmative action taken by the Executive and Legislative branches of the United States Government through means of a treaty, convention or other legislative instrumentality specifically intended to give effect to such a commitment."

Fulbright said the resolution will become the basis of hearings and a broad study of the nature and extent of U.S. commitments abroad, to be conducted by his Foreign Relations Committee.

TERM HELD MISUSED

He and others argued that misuse of the term "national commitment" by members of the Executive Branch in this and previous administrations has distorted the public understanding and eroded the power of Congress to help shape national security policy.

Fulbright said much of the difficulty stems from "a lack of precise thought and language" rather from any "malign intent." He denied that the resolution responds "to any current crisis situation abroad" and said it is "not a measure directed against any single administration in this century—or against anyone at all."

"Even so," he said, "the possible consequences of involvement in combustible situations abroad in this day and age are too dangerous to permit any use of military power on the casual assumption that the nation is committed to act.

"Neither should we allow the honor of this country which is at stake in its commitments, to be cheapened through constant and careless references to its involvement in specific situations."

He disclaimed any attempt to restrict the constitutional responsibility and power of the President "or to revoke any past decisions."

In endorsing the resolution, however, Sen. Wayne Morse (D-Oreg.) said he personally would like to amend it to "correct past mistakes."

Senate Majority Leader Mike Mansfield (D-Mont.) said the Senate "can't cry too loud" because it has allowed its powers to erode by complacency, but that it will have to face up to Fulbright's questions.

Sen. John L. McClellan (D-Ark.) said "all of us are concerned" about the issue his colleagues raised. McClellan said Americans go around saying, "We pledge this" and "We pledge that" and out of it comes a "commitment."

"But it is not really a commitment," said Fulbright.

Among others generally supporting Fulbright's position were Sens. Stuart Symington (D-Mo.), Sam J. Ervin Jr. (D-N.C.), Thruston B. Morton (R-Ky.), Gordon Allott (R-Colo.), Frank Carlson (R-Kans.) and Milton R. Young (R-N.D.).

Sen. George D. Aiken (R-Vt.) largely shared Mansfield's position that the Senate has nobody to blame but itself for permitting the Executive Branch to take over more and more power.

In a major speech earlier Aiken called for a review of U.S. policy in Asia to determine "whether the American presence in the Asiatic mainland as exemplified by huge military forces is either necessary or desirable."

He said Congress has all but "abdicated" its constitutional role in making foreign policy and it is time it assumed it. Aiken concluded:

"This Administration is tired and frustrated.

"It is committed to its past mistakes and bound by its past predictions and errors of judgment.

"I would hope the Administration could stand off and take a good look at itself—where it has been and where it is going, in terms of the vital national interests of this nation."

Mansfield said he agreed with Aiken that the U.S. has "too much of a military presence in too many parts of the world and voiced hope this country never establishes "permanent" bases in Asia.

The text of the bill is as follows:

H. Res. 482

Joint resolution proposing an amendment to the Constitution of the United States relating to the power of the President to make treaties

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled (two-thirds of each House concurring therein), That the following article is proposed as an amendment to the Constitution of the United States, and shall be valid to all intents and purposes as part of the Constitution only if ratified by the legislatures of three-fourths of the several States within seven years from the date of its submission to the States by the Congress:

"ARTICLE

"The President shall have power, by and with the advice and consent of the Senate and the House of Representatives, to make treaties; provided a majority of the Members of each House present concur in giving such advice and consent, and provided that each House by a majority of its Members present shall determine the rules by which it shall be governed in giving its advice and consent to the making of treaties and executive agreements requiring the concurrence of the Congress."

MAKING SOCIAL SECURITY SOMETHING IT WASN'T SUPPOSED TO BE

Mr. ASHBROOK. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there

objection to the request of the gentleman from Ohio?

There was no objection.

Mr. ASHBROOK. Mr. Speaker, there seems to be a concerted effort to turn social security into something that it was never intended to be. For the past 6 years, I have pointed out that there are increasing pressures to make it into more and more of a welfare program rather than the insurance program it is intended to be. Now we hear of proposals to tax the benefits paid to our retired citizens and make more conditions and restrictions.

One restriction which should be removed or at least greatly altered is the restriction on earnings. In the first place, it is not fair since it only counts certain types of income. Second, it should not be unduly restrictive to energetic citizens who look not to more Government help but to their own efforts to improve their standard of living.

I recently received a letter from a good friend who graphically points out what has happened to him in his struggle to keep his head above water:

JUNE 30, 1967.

JOHN M. ASHBROOK,
Congress of the United States,
Washington, D.C.

DEAR JOHN: I have been meaning to write you on the following subject since my filing of my income tax return for the year 1966. My observations will only take a minute to review:

As you may or not recall but I retired from my traveling job January 1, 1966—obtained my real estate salesman's license and started working. My "profit and loss" statement for 1966:

Net earnings from real estate commissions (before tax)	$2,836
Deductions:	
Return to social security 50 percent of excess of $1,500	600
Return to social security 100 percent of excess of $2,700	136
Social security tax paid	193
Income tax withheld and paid	498
City income tax paid	23
Total (approximately 51 percent of earnings)	1,450
Net earnings after taxes	1,386
Income by payments of social security	1,544
Total net income from real estate and social security	2,930

What do you think?

Yours truly,

——— ———.

Mr. Speaker, I think the question could well be put to the entire Congress. What do you think?

EXPORTING REVOLUTION TO THE NORTH

Mr. ASHBROOK. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The **SPEAKER** pro tempore. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. ASHBROOK. Mr. Speaker, for some time now our neighbor to the south, Fidel Castro, has been emphasizing the urgency of instigating revolutions in Latin America. When Castroites are apprehended on the beaches of Venezuela, it would seem that Castro is not just talking. Regardless, our policy toward Cuba appears to be that someday Castroism will conveniently disappear. With the appearance of Stokely Carmichael in Cuba, the idea that perhaps Castro's revolutionary policy might possibly be directed northward once again points up the necessity of ridding our hemisphere of the Cuban threat.

Columnist Willard Edwards, of the Chicago Tribune, in his column "Capitol Views" for August 1, points out that Carmichael might have, for once, done the United States a favor:

> Stokely Carmichael will find the suggestion repugnant but he has unwittingly performed public service to the homeland he hates by showing up in Cuba and linking the black power movement in the United States to a Latin American communist guerrilla warfare program.

I include Mr. Edwards' column of August 1 in the RECORD at this point:

CAPITOL VIEWS

(By Willard Edwards)

WASHINGTON, July 31.—Stokely Carmichael will find the suggestion repugnant but he has unwittingly performed public service to the homeland he hates by showing up in Cuba and linking the black power movement in the United States to a Latin American communist guerrilla warfare program.

His militant words have shaken the Johnson administration's studied indifference to the threat posed by communist subversion based in Havana. Carmichael succeeded where responsible authorities failed.

When future historians look back upon this troubled period in American history, they may find that one of its most amazing features was the determined insistence by a great national power that an enemy base off its shores simply did not exist.

A state department official, who has fought this policy, described it in simple terms: "The official position seems to be that Cuba, like the legendary isle of Atlantis, has sunk beneath the sea. We just pretend that it isn't there."

Carmichael has made it impossible for the administration to ignore any longer the danger that lies in Cuba as a base of current communist aggression and subversion. He called for "internationalizing our struggle" to wage "Viet Nam-style wars" thruout the western hemisphere.

CLARIFIES PURPOSE OF HAVANA MEETING

Carmichael clarified the purpose of the so-called Latin American solidarity meeting he was attending—to organize under communist guidance, revolution in both the Americas.

By coincidence, on the same day he spoke, Rep. Melvin R. Laird [R., Wis.], one of the most qualified military analysis in Congress, took the House floor to document this same objective.

There was a striking similarity in one theme sounded by Carmichael and Laird. Both noted the words attributed to the communist revolutionary, Maj. Ernesto [Che] Guevara, that "the battle cry is to create two, three . . . many Viet Nams."

To Carmichael, this was a glorious call to American Negroes to coordinate their revolution in the north with the efforts of armed guerrillas in the south. Laird, reaching the same conclusion, warned that the United States may soon be drawn into several wars in this hemisphere, each one as costly in blood and money as Viet Nam.

Carmichael's words were printed and broadcast far and wide. Laird's long and brilliant report, puncturing the myth that Russia is "restraining" Premier Fidel Castro, disappeared into the dry pages of the Congressional Record.

FIREBRANDS COMMAND NATIONAL ATTENTION

It is a reflection of our time that apostles of violence like Carmichael command national attention and publicity while sober advocates of reason are often neglected.

"A Stokely Carmichael calling for insurrection on a street corner soap box is a curiosity, a hippie talking to a few other hippies," commented Rep. Durward G. Hall [R., Mo.]. "But how many times have we seen him and his like, presented on televison to millions of people, immediately transformed from an odd ball to a national figure? Can't we have less publicity for these preachers of hate and insurrection?"

It was a question difficult to answer. Hall conceded he did not expect to get much support for his suggestion that the use of national communications media to transmit inflammatory statements should be construed as incitement to riot. The cry of censorship would immediately be raised.

In this case, however, the wide publicity given to Carmichael's statements served to make clear the ominous nature of communist strategy in Cuba. Carmichael got the message thru where Laird and many before him could not.

Laird plans another report on the communist "solidarity" conference in Havana when it ends next week. Thanks to Carmichael, he may find the administration's complacency shattered and get a wider and more attentive audience next time.

CONGRESSIONAL CRITICISM

Mr. MOORHEAD. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The **SPEAKER** pro tempore. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. MOORHEAD. Mr. Speaker, I regret to say that there has been mounting criticism of the 90th Congress in the press against a background of riots in our cities. We find the same old problems of obstructionism in the halls of Congress and a do-nothing attitude, as though these riots were someone else's problem. Let me assure you, as a Member of the House, that these explosive outbursts in our cities do not come from sunspots. They come from the bitter basic human problems of unemployment, slum housing, inadequate schools, and all of the tragic day-to-day problems associated with slums from the nightly visitations of rats to inadequate health care.

Mr. Speaker, the problems of low-income families should not be a partisan matter and certainly on this side of the aisle, we do not make them a partisan problem. Unfortunately, the RECORD shows a depressing uniformity of lopsided votes from the other side of the aisle against any and all efforts to attack the root causes of riots in our cities. I call on my friends and colleagues who sit across the aisle to join with us in our efforts to help all Americans to share in our Nation's prosperity and I call their attention to the editorial comment made by Clayton Fritchey in the Washington Evening Star, which follows:

Republicans' Attack Irrational

(By Clayton Fritchey)

Politics is often not only a mysterious but irrational trade, but even this does not explain why a party that has a good chance of capturing the government next year would play into the hands of the opposition as foolishly as the Republicans have this week.

Considering the vulnerability of the Democratic administration on a number of fronts, it is difficult to understand why the GOP chose to make its major partisan attack of the year on an issue (the racial problem) where it is at its worst, and the opposition is at its best.

Putting aside the propriety of trying to make political capital out of the rash of race riots (if that's what they are), it appears that the Republican leaders gave little or no thought to the obvious boomerang in their effort to blame President Johnson for Detroit, Newark, etc.

It is already apparent that the official GOP spokesmen, Senator Everett Dirksen and Rep. Gerald Ford, are embarrassed and flustered by the Democratic rebuttal, but knowing the negative Republican record on everything relating to slum life, how could such experienced politicians have so badly booby-trapped themselves?

Johnson's consistent efforts to clean up the ghettos may be only a "Band-Aid," as some urban experts assert, but they would be even more inadequate if the congressional Republicans had had their way. Still more puzzling is why former President Eisenhower, one of the signers of the Republican indictment of Johnson, would also invite a review of his own record on civil rights.

Eisenhower was in the White House when the Supreme Court in 1954 launched the modern era of civil rights with its decision outlawing segregation in the schools. To this day Eisenhower has never approved the court's historic ruling. And during his eight years in power there was almost no significant racial progress through executive initiative.

Eisenhower had to send federal troops to Little Rock, Ark., just as Johnson did to Detroit this week. But there was a difference: Eisenhower was forced to act after temporizing with a racist governor (Faubus) who ended up defying him. Johnson acted six minutes after Gov. George Romney of Michigan called for help.

No President since Lincoln has done more for Negroes, or tried harder to establish a better racial equilibrium than Johnson. History will give him good marks even if the Republicans don't. It did not become Eisenhower to join in this unwarranted attack.

It was just a year ago that the unblushing Barry Goldwater, an avowed opponent of civil rights legislation, also blamed Johnson for the 1966 riots. Goldwater (with a straight face) said if he were President he would "visit these large cities and use my personal persuasion" to restore calm and prevent violence.

The political recklessness of the present assault on Johnson, however, lies in the record of the GOP on most of the recent legislation designed to improve the slum conditions which underlie the metropolitan riots.

On the last authorization for the poverty program, the House Republicans voted 105 to 15 against it. The bill was saved by the Democrats voting 195 to 51 for it. On another key Ghetto bill (rent supplements for the poor) the House Republican vote was 119 to 6 against. Senate Republicans voted 22 to 8 against.

Last week the federal rat elimination bill was defeated in the House because the GOP voted 148 to 22 against it. The Democratic vote (154 to 59 in favor) was not enough to save it. Republicans also voted against the bill to help rebuild broken-down cities, as well as the open housing feature of the last civil rights bill.

"This is the summer of dissent and violence in our country," says Mike Mansfield, the Senate majority leader. "It does no good to point the finger of blame at an administration, a political party, the congress, or state and local authorities." And he thoughtfully adds, "All of us, I dare say, must assume a share of that burden."

AIR SERVICE AT NATIONAL AIRPORT

Mr. PUCINSKI. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. PUCINSKI. Mr. Speaker, yesterday the Washington Star carried a big ad:

> Starting today eight more jet shuttle flights between Washington and Newark. That makes 86 jet flights a day, 39 to New York and Newark.

I would like my colleagues to know that the Civil Aeronautics Board is now considering a proposal to bar all aircraft leaving outside the 500-mile limit from landing at National Airport. This means commercial aircraft leaving from Chicago, St. Louis, Milwaukee, Denver, Dallas, Tampa, Miami, Houston, and all other mayor cities 500 miles or more from Washington, D.C., could not land at Washington National but would have to go either to Dulles or Friendship.

Only 14 percent of all flights coming into National Airport come from areas outside the 500-mile limit. But the airlines operating from New York apparently would like us to lose even that 14 percent so they could increase their shuttle services to and from New York.

I would like all of my colleagues who believe there is a beautiful America west of the Alleghenys and south of the area outside the 500-mile radius to appear tomorrow at the CAB at 10 o'clock and let your views be known. It is time we let the eastern carriers know there is more to America than only the eastern seaboard.

Right now Eastern Airlines' shuttles are handling an estimated 2½ million people into and out of National Aiport annually. I have proposed that they move these shuttle operations to the hangar north of the main terminal, but, no, that is too simple. They are proposing to shut off Chicago, St. Louis, Milwaukee, Tampa, Dallas, and all the other cities so that they can increase the traffic at National for these shuttle planes only for the convenience of eastern airports.

I do not intend to make my constituents second-class citizens. They are as entitled to use National Airport as anyone else. I hope my colleagues will join us so that we can stop this foolishness. National Airport is an airport that should serve the whole country. If there is to be a cut, it should be a fair cut across the board. There are businessmen who come from Chicago, St. Louis, and other cities to Washington and who wish to land at National Airport and go back to their homes from that airport the same day. I do not see any logic in establishing an arbitrary 500-mile circle around National Airport and saying that it is verboten to everyone else. The people who come here from Chicago have the same right to land at National as anyone else. Those who would prohibit my constituents from landing at National want my people to go to Dulles or Friendship and lose at least 2 hours traveling to and from these outlying airports to Washington. I don't think those of us outside the 500-mile limit should tolerate this kind of discrimination.

I want the House to know present plans do not call for reducing passenger traffic at National. If they bar the 14 percent aircraft that come from outside the 500-mile radius, they will let the eastern carriers increase their operations by a like amount.

The Star ad has Eastern boasting that the new jet shuttles are big enough to hold 107 passengers, so, do not anyone around here be misled into believing that if the 500-mile rule is adopted, somehow it will relieve passenger congestion at National.

I have asked the CAB to run a 60-day test before any action is taken. I want National to move all shuttle passengers out of the main terminal into a special shuttle terminal either in Eastern's hanger just to the north of the terminal which Eastern is using for storing old records. It would be no job at all to build a special road to the shuttle terminal and remove all this traffic from the main terminal area.

An alternative is to move the shuttles to the north terminal and move National, Piedmont, and the other airlines to the main terminal.

Also, Mr. Speaker, before the Government starts kicking us out of National, let it first clean up the traffic mess at the main terminal caused by:

First, a shortage of parking facilities at National. Space for 500 more cars is now being developed.

Second, clean up the valet parking mess. These people abandon their cars at the main terminal and leave it there for prolonged periods, until a carhop comes along to move it to a parking lot.

Third, clean up the car rental mess. People in a hurry to catch a plane leave the rented cars they are returning in the middle of the road. A shortage of carhops causes the abandoned cars to be left in the roadway for prolonged periods.

These are the factors which make the mess at National, Mr. Speaker, not the 14 percent aircraft from outside the 500-mile radius.

Please keep in mind that this new rule is not being advocated to reduce air congestion. National can handle 40 planes an hour and it averages 27. The move is being suggested to reduce ground congestion. I for one do not intend to let this happen at the expense of my constituents.

A SHORTAGE OF PERSONNEL IN THE EVER-GROWING WORLD OF AUTOMATION

Mr. SAYLOR. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. SAYLOR. Mr. Speaker, last week the Philadelphia Evening Bulletin reported that a local manufacturer is advertising for 150 machinists. Whether or not the figure is exaggerated, the situation points up an acknowledged shortage of personnel to take a part in the evergrowing world of automation.

There is no question but that Pennsylvania industry is woefully short of machine operators. Increasing numbers will be needed in the coal industry, where employment opportunities are blooming as new mines and old step up production to serve expanded electric power and steel capacity.

A mine mechanics school at Elders Ridge, Indiana County, Pa., has demonstrated conclusively the value of vocational training programs in this field. More than a hundred men who have graduated thus far were hired at once after completing the course.

Despite the established need for machine operators, there is still hesitancy about planning, implementing, and accelerating programs to train and qualify men for this vocation. I would suggest that more emphasis be placed on these courses, because by making it possible for more men to move into skilled jobs the Government is creating taxpayers whose contributions to the Federal Treasury will quickly make up the cost of the training period. Qualifying workers for existing openings should seem to be the first order of business in the current crusade against unemployment.

MODEL VACATION OF MODEL VISITORS

Mr. SAYLOR. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the Record.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. SAYLOR. Mr. Speaker, there is a lesson in the annual "campvention" of the National Campers & Hikers Association. It serves to show how individuals in a complex, hurried world can find comfort and friendliness by gathering together in a natural environment of which too few of today's populace are even aware.

The 1967 "campvention" took place July 8–15 at beautiful Prince Gallitzin State Park near Patton, Pa. Approximately 30,000 men, women, and children came from all parts of the United States and from Canada to set up an "instant" city of trailers, tents, and motor homes.

In this refreshing atmosphere, the visitors enjoyed the kind of healthy, educational, and entertaining programs that would enliven the spirit of every family across the land, particularly those whose daily routine is confined to city life. As usual, the deportment of the NCHA members—young and old alike—was beyond reproach, and police reported that none was guilty of even a traffic violation. Also as usual, the campgrounds were left spotless by these conscientious and responsible citizens whose camping tenets include conservation and antilittering.

At Indiana, Pa., where nearly a thousand visitors from the State of Indiana gathered en route to the national meeting, a resident reported that the campsite was so clean after their departure that it would be difficult to find even a discarded cigarette. The experience is a far cry from pictures of beaches strewn with debris of every description by thoughtless vacationers.

Other Americans could profit by following the trail of NCHA. It leads to mental, moral, physical strength and stimulation.

VIETNAMESE ELECTIONS

Mr. MOSS. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. MOSS. Mr. Speaker, I feel Premier Ky of South Vietnam continues to underestimate the nature of the commitment by the American public to his country. We are there to preserve or to permit the emergence of freedom and democracy.

General Ky and his associates in the governing directorate are embarked on a reckless and destructive course if they feel they can run a "sham" election and satisfy the average American.

Mr. Speaker, I am neither hawk nor dove; I am an interested and concerned American I expect relatively free and open elections in Vietnam. I expect no further intimidation by Ky or Thieu or their associates. Mr. Speaker, if these are not achieved, if the threats are not withdrawn, then, most certainly, my support of any further aid to Vietnam, either civil or military, will be reexamined.

For the benefit of my colleagues, I am inserting in the Record at this point an editorial from the July 26, 1967, edition of the Sacramento Bee which comments on the upcoming presidential election in South Vietnam, and in my judgment illustrates the growing concern of an increasing number of Americans.

The Masks Are Falling

Prospects that the "free" election of a new government in South Vietnam will usher in a bright new day of democracy are growing dim.

The latest sign of bad days ahead for a truly representative government in Saigon occurred when a military alert was called following the refusal of the assembly election committee to approve the military presidential ticket.

This ticket is headed by Chief of State Nguyen Van Thieu and his running mate, Premier Nguyen Cao Ky.

With Saigon tensed by this military-police action the approval of the military ticket was thrown into the full assembly which speedily approved it.

To many observers it seemed that the assembly got the message that it was not to block the military ticket on penalty of a military take-over.

More and more the evidence mounts that South Vietnam's much touted free presidential election is free only if the nation accepts and elects a Thieu-Ky ticket.

If the election is rigged in favor of the military, the United States will be hard put to contend its client, for which Americans are dying, represents a clearcut alternative to the Communists. In such an event this nation had best drop the pretension that it is fighting for democracy versus communism.

The best face it could put on its efforts would be to admit openly this costly war was being fought to oppose the Red brand of dictatorship rather than for democracy.

Such confrontation of reality would enable the American people to know exactly why this nation is in Vietnam and whether it is worthwhile.

THE FOREIGN AID BILL

Mr. FULTON of Pennsylvania. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. FULTON of Pennsylvania. Mr. Speaker, I am glad to state that the House Foreign Affairs Committee has now finished marking up the bill for U.S. foreign aid for the current year. The chairman, our good friend the gentleman from Pennsylvania Congressman Thomas Morgan, will file a clean bill today and it is expected to be reported out tomorrow by the House Foreign Affairs Committee.

There are several amendments that I would like to comment on particularly. Congressman Morgan as chairman appointed a special drafting subcommittee to draw the outlines for a new policy for the Mideast with the gentleman from New Jersey, Congressman Gallagher, as chairman. I was appointed as one of the members to assist in drafting the recommendations for the new and advanced U.S. policy. An amendment was prepared as follows:

Draft Amendment to H.R. 7099

(Prepared by Middle East Amendment Drafting Subcommittee)

Add the following at the end of the statement of policy at the beginning of the Foreign Assistance Act:

"It is the sense of the Congress that every effort must be made to obtain a permanent peace in the Middle East. To help promote that objective, the President should undertake immediately (1) a thorough review of the needs of the several countries of that area, taking into particular account the needs of Israel, and (2) a reevaluation of United States policies aimed at helping meet those needs and securing a permanent peace in the area.

"It is further the sense of the Congress that in any case in which any foreign country has severed diplomatic relations with the United States, the President should suspend assistance to such country under this or any other Act, including any program designed to complement assistance under this Act (such as sales of agricultural commodities under the Agricultural Trade Development and Assistance Act of 1954). When diplomatic relations are resumed, a further study should be made on a country-by-country basis to determine whether United States foreign policy objectives would be served by extending assistance under this or any other Act, including any program designed to complement such assistance."

You will note by the amendment, the President is to make a thorough review of the needs of the several countries in the area, taking into particular account the needs of Israel, and second, to make a reevaluation of U.S. policy in helping to meet those needs and securing permanent peace in the area.

I disagree with the action of the House Foreign Affairs Committee in taking out of that proposed amendment, the language which would specifically by name take into particular account the needs of Israel. The provisions of the U.S. foreign aid bill to be filed now mean that Israel has been cut out specifically from individual and special consideration of her needs for immediate defense, the security of the Israel people, and assistance for the progress of Israel, our sister democracy.

This is a sad abandonment, because the amendment in no way discriminates against the Arab nations, nor even against those nations which have broken relations with the United States, and are even engaging in blockade, boycotts, and embargoes against U.S. citizens.

My second comment is that in the meeting of the Foreign Affairs Committee today, I have offered an amendment to the foreign aid bill to cure bribery, kickbacks, and other illegal or fraudulent payments or credits in connection with the U.S. foreign aid program regardless whether it is United States or foreign individual firms or entities involved. My amendment is worldwide, although the current publicity focuses on Vietnam. Here is what is happening in Vietnam according to the Washington Evening Star of Tuesday, August 1, 1967:

Kickbacks of $800,000 to Ky Aide Charged

(By Cecil Holland)

A former member of South Vietnam Premier Nguyen Cao Ky's cabinet and his family received more than $800,000 in "kickbacks" and improper commissions from American pharmaceutical firms, Senate investigators were told today.

An undetermined amount of those payments, according to the testimony, was deposited by the American firms in dollars in Swiss and American banks to the credit of the former cabinet officer and his brother.

The officer was identified as La Thanh Nghe, who is now a candidate for the senate in the South Vietnamese elections.

The testimony was developed before the Senate Permanent Investigations Subcommittee in an inquiry into the aid program in South Vietnam.

Sen. Abraham Ribicoff, D-Conn., acting chairman, said the subcommittee's series of hearings opening today will look into such irregularities as overpricing, kickbacks and other abuses in the procurement of drug supplies in South Vietnam.

FORCED TO REPAY

La Thanh, the subcommittee was told, was secretary of state for handcraft and industry. As result of the disclosures of the kickbacks and improper commissions it was said, he was suspended, fined and forced to repatriate some of the funds deposited to his credit in Swiss and American banks.

One German and eight American pharmaceutical companies were named as having made the kickbacks and improper payments as commissions over a period extending from 1956 into 1966.

The undisclosed payments or kickbacks to La Thanh and his family, who operate one of the largest pharmaceutical businesses in South Vietnam, totaled $763,152.13.

Improper commissions totaled $133,106.53. Together, the subcommittee noted, the total in kickbacks and improper commissions totaled $896,258.66.

AID CONSIDERS CLAIM

Since that report was made, an AID witness said, it had been found that another American company, Merck, Sharp & Dohme, had made undisclosed side payments totaling about $117,000 to a Vietnamese importing firm during 1961–64 period.

The witness, Daniel Cohen of the price analysis branch of the AID controller's office, testified that AID is considering filing a claim for recovery of these payments.

In the case of the alleged kickbacks, the subcommittee was told, the pharmaceutical firm paid back all but $909.38, and this amount has been tendered by one of the firms involved.

The subcommittee also was told that claims have been made for the $103,163 in so-called improper commissions.

The American companies were Pfizer Corp., Olin Mathieson, American Cyanamid Co., Parke Davis Pharmaceutical Co., Schering Corp., Upjohn International, Don Baxter and American Chemical and Drug Co.

Cohen testified that he learned that when shipments were made to distributors in Vietnam it had become a standard practice to set aside 10 percent of the invoice value as a "promotional allowance" to be deposited in banks outside of Vietnam.

REDUCED QUANITY

"This arrangement," he added, "resulted in AID financing a gross rather than a net price. By the same token, the quantity of pharmaceuticals imported into Vietnam was less than would otherwise be the case if the prices charged were on a net basis."

He said that La Thanh was the principal recipient of the side payments since he is or was the exclusive distributor for eight or nine pharmaceutical suppliers.

Commission, the subcommittee was told, was a common form of doing business, especially in the Far East, but such payments usually involved a third party rather than the importer himself.

SOME DRUGS MISSING

Another witness, Norbert G. Tamblin, an AID consultant, testified that in 1966 about 55,000 pounds of antibiotics had been shipped into South Vietnam and the whereabouts of the drugs remain a mystery. This was in addition to the supplies imported for the government of South Vietnam, U.S. and other military forces.

These imports, the subcommittee was told, were nearly equal to the combined totals used by the Philippines, Thailand, Taiwan, Malaysia, Hong Kong, Australia and New Zealand, with combined population of 101 million, as compared to about 16 million in South Vietnam.

Ribicoff suggested it was a "good assumption" that the antibiotics went to North Vietnam and Communist China where such drugs are in short supply.

Tamblin agreed this was "very possible."

William O. Hall, assistant AID administrator, and other witnesses detailed steps taken to impose stricter controls over the Vietnamese import program. These included a requirement, imposed this year, that commission on pharmaceuticals and other supplies must be paid in piasters, rather than dollars.

It should be noted that Vietnam has taken action against even a cabinet member, the Secretary of State for Industry and Handicraft. Why should not the U.S. Government take action when it is the U.S. Treasury and the U.S. taxpayers who are being defrauded?

Here is my amendment:

Amendment to H.R. 7099 Offered by Mr. Fulton

On page 39, after line 3, insert the following:

"Sec. 502. Notwithstanding any other provision of law, whenever any individual, firm, or entity (including authorized agents of such firm or entity) participating in any aid transaction financed with funds made available under the Foreign Assistance Act of 1961, as amended, has been found by the Inspector General, Foreign Assistance, to have attempted, aided, assisted, or engaged in bribery or other illegal or fraudulent payments or credits in connection with such transaction, such firm or entity shall not be permitted to participate in any program or operation financed under such Act."

It is a pleasure to advise that the House Foreign Affairs Committee with firmness and speed immediately adopted unanimously my amendment.

It is not my intention either in calling the above article to the attention of the Congress and the American people or by my individual remarks to cast any reflection on any of the companies mentioned in the article, as the determination of the facts of the pharmaceutical transactions in Vietnam. Of course, under my amendment must be judged by the Inspector General for Foreign Aid. The Inspector General's findings must be made on his own special investigation and not based on hearsay, newspaper articles or secondhand sources. I would therefore recommend that the public refrain from making judgment on these transactions until the Inspector General for Foreign Aid on Vietnam has had opportunity to make public his findings.

There is no doubt that enough questions have been raised that these transactions should be inspected thoroughly, not only for the American Government and the American taxpayers, but also for obtaining correct facts which could absolve blame for these transactions upon which serious questions have been raised. There is no doubt either that this investigation should be followed up carefully in justice to all parties concerned.

It will be an interesting question to have answered whether the Agency for International Development itself or its representatives, knew and approved of such situations.

It will also be interesting to learn in what countries these situations might be common practice in U.S. foreign aid transactions with either the knowledge, approval, permission, or consent of the U.S. Agency for International Development itself.

I hope my amendment makes the way clear for a thorough review of such policies by AID. If not the policies of AID, then a review to tighten up AID auditing and accounting procedures.

PERMISSION FOR SUBCOMMITTEE ON FISHERIES AND WILDLIFE OF THE COMMITTEE ON MERCHANT MARINE AND FISHERIES TO SIT DURING GENERAL DEBATE AUGUST 3, 1967

Mr. EDMONDSON. Mr. Speaker, I ask unanimous consent that the Subcommittee on Fisheries and Wildlife of the Committee on Merchant Marine and Fisheries may be permited to sit during general debate tomorrow, August 3.

The SPEAKER pro tempore (Mr. MILLS). Is there objection to the request of the gentleman from Oklahoma?

Mr. HALL. Mr. Speaker, reserving the right to object, I wonder if that request could not be made at the time that the program for tomorrow has been determined by my colleague from Oklahoma. At this time the Members do not know whether to object, and do not know what the plans for tomorrow are, or the plans for the Committee of the Whole on the pending bill, or any further program.

Mr. EDMONDSON. Mr. Speaker, will the gentleman yield?

Mr. HALL. I am glad to yield to the gentleman from Oklahoma.

Mr. EDMONDSON. It is my understanding that this request was cleared with the ranking Republican member of the subcommittee and also with the minority leader, the gentleman from Michigan [Mr. GERALD R. FORD].

Mr. PELLY. Mr. Speaker, will the gentleman yield?

Mr. HALL. I am glad to yield, under my reservation, to the gentleman from Washington.

Mr. PELLY. I should like to say to the gentleman from Missouri that the Subcommittee on Fisheries and Wildlife has an important meeting tomorrow, for consideration of three bills. We wanted to be sure we had sufficient time to take care of those bills. They will be considered in executive session.

Mr. HALL. Mr. Speaker, I will ask the gentleman if he is aware of the fact that there is being promulgated around the floor a request to resume the sitting of the Committee of the Whole at 10 o'clock tomorrow morning.

Mr. ALBERT. Mr. Speaker, will the gentleman yield?

Mr. HALL. I yield to the distinguished majority leader.

Mr. ALBERT. The only plan the leadership has—this has been cleared, except, of course, for the agreement of the House—is to come in at 11 o'clock tomorrow, not 10 o'clock.

Mr. HALL. Mr. Speaker, my point remains that the request would be in better faith if made after the determination of the program for tomorrow is made.

Mr. PELLY. Mr. Speaker, will the gentleman yield?

Mr. HALL. I am glad to yield to the gentleman from Washington.

Mr. PELLY. It was in anticipation that the request would be made for the House to meet at 11 o'clock that our subcommittee is asking unanimous consent, so that we can meet.

Mr. HALL. Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

HOUR OF MEETING TOMORROW

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that when the House adjourns today it adjourn to meet at 11 o'clock tomorrow.

The SPEAKER pro tempore (Mr. MILLS). Is there objection to the request of the gentleman from Oklahoma?

Mr. GROSS. Mr. Speaker, reserving the right to object, why not come in at 10 o'clock on tomorrow instead of 11 o'clock?

Mr. ALBERT. Mr. Speaker, will the distinguished gentleman from Iowa yield?

Mr. GROSS. Yes, I yield to the distinguished majority leader.

Mr. ALBERT. For the simple reason, as the gentleman well knows, when the gentleman from Oklahoma is advised by Members that they cannot allow the House to come in at 10 o'clock or at a certain other hour, I will not make such request.

I have been requested not to make the request for our meeting on tomorrow before 11 o'clock a.m., and I honor that request.

Mr. GROSS. Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

PERMISSION FOR THE COMMITTEE ON BANKING AND CURRENCY TO SIT DURING GENERAL DEBATE TOMORROW

Mr. PATMAN. Mr. Speaker, I ask unanimous consent that the Committee on Banking and Currency be permitted to sit while the House is in session tomorrow. This is done with the understanding—and I cannot find the gentleman from New Jersey [Mr. WIDNALL]—but I understand from a reliable source, that the gentleman from New Jersey is in favor of the request.

Mr. GERALD R. FORD. Mr. Speaker, reserving the right to object, it is my understanding that if the gentleman from New Jersey [Mr. WIDNALL] does raise an objection to the actual holding of such meeting on tomorrow——

Mr. PATMAN. Then, it will not be held.

Mr. GERALD R. FORD (continuing). While the House is in session. Can we have the word of the gentleman from Texas, the chairman of the Committee on Banking and Currency, that no such meeting will be held under such circumstances?

Mr. PATMAN. That is absolutely correct.

Mr. GERALD R. FORD. Mr. Speaker, I withdraw my reservation of objection.

Mr. GROSS. Mr. Speaker, further reserving the right to object, if the House is going to meet early tomorrow, why is it not coming in at an earlier hour, and not consume the time of the Members of the House with quorum calls and keeping, at least, a few Members on the floor of the House?

What is the purpose of such a request which would keep the Members off the floor of the House?

Mr. PATMAN. The purpose is in order to get to the consideration of the Small Business Administration Act.

Mr. GROSS. Of course, that is the story of all the committees making such a request.

Mr. PATMAN. Mr. Speaker, if the gentleman will yield further, I think we could do it tomorrow within a short period of time, if we can obtain permission to meet while the House is in session, as it will be at 11 o'clock instead of 12 o'clock noon.

Mr. GROSS. Mr. Speaker, I withdraw my reservation of objection.

Mr. GERALD R. FORD. Mr. Speaker, further reserving the right to object, I think it would be well if the gentleman from Texas [Mr. PATMAN] would couch his request to permit the Committee on Banking and Currency to meet while the Committee of the Whole House on the State of the Union is meeting during general debate.

Mr. PATMAN. Mr. Speaker, I will accept that amendment.

Mr. GERALD R. FORD. Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas that the Committee on Banking and Currency be permitted to sit while the House is in session tomorrow during general debate?

There was no objection.

PEACE CORPS ALIENATES AMERICAN NEGROES

Mr. RAILSBACK. Mr. Speaker, I ask unanimous consent that the gentleman from New Jersey [Mr. WIDNALL] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. WIDNALL. Mr. Speaker, it has come to my attention that the Peace Corps has found a curious way to train volunteers for African assignments. And in doing so, found another way to further alienate Negroes from white Americans. The Peace Corps sends its young recruits to live among Negroes here in Washington.

On the surface, the program seems harmless, as outlined both by Peace Corps officials in my investigation and by Peace Corps Director Jack Vaughn in a Washington Post article this morning. But, according to reports from clergy in the area, these Peace Corps trainees have added fuel to the fire of resentment felt by many third- and fourth-generation Americans who have been told that the reason these Peace Corps volunteers are living among them is, and I quote a Peace Corps training officer, "to prepare them to move into another culture overseas."

It is one thing to tell these Americans that we are trying to do something to bring them into full partnership with all our citizens—that we are working to make available for them better jobs, decent homes, and equal educational opportunities—but it is quite another to then turn around and tell these people who have never lived in Africa, have no known relatives in Africa, that our administration thinks them to be excellent guinea pigs for on-the-job training: to infer that they, in fact, belong to a foreign culture.

Mr. Speaker, my ancestors came to this country many years ago. I have lived here all my life, and I submit that I would be stunned if Jack Vaughn were to ask me to let Peace Corps volunteers live in my home in order that they might learn about Danish culture. I would resent it. And I can certainly understand how American Negroes resent such an attitude.

Now, as the program draws to a conclusion the thanks these Negro families get is to be told by a Peace Corps public information officer, in the press, that they are ignorant, disease-ridden, hopeless, and living in incredible conditions.

Yet, in fact, many of the people who consented to accept these volunteers into their homes are decent, law-abiding citizens, with jobs, and spotless homes.

Mr. Speaker, for years I have urged the Housing Subcommittee to make an on-the-spot inspection of our urban renewal programs. My reason for urging such investigations is to see for ourselves just how effective these programs have been, to talk with the people living in public housing, and to find out from them what problems they face, how we may improve them. But, the issue has been avoided. Instead, we have relied on the mayors and other bureaucrats who have been telling us all along that everything is fine. Then, the cities erupt. Violence of the worst type grips our Nations—arson, murder, larceny. And we are told by leaders of these riots that they are the result of a feeling of frustration, a frustration born of a lack of understanding.

Mr. Speaker, I submit that such attitudes as evidenced by the Peace Corps toward Negro Americans add to the frustration. I suggest that the Peace Corps has added greatly to the alienation felt by many Americans, who happen to be Negro, toward their Government. And I further contend that it is just such thoughtlessness on the part of Peace Corps public information officers and other bureaucrats that adds to the resentment felt by the Negro Americans in our cities.

Finally, I cannot help but wonder if in the wake of all these disturbances should the investigations be carried on by the President's Committee, or a joint Committee of Congress, or if we follow the reasoning of Mr. Vaughn's Peace Corps to its logical conclusion—the House Committee on Foreign Affairs.

AN ANALYSIS OF THE OPPORTUNITY CRUSADE

Mr. RAILSBACK. Mr. Speaker, I ask unanimous consent that the gentleman from Minnesota [Mr. QUIE] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. QUIE. Mr. Speaker, it is time for some plain talk about the Opportunity Crusade. The proposals of H.R. 10682, introduced by some 14 Congressmen, including myself, on June 8, are fast being distorted beyond recognition by the propagandists of OEO. Before that happens, let us take a calm, careful look at the bill.

On June 8, my colleagues and I called for an Opportunity Crusade to rescue those of our fellow citizens who are now prisoners of poverty. We did so because it becomes more and more clear each day that the Office of Economic Opportunity, despite its well-publicized "war on poverty," has produced neither the strategy, nor the leadership, nor the coordination, nor the resources needed to win that war. In fact, the sad truth is that the number of Americans below the poverty line is estimated by OEO as 32 million. And, since OEO came into being in 1964, the rate of decline in the number of Americans considered poor has been much slower than was the case during all the 1950's. This is a tragic picture.

We share the views of Americans everywhere who hold that poverty can and must be eliminated. It is within our power as a nation to do so. But the results under OEO indicate that the administration's offensive in the war on poverty has approached a disheartening stalemate. We have the recent statement of Sterling Tucker, director of the Washington Urban League:

> There is already legislation on the books designed to prevent riots. It's called the Economic Opportunity Act. It provides money and services that help get at many of the long-standing causes for discontent in the ghetto.

The disasters of Newark, Detroit, and elsewhere suggest that the Economic Opportunity Act is no preventative or panacea for urban ills. Indeed, measured by the needs of the people whom it was designed to assist, the OEO campaign against poverty is much less than a success.

There is no easy remedy. The task of rescuing our poorer citizens from a dreary, dead end life is too immense and too complex to be accomplished by any one agency or level of government, or any one sector of the economy acting alone. The stubborn problems of poverty will not yield to uncoordinated, piecemeal attempts from various quarters. Nor will they surrender to half-hearted commitment and tokenism.

What is urgently required is participation at all levels and from every sector. The challenge of our Federal Government is to find the key to such participation, and to direct and coordinate it. "Participation" is what the Opportunity Crusade is all about:

Greater participation by the poor in helping themselves.

Greater participation of private employers in providing training for jobs and jobs for trainees.

More meaningful participation of the States in assessing statewide needs and developing priorities.

The further participation and wholehearted commitment of the so-called "traditional" agencies of the Federal Government. They must develop alternatives to existing relief programs which only perpetuate poverty. We also seek their help in democratizing programs for the poor.

Again at the Federal level, we seek to begin to make effective use of the Office of the President in charting a national policy, and in assessing and coordinating the diverse and frequently overlapping efforts to help the poor help themselves.

Finally, underscoring the greater participation which we urge, we seek a much greater investment of funds—nearly $3.5 billion in fiscal year 1968.

I want to describe for you how we propose to achieve this greater participation.

In our bill, participation of the poor is the keystone of community action programs. As you know, community action is at the heart of our country's antipoverty efforts. We would require at least one-third of the membership of a community action board, or any component of such board, to be representatives of the poor. In addition, if any component is responsible for only a single neighborhood in the community, its membership must be selected by neighborhood residents and consist primarily of such residents.

Further involvement of the poor is achieved by assigning to community action boards certain responsibilities in various other programs authorized by the bill.

For example, the community action board will administer the Industry Youth Corps program locally. In this program, private employers will be asked to employ and provide on-the-job training for needy, unskilled youth in return for a partial subsidy—25 percent— of the wage of such persons. The community action board will bring together youth and employers, and handle the reimbursement of participating employers.

A second example is the role of the community action board as grantee and administrator of Federal funds for preschool and early elementary education programs and supporting services under the Headstart and Early Years program of title VII of the Opportunity Crusade.

Private employers are effectively involved in the Crusade for Opportunity through such programs as the Industry Youth Corps and the coordinator program for secondary schools. Under the latter, private employers will be asked to hire needy secondary school youngsters on a part-time basis. The intent of this program is to encourage such students to continue or resume their schooling while earning some much-needed income and obtaining job experience. The employer pays 100 percent of the student's wages.

State participation in several of the programs proposed in the bill is extensive.

States may contract for the operation of residential skill centers authorized in title II of the bill. These centers would provide basic education, job training, and intensive counseling for needy young men and women whose lack of education, training, and motivation renders them virtually unemployable except in dead-end jobs. The centers would be meshed with area vocational schools, technical institutes, and other training facilities to promote a unified and versatile community or areawide vocational training program.

States participate in administration of the work-study program under title III of the Opportunity Crusade. A State's educational agency administers the program under a plan prepared by it which decides how Federal funds shall be used and sets priorities for their distribution to local work-study programs.

States for the first time are given an opportunity to become partners with local agencies and the Federal Government in community action, through a $100 million program of matching grants for the States. A State Office of Economic Opportunity will administer a plan prepared by it which provides for the carrying out of programs of community action that appear especially important to the State, as well as supplementing the support given existing programs which are not adequately funded from other sources. If fully utilized by the States, the State plans will be funded by $100 million in State funds as well as the matching Federal funds.

State participation is assured in another area, the Headstart and Early Years programs called for in title VII. First, a State commission appointed by the Governor and broadly representative of education, community action, and health and welfare agencies will prepare a State plan which, among other things, determines a method for deciding the highest priority preschool and early elementary child programs in areas of concentration of impoverished children. Then, local applicants such as community action boards will apply to the commission for approval and recommendation of a local program to the U.S. Commissioner of Education, who disburses the Federal funds to the local applicant. Ninety percent of the cost of any program is reimbursed by the Federal Government.

Greater participation of the traditional agencies of the Federal Government will be accomplished through the transfer of certain ongoing programs, presently managed by OEO or managed by other agencies under delegations from OEO, to such agencies. For example, the Office of Education in the Department of Health, Education, and Welfare would be directly responsible for the Residential Skill Centers program. At present, the program most nearly comparable, the Job Corps, is managed by the Job Corps division of OEO itself.

The logic of the transfer lies in the urgent need to begin at once to remold the attitudes and capabilities of our vocational education system to train a broad spectrum of students, including the economically deprived, in useful job skills, as well as fundamental academic job skills, such as reading. The fact is that strong vocation training will go far to equip youth from all backgrounds for gainful work. In the process, such training—or more precisely, perhaps, its availability—will do much to reduce the intolerable dropout rate now experienced in our public schools.

In another area, the Headstart and Early Years programs would come under the management of the U.S. Office of Education. This transfer will facilitate coordination of such programs with the extensive work now being done by the Office of Education in its support of preschool programs under title I of the Elementary and Secondary Education Act. Since the primary thrust of the programs is educational—with supporting services such as food, medical, and dental programs designed to satisfy the preconditions of education—it makes sense to charge our national education agency with responsibility for their administration.

A special feature of the Opportunity Crusade is a $100 million incentive program of matching grants to support Headstart and Early Years programs beyond the amounts available under the original Federal allotment. The matching funds can be supplied by the State, local government, or other sources.

Still another transfer of Federal responsibility would strengthen the commitment of the Department of Health, Education, and Welfare to the needs of the Nation's poorer citizens. I refer to the proposed transfer of authority to approve and fund local community action programs from OEO to a new agency within the Department. While the Opportunity Crusade places this new agency directly under the Secretary of Health, Education, and Welfare, headed by an Assistant Secretary, I believe now that it should be headed by an Under Secretary to make certain that community action would be injected into and infect ongoing programs of HEW and upgrade the impact of community action on programs for the poverty-stricken administered by other agencies and departments. At the same time, we would reorganize the funding of such programs to assure that the less visible, but long-suffering poor of our rural areas will no longer be ignored in the haste to deal with inflamed and highly visible urban problems.

By this transfer and reorganization at the Federal level, we give to the executive department principally concerned with services and income-maintenance for impoverished Americans everywhere, a clear mandate to reorient its thinking about uplifting the unfortunate. We emphatically want to replace the discredited "welfare" philosophy of an earlier decade with the principle of rehabilitation of individuals wherever possible.

One way to do this is with an infusion of the innovative spirit at work in community action today. This spirit is largely a reflection of the voice of the poor themselves. In essence, therefore, we seek to democratize the processes at work with the executive arm of government to assure that programed "solutions" are in fact responsive to the people, designed for the people, and at least partially administered by the people they serve. The establishment of a community action agency within the Department of Health, Education, and Welfare marks the long-overdue start of this remolding of Federal policy and attitudes, and is the hope for similar reappraisal at the State and local levels of welfare administration as well.

We propose to assign to the community action agency two important additional responsibilities: assisting migrant and seasonal worker programs, and an expanded VISTA. In addition to current VISTA programs, our bill provides a "Hometown VISTA" program for community residents who wish to volunteer their time and services, without pay, to assist the poor in the community to help themselves. The latter assignment especially will encourage effective utilization of volunteer workers in antipoverty programs around the country.

The Department of Labor—another of the traditional agencies—also will participate to a much greater extent in efforts to eliminate poverty. As our Federal "manpower" agency, it is concerned with the labor market, on-the-job training by employers, and job opportunities. We now propose amending the Manpower Development and Training Act of 1962 to require the Department to survey and publish information on job opportunities, skill requirements, employment trends, and other data which will assist the employable unemployed to train for and obtain gainful work. In addition, the U.S. Employment Service of the Department will be asked to begin work on an electronic data processing system for the storage, retrieval, and communication of job and worker information.

There can be little doubt of the need for an enlightened and effective leadership from the Office of the President if in fact we are going to eliminate poverty. The Office of Economic Opportunity, though technically part of the President's Office, in practice is but another Federal agency chiefly, and regretably, concerned with the administration of Federal antipoverty programs or the control of local community action programs. It has largely defaulted its responsibility to advise the President and the Congress on alternative courses of action in dealing with poverty.

To the extent that these defects are structural rather than personal, we believe they can be remedied at this time. To do this, we propose the creation of a three-man Council of Economic Opportunity Advisers to the President. The Council would be equipped with a staff and the independent authority to gather data about conditions of poverty throughout the United States, to appraise antipoverty programs and activities of the Federal Government, to recommend national policy for dealing with poverty and for coordinating public and private endeavors to combat poverty, and to report its findings and recommendations to the Congress and the President.

We believe it is essential to the effectiveness of the Council that it not be part of an agency with program responsibility or itself responsible for administration, directly or indirectly, of antipoverty programs. Only in this way can its freedom of judgment and perspective be preserved intact from a vested interest or outside pressure to continue specific programs or policies regardless of their effectiveness and efficiency. Consequently, we doubt the wisdom of the solution advanced from other quarters to let a program-oriented agency assume essential policy and coordinating responsibilities.

You will recall that I mentioned that we have proposed a substantially greater investment of funds for the Opportunity Crusade, some $3.5 billion in fiscal year 1968. Of this amount, $1.7 billion will be the Federal contribution, with the balance, or $1.8 billion, coming from State and local public sources and the private sector.

I will not take time here to give you the breakdown for the various programs and activities authorized by the Opportunity Crusade. These have been prepared by the staff of the House Committee on Education and Labor and are available for your review. Suffice it to say now that we seek to use Federal dollars to generate an increased contribution from other public and private sources.

This leverage is important when comparing the relative merits of our proposal with the administration's. While the administration bill involves a larger Federal expenditure—nearly $2.1 billion—it has hardly any leverage, so that only $2.4 billion in total funds will be generated. Thus, the Opportunity Crusade will make some $900 million more available for the work of combating poverty. This is but one measure of the importance of the broad participation of public and private resources and talents in the Opportunity Crusade.

GEORGE B. GALLOWAY

Mr. RAILSBACK. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. Pirnie] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. PIRNIE. Mr. Speaker, the death of Dr. George B. Galloway has removed from the Capitol scene one of the keenest students of government in modern times. As President of the U.S. Group of the Interparliamentary Union, I wish to pay tribute to this great man for his wisdom, knowledge, and loyalty so effectively displayed as our executive secretary. His resignation, prompted by reasons of ill health, which was submitted at the beginning of the 90th Congress, was accepted with great regret.

We recall his gracious and unassuming manner, the sincerity of his friendships and the dedication of his efforts. His loss will be deeply felt by all who have been privileged to know him. His outstanding record is appropriately underlined by the following editorial appearing this date in the Washington Post:

George B. Galloway

It is unlikely that any contemporary possessed a more detailed knowledge or a more profound understanding of the workings of the United States Congress than George Galloway, who died here a few days ago. Dr. Galloway, a professional political scientist, was primarily a scholar, exceptionally learned in the theory and structure of American political institutions. He added a wealth of direct experience to research, however. For a score of years he served as senior specialist in American Government at the Library of Congress. Many members of Congress—and many journalists and students as well—were the beneficiaries of his learning, his generous readiness to be of help and his sensitive understanding of the problems of a free society.

Prior to his service at the Library of Congress, Dr. Galloway was secretary of the Joint Congressional Committee on the Reorganization of Congress. In this capacity, he played an important and constructive role in the modernization of congressional procedures achieved under the Congressional Reorganization Act of 1946. He was an ardent advocate, among other things, of home rule for the District of Columbia. Behind a certain scholarly dryness of manner, there lurked in George Galloway a wealth of wit and quiet humor; and all that he did was informed, moreover, by a disciplined fervor for human liberty. His books and his lifetime of study constitute an invaluable legacy.

PENSION RIGHTS FOR WIDOWS OF VETERANS

Mr. RAILSBACK. Mr. Speaker, I ask unanimous consent that the gentleman from Idaho [Mr. McClure] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. McCLURE. Mr. Speaker, there are in this country thousands of women who have outlived their husbands. Every mortality table reveals the fact that the life expectancy of the "weaker sex" is several years greater than the male of the species. Many of these women are widows of veterans and many need help.

If they meet the "need" requirements of the law, they may be qualified to receive a pension. I want to address myself to a problem which some of them have faced—a problem that is unjust and unnecessary, I feel.

Many, many older people lead very lonely lives. Families may live hours or miles away, friends become separated, and then when their life-long companion passes away, they are left alone. Many women adjust to their new life alone, and others seek companionship. Present law confronts them with a harsh decision. If they remarry, they are permanently barred from receiving any further pension as the widow of the deceased veteran. In the event this new marriage is terminated by death or divorce, they are left without recourse to the pension for which they were formerly qualified. I think it is entirely proper that the pension rights be cut off upon remarriage. But I also believe it is unjust to penalize them by making this termination final, more final than the marriage.

Our older folks are often concerned about their security during the latter years of their lives, and this concern is a large factor in the decision they must make when deciding upon remarriage. I think they should be as free in this decision as the law can make them. I believe we should assure them that the pension rights guaranteed to them as widows of veterans will be theirs if the marriage is terminated.

For these reasons, I am today introducing a bill that will restore entitlement to benefits upon termination of a veteran's widow's remarriage.

A BILL TO PROVIDE FOR THE PROTECTION OF THE PUBLIC HEALTH FROM RADIATION EMISSIONS FROM ELECTRONIC PRODUCTS

Mr. RAILSBACK. Mr. Speaker, I ask unanimous consent that the gentleman from Ohio [Mr. Brown] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. BROWN of Ohio. Mr. Speaker, over the past several years I have become personally interested in the effect that radiation may have on the human body. All of us have been exposed, in the normal course of physical examinations and tests, to X-rays.

Recently, I became personally concerned when I was subjected to X-ray three times in 2 days during a routine medical examination. Five or more exposures are sometimes required in the course of a dental examination, and I have wondered, for instance, since X-radiation is cumulative in the body, if prenatal tests could have a definite effect on infants.

Recently, a national manufacturing concern announced that 90,000 of their color television sets contain certain tubes which have the potential to emit radiation in excess of a prescribed level. According to an article that appeared in the New York Times, this great corporation was trying to locate the sets for modification to correct what was described as "X-radiation in excess of desirable levels." But it would appear that there is no established level of acceptable radiation eminating from TV and other electronic equipment.

This points up the fact that there is a need for attention to be given to the possibility of excess radiation. It is true, after all, that unless we possess sophisticated instrument, none of us has any idea whether we are being adversely affected by radiation or not.

The National Center for Radiological Health, which is most concerned with health hazards in this area, does not now have the authority to establish standards for safe radiation levels, nor does it have the authority to require manufacturers to supply data to the Center for study and review.

I have joined with my colleague on the Interstate and Foreign Commerce Committee, the gentleman from Florida, the Honorable Paul Rogers, in introducing his bill titled the "Radiation Control for Health and Safety Act of 1967." This bill is designed to provide the Public Health Service with the authority and tools needed to protect, on behalf of the American people, the public health from hazardous radiation emissions from electronic products.

I must commend the esteemed chairman of the committee, the gentleman from West Virginia, the Honorable Harley Staggers, for his prompt attention to the need for hearings; and further, I want to applaud our colleague, the gentleman from Oklahoma, the Honorable John Jarman, who presides over the Subcommittee on Public Health for his support of this legislation.

DEMAND OF ABLE-BODIED YOUNG MEN FOR JOBS

Mr. RAILSBACK. Mr. Speaker, I ask unanimous consent that the gentleman from Alaska [Mr. POLLOCK] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. POLLOCK. Mr. Speaker, throughout recent analyses of our urban problems a predominant theme has arisen. That theme is the demand of able-bodied young men for jobs. This points in turn to the greatest weakness evidenced by the many programs undertaken in the past 30 years attempting to deal with poverty in America. That is the inability to create useful, productive jobs.

Mr. Speaker, several million of our citizens in America are today without jobs. Many of these are within the urban poverty areas. We know the effects of unemployment too well. Our welfare roles are replete with three-fourths of a million mothers and 3½-million children in homes without a father. Today, fully one-third of the Watts area of Los Angeles depends on some form of welfare assistance for its livelihood. New York City welfare roles have increased by 250,000 in the last 2 years. In my own State of Alaska a substantial portion of the State's budget goes into the aid to dependent children and general assistance programs. The Congress has created a Job Corps to train people for jobs but though a majority of these young people are placed in one job or another, many of them are not working at the jobs for which they were trained. Several millions of Americans need work today. How can we put them to work when we are unable to successfully place these few thousands in productive jobs?

The answer to this question, Mr. Speaker, is not really too difficult. Government has tried to do all it can, but government constitutes only a small fraction of our Nation's economy. the preponderant wealth of the Nation is in the private sector of the economy. If jobs are to be created for the Nation's poor, these jobs will come from private enterprise. It is to the wealth, resources, and talent of the Nation's business leaders that we must turn.

Mr. Speaker, the bill that I am introducing today, the Urban Employment Opportunities Development Act, utilizes the abilities of the private sector of our economy to provide jobs and the training for unemployed and unskilled citizens in the Nation's poverty areas. The act offers American business tax incentives to induce them to expand their facilities into depressed urban areas. It guarantees that substantial numbers of the new employees shall come from these depressed areas. This bill is expressly designed to put many of our poor to work in useful jobs.

It is a shame, Mr. Speaker, that for so long we have attempted to fight this battle against poverty with only a fraction of our resources. The private enterprise system is the foundation of our economy. It alone has the ability to mobilize the resources necessary to successfully wage this battle. Yet we realize that it has not played the role it could in alleviating the problems of poverty. What has been lacking is encouragement and leadership by the Federal Government. I hope that this bill will provide the Federal leadership that has been lacking.

Mr. Speaker, there has been much talk about the magnitude of the problems facing us in urban poverty areas. We know the task is great, but I firmly believe that these problems can be overcome by the dedicated and concerted efforts of business and Government, working together.

An outline of the bill follows:

URBAN EMPLOYMENT OPPORTUNITY DEVELOPMENT ACT

1. The bill calls for tax incentives to promote the industrial development of urban ghetto areas. The objective sought is the creation of new jobs to be filled by residents of these poverty areas.

2. The program is limited to poverty areas. These are defined as:

a. 193 urban areas already located on OEO maps for Standard Metropolitan Statistical Areas of 250,000 people or more.

b. Comparable poverty areas to be located on maps for other areas classified as urban by Census Bureau (2500 persons or more).

c. Indian reservations specified by the Secretary of the Interior.

3. The bill utilizes a system of tax credits, increased deductions for wages paid, and rapid depreciation, which business leaders indicate will produce significant results in procuring badly needed industrial investments.

Before the program can begin in any city, the city must inform the Secretary of the Department of Housing and Urban Development that it wishes to participate and will cooperate in locating companies to go into the poverty areas. (The city then controls the speed of the program and works at attracting the companies. This has been done in Puerto Rico under its Industrial Incentive Act.)

4. Any participating company must obtain a certificate from the local agency designated in the municipality to deal with this program. Then application is made to HUD which will certify that:

a. The business is locating in one of the above areas at a site approved by the municipality, and will establish a reasonable ratio between capital investment and jobs created.

b. If it is engaged in industrial production (manufacturing, producing, processing, assembling), a staff of at least 50 full-time workers will be employed at the ghetto plant. At least 66% of the original working force will be residents of the ghetto at the time they were hired and will have lived there for at least 6 months prior to the time of hiring or be certified as unemployed, low-income people by the municipality. The required staff is reduced to 25 employees for municipalities under 50,000 persons and for Indian reservations.

c. To continue to qualify for benefits, the employer must maintain the same minimum working force unless economic circumstances beyond his control prevent him from doing so. Even if he is forced to reduce his staff, he must maintain the same percentage of low-income persons.

d. People who qualify and are hired do not have to continue to live in the urban poverty area.

e. The only other qualifying businesses would be those engaged in wholesale operations or the construction of buildings in an urban poverty area. (Same employee criteria.)

5. In return for agreeing to these conditions, the business gets the following tax benefits:

a. An increase in the normal 7% investment credit on machinery to 10%.

b. An extension of the 7% investment credit on machinery to the cost of the building in which the business is located. (If the business is a lessee, it would have the credit otherwise available to the lessor as to its premises. There is precedent for this in the original Investment Credit Act.)

c. A rapid depreciation—two-thirds of normal life—for the total cost of the building or portion of the building which it occupies.

d. A useful life or a class life for machinery and equipment of two-thirds the normal life under existing Treasury guidelines (Rev. Proc. 62–21).

e. For a period of 10 years, a deduction of 125% of the salaries it pays to the low-income employees it has hired.

f. All credits and deductions could be carried forward or backward or, if the business is a corporate subsidiary, utilized against other outside income of the parent corporation. Likewise a purchaser of the business could use the carryovers otherwise available to the seller if the purchaser continues the business. (The carryback or carryover provisions would be increased over the ones applicable to the present Investment Credit Act because of potential increased difficulties faced by the company locating in an urban poverty area.)

These benefits run for 10 years from the time the business goes into operation.

6. Run-away corporations do not qualify under the program. The bill uses an exclusion provision similar to the one included in the Area Redevelopment Act of 1961. (The jobs created will be new ones.)

7. Resettlement provisions are included in the legislation for those who lose their residences or businesses because federally inspired industry takes over their homes or shops.

a. Allowances for relocation of families and individuals are more generous than under urban renewal.

b. Help on rent (up to $1000) for 24 months for elderly, handicapped, and low-income families where 20% of their income will not obtain decent facilities and no public housing or State or local low-income housing is available.

c. Moving expense payments for business: added payment of $2500 if business is small and earning less than $10,000 a year.

8. The bill provides a recapture provision in case a corporation willfully violates the established hiring requirements, or simply takes its benefits and ceases operations without economic justification. The recapture provisions are severe enough to serve as an effective deterrent.

9. The bill also provides for job training assistance to those industries moving into ghetto areas. The route taken is to bring the program under MDTA and add $20 million for the first year with an open authorization. (The actual training under our plan should be handled in the following way. When the industry agrees to come in and has taken the necessary steps to qualify, it could enter into an agreement with the Department of Labor. The industry would stipulate the date by which it wants the manpower trained (probably the time it plans to start operations) and the number and type of workers it wants. If the industry wants to train the people itself, then the Department of Labor will contract with it. If the business does not want to do the training, then the Department of Labor should be given the power to contract either with a private manpower training firm or with the usual local public training organization.)

10. The only direct appropriation is $20 million for manpower training in the first year and additional amounts needed for such training in future years.

Anticipated revenue losses to the Treasury through tax change will be slight over a period of a few years. An extra deduction for wages paid costs nothing because it is more than made up by the decrease in welfare payments for workers and the taxes paid on new salaries. Rapid depreciation on machinery and buildings cost very little. All it normally does is provide the investor with a more rapid return, and not a larger return. New credits under this bill will equal 10% on expenses for buildings and machinery in an urban poverty area facility. If we get industry to invest a billion dollars over the next few years—which would create many new jobs—we get a total cost of $100 million. But an investment credit may in fact cost very little. Former Secretary of the Treasury Douglas Dillon testified in 1963 that the Investment Tax Credit had returned within the first year at least one-half of the revenue costs through increased tax payments (and that was before the full impact of the Act on the economy was felt). In short, credits, depreciation, and deductions will be compensated for by reduced welfare payments, new taxes on wages paid, and increased industrial productivity.

WATER POLLUTION CONTROL

Mr. RAILSBACK. Mr. Speaker, I ask unanimous consent that the gentleman from Massachusetts [Mr. CONTE] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. CONTE. Mr. Speaker, I would like to call your attention to the progress that can be made by a private company in the area of water pollution control. The General Electric Co.'s plants in Massachusetts which includes one in my hometown of Pittsfield have been working on water pollution control since 1946 and have made great progress in this area which has become a major concern of the Nation. In 1946 General Electric joined with Government, civic, and business leaders to stress the need for water pollution control and produced a film "Clean Waters" which helped stimulate community interest in this problem. The company has researched many areas of technology relating to pollution and has made many devices which have contributed to the pollution-control effort.

At the plant level, G.E. has set up programs to keep wastes from polluting nearby waterways. The stream pollution control and chemical waste disposal committee at the Lynn plant has studied and imitated programs that provide for oil separators, protective aprons, and disposal tanks throughout the plant. Vendors take away wastes that cannot go in sewers or rivers. David L. Burre, a conservation and industrial waste management engineer, joined the river works pollution control team and will work full-time studying water pollution and industrial waste disposal. As a result of Mr. Burre's studies a clear picture of the problems and answers is being evolved.

The General Electric plant in Pittsfield has recently installed an oil-separation system which will prevent 80 percent of the accidental discharge of oil into the Housatonic River. The oil separator works on the principle that oil, because it is less dense than water, will rise to the top and, as the separator slows down the velocity of water from the drain, the oil will rise to the top and be recovered by the oil recovery unit. These oil recovery units can accommodate a water flow of 700 gallons per minute through a 30-inch pipe.

Particularly interesting is General Electric's analysis of four mistakes often made in plants which, if corrected, can help to fight water pollution. Spills and leaks can end up in the river; if every step is taken to prevent such mistakes and to clean them up when they do occur, there will be less contamination of our rivers. Before disposing of any waste, especially oil or chemicals, one should check to be sure that they will not contaminate the water. Machine operators can help the cleanup of rivers by conserving the amount of oil they use. The fourth correction that can be made is by notifying the foreman of any possible pollution problem.

Pollution is an age-old problem, but its significance has greatly increased in the 20th century with the advent of massive metropolitan centers and industrial complexes. In order to combat this problem we need action on the regional and national level. Earlier this year I introduced several bills aimed at combating water pollution. I will shortly be introducing an additional bill. I am hopeful that these bills and further legislation and efforts such as General Electric's will help to solve our national water pollution problem.

MARYLAND ACTS TO MAKE BELTWAY SAFER

Mr. RAILSBACK. Mr. Speaker, I ask unanimous consent that the gentleman from Maryland [Mr. GUDE] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. GUDE. Mr. Speaker, the House Public Works Subcommittee on Highways recently conducted hearings on highway safety as it relates to design characteristics on the Interstate System and other highways. Portions of the hearings concerned I-495, the Capital Beltway, of our local Washington area. Statistics available to me demonstrated that sections in Montgomery County should be given a thorough safety evaluation. Prior to the hearings the Maryland State Roads Commission instituted such a safety study of the Maryland section of the beltway and has since been implementing workable remedies to some of the problems of the freeway. Mr. Jerome B. Wolff, Maryland State Roads Commission chairman-director, is to be commended for his prompt attention and the constructive response to the general public concern, which is described in the following article from today's Washington Post:

MARYLAND ACTS TO MAKE BELTWAY SAFER

(By Jack Eisen)

Maryland highway officials disclosed plans yesterday for eliminating some of the hazards that led congressional investigators to call the Capital Beltway a death trap.

The biggest item in the State Roads Commission's $1.6-million package is about $1 million for installing a special type of guardrail designed to absorb the impact of a careening car. The Commission also plans to spend $235,956 to lay skid-resistant pavement on two especially dangerous sections in the Silver Spring-Bethesda area.

Virginia already has awarded a $72,800 contract for improved railings on its third of the 66-mile Beltway.

And Maryland, Virginia and the District of Columbia are joining in a $450,000 outlay to improve the Woodrow Wilson Bridge, which links Alexandria and Prince George's County and crosses a narrow corner of the Beltway's most hazardous sections.

PERILS SPOTLIGHTED

The Beltway's perils were spotlighted at hearings in June by a House Public Works subcommittee headed by Rep. John A. Blatnik (D-Minn.).

John P. O'Hara, assistant subcommittee counsel, was critical of heavy guardrails that skewer careening cars or guide them into heavy abutments, unguarded piers and heavy sign and light poles sometimes placed too close to the pavement. He also pointed to hazards in the pavement or the alignment of the road or its ramps.

Since the Beltway was completed in 1964, O'Hara reported, there were 77 deaths on the Beltway, ten of them on the Wilson Bridge.

Virginia's decision to add $72,800 worth of additional guardrails was taken the same week as the hearings. Maryland began its own special study of Beltway safety problems two weeks before the congressional hearings.

SEEKING FEDERAL FUNDS

Jerome B. Wolff, chairman-director of the Roads Commission, said Maryland is applying for Federal-aid money to pay about 90 per cent of the cost of its program.

The total $1.6-million price tag announced yesterday includes $300,000 for construction of a 3-foot-high median strip across the Wilson Bridge, to replace the present 8-inch strip which is regarded as useless in preventing head-on collisions.

Bids already have been sought for this job, which is slated for completion by the beginning of next year.

Also promised for the Bridge is a series of electrical signs, each equipped to flash several different messages to motorists, warning them of such hazards as car accidents, ice, fog or blocked lanes.

The signs, three in each direction, will cost about $150,000. They will be controlled from the Bridge tower and work like a ballpark scoreboard.

Maryland sections to be resurfaced are a 3.8-mile stretch between Georgia and Wisconsin Avenues, including a curvy crossing of Rock Creek Park, and 2.5 miles west of Wisconsin Avenue to the junction of Interstate Rte. 270 near the Bradley Boulevard overpass.

HIGH ACCIDENT RATES

Both sections have accident rates twice that of the rest of the Beltway, the Road Commission said. In 1966, the sections were the scene of 167 accidents, four of them fatal. About half were on wet pavements. Tests showed present skid resistance ranging from "fair" to "poor."

The Commission's study committee recommended that the present 50-m.p.h. speed limit in these areas be retained.

The study committee also urged the use of special guardrails fastened to brackets that stick out from the upright poles, instead of being secured to the poles themselves. When hit, these brackets will give way in accordion fashion, absorbing the impact, instead of sending the car careening into other obstacles.

A Virginia Highway Commission spokesman said new installations in that State will be of the same type planned in Maryland. Extensions of older railings will be of a new design intended to prevent skewering of cars.

PRODUCTION COST INCREASES KEEP SQUEEZE ON FARM INCOME—AND SO DO THE BUREAUCRATS

Mr. RAILSBACK. Mr. Speaker, I ask unanimous consent that the gentleman from North Dakota [Mr. KLEPPE] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. KLEPPE. Mr. Speaker, with some of the "friends" the American farmer seems to have in the U.S. Department of Agriculture, he does not need any enemies. As a classic example of what USDA bureaucrats should not be saying, I call attention to the following story which moved on the UPI news ticker this morning:

> WASHINGTON.—A high Johnson Administration farm official said today he expects the price of wheat to continue to decline through the month of August.
>
> Wheat prices have been declining for three consecutive months, and Dr. Walter W. Wilcox, head of the Agriculture Department's Economics Research Department, said he expects prices to continue to drop for the next 30 days.
>
> He added, however, that he expected wheat prices to make a recovery in September.
>
> A report on farm prices issued this week showed that wheat prices, as of the month ended July 15, had declined to $1.37 per bushel, a big 37 cents below prices a year earlier.
>
> Wilcox said, however, that he doesn't think the $1.37 price is especially unfavorable. He pointed out that current prices are still well above the wheat price support loan rate of $1.25 per bushel.
>
> Although he expects prices to decline still further before making a recovery, the farm economist refused to estimate how low he thinks wheat prices will dip or how big their recovery will be.
>
> The Administration is forecasting a record wheat crop this year.

It seems to me that Dr. Wilcox is extending an open invitation to grain speculators to get on the "short" side of the wheat market. As farmers know, to their sorrow, the huge grain operations of the Commodity Credit Corporation place that agency in a position to dominate the market. Pricing policies of CCC—its decisions to dump or not to dump Government-held grain stocks—can roll prices up and down like a window shade. The crop and livestock forecasts of USDA, as well as its price predictions, strongly influence commodity market trends.

I see no valid reason for Dr. Wilcox to have chosen this moment to forecast lower wheat prices. In fact, his timing was atrocious because it is in August that the new crop wheat movement reaches its peak and is already exerting heavy downward pressure on the market price.

It may well be that Department officials such as Dr. Wilcox do not think the $1.37 price is especially unfavorable. They would be hard put to find a wheat producer who would agree.

I note that Dr. Wilcox refused to estimate how low he thinks farm prices will go. In my opinion, they will go as low as the administration wants them to go.

Mr. Speaker, as farm production expenses continue to climb to new record highs month after month, American farmers are caught in an ever-tightening income squeeze. Prices paid by farmers for the goods and services they must buy will predictably continue to rise so long as the Nation remains on its inflationary binge. The hope that farm prices will keep pace with mounting costs is remote, at best. In fact, all of the evidence points toward a widening disparity between prices paid by farmers and prices received.

Average prices for farm products are currently running 4 percent below a year ago. Prices paid by farmers are up 3 percent over the same period. This widening imbalance is reflected in the parity ratio which stood at 74 in July, as compared with 80 a year earlier. With the 1967 wheat crop now moving to market and with recordbreaking corn and soybean crops in prospect, farmers may receive lower prices for many of their commodities in the weeks ahead, even without "bearish" forecasts by USDA officials. But not lower costs.

Mr. Speaker, the House Agriculture Committee, of which I am a member, has just published a thorough and well-documented study entitled "Food Costs—Farm Prices." This document has a foreword by the distinguished chairman of the committee, the gentleman from Texas [Mr. POAGE], which pinpoints today's farm dilemma. Here are some rather startling facts which I have compiled from the report:

First. Prices received by farmers in 1966 were 2 percent lower than the 1947–49 average. But retail prices paid by consumers for food increased 40 percent from the 1947–49 base period, reflecting sharply increased marketing and processing costs. Nevertheless, because of constantly increasing efficiency on American farms and a large increase in nonfarm wages and salaries, the average family spent only 18.1 percent of its income, after taxes, for food in 1966—the lowest ever.

Second. During the last 20 years, hourly earnings of industrial workers increased by 123 percent, while corporate dividends rose by 232 percent. Over the same period, from 1947 to April 1957, average farm prices fell 11 percent. This dropped the April parity ratio to 72, lowest in 33 years.

Third. My own calculations show that the blended price for wheat, including the $1.36 certificates, is now around $2 per bushel in western North Dakota. It is this high largely because of disastrous drought damage to the 1967 Hard Spring wheat crop. By way of contrast, the national average price received for wheat by farmers in 1947 was $2.29 per bushel. This does not tell the full story, however. Since 1947 the value or purchasing power of a dollar has shrunk by one-third. This would make the 1947 wheat price $3.05 per bushel, in terms of 1967 dollars.

Fourth. Net farm income for 1967 is estimated by USDA at $15.5 billion, compared with $17.1 billion in 1947. But here again we are talking in terms of vastly different dollars. The $15.5 billion figure becomes only $10.2 billion when you translate it into 1947 dollars. To put it another way, if net farm income reached a $26 billion level in 1967, farmers would have approximately the same purchasing power that they enjoyed in 1947. To put it still another way, net farm income in 1967 will be 60 percent lower than it was in 1947, in terms of constant dollars.

This is the price American farmers are paying for inflation. They, along with retired people and others living on fixed incomes, are the principal victims of soaring costs which are pushed ever higher by the Federal Government's own fiscal policies. Many farmers have told me that they could survive on today's agricultural prices, depressed as they are, if production costs were at the levels of 15 or 20 years ago. But they cannot make it in an economy where the price of virtually everything they sell goes down, or at best holds steady, while their production costs move higher and higher, with no end in sight.

The inevitable result of all of this has been a continuing migration of farmers from the land. Approximately 100,000 farm units are liquidated each year. Some 600,000 farm people move to the towns and cities each year. Since 1950, the U.S. farm population has declined from 23 million to less than 12 million—a drop of about 50 percent. In 1950, more than 15 percent of the Nation's total population lived on farms. Today it is less than 6 percent.

To me it seems deplorable that this trend should continue. But it is continuing. A recently published study by President Johnson's National Advisory Commission on Food and Fiber indicates that the 3.2 million farm units in the United States today will shrink to about 2 million by 1980. This is a more optimistic estimate than some of the President's advisers came forward with 2 years ago when they foresaw a need for only 1 million farms in the future.

Since the 1930's, North Dakota's principal, and by far its most valuable, export has not been wheat but instead the thousands upon thousands of people who have moved from our farms, towns and cities to areas which seemed to offer better and more diverse job opportunities. This population movement has, in effect, represented an incalculable subsidy, in the form of well-educated, skilled and ambitious people, to other parts of the Nation.

Our changing agricultural economy obviously cannot absorb all of the younger farm people who would prefer to remain on the land. This is as true in other States as it is in North Dakota. But there would be room for many more thousands of these young men and women in agriculture if farm income were held at a level which would provide an attractive alternative to migration.

The family-type farm of today, as it was yesterday, is more than just a business. It is, as has been said so often, "a way of life." In my judgment, it is still the best place in the world to rear a family.

In these days of violence and rioting, the spotlight is on the cities and their multiple problems which seem to defy solution. This administration would do well to focus at least a tiny beam of light upon the growing problems of rural America.

As an illustration of what is happening to the farm economy, the Federal Reserve Bank of Minneapolis reports that North Dakota's total farm mortgage debt, which was well below $200 million in 1960 has now climbed to almost $400 million—a 100-percent increase in 7 short years. Many farmers, not only in North Dakota but throughout the Nation, are being forced to use credit as a substitute for income.

As the gentleman from Texas [Mr. Poage] points out in the House Agriculture Committee report on "Food Costs—Farm Prices":

> Broke farmers cannot continue to produce our present abundance, much less increase production.

Our fast-growing population in the United States and the mounting need for food abroad clearly indicate that American farmers will be called upon to increase their production enormously in the years ahead. A prosperous agriculture can meet the challenge. A debt-ridden and depressed American agriculture cannot.

POVERTY WARRIORS

Mr. RAILSBACK. Mr. Speaker, I ask unanimous consent that the gentleman from North Carolina [Mr. Gardner] may extend his remarks in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. GARDNER. Mr. Speaker, in recent weeks our Nation has been plagued with a series of riots which have occurred in many of our large metropolitan areas. These riots have cost the American people millions of dollars in damages, the lives of many American citizens and thousands more injured.

I was pleased to read in the July 31 issue of the Barron's front-page article that poverty workers were directly involved in activities which led to the recent riots. This article substantiates evidence that I have compiled which proves that antipoverty workers were involved in activities which led to the riots in Durham, N.C., and Newark, N.J.

I insert this article to be reprinted in the Record for the review of my colleagues:

Poverty Warriors—The Riots Are Subsidized as Well as Organized

Marion Barry and Rufus Mayfield are angry young men. Former national head of the Student Nonviolent Coordinating Committee (SNCC), Mr. Barry in August, 1965, took part in a protest demonstration organized by the so-called Assembly of Unrepresented People. He was arrested and charged with disorderly conduct while leading demonstrators onto the Capitol grounds. "Riot power and rebellion power," he was quoted as saying last week, "might make people listen now." Mr. Mayfield is a Black Muslim. Twenty-one years old, he has spent most of the past eight years in prison for various offenses, including petty and grand larceny. This month Marion Barry acquired gainful employment. He was hired as a $50-per-day consultant by the United Planning Organization, top anti-poverty agency for the District of Columbia. Rufus Mayfield, according to Rep. Joel P. Broyhill (R., Va.), will serve as Barry's "back-up man."

While perhaps more arresting than most, these are not isolated instances. On the contrary, the files fairly bulge with equally radical cases in point. Thus, federal and state investigations of New York's Mobilization for Youth, pilot project for the Job Corps, disclosed that its staff included several members of the Communist Party. LeRoi Jones, who was taken into custody during the riots in Newark and charged with illegal possession of deadly weapons, once ran a hate-the-whites Black Arts Theater which got $115,000 in federal funds from Haryou-ACT before police discovered an arsenal on the premises. The Southwest Alabama Farmers Cooperative Association of Selma, which the Office of Economic Opportunity recently granted $700,000, numbers among its principals John Zippert and Shirley Mesher. Louisiana's Joint Legislative Committee on UnAmerican Activities recently documented Mr. Zippert's association with radical causes, including the Kremlin-financed World Youth Festival. According to the Alabama Legislative Commission to Preserve the Peace, Miss Mesher, a former coordinator for SNCC, is "a prime participant in the Black Panther movement designed to overthrow the government . . ."

Right after Watts (Barron's, August 23, 1965), we observed: "In the name of civil rights, a small band of ruthless men has not hesitated to stir up violence, break the law and undermine duly constituted authority. The so-called civil rights revolution . . . has begun to mean exactly what it says." Since then compelling evidence, including eyewitness testimony and the findings of a Cleveland grand jury, has shown that the riots are less spontaneous outbreaks than carefully planned subversion. To judge by the record, moreover, civil unrest is not only organized but also subsidized. Thanks to the Office of Economic Opportunity, the U.S. taxpayer now has a chance to finance his own destruction. The Great Society, so Newark, Detroit and scores of other smouldering cities suggest, cannot coexist with the American way of life.

Like the poor, slums and rats have always been with us. Only the devastating riots—and the professional agitators who prepare the tinder, await a spark and fan the flames—are significantly new. The 1964 outbursts in Harlem turned up William Epton, vice-chairman of the Red-Chinese-oriented Progressive Labor Party, who taught people how to make Molotov cocktails. Mr. Epton was convicted of criminal anarchy for his part in the riots. The Rev. Billy Graham called Watts, a "dress rehearsal for revolution," a description in which radical spokesmen ever since have gloried. Last year's riots in Cleveland, charged Sen. Frank Lausche (Dem., O.) were the work of a "national conspiracy executed by experts." Shortly afterward a Cleveland grand jury, after hearing the testimony of detectives who penetrated the conspirators' ranks, found that "the outbreak of lawlessness and disorder was organized, precipitated and exploited by a relatively small group of trained and disciplined professionals." In a story on the Newark riots, the current issue of Life Magazine describes its reporters' "clandestine meeting with members of the sniper organization." Finally, SNCC's Stokely Carmichael, whose subversive interests range far and wide, openly boasts of what's afoot. After a quick trip to Prague, he landed last week in Havana. There he told newsmen: "In Newark we applied (guerrilla) war tactics . . . We are preparing groups of urban guerrillas . . . It is going to be a fight to the death."

So much for subversion, which the country will ignore at its own risk. As to federal subsidy of violence, an ominous pattern has emerged. From the beginning, as radicals recognized, the war on poverty, notably the Community Action Programs, had impressive trouble-making potentials. Somehow CAP has expanded much faster than OEO expenditures as a whole, surging from $246.5 million in fiscal '66 to an estimated $500 million in the current fiscal year. As noted above (much of the material comes from a forthcoming book, "Poverty Is Where the Money Is," to be published by Arlington House and written by Shirley Scheibla, Washington correspondent for Barron's), some of the money funded dubious ventures and put jailbirds and subversives on the federal payroll. Mrs. Scheibla cites other horrible examples: John Ross, member of the Progressive Labor Party, who served on an anti-poverty board in San Francisco; Howard Harawitz, member of a similar board in Berkeley and former member of the W.E.B. DuBois Clubs, which the FBI calls "Communist-spawned"; and a number of U.P.O. personnel in Washington, D.C., who turned out to be SNCC organizers and agitators.

Taxpayer-financed trouble has exploded in one part of the country after another. Last fall the mayor of Perth Amboy, N.J., accused the local anti-poverty leader of seeking "to foment and incite unrest, agitation and disorder," a charge which the city manager of Rochester echoed last week. Newark's police chief weeks ago warned that the city faced anarchy because of agitation by federal anti-poverty workers, several of whom were arrested during the riots. In New York City five marauding young Negroes, collared while looting stores on Fifth Avenue, worked for the anti-poverty program; one wore a sweater blazoned, after the OEO-funded agency, "Harlem Youth Opportunities Unlimited."

To fight riots with OEO grants, in short, is like fighting fire with gasoline. However, Sargent Shriver alone is not to blame. Some of the fault lies with local officials like New York's Mayor Lindsay (tapped last week to serve on the President's special advisory body), who repeatedly refused to condemn the appearance of his Human Rights Commissioner at the Black Power conference in Newark, as well as with Mayor Cavanagh of Detroit (first recipient of OEO aid and welfare state showcase), who tied the hands of the police for the first few strategic hours. On the federal level, the country should call to account the Office of Attorney-General and its three recent occupants: Robert Kennedy, who once wrote a letter to the head of an identified Communist front, seeking advice on a national service corps; Nicholas Katzenbach, who shrugged off all evidence of conspiracy; and the incumbent, Ramsey Clark, who testified against pending anti-riot legislation. The blame reaches right up to the official White House family, to Vice President Humphrey, who last summer said that if he lived in a rat-infested slum: "there is enough of a spark left in me to lead a pretty good revolt."

Law and order are the stuff of civilization; they are also the first duty of government. On the record, "liberals" of both parties, by tolerating subversion, have made a mockery of their oaths of office and forfeited the public's trust. Appeals to prayer are all well and good, but what this country needs is a political and philosophic call to arms.

BLUE EARTH KIWANIS SPEAKS OUT ON VIETNAM

Mr. RAILSBACK. Mr. Speaker, I ask unanimous consent that the gentleman from Minnesota [Mr. Nelsen] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. NELSEN. Mr. Speaker, Mr. Kenneth A. Young, president of the Blue Earth, Minn., Kiwanis Club has provided me with a recent resolution passed by the club. It expresses the club's firm support of our Armed Forces in Vietnam and demands that all steps necessary be taken to bring the conflict to a rapid and successful conclusion.

This resolution expresses the feeling of an overwhelming number of loyal Americans today, Mr. Speaker, and I place the club's communication at this point in today's RECORD:

BLUE EARTH KIWANIS CLUB,
Blue Earth, Minn., July 28, 1967.
Congressman ANCHER NELSEN,
House Office Building,
Washington, D.C.

DEAR CONGRESSMAN NELSEN: Our Kiwanis Club, at its regular meeting July 26, adopted the following resolution, together with instructions that the president of the Club forward to you a copy of the resolution expressing our desire that further waste of human lives and physical property be saved by such action. Herewith the resolution adopted:

"VIETNAM

"The United States and other nations of the free world are engaged in mortal combat with the doctrine and the forces of communism. These forces have as their sole aim the destruction and defeat of the free world. The current point of contact with these forces is Vietnam and the freedom of millions of people is at stake. Members of our Armed Forces are dying every day that these people may remain free.

"Therefore, be it resolved that we reacknowledge our debt of gratitude to all men and women in the Armed Forces of our nation and express to them our full support, and demand of those responsible for the conduct of the Vietnam War all steps necessary to bring this conflict to a quick and successful conclusion."

We sincerely hope that our indication of backing of our forces in Vietnam and the action taken by you in regard to this will be of some value to you in helping to bring this thing to a close more quickly by whatever means necessary. We appreciate that you are busy, but also that you wish to know the thoughts of your constituents.

Most sincerely,
KENNETH A. YOUNG,
President, Blue Earth Kiwanis Club.

AMERICA DEDICATED TO MEETING CHALLENGE IN THE CITIES AND COMMUNIST AGGRESSION IN VIETNAM

The SPEAKER pro tempore (Mr. ALBERT). Under a previous order of the House, the gentleman from Oklahoma [Mr. EDMONDSON] is recognized for 30 minutes.

Mr. EDMONDSON. Mr. Speaker, the action of 10 of our colleagues yesterday in calling for an immediate halt to the U.S. military effort in Vietnam came as no surprise to most Members of this body.

The 10 Members joining in the statement have, almost without exception, long been highly critical of our effort there, and most of them have been urging for some time that the United States should not continue that effort.

It was, therefore, not surprising, in this legislative body, to read of their joint appeal for "an immediate end to the war."

It was surprising, however, to read their opinion, as reported by United Press International, that "the crisis of our ghettos is more urgent than the war in Viet Nam."

It was even more surprising to read their reported conclusion that:

> To bring real and lasting peace to our cities, we must end the war in Asia.

These are views which most of us will find it impossible to accept, and I am sure these views do not reflect any substantial opinion in the Congress.

In terms of urgency, there is no basis on which the war in Vietnam and the urban riot problem can rationally be compared.

Both are of vital concern to millions of Americans, and what we do on both subjects will matter greatly to future generations of Americans.

The American people undoubtedly favor, by an overwhelming majority, a successful conclusion to our efforts to halt Communist aggression in Asia and a successful conclusion to our efforts to end the riots and improve conditions in our cities.

They do not favor, in my judgment, withdrawal or surrender on either of these important fronts.

The record of President Johnson, and the record of this Congress, strongly support this judgment—rather than the judgment of our 10 colleagues who want to abandon our allies and friends in Asia and permit a Communist takeover in Vietnam.

There is no doubt about the fact that we could do more to deal with the critical problems of our cities, than we are now doing. The same could be said about some of the problems of our rural people.

On the other hand, it cannot be denied that we have been moving vigorously forward in recent years, and especially on programs affecting the urban poor. The fact is that we have done far more to help those living in urban slums during the past 3½ years than at any other time in our history.

And these programs are not shrinking—they are growing steadily.

This year we are spending a total of $26 billion on programs to alleviate poverty, promote health and education, and to rebuild our city slums.

We are requesting $17 billion to help rebuild our cities—$3 billion more than last year.

All told, we are spending three times as much on poverty as we were 6 years ago; and three times as much on urban programs as we were in 1961.

These are the facts. There is very little evidence to support the unfair contention that this administration and this Congress are attempting to sacrifice the needs of the American people on the altar of Vietnam.

On the contrary, Mr. Speaker, the record supports the view that we have been steadily increasing our efforts to improve and enlarge the opportunities of all Americans, at the same time that the course of events in Vietnam has required a larger expenditure for defense and security purposes.

The President of the United States, in his effort to meet fully his responsibilities, has sponsored 35 major proposals during the past 3½ years to help the cities' old people, poor children, jobless workers, and disadvantaged youth.

The Congress has authorized and funded all of these 35 proposals.

For those who question the adequacy of their funding, I suggest a review of the record as cited by Chairman MAHON of the House Committee on Appropriations, in his remarks in this body on Monday, July 31.

The figures appear in the CONGRESSIONAL RECORD at page 20579, and they impressively document one of history's most far reaching national efforts to enlarge economic opportunity for people.

Obviously, Mr. Speaker, we would like to do more. In my judgment, we can and we should do more.

But it is equally obvious, Mr. Speaker, that abandonment of a worthy cause in Vietnam—a cause for which thousands of our young men have given their lives—is not the road to solution of our urban problems.

The defeat of Communist aggression in Asia may, in the long run, be of much greater importance and significance to the people of our cities than any public works or housing project.

Our President, the Congress, and the American people are dedicated and committed to meeting both the challenge of the cities and the challenge to freedom which is posed by Communist aggression.

In united effort to meet these challenges, we shall continue to build a greater nation and a free world.

LET US PUNISH POLAND AND REWARD RUMANIA

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Illinois [Mr. FINDLEY] is recognized for 60 minutes.

Mr. FINDLEY. Mr. Speaker, beginning with the administration of President Eisenhower a U.S. policy of promoting gradual and evolutionary independence and internal freedoms in the Eastern European countries was inaugurated. Certainly many of the promising developments to dismantle the Iron Curtain were caused by internal stresses and strains in not only these countries, but the Soviet Union as well. But to diminish the role of our policy in promoting these changes would be unfair and inaccurate.

Secretary of State Dulles as the foreign policy adviser to presidential nominee Dwight Eisenhower in 1952 expounded his philosophy on what direction our policy toward the Eastern European countries should take. One of the specific recommendations he made was that we skillfully and diplomatically use the "carrot and stick" approach to reward and punish the Eastern European countries. Mr. Dulles argued that promising steps of external independence and internal liberalization should be rewarded by the United States in the form of political and economic benefits. Likewise when a retrogressive trend appeared in any country, he said, we should withdraw these economic and political benefits.

Other than Yugoslavia, Poland has thus far received most of the political and economic benefits the United States could extend.

In the last few years, however, the promising signs of external autonomy and internal liberalization which we witnessed in 1957 in Poland have largely vanished. The situation in Poland is no longer dynamic but static. Once the most independent and open of the East European countries, Poland has now abandoned much of the early gains. One of the most disappointing developments has been Poland's economic, political, and military assistance to North Vietnam and the National Liberation Front.

Poland is now shipping weapons and other military hardware to North Vietnam and may well be shipping Chinese arms to Vietnam.

Contrast Poland's actions with those of Rumania. Although internally Rumania is still something of a police state there are promising developments. Rumania has reaffirmed its intention to permit the emigration of Rumanians with close relatives living in the United States.

Many hundreds of such persons, including dual nationals and their families, have come to the United States over the past 2 years. Rumania has rejected the Soviet position that there can be no coexistence of ideas. It stands still further apart from the militant Chinese position which denies the possibility of any form of positive cooperation with the Western powers.

In 1964, the Government completed the release of virtually all political prisoners, numbering more than 11,000. This dramatic action has been reinforced by a decrease in the arbitrary use of police powers, and a purge of top-level officials of the secret police.

There has been a complete transformation of Rumanian literature with more emphasis on artistic creativity and less on Socialist preachment. Jamming of foreign radio broadcasts has ceased and non-Communist newspapers are available to the public—though in limited quantities.

There has been some improvement in religious freedom in Rumania. In July 1964, 10 priests were released from jail in a general amnesty for political prisoners, although unfortunately others are still being detained. There are now 1,200 Catholic priests in Rumania engaged in parish work. Bishop Marton has been permitted to ordain new priests, but members of the Byzantine Rite Church are still persecuted.

Rumania is a little country about the size of Oregon bordering on the Soviet Union. By virtue of its geographic location alone, Rumania should be one of Moscow's most submissive satellites. Yet since 1963, this small country has stood up to Moscow, taking advantage of the Sino-Soviet split to maneuver within the Soviet bloc. Rumania's assertion of its independence from Moscow is most dramatic in its economic and political relations with other countries and its pursuit of a policy of "active coexistence." Yet the uniqueness of the Rumanian move toward independence is due to the gradual but stubborn insistence upon national sovereignty coupled with the respect for the sovereignty of all other nation states.

SEEDS OF AUTONOMY

The seeds of autonomy in Rumania were sown during the Comecon conflict with Russia in 1963. Recognizing that it has the potential to be the wealthiest country of Eastern Europe with its vast, untapped store of natural resources, Rumania adopted a policy of "rapid, all-around industrialization" at the Third Congress of the Rumanian Workers Party in June 1960. At this time the party adopted a 6-year plan and a long-range development plan ending in 1975. These plans for the industrialization of Rumania led to the showdown with Moscow over Comecon in 1963. Comecon, or the Council for Mutual Economic Aid, was a plan for an integrated East European economy in response to the rumblings of the European Economic Community. The plan was to promote the political unity of the Soviet bloc by making the members economically dependent upon each other and the Soviet Union. Rumania's objection to this "international Socialist division of labor" was that she would be forever relegated to the position of colonial supplier of raw materials and foodstuff for the already more developed countries in Comecon, such as East Germany and Czechoslovakia. Such a position obviously conflicted with the Rumanian industrialization plan. As Rumanian Premier Ion Gheorghe Maurer demanded:

> Why should we send corn to Poland so that Poland can fatten its pigs to buy machinery from the West, when we can sell our corn to the West and buy the machinery we need ourselves?[1]

The Rumanians feared that dealing exclusively with oil, grain, and chemicals would lessen the growth rate of the Rumanian economy, which even at that time was the highest in the Soviet bloc outside the U.S.S.R. They felt that the Soviets had not analyzed the Rumanian natural endowments and that every Communist country is entitled to develop whatever branch of the economy it desires without being bound by the nature of natural resources and without outside interference. The only division of labor acceptable to the Rumanians was one based on "respect for national independence, and sovereignty, complete equal rights, comradely mutual aid and reciprocal advantage," according to Scanteia, the official Rumanian newspaper, of March 9, 1963.[2] The Russians, caught in the outbreak of the dispute with China, did not dare to alienate the Rumanians and thus did not retaliate, or at least not publicly. Comecon was a flop. Khrushchev could see that "his plan had failed, and its failure was in no small part due to the stubborn opposition of the Rumanians."[3]

The seeds of autonomy sown in the Comecon incident began to bear fruit as the Rumanians, strengthened by their "victory" over Moscow, determined to pursue their own national interest as they themselves perceive it. By actions such as refusing to join the new network of bilateral cooperation commissions among Soviet bloc countries until 1965 and not participating in the groups set up by Comecon to assist metallurgical, ball bearing, and fertilizer industries, Rumania told Russia that she would no longer be the puppet state of Ana Pauker.

DECLARATIONS OF INDEPENDENCE

A study of the "Declarations of Independence" made by the Rumanian Communist Party since 1963 makes Rumania's subsequent actions with regard to foreign relations more credible. In April 1964, following the Comecon fiasco, the Central Committee came out with a resolution asserting that national independence and sovereignty, equal rights, mutual advantage, noninterference in internal affairs, and observance of territorial integrity are among the "immutable laws" of world socialism. It explicitly denies the right of any party or state to be the center of communism. The manifesto proclaims that:

> It is the exclusive right of each party to work out independently its political line, its concrete objectives and the ways and means of achieving them.

In addition, it obviously refers to the "privileged place" of Moscow in declaring that there can be no "parent" party and "son" party, and that no party can impose its line or opinion on the other parties. The declaration calls for joint formulation of a general line and "not by the no-alternative solution by some sort of superstate—that is, Soviet—authority." It demanded polycentricism with self-determination, the right of each party to "independently work out its political line, its concrete objectives" coupled with rejection of Soviet authority. This manifesto amplifies the arguments put forth previously by the Rumanians against economic integration and "suprastate schemes" which "would turn sovereignty into a notion devoid of any content." Also suggested by the resolution were Rumania's later actions toward countries at odds with the Soviet Union. The role adopted by Rumania in such situations is one of mediator and friend to all nations, regardless of its sympathies or social order. The resolution thus defies Moscow's excommunication of Albania and reflects Rumania's determination to cooperate with "all Socialist countries." It suggests the inclusion in Comecon of all 14 Socialist states, including Albania. It answers the Soviet call for a "collective rebuff by

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[1] Claire Sterling, "The Business of Rumania is Politics," *The Reporter*, Apr. 20, 1967, p. 25.

[2] George Gross, "Rumania: The Fruits of Autonomy," *Problems of Communism*, January/February 1966, p. 17.

[3] David Floyd, *Rumania: Russia's Dissident Ally*, p. 70.

Marxist-Leninist parties" to China by calling for a world Communist conference instead.[4] According to the Reporter:

> No Communist Party then or since has made such a clear-cut declaration of independence while continuing formally to support the Soviet Union.[5]

Soviet reaction came shortly thereafter in the form of a charge that Rumania is turning to the captialist nations for trade at the expense of the Soviet bloc countries. The Rumanian reply was that they are "determined to equip their industries with the best machinery they could find, even if it meant buying it from the 'capitalist' world with 'hard' currencies."[6] This statement was a direct slap at the Soviet Union and the bloc countries, implying that their machinery was inferior to that of the West. As David Floyd said in his book "Rumania: Russia's Dissident Ally":

> Never had a "satellite" commentator demolished a Soviet statement so effectively in public.[7]

The following year the Ninth Congress of the Rumanian Communist Party, which met from July 19–24, 1965, reiterated in a statement by the RCP Secretary General Nicolae Ceausescu Rumania's decision to maintain its political and economic independence. The RCP determined to proceed with industrialization, which Ceausescu called "the decisive factor in guaranteeing independence and national sovereignty" as opposed to the agricultural, colonial role the country would have played in Comecon.

A further assertion of national sovereignty was made in May 1966, by Ceausescu on the party's 45th anniversary and the eve of an unannounced visit by Soviet leader Leonid Brezhnev. The timing and content of the far-reaching assertion made some Western observers surmise that the Rumanians might be getting ready to quit the Warsaw Pact. The Russians had been calling for the strengthening of the pact, presumably meaning new forms of consultation that would give Moscow a greater voice in the policies of their allies. Ceausescu's comments approached total denunciation of military pacts, calling such blocs a "barrier in the path of collaboration among peoples" and an "anachronism incompatible with the independence and national sovereignty of peoples and normal relations among states." Three weeks previous Ceausescu had issued a joint statement with President Tito, of Yugoslavia, which denounced military pacts as "not corresponding to the positive development" of international relations. This denunciation of military blocs pushed Russo-Rumanian relations to what the London Times of May 3, 1966, called "a delicate point."—See appendix I.

In this call for the liquidation of military blocs, foreign bases, and withdrawal of troops from other states' territories, the Rumanians merely strengthened their previous opposition to the pact. As early as 1964 they reduced the term of military service in the pact from 24 to 16 months—the shortest term in any Warsaw Pact country—without Moscow's knowledge. Also, in the spring of 1966, the Rumanians caused a great uproar by opposing Brezhnev's proposal for a "permanent and prompt mechanism" to coordinate foreign policy. The Rumanians submitted counterproposals severely curtailing Soviet control of the pact's military coalitions and publically questioned the need for the organization itself, clearly stating that nobody would coordinate their policies. While the Rumanians have not pulled out of the pact, they are the most passive of members, refusing even to participate in military maneuvers. As of July 10, 1967, the pact had not had a commander for over 3 months, for Ceausescu insists upon rotating the command among all seven partners. This post was always held before by Russians. Like France, the Rumanians also demand a greater voice in control of nuclear weapons.

This repugnance for military blocs parallels Rumania's rebellion against all forms of supranational economic collaboration among the Communist nations. The 1966 resolution explicitly stated, "Rumania is developing relations of collaboration with all countries regardless of social system. Deeming that this is one of the ways of strengthening collaboration among people, Rumania is developing economic, cultural, and scientific relations with France, England, Austria, and other countries." Ceausescu especially stresses the development of friendship between Rumania and France. the critic of the NATO Pact. In his "stridently nationalistic" speech, Ceausescu "went further than any Communist Party ever has—further even than the Yugoslavs—in complaining about Soviet meddling in other nations' affairs."[8] He blamed the Soviets for appointing non-Rumanians to leadership positions which exposed their ignorance and produced disaster. He bitterly bemoaned the Soviet annexation of the Rumanian territory of Bessarabia in 1940 and the Russo-German nonaggression pact of World War II. In a subtle anti-Soviet move, Radio Bucharest "with equal delight" affirmed the visit of Premier Chou En-lai of China to Bucharest a few days after the Brezhnev visit, again asserting its neutral stance in the Sino-Soviet rift. The mandatory neutrality which allows for Rumanian maneuverability has created perceptible coolness toward the Soviet Union, a coolness reflected in the Rumanian attitude toward the Warsaw Pact. This lack of warmth was seen in the 1964 visit of the Soviet commander of the pact forces, Marshal Grechko, to Rumania and the January 1965 meeting of the pact. Rumanian delegates left immediately after the conference and invited ambassadors of "disenfranchised" nations of Albania, China, and North Korea to greet them on return from Warsaw. Rumania obviously fears that its inclusion in the pact threatens its neutral stand.

As recently as May of 1967, Ceausescu reemphasized the independence of the Rumanians in the formulation of their economic and foreign policies. In an article appearing in the May 7 issue of Scanteia he worte:

> The crystallization of the Party policy presupposes free debate within its framework, of all the problems of social development.

He also said:

> The Party and state promote an active and many-faceted foreign policy, expand and intensify Rumania's relations with all countries, irrespective of the social system, make their contribution to expanding interstate cooperation, to strengthening confidence and friendship among peoples.

Restating the principles put forth in the 1964 resolution regarding the "privileged place" of a certain party, meaning Moscow, Ceausescu said that only "the respective Communist Party is the one which can know best the concrete realities within which it is waging its fights and that is why the shaping of its own political line, revolutionary tactics and strategy is its inalienable right." Smarting from Soviet verbal attacks upon Rumanian deviationism, Ceausescu added:

> The debating of all problems must be carried out in a climate of principled objectivity, without resorting to labels and invectives. In the framework of discussions, all opinions must be heard, nobody can claim to have the last word on one problem or another nor that any other views are non-Marxist.

He affirms the party's right not to participate in international meetings, such as the Karlovy Vary conference 10 days earlier, which the Rumanians boycotted, stating that "the existence of an international ruling center raises insurperable obstacles to the activity of the Communist Parties."

The RCP also implies in this statement a subversion attempt by the Russians, stating clearly that it is "inadmissible, under any form, for a party member to establish or to maintain, over the head of the leadership, relations with other parties, to supply information and to participate in actions against the political line of his party,"[9] Although it is possible to minimize the extent of actual Soviet-backed subversion within the RCP, it must be remembered that the major Rumanian statements of 1964 and 1966 were both reactions to Soviet attempts to restrain Rumanian freedom of action—in the first case, proposed blocwide planning and in the second case, an attempt to strengthen the military structure of the Warsaw Pact.

Along this same line, at Rumania's Independence Day celebration also in May 1967, Rumanian Premier Maurer stressed that the Independence Declaration of May 9, 1877, confirmed the country's sovereignty:

> No power had any longer the right to interfere in the country's internal affairs, to impose foreign relations on it or to control them; the Rumanian state could decide by itself on its policy and its collaboration with other states.[10]

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[4] *Ibid.*, p. 116.

[5] *Reporter*, p. 35.

[6] Floyd, p. 73.

[7] *Ibid.*, p. 105.

[8] *New York Times*, May 14, 1966, p. 5.

[9] Radio Free Europe: Rumanian Situation Report, May 11, 1967.

[10] *Ibid.*, May 17, 1967.

Such declarations lend credence to Rumania's independent actions in the political and economic realms in the years since 1963.

NEUTRALITY: TIES WITH YUGOSLAVIA AND CHINA

Rumania's determination to maintain her independence within the Soviet bloc has led to the development of closer ties with other rebels within the bloc, such as Yugoslavia, and to overtures toward Communist China in order to appear neutral in the Sino-Soviet split. That Rumania and Yugoslavia have similar views on relations with the Soviet bloc and non-Communist nations becomes abundantly clear in examining the growing friendship between these two dissenters. In 1963 when Rumania was rebelling against Comecon and multilateralism, RCP Secretary General Dej signed a bilateral "Iron Gates" agreement on hydroelectric power and navigation of the Danube with President Tito. This agreement was outside the framework of Comecon, and they considered inviting the non-Communist, non-Comecon country of Austria to participate in the project. The policy of "active coexistence" shared by these nations, or advocacy of peaceful engagement between the East and West, rather than mere tolerance, makes these rebels natural allies. This alliance was also seen in their joint boycott of the Karlovy Vary conference.

Rumania has taken advantage of the dispute between Russia and China which makes both sides wary of antagonizing their allies or prospective allies. Rumania has adopted a policy of careful nonalliance and neutrality, often acting as mediator, to assure its utmost freedom of action within the bloc. The country began capitalizing on the Sino-Soviet split in March 1963 when the RCP refused to publish Khrushchev's letter to the Chinese Central Committee which attacked that country's policies. Instead, the Rumanians published a letter by the Chinese CP on June 14, 1963, which defended the Rumanian economic policy of independently developing national potential. In this one aspect the Rumanian attitude coincides with the Chinese, although Rumania's overall ideology is far closer to that of the U.S.S.R. The Chinese "Proposal Concerning the General Line of the International Communist Movement" was prohibited in Russia and not to be published elsewhere in the communist world. The Soviets even expelled Chinese students from the U.S.S.R. for trying to distribute the proposal. Yet Rumania, like Albania, published a lengthy summary in Scanteia. The publication of this anti-Soviet piece was called "a direct affront to Moscow" by the French newspaper Le Monde, and interpreted as a means of asserting her independence.

Rumania was also the only East European country besides Albania to expand trade with China in 1963, with a contract calling for a 40-percent trade increase. Soon after the Comecon dispute the Rumanians embarked upon a series of agreements with China to further good relations. In July alone the two countries agreed to cultural and scientific cooperation. Also, in contrast to the other satellites, Rumania refused to publicly support Khrushchev's resolute stand against Mao. This refusal on the part of Rumania to sanction the isolation and condemnation of China was one consideration in the postponement of a Communist summit conference planned for 1964 in which Khrushchev hoped to read Peking out of the movement. Rumanian stubbornness led to the situation in 1967 where "the Russians have at last given up all hope of commencing a world Communist conference to excommunicate China—after almost 3 years of trying—and they have the Rumanians to blame." [11] Rumania alone of the bloc countries has actively lobbied for Communist China's admission to the United Nations. Rumania was one of the cosponsors of such a resolution, which their representatives called "the only just, realistic and possible solution." This Chinese-Rumanian friendship has been blossoming of late. Rumanian officials received a Chinese "friendship delegation" on April 24, 1967, and Rumanian delegates attended the May Day ceremony in Peking where Mao Tse-tung made one of his rare appearances. Apart from the Albanian and Rumanian delegations, no other East European attendance was mentioned by the official Chinese news agency. Rumania also has taken its own initiative to intervene in the Sino-Soviet dispute. Premier Gheorghe Maurer talked with both Mao in Peking and with Khrushchev in Moscow in March of 1964 and Rumania also drafted a tripartite resolution for unity. By being a "friend to all," the foxy Rumanians come out on top.

FRIEND TO ALL: ALBANIA AND WEST GERMANY

Rumania's "friend to all" attitude and affirmation of her national sovereignty has led her to independent diplomatic maneuvers, often at the expense of other nations within the Soviet bloc. A case in point is Albania; another is West Germany. Rumania has reestablished diplomatic relations with Albania after breaking them off in 1961 and is the first Soviet bloc country to do so—a striking contrast to the coolness between Albania and the other satellite countries. Also, Rumanian-Albanian trade agreements for 1963 and 1964 all for "considerable increases" in trade. A trade union delegation from Rumania headed by General Trade Union Council Gheorghe Petrescu left for Albania on April 20, 1967, to attend a congress of Albanian trade unions. Such a delegation points up the continuing interest in mutual trade.

Rumania is the only East European country to have established relations with West Germany. Diplomatic relations were established last January—1967—"against the Kremlin's wishes and over the protests of East German Chairman Walter Ulbricht." [12] The actual choice of ambassadors has likewise taken place. This move toward independence from the Soviet bloc and closer ties with the West at the cost of embarrassment to East Germany and Russia can be attributed largely to economic expediency. The Rumanians further their own nationalistic cause and their policy of "rapid, all-around industrialization" by receiving West Germany's superior industrial equipment. West Germany has overtaken Czechoslavakia and East Germany in trade with Rumania, ranking second only to the Soviet Union as its leading commercial partner. The volume of Rumanian-West German trade is approaching $200 million a year.[13]—See appendix II. As a leading Rumanian spokesman said:

> Ideology is ideology, but business is business.

As early as November 24, 1965, the Rumanian-West German thaw became apparent. Rumania broke with the Soviet bloc to support West Germany's admission to the government council of the U.N. development program to fight the "war on want." According to the Washington Post of December 5, 1965, Rumania was the first Communist country to support the candidacy of West Germany for a U.N. office. Statements made by high Rumanian officials hint at the tempering effect which their mutual economic ties have on ideological differences. Rumanian Foreign Minister Corneliu Manescu said:

> The mistake should be avoided of considering the West German government as fascist or as having sold out to the Americans.

Calling for peaceful coexistence as a framework within which to solve major problems, he stressed the Rumanian position that no conflicts exist between Rumania and the other countries of Europe, East or West.[14] In a more recent statement of April 1967, RCP head Ceausescu stressed the need for a "realistic attitude" toward changes since World War II, calling for the recognition particularly of the two sovereign German states and emphasizing the inviolability of postwar borders. Unlike other Soviet bloc statements, the Rumanian statement made no mention of barring the FRG from access to nuclear weapons. Thus, the Rumanians have avoided antagonizing their new trading partner by subordinating ideological conflicts to the practicalities of business.

KARLOVY VARY

Friendship with West Germany also led to the recent boycott of the Karlovy Vary conference of April 24–27, 1967. The Rumanians, along with the Yugoslavs, Albanians, and three small Western European parties, refused to attend this conference of bloc unity and European security. The purpose of the meeting was actually to try to hammer out a common policy on the German question. The Rumanian reestablishment of diplomatic relations with Bonn served only to inflate the problem. The conference was mostly ignored by the Rumanian news. The only explanation of absence given by Radio Bucharest was:

> Inasmuch as in the course of the exchange of opinions and consultations which took place, no agreement could be reached

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[11] *Reporter*.

[12] *Ibid.*, p. 24.

[13] *Ibid.*

[14] Christian Science Monitor, Nov. 8, 1966.

> in advance on the character, purpose, and proceedings of the conference, the Rumanian Party is not attending it.

This decision is especially significant as a sign of Rumanian dissidence for the Karlovy Vary conference was held at the highest levels and because it covered such a wide range of problems, in this case issues outside the Communist camp. Rumania obviously felt that participation in such a conference might hinder its freedom of action vis-a-vis the West, and especially in its diplomatic relations with Bonn. This active coexistence line resembles that of Yugoslavia. Rumania apparently shares the Yugoslav view that the cause of European security and coexistence would benefit more from negotiation at the state rather than at the party level.

It also is clear that unlike the rest of the Soviet bloc, Rumania feels that normalization of relations with other countries, in this instance the FRG, cannot be achieved by continuous denunciations, use of cold war methods, and prohibitive conditions for the establishment of diplomatic relations. Rumania has called its own attitude "realistic," implying that the conditions set up by Moscow's allies before relations can be established with Bonn are unrealistic. The meeting at Karlovy Vary by its very nature obviously would not abandon cold war tactics. Another reason for Rumania's absence could be that Karlovy Vary was intended to be a milestone on the road to a new international party conference. Also, "considerations of Rumania's economic interests" were also to a large degree behind the RCP decision, and not only "concern for European security" and the best political tactics for achieving it.[15]

BOYCOTTS OF CONFERENCES

The Rumanians have a rather long and impressive history of boycotting party conferences ever since their 1963 spat with Moscow. As early as January 1963, the Rumanians began to hint at their lack of enthusiasm for international policymaking CP conferences, by failing to attend an SED—East German—Party Congress. They asserted their neutrality in the Sino-Soviet dispute by avoiding a Comecon summit meeting at Ulbricht's birthday celebration in June 1963 which was meant to rally support against the Chinese. Nor did the Rumanians attend a "consultative" meeting in March of 1965 on this same subject. Rumania alone of the Warsaw Pact countries was absent at this preparatory meeting for an international Communist conference.

Former RCP head Dej seemed to have a personal grudge against Nikita Khrushchev, for Rumania did not join other Communist leaders to celebrate Khrushchev's 70th birthday in April of 1964, nor did they televise his report on his trip to Hungary, unlike the rest of the Soviet bloc. Yet the Rumanian aversion to Moscow-arranged meetings cannot be wholly attributed to personal conflicts with the Soviet lead, for Dej also avoided the first meeting of Comecon party leader in November 1964, after Khrushchev's ouster. Dej's successors carried out his independent attitude with regard to conferences. Both Ceausescu and Maurer boycotted the November 7, 1965, October revolution festivities in the Soviet Embassy in Bucharest. The Karlovy Vary boycott is the most recent example of this attitude.

UNITED NATIONS

International relations and diplomacy inevitably lead to discussion of the U.N. and as the success of Rumanian maneuvers toward independence at this point depends almost wholly upon tact and diplomacy, the U.N. has become one of her major concerns. Since 1963 Rumania has had a more active role in the U.N., serving a 2-year Security Council term and on the 17-nation Geneva disarmament committee. Corneliu Manescu, Rumania's foreign minister and U.N. delegate, is slated to be President of the next General Assembly. If elected, he will be the first Communist President of the Assembly. This increased activity corresponds to the founding of Rumania's independent foreign policy, which is also clearly reflected in U.N. voting and resolutions.

In November 1963, alone, Rumania twice voted differently from the Soviet bloc. On November 20 Rumania voted for the U.S.-backed resolution favoring a denuclearized zone in Latin America, and on November 30 Rumania, along with Hungary, abstained from voting on a Soviet-backed resolution recommending a regional distribution of jobs in the U.N. Secretariat. More recent voting conflicts between the Soviet bloc and Rumania have arisen. In 1965 and 1966, Rumania broke away from the U.S.S.R. 13 times as shown by the U.N. voting records. Especially significant are the areas in which the U.S.S.R. and Rumania stood opposed. Voting conflicts occurred for the most part on Israeli-Arab issues as early as 1965, and on U.N. finances. Rumania, unlike the Soviet Union, never took sides in the Middle East issue, a neutral position which became most controversial in the aftermath of the Arab-Israel war. Also, unlike the Soviet Union, Rumania did not vote against the $6.4 million for the 1967 technical assistance appropriations. As mentioned previously, West Germany also provided a source of Rumanian-U.S.S.R. conflict which is reflected in the U.N. voting record. In November of 1965 Rumania voted for West Germany's admission in the Government Council of the U.N. war on want development program, thus going against the Soviet Union and Czechoslovakia.

Besides voting autonomously, Rumania has introduced several resolutions independent of Soviet support. One of these resolutions is that backing Red China's admission to the U.N., another is that of the "Club of Nine" nations, calling for a reduction in trade barriers and improving relations among them. The purpose of this group—the first multilateral political meeting of East and West European nations exclusive of the participation of the United States and the Soviet Union—is to "improve reciprocal relations, with a view to creating an atmosphere of confidence which will be conducive to the effective consideration of the problems which are still hampering the relaxation of tension in Europe and throughout the world." Rumania herself requested the inclusion of this issue, which was adopted on December 21, 1965, in the agenda of the 20th session. Of this independent diplomacy, Rumanian officials have said:

> It has been a disagreeable experience for us to stand at the periphery of events while the two superpowers did our thinking for us. . . . We just want both to understand that we cannot be pushed around any more.[16]

MIDDLE EAST

The U.N. has become an arena for exposing U.S.S.R.-Rumanian differences over the Middle Eastern crisis. The Rumanians reaffirmed friendship with the Arabs yet avoided any condemnation of Israel whatsoever. The Rumanian delegation called for negotiations between the two sides and "elimination of all foreign interference." The Soviet bloc, on the other hand, was vocal in its condemnation of Israeli "aggression." The Rumanians were dismayed by the Moscow declaration which concerned exclusively the "just struggle" of the Arabs, their eventual triumph, and help against Israel. In contradiction of all precepts of coexistence, it did not say a word about negotiations in order to achieve a peaceful solution respecting the rights of both sides.

Rumania was the one Soviet bloc country, including even Yugoslavia, that failed to sign the Moscow declaration on the Middle East which demanded that Israel withdraw to prewar boundaries. According to the German Tribune of June 24, 1967:

> From the very outset Bucharest has called on both sides to accept a ceasefire, leaving the question of the aggressor open. As an ally of the Soviet Union, Ceausescu must have been afraid that Moscow would have used any agreement to take joint action as an excuse to enforce greater discipline within the Soviet bloc.

The Rumanian foreign minister invited both the United Arab Republic and Israel ambassadors to the ministry to appeal for the end to the conflict and negotiations to find "solutions to take into account the fundamental and legitimate interest of all people in that region." Rumania's explanation of her desire to step into the role of mediator in this crisis was her concern with "observance of each peoples' right to live in freedom and to decide its own destiny for itself, for the application in international relations of the principles of national independence and sovereignty, equality, noninterference in the internal affairs, territorial integrity, for the assertion of the spirit of understanding and friendship among people and for strengthening peace in the world."[illegible]

The independent position taken by Rumania can be explained in several ways. The fact that a Rumanian is slated to be General Assembly President makes it advantageous to adopt a position of neutrality and mediator. Another possible explanation for the conflict in reaction to the crisis is a more subjective one of the governmental and popular attitudes existing toward the peoples of the United Arab Republic and Israel.

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[15] RFE, Apr. 26, 1967.

[16] *Scinteia*, June 13, 1967.

Whereas other bloc leaders such as Tito have had an almost sentimental friendship with Nasser, Rumanian heads of state apparently have had fewer personal bonds and less contact with the Egyptian chief. In addition, the various national sentiments about the Jewish people may influence the state attitudes toward the Israelis. In Russia, for example, Judaism is considered a political threat because government officials see Zionism as potentially unpatriotic. Anti-Semitism is rampant, judging by the furor raised over Yevtushenko's poem "Babii Yar" which exposed this Russian attitude. An anti-Semitic book written by a Russian in 1964, "Judaism Without Embellishment," has been called the "most vicious antireligious book of recent years." Its outer cover is "indistinguishable" from caricatures by Nazi Jew-baiters of the 1930's.[17] Rumania, on the other hand, made eradication of anti-Semitism one of her de-Stalinization projects. This trend bore fruit in 1967 when the Rumanian Government approved a permit for the major American Jewish welfare agency to establish an aid program for needy Rumanian Jews, and allowed the Rumanian Jewish community to reenter the Jewish World Congress. Rumania thus does not fear a lack of patriotism as a result of these international movements.

Probably the most important reason for Rumania's care not to antagonize Israel is an economic one. In April of 1967 Rumania and Israel signed a long-term trade and payments agreement and an accord for economic, technical, and scientific cooperation covering 1967–70. The accord provides for a $20 million exchange of goods in each direction, or eight times the amount of 1966. In addition, regular air links between Israel and Rumania are under consideration. Economic considerations thus come before bloc loyalty in the Middle East.

CUBA AND VIETNAM

The Middle Eastern crisis was not the first that caused a Rumanian break with the U.S.S.R., although it may be the most blatant example. In Cuba and Vietnam, opposition has taken a subtler course. During the Cuban missile crisis, Rumania publicly backed the Soviet condemnation of the U.S. blockade, but used more cautious, less strident tones. Rumania emphasized the need for wisdom and negotiations to resolve the crisis. Since that time, Rumanian-Cuban relations have cooled. Trade dropped from $20 million in 1963 to under $6 million in 1964. Also, in 1965 Cuba withdrew its students from Bucharest after authorities refused to let them stage anti-American demonstrations.

In Vietnam, Rumania does not approve of U.S. actions against a fellow socialist state, but her main concern is that the cold war atmosphere of crisis would limit her maneuverability with regard to the Communist world and the West. Rumanian reaction therefore is most constrained of the bloc countries with a relatively mild press, less frequent criticisms, and containment of threatened anti-U.S. student demonstrations against the Embassy. More significant, Rumanian trade with North Vietnam declined from $10.8 million in 1963 to $3.6 million just 1 year later. Because of her relative acceptability to both the United States and the U.S.S.R., to say nothing of China, Rumania has been considered a natural mediator in the crisis. Rumania has long tried to "break the logjam in efforts to get some kind of moves underway toward exploration of a Vietnam settlement." Because of Premier Ion Gheorghe Maurer's visits to both Washington and Peking in July of 1967, it was speculated that the Rumanians hoped to lead the countries closer to a settlement in Vietnam.[18]

TRADE

Under the banner of "active coexistence" or "the circulation of material and spiritual values," Rumania has moved toward rapidly increasing economic, cultural and scientific exchanges. Trade is the most obvious area of Rumanian overtures toward the West. Before 1963, Rumania traded almost exclusively with the Soviet Union. In 1958, 51.5 percent of Rumania's trade was with the Soviet Union and 22.2 percent with non-Communist countries. Today the figures have shifted to around 39 percent and 35 percent. The 5-year plan to be completed in 1970 calls for a 55-percent increase in trade but only a 30-percent rise in exchange with the U.S.S.R. On the other hand, this trade increase includes a projected expenditure of $1 billion for Western industrial goods—twice the amount for the last 5-year plan—and "the difference is bound to be in the West's favor." [19] The plan also calls for $200 million purchase from the United States. The tale told by industrial import statistics is even more dramatic. In 1957, 84 percent of Rumania's industrial imports were from the U.S.S.R., while today the larger part is from the West, specifically from West Germany, France, Great Britain, and Italy. This policy leads to disagreement with already industrialized bloc countries which wish to dispose of industrial goods on the Rumanian market in exchange for food and raw materials. Rumania's justification is that Eastern European goods are inferior and retard industrialization. According to the 1964 declaration, trade with the West is an "extremely important means of advancing peaceful coexistence."

Numerous trade agreements with Western nations illustrate Rumania's tendency of establishing closer ties with the West. This trend began with the British-Rumanian 5-year trade agreement concluded on September 27, 1963, which provides for a $32 million exchanging of goods. Subsequent agreements were signed with West Germany, Italy and France. These agreements were possible because of even earlier overtures to the West. In 1958 Rumanian Prime Minister Chivu Stoica informed a U.S. newspaper that his government was willing to spend $100 million on U.S. or West European industrial equipment. The Rumanian Government also settled Western and U.S. claims in 1959 and 1960 about compensation for property lost or confiscated during the war. Also in 1959, a high-level delegation visited six West European capitals and spent $100 million as trade increased.

Rumania's trade growth reflects her rate of industrial growth which is the most rapid in East Europe with about a 15-percent per year increase. Export of industrial goods alone rose from 7.2 percent in 1950 to 32.5 percent in 1965. This increased trade with regard to sheer number of partners is also impressive. Rumania trades with over 100 countries as compared with 29 nations just 15 years ago, and has participated in an ever-increasing number of international trade events. Rumania exhibited at six trade fairs in 1950 as opposed to 32 in 1965. Foreign trade figures of 1966 alone reflect Rumania's rapid industrial growth. Her overall foreign trade increased by 10.1 percent in 1966 over 1965 and four-fifths of Rumania's exports consisted of industrial products. These statistics again reflect her shift toward trade with the West. While the share in trade of the "socialist" countries—including the Comecon countries, Albania, Yugoslavia, Cuba, Outer Mongolia, China, North Vietnam, and North Korea—amounted to 65 percent in 1965, it fell to 59.6 percent in 1966. At the same time, trade with the "capitalist" countries—including the European industrial countries, the United States and Japan—increased from 29 percent in 1965 to 34 percent in 1966.[20] Rumania thus takes seriously her policy of developing "economic ties with all states, whatever their social order, on the basis of reciprocal advantage."

EXCHANGES WITH THE WEST

Economic reciprocity leads to mutual cooperation and exchanges in other areas. Rumania has agreed to cultural, scientific, and technical exchanges with most of its trading partners. The steel plan at Galati is conspicuous for the lack of the presence of Soviet technicians and for the presence of teams from Britain, France, and West Germany. As early as 1962 Rumania introduced political exchanges with Indonesia, India and Burma, partly to obtain ore for steel industries to lessen Rumanian dependence on the U.S.S.R. in this field. Such economic motivations lead to interest in other areas: Rumania's deputy foreign minister left for India in May of 1967 to sign a cultural exchange program. The same month, such an agreement was completed with Denmark. Previously contracts were signed with Italy for 1963–64, France for 1963–65, and Belgium for 5 years. Rumania has developed a fetish for receiving and sending diplomatic missions all over the world and has raised most of her diplomatic missions to the level of ambassador. In January 1967, Spain and Rumania opened consular and commercial relations—the first time Spain has ever entered into formal consular relations with a Soviet bloc country. Because of her similar attitude to that of France regarding military blocs and nuclear proliferation, exchanges between these two countries are rapidly increasing in number and frequency. In May 1967, 50 French nuclear specialists met with their Rumanian colleagues in Bucharest while the chairman of the Rumanian Academy of Sciences journeyed to France to be made a member of the French Academy. Delegations have also visited the United States, France, Austria, and Japan as part of parliamentary, technical, scientific, academic, and artistic exchanges.

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[17] Harry Willetts, "Anti-Religion and Anti-Semetism," *Problems of Communism*, November/December 1964, p. 39.

[18] *Christian Science Monitor*, July 7, 1967, p. 18.

[19] *Reporter*, p. 35.

[20] RFE, June 7, 1967.

RUMANIA AND THE UNITED STATES

The United States has finally begun to move into the void created by the Rumanian move away from the U.S.S.R. While the United States has not extended most-favored-nation trade status to Rumania, a Presidential decree has licensed many previously restricted items for export to Rumania and has authorized the Export-Import Bank credits for their purchase. Although this easing of restrictions has increased United States-Rumanian trade more than fourfold from 1963 to 1964, and again from 1965 to 1966, the sole sizable U.S. investment in Rumania is a $22 million oil-cracking unit being built by Universal Oil. Another bigger deal, a $60 million synthetic-rubber complex to be built by Firestone, fell through after a storm of anti-Communist protests and competitor complaints to Congress. However, private firms are beginning to take advantage of Rumanian investment as evidenced by a Pepsi-Cola factory which recently started production in Ovidu. The increasing trade between the United States and Rumania after 1963 is significant, becoming a regular flow since President Johnson's executive order of 1964 and his subsequent removal of over 400 items from the so-called restricted list in October of 1966 and spring of 1967, relaxing licensing procedure.—See appendix III.

Although in October 1963 the U.S. Commerce Department granted a license to a private U.S. company permitting it to provide technical data for the design, installation, and operation of a steel mill in Rumania, the first official U.S. recognition of the Rumanian independence drive came in 1964. At that time U.S. Under Secretary of State Averell Harriman met with Rumanian Vice Premier Gheorghe Gaston Marin in Washington. Rumania previously had stated that it welcomed "capitalist" investment in her industries. This was the first time any East European government, including Yugoslavia, had ever stated unambiguously that such an investment was welcome.

The meetings in Washington had economic and political ramifications. The United States agreed to permit Rumania to buy most commodities in the United States without an export license. The United States also decided to grant Rumania export licenses for "particular industrial facilities of special interest." The President agreed to finance Rumanian import credits up to 5 years to be underwritten by the Export-Import Bank. Rumania's contribution was to guarantee the guarding against the reexport of U.S. goods and technology without the prior consent of the American Government and to provide for the protection of industrial property. On the political side, the United States and Rumania elevated their diplomatic missions from legations to embassies. Rumania reaffirmed her intent to allow the emigration of Rumanians with close relatives living in the United States. They agreed to negotiate over consular conventions, to promote tourism, and to expand cultural, scientific, and educational exchanges. Thirty-five hundred Americans did visit the Black Sea resort of Mamaia during the 1965 season. The United States sent a trade mission to Rumania in the fall of 1965 which encountered a "warm welcome" and "willingness to sit down and talk about possibilities."[22] U.S. overtures on our own soil have met with equal success and ready acceptance by the Rumanians. Rumanian heads of state have visited the United States several times since the 1964 meeting and Ambassador Gheorghe Deaconescu was the first Communist diplomat to officially witness the launching of a Gemini craft at Cape Kennedy.

Closer economic ties again lead inevitably, as in the case of Israel or West Germany, to a softer political line, at least in appearance. Anti-U.S. propaganda is less virulent than in other Soviet bloc countries. While a German radio station reported an attack by a Rumanian official on the "U.S. imperialists," supported by "militaristic and revanchist forces," the summary issued by Radio Bucharest failed to mention this passage. The editors of Scanteia also requested that U.S. author Irving Stone write an article for them on universality, a theme which is a fitting one considering Rumania's new foreign policy.

DE-RUSSIFICATION

While Rumanian policy has been described as "harsh Stalinism at home and enlightened liberalism abroad," the government appears to have made a few inroads toward eradicating Soviet influence on Rumanian culture. This process is termed "de-Russification." One element of the eradicating process has included eliminating compulsory Russian language courses in secondary schools and closing down the prestigious Maxim Gorky Russian Language Institute, combining it instead into the Institute of Slavic Language and Literature of the University of Bucharest. The government closed down the Russian bookstore and reading room in Bucharest and imposed censorship on Moscow's international Communist publication, "Problems of Peace and Socialism" and replaced the Soviet "New Times" with a paper written by Rumanians including news compiled from all the leading world newspapers.

The Rumanians went so far as to eliminate the Russian names of public buildings, theaters, and streets. The government stopped the jamming of BBC, VOA, and RFE, a "cautious opening of a window to the West; another quiet hint to the population, and another reduction of Russian influence."[23] The Rumanians also publicly have opposed Soviet domination of the World Federation of Trade Unions, the International Student Union, and the International Federation of Democratic Women, arguing for unanimity rule. The government also freed all political prisoners. Perhaps the most striking of the de-Russification attempts has been the rewriting of history to remove the pro-Soviet slant originated under Stalin's regime. The government has downgraded the role of the Red Army in liberation of Rumania. A case in point is the differences between the two editions of the third volume of the official "History of Rumania." The first edition was published in 1963 while the second was in 1964. The contrast between the two editions eloquently demonstrates the evolution in political thinking in that short but crucial period. One such change is 1963:

> Russia handed back the Rumanian Principalities, the territory situated between the Dniester and the Prut excepted.

And 1964:

> The Rumanian Principalities, occupied from the very beginning of the war, were evacuated by the Russians, with the exception of the territory situated between the Dniester and the Prut, which was included into the Russian Empire.

Also, certain passages favorable to the Russians were deleted, such as one on page 484:

> The population of the Principalities sought salvation by Russia.

And page 939:

> Russia has contributed to the process of crystallizing internal Rumanian development.[24]

Rumanian concern with sovereignty and the threat posed by Russia came to a head when Russian scholar EB Valev proposed the creation of an interstate production complex in the Lower Danube section of Rumanian, Bulgarian, and Russian territories. The Rumanians were incensed by his impertinence in the very idea of removing a piece of Rumanian territory and attaching it elsewhere for whatever apparently good reason. Thus the "harsh Stalinism" is tempered by a somewhat anti-Soviet bias.

CONCLUSION

A fierce desire for national independence and sovereignty within the Soviet bloc has led the Rumanian Government to move away from the U.S.S.R. when it suits its self-interest. Capitalizing on the Sino-Soviet dispute, the Rumanian Government has attained the utmost maneuverability within the bloc and a position enabling her to make overtures to the West in both the economic and political realms. Such overtures are designed to speed the fulfillment of the Rumanian goal of "rapid, all-around industrialization." The increasing Rumanian-Western trade and Rumanian active involvement in international organizations such as the U.N. demonstrate her pursuit of her policy of "active coexistence." At the same time, her boycotts of all Communist conferences and her hesitancy about the Warsaw Pact and military blocs show her distrust of suprastate schemes and her intention to not become a Soviet puppet. Her independent stand from the bloc in matters of international import, as in the Middle East crisis, points to her increasing autonomy as does the broadness of her scientific and technical exchanges with non-Communist countries.

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[22] *International Commerce*, Nov. 15, 1965, p. 7.

[23] Floyd, p. 98.

[24] RFE, May 24, 1967.

Economic incentives can be seen behind most of these overtures. These incentives have caused Rumania to put economic interest before concern with political embarrassment to her allies. A case in point is Rumania's recognition of West Germany, her chief Western trading partner, at the expense of Russia and East Germany. Her restrained anti-capitalist rhetoric and overt invitations for investment to the United States, father of capitalist nations, suggests the possibility of continuing interest in closer trade relations between these countries. Considering the U.S. "bridge building" policy, this interest may ultimately lead to most-favored-nation treatment for Rumania.

The Rumanian "revolt" has been much more subtle than those previous, such as that of Hungary or Poland, and, therefore, more successful. By playing the part of "Communist good guy," and mediator on the international scene, Rumania builds its own prestige and autonomy at the expense of the Soviet bloc. Anti-Soviet moves such as "de-Russification" at home may suggest a gradual liberalizing of Rumania's internal policies. Rumania's strategy is paying off for itself and for the West. Her rapid rate of industrial growth and world prestige indicates that the seeds of autonomy sown by the Comecon dispute have indeed borne fruit. The United States and the West also reap the benefits, for "every step that strengthens Rumania's autonomy weakens Moscow's hold over the whole of Eastern Europe." [35]

The United States has taken several positive steps to improve relations with Rumania as a result of its growing independence and I favor extending the benefits of "most favored nation" treatment under our tariff laws to Rumania. I am of the opinion that the United States should lift its MFN agreement with Poland until Poland has ceased shipping arms to Vietnam. As a reward for her growing independence Rumania should be given MFN, to be renewed on a yearly basis. As a "punishment" to Poland for her arms shipments to our enemy, increasing disregard for her status as a member of the International Control Commission, unilateral breaking of many of the provisions of the 1956 modus vivendi with the church, I propose we lift her MFN.

The attitude of the Polish Government toward improving relations with the United States has been hostile and negative. Mr. Gomulka has publicly criticized efforts to increase contact with the West. Contrast this attitude with that expressed by Mr. Maurer, President of the Rumanian Council of Ministers, who said last week:

> The meeting and talks which I had with President Johnson in Washington . . . concerning the U.N. Session and other problems of common interest . . . In this respect I would like to underline that the Rumanian Government rightly estimates the importance of the relations with the United States and desires to extend them; this problem does not belong only to us, but it also belongs to the position of the United States, to its desire to promote these relations on mutual advantageous basis.

The First Secretary of the Rumanian Community party, Nicolae Ceausescu, said in his remarks before the Grand National Assembly last week:

> We are for the development of friendship between the Rumanian and American peoples, for the extension of relations between the two countries on mutually advantageous grounds, in the interest of cooperation and peace the world over.

Mr. Speaker, as a part of my remarks I insert at this point several recent editorials regarding developments in Rumania as well as the text of a letter I have written to each of my colleagues on the Foreign Affairs Committee asking that they support my amendment to lift Poland's status as a MFN which was granted by an amendment in 1963 to the Foreign Assistance Authorization Act of 1961:

APPENDIX I

Even more recently Ceausescu has bitingly criticized the Warsaw Pact. In a major speech before the Party active of Brasov on June 18 (*Scanteia* of June 19) the Party leader called for the "own command" of the military forces of each Warsaw Pact member country. He reiterated his advocacy of abolition of both the NATO and Warsaw pacts. The new element in this pronouncement is his underlining of the need for a national command of the armed forces of each Warsaw Pact member rather than a unified command as presently exists.

APPENDIX II

Rumanian-West German trade, 1959–63

[In million lei foreign currency]

1959	256.4
1960	539.2
1961	680.5
1962	789.6
1963	780.6+304.4

APPENDIX III

United States-Rumanian trade, 1960–1966

[Thousands of dollars]

	U.S. exports	*U.S. imports*
Year:		
1960	1,260	1,461
1961	1,424	1,362
1962	802	626
1963	1,249	789
1964	5,256	1,272
1965	6,385	1,836
1966	27,242	4,655
Product:		
Hides		5.5
Chemical compounds		1.3
Pipes		1.0
Hand tools		.4
Power machinery		.6
Heating equipment		3.4
Pumps		.6
Oil field equipment		1.2
Oil valves, caps		.9
Electric circuit apparatus		.9
Prospecting instruments		.8
Electric measuring devices		.5
Specialized purpose vehicles		.8

Chief U.S. imports from Rumania

[Millions of dollars]

Product:	
Cheese	0.5
Xylene	.5
Pig iron	.9
Furniture	.4
Leather footwear	.7

LETTER TO FOREIGN AFFAIRS COMMITTEE MEMBERS

DEAR COLLEAGUE: Following recent reports that Poland is now supplying military arms to our enemy in Vietnam I drafted an amendment suspending Poland's status as a Most Favored Nation. I plan to offer this amendment at the appropriate place in the Foreign Assistance Act. You will recall that Poland received MFN status in 1960 and Congress ordered its suspension in 1962. President Kennedy in his foreign aid message for 1963 asked that MFN be restored to Poland and the Foreign Assistance Act of 1961 was amended by the authorization bill of 1963 to accomplish that purpose. My amendment will be to that section of the Foreign Assistance Act of 1961, as amended in 1963, which restored the MFN status.

You may have already been called on by State Department officials in regard to my amendment. Accordingly, before the matter comes before the Committee I would like to take this opportunity to present my arguments to you.

A prominent official of the Polish Communist Party recently returned from North Vietnam. An Associated Press dispatch from Warsaw on June 25, 1967 quoted him as stating that Poland was now providing military assistance to North Vietnam and would continue to do so in the future. A few days later a report appeared in Dziennik Ludowy which confirmed these activities (I have entered the full text of the dispatch and the press report in the CONGRESSIONAL RECORD, Tuesday, July 25, on pages H9338). I wrote the President on June 30 asking that, in the light of these developments, Poland's status as a MFN be lifted until such time as the President determined they were no longer sending weapons to North Vietnam. Ambassador Macomber replied to my letter for the State Department on July 24, 1967 (text of letter also printed in the RECORD yesterday). Mr. Walt Rostow replied to me for the President (copy inclosed.) Their letters indicated that the President would not on his own initiative suspend Poland's MFN status.

The arguments for lifting Poland's status as a MFN appear to me to be these:

(1) Poland is the only country receiving MFN treatment which is sending arms to Vietnam. Accordingly, I do not believe she should enjoy a substantial tariff concession from the United States while she seeks to undermine our position militarily in Vietnam. Hanoi anti-aircraft units—armed with equipment supplied by Poland—are reported to be responsible for the loss or damage to 40 American planes. The loss of life, not to mention the cost of replacing or repairing the planes, has had an adverse effect on our military position in Vietnam. Polish aid thus is responsible not only for the loss of valuable planes, but also for the loss of American life. In light of these developments consider the fact that the MFN tariff concession has been the most significant factor in Poland's favorable balance of trade with the U.S. In 1959, for example, the last year before MFN was restored, Poland's exports to the United States amounted to $31.8 million and her imports from us were almost $75 million, an unfavorable dollar deficit to Poland of $43 million. However, in 1966 Poland's exports to the United States were $82.9 million and its imports only $53 million, resulting in a favorable balance of trade to Poland of $29.9 million.

The influence of Poland's MFN on balance of trade with the United States is a major factor in building up its dollar and gold reserves and deleting our own. Indeed following the extension of MFN to Poland her exports to the United States have increased almost threefold.

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[35] *Reporter.*

(2) Poland is a member of the International Control Commission (along with India and Canada) established by the Geneva Convention of 1954 to implement and supervise the Accords. As a member of the I.C.C. Poland has the obligation to remain scrupulously neutral in the conflict in Vietnam. Neither India nor Canada has become involved in the conflict either through economic, political or military assistance. Contrast this with Poland's actions. She has established relations with the National Liberation Front in South Vietnam, and has supplied economic assistance to the Viet Cong. Radio Warsaw and the leaders of the Polish government have repeatedly villified the United States for its involvement in Vietnam. To North Vietnam Poland has provided political, economic and military assistance. This is hardly the posture for a nation charged with the responsibility to implement an international convention in an impartial manner.

What are the arguments presented by the Department of State against the proposal to lift MFN? First, of course, I want to draw your attention to the fact that neither the State Department nor the White House has denied the validity of the reports, and indeed, Ambassador Macomber's letter seems to indicate they regard the reports as valid.

The arguments presented against lifting MFN are these:

(1) "We need to maintain a balanced policy regarding the Vietnam war." It is the first requirement of a leader to establish priorities. The President must determine which is more important, ending the conflict in Vietnam or continuing our less than satisfactory relations with Eastern Europe as though there were no conflict in Vietnam in which they are actively assisting our enemy. I am in favor of any policy that will give the nations of Eastern Europe greater autonomy from the Soviet Union and promote internal independence, but I am also a realist. As long as the war in Vietnam continues there will be no significant improvement in our relations with either the Soviet Union or Eastern Europe. If the President is seeking to "build bridges" to the East, he must recognize that the Vietnam conflict stands in the way. Therefore, our entire foreign policy should be framed around the proposition, "Will this policy promote or retard an honorable settlement in Vietnam?" This must be the first priority, because the war prevents a normalization of relations elsewhere. Indeed, any policy or measure that helps to end the Vietnam conflict also helps to "build bridges" to the East.

(2) The second argument advanced against listing MFN is that it will not halt Polish military shipments to North Vietnam. This is only an assertion. We don't know whether it is true or not. I believe, however, that even if Poland continued her shipments, other countries—not now providing military assistance—would be restrained from increasing their support for North Vietnam. Few countries would place their relations with North Vietnam on a level higher than a satisfactory economic and political relationship with the greatest military and economic power in the world: The United States. Yugoslavia and other non-aligned nations may well decide that if Poland can get away with sending arms to Vietnam, then she can increase with impunity her economic assistance to Vietnam, too.

(3) The third argument advanced is that to suspend MFN would jeopardize Poland's ability to service her debts because of her dollar and gold shortages, including the 1960 claims settlement. I question this reasoning. Poland pays to U.S. claimants only $2 million a year (her present favorable balance of trade, as of last year, was almost $30 million) so lifting MFN, even assuming an adverse balance of trade, would not seriously jeopardize her ability to raise $2 million a year. As for the allegation that she could not—or would not—pay her other debts, I think this is unrealistic. For Poland to default on a contract for claims and P.L. 480 shipments would seriously injure her status in the international financial community. Poland would find it extremely difficult—if not impossible—to receive long term credits or even regular commercial loans. Nor could she turn to either the Soviet Union, China, or the other Eastern European countries for assistance, because they must rely on long term credits themselves. Furthermore, we have relieved Poland from repurchasing in dollars a large portion of her P.L. 480 debts by our willingness to accept Polish local currency instead of dollars.

(4) The fourth argument advanced against lifting MFN is that such an action would seriously limit our presence and leverage in Poland. However, if we are afraid to lift MFN because of a fear that Poland might cancel our various economic and cultural programs with her as well as defaulting on her debts and claims, then it is Poland which has leverage with us, not the other way around. When the Congress ordered the President to lift MFN for Poland in 1962 no cultural or exchange programs were cancelled as a result. I have been provided with a twelve-page, single spaced report by the Department of State detailing our activities in Poland. Almost all of the activities covered in the report—including welfare programs under P.L. 480, U.S. exhibits at Polish trade fairs, an Embassy Library, television and motion picture films, cultural exchanges, distribution of Ameryka magazines, radio programs from VOA and RFE, lecture programs, exhibits, book fairs, text book translations, agricultural, medical and social research programs, including the construction of the Children's Hospital—would not directly be affected by lifting MFN. American presence in Poland—as the extent of these programs testify—would not be removed.

There is no indication that any of these programs—many of which I supported—would be jeopardized by the lifting of MFN. We need not attempt to buy the loyalty of the Polish people to our ideas. Poland has looked West, not East, for 1,000 years. Her people will not turn against the West because MFN is lifted. If all possibilities of Western contact were removed from Poland it would probably create the same stress and strains that resulted in 1956 and the government would be forced into allowing greater contact with the West.

(5) The final argument against lifting MFN to Poland is that it is the most independent of all Communist countries in its internal policies and that our aid encourages this. It is said that trade with the West is beneficial in widening this impact of the "keyhole" effect. First, I am not arguing that we should discontinue commercial trade with Poland. I have never opposed East-West trade on a commercial basis when it involved non-strategic items. The question of Poland's internal autonomy is irrelevant here. I am proposing to lift MFN only until the President has determined Poland is no longer supplying arms and other defense material to North Vietnam.

In closing, I want to observe that many knowledgeable and responsible observers of the Polish contemporary scene have compiled impressive evidence to indicate a retrogression in Poland's internal liberalism. Among these authorities and their publications are Richard Staar's book, "Poland, 1944–1966", and his article, "The Hard Line in Poland," published in the April, 1967, issue of Current History; Adam Bromke's book, "Poland's Politics"; and Andrew Field's article in the New Leader (May 11, 1964) entitled, "The Myth of Polish Liberalism." The Department of State's own staff report on the internal conditions in Poland, prepared this April, cites several examples of the retrogression of internal freedoms.

Thank you for taking the time from your busy schedule to review this letter.

Sincerely yours,

PAUL FINDLEY.

[From the Christian Science Monitor]

REDS RESTIVE: RUMANIA ASKS CHANGE IN WARSAW PACT

(By Paul Wohl)

The Warsaw Pact, which—unlike the North Atlantic Treaty Organization—seemed to be solidly united, now also shows signs of internal differences. What France has done to NATO, Rumania apparently would like to do to the Warsaw Pact.

Only Rumania has neither the political weight nor the geographical position of France. It has pledged to remain a full-fledged member of the Warsaw Pact, but it wants changes in the present setup.

Other bloc countries also are dissatisfied. Criticism of the organization and of the way it functions has become so strong that it took more than two months to reach an agreement on a successor to its former commander-in-chief, Marshal Andrei A. Grechko, who on April 10 became Soviet Defense Minister in place of the late Marshal Rodion Y. Malinovsky.

As Defense Minister of the Soviet Union, Marshal Grechko could not at the same time be commander in chief of the Warsaw Pact forces.

Last year when a reform of the Warsaw Pact was on the agenda, it was reported that the Rumanians and Poles had proposed that the position of commander in chief should rotate among the pact members. In May, Moscow sources mentioned the possibility of a structural reorganization of the pact.

WIDER VOICE PLANNED

The idea was to have a permanent council of defense ministers or deputy defense ministers of the member countries attached to the office of the commander in chief.

The suggestion to form a permanent council or secretariat inside the Warsaw Pact originally had been made by General Secretary Leonid I. Brezhnev.

The purpose was to give the other member countries greater say. The Eastern defense organization was to have at least the appearance of an international agency rather than that of an auxiliary of the Soviet Defense Department.

Financial considerations also were involved. Several member countries had begun to reduce their defense budgets. This might have led to a curtainment of their financial contribution to the Warsaw Pact and would have led to a curtailment of their financial * * *.

Mr. Brezhnev's suggestion so far has not been acted upon. Instead another reorganization proposal was mentioned in Moscow in May. There were to be two regional commands: one for the northern tier, including Czechoslovakia, East Germany, and Poland; and another one for the southern tier—Bulgaria, Hungary, and Rumania.

KREMLIN SUPPORT HINTED

Again no decision was reached. At one time it was reported that in order to get around the thorny problem of a structural reorganization of the Warsaw Pact, the Defense Minister of Poland, Marshal Marian Sychalski, should resign from his post and be made commander in chief of the pact forces.

The Warsaw Pact then could no longer be accused of being an appendix to the Soviet military establishment. Separation of its command from service in a national defense ministry would give it international stature.

There is evidence that a certain internationalization and a widening of the Warsaw Pact was supported at one time also by the Kremlin.

Thus Cuba and Mongolia were represented at the meeting of first secretaries and defense ministers of the Pact countries in Moscow in October, 1966.

Subsequently the first secretaries and the defense ministers were shown Soviet rocket installations at the so-called Cosmodrom in Central Asia and acquainted with the most advanced Soviet weapons.

These demonstrations seem to have left a lasting impression on the military. Mr. Brezhnev mentioned them again in his address at the Soviet Military Academy's graduation ceremonies on July 5, which was attended by high officers of all the Soviet bloc countries.

On Oct. 23, 1966, after the completion of the military demonstrations, Krasnaya Zvezda, the daily of the Soviet armed forces, even suggested that North Korea might be included in an enlarged pact.

This suggestion also has been shelved. When on July 8 Marshal Ivan I. Yakubovsky was appointed to the vacant post of commander in chief of the Warsaw Pact forces, it was clear that the Kremlin's conservative line had prevailed.

MOSCOW RESISTS DEMAND

As in the past, the Warsaw Pact forces are headed by a Soviet marshal, who at the same time is First Deputy Defense Minister of the Soviet Union, and is flanked by a Soviet Chief of Staff, Gen. Mikhail I. Kazakov.

Marshal Yakubovsky is a former commander of Soviet forces in East Germany. General Kazakov held a corresponding position in Hungary after 1958.

A Rumanian demand that Marshal Yakubovsky be relieved of his position as a Soviet First Deputy Defense Minister so far has been of no avail.

As if to stress continued Soviet supremacy, Marshal Yakubovsky even before his formal appointment was in command of recent Warsaw Pact maneuvers in Czechoslovakia and Hungary (June 14 to 19).

The large maneuvers of pact forces in southwestern Bohemia and Moravia in September, 1966, were commanded by Czechoslovakia's Defense Minister, Gen. Bohumil Lomski.

Pravda must have been aware of the misgivings aroused in Bucharest, and probably also in Warsaw, by the Kremlin's insistence on maintaining the organizational structure of the Warsaw Pact, when it appealed on July 21 to member countries "to consider their participation not as a formal membership, but as a vital, creative working cooperation in military and political matters."

The pact is indeed vital for the Soviet position in Europe.

According to data from French intelligence reports, published in the July 15 issue of the French biweekly "Est et Ouest," the forces of the member countries other than the Soviet Union number close to 1.2 million, including armies, navies, and air forces, or almost half as much as all the military forces of the Soviet Union.

[From the Washington Star, July 30, 1967]

Rumania Echoes Non-Reds on A-Pact

(By Bernard Gwertzman)

Rumania has broken publicly with the other Warsaw Pact nations on aspects of the proposed nonproliferation treaty and has stated reservations strikingly similar to those voiced by West Germany, India, Japan and other nations.

Up to now, the Warsaw Pact countries have appeared to support the general lines of the treaty as proposed by the United States and the Soviet Union. The two major nuclear powers reportedly have agreed on a draft that simply calls on non-nuclear nations not to make nuclear weapons and on nuclear powers not to give any away.

FEARS REPEATED

This general agreement still lacks an accord on how the treaty would be policed, but all experts regard the verification section—the so-called Article 3—as negotiable.

Rumania's objections, stated last week by Nicolae Ceausescu, general secretary of the Rumanian Communist party, and by Emil Bodnaras, a member of the executive committee of the party presidium, go much further than the simple disagreement over verification procedures.

They repeat the fears stated by such countries as West Germany, Japan, India and Sweden that the treaty does not provide guarantees that peaceful nuclear programs can be carried out, and that the treaty does not ensure the security of non-nuclear powers against nuclear blackmail.

Ceausescu said, in a speech to the Rumanian National Assembly, that agreement on a nonproliferation treaty must go hand in hand with disarmament measures by the nuclear powers.

"Without clear, firm, and efficient action by all states to stop the production of nuclear weapons, for reducing and ultimately liquidating existing nuclear weapons stockpiles, nonproliferation would not only fail to ensure progress along the path of liquidating the danger of nuclear war but would bring about its indefinite perpetuation," he said.

"Such an approach to the nonproliferation of nuclear weapons would only legislate the division of the world into nuclear and non-nuclear states and allow the nuclear powers to continue to increase their nuclear arsenal and perfect the technology of nuclear weapons."

Ceausescu said that "with the assuming by the non-nuclear states of the obligation of renouncing nuclear weapons, a nonproliferation treaty must contain precise obligations by the nuclear states regarding measures aimed at banning and destroying these weapons."

This is essentially the position taken by Sweden, Japan, Italy, and some other states, but regardled as unfeasible by Washington and Moscow.

India, faced with possible blackmail from Red China, has sought some built-in security pledge—but the United States has resisted this.

Ceausescu said, "it is quite justified and necessary that—until the complete liquidation of the nuclear weapons—non-nuclear states get security guarantees and, first of all, the pledge of states which have the nuclear weapon, not to use it against them and not to threaten, under any circumstances, the use of this weapon."

Some West German leaders have voiced concern the treaty would inhibit the growth of nuclear powerplants, and the Rumanian leader echoed this concern.

"Any restrictions regarding access to the peaceful use of nuclear energy would doom the non-nuclear countries to lagging behind, from the industrial and scientific point of view, and would encroach upon the right of all the peoples to benefit by the great achievements of modern civilization," he said.

Bodnaras pointed out, in his speech, that the production of the atom for peace "is inseparably linked with the process of producing the primary element of nuclear weapons, and peaceful research in some fields of nuclear technology is practically impossible to separate from that of military portent."

The Rumanian statement did not come as a surprise to U.S. officials—and presumably did not startle Russia either. Rumania is a member of the 17-nation Geneva conference discussing a nonproliferation treaty and these views have been stated privately by Rumanian diplomats.

But the public nature of the reservations is sure to slow down progress on arriving at a treaty that will be signed by the world community. France and Red China already have stated their lack of interest and many of the reservations stated by Rumania and others are unacceptable to the United States and Russia in treaty form.

Washington and Moscow appreciate the need for security of non-nuclear states, but believe this is a matter best taken up in the United Nations separately.

Rumania's independent position is in keeping with its policies of recent years.

Although professing strong support for the unity of the Communist world, Rumania consistently has taken unique positions, often appearing to be anti-Soviet. In recent months, for instance, Rumania has gone against the rest of the Warsaw Pact in establishing diplomatic ties with West Germany, in refusing to condemn Israel as an aggressor, and in its views toward China.

In his speech, Ceausescu had warm words for the Soviet Union, obviously striving to ease the somewhat strained relations between the two countries; he also had friendly remarks for the United States, Red China, and virtually every other country in the world.

Rumania, in fact, is the only country to have good relations with every major power.

[From the New York Times, July 30, 1967]

A Purge Reversal in Rumania Likely—Signs of Rehabilitation for Executed Red Are Noted

(By Richard Eder)

Bucharest, Rumania, July 28.—The rehabilitation of Rumania's most prominent victim of the Stalin-era purges is being predicted by a number of experienced diplomatic observers here.

The victim, Lucretiu Patrascanu, a Minister of Justice, was a founding member of the Rumanian Communist party and a leader of a national group, as opposed to the so-called Moscow group, during and after World War II.

He was something of a hero to the intellectuals, but he rapidly lost ground within the party. In 1948 he was purged for what were described as bourgeois attitudes, and in 1954 he was executed.

Mr. Patrascanu, a man of relatively broad intellectual range and flexibility, was a principal contact between the Communists and the democratic parties, both during the war and in the early coalition governments that followed.

UNDER SUSPICION

He came under suspicion of the hard-line groups led by Anna Pauker and Gheorge Georghiu-Dej that took control of the party. Because of his contacts with other groups and because he had some popularity, there was a suspicion that he intended to build an independent Titoist position quite incompatible with the strict Moscow line that prevailed at the time.

Other Communist parties have long since rehabilitated purge victims—Wladyslaw Gomulka in Poland, Rudolf Slansky in Czechoslovakia, Laszlo Rajk in Hungary and Traicho Kostov in Bulgaria.

A mention of Mr. Patrascanu in a recent issue of a historical journal, brief but not condemnatory, was one sign that his status might be undergoing a change.

Adding weight to this are reports that the Patrascanu case was discussed intensively during a meeting of the Central Committee late in June.

SECRET POLICE CRITICIZED

This meeting was devoted to critique of abuses by the secret police—nine speakers were listed on the subject—and its decisions provided the basis for the recent speech by the party First Secretary, Nicolae Ceausescu, announcing reform of the security police.

Rehabilitation of purge victims in Rumania creates a special problem.

In this case it was the man fully backed by the Russians—Mr. Gheorghiu-Dej—who led the shift himself, smoothly and without losing his grip. Since it was during Mr. Gheorghiu-Dej's rule that Mr. Patrascanu was tried and executed, any full-scale rehabilitation would tend to discredit the man whose associates are now running Rumania.

This leads some political analysts to speculate that the readjustment of history in Mr. Patrascanu's case will fall short of a full-dress one.

SOME DOWNGRADING NOTED

Yet it is noted that some diminution of the late Mr. Gheorghiu-Dej's memory has already taken place. In his speech about the secret police, Mr. Ceausescu stressed that the worst of the abuses took place not recently but several years ago.

More significantly, in putting the main units of political security—the political police and mobile guards—under a newly formed committee, Mr. Ceausescu asserted that this would prevent any one man from being able to dictate the political, economic and social destiny of the nation.

The implication brought to mind the case of Mr. Gheorghiu-Dej who, until he died in 1965, held undisputed control of many phases of Rumanian life.

Mr. Ceausescu, a generation younger, has put his associates in key positions and is undoubtedly the supreme figure here, though not to the same extent as his predecessor. On the nine-man party Presidium, it is customary to count five members as Ceausescu men.

FOUR OTHERS DIFFER

The four others—Chivu Stoica, Dimitriu Apostol, Emil Bodnaras and Alexandru Draghici, all of whom were like Mr. Ceausescu, close associates of Mr. Gheorghiu-Dej—are reported to be more independent. There are reports that some or perhaps all of these have expressed occasional doubts about the tactics of defying Moscow though not about the policy at issue.

The fact that Mr. Ceausescu called a Central Committee meeting before going ahead with the move on state security—not a practice of his—and the fact that his speech kept referring to the authority of the Central Committee, suggests to some experienced observers that he may have found his majority on the Presidium too narrow for a move of such importance.

In the light of this, some diplomatic observers believe that the cautious aspersions on the Gheorghiu-Dej era may lead to a gradual easing out of some or all of the four-man Presidium group.

[From the Christian Science Monitor]

Rumania Walks Alone

(By Eric Bourne)

Bucharest, Rumania.—Rumania has firmly reasserted its independent foreign policy both within and without the Communist world.

It has done so without seemingly aggravating the disagreement which has imposed strains on relationships with the Soviet Union and other bloc partners in the last few years.

It has not—as the more extravagant predictions on the eve of the current parliamentary session here had suggested—withdrawn or even hedged on its present membership in the Warsaw Pact and its parallel economic body, COMECON. Nothing really has changed.

It has said again, quite unequivocally, where it stands on international issues disturbing world and East-West relations—sometimes in line (Vietnam) and on several questions (Germany, the Middle East) out of step with its Communist allies. But it has done this without further offending the Russians. On the contrary, the latter might be gratified by the relative mildness—firm though he was on positions already taken—with which Rumanian policy was expounded by the party leader, Nicolae Ceausescu.

He was opening what is euphemistically called here a debate on foreign affairs by the "supreme forum of the country," though Mr. Ceausescu is not himself a member of the government. Foreign Minister Corneliu Manescu sat mute amid the main body of deputies while foreign policy was presented.

The speakers following Mr. Ceausescu's lengthy review merely echoed what the party leader had to say, though few of his hearers would dissent from his renewed declarations of independence.

That in fact was the main purpose of this parliamentary exercise.

The divergence between Bucharest and Moscow over Middle East policy seemed to the Rumanians to necessitate this further clarification of their position for their own people as well as the outside world.

With their usual flair for attracting attention to themselves, they drew a fair cross-section of the Western press to Bucharest and the sizable body of Soviet bloc journalists in residence here with advance hints that something interesting was afoot.

If there was nothing dramatic in the way Mr. Ceausescu restated Rumania's position, it was not, however, without significance.

Notable was the absence of any of the openly or implied provocations of the Soviets which has usually figured in his speeches or written pronouncements in the party. It was as if he had said, "Enough 'needling' of the Russians, we can make our policy clear without it."

Some recent events here have, in fact, indicated the existence of dissenters—few, perhaps, in number but of some influence—as a result of too great a loosening of bloc ties and affinities. Mr. Ceausescu has apparently dealt with those, but nonetheless, while sticking to old ground and an independent Rumanian policy, his tone was relatively mild and he said enough on other scores to mollify the Soviets and most of the East Europeans.

APPRAISAL SOFTENED

If he berated the big powers—and in this context Rumania would have mainly the Soviet giant of the Communist world in mind—for denying the small and medium powers a bigger voice in affairs, he was more generous in his appraisal of Soviet-Rumanian relations than Rumanian spokesmen have been for some time.

These were given high place in his rundown of contacts with other countries. The Soviet Union's role in World War II—both in the allied victory and in the liberation of Rumania—was more warmly acknowledged. So, too, was its massive contribution to Rumanian foreign trade.

He put strong stress on the need for restoring unity in the Communist world and urged more and more meetings and exchanges among Communist parties, though steering clear of anything like the world assembly demanded by Pravda on the eve of this session.

He reaffirmed Rumania's adherence to the Warsaw Pact and credited COMECON with a "positive part" in economic relations within the bloc. He disclosed that Rumania has advanced its own proposals which now are being negotiated for more cooperation and production between its members. He left no doubt about Rumania's individual attitude towards West Germany, the Middle East, and the nuclear nonproliferation treaty where Rumania's view has much in common with Western concepts. But the Soviets can * * * accept these if the Rumanians show no signs of rocking the boat further.

The sharpest overt words were for the United States—over Vietnam, of course, and the Arab states, who were bluntly urged to abandon dreams of "liquidating" the state of Israel. On this score anyway, the Rumanians say, the gap between themselves and Moscow is not now so great since the latter is reportedly advising the Arabs to recognize Israel as part of a plan to secure its withdrawal from Arab territory.

[From the Washington Star, July 30, 1967]

Rumania to the Arabs

In his address the other day to the National Assembly in Bucharest, Nicolae Ceausescu spoke warmly of Rumanian-Soviet friendship and cooperation. Once again, however, he made clear that his independence-minded country, though Communist-run and a member of the Warsaw Pact, differs from the Kremlin on a number of key issues.

A significant example revolves around the Mideast crisis. Despite Moscow's pressures, Bucharest flatly refused to go along with the Soviet bloc's futile efforts, led by Premier Kosygin, to persuade the recent emergency session of the United Nations to condemn the Israelis as aggressors. Ceausescu, chief of Rumania's Communists, reasserted this divergence in his National Assembly speech. Further, he used the occasion to deliver a polite but blunt lecture to the Arab militants. Suggesting that they engage in peace talks, he told them: "We do not understand and do not share the position of those circles which speak in favor of the liquidation of the state of Israel. . . . the lessons of history show that no people can achieve their national and social aspirations against another people's right to existence."

No other Communist leader has spoken out so forthrightly and constructively on the subject. Certainly the Russians have not. On the contrary, as far as the open record goes, their policy—despite a belated behind-the-scenes effort at the U.N. to persuade the Arabs to be reasonable—apparently consists of nothing but a continuing one-sided condemnation of the Israelis, a show of Soviet naval force in Egyptian ports and disturbingly heavy arms shipments to such revenge-seeking Arab states as President Nasser's Egypt.

In his recent cheerless report to his misled countrymen, Nasser repeated his stale war slogans. But he did declare, even if ambiguously, that he would "never slam the door to a political settlement" to bring peace to the Middle East.

If these words mean anything at all—which may be a big "if"—then possibly Rumania's sound advice may yet find a hearing and a positive response in the self-deluded Arab world. It is a world desperately in need of such action.

ECONOMIC IMPACT BUDGET

The **SPEAKER** pro tempore. Under a previous order of the House, the gentleman from Wisconsin [Mr. Laird] is recognized for 5 minutes.

Mr. **LAIRD**. Mr. Speaker, in the near future Congress will apparently be presented with a Presidential request for a tax increase. In January 1966, the administration considered and rejected such a step, and the ensuing 18 months of inflation, chaotic credit conditions, and general economic jitters have left a rather widespread impression that the decision not to raise taxes in early 1966 was a costly mistake.

We should not be forced once again to legislate in the dark. It is vital that the right decision be made this time.

An essential ingredient for making that decision is a determination of the impact Government has on the economy. We have had the tools for determining this for many years but, incredibly, they have not been utilized by the executive branch.

It is for this reason, Mr. Speaker, that I bring to the attention of my colleagues, and to officials in the executive branch, a newly developed instrument for measuring the impact of Government on the economy. This instrument is an "economic impact budget," which is described in the July issue of the Michigan Business Review. Under unanimous consent, the article by Mr. Michael Hugo will be inserted at the conclusion of my remarks.

Mr. Speaker, this "economic impact budget" measures obligations incurred—orders and contracts placed—by the Federal Government, and enables the analyst to detect the initial impact of Government outlays. Expenditures may not occur for months after the Government places its orders, but the order itself usually causes immediate pressure on the private economy. This pressure cannot be seen in the regular cash budget, which measures cash expenditures.

If this economic impact budget had been employed in January, 1966, it would have given Congress a far different picture of the budget than was available from the cash budget. To evaluate the economic impact of the midyear revisions in the fiscal 1966 budget, the cash budget gave Congress this information:

CONSOLIDATED CASH STATEMENT, ESTIMATES FOR FISCAL YEAR 1966

[In billions]

	Original, as of January 1965	Revised, as of January 1966	Change
Expenditures (cash)	$127.4	$135.0	+7.7
Receipts (cash)	123.5	128.2	+4.7
Deficit	−3.9	−6.9	3.0

However, the economic impact budget showed a very different picture:

ECONOMIC IMPACT BUDGET, ESTIMATES FOR FISCAL 1966

[In billions]

	Original, as of January 1965	Revised, as of January 1966	Change
Expenditures (obligations)	$135.7	$153.7	+18.0
Receipts (accrual)	121.7	129.2	+7.5
Deficit	−14.0	−24.6	10.6

These figures tell a vital story. In terms of impact on the resources of the private sector, the midyear version of the fiscal 1966 budget hit the economy like a ton of bricks. This impact was not evident in the regular cash budget.

It is clear that in January, 1966, Congress and the public were not provided with complete evidence. Incredibly, obligations incurred were completely ignored in the President's budget message, the Economic Report of the President, and the Annual Report of the Council of Economic Advisers. In short, these three documents, which supposedly define and justify the Government's fiscal policy ignored the data which were of more importance than any other at that particular time.

Mr. Speaker, this kind of decision based on incomplete information, cannot be permitted to happen again. The administration must present, as part of its case for a tax increase, complete and up-to-date information on Federal finances, including obligations incurred. Without such information, Congress simply cannot make a sound decision as to which fiscal policies, if any, are now needed.

The President should immediately begin supplying Congress and the American people with monthly tabulations of obligations incurred.

It seems to me that the "economic impact budget" can clearly serve as a useful supplementary tool in aiding Congress in its consideration of fiscal measures.

Without such information, Mr. Speaker, Congress will continue to be forced to legislate in the dark on matters of grave importance to our economy. This would be an intolerable situation.

The article referred to above, follows:

AN "ECONOMIC IMPACT BUDGET"

(About the Author: Michael Hugo is a public finance analyst with the American Enterprise Institute for Public Policy Research, Washington, D.C. He notes that this paper represents his views only, not the views of the Institute.)

(By Michael Hugo)

The financial operations of the federal government have a substantial impact on the American economy, and this impact creates an urgent need, by public and private decisionmakers, for complete and meaningful information concerning the nature and extent of those operations. Unfortunately, most analysis of fiscal policy rests on a body of statistical data which is, in a vital respect, incomplete.

Nearly all evaluations of the impact on the economy of federal expenditures and revenues have as their empirical core the two conventional budget statements: (1) the consolidated cash statement and/or (2) the federal sector of the national income and product accounts. This holds true even though it is generally recognized that these series suffer from a major structural limitation; namely, they record only the *payment* (consolidated cash statement) or *delivery* (federal sector accounts) stage of the expenditure process.

An important amount of economic activity is generated when contracts and orders *are initially placed* (obligations incurred), and the conventional series do not indicate this initial impact on economic activity if enough time elapses between obligation and delivery or payment so that these stages are registered in different recording periods.[1] A complete picture of government expenditure would include data on orders placed, and thus be *three*-dimensional, measuring (1) orders, (2) payments, and (3) deliveries.

The nature of the process of government expenditure thus argues that the conventional series present a seriously inadequate picture of federal impact,[2] and, *a priori*, numerous rough calculations support this argument. For example, of the obligations incurred by object class for fiscal 1965, five object classes—accounting for 41 percent of the obligations—appear likely to have involved a significant time lag between obligation and payment or delivery; that is, a time lag which could place obligations for an object class in one fiscal year, and deliveries or payments in a subsequent fiscal year.[3] Some specific consequences of this asynchronization are the differences between obligations and payments which can be observed in Table I. These data indicate the relative magnitudes involved in adding an obligations dimension to the conventional payments series. The analytical significance of this dimension, of course, depends on a qualitative evaluation of the data, and professional literature is replete with vigorous—though general—assertions that the employment of obligations data would greatly enhance the validity of fiscal analysis.[4]

TABLE I.—COMPARISON OF NET OBLIGATIONS TO THE PUBLIC[1] "OBLIGATIONS" AND CASH PAYMENTS TO THE PUBLIC "PAYMENTS," FISCAL YEARS 1962-68

A. In billions of dollars

Fiscal years	National defense [2]			Nondefense			Total		
	Obligations	Payments	Excess of obligations or payments (−)	Obligations	Payments	Excess of obligations or payments (−)	Obligations	Payments	Excess of obligations or payments (−)
1962	52.3	51.5	0.9	60.2	56.2	4.0	112.5	107.7	4.9
1963	51.6	53.4	−1.8	64.8	60.3	4.5	116.5	113.8	2.7
1964	52.8	54.5	−1.2	69.1	65.8	3.3	121.9	120.3	1.6
1965	52.9	50.8	2.1	75.0	71.6	3.4	127.9	122.4	5.5
1966	65.9	58.5	7.4	82.3	79.4	3.0	148.2	137.8	10.4
1967	78.3	71.3	6.9	91.8	89.5	2.2	170.0	160.9	9.1
1968	79.3	76.8	2.5	101.4	95.6	5.9	180.7	172.4	8.3

See footnotes at end of table.

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[1] This problem has been dealt with extensively by Murray Weidenbaum. See "The Economic Impact of the Government Spending Process," *The Business Review of the University of Houston*, Vol. 8, Spring, 1961, pp. 3–47.

[2] *Ibid.*, pp. 4–16.

[3] See technical note No. 1, appended hereto.

[4] Joseph Scherer, "On Measuring Fiscal Policy," *The Journal of Finance*, Vol. 20, No. 4 (December, 1965), pp. 685–86; Michael E. Levy, *Fiscal Policy, Cycles and Growth* (New York: The Conference Board, 1963), pp. 119–20; Weidenbaum, *op. cit.*, pp. 4–6, and "The Timing of the Impact of Government Spending," *National Tax Journal*, Vol. 12, No. 1 (March, 1959), pp. 79–85.

B. In Terms of Percentage Growth From the Preceding Fiscal Year

Fiscal years	National defense [2]		Nondefense		Total	
	Obligations	Payments	Obligations	Payments	Obligations	Payments
1963	−1.3	3.7	7.6	7.3	3.6	5.7
1964	2.3	2.1	6.6	9.1	4.6	5.7
1965	.01	−6.8	8.5	8.8	4.9	1.7
1966	24.6	15.2	9.7	10.9	15.9	12.6
1967	18.8	21.9	11.5	12.7	14.7	16.8
1968	1.3	7.7	10.5	6.8	6.3	7.1

[1] Net obligations of administrative budget and trust funds, minus interfund and intragovernmental transactions and contributions to Government employee retirement funds.

[2] "National defense" covers the same accounts as does the functional classification "National defense" in the consolidated cash statement.

MERITS OF THE OBLIGATIONS SERIES

Obligations series receive high marks on two other counts. First, obligations have blue ribbon credentials as a series of financial statistics. As a financial statistic, the concept is fully defined by statute and administrative regulation,[5] and the data are precisely and verifiably anchored in the operating statistics of government agencies.[6] Secondly, for the executive branch, obligations represent the major points of financial control and political responsibility.[7] In these regards obligations have the same significance for the executive that appropriations have for the Congress.

The analytical application of obligations data remained unlikely so long as the information was presented only in the detail of the budget appendix, and this impediment prevailed until 1958. Administrative budget obligations were totaled for the first time in the budget for fiscal 1959, and a summary of administrative budget obligations by agency first appeared in the budget for fiscal 1963. The last five budgets have contained summary tables on obligations incurred for administration budget and trust funds, and the summary tables in the last three budgets have been supplemented by a detailed analysis, issued separately by the Bureau of the Budget, which itemizes obligations by object for the government as a whole, and for each major agency, for administrative budget and trust funds.

However tardy these developments have been, they now provide a significantly enhanced capability to analyze the economic impact of federal transactions. Regrettably, this capability has yet to be exploited; both the summary obligations data available with the last five budgets and the detailed series which accompanied the last three budgets have been largely ignored in both professional and lay analyses of the economic impact of these budgets.[8]

CONSTRUCTING THE ECONOMIC IMPACT BUDGET

This paper is intended to suggest, as one possibility for employment of obligations data, that a given budget's economic impact could be measured more fully and accurately if the conventional series were supplemented by an "economic impact budget" based on *obligations incurred* and *accrued receipts*. The "economic impact budget" (hereafter referred to as EIB) can be easily constructed from available budget data. It is best understood as the consolidated cash statement with (1) obligations incurred substituted for the conventional checks-paid recording of expenditures, and (2) receipts adjusted to show the accrual of business taxes. And the difference between:

Net obligations to the public and *cash consolidated receipts, adjusted to accrual basis* equals "economic impact budget" surplus or deficit.[9]

On the expenditure side, the aggregate for any year is derived simply by adding net obligations incurred for administrative budget and trust funds, and then deducting intragovernmental and interfund transactions which do not involve the public. These transactions represent payments between the administrative budget and trust funds, payments within these funds, and contributions to government employees retirement funds. On the receipts side, the EIB places consolidated cash statement receipts on an accrual basis by using the same adjustment factor which is applied in the budget in converting consolidated cash receipts to federal sector receipts. Only business taxes, of course, need such adjustment.

EIB AS A LEADING INDICATOR

The value of obligations incurred as a rough "leading indicator" is readily apparent. However, use of the EIB to attempt precise measurement of the aggregate and net impact of government transactions on the economy entails several very clear hazards. For transactions where delivery and payment will significantly lag behind obligation, the EIB will somewhat overstate the initial impact of government outlays on manpower and machinery. The EIB records the entire amount of a government order or contract (obligation incurred) in a single fiscal period, even though government outlays for other than current services and transfer payments will utilize productive resources during subsequent fiscal periods.

Further, the ability of the EIB to measure government's impact on liquidity depends on where and when the costs of production are financed. If most of the cost of filling a government order is financed internally or by borrowing within the private sector, then the EIB's obligation incurred would serve as an accurate and simultaneous record of this mobilization of financial resources. In contrast, the conventional budget series would not register this activity. On the other hand, if private sector financing is undertaken gradually over the period of production, then the obligation incurred would represent an exaggerated picture of the initial impact on liquidity. Finally, if the government makes advance or progress payments, these would be registered in the consolidated cash series.

EMPLOYMENT OF THE EIB

The January 1966 budget submission was the subject of unusually intense interest concerning the effect which Vietnam funding could have on the overall composition of the budget, the effects which that budget might in turn have on the economy, and the related fiscal policy measures, if any, which the administration would undertake. Nearly all public analyses of the budget submission and of the policy statements set forth in the Economic Report [10] were based on one or more of the conventional budget series. Yet it is hard to imagine a situation where obligations data were so imperative for valid analysis of fiscal policy.

Table II represents an application of the Economic Impact Budget as of January, 1966. From the data in this table, it is evident that the major implication for fiscal policy of the budget for fiscal 1967 related not to the proposals for the budget year (fiscal 1967) but to the midyear estimates for fiscal 1966 which had been substantially revised since the fiscal 1966 budget was originally submitted. Specifically, the estimate for obligations incurred during fiscal 1966 (EIB basis) was revised from $135.7 billion to $153.7 billion. The 1965 to 1966 increase was originally estimated at $3.8 billion; the midyear estimate was $25.8 billion. The conventional series did not register these revisions, which virtually constituted a new budget for fiscal 1966. In short, in this set of circumstances, the conventional series entirely missed the main point—for fiscal analysis—of the budget submitted in January, 1966.

TABLE II.—ORIGINAL AND REVISED BUDGET PROPOSAL FOR FISCAL 1966

Original as of January 1965

[In billions of dollars]

	1965 estimate	1966 estimate	Change
EIB BASIS			
Defense [1]	53.8	52.7	−1.1
Nondefense [1]	78.1	83.0	+4.9
Total	131.9	135.7	+3.8
Receipts	116.5	121.7	+5.2
Surplus or deficit	−15.4	−14.0	1.4
CCS BASIS			
Defense [1]	50.1	50.0	−.1
Nondefense [1]	71.2	77.4	+6.1
Total	121.4	127.4	+6.0
Receipts	117.4	123.5	+6.1
Surplus or deficit	−4.0	−3.9	1.0
Revised as of January 1966			
EIB BASIS			
Defense [1]	52.9	67.5	+14.5
Nondefense [1]	75.0	86.3	+11.3
Total	127.9	153.7	+25.8
Receipts	119.9	129.2	+9.3
Surplus or deficit	−8.1	−24.6	16.5
CCS BASIS			
Defense [1]	48.2	55.0	+6.9
Nondefense [1]	74.2	80.0	+5.8
Total	122.4	135.0	+12.7
Receipts	119.7	128.2	+8.5
Surplus or deficit	−2.7	−6.9	

[1] For the EIB, "defense" covers the same accounts as does the functional classification "national defense" in the consolidated cash statement.

During the last half of fiscal 1966, the belief was widespread among private analysts that the influence of federal expenditures on the economy was significantly greater than conventional budget figures indicated. This influence stemmed from a substantial acceleration of federal orders during the last half of fiscal 1966. Final figures for obligations incurred (EIB basis) show the full extent of the 1965–66 acceleration, which fall short of the levels indicated in January, 1966. (Table II).

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[5] Public Law 663, 83rd Cong., amended by P.L. 79, 86th Cong., 31 USCA 200, "Instructions Relating to Apportionments and Reports on Budget Status," Bureau of the Budget Circular No. A–34, July, 1960.

[6] In contrast to figures which make up the Federal Sector of the National Income and Product Accounts (FSNI&PA). FSNI&PA totals are derived by numerous adjustments for timing and coverage, many of which must by nature, be tenuous. FSNI&PA figures are not published at all for individual programs.

[7] The President may establish reserves "to provide for contingencies or to effect savings . . ." (P.L. 759, 81st Cong.; 31 USCA 665). The effect of this authority is to provide the President with wide discretion as to when—or whether—funds authorized by Congress shall actually be obligated.

[8] An exception was Murray Weidenbaum's "The Inflationary Impact of the Federal Budget," Washington University Working Paper 6529, February 10, 1966.

[9] See technical note No. 2 appended hereto.

[10] *Economic Report of the President*, transmitted to the Congress, January, 1966, together with *The Annual Report of the Council of Economic Advisers* (Washington: U.S. Government Printing Office, 1966).

TABLE III

[In billions of dollars]

	1965 actual	1966 actual	Change
Obligations incurred (EIB):			
Defense	52.9	65.7	+12.9
Nondefense	75.0	82.3	+7.3
Total	127.9	148.2	+20.3
Receipts	119.9	133.3	+13.4
Surplus or deficit	−8.1	−14.9	6.8

The midyear (January, 1967) obligations figures (EIB basis) for fiscal 1967 show trends which are strikingly similar to those apparent in the mid-year estimates for fiscal 1966. The original estimate for obligations incurred in fiscal 1967 was $156 billion; the midyear estimate is $170 billion. The 1966–67 increase was originally $2.2 billion; the midyear estimate is $21.8 billion. Fiscal 1968 shows an excess of obligations over payments of $8.3 billion; in weighing economic impact, this figure must be considered together with the possibility of a third straight major mid-year revision in January, 1968.

The value of the EIB as a supplement to the conventional budget series is clearly highest when substantial government outlays are being made for items with a "significant lag" between obligation and delivery or payment. Recent budgets have pegged such outlays at a high level, and subsequent budgets will very likely be similarly composed. In such a situation it will not be possible to draw an adequate picture of the impact of the federal financial program on the economy unless obligations data is employed as an additional dimension to the consolidated cash statement and federal sector accounts.

TABLE IV.—DETAIL AND DERIVATION, ECONOMIC IMPACT BUDGET

[In millions]

	1962	1963	1964	1965	1966	1967 estimate	1968 estimate
Net obligations of administrative budget and trust funds	$117,472	$121,754	$127,303	$133,724	$154,045	$177,666	$188,587
Deduct interfund and intra-governmental transactions	−4,102	−4,381	−4,399	−4,765	−4,764	−6,524	−6,732
Deduct deductions from employees' salaries for retirement	−848	−917	−976	−1,046	−1,092	−1,135	−1,135
Net obligations to the public	112,522	116,456	121,928	127,913	148,189	170,007	180,720
Receipts, consolidated cash statement	101,887	109,739	115,530	119,699	134,480	154,662	168,106
Adjust business taxes to accrual basis	+2,500	+600	−700	+200	−1,200	−3,900	+400
Adjusted receipts, consolidated cash statement	104,387	110,339	114,830	119,899	133,280	150,762	168,506
Surplus or deficit, economic impact budget	−8,135	−6,117	−7,098	−8,070	−14,904	−19,245	−12,214

TECHNICAL NOTE NO. 1

The author constructed these speculative estimates from object class descriptions set forth in Budget Bureau circular A–12, "Uniform Classification According to Objects," April, 1961. Obligations incurred for fiscal 1965 were classified as follows:

	Percent
Significant lags (41 percent):	
Equipment	7.9
Lands and structures	2.6
Grants, subsidies, contributions	11.4
Supplies and materials	12.7
Research and development *	6.6
Insignificant lags (58 percent):	
Personal services and benefits	19.0
Travel and transportation of persons and things	2.5
Rent, communications, utilities	1.1
Printing and reproduction	.2
Other services, except for R & D	6.2
Investments and loans	6.8
Insurance claims and indemnities	15.3
Interest and dividends	7.1
Refunds	.2

*The official object classes do not separately identify obligations for research and development contracts, but a close estimate can be derived from (1) data on obligations for all R & D contained in Tables 1 and 2 of "Special Analysis I" of the Fiscal 1967 Budget, and (2) comparisons of intramural and extramural R & D contained in Volume 14 of *Federal Funds for Research, Development, and Other Scientific Activities* (National Science Foundation, July, 1956), Table C–54.

Unfortunately, the "object classes" used by the Bureau of the Budget are, from the point of view of economic analysis, deplorably heterogeneous. For example, object class 26 totals, without distinction, obligations for office supplies, chemicals and fuels, ammunition and explosives, and materials and parts for construction and repair of equipment and structures. Object class 31 lumps together obligations for furnishings, books, machinery, transportation equipment, and armament. Object class 32 does not distinguish between obligations for land, interest in land, acquisition of structures, construction of structures, and fixed equipment. Object class 41 combines grants and subsidies to State and local governments, individuals, and extranational recipients.

If it were possible to establish probable time lags for certain object classes or subclasses, it would still be necessary to relate time and behavior. A six month lag between obligation and payment or delivery for a particular object class is significant only in relation to the length of the fiscal period, and to points in time within single or successive periods. A six month lag would be highly significant on a quarterly basis, but its significance within twelve months would depend on the point of obligation within that twelve months.

TECHNICAL NOTE NO. 2

In order to maintain symmetry with the consolidated cash statement, the EIB shows obligations to the public *net of receipts*. However, *gross* obligations to the public provide a more realistic measure of the government's aggregate impact on the economy. While the surplus or deficit remains the same, the difference between net and gross obligations to the public is substantial.

[In billions of dollars

	1966 actual	1967 estimate	1968 estimate
Gross obligations	$204.9	$235.0	$246.9
Deduct interfund and intragovernmental payments	4.8	6.5	6.7
Deduct reimbursements between accounts	28.1	32.5	30.0
Gross obligaions to the public	172.0	196.0	210.3
Deduct recoveries of prior year obligations	1.5	1.2	1.1
Deduct receipts from the public	19.8	22.2	25.9
Net obligations to the public [1]	150.7	172.6	183.3

[1] In order to make this total correspond precisely to net obligations to the public EIB basis, it would be necessary to deduct payments to employees' retirement funds, as is done in table IV.

The receipts from the public which are applied directly to finance program operations serve to substantially reduce the apparent magnitude of government financial operations. The $25.9 billion of such fiscal 1968 receipts were collected by five types of accounts:

[In millions]

Public enterprise (revolving) fund accounts	$21,330
Trust enterprise (revolving) fund accounts	1,939
Intragovernmental revolving and management fund accounts	1,851
General fund accounts	559
Trust fund accounts	193

Some of the major programs involved are:

FISCAL 1968

[In millions of dollars]

Program	Gross obligations	Net obligations
Department of Agriculture, Commodity Credit Corporation: Price support and related programs	8,221	2,615
Farmers Home Administration:		
Agricultural credit insurance fund	752	−12
Rural housing insurance fund	469	−15
Direct loan account	529	−487
Rural housing direct loan account	60	−1,621
Post Office Department: Postal fund	6,804	651
Department of Housing and Urban Development:		
Renewal and housing Assistance:		
Urban renewal fund	447	79
College housing loans	362	−1,298
Low-rent public housing fund	948	368
Federal National Mortgage Association:		
Management and liquidating functions	244	−302
Special assistance functions	505	121
Participation sales fund	350	----------
Loans, secondary market operations	1,400	----------
Federal Housing Administration:		
Federal Housing Administration fund	1,000	16
Veterans' Administration: Direct loan fund	203	−94
Export-Import Bank: Export-Import Bank fund	2,852	753
Small Business Administration: Business and loan and investment fund	605	5
Tennessee Valley Authority: Tennessee Valley Authority fund	506	113

WHO MAKES FISCAL POLICY?

Mr. EDMONDSON. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. OTTINGER] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. OTTINGER. Mr. Speaker, it was with wondrous disbelief that I read in the report of the Committee on Armed Services with respect to the military construction bill passed yesterday over my protest, that the huge $2.3 billion authorization was proposed by the Department of Defense on the assumption that "the inflationary trends of a year ago have abated" and the "economy can both absorb and benefit from an increase in construction placements." This dubious conclusion was said to have been reached after a Defense Department review of key economic indices and the national economic situation.

Since when has the Defense Department become so expert in economics? And if it has, then why does it not communicate its remarkable findings to the rest of the administration?

How can the administration say in one breath that the economy can "afford and benefit from" the stimulus of additional billions in nonessential Federal spending and in the very next breath insist that it needs a tax increase to combat inflation? How can the President expect support for his proposed tax increase when his chief advisers deny the existence of inflation and actually propose inflationary spending programs?

The tax increase problem aside, the administration simply must establish tight priorities on all Federal programs at a time when so much of our national resources are devoted to the conflict in Vietnam. I fully support that minute portion of the military construction bill which is needed to support our troops in Vietnam. But more than $2.2 billion of the $2.3 billion authorization is for other purposes which strike me as being decidedly nonessential.

The great bulk of the construction bill is for privileged domestic military housing in more than 40 States. Even recreational facilities are included. The bill passed overwhelmingly because it was cloaked with the sanctity of military sponsorship, but in reality it was as much a "pork barrel" measure as the $4.3 billion public works appropriation I voted against last week.

If we are to support our troops in Vietnam and still maintain domestic programs essential to the national health, safety and welfare, then we simply must make up our minds to cut programs of lesser priority. As desirable as additional military housing in the United States may be, it is far more vital to provide adequate housing for the millions of slum dwellers suffering intolerable conditions in our urban areas; to provide increased educational opportunities for our young people; and to provide equal opportunity for the Nation's poor.

It is time for the administration to set strict spending priorities to eliminate wasteful programs and to defer programs which have no immediacy. It is time for the administration to enunciate a coherent economic policy that does not promote inflation with one hand while proposing higher taxes to combat inflation with the other.

I intend to continue opposing this kind of low priority spending until the administration sets sensible priorities on Federal programs and starts to exercise at least a modicum of fiscal responsibility.

NAME WESTON NUCLEAR ACCELERATOR AFTER DR. FERMI

Mr. EDMONDSON. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. BINGHAM] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. BINGHAM. Mr. Speaker, I have today introduced a proposal to name the nuclear accelerator to be built at Weston, Ill., after the late Italo-American physicist Dr. Enrico Fermi. Dr. Fermi's creative genius was a major factor in unleashing the secret of the atom. I take great pleasure in joining our colleague from Illinois [Mr. ANNUNZIO] in sponsoring this proposal.

Dr. Fermi came to these shores because his love of freedom made Mussolini's Italy an unacceptable place in which to live and work. By his outstanding service, Dr. Fermi brought honor to his adopted country. He is one of those of Italian origin who have made great contributions to the art, sciences, and government. This bill would simply demonstrate the respect we bear his memory.

MICRONESIA SENATE RESOLUTION

Mr. EDMONDSON. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. BINGHAM] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. BINGHAM. Mr. Speaker, on May 24, I introduced House Joint Resolution 594 to establish a Commission, including Members of the Senate and House, to study the future political status of the Trust Territory of the Pacific Islands and to make recommendations to the President and to the Congress.

I was gratified recently to receive from the Clerk of the Senate of the Congress of Micronesia a certified copy of Senate Resolution 1, S.D. 1, endorsing "the spirit and intent" of my joint resolution and respectfully urging the U.S. Congress to adopt it.

I insert herewith the communication I received together with the text of the resolution:

CONGRESS OF MICRONESIA,
July 20, 1967.

Hon. JONATHAN B. BINGHAM,
U.S. House of Representatives,
Washington, D.C.

SIR: I transmit herewith certified copy of Senate Resolution No. 1, S.D. 1, which was adopted by the Congress of Micronesia, Third Regular Session, 1967.

Respectfully,

BALERIO U. PEDRO,
Clerk of the Senate.

CONGRESS OF MICRONESIA.

THE SENATE OF THE CONGRESS OF MICRONESIA—SENATE RESOLUTION NO. 1, S.D. 1

We hereby certify that the foregoing Senate Resolution was adopted by the Senate of the Congress of Micronesia, Third Regular Session, 1967, on the 17th day of July, 1967.

JOHN O. NGIRAKED,
President of the Senate.
BALORIO U. PEDRO,
Clerk of the Senate.

SENATE RESOLUTION 1, S.D. 1

Resolution endorsing the intent and spirit of the House Joint Resolution 594 in the United States Congress to establish a Commission to study the future political status of the trust territory

Whereas, on May 24, 1967, the Honorable Jonathan B. Bingham of New York introduced in the United States Congress House Joint Resolution No. 594, to establish a Commission, including members of the Senate and the House of the United States Congress, to study the future political status of the Trust Territory and make recommendations to the President of the United States, and the United States Congress; and

Whereas, at its Second Regular Session of 1966, the Congress of Micronesia passed House Joint Resolution No. 47, calling for the establishment of a Commission to ascertain the political desires of the people of Micronesia, and to develop and recommend procedures and courses of political education and action, with such alternatives as may be applicable and appropriate, and to lead to the attainment of such desires and determination of the political status of Micronesia; and

Whereas, the Senate of the Congress of Micronesia considers Congressman Bingham's Resolution to express the spirit and intent of the Congress of Micronesia House Joint Resolution No. 47; now, therefore,

Be it resolved by the Senate of the Congress of Micronesia, Third Regular Session, 1967, that this august body endorses the spirit and intent of House Joint Resolution No. 594 of the House of Representatives of the United States Congress and hereby respectfully urges the United States Congress to vote in favor of the proposal contained in the subject Joint Resolution or a similar proposal which would accomplish the same purpose; and

Be it further resolved that certified copies of this Resolution be transmitted to the President of the Senate of the United States Congress, to the Speaker of the House of Representatives of the United States Congress, to the Senate Chairman of Interior and Insular Affairs Committee, the Honorable Henry Jackson, to the House Chairman of Interior and Insular Affairs Committee, the Honorable Wayne Aspinall; to the Congressman from New York, the Honorable Jonathan B. Bingham; and to the High Commissioner of the Trust Territory, the Honorable William R. Norwood.

Mr. Speaker, I was also delighted to learn that the distinguished majority leader of the U.S. Senate, Senator MANSFIELD, of Montana, had introduced a resolution similar to mine in the other body. The New York Times recently commented on Senator MANSFIELD's resolution in an article I insert herewith:

PACIFIC TRUST—HAS UNITED STATES FAILED?

(By E. W. Kenworthy)

WASHINGTON.—The final cut in the Administration's foreign aid request will certainly be less than the $736-million slash made last week by the Senate Foreign Relations Committee, but it is still likely to be on the order of $500-million. If Senate Majority Leader Mike Mansfield had his way, a smidgin of this savings—say, $10-million—would be used for a supplemental appropriation for a piece of territory toward which, in Mr. Mansfield's view, the United States has a more direct obligation than it does toward many underdeveloped beneficiaries of foreign aid.

The territory comprises 2,141 islands of varying size, spread around more than 3 million square miles of the South Pacific. The islands were mandated to the United States by the United Nations in 1947 under the title of the Pacific Trust Territory. The largest island groups are the Marshalls, the Carolines and the Marianas.

UNITED STATES RETAINS CONTROL

In a Senate speech a few days ago that went largely unnoticed. Mr. Mansfield reminded the Senate that this trusteeship was of a peculiar kind—a so-called "strategic trusteeship," which gives the United Nations technical supervision of the territory but leaves actual control solely to the United States.

Mr. Mansfield also reminded the Senate that the mandate charged the United States with promoting "the economic advancement and self-sufficiency of the inhabitants." That obligation, he said, had not only not been met, but "there are many who contend that life for the islanders was better under the Japanese," who at least had a commercial interest in the area and therefore made a beginning on providing roads, water supply, electric power and schools.

These rudimentary facilities were destroyed in the war, and, Mr. Mansfield charged, "unfortunately the United States has let more than two decades pass before making a serious attempt to replace them.

The blame for this situation, Mr. Mansfield spread even-handedly. The most the Eisenhower Administration ever requested for the territory was $7.5-million a year, and the most the Congress ever appropriated was just over $6-million—enough, Mr. Mansfield said, for administrative costs but with little left over for "urgent social and economic needs."

In 1961, the mounting criticism led the Kennedy Administration to ask for $17.5-million, and this amount has since been the annual authorization request. But actual appropriations have sometimes fallen short of what the interior committees of both houses of Congress have authorized. Thus, in fiscal 1967, a supplemental appropriation of $12.5-million was authorized, but only $1.6-million was appropriated. For fiscal 1968—the current fiscal year—a total of $35-million was authorized but only $25-million appropriated.

All of this was by way of a prelude to a joint resolution introduced by Mr. Mansfield to create a 15-member commission, appointed by the President, the Senate, the House and the Micronesian Congress in Saipan which would ascertain the wishes of the people of the trust territory as to their future political status.

The prospects for action on the Mansfield resolution (a similar one has been offered in the House by Representative Jonathan Bingham, Democrat of New York) are believed good.

But money is still urgently needed for basic facilities—water, sewage disposal, roads, power plants, schools and hospitals—and Mr. Mansfield expressed the hope that President Johnson would include the trust territory in his supplemental request and that Congress "would seize the opportunity to make good" on the nation's responsibilities.

Mr. Speaker, I was greatly distressed by an article which appeared in the U.S. News & World Report of August 7 to the effect that "military officials" in the Pentagon are working on plans to establish major U.S. military bases on the islands of Saipan, Tinian, and Rota, which are in the trust territory. Certainly no such action should be taken until the Micronesian people have had a chance to decide whether they wish to remain associated with the United States or not. I have written to the Secretary of Defense expressing my concern about this report and asking for information as to its validity.

For those readers of the Record who may be interested in a more detailed statement of the reasons for my introduction of House Joint Resolution 594, I should like to say that a speech I made on the subject earlier this year was kindly introduced into the Congressional Record at page 16067 by Senator Fong, of Hawaii.

LEGISLATION TO SUBSTANTIALLY AMEND THE FEDERAL CIGARETTE LABELING AND ADVERTISING ACT

Mr. EDMONDSON. Mr. Speaker, I ask unanimous consent that the gentleman from California [Mr. Moss] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. MOSS. Mr. Speaker, I rise to thank my 41 colleagues who have today coauthored legislation substantially amending the Federal Cigarette Labeling and Advertising Act.

Last year cigarette makers spent $198 million for television advertising and $31.3 million for radio advertising for a total expenditure of $297.5 million. That advertising effort was aimed primarily at the teenagers in our Nation. For example, during a single week last January 60 network programs were sponsored by six major cigarette manufacturers. On the average, about eight of the 60 programs were estimated to have been seen by each of the 18 million Americans in the 13 to 17 age group.

During 1966 the cigarette sales in our Nation reached an all-time record of 539 billion. That, Mr. Speaker, is an increase of 8.7 billion in 1 year.

It is an obvious fact that cigarette commercials increasingly appeal to the youth of our Nation. They not only ignore the serious existing health hazard but imply that smoking is necessary for social prestige, aids in attracting the opposite sex, and generally makes one more popular.

A survey conducted last April established that 82 percent of those interviewed considered our present labeling requirement insufficient.

On behalf of the parents of the 5,000 youngsters who start smoking each day I heartily commend my 41 colleagues for their action today.

A list of the coauthors and the measure introduced follows:

Rep. Jonathan B. Bingham (D-N.Y.)
Rep. Richard Bolling (D-Mo.)
Rep. John Brademas (D-Ind.)
Rep. George E. Brown, Jr. (D-Calif.)
Rep. Phillip Burton (D-Calif.)
Rep. Daniel E. Button (R-N.Y.)
Rep. John Conyers, Jr. (D-Mich.)
Rep. Dominick V. Daniels (D-N.J.)
Rep. John D. Dingell (D-Mich.)
Rep. John G. Dow (D-N.Y.)
Rep. Don Edwards (D-Calif.)
Rep. Leonard Farbstein (D-N.Y.)
Rep. Edith Green (D-Oreg.)
Rep. Wayne L. Hays (D-Ohio)
Rep. Henry Helstoski (D-N.J.)
Rep. John Jarman (D-Okla.)
Rep. Joseph E. Karth (D-Minn.)
Rep. Robert L. Leggett (D-Calif.)
Rep. Spark M. Matsunaga (D-Hawaii)
Rep. George P. Miller (D-Calif.)
Rep. John J. McFall (D-Calif.)
Rep. Abraham J. Multer (D-N.Y.)
Rep. Barratt O'Hara (D-Ill.)
Rep. Richard L. Ottinger (D-N.Y.)
Rep. Thomas M. Rees (D-Calif.)
Rep. Joseph Y. Resnick (D-N.Y.)
Rep. George M. Rhodes (D-Pa.)
Rep. Peter W. Rodino, Jr. (D-N.J.)
Rep. Benjamin S. Rosenthal (D-N.Y.)
Rep J. Edward Roush (D-Ind.)
Rep. Edward R. Roybal (D-Calif.)
Rep. William F. Ryan (D-N.Y.)
Rep. James H. Scheuer (D-N.Y.)
Rep. Richard S. Schweiker (R-Pa.)
Rep. John V. Tunney (D-Calif.)
Rep. Morris K. Udall (D-Ariz.)
Rep. Charles A. Vanik (D-Ohio)
Rep. Joseph P. Vigorito (D-Pa.)
Rep. Jerome R. Waldie (D-Calif.)
Rep. Charles H. Wilson (D-Calif.)
Rep. John W. Wydler (R-N.Y.)

H.R. 12054

A bill to amend the Federal Cigarette Labeling and Advertising Act with respect to the labeling of packages of cigarettes and for other purposes

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 4 of the Federal Cigarette Labeling and Advertising Act (15 U.S.C. 1333) is amended—

(1) by inserting "(a)" immediately after "Sec. 4.";

(2) by striking out "'Caution: Cigarette Smoking May Be Hazardous to Your Health.'" and inserting in lieu thereof "'Warning: Cigarette Smoking is Dangerous to Health and May Cause Death from Cancer and Other Diseases'; or the package of which fails to state the average tar and nicotine yields per cigarette in such package as determined by a method approved by the Secretary of Health, Education, and Welfare."; and

(3) by striking out "Such statement" in the second sentence thereof and inserting in lieu thereof "Each such statement"; and

(4) by adding at the end thereof the following new subsection:

"(b) It shall be unlawful for any person to disseminate or cause to be disseminated any advertisement which is intended to induce, directly or indirectly, the purchase of any cigarettes in commerce, unless there is included as a part of such advertisement the statement 'Warning: Cigarette Smoking is Dangerous to Health and May Cause Death From Cancer and Other Diseases', and a statement of the average tar and nicotine yields per cigarette (as determined by a method approved by the Secretary of Health, Education, and Welfare) of the cigarettes referred to in such advertising."

Sec. 2. Section 5 of the Federal Cigarette Labeling and Advertising Act (15 U.S.C. 1334) is amended—

(1) by striking out the caption and subsections (a), (b), and (c) of such section and inserting in lieu thereof the following:

"Regulation of Length of Cigarettes, Reports

"Sec. 5. (a) If the Secretary of Health, Education, and Welfare determines that longer cigarettes increase the risk to persons smoking such cigarettes of incurring or aggravating any disease or diseases or other debilitating physiological condition or conditions, he may, in cooperation with the Federal Trade Commission, after notice and opportunity for a hearing, prescribe rules establishing a maximum length or maximum lengths for cigarettes.

"(b) It shall be unlawful for any person to manufacture, import, or package for sale or distribution within the United States any cigarette which is longer than the maximum length for such cigarette under rules prescribed pursuant to subsection (a) of this section."; and

(2) by striking out "(d)" and inserting in lieu thereof "(c)".

SEC. 3. Section 10 of the Federal Cigarette Labeling and Advertising Act (15 U.S.C. 1339) is repealed.

SEC. 4. The amendments made by this Act shall take effect on the 181st day after the date of enactment of this Act.

ADDRESS BY CARL SANDBURG BEFORE A JOINT SESSION OF CONGRESS, FEBRUARY 12, 1959, 150TH ANNIVERSARY OF BIRTH OF ABRAHAM LINCOLN

Mr. EDMONDSON. Mr. Speaker, I ask unanimous consent that the gentleman from Indiana [Mr. BRADEMAS] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. BRADEMAS. Mr. Speaker, no Member of either the House or Senate nor any other person present at the special joint session of Congress on February 12, 1959, will ever forget what some have described as the greatest speech ever delivered in the Chamber of the House of Representatives. The address to which I refer was made by Carl Sandburg on the occasion of the 150th anniversary of the birth of Abraham Lincoln.

As a freshman Congressman, then serving his second month in the House, I recall with deep feeling the eloquent and moving words of this gifted and extraordinary historian and poet.

The death of Carl Sandburg a few days ago, at a time when our country has been torn by civil strife caused me to read Mr. Sandburg's 1959 address once more, for much of Sandburg's characterization of Abraham Lincoln's leadership at that earlier time of great crisis in the history of our country is, I believe, directly relevant to our responsibility as public officials today.

Mr. Speaker, I insert at this point in the RECORD the text of the introduction of Carl Sandburg by our late beloved Speaker, the Honorable Sam Rayburn of Texas, followed by Mr. Sandburg's magnificent address.

INTRODUCTION BY SPEAKER SAM RAYBURN

The SPEAKER. And now it becomes my great pleasure, and I deem it a high privilege, to be able to present to you the man who in all probability knows more about the life, the times, the hopes, and the aspirations of Abraham Lincoln than any other human being. He has studied and has put on paper his conceptions of the towering figure of this great and this good man. I take pleasure and I deem it an honor to be able to present to you this great writer, this great historian, Carl Sandburg.

[Applause, the Members rising.]

ADDRESS BY CARL SANDBURG, FEBRUARY 12, 1959, BEFORE A JOINT SESSION OF CONGRESS

Mr. SANDBURG. Before beginning this prepared address, I must make the remark that this introduction, this reception here calls for humility rather than pride. I am well aware of that.

Not often in the story of mankind does a man arrive on earth who is both steel and velvet, who is as hard as rock and soft as drifting fog, who holds in his heart and mind the paradox of terrible storm and peace unspeakable and perfect. Here and there across centuries come reports of men alleged to have these contrasts. And the incomparable Abraham Lincoln born 150 years ago this day, is an approach if not a perfect realization of this character. In the time of the April lilacs in the year 1865, on his death, the casket with his body was carried north and west a thousand miles; and the American people wept as never before; bells sobbed, cities wore crepe; people stood in tears and with hats off as the railroad burial car paused in leading cities of seven States ending its journey at Springfield, Ill., the hometown. During the 4 years he was President he at times, especially in the first 3 months, took to himself the powers of a dictator; he commanded the most powerful armies till then assembled in modern warfare; he enforced conscription of soldiers for the first time in American history; under imperative necessity he abolished the right of habeus corpus; he directed politically and spiritually the wild, massive turbulent forces let loose in civil war; he argued and pleaded for compensated emancipation of the slaves. The slaves were property, they were on the tax-books along with horses and cattle, the valuation of each slave written next to his name on the tax assessor's books. Failing to get action on compensated emancipation, as a Chief Executive having war powers he issued the paper by which he declared the slaves to be free under military necessity. In the end nearly $4 million worth of property was taken away from those who were legal owners of it, property confiscated, wiped out as by fire and turned to ashes, at his instigation and executive direction. Chattel property recognized and lawful for 300 years was expropriated, seized without payment.

In the month the war began he told his secretary, John Hay:

"My policy is to have no policy."

Three years later in a letter to a Kentucky friend made public, he confessed plainly:

"I have been controlled by events."

His words at Gettysburg were sacred, yet strange with a color of the familiar:

"We cannot consecrate—we cannot hallow—this ground. The brave men, living and dead, who struggled here, have consecrated it, far beyond our poor power to add or detract."

He could have said "the brave Union men." Did he have a purpose in omitting the word "Union?" Was he keeping himself and his utterance clear of the passion that would not be good to look back on when the time came for peace and reconciliation? Did he mean to leave an implication that there were brave Union men and brave Confederate men, living and dead, who had struggled there? We do not know, of a certainty. Was he thinking of the Kentucky father whose two sons died in battle, one in Union blue, the other in Confederate gray, the father inscribing on the stone over their double grave, "God knows which was right"? We do not know. His changing policies from time to time aimed at saving the Union. In the end his armies won and his Nation became a world power. In August of 1864 he wrote a memorandum that he expected in view of the national situation, he expected to lose the next November election. That month of August was so dark. Sudden military victory brought the tide his way; the vote was 2,200,000 for him and 1,800,000 against him. Among his bitter opponents were such figures as Samuel F. B. Morse, inventor of the telegraph, and Cyrus H. McCormick, inventor of the farm reaper. In all its essential propositions the southern Confederacy had the moral support of powerful, respectable elements throughout the North, probably more than a million voters believing in the justice of the southern cause. While the war winds howled he insisted that the Mississippi was one river meant to belong to one country, that railroad connection from coast to coast must be pushed through and the Union Pacific Railroad made a reality. While the luck of war wavered and broke and came again, as generals failed and campaigns were lost, he held enough forces of the north together to raise new armies and supply them, until generals were found who made war as victorious war has always been made, with terror, frightfulness, destruction, and on both sides, North and South, valor and sacrifice past words of man to tell. In the mixed shame and blame of the immense wrongs of two crashing civilizations, often with nothing to say, he said nothing, slept not at all, and on occasions he was seen to weep in a way that made weeping appropriate, decent, majestic. As he rode alone on horseback near Soldiers Home on the edge of Washington one night his hat was shot off; a son he loved died as he watched at the bed; his wife was accused of betraying information to the enemy, until denials from him were necessary. An Indiana man at the White House heard him say, "Voorhees, don't it seem strange to you that I, who could never so much as cut off the head of a chicken, should be elected, or selected, into the midst of all this blood?" He tried to guide General Nathaniel Prentiss Banks, a Democrat, three times Governor of Massachusetts, in the governing of some 17 of the 48 parishes of Louisiana controlled by the Union armies, an area holding a fourth of the slaves of Louisiana. He would like to see the State recognize the emancipation proclamation:

"And while she is at it, I think it would not be objectionable for her to adopt some practical system by which the two races could gradually live themselves out of their old relation to each other, and both come out better prepared for the new. Education for the young blacks should be included in the plan."

To Gov. Michel Hahn, elected in 1864 by a majority of the 11,000 white male voters who had taken the oath of allegiance to the Union, Lincoln wrote:

"Now you are about to have a convention which, among other things, will probably define the elective franchise, I barely suggest for your private consideration, whether some of the colored people may not be let in—as for instance the very intelligent and especially those who have fought gallantly in our ranks."

Among the million words in the Lincoln utterance record, he interprets himself with a more keen precision than someone else offering to explain him. His simple opening of the "house divided" speech in 1858 serves for today:

"If we could first know where we are, and whither we are tending we could better judge what to do, and how to do it."

To his Kentucky friend, Joshua F. Speed, he wrote in 1855:

"Our progress in degeneracy appears to me to be pretty rapid. As a Nation we began by declaring that 'all men are created equal, except Negroes.' When the know-nothings get control, it will read 'all men are created equal except Negroes and foreigners and Catholics.' When it comes to this, I shall prefer emigrating to some country where they make no pretense of loving liberty."

Infinitely tender was his word from a White House balcony to a crowd on the White House lawn:

"I have not willingly planted a thorn in any man's bosom."

Or to a military Governor:

"I shall do nothing through malice; what I deal with is too vast for malice."

He wrote for Congress to read on December 1, 1862:

"In times like the present men should utter nothing for which they would not willingly be responsible through time and eternity."

Like an ancient psalmist he warned Congress:

"Fellow citizens, we cannot escape history. We will be remembered in spite of ourselves. No personal significance or insignificance can spare one or another of us. The fiery trial through which we pass will light us down in honor or dishonor to the latest generation."

Wanting Congress to break and forget past traditions his words came keen and flashing:

"The dogmas of the quiet past are inadequate for this stormy present. We must think anew, we must act anew, we must disenthrall ourselves."

They are the sort of words that actuated the mind and will of the men who created and navigated that marvel of the sea, the *Nautilus*, and her voyage from Pearl Harbor and under the North Pole icecap.

The people of many other countries take Lincoln now for their own. He belongs to them. He stands for decency, honest dealing, plain talk, and funny stories. "Look where he came from—don't he know all us strugglers and wasn't he a kind of tough struggler all his life right up to the finish?" Something like that you can hear in any nearby neighborhood and across the seas. Millions there are who take him as a personal treasure. He had something they would like to see spread everywhere over the world. Democracy? We cannot say exactly what it is, but he had it. In his blood and bones he carried it. In the breath of his speeches and writings it is there. Popular government? Republican institutions? Government where the people have the say-so, one way or another telling their elected leaders what they want? He had the idea. It is there in the lights and shadows of his personality, a mystery that can be lived but never fully spoken in words.

Our good friend, the poet and playwright Mark Van Doren, tells us:

"To me, Lincoln seems, in some ways, the most interesting man who ever lived. He was gentle but this gentleness was combined with a terrific toughness, an iron strength."

And how did Lincoln say he would like to be remembered? Something of it is in this present occasion, the atmosphere of this room. His beloved friend, Representative Owen Lovejoy, of Illinois, had died in May of 1864, and friends wrote to Lincoln and he replied that the pressure of duties kept him from joining them in efforts for a marble monument to Lovejoy, the last sentence of Lincoln's letter, saying:

"Let him have the marble monument along with the well-assured and more enduring one in the hearts of those who love liberty, unselfishly, for all men."

Today we may say, perhaps, that the well-assured and most enduring memorial to Lincoln is invisibly there, today, tomorrow, and for a long time yet to come. It is there in the hearts of lovers of liberty, men and women—this country has always had them in crises—men and women who understand that wherever there is freedom there have been those who fought, toiled, and sacrificed for it.

I thank you. [Applause, the Members rising.]

GUN-CONTROL LEGISLATION

Mr. EDMONDSON. Mr. Speaker, I ask unanimous consent that the gentleman from New Jersey [Mr. MINISH] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. MINISH. Mr. Speaker, as a Representative from riot-scarred Newark, I am all too cognizant of the immediate need for effective Federal gun-control legislation. New Jersey's Gov. Richard J. Hughes recently commented:

> Congress should have passed . . . a gun control bill . . . in any reasonable conscientious approach to this problem a long time ago. It's just intolerable in the society in which we live, when ninety-nine plus percent of the people want to live in peace and quiet, and don't want to arm themselves and have to defend their home, and everybody in town having a mail order gun.

The State of New Jersey has one of the strongest gun-control laws in this country. Passed by the legislature and signed by Governor Hughes in 1966, the statute requires investigation and clearance of all prospective buyers of rifles and pistols. It also bars sales of guns to narcotic addicts, alcoholics, known criminals, and other undesirables. Unfortunately, in the absence of Federal controls the law presents no deterrent to the determined lawbreaker.

It has been reliably reported that most of the handguns used by the rioters and looters in Newark came from mail-order gun houses and many of the rifles had been purchased in Southern States and smuggled into New Jersey. Clearly, a need exists for effective control of this interstate traffic in death and destruction. The plain truth is that there can never be meaningful local control of firearms unless and until the Federal Government takes a hand in regulating the sale and distribution of such weapons.

Therefore, Mr. Speaker, I am today introducing a bill designed to control the sale of firearms in interstate commerce. More specifically, my bill prohibits the sale of all firearms to persons under 18 years of age. It also requires businessmen merchandising guns to obtain a license from the government and to ascertain the identity and age of all purchasers of weapons. The penalty for the interstate transportation of firearms with knowledge of or intent to commit a felony will involve a fine of up to $10,000 and/or imprisonment for up to 10 years.

Mr. Speaker, with the increasing unrest and violence now occurring in our major urban centers, we can no longer afford to cater to the special interests of a willful minority. We must cease to be influenced by the exaggeration, misrepresentation, and emotionalism of the gun lobby. In public opinion polls, taken over the last 3 years, three-fourths of those questioned have consistently favored increased gun control. How many more disasters must occur? How many more Lee Harvey Oswalds are needed? This bill poses no threat whatsoever to the legitimate hunter or target-shooter. It is, rather, a reasonable attempt to curb the evil of guns—to make it difficult for criminals, for the insane, and for the irresponsible, to arm themselves. The right to life and good health preempts any imaginary right of individuals to buy and use firearms indiscriminately.

EDITORIAL CRITICISM OF THE DEFEAT OF THE RAT EXTERMINATION BILL

Mr. EDMONDSON. Mr. Speaker, I ask unanimous consent that the gentleman from Pennsylvania [Mr. BARRETT] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. BARRETT. Mr. Speaker, the shock and disappointment which many of us felt at the vote on July 20 which prevented the rat extermination bill from even being discussed on the floor of the House is shared almost unanimously by the Nation's press. The widespread editorial comment on that action has with hardly an exception been strongly critical of the Congress—not only for killing the rat bill, but for the manner in which it was killed. An editorial in the Washington Evening Star headed "No Joke" had this to say:

> The jocular performance put on by the House of Representatives in debating and finally rejecting the administration bill for Federal aid to exterminate rats was a thoroughgoing disgrace. The 207 Members who voted to kill the bill—particularly those who found the subject so hilarious—should know that very few people outside of Congress will join in the laughter.

Mr. Speaker, I deeply regret that the editorial went on to criticize the debate with terms like "the headline comedian" and "another joker," but the fact is as we all know that the debate on the rule was characterized by all too much callous humor. In all my years in Congress, I do not recall that the House of Representatives, the very embodiment of representative government, has exposed itself to such harsh attacks. The Washington Star editorial goes on to say:

> Let the cities do the job, it was suggested. Let the people spread a little rat poison around and stop bothering their elected representatives. Let them eat cake.
>
> The fact is that the cities, through lack of funds or lack of interest, haven't done the job. Each year, thousands of cases of rat bite are treated in hospitals. Some are fatal. In slum areas, mothers have stayed awake nights on end fighting off rats that try to attack their children. Babies in their cribs have, quite literally, been eaten alive. And—for the benefit of those Congressmen whose interest lies primarily in fiscal areas—it has been estimated that rats are responsible for some $1 billion damage a year.
>
> The President, asking Congress to reconsider its decision, pointed out that "we are expending Federal funds to protect our livestock from rodents and predatory animals. The least we can do is give our children the same protection we give our livestock."
>
> The President is quite right. Congress should be given the opportunity to live down its appalling display of insensitivity. The representatives should have a chance to

demonstrate, by means of another vote, their belated recognition of the fact that the rat problem is a national tragedy, not a national joke.

Mr. Speaker, the incongruity of jokes about the scourge that the rat problem represents has been highlighted in the press by the reports that the House of Representatives has its own $4,800-a-year program to keep rats and insects under control here on Capitol Hill. I do not criticize that expenditure—it is the only sane and proper thing to do—but what a shocking contrast to the cavalier treatment that this body gave to the problems confronting the ordinary citizen who supports this Government, particularly low-income families.

Mr. Speaker, the Washington press is not alone in its criticism of the Congress for the vote on the rat extermination bill. I have noted a number of editorials placed in the RECORD by other Members, equally critical of the House action. In addition, the Rat Extermination Act is supported by the Virginia Pilot and the Tulsa Tribune in the following editorials:

[From the Virginian-Pilot, July 22, 1967]

THE NOISY CONGRESS

House action on a couple of bills this week moved New York's Representative John G. Dow to observe that history may regard this session as "the angry Congress." Noisy or petulant might be more precise designations.

Having voted Wednesday to keep riot agitators at home, the House declined on Thursday to look into the Administration's proposal to banish rats from the Nation's urban slums, although rat infestation has been mentioned as a factor in breeding riots as well as disease among ghetto populations.

Perhaps the extermination bill would have poured $40 million down a rathole. And certainly the Administration should have presented it in an omnibus housing bill instead of offering it separately as an easy target for even the most obtuse House wits.

The bill would have distributed over a two-year period grants to states and local governments to pay up to two thirds of the cost of rat extermination programs. It provided for an extension to other slums the rodent control programs already in operation in areas covered by urban renewal projects.

The House Banking and Currency Committee, which had approved the bill, reported that experts estimate there are 90,000,000 rats in the country and each does about $10 worth of damage a year.

Whatever merit the bill may have had—and President Johnson termed its defeat "a cruel blow to the poor children of America"—the House was in no mood to ponder, as, amid chuckles and guffaws, the members heard suggestions that the new program would create "a rat bureaucracy" and "rat patronage" and "a high commissioner of rats." The House voted 207 to 176 not to consider the bill. (To his credit, Second District Representative Porter Hardy was among the minority voting to bring it to the floor.)

The hilarity that marked the House debate was uneasily reminiscent of the mirth among the townspeople of Hamlin confronting the Pied Piper. But the rats and other troubles plaguing frustrated slum tenants won't be exorcised by wisecracks and angry, empty resolutions.

Fortunately, both the anti-riot and anti-rat measures may receive calmer, more constructive deliberation in the Senate.

[From the Tulsa Tribune, July 19, 1967]

GETTING RID OF RATS

Robert Weaver, Secretary of Housing and Urban Development (HUD), has assigned a high priority to a new bill in Congress enlisting the Federal Government in a campaign to control rats.

This is something a member of Congress would be hard put to oppose, for it goes without saying that an infestation of rats is revolting to everyone. The rat problem is a serious part of urban blight; a disgrace to our so-called civilization, sanitized and health-minded society.

Obviously this menace must be met and conquered—the sooner the better. But it must be clear from the beginning that, as with so many sociological problems, a Federal appropriation isn't enough.

Rats come with filth and improper disposition of waste. There isn't enough money in the Federal Treasury to get rid of these pests without the sustained cooperation of the people who live and work in the areas affected.

All kinds of laws and rules can be laid down, but unless people take some care in their living habits the effort will be wasted. Cleaning up slum areas is one of the essential steps, but even that will not suffice unless the slums are kept clean. Rats have a habit of coming back.

We are all for Secretary Weaver and his anti-rat campaign. But his chore will be far from simple; whole communities will have to devote themselves to it before it can succeed.

THE 25TH ANNIVERSARY OF THE UKRAINIAN INSURGENT ARMY

Mr. EDMONDSON. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. DULSKI] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. DULSKI. Mr. Speaker although I was unable to personally join in the tribute to the gallant men and women of the Ukrainian Insurgent Army, who were honored at a banquet recently in Washington, D.C., it was a genuine demonstration of respect and tribute to freedom-loving people everywhere who resist oppression.

This year marks the 25th anniversary of the Ukrainian Insurgent Army—UPA. The endless struggle of the Ukrainian nation to establish a sovereign Ukrainian state was most valiantly expressed in recent times by the armed efforts of this brave band of freedom fighters.

A call to arms, which came during the Nazi German occupation, was motivated by the same high ideals which throughout our history have prompted American forces to raise arms in the defense of human freedom. Today, young Americans are dying on the battlefields of Vietnam; about two decades ago, many young Ukrainians also gave their lives to make this world safe for the development of universal human values and to provide an opportunity for man's free intellectual and spiritual growth.

In this "year of anniversaries," when the Soviets boast about the 50th anniversary of their revolution, the Ukrainian people observe two anniversaries: the 50th Anniversary of the founding of the Ukrainian Insurgent Army. These anniversaries must serve as proof and reminder to the entire world that the Bolshevik Revolution was, in effect, an abandonment of the struggle for human freedom and improvement.

The first Ukrainian state, the Kievan Rus', was established in the 10th century. Subsequent forms of Ukrainian statehood were the Cossack Republic in 1648 and the Ukrainian National Republic in 1918. During the turbulent years of World War II the Ukrainians again raised their banner of freedom. On June 30, 1941, independence was proclaimed in the City of Lviv, Western Ukraine. However, the Ukrainian National Government was in no position to defend the country against the hordes of Nazi invaders. The entire country was subjected to the same occupation policy as the Nazis had demonstrated in other countries. Armed resistance against the occupant was a natural consequence; the first units of the Ukrainian Insurgent Army marched on to the battlefield.

The initiative to armed resistence came from the leading members of the Organization of Ukrainian Nationalists—OUN. All units came under a single command on October 14, 1942; from then on the movement was known as the Ukrayinska Povstancha Armiya—UPA—the Ukrainian Insurgent Army. Hundreds of young men—and many women—joined the underground forces which in March 1943 numbered about 10,000 people. That number grew steadily due to the desertion of Ukrainian soldiers from the German and Soviet Armies.

The Ukrainian insurgent forces had to develop a strategy to wage the battle on two fronts: against the Nazi occupation forces, and against Soviet partisans who began to infiltrate into Ukrainian territory. The UPA operations stopped, to some extent, the mass deportations of Ukrainian people to labor camps in Germany as well as the extensive economic plundering of the country by the Germans.

By the end of 1944 the UPA had approximately 200,000 men under arms. They were organized into units assigned to four operational regions and a series of independent operational groups. Guerilla tactics were employed by the UPA with excellent results.

The Ukrainian people gave active support to their Insurgent Army. Many risked their lives, and there are countless examples of extreme courage displayed in an effort to help UPA fight the Nazi forces.

By the second half of 1944 almost all Ukrainian territories were occupied by the Soviet Army. A new chapter in UPA's struggle against enemy oppression began. Cut off from any possible channels of aid from the Western Powers and exhausted by two and a half years of Nazi occupation, the people of the Ukraine faced the Russian invaders alone as they have done many times before in history.

The first major battle which the UPA fought against the Soviet Russian forces took place in the winter of 1944. Marshal Vatutin, the commander of the Soviet forces, was fatally wounded in that battle.

In the spring of 1945, the Soviets amassed some 200,000 troops for an extensive military operation against the UPA. Fighting spread to almost all parts of Western Ukraine. The Soviets used aircraft, artillery, and tanks to block villages and forests. The objective was to encircle and isolate the Ukrainian Insurgent Army units and to annihilate them. This plan was far from successful.

By the summer of 1945, military operations gained in intensity. Red army units were called upon to help the NKVD detachments break the backbone of the Ukrainian resistance. However, the Red Army proved to be ineffective and frequently succumbed to the propaganda campaign directed at them by Ukrainian insurgents. During that period the UPA units achieved great military victories and inflicted heavy losses on the enemy.

The UPA also conducted operations to achieve political effects. A series of raids were carried out to disrupt the elections to the Supreme Soviet in February 1946. These raids gave tremendous moral support to the Ukrainian population. Soviet countermeasures amounted to sheer barbaric terror. One of many examples might be the poisoning of food and the water supply by Soviet agents as well as black market sale of poisonous injections intended for use by UPA soldiers. Still, the majority of Ukrainians refused to vote.

In order to deprive the Ukrainian insurgents of their bases and support from the people, the Soviets burned forests and terrorized the native population. The Ukrainians spared no efforts in striking back. Among the Soviet casualties was General Moskalenko who was killed on May 3, 1946, near the railroad station of Tiashiv, Western Ukraine.

In the westernmost regions of the Ukraine the military operations of the UPA were carried out with equal intensity. On March 29, 1947, the UPA killed in an ambush Poland's Deputy Minister of War, General Swierczynski, who as "General Walter" fought in the Spanish Civil War at the head of the International Brigade.

The successes of the UPA in these regions attained such proportions that the Soviet Union, Poland, and Czechoslovakia were forced to sign a tripartite pact on May 12, 1947, calling for a joint military effort against the UPA. Brilliant guerrilla tactics employed by the UPA, however, rendered this pact an exercise in futility. Major UPA groups split up into small detachments and either withdrew into the mountains or went to other parts of the Ukraine. Some units crossed Czechoslovakia in 1947–48 and surrendered to the American forces in Bavaria.

Consolidation of Soviet power on Ukrainian territories and the lack of any aid whatsoever from the Western Powers forced the Supreme Command of the UPA to change its partisan warfare tactics. In addition to armed actions of small groups of hard core insurgents, the action spread to underground resistance in political, economic, and cultural fields. The UPA soldiers, as well as the members of the Organization of Ukrainian Nationalists, gradually went completely underground and infiltrated the existing Soviet organizations in all spheres of life. Psychological warfare was substituted for active combat tactics. The UPA entered a new phase in its continual struggle against the foreign occupant.

The story of UPA would not be complete without paying due respect to its legendary hero and supreme commander, Gen. Taras Chuprynka. As the commander in chief of the Ukrainian Insurgent Army—1943–50—General Chuprynka was the mastermind of some of the most brilliant guerrilla warfare tactics developed by any insurgent army. Thus, the major objective of the Soviet military operations against the UPA was to eliminate its leader. General Chuprynka was killed in action in hand-to-hand combat with Soviet MVD forces near the city of Lviv, western Ukraine, in March 1950.

The legend of the great hero remains alive, however, as will the glory of the countless known and unknown heroes of the UPA. Regardless of the present trends in the labyrinth of international politics, we have to honor those young men and women of the Ukrainian Insurgent Army who raised the same banner of freedom that our own soldiers are now defending in Vietnam.

HANDS TOUCH ACROSS CHASM

Mr. **EDMONDSON**. Mr. Speaker, I ask unanimous consent that the gentleman from New Jersey [Mr. Patten] may extend his remarks at this point in the Record and include extraneous matter.

The **SPEAKER** pro tempore. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. **PATTEN**. Mr. Speaker, I would like to direct the attention of my colleagues to an article which appeared in the Washington Evening Star on July 22, 1967. The article, written by Paul Delaney, is about 46 Job Corpsmen from the Camp Kilmer Job Corps Center in my district who spent a weekend with families in McLean, Va., who are members of the Lewinsville Presbyterian Church.

The corpsmen spent the weekend sightseeing, picnicking, going to church, and involving themselves in the everyday lives of the community in a positive attempt to bring about communication between the two societies.

This type of project is an excellent opportunity for families to come face to face with people from different social and economic backgrounds. I am pleased by the acceptance of Job Corps by many communities throughout the country; as the program continues, it wins more and more friends. The Job Corps has overcome criticism and skepticism by hard work and good results and, as is evidenced by Mr. Delaney's article, many others feel the same way.

I commend these families from McLean, Va., and insert the article in the Record:

Job Corpsmen Welcomed—Hands Touch Across Chasm

(By Paul Delaney)

Members of the poverty program's Job Corps, whose predecessors were unwanted in the Camp Kilmer, N.J., area a few years ago when it first opened, were given a warm welcome in McLean, Va., yesterday.

The 46 boys from the camp are spending the weekend in the homes of worshippers at Lewinsville Presbyterian Church, 1742 Chain Bridge Road, McLean. This is the second year of the project to make an attempt at communication.

The project boils down to kids from below-average backgrounds coming into the lives of families of above average income for a weekend.

But it's no big thing, and the Rev. John Graham, pastor of the church, didn't want to make the effort appear too much out of the ordinary. He did say that it "was especially significant this year, in light of the troubles in New Jersey."

The idea was first put in operation last summer. It was done quietly by college students of the church. Mr. Graham said this year "we have more homes available than we do Job Corpsmen."

The boys will go on a sight-seeing tour today, a picnic tonight and church in the morning. The rest of their time will be spent "involving themselves in the normal lives of the community and their hosts," Mr. Graham reported.

"In all honesty," he went on, "this is an opportunity for the families here to learn to come face-to-face with different people, and vice versa."

He said prior to participating in the federal program the youngsters were "nothing but a labor commodity who today have no place because they have no skills." The Job Corps is supplying the skills and residents are showing that it's a matter of "more than just equipping them with skills."

"Opportunities like this begin to create a confidence on both sides so people can meet in genuine openness without inferiority or superiority."

Positive response to the program last year was shown in the letters written by the youngsters to their hosts after the weekend was over, and this year by the number of homes made available.

When Camp Kilmer was first made available as a Job Corps Center three years ago, there was much opposition to it by residents in the area.

SEARCHING OUR HEARTS

Mr. **EDMONDSON**. Mr. Speaker, I ask unanimous consent that the gentleman from New Jersey [Mr. Patten] may extend his remarks at this point in the Record and include extraneous matter.

The **SPEAKER** pro tempore. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. **PATTEN**. Mr. Speaker, while the debate goes on and charges fly in the continuing discussion on the recent riots, a voice of calmness and moderation has been raised in New Brunswick, N.J.

In a clear, sensitive, and sensible editorial in the Sunday Home News of July 30, entitled "Searching Our Hearts," an appeal is made for "an end to bitterness."

Hopefully, this appeal will be seen and heeded by all sides.

The editorial follows:

Searching Our Hearts

The agony of our cities in the summer of 1967.

"We can stop it. We must stop it. We will stop it," President Johnson told the American people Thursday night.

The President, in a nationwide television speech he should have made a week ago, said:

1. The rioting must stop.
2. This is a time for action, not angry reaction.

To combat what Sen. Thruston B. Morton on Thursday called "racial and political madness," President Johnson asked the country to pray today for order and reconciliation and to work for a better America tomorrow.

Some, many, saw in the President's words the cliches and platitudes of the past, and have said so in the few days since he spoke. Both black and white Americans, disgustedly, angrily, despairingly, said the President didn't go far enough, or that he went too far, or he didn't say anything, or he didn't do anything.

But the President did say: "There is no American right to loot stores or to burn buildings, or to fire rifles from rooftops." That's clear enough.

And he did say: ". . . there are some who feel that we cannot afford additional good teachers for the children of poverty in urban areas. Or new efforts to house those that are most in need of housing. Or aid to education from those who need to read and write.

"Theirs is a strange system of bookkeeping," the President said.

Strange, indeed, in the light of the fires and the looting that did $35 million worth of damage in Watts in 1965, and $200 million in Detroit and $15 million in Newark in 1967.

We disagree that these words of the President say nothing, propose nothing, hold out no kind of hope. They may be late in coming, but we hope not too late.

And we cannot agree that nothing has been done. The President's "roll call of our American concern" includes: The Model Cities Act. The Voters Rights Act. The Civil Rights Act. The Rent Supplement Act. Medicare and Medicaid. Twenty-four education bills. Head Start, the Job Corps and the Neighborhood Youth Corps, the Teacher Corps. Manpower Development and Training.

It is not nearly enough. The summer of 1967 proves that. But it is a start.

There is a clamor now on every side for every kind of committee and commission to investigate the riots. The time for investigations and commissions is past. It came and went with the 35 deaths in Watts in 1965. Since then, 25 have died in Newark and 39 in Detroit.

We all know what's wrong. The President said so Thursday. We say so in this editorial.

Sen. Morton, who is former chairman of the Republican National Committee, urged Congress Thursday to "get out of the political arena" and set up a $1 billion antiriot chest to be made available immediately to mayors of our cities for social action. Let's do it.

A bill authorizing $75 million for emergency food and medical services to the poor was approved by the Senate Labor and Public Welfare Committee. Let's pass it, and with it, a bill to spend $20 million a year for two years to rid slums of rats.

Walter P. Reuther, president of the United Auto Workers, said after a meeting with local union leaders in Detroit. 600,000 men are ready to help clean up the city. He asked industry to join in the effort. Let's get started.

But, we know and you know America can spend all the gold in Fort Knox and still not solve this terrible problem.

Did you take part in today's National Day of Prayer for Reconciliation as the President suggested? If you didn't go to church to pray for domestic peace and order, did you, or will you, "search your own heart" there at home?

After all, isn't that the real answer, the only answer. What good is the oratory, the investigations and the money without "hearts free from hate," without an end to bitterness, without one man's respect for another?

From our history there's ". . . this government cannot endure permanently half slave and half free."

RIOTS: A QUESTION

Mr. EDMONDSON. Mr. Speaker, I ask unanimous consent that the gentleman from Texas [Mr. Gonzalez] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. GONZALEZ. Mr. Speaker, a recent editorial in the San Antonio Express has posed a very serious and difficult question. It asks whether the conditions which cause urban riots can be corrected before more heavily populated areas suffer violent and bloody outbreaks of violence.

The Express editorial rightly insists that the first order of business is to bring a quick end to the violence itself. But the editorial also suggests that the arrest of looters and arsonists may not by itself be enough. It must be followed by a vigorous attempt to arrest the spread of those conditions which increase the likelihood of riots, such conditions as hard-core poverty. The Express says that:

> The effort to correct the basic causes of poverty is being undertaken and is showing some signs of accomplishment, although the effort is obscured by the repeated acts of violence that American cities are enduring.

Here the editorial makes a very vital point. President Johnson's war on poverty, as waged by the Office of Economic Opportunity, must not be abandoned in the face of riots in the urban slums. Instead, we must rededicate ourselves to the effort to raise the quality of life to the level at which riot-breeding conditions are extinguished. The Express soberly cautions us that:

> The conditions that lead to poverty, to slum housing, to inferior employment opportunities and related low educational standards will not be corrected this summer or next; in another generation, perhaps.

But the question asked by the editorial, as to whether we can correct the conditions which give rise to violence before mass violence becomes commonplace in our cities, requires an unequivocal answer. We must first deal firmly with criminal violence, and we must then deal swiftly with the conditions which make it possible. President Johnson has shown, us the way. He has committed military troops to quell disorder, and he has declared unconditional war on poverty.

Mr. Speaker, I know my colleagues will be interested in the San Antonio Express editorial, which follows:

[From the San Antonio Express, July 25, 1967]

First, Riots Must Be Stopped, Then Causes Can Be Eliminated

At mid-summer, the paramount question among American city dwellers is, whose city will be the next one stricken by riots?

The larger questions: How to stop these senseless acts of violence against the American urban population? Finally, can the causative conditions be corrected before widespread revolt ends in bloodbaths in several heavily populated areas?

Lootings and burnings in Detroit this past weekend, in Newark the previous week and possibly in some other major city next week point to the seeming inability of local government to maintain order under present limits of authority.

For whatever reason a riot occurs, it runs a course that extends for the period that looting is profitable, or until the rioters have dissipated their energies. The law enforcement process does not produce instant protection for the non-rioting majority.

The void spanning a few hours or a few days in which the law can be flaunted for personal gain spurs prospective lawbreakers to action. More effective protective measures are needed at the point of origin when riots begin. By the time the guardsmen or soldiers have moved in, the main damage is done.

More effective protective measures—quicker use of live ammunition and heavier concentration of police at the outset—would reduce the attractive aspects of looting, but would not extend the causes of rioting. These causes are social and economic ailments that almost defy solution.

The conditions that lead to poverty, to slum housing, to inferior employment opportunities and related low educational standards will not be corrected this summer or next; in another generation, perhaps.

The effort to correct the basic causes of poverty is being undertaken and is showing some signs of accomplishment, although the effort is obscured by the repeated acts of violence that American cities are enduring.

Clearly, the looters and arsonists must be controlled first, long before the long-term improvements for the younger generations in the poverty cycle begin to show.

H[illegible] WORKSHOP SPONSORED [illegible]NGRESSMAN FRANK M. CLARK

Mr. EDMONDSON. Mr. Speaker, I ask unanimous consent that the gentleman from Pennsylvania [Mr. Clark] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. CLARK. Mr. Speaker, I had the pleasure of conducting a 1-day workshop of special housing programs for low-income families. This was held at the Brodhead Hotel in Beaver Falls, one of the key cities in my district, on July 28.

I am especially gratified for the outstanding cooperation and assistance afforded me by Warren Phelan, regional administrator of the U.S. Department of Housing and Urban Development, region II.

Mr. Phelan's remarks to the general session of the meeting set the tempo and knowledgeable pattern that followed throughout the day.

Mr. Phelan also provided specialists from his Philadelphia office who chaired the afternoon session consisting of panels on nine diversified housing programs. This workshop conclusively pointed out just how much HUD can offer a county, city, or small community to help fight poor housing and urban blight.

I feel it is not the fault of local elected officials if they miss out on housing aid their communities are entitled to. It is usually the large amount of rules and regulations that govern these programs of HUD. I know I speak for all the individuals who attended the Beaver Falls workshop when I say they came away with a great deal of knowledge on how to help their community through HUD.

I have recommended to my colleagues in the House whose districts are in the confines of HUD region II that they take advantage of Mr. Phelan and his staff members' housing knowledge.

I addressed the group as follows:

WELCOMING ADDRESS, HOUSING WORKSHOP SPONSORED BY CONGRESSMAN FRANK M. CLARK, JULY 28, 1967

I am very happy to add my welcome to that of Mayor Howard Marshall to all of you who have indicated your interest and participation in the Housing Workshop by your presence here this morning. I trust that the information that will be provided by regional administrator Warren Phelan of the Department of Housing and Urban Development and the chairmen of the several panels, who are experts in the various housing programs sponsored by the Federal Housing Administration and the Housing Assistance Administration, will be of benefit to all of us who are interested in the attack on urban blight and the provision of a good housing supply.

It seems to be the impression in many quarters that Federal aids to implement municipal efforts to eliminate blight and provide better housing for families and elderly persons of low and moderate incomes are tailored particularly to assist the large cities. That never was the intention of the Congress in its enactment of the Housing Act of 1965. We considered the application of the various provisions of Federal financial aid for the elimination of blight to be just as important to the smaller urban centers as to the larger, such as Philadelphia and Pittsburgh. In my own tri-county district, it is very gratifying to me that so many of our communities have taken, and are taking, advantage of the Act's provisions for financial aids for urban renewal and a better supply of good housing for our citizens, who need both. It is most gratifying to me to see the planning commissions and elected officials of such relatively small communities in my district as Evans City, Wampum and Freedom aware of the need to eliminate blight, protect against its spread, and provide their citizens with a supply of good housing.

I am well aware of the good work being performed in the field of urban renewal by the redevelopment authorities in each of our three counties and those of the cities of New Castle, Butler, and Beaver Falls and by the three county housing authorities, who, with the cooperation of the elected officials of the cities and boroughs concerned and their citizens, as well as the Federal authorities, have provided and are provding a supply of good housing for families and elderly individuals of modest financial means.

I am happy to have supported by my vote every piece of good urban renewal and housing legislation that has been proposed to Congress by the administrations of Presidents Truman, Eisenhower, Kennedy and Johnson. I am more than happy that so many urban communities, and even some of the townships of my district have taken advantage of the provisions of the housing acts of 1949 and 1965 to better living conditions within their municipal limits. There should be no compunction on the part of any community in accepting Federal aids as assistance is solving the problems of urban renewal and housing. It is generally acknowledged that if a good job is to be done in these fields, it is beyond the financial means of any community to perform the work by itself.

Although much has been done in the tri-county urban communities to provide a supply of good housing for so-called low-income families and elderly individuals by the county housing authorities. The great field of providing rental and ownership housing for families with incomes in the $5,000-$7,500 bracket has hardly been touched in our district.

This conference and workshop has been called primarily to acquaint elected officials, builders, realtors, planners, architects, businessmen, and civic-minded citizens, and profit-minded investors of the part they individually and as a group, might play in increasing the housing supply in our urban communities both for low and middle income families and individuals, and to acquaint them with the many financial aids made available by Congress to assist them in the task. In the enactment of the Housing Act of 1965, it was the expressed desire of Congress to induce a greater participation by privately sponsored organizations and individuals in making our cities and boroughs better places in which to live by eliminating blight. The redevelopment authorities and housing authorities have done, and are doing, good work in our three counties, but there are vast opportunities for private interests to help in the job, and, I may say, at a profit. I would say that FHA "below market" private housing, the senior citizens direct loan program, and the "turnkey" program for low-rent housing should have a particular appeal to private interests. Certainly the leasing and rehabilitation programs should be of great interest to realtors and owners of rental and for-sale housing.

Now it is my great pleasure to introduce to you Mr. Warren P. Phelan, who has had great experience in the fields of urban renewal, redevelopment and public housing, and presently serves as regional administrator region II, U.S. Department of Housing and Urban Development. Mr. Phelan will discuss HUD's housing assistance programs.

[Mr. Phelan's address not included.]

Although time does not permit my introducing to you all the prominent persons who are participating in this conference, it *is* a workshop, you know. I would like a few of my good friends to stand and take a bow.

I shall not introduce the panel moderators to you at this time, but will ask each one to introduce himself to his panel participants.

I am particularly happy to welcome the delegation from Wheeling, West Virginia, headed by Mr. Russell C. Mozena, executive director of the Wheeling Housing Authority.

I might say that I had some difficulty with the State Department in obtaining visas for these individuals, to travel in the Commonwealth of Pennsylvania and passports for their return to the Mountain State.

I am grateful for the participation of representatives and experts from the Philadelphia regional office of the Department of Housing and Urban Development, and particularly to Mr. Frank J. Madden, special assistant for Public Affairs, who made the arrangements for the various panels.

Last but not least, I wish to express my thanks to the executive directors of the three county housing authorities who were of great assistance to me in completing arrangements for the workshop—Mr. Donald Rebmann of Butler County. Mr. Richard Heitsch of Lawrence County, and A. C. Edgecombe of Beaver County.

Now for the workshop itself. Nine programs will be discussed in four panels. Each panel contains programs that are closely related. If you will refer to pages 2 and 3 of your program, you will see the location of the panel of your interest. You are asked to go to these rooms immediately after the adjournment of this welcoming session. Possibly, to relieve congestion on the elevators, some of you who are strong of heart might use the stairs. Lunch will be served in this room—the Ball Room—promptly at 12 o'clock. There will be no speeches to temper your enjoyment of the food.

The morning session for each panel group, immediately to follow, will consist of a general discussion of the specified Federal housing program by the appropriate HUD representative.

The afternoon session for each panel group, convening at 1 o'clock, will consist of further clarification of the Federal housing programs by HUD officials and specific and detailed question-answer period. You are here to obtain information on the programs of your interest; the best way to obtain it is to ask questions of your panel moderator and of other panel participants who may already have had experience with some particular program. The questions and answers will benefit all.

The panel sessions and the workshop as a whole will adjourn when the participants in each afternoon panel session have drained the panel moderator of all possible information on the subject of which she or he is interested.

I again wish to express my appreciation for your interest and attendance and for the opportunity to meet so many old friends and to become acquainted with some new ones. It is my sincere hope that we shall all benefit from the proceedings and that the knowledge obtained from the panel sessions may be utilized to the betterment of living conditions in the communities that we represent.

WARREN P. PHELAN

Warren P. Phelan was Administrator of HHFA and now HUD, Region II in Philadelphia, since September 1961. Region II, which is Mr. Phelan's responsibility, includes New Jersey, Pennsylvania, Delaware, Maryland, Virginia, West Virginia and the District of Columbia.

Mr. Phelan was born and reared in Montana, where he attended high school and college, graduating from the University of Montana in 1934. Following graduation from the University he was employed by the State and transferred to the Department of Agriculture, Farm Security Administration, in 1941. He enlisted in the Navy in 1942, was commissioned in 1944, and is retired from the Naval Reserve with the rank of Lt. Commander.

Following his military service he completed two years of graduate work in administration and received a masters degree from Western Reserve University, Cleveland, Ohio.

He moved to Washington where he worked for the District of Columbia for a year and the Department of Health, Education and Welfare for three years. He joined the HHFA in 1951, as a field representative, and became Regional Director of Urban Renewal in 1956.

In 1959 Mr. Phelan received the distinguished service award, the highest award granted by HHFA, for outstanding service.

NORTH CAROLINA'S ROLE IN NATION'S TRANSPORTATION SYSTEMS

Mr. EDMONDSON. Mr. Speaker, I ask unanimous consent that the gentleman from North Carolina [Mr. KORNEGAY] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. KORNEGAY. Mr. Speaker, my home State of North Carolina has played an historic role in our Nation's transportation systems; it is the birthplace of American aviation, and since passage of the North Carolina road law in 1745 has made great progress in surface transportation. It is, in fact, yet known as "the Good Road State."

Recently, the Honorable Alan S. Boyd, Secretary of our newest Department of Government, the Department of Transportation, visited in North Carolina and delivered an address before the North Carolina World Trade Association.

Secretary Boyd's address contained much of interest, not only to North Carolina but also to all people concerned with the movement of people and goods throughout our Nation and throughout the entire world.

Mr. Boyd's remarks touched on some of the tremendous problems his new Department faces and some of the goals he has set for our youngest, and one of our most important, departments. For the Department of Transportation holds not only some of the keys to the future of transportation in our increasingly crowded and complex world, but much of the hopes for orderly movement of passengers and freight in the years ahead.

I commend his remarks to your attention, as follows:

REMARKS OF ALAN S. BOYD, SECRETARY OF TRANSPORTATION, NORTH CAROLINA WORLD TRADE ASSOCIATION, RALEIGH, N.C., JULY 26, 1967.

I am delighted to be again in North Carolina. This is a state which, like so much of the rest of the country, learned the hard way the importance of transportation. But you learned well. And North Carolina today is not only "The Good Roads State," it is a state with lively new interest and pride in its ports and their potential. And it is a state whose cities, I am told, are beginning to face squarely the problems of urban transportation. Where urban affairs are concerned, yours is the happy opportunity to be able to plan intelligently before your problems become too large.

The last time I made a speech in North Carolina was in March of last year, when I was Under Secretary of Commerce for Transportation. Public officials probably shouldn't be allowed to quote themselves, but I would like to recall some things I said that day.

The Department of Transportation hadn't been approved by Congress then, and I said: "We cannot deal with the total transportation system unless we have a department which will coordinate the various agencies involved in it." I said also that the federal agencies concerned with transportation seemed to be "going off in all directions without any relationship to each other."

And I said that if a Department of Transportation were established, and if its program were effective, "The expenditure would be the greatest investment this country has ever made."

Well, gentlemen, the Department of Transportation will be four months old next week. It is early for me to make sweeping promises. But I do say this. We are beginning to deal with transportation as a total system, and I think our program will be effective.

And one reason it will be effective is that we know we have no monopoly on solutions. I have said many times that the new Department of Transportation does not intend to try to solve problems that private industry can and will solve. The same policy will apply to state and local governments. There is a new understanding in Washington of how the federal government should work as a partner of state and local governments to help improve life for our citizens.

Call this "creative federalism," if you will, or call it simply cooperation. It is the kind of approach to which North Carolinians have always responded. It is no accident, I'm sure, that the first segment of highway to be opened to traffic in the Appalachian regional system is in North Carolina. And it is widely known that North Carolina helped set the pace for the nation in construction of the Interstate Highway system, another great federal-state undertaking.

On March 30, 1967, President Johnson signed the executive order which brought the Department of Transportation into existence. The President gave me some specific instructions as to what the Department should begin immediately to do. There were five general items. Two of them had to do with transportation safety and the threat which transportation systems pose to the quality of our environment.

The President said also that I should—and I quote:

"Enhance our foreign trade through improved connections with the larger systems of world transportation."

"Call upon the technological genius of this country to provide better roads and highways, vehicles which do not pollute the atmosphere, faster and more efficient modes of transportation."

"Assist, in cooperation with the Agency for International Development, the less fortunate nations of this world to overcome their critical transportation problems."

Those are three tasks. Improve our capacity for international trade. Employ the latest technology in our transportation systems; and help developing nations with their transportation problems. I would like to tell you today how I think those three tasks are related, and how performing them will help the United States, including North Carolina.

In the Department of Transportation, our responsibilities do not stop at the water's edge. Neither do the interests of the transportation officials and the transportation industry of North Carolina. If they did, you would have far less interest in your ports and you would not be nearly as concerned as you are about connecting your ports with the central and western areas of your state.

North Carolinians have understood the importance of international trade since colonial times, when your state exported naval stores, tobacco and other products of this richly endowed state. The tradition persists, with your governors and business leaders working to make North Carolina an exporter to the world.

Now let me take one by one those instructions I have from the President. Technical assistance, or foreign aid, is a subject from which too many Americans turn too fast. They miss one crucial point about foreign aid. Our effort to expand foreign trade is tied in large measure to our success in helping the developing nations of the world achieve a high enough level of prosperity to purchase our goods.

Transportation's role is vital to the prosperity of these nations. The Agency for International Development in the State Department administers the technical assistance program of the United States. We of the new Department of Transportation intend to become the major transportation advisor to the Agency for International Development. We will consolidate the technical assistance functions of the various agencies that have provided transportation advice to the Agency for International Development in the past. This undertaking, we feel, will bring about economies in the technical assistance programs and, most importantly, will help assure the orderly development of transportation in the developing nations.

By no means am I suggesting that we intend to help each nation develop quickly a full-scale transportation system. In some cases, it may, in fact, appear that we are doing just the opposite. There may be times when a developing nation wants a new network of four-lane highways while we will argue instead for simply marking shipping routes on natural waterways. There may be times when a developing nation wants to establish an airline system, only to find us arguing that it should buy a fleet of buses instead. In short, we intend to apply to those technical assistance programs which involve transportation the same standards of economy, coordination and orderliness that we believe should apply to public transportation expenditures in the United States.

The President instructed me also to assure that the most advanced technology that is available is used in the continuing development of transportation within the United States. We have thought a lot in our Department about how to accomplish this goal. Again, our thinking has not stopped at the water's edge.

Let us suppose that a Western European nation has developed a high-angle take-off airplane that would be ideal for short-range passenger operations in our crowded Northeast—or that might be ideal, for that matter, for passenger operations between Raleigh and Charlotte, or between either of those cities and the Piedmont Triad of Greensboro, Winston-Salem and High Point. Or let us suppose that another nation has developed a new type of high-speed ground transportation system in which an American corporation or a group of American cities might be interested.

Why should we in the United States not take advantage of those advanced transportation technologies in other nations, in return for their taking advantage of our advancements?

In the Department of Transportation we are establishing a small organization which we are calling the Office of Industrial Cooperation. Its job is to learn, by all available means, what transportation technology developed abroad would be of value in this country. And its job is to work out the agreements which I believe can lead to significant economies of both time and money as we in this nation seek to solve our transportation problems.

In some cases the Office of Industrial Cooperation will be looking for simple international exchanges of technical data. In others it will seek contract agreements—always reciprocal—which could lead to joint research, joint development and perhaps even joint production of transportation systems. The benefits are obvious. Millions of dollars are spent each year in this nation for transportation research and development, and similarly large amounts are spent in other developed nations. If we pool our resources, every nation involved can profit.

In the early stages of this undertaking, no doubt most of our efforts will be directed toward cooperation with the Western European nations and Japan. But we will not ignore other nations—the Soviet Union, for example. We in the Department of Transportation are perfectly willing to talk to the Russians if we can take advantage of some of their transportation advances. Soviet achievements in cold-weather transportation, in the use of lighter-than-air craft, in tunneling techniques for subway construction are well known in the transportation community. Wherever there is something to be taught about transportation technology, we in the Department of Transportation are willing to make the effort to learn.

The military establishments of the Western nations have tried many times in recent years—but usually with little success—to cooperate in the development of new weapons and new military vehicles. Security requirements and, sometimes, mere petty nationalistic jealousies have hampered those efforts. We in the transportation business are free of many of those concerns. So the Department of Transportation is prepared to cooperate with other nations in transportation development because we feel an obligation to the American taxpayer to do so.

President Johnson instructed the Department of Transportation to use its resources for the enhancement of foreign trade. Transportation is only a servant, but its services are vital to international trade. Our technical assistance program and our industrial cooperation program are, we think, key elements of our broad effort to facilitate trade through better transportation systems and techniques.

And now let me turn to one additional phase of our international trade effort within the Department of Transportation. It is an undertaking which, I'm sure, some of you will consider more pertinent, and closer to home. I am told that in 1966, the total world trade of North Carolina reached a level of well over a billion dollars. That is a remarkable achievement. It reflects the energy and the progressive spirit which have long existed in North Carolina and which exist today.

But your manufacturers have a problem—a problem common to industries all over the nation. Too many American manufacturers, large and small, stay out of import and export trade simply because of the complexities and the cost of the paperwork involved in international trade. These costs sometimes reduce profits to the point that producers can't afford foreign trade.

The problem is recognized at the highest level of the Federal Government. In March President Johnson said, and I quote:

"We have mounted a sizeable Government-industry program to expand exports; yet we allow a mountain of red tape paperwork to negate our efforts."

The Department of Transportation is responsible for attacking this mountain, and we have formed within the Department an Office of Facilitation, which is hard at work. In short order we will be proposing changes which would reduce the paperwork now necessary to international trade. We also are considering a great variety of ideas which look toward facilitating the movement of both people and merchandise as they travel across borders and as they shift from one kind of transportation system to another.

One of the real values of this facilitation effort is that it will help the small international shipper as well as the large one, the vacationer as well as the veteran businessman traveler.

In preparation for this trip I read some history—some North Carolina history. I learned about your "Old Plank Road" from Fayetteville to Forsyth County—the longest plank road ever built, a technological marvel of its day. I was reminded that North Carolina's Outer Banks are the birthplace of aviation. And someone pointed out to me a remarkable old law from North Carolina's colonial days. It is the Road Law of the year 1745. It provided that all new roads should be built to the nearest boat landing.

In a way, that is what the Department of Transportation is all about. We do not recommend that all your roads be constructed in such a way as to connect with other systems of transportation. But we are at least as aware today as North Carolina's colonial governors were in the 18th Century of the necessity for coordinating transportation systems and facilitating—the necessity to keep transportation systems from running off in all directions. International trade, especially, requires the coordination of transportation systems. I hope your interest in international trade indicates an interest also in the tasks of coordinating and cooperation which the Department of Transportation has begun.

THE RESURGENCE OF A MEDIEVAL THREAT — PLAGUE — AND THE WORLDWIDE EMPIRE OF THE RAT

Mr. EDMONDSON. Mr. Speaker, I ask unanimous consent that the gentleman from Washington [Mr. ADAMS] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. ADAMS. Mr. Speaker, at a meeting at the World Health Organization headquarters a few months ago, 30 scientists from 16 countries met to discuss ways of fighting the health menace caused by rats and rat-infested parasites. One startling conclusion they reached was that the plague—the worst of rat-borne diseases—is not a long-forgotten killer of the Middle Ages, but very much a threat today. Contributing to the threat, the scientists reported, is massive urbanization together with a failure to realize how grave is the danger to human health from rats and the parasites they carry.

Mr. Speaker, perhaps it is this same naivete that led a majority of this House to defeat the administration's rat control and prevention program. For the interest of the Members, I am inserting in the RECORD an account of the conclusions reached by those scientists at the WHO as it was published in Trustee: The Journal for Hospital Governing Boards:

RESURGENCE OF A MEDIEVAL THREAT—PLAGUE—AND THE WORLDWIDE EMPIRE OF THE RAT

(This material is extracted from a treatise on the rat and on plague, the most dangerous of rat-borne diseases, which appeared in the April 1967 issue of *World Health, the Magazine of the World Health Organization*, Geneva, Switzerland.)

Compared to the rat, man is almost a newcomer on earth. Zoological opinion considers the rat to be at least 50 times older than man: the species *rodentia*, of which rats are the largest single group, originated during the Eocene-Oligocene period about 50 million years ago. Available evidence suggests that rodents are of nearotic origin: that is, their ancestral home was in the region now described as North America. Man, on the other hand, is a relative newcomer even among the mammals, for his earliest recognizable ancestor did not branch off from the great anthropoids until about a million years ago.

Since their advent, both man and rat have multiplied considerably. Today, United Nations demographers set the world population of humans at almost 3,300 million, and zoologists generally consider the earth's rat population to be about the same. Clearly, nature has endowed the rat with a capacity for survival. Can man compete with the rat's 50 million years of empire-building, by means of traps, poisons and other control methods? Experts say this *can* be done and point to the disappearance of rat-borne diseases in parts of the world where a few centuries ago such diseases were all too prevalent.

From 1345 to 1350, the infamous Black Death held Western Europe by the throat. More than 43 million deaths are on record during these five dread years and papal chroniclers of the day speak of no fewer than 200,000 depopulated towns laid waste and inhabited only by "the beasts of the field." There is no reason to believe that the death toll of the period was in any way exaggerated—in fact, authorities consider that the figures might well have been an understatement. Medicine in the Middle Ages was in the hands of mystics; hygiene in the crowded mediaeval cities was practically nonexistent; and although the rat was associated with the plague no one suspected it of being the main carrier.

In Europe, the disease became endemic and remained so until the nineteenth century. In 1665 London was ravaged. The English diarists, Samuel Pepys and John Evelyn, wrote of 10,000 dying in a week, the shops closed and grass growing in the streets. In 1720 it travelled from Syria to Marsailles and killed 86,000 people. In 1770 it appeared in Moscow and killed 80,000. It appeared in the Balkan peninsula, in Greece, in Italy. It broke out in Constantinople in 1803, killed 150,000 and returned again in 1815 to slay 110,000. Messina suffered an epidemic in 1743.

Towards the end of the eighteenth century, Egypt was recognized as an established plague focus. Between 1783 and 1844, twenty-one epidemics occurred. In 1799, as many as 2,000 French soldiers in Egypt and Syria were wiped out. In India the disease first appeared in 1896 and was at first limited to Bombay. But it soon spread. Ten years after the appearance of plague in the sub-continent almost three and a half million people had died of it. The number of deaths in one week in 1907 was as high as 76,000—almost equal to the entire strength of the British Army in India at that time.

THE PORT THAT PERISHED

Medical writers have debated the reasons for the lull in the outbreaks of plague in both recent and historical times. Some attribute it to *R. rattus* being superseded by the brown rat *R. norvegicus*. But it has been pointed out that the brown rat did not arrive in Western Europe, for example, until the beginning of the eighteenth century—long after the Black Death had receded. Other writers attribute the disappearance of the disease in Europe to higher standards of cleanliness, housing, and sanitation. The Chinese medical historian, Wu Lien-teh, however, pointed out that the lull in plague outbreaks took place in the Middle East, India and China during the same period. Today, experts consider it more likely that plague declined naturally.

According to Wu Lien-teh, the plague has been present since time immemorial in areas near the Central Asian Plateau. He describes this region as the original home of the infection. Some writers, however, have placed the original focus of the disease in central Africa. Certainly the earliest recorded evidence of a widespread outbreak dates from AD. 542 in the port of Pelusium in Lower Egypt. Today, this port is represented only by two large mounds close to the Egyptian coast and on the edge of the desert 20 miles east of Port Said. It once lay in the marshes at the mouth of the most easterly branch of the Nile.

Whether plague or the silting up of the Nile in this area was the main cause of the death of this once-bustling port is a question that will probably never be answered. A Latin writer of the period, Evagrius, said the plague had started in Ethiopia. During the 50 to 60 years for which this earliest recorded pandemic lasted, chroniclers wrote that 100 million people died. Today, historians say that other diseases must have also played a part in the death toll—but records for the period leave no doubt that bubonic plague was largely responsible.

Throughout history man has recognized the existence of a rat-society intermeshed within the framework of his own. He has also always been aware to a lesser or greater degree of the threat to his health and wealth from rat-infestation, but without really understanding the true gravity of the threat. Consequently, control measures have often faced unnecessary difficulties, ranging from complete indifference to downright hostility. As far back as the 13th century a rat-catcher in the German city of Hamelin apparently had difficulty in collecting his dues. This rat catcher, who has become the legendary flute-playing "Pied Piper of Hamelin", was by no means mythical. Ancient records in the city show that rat catchers were hired to clean the town of vermin and doubtlessly the worthy burghers were occasionally remiss in paying their rodent-operatives. Today, however, the lesson from history is clear: the rat-menace *must* be drastically controlled or mankind will continue to pay in disease and hunger.

THE ANATOMY OF PLAGUE

Plague is a disease of rodents and spreads mainly from rat to man by the rat flea (*Xenopsylla cheopis*) biting first a sick rat, then a man, and so carrying the germ of the disease from rat to man. There are other ways in which the disease spreads but this is the most common one and the way that really requires the attention of readers.

Plague kills man rapidly but can continue in the rat, among whose numbers it smoulders, occasionally breaking out and infecting society. Epidemics of plague in man are usually preceded by widespread epidemics among rats and other rodents.

The rat flea, feeding on an infected rat, which may well have about 100 million plague bacteria in one millilitre of its blood, will take up about 500 of these organisms at one feed. Rat mortality from the plague is high and large numbers of infected fleas must thus find another host or starve. The victim they most often find is man.

The plague has three forms, bubonic, pneumonic and septicaemic, which correspond to the three typical ways in which the microbe invades the body.

The commonest form is the *bubonic* and it is found mainly in the early stages of an epidemic. The most obvious symptom is the swelling of the lymphatic glands nearest the point of the infected bite into large, hard and painful tumours called buboes. They are often found in the groin and armpits of sufferers. The *pneumonic* form follows an invasion by the germ through the nose or throat. The havoc caused by this form arises from the fact that the sputum of the victim contains myriads of germs which, when blown about, may be inhaled by dozens of people. It is a form of air-borne transmission of plague and is ordinarily an advanced phase of an epidemic.

The *septicaemic* form follows the direct entry of the microbe into the bloodstream. The entry of the microbe sets up swift putrescence and the victim rapidly dies. Hemorrhages under the skin cause dark purple blotches of stagnant blood—known as "petechiae"—which originally gave the disease the name of "Black Death."

The agent of plague is *Pasteurella pestis* and it belongs to the group of bacteria that produce poisons in the blood. Although the rat is by no means the only plague carrier (other subterranean animals and rodents, such as moles and mice, can carry it) the rat is the most potent factor in its dissemination. Experts say the bacillus of the disease survives in the carcasses of dead vermin lying in burrows and transfers to live hosts.

It is only when the urban rat and people (tourists and hunters, for example) come into contact with infected field animals that the disease is passed on. The growing urbanization of countries, with the consequent push outwards into rural areas where plague-stricken animals are naturally present, has made the spread of the disease a real danger, particularly in developing countries.

ATTACKING THE MENACE

To fight the rat menace effectively action must be taken against entire rat populations and not merely against individuals. Unless planned attacks against entire groups are carried out, piecemeal extermination will at the best give temporary relief. Permanent reductions in their ranks can be brought about only by radically changing the rats' environment: first, by sanitation designed to cut down the available supply of refuse and waste and, second, by blocking off access to warehouses and storerooms where foodstuffs and produce are kept. Ratproofing of buildings is a two-pronged weapon: it denies the animal entry to food supplies and at the same time stops it from settling in sewers, drains, and walls. This basic—and most effective—form of control compels a rat to expose itself to natural dangers and enemies—compels it to come out into the open, face attacks from cats, dogs, man, and in cities, expose itself to traffic hazards.

Well-planned measures, based on an understanding of its way of life, also subject the animal to biological limitations—in effect, the concept of the "survival of the fittest" can be brought into play. When rats compete among themselves for reduced food supplies, they inevitably thin their own ranks out in a struggle to stay alive. In fact, defense by ratproofing and sanitation is the best form of attack.

A WARNING FROM THE SCIENTISTS

Thirty scientists from 16 different countries met a few months ago at World Health headquarters in Switzerland to discuss the best ways to fight the menace to health caused by rats, mice and other rodents and the parasites that live on them.

The conclusions of these scientists sharply reminded the world that plague—the greatest single danger among rat-borne diseases—is by no means a long-forgotten sickness chronicled in the Middle Ages, but very much a menace of today. In 1966 alone, almost 1,300 cases confirmed by laboratory tests, with 134 deaths, were reported throughout the world. Most were found in Vietnam, which gave plague as the cause of 351 cases and 26 deaths. In addition, Vietnam reported 2,404 cases of suspected plague with 119 deaths. Such figures lend emphasis to the warnings from the seminar that the world is confronted with a continuing menace of explosive outbreaks of human plague. The main reasons for this lie in rapid urbanization, particularly in the developing countries, and general failure to realize how grave is the danger to human health from rats and the parasites they carry.

The WHO seminar has emphasized that anything that will keep down rats will serve a double purpose; it will protect mankind against disease and reduce the constant pillage of man's larder, thus increasing the amount of food available for humans.

The total world loss of stored cereals and rice, for which rats—in the main—are responsible, is estimated to be 33 million tons a year. At the same time more than 20 per cent of the crops planted by man every year is eaten or spoiled by rodents and insects even before the harvest. One single rat alone, left free to roam a warehouse for one year, will, it is estimated, eat about 27 pounds of food and deposit about 25,000 droppings to spoil much more.

Clearly, the rat must be controlled and it entirely lies within man's power to do so, provided that he applies all existing methods painstakingly and methodically.

POTENTIAL OF THE COOSA

Mr. EDMONDSON. Mr. Speaker, I ask unanimous consent that the gentleman from Alabama [Mr. Nichols] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. NICHOLS. Mr. Speaker, for more than 70 years, the people of Alabama have worked for the development of the Coosa-Alabama River system. Although much remains to be done, the dream of a navigable channel of 645 miles from Rome, Ga., to Mobile, Ala., is approaching completion. Last month at the dedication of the Logan-Martin Dam, I predicted that most of the people in the audience would live to see barges traveling the length of the Coosa River.

The economic benefits of this development are obvious. Since 1950 the location of new industrial plants and the expansion of existing plants represent a monetary value of more than $22 billion.

The bulk of the improvements are being done by private capital with the Federal Government installing locks on five dams. Alabama Power Co. is investing more than $188 million in this project.

At this point I would like to insert in the Record an editorial from the July 31 edition of the Birmingham News which points out the vast potential of the Coosa River:

POTENTIAL ON THE COOSA

Normally, a dream conceived more than 70 years ago would have run its course by now. Either it would have flamed to fruition, or it would have burned itself out as impractical.

Not so the long-standing but still brightly burning dream to make the Coosa-Alabama river system navigable all the way from Rome, Ga., to the Port of Mobile. Planners still envision the day when tows will be tugging barges along the entire 645 twisting miles of waterway between these two terminals.

Although the project is less publicized than the proposed Tennessee-Tombigbee development, it is hardly less important to Alabama's future.

The long-range plan calls for federal installation of locks on power dams built by Alabama Power Co. on the Coosa River; construction of other locks and dams on the Alabama, and dredging a 600-mile navigation channel 9 feet deep and 150 feet wide through the reservoirs and river beds. The locks would be 600 feet long and 84 feet wide to accommodate modern tows.

The Alabama is already navigable, with a 9-foot channel, from Mobile 125 miles upstream to Wilcox County; and current development—including construction of the Millers Ferry, Claibore and Jones Bluff locks and dams—assures navigability all the way to Montgomery, possibly by 1970 or 1971.

The second stage of the project, calling for development of the Coosa from Montgomery to Gadsden, has had its dark moments. The U.S. Corps of Engineers previously declared development of this section of the Coosa to be of marginal benefit compared to the costs.

Recent developments, however, give proponents hope that a re-examination of the Coosa system will show its development to be fully and economically feasible.

The Coosa-Alabama River Improvement Association, Inc., has announced that the Corps of Engineers has contracted with the Southern Research Institute to conduct a feasibility study of the Coosa.

In addition to this contract, additional research is to be made in the 35-county commercial tributary area of the Coosa Valley as provided under the Appalachian Regional Development Act of 1965, also under contract with the Southern Research Institute.

Included in the second contract will be a study of the nature and volume of barge traffic that might originate or terminate in Jefferson County if the Coosa-Alabama system is open to navigation. Jefferson has not previously been considered part of the Coosa River Basin, but is now included under the Appalachian Study Program.

Manufacturers are naturally looking for the most economical transportation for their raw materials and finished products. A single barge holds as much as 15 to 30 rail cars; one tow can pull several barges, the equivalent of four or five trainloads—and at a much lower cost.

Inland waterways already carry 10 per cent of the nation's freight, but at a cost of only 1.5 per cent of the total freight bill. It has been estimated that full development of the Coosa-Alabama would spawn new industries creating 55,000 jobs and a combined annual payroll of $412 million.

Backers of the Coosa-Alabama project are aware of the potentialities. Their dream is as bright now as it was 70 years ago.

H.R. 11997, A BILL TO EXEMPT POLICEMEN FROM THE SELECTIVE SERVICE ACT

Mr. EDMONDSON. Mr. Speaker, I ask unanimous consent that the gentleman from North Carolina [Mr. HENDERSON] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. HENDERSON. Mr. Speaker, in order to recognize the importance of and to strengthen the police forces of our Nation, on yesterday—August 1—I introduced H.R. 11997, to exempt policemen from the Selective Service Act. This bill would exempt State highway patrolmen and policemen of the cities and towns and other political subdivisions from military service while engaged in law enforcement.

I believe that the majority of the American people, in view of the widespread lawlessness and crime over the Nation, recognize that the service rendered to law-abiding citizens by our police is as important as is the defense of our Nation and the free world by our young men performing military duty. Congress should take this action to let the police and all American citizens know that it is our purpose to strengthen our police departments in every way possible.

In my opinion, the States, cities, and local authorities have a primary responsibility to prevent crime, lawlessness, and rioting and I do not believe that all of the proposals to spend more money, even those that would spend money to improve the police forces, will be as effective as my proposed bill.

Everyone knows that the law enforcement agencies of our Nation are finding it most difficult to get young qualified men to enter this dangerous work. I hope that other Members of Congress, the President, the Governors, and mayors of the various States and cities will enthusiastically support my proposed legislation.

Obviously the enactment of this legislation would not cost the taxpayer any additional money, and it is my firm belief that a more effective use of our manpower in the military will enable us to strengthen the various law enforcement agencies of our Nation without interfering with the military necessity.

LAW ENFORCEMENT AND CRIMINAL JUSTICE ACT

Mr. EDMONDSON. Mr. Speaker, I ask unanimous consent that the gentleman from California [Mr. TUNNEY] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. TUNNEY. Mr. Speaker, I wish to take this opportunity to voice my support of H.R. 5037, the Law Enforcement and Criminal Justice Act of 1967. By granting Federal assistance to local law-enforcement agencies, this bill will contribute heavily to the war against crime.

The bill provides Federal grant assistance through the Department of Justice for law enforcement and criminal justice purposes. The grants will encourage States and local governments to prepare and adopt comprehensive law-enforcement plans, to develop new technological innovations for crime prevention and control, and to encourage research and training to improve law enforcement and to increase respect for law and order.

From 1960 to 1965, the number of serious crimes committed each year increased 46 percent while the population increased only 8 percent. Crimes against property increased by 47 percent and crimes of violence by 35 percent. During 1965, five serious crimes were committed each minute. One murder was committed every hour, one robbery every 4½ minutes, one auto theft each minute, one burglary every 27 seconds, and one forcible rape every 23 seconds. These are hardly comforting statistics.

If the Law Enforcement and Criminal Justice Act of 1967 becomes law, it will of course help in stemming the tide of crime, but it is only a beginning. Legislation by itself cannot solve the problem. No law, however good it may be, will be effective unless it is enforced. And enforcement of laws depends to a great extent on the attitudes of citizens. When people demand strong law enforcement and work to achieve it, they can secure it.

Americans have always risen to the occasion in our hour of need, and that hour is upon us. We can win our war against crime because we must. The only alternative is chaos—and the end of our dreams of a workable democracy.

QUESTIONS AND ANSWERS ON THE DISTRICT OF COLUMBIA REORGANIZATION PLAN

Mr. EDMONDSON. Mr. Speaker, I ask unanimous consent that the gentleman from Minnesota [Mr. FRASER] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. FRASER. Mr. Speaker, there has been considerable interest in the Congress and the Washington community in the President's proposal to reorganize the government of the District of Columbia.

There has been some confusion about what the reorganization plan does and does not do. In order to answer the questions, I would like to include in the RECORD the statement submitted to the Government Operations Committee by the District of Columbia Committee To Support the President's Reorganization Plan:

QUESTIONS AND ANSWERS REGARDING THE PRESIDENT'S REORGANIZATION PLAN FOR THE DISTRICT OF COLUMBIA

(Statement of the Committee To Support the President's Reorganization Plan, submitted to the House Committee on Government Operations, by David Carliner, cochairman, June 21, 1967)

1. Why does the Committee To Support the President's Reorganization Plan believe that the Plan will be an improvement over the existing District of Columbia Government?

(a) The present Board of Commissioners is comprised of three commissioners of co-equal authority who exercise individual responsibility over separate jurisdictions. The Commissioner of Public Works is responsible for sanitary engineering, highways and traffic, buildings and grounds, motor vehicles, licenses and inspections, surveys, veterans' affairs, urban renewal, and parking facilities. The Commissioner of Public Safety is responsible for the Metropolitan Police Department, the Fire Department, the Office of Civil Defense, and the Office of the Recorder of Deeds. The Commissioner of Health and Welfare is responsible for health, welfare, correctional institutions, vocational rehabilitation, minimum wages and industrial safety; insurance, parole, alcoholic beverage control, and the office of the coroner. No commissioner is responsible to any other commissioner. Nor is any commissioner necessarily responsible to the majority of the members of the Board of Commissioners for policy making functions assigned to him. The result has been divided responsibility for programs which require a unified direction.

The replacement of three commissioners with a tripartite division of authority with one commissioner who has complete administrative responsibility for the conduct of the District of Columbia Government will centralize executive power and will eliminate the inevitable confusion and lack of coordination which result from divided authority.

(b) The Board of Commissioners exercises both policy making and policy implementing functions. In every other governmental body in the United States, whether federal, state, or municipal, these functions are separated. Policy making in a democratic society requires a body which represents the entire community, and which permits an exchange of viewpoints and a deliberative process. It must necessarily be made by a political structure large enough to include the major groupings in the community. The execution of policy requires an effective administrator. The two functions are so dissimilar that they should be exercised by separate agencies.

The establishment of a nine-member council, to be "broadly representative" of the community, will provide an appropriate body to make municipal policy for important governmental programs. The establishment of the office of the Commissioner to execute the policy will provide a single executive with the full responsibility for the administration of municipal programs. The combination of the two will provide a system of checks and balances which has been the hallmark of the American political system.

2. Has the need to reorganize the District of Columbia government in this manner been established?

Yes. Every authority who has studied the subject and virtually all persons who have been associated with the District of Columbia government have testified to the need for centralizing responsibility in a single executive, for dividing administrative from policy-making functions, and for establishing a more representative body to determine policy for the District government.

These authorities include the present members of the Board of Commissioners, the Chief of the Metropolitan Police Department, Director of General Administration for the District of Columbia from 1952 to 1967, the Bureau of the Budget, the Washington Center for Metropolitan Studies.

Earlier recommendations for similar reform of the District of Columbia government include a Report on District of Columbia Affairs submitted to the Congress in 1908 by President Theodore Roosevelt who stated that "a single head in place of three Commissioners . . . [will] . . . increase efficiency, determine responsibility, and eliminate delays and uncertainties inevitable under the present system. . . ."

The Brookings Institution, after a comprehensive study of the District Government in 1929 by Dr. Laurence F. Schmeckebier, recommended the abolition of the Board of Commissioners and the creation of generally the system proposed in the Reorganization plan. Similar recommendations were made by the Jacobs Report in 1937, the Griffenhagen Report in 1939, and significantly by the House Committee on the District of Columbia in 1948. That Committee, then chaired by the Hon. Everett M. Dirksen, then a Representative from Illinois, adopted a proposal both for home rule and for reorganization of the District government, declared among other defects of the commissioner form of government that:

"The present organic law, passed in 1878, . . . represents a crazy-quilt pattern poorly suited to the requirements of modern municipal government. . . . There is no clear separation of legislative and executive functions which students of municipal government consider essential."

Similarly, the Committee of One Hundred on the Federal City in 1948, then headed by Hon. C. Melvin Sharpe, a one time member of the Board of Commissioners, while opposing Home Rule for the District, favored the "separation of legislative from administrative functions . . . by setting up a council to act as the legislative body." It also favored, as proposed in the Reorganization Plan, the substitution of a "single administrator . . . [for the Board of Commissioners] . . . as essential to good government . . . provided that the administrator is appointed by the President and has the power of veto over the acts of the Council."

The need for reform was summarized by Representative Ancher Nelson, ranking Republican member of the House Committee on the District of Columbia, who informed the House Committee on Government Operations during the hearings on the Reorganization Plan, that the "planning and execution" of important programs in the District government "currently approaches a state of near anarchy".

3. Does the President have the authority to submit the Reorganization Plan to the Congress?

Yes. The Reorganization Act of 1949 expressly requires that "the President *shall examine* and from time to time reexamine the organization of all agencies of the Government and *shall determine* what changes therein are necessary . . . to promote the better execution of the laws, the more effective management . . . of the Government . . . and the expeditious administration of the public business.

Section 7 of the Reorganization Act defines the term "agency" to mean "any and all parts of the municipal government of the District of Columbia except the courts thereof".

4. Does the President have the power under the Reorganization Act to propose the abolition of the Board of Commissioners and the transfer of the Commissioners' powers to a single Commissioner and to a legislative council?

Yes. Section 8 of the Reorganization Act states that the term "reorganization" means any *"transfer,* consolidation, coordination, authorization, or *abolition"* of the "whole or any part of any agency".

5. Is there any limitation upon the power of the President to effect changes in the District of Columbia government?

Yes. No reorganization plan may abolish the municipal government of the District of Columbia, transfer it to or consolidate it with any other agency of the government.

6. Does the Reorganization Plan No. 3 abolish the municipal government of the District of Columbia, transfer it to another agency, or consolidate it with another agency?

No. The government of the District of Columbia by statute is designated by Congress as the "District of Columbia by which name it is constituted a body-corporate for municipal purposes". The Commissioners are by statute defined to be "officers" of the corporation of the District of Columbia. The Board of Commissioners is the combination of the three officers. The reduction of the number of commissioners from three to one and the creation of a nine-member legislative council to perform functions previously assigned to the Commissioners plainly do not "abolish" the government of the District of Columbia or transfer the government to any other agency.

7. Does the President's Reorganization Plan violate the provision of the Constitution that the Congress shall exercise "exclusive legislation" over the District of Columbia?

No. Congress has exercised "exclusive legislation" over the District of Columbia by enacting the Reorganization Act of 1949 which requires the President to submit to the Congress proposed changes in the structure and operation of the District of Columbia government. In addition, Congress continues to exercise the power to legislate for the District of Columbia by retaining the power to reject or to approve the proposed Reorganization Plan. Chairman John L. McMillan and Representative Joel T. Broyhill, both avowed opponents of the Reorganization Plan, have themselves implemented the legislative power of Congress over the plan by sponsoring resolutions to disapprove the plan. The enactment or the rejection of the resolution will be an exercise of legislative jurisdiction by the Congress.

In addition, Congress and the courts have recognized the power of the President to reorganize the District of Columbia government through the provisions of the Reorganization Act. In 1952, the District of Columbia government was reorganized under a plan which abolished, transferred, or consolidated 95 agencies within the District government. The power to accomplish this reorganization, which has been accepted without successful challenge during the past 15 years, is the same power invoked by the President here. The power to transfer administrative functions of the three commissioners to one commissioner and to transfer the function of approving municipal ordinances and regulations to a nine-member council is no different from the power, exercised in the 1952 Reorganization plan, to transfer the various functions of some 95 agencies to the Board of Commissioners.

8. Does the submission of the Reorganization Plan by the President by-pass Congress?

No, it does not by-pass Congress. The Reorganization Act requires that the plan be submitted to both Houses of Congress. The Plan is then referred to the Committees on Government Operations. Provision is made for congressional action on a resolution, which may be sponsored by any member of Congress, which declares that either the House or the Senate "does not favor" the Reorganization Plan. Such a resolution is referred to the Government Operations Committee and if not acted upon by that Committee at the end of 10 calendar days, the resolution may be brought to the floor of Congress as a privileged matter. Since the enactment of the Reorganization Act of 1949, approximately 80 Reorganization Plans have been submitted to Congress. While most plans have become law, a number of Reorganization Plans have been disapproved.

9. Does the submission of the Reorganization Plan for the District Government bypass the Congressional committees on the District of Columbia?

The Reorganization Plan itself is referred to the Government Operations Committees, which have been selected by Congress as the appropriate Committees to review the reorganization plans for all government agencies. The Committees on the District of Columbia have no jurisdiction to act upon the Reorganization Plan or upon any resolution to disapprove the Plan.

10. Do the District of Columbia Committees of Congress have the power to change any of the provisions of the Reorganization Plan?

Any member of Congress may introduce legislation to modify the government of the District of Columbia. Such legislation is referred to the District Committee. That committee may act upon the proposed legislation and report or not, as it chooses, the legislation to the floor for final action. Representative Ancher Nelsen has sponsored the Reorganization Plan as a bill in the House and it is now pending action before the House District Committee. Unlike the Reorganization Plan. Representative Nelsen's bill is subject to amendment. If the House District Committee favors any changes in the District of Columbia government, it has the power to report any legislation it adopts to Congress before the President's Reorganization Plan could take effect.

11. Does the Reorganization Plan affect the "federal" interest and power over the government of the District of Columbia?

No. No new powers are given to the Commissioner or the Council by the Plan. All policies, ordinances, regulations of the nine-man council, and all actions of the Commissioner must be based upon legislation enacted by the Congress and approved by the President. The ultimate power to determine the budget and fix appropriations remains with Congress. The Commissioner and all members of the nine-member council are to be appointed by the President and confirmed by the Senate. The present mechanism for asserting the federal interest in the District remains unchanged.

12. Does the Reorganization Plan provide for local citizen participation in the District Government?

Yes. The plan establishes a District of Columbia Council of nine members, including the Chairman and Vice Chairman, who must have been residents of the District of Columbia for at least three years and who must be "broadly representative of the District of Columbia community." No more than six members shall be "adherents of any one political party". District citizens will therefore have more than their present participation in "advisory citizens councils". The council will be more representative of the city than a three-man board of commissioners, one of whose members is a specially designated officer of the Army Engineer Corps.

In addition, the plan requires that either the Commissioner or the Assistant to the Commissioner must have been a resident of the District for three years.

Thus the plan assures that all policy making functions are exercised by residents of the District—a provision which does not now govern those programs which are administered by the Commissioner of Public Works. It provides that at least one of the executive officers of the District of Columbia must be a resident.

13. What relationship does the Reorgani-

zation Plan have to Home Rule for the District of Columbia?

The answer to this question depends upon how one views the Reorganization Plan.

If the Reorganization Plan is regarded as the final answer to the needs of the District of Columbia, if there are to be no further changes in the structure of the District government, there is no connection between the proposed structure of a commissioner-nine man city council and the goal of a self-government for the District.

If the Reorganization Plan is regarded as part of an evolutionary development toward self-government for the District of Columbia, then the commissioner-nine-member legislative council can become the foundation stone for elected government with full municipal powers over the affairs of the District. The next stage in the movement for self-government could be the enactment of legislation to provide for the election of the commissioner and the members of the council and the delegation to the city government of broader power over local matters.

14. Why doesn't the Reorganization Plan provide for the election of the Commissioner and the members of the Council?

The Reorganization Act of 1949 does not permit the election of officers who replace those who have been appointed.

15. Does the adoption of the Reorganization Plan preclude legislation by Congress to provide for the election of the Commissioner or the members of the Council?

No. Congress can enact legislation concurrently with the approval of the Reorganization Plan, or subsequently, to provide for the election of any officers of the District of Columbia government. Bills have been introduced for the election of one commissioner, the school board, and for a non-voting delegate in the House of Representatives. None of these proposals is inconsistent with the Reorganization Plan.

16. Representative Ancher Nelson has testified before the House Government Operations Committee in support of a "management reorganization of the District government" sponsored by Schuyler Lowe, former Director of the District of Columbia Department of General Administration. Does the Reorganization Plan prevent the adoption of the Lowe Plan?

No. The Lowe plan provides for coordinating the planning programs of the District government in connection with the proposed Model City project under the Demonstration Cities Act. It would coordinate the planning process only. It has no relationship to any proposals to reorganize the functions of the Board of Commissioners.

The adoption of the Lowe plan, therefore, would not eliminate the division of responsibilities for the various departments of the District government between the three commissioners and it would not separate the legislative function from the administrative power now commingled in the Board of Commissioners.

Mr. Lowe has himself describe his plan as "supplementary to the Reorganization Plan." He has testified that his plan would be implemented best under a Mayor-City Council form of government or the Commissioner-Council government proposed in the Reorganization Plan, and he has endorsed the Reorganization Plan as one which "streamlines the executive side of government and beefs up its ordinance making powers."

17. The Washington Metropolitan Board of Trade states that "some or all the powers" now exercised by the National Capital Planning Commission, the Redevelopment Land Agency, the National Capital Housing Authority, the United States Employment Service, and other agencies should be transferred to the city commissioners so that they "will have the powers which they need to carry out their responsibilities for administering our local government". Is this position an argument against the Reorganization Plan?

No. It is an argument for the plan. While the Plan does not transfer the powers of these agencies to the Commissioner and the Council, legislation can be enacted to transfer the powers of these agencies to the local government. Senator Francis Case of South Dakota has provided the answer to the Board of Trade's opposition to the Reorganization Plan, when he stated in connection with the Plan in 1952, that:

> "To reject the plan for something it does might make sense, but to reject it for things it does not do would be to pass up an opportunity to get some badly needed reorganization under way".

If the Reorganization Plan is adopted, the consolidation of the functions of other District of Columbia agencies becomes a much easier step to accomplish.

18. The District of Columbia Bankers' Association states that the Reorganization Plan retains the "same unclear lines of authority which plague the existing Board of Commissioners". Is this a justified criticism of the Reorganization Plan?

No. The Plan expressly provides that all executive powers now exercised by each of the three commissioners and all functions except those specifically transferred to the City Council shall be exercised by the Commissioner. The division of powers between three commissioners which now "plagues the Board of Commissioners" is thus eliminated. It is true that the Commissioner and the Council will not have all the powers exercised by all of the agencies concerned with the District of Columbia, but the adoption of the Reorganization Plan offers a step toward the consolidation of all local governmental powers in one body. A rejection of the Reorganization Plan would solve none of the problems of the District government.

19. Unidentified "high ranking District government officials" have been quoted as saying that the "council is not supposed to make the major decisions but . . . will attempt to" and that its performance will be "disruptive". Is there any merit to this criticism?

Inasmuch as the criticism is directed against assumed behavior in the future of a group of people whose identities are not known, the comment is no more than a prediction based necessarily upon prejudice against "citizens who are broadly representative of the community".

The facts assumed in the criticism, however, are incorrect. The Council is given express authority to make numerous "major decisions". These include the adoption of all regulations, police, building, health, welfare, motor vehicle, among others. It includes the power to prescribe the rate of real estate and personal property taxes. Each of these matters involves "major decisions".

Further, the Reorganization Plan provides that the actions of the Council are subject to the approval of the Commissioner. There is thus a built-in check on the decisions of the Council.

Apart from this control, Congress and the Judiciary, serve, as they do for all agencies of the Executive Branch of the government, as a check on the abuse of power.

20. The Reorganization Plan has been criticized because it does not require the Commissioner to have been a resident of the District of Columbia at the time of his appointment. Is this a reason for opposing the plan?

No. A District resident can be appointed as Commissioner. The President has promised that he "will look first to the residents of the District" in selecting the Commissioner. There is thus a virtual pledge that a qualified person who is a resident of the District will be appointed as the Commissioner. In any event, under the Plan the policy and rule-making powers, as pointed out above, will be vested in the nine-member Council, all of whose members must be District residents.

21. The District of Columbia Republican Committee has criticized as "an incredible grant of authority with a tremendous potential for chaos" the power given to the Commissioners to determine the "agencies and offices" in the D.C. government and to transfer such personnel and funds "as he may deem necessary in order to carry out the provisions of the reorganization". Is there any merit to this criticism?

No. This power is customarily given to the heads of all government agencies in order to implement the provisions of a Reorganization Plan. The power is granted in order to eliminate the possibility of chaos which might result if the agency heads were required to obtain an act of Congress in order to provide for administrative changes within their departments. The identical power was granted to the Commissioners under the Reorganization Plan adopted in 1952. It did not result in an "incredible grant of authority" to the Commissioners, nor did the power to reorganize offices and to transfer funds bring "chaos" to the District government.

22. Congressional critics of the Reorganization Plan say that the power to establish offices and agencies in the District government and to transfer funds was taken away from the Commissioners by Congress in 1954 and that the grant of similar authority in the present Reorganization Plan violates the 1954 statute. Is this argument correct?

No. The D.C. Appropriation Act of 1954 was directed specifically and solely to the authority of the Commissioners to carry out the provisions of the Reorganization Plan of 1952. It states:

> "The authority of the Commissioners to establish agencies and offices in the government of the District of Columbia *pursuant to Section 4 of Reorganization Plan No. 5 of 1952*, and to effect transfers of unexpended balances of appropriations, allocations and other funds *pursuant to Section 5 of said Plan* shall not extend beyond June 30, 1954."

The debate in Congress establishes that this provision was adopted to speed up the implementation of the 1952 Reorganization Plan by the District Commissioners.

The provision in the present Reorganization Plan giving the Commissioner the authority to establish offices and to transfer funds is concerned only with the implementation of the present plan, not the 1952 plan. The 1954 rider therefore is not a bar to the grant of this power to the Commissioner.

23. Critics of the Reorganization Plan say that it will jeopardize the jobs of D.C. government employees. Is there any merit to this criticism?

By eliminating two commissioners, the Reorganization Plan will result in the abolition of certain jobs. However, the functions of the one commissioner will be considerably expanded and the nine-member council will assume other functions of the present Board of Commissioners. It is therefore very doubtful whether the total number of jobs will be reduced.

In addition, the activities of the District government have greatly increased with the new programs in education, housing, welfare, recreation, and the general anti-poverty effort. District employment has been increasing an additional 1,000 to 1,500 employees a year. Any employees who would lose their jobs under the Reorganization Plan would be able to transfer to new positions created by the expanded District employment.

Apart from these considerations, most of the 32,000 District government employees are protected from arbitrary discharge by civil service or other tenure protection laws and regulations.

24. The Reorganization Plan has been

critized as giving "dictatorial power" over the District to the President. Does it?

No. The only powers which the President has under the Plan are (1) to appoint the Commissioner, his assistant, the Chairman, the Vice Chairman, and the members of the Council, to detail officers of the Corps of Engineers to assist the Commissioner, and to remove the Commissioner or members of the Council. Removal of members of the Council may be made only for neglect of duty, malfeasance, or conviction of certain crimes.

25. The District of Columbia Republican Committee and Representative Joel Broyhill are supporting legislation to permit the citizens of the District of Columbia to elect one of the three commissioners. Would legislation to permit the election of one commissioner be inconsistent with the Reorganization Plan?

No. In submitting the Reorganization Plan to the Congress, the President restated his support for home rule legislation which would provide an elected government for the District. A bill which would permit the election of one commissioner would permit the election, in effect, of the Mayor of the District of Columbia and would therefore be a step toward self-government. The election of one commissioner, while leaving the functions of the existing board of commissioners intact, however, would not solve the problem of the division of responsibility for governmental programs. The Broyhill proposal therefore cannot be regarded as a substitute for the Reorganization Plan, although it could be accepted as one additional method of providing for citizen participation in the District's government.

26. Are the proposals to permit the citizens of the District of Columbia voting representation in Congress and an interim non-voting delegate to the House of Representatives related to the Reorganization Plan?

They are related in the sense that, like the Reorganization Plan, they provide for increased participation by the District's citizens in their government. However, the enactment of measures to provide congressional voting and non-voting representation for the District will not resolve the problem of the management of the city government and they will not provide for effective participation by the District's citizens in the day-to-day policy making functions of the local government. These proposals cannot be properly regarded as a substitute for the Reorganization Plan.

27. Which community organizations in the District of Columbia support the Reorganization Plan?

American Federation of Government Employees, Local 12
American Federation of Teachers, Washington Local
American Jewish Congress
American Veterans Committee
Baptist Ministerial Alliance
Bibleway Church
B'nai B'rith
Capitol Hill Community Council
Catholic Archdiocese
College Alumnae Club
Committee of Forward Looking Republicans
Council of Churches of Greater Washington
Democratic Central Committee
Democrats for the District
D.C. Business League
D.C. Chamber of Commerce
D.C. Citizens for Better Education
D.C. Education Association
D.C. Federation of Civic Associations
Episcopal Diocese of Washington
Far Northeast Democratic Organization
Greater Washington Central Labor Council, AFL–CIO
Health and Welfare Council of the National Capital Area
Home Rule Assembly
Hospitality House
Housing Development Corporation
Jewish War Veterans
League of Women Voters of the District of Columbia
Lutheran Churches Task Force on Self-Government for the District
Metropolitan Community Aid Council
National Alliance of Postal and Federal Employees
National Association for the Advancement of Colored People
National Baptist Conference of Washington
National Capital Area Civil Liberties Union
National Capital Voters Association
National Council of Jewish Women, D.C. Section
Northeast Neighborhood Council
Peoples Congregational Church
Presbyterian Washington Synod
Prince Hall Masons
Southern Christian Leadership Conference
United States Conference of Mayors
Virginia White Speel Republican Club
Washington Home Rule Committee
Washington Independent Tavern Owners Association
Washington Planning and Housing Association
Washington Urban League
Washington and Vicinity Federation of Womens Clubs
Young Democratic Club of Washington

Officials who support the President's Reorganization Plan:

Hon. Walter Tobriner, President, Board of Commissioners
Hon. John Duncan, Commissioner, District of Columbia
General Robert E. Mathe, Commissioner, District of Columbia
John Layton, Chief, Metropolitan Police Department, District of Columbia

Newspapers and Radio-Television Stations which support the President's Reorganization Plan:

Catholic Standard
Christian Science Monitor
Louisville Courier-Journal
New York Times
Washington Informer
Washington Observer
Washington Post
Wichita Eagle
WMAL
WTOP
WWDC

28. Which organizations are known to oppose the Reorganization Plan?

District of Columbia Bankers Association
D.C. Federation of Citizens Associations
D.C. State Republican Committee
Metropolitan Washington Board of Trade

WARSAW UPRISING DAY

Mr. EDMONDSON. Mr. Speaker, I ask unanimous consent that the gentleman from New Jersey [Mr. HELSTOSKI] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. HELSTOSKI. Mr. Speaker, I would like to take this opportunity to remind the Members of this House and all Americans, because they believe in freedom of nations of the world, of the memorable date of August 1, and what it means to the people of Polish extraction.

On August 1, 1944, 23 years ago, the Poles began a battle which lasted for 63 days to overcome their Nazi invaders and to liberate their capital, the city of Warsaw, from the Nazi occupation during World War II.

Almost the whole city was destroyed and about 200,000 people, which included women and children, gave up their lives for freedom and democracy. All this was happening while the Soviet Army "waited" in the outskirts of Warsaw.

In 1964, President Johnson commemorated the 20th anniversary of this gallant struggle for freedom by issuing a special proclamation and by urging the American people to mark this anniversary "as an exceptional demonstration of man's courage and devotion in the long and continuing struggle for human freedom."

Mr. Speaker, the words of President Johnson, uttered 3 years ago, are just as meaningful this year as they were at that time. It is important that we be reminded of a valiant and heroic effort of a captive nation in its endeavor to overthrow its oppressors. This reminder is vital to all of us living in the free world today.

Even as I speak these words, the Polish people are still denied the right of self-determination. Today, as in 1944, they are subject to the whims of a alien master. Today their lives are still regulated by masters who have not the full confidence of the people of Poland.

Mr. Speaker, 23 years after this heroic struggle to recapture its own city of Warsaw, the Poles are still a captive nation, held in bondage as long as this alien power can be kept in force by the denial of free elections and giving no heed to the people's voice and will.

On this day we express our desires that these captive nations will again regain their freedom and the right to self-determination. Americans of Polish descent consider this anniversary as an inspiration to all people who believe in democracy.

WATERFOWL HEARING

Mr. EDMONDSON. Mr. Speaker, I ask unanimous consent that the gentleman from Michigan [Mr. DINGELL] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. DINGELL. Mr. Speaker, hearings on the important issue of continental waterfowl will be held by the Subcommittee on Fish and Wildlife, beginning 10 a.m. Thursday, August 10.

The subcommittee, which comes under the jurisdiction of the Full Committee on Merchant Marine and Fisheries, has scheduled the hearings to provide a forum for the discussion of season and bag limits for this fall's duck and goose hunting season.

Although the Secretary of Interior makes the ultimate decisions on these issues, the annual hearings held by my subcommittee have produced testimony which has aided the Secretary to find an equitable solution to these controversial problems.

I also want to note that these decisions are made in conjunction with international treaties between the United States, Canadian and Mexican Governments. The purpose of the treaties is to establish regulations and procedures which will provide protection to certain species of game birds which migrate between the United States and the other signatory nations.

As chairman of the subcommittee, I am, therefore, naturally anxious that all interested parties testify at the hearing.

Notices have been sent to State and Federal agencies, conservation organizations, sportsmen and other interested groups. I hope this statement will also help to publicize this hearing, which is of great importance to all sportsmen and conservationists.

DEVELOPING STRONG LAW ENFORCEMENT PROGRAMS

Mr. EDMONDSON. Mr. Speaker, I ask unanimous consent that the gentleman from California [Mr. HANNA] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. HANNA. Mr. Speaker, the recent riots in 56 American communities have strongly focused attention on the quality, ability, and training of local law enforcement agencies. Although performance in controlling the riots by local police varied, general weaknesses were evident.

Where special tactical forces had not been developed, which was the situation in most of the communities, riot control, prevention of looting, burning, and sniping situations deteriorated and it was evident that competency in dealing with the violence was sadly lacking. In New York and Washington, D.C., however, special riot control tactical units had been created and they dealt effectively with recent outbursts.

Violence and looting broke out in Spanish Harlem at the time rioters were dismantling Newark. New York's recently established tactical unit moved into the area, and without firing a shot restored a decent semblence of order.

Last night, Washington's special tactical unit prevented, through quick and efficient action, the spread of violence and looting.

I am using these examples in order to point out where the Law Enforcement Assistance Act will have particular impact upon the issue most immediately before the public. I am certain that we can expect the proposed Office of Law Enforcement Assistance to pay particular attention to assisting programs designed to deal with riots.

While mass violence in urban centers has been the primary public concern over the past few weeks, this should in no way obscure the importance of the bill in addressing itself to a more effective program dealing with less spectacular but equally dangerous criminal activity. The report of the President's National Crime Commission has made only too clear the necessity for a piece of legislation which takes a constructive step in the direction of increased control of crime.

The President's Crime Commission noted that criminal behavior is far more pervasive in this country than generally estimated. One boy in six is referred to the juvenile court. In 1965, more than 2 million Americans were received in prisons or juvenile training schools, or placed on probation. It is estimated that about 40 percent of all male children now living in the United States will be arrested for a nontraffic offense during their lives. A survey of 1,700 persons found that 91 percent admitted they had committed acts for which they might have received jail sentences. Unfortunately, the trend of crime has been upward. Since 1940, the Nation's population has increased about 47 percent, but the number of offenses per 100,000 persons has tripled for forcible rape, and doubled for aggravated assault. The overall rate for violent crimes now stands at its highest point.

The Commission concluded that the Federal Government ought to provide more support for local programs that deal with law enforcement and the administration of justice. To accomplish this, H.R. 5037 is aimed at stimulating State and local action on crime prevention and control.

It is at the local level where assistance is needed in order to get the job done. A Federal program must not preclude the local prerogatives in this area, but rather must supplement and assist where it can be effective.

This is the purpose of the legislation before us today.

Passage of H.R. 5037 will establish in the Department of Justice an Office of Law Enforcement and Criminal Justice Assistance to provide planning and action program grants to States and units of local government, and research grants to institutions of higher education and other public agencies and private organizations.

In his testimony, the Attorney General described the grant programs encompassed in H.R. 5037, in the following manner:

> The grants can cover the spectrum of criminal justice and will emphasize such priority areas as:
>
> (1) Specialized training, education and recruitment programs, including intense training in such critical areas as organized crime and police community relations, and the development of police tactical squads.
>
> (2) Modernization of equipment, including portable two-way radios for patrol officers, new alarm systems, and improved laboratory instrumentation for applying advanced techniques in identification.
>
> (3) Programs for the reorganization of personnel structures and the coordination and consolidation of overlapping law enforcement and criminal justice agencies.
>
> (4) Advanced techniques for rehabilitating offenders, including the establishment of vocational prerelease guidance in jails, work release programs, and community-based corrections facilities.
>
> (5) High speed systems for collecting and transmitting information to police, prosecutors, courts, and corrections agencies.
>
> (6) Crime prevention program in schools, colleges, welfare agencies, and other institutions.
>
> In addition to planning and action grants, the act contemplates construction grants for innovative facilities and firm commitment to the research, development, demonstration programs pioneered under Law Enforcement Assistance Act.

Under the present bill, $50 million will be authorized for fiscal year 1968 for these grant programs.

In particular, I find favor in two major ideas which run throughout the bill. The first is the immediate recognition that crime is a local problem to be dealt with by State and local governments. Although national in scope, the problem of crime should be dealt with by local law enforcement agencies. Title I recognizes this by expressly stating that its purpose is to encourage States and units of general local government to prepare and adopt comprehensive plans, through planning grants.

Furthermore, I am most pleased by the accent put on innovation. The marked increase in crime rates must lead us to the conclusion that present police programs have not been adequate. Our only alternative is to find new means of making our law enforcement agencies more efficient and better able to cope with today's crime problems. The stated purpose of title I is the authorization of grants to the States and local governments for new approaches and improvements, including grants for such things as:

First, public protection methods, devices and equipment;

Second, equipment to increase effectiveness and improve deployment of personnel;

Third, recruitment and training of personnel;

Fourth, management and organization;

Fifth, operations and facilities for increasing capability and fairness of law enforcement, and

Sixth, community relations and public education.

The title provides that accepted plans must incorporate innovations and an outline of priorities for improvement and coordination of law enforcement and criminal justice, including five listed categories of descriptions.

Likewise, the purpose of title III is to encourage law enforcement and criminal justice and developing new methods to prevent and reduce crime and to increase respect for law and order. The Attorney General will be authorized to make grants to schools and other public and private agencies, and to establish national and regional institutes for research, education and training.

This, of course, is just a brief summary of what will be recorded as a historic piece of legislation.

I am hopeful that once Congress gives final approval to this assistance program, the Department of Justice will expeditiously make operative the various elements of the legislation. We should expect that particular attention be paid to making the impact of this program felt as quickly as is humanly possible. The extent of the problem demands immediate action and implementation.

THE JOB CORPS IS HELPING

Mr. EDMONDSON. Mr. Speaker, I ask unanimous consent that the gentleman from California [Mr. COHELAN] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection

to the request of the gentleman from Oklahoma?

There was no objection.

Mr. COHELAN. Mr. Speaker, evidence of the very positive impact which the Job Corps Program is having upon hundreds of disadvantaged young men from the Eastbay area, was given in two articles appearing in the Oakland Tribune on June 23. The first article, entitled "Job Corps Center: Youths Learn How To Work," describes the accomplishments being made by the young men at the Toyon and Lewiston Job Corps Conservation Centers. The second article, "Oakland Job Corps Trainee Learning How To Be Cook," describes the way in which Toyon corpsman Tony Archulita has found the road to opportunity.

Mr. Speaker, under unanimous consent I insert these two articles in the Record:

Job Corps Center: Youths Learn How To Work

(By Norman Golds)

Redding.—The long hot summer of joblessness and idleness will be a thing of the past for many Eastbay youths.

These are the boys and girls who are taking advantage of Job Corps. Some 500 Eastbay boys and 200 girls can be accommodated at Job Corps centers this summer. The centers are filled, but the turnover rate in the western region due to graduations is about 1,200 a month.

The western region includes seven western states and contains about a third of the nation's centers.

"The best thing a youngster who lacks job skills and education can do is to come to a Job Corps center," says Tom Schlaich, district field supervisor for five Job Corps conservation centers, including two near Redding.

Schlaich, who was with the California Youth Authority for 20 years, believes in Job Corps and he believes in the youth.

"Don't underestimate the ability of these kids," said Schlaich. "They'll meet your demands. They want status. The trouble is that no one has ever considered them important enough."

A trip to Toyon and Lewiston Job Corps conservation centers near Redding bore out what Schlaich was saying. It is a remarkable thing to see boys in their late teens intensely picking their way through a basic primer.

Many of these boys went through school to the 10th or 11th grade. Some graduated; nevertheless, they didn't learn to read or do simple arithmetic.

There are two types of Job Corps centers, urban and conservation. The urban centers, of which Parks at Pleasanton is an example, have received most of the publicity—and nearly all of the criticism.

Toyon and Lewiston conservation centers have capacities of 163 and 224 boys, respectively, and are typical of the 88 conservation centers in the country. Parks has over 2,000 boys. Smaller size obviously means more staff involvement with the boys.

Eastbay boys probably will not go to Toyon or Lewiston, although they could expect to stay within the western region. There are also several girls' camps in the region. It is Job Corps policy not to send the youth too close to home.

Toyon and Lewiston are at former dam construction sites. The old buildings are used, along with metal portable buildings. The scenery is beautiful and the air is pure. It's a new life for the boys in many ways.

The staff runs a tight ship.

"When the boys come in we tell them we have something to offer them," said Toyon's corpsman supervisor, Bill Emmett. "If they want what we have, and are willing to abide by the rules, they stay. If not, they can turn around and go right home. They came here voluntarily and are free to leave at any time."

About 20 per cent leave within the first few weeks, according to Murray Durst, Lewiston center director, but the vast majority stay and adapt readily to center routine.

The conservation camp offers a program of basic reading and arithmetic education, in addition to instruction in a trade.

"There is a strong relationship between education and the trades," said Schlaich.

"We can't send a man out to work in a gas station unless he can read and do simple arithmetic," he said. "Our program consists of alternating weeks of education and trades."

The boys' eagerness to learn is immediately apparent—and is equalled by the teachers' eagerness to teach.

"This is the most rewarding thing I have ever done in my life," said Mrs. Doris James, a Redding housewife who works as a volunteer arithmetic teacher.

"In public schools we have to push these boys into class. Here we have to push them out of class."

She said the boys take time during recess and lunch hour to do their work. "They take such great pride in each step of accomplishment," she said.

Why are the Job Corps conservation camps able to do what the public schools could not do?

"We don't want to be snide about the public schools," said Durst. "We know we have certain advantages. We have the boys in their total environment: residential work and education.

"There is no hazing here. The boys don't make fun of each other because they're all on the same level. In school a boy falls behind and becomes embarrassed about it. He is asked a question he can't answer so he wises off to the teacher to avoid embarrassment.

"And the boys here are isolated. We have no street corners or unpleasant homes to return to at night."

Corpsmen have the opportunity to learn a variety of trades. Toyon offers programs in building repair, carpentry, conservation, cooking, ground-keeping, janitorial, maintenance mechanic helper, mobile equipment operator, service station attendant, warehouseman, medical corpsman, laundry and masonry.

Some corpsmen move on to urban Job Corps centers for a higher level of training, although the conservation centers are working toward more terminal programs. Job Corps officials, working with local employment offices, help center graduates get jobs.

The boys also receive instruction in applying for a job. They have "role-playing" sessions in which they take the parts of job applicants and personnel managers. They discuss the importance of neatness and responsiveness during an interview.

The boys' ideas about jobs can be unrealistic. During a session on attitudes, Bill Schultz, the head teacher, asked a boy how much money he expected to make on his first job. His answer was $4.50 an hour. Schultz explained that around $1.25 or $1.50 would be more likely.

The overall Job Corps success rate—getting and keeping a job—is 76 per cent, according to Durst.

"There are problems," he said. "We have a Negro boy from Savannah, Ga., who is doing nicely in the welding program. Negroes are not often hired as welders in the South. It's going to take a lot of phone calls, but we intend to find him a job."

Several boys from Lewiston were recently placed as mechanics trainees with American Airlines. Durst said they were doing very well and this was confirmed by a personnel official at the airlines.

Durst said one of the boys wrote that the most important things learned at Job Corps were to get to work on time, to wear a uniform and to take supervision.

"Getting to work on time is obviously understood by you and me," said Schlaich, "but it means quite a change for many of these boys. They are not used to getting out of bed in the morning. They are night people, to bed at 2 a.m. and up at noon. It's a radically different way of life for them to report to work at 8 in the morning."

"The boys are taught responsibility by being given responsibility," said Durst. "We don't go through their rooms waking them up in the morning and we have no formations. The boys must get themselves up, clean their rooms, eat breakfast and be at work or in the classroom at 8. If they're late they are punished through fines, work details or cancellation of weekend passes into town."

Punishment is levied for a variety of offenses and if a boy is repeatedly unable to conform to camp routine, he will be sent home.

Emmett walked past a boy who flashed a big smile at him. "I recently restricted him to two-weeks confinement," said Emmett. "It's amazing how readily they accept punishment, even though they can just walk out of here. This isn't a jail, we have no hold on them."

Fines come out of the boys' regular paychecks. All corpsmen, who are technically employes of the Federal Government, receive $80 a month. Fifty dollars is held in trust and given to them when they return home. The other $30 is given to them in twice-monthly installments, less withholding tax, Social Security and fines. Some boys also put a portion of this money in savings.

Staff members emphasized that projects carried on at Job Corps conservation centers are not "make work." They call it production work.

Carpentry students at the Lewiston center are turning out hundreds of picnic tables for the National Park Service. Two of them are destined for the John Muir Home at Martinez, for example.

Toyon corpsmen have completed a half-mile hiking trail at Whiskeytown Lake near Redding and are working on a five-mile trail on the other side of the lake. They are also building 500 campsites.

But one of the their greatest efforts will be the Judge Francis Carr Memorial at Whiskeytown Lake. Now under construction, it includes a parking area, rest room building, lighting around the perimeter of a circular driveway and an elaborately lighted fountain. It brings together on a single project boys who are learning a variety of skills.

Granville Tilghman, Toyon center director, said it costs about $5,500 a year for each boy at his center, which he said is about $1,500 a year less than the cost at urban centers. Tilghman figured the value of each boy's labor at about $2,500 a year.

"Compare this to the $10,000 a year it costs to keep a boy in the Youth Authority," said Schlaich. "And when the boy leaves the Youth Authority there is nothing to show for it. He goes right back to the gutter.

"We are sending useful citizens back to the communities. They will be productive people, able to hold jobs and pay taxes. They won't be on the welfare rolls and they won't be in prison. How do you compute this kind of economic saving for society?"

Some of the boys who come to the centers have had trouble with the law, but there has been little trouble at the centers.

Some incidents have taken place, of course. A possible racial flareup was averted recently by talking it out with the Negro corpsmen leaders, a group of boys who are given leadership responsibilities. Negroes make up about 65 percent of the total in the camps.

Thievery is often a problem where there are close living conditions, but not at Toyon Center. Officials said the boys do a pretty good job of policing themselves.

Relations with the city of Redding are

handled through a council of local citizens that meets regularly with Job Corps staff. Programs, including dances, are planned.

The boys are free to go anywhere in Redding, with the exception of one tavern that was placed off-limits by the center itself. If a boy should get into trouble the police handle it as they would with any other person. Then the boy is also punished at the center.

The boys have performed a number of community service projects. Most recently, they cleaned up the graveyard in Central Valley, a small town near Redding, for Memorial Day.

They are preparing to be good citizens of their own communities by being good citizens of the Job Corps community.

OAKLAND JOB CORPS TRAINEE LEARNING HOW TO BE COOK

REDDING.—Tony Archulita is a slender smiling young man who decided that he wanted to be a cook.

In a little over two weeks he will return to Oakland to look for a job as a cook. His prospects are good, say officials at the Toyon Job Corps Center. He is a pleasant, likable person and he knows his way around a kitchen.

Archulita is the only Oaklander at Toyon. Most of the corpsmen there are from the South. The Job Corps policy is not to send the boys too close to home under the theory that greater distance makes them think twice about leaving the center before their training is complete.

Archulita is an Oaklander by choice. He grew up in Denver, Colo., going to school to the 11th grade. Then he moved to Oakland and lived at 1244 E. 14th St.

He'll return, he said with a grin. His future wife lives in Oakland.

Archulita praised the opportunities to learn skills offered at the Job Corps conservation centers.

"It teaches us a sense of responsibility," he said. "And it makes a good reference when you go to get a job."

He said he had done some cooking before coming to Toyon, but said camp gave him an opportunity to improve his skill and his educational level.

"I also learned a lot of new recipes," said Archulita.

H.R. 5037

Mr. EDMONDSON. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. SCHEUER] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. SCHEUER. Mr. Speaker, H.R. 5037 is a long overdue step in the right direction. The practitioners of law enforcement at one time led all other branches of government in their application of science and technology. But unfortunately, the innovations of the 1920's—the radio patrol car, teargas, and fingerprint identification—still represent the high-point in police technology. Today's policeman must still rely on the same basic equipment as he did 40 years ago—the truncheon, the lethal sidearm, and the patrol car.

Just a few days ago, the President listed a number of questions which the newly formed National Advisory Commission on Civil Disorders would attempt to answer. These were not new questions. They could well have been asked 10 years ago of our entire law enforcement system. Were every riot and civil disorder in the United States to cease tomorrow, these important questions still remain unanswered.

The President asked:

> How well equipped and trained are the local and State police, and the State guard units, to handle riots?

But he could well have asked how well our police are equipped to handle all crime, particularly the street crimes that are threatening the pattern of life in our great cities.

The President asked:

> Why do riots occur in some cities and do not occur in others?

He could have broadened his inquiry by asking why crime rates vary so spectacularly from one city to another. In Omaha, Nebr., for example, during the last several months assaults increased by 1,380 percent, while the national average increased only 14 percent; and in Rochester, N.Y., auto thefts decreased 36 percent while the national average was up 20 percent.

In each of these cases, there has been a remarkable deviation from the norm. Perhaps this is due to differences in reporting, but, according to Quinn Tamm, executive secretary of the International Association of Chiefs of Police, no one in our Government is asking the cities with lower than national rates what they have done that other cities might emulate.

The President asked:

> How can groups or lawful citizens be encouraged, groups that can help to cool the (riot) situation?

We might well also ask, how we can encourage lawful citizens to become individual extensions of our law enforcement system, to support the police, to volunteer to serve as witnesses, to play the role of the Good Samaritan—when there is no riot.

The President asked:

> How do police-community relationships affect the likelihood of a riot—or the ability to keep one from spreading once it has started?

Mr. Chairman, this is the type of comprehensive investigation that should have been commenced promptly after the Watts riot 2 years ago. It is obviously the type of highly complex problem which calls for continuous research and development, and scrutiny of ongoing programs by a permanent arm of Government.

The key to finding the answers to these and countless other important questions lies in title III of this bill—the research title. Of all the titles of this bill, this title is most clearly a Federal responsibility.

Given adequate resources, we can hopefully look to the day when local police departments will be able to support their own planning, equipment, and construction programs. But comprehensive ongoing research of the type I described will always be uneconomic for any one police department. What police department, even the New York Police Department, can afford to develop the following promising devices and systems:

Devices to give patrolmen vastly improved night vision.

Odor-sensory devices to detect the presence of explosives, narcotics, or humans, where their presence was suggestive of illegal activity.

Light armor for law enforcement agents.

A gun that stuns or otherwise temporarily disables but does not kill.

A police lapel radio or wrist radio for two-way instantaneous communication.

A police radio vehicle locator with a computer for instant dispatch.

A multipurpose, specially designed standard police vehicle.

Yet these are all devices that our police would have today if we had started a soundly conceived research program 10 years ago.

Title III as it now stands provides $13.5 million, which could be spent for research, training, or special projects. There is no guarantee that it will be spent for the type of innovative research which we so badly need.

Mr. Speaker, I believe that we must do more than simply authorize money without specific provisions for intelligently and effectively spending it. That is why I will support an amendment to title III which will establish the structure to conduct the research we need so badly. This amendment will establish a National Institute of Criminal Justice located within the Department of Justice.

But a structure alone is not enough. The success of any research program is totally dependent upon the caliber of the people planning and administering it. Our best assurance of attracting first-rate scientists at the operational level is to attract a scientist of outstanding national reputation to head the program, comparable in eminence and distinction to Dr. Donald Hornig, Special Assistant to the President for Science and Technology.

The amendment will also provide for a Director of the Institute at the rank of level IV or Assistant Attorney General to head the program and attract a first-rate group of scientists at the operating level. This position has ample precedent in Government, and it is equivalent to the Assistant Secretary of Commerce for Science and Technology in the Department of Commerce; the Principal Deputy Directors of Defense Research and Engineering in the Department of Defense; and the Assistant Secretaries of Research and Development in the Army, Navy, and Air Force.

It is one step below the grade II Level Director of Defense Research and Engineering in the Department of Defense.

The creation of the position of Institute Director would bring about a long needed change, for the Department of Justice is now one of the few Cabinet-level departments without an individual in a level grade position responsible for research and development.

Two years ago, Congress embarked upon a massive new program of Federal aid to elementary and secondary education. At that time, we wisely decided that the Federal involvement should not simply be more of the same: the use of the Federal tax base to support conventional, on-going local programs. Our program was designed to encourage innovation; to help local schools attack their problems in new and more effective ways.

I support this bill, but I also believe Federal assistance to local law enforcement must be no less innovative than our approach to education and poverty. The key to a new approach and a highly appropriate role for the Federal Government is research and development. For that reason I will support an amendment to title III.

URBAN AREA CONGRESSMEN TOUR INDIANA FARMS

Mr. EDMONDSON. Mr. Speaker, I ask unanimous consent that the gentleman from Illinois [Mr. ANNUNZIO] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. ANNUNZIO. Mr. Speaker, on Friday, July 21, at the invitation of my distinguished colleagues from Indiana, Hon. LEE H. HAMILTON and Hon. J. EDWARD ROUSH, I was asked to participate, along with Congressman JONATHAN B. BINGHAM from New York and Congressman JAMES C. CORMAN from California, in a visit to the farm areas of their State.

We visited primarily the central and southern sections of Indiana, and our 1-day tour took us first to the Weir Cook Airport at Indianapolis, where we were welcomed by the vigorous and able Governor of Indiana, Hon. Roger Branigin.

Leaving the Governor, we proceeded to Marion, Ind., where we visited the Max Townsend farm in Grant County. This farm is a third generation family farm with 360 acres. The Townsends have 160 acres in corn for feed and 140 acres in soybeans for commercial use. Raising pigs is the farm's main operation, with a capacity of about 500 hogs and 75 brood sows.

After the Townsend farm we toured the Ronald Smith dairy farm, run by the Smiths for more than 80 years. The Smiths have 300 acres of cropland in corn, soybeans, and hay, and have 150 head of livestock and 70 milking cows.

Leaving the Smiths, we went on by plane to Seymour, Ind., and from there by car to the Salem area, where we visited the Elk Creek Watershed. This watershed covers 18,620 acres and was completed in 1965. Its establishment is essential to the farmers in the area in that it reduces flood damage, provides irrigation structures, and encourages the conservation of fish and wildlife in the area.

Still in the Salem area, we visited the Roscoe Walker farm. Roscoe Walker, together with his brother, Randall Walker, farm about 800 acres. They have 165 acres in corn, 90 acres in wheat, 200 acres in forage crops, and 300 acres of pasture. They also own 144 milk cows.

Later in the evening we held a farm conference at the Bradie Shrum Elementary School in Salem. At this public meeting we had the opportunity to discuss the impressions and experiences we had during the day. Most important of all, we exchanged views and discussed forthrightly and frankly the critical problems faced by farmers in Indiana, and indeed, by our farmers all over the Nation.

After a most enlightening and educational conference, we left the Salem area by car and traveled to the Louisville, Ky., Municipal Airport, returing to Washington by plane late the same evening.

Mr. Speaker, I was tremendously impressed with the farm operations we observed. They were efficient and utilized available resources with immense accuracy. The farmers showed great imagination in planning their farm operations and took advantage of various Federal bureaus and programs such as the Agricultural Research Service, the Agricultural Extension Service, the Agricultural Stabilization and Conservation programs, and so forth, by their participation in them.

However, in spite of the fact that our farmers work hard and are determined to survive, they face serious threats to their continuation as small, family farms.

I feel, Mr. Speaker, that our farmers are in the same category as small businessmen. Their investments range from $100,000 to $300,000 on farms ranging in size from 200 to 300 acres. They face the same problems as small businessmen—two of the most pressing of these I feel are an insufficient return on their investment and a shortage of labor.

Farmers today receive a per capita income that is one-third less than the income of the rest of our people who earn their livelihood in other ways. Farmers are receiving prices below the level of 20 years ago, while their costs are steadily increasing. A tractor which cost $1,910 20 years ago now costs $3,900. A milking machine which cost $97 in 1947 now costs $155. At the same time, the farmer receives only 3.7 cents out of a 30-cent loaf of bread and 3 cents out of a 31-cent box of cornflakes.

Because there is an economic disadvantage to staying on the farm, the children are leaving the farms, rather than carrying on in the tradition of their fathers and grandfathers before them. The average age of farmers is increasing and now stands in the middle fifties.

Mr. Speaker, in an effort to alleviate one of the problems which the farmer faces—the tremendous increase in dairy imports amounting to 300 percent in 2 years—I introduced H.R. 7963 on April 5. My bill provides for a more realistic regulation of imports of milk and dairy products.

I want to assure Congressman HAMILTON, Congressman ROUSH, and the other Members of Congress who represent rural areas that although 1 day in a farm area is not enough to provide a complete grasp of farm problems, I nonetheless personally feel I have a better understanding, a greater knowledge, and am better qualified to vote in support of programs that will provide solutions for the farmers of America.

It is in the best interests of everyone in our Nation, Mr. Speaker, to insure that our farmers make a decent income. They feed our Nation well—cities, towns, and hamlets alike—all of us depend on our farmers for food. They, in turn, deserve our support for vital farm programs.

I want to thank Congressman HAMILTON, Congressman ROUSH, and all the other fine people in Indiana who made this farm tour possible. It was an educational and stimulating experience which I shall long remember.

A DAY IN RURAL INDIANA

Mr. EDMONDSON. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. BINGHAM] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. BINGHAM. Mr. Speaker, I would like to join my colleagues from California and Illinois [Mr. CORMAN and Mr. ANNUNZIO] in expressing appreciation to the gentlemen from Indiana, Congressmen HAMILTON and ROUSH, for having made it possible for us to spend a day in rural Indiana. We were overwhelmed by Hoosier hospitality, and I was full of admiration for the excellent arrangements that had been made so that we could see a great deal in a single day.

Obviously, we who represent urban districts must normally rely heavily in making legislative decisions of farm bills on such colleagues as Messrs. HAMILTON and ROUSH. We will still have to do so in the future, but because of our visit we will have a much clearer picture of what is involved today in farming and water conservation in the middlewestern United States.

I was particularly struck by the fact that in this day and age even a family farm, to be effective, must have a great deal of equipment, representing many tens of thousands of dollars, and that farm management today requires many skills and a high degree of knowledge in various sciences, and even in finance.

It was made clear to us that farm prices have generally not increased, and that the recent increases in food prices reflect additional dollars going to the middlemen. This is a chronic problem which requires constant study so that the best interest of the farmers and the consumers may both be served.

The whole experience of our visit to Indiana was, for me, a refreshing and inspiring one. In spite of the grave problems that confront American farmers today, a city dweller gets a sense of lift from seeing parts of the country which are fortunately free from the most grievous problems of our urban centers.

I should like to express particular appreciation to Messrs. Max Townsend, Ronald Smith, and Roscoe Walker, whose farms we visited, and Messrs. Thomas Andrews, John Dreyer, Joseph Miller, and Wendel Shireman, who took part in the panel in the afternoon. All of them gave us a lot to think about.

We also appreciated the courtesy of Gov. Roger Branigin in welcoming us at the Indianapolis airport and taking part in a press conference with us.

Finally, we were grateful to the ladies of Fairmont and Salem for providing our party with such splendid repasts.

In conclusion, I should like to say that I am more than ever convinced that the people of the Fifth and Ninth Congressional Districts are fortunate in having two such energetic, able, and dedicated Representatives to Congress as LEE HAMILTON and ED ROUSH.

A DAY ON THE FARM

Mr. EDMONDSON. Mr. Speaker, I ask unanimous consent that the gentleman from California [Mr. CORMAN] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. CORMAN. Mr. Speaker, on Friday, July 21, I had the singular pleasure of joining several colleagues on a visit to the Fifth and Ninth Districts of Indiana. We were there at the invitation of Congressmen LEE HAMILTON and EDWARD ROUSH, to participate in their Hoosier farm-urban program.

Our 1-day tour was crowded with new experiences for me. I had never before had the opportunity to visit an operating farm. In this one visit, I was able to see firsthand how a general purpose farm and a dairy farm function, and to observe an immensely interesting watershed project.

We were received hospitably at every stop we made. During the afternoon, farm leaders in the district had been invited to meet with our party. They described to us the problems facing them and what needed to be done to try to solve them. This "give and take" exchange provided a far better insight into the problems of the farmer than all the debates I have heard on the floor of this Chamber. In the 7 years I have been in the House, I have voted on agricultural appropriations totaling some $41 billion. I have sometimes supported agricultural programs, sometimes opposed them. Although there will be considerations in addition to appropriations, I now have a greater understanding of, and empathy for, the problems facing the farmer today and what he faces in the future.

I am deeply grateful to Congressmen HAMILTON and ROUSH for making this visit possible. It was a rich learning experience as well as a delightful day.

ADDRESS BY HON. ADLAI E. STEVENSON III, STATE CONVENTION, INDIANA YOUNG DEMOCRATS, INDIANAPOLIS, IND., JULY 29, 1967

The SPEAKER pro tempore (Mr. ALBERT). Under previous order of the House, the gentleman from Indiana [Mr. BRADEMAS] is recognized for 5 minutes.

Mr. BRADEMAS. Mr. Speaker, the name of Adlai Stevenson is widely known here at home and around the world because of the distinguished leadership which Adlai E. Stevenson gave our country as Governor of Illinois, twice Democratic nominee for the Presidency of the United States, and as U.S. Ambassador to the United Nations.

As one who had the privilege of serving on the staff of Mr. Stevenson in 1955–56, I have naturally had a particular respect for his many contributions.

But Mr. Speaker, I am very pleased to say that another Adlai Stevenson is now making his mark in public service as well.

I refer of course to Adlai E. Stevenson III, who is serving with great distinction as the treasurer of the State of Illinois. Adlai E. Stevenson III has brought to this position of responsibility a sense of commitment to the public good, a keen intelligence, and a lively imagination—all attributes which clearly mark him in the tradition of his father.

Mr. Speaker, on July 29, 1967, at a State convention of the Young Democrats of Indiana in Indianapolis, Mr. Stevenson delivered an outstanding address which, I believe, is a good example of the thoughtful concern he brings to the problems facing our country.

Mr. Speaker, I ask unanimous consent to insert the text of his address at this point in the RECORD.

THE AGONY OF OUR CITIES

(Address by Adlai E. Stevenson III, State Convention, Indiana Young Democrats, Indianapolis, Ind., July 29, 1967)

Let us talk tonight about an issue much before us in recent days, and one which will continue to be before us in the months ahead. I speak of the agony of our cities.

None of us can reflect upon the events of this summer of 1967 without feeling personally diminished. We have witnessed, and are witnessing, the manifestations of a massive failure.

Facts are sometimes ugly. In an immediate sense those facts are Molotov cocktails, looters, hidden snipers and a pall of smoke over the central city. Those facts are firemen silhouetted against spreading flames, feeling naked and alone on a burning street. They are also poor families, who had always believed that frugality and hard work would prevail, standing outside the gutted ruins of modest homes which once contained all they owned.

But the facts are not just the sensory perception of flames, of small arms fired in staccato bursts, and of ambulance sirens wailing down a city street.

We must leave to the psychologists, sociologists, the historians and the economists the full story of the United States of America, Summer, 1967. Some facts, however, are so plain they cannot be ignored and not by you and me and any of us, as public officials, Democrats and citizens alike concerned with the welfare of the nation.

"THE RHETORIC OF THE AMERICAN REVOLUTION IS NOT A REALITY OF THE AMERICAN REPUBLIC"

The violence in our cities reminds us once again that the rhetoric of the American Revolution is not a reality of the American Republic. The brave words of our political forbear, Thomas Jefferson, during that long, hot summer in the Philadelphia of 1776 did not win our freedom. They only girded a nation for the long twilight struggle ahead—and it's still going on.

The violence in our cities demonstrates, if demonstration was ever needed, that we have an urban proletariat, American citizens, white and black, impoverished and disaffected and alienated, contemptuous of authority, who feel no real stake in the American Republic. For some the "pursuit of happiness" is still not even a hope.

That word, "urban", doesn't apply only to Los Angeles, New York, Chicago, Detroit and Newark. We are increasingly an urban nation. The Waterloo, Iowas, and Cambridge, Marylands, are no longer sleepy towns but industrial and commerce centers. The rise of our cities has been one of the most profound and spectacular developments in American history. And on balance it has been a good thing. The rise of our cities has brought increased wealth, increased opportunities for most people, and a level of comfort and creativity unmatched in the world. But that growth, and the progress, too, have brought massive problems which the grim events of the past weeks have made painfully clear.

As the numbers grow larger in our cities the intimate bonds which hold together smaller, less developed societies get strained and sometimes snap. Life grows more and more impersonal. People are more mobile.

A "REVOLUTION OF RISING EXPECTATIONS"

My father once referred to a "Revolution of Rising Expectations." He was speaking at the time of underdeveloped nations, but that phrase now applies as well to our cities. We once had a different set of problems stemming from depression and want. It was enough then to keep going, to feed and house a stricken society from the meagre production of the thirties. But that has all changed. Now instead of sharing the scarcity of the thirties, we have the problem of sharing the abundance of the sixties. The country is more affluent than ever; yet many Americans remain poor, desperately poor. They have been left behind. On all sides they see material gain and progress they do not share. They can see a better life, but cannot possess it. When there is light on the horizon, the pulse quickens. People seek a place in the sun. "Freedom now" is a far more compelling rallying cry than "We shall overcome someday."

Add unemployment, poverty, alienation, the promise of change without its reality, and impatience of youth, and the result is bitterness, hate and frustration—for white and black alike—and especially for those, irrespective of their race, who are deprived of hope in the midst of plenty. These are the ingredients which transform cities into tinder boxes.

The ironies are cruel, but real. Negro union leaders in Detroit had fought the organizing battles of the thirties, crusaded for fair housing legislation, better working conditions and credit reform. Yet they, too, were the victims of teenagers roaming the streets with wicked Coke bottles filled with gasoline. Others laid waste to what they had built in a lifetime, and being important, they quietly disappeared.

The poor and the disadvantaged are the first victims of their own unrest when it leads to violence. The work of rebuilding homes and human attitudes is too slow. But looting, arson, murder and rioting only retard the struggle for freedom we commenced as a nation two centuries ago.

The tragedy of Summer, 1967, has deep roots, and solutions are neither clear nor simple.

PRESERVATION OF ORDER IS OUR FIRST RESPONSIBILITY

Our first responsibility is the preservation of order. Our society cannot, and will not, permit the lawlessness we have seen in Newark, Detroit and elsewhere. Let there be no mistake about it. Force in the streets will be met with superior force, with whatever men and weapons are necessary to suppress quickly violence and maintain the laws. That is the first order of survival.

We have not really adjusted the crucial instruments of that order, the police, to the new conditions of our highly complex, metropolitan society. Our police system, as important as it is, has always been a stepchild of local government. It was one of the last services to be professionalized; it has been among the last to win better conditions and decent wages.

It has often taken the brunt of criticism that ought to have been placed elsewhere—on parents, on schools, on churches, on society itself—for problems which the police did not create, yet somehow were supposed to handle. Our police have, on the whole, served us well. They deserve our support, as well as our thanks.

But the events of past weeks have made it more than ever clear that we need more effective police protection.

Liberals have often concentrated on individual freedom at the expense of community security. Conservatives have emphasized security at the expense of freedom. What we need are both freedom for the individual and security for the community. Neither can exist without the other. Indeed, without these rudiments of a stable society we cannot undertake long range programs to combat poverty, discrimination and hopelessness.

This is a complex area and in serious need of rethinking. It's obvious we need still better men in our police departments. The contact between the police and the community is too sensitive and too important to be left to traditional recruitment and training.

Some of the rethinking has already been done. President Johnson has created his Commission on Law Enforcement and Administration of Justice. Its widely acclaimed recommendations have been sent to Congress. Among them is a proposal for Federal assistance to local governments which would help them improve their police, their courts and correctional systems. Local police forces would be eligible for grants to assist in training personnel, upgrading salaries and improving communications systems. Police academy centers and crime laboratories would be aided.

Some say the President is doing nothing. But his Safe Streets and Crime Control Act of 1967 was reported out of the House Judiciary Committee on July 17.

No one denies that more must be done.

POLICE EDUCATION

Police training is essentially an educational function. There is no reason why the Federal Government should not support it in the same way it supports education for almost every other task in our society. Fifty years ago a policeman with a high degree was better educated than most of the people on his beat. Now, however, that same policeman has less training than the average citizen.

We must upgrade the entire service. We should consider the equivalent of a G.I. Bill for American policemen. We could make it possible for a police recruit to look forward to both a career in the force and a chance for a college degree—a chance to obtain the broader training that will equip him better for work he will perform throughout his professional life. We could give grants and time off for study to young men committed to careers in law enforcement, making those careers both more attractive and more productive of a peaceful society. Such a program would make recruitment of police in the inner cities easier. It could produce a breed of policemen more broadly educated, more sensitive to the problems of community relations and the rights of individuals—and more highly respected by the people.

For those already in the police service showing promise of future leadership, we could offer leaves of absence which would permit them to attend college and obtain the same training.

There is nothing radical in such a proposal. Business, labor and education have found similar programs effective. There is no reason why the public service should be less imaginative than private enterprise.

THE NEED FOR GUN CONTROL LEGISLATION IS URGENT

We must take other steps, too, in order to help our police. And surely there can no longer be any serious question about the urgent need for gun control legislation. Almost every day since the horror in Dallas in 1963 to the juvenile warfare of the past weeks we have seen the urgency written in blood. Here again the Administration has a program. It would prohibit the mail order sale of firearms and over the counter sale of hand guns to non-residents of a state. It would make it possible for states within their boundaries to effectively control the ownership of these lethal weapons—keeping them out of the hands of those most likely to misuse them.

Community security is only one aspect of the crisis that confronts us. It is only the most immediate. Underneath the seething discontent of our cities are the deeper causes of the bitter, desperate and dangerous outbreaks that threaten all of them. If we simply emphasized a stronger police and more surveillance we would only put the lid on an active volcano and create the conditions for larger and more dangerous explosions in the future.

We need neighborhoods which do not look upon the police as the enemy, as storm troopers occupying foreign territory, Aristotle once said that "poverty is the parent of revolution and crime," and the truth of what he said has not diminished over the centuries. We need a coordinated attack upon poverty and all the underlying causes of our discontent.

I cannot tonight discuss all the things we must do to root out the causes of poverty and hatred and violence in our society. Suffice it to say that better housing, street cleaning, police and fire protection, garbage collection, recreational facilities, educational and employment opportunities must all be provided.

THE GENESIS OF CLASS WARFARE

We are not witnessing genuine race riots this summer, but rather the genesis of class warfare. Poor people, both black and white, already alienated, have rebelled against a system which deprives them of dignity and hope. Our present allocation of national resources may make the world safe for democracy, but it risks fulfilling the Marxian predictions of class warfare in our own society. The choices to be made are difficult. But it behooves us all to examine our national priorities.

We have already declared a war on poverty and all the conditions of disorder which afflict us. But some say we, the wealthiest nation in the history of the world, cannot afford to aid the deprived and disadvantaged. We can afford programs aimed at protecting cattle from rodents, but we cannot afford a modest program to protect children from the scourge of rats.

In these circumstances it's a temptation to be partisan. But the American tragedy is not stuff for partisan politics. It demands our hearts and minds and all our energies. It demands qualities of vision, courage and compassion which history proves can be supplied by the Democratic Party.

The Democratic Party has been historically the party of innovation and optimism. We have not flinched in the face of violence, depression or new problems; we have always believed that new conditions ought to breed not new fears but new hopes; that the abundance of modern society is a blessing not a curse; that each generation brings not new problems but new talents and new energy.

The difficulties besetting the nation are real. They are also an invitation to action. We are a young nation—and, if measured by the age of its citizens, getting younger. Our energies and our capacities are immense. The future promises the excitement of challenge, the opportunities for exorcising poverty and contrived inequalities and of advancing, in giant steps, to the fulfillment of the American dream.

The search for new ideas—and their implementation—will not be easy. There is little guidance in the past or elsewhere in the world. We must think anew, using our experience, our best minds and all our energies.

This is an essential task which faces you and the Democratic Party. It will not be easy, but the historic mission of the Democratic Party in modern times has been to produce new ideas, new programs and to face the problems of each generation.

It can be done—and the party made stronger than before—not by patronage, talk or money alone, but with youthful enthusiasm, hard work and new ideas. And that, it seems to me, should be your purpose.

Mr. EDMONDSON. Mr. Speaker, I ask unanimous consent that the gentleman from Indiana [Mr. Jacobs] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. JACOBS. Will the gentleman yield?

Mr. BRADEMAS. I yield to the gentleman from Indiana.

Mr. JACOBS. Mr. Speaker, since the Biblical days of the Tower of Babel, the principal roadblock in solving public problems has been misunderstanding. For some reason, few people in history seem to have been gifted with thought sufficiently incisive and clear to cut through such misunderstanding and unite people behind effective solutions to public problems.

I do not believe it extravagant to include in this Jeffersonian and Lincolnian category of clarity the name of Adlai Stevenson III. On the occasion to which my colleague from Indiana refers, Mr. Stevenson declined to stand with either the police-force-only camp or social-work-only camp. Rather, he embraced the necessary elements of both to provide his audience with an eloquent blend of commonsense. We should be grateful to Mr. Stevenson for his clear thinking on this subject, and I express my gratitude to my colleague from Indiana [Mr. Brademas] for bringing Mr. Stevenson's remarks to this Record.

LEAVES OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. Brademas, for August 3–15, 1967, the meeting of the Archdiocesan Council, Greek Orthodox Church of North and South America, Athens, Greece, and meeting of Central Committee of World Council of Churches, Crete.

Mr. Henderson (at the request of Mr. Kornegay), for today, August 2; and remainder of week on account of illness in the family.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

(The following Members (at the request of Mr. Railsback) to revise and extend their remarks, and include extraneous matter:)

Mr. Findley, for 60 minutes, today.

Mr. Laird, for 5 minutes, today.

Mr. Halpern, for 20 minutes, August 3.

Mr. Roth, for 60 minutes, August 7.

Mr. Patman, for 15 minutes, on August 3, 1967; and to revise and extend his remarks and include extraneous matter.

Mr. PATMAN, for 60 minutes, on August 7, 1967; and to revise and extend his remarks and include extraneous matter.

Mr. BRADEMAS (at the request of Mr. EDMONDSON), for 5 minutes, today; and to revise and extend his remarks and include extraneous matter.

EXTENSION OF REMARKS

By unanimous consent, permission to extend remarks in the CONGRESSIONAL RECORD, or to revise and extend remarks was granted to:

Mr. GATHINGS.

Mr. CELLER to include extraneous matter with his remarks made today in the Committee of the Whole on H.R. 5037.

(The following Members (at the request of Mr. RAILSBACK) and to include extraneous matter:)

Mr. WYDLER.

Mr. GURNEY.

Mr. HOSMER.

Mr. ESCH.

(The following Member (at the request of Mr. EDMONDSON) and to include extraneous matter:)

Mr. KEE in two instances.

BILLS PRESENTED TO THE PRESIDENT

Mr. BURLESON, from the Committee on House Administration, reported that that committee did on this day present to the President, for his approval, bills of the House of the following titles:

H.R. 1517. An act for the relief of Mrs. Matteo Groppo;

H.R. 1532. An act for the relief of Dr. Alfredo A. Navarro;

H.R. 1564. An act for the relief for Antonina Rondinelli Asci;

H.R. 1612. An act for the relief of John Joseph Shea;

H.R. 1724. An act for the relief of Hwang Duk Hwa;

H.R. 1814. An act for the relief of Giovanni and Francesco Urga-Ferraro;

H.R. 1818. An act for the relief of Marina Panagiotis Restos;

H.R. 2532. An act to provide for the disposition of funds appropriated to pay a judgment in favor of the Ottawa Tribe of Oklahoma in docket No. 303 of the Indian Claims Commission, and for other purposes;

H.R. 3221. An act for the relief of Dr. Alexander D. Cross;

H.R. 3522. An act for the relief of Dr. Rafael F. Suarez;

H.R. 3631. An act to provide for the dedication of certain streets on the Agua Caliente Indian Reservation and to convey title to certain platted streets, alleys, and strips of land;

H.R. 5224. An act for the relief of Dr. Guillermo Fresco De Jongh;

H.R. 5862. An act for the relief of Dr. Juan F. Chaves;

H.R. 5996. An act for the relief of Dr. Bernardino D. Marcelo; and

H.R. 9080. An act for the relief of Frederico de la Cruz-Munoz.

ADJOURNMENT

Mr. EDMONDSON. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 6 o'clock and 26 minutes p.m.), under its previous order, the House adjourned until tomorrow, Thursday, August 3, 1967, at 11 o'clock a.m.

COMMITTEE EMPLOYEES

JULY 14, 1967.

COMMITTEE ON AGRICULTURE

To the CLERK OF THE HOUSE:

The above-mentioned committee or subcommittee, pursuant to section 134(b) of the Legislative Reorganization Act of 1946, Public Law 601, 79th Congress, approved August 2, 1946, as amended, submits the following report showing the name, profession, and total salary of each person employed by it during the 6-month period from January 1, 1967, to June 30, 1967, inclusive, together with total funds authorized or appropriated and expended by it:

Name of employee	Profession	Total gross salary during 6-month period
Gallagher, Christine S	Clerk	$11,278.74
LeMay, Francis M	Staff consultant	11,278.74
Murray, Hyde H	Assistant counsel	11,268.37
Misslbeck, George F	Printing editor	6,737.58
Prezioso, Betty M	Staff assistant	6,066.30
Vacin, Lydia	do	6,066.30
Hannah, Martha S	do	6,066.30
Wojcik, Jane C	Staff assistant (through Apr. 9).	2,966.80
Obermueller, Genelle	Staff assistant	3,587.59
Investigative staff:		
Baxley, Mildred P	do	5,394.18
Berkeley, Carolyn W	Staff assistant (through January).	536.18
Bernhardt, Catherine L.	Staff assistant	4,007.34
Johnson, Marjorie B	do	5,085.06
West, Fowler C	Assistant staff consultant.	5,394.18
Holmes, Mickey L	Staff assistant (from February).	3,509.75
Stanton, Harker T	Counsel (Jan. 1–8 inclusive).	575.33
Paul, Allen	Staff assistant (through January).	1,335.72
Harrison, George	Messenger (through January).	334.39
Valentine, Melton Ernest, Jr.	Staff assistant (Jan. 1–2 inclusive).	34.93
Odell, James R	Staff assistant from June.	300.50

Funds authorized or appropriated for committee expenditures	$100,000.00
Amount of expenditures previously reported	0
Amount expended from Jan. 1, 1967, to June 30, 1967	28,497.44
Total amount expended from Jan. 1, 1967, to June 30, 1967	28,497.44
Balance unexpended as of June 30, 1967	71,502.56

W. R. POAGE,
Chairman.

JULY 15, 1967.

COMMITTEE ON APPROPRIATIONS

To the CLERK OF THE HOUSE:

The above-mentioned committee or subcommittee, pursuant to section 134(b) of the Legislative Reorganization Act of 1946, Public Law 601, 79th Congress, approved *August 2, 1946, as amended, submits the* following report showing the name, profession, and total salary of each person employed by it during the 6-month period from January 1, 1967, to June 30, 1967, inclusive, together with total funds authorized or appropriated and expended by it:

Name of employee	Profession	Total gross salary during 6-month period
Kenneth Sprankle	Clerk and staff director.	$12,376.44
Paul M. Wilson	Assistant clerk and staff director.	12,376.44
Jay B. Howe	Staff assistant	12,254.64
Robert L. Michaels	do	12,254.64
Robert M. Moyer	do	12,254.64
Ross P. Pope	do	12,254.64
Frank Sanders	do	12,254.64
G. Homer Skarin	Staff assistant	$12,254.64
Eugene B. Wilhelm	do	12,254.64
Aubrey A. Gunnels	do	11,429.10
Francis G. Merrill	do	10,615.56
Samuel R. Preston	do	10,615.56
George E. Evans	do	10,051.62
Earl C. Silsby	do	10,051.62
Keith F. Mainland	do	8,912.80
John M. Garrity	do	7,829.10
Gerald J. Bova	do	6,887.76
George A. Urian	do	6,040.32
Robert C. Nicholas III	do	5,600.28
Dempsey B. Mizelle	do	5,600.28
Milton B. Meredith	do	5,600.28
Thomas Kingfield	do	4,666.90
Donald E. Richbourg	do	4,334.12
Samuel W. Crosby	Special assistant	4,084.88
Lawrence C. Miller	Editor	8,714.28
Paul V. Farmer	Assistant editor	5,910.36
Howard E. Knox	Administrative assistant.	4,656.56
Austin G. Smith	Clerical assistant	4,911.84
Naomi A. Rich	do	4,656.60
Francis W. Sady	do	4,206.88
Gerard J. Chouinard	do	3,791.46
Dale M. Shulaw	do	3,569.70
Randolph Thomas	Messenger	3,569.70
Patrick M. Hayes	Clerk-stenographer	4,911.84
Mary L. Macomb	do	4,911.84
Mary L. Moore	do	3,519.54
William J. Neary	do	4,911.84
Mary H. Smallwood	do	4,911.84
John A. Ringwald	do	4,234.98
Jerome B. Walker	do	3,711.17
Rosalind E. McGovern	do	2,455.92
Dorothy W. Rawls	do	54.58
Robert C. Gresham	Clerk to minority	11,889.30
Enid Morrison	Staff assistant	6,512.34
Peggy C. Cooke	Clerk-stenographer	4,911.84
Jimmy Ray Fairchild	do	4,093.20
Judith H. Quattlebaum	do	1,637.28
John A. Halpern	do	2,671.56
Patricia E. Hutchinson	do	4,911.84
David Kehl	do	2,455.92
Thomas M. McMurray	do	4,911.84
Neta C. Messersmith	do	4,554.48
Richard J. Murray	do	3,588.76
Ann L. Obrokta	do	4,784.22
Frankie C. Ramage	do	4,911.84
Fred Werthmeimer	do	3,274.56
Samuel A. Wilson, Jr	do	3,923.37
Michael D. Wilkinson	do	2,455.92
Raymond L. Gooch	do	1,637.28
Larry H. Jose	do	663.67
Stephen T. Adams	do	642.59
Charles H. Fritzel	do	491.18

Funds authorized or appropriated for committee expenditures	
Amount of expenditures previously reported	$349,710.90
Amount expended from Jan. 1, 1967 to June 30, 1967	375,389.46
Total amount expended from July 1, 1966 to June 30, 1967	725,100.36
Balance unexpended as of	

GEORGE MAHON,
Chairman.

COMMITTEE ON APPROPRIATIONS (INVESTIGATIONS STAFF)

JULY 15, 1967.

To the CLERK OF THE HOUSE:

The above-mentioned committee or subcommittee, pursuant to section 134(b) of the Legislative Reorganization Act of 1946, Public Law 601, 79th Congress, approved August 2, 1946, as amended, submits the following report showing the name, profession, and total salary of each person employed by it during the 6-month period from January 1, 1967, to June 30, 1967, inclusive, together with total funds authorized or appropriated and expended by it:

Name of employee	Profession	Total gross salary during 6-month period
Charles Bolz	Director surveys and investigations staff (to May 1, 1967).	$7,101.00
Edward J. Hayes	Director, surveys and investigations staff.	10,148.76

Name of employee	Profession	Total gross salary during 6-month period
Robert G. Kunkel	Assistant director, surveys and investigations staff.	$10,325.99
Paul J. Mohr	do	3,158.37
Lillian M. Mackie	Stenographer	5,160.22
Mary A. Sauer	do	4,856.48
Reimbursements to Government Agencies		
Agriculture, Department of:		
Goffus, R. C	Investigator	$6,237.11
Smith, H. R	do	6,456.91
Army Audit Agency:		
Boone, M. W	do	7,272.19
Atomic Energy Commission:		
Ciminello, V. J	do	5,932.45
Somers, R. B	do	4,929.51
Civil Service Commission:		
Brown, G. F	do	4,373.50
Commerce, Department of:		
Duckworth, N	do	5,504.00
McGowan, J. J	do	6,278.72
Sharp, J. C	do	2,426.54
Federal Bureau of Investigation:		
Anderson, C. R	do	8,284.80
Bennett, C. L	do	8,642.40
Bosko, A. P	do	6,666.40
Brummitt, D. A	do	1,192.00
Byrnes, R. C	do	8,642.40
Carson, W. D	do	8,860.80
Currall, W. G	do	7,442.80
Flatley, J. M	do	1,576.00
Franklin, R. M	do	8,212.80
Groover, L. C., Jr	do	6,292.00
Ivy, C. M	do	7,249.60
Keblusek, E. R	do	8,413.60
Lanphear, R. L	do	8,413.60
Law, S. W	do	7,450.00
McGahey, H. B	do	8,642.40
Magee, E. H	do	8,642.40
Michalski, J. E	do	8,195.20
Mohr, P. J	do	5,698.40
Murphy, P. J., Jr	do	7,966.40
Olson, R. E	do	1,329.60
Poptanich, A	do	7,966.40
Shanley, J. F	do	5,168.00
Shannon, A. J	do	8,642.40
Sullivan, J. V	do	8,642.40
Szoka, C. E	do	7,966.40
Tierney, J. R	do	7,645.20
Torrence, R. E	do	8,413.60
Walter, D. E	do	1,294.40
Welch, W. H., Jr	do	9,072.00
Wood, H. B	do	8,642.40
Health benefits		1,358.41
Life insurance fund		663.77
Retirement fund		12,677.73
General Services Administration: Tait, J. I	Investigator	7,929.56
National Aeronautics and Space Administration:		
Carey, B	do	5,202.52
Hollingsworth, R. T	do	6,416.00
National Bureau of Standards: Rowland, W. R	do	3,726.00
Tennessee Valley Authority: Keaton, H. G	do	3,820.80
U.S. Tariff Commission:		
Taylor, J. A	do	5,469.49
Travel expenses		64,498.39
Miscellaneous expenses		479.87

Funds authorized or appropriated for committee expenditures	$746,000.00
Amount of expenditures previously reported	300,507.95
Amount expended from Jan. 1 to June 30, 1967	413,671.09
Total amount expended from July 1, 1966, to June 30, 1967	714,179.04
Balance unexpended as of June 30, 1967	31,820.96

GEORGE MAHON,
Chairman.

JULY 10, 1967.

COMMITTEE ON ARMED SERVICES

To the CLERK OF THE HOUSE:

The above-mentioned committee or subcommittee, pursuant to section 134(b) of the Legislative Reorganization Act of 1946, Public Law 601, 79th Congress, approved August 2, 1946, as amended, submits the following report showing the name, profession, and total salary of each person employed by it during the 6-month period from January 1, 1967, to June 30, 1967, inclusive, together with total funds authorized or appropriated and expended by it:

Name of employee	Profession	Total gross salary during 6-month period
John R. Blandford	Chief Counsel	$12,945.00
Philip W. Kelleher	Counsel	12,760.74
Frank M. Slatinshek	do	12,760.74
Earl J. Morgan	Professional staff member.	12,169.44
William H. Cook	Counsel	11,974.59
Ralph Marshall	Professional staff member.	10,289.22
John J. Ford	do	10,289.22
George Norris	Counsel	9,023.40
Oneta L. Stockstill	Executive secretary	7,554.72
Berniece Kalinowski	do	6,624.96
L. Louis Ellis	do	6,624.96
Edna E. Johnson	do	6,624.96
Dorothy R. Britton	do	6,624.96
Doris L. Scott	do	5,975.34
Innis E. McDonald	do	4,733.16
Alma B. Moore	do	4,107.25
Ann R. Willett	Secretary (from Apr. 1).	1,953.06
Brenda J. Graves	Secretary (from Mar. 27).	1,697.26
James A. Deakins	Clerical staff assistant.	5,040.00
Leslie M. Berman	do	3,793.64
Steven A. Hamilton	Messenger (from May 22).	564.53
Patricia S. Scott	Secretary (to Mar. 14).	1,798.94
Shelley J. Pyle	Secretary (to Mar. 31).	2,041.59
Benjamin Frasier, Jr	Messenger (to May 1).	2,281.66
Subcommittee for Special Investigations (pursuant to H. Res. 124 and 125, 90th Cong.)		
Salaries from Jan. 4, 1967:		
John T. M. Reddan	Counsel	$12,618.95
Walton Woods	Investigator	10,174.89
Richard A. Ransom	Professional staff member.	8,023.72
Phyllis Seymour	Secretary	6,551.35
William B. Short	Clerical staff assistant.	5,410.67
Sanford T. Saunders	Security officer (from Mar. 15).	2,652.01
Adeline Tolerton	Clerk	4,012.83
Joan F. Webb	Secretary	3,468.03
Suzanna H. Davis	Clerical staff assistant (from June 1).	400.82

Funds authorized or appropriated for committee expenditures, H. Res. 125	$150,000.00
Amount of expenditures previously reported	0
Amount expended from Jan. 3, 1967, to July 1, 1967	65,640.01
Total amount expended from Jan. 3, 1967, to July 1, 1967	65,640.01
Balance unexpended as of July 1, 1967	84,359.99

L. MENDEL RIVERS,
Chairman.

JULY 11, 1967.

COMMITTEE ON BANKING AND CURRENCY

To the CLERK OF THE HOUSE:

The above-mentioned committee or subcommittee, pursuant to section 134(b) of the Legislative Reorganization Act of 1946, *Public Law 601, 79th Congress*, approved August 2, 1946, as amended, submits the following report showing the name, profession, and total salary of each person employed by it during the 6-month period from January 3, 1967, to June 30, 1967, inclusive, together with total funds authorized or appropriated and expended by it:

Name of employee	Profession	Total gross salary during 6-month period
Standing committee staff:		
Paul Nelson	Clerk and staff director.	$12,945.00
Orman S. Fink	Minority professional staff member.	12,897.90
Norman Leonard Holmes.	Counsel	$11,046.32
Charles B. Holstein	Professional staff member.	12,230.34
Alvin Lee Morse	Counsel	11,106.42
Curtis A. Prins	Chief investigator	10,987.84
Benet David Gellman	Investigative counsel	10,237.52
Jane M. Deem	Administrative assistant.	7,257.78
Mary W. Layton	Secretary to minority.	6,737.58
Donald G. Vaughn	Assistant clerk	6,124.80
Total		101,571.50
Investigating staff (pursuant to H. Res. 379, 90th Cong.):		
Timothy A. Colcord	Professional staff member.	10,991.62
Richard K. Cook	Minority staff investigator.	5,223.96
David Lynn Copeland	Research assistant	361.88
Catherine B. Correa	Secretary	1,674.40
Dorothy F. Councill	Administrative secretary.	1,048.07
Jane N. D'Arista	Research assistant	4,967.52
Dolores K. Dougherty	Assistant clerk	5,151.44
James T. Entrekin	do	4,361.77
Ernest Ettlinger	Assistant counsel	2,364.98
William Davis Ford	Research assistant	361.88
Don Lamar Hall	do	361.88
Helen C. Hitz	Assistant clerk	5,669.91
Joseph J. Jasinski	Professional staff member.	3,084.76
Janice L. Johnson	Secretary	4,753.55
Carolyn Virginia Lees	do	2,466.11
Arthur Marc Levin	Research assistant	3,055.90
Gerald R. McMurray	Research analyst	4,314.54
Bruce E. Mason	Assistant clerk	3,176.82
Mildred S. Mitchell	do	6,056.74
Margaret L. Rayhawk	Research secretary	4,550.61
Harold K. Ressler	Research assistant	130.28
James E. Rowen	do	434.25
Alicia Shoemaker	Minority staff secretary.	3,368.79
Robert C. Terry, Jr	Professional staff member.	9,752.02
Mark H. Willes	Research economist	600.74
Total		88,284.42

Funds authorized or appropriated for committee expenditures	$250,000.00
Amount of expenditures previously reported	----------
Amount expended from Jan. 3, 1967, to June 30, 1967	95,839.14
Total amount expended from Jan. 3, 1967, to June 30, 1967	95,839.14
Balance unexpended as of June 30, 1967	154,160.86

WRIGHT PATMAN,
Chairman.

JULY 11, 1967.

SUBCOMMITTEE ON HOUSING, BANKING AND CURRENCY COMMITTEE

To the CLERK OF THE HOUSE:

The above-mentioned committee or subcommittee, pursuant to section 134(b) of the Legislative Reorganization Act of 1946, Public Law 601, 79th Congress, approved August 2, 1946, as amended, submits the following report showing the name, profession, and total salary of each person employed by it during the 6-month period from January 3, 1967, to June 30, 1967, inclusive, together with total funds authorized or appropriated and expended by it:

Name of employee	Profession	Total gross salary during 6-month period
Subcommittee staff (pursuant to H. Res. 378, *90th Cong.*):		
Anita F. Allison	Secretary	$4,119.87
Kenneth W. Burrows.	Deputy staff director	12,485.39
Barbara G. Cook	Minority staff secretary.	1,268.32
Richard K. Cook	Minority staff investigator.	5,107.97

Name of employee	Profession	Total gross salary during 6-month period
Subcommittee staff—Con.		
Patricia A Eley	Assistant clerk	$2,771.56
David Glick	Counsel	9,525.50
Casey Ireland	Minority staff member.	11,859.32
Margaret J. Leary	Secretary	6,056.74
John J. McEwan, Jr.	Staff director	12,776.78
Wilhelmina C. Proctor.	Secretary	1,200.29
Margaret S. Seeley	Minority staff secretary.	272.28
Alicia Shoemaker	do	3,293.93
Ellen M. Stamper	Secretary	1,147.38
Doris M. Young	Assistant clerk	4,915.00
Total		76,800.23

Funds authorized or appropriated for committee expenditures	$200,000.00
Amount of expenditures previously reported	....
Amount expended from Jan. 3, 1967, to June 30, 1967	78,812.68
Total amount expended from Jan. 3, 1967, to June 30, 1967	78,812.68
Balance unexpended as of June 30, 1967	121,187.32

WRIGHT PATMAN,
Chairman.

JULY 14, 1967.

COMMITTEE ON THE DISTRICT OF COLUMBIA

To the CLERK OF THE HOUSE:

The above-mentioned committee or subcommittee, pursuant to section 134(b) of the "Legislative Reorganization Act of 1946," Public Law 601, 79th Congress, approved August 2, 1946, as amended, submits the following report showing the name, profession, and total salary of each person employed by it during the 6-month period from January 3, 1967, to June 30, 1967, inclusive, together with total funds authorized or appropriated and expended by it:

Name of employee	Profession	Total gross salary during 6-month period
Hayden S. Garber	Counsel (P)	$10,974.96
Clayton D. Gasque	Staff director (P)	8,714.28
Donald J. Tubridy	Minority clerk (P)	7,944.84
Leonard O. Hilder	Investigator (P)	7,829.10
James T. Clark	Clerk	12,230.34
Othello Steinkuller	Secretary	4,990.30
Ellen M. Coxeter	do	5,600.28
Peggy L. Thornton	do	5,085.06
Sara Anna Watson	Assistant counsel (C).	3,779.64
Leslie Ann Smith	Stenographer (C)	3,586.42
Jennie H. Cavanaugh	Secretary	1,553.85
Victor Christgau	Investigator	2,940.74
Frances E. Crowson	Secretary	680.53
Patricia Ann Morrison	Clerk-typist	286.49
Constance R. Player	Secretary	409.28
Day Martin	Clerk-typist	498.86
Jean Quarles	Assistant clerk (C) resigned Feb. 30, 1967.	788.86

Funds authorized or appropriated for committee expenditures	[1] $50,000.00
Amount of expenditures previously reported	0
Amount expended from Jan. 3, 1967, to June 30, 1967	[2] 8,799.05
Total amount expended from ——, to ——	0
Balance unexpended as of July 1, 1967	41,200.95

[1] Police investigation in connection with reason for police resigning from Department.

[2] Crime investigator.

JOHN L. MCMILLAN,
Chairman.

JULY 15, 1967.

COMMITTEE ON EDUCATION AND LABOR—INVESTIGATING STAFF—FULL COMMITTEE

To the CLERK OF THE HOUSE:

The above-mentioned committee or subcommittee, pursuant to section 134(b) of the Legislative Reorganization Act of 1946, Public Law 601, 79th Congress, approved August 2, 1946, as amended, submits the following report showing the name, profession, and total salary of each person employed by it during the 6-month period from January 3, 1967, to June 30, 1967, inclusive, together with total funds authorized or appropriated and expended by it:

Name of employee	Profession	Total gross salary during 6-month period
Geneva Alexander	Secretary (from May 1 to June 30, 1967).	$1,166.92
Loretta Backus	Administrative assistant (from Jan. 3 to Feb. 15, 1967).	1,230.15
Goldie A. Baldwin	Stenographer-clerk-typist (from Jan. 3 to Mar. 31, 1967) and legislative assistant (from Apr. 1 to June 30, 1967).	4,360.13
Donald F. Berens	Administrative assistant (from Jan. 3 to June 30, 1967).	5,825.72
Thomas M. Burke	Counsel (from Jan. 3 to Feb. 15, 1967).	1,844.01
William H. Cable	Assistant clerk (from June 15 to June 30, 1967).	160.27
Elizabeth A. Cornett	Administrative assistant (from Feb. 16 to June 30, 1967).	3,577.53
Adrienne Fields	Legislative assistant (from Jan. 3 to Mar. 31, 1967).	2,445.11
Eydie Gaskins	Secretary (from Apr. 24 to June 30, 1967).	1,593.13
Delores A. Gillespie	Secretary (From Jan. 3 to Feb. 15, 1967).	1,100.21
John H. Harmon	Assistant counsel (from Jan. 3 to Feb. 15, 1967).	1,022.45
Helen Hayden	Secretary (from Jan. 3 to Feb 15, 1967).	955.78
Dorothy Himes	Administrative assistant (from Jan. 3 to Feb. 15, 1967).	1,351.38
Walter B. Huber, Jr	Clerk-typist (from Jan. 3 to Feb. 28, 1967).	1,128.62
Rosemarie King	Secretary (from Jan. 3 to Feb. 15, 1967).	1,069.72
Cleomine B. Lewis	Secretary (from Jan. 3 to Feb. 15, 1967).	1,135.26
James McCarthy	Investigator (from Jan. 3 to Feb. 15, 1967).	1,910.37
Edwin W. Martin, Jr	Director (from Jan. 3 to Feb. 15, 1967).	2,867.87
Shirley Mills	Secretary (from Apr. 1 to June 30, 1967).	2,500.68
Michael Schwartz	Assistant Counsel (from Feb. 16 to Apr. 23, 1967).	188.40
Mary L. Shuler	Stenographer-clerk-typist (from Jan. 3 to June 30, 1967).	4,510.48
Austin P. Sullivan	Investigator (from Apr. 17 to June 30, 1967).	2,056.11
Emma T. Swann	Receptionist (from Jan. 3 to Feb. 15, 1967).	957.31
Jeanne E. Thomson	Legislative assistant (from Jan. 3 to June 30, 1967).	6,134.11
Lelia Troup	Administrative assistant (from Mar. 1 to June 30, 1967).	2,905.29
John E. Warren	Assistant clerk (from Jan. 3 to June 30, 1967).	2,776.40
E. Pamela Williams	Assistant clerk (from June 7 to June 30, 1967).	280.59
Louise M. Wright	Administrative assistant (from Jan. 3 to Apr. 30, 1967).	3,886.98
Minority:		
John Buckley	Chief minority Investigator (from Jan. 9 to Mar. 31, 1967).	4,371.45
Louise W. Finke	Minority secretary (from Jan. 3 to Mar. 31, 1967).	1,965.33
Crawford Heerlein	Minority clerk (from Feb. 1 to Mar. 31, 1967).	2,671.44
Will Henderson	Minority assistant clerk (from Jan. 3, to Mar. 31, 1967).	1,573.62
Ruth G. Macknet	Minority secretary (from Jan. 9 to Mar. 31, 1967).	1,949.80
Emory W. Reisinger	Minority assistant clerk (from Jan. 3 to Jan. 31, 1967).	$777.99

Funds authorized or appropriated for committee expenditures	$192,000.00
Amount of expenditures previously reported	None
Amount expended from Jan. 3 to June 30, 1967	74,839.42
Total amount expended from Jan. 3 to June 30, 1967	74,839.42
Balance unexpended as of June 30, 1967	117,160.58

CARL D. PERKINS,
Chairman.

Standing Committee

Name of employee	Profession	Total gross salary during 6-month period
Hartwell Duvall Reed, Jr.	General counsel (from Feb. 1 to June 30, 1967).	$10,787.50
William F. Gaul	Associate general counsel (from Feb. 16 to June 30, 1967).	9,708.75
Robert E. McCord	Senior specialist (from Feb. 16 to June 30, 1967).	9,708.75
Louise Maxienne Dargans.	Chief clerk (from Jan. 3 to Feb. 15, 1967) and research director (from Feb. 16 to June 30, 1967).	12,945.00
Benjamin F. Reeves	Editor of committee publications (from Feb. 16 to June 30, 1967).	8,440.47
Marian R. Wyman	Special assistant to chairman (Representative Carl D. Perkins) (from May 1 to June 30, 1967).	2,013.44
Louise M. Wright	Administrative assistant (from May 1 to June 30, 1967).	2,091.40
Russell C. Derrickson	Staff director (from Jan. 3 to Feb. 15, 1967) and chief clerk (from Feb. 16 to Mar. 31, 1967).	6,472.50
C. Sumner Stone, Jr.	Special assistant to chairman (Representative Adam C. Powell) (from Jan. 3 to Feb. 15, 1967).	3,236.25
Eunice S. Matthew	Chief of education (from Jan. 3 to Jan. 31, 1967).	2,157.50
Leon Abramson	Chief counsel for labor-management (from Jan. 3 to Feb. 15, 1967).	3,199.39
Odell Clark	Chief investigator (from Jan. 3 to Feb. 15, 1967).	2,307.69
Teresa Calabrese	Administrative assistant to chairman (Representative Adam C. Powell) (from Jan. 3 to Feb. 15, 1967).	2,058.57
Michael Schwartz	Assistant counsel (from Jan. 3 to Feb. 15, 1967).	1,801.81
Minority:		
Michael J. Bernstein.	Minority counsel for education and labor (from Jan. 3 to June 30, 1967)	12,945.00
Charles W. Radcliffe.	Minority counsel for education (from Jan. 3 to June 30, 1967).	10,498.33

Funds authorized or appropriated for committee expenditures	[1]
Amount of expenditures previously reported	0
Amount expended from Jan. 3 to June 30, 1967	$100,372.35
Total amount expended from Jan. 3 to June 30, 1967	100,372.35

[1] Contingent fund.

CARL D. PERKINS,
Chairman.

Investigating Staff

Special Subcommittee on Education, No. 1, Representative Edith Green, chairman

Name of employee	Profession	Total gross salary during 6-month period
Beverly J. Blair	Clerk (from Jan. 3 to June 30, 1967).	$3,512.45
Patrick H. Maney	Counsel (from Jan. 3 to June 30, 1967).	8,478.85
Richard Martin	Counsel (from May 1 to June 30, 1967).	3,084.76
Helen W. Philpsborn	Clerk (from Jan. 3 to Mar. 31, 1967).	1,847.82
Martha L. Sanborn	Research assistant (from Apr. 1 to June 30, 1967).	3,111.12
Linda Lee Sullivan	Clerk (from Jan. 3 to Jan. 31, 1967).	516.29
Minority: Charles I. Foltz.	Minority research assistant (from May 1 to May 31, 1967).	2,046.50

Funds authorized or appropriated for committee expenditures	$52,000.00
Amount of expenditures previously reported	None
Amount expended from Jan. 3 to June 30, 1967	22,946.28
Total amount expended from Jan. 3 to June 30, 1967	22,946.28
Balance unexpended as of June 30, 1967	29,053.72

Special Subcommittee on Labor, No. 2, Representative Frank Thompson, Jr., chairman

Name of employee	Profession	Total gross salary during 6-month period
Paula M. DeRosa	Assistant clerk (from Jan. 3 to June 30, 1967).	$656.22
Basil W. Henderson	Assistant clerk (from Jan. 3 to Jan. 31 1967).	302.94
Robert E. McCord	Director (from Jan. 3 to Feb. 15, 1967).	2,396.97
Daniel H. Pollitt	Special counsel (from Mar. 1 to June 30, 1967).	4,972.06
Richard Smoke	Assistant clerk (from Jan. 3 to Mar. 15, 1967).	317.26
Peter W. Tredick	Counsel (from Feb. 16 to June 30, 1967).	5,627.29
Lelia Troup	Secretary (from Jan. 3 to Feb. 28, 1967).	1,047.25
Jeunesse M. Zeifman	Clerk (from Mar. 15 to June 30, 1967).	1,811.83
Minority:		
Dixie Barger	Minority secretary (from Apr. 1 to June 30, 1967).	2,000.49
Edward J. Brzytwa	Research assistant (from June 8 to June 30, 1967).	268.90
John Buckley	Chief minority investigator (from Apr. 1 to June 30, 1967).	4,797.93
Louise W. Finke	Minority secretary (from Apr. 1 to June 30, 1967).	2,197.47
Anita Kreke	Minority secretary (from Apr. 17 to June 30, 1967).	1,235.70
Charles C. Tharp	Assistant clerk (from June 15 to June 30, 1967).	115.81

Funds authorized or appropriated for committee expenditures	$52,000.00
Amount of expenditures previously reported	0
Amount expended from Jan. 3 to June 30, 1967	28,320.95
Total amount expended from Jan. 3 to June 30, 1967	28,320.95
Balance unexpended as of June 30, 1967	23,679.05

Select Subcommittee on Labor, No. 3, Representative Elmer J. Holland, Chairman

Name of employee	Profession	Total gross salary during 6-month period
Peggy A. Earner	Assistant clerk (from June 1 to June 30, 1967).	$300.50
Walter J. Graham	Assistant clerk (from Jan. 3 to June 30, 1967).	3,002.17
James B. Harrison	Director (from Jan. 3 to June 30, 1967).	9,357.75
Marilyn A. Myers	Clerk (from May 8 to June 30, 1967).	953.27
Susan Parry	Clerk (from Jan. 3 to May 27, 1967).	3,396.23
Nancy J. Tyler	Assistant clerk (from Jan. 3 to June 30, 1967).	1,340.75
MINORITY		
Will Henderson	Assistant clerk (from Apr. 1 to June 30, 1967).	1,609.38
Ruth Macknet	Minority secretary (from Apr. 1 to June 30, 1967).	2,328.30

Funds authorized or appropriated for committee expenditures	$52,000.00
Amount of expenditures previously reported	0
Amount expended from Jan. 3 to June 30, 1967	22,470.93
Total amount expended from Jan. 3 to June 30, 1967	22,470.93
Balance unexpended as of June 30, 1967	29,529.07

General Subcommittee on Labor, No. 4, Representative John H. Dent, chairman

Name of employee	Profession	Total gross salary during 6-month period
Richard J. Hunger	Assistant clerk (from June 1 to June 30, 1967).	$300.50
Rhoda Mae Kachilo	Assistant clerk (from Jan. 3 to Mar. 31, 1967).	1,469.48
Dennis R. McGrath	Assistant clerk (from Jan. 3 to May 31, 1967).	789.63
Carol J. Pensky	Clerk (from Jan. 3 to May 10, 1967).	354.65
Adrienne Fields	Clerk (from Apr. 1 to June 30, 1967).	2,500.68
Consuelo E. Staisey	Assistant clerk (from June 12 to June 30, 1967).	190.32
Robert E. Vagley	Director (from Jan. 3 to June 30, 1967).	9,963.43
MINORITY		
Crawford C. Heerlein	Minority clerk (from Apr. 1 to June 30, 1967).	4,196.58

Funds authorized or appropriated for committee expenditures	$52,000.00
Amount of expenditures previously reported	0
Amount expended from Jan. 3 to June 30, 1967	20,183.92
Total amount expended from Jan. 3 to June 30, 1967	20,183.92
Balance unexpended as of June 30, 1967	31,816.08

General Subcommittee on Education, No. 5, Representative Roman C. Pucinski, chairman

General Subcommittee on Education, No. 5, Representative Roman C. Pucinski, chairman—Continued

Name of employee	Profession	Total gross salary during 6-month period
Elizabeth A. Cornett	Clerk (from Jan. 3 to Feb. 15, 1967).	$1,112.41
Charles Eischen	Staff assistant (from May 1 to June 30, 1967).	2,501.02
Thomas J. Gerber	Assistant (from Mar. 1 to June 30, 1967).	$1,663.48
Mattie L. Maynard	Clerk (from Mar. 1 to June 30, 1967).	2,502.92
Hartwell Duvall Reed, Jr.	Counsel (from Jan. 3 Jan. 31, 1967).	2,013.67
Margaret B. Sugg	Staff assistant (from Jan. 3 to Apr. 30, 1967) and staff director (from May 1 to June 30, 1967).	3,752.04
Catherine Scott Lightner	Assistant clerk (from June 12 to June 30, 1967).	215.92
Rita A. Montrose	Clerk-typist (from June 12 to June 30, 1967).	215.92
Minority: Warren Phillips Rockefeller.	Research specialist (from June 5 to June 30, 1967).	866.86

Funds authorized or appropriated for committee expenditures	$52,000.00
Amount of expenditures previously reported	0
Amount expended from Jan. 3 to June 30, 1967	16,247.10
Total amount expended from Jan. 3 to June 30, 1967	16,247.10
Balance unexpended as of June 30, 1967	35,752.90

Select Subcommittee on Education, No. 6, Representative Dominick V. Daniels, chairman

Name of employee	Profession	Total gross salary during 6-month period
Daniel H. Krivit	Counsel (from Mar. 1 to June 30, 1967).	$4,703.84
Helen Hayden	Secretary (from Mar. 1 to June 30, 1967).	2,671.56
Thomas J. Gerber	Assistant (from Jan. 3 to Feb. 28, 1967).	804.01
Mattie L. Maynard	Clerk (from Jan. 3 to Feb. 28, 1967).	1,209.74
Margaret B. Sugg	Staff assistant (from Jan. 3 to Feb. 28, 1967).	1,611.55

Funds authorized or appropriated for committee expenditures	$52,000.00
Amount of expenditures previously reported	None
Amount expended from Jan. 3 to June 30, 1967	11,178.11
Total amount expended from Jan. 3 to June 30, 1967	11,178.11
Balance unexpended as of June 30, 1967	40,821.89

JULY 11, 1967.

COMMITTEE ON FOREIGN AFFAIRS

To the CLERK OF THE HOUSE:

The above-mentioned committee or subcommittee, pursuant to section 134(b) of the "Legislative Reorganization Act of 1946," Public Law 601, 79th Congress, approved August 2, 1946, as amended, submits the following report showing the name, profession, and total salary of each person employed by it during the 6-month period from January 1, 1967, to June 30, 1967, inclusive, together with total funds authorized or appropriated and expended by it:

Name of employee	Profession	Total gross salary during 6-month period
Boyd Crawford	Staff administrator	$12,945.00
Roy J. Bullock	Senior staff consultant.	12,945.00

Name of employee	Profession	Total gross salary during 6-month period
Albert C. F. Westphal	Staff consultant	$12,945.00
Franklin J. Schupp	do	12,502.86
Robert F. Brandt	do	12,376.44
Harry C. Cromer	do	12,260.76
Philip B. Billings	do	9,613.50
Marian A. Czarnecki	do	12,230.34
Melvin O. Benson	do	10,513.80
Everett E. Bierman	Staff consultant (May 1 to June 30, 1967).	2,671.44
June Nigh	Senior staff assistant	9,383.82
Helen C. Mattas	Staff assistant	7,910.10
Helen L. Hashagen	do	7,742.28
Louise O'Brien	do	7,554.72
Mary M. Lalos	do	5,155.92
Doris B. McCracken	do	6,300.18
Jean E. Smith	do	4,624.68
Robert F. Bowen	Clerical assistant	5,007.78

Funds authorized or appropriated for committee expenditures	$175,000.00
Amount of expenditures previously reported	
Amount expended from Jan. 3, 1967 to June 30, 1967	38,793.41
Total amount expended	
Balance unexpended as of June 30, 1967	136,206.59

THOMAS E. MORGAN,
Chairman.

JULY 14, 1967.

COMMITTEE ON GOVERNMENT OPERATIONS

To the CLERK OF THE HOUSE:

The above-mentioned committee or subcommittee, pursuant to section 134(b) of the "Legislative Reorganization Act of 1946," Public Law 601, 79th Congress, approved August 2, 1946, as amended, submits the following report showing the name, profession, and total salary of each person employed by it during the 6-month period from January 3, 1967, to June 30, 1967, inclusive, together with total funds authorized or appropriated and expended by it:

EXPENSES, JAN. 3 TO JUNE 30, 1967

Full committee	$1,226.08
Special Studies Subcommittee	36,202.62
Military Operations Subcommittee	44,849.38
Government Activities Subcommittee	27,784.52
Intergovernmental Relations Subcommittee	38,262.23
Executive and Legislative Reorganization Subcommittee	24,928.09
Natural Resources and Power Subcommittee	33,961.28
Foreign Operations and Government Information Subcommittee	49,753.59
Legal and Monetary Affairs Subcommittee	30,221.19
Research and Technical Programs Subcommittee	34,157.99
Special Subcommittee on Donable Property	14,303.29
Total	335,650.26

SALARIES, FULL COMMITTEE, JAN. 1 TO JUNE 30, 1967

Name of employee	Profession	Total gross salary during 6-month period
Christian Ray Davis	Staff director	$12,945.00
James A. Lanigan	General counsel	12,945.00
Miles Q. Romney	Associate general counsel.	11,272.14
Earle J. Wade	Staff member	9,301.38
Dolores L. Fel'Dotto	do	6,362.76
Ann E. McLachlan	do	6,196.26
Patricia M. Maheux	do	6,196.26
Charlotte C. Bickett	do	5,702.46
J. Philip Carlson	Minority counsel (Feb. 1–June 30, 1967).	9,393.45
William H. Copenhaver	Minority staff member	8,696.76

FULL COMMITTEE EXPENSES, JAN. 3 TO JUNE 30, 1967

Travel, publications, telephone, stationery, supplies, etc., Jan. 1 to June 30, 1967	$1,226.08
Total	1,226.08

Special Studies Subcommittee, Hon. William L. Dawson, Chairman

Name of employee	Profession	Total gross salary during 6-month period
Louis I. Freed	Staff administrator	$10,717.91
George O. Serini	Investigator	7,822.21
Peter M. Frank	Professional staff member (Mar. 15 to June 30, 1967).	3,683.36
Johan T. Benson	Investigator	5,110.86
Mrs. Mabel C. Baker	Stenographer	5,130.51
John L. Dodson	Clerical staff	3,606.72
Expenses		131.05
Total		36,202.62

Military Operations Subcommittee, Hon. Chet Holifield, Chairman

Name of employee	Profession	Total gross salary during 6-month period
Herbert Roback	Staff administrator	$12,801.17
Douglas G. Dahlin	Staff attorney	7,730.66
John Paul Ridgely	Investigator	7,448.05
Joseph C. Luman	Defense analyst	5,934.64
Catherine L. Koeberlein	Research assistant	5,385.21
Mrs. Mollie Jo Hughes	Clerk-stenographer	5,028.56
Expenses		521.09
Total		44,849.38

Government Activities Subcommittee, Hon. Jack Brooks, chairman

Name of employee	Profession	Total gross salary during 6-month period
Ernest Cornish Baynard	Staff administrator	$10,853.02
Joseph L. Gibson	Counsel	5,104.98
Mrs. Irma Reel	Clerk	5,028.56
Mrs. Lynne Higginbotham	Clerk-stenographer	4,579.58
Hulen R. Selman	Investigator	1,782.96
Expenses		435.42
Total		27,784.52

Intergovernmental Relations Subcommittee, Hon. L. H. Fountain' chairman

Name of employee	Profession	Total gross salary during 6-month period
James R. Naughton	Counsel	$10,853.02
Delphis C. Goldberg	Professional staff member.	10,853.02
William Donald Gray	Research analyst	7,650.50
Mrs. Bebe B. Terry	Clerk-stenographer	4,731.06
Lexine Rollins	do	4,037.81
Expenses		136.82
Total		38,262.23

Executive and Legislative Reorganization Subcommittee, Hon· John A. Blatnik, chairman

Name of employee	Profession	Total gross salary during 6-month period
Elmer W. Henderson	Counsel	$11,264.25
Jerome D. Sollins	Legal assistant	6,511.21
Ira Warren Harrison	Legal assistant (May 1–June 30, 1967).	1,667.12
Mrs. Veronica B. Johnson.	Clerk	5,440.16
Expenses		45.35
Total		24,928.09

Natural Resources and Power Subcommittee, Hon. Robert E. Jones, Chairman

Name of employee	Profession	Total gross salary during 6-month period
Phineas Indritz	Counsel	$10,853.02
Laurence A. Davis	Assistant counsel, (May 1 to June 30, 1967).	3,025.88
Jack Tait	Professional staff member.	6,230.18
Josephine Scheiber	Research analyst	5,028.56
Mrs. Catherine L. Hartke.	Stenographer	5,028.56
Mrs. Francine Shacter	Clerk-stenographer, (Jan. 3 to Mar. 31, 1967).	1,996.22
Expenses		1,798.86
Total		33,961.28

Foreign Operations and Government Information committee, Sub Hon. John E. Moss, Chairman

Name of employee	Profession	Total gross salary during 6-month period
Norman G. Cornish	Staff administrator	$10,853.02
Vincent J. Augliere	Chief, foreign operations.	10,853.02
Jack Matteson	Chief investigator	9,822.51
James L. Nelligan	Investigator (May 1 to June 30, 1967).	2,875.56
Michael A. Taylor	Legal analyst	6,824.57
Marcia Bresee	Clerk	3,956.53
Mrs. Elizabeth Jayne Bodecker.	Secretary	3,818.99
Samuel J. Archibald	Consultant (Jan. 3 to Apr. 30, 1967).	326.94
Expenses		422.45
Total		49,753.59

Legal and Monetary Affairs Subcommittee, Hon. Dante B. Fascel Chairman

Name of employee	Profession	Total gross salary during 6-month period
M. Joseph Matan	Staff administrator	$10,717.91
Charles Rothenberg	Counsel	9,836.62
Mrs. Millicent Y. Myers	Stenographer	4,890.77
Mrs. Pearl H. Sigel	do	3,775.20
Mrs. Adrian S. Purnell	Clerk-stenographer (June 19–30, 1967).	183.64
William L. Wade Cole	Research assistant (May 8 to June 23 1967).	703.94
Expenses		113.11
Total		30,221.19

Research and fechnical Programs Subcommittee, Hon. Henry S .Reuss, Chairman

Name of employee	Profession	Total gross salary during 6-month period
Mrs. Edna Gass	Staff administrator	$10,661.96
Richard L. Chapman	Chief adviser	8,159.94
William J. Lanouette	Professional staff member (Apr. 1 to June 30, 1967).	2,626.26
Mrs. Catherine S. Cash	Secretary	4,075.37
Mrs. Francine Shacter	Secretary (Apr. 1 to June 30, 1967).	2,060.58
Mrs. Carol Flanagan	Secretary (Jan. 3 to Mar. 31, 1967).	1,764.37
Expenses		4,809.51
Total		$34,157.99

Special Subcommittee on Donable Property, Hon. John S. Monagan, Chairman

Name of employee	Profession	Total gross salary during 6-month period
Peter S. Barash	Legal assistant	$6,511.21
Thomas A. Smith	Research analyst (May 1 to June 30, 1967).	2,351.92
Clara Katherine Armstrong.	Clerical staff	5,440.16
Expenses		0
Total		14,303.29

Funds authorized or appropriated for committee expenditures (H. Res. 109, 90th Cong.)	$725,000.00
Amount of expenditures previously reported	
Amount expended from Jan. 3 to June 30, 1967	335,650.26
Total amount expended	
Balance unexpended as of June 30, 1967	389,349.74

WILLIAM L. DAWSON,
Chairman.

JULY 10, 1967.

COMMITTEE ON HOUSE ADMINISTRATION

To the CLERK OF THE HOUSE:

The above-mentioned committee or subcommittee, pursuant to section 134(b) of the "Legislative Reorganization Act of 1946," Public Law 601, 79th Congress, approved August 2, 1946, as amended, submits the following report showing the name, profession, and total salary of each person employed by it during the 6-month period from January 3, 1967, to June 30, 1967, inclusive, together with total funds authorized or appropriated and expended by it:

Name of employee	Profession	Total gross salary during 6-month period
Julian P. Langston	Chief clerk	$12,945.00
David S. Wolman	Personnel analyst	10,299.19
Robert D. Gray	Auditor	6,248.77
Louis Silverman	Assistant clerk	6,987.88
Vivian M. Robinson	do	4,528.94
Irene D. Stolman	do	3,774.12
Gurney S. Jaynes	do	3,381.70
Rebecca E. Martin	do	242.84

Funds authorized or appropriated for committee expenditures	$50,000.00
Amount of expenditures previously reported	None
Total amount expended from January 3 to June 30, 1967	6,656.63
Balance unexpended as of July 1, 1967	43,343.37

OMAR BURLESON,
Chairman.

JULY 10, 1967.

COMMITTEE ON INTERIOR AND INSULAR AFFAIRS

To the CLERK OF THE HOUSE:

The above-mentioned committee or subcommittee, pursuant to section 134(b) of the Legislative Reorganization Act of 1946, Public Law 601, 79th Congress, approved August 2, 1946, as amended, submits the following report showing the name, profession, and total salary of each person employed by it during the 6-month period from January 3, 1967, to June 30, 1967, inclusive, together with total funds authorized and expended by it:

Name of employee	Profession	Total gross salary during 6-month period
Sidney L. McFarland	Professional staff director and engineering consultant.	$12,879.50
T. Richard Witmer	Counsel and consultant on national parks and recreation.	12,471.73
John L. Taylor	Consultant on territorial and Indian affairs.	12,417.73
William L. Shafer	Consultant on mining, minerals and public lands.	11,958.90
Nancy J. Arnold	Chief clerk	11,152.43
Dixie S. Barton	Clerk	5,853.49
Patricia Ann Murray	do	5,853.49
Virginia E. Bedsole	do	5,434.99
Patricia B. Freeman	do	5,342.66
Susan A. Whitener	do	5,037.04
Salaries Paid Pursuant to H. Res. 114, 90th Cong.		
Charles Leppert, Jr	Assistant counsel	$7,467.37
Lee McElvain	do	6,372.55
Kathleen Vance	Clerk	4,399.86
Edward Gaddis	Messenger	3,204.08

Funds authorized or appropriated for committee expenditures	$100,000.00
Amount of expenditures previously reported	0
Amount expended from Jan. 3, to June 30, 1967	29,643.35
Total amount expended from Jan. 3, to June 30, 1967	29,643.35
Balance unexpended as of June 30, 1967	70,356.65

WAYNE N. ASPINALL,
Chairman.

JULY 1, 1967.

COMMITTEE ON INTERSTATE AND FOREIGN COMMERCE

To the CLERK OF THE HOUSE:

The above-mentioned committee or subcommittee, pursuant to section 134(b) of the "Legislative Reorganization Act of 1946," Public Law 601, 79th Congress, approved August 2, 1946, as amended, submits the following report showing the name, profession, and total salary of each person employed by it during the 6-month period from January 1, 1967, to June 30, 1967, inclusive, together with total funds authorized or appropriated and expended by it:

Name of employee	Profession	Total gross salary during 6-month period
Clerical staff:		
W. E. Williamson	Clerk	$12,945.00
Kenneth J. Painter	First assistant clerk	10,627.57
Marcella Fencl	Assistant clerk	6,487.32
Glenn L. Johnson	Printing editor	8,176.39
Mary Ryan	Clerical assistant	5,162.36
Mildred H. Lang	do	5,162.36
Hazel J. Collie	Staff assistant	6,454.56
Elsie M. Karpowich	Clerical assistant	5,162.36
Edwin Earl Thomas	Staff assistant	4,592.75
Marion M. Burson	Staff assistant (minority).	10,627.57
Professional staff:		
Andrew Stevenson	Professional staff coordinator.	$12,945.00
William J. Dixon	Professional staff member.	12,945.00
James M. Menger	do	12,945.00
Additional Temporary Employees Under H. Res. 168 and 354		
Lewis E. Berry, Jr	Minority counsel	$12,945.00
Helen M. Dubino	Staff assistant (minority).	9,610.00
Barbara L. Bullard	Clerical assistant (minority).	3,855.55
Julia Ann Atkinson	do	3,444.37
John I. Burton	Staff assistant	4,348.02
Douglas R. Nobles, Jr	Messenger	498.72
John M. Kerwin	Special counsel (to COB, Feb. 28, 1967).	2,924.22
Joseph T. Kelley	Messenger (from June 15, 1967).	120.48
Edward J. Miller	Staff assistant (from June 19, 1967).	200.40
Eleanor A. Dinkins	Clerical assistant (from Mar. 9, 1967).	3,043.39
Special Subcommittee on Investigations		
Robert W. Lishman	Chief counsel	$12,945.00
Daniel J. Manelli	Attorney (from May 8, 1967).	2,551.11
James R. Connor	Staff assistant	8,050.84
Elizabeth G. Paola	Clerical assistant	4,952.78
Celia M. Dupree	do	4,265.14
Thomas D. Hart	Legislative assistant	7,381.42
George T. Turner	Special assistant (from Apr. 17, 1967).	3,804.50
Ben William Lewis	(Consultant under contract dated Mar. 6, 1967).	
Zelig Robinson	Attorney (from Apr. 17, 1967).	3,804.50
Russell D. Mosher	Staff assistant (from Apr. 17, 1967).	1,439.22
S. Arnold Smith	Attorney (from June 19, 1967).	566.88
Ralston P. Roberts	Staff assistant (from June 26, 1967).	100.75
Michael S. Yanock	do	100.75
Martin W. Cunningham	Consultant (from Apr. 14, 1967).	2,596.02

Funds authorized or appropriated for committee expenditures	$395,000.00
Amount of expenditures previously reported	
Amount expended from Jan. 3, 1967 to June 30, 1967	97,476.50
Total amount expended from Jan. 3 to June 30, 1967	97,476.50
Balance unexpended as of July 1, 1967	297,523.50

HARLEY O. STAGGERS,
Chairman.

JULY 15, 1967.

COMMITTEE ON THE JUDICIARY

To the CLERK OF THE HOUSE:

The above-mentioned committee or subcommittee, pursuant to section 134(b) of the Legislative Reorganization Act of 1946, Public Law 601, 79th Congress, approved August 2, 1946, as amended, submits the following report showing the name, profession, and total salary of each person employed by it during the 6-month period from January 3, 1967, to June 30, 1967, inclusive, together with total funds authorized or appropriated and expended by it:

Name of employee	Profession	Total gross salary during 6-month period
Bess E. Dick	Staff director	$12,945.00
William R. Foley	General counsel	12,945.00
Benjamin L. Zelenko	Counsel	10,217.94
Garner J. Cline	Assistant counsel	9,030.54
Donald G. Benn	Associate counsel (as of May 1, 1967).	2,811.34
Uzal H. Martz, Jr	Legislative assistant (as of May 1, 1967).	2,487.64
Carrie Lou Allen	Clerical staff	$5,600.28
Lorraine W. Beland	do	5,600.28
Gertrude Clara Burak	do	5,910.36
Jane C. Caldwell	do	6,612.42
Frances Christy	do	7,175.70
Roberta E. Eisenberg	Clerical staff (as of May 1, 1967).	1,737.96
Elizabeth G. Meekins	Clerical staff (as of Feb. 1, 1967).	4,666.90
Salaries Paid Jan. 3, 1967, Through June 30, 1967, Pursuant to H. Res. 40 and 132, 90th Congress		
Appel, Leonard	Assistant counsel	$9,939.93
Barry, Charles W	Legislative assistant (as of Mar. 1, 1967).	4,169.84
Beatson, Robert J	Legislative assistant (through Apr. 30, 1967).	4,196.94
Benn, Donald G	Associate counsel (through Apr. 30, 1967).	5,528.97
Campbell, Madelon	Clerical (as of Mar. 1, 1967).	2,333.84
Dean, John Wesley III	Associate counsel	5,234.30
Eisenberg, Roberta E	Clerical (through Apr. 30, 1967).	3,417.99
Haardt, Alma B	Clerical	4,478.60
Hansen, Walter D	Special counsel	12,801.16
Harkins, Kenneth	Chief counsel, Antitrust Subcommittee.	12,094.45
Hunter, Jane Ward	Clerical (through Apr. 15, 1967).	2,379.92
Jett, R. Frederick	Counsel	9,939.93
Kelemonick, Michael	Clerical	4,731.06
Kiernan, Patricia Elizabeth.	Clerical (through Mar. 1, 1967).	981.08
Lee, Charles R	Messenger	3,737.64
Logan, Sue N	Clerical (as of June 1, 1967).	83.12
McGrady, Florence T	Clerical	4,526.35
Martz, Uzal H., Jr	Legislative assistant (through Apr. 30, 1967).	4,892.36
Meekins, Elizabeth G	Clerical (through Jan. 31, 1967).	871.15
Polk, Franklin G	Associate counsel (as of June 1, 1967).	834.63
Resweber, Harold J., Jr	Clerical (as of Mar. 1, 1, 1967).	2,853.36
Santarelli, Donald E	Associate counsel (as of Mar. 1, 1967).	3,338.52
Sourwine, Mary G	Clerical	3,812.70
Zeifman, Jerome M	Counsel	8,756.00

Funds authorized or appropriated for committee expenditures	$250,000.00
Amount expended Jan. 3, 1967, through June 30, 1967	119,712.78
Balance unexpended as of June 30, 1967	130,287.22

EMANUEL CELLER,
Chairman.

Funds for Preparation of United States Code, District of Columbia Code, and Revision of the Laws

A. Preparation of new edition of United States Code (no year):	
Unexpended balance Dec. 31, 1966	$164,269.90
Expended Jan. 1 to June 30, 1967	22,162.50
Balance June 30, 1967	142,107.40
B. Preparation of new edition of District of Columbia Code:	
Unexpended balance Dec. 31, 1966	93,853.64
Expended Jan. 1 to June 30, 1967	26,535.88
Balance June 30, 1967	67,317.76
C. Revision of the Laws 1967:	
Unexpended balance Dec. 31, 1966	14,888.81
Expended Jan. 1 to June 30, 1967	14,614.81
Balance June 30, 1967	274.00

JUNE 30, 1967.

COMMITTEE ON MERCHANT MARINE AND FISHERIES

To the CLERK OF THE HOUSE:

The above-mentioned committee or subcommittee, pursuant to section 134(b) of the Legislative Reorganization Act of 1946, Public Law 601, 79th Congress, approved August 2, 1946, as amended, submits the following report showing the name, profession, and total salary of each person employed by it during the 6-month period from January 1, 1967, to June 30, 1967, inclusive, together with total funds authorized or appropriated and expended by it:

Name of employee	Profession	Total gross salary during 6-month period
John M. Drewry	Chief counsel	$12,945.00
Bernard J. Zincke	Counsel	12,376.44
Ned P. Everett	do	10,663.50
Arthur Pankopf, Jr	Minority counsel	9,360.30
Robert J. McElroy	Chief clerk	11,253.96
Frances P. Still	Assistant clerk	6,662.52
Ruth E. Brookshire	do	5,471.46
Edith W. Gordon	Secretary	5,471.46
Vera A. Barker	do	5,471.46
Virginia L. Noah	do	5,471.46
Investigating staff:		
Gus Bakas	Counsel	7,719.12
W. B. Winfield	Clerk	8,504.10
Donald A. Watt	Editor	6,533.78
Albert J. Dennis	Investigator	6,662.52
Norman M. Barnes	do	2,624.16
Lucye L. Summers	Secretary	2,932.95
Diane G. Kirchenbauer	do	1,261.71
Jane C. Wojcik	do	2,253.50
Cloatta M. Farrell	Assistant clerk	354.01

Funds authorized or appropriated for committee expenditures	$115,000.00
Amount of expenditures previously reported	0
Amount expended from Jan. 3 to June 30, 1967	64,838.31
Total amount expended from Jan. 3 to June 30, 1967	0
Balance unexpended as of June 30, 1967	50,161.69

EDWARD A. GARMATZ,
Chairman.

JULY 13, 1967.

COMMITTEE ON POST OFFICE AND CIVIL SERVICE

To the CLERK OF THE HOUSE:

The above-mentioned committee or subcommittee, pursuant to section 134(b) of the "Legislative Reorganization Act of 1946," Public Law 601, 79th Congress, approved August 2, 1946, as amended, submits the following report showing the name, profession, and total salary of each person employed by it during the 6-month period from January 3, 1967, to June 30, 1967, inclusive, together with total funds authorized or appropriated and expended by it:

Standing Committee Staff

Name of employee	Profession	Total gross salary during 6-month perod
Johnson, Charles E	Staff director	$12,945.00
Bray, B. Benton	Associate staff director.	12,772.98
Martiny, John H	Counsel	12,772.98
Irvine, William A	Assistant staff director.	12,772.98
Kazy, Theodore James	Senior staff assistant	10,289.22
Thornton, Elsie E	Executive secretary	6,487.32
Wells, Barbara M	Secretary	5,780.40
Simons, Blanche M	do	5,600.28
Snipes, Justine P	do	5,213.88
Berner, Joan H	do	4,911.84

Investigative Staff, pursuant to H. Res. 209 and 210, 90th Cong. 1st Sess.

Name of employee	Profession	Total gross salary during 6-month period
Barton, Richard	Staff assistant	$6,386.37
Bates, Kathryn E	Secretary	4,333.47
Bova, Joyce C	Clerk-stenographer (to Feb. 28, 1967).	1,203.63
Braun, Debbie Ann	Stenographer (to Jan. 31, 1967).	181.02
Brome, Harrison C	Staff assistant (to Jan. 31, 1967).	1,004.04
Davis, Stewart A	Staff assistant	6,108.13
Devlin, Ralph J	Staff member	8,444.26
Flanagan, Carol A	Secretary (from Apr. 1, 1967).	1,826.58
Frink, Gary R	Staff member (from Apr. 1, 1967).	5,247.90
Green, Thelma R	Secretary	4,857.26
Hagen, Audrey L	do	3,826.58
Keating, Michael M	Staff assistant	4,592.22
Kennedy, Thomas R	do	6,165.98
MacKay, John W	Staff assistant (to Feb. 28, 1967).	$2,079.80
Mann, Lawrence M	Staff assistant (to Mar. 8, 1967).	2,286.26
Matchett, Francis T	Investigator	4,543.56
Napier, Margaret G	Clerk-stenographer (from June 3, 1967).	425.57
Neustadt, Richard M	Intern (from June 15, 1967).	228.32
Pendleton, Maria R	Document clerk	4,857.26
Peters, Dorothy L	Secretary	4,604.86
Powell, John W	Staff assistant	4,768.91
Price, John B	Assistant clerk (to Feb. 28, 1967).	3,315.41
Richards, James Walsh	Staff assistant (to Feb. 28, 1967).	1,203.63
Tansill, Helen C	Stenographer	3,149.60
Tippett, Susan	Clerk-typist (from May 23, 1967).	406.61
Vaughn, Evelyn F	Clerk-typist	3,259.67
Ward, Ella R	Staff assistant	6,382.84
Ward, Sara L	Secretary (from Mar. 1, 1967).	3,002.20
Williss, Donna Linn Scott.	Secretary (from May 1, 1967).	1,166.92

Contract Consultants, Pursuant to H. Res. 209 and 210, 90th Cong., 1st Sess.

Name of employee	Profession	Total gross salary during 6-month period
Moore, George M	Civil service consultant.	$7,500.00
Winslow, Joseph E	Position classification consultant.	4,000.00

Funds authorized or appropriated for committee expenditures	$284,000.00
Amount of expenditures previously reported	0
Amount expended from Jan. 3 to June 30	114,293.62
Balance unexpended as of June 30, 1967	169,706.38

THADDEUS J. DULSKI,
Chairman.

JULY 14, 1967.

COMMITTEE ON PUBLIC WORKS

To the CLERK OF THE HOUSE:

The above-mentioned committee or subcommittee, pursuant to section 134(b) of the Legislative Reorganization Act of 1946, Public Law 601, 79th Congress, approved August 2, 1946, as amended, submits the following report showing the name, profession, and total salary of each person employed by it during the 6-month period from January 3, 1967, to June 30, 1967, inclusive, together with total funds authorized or appropriated and expended by it:

Name of employee	Profession	Total gross salary during 6-month period
Richard J. Sullivan	Chief counsel	$12,945.00
Joseph R. Brennan	Engineer-consultant	12,945.00
Clifton W. Enfield	Minority counsel	12,156.26
Stephen V. Feeley	Subcommittee clerk	8,292.18
Dorothy A. Beam	Executive staff assistant.	7,462.92
Meriam R. Buckley	Staff assistant	5,663.46
Sterlyn B. Carroll	do	4,720.38
Anne C. Kennedy	do	4,159.08

Investigating Staff (H. Res. 248)

Name of employee	Profession	Total gross salary during 6-month period
Maurice B. Tobin	Subcommittee clerk	$8,200.04
Audrey G. Warren	do	7,380.00
Robert F. Spence	do	6,230.18
Augusta B. Peters	do	6,230.18
Erla S. Youmans	Minority staff assistant.	5,785.06
Randal C. Teague	do	4,782.99
Jeannine A. Marcoux	Staff assistant	4,112.87
Florence S. Spaulding	Minority staff assistant.	3,969.04
Sara B. Hilber	do	3,738.17
Judy Ann Marshall	Clerical assistant	3,183.00
Harvey C. Simms, Jr	Clerical assistant (effective May 23, 1967).	431.84

Funds authorized or appropriated for committee expenditures (H. Res. 248)	$120,000.00
Amount of expenditures previously reported	0
Amount expended from Jan. 3, 1967, to June 30, 1967	56,302.09
Total amount expended from Jan. 3, 1967, to June 30, 1967	56,302.09
Balance unexpended as of June 30, 1967	63,697.91

GEORGE H. FALLON,
Chairman.

JULY 14, 1967.

SPECIAL SUBCOMMITTEE ON THE FEDERAL-AID HIGHWAY PROGRAM

To the CLERK OF THE HOUSE:

The above-mentioned committee or subcommittee, pursuant to section 134(b) of the Legislative Reorganization Act of 1946, Public Law 601, 79th Congress, approved August 2, 1946, as amended, submits the following report showing the name, profession, and total salary of each person employed by it during the 6-month period from January 3, 1967, to June 30, 1967, inclusive, together with total funds authorized or appropriated and expended by it:

Name of employee	Profession	Total gross salary during 6-month period
Walter R. May	Chief counsel	$12,094.45
John P. Constandy	Assistant chief counsel.	11,212.58
Robert L. May	Minority counsel	11,134.91
George H. Martin	Administrative assistant.	10,080.91
Salvatore J. D'Amico	Associate counsel	8,501.99
John P. O'Hara	do	8,501.99
Carl J. Lorenz, Jr	do	7,770.71
Robert G. Lawrence	do	7,325.35
George M. Kopecky	Chief investigator	10,592.42
Sherman S. Willse	Professional staff member	8,501.99
Paul R. S. Yates	Minority professional staff member.	8,351.88
Kethryn M. Keeney	Chief clerk	5,639.10
Stuart M. Harrison	Staff assistant	6,330.98
Mildred E. Rupert	do	4,611.15
Agnes M. GaNun	do	4,453.38
Shirley R. Knighten	do	3,800.18
Martha A. Downie	Minority staff assistant (effective Feb. 3, 1967).	3,634.58
Sylvia Reppert	Minority staff assistant (through Jan. 22, 1967).	491.16

Funds authorized or appropriated for committee expenditures (H. Res. 248)	$340,000.00
Amount of expenditures previously reported	
Amount expended from Jan. 3 to June 30, 1967	142,549.23
Total amount expended from Jan. 3 to June 30, 1967	142,549.23
Balance unexpended as of June 30, 1967	197,450.77

GEORGE H. FALLON,
Chairman.

JULY 10, 1967.

COMMITTEE ON RULES

To the CLERK OF THE HOUSE:

The above-mentioned committee or subcommittee, pursuant to section 134(b) of the Legislative Reorganization Act of 1946, Public Law 601, 79th Congress, approved August 2, 1946, as amended, submits the following report showing the name, profession, and total salary of each person employed by it during the 6-month period from January 1, 1967, to June 30, 1967, inclusive, together with total funds authorized or appropriated and expended by it:

Name of employee	Profession (Standing or select committee)	Total gross salary during 6-month period
Laurie C. Battle	Counsel, standing committee (P).	$12,945.00
Robert D. Hynes, Jr	Minority counsel (P)	9,071.76
Mary Spencer Forrest	Assistant counsel (P)	7,462.92

Name of employee	Profession	Total gross salary during 6-month period
William F. Porter	Staff member (C)	4,911.84
Winifred L. Watts	Secretary (C)	4,503.42

Funds authorized or appropriated for committee expenditures	$5,000.00
Balance unexpended as of June 30, 1967	5,000.00

WILLIAM M. COLMER,
Chairman.

JUNE 30, 1967.

COMMITTEE ON SCIENCE AND ASTRONAUTICS

To the CLERK OF THE HOUSE:

The above-mentioned committee or subcommittee, pursuant to section 134(b) of the Legislative Reorganization Act of 1946, Public Law 601, 79th Congress, approved August 2, 1946, as amended, submits the following report showing the name, profession, and total salary of each person employed by it during the 6-month period from January 3, 1967, to June 30, 1967, inclusive, together with total funds authorized or appropriated and expended by it:

Name of employee	Profession	Total gross salary during 6-month period
C. F. Ducander	Executive director and chief counsel.	$12,945.00
John A. Carstarphen, Jr.	Chief clerk and counsel.	12,230.34
Philip B. Yeager	Counsel	12,230.34
W. H. Boone	Chief technical consultant.	12,230.34
Frank R. Hammill, Jr.	Counsel	11,791.92
Mary Ann Robert	Secretary	5,052.90
Emily Dodson	do	4,835.28
Carol F. Rodgers	do	4,614.02
June C. Stafford	do	4,614.02
Virginia Robison	do	4,614.02
Investigating staff:		
Richard P. Hines	Staff consultant	11,302.32
James E. Wilson	Technical consultant	11,302.32
Peter A. Gerardi	do	11,302.32
Harold A. Gould	do	11,302.32
Philip P. Dickinson	do	9,855.66
Joseph M. Felton	Counsel	6,434.88
Frank J. Giroux	Clerk	5,858.40
Elizabeth S. Kernan	Scientific research assistant.	5,702.46
Denis C. Quigley	Publications clerk	4,280.04
Kieran U. Cashman	Secretary	3,868.20
Walter B. Huber	Special consultant (to Feb. 28, 1967).	3,204.50
Martha N. Rees	Secretary (from Mar. 1, 1967).	1,803.24
Richard Shullaw	Assistant publications clerk (from June 1, 1967).	300.50
James D. Battle	Assistant publications clerk (from June 12, 1967).	190.32

Funds authorized or appropriated for committee expenditures	$250,000.00
Amount of expenditures previously reported	0
Amount expended from Jan. 3 to June 30	121,778.86
Total amount expended from Jan. 3 to June 30	121,778.86
Balance unexpended as of June 30, 1967	128,221.14

GEORGE P. MILLER,
Chairman.

JULY 10, 1967.

COMMITTEE ON UN-AMERICAN ACTIVITIES

To the CLERK OF THE HOUSE:

The above-mentioned committee or subcommittee, pursuant to section 134(b) of the "Legislative Reorganization Act of 1946," Public Law 601, 79th Congress, approved August 2, 1946, as amended, submits the following report showing the name, profession, and total salary of each person employed by it during the 6-month period from January 3, 1967, to June 30, 1967, inclusive, together with total funds authorized or appropriated and expended by it:

Name of employee	Profession	Total gross salary during 6-month period
Standing committee:		
Donald T. Appell	Chief investigator	$10,152.60
Anniel Cunningham	Chief of files and reference (from Feb. 1, 1967).	5,212.30
Helen M. Gittings	Research analyst	6,235.26
William Hitz	General counsel (Jan. 1–29).	2,085.58
Juliette P. Joray	Recording clerk	7,417.02
Francis J. McNamara	Staff director	12,945.00
Isabel B. Nagel	Secretary to counsel	5,213.88
Chester D. Smith	General counsel (from Feb. 1, 1967).	10,009.25
Lorraine N. Veley	Secretary to investigators.	4,911.84
Mary M. Valente	Administrative secretary.	6,637.50
William A. Wheeler	Investigator	9,495.72
Investigating committee:		
Beatrice P. Baldwin	Clerk-typist (to May 31, 1967).	2,765.85
Michele Bienvenu	Clerk-typist (from June 12, 1967).	281.58
Theresa J. Buglio	Clerk-typist	2,915.94
Adele M. Bulliard	Clerk-typist (from June 12, 1967).	281.58
Daniel Butler	Assistant documents clerk.	3,306.50
Eve C. Butler	Clerk-stenographer (to Jan. 22, 1967).	430.17
John F. Capossela	Assistant documents clerk (from Mar. 7, 1967).	1,744.54
Mary Jo Chapman	Clerk-steonographer	2,433.11
Kathleen Conlon	Clerk-typist (from June 1).	416.81
Anniel Cunningham	Chief of files and reference (to Feb. 1).	1,042.46
Jean W. Curll	Secretary to staff director.	4,280.04
Florence B. Doyle	Clerk-stenographer	3,099.72
Elizabeth L. Edinger	Editor	5,656.98
Rochelle E. Epstein	Clerk-typist	2,332.14
Emily R. Francis	Information analyst	3,387.96
Metje Gaffney	Information classifier	2,568.60
James L. Gallagher	Research analyst	6,001.32
Kaul D. Haugh	Clerk-typist (from June 19).	177.84
Doris R. Jaeck	Information analyst	3,080.94
Mildred V. James	Clerk-typist	2,332.14
M. Patricia Kelly	Research analyst (Jan. 1–2).	45.09
Margaret Lee	Information classifier (from Mar. 6).	1,597.77
B. R. McConnon, Jr.	Investigator	6,402.11
Carol E. McLaughlin	Information classifier	2,611.74
Philip R. Manuel	Investigator	8,234.28
Alberta Masumian	Secretary (Jan. 1–2)	65.67
Robert H. Mehaffey	Research analyst	7,503.06
Elaine Melancon	Clerk-typist (from June 12).	281.58
Artie Moreland	Secretary to chief counsel.	4,646.68
David E. Muffley, Jr.	Document clerk	3,569.69
Alfred M. Nittle	Counsel	9,778.44
Maureen P. Ontrich	Information analyst (from Feb. 6, 1967).	2,618.12
Alma D. Pfaff	Research analyst	3,735.41
Katharine Phillips	Switchboard operator	3,162.36
Peggy Pixley	Editorial clerk (from June 12, 1967).	343.06
William T. Poole	Research assistant	2,711.04
Josephine S. Randolph	Research clerk	3,956.76
Herbert Romerstein	Investigator	5,001.36
Louis J. Russell	do	7,646.52
Chester D. Smith	General counsel (to Feb. 1, 1967).	2,001.85
Freda J. Sheppard	Secretary (from Jan. 3, 1967).	5,257.82
Linda E. Spirt	Clerk-stenographer (from Feb. 13, 1967).	2,304.41
Lela Mae Stiles	Information analyst	3,779.64
Marie T. Svendson	Clerk-typist (to May 31, 1967).	2,223.00
Donald I. Sweany, Jr.	Research analyst	5,780.40
Barbara C. Sweeny	Clerk-stenographer	3,199.98
Lawrence Thomas	Clerk-typist (to Jan. 22, 1967).	285.04
Neil E. Wetterman	Investigator	6,712.56
Billie Wheeler	Clerk-stenographer	2,433.11
Joseph A. Willis	Research analyst (Jan. 9 to Mar. 31).	1,848.61

Funds authorized or appropriated for committee expenditures	$350,000.00
Amount of expenditures previously reported	----------
Amount expended from Jan. 3 to July 1, 1967	167,386.63
Total amount expended from Jan. 3 to July 1, 1967	167,386.63
Balance unexpended as of June 30, 1967	182,613.37

E. E. WILLIS,
Chairman.

JULY 10, 1967.

COMMITTEE ON VETERANS' AFFAIRS

To the CLERK OF THE HOUSE:

The above-mentioned committee or subcommittee, pursuant to section 134(b) of the "Legislative Reorganization Act of 1946," Public Law 601, 79th Congress, approved August 2, 1946, as amended, submits the following report showing the name, profession, and total salary of each person employed by it during the 6-month period from January 1, 1967, to June 30, 1967, inclusive, together with total funds authorized or appropriated and expended by it:

Name of employee	Profession	Total gross salary during 6-month period
Standing committee:		
Oliver E. Meadows	Staff director	$12,206.34
Edwin B. Patterson	Counsel	12,206.34
John R. Holden	Professional staff member.	10,498.32
Billy E. Kirby	Professional aide	9,071.76
George W. Fisher	Chief clerk	12,206.34
Helen A. Biondi	Assistant clerk	6,681.30
Alice V. Matthews	Clerk-stenographer	5,471.46
George J. Turner	Assistant clerk	5,471.46
Wilma Jean Johnson	Clerk-stenographer	5,316.90
Morvie Ann Colby	do	5,316.90
Investigative staff:		
Adin M. Downer	Staff member	9,283.74
Mark L. Davis	Clerk-typist	3,218.76
Barbara Ehrman	Clerk-stenographer (Jan. 1 to Feb. 28, 1967).	1,335.78
Marjorie J. Kidd	Clerk-stenographer	4,350.24
Audrey A. Powelson	do	4,007.34
Patricia J. Wilton	Clerk-Stenographer (Feb. 27 to June 30, 1967).	2,603.75
William J. Driver, Jr.	Clerk-messenger (June 12–June 30, 1967).	259.21
Howard L. Burris	Clerk-typist (June 12–June 30, 1967).	259.21

Funds authorized or appropriated for committee expenditures	$100,000.00
Amount of expenditures previously reported	0
Amount expended from Jan. 1, 1967 to June 30, 1967	30,553.99
Total amount expended from Jan. 1, 1967 to June 30, 1967	30,553.99
Balance unexpended as of June 30, 1967	69,446.01

OLIN E. TEAGUE,
Chairman.

JUNE 30, 1967.

COMMITTEE ON WAYS AND MEANS

To the CLERK OF THE HOUSE:

The above-mentioned committee or subcommittee, pursuant to section 134(b) of the "Legislative Reorganization Act of 1946," Public Law 601, 79th Congress, approved August 2, 1946, as amended, submits the following report showing the name, profession, and total salary of each person employed by it during the 6-month period from January 1, 1967, to June 30, 1967, inclusive, together with total funds authorized or appropriated and expended by it:

Name of employee	Profession	Total gross salary during 6-month period
Leo H. Irwin	Chief counsel (C)	$12,945.00
William H. Quealy	Minority counsel (P)	12,945.00
John M. Martin, Jr.	Assistant chief counsel (P).	12,772.98
John P. Baker	Professional assistant (P).	10,638.56
Raymond Driscoll	Professional assistant (P) from Jan. 8, 1967.	10,822.13
James W. Kelley	Professional assistant (P) from Jan. 16, 1967.	9,972.49
Harold Lamar	Professional assistant (P) from Jan. 3, 1967.	10,174.89
Nancy Broyhill	Staff assistant (C) from Mar. 6, 1967.	2,236.60

Name of employee	Profession	Total gross salary during 6-month period
Florence Burkett	Staff assistant (C)	$4,573.62
Virginia Butler	do	6,033.84
William C. Byrd	do	3,608.88
Grace Kagan	do	6,033.84
June Kendall	do	6,543.60
Max Mehlburger	Staff assistant (C) to June 10, 1967.	3,657.65
Elizabeth Price	Staff assistant (C)	4,089.54
Jean Ratliff	do	2,827.18
Dolores Rogers	do	4,516.20
Susan Saylor	Staff assistant (C) from June 5, 1967.	360.42
Gloria Shaver	Staff assistant (C)	5,523.00
Eileen Sonnett	do	5,059.32
Susan Taylor	do	6,862.74
Richard Wilbur	do	9,283.74
Hughlon Greene	Document clerk	4,578.95
Walter Little	do	4,578.95

Funds authorized or appropriated for committee expenditures	$50,000.00
Amount of expenditures previously reported	0
Amount expended from Jan. 1 to June 30, 1967	1,953.18
Total amount expended from Jan. 1 to June 30, 1967	1,953.18
Balance unexpended as of June 30, 1967	48,046.8

W. D. MILLS,
Chairman.

JULY 28, 1967.

JOINT COMMITTEE ON DEFENSE PRODUCTION

To the CLERK OF THE HOUSE:

The above-mentioned committee or subcommittee, pursuant to section 134(b) of the "Legislative Reorganization Act of 1946," Public Law 601, 79th Congress, approved August 2, 1946, as amended, submits the following report showing the name, profession, and total salary of each person employed by it during the 6-month period from January 1, 1967, to June 30, 1967, inclusive, together with total funds authorized or appropriated and expended by it:

Name of employee	Profession	Total gross salary during 6-month period
Harold J. Warren	Clerk and counsel	$10,974.96
Joseph C. Lewis	Professional staff member.	10,289.22
Richard L. Still	do	9,998.22
George T. Ault	do	7,646.52
Mattie I. Echols	Secretary	4,000.98

Funds authorized or appropriated for committee expenditures	$85,000.00
Amount of expenditures previously reported	35,352.03
Amount expended from July 1 to Dec. 31, 1966	49,647.97
Total amount expended from Jan. 1 to June 30, 1967	43,315.35
Balance unexpended as of June 30, 1967	6,332.6$_2$

WRIGHT PATMAN,
Chairman.

JULY 28, 1967.

JOINT COMMITTEE ON INTERNAL REVENUE TAXATION

To the CLERK OF THE HOUSE:

The above-mentioned committee or subcommittee, pursuant to section 134(b) of the "Legislative Reorganization Act of 1946," Public Law 601, 79th Congress, approved August 2, 1946, as amended, submits the following report showing the name, profession, and total salary of each person employed by it during the 6-month period from January 1, 1967, to July 1, 1967, inclusive, together with total funds authorized or appropriated and expended by it:

Name of employee	Profession	Total gross salary during 6-month period
L. N. Woodworth	Chief of staff	$12,999.96
Lincoln Arnold	Assistant chief of staff	12,999.96
Nicholas A. Tomasulo	Legislation counsel	11,586.12
Robert Smyers	Refund counsel	11,368.74
James H. Symons	Statistical analyst	11,072.82
Alan P. Murray	Economist	11,072.82
Grace T. Gunn	Statistical analyst	10,543.74
Earl V. Willetts	Attorney, legislative	9,825.96
James M. LaMarcho	Administration assistant.	8,755.14
Harrison B. McCawley	Attorney, refund	8,474.88
Albert Buckberg	Economist	8,292.18
Herbert Chabot	Attorney, legislative	7,991.16
Joseph E. Fink	Statistical clerk	7,382.58
Anastasia F. Connaughton.	do	7,382.58
Michael E. Fox	Attorney, legislative	6,350.71
William B. Forti	Economist	4,952.14
Joanne B. McDermott	Secretary	4,911.84
Gerard L. Ouellette	Attorney, refund	4,886.34
Joseph P. Spellman	Attorney, legislative	4,644.57
L. E. Forgy	do	4,483.23
Jacqueline S. Pfeiffer	Secretary, legislative	4,426.86
Blanche F. Nagro	Secretary, refund	4,222.32
Blanche Schwartz	Secretary, legislative	4,108.50
Linda R. Savage	do	3,880.86
Carolyn A. Easter	do	3,855.54
Dennis P. Bedell	Attorney, legislative	3,836.28
Elizabeth L. Ruth	Secretary, legislative	3,833.35
June M. Matthews	do	3,494.52
Jamie L. Daley	do	3,269.92
R. A. Mildred Feldt	do	3,275.16
Cecilia J. Grimm	Secretary, refund	3,137.28
James L. Boring	Attorney, refund	2,092.46
Bernard M. Shapiro	Attorney, legislative	1,157.29
Mary W. Gattie	Secretary, legislative	1,077.30
Robert Magill	do	305.17
Linda Buckley	do	242.84
Total, salaries		438,500.84

Funds authorized or appropriated for committee expenditures	$471,300.00
Amount of expenditures previously reported	[1] 215,725.03
Amount expended from Jan. 1, to July 1, 1967	222,775.81
Total amount expended from July 1, 1966 to July 1, 1967	438,500.84
Balance unexpended as of July 1, 1967	32,799.16

[1] Reported for period July 1, 1966 to Jan. 1, 1967.

W. D. MILLS,
Chairman.

JULY 14, 1967.

SELECT COMMITTEE ON SMALL BUSINESS

To the CLERK OF THE HOUSE:

The above-mentioned committee or subcommittee, pursuant to section 134(b) of the Legislative Reorganization Act of 1946, Public Law 601, 79th Congress, approved August 2, 1946, as amended, submits the following report showing the name, profession, and total salary of each person employed by it during the 6-month period from January 3, 1967, to June 30, 1967, inclusive, together with total funds authorized or appropriated and expended by it:

Name of employee	Profession	Total gross salary during 6-month period
Richard L. Mitchell	General counsel	$12,801.16
Justinus Gould	Counsel	10,954.50
Myrtle Ruth Foutch	Clerk	5,805.41
William M. Reddig	Research analyst	6,600.89
Henry A. Robinson	Counsel	10,954.50
Beth S. Russell	Secretary	3,852.71
Harry A. Olsher	Consultant	11,427.54
Kay Marie Abell	Secretary	2,713.53
Charles E. O'Connor	Counsel	11,657.90
Silvia U. Keel	Secretary	1,490.17
Gregg R. Potvin	Counsel	11,730.98
Getrude Maxine Dean	Secretary	3,600.05
William A. Keel, Jr.	Research analyst	10,645.62
Mary Jean Armistead	Secretary	3,253.46
Bryan H. Jacques	Staff director	12,801.16
Patricia Anne Baker	Secretary	3,168.68
Leonard F. Ball	Counsel	1,361.41
Carol Ann Kopp	Secretary	343.06
Duane G. Derrick, Jr.	Research analyst	450.81
Jane B. Sanders	Secretary	$150.27
John J. Williams	Minority counsel	8,438.45
Maxine Porter	Secretary, minority	2,776.68
John R. Barth	Assistant minority counsel.	1,949.79
Terrillynn P. Henson	Secretary, minority	510.92
David C. Hardesty, Jr.	Minority staff assistant.	834.63
Arlene B. Feingold	Secretary, minority	302.28

Funds authorized or appropriated for committee expenditures	$350,000.00
Amount of expenditures previously reported	----------
Amount expended from -------- to ----------	----------
Total amount expended from Jan. 3 to June 30, 1967	145,053.44
Balance unexpended as of June 30, 1967	204,946.56

JOE L. EVINS,
Chairman.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

971. A letter from the Commissioner, Immigration and Naturalization Service, U.S. Department of Justice, transmitting copies of orders suspending deportation, as well as a list of the persons involved, pursuant to the provisions of section 244(a)(2) of the Immigration and Nationality Act of 1952, as amended; to the Committee on the Judiciary.

972. A letter from the Commissioner, Immigration and Naturalization Service, U.S. Department of Justice, transmitting copies of orders suspending deportation, as well as a list of the persons involved, pursuant to the provisions of section 244(a)(1) of the Immigration and Nationality Act of 1952, as amended; to the Committee on the Judiciary.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. PATMAN: Committee on Banking and Currency. S. 1762. An act to amend section 810 of the Housing Act of 1964 to extend for 3 years the fellowship program authorized by such section (Rept. No. 534). Referred to the Committee of the Whole House on the State of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. BINGHAM:

H.R. 12025. A bill to amend section 408 of the National Housing Act, as amended, to provide for the regulation of savings and loan holding companies and subsidiary companies; to the Committee on Banking and Currency.

H.R. 12026. A bill to provide that the nuclear accelerator to be constructed at Weston, Ill., shall be named the Enrico Fermi Nuclear Accelerator in memory of the late Dr. Enrico Fermi; to the Joint Committee on Atomic Energy.

By Mr. BURLESON:

H.R. 12027. A bill to amend the Natural Gas Act to provide that, in fixing rates for the transportation of natural gas in interstate commerce or for the sale in interstate commerce of natural gas for resale, the Federal Power Commission shall reflect changes in the purchasing power of the dollar after December 31, 1966, in determining the utility plant and related reserve for depreciation components of rate base for natural-gas pipeline companies; to the Committee on Interstate and Foreign Commerce.

By Mr. COLLIER:

H.R. 12028. A bill to provide for the training and equipping of the National Guard in riot control; to the Committee on Armed Services.

By Mr. EILBERG:

H.R. 12029. A bill to safeguard the consumer in connection with the utilization of credit requiring full disclosure of the terms and conditions of finance charges in credit transactions or in offers to extend credit; by establishing maximum rates of finance charges in credit transactions; by authorizing the Board of Governors of the Federal Reserve System to issue regulations dealing with the excessive use of credit for the purpose of trading in commodity futures contracts affecting consumer prices; by establishing machinery for the use during periods of national emergency of temporary controls over credit to prevent inflationary spirals; by prohibiting the garnishment of wages; by creating the National Commission on Consumer Finance to study and make recommendations on the need for further regulation of the consumer finance industry; and for other purposes; to the Committee on Banking and Currency.

H.R. 12030. A bill to provide for orderly trade in textile articles; to the Committee on Ways and Means.

By Mr. GUBSER:

H.R. 12031. A bill to amend title 39, United States Code, to provide certain mailing privileges with respect to first-class letter mail sent by certain persons to members of the United States Armed Forces in combat areas overseas, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. HAYS:

H.R. 12032. A bill to regulate imports of milk and dairy products, and for other purposes; to the Committee on Ways and Means.

By Mr. McCLURE:

H.R. 12033. A bill to amend title 38 of the United States Code to restore entitlement to benefits on termination of a widow's remarriage; to the Committee on Veterans' Affairs.

By Mr. MINISH:

H.R. 12034. A bill to amend title 18, United States Code, to provide for better control of the interstate traffic in firearms; to the Committee on the Judiciary.

By Mr. ROBISON:

H.R. 12035. A bill to establish cooperative extension services in the District of Columbia; to the Committee on Agriculture.

By Mr. SCHWEIKER:

H.R. 12036. A bill to require public hearings before the Department of the Interior acquires, or recommends the enactment of authority to acquire, land for recreational purposes; to the Committee on Interior and Insular Affairs.

By Mr. UTT:

H.R. 12037. A bill to amend the Federal Food, Drug, and Cosmetic Act to include a definition of food supplements, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. BOW:

H.R. 12038. A bill to promote the general welfare, foreign policy, and national security of the United States; to the Committee on Ways and Means.

By Mr. DINGELL:

H.R. 12039. A bill to amend the act of September 30, 1950, relating to Federal assistance to States and local governments in major disasters; to the Committee on Public Works.

By Mr. DUNCAN:

H.R. 12040. A bill to provide for orderly trade in textile articles; to the Committee on Ways and Means.

By Mr. HALEY:

H.R. 12041. A bill to cut off Federal benefits for conviction of rioting and prohibiting entitlement to such benefits thereafter; to the Committee on the Judiciary.

By Mr. HATHAWAY:

H.R. 12042. A bill to amend the Federal Power Act to facilitate the provision of reliable, abundant, and economical electric power supply by strengthening existing mechanisms for coordination of electric utility systems and encouraging the installation and use of the products of advancing technology with due regard for the proper conservation of scenic and other natural resources; to the Committee on Interstate and Foreign Commerce.

By Mr. KARTH:

H.R. 12043. A bill to amend the Federal Food, Drug, and Cosmetic Act to include a definition of food supplements, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. KLUCZYNSKI:

H.R. 12044. A bill to provide that the nuclear accelerator to be constructed at Weston, Ill., shall be named the Enrico Fermi Nuclear Accelerator in memory of the late Dr. Enrico Fermi; to the Joint Committee on Atomic Energy.

By Mr. KUYKENDALL:

H.R. 12045. A bill to provide for orderly trade in textile articles; to the Committee on Ways and Means.

By Mr. LONG of Louisiana:

H.R. 12046. A bill to amend chapter 11 of title 38, United States Code, to equalize the rates of disability compensation payable to veterans of peacetime and wartime service; to the Committee on Veterans' Affairs.

By Mr. McCARTHY:

H.R. 12047. A bill to provide criminal penalties for the introduction, or manufacture for introduction, into interstate commerce of master keys for motor vehicles, and for other purposes; to the Committee on the Judiciary.

By Mr. MORGAN:

H.R. 12048. A bill to amend further the Foreign Assistance Act of 1961, as amended, and for other purposes; to the Committee on Foreign Affairs.

By Mr. POLLOCK:

H.R. 12049. A bill to provide incentives for the creation by private industry of additional employment opportunities for residents of urban poverty areas; to the Committee on Ways and Means.

By Mr. TIERNAN:

H.R. 12050. A bill to provide for orderly trade in textile articles; to the Committee on Ways and Means.

By Mr. ULLMAN (by request):

H.R. 12051. A bill relating to the Federal estate tax treatment of certain annuities paid to survivors of members and former members of the uniformed services; to the Committee on Ways and Means.

By Mr. VANDER JAGT:

H.R. 12052. A bill to establish cooperative extension services in the District of Columbia; to the Committee on Agriculture.

H.R. 12053. A bill to impose import limitations on prepared or preserved strawberries; to the Committee on Ways and Means.

By Messrs. BINGHAM, BOLLING, BRADEMAS, BROWN of California, BURTON of California, BUTTON, CONYERS, DANIELS, DINGELL, DOW, EDWARDS of California, FARBSTEIN, HAYS, HELSTOSKI, JARMAN, KARTH, LEGGETT, McFALL, MATSUNAGA, MILLER of California, and Mrs. GREEN of Oregon:

H.R. 12054. A bill to amend the Federal Cigarette Labeling and Advertising Act with respect to the labeling of packages of cigarettes, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Messrs. MULTER, O'HARA of Illinois, OTTINGER, REES, RESNICK, RHODES of Pennsylvania, RODINO, ROSENTHAL, ROUSH, ROYBAL, RYAN, SCHEUER, SCHWEIKER, TUNNEY, UDALL, VANIK, VIGORITO, WALDIE, CHARLES H. WILSON, and WYDLER:

H.R. 12055. A bill to amend the Federal Cigarette Labeling and Advertising Act with respect to the labeling of packages of cigarettes, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. BERRY:

H.R. 12056. A bill to provide for the transfer of certain functions from the Department of the Interior to the Department of Agriculture; to the Committee on Government Operations.

By Mr. BLANTON:

H.R. 12057. A bill to revise the quota-control system on the importation of certain meat and meat products; to the Committee on Ways and Means.

H.R. 12058. A bill to provide for orderly trade in textile articles; to the Committee on Ways and Means.

By Mr. BROCK:

H.R. 12059. A bill to provide for orderly trade in textile articles; to the Committee on Ways and Means.

By Mrs. DWYER:

H.R. 12060. A bill to provide for orderly trade in textile articles; to the Committee on Ways and Means.

By Mr. HAGAN:

H.R. 12061. A bill to provide for the training and equipping of the National Guard in riot control; to the Committee on Armed Services.

By Mr. HANSEN of Idaho:

H.R. 12062. A bill to prohibit the expenditure of Federal funds by the Secretary of Health, Education, and Welfare to promote the fluoridation of public water supplies; to the Committee on Interstate and Foreign Commerce.

By Mr. HELSTOSKI:

H.R. 12063. A bill to safeguard the consumer in connection with the utilization of credit by requiring full disclosure of the terms and conditions of finance charges in credit transactions or in offers to extend credit; by establishing maximum rates of finance charges in credit transactions; by authorizing the Board of Governors of the Federal Reserve System to issue regulations dealing with the excessive use of credit for the purpose of trading in commodity futures contracts affecting consumer prices; by establishing machinery for the use during periods of national emergency of temporary controls over credit to prevent inflationary spirals; by prohibiting the garnishment of wages; by creating the National Commission on Consumer Finance to study and make recommendations on the need for further regulation of the consumer finance industry; and for other purposes; to the Committee on Banking and Currency.

H.R. 12064. A bill to amend the tariff schedules of the United States with respect to the rate of duty on olives packed in certain airtight containers; to the Committee on Ways and Means.

By Mr. McMILLAN (for himself and Mr. NELSEN)

H.R. 12065. A bill relating to the powers of the Commissioners of the District of Columbia and to the establishment of a Department of Management, providing for an elected board of education, and for other purposes; to the Committee on the District of Columbia.

By Mr. POAGE:

H.R. 12066. A bill to amend the Rural

Electrification Act of 1936, as amended, to provide an additional source of financing for the rural telephone program and for other purposes; to the Committee on Agriculture.

By Mr. PURCELL:

H.R. 12067. A bill to provide for the establishment and maintenance by the Commodity Credit Corporation of reserve stocks of agricultural commodities for national security, public protection, meeting international commitments, and for other purposes; to the Committee on Agriculture.

By Mr. REINECKE:

H.R. 12068. A bill to provide for the establishment of a program under which tickets to professional, semiprofessional, and amateur baseball, football, basketball, hockey, and soccer games will be furnished at no cost by local police officers and firemen to individuals under the age of 19, particularly such individuals who are economically underprivileged; to the Committee on Interior and Insular Affairs.

By Mr. BLANTON:

H.R. 12069. A bill to regulate imports of milk and dairy products, and for other purposes; to the Committee on Ways and Means.

By Mr. MURPHY of New York:

H.J. Res 763. Joint resolution to authorize and direct the Franklin Delano Roosevelt Commission to raise funds for the construction of a memorial; to the Committee on House Administration.

H.J. Res. 764. Joint resolution to establish a National Commission on Product Safety; to the Committee on Interstate and Foreign Commerce.

By Mr. PEPPER:

H.J. Res. 765. Joint resolution proposing an amendment to the Constitution of the United States relating to the power of the President to make treaties; to the Committee on the Judiciary.

By Mr. THOMPSON of New Jersey:

H.J. Res 766. Joint resolution to authorize and direct the Franklin Delano Roosevelt Commission to raise funds for the construction of a memorial; to the Committee on House Administration.

By Mr. REINECKE:

H. Con. Res. 447. Concurrent resolution to determine the sense of Congress concerning the International Antidumping Code; to the Committee on Ways and Means.

By Mr. SHIPLEY:

H. Con. Res. 448. Concurrent resolution expressing the sense of the Congress in re the Panama Canal Zone; to the Committee on Foreign Affairs.

By Mr. WAGGONNER (for himself, Mr. Hébert, Mr. Andrews of Alabama, Mr. Flynt, Mr. Hagan, Mr. Rivers, Mr. Jones of North Carolina, Mr. Kornegay, Mr. Passman, Mr. Long of Louisiana, Mr. Dorn, Mr. Baring, Mr. Pryor, Mr. Brinkley, Mr. Stuckey, and Mr. Rarick):

H. Res. 846. Resolution creating a select committee to study the impact of East-West trade and assistance to nations which support aggression, directly or indirectly; to the Committee on Rules.

By Mr. ABBITT (for himself, Mr. Ashmore, Mr. Colmer, Mr. Hall, Mr. McMillan, Mr. Lipscomb, Mr. Morris, Mr. Roudebush, Mr. Steed, Mr. Gross, Mr. Montgomery, Mr. Satterfield, Mr. Hardy, Mr. O'Neal of Georgia, Mr. Cabell, Mr. Tuck, Mr. Downing, Mr. Dowdy, Mr. Marsh, Mr. Fountain, Mr. Bray, Mr. Ashbrook, Mr. King of New York, Mr. Clancy, and Mr. Del Clawson):

H. Res. 847. Resolution creating a select committee to study the impact of East-West trade and assistance to nations which support aggression, directly or indirectly; to the Committee on Rules.

By Mr. BATTIN (for himself, Mr. Curtis, Mr. Michel, Mr. Broyhill of Virginia, Mr. Collier, Mr. Fino, Mr. Laird, Mr. Latta, Mr. Saylor, Mrs. May, Mr. Hosmer, Mr. Talcott, Mr. Reinecke, Mr. Poff, Mr. Conable, Mr. Bush, Mr. Winn, Mr. Goodell, Mr. Snyder, Mr. Steiger of Wisconsin, Mr. Gubser, Mr. Bell, Mr. Nelsen, Mr. Pirnie, and Mr. Railsback):

H. Res. 848. Resolution creating a select committee to study the impact of East-West trade and assistance to nations which support aggression, directly or indirectly; to the Committee on Rules.

By Mr. BLANTON:

H. Res. 849. Resolution creating a select committee to study the impact of East-West trade and assistance to nations which support aggression, directly or indirectly; to the Committee on Rules.

By Mr. COLMER (for himself, Mr. Quillen, Mr. Findley, Mr. Herlong, Mr. Watson, Mr. Fisher, Mr. Derwinski, Mr. Langen, Mr. Abernethy, Mr. Devine, Mr. Jones of Missouri, Mr. Kuykendall, Mr. Haley, Mr. Myers, Mr. Zion, and Mr. Steiger of Arizona):

H. Res. 850. Resolution creating a select committee to study the impact of East-West trade and assistance to nations which support aggression, directly or indirectly; to the Committee on Rules.

By Mr. GETTYS (for himself, Mr. Sikes, Mr. Hull, Mr. Randall, Mr. Everett, Mr. Galifianakis, Mr. Lennon, and Mr. Whitten):

H. Res. 851. Resolution creating a select committee to study the impact of East-West trade and assistance to nations which support aggression, directly or indirectly; to the Committee on Rules.

By Mr. WAMPLER (for himself, Mr. Scott, and Mr. Broyhill of North Carolina):

H. Res. 852. Resolution creating a select committee to study the impact of East-West trade and assistance to nations which support aggression, directly or indirectly; to the Committee on Rules.

MEMORIALS

Under clause 4 of rule XXII,

267. The SPEAKER presented a memorial of the Legislature of the State of Illinois, relative to an amendment to the Constitution providing for a fair and just division of the electoral votes within the States in the election of the President and Vice-President, which was referred to the Committee on the Judiciary.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. ADDABBO:

H.R. 12070. A bill for the relief of Chung Mai Mok; to the Committee on the Judiciary.

By Mr. ARENDS:

H.R. 12071. A bill for the relief of Sung Nan Lee; to the Committee on the Judiciary.

By Mr. BURKE of Massachusetts:

H.R. 12072. A bill for the relief of Henerique De Pina Veiga; to the Committee on the Judiciary.

By Mr. JOELSON:

H.R. 12073. A bill for the relief of John Allunario; to the Committee on the Judiciary.

By Mr. FALLON:

H.R. 12074. A bill for the relief of John Anthony Bacsalmassy; to the Committee on the Judiciary.

By Mr. MATHIAS of Maryland:

H.R. 12075. A bill to exempt from taxation certain property of the B'nai B'rith Henry Monsky Foundation in the District of Columbia; to the Committee on the District of Columbia.

By Mr. SCHEUER:

H.R. 12076. A bill for the relief of Nadia Giovanola; to the Committee on the Judiciary.

EXTENSIONS OF REMARKS

Miss Mary Lou Rajchel Honored by Girls' Nation

EXTENSION OF REMARKS

OF

HON. EDWARD J. GURNEY

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, August 2, 1967

Mr. GURNEY. Mr. Speaker, we constantly hear about the hippies and their activities, the beatniks and longhairs who demand that everything be given to them.

Not often do we hear about the mass majority of our young people and the hard work they are doing, the real future leaders of America.

Today, I am pleased to point out that a young lady from my home city, Miss Mary Lou Rajchel, of Winter Park, Fla., has been honored by Girls' Nation here in Washington.

Mary Lou was appointed by the president of Girls' Nation to be secretary of labor.

Her appointment to cabinet-level rank in Girls' Nation reflects the wisdom of the Florida Girls' State in choosing Mary Lou to be a delegate to the annual Girls' Nation, which is sponsored by the American Legion Auxiliary.

This is the 21st annual session of Girls' Nation, the legion's youth citizenship training course in the processes of government.

Results of a Poll, First Congressional District of Arkansas

EXTENSION OF REMARKS

OF

HON. E. C. GATHINGS

OF ARKANSAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, August 2, 1967

Mr. GATHINGS. Mr. Speaker, for the past several years I have sent out a questionnaire to the people who reside in the First Congressional District of Arkansas. Out of 13,715 who received this year's questionnaire, 2,609 replies were returned to me, which is 18.9 percent of the total. The questions asked dealt with current domestic and international issues. In addition to the cooperative interest shown by the recipients of the poll, many newspapers of the district printed the questions by number in their columns. As a result, an additional number of people who were subscribers participated in the project.

One of the most encouraging aspects of the answers received to the 14 questions asked was the small percentage of the people who had "no opinion" on the issues involved in the survey. I was gratified at the responses to the questions asked, as this indicates that our people are well informed with regard to the vast problems confronting the Nation.

The responsibility of making decisions on legislative questions and issues is solely that of the Member himself. Views and observations of constituents are very valuable in arriving at conclusions and determinations on bills upon which the Member is called upon to vote.

The results of the poll follow:

[In percent]

	Yes	No	No opinion
Do you favor:			
1. A National Teachers Corps to bolster school facilities in low income areas?	27	59	14
2. Schoolchildren being transported from one school area to another in order to assure racial balance?	3	96	1
3. Trimming down expenditures for the space program during years of heavy budget deficits?	79	16	5
4. Legislation bringing farm labor under the jurisdiction of the National Labor Relations Board?	9	83	8
5. A bill which would authorize a union to picket a construction site and as a result keep nonstriking workers off the job?	5	93	2
6. A bill to prohibit interstate travel of persons attempting to incite riots and violent civil disturbances?	94	5	1
7. Compulsory arbitration in the settlement of disputes in railway and other essential industries?	76	12	12
8. The Government's policy which opposes the admission of Red China to the United Nations?	70	15	15
9. Defending other Asian countries such as Cambodia, Thailand, or the Philippines if they are threatened by communism and ask our help?	61	23	16
10. The U.S. efforts to urge the control of births in fast growing countries where food is scarce?	77	15	8
11. A bill that would protect the right of privacy of criminals and law-abiding citizens by prohibiting wiretapping?	38	50	12
12. Detailed disclosure of all properties and assets of Members of Congress?	54	34	12
13. The establishment of a strict code of ethics covering Members of both U.S. Senate and House?	91	4	5
14. Political campaign funds for presidential elections derived from $1 voluntary checkoff on Federal tax returns?	17	73	10

Customs Opts for Better Service to Public

EXTENSION OF REMARKS

OF

HON. CRAIG HOSMER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, August 2, 1967

Mr. HOSMER. Mr. Speaker, back in the last century the sleepy California pueblo of Los Angeles utilized the harbor at San Pedro, some 10 to 15 miles away for such seaborne commerce as it needed. Customs facilities were established in Los Angeles because the harbor area was essentially uninhabited.

Today the city of Los Angeles is a thriving one of great population and congestion, but its harbor is still 10 to 15 miles away from downtown. Other vast changes have occurred in the surrounding areas. There is one continuous metropolis through the counties of Orange and Los Angeles of which the city of Los Angeles is but a part. San Pedro is now a busy harbor. An entirely new and even larger and busier harbor exists at adjacent Long Beach. Together these harbors serve the entire giant metropolis. Several years ago it became apparent that continuing to maintain the customhouse for these busy harbors in downtown Los Angeles was an anachronistic absurdity. The Customs service quite logically got an appropriation for a customhouse in the harbor area. The building has been built and the district Customs office will make the long overdue move into it on August 19. The relocated facility will be of true service to the entire two-county Los Angeles-Long Beach metropolitan area. The Customs service informs me that it will be able to provide better overall customs service to the area than ever before. It will be able to do so with enhanced cost effectiveness.

A few downtown Los Angeles diehards are fighting the move. The Customs service should stick to its decision. The interests of special interests should not be permitted to run down the better service ahead, nor to run up the cost of operating the facility.

Student Loans

EXTENSION OF REMARKS

OF

HON. JAMES KEE

OF WEST VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, August 2, 1967

Mr. KEE. Mr. Speaker, under leave to extend my remarks in the RECORD, I include last week's public service television and radio newscast, "The Kee Report." The subject discussed is student loans for higher education:

STUDENT LOANS

This is Jim Kee, bringing you the Kee Report.

Several thousand young citizens of West Virginia are now making the first major decision of their lifetime. Having just graduated from high school, should they enter college—or call it quits and start looking for a good job?

It is my earnest hope that the great majority will decide to continue their education. The youngster who has a chance to go to college and decides against it may find out later that he has placed himself under a severe handicap. A college degree is no guaranty of greater earning power. But the fact is that most college gradautes do earn more money because they made the wise decision to continue their education.

In former times, many worthy students from poor families simply lacked the money to pay for higher education. But today the poorest youngster in America may have a college education if he can pass the entrance requirements. The means are available to give him all the financial help he needs to see him through college and through graduate school also.

I shall try to make this brief discussion a sort of refresher course for those high school graduates who are still in doubt about college and who may have fears that the financial load would be too great. To meet this kind of situation, a special loaning system is operated by the nation's institutions of higher learning, with financial help from the Federal Government.

Nearly a decade ago, Congress enacted what is known as the National Defense Education Act. This legislation was enacted on the sound principle that the country needed an adequate supply of trained manpower to meet its defense requirements. The major provision of this Act was a program of financial help for those students who wanted and deserved a college education. Since it started operating, this loan program has given financial aid to about one million students from low-income families.

This program of student loaning was broadened and strengthened by the Higher Education Act of two years ago. Depending upon the state in which he lives, the student may borrow each year of his college life a sum ranging between $1,000 and $1,500. The student in graduate school may borrow up to $2,500 each year.

These loan funds are administered by college authorities with financial help from Uncle Sam. The repayment terms have been made easy to avoid placing too heavy a burden upon the borrower. Repayment begins just after graduation but the Federal Government will pay half of the interest charges on the unpaid balance. Those who serve in the Peace Corps, the armed forces, or the Vista Program are exempt from repayment or interest charges during their term of service. Under certain conditions, those graduates who enter certain lines of teaching are excused from repayment of part or all of their loan indebtedness.

The student still in doubt should contact the college of his choice at once for details about the loan program. This may be his last chance to get the education he needs. The eligibility determination for loan is made by the Admissions Dean of the individual college or university.

Thank you for listening.

People-to-People Music Groups Visit Washington

EXTENSION OF REMARKS

OF

HON. MARVIN L. ESCH

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, August 2, 1967

Mr. ESCH. Mr. Speaker, I would like to bring to the attention of the Members of the House some very significant and interesting events which will take place here in our Nation's Capital next week.

On Wednesday, August 9, Members of Congress and Capitol Hill area workers will be treated to a series of concerts given by some 250 young musicians, all of whom are good will ambassadors representing the people-to-people program. The purpose of their visit is to honor Government officials for the outstanding support they have given to this volunteer effort for international understanding founded by President Eisenhower in 1956.

The first group to perform will consist of 50 boys and girls who hail from Michigan, Ohio, and nearby States including the Providence of Ontario and who constitute the 1967 Musical Youth International band and choir. These outstanding youngsters have been giving concerts for the last 5 weeks in England, Wales, Hungary, Austria, and Germany and will arrive here Wednesday from several performances at Expo '67. In their journeys they have become veteran performers having appeared on radio and television including a broadcast over Radio Free Europe. More importantly, however, they have been promoting international understanding and friendships for which our Nation is greatly indebted.

The Musical Youth International will perform from 10 to 11 a.m. on the Senate steps.

The second group, the Cloverettes Bagpipe Band, will perform at 11 a.m. on the House steps. These 40 youngsters are from mideastern Michigan and received their training from Canadians. They have appeared in several Michigan parades and will also journey to Washington from an appearance in Montreal. En route they will entertain cadets at West Point.

Musical Youth International and the Cloverettes will join together in welcoming to this country some 75 singers from Heidelberg, Weislock, Mannheim, and Stuttgart, Germany, who will begin a 21-day U.S. concert tour here on the House steps at 11:30 a.m. With the German choir will be the mayor of Weislock and Professor Jaeckel of the University of Heidelberg, as well as two organists, a cellist, an alto soloist, and a 19-year-old pianist who won second place in the national German competitions. Included on the tour are stops in U.S. cities which are sister cities to some of the participants' hometowns.

Mr. Speaker, I would like to urge all Members of the House and their staffs to make a special effort to attend these concerts. Not only will it be an opportunity to enjoy some fine music but also it gives us a chance to pay tribute to these outstanding groups who have dedicated many hours to a highly worthy goal. People-to-people is one of the few international programs in which we participate that is uniformly welcomed throughout the world. Making each citizen an ambassador of good will seems to accomplish more than can be done through professional efforts alone, and as the world grows larger in population and more complex, we should rely more and more upon individual citizen effort.

We may never have enough individuals working to promote the objectives of international friendship and understanding, but those who do are certainly making major contributions and deserve the highest commendation for their efforts.

And so, Mr. Speaker, let us all demonstrate our moral support for these people and their objectives. I hope to see many of you out on the Capitol steps next Wednesday morning.

Free Legal Service

EXTENSION OF REMARKS

OF

HON. JAMES KEE

OF WEST VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, August 2, 1967

Mr. KEE. Mr. Speaker, under leave to extend my remarks in the RECORD, I include a recent public service television and radio newscast, "The Kee Report." The subject discussed is free legal counsel for those without the funds to pay for such services:

FREE LEGAL SERVICE

This is Jim Kee, bringing you the Kee Report.

As Americans, we have long been proud of the fact that equality before the law is a fundamental principle of our system of jurisprudence. In other words, when a wrong has been committed, the poorest man in the land has the same right to his day in court as the multi-millionaire.

A few years ago, however, it was pointed out that where the doctrine of equality is concerned, there is a serious lapse between theory and practice. Investigation disclosed that millions of Americans never instituted legal action to protect their interests for two potent reasons—either because they are unaware of their basic rights or because they lack the means to pay for counsel.

The public has been unaware of this situation. But it presented a golden opportunity to those shoddy characters who prey upon the weak and unfortunate to make their living. The poor man is an easy victim for this class of swindlers because, usually, he lacks the educational background to understand the nature of the swindler. As a result, in too many instances, he signs up to buy a motor car, or furniture, or other equipment on the installment plan at prices which have been inflated beyond reason. The honest businessman deplores such practices but the honest business man is in no position to police his dishonest competitors.

It is estimated that millions of dollars are extorted from the country's poorest people by such methods every year. An attempt to end this evil was started a few years ago by private legal associations. In some localities, legal counsel is provided without charge to those who do not have the funds to pay for such services. Now this service is being expanded with financial help from the Office of Economic Opportunity, the Federal agency set up to conduct the war on poverty.

This program is now operating in cooperation with the National Legal Aid and Defender Association, an organization set up by the legal profession for the express purpose of providing legal aid for the poor. In addition to extending help in individual cases, this organization is giving basic legal instructions at the community level. Once an entire community has been alerted, the swindler will have a much harder time in finding his victims.

There are now about 250 legal service agencies operating on funds supplied by the war on poverty. They are staffed by more than 1,200 lawyers. In this fiscal year, they will handle close to 300,000 cases. This is certainly a substantial beginning.

When this program first started, many feared that free legal advice would make substantial inroads on the income of private law firms. In most cases these fears have been erased. In the past, private law firms handled thousands of cases for the poor without compensation. Now these cases are turned over to the service agencies.

The National Bar Association and other private agencies are cooperating with the Federal Government in this program. Acting together, they should be able to correct a grave weakness in our legal system.

Thank you for listening.

The Northeastern Water Supply Study—Long Island Hearings

EXTENSION OF REMARKS

OF

HON. JOHN W. WYDLER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, August 2, 1967

Mr. WYDLER. Mr. Speaker, the Congress has authorized a study in depth of the water supply problems of the Northeastern United States of America. In connection with this study the Army Corps of Engineers has been holding hearings in the northeastern section of our Nation. At my request, they recently agreed to hold hearings on Long Island. These hearings were devoted to the future water needs of our area. There is no more important problem for our area's future growth, development, and happiness.

I was delighted to attend these hearings even though I had to fly from Washington to be present. I had been invited by the Army Corps of Engineers to open the hearings and make a statement of the position of our area in meeting its future water needs. Many people have written me for copies of the statement I made. I, therefore, wish to make this statement available publicly here in the House of Representatives. The statement follows:

I am pleased to open these hearings today in Nassau County and in the Fourth Congressional District on a topic of vital importance to the future economic growth of Long Island and to the health and welfare of the people who live here now, and who will live here in the years to come.

I am, of course, gratified that the Army Corps of Engineers saw fit to acceed to my request for a separate public hearing on the water resources and supplies for Nassau and Suffolk counties. I pointed out that the needs of the Long Island area, as contrasted to those of the City of New York were distinct and separate and that these needs should be considered in their own hearings and in their own surroundings on Long Island. I thank the Corps of Engineers for acceeding to this request. I welcome them to my Congressional District. They are rendering an important public service to our area.

This is the 23rd public hearing held by the Army Corps of Engineers in accordance with Congressional directions for a Northeastern United States Water Supply Study. These studies began about a year ago in August of 1966. They are nearing conclusion as their first birthday is reached. We in Nassau and Suffolk counties, especially in Nassau county and still more emphatically in the Central area which is the Fourth Congressional District, have suffered three times during the last three decades from prolonged droughts. We are just now recovering from one of the worst.

The water table in our area stood just a matter of 10 months ago at the lowest level in history. In many places it and stream flow are still going down. Yet, our population continues to rise and commercial demand for cool fresh water continues to grow unabated. Every indication is that area needs will grow at an ever-increasing rate in the years immediately ahead. Our area is in desperate need of some good water management for the present and for the future. We must deal with the problems both of water supply and with the problems of water quality. In some ways, these matters are of course related.

Up to the present time it has been assumed that a provident God and a generous planet would satisfy all our water needs. The average homeowner when he turns the tap on in his home expects that pure water will come out of it as long as he keeps it open. He does not want to hear any excuses for the failure of this to take place. Yet many problems must be solved if this is to be accomplished. The problems are economic—they are political, as well as scientific and technical.

Long Island can be sure of two facts. One is that our population will continue to explode and second is that new industry will mushroom across the face of both Nassau and Suffolk counties. Our water needs will escalate but the outlook on Long Island is not basically a pessimistic one, it is rather an optimistic one, as there are many studies which indicate that our ground water supplies are great. There are untapped reservoirs beneath us even as we sit here today that could possibly maintain a population of ten million people in our bi-county area using our present resources, but that is only a possibility in an area in which we must have certainties. The plain fact is that many of the facts on which we rely are uncertain. Our estimates of population and industrial growth for the future are uncertain. Our needs, therefore, are uncertain, and the extent of our resources are also uncertain.

All this points to the need for an initial effort to obtain facts. We must undertake research and study and come forth with some concrete evidence on which proper planning development and construction can proceed.

Our possiblities have already been fairly well defined in certain broad categories:

I. In the first place we can expand our existing supplies of ground water, in addition to praying for rain that consists mainly of protecting our supply.

(a) Some efforts along this line have already been made in experimental attempts to prevent salt water encroachment into our fresh water supplies by the injection of treated sewage affluent back into the ground by a system of wells along our south and north shores. This recharged water injected into the ground maintains the proper interface between the fresh and salt water under us. Various combinations of wells and injections of fresh and salt water in various areas have been suggested. Before hard, extensive and expensive decisions are made, however, the research of basic facts must be undertaken and completed. We must have more than theories as a basis on which to proceed.

(b) We can also expand our existing supplies of water by a proper attack on the problems of pollution and by effective water pollution controls. This is an immediate need on Long Island and one that should be undertaken at every level of government without further delay.

We most assuredly need an immediate end to all cesspools and septic tanks being used by private homeowners. These must be replaced by municipal sewerage systems. This, of course, raises immediately serious financial and political problems. It is up to our units of government to convince the people the importance of sewers, not only as a means of ridding ourselves of unwanted wastes, but as a means of protecting our vital and necessary water supplies. Too often in the past there has been a failure on the part of our local governments to adequately deal with these problems from a political point of view. The recent tragic defeat by the voters of the sewerage systems in the western section of Suffolk and the failure to get started on the sewerage systems in the eastern area of Nassau are outstanding examples. There have, in addition, been local problems. One such is being suffered in the community of Massapequa where the water supply equipment was inadequate. Public resistance delayed the needed construction of new water towers. Once the people were adequately informed of the importance of this equipment, its approval was obtained. The lesson is for public education and local leadership.

Industry must play a major part in pollution control. Not only the industry that is on Long Island now but that which is to come. Proper requirements must be imposed to see that these industries do not pollute our water supplies and a way must be found to help them adequately bear the costs of such purifying equipment and procedures.

I have long been an advocate of a federal tax credit for water pollution control. I still consider this a sound and progressive proposal. Certainly, municipal cooperation has proven effective in other areas of this country and of countries in western Europe and should be looked to as a way to meet this particular problem.

II. The second great area of promise for the future is the developing of new sources of water supply. There are two proposals.

(a) The first of these is the desalinization of sea water. Such a system works but the cost of such a program is still a problem and in the main an unknown. We do not know if it is economically feasible or desirable. Estimates for desalinated water range from 25 cents to $1.00 a thousand gallons to produce. This does not even include its delivery cost to the consumer. In contrast, the community of Westbury on Long Island now pays 30 cents a thousand gallons for water delivered to the consumer. Until the cost factor is controlled this source of water could only be considered an emergency possibility. The quality of the water, however, is so good that it might prove economical to mix it with low grade water to make potable water on an economical basis.

(b) Another recent idea that has been proposed to increase our water sources is to dam the Long Island Sound and to make it into the "Great Long Island Lake." The proposal is to build a bridge-dam across the eastern end of Long Island to Connecticut, close the western end, and filling the reservoir with fresh water from rivers. Although this is engineeringly possible, it raises serious problems of cost, pollution control and a change of the ecology of the area which have serious implications. I would put this strictly in the category of an emergency type solution. I doubt we have an emergency to justify such a drastic expenditure.

These ideas represent the alternatives we have to meet our future water needs. The choice between rests on facts which are unknown. We must get these facts as our first order of business. We need an effective instrument to obtain them.

Just as I have indicated to this hearing the difference between problems of Nassau and Suffolk counties and those of New York City in the question of water supply, so I must stress to this hearing now the commonalty of interests of Nassau and Suffolk counties in their water supply problems. It seems to me that county lines must not be considered in discussing water supply. Snow and rain falls on the two Long Island counties without regard for political lines. It must be used and utilized in the same way. Water drawn from a well in eastern Suffolk may well come from beneath Nassau soil and vice-versa. *It appears to me that a bi-county water supply agency is an urgent requirement of our area.* If legislation on the state level is necessary for such an agency, then I will urge our local legislators to prepare it at once.

We need, and I now propose, a Nassau-Suffolk Water Authority and Pollution Control Commission. We need an agency able to obtain the required research from the many sources now engaged in research. We need an authority ready to coordinate the needs of Long Island for the years immediately ahead and for the years of our children and grandchildren. Such an agency could indeed work with private enterprise and with municipal governments in seeking a unified program that will indeed meet the needs of tomorrow. It could make the proper choices for our "water-bed" area. I do not visualize such a commission as a seller of water but as a finder and protector.

On July 13th the House of Representatives passed the National Water Commission Act which will establish a seven member commission at the national level to look into the water supply problems of our nation of the next 25 to 50 years. This commission will study our requirements and the ways we have to meet them. I would hope our Nassau-Suffolk Water Authority and Polution Control Commission would be able to work with such a national water commission in solving the water supply problems at our local level.

In conclusion, I would say that Long Island is vitally interested in the hearings being conducted before you today. We know we need facts—facts about the amount of water that really lies beneath us; facts about the costs of bringing it to the surface; facts about the cost of comparative methods of supplying water; facts about the sources and control of pollution. We are optimistic, but we are also realistic. We know we have time to solve our problems but we know that we face a serious political problem in the fact that we lack an emergency which requires us to use that time wisely. We know that water is not only important to us economically and for our health, but on Long Island it is an important recreational item as well. It is an essential to life and the pursuit of happiness. We seek from you gentlemen some vision as to our needs in the future and as to the ways to supply them. We know we may have to reach some day into New England or into Canada to get the water we require. Any proposals to span the Long Island Sound by bridge or tunnel that may finally be approved should take into account the possibility that someday such a structure might be required to also carry water across our Long Island Sound. Such advanced thinking could save a great deal of money in the years to come.

Next year your study group will begin laying out the framework for long-range plans. I hope you will take seriously into account the future needs of the Long Island area. I know you have discovered that 10% of the water in the Northeast area is already being transferred between water systems. If you think this is necessary in our area, I hope you will make it clear to us.

Although we are optimistic we know that even though we have had a good rainfall this spring and summer on Long Island, our

Long Island ground water level and stream flow have continued to decline. We intend to do what is necessary to protect the future.

Some of the most learned experts in Long Island water and water supply are in this room. Some of them I have invited just because of this vast knowledge. Others are here who are aware of the need but not necessarily of the means of satisfying that need. I wish to welcome everyone, knowing the work started today will not be completed today but that every word will be taken down and studied at length by the expert officers of this board. I thank you for your attention.

HOUSE OF REPRESENTATIVES

THURSDAY, AUGUST 3, 1967

The House met at 11 o'clock a.m.

The Chaplain, Rev. Edward Gardiner Latch, D.D., offered the following prayer:

Prove all things; hold fast that which is good. I Thessalonians 5: 21.

Eternal God, our Father, our refuge in ages past, our strength for the present hour; and our hope for future days, we come to Thee conscious of our own failures and faults but with faith and fortitude because our trust is in Thee.

Deliver us from feverishly following foolish fashions and from walking the weary ways of a worried world. Remove from us all bitterness which blights our lives, all resentment which ruins our dispositions, all pride which makes us intolerant and closes the door to the needs of others.

Grant that in the adventure of building a better world we may saturate our good ideas with great idealism; we may combine commonsense with an uncommon spirit and we may be confident that light will triumph over darkness, right will win over wrong and love will outlast hatred. To this end keep us devoted to the light, to the right, and to love, In the Redeemer's name we pray. Amen.

THE JOURNAL

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Mr. Geisler, one of his secretaries, who also informed the House that on the following dates the President approved and signed bills of the House of the following titles:

On July 27, 1967:

H.R. 10918. An act to authorize appropriations to the Atomic Energy Commission in accordance with section 261 of the Atomic Energy Act of 1954, as amended, and for other purposes.

On July 28, 1967:

H.R. 10368. An act making appropriations for the legislative branch for the fiscal year ending June 30, 1968, and for other purposes.

On July 31, 1967:

H.R. 6098. An act to provide an extension of the interest equalization tax, and for other purposes.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Arrington, one of its clerks, announced that the Senate had passed without amendment bills of the House of the following titles:

H.R. 1566. An act to provide for the free entry of a four octave carillon for the use of the Northfield and Mount Hermon Schools, East Northfield, Mass.;

H.R. 1886. An act to provide for the free entry of certain articles for the use of Princeton University, Princeton, N.J.;

H.R. 3029. An act to provide for the free entry of one ship model for the use of the Lutheran Church of the Covenant, Maple Heights, Ohio;

H.R. 3737. An act to provide for the free entry of a carillon for the use of the University of California at Riverside;

H.R. 4934. An act to provide for the free entry of one mass spectrometer for the use of Indiana University; and

H.R. 4977. An act to provide for the free entry of a triaxial apparatus and rheogoniometer for the use of Northwestern University.

The message also announced that the Senate had passed with amendments in which the concurrence of the House is requested, bills of the House of the following titles:

H.R. 2470. An act to provide for the free entry of one rheogoniometer for the use of Tufts University, Boston, Mass.; and

H.R. 10196. An act making appropriations for the Departments of Labor, and Health, Education, and Welfare, and related agencies, for the fiscal year ending June 30, 1968, and for other purposes.

The message also announced that the Senate insists upon its amendments to the bill (H.R. 10196) entitled "An act making appropriations for the Departments of Labor, and Health, Education, and Welfare, and related agencies, for the fiscal year ending June 30, 1968, and for other purposes," requests a conference with the House on the disagreeing votes of the two Houses thereon, and appoints Mr. HILL, Mr. RUSSELL, Mr. MAGNUSON, Mr. STENNIS, Mr. BIBLE, Mr. BYRD of West Virginia, Mr. JAVITS, and Mr. COTTON to be the conferees on the part of the Senate.

The message also announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 1296) entitled "An act to authorize appropriations to the National Aeronautics and Space Administration for research and development, construction of facilities, and administrative operations, and for other purposes."

The message also announced that the Senate had passed bills of the following titles, in which the concurrence of the House is requested:

S. 285. An act to amend the Indian Long-Term Leasing Act;

S. 306. An act to increase the amounts authorized for Indian adult vocational education;

S. 862. An act to amend the Small Reclamation Projects Act of 1956, as amended;

S. 1173. An act to convey certain federally owned lands to the Cheyenne and Arapaho Tribes of Oklahoma;

S. 1251. An act to make certain reclamation project expenses nonreimbursable; and

S. 2138. An act to authorize the Secretary of Health, Education, and Welfare and the Secretary of Agriculture to provide food and medical services on an emergency basis to prevent human suffering or loss of life.

HAZARDOUS DUTY INCENTIVES

Mr. BRINKLEY. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Georgia?

There was no objection.

Mr. BRINKLEY. Mr. Speaker, pilots in the Air Force, paratroopers in the Army earn incentive pay. As a former U.S. Air Force pilot constantly on "alert" and with much responsibility, I recognize the wisdom and good business judgment of hazardous duty pay. Why should this not be equally true as applied to law enforcement duty? Why should it not be applicable to firemen? The incentive which I would urge would be in the form of a Federal income tax deduction on a percentage of base pay or in a certain base amount exemption.

Would not the better retention of trained, dedicated personnel be far better and more economical than recurring recruiting drives and expensive training?

Today we are debating the Law Enforcement and Criminal Justice Assistance Act of 1967. Are we not missing the mark on this bill, Mr. Speaker? There is a deep down awareness that the cries of police brutality and incompetency are shallow and without substance; a repetitious decoy, if you please.

Here is an axiom: The increase in crime in the United States is directly proportionate to judicial leniency which is in turn reflected in increased reluctance of prosecuting attorneys to go into court without an ironclad case. The responsibility for judicial leniency lies at the top. The authority of and respect for lower tribunals is undermined by frequent reversals of cases which have been decided in accordance with established legal precedent. Should it not be the Federal judicial system under review today in view of the clear and present danger presented by today's unpunished lawlessness?

LIMITING DEBATE ON HOUSE RESOLUTION 512, DISAPPROVING REORGANIZATION PLAN NO. 3 OF 1967

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that debate in the Committee of the Whole House on the State of the Union on House Resolution 512, disapproving Reorganization Plan No. 3 of 1967, may continue for not to exceed 4 hours, to be equally divided and controlled by the gentleman from Illinois [Mr. DAWSON] and the gentlewoman from New Jersey [Mrs. DWYER].

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

Mr. ARENDS. Mr. Speaker, reserving the right to object, may I ask the majority leader if he has discussed this with the gentlewoman from New Jersey [Mrs. DWYER]?

Mr. ALBERT. If the gentleman will yield, I have discussed it with the minority leader.

Mr. ARENDS. That is fine. I withdraw my reservation of objection.

Mr. HALL. Mr. Speaker, reserving the right to object, will the majority leader explain to the House, assembled at this early hour for the purpose of continuing business which was carried over from yesterday, what the purport of this unanimous-consent request is?

Mr. ALBERT. Mr. Speaker, will the gentleman yield? I shall endeavor to answer his question.

Mr. HALL. I will be glad to yield to the majority leader.

Mr. ALBERT. Mr. Speaker, this is the resolution, disapproving the Reorganization Plan No. 3 of 1967, which has to do with reorganization of the government of the District of Columbia, which has been reported from the Committee on Government Operations. Normally, without this time limitation, the time would be 10 hours, as I understand it. The purpose of this request is simply to limit the time to 4 hours.

Mr. HALL. Mr. Speaker, I thank the gentleman. I withdraw my reservation of objection.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma.

There was no objection.

CRIMINAL PROCEEDINGS AGAINST STOKELY CARMICHAEL

Mr. O'NEAL of Georgia. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Georgia?

There was no objection.

Mr. O'NEAL of Georgia. Mr. Speaker, the people of the United States are experiencing a sort of collective perplexity concerning the Justice Department's failure to do something about the infamous Stokely Carmichael.

This really is an understatement because they are not only perplexed, they are disturbed and angry at the timidity and inertia of the Attorney General. To them it is simply incomprehensible that no action has been taken.

From some correspondence I have had with the Justice Department, I think I have a clue.

Assistant Attorney General J. Walter Yeagley points out defensively that the Supreme Court in the case of *Schenk* v. *United States* (1919, 249 U.S. 47) handed down the "clear and present danger" doctrine as a guide in determining the constitutionality of restrictions on the right of free speech. He quotes from the decision itself, as follows:

> The question in every case is whether the words used are in such circumstances and are of such a nature as to create a clear and present danger that will bring about the substantive evils that Congress has a right to prevent. It is a question of proximity and degree.

Translating this into more commonly used language, it means it is a question of whether the Supreme Court would approve convictions in less important cases or whether you wait until the damage is serious.

Mr. Speaker, I believe the country is convinced and the Congress is convinced that the time for action has arrived.

So, to bolster the Attorney General, if he needs bolstering, I have today introduced a concurrent resolution whereby I hope that the sense of Congress will be expressed that if Stokely Carmichael returns to the United States the Attorney General should institute criminal proceedings against him for sedition. This should strengthen the case.

RE-REFERRAL OF H.R. 10531, USE OF MONEY RECEIVED BY THE UNITED STATES FROM OIL SHALE, FROM THE COMMITTEE ON ARMED SERVICES TO COMMITTEE ON INTERIOR AND INSULAR AFFAIRS

Mr. RIVERS. Mr. Speaker, I ask unanimous consent that the Committee on Armed Services be discharged from future consideration of H.R. 10531 and that the bill be re-referred to the Committee on Interior and Insular Affairs.

The SPEAKER. Is there objection to the request of the gentleman from South Carolina?

There was no objection.

CALL OF THE HOUSE

Mr. BRINKLEY. Mr. Speaker, I make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

Mr. ALBERT. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 197]

Anderson, Ill.
Anderson, Tenn.
Andrews, N. Dak.
Ashley
Blackburn
Burke, Fla.
Burton, Utah
Conyers
Ford, William D.
Gibbons
Hagan
Hansen, Idaho
Hathaway
Hays
Henderson
Kupferman
Kuykendall
McClure
MacGregor
Marsh
Morton
Murphy, N.Y.
O'Hara, Ill.
Resnick
Rooney, N.Y.
Roudebush
Sisk
Steed
Taylor
Teague, Tex.
Thompson, Ga.
Udall
Williams, Miss.
Wright
Wyatt

The SPEAKER pro tempore (Mr. ALBERT). On this rollcall, 396 Members have answered to their names, a quorum.

By unanimous consent, further proceedings under the call were dispensed with.

U.N. SHOULD RESTRICT ARMS SALES TO DEVELOPING NATIONS

Mr. BINGHAM. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. BINGHAM. Mr. Speaker, many Members of Congress have in recent days become increasingly concerned by the disclosures of American efforts to promote the sale of U.S. arms abroad, even in developing countries, by the extension of credit by U.S. Government agencies to facilitate such sales, and by the secrecy surrounding such transactions. They are also concerned by the fact that other countries, such as France, have been promoting arms exports even more aggressively and with apparent almost total disregard for the consequences.

The resolution I am introducing today with 23 colleagues, represents a move toward using U.N. machinery to cope with these problems, by encouraging agreements to limit such arms shipments and by setting up a registration system so that the public may have clear information about the volume and character of weapons introduced into an area in order that a reasonable balance may be maintained, instead of an ascending spiral of purchases based on fears of imbalance.

The reckless and wicked process of arming and inciting the Arab nations against Israel almost catapulted the world into a nuclear war, and yet we see the Soviet Union setting this process in motion again less than 2 months later. In addition, France has callously offered to sell supersonic jets to Latin American nations which have no need for them because of external threats to their security. Acquisition of expensive weapons means diversion of scarce resources that could—and should—be used to improve the life of the people and to build the society. I find it appalling to see an impoverished nation expend desperately needed funds for unnecessary weaponry. The inevitable effect is that an equally impoverished neighbor then finds it necessary to make purchases to counter the neighbor's new threat. This process then goes on and on.

The time has long since arrived when all of the energies of developing nations should be devoted to economic, social, and political development and not to amassing of weapons. The action called for in this resolution would help achieve this goal.

The U.N. registration idea is not new. It is now in use for all space launchings and has been proposed by the United States for arms shipments into the Middle East. I see no reason why, if the idea makes sense for the Mideast, it should not apply across the board.

It may be that the Soviet Union and France, and perhaps others, would not accept the idea. But at least the United States should make the effort.

RESOLUTION UNANIMOUSLY APPROVED BY THE COMMITTEE ON POST OFFICE AND CIVIL SERVICE, U.S. HOUSE OF REPRESENTATIVES, RELATING TO THE CONDUCT OF AN EXECUTIVE SESSION OF THE SUBCOMMITTEE ON POSTAL RATES ON H.R. 7977, TO ADJUST CERTAIN POSTAGE RATES, AND FOR OTHER PURPOSES

Mr. DULSKI. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection

to the request of the gentleman from New York?

There was no objection.

Mr. DULSKI. Mr. Speaker, I submit the following for printing in the RECORD:

Whereas in the Washington Post on Sunday, July 23, 1967, in the column headed "The Federal Diary" by Jerry Kluttz, there appeared the statement in connection with an article about a certain legislative consultant that "he walked out of Wednesday's closed session with subcommittee members.";

Whereas this same allegation has appeared in other subsequent newspaper articles;

Whereas such allegation is false; Now, therefore, be it

Resolved, That the subcommittee in executive session does hereby declare that to the personal knowledge of the individual Members of the subcommittee, including the chairman of the full committee and ranking minority member, both of whom were in attendance throughout the course of the executive session, and in the personal knowledge of the Staff Director and other staff present, and based upon the official records kept by the subcommittee, neither the legislative consultant in question nor any other person except members and authorized committee staff personnel was in the committee room or participated in the subcommittee executive session on the date specified or on any other date during which the subcommittee met in executive session.

FISCAL AND TAX POLICY—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 152)

The SPEAKER pro tempore. The Chair lays before the House a message from the President of the United States.

Mr. HALL. Mr. Speaker, so we all may hear the President's message, I make the point of order that a quorum is not present.

The SPEAKER pro tempore. The Chair will count. [After counting.] Two hundred and twenty-three Members are present, a quorum.

The following message from the President of the United States was read; and was, without objection, referred by the Speaker pro tempore (Mr. ALBERT) to the Committee on Ways and Means and ordered to be printed:

To the Congress of the United States:

THE HARD AND INESCAPABLE FACTS

Behind the accounts that make up the Nation's budget lies the pursuit of America's responsibility and purpose at home and abroad.

As we enter this new fiscal year, the Congress and the American people should have an up-to-date report on the state of the budget, and on the steps that must be taken to protect the national security and to sustain the health and vitality of this Nation.

Last January we submitted our budget for fiscal 1968. In that budget we estimated:

Expenditures of $135 billion.

Revenues of approximately $127 billion, including income from a 6-percent surcharge on corporate and individual taxes effective July 1.

A resulting deficit of about $8 billion.

Since then much has happened to change these prospects.

For several weeks, I have reviewed with my advisers the entire economic and budgetary situation. I have consulted with leaders of the labor, farm, and business communities. As a result of that review I am submitting today a financial plan for America's continued economic well being.

No President likes to report a significant revision in the Nation's budget estimates. Treasury, budget, and economic experts tried to be realistic as possible in the estimates they made late last year. Yet, no task is more formidable than to try to predict—over 18 months in advance—a budget of around $135 billion and its related revenues for 200 million Americans.

The Nation now faces these hard and inescapable facts for fiscal 1968:

Expenditures are likely to be between the January budget figure of $135 billion and $143.5 billion—as much as $8.5 billion higher—depending upon the determination and ability of the Congress and the Executive to control expenditures.

Revenues are now estimated some $7 billion lower than in January, even with a 6-percent tax surcharge.

These changes in the January budget estimates would result in a deficit of $23.6 billion.

Without a tax increase and tight expenditure control, the deficit could exceed $28 billion. And that does not include an estimated $700 million higher cost of interest on the public debt that such a deficit would involve.

A deficit of that size poses a clear and present danger to America's security and economic health.

If left untended, this deficit could cause:

A spiral of ruinous inflation which would rob the poor, the elderly, the millions with fixed incomes.

Brutally higher interest rates and tight money which would cripple the homebuilder and home buyer, as well as the businessman. Interest rates have already turned up sharply despite the relatively easy money policy of the Federal Reserve System.

An unequal and unjust distribution of the cost of supporting our men in Vietnam.

A deterioration in our balance of payments by increasing imports and decreasing exports.

This Congress and this administration must not accept so large a deficit.

Under these circumstances, we must choose between two alternatives:

1. The deficit could be accepted and totally financed by additional borrowing, which itself would drive up interest rates, or

2. The deficit could be reduced by rigidly controlling expenditures, raising as much money as possible through increased taxes, and then borrowing the difference.

The first alternative would be fiscally and financially irresponsible under present conditions. The second alternative is the only way to maintain a strong and healthy economy.

America in its strength and wisdom must choose to travel a responsible fiscal and budgetary course.

That is why I present for your judgment and action a fiscal program that is sensible and sound. There are two essential elements to this program:

Expenditure restraint, to which this administration is committed and which I urge upon the Congress.

Tax measures to increase our revenues.

FISCAL 1968 EXPENDITURES

The budget for fiscal 1968, submitted 6 months ago, estimated expenditures at $75.5 billion for the Defense Department and Atomic Energy Commission, and $59.5 billion for our civilian programs.

These estimates may now have to be revised upward by as much as $8.5 billion; $2.5 billion for civilian programs; $2 billion for reduced sales of participation certificates; $4 billion for defense.

1. CIVILIAN EXPENDITURES

The estimate of nondefense spending for fiscal 1968 has already increased by $1.5 billion. This increase stems from two sources:

First, a number of essential activities were temporarily deferred in fiscal 1967 as part of our fight against inflation. Early this year inflationary pressures had been brought under control. Some of these deferred funds already voted by Congress were released in late February, and again in March and April, particularly to help homebuilding. This added $600 million to fiscal 1968 expenditures. These releases included funds for the purchase of low-cost home mortgages ($500 million), construction grants for health and education facilities ($30 million), and the construction of dams, flood control projects, and other public works ($20 million).

Second, the January estimate of expenditures is up by $900 million primarily because of increases in programs whose payments are fixed by law and over which the President has no discretion—such as payments to the States for public assistance and health programs ($250 million), farm price supports ($400 million), and Federal contributions to medicare ($150 million).

In addition, the Congress is still considering important legislative measures which will vitally affect fiscal 1968 expenditures. Although we are already a month into the new fiscal year, 10 of the 13 regular appropriation bills have not yet been enacted. No one knows what the total of those appropriations to be voted by Congress for this fiscal year will be.

We do know, however, that the Congress is considering a bill which would raise civilian and military pay by more than $1 billion above the administration's 4.5-percent pay proposal. The $1 billion extra pay raise is equivalent to the yield of a 2-percent tax surcharge and comes directly out of the pockets of American taxpayers.

These items alone would increase civilian expenditures by $2.5 billion above the budget submitted in January.

Moreover, the Congress, in actions by one or the other House, has reduced by over $2 billion the authorizations I requested for the sale of participation certificates. Failure to restore these authorizations as appropriations bills move to final passage would add still further to the budget deficit.

Therefore, I urge the Congress to exercise the utmost restraint and responsibility in the legislative decisions which are yet to come and to make every effort not to exceed the January budget estimates.

The executive branch pledges to take every proper action within its power to reduce expenditures in the January budget. But our discretion is limited.

Of the $61 billion now estimated for nondefense expenditures, more than two-thirds is not subject to an executive reduction.

Consider these facts:

More than $30 billion will be spent on programs under which payments are definitely fixed by law or otherwise mandatory—such as interest on the public debt (over $14 billion), veterans' compensation and insurance pensions ($5 billion), public assistance ($4 billion), farm price supports ($2 billion), medical payments out of the general revenues (over $1 billion), legislature and judiciary (over $350 million).

More than $15 billion will be spent to complete contracts or obligations entered into in prior years, such as the purchase of mortgages under earlier commitments and the completion of construction begun in 1966 or 1967.

An additional $8 billion is spent for the pay of Federal employees in civilian agencies other than the Post Office. Substantial reductions are not possible in these expenditures without bringing to a halt many essential activities such as law enforcement and the Nation's air navigation system. Another $1 billion will be spent if the 4.5-percent civilian and military pay increase I recommended is enacted.

After taking account of these items, and allowing for a reduction of more than $5 billion in total expenditures—achieved through the sale of financial assets—this leaves only $12 billion of outlays over which the President has discretion in the year ahead. Even here, many indispensable programs are involved: for example, medical supplies and equipment for veterans' hospitals, equipment for the U.S. Coast Guard, grants for construction of civilian hospitals.

Reductions in spending will not be easy, for the budget submitted in January was already lean. But I pledge to the country and the Congress that I will make every possible expenditure reduction—civilian and military—short of jeopardizing the Nation's security and well-being.

As the Congress completes each appropriation bill for fiscal 1968 expenditures, we will examine at once, very, very carefully, the results of those actions, and determine where, how, and by how much expenditures under these appropriations can be reduced.

I am directing each department and agency head to review every one of his programs, to identify reductions which can be made and to report to the Director of the Budget in detail on the actions he is taking to put those reductions into effect.

But action by the executive branch alone is not enough.

It will achieve nothing if every time the executive branch saves a dollar, the Congress adds another dollar—or more—to the expenditures recommended in my January budget.

All actions we take to reduce Federal spending must—and will—be carefully and compassionately weighed. For we cannot turn our backs on the great programs that have been begun, with such promise, in the last 3½ years. And we cannot now postpone—at a much higher economic and human cost later—the urgent task of making the streets of America safe from crime and chaos and rooting out the underlying causes of unrest and injustice in our land.

Nevertheless, we must move with determination to assure that those for whom these programs were begun are not robbed by the inflation that would accompany an unacceptable deficit.

2. DEFENSE EXPENDITURES

I have concluded, after considering the recommendations of Secretary McNamara, the Joint Chiefs of Staff and General Westmoreland, that I should authorize an increase of at least 45,000 in the number of men to be sent to Vietnam this fiscal year.

This Nation has taken a solemn pledge—that its sons and brothers engaged in the conflict there shall never lack all the help, all the arms, and all the equipment essential for their mission and for their very lives.

America must—and will—honor that pledge. It is for this reason that expenditures for Vietnam—subject as they are to the variable demands of military operations—may now exceed our earlier estimates.

The Department of Defense has been a pacesetter in the Federal Government for efficiency and economy. Still, any organization that has so greatly expanded in so short a time is bound to have some areas in which further economies can be achieved or less essential expenditures stretched out.

I have asked Secretary McNamara, therefore, to conduct a searching review of all defense expenditures and to withhold all such expenditures that are not now essential for national security.

By such action we will try to hold total defense expenditures as near as possible to the level budgeted in January. However, the history of war teaches one clear lesson: the costs of conflict can never be precisely estimated nor fully foreseen. Thus, the possibility remains that defense spending in fiscal 1968, based on present plans, may exceed the January budget by up to $4 billion.

FISCAL 1968 REVENUES

The fiscal 1968 budget submitted in January projected revenues of approximately $127 billion, including income from the tax measure I proposed at that time.

Since January, revenue estimates have been revised downward by a total of about $7 billion:

Eight hundred million dollars as the result of congressional action in restoring the investment credit and accelerated depreciation earlier than the budget had assumed and more generously than the administration had requested.

One billion, three hundred million dollars because of lower corporate profits and $300 million because of lower personal income than projected 6 months ago.

Three billion dollars because of a decrease in estimated yield from existing income tax rates and $200 million because of a decrease in the estimated yield of gift and estate taxes and customs.

Six hundred million dollars because of a reduced estimate of miscellaneous receipts such as stockpile sales ($450 million) and offshore oil revenues ($80 million).

Eight hundred million dollars because of a later effective date for the surcharge on personal income taxes than recommended last January.

A PROGRAM TO INCREASE OUR REVENUES

Just as we must take determined action to control expenditures, so we must take action to increase our revenues if we are to avoid an unsafe and unmanageable deficit in the fiscal year ahead.

The three-point tax program here presented is shaped to provide the fairest and least disruptive means of sustaining—without inflation—America's unprecedented period of uninterrupted prosperity, now in its 78th month.

1. A speedup of corporate tax collections, as recommended last January:

Beginning January 1, 1968, corporations would pay their estimated taxes on the basis of 80 percent of their liability, rather than 70 percent.

Over a 5-year period, small corporations, as well as large, would become current in their taxpayments, in the same way as individual proprietors already are.

This acceleration in collections should yield $800 million in additional revenues for fiscal 1968, somewhat more in subsequent years.

2. Continuation of excise taxes for the immediate future:

The 7-percent manufacturer's excise tax on automobiles is now scheduled to fall to 2 percent on April 1, 1968, and to 1 percent on January 1, 1969.

The drop to 2 percent should be postponed to July 1, 1969, and the drop to 1 percent should be postponed to January 1, 1970.

The 10-percent excise tax on telephone service is now scheduled to fall to 1 percent on April 1, 1968, and to be eliminated on January 1, 1969.

The drop to 1 percent should be postponed to July 1, 1969, and the tax should be eliminated on January 1, 1970.

Extending these excise taxes would provide additional revenues of $300 million for fiscal 1968 and more than $2 billion for fiscal 1969.

3. Surcharges on corporate and personal income taxes:

A temporary surcharge of 10 percent should be placed on corporate income tax liabilities, effective July 1, 1967.

A temporary surcharge of 10 percent should be placed on individual income tax liabilities, effective October 1, 1967.

These are surcharges on taxes, not on incomes. They would expire on June 30, 1969, or continue for so long as the unusual expenditures associated with our efforts in Vietnam require higher revenues.

These surcharges are four percentage points higher than recommended in January. But they are vitally necessary to provide some of the additional revenues this Nation must have. Altogether, the new surcharges will yield $6.3 billion in revenues for fiscal 1968, and somewhat more in fiscal 1969.

Under this proposal:

A family of four with an income of $10,000, now ordinarily paying a tax of about $1,100 will pay at most an added tax of $9.25 a month.

Those American families whose incomes are below $10,000—three out of every four—will pay less than this amount.

The 16 million taxpayers in the lowest income brackets would be completely exempt from the surcharge. For example, a married couple with two children, with an income of less than $5,000 a year, would pay no surcharge.

The one out of every four American families who now pay no income tax would be unaffected by the surcharge.

Let us be clear about the significance of this tax surcharge.

If Americans today still paid taxes at the rates in effect when I became President, a little over 3½ years ago, they would be paying this year over $23 billion more than they are paying now.

Now your Government is asking for a return of substantially less than half of those tax cuts that I recommended and the Congress overwhelmingly passed in the last 3 years. This is necessary to give American fighting men the weapons, equipment, and the help they need, to hold the budget deficit within limits and to continue our education, health, poverty, urban, and other vital programs.

For three out of every four American families, the burden of this increase will be between a few cents and $9 a month. That is a small burden, a small inconvenience, compared to what is borne by our men in arms who put their lives on the line in Vietnam.

A SOUND AND HEALTHY ECONOMIC ADVANCE

These tax recommendations, taken together, would raise $7.4 billion in fiscal 1968. These added revenues—combined with the steps that the Congress and the executive can and should take to control expenditures—will reduce the deficit to manageable proportions. If, working together, we can avoid an excessive pay increase, and provide the recommended authorization for sale of participation certificates, the deficit could be reduced to a range between $14 and $18 billion, depending upon our ability to hold down expenditures.

Last January, we concluded that higher taxes in fiscal 1968 would safeguard our prosperity. Present economic prospects reaffirm that judgment.

It is the unanimous judgment of the President's advisers that the fiscal program we are recommending is consistent with a sound and healthy economic advance during the year ahead, without tight money and soaring interest rates.

THE COSTS OF INACTION

Failure to act promptly on these tax proposals and to restrain unnecessary spending could have the most serious consequences:

The Nation could face a return of strong inflationary pressures and an intensified wage-price spiral—which could rob the poor, the elderly, the millions with fixed incomes. We would lose our opportunity to make progress this year toward one of our most urgent objectives: price stability.

An excessive expansion of domestic markets could again quicken the flow of imports to the United States, while rising costs and prices cut into our exports. The position of the dollar as the key element in the world's financial system could be impaired.

The resulting distortions in our economy could ultimately endanger the prosperity that generates the jobs and opportunities our men returning from Vietnam have the right to expect.

Spiraling interest rates and severely tight money would return.

What the Government does not raise through taxes the Government must borrow.

That additional borrowing would be imposed on financial markets already strained by the unprecedented demands of private borrowers and State and local governments. Long-term interest rates are already near their peaks of late last summer, and short-term rates have begun to climb.

Without a tax increase, I am informed by Chairman Martin that nothing the Federal Reserve System could responsibly do could avoid the spiraling of interest rates.

As interest rates rose, a starvation of mortgage funds would throw housing into a new depression before it had even recovered from the last one. Every other borrower—but most of all the small businessman and farmer—would bear the cost of our fiscal irresponsibility.

A failure to raise taxes would not avoid the burdens of financing a war. For these burdens are inescapable. But, instead of sharing those burdens equitably and responsibly—as an income tax surcharge would do—inflation, tight money, and shortages would tax the American people cruelly and capriciously. The consequences of that irresponsibility would haunt America and its people for years to come.

CONCLUSION

Some may hear in this message a call to sacrifice.

In truth, it is a call to the sense of obligation felt by all Americans.

Americans in Vietnam stand in, and brighten, the light of a proud tradition. They give their service, and some give their lives, for their country—and for us.

To this point, America has served them well by supporting them unstintingly to the last of their needs while building a strong and prosperous nation at home.

I urge you to remember the following. Last year:

Real wages were the highest in history—and the unemployment rate reached the lowest point in 13 years;

Total after-tax real income of American families rose 5 percent;

Corporate profits after taxes reached an alltime peak, up 9 percent last year;

Net income per farm increased more than 9 percent, even after adjusting for the higher prices farmers paid;

Our gross national product, valued in constant prices, advanced 5.8 percent.

These gains were achieved without either runaway inflation, or the imposition of the wage and price controls which have been the condition of American life in every conflict of this century.

In significant part, this was the result of responsibility and restraint exercised by the business, farm, and labor communities.

The current situation summons those groups as never before to maintain that responsibility in their wage and price decisions.

It summons all Americans to respond with that same responsibility in the challenge of their own lives.

The inconveniences this demand imposes are small when measured against the contribution of a marine on patrol in a sweltering jungle, or an airman flying through perilous skies, or a soldier 10,000 miles from home, waiting to join his outfit on the line.

There are times in a nation's life when its armies must be equipped and fielded, and the nation's business must still go on. For America that time is now.

The Nation's unfinished agenda here at home must be pursued as well. The poor must be lifted from the prisons of poverty, cities must be made safe and livable, sick and undernourished bodies must be restored, our air and water must be kept clean, and every hour of our future must see new opportunities unfold.

This, then, is the story behind the facts and forecasts, and the recommendations I submit today.

Last January I told the Nation:

> I wish I could report to you that the conflict in Vietnam is almost over. This I cannot do. We face more cost, more loss, and more agony. For the end is not yet. I cannot promise that it will come this year—or come next year. Our adversary still believes, I think tonight, that he can go on fighting longer than we can, and longer than we and our allies will be prepared to stand up and resist.
>
> Our men in that area—there are nearly 500,000 now—have borne well the "burden and the heat of the day." Their efforts have deprived the Communist enemy of the victory that he sought and that he expected a year ago. We have steadily frustrated his main forces. General Westmoreland reports that the enemy can no longer succeed on the battlefield.
>
> I must say to you that our pressure must be sustained—and will be sustained—until he realizes that the war he started is costing him more than he can ever gain.
>
> I know of no strategy more likely to attain that end than the strategy of "accumulating slowly, but inexorably, every kind of material resource"—of "laboriously teaching troops the very elements of their trade." That, and patience—and I mean a great deal of patience.

Those words are even more true today.

The test before us as a people is not whether our commitments match our will and our courage; but whether we have the will and the courage to match our commitments.

I urge the Congress to respond to the fiscal challenge that faces the Nation. I hope that in the national interest you will act promptly and favorably upon these recommendations.

LYNDON B. JOHNSON.

THE WHITE HOUSE, *August 3, 1967*.

LEAVE TO EXTEND REMARKS

Mr. BOGGS. Mr. Speaker, I ask unanimous consent that the following Members may be permitted to extend their remarks immediately following the President's message:

Mr. Albert, Mr. Boggs, Mr. King of California, Mr. Rostenkowski, Mr. Landrum, Mr. Kluczynski, Mr. Matsunaga, and Mr. St Germain.

Mr. GROSS. Mr. Speaker, reserving the right to object—and I shall not object—I would like at this point to ask a question: Why were there no copies of this speech, so some of the rest of us may be able to comment on the President's message? It is a little difficult to comment just from hearing the reading of it.

The SPEAKER pro tempore. If the gentleman is addressing the question to the Chair, it is my understanding that the intention was to have the message read at 12 o'clock, and I assume that copies of the message will be forthcoming.

Mr. GROSS. Mr. Speaker, then I ask unanimous consent to extend my own remarks at this point in the Record, and I withdraw my reservation of objection.

The SPEAKER pro tempore. Without objection, the request of the gentleman from Iowa is granted, and without objection, the several requests of the gentleman from Louisiana are granted.

There was no objection.

THE PRESIDENT'S TAX PROPOSAL IS A CALL FOR ACTION TO CONTINUE OUR COMMITMENTS AT HOME AND ABROAD

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the Record.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. McCORMACK. Mr. Speaker, President Johnson's tax proposals submitted today to Congress represent a forthright and realistic call for action to continue prosperity and maintain the welfare and security of all our people.

This proposal reaches Congress only after long and careful study by the administration. No President relishes raising corporate and personal income taxes, but the urgent need for this measure is carefully explained in the President's message.

I fully support the President's proposal. And I do so with the conviction that the Nation must meet its commitments at home and abroad—that we must keep faith with the needs of our own people and with others in the world who seek our help to preserve their freedom.

We are living through a difficult period of history. Abroad, American forces are engaged in a costly and brutal war. We cannot let them down. At home, millions of Americans have made substantial progress toward achieving full and equal opportunity. We cannot simply turn our backs and allow them to return to despair.

We cannot abandon the poor or ignore the plight of the urban dweller.

We cannot say "no" to children who want a good education and decent classrooms, any more than we can remain indifferent to the needs of the elderly.

We need to create more trained manpower, develop large areas of our cities, build new roads, and clean up our polluted air and rivers.

These are the blueprints for our progress and we must, and shall, be responsive to them.

This is the real meaning of President Johnson's message today. Our people have long ago made clear their determination to resist aggression and live up to our commitments in this troubled world. And we overwhelmingly agree that the Great Society programs must push forward from a promising start. And now the President is rightly asking all of us to dig a little deeper, and sacrifice a bit more, to pay the cost for the investment we are making in our own society.

I have no doubt about how the American people will respond to this request. This tax increase—a temporary surcharge of 10 percent on individual income tax liabilities—will mean paying 1 percent more on personal income on the average. This is neither an enormous sacrifice nor an unreasonable demand. And Americans will respond with patriotism and responsibility.

We are accomplishing a lot in this country—perhaps more than any other generation of Americans—to live up to the promise of a democratic society. And paying our share for this progress is part of the responsibility we all bear together.

The alternative to a tax increase for corporate and personal incomes would be to abandon those who need help most and revert to an earlier—and sadder—era in American history when "the rich get rich and the poor had children."

I find this alternative unthinkable. And so do all responsible Americans.

THIS NATION HAS THE COURAGE OF *ITS COMMITMENTS*

Mr. ALBERT. Mr. Speaker, there comes a time in the life of every nation when its President must ask "whether we have the will and the courage to meet our commitments."

Our President has asked us that today. I am ready to join him with a vote for America.

We know what our commitments are: support of Americans fighting for freedom in strangely named cities in a land we may never see.

Hope and health and prosperity and jobs and education for millions of Americans who believe the Great Society is not just a slogan, but a promise.

The continued commitment to our own ideals that America is strong enough, prosperous enough, compassionate enough to defend liberty abroad, while it lifts its own people to fulfillment and achievement and happiness at home.

President Johnson has asked the American people, and the American business community to share the economic burdens of keeping America strong and free, just as they have shared the benefits of America's prosperity for over 6 years.

The President has asked the Congress to approve a temporary 10-percent surcharge on corporate income tax liabilities as of July 1, 1967.

He has also asked for a temporary 10 percent surcharge on personal income tax liabilities as of October 1, 1967.

I stress that this is not a tax on total income earned, but a tax on income tax liability—and thus much less severe than an income tax.

"This is a sacrifice," many of us are saying.

Yes, it is a sacrifice, I agree.

Yet, these are times of sacrifice, as well as prosperity.

These are times of war, as well as high employment.

These are times of poverty, as well as affluence.

Why must taxes be raised? the people will ask.

And I answer, for the same reason President Johnson had them cut 3 years ago: to sustain 78 months of high prosperity; to support men fighting in Vietnam; to fund the social, educational, and urban programs which cannot and must not be cut without disastrous social effects.

But President Johnson has not called for a new tax on the poor—and I am deeply proud of him for that. He has called for a tax in which those who earn more will pay more; and those who earn less or little, will pay less or little.

The proposed new tax will have absolutely no effect on those 16 million taxpayers in the lowest income brackets. They will pay nothing extra.

The proposed tax will have no effect on the one out of every four American families who already pay no income taxes. They will pay nothing under this new proposal.

And those American families who earn less than $10,000 a year will pay less than $9.25 a month more, and many will pay considerably less.

Is this a high price to pay for freedom and security?

Is this a high price to pay for prosperity and jobs and profits and homes and good schools and happy people?

Is this a high price to pay for a greater and more racially harmonious society?

I would say it is not.

The consequences of not increasing taxes even by this small percentage, now, would be damaging to our Nation, to our ability to defend ourselves, and to those compassionate and imaginative and peculiarly American programs which would transform the human and material conditions of our lives.

I am not an economic expert, but I know what the economic experts have been predicting and what they have warned the President would happen in the days and months ahead without such a tax increase.

First, the national budget deficit could go as high as $28 billion for the next fiscal year.

Such a deficit would mean: intense inflationary pressures, higher prices and costs, a reduction of consumer buying power, and hardships on those with fixed or limited or low incomes.

We cannot permit that to happen.

Second, there would be a tightening of the money market, an increase in the already high interest rates. The cost of home mortgages would go up. The cost of credit would rise.

We cannot allow that to happen.

Third, there would be a huge and almost unmanageable increase in the national debt, imposing increased interest costs and liabilities on our children and grandchildren.

We cannot and will not permit such calamatous events to take place, as long as reasonable solutions are at hand to prevent them.

The tax increase will help us find some of the solutions we need.

Yet, there are other means at hand, and the President has pledged to use them.

He has pledged again to cut expenditures of the Federal Government to the lowest level consistent with security and prosperity and general well-being.

All programs—foreign and domestic—will be reviewed.

All program results will be evaluated to be certain that a dollar's investment will yield a dollar's results.

But essential human programs will not be cut, especially those programs which help those who can help themselves least—the poor, the disadvantaged, the minorities, the helpless.

Essential national security programs will not be cut. The people will not allow them to be cut.

No President wants to propose a raise in taxes.

No Congress wants to vote such raises.

Yet we ought to be proud that we have a President of the United States who has the courage and the candor to tell the American people what he believes—as their elected leader—is necessary and right and fair so this Nation may prosper and endure.

Many other Americans before us have been asked to sacrifice much more than money.

Many other Americans once pledged their lives, their fortunes, and their sacred honor to make this land free and prosperous and strong.

Now we have been asked to give very small part of our wealth back to the Nation.

I am ready to do it. I know the people are ready to do it. I join my President with my vote for a better and greater and more secure America.

THE PRESIDENT'S TAX REQUESTS WILL BE SUPPORTED BY A DETERMINED PEOPLE

Mr. BOGGS. Mr. Speaker, the economic message submitted to Congress today by President Johnson is a reasonable blueprint for America's continued growth and progress.

There has never been a time in the history of any nation when prosperity, national security and social welfare did not require sacrifice by its citizens. Realizing this fact, President Johnson has asked the Congress and the American people to make this investment.

In essence, he has asked Americans to give a little more to get a great deal.

Why must we at home give a little more, when other Americans are asked to give so much? Because the freedom and opportunity we seek for all Americans, we seek for others in the world who have asked for our help and support.

Why must we invest some $25 billion in the American effort in Vietnam? The answer is that not only are American forces committed in Vietnam, but the pledge of all Americans is committed to maintaining the freedom and independence of a brave and long-suffering people.

We must invest more than $26 billion here at home to rebuild our cities, retrain our jobless, educate our children, care for our sick and elderly and house the homeless and underprivileged.

We must invest our capital and our resources in our people and in our great free enterprise system if we are to reap the economic rewards of the Nation's full potential.

This is a lesson that we have learned through President Johnson's leadership during 78 consecutive months of the highest prosperity in this Nation's history.

This tax proposal asks for a temporary surcharge of 10 percent on corporate income effective July 1; and a 10 percent temporary surcharge on individual income effective October 1.

This is a reasonable request. It will mean approximately 1 percent more of total income on the average. The total income of the average American family is $11,000. This means that a family of four will pay an added tax of $110. It means that we are being asked to sacrifice buying that stereo phonograph, that fancy lawnmower, that extra set of golf clubs.

Instead, we are asked to invest this money to help buy new classrooms, new roads, new housing, new hospitals, new opportunity, and—yes—new guns and planes for our fighting men.

And only those who can afford it are being asked. This is not a tax on the poor. The 16 million taxpayers in the lowest income brackets would be completely exempt from this surcharge. And one out of every four American families who now pay no income tax would also be exempted.

This 10 percent tax on income tax is needed also to maintain a sound and healthy economy. This tax increase can reduce our deficit between $15 and $18 billion. Without this increase, our deficit could rise as high as $28 billion—a figure dangerous in its economic and social consequences.

Without this tax our entire balance-of-payments situation would be severely jeopardized.

Without this tax there is a real danger of spiraling interest rates that would squeeze small businessmen and farmers in a vise-like grip.

Without this tax the Nation could expect heavy inflationary pressures and alarming wage-price spirals that would victimize most those Americans who are on the borderlines of poverty.

In short, without this tax increase our economy would be greatly endangered and our ability to meet the needs of the people seriously impaired.

Nearly a generation ago Franklin Roosevelt reminded the American people that heedless self-interest was not only bad morally, but bad economically.

I think this is a lesson we have learned well. As President Johnson said in his message today:

> There are times in a Nation's life when its armies must be equipped and fielded, and the Nation's business must still go on. For America that time is now.

I believe that the President will have the support and understanding of the Congress and of the American people. We are living in a time of testing our courage and greatness as a people. We shall not be found wanting.

PRIMARY GOALS OF SOUND ECONOMIC POLICY

Mr. KING of California. Mr. Speaker, the primary goals of sound economic policy are to assure that the Nation's vast economic potential is realized, and that the rewards of its growth are equitably distributed. This, in essence, is the challenge of the Employment Act of 1946.

For a decade prior to the Kennedy-Johnson administrations, neither economic policy nor the economy lived up to its potential. The failure to utilize economic knowledge creatively in the 1950's culminated in a period of stagnation which began in 1956 and did not really end until the new administration initiated a sound policy aimed at discharging the Government's responsibilities under the Employment Act.

The mistakes of the fifties have been avoided in the sixties, and this record must be continued.

Our economy has a vast natural growth potential. But it cannot sustain a balanced and dynamic expansion unless the Federal budget position remains consistent with the changing needs of the private sector.

Prior to 1964, Federal Government expenditures were consuming a continually smaller share of the Nation's potential output, while Federal tax revenues were rising relative to the potential national income. The more the economy grew, the greater this imbalance became, and the more it acted to choke off further economic growth. The 1964 tax cut—the Nation's first real experience with planned flexibility—was adopted to right the balance. The result is history. The national economy grew at an unprecedented, yet balanced and healthy rate, and the Federal national income account budget developed the predicted surplus.

The economic picture is now vastly different than it was in the sixties. But the need for fiscal flexibility is just as great as it was then. The President's current proposal is a continuation of his pledge to maintain a balanced economy.

The hostilities in Vietnam and the recognized need for new programs to aid our disadvantaged citizens have tipped the balance toward rapid economic expansion. At present tax rates, the forces of expansion can be fulfilled only at the cost of vast inequities: too rapid a rise of prices, disproportionate burdens on homebuilding and small businesses, and a threatened imbalance of our international payments.

Our national commitments—at home and abroad—require the honesty of a consistent tax policy, of continued fiscal flexibility.

At present that means a temporary increase in tax rates, the surcharge proposed by the President.

Only by taking the responsible action of enacting the President's tax increase proposal can we maintain the kind of balanced growth which has benefited the entire Nation since 1964. Only in this way can we honor our commitments abroad, and at the same time continue our progress at home.

Failure to accept our charge under the Employment Act must inevitably lead to imbalance, to a situation in which we aid our citizens by our positive programs and then negate that aid through ininflation and instability born of irresponsibility.

I support the President's proposal most strongly and commend the administration for proposing what it knows is right and honest for these difficult times.

PRESIDENT JOHNSON HAS SHOWN FIRM LEADERSHIP IN ASKING FOR ECONOMIC MEASURES

Mr. ROSTENKOWSKI. Mr. Speaker, let the man who doubts the wisdom of President Johnson's tax message today reflect for a moment on the outstanding—nay, virtually miraculous—economic policy which he has provided to this country during the last 4 years. When the misguided pundits of so-called sound money decried the wisdom of cutting taxes in 1964, President Johnson pushed nevertheless for that great tax bill, which stands as his monument in the halls of economic policy. Today, no one doubts that the tax reduction of 1964 was the right policy for the Nation.

In the late summer of 1966 the President defied the warnings of the investment world and asked us to suspend the investment tax credit. Again, who can deny that that move cooled the overexuberance of the capital goods market.

Again, this spring the President called upon us to restore the investment tax credit, to the bewilderment of the skeptics. Is there any doubt that this was the right move?

In each of these recommendations, President Johnson has showed his firm leadership, in asking for economic measures which not all men understood and many would not support. In each case their wisdom has been proven by history.

As an American and as a Democrat, I am proud of our President—who can stand in the face of trivial criticism and idle chatter about hoary economic fables and guide the Nation's economy with a sure hand to produce the great economic and social gains for which his administration is now famous. Let us look at the record of some of these gains in case memory has grown dim.

Since the end of 1963 President Johnson has presided over achievements such as the following:

Nearly 6 million more people are at work, and at higher paying jobs than ever.

The unemployment rate has dropped from 5.7 to 4 percent.

Gross national product, corrected for price change, is up almost $120 billion or 18 percent—almost as much as during the entire 8 years of the Eisenhower administration.

Profits after taxes have risen by 33 percent.

Total wages and salaries paid have grown by 32 percent.

Some 4 million Americans have moved above the poverty line.

I call that a success story if there ever was one. Better, I suspect, than even the President had hoped for.

The measures now proposed by the President are essential to the continuance of that success story. It was right to reduce taxes when demand was growing too slowly. It is right to raise taxes to prevent demand from growing too fast. I, for one, stand ready to support the President in his request for this tax increase.

HARD AND INESCAPABLE FACTS OF FISCAL YEAR 1968

Mr. KLUCZYNSKI. Mr. Speaker, the tax program submitted to the Congress by the President was made necessary by what he called the hard and inescapable facts of fiscal year 1968. I join the President in urging that we act promptly and favorably on his recommendations. We must meet our responsibilities.

The tax program proposed by the President is a compassionate program. The temporary surcharge it proposes would not apply to the 16 million taxpayers in the lowest income brackets, and it would not apply to the one out of every four American families who do not now have high enough incomes to pay a tax. The higher taxes would be paid entirely by corporations and by individuals with higher incomes. In the aggregate, the surcharge would amount to only 1 percent of individual income.

Without higher taxes and restraint on unnecessary spending, we will lose the fight against the cruel inflationary forces that are building up in our economy. We know well that those who suffer from inflation are the poor, the aged, and the many with fixed incomes. Without higher taxes, we will lose the fight against high interest rates and tight money, whose burdens fall heaviest on the housing industry, the small businessman, and the farmer.

If we reject higher income taxes, we will be choosing fiscal and financial irresponsibility. We will have chosen a ruthless system of taxation through inflation and soaring interest rates.

THE PRESIDENT'S CALL FOR FISCAL RESTRAINT

Mr. LANDRUM. Mr. Speaker, the President's message has laid out—soberly and courageously—the fiscal crisis which faces the Nation in the months ahead.

I am confident that the Congress and the American people will face up to this crisis in the same sober and courageous spirit. We have never shrunk from our responsibilities, and I do not believe that we will shrink from them today.

I well recall what happened at the time of Korea. The Congress was considering a bill to reduce taxes. Instead, we passed not one bill, but three, to raise taxes.

Fortunately, we are not asked today to do what was then required. We are asked only to return to the Government a fraction of the tax reductions of recent years—half, or less than half, of the fiscal dividend that the American people shared in the tax reductions of 1962, 1964, and 1965.

This Congress and its predecessors did not hesitate to reduce taxes when the opportunities were right. The wisdom of those actions was reflected in the unparalleled, healthy growth of our economy; in steadily rising incomes for our workers and profits for our businesses.

We are now facing a less pleasant task, but one which we cannot evade. Yet the objective is the same—the continued expansion of our economy at a steady and sustainable pace. For any smooth journey there are times when one should open the throttle wide, but equally times when one must apply the brakes.

It would be indeed reckless to fail to heed the President's call for restraint. I shall support this proposal for a tax increase, but I shall also do everything I can to help reduce expenditures in areas not essential to our national security.

THE PRESIDENT'S TAX PROPOSAL

Mr. MATSUNAGA. Mr. Speaker, the President deserves our applause for his courageous decision to call for an increase in taxes. It is never popular to raise taxes, and we can be grateful that we have a President who is willing to face up to the financial and fiscal requirements of the current economic situation. In the absence of timely action to cut back public and private spending, we would experience strong inflationary pressures and soaring interest rates. Our balance of payments too would be in jeopardy.

There is no need to dwell on the vital interest this Nation has in restoring and maintaining equilibrium in our balance of payments. As the supplier of the currency used most widely by other countries for monetary reserves and for international payments, we have a solemn responsibility to preserve world confidence in the dollar.

The President has said that the proposed tax increase is vital to the U.S. balance of payments, both for the immediate future, and to strengthen our long-term position.

It is essential for the immediate future, according to the President, because we must avoid the excessive increases in imports and the slowdown in exports which occur when demand grows too fast and presses too hard against our productive capacity. Both of these happened in 1966.

It is essential for our long-term balance-of-payments position, the President has said, because we must avoid an inflationary spiral if U.S. producers are to remain competitive in world markets.

During most of the years since 1960, costs and prices in the United States have been more stable than in countries of our major industrial competitors. This improvement in our competitive position was reflected in the increase in our merchandise trade surplus. However, we lost ground on our trade surplus in 1966, and it is imperative that we hold the line on prices at the present time. Experience has shown that sharp price increases are almost impossible to reverse and would damage our trade surplus and our balance of payments for many years to come.

We know without being told that our international position depends not only on our trade balance but on the confidence of other countries in our dollar. To run a $28 billion deficit would definitely tend to undermine that confidence.

Whether or not we support the President's tax proposal in its final analysis, as Members of Congress we ought to give early and serious consideration to the President's request, in the acknowledgment that we must bear our fair share of our Nation's international and domestic responsibilities.

The President has boldly staked his political popularity in unmistakable terms. We can do no less than to give his proposal an early consideration.

PRESIDENT'S MESSAGE

Mr. GROSS. Mr. Speaker, President Johnson's message to Congress that has just been read to the House, concerning the budget and the economy, is still another public admission of the poor management of this Government.

President Johnson ought to have known when in January he submitted his fiscal year 1968 budget that an $8 billion deficit, based upon the financing of his proposed legislative programs and all other spending factors, was in error.

I am convinced that the deficit was deliberately and badly underestimated in order to minimize the adverse effects of a much larger deficit upon the new and expanded spending programs demanded by the White House. The President says:

> It will achieve nothing if every time the executive branch saves a dollar, the Congress adds another dollar—or more—to the expenditures recommended in my January budget.

This is ludicrous. Where is there a statement in the Presidential message of these claimed savings by the executive branch? The truth is that it is Congress that has engineered whatever savings have been made.

Mr. Speaker, the President calls for a 10-percent increase in Federal taxes. Until President Johnson gives a clear demonstration that he has stopped playing politics with the Nation's fiscal affairs, and until he lays before Congress a hard and fast program for drastic reductions in his spending programs, I have no intention of succumbing to blandishment and voting for a tax increase.

THE APPROPRIATIONS BUSINESS OF THE SESSION

Mr. MAHON. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and to include extraneous matter and tabulations.

The **SPEAKER** pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. MAHON. Mr. Speaker, for the information of Members and others who may be interested, I include herewith current tabulations summarizing the status of the appropriation business of the session. There is a considerable amount of unfinished legislative authorization and appropriation business.

HOUSE ACTIONS

The House has, thus far, cut $3,472,000,000 from the requests in the 13 appropriation bills of the session. That is of course on the traditional appropriation request basis, not an expenditure—checks-issued—basis. And it includes both fiscal 1967 and 1968 bills. Three more appropriation bills, prospectively involving roughly $15,000,000,000 in budget appropriation requests, are yet to be reported to the House. They are the military construction bill, the foreign aid bill, and the usual closing supplemental bill.

SENATE ACTIONS

We cannot of course now know what the Senate will do with respect to all the bills, but the total of the seven appropriation bills it has voted on exceeds the House amounts by some $2,653,000,000 and the related budget requests for appropriations by some $1,563,000,000. Thus, substantial sums are pending resolution in conference. And large amounts are yet to come before the Senate for a vote.

BILLS ENACTED

Only five appropriation bills of the session have been enacted into law. Congress cut the appropriation budget requests in these five bills by $284,000,000. In the three bills that relate to fiscal 1968, the cut is $145,000,000. That is on the customary appropriation basis, not the expenditure basis.

Mr. Speaker, may I just say again that prudence and restraint make good sense in public spending decisions at all times. Now, in my judgment, they are imperative. As the President's message of today points out, without a tax increase and tight expenditure control we are faced with a budget deficit approaching $29,000,000,000 for the current fiscal year 1968. That compares with nearly $10 billion in the fiscal year 1967 that closed only a month ago.

Mr. Speaker, we have not seen anything in the way of a budget deficit of this magnitude since the closing years of World War II.

Mr. Speaker, as the appropriation figures show, there are still considerable opportunities for Congress to help hold spending down if we will but make a determined effort to do so.

I include the appropriation tables:

COMPARATIVE SUMMARY OF APPROPRIATION BILL TOTALS, 90TH CONG., 1ST SESS., AS OF AUG. 3, 1967

[Does not include any "back door" type appropriations, or permanent appropriations [1] under previous legislation. Does include indefinite appropriations carried in annual appropriation bills]

	All figures are rounded amounts		
	Bills for fiscal 1967	Bills for fiscal 1968	Bills for the session
A. House actions:			
1. Budget requests for "appropriations" considered	$14,411,000,000	[2][3]$119,064,000,000	$133,475,000,000
2. Amounts in 13 bills passed by House	14,238,000,000	[2][3]115,764,000,000	130,002,000,000
3. Change from corresponding budget requests	−173,000,000	−3,000,000,000	−3,473,000,000
B. Senate actions:			
1. Budget requests for "appropriations" considered	14,533,000,000	[3]27,795,000,000	42,328,000,000
2. Amounts in 7 bills passed by Senate	14,457,000,000	[3]29,434,000,000	43,891,000,000
3. Change from corresponding budget requests	−76,000,000	+1,639,000,000	+1,563,000,000
4. Compared with House amounts in these 7 bills	+219,000,000	+2,434,000,000	+2,653,000,000
C. Final actions:			
1. Budget requests for "appropriations" considered	$14,533,000,000	$9,349,000,000	$23,882,000,000
2. Amounts approved in 5 bills enacted	14,394,000,000	9,204,000,000	23,598,000,000
3. Comparison with corresponding budget requests	−139,000,000	−145,000,000	−284,000,000

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[1] Permanent appropriations were tentatively estimated in January budget at about $15,512,066,000 for fiscal year 1968.

[2] Includes advance funding for fiscal 1969 for urban renewal and mass transit grants (budget, $980,000,000: House bill, $925,000,000) and for grants-in-aid for airports (budget, $75,000,000: House bill ($65,000,000).

[3] And participation sales authorizations as follows: Total authorizations requested in budget $4,300,000,000: total in House bills, $1,946,000,000: total in Senate bills, $700,000,000.

SUMMARY OF ACTION ON BUDGET ESTIMATES OF "APPROPRIATIONS" IN APPROPRIATION BILLS, 90TH CONG., 1ST SESS., AS OF AUG. 3, 1967

Does not include any "back door" type appropriations, or permanent appropriations[1] under previous legislation. Does include indefinite appropriations carried in annual appropriation bills]

	Budget estimates considered by House	Passed House	Budget estimates considered by Senate	Passed Senate	Enacted	(+) or (−), latest action compared to budget
Bills for fiscal 1968:						
Treasury-Post Office	$7,613,787,000	$7,499,230,000	$7,615,148,000	$7,555,167,000	$7,545,641,000	−$69,507,000
District of Columbia:						
Federal payments	63,499,000	59,499,000				−4,000,000
Federal loan appropriation	49,600,000	48,100,000				−1,500,000
Interior	1,443,793,000	,365,310,150	1,458,218,000	1,399,359,550	1,382,848,350	−75,369,650
Loan and contract authorizations	(30,700,000)	(16,200,000)	(30,700,000)	(16,200,000)	(16,200,000)	(−14,500,000)
Independent Offices-HUD	[2][3] 10,804,642,700	[2][3] 10,013,178,782				−791,463,918
Contract authorization	(40,000,000)					(−40,000,000)
Labor-HEW	[3] 13,322,603,000	[3] 13,137,488,000	13,424,146,000	13,421,660,000		−2,486,000
State, Justice, Commerce, and the Judiciary	[3] 2,342,942,000	[3] 2,194,026,500				−148,915,500
Legislative	231,311,132	228,089,952	276,005,210	275,885,804	275,699,035	−306,175
Agriculture	[3] 5,021,097,400	[3] 4,770,580,950	[3] 5,021,097,400	[3] 6,782,529,789		+1,761,432,389
Loan authorization	(859,600,000)	(859,600,000)	(859,600,000)	(909,000,000)		(+49,400,000)
Defense	71,584,000,000	70,295,200,000				−1,288,800,000
Transportation	[4] 1,718,618,772	[4] 1,530,198,372				−188,420,400
Public works	4,867,813,000	4,622,922,000				−244,891,000
Military construction	[5] (2,937,000,000)					
Foreign assistance	[5] (3,818,736,000)					
Supplemental (NASA, poverty, other deferred items; usual supplementals)	([5][6])					
Subtotal, 1968 bills	119,063,707,004	115,763,823,706	27,794,614,610	29,434,602,143	9,204,188,385	−1,054,227,254
Bills for fiscal 1967:						
Defense suppltemental (Vietnam)	12,275,870,000	12,196,520,000	12,275,870,000	12,196,520,000	12,196,520,000	−79,350,000
2d supplemental	2,134,932,833	2,041,826,133	2,257,604,652	2,260,246,933	2,197,931,417	−59,673,235
Subtotal, 1967bills	14,410,802,833	14,238,346,133	14,533,474,652	14,456,766,933	14,394,451,417	−139,023,235
Cumulative "appropriaion" totals for the session:						
House (13 bills)	133,474,509,837	130,002,169,839				−3,472,339,998
Senate (7 bills)			42,328,089,262	43,891,369,076		+1,563,279,814
Enacted (5 bills)			23,882,845,862		23,598,639,802	−284,206,060

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[1] Permanent "appropriations" were tentatively estimated in January budget at about $15,212,066,000 for fiscal year 1968. (All forms of permanent "new obligational authority" for 1968 were tentatively estimated in the January budget at $17,452,899,000.)

[2] Includes advance funding for fiscal 1969 for urban renewal and mass transit grants (budget, $980,000,000; House bill, $925,000,000).

[3] And participation sales authorizations as follows: Independent Offices-HUD, $3,235,000,000 in budget estimates and $881,000,000 in House bill; Labor-HEW, $115,000,000 in budget estimates and House bill; State, Justice, Commerce, and the Judiciary, $150,000,000 in budget estimates and House bill; Agriculture, $800,000,000 in budget estimates and House bill, $700,000,000 in Senate bill. Total authorizations requested in budget, $4,300,000,000; total in House bills, $1,946,000,000: total in Senate bills, $700,000,000.

[4] Includes advance funding for fiscal 1969 for grants-in-aid for airports (budget, $75,000,000; House bill, $65,000,000).

[5] These are the amounts presently pending consideration in the committee.

[6] Several billion.

LAW ENFORCEMENT AND CRIMINAL JUSTICE ASSISTANCE ACT OF 1967

Mr. CELLER. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the further consideration of the bill (H.R. 5037), to assist State and local governments in reducing the incidence of crime, to increase the effectiveness, fairness, and coordination of law enforcement and criminal justice systems at all levels of government, and for other purposes.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from New York.

The motion was agreed to.

IN THE COMMITTEE OF THE WHOLE

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the further consideration of the bill H.R. 5037, with Mr. ROSTENKOWSKI in the chair.

The Clerk read the title of the bill.

The CHAIRMAN. When the Committee rose on yesterday, the gentleman from New York [Mr. CELLER] had 1 hour and 13 minutes remaining, and the gentleman from Ohio [Mr. MCCULLOCH] had 1 hour and 23 minutes remaining.

The Chair recognizes the gentleman from Ohio [Mr. MCCULLOCH].

Mr. McCULLOCH. Mr. Chairman, I yield 10 minutes to the gentleman from Michigan [Mr. HUTCHINSON].

Mr. HUTCHINSON. Mr. Chairman, it is unfortunate that we are called upon to debate this bill against the backdrop of violence. It was written to combat an increasing crime rate, not incipient insurrection.

The return of sniper fire, the subjugation of rebellion, the quelling of mob violence enveloping large sections in metropolitan areas are tasks for the militia, not the police.

Under present circumstances, however, it is likely amendments may be offered to provide programs of improved riot training for municipal police and other measures prompted by events of the past 2 weeks, and I would expect the House to adopt suitable amendments along those lines. Thus, the purpose of the legislation may be altered, or added to, as the House works its will. I think it should be pointed out, though, that the parts of this bill, as the House may amend it, motivated by riots rather than by crime, will be considered without sufficient evidence whether present riot training programs are adequate, what the States are already doing about riot training in municipal police forces, whether Federal assistance is needed, and whether Federal funds could be efficiently used.

The riots, though of immediate concern, will be ended. Domestic violence will be put down. The shocking increase in crime, on the other hand, remains one of the most alarming domestic issues facing us today. Crime runs rampant through the streets and in public and private places.

Its causes are matters which government cannot remove. The causes of crime lie in the moral standards of the people. The breakdown in family life, the failure of parents to instill proper moral standards in the minds of their children, their unwillingness or inability to assert authority over their children in the home, or to teach their children to respect parental authority when it is asserted, their unconcern for their children's whereabouts or for their children's interests—these things are at the root of those shocking crime statistics.

At the moral foundation of society is a respect for law and obedience of the law. The earliest experience of every child is within the law of the family. The Bible commands parents to train up a child in the way he should go—and directs children to honor their father and their mother. It is within the American home that the moral fiber of our people is toughened or weakened.

And government cannot invade the sanctity of the home. No government can destroy the root causes of crime. Only the people can destroy those causes—in their homes, their churches, and their schools.

Our systems of law enforcement and criminal justice take over only after the formative years of childhood and early youth have passed—and those who failed to learn the basic moral requirements of ordered society fall within the toils of the law. They make up the criminal element.

Recently our struggle to keep the criminal element under control has been hobbled by judicial decision. Criminals have grown bold—so bold as to become contemptuous of law enforcement officials—confident they can "beat the rap." Criminal prosecutions are being obstructed by defenses of form rather than substance—and these devices are being sustained by the highest Court in the land.

The requirements of ordered society demand that there be a certainty of punishment for the violation of criminal law. The likelihood of punishment for the commission of crime is now so uncertain, regrettably, that it holds no fear.

The requirements of ordered society demand that there be a balance between the rights of a criminal and the rights of all the rest of us. Recently that balance has been destroyed. We need to swiftly apprehend, speedily try and certainly punish those who violate our criminal laws. The people rightly demand protection for their lives and property.

To meet those demands, we in the Congress should be hard at work devising new legal tools within the Federal law enforcement and criminal justice system to replace those which the courts have torn down. We should be searching for ways and means by which society's protective walls may be mended. The several State legislatures should also be acting to rebuild State systems of legal justice—and improving their State law enforcement systems.

We in the Congress should be aggressively asserting the proposition that we—as the people's elected Representatives—rather than the courts, shall write Federal criminal law. We should be actively reviewing Federal criminal law and the adequacy of criminal penalties. We should expect that the State legislatures would be similarly aggressive at their level within our federal system of divided powers.

We in the Congress should give our attention to the interstate aspect of crime, but we should leave to the States the internal administration of their own systems.

We could well devote our attention to the establishment of law enforcement academies for the professional training of police officers, much as we have professionally trained our military officers from the beginning of the Republic. There could be no more effective way to upgrade the professional stature of law enforcement personnel.

The establishment of law enforcement institutes within the States under the aegis of a national law enforcement academy would be a logical extension of the education program of the academy itself.

I understand that amendments may be offered to establish a national institute of law enforcement and criminal justice, which in turn would establish regional training institutes. I shall support such an amendment.

Instead of doing all these things, however, we are asked by the bill as it stands to approve a mammoth grant-in-aid program in the standard pattern of the Great Society.

It is conceded that the program will pour a billion dollars a year into State and local law enforcement by the time it grows to full flower—perhaps more.

The infusion of so great a Federal aid into systems traditionally oriented to State and local views and values, will most certainly federalize the law enforcement and criminal justice systems of this country. When we pour so massive a dose of Federal funds into the local and State administration of criminal justice and the enforcement of State and local law, we will find that those functions are no longer State and local. They will be Federal. Law enforcement agencies, and yes, even local courts, will become so financially dependent upon receiving Federal aid that they will be unable to give it up. And in order to keep receiving it, they will, a little at a time, give up their State and local control over police until they are finally persuaded that law enforcement is a national problem and no longer a State or local responsibility.

The mayor of Detroit has apparently already reached that point. Within the week he was quoted as calling for a Federal police force of 1,000 men in every large city, trained for riot duty, but at other times supplementing the municipal force.

In spite of the tragic events of the past month, I do not believe the American people want a Federal policeman patrolling their streets. I believe that after the emotional stresses of the riots fade into the background they will again largely agree that law enforcement is principally a local function.

The first sentence of the bill before us correctly declares crime to be essentially a local problem that must be dealt with by State and local governments. The bill then proceeds to lure State and local law enforcement and criminal justice systems under the control of the Federal Attorney General.

While the bill denies any purpose of direction, supervision, or control, the power given the Attorney General to grant money under his own regulations is intended to most strongly influence and persuade. Federal control, though categorically denied, is fully achieved through the power of the Federal purse.

As the bill stands, this power of centralized police control is strengthened, again in the Great Society pattern, by authorizing the Attorney General to deal directly with municipalities and political subdivisions, bypassing the States. The only recognition an applicant need give to the State in which it is located, is to send a copy of its application for a Federal grant to the Governor, who may forward his "evaluation" to the Attorney General within 60 days.

If we are to start down the road of massive Federal assistance to local law enforcement, the bill should be amended to require local governmental units to apply through their States and to permit the Attorney General to deal only with State plans. The bill would then show some meaningful respect for the Federal system.

The bill would then contain within its provisions a mechanism by which the centralizing power over law enforcement in the Attorney General would be checked.

As introduced, the administration's bill directed that before any applicant would be considered for a planning grant, it must show a population of not less than 50,000 people. Most counties and a large number of cities do not have so large a population. This meant that at the very threshold of Federal aid application, most of the counties in the United States and a large number of cities would be required to surrender up their identity in one of the most ancient functions—that of law enforcement and the administration of criminal justice.

The supporters of local government on the Judiciary Committee succeeded in striking this population requirement from the bill. But they did the cause no service. The bill merely shifts from its original position of support for a minimum population requirement to a position of neutrality on that point.

The Attorney General may still impose the population requirement by regulation, and indeed the majority committee report expects him to do so. On page 6 of the report, I read the following:

> All eligibility standards based on population for participation in the Federal Grant Program were deleted. The Committee believes that the Attorney General should have the maximum discretion in promulgating regulations and in administering the authorized programs to determine the population size that would be most appropriate for participation in the light of all considerations relevant to the particular program.

In other words, those members of the committee who struck out the population minimum, thinking they were making small counties and cities eligible for the Federal grants, succeeded rather in strengthening the hand of the Attorney General and broadening his discretion to impose whatever population restrictions he sees fit.

In just this way, Congress is providing the machinery for the destruction of local governmental units as the people back home have created them.

The hearings on this bill make clear the administration's belief that there are too many law enforcement agencies in the country. It is to be expected they will use the power in this bill to reduce the number.

An amendment to this bill which would limit the Attorney General to the consideration of statewide plans would remove this issue.

The Attorney General is directed, in approving plans, to favor those which provide what he called an "appropriate balance" between fund allocations for the several parts of the law enforcement and criminal justice system covered by the plan. This means that he will not approve a plan which in his opinion does not provide such a balance of funding. This strikes at the very root of legislative power.

The issue of fund division between law enforcement agencies and the courts is the province of the appropriators of public money—the legislature. The bill before us, substituting federally-approved plans for local laws, says to every State legislature and city council: The price of Federal assistance is that you give up your control over the division of funds between your local courts and among your law enforcement agencies. Section 411 of the bill empowers the Attorney General to prescribe regulations, including regulations for fiscal control. I can conceive of nothing more irritating to State and local fiscal authorities and to State legislators than fiscal control over them by the Attorney General—a legal officer and not a fiscal officer at all.

Here again, an amendment which would limit the Attorney General to the consideration of statewide plans, would largely remove this objection to the bill, because a State would be expected to hold its own against the Attorney General in the protection of its own fiscal procedures.

I take time to point out only one other major provision in the bill which will have far-reaching consequences, and could be used to bring about the creation of a Federal police force with no further congressional action.

As introduced, the bill authorized the use of up to one-third of any operational grant for the compensation of personnel. In full Committee, the dangers of such use were persuasively argued and the bill as reported states clearly that no grant shall be expended for the compensation of personnel. But then the bill contains an exception so broad as to make the prohibition almost meaningless.

The exception is this: The Federal Government may pay 100 percent of the compensation of specialized personnel performing innovative functions. What are specialized personnel? What are innovative functions?

The bill defines an innovative function as one which will serve a new or improved purpose within the particular law enforcement and criminal justice system into which it is introduced. Specialized personnel are not defined but it is apparent that any policeman is specialized if he has been given a training course in a particular technique. This could be an improved method of patrolling a beat.

So it is after all that the bill in its present form will permit the Federal Government to pay the wages of any local policeman as soon as he is instructed by means of a training course to do things differently than he did them before the new Federal aid law took effect.

This bill is being debated as though it had to do only with State and local police systems. Riding along as silent partners, apparently, are State and local systems of criminal justice. This means State and local court systems, probation, and parole. It may even include the administration of State and municipal prison systems.

All of these agencies of State and local government are to be subject to federally approved plans as the price of Federal grants.

The very least the House should do is to amend this bill to assure that every State may protect its governmental structure through the submission of a statewide plan.

I ask the House to seriously ponder the vast scope of authority this bill will vest in the Attorney General—and how that power might be used to compel a national uniformity through Federal standards, not only of law enforcement but of judicial administration as well.

We are taking from the people back home the right to structure these agencies as they choose, unless we preserve to them through the opportunity to control that structure through State plans. In my opinion, adoption of the amendment to be proposed by the gentleman from New Jersey [Mr. Cahill] and the gentleman from Illinois [Mr. Railsback] requiring all municipal proposals to conform with a State plan may rescue State and local law enforcement and criminal justice systems from destruction by inundation in massive Federal funds of Great Society proportions.

Mr. McCULLOCH. Mr. Chairman, I should like to inquire of the majority side if they have some requests at this time. If they do, I would prefer to defer further requests from our side at this moment.

Mr. RODINO. Mr. Chairman, I do have additional requests for time at this moment.

Mr. Chairman, I yield 10 minutes to the gentleman from Pennsylvania [Mr. Eilberg].

Mr. EILBERG. Mr. Chairman, anyone who has been following the debate today and yesterday must, I think, come to the conclusion that the bill is not perfect. But I suspect that most bills that pass this Chamber are not perfect. I say let us try the bill, H.R. 5037, now.

There have been many remarks made here that this is a $1 billion program when we talk about a long-range plan or type situation. I suggest we should remind everyone that this is a 1-year program and that we are bound to come back next year. And I say when we come back we should try to work out whatever bugs there are, based upon the experience developed in the 1 year.

I say, Mr. Chairman, that what we do we can undo. Certainly we must consider this matter next year, because we have to come back and work out new appropriations next year.

Mr. Chairman, I have followed with great interest all that has been said regarding a national police force, and I simply cannot be convinced that such a fear is justified.

Mr. Chairman, I would read to the Members of the House a brief portion of the President's message as delivered here on February 6, which reads as follows:

> The Federal Government must not and will not try to dominate the system. It could not if it tried. Our system of law enforcement is essentially local: based upon local initiative, generated by local energies and controlled by local officials. But the Federal Government must help to strengthen the system, and to encourage the kind of innovations needed to respond to the problem of crime in America.

Certainly we have a clear expression from the President as to just how he feels on this so-called question of a national police force.

I might add to that the statistics which I am sure everyone in the House is aware of; namely, that over 80 percent of the personnel in law enforcement is local enforcement personnel and scarcely 20 percent State and local. The same applies to the amount of money that is spent in law enforcement.

Mr. Chairman, I am especially interested in the matter of State control. I say this because, as a new Member of the House, I do come from 12 years as a State legislator in our State capital in Pennsylvania.

I say to you, Mr. Chairman, that a subject we have scarcely touched upon on the floor here is this matter of the relationship between municipalities in the State or the Commonwealth and the State administrations.

It happens that I come from the city of Philadelphia. For the past 12 years I have gone to the State capital in a representative capacity and I have had to beg, literally, for funds that I felt were necessary for Philadelphia, including law enforcement.

We ran into all kinds of problems over the years. One problem was based upon the fact that the State capital on occasion was in the hands of the opposite political party. So we had the matter of party rivalry, which seriously affected the amount of moneys that we might receive.

Another force at work was the matter of rural versus urban philosophy. Certainly we found this in the State capital of Pennsylvania, and I dare say that the same situation exists in so many States throughout the country.

Now when it comes to the differences in thinking regarding rural and urban, I would suggest that an urban legislator, whether in a State legislature or even in the Congress, may have a better idea about organized crime. I know, for example, from my own experience about the numbers racket in the city of Philadelphia. I know of numbers bankers who came into large sums of money, and those sums of money were frequently used for the development of other kinds of rackets involving narcotics, prostitution, and what have you.

So there are problems that are peculiar to the urban areas. Yet when cities come to the State capital and ask for money for these essential programs, frequently there is a lack of understanding. In effect, Mr. Chairman, some of the advocates of the measure would make light of grants to the urban areas, but of course that will result in some of the most pressing crime problems not being treated.

Mr. CAHILL. Mr. Chairman, will the gentleman yield?

Mr. EILBERG. I yield to the gentleman.

Mr. CAHILL. First of all, I would like to commend the gentleman from Pennsylvania for pointing out to the House that there are some very serious defects in the bill and suggesting, of course, that it is, as he has accurately stated, only a 1-year program and that we can come back. But does not the gentleman feel that if we can correct the bill now that it would be better than waiting a year to do so?

Does not the gentleman agree with me that if even the Commonwealth of Pennsylvania or any other State in the Union tried to discriminate against any large city or against any rural community—does not the gentleman agree that under the amendment that will be proposed, the Attorney General of the United States will still have an opportunity for final approval or disapproval?

Mr. EILBERG. Mr. Chairman, certainly I agree that if we can correct the bill we should do so. Of course, we do not know at this point precisely what amendment or amendments will be offered. I am greatly interested to see what they are. But from what I have heard so far I do not think they do any service to the bill in its present form. If there are serious objections with the bill in its present form, Mr. Chairman, under the present wording of the bill there are adequate safeguards provided so that we can, in effect, expect a proper handling of the bill after it becomes a law. Certainly, there would be no discrimination as to some of the large urban areas that I have been talking about.

Mr. Chairman, there is one thing that concerns me in connection with this matter that has been referred to and that is "domination" by the Federal Government.

On reading the bill—and, of course, every Member should read the bill thoroughly—a reading of the bill will show that there are numerous references made to cooperation in working with the States.

A reading of the bill will show that there are at least 10 places where emphasis is placed on State involvement, and I would just rapidly like to run through some of them.

On page 17, title I, there is this language:

> It is the purpose of this title to encourage States and units of general local government * * *.

On page 17, title II, there is the following language:

> It is the purpose of this title to authorize grants to States and units of general local government.

On page 20, Mr. Chairman, again, is emphasis on grants to States for new construction. I really do not know, Mr. Chairman, what the opponents of that, under this kind of thinking, are thinking about when apparently the language of the bill clearly places emphasis on grants to States and "State" is in the precise wording here.

Then going on, on page 20, there is language that a plan must be submitted by each applicant and the plan must "encompass a State, unit of general local government, or combination of such States or units."

On page 2 the bill talks about encouraging plans which are related to and coordinate with other relevant State and local law enforcement.

On page 26, which has been referred to on the floor several times, there is a provision requiring that a copy of the application must go to the Governor.

On page 28, I might add, there is a clear statement, which has been referred to here, but, I am afraid, has been somewhat glossed over. It says that no Federal officers shall exercise any direction, supervision, or control over any police force or other agency of any State.

Mr. Chairman, I do not know how any language could be made clearer or more specific than that.

Again I say, when we come back next year—with this bill in operation—we will be in a position to examine the effect of the action taken over the country and make any changes at that point based upon our experience.

Also on page 30 there is reference to what the Attorney General shall do concerning regulations, and so forth. He shall establish criteria to achieve all equitable distribution among the States.

Mr. Chairman, I have referred rapidly to some 10 references where emphasis is placed on the principle of involvement on the part of the States. I think, clearly, this is not a matter of Federal direction at all.

Mr. McCULLOCH. Mr. Chairman, I yield 10 minutes to the gentleman from Illinois [Mr. McCLORY].

Mr. McCLORY. Mr. Chairman, we should have in mind that the measure before us (H.R. 5037) is the basic anticrime bill to be presented at this session of the Congress. It has been stated here on the floor of the House that crime is our No. 1 domestic issue. I want to reiterate that statement. If any legislation coming before this Congress is intended to improve the quality and extent of law enforcement in the Nation today, it is this bill. We can discuss the antiriot bill, the wiretap bill, gun legislation, or any other measure which this Congress may wish to consider. But fundamentally and basically the major piece of anticrime legislation is embodied in the measure now before us. There is not any disagreement among us, I hope, with regard to the fight against crime. We all want to see the incidence of crime reduced. We want to develop better law enforcement and to encourage greater respect for the law. We want to make available to every unit of government concerned with law enforcement the best possible opportunities for carrying out their respective prerogatives. We want to see those who have committed crimes punished, and, where possible, rehabilitated. We want to prevent the occurrence of crime in the first instance. We want to end for all time riots in the streets of our cities. These are the hopes and aims of all of us—I am sure.

However, Mr. Chairman, as we have noted in the debate thus far, there are differences of opinion as to how we, as Members of Congress, may best fulfill our responsibilities to serve the needs of the Nation in reducing crime. I agree with the expression enunciated in this Chamber frequently, that the House should work its will. I am confident that we want this measure, when finally acted upon, to be the product of the Congress of the United States, and not the work of some outside agency reflecting some extraneous concept of what the action of the Congress should be on the challenge posed by rampant crime.

Let me say further, Mr. Chairman, that I reject the aspersions which have been cast on the Congress with respect to the recent riots. I defend the Congress and its actions in the past to meet the impact of crime and to respond generously to the Nation's social and educational needs, as well as its civil rights and other legislative problems. Today the Congress is meeting another of its responsibilities with what may well be the most important legislative measure considered at this first session of the 90th Congress.

I support the main objectives of the bill. My disagreement is only with the means by which these objectives are sought to be carried out. My principal concern throughout the final deliberations of the subcommittee upon which I served, and the full judiciary committee, which gave its approval to this measure, has been with respect to title III. This part of the bill bears the title, "Research, Demonstration, and Special Project Grants."

The purpose of the amendment which I will offer is to emphasize and strengthen the provisions of the bill with respect to the two subjects of research and training.

It is appropriate to ask why an amended title III should be offered when the language in the bill before the committee already covers both of these subjects. Let me explain.

In the first place the references to training were not in the original bill and they seem to have been accepted "reluctantly" by the administration. Yet, adequate training of law enforcement officers is at the very foundation of improved law enforcement, respect for the law, and improving both the caliber and the prestige of law enforcement officers across the land.

Is there a need for an enlarged Federal role in the training of law enforcement officers? Indeed there is. As the President's Commission on Law Enforcement points out, and as I have reiterated in my additional views, an estimated 85 percent of the police officers appointed in 1965 were placed in the field prior to receiving recruit training. Because of inadequate testing and evaluation, many who are totally unfit are placed in the important role of police officers. Is it any wonder that respect for law enforcement officers and enforcement of the law is at a low ebb when we consider that we recruit a large number of our police officers, put them in uniform, embellish them with an impressive star, and hand them a loaded pistol without—first of all—training them for their jobs? This is not to say that there are not excellent training programs already in existence in the country today. Indeed, the Federal Bureau of Investigation conducts a 13-week training school at Quantico, Va., called the FBI Academy. The FBI trained 200 men at the Academy in 1966 and expects to train 1,200 per year by 1969. Of course, such a limited program is wholly inadequate for our present needs. However, this may prove as a model of what a dedicated, professionally staffed agency of the Federal Government can accomplish. In a sense this is the pattern which I would like to see emulated on a much larger scale under this important anticrime bill. With regard to training, I have two basic disagreements with the administration's measure as it now comes before the committee.

The bill before us is a scatter-shot approach, reposing no direct responsibility in the Federal Government and providing no coordinated machinery for carrying out a massive program of training institutes.

The training institutes should be administered by a national crime institute with such a national institute corresponding in the field of crime to the National Institutes of Health—in the field of health—and the National Academy of Science—in the field of science. The director of the institute should be named by the President by and with the advice and consent of the Senate, with the expectation of bringing to this office a professional, nonpolitical figure in this part of the fight against crime.

The provisions of this amendment are sufficiently broad and flexible so that the director of the proposed institute may develop the program in his own office, make grants, or enter into contracts for the development of the regional or State institutes contemplated by the amendment. In my opinion, both the responsibility and the flexibility are lacking in the administration measure. In addition, there is no assurance from the administration that such a program would be under the direction on control of a director of such a crime institute.

It may seem strange to the House membership that the administration bill provides virtually no institute or academy for training law enforcement officers, while right here in Washington we conduct an international police academy operated under the Department of State with foreign aid funds to train foreign law enforcement officers for duty in their native countries. It appears that we trained 575 such persons last year and, according to information I have received, we will be training about 1,000 this year. These foreign law enforcement officers receive training of from 14 to 17 weeks, after which they are returnd to their respective countries where they in turn are expected to train 1 million law enforcement and security officers around the world. Again, the international police academy, which is essential to establish and maintain law and order in emerging countries and elsewhere throughout the free world, is regarded as an essential activity of our Federal Government. Such a training program is likewise essential to reestablish and maintain law and order in our own land. We have only an estimated 400,000 law enforcement officers in this country and only approximately 40,000 who turn to this important work each year. We should be able to establish and provide training institutes to meet the vital needs of our Nation to curb lawlessness and disrespect for the law.

I should add that the Federal Bureau of Investigation does have an additional program which is carried out in more than 5,000 schools throughout the United States where 163,000 local law enforcement officers received some type of training during 1966.

Less than a week ago the President in his first communication to the Nation in recognition of the national crisis, brought about by riots in our cities, emphasized that he had directed that antiriot training should be given to our National Guardsmen and Army Reservists. Obviously, there is a growing recognition of the need for the Federal Government to make available to law enforcement officers throughout the land essential and basic instruction in law enforcement.

Supplying a lack of education on the part of many of our law enforcement officers is also provided in the amendment which I am offering. I have noted, for instance from a recent survey of the Detroit police force of about 5,700 law enforcement officers, that 75 percent had never attended college and that 13 percent did not even possess a high school diploma. In the hearings before the House Judiciary Committee, Ray Girardin, police commissioner of Detroit, testified concerning the manpower shortage in his department. He stated that all major cities have had difficulties in attracting recruits, and that they all desperately need, "training, training, and more training," to upgrade the quality of their present forces as well as to more adequately prepare new recruits and to creat a "pride of professionalism," which in turn attracts more highly qualified young men.

Mr. McCULLOCH. Mr. Chairman, will the gentleman yield?

Mr. McCLORY. I am happy to yield to the ranking minority member on the committee, the gentleman from Ohio [Mr. McCULLOCH].

Mr. McCULLOCH. Mr. Chairman, I am very pleased that in Ohio we have been having antiriot training regularly in our National Guard for a quarter of a century or more.

Mr. McCLORY. Mr. Chairman, I congratulate the State of Ohio and the gentleman from Ohio.

I do not want to suggest that there are not good training institutes in operation throughout the country, including a number in the city of Chicago and other large cities, but that is just a partial answer to the problem.

At the very opening of this session of the Congress following the President's dramatic state of the Union message, my colleague, the gentleman from Michigan and the Republican Leader, GERALD R. FORD, called for the creation of a National Institute of Law Enforcement patterned after the National Institute of Health. This indeed appears to be the origin of the concrete recommendation at this session for establishment of a National Crime Institute. Various other measures have been introduced along this line greatly expanding the idea. The Ford proposal is also embodied in the amended title III.

The gentleman from Florida [Mr. CRAMER] introduced H.R. 6052 on February 23, 1967, to establish a National Institute of Law Enforcement and Crime for the primary purpose of establishing regional training institutes to provide programs of education, training, and other activities under a professionally appointed director. Congressman CRAMER's bill has given much impetus to the present amendment and a number of the provisions contained in his bill are embodied in the proposed amendment to title III.

The other part of this amendment, which I will offer at the appropriate time, would provide much greater emphasis on the subject of research, again reposing the responsibility within the Law Enforcement and Criminal Justice Institute, and the director appointed pursuant to the amendment. This would provide a strong coordinating agency for disseminating information regarding the most recent and most effective techniques and advances in the fight against crime. In addition, of course, the research would go into such areas as court procedures, rehabilitation, basic causes of crime and the entire matter of research for improving law enforcement in our Nation.

Nearly every industry in the United States devotes 10 to 15 percent of its budget to research and development; the Defense Department spends 15 percent of its own budget, or $7 billion on research; the Department of Agriculture spends $139-plus million, Interior, $129-plus million, the Institutes of Health, $300-plus million. Yet last year approximately one-half of 1 percent of the Federal budget, $7.2 million was spent for research and development in criminal justice. Indeed this amount was provided only at the last session under the provisions of the Law Enforcement Assistance Act, which is being repealed and replaced by this legislation. The Justice Department was the only Cabinet office without any share of the Federal $15.9 billion allocation for research and development. As the gentleman from New York, JAMES SCHEUER, pointed out on the floor, we spend more on fighting tooth decay and investigating new uses for coal than we do on crime research.

The subjects of research and training are logically placed in the control of one agency and they are the most important roles which the Federal Government must assume in directing and guiding a nationwide fight against crime. The Federal Government must assume this responsibility. It must show the way in directing local, State, and other law enforcement officers in improved methods and techniques for carrying out their jobs. The Federal Government must emphasize, encourage, and coordinate research of all types affecting the subject of crime in our Nation. The permissive, timid approach in the administration bill is wholly inadequate to meet the massive impact of crime in our Nation today. It is up to the Congress to assume a bold position. It is up to the Congress to tell the administration and the Department of Justice that we want established within that Department a Crime Institute fully adequate to meet the training needs of the law enforcement officers of today, that we need and expect that the most modern techniques and methods which research can provide will be made available to and will be utilized by our local, State, and Federal Governments in an all-out battle against crime of every description.

Mr. Chairman, my staff, and I have worked long and hard to develop these all inclusive provisions relating to the two subjects of research and training. I have sought to embody in this amendment the best of those provisions from the administration bill, from the committee improvements, from measures sponsored primarily by my colleague, Congressman Cramer, of Florida, on the subject of National Training Institutes, and by my colleague, Congressman Scheuer, of New York, on the subject of research. This amendment attempts to spell out both the philosophy and the essential requirements which I have discussed. It is a lengthy amendment, but I do not believe there are any unessential provisions. It would provide a clear and unequivocal directive to this and succeeding administrations regarding the objectives and purposes of this Congress in helping to win the war against crime in America.

Mr. Chairman, I include at this point an amendment which I will introduce:

Amendment to H.R. 5037 Offered by Mr. McClory

Page 23, strike out line 1 and all that follows down through and including line 4 on page 25 and insert in lieu thereof the following:

"TITLE III—ESTABLISHMENT OF A NATIONAL INSTITUTE OF LAW ENFORCEMENT AND CRIMINAL JUSTICE

"Sec. 301. It is the purpose of this title to establish a National Institute of Law Enforcement and Criminal Justice to encourage research, development, and training for improving law enforcement and criminal justice, to develop new or improved approaches, methods, techniques, equipment, and devices for the prevention and reduction of crime, and to establish and operate regional institutes for the training of State and local law enforcement personnel and for other purposes.

"Sec. 302. (a) There is established within the Department of Justice a National Institute of Law Enforcement and Criminal Justice (hereafter in this title referred to as the 'Institute') which shall be administered by a Director, appointed by the President, by and with the advice and consent of the Senate. The Director shall be under the supervision and direction of the Attorney General.

"(b) Section 5315 of title 5 of the United States Code is amended by the addition of the following at the end thereof:

"'(78) Director of the National Institute of Law Enforcement and Criminal Justice.'

"Sec. 303. The functions of the Institute shall be—

"(1) to establish regional institutes serving one or more States to provide such programs of training, education, research, demonstrations, or special projects, and such other activities as the Director (with the approval of the regional advisory board established by section 306 of this title) may deem appropriate for the purpose of improving the quality of State and local law enforcement and criminal justice or preparing persons for employment in law enforcement and criminal justice, or for the purpose of developing new or improved approaches, methods, techniques, equipment, or devices for the prevention or reduction of crime. Such regional institutes may be established by grants to, or contract with, any public or private nonprofit agency, organization, or institution;

"(2) to make continuing studies and undertake programs of research with respect to matters relating to law enforcement organization, techniques, equipment, systems, devices, and practices, the prevention and control of crime, and correctional rehabilitation, including, but not limited to, the effectiveness of projects or programs carried out under this title;

"(3) to carry out a program of behavioral research designed to provide more accurate information on the causes of crime and the effectiveness of various means of preventing crime, and to evaluate the relationship between correctional procedures and the successful rehabilitation of convicted offenders into society;

"(4) to make recommendations for actions which can be taken (by the Federal, State, and local governments, and by private persons and organizations) to prevent, reduce, and control crime and juvenile delinquency, to improve correctional rehabilitation programs, and to increase respect for law and order;

"(5) to carry out a program of fellowships and instructional assistance consisting of—

"(A) research and training fellowships to the institutes provided for in paragraph (1) of this section, and

"(B) special workshops for the presentation and dissemination of information and knowledge resulting from research authorized by this title, for such terms, and with such stipends and allowances for travel and dependents, as the Director may prescribe;

"(6) to carry out a program of collection and dissemination of information obtained by the Institute, Federal agencies, and other public or private institutions engaged in research or demonstration projects under this title which relates to such approaches, methods, techniques, equipment, and devices which may be useful in the prevention and control of crime, the administration of justice and the rehabilitation of offenders; and

"(7) to undertake, upon request from other Federal agencies, the evaluation and assessment of, and dissemination of publications and results arising from, grants and contracts initiated by such other agencies in the fields of prevention and control of crime, the administration of justice, and the rehabilitation of offenders.

"Sec. 304. The Institute shall establish such laboratories and research facilities as may be necessary to carry out the programs described in section 303.

"Sec. 305. The Institute shall make available, for the benefit of the States and local law enforcement agencies and the public, information and publications concerning the results of programs conducted under this title and innovative or advanced aproaches, methods, techniques, equipment, and devices for the prevention and control of crime, the administration of justice, and the rehabilitation of offenders.

"Sec. 306. There is hereby established for each regional institute established under section 303(1) an advisory board to be made up of two members appointed by the Director and two members appointed by the Governor of each State served by such regional institute.

"Sec. 307. (a) A Federal grant authorized under section 303(1) may be up to 100 per centum of the total cost of each institute for which such grant is made. The Director shall require, wherever feasible, as a condition of approval of a grant under this title, that the recipient contribute substantially in the form of money, facilities, or services to carry out the purpose for which the grant is made.

"(b) Payments under this title to individual trainees at any regional institute established under section 303(1) may be made in installments, and in advance or by way of reimbursements, as may be determined by the Director, and shall be made on such conditions as he finds necessary to carry out the provisions of this title.

"(c) The Director shall prescribe such rules and regulations as he may deem necessary to carry out the provisions of this title.

"(d) In addition to appointments to the regional advisory board established pursuant to section 306 of this title, the Director is authorized to appoint such technical or other advisory committees as he deems necessary to advise him in connection with the administration of this title. Members of any such committee appointed under this subsection who are not otherwise employed by the United States shall be entitled, while attending meetings of their committee, to receive compensation at a rate to be fixed by the Director, but not to exceed $100 per diem, including travel time, and while away from their homes or regular places of business they may be allowed travel expenses, including per diem in lieu of subsistence, as authorized by law for persons in the Government service employed intermittently.

"Sec. 308. (a) The Director may arrange with and reimburse the heads of other Federal departments or agencies for the performance of any of his functions under this title and, as necessary or appropriate, delegate to the heads of such departments or agencies any of his functions under this title with respect to any program or activity or part thereof and authorize the redelegation of such delegated functions.

"(b) The Director is authorized to secure directly from any department, bureau, agency, board, commission, office, independent establishment, or instrumentality in the executive branch of the Government, information, suggestions, estimates, and statistics for the purposes of this title; and each such department, bureau, agency, board, commission, office, establishment, or instrumentality is authorized and directed to furnish such information, suggestions, estimates, and statistics to the Director upon his request.

"Sec. 309. On or before April 1, 1968, and each year hereafter, the Director shall report to the President and to the Congress on his activities pursuant to the provisions of this title, together with such recommendations as the Director may deem appropriate, and shall within two years of the effective date of this Act submit to the President and the Congress a report of all laws of the United States, and programs of the Federal Government which, in his opinion, are directly related to or affect the performance of his functions under this title, together with such recommendations with respect thereto as he may deem appropriate.

"Sec. 310. For the purpose of carrying out this title, there is authorized to be appropriated for the fiscal year ending June 30, 1968, and for each fiscal year thereafter such sums as may be necessary."

Related Amendments to H.R. 5037 Offered by Mr. McClory

Page 24, line 5, strike out "Sec. 305" and insert in lieu thereof: "Sec. 311".

Page 25, line 6 and 7, strike out "a Director of Law Enforcement and Criminal Justice Assistance" and insert in lieu thereof: "an Assistant Attorney General".

Page 25, line 10, after "under" insert: "titles I and II of".

Page 25, strike out line 11 and all that follows down through and including line 15 and insert in lieu thereof the following:

"(b) Section 5315(19) of title 5 of the United States Code is amended by striking out "(9)" after "General" and inserting in lieu thereof "(10)".

Page 31, line 6, strike out "carrying out this Act" and insert in lieu thereof: "carrying out titles I and II of this Act".

Page 31, lines 11 and 12, strike out "the sum of $13,500,000 for the purposes of title III,".

Page 31, line 13, strike out "title I, title II, or title III" and insert: "title I or title II".

Mr. CELLER. Mr. Chairman, I yield such time as he may consume to the gentleman from New York [Mr. Gilbert].

Mr. GILBERT. Mr. Chairman, I rise in support of this legislation and the amendment just referred to by my distinguished colleague, the gentleman from Illinois [Mr. McClory], on the Crime Institute, legislation of which I am a cosponsor.

I say this with a view to the violence which has been rampant in our streets in recent days. But I make that statement not from the narrow perspective which has characterized some of the legislation that has come before us in recent days, but from the wider perspective of human rights and safety.

Crime statistics demonstrate beyond doubt, Mr. Chairman, that the criminal and the victim in an overwhelming number of instances of violence are of the same race. The persons who suffer most from crimes are the deprived members of minority groups, who find themselves the unfortunate prey of members of their own race.

We have heard much talk in recent times about the grievances that minority group members have against the police. We seem to assume that these grievances are, for the most part, connected with an undue readiness on the part of the police to use their law enforcement powers against minority group members. Police are abusive of the law, we are told.

But on closer examination of the peace-loving members of minority groups, we find that a more common—if less sensational—complaint is that police give them inadequate protection against the lawless members of their own community. They want a more positive police presence, not a weaker one.

I, thus, look upon this bill, Mr. Chairman, as one that will improve conditions in riot-torn cities, not one that will exacerbate tensions.

I am hopeful that this bill will provide relief to both sets of minority group grievances. It will, on the other hand, assist in the training of police, so that community relations can be improved, so that the cry of "police brutality" will be wiped from our urban lexicon. This bill will make better, more efficient, more humane police forces.

It will also extend and improve urban law enforcement, so that the vipers of the ghetto, preying on the poor and the maimed and the young, are kept under control, so that self-respecting members of minority groups can walk the streets of their own communities without fear.

I do not underestimate, of course, Mr. Chairman, that this bill is aimed at the improvement of law enforcement for all Americans. But for the moment, our minds are turned to our troubled cities and I heartily applaud what I believe this measure will do to assist them in the restoration of lawful patterns of human behavior.

All segments of our communities will be served by the passage of this bill. I am one of the sponsors of this legislation, and I hope it is approved overwhelmingly.

Mr. Chairman, I am opposed to any move to take control of the program away from local authorities. Law enforcement is primarily, and traditionally, a local responsibility, and it should remain so. I am opposed to any increase in State control, which would reduce freedom of action on the municipal and county level.

I intend to support the provisions of my bill H.R. 6542 and similar bills introduced by other Members of Congress, to establish a National Institute of Criminal Justice. These provisions, offered as an amendment to the Law Enforcement and Criminal Justice Assistance Act, would strengthen title III by setting up the framework to assure that the $13.5 million authorized under the program for research training and special projects will be wisely and effectively spent.

Mr. CELLER. Mr. Chairman, I yield 15 minutes to the gentleman from New York [Mr. TENZER].

Mr. TENZER. Mr. Chairman, the Law Enforcement and Criminal Justice Assistance Act of 1967 is an important piece of legislation. In fact, it is essential. It not only will aid localities in meeting the crime problem but also will serve notice that our Government will not tolerate efforts to undermine the law and order upon which our society is founded.

Yesterday in my remarks I said that this bill will not, in and of itself, put an end to criminal activities in this country. It will, however, aid in the development of the skills and manpower necessary to do so. While not a panacea, the program it creates is an example of the creative federalism of which President Johnson has spoken.

Mr. Chairman, I am disturbed, as I am sure we all are, by the rise of the crime rate in this country. I am alarmed at the resultant fear which has spread throughout our population. I support, and will continue to support, every effort to resist and reduce this spread of crime and every program to alleviate the conditions in which crime and criminals breed.

Yesterday some mention was made that there was not enough time during the debate given to a section by section analysis of the bill and its origin. This I propose to do now.

The Law Enforcement and Criminal Justice Assistance Act of 1967 is a major part of the President's program to assist State and local governments in coping with the crime and lawlessness that plague our Nation.

As the President has very clearly emphasized in his state of the Union address and his message to Congress on crime in America, the primary responsibility for law enforcement rests on State and local governments. Crime must be rooted out in local communities by local authorities. Any Federal program to provide assistance in the area of law enforcement and criminal justice must be based upon a scrupulous respect for the integrity and independence of these local authorities.

The National Crime Commission recently issued its report on "The Challenge of Crime in a Free Society." The Law Enforcement and Criminal Justice Assistance Act is a direct outgrowth of the comprehensive studies carried out by this Commission. It is intended to implement many of the Commission's major recommendations. The Commission found that there are many important problems that our States, cities, and towns cannot solve on their own. The Commission recommended Federal assistance of the type provided in this bill as essential if the Nation is to realize significant improvements in law enforcement and criminal justice.

Since 1965, the Department of Justice has made a highly successful start in the campaign against crime. The research and pilot projects funded under the Law Enforcement Assistance Act have provided valuable data and have laid the necessary foundation for the broad grant program proposed under the present bill.

The Law Enforcement and Criminal Justice Assistance Act establishes four basic categories of grants: Construction grants, in which the Federal share may not exceed 50 percent; action grants, in which the Federal share may not exceed 60 percent; planning grants, in which the limit on Federal participation is 90 percent; and research, demonstration, and special project grants in which the Federal Government may pay the entire cost of the project involved.

A. PLANNING GRANTS

Title I of the bill provides direct Federal assistance to State and local governments in preparing comprehensive plans for law enforcement and criminal justice. This financial assistance may be up to 90 percent of the cost of preparation of a plan.

Title I is solidly grounded in the recommendation of the National Crime Commission that State and local planning is a fundamental prerequisite for Federal assistance to action programs. Specifically earmarked in the bill for planning grants is $22.5 million. This allocation reflects the sound judgment that a large part of the initial appropriation under the bill should be used for planning and other important preparatory work under title I.

Planning will insure that new expenditures are properly allocated and that appropriate priorities are established. Applicants will be required to incorporate innovations and advanced techniques, assess their needs, and inventory their resources.

In addition, planning will encourage cooperation and joint efforts by contiguous or overlapping jurisdictions and help to coordinate the diverse agencies in the law enforcement and criminal justice systems—the police, courts and corrections. A plan will normally apply to an entire jurisdiction—a city, county, State or combination of such jurisdictions—because a plan which deals with only a fragment of a jurisdiction will often deal with only a fragment of the law enforcement and criminal justice problem there. The planning provisions thus encourage planning that cuts across artificial boundaries between city and suburb, town and county. As the National Crime Commission has succinctly put it, crime is no respecter of geographic boundaries.

B. ACTION GRANTS

Once the program established by the bill goes into full operation, the major share of the Federal assistance to State and local law-enforcement and criminal justice agencies will take place through the 60-percent action grants under title II of the bill. States and units of general local government will be able to apply for Federal funds to improve all aspects of their programs for police, prosecution, courts, corrections and crime prevention. Nine million dollars is allocated under the bill for title II action programs during the last half of the fiscal year 1968. Thus, funds will be available to implement projects proposed by applicants who on their own have already carried out their planning for law enforcement.

The range of possible improvements that may be funded under title II is broad. It is expanding rapidly with advances in science and technology. Section 201 of the bill broadly defines the purposes for which grants may be made under title II. These purposes are framed to cover the entire range of activities comprehended by the phrase "law enforcement and criminal justice." For example, grants might be made for such varied purposes as:

First. Specialized training, education and recruitment programs, including special training in such critical areas as organized crime and police-community relations, the development of police tactical squads, and special units to control civil disorders.

Second. Modernization of equipment, including portable two-way radios for patrol officers, new public and private alarm systems, and improved laboratory instrumentation for applying advanced techniques in identification.

Third. Programs for the reorganization of personnel structures and the coordination and consolidation of overlapping law enforcement and criminal justice agencies.

Fourth. Imaginative techniques for rehabilitating offenders, including the establishment of vocational prerelease guidance in jails, work-release programs and community-based corrections facilities.

Fifth. High speed systems for collecting and transmitting information to police, prosecutors, courts, and corrections agencies.

Sixth. Crime prevention programs in schools, colleges, welfare agencies and other institutions.

To qualify for a grant under title II, an applicant will be required to supplement and, to the extent practical, increase the amount of its own funds that the applicant would otherwise make available for law enforcement purposes. An applicant who meets this maintenance-of-effort requirement will be eligible for a Federal grant of up to 60 percent of the cost of the project specified in the application.

The 60-percent grant provision offers substantial Federal assistance to applicants who meet and surpass their current level of spending. It will stimulate State and local governments to allocate more resources than they are now assigning to law enforcement and criminal justice. It will also provide a strong incentive for them to undertake improvements in their systems of law enforcement and criminal justice.

C. CONSTRUCTION GRANTS

Section 203 of the bill, the other major grant provision in title II, deals with construction of physical facilities—so-called bricks-and-mortar grants. In order to qualify for such a grant, an applicant must meet the same maintenance-of-effort requirements already discussed. If this requirement is met, and if the proposed new facility will fulfill a "significant innovative function" as required by section 203(a), the Attorney General is authorized to make grants of up to 50 percent of the cost of the construction. Crime laboratories, community correction centers, and police academy-type centers are obvious examples of the types of facilities for which construction grants will be available.

D. RESEARCH GRANTS

Title III of the bill is designed to promote essential research activities. This title will absorb and build upon the outstanding start already made in this area under the Law Enforcement Assistance Act of 1965. Thirteen and a half million dollars are allocated to title III for the fiscal year 1968. Grants of up to 100 percent will be available for research, demonstration, or special projects that have regional or national importance or will make a significant contribution to the improvement of law enforcement and criminal justice. Title III will authorize grants for national or regional institutes for the advancement of education, training, and research in the field of law enforcement and criminal justice. As the National Crime Commission has recommended, these institutes can serve as the foundation for other parts of the Federal program. They can provide leadership in new types of research in law enforcement and criminal justice. They can bring together outstanding scholars from many disciplines who can form a ready reservoir of top-level consultants. They can seek out and test new techniques relating to the improvement of all aspects of law enforcement and criminal justice.

Title IV of the bill deals with administration. Section 401 creates a new position in the Department of Justice, the Director of Law Enforcement and Criminal Justice Assistance. He will be appointed by the President, by and with the advice and consent of the Senate, and will assist the Attorney General in performing his duties under the act.

Section 411 authorizes the Attorney General, after appropriate consultation with State and local governments, to prescribe regulations to implement the purpose of the bill. One such set of regulations will establish criteria to achieve an equitable distribution among the States of assistance under the bill. Section 410 of the bill provides that the maximum allocation of funds to any one State for any fiscal year is limited to 15 percent of the funds available.

This bill establishes a mechanism by which the Federal Government can provide substantial assistance to State and local governments in meeting their responsibilities in law enforcement and criminal justice. It will take no independence or control from States or local governments. It will help to bring modern science and technology into the fight against crime. It holds the promise of a coordinated nationwide effort toward a safer, more crime-free Nation.

Mr. Chairman, yesterday I concluded my remarks with this statement, and I repeat:

Hopefully, future generations of Americans will know that the fight against crime was strengthened by the passage of this bill. They will also know that we have not been found wanting in passage of other legislation designed to meet the root causes of crime—such as legislation to improve housing, education, and employment opportunities—the basic human needs of the people.

Mr. McCULLOCH. Mr. Chairman, I yield 10 minutes to the gentleman from Illinois [Mr. RAILSBACK].

Mr. RAILSBACK. Mr. Chairman, I want to commend the chairman of the Committee on the Judiciary for the fair and extensive hearings that he held on this important crime package.

I think all of the members of the House Judiciary Committee have had a great deal of time to really consider the crime problems and also the particular legislation that we have before us today.

I say this despite the fact that I disagree with the approach taken by the administration and I am very hopeful that we can have some amendments which will make this more meaningful legislation.

I think the issue of crime is probably the most important issue we have before us as Members of the Congress at this time, excluding the war in Vietnam.

I was shocked, for instance, to note that in 1966 we had an 11-percent increase in the crime rate. Recently, the FBI released the quarterly statistics for the first 3 months of this year which indicate that we had a 20-percent rise in serious crimes.

This was brought close to home, to all of the Members of Congress within the past several weeks when one of our own page boys, after he was through with his day's work, left the Capitol and walked through the Capitol parking lot only to be jumped, robbed, mugged, and have a board broken over his head and his watch stolen—right in the shadow of the Nation's Capitol.

I think any meaningful attack on this problem must focus with concerted attention on the law enforcement process itself. This system has the responsibility to assure would-be criminals that violations of the law are to be met with swift and sure punishment commensurate with the crime. In other words, it can and always should act as a deterrent to the criminals. If our streets are to be safe, those who would make them dangerous must be removed from them until they understand that society will not tolerate their misconduct.

To accomplish this task, our law enforcement agencies must have tools with which to work. Better training, scientific research, increased financial support—these are all important. But, something more—our officials must also have the legal authorization to do the job which we, the public, vest in them. As some traditional methods of police work have been restricted by recent court decisions, and I refer you to the Miranda, Escobedo, and Mallory decisions, other tools and methods must be developed for them to use.

The time has come for Congress to take the lead in the war against crime. The attack should be a two-pronged effort. First, to build and develop better research techniques and police training programs and, second, to strengthen by legislation law enforcement procedures and to help police officials carry out their important responsibilities.

This problem demands increased efforts toward the solution at all levels of government.

The concept of the bill, H.R. 5037, the Law Enforcement and Criminal Justice Assistance Act of 1967 purports to recognize the need and properly seeks to bring the resources of the Federal Government to bear upon the problem. But the bill reported out by the committee in seeking to accomplish these worthy aims actually would work to great detriment in the efforts toward a total approach to the problem. This is because it neglects entirely the intermediate levels of the State governments.

The relegation of the chief executive officer of the State to a passive advisory role is merely paying lipservice to the concept of State participation.

Very simply, there is no meaningful provision for State participation in H.R. 5037. What this means more specifically is that the funds appropriated by the Congress for this type of aid cannot and will not in all likelihood be used wisely and wisely spent.

Mr. Chairman, let me point out a few of the reasons why I believe this so strongly.

There are more than 18,000 cities in this Nation, more than 3,000 counties, and more than 19,000 special taxing governmental districts. Can we foresee the confusion if all of these were to apply to the Attorney General for grants at one time? I am afraid the situation would be similar to that already existing in some other Federal programs that bypass the States and appropriate State planning agencies. Those communities with full-time Federal coordinators would be in a position to fill out the complicated forms in a proper and attractive manner, and probably would be the ones to benefit.

With only 100 counties in this Nation employing full-time managers, and with 69 percent of the cities over 50,000 in population having part-time mayors, I believe we can appreciate the difficulty there would be in efficiently and appropriately distributing these funds. It would be far better to have some kind of State participation so that we are not confronted with a project-by-project or crisis-by-crisis approach all over the country. I believe the States are willing to assume this role. Already, in little more than a year of operation, under the Law Enforcement Assistance Act, 22 States have developed State planning agencies.

At the National Governors Conference on Juvenile Delinquency, meeting in April of this year, the Governors asserted in their report with respect to anticrime measures that:

> In fulfilling its responsibilities, the State must rely upon and assist its local communities in providing essential services and facilities. The State should be prepared to provide consultation and technical assistance and, where necessary, share with local communities the costs of the needed programs.

The conference recommended at that time that each State establish necessary machinery to coordinate the planning, leadership, and services of State law enforcement and criminal justice agencies. And as I have just indicated, many of them are already doing that.

I believe that to become acceptable, this bill must be amended to allow States to participate both under the planning grants under title I and under title II for the action programs.

The Attorney General himself in testimony before the subcommittee expressly stated that there was a great need for statewide planning and coordination. In his words he said:

> It is awfully important to get the States started where they are not.

We cannot afford to pass up the opportunity to write such provisions into law.

Mr. CAHILL. Mr. Chairman, will the gentleman yield?

Mr. RAILSBACK. I am glad to yield to the gentleman from New Jersey.

Mr. CAHILL. First, I would like to compliment the gentleman for his excellent statement. I would also like to express my personal thanks to him for the great contribution that he has made to the amendment which I shall present at the appropriate time to the committee. I want to say in all candor that this amendment as it will be presented represents a great deal of the ideas of the gentleman in the well. It has been his industry, his thoughtfulness, and his legal talent that have made an invaluable contribution in the overall preparation of this amendment.

I merely want the House to know that the amendment, although I will present it, is a joint effort on the part of the gentleman from Illinois and myself. I want the House to know the significant contribution that the gentleman has made, and I want to personally express my appreciation and thanks to him.

Mr. RAILSBACK. Mr. Chairman, I thank the gentleman. I will say that we have worked on an amendment which we are going to explain in detail at a later time. Many Members worked with us, including the gentleman from Pennsylvania [Mr. Biester]. I felt privileged to work toward the improvement of the bill. I sincerely hope that we can pass our amendment.

Mr. McCULLOCH. Mr. Chairman, I yield 5 minutes to the gentleman from Pennsylvania [Mr. Biester].

Mr. BIESTER. Mr. Chairman, all the speakers who have discussed this bill before me today have pointed out that crime is one of the most serious problems confronting our Nation. It is not necessary for me to remind the members of this committee that such is the case. We sit here and know that in our cities, our suburbs, and in our rural areas there is a recurrence of crime activity every day and every night. All of us want to do something about it. We do not want to just sit here and let the problem go on. But as we do something about it, let us make the extra effort to see to it that what we do really counts, is really meaningful, and is done in the right way.

We should not deceive ourselves into believing that the passage of this bill—amended or unamended—will, by itself, solve the crime problems of this country. Its causes are far too deep for that.

Mr. Chairman, this bill could be a much better bill. The amendments which will be offered by Mr. Railsback, Mr. Cahill, Mr. McClory, and others will, if passed, make this a much better bill.

I will not belabor the point, which seems to me to be obvious, that in granting wide discretion to the Attorney General in the allocation of huge sums of Federal money into local municipalities without State participation, we create a very serious risk to the Federal system. What I would like to touch on and emphasize, if I may, is the pure logic of involving the States in the planning and in the allocation of these grants.

Mr. Chairman, the Department of Justice, for all its expertise and skill, is not a catalogue of solutions to the crime problem. It is a collection of human beings. The mayors of our cities and the chiefs of police of our cities and towns do not have all the answers to crime. The President's Crime Commission, with all of its months of effort, and all of its brilliant technicians, and all of its dedicated work, has not offered a complete and total answer to all the problems of crime.

The point is this. We should multiply and diversify the effort to attack our crime problems and involve as many people and institutions as we can in the process. Why eliminate 50 institutions, many of them with a great deal of background in the problem, from the effort which will be made in the course of carrying out this bill?

We need to add institutions, not subtract them. The search for solutions will be far more lively and more experimental and more diversified and richer in imagination if it is conducted by 50 States in the context of their special circumstances and problems and laws, rather than being conducted by one Federal Justice Department, passing, with all its built-in conditions, on Federal aid. What will be the result is that there will occur a national orthodoxy of approach to crime, instead of a multiplying of possibilities and a multiplying of research.

Another problem which it seems to me deserves more than passing comment is this. If 10 or 12 municipalities in a particular State—some of which may be neighboring and some of which may not be contiguous—make applications under this grant, who is to determine the extent to which those applications may relate to a total State plan, and who is to determine how they may relate to each other? Is that something, I ask, which should be determined by the Federal Government, by the Department of Justice, by the Attorney General, or should it more logically be determined and evaluated by the States themselves, the States with those municipalities located within the States, and the States which have to integrate their own State plans with the municipalities? The answer, it seems to me, is obvious.

The States must be involved. The whole tenor of this bill and its title is to aid the States in their handling of the problem of crime.

It seems to me incredible that we not involve them in the allocation level and the allocation stage of the crime problem.

Mr. CELLER. Mr. Chairman, will the gentleman yield?

Mr. BIESTER. I am pleased to yield to the chairman of the committee.

Mr. CELLER. The gentleman was present at the committee meeting, I believe, when the Attorney General testified on this bill. Mr. Clark, the Attorney General, was asked what interest the States had shown in law enforcement. The Attorney General made a significant reply.

The CHAIRMAN. The time of the gentleman from Pennsylvania has expired.

Mr. CELLER. Mr. Chairman, I yield the gentleman 2 additional minutes.

The Attorney General made a significant reply, which is equivalent to a claim that the Governors of the States paid little attention to law enforcement.

This is what the Attorney General said in reply to an appropriate question asked of him by the distinguished gentleman from Illinois [Mr. McCLORY]:

> Mr. CLARK. I don't really think that would be desirable. I think it would really impair the potential effectiveness of the act. When you look at State governments and look at their involvement in local law enforcement, you will see that it is almost nil. New York State does not contribute to the $380 million annual budget for criminal justice of New York City.

That is my own city in my own State.

> They don't give money and they don't have the potential. They have just established an office, in fact with two or three people in it, to try to correlate criminal justice information for smaller jurisdictions. But the State doesn't have the experience, it doesn't have the people, it does not make the investment in law enforcement and police that the local governments make. So they could not contribute.

There is considerably more testimony to the effect that the States primarily were interested in traffic control, but beyond that there was practically no responsibility on the part of the Governors of the States, on the part of State officials, in law enforcement.

Practically all the moneys for law enforcement are appropriated by villages, counties, or cities.

The CHAIRMAN. The time of the gentleman from Pennsylvania has again expired.

Mr. CELLER. Mr. Chairman, I yield the gentleman 2 additional minutes.

Mr. BIESTER. Mr. Chairman, if I may respond to the distinguished chairman's statement, the statement by the Attorney General demonstrates itself exactly why he should not alone administer this program, because it displays an absolute ignorance of the circumstances in many States.

In the State of New Jersey there is a significant State police effort, with crime laboratories and other sophisticated materials.

In the State of Pennsylvania there is a great deal of sophisticated effort in law enforcement conducted by the State police, which is a skilled group, a highly motivated group.

In State after State the States engage in a great deal of attention to the criminal problem, on a general level and not only a highway level.

If one were to compare the involvement of the States in this picture to the involvement of the Attorney General previously, certainly the States already have a great deal more expertise to bring to it than the Attorney General does.

Mr. CELLER. The gentleman mentioned the State of New Jersey. He may have mentioned the Governor of that State.

Mr. BIESTER. I did not mention the Governor.

Mr. CELLER. The Governor addressed a communication in which he emphatically endorsed the bill reported out of the committee. I read this to the gentleman:

> On behalf of all law enforcement and correctional officials, and indeed the people of this State, I am appealing to you to lend your wholehearted support to the enactment of "The Safe Streets and Crime Control Act of 1967."
>
> Sincerely yours,
>
> RICHARD J. HUGHES,
> *Governor.*

Mr. CAHILL. Mr. Chairman, will the gentleman yield?

Mr. BIESTER. I am pleased to yield to the gentleman from New Jersey.

Mr. CAHILL. I say to my respected chairman, I understand the letter from the Governor was dated some time back in May, when the bill was first being considered by the subcommittee.

I should also like to say that I personally have had some conversations with the Attorney General of the State of New Jersey. He himself in many speeches has indicated that there should be an overall planning and regionalization.

Mr. CELLER. Has the gentleman received a communication from the Governor wherein he changes one word of the letter which he addressed to me?

Mr. CAHILL. Mr. Chairman, if the gentleman from Pennsylvania will yield further, no, I have not, Mr. Chairman; and, frankly, I do not expect to because while the Governor is a good friend of mine, he is a better friend of the Democratic Party.

Mr. CELLER. I did not inject politics into this discussion and I am sorry that the gentleman from New Jersey has.

Mr. McCULLOCH. Mr. Chairman, I yield 3 minutes to the gentleman from Ohio [Mr. TAFT].

Mr. TAFT. Mr. Chairman, I thank the distinguished ranking Republican member of the Committee on the Judiciary for granting to me this time during which to say a few words on this bill and on a topic that I feel should be related to it. After appropriate amendments, I hope to be able to support the bill. Let us admit that it is a half measure in view of the crisis in law enforcement that we face today in the United States. It is a lick and a promise, at best.

Mr. Chairman, training—as provided by this bill, I am sure—is vital to tackling the problems of crime and law enforcement—whether that be in organized crime, with reference to the general increase in crime, or as to riots; in other words, a great deal of attention should be given to these problems and I hope that they will receive that attention from this Congress. As I stated, Mr. Chairman, with the general increase in crime rates, with the situation which exists with reference to our cities, with the riots, of which all of us are aware, in addition to this approach we also need something in the way of a morale builder and something in the way of public backing of our safety here at home.

Mr. Chairman, today we have heard from the President on the fiscal plight of the country. This is pointed out again in an article which appeared in the local newspaper this morning, reiterating advocacy by Mr. Walter Heller and Mr. Pechman of the basic principle of revenue sharing, but indicating their belief that this is something that cannot bring any relief to State and local governments at the present time because of our present fiscal situation. Therefore, it is my opinion that we must look at the fiscal bind in which local governments particularly are finding themselves and try to figure out something that will help to improve the situation as to law enforcement.

Mr. Chairman, the emergency in crime and disorder cries for relief, and the people, I believe, will demand it, but not through Federal police, or Federal domination, or a tremendous grant-in-aid program.

Mr. Chairman, against this background I am recommending to the Congress that attention should be called to this matter. I am recommending to Congress that any tax bill we consider should include regular police and firemen, and that we give serious consideration to including them in such bill by providing a tax exemption for regular policemen and firemen in respect to the line of their duty, such as tax exemptions on combat pay we provide to the military.

Mr. Chairman, early in this session I introduced a bill which, if enacted, would provide a $200-a-month exemption for such police officers. I should have included firemen at that time. Indeed, Mr. Chairman, the record with reference to the service of the firemen in our cities indicates that they are subject to equal danger and we would be justified in giving such consideration.

There is a crisis which exists in this country today with the crime and riot problems because we have approximately 50,000 vacancies in police forces throughout our Nation. The tax exemption would help fill these vacancies. Even more important than filling these vacancies is giving some public recognition and backing to local and State officers in this regard. Such recognition would clearly aid in the performance of their duties, just as there is recognition and honor in exemption for combat pay to the members of our armed services. When the testimony is presented before the Committee on Ways and Means for the consideration of this tax legislation the President is calling for, I hope that these matters will come before it and that any such legislation will be reported out of the committee with some language or recommendation as to what we can do to assist in this way in order to strengthen the police officers and firemen of our country who are undertaking this tremendous burden, a burden with increasing danger and risk for them every day.

Mr. CELLER. Mr. Chairman, I yield such time as he may consume to the gentleman from Virginia [Mr. ABBITT].

Mr. ABBITT. Mr. Chairman, I thank the chairman for yielding me this time. We are today considering the so-called crime bill. Frankly I am very fearful that many of our people are disillusioned as to what the bill does. In my opinion, the bill does very little toward the prevention of crime for the immediate future. It in no way will give any remedy for the lawlessness that is now taking place practically all over the Nation. In short, its main purpose is to provide funds for the training of police officials. This, of course, is important. We need well-trained officers and better paid officers but this will not get at the root of the evil. We need a crime bill that will curb certain members of the courts, the Federal courts, in their zeal to protect the lawless element in America.

We have seen the development of criminal tendencies among certain segments of our people. This development was brought about and has been encouraged by many different things. Originally people in high places in the Government issued an open invitation to the sit-ins and all those with any grievance to disregard local laws and to forceably insist on their demands. There was a coddling of the lawbreakers by certain elements in the Federal judiciary. Lawlessness was nurtured and encouraged and protected by officials in the executive and judicial branches of our Government. Some elements in the Federal judiciary have hamstrung, shackled, and discouraged peace officers and local officials into yielding to the pressure of agitators and the most lawless elements of our country. Something positive must be done to restore to law enforcement officials the right to arrest, interrogate, and prosecute criminals.

Apparently the majority of the members of the Supreme Court of America are more interested in protecting the lawless than they are in preserving law and order and assuring the rank-and-file peace-loving Americans the right to enjoy liberty, tranquillity, and the use of their property as well as to walk the streets without fear of harm. We have seen the courts in their mad rush to protect assumed rights of criminals, release murderers, rapists, and robbers by the hundreds; tell local officials they could not protect the property of local people; that hoodlums and sit-ins could take over an entire store and place of business regardless of its effect upon the owner. In my opinion, much of the lawlessness we have in America today was brought about by the attitude of many of our national leaders, civil rights officials, and others who have encouraged lawlessness; have encouraged certain elements of our society to think that they have a right to take what they want and desire regardless of the effect upon others. Then certain elements of the judiciary moved in. These criminals were coddled, treated like innocent babes, and given to understand that they were immune from prosecution.

On the other hand, the law enforcement officials and the trial courts were castigated; their power to prosecute and convict was restricted; the right to interrogate witnesses was almost obliterated; and the known criminal was given to understand that justice would not be meted out to him; that he would be protected and immunized against punishment.

We need a reassessment of the basic rights of society. We need to stop certain members of the Federal judiciary in its all-out efforts to protect the criminals regardless of the crime committed. We must have a realization on the part of all of our people that every citizen is entitled to the enjoyment of peace and tranquillity in his home, in public places, and everywhere in the land; that this is a basic right; that this is a paramount right and other things are subservient to it.

We have no hope of stopping crime until the peace officers are given the necessary right to enforce the laws; the criminal is made to realize that when a crime is committed he will be promptly arrested, swiftly prosecuted, surely convicted, and severely punished. This atmosphere can never be created in America as long as many of our leaders and the majority of the judiciary openly excuse criminals such as we have seen in the immediate past. Practically every national leader when he appears on television tries to make excuses for the riots and asks for special consideration. Even today we have many of our leaders who believe it is only necessary to increase taxes and make additional appropriations of money to solve our problems. This is not going to solve the riots nor the massive criminal wave that abounds throughout the Nation. We cannot buy friends nor pay people to keep the law. We must do away with and change the present trend in the courts of overprotecting the interests of criminals and underprotecting the rights and safety of law-abiding citizens. No amount of fancy equipment or special training can cut the crime rate as long as the last two deficiencies exist.

It is significant that the increase in serious crimes coincides with the trend in court decisions to coddle criminals, handcuff the policemen, and ignore the protection of responsible citizens. Is it any wonder that criminals are less restrained in committing brutal murders when they read of confessed murderers walking freely out of our courts with the judges wailing over the imagined injustice done certain minority pressure groups over the years.

Mr. CELLER. Mr. Chairman, I yield 10 minutes to the gentleman from California [Mr. CORMAN].

Mr. CORMAN. Mr. Chairman, one of the former speakers who was laying the groundwork for writing in this bill a Governor's veto pointed out that the people in the Justice Department are only human and the mayors of the cities in this land are only human. I would like to say a word for the Governors. I believe they fall in that category, too.

One thing that has confused me about the development of this bill was that in the committee in the form originally sent down by the Justice Department, the Department asked that we put in a 50,000 population limitation on jurisdictions which might apply for grants and that if a jurisdiction were smaller than 50,000 in population that they form some sort of regional basis so that there would be more people than that in a unit applying for a grant. And at the insistence of some of the members of the other side on that subcommittee, we removed that 50,000 population limitation and perhaps did it unwisely.

Now their position has shifted to where they want to deny the city of Los Angeles, a city of 2½ million people, an opportunity to come to the Federal Government to seek aid in a problem which concerns us in the city of Los Angeles in which the State of California and the State administration has shown little or no interest.

Mr. Chairman, H.R. 5037, introduced in the House very early this session as the Safe Streets and Crime Control Act of 1967, is the heart of the President's message to the Congress on crime in our Nation.

In this message, the President stated that crime must be rooted out in local communities by local authorities and that the National Government can, and expects to help.

The National Crime Commission's report, released earlier this year points to the seriousness of the crime problem in the United States. Everyone is a victim of crime sometime in his life. We, in the Congress, have made it possible for some things to be done about housing, education and unemployment. We must now take decisive and immediate steps to stem the growing tide of lawlessness—for, indeed, crime is increasing five times faster than our population.

While the Commission showed us that lawlessness is a national phenomenon that reaches into every section of the country, it also reinforced the truth of the long-held American concept that crime is essentially a local problem and as such must be dealt with at the local levels of government. But the Federal Government can and must help in this fight.

For many years Federal assistance has been only on a piecemeal basis. It was not until passage of the Law Enforcement Assistance Act in 1965 that Congress recognized the need for a national commitment in the war against crime. This act made Federal grants available to State and local agencies to assist them in the development of new approaches, new techniques, better training and education for their personnel.

The experiences of the Office of Law Enforcement Assistance, since 1965, have demonstrated the great need not only for a continuation of this commitment, but for an expansion of assistance to State and local law-enforcement bodies if our fight against crime is to be effective. Since 1965, some $11.7 million covering 194 projects have been approved, with funds going to virtually every State in the Nation. Funded projects range from a computer-assisted patrol allocation project in St. Louis to a prosecutional training program for senior law students in Boston University, and all project have been eminently successful.

Attorney General Clark has stated:

> H.R. 5037, which is before us today, is a logical extension of the Law Enforcement Act, offering more direct, operational aid to law enforcement agencies while preserving the research and demonstration emphasis which provided the cornerstone for the act.

Specifically, this measure would encourage States and local governments to prepare and adopt comprehensive law enforcement plans—to adopt, in other words, a systematic, coordinated approach to the war against crime.

This measure would stimulate new improvements in police equipment, recruitment, education, and training of personnel. It would encourage the application of modern management techniques to police and criminal justice operations—techniques long ago adopted by private industry and found to be extremely successful.

H.R. 5037 would offer grants to States on a matching basis. The Federal Government would absorb 60 percent of the cost, but a necessary requirement for qualification for a grant would be that an applicant exceed a 5-percent annual increase in law-enforcement and criminal justice expenditures. Thus, we not only provide Federal assistance, but stimulate increased local activity in anticrime measures.

In the past few weeks we have witnessed the tragedy of riots and it has become apparent to all concerned Americans that we must find better ways to deal with both the immediacy of riot control and the more basic long range approaches to law enforcement. New methods for upgrading our training, education, and recruitment programs are needed, including the important area of training for police personnel and the improvement of police-community relations.

Modernization of equipment is needed. Regrettably we do not have the kinds of weapons we need, as the recent tragic events reveal. The appalling number of unnecessary injuries and deaths which occurred during the riots points to the urgent necessity for more effective, more humane riot control weapons. Nobody wants to kill innocent people, least of all those who were actively engaged in trying to quell the rioters. In trying to stop them, our police and soldiers risked their lives and the lives of innocent people because they lacked the kind of weapons needed for control.

Even now, research is being done to develop nonlethal weapons which stun a lawbreaker but do not kill him. Such research efforts need to be expanded and made available to benefit law enforcement bodies throughout the country.

The problem of crime in America is mammoth. H.R. 5037 makes no pretense of attacking the ills of our society that may be the fundamental causes of crime—such as poverty and unemployment. These are areas which we attack by other legislation. Neither does it make of our Government a police state. Rather, it represents a new awareness on the part of the Congress for the necessity of meeting our responsibilities to the American people.

We have the power to help our State and local law enforcement agencies develop the kinds of programs to help make our streets safe. More importantly, we have the duty to do so.

Mr. Chairman, I am sure that one crucial test of this legislation is going to be the Governor's veto and blocked grants.

If we adopt those amendments—if we put a veto in the hands of the Governors—it will be a blow to home rule and local government. It will substantially change and effectively diminish the usefulness of the Federal funds that are spent.

I sincerely hope that we will have a good attendance on the floor when these issues are debated and those of you who must make the decision will listen to the arguments on both sides.

No one can stand in the well of this House and oppose a law that is directed against crime in the United States today. But if we adopt a Governor's veto, we will not only ruin any hope for future benefits from this bill, but we will substantially diminish such effective law enforcement assistance as we already have.

Mr. Chairman, I yield back the balance of my time.

Mr. McCULLOCH. Mr. Chairman, I yield such time as he may require to the gentleman from New York [Mr. Fino].

Mr. FINO. Mr. Chairman, I rise in full support of this national crime control bill. In my opinion, this legislation is one of the most important measures brought before this Congress this year. I say this because it goes to the very root of our greatest national problem—criminal violence in our cities.

Frankly, I am sick and tired of hearing the recent riots blamed on poor housing. The houses in Watts, in California, were pretty good homes; most of them were single- and two-family homes, but did that prevent the Watts riot? No, the answer to this whole problem is crime control—pure and simple crime control.

No matter where I go in my own congressional district, I hear talk about the decline of respect for the law. People talk about the "good old days" when kids were afraid to heckle the policeman on the beat; when kids had respect for the uniform of a cop; when kids recognized the authority of a policeman unless they wanted a few black and blue marks for their trouble.

There is absolutely no question about the need to start rebuilding that kind of respect for law and order—the need to start a Federal program to help and assist local police departments and other law-enforcement agencies. What has happened throughout this Nation makes it crystal clear that the time has come to start talking seriously about law and order and to stop talking about slum "deprivation." This bill now before us is a forward step in the right direction.

It is too bad that this administration waited until now to bring out this crime control bill. This is a bit like locking the barn door after the horse had gotten out. I say this because for the past 2 years, we, here on Capitol Hill, were inundated with a never-ending stream of radical social legislation designed to promote educational and residential racial balance—or even worse, slum agitation. But not once during the 89th Congress, I repeat not once, did the President send us a national crime control bill although we had sufficient evidence of the urgent need for such legislation. Instead, the Federal Government used its voice and its taxpayers' dollars to stir up the same trouble that has come back to haunt us today. Regretfully, I can give many, many instances of such agitation.

Take the so-called war against poverty, which is not only the biggest phony war ever fought, but the greatest fraud ever perpetrated on the American people. Between 1965 and 1966, this incredible program gave—yes, gave—$115,000 to LeRoi Jones and his Black Arts Repertory Theater project—for what? To spread antiwhite propaganda and portray white people as degenerate homosexuals. This same Mr. Jones, who accused the Newark police of having "racist attitudes" responsible for the riots, was a spectacular participant in the Newark riot. When arrested, he was found in the possession of guns. Now you would think that our Federal officials would have had enough commonsense not to give our taxpayers' money to someone like LeRoi Jones, but not so. You might ask, what did Jones do with this Federal cash grant? Perhaps he used it to buy weapons. In March of last year, the New York City police raided his Black Arts Theater and found a black nationalist arsenal of shotguns, crossbows, and meat cleavers. Frankly, I think that Federal actions of this sort—and obvious willingness to tolerate black nationalism—have played a great part in the recent riots.

I might also mention another program—the rent subsidy program. This is a scheme proposed by the Washington social planners in order to promote economic integration by helping lower middle income minority groups to move into residential neighborhoods. The administration itself orginally designed a minimum income level to exclude the poor people from participation, but because Congress did not particularly like this program, the administration was obliged to rally support for it wherever possible. So what happened? The Vice President of the United States went into the slums to spread rent subsidy propaganda. What did he say? He said that if he lived under slum conditions and Congress would not vote rent subsidy moneys, he would lead a riot himself. This is an appalling commentary on "Great Society" morality—and another good example of why we are having riots in our city streets. After all, if our Vice President justifies riots, why should the slums not riot?

Then there is another tricky program

which the administration has set up—the "demonstration cities" program, which the social planners for obvious reasons now call "model cities." By cutting this program's appropriations, we, in Congress, are accused of having helped cause the rioting. Actually, the administration—which talks of how this program is for the poor—refused to accept one amendment which was offered to require that the moneys be used in the worst slum areas and a second which would have required it to produce a specified amount of low-income housing.

Besides, there is also evidence that this program, at least in some cities, is to be used to subsidize black power. Last year, during the debate on this legislation, I told the Members of the House how the San Francisco redevelopment director had talked about the Government financing "overt revolution" and how he said he was "dickering" with black power for control of the demonstration cities program which is planned for San Francisco.

Needless to say, this disgusted me then and it disgusts me now. This administration has given out more taxpayers' dollars to pave the way for more riots than the 35 prior administrations put together. I say to this committee that this type of bleeding heart approach has got to stop. We have got to start fighting crime by arresting criminals instead of coddling them. Hopefully, this bill now before us represents a beginning. It represents a beginning to getting this country back on the path of morality and respect for law and order.

Mr. McCULLOCH. Mr. Chairman, I yield 2 minutes to the gentleman from Minnesota [Mr. MacGregor].

Mr. MacGREGOR. Mr. Chairman, I thank the ranking minority Member, the gentleman from Ohio [Mr. McCulloch] very much for yielding me this time.

Mr. Chairman, I have requested this time to give the members of the Committee the benefit of the contents of a telegram that was received by me this morning. The telegram is jointly signed by Harold Levander, Governor of the State of Minnesota, and Douglas Head, attorney general of my State.

The telegram reads as follows:

ST. PAUL, MINN.,
August 3, 1967.

Representative CLARK MACGREGOR,
House Office Building, Washington, D.C.:

We subscribe to the purpose of H.R. 5037, the proposed Law Enforcement Act to provide Federal assistance to State and local law enforcement. We believe that the act should provide for State and regional plans coordination between local agencies and evaluation and granting of fund request at the State level. There are hundreds of law enforcement agencies in the Twin Cities area alone. The Federal Government cannot expect to do a meaningful job in assessing competing requests of many agencies all from one State or area.

HAROLD LEVANDER,
Governor.
DOUGLAS HEAD,
Attorney General.

Mr. Chairman, Minnesota's Governor and attorney general have in a very few words summarized the cogent reasons why we should adopt the Cahill-Railsback amendment soon to be offered.

It is customary for those who are put on the defensive by the merits of a very strong position—and strong indeed is the position of Mr. CAHILL and Mr. RAILSBACK and those of us who support them—to throw up a straw man and then proceed to knock him down. There is nothing in our proposed amendment amounting to a Governor's veto. However, there is a full partnership role for the 50 Governors in this climate of creative federalism that we are seeking to achieve.

Mr. CELLER. Mr. Chairman, I yield myself 1 minute. I should like to read a letter I have received from the commissioner of corrections of the State of Minnesota, at St. Paul:

DEAR REPRESENTATAVE CELLER: I have been very much interested in the developments at the federal level regarding new and additional measures for crime control, as I think that no major impact will be made on the crime problem except as the Federal Government supports a truly broad-gaged attack on the problem. For this reason I am particularly pleased with the proposed Safe Streets and Crime Control Act which is 917 in the Senate and has been introduced in the House as H.R. 5037.

Mr. McCULLOCH. Mr. Chairman, I yield 10 minutes to the gentleman from Illinois [Mr. ARENDS].

Mr. ARENDS. Mr. Chairman, whatever the problem—grave or minor, large or small, local or State or National—the solution invariably proposed by the Great Society is some new multimillion-dollar expenditure program, with control over what is done and how it is done vested in a Federal department or agency. The Great Society remedy for almost every deficiency invariably involves massive spending under Federal direction and control. Conformity and uniformity are sought at the expense of the jurisdictional rights of the separate States.

This was the administration's approach in the poverty program. You will recall our struggle to retain for the Governors the veto right of any program proposed to be put in their State.

This was the administration's approach in the aid-to-education program. You will recall the administration's resistance to our efforts to put the elementary and secondary school aid program on a State planning basis.

Once again, in the administration's program dealing with the problem of law enforcement and criminal justice, now before us, we are presented with the same approach and the same basic issues. Once again, the Great Society's remedy to an acknowledged local problem of national dimensions is a huge spending program. The Attorney General has testified that he envisages an expenditure of a billion dollars a year.

We make a beginning this year with a $50 million authorization. Next year it will be $300 million. Thereafter it will be such sums as may be appropriated, and there is no limit. We only know that the Attorney General visualizes at least $1 billion a year.

Once again, the grant-in-aid program as proposed by the administration—in this instance for the improvement of law enforcement and criminal justice—would divest the respective States of a direct and effective voice in what is undertaken within their borders and vest virtually complete control in the Attorney General.

The Committee on the Judiciary recognized that the bill as proposed by the Attorney General would, in effect, be a complete departure from the established principle that crime is essentially a local and State problem. It would have divorced the States and local government of their right to determine how best to deal with their problem while, at the same time, leaving with the States the responsibilities for crime control. The administration's bill would have made the U.S. Attorney General, who is presently responsible solely for Federal law enforcement, also high commissioner of all law-enforcement agencies, in effect, if not in name.

I commend the Judiciary Committee on the substantive changes it made in the bill. The committee deleted, for example, the authority of the Attorney General to grant or withhold funds for direct compensation to State and local police. I mention this simply as an indication of the far-reaching character of the administration's proposal. I must frankly say, however, that in my considered judgment the committee did not go far enough in revising the bill to insure a minimum of Federal control over local and State law enforcement and criminal procedures. And it is my hope that the measure will be amended still further.

There is no question as to the decided need for improvements in our law enforcement techniques and procedures. Nor is there any question as to the Federal responsibilities in this area, not only in those cases coming within Federal constitutional jurisdiction but also by way of assisting the local and State authorities.

For a long time we have known of the increase in crime. The long-term upward trend of crimes of violence against persons and property accelerated markedly during the period from 1960. During these past 6 years we have been witnessing a general breakdown of law and order, culminating in the riots in our cities across the country.

Why? What have we been doing or not doing in these last 6 years that the crime rate should so rapidly rise?

It is utter nonsense to say that the failure of the 90th Congress to enact a rat control bill or appropriate funds for rent subsidies, or any other measure, produced the situation now confronting us. This 90th Congress is not a year old. The crime problem reached an increasingly critical stage 2 years ago, 4 years ago, even 6 years ago.

Only now—this year—has the Congress received the President's recommendation on law enforcement now before us. And, at best, it will not be meaningful in its effectiveness for several years hence. Above all else, let us make clear to the American people that while this bill was brought before us during a period of national unrest, bordering on hysteria, with respect to riots, the measure has no direct relationship to the immediate problem of riots in our cities.

Riots in our cities are but part of the more basic problem of the marked increase in crime generally: murder, rape, robbery, burglary, assault, larceny, and all manner of offenses against the laws of society. The answer is not to be found in a massive outpouring of Federal money. Our distinguished Appropriations Committee chairman [Mr. MAHON] recently called our attention to the many billions of dollars that have been spent and are being spent on all manner of programs to improve the lot of the poor.

Two years ago—on September 21, 1965, to be exact—Look magazine ran a feature story on all that had been done in the city of Detroit itself to improve living conditions. In a recent editorial on "The Agony of Detroit" the New York Times states that $185 million of Federal money has been put into this city.

And yet, this is the city—the so-called model city in dealing with the many factors that breed lawlessness and violence—that experienced the worst of the riots. Why, Mr. Chairman? Why should there be these violent explosions, with complete disregard for life and property, in city after city across the country? It may be due in part to living conditions. It may be due in part to outside agitators. It may be, as James Reston, of the New York Times, has suggested, a part of a Communist plan. I do not propose to second guess the recently established Commission charged with the responsibility to inquire into the causes of these riots.

These riots merely reveal there is something more fundamentally wrong in our society. And that which is wrong, neither this law enforcement program, nor any of the other programs, however helpful or however necessary, constitute the solution.

It is my view that the solution lies in our having on our courts and in positions of leadership at all levels of government men and women in whom the people can have implicit confidence. There cannot be public respect for the law unless first of all, there is respect for those who make the law, those who intercept the law and those who administer the law. What has been lacking in this country for several years, Mr. Chairman, has been a quality of leadership that commands respect.

I know no better way to express my own evaluation of the grave situation confronting us than to repeat here what I wrote in my newsletter to the people of my district on July 21, 1966. What I said then seems to me even more applicable today than it was a year ago:

> What concerns us (me) is not merely the increase in crime but that it can be, and probably is, the symptom of something deeper and more deadly in the body politic, and for which there is no quick and easy cure. We can amend the criminal code, making punishment of offenses against society more severe. We can improve the procedures for detection and apprehending. We can revise the legal procedures to make it more difficult for the guilty to escape justice. We can take steps for prison reforms and prisoner rehabilitation. We can initiate programs for remedying the conditions that tend to breed crime.
>
> We can do all these things and still not have solved our grave national problem. We cannot legislate morality. We cannot by law or by court decision decree a state of mind. So much emphasis has been placed upon "rights" and so little on "responsibilities" that instead of creating a "Great Society" we are destroying the one we have long had. No society can long remain "great," much less become "greater" if, in the process, our moral fibre as a God-fearing, hard-working, self-reliant, law-abiding people is undermined.
>
> In an election there will be political promises of more to this group and that in answer to the cry "where is mine?" Where is the President or any political office-seeker who would say "I promise you toil and sweat." Where are the voters who would respond to such a promise?

Mr. Chairman, we can initiate this law enforcement program and many others but it will be of no avail unless we have on our courts, judges who recognize that society has rights. We can initiate this program, and even expand the many other social programs now in effect, but it will be of little avail for maintaining a law-abiding society unless we have national leadership with the political courage to emphasize man's responsibility to his society rather than society's responsibilities to man.

Mr. McCULLOCH. Mr. Chairman, I yield such time as he may consume to the distinguished minority leader, the gentleman from Michigan [Mr. GERALD R. FORD].

Mr. GERALD R. FORD. Mr. Chairman, I thank the gentleman from Ohio.

I wish to commend and to congratulate the gentleman from Illinois [Mr. ARENDS] for the forcefulness and the persuasiveness of what I believe to be constructive comments he has made.

Mr. Chairman, America today is shaken by a deep national crisis—a near-breakdown of law and order made even more severe by civil disorders in which criminal elements are heavily engaged.

The law-abiding citizens of America who have suffered at the hands of the lawless and the extremists are anxiously awaiting a remedy.

This is a time for swift and decisive action. It is a time for early-effect measures, and a time for long-range solutions which not only repair but greatly strengthen the fabric of our society. It is long past the time when we should launch an allout assault on the criminal in our midst and on the social conditions which tend to breed crime and civil disorder.

We have before us legislation which we hope will stiffen the will and the way of local law enforcement. I trust all of us here today will work together to shape this legislation into the best possible law enforcement aid for our States and local communities.

I personally feel that in this bill as in other measures needed to rebuild a badly torn and bleeding America we must take a new approach and in some instances a bold and imaginative approach.

We must abandon the idea of direct Federal intervention in the cities, with a Federal administrator deciding arbitrarily who will get what and how much. In the field of law enforcement as in others we must provide the incentive for strong State and local action with Federal dollar help. That dollar help should be channeled through the States, through a designated State agency which would implement a statewide plan for stronger law enforcement as approved by our Justice Department.

If the legislation now before us is amended to provide for such block grants to the States to bolster State and local law enforcement, I believe we should double the authorization requested by the President for fiscal 1968. I also want an equitable allocation formula written into the bill. I do not want law enforcement grants left solely to the discretion of the Attorney General of the United States.

What is Congress doing about crime in the streets—about the arson, looting, and murder that have made American cities from coast to coast places of horror, suffering, and shame?

This House has passed an Antiriot Act, legislation which has received the silent treatment by the President and has been labeled unnecessary by the Attorney General.

We are about to pass landmark legislation to be known as the Law Enforcement and Criminal Justice Assistance Act of 1967.

What has the President of the United States done to assist the Congress in meeting the crime and civil disorders crisis of 1967?

Before the most recent outbreaks, he sent the Congress a so-called safe streets bill, which has been amended in more than 20 instances in the House Judiciary Committee. After the Detroit riot, he appointed a Presidential Study Commission on Civil Disorders.

Has there been a flow of proposals from the White House to the Congress in a move to deal vigorously with the crime-in-the-streets crisis, which occupies a national priority second only to the war in Vietnam and has eclipsed even the war in the minds of the American people?

There have not been any new proposals from the White House. There has been "business as usual." There has been a fresh push by the President for more of the same, more millions for his Great Society programs, and charges by the President, the Vice President, and the Secretary of Agriculture that you people here in the House have been inactive.

I submit that the Johnson administration has delivered itself of a self-indictment in blaming the 1967 riots on the Congress. I submit that this attempt to fasten the blame on the Congress indicates a bankruptcy of ideas within the administration.

This is "the game of switch," a move by the administration to divert the blame from itself by pinning it on the Congress. The administration is using the Congress as a scapegoat for its own troubles. The President is asking the American people to believe that the proposals he has advanced since he assumed the Presidency in November, 1963, contained all the answers and Congress just has not given him enough money. My friend, GEORGE MAHON, answered that argument beautifully here on the floor last Monday when he cited the tremendous sums that Democratic Congresses have voted since 1960 and declared that "Spending is not the answer to these problems."

All of this should tell us that something is basically wrong with the Johnson administration's approach to the problems of our cities, the evils that help to spawn crime and civil disorder. Yet the President has spurned every new approach offered by the loyal opposition, has refused to seriously entertain any new proposals.

I challenge him to take a fresh look at the ideas set forth in the Republican state of the Union message of last January 19—particularly those of tax credits as an incentive to industry to attack urban problems, a proposed Industry Youth Corps to provide private, productive employment for young people as part of a revamped war on poverty, the Human Investment Act which would trigger a nationwide on-the-job training program by industry, and the Percy-Widnall plan to set up a National Home Ownership Foundation for slum dwellers.

The Washington Post, one of the country's great newspapers, called editorially last Monday for a great departure in domestic policy, a different direction. Republicans proposed a new direction in our state of the Union message last January.

We have repeatedly urged the tax credit approach to the problems of the cities. So, now, does the Washington Post. So, too, does a prominent Senate Democrat. To the Washington Post and to BOBBY KENNEDY, I say, welcome to the club.

The Vice President, who has been admiringly labeled "the President's echo" by the Washington Post, last night lofted a trial balloon on Lyndon Johnson's behalf. He called for a domestic Marshall plan to fight poverty in the United States. I thought we had an antipoverty program. Is Mr. HUMPHREY calling the Johnson antipoverty program a failure?

Mr. HUMPHREY obviously is saying that the $25.6 billion which President Johnson's 1968 budget message lists as earmarked for the poverty fight this fiscal year is not enough. Is he proposing that we spend an additional $20 billion this fiscal year, to be added to the $20 to $30 billion deficit the Johnson-Humphrey administration already is running?

Mr. HUMPHREY appears to be calling the Democratic majority in the Congress a bunch of pikers, although the President proudly declares in his 1968 budget message that L.B.J. spending on Federal aid to the poor not only has gone up nearly $16 billion since 1960 but is nearly double the amount spent by John F. Kennedy in 1963.

Where are all the blessings from this outpouring of Federal aid? GEORGE MAHON said on Monday, "The more we have appropriated for these programs, the more violence we have had." He added, "This refutes the idea that money alone is the answer to this problem."

I say we need new imaginative proposals, not more of the same. If the President's trial balloon domestic Marshall plan is simply a dollar fattening of his old ideas, then the President is failing to help the Congress meet the great crisis that confronts the American people.

I challenge the President to cast off his blinders, to open his eyes to fresh new approaches to our slum sickness. I challenge him to rethink America's problems, for the sands of time are flowing fast.

Mr. CELLER. Mr. Chairman, I yield 5 minutes to the gentleman from Louisiana [Mr. WAGGONNER].

Mr. WAGGONNER. Mr. Chairman, this is hardly an ideal time to consider legislation such as this, in view of the hysteria which exists around over the land and the pent-up emotions which are being released in riots and protests.

We consider legislation such as this as a cure for some of our problems, but we give no consideration to who creates these present-day problems. We say that we need to assist financially our cities and we need to do something about the crime which exists to an ever-increasing extent there, but we fail to realize that these ghettos or these slums, whatever we want to call them, do not make people, but people make slums. The people in these areas are responsible for the situation which exists there. Again I say people make slums. Slums do not make people.

If in considering the proposal today we could judge the legislation by its title—or other legislative matters we are called upon to consider by title—we might vote for most and go on with good conscience to say we would accomplish something, because the title of this bill, for example, sounds good. It simply says it is a bill to assist State and local governments in reducing the incidence of crime, to increase the effectiveness, fairness, and coordination of law enforcement and criminal justice systems at all levels of government, and for other purposes.

We did all right for a little while, until we got to those last few words which said, "and for other purposes." And, herein lies the trouble with this bill. This bill has other purposes than aiding law enforcement.

Mr. Chairman, title I, section 101, of the bill states that, by admission, crime is essentially a local problem that must be dealt with by State and local governments. That sounds all right, until you question what is meant by the other purposes of the proposal.

First and foremost of all, it is intended to be a piece of legislation to subsidize the bankrupt cities of this land which do not have the resources and the revenue with which to provide for their own needs in the area of law enforcement.

This legislative proposal, if signed into law, will allow city police departments to buy vehicles and to pay salaries of police officers. I know that there is a prohibition against certain salaries being paid, but there are always ways around that sort of thing.

I think it is safe to say that this bill is not in any real way aimed at improving law enforcement. This bill is intended to provide additional money, supplemental money, to a few—and there are going to be a chosen few—money with which to pay salaries for law enforcement officers while supposedly under a training period, to buy vehicles, and other law enforcement equipment. The innovations referred to are a joke.

But what are some of the other purposes? The other purposes involve the primary obsession of this administration, and that is social reform.

I have of my own initiative discussed this legislation with employees of the Department of Justice—I will not call any names because I suppose if I did, there would be some in the Department of Justice without a job as soon as his name were mentioned, or at least by tomorrow morning.

However, I asked these people of the Department of Justice, in the making of grants, if they were going to be obsessed with the idea of the administration's proposal for social reform, and if they were, before making grants, going to apply guidelines and require racial quotas to satisfy the Federal Government in order to bring about their version of social reform. I was told by employees of the Department of Justice that they did intend to do this. Guidelines would be applied based on race.

So I say this constitutes at least one of the other purposes that we might bear in mind, and about which the title of the bill speaks.

Mr. GROSS. Mr. Chairman, will the gentleman yield?

Mr. WAGGONNER. I shall be glad to yield to the gentleman from Iowa.

Mr. GROSS. Is that what is becoming more commonly known in Government as the "perceptive plan for affirmative action"?

Mr. WAGGONNER. Well, generally speaking.

The CHAIRMAN. The time of the gentleman from Louisiana has expired.

Mr. CELLER. Mr. Chairman, I yield the gentleman from Louisiana 5 additional minutes.

Mr. WAGGONNER. Mr. Chairman, I would say to the gentleman from Iowa that we generally refer to such maneuverings as this as "guidelines."

Mr. GROSS. I see. Well, either way, it means the same thing; does it not?

Mr. WAGGONNER. No one has been able to perceive what they have planned, because the guidelines change from day to day to suit the purpose.

Mr. GROSS. I thank the gentleman. Would the gentleman from Louisiana yield to me further for the purpose of asking the chairman of the Committee on the Judiciary a question with respect to the procedure concerning this bill?

Mr. WAGGONNER. Yes; I would be glad to yield further to the gentleman from Iowa.

Mr. GROSS. I would like to have the attention of the chairman of the committee [Mr. CELLER]. There have been rumors to the effect that the Committee might rise after general debate and not finish this bill today.

Is there any substance to that, that a request will be made that the Committee rise and that the bill go over until Monday?

Mr. CELLER. Mr. Chairman, if the gentleman will yield, I have no knowledge that the Committee will rise after general debate. As a matter of fact I am about to call the distinguished majority leader [Mr. ALBERT] to see what the opinion of the leadership is on that point.

Mr. WAGGONNER. It has been said——

Mr. CELLER. I do not know myself, any more than the gentleman from Iowa does.

Mr. GROSS. I thank the gentleman.

Mr. WAGGONNER. There have been speakers in the well yesterday and today who have said this is the beginning of a Federal police force. The gentleman from Ohio [Mr. McCULLOCH] yesterday afternoon emphatically denied this. I agree with him. I do not think this is the beginning of a Federal police force, but I would say this is the beginning of total domination and control of local police forces by the Federal Government. The local police forces will in name perhaps still be called local police forces, but they will be dominated by the Federal Government. The key will be the almighty dollar. Do as I say or you do not get it.

Mr. Chairman, I see a very distinct parallel, as did my esteemed colleague, the dean of the Louisiana delegation, EDDIE HÉBERT, in his colloquy with the chairman of the full committee yesterday, between this legislation and how it will be administered and the educational school guidelines as applied to aid to education money. I think we can safely assume that this legislation is going to be administered under guidelines quite similar to those, and I assume this from the admission of certain people in the Justice Department that there is a parallel here. I say without reservation to you, my friends, that if this Congress enacts this legislation this year, five years from now the local police forces will be totally dominated by the Federal dollar just as are the schools of this land dominated by the so-called need for the Federal dollar today. We have fallen into one trap, thinking there would be no Federal control. Let us not make so foolish a mistake again. The prohibition clause written into this legislation has been written into all aid-to-education legislation, but it has been totally useless. It is ambiguous to say nothing in this legislation shall be construed to grant certain authorities. When the people downtown, the Federal agencies, look at it, they will say "Well, there is nothing in this legislation that denies us to do those things, either."

The Attorney General has too much authority without this legislation. If you give him this legislation, you are going to give him a stranglehold over the local police activities. You say this cannot happen? You say he will not abuse his authority? Some of you were in this Congress just a couple of years ago and voted in good faith for voting rights legislation. You said you wanted to get rid of discrimination in the matter of registering citizens to vote and letting them vote after they were registered. Congress passed the so-called Voting Rights Act. Certain requirements were stipulated in that legislation requiring proof of discrimination before the Attorney General would have any authority over the administration of registration procedures in the several States.

There was a requirement, among other things, that a specified number of people would be required to make complaints regarding discrimination and the Attorney General would investigate those complaints. If at the end of this investigation he found that indeed there was discrimination, then the Attorney General would take over the voter registration machinery of that particular county, or parish, as is the case in Louisiana.

Mr. Katzenbach was Attorney General, and not too long after the enactment of this Voting Rights Act he received complaints from my congressional district alleging that several parishes in my congressional district were guilty of discrimination in registering people to vote. Mr. Katzenbach did what he was supposed to do. He conducted an investigation of these charges. Do you know what he said at the end of his investigation? He said, "There is no discrimination."

The CHAIRMAN. The time of the gentleman from Louisiana has expired.

Mr. WAGGONNER. Mr. Chairman, I ask for 5 additional minutes.

Mr. CELLER. Mr. Chairman, I yield 5 additional minutes to the gentleman from Louisiana.

Mr. WAGGONNER. Attorney General Katzenbach said:

> There is no discrimination; therefore there is no cause for me to send Federal registrars to northwest Louisiana.

But what happened? We had a change in Attorneys General, and the new Attorney General, Mr. Ramsey Clark, sent voter registrars to northwest Louisiana, to my congressional district.

He was asked why since there was no discrimination and he admitted to me and to both the Senators from Louisiana in person, face to face, that he had not had complaints of discrimination in registering people to vote and that in fact he knew that there was no discrimination in registering people to vote, that any individual who wanted to register and to vote could present themselves at the office of the registrar and register to vote.

But he wanted, he went on to say, to register more Negroes and for more than 3 months now he has had Federal registrars in my district, after admitting there never has been discrimination and that none exists now—and he has paid Federal workers in federally owned automobiles soliciting the registration of people to come and vote and hauling them to register and back. He not only told the two Senators and myself this face to face, but he told the Governor of Louisiana by telephone that there was no discrimination.

I asked the Attorney General if he was going to give the same consideration to the poor white people of northwest Louisiana in my congressional district and he said emphatically—no, he was only interested in the Negroes.

I have executed a sworn affidavit, the two Senators of my State have executed a sworn affidavit, the Governor of the State of Louisiana has executed a sworn affidavit that the Attorney General, Mr. Clark, has told us that discrimination does not exist but Federal registrars remain even after asking the White House to remove them. This is an abuse of his authority. He has the right under certain conditions to send Federal registrars, for example, anywhere where there has been some violation of the law and where somebody's rights have been violated. But it is incumbent upon him as a responsible Federal official to be sure that there has been a violation of somebody's rights. But he admits that this has not happened.

I am telling you, with that admission of the Attorney General, that we are going to get the same unfair treatment from this legislative proposal as we are getting from the voting rights act. The Attorney General himself practices the rawest kind of discrimination.

So I do not share this faith that this act will be administered as it is intended by some of you who are going to support it. This act is going to be another bill for other purposes as the title says—for social reform—because it is truly intended for other purposes and not for preventing crime.

I am not saying everything about this bill is bad. I am not saying that people do not need some help to curb crime. But why cannot the Federal Government see to it that the Federal courts of this land give the local law enforcement agencies and the local courts some support rather than destroying everything that they do day in and day out.

If you want to correct what is going on in this country, why do you not start at the beginning? Why do you not show some concern about the morals of the people who are committing all this crime that you are so concerned about ?

When a breakdown of morals occurs in the three institutions that make up society in this country—the home, the school, and the church—then when parents start doing the job at home instead of going out and protesting—and when teachers quit teaching that competition is an evil thing and when preachers start preaching honesty and respect for law instead of social reform and contempt for laws we do not like, then maybe the morals of this country will improve.

What are we going to do about correcting the evils and riots of this country? I will tell you what can be done and we could stop all these riots—that is if the President has the political fortitude to do it—the President of the United States should call the Governors of our 50 States and the mayors of our great cities to the White House and he should call the Negro leaders of this country—both the responsible and irresponsible militant ones and we have them both—he should call the foremost and probably the most responsible Negro leader in this country in my personal opinion, and maybe you do not share it, Roy Wilkins—he should call Negro leaders of all stripes in this Nation who are causing this strife to the White House and when they get there do the talking and tell the Governors, "You have a responsibility for local law enforcement." He should tell the mayors, "You have the responsibility to enforce the law." And he should tell these militants who are causing this violence and strife and causing anarchy in this great land that "Anarchy and riots are over in these United States."

He should tell them that they started it and he is going to finish it and, "If you do not believe me, try me."

He should say, "I will tell you one thing, I am from this moment going to use whatever force is required in this great country to suppress anarchy and riots and you can count on that promise." And when he is confronted with another one, if he makes good they will think a long time before they start another one. The point must be proved if the need be. They will get the message. The President must convince these people they are not going by anarchy to drag this great country to the depths of ruin and hell.

Mr. CORMAN. Mr. Chairman, will the gentleman yield?

Mr. WAGGONNER. I am glad to yield to the gentleman.

Mr. CORMAN. I think the gentleman in the well has put his finger on one of the truly complex problems in this Nation in calling our attention to the family structure and to the problems in the home which lead to so much of our difficulty.

I am most hopeful that we will find some way to get mothers out of the cotton fields in the South and the mothers in suburban homes in the North back to raising their own children. I think that will be a marvelous thing.

Mr. WAGGONNER. What would the gentleman say about getting the prostitutes in the bars in the State of California back in the home? You started the sarcasm and now I will finish it.

Mr. CORMAN. There are considerably more people out in the suburbs scrubbing floors while their children are at home than there are in bars while their children are at home.

Mr. WAGGONNER. Maybe the gentleman is opposed to work, and is spending more time looking at the problems of others than he does at home in Watts, for example.

The CHAIRMAN pro tempore [Mr. MATSUNAGA]. The time of the gentleman has expired.

Mr. WAGGONNER. Mr. Chairman, I ask for 2 additional minutes.

Mr. HUNGATE. Mr. Chairman, I make the point of order that a quorum is not present.

The CHAIRMAN pro tempore. The Chair will count. [After counting.] Ninety-one Members are present, not a quorum. The Clerk will call the roll.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 198]

Anderson, Ill.
Andrews, N. Dak.
Ayres
Burke, Fla.
Burton, Utah
Evins, Tenn.
Ford, William D.
Gibbons
Hagan
Henderson
Kupferman
McClure
Morton
Murphy, N.Y.
O'Hara, Ill.
Pike
Resnick
Rooney, N.Y.
Roudebush
Sisk
Stuckey
Taylor
Udall
Williams, Miss.
Wilson, Charles H.
Wright
Wyatt

Accordingly the Committee rose; and the Speaker pro tempore (Mr. ALBERT) having resumed the Chair, Mr. ROSTENKOWSKI, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee having had under consideration the bill, H.R. 5037, and finding itself without a quorum, he had directed the roll to be called, when 402 Members responded to their names, a quorum, and he submitted herewith the names of the absentees to be spread upon the Journal.

The Committee resumed its sitting.

Mr. ROGERS of Colorado. Mr. Chairman, I yield 3 additional minutes to the gentleman from Louisiana [Mr. WAGGONNER].

Mr. WAGGONNER. Mr. Chairman, at the time of the quorum call I was engaged in a colloquy with the gentleman from California [Mr. CORMAN].

I regret to say after that colloquy it seems that at least a portion of the report of the President's Commission to study the cause of these recent riots has been arrived at—if not put into print.

Mr. Chairman, it is my understanding that at the conclusion of general debate, title I of this bill will be read and then a motion will be made that the Committee rise and that we conclude debate on this legislation under the 5-minute rule next week.

I think it should be obvious to everyone the reason the Committee is going to rise today at the conclusion of general debate stems from the fact that the votes now exist in the House of Representatives to amend this legislation to give to the States and the local authorities the authority they need. I think it is fair to say that you should be on your guard over the weekend, because an effort is going to be put forth to have the mayors of the country try to persuade you not to vote for amendments which would give any authority to the Governors and to the States in the administration of this legislation which would in any way weaken the authority of the Attorney General. You must decide whether you want to run your police department at home or be dictated to by Washington.

I hope that you will have the ability to withstand the pressure, because the States need additional authority and these proposed amendments should be adopted.

Mr. GROSS. Mr. Chairman, will the gentleman yield?

Mr. WAGGONNER. I am glad to yield to the gentleman from Iowa.

Mr. GROSS. I regret to hear that the Committee is going to rise after the conclusion of general debate. The quorum call showed 403 Members of the House present. That certainly constitutes an attendance ready, willing, and able to finish this bill this afternoon, and I for one can see no reason why this legislation should not be attended to this afternoon.

Mr. WAGGONNER. I thank the gentleman.

Mr. Chairman, in conclusion let me say that if you want the Attorney General of the United States within a few years, through use of the Federal dollar, to dominate the law enforcement in your community and in your State, vote for this legislation like it is and you will rue the day.

Mr. McCULLOCH. Mr. Chairman, I yield 5 minutes to the gentleman from Pennsylvania [Mr. SCHWEIKER].

Mr. SCHWEIKER. Mr. Chairman, the recent wave of lawlessness in our major cities is but the latest reminder that crime has become an urgent national problem. The amount of crime has risen to such a level, and the nature of crime has become so complex, that States and municipal governments can no longer cope with the problem without Federal help.

Congress has a mandate to assist the States and municipal governments in fighting crime. Bold new ideas are desperately needed and many of us in Congress have looked to this bill, H.R. 5037, as the beginning of a vigorous Federal anticrime effort. But I, for one, have been disappointed at the hollow, unimaginative solution proposed by this bill. I can see that instead of innovating, instead of breaking new ground, the administration has chosen merely to repeat its same old formula, the grant-in-aid to local government.

Congress must reflect seriously on whether, in a field so crucial to the Nation as crime fighting, it should accept the administration's automatic remedy—its knee jerk response to crime. I contend that it would be a serious mistake to approve a program that sent Federal aid directly from Washington to local police departments and bypassed State authorities. For the States have an essential role to play in the mounting of a nationwide anticrime program. A Federal program that gives local aid but leaves out the States runs the risk of being uncoordinated and inefficient. Worse than that, it stands to fail in its overall aim.

State governments should be the natural focal points of a federally aided anticrime program. They have operated their own statewide police organizations over a long period. They are directly concerned and familiar with local law enforcement problems. And organized crime has long since gone statewide in its operations, so that no single metropolitan area within a State can successfully cope with it.

State governments should set their own priorities for crime fighting. They should plan development of statewide services to law enforcement, such as crime laboratories, special investigation staffs, data processing and communications systems. States should decide how all the local police forces within that State can best operate under a statewide program. Then, Federal aid should be extended in accordance with the State's own plan.

Instead of pursuing a logical, State-by-State approach, the administration-sponsored bill would distribute its grant-in-aid funds here and there, scatter-shot fashion. A local police force would get the funds on showing Washington that it has "new approaches and improvements in law enforcement and criminal justice."

If such grants are given without an overall plan of State coordination, the result would be waste, duplication, and possibly chaos. And even if one does not shudder at the idea of waste and duplication, I doubt that the problems of local crime can be effectively handled without a strong State approach. The tragedy would be that the State, with its powers, resources, and expertise, would not be fully enlisted in the war on crime. We would be battling crime on the national level with one hand—the State governments—tied behind our backs.

H.R. 5037 does, it is true, invite States to apply for planning and action funds on the same basis as local governments. But this is not enough. H.R. 5037 must be amended along the lines suggested by the gentleman from New Jersey [Mr. CAHILL], the gentleman from Illinois [Mr. RAILSBACK], and the gentleman from Pennsylvania [Mr. BIESTER]. State planning should be a precondition of any Federal grants going into any State. If for some reason a State does not show its firm commitment to the job of anticrime coordination, there should still be a provision for aiding the local community within that State which needs help with law enforcement. But the bill should be restructured to place primary emphasis on State planning. It is the very minimum that we should expect from this bill.

I also voice my support for amending H.R. 5037 to establish a National Institute of Law Enforcement and Criminal Justice. The Institute being proposed by the gentleman from Minnesota [Mr. MACGREGOR], and the gentleman from Illinois [Mr. MCCLORY] would complement the State-by-State planning approach. For the Institute would provide, for all the States, those central functions that can best be planned and managed from Washington. First, the Institute would start regional institutes in one or more States to train State and local law-enforcement officers. And second, it would be a central research organization for inquiry into the causes of crime, the means of preventing crime and the growing technology of law enforcement work.

H.R. 5037 is a necessary bill; indeed, an urgent bill. But it is only the start of a solution to the national problem of crime. Congress must change and add to the Federal criminal law as well. The most crucial change to be made is in the Federal laws on interception of conversations by electronic means.

Electronic surveillance is now absolutely prohibited under Federal law. The administration, to my great disappointment, is pressing for continuing that prohibition in all but cases involving national security. I agree with the administration that private parties must be prohibited from intercepting conversations of others. But I do not agree that electronic surveillance methods should be denied to police investigating organized crime under strict court supervision. It has proven to be an enormously valuable means of investigation.

I plan to introduce soon legislation that will allow electronic surveillance in organized crime cases, but under strict judicial control and under other constitutional restrictions imposed by the recent Supreme Court case, Berger against New York.

Organized crime, we are now beginning to realize, is more than just a systematic violator of our laws against gambling, drug traffic and vice. Organized crime is a noose around the necks of our poor citizens in the slums. The toll they pay to organized crime in their daily lives is staggering, and so is the toll that society as a whole pays. The most flagrant example of the effect of organized crime is the petty theft committed daily by drug addicts who must somehow raise the high prices that the drug syndicate demands to supply their habit. In gambling and vice, the burden is also borne by the "little guy." We can no longer ignore organized crime in this regard. As our Nation searches desperately for a way to solve its ghetto problems, it is especially sad to see the administration seek to bar police from legitimate, court-controlled use of electronic surveillance to combat organized crime.

Finally, there is another task ahead for Congress. It must examine whether the Federal law enforcement structure itself is organized to fight crime. On March 15, I joined 20 of my House colleagues in asking the House Judiciary Committee to make such an inquiry. We noted, for example, that there are over 20 separate law enforcement agencies under the Federal Government, scattered in eight cabinet departments, four independent agencies and in the Executive Office of the President.

We counted nine different agencies that each handle a piece of the Federal narcotics control effort. Our statement, documented with charts, is found in the March 21 CONGRESSIONAL RECORD.

I regret that such a formal inquiry has yet to take place. The administration has devoted most of its attention to ways it can aid State and local law enforcement. Now it is time to consider the Federal structure itself and effect what my colleagues and I feel is badly needed—a sweeping reorganization of Federal law enforcement agencies.

Congress, Mr. Chairman, has a mandate for action. It must amend H.R. 5037 until it becomes an effective blueprint for State-by-State action. It must add to H.R. 5037 the highly desirable National Institute of Law Enforcement of Criminal Justice. Beyond the scope of H.R. 5037, Congress must enact new, powerful, electronic surveillance legislation under strict court supervision aimed at organized crime. And Congress must seek to analyze the relationship between myriad agencies of the Federal Government all empowered to enforce law.

Mr. BIESTER. Mr. Chairman, I yield such time as he may consume to the gentleman from California [Mr. DON H. CLAUSEN].

Mr. DON H. CLAUSEN. Mr. Chairman, in terms of social crisis, America has never been a patient nation. Today, more than anything else, our people are concerned for their safety and for the restoration of law and order all across our country. To date, we in Government have offered America little more than words. Talk of investigations, social ills, and transformations is of little comfort to an irate nation. Attempting to place the blame for the riots on the President, on Congress, or on our Governors is of little value to those whose homes and shops have been pillaged or destroyed. Making a political "football" out of a grave threat to our domestic tranquility is a disservice to those who have died or been maimed.

The law-abiding citizens of our Nation want action and they want it now. The investigations which have been called for are needed and they must progress with all due dispatch. But must we wait until these complex investigations are concluded to get positive and effective action?

In our deliberations and attempts to restore order, let us not "fiddle" while more of our cities "burn." As we assemble here today, I question if we are not largely ignoring the defiant and boastful warnings we have heard. Those responsible for the current rash of riots have said—and I quote:

> America has got to come around or black people will burn it down.

Stokely Carmichael, from his lofty perch in Havana, has called for "guerrilla warfare" in the United States. These, Mr. Chairman, are calls to insurrection and anarchy and such statements, unfortunately are being broadcast by our news media into every city and every home in America.

Rather than action—we have witnessed only reaction. The single most important ingredients which could save the day and the greatest motivating virtues America has, are individual citizenship and individual responsibility. But these virtues are the missing links—lost in a maze of massive programs which are long on promise but short on delivery.

As I have said before, the lawlessness which has swept our country this summer, has nothing to do with civil rights. Those in the movement who have turned to violence are no longer associated with civil rights when they advocate and promote destroying the country of their birth. There just are no conditions prevailing in America which can, in any way, justify sniping, looting, burning, and killing fellow Americans—black or white.

Very soon we, as a nation, must face up to the fact that, in our many efforts to insure equal rights for all citizens—our approach and our methods have been wrong. This is most vividly demonstrated when a looter unashamedly hauls off a color TV set in full view of police and newsmen. I can only conclude that the looter, white or black, assumes that society "understands"; that the law will not be enforced in this case—or, if it is, that the courts will be lenient. If this is so, and I believe it is, then I submit that we have a "sick" society and that the very nature of this Nation's crime problem is going to require more than money can buy and more than programs can cure. To date, our programs and our philosophy for dealing with our racial and urban problems have, in effect, appealed only to the weaknesses of man. I think it is time we appeal to his strengths.

The immediate and overshadowing problem, Mr. Chairman, is to halt the riots and restore respect for law and order. This cannot be done with words or investigations. America is, once again, threatened and we find ourselves in a new kind of crisis. As such, we look to the Executive for leadership but, in so doing, we in Congress do not shirk from our rightful responsibilities. This is a time to unite Americans—to heal our common wounds—and to march forward together to meet this new threat—this insidious plot to "Burn America Down."

To this end, I call on the President and the Governors to use the great influence of their offices to—

First. Insist that city and State laws be strictly enforced regarding arson, rioting, looting and the unlawful use of firearms.

Second. Urge city and State governments to review and, where necessary, enact emergency "standby" laws to deal with urban insurrection.

Third. Commend our city and State law-enforcement officials and urge all Americans to join them in maintaining and restoring respect for law and order.

Fourth. Serve notice on inciters and potential inciters of riots that they face severe penalties if they persist in their lawlessness.

Fifth. Demand that our courts deal harshly with rioters; especially with snipers and looters.

Sixth. Call for quick passage and immediate implementation of the antiriot bill now in the Senate.

Mr. BIESTER. Mr. Chairman, I yield 5 minutes to the gentleman from California [Mr. BELL].

Mr. CORMAN. Mr. Chairman, will the gentleman yield?

Mr. BELL. I yield to the gentleman from California [Mr. CORMAN].

Mr. CORMAN. Mr. Chairman, there was a colloquy a few minutes ago between the gentleman from Louisiana [Mr. WAGGONNER] and me, concerning domestic servants in the suburbs and prostitutes in bars. Apparently each of us was drawing conclusions based on his own experiences. I would also call to the attention of the House that the Moynihan report was the one on which I relied, on the breakdown of the family and its attendant problems. I am not engaged in an effort to indict anyone at all. But I commend the Moynihan report to all Members.

Mr. BELL. Mr. Chairman, the gentleman from Louisiana in the well made some comment about a comparison of the Attorney General's powers over State and local governments, to wit, the Federal Commissioner of Education and his so-called powers through the Federal Elementary and Secondary Education Act over the local and State school boards. I reject that comparison for several reasons. Fundamentally I believe it is not at all valid to allege Federal dominance over our school system.

The programs and moneys for our school system are funneled directly through the local and State governments. It is written into the law itself, and I think the only area to which the gentleman could possibly be referring is the Civil Rights Act, which was passed by an overwhelming majority of the Members of this House. There is in that some right on the part of the Federal Government to step in when there is segregation in certain areas. I would think, under the circumstances, when we are sending large sums of money into the South and into other areas, I would believe we should require that such school systems be integrated.

Mr. ROGERS of Colorado. Mr. Chairman, I yield 9 minutes to the gentleman from Mississippi [Mr. WHITTEN].

Mr. WHITTEN. Mr. Chairman, the subject of law enforcement before us has been before us for several years in one form or another. Certainly the riots which have happened in the past few weeks and during other periods are enough to cause every Member of this body to realize that law and order have broken down.

The question then arises as to why? Following a determination of the cause, we must then of course decide, what can we do about it.

Today we are here in what must be a most serious undertaking and yet the bill before us only offers to provide Federal funds to local groups or cities at a time when we have at least $10 billion or $15 billion national deficit to come up with some plan or system of law enforcement. Where money is concerned, there are many takers. I am sure there will be many mayors and other people who would like to get Federal funds as provided in this bill. That is true even though we find from three to five times on practically every page in the bill the words "the Attorney General shall determine," "may," and "can withhold."

I should like briefly, if I may have the attention of the Committee—and many others have had the same experience I have had—to say I was a district attorney when I came here. I was fair to all people and I can prove it. I wish to point out a few things which are relatively basic, and which we all know.

Society itself was organized on the basis that the freedoms of individuals had to be limited, where necessary, for the protection of society itself. Criminal statutes which made it a crime against society to do certain things are probably 99 percent local, because they were passed by the State legislatures. They are State law. For certain minor crimes, perhaps those are designated as crimes by city ordinances.

Because of that, law enforcement itself is local. The officers to whom we must look for law enforcement are therefore local officers. There are relatively only a few actions which constitute Federal crimes.

It was stated here a few moments ago, by Members who know, that in the past few years crime has increased five times as fast as the population. All are here today acknowledging that local law enforcement has broken down. The question follows, Why?

So if it be true that crime has increased five times as rapidly as the population and if it be true, as we know, that property is being destroyed and lives are being taken and people in city after city are living in fear of the destruction of their property, of the death of members of their families and of themselves, and that is the situation, it is up to us as a Congress to decide how such a situation came about. We must figure out the cause so we will know where to apply the cure.

Listen to me, law enforcement is dependent upon local officers, policemen and sheriffs. Yet we have raised a whole generation who have seen Federal authorities push local law enforcement officers around—on television, in the newspapers, and have listened to it on radio. Beginning at Little Rock, on down to the present, they have seen Federal authorities push local officers around. This younger generation has seen Federal courts issue injunctions to restrain local officials from enforcing local laws. They have seen them belittle and belabor local police and sheriffs to the point of destroying their effectiveness throughout the United States.

I know that many adults, many Government officials, were not so disturbed when they saw the Federal courts enjoin local officers from carrying out local laws in my section of the country. Some thought it did not really matter much when Federal courts permitted and condoned and even, through the Attorney General's office, promoted the deprivation of the use of property of the citizens of my section of the United States as well as others.

They did not see that much harm was done when Federal courts, at the instance of the Department of Justice, said it was all right for some people to lie down on the floor and prevent a property owner from using his property, or to use the owner's property for themselves against his wishes. To many the cause justified the means.

But, my friends, depriving one of his property, property that he worked for and earned and paid for and which should have been protected by the laws enacted to maintain our society, is really no different as a matter of law than what has been happening recently when property has been stolen, burned, or otherwise destroyed in the lootings and burning of our cities. The principle is the same. The only difference is one of degree. They are one and the same. Society is built upon the right of an individual to work and to save and to accumulate property. The minute you let Federal courts interfere with that right, by permitting anyone to shove the owner as well as local officers aside could only lead up to present destruction of all rights, of all safety, and, unless we see that Federal courts return to their place, let local courts and local officers again protect our citizens, matters will get worse.

Mr. Chairman, pictures on television and in newspapers showing Federal authorities, either from the Attorney General's office or from Federal courts, pushing local law enforcement officers around, or aside, restraining them from the discharge of their duties and their responsibilities, have led a whole generation to have no respect for local law or local officers.

Now, Mr. Chairman, too many people feel that the Constitution, by providing for a Supreme Court, thereby made such court the supreme department of the United States. That is not true. The Court itself has tried to create such an impression by usurping the rights of the legislative branch and, on occasion, of the executive branch. Mr. Chairman, the Constitution provides for three equal and coordinate branches of government of which the Supreme Court is only one, equal only to the legislative and executive branches. When the Court exercises jurisdiction over one of these coequal bodies, over the present Congress, a coequal body, it has itself violated the Constitution of the United States and its actions are thus unconstitutional. And, Mr. Chairman, we are not helpless to stop it. I shall address myself to this subject in more detail at a later date.

So I say to you that in this bill before us amendments should be offered, directed toward requiring Federal officials to let local law enforcement officers enforce the law which is local. Unless we do that this bill will allow the Attorney General, through the use of money, to buy his way into influencing local officers. Many say that is a needless fear. Let me say that I sat by the distinguished gentleman from New York and other colleagues where we had to wait to testify in favor of the antiriot bill, while we listened to the Assistant Attorney General, Mr. Doar, testify in opposition to such antiriot bill. The Justice Department does not want authority to arrest these demonstrators or folk such as Rap Brown or Stokely Carmichael who go from State to State to generate these riots. I read in the press where it was stated that the Department of Justice could find no Federal statute they had violated.

Mr. Chairman, my son has had only 1 year of law. I believe he could find half a dozen statutes which these men and others have violated. Certainly they have violated local laws.

Mr. Chairman permit me to repeat again to my friends who are lawyers: when we stand by and let the Federal courts and Federal officials permit the use of a person's property against his wishes, they thereby deprive him of the use of his own property, the principle involved is just the same as that when these rioters and looters take property, burn it down, or destroy it. It is just a matter of degree.

Mr. Chairman, may I say again, the record of the Department of Justice over the last 10 years is not such as to give any consolation to the average American citizen at this time when law and order must be restored. To give to any Attorney General the money this bill would give, to be distributed by his rules, would cure nothing. This bill must be changed. We must pull the Federal authorities back—not put them into more control at the local level.

I hope that many of my colleagues will join me—I hope some of my colleagues will join me in supporting an amendment to this bill that will take any Federal official out of the way of the local enforcement officers in order that we may restore the rights of the American people to his or her property, to its use as he or she sees fit. We had better do it before it is too late. I repeat again, what is happening in northern cities is the same in principle as that which our Federal Government fostered, on a smaller scale, in my section of the country. One was bound to lead to the other.

You had better be giving thought to making punishment for crime certain—for detection, arrest, and trial mean little unless those who violate the law receive punishment. And it is our Federal authorities, our Federal courts, which have put new-found individual rights ahead of the rights of the people, who have made punishment for crime not only uncertain but highly unlikely.

Mr. Chairman, the money in this bill will not reach the cause and therefore cannot correct the problem.

I hope my colleagues will not believe that giving a sum of money to a department for distribution that has so conducted itself and which has appeared in the courts to restrain the local officers and prevent them from enforcing the local laws—because they are local laws—that this will correct the situation. I realize that people hate to face up to the facts, but it is our country where law enforcement has broken down; it is our country where a President has been killed; it is our country where people cannot go out on the streets at night. But please do not kid yourselves that when you give the Attorney General some money to send back to local cities that you have done anything at all except to try to hide from the fact that it is Federal authority that is deterring and preventing local law enforcement.

The hour is late, but we must restore law and order, by restoring to local officers the right to enforce law and order without Federal interference.

Mr. HUNGATE. Mr. Chairman, I yield 5 minutes to the gentleman from New York [Mr. BINGHAM].

Mr. ROUSH. Mr. Chairman, will the gentleman yield?

Mr. BINGHAM. I yield to the gentleman from Indiana.

Mr. ROUSH. Mr. Chairman, I rise in support of H.R. 5037, the Law Enforcement and Criminal Justice Act of 1967. My support is given with some reservations and qualifications, not for what the bill purports to do, but for those omissions I feel it contains.

I heartily concur in the funds to local governments for improved law enforcement; the authorizations for innovations in that area, including recruiting and personnel training, community relations and modernizing equipment. I especially applaud the grants for colleges, universities, and other institutions for research and demonstration projects relating to crime control.

These measures, I believe, constitute an introduction to an intensive, comprehensive, fundamental attack upon one of the most serious detractions from our democratic society today. I mean, of course, the high incidence of crime, violent, and destructive of American life.

However, I would again urge—and I have introduced legislation accordingly—that besides this valuable, although piecemeal approach to a problem which encompasses and at times seems to overwhelm us all, that we seek the source of this disease in our society.

Thus I have introduced a bill to establish a National Science and Technology Center for Crime Prevention and Control, which, modeled in principle on the National Science Foundation, would become a center for research and the dissemination of new information to the States and localities; a center for sponsoring fellowships and grants for demonstration programs; an independent body totally dedicated to alleviating one major national problem—crime.

I believe that only some such independent organization, separated from the direct control of any government agency, would be able to attract to its board, like the National Science Foundation, professional specialists from a broad range of fields, including sociology, social work, penology, psychology, psychiatry, law, the administration of justice and law enforcement, and many more. Without such specialists our solutions become only palliatives.

Mr. Chairman, we have learned that we can conquer the air, subdue space to our human needs and purposes; that this can be accomplished only through protracted, at times expensive, but invaluable research. A recent thorough report prepared for the Committee on Government Operations "The Use of Social Research in Federal Domestic Programs" indicates that we have been far too slow to foster and apply research and scientific methodolgy to situations and problems of a social nature. I am not suggesting a science of society; but I am urging an empirical study of our social problems; an effort to affect our social environment to some such extent as we have affected our universe—that is, to rationalize our problems.

We cannot keep patching up our society when and where crime erupts. We need a basic overhaul in our ideas and our methods of crime detection, prevention, and control. We need massive studies on the nature of human behavior, normal and abnormal, criminal and noncriminal. I do not see adequate provision for such studies in this present legislation. Yet I heartily endorse the sentiment that proposes this bill, while regretting that it does not go far enough. I support this legislation today in the hope that it will be the first step toward a more ambitious national attack on the problem of crime in our society.

Mr. BINGHAM. Mr. Chairman, I rise in support of H.R. 5037. I believe the bill makes a good beginning in its various approaches to a very, very difficult problem, but I do have serious reservations about it.

First of all, Mr. Chairman, I am not at all persuaded that the amounts provided in the authorization are large enough. I am particularly concerned that only $9 million is authorized for the first half of the next calendar year under title II.

Second—and this is the principal point I want to make in these remarks—it seems to me that the first purpose of this bill, as indicated by its title, "to assist State and local governments in reducing the incidence of crime," cannot be achieved until and unless we have adequate control over the interstate traffic in firearms.

We are all concerned about the riots and the lawlessness that have occurred in this country in recent days. One of the worst aspects of these riots has been the widespread use of firearms by criminal and irresponsible elements. Any one of these snipers could have obtained his rifle by mail from a mail-order house—no questions asked.

Mr. Chairman, I simply fail to understand how in this critical situation the sportsmen of this country can go on putting their convenience above the public security—how they can go on continuing to fight against legislation which would provide reasonable regulation of interstate transactions in firearms. These same sportsmen accept the fact that there are regulations affecting the purchase and use of their automobiles although this means some inconvenience to them.

Mr. Chairman, are firearms any less dangerous than the automobiles these sportsmen drive?

Mr. Chairman, at the proper time I will offer an amendment to add to the bill H.R. 5037 the essential provisions of the administration's bill on firearms control (H.R. 5384), which was introduced by the distinguished chairman of the committee, the gentleman from New York [Mr. CELLER], and which I was privileged to cosponsor (H.R. 7351). In the event that a point of order is raised with regard to the germaneness of the amendment, I will be prepared at that time to argue in support of the germaneness of the amendment.

So that the Members may be familiar with the rather lengthy provisions of my proposed amendment, I shall ask unanimous consent at the proper time to include it in the RECORD.

Mr. McCULLOCH. Mr. Chairman, I yield such time as he may desire to the gentleman from Nebraska [Mr. DENNEY].

Mr. DENNEY. Mr. Chairman, I rise to take part in this debate and to speak to the House on a matter which has received very little attention with reference to the bill presently being considered, and that is, why it is necessary to appropriate $50 million and turn it over to the Attorney General for disbursal under loosely drawn guidelines? This is again a stopgap remedy.

As a former prosecuting attorney and FBI agent, I know from actual experience there is just one way to obtain obedience of law and order, and that is to let potential rioters or violators of Federal or State law know that justice will be swift and decisive, and that they will not be released on a technicality.

It concerns me that leaders in the administration have continually tried to play up to the racial minorities with such statements as the one President Johnson made on August 3, 1965, to a group of college students:

> I am proud to salute you as fellow revolutionaries. We want changes. I hope you will go out into the hinterland and arouse the masses and blow the bugles and tell them the hour has arrived and their day is here.

The bugles have sounded and the day is here, in Newark, Cambridge, Detroit, Milwaukee, and in dozens of other cities.

And then we think of Vice President HUMPHREY's statement in New Orleans on July 18, 1966:

> If I had to live in the slums I think you'd have more trouble than you have had already, because I've got enough spunk left in me to lead a mighty good revolution.

And then Senator KENNEDY on August 17, 1965:

> There is no point in telling Negroes to obey the law. To many Negroes the law is the enemy.

Then we look to the President's statement in 1964 when he said:

> We are trying to take all the money that is unnecessarily spent; take it from the haves and give it to the have-nots.

My point in discussing these statements in the debate on this bill is that appropriating more money for the purpose of letting the Department of Justice in the executive branch organize the fight against crime is not the answer if the leaders in the executive branch have the attitudes expressed here. Therefore, it is my firm opinion that what we need today is a belief in and greater respect for law and order, to elevate the stature of the policeman on the beat, the FBI agent, and all of those individuals dedicated to saving the lives and property of our citizens, black or white, or whatever their race, doing everything in their power to live within the law.

This is the only way law and order can be restored, and as a father with two sons in the Vietnam area, I am very much concerned when they write to me, "Dad, what are we fighting for?"

Mr. McCULLOCH. Mr. Chairman, I yield 1 minute to the gentleman from New Jersey [Mr. CAHILL].

Mr. CAHILL. Mr. Chairman, I have asked for this minute of time in order to announce to my colleagues, since it is my understanding that upon completion of general debate that no amendments will be considered by the Committee until the House resumes the consideration of this bill at whatever time and day the leadership decides, that I propose when we go back into the House to obtain permission to insert in the RECORD a full copy of the amendment that I hope to offer as the first order of business when the House returns to the consideration of the pending bill.

Mr. Chairman, under the permission granted me in the House, I am inserting at this point in the RECORD the amendment I propose to offer to the bill, H.R. 5037:

AMENDMENT TO H.R. 5037 OFFERED BY MR. CAHILL

Beginning on page 17, strike out lines 5 and all that follows down through and including line 22 on page 22, and insert in lieu thereof the following:

"TITLE I—PLANNING GRANTS

"SEC. 101. The Attorney General shall make grants to the States for the establishment and operation of State law enforcement and criminal justice planning agencies (hereinafter referred to as "State planning agencies") for the preparation, development, and revision of the State plans required under section 203 of this Act. States may make application to the Attorney General for such grants within three months of the effective date of this Act.

"SEC. 102. (a) A grant made under this title to a State shall be utilized by the State to establish and maintain a State planning agency. Such agency shall be created by and under the direction of the chief executive of the State. The State planning agency shall be representative of law enforcement and criminal justice agencies of the State and of the units of general local government in the State.

"(b) The State planning agency shall—

"(1) develop, in accordance with title II, a comprehensive statewide plan to carry out new and innovative approaches for the improvement of law enforcement and criminal justice throughout the State;

"(2) define, develop, and correlate programs and projects for the State and the units of general local government in the State or combinations of such States or units for improvement in law enforcement and criminal justice; and

"(3) establish priorities for the improvement in law enforcement and criminal justice throughout the State.

"(c) The State planning agency may make grants to units of general local government, and combinations of such units, to enable them to participate in formulation of comprehensive State plans.

"SEC. 103. A Federal grant authorized under this title shall not exceed 90 per centum of the expenses of the establishment and operation of the State planning agency, including the preparation, development, and revision of the plans required by title II. Where Federal grants under this title are made directly to units of general local government as authorized by section 205, the grant shall not exceed 90 per centum of the expenses of local planning, including the preparation, development, and revision of plans required by title II.

"SEC. 104. Funds appropriated to make grants under this title for a fiscal year shall be allocated by the Attorney General among the States for use therein by the State planning agency or units of general local government, as the case may be. In allocating funds under this section the Attorney General shall reserve such amount, but not in excess of 3 per centum of the amount being allocated, as he may determine and shall allocate such amount among the Commonwealth of Puerto Rico, the Virgin Island, Guam, the Canal Zone, American Samoa, and the Trust Territory of the Pacific Islands according to their respective needs. The Attorney General shall allocate $100,000 to each of the fifty States and the District of Columbia; and he shall then allocate the remainder of such funds available among the States and the District of Columbia according to their relative populations.

"TITLE II—GRANTS FOR LAW ENFORCEMENT AND CRIMINAL JUSTICE PURPOSES

SEC. 201. (a) The Attorney General shall make grants to the States for the development of new approaches to, and improvements in, law enforcement and criminal justice by the States, units of general local government, and combinations of such States or units. The purposes for which grants may be made include:

"(1) public protection, including the development, demonstration, and evaluation of methods, devices, equipment, and designs to increase safety from crime in streets, homes, and other public and private places;

"(2) equipment, including the development and acquisition of equipment designed to increase the effectiveness and improve the deployment of law enforcement and criminal justice personnel;

"(3) the recruitment, education, and training of all types of law enforcement and criminal justice personnel;

"(4) management and organization, including the organization, administration, and coordination of law enforcement and criminal justice agencies and functions;

"(5) operations and facilities for increasing the capability and fairness of law enforcement and criminal justice, including the processing, disposition, and rehabilitation of offenders;

"(6) community relations, including public understanding of and cooperation with law enforcement and criminal justice agencies;

"(7) public education relating to crime prevention, including education programs in schools and community agencies; and

"(8) construction of buildings or other physical facilities which fulfill a significant innovative function.

"(b) The amount of any Federal grant made under this title may be up to 60 per centum of the cost of the program or project specified in the application for such grant. No Federal grant made under this title for the purpose of construction of buildings or other physical facilities shall exceed 50 per centum of the cost of construction of buildings or other physical facilities.

"SEC. 202. Any State desiring to participate in the grant program under section 201 shall establish a State planning agency as described in title I of this Act and shall within six months after approval of a planning grant under title I submit to the Attorney General through such State planning agency a comprehensive State plan formulated pursuant to title I of this Act.

"SEC. 203. The Attorney General shall make grants under this title to a State planning agency if the State planning agency has on file with the Attorney General a current comprehensive State plan (not more than three years in age) which conforms with the purposes and requirements of this Act. Each such plan shall—

"(1) provide for the administration of such grants by the State planning agency;

"(2) provide funds to units of general local government or combinations of such units for the purpose of participating in the formulation of the comprehensive State plan and the development and implementation of the programs and projects for the improvement of local law enforcement and criminal justice;

"(3) adequately take into account the needs and requests of the units of general local government in the State and encourage local initiative in the development of programs and projects for improvements in law enforcement and criminal justice, and provide for an appropriately balanced allocation of funds between the State and the units of general local government in the State and among such units;

"(4) incorporate innovations and advanced techniques and contain a comprehensive outline of priorities for the improvement and coordination of all aspects of law enforcement and criminal justice dealt with in the plan, including descriptions of: (A) general needs and problems; (B) existing systems; (C) available resources; (D) organizational systems and administrative machinery for implementing the plan; (E) the direction, scope, and general types of improvements to be made in the future; and (F) to the extent appropriate, the relationship of the plan to other relevant State or local law enforcement and criminal justice plans and systems;

"(5) provide for effective utilization of existing facilities and permit and encourage units of general local government to group or provide for cooperative arrangements with respect to services, facilities, and equipment;

"(6) provide for research and development;

"(7) demonstrate the willingness of the State and units of general local government to assume the costs of improvements funded under this title after a reasonable period of Federal assistance;

"(8) demonstrate the willingness of the State to contribute technical assistance and funds or services for programs and projects contemplated by the statewide comprehensive plan and the programs and projects contemplated by units of general local government;

"(9) set forth policies and procedures designed to assure that Federal funds made available under this title will be so used as not to supplant State or local funds, but to increase the amounts of such funds that would in the absence of such Federal funds be made available for law enforcement and criminal justice;

"(10) provide for such fiscal control and fund accounting procedures as may be necessary to assure proper disbursement of and accounting of funds received under this title; and

"(11) provide for the submission of such reports in such form and containing such information as the Attorney General may reasonably require.

"SEC. 204. State planning agencies shall receive applications for financial assistance from units of general local government and combinations of such units. When a State planning agency determines that such an application is in accordance with the purposes stated in section 201 and is in conformance with the Statewide comprehensive plan, the State planning agency is authorized to disburse funds to the applicant.

"SEC. 205. Where a State fails to make application for a grant to establish a State planning agency pursuant to title I of this Act within three months after the effective date of this Act, or where a State fails to file a comprehensive plan pursuant to section 202 within six months after approval of a planning grant to establish a State planning agency, the Attorney General may make grants under title I and title II of this Act to units of general local government or combinations of such units: *Provided, however,* That any such unit or combination of such units must certify that it has submitted a copy of its application to the chief executive of the State in which such unit or combination of such units is located. The chief executive shall be given not more than 60 days from date of receipt of the application to submit to the Attorney General in writing an evaluation of the project set forth in the application. Such evaluation shall include comments on the relationship of the application to other applications then pending, and to existing or proposed plans in the State for the development of new approaches to and improvements in law enforcement and criminal justice. If an application is submitted by a combination of units of general local government which is located in more than one State, such application must be submitted to the chief executive of each State in which the combination of such units is located. No grant under this section to a local unit of general government shall be for an amount in excess of 60 per centum of the cost of the project or program with respect to which it was made.

"SEC. 206. (a) Funds appropriated to make grants under this title for a fiscal year shall be allocated by the Attorney General among the States for use therein by the State planning agency or units of general local government, as the case may be. In allocating funds appropriated for the fiscal years ending June 30, 1968, June 30, 1969, and June 30, 1970, the Attorney General shall reserve such amount, but not in excess of 3 per centum of the amount being allocated, as he may determine and shall allocate such amount among the Commonwealth of Puerto Rico, the Virgin Islands, American Samoa, and the Trust Territory of the Pacific Islands according to their respective needs. Of the remaining funds, 75 per centum shall be allocated among the fifty States and the District of Columbia according to their respective populations and 25 per centum thereof shall be allocated as the Attorney General shall determine.

"(b) On or before January 1, 1970, the Attorney General shall report to Congress his recommendations with respect to a nondiscretionary formula for apportionment of funds authorized to carry out this section for the fiscal year ending June 30, 1971, and fiscal years thereafter."

Mr. CELLER. Mr. Chairman, I yield 5 minutes to the gentleman from New York [Mr. SCHEUER].

Mr. SCHEUER. Mr. Chairman, I rise in enthusiastic support of the bill, H.R. 5037.

Mr. Chairman, this is a bill and a program in which we should have engaged ourselves many years ago and to which we should have devoted far more resources than are being proposed at this time.

But at least, Mr. Chairman, it is a small step forward and will presumably provide the foundation for Federal contributions on a meaningful scale sometime in the future to this desperate problem of crime in our streets, and the riots, demonstrations, and civil disorders that are plaguing us across the country and lowering the quality of life in our urban centers.

I wish to state that at the proper time when the gentleman from Illinois [Mr. McCLORY] offers an amendment to establish a National Institute of Law Enforcement and Criminal Justice within the Department of Justice, I will support that amendment.

Mr. Chairman, I have worked closely with the gentleman from Illinois [Mr. McCLORY] in developing this amendment and I believe that it is soundly and thoughtfully conceived.

Under title III of the bill there is authorized $13,500,000, which will be available for research, training, and other activities. But there is no assurance that any of the funds will be spent for research. There is no provision for a research structure or mechanism. There is no provision for an administrator who will be in complete charge and who will have the responsibility and exercise leadership to get on with a research program that will be meaningful and effective.

We know that research cannot generally compete well with on-going assistance programs.

As practical politicians we know that our police departments need more officers and more patrol cars.

We know too that when these desperate needs in the here and now are balanced against the equally critical need for long-term research, that research generally cannot compete for funds.

That is why it is absolutely essential for us to set up the means, leadership and resources to find basic answers to these critical and new problems now facing our society.

Over the past decades we have shortchanged the American people and the dedicated police professionals of our country by denying them the resources they need. We have denied those who keep the peace in our society the inventiveness of our extraordinarily productive space age technology. We have not begun to make the extraordinary products of our military and space age technology available to the police officers of our country.

If our Federal Government can harness the resources, brains, and talents needed to produce the atomic bomb, interspace travel, and supersonic aircraft, surely we can give our police professionals the sophisticated products of this extraordinarily capable scientific technology.

What are some of the things that we could give our police officers?

We have it within our capability to develop an odor sensing device which will detect an odor of 1 part in 10 billion, in the air. That would enable a police officer with an instrument no larger than a cigarette case to tell if anybody within 100 feet was carrying explosives or narcotics.

We know it is within our competence to develop weapons that are nonlethal which would give a police officer the option to dispel what perhaps might be an unruly mob or to apprehend a 12- or 14-year-old lad who is running from the scene of a crime, without using a lethal weapon. We know historically that many riots have been started by one incendiary incident. Police officers are using lethal weapons against a fleeing suspect in situations when, if the officer had options, if he had some kind of temporarily crippling and disabling device, the suspect could be apprehended and taken to a police station, instead of to the mortuary.

Mr. McCULLOCH. Mr. Chairman, I yield to the gentleman from Pennsylvania [Mr. McDADE], such time as he may need.

Mr. McDADE. Mr. Chairman, it is a matter of immense concern for everyone in America to observe the growing crime rate which has occurred in this Nation over the past several years. We have waited for comprehensive legislation to come before this House that will effectively deal with this crime rate on those levels in which the Federal Government should show the most concern.

The bill we have before us today is by no means the comprehensive legislation that is needed to do the job which must be done on all the levels which must be the concern of this Congress. Many of my colleagues here today have pointed out serious deficiencies in this legislation. Many of my colleagues are offering amendments to strengthen this legislation. I believe all of us must recognize, however, that with all of the amendments offered and with all the changes that might be written into this bill, we still will not end up with the legislation that must be written.

I propose to have more to say on this in the future. It seems to me that a serious review of this administration's responsibilities in the matter of the prevention of crime must be fully discussed before the American people and it is my hope that I may be part of such a discussion at an appropriate time.

Mr. CELLER. Mr. Chairman, I yield myself 2 minutes.

Mr. Chairman, in relation to the institute which the distinguished gentleman from New York [Mr. SCHEUER] just spoke of, I wish to point out that the President's Crime Commission recognizes the importance of such an institute, but deplores its establishment at this time as quite untimely. He says:

> The Commission recognizes that to establish a national foundation for criminal research at the same time that the new aid program proposed in the instant bill is being developed would present a serious risk of confusion and competition for already scarce research personnel. Furthermore, the establishment of a national foundation for criminal research presents the organization with funding problems which the Commission has not fully explored. Therefore, it may be desirable to defer the establishment of such a foundation until the proposed new Justice Department Agency is established.

I have explained to the gentleman from New York that I would be perfectly willing in the not too far distant future to hold hearings on this bill, explore, and work to determine in depth the nuances of his proposed bill so that we can know more about it. It is like a blind man looking for a black hat in the dark, and I certainly do not want to do that. I would like to know more about this proposal before I would embrace it. For that reason I must perforce, although most reluctantly, object to any amendment that would embody the suggestion proposed by the distinguished gentleman from my own State.

Mr. SCHEUER. Mr. Chairman, would my accomplished and distinguished chairman yield?

Mr. CELLER. I yield to the gentleman from New York.

Mr. SCHEUER. Mr. Chairman, the distinguished chairman has referred to a national foundation. I do not know whose proposal that is or to what it pertains, but it is not the proposal that Congressman McCLORY and I are making. We are advocating a National Institute for Criminal Justice and Law Enforcement within the Justice Department, and I may say that when we have had hearings scheduled on this matter, the Executive Director of the Crime Commission, Mr. James Warrenburg, is scheduled to appear in support of that proposal.

Mr. McCULLOCH. Mr. Chairman, I yield 1 minute to the gentleman from Illinois [Mr. McCLORY].

Mr. McCLORY. Mr. Chairman, I thank the gentleman from Ohio for yielding to me in order that I may respond to the statement just made by the chairman of the full committee, the gentleman from New York [Mr. CELLER].

I want to call to the chairman's attention an important recommendation contained in the task force report on science and technology to the President's Commission on Law Enforcement. On page 82 of this report, the Commission states as follows:

> Probably the most important single mechanism for bringing the resources of science and technology to bear on the problems of crime would be the establishment of a major prestigious science and technology research program within a research institute.

The Commission's report goes on to say that such an institute must be significant enough to attract outstanding scientists and a director who himself has a background in science and technology, or who would have the respect of scientists.

It is suggested that such an institute might be established by a university or group of universities. However, I hasten to point out that under the amendment which I am recommending the director of the national institute to be created could contract with or otherwise utilize universities and other nonprofit organizations for carrying out functions of the national institute itself. In concluding this point, the Commission states emphatically:

> Only a major, significant institute, devoted to research on basic problems of crime and its control, could assemble the multi-disciplinary teams with the competence needed to attack these problems on the scale they demand. If the proper research environment were created, the problems of crime could draw on the nation's best scientific resources.

Mr. Chairman, this demonstrates convincingly that the research program, as well as the application of scientific and technological developments in the fight against crime, are intended by the President's Commission to be carried out within a national institute headed by a professional, career director. Such provisions are not in the bill in its present form. They would be provided by the amendment to title III which I will offer.

Mr. McCULLOCH. Mr. Chairman, I yield to the gentleman from New York [Mr. HORTON] such time as he may consume.

Mr. HORTON. Mr. Chairman, I rise in support of this bill and the Cahill amendment to it which will do much to improve the efficiency and effectiveness of local law enforcement agencies while at the same time preserving their traditionally local orientation. In the 89th Congress and again this year I introduced a bill to achieve many of the purposes which will be achieved by H.R. 5037.

Like the bill presently before the House, my own bill—H.R. 709, would provide Federal assistance to local communities in purchasing modern communications equipment and providing specialized training for local police officers.

It should be noted that Federal funds provided under this bill must supplement rather than supplant existing local expenditures for law enforcement. Local governments are required to continue their law enforcement expenditures at the current levels or above. The infusion of Federal funds will merely allow local governments to divert their efforts from providing equipment and training to increasing salaries, improving community relations and other programs that have long needed greater emphasis.

My analysis of the problems faced by most police departments indicates that one of the most important provisions of the bill is that which will assist local governments in introducing modern management concepts and practices into their departments.

Many metropolitan police departments continue to employ management and data processing techniques that may have been suitable some years ago when law enforcement was not a sophisticated science and police departments were only a fraction of their present size. However, these techniques are today serious handicaps to the police departments which use them. If local law enforcement agencies are to be effective they must dramatically improve their record-handling procedures and their internal administration.

The goal of the committee which reported this bill was to preserve the inherently local nature of law enforcement activities while providing Federal financial assistance to community efforts to combat lawlessness. Many safeguards have been included in the bill so that local police forces will not be replaced by a quasi-Federal police establishment. For instance, the Federal Government is specifically prohibited from paying police salaries.

I commend the committee for its concern in this regard and I compliment it for having developed what I feel will be generally effective safeguards. However, I think this most laudable goal of the committee will be more fully effected if the Cahill amendment is adopted. The Governor of my own State, Hon. Nelson A. Rockefeller, is among the many State and local officials from across the Nation who have endorsed this amendment. In essence, the amendment will allow State officials to coordinate the efforts of local and regional law enforcement agencies within their States, thus minimizing the possibility of duplicate or conflicting local programs within the State.

I urge my colleagues to join me in supporting this much needed legislation which will aid in this Nation's fight against crime in the streets.

Mr. McCULLOCH. Mr. Chairman, I yield such time as he may consume to my colleague, the gentleman from Colorado [Mr. ROGERS].

Mr. ROGERS of Colorado. Mr. Chairman, I ask unanimous consent to revise and extend my remarks at this point in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Colorado?

There was no objection.

Mr. ROGERS of Colorado. Mr. Chairman, every citizen is concerned by the rising tide of major crimes committed across the Nation. This growing trend towards lawlessness has become a grievous national problem, and it must be eradicated if our society is to survive.

The Law Enforcement and Criminal Justice Assistance Act of 1967 is the basic vehicle which must be used to combat crime. It would extend Federal cooperation to local law enforcement efforts. Proposed is a grant-in-aid program, to be undertaken jointly by the Federal Government and the States and local communities, in order to foster the coordinated development of comprehensive law enforcement plans. It is a plan which would embrace public safety programs to provide greater security from crime in the streets, homes, and other public and private places; also manpower programs for improved recruitment and training of law enforcement personnel; also progress to improve the methods and equipment used for crime detection; and finally, it would improve the administration and coordination of law enforcement and criminal justice agencies.

These proposals are basic to our society, and they deserve the fullest consideration of the Congress at the earliest possible date.

Mr. EDWARDS of California. Mr. Chairman, our safety depends on the effectiveness of law enforcement. Law enforcement is, and should be, primarily a local responsibility. This bill is designed to increase the effectiveness of criminal justice agencies at State and local levels.

The improvement of State and local law enforcement is a matter of legitimate national concern. For lawlessness in any city, county, or State affects the rest of the Nation. As Attorney General Clark has said:

> If crime flourishes in one city, its tentacles reach others. When criminals go unapprehended or unpunished in one county, harm results to others. If one State's prisons release inmates bent on further crime, some victims will be in other states. We must seek excellence in all processes of criminal justice in every jurisdiction throughout the country.

I support this bill unequivocably. However, the long-term solution to crime involves reducing the poverty, the ignorance, the hunger, the disease, the despair, and the injustice which are the breeding grounds for crime. Promoting respect for the law involves promoting education, decent living conditions, and human dignity, as well as improving the standards and capabilities of our law enforcement agencies.

I support this bill to give local police the help we can and should provide, for it is in each community that the general public safety must be secured. At the same time we must pay increased attention to the breeding grounds of crime and the conditions in which it thrives.

Mr. SCHADEBERG. Mr. Chairman, we are all apparently in agreement that some positive action is necessary to protect our Nation and about 98 percent of our citizens from a vicious and lawless 2 percent. The very thought that a minute segment of our population can work toward the ultimate destruction of our free society is repugnant. Unfortunately, it is a fact.

The only answer that this administration has been able to bring forward for the knotty issues of these trying times is more bureaucracy. Again today we are being asked to increase the Federal establishment in order to combat the horrifying experiences that our people are enduring throughout the United States. Once again, Congress is being asked to "react" to a problem rather than to "act" in an affirmative way.

Before I suggest what I feel is a much better solution to the problem at hand, I would like to commend the officials in my home State of Wisconsin for their outstanding response to the trouble which erupted in Milwaukee this week. The Governor, the mayor, the police, and fire officials and the men of the Wisconsin National Guard, in excellent harmony with the dedicated policemen and firemen, demonstrated to all America that the violence and insurrection which Wisconsin experienced can be capably handled at the local level.

We have before us, Mr. Chairman, a proposal submitted by the President to meet the challenge of the crime and lawlessness which are raging across the country. It comes to us as "the heart of President Johnson's national strategy against crime," incorporating the recommendations of the President's Crime Commission. Yet, what we are being asked to vote on is a set of mandates to the Attorney General to support programs, develop new approaches to crime prevention and control, fund more studies, and, in general, dissipate $50 million in the next year, and $1 billion a year by 1972—with no real promise of accomplishment.

Without question, there is need for legislation. But let us pass a bill that has some teeth in it. Let us pass a bill which will paralyze and, hopefully, eradicate the rackets, the crime syndicates and organized crime. The estimated gross from these extralegal business operations runs into the billions of dollars every year, according to the Honorable J. Edgar Hoover, Director of the Federal Bureau of Investigation, in his testimony earlier this year before the House Appropriations Committee. Crime syndicates have been cited as the source of the dope traffic, prostitution, and illegal gambling rackets, notably the "Bahama syndicate," whose operations have been so well-documented by our distinguished colleague from New York, the Honorable PAUL A. FINO.

I would keep the ability to suppress insurrections and riots at the local level, as I would also keep the power to combat crime. Additional powers for an appointed official such as the Attorney General can never be the answer to our problems in my opinion. Because of his unique position, the Attorney General is not responsible to the people since he is a political appointee. Such powers, as outlined in the bill before us, are so far reaching that they lay the foundations for a Federal police system, the backbone of the totalitarian state.

I would advocate an increase in the functions of the Federal Bureau of Investigation, which is already educating police officials from all over the country in the latest law enforcement techniques so that these able men could conduct statewide seminars in the latest methods of crowd control and how to subdue civil disabodience with the least amount of strife and/or property damage.

The root of the disorders remains a vexing problem. However, control of the immediate problem would certainly seem to me to be a chief province of the Federal Bureau of Investigation in coordination and conjunction with State and local authorities. New political appointees and expanded powers of an appointed Attorney General do nothing to give me faith in the Government's alleged ability to lead this Nation in a time of crisis. I urge that the highly competent and truly respected Director of the Bureau, Mr. Hoover, be instructed to conduct such educational forums as are necessary with local and State officials so that we may feel certain that the best possible action will be taken in times of riot and insurrection, and we may continue to allow the State and local law enforcement officials to deal with other crimes as they see fit.

Mr. HELSTOSKI. Mr. Chairman, we have spent several hours in debate on the present measure which would not have been necessary if people were inclined to be law abiding, cognizant of property rights, and not bent on destruction.

However, since we have this problem with us, this Congress must cope with it before it becomes so widespread and out of hand that no amount of effort will curtail these civil disorders and restore a rational behavior pattern.

The massive civil disobedience and violence in the form of rioting, looting, arson, and general destruction in several American cities during the past months has shown that our police need help to curb these disturbances, and they need it fast.

The primary question among big city dwellers is what city will be next on the list for massive destruction? But the more logical question is how to stop these most senseless acts of violence upon our cities and its inhabitants.

The riots of the irresponsible segments of society in Detroit and, prior to that, in Newark and possibly some other large city in the next week point out the fact that the local authorities are not able to cope with the problem and to maintain order under such adverse conditions.

The legislation now being considered by the House will give the local law enforcement agencies the opportunity to quell these civil disorders in their areas. The legislation establishes a broad and commendable program of crime control, and for improvement in the methods of control.

We need more efficient methods to hold a riot to its point of origin and to keep it from spreading to adjacent areas and spill over into whole towns.

Our present riot control methods are insufficient to aid the police force of a metropolitan areas to cope with these problems. And, by the time the National Guard or the soldiers move in, the main damage has been done.

In his message to the people of the United States last Thursday evening, the President directed the Secretary of Defense "to issue new training standards for riot control procedures to National Guard units across the country." The President went on to say that this training would begin immediately.

Since the enforcement of criminal law is primarily a local matter, we must see that the local authorities are given the weapons to enforce these laws. Under this legislation, national assistance would be given to give our local law enforcement officials the tools and techniques to cope with the disturbances which may occur in their jurisdictions. This legislation provides for Federal financial support to supplement the States' expenditures and those of local units of government in their efforts to cope with lawlessness by improvement of law enforcement and administration of criminal justice.

I am one among others who have indicated my support of such a program by introducing legislation to provide such financial assistance to States and local law enforcement units for the training of personnel in law enforcement and to provide for new facilities for crime prevention and control. Such endeavors, I hope, will increase respect for law and order.

Although we have a start in providing the necessary tools for crime prevention in this bill, I feel that it should carry more funds for action programs and not so much for planning. Under this bill most of the funds go into the planning stage, and I shall support any amendment which will make additional funds available immediately—not as provided for in this bill—until January 1, 1968.

I plead with my colleagues to make this measure effective immediately so that we can begin to organize, equip, and train police for riot prevention and control.

Mr. JOELSON. Mr. Chairman, the President emphasized in his state of the Union address and again in his message on crime in America that the problem of crime is essentially a local one. The first responsibility for law enforcement rests on the shoulders of State and local officials. In the preparation of the Law Enforcement and Criminal Justice Assistance Act of 1967, scrupulous regard for the allocation of this responsibility and for the integrity and independence of these local units has been maintained. But the essential Federal role in providing much needed assistance has also been recognized.

The bill basically establishes a grant-in-aid program which would authorize the Attorney General in accordance with specific guidelines and criteria to make grants to States and units of general local governments for the preparation and development of plans for marshaling all available resources to combat crime and improve the processes and procedures of justice. Specific programs envisaged for implementation of the plans include:

First. Improvement of police familiarity with and use of scientific developments in the areas of communication and data analysis;

Second. Improvement of education and training of criminal justice personnel;

Third. Improvement of organization and management procedures;

Fourth. Strengthening of correctional and rehabilitation practices.

The bill represents but a first step in our national assault on crime. We cannot expect it to deal a death blow, but it is a beginning.

Mr. FASCELL. Mr. Chairman, I most heartily support the Law Enforcement and Criminal Justice Act. As an indication of my support, I have introduced a bill, H.R. 11914, identical to H.R. 5037 as amended by the Judiciary Committee.

I believe that all of us here are in substantial agreement on three facts: First, that crime is a tremendous and nationwide problem; second, that crime, while nationwide in scope, is basically a local problem; and third, that current methods and administration of criminal justice have proven inadequate to meet the challenge. The only real issue before us is how best to go about the necessary improvement of State and local law enforcement and criminal justice agencies.

The opponents of this bill have charged that Federal aid to law enforcement agencies will inevitably lead to Federal control of those agencies, but a careful reading of the bill shows adequate safeguards against such a possibility. It has also been attacked on the grounds that State and local governments should be allowed to solve their own problems without Federal interference. This seems to me an impractical point of view. If the governments of the States, cities, and counties were able to finance the updating of their law enforcement and criminal justice agencies, there would be no need for this legislation. But one has only to look at the financial straits in which our States and local units of government find themselves today to realize that their budgets, already stretched to the breaking point, simply cannot take this added burden. The Federal Government has an obligation to provide financial support in this area. If we are sincerely dedicated to fighting crime, then we must encourage the development of plans, programs and innovative techniques, devices and facilities to cope with the modern-day, well-equipped criminal.

Another charge brought by opponents of this legislation is that it will not stop crime. To my knowledge, no responsible person has suggested that this bill is a panacea and that as a result of its enactment crime would cease to be a problem. Obviously, no single piece of legislation can erase all the conditions that give rise to criminal behavior. But the fact that it offers only a partial solution, a beginning, is hardly a valid reason to reject the bill. A beginning has to be made. If this Nation is ever to reduce its crime problem to manageable proportions, we must begin with comprehensive, well-thought-out plans. The Law Enforcement and Criminal Justice Assistance Act of 1967 earmarks at least 45 percent and would allow up to 55 percent of its funds for planning grants. I believe that this puts the emphasis where it belongs.

The President's Commission on Law Enforcement and Administration of Justice has told us where we are now and where we need to go. The Law Enforcement and Criminal Justice Assistance Act of 1967 can help us find out how to get there. I strongly urge my colleagues to enact this bill. To do otherwise would be to fail in our responsibility to the citizens of this country.

Mr. BOLAND. Mr. Chairman, I rise in support of H.R. 5037, the Law Enforcement and Criminal Justice Assistance Act of 1967.

This legislation provides Federal financial support to supplement the expenditures of States, counties, cities, and towns in their efforts to cope with lawlessness by improvement of law enforcement and the administration of criminal justice.

The urgent need for more effective local law enforcement has been made clear to us in the past few weeks by the rioting, arson, and looting in large and small cities throughout this Nation. We must assure that State and local police forces have adequate tools and training to deal with riot and civil disorder.

This bill provides a program in the

Department of Justice of Federal grant assistance to encourage States and local government to prepare and adopt comprehensive law-enforcement plans; to stimulate allocation of new resources and the development of technological innovations, improved training, and significant new facilities for crime prevention and control; and to encourage research, development, and training to improve law enforcement and to increase respect for law and order.

This legislation embodies President Johnson's national strategy against crime. Americans have always believed that law enforcement and criminal justice administration are primarily local responsibilities. Crime is essentially a local problem that must be dealt with by State and local governments. The President's Commission on Law Enforcement and Administration of Justice, has shown, however, that lawlessness is a national problem that reaches into every section of the country. National assistance is needed to support and encourage greater effort by State and local governments to find new answers to the threats presented by criminal activity.

The President's Crime Commission's recommendations are written into this bill, which makes provision for grants to assist in planning, for implementing innovative concepts, for research, and for new facilities. Attorney General Ramsey Clark said in testimony before the House Judiciary Committee, according to the committee report:

> The grants can cover the spectrum of criminal justice and will emphasize such priority areas as:
>
> (1) Specialized training, education, and recruitment programs, including intense training in such critical areas as organized crime and police-community relations, and the development of police tactical squads.
>
> (2) Modernization of equipment, including portable two-way radios for patrol officers, new alarm systems, and improved laboratory instrumentation for applying advanced techniques in identification.
>
> (3) Programs for the reorganization of personnel structures and the coordination and consolidation of overlapping law enforcement and criminal justice agencies.
>
> (4) Advanced techniques for rehabilitating offenders, including the establishment of vocational prerelease guidance in jails, work-release programs, and community-based corrections facilities.
>
> (5) High-speed systems for collecting and transmitting information to police, prosecutors, courts, and corrections agencies.
>
> (6) Crime prevention programs in schools, colleges, welfare agencies, and other institutions.
>
> In addition to planning and action grants, the act contemplates construction grants for innovative facilities and firm commitment to the research, development, demonstration programs pioneered under Law Enforcement Assistance Act.

Mr. Chairman, the quality and decency inherent in American life is being eroded by the tidal wave of crime. Crime has become so alarmingly woven into the fabric of American life that good citizens are afraid to use the street at night, are afraid to speak to strangers, and are even afraid to live in their neighborhoods. A cross-sectional survey of the Nation by the Crime Commission revealed that one-third of all Americans feel that it is unsafe to walk alone at night in their neighborhoods.

This is an appalling situation. Between the 1960–65 period, crime increased one-fourth for violent crimes and 36 percent for property crimes. FBI Director J. Edgar Hoover estimates that crime throughout the Nation is costing America tens of billions of dollars annually.

Mr. Chairman, this bill authorizes $50 million to be appropriated, for fiscal year 1968. However, only $9 million of that sum is for Title II purposes, grants for law enforcement and criminal justice purposes.

Last Thursday I joined with the gentleman from Michigan, Congressman O'HARA, and some 40 other Members of the House, in cosponsoring legislation, H.R. 11836, which would establish a $300 million grant program to aid local law enforcement agencies in strengthening their capability for dealing with riots and civil disorder. The Department of Justice would administer the program.

The grants would be available to assist in organizing, equipping, and training law-enforcement agencies for riot prevention, control, and suppression. It would also provide assistance to organize police reserve units for use in emergency situations. This would enable the police to cope more effectively with situations which might explode into mass violence, and to suppress those situations which do get out of hand.

I pointed out in my remarks on the floor Thursday, as did Congressman O'HARE, that local law enforcement agencies, despite valiant efforts, are now not able to deal effectively with disturbances of the magnitude of those in Newark and Detroit. I emphasize again what we said Thursday that we are not criticizing the local police. They have never had to deal with major civil disorders of the magnitude of Watts, or Newark, or Detroit. I believe the local law enforcement agencies should have available the proper tools to do an effective job in suppressing riots before they get out of hand, and the burning, looting, and killing spreads.

Mr. Chairman, it is by understanding that the distinguished chairman of the Judiciary Committee [Mr. CELLER] will accept an amendment to the bill before us, which will include language to provide grants under section II to aid local law enforcement agencies in strengthening their capability for dealing with riots and civil disorder.

I understand that H.R. 5037, as written, is intended to do just this, but an amendment specifically mentioning "riot control" will underscore this need and carry out the intent of the bill we introduced last Thursday. I am also hopeful that such an amendment would increase the authorization of funds above the $9 million provided for section II in H.R. 5037. As I said, our bill filed last week would authorize a $300 million grant program. In my judgment, much more than $9 million is needed if we are going to aid local law enforcement agencies in strengthening their capability for dealing with riots and civil disorder.

Mr. Chairman, I include with my remarks at this point an editorial from the Springfield, Mass., Republican of Sunday, July 30, 1967, entitled "Danger of Anarchy."

DANGER OF ANARCHY

The frightful racial-based riots that have devastated Newark, Detroit and many other important cities recently have shocked this nation perhaps more than any other domestic events within recent memory. It has been a time of utterly senseless violence which has, with justification, impelled some fears that a substantial part of the country might drift into an actual state of anarchy.

No right-thinking person questions that much has yet to be done toward improving the general situation which is the background of the Negro rioting. Genuine equality of opportunity in all phases of life—housing, education, work and recreation—must come, not only to remove the basic cause of trouble but also simply as a matter of fair treatment for all in a democracy.

But the great difficulty at the moment is that, using admittedly inequitable background conditions as a pretext, a relatively few unstable Negroes seem to have gone wild, acting with a reckless disregard for consequences which has evoked expressions of dismay and alarm from responsible colored leaders as well as from other Americans of all racial backgrounds.

This cannot be tolerated. Such action, by any ethnic segment of the country, could not be permitted to continue. As President Johnson correctly said, in ordering Federal troops to go to the rescue of beleaguered Detroit, this is simply a case of extreme and totally inexcusable criminal lawlessness.

From the earliest known times of recorded history, right down to the present day, no organized human society has been able to allow such a destructive domestic outbreak to continue. Whatever lawful force may have to be used to repress such semi-insane outbreaks is justified and, in fact, necessary, for the preservation of the state and for the protection of its majority of law-abiding people.

The great underlying tragedy of the Negro riots is that they have done so very much damage to the colored people as a whole in America. This is particularly deplorable because it gives such an unfair picture of actual conditions. It certainly is true that most Negro Americans are just exactly as good, as well motivated, as any other ethnic part of the population. The riots have been the work of a comparatively few Negroes, based on population proportions as a whole. And the inflammatory, violent agitation by Negro extremists, which probably largely set off the riots, has also been the baneful work of a relatively few.

And so, as so often in the past, a few can do great harm that hurts many. The wave of riots will be stopped. There is no doubt about that. Law and order will be restored. That is certain. Then must come the long, hard pull to restore confidence, to revive feelings of trust, to heal the wounds of the spirit that are, perhaps, as bad as those of the flesh. A lot of ground has been lost in recent days and weeks. It will all have to be regained before further, new progress can be made.

How fast the lost ground will be regained, and how rapidly new advances can be made, will depend to a large extent on the very same people who have been to blame for the shocking recent setbacks. They bear a heavy burden of responsibility, though it may be lightened by the generous help of others. If the agitators and the rioters will not change their views, the outlook is dark indeed.

The main thing to remember is that the improvement of conditions in general simply cannot be gained by means of outright savagery. No matter what their color, no group of people, in any reasonably organized form of human society, can sensibly expect to be able to shoot their way into a more preferred economic and social position.

Mr. DONOHUE. Mr. Chairman, I most earnestly hope and urge that this House, after thorough debate and discussion, will overwhelmingly approve this bill before us, H.R. 5037, which is, in summary, designed to give imperatively urgent assistance to States and local governments in reducing the growing incidence of crime and to increase the effectiveness, fairness, and coordination of law enforcement and criminal justice systems at all levels of government.

The imperative need for this legislation, in the public interest, is so obvious that it should require little, if any, comment here. The testimony and evidence heard by our committee in favor of this measure was, indeed, powerfully persuasive and, too often and unfortunately, almost frightening.

In substance, it has been proved that crime is increasing throughout the country five times faster than the population. Beyond the appalling number of some 800 to a thousand citizens yearly murdered during the perpetration of crimes, crime activities are costing this country at least $30 billion a year, or approximately one-fourth of the Federal budget.

It is clear, therefore, that the initiation of action to encourage the reduction and elimination of crime is of priority importance to the safety of the individual law-abiding citizens throughout this country and the security of his family, his business, and his property.

It is equally clear, from the reports of the various crime investigation commissions and recognized authorities in the field, that our approach to crime control and reduction must be combined and cooperative undertaking of the Federal Government and the several States to be effective. This measure, H.R. 5037, sets up and projects this desirable and recommended approach.

It creates an incentive for Federal, State, and local community government cooperation through programs of Federal grants, but its provisions are purposely designed to retain the initiative and expansion for specific action with the State and local government authorities.

This measure truly provides a really effective means of Federal assistance and encouragement without infringing upon the independence and control of the local officials.

Additional resources, for our national determination to detect and eliminate criminal activities, made available to both Federal and local agencies under the terms of this bill, will facilitate better training for law-enforcement personnel, permit acquisition of more modern equipment and research facilities, encourage incorporation of new techniques for the apprehension of criminals, and inspire improvements in rehabilitation processes and procedures, as well as in existing programs for the control and elimination of juvenile delinquency.

Mr. Chairman, of course no amount of human effort, expenditure of funds, or application of public or private resources will eliminate or drastically reduce criminal activity in this country overnight. However, and unquestionably, we must begin, now, to deal with this national scourge, and this bill is a meaningful vehicle through which we can begin this most urgent task.

This measure is the nonpartisan product of the thoughts and suggestions of multitudinous authorities, and represents many months of hard and conscientious work. It is based on 2 years of study by the members and staff of the President's Crime Commission, on prolonged conferences between and among concerned officials within the several executive departments of our Government, and on the extensive hearings and most earnest deliberations by the dedicated chairman and members of our House Judiciary Committee.

It is prudent in its currently recommended expenditure authorization and contains congressional review control over future authorizations; it is undoubtedly a timely response to one of the most alarming domestic challenges in our national history; it will unquestionably be effective against the evil that threatens to overwhelm us, and it is admittedly in the public interest. Let us, therefore, decisively approve this bill and thereby demonstrate, through expertly trained law-enforcement officials with modern facilities, working cooperatively together, that widespread lawlessness, in any form, will not be tolerated in this country. At the same time, let us most earnestly exhort every individual American to help inspire, by example, the rebirth of a more wholesome, moral, political, economic, and social national climate in which the objectives of this bill can be expeditiously accomplished.

Mr. McCULLOCH. Mr. Chairman, we have no further requests for time.

The CHAIRMAN. There being no further requests for time, pursuant to the rule, the Clerk will read the substitute committee amendment, now printed in the bill, as an original bill for amendment, by title.

The Clerk read as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Law Enforcement and Criminal Justice Assistance Act of 1967".

TITLE I—PLANNING GRANTS

SEC. 101. Crime is essentially a local problem that must be dealt with by State and local governments. It is the purpose of this title to encourage States and units of general local government to prepare and adopt comprehensive plans based on their evaluation of State and local problems of law enforcement and criminal justice.

SEC. 102. The Attorney General is authorized to make grants to States, units of general local government, or combinations of such States or units, for preparing, developing, or revising the plans described in section 204.

SEC. 103. A Federal grant authorized under section 102 shall not exceed 90 per centum of the total cost of the preparation, development, or revision of a plan.

Mr. CELLER. Mr. Chairman, I move that the Committee do now rise.

The CHAIRMAN. The question is on the motion offered by the gentleman from New York [Mr. CELLER].

The question was taken; and on a division (demanded by Mr. GROSS) there were—ayes 44, noes 16.

So the motion was agreed to.

Accordingly the Committee rose; and the Speaker pro tempore, Mr. ALBERT, having resumed the chair, Mr. ROSTENKOWSKI, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 5037) to assist State and local governments in reducing the incidence of crime, to increase the effectiveness, fairness, and coordination of law enforcement and criminal justice systems at all levels of government, and for other purposes, had come to no resolution thereon.

GENERAL LEAVE TO EXTEND

Mr. CELLER. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to extend their remarks on the bill just considered, H.R. 5037, and to include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

DON'T MURDER TSHOMBE

Mr. MONAGAN. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Connecticut?

There was no objection.

Mr. MONAGAN. Mr. Speaker, I am impelled to speak out on the present plight of Moise Tshombe and to express the hope that reason and a respect for human rights will prevent the Algerian Government from sending him to his certain death in the Congo.

I take this position not out of any sympathy for the political views of Mr. Tshombe, since I was not in sympathy with his efforts to disrupt the unification of the Congo as a nation. My stand is based on purely moral grounds. Tshombe was kidnapped against his will through the hijacking of a plane bound from mainland Spain to Majorca, and he was forcibly brought to Algeria without any process of law.

His seizure and detention were, and are, in contravention of the declaration of human rights of the United Nations Charter, and in derogation of personal rights guaranteed by the civilized nations of the world.

The New York Times in an editorial of July 22, 1967, stated:

> Although he requested a public hearing, it was denied and his French attorney was barred from the court. The Algerian jurists who decided that he could be extradited for criminal and not political reasons indulged in outrageous legal fantasy.

A few months ago I spoke in the House on a similar case which involved the detention in Czechoslovakia of an American citizen, Vladimir Kazan-Komarek. He had been brought to Prague against his will and was taken from the plane in which he was riding and incarcerated in a Czech jail. In the final analysis Kazan-Komarek was released by the

Czech authorities as a result of the rising tide of public opinion in this country.

It is certainly to be hoped that the Algerians will understand the horror which their highhanded conduct has aroused in the minds of the free people of the world, and that the fate of Tshombe will be decided in a manner which will protect his rights as an individual. A contrary result would seriously injure the cause of the new African nations. Clearly he should be returned to Spain, the country from which he was forcibly carried off.

To send Tshombe to the Congo would be to commit calculated and cold-blooded murder.

I feel strongly that it is the duty of the United States to express its firm opinion on the side of justice in this case and to make the strongest representations, both to the Congolese and Algerians, in favor of adequate protection of Tshombe's rights.

CAN WE AFFORD THE PRICE OF SURVIVAL?

Mr. HALL. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The **SPEAKER** pro tempore. Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mr. HALL. Mr. Speaker, an editorial in the July 30 issue of the Cincinnati Enquirer, entitled "Can We Afford the Price of Survival?" makes the point that Ford Motor Co. knew when to give up on the Edsel, but President Johnson does not know when to give up on Secretary of Defense McNamara, the "edselator" of our Southeast Asia war and it's "no-win" policy and control. The editorial makes the same points I have made on many occasions in the past, on this floor and in committee.

I commend it to my colleagues:

CAN WE AFFORD THE PRICE OF SURVIVAL?

Some few years ago we thought—and said so—that Dwight D. Eisenhower made a better President than Sherman Adams. A vicuna coat, a rug and a few other items rescued the nation from the almost mesmeric hold that the former governor of New Hampshire wielded over the general who had been entrusted with the White House by so sizable a popular vote.

At this point, we cannot escape the conclusion that Lyndon Johnson would make a better President than Robert S. McNamara—at least in the all-important areas of preparedness and national defense.

It is terribly dangerous we feel, for Defense Secretary McNamara to have the only voice that President Johnson seems able to hear among the welter of advice from men who are real experts, by dint of long professional training, in the art of survival techniques and weaponry.

Robert S. McNamara made a name for himself easily and quickly, by pointing to the savings which seemed apparent to him as a business administrator in the standardized purchase of socks and tablewear for the men of the armed forces. As a nickel, dime, quarter and dollar economist, he is faultless.

But when he throws away billions of dollars on decisions of major, even vital, importance, we believe the time has been reached when the United States no longer can afford any more of Secretary McNamara's "economies."

It was absolutely grotesque that we should have launched a new giant aircraft carrier powered not by the thermal qualities of the atom that we have mastered so efficiently, but by oil—which forever will constitute an umbilical cord between the great new carrier and a train of supply vessels.

Oil has become a critical commodity in many tense parts of the world. We have before us the superb performance of the atomic-powered Enterprise, proved capable of circling the world without the necessity of refueling.

The just-launched John F. Kennedy must tank up with oil for its own propulsion, as well as with fuel for its complement of fighter and bomber aircraft. There will be a definite time factor on its employment in foreign waters. The enemy—any enemy—may find it easy to stalk the supply vessel. And as the carrier replenishes its oil, it and its supply ship will be forced to cruise at slower pace, in a straight line.

There was a difference in cost, although not a terribly great one, between atomic power and oil-burning engines. Secretary McNamara gets out the slide rule and figures atomic power—at the same cost!

Here is a fighting ship that could turn the tide of a war; that could be priceless, or expendable in an hour of agony, and Mr. McNamara gets out the slide rule and figures cost on a per-pound basis.

If this were the only case of penny wisdom and pound foolishness, Mr. McNamara's position might be impregnable.

But how many air fields and training bases did he close in the name of economy—to the point that now we desperately need trained pilots? How many effective weapons has he scorned simply on a basis of cost, when now the military balance of the world has grown precarious?

Almost most dangerous of all is Secretary McNamara's insistent air of infallibility.

He had a pipe dream when he jettisoned other plans and determined that we would build alike planes for the Air Force, Navy and Strategic Air Command.

We stopped production of the workhorses of the Strategic Air Command—the B–52, the B–52A and the B–58 Hustlers. Our force of medium-range bombers—the B–47s was dismantled.

Mr. McNamara was to give us one plane that could attend to long-range bombing missions, that was fast enough for reconnaissance, maneuverable enough to serve as a fighter, yet with variable speed so that it could be adapted to carriers.

This was the famed "TFX." The huge order for it was not given to the company that submitted the lowest bid and, in the opinion of almost everyone, designed the better airplane.

So now the strength and sinew of our air power is based upon this TFX, known serially as the F–111 in its various models.

There were many who believed political shenanigans figured in the choice, and there are some who believe Mr. McNamara's seeming invulnerability stems from services rendered. The point does not concern us here.

But, the all-in-one plane that was to be so cheap and effective has become a monstrosity. The great factor in its favor, said Mr. McNamara, was its commonality—the sameness of parts and design whether it was purchased for the Air Force, the Navy or SAC.

Commonality has become a bitter word now, because the different needs of the services have necessitated the building of three different models, with precious little sameness of parts.

The variable-wing feature is all right. In fact, Russia uses it in several of the planes shown at the Moscow air show. But the Navy's F–111 is far too heavy for carrier usage, and the modifications attempted to make it suitable have almost wrecked its performance characteristics. Its jet air intake now is at a point of dangerous turbulence; a number of the test planes have conked out because of it.

It might be funny if it were not so tragic, but the F–111 seems to have little future as a bomber. In being designed to be handled on carriers, and in carrier elevators, the new plane lacks power and wing surface to carry many bombs. Its ability in this respect is well below that of high-performance fighter-bombers already in use. And, as a fighter, it will almost need fighter escort.

These are things already manifest. Hopefully, there will be some compensation for them. It is too late to convert the John F. Kennedy to atomic power, but maybe the deficiencies of the thrice-expensive F–111 will compel some change there.

Our nuclear defense or lack of deterrence could be our real undoing.

We do not believe that the United States would have built the first atomic bomb or the first hydrogen bomb if Secretary McNamara had been in position then to apply his "cost effectiveness" slip-stick.

Even now, we wonder how many of the American people realize that Russia has been permitted to take a growing lead over us in atomic capability?

Our chief reliance now is on the Polaris or Poseidon missile-carrying atomic submarine—something else we would not have under Secretary McNamara's way of accounting cost. We have dismantled and sold for junk many huge silos for the firing of Atlas and Titan intercontinental ballistic missiles. These are liquid-fueled rockets, but they can pack a heavier payload than the solid-fuel Polaris or Minuteman. Russia, meanwhile, has a capability of slamming us with 35- or even 50-megaton warheads. Russia also has an antimissile system of sorts—we have none. "Too expensive!"

As part of the evident "deal" with Soviet Premier Khrushchev, at the time of the Cuban crisis, the United States removed all its intermediate-range missiles on station in England, Italy and Turkey.

The other day we saw a screening "The War Game," which gave an all-too-realistic version of what could happen in England if atomic war began. It mentioned that Russia had hundreds of intermediate-range ballistic missiles trained upon England. This is true, liquid-fueled though they may be.

As far as these missiles are concerned, we have left our allies in Europe utterly naked.

Worse, we let England in on the joint development of an air-to-ground missile, the Skybolt, which could be launched on target from a bomber 1000 miles away. England wanted it for use with her Vulcan bombers, and we certainly could use it to prolong the effectiveness of our B–52's. President Kennedy and Secretary McNamara broke the bad news to Prime Minister Harold MacMillan at Bermuda, saying the Skybolt had proved not feasible. By way of showing how unfeasible it was, the Strategic Air Command (probably in a bit of insubordination by Gen. Curtis LeMay) fired a Skybolt that very day, and it hit a target "on the barrelhead" a thousand miles away.

This is not the complete story. Some of our best career airmen are utterly indignant at the way they were forbidden to touch any of the SAM missile sites in North Vietnam while they were under construction by Russian technicians. Now they cannot be attacked, since they are well entrenched and protected by radar-operated anti-aircraft guns. And we've lost the equivalent of a fine air force in doing it.

Is there anything in the record that suggests Secretary McNamara is infallible? Many of our airmen have a name for him "McEdsel."

But the Ford Motor Co. knew when to give up on the Edsel.

WE NEED PEOPLE—NOT BLOCK WARDENS

Mr. PICKLE. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. PICKLE. Mr. Speaker, I was somewhat surprised at the suggestion voiced in this body the last 2 days by the minority that the President establish local quasi-volunteer organizations to work in neighborhoods to ease the tensions threatening the major urban centers of America. This type of program, though vastly more complete, has been underway, through the CAP programs, for over 3 years.

As I understand the neighborhood action crusade, local leaders would work within their own areas on a block-by-block basis in a preventive action program. I submit that this approach is more verbal than factual, and the problems which have wracked our cities with violence this summer are problems which must be solved on a communitywide, if not nationwide, basis.

In principle, I support the contention that there is a desperate need for communication among the poor, their representatives and community leaders, but I believe this necessity for communication should go much further.

Those who propose the neighborhood action crusade lead us to believe that "block wardens" will be an effective medium capable of serving as a communication link between disaffected elements in our cities and those charged with the responsibility for providing law and order. This attitude, I am afraid, could be a one-sided proposition.

I believe there is a need for maximum community and citizen involvement not simply a cross-section sampling. The gap that exists can only be closed when a majority of the community reaches out to understand and solve the problems. We need people participation.

In this respect, I proposed 3 months ago to the Office of Economic Opportunity a plan that would effectively mobilize community resources to provide the communication, which is the underlying thesis of the neighborhood action crusade, and to provide the vehicle for involving community-based groups and individuals in the problems of the underprivileged and forgotten sections of our communities. The proposal would, in essence, provide a means by which the more fortunate of our society would be given the opportunity to get on the other side of the tracks, so to speak, to work in a people-to-people helping program.

I would be the first to admit that the Office of Economic Opportunity is not without some faults, but I challenge those who would criticize or offer quick gimmicks to step to the front and through the community action agencies offer their assistance in the effort to come to grips with the problems of discrimination, ignorance, and neglect that have driven millions of Americans to the brink of desperation.

This type of approach could simultaneously accomplish two of the major aims in the Nation's battle against poverty.

First, and maybe most important, it would alleviate many of the sufferings of the impoverished. And, second, it could provide the measure of understanding and compassion that the majority of Americans do care about the welfare of their fellow men and are trying to understand and solve the current tensions which afflict our society.

I daresay that there are very few people in this affluent Nation that cannot spare approximately one-half day per week of volunteer service to the underprivileged of their communities.

Is there a civic club or church group or bridge club or PTA club or veterans organization that does not have the time to undertake at least one project that could raise the standard of living in their community? Many of them do. Many could do much more. Many individuals are yearning to volunteer their help if we could only tap their resources.

Involvement programs can be more effective than any great outpouring of Federal funds and can be more precisely suited to the particular problems of a given community. Individual involvement—people to people—would show that we care and that the spirit of caring is more important than all other forms of help. Such programs build cohesive rapport, not walls, in communities that have problems.

We need the basic programs of governmental help and around these basic programs—such as the antipoverty program—thousands of Americans are helping their fellow citizens, and if we find a way to involve more people who care, we could have millions helping each other.

To me, the idea of block wardens alone will add further to the isolation that exists between the segments of our society unless we match with it the involvement of people on both sides of town.

The violence and rioting, it would seem, have become the only way that some of America will listen to the problems of the ghetto dwellers.

To be sure, arsonists and snipers should be treated like the criminals they are, but the cure must be found for the despair that makes them criminals.

There exists, I believe, a partial cure through a coordinated community effort in which volunteers could be used in a variety of ways to educate the entire area on the proposal of the war on poverty, its successes, its gaps, and ways in which individuals, community businesses, industry, and institutions could assist without resource to additional funds.

In this connection, I wish to submit a letter which Sargent Shriver, OEO Director, wrote to one of those who proposed the block warden type of approach. In the letter Mr. Shriver points out that the objective of the proposal has been established in the community action program, and I submit his letter, which follows:

July 31, 1967.

Hon. William O. Cowger,
House of Representatives,
Washington, D.C.

Dear Congressman Cowger: President Johnson has asked me to reply to your joint letter of July 27, 1967, regarding the creation of a Neighborhood Action Crusade to "defuse" some of the tensions we are currently encountering in our metropolitan centers.

First, let me say that I agree completely with the underlying thesis of your proposal: That we can help deal with this problem through the medium of locally organized citizen groups capable of serving as a communications link between disaffected elements of our cities and those charged with responsibility for providing law and order. Although we certainly do not as yet understand all of the myriad causal factors in these disturbances, we do know that effective communications are a significant consideration, both in preventing occurrences and in calming situations after they have erupted.

It was with this in mind that we talked individually with each of our seven Regional Directors last week and requested that they, in turn, call Community Action Agency officials in all of the key cities in their Regions. We suggested that these local officials make themselves, and their Agencies, available to the Mayors and Police Departments to perform precisely the mission which you have suggested. We discovered, to our great satisfaction, that this process was well under way in dozens of cities throughout the country. We now have reports from our Directors citing example after example of significant contributions being made by Community Action Agencies in keeping the peace and in assisting to moderate where problems have reached the point of open conflict.

I have, since the inception of the Poverty Program, tried to make it abundantly clear that ours is not an anti-riot agency; that the programs of OEO are directed at long-range solutions to the basic causes of poverty and that, as such, cannot be expected to constitute the sole remedy to the many current tensions which afflict our society. On the other hand, the organizational mechanism of "Community Action" involving, as it does, most segments of the community and the poor themselves is uniquely suited to serve a positive role in the social conflict which we presently face. I am happy to report that that role is being played throughout the country.

In short, we sincerely believe that the objectives which you were seeking are, in fact, being accomplished by our Community Action Agencies. We share with you the belief and the hope that through the device of involving these citizen-based groups, we can assist in keeping order in our cities; and, as I have indicated, we have taken specific steps to encourage this contribution.

May I thank you, in behalf of the President, for your letter and the obvious enlightened concern which motivated your suggestion.

Sincerely yours,
Sargent Shriver,
Director.

Mr. Speaker, let us find a way to get people involved. Our basic OEO programs are good, but they need to be understood by our people—they need to see, and talk, and feel the poverty of these people—and if they do, people will help. Because people do care Mr Speaker.

TRAVEL AGENTS, AIR TRANSPORTATION, AND CENTRAL AMERICAN TOURISM

Mr. TIERNAN. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Rhode Island?

There was no objection.

Mr. TIERNAN. Mr. Speaker, I would like to note an event that was made possible by the establishment of the Alliance for Progress by the late President John F. Kennedy, in 1961.

Those of us who were impressed by John Kennedy's efforts in South America are very much heartened by knowing that this vibrant program is today assisting our neighbors to the south in great measure.

The efforts that the Central American people have made to encourage travel and tourism have justified the convictions and the belief of the late President, that by working together, the Central American countries can help themselves by helping all of America.

It is my pleasure to include as part of my remarks a speech made by Paul S. Quinn, an attorney of the District of Columbia and Rhode Island, before the Third Seminar on Tourism for Central America, which was held at Guatemala City on July 14 and 15 of this year:

TRAVEL AGENTS, AIR TRANSPORTATION, AND CENTRAL AMERICAN TOURISM

(Remarks of Paul S. Quinn, Washington, D.C., at the Third Seminar on Tourism for Central America, sponsored by the Secretaria de Integracion Turistica Centroamericana, July 14–15, 1967, Guatemala City)

I am very pleased to have the honor to participate in this the Third Seminar on Tourism for Central America sponsored by SITCA, particularly since it has afforded me the opportunity to make this my first visit to Guatemala.

The fine attendance and interest which is being displayed at these meetings is indeed a tribute to the effective work of all who are laboring on behalf of SITCA and, in particular, to Branwell Fanning, SITCA's Regional Tourism Advisor.

Last month marked the sixth anniversary of the implementation of the General Treaty for Central American Economic Integration. The progress which the five participating countries have attained in their efforts to bring about economic integration has been substantial. Although the movement toward economic integration in Central America has been a source of pride and encouragement for those of us who have watched its growth, much remains to be done.

I hope to share with you today some thoughts on what I consider to be perhaps the most important element in our co-operative efforts to stimulate Central American economic integration: the development and expansion of tourism.

The establishment of SITCA on December 10, 1963, by the Directors of Tourism of each of the Central American countries, provides ample evidence that the founders of the Economic Integration Movement recognize the importance of tourism in the healthy economic growth of the Central American region.

Two of the most important elements in the effective expansion of international tourism are travel agents and air transportation. Although I do not pretend to be an expert on either subject, I have during the last several years had an opportunity to work in these fields and thus develop some specific impressions which I would like to pass on to you today.

International travel is today the single largest item in world trade. During 1966, slightly less than $12 billion in expenditures were generated by the travel of approximately 85 million individuals.[1] The text of the resolution adopted by the United Nations designating 1967 as "International Tourism Year" (ITY) expresses the hope of an intensified national and international co-operative efforts both by governments and interested private organizations for the promotion of tourism, particularly in the developing countries. The theme of the ITY Treaty "Tourism: Passport to Peace" is an expression of both fact and hope.

A review of the economic impact on the countries of the world which are engaged actively in promoting tourism is certainly an inspiring one. In the United States, for example, more than 16½ million Americans journeyed abroad last year with almost 3 million of them traveling overseas. United States citizens spent more than $4 billion in foreign travel in 1966. To our mutual neighbor, Mexico, this produced $782 million in international tourism receipts in 1965 and tourism became Mexico's number one industry in 1966.

In 1966, 9.7 million U.S. citizens traveled between the United States and foreign countries by air. This is an increase of 7.1 million over 1956. From 75 to 90 per cent of all United States citizens who traveled abroad last year, used the services of travel agents. There are currently about 6 thousand approved travel agency locations in more than 2 thousand United States communities. Travel agents spend more than $5 million a year in travel promotion and employ, on an average, five experienced personnel per agency, thus supplying more than 30,000 trained travel salesmen.

According to a recent study by the United States Civil Aeronautics Board, air travel originating in the United States will more than double in the next 7 to 11 years. It has also been established that vacation and personal air travel will expand at a faster rate than will business travel. It is interesting to note that travel agents in the United States handle from 75 to 90 per cent of all international travel, seventy-five per cent of which is personal or pleasure travel. On the other hand, travel agents handle 32 per cent of domestic United States air travel which is composed of approximately 66 per cent business travel and only 33 per cent of personal or pleasure travel.

Another impressive statistic regarding the important role which the travel agent plays in developing the pleasure air-travel market, is that in the sale of domestic air tours, U.S. agents sold 6 times as many tours as did the airlines themselves. This amounted to domestic air-tour bookings by agents in 1965 of $275 million. The typical U.S. travel agent booked 20 per cent of his domestic air sales in tours. Sixty-four per cent of agents entering a recent survey indicated that they themselves operated tours primarily to international destinations.

Effective insight is contained in a recent survey[2] on the factors which motivate air travelers to look to travel agents to fulfill their travel needs. Some of the major findings of this survey are:

Sixty per cent of the passengers interviewed said that they sometime or other used the services of a travel agent for a domestic airline trip. Of those travelers traveling on vacation, 38 per cent used a travel agent for the trip on which they were interviewed.

There is a considerable repeat usage of travel agents; 27 per cent of those who said they used agents, did so six or more times annually and these individuals accounted for 69 per cent of the annual use of travel agents.

Eighty-eight per cent of the passengers who used an agent said that his services were either excellent or satisfactory.

It is quite clear that the success of any tourist promotion program depends to a very large degree on the active involvement and support of the United States travel agency industry. Steps which could be taken to obtain this support include:

Informing the travel agency industry on the steps you have undertaken to promote a regional tourism program.

Encouraging travel agents to visit your tourist facilities either as part of organized programs or on individual educational trips.

Encourage airlines and steamship lines to adopt attractively-priced promotional fares which can be packaged by agents and sold as part of inclusive tours.

Involve travel agents in programs to facilitate tourist travel to and within Central America. One device to accomplish this could be to make available tourist visa forms to travel agents. Consideration could also be given to urging the adoption of a common visa which could be used by tourists traveling on United States passports for travel to all Central American countries.

A close liaison should be maintained between promoters of Central American tourism and the U.S. travel agency industry through such organizations as the American Society for Travel Agents, Inc. (ASTA). Excellent vehicles exist within this organization such as its monthly magazine "ASTA Travel News" and its annual World Travel Congress. There also exists in the United States several fine travel publications with wide access to the travel agency industry.

Advertising programs should be designed to focus the attention of the U.S. traveler on certain specific features of Central American tourism. Efforts should be made to generate desire on the part of potential travelers to seek advice and information from travel agents.

The second element in the picture which I would like to draw of Central American tourism concerns air transportation to and within Central America. There is perhaps no industry in modern times that has grown more dramatically than has international commercial air-passenger transportation. There are currently more than a hundred scheduled airlines operating throughout the world. Last year they carried 177 million passengers and earned $7.35 billion from passenger revenues. Member airlines of the International Air Transport Association (IATA) operate approximately 1,300 jets, 657 turboprop and 1,539 piston aircraft. As of December 31, 1966, U.S. scheduled airlines alone had on order for delivery between 1967 and 1970, 672 jet aircraft.

It is my view that the dynamic expansion of the air-passenger travel market in recent years has resulted to a large degree from the introduction of low-cost, safe and convenient transportation available to an ever-increasing percentage of the traveling public. These developments primarily can be traced to healthy competitive conditions which have existed in the major markets throughout the world.

To illustrate the foregoing view, we need only look at three markets in particular. The mainland U.S.-Hawaii market, and the transatlantic market between the United States and Europe, and the U.S.-Mexico market. In each of these markets there has been a substantial reduction of fares and the introduction of nondiscrimination promotional fares as a result of healthy competition. Between each of these areas there was a substantial broadening of the travel market.

It would certainly be naive to attempt to conclude that the only reason that air passenger transportation developed so substantially in the three markets that I have just referred to is as a result of introduction of lower air fares. Conversely, it would be equally naive to ignore the fact that there is a direct correlation between the introduction of low-cost, safe and convenient air transportation, and the attraction of a higher percentage of middle- or lower-income members of the public to the joys and excitement of air transportation for personal or pleasure purposes.

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[1] *The Big Picture.* ASTA Travel News, March, 1967.

[2] Systems analysis and research corporation "Airline/Travel Agent Marketing Study, May, 1967."

An informative study entitled "Central American Transportation Study" completed in 1965 by Transportation Consultants, Inc. of Washington, D.C., traces the establishment of each of the Central American carriers and then goes on to make several specific recommendations. The major recommendation is for the five Central American countries jointly to establish an air transportation system which most efficiently will meet the needs of the area through the establishment of an airline consortium.

The multi-national airline concept is not a novel one, nor is the attainment of such a project easily accomplished. However, two illustrations of existing airline consortiums indicate quite clearly that under certain specific conditions, national interests of several sovereign countries existing side by side can better be served in the field of regional and international transportation by the creation of a formal mutually-agreed-upon partnership. The two illustrations to which I refer are the Scandinavian Airlines System (SAS) and Air Afrique.

While the difficulties of arriving at an effective multi-national airline agreement are obvious, the benefits which could flow from such an agreement are equally obvious. For example:

A multi-national airline could develop the substantial financial resources necessary to purchase and maintain new jet equipment. This will be a particularly important consideration with the advent of the Boeing 747's, an aircraft with a price tag of approximately $12 million and a seating capacity of up to 490 passengers.

The ownership of a multi-national airline could involve the financial interests of the sponsoring governments, private interests located in those countries, as well as interests outside of Central America on an agreed-upon formula. This would create an effective government-private industry partnership.

A multi-national airline could more effectively draw upon the experience and knowledge of the participating airlines as well as other more well-established airlines, thus providing effective and integrated marketing and technical programs. In this connection, it appears that the existing policies of the U.S. government, which limit the financial and technical assistance of U.S. flag carriers, may not serve the best interests of the aviation industry and should be subject to a critical review.

A multi-national airline could, through agreement by participating countries, develop a more efficient network of routes thus on the one hand eliminating wasteful competition where it now exists, and on the other hand stimulating healthy competition on international routes where such is lacking.

A multi-national airline could engage in ambitious programs of destination advertising throughout the United States and other parts of the world. These programs are almost totally lacking today, but they are essential if the desire to travel to Central America is to be instilled in potential travelers.

A multi-national airline could enjoy certain prestige in international diplomatic circles greater than that of each of the participating countries, thus making more effective those countries' efforts to negotiate more favorable bi-lateral agreements with other countries.

There are, of course, other co-operative arrangements which could be undertaken short of a multi-national airline, such as the establishment of an air union or an equipment and technological assistance interchange program. However, it is clear to me that the undertaking of a joint effort of some form is essential in order to insure that the commercial aviation interests of the Central American countries is to realize its full potential.

A brief glance at the current route structure, air service and air fares between the United States and Central America clearly indicates that substantial changes should be made in order to bring about an expansion of the tourist market between these two areas.

Although the contention can be made that the current level of traffic does not warrant a reduction of air fares, it can be also argued that the creation of healthy competition on the routes in question among carriers having new and efficient jet equipment would result in lower air fares, the introduction of tour-basing fares and other nondiscriminatory promotional fares. The initiation of inclusive tour charters by U.S. supplemental air carriers would offer travel agents new opportunities to promote and sell tours to potential travelers to this area. These steps in turn should result in a substantial broadening of the personal and pleasure air travel market to Central America.

All visitors who have had the opportunity to enjoy the natural beauty, cultural and historical attractions of countries which comprise Central America must agree that this region of the world offers a very great potential for the expansion of tourism. And with the necessary co-operative effort and imagination, it is my view that specific projects can be undertaken to accomplish this goal.

In suggesting methods of improving air transportation, care must be taken not to overlook the past and current substantial contributions of the Central American carriers and Pan American World Airways to this area of the world. However, all air carriers face new challenges with the coming of the Boeing 747 with its tremendously-increased passenger and cargo capacity, and the supersonic transport with almost incredible speed capabilities.

The prospects of matching technological change with the object of expanding tourism in Central America is our role in the overall goal of establishing an integrated American economic community. This goal is truly a challenging one and was perhaps best described by President John Kennedy in his statement announcing the establishment of the Alliance of Progress to Latin American diplomats in 1961.

"But our greatest challenge comes from within. The task of creating an American civilization where spiritual and cultural values are strengthened by an ever-broadening base of material advance—where, within the rich diversity of its own traditions, each nation is free to follow its own path towards progress."

URBAN RIOTS

Mr. SAYLOR. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Pennsylvania.

There was no objection.

Mr. SAYLOR. Mr. Speaker, the inquiry into the series of urban riots should include a determination of how many of those arrested are on public welfare rolls.

Such information might go a long way toward isolating the virus that breeds discontent, destruction, and looting. At the same time we may discover that individuals capable of working but never weaned from Government largesse are, in effect, drawing off relief funds from those legitimately eligible for public assistance.

The American public has generously accepted as a moral obligation the philosophy that those unable to support themselves through no fault of their own should be cared for at the expense of the general society. But our funds are limited, and it is a direct imposition on the needy for anyone able to pay his own way to grasp at the lifeline of Government subsidy.

The public has long been concerned at the number of ablebodied young men who aimlessly loiter on city streets during the hours when most people are at work or at rest in preparation for the night shift. Obviously, such strays are far more likely to commit violence against society than those too dignified to idle when work is available.

I cannot conceive that there is arson in the heart of a man who toils in support of his family. The person who labors to build his home, his church, and his community is hardly the one who would put the torch to these accomplishments.

Pennsylvania was poor in many communities long before the national depression took form in 1929. But our people did not set fires, steal, and shoot at firemen. There is more to the current riots than poverty. In the process of bringing the guilty to justice, we might very well discover a situation that many have suspected but have been reluctant to discuss.

NICE TO HEAR OF HEROISM INSTEAD OF RIOTS

Mr. PEPPER. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. PEPPER. Mr. Speaker, at a time when some men are burning their draft cards and demonstrating against the country, it is refreshing to read an award of the Bronze Star Medal for heroism, made November 14, 1966, to Pfc. E–3 Donald A. Soper, HHC, 2d Battalion, 27th Infantry, 25th Infantry Division, for prodigious feats of heroism in Vietnam. I knew this gallant American when he was 9 years old. He is the son of dear friends of mine in Tavares, Fla., Mr. and Mrs. Arthur Soper.

I include this inspiring award at this point of my remarks:

HEADQUARTERS,
25TH INFANTRY DIVISION,
APO San Francisco, November 14, 1966.
General Orders No. 1503

AWARD OF THE BRONZE STAR MEDAL FOR HEROISM

1. TC. 320. The following Awards are announced:

Soper, Donald A., RA14892052, Pfc E–3, HHC, 2nd Bn., 27th Inf., 25th Inf. Div.

Awarded: Bronze Star Medal with "V" Device.

Date action: 24 August 1966.

Theater: Republic of Vietnam.

Reason: For heroism in connection with military operations against a hostile force: Private First Class Soper distinguished himself by prodigious feats of heroism in close combat with Viet Cong forces near Bao Cap, Republic of Vietnam, on 24 August 1966. On this date, he was serving as a machine gunner on a daylight ambush patrol. The patrol had reached their objective and were securing their position when they received an intense volume of small arms fire from advantageous enemy position obscured by the dense jungle foliage. The numerically superior Viet Cong force, employing recoilless rifles, several machine guns, numerous automatic and other small arms weapons, in addition to supporting 60MM mortars, threatened to overrun the patrol with the ferocity of their attack. Private Soper exposed himself constantly to the vicious onslaught of hostile fire as he engaged the enemy from different locations along the friendly perimeter in an effort to confuse the attackers and increase his own effectiveness. Though hampered by a serious loss of blood from a wound sustained during the initial barrage of enemy fire, he refused medical aid and continued to fight desperately against the overwhelming power of the Viet Cong. On several occasions, he singlehandedly repelled enemy advances on his position. Although he was suffering great pain from his wound and weakened by loss of blood, he helped supply the machine guns with ammunition in addition to holding his own position throughout the fierce battle. Not until the enemy attack was broken and the malevolent assailants had withdrawn did Private Soper accept first aid. His judicial execution of superior combat skills proved crucial in preventing the patrol's demise and contributed immeasurably toward the enemy's defeat. His outstanding display of aggressiveness, perseverance, and unimpeachable valor in the face of the enemy reflects great credit upon himself, his unit, the 25th Infantry Division, and the United States Army.

Authority: By direction of the President under the provisions of Executive Order 11046, dated 24 August 1962, and USARV message 16695, 1 July 1966.

For the Commander:

Thomas W. Mellen,
Colonel, GS, Chief of Staff.

Official:

O. A. Margo, Sr.,
Maj. AGC.
(For Herbert L. Forsythe, LTC, AGC, Adjutant General).

Mr. Speaker, it is also stimulating to note the splendid patriotism of this soldier's parents and to learn more about the progress of this brave young American. I insert at this point in my remarks, a letter written to me May 9, 1967, by Donald's great American parents. In the finest traditions of our country these parents have offered their son in the country's service and are proud that he has been able to carry a part of the battle for freedom in the world.

Tavares, Fla.
May 9, 1967.

Dear Friend:

This is a little boy you knew when he was nine.

He spent his 19th birthday in the 249th Gen. Hospital in Japan.

Thank God he is not one of the ones on the street burning draft cards, or stepping on our American flag.

He was made sergeant last Friday.

He has been studying chemical, biological, and radiological warfare. They graduated last Friday and he was third in his class. Now he is assistant CBR NCO for the company besides running his own squad.

We will be happy when he comes home to go to college.

We are very proud of him. When he finished high school he said he did not feel like studying for a year. Would we sign up for him to go in the Army. We knew that was what he wanted at 17. He did not know his own mine. But we gave in, after talking to teachers etc. at college.

Our very sincerely wishes to you and Mildred.

Always your Tavares friend,

Eleanor and Art Soper.

Mr. Speaker, it is young Americans like Donald Soper and parents like his who are the bulwark, the strength and the glory of this great Republic.

ANSWER TO CRITICS OF THE NATIONAL RIFLE AND PISTOL MATCHES AT CAMP PERRY, OHIO

Mr. SIKES. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. SIKES. Mr. Speaker, it would appear there are unfortunate misconceptions about the purpose, scope, effectiveness, cost, and value of the national rifle and pistol matches which are held annually at Camp Perry, Ohio. I feel that it is important that some of these misconceptions be corrected.

One of these is the apparent belief that 3,000 support troops are maintained at Camp Perry for more than 5 months in connection with the matches. Actually, the men needed for this purpose are phased in and out of Camp Perry as required. The greatest number scheduled—2,815—is for the 2-week period from August 15 to September 2. Beginning with a contingent of 90 men on June 6, the number gradually increases to the top figure listed and declines again to 36 men on September 15. There are no support personnel at Camp Perry prior to June 4 or after September 23. The largest number of troops is supplied by the Army but other branches of the service provide support in a ratio determined by the number of participants from that branch. Those on duty are reservists who are required to receive normal summer training for which they would be paid regardless of whether the service was performed at Camp Perry or elsewhere.

Very little maintenance work is performed by these troops. Essential maintenance is done as a part of their normal training activity. The camp is maintained on an austere basis and maintenance costs are held to a minimum. Comments have been made on the "extensive movement of refrigerators and stoves" in connection with the matches. I am advised that possibly as many as 20 are necessary and are placed in messhalls and similar locations during the training period. This could hardly be called extensive movement.

We have been told that the National Board for the Promotion of Rifle Practice "gives away over $3 million in guns and rifles—purchased by the armed services for the purposes of the give-away." In the first place, no guns or rifles are given away. These arms are issued, under bond, to clubs for the purpose of training civilians who may be called into military service. Furthermore, the weapons are not purchased by the services for any "give-away." Those used in the program are drawn from weapons already on hand. Firearms on loan at Camp Perry—not "give-aways"—as of December 31, 1966, had a valuation of $2,372,454.60. These, however, were in inventory and are the property of the Government.

Among the lesser complaints that have been filed against the Camp Perry program is the statement that computers must prepare the data process cards for next year's meet. This is a strange assertion since it is only a relatively short time before this event that competitors who will take part are known, at the time their entries are submitted. Actually, while the statistical office prepares this year's score forms, they do also address a single gummed label for the mailing of the next year's program—a simple and time-saving task.

It has been urged that instead of using Camp Perry for the national rifle matches that disadvantaged youngsters be given the opportunity to use the facility during the summer months. I am wholeheartedly in sympathy with the objective of utilizing available facilities in this manner. However, there are many areas which can be used for this desirable objective. The need for summer camps for youngsters must not necessarily be turned into an attack on another program which also is an important public service for the Nation. As an Ohio National Guard facility, Camp Perry is far from idle in the months other than when the national matches are being conducted. In addition to National Guard and Reserve use of the camp, which totals some 300,000 man-days of training, the use of the facilities are also extended to Boy Scouts, Girl Scouts, Camp Fire Girls, and other youth programs.

Critics have portrayed a picnic-carnival atmosphere of participants, observers, family, and friends of observers who attend the rifle matches. The matches are a serious affair attended by dedicated and qualified members of the shooting world. These matches are the world series of shooting. The participants are trying just as hard for perfection and are as serious about the competition as the man who pole vaults 16 feet, runs the 100-yard dash in 9.2 seconds, gets the game-winning hit, or runs 90 yards for a touchdown. No one but a participant and his immediate family is issued a mess card. Observers are housed not in Camp Perry but in a separate camp which is rented on a first-come, first-served basis.

The skills that are gained at Camp Perry are the basis for the success or failure of American teams in international competition. It is a matter of particular pride that U.S. contestants have successfully competed with the best that other nations can offer in recent years. Competing nations do not hesitate to give full support to their teams in preparation for the matches. It could hardly be expected that American teams would perform as effectively or as successfully without the benefit of our own marksmanship program which is climaxed at the Camp Perry matches.

I strongly recommend that those who are critical of the marksmanship program carefully review the objective and factual study of the civilian marksmanship program submitted to the Department of the Army by Arthur D. Little, Inc., on January 1966. This comprehensively covers the national matches and other activities of the National Board for the Promotion of Rifle Practice. I trust that such an action might create a new appreciation of a program designed to enable citizens to assist their Government in preparing for one of its most vital roles—that of national defense.

I also strongly recommend that those who have questioned the value of the national matches visit Camp Perry while the matches actually are in progress. If such a visit were made at the time the small arms firing school is being conducted, I am convinced that their opinions on the value of the program will drastically change.

DEPARTMENT OF STATE'S ACTION FOR U.S. CITIZEN

Mr. ROGERS of Florida. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. ROGERS of Florida. Mr. Speaker, I would like to take this time to publicly commend the Department of State and express my appreciation to certain of its members, who, during a time of stress and anxiety, acted in a most exemplary manner.

I received a telephone call Wednesday informing me that the father of a friend of mine had been injured and his mother killed in an automobile accident in India. The son in Florida was, of course, distressed and shocked. The vast distance only magnified this anxiety.

He was quite naturally desirous of information as to his father's condition, and at the same time concerned with the problem of getting his mother's body back home for burial.

Immediately after receiving the call, we contacted Mr. William McComber, Assistant Secretary of State for Congressional Relations, for assistance in obtaining information from India and help from our Embassy in New Delhi in making the necessary long-distance arrangements for hospitilization, special doctors, and contact with the Indian Government to satisfy their laws.

Through this office and that of Mr. John Christianson, Special Consular Services, we were able to furnish the constituent on a frequent basis the condition, progress, and prognosis of his father and of the arrangements made through representatives of our Embassy in New Delhi of the return of the mother's body back to the United States—a matter further complicated because Indian law requires that the body be buried or cremated within 48 hours.

In the meantime, the son and his sister wished to make the trip to India to be with their father and the problem of passport and visa arose. Through the efforts of Miss Mary Frances Faulker in the office of Miss Frances Knight, Director of Passport Office at the Department of State, and the cooperation of their field staff in Miami, the required passports were issued within hours.

At the same time, Mr. Carleton S. Coon, Indian desk officer at the Department of State, and his staff were making contact with Mr. Paramjit S. Sahai, Second Secretary of the Indian Embassy in Washington, D.C., to request the Indian Government's cooperation in issuing visas to the son and his sister so they could join their father.

Despite the fact that the situation meant communication and cooperation from people halfway around the world, the arrangements were made within 48 hours. This is an example of team effort by the various arms of the Department of State, both here in Washington and also in Miami and India.

I cannot fully express my appreciation for these men and women who helped in this emergency. Unfortunately, these situations are seldom noted except by those involved.

The concern shown for the family by the people in the Department of State working in this matter and the cooperation between the Department and the Indian Government is most gratifying and laudable.

IT'S TIME THE JUSTICE DEPARTMENT RESPONDS WITH LEADERSHIP AND ACTION

Mr. ROGERS of Florida. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. ROGERS of Florida. Mr. Speaker, on July 26 I wired the Attorney General and asked that the Justice Department proceed to arrest Stokely Carmichael, if and when he returns to this country from Cuba on grounds of sedition.

Eight days later I received a rather fuzzy reply from the Assistant Attorney General informing me that the Department is alert to those activities which may pose a threat to the best interests of our Nation.

Based on recent performances, I would question whether or not the Department is indeed alert to such situations and whether the Department plans to take action against Carmichael.

It appears to me that there are many people here in Washington, and many people in various cities which have been the target of riots, burnings and murders who are very alert to the actions and motives of Carmichael.

The Nation as a whole is very keenly alert as to Carmichael's latest comments since arriving in Communist Cuba. There is little variance in his theme—the overthrow of the Government of the United States. And I would add there is ample evidence to this effect, both before he went to Cuba and after he arrived there.

He has preached violence, the overthrow of the Government and his comments to this end have been recorded.

The police chiefs of Cincinnati and Cambridge testified that the speeches of Carmichael and his partner, "Rap" Brown, were inflammatory and sparked the riots in their cities. At that time it was cited that Brown and Carmichael urged Negroes to fight police and burn the city.

I think there is an overwhelming amount of evidence—indeed more than one would require to be alerted—which points out the need for action on the part of the Justice Department, both against Carmichael and Brown.

It is not too late to exercise and display some leadership. I would hope that those in the Justice Department would respond to the alert.

Mr. Speaker, I would at this time like to include an article which was in this morning's Washington Post. In it, Rowland Evans and Robert Novak state the obvious fact that the Student Nonviolent Coordinating Committee is now operating as Castro's subversive arm in the United States.

The people of the Nation expect the Justice Department to respond to crisis with leadership. To date, we have seen little to insure that our expectations are justified.

I have had the Library of Congress research the law concerning sedition and just how the courts have upheld them. I would like to include this in the RECORD so that the Justice Department may better inform itself with this phase of the law and be better equipped to implement it when and if indeed Stokely Carmichael sets foot again on American soil. With this material and the statement of the police chief of Cincinnati, there should be no excuse for delay in taking Carmichael into custody when he enters the country.

The material referred to follows:

[From the Washington (D.C.) Post, Aug. 3, 1967]

SNCC IN HAVANA

(By Rowland Evans and Robert Novak)

The sudden appearance of Stokely Carmichael in Havana, rubbing elbows with Fidel Castro and the hemisphere's Communist guerrilla leaders, is an inevitable development in the Student Nonviolent Coordinating Committee's long evolution.

Sentimental white liberals who have consistently blinked away the worst about SNCC now attribute its alliance with Castro to deep disillusionment over Vietnam and civil rights. In fact, however, covert links between SNCC and Havana stretch back at least to 1964.

The flamboyant Carmichael is merely the outward manifestation of the SNCC Cuban alliance, not its cause. The principal responsibility for moving SNCC violently to the left must go to two men who, unlike Carmichael, seldom appear on television or the front page.

One is James Forman, who today holds no formal office in SNCC but is still believed to be its most important internal force. When SNCC was spawned in the Southern sit-in movement in February, 1960, by idealistic Negro college students, Forman was already a hardened radical and an associate of Negro terrorist Robert Williams (who fled to Cuba to escape Federal prosecution).

The other man is even less familiar to the public than Forman. He is Jack Minnis, a white intellectual radical who, as an instructor at Tulane University in 1961, was a leader in pro-Castro activities in the New Orleans area. With Forman in absolute control of the SNCC apparatus Minnis was named to its central committee and given command of its research operation. Despite SNCC's current blacks-only policy, Minnis still wields backstage influence.

By the time of the Mississippi Summer Project in 1964, SNCC's admiration for Castroism was apparent. SNCC workers were distributing Castroite propaganda and material printed in Cuba by exile Williams advocating guerrilla warfare by American Negroes and describing how Molotov cocktails could be used in American cities.

The clearest revelation of SNCC's link with Havana, however, did not come until 1966 when SNCC leader Julian Bond was barred from his seat in the Georgia Legislature. His case was being ably handled by white lawyer Charles Morgan of the Atlanta office of the American Civil Liberties Union (ACLU). Morgan is a civil libertarian but no radical.

Suddenly a new face appeared: Victor Rabinowitz, a Manhattan lawyer long associated with far left causes and a leader in the National Lawyers Guild and the Emergency Civil Liberties Committee, organizations specializing in defending Communists. Rabinowitz served as legal counsel in the United States for the Castro government and had intimate contacts in Havana.

Forman insisted that Rabinowitz supplant Morgan as Bond's attorney. In accordance with standard ACLU practice of deferring to other attorneys, Morgan stepped aside.

At about the same time, SNCC's treasury—empty since the disaffection of white liberal contributors—suddenly began to fill again. It is believed by many close to SNCC that the new money came from Cuba.

Although there is no documentary evidence to support this suspicion, it makes sense. At precisely this time in 1966, Castro abandoned his Moscow-ordered policy of cooperating only with the regular Communist parties throughout the Hemisphere. He declared he would support, with arms and money, *any* revolutionary movements Communist or not. In the United States, SNCC would qualify for such help.

Nor has there been much doubt lately about SNCC's revolutionary nature. After this year's Negro riots at Jackson (Miss.) State College, Mississippi SNCC leaders met secretly to discuss plans for more effective "guerrilla warfare" in the future. In recent weeks, there has been serious discussion inside SNCC about how to limit destruction to white property in future rioting and avoid destroying Negro property.

Outsiders who know SNCC best disagree in assessing the seriousness of such plans. Some believe SNCC has played a part in most of the major riots; others believe SNCC is far too disorganized for that. But effective or not, there is no longer any doubt that SNCC today is Fidel Castro's arm in the United States.

THE SMITH ACT

TEXT OF THE ACT

The Act which is commonly known as the Smith Act was originally enacted on June 28, 1940 as sections 2, 3, and 5 of the Alien Registration Act, 1940 (54 Stat. 670 c. 439). In 1948 the original act was repealed and its provisions were revised and recodified as § 2385 of the Criminal Code (18 U.S.C. § 2385). This was done by Public Law 772, 80th Congress, § 2385 (62 Stat. 808, 867). The Act was further amended by Public Law 766, 84th Congress (70 Stat. 623 c. 678), and by Public Law 87-486 (76 Stat. 103).

As in effect today, the Smith Act reads as follows:

"Whoever knowingly or willfully advocates, abets, advises, or teaches the duty, necessity, desirability, or propriety of overthrowing or destroying the government of the United States or the government of any State, Territory, District or Possession thereof, or the government of any political subdivision therein, by force or violence, or by the assassination of any officer of any such government; or

"Whoever, with intent to cause the overthrow or destruction of any such government, prints, publishes, edits, issues, circulates, sells, distributes, or publicly displays any written or printed matter advocating, advising, or teaching the duty, necessity, desirability, or propriety of overthrowing or destroying any government in the United States by force or violence, or attempts to do so; or

"Whoever organizes or helps or attempts to organize any society, group, or assembly of persons who teach, advocate, or encourage the overthrow or destruction of any such government by force or violence; or becomes or is a member of, or affiliates with, any such society, group, or assembly of persons, knowing the purposes thereof—

"Shall be fined not more than $20,000 or imprisoned not more than twenty years, or both, and shall be ineligible for employment by the United States or any department or agency thereof, for the five years next following his conviction.

"If two or more persons conspire to commit any offense named in this section, each shall be fined not more than $20,000, or imprisoned not more than twenty years, or both, and shall be ineligible for employment by the United States or any department or agency thereof, for the five years next following his conviction.

"As used in this section, the terms 'organizes' and 'organize' with respect to any society, group, or assembly of persons, include the recruiting of new members, the forming of new units, and the regrouping or expansion of existing clubs, classes, and other units of such society, group, or assembly of persons."

DIGEST OF THE ACT

Briefly stated, the Act makes it unlawful for any person (1) to knowingly or willfully advocate, abet, advise, or teach the duty, necessity, desirability, or propriety of overthrowing State or Federal Government in the United States by force or violence, (2) to help organize any society or group of persons who teach, advocate, or encourage such forcible overthrow, (3) to affiliate with such society, or group, knowing the purposes thereof [the "membership clause"], or (4) to conspire to commit any of the foregoing acts.

In 1962, the term "organize" was defined, by amendment, to include the recruiting of new members, the forming of new units, and the regrouping or expansion of existing clubs, classes, and other units of such society or group.

Interpretation by the Supreme Court

1951—The *Dennis* case—The "clear and present danger" test. The "call to action" test. *Dennis et al* v. *United States,* 341 U.S. 494 (1951).

Certain leaders of the Communist Party of the United States were indicted under the Smith Act for willfully and knowingly conspiring (1) to organize as the Communist Party of the United States of America a society, group and assembly of persons who teach and advocate the overthrow and destruction of the Government of the United States by force and violence, and (2) knowingly and willfully to advocate and teach the duty and necessity of overthrowing and destroying the Government of the United States by force and violence. The indictment further alleged that section 2 of the Smith Act proscribes these acts and that any conspiracy to take such action is a violation of section 3 of the Act.

The trial judge instructed the jury that they could not convict these leaders unless they found that the defendants intended to overthrow the Government of the United States by force and violence "as speedily as circumstances would permit," and that if the jury found the defendants guilty of a violation of the statute, the court finds "as a matter of law that there is sufficient danger of a substantive evil that the Congress has a right to prevent to justify the application of the statute under the First Amendment of the Constitution" (p. 512). The defendants were convicted. The Court of Appeals affirmed the convictions, 183 F. 2d 201. The Supreme Court granted certiorari, 340 U.S. 863, limited to two questions: (1) Whether either § 2 or § 3 of the Smith Act, inherently or as construed and applied in the instant case, violates the First Amendment and other provisions of the Bill of Rights; (2) Whether either § 2 or § 3 of the Act, inherently or as construed and applied in the instant case, violates the First and Fifth Amendments because of indefiniteness.

The Supreme Court held that:

1. The "clear and present danger" test had been met. The Government need not wait "until the *putsch* is about to be executed, the plans have been laid and the signal is awaited." If the Government is aware that a group aiming at its overthrow is attempting to indoctrinate its members and to commit them to a course whereby they will strike when the leaders feel the circumstances permit, action by the Government is required (pp. 508–509). The Court disposed of the contention that a conspiracy to advocate, as distinguished from the advocacy itself, cannot be constitutionally restrained because it comprises only the preparation. It is the existence of the conspiracy which creates the danger" (p. 511). The object of this conspiracy was advocacy as a "rule or principle of action," "by language reasonably and ordinarily calculated to incite persons to such action" and with the intent to overthrow the Government "as speedily as circumstances would permit" (p. 544).

2. When facts are found that establish the violation of a statute, the protection against conviction afforded by the First Amendment is a matter of law. The doctrine that there must be a clear and present danger of a substantive evil that Congress has a right to prevent is a judicial rule to be applied as a matter of law by the courts (p. 513). "We hold that the statute may be applied where there is a 'clear and present danger' of the substantive evil which the legislature had the right to prevent. Bearing, as it does, the marks of a 'question of law,' the issue is properly one for the judge to decide."

3. Sections 2(a)(1), 2(a)(3) of the Smith Act do not inherently, or as construed or applied in the instant case, violate the First Amendment and other provisions of the Bill of Rights, or the First and Fifth Amendments because of indefiniteness (p. 516).

4. The invasion of free speech is justified when such speech constitutes a threat to the national security. The Government has the power to protect itself from being overthrown by force and violence (pp. 501, 510, 519–520, 550).

1956—The *Nelson* case—Federal Government has preempted the field of sedition. The Smith Act supersedes State sedition law. *Pennsylvania* v. *Nelson,* 350 U.S. 497 (1956).

Steve Nelson was convicted in the Court of Quarter Sessions of Allegheny County, Pennsylvania, of a violation of the Pennsylvania Sedition Act. The indictment charged acts of sedition against the United States Government. No evidence was introduced that such acts were committed against the State of Pennsylvania. The Superior Court affirmed the conviction, 92 A. 2d 431.

The Supreme Court of Pennsylvania reversed the judgment of the Superior Court, deciding the case on the issue of supersession of State law by the Federal Smith Act.

The Supreme Court of the United States, in affirming the decision of the Pennsylvania Supreme Court, held that in view of the evident Congressional intent to preempt the field of sedition, the predominant federal interest in that field, and the danger of conflict between enforcement of State sedition acts and the administration of the Federal program, the Smith Act of 1940 superseded the Pennsylvania Sedition Act and precluded its enforcement against persons charged with acts of sedition against the United States Government.

1957—The *Yates* case—The "call to action test"; meaning of the term "organize." *Yates* v. *United States; Schneiderman* v. *Same; Richmond* v. *Same,* 354 U.S. 298 (1957).

The 14 petitioners were convicted upon a single count indictment in the United States District Court for the Southern District of California charging them with conspiring (1) to advocate and teach the duty and necessity of overthrowing the Government of the United States by force and violence, and (2) to organize, as the Communist Party of the United States, a society of persons who so advocate and teach, all with the intent of causing the overthrow of the Government, by force and violence as speedily as circumstances would permit. The conspiracy was alleged to have originated in 1940 and continued down to the date of indictment in 1951.

The indictment charged that in carrying out the conspiracy, the defendants would (a) become members of the Communist Party with the knowledge of its unlawful purposes, and assume leadership in carrying out its policies and activities; (b) cause to be organized units of the Party in California and elsewhere; (c) write and publish articles on the proscribed advocacy and teaching; (d) conduct schools for the indoctrination of Party members in such advocacy and teaching, and (e) recruit new Party members, particularly among persons employed in key industries of the nation. Each defendant was sentenced to five years imprisonment and fined $10,000. The Court of Appeals affirmed.

The Supreme Court reversed the decisions, acquitting some defendants and ordering new trials for the others. The Court held that the Smith Act under which the convictions were obtained does not prohibit advocacy and teaching of forcible overthrow of government as abstract principle divorced from any effort to incite action to that end, even though such advocacy or teaching is engaged in with evil intent. The trial court's charge to the jury, the Supreme Court held, furnished wholly inadequate guidance on this central point in the case, and the conviction cannot be allowed to stand.

A three year statute of limitations, the Court held, bars the 1951 indictment under the Smith Act charging conspiracy "to organize," as the Communist Party of the United States, a society of persons who advocate and teach overthrow of the Government by force and violence, since the Communist Party was organized in 1945. Applying the rule that criminal statutes are to be strictly construed, the Court construed the word "organize," as used in the Smith Act, as referring only to acts entering into the creation of a new organization, and not to acts thereafter performed in carrying on its activities, even though such acts may loosely be termed "organizational."

The *Yates* case does not overrule the *Dennis* case. In the *Yates* case the Supreme Court held only that the lower court misconstrued the principles laid down in the *Dennis* case. The instructions to the jury in the *Yates* case were found to be defective in that the trial court refused to charge that, in order to convict, the jury must find that the advocacy which the defendants conspired to promote was of a kind calculated to "incite" persons to action for the forcible overthrow of the Government. Such instructions were given in the *Dennis* case (see 354 U.S. at p. 326). Had the trial court in the *Yates* case so instructed the jury, the Supreme Court holding in the *Yates* case on this point would apparently have been the same as in the *Dennis* case (see 354 U.S. at p. 320).

[Note: Concerning the charge of conspiracy "to organize," the 1962 amendment to the Smith Act, defining the term "organize," overrides this 1957 decision. See page 2, *supra.*]

1961—The *Scales* and *Noto* cases—Prosecution under "membership clause" of the Smith Act.

Scales v. *United States,* 260 F. 2d 21 (C.A.N.C. 1958), certiorari granted 358 U.S. 917; case heard by Supreme Court on October 10, 1960; decision handed down on June 5, 1961, 367 U.S. 203.

The issues were (1) whether the Smith Act's "membership clause" abridges the First Amendment's free speech and assembly clause and violates the Fifth Amendment's Due Process Clause; and (2) whether section 4(f) of the 1950 Internal Security Act (stating that neither the holding of office nor membership in any Communist organization shall constitute *per se* a violation of that Act or of any other criminal statute) bars the prosecution of a Communist Party member under the "membership clause" of the Smith Act.

Noto v. *United States,* 262 F. 2d 501, 27 F. 2d 2331 (C.A. 2), certiorari granted 358 U.S. 917; case heard by Supreme Court on October 11, 1960; decision handed down on June 5, 1961, 367 U.S. 290.

The issues were the same as in *Scales* v. *United States, supra.*

The Supreme Court held that the Smith Act's membership clause does not abridge the free speech and assembly guarantee of the First Amendment, nor does it violate the Due Process Clause of the Fifth Amendment. Section 4(f) of the Internal Security Act, which provides that membership in the Communist organization shall not *per se* constitute a violation of any criminal statute, does not bar the conviction of a member of the Communist Party under the Smith Act membership clause; however, it requires a showing both of illegal Party purpose and of a member's knowledge of such purpose. In addition, the membership must be active and purposive as to the organization's criminal ends.

In the case of *Scales* v. *United States,* the proof offered was sufficient to meet these tests and the conviction of Scales was upheld.

In *Noto* v. *United States,* on a different trial record, the Court held that the evidence was not sufficient to prove that the Party advocates present overthrow of Government by force, and the conviction was invalidated.

PERMISSION FOR COMMITTEE ON WAYS AND MEANS TO FILE A REPORT ON H.R. 12080, THE SOCIAL SECURITY AMENDMENTS OF 1967, UNTIL MIDNIGHT MONDAY, AUGUST 7, 1967

Mr. MILLS. Mr. Speaker, I ask unanimous consent that the Committee on Ways and Means may have until midnight Monday, August 7, 1967, to file a report on the bill H.R. 12080, the Social Security Amendments of 1967, along with any minority and/or separate views.

The SPEAKER pro tempore (Mr. BOLLING). Is there objection to the request of the gentleman from Arkansas?

There was no objection.

REQUEST FOR PERMISSION TO PRINT PROPOSED AMENDMENT TO H.R. 5037

Mr. BINGHAM. Mr. Speaker, I ask unanimous consent that the amendment I proposed to offer to H.R. 5037, which I discussed during debate in the Committee of the Whole, may be printed at this point in the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

Mr. ROBERTS. Mr. Speaker, that is the gun bill. I object.

The SPEAKER. Objection is heard.

LEGISLATIVE PROGRAM

Mr. ARENDS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. ARENDS. Mr. Speaker, would the distinguished majority leader kindly inform us as to the program for next week?

Mr. ALBERT. Mr. Speaker, will the gentleman yield?

Mr. ARENDS. I yield to the gentleman from Oklahoma.

Mr. ALBERT. In response to the inquiry of the distinguished gentleman from Illinois, the program for next week is as follows:

Monday is Consent Calendar day. There will be 14 suspensions, as follows:

H.R. 8629, to extend the American Revolution Bicentennial Commission and to authorize appropriations therefor;

S. 1762, to extend the fellowship program authorized by the Housing Act of 1964;

H.R. 5784, To authorize the disposal of molybdenum from the national stockpile;

H.R. 5787, to authorize the disposal of rare-earth materials from the national and supplemental stockpiles;

H.R. 5788, to authorize the disposal of bismuth from the national and supplemental stockpiles;

H.R. 2630, to provide a uniform and a flag for deceased members of the National Guard;

H.R. 5645, relating to the recoupment of disability severance pay under certain conditions;

H.R. 8009, to remove restriction on use of certain private institutions under dependents' medical care program;

H.R. 11144, to authorize increase in number of Marine Corps Reserve general officers;

H.R. 839, to provide that members of the Armed Forces shall be retired in the highest grade satisfactorily held;

H.R. 8375, to authorize certain dislocation, travel, and transportation allowances;

H.R. 10242, relating to the authorized strengths by grade for medical officers on active duty in the Armed Forces;

H.R. 11945, to amend the college work-study program; and

H.R. 10347, to create a Commission on Obscenity and Pornography.

On Tuesday the consideration of H.R. 5037, the Law Enforcement and Criminal Justice Act of 1967, will continue.

On Wednesday and the balance of the week there will be considered:

House Resolution 512, disapproval of Reorganization Plan No. 3 of 1967, for which unanimous consent has been obtained for 4 hours of general debate;

H.R. 7659, the mid-decade census of population, to be considered under an open rule with 2 hours of general debate;

H.R. 845, to authorize the Nebraska mid-State division, Missouri River Basin project—this is subject to a rule being granted; and

H.R. 43, to authorize the San Felipe division, Central Valley project, California—this also is subject to a rule being granted.

Mr. Speaker, this announcement is made with the usual reservation that conference reports may be brought up at any time and that any further program may be announced later.

Mr. Speaker, I might add, with reference to conference reports, that the distinguished gentleman from California [Mr. Miller] advises that the NASA authorization conference report probably will be brought up early next week.

Mr. ARENDS. I thank the distinguished majority leader.

Mr. Speaker, I wonder whether or not the distinguished gentleman from Oklahoma [Mr. Albert] is in a position to do so, and if he might do so, inform the membership of the House with reference to a possible recess which is rumored to come up later. I make this inquiry because there have been so many requests for information along this line and I am not aware of any definite information on the subject. Therefore, I hope the gentleman from Oklahoma can shed some light on this situation.

Mr. ALBERT. Mr. Speaker, if the distinguished minority whip will yield further, I am glad the gentleman has asked this question. I cannot make this an absolute commitment at this time, because I am not in a position to do so. But it is my opinion that it is quite probable and quite likely that we will adjourn during the week of Labor Day. We will probably have no business from the close of business on Thursday, August 31, through the following week.

Mr. ARENDS. And I presume that until Monday of the week following the recess there will be no legislative business?

Mr. ALBERT. That is correct.

Mr. ARENDS. Mr. Speaker, I think that information is very helpful to Members on both sides of the aisle.

Mr. GROSS. Mr. Speaker, if the gentleman will yield further, that statement on behalf of the distinguished majority leader just about assures that this session of Congress will go into about October or November. Therefore, any of us who want to go fishing can lay those plans aside.

Mr. ALBERT. I think other circumstances have assured that fact some time ago.

Mrs. BOLTON. Mr. Speaker, will the gentleman yield?

Mr. ARENDS. I am happy to yield to the distinguished gentlewoman from Ohio.

Mrs. BOLTON. May I ask a question of the distinguished gentleman from Oklahoma, the majority leader? I am wondering with reference to the announced time of the proposed 10-day holiday of the Congress, inasmuch as school begins about that time, it is too bad that we could not have such a recess at a time when the fathers could be with their sons and daughters for a short period of time?

Mr. ALBERT. Mr. Speaker, if the gentleman from Illinois will yield further, I am in the category of those who have sons, and one of those who would like to have a week of vacation with him. I think it is important, however, that we recess at the same time as the other body does, and it is my understanding that the other body has already made plans to recess during Labor Day week. Therefore, I do not feel that there is any chance of changing those plans, as much as we might like to do so.

Mrs. BOLTON. I, too, do not feel that there is any chance of changing the plans of the other body along this line, and I am sure that the gentleman from Oklahoma [Mr. Albert] will agree with me on that subject.

Mr. ALBERT. The gentlewoman from Ohio has made a very important point, but we are, however, governed by circumstances.

Mr. ARENDS. May I add that the Republican Convention will be held in the month of August and I would express the hope that at some time in the future the Democratic Convention will be held immediately following the Republican Convention, so that we could at least have that month off.

DISPENSING WITH BUSINESS IN ORDER UNDER THE CALENDAR WEDNESDAY RULE

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the business in order under the Calendar Wednesday rule on Wednesday next be dispensed with.

The **SPEAKER** pro tempore (Mr. Bolling). Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

ADJOURNMENT UNTIL MONDAY NEXT

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that when the House adjourns today it adjourn to meet on Monday next.

Mr. **SPEAKER** pro tempore (Mr. Bolling). Is there objection to the request of the gentleman from Oklahoma?

Mr. GROSS. Mr. Speaker, reserving the right to object, why did the Committee rise soon after 3 p.m., and why is the House not continuing this afternoon; and, if necessary, meeting upon tomorrow—Friday—in order to finish the legislative business for which we came in at 11 o'clock this morning?

Can the distinguished majority leader give us any information as to the processes that have taken place along this line?

Mr. ALBERT. Mr. Speaker, if the distinguished gentleman from Iowa will yield, I might say that this is a matter that was discussed by the committee leadership on both sides of the aisle and that the matter of finishing or not finishing the bill this week was agreed to. This action was taken for the purpose not only of expediting the consideration of the bill, but giving proper consideration to all of the various factors and various amendments which Members may have to offer.

Mr. GROSS. Mr. Speaker, it seems to me the House could have continued to meet until 5 or 6 o'clock this afternoon and, if necessary, come in tomorrow and finished this bill. Now we are going over for the further consideration of this bill until next Tuesday. Why not undertake to dispose of this bill on Monday?

Mr. ALBERT. We have a heavy program of suspensions on Monday. There were certain procedural misunderstandings which led to this final agreement, and on that point I refer the gentleman to the distinguished gentleman from Ohio and to other Members on the other side of the aisle. I think they will agree that that is a correct statement.

Mr. GROSS. I still do not understand why. Is this to give somebody time to do some "arm-twisting," or bring more pressure upon the House of Representatives? Is that what this is all about?

Mr. ALBERT. If that was a factor, I am not aware of it.

Mr. GROSS. There has to be some reason for failing to continue our work today, and for failing to meet tomorrow and for failing to take this bill up on Monday. There has to be some substantial reason for this kind of procrastination.

Mr. ALBERT. I have tried to give the gentleman the reasons as I understand them.

Mr. HALL. Mr. Speaker, will the gentleman yield?

Mr. GROSS. Yes. I am glad to yield to the gentleman.

Mr. HALL. Mr. Speaker, I appreciate the gentleman yielding to me.

Mr. Speaker, I would like to ask the distinguished majority leader if he could not at least advise the House as to what has happened that is different from the time when unanimous consent was sought yesterday in order to come in early today—and considerable pressure was put on—as the resulting colloquy in the Congressional Record will indicate for those who would care to refer to it. The alleged reasons were that we might complete the bill under consideration, in view of the riots that are going on, and in view of all the other scareheads that have been brought before this body for this legislation, and then suddenly we drop it at 3:12 this afternoon. I imagine something must have come up, such as the pressures for a substitute or some amendment or something such as that, or perhaps even a lack of votes on the floor available between the time that this unbearable and unrelenting pressure was brought to bear yesterday afternoon and the time the motion for the Committee to rise came this afternoon.

Mr. ALBERT. If the gentleman will yield further, yesterday we had thought we could possibly finish the bill today. It is now obvious we cannot do so.

I will say that the gentleman is correct in his first assumption. Although I was not a party to it, I believe there was an understanding that a certain Member would be allowed to present an amendment to title II at the beginning of the debate. That was unacceptable to certain gentlemen on the other side of the aisle, and quite understandably so.

Then the view was expressed, I think by the distinguished minority leader, that perhaps the Cahill amendment should take precedence. In order to work the mattter out, it was then agreed the best thing to do was to rise after the first paragraph had been read and to begin further consideration of the bill on Tuesday.

Mr. HALL. I appreciate the majority leader responding, because he represents the leadership of the entire House and he represents the programing of the business thereof, and he speaks for the majority party certainly, but what I cannot understand is what definitely happened and whether or not there is some question or pressure for a substitute to one of the announced amendments and, if so, could that substitute be printed so that the Members could have the advantage of studying it and working on it over the weekend. I know the ineffectual Department of Justice will be burning the midnight oil.

Mr. ALBERT. The gentleman from New Jersey has stated he will offer the substitute. He has obtained permission to insert a copy of the substitute in the RECORD.

Mr. HALL. That is not the substitute to which I refer. I am talking about the mythical substitute on which pressure will be brought or force in lieu thereof in the interim, or perhaps the party in control claiming the Cahill agreement?

Mr. ALBERT. The gentleman is projecting his mind much further than I am able to project mine.

Mr. HALL. Mr. Speaker, I would like to say there will be no more unanimous-consent requests granted on permission to come in early under such hocus-pocus and hanky-panky that has gone on here yesterday and today. The rights and prerogatives of the individually elected Members of this House must be preserved.

Mr. ALBERT. May I advise the gentleman that what we try to do is to be governed in these cases by the agreement on both sides of the aisle of the Members handling the bill, and that is what we did in this case.

Mr. GROSS. I have only one further comment to make and that is that this arrangement takes very good care of the Tuesday to Thursday club.

The SPEAKER pro tempore (Mr. BOLLING). Is there objection to the request of the gentleman from Oklahoma [Mr. ALBERT].

There was no objection.

AUTHORIZING APPROPRIATIONS TO NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

Mr. MILLER of California submitted a conference report and statement on the bill (S. 1296) to authorize appropriations for research and development, construction of facilities, and administrative operations, and for other purposes.

THE LATE JOSEPH C. WHITE

Mr. BURKE of Massachusetts. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. BURKE of Massachusetts. Mr. Speaker, I would like to bring to the attention of my colleagues the death of Joseph C. White, of West Roxbury, Mass., a devoted public servant of the Commonwealth of Massachusetts for 36 years.

Joseph White served as a former State representative, State senator, president of the Boston City Council, and as chairman of the Boston School Committee, all elective public offices. He served the people of his Nation, State, and local community with distinction.

While attending the Democratic National Convention in 1960 as a delegate from Massachusetts he suffered head injuries in an auto accident in Los Angeles. While in the hospital he suffered a stroke.

Joseph White was director of the telephone and telegraph division of the Massachusetts Department of Public Utilities.

One of a family of nine children, he attended Boston College High School and graduated from Boston College in 1920.

At the Heights he quarterbacked teams coached by Charley Brinkley and Maj. Frank Cavanaugh.

After graduation, he played professional football for a short time with the Providence Steamrollers.

Later he taught school in Boston for 3 years and then accepted a teacher-coach post at St. Augustine's Academy in Puerto Rico.

Joseph White rose to the position of headmaster, but longed for Boston and so returned.

He promoted the St. Andrew's Club in the Twilight Baseball League. When his team became eligible for the 1923 league playoffs, Joseph White scheduled the series for Braves Field and the games drew more than 140,000.

At the age of 27 Joseph White entered politics. He served two terms in the State house of representatives from the Jamaica Plain district. In 1933 he was successful in his bid for the State senate. In 1936 Joseph White was appointed to the utilities department and resigned from the upper chamber.

In 1937 Mr. White first ran for the unsalaried school committee and served as chairman in 1940, 1941, 1948, and 1950. In 1947 he polled a higher vote than any candidate.

For 14 years he served as a school committeeman and once estimated that he had presented more than 25,000 diplomas to Boston high school seniors.

In 1959 Joseph White was elected to the nine-member plan A city council and was returned to office for four additional terms. He was elected council president for one term and served as acting mayor of Boston on numerous occasions.

A veteran of World War I and a charter member of the Jamaica Plain Legion Post he was also an active social worker and served as director of the Small Change Harvest Drive for the Catholic Guild for the Blind. He was also a director of the National Conference of Christians and Jews and had served as regional chairman of the organization.

During his long political career, his name became a byword and his endorsement was sought by leading political figures in local campaigns.

His warm friendship will be missed by those of us who knew him and I wish to join with you, Mr. Speaker, in extending my deepest sympathy to his family.

Mr. Speaker, I ask unanimous consent that the gentleman from Massachusetts [Mr. MCCORMACK] may extend his remarks at this point in the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Massachusetts?

There was objection.

Mr. MCCORMACK. Mr. Speaker, it is with deep sorrow that I have learned of the death of Joseph White on Monday, July 31, 1967.

His outstanding service to the people of Massachusetts was surpassed only by his devotion to his family and the warmth of his friendship.

For 36 years, through election and by appointment, he gave his best in posts which required a man of strength, honor, and dignity.

It is with great sadness that I extend to his family my heartfelt condolences.

REQUEST TO EXTEND REMARKS AND INCLUDE PROPOSED AMENDMENT TO H.R. 5037 IN RECORD

Mr. ROBERTS. Mr. Speaker, I will withdraw my objection to the unanimous-consent request made by the gentleman from New York [Mr. BINGHAM].

AMENDMENT PROPOSED BY MR. BINGHAM TO H.R. 5037

Mr. BINGHAM. Mr. Speaker, I ask unanimous consent that the text of the amendment I discussed during general debate to the bill (H.R. 5037) be incorporated in the RECORD at this point for the information of the Members so that they may know what the amendment contains.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection

The amendment referred to is as follows:

On page 33, after line 4, insert the following:

"TITLE VI—FIREARMS CONTROL

"SEC. 601. This title may be cited as the 'State Firearms Control Assistance Act of 1967.'

"SEC. 602. (a) The Congress hereby finds and declares—

"(1) that in order effectively to assist State and local governments in reducing the incidence of crime, adequate Federal control over interstate and foreign commerce in firearms, and over all persons engaging in the business of importing, manufacturing, or dealing in firearms, is essential;

"(2) that there is a widespread traffic in firearms moving in or otherwise affecting interstate or foreign commerce, and that the existing Federal controls over such traffic do not adequately enable the States to control the firearms within their own borders through the exercise of their police power;

"(3) that State and local governments require a national program to effectively regulate the interstate traffic in firearms in order for State and local governments (a) to formulate reliable comprehensive plans for crime prevention, (b) to translate those plans into adequate and useful programs for such crime prevention, and (c) to fully train State and local law enforcement officials to handle the manifold duties involved in crime detection, prevention, and law enforcement;

"(4) that the ease with which any person can acquire firearms (including criminals, juveniles without the knowledge or consent of their parents or guardians, narcotics addicts, mental defectives, armed groups who would supplant the functions of duly constituted public authorities, and others whose possession of firearms is similarly contrary to the public interest) is a significant factor in the prevalence of lawlessness and violent crime in the United States;

"(5) that there is a clear causal relationship between the occurrence of massive civil disorders and the uncontrolled and unsupervised possession of firearms;

"(6) that the acquisition on a mail-order basis of firearms by nonlicensed individuals, from a place other than their State of residence, has materially tended to thwart the effectiveness of State laws and regulations, and local ordinances;

"(7) that the sale or other disposition of concealable weapons by importers, manufacturers, and dealers holding Federal licenses, to nonresidents of the State in which the licensees' places of business are located, has tended to make ineffective the laws, regulations, and ordinances in the several States and local jurisdictions with respect to the control of crime;

"(8) that there is a causal relationship between the easy availability of firearms and juvenile and youthful criminal behavior, and that firearms have been widely sold by federally licensed importers and dealers to emotionally immature, or thrill-bent juveniles and minors prone to criminal behavior;

"(9) that the United States has become the dumping ground of the castoff surplus military weapons of other nations, and that such weapons, and the large volume of relatively inexpensive pistols and revolvers (largely worthless for sporting purposes), imported into the United States in recent years, has contributed greatly to lawlessness and to the Nation's law enforcement problems;

"(10) that the lack of adequate Federal control over interstate and foreign commerce in highly destructive weapons (such as bazookas, mortars, antitank guns, and so forth, and destructive devices such as explosives or incendiary grenades, bombs, missiles, and so forth) has allowed such weapons and devices to fall into the hands of lawless persons, including armed groups who would supplant lawful authority, thus creating a problem of national concern;

"(11) that the existing licensing system under the Federal Firearms Act does not provide adequate license fees or proper standards for the granting or denial of licenses, and that this has led to licenses being issued to persons not reasonably entitled thereto, thus distorting the purposes of the licensing system.

"(b) The Congress further hereby declares that the purpose of this title is to cope with the conditions referred to in the foregoing subsection, and that it is not the purpose of this title to place any undue or unnecessary Federal restrictions or burdens on law-abiding citizens with respect to the acquisition, possession, or use of firearms appropriate to the purpose of hunting, trapshooting, target shooting, personal protection, or any other lawful activity, and that this title is not intended to discourage or eliminate the private ownership or use of firearms by law-abiding citizens for lawful purposes, or provide for the imposition by Federal regulations of any procedures or requirements other than those reasonably necessary to implement and effectuate the provisions of this title.

"SEC. 603. Title 18, United States Code, is amended by inserting after section 917 thereof the following new chapter:

" 'CHAPTER 44.—FIREARMS

" 'Sec.
" '921. Definitions.
" '922. Unlawful acts.
" '923. Licensing.
" '924. Penalties.
" '925. Exceptions: Relief from disabilities.
" '926. Rules and regulations.
" '927. Effect on State law.
" '928. Separability clause.

" '§ 921. Definitions

" '(a) As used in this chapter—

" '(1) The term "person" and the term "whoever" includes any individual, corporation, company, association, firm, partnership, society, or joint stock company.

" '(2) The term "interstate or foreign commerce" includes commerce between any State or possession (not including the Canal Zone) and any place outside thereof; or between points within the same State or possession (not including the Canal Zone), but through any place outside thereof; or within any possession or the District of Columbia. The term "State" shall include the Commonwealth of Puerto Rico, the Virgin Islands, and the District of Columbia.

" '(3) The term "firearm" means any weapon (including a starter gun) which will or is designed to or may readily be converted to expel a projectile by the action of an explosive; the frame or receiver of any such weapon; or any firearm muffler or firearm silencer; or any destructive device.

" '(4) The term "destructive device" means any explosive, incendiary, or poison gas bomb, grenade, mine, rocket, missile, or similar device; and includes any type of weapon which will or is designed to or may readily be converted to expel a projectile by the action of any explosive and having any barrel with a bore of one-half inch or more in diameter.

" '(5) The term "shotgun" means a weapon designed or redesigned, made or remade, and intended to be fired from the shoulder and designed or redesigned and made or remade to use the energy of the explosive in a fixed shotgun shell to fire through a smooth bore either a number of ball shot or a single projectile for each single pull of the trigger.

" '(6) The term "short-barreled shotgun" means a shotgun having one or more barrels less than eighteen inches in length and any weapon made from a shotgun (whether by alteration, modification, or otherwise) if such weapon as modified has an overall length of less than twenty-six inches.

" '(7) The term "rifle" means a weapon designed or redesigned, made or remade, and intended to be fired from the shoulder and designed or redesigned and made or remade to use the energy of the explosive in a fixed metallic cartridge to fire only a single projectile through a rifled bore for each single pull of the trigger.

" '(8) The term "short-barreled rifle" means a rifle having one or more barrels less than sixteen inches in length and any weapon made from a rifle (whether by alteration, modification, or otherwise) if such weapon as modified has an overall length of less than twenty-six inches.

" '(9) The term "importer" means any person engaged in the business of importing or bringing firearms or ammunition into the United States for purposes of sale or distribution; and the term "licensed importer" means any such person licensed under the provisions of this chapter.

" '(10) The term "manufacturer" means any person engaged in the manufacture of firearms or ammunition for purposes of sale or distribution; and the term "licensed manufacturer" means any such person licensed under the provisions of this chapter.

" '(11) The term "dealer" means (A) any person engaged in the business of selling firearms or ammunition at wholesale or retail, (B) any person engaged in the business of repairing such firearms or of making or fitting special barrels, stocks, or trigger mechanisms to firearms or (C) any person who is a pawnbroker. The term "licensed dealer" means any dealer who is licensed under the provisions of this chapter.

" '(12) The term "pawnbroker" means any person whose business or occupation includes the taking or receiving, by way of pledge or pawn, of any firearm or ammunition as security for the payment or repayment of money.

" '(13) The term "indictment" includes an indictment or an information in any court under which a crime punishable by imprisonment for a term exceeding one year may be prosecuted.

" '(14) The term "fugitive from justice" means any person who has fled from any State or possession to avoid prosecution for a crime punishable by imprisonment for a term exceeding one year or to avoid giving testimony in any criminal proceeding.

" '(15) The term "antique firearm" means any firearm of a design used before the year 1870 (including any matchlock, flintlock, percussion cap, or similar early type of ignition system) or replica thereof, whether actually manufactured before or after the year 1870; but not including any weapon designed for use with smokeless powder or using rimfire of conventional center-fire ignition with fixed ammunition.

" '(16) The term "ammunition" means ammunition for a destructive device; it shall not include shotgun shells or any other ammunition designed for use in a firearm other than a destructive device.

" '(17) The term "Secretary" or "Secretary of the Treasury" means the Secretary of the Treasury or his delegate.

" '(b) As used in this chapter—

" '(1) The term "firearm" shall not include an antique firearm.

" '(2) The term "destructive device" shall not include—

" '(A) a device which is not designed or redesigned or used or intended for use as a weapon; or

" '(B) any device, although originally designed as a weapon, which is redesigned so that it may be used solely as a signaling, line-throwing, safety or similar device; or

" '(C) any shotgun other than a short-barreled shotgun; or

" '(D) any nonautomatic rifle (other than a short-barreled rifle) generally recognized or particularly suitable for use for the hunting of big game; or

" '(E) surplus obsolete ordnance sold, loaned, or given by the Secretary of the Army pursuant to the provision of 10 U.S.C., sections 4684(2), 4685, or 4686; or

" '(F) any other device which the Secretary finds is not likely to be used as a weapon.

" '(3) The term "crime punishable by imprisonment for a term exceeding one year" shall not include any Federal or State offenses pertaining to antitrust violations, unfair trade practices, restraints of trade, or other similar offenses relating to the regulation of business practices as the Secretary may by regulation designate.

" '§ 922. Unlawful acts

" '(a) It shall be unlawful—

" '(1) for any person, except a licensed importer, licensed manufacturer, or licensed dealer, to engage in the business of importing, manufacturing, or dealing in firearms or ammunition, or in the course of such business to ship, transport, or receive any firearm or ammunition in interstate or foreign commerce;

" '(2) for any importer, manufacturer, or dealer licensed under the provisions of this chapter to ship or transport in interstate or foreign commerce, any firearm or ammunition to any person other than a licensed importer, licensed manufacturer, or licensed dealer, except that—

" '(A) this paragraph shall not be held to preclude a licensed importer, licensed manufacturer, or licensed dealer from returning a firearm or replacement firearm of the same kind and type to a person from whom it was received;

" '(B) this paragraph shall not be held to preclude a licensed importer, licensed manufacturer, or licensed dealer from depositing a firemarm for conveyance in the mails to any officer, employee, agent, or watchman who, pursuant to the provisions of section 1715 of title 18 of the United States Code, is eligible to receive through the mails, pistols, revolvers, and other firearms capable of being concealed on the person, for use in connection with his official duty;

" '(C) this paragraph shall not be held to preclude a licensed importer, licensed manufacturer, or licensed dealer from shipping a rifle or shotgun to an individual who in person upon the licensee's business premises purchased such rifle or shotgun, provided that such sale or shipment is not otherwise prohibited by the provisions of this chapter;

" '(D) Nothing in this paragraph shall be construed as applying in any manner in the District of Columbia, the Commonwealth of Puerto Rico, or any possession of the United States differently than it would apply if the District of Columbia, the Commonwealth of Puerto Rico, or the possession were in fact a State of the United States;

" '(3) for any person other than a licensed importer, licensed manufacturer, or licensed dealer to transport into or receive in the State where he resides (or if the person is a corporation or other business entity, in which he maintains a place of business)—

" '(A) any firearm, other than a shotgun or rifle, purchased or otherwise obtained by him outside that State;

" '(B) any firearm, purchased or otherwise obtained by him outside that State, which it would be unlawful for him to purchase or possess in the State or political subdivision thereof wherein he resides (or if the person is a corporation or other business entity, in which he maintains a place of business).

" '(4) for any person, other than a licensed importer, licensed manufacturer, or licensed dealer, to transport in interstate or foreign commerce any destructive device, machine gun (as defined in section 5848 of the Internal Revenue Code of 1954), short-barreled shotgun, or short-barreled rifle, except as specifically authorized by the Secretary;

" '(5) for any person to transfer, sell, trade, give, transport, or deliver to any person (other than a licensed importer, licensed manufacturer, or licensed dealer) who resides in any State other than that in which the transferor resides (or in which his place of business is located if the transferor is a corporation or other business entity)—

" '(A) any firearm, other than a shotgun or rifle;

" '(B) any firearm which the transferee could not lawfully purchase or possess in accord with applicable laws, regulations, or ordinances of the State or political subdivision thereof in which the transferee resides (or in which his place of business is located if the transferee is a corporation or other business entity).

This paragraph shall not apply to transactions between licensed importers, licensed manufacturers, and licensed dealers; or

" '(5) for any person in connection with the acquisition or attempted acquisition of any firearm from a licensed importer, licensed manufacturer, or licensed dealer, knowingly to make any false or fictitious oral or written statement or to furnish or exhibit any false or fictitious or misrepresented identification, intended or likely to deceive such importer, manufacturer, or dealer with respect to any fact material to the lawfulness of the sale or other disposition of such firearm under the provisions of this chapter.

" '(b) It shall be unlawful for any licensed importer, licensed manufacturer, or licensed dealer to sell or deliver—

" '(1) any firearm to any individual who the licensee knows or has reasonable cause to believe is less than twenty-one years of age, if the firearm is other than a shotgun or rifle; or to any individual who the licensee knows or has reasonable cause to believe is less than eighteen years of age, if the firearm is a shotgun or rifle;

" '(2) any firearm to any person who the licensee knows or has reasonable cause to believe is not lawfully entitled to receive or possess such firearm by reason of any State or local law, regulation, or ordinance applicable at the place of sale, delivery, or other disposition of the firearm;

" '(3) any firearm to any person who the licensee knows or has reasonable cause to believe does not reside in (or if the person is a corporation or other business entity, does not maintain a place of business in) the State in which the licensee's place of business is located; except that this paragraph shall not apply in the case of a shotgun or rifle.

" '(4) to any person any destructive device, machinegun (as defined in section 5846 of the Internal Revenue Code of 1954), short-barreled shotgun, or short-barreled rifle, unless he has in his possession a sworn statement executed by the principal law enforcement officer of the locality wherein the purchaser or person to whom it is otherwise disposed of resides, attesting that there is no provision of law, regulation, or ordinance which would be violated by such person's receipt or possession thereof, and that he is satisfied that it is intended by such person for lawful purposes; and such sworn statement shall be retained by the licensee as a part of the records required to be kept under the provisions of this chapter.

" '(5) any firearm to any person unless the licensee notes in his records required to be kept pursuant to section 923 of this chapter, the name, age, and place of residence of such person if the person is an individual, or the identity and principal and local places of business of such person if the person is a corporation or other business entity.

Paragraphs (1), (2), (3) and (4) of this subsection shall not apply to transactions between licensed importers, licensed manufacturers, and licensed dealers.

" '(c) It shall be unlawful for any licensed importer, licensed manufacturer, or licensed dealer to sell or otherwise dispose of any firearm or ammunition to any person, knowing or having reasonable cause to believe that such person is a fugitive from justice or is under indictment or has been convicted in any court of a crime punishable by imprisonment for a term exceeding one year. This subsection shall not apply with respect to sale or disposition of a firearm to a licensed importer, licensed manufacturer, or licensed dealer who pursuant to subsection (b) of section 925 of this chapter is not precluded from dealing in firearms, or to a person who has been granted relief from disabilities pursuant to subsection (c) of section 925 of this chapter.

" '(d) It shall be unlawful for any common or contract carrier to transport or deliver in interstate or foreign commerce any firearm with knowledge or reasonable cause to believe that the shipment, transportation, or receipt thereof would be in violation of the provisions of this chapter.

" '(e) It shall be unlawful for any person who is under indictment or who has been convicted in any court of a crime punishable by imprisonment for a term exceeding one year, or who is a fugitive from justice, to ship or transport any firearm or ammunition in interstate or foreign commerce.

" '(f) It shall be unlawful for any person who is under indictment or who has been convicted in any court of a crime punishable by imprisonment for a term exceeding one year, or is a fugitive from justice, to receive any firearm or ammunition which has been shipped or transported in interstate or foreign commerce.

" '(g) It shall be unlawful for any person to transport or ship in interstate or foreign commerce, any stolen firearm or stolen ammunition, knowing or having reasonable cause to believe the same to have been stolen.

" '(h) It shall be unlawful for any person to receive, conceal, store, barter, sell, or dispost of any stolen firearm or stolen ammunition, or pledge or accept as security for a loan any stolen firearm or stolen ammunition, moving as or which is a part of or which constitutes interstate or foreign commerce, knowing or having reasonable cause to believe the same to have been stolen.

" '(i) It shall be unlawful for any person knowingly to transport, ship, or receive, in interstate or foreign commerce, any firearm the importer's or manufacturer's serial number of which has been removed, obliterated, or altered.

" '(j) It shall be unlawful for any person knowingly to import or bring into the United States or any possession thereof any firearm or ammunition, except as provided in subsection (d) of section 925 of this chapter; and it shall be unlawful for any person knowingly to receive any firearm or ammunition which has been imported or brought into the United States or any possession thereof in violation of the provisions of this chapter.

" '(k) It shall be unlawful for any licensed importer, licensed manufacturer, or licensed dealer knowingly to make any false entry in, or to fail to make appropriate entry in or fail to properly maintain, any record which he is required to keep pursuant to section 923 of this chapter or regulations promulgated thereunder.

" '§ 923. Licensing

" '(a) No person shall engage in business as a firearms or ammunition importer, manufacturer, or dealer until he has filed an application with, and received a license to do so from, the Secretary. The application shall be in such form and contain such information as the Secretary shall by regulation prescribe. Each applicant shall be required to pay a fee for obtaining such a license, a separate fee being required for each place in which the applicant is to do business, as follows:

" '(1) If a manufacturer—

''(A) of destructive devices and/or ammunition a fee of $1,000 per year;

" '(B) of firearms other than destructive devices a fee of $500 per year.

" '(2) If an importer—

" '(A) of destructive devices and/or ammunition a fee of $1,000 per year;

" '(B) of firearms other than destructive devices a fee of $500 per year.

" '(3) If a dealer—

" '(A) in destructive devices and/or ammunition a fee of $1,000 per year;

" '(B) who is a pawnbroker dealing in firearms other than destructive devices a fee of $250 per year;

" '(C) who is not a dealer in destructive devices or a pawnbroker, a fee of $10 per year; except that for the first renewal following the effective date of the State Firearms Control Assistance Act of 1967 or for the first year he is engaged in business as a dealer such dealer will pay a fee of $25.

"'(b) Upon the filing of a proper application and payment of the prescribed fee, the Secretary may issue to the applicant the appropriate license which, subject to the provisions of this chapter and other applicable provision of law, shall entitle the licensee to transport, ship, and receive firearms and ammunition covered by such license in interstate or foreign commerce during the period stated in the license.

"'(c) Any application submitted under subsections (a) and (b) of this section shall be disapproved and the license denied and the fee returned to the applicant if the Secretary, after notice and opportunity for hearing, finds that—

"'(1) the applicant is under twenty-one years of age; or

"'(2) the applicant (including in the case of a corporation, partnership, or association, any individual possessing directly or indirectly, the power to direct or cause the direction of the management and policies of the corporation, partnership, or association) is prohibited from transporting, shipping, or receiving firearms or ammunition in interstate or foreign commerce under the provisions of this chapter; or is, by reason of his business exeprience, financial standing, or trade connections, not likely to commence business operations during the term of the annual license applied for or to maintain operations in compliance with this chapter; or

"'(3) the applicant has wilfully violated any of the provisions of this chapter or regulations issued thereunder; or

"'(4) the applicant has willfully failed to disclose any material information required, or has made any false statement as to any material fact, in connection with his application; or

"'(5) the applicant does not have, or does not intend to have or to maintain, in a State or possession, business premises for the conduct of the business.

"'(d) Each licensed importer, licensed manufacturer, and licensed dealer shall maintain such records of importation, production, shipment, receipt, and sale or other disposition, of firearms and ammunition at such place, for such period and in such form as the Secretary may by regulations prescribe. Such importers, manufacturers, and dealers shall make such records available for inspection at all reasonable times, and shall submit to the Secretary such reports and information with respect to such records and the contents thereof as he shall by regulations prescribe. The Secretary or his delegate may enter during business hours the premises (including places of storage) of any firearms or ammunition importer, manufacturer, or dealer for the purpose of inspecting or examining any records or documents required to be kept by such importer or manufacturer or dealer under the provisions of this chapter or regulations issued pursuant thereto, and any firearms or ammunition kept or stored by such importer, manufacturer, or dealer at such premises. Upon the request of any State, or possession, or any political subdivision thereof, the Secretary of the Treasury may make available to such State, or possession, or any political subdivision thereof, any information which he may obtain by reason of the provisions of this chapter with respect to the identification of persons within such State, or possession, or political subdivision thereof, who have purchased or received firearms or ammunition, together with a description of such firearms or ammunition.

"'(e) Licenses issued under the provisions of subsection (b) of this section shall be kept posted and kept available for inspection on the business premises covered by the license.

"'(f) Licensed importers and licensed manufacturers shall identify, in such manner as the Secretary shall by regulations prescribe, each firearm imported or manufactured by such importer or manufacturer.

"'§ 924. Penalties

"'(a) Whoever violates any provision of this chapter or any rule or regulation promulgated thereunder, or knowingly makes any false statement or representation with respect to the information required by the provisions of this chapter to be kept in the records of a person licensed under this chapter, or in applying for any license or exemption or relief from disability under the provisions of this chapter, shall be fined not more than $5,000 or imprisoned not more than five years, or both.

"'(b) Whoever, with intent to commit therewith an offense punishable by imprisonment for a term exceeding one year, or with knowledge or reasonable cause to believe that an offense punishable by imprisonment for a term exceeding one year is to be committed therewith, ships transports, or receives a firearm in interstate or foreign commerce shall be fined not more than $10,000 or imprisoned not more than ten years, or both.

"'(c) Any firearm or ammunition involved in, or used or intended to be used in, any violation of the provisions of this chapter, or a rule or regulation promulgated thereunder, or violation of any other criminal law of the United States, shall be subject to seizure and forfeiture and all provisions of the Internal Revenue Code of 1954 relating to the seizure, forfeiture, and disposition of firearms, as defined in section 5848(1) of said Code, shall, so far as applicable, extend to seizures and forfeitures under the provisions of this chapter.

"'§ 925. Exceptions: Relief from disabilities

"'(a) The provisions of this chapter shall not apply with respect to the transportation, shipment, receipt, or importation of any firearm or ammunition imported for, or sold or shipped to, or issued for the use of the United States or any department, or agency thereof; or any State or possession, or any department, agency, or political subdivision thereof.

"'(b) A licensed importer, licensed manufacturer, or licensed dealer who is indicted for a crime punishable by imprisonment for a term exceeding one year, may, notwithstanding any other provisions of this chapter, continue operations pursuant to his existing license (provided that prior to the expiration of the term of the existing license timely application is made for a new license) during the term of such indictment and until any conviction pursuant to the indictment becomes final.

"'(c) A person who has been convicted of a crime punishable by imprisonment for a term exceeding one year (other than a crime involving the use of a firearm or other weapon or a violation of this chapter or of the National Firearms Act) may make application to the Secretary for relief from the disabilities under this chapter incurred by reason of such conviction, and the Secretary may grant such relief if it is established to his satisfaction that the circumstances regarding the conviction, and the applicant's record and reputation, are such that the applicant will not be likely to conduct his operations in an unlawful manner, and that the granting of the relief would not be contrary to the public interest. A licensee conducting operations under this chapter, who makes application for relief from the disabilities incurred under this chapter by reason of such a conviction, shall not be barred by such conviction from further operations under his license pending final action on an application for relief filed pursuant to this section. Whenever the Secretary grants relief to any person pursuant to this section, he shall promptly publish in the Federal Register notice of such action, together with the reasons therefor.

"'(d) The Secretary may authorize a firearm to be imported or brought into the United States or any possession thereof if the person importing or bringing in the firearm establishes to the satisfaction of the Secretary that the firearm—

"'(1) is being imported or brought in for scientific or research purposes, or is for use in connection with competition or training pursuant to chapter 401 of title 10 of the United States Code; or

"'(2) Is an unserviceable firearm, other than a machine gun as defined by 5848(2) of the Internal Revenue Code of 1954 (not readily restorable to firing condition), imported or brought in as a curio or museum piece; or

"'(3) is of a type that does not fall within the definition of a firearm as defined in section 5848(1) of the Internal Revenue Code of 1954 and is generally recognized as particularly suitable for or readily adaptable to sporting purposes, and in the case of surplus military firearms is a rifle or shotgun; or

"'(4) was previously taken out of the United States or a possession by the person who is bringing in the firearm.

Provided, That the Secretary may permit the conditional importation or bringing in of a firearm for examination and testing in connection with the making of a determination as to whether the importation or bringing in of such firearm will be allowed under this subsection.

"'§ 926. Rules and regulations

"'The Secretary may prescribe such rules and regulations as he deems reasonably necessary to carry out the provisions of this chapter. The Secretary shall give reasonable public notice, and afford to interested parties opportunity for hearing, prior to prescribing such rules and regulations.

"'§ 927. Effect on State law

"'No provision of this chapter shall be construed as indicating an intent on the part of the Congress to occupy the field in which such provision operates to the exclusion of the law of any State or possession on the same subject matter, unless there is a direct and positive conflict between such provision and the law of the State or possession so that the two cannot be reconciled or consistently stand together.

"'§ 928. Separability

"'If any provision of this chapter or the application thereof to any person or circumstance is held invalid, the remainder of the chapter and the application of such provision to other persons not similarly situated or to other circumstances shall not be affected thereby.'

"Sec. 604. The administration and enforcement of this Act shall be vested in the Secretary of the Treasury.

"Sec. 605. Nothing in this title shall be construed as modifying or affecting any provision of—

"(a) the National Firearms Act (chapter 53 of the Internal Revenue Code of 1954); or

"(b) section 414 of the Mutual Security Act of 1954 (22 U.S.C. 1934), as amended, relating to munitions control; or

"(c) section 1715 of title 18, United States Code, relating to nonmailable firearms.

"Sec. 606. The table of contents to 'Part I.—Crimes' of title 18, United States Code, is amended by inserting after

"'43. False personation............... 911'

a new chapter reference as follows:

"'44. Firearms............................ 921'

"Sec. 607. The Federal Firearms Act (52 Stat. 1250; 15 U.S.C. 901–910), as amended, is repealed.

"Sec. 608. The amendments made by this title shall become effective one hundred and eighty days after the date of its enactment;

except that repeal of the Federal Firearms Act shall not in itself terminate any valid license issued pursuant to that Act and any such license shall be deemed valid until it shall expire according to its terms unless it be sooner revoked or terminated pursuant to applicable provisions of law."

JOINT COMMITTEE ON ATOMIC ENERGY REPORTS ON IMPACT OF CHINESE COMMUNIST NUCLEAR WEAPONS PROGRESS ON U.S. NATIONAL SECURITY

Mr. RAILSBACK. Mr. Speaker, I ask unanimous consent that the gentleman from California [Mr. HOSMER] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. HOSMER. Mr. Speaker, although the Joint Committee on Atomic Energy's report today on Chinese Communist nuclear weapons progress is in printed form, it will be somewhat cumbersome for the general public to obtain actual copies. The report is reasonably short and I have obtained unanimous consent that its text be reproduced below:

IMPACT OF CHINESE COMMUNIST NUCLEAR WEAPONS PROGRESS ON U.S. NATIONAL SECURITY

INTRODUCTION

The Joint Committee on Atomic Energy is charged under the Atomic Energy Act of 1954 with making continuing studies of problems relating to the development, use and control of atomic energy. In recognition of the important responsibility assigned to the Joint Committee, the Atomic Energy Act of 1954 imposes upon the Atomic Energy Commission and the Department of Defense a mandatory obligation to "keep the Joint Committee fully and currently informed" on atomic energy matters. All other Government agencies are required by law to furnish any information requested by the Joint Committee with respect to the activities or responsibilities of that agency in the field of atomic energy.

One of the crucial matters affecting U.S. national security is the development by foreign nations of nuclear weapons and the accompanying delivery systems. The present nuclear threat to the United States and the free world comes from the Soviet Union and Communist China. In order properly to understand the scope and magnitude of this threat, the Joint Committee has over the years held executive hearings at which nuclear weapons experts have charted the progress of foreign nations as they developed and refined their nuclear arsenals.

The emergence of a serious threat from the Chinese Communists began in 1964. In a brief span of less than 3 years, Red China has had six nuclear tests. The last one on June 17, 1967, was in the megaton range and indicated that they were making rapid progress in thermonuclear design. They are also making progress in the development of delivery vehicles for megaton weapons. The internal strife in Red China appears to have had little, if any, effect on their nuclear weapons program to date.

The trends in nuclear weapons development by foreign nations have been followed closely by the Joint Committee. These trends have been borne out by subsequent events. Progress, particularly by Red China, has been more rapid and surprisingly more effective than had been expected or indeed predicted.

The nuclear and thermonuclear capabilities of the Soviet Union are generally well known and understood by the American public. The Joint Committee's intention in this report is to bring into perspective the accomplishments and possible future trends in the development of Red China's nuclear offensive force.

BACKGROUND

As the nuclear threat posed by the Chinese Communists became more pronounced, Chairman Pastore decided to conduct a special inquiry regarding Chinese Communist nuclear weapons development. This probe began on January 11, 1967, and was formally announced at the Joint Committee's first public hearing of the 90th Congress on January 25, 1967.

In connection with this study the Joint Committee received the following testimony in executive session: January 11, 1967: Richard Helms, Director of the Central Intelligence Agency. February 1, 1967: Dr. Norris Bradbury, Director, Los Alamos Scientific Laboratory, and Dr. Michael May, Director, Livermore Radiation Laboratory. Mar. 13, 1967: Secretary of State Dean Rusk. July 13, 1967: Representatives of the Department of Defense, CIA, and AEC.

These witnesses presented testimony concerning advances being made by Communist China in developing nuclear weapons as well as their progress in developing the capability to deliver these weapons against neighboring countries or the United States.

Detailed technical presentations were heard concerning each individual Chinese Communist nuclear test and an assessment was made of future developments by Red China in the field of nuclear weapons and associated delivery systems.

An analysis of the impact of the emergence of Red China as a nuclear power on U.S. foreign policy with particular emphasis on the proposed nonproliferation treaty was also presented.

Information concerning French and Soviet nuclear weapons and delivery methods were also discussed but principal emphasis was on Red China.

CONCLUSIONS

On the basis of various hearings we have had and studies made by the Joint Committee, the following committee conclusions have been developed:

1. Chinese nuclear weapons capabilities

The Chinese Communist test of June 17, 1967, at the Lop Nor Nuclear Test Site was her sixth nuclear test in the atmosphere and her first in the megaton range. Such a test was expected because of the success of the preceding thermo-nuclear experiment conducted on December 28, 1966. The Chinese purposely may have limited the yield of that test—their fifth test—to keep the fallout in China at an acceptable level. The fifth test indicated that the Chinese had taken a major step toward a thermonuclear weapon.

There is evidence that the sixth test device—with a yield of a few megatons—was dropped from an aircraft.

Analysis of the debris indicates use of U^{235}, U^{238}, and thermo-nuclear material. As in the other tests, there is no evidence that plutonium was used. The preliminary indication is that a considerable improvement accompanied the increase in yield. A large amount of U^{238} was used in the device.

The sixth Chinese nuclear test has confirmed the conclusion reached from the analysis of the fifth Chinese nuclear test that they are making excellent progress in thermonuclear design. They now have the capability to design a multimegaton thermonuclear device suitable for delivery by aircraft.

We believe that the Chinese will continue to place a high priority on thermonuclear weapon development. With continued testing we believe they will be able to develop a thermonuclear warhead in the ICBM weight class with a yield in the megaton range by about 1970. We believe that the Chinese can have an ICBM system ready for deployment in the early 1970's. On the basis of our present knowledge, we believe that the Chinese probably will achieve an operational ICBM capability before 1972. Conceivably, it could be ready as early as 1970–1971. But this would be a tight schedule and makes allowance for only minor difficulties and delays. We believe that the Chinese have already completed the development of a medium range ballistic missile. We have no indication of any deployment.

We also believe that by about 1970 the Chinese Communists could develop a thermonuclear warhead with a yield in the few hundreds of kilotons in the MRBM class and that they could develop an MRBM warhead with a megaton yield about a couple of years later. Meanwhile, should they desire a thermonuclear bomb for delivery by bomber, they could probably begin weaponizing the design employed in the sixth test.

The missile-delivered fourth Chinese test demonstrated that the Chinese now have the capability to design a low yield fission warhead compatible in size and weight with a missile. With a few tests, the Chinese could probably design an improved fission weapon for MRBM or bomber delivery. However, they may forgo extensive fission weapon production in order to have materials and facilities available for thermonuclear weapon systems.

The Chinese bomber forces consist of a few hundred short-range jet bombers and a handful of somewhat longer range bombers. We have no knowledge of a Chinese plan to develop heavy intercontinental range bombers.

Earlier, the Communist Chinese conducted four other nuclear detonations: October 16, 1964: Low yield (up to 20 kilotons). May 13, 1965: Low intermediate (20 to 200 kilotons). May 9, 1966: Intermediate (lower end of 200 to 1,000 kiloton range). October 27 1966: Low intermediate (20 to 200 kilotons).

The Chinese were able to continue their nuclear program after the Soviets apparently ceased technical assistance in this area by 1960, and detonated a uranium device in October 1964.

All of the Chinese detonations have utilized enriched uranium (U^{235}) as the primary fissionable material. Uranium-238 was also present in all tests. The detonation of any device which also contains U^{238} results in some fissioning of the U^{238}. The debris from their third and fifth tests indicated some thermonuclear reactions had involved lithium-6 in those devices.

We believe that the Chinese are interested in the development of submarines equipped with suitable relatively long-range missiles; at this time we have not determined the exact nature or status of the program.

2. French nuclear test program

Turning to the French nuclear test program, in February 1960 the French tested their first atomic device. In 1966 the French conducted five nuclear tests. In 1967 they held a short series of three tests. Another series of tests is planned for next summer. All of the 1966 tests were plutonium fission devices. The last two tests in 1966 were experiments aimed at the thermonuclear development.

The year's tests were conducted on June 5, June 27, and July 2. They were suspended by balloons, above the Mururoa Lagoon. The tests all had low yields. The French announced that all of the tests were to be triggers for thermonuclear devices which the French still have not tested.

Although French officials continue to state publicly that France will detonate her first thermonuclear device in 1968 when enriched uranium becomes available, there have been hints in the press that France is having difficulties with its program. Should this be true, the first generation of both the land-based and submarine-launched missile systems might have to use warheads developed in the 1966 series.

To recapitulate, the Chinese are well ahead of the French in thermonuclear weapon design. In 2½ years and six tests the Chinese have successfully tested a multimegaton thermonuclear device. The French, on the other hand, have conducted many more tests over a 7-year period and have not yet tested a true thermonuclear device or achieved a megaton size yield.

The French have developed higher yield fission weapons than the Chinese. The French have achieved yields of up to 250 kilotons while the Chinese fission devices have had lower yields.

The French now have an operational strategic force of about 60 Mirage IV aircraft with a stockpile of 60 to 70 KT nuclear weapons. At this time the Chinese do not have such an operational strategic force.

SUMMARY

The Joint Committee believes that the American public needs to know the threat that is posed by Red China. Communist China has emerged with a fledgling, but effective, nuclear weapons capability. This capability has and will continue to have a great effect on U.S. foreign policy in the Far East. It will have an effect on our relations with the South East Asia Treaty Organization. It will have an effect on the nonproliferation treaty principally because of the close connection between Chinese nuclear power and the national security of India. Its effect will also be felt by Japan. Moreover, the Chinese Communists could use nuclear blackmail to assert their position not only broadly in Asia, but specifically in Southeast Asia.

Perhaps most significant for the United States is the fact that a low order of magnitude attack could possibly be launched by the Chinese Communists against the United States by the early 1970's. At present we do not have an effective anti-ballistic-missile system which could repel such a suicidal (for the Chinese) but nevertheless possible strike.

It is for these reasons that the Joint Committee feels the assessment it has made, based upon information received in executive sessions, should be brought before the American public—not to overemphasize or to underplay but to state clearly and concisely with due regard for the protection of intelligence sources where we stand in relation to this emerging threat to our national security.

COMMITTEE TO INVESTIGATE RIOTS

Mr. RAILSBACK. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. PIRNIE] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. PIRNIE. Mr. Speaker, I have introduced a resolution to establish a select committee of the House for the purpose of conducting a full investigation of the riots which have taken place in several of our metropolitan areas. With the continuation of these outbreaks which are devastating our cities, it is imperative that we make a full and complete inquiry into this entire problem and take whatever steps are necessary to insure that law and order are restored now and maintained in the future.

As I view it, we must be prepared to launch an effort to prevent these occurrences from happening in the months and years ahead. First, we have to deal sternly and expeditiously with the criminal element involved. We cannot permit any individual or any group in our society to be above the law and engage in the wanton destruction of life and property. A clear line of distinction must be drawn between peaceful demonstration and criminal activity. The riots and violence which have plagued Newark, Detroit, and the other cities have no kinship with the legitimate civil rights concepts. As the Governor of New Jersey said, "They are a criminal insurrection" and must be dealt with as such.

Lawlessness is not to be excused. No one for any grievance, fancied or real, has the right to shoot up a city or loot its stores. As Paul Hope wrote in his July 27 column in the Evening Star:

> A man who makes a firebomb and throws it through a shop window is not doing it because his grandfather was a slave. A sniper who climbs on top of a building and shoots a fireman is not doing it because he doesn't have a job.

This criminal activity is not, as some would have it, a spontaneous outburst of bitterness over living conditions brought on by the heat of summer. The facts simply do not support this conclusion and I think it is time we faced these facts.

In April, several civil rights leaders, including Martin Luther King, Floyd McKissick, and others predicted which cities would be hit this summer in interviews for a survey published by U.S. News & World Report. McKissick said:

> Cleveland stands out like a sore thumb. Nearly every city in New Jersey is in bad trouble. I'd bet that New Jersey will never get through the summer without trouble. Among other cities, I'd name New York, Detroit, Omaha, Kansas City, St. Louis, especially East St. Louis, Chicago, Gary, Indiana, San Francisco and Oakland, Los Angeles, of course, and also Washington, D.C.

When 70 fires are started almost simultaneously, as was the case in Detroit in its first night of violence, when rebellion-minded leaders have made impassioned pleas to a crowd just hours before a riot breaks out, as happened in Cambridge, Md., when out of nowhere rifles, shotguns, and ammunition appear in the hands of rioters, it is obvious that months of planning and preparation were involved. In fact, the Revolutionary Action Movement—RAM—openly boasts that it trains "urban guerrillas" for sniping and fighting in what it calls the urban jungle.

Based on these statements and others which have appeared in the press, we must recognize that we are not faced with an amateur operation. These elements are advocating a revolution not unlike the type that Chairman Mao has demanded in behalf of worldwide communism. This type of ideology was described recently by Lester McKinney, Washington head of SNCC when he said:

> In the minds of the people, history has proved that any meaningful social change has to come through a bloody revolution.

Time put it this way in its Essay:

> What is alarming about them (riots) is not merely the frustration and bitterness they proclaim, not merely the physical and psychological damage they cause, but also the fact that a few Negro leaders are deliberately trying to justify the riots with a violent and vengeful philosophy.

We cannot permit revolutionaries to walk our streets and burn our cities. Violent overthrow of the Government is still a crime and if these individuals and groups are dedicated to the destruction of our system of laws and to remaking this country in their own form, they should be arrested and prosecuted. I think the Justice Department has been less than effective in this area. It is time for the Attorney General to report to the Congress on his actions and inactions.

We in the House have passed what the press has called the antiriot bill. It has charged that this law will be ineffective, is unconstitutional, merely a measure designed by Congress to ease its own conscience. The truth is none have claimed that it is a cure-all, but a determined effort to give Federal authorities adequate powers and jurisdictions with which to meet this threat. Let those who are critical come forth with a proposal which is superior and I shall certainly support it. It should be remembered that this measure was adopted by the House nearly a year ago as an amendment to the Civil Rights Act of 1966 which failed to pass the other body. Had it been adopted then or at least prior to the heat of this summer, we would have been better equipped to deal with the situation we have today. Therefore, I trust the other body will speed consideration of this bill so that the Federal law enforcement authorities can begin to arrest the individuals who flee from one State to another after lighting the torch.

It has been estimated that only 3 to 4 percent of the American Negroes have been involved in this rioting. This is probably accurate and is a fact which must be kept in the forefront of our minds when considering solutions to the problem. We cannot let our fears or emotions cloud our responsibility to all Americans irrespective of color, who deplore violence, who do not loot or burn, who love their country, and who serve and die in war for it.

All people deserve first-class citizenship and we must do all in our power to provide it. Those who argue that Negroes are not presently disadvantaged simply do not have the facts. A Negro child born today as compared with a white child has about half the chance to complete high school, one-third the chance to complete college or become a professional man, twice the chance of becoming unemployed, one-seventh the chance of earning $10,000 a year, and also a life expectancy which is 7 years shorter.

This is a situation which must be improved. However, progress has been and is continuing to be made. A majority of our schools are now integrated and Negroes are now able to vote in all elections due to the Voting Rights Act of 1965. Housing has been provided for low-income families.

Despite this progress and the programs which we have supported, property has been destroyed and the force of violence has replaced the rule of law. We are confronted not with an atmosphere of discontent, but with an organized rebellion which threatens all law-abiding citizens and our very existence as a democracy. It is led by those who would replace our system of laws with a government alien to our way of life, and it is time we recognized this for what it is—open insurrection.

The law enforcement machinery of every segment of government should be marshaled to protect our citizenry and preserve our society. Those who openly advocate wanton acts should be severely punished. We must make a full investigation to discover any connection between these acts and a foreign conspiracy. It is a time for straight thinking and courageous action.

TRAGIC PERIOD IN OUR NATION'S HISTORY

Mr. RAILSBACK. Mr. Speaker, I ask unanimous consent that the gentleman from Colorado [Mr. BROTZMAN] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. BROTZMAN. Mr. Speaker, in this tragic period of our Nation's history, in which we find some of our cities in flames and thousands of our citizens injured and killed in what has variously been called rioting, insurrection, and even rebellion, there is a crying need for soul searching on the part of every American.

State, local, and Federal officialdom has, it must be said, filled the headlines with soul-searching remarks, but more often than not the searchers have chosen to examine other men's souls, and not their own.

Mr. Speaker, yesterday I received a copy of the July 30 issue of the Denver Post, and contained in the perspective magazine section was an article which, I believe, presents more wisdom and insight into the exceedingly complex issue of civil disorder than I have encountered.

It was an interview conducted by Leonard Larsen, an unusually perceptive writer on the Denver Post staff.

Subject of the interview was Lester B. Granger, former executive director of the National Urban League, who is spending the summer in Colorado. I do not know Mr. Granger, but as seen through the eyes of the interviewer he must be one of the most wise and statesmanlike figures of the civil rights scene in this decade.

I will not even attempt to summarize what he said. With your permission, Mr. Speaker, I am inserting the entire article in the body of the RECORD, with the suggestion that every Member read it and bring it to the attention of his staff.

It is, in my opinion, a good point of departure for some of that much-needed national and personal soul searching:

RIOTING THREATENS CIVIL RIGHTS EFFORT

(By Leonard Larsen)

The wave of rioting in urban Negro ghettos now threatens the civil rights movement in the United States and the peace of the nation itself, an internationally known Negro leader said in Denver.

Lester B. Granger, who for 20 years (1941–61) served as executive director of the National Urban League, said in a lengthy interview with The Denver Post that "paranoic and dishonest" Negro black power advocates are fueling a Negro anti-white mob psychology.

But blame for the riots—the killings, the burnings and the looting—must be shared, Granger said, by the nations press and the government which have played into the hands of the strident black power extremists, turning them into "heroes" in the eyes of many disadvantaged Negroes.

The immediate danger, Granger warned, is that the urban rioting could become more widespread and he charged that Cuban, Russian and Red Chinese aid is available—though not now in use—to intensify the riot destruction.

The rioters must be met with force but not by reprisals against whole Negro communities, an action which would approach "the brink of insanity," Granger said in the interview.

Granger forecast the rioting might "smolder and flare" for several years and he added it would probably take at least 10 years for responsible leadership to reestablish itself.

Of the rioters and their ringleaders, Granger said:

"Certainly there should be no coddling and criminals should be treated as criminals."

Granger, in addition to his service with the National Urban League, served a term as president of the National Conference on Social Welfare and is now the honorary president of the International Council on Social Welfare.

A resident of Montclair, N.J., he is spending the summer in Denver.

Following is a detailed account of the interview with Granger:

Q—Why are the Negro riots more widespread this summer?

A—Violence breeds violence. The government and the press have been unbelievably stupid in my opinion—reacting to incidents with shock and lurid advertisement. In many communities Negroes—obscure, frustrated and untrained—found they had a perfect medium for ascent to prominence by leading a demonstration, by organizing a committee.

Q—It has been said the rioters are demonstrating against years of injustice. Are the Negroes involved really demonstrating valid grievances or are these rioters hoodlums and thieves?

A—Neither is the whole truth. They are reacting to years of injustice which, actually, are not nearly as serious now as they were 10 or 15 years ago. But there have been failures to act.

There was the failure of the Supreme Court decision on school desegregation, for example. There is still de facto segregation in the North, and the South fought it, giving only token, grudging recognition of the decision for several years and got away with it.

The Kennedy administration came in with much noise but Robert Kennedy—as attorney general—actually did nothing effective. All of these things developed among the Negro leadership a feeling of futility. They had no answers to give the people who wanted to know why something didn't happen.

Out of this there arose a feeling that the whole thing was a fraud: "Let's raise hell." And the parroting of the phase "the long, hot summer" has been another instance of a fatuous public policy.

Some of the people in the riots are actually concerned about civil rights, honestly if mistakenly. I would say the majority of them are not necessarily hoodlums but they engage in hoodlumism under the magic of a crowd psychology. There's kind of a feeling among them that White America has failed Negro America and that anything that is done is justified.

Q—Are the riots destroying an orderly civil rights movement?

A—I don't think the riots are destroying the civil rights movement but they are making difficulties for it. These are not civil rights supporters who are rioting. These are people who are reacting to frustration with anger. And I can't put myself in the position of passing judgment on people who have had no past, have no future and whose present is miserable.

Now these people have exploded. Ten years ago we sought desperately to get foundation grants of sufficient size to set up a pilot operation on community organization techniques. We couldn't get their interest. Now these same foundations are pouring millions and millions of dollars into the movement where the water is not too hot to operate in.

Q—Have Negro leaders who have shown themselves to be effective in the civil rights movement lost control to black power extremists?

A—They never had control. These people who are recognized—and whom I recognize—as Negro leaders are leaders of organizations. They're not leaders through personality.

For example, the NAACP (National Association for the Advancement of Colored People) for 50 years was THE mass organization of Negroes. What characterized it was its mixture of Negro and white membership—overwhelmingly Negro in support and membership but laced through with enough white persons to keep it from being a racist operation.

The kind of dissatisfied Negro who 30 years ago would turn out to a mass meeting addressed by a Roy Wilkins (executive secretary of the NAACP) won't go there today. He'll go to have his emotions titillated by a Stokely Carmichael.

Q—Are recognized Negro leaders fearful of being accused as "Uncle Toms" if they criticize the rioters as criminals?

A—No, I don't think so. But any such criticism could be misused by a reactionary opposition. Roy Wilkins has spoken about "criminals" but he'll be measured in his statements because if he isn't careful, he'll find his words being used against him, not by Negro leaders but by whites.

I think it's a good strategy for him to denounce the action but at the same time make clear that the blame lies on the community which produced the mood.

I'm very ambivalent on the subject. I hate what's going on. I despise the ringleaders. As far as Carmichael is concerned, I consider him paranoic and dishonest. I go on college campuses and I find young Negroes not necessarily admiring and following Carmichael. But I find them saying that at least Carmichael is getting people to think.

But who made Carmichael? The white press, the radio, the TV made him, giving him hour after hour of time and space that Roy Wilkins and Whitney Young (executive director of the National Urban League) could never even have purchased for their organizations. They gave Carmichael the advertising to make him a hero to Negroes.

And having made him a hero, they now turn to the Wilkins and the Youngs and reproach them for not stopping the riots. As I see it, the only thing to be done is for the federal government and the state governments to take the strong hand of control but recognizing at the same time that this is a situation which the government itself and the American people themselves have produced.

It would be an error to attack the situation as if it were a Communist plot. The Communists never could have done it. The Communists worked all during the depression to recruit a following of Negroes and they failed completely.

One other thing—when violence is rewarded by placation, violence becomes emboldened. I mean here when the Congress and state officials call for federal funds to guard against a repetition of outbreaks in "the long hot summer" this is encouragement. What they're saying is "Let's pay these folks off so they won't riot."

What needs to be done should be done—riot or no riot. There have been no rewards for the Negro for being hard-working, loyal and respectful of the law. There has been, in a very ironic sense, reward for misbehavior.

This does something to the psychology of the mob. This is one of the most miserably mismanaged social problems I can remember in 50 years of observation.

Q—Are the riots serving to call attention to injustices inflicted on the Negroes?

A—No longer. No longer. They did but now they're serving to warn that this situation can become even worse. For instance, there's plenty of Cuban money, plenty of Russian money, plenty of Chinese money—especially—available to finance the manufacture of Molotov cocktails.

This isn't wild imagining; this is solid fact. Also there are many Negroes who have had experience in war to develop a cadre which could be terribly harmful to this country.

I don't think it's occurring yet. But it could occur. This is the danger now. I'm not worrying now about civil rights. I'm worried about the country. If the country goes to pot, every damn thing goes to pot.

Q—Are the riots serving to spread more hate, fear and distrust in both the Negro and white communities?

A—They are serving to give a veneer of justification to hatred of the Negro which has always been alive. Among whites the riots have also served to cool off people who were tentatively favorable to a change of the whole system. Now they have become frightened and are withdrawing.

And among Negroes the riots have served to give a false feeling of power, power that doesn't exist. Any fool can smash something up but to build something is more difficult. It'll be harder now for the builders. It'll be harder for the builders to recruit the following, to get a hearing and to get support from the white public. The riots in this sense have done a distinct disservice to the cause of civil rights.

Q—Are the black power extremists going to be pushed out of leadership?

A—I have made the statement that it will take 10 years for Negro leadership to reorganize and reestablish itself on a solid base of the approval of the majority of Negroes. And it will take another 10 years for whites to understand this.

I see this crisis smoldering and flaring up for a number of years unless some major tragedy happens—such as a war—which has a binding effect on the nation.

It's an ironic thing that the only progress Negroes have made has been in an atmosphere of disaster.

Q—What should be done right now?

A—Certainly there should be no coddling and criminals should be treated as criminals. The more the riot spirit is allowed to flourish, the wider it spreads.

But if there's any show of reprisals—of anything more than the proper restraining by the police force—then you get into something even worse than the rioting. Reprisals could carry us to the brink of insanity.

This is a very delicate job. The tragedy is that very few cities have mayors and police departments capable of carrying out this kind of a job. There are so many complex social, economic and political factors involved that no city can approach a riot situation and say that "We've got the answers. We're ready."

There are really three attitudes which Negroes resent and properly resent. One is the bigoted attitude shown by racists. Another is the ignorant attitude shown by the uninterested. And the third is the condescending attitude shown by many of what are called liberals who are well disposed but completely clumsy in exhibiting their good intentions.

All three attitudes have combined to build up in the Negro population a feeling of frustration which has now taken fire.

TEXTILE TRADE ACT OF 1967

Mr. RAILSBACK. Mr. Speaker, I ask unanimous consent that the gentleman from New Hampshire [Mr. CLEVELAND] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. CLEVELAND. Mr. Speaker, I have today introduced legislation which could have a profound effect upon the future of the American textile industry and its related industries.

The purpose of this bill is to place foreign access to U.S. textile markets on an equitable and orderly basis designed to prevent any market disruption, to prevent unemployment, and maintain a strong and growing domestic industry.

IMPACT OF IMPORTS SOBERING

Mr. Speaker, I have often spoken out on the severe need for legislation in this area. Many American industries have been unfairly hit by the massive and increasing flood of low-labor-cost foreign imports. This situation has threatened the very existence of numerous small domestic manufacturers and the jobs of their employees. Such a situation is far too serious to be tolerated any longer with complacency.

The impact of foreign imports on my own congressional district is sobering. The shoe industry, the electronics industry, and the ball-bearing industry are among examples of those businesses which are faced with an accelerating flood of foreign imports that has far exceeded expectations or the reasonable requirements of expanding foreign trade. Even worse is the plight of the wool manufacturer. More than 30 plants in the United States closed in 1962 and 1963 alone and 6,000 jobs went down the drain during the same period. The situation is not getting any better.

In response to this danger I reintroduced on April 19, 1967, H.R. 8745, known as the Orderly Marketing Act of 1967. The legislation which I am introducing today would achieve generally the same goals as would H.R. 8745, but also contains several additional provisions which I support. These provisions are largely a contribution of my distinguished colleague, Congressman WILBUR MILLS, whom I am joining in sponsoring this Textile Trade Act of 1967. I would like to briefly describe this current piece of legislation giving particular stress to these new provisions which I consider advantageous.

PROVISIONS OF THE ACT

This bill would authorize the President to negotiate agreements providing orderly trade in textile articles, including quantitative limitations on U.S. imports. I particularly favor the provision which states that when a significant portion of U.S. textile imports are covered by agreements, the President would limit imports from any country not participating in such agreements on the same basis as the agreements.

Also the bill provides that if, after 6 months of the bill's enactment, agreements providing for orderly trade have not been concluded, textile imports would be limited to their average annual quantity for the period 1961–66.

These two provisions which I have noted serve a very useful purpose. Both help to provide import restrictions on textile articles which necessitate them, and provide them as quickly as possible. The first provision insures that nations which do not concur with the agreements will not be able to avoid them once they are made. Thus, it will not be necessary to wait for full protection until agreements have been concluded with each individual nation exporting the articles concerned. The second provision provides at least a temporary form of protection for the threatened industries, while negotiations are in progress.

ORDERLY AND FAIR TRADE

The situation, Mr. Speaker, is an urgent one. This legislation is prepared to deal with it in an appropriately swift fashion, while still allowing considerable flexibility in future negotiations. I have consistently worked in every way I can toward reasonable and responsible relief for the textile industries, particularly wool, which are gravely threatened by foreign imports. It is toward that goal that I propose this bill in addition to those which I have previously introduced.

With most of the manufacturing interests in my district I view with favor expanding foreign trade. We realize this necessitates imports. All we ask is that this be done in an orderly and fair manner.

PRIVATE ENTERPRISE AND INDIVIDUAL INITIATIVE ACT OF 1967

Mr. RAILSBACK. Mr. Speaker, I ask unanimous consent that the gentleman from New Hampshire [Mr. CLEVELAND] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. CLEVELAND. Mr. Speaker, I have today joined my distinguished colleague from Florida [Mr. CRAMER] in introducing legislation which would provide both tax credits and tax deductions to encourage individuals and private enterprise to invest in our Nation's human resources.

This bill, the Private Enterprise and Individual Initiative Act of 1967, would combat air and water pollution by allowing companies which construct pollution control facilities to amortize the cost of the works. It seeks to further business development by encouraging companies to make loans to promote the economy of a State where such loans would not otherwise be made by banks. Also in the field of business, the bill provides tax deductions to assist companies in hiring workers over 45. This provision would do much to ease the problems now faced by many middle-aged and older workers.

Furthermore, the act would provide tax credits to encourage the hiring and training of presently unemployed workers. This bill aids higher education by allowing teachers to deduct all necessary expenses paid in the pursual of higher education and by granting tax credits to students and parents of students pursuing further higher education.

This legislation would serve as an example of how the Federal Government, business, and the individual can all cooperate within the framework of private enterprise to insure full use of all our human resources.

THE 4–H FOR WASHINGTON, D.C.

Mr. RAILSBACK. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. ROBISON] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. ROBISON. Mr. Speaker, yesterday I introduced H.R. 12035 which would authorize the Secretary of Agriculture to establish and maintain 4–H and home economics programs of the cooperative extension service in the District of Columbia. The target for this legislation would be the thousands of low-income families within the District who can benefit from these self-help and learn-by-doing programs.

Howard University would be designated as the responsible service institution. Their responsibility would be similar to that of the Cornell University responsibility to New York State Cooperative Extension. Cornell has a long history of meeting the needs of local people throughout the State, researching problems, and providing up-to-date information and assistance which benefits family and community life.

For more than 50 years the 4–H program across our Nation has been successful in providing meaningful and potent educational experiences to help boys and girls develop into mature, responsible citizens. Although originally organized for rural boys and girls, present 4–H membership figures reveal that 4–H is expanding to suburban and urban areas with outstanding successes. Most of us are familiar with the many achievements of 4–H in rural areas but I would like to summarize a few of the many inroads 4–H has also made in urban areas.

In my congressional district, a woman on welfare who became a 4–H leader for a group of young 4–H girls, found that the leadership experience helped her gain self-confidence, giving her courage to seek a full-time job. As a result of the full-time job, 4–H lost a leader but also the welfare department lost a client. This sort of example could probably be cited in case upon case, city after city, because the history of 4–H has been the development of skills, confidence, leadership, and knowledge useful in future life.

"An idea was born" in Philadelphia when a vacant lot in the 700 block of Uber Street was cleaned and planted with vegetable and flower plants as a demonstration area for 4–H projects to interest urban boys and girls. As a result, 4–H members under the guidance of adult leaders took over tax-delinquent vacant lots, cleared them of rubbish and planted their own gardens and shrubbery. Drab city blocks now have window boxes and special holiday decorations—a result of a 4–H program which stimulated a desire for self and community improvement.

Kenneth L. Coombs, State 4–H leader from Rhode Island, says this about south Providence—often called a potential powder keg area:

> In the light of our three year experiences in South Providence, we are convinced that Extension programs are effective in breaking the cycle of poverty.

The area is known for high rates of juvenile misbehavior, unemployment, poor housing, and deteriorating family units.

As Coombs also said:

> One of the first 4–H Clubs (in Providence) was a group of girls who attended an open house held in the gym of the Boys Club on a September evening in 1963. The open house was to announce the services of the University of Rhode Island Cooperative Extension to the people of South Providence. These girls intended to break up the meeting. They were confronted by the assistant staff home economist on a tip from her co-worker. The girls had already been involved in a gang-fight on the school grounds. The assistant dispersed them from the rally with no argument but with the promise to visit the gang leader, which she did the very next day.
>
> She interested the gang leader—an otherwise normal teen-age girl—in sewing. She promised to have her whole gang at the very first lesson. They were there and continued 100 percent attendance until the basketball season started. Then they had to defend their championship crown—

Concluded Coombs.

Moreover, 4–H educates and trains young people with "real life" experiences at an amazingly low cost. The total national year-round 4–H program costs only $30 per participant, of which approximately $12 per participant are Federal costs.

On the other hand, OEO's, "A News Summary of the War on Poverty" dated January 23, 1967, indicates that the cost in VISTA and Job Corps programs is $3,000 per participant, and its neighborhood youth programs cost about $800 per participant.

The 4–H program motivates young people in an informal, educational atmosphere. They can develop a sense of pride in their own accomplishments whether it be an apron or a dress, flower box, or electric lamp which they have constructed as a 4–H project. Opportunities to attend 4–H camp or visit other places on 4–H project trips provide young people an outlook and challenge in life perhaps different from that within their block.

My State of New York has a long and splendid history of providing services to meet the many needs and problems of youth. Governor Rockefeller, and members of his executive staff of the division of youth, recognized that the problems of continuing one's education and of youth employment were too great a task for any one institution. They believed that a contribution could be made by the informal, out-of-school educational 4–H program of the cooperative extension service.

The New York State Legislature provided funds for 4–H programs for the disadvantaged in the cities of Buffalo and Syracuse and Orange County, N.Y. The program is designed to provide young people learning experience which encourage them to stay in school longer. For many youth, the first essential for greater success in school and out of school is that of developing a more positive concept of one's self. The 4–H program helps youth gain skills and provides opportunities to engage in constructive activities. It encourages them to raise their educational and occupational aspirations. As youth gain a realistic understanding of the world of work, they will realize the need for continuing education and training.

Buffalo wanted to start an Inner City 4–H program where all youth groups except for one Boy Scout troop in the area had ceased. The Buffalo Municipal Housing Authority told 4–H "We'll be happy to provide any facilities you need." A 2,400-square-foot 4–H training center and office was developed within the housing district itself.

Some 4–H projects with practical and commercial potential, such as automotive safety and care, electronics, "junior chefs," home maintenance, commercial sewing, photography, ornamental horticulture, woodworking, and furniture refinishing were introduced. Trips, tours, and camping experiences were also a part of the Buffalo 4–H program.

Several 4–H clubs were formed and since 1963 exciting things have happened:

After the first year alone—1964—552 young people were involved in 4–H. More than 20 teenage youth found part-time employment as a result of skills gained and interest in youth problems created within adults. The incidence of broken windows and other vandalism in the housing development in Buffalo miraculously decreased by 50 percent or more. The housing management credits the 4–H program for this, since it was the only new force in the community.

As a result of flower plantings and gardening, a number of adults who had shown no pride in their houses and yards began to do things for themselves. One greenhouse owner gave over $50 worth of plants for a flower project, saying, "If these children need anything, it is a chance to experience success. Let me help by giving good plants." The resulting beauty spots were enjoyed by adults and were a source of pride to the youth who planted and cared for them. They have offered more than beauty for the eye to enjoy—they have created a new vision for the mind to grasp. They have been a torch to the spirit, kindling the hearts of the people, striving for a better way of life.

Nassau County, one of the more densely populated counties in the country, located next door to New York City, boasts a 4-H enrollment of nearly 26,000 4-H'ers. Nassau County has been one of the Nation's leaders in the development and implementation of successful 4-H programs for young people of all socioeconomic levels.

The 4-H program in Ithaca, N.Y., in my congressional district, has been successful in cooperating with community centers and the local welfare agency in involving low-income young people in 4-H experiences. Often, the nicest, or only piece of furniture in the low-income home is something made as a 4-H project.

Many of Ithaca's low-income 4-H'ers meet in the county agriculture home and 4-H center on Saturdays because of the lack of home facilities. Attitude and action changes are obvious in the Ithaca program when experienced low-income 4-H'ers criticize new low-income 4-H'ers for being rowdy, noisy, or uncooperative. It is all a part of learning through 4-H.

The 4-H was started more than 50 years ago by school people who felt that youth need this outside—usually summertime—activity to supplement and complement their school work; 4-H leaders are finding a renewed interest on the part of school men as they push harder to stress the basics of learning, science, and other academics. They seem to welcome their pupils having opportunities to apply the knowledge and skills in real life projects. School people and 4-H professionals seem to be joining hands more to round out "the educational programs of our youth."

Only 1 out of every 3 youths, 8 to 19 years of age, belong to any of the nationally known youth organizations. A recent study in Washington indicates that only 1 out of 20 teenagers in lower income areas of Washington belong to any national youth organization.

Early in June of this year, the gentleman from Mississippi [Mr. WHITTEN], the distinguished chairman of the Subcommittee on Department of Agriculture and Related Agencies Appropriations made the following comment on page 440 of the hearings.

> I have the feeling that if there were some way to get 4-H type club activity into the big cities of this country, that would do more good than anything else to help the youth of these cities. The number of youths that fail to get off to a proper start in life is growing. This is a situation that is growing increasingly more serious.
>
> This is a program that might well be studied by those people who are giving their attention to the problem of youth in the larger cities.

These 4-H or 4-H-type organizations are available to youth in 81 different countries, yet it is not available to Washington, D.C., residents. District families should not be deprived of the exciting educational opportunities that 4-H has to offer. These self-help, learn-by-doing programs are urgently needed for the more than 8,000 families in the District Public Housing developments and thousands of others in the low income neighborhoods.

Every public service department of the District—the school system, the Recreation Department, public welfare and vocational rehabilitation can be strengthened through the addition of the cooperative extension services.

Mr. Speaker, we have just seen in Newark, N.J., and in Detroit the tragic and senseless kind of explosion that can occur today in any one of our Nation's larger cities. I cannot be sure, of course, that a 4-H program in Washington, D.C., will help this city, of which we are all so proud, avoid that kind of an experience. But—it is very much worth a try, is it not?

OPPOSITION BY FORMER DISTRICT OF COLUMBIA COMMISSIONERS TO PRESIDENT'S PLAN TO REORGANIZE THE DISTRICT OF COLUMBIA GOVERNMENT

Mr. RAILSBACK. Mr. Speaker, I ask unanimous consent that the gentleman from Minnesota [Mr. NELSEN] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. NELSEN. Mr. Speaker, a number of former renowned Commissioners of the District of Columbia government gave your District Committee firsthand expert testimony in strong opposition to the President's Plan No. 3 to reorganize the District of Columbia government. To a man, they advocated rejection of the President's plan. On the other hand, they advocated maintaining the present three-commissioner form of government as the most efficient, honest, and responsive type of government admirably suited to the unique needs of the Federal City. But only if the commissioners are not harassed by the White House. Among those testifying against the President's plan were former Commissioners Renah F. Camalier, Thomas A. Lane, F. Joseph "Jiggs" Donohue, and Samuel Spencer.

Excerpts from their testimony follow:

Thomas A. Lane: "The present Board of Commissioners organization brought efficiency and tranquillity to the District of Columbia because it was designed to meet the special needs of the National Capital. It has been efficient and it has been responsive to the Congress.

"For these reasons I can assure this committee and the Congress that this reorganization plan is without any redeeming merit whatsoever. It will reduce the efficiency of the District Government and will make that government less responsive to the will of Congress.

"All evidence supports the superior efficiency of the present government of the District of Columbia.

"Advocates of this reorganization plan base their whole case on the assumption that the mayor-council form will assure more efficient government in the District of Columbia. They cite the general practice of other cities.

"In the actual record of public administration measured by the costs and efficiency of operations, the District of Columbia Government has been far superior to the governments of our major cities. Which city government would you select in preference to your present District Government?

"The District government can be improved and should be improved. However, the measures required are not in the President's Reorganization Plan No. 3."

Renah F. Camalier:

"During my tenure, and insofar as I have been able to ascertain, no predecessor boards have ever expressed the opinion or made the suggestion that the commission form of government failed to meet the needs of the city, or that any change in form therein should be effected.

"The meetings of the Board are invariably enlightening, instructive, and productive of points of view always enuring to the understanding, and the ability to understand to the fullest extent, the problems under discussion. The experience and the knowledge of any commissioner, available at all times to his fellow members, buttressed by the expert knowledge and recommendations from the heads or representatives of the departments affected and involved, means that the people of the District of Columbia have received the benefit of the finest and most exhaustive thinking on the part of their officials."

Samuel Spencer:

"I believe that generally the Commissioners have made decisions with reasonable promptness and that delay from the source has not been a major problem in the District Government. The serious delays and stalemates have occurred when conflicts have arisen between District departments and such agencies as the National Capital Planning Commission and the National Park Service which are not controlled by the Commissioners. The Reorganization Plan would not resolve situations of this type.

"A three man Board is small enough so that the members can readily keep in close touch with one another, both formally and informally, know one another's thinking, and ordinarily reach decisions very quickly. The usual situation has been a good working relationship among the three Commissioners and a readiness to cooperate in the interest of efficiency and getting things done. Of the thousands of decisions made by the Commissioners the overwhelming majority have been unanimous and have been reached without extended controversy or disagreement.

"The chief difficulty with the proposed Reorganization Plan and the part of it that would work considerably less well than the present system is the nine member council.

"In my opinion the position of White House staff advisor for District of Columbia affairs, which was set up a few years ago, has tended seriously to undermine the Commissioners and should be abolished. The President should handle his liaison with the District Government and his participation in District of Columbia affairs through the President of the Board of Commissioners. The same problem will exist if the Reorganization Plan goes through. The White House staff advisor would tend to undermine the new single Commissioner just as he does the present three Commissioners.

"I recommend that the Board of Commissioners be continued, that study be given to concentrating administrative authority by increasing the powers of the President of the Board and by other means (city manager), that the President of the Board be appointed by the President, that the ordinance and policy-making powers be continued in the Commissioners, and that the position of White House staff Advisor for District of Columbia affairs be abolished."

F. Joseph Donohue:

"Mr. Johnson's plan, as I read it, Reorganization Plan No. 3, emasculates the commission form of government . . .

"The commission form of government has provided successful, intelligent, competent and secure government in the District of Columbia for more than ninety years. Unfortunately, the appointment of a special assistant to the President on National Capital Affairs has, in my judgment destroyed the commission form of government. No one served as commissioner in the District of Columbia for the emoluments of office because they are frustrating and they are few. But it did attract men of integrity, men who would sacrifice financially in order to serve their community. That little dignity was taken away from them in my judgment when we had a fourth commissioner sitting in the White House. My chief reason for being here is in the hope that we can restore the commission form of government. I think to emasculate the commission form of government is beyond the President's power under the Reorganization Act of 1949 . . . I think it raises a serious Constitutional question."

CHICAGO ALDERMAN GIVES HATCH ACT ARTICULATE, UNQUALIFIED SUPPORT

Mr. RAILSBACK. Mr. Speaker, I ask unanimous consent that the gentleman from Minnesota [Mr. NELSEN] may extend his remarks at this point in the RECORD and include extraneous matter.

The **SPEAKER** pro tempore. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. NELSEN. Mr. Speaker, the hearings around the country of the Commission on Political Activity of Government Personnel, commonly known as the Hatch Act Commission, were completed in June. While I was not able to be present at the Chicago hearing on June 12, 1967, in reading the transcript I was particularly struck with the testimony of Alderman Leon Despres, of the Chicago City Council, which appeared to be extremely articulate and well thought out, touching on the very heart of the matters with which the Commission is concerned.

Mr. Despres, a registered Democrat, but who runs as a nonpartisan candidate in local election—as do all others in Chicago—states that the protections afforded the Federal employees by the Hatch Act are the only bulwark to those employees from becoming completely swept up in the demands of the patronage-spoils system prevalent in that area. He even goes as far as to state that he believes the Federal employee might well be prohibited from making partisan financial contributions, at least on the local level, as possibly the only effective way to protect that employee from forced solicitation. While not necessarily agreeing at this time that this additional limitation be placed in the act, it is noteworthy, coming as it does from a person still living politically with the spoils system, and it does emphasize once more the very valid proposition that the very best protection to be offered the employee by the Hatch Act is for that employee to be able to decline to take part in political activity when being pressured, whether for contributions, services or support, on the solid ground that he cannot do so because of the prohibitions of the act.

Because of the clarity of his presentation, with its direct to-the-point discussion of the issues before us, I highly commend it to my colleagues and to the public, insert his statement in the RECORD at this point:

Chairman JONES. Our first witness this afternoon, and we thank him for being willing to put off until after lunch his testimony, is Alderman Leon Despres of the City of Chicago.

We are delighted to have you here.

Alderman DESPRES. Members of the Commission, I think you may be interested in a grass roots view of the effects of the Hatch Act and in a Chicago grass roots view about the important of the protection of the Hatch Act.

I really cannot pretend to speak as a witness with any knowledge or command of the national scene. I have to leave that to you and to others. However, I certainly can tell you about the operations here in Chicago and about why I think the protections of the Hatch Act are of vital importance here.

I am Alderman of the Fifth Ward of the City of Chicago. I am one of fifty Aldermen and represent a ward of about 80,000 people. I was first elected in 1955 and I have been elected three times since. Three of these elections were hotly contested but the fourth election involved my being unopposed.

However, I have had a deep, personal experience in relation to contested elections and in seeing how they are conducted in Chicago because, besides my own election, I have taken part in other elections. Therefore, I really have a personal experience as to how the Act operates at the lowest level.

Now, the situation in Chicago is that we are really afflicted with a parasitic patronage burden. In Cook County there are about 35,000 patronage jobs. Nobody outside the inner circle of the party knows for sure exactly how many there are but that is the best estimate, based on a good deal of observation and knowledge.

This means that there are 35,000 mercenary employees who hold their positions because of service to the party, who are subject to instant discharge without notice and for no reason if their service to the party becomes unsatisfactory and, further, who are given no protection no matter how competent their work may be. If they incur party displeasure, they are merely let go.

Now, these people provide the grass roots support for the party in Cook County and also, in turn, provide a good deal of the money that is needed for the operation of the party. This is done through various systems of assessment. For example, they pay the dues that keep the local organizations going and, under compulsion, of course, they contribute to various fund raising events. Therefore, the situation of the patronage public employees in Chicago is very difficult and, further, on a national basis, the public welfare is shortchanged.

With a situation of that kind in our local government, there is a very widespread belief that partisan patronage is essential to government and that the influence of the party in power is crucial in deciding questions of employment and promotion. Further, because this patronage is so widespread, it really affects the local level service.

I would also like to add that this system is, in my opinion, an albatross around the neck of both parties because it keeps both from being responsibly partisan. In other words, job security becomes a partisan matter and, obviously, the party in power is the superior practitioner of partisan patronage by definition. Both parties suffer or, from another viewpoint, they both benefit. This is because of the widespread belief that partisan political influence determines employment, promotion and preferment.

There is also a wide belief that Federal service is also affected and that belief is greatest at the lowest level. The lower the pay, the more firmly people seem to view that promotion, preferment, etc., are somehow effected with this very powerful pervasive political patronage influence, even though, of course, the statute may say otherwise.

Therefore, to remove from Federal employees the protection of the Hatch Act would simply reinforce the suspicion or the belief that is quite widespread. All that counteracts that belief, all that protects the employee from harassment is the actual protection of the statute and the dissemination of knowledge about the statute. If the protection and the prohibitions of the Hatch Act were absent, the parties would be under irresistible temptation to use any loopholes in the Act that might be of advantage to them. This, of course, would always benefit the party locally which corresponds to the party in national office and if it were permissible to solicit funds or to persuade Federal employees to engage in partisan political activity, I think the local party corresponding to the national administration would not be able to resist the temptation here in Chicago to do that on a big scale. However, because I see these prohibitions as the only protection of the local Federal employee, I would say that it would be disastrous to remove the prohibition against partisan political activities, against managing campaigns and the other prohibitions you are interested in.

I would even go so far as to recommend to you that Federal employees should be prohibited from making partisan political financial contributions because I think that the only effective way to protect the Federal employee from solicitation in the atmosphere we have here is to prohibit him from making the Federal contribution. However, I would recommend this from a narrow viewpoint, just the viewpoint of the metropolitan area of Chicago. It may not be desirable nationally to do this.

On the other hand, I would preserve the right of the Federal employee to take part in non-partisan campaigns. Non-partisan elections take place in nearly all of the villages and the employee ought to be free to engage in local municipal civic activities.

I might add here that the Aldermen in Chicago are also elected without party label. I am a non-partisan candidate. Of course, I had to depend on non-patronage workers myself.

In Chicago, the non-partisan label of a candidate is partly a screen that covers partisan activity for aldermanic candidates but, on the other hand, in reality, it does allow new men to come up and to win elections to the City Council. In fact, from time to time, in connection with each election, there are always one or two or more new men who come in because of the absence of the political party label.

Therefore, I would favor the encouragement of non-partisan local elections and favor permitting employees to take part in them.

Lastly, I would urge that a more effective job ought to be done in dissemination to Federal employees the rights they do have with regard to their activities under the Hatch Act.

As an Alderman in each campaign, I have been interested in the participation of Federal employees. Sometimes you have to reject the offer that someone makes to you but, most of all, we have found that Federal employees are not fully aware of all that they can do in each election, whether it is an aldermanic election or any other.

I do take out and post the Civil Service poster in relation to what permissible activities are because we do find that we get inquiries during each election from people in the constituency asking whether certain activities are permissible. Therefore, we find it very helpful to have the posters there.

> If the Federal government and the Civil Service Commission were doing an adequate job of informing the employees, then they would not have to turn to their local Alderman for information. Of course, I grant that you cannot always fully inform each person but, on the other hand, there should be a wider dissemination of what is permissible activity.
>
> However, in the final analysis, I recommend that you hold fast to the basic protections of the Hatch Act because they are very, very meaningful here.

RESOLUTION TO SLOW DOWN THE ARMS RACE

Mr. RAILSBACK. Mr. Speaker, I ask unanimous consent that the gentleman from Washington [Mr. PELLY] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. PELLY. Mr. Speaker, I am today joining with a number of our colleagues in introducing a concurrent resolution which seeks to insure that international sales and gifts of arms are restricted to minimum levels and seeks to establish in and through the United Nations a procedure for full public registration of all such transactions.

I think the revelation that our Defense Department has been using anonymous loans from the Export-Import Bank to finance the sale of arms to countries in Latin America, the Middle East and South Asia indicates that the sale of arms in the world has gotten out of hand.

Arms sales in the Middle East and other areas such as India and Pakistan, have only contributed to an intense arms race. This is true in North Africa, sub-Saharan Africa, and most of Latin America, where the situation is still that of an arms "walk."

"Race," or "walk," wherever or whichever it is, we are headed in a dangerous direction of stimulating armed conflict between nations—even internal revolutions.

This internal use of American military aid was evidenced in Greece, where American tanks were used during a coup against the constitutional government. The same thing has happened in South America.

And, Mr. Speaker, whether military assistance is sold or given does not lessen the fact that the armament of the small nations of the world is growing at a dangerous pace.

I hope this resolution will have early consideration in the interest of discouraging and slowing down the race between elements of the human race to destroy each other.

FEDERAL RESERVE SEIZED "INDEPENDENCE" UNDER EISENHOWER LEADING TO ROUND AFTER ROUND OF HIGHER INTEREST RATES

The SPEAKER pro tempore. Under previous order of the House, the gentleman from Texas [Mr. PATMAN] is recognized for 15 minutes.

Mr. PATMAN. Mr. Speaker, in recent days I have placed in the RECORD detailed data proving that the American people have been saddled with $211 billion in excess interest charges over the past 14 years.

The beginning of this upward trend of interest rates can be traced back to the early days of the administration of President Dwight Eisenhower.

President Eisenhower was the first and the only American President who regarded the Federal Reserve as a separate and "independent" arm of the U.S. Government. Mr. Speaker, I quote from a news conference of October 5, 1956, in which President Eisenhower—for the first time—publicly, and mistakenly, labelled the Federal Reserve as an independent agency:

> SARAH MCCLENDON, El Paso Times. Mr. President, we know that many communities want more school buildings, and we know you said you wanted to help them, I believe, on the partnership basis; but how can these communities build more school buildings when the cost of doing so would be a million or two higher as a result of the interest they would have to pay, as a result of your policies on high interest?
>
> The PRESIDENT. What are my policies on high interest? You have not explained that.
>
> Mrs. MCCLENDON. Well, the Treasury Department and the Federal Reserve Board, under your administration, have contributed to raising the interest rates all over the country.
>
> The PRESIDENT. To what extent is the Federal Reserve Board under my control?
>
> Mrs. MCCLENDON. Well, I would imagine—I don't know, sir, but I would imagine you would have some influence.
>
> The PRESIDENT. The only thing I am getting at is don't start out with a premise that isn't quite correct. The Federal Reserve Board is not under my control, and I think it is proper that the Congress did set it up as an independent agency.

Mr. Speaker, this excerpt from the news conference plainly shows President Eisenhower's sadly mistaken views about the Federal Reserve System. Mr. Eisenhower's views, as expressed in this news conference, gave the Federal Reserve Board and its chairman, William McChesney Martin, the opportunity they had long sought. They moved through this opening and seized their "independence."

As a result, Mr. Speaker, we have had round after round of interest rate increases cloaked in the immunity of this so-called "independence" which was seized during the Eisenhower administration. President Eisenhower's attitude—and the attitude of the Republican leaders—changed the basic thrust of the Federal Reserve System, leading to open defiance of directives from the Congress and the executive branch.

No law has ever conferred independence on the Federal Reserve System. The word "independence" is not mentioned in the Federal Reserve Act. The cold truth is that any "independence" that the Federal Reserve exercised is seized independence—seized from the American people.

The absurdity of the claim of Federal Reserve independence is evident in every basic document from the U.S. Constitution to the Federal Reserve Act, including all of its amendments.

Let me just call the attention of my colleagues to the Constitution. The Constitution clearly, and without question, vests the monetary powers of the Nation in the U.S. Congress. Article I, section 8, clause 2, of the Constitution provides:

> The Congress shall have Power . . . To borrow Money on the credit of the United States.

Clauses 5 and 6 empower the Congress "to coin money, regulate the value thereof, and of foreign coin." Clause 18, embodying the so-called incidental powers, provides that the Congress shall have the power "to make all laws which shall be necessary and proper for carrying into execution the foregoing powers and all other powers vested by this Constitution in the Government of the United States, or in any department or officer thereof." Article II, section 1, clause 1, states:

> The executive Power shall be vested in a President of the United States of America.

This language is crystal clear. There can be no mistake about what the Constitution says in this area. I challenge anyone to show me any interpretation that contradicts the very plain fact that Congress has the responsibility of establishing the laws for carrying out the monetary powers and that the President, vested with the executive powers, has the responsibility of carrying out the laws established by Congress.

The defenders of the Federal Reserve System have searched in vain through the Federal Reserve Act and its amendments to find some answer and some rational reason why the Federal Reserve ignores the Constitution and acts as if it were a sovereign government unto itself. They cannot find the answer in the Federal Reserve Act. It does not exist. So, many of the champions of the Federal Reserve Board's action have resorted to gross distortions of the interpretations of the Federal Reserve Act and its legislative history. I urge my colleagues to check the facts closely and not be misled by these distortions.

Mr. Speaker, the administrations of Franklin D. Roosevelt and Harry S. Truman did not let the Federal Reserve get away with claiming "independence." As a result, interest rates were kept low throughout the Roosevelt and Truman administrations despite the fact that we had depressions, war, and postwar inflation. In short, we had all kinds of economic conditions, but we kept interest rates low.

Of course, the Federal Reserve did make attempts to seize independence but they were stopped by these Democratic administrations.

In March of 1951, the Federal Reserve Board attempted to completely seize control of the monetary policies of the country in defiance of President Truman. President Truman, however, met with the Board and demanded that it maintain the 2½-percent interest rate on long-term Government securities, a rate which had continued in effect since the 1930's. President Truman won that showdown, thus saving the taxpayers billions of dollars. The country is lucky that it had a courageous, Democratic President willing to stand up for the people against the special interests.

The Federal Reserve Board then bided its time until the inauguration of the Eisenhower administration. In 1953, as

President Eisenhower was being inaugurated, the Federal Reserve Board laid plans to complete its total seizure of monetary affairs. Later that year, the Federal Reserve Board, with the acquiescence of the Republican administration, started operating on the basis of its seized independence.

The actions—or maybe more correctly, the inactions—of the Eisenhower administration have cost the American people tremendous sums. For example, if the interest had been kept at the 1952 level of the Truman administration, we would be paying only $7.5 billion annually on the national debt instead of $14.2 billion. We could have done tremendous good with this sum of money. Certainly, we could have done something more productive than paying interest.

Since the Eisenhower administration, the Federal Reserve has claimed complete independence from the President and from the Congress. Operating under its seized independence, the Board has consistently established its policies at the beck and call of the Wall Street bankers, resulting in higher and higher interest charges to the American public. Its defiant actions have continually upset economic and fiscal policies.

Since the unconditional surrender of the Eisenhower administration in 1953, the Federal Reserve Board has become more and more defiant toward the Government. This shocking state of affairs was clearly illustrated when Federal Reserve Board Chairman William McChesney Martin appeared before the Joint Economic Committee in 1965. At that time, he falsely claimed:

> The Federal Reserve Board has the authority to act independently of the President, even despite the President.

This defiance reached its height on December 6, 1965, when the Federal Reserve voted, four to three, to raise interest rates 37½ percent. This act was in complete defiance of President Johnson and his administration.

The Board carried out the 37½-percent increase in secrecy and without consultation with other segments of our Federal Government. The Congress was not notified until the announcement appeared in the press.

In fact, President Johnson and his economic advisers were still preparing the annual budget when the Federal Reserve acted. The Federal Reserve, acting under the urgings of William McChesney Martin, did not wait to see the President's budget figures or the calculations of the Treasury Department and the Council on Economic Advisers. The defiance was total.

Mr. Speaker, this defiance—which has led to our current high level of interest rates—can be traced back to the "independence" which President Eisenhower let the Federal Reserve seize in the 1950's. Since that time it has been impossible for the President to maintain any type of effective control over the actions of the Federal Reserve.

Unfortunately, the Congress has not acted to repair the damage and to bring the Federal Reserve System back under the control of the people and their elected representatives. The Congress has woefully neglected its duties to reform our monetary system and to enact measures which will clearly prevent the type of defiance that has been exhibited in recent months by the Federal Reserve System.

Mr. Speaker, the President is powerless to do much about the Federal Reserve System until the Congress acts. I hope that the 90th Congress will meet its responsibility in this area and give the President the necessary powers in the field of monetary affairs so that interest rates can be brought down.

AIR POLLUTION

The SPEAKER pro tempore. Under previous order of the House, the gentleman from New York [Mr. HALPERN] is recognized for 20 minutes.

Mr. HALPERN. Mr. Speaker, a satirical folk song on the subject of air pollution proclaims: "Fish gotta swim, birds gotta fly, but they don't last long if they try."

It would be redundant, I am sure, for me to explain to you how widespread and how serious air pollution has become, or how little we have really accomplished in the way of making our air safer and cleaner.

For far too long, we have depended upon local controls to make headway in what has been a losing fight against the filth and poisons which permeate the air we breathe.

Now, we must make certain that the Federal Government accepts its responsibility and assumes a much more forceful leadership role in the battle against polluted air. Air pollution knows no State boundaries. It is quickly becoming a nationwide menace.

I am introducing a bill today to provide essentially all the powers requested by the President, in his air pollution message to the Congress. I have also included some added powers and controls which have been shown to be necessary since that time.

First, it provides for national emission standards as requested by the President. The Secretary of Health, Education, and Welfare would set national emission standards for certain industries, decreasing the economic advantage to those industries in relocating in an area where severe air pollution does not currently exist.

By setting standards now, we not only help to clean the air where it has become defiled, but we also look to the future, and help to prevent the spreading blight from poisoning the air in additional areas.

In this way, we will not wait for air pollution to become serious in an area before attacking it. Prevention of air pollution in now-clean areas is as vital as reducing air pollution in now-filthy areas. And we cannot allow the tons of dirt now over our metropolitan areas to be simply redistributed evenly throughout the country, as industries move from place to place.

Second, my bill parallels the President's proposal for setting up Regional Air Quality Commissions with local representation. Each Commission would include representatives of the senate concerned, providing effectively for the consideration of local necessities. Then, with Federal backing, local officials could better promulgate and better enforce their own air pollution laws.

It is most important that we solve the special problems arising in specific regions. These problems can vary between regions, and regulations effective in one part of the country may have to be modified to be effective elsewhere.

Furthermore, my bill provides for more efficient enforcement of those regional standards, by empowering the Secretary to issue a cease-and-desist order to anyone who violates the established standards, instead of filing suit in court to secure abatement of pollution as provided in present law.

My bill also provides guarantees of a hearing before the cease-and-desist order is issued. There are sufficient provisions to protect industry from arbitrary action by the Secretary. Use of the cease-and-desist order would also protect the public from unnecessarily long court battles to secure abatement of air pollution.

One of the most important parts of my bill would provide an emergency means of combating the kind of deadly smog which engulfed the New York metropolitan area last fall. Faced with such a crisis, the Secretary of Health, Education, and Welfare could issue a cease-and-desist order to close down sources of pollution at once.

This would be helpful in the event of a temperature inversion causing severe pollution. However, this is a last-ditch measure. It could not end the inversion, but could help to minimize its destructiveness.

Fourth, my bill repeals the 12½-percent limitation on grant funds to any one State. I see no reason why we should limit by statute the ability of the Department of Health, Education, and Welfare to concentrate as much Federal funds as necessary in any area to solve a critical pollution problem.

It is important to keep in mind the fact that pollution originating in one State frequently sweeps over State boundaries into nearby States, and it may be necessary to concentrate funds in one area to protect many others.

Finally, my bill includes provisions for registration of fuel additives, for Federal aid to State motor vehicle inspection programs that include emission-device requirements and for aid in the development of electric vehicles.

Also, I would urge the Committee on Ways and Means to grant tax incentives for industries that install air pollution devices. This would be in keeping with our desire to promote individual initiative within each industry to reduce its own contribution to polluted air.

Mr. Speaker, a good air pollution control program will cost money. None of us can, as yet, see through the haze and smoke well enough to be able to determine the exact cost. However, I most strongly feel that any amount granted to this endeavor will be well spent.

In closing, I hope that you do hold hearings in New York, and I urge you to drive up from here to New York with your windows open and your air-conditioner turned off. By the time you go through the Holland or the Lincoln Tunnel I am sure the strong smells which have assailed you will have convinced you of the need for strong legislation to solve the problem of air pollution. I know you will also be convinced of the need for speed in enacting, and applying, this legislation.

FOOD STAMP PROGRAM

Mr. HALPERN. Mr. Speaker, I rise to discuss a matter of vital concern to low-income families in all parts of the United States.

On June 8 of this year, the House passed the bill to authorize continued operation of the food stamp program. On June 12 the Senate acted on the bill and it has been in conference since.

Actually, the conferees have met only twice, on June 20 and 22. They are in complete disagreement over the period the program is to be extended. The House bill provides for 1 year and the Senate version is for 3 years. The Senate conference committee managers are willing to compromise for a 2-year bill, but the House managers are holding out for 1 year.

This places the future of the food stamp program in serious jeopardy. If the bill is not enacted in the relatively near future the program is in danger of being terminated.

I wish to take this opportunity to urge the House conferees to accept the 2-year extension in order that this outstanding program will be continued.

The food stamp program has proved itself during its 6 years of operation by the U.S. Department of Agriculture—3 years as a pilot program and 3 years under the Food Stamp Act of 1964. In this short time the program has proved itself effective and uncomplicated to operate. It is capably administered by USDA's Consumer and Marketing Service, and is now helping almost 2 million persons in low-income families enjoy more and better food.

Forward planning by State and local governments as well as the Department of Agriculture has been a major ingredient in the success of the food stamp program. The 3-year term of the original act encouraged the States to gear up and participate to the fullest possible extent. They knew and understood the provisions of the act, their responsibilities and obligations, and could plan in full confidence that the rules of the game would remain unchanged for 3 years.

To continue helping disadvantaged Americans eat better, the food stamp program needs at least a 2-year extension. The program is directly administered by State and local governments. These officials need assurances for at least 2 years in order to coordinate their own governmental budgets and personnel with the program. They need, and should have, this assurance. Recent changes in the USDA food-aid programs, including adjustments in the purchase requirements of food stamps for those families with minimal incomes, are expected in this fiscal year to give the opportunity for an improved diet to additional thousands of needy people.

The food stamp program is an important tool by which the nutritional status of low-income families can be improved.

I believe this program deserves and has earned our full support.

I hope that the conferees will approve a full 2-year extension for the food stamp program.

WE MUST EXTEND FEDERAL MEAT INSPECTION

The SPEAKER pro tempore. Under previous order of the House, the gentleman from Ohio [Mr. FEIGHAN] is recognized for 15 minutes.

Mr. FEIGHAN. Mr. Speaker, today I have introduced two bills of major importance to our Nation, H.R. 12093 and H.R. 12094. Enactment of this legislation is absolutely essential for our welfare.

The average American thinks that all meat products sold in the United States are inspected and thus fit for human consumption. Unfortunately, this is not true.

Federal meat inspection laws only apply to meat products which move in interstate or foreign commerce. Products produced solely for distribution in intrastate commerce are subject solely to State laws. Many States do not have adequate inspection programs. Only 26 State laws compel mandatory inspection of animals before and after slaughter and of meat processing. Thirteen States have laws providing for voluntary inspection of animals before and after slaughter and of meat processing. Nine States have no meat inspection statute, but do have a general food or sanitation statute. Two States have only a mandatory licensing requirement.

The U.S. Department of Agriculture has recently released a report on conditions in nonfederally inspected meat plants. Examples of existing conditions and inspection practices in nonfederally inspected meat processing plants are appalling. Contaminated meat, meat from sick animals, horsemeat, chopped hides, carcass portions, and animal entrails find their way into processed meats, such as hotdogs, bologna, and hamburger. I could relate specific instances delineated in the Agriculture report, but discretion forbids my doing so.

The current situation is far worse than it was a decade or two decades ago. New techniques and processes have enabled today's meat processors to disguise deleterious meats. Quick-freezing techniques, artificial coloring, artificial flavoring, and other wonders of modern chemistry and advanced technology work to deceive the sight, smell, and taste of the consumer. Only through expert chemical analysis can the truth be disclosed.

In addition to the repulsive practices of some nonfederally inspected plants, meat processing plants under Federal inspection are controlled by Federal inspection laws, 61 years old. This basic legislation was amended only once, in 1938. Thus, Federal inspection of meat and meat products in interstate commerce is archaic.

H.R. 12094 revises and greatly extends this earlier legislation. It is organized into four titles.

Title I defines and clarifies various terms, makes inspection of animals prior to slaughter mandatory rather than permissive, authorizes the regulation of storage and handling conditions of meat capable of human consumption, permits the Secretary of Agriculture to limit the entry of meat and materials into federally inspected plants, permits the Secretary to regulate the marking of containers and the labeling of articles or animals, prohibits the sale or transportation of misbranded or adulterated meat in interstate or foreign commerce, and prohibits the unauthorized use or failure to use official inspection marks.

Title II compels that all products not intended for use as human food to be denatured or otherwise identified, requires certain persons operating in commerce to keep records, authorizes regulation of dead or diseased animals in commerce, and extends these provisions to intrastate operators when the Secretary determines that States are not effectively controlling intrastate operations.

Title III authorizes the Secretary of Agriculture to cooperate with the States in developing and administering effective State meat inspection programs if the State has enacted a law satisfying the conditions of title I and authorizes the Secretary to cooperate with the State in developing and administering State programs comparable to those in title II. Cooperation with State agencies may include advisory, technical, and laboratory assistance and financial aid for administration of such a program. The amount of Federal contribution to any State for any year is limited to 50 per annum of the estimated cost of the cooperative program.

Title IV contains provisions clarifying and expanding existing authority, provides for housekeeping functions, and provides for criminal and other penalties for failure to comply with the other titles of the act.

H.R. 12093 fills in the gap left by less than adequate inspection procedures for meats and meat products of an intrastate nature. It would extend the jurisdiction of the Federal Meat Inspection Service to all plants that are large enough to be covered by the Taft-Hartley Act. It seems only logical that if they are of such a size that there is a national interest in their labor problems, there is a national interest in the wholesomeness of the product that they sell.

Thus, the two bills taken together would greatly strengthen the Federal Meat Inspection Service and at the same time would extend its jurisdiction to large meat producers who were previously exempt from Federal inspection, at least in their intrastate operations.

Such comprehensive legislation would assure the consumer of wholesome meat and meat products. It is essential for the health of our Nation. The existing situation must be remedied. It threatens the well-being of the consumer and stimulates unfair competition. The legitimate meatpacker and the farmer who sells only healthy livestock are placed at a competitive disadvantage because the sellers of unwholesome products can sell them cheaper.

I urge your support of this much-needed legislation.

THE TIME HAS COME TO TAKE ACTION

The SPEAKER pro tempore. Under previous order of the House, the gentleman from Virginia [Mr. DOWNING] is recognized for 30 minutes.

Mr. DOWNING. Mr. Speaker, what is happening in America this summer is sickening and shameful.

It is unbelievable that a few demagogs acting under the cloak of the civil rights movement can cause a nation to be humiliated. But, this is exactly what is happening.

I am not talking about civil rights or the problems of the Negro race. I am talking about those few individuals who use this cover to promote their unholy cause.

There must be laws to prosecute the Stokely Carmichaels and the Rap Browns who threaten to destroy what we hold so dear. There must be laws to protect the citizens of our country. Listen to these statements which they used to inflame their audiences:

> You have to tell the (white) man; if you come into my community you are going to come in with the intent of dying or you don't come at all.
>
> I say there should be more shooting than looting, so if you loot, loot a gun store.
>
> You've got to decide for yourself if you kill your enemy because that is an individual decision. But the white man is your enemy. You got to destroy your enemy.
>
> If you give me a gun and tell me to shoot my enemy, I might shoot Lady Bird.
>
> Shoot down that "honky" over there.
>
> Let's go over and burn down that school. Get your guns.
>
> We'll burn this city down unless they come around.
>
> Unless the black people get what you owe us, "honky."
>
> Lyndon Johnson started the riots. . . . I want Johnson to resign and go to Vietnam and fight and take his family with him . . . Johnson is a wild, mad dog—an outlaw from Texas.
>
> Violence is necessary. Violence is as American as cherry pie.
>
> These people who had their stores burned out were not wanted in the community in the first place.
>
> If you are going to loot, loot yourself a gun store. You got to arm yourself, brother.

What is the result of these inflammatory statements? The useless loss of American lives, countless millions in property losses and untold human suffering.

Is this a Communist-inspired plot to destroy the United States? It certainly has all the earmarks. Stokely Carmichael is now in Cuba conferring with Fidel Castro, the chief Communist leader in this hemisphere. We are told that he may go to Hanoi for further consultation and, I suppose inspiration. In the meanwhile in this country, his chief colleague, Rap Brown, is doing his utmost to destroy our democracy.

The time has come to take action, the time has come for the Congress to tell our people who these agitators are and how and why they seek to incite riots and insurrections. The time has come for the Congress to enact whatever laws may be necessary to protect our citizens.

Under the historic doctrine laid down by Justice Oliver Wendell Holmes, a society can and should assert its rights over those of an individual when there is a "clear and present danger" that our form of government will be overthrown. Unfortunately, present laws apparently are not specific enough. The most appropriate statute under which these people might be prosecuted is to be found in the United States Code. Title 18–2383 says, in part:

> 2383. Rebellion or insurrection.
>
> Whoever incites, sets on foot, assists, or engages in any rebellion or insurrection against the authority of the United States or the laws thereof, or gives aid or comfort thereto, shall be fined not more than $10,000 or imprisoned not more than ten years, or both; and shall be incapable of holding any office under the United States. (June 25, 1948, ch. 645, Section 1, 62 Stat. 808.)

The legal difficulty here is that the disturbance caused must be "against the authority of the United States or the laws thereof."

And then, there is title 18–2385, which states:

> Whoever knowingly or willfully advocates, abets, advises, or teaches the duty, necessity, desirability, or propriety of overthrowing or destroying the government of the United States or the government of any State, Territory, District or Possession thereof, or the government of any political subdivision therein, by force or violence, or by the assassination of any officer of any such government; . . .
>
> Shall be fined not more than $10,000 or imprisoned not more than ten years, or both, and shall be ineligible for employment by the United States or any department or agency thereof, for the five years next following his conviction. (June 25, 1948, ch. 645 Section 1, 62 Stat. 808.)

But again we are faced with the difficulty of showing that a person advocating the pillage of a town is in effect advocating overthrow or destruction of the government of that town.

Apparently, a Rap Brown advocating murder and pillage in Cambridge, Md., cannot fall within the purview of this statute.

If this is so, then it is incumbent upon us as Members of Congress to give the people some law which will protect them. We must make it a crime to impair the safety of citizens anywhere in the United States.

It is inconceivable that a few immature young militants with questionable mental stability can bring shame and degradation to the most powerful Nation on the face of the earth. They must be prosecuted.

I am now in the process of drafting such a law. I would be hopeful that those committees of the Congress which have jurisdiction over these matters would—indeed, I implore them to—bring forth constitutional legislation which would forever prevent the possibility of the overthrow of a society by a disdirected malcontent.

Mr. KORNEGAY. Mr. Speaker, will the gentleman yield?

Mr. DOWNING. I yield to the gentleman from North Carolina.

Mr. KORNEGAY. Mr. Speaker, I thank the gentleman for yielding. Let me first commend him very highly for bringing this most timely and important matter to the attention of the House.

I would like to call to the attention of the gentleman United States Code section 2385 of title 18, the first paragraph of which reads as follows:

> Whoever knowingly or willfully advocates, abets, advises, or teaches the duty, necessity, desirability, or propriety of overthrowing or destroying the government of the United States or the government of any State, Territory, District or Possession thereof, or the government of any political subdivision therein, by force or violence, or by the assassination of any officer of any such government . . .

That statute goes on and provides other things relating to the publishing and printing and editing of certain material and things that advocate the violent overthrow of the Government. It would certainly appear to me that under this statute there is ample room to prosecute some of the people that the gentleman in the well has reference to.

I read only today—as I am sure all of us have read today and yesterday and the day before—about Stokely Carmichael's statements in Cuba. I am quoting from today's Washington Daily News, on page 29, a story that heads up: "Carmichael May Face Arrest." This quotes him as saying in Havana that "they want to settle the score" and "will kill first and aim for the head." Then it goes on and Carmichael is quoted in this story as saying:

> We must take our vengeance against the the leaders of the United States. We don't know if our people are ready yet, but our list is ready: McNamara, Dean Rusk, Johnson, et cetera . . .

Certainly, Mr. Speaker, that would appear to me to be reasonable evidence of the violation of the statute that I have read. I have been greatly surprised and concerned over the fact that our Attorney General has not taken a more positive stand on the question of these people who are preaching insurrection and hate and destruction of our country.

I have today introduced along with others a concurrent resolution which states:

H. CON. RES. 450

Concurrent resolution expressing the sense of the Congress that Stokely Carmichael should be prosecuted for sedition if he returns to the United States

Resolved by the House of Representatives (the Senate concurring), That it is the sense of the Congress that if Stokely Carmichael returns to the United States the Attorney General of the United States should forthwith institute criminal proceedings against him under the laws of the United States which provide penalties for sedition.

I introduced that resolution after reading the story in the Daily News which leads one to believe that there is some hesitation or doubt on the part of our Attorney General to take such an action. I introduced it with the sincere hope that certainly if this individual returns to the country, he will be forthwith arrested, and with the further idea and hope of putting a "little iron in the blood" of our Attorney General, and with the further hope that he will use the powers of his great office in making a contribution to the stopping of the serious situation that now exists in our country.

Mr. Speaker, I thank the gentleman for yielding to me, and I commend him for taking this time and bringing this most important matter to the attention of the House.

Mr. DOWNING. I thank the gentleman from North Carolina for his contribution. I thoroughly agree with him. It is my individual and humble opinion that there is adequate law on the books to prosecute people making such inflammatory statements and causing riots and insurrections such as we have witnessed this summer.

We talk a lot about reducing riots, and the social reasons for them. Perhaps they have a part, but I can say this: If we could stop Carmichael and Rap Brown and whoever else follows in their footsteps, and remove them from the scene, we would remove the riots.

Mr. PRYOR. Mr. Speaker, will the gentleman yield?

Mr. DOWNING. I yield to the gentleman from Arkansas.

Mr. PRYOR. I also join the distinguished gentleman from North Carolina in commending the gentleman from Virginia for bringing this matter to our attention about Stokely Carmichael, his affairs in Cuba, and the statements he is making at this time.

This is a time when our Nation is on the brink of anarchy. It is a time when we must show a strong degree of backbone, and we must show to the American people, without hesitation, and our sense of indignation.

This is a time in our country when Congress can take certain steps to bring this situation back into perspective.

Mr. Speaker, I was shocked and dismayed when I read today in the Washing Daily News, on page 29—the article referred to previously by the gentleman from North Carolina—that "certain sources" in the Justice Department have stated or implied that Mr. Carmichael might not be arrested and that if he were arrested when he got back to this country it would be only after clearance with the White House.

Mr. Speaker, I do not really know what our Justice Department is thinking about, but I believe the Congress is entitled to an explanation from the Justice Department on this statement or on this inference by a certain spokesman from the Justice Department. If the statement is correct, I believe that we in the Congress should launch an investigation to see why the Justice Department, or a spokesman thereof, made such a statement.

This is a time for action. I do not believe this country was built on the basis of our people wishy-washing around like we are. It is incumbent upon us as Members of the U.S. Congress to express our sincere concern over this matter, and also about the statement of the Justice Department spokesman who allegedly made this irresponsible vacillating statement.

Mr. DOWNING. I thank the gentleman.

Mr. ROGERS of Florida. Mr. Speaker, will the gentleman yield?

Mr. DOWNING. I yield to the gentleman from Florida.

Mr. ROGERS of Florida. I also wish to join with my colleagues in expressing grave concern about the application of law, particularly in this situation.

If the report we have read in the afternoon paper is true, a spokesman for the Justice Department in truth and in fact did say that before the Justice Department would enforce the law a clearance would have to be obtained from the White House.

If this is true, I agree with the gentleman from Arkansas that an investigation should be made. It is most shocking. Certainly it is a violation of the oaths of all those who administer justice, that they would not enforce the law as they are sworn to do without a political clearance.

It is shocking that this even should be reported. I hope it is not true.

The Justice Department should immediately deny it, or else Congress should look into this very definitely and very quickly.

I should like to concur with the gentleman that the actions of Rap Brown and Carmichael are those which inflame people who are seditious.

There is present law. Earlier today I put in the Record a study of the law made by the Library of Congress, to aid the Justice Department, to let them know that the courts have said they could take action. I hope the timidity with which they approach this whole subject can be dispensed with and that they will proceed valiantly and vigorously to prosecute the laws now on the books, and proceed against Rap Brown and Carmichael, when he sets foot back on the soil of the United States.

I thank the gentleman.

Mr. THOMPSON of Georgia. Mr. Speaker, will the gentleman yield?

Mr. DOWNING. I am delighted to yield to the distinguished gentleman from Georgia.

Mr. THOMPSON of Georgia. Mr. Speaker, I should like to commend the gentleman for bringing this to the attention of the House, and I would like to associate myself with the remarks which have been made by the gentleman from Arkansas and the gentleman from Florida.

Also, I would like to bring to the attention of the House that some 2 or 3 months ago, I, together with 24 other Members, introduced a resolution calling upon the President of the United States to direct the Attorney General to enforce section 12(a) of the Selective Service Act, against persons such as Stokely Carmichael who were known to by violating that act which provides that any person who aids or abets or counsels another to evade the draft, shall be guilty of a crime and punishable up to 5 years imprisonment and a $10,000 fine.

We introduced this resolution, after an Assistant Attorney General—I believe his name was Vinson—appeared before the Armed Services Committee of the House and who stated that they had no intention of enforcing this law, because in their opinion it would violate his right of free speech.

I would like to reiterate that it is not incumbent upon the Justice Department to decide what laws they are going to enforce and what laws they are not going to enforce, laws that are passed by this Congress. These laws should be enforced by the Justice Department and they should be enforced by each and every department wherein it is pointed out that these laws are being violated.

And, if there is any question of the constitutionality of the law, this is a question for the courts to decide. Once the courts make their decision, then the Department of Justice would be justified in refusing to enforce the law. But, certainly, they are not armed with the authority to determine what laws are constitutional and what laws are not constitutional.

I think we should ask the President to enforce the laws of the United States.

I thank the gentleman for yielding.

Mr. DOWNING. I thank the gentleman from Georgia very much for his contribution.

A CALL TO AMERICAN CITIZENS TO JOIN TOGETHER TO BRING AN END TO DIVISIVENESS, LAWLESSNESS, AND SUBVERSIVENESS

Mr. THOMPSON of Georgia. Mr. Speaker, I ask unanimous consent that the gentlewoman from Illinois [Mrs. Reid] may extend her remarks at this this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Georgia?

There was no objection.

Mrs. REID of Illinois. Mr. Speaker, there is probably no domestic issue of greater concern to all loyal, law-abiding and responsible American citizens of all races and creeds than the lawless and destructive riots of recent weeks in city after city throughout breadth and length of our land. My heart is filled with compassion for all those who have seen their possessions and all for which they have worked go up in flames and smoke and those who have lost even more—a loved one at the hands of a sniper's bullet or some other instrument of death. I just cannot believe that anyone involved in the rioting, the looting, and the burning is really doing it because of any sincere interest in helping his fellowman or in civil rights. After all, it is the people in these very communities who are hurt the most.

In my August 1965, report to residents of my congressional district, I made this statement:

> On the domestic front we have riots and lawless demonstrations. . . . Lawbreaking and violence by either negroes or whites can only lead to a steady deterioration in racial relations. I cannot help but think that those who are encouraging disrespect for the law are doing irreparable damage to the Civil Rights cause as well as to the Country as a whole.

President Lyndon Johnson, in a speech at the White House to college students, that same month, had this to say:

> I am proud this morning to salute you as fellow revolutionaries. . . . We want change. We want progress. . . . I hope that you . . . will go out into the hinterland and rouse the masses and blow the bugles and tell them that the hour has arrived and their day is here; that we are on the march against the ancient enemies and we are going to be successful.

Also, at that time, Senator ROBERT F. KENNEDY stated:

> There is no point in telling Negroes to obey the law—

Because—

> to many Negroes the law is the enemy.

Then, we all remember when Vice President HUBERT HUMPHREY referred to slums and said:

> I think you'd have more trouble than you have had already, because I've got enough spark left in me to lead a mighty good revolt under these conditions.

We also have those who seem to be professional inciters to riot—such as H. Rap Brown and Stokely Carmichael. Stokely Carmichael, incidentally, is reported to command fees of $1,000 and more for his lectures and speaking engagements. It is a fact that there was a riot in Cambridge, Md., immediately after H. Rap Brown urged a crowd of young people to "burn this town down," and that there was some trouble here in Washington, D.C., shortly after his release on bail and a widely publicized press conference in which he again exhorted Negroes to get guns and burn.

Now, Stokely Carmichael has been made an honorary delegate at the Communist-sponsored Latin American Solidarity Conference being held in Cuba—where he has called on American Negroes to take arms to fight "from New York to California, from Canada to Mexico," and reported that—

> We are organizing urban guerrillas in the United States according to the tactics inspired by (Che) Guevara of creating two or three more Vietnams to bring the collapse of capitalism.

He further stated to the press that Guevara and Chinese Communist Party Chairman Mao Tse-tung were his idols.

To my mind, the time is long past due for all of us—regardless of our race and our creed—to recognize that freedom of speech does not give license to inciting to riot and the very destruction of our freedom and way of life. For this reason, I have sponsored and supported the antiriot bill which has already been overwhelmingly approved by the House and is now before the Senate for final action. We must take a strong stand against criminal activities of all types so that the responsible citizens of all races—who are the overwhelming majority—can continue to develop mutual understanding and respect through working quietly and steadily, free from fear. All of us in public life at all levels must set an example for all to follow to bring about a rebirth of morality and respect for law and order. We must stop trying to excuse criminal actions on the part of anyone. Those who break our laws must be punished and not rewarded. In this regard, I commend Dr. Joseph H. Jackson, Negro president of the National Baptist Convention, for his timely statement that—

> To excuse a people for their own acts of violence and to exempt individuals from the responsibility for the sins they commit, ascribes to them an inferiority that is most destructive.

Dr. Jackson further pointed out that he does not accept the doctrine of "ghetto determination of character. It is not sound to say that because people are poor they are automatically criminal and exposed to lives of immorality, lawlessness, rioting, and looting."

Certainly, this Nation is still far from perfect—just as all humans are not perfect—and we must continue to strive for improvement and a better life for all, as well as the removal of injustices and inequities still existing. However, I remain convinced that these goals can never be achieved simply through reliance on the Federal Government or on the passage of more laws and spending of more public money. Above all, these goals will never be achieved if elected officials use the plight of the underprivileged and the minority groups for political gain. The main claims made in support of many of the huge new spending programs and the civil rights bills were that passage of such legislation would almost instantaneosuly solve all the problems of the poor and the minority groups, provide instant equality and an instant end to discrimination. I did support those measures which I felt had merit. Others, which I felt were not offering the proper solutions to meet specific problems, I opposed—and my fears that these programs would prove ineffective seem to have been borne out by subsequent events. All too many of these measures merely raised false hopes and increased the feeling of frustration and hopelessness of those who were led to believe that all of their problems would disappear overnight through little if any effort of their own.

What is needed, to my mind, is less reliance on the Federal Government and a return to the fostering of indivdual initiative and responsibility in solving personal problems and encouragement of local communities and their citizens to work together to solve mutual problems and develop mutual understanding. All one must do is look at the history of our great Nation and realize that there have been many immigrants to this country—such as the Italians, the Irish, and so forth—who faced discrimination and grinding poverty but who rose above it through individual effort and hard work under a free enterprise system and without Federal aid. The majority of Negroes and other minority groups are now doing exactly the same thing although they do not get as much publicity as the rioters—and I deplore the fact that the destructive riots have made their task more difficult and have widened the breach between them and fellow Americans. We must help them achieve their desires in life—and this cannot be done successfully until we succeed in restoring law and order. As retired Supreme Court Justice Charles E. Whittaker said:

> History shows that every society which becomes lawless soon succumbed, and that the first evidences of each society's decay appeared in the toleration of disobedience of its laws and the judgments of its courts.

I call upon all loyal American citizens to join together as never before—and for each individual, personally, to do all that he can in his own community to bring an end to the divisiveness, lawlessness, and subversiveness which have been sweeping our country. There has been a growing tendency on the part of some, often for political or personal gain, to pit one group against another—race against race, labor against management, the consumer against the producer, and so forth. Let us forget the differences which may divide us and remember that each group in some way benefits from the other. I am convinced that if we stand by idly and ignore the facts, the result can only be the loss of freedom for everyone—regardless of the group of which we are a part—and the very destruction of our Republic which has been the beacon of hope for so many less fortunate people throughout the world.

BECOME LOUDMOUTH AND STAR ON TV

Mr. THOMPSON of Georgia. Mr. Speaker, I ask unanimous consent that the gentleman from Missouri [Mr. HALL] may extend his remarks at this point in the RECORD and include extraneous matter.

The **SPEAKER** pro tempore. Is there objection to the request of the gentleman from Georgia?

There was no objection.

Mr. HALL. Mr. Speaker, there is no more cutting satire than the type written by Art Buchwald. The Detroit, Mich., Free Press carried an article by Mr. Buchwald on August 1 entitled "Become Loudmouth and Star on TV." It is an excellent illustration of what I said on the House floor last Thursday, remarks which have drawn a vast and sympathetic mail response from across the Nation.

I include the article at this point in the RECORD:

BECOME LOUDMOUTH AND STAR ON TV

(By Art Buchwald)

WASHINGTON.—Negro "leaders" aren't born these days, but made—and in most instances by the news media.

Take the case of Robert Runneymeade as an example. Robert Runneymeade has been standing on the corner of Spring and Maple for the past three years (except when he's been in jail) saying to three or four hangers-on, "We ought to shake someone up." Nobody ever paid much attention to Robert Runneymeade until a few months ago when a reporter for a local newspaper, doing a story on violence in the ghettos, happened to overhear Runneymeade say to his friends: "Man, we ought to burn down this town."

The next day a story appeared in the paper that "Robert Runneymeade, a leader of the 'black power' movement, told a militant crowd at Spring and Maple that it was time to burn down the town."

A television crew was dispatched the next evening to Spring and Maple where his pals were congratulating Runneymeade on making the front pages of the newspaper. The TV commentator stuck a microphone in front of Robert Runneymeade's face, lights were turned on and for the next 20 minutes, Runneymeade said, "The mayor, the city council, the 'honkies' and President Johnson have to talk to me."

The opposition television station sent out its camera crews to get the views of Runneymeade, and with all the lights and trucks a large crowd gathered, as they will when they see TV cameras.

The news media claimed that the crowd who had gathered were all Runneymeade's followers, when in fact most of them had never heard of Runneymeade, and those who knew him thought he was a joke.

But the press was not too interested as to how many followers Runneymeade really had. He was now talking about burning down the Yosemite National Park and this certainly had news value.

In the meantime the networks had plugged into Runneymeade and he started holding press conferences telling everyone, "I'm not going to take any stuff from anyone, and if I have to wipe out the U.S. Marine Corps I'm going to do it."

The Negro people still considered Runneymeade a joke, but the white people were scared out of their wits by his television appearances and his statements in the press. Things got so bad when the President of the United States went on television to talk about the riots his statement was played on the bottom of the page, and a statement made by Runneymeade threatening to use tanks against the public library was given a six-column headline.

It got so bad that no matter what happened, Runneymeade was the first interviewed as to what his opinion was on the issues of the day. Runneymeade was quoted on Red China, Vietnam, the Middle East crisis. He appeared on the covers of both leading news magazines. The majority of the Negro community kept insisting that Runneymeade did not speak for them, but no one could make a headline or a TV news story out of that.

Unfortunately, the publicity had gone to Runneymeade's head, and one day he announced he was banning all white newspapermen from his press conferences.

Since they couldn't cover him any more, the news media sought out another "Negro leader" on the corner of Marble and Sycamore streets. His name was Huggins Haplap and he was overheard by a reporter the other day saying to a girl he was trying to impress, "I'm going to burn down the Grand Coulee Dam." It shouldn't be long before Haplap becomes a feared American household name.

VIOLENCE LINKED TO RED-ROUSED HATE

Mr. THOMPSON of Georgia. Mr. Speaker, I ask unanimous consent that the gentleman from Ohio [Mr. Ashbrook] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Georgia?

There was no objection.

Mr. ASHBROOK. Mr. Speaker, while much is being said presently about the existence of a conspiracy which would account for the recent series of riots throughout the United States, there is developing evidence which seems to indicate that the outbreaks were not entively spontaneously conducted from start to finish, and that inflammatory literature and speeches laid the groundwork for the violence.

I insert the article, "Violence Linked to Red-Roused Hate," from the New York Daily News of August 3, 1967, in the Record at this point:

VIOLENCE LINKED TO RED-ROUSED HATE

Washington, August 2.—Congressional investigators today linked racial rioting in Chicago, Atlanta and Nashville with militant civil rights groups but concluded that Communist groups primarily stirred up hatred rather than instigated riots.

The still-secret study, prepared by the staff of the House Committee on Un-American Activities, recommended the committee undertake a formal investigation of the role of subversives elements in the riots.

The study said that the Student Nonviolent Coordinating Committee, whose leaders include Stokely Carmichael and H. Rap Brown, initiated and helped to incite rioting in Atlanta last year and in Nashville this year.

CALL CHICAGO RIOT PLANNED

As for Chicago, the report contended that an August 1965 riot and the incidents which touched it off "were deliberately planned in advance by certain leaders of Act, a militant civil rights group who are also members of the Revolutionary Action Movement and are using Act as a Ram front."

The study held that many of the first wave of riots in 1964, 1965 and 1966 were spontaneous, including the Watts riot in Los Angeles in 1965 and a riot in Chicago's Puerto Rican section in 1966.

But it said: "Evidence contained in the report makes it clear that a Communist organization, the Progressive Labor Party, played an important role in instigating the 1964 Harlem riot.

"Beyond that," it added, "as far as Communist organizations are concerned, information in the preliminary study indicates that Communist parties and fronts created by them have been distributing literature in Negro areas which is inflammatory in nature and is designed to foment hatred of, and resentment against, police forces, city and state administrations and the federal government."

Committee investigators are currently in Newark, N.J., and Detroit, scenes of the most recent major riots collecting additional information.

In the report, Francis J. McNamara, the committee's staff director, said his recommendation for a full investigation is based on a belief that an organization or individual is subversive "if he or it openly advocates violence—rioting, looting, burning and killing—to achieve political, economic or social changes in the form or system of the government of this country."

The report contends that literature and speeches, "whether Communist or Black Nationalist in origin, are often so extreme and violent in nature that they appear to be clearly intended to engender such resentment and hatred of the police that riots can be sparked by a perfectly normal and proper police action.

"OPENLY CALL FOR BURNING, KILLING"

"Some of the literature of the Black Nationalist organizations and the speeches of their leaders—and of leaders of SNCC—go beyond merely promoting hatred of police," the report added. "They openly call for the use of weapons—for violence, burning and killings."

In addition, the report said, evidence has been uncovered "that the Progressive Labor Party, SNCC and various Black Nationalist organizations have been giving instructions to their members and others in the manufacture and use of Molotov cocktails, in weapons firing and the arts of judo and karate.

REPLY TO QUESTIONNAIRE ON VIETNAM

Mr. THOMPSON of Georgia. Mr. Speaker, I ask unanimous consent that the gentleman from Utah [Mr. Lloyd] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Georgia?

There was no objection.

Mr. LLOYD. Mr. Speaker, recently I sent a report to constituents—this was not a questionnaire, but I invited response. I proposed four alternatives concerning the war in Vietnam and invited my readers to give me the benefit of their recommendations. The alternatives were:

First. Continue our present policy; bringing to bear whatever power is necessary to prevent a Vietcong military victory. Always make clear our willingness to negotiate a settlement along the lines of the President's note to the U.N.

Second. Win; declare war. Bring our full military power to bear; devastate Hanoi and if necessary China until they agree to stop organizing and supporting internal subversion of existing Asian governments.

Third. Stop bombing and initiate new American peace initiatives. Put into effect U Thant's call for an independent U.S. cease-fire—to be broken only under attack; announce U.S. intention to accept the results of free elections—in which Communists may participate—in South Vietnam. Challenge Hanoi and the NLF to begin negotiations or stand before the world as the group which wants to continue the killing.

Fourth. Get out of Vietnam on either of two grounds: First, we have no legitimate interest or purpose there and are engaged in an immoral policy to which there can be only one reaction; stop, or second, we have fulfilled our commitments. We are not sufficiently supported by other free nations, and as "hard-headed businessmen" our investment of lives and treasure is not worth the objective.

Of the responses which I received, I considered one to be particularly significant since it was written by a soldier in Vietnam. His father had sent him my report and asked him his opinion. In reply, the soldier, whose name is Robert Byerline, of Salt Lake City, wrote to his father, and his father sent the letter on to me. I am taking the liberty of inserting Bob Byerline's letter into the CONGRESSIONAL RECORD because it represents the kind of basic good sense and patriotism which is the strength of our free Nation. Despite racial rioting, contempt for law and order and the other evidences of misconduct which appear to be flagrantly exhibited all about us, I believe the basic strength of the Nation is assured because of the Bob Byerline's which the United States of America has produced, is producing and will continue to produce.

A. D. Byerline, of Salt Lake City, Bob's dad, to whom the letter was sent, has sent me a copy of the letter which I consider worthy of publication:

BIEN HOA, VIETNAM,
July 3, 1967.

DEAR DAD: I guess that two letters in as many days is somewhat of a record for me, but I received your letter today with your request for my opinions about Sherm Lloyd's comments in his report on Vietnam. So, for whatever they are worth and from what I have observed since last July at about this time, here they are.

First of all, I don't think that this is the type of war that can be won militarily only. From what I've seen in the past year over here, our main enemy is ignorance and misunderstanding—the same as in many parts of the world.

From this respect, I think our government deserves more credit than the public back home is giving it. From what I've read in Time, US news, Life and newspaper clippings we receive here, the only thing that the people home hear about is what we are accomplishing and running up against in the rice paddies and jungles. What is being neglected is the work we are doing in the villages, hamlets and cities here in South Vietnam. This work is the development and reconstruction of South Vietnam.

As you've heard many times, this war is different than any other conflict in which we've been involved. It's different in other ways than the enemy we're up against, or the terrain or type of war fare. Our troops are going into a village, and after the town has been secured and cleared of VC sympathizers, redevelopment teams move in and a process of education is begun. Not the three R type of education we think about, but education of sanitation, agriculture, and development of industry if the opportunity is there. We're drilling wells in most of these places, giving the people the first pure water they've ever had; people are being treated for diseases that they've been living with for so long they thought it was a normal way of life; agricultural techniques are being taught—insect control, crop rotation, fertilization, animal care, etc.; blind kids are being taken to military hospitals and being cured, artificial legs and arms are being given to those who have been unfortunate enough to be the victims of mines and grenades from both sides of this war. I could go on, but I think you know what I'm getting at. I just wish that the people back home could be made aware of this other side of our job in Vietnam.

Of course getting word to the Vietnamese people about what developments and improvements can be made is one of the major problems. The US "Open Arms" program, while criticized by some as a means of infiltration by the NLF, is a good example of how we get the information of what we are trying to do for the Vietnamese spread throughout the country. Our Psychological Warfare teams are doing a great job in getting the information out too. But still, our work in the villages is the best way of proving what we have to offer the people of Vietnam.

It may seem as though I'm straying from the point or waving the flag for the good guys, but this little bit of background is what makes me think the way I do. I'll try and get more to the point.

Sherm offers four alternatives in his newsletter and he supports the first which is to continue our present policy and prevent the VC from being victorious. His second is an outright declaration of war, complete with the devastation of Hanoi and even China if necessary. The third alternative is a cease fire on our part unless we are attacked, challenging the NLF to begin peace negotiations or become known as the aggressor. The last proposal he mentions is that of getting out of Vietnam entirely.

In my opinion, the last proposal, is out of the question. We're making headway in our redevelopment program, even though most of the people in the US aren't aware of it. To pick up our marbles and go home now that we're winning this part, and the most important part, as I see it, would be foolish. The people appreciate our help, but I doubt that they could pick up from this point and even stay at this level, let alone make any more progress. They're at the point where they can see what can be done, but they haven't learned how to do it for themselves yet. This is going to take time.

Of course, there are those in the US who say, and maybe rightfully so, that we are wrong in being here, but I don't think they are right in saying the only alternative is to get out. Whether we are right or wrong in being here shouldn't be the question in point now. The fact remains we are here and to leave now would have disastrous results. Not only would the VN people lose everything that they have gained culturally, and the US would suffer a tremendous loss of face, but there would be a worse loss of *faith* in us on the part of the people of Laos, Thailand and Cambodia. I'm sure their reaction would simply be "what's the use?" and then the dominoes would start to fall.

I said earlier that the war can't be won militarily, and yet this appears to be the only way we're going to be able to accomplish our redevelopment program. The VC terrorism tactics, kidnappings, and assassinations have to be stopped. Unfortunately, the only way I can see for this to be done is to increase our manpower over here in order to leave a security force to prevent villages from falling back into the hands of the VC once we start our reconstruction. The ideal way, of course, would be to leave a force of Vietnamese regulars in the village to take care of this job. It's been tried, but is not always successful. Again, the training of troops is going to take time. Eventually, this will be the answer.

The bombing of North Vietnam, as I see it, must continue, but not to the point of an all out declaration of war. The destruction of factories and closure of supply channels is one of the most important things as far as destroying the morale of the VC and NLF. More times than not it is only desparation from hunger and lack of means to resist that a VC will turn himself in to the Chieu Hoy (Open Arms) program. This is, in most cases, the only chance we need, and that is the opportunity to show these men the new life we can offer them. They've been taught and they honestly believe that they are fighting for their freedom. What we've got to be able to prove to them is all it takes is to step over to the other side of the line and they've got freedom. After a period of indoctrination and education, they are given the opportunity of going back to their village, joining the military, trying to get a job in a city, farming, etc. Many of them choose to join the South VN army. The Chieu Hoy program is snowballing as more and more of the men go back to their homes and let the people know that this way of life isn't too bad. Plus, they go back with an idea of what we're trying to do and can educate their own people to the fact we're not trying to impose a government on them, only to show them a different and better way of life.

I guess that's it is a nutshell Dad—Simple? Hell no! There's a lot more that can and will be said, but I really believe we should stay here, not to impose a type of government on the Vietnamese, but to try and educate and help to develop the country, which may be contrary to the oriental philosophy which is another point in itself, but I look at Japan as a prime example of what can be done if given the right guidelines.

Hope that this has made some sense—maybe it's so idealistic that it's ridiculous, but you asked for my comments and opinions. We'll have plenty of time to talk it over in another 25 days or so. More later.

Much Love,

BOB.

THE PRESIDENT IN HIS MESSAGE TODAY REVEALED THE TRUTH IN WHAT REPUBLICANS WERE SAYING IN JANUARY ABOUT THE PROJECTED DEFICIT FOR FISCAL 1968

The SPEAKER pro tempore (Mr. BOLLING). Under previous order of the House the gentleman from Georgia [Mr. THOMPSON] is recognized for 20 minutes.

Mr. THOMPSON of Georgia. Mr. Speaker, the President in his message today revealed the truth in what Republicans were saying in January about the projected deficit for fiscal 1968. It was pointed out then by the Republican leadership in the House that the $8.1 billion deficit projected was an unrealistic deficit and bordered on an attempt to deceive the American public as to what the true state of our fiscal well-being.

In the President's message today he acknowledged that even with the 6-percent tax surcharge he originally proposed, there would be a $23.6 billion deficit and without the surcharge, the deficit could exceed $28 billion, which was what the Republicans have been saying all along. After hearing the President's message I cannot help but feel that the administration's inconsistency borders on paranoia.

For example, in the message it is stated:

> Expenditures are likely to be . . . as much as $8.5 billion higher depending on the determination and ability of Congress, stated the President, and the Executive to control expenditures.
>
> Without a tax increase and tight expenditure control, the deficit could exceed $28 billion . . . A deficit of that size, so stated the President, poses a clear and present danger to America's security and economic health.

The President sets forth two alternatives.

First, higher national debt; or

Second, reducing and rigidly controlling expenditures and increasing taxes, and borrowing the difference. He states:

> America in its strength and wisdom must choose to follow a responsible fiscal and budgetary course.

He urges Congress to exercise restraint in fiscal appropriations. Yet, only last week the administration presented a new aid bill to Latin America in the form of additional funding for the Inter-American Development Bank which represented an increase of more than $50 million per year, and pushed it through Congress despite responsible and determined Republican opposition to increased monetary foreign aid.

The President also severely castigated the Congress for failure to approve his new Great Society rat control program at a cost of $40 million. The President has consistently recommended increased spending over the strong objections of responsible Members of Congress, and has, at every turn, deemed those of us who have shouted caution about embarking upon new and expensive programs as obstructionists and legislators dedicated to preventing his Great Society from coming into being.

The administration has failed to realize that we have a concern for all the people or recognize that government can only do so much—that it is incumbent upon the individual to provide a measure of self-help, and that confiscatory tax rates can be just as unfair to one group of people as it is contended that our failure to provide rat extermination is to another.

I sincerely hope that the administration leaders will now take as a fact the statement made by the President that a deficit of the size facing America "poses a clear and present danger to our security and economic health" and if these leaders continue to push all of the new spending programs, that they themselves will greatly increase the danger about which the President has spoken.

The time has come for the Congress and the American people to recognize that we do have limitations, and as worthwhile as some programs may seem, it is folly to place a millstone around the necks of the American taxpayer of such weight.

AMERICA'S CRITICAL EDUCATION PROBLEM

Mr. WALKER. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. RESNICK] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New Mexico?

There was no objection.

Mr. RESNICK. Mr. Speaker, there are in this country more than 2 million elementary and secondary schoolchildren who represent one of America's most critical education problems. These children are handicapped—not physically or mentally or emotionally in the strictest sense of the word—but they are handicapped culturally.

I am speaking now about this country's non-English-speaking schoolchildren who, because of the severe language barriers in our predominantly English-speaking society, are continually denied the opportunity to participate in 20th-century America.

This includes not only the Spanish-speaking grade and high school students living mainly in the Southwestern States, New York, and Florida, but the French-speaking children living in areas along the United States-Canadian border, and other non-English-speaking youngsters living in scattered areas throughout the United States, as well.

These children—

In the words of a recent study by the National Education Association—

> start school with a decided handicap, become conditioned to failure in the early years of their schooling and each additional year only serves to reinforce their feelings of failure and frustration.

During recent hearings of the House Agriculture Committee's Rural Development Subcommittee, of which I am chairman, we heard direct testimony from the people who are closest to this problem. We heard that the children, like their parents and grandparents before them, live in a world that is totally isolated from modern-day America. We heard of the total frustration felt by these children and their parents against a seemingly hostile, totally incomprehensible world—a world in which a foreign language is spoken and in which foreign customs are followed. We must bring these Americans into the 20th century.

Ideally, the children should be taught English as a foreign language. However, existing teaching techniques, which, in turn, are dictated by finances, prohibit this. Therefore, I am today introducing a bill designed to assist local schools in setting up new and imaginative systems of bilingual education. This legislation would amend the Elementary and Secondary Education Act of 1965 in order to provide the funds necessary so that local education agencies can conduct these programs. A number of other similar bills have been introduced, but I believe that this is the final distillation of all the best efforts that have been made on this legislation.

Mr. Speaker, thus far we have tragically neglected these children. Now is the time for us to act. I am hopeful that this distinguished body will take action on this proposal during the present session.

The text of my bill follows:

H.R. ——

A bill to amend the Elementary and Secondary Education Act of 1965 in order to provide assistance to local educational agencies in establishing bilingual educational opportunity programs, and to provide certain other assistance to promote such programs

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Congress hereby finds that one of the most acute educational problems in the United States is that which involves the more than two million bilingual and bicultural children of non-English-speaking ethnic or nationality background; that little headway has been made in finding adequate and constructive solutions to this unique and perplexing educational situation; and that the urgent need is for comprehensive and cooperative action now on the local, State, and Federal levels to develop forward-looking approaches to meet the serious learning difficulties faced by this substantial segment of the Nation's school-age population.

BILINGUAL EDUCATIONAL OPPORTUNITY PROGRAMS

SEC. 2. The Elementary and Secondary Education Act of 1965 is amended by redesignating title VII as title VIII, by redesignating sections 701 through 706 and references thereto as sections 801 through 806, respectively, and by adding after title VI the following new title:

"TITLE VII—BILINGUAL EDUCATIONAL OPPORTUNITY PROGRAMS

"Short title

"SEC. 701. This title may be cited as the 'Bilingual Educational Opportunity Act'.

"Declaration of policy

"SEC. 702. In recognition of the special educational needs of the large numbers of students in the United States to whom English is a second language, Congress hereby declares it to be the policy of the United States to provide financial assistance to local educational agencies to develop and carry out new and imaginative elementary and secondary school programs designed to meet these special educational needs.

"Authorization and allotments

"SEC. 703. (a) For the purpose of making grants under this title, there is authorized to be appropriated the sum of $5,000,000 for the fiscal year ending June 30, 1968, $10,000,000 for the fiscal year ending June 30, 1969, and $15,000,000 for the fiscal year ending June 3, 1970, and the succeeding fiscal year.

"(b) From the sums appropriated pursuant to subsection (a) for each fiscal year the Commissioner shall allot an amount to each State based upon the number of non-English-speaking elementary and secondary school students in such State and the per capita income in such State in such manner as he determines will best carry out the purposes of this title. For the purposes of this title 'non-English-speaking elementary and secondary school students' means elementary and secondary school students born in, or one or both of whose parents were born in, a non-English-speaking area such as Mexico, Puerto Rico, Cuba, or French Canada, and in States for which such information is available, other students with Spanish surnames, and where the Commissioner establishes additional objective criteria which he deems appropriate for carrying out the purposes of this title, other students determined on the basis of such additional criteria.

"(c) A State's allotment for a fiscal year pursuant to subsection (b) shall be available, prior to such date in such year as is established by the Commissioner, for grants to local educational agencies in such State pursuant to this title. Allotments not reserved prior to such date may be reallotted to other States and made available for grants pursuant to this title prior to the end of such fiscal year in such manner as the Commissioner determines will best carry out the purposes of this title.

"Uses of Federal funds

"SEC. 704. Grants under this title may be used, in accordance with applications approved under section 705, for—

"(a) planning for and taking other steps leading to the development of programs designed to meet the special educational needs of students who speak English as a second language, including—

"(1) special bilingual and bicultural educational research and demonstration project; and

"(2) pilot projects designed to test the effectiveness of plans and programs so developed; and

"(b) the establishment, maintenance, and operation of programs, including minor remodeling of classroom or other space used for such programs and acquisition of necessary equipment, designed to meet the special educational needs of students who speak English as a second language through activities such as—

"(1) intensive preschool Headstart-type programs specifically designed to orient and prepare non-English-speaking children for smoother transition to and more rapid advancement in the elementary education environment;

"(2) the utilization of the ability to speak a language other than English as a bridge to the learning of English;

"(3) regular, ongoing comprehensive bilingual educational programs;

"(4) the teaching of English as the first or primary language;

"(5) the teaching of the language spoken in the home as a second language;

"(6) programs designed to impart to non-English-speaking students a knowledge of and pride in their ancestral culture and language;

"(7) programs to attract and retain as teachers promising individuals of non-English-speaking ethnic or nationality background;

"(8) efforts to establish closer cooperation between the school and the home; and

"(9) other activities which meet the purposes of this title.

"Applications for grants and conditions for approval

"SEC. 705. (a) A grant under this title may be made to a local educational agency or agencies upon application to the Commissioner at such time or times, in such manner, and containing or accompanied by such information as the Commissioner deems necessary. Such applications shall—

"(1) provide that the activities and services for which assistance under this title is sought will be administered by or under the supervision of the applicant;

"(2) set forth a program for carrying out the purposes set forth in paragraph (a) or paragraph (b) of section 704 and provide for such methods of administration as are necessary for the proper and efficient operation of the program;

"(3) set forth a program of such size, scope, and design as will make a substantial step toward achieving the purposes of this title;

"(4) set forth policies and procedures which assure that Federal funds made available under this title for any fiscal year will be so used as to supplement and, to the extent practical, increase the level of funds that would, in the absence of such Federal funds, be made available by the applicant for the purchases described in paragraphs (a) and (b) of section 704, and in no case supplant such funds;

"(5) provide for such fiscal control and fund-accounting procedures as may be necessary to assure proper disbursement of and accounting for Federal funds paid to the applicant under this title; and

"(6) provide for making an annual report and such other reports, in such form and containing such information, as the Commissioner may reasonably require to carry out his functions under this title and to determine the extent to which funds provided under this title have been effective in improving the educational opportunities of persons in the area served, and for keeping such records and for affording such access thereto as the Commissioner may find necessary to assure the correctness and verification of such reports.

"(b) Applications for grants under this title may be approved by the Commissioner only if—

"(1) the application meets the requirements set forth in subsection (a);

"(2) the program set forth in the application is consistent with criteria established by the Commissioner for the purpose of achieving an equitable distribution of assistance under this title within each State, which criteria shall be developed by him on the basis of a consideration of (A) the geographic distribution of non-English-speaking students within the State, (B) the relative need of persons in different geographic areas within the State for the kinds of services and activities described in paragraph (b) of section 704, and their financial ability to provide those services and activities, and (C) the relative ability of particular local educational agencies within the State to provide those services and activities;

"(3) in the case of an application for assistance for a program for carrying out the purposes described in paragraph (b) of section 704, the Commissioner determines (A) that the program will utilize the best available talents and resources and will substantially increase the educational opportunities in the area to be served by the applicant, and (B) that, to the extent consistent with the number of children enrolled in nonprofit private schools in the area to be served whose educational needs are of the type which this program is intended to meet, provision has been made for participation of such children; and

"(4) the State educational agency has been notified of the application and been given the opportunity to offer recommendations.

"(c) Amendments of applications shall, except as the Commissioner may otherwise provide by or pursuant to regulations, be subject to approval in the same manner as original applications.

'(d) The Commissioner shall encourage local educational agencies to utilize in programs assisted pursuant to this title the assistance of persons with expertise in the educational problems of the non-English-speaking. He shall also encourage local educational agencies to make optimum use in such programs of the cultural and educational resources of the area to be served. For the purposes of this subsection, the term 'cultural and educational resources' includes State educational agencies, institutions of higher education, nonprofit private schools, public and nonprofit private agencies such as libraries, museums, musical and artistic organizations, educational radio and television, and other cultural and educational resources.

"Payments

"SEC. 706. (a) From the amounts allotted to each State under section 703 the Commissioner shall pay to each applicant in that State which has an application approved under this title an amount equal to the sums expended by the applicant under the application for the purposes set forth therein.

"(b) Payments under this title may be made in installments and in advance or by way of reimbursement, with necessary adjustments on account of overpayments or underpayments.

"Advisory Committee

"SEC. 707. (a) The Commissioner shall establish in the Office of Education an Advisory Committee on Increasing Educational Opportunity for Bilingual Children, consisting of the Commissioner, who shall be Chairman, and eight members appointed, without regard to the civil service laws, by the Commissioner with the approval of the Secretary. At least four of the members of the Advisory Committee shall be educators experienced in dealing with the educational problems of children who speak English as a second language. In addition, at least four of the members of the Advisory Committee shall be of non-English-speaking ethnic or nationality background.

"(b) The Advisory Committee shall advise the Commissioner (1) on the action to be taken with regard to each application for a grant under this title, and (2) in the preparation of general regulations and with respect to policy matters arising in the administration of this title, including the development of criteria for approval of applications thereunder. The Commissioner may appoint such special advisory and technical experts and consultants as may be useful in carrying out the functions of the Advisory Committee.

"(c) Members of the Advisory Committee shall, while serving on the business of the Advisory Committee, be entitled to receive compensation at rates fixed by the Secretary, but not exceeding $100 per day, including traveltime; and, while so serving away from their homes or regular places of business, they may be allowed travel expenses, including per diem in lieu of subsistence, as authorized by section 5703 of title 5 of the United States Code for persons in the Government service employed intermittently.

"Labor standards

"SEC. 708. All laborers and mechanics employed by contractors or subcontractors on all minor remodeling projects assisted under this title shall be paid wages at rates not less than those prevailing on similar minor remodeling in the locality as determined by the Secretary of Labor in accordance with the Davis-Bacon Act, as amended (40 U.S.C. 276a–276a–5). The Secretary of Labor shall have, with respect to the labor standards specified in this section, the authority and functions set forth in Reorganization Plan Numbered 14 of 1950 and section 2 of the Act of June 13, 1934, as amended (40 U.S.C. 276c)."

AMENDMENTS TO TITLE VI OF THE NATIONAL DEFENSE EDUCATION ACT OF 1958

SEC. 3. (a) Section 601(a) of the National Defense Education Act of 1958 is amended by inserting after the second sentence a new sentence as follows: "Any such grant or contract may include a curriculum designed for the special training of teachers of bilingual children."

(b) Section 603 of such Act is amended by striking out "$18,000,000" and inserting in lieu thereof "$19,000,000".

AMENDMENTS TO TITLE XI OF THE NATIONAL DEFENSE EDUCATION ACT OF 1958

SEC. 4. (a) Section 1101 of the National Defense Education Act of 1958 is amended by striking out "and each of the two succeeding fiscal years" and inserting in lieu thereof "and the succeeding fiscal year, and $51,000,000 for the fiscal year ending June 30, 1968".

(b) Such section is further amended by striking out the word "or" at the end of clause (3), by striking out the period at the end of clause (4) and inserting in lieu thereof a comma and the word "or", and by inserting after such clause a new clause as follows:

"(5) who are engaged in or preparing to engage in special educational programs for bilingual students."

AMENDMENTS TO COOPERATIVE RESEARCH ACT

SEC. 5. Subsections (a) and (b) of section 2 of the Cooperative Research Act are each amended by inserting "and title VII" after "section 503(a)(4)".

REMARKS BEFORE PUTNAM VALLEY DEMOCRATIC CLUB

Mr. WALKER. Mr. Speaker, I ask unanimous consent that the gentlewoman from New York [Mrs. KELLY] may extend her remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New Mexico?

There was no objection.

Mrs. KELLY. Mr. Speaker, my colleague from New York, the Honorable JOHN M. MURPHY—16th District—is one of the most capable public servants to emerge on the New York political scene in decades. His endeavors are noteworthy not only on the political scene but also in the civic and social life of his community, his city, his State, and our Nation.

As an elected delegate to the New York State Constitutional Convention he is currently commuting between his responsibilities in the capitol of the Empire State, his congressional district and responsibilities in the Congress. Yet with all these activities he has found time to address numerous groups throughout our State.

In a recent address to the Putnam Valley Democratic Club, JACK MURPHY outlined what we Democrats have accomplished in the past and hope to accomplish in the future in order to make living conditions better for all Americans. He discussed in particular social legislation which the Congress has passed in recent years, medicare, the Voting Rights Act of 1965, the Elementary and Secondary Education Act of 1965, the Manpower Act of 1965, to combat the effects of automation through retraining, the Housing and Urban Development Act of 1965, the cold war GI bill, and many others. Mr. Speaker, I am happy to have joined with my colleague in support of those measures and numerous others.

Mr. Speaker, at this point I would like to place the text of the remarks by the Honorable JOHN M. MURPHY before the Putnam Valley Democratic Club of July 22, 1967, in the CONGRESSIONAL RECORD for the benefit of all my colleagues.

REMARKS BY JOHN M. MURPHY BEFORE THE PUTNAM VALLEY DEMOCRATIC CLUB, JULY 22, 1967

Since 1961 America has grown and prospered at a phenomenal rate. In that short period, almost 9 million new jobs have been added, corporate after-tax profits have doubled, net farm income has increased 10%, unemployment had dropped from 7% to under 4%, the net financial wealth of American families has risen 320 billion dollars, and we have produced a gross national product of $760 billion.

During this same short period we have made considerable progress toward solving the problems of the "other America," the America inhabited by the millions of poor, the minorities deprived of their civil rights, and the aged unable to provide a decent standard of living for themselves. Since 1961 over 6 million people were raised above the poverty line, over six million persons are being served by the 1,100 community action programs, almost three-quarters of a million children are enrolled in Head Start. Before 1960 there were no Federal training programs—today over 1 million persons are being trained; before 1965 most older Americans had to bear alone the cost of illness—today over 17 million are eligible for Medicare, 2.5 million have received hospital care and 3.5 million are receiving Medicare benefits; before 1965 there was no full system of Federal aid to educationally deprived children—today over 7 million such children are being helped.

In short, in the past six years we have shown for the first time since the New Deal a commitment to the job of solving the problems facing this nation. In the 89th Congress more social legislation was passed than in any other Congress in history. This legislation touched on every major aspect of American life, and included:

Medicare.

Voting Rights Act of 1965.

Elementary and Secondary Education Act of 1965.

Manpower Act of 1965, to combat the effects of automation through retraining.

Housing and Urban Development Act of 1965.

Department of Transportation with a Secretary of Cabinet rank.

Demonstration Cities and Metropolitan Development Act of 1966.

Cold War G.I. Bill.

But I am not here today to look back on what has been done. I am here to tell you what is being done to secure those past accomplishments and to discuss the problems we will face in the future.

Many of the programs of the 89th were new programs trying new approaches to problem solving. As is the case with any new program, it takes time to find the most effective methods of operation; there is a period of trial and error. Much of the work of this Congress will be to evaluate the last few years, to strengthen good programs and change or eliminate bad ones.

The danger, however, is that opponents to change will use this evaluation period to inflate the errors that have been made and ignore the many successes. In particular, the Republicans are showing a strong inclination in this Congress to destroy entire programs under the guise of evaluation and constructive criticism. The Republicans, unfortunately, have always shown a distinct dislike for the fast pace of the 20th century; they long for the slower tempo of the 19th century.

The Republicans, of course, profess a desire to solve the problems of the 20th century—they will do anything to get elected; but the gap between their words and their votes in Congress is as wide as the gap between this century and the last. Let me be specific:

In their 1964 platform, the Republicans pledged: ". . . (to) assist the individual in surmounting urgent problems beyond his own power and responsibility to control." In the 89th Congress 90% of the House Republicans voted to recommit the Anti-Poverty bill—82% voted against final passage.

On education, the platform pledged: ". . . to establish realistic priorities for the concentration of Federal spending in the most productive and creative areas, such as education. . . ." 68% of the House Republicans voted to recommit the Elementary and Secondary Education Act, and 73% voted against final passage.

The Republicans pledged: "an especially determined effort to help strengthen the ability of State and local governments to meet the broad range of needs facing the nation's urban and suburban communities."

96% of the House Republicans voted to recommit the Department of Housing and Urban Development Bill, and 93% voted against final passage.

They also said they believed that: ". . . America must advance freedom throughout the world as a vital condition of orderly human progress, universal justice, and the security of the American people . . . America must assist young and underdeveloped nations."

89% of the House Republicans voted to recommit the Foreign Assistance Act, and 66% voted against final passage.

There are two lessons to be learned from this record of opposition to progress. One is that a party should not be judged on its words, but on its deeds. Regardless of what the Republicans might say in order to get votes, their own record is clearly one of opposition to social progress and constructive change.

The second lesson is that we can expect more opposition in the future. This second point is especially significant because of the present composition of the 90th Congress. In the 89th, the Democrats controlled the House 295–140; in the 90th, that margin had been reduced to 247–187—still a majority but a loss of 47 seats, and a change in 94 votes. Many of the programs passed over Republican opposition in the 89th will have a much harder time in the 90th.

In fact, the Republican hatchet-men have already dismembered some of our most successful social programs in this Congress. They knocked out the Rent Supplement appropriations and greatly weakened other Housing and Urban Development programs, including the Demonstration Cities program. There were 52 Republican members representing districts that have submitted 61 applications for Model Cities Funds who voted against the bill.

There can be no justification for this absolute failure to meet the responsibility of solving this country's problems. And let there be no mistake about it, these problems are growing. The ghetto riots we recently read about will continue unless something is done to solve the problems of our urban slums. This is not to say I support the riots; I am strongly opposed to such violence. We must maintain order because order is a necessary prerequisite for society. But let us be as concerned about solving the ghetto problems as we are about keeping order. Order without justice is a mockery of our system of government. The problems will not be solved by violence, but they can and must be solved by lawful means.

The coming election will be crucial because it will decide in large part whether we are to continue our fight for social progress or retreat behind the walls of complacency and acceptance of social injustice. I believe the most valuable contribution of your organization will be to fight this complacency and elect candidates committed to that fight. Do not be swayed by pleasant words and solemn promises, because as we have seen words alone have no meaning and promises can be broken. As a Democrat I will run on my record and on the record of my party; I doubt if many Republicans would be willing to do the same.

In the final analysis, our government and society are only as good as we make them. If we work now to strengthen the Democratic Party our success will be seen in a better America, a better place to live and raise our families. The fact that you are concerned enough about your country to take an active part in the formulation of its policies is very encouraging. It is the individual's willingness to assume responsibility that has long been the strength of the Democratic Party, and it is the combined efforts of individuals which will eventually produce the better America we all desire.

RIOTS AND CIVIL DISTURBANCES

Mr. WALKER. Mr. Speaker, I ask unanimous consent that the gentleman from New Jersey [Mr. GALLAGHER] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New Mexico?

There was no objection.

Mr. GALLAGHER. Mr. Speaker, the

recent series of riots and civil disturbances we have experienced in cities throughout America points up most vividly one problem that has existed within the inner or central cities for years.

The small businessman in an area where criminal activity is high is at the mercy of those who would attack him and his business. The small central city merchant in many cases operates virtually unprotected. Police protection may be limited as a result of manpower and equipment shortage.

Of even greater significance and alarm, however, is the increasing unavailability of adequate insurance protection for small businesses in high crime incidence areas within our great cities. In instances where insurance to protect against theft and arson is available at all, the premium costs are usually prohibitive. And in many areas and for many businesses, of course, insurance companies will not even write policies.

To help correct this inequity of opportunity, I am introducing today a bill to establish a Small Business Crime Protection Insurance Corporation. This bill is concrete recognition of the plight of many of our small businessmen and that "The preservation and expansion of the system of free competitive enterprise is basic not only to the economic well-being but to the security of this Nation."

This Corporation will be directed by the Administrator of the Small Business Administration in conjunction with a nine-member Board of Directors—six members appointed by the President with the advice and consent of the Senate and three elected annually by the stockholders of the Corporation.

The administrator will be authorized to insure and reinsure, upon terms and conditions he may establish, against loss by small business concerns due to criminal activity for which insurance and reinsurance from other sources is not available at reasonable costs and terms. The corporation will be barred from issuing insurance where private insurance companies are available and willing. The administrator will be instructed to utilize private insurance companies and individual experts to advise on proper insurance procedures and availability of private policies.

Mr. Speaker, federally sponsored insurance is not new. I introduced earlier this year a bill to provide adequate flood insurance through Federal sources to areas in which this protection is unavailable or of prohibitive cost. That situation is analogous to the plight of the small merchant in a high crime area.

The bill I introduce today fills the gap between the insurance coverage offered by private insurance companies, which may be denied many small businessmen, and the growing need of small businesses for compensatory insurance for criminal assaults, robberies and burglaries.

Mr. Speaker, without a thriving business community, our potentially prosperous central cities will become—and in some cases are on the verge of becoming—vast wastelands of poverty, ignorance, disease, and despair. A strong and active business community is necessary to combat the social ills that plague our cities and result in disastrous riots. But we cannot blame the small businessman for refusing the increasing risks of robbery, burglary, and personal injury without adequate insurance protection.

The pressing need for the Small Business Crime Protection Insurance Act of 1967 has been made obvious by our summer of discontent. We can no longer ignore the approaching tragedy. We can avert it by constructive programs and fresh approaches. This bill is one step forward.

AMERICA IN CRISES

Mr. WALKER. Mr. Speaker, I ask unanimous consent that the gentleman from New Jersey [Mr. GALLAGHER] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New Mexico?

There was no objection.

Mr. GALLAGHER. Mr. Speaker, the American people are faced with a crisis—a crisis of physical and psychological dimensions undreamed of before today. In order to control and overcome this crisis, we must marshal every ounce of moral courage and determination available and we must put to work in ever increasing efficient ways our tremendous productive resources.

The crisis is this: Overseas—in Vietnam—we are committed to protect an ally from the overt aggressors of a devouring and vicious neighbor.

At home, we are faced with the threat of rising inflation, air and water pollution, urban blight, and the increasing tendency to ignore and overlook the individual in our society. We are confronted with new aspects and examples of poverty in our own country—poverty plentiful in human compassion, but desperately lacking in hard economic assistance.

During the last few weeks Americans of every color have been rocked and dazed by the series of disastrous riots flaming in our great urban centers. We have been alarmed by the increasing indications that crime—petty and major, organized and unorganized—is constantly on the rise. Crime in America, spawned in part by the growing awareness of the economic differences that still exist, has become our No. 1 domestic problem.

Mr. Speaker, the multiple crisis that America encounters today defies the mold of yesterday's solution. The problems in America today will not and cannot be interpreted, defined, and solved in relation to the values, norms, and concepts of the past. We have had new values, new norms, and new concepts thrust upon us. We must come up with applications to fit these innovations.

The Law Enforcement and Criminal Justice Assistance Act of 1967 is an enlightened and constructive guide to find these new paths by giving to States and localities the means to invent and to apply innovations in the enforcement and administration of the law.

Mr. Speaker, title I recognizes that crime is a local problem that must be dealt with by local and State governments. This section would set up grants to local and State governments to assist in developing comprehensive law enforcement and criminal justice administration plans.

Title II provides for grants to implement new approaches and improvements in law enforcement and criminal justice. These grants may be made for purchase of new equipment, personnel recruitment, management and organization, community relations activities, and public education efforts.

Title III outlines a series of grants for research, demonstration, and special project grants. These grants would bring together the efforts of the local and State law enforcement and criminal justice agencies, the best minds from our great educational institutions, officials from other governmental agencies and private industry, and others to find the new approaches and methods to improve the administration and enforcement of our criminal laws.

Title IV would set up within the Department of Justice a Director of Law Enforcement and Criminal Justice Assistance to oversee, coordinate, and direct the Federal Government's role in this plan. It is obvious that just as crime has no respect for governmental boundaries, so neither should our efforts to combat crime.

Mr. Speaker, the President's Commission on Law Enforcement and Administration of Justice reported that, "America can control crime." But if we fail to control crime, crime will soon control us. The bill before us today puts an effective roadblock in the spiraling trail of crime statistics. H.R. 5037 is a real challenge to the problems that have plagued local law enforcement in the past. Its provisions will free local and State governments from fiscal bondage and replace those bonds with the resources of the Federal Government. I am confident that this act will enable us to find the answers and approaches which we seem so desperately lacking now.

BLACK POWER EXPOSED BY U.S. SUPREME COURT IN 1936

Mr. WALKER. Mr. Speaker, I ask unanimous consent that the gentleman from Louisiana [Mr. RARICK] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New Mexico?

There was no objection.

Mr. RARICK. Mr. Speaker, many sincere fellow countrymen have been aghast at the recent organized riots and murder in our American cities. They thought it could not happen in America.

Senator Bilbo, Senator McCarthy, and an army of others foresaw and forewarned our people of the black power movement controlled by the Communist Party years ago. But, their warnings and work were suppressed.

Even the Supreme Court of the United States in 1936 warned of an impending Communist inspired revolution.

I include at this point the dissenting opinion by Justice Van Devanter of the U.S. Supreme Court in the case of *Hern-*

don v. *Lowry*, 301 U.S. 242 in 1936 for the perusal of our colleagues:

Herndon v. Lowry

[Mr. Justice Van Devanter, dissenting.]

The present appeal is not from that judgment of affirmance but from a judgment denying a subsequent petition for *habeas corpus.*[5]

If it be assumed that on this appeal the evidence produced on the trial in the criminal case may be examined to ascertain how the statute was applied, I am of opinion, after such an examination, that the statute was applied as if the words "combined resistance" therein were in letter and meaning "combined forcible resistance."

The evidence, all of which is embodied in the present record, will be here stated in reduced volume without omitting anything material.

Herndon is a negro and a member of the Communist Party of the U.S.A., which is a section of the Communist International. He was sent from Kentucky to Atlanta, Georgia, as a paid organizer for the party. Atlanta is within an area where there is a large negro population, and the Communist Party has been endeavoring to extend its activities and membership to that population among others. Herndon's duties as an organizer were to call and conduct meetings, to disseminate information respecting the party, to distribute its literature, to educate prospects and secure members, to receive dues and contributions, and to work up a subordinate organization of the party. He called and conducted meetings which evidently were secret, solicited and secured members, and received dues and contributions. He and others, when becoming members, subscribed to an obligation saying "The undersigned declares his adherence to the program and statutes of the Communist International and the Communist Party of the U.S.A., and agrees to submit to the discipline of the party and to engage actively in its work."

When arrested he had under his arm a box in which he was carrying membership and collection books which he had been using and various pamphlets, books and documents, all pertaining to the structure, purposes and activities of the party. Two or three of the papers had been prepared by him and disclosed that he was an active spirit in the "Section Committee" and the "Unemployment Committee," both subordinate local agencies of the party. The membership books, besides showing names of those whom he had induced to become members and dates of their admission, contained extracts from the party statutes, some of which read:

"A member of the Party can be every person from the age of eighteen up who accepts the program and statutes of the Communist International and the Communist Party of the U.S.A., who becomes a member of a basic organization of the Party, who is active in this organization, who subordinates himself to all decisions of the Comintern and of the Party, and regularly pays his membership dues."

"The strictest Party Discipline is the most solemn duty of all Party members and all Party organizations. The decisions of the CI and the Party Convention of the CC and of all leading committees of the Party, must be promptly carried out. Discussion of questions over which there have been differences must not continue after the decision has been made."

"The Party is the vanguard of the working class and consists of the best, most class conscious, most active, the most courageous members of that class. It incorporates the whole body of experience of the proletarian struggle, basing itself upon the *revolutionary theory of Marxism* and representing the general and lasting interests of the whole of the working class. The Party personifies the unity of proletarian principles, of proletarian will and of proletarian revolutionary action."

The collection books contained the statement "Every dollar collected is a bullet fired into the boss class."

The membership and collection books had been sent to Herndon from the main office of the party in New York for use by him, and he had been using them in securing members and in collecting dues and contributions. With the exception of two or three papers prepared by him and heretofore mentioned, the literature which he was carrying under his arm when arrested had been sent to him from the same office, together with many pamphlets, books and other publications, for use and distribution by him in his work as an organizer. The literature which he had with him when arrested was produced in evidence and will now be described, chiefly by titles and extracts (italics supplied).

"APPEAL TO SOUTHERN YOUNG WORKERS"

"The Young Communist League is the champion not only of the young white workers but especially of the doubly oppressed negro young workers. The Young Communist League fights against the whole system of race discrimination and stands for full racial, political, economic and social equality of all workers. . . .

"The chief aim of the Young Communist League is to organize the young workers for a struggle against the bosses and against the whole profit system.

"The Young Communist League fights for:

"Full political, social and racial equality for the negro workers.

"Against bosses' wars! Defend the Soviet Union!

"Smash the National Guard, the C.M.T.C. and R.O.T.C."

"LIFE AND STRUGGLES OF NEGRO TOILERS."

"In no other so-called civilized country in the world are human beings treated as badly as these 15 million negroes [in the United States]. They live under a perpetual regime of white terror. . . . They are absolutely at the mercy of every fiendish mob incited by the white landlords and capitalists."

"COMMUNISM AND CHRISTIANISM."

"Banish the Gods from the Skies and Capitalists from the Earth and make the World safe for Industrial Communism.

* * * * *

"The trouble with every reformatory socialism of modern times is, that it undertakes the impossibility of changing the fruit of the capitalist state into that of the communistic one, without changing the political organism; but to do that is as impossible as to gather grapes from thorns or figs from thistles. Hence an uprooting and replanting are necessary (*a revolution not a reformation*) which will give the world a new tree of state.

"Capitalism no longer grows the fruits (foods, clothes and houses) which are necessary to the sustenance of all the world. Hence it must be *dug up by the roots* in order that a tree which is so organized that it will bear these necessities for the whole world may be *planted in its place.*

"The people of Russia have accomplished this *uprooting and replanting* (this *revolution*) in the case of their state, and those of every nation are destined to do the same in one way or another, each according to its historical and economic development, *some with much violence, most, I hope, with but little."*

"COMMUNIST POSITION ON THE NEGRO QUESTION."

This is a booklet of several pages and bears on the front of its cover a map of the United States showing a dark belt stretching across considerable portions of Georgia and eight other southern states. Parts of the text are here copied.

"The slogan of the right of self-determination occupies the central place in the liberation struggle of the Negro population in the Black Belt against the yoke of American imperialism. But this slogan, as we see it, must be carried out only in connection with two other basic demands. Thus, there are three basic demands to be kept in mind in the Black Belt, namely, the following:

"(a) *Confiscation of the landed property of the white landowners and capitalists for the benefit of the negro farmers.* The land property in the hands of the white American exploiters constitutes the most important material basis of the entire system of national oppression and serfdom of the Negroes in the Black Belt. More than three-quarters of all Negro farmers here are bound in actual serfdom to the farms and plantations of the white exploiters by the feudal system of 'share cropping.'

"Without this *revolutionary measure*, without the *agrarian revolution*, the right of self-determination of the Negro population would be only a Utopia or, at best, would remain only on paper without changing in any way the actual enslavement.

"(b) Establishment of the State Unity of the Black Belt. At the present time this Negro zone—precisely for the purpose of facilitating national oppression—is artificially split up and divided into a number of various states which include distant localities having a majority of white population. If the right of self-determination of the Negroes is to be put into force, it is necesary wherever possible to bring together into one governmental unit all districts of the South where the majority of the settled population consists of negroes. Within the limits of this state there will of course remain a fairly significant white minority which must submit to the right of self-determination of the negro majority. . . .

"(c) Right of Self-Determination. This means complete and unlimited right of the negro majority to exercise governmental authority in the entire territory of the Black Belt, as well as to decide upon the relations *between their territory and other nations, particularly the United States."*

"Even if the situation does not yet warrant the raising of the question of uprising, one should not limit oneself at present to propaganda for the demand, 'Right to Self-Determination,' but should *organize mass actions, such as demonstrations, strikes, tax boycott movements*, etc."

"A direct question of power is also the demand of *confiscation* of the land of the white exploiters in the South, as well as the demand of the negroes that the entire Black Belt be amalgamated into a State unit.

"Hereby, every single fundamental demand of the liberation struggle of the negroes in the Black Belt is such that—if once thoroughly understood by the negro masses and adopted as their slogan—it will lead them into the struggle for the overthrow of the power of the ruling bourgeoisie, which is impossible without such revolutionary struggle. One cannot deny that it is just possible for the negro population of the Black Belt to win the right to self-determination during capitalism; but it is perfectly clear and indubitable that this is possible only through *successful revolutionary struggle* for power against the American bourgeoisie, through *wresting* the negroes' right of self-determination *from American imperialism*. Thus, the slogan of right to self-determination is a real slogan of *National Rebellion* which, to be considered as such, need not be supplemented by proclaiming struggle for the complete separation of the negro zone, at least not at present.

"(d) Communists must fight in the forefront of the national liberation movement and must do their utmost for the progress of this mass movement and its revolutionization. Negro Communists must clearly dissociate themselves from all bourgeois currents in the negro movement, must indefatigably oppose the spread of the influence of the bourgeois groups on the working negroes."

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[5] *Lowry* v. *Herndon*, 182 Ga. 582; 186 S. E. 429.

"Their constant call to the negro masses must be: *Revolutionary struggle* against the ruling white bourgeoisie, through a *fighting alliance* with the *revolutionary* white proletariat!

"We are Bolsheviks, members of a fighting Party of the working class, who know that the only road to the *revolutionary overthrow* of capitalism and the establishment of Communism is through welding together the iron unity of class ideology which penetrates into our ranks, as the prerequisite to the *effective struggle* against the class enemy *physically.*"

There was no direct testimony that Herndon distributed the literature just described. No member of the Communist Party came forward to tell what he did in their meetings or in inducing them to become members. Nor does this seem strange when regard is had to the obligation taken by members and to the discipline imposed. Nevertheless there was evidence from which distribution by him reasonably could be inferred. It was shown that he was an active member, was sent to Atlanta as a paid organizer, and was subject to party discipline; also that he received the literature for distribution in the course of his work and had copies of it, together with current membership and collection books, under his arm when he was arrested; and further that he had been soliciting and securing members, which was part of the work in which the literature was to be used. He had declared his "adherence to the program and statutes" of the party and had taken like declarations from those whom he secured as members; and this tended strongly to show not only that he understood the party program and statutes as outlined in the literature but also that he brought them to the attention of others whom he secured as members. Besides, at the trial he made an extended statement to the court and jury in his defense,[6] but did not refer in any wise to the literature or deny that he had been using or distributing it. Thus there was in the evidence not merely some but adequate and undisputed basis for inferring that he had been using the literature for the purposes for which he received it. Evidently, and with reason, the jury drew this inference.

It should not be overlooked that Herndon was a negro member and organizer in the Communist Party and was engaged actively in inducing others, chiefly southern negroes, to become members of the party and participate in effecting its purposes and program. The literature placed in his hands by the party for that purpose was particularly adapted to appeal to negroes in that section, for it pictured their condition as an unhappy one resulting from asserted wrongs on the part of white landlords and employers, and sought by alluring statements of resulting advantages to induce them to join in an effort to carry into effect the measures which the literature proposed. These measures included a revolutionary uprooting of the existing capitalist state, as it was termed; confiscation of the landed property of white landowners and capitalists for the benefit of negroes; establishment in the black belt of an independent State, possibly followed by secession from the United States; organization of mass demonstrations, strikes and tax boycotts in aid of this measure; adoption of a fighting alliance with the revolutionary white proletariat; revolutionary overthrow of capitalism and establishment of Communism through effective physical struggles against the class enemy. Proposing these measures was nothing short of advising a resort to force and violence, for all know that such measures could not be effected otherwise. Not only so, but the literature makes such repelling use of the terms "revolution," "national rebellion," "revolutionary struggle," "revolutionary overthrow," "effective physical struggle," "smash the National Guard," "mass strikes," and "violence," as to leave no doubt that the use of force in an unlawful sense is intended.

The purpose and probable effect of such literature, when under consideration in a prosecution like that against Herndon, are to be tested and determined with appropriate regard to the capacity and circumstances of those who are sought to be influenced.[7] In this instance the literature is largely directed to a people whose past and present circumstances would lead them to give unusual credence to its inflaming and inciting features.

And so it is that examination and consideration of the evidence convince me that the supreme court of the State applied the statute, conformably to its opinion, as making criminal an attempt to induce and incite others to join in combined *forcible* resistance to the lawful authority of the State.

That the constitutional guaranty of freedom of speech and assembly does not shield or afford protection for acts of intentional incitement to forcible resistance to the lawful authority of a State is settled by repeated decisions of this Court;[8] and the Georgia decisions are to the same effect.[9]

Under the statute as construed and applied it is essential that the accused intended to induce combined forcible resistance. The presence of the intent aggravates the inducement and brings it more certainly within the power of the State to denounce it as a crime than otherwise it would be. The supreme court of the State in both of its opinions was dealing with a statute and a charge in which the intent of the accused was an element of the offense. In the original opinion the court incautiously said "it would be sufficient that he intended it [the combined and forcible resistance] to happen at any time." In its opinion on rehearing it said the phrase "at any time" had not been intended to mean any time in the indefinite future; and by way of avoiding such a meaning the court changed that part of the original opinion by making it read "at any time within which he might reasonably expect his influence to continue to be directly operative in causing such action by those whom he sought to induce." I do not perceive that this puts the standard of guilt at large or renders it inadmissibly vague. The accused must intend that combined *forcible* resistance shall proximately result from his act of inducement. There is no uncertainty in that. The intended point of time must be within the period during which he "might reasonably expect" his inducement to remain *directly* operative in causing the combined forcible resistance. The words "might reasonably expect" have as much precision as is admissible in such a matter, are not difficult to understand, and conform to decisions heretofore given by this Court in respect of related questions. I therefore am of the opinion that there is no objectionable uncertainty about the standard of guilt and that the statute does not in that regard infringe the constitutional guaranty of due process of law.

Believing that the statute under which the conviction was had is not subject to the objections leveled against it, I think the judgment of the supreme court of the State denying the petition for *habeas corpus* should be affirmed.

Mr. JUSTICE MCREYNOLDS, Mr. JUSTICE SUTHERLAND and Mr. JUSTICE BUTLER join in this dissent.

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[6] See Georgia Code 1933, § 38-415.

[7] *Burns* v. *United States*, 274 U. S. 328, 335.

[8] *Gitlow* v. *New York*, 268 U. S. 652, 666, *et seq.*; *Whitney* v. *California*, 274 U. S. 357, 371; *Fiske* v. *Kansas*, 274 U. S. 380, 385; *Stromberg* v. *California*, 283 U. S. 359, 368; *Near* v. *Minnesota*, 283 U. S. 697, 708.

[9] *Carr* v. *State*, 176 Ga. 55; 166 S. E. 827, 167 S. E. 103; *Carr* v. *State*, 176 Ga. 747; 169 S. E. 201.

FAIRNESS DOCTRINE UNFAIR

Mr. WALKER. Mr. Speaker, I ask unanimous consent that the gentleman from Louisiana [Mr. RARICK] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New Mexico?

There was no objection.

Mr. RARICK. Mr. Speaker, our colleagues in the Senate are conducting a study by questionnaire from the broadcast licensees that is quite interesting.

Feeling the questions and information might be of interest to our fellow colleagues, I include the full text and questions of the questionnaire following my remarks:

U.S. SENATE COMMITTEE ON COMMERCE, SUBCOMMITTEE ON COMMUNICATIONS

Fairness Doctrine Study

LICENSEE QUESTIONNAIRE

General Instructions

This questionnaire should be completed and one copy returned for each commercial and non-commercial radio and television broadcast station in the country. (However, if yours is an AM-FM simulcasting operation with 100% duplication of programming on either or both channels, you need complete only one questionnaire for both.)

Before starting to answer the questions, you will find it useful to read this document in its entirety to familiarize yourself with its scope and content. You will note that questions appear in boldface type and special instructions are in lightface. The numerals which appear in boldface are question numbers. Do not concern yourself with the lightface numerals. They are merely code numbers which permit the tabulation of your answers by computer.

The combined tabulation of responses from all stations will be used for a statistical study of practices and policy within the broadcasting industry as a whole and to elicit industry recommendations which will be useful to the Committee in its study. One completed copy whould be returned to this Committee postmarked not later than November 18, 1966. It should be addressed to: Senate Commerce Committee, Subcommittee on Communications, 5202 New Senate Office Building, Washington, D.C. 20510.

Call Letters: .... (Check one): 5-1 ☐ Commercial, -2 ☐ Non-Commercial
1 2 3 4

Type of Station: (Check one): 6-1 ☐ AM-FM Simulcasting, -2 ☐ AM, -3 ☐ FM, -4 ☐ TV-VHF, -5 ☐ TV-UHF

Location of Station: .... (City) .... (State) 7- 8-

Estimated Market Population: .... 9- Average Number Hrs. Broadcast Daily 10-

U.S. SENATE COMMITTEE ON COMMERCE, SUBCOMMITTEE ON COMMUNICATIONS—Continued

Fairness Doctrine Study—Continued

LICENSEE QUESTIONNAIRE—Continued

Primary Network Affiliation: (Check one):
11-1 ☐ None -2 ☐ ABC -3 ☐ CBS -4 ☐ Mutual -5 ☐ NBC -6 ☐ NET -7 ☐ NER
-8 ☐ Other Specify: ....

Channel or Frequency .... **Power:** .... **kw.** **Year station went on air:** ....

How long has licensee owned this station? Years: ....

Licensee Name: .... **Address:** ....

List call letters of other stations owned by licensee: ....
.... 12-

PART I: STATION EDITORIALS

1a. Does this station currently, or have you ever, broadcast locally originated editorials, giving editorial opinions of this station and announced as such at the time of broadcast? (Check one):
13-1 ☐ Currently broadcast regularly scheduled editorials. -2 ☐ Broadcast editorials sporadically. -3 ☐ Once broadcast but discontinued. -4 ☐ Have never broadcast editorials.

1b. If you have never broadcast station editorials, what is your principal reason for not broadcasting them? ....
....
.... 14-

(If you have never broadcast station editorials, skip to PART II, page 2.)

2. If you once broadcast station editorials but discontinued them, how many years ago were they discontinued? Years: 15-16

3. If you discontinued station editorials, what was the principal reason for discontinuing them? ....
....
.... 17-

(If you once carried station editorials but do not currently carry them, skip to PART II, page 2.)

4. If you currently broadcast station editorials, for how many years have you broadcast them? Years: 18-19

5. For how many months do you ordinarily keep copies of your station editorials in your files? Months: 20-21

6. How many days per week do you ordinarily broadcast editorials? Days: .... 22 or -y ☐ Not regularly scheduled

7. Upon days when you ordinarily broadcast station editorials, on the average, how many editorial broadcasts are scheduled per day?
Number: .... 23-24 or -y ☐ Not regularly scheduled

8. During the first half of 1966 (January 1 through June 30) approximately what percentage of all station editorial broadcasts from your station dealt with the following categories of issues?
Local issues: .... % 25- Statewide or Regional Issues: .... % 26- National Issues: .... % 27- International Issues: .... % 28-
Other Issues: .... % 29-

9. Were any station editorials broadcast during that period (January through June, 1966) furnished by: (Check YES or NO for each question and supply names where requested.)

(1) A group ownership parent company?	30-1 ☐ YES -2 ☐ NO	Name of Company: ....
(2) A network?	31-1 ☐ YES -2 ☐ NO	Name of Network: ....
(3) A newspaper?	32-1 ☐ YES -2 ☐ NO	Name of Newspaper: ....
(4) A nonprofit organization?	33-1 ☐ YES -2 ☐ NO	Name of Organization: ....
(5) A syndicated editorial source paid by this station?	34-1 ☐ YES -2 ☐ NO	Name of Source: ....
(6) A syndicated editorial source which furnished free material to this station?	35-1 ☐ YES -2 ☐ NO	Name of Source: ....
(7) A syndicated editorial source which offered compensation to this station?	36-1 ☐ YES -2 ☐ NO	Name of Source: ....

PART II: LOCALLY ORIGINATED OPEN MIKE PROGRAMS

10. Does this station currently, or have you ever broadcast locally originated "Open Mike" or "Open Line" type programs (soliciting telephone audience reaction or opinion upon matters discussed upon the program)? (Check one);
37-1 ☐ Currently broadcast "Open Mike" programs -2 ☐ Once broadcast but discontinued "Open Mike" programs -3 ☐ Have never broadcast "Open Mike" programs

(If you have never broadcast "Open Mike" type programs, skip to PART III, pages 4 and 5.)

11. If you once broadcast this type program and discontinued, during what year was this type program discontinued? Year 38-39

12. If you discontinued this type program, what was the principal reason for such discontinuance? 40-
....

(If you once carried this type program, but do not do so currently, skip to PART III, pages 4 and 5.)

13. If you currently broadcast this type program, during what year did such broadcasts begin? Year: 41-42

14. For how many weeks do you retain tapes (or other copy) of this program in your station's files? Weeks (No. or none): 43-44

15a. If you currently broadcast this type program, ordinarily how many broadcast hours per week are devoted to these programs? Hours: 45-46

15b. At the time these programs are produced for broadcast, on the average how many employees at your station are directly engaged in the production of the broadcast? Number: 47-48

16. What is the usual format of the "Open Mike" broadcasts? Are callers' voices broadcast?
49-1 ☐→YES (Answer (a) through (f)) -2 ☐→NO (Skip to 17)
(a) Is a preliminary interview conducted?
50-1 ☐ YES -2 ☐ NO
(b) Is a tape delay device used?
51-1 ☐ YES -2 ☐ NO Calls broadcast live and simultaneously.
(c) Are preannounced time limits set for each call?
52-1 ☐ YES -2 ☐ NO
(d) Are subjects to be covered announced?
53-1 ☐ Yes Always. ↓ -2 ☐ Sometimes. ↓ -3 ☐ NO ↓ Skip to 17.
(e) Are callers limited to discussion of the announced subjects?
54-1 ☐ YES -2 ☐ Sometimes -3 ☐ NO

17. What is the station's policy about requiring callers to identify themselves before placing their call on the air?
55-1 ☐ Require names. (Answer (f) and (g)) -2 ☐ Do not require identification. (Skip to 18)
(f) Do you broadcast names?
56-1 ☐ YES Always -2 ☐ Except when requested not to to do so. -3 ☐ NO
(g) Do you keep a record of names of callers going on the air?
57-1 ☐ YES Always -2 ☐ Sometimes -3 ☐ NO

18. Are callers required to give their addresses?
58-1 ☐ YES Always (Answer (h) and (i). -2 ☐ Sometimes (Answer (h) and (i.)
-3 ☐ NO (Skip to 19.)
(h) Do you broadcast addresses?
59-1 ☐ Yes Always -2 ☐ Except when requested not to do so. -3 ☐ NO
(i) Do you keep a record of addresses of callers going on the air?
60-1 ☐ YES -2 ☐ NO

19. What is the policy about "Open Mike" discussions of controversial issues of public importance?
61-1 ☐ They are encouraged. (Answer remaining questions)
-2 ☐ Permitted but not encouraged. (Answer remaining questions)
-3 ☐ Not permitted. (Skip to 20)
(j) Is a written record kept showing the different issues discussed over the air?
62-1 ☐ YES Always -2 ☐ Sometimes -3 ☐ NO
(k) Is there a record of various positions taken on those issues over the air?
63-1 ☐ YES Always -2 ☐ Sometimes -3 ☐ NO
(l) Do you directly solicit (other than broadcast invitation) opposing opinions about controversial issues when those positions are not offered spontaneously?
64-1 ☐ YES -2 ☐ NO
(m) If someone is personally attacked on a program, do you notify him directly?
65-1 ☐ YES -2 ☐ NO -3 ☐ There have been no personal attacks.
(n) Does the program moderator or announcer give any of his own opinions about controversial issues?
66-1 ☐ YES Often -2 ☐ Occasionally -3 ☐ Never

20. If this station has any policies controlling its "Open Mike" broadcasts which are not covered in the foregoing questions, please list them here: ....
....
.... 67-☐

PART III. SYNDICATED PROGRAM SERIES

READ: This PART concerns regularly scheduled syndicated program series which deal with issues of public importance from time to time, a number of which are named in Column A below. Please follow the directions and answer question in Columns B, C, D and E to the right. Where answers are given with respect to any program, be sure the answer is placed in that program's proper ine extended across this page. If this station currently carries such a series not listed below or once carried and discontinued any such unlisted series presently being carried by other stations, please insert the names of the series in alphabetical order in the blank spaces provided at the bottom of Column A and supply answers as if the series were included in the printed list.

Answer All of These Questions

Column B

Does this station currently broadcast any program in Column A? Did you once carry the program but discontinued it?
Check one reply for each line.

For Programs Carried Now, Answer These Questions—Otherwise Skip

Column C

How long have you carried this program? Insert number of years on proper line below.

Column D

How is the program sponsored? On proper line below, write in "1" if sustaining, "2" if time purchased by or on behalf of producer or distributor, or "3" if commercially sponsored.

Call letters: ____
1 2 3 4

5–	6–	7–	8–	9–	10–	11–	12–

(This Space for Committee Use Only.)

For Program Series Once Carried, But Discontinued and Program Series Offered This Station on a Fully Paid Commercial Basis and Declined, Answer These Questions—Otherwise Skip.

Column E

If series was discontinued or offered on a fully paid commercial basis and declined, state the principal reason for discontinuing or declining on the proper line below.

	Column A Name of Program Series		Carry Now		Carried & Disc.		Never Carried	Column C	Column D	Column E
1	A Look at the NCC	13–1		–2		–3		13–	13–	13–
2	America Has the Right To Know	14–1		–2		–3		14–	14–	14–
3	American Sec. Counc. Wn. Report	15–1		–2		–3		15–	15–	15–
4	Awake America	16–1		–2		–3		16–	16–	16–
5	Behind the Headlines	17–1		–2		–3		17–	17–	17–
6	Bible Institute of the Air	18–1		–2		–3		18–	18–	18–
7	Christian Crusade	19–1		–2		–3		19–	19–	19–
8	Church League of America	20–1		–2		–3		20–	20–	20–
9	Citizen's Council Forum	21–1		–2		–3		21–	21–	21–
10	Dangers of Apathy	22–1		–2		–3		22–	22–	22–
11	Dan Smoot Report	23–1		–2		–3		23–	23–	23–
12	Donald Jackson's Capital Reporter	24–1		–2		–3		24–	24–	24–
13	Drew Pearson's Washington Merry-Go-Round.	25–1		–2		–3		25–	25–	25–
14	Firing Line, Wm. F. Buckley	26–1		–2		–3		26–	26–	26–
15	First Angry Man	27–1		–2		–3		27–	27–	27–
16	Great Decisions, 1966	28–1		–2		–3		28–	28–	28–
17	Howard Kershner's Commentary	29–1		–2		–3		29–	29–	29–
18	I Was a Communist Slave	30–1		–2		–3		30–	30–	30–
19	International Zone	31–1		–2		–3		31–	31–	31–
20	John Birch Society Report	32–2		–2		–3		32–	32–	32–
21	Know Your Enemy	33–1		–2		–3		33–	33–	33–
22	Life Line	34–1		–2		–3		34–	34–	34–
23	Louis Lomax Show	35–1		–2		–3		35–	35–	35–
24	Man With a Mike	36–1		–2		–3		36–	36–	36–
25	Manion Forum	37–1		–2		–3		37–	37–	37–
26	Melvin Bell Shop	38–1		–2		–3		38–	38–	38–
27	Myron J. Bennett's Conversation	39–1		–2		–3		39–	39–	39–
28	Night Call	40–1		–2		–3		40–	40–	40–
29	Northwestern Reviewing Stand	41–1		–2		–3		41–	41–	41–
30	Open End	42–1		–2		–3		42–	42–	42–
31	Our Changing World	43–1		–2		–3		43–	43–	43–
32	Perspective	44–1		–2		–3		44–	44–	44–
33	Radio Ed. of Independent American	45–1		–2		–3		45–	45–	45–
34	R. Cotton's Conserv. Viewpoint	46–1		–2		–3		46–	46–	46–
35	Scope	47–1		–2		–3		47–	47–	47–
36	TAC Series	48–1		–2		–3		48–	48–	48–
37	Tangled World	49–1		–2		–3		49–	49–	49–
38	The Barry Farber Show	50–1		–2		–3		50–	50–	50–
39	The Barry Gray Show	51–1		–2		–3		51–	51–	51–
40	The Good Life	52–1		–2		–3		52–	52–	52–
41	The Joe Pyne Show	53–1		–2		–3		53–	53–	53–
42	The Merv Griffin Show	54–1		–2		–3		54–	54–	54–
43	The Mike Douglas Show	55–1		–2		–3		55–	55–	55–

PART III. SYNDICATED PROGRAM SERIES

READ: This PART concerns regularly scheduled syndicated program series which deal with issues of public importance from time to time, a number of which are named in Column A below. Please follow the directions and answer question in Columns B, C, D, and E to the right. Where answers are given with respect to any program, be sure the answer is placed in that program's proper line extended across this page. If this station currently carries such a series not listed below or once carried and discontinued any such unlisted series presently being carried by other stations, please insert the names of the series in alphabetical order in the blank spaces provided at the bottom of Column A and supply answers as if the series were included in the printed list.

Answer All of These Questions

Column B: Does this station currently broadcast any program in Column A? Did you once carry the program but discontinued it? Check one reply for each line.

For Programs Carried Now, Answer These Questions—Otherwise Skip

Column C: How long have you carried this program? Insert number of years on proper line below.

Column D: How is the program sponsored? On proper line below, write in "1" if sustaining, "2" if time purchased by or on behalf of producer or distributor, or "3" if commercially sponsored.

Call letters: ____
1 2 3 4

5-	6-	7-	8-	9-	10-	11-	12-

(This Space for Committee Use Only.)

For Program Series Once Carried, But Discontinued and Program Series Offered This Station on a Fully Paid Commercial Basis and Declined, Answer These Questions—Otherwise Skip.

Column E: If series was discontinued or offered on a fully paid commercial basis and declined, state the principal reason for discontinuing or declining on the proper line below.

	Column A Name of Program Series		Carry Now		Carried & Disc.		Never Carried	Column C		Column D		Column E
44	The Protestant Hour	56-1		-2		-3		56-		56-		56-
45	The World of Labor	57-1		-2		-3		57-		57-		57-
46	Tom Anderson's Straight Talk	58-1		-2		-3		58-		58-		58-
47	Twentieth Century Reformation Hour	59-1		-2		-3		59-		59-		59-
48	Viewpoint	60-1		-2		-3		60-		60-		60-
49	Voice of Americanism	61-1		-2		-3		61-		61-		61-
50	Voice of Truth and Freedom	62-1		-2		-3		62-		62-		62-
51	Wm. F. Buckley News and Comment	63-1		-2		-3		63-		63-		63-
52	Window on Washington	64-1		-2		-3		64-		64-		64-
53	Years of Decision	65-1		-2		-3		65-		65-		65-
54		66-						66-		66-		66-
55		67-						67-		67-		67-
56		68-						68-		68-		68-
57		69-						69-		69-		69-
58		70-						70-		70-		70-

PART IV: NETWORK PROGRAM SERIES AND SPECIALS

Call Letters: ____
1 2 3 4

(If your station is not affiliated with any network, skip to PART V, below.)

5-	6-	7-	8-	9-	10-	11-	12-

(This Space for Committee Use Only.)

1a. During the first half of 1966 (January through June) did this station preempt any network program dealing with news and/or public affairs for any reason other than technical or commercial sale of the time for other programming? 13-1 ☐ YES -2 ☐ NO

1b. If your answer above is YES, please list in alphabetical order below the names of any such program, give the dates of pre-emption, and state your principal reason for not carrying the program.

Name of Program Date Reason Not Carried

____ 14-
____ 15-
____ 16-
____ 17-
____ 18-
____ 19-
____ 20-
____ 21-
____ 22-
____ 23-
____ 24-
____ 25-
____ 26-
____ 27-

PART V: OTHER LOCALLY ORIGINATED BROADCASTS

1. On the average, approximately how many man-hours per week are devoted to locally originated news and public affairs broadcasting at this station? Hours: ____ 28-29

2a. Currently, on the average, how many broadcast hours per week are devoted to locally originated news and public affairs programs at this station? Hours: ____ 30-31

2b. Currently, how many broadcast hours per week are devoted to all other locally originated "talk" programs at this station? Hours: ____ 32-33

2. For how many weeks are copies, transcripts or dupes of locally originated news and public affairs programs retained in this station's files? Weeks: ____ 34-35

PART VI: STATION PRACTICES AND POLICIES (TO BE COMPLETED FOR ALL STATIONS)

Call Letters: ....
1 2 3 4

5–	6–	7–	8–	9–	10–	11–	12–

(This Space for Committee Use Only)

1. Currently, on the average, how many broadcast hours per week are devoted to news and/or public affairs programming (network, syndicated and locally originated) at this station? Hours: 13–14

2. Of broadcast time currently devoted to news and/or public affairs broadcasts, on the average, what percentage thereof is devoted to the following program types:
Network programs: ....% 15–16
Syndicated programs: ....% 17–18
Locally originated: ....% 19–20

3. Does this station ever broadcast any programs dealing with controversial issues of public importance?
21–1 ☐ YES –2 ☐ NO (Skip to Question 17, Page 8)

4. When such programs present one point of view about a controversial issue, does the station broadcast an invitation to opponents of it offering station time to them for replies?
22–1 ☐ YES Always –2 ☐ Sometimes –3 ☐ NO

5. Does the station write, telephone, or otherwise communicate offers of time for reply to recognized spokesmen for opposing views?
23–1 ☐ YES Always –2 ☐ Sometimes –3 ☐ NO

6. In connection with programs dealing with controversial issues, has the station ever broadcast any which contain "personal attacks"?
24–1 ☐ YES –2 ☐ Not to our knowledge (Skip to Question 11)

7. In such cases, has the station notified the person or group attacked and made a specific offer of broadcast time for reply?
25–1 ☐ YES Always –2 ☐ Sometimes –3 ☐ NO (Skip to Question 10)

8. When personal attacks are involved, does this station automatically provide those attacked with a transcript or summary of the attack?
26–1 ☐ YES Always –2 ☐ Sometimes –3 ☐ NO (Skip to Question 10)

9. Are the transcripts or summaries generally provided before the broadcast attack?
27–1 ☐ YES Before –2 ☐ NO After

10. Does the station (also) provide transcripts or summaries of attacks on request to the person or group attacked?
28–1 ☐ YES –2 ☐ NO

11a. During the first half of 1966 (January–June) how many requests for time to present opposing positions on alleged controversial issues did this station receive?
Number .... or ☐ None
29–30

11b. During that period, how many requests for time to reply to alleged "personal attacks" did this station receive? Number .... or ☐ None
31–32

12. During that period, did this station broadcast any locally originated replies dealing with controversial issues of public importance or arising from "personal attacks"?
33–1 ☐ YES –2 ☐ NO (Skip to Question 17, page 8)

13. How many of the replies broadcast during that period were:
(a) Opposing views upon controversial issues (not involving personal attack)? 34–35
(b) Answers to personal attacks? 36–37
(c) Total replies broadcast January–June, 1966? 38–39

14. How many replies shown in (c) above were made as the result of a—
(a) Specific offer by station? 40–41
(b) Request by group or individual? 42–43

15. How many of the replies were broadcast:
(a) Free of charge? 44–45
(b) At station rates? 46–47

16a. How many of the replies were to each of the following types of programs:
(a) Station editorials? 48–49
(b) Locally originated "Open Mike" programs? 50–51
(c) Network programs? 52–53
(d) Syndicated programs? 54–55
(e) Other programs? 56–57

16b. If replies were made to any network or syndicated programs, list in alphabetical order below names of such programs along with date of broadcasts referred to:
.... 58–
.... 59–

16c. During that period (January–June 1966) did this station make specific offers of time to individuals or groups for reply statements who failed to take advantage of such offers?
60–1 ☐ YES –2 ☐ NO

16d. If YES, how many such offers did not result in replies being broadcast?
Number: 61–62

17. Since June 1, 1949, so far as you know, has this station been a party defendant to any litigation based on allegations of libel, slander or defamation contained in its broadcasts?
63–1 ☐ YES –2 ☐ NO (Skip to Question 18)
List details below for each known case as follows: (a) names of parties; (b) dates; (c) ultimate disposition of litigations.
.... 64–

18. What is your opinion of the "Fairness Doctrine"? (Check one):
65–1 ☐ Okay as is. –3 ☐ Should be discarded.
–2 ☐ Needs modification or clarification.
If modification needed: What changes or clarification should be made? By whom? Why are they needed? If you think the "Fairness Doctrine" should be discarded, why?
.... 66–

19a. What is your opinion of the recent move to enact the Personal Attack feature of the "Fairness Doctrine" as a rule of the Commission?
67–1 ☐ Approve –2 ☐ Disapprove

19b. If you disapprove, please state your reasons below: ....
.... 68–

20. What is your opinion of Section 315 of the Communications Act (equal time for political candidates)?
69–1 ☐ Okay as is. –2 ☐ Needs modification. –3 ☐ Should be repealed. –4 ☐ No opinion.
If modification needed: What changes should be made? Why are they needed? ....
.... 70–

Thank you very much for your cooperation. If you wish to make any suggestions, comments or criticisms about this form or the Commission's work, please write them on the blank space which follows. (See below for signature.) ....
....
.... 71–
.... 72–

This questionnaire prepared by:

....
Signature Title Date

DE GAULLE ENCOURAGED IN LOUISIANA

Mr. WALKER. Mr. Speaker, I ask unanimous consent that the gentleman from Louisiana [Mr. RARICK] may extend his remarks at this point in the RECORD and include extraneous matter.

The **SPEAKER** pro tempore. Is there objection to the request of the gentleman from New Mexico?

There was no objection.

Mr. RARICK. Mr. Speaker, for those who fail to understand the action of President de Gaulle seeking to encourage unrest in Canada, remember his modus operandi tracks basic communism. Prey on minority discontent—seek violence for progress. But in Canada, it is not race versus race—they are white Christian people. It is Canadian of French ancestry versus English.

But will our national leaders ever listen to history or logic? Why create a cancer that De Gaulle can pick on in the United States of America?

The Federal Register for Tuesday, June 20, carried a notice to shift the international demarcation line from 3 leagues out in the Gulf of Mexico to the south Louisiana coastline. The proffered reasoning: To make navigation easier under international law.

The excuse suffers for merit. Ships today are better equipped with instruments—the routes more adequately marked and the crews better educated than over the past 190 years. Nonsense. If there be any navigational problem why not suggest the States adopt international markers, lights, and devices. Let us not try to justify piracy of the Louisiana tidelands by blaming it on fishers and shrimpers.

Situated in the waterways under discussion are vast oil resources that contribute substantial revenues to the State of Louisiana. Also in these waterways, under the supervision of the Louisiana

Department of Wildlife and Fisheries for catch limits and closed seasons, are unlimited quantities of fish, shrimp, oysters, and minerals all of which contribute to the prosperity of the south Louisiana people and the economy of our State.

The audacity to even consider shrinking the international demarcation line to the shoreline is unbelievable.

With Castro Cuba's horde of hungry Yankee haters shortly offshore, could our south Louisianians not then expect to find Communist fishermen and shrimpers in their fishing grounds. And could we expect the Red Cubans to be interested in Louisiana's conservation programs?

Could we not expect to see in international waterways Russian spy boats and cruisers plying just off our shores and at the mouth of the Mississippi River—just as inquisitive tourists checking our missile base and electronics system?

When the Coast Guard talks of the change making navigation easier, to whom do they refer? The Commies and foreigners?

Is it that the State Department is now trying to usher in the abolition of all national sovereignty and State's voice in their own offshore waterways? An extension of the theory of open waterways advanced at the Suez Canal, the Bay of Aqaba and being used against our investment at the Panama Canal?

If we are going to declare all our offshore and coastal routes as open waterways, how long before the Mississippi River is declared international and we can behold Russian submarines and cruisers steaming past New Orleans and up to St. Louis? How long before New York Harbor, the Great Lakes, and San Francisco Bay are given to free and unrestricted international waterways?

We might ask if the Volga, Yangtze, and Danube are also to be opened to worldwide travel and commerce without control by the neighboring country or state?

Louisiana was acquired from the French. Does our State Department now consider dismantling U.S. sovereignty further by giving Louisiana back to De Gaulle and France? Perhaps Alaska returned to Russia and Texas back to Mexico?

Southern Louisiana, the folks to be most deprived and discriminated against by the uncalled for surrender of State waterways are primarily of French national origin called " 'Cajuns." They are the direct descendants of the Acadians originally from Canada who fled that country to carve out their culture and civilizations in the Louisiana marshes and coastlands. They are a proud, intelligent, and patriotic Christian people. But let us not alienate their livelihood and income by destroying their chance for a happy life. Why risk giving General de Gaulle another dissatisfied minority group to prey upon? Why even chance a separatist movement in Louisiana?

Mr. Speaker, I ask that the several news accounts from the New Orleans Times Picayune and the Baton Rouge Morning Advocate for July 30, the protest from Attorney General Jack Gremillion, President de Gaulle's demands from the Washington Post for August 1, and the Federal Register announcement follow my remarks.

Perez Says Moving Sea Lanes Favors Russian, Cuban Access

New Orleans.—A proposal to move closer to the shoreline the theoretical line where international traffic rules give way to inland rules was attacked Saturday by one of Louisiana's arch-conservative leaders.

It would give Russian submarines and Cuban trawlers the right to enter Louisiana coastal waters, thundered fiery Leander H. Perez Sr., president of the Plaquemines Parish (county) commission.

He called it "a Communist-inspired plan by the national administration to take over completely Louisiana's tidelands riches."

The Coast Guard plans a series of five public hearings starting next week on the proposal.

Hearings will begin Tuesday at Corpus Christi, Tex., and continue at Galveston, Tex., Wednesday, Morgan City, La., Thursday and Mobile, Ala., Friday.

They wind up here at 8th Coast Guard District headquarters on Aug. 7.

Rear Adm. Ross P. Bullard, commandant of the 8th District, said the proposal is to make the theoretical line "more in keeping with the actual shoreline to make for safer operations for both inland and ocean-going vessels."

Bullard said neither the present theoretical line, established by the Coast Guard in 1954, nor the proposed new line correspond with any offshore boundaries of the nation or the state's along the Gulf Coast.

The new line shows no material change from the present jetty heads of Florida, Alabama and Mississippi except for a part of Breton Sound off Mississippi.

However, the coastal waters of Plaquemines Parish, which juts into the Gulf along both sides of the Mississippi River, would be included.

If the new line is established, Perez charged it would mean "Louisiana will lose hundreds of millions of dollars in mineral and marine wealth, further impoverishing the people of Louisiana, forcing them to go to Washington to beg for money."

He said a man walking off the banks of Plaquemines Parish shorelines will wade into international waters and he could only be arrested by the Coast Guard or the FBI.

"The new rule would authorize Russian submarines to come into the bays between Jefferson and Plaquemines . . . and into Plaquemines' and Mississippi's Breton Sound.

"And it would authorize Communist fishermen from Cuba to trawl and fish right offshore, driving our shrimp and oyster fishermen out of their own waters," added Perez.

[From the Times-Picayune, New Orleans, July 30, 1967]

Boundary Line Brings Protest—State Officials Object to CG Proposal

(By Paul Atkinson)

The state of Louisiana, through Gov. John J. McKeithen and Atty. Gen. Jack P. F. Gremillion, will vigorously protest a new inland water boundary line proposed by the United States Coast Guard for the Gulf of Mexico.

Veteran Plaquemines Parish political leader Leander H. Perez Sr. contends the proposal will cost Louisiana "hundreds of millions of dollars and put international waters right up to Louisiana's shoreline."

Gremillion, asked about the state's protest, would say little about the Perez contention. However, he said, "This is one time Perez and I see eye to eye."

The Coast Guard will hold five hearings on the proposal, the first to come Tuesday at Corpus Christi, Tex.

Two of the hearings are slated for Louisiana—Morgan City Thursday and New Orleans Aug. 7, the latter at the Federal bldg., 600 South st., at 1:30 p.m.

SOLONS ALERTED

Gremillion said that he expects "some protest from the state's congressional delegation in Washington." The delegation was alerted Thursday by mail, he said.

The proposed change covers the Gulf from Cape St. George, Fla., to the Rio Grande River, Tex., meaning that Texas, Alabama, Florida, and Mississippi would also be affected.

Gremillion said he has been in touch with attorneys general of Texas, Florida, Mississippi, and Alabama asking that they protest. "I think they will join us," said Gremillion, "but they aren't as vitally affected as Louisiana."

The attorney general said, "Apparently, it's an obvious attempt to seize the entire tidelands."

Gov. McKeithen's special tidelands counsel, Louisiana State University Law School Dean Paul Hebert, confirmed he has been working on drafting the protest with the state attorney general's office.

Dean Hebert revealed some points in the draft. Opposition will include a possibility that the change will endanger the nation's security, disrupt the coastal economy, and endanger ships coming too close to the shore.

Perez said the new demarcation line would in many cases rob the state of its inland waters and allow Cuban fishermen to invade Louisiana's oyster and shrimp territory, "even up to Grand Isle."

"LEFT HANGING"

It was Perez' contention that the dire financial consequences of the demarcation change revolve around the fact that the Supreme Court has left a final decision on Louisiana's coastline hanging in the air. "What I foresee," said Perez, "is that the Supreme Court will say that Louisiana's coastline is the shoreline."

The Louisiana Legislature, in 1954, said Perez, adopted legislation that designated Louisana's coastline as the present demarcation line which separates international waters from inland waters.

Such a Supreme Court decision said Perez would mean that Louisiana would lose revenue from the Freeport Sulphur Company operation off Grand Isle, the numerous drilling operations in the waters around Jefferson and Plaquemines parishes and——worst of all—part of the East Bay oil and gas operations.

Louisiana presently derives royalties from drilling operations three miles off its coastline—which, at least at present, is not its shoreline.

Rear Adm. Ross P. Bullard, new commander of the Eighth Coast Guard District, said he talked with Perez Tuesday about the Perez interpretation of the boundary change. "I was surprised . . . flabbergasted," said Adm. Bullard. But the admiral said he could not say that Perez is right or wrong.

Adm. Bullard said he had his lawyers working on the implications brought up by Perez. "Mr. Perez has worked on this subject a lifetime," said Adm. Bullard. "and I'm not going to say in one afternoon's research that he's right or wrong. It will be something for the lawyers to decide."

"ROUTINE" CHANGE

Adm. Bullard said the change is "routine" to the Coast Guard. "We simply want to help make it easier for mariners to determine whether they are in international or inland waters, since there are different sets of rules that apply," said Adm. Bullard

Adm. Bullard said he foresees no changes in United States territorial waters should the change become a reality. He discounted the Perez theory that Cuban fishermen would be able to come right up into the oyster beds off Grand Isle. "I don't see it that way," said Adm. Bullard. "Generally, you could say we would take some action within the 12-mile limit."

The admiral also indicated that the Coast Guard commandant in Washington—who will make the final decision—will listen closely to dissenting opinions. "If we didn't," said Adm. Bullard, "our integrity wouldn't be worth a damn."

Perez labeled the Coast Guard's boundary change the "coup d'etat of the Federal tidelands grab."

Plaquemines Parish Commission Council chairman, Perez said he would have the council draft a resolution opposing the proposed change.

According to Perez, each parish gets 10 per cent of the royalties from minerals in its area. The state of Louisiana gets the other 90 per cent.

In simple language, the proposed change would bring the demarcation line between international waters and inland waters back to the shoreline and from headland to headland or along any conveniently located islands close to shore. "This would make it possible for all mariners to locate the demarcation line easily without recourse to elaborate navigation," a Coast Guard statement in the Federal Register said.

Quoting further from the Federal Register announcing the hearings, "The existing Gulf demarcation line extends almost 20 miles out into international waters, as recognized by the State Department. The United States has authority under International Law to establish Rules of the Road beyond the limit of territorial waters and International Law is flexible in this area. The relocation of the line well within territorial waters removes any question of International Law."

Tracing the origin of the boundary change idea, Adm. Bullard said it was first broached in 1965. "It came out of the Eighth Coast Guard District office," said Adm. Bullard. "The idea is a followup to problems which shrimpers were having in the Gulf. They requested the Coast Guard office to do something about it. I have correspondence in my files from a shrimp producers group in Tampa, Fla., telling of their troubles."

Effect of Proposed Changes in Boundary Lines of Inland Waters on Gulf Coast States

1. The proposed changes in the inland water boundary lines adversely affect safe navigation in coastal waters. First, because the proposed lines insofar as they follow the "general configuration of the coastline" give no description of sufficient certainty to enable boat operators to determine the rules of the road applicable to them in a given location. Second, because placing the boundary lines of inland waters close to shore puts into effect two sets of navigation rules in an area in which the danger of collision is already great because of the heavy congestion of boat traffic near the coast.

2. Thousands of small boat fishermen who fish inshore and partially outshore daily are not presently required to follow the international rules of the road. The proposed boundary lines would in effect require that these fishermen follow the inland rules at times and the international rules at times. As they are not presently equipped to comply with certain requirements of the international rules, the proposed boundary would place additional and perhaps burdensome expense on them.

3. All of the Gulf Coast states may be affected by pending litigation in the Supreme Court on the question of whether the existing boundary lines of inland waters have effect in determining the extent of the grant of the Submerged Lands Act. A favorable decision could benefit all Gulf Coast states, since the existing line is in many places seaward of the coast line that would be conceded by the United States.

4. In certain areas offshore from some of the Gulf Coast states, local fishermen have been faced with competition from foreign vessels. This has not yet developed into a widespread major problem on the Gulf Coast. The present line published on nautical charts of the United States showing that the waters are treated as subject to rules for inland waters tends to discourage foreign fishermen. Russian scientific vessels have been observed making studies in some of the waters, and fishing experts foresee the possibility of ultimate foreign competition for presently exploited fish resources, and potential new types of fishing. The proposed change would treat waters seaward of the shore as "high seas" and virtually invite foreign fishing close to shore.

Protest of the State of Louisiana Against Changes in Boundaries of Inland Waters in the Gulf of Mexico

Louisiana opposes the changes in the boundaries of inland waters in the Gulf of Mexico, proposed by the Commandant of the U.S. Coast Guard acting pursuant to directions of the Department of Transportation.

The U.S. Coast Guard derives its authority for the promulgation of the boundary lines of this nation's inland waters from Sec. 2 of the Act of February 19, 1895 (33 U.S.C. 151) which authorized the Secretary of Treasury to "designate and define * * * the lines dividing the high seas from * * * inland waters".

From its history it is clear that by this Act Congress intended for the Treasury Department to establish the territorial extent of this nation's inland waters.

The Coast Guard is necessarily without authority to establish any line "well within" such inland waters and by such act cede areas rightfully pertaining to and under the authority of the United States. Determination of the extent of territorial waters beyond the outer limit of inland waters is not within the scope of authority of the Commandant of the Coast Guard and the Commandant is without authority to declare that the existing Gulf demarcation line extends into international waters.

The Submerged Lands Act of 1953 (67 Stat. 29, 43 U.S.C. 1301) defined seaward boundaries in the Gulf of Mexico in part as the line marking the seaward limit of inland waters. By Act 33 of 1954, the State of Louisiana in keeping with the Submerged Lands Act accepted and approved the line marking the outer limits of its inland waters as designated and defined by agencies of the United States Government and declared its Gulf Coast boundary to be three leagues from the coast as the coast line was officially designated and defined by the Coast Guard, pursuant to Acts of Congress. In United States v. States of Louisiana, etc., 363 U.S. 1, 80 Sup. Ct. 961, the Court limited the measure of Louisiana's boundary from coast to one league, again referred to the line marking the seaward limit of inland waters and retained jurisdiction to establish the coast line of Louisiana if not agreed upon between the parties. The line was established by action of the United States in 1953 and recognized by Louisiana in 1954; and no new agreement has been made between the parties, nor has the Supreme Court taken action with respect to this line, and it is inappropriate for the Coast Guard to attempt to make such determination now.

The authority to fix boundaries of the States of the Union is conferred by Article 4, Section 3 of the United States Constitution upon the Congress of the United States and once the boundaries have been fixed or means for fixing these have been determined, no state shall be deprived of its territory without its consent; and the Coast Guard is without authority to curtail the extent of Louisiana or its boundaries in this or in any other way.

Specific and particular objection is made to those portions of the statement in 32 Fed. Reg. 8763 which appear to be declarations of which the United States as a litigant may seek to make use in the litigation with Louisiana and other Gulf Coast states, and to that extent may be considered to be self-serving but which are detrimental to the United States as a sovereign and detrimental to each of the Gulf Coast states, as these same statements could be construed by other nations as ceding American territory to the family of nations.

The Proposed Rule Making is not consistent with the historical determination of inland waters of the United States. It does not purport to follow the directions of Congress in the Act of February 19, 1895, nor subsequent acts, including without limitation the Submerged Lands Act of 1953, nor any criteria heretofore accepted in law in the determination of coast lines, and if adopted mariners will be faced with the perplexing problem that a line designated on the official nautical charts of the United States as the point of commencement of inland water rules is not in fact the outer limit of this Nation's inland water.

The Supreme Court of the United States in interpreting the Act of March 12, 1863, relating to captured and abandoned property defines "'Inland Waters' to apply to all waters of the United States upon which a naval vessel could go, other than bays, and harbors on the sea coast" *U.S.* v. *The Steam Vessels of War*, 106 U.S. 604, 612, 27 L. Ed. 286, 287.

Because of the unusually shallow depth of the waters of the Gulf along much of the Louisiana sea coast, and the existence of many shoals and reefs, in vast areas it is not possible for sea-going vessels to sail inland of the line presently dividing the high seas from the inland waters. These vessels usually require a water depth of 30 feet or 5 fathoms.

The proposed new line would so curtail the extent of inland waters that vast areas of a depth too shallow to accommodate ocean-going vessels would be classified as high seas and would constitute a hazard to navigation.

It would lay open to foreign fishermen and naval vessels an expanse of water along shore traditionally ours whereby the National Defense as well as the economic interests of the Nation and the State would be seriously jeopardized—Cuban and Soviet vessels operating within the bays that indent the Mississippi Delta could easily cut the life line of Mid-America that the Great River affords. Furthermore, these and other Nations whose fishermen thus would be invited to our shores could and would devastate the fishing industry of Louisiana coastal parishes. These considerations are sufficient to condemn the proposal as wrong in principle as well as in law. They certainly outweigh any supposed benefit which could accrue from the statement of the Commandant that "the relocation of the line well within territorial waters removes any question of International Law".

The inland waters of the United States and of Louisiana as presently designated and defined by the Coast Guard are used entirely in relation to the economy of the United States and of Louisiana, particularly its coastal parishes.

Numerous interests concerned with offshore navigation have been contacted by the State of Louisiana to determine whether there is any dissatisfaction with the line as presently located. Fisheries' interests of all types—oyster, shrimp, and industrial—were consulted. Bar pilots, deep-water shipping interests, oil industry people, marine insurance, dredging and towboat interests—all of these types were canvassed. None of the people contacted expressed any serious dissatisfaction with the present demarcation of the line.

The only source of dissatisfaction, we understand, stems from a few incidents where persons claimed they were not displaying required lights because of difficulty in locating the line offshore, and possibly these persons may have persuaded some fishermen or others to support the proposal without fully explaining its consequences.

If indeed these people think they have a problem with the present line, the following comments show that the proposal to relocate the line shoreward will generate even more practical difficulties than it can solve.

In addition to failing to perform its basic purpose of physically separating the high seas from inland waters, the proposed line also fails even to solve those alleged problems it was designed to solve. For example, the present line was criticized as not being easily located. But how much more difficult is it to locate a line which follows the "general configuration of the coast line" than to locate a line whose exact coordinates can readily be determined? Especially when the meaning to be attributed to the word "coastline" may not be its recognized legal definition.

The present line is further criticized for impeding fishing by arbitrarily requiring a vessel to "change lights in the middle of a fishing operation." But how much greater is the frequency of fishing in the area of the proposed line than is the frequency of fishing in the area of its present location, and how much more likely the impedance through the same arbitrary application?

The location of the outer limit of inland waters may be but is not necessarily related to line of sight of land. Apparently the Coast Guard would rely on that rule which no longer is followed nationally or internationally and cannot have useful application to the Louisiana terrain.

For a major part of the proposed new line, there is no definite and certain description by bearings or ranges, with reference to specific lighthouses, light vessels, buoys, or coast objects as required by the statute. The broad terminology "following the general configuration of the coast line" is the only designation and definition employed for hundreds of miles of the Louisiana coastal area.

The proposed designation and definition is no designation and definition at all. It is not authorized by the terms of the statute, and clearly not authorized by its intent, which was to provide for a certain definite designation tied to identifiable physical points with compass bearings or ranges between those points across water.

This proposal begs the very type of question which the statute seeks to have resolved by the Coast Guard demarcation of the line. It uses the legal term "coast line" and calls upon the mariner to make sophisticated and complex mixed legal-factual judgments when crossing between the infinite variety of conceivable headland relationships.

The complexities of the indentations are so great that even the Coast Guard has not attempted to place a line upon any maps which would be definite and controlling under the language employed in the proposal.

It is incorrect even to say that there are criteria in the phrase "the general configuration of the coast line." No definition of this term is furnished and it will pose to the mariner the very same sophisticated and complex legal problems which the State of Louisiana and the United States have been unable to resolve in more than 20 years of litigation. The Coast Guard cannot reasonably expect a fisherman to make the correct factual and legal decision or be at fault if he errs when it is probably impossible to see the low-lying land by day, and certainly impossible to see it at night.

All this uncertainty and chaos would occur not far out in open water where vessels had long since taken their separate paths, but rather close to shore in shallow water.

In these areas congestion of traffic and limited availability of space and depth for navigational moves are factors which make the proposed changes hazardous. Safety of navigation relates not only to the definiteness and certainty of the line, but requires avoidance of confusion resulting from different signals being displayed in the same general area of frequent encounter by vessels. This problem is not normally present many miles offshore. And this is exactly why it was navigationally sound then and now for the Coast Guard Commandant to have defined and designated the 1953 line: it avoided having to involve thousands upon thousands of small coastal vessels in changing from one system to another or in being alert to such changes.

As to the suggestion that the statutes mentioned in the Notice of the Proposed Rule Making require a relocation of the line to serve the intent of those statutes, this was not the determination of the Coast Guard Commandant in 1953 (nor of his predecessors), and the intent of Congress has not changed since that date. Otherwise Congress would have spoken.

Dredged and buoyed channels dredged and maintained by the United States alone in which fishing is subordinate to sea traffic using these lanes cannot reasonably be considered high seas to be controlled only by international agreement. Such treatment would be specifically contrary to the view announced in the case of *The Delaware*, 161 U.S. 459, 16 Sup. Ct. 516 (1896), that the dredged channel constituting an entrance way to the harbor is as much a part of the inland waters as the inner portions of the harbor itself. Furthermore, *The Delaware* also found, as did the case *United States* v. *Newark Meadows Improvement Co.*, 173 F. 426 (1909), that the Act of February 19, 1895 was for the purpose of delimiting the inland waters of the United States.

CONCLUSION

In conclusion, it appears that the location of the proposed inland water line is far too restrictive; its proposed location is without authority in federal or international law; and its location will impinge upon the Nation's security as well as upon the coastal economy, and the safety of vessels plying coastal waters, and is inconsistent with the duty and tradition of the Coast Guard.

Respectfully submitted by the State of Louisiana.

———, 1967
JOHN J. MCKEITHEN,
Governor, State of Louisiana.
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Attorney General, State of Louisiana.

DE GAULLE REPEATS CALL FOR A "FREE QUEBEC"

(By Smith Hempstone)

LONDON.—An unrepentant President de Gaulle last night poured verbal gasoline on the smouldering cinders of French Canadian separatism.

In a statement issued after a marathon four-and-a-half-hour cabinet meeting, the general in no significant way softened the impact of his "long live free Quebec" remark made last week during his visit to Expo 67. De Gaulle cut short his visit after Prime Minister Lester Pearson termed his Montreal words "unacceptable" to the Canadian government.

Last night's statement, De Gaulle's first since the visit, reaffirmed France's intention of helping Canada's six million people of French descent to "achieve the liberating aims that they have set themselves." The general spoke of "the century of oppression" which followed British Gen. James Wolfe's defeat of Gen. Louis Montcalm on the Plains of Abraham outside Quebec in 1759.

DERIDES ACT OF 1867

Finally, the 76-year-old president charged that the British North America Act of 1867 (Canada's constitution) "had not assured them (French Canadians), in their own country, of liberty, equality and fraternity."

Almost gratuitously, the general added that "France has no aim of control, nor, a fortiori (more certainly), of sovereignty, over all or part of the Canada of today."

That is a little like Gen. Franco modestly denying Spanish sovereignty over Los Angeles, which once was ruled by Madrid and contains many Spanish-speaking citizens.

Only in that it did not openly and exclusively espouse the cause of Quebec separatism (80 percent of the province's population is French-speaking) was the French statement less provocative than the general's Canadian utterance.

French Information Minister Georges Gorse, who said the cabinet was unanimous in its support of De Gaulle on the matter, was at pains to point out to reporters that "free" was not the same thing as "independent" and that the general had mentioned the possibility that French Canadians might become "masters of their own progress through evolution of Canada as a whole."

SECESSION CITED

Gorse added, however, that France "does not exclude any" possible solutions to problem of Quebec, presumably including that of province's secession.

Quebec's premier Daniel Johnson caused concern in Ottawa in April when he established a ministry of intergovernmental affairs, which functions virtually as foreign ministry. The ministry's Paris office, which can be expected to be the center of considerable activity in coming months, is headed by veteran Canadian diplomat Jean Chapdelaine.

Johnson, who refers in speeches to Quebec as "a nation," is calling for a new constitution which would grant the province complete autonomy. He is said to be considering applying for membership in the United Nations educational, scientific and cultural organization.

ENCOURAGEMENT TO EXTREMISTS

While Johnson never has called for complete independence for Quebec, De Gaulle's statements are likely to encourage extremists to a point where it will be necessary for the premier to adopt a more radical posture.

De Gaulle clearly sees Quebec moving toward independence and is willing to accept the diplomatic consequences of supporting this movement as far as he can.

It is difficult under the circumstances to see how Ottawa can maintain normal relations with Paris. On this matter, Gorse somewhat simplistically said, that all Canada had to do to remain on good terms with France was to give Quebec the right to choose "its own destiny."

The possibility of French cabinet resignations over De Gaulle's display of diplomatic bad manners in Canada never was a real one. Not the least attribute required for service in the French cabinet is total loyalty to the person and policies of the aging general.

Nor are elections normally won or lost in France over questions of foreign policy. But the general's unrepentant stand could backfire on him indirectly when the National Assembly reconvenes in October.

De Gaulle's government, ruling by decree in economic and social matters until that date, is forcing through a number of unpopular measures.

Gorse announced two of them yesterday. One will reduce social security payments to oldsters and raise contributions of workers and corporations. Another will force profit-sharing and stock-sharing in firms with more than 100 employees.

These moves in themselves figured to put a dent in De Gaulle's slender majority in national assembly. The furor produced by the general's meddling in Canada's internal affairs could be just sufficient to turn enough wavering deputies against him to put the government in real trouble this fall.

Finally, the general's support of Quebec's secessionists could stir some feathers in his own barnyard. Hard times for farmers in Celtic Brittany have produced a minor resurgence of "BZH" bumper stickers, slogan of extremists among 3.5 million Bretons.

It might be sauce for De Gaulle's gander if Pearson were to journey to Rennes to shout "Breizh atao," celtic for "Brittany forever."

The London Times said it all about De Gaulle this morning when it editorialized, "One begins to wonder why he is not attending the rally of revolutionaries and protest singers in Havana."

CHEER IS GIVEN TO SEPARATISTS

OTTAWA—Many in Canada today rejected President Charles de Gaulle's pledge of France's help in the "liberation" of French Canadians from domination by the English-speaking provinces. But the separatist minority was overjoyed.

Prime Minister Lester B. Pearson and his aides had no comment while they studied the statement issued in Paris on De Gaulle's behalf.

In Montreal, Pierre Bourgault, president of the separatist Rassemblement Pour l'Independence Nationale, acclaimed De Gaulle's statement as an "example for all Quebeccers" of "a sovereign government which stands up and which goes to the very bottom of things which it has started."

He lauded "the courage of the French government which did not hesitate to support Gen. de Gaulle's attitude to the end."

Quebec Premier Daniel Johnson commented: "I think we can solve Canada's political problems in Canada."

"We don't need De Gaulle's advice or assistance," said Premier John Robarts of Ontario. "We'll work out these problems ourselves."

Premier E. C. Manning of Alberta said it was "absurd" for De Gaulle to say that the French Canadians did not have equality.

DEPARTMENT OF TRANSPORTATION—COAST GUARD

[33 CFR Part 82]

[CGFR 67-40]

GULF OF MEXICO FROM CAPE ST. GEORGE, FLA., TO MEXICO

Proposed changes in boundary lines of inland waters; public hearings

1. The Commandant, U.S. Coast Guard, will consider proposals to add or change the Rules of the Road demarcation line in the Gulf of Mexico, starting at Cape St. George, Fla., and following along the coastline to Mexico. Interested persons and organizations are requested to submit written or oral comments about the proposals in this document. For the convenience of those who may be affected, a series of public hearings have been scheduled to be held by the Commander, 8th Coast Guard District, or the Chief, Merchant Marine Safety Division, 8th Coast Guard District, at which written and oral comments may be submitted, or written comments may be submitted prior to hearings, as described in detail in paragraph 2. Each comment submitted will be considered and evaluated. After the rules and regulations are approved by the Commandant they are published in the FEDERAL REGISTER as required by law. If a proposal is not accepted by the Commandant, it may be withdrawn or it is rejected.

2. The Chief, Merchant Marine Safety Division, 8th Coast Guard District, will conduct the public hearings in Corpus Christi, Tex., Galveston, Tex., Morgan City, La., and *Mobile, Ala., and the Commander, 8th Coast* Guard District will hold the public hearing at New Orleans, La. Oral and written comments may be submitted at these public hearings. The written comments, in triplicate, should be addressed to the Commandant (CMC), care of the local official indicated below. When mailed, the comments should be sent at least 24 hours before the date of the public hearing to insure consideration. In order to insure consideration of written comments and to facilitate checking and recording, it is requested that a separate Form CG-3287 or a separate letter be submitted regarding each section or paragraph of the proposed regulations in this document commented on, showing the section number (if any), the name, the proposed change, the reason or basis, and the name, business firm or organization (if any), and the address of the submitter. With the Coast Guard printed notice will be a small quantity of Form CG-3287 and additional copies may be reproduced by typewriter or otherwise. The schedule of dates, times, and places of public hearings and the locations to which written comments may be submitted are as follows:

No.	Public hearings	Final date, name, and address for submitting written comments
1	Corpus Christi, Tex.: Aug. 1, 1967—1:30 p.m., room 216, U.S. Courthouse, 521 Sparr St., Corpus Christi, Tex.	Aug. 1, 1967—Mailing date—July 31, 1967. Commandant (CMC) care of Officer in Charge, Marine Inspection, U.S. Coast Guard, Room 101, Federal Bldg., Corpus Christi, Tex. 78401.
2	Galveston, Tex.: Aug. 2, 1967—1:30 p.m., board room, chamber of commerce building, 315 Tremont St., Galveston, Tex.	Aug. 2, 1967—Mailing date—Aug. 1, 1967. Commandant (CMC) care of Officer in Charge, Marine Inspection, U.S. Coast Guard, Room 232, Customhouse, Galveston, Tex. 77550.
3	Morgan City, La.: Aug. 3, 1967—1:30 p.m., city court room, city court building, 1663 Highway 90, Morgan City, La.	Aug. 3, 1967—Mailing date—Aug. 2, 1967. Commandant (CMC) care of Officer in Charge, Marine inspection, U.S. Coast Guard, 310 Customhouse, 423 Canal St., New Orleans, La. 70130.
4	Mobile, Ala.: Aug. 4, 1967—1:30 p.m., 1st floor International Trade Center, 250 North Water St., Mobile, Ala.	Aug. 4, 1967—Mailing date—Aug. 3, 1967. Commandant (CMC) care of Officer in Charge Marine Inspection, U.S. Coast Guard, Room 565, Federal Bldg., Mobile, Ala. 36602.
5	New Orleans, La.: Aug. 7, 1967—1:30 p.m., room 609, Federal office building, 600 South St., New Orleans, La.	Aug. 7, 1967—Mailing date—Aug. 5, 1967. Commandant (CMC) care of Officer in Charge, Marine Inspection, U.S. Coast Guard, 310 Customhouse, 423 Canal St., New Orleans, La. 70130.

3. The proposed changes to the demarcation line in the Gulf of Mexico extend from Cape St. George, Fla., to the Rio Grande River, Tex. The present demarcation line is not easily located and therefore is not serving its purpose of informing mariners about the rules of the road applicable to their present positions. At some points the line is located more than 20 miles from the nearest land; even worse, one leg of this line is drawn between two offshore aids to navigation that are over 120 miles apart. The International Rules of the Road and Inland Rules of the Road currently prescribe different lights for fishing vessels engaged in trawling. It is difficult for fishing vessels in the Gulf of Mexico area to determine which set of rules applies to them. If such a determination could be made, it would be arbitrary to require a vessel engaged in fishing to change lights in the middle of a fishing operation taking place anywhere from 10 to 20 miles offshore. The same principles apply to any power-driven vessel using whistle signals or to any vessel sounding fog signals. The proposed change would bring the demarcation line back to the shoreline and from headland to headland or along any conveniently located islands close *to shore. This would make it possible for all* mariners to locate the demarcation line easily without recourse to elaborate navigation.

4. Various laws affecting marine safety are effective on either the inland or the seaward side of the demarcation line. The line itself is utilized by statutes because it is a convenient line known to navigators and because ti is marked on all appropriate charts. However, the selection of this line as the dividing line between waters in which certain statutes apply is logically based upon an assumption that the waters to seaward of the line are exposed to hazards of the sea and that those on the shoreward side are protected and confined. The Officers Competency Act, the Coastwise Loadline Act, and the law requiring inspection of seagoing motor-propelled vessels of 300 gross tons and over, apply outside the line; the promulgation of hawser length restrictions is applicable only on the shoreward side of the line. The proposed changes should make the location of the line consistent with the intent of the statutes that specifically mention it. The existing Gulf demarcation line extends almost 20 miles out into international waters, as recognized by the State Department. The United States has authority under International Law to establish Rules of the Road beyond the limit of territorial waters and International Law is flexible in this area. The relocation of the line well within territorial waters removes any question of International Law.

5. The current demarcation line is drawn through aids to navigation located about 15 miles from the coast at Caillou Bay and about 10 miles off the coast at Calcasieu Pass, which aids are over 120 miles apart. This condition makes it extremely difficult for the master of any vessel operating near the line to determine which set of Rules of the Road applies. Moving the line so that it is crossed as a vessel enters any jetty or passes a headland will make the location of the transition from one set of rules to the other easy to pinpoint. As most vessels in the Gulf area do not have radar, a simple visual identification of the line will permit the line to effect its purpose and should accordingly increase safety of navigation.

6. The authority to prescribe rules and regulations describing the boundary lines of inland waters is in section 2 of the act of February 14, 1903, as amended (sec. 2, 28 Stat. 672, as amended; 33 U.S.C. 151). The delegation of authority for the Commandant, U.S. Coast Guard, to prescribe regulations is in section 632 of Title 14, U.S. Code, and Department of Transportation Order 1100.1, dated March 31, 1967 (49 CFR 1.4(a)(2), 32 F.R. 5606), to prescribe regulations in accordance with the laws administered by the Coast Guard. Under this authority it is proposed to consider the following changes:

Gulf Coast

7. It is proposed to amend Part 82 by adding a § 82.91 reading as follows:

§ 82.91 Cape St. George, Fla., to St. Andrew Bay, Fla.

Starting from a point on the seaward shoreline of St. George Island, Fla., at Cape St. George and proceeding northwesterly along the coast of St. George Island to a point at position 29°37.5′ N. latitude, 85°05.8′ W. longitude; thence along a line to a point on St. Vincent Island, Fla., at position 29°37.8′ N. latitude, 85°06.5′ W. longitude; thence along the seaward shoreline of St. Vincent Island, Fla., to the westernmost point of St. Vincent Island; thence on a line to the easternmost point of Indian Peninsula, Fla.; thence along the shoreline to the northernmost point of St. Joseph Spit; thence on a line due east to the Florida Coast; thence along the shoreline to the northernmost tip of Crooked Island, Fla.; thence on a line due east to the Florida Coast; thence along the Florida Coast to a point at position 30°05.2' N. latitude, 85°38.6' W. longitude; thence on a line to the easternmost point of Shell Island, Fla.; thence along the seaward shoreline of Shell Island to the easterly jetty of St. Andrews Bay Entrance Channel and along the jetty to seaward end.

8. It is proposed to amend Part 82 by adding § 82.93 reading as follows:

§ 82.93 St. Andrew Bay, Fla., to Mobile Bay, Ala.

Starting from a point on the seaward end of easterly jetty of St. Andrew Bay Entrance Channel along a line to the seaward end of the westerly jetty; thence back along the jetty to the shoreline and along the shoreline to a point at position 30°23.6' N. latitude, 86°30.8' W. longitude; thence along a line to a point on Santa Rosa Island, Fla., at position 30°23.4' N. latitude, 86°31.2' W. longitude; thence along the Florida Coast to a point on the western end of Santa Rosa Island at position 30°19.7' N. latitude, 87°18.2' W. longitude; thence along a line to a point at position 30°19.6' N. latitude, 87°18.8' W. longitude; thence along the Florida Coast to Perdido Pass Bridge, along the seaward line of the bridge to Alabama Point; thence along the Alabama Coast to a point on Mobile Point at position 30°13.3' N. latitude, 88°01.6' W. longitude; thence along a line to a point on Dauphin Island, Ala., at position 30°14.8' N. latitude, 88°04.5' W. longitude.

9. It is proposed to amend § 82.95 to read as follows:

§ 82.95 Mobile Bay, Ala., to South Pass, La.

Starting from a point at position 30°14.8' N. latitude, 88°04.5' W. longitude, on Dauphin Island, Ala., proceeding along the shoreline to the western most tip of Dauphin Island; thence along a line to the eastern most tip of Petit Bois Island; thence along the shoreline to the western most tip of Petit Bois Island; thence along a line to the eastern most tip of Horn Island; thence along the shoreline of Horn Island to the western most point of Horn Island; thence along a line to Ship Island Light; thence along a line to Chandeleur Island Light; 30°02.8' N. latitude, 88°52.3' W. longitude; thence in a curved line following the general trend of the seaward high water shorelines of the Chandeleur Islands to the southwestern most extremity of Errol Shoal (29°35.8' N. latitude, 89°00.8' W. longitude); thence along a line to the northern most edge of Grand Gosier Island; thence along the shoreline to the southern most point of Grand Gosier Island; thence along a line to Main Pass (29°21.1' N. latitude, 89°12.0' W. longitude); thence following the general configuration of the coastline to the southern most edge of South Pass East Jetty.

10. It is proposed to amend Part 82 by adding § 82.98 reading as follows:

§ 82.98 South Pass.

From the southern most edge of South Pass East Jetty, along a line to South Pass Range Front Light; thence following the general configuration of the coastline to the southern most edge of Southwest Pass East Jetty.

11. It is proposed to amend Part 82 by adding § 82.99 reading as follows:

§ 82.99 Southwest Pass.

From the southern most edge of Southwest Pass East Jetty; thence along a line to the southern most edge of Southwest Pass West Jetty.

§ 82.100 [Canceled]

12. It is proposed to cancel § 82.100 *Mississippi River.*

13. It is proposed to amend Part 82 by adding § 82.101 reading as follows:

§ 82.101 Southwest Pass to Atchafalaya Bay.

From the southern most edge of Southwest Pass West Jetty along a line following the west jetty northward to a point at 28°56.7' N. latitude, 89°24.7' W. longitude; thence following the general configuration of the coastline, on the seaward side of coastal islands, to the western edge of Timbalier Island; at 29°04.7' N. latitude, 90°31.1 W. longitude; thence along a line to the eastern edge of Isles Dernieres; thence along a line following the general configuration of the coastline to a point at 29°02.3' N. latitude, 90°50.3' W. longitude; thence along a line northward to a point at 29°04.0' N. latitude; 90°50.7' W. longitude; thence along a line following the general configuration of the coastline to a point on Point Au Fer Island at 29° 19.5' N. latitude, 91°21.3' W. longitude; thence along a line to Point Au Fer Reef Light.

14. It is proposed to amend Part 82 by adding § 81.102 reading as follows:

§ 82.102 Atchafalaya Bay to Calcasieu Pass.

From Point Au Fer Reef Light along a line to a point on Southwest Reef at 29°28.5' N. latitude; 91°30.2' W. longitude; thence along a line to the southern edge of South Point on Marsh Island; thence along a line following the general coastline to the tip of Lighthouse Point on Marsh Island; thence along a line to a point at 29°35.2' N. latitude, 92°02.5' W. longitude; thence along a line following the general coastline to Calcasieu Pass East Jetty (29°45.7' N. latitude, 93°20.5' W. longitude).

15. It is proposed to amend to amend § 82.103 to read as follows:

§ 82.103 Calcasieu Pass to Sabine Pass.

From a point at Calcasieu Pass East Jetty (29°45.7' N. latitude, 93°20.5' W. longitude) along a line southward following the East Jetty, to the southern edge of the jetty; thence along a line to the southern edge of Calcasieu Pass West Jetty; thence along a line northward, following the West Jetty to point of land at 29°45.5' N. latitude, 93°20.7' W. longitude; thence along a line following the general coast line to Sabine Pass, East Jetty (29°41.5' N. latitude, 93°50.0' W. longitude).

16. It is proposed to amend Part 82 by adding § 82.104 reading as follows:

§ 82.104 Sabine Pass to Galveston Entrance Channel.

From a point at Sabine Pass East Jetty (29°41.5' N. latitude, 93°50.0' W; longitude) along a line southward following the East Jetty to the southern edge of the jetty; thence along a line to the southern edge of Sabine Pass West Jetty; thence along a line northward following the west jetty to point of land at 29°40.9' N. latitude; 93°50.3' W. longitude; thence along a line following the general coastline to Galveston Entrance Channel North Jetty (29°22.2' N. latitude, 94°45.0' W. longitude).

17. It is proposed to amend Part 82 by adding § 82.105 reading as follows:

§ 82.105 Galveston Entrance Channel to Freeport Entrance Channel.

From a point at Galveston Entrance Channel North Jetty (29°22.2' N. latitude, 94°45.0' W. longitude), along a line southeastward following the jetty to the southeastern edge of the jetty; thence along a line to the southeastern edge of Galveston Bay Entrance Channel South Jetty; thence along a line westward, following the south jetty to point of land at 29°19.9' N. latitude, 94°43.8' W. longitude; thence along a line following the general coastline to Freeport Entrance Channel North Jetty (28°56.1' N. latitude, 95°17.7' W. longitude).

18. It is proposed to amend § 82.106 reading as follows:

§ 82.106 Freeport Entrance Channel to Matagorda Ship Channel.

From a point at Freeport Entrance Channel North Jetty (28°56.1' N. latitude, 94°17.7' W. longitude) along a line southeastward following the jetty to the southeastern edge of the jetty; thence along a line to the southern edge of Freeport Entrance Channel South Jetty; thence along a line northwestward, following the jetty to point of land at 28°56.0' N. latitude, 95°17.8' W. longitude; thence along a line following the general coastline to Matagorda Ship Channel East Jetty (28°25.6' N. latitude, 96°19.4' W. longitude).

19. It is proposed to amend Part 82 by adding § 82.107 reading as follows:

§ 82.107 Matagorda Ship Channel to Aransas Pass.

From a point at Matagorda Ship Channel East Jetty (28°25.6' N. latitude, 96°19.4' W. longitude) along a line southeastward following the jetty to the southeastern edge of the jetty; thence along a line to the southern edge of Matagorda Ship Channel West Jetty; thence along a line northwestward following the jetty to point of land (28°25.4' N. latitude, 96°19.7' W. longitude); thence along a line following the general coastline to Decros Point, Matagorda Peninsula (28°24.1' N. latitude, 96°22.5' W. longitude); thence along a line to the eastern edge of Matagorda Island (28°20.6' N. latitude, 96°23.9' W. longitude); thence along a line following the general coastline to Aransas Pass North Jetty (27°50.3' N. latitude, 97°02.7' W. longitude).

20. It is proposed to amend Part 28 by adding § 82.108 reading as follows:

§ 82.108 Aransas Pass to Port Mansfield Entrance Channel.

From a point at Aransas Pass North Jetty (27°50.3' N. latitude, 97°02.7' W. longitude) along a line southeastward following the jetty to the southeastern edge of the jetty; thence along a line to the southeastern edge of Aransas Pass South Jetty; thence along a line northwestward following the jetty to point of land at (27°50.1' N. latitude, 97° 02.8' W. longitude); thence along a line following the general coastline to Port Mansfield Entrance Channel North Jetty (26°33.8' N. latitude, 97°16.5' W. longitude).

21. It is proposed to amend Part 82 by adding § 82.109 reading as follows:

§ 82.109 Port Mansfield Entrance Channel to Rio Grande River.

From a point at Port Mansfield entrance Channel North Jetty (26°33.8' N. latitude, 97°16.5' W. longitude) along a line eastward following the jetty to eastern edge of the jetty; thence along a line to the eastern edge of Port Mansfield Entrance Channel South Jetty; thence along a line westward following the jetty to point of land at (26° 33.7' N. latitude, 97°16.2' W. longitude); thence along a line following the general coastline to Brazos Santiago Entrance Channel North Jetty (26°04.0' N. latitude, 97° 09.2' W. longitude); thence along a line eastward following the jetty to the eastern edge of the jetty; thence along a line to the eastern edge of Brazos Santiago Entrance Channel South Jetty; thence following the jetty to point of land at (26°03.8' N. latitude, 97°09.0' W. longitude); thence along a line following the general coastline to the Rio Grande River (25°58.2' N. latitude, 97°08.7' W. longitude).

§ 82.111 [Cancelled]

22. It is proposed to cancel § 82.111 *Galveston, Tex., to Brazos River, Tex.*

§ 82.116 [Cancelled]

23. It is proposed to cancel § 82.116 *Brazos River, Tex., to the Rio Grande, Tex.*

Dated: June 14, 1967.

P. E. Trimble,
Vice Admiral, U.S. Coast Guard,
Acting Commandant.

[F.R. Doc. 67-6862; Filed, June 19, 1967; 8:45 a.m.]

CARE HELPS ASSUAGE WORLD HUNGER

Mr. WALKER. Mr. Speaker, I ask unanimous consent that the gentleman from California [Mr. Hanna] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New Mexico?

There was no objection.

Mr. HANNA. Mr. Speaker, there has been much both written and said about the Federal Government's programs to alleviate the world hunger crisis. Private organizations, financed by public donations from individuals and groups, like CARE, Inc., are also making significant contributions in this area.

The following is a summary of the two basic CARE programs, the self-help program and the food crusade:

CARE

CARE's Self-Help Program aims at combining CARE food deliveries with tools and services in order to help the world's needy people build a better life for themselves. CARE's American staff members in each area report specific supplies needed by institutions, groups and individuals engaged in local improvement efforts.

CARE's goal for the 1966–67 program year, in its Food Crusade, was to help feed a total 40 million people in thirty-two countries. Wherever possible, local governments pay all or part of CARE's distribution costs. CARE utilizes food from U.S. Food for Peace donations of farm abundance, as well as buying food to match local diets and products donated by private firms.

Summaries of the programs being conducted as well as the problems they have encountered in some of the thirty-two countries where CARE operates follow:

I. MIDDLE-FAR EAST REGION

A. Ceylon

Political consideration held programming down until approximately a year ago. Several projects approved in the past six months concentrated on the need to increase agricultural production.

B. Hong Kong

A pilot project has been initiated here by the construction of a combination community center-feed store in a pig farmer's village. Corn is provided to the farmer at a reduced rate to encourage him to improve and expand his pork production. Tied in with this is a revolving fund established to provide credit to pig farmers to enable them to build proper sties.

C. India

CARE conducts a school feeding program that feeds nearly 9 million children daily in twelve states.

D. Iraq

CARE distributes seed packages, primarily to schools which receive U.S. commodities through CARE. Also working to develop projects in conjunction with FAO, but they are not firm yet.

E. Malaysia

Experimenting with a poultry program under which rural farmers are given a basic "kit," consisting of chicks, feed, a heating lamp, waterer and fencing, which are provided by Peace Corps volunteers to farmers who have shown sufficient interest to build a simple shed and brooder. The first kits have proved to be a considerable success. Farmers have seen the wisdom of not allowing their chickens to run wild in the traditional pattern of "poultry raising," with its high mortality rate.

F. Pakistan

Last year, in conjunction with the East Pakistan Water and Power Development Authority and FAO, CARE provided two hundred improved plows to master farmers in clubs organized by the E.P.W.A.P.D.A. in its efforts to increase productivity in the district of Kushtia.

G. Philippines

CARE works closely in conjunction with the Philippine Rural Reconstruction Movement, which trains workers to teach and mobilize people in rural areas to overcome poverty, disease, illiteracy and civic inertia.

II. LATIN AMERICAN REGION

In this region, AID-Alliance for Progress have stepped into many of the project areas, such as school construction, on a large scale.

A. Dominican Republic

School feeding program that supplies standard kits to school gardens and playgrounds.

B. British Honduras

Broad effort to lessen the dependence on importation of food from outside the country by increasing domestic productivity.

C. Colombia

Most extensive feeding program in Latin America, composed of the standard kits.

III. AFRICA AND MEDITERRANEAN REGION

A. Europe

Scheduled for phase-out within the next several years.

1. Greece

AID's disapproval of further shipments to Greece of Title III flour, the mainstay of CARE's school-lunch programs, threatened to put the whole program in jeopardy. However, the Greek Government has decided to assume responsibility for continuing the program with its own commodities. For the past several years, efforts have been directed toward increasing food production, especially in rural areas.

B. Middle East

1. Cyprus

Since hostilities broke out between Turkish and Greek communities in December of 1963, CARE has had difficulty operating in an atmosphere of political neutrality and for a while became a target for anti-American feeling. The school feeding program resumed last year after President Makarios made a public statement in support of CARE, but fewer schools participated than before the disruption and no self-help programming was attempted. The situation has not improved and the mission is expected to close immediately unless a last-ditch attempt to obtain full cooperation from the Cypriot Government proves successful.

2. Egypt

This is one of the few missions where CARE is able to engage in family planning assistance. The program originated with a request from several private groups.

3. Jordan

CARE operates an institutional feeding program, in cooperation with the Ministry of Social Affairs. CARE is also in contact with most of the private Jordanian organizations, some of which were formed specifically to offer temporary relief to Palestinian refugees. One project under consideration is to provide seeds and agricultural hand tools to thirteen village cooperatives.

4. Turkey

Particularly concerned right now with providing relief to the victims of earthquakes, both the recent one and the one of August, 1966. In 1966, CARE immediately released 71,000 pounds of milk powder, bulgar wheat and flour after the disaster. In its normal operations, CARE is working closely with the Peace Corps, focusing on rural development. It has engineered a major break-through in the food-preservation industry, after three years of effort. Because of a limited market, no one has been willing to manufacture preserving jars locally. Imported jars are beyond the means of all but the affluent, and food preservation techniques are not generally known. Hence, thousands of tons of fruits and vegetables go to waste each summer, which could, if preserved, reduce the winter food shortages. CARE persuaded Turkey's largest glass concern to experiment with the manufacture of heat-resistant jars, while it made plans for teaching preserving techniques to the people. The response has been gratifying.

5. Israel

Israel's Law of Return, virtually an invitation to Jews all over the world to settle in Israel, has created a unique situation. Most of the immigrants in the past four years have come from the Orient and of these a very high percentage are illiterate, unskilled, very old or very young, mentally or physically disabled—and destitute. The Government of Israel is thus faced with an ever-growing problem of assimilating into its rapidly industrializing economy large numbers of unskilled and culturally backward people. There are two problems CARE faces here. The Government's sophisticated and often very costly requests often come into conflict with CARE's own philosophy of meeting *basic* needs. Also, important restrictions limit further the kinds of assistance CARE can render.

C. West Africa

"Least developed" of all CARE's areas of operation. There are four basic impediments to develop that clearly stand out: the climate, the poor quality of African soil, the tribal social structure and the absence of a developed infrastructure and civil service. Under tribal practice, land is held in usufruct by farmers with permission from their village or Paramount Chief. This has a negative effect on farmers' incentive to improve the land and also hinders the establishment of an agricultural credit system.

1. Liberia

CARE programs here include a food-for-work road construction project in the isolated southeastern county of Sinoe and a garden kit project.

2. Sierra Leone

An interesting project here is that of outboard motor maintenance and repair. A Peace Corps volunteer will visit the villages along the coast, in a launch provided by CARE, and repair outboard motors for a nominal fee, as well as offering instruction in outboard motor repair. It is hoped this will encourage more fishermen to purchase outboard motors, which would enable them to venture further from shore and thus increase their catch. CARE is also assisting the Cooperative Marketing Society of Kabala, the district capital of the northern province, by providing vegetable seeds, gardening implements, fertilizers, fungicides, insecticides, and two trucks so that the cooperative can increase its market potential and membership. If this project is successful, it could make Sierra Leone self-sufficient in its vegetable production.

These are only a few of the programs conducted by CARE, those directly related to alleviating the world hunger problem. Many more countries than mentioned above are served by some facet of CARE's overall program. CARE works closely with the governments of many of the countries involved or with local private organizations, in order to develop programs that can effectively operate to alleviate the specific problems faced by the individual countries.

AN OUTSTANDING KENTUCKY LADY—MRS. PAULINE LEWIS

Mr. WALKER. Mr. Speaker, I ask unanimous consent that the gentleman from Kentucky [Mr. Watts] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there

objection to the request of the gentleman from New Mexico?

There was no objection.

Mr. WATTS. Mr. Speaker, in this time and day we are well accustomed to having outstanding "doers" among us—many of these being women. One of these women I think deserves special attention. She is Mrs. Pauline Lewis of Frankfort, Ky.

I have known Mrs. Lewis for many years. I once had the pleasure of having Mrs. Lewis work on my staff when I served as commissioner of motor transportation for the Commonwealth of Kentucky, before coming to Washington.

Mrs. Lewis now has been acclaimed one of the 10 outstanding women in Kentucky for 1967—an honor bestowed upon her by the Kentucky Business and Professional Women's Club. This is not the first recognition she has received for her achievements, however. In 1965 Mrs. Lewis was named "Realtor of the Year." Never before had a woman been given this honor. This same year the National Association of Real Estate Boards acclaimed Mrs. Lewis one of the three outstanding women realtors of the entire Nation.

Mrs. Lewis began her realty career in somewhat of a remarkable way. Upon joining her uncle's real estate firm in Frankfort, she began to sell houses, but soon she was selling only the houses which she had built and decorated for her own use. This prompted Mrs. Lewis to open her own building service. Then her husband, William E. Lewis, who is a member of the Franklin County Fiscal Court and a former golf course builder, gave up his job to join his wife's real estate firm. Mrs. Lewis, through dedicated work and service has developed her firm today into one of the leading residential sales firms in central Kentucky.

Ever since opening her own business, Mrs. Lewis has been an active member of the Frankfort Board of Realtors. Presently, she is serving a 3-year term on the board of directors and is a member of the Committee on Professional Standards.

Along with her outstanding business success, Mrs. Lewis also has given generously of her personal time and effort to serving her community. She was the first woman to be elected to the board of directors of the Frankfort Chamber of Commerce. She has served on the board of directors of Kennebec Hall, and on the board of directors of the Franklin County Red Cross Chapter. As chairman of several city beautification projects, Mrs. Lewis has helped to make these projects in every case most successful.

The record clearly shows that Mrs. Lewis, while achieving an outstanding professional career in business, also has lead an exemplary life in dedicated public service. She is indeed one of Kentucky's most outstanding citizens. Kentucky is proud and honored to have such a lady.

ACTION—NOT WORDS—CAN END THE SHAME OF RIOTS

Mr. WALKER. Mr. Speaker, I ask unanimous consent that the gentleman from Texas [Mr. CASEY] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New Mexico?

There was no objection.

Mr. CASEY. Mr. Speaker, the shame of riots that have brought death and devastation to our land has also filled the air with harsh charge and countercharge.

Men of good will—those who normally take an enlightened position based on logic and reason—have reacted impetuously. The quiet voice of reason has been stilled by the raucous cry of the street-corner dissenter, and vain efforts to find a scapegoat have brought hurried attempts to point the finger of blame at the terrible cause of our domestic crises. Such harsh accusations fill the airways and the pages of our news media, that all of us must stand and speak out.

Our distinguished chairman of the House Appropriations Committee, GEORGE MAHON, of Texas, answered once and for all the critics across the land who have tried to lay the blame on this Congress. In a magnificent speech to the House on July 31—largely ignored by the press—he cited fact after fact on the great contributions this Congress has made to benefit the poor across our land. It is a record of achievement that all Americans can take pride in, and particularly, we in this House should do our utmost to answer such false charges.

I considered it unfortunate, indeed, that our Vice President—and I read in this morning's newspaper, our Secretary of Agriculture—did not take the time to do the research that our distinguished colleague did before accusing this Congress of inaction on programs to help the poor.

I can excuse self-serving statements from those political leaders in stricken cities who must stand for reelection, and who do not have the courage to admit their own inability to provide the leadership that could have prevented chaos from striking their community.

But I call on those administration officials, who should know better, that before you speak, look to your own house and examine it closely.

Tell the American people—and this Congress—what strong, decisive steps you have taken to end the needlesss redtape piled in the way of communities seeking urgent help to resolve the crises that beset them.

If the Interior Department can fund portable swimming pools in the District of Columbia—can it not also fund them in Detroit, or Newark, or Harlem?

If rat extermination has suddenly become a problem of major concern—how come the Agriculture Department, the Interior Department, and the U.S. Public Health Service have not taken fast action to end it? A distinguished colleague pointed out that the Agriculture Department, and Interior Department, have existing rodent control programs, of varying degrees of effectiveness—and PHS funds aid local health agencies who have their own programs in operation. If they need more money for this purpose, let us give it to them. Not start another program.

Why now should it be the function of the Housing and Urban Development Department to kill rats—when heretofore it has primarily been a health program and should rightfully be under the Health, Education, and Welfare Department?

Why is it necessary, as under H.R. 11000—the rat extermination bill—that a city had to submit and have approved by HUD a "workable program" including zoning before it could receive aid to kill rats?

Do rats only bite the poor in zoned cities? Why should my city of Houston, Tex., without zoning, be precluded from participating in such a program? Or any other unzoned city in America be refused such assistance? Ridiculous, in the extreme, Mr. Speaker.

I say to those administration officials—if this is a key bill to aid in curbing riots, which I seriously doubt—then bring before this Congress a bill creating a hard, effective program in the agency in which it belongs. Cut it free of redtape. I, for one, shall support it. If—and I strongly emphasize that "if"—participation is open to all cities where the problem exists, regardless of "workable programs," "zoning," or absurd stumbling blocks thought up by some nameless, faceless bureaucrat.

In my judgment, much can be done to end the civil disorder that has swept our land by strong, effective action at the local and State level. Much more can be done by those Cabinet officers of this administration by taking strong decisive action to sweep away the redtape that has done little but put stumbling blocks in the way of community officials seeking urgent help for problems they cannot resolve alone.

I want my colleagues to know—for some of you may be called by city officials from your area—that in an effort to determine the truth for myself, I have written letters to the mayors of every city stricken by rioting.

I want to know what can be done by this Congress, and if, as I suspect, administrative redtape within our agencies has slowed the Federal assistance to these communities that this Congress has seen fit to authorize and fund.

I want to know, as it has been alleged in news stories, if federally paid poverty workers are involved in precipitating, aiding, or abetting those who foment civil disorder.

I do not want to wait a year for the answers to these questions. I want to know now—before I vote on any more key programs. This is my responsibility, and that of this Congress, to get the facts on the cause of this problem without delay. I do not believe that this Congress should abdicate its authority to any commission outside this Congress. While I am sure the investigation and report to be submitted will be helpful, I urge that the appropriate committees of this Congress initiate investigations and bring before us our own report on the causes of civil disorder, and recommendations for legislation to resolve the problem.

I strongly feel it is the responsibility of this Congress to get the facts on this grave crisis without delay, Mr. Speaker. I want the answers to questions that are sweeping our land.

I want to know why the Justice Department has moved so slowly in acting against those who precipitate violence across the land. If there is need for stronger laws to control these people, I want to know why the Justice Department is not up here knocking on every door demanding that Congress enact it. The people of this country are demanding protection. And I want to see the Justice Department, every other agency, and the vast resources of the Federal Government marshaled to protect the general health and welfare of our country.

I want to know—and the people are demanding to know—what can be done by the Federal Government to protect our country against the Stokely Carmichaels and the Hubert G. Browns. And if there is no existing legislation to give our people the protection they need and demand—why are those agencies most concerned not up here on Capitol Hill demanding that Congress enact it?

The time has come that this Congress must assert its authority and jurisdiction. We can, with prompt action here—and in the executive branch—end the strife that has torn our land asunder.

This is not the time for namecalling or blame fixing. We all must share a portion of the blame for the terrible tragedy that has been thrust upon us. This is the time for action—not reaction—to end this bitter problem. We, in Congress, can and should take the lead.

JOINT CONGRESSIONAL COMMITTEE ON CRIME

Mr. WALKER. Mr. Speaker, I ask unanimous consent that the gentleman from Florida [Mr. PEPPER] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New Mexico?

There was no objection.

Mr. PEPPER. Mr. Speaker, I call attention of my colleagues to an unfortunate lack of action last Tuesday by the Rules Committee of the other Chamber. I trust that the House Rules Committee and the full membership of this body will act with more dispatch.

The Senate Rules Committee last Tuesday went into executive session to consider various bills and resolutions dealing with the recent urban riots.

Among the resolutions under consideration was Senate Joint Resolution 94, to establish a Joint Congressional Committee on Crime. This resolution was sponsored by my esteemed friend and colleague, the gentleman from Utah, Senator Moss, and by 20 other Members of the other Chamber. This measure is identical to House Joint Resolution 1, which I first sponsored last January 10 and which I am proud to say now has more than 50 cosponsors among the Members of the House.

Senate Joint Resolution 94 was by far the most comprehensive measure before the Senate Rules Committee. The others were limited specifically to the recent riots.

House Joint Resolution 1 and Senate Joint Resolution 94—introduced long before the riots occurred—wisely recognized that crime is our most serious domestic problem and that riots are only one type of crime. Indeed, riots were recognized in House Joint Resolution 1 and Senate Joint Resolution 94. One section indicates that a part of the function of a Joint Congressional Committee on Crime would be to, "study the causes, effects, and remedies of civil disturbance."

But I cannot stress too strongly that this would be only a part of the long-range work of this Joint Crime Committee. It would concern itself with every aspect of crime—from petty shoplifting to major disorders.

The Senate Rules Committee, however, failed to take any action on this measure. Instead, that body reported a bill to give the Senate crime investigating subcommittee authority and funds for a short-range, 6-month probe of the riots.

I do not criticize the Senate Rules Committee for this action. I believe that a short-range, congressional investigation of the riots is desirable. But I believe that a long-range study of all the causes and effects of all types of crime is vital. I do not wish the concept of a Joint Congressional Committee on Crime to become lost in the momentary concern over riots—serious though they are.

My views are identical with those broadcast Thursday by radio station WMAL here in Washington. Their editorial this morning said:

> The Senate Rules Committee acted positively Tuesday, approving a six-month study of the recent riots, to be conducted by a subcommittee. Riots are a dramatic example of the serious breakdown of law and order. The Rules Committee action is a small, but important, step toward attacking the total spectrum of crime.
>
> Next, the Rules Committee should approve legislation sponsored by 21 Senators to establish a Joint Congressional Committee on Crime. A Joint Crime Committee could carry the war on crime into the years ahead. There are hundreds of sources of information regarding crime—official commissions, sociologists, police, judges, mayors, the news media. But the nation lacks a single clearing house capable of evaluating this mountain of information and turning it into coherent legislative proposals.
>
> Thus, a Joint Congressional Committee on Crime is vital. It is time for Congress to show total concern for every aspect of the alarming spiral of crime.

Mr. Speaker, this editorial sums up the situation well. But WMAL is not the only respected Washington news media to recognize the importance of a joint congressional committee to probe crime. The Washington Post put it well on July 29, when that newspaper editorialized concerning President Johnson's Commission on Civil Disturbances. Said the Washington Post:

> The role that Congress can play is to establish a joint committee manned by powerful leaders of both houses. This committee could work with both Presidential Commissions to see that their recommendations are lifted above politics and are put into effect. Endless hearings of dozens of committees and subcommittees on Capitol Hill can produce at best only a fragmentary program. The Nation needs a unified effort to save the cities; the President and Congress are obliged to provide nothing less.

Mr. Speaker, this is what we need—a Joint Congressional Committee on Crime. We cannot afford only a fragmentary program. We need a clearinghouse that can continue until the alarming problem of crime is removed from the face of America.

I again urge my colleagues to join me in sponsorship of House Joint Resolution 1. I urge prompt consideration by the House Rules Committee. And when this measure comes to the floor of this Chamber as I confidently expect in the very near future, I urge favorable action.

I include the following editorial from station WMAL, Washington:

JOINT CRIME COMMITTEE

(Broadcast during the week of June 4, 1967)

> We applaud the rapid bi-partisan progress being made toward establishment of a Joint Congressional Committee on Crime.
>
> On the Democratic side, Florida Representative Claude Pepper and Utah Senator Frank Moss are leading the drive. Similar Republican action has been taken by Virginia Representative Richard Poff and Florida Representative William Cramer.
>
> We urge that all Congressmen add their influence to establishment of a Joint Congressional Committee on Crime. The committee will carry on a day-to-day study of the causes and effects of crime—our most critical domestic problem. It will serve as a national clearing-house of information for legislators, police and corrections officials at the Federal, state and local levels.
>
> Only Congress has diversity to bridge the vast social, economic, legal and political questions that complicate an all-out national war on crime. As we have said since last November when we first proposed its establishment, a Joint Congressional Committee on Crime is the best weapon for spearheading the attack.

JOINT CRIME COMMITTEE

(Broadcast during the week of June 25, 1967)

> In the land of the free and home of the brave, there is a murder every hour, an aggravated assault every 2.5 minutes, a burglary every 27 seconds. Crime cost America $27 billion a year, which is more than we spend on education.
>
> These are some of the facts pointed out by Utah Senator Frank Moss, as he joined in introducing a bill to establish a Joint Congressional Committee on Crime.
>
> Said Senator Moss: "We must determine two things in order to combat crime: first, how to curb the present crime rate; and, second, how to eliminate the causes of crime. This can be accomplished only through an organized evaluation to be continued from year to year. This can be accomplished best by a joint committee to investigate crime."
>
> Senator Moss—a former judge and district attorney—is absolutely right. As we first proposed last November 27th, a Joint Congressional Committee on Crime should be established promptly.

JOINT CRIME COMMITTEE

(Broadcast during the week of July 16, 1967)

> The urgent need for a Joint Congressional Committee on Crime has been dramatically recognized in Congress by both Democrats and Republicans. There are now 21 Senate sponsors of bills to establish the committee, led by Utah Senator Frank Moss and Maryland Senator Joseph Tydings. The drive

for a Joint Crime Committee has been pushed aggressively in the House by Florida Representative Claude Pepper. More than 40 House members, including four committee chairmen, are supporting Representative Pepper's bill.

There is no question of the need of a Joint Congressional Crime Committee, similar to the Joint Committee on Atomic Energy. Texas Representative J. J. Pickle summed up the need when he said: "Crime has been given as the reason for supporting legislation ranging from gun control to poverty, but we have yet to address the real problem of crime itself."

To legislate intelligently against crime, Congress must coordinate all available information and its own efforts. A Joint Congressional Committee on Crime is the best way to achieve this coordination.

Joint Crime Committee

(July 19, 1967)

The drive to establish a Joint Congressional Committee on Crime received a vital boost Monday, when Democratic House Whip Hale Boggs joined some 60 other supporters of the measure.

Representative Boggs is a key member of the House Democratic leadership. His support shows the importance of a Joint Congressional Committee on Crime first proposed by WMAL last November.

For crime has become our most serious domestic problem and the spiral of crime soars daily. Congress must launch a coordinated national attack to control lawlessness. But today Congress has no committee devoted exclusively to studying and understanding all the vast social, economic, legal and political questions that complicate a total national war on crime. This is why all Congressmen should follow Representative Boggs in supporting immediate establishment of a Joint Congressional Committee on Crime.

VIETNAM ELECTION FARCE MUST BE STOPPED

Mr. WALKER. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. OTTINGER] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New Mexico?

There was no objection.

Mr. OTTINGER. Mr. Speaker, current moves by the South Vietnamese military junta to rig the forthcoming elections and nullify their results are most distressing.

Our hope for these elections is that they would at least produce a representative and stable government in South Vietnam. The actions of the junta make it appear that the elections will not be fair and impartial, even disregarding the fact that only "safe" South Vietnamese were to be allowed to participate.

First, we saw some of the principal contenders excluded from candidacy on what appear to be completely arbitrary grounds. We saw Premier Ky openly flouting the election laws with respect to campaigning. We saw illegal censorship being exercised against other candidates, and even when censorship was finally formally lifted, it was only with the overt threat that if any newspaper stepped out of line, it would be subject to reprisals. Then we saw both Generals Thieu and Ky refuse to comply with the law requiring them to resign as a condition of their candidacy. When the Assembly threatened to enforce the law against their candidacy, we saw a naked military threat against it, with troops alerted and gathered around the Assembly and the security chief with an armed guard sent into the galleries to make the threat plain for the representatives to see that their enforcement of the law would not be tolerated. These actions alone were enough to cast a very serious cloud over the elections.

Now, we learn of a plan by the generals to create a military committee that will continue to make the country's political decisions no matter who wins the elections. One of the generals is quoted in the New York Times of August 2, 1967, as stating:

> We think democracy is coming too soon to Vietnam. There's a war to fight. The army must remain powerful. We are willing to go along with the voting, but things must come out right.

The same Times article quotes General Ky as having said that he will overthrow any president "who does not live up to the aspirations of the South Vietnam people."

The cumulative effect of these actions and statements is to make a farce of the elections, in terms of assuring stability and real representation within South Vietnam and in terms of persuading other countries that the emerging government will really represent the will of the South Vietnamese people.

It is incumbent on our Government to make the strongest representations to the generals that we consider free and fair elections to be of critical importance to continued United States support. We should not be put into the position of supporting, against the will of the South Vietnamese people, an unpopular and unrepresentative military puppet government. As an interim measure, it may or may not have been necessary. But, now that there is a representative Assembly which has established a constitutional framework for representative elections, defiance of that system by the military would be intolerable.

The Times quotes American officials as being "not happy about it" but feeling it is not "an imminent threat to the electoral process." It certainly seems to me that these overt military threats against the electoral system and open flouting of the election laws are the most imminent and dangerous kind of threat to the electoral process.

I strongly urge the administration to make to the Government of South Vietnam the most urgent representations of our unwillingness to go along with these electoral violations. With all the troops and money we are pouring into South Vietnam, surely we must be able to exercise this much influence. If the South Vietnamese generals are unwilling to comply, I would suggest we sharply curtail our support. It would seem criminal to have the lives of American youth sacrificed only for the purpose of perpetuating the personal interests of a group of autocratic generals.

"LE BANG"—AMERICAN STYLE

Mr. WALKER. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. OTTINGER] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New Mexico?

There was no objection.

Mr. OTTINGER. Mr. Speaker, when I voted against funds for development of the supersonic transport on July 18, I emphasized the foolhardiness of this project in light of current economic conditions. However, it is important that we not overlook the still-unsolved problem of the sonic boom and the serious implications this phenomenon has for our Nation and its people.

The Office of Science and Technology has just made public preliminary findings of the effects of the sonic boom on people, animals, and buildings. I am certain that further research will make clear that this is just one more thoroughly undesirable aspect of an undesirable and unnecessary undertaking.

The New York Times commented editorially on this problem today and I present for the Record the Times editorial and the Times news story on the latest report:

Superjets Must Cut Speeds Over Land, Boom Tests Indicate

(By Evert Clark)

Washington, Aug. 2.—The latest Government report on sonic boom tests tends to reinforce the widespread belief that supersonic airliners will not be allowed to fly at top speed over land.

It suggests that even persons who have heard several booms a day for many years object to booms of the intensity likely to be produced by the superjets.

[In France, the authorities began an inquiry to determine whether the collapse of a farm house in which three persons died had been caused by a supersonic boom.]

The United States, a British-French team and the Soviet Union are building superjets, and the question of whether they will be permitted to fly supersonically over populated areas is still unsettled. Most experts believe the planes would still be profitable even if supersonic flight were limited to water routes.

LITTLE HARM FOUND

The report, made public today by the Office of Science and Technology, is an inch-and-a-half thick document containing preliminary findings of the effects of booms on people, animals and buildings.

While the report draws few simple conclusions, it indicates that 367 boom flights near Edwards Air Force Base, Calif., last summer and winter caused little or no physical harm to people, test structures or the 220,570 horses, cows, sheep, turkeys, chickens and pheasants in the area.

Annoyance, however, was another question. A summary of the report deals only with the relative annoyance of boom of differing intensities, and the relative annoyance of booms versus jet aircraft engine noise. These were main objectives of the tests.

But tabulations included in the report indicate that anywhere from one third to 98 per cent of the test subjects objected to booms in the 2.0 to 3.5-pound per square foot over-pressure range that superjets are expected to produce under the worst of circumstances.

Planes moving at more than 660 miles an

hour, the speed of sound at high altitudes, compress the air into shock waves. The shock waves then trail along behind and beneath the plane and produce booming sounds as they strike the earth. The force at the ground, measured in pressure greater than atmospheric pressure, is referred to as overpressure.

Normal atmospheric pressure is 2,117 pounds a square foot.

NOISE VARIES WIDELY

To the human ear the booms can sound as sharp as a rifle crack or as dull as the rumble of distant thunder, varying with size, shape, speed, altitude and maneuvers of the plane and with atmospheric conditions.

Over pressure caused by military planes can vary from nothing to more than 100 pounds per square foot—a level that observers have described as sounding like battlefield noise.

Superjet designers hope to keep booms produced by the passenger planes down to no more than 2.5 pounds. But atmospheric conditions can occasionally cause a focusing effect that doubles a boom's intensity.

The tests reported on today took place from June 3 to June 23, 1966, and from Oct. 31 of last year to Jan. 17 of this year. They involved 11 types of aircraft that made 367 supersonic and 261 subsonic flights near Edwards.

The air base is a test center for military and civilian aircraft. From early 1963 to mid-1966, these planes had produced 5,099 booms in the Edwards area.

EACH BOOM TESTED BY 256

For the boom tests, 393 adults were chosen as subjects from among the 50,000 residents of the area. For any one boom, 256 test subjects were stationed in test houses or outdoors and asked to record their reactions.

The preliminary conclusions indicate that booms sound worse outdoors than indoors, that walls of houses shut out jet aircraft engine noise better than they do booms, and that annoyance increases faster with increasingly bigger booms than it does with increasingly loud engine noise. Flights testing for engine noise were flown by subsonic aircraft representative of today's passenger airliners.

As an example of how booms can vary from plane to plane, those from the XB–70 research plane sounded worse indoors than outdoors, but booms from the B–58 bomber sounded worse outdoors than indoors, the report said.

Before the flights were made, 100,390 panes of window glass at Edwards were inspected. Of these, 669 were cracked and 25 broken or missing before the flights.

"During the test program, only three broken windows were reported that could be attributed to the test flights," the report said.

No complaints of glass damage to non residential buildings were received during the test program.

Fifty-seven damage complaints were made from the surrounding area and resulted in the filing of 19 damage claims.

These complaints alleged damage to glass, stucco, structures and bric-a-brac. Three per cent referred only to "bothersome noise."

Low-flying subsonic aircraft bothered animals more than the booms did, the report said.

"Furthermore, the reactions were of similar magnitude and nature to those resulting from flying paper, the presence of strange persons or other moving objects," the report said.

The researchers found no significant changes in animal production such as egg-laying but said that too few farms had been involved "to produce any conclusive evidence." They also said the four to eight booms a day normally heard around Edwards might have caused the animals "to have become considerably adapted to sonic booms prior to these tests."

Owners of a pheasant-breeding flock have filed a claim of a severe drop in egg production but "no significant changes in turkey egg production or feed consumption were apparent," the report said.

SUPERSONIC NOISE POLLUTION

The latest discoveries about sonic boom—"le bang" as the French term it expressively—provide scant comfort for enthusiasts of supersonic commercial air transports. In the new United States Government study, for example, the data indicate that this type of noise pollution is extremely hard for people to get used to. Even after hearing many sonic booms, people tend to resent them. And in France, the shock wave of a supersonic flight has been indicated as the factor behind the collapse of an old Breton farmhouse in which three people were killed and a fourth seriously injured.

Further research will undoubtedly turn up additional useful information, but by now the results of several years' investigation of this phenomenon are beginning to fall into a pattern. In a world where everyone was healthy and vigorous, where all buildings were relatively new and well constructed, sonic booms would be just one more source of annoyance and frayed nerves among the many such "blessings" modern civilization and technology have produced. But in the real world—where any large community has many sick and infirm people and many old and poorly constructed buildings—sonic booms, especially if repeated frequently, pose appreciable hazards to the more fragile human beings and structures.

In the case of military planes required for national defense, that cost is probably bearable. But there is no such justification for sonic booms to serve the relative handful of people who are in such a hurry that they must fly at 2,000 miles an hour rather than at a "mere" subsonic 600 miles an hour. Using the criterion of the greatest good for the greatest number, the case for prohibiting regular commercial supersonic flights over populated areas seems overwhelming until some effective cure for "le bang" is discovered. And for those who believe people on ships also have rights, the wisdom of allowing such regular flights even over the oceans will seem questionable at best.

RESOLUTION ON INTERNATIONAL ARMAMENT TRANSACTIONS

Mr. WALKER. Mr. Speaker, I ask unanimous consent that the gentleman from California [Mr. EDWARDS] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New Mexico?

There was no objection.

Mr. EDWARDS of California. Mr. Speaker, through the hardheaded efforts by many of our colleagues in the House and Senate, it has come to light that the Export-Import Bank has had a substantial role in arranging credit and financing of U.S. arms sales abroad. I have for a long while been concerned about the effect of our supplying arms through both grants and loans to underdeveloped nations and so was doubly disturbed to learn of the large and growing credit account arranged through the Pentagon's Office of International Logistics Negotiations and the Export-Import Bank.

Under the Foreign Assistance Act of 1964—which allows the Department of Defense to guarantee 100 percent of the arms loans extended by private banks or the Eximbank while obligating from its own revolving credit fund only 25 percent of the loans as a reserve to back up the guarantee—a $383 million yearly appropriation has meant credits extended of $1,532,000,000. Additionally, we find the Export-Import Bank deeply involved in promoting arms sales, totaling nearly $2 billion since 1962, $600,000 of this amount to underdeveloped countries.

These revelations raise several highly critical issues—first, regarding the very role of the Export-Import Bank itself. Originally established in 1934 to promote American exports to nations that might be unable to get private credit, I question whether heavy involvement in arms traffic was conceived to be a major function of this Bank. And yet, as Representative WIDNALL has shown, in the last 2 fiscal years, more than 39 percent of their loans have been for arms purchases. Already in the first half of 1967, $750 million worth of arms shipments has been financed by Eximbank.

A broader issue is whether the United States should be sponsoring arms purchases at all. Unfortunately because of the hidden and secretive nature of credit arrangements which have existed, the full extent and implications of such activities have never been fully examined and policies established. The Senate Foreign Relations Committee in their January staff report has touched upon the lack of control and coordination as to policy in this regard. Sales of arms having a deep impact on foreign policy and world peace seem to proceed on their own momentum with no guidance or consideration of their effect.

There is no doubt but that the competition among underdeveloped nations for unneeded arms produces great tension, disrupts internal policies, and diverts limited resources away from programs for social and economic progress. War materials have been supplied by the United States to both sides of traditionally hostile nations and have thus been utilized in outbreaks such as between Israel and the Arab states and between India and Pakistan. And in Greece, American tanks and supplies supported the military coup, overthrowing that nation's constitutional form of government.

Rushing in to take financial advantage of nations seeking what President Johnson has referred to as "illusory prestige" are the industrial nations of the world, all ready and willing to sell arms. The detrimental effects of arms competition to the world peace can never be sufficiently justified by the argument that such sales are beneficial to the economy of our country, of France, or of the Soviet Union. Nor can we accept the other rationale, that if we do not supply the arms, another country, presumably Russia or China, will.

International machinery must be put to work to encourage limitation agreements and to establish a procedure for full public registration of all transactions of this nature. The United Nations has as two of its principle goals the prevention of arms races and the encouragement of economic development and so there is no better forum for today seeking such regional and international agreements to put a halt to this dangerous, spiraling race.

I am today introducing a resolution along with Representative Jonathan Bingham, and others, to this effect and I sincerely urge my colleagues to join us in this action.

RAT EXTERMINATION ACT OF 1967

Mr. WALKER. Mr. Speaker, I ask unanimous consent that the gentleman from New Jersey [Mr. Howard] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New Mexico?

There was no objection.

Mr. HOWARD. Mr. Speaker, last night I was shocked when I read in a prominent Washington newspaper that the leader and spokesman for the Republican Party in the House, the gentleman from Michigan [Mr. Gerald R. Ford]—with a straight face—defended the Republican vote against the Rat Extermination Act of 1967 with these memorable words:

> The program could at best serve only 2½ percent of the people, and only a little better than one-half of 1 percent of the Nation's 18,000 communities.

This is the most absurd reasoning I have heard in years. By his own calculation, that means the rat control program would have served almost 5 million persons. But, I submit to the gentleman from Michigan, that 5 million Americans is not such a small number of people in anybody's book.

Does Mr. Ford mean the Republicans should vote only for programs which help more than 5 million people, not less?

Only a small percentage of Americans die of cancer each year. Does Mr. Ford mean we should abandon the government's cancer research and control programs?

"Only" 53,000 Americans died in highway accidents last year. Does Mr. Ford mean that Republicans should have voted down the Highway Traffic and Safety Acts of 1966?

"Only" 185,000 widows and mothers took advantage of new survivor benefits under Social Security amendments in 1966. Does that mean, according to the Republican less-than-5-million rule, that we should have voted down the widows' pensions and benefits?

There are "only" a few thousand deaf-blind children in the United States, yet President Johnson recommended in his message on health and education that our Government do more for the unfortunate and helpless individuals.

Mr. Ford's numbers game would rule them out.

The long and short of it is that the Republican leadership will have to come up with a much better explanation than numbers for the Republican vote against President Johnson's rat control proposal to aid our cities.

Not all Republicans are that callous. Gov. Nelson Rockefeller, for example, has started his own rat control program in New York State.

To him—and to many of us—one child unnecessarily bitten by a rat, or a family terrorized by rats, or one child infected by a rat-borne disease, is one too many if we can do something about it.

I also want to commend my Republican colleagues from New Jersey, Mrs. Dwyer, Mr. Widnall, and Mr. Cahill, who voted in favor of the bill.

There are hundreds and hundreds of thousands of families in cities—and in the countryside—who today live in fear of rats, rat infestation, and rat attacks every year.

Forty million dollars in Federal aid over 2 years to fight rats is not too much to ask for urban America.

But we know that the Republican leadership in the House and Senate has been more interested in things than in people; always more interested in animals than in humans; always willing to reapportion on the basis of cows and mountains and rivers, rather than people; always willing to invest in cattle, but not willing to invest in human beings.

The Republican leadership defense of its vote against President Johnson's Rat Extermination Act of 1967 is a public declaration of political bankruptcy.

I urge every Member to reconsider this bill; to reject the false and utterly blind statements issued in defense of do-nothingism. And give the cities the help they so desperately need.

I had a live pair in favor of the bill and had publicly stated my support for this vital legislation. I was spared the shame of witnessing this debacle because I along with four of my colleagues and Vice President Humphrey, were attending the dedication of the world's largest desalinization plant in Key West.

While only 22 Republicans voted in favor of the bill as compared to 148 who opposed it, I do not think this vote reflects the thinking of the Republican voters throughout the United States.

And although the Democratic vote was better, with 154 Democrats favoring the bill as compared to 59 who opposed it, I am hopeful that Members from both parties who voted "nay" on July 20 will change their vote if we have the opportunity to vote on this bill again.

INSURANCE IN RIOT AREAS

Mr. WALKER. Mr. Speaker, I ask unanimous consent that the gentleman from California [Mr. Rees] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New Mexico?

There was no objection.

Mr. REES. Mr. Speaker, recently there has been much speculation as to the effect of the riots on insurance companies, and the consequences for the businessmen and homeowners in the riot areas. Will some insurance companies, fearing great financial loss, cancel out their insurance, or refuse to renew policies in these areas? Will rates become so high as to be prohibitive to the rebuilding of a riot-torn area, and leave a desert in its place? Is Federal assistance necessary in the form of reinsurance, or a Federal insurance company?

These are very complicated questions, and can only be intelligently approached by a comprehensive study which discerns the facts of the existing situation, and the magnitude of the problem. Such a study demands close consultation with private insurance companies, with Federal, State, and local agencies, and with those who insure themselves within potential riot areas.

Once a study is begun, and the problem gains greater clarity, ways to resolve it must be examined. If some type of Federal insurance assistance is found desirable, then a workable solution will only come after intensive cooperation and consultation with all sectors of the insurance business.

Mr. Speaker, I present to the House a resolution aimed at separating fact from hearsay, analyzing the problem on the basis of valid information, and finding ways to meet the needs of both the insurance industry and those who want insurance protection.

The resolution authorizes the Secretary of Housing and Urban Development to conduct a study of the availability of insurance protection against perils resulting from riots or other disorders. Due to the urgency of this matter, the resolution requires within 60 days a report with recommendations for legislation.

I am very pleased that the Honorable Senator Hartke of Indiana is today introducing a similar resolution in the Senate. The Senate resolution differs only in its designation of the Secretary of Commerce rather than Housing and Urban Development to carry out the study. HUD has the advantage of recently being involved in some extensive research on insurance, thus providing them with a good background in this area. However, I am sure that either department will be able to conduct an excellent study.

I include the resolution in the Record:

H.J. Res. 769

Joint resolution to authorize an immediate study by the Secretary of Housing and a report to the Congress within sixty days, with respect to the availability of insurance protection against disaster perils resulting from riots or other civil disorders

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of Housing and Urban Development shall undertake an immediate study to determine the extent to which insurance protection against disaster perils resulting from riots or other civil disorders is available from public or private sources, and whether legislation is necessary to assure the continuing availability of such insurance. In carrying out such study, the Secretary shall, to the maximum extent practicable, consult with representatives of the insurance industry, with other Federal departments and agencies, and with State and local agencies. Findings and recommendations resulting from such study shall be reported to the Congress at the earliest practicable date, but in no event later than sixty days after the effective date of this joint resolution.

Sec. 2. There are authorized to be appropriated such sums as may be necessary to carry out the purposes of this joint resolution.

THIRD-CLASS MAIL SHOULD PAY COST

Mr. WALKER. Mr. Speaker, I ask unanimous consent that the gentleman from Florida [Mr. FUQUA] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New Mexico?

There was no objection.

Mr. FUQUA. Mr. Speaker, it is being recommended to the Congress that the rates for mail service be increased.

While it is recognized that first-class mail is today paying its way, we are asked to increase rates to 6 cents. Thus, it would provide a substantial margin of profit for the operation of postal services.

I am concerned, however, at the problem which unsolicited third-class junk mail is causing. We are told that postal facilities are taxed to the limit today, and certainly this unsolicited third-class junk mail is causing a part of the problem.

While the first-class rate would be increased 20 percent, junk mail would continue to pile up in our post offices, being delivered at a loss to first-class users and the taxpayer.

I personally cannot see the wisdom of this policy.

I am told that this unsolicited third-class junk mail pays about 60 percent of its cost of delivery, with a 21-percent increase recommended. Yet, first-class mail pays over 100 percent of its way with a 5-cent stamp, and a 20-percent increase is asked.

A powerful lobby exerts pressure to keep third-class rates down, but the American people want this inequity eliminated. I have had literally hundreds of my people tell me of the influx of unsolicited mail that they promptly throw in the trash.

I join with those in the House that want to see this inequity in rates eliminated. My voice is added to those who believe that if this type of mail service is to be continued, it should pay its way. I think this is fair to the American people, and I do not think it unfair to those who would want to use this type of service.

Their rates would continue to be less, based on the amount of premailing work they are required to do and the service they receive, but we should cease the toll charged to first-class users, to subsidize this type of service.

PREVENT MILITARY ACCIDENTS

Mr. WALKER. Mr. Speaker, I ask unanimous consent that the gentleman from Pennsylvania [Mr. MOORHEAD] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New Mexico?

There was no objection.

Mr. MOORHEAD. Mr. Speaker, six young men from the region in which my district is located, including a 19-year-old sailor from my home city of Pittsburgh, are listed by the Defense Department as killed or missing in the tragic fire that swept the U.S.S. *Forrestal* last weekend.

I am shocked at the staggering loss of life due to this "accident" on one of our most modern and sophisticated of naval vessels, as I am sure all my colleagues are.

I am further distressed at the fact that the *Forrestal* fire is the third such "accident" in the past 9 months to occur on board an aircraft carrier in the seas off Vietnam.

I believe that "accidents" of this sort can be prevented, and that failures and malfunctions in our expensive military equipment can be eliminated through careful investigation and subsequent preventive steps. And I can think of no body of men better equipped to conduct such an investigation than the distinguished Committee on Armed Services.

Accordingly, I have joined with several of my colleagues today in introducing a House resolution authorizing this great committee to initiate a broad investigation to determine whether our ability to prevent accidents involving modern military equipment is as great as our ability to create that equipment.

I am convinced that such an investigation will yield valuable results, and I urge my colleagues to support the resolution authorizing it, the text of which follows:

H. RES. 854

Whereas a fire aboard the United States ship *Forrestal* has taken a tragic toll of lives of United States military personnel and has rendered a severe blow to our air mission in Southeast Asia; and

Whereas previous fires aboard the United States ship *Oriskany* and the United States ship *Franklin D. Roosevelt* have taken equally tragic toll of human life and materiel; and

Whereas some of the sophisticated weaponry and land, sea, and aircraft and certain supply items utilized by all branches of the United States Armed Forces have been associated with incidents, accidents, failures, and malfunctions leading to loss of life and property: Now, therefore, be it

Resolved, That the Armed Services Committee of the House of Representatives of the United States is hereby designated and authorized to conduct a broad investigation of the causes of incidents, accidents, failures and malfunctions relating to the use of sophisticated military weapons, vehicles, craft, materiel, and supplies in the Southeast Asian zone of conflict and to recommend precautionary steps and control procedures which can be implemented to prevent incidents, accidents, failures, and malfunctions, or to limit their harmful effects when prevention fails.

RESOLUTION FOR REGISTRATION AT THE UNITED NATIONS OF INTERNATIONAL ARMS TRANSACTIONS

Mr. WALKER. Mr. Speaker, I ask unanimous consent that the gentleman from Pennsylvania [Mr. MOORHEAD] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New Mexico?

There was no objection.

Mr. MOORHEAD. Mr. Speaker, I have today joined with several of my distinguished colleagues in introducing a concurrent resolution expressing the sense of Congress that the President should, first seek, in the United Nations, agreement among the world's arms suppliers to restrict international arms traffic; and second, seek to establish in the U.N. procedures for full public registration of all international arms sales and gifts.

Mr. Speaker, the conflict in the Middle East and the spiraling international arms sales competition make it clear that steps must be taken to both limit and make public the trafficking in weaponry that poses such a constant threat to world peace.

The idea of restricting arms traffic through multilateral agreements is certainly not new. The United Nations has debated the issue since its creation in 1945, and we have sent negotiators to the 18-nation Geneva Disarmament Conference since 1962. Furthermore, our Nation has created an independent organ, the Arms Control and Disarmament Agency, to seek ways to lessen world tensions and avoid war through agreements with other nations.

The war in the Middle East is a dramatic illustration of the need to seek, in the appropriate forums of the United Nations, agreements among arms suppliers to limit their shipments of weapons to areas where tensions run high and war is a constant threat.

As President Johnson pointed out in his June 19 speech on the Arab-Israel situation:

> This last conflict has demonstrated the danger of the Middle Eastern arms race of the last 12 years.

Significantly, the President went on to say:

> The responsibility must rest not only on those in the area—but upon the larger states outside it.

President Johnson denounced the "waste and futility of the arms race" in the Middle East, but there is evidence that unless the major arms-supplying nations begin now to seek agreements limiting their shipments, the "waste and futility" will continue. The Soviet Union reportedly has already replaced one-half of the $2 billion in equipment and weapons lost by Egypt in the war with Israel, and surely Israel will not be content to sit idly by while Egypt grows strong again.

In underdeveloped nations like Egypt, the "waste and futility" of arms races have a deeper meaning than mere weapons and machines of war. As my resolution points out:

> The purchase of arms by developing countries represents a diversion of scarce resources that are desperately needed for productive purposes.

I believe that the United Nations, where the underdeveloped countries of the world have the strongest voice, is the best vehicle for achieving agreements on the level of international arms shipments—agreements between the countries receiving those shipments as well as between those making them. I urge my colleagues to lend their support to this hopeful feature of my resolution.

I also urge my colleagues to support the second provision of my resolution, the establishment of procedures in the United Nations for full public registration of all international arms sales and gifts.

Like the idea of agreement on the level of arms shipments, registration of the sales and gifts of arms is also a familiar idea that has acquired new urgency in the light of recent events.

Registration of arms shipments was one of many ideas for slowing and controlling the arms race proposed during the United Nations debate on the issue in 1961.

Most recently, it was advanced by President Johnson in his June 19 speech on the Arab-Israel crisis. The President said:

> As a beginning, we propose that the United Nations should call upon its members to report all shipments of military arms to the area.

The secrecy surrounding not only many of our own weapons transactions, but also those of other arms producing nations, intensifies international suspicions and rumors, heightens tensions, and tends to frustrate restraints imposed by public opinion and democratic processes.

For this reason alone, full public disclosure in the United Nations of all international arms transactions is desperately needed, and the United States, as the world's leading producer and purveyor of weaponry, should take the initiative in drawing up foolproof, reliable procedures for registering all international arms sales and gifts at the United Nations.

In the hope that more of my colleagues will see fit to sponsor this worthwhile resolution, I include its text in my remarks:

H. CON. RES. 468

Resolution expressing the sense of the Congress with respect to the establishment at the United Nations of a registration system for international armaments transactions

Whereas the Congress is concerned about the fact that the United States and other arms manufacturing countries have been promoting the export sale of arms; and

Whereas the purchase of arms by developing countries represents a diversion of scarce resources that are desperately needed for productive purposes and creates tensions among the neighboring countries; and

Whereas the secrecy which usually surrounds such arms transactions is undesirable in that it intensifies suspicion and rumors and thus adds to the tensions among neighboring countries, and tends to frustrate the restraints imposed by public opinion and democratic processes; and

Whereas the purposes of the United Nations, as set forth in the Charter, include the preservation of peace, the prevention of arms races, and the encouragement of economic development in the developing areas; Now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That it is the sense of the Congress that the President, acting through the United States delegation to the United Naions, should (1) seek, in the appropriate forums of the United Nations, agreements among the principal arms suppliers to ensure that sales and gifts of arms are restricted to minimum levels; and (2) seek to establish in and through the United Nations a procedure for full public registration of all transactions of this character.

RAT EXTERMINATION BILL

Mr. WALKER. Mr. Speaker, I ask unanimous consent that the gentleman from Pennsylvania [Mr. BARRETT] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New Mexico?

There was no objection.

Mr. BARRETT. Mr. Speaker, although the rule for the consideration of H.R. 11000, the Rat Extermination Act, was defeated on the floor of the House, this is by no means the end of the matter. The problem still exists and perhaps has worsened. The widespread coverage in the press, both in news stories and in editorials has done much to enlighten people fortunate enough to live in areas which do not suffer from this scourge and in my opinion has broadened support for the bill. There was never any doubt in my mind that the American people who have always shown compassion for the problems of their fellow citizens favored action on this problem. The nationwide attention in the press has undoubtedly strengthened their resolve to see a national rat extermination program inaugurated.

The reading public has become familiar with the tragic fact that there are an estimated 14,000 rat bite cases a year and that the economic toll from rats is in the neighborhood of $1 billion annually. At the same time there is a growing understanding of the psychological toll exacted by rats in slum areas and the constant danger of disease which faces all of us.

Mr. Speaker, two articles which recently appeared in the New York Times present an accurate description of the rat problem, one which must be deeply disturbing to every thinking person. I place them in the RECORD at this point.

[From the New York Times, July 29, 1967]

RAT DAMAGE IS PUT AT BILLION A YEAR—AMERICANS FOUND TO SUFFER 14,000 BITES ANNUALLY

(By Harold M. Schmeck, Jr.)

WASHINGTON, July 28.—Americans may suffer as many as 14,000 rat bites a year and may lose a billion dollars annually in damage to food and goods.

Roughly 500 rat bites are reported each year by New York City residents, but it is widely believed that more bites occur than are actually reported.

Both the national figures on bites and the dollar cost of the national rat problem are recent educated guesses considered probably conservative by experts.

Statistics are exceedingly hard to pin down, one public health administrator said, but rats are a serious part of the nation's over-all environmental health program.

Last week, the House refused to consider, and thus killed, an Administration-sponsored bill that would have provided $40 million in matching grants for city rat control problems.

SLUM FIRES CITED

Meanwhile, riot-caused fires in several American cities may conceivably have been sending rats into some city neighborhoods not normally afflicted by them. Rats are most frequently found in slum areas where garbage disposal and other sanitary facilities are often lacking and where old, ill-kept buildings give them refuge.

Ordinarily rats will not stray more than about 200 yards from their nests, according to one recent report. But they will range farther if their natural territory is destroyed.

On the other hand, many rats may have been destroyed in the fires. No one is certain yet which of the two effects is predominant.

Throughout the world, rats are the agents by which several of mankind's serious diseases are spread. Foremost among these is plague—the dread black death of the Middle Ages. Plague still exists, even in the United States to a minor extent. Other diseases that may be spread by rats include typhus fever, trichinosis and several less common infections caused by bacteria.

In the United States, however, the main hazard to human health is the rat bite itself, said Dr. Alan W. Donaldson, associate director of the Bureau of Disease Prevention and Environmental Control. The bureau is a unit in the Department of Health, Education, and Welfare.

SERIOUS EFFECTS SEEN

Dr. Donaldson said it was most unlikely that any rat-spread epidemics would occur in the United States. For this country, he said, the major health hazard of the rat is the rat bite itself.

But the importance of the rat bite should by no means be minimized, he said. The physical and the psychological effects can be serious.

There are documented accounts of infants who have died as the result of rat bites, he said. A recent World Health Organization report on rats noted that there had even been cases of adults killed by the rodents. There was a recorded case in Britain, for example, in which a miner was killed by rats trapped and starving in a mine shaft.

Dr. Donaldson said several American cities, Detroit among them, had had successful rat control campaigns.

[From the New York Times, Aug. 1, 1967]

CITY OFFICIALS SAY RATS THRIVE HERE—NUMBER SAID TO HAVE RISEN IN THE LAST 2 YEARS

(By Martin Tolchin)

While no one is certain how many rats there are in the city, the Health Department estimates that there are eight million—equal to the city's human population.

And it believes that the rats have been thriving while the city has decreased its efforts to exterminate them.

The rats, which average 18 inches in length (half body, half tail), have been seen scurrying across the terraces of luxurious East Side apartment dwellings, as well as in dingy, overcrowded, foul-smelling slums. They have infested Central Park, Riverside Park and Marine Park, as well as garbage-strewn lots in the slums.

"The rats are getting bolder and bolder," said Charles C. Johnson, assistant health commissioner in charge of environmental health. "They are normally nocturnal, secluded, animals. When you see them in the daytime—and we do—you have a large population."

"The same rats that carried the black plague are here," Mr. Johnson continued. He added, however: "We know of no real diseases that are directly or indirectly carried by a rat in the New York area. But there's nothing to prevent these diseases from being carried by rats."

Mr. Johnson said that the "psychological damage" was far greater: "You can imagine living in a dwelling that's rat-infested, hear them in the walls, and not know if they are going to come out and bite you."

The city's rat problem reached crisis proportions in 1964, when Mayor Robert F. Wagner initiated a $1-million-a-year extermination program. This was reduced to $250,000 the next year, however, because of budgetary problems.

The immediate result was the reduction of the number of exterminators and their supervisors from 136 to 56.

The same year, detection of rats, and certification of rat-infested dwelling was transferred from the Health Department to the Buildings Department, as part of their routine inspection. The department hired 55 additional inspectors. Extermination remained the responsibility of the Health Department.

The number of dwellings certified as rat-infested was reduced, however, from 2,000 in 1964 to a total of 1,750 in the last two years, according to Doris Siegel, a supervising sanitarian.

The number of rat-bite cases investigated by the Health Department has increased from 497 in 1965 to 562 in 1966. There were nearly 300 such cases in the first six months of this year, Mrs. Seigel said. The projected figure for all of 1967 is 600, the number of cases reported in 1964.

THRIVE ON REFUSE

Because of their need for water, rats live in sewers and near rivers and lakes. They thrive on refuse, garbage and waste in buildings and alleyways. In this connection, the refusal of sanitationmen to remove garbage from in front of rent-controlled buildings last June during a strike of maintenance men "certainly didn't help," Mr. Johnson said.

The extermination campaign is three-pronged—removal of food; repairing the walls, ceilings and other hiding places that give the rodents what is called "harborage;" and finally, extermination by a slow-acting anticoagulant, placed in paper cups. The anticoagulant causes internal hemorrhaging. It must be eaten several times before death occurs.

Experts have found that rats, which have a high survival intelligence, warn each other against the poisons. They communicate through sniffing, bodily contact and posture. The rats travel in packs of up to several hundred. Studies have shown that most rats don't travel far from their nests, usually about 40 feet. Mothers rear their litters, and the infants do not leave their nests until able to shift for themselves.

A litter may have up to 20 rats, and a rat reaches sexual maturity at three months. The gestation period is 21 days.

The Norwegian rat, the local variety, seldom lives more than three years or travels more than 100 to 200 feet from his nest in his life. He is gregarious, inquisitive, adaptable and breeds throughout the year, producing five or more litters a year. Their bulky nests, situated under planks or buildings, in walls or in the earth, are composed of any material at hand. From these retreats, trails lead to feeding stations.

Health Department officials say that their estimate of eight million rats in the city is conservative. However, Jerome Tricther, former assistant commissioner in charge of environmental health, said that it was very high. He said that a Johns Hopkins study of 15 years ago showed 500,000 rats in the city, and that the population had declined since then.

He said that the rat population was estimated on the basis of droppings, urine, rat runs (grease marks on walls), damage, and gnawings. The size, shape and condition of the droppings indicate the number of rats, their age and state of health, he said.

Health Department officials, who use the same method to make their estimates, said that they were aware of the study, but felt that it was erroneously low, and that the situation had worsened in the last 15 years.

Mr. Johnson estimates that $2–3 million a year for 10 years is needed for rat-control programs in the city. This should be augmented by an increase in the number of sanitation pickups in ghetto areas, Mr. Johnson said. His department is working with a demolition crew in Brownsville that is razing 150 blocks.

THE 915TH MILITARY AIRLIFT GROUP FULLY COMBAT READY

Mr. WALKER. Mr. Speaker, I ask unanimous consent that the gentleman from Florida [Mr. Fascell] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New Mexico?

There was no objection.

Mr. FASCELL. Mr. Speaker, the Air Force Reserve unit which serves south Florida is the 915th Military Airlift Group. It came into being in December of 1965, replacing the 435th Troop Carrier Wing. Both the 915th and its predecessor have compiled an outstanding record of service and achievement in war and in peace.

Originally activated in February of 1943 as the 435th Carrier Group, the unit began training for cargo, paradrop, and glider operations. It was not until June 6, 1944—D-day—that the 435th began its combat career. On that day the unit carried 662 members of the 101st Airborne Division along with 60,000 pounds of supplies and equipment; riding in the lead 435th aircraft was the commander of the 101st Airborne, Brig. Gen. Maxwell D. Taylor.

Later that day, the group hauled Horsa gliders over the beach, an action which resulted in battle damage to three-quarters of its aircraft. For its outstanding performance in the invasion assault, the 435th Carrier Group was awarded a distinguished unit citation.

The group participated in every major airborne action in the European theater of operations—Operation Overlord in northern France, Operation Dragoon in southern France, Operation Market in Holland, and Operation Varsity in Germany.

In September of 1944 the unit was selected by General Taylor to drop his headquarters in the 1st Army's mass drop at Eindhoven and Nijmegen. This operation entailed flying runs into the area generally conceded to be the roughest drop carrier operation in the European theater.

The last major operation in World War II for the 435th was Operation Varsity on March 22, 1945. During this operation its aircraft were the first Allied troop-carrier planes to land in Germany.

The end of the war did not end the 435th's mission; it played an important role in transporting the displaced population of Europe by air to their respective homelands, before being deactivated in 1947. Upon deactivation, the unit entered the reserve status as a Wing.

The 435th's reserve status was to be short-lived since it was called to active duty for a period of 21 months during the Korean conflict. Again on August 1, 1961, the unit was called to active duty as the Nation faced the Berlin crisis. For the speed with which it answered this call and for the ease with which it merged with components of the regular Air Force, the Wing was cited by President Kennedy.

During the Cuban missile buildup, many crews and support personnel served short tours of active duty though the entire unit was not recalled. Similarly in May of 1965 as trouble erupted in the Dominican Republic, the unit manned an around-the-clock combat command airlift support unit at Homestead Air Force Base, scheduling all of its C–119 reserve aircraft on their way to Ramey Air Force Base in Puerto Rico and San Isidro in the Dominican Republic with troops and supplies. September of 1965 found the 435th airlifting vital supplies into a New Orleans devastated by Hurricane Betsy.

With the deactivation of the 435th in December of 1965, the 915th Military Airlift Group was created to replace it. When redesignated as the 915th, the more than 1,000 members of the unit began a sustained effort to retrain from the smaller C–119 flying boxcars to the giant four-engine C–124 Globemasters; their mission was changed from one of short-range tactical flights to one of a global nature under the Military Airlift Command—MAC.

The changeover was done rapidly and efficiently. Under the command of Col. Clifford C. Root, this Florida-based Air Force Reserve unit passed its first operational readiness inspection conducted by MAC between May 4 and 7 of this year. The unit—along with its sister group, the 918th at Dobbins Air Force Base, Ga.—is, thus, the first fully combat-ready Air Force Reserve C–124 wing in the Nation. The combined groups make up the 445th Military Airlift Wing, commanded by Gen. George Wilson, at Dobbins Air Force Base.

The 915th Military Airlift Group is supported by the 915th Supply Squadron, whose commander is Lt. Col. Tracy M. Baker, Jr.; the 915th Support Squadron, under the command of Lt. Col. Ross B. Gillis; and the 915th Maintenance Squadron, commanded by Maj. Clair A. Martin.

The newly created 915th Military Airlift Group is carrying on the traditions of service to our country that the predecessor unit initiated. Many members of the 915th answered the call to duty at the time of the Korean conflict and again during the Berlin crisis. If need be, the 915th is ready and willing to serve our country again.

Mr. Speaker, I believe this outstanding unit should be saluted on its becoming the first fully combat-ready Air Force Reserve C–124 wing in the country.

HOUSE BANKING COMMITTEE APPROVES ANNUNZIO SMALL BUSINESS CRIME BILL

Mr. WALKER. Mr. Speaker, I ask unanimous consent that the gentleman from Illinois [Mr. Annunzio] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New Mexico?

There was no objection.

Mr. ANNUNZIO. Mr. Speaker, earlier today the House Banking and Currency Committee ordered reported unanimously as part of a small business legislative package, H.R. 5584, the Small Business

Protection Act of 1967. This legislation is a milestone in the annals of small business and will go a long way toward solving one of the most critical problems facing small business today—the control of the lawless element that preys on small business.

The bill provides for a 1-year study to be conducted by the Small Business Administration to determine the best ways in which small businessmen can protect themselves against burglaries, robberies, vandalism, shoplifting, riots, and civil disorder. A sum of $300,000 is appropriated for this study which will enable the SBA to seek the top talent in this country to provide answers for pressing questions.

One of the larger areas to be studied by the Small Business Administration is the need for a government-industry insurance program for small businessmen in high crime or riot potential areas. Many small businessmen who have been repeated robbery or burglary victims have had difficulty in obtaining insurance and those that were able to obtain insurance could do so only at extremely high costs. Small businessmen whose stores have been damaged during riots have expressed a concern that they will not be able to obtain new insurance after their stores have been repaired.

The study will also look into the feasibility of providing low-cost, long-term disaster loans for small businessmen who have been robbed or burglarized as well as low-cost loans for the purchase of protection equipment such as burglar alarm systems.

Although the bill provides that the study be completed within 1 year, I sincerely hope that it will not take this long because the small business community needs help as quickly as possible.

The Small Business Protection Act of 1967 has been heartily endorsed by the Small Business Administration as well as the Bureau of the Budget, which of course speaks for the White House.

I sincerely hope that every Member of this House will support the Small Business Protection Act of 1967 when it is brought to the floor for a vote.

I am also including as a part of my remarks a press release that I issued when the bill was introduced on February 16.

The release follows:

CHICAGO CONGRESSMAN INTRODUCES LEGISLATION TO AID SMALL BUSINESS IN FIGHT AGAINST CRIMINALS

Neighborhood store owners will be better able to protect themselves against robberies, burglaries, and other criminal acts, if legislation introduced by Representative Frank Annunzio (D., Ill.) is enacted.

And, if the legislation is adopted, small businessmen may be able to purchase Federal insurance against criminal acts or obtain low-cost loans from the Small Business Administration to help pay for the damage caused by the criminal acts.

The legislation directs the Administrator of the Small Business Administration to conduct a study to determine the best methods that small businessmen can use to protect themselves from criminal acts. The bill provides $300,000 for the study and sets a one-year time limit for its completion. The Small Business Administration will be able to use the services of other Government agencies, including Federal law enforcement bureaus.

PUBLIC APATHY

In a speech accompanying the introduction of the legislation, Congressman Annunzio pointed out that the hold-up or burglary of a neighborhood store is so commonplace that newspaper readers pay little attention to such stories. However, he added, "to the neighborhood store owner, the event is highly significant and financially—if not physically—painful."

Congressman Annunzio explained that his bill did not suggest that big business has been spared by the criminals—only that big business is better equipped to protect itself from criminal acts.

The annual crime report of the Washington, D.C. Police Department backs up Congressman Annunzio's belief. For the fiscal year ending June 30, 1966, there were 579 robberies of commercial business houses, most of which were small businesses. The loss in the robberies was $133,428. During the same period, there were only 40 robberies of chain stores, with a loss of only $25,166.

"The large chain stores can hire private security guards, install elaborate shoplifting safeguards, such as closed circuit television, hidden cameras, and other security measures," added Annunzio. "The small businessman does not have the money for such protection. In some cases, the storeowner may keep a gun under the counter for protection, but how many times have we read of robberies in which the robber took the storeowner's gun away from him and shot the storeowner with his own gun!"

WATCHDOGS NO ANSWER

Congressman Annunzio also ruled out the use of watchdogs as the complete answer. "Watchdogs have been tried," he said, "but their success has not been overwhelming, and in some cases, customers have been reluctant to shop at a store where they are not certain if the watchdog is friendly or not."

The increase in chain stores, particularly in the grocery field, was cited by Congressman Annunzio as a reason for the small businessman's susceptibility to criminal acts.

"Most small grocers find that to make a profit, they must stay open longer hours than the chain stores to attract the 'extra-quart-of-milk or loaf-of-bread trade.' It is not uncommon to find many of these small stores open well into the night, thus making themselves highly vulnerable targets for criminals.

In its study, Congressman Annunzio suggested that the Small Business Administration should:

Consider a Federal insurance program for small businessmen against criminal acts, including a cooperative venture between the Federal Government and the insurance industry.

Explore the possibility of making low-cost "disaster" loans to small business victims of criminal acts. At present these loans are available only to victims of natural disasters.

Consider low-cost loans for the purchase of protection equipment, such as burglar alarms and other security equipment.

Look into the use of clinics, designed to acquaint small businessmen with methods of protecting themselves from criminal acts. In addition to the clinics, mobile display and personal visits from SBA experts should be used to help the merchant who cannot leave his business to attend a clinic.

Pay special attention to the problems of small businessmen who have been repeated targets of criminals, including developing methods for making these small businesses less susceptible to crimes.

"I do not contend that my bill would end criminal acts against small businessmen," said Annunzio, "but I am confident that the study authorized in this bill would enable all small businessmen to protect themselves better against criminals."

MATSUNAGA SUPPORTS MID-DECADE CENSUS

Mr. WALKER. Mr. Speaker, I ask unanimous consent that the gentleman from Hawaii [Mr. MATSUNAGA] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New Mexico?

There was no objection.

Mr. MATSUNAGA. Mr. Speaker, very shortly we will be considering H.R. 7659, a bill to amend title 13, United States Code, to provide for a mid-decade census.

There are several areas in which the proposed mid-decade census unquestionably would be of great value to the State of Hawaii. It seems to me, in connection with the benefits to be derived from such a census, that Hawaii's situation is not unique. The need for a mid-decade census might be equally great, if not greater, in other States.

There are several areas in which Hawaii would benefit from a mid-decade census. For one thing, it would give us a far better basis for the projections now being made as part of the State's general plan revision. The State department of planning and economic development is not only compelled to make 1970, 1975, 1980, and 1985 projections for use with various planning standards, but must also prepare current estimates to take account of events that have already occurred during the past 5 years. Such estimates are subject to serious error, inasmuch as they are often based on symptomatic data of limited usefulness or meaning.

The use of obsolete census information could produce one of two results: on the one hand, the State governmental agency involved may greatly understate the future need for such things as highways, public buildings, parks, and other facilities in the general plan; on the other hand, costly and unnecessary expenditures could be made to meet needs which in fact do not exist.

The State department of planning and economic development is, in Hawaii, also the chief source for business information, statistics on the social, demographic and economic resources of the State, and data needed for county and local planning. In furnishing such information, statistics and data, this department has found in many instances that the 1960 figures are obsolete and therefore of questionable value.

In still another area, up-to-date figures are required as a basis for the computation of important rates, such as birth rates, death rates, per capita personal income, labor force participation rates, school enrollment ratios, and per capita tax revenues. Such rates are in turn considered essential to evaluate the effectiveness of public health programs, efforts toward economic development, educational progress, public finance, legislation, business decisions, and so forth.

I strongly urge my colleagues to give favorable consideration to the proposed mid-decade census legislation.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. Pollock (at the request of Mr. Gerald R. Ford), for the week of August 7, on account of official business.

Mr. Charles H. Wilson, for today from 1:30 p.m. to August 16, on account of official business.

Mr. Matsunaga, for period commencing August 7 and ending August 16, 1967, on account of congressional business in his home district.

Mr. Hagan (at the request of Mr. Albert), for today, August 3, 1967, on account of official business.

Mr. Rooney of New York (at the request of Mr. Burton of California), for Thursday, August 3, 1967, on account of official business.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

(The following Members (at the request of Mr. Railsback) to address the House and to revise and extend their remarks and include extraneous matter:)

Mr. Don H. Clausen, for 60 minutes, on August 9.

Mr. Thompson of Georgia, for 10 minutes, today, August 3.

Mr. Feighan, for 15 minutes, today.

Mr. Morgan, for 30 minutes, on Wednesday, August 9.

Mr. Downing (at the request of Mr. Albert), for 30 minutes, today; and to revise and extend his remarks and include extraneous matter.

EXTENSION OF REMARKS

By unanimous consent, permission to extend remarks in the Congressional Record, or to revise and extend remarks was granted to:

Mr. Celler to revise and extend his remarks and include extraneous matter on debate on H.R. 5031, today.

Mr. Fulton of Pennsylvania.

(The following Members (at the request of Mr. Railsback) and to include extraneous matter:)

Mr. Wydler.

Mr. Minshall.

Mr. Broyhill of Virginia.

(The following Members (at the request of Mr. Walker) and to include extraneous matter:)

Mr. Burke of Massachusetts.

Mr. Roybal.

Mr. Ullman in three instances.

Mr. Brasco.

SENATE BILLS REFERRED

Bills of the Senate of the following titles were taken from the Speaker's table and, under the rule, referred as follows:

S. 285. An act to amend the Indian Long-Term Leasing Act; to the Committee on Interior and Insular Affairs.

S. 306. An act to increase the amounts authorized for Indian adult vocational education; to the Committee on Interior and Insular Affairs.

S. 862. An act to amend the Small Reclamation Projects Act of 1956, as amended; to the Committee on Interior and Insular Affairs.

S. 1173. An act to convey certain federally owned lands to the Cheyenne and Arapaho Tribes of Oklahoma; to the Committee on Interior and Insular Affairs.

S. 1251. An act to make certain reclamation project expenses nonreimbursable; to the Committee on Interior and Insular Affairs.

S. 2138. An act to authorize the Secretary of Health, Education, and Welfare and the Secretary of Agriculture to provide food and medical services on an emergency basis to prevent human suffering or loss of life; to the Committee on Agriculture.

ENROLLED BILLS SIGNED

Mr. BURLESON, from the Committee on House Administration, reported that that committee had examined and found truly enrolled bills of the House of the following titles, which were thereupon signed by the Speaker:

H.R. 1566. An act to provide for the free entry of a four octave carillon for the use of the Northfield and Mount Hermon Schools, East Northfield, Mass.;

H.R. 1886. An act to provide for the free entry of certain articles for the use of Princeton University, Princeton, N.J.;

H.R. 3029. An act to provide for the free entry of one ship model for the use of the Lutheran Church of the Covenant, Maple Heights, Ohio;

H.R. 3737. An act to provide for the free entry of a carillon for the use of the University of California at Riverside;

H.R. 4934. An act to provide for the free entry of one mass spectrometer for the use of Indiana University; and

H.R. 4977. An act to provide for the free entry of a triaxial apparatus and rheogoniometer for the use of Northwestern University.

ADJOURNMENT

Mr. WALKER. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 3 o'clock and 55 minutes p.m.), under its previous order, the House adjourned until Monday, August 7, 1967, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

973. A letter from the Chairman, the Advisory Committee on the Arts, Department of State, transmitting the annual report of the cultural presentations program, Department of State, for the fiscal year 1966, pursuant to the provisions of Public Law 87-256; to the Committee on Foreign Affairs.

974. A letter from the Comptroller General of the United States, transmitting a report of transfer of excess materials between the Army and Marine Corps expedited by improved procedures; to the Committee on Government Operations.

975. A letter from the Comptroller General of the United States, transmitting a report of review of policies and practices for rebuilding used motor vehicle tires by selected civil agencies; to the Committee on Government Operations.

976. A letter from the Deputy Assistant Secretary of the Interior, transmitting copy of a proposed concession contract authorizing the Hot Springs Mountain Observatory Co. to continue operating an observatory tower, refreshment stand, and souvenir shop on the summit of Hot Springs Mountain within Hot Springs National Park, Ark., from date of execution through December 31, 1972, pursuant to the provisions of 70 Stat. 543; to the Committee on Interior and Insular Affairs.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committee were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. MILLER of California: Committee of conference. S. 1296. An act to authorize appropriations to the National Aeronautics and Space Administration for research and development, construction of facilities, and administrative operations, and for other purposes (Rept. No. 535). Ordered to be printed.

Mr. DAWSON: Committee on Government Operations. Report entitled "Department of Justice's Handling of Veterans' Administration Mortgage Foreclosures" (Rept. No. 536). Referred to the Committee of the Whole House on the State of the Union.

Mr. DAWSON: Committee on Government Operations. House Resolution 512. Resolution expressing the disapproval of the House of Representatives of Reorganization Plan No. 3 (Rept. No. 537). Referred to the Committee of the Whole House on the State of the Union.

Mr. STAGGERS: Committee on Interstate and Foreign Commerce: H.R. 6418. A bill to amend the Public Health Service Act to extend and expand the authorizations for grants for comprehensive health planning and services, to broaden and improve the authorization for research and demonstrations relating to the delivery of health services, to improve the performance of clinical laboratories, and to authorize cooperative activities between the Public Health Service hospitals and community facilities, and for other purposes; with amendments (Rept. No. 538). Referred to the Committee of the Whole House on the State of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. BURLESON:

H.R. 12077. A bill to provide for orderly trade in textile articles; to the Committee on Ways and Means.

By Mr. CLEVELAND:

H.R. 12078. A bill to provide for orderly trade in textile articles; to the Committee on Ways and Means.

H.R. 12079. A bill to amend the Internal Revenue Code of 1954 to provide for an amortization deduction for pollution control facilities, a tax credit for expenses of employee training programs and for expenses of higher education, a deduction for teachers' educational expenses, special rules for the income tax treatment of business development corporations, and an income tax incentive for employment of older workers; to the Committee on Ways and Means.

By Mr. MILLS (for himself, and Mr. Byrnes of Wisconsin):

H.R. 12080. A bill to amend the Social Security Act to provide an increase in benefits under the old-age, survivors, and disability insurance system, to provide benefits for additional categories of individuals, to improve the public assistance program and programs relating to the welfare and health of children, and for other purposes; to the Committee on Ways and Means.

By Mr. DINGELL:

H.R. 12081. A bill to amend the Railway Labor Act to establish a method for settling labor disputes in transportation industries subject to that act; to the Committee on Interstate and Foreign Commerce.

By Mr. EDMONDSON:

H.R. 12082. A bill to exempt from the antitrust laws certain combinations and arrangements necessary for the survival of failing newspapers; to the Committee on the Judiciary.

By Mr. EILBERG:

H.R. 12083. A bill to provide Federal leadership and grants to the States for developing and implementing State programs for youth camp safety standards; to the Committee on Education and Labor.

By Mr. ESHLEMAN:

H.R. 12084. A bill to provide for orderly trade in textile articles; to the Committee on Ways and Means.

By Mr. FLYNT:

H.R. 12085. A bill to provide for orderly trade in textile articles; to the Committee on Ways and Means.

By Mr. GALLAGHER:

H.R. 12086. A bill to establish a Small Business Crime Protection Insurance Corporation, and for other purposes; to the Committee on Banking and Currency.

By Mr. HOLIFIELD (by request):

H.R. 12087. A bill to amend the Atomic Energy Community Act of 1955, as amended, to authorize the Atomic Energy Commission to make assistance payments to the cities of Oak Ridge, Tenn., and Richland, Wash., and the Richland School District through June 30, 1979; to the Joint Committee on Atomic Energy.

By Mr. JONES of Alabama:

H.R. 12088. A bill to provide for orderly trade in textile articles; to the Committee on Ways and Means.

By Mr. KORNEGAY:

H.R. 12089. A bill to recognize the essential nature of police work by amending the Military Selective Service Act of 1967 to provide for the deferment of police officers (including highway patrolmen) from induction into the Armed Forces; to the Committee on Armed Services.

By Mr. MINISH:

H.R. 12090. A bill to provide that the nuclear accelerator to be constructed at Weston, Ill., shall be named the Enrico Fermi Nuclear Accelerator in memory of the late Dr. Enrico Fermi; to the Joint Committee on Atomic Energy.

By Mr. VIGORITO:

H.R. 12091. A bill to authorize the Secretary of Transportation to prescribe safety regulations for the transportation of natural gas by pipeline, and for other purposes; to the Committee on the Judiciary.

By Mr. WATKINS:

H.R. 12092. A bill to amend the public Health Service Act to provide for the protection of the public health from radiation emissions from electronic products; to the Committee on Interstate and Foreign Commerce.

By Mr. FEIGHAN:

H.R. 12093. A bill to extend Federal meat inspection and to permit cooperation with State meat inspection services, and for other purposes; to the Committee on Agriculture.

H.R. 12094. A bill to clarify and otherwise amend the Meat Inspection Act, to provide for cooperation with appropriate State agencies with respect to State meat inspection programs, and for other purposes; to the Committee on Agriculture.

By Mr. BATTIN:

H.R. 12095. A bill to amend the tariff schedules of the United States with respect to the rate of duty on whole skins of mink, whether or not dressed; to the Committee on Ways and Means.

By Mr. COWGER:

H.R. 12096. A bill to provide emergency authority to the President to assist localities suffering or threatened by riots or other civil disorders; to the Committee on Banking and Currency.

By Mr. DOLE:

H.R. 12097. A bill to provide for orderly trade in textile articles; to the Committee on Ways and Means.

By Mr. HALPERN:

H.R. 12098. A bill to amend the Clean Air Act to authorize planning grants to air pollution control agencies, expand research provisions relating to fuels and vehicles, provide for interstate air pollution control agencies or commissions, authorize the establishment of air quality standards, and for other purposes; to the Committee on Interstate and Foreign Commerce.

H.R. 12099. A bill to provide for public disclosure by Members of the House of Representatives and by candidates for such office and to give the House Committee on Standards of Official Conduct appropriate jurisdiction; to the Committee on Rules.

By Mr. HANNA:

H.R. 12100. A bill to assist in the promotion of economic stabilization by requiring the disclosure of finance charges in connection with extension of credit; to the Committee on Banking and Currency.

By Mr. HELSTOSKI:

H.R. 12101. A bill to provide that the nuclear accelerator to be constructed at Weston, Ill., shall be named the Enrico Fermi Nuclear Accelerator in memory of the late Dr. Enrico Fermi; to the joint Committee on Atomic Energy.

By Mr. MORRIS:

H.R. 12102. A bill to authorize the Secretary of Agriculture to cooperate with the States in providing for the prevention and suppression of structural and wildfires in rural areas; to the Committee on Agriculture.

H.R. 12103. A bill to amend the Economic Opportunity Act of 1964 to encourage the adoption of legal services programs which permit maximum opportunity for clients to freely choose their own attorneys; to the Committee on Education and Labor.

H.R. 12104. A bill to provide for orderly trade in textile articles; to the Committee on Ways and Means.

By Mr. POOL:

H.R. 12105. A bill to prohibit the export of articles to Communist countries selling or furnishing materiel to North Vietnam; to the Committee on Interstate and Foreign Commerce.

By Mr. RARICK:

H.R. 12106. A bill to amend section 767 of title 38, United States Code, in order to provide additional special indemnity insurance for members of the Armed Forces serving in combat zones; to the Committee on Veterans' Affairs.

By Mr. ST GERMAIN:

H.R. 12107. A bill to amend title 10, United States Code, to remove the restriction on the use of the certain private institutions under the dependents' medical care program; to the Committee on Armed Services.

By Mr. SMITH of Iowa:

H.R. 12108. A bill to authorize the establishment and maintenance of reserve supplies of soybeans, corn, grain sorghum, barley, oats, and wheat for national security and to protect domestic consumers against an inadequate supply of such commodities; to maintain and promote foreign trade; to protect producers of such commodities against an unfair loss of income resulting from the establishment of a reserve supply; to assist in marketing such commodities; to assure the availability of commodities to promote world peace and understanding, and for other purposes; to the Committee on Agriculture.

By Mr. WALKER:

H.R. 12109. A bill to provide for public disclosure by Members of the House of Representatives and by candidates for such office and to give the House Committee on Standards of Official Conduct appropriate jurisdiction; to the Committee on Rules.

By Mr. WINN:

H.R. 12110. A bill to amend title 38 of the United States Code in order to restore unused periods of entitlement to educational assistance to veterans of World War II and the Korean conflict; to the Committee on Veterans' Affairs.

By Mr. BUSH (for himself, Mr. MAYNE, Mr. SMITH of New York, Mr. GROVER, Mr. CLEVELAND, Mr. JOHNSON of Pennsylvania, Mr. RUPPE, Mr. KEITH, Mr. BOLAND, and Mr. HECHLER of West Virgina:

H.J. Res. 767. Joint resolution to call upon the President of the United States to promote voluntary neighborhood action crusades by communities to rally law-abiding urban dwellers in preventing riots; to the Committee on Banking and Currency.

By Mr. MONTGOMERY:

H.J. Res. 768. Joint resolution to provide for the resumption of trade with Rhodesia to the Committee on Foreign Affairs.

By Mr. REES:

H.J. Res. 769. Joint resolution to authorize an immediate study by the Secretary of Housing and a report to the Congress within 60 days, with respect to the availability of insurance protection against disaster perils resulting from riots or other civil disorders; to the Committee on Banking and Currency.

By Mr. WIDNALL (for himself, Mr. MORSE, Mr. TAFT, and Mr. KUYKENDALL):

H.J. Res. 770. Joint resolution to call upon the President of the United States to promote voluntary neighborhood action crusades by communities to rally law-abiding urban dwellers in preventing riots; to the Committee on Banking and Currency.

By Mr. BARING:

H. Con. Res. 449. Concurrent resolution expressing the sense of the Congress that Stokely Carmichael should be prosecuted for sedition if he returns to the United States; to the Committee on the Judiciary.

By Mr. KORNEGAY:

H. Con. Res. 450. Concurrent resolution expressing the sense of the Congress that Stokely Carmichael should be prosecuted for sedition if he returns to the United States; to the Committee on the Judiciary.

By Mr. O'NEAL of Georgia:

H. Con. Res. 451. Concurrent resolution expressing the sense of the Congress that Stokely Carmichael should be prosecuted for sedition if he returns to the United States; to the Committee on the Judiciary.

By Mr. ADDABBO:

H. Con. Res. 452. Concurrent resolution expressing the sense of the Congress with respect to the establishment at the United Nations of a registration system for international armaments transactions; to the Committee on Foreign Affairs.

By Mr. ASHLEY:

H. Con. Res. 453. Concurrent resolution expressing the sense of the Congress with respect to the establishment at the United Nations of a registration systems for international armaments transactions; to the Committee on Foreign Affairs.

By Mr. BINGHAM:

H. Con. Res. 454. Concurrent resolution expressing the sense of the Congress with respect to the establishment at the United Nations of a registration systems for international armaments transactions; to the Committee on Foreign Affairs.

By Mr. BRASCO:

H. Con. Res. 455. Concurrent resolution expressing the sense of the Congress with respect to the establishment at the United Nations of a registration systems for international armaments transactions; to the Committee on Foreign Affairs.

By Mr. BROWN of California:

H. Con. Res. 456. Concurrent resolution expressing the sense of the Congress with respect to the establishment at the United Nations of a registration systems for international armaments transactions; to the Committee on Foreign Affairs.

By Mr. CLEVELAND:

H. Con. Res. 457. Concurrent resolution expressing the sense of the Congress with respect to the establishment at the United Nations of a registration system for international armaments transactions; to the Committee on Foreign Affairs.

By Mr. CONTE:

H. Con. Res. 458. Concurrent resolution expressing the sense of the Congress with respect to the establishment at the United Nations of a registration system for international armaments transactions; to the Committee on Foreign Affairs.

By Mr. CORMAN:

H. Con. Res. 459. Concurrent resolution expressing the sense of the Congress with respect to the establishment at the United Nations of a registration system for international armaments transactions; to the Committee on Foreign Affairs.

By Mr. DOW:

H. Con. Res. 460. Concurrent resolution expressing the sense of the Congress with respect to the establishment at the United Nations of a registration system for international armaments transactions; to the Committee on Foreign Affairs.

By Mr. EDWARDS of California:

H. Con. Res. 461. Concurrent resolution expressing the sense of the Congress with respect to the establishment at the United Nations of a registration system for international armaments transactions; to the Committee on Foreign Affairs.

By Mr. ERLENBORN:

H. Con. Res. 462. Concurrent resolution expressing the sense of the Congress with respect to the establishment at the United Nations of a registration system for international armaments transactions; to the Committee on Foreign Affairs.

By Mr. FRASER:

H. Con. Res. 463. Concurrent resolution expressing the sense of the Congress with respect to the establishment at the United Nations of a registration system for international armaments transactions; to the Committee on Foreign Affairs.

By Mr. HELSTOSKI:

H. Con. Res. 464. Concurrent resolution expressing the sense of the Congress with respect to the establishment at the United Nations of a registration system for international armaments transactions; to the Committee on Foreign Affairs.

By Mr. HICKS:

H. Con. Res. 465. Concurrent resolution expressing the sense of the Congress with respect to the establishment at the United Nations of a registration system for international armaments transactions; to the Committee on Foreign Affairs.

By Mr. HOSMER:

H. Con. Res. 466. Concurrent resolution expressing the sense of the Congress with respect to the establishment at the United Nations of a registration system for international armament transactions; to the Committee on Foreign Affairs.

By Mr. LEGGETT:

H. Con. Res. 467. Concurrent resolution expressing the sense of the Congress with respect to the establishment at the United Nations of a registration system for international armaments transactions; to the Committee on Foreign Affairs.

By Mr. MOORHEAD:

H. Con. Res. 468. Concurrent resolution expressing the sense of the Congress with respect to the establishment at the United Nations of a registration system for international armaments transactions; to the Committee on Foreign Affairs.

By Mr. MORSE:

H. Con. Res. 469. Concurrent resolution expressing the sense of the Congress with respect to the establishment at the United Nations of a registration system for international armaments transactions; to the Committee on Foreign Affairs.

By Mr. OTTINGER:

H. Con. Res. 470. Concurrent resolution expressing the sense of the Congress with respect to the establishment at the United Nations of a registration system for international armaments transactions; to the Committee on Foreign Affairs.

By Mr. PELLY:

H. Con. Res. 471. Concurrent resolution expressing the sense of the Congress with respect to the establishment at the United Nations of a registration system for international armaments transactions; to the Committee on Foreign Affairs.

By Mr. REES:

H. Con. Res. 472. Concurrent resolution expressing the sense of the Congress with respect to the establishment at the United Nations of a registration system for international armaments transactions; to the Committee on Foreign Affairs.

By Mr. SANDMAN:

H. Con. Res. 473. Concurrent resolution expressing the sense of the Congress with respect to the establishment at the United Nations of a registration system for international armaments transactions; to the Committee on Foreign Affairs.

By Mr. SCHEUER:

H. Con. Res. 474. Concurrent resolution expressing the sense of the Congress with respect to the establishment at the United Nations of a registration system for international armaments transactions; to the Committee on Foreign Affairs.

By Mr. TENZER:

H. Con. Res. 475. Concurrent resolution expressing the sense of the Congress with respect to the establishment at the United Nations of a registration system for international armaments transactions; to the Committee on Foreign Affairs.

By Mr. HELSTOSKI:

H. Res. 853. Resolution creating a select committee to conduct an investigation of recent riots in the metropolitan areas; to the Committee on Rules.

By Mr. MORGAN (for himself, Mr. Williams of Pennsylvania, Mr. Rostenkowski, Mr. Vigorito, Mr. Whalley, Mr. Diggs, Mr. Nix, Mr. Hays, Mr. Joelson, Mr. Schweiker, Mr. Schneebeli, Mr. Johnson of Pennsylvania, Mr. Saylor, Mr. Gonzalez, Mr. Fascell, Mr. Giaimo, Mr. Farbstein, Mr. McCarthy, Mr. Monagan, Mr. Annunzio, Mr. Ronan, and Mr. Corbett):

H. Res. 854. Resolution concerning the U.S.S. *Forrestal* tragedy; to the Committee on Rules.

By Mr. ROONEY of Pennsylvania (for himself, Mrs. Dwyer, Mr. Eshleman, Mr. Garmatz, Mr. Derwinski, Mr. McDade, Mr. Roybal, Mr. Schwengel, Mr. Cahill, Mr. Halpern, Mr. Hathaway, Mr. Carey, Mr. Gilbert, Mr. St Germain, Mr. Foley, Mr. Ottinger, Mr. Broyhill of Virginia, Mr. Moorhead, Mr. Watkins, Mr. Gallagher, Mr. Flood, Mr. Fulton of Pennsylvania, Mr. Rodino, and Mr. Biester):

H. Res. 855. Resolution concerning the U.S.S. *Forrestal* tragedy; to the Committee on Rules.

MEMORIALS

Under clause 4 of rule XXII,

268. The SPEAKER presented a memorial of the Legislature of the State of Iowa, relative to a national motor truck registration law and road use fee system for interstate motor truck operation, which was referred to the Committee on Interstate and Foreign Commerce.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BRASCO:

H.R. 12111. A bill for the relief of Guiseppe Mancell; to the Committee on the Judiciary.

By Mr. CEDERBERG:

H.R. 12112. A bill for the relief of the Holley Carburetor Co.; to the Committee on the Judiciary.

By Mr. KASTENMEIER:

H.R. 12113. A bill to confer jurisdiction on the U.S. District Court for the Western District of Wisconsin to hear, determine, and render judgment on the claim of Emma Zimmerli against the United States; to the Committee on the Judiciary.

By Mr. McCORMACK:

H.R. 12114. A bill to require the Foreign Claims Settlement Commission to determine the amount and validity of the claim of Evsey Brook against the Government of Italy, and for other purposes; to the Committee on the Judiciary.

By Mr. MOORE:

H.R. 12115. A bill for the relief of Dr. Orlando L. Fernandez; to the Committee on the Judiciary.

By Mr. PEPPER:

H.R. 12116. A bill for the relief of Dr. Roberto de la Caridad Miquel; to the Committee on the Judiciary.

H.R. 12117. A bill for the relief of Dr. Gustavo Leon Lemus; to the Committee on the Judiciary.

By Mr. RYAN:

H.R. 12118. A bill for the relief of Han The Tung; to the Committee on the Judiciary.

By Mr. VAN DEERLIN:

H.R. 12119. A bill for the relief of Joseph M. Hepworth; to the Committee on the Judiciary.

PETITIONS, ETC.

Under clause 1 of rule XXII,

136. The SPEAKER presented a petition of the Association for Grand Jury Action, Inc., Rochester, N.Y., relative to the use of the U.S. mail by the 1967 constitutional convention of the State of New York, which was referred to the Committee on the Judiciary.

SENATE

Thursday, August 3, 1967

The Senate met at 10 o'clock a.m., and was called to order by the President pro tempore.

Rev. Howard C. Rutenbar, rector, Christ Episcopal Church, St. Joseph, Mo., offered the following prayer:

Almighty God, we beseech Thee to look with favor upon our land and people. In these times of tension and stress both at home and abroad, make us quick to perceive the needs of all men. Help us to be resolute in purpose to promote good will among all races and creeds. Give us strength to pursue what is right and follow what is true. May we have courage to live responsibly day by day. Forgive us of past wrongs so that we may have reconciliation within our homeland and peace among all nations of the world. And particularly do we commend to Thee this body of men into whose hands we commit the government of our Nation. Grant them integrity of purpose and an unfailing devotion to the cause of righteousness. May all their legislation be such as promotes welfare and justice that the oppressed may be relieved, that all social evils and social wrongs may be put down. And grant, Father of all, that through their deliberations and actions all causes of discontent and strife may be eliminated so that all of this great land can truly experience such love of neighbors and concern for one another's welfare. This we ask in His name who came to bring peace to mankind. Amen.

THE JOURNAL

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the reading of the Journal of the proceedings of Wednesday, August 2, 1967, be dispensed with.

The PRESIDENT pro tempore. Without objection, it is so ordered.

LIMITATION ON STATEMENTS DURING TRANSACTION OF ROUTINE MORNING BUSINESS

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that statements during the transaction of routine morning business be limited to 3 minutes.

The PRESIDENT pro tempore. Without objection, it is so ordered.

CENTRAL ARIZONA PROJECT—PRIVILEGE OF THE FLOOR

Mr. MANSFIELD. Mr. President, I ask unanimous consent that during the consideration of S. 1004, the central Arizona project legislation, permission be granted for floor privileges for Edward Weinberg and Mr. Daniel A. Dreyfus, officials of the Department of the Interior.

The PRESIDENT pro tempore. Without objection, it is so ordered.

COMMITTEE MEETINGS DURING SENATE SESSION

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the following committee and subcommittees be authorized to meet during the session of the Senate today:

The Committee on the Judiciary.

The Permanent Subcommittee on Investigations of the Committee on Government Operations.

The Subcommittee on Employment, Manpower, and Poverty of the Committee on Labor and Public Welfare.

The PRESIDENT pro tempore. Without objection, it is so ordered.

DEPARTMENTS OF LABOR AND HEALTH, EDUCATION, AND WELFARE APPROPRIATIONS, 1968—TRIBUTES

Mr. MANSFIELD. Mr. President, the Senate's consideration yesterday of the measure making appropriations for the Departments of Labor and Health, Education, and Welfare, met with swift and decisive approval. Largely responsible for such an outstanding success was the senior Senator from Alabama [Mr. HILL], the chairman of the Labor-HEW Appropriations Subcommittee. His clear and thorough explanation of the measure, his strong and able advocacy for its provisions and his diligent efforts to bring to this Chamber an appropriations proposal so carefully worked out assured its ready acceptance by the Senate.

Senator HILL is not new to the task of handling highly important legislative proposals—and none could be more important than a measure that funds education, health, manpower, and other programs of such a vital nature. Over the years the Senate has often gained the benefit of his experience and deep understanding. It certainly was demonstrated during the consideration of this measure yesterday. The Senate and the Nation owe Senator HILL a sincere debt of gratitude. It is richly deserved.

The senior Senator from New York [Mr. JAVITS] deserves similarly high commendation for his singularly outstanding contribution to the passage of this measure. He has been assigned the leadership for the minority as its ranking member on the subcommittee. His full grasp of the many facets of this vast funding measure was clearly exhibited. The Senate is most grateful.

The Senate is grateful also for the vital role played by the senior Senator from New Hampshire [Mr. COTTON] during the consideration of this measure. His long and abiding interest in this funding measure and the many programs it supports was of great assistance to the Senate. We are most grateful.

Other Senators deserve our thanks. Noteworthy were the cooperative efforts of the Senator from Oregon [Mr. MORSE]. While offering his own strong and sincere views which, in some respects differed from those of the committee, he in no way inhibited the disposition of this measure. Indeed, no Member of this body has devoted more time and energy to enhance this Nation's education, health, and welfare. The Senator from Oklahoma [Mr. HARRIS] is similarly to be commended. And the efforts of the Senators from Indiana [Mr. HARTKE] and Wisconsin [Mr. NELSON] should be singled out as well as those of the Senators from Massachusetts [Mr. KENNEDY], Michigan [Mr. HART], and Delaware [Mr. WILLIAMS]. Their views are always thoughtful, always most welcome.

So to these and many other Senators we are grateful for joining to assure prompt and efficient action on this measure yesterday. The Senate may be proud of another outstanding achievement.

RECOGNITION OF SENATOR PROXMIRE

The PRESIDING OFFICER (Mr. BYRD of West Virginia in the chair). Under the order previously entered, the Chair recognizes the Senator from Wisconsin.

Mr. PROXMIRE. Mr. President, I intend to speak on the subject of land reform in Vietnam. Before I do so, I should like to make a brief statement on another subject.

MILWAUKEE SHOWS NATION HOW TO HANDLE RIOTS

Mr. PROXMIRE. Mr. President, on the basis of results to date, it appears that Milwaukee may have taught the Nation a lesson in how to handle the big city riots that have become such a tragic national problem. The Milwaukee riot story is not over. Just last night an additional death was reported and more fires were set.

But on the basis of the number of people killed, the personal injury sustained, the value of property destroyed, Milwaukee seems to be coming through its nightmare far, far better than any other big city in the Nation.

Wisconsin officials deserve great credit for this—and especially does the mayor of Milwaukee, Henry Maier. The mayor acted with great speed to bring overwhelming force to bear in the riot areas.

He swiftly asked for the National Guard, and a very large National Guard force.

And he immediately imposed a painful but remarkably effective 24-hour curfew on the city. Everyone—and I mean everyone—except police, soldiers, firemen, doctors, nurses, and reporters were kept off the streets.

This metropolis of some three-quarters of a million people became a ghost town. Residents could not even go to grocery stores to buy food. It was, and continues to be, a hard, tough measure; it is a big price for Milwaukeeans to pay; but it may be working.

The Milwaukee Police are doing a superlative job, restrained but highly effective. And the illustrious Wisconsin 32d National Guard Division has always been highly efficient.

As I say, Mr. President, the Milwaukee problem is certainly not over. The big job lies ahead.

But the immediate task of establishing law and order, of protecting life and person, of preventing the wanton destruction of property may be on its way to solution far better in Milwaukee than anywhere else in the Nation.

Mayor Maier started planning for just this kind of an outbreak more than a year ago. He secured the cooperation of Wisconsin's State authorities and the Milwaukee Common Council; and the moment the riot began, Milwaukee City Hall was poised and ready to act, with a detailed, meticulously organized plan of action.

As I said at the outset, Mr. President, the Milwaukee riot story is far from over, as last night's events show; but here is a situation that deserves the watchful attention of the country and Congress.

Milwaukee will be a demonstration of what happens when a city and State are prepared to act swifly and decisively with powerful force to meet a riot.

Yesterday, the New York Times carried a biography of Mayor Henry Maier, appropriately entitled "A Ready Mayor." The biography goes a long way toward explaining why Milwaukee's mayor was so well prepared to act and act swiftly and efficiently the instant this riot developed.

The anatomy of the curfew proposed

by Mayor Maier and the story of the rapid-fire events leading to the riot are told in an excellent story in the Milwaukee Sentinel. I ask unanimous consent that both articles be printed in the RECORD at this point.

There being no objection, the articles were ordered to be printed in the RECORD, as follows:

A READY MAYOR: HENRY WALTER MAIER

MILWAUKEE, Aug. 1.—In his seven years in office, Mayor Henry Walter Maier has become known as an organizer. He has revamped the executive office to make it more efficient. Before he goes before the Common Council with a new program, he has his facts carefully prepared. He requires a detailed report of his staff's activities.

"He is totally organized," a staff member says, "He likes to have everything neat."

This week, when Negroes began rioting in the inner city, Mr. Maier's devotion to organization paid off. Like no other Mayor of a Northern city, Mr. Maier responded quickly with a tough, detailed plan for a curfew written last year. It had the city transformed within hours.

HEADED CITY LEAGUE

A former president of the National League of Cities, Mr. Maier has become known as a crusader for more Federal and state aid to metropolitan areas. He wrote a book, "Challenge to the Cities," last year describing urban problems. He is attempting to get Wisconsin to revise its laws so that Milwaukee will get a larger percentage of shared income taxes.

A good part of his message declaring Milwaukee's racial emergency was a plea for Federal help.

"Now, as never before, the central cities of America need the full resources of the Federal Government, of their states and of their metropolitan areas to prevent them from becoming urban wastelands," he said.

Mr. Maier maintains that with 98 per cent of the Negroes in metropolitan Milwaukee living in the central city, they are "walled off by the lily white suburbs."

For this reason, he says Milwaukee should not adopt an open housing ordinance. If it did, he says, more whites would flee to the suburbs. The ordinance should be adopted perhaps, on a county basis, he says.

Civil rights groups have attacked Mr. Maier's refusal to back such an ordinance, rejected four times by the City Council. They have also criticized what he calls a "war on prejudice" as an example of tokenism and a "phony, Madison Avenue device."

Mr. Maier proposed the "war" in November, 1965, to educate the public about racial prejudice and what can be done to combat it. The program had been stalled until the council last week approved the first funds for it, $25,000.

A Democrat, Mr. Maier (rhymes with higher) was elected to the nonpartisan office of Mayor in 1960 after 10 years in the State Senate, seven of them as his party's floor leader. His colleagues presented him with a citation for being the best strategist in the Senate, and this talent was noted in his early years in City Hall.

In those years, Mr. Maier's council was more cooperative and his urban renewal and economic development programs shot ahead. Lately, his opponents have gained control and he may face a tough fight when he seeks his third term next year.

A NATIVE OF DAYTON

Mr. Maier was born Feb. 7, 1918, in Dayton, Ohio, and grew up in Springfield. He came to Milwaukee as a young man and was graduated from the University of Wisconsin in 1964. He went to classes at night during his first term and earned a master's degree in urban affairs in 1964. He and his wife, Mary Ann, have two daughters, Melanie and Melinda.

In City Hall, Mr. Maier projects an image of being a methodical, intelligent and somewhat authoritarian executive. Off duty, he loosens up, fishing often for bass, in the small lakes west of Milwaukee.

"He has," an aide says, "a Bavarian temperament. He likes to chew the fat."

And he excels at the city's unofficial card game, sheepshead, a German game played with the upper part of the deck.

"He plays it like he does everything else," a City Hall official says. "He remembers everything, how every card in the 32-card deck has been played."

CURFEW HERE MOST RIGID IN UNITED STATES

(By Gene Cunningham)

In a matter of hours Monday, Milwaukee became a blockaded city containing a sealed-off area.

It was the most rigid curfew to be imposed by any of the cities involved in this summer's nationwide outbreaks of rioting.

Armed in advance with a riot control plan, Milwaukee officials assessed the situation, declared a state of emergency and called for national guard assistance in less than five hours from the time the first trouble call came in from the riot area.

Curfews imposed in Newark, N.J., Detroit and other riot torn cities have closed liquor stores, taverns and gas stations and ordered all persons off the streets at night.

Milwaukee's curfew, imposed at 3:40 a.m. by Mayor Maier, closed taverns, liquor stores and gas stations and ordered all persons off the streets—day and night—until further notice, closing all businesses as a result.

Road blockades were set up. Only doctors, nurses, newsmen and persons involved in emergency services were allowed to enter the city. Inside the city, the riot torn section of the inner core was completely sealed off.

Maier termed the curfew the city's "main weapon" in the prevention of further rioting. He credited it with bringing the situation under control early Monday.

Except for a two hour lifting of the curfew Monday afternoon to allow grocery stores to open, the city was at a standstill Monday.

Milwaukee's speed in calling for national guard troops and imposing its stringent curfew was a result both of the preplanned riot control procedure and the experiences of other riot torn cities.

The riot control plan, a formal outline of steps to be taken in case of civil disorder or emergency, was worked out by the mayor's office in co-operation with the governor's staff, civil defense officials and police, a member of the mayor's staff said.

"It involves the consideration of emergency steps from the contacting of the White House and keeping them advised to contacting of the governor," he said.

If the police chief believes a disorder is such that it affects the welfare of the city, he contacts the mayor who evaluates the situation and, if necessary, puts the plan into operation, the staff member said.

One provision of the plan is the maintenance of a "hot line" between the mayor's office and the governor's office in Madison. The line was installed last summer during the picketing and demonstrations in Wauwatosa and has been maintained since then, the spokesman said.

The riot control plan was completed about two months ago and is being followed in the present emergency, the mayor's office said.

Maier issued the following chronology leading up to his declaration in an emergency and the national guard callup:

11:40 p.m. Sunday—He was notified at his home of the riot by James C. Newcomb, his chief administrator.

11:45 p.m.—Newcomb phoned Paul Hassett, Gov. Knowles' chief administrator, and alerted him to the situation.

12:40 a.m. Monday—Maier asked the governor to place the guard on standby alert after he and his staff arrived at their city hall offices.

12:50 p.m.—The White House was apprised of the situation by Alex Le Grand, the mayor's administrative assistant.

1 a.m.—Maier was called by Fire Chief James Moher and told that his department was receiving numerous false alarms and that his men were being stoned.

1:30 a.m.—Police Chief Harold A. Breier called the mayor and said he felt the guard wasn't needed.

1:50 a.m.—Moher asked the mayor to have the guard called out.

2:26 a.m.—Breier asked Maier to call out the guard.

2:27 a.m.—Maier carried out Brier's request and proclaimed a state of emergency for Milwaukee.

3:40 a.m.—Maier held a press conference and announced an indefinite around the clock curfew, which closed all liquor and gasoline dispensing businesses, and limited pedestrian and vehicle traffic only to emergency and essential personnel.

The procedures followed here early Monday were similar to those followed elsewhere, but they were hours or even days faster.

Detroit, where a curfew is still in effect, called for national guard troops near the end of its first full night of rioting, a spokesman for Detroit Mayor Jerome Cavanagh said Monday. Federal troops were brought in during the second night of rioting, he said.

The situation in Newark was slower in erupting into a full scale riot. The disturbance the first night was considered an incident, a Newark official said. It was contained by precinct police.

The following night started out the same way with property damage and looting but then developed into mass rioting with gunfire and sniping, he said. A call went out for state troopers and national guardsmen, he said.

Local civil rights groups, leaders in the Negro community and governmental agencies have kept a watchful eye on the uneasy peace in Milwaukee since the first of the summer riots began elsewhere. With Newark and Detroit, concern grew.

Last week, rumors began to circulate that a riot was scheduled to begin Saturday or Sunday. Several Milwaukee persons, concerned at the possibility of an outbreak here, went to Madison last week to discuss the situation with officials of the governor's commission on human rights.

"Blow off steam measures" were take by some to encourage the restless to talk it out in small groups, and Negroes known to favor the "keep your cool" move circulated through the area trying to calm the militant, one official said.

In addition, special work programs and summer projects were going in full swing. Negro youths were at work in the county's junior public works program and in a special crash program supported by federal funds and providing, in addition to jobs, recreational and educational programs.

There was no outward indication that the riot was coming, nor any single incident that touched it off, as there has been in other cities.

Milwaukee has had picketing and racial demonstrations in the past but not the sniper action, looting and destruction that it had early Monday.

Past incidents have included:

Last summer's demonstrations and picketing carried out by members of the youth council of the National Association for the Advancement of Colored People at the homes of public officials who are members of the Eagles club. The club has a white only membership policy.

School boycotts in 1964 and 1965 in protest to what was considered the failure of the school board to act on charges of racial imbalance in the Milwaukee public schools.

Sit-in demonstrations at the courthouse in 1963 staged in protest to the appointment of a member of the social development commission.

Demonstrations and picketing this summer by the youth council of the NAACP at the homes of Milwaukee aldermen in protest to their votes against the proposed open housing regulation for Milwaukee.

Mr. PROXMIRE. I also ask, Mr. President, that an unusually authoritative article written by two Milwaukee Journal reporters one of whom had covered the Newark riot and one who covered the Detroit riot be printed in the RECORD at this point. This article documents the difference in response of the three cities.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

CITY MOVED MUCH FASTER THAN DETROIT, NEWARK

(Journal reporters Frank A. Aukofer and Kenneth C. Field covered the Detroit rioting, and Field also covered the upheaval in Newark. Here they compare the disorders in Milwaukee with those in Detroit and Newark.)

From the beginning the disorders in Milwaukee differed from those in Detroit and Newark:

There was swift police response here to mobs of Negroes—young and old—rampaging down a main street smashing windows and destroying private property.

A 24 hour curfew was imposed and enforced within hours after the violence erupted here.

Authorities in both Detroit and Newark were criticized for not taking these two steps early enough.

There were other factors here—related to rapid action on the part of public officials—that spelled the difference.

Gov. Knowles immediately called out the national guard. It was on the streets within hours after Mayor Maier's request.

HELD DOWN DISORDER

This, plus prompt police action along the main street in the inner city—N. 3rd st.—held down looting and fire bombing of stores.

With the curfew, the inner core was tightly sealed with a ring of steel. With taverns, industry and business shut down because of the curfew, people were kept off the streets. This reduced the area of disorder.

Unlike other cities, the upheaval here apparently was not touched off by a specific incident which became a rallying point for rioters.

Rioters here never were in command of the situation as they were in Detroit and Newark. A chaotic situation here never developed.

Some of the other differences lend support to the statements Monday by three civil rights leaders that they had heard reports of planning behind the riots here.

But it could be, one civil rights leader said, that Milwaukee Negroes simply were reacting to the "fad" of rioting. This would seem true because the disorders of those of other cities and, apparently, lacked the popular support of the city's 90,000 Negroes.

In other cities, incidents that touched off rioting most often involved rumors surrounding police arrests. In Detroit, it was a raid on an after hours drinking joint and the rumor that police had kicked one of the men arrested down a flight of stairs.

NOT AIMED AT WHITES

In Newark, it was the arrest of a cab driver for a minor traffic violation and the rumor that he had been beaten to death in a police station.

Another rumor in Newark was that a pregnant woman was beaten by police.

But in Milwaukee the rioting apparently erupted spontaneously.

Somewhat like Detroit, it was apparent here that the rioting was not racial in character. Whites were not directly menaced.

In many respects, too, it appeared that the disturbance here had nothing to do with civil rights.

Rumors last week of imminent rioting apparently brought groups of Negroes out on N. 3rd Sunday night. Small and large groups roamed the streets. Windows were smashed and the violence was on.

There appeared to be no specific incident that involved the police.

Yet sniper fire erupted within a few hours after the violence started.

On the first day of rioting in Detroit and Newark, looting was extensive. Mobs broke into stores and business places and stripped them. Looting was light here.

VIETNAM: THE OTHER WAR—LAND REFORM MUST BE EMPHASIZED

Mr. PROXMIRE. Mr..President, I address myself today to our Nation's and truly the world's most urgent problem—Vietnam.

I support the President in his stated objective of seeking a political settlement of the war through genuine negotiations. I support and commend the President in his restraint in the use of military force in Vietnam. Under President Johnson's thoughtful leadership, we are waging a limited war in Vietnam for limited objectives. This Nation is not conducting a "holy war" against communism. This Nation neither seeks, nor wants to establish an American military presence in Vietnam.

But I have grave reservations about our Government's policies in the so-called other war in Vietnam, the fight for social and economic improvement for all the people of South Vietnam.

In this guerrilla war, the social and economic progress we make is absolutely crucial. If we lose this side of the Vietnam struggle, we cannot win in any meaningful sense in Vietnam.

If we win the social and economic battle, military success will be swift and inevitable.

Events of the last 18 months should prove this to the most hardheaded advocate of military-victory-first. There are few if any examples in history of a country which has poured such an immense amount of military fire-power from land and air against such a relatively feeble foe, with such little evidence of progress.

The American man in the street repeatedly asks the logical question: "How in the world can the most powerful military nation in the history of mankind waste such a prodigal amount of blood and treasure against a fifth-rate little power and make such little progress?"

The answer: We have poured literally 99 percent plus into the military effort, and only a small fraction of 1 percent into the war that counts.

Of course, the military effort is essential. There must be military security. It does little good to build a schoolhouse if you cannot protect it from being burned down. The trained teacher or village administrator is of little value if she or he is murdered.

But at the same time, military conquest means nothing, if we fail to bring the economic and social and health gains that persuade the people that the Vietcong do not have the answer.

The progress in some areas has been nothing short of remarkable. Over 7,000 classrooms have been built in the last year in Vietnam. Over 18,000 schoolteachers have been trained. Literally millions of textbooks have been made available to South Vietnamese schoolchildren through U.S. aid. People who had no reasonable expectation of ever seeing a doctor are receiving expert medical attention. I am proud of these accomplishments by our Nation.

However, we must remember that South Vietnam is a small and crowded land—16 million people living in an area smaller than the State of Missouri. While we can be proud of the classrooms we have built and the hospitals we have staffed, we have failed to devote any proportionate amount of our resources, our energies, or our influence to the great problem of land reform.

And here is where the Vietcong slogan catches fire. The Vietcong words, "To the tiller belongs the soil"—which is their slogan—are more potent than all the bombs we have dropped since the war began.

Consider: In spite of the enormous dislocations in recent years caused by the war and the resulting movement to the cities, the overwhelming majority—three-quarters—of the Vietnamese are farmers and peasants.

Last year, when Secretary of Agriculture Orville Freeman visited Vietnam at the request of President Johnson, he put winning the war in terms of "satisfying the legitimate aspirations and desires of the Vietnamese farmers." But today, land reform remains at the bottom of our list of social and economic priorities and, strangely enough, occupies the identical position on the agenda of General Ky's administration.

And further consider: Patterns of land tenure are not significantly different than they were under the French. Now, as then, the absentee landlord is the rule, not the exception. Vast numbers of people scrape the land for a marginal existence.

There are in South Vietnam about 8½ million acres of cultivated land, of which a little over 6 million acres are rice land. It is these 6 million acres that concern us when we speak of land reform, because there has been neither proposal nor pressure to break up the country's upland rubber, tea, and coffee plantations.

The rice lands of South Vietnam are divided into two very different locations, each with its own characteristic land tenure pattern.

The first is the Mekong Delta region, where are found not only three-fourths of the rice land of South Vietnam, but three-fourths of the people as well. Here also we find the greatest potential for land reform.

The remainder of these rice lands are found along the coast, where increasing population pressure over the years has forced their division into tiny parcels. Here a man with 10 or 20 acres is a landowner of considerable holdings. In these coastal areas, land reform is not a major issue because there is little land to be divided up; the problem here is productivity.

So when we speak of land reform, we must remember that we are speaking of the Mekong Delta and similar regions: for it is these areas which furnish most of Vietnam's rice, contain most of the population, and which reflect the worst social abuses the Vietnamese peasant has been forced to endure. And, I might add, constitute the most difficult military problem because of the defection of the population.

According to the latest figures from AID, at least 75 percent of the people in the southern provinces—most of them in or around the Delta—rent all or part of the land they farm.

I want to emphasize that land reform in South Vietnam is not an American innovation or idea. Twelve years ago, in response to pressure from the Mekong Delta region for land reform, the Diem government enacted two preliminary measures to alleviate a socially intolerable and politically volatile problem. The first was Ordinance 2 of 1955, establishing rent ceilings of 15 to 25 percent of the main crop value and increasing land tenure to 5 years. While this measure was hardly a bold beginning, the farmers of Vietnam have not had the chance to discover what changes it might have effected because Ordinance 2 has never been conscientiously enforced. It is common practice today, especially in the central lowlands, for farmers to pay not 15 percent, not 25 percent, but as high as 60 percent of their crops in rent to landlords who somehow manage to get along well with each Saigon administration.

The second measure, adopted in December of 1956, gave hope of being the first of several gradual steps toward equitable land distribution in South Vietnam. This was Ordinance 57, limiting the amount of riceland any individual could own to 100 hectares—which represents 247 acres. An additional 37 acres to each individual landholder was allowed for ancestor worship and family burial grounds. All holdings larger than the legal limit of 284 acres were expropriated, placed under government care, and the owners compensated.

Ordinance 57, which is so frequently pointed to with pride in official circles, was even at the time of its enactment an exceedingly modest proposal.

By this statute, an individual's holdings, and not a family's holdings, were limited to 284 acres. This provision certainly helped to encourage the common practice of dividing up a large estate among the members of a big landholder's family—each with his very own 37 acres for burial ground and ancestral worship.

At the same time, the Diem administration seized 490,000 acres of land to which no clear titles existed, in the process expelling thousands of peasants who had been farming the land as squatters. Under Diem, from 1957 to 1960, the government expropriated about 1.6 million acres, about 20 percent of the land then being farmed in South Vietnam.

Nevertheless, Ordinance 57 might have proved the beginning of a real land reform program in South Vietnam. It might have, I say, for to this day close to two-thirds of the 1.6 million acres have never been redistributed.

According to the Saigon government, 127,000 people have been permitted to purchase expropriated land. During its 2 years in power, the government of Premier Ky has made no new expropriations and, according to the most reliable estimate, has distributed a maximum of 50,000 acres, or a little over 3 percent of the land controlled by the Diem government.

I concede that there are obstacles to a meaningful land reform program in South Vietnam. Archaic surveying regulations could require up to 20 years for a legally proper survey of the land in South Vietnam. Inexcusable delays in the processing of cases and files are encountered at the hands of a sprawling and inefficient bureaucracy.

But the United States has assigned no urgency, no priority to the problem of land reform, either. From 1961 to 1965 we provided no aid in dollars or piasters for land-reform action. In 1966, our land-reform appropriation of $953,000 for the entire year would have run our military effort not for a month, or a week, or 1 day, or 1 hour, but for less than 20 minutes. In fiscal year 1967, the administration budgeted for land reform for all of South Vietnam a million and a half dollars which would probably sustain our military operations in Vietnam for a single half hour.

Even more tragically, of the million and a half dollars the United States will contribute this year toward land reform, $800,000 of this amount is earmarked for surveying government land in order to draw up accurate deeds. This is analogous to a doctor on duty in the accident room of a hospital requiring a fully detailed medical history of a critically injured patient before he consents to stopping the bleeding.

Action is needed now. If it requires our prodding, our persuasion, our pressure on the Saigon government to get action, then we must prod, must persuade, must pressure.

The excuses that the Vietcong are blocking land reform are no longer good enough. It is not the Vietcong who follow the U.S. troops into a secured area and collect back rents and levy new taxes. No, indeed, it is the landlords and their agents, with the tacit consent of South Vietnamese officials.

The Vietcong, with a land-reform program of their own, do not bother with accurate surveys. When they seize an area, the Vietcong simply give the peasant title to the land he has been farming. And while his ownership under a Vietcong title is actually illusory and his taxes undoubtedly onerous, the farmer probably considers himself better off with a title to his land.

Is it any wonder then that the Vietcong have enjoyed their greatest successes in this area where land reform under succeeding South Vietnamese governments has been nothing but an empty slogan, a cruel hoax?

I do not suggest that the Vietcong's interest in the well-being of the South Vietnamese farmer is not self-serving. But I do question whether we and the South Vietnamese Government may very well be ignoring the most reasonable, most just, and least costly route to the expulsion of Hanoi's influence from the affairs of South Vietnam.

Our efforts, heretofore, have been concentrated upon raising the price of aggression for Hanoi through the measured application of military force.

I believe that the disloyalty and indifference to the Saigon government on the part of the landless farmer of South Vietnam could be converted to active support for an administration which proved its true concern for the peasants' misery through a solid commitment to a program of real land reform.

As I stated earlier, the United States is not waging a "holy war" against communism in Vietnam. Communism does not exist in a vacuum. It feeds upon ignorance, disease, and injustice.

We are helping—too modestly, but helping—to build the schools, to staff the faculties, to cure the sick, to eliminate disease. But all of our magnificent efforts in education and health, all of the valor and glory of American fighting men will be tragic mockeries unless social and economic justice prevail.

South Vietnam is a land of farmers; almost 12 million of the 16 million people live by the soil. The South Vietnamese farmer cares far more about his land than about the makeup of the government in Saigon. For as long as he can remember, governments have risen and fallen with a regularity almost approaching that of Nature's seasons. He has learned to pay little heed to his government, because no administration has showed any determination to change his lot.

Land reform, of itself, will not magically produce a stable democracy in this ancient land. But without real land reform, I fear that the prediction of the cynics—that our only choice in South Vietnam will come down to options between a dictatorship of the left or a dictatorship of the right—might very well materialize.

If this Nation's experiences since 1945 have taught us no other lesson, we must have learned that social progress is the key to national stability and popular support for governments—and that these are ultimately the most formidable defenses to Communist subversion.

If the tremendous sacrifices in human life and treasure that the people of the United States are willingly making for this tiny nation are worth anything—and I repeat that I believe they are—then they must mean not only political democracy, but social and economic justice as well.

If, at the end of this long and tragic war, we have merely succeeded in propping up one more unpopular, unresponsive, and uncaring regime, then our efforts and our sacrifices will not simply have been futile, they will be mockeries of this Nation and its ideals.

As London Times Saigon correspondent Fred Emery points out:

> It may be questioned whether any progress of lasting nature can be expected, in spite of military success, so long as pacification continues without a real revolution in the government's attitude toward land reform.
>
> Absentee landlords are still riding in with pacifying troops, not merely to grab back their lands but to extort back rents for the time they fled the Viet Cong. Senior American officials recognize the problem only too well, and say, rather nervously, that they are hoping the government will shortly come up with a decree abolishing back rents.

Mr. Emery continues:

> It remains that an individual may still own up to 100 hectares (247 acres) with other members of his family owning as much again.
>
> Added to this landlords still extort rents as high as 60 percent of the product of a rice field, and it is not hard to see why peasants keep their arms.

Mr. President, the present government in Saigon has title to nearly 1 million acres of undistributed land. Unless and until the Saigon government demonstrates a firm resolve to execute a real land-reform program, all the flights of rhetoric about "pacification" and "social resolution" will continue to be a disgraceful sham.

Let me make it clear: I do not suggest that the forceful implementation of a land-reform program in South Vietnam, alone, will miraculously transform that war-torn country into a stable democracy or a prosperous nation. But I do say that—without a real program of land reform, honestly and forcefully executed—we will have neither.

CENTRAL ARIZONA PROJECT

Mr. PROXMIRE. Mr. President, I want to speak for about a minute or two on another topic, the subject which is going to be the main concern of the Senate today; namely, the central Arizona project, which is a complex matter, touching on many vital concerns. I would like to address myself briefly to the conservation aspects of the bill.

Last year in the 89th Congress, this bill's predecessor caused widespread concern among conservationists committed to the preservation of our great natural landscape. This was a concern I shared and for which I fought. I felt the construction of two dams in the Grand Canyon would have marred and buried sections of a great natural wonder. Future generations would have criticized us for decimating our landscape.

Today I am pleased and grateful that these two dams have been eliminated from the central Arizona project. I am even more impressed because section 13 of this bill prevents the Federal Power Commission from authorizing construction of a dam downstream from the Grand Canyon. I would have also been happy to see a similar provision for the Marble Canyon dam site, but I understand this was left out pending consideration of an expanded Grand Canyon National Park.

Because this Marble Canyon area is still in danger, I feel it imperative that we in Congress act to meet the need for an extended and expanded Grand Canyon National Park. S. 1004 does not fully protect this area, and following its consideration, we will hopefully move on to create a more complete Grand Canyon National Park to solve these important conservation needs.

MORAL CONSIDERATIONS ALSO COMPEL SENATE RATIFICATION OF HUMAN RIGHTS CONVENTIONS—CXII

Mr. PROXMIRE. Mr. President, as I rise once again today to urge the Senate to give its advice and consent to the Human Rights Conventions on Forced Labor, Freedom of Association, Genocide, Political Rights of Women, and Slavery, I believe it is good to recall that these are not merely legal documents, but also profoundly affirmative moral statements.

The moral dimension of our foreign policy has long been recognized and traditionally acknowledged by our practices. In recent years, for example, we have advanced proposals for strengthening U.N. procedures in the field of human rights. We have spoken out clearly against specific violations of human rights in different parts of the world. And, most important of all, we have earned widespread respect from other nations for the dedicated manner in which we have set about eradicating discrimination and injustice in our society. We thus find in our past and present practices implicit affirmation of human rights.

As I have tried to emphasize before: our national interests and international responsibility compel us to ratify the Human Rights Conventions. Twice in the lifetime of many of us, the United States has been forced into world wars. Twice we watched helplessly while unchecked domestic oppression grew into unprovoked foreign aggression. Aggression since 1945 has been the exclusive practice of those regimes which first deprived their own citizens of basic human freedoms. Human rights and peace are intimately related and historically interdependent. When the human rights of any people are threatened, peace itself is threatened.

Peace and freedom are the fundamental objectives of this Nation's policies. Let us never fail to recognize that the world looks to us not merely as an arsenal of weapons and a storehouse of commodities, but as a society committed to the promotion of the dignity of man. This country was founded on the basis of ethics and morality, and we betray our heritage if we fail to state our case in moral terms.

Our most fundamental question is not "How much artillery?" or "How many men?" It is rather "To what purpose?" And for this the world awaits an answer—an answer that we have thus far failed to provide in the ratification of the Human Rights Conventions.

Let the Senate move positively toward both peace and international securing of human rights by ratifying the Treaties on Forced Labor, Freedom of Association, Genocide, Political Rights of Women, and Slavery.

ORDER OF BUSINESS

Mr. MANSFIELD. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. RANDOLPH. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. PROXMIRE in the chair). Without objection, it is so ordered.

THE AMERICAN HIGHWAY SYSTEM—ITS CONSTRUCTION AND SAFETY

The PRESIDING OFFICER. Under the previous order, the Senator from West Virginia [Mr. RANDOLPH] is recognized for 30 minutes.

Mr. RANDOLPH. Mr. President, when the 90th Congress convened last January, Members of the Senate and the House of Representatives were understandably concerned over the action of the President of the United States in cutting back on the highway program for fiscal year 1967.

This concern was testified to by speeches in the Senate and the House, by the communications from the chief executives of the many States, and by correspondence with individual Senators and the public generally.

I recall more than 60 Senators indicating to me personally that they had received correspondence opposing the action of the President in withholding trust funds set aside for the construction of the highway system of the United States.

The funds withheld by that executive action amounted to $1.1 billion.

In light of this, I think it is important for us to consider the action of the House of Representatives approximately 2 weeks ago. In a move ostensibly designed to reduce pressures on the general fund—I repeat, on the general fund—that body adopted a 5-percent cut in the appropriations for fiscal year 1968 for the Department of Transportation. The bugetary implications in the House are not my concern as I speak today. That which does concern me, however, is that this unselective—I use that word advisedly—cut reduced expenditures from the highway trust fund by 5 percent. In so doing, $189 million in actual cash was removed from the highway appropriations portion of the bill to which I have directed our attention.

The gross effect on this area of the total Transportation Department reduction will be to postpone the obligation of $1.2 billion of highway funds. This impact on our highway construction effort—which, I emphasize, has no relation to the general fund—will be in the nature of a withdrawal of a commitment of the Congress to the highway program as it is now in effect.

We now face serious underfinancing of our highway program and these delays, and further delays, compound the problem of maintaining an orderly development, of the highways of our Nation.

All of the arguments which were presented in January of this year against the Presidential cutback order of November 1966, including those which were presented by me, when I addressed myself to that subject on January 23, hold true today with respect to the action of the House, in regard to the cut in the appropriations for the Transportation Department in connection with the highway program.

House sponsors and supporters of this 5-percent across-the-board cut in general fund expenditures are reported to have said that they did not intend to bring about the result which was the natural consequence of the implied and inherent amendment offered by Representative LAIRD, of Wisconsin. However, that may be, I urgently request the members of the Senate Appropriations Subcommittee handling the Department of Transportation appropriation to recommend a restoration of at least the full amount of the budget request.

I have been informed that the Federal Highway Administrator, Lowell Bridwell, will make a request for such action of the Senate Subcommittee on Appropriations in his testimony before them today.

The effect of the House-passed reduction on our economy, as well as on the progress and the success of our highway program, would be most severe. Its potential impact on many people in the private sector—contractors, suppliers, and labor—as well as its impact on State highway programs would be too great for us to permit this action to go unchallenged. It is unfair for this situation to come about at this time. It is my belief that we need to have it corrected as quickly as possible.

I invite my fellow Senators to join me and the Senator from Kentucky [Mr. COOPER], the ranking minority member of the Committee on Public Works, and the Subcommittee on Roads, as we work with the Appropriations Subcommittee and others in this body seeking the restoration of these funds for highway development and construction.

Mr. President, another matter which is also of vital significance is the action of the House Appropriations Committee, as ratified later by the House of Representatives, in reducing the appropriations for carrying out the highway safety program from the $100 million requested in the budget to the $20 million proposed by the committee, and the $19 million approved by the House.

We recall that it was only last year that Congress adopted the Highway Safety Act—a measure designed to bring into being a full-scale Federal, State, and local government program to wage a massive and, we hope, effective action to prevent the destruction of life and the loss of property on the highways of this Nation. We have held hearings on this subject in our Subcommittee on Roads within the past 10 days or 2 weeks. During that time, we have heard testimony on the program being conducted pursuant to the Highway Safety Act. It is a measure of broad interest to the people of this country.

Every year we suffer many more fatalities upon our highways than we do upon the battlefields. I am committed to any course of responsible action, and to the necessary appropriation therefor, which will reduce casualties on the battlefield, and on the highways as well. The appropriation of the $100 million requested by the administration to carry out the highway safety program is small in comparison to the economic destruction and human distress which come from accidents, which result in approximately 52,000 deaths annually, and the maiming of additional thousands of men, women, and children, on the roads of this country. I repeat that figure: The death toll is 52,000 annually, with many more thousands injured and maimed.

I recognize that we must examine and reexamine our expenditure priorities at a time when there are greater demands on the general fund than can be met by it. But I know of no program which is more capable of reducing human suffering more, and make a greater return on the dollars invested, than the meaningful and effective highway safety program which has been written into law, and which now needs the dollars to make it work.

The Subcommittee on Roads of the Committee on Public Works recently completed hearings reviewing the activities of the Department of Transportation in connection with the Safety Act which we passed in 1966. We heard Federal, State, and local officials describe the beginnings of this promising program. Now to have the program summarily stopped would, in a sense, be illogical, and would seem to me to be a tragedy of the era of mobility in which we live. If by failing to underwrite it we cause delay in the highway safety program, it could only be because we do not see the urgency of the need. I believe that if all Members of Congress, certainly all Senators, were fully apprised of the situation, we would respond with the necessary funds.

The highway safety program, like the highway construction program, we must remember, is a joint effort of the States and the Federal Government. We have urged, and in some degree we have required, that the States undertake safety programs under penalty of losing 10 percent of their highway funds if they do not comply. We have asked the States to obligate the expenditure of large sums of money to match the Federal funds which everyone expected that Congress would make available.

Our action on appropriations will create the environment in which this program can be carried forward. If we commit ourselves to the need for urgent action, the States and the communities involved will, I think, respond accordingly. If we do not restore these funds, and the program is forced to function at the reduced level of the appropriations provided by the House of Representatives, then the States and the local communities will be correct in assessing the congressional view of this program as one which can wait for another day; and until that day, there will continue to be casualties, which currently mount to the total of approximately 52,000 killed during a 12-month period.

I do not believe that that is the sense of the Members of Congress; and we must reverse that action.

It is our obligation to restore these funds for carrying out the highway safety program and to restore the full appropriations for highway construction. Money for construction is now in a trust fund earmarked for that purpose—cash in hand, and not money which would be drawn from the general fund. It is our obligation to restore these funds so that the actual and implied promises made to the States by Congress will be met. Contractual agreements must be lived up to in the best sense of the word.

These vital domestic programs must be conducted at levels necessary to reach the goals previously laid down by the Congress.

I again urge the Members of the Senate to join with the Senator from Kentucky [Mr. COOPER] and me, and to state their views to the Committee on Appropriations and especially to the subcommittee that is handling the Department of Transportation appropriations legislation.

I know from talking with some members of the subcommittee and of the parent committee that our requests will be given the most careful attention. The committee will examine the record, and I feel that we will ultimately act in the best interests of the people of the United States.

Mr. President, the Senator from Kentucky and I, as well as other members of the Committee on Public Works, and of its Subcommittee on Roads, are intensely interested in pointing out the actualities of the problems that exist, and not merely dramatizing the situation.

Mr. President, I will not speak further at this time, but I know that the Senator from Kentucky wishes to be heard on the subject at this time.

ORDER OF BUSINESS

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senator from Kentucky may be permitted to proceed for an additional one-half hour.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. COOPER. Mr. President, I am very glad to join with my colleague and friend, the senior Senator from West Virginia [Mr. RANDOLPH], with whom I serve on the Public Works Committee, in calling attention to the vital importance of the highway safety programs, and to the necessity of providing adequate funds with which to carry out these programs.

These programs are being initiated by the States under the Highway Safety Act of 1966. I had the honor of joining with the senior Senator from West Virginia in introducing in the Senate the Highway Safety Act. It was passed by the Senate without dissent, and by the other body by a vote of 317 to 3.

I think it very appropriate for our chairman to bring the Highway Safety Act to the attention of the Senate, the House of Representatives, and the people of our country at this time.

Actually, I do not believe the measure has been accorded the importance that it deserves. In my judgment, it is one of the most important pieces of legislation passed in the last Congress, and in fact for several years.

I have said many times—and I believe it is also the opinion of the chairman of the committee—that much attention has been given in the news media to the subject of safe automobile design. That has been proper because the Motor Vehicle Safety Act of 1966 was an important contribution to highway safety.

However, many persons, and those who have had long experience with the problems of highway safety, believe that the Highway Safety Act of 1966 will in the long run be much more important to highway safety than will the Motor Vehicle Safety Act of 1966.

Mr. RANDOLPH. Mr. President, will the Senator yield at that point?

Mr. COOPER. I yield.

Mr. RANDOLPH. Mr. President, it is important to stress what has been so well stated by the Senator from Kentucky.

These measures were companion bills in the Senate. We had the dramatics of the automobile companies which manufacture these cars under scrutiny. The shortcomings of the various automobiles were divulged to the public.

We, of course, want the automobiles to be improved. It is likewise very important that there be constant improvement in road design and road markings, proper embankments at the sides of roads, the rate of incline and decline as well as the curves in roads must be closely controlled. There must be proper markings to indicate for the motorist where turnoffs are located and what is the acceptable rate of speed. These signs must be properly spaced, properly colored, and properly worded.

This is all very important to the safety of the American motorist. We must remember that the lighting on roads improves the visibility. When we improve the lighting on roads we improve the ability of the driver of the car to operate it safely.

I agree that these many facets of highway improvement mean more in terms of safety in the long run than was realized when the legislation was first presented to the Senate.

I appreciate the stress that is being given to the vital aspects of the Highway Safety Act.

Mr. COOPER. I thank my colleague, the chairman of our committee. On September 2, 1966, the lead editorial in Life magazine, while paying full credit to the importance of the Motor Vehicle Safety Act, pointed out what we have been discussing here: that in the long run, the Highway Safety Act would be of greater importance.

An automobile design must be the best possible with respect to safety before the automobile is allowed to get on the road. But there must also be a qualified driver in the car.

I would like to point out some of the programs which, under the Highway Safety Act, the States have been asked to develop. In fact, they are told they must develop these safety programs. The States have been working upon them now for months.

Comprehensive highway safety programs are now being developed by the States which include:

Regular and continued annual inspection of every automobile.

A driver education program available to and required of all of licensing age. That includes all youths who may operate automobiles, and also an adult driver retraining program.

Improved highway design and construction with safety features for all roads. Up to this point, the safety features have been applicable only to the Federal-aid highway systems. The highway safety construction program must include provisions for pedestrian safety, safer residential streets, and roadway lighting.

The immediate reconstruction of areas of road systems upon which there have been high rates of accidents.

A uniform system of driver licensing and regular reexamination, including a driver improvement program.

Systems of motor vehicle registration which provide for the rapid entry and recovery of information.

Improved and uniform traffic control devices and systems.

The reduction of accidents arising from persons driving under the influence of alcohol, by proper methods of testing and by court action.

Emergency medical services, including the training of ambulance and rescue operators, and the provision of emergency vehicles and equipment. In this respect, Mr. President, I was interested to hear the testimony of the Federal Highway Administrator, before our committee a week or two ago, that not a State in the Union has a program for the provision of ambulances and emergency operators, and for training their attendants. Ironically, most of the ambulances are provided by funeral homes.

Special licenses, safety helmets and equipment required of motorcycle drivers.

A traffic and accident records system.

Improved traffic courts.

Finally, a program to achieve uniform rules of the road in all jurisdictions.

Mr. President, this comprehensive highway safety program is a vital program—because its design is to save lives, to prevent accidents, and to bring under control, so far as possible, the awful toll of highway accidents which kill and maim thousands of persons in every State.

The procedure established under the Highway Safety Act can be described simply as follows:

The act provides for a system of grants to the States to initiate these programs. The act authorized $67 million for fiscal 1967, $100 million for fiscal 1968, and $100 million for fiscal 1969.

These authorizations are apportioned to the States by the Secretary of Transportation—75 percent on the basis of population, and 25 percent on a basis to be determined by the Secretary. The flexibility given to the Secretary has at least one important purpose—to provide him the ability to encourage the immediate implementation of safety programs in larger centers of population.

The sums of money which have been authorized for the highway safety program are apportioned to the States in exactly the same way as money is apportioned to the States for the construction of the Federal-aid highway systems. The apportionments to the States must be made before January 1 preceding the fiscal year beginning on the following July 1. In other words, for fiscal 1968, the Secretary of Transportation had to apportion the money authorized for that year before January 1, 1967.

Following that authority, the Secretary did apportion to the States, before January 1, 1967, 75 percent of the $67 million authorized for fiscal 1967, and 75 percent of the $100 million authorized for fiscal 1968—a total, less administrative funds, of $118 million.

I must point out that the States are required by the act to have a highway safety program approved by the Secretary of Transportation, and such programs shall be in accordance with uniform standards promulgated by the Secretary. These standards have been promulgated. If a State does not implement such highway safety programs, its highway construction apportionment may be reduced by 10 percent.

For example, if a State such as my State of Kentucky, or the State of West Virginia of my distinguished colleague, Senator RANDOLPH, or any other State should have, say, an apportionment of $100 million for the construction of all its Federal-aid highways—interstate, primary, secondary, and urban—the Highway Safety Act requires that if that State has not adopted a program for highway safety, its apportionment of highway construction funds could be reduced by $10 million.

So we have this anomalous situation. The Congress and the Federal Highway Administration find themselves in this position: Having urged the States to move rapidly and effectively toward the adoption of a highway safety program; having said to the States, "Unless you do so, you may suffer a penalty of 10 percent of all your highway construction funds"; with the States now in the process of complying with that requirement; and the Secretary of Transportation having followed the provisions of the act and apportioned funds to the States—now the other body denies the authority to obligate funds against these apportionments beyond a limit of $20 million. What will be the result? Unless the funds for the State and community safety programs are restored, it seems to me the Highway Safety Act will become a nullity.

It is therefore essential that the Senate Subcommittee on Appropriations, which handles the Department of Transportation funds, including those for highway safety, and the full Committee on Appropriations, and the Senate itself, understand the gravity of this situation—and that steps be taken to follow through on the commitment that was made in the passage of the Highway Safety Act, to provide the funds necessary for the programs it requires.

I have been informed that the Federal Highway Administration and the Secretary of Transportation will ask that the fiscal 1968 appropriation be fixed at $100 million to meet this obligation.

We are involved in a war—of which we are conscious day by day and hour by hour and which requires not only the sacrifice of the lives of men but also their support in funds. Its cost is heavy. There is a budgetary problem which all of us must take into account, because it holds the threat of inflation, and we know the impact of inflation upon the productive industries of our country and the pocketbooks of our citizens.

However, the highway safety program also deals with the lives of our citizens. I believe it deals more directly with the lives and safety of our citizens than perhaps any other program upon which we vote, with the exception of the support of our forces in Vietnam.

We have many programs for the prevention and cure of disease. We voted on them yesterday. Of course, those are worthwhile programs. Nevertheless, on our highways we see and read daily of tragic accidents which involve the loss of life, and the maiming of young people, and of old people, which will last throughout their lives. We must do something about it.

The Motor Vehicle Safety Act and the Highway Safety Act are the only means I know by which we can do something about this problem. I hope that the initiative of the Senator from West Virginia and his continuing interest in this field, with such assistance as I can give, will focus the attention of the Senate and the country on this very serious problem which has been caused by the action of the other body.

Mr. RANDOLPH. Mr. President, will the Senator yield?

Mr. COOPER. I yield.

Mr. RANDOLPH. Mr. President, I compliment the Senator from Kentucky for his explanation of the important features of the Highway Safety Act. I believe that the Congress will act in a responsible way, responsive to the thinking of the American people. We will carry this act forward and do it with the desire and determination to eliminate the heavy casualties that are occurring on our highways.

The Senator from Kentucky and the Senator from West Virginia—joined by other Senators—are saying that highway appropriations, drawn from a trust fund, must be continued at the highest possible level, and that we must provide the necessary $100 million for the highway safety program which the Senator from Kentucky and I indicated would be requested by the Highway Administrator, Lowell Bridwell, in his appearance before the subcommittee handling this matter in the Senate today.

We have attempted to point out the compelling reasons. We have not tried to overstate the issue. We have pointed out the uncontroverted facts with respect to this important undertaking and the necessity for the Senate, joined by the House of Representatives, to be fully committed in these two areas we have discussed.

Mr. COOPER. I would like to ask the Senator a question relating to the establishment of the highway safety trust fund, which was recommended last year, and again this year by the administration. I think if that recommendation should be adopted it would eliminate the question of the lack of funds from year to year for this program—because the trust fund would provide a method of appropriations control, and would also make it possible to carry on a continuing program, with advanced planning on the part of the States.

I would be glad to have the judgment of the Senator about the establishment of the highway safety trust fund.

Mr. RANDOLPH. The Senator refers to the highway safety program within a special fund, just as we have the construction of the Federal-aid highway systems within a special fund.

Mr. COOPER. Yes.

Mr. RANDOLPH. The Senator from Kentucky advanced this thought in the past and he has expressed it before our committee. Generally, I am in agreement and it seems to me it would give us the opportunity to have the program conducted on an assured and continuing basis. We could anticipate the program moving forward, although we might run into a situation such as we have been discussing this morning. The cutbacks in highway funds did not relate to the general fund, but to the special trust fund for highways.

I believe your thinking is correct in that we would then focus attention, and dedicate and commit certain funds to the specific subject of highway safety. I think that the suggestion of the Senator is a good one and we will explore it further. It might be a matter which could be approved by the Senate and the Congress as a whole.

Mr. COOPER. In the event the highway safety and beauty trust fund, which I believe has been recommended by the administration, is not established, there may be another alternative which could be considered. The same House bill, making fiscal 1968 appropriations for the Department of Transportation, in providing grants-in-aid for airports, appropriates $65 million for fiscal year 1969. I suggest that this method might also provide a means of orderly planning for the highway safety programs. In any event it is important to give the States some leadtime in carrying out their highway safety programs.

Mr. President, I was very glad to have this discussion with the senior Senator from West Virginia, and I ask unanimous consent that a statement I had prepared on the subject be included at this point in the Record.

There being no objection, the statement was ordered to be printed in the Record, as follows:

Statement by Senator Cooper

I am glad to join with the senior Senator from West Virginia (Mr. Randolph), with whom I serve on the Public Works Committee, in calling attention today to the vital importance of the highway safety programs which are now being initiated by the States—and the necessity of providing adequate funds to carry out these programs. These programs are being initiated under the Highway Safety Act, which I introduced in 1966 with Senator Randolph, now Public Law 89-564.

The comprehensive highway safety programs now being developed by the States include the regular and continuing annual inspection of every automobile; a driver education program available to and required of all youths of licensing age, and adult driver retraining; highway safety design and construction features for all roads—not only the Federal-aid systems—including design for pedestrian safety, residential streets, roadway lighting, elimination of roadside hazards and a post-crash program; the identification of high accident rate locations, and methods for their correction; driver licensing examination and regular reexamination, including a driver improvement program; motor vehicle registration with provision for the rapid entry and recovery of information, improved traffic control devices and systems; reduction of accidents arising from persons driving under the influence of alcohol; emergency medical services, including the training of ambulance and rescue operators and the provision of emergency vehicles and equipment; special licenses, safety helmets and equipment for motorcycle drivers; a traffic and accident record system; an improved traffic courts program, and a program to achieve uniform rules of the road in all jurisdictions.

These are important programs. Their purpose is to save lives, to prevent injury, and to bring under control the awful toll of highway accidents which kill and maim thousands of persons in every State.

But to go forward, the highway safety programs must be developed and put into effect by each State—and their initiation must be financed. And to be effective, the highway safety programs must continue to be adequately funded.

I think it is clear from the response of the States, from the testimony of the Federal Highway Administrator and the Director of the National Highway Safety Bureau, and from the knowledge of the members of the Public Works Committee about the scope of these programs, that they cannot go forward and will not be effective unless the House reduction in funds for them is reversed, and $100 million appropriated for the highway safety program by the Senate and the Congress.

The highway safety programs will be carried out under the authority of the Highway Safety Act of 1966, which Senator Randolph and I introduced in the Senate, which was recommended by our Committee, and which passed the Senate without dissent on June 24. The Act can properly be called landmark legislation. It will be recorded as one of the most significant accomplishments of the 89th Congress—if the intent of the Senate and the Congress is carried out, and if adequate funds are provided for the highway safety programs.

I have called the programs vital because they do in fact deal with the preservation of life and the prevention of injury on the highways. They represent, I think, the best hope of preventing and reducing accidents—which we know affect hundreds of thousands of families, and which are a constant concern, if not an abiding fear, of nearly every family.

I have said many times, as I think is also the opinion of Chairman Randolph, that much attention has been given by the news media to the subject of safe automobile design, and properly so, for the Motor Vehicle Safety Act of 1966 is an important contribution. But in the long run it will be the work toward safer highway construction, driver education, automobile inspection, uniform traffic codes, the effects of alcohol, and in research, that will be most effective in reducing highway injuries and death.

Of course, this is a much larger and less spectacular task, for it must enlist the cooperation of State Departments of Public Safety, Highways, Health, Education and others. It affects the regular and continuing inspection of every automobile, and the training and driving habits of every driver. In short it affects every driver and every motor vehicle.

The urgency of this task requires that it be effectively begun and pursued, not approached piecemeal, with funds first turned on and then reduced to a dribble.

I must say that I am very pleased with the work of the Federal Highway Administration and of its National Highway Safety Bureau in preparing the programs and regulations to be carried out in cooperation with the States under the Highway Safety Act, in attracting able people to this work, in encouraging the States to promptly establish significant programs, and in carrying out the intention of the Committee and what I believe to be that of the Congress.

Just two weeks ago, the Public Works Committee held hearings on progress under the Highway Safety Act, at which Federal Highway Administrator Lowell K. Bridwell and Safety Director Dr. William Haddon testified. Their testimony indicated the speed with which the agency developed the highway safety program standards, the clarity and scope of those standards, and the work of the agency. Mr. Bridewell's and Dr. Haddon's presentations were very informative, and I will ask that an excerpt from that testimony be included in the Appendix of today's Record.

Those hearings followed the publication of the highway safety program standards by the Department of Transportation on July 1, as required by the Act. They include the requirements for State programs of driver education; driver licensing; motorcycle safety; traffic records; alcohol in relation to highway safety; periodic motor vehicle inspection; motor vehicle registration; highway design, construction, and maintenance; traffic control devices; identification and surveillance of accident locations; codes and laws; traffic courts; and emergency medical services.

Now the House Committee on Appropriations, and the House of Representatives itself, has reduced the amount for State and community highway safety programs from the appropriation of $100 million, recommended by the President for fiscal 1968, to $20 million—and for operating expenses, from $31 million to $21 million. Further, the House Committee has imposed a restriction, which in effect limits to $20 million the contract obligational authority approved by the Public Works Committees for the State and community highway safety programs.

That is, the House did two things: First, it provided only $20 million in fiscal 1968 appropriations to pay obligations incurred in carrying out the State safety programs. Second, it prohibited the planning or execution of programs which would incur, in fiscal 1968, obligations in excess of $20 million—regardless of when those obligations would fall due.

The report of the House Committee points out correctly that at the time it held its hearings, the Administration did not know precisely what funds would be required in fiscal 1968—for most States had not yet submitted their applications and program plans under the State apportionments made last December. But the Committee also raised questions about the effectiveness of motor vehicle inspection in reducing traffic fatalities, and asked that more emphasis be placed on demonstrating benefits before larger amounts are committed. The Committee report states that firmer and more specific standards and goals should be established—although specific standards had been promulgated by the Department of Transportation on July 1, 1967.

It would seem impossible to prove a direct relationship between programs such as driver education or automobile inspection and the reduction of fatalities, before intiating and carrying out those programs. It was to find out more about these relationships, and the most effective kind of programs, that the Act authorized highway safety research and development, and recommendations and the review of programs by the National Highway Safety Advisory Committee.

Unless the Senate restores the funds eliminated by the House, I do not believe that these safety programs which hold much hope and such promise can become effective. Failure to provide adequate funds will set the highway safety programs back by years. I hope very much that the Senate Subcommittee, under the leadership of Chairman Stennis, Senator Cotton and other members, will increase to the budget request the funds approved by the House for the State safety program. It is my intention, and I assume that of the Chairman, to ask the Committee to do so, and it may be that other members of the Senate will bring to the attention of the Committee their interest, and that of their States.

The interest of the States in this field is great. The National Highway Policy Committee of the Council of State Governments, meeting in Louisville, Kentucky, on July 20th, expressed their concern in a resolution urging that the Senate restore to $100 million the appropriation for the highway safety programs. A similar resolution was adopted by the entire Southern Conference of the Council of State Governments at its Louisville meeting, and I ask that the resolution, together with a letter I have received from the Honorable Kenneth F. Harper, Chairman of the Highway Safety Subcommittee of the Southern Regional Highway Policy Committee of the Council, be included at this point in the Record.

The Highway Safety Act of 1966 authorized Federal matching grants for the State safety programs of $67 million for fiscal 1967, $100 million for fiscal 1968, and $100 million for fiscal 1969. These authorizations are apportioned to the States by the Secretary of Transportation—75% on the basis of population, and 25% on a basis to be determined by the Secretary. Following the procedure for authorization, apportionment, and appropriations for Federal-aid highway construction, with which members are familiar, the apportionments must be made before January 1 for the fiscal year beginning on the following July 1.

The purpose of this authority is to enable the States to plan and carry out effective and continuous safety programs. Our Committee concluded that the ability to obligate funds, within the limits of these apportionments and with the obligations to be liquidated by later appropriations, was as important to the development and implementation of orderly highway safety programs as it is to highway construction.

Acting under the Highway Safety Act of Sept. 9, 1966, the Department of Transportation apportioned to the States last December 75% of the $67 million authorized for fiscal 1967, and 75% of the $100 million authorized for fiscal 1968—a total, with administrative funds set aside, of $118 million. Under the Act, Secretary Boyd must apportion the $100 million authorized for fiscal year 1969 before next January 1, 1968.

The Congress and the Administration now finds itself in this position: having urged the States to move rapidly and effectively toward highway safety—and under the threat of a penalty of 10% reduction in their highway construction funds—having apportioned to the States $118 million for the highway Safety programs, and having seen the States develop safety programs in the last seven months based on that apportionment, the House action denies the authority to obligate funds against these apportionments, beyond a limit of $20 million.

I point out that the States are required by the Act to have a highway safety program approved by the Secretary of Transportation, and that such programs shall be in accordance with uniform standards promulgated by the Secretary. These standards have been promulgated, and if a State does not implement such a highway safety program, its highway construction apportionments after January 1, 1969, may be reduced by 10%.

The Public Works Committee has been assured by the Administration that the penalty provision will be administered reasonably, and that the States will be given time to develop effective safety programs. But under the House appropriation, it would appear that the Congress would require the States to adopt safety programs—under threat of a 10% penalty in the apportionment to the State of highway construction funds—and after doing so would refuse to provide the funds authorized and necessary to finance those programs.

I believe it would be a national tragedy if the highway safety program is not adequately funded, because of the individual tragedies of injury and death which we believe can be prevented by the safety programs under the Highway Safety Act, properly supported.

The Highway Safety Act is one of the most important pieces of legislation enacted by the Congress. I do not believe we can, in conscience, permit it to be starved for funds, and I hope very much the Senate will insist that it be adequately funded.

Mr. COOPER. Mr. President, at the time the Roads Subcommittee of the Senate Public Works Committee held its hearings on the safety programs, the House Appropriations Committee had recommended the reduction of funds for the safety programs, but the House of Representatives had not acted on the committee recommendation. The testimony we received from Federal Highway Administrator Bridwell, in response to questions from the chairman, Senator RANDOLPH, gives the opinion of the administration on the effect of the House cuts. I ask unanimous consent that an excerpt from those hearings, be printed in the RECORD.

I ask unanimous consent that the resolution of the Southern Conference of the Council of State Governments, and the letter I received from the chairman of the Highway Safety Subcommittee of the Southern Regional Highway Policy Committee of the Council of State Governments—to which I referred in my statement—be included in the RECORD.

I ask also that a telegram I have received from the Kentucky commissioner of public safety, Mr. Glenn Lovern, and an editorial which appeared in Life magazine on September 2, 1966, to which I have referred, be included in the RECORD.

There being no objection, the hearings testimony, resolution, letter, telegram, and editorial were ordered to be printed in the RECORD, as follows:

EXCERPT FROM HEARINGS, SUBCOMMITTEE ON ROADS, SENATE COMMITTEE ON PUBLIC WORKS, JULY 18, 1967

Mr. COOPER. I have had the opportunity to listen to most of Mr. Bridwell's statement, and also Dr. Haddon's. I would just like to say that I want to commend you on the speed—of course, under the prescription of the committee—with which you developed the highway safety standards, and also upon your very understandable presentation today. I have found this presentation of the regulations one of the best I have ever read. I think it is very good.

I also liked the fact that you stated that you envision early implementation of these standards by the states, but you have not been dogmatic setting the time in which that can be accomplished.

I will say again, Mr. Chairman, that in thinking more about this Highway Safety Act during the past year, since we considered it in the committee, I believe it to be one of the most important pieces of legislation reported by this committee, and very possibly one of the most important measures passed by the Congress. The investigation into auto design was needed and I think it has been productive, too. But many believe—and I do, too—that the Highway Safety Act of 1966 will have more effect upon safety and in reducing fatalities and injuries.

I am very pleased with what you have done under this Act.

Mr. BRIDWELL. Senator, thank you very much for your fine comments.

Let me just simply say that we are very enthused with the mechanics, the authority, the responsibility and the tools that you have given us to work with. We are just delighted with the over-all status, I think it is an excellent one.

Senator COOPER. I will make one more statement if I may.

I have been looking at some of the bills considered by this committee under the Chairmanship of Senator Randolph and those before him, and thinking about their broad impact on the country in its economic growth, progress and well-being, and about their health and sociological impact. Also, there has been a tendency on this committee—particularly under the leadership of Senator Randolph, and I think we are all appreciative of it—to insist more and more on state initiative, on state cooperation and creativity.

The CHAIRMAN. Thank you, Senator Cooper.

There is a fundamental question, Mr. Bridwell, that I would want to direct to you. I want to say that as I ask it I would be deeply indebted to you for your best thinking on this problem.

There has been a cut in the safety funds by the action of the House Appropriations Committee. That is correct, isn't it?

Mr. BRIDWELL. Yes, that is correct.

The CHAIRMAN. Now, I believe you asked for $100 million for the state and community programs; is that correct?

Mr. BRIDWELL. Yes, sir.

The CHAIRMAN. Is it correct that the House funds are tagged at $20 million in this category?

Mr. BRIDWELL. That is the action, Senator, of the House Appropriations Committee. It is my understanding that the appropriation bill comes to the Floor today so I cannot answer what the action of the House is.

The CHAIRMAN. I am speaking of the Committee.

Mr. BRIDWELL. Yes, sir; you are correct.

The CHAIRMAN. Now, for the research program and the administration of the Act and the vehicle safety program, you had asked for $31 million. Is that correct?

Mr. BRIDWELL. That is correct, sir.

The CHAIRMAN. The House Committee has set that down to at $21 million; is that also correct?

Mr. BRIDWELL. Yes, sir.

The CHAIRMAN. In other words, there is a cut of $80 million in the state-community program and, there is a cut of $10 million on the research and administrative and vehicle safety features. This is a cut of $90 million.

We have been talking here today, and properly so, about cooperation with the states. I just want to know, I am sure the subcommittee wants to know and the Senate will want to know, could you have used the funds that you were asking for? Was this a realistic request? Was it in anywise padded? You perhaps thought in terms of it being cut by the Congress.

Mr. BRIDWELL. Senator, I would like to respond to your question very carefully because I want to be as completely accurate as I can.

At the time budget request was put together and submitted through the normal administrative processes, it was our best estimate of what would be needed to carry out the program in fiscal year 1968.

The program, as you know, divides really into two basic parts; that is, the program dealing with the development of motor vehicle standards or standards which are to be met by the manufacturers of motor vehicles, and the other program which results from the Highway Act of 1966 is the state and community safety programs.

On the side of the motor vehicle standards it is my opinion, and keep in mind now I am speaking as an individual and not as an administration spokesman, that the reductions in the amount of funds available for research and development and the reductions for personnel associated with the development of motor vehicle standards are ones that we probably can live with although it will reduce the level of effort from that which we anticipated we could achieve in the 1968 fiscal year.

On the state and community safety programs, the difference is somewhat more severe in two specific respects. One is that the Congress, in passing the Highway Act of 1966, provided for the funding for this program in the same manner as the Federal highway construction program; that is, it would establish authorized limits for a period of two years and the states had the authority to enter into work projects, that is, into contracts, with us for the obligation of those funds and it would be incumbent then upon us as in the Federal-aid highway program to reimburse the states with cash up to the levels authorized by the Congress.

Now, the action of the House Appropriations Committee had the effect of putting a limitation on that. The Highway Act of 1966 authorized $167 million for the two fiscal years. The appropriations legislation before the House today has a general provision, Section 401 of the bill, which says that "None of the funds provided in this title shall be available for the planning or execution of programs, the obligations for which are in excess of $20 million in fiscal year 1968 for state and community highway safety".

The only way that I can interpret that language is that we can approve state and community safety projects for these two fiscal years only up to the eventual cost of $20 million.

Now, stated another way, that means that instead of the $167 million which Congress authorized for the program, the program will effectively be limited to $20 million or, on the average, something on the order of $400,000 per state.

The second specific point in which this affects the state and community program is that we asked for $3.820 million for the cost of administering the program and this totalled 280 positions. The action of the House Committee was to limit the administrative funding for the state and community program to $1 million and this would fund a total of 73 positions as compared with the 280 we requested, or I think a few less than we already have on board.

This would require us to carry out the program with 73 positions and supply not only the headquarters services that are required for the implementation of the standards that you have heard about this morning but also would have to include all of the personnel who work with the states and the communities in the development of safety projects; in other words, all of this would have to be accomplished within a total personnel ceiling of about 73 positions. That includes both the professionals and secretaries.

Senator BAYH (Presiding). In other words, it would be helpful to you in attaining the goal of the Act that is envisioned by Congress if the Senate in its wisdom would seek restoration, above and beyond?

Mr. BRIDWELL. Yes, sir.

Senator, at the risk of making a fairly general statement which may not be precisely accurate, I think that if this decision were to stand as an act of the Congress, then for all practical purposes we would be putting off for a full year the effective implementation of the program which is under discussion here.

Senator BAYH. And one would be really paying for this economy if he should be killed, maimed or injured during that fiscal year?

You don't need to comment on that, Mr. Administrator, but that observation, it seems to me, is pretty well based on fact.

Dr. Haddon commented on the importance of including this in the bill in order to increase your ability to accomplish its purposes. Certainly Senator Cooper has said this tops the priority list as far as this committee is concerned.

It seems to me that it would be penny-wise and pound-foolish if Congress provides the mechanism but refuses to cooperate with you in enabling you to implement it.

HIGHWAY SAFETY ACT APPROPRIATIONS

(Adopted by the Southern Conference of the Council of State Governments, Louisville, Ky., July 21, 1967)

Whereas, in Public Law 89-564, the Highway Safety Act of 1966, the Congress authorized the establishment of standards for comprehensive State highway safety programs; and

Whereas, the law authorized appropriations of $100 million for the fiscal year ending June 30, 1968; and

Whereas, the States, in developing their programs contemplated that the Congress would appropriate the full amount authorized; and

Whereas, the House of Representatives has reduced the appropriations for fiscal year 1968 to $20 million; and

Whereas, the States have shown good faith in enacting many new laws and in inaugurating, improving and planning to improve many programs at considerable cost;

Now, therefore, be it resolved by the Southern Conference of the Council of State Governments in Louisville, Kentucky, July 21, 1967, that the Senate restore and the Congress approve the entire appropriation of $100 million for fiscal year 1968; and

Be it further resolved that copies of this resolution be sent to the Chairmen of the House and Senate Committees on Appropriations and Public Works, all members of the Senate representing the Southern Region, the Senate Majority and Minority Leaders, Dr. William Haddon, Director, National Highway Safety Bureau, and Mr. Alan S. Boyd, Under Secretary of Transportation.

COMMONWEALTH OF KENTUCKY,
HOUSE OF REPRESENTATIVES,
Frankfort, Ky., July 27, 1967.

Hon. JOHN SHERMAN COOPER,
Old Senate Office Building,
Washington, D.C.

DEAR SENATOR COOPER: This letter is a follow-up to our telephone conversation of this morning in which we discussed the recent cut in appropriations for the Highway Safety Program.

The cut in appropriations for the Highway

Safety Program, amounting to some 80 million dollars by Congress has caused very great concern among the southern states, and the concern was expressed to the Congress in telegrams sent to them during the debate on the appropriations measure July 18 by the members of the Highway Safety Subcommittee of the Southern Region of the Council of State Governments during their meeting in Louisville, Kentucky on that same day. This concern was also expressed during a meeting of the National Highway Policy Committee consisting of all the regions of the Council of State Governments in their meeting in Louisville, Kentucky again on July 20, and resolutions were adopted by this Committee as well as the entire southern region of the Council of State Governments, and these resolutions are at this time being sent to all members of Congress and specifically, to the leadership of the Committees concerned. I am enclosing for your information copies of the resolutions which were adopted by the Council of State Governments at this meeting along with some other supporting news articles which may be of benefit in determining your position on this particular matter.

During the debate on the appropriations measure on July 18, Congressman Boland of Massachusetts commented that the cuts were justified for a very obvious reason, citing the fact that the appropriation of 10 million dollars in the fiscal year 1967 was made and yet only 547 thousand dollars of that 10 million had been obligated up to May of this year, and also that approximately 2 million dollars in obligations had been made at the time of the debate. Mr. Boland's statement is perhaps correct. However, I would hope that Congress would realize that at this time the states had not had sufficient time to prepare their programs in detail and to make the request for funds necessary to implement those programs. Now, since the standards have been adopted and approved, the states are in full swing in making their analysis and making their plans and implementing their programs. Now, if the funds are cut, the states do not know where to go. They don't know what to do next. They feel it is necessary to meet the standards, and to meet the requirements of those standards, and also to meet the compliance date, but they may not have the funds necessary.

The 20 million dollars allotted in the appropriations bill would mean approximately a 400 thousand dollar allotment per state. Now, I can't speak for the other southern states, however, as far as Kentucky's programs are concerned, they have over 400 thousand dollars already requested under the Highway Safety Program. For instance, in the Motor Vehicle Inspection portion, we have $215,970.88 requested from the federal government. This request is now on the desk of Dr. Haddon. We have just requested some 125 thousand dollars for funds for driver education programs. Planning and administration funds totaling $63,056.46 have already been requested and approved by the Department. In addition to these funds, Kentucky is now planning three other programs, driver improvement programs which will cost approximately $75,000, the implied consent law and the funds necessary to implement this program amount to some $250,000, and the uniform traffic ticket program, they feel will cost approximately $70,000. Also the traffic records program which they have not started working on yet, they feel will cost approximately $250,000. It is apparent then that Kentucky will need much more than the 400 thousand dollars which the new appropriation measure would allow. The other states will be facing very similar problems.

The states' concern for their highway safety programs and the future of those programs is justified and I certainly hope that you and the members of your committee and other members of the Kentucky Congressional delegation will give very serious consideration to the problems that the states will face if the appropriation cut is maintained. And, I would hope that you will do everything in your power to have the 80 million dollar cut restored so that there will be a full 100 million dollars set out in the budget for the coming year. If you need any additional information regarding the Highway Safety Program and the position of the southern region of the Council of State Governments on this matter, please get in touch with me and I will immediately try to give you the information that you might need.

Sincerely,

KENNETH F. HARPER,
Chairman, Subcommittee on Highway Safety, Southern Regional Highway Policy Committee, Council of State Governments.

[Telegram]

JULY 21, 1967.

Senator JOHN SHERMAN COOPER,
Senate Office Building,
Washington, D.C.

Strongly urge your full support for restoration of the cut in highway traffic safety fund from $100 million to $20 million, and also that carryover funds be retained intact for the use and implementation of this vitally necessary lifesaving program. Kentucky would suffer particularly should these funds not be appropriated. Case in point motor vehicle inspection, for which 1966 General Assembly provided no appropriation and the Department has pending request for funds to train inspectors before State fees come in after January inspection.

GLENN LOVERN,
State Commissioner, Department of Public Safety, Commonwealth of Kentucky, Frankfort, Ky.

[From Life magazine, Sept. 2, 1966]

WHY KEEP SAFETY IN THE DARK?

The auto safety hearings that produced some of Washington's better dramatics of the past season also produced two bills that should make it a little less easy for American drivers to kill themselves. The debates of the experts, for one thing, established the point that in most accidents there are two collisions, not one.

When a car strikes something solid enough, it stops dead—the "first collision." Then, following an inexorable law of physics, the people inside the car continue on with undiminished speed until they fetch up against something solid enough to stop them—windshield, dash or steering column. That is the "second collision."

The auto safety hearings, which produced a bill passed recently by overwhelming margins in both the Senate and the House, was concerned primarily with the "second collision," and making the interiors of cars less deadly for flying humans.

It is too bad that the auto safety bill got all the publicity, because trailing along in its shadow was a second bill—the highway safety act—that is designed indeed to cut down the number of accidents, not soften their impact. Without a "first collision," the "second collision" can't happen. Despite extravagant claims made for padded dashes and collapsible steering columns, the real potential for lifesaving lies in the highway safety act (which, like the auto safety act, has passed both houses and is certain of presidential approval).

The act will allow the Secretary of Commerce to set minimum standards for, among other things, driver education and licensing, vehicle inspections, traffic control and highway design. The states, which now have conflicting standards—or none at all—in these fields, will get federal grants to help modernize. And, if they don't agree to shape up, they face the loss of 10% of their federal highway funds.

Stricter standards in every field of highway safety are proven lifesavers and—in most states—long overdue. Take the case for better highway lighting, for which the Secretary of Commerce would be empowered to set standards:

In Chicago, a well-lighted stretch of expressway has a death rate only one third the average on all American expressways.

In Indianapolis, auto fatalities dropped by 54% after a new lighting system was installed.

In Virginia, improved lighting at nine "high-accident locations" cut accidents by 38% and fatalities by 90%.

Proper lighting adds less than one percent to the cost of a new highway, yet much of our new expressway network, and many older roads, are far too dark. The case for some prompt action on new lighting and other standards seems clear.

Mr. SPONG. Mr. President, I join the distinguished Senator from West Virginia in urging the Senate Appropriations Subcommittee handling the Department of Transportation appropriations bill to recommend restoration of that agency's budget request relating to highway construction.

My concern is that the 5-percent reduction imposed by the House will cut highway construction expenditures by $189 million during the fiscal year 1968.

According to Secretary Boyd of the Transportation Department, the $189 million reduction will have the effect of postponing $1.2 billion worth of new highway construction obligations.

The reason is that approximately 84 percent of all money spent for the Federal-aid highway program in any given year is the result of obligations incurred in previous fiscal years. A postponement of $1.2 billion approximates 25 percent of the new obligations that normally could be anticipated during 1968.

As the distinguished chairman of the Senate Public Works Committee has pointed out, reductions in the highway trust fund have no effect on the general fund.

I am as concerned as any member of the Senate over the prospective deficit in the general fund this year, but the vote to cut highway construction expenditures is totally unrelated to the general fund situation. In addition, I have been advised by the Department of Transportation that restoration of the $189 million would not result in a deficit in the highway trust fund.

I accordingly request that Members of the Senate join the Senator from West Virginia in urging the Committee on Appropriations to restore the construction reductions voted by the House.

TRANSACTION OF ROUTINE BUSINESS

The PRESIDING OFFICER (Mr. GRIFFIN in the chair). Pursuant to the previous order, the Senate will now have a period for the transaction of routine morning business, with statements therein limited to 3 minutes.

EXECUTIVE COMMUNICATIONS, ETC.

The PRESIDENT pro tempore laid before the Senate the following letters, which were referred as indicated:

Publications of Federal Power Commission

A letter from the Chairman, Federal Power Commission, transmitting, for the information of the Senate, a set of publications entitled "Prevention of Power Failures" (with accompanying documents); to the Committee on Commerce.

Reports of Comptroller General

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report on review of policies and practices for rebuilding used motor vehicle tires by selected civil agencies, dated July 1967 (with an accompanying report); to the Committee on Government Operations.

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report on transfer of excess materials between the Army and Marine Corps expedited by improved procedures, dated July 1967 (with an accompanying report); to the Committee on Government Operations.

Proposed Concession Contract in Hot Springs National Park, Ark.

A letter from the Deputy Assistant Secretary of the Interior, transmitting, pursuant to law, a proposed concession contract in the Hot Springs National Park, Ark. (with accompanying papers); to the Committee on Interior and Insular Affairs.

PETITIONS AND MEMORIALS

Petitions, etc., were laid before the Senate, or presented, and referred as indicated:

By the PRESIDENT pro tempore:

A resolution adopted by the Grand Council, Order of Fraternal Americans, at Harrisonburg, Va., relating to social security benefits; to the Committee on Finance.

A resolution adopted by the Grand Council, Order of Fraternal Americans, at Harrisonburg, Va., urging the people to support the President in his efforts for peace in Vietnam; to the Committee on Foreign Relations.

Two resolutions adopted by the Grand Council, Order of Fraternal Americans, at Harrisonburg, Va., favoring the enactment of legislation to prevent the desecration of the flag; and also the control of crime; to the Committee on the Judiciary.

CONCURRENT RESOLUTIONS OF IOWA LEGISLATURE

Mr. MILLER. Mr. President, I send to the desk three concurrent resolutions from the Iowa Legislature.

The first is House Concurrent Resolution 17, which asks that the Congress consider the advisability of enacting a national motor truck registration law and road use system for interstate motor truck operation, because of the present complexity of the myriad of laws and regulations on this subject emanating from the 50 States.

The second item is Senate Concurrent Resolution 52, which memorializes the Congress to repeal a requirement to post signs stating the taxpayer's dollar is at work in connection with many federally financed State highway and bridge projects, the idea being that the taxpayers understand who is paying for the roads and bridges, and that this would contribute to highway beautification and save some money.

The third is House Concurrent Resolution 30, memorializing the Congress with respect to the location of the atomic energy plant at Weston, Ill.

I ask unanimous consent that they be printed in the RECORD and appropriately referred.

The PRESIDING OFFICER. Without objection, it is so ordered.

The concurrent resolution (H. Con. Res. 17) was referred to the Committee on Commerce, as follows:

House Concurrent Resolution 17

Concurrent resolution petitioning the Congress of the United States to enact a uniform interstate motor truck registration and fee law

Whereas, the several states of the United States have enacted a variety of motor vehicle taxes applying to interstate motor truck operations; and

Whereas, the taxes of the various states lead to inequity of application to the motor truck operators; and

Whereas, the administration of motor truck taxes for the various states is costly and difficult as well as controversial; and

Whereas, the national economy is greatly affected by the movement of goods in commerce and lack of uniformity in the various state's truck registration and taxation laws tends to restrict such movement; and

Whereas, a substantial percentage of interstate motor truck traffic moves on federal interstate and primary highways; Now, Therefore,

Be it resolved by the House of Representatives of the sixty-second general assembly of the State of Iowa, the Senate concurring:

That the Congress consider the advisability of enacting a national motor truck registration law and road use fee system for interstate motor truck operation, replacing all such registrations, licenses and fees of the individual states; said registrations, licenses and fees to be prorated to the states on the basis of miles traveled in each state or other equitable basis, reserving to the states the registration and taxing of motor trucks engaged in limited, local interstate operation, and

Be it further resolved that an attested copy of this Resolution be forwarded to each member of the Iowa delegation in the Congress of the United States and to the Secretary of the Senate and the Chief Clerk of the House of Representatives of the Congress so that they may file same with the appropriate committees.

We, Maurice E. Baringer, Speaker of the House of Iowa, and William R. Kendrick, Chief Clerk of the House, hereby certify that the above and foregoing Resolution was adopted by the House and Senate of the Sixty-second General Assembly.

MAURICE E. BARINGER,
Speaker of the House.
WILLIAM R. KENDRICK,
Chief Clerk of the House.

The concurrent resolution (S. Con. Res. 52) was referred to the Committee on Public Works, as follows:

Senate Concurrent Resolution 52

Whereas, millions of federal and state tax dollars are being spent for highway beautification and billboard control programs; and

Whereas, federal law requires one of the most obnoxious of all billboards, namely: the erection of "your highway taxes at work" signs on construction projects involving federal funds; and

Whereas, the American public has very few illusions as to whose tax dollars are being spent; and

Whereas, national, state and local news media very ably and objectively provide the public with all the information required on these billboard signs and detailed information is available to interested citizens in county court houses; and

Whereas, the tax funds spent for the manufacture, erection and dismantling of these signs would serve public interests better if used for road improvement purposes; and

Whereas, the placement of these signs have in some instances contributed to highway accidents and have been used in many states for misleading political advertising in favor of incumbent politcians; and

Whereas, we consider the many thousands of dollars spent for these signs a public nuisance and a waste of public funds; now therefore,

Be it resolved by the Senate of the sixty-second General Assembly of the State of Iowa; the House of Representatives concurring;

That, we respectfully request the Congress to repeal this requirement by federal legislation and that copies of this resolution be sent to the Honorable members of the U.S. Senate, Bourke B. Hickenlooper, and Jack Miller, and the Honorable members of the Congress, Fred Schwengel, John C. Culver, H. R. Gross, John Kyl, Neal Smith, Wiley Mayne, and William J. Scherle.

ROBERT D. FULTON,
Lieutenant Governor of Iowa, President of the Senate.
AL MEACHAM,
Secretary of the Senate.
MAURICE E. BARINGER,
Speaker of the House.
WM. R. KENDRICK,
Chief Clerk of the House.

The concurrent resolution (H. Con. Res. 30) was referred to the Joint Committee on Atomic Energy, as follows:

House Concurrent Resolution 30

Whereas, our great nation is founded upon the principles and concepts of equal opportunity and justice for all its citizens; and

Whereas, since 1860 the state of Iowa has been a leader among the several states in providing said equal opportunity and justice for all its citizens, and has always demonstrated its great concern for human welfare and dignity by the enactment of progressive anti-discriminatory laws; and

Whereas, there is now pending before the appropriations committee of the Congress of the United States of America, the proposed budget submitted by the Atomic Energy Commission for the establishment of a three hundred seventy-five million dollar atomic accelerator laboratory to be constructed at Weston, Illinois, and

Whereas, the legislature of the state of Illinois has neglected, failed and refused to show its concern for the welfare of all the citizens of Illinois by failing to legislate non-discriminatory laws in the area of fair and open housing; now, therefore,

Be it resolved by the House, the Senate concurring, That the Congress of the United States of America is hereby strongly urged to instruct the Atomic Energy Commission from proceeding with present plans for awarding the proposed three hundred seventy-five million dollar installation at Weston, Illinois.

Be it further resolved, That the Congress of the United States of America instruct the Atomic Energy Commission to allow the state of Iowa the opportunity to submit additional specifications outlining Iowa's exceptional and outstanding capabilities and physical resources for said atomic accelerator facility.

Be it further resolved, That enrolled copies of this Resolution be forwarded to the Secretary of the Senate and to the Clerk of the House of Representatives of the United

States of America and to all members of Iowa's congressional delegation to be circulated by them among their fellows.

MAURICE E. BARINGER,
Speaker of the House.
WILLIAM R. KENDRICK,
Chief Clerk of the House.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. AIKEN, from the Committee on Agriculture and Forestry, with an amendment:

S. 109. A bill to control unfair trade practices affecting producers of agricultural products and associations of such producers, and for other purposes (Rept. No. 474).

By Mr. HOLLAND, from the Committee on Agriculture and Forestry, without amendment:

S. 2126. A bill to amend the Food and Agriculture Act of 1965 (Rept. No. 475).

By Mr. MONTOYA, from the Committee on Agriculture and Forestry, with an amendment:

S. 1657. A bill to extend for one year the authority of the Secretary of Agriculture to make indemnity payments to dairy farmers who are directed to remove their milk from commercial markets because it contains residues of chemicals registered and approved for use by the Federal Government (Rept. No. 476).

By Mr. EASTLAND, from the Committee on the Judiciary, without amendment:

S. 922. A bill for the relief of Euphemia King Hartley, James Hartley, and James Holmes Hartley (Rept. No. 478); and

S. 1678. A bill for the relief of American Petrofina Co. of Texas., a Delaware corporation, and James W. Harris (Rept. No. 477).

By Mr. EASTLAND, from the Committee on the Judiciary, with an amendment:

S. 1709. A bill for the relief of Antonio Martin Ruiz del Castillo (Rept. No. 479).

By Mr. EASTLAND, from the Committee on the Judiciary, with amendments:

S. 975. A bill for the relief of Mitsu Blomstrom (Rept. No. 480); and

S. 1748. A bill for the relief of Dr. Ramiro de la Rivo Dominguez (Rept. No. 481).

By Mr. BURDICK, from the Committee on the Judiciary, without amendment:

H.R. 4496. An act for the relief of the village of Brooklyn Center, Minn. (Rept. No. 484); and

H.R. 8485. An act for the relief of Eddie Garman (Rept. No. 485).

By Mr. BURDICK, from the Committee on the Judiciary, with amendments:

S. 234. A bill for the relief of James W. Adams (Rept. No. 486).

By Mr. SCOTT, from the Committee on the Judiciary, without amendment:

H.R. 4833. An act to provide for the conveyance of certain real property of the United States situated in the State of Pennsylvania (Rept. No. 483).

By Mr. ERVIN, from the Committee on the Judiciary, with amendments:

H.R. 5876. An act to amend titles 5, 14, and 37, United States Code, to codify recent law, and to improve the code (Rept. No. 482).

By Mr. TALMADGE, from the Committee on Agriculture and Forestry, with amendments:

S. 1550. A bill to amend the Consolidated Farmers Home Administration Act of 1961, as amended, to provide for release of valueless liens, and for other purposes (Rept. No. 487).

By Mr. LONG of Louisiana, from the Committee on Finance, with an amendment:

H.R. 6056. An act to amend the Internal Revenue Code of 1954 to provide rules relating to the deduction for personal exemptions for children of parents who are divorced or separated (Rept. No. 488).

By Mr. LONG of Louisiana, from the Committee on Finance, with amendments:

H.R. 1282. An act to provide for the withdrawal of wine from bonded wine cellars without payment of tax, when rendered unfit for beverage use (Rept. No. 489); and

H.R. 4765. An act relating to the income tax treatment of certain distributions pursuant to the Bank Holding Company Act of 1956, as amended (Rept. No. 490).

EXECUTIVE REPORTS OF A COMMITTEE

As in executive session,

The following favorable reports of nominations were submitted:

By Mr. EASTLAND, from the Committee on the Judiciary:

Louis M. Janelle, of New Hampshire, to be U.S. attorney for the district of New Hampshire; and

John H. Phillips, of Mississippi, to be U.S. marshal for the northern district of Mississippi.

By Mr. TYDINGS, from the Committee on the Judiciary:

Stephen H. Sachs, of Maryland, to be U.S. attorney for the district of Maryland; and

Frank Udoff, of Maryland, to be U.S. marshal for the district of Maryland.

BILLS INTRODUCED

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. MONDALE:

S. 2218. A bill to clarify and otherwise amend the Meat Inspection Act, to provide for cooperation with appropriate State agencies with respect to State meat inspection programs, and for other purposes; to the Committee on Agriculture and Forestry.

(See the remarks of Mr. MONDALE when he introduced the above bill, which appear under a separate heading.)

By Mr. SCOTT:

S. 2219. A bill to provide Federal financial assistance to help cities and communities of the Nation develop and carry out intensive local programs of rat control and extermination; to the Committee on Banking and Currency.

(See the remarks of Mr. SCOTT when he introduced the above bill, which appear under a separate heading.)

By Mr. PASTORE (by request):

S. 2220. A bill to amend the Atomic Energy Community Act of 1955, as amended, to authorize the Atomic Energy Commission to make assistance payments to the cities of Oak Ridge, Tenn., and Richland, Wash., and the Richland School District through June 30, 1979; to the Joint Committee on Atomic Energy.

By Mr. MOSS (for Mr. MCGEE):

S. 2221. A bill for the relief of Nedja Budisavljvich; to the Committee on the Judiciary.

By Mr. MONDALE:

S. 2222. A bill for the relief of Dr. Nobuko Tsukui; to the Committee on the Judiciary.

By Mr. MORTON:

S. 2223. A bill to provide emergency authority to the President to assist localities suffering or threatened by riots or other civil disorders; to the Committee on Banking and Currency.

(See the remarks of Mr. MORTON when he introduced the above bill, which appear under a separate heading.)

By Mr. TALMADGE:

S. 2224. A bill for the relief of N. M. Bentley, a partnership consisting of N. M. Bentley and George Markwalter; to the Committee on the Judiciary.

By Mr. DOMINICK:

S. 2225. A bill to provide for the issuance of a special postage stamp in February 1968, to commemorate American Heart Month and the national fight against the cardiovascular diseases; to the Committee on Post Office and Civil Service.

By Mr. SPARKMAN (for himself, Mr. BIBLE, Mr. DOMINICK, Mr. HARRIS, Mr. MCGOVERN, Mr. MONTOYA, Mr. METCALF, Mr. MORSE, and Mr. SCOTT):

S. 2226. A bill to provide for an annual conference between representatives of the beef industry, the Secretary of Agriculture, and representatives of other departments and agencies of the Federal Government to consider problems relating to the export of beef and beef products from the United States and related international trade problems, and for other purposes; to the Committee on Agriculture and Forestry.

(See the remarks of Mr. SPARKMAN when he introduced the above bill, which appear under a separate heading.)

By Mr. TYDINGS:

S. 2227. A bill to amend the Federal Power Act in order to provide for regulation of the construction of electric power transmission lines near national parks, national forests, national historic sites, and certain other areas in order to preserve the historical, recreational, or scenic character of such areas; to the Committee on Commerce.

(See the remarks of Mr. TYDINGS when he introduced the above bill, which appear under a separate heading.)

By Mr. WILLIAMS of New Jersey:

S. 2228. A bill to amend title II of the National Housing Act to make available, through a new program of mortgage insurance, additional financing for the construction of needed nonprofit hospital facilities; to the Committee on Banking and Currency.

RESOLUTIONS

INVESTIGATION OF RECENT ACCIDENTS INVOLVING THE ARMED FORCES IN SOUTHEAST ASIA

Mr. SCOTT submitted a resolution (S. Res. 153) to direct a complete investigation of the causes of recent tragic accidents involving personnel and equipment of U.S. Armed Forces in Southeast Asia, which was referred to the Committee on Armed Services.

(See the above resolution printed in full when submitted by Mr. SCOTT, which appears under a separate heading.)

REFERENCE OF SENATE BILL 2224 TO COURT OF CLAIMS

Mr. TALMADGE submitted the following resolution (S. Res. 154); which was referred to the Committee on the Judiciary:

S. RES. 154

Resolved, That the bill (S. 2224) entitled "A bill for the relief of N. M. Bentley, a partnership consisting of N. M. Bentley and George Markwalter", now pending in the Senate, together with all the accompanying papers, is hereby referred to the chief commissioner of the Court of Claims; and the chief commissioner of the Court of Claims shall proceed with the same in accordance with the provisions of sections 1492 and 2509 of title 28 of the United States Code, and report to the Senate, at the earliest practicable date, giving such findings of fact and conclusions thereon as shall be sufficient to inform the Congress of the nature and character of the demand as a claim, legal or equitable, against the United States and the amount, if any, legally or equitably due from the United States to the claimant.

WHOLESOME MEAT ACT

Mr. MONDALE. Mr. President, I introduce, for appropriate reference, the Meat Inspection Act of 1967. This legislation is similar to the legislation requested by the administration in 1965, and is identical in many respects to the present administration bill, with two major exceptions.

First, of all, the coverage of Federal meat inspection law is extended to all establishments in the United States which slaughter, handle, or process meat and meat products.

Second, the legislation permits any State to take responsibility for inspection of meat and meat products—which are not now covered by Federal law—where the State adequately protects the consumer.

Shockingly unsanitary and unwholesome conditions in unregulated slaughter and processing plants have been disclosed in recent weeks. In my judgment, these conditions make it absolutely imperative that we take action, But I believe we can do this without burdening the Federal Meat Inspection Service when States are willing and able to do the job.

Present law covers only meat and meat products which physically move across State lines. This represents a limited and partial use of available constitutional authority by the Federal Government. It is clear beyond any doubt that the commerce clause of the U.S. Constitution, and a long line of Supreme Court decisions, places ample power in the United States to assume full responsibility for protecting the consumer from diseased, tainted, adulterated, and misbranded meat and meat products.

My legislation would take up the slack which exists today, and directly authorize an immediate and full use of constitutional power by the Government. It would do so only where the States are unable or unwilling to assume this responsibility themselves. And it would permit the States to decide at some later date that they wanted to assume responsibility for the health and welfare of their own residents and consumers.

This legislation does not represent a decision or philosophy in favor of increasing Federal control. It recognizes that a very serious problem exists, and gives each State a first chance at deciding their own capability to deal with it adequately and in a manner giving the consumer the full measure of protection that is necessary. But it makes certain that protective measures will be taken at the Federal level if States do not take on this responsibility.

Nor is this an antibusiness measure. In fact, there is a sort of Gresham's law for meat: Bad meat drives out the good. Packers, slaughterers, and processors which are today regulated by the Federal law face serious competition from unregulated establishments. Unregulated establishments can always outbid regulated plants for diseased or sick animals, because they run no danger or risk of having to condemn or discard that animal. They are also free to use adulterants or fillers or water, which decrease the meat content and therefore increases their gain on each particular sale.

There is no doubt that action is necessary, whether it be on the State level or the Federal level. The so-called Clarkson report—dated January 1963—contained a summary of conditions in plants not regulated under Federal law, couched in terms as dry and unsensational as possible. There is little reason to believe that conditions prevailing at the time this report was submitted have changed in any substantial way. The report first observed that—

> The survey covered some very fine plants, with good construction, practicing modern principles of sanitation, and using trained inspectors who were doing a good job.

The report continued:

> However, in other establishments the reverse was true—

And went on to list some of the practices observed:

> 1. Allowing inedible portions of carcasses to come in contact with manure, pus, and other sources of contamination during the dressing operations.
> 2. Allowing meat food products during preparation to become contaminated with filth from improperly cleaned equipment and facilities.
> 3. Use of chemical additives and preservatives that would not have been permitted under Federal meat inspection.
> 4. Failing to use procedures to detect or control parasites transmissible to man that would lead to diseases, such as trichinosis and cysticercosis.

Other findings dealt with adulteration, use of fillers, false and deceptive packaging, and lack of adequate inspection. Behind this rather bland report lie detailed reports on conditions found in unregulated plants by name and by State, together with photographs. Rather than include these reports, I ask unanimous consent that a copy of a letter from Mr. Ralph Nader to Congressman PURCELL dated July 20, 1967, together with excerpts from the State reports, be printed in the RECORD at the conclusion of my remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 1.)

Mr. MONDALE. Mr. President, the press must take a major share of the credit for action in this area. In particular, Nick Kotz, a reporter for the Minneapolis Tribune called our attention to this problem in a series of articles which deserves our notice. I ask unanimous consent that they be printed in the RECORD at this point.

We must put this in perspective. Fully 85 percent of all meat slaughtered is subject to Federal inspection now, while only 75 percent of processed meats is subject to such control. This is good coverage.

But it is not enough. Arnold Mayer, testifying before the House Agriculture Committee this year, for the Meat Cutters and Butchers Union, said that there is no doubt that unfit meat goes into consumer channels.

It is particularly not enough because full coverage is extremely crucial in the processing stage. The Clarkson report states:

> Processing is the area of greatest potential for adulteration, contamination, and use of meat that has become unsound through improper handling. Once processing is completed, certain types of adulteration and deterioration are almost impossible to detect. This also is the area in which industry faces its greatest pressures of competition.

Inspection of the 25 percent of processed meat not now covered is essential to prevent the public from the possibly fatal trichinosis parasite or other diseases or parasitic conditions.

In addition, modern science has developed, and continues to develop, new wonder chemicals—additives, preservatives, and colorations—which can prevent the consumer from using the normal smell and sight tests to determine spoilage or deterioration, which will also provide a crude consumer test for toxic or diseased meat or meat products growing alongside the spoilage bacteria. Consumers have no chance at all to determine the safety of the meat they buy, when experts are hard put to make the same choice in the absence of adequate inspection. The use of antibiotics as a substitute for good sanitation, to protect against diseased meats, is a particularly serious danger, since it could encourage development of organisms resistant to antibiotics or sensitize consumers to them—nullifying their effect for medical purposes.

Nearly 9 billion pounds of commercially processed meat products are sold to consumers without Federal inspection, and only 24 States have mandatory inspection of such processed products, with wide variations in manpower and funds to do an adequate job of inspection.

But, while existing State laws are said to be generally considerably below the Federal standards, there is good potential for almost all of the States to take over and protect their consumers in an adequate fashion.

Nearly 40 States could do so—with either adequate appropriations for enforcement manpower or amendments extending the coverage of existing laws.

My intention in offering this legislation is to protect the consumer. It is not to wipe out existing State laws. I would certainly hope that every State would exercise its option to assume responsibility for plants operating within its borders.

The PRESIDING OFFICER. The bill will be received and appropriately referred.

The bill (S. 2218) to clarify and otherwise amend the Meat Inspection Act, to provide for cooperation with appropriate State agencies with respect to State meat inspection programs, and for other purposes, introduced by Mr. MONDALE, was received, read twice by its title, and referred to the Committee on Agriculture and Forestry.

EXHIBIT 1

[From the Minneapolis Tribune,
July 16, 1967]

MEAT INDUSTRY ABUSES REVEALED IN USDA PROBE

(By Nick Kotz)

WASHINGTON, D.C.—The vast majority of American meat products are federally inspected to ensure wholesomeness, but a confidential nationwide investigation has revealed abuses in some segments of the unregulated meat industry.

The investigation was made five years ago by the Agriculture Department (USDA) to find out conditions in plants not federally regulated that slaughter 20 million cattle and process 8.7 billion pounds of meat.

The investigation convinced USDA officials and a few congressmen, including Rep. Neal Smith, D–Iowa, that the 1906 meat inspection law needs overhauling badly.

The Johnson administration and Smith two years ago sought enactment of a strong law that would have required states to meet federal inspection standards or have the federal government expand its inspection to cover intrastate slaughtering and processing.

The bill was buried in committee because of opposition from most of the meat industry and the National Association of State Departments of Agriculture (NASDA).

This year the administration and Smith have obtained a House subcommittee hearing for two much weaker bills, which they regard as at least a start toward more comprehensive meat inspection.

Details of the USDA investigation, the only data collected on the condition of federally uninspected meat plants in the nation, are coming to light for the first time now that congressional action appears possible.

Most USDA experts believe that conditions have not changed substantially since a federal meat inspector reported these conditions five years ago in a Minnesota meat packing plant:

"Both the saw and the inspection truck were sterilized with a hot water hose with the result that pus from abscesses and other disease-carrying media was splashed on nearby carcasses."

At another uninspected plant in Minnesota, the federal inspector reported "Hooks and racks in the cooler were not clean. I feel that they had at least a week's accumulation of tissue and meat juice."

At yet another Minnesota plant exempt from federal inspection, the investigator reported: "In checking a meat grinder, it was determined that, although the piece of equipment had been used this day, there was an accumulation of tissue which had been from some previous day's operation."

At still another Minnesota plant, an inspector reported watching a carcass being washed with a high-pressure hose, which "resulted in manure and urine being washed on the opened brisket and neck."

At a South Dakota plant exempt from federal inspection, an investigator reported:

"The carcass-splitting saw was dirty, with accumulated grease, fat and oil. The general sanitation of the plant was such that it was inexcusably dirty. All walls and doors were splattered with blood, fat and grease. I noticed sausages on trees that were dragging through puddle of water on the floor, which is gross contamination."

At a Nebraska processing plant, the federal investigator reported:

"In the beef boning room, one's attention was first called to the odor of putrid meat product. A good many flies were observed in the sausage manufacture room and, of course, crawl upon and contaminate meat products.

"The smoke houses were coated with carbon, tars, etc., and this is being transferred to the product."

At another uninspected Nebraska plant, the inspector reported that "moldy sausage product was observed in the holding cooler."

At both Nebraska plants, the inspector reported that products labeled "all-meat" wieners actually contained 6 per cent filler products, a practice that would be forbidden under federal inspection.

Similar conditions were found through the nation in the USDA investigation.

The investigation showed many federally inspected plants or noninspected plants were meeting federal standards or reasonably high standards.

Smith says the vast majority of the consuming public is unaware that 15 per cent of meat slaughtering and 25 per cent of meat processing, enough to feed 30 million people annually, is not federally inspected.

Only meat sold in interstate commerce is covered by the 1906 federal inspection law—a law unchanged except for one minor amendment since Upton Sinclair provoked it with "The Jungle," his shocking book about the meat industry.

State and local inspection laws vary widely, as does the quality of nonfederal inspection.

Minnesota and South Dakota are among nine states that do not provide for state inspection of meat. In 1966, a total of 206,000 Minnesota animals and 88,000 South Dakota animals were slaughtered without federal inspection.

Nebraska and North Dakota are among 13 other states that provide only for voluntary inspection of slaughtering. Neither state has any inspection of meat processing. In 1966, 162,000 Nebraska animals and 48,000 North Dakota animals were slaughtered without federal inspection.

Iowa adopted a mandatory inspection law in 1965 and is among 25 states providing inspection of both slaughtering and processing.

The following list shows the total number of slaughtering and processing plants in Iowa and the Upper Midwest and the number undergoing federal inspection. The Nebraska figures show only slaughter plants.

State	Total plants	Federally inspected
Iowa	847	41
Minnesota	887	46
Nebraska	345	51
South Dakota	232	9
North Dakota	98	9
Wisconsin	701	43

The vast majority of meat production in each of these states is conducted by the large national companies in the relatively few federally inspected plants.

(In Minnesota, 7.7 million animals were slaughtered under federal inspection in 1966; a total of 206,000 were slaughtered in plants not federally inspected. Thus 97.3 per cent were slaughtered under federal inspection. No statistics are available on meat processed under federal inspection. The 206,000 animals slaughtered without federal inspection were for consumption only in Minnesota.)

National firms, along with smaller companies, also operate plants not federally inspected in order to compete in local and state markets.

Consumers can identify processed meat products inspected by the federal government by a circle on the package with the wording "U.S. Department of Agriculture approved for wholesomeness" and raw meat by the purple stamping on it of "USDA inspected."

The administration's proposed wholesome meat act, sponsored by Smith, would:

Provide federal-state agreements under which the federal government would pay 50 per cent of the cost and supply technical assistance to states willing to apply and enforce federal inspection standards.

Provide the tools of enforcement not presently authorized to the federal government to halt the distribution of unwholesome and adulterated meat products. (Controls would be placed upon renderers and animal—food manufacturers and their distributors to guarantee that their products do not find their way into channels of human consumption.)

Broaden the authority of federal coverage to include all meat "capable of" human consumption. At present federal control is limited to meat "intended for" human consumption which has permitted unscrupulous operators in contaminated meat to escape federal inspection.

Provide the federal government with powers of detention, injunctions and federal court actions to cope with contaminated meat discovered in transit or outside of federally inspected establishments. At present the USDA cannot detain such meat, except by getting assistance from other federal, state or local agencies.

Smith also has introduced another bill that would broaden coverage of federal inspection to include large intrastate plants, which are covered by provisions of the Taft-Hartley Law, but not the Meat Inspection Act.

Noting the inadequacy of state inspection, Rodney Leonard, deputy assistant secretary of agriculture, testified before the House subcommittee:

"Inspection under state programs is generally well below federal standards. Yet, these products are intermingled in many retail stores with federally inspected products for sale to the unknowing public."

Calling for federal or state control over dealers in unwholsesome meat products, he said: "It is far too easy for dealers in dead animals, renderers, animal food handlers and others to divert unfit meat into human channels."

Leonard and Smith stress that the main hope of the legislation is that states will accept federal assistance to improve or institute their own inspection programs.

The bill has a few strong allies, including the Amalgamated Meat Cutters and Butcher Workmen (AFL–CIO).

The National Farmers Organization and the National Livestock Feeders Association have testified for the bill. Companies which have their products federally inspected are quietly supporting it.

The bill also has numerous opponents. The National Farm Bureau Federation opposes it as a further intrusion of federal control into state affairs.

The National Meat Institute, representing the large national firms, and the Independent Meat Packers Association, representing smaller companies, both are professing neutrality, except for proposed changes that supporters feel would weaken the bill.

The National Association of State Agriculture Department also proposes changes, which the USDA feels would eliminate the need for new authority to control operations to renderers and dog-and-cat-food manufacturers.

Advocates the bill are wary, however, of what NASDA and the meat association, with their long record of opposition to tightened controls, may be doing behind the scenes.

[From the Minneapolis Tribune, July 18, 1967]

THOSE ABUSES IN THE SLAUGHTER HOUSE

"It makes me sick," was the reaction of a Minneapolis housewife upon reading in the Sunday Tribune about filthy meat slaughtering practices found in some Minnesota plants. She and other consumers have a right to be sickened and shocked over the lack of enough inspections to insure a safe total meat supply in this state.

Minnesota Agriculture Commissioner Russell G. Schwandt says the state does inspect meat plants twice a year or more for sanitary conditions. The state also runs tests of meat products to protect against adulteration. But Minnesota is one of nine states that do not require the crucial before and after slaughter inspections needed to keep out diseased animals, and to maintain a continuous check on slaughtering practices. Only the federal government does this here on meat bound for interstate channels.

In Minnesota, only 46 plants are federally inspected; 401 plants are not. The plant comparison exaggerates the problem because the large federally inspected establishments turn out the bulk of the meat products. The uninspected plants are mostly small operations. But this should not minimize the need for regular inspection of all plants. All meat should be safe.

A U.S. Department of Agriculture investigation showed what can happen from lack of regular inspections. Equipment was found to be unclean; pus, manure and urine had been splashed onto animal carcasses.

The shuddering result of such shoddy practices can be the spread of disease, such as salmonellosis—the increasingly prevalent cause of stomach aches often erroneously attributed to influenza.

The Minnesota Agriculture Department asked the 1967 legislature for $200,000 to increase its meat plant inspection program. It failed to win approval.

Congress and federal officials are prodding the states to act, possibly with the encouragement of federal aid. The Minnesota Legislature dropped the ball this year; it should not repeat the mistake in 1969.

[From the Minneapolis Tribune, July 18, 1967]

Meat Industry Stand on Inspection Bill Assailed

(By Nick Kotz)

WASHINGTON, D.C.—Supporters of stronger federal meat-inspection controls charged Monday that representatives of the meat industry and state officials have proposed crippling amendments to a better law.

Reps. Neal Smith, D-Iowa, and Thomas Foley, D-Wash., expressed their concern as officials of the American Meat Institute, National Association of State Departments of Agriculture (NASDA) and National Independent Meat Packers Association testified about the bill.

The meat industry and NASDA generally opposed all provisions in the proposed wholesome meat act that would give the Agriculture Department (USDA) greater authority over intrastate meat operations.

One key provision would give the USDA authority to see that unwholesome meat does not get into channels of human consumption, if the states do not act.

The present federal meat inspection law covers only the 85 per cent of meat slaughtering and 75 per cent of meat processing that actually is sold across state lines. The USDA and Smith contend that substantial abuses exist in that portion of the meat industry not federally inspected.

Aled Davies, vice-president of the Meat Institute, said of meat not covered by federal law that states "have provided the kind of consumer protection that the people living in those states have thought necessary and have been willing to pay for."

Foley questioned Davies about protection for persons traveling through the country who have no control over laws in the various states.

Foley asked Davies how the traveler knows whether his hamburger contains wholesome, inspected meat.

Replying to several questions on this point, Davies said the traveler can ask to see the meat package, can determine its condition by smelling it can carry his own meat with him if "he is that nervous."

Davis said that meat is not necessarily unwholesome because it is not inspected and expressed confidence that almost all meat is wholesome.

In addition to proposing numersou amendments weakening federal authority in the bill, Davies said the Meat Institute, representing the nation's largest packers, is doubtful whether any legislation is needed.

"Your testimony is negative and picayune," said Foley. "You should be leading the fight" to assure better protection of the consumer.

Smith said the proposed amendments by the Meat Institute and NASDA "would gut the bill."

Donald McDowell, director of the Wisconsin State Department of Agriculture, testified for NASDA and insisted that states rapidly are improving their inspection laws, even though 24 states do not provide for compulsory inspection of meat.

Rep. John Zwach, R-Minn., a subcommittee member, commented, "States are coming to grips with the problem. I know we are in Minnesota."

USDA officials have pointed out that Minnesota is one of nine states with no provision for any kind of state meat inspection. A bill providing inspection died in the last session of the Minnesota Legislature.

John Killick, representing the Independent Meat Packers, smaller firms generally not under federal inspection, insisted that most companies meet federal standards, except for technical requirements concerning building construction.

When Foley asked how many of his association members would flunk federal inspections for other than technical reasons, Killick replied, "I don't know, and don't think anyone knows."

"That's the problem," commented Foley.

[From the Minneapolis Tribune, July 23, 1967]

Some Intrastate Meat Plants of Big Firms Found Unsanitary

(By Nick Kotz)

WASHINGTON, D.C.—Federal investigators have discovered unsanitary conditions not only in small meat packing plants, but also in several plants operated by prominent national meat firms.

The Minneapolis Tribune obtained last week investigation reports from all 50 states made by Agriculture Department (USDA) meat inspectors who looked into conditions in slaughtering and processing plants not under federal inspection.

Fifteen per cent of meat slaughtering and 25 per cent of processing, enough meat to feed 30 million persons, does not come under federal inspection because the meat does not cross state lines.

The only USDA survey of nonfederally inspected plants was made five years ago. The investigation reports became public only last week, during congressional committee debate over bills designed to strengthen federal and state meat inspection.

Rep. Neal Smith, D-Iowa, believes that few persons realize that some of the large national firms operate plants on an intrastate basis to meet state and local competition and that these plants are not federally inspected.

The federal investigators looked at relatively few intrastate plants operated by the large national firms, but the following were some of their findings:

At a Louisiana plant operated by one of the largest firms: "Meat barrels were rusty. Boning boards were old and caked with fats and meat juices."

At a Florida plant operated by the same firm: "We could only open the door and look in the holding cooler, since the room was filled to capacity. Since the cooler was so congested, footprints were present on the bellies."

At a Florida plant operated by another national firm: "This branch house is old and rundown. The sanitation is poor. Evidence of rats and mice were present on the second floor in the dry-storage area."

At a Virginia plant operated by a national firm: "Some cockroaches were observed in the curing cellar where exposed meat is handled and stored. Meat-grinder bearings had much encrusted putrid material. Sausage was hung on unclean aluminum smoke sticks, and no attempt had been made to clean the sausage mixer. Some beef cuts hanging in the cooler showed evidence of soilage and had not been reconditioned by removing the soiled portions."

At a Texas plant operated by the same national firm: "Numerous carcasses and tubs of meat were observed to be contaminated with drippings from the ceiling. Paint, scale, rust, and plaster were scaling down from the walls and ceiling on the products through the plant.

"A majority of the hogs contained a great number of beater wounds on them which were grossly contaminated with tub water and hair. Other carcasses were found to have large chronic wounds on them."

The investigators, however, reported good conditions in some of the non-federally inspected branch plants operated by national firms.

Smith, author of two bills designed to broaden federal inspection and strengthen inadequate state inspection, commented:

"Some of the big companies have set up these intrastate branch plants strictly for the purposes of meeting local competition. They have been forced to resort to inferior practices. They can't compete without operating as the local plants do."

Dorothy Wheeler, an official of a large consumer cooperative, also expressed concern about the national firms as she testified in support of the wholesome meat act before the House Agriculture Livestock subcommittee. She said:

"We are quite concerned over the fact that many large packing plants carefully retain their status as intrastate businesses so as to avoid federal inspection. This is even true of individual plants operated by some of the largest packing corporations in the country in states that have no inspection laws. We question the intent of such a practice."

Only 25 states have laws requiring mandatory inspection of slaughtering and processing. The USDA investigation showed abuses and inadequate inspections in many of these 25 states.

The administration bill would tighten procedures to insure that unwholesome meat doesn't get into channels of human consumption. It would provide matching funds and technical help to states willing to come up to federal standards on their own inspection systems.

Smith is sponsoring another bill that would bring far more larger packers under federal inspection. This bill would require federal inspection of all firms considered in interstate commerce under provisions of the Taft-Hartley Act.

The American Meat Institute, representing the large packers, has indicated its displeasure at both bills. It has offered amendments that Smith says would destroy the effectiveness of the proposed legislation.

There are indications, however, that some of the largest national firms might urge passage of bill, before publicity from the USDA investigation leads to a general scandal.

[From the Minneapolis Tribune, July 27, 1967]

Meatpackers Soften Stand on Inspection

(By Nick Kotz)

WASHINGTON, D.C.—Principal opponents of stronger meat inspection laws have softened their positions following publication of abuses in the industry.

Key opponents of the proposed wholesome meat act have been the American Meat Institute (AMI), representing large packers, and the National Association of State Departments of Agriculture (NASDA). Both offered amendments which supporters of the bill said would nullify its intent.

Informed sources reported Wednesday that both NASDA and AMI have lessened their opposition out of fear that newspaper accounts of abuses would injure the meat industry and lead to even stronger legislation.

The Minneapolis Tribune and other newspapers have printed detailed accounts of unsanitary conditions uncovered in a Department of Agriculture investigation.

NASDA informed Rep. Graham Purcell, D-Tex., chairman of the House Agriculture subcommittee considering the legislation, that it had withdrawn all objections to the administration's bill.

The Meat Institute still proposes changes in the legislation, but AMI officials privately have indicated less opposition. NASDA and AMI officials met here early this week as NASDA held an emergency meeting to reconsider its position.

The bill, sponsored by Rep. Neal Smith, D-Iowa, would provide federal assistance to strengthen state meat inspection and would increase federal authority to deal with unwholesome meat.

AMI and NASDA officials would much rather see this bill enacted than a second Smith bill which would expand coverage of federal meat inspection. The present law provides for federal inspection only if a packer sells meat across a state line.

Rep. Thomas Foley, D-Wash., is pushing for both bills in the Agriculture subcommittee. Consumer groups and the AFL–CIO have supported the expanded federal coverage.

The showdown may come next Wednesday when the subcommittee meets on the legislation. Reps. John Zwach, R-Minn., and Wiley Mayne, R-Iowa, are considered to hold crucial swing votes in determining what kind of legislation is adopted by the subcommittee.

(Russel G. Schwandt, Minnesota agriculture commissioner, said yesterday that there is general support throughout the state meat industry for a stronger inspection program.

("But our interest relative to development of such a program is that implementation be under control of the State Department of Agriculture, rather than the federal government," he said.

(Schwandt said he favors some kind of co-operative program with the U.S. Department of Agriculture to allow day-to-day supervision of state slaughtering operations. Limited manpower now allows only periodic inspection, he said.)

Only 25 states provide for mandatory state inspection of meat slaughtering and processing. Nine states, including Minnesota, make no provision for inspection.

The USDA investigation turned up unsanitary conditions in intrastate plants in almost all states, including those with supposedly good state inspection laws.

At present, 15 per cent of meat slaughtering and 25 per cent of processing is not covered by federal inspection. Smith's proposal would leave only about 5 per cent of meat slaughtering exempt from federal inspection.

[From the Minneapolis Tribune, July 30, 1967]

Most Big Meat Firms Oppose Expanded Federal Inspection

(By Nick Kotz)

Washington, D.C.—Most of the large national meat packing firms are opposed to legislation that would expand federal meat inspection to cover large intrastate plants now exempt from that inspection.

The Minneapolis Tribune interviewed executives of eight firms to discover their views on legislation that is reaching a crucial stage in Congress.

A House Agriculture subcommittee Wednesday will consider two proposals aimed at strengthening federal and state inspection and eliminating abuses that Agriculture Department (USDA) investigators have uncovered in the meat industry.

The American Meat Institute (AMI), which represents the largest packers, is considered to have powerful influence in determining what kind of meat legislation is written by Congress.

One proposal (H.R. 6168), endorsed by the Johnson administration, would provide federal funds and technical assistance to help states set up inspection or improve inadequate inspection. This bill also seeks stronger controls over unwholesome meat.

The Meat Institute originally proposed amendments that supporters consisted crippling and generally testified that the legislation is not needed. However, the institute may be offering less resistance to this bill as support builds for additional legislation.

The second bill (H.R. 1314) would bring large intrastate packers (with $250,000 annual gross sales) under federal inspection. At present, only plants selling across a state line are subject to federal inspection. The Meat Institute strongly opposes this second bill.

About 15 per cent of meat slaughtering and 25 per cent of meat processing is not under federal inspection. Much of this meat is subject to some kind of state or local inspection, but 25 states do not require inspection, and many state inspection systems have been judged by the USDA to be inadequate.

Rep. Neal Smith, D-Iowa, sponsor of both bills, and Rep. Thomas Foley, D-Wash., are pushing for a combination of the two bills. A close vote is expected in the subcommittee, with Reps. Wiley Mayne, R-Iowa, and John Zwach, R-Minn., possibly holding the key votes on the issue of expanding federal inspection.

Interviews with executives of the nation's largest meat firms show that their views do not necessarily coincide with those of the Meat Institute.

Supporters of the strongest legislation have expressed puzzlement why the largest firms should oppose either bill, since most of their work already is done under federal inspection.

Several witnesses have explained the opposition on the basis that some of the largest national firms also operate nonfederally inspected intrastate processing plants to compete in local markets. USDA investigators found unsanitary conditions in several such plants operated by national firms.

Some of the national firms have opposed the legislation out of fear that an expanded federal system would provide dual standards for large and small plants. Some are philosophically opposed to bigger federal government. Some fear the increased costs of inspection will be shifted from general revenue sources to the packers.

Thomas Glaze, public relations director for Swift & Co., the nation's largest firm, said his company supports the Meat Institute position. Namely, Swift wants H.R. 6168 amended, but doesn't necessarily endorse it, and opposes H.R. 1314 to provide expanded federal inspection.

Glaze said 98 per cent of Swift slaughtering is under federal inspection, and 90 per cent of processing is federally inspected.

Glaze said it is against company policy to disclose how many Swift plants are not under federal inspection. He said these plants are operated under "standards equal to or superior to state standards."

Armour and Co., the second-largest firm, takes a more positive attitude toward H.R. 6168.

John Shell, public relations director for Armour, said his firm positively supports H.R. 6168, with only several minor reservations. Supporters of the bill say the Armour reservations would not injure the bill.

Shell was not contacted early enough for him to determine his company's position on the bill to provide expanded federal inspection.

Shell said 100 per cent of Armour's slaughtering and 95 per cent of the firm's processing is carried on under federal inspection. He said 11 processing plants in 10 states do not have federal inspection.

Harry Barker, vice-president of Wilson & Co., the third-largest firm, said his company supports the Meat Institute's position on the legislation.

He said 100 per cent of Wilson slaughtering and about 95 per cent of Wilson processing is under federal inspection. He said fewer than 10 small branch processing plants are not under federal inspection.

The strongest endorsement of the legislation came from Oscar Mayer & Co., which prides itself on having 100 per cent federal inspection of slaughtering processing.

Thomas Woit, a Mayer official, said: "We favor legislation to promote the public health. Speaking in a broad sense, we would endorse both of these bills."

Contrasting the efficiency of federal-versus-state inspection, Woit commented: "We have 32 federal inspectors in our Wisconsin plant, while the state has about 17 inspectors to cover 300 plants."

Robert Gray, chairman of the board of George A. Hormel Co., said he supports H.R. 6168, by which the federal government would help states improve their own inspection systems.

"That would probably do a good job," said Gray. "Some of the states need to improve inspection, and the federal people have the experience to teach them."

However, Gray said he opposed expanded federal inspection, "because I don't think you can scatter federal inspection and do it economically or well."

Gray, Austin, Minn., and other Hormel officials have strongly advocated establishment of a state inspection system in Minnesota, one of the nine states with no provision for inspection.

Gray said 100 per cent of Hormel slaughtering and more than 99 per cent of processing is under federal inspection. He said one processing plant is not under federal inspection, and it will be replaced by a federally inspected plant.

John Blankenship, executive vice-president of John Morrell & Co., said he believes the "states should try to have better inspection on their own" without federal aid, and said he opposes expanded federal inspection. He questioned where the federal government will get funds to help states or broaden federal inspection.

"I'm a great believer in federal meat inspection," said Blankenship. "I think it's necessary. Some state inspection is very good, but it is not as good as federal inspection. They should improve it."

Blakenship said 100 per cent of Morrell slaughtering and 99 per cent of processing is under federal inspection. The only processing not under federal inspection is in a small St. Paul plant, he said.

Howard Fisher, a vice president of the Cudahy Packing Co., said 100 per cent of his firm's slaughtering and 75 to 80 per cent of processing is under federal inspection. He said the firm has nine small processing plants not under federal inspection.

Eli Paul, president of Cudahy, could not be reached for his company's position on the legislation.

William Cameron, board chairman of Rath Packing Co., Waterloo, Iowa, said all of his firm's plants are under federal control.

July 20, 1967.

Hon. Graham Purcell,
Subcommittee on Livestock and Feed Grains,
House Committee on Agriculture, House of Representatives, Washington, D.C.

Dear Mr. Purcell: The hearings which your Subcommittee has been conducting on several bills dealing variously with the need to strengthen the federal meat inspection program are a most important step toward a sober re-appraisal of the degree of protection afforded the consumer in this crucial area. In the course of observing these hearings, however, I have become dismayed at the misleading and non-responsive statements paraded before you and your colleagues by industry trade associations and the National Association of State Departments of Agriculture. Misleading the Subcommittee amounts to misleading the public.

To read these statements is to be lulled into a false sense of security about the actual conditions which obtain in all too many of the meat packing and processing firms that operate only within the confines of a state's boundaries. The Subcommittee's potential contribution to preventing the sale of grossly unwholesome meat products is too magnificent to be undermined and overrun by disingenuous and self-serving testimony which, in my judgment, has been inflicted upon you and your colleagues during the past few days.

I shall restrict my remarks for the time being to the intrastate problem because this is the area where the effective rule of law is weakest and the reign of callousness greatest. This is not to say that there are not grave conditions and risks in interstate meat packing and processing. It is, rather, to recognize that the most adamant thrust of the anti-legislation forces is in the direction of intrastate conditions where the need for safeguards is most pressing.

As you know, only 26 states have laws providing for mandatory inspection of animals before and after slaughter and all but two of these 26 states provides for mandatory inspection of meat processing. Thirteen states have laws providing for voluntary inspection in varying scope. Nine states have no meat inspection statute. Two states only have a mandatory licensing requirement. It is well known that even in states where laws prevail, the severe lack of funds for skilled manpower, testing facilities and equipment and the chronic interference of selfish political pressure have wrecked havoc even in the enforcement of reasonably clear legal provisions. Too many loopholes and ambiguities abound in these laws as well.

Against the background of the proposed legislation, it would be expected that the testimony would deal in some part with the actual conditions in the states. Yet, as the days passed, the impression grew that those witnesses who were in a position to reveal the pertinent information, such as the State Departments of Agriculture, steadfastly avoided such disclosure. Even the U.S. Department of Agriculture was unnecessarily vague about the level of safety and wholesomeness of 15% of the slaughtered meat and 25% of the processed meat that is consumed in this country without crossing state boundaries. For the Department possessed the detailed results, state by state, of a survey of intrastate packing and processing plants conducted in 1962 at the general request of the House Appropriations Committee.

A summary report by the Department was given the House Appropriations Committee in 1963. Although this report eschewed details, it sounded alarms which went unheeded. For example, the Department stated that "Processing is the area of greatest potential for adulteration, contamination, and use of meat that has become unsound through improper handling. Once processing is completed, certain types of adulteration and deterioration are almost impossible to detect. This also is the area in which industry faces its greatest pressures of competition. Short cuts in procedures tend to accentuate the potentials in meat and meat food products for the use of practices and existence of conditions that may not be wholly acceptable from the standpoint of sanitation, wholesomeness, and safety that the public has a right to expect."

Concerning control of trichinosis, the report stated: "This becomes increasingly important as consumer demands turn to the use of convenience foods, such as frozen meat dinners and ready-to-eat sausages that are served in the home after short periods of cooking at relatively low temperatures."

Concerning additives, the report stated: "Every year, new chemicals are developed that will preserve, emulsify, soften, color, increase water-binding power or inhibit rancidity of meat, and in many other ways alter the natural properties of meat. These are being offered to the food industry in ever increasing numbers. Some of these are good and represent progress in food technology. However, some are known to be unsafe and the safety of many others has not been established."

Other matters dealt with in the report included adulteration with filth, adulterants that reduce nutritional value, false or deceptive labeling and adulteration with uninspected meat.

Unfortunately, the Department lost an important opportunity to give momentum to its findings because it did not release the state by state backup studies which would have given specific substance to the general conclusions. Numerous, concerned employees of the Meat Inspection Service surveyed the respective states where they were stationed. By and large, these state reports are the product of sensitive, observant public servants who wanted a sickening situation remedied. Their high superiors in Washington, however, placed other considerations above prompt and full disclosure. These considerations include excessive coddling of the meat industry's desire to avoid disclosure of filthy and hazardous conditions for fear that sales of meat products might be affected adversely. Other factors are the meat industry's concern that stricter standards would require investment in improved facilities and jettisoning of some of the marginal products, extenders and additives that combine to produce more marketable meat from the hoof.

If the furor of 1906 has taught this country anything, it should be that covering up unsafe and unhealthy conditions cannot be in the long range interest of the meat industry, not to mention both the short and long range interest of consumers. The meat industry recognizes that the federal meat inspection program is an asset. The industry must now recognize the need to confront candidly and meet squarely the problems which infest it. Controlled reason on the part of the industry would seem to be preferable than a policy of burying facts in order to earn delay. The latter course is fraught with the risk of a consumer backlash whose severity will be fed in proportion to the recognized dose of deception that is nourishing it.

The Department of Agriculture is presently tensed between the misguided needs of the meat industry and its primary obligation to the public at large. Your Subcommittee can help mightily in resolving this wavering in favor of the public interest. A first step toward this objective would be to study the state by state reports which the Department prepared a few years ago. According to the Department of Agriculture, the general level of conditions described still prevail. The states, by and large, have not responded to the disclosures with measures to protect the public that are actually enforced. Some states seem to be seized with paralytic torpor in this area.

At last these state reports compiled by the U.S. Department of Agriculture have been made publicly available. To illustrate their relevance to the proposed legislation, I am attaching some excerpts which are not only representative of the malaise but also indicate the various problems of poor or no inspection, adulterated filthy, and chemically camouflaged meats, deceptive labeling, and the involvement not only of smaller firms but some of the nation's best known meat packers. A great mass of supplementary detail is contained in the reports that is useful for legislative policymaking.

Thank you for taking the time to read this communication. I respectfully request that this letter with the enclosed attachments be made a part of the formal subcommittee hearing record.

Sincerely yours,

RALPH NADER.

Sample descriptions of unacceptable conditions in non-federally inspected meat packing and processing plants contained in aforementioned U.S. Department of Agriculture survey (by USDA inspectors).

Alabama (No meat inspection laws, provision for voluntary municipal inspection): "There is no regulation on added moisture in pork products such as sausage, hams, picnics, etc. X Co. was pumping their hams 21%. Y Co. *said* they were pumping 12%, but I have reason to believe the figure was closer to 20%.

"The [voluntary] inspection legend is identical to [USDA] except that the abbreviation Jefferson County Health Department is located where the establishment number is on ours, i.e. at the top. Where the initials U.S. appear on our legend, they have the establishment number. It could easily be mistaken for a federal stamp."

Arizona (Voluntary laws): "It is my opinion that no plant conducting slaughtering in Arizona or New Mexico could meet our minimum requirements of construction or facilities without a major remodeling program of the plant and the purchase of a goodly amount of acceptable equipment for the proper conduct of operations and inspections."

(Conditions in various plants): "In the beef cooler [of a relatively large packing plant] I saw one metal drum filled with unclean hog heads. The heads were to be partially cooked at a later date and the flesh removed for an ingredient of sausage. Another metal drum contained about 150 pounds of beef cheeks, beef hearts and beef trimmings in water. On the surface 7 dead flies were seen. Mixed in with the meats was a beef hook and trolley. Gas bubbles were seen arising to the surface, they exploded and released a putrid odor. A tank truck with a capacity of about 750 pounds of beef cheeks, diaphragms, beef hearts, and the like was seen in a distant corner. Examination of these meats revealed a mouldy and slime condition with a putrid odor. Several dead flies were seen on the surface and mixed in with the meat. These items were to be used in the manufacture of sausage items and hamburger . . . The bologna had a sour and putrid odor like the odor of the meat in the metal drums and in the tank truck."

"A check of the accuracy of the net weights of packaged and sealed frankfurters was made. Six of ten packages were one frankfurter short of 16 ounces, the declared net weight.

"One of the calf carcasses in the cooler was found to have a watery condition of the flesh of the chest. The inspector told me that the animal had a 'bad liver,' but in his opinion the carcass wasn't 'too bad.'

"All of the equipment used in the manufacture of sausage, walls and floors of the kitchen, the smoke house, and various trucks and tables in the sausage preparation area were noted to be in need of a thorough cleaning. Without the facility of an abundance of hot water under pressure it appears almost impossible to do a satisfactory job of cleaning. Many prepared items such as sausages, hams, bacon, lard, etc. originating from federally inspected establishments are sold through this plant.

"A metal ink stamp and a hot iron branding stamp of the State inspection service were not kept under control of the inspectors. These marking devices, signifying that the product so marked has been inspected and passed, was available for use by the establishment at any time.

"In the spice room of the sausage kitchen—flies, spiders, roaches and mice were present. A large wooden container in four sections held flour, dried milk, caseinate and salt. Flies and spiders were seen in each of the sections. Spaces between wooden framing and the wall had roaches. Two mice were seen behind barrels of spices. Sodium nitrate is used in cures and in mixes with spices. There is no control of these chemicals or with any of the nonmeat ingredients used in the manufacture of sausage.

"There is no official temperature recording of those items containing pork which may be eaten without further cooking. Two dial type thermometers were found near the smoke house and on checking them it was noted there was a ten degree variance in their recording. Two containers of fly spray was seen on the same shelf as was stored containers of spices and other nonmeat sausage ingredients."

Arkansas (mandatory law effective July 1, 1967): "This was a large plant of haphazard construction. Wood floors were noted in many departments, as well as wood walls and wood doors in some locations. Many of the floors were covered with dirty sawdust mixed with trash and meat scraps and were very wet in some areas due to poor drainage."

California (mandatory laws): "When nonmeat ingredients are weighed out in the spice room for each batch of product in a State plant, the ingredients are all mixed together in a single container. In this way, there is no inspection control as to whether or not excessive amounts of restricted ingredients are being used."

"Carcasses of lambs, calves and hogs together with fore and hind quarters of beef were observed in various processing plant coolers. Some of these meats were contaminated by bits of hide, hair, ingesta or handling dirt. Apparently the inspectors do not require the receiving plant to inspect and trim such product, if necessary, as it is received and neither had the inspectors observed and retained the carcasses requiring trimming."

Colorado (no meat inspection laws, voluntary municipal inspection): "The facilities of the various slaughtering plants visited were limited, and in most cases would not meet federal specifications."

Connecticut (no meat inspection laws, only mandatory licensing for packers): "The killing floor located in old part of the building and does not comply with minimum requirements of sanitation and housekeeping practices. All operations are conducted in very small area and create objectionable congestion. The floor cracked, the walls filthy, overhead wooden structure covered with dust and dirt. Overhead rails rusty, flaking and filthy. All equipment, including dehairing machine, gambrels, trolleys, etc., in highly unsanitary condition—rusty and filthy. No head washing and hand washing facilities. No sterilizers.

"Boning and curing room. The ceiling wet, condensation drips on the product. The walls moldy, peeling and dirty. The rails rusty and flaking. The vegetable plant protein is stored in this room and is used in frankfurters, salami and loaves—not declared on the labels."

"Spice room. The ceiling, walls dirty, peeling, covered with cobwebs. The containers with spices open. Under the racks, spice containers accumulation of rubbish and filth. In some containers the spices contaminated with visible dirt, dusty, paint flakes."

Delaware (No meat inspection laws): "In excess of 35,000 cattle, swine, sheep and calves are reported by the producers as slaughtered each year without ante-mortem or post-morten inspection for local or generalized disease conditions. Based on our knowledge of animal pathology as seen on post-mortem inspection, this means that consumers in Delaware are in grave danger of using as food meat and meat food products prepared from animals which were afflicted with a large number of diseases ranging from localized abscesses and lesions of tuberculosis to generalized septicemia and malignant growths. . . . Unsound animals may be purchased at reduced prices. They present an opportunity for large financial gain to an unscrupulous, uninspected slaughterer."

"At one slaughtering and fabricating establishment visited during this survey, a limited, inadequate examination showed a cow with acute, inflammatory mastitis destined for slaughter and several carcasses showing evidence of acute inflammations and one carcass with a well defined, local abscess. These conditions were noted in animals and carcasses destined for boning and processing into steaks, roasts and ground beef products."

"In addition to the very grave and urgent problem posed by the distribution of food derived from diseased animals, the attached report details extremely bad and revolting dirty food handling methods without any regard for rudimentary sanitation. In many cases toilet facilities are completely lacking or inadequate. Rodents and insects, in fact any vermin, had free access to stored meats and meat products ingredients. Hand washing lavatories were absent or inadequate. Dirty meats contaminated by animal hair, the contents of the animal's digestive tract, sawdust, flies, rodents and the filthy hands, tools, and clothing of food handlers, were finely ground and mixed with seasonings and preservatives. These mixtures are distributed as ground meat products, frankfurters, sausages and bolognas. Due to the comminuting process and seasoning of these products, most of the adulterations could not be detected by the consumer."

"Some federally inspected meats were adulterated with uninspected meats and then processed into meat food products."

"Federally inspected and marked hams and pork shoulder picnics were processed into cured and smoked or boneless product in filthy environment or adulterated by the unrestricted use of additives such as sodium nitrite, a toxic material which when ingested in large amount can cause death."

"Meat patties and sausage products were adultered with cereals and non-fat dry milk without notation on the labels informing the consumer that they were purchasing frankfurters or ground beef to which water, cereal and other extenders had been added."

"In several establishments, uninspected meats and meat food products were packed into used containers bearing the marks of federal inspection. Purchasers of this material could buy the food in the belief that they were actually buying Federally inspected and passed meats and meat food products."

"Antioxidants and preservatives [in one large processing plant] such as sodium bicarbonate, sodium benzoate, sodium citrate, nitrites and nitrates were added to meat food products without ingredient declaration or apparent control. The cooling diffusers were blowing dirty air over stored meats."

In another plant, "filthy blood contaminated with flies and miscellaneous dirt was being saved as edible product. Slaughtering operations is performed without ante and post-mortem inspections."

Florida (Mandatory inspection laws): "A view of the boning room and coolers showed beef dirty from lack of proper trimming and washing on the killing floor. Also, the grease and rust from the trolley hooks had been transferred to the hocks, rounds, and ribs of carcasses. Laminated boards on the boning table were cracked. Some solid boards were used supplemented by an old painted 2 inch board."

"The tankroom had maggots present on the floor, in empty barrels (condemned), in screw conveyor, and in the "pre-breaker." Flies were present everywhere in the room with doors and windows open."

Description of a branch house of a nationally known firm: "Old and rundown. The sanitation was poor. The wooden cooler doors were dirty and there was dirty sawdust on the floor. . . . Wooden tables with pieces of stainless steel nailed on top showed fat, blood, etc., that was old and hadn't been cleaned for some time. Electric extension cords and wiring were wrapped around pipes, coils and beams. No wash basin was in the area."

Another branch house of another nationally known firm: "Holding Cooler—A piece of cardboard had been placed against the wall to prevent the bellies from touching it, but only wrapping paper separated boxed product from the curing operation. Since the cooler was so congested, footprints were present on the bellies and surrounding area."

Idaho (mandatory inspection laws): "In the sausage kitchen, again, the workers were bareheaded, and windows were open to dust arising from the adjacent corrals outside. Upon questioning the sausage market, I learned that no checks or controls on additives such as cereal, nonfat dry milk, phosphates, and nitrite are required by their inspector. Also, no controls over ham pumping or pickle formulation are being required."

"Carrle head inspection racks were bloody from the previous day's use. The hog shackling area had not yet been used that day, and much blood, hair, and manure was adhered to the walls and ceiling."

"The screens were full of soot, and the window panes, also were darkened with soot. I understand that this plant had federal grading."

"Slaughtering was not conducted on the day of my visit at this plant. I learned from the owner that the inspector assigned to the plant is also a school bus driver and is not always at the plant for either ante-mortem or post-mortem inspection. . . . When questioned, the owner indicated that sausage additives (cereal, nonfat dry milk, water, etc. which are restricted in federally inspected plants) are not restricted by the state inspector. Nor is pickle formulation and the amount of pump of hams and other smoked pork items being controlled.

Illinois (mandatory inspection laws): "A carcass observed on the pork cutting table displayed an enlarged lymph gland typical of that of acute tuberculosis; thus diseased meat is not being suitably eliminated from the meat source."

"It was ascertained that the inspector did not have much control (other than sanitary) over any of the departments other than the slaughtering department. He did not supervise the formulation, curing, boning, grinding, smoking and cooking operations and did not temperature pork containing products to assure trichina control. The inspector stated that another inspector (sausage specialist) visited the plant from time to time to check on procedures, in connection with meat food products.

"No ingredient statements on meat food products.

"Sausage tank trucks were observed to be unclean, greasy, coated with flaking red paint, and loaded in such a manner that the product was contaminated with sawdust etc. from the floor by the wheels.

"The inspector appeared to be fairly well instructed in connection with the killing floor and allied departments and related inspection routine; but appeared to know little about the processing of meats and meat food products such as sausage, cured meats, etc.

" 'My on the site survey' showed conditions ranging from very good to very poor. It was my opinion, however, that the very good plants were due to sanitation conscience managements or due to the surveys of the

Agricultural Marketing Service, Grading Service veterinarians who qualify some of the plants for the U.S. Grading Service. There appeared to be no restrictive action being taken if operations were taking place on dirty, filthy equipment or areas. A great deal of time and effort will still be needed to get a system of inspection in the state of Illinois that will in any way compare with the federal system.

"As is customary in all State of Illinois inspected plants at this time because of lack of trained personnel and facilities, no trichinosis control was exercised in this plant on cured, smoked and cooked pork. Hams were being vein pumped and no control was exercised over adding substance or water."

"A complete breakdown of sanitary requirements appeared evident where an open wood plank ramp extended away from the back of slaughtering establishment for about 60 feet and all blood, hog hair, stomach contents, and considerable offal was dumped off the edge of the ramp and allowed to accumulate on the surrounding area. This was creating a terrific nuisance and fly breeding problem. The surrounding platform was black with flies being killed with poison bait. It was stated that the accumulation is supposed to be picked up and hauled to a field every two or three weeks. It is estimated from appearance and spread of the pile that the pile has existed for a much longer period of time."

Kentucky (Voluntary inspection of slaughtering): "The inspector on duty did not inspect the beef cheeks since he had inspected 'for a long time' and found nothing. Also 'beef cheeks are used in bologna, so are thoroughly cooked.' This pointed out the inadequacy of his training to show the importance of inspecting each carcass for cysticersis which transmits tape worms to man in beef that is not thoroughly cooked."

Louisiana (Voluntary inspection of slaughtering only): "All carcasses were washed with a brush attached to a water hose. As water came through the brush, the employees would scrub the carcass wherever there was fecal material or paunch content. The next carcass washed would be scrubbed. This one brush was used to scrub all carcasses. Any contamination, either fecal, paunch or pus could be carried from one carcass to the next."

"There is no inspection [in Louisiana] of the manufacture of sausage. This means there is no control over trichina in pork products that are customarily eaten without further cooking, such as franks, bologna, smoked sausage or pork products that have the general appearance of being cooked, such as smoked hams, loins and picnics. The consumer has no assurance when eating a pork product, as mentioned above, that trichina, should it be present in the pork, is killed."

"There is no control of restrictive items such as nitrite. Nitrite in the form of sodium or potassium nitrite is used to fix color. Used in the proper amount, it is harmless. It can, however, be lethal if used in excessive amounts (The U.S.D.A. Meat Inspection regulations limits the amount to 200 parts per million in the finished product). Deaths have occurred in recent years from the consumption of nonfederally inspected meat food product as a result of the presence of excessive nitrite . . . Without inspectional control, other harmful additives, such as preservatives including antibiotics and prohibited chemicals could be added in an attempt to increase the keeping qualities of the product. Certain antibiotics, such as a ureomycin, could be used to retard some spoilage organisms while not retarding other organisms that might be harmful to the consumer. This could deprive the consumer of the normal spoilage characteristics for judging product that has deteriorated or has been mishandled. There is also the possibility that the consuming public could become tolerant to antibiotics used in foods so that their use for serious medical purposes would be nullified."

Regarding a branch firm of a nationally known packer, "The boning boards were old and caked with fats and meat juices, some cracks and deep knife marks. The old boards had minute splinters, caused from continuous use, that resembled fuzz. This is a source of contamination. As mentioned earlier in this report, it is impossible to clean wooden boning boards, which have deep cracks. These cracks are filled with blood, fat and meat juices which are excellent media for bacteria growth. This bacteria is transferred to meat placed on the boards and reducing the shelf life of the meat, and under certain circumstances may cause food poisoning. Equipment, such as metal barrels were rusty."

"There were tongues dragging on the floor while hanging on movable racks in the cooler."

"Exposed meat was placed in a wire mesh basket on the floor. This, in effect, was the same as placing the meat on the floor although the floor was not noticeably dirty. Employees worked in the cooler during the day and tracked in contamination on their shoes. No doubt, some of this contamination came from toilets and urinals."

Maryland (No mandatory meat inspection laws): "The floors, walls, ceilings, cooler doors in processing departments and equipment coming in direct contact with meat were unclean thus causing gross bacterial contamination. Beef carcasses appeared to be cleanly dressed but several were badly soiled with extraneous matter. Sheep carcasses in the cooler were soiled due to insanitary dressing and were hung so low that a portion of each carcass was dragging on the cooler floor which was covered with grossly unclean sawdust."

"Numerous flies were present in the processing department and were lighting on exposed meat and products being processed. The scrapple cooking kettle which was not in use was very unsanitary. Tables, cutting boards and meat containers in use for preparing and holding meat were insanitary resulting in bacterial contamination of meat products. Smoked meats were cured by the dry salting method to produce "country style" pork cuts. Upon questioning I was informed by a company representative that borax, an unpermitted preservative under federal regulations, is mixed into the dry salt curing mixture to retard mold and insect infestation. Aside from being a definite adulterant, preservatives in meat may mask the growth and development of harmful bacteria."

"The general condition of the plant was very poor. The entire plant and all of the operations were insanitary. The walls, floors and ceilings in rooms where meat was being prepared were dirty. . . . Meat containers, storage racks and tables in use for meat products were very insanitary resulting in gross bacterial contamination of the meat being prepared for edible purposes."

"Upon questioning I was informed that borax is added into the dry-curing mixture to retard molds and vermin infestation. . . . Such a preservative may readily mask the growth of extremely unhealthful bacteria."

"Processing operations including cutting, grinding and mixing of meat products were conducted in a room which was not only very unclean as described above but had many flies which were lighting on exposed meat. A tubful of meat which was being ground into sausage was unclean. Some beef quarters in the cooler which originated from a U.S. inspected establishment, were grossly contaminated by sawdust and dirt. It was learned upon questioning that the cuts were dragged over the floor of the truck while being unloaded."

There were a great number of live (and dead flies) in the department which were swarming on exposed meat and equipment. One end of a meat hopper on a grinder which appeared to have been recently used had a number of dead flies in it. . . . The floor of the room was covered with filthy sawdust. . . . The wood portions of tables with stainless steel tops were encrusted with dried blood and were not susceptible to proper cleaning."

Report's summary of conditions in Maryland's non-federally inspected plants:

"The control exercised by the Maryland Department of Health over meat slaughtering and processing plants consists primarily of the requirement that sanitary facilities and operations are maintained. The enforcement of this requirement is limited to intermittent visits by sanitarians to such plants. The many infractions of even the most basic rules of good sanitary practices observed in nearly every plant visited indicates that the control is quite inadequate to assure production of clean wholesome meat products intended for human consumption. The insanitary environment to which meat is being subjected, which in most instances can only result in gross bacterial contamination, must be viewed with alarm since such meat can be washed free of visible soilage but the remaining bacterial implantation may develop into serious health hazards such as food poisoning."

"The absence of an adequate ante-mortem and post-mortem inspection program is also a matter of grave concern. Certainly, the scrupulous operator will remove obvious diseased tissues or may even call a pathologist to judge the seriousness of such conditions but intrinsic and minute lesions such as tuberculosis or small abscesses embedded in lymph nodes or other tissues can only be detected by a very careful search of these parts. Many times these small lesions will go undetected and may readily be incorporated in meat products such as sausage, hamburgers and other comminuted products. The human health hazards engendered by the uncontrolled and unscrupulous operator are almost limitless."

"The Maryland plan exercises no control over chemicals which are added to meat . . . The State plan provides no control over these processing operations and the possible hazard to human health from eating meat containing live trichinae."

Massachusetts (mandatory inspection of slaughtering only): "Survey was made of the X plant. Sanitation was entirely lacking as evidenced by the accumulation of meat, fat, blood and dirt in general on all equipment, walls, etc., which were used without cleaning. Tubs of accumulated, stale water were used to dip the calf heads (hide and horns on) and plucks (including the esophagus). This water with the aid of used towels were used to wash the dressed carcasses. Knives, arms and hands, gotten dirty in the dressing operations, were washed in these same barrels of water."

"The appointed local inspector was present during the slaughtering operations. The inspection consisted of the inspector applying the State of Massachusetts inspection stamp on the carcasses. There was no inspection of carcasses, heads or viscera. No identification of carcasses, heads, or viscera was maintained."

Kansas (no mandatory inspection, only voluntary inspection): "A small freezer adjoining this room was littered with dirty papers, pieces of bloody boards, and showed no evidence of being recently scrubbed. There was dried blood, pieces of meat, and rancid fat on the floors. The metal racks and walls also were covered with this same type of material. . . . No facilities for washing heads or a rack for placing heads on in order to make inspection of the cheek muscles for abscesses, cysticercosis, and inspection of the tongue for abscesses and hair sores. One dirty lavatory, and by dirt I mean blood, hair, etc."

Michigan (mandatory inspection laws): "There is no way to determine from what carcass the thoracic viscera including the liver came from. During our stay on the killing floor we had the occasion to observe the inability of the lay inspector to locate and retain the thoracic viscera, including the liver the veterinarian on the floor wanted to examine before making final disposition of the corresponding carcass."

"Bruises are not being trimmed before they go to wash. There was no rail inspection of carcasses by either inspector on the killing floor."

Minnesota (no mandatory inspection laws, only a voluntary meat product labeling law): "It is my understanding that any animals which can leave the South St. Paul stockyards will be received and slaughtered without an ante-mortem inspection at the time of slaughter."

Mississippi (voluntary inspection of slaughtering): "Carcasses of hogs and cattle in coolers still had hair, pieces of hide and toenails on them and were contaminated with killing floor dirt, feces and grease. . . . One emaciated appearing carcass that had passed the inspection was observed to have a well marked inflammation of pleural and peritoneal surfaces."

"Hogs, which carried the state inspection stamp, were observed in one of the coolers with a great deal of hair, bruises, scuff and toenails on the carcasses, and with the livers still hanging by their natural attachments. Cattle were observed being slaughtered without even the most cursory examination . . . A large amount of extensively molded product was observed on racks. Smoked sausage with the appearance of a ready to eat product was being smoked at a temperature of 120 degrees or less."

"Walls in the killing area and others were deeply coated with dried blood, tissue scraps and cobwebs. Cooler floors were covered with trash, meat scraps, and dirty water."

Missouri (no mandatory inspection laws, only voluntary municipal inspection): "Racked market baskets of meat were nested on floor of a very dirty cooler in an extremely congested manner. Flaked, peeling ceiling paint observed in the area over baskets. Insulation hanging from opening in wall in such a way to suggest possible contamination of meat. No ante-mortem or post-mortem inspection performed on slaughter animals in this plant. Large numbers of flies observed in killing floor area. Inedible offal, paunch contents, blood, etc. stored on killing floor while operating."

"Excessive fecal contamination noted on beef hindquarters . . . The only toilet opened directly into a processing room in the basement. The door was open."

"Skins, snouts and the like intended for use in franks, bologna and imitation meat food products had visible hair, hair roots, scurf and dirt in quantity."

[A number of ingredients banned in federally inspected plants were observed in use in several plants].

"No effort made to assure an adequate trichina control. No internal temperatures taken of smoked hams, summer sausage, etc. [in this plant].

"The inspector appeared to be lax in his efforts to produce reasonable sanitary compliance. The sterilizers observed were not hot. The heads were not identified to the corresponding carcasses, and it did not appear that the cervical glands were inspected. He was not observed conducting any form of rail carcass inspection. He did appear to inspect the heart, lungs and liver. He was not observed performing any other viscera inspection. He appeared to have a full time effort in the dressing department and little opportunity to visit the rest of the plant."

Montana (voluntary inspection): "I observed in several of the plants visited that equipment being used was not cleaned properly and much of it was rusty. Many dead flies were present. Meat scraps for hamburger and sausage contained hair, dirt, sawdust and were often black from over-aging."

"The state did not make any attempt to destroy Trichina organisms in pork products."

"Federally inspected meats are brought into the state plants for further processing and in many cases the U.S. Inspected and Passed stamp is not removed when re-sold. Such as, fresh pork legs are processed into hams and re-sold as U.S. Inspected and Passed."

"This state has no control of labeling."

Nebraska (voluntary inspection of slaughtering): "This is the type of slaughtering establishment that is required to be licensed but due to the fact that they do not wish to sell their product in a city requiring some identification of the product, no inspection is required except an occasional visit by a state inspector."

"The work table made of laminated wood was eroded and creviced with a black filth in the grooves. This filth was visibly transferred to the meat."

"The ground was blood and grease soaked, with filth and rubbish all around. Fly larvae were noted. Flies infested the area. Many dead from spraying, were noted on the ground."

"The carcass cooler was wet, over-crowded with carcasses and carried a foul odor. The rails were scaling rust and paint which was in evidence on the meat."

South Carolina (mandatory inspection laws): "Slaughter floor and equipment was filthy, showing no evidence whatsoever of any sanitary practices at any time. The floor drainage was very bad with pools of dirty, bloody and soured liquids standing over the area. All equipment was extremely rusty. Water from two to three inches deep stood over the surface of the floor in the sausage manufacturing area. . . . There was no evidence of any controls over formulation and sausage manufacturing. No trichinae control is being exercised. No fly control measures are being used. All storage racks are wooden and show evidence of deterioration and absorption of meat juices, giving off a sour odor. Product is stored directly on either filthy racks or floor."

South Dakota (No meat inspection law): "Two employees were doing the dressing operations. They skinned the carcasses hanging on a rail and although a sink was present, did not utilize it to wash their hands. They simply continued after skinning the carcasses by eviscerating the carcass with fecal contaminated hands and knives. No sterilizer was noticed."

New Jersey (mandatory inspection laws): "Employees [in a plant] were using their hands and forearms to empty product from silent cutter into a sausage truck and rinsing their hands in a metal drum containing tepid water. This is conducive to bacterial growth and the spread of contamination. After using his forearms to empty meat from the silent cutter, the employee would use his hands to scrape the meat still adhering to cutter, the employee would use his hands to scrape the meat still adhering to his arms. This would remove the residue and at the same time probably loosen some hairs which could accompany the residue into a truck of sausage meat."

"Pork skins were put through an emulsifier and used in Bologna and Frankfurter without declaration. Pork skins are not classed as meat and are not permitted in a product labeled "all Meat," when used they should be declared as such on the ingredient statement to fully inform the consumer on the nature of the product he is buying."

"At time of visit stuffing frankfurters, and pumping tongues. Management stated they knew of no limitations on the use of additives or adulterants."

"All chopped beef was weighed in a dirty old wooden bucket before it was added to the silent cutter."

"Uses caseinate in sausage with proper label declaration, however, also uses "Bind-in" an albuminous product without declaration. Pork fat and water are used in manufacture of fresh pork sausage without proper declaration."

"Observed slaughter of calves in the morning. Inspector was not in the plant during this operation. Heads not identified with carcasses. Intestine removed and discarded. Hearts, lungs, livers removed and not identified with carcasses. Identification of carcasses and parts is essential for proper inspection purposes."

New Hampshire (no mandatory inspection laws): "Coolers [in a plant] extremely congested; walls dirty, thick covering of dirty sawdust on floor. Bruised carcasses in evidence. Boning table consisting of frayed laminated boards. Rusty unsanitary metal drums marked 'inedible' used as meat containers."

Nevada (mandatory inspection for slaughtering): "Of five meat processing plants visited, only one appeared to be making any effort to conduct an operation in keeping with a highly perishable item intended for human consumption and thereby automatically complied with many of the state's sanitary requirements.

"The veterinarian I talked to at this office stated that he made every effort to give ante-mortem inspection to all animals on the day of slaughter, but could not always do so."

New York (mandatory inspection laws): "This plant also exhibited lack of lavatory equipment, liquid soap and paper towels in the beef boning department and sausage stuffing areas. . . . Inedible containers were rusty, second hand dirty slack barrels were being used for trash as well as shipping containers. The use of these slack barrels for meats would affect the meats adversely."

"Dirty bacon was being pressed and sliced and put in consumer packages. The dirt on the bacon consisted of grease and soot from the smoke houses and smoke trees. Hair follicles containing the usual sebaceous material were found in the jowls both fresh and smoked. No attempts were made to remove them."

"They claimed water was controlled in sausage of weighing all ingredient formulas. This could not be observed."

"The floor of the packing department was littered with all types of material. Frankfurters fell on the floor in this area and then were run through the peeling machine not having been cleaned previously, thus contaminating the machine and the product that was put through it afterwards."

North Carolina (mandatory inspection laws): "In the processing department, no evidence was noted for product controls, formulations, etc. Controls for trichinae were not being enforced by the State Inspector. All metal trucks, barrels, tubs, etc., containing comminuted meats were corroded, badly worn, and rusty, still no evidence of proper sanitary measures being provided in this area. . . . The outside premises was badly cluttered with junk and debris of all kinds, giving ideal breeding places for vermin, roaches and flies."

Ohio (voluntary inspection law): "Smokehouse, smokehouse sticks and bacon racks appeared as though they had not been cleaned for several months as soot was thick and well caked. Bacon slab ends showed black marks wherever the fingers of the bacon hangers had been inserted. These marks were noticed on sliced bacon being prepared in the processing room."

"This establishment is a converted red barn. . . . The stench from this building was unbearable. The owner was not present at the time of my visit and I was not invited to review the facilities. Water is furnished from a well and there were no sewage facilities."

Oklahoma (voluntary inspection law): "On September 20, I visited an establishment in Oklahoma City. The premises were very disorderly and numerous rats were seen. Holding pens for cattle and hogs had dirty, broken floors. . . . Livers, hearts and spleens were hung on what we call trees. When pushed to the coolers, they were dragged over containers of inedible feet and very dirty floor sweepings. No effort was made to eliminate this source of contamination. Beef tongues covered with sores and foreign matter, which no doubt entered food markets, were sent to the coolers.

"No temperature controls were used in smoking or cooking products to destroy possible live trichinae. Also, there were no control measures on cereals and other ingredients added to various sausage products."

"At the third establishment visited on this day, no sterilizers were being used in the slaughtering department. After removing the head from the carcass, there was no method to identify it. Tails were removed prior to inspection and could not be identified with the corresponding carcass. The question was asked, "How do you know which tail belongs to the carcass?" The answer was, "Oh, we just pick one out." The same question was asked regarding heads and tongues and the same answer was received. These parts and carcass should be tagged with identical numbers for proper identification.

"The fourth establishment visited was engaged in cutting, boning, and processing operations. The premises were very dirty. . . . In processing departments, containers covered with foreign matter held edible products. . . . In the room where sausage was being prepared, hundreds of flies were humming around on all pieces of equipment and product, and dead flies were observed in the product. There was practically no sanitation in this area. No control methods for additives were followed. The area where product was being pumped and cured was infested with flies. Flies covered equipment and product, and fell into curing solutions. Corrosion and foreign matter covered equipment, and could be seen in the various curing solutions. Equipment, floors, walls, doors, and ceilings were in a very filthy condition."

Oregon (mandatory inspection laws): "A door on the killing floor was wide open, admitting flies. Pork slaughter was in progress, and offal was being placed into a common water bath where any contaminants are allowed to contaminate the whole container of meat. . . . There was no sterilizing water piped into the killing floor for sanitizing purposes."

"The owner stated that State inspectors visit the establishment once weekly, sometimes less often, but inspect the facilities only and do not take any samples of meat food product. He complained voluntarily about the quality of State inspection, that too many of the non-veterinary inspectors had no knowledge of meat or meat processing plants."

Pennsylvania (voluntary inspection law): "In the manufacturing room, bologna was being manufactured without any weighing of ice or other ingredient. In the curing room, ceiling and equipment were dirty as well as pork bellies which were in cure for preparation of bacon."

"Facilities in this plant were very poor, no hot water for clean-up, cattle were bled over a gutter then were skinned and eviscerated in blood, viscera going on floor. Hearts, livers and lungs were thrown in an old dirty barrel. There was no washing other than by wiping with a damp old dirty rag."

Summary—"The adulteration of manufactured product is checked only by occasional chemical sampling of finished product at retail. . . . The meat packer pays the inspector directly for his services with no uniform pay or wage scales and the inspector is thus put in a position of asking the packer for any raises or additional pay."

Texas (voluntary inspection on state and municipal levels): "In 1945, the Texas Legislature passed the Meat Inspection Act, which lay dormant for a period of ten years because of a lack of funds to administer the program. In 1955, the Law as amended to allow the State Department of Health to develop a voluntary meat inspection program to be paid for by fees collected from the packer."

"The area was entirely too small for the operations being conducted there. This congestion resulted in contamination of product and a crowded situation which prevented a satisfactory clean up. There were no welfare facilities. However, management showed me where they were setting drains for welfare facilities.The drainage lines from the toilets were tied directly into house drainage. The State requires these lines to enter the main drainage outside the plant and should not be connected to a catch basin.

"The inspection is performed by a lay inspector. His training in Meat Inspection consisted of two weeks in San Antonio. He has worked for the City of Sweetwater Health Department for several years. His inspection consisted of inspection of the heart and masseter muscles for Cysticercosis Bovis and opening the bile duct for flukes. He did not examine any lymph glands for Tuberculosis while we were there. He did not do any rail inspection. He showed me through the processing department but said he knew very little about this part of the operation."

"Paint scale, rust and plaster were scaling down from the walls and ceiling on the product through the plant."

"No effort was made to remove hair from hog heads before working them up. These heads were stacked like cord wood prior to work-up. This resulted in a grossly contaminated head meat product. No effort was made to properly clean tripe before scalding. Rumens were opened, rinsed and piled 5 to 6 high on the umbrella wash stand while still in a contaminated condition. From here they were placed in the scalder. Upon inspection, the offal was found to be grossly contaminated with fecal material, metal filings, hair, hide, dirt, etc. The inspector stated that he did not know what they were doing in this plant at this time since everybody did it in a different way. He felt, however, that all of the offal should be condemned; however, he took no action."

"A majority of the hogs [in the paint] contained a great number of 'beater wounds' on them which were grossly contaminated with tub water and hair. Other hog carcasses were found to have large chronic wounds on them." [This particular plant is owned by a nationally known firm.]

Virginia (mandatory inspection laws): "The general condition of the plant was poor—almost the entire interior of the killing floor, processing rooms, and coolers showed general neglect of sanitary practices. Wooden tables and racks on which meat was placed were encrusted with accumulation of grease, juices, scraps, sawdust, and mold, thus providing for gross contamination of exposed meat. Curing drums were dirty inside and out; curing solution had extraneous matter floating on top indicating contamination of products. Floors in the killing area were acceptable but there were no facilities for sterilizing contaminated instruments. Doors leading into coolers were dirty and evidence that skinned carcasses were being contaminated by contact with the doors. Floors in the coolers showed accumulations of scraps, blood and grease."

Regarding a nationally known firm: "It was noted the meat grinder bearings had much encrusted putrid material which would readily result in bacterial contamination of the ground meat. Sausage was hung on unclean aluminum smoke sticks and no attempt had been made to clean the sausage mixer which had a copious amount of sausage emulsion adhering to the paddles and inner portion of the mixer. Such emulsions are excellent media for bacterial growth and daily cleaning is a necessary operation. Some beef cuts hanging in the cooler showed evidence of soilage while in transit and had not been reconditioned by removing the soiled portions. Other insanitary conditions noted were ceilings with leaks dripping on exposed meat causing serious contamination and flaking paint in areas where exposed meat is normally handled. Some cockroaches were observed in the curing cellar where exposed meat is handled and stored."

Washington (mandatory inspection laws): "There are numerous problems in the administration of the state program. The political problem of the various plant owners is a constant one. The fact that there is always difficulty in securing enough state appropriation to further the program is also a handicap. The fact that the operators must pay the inspectional fee based on an hourly or weekly basis does not lend itself to permitting the inspector to work in the plant any hours except those necessary for the antemortem and postmortem inspection. This is probably one of the main reasons for the lack of adequate controls in the processing plants. All processing plants pay only for the hours that the inspector spends in the plant, which may be as little as one hour per week."

RAT EXTERMINATION ACT OF 1967

Mr. SCOTT. Mr. President, I introduce, for appropriate reference, the Rat Extermination Act of 1967. My bill is identical to H.R. 11000 which was recommended by the House Committee on Banking and Currency but which, unfortunately, the other body refused to consider.

My bill would authorize the Secretary of Housing and Urban Development to make two-thirds matching grants to local governments over a 3-year period to help them develop and carry out comprehensive local rat control and extermination programs. Twenty million dollars is authorized for each of fiscal years 1968 and 1969 for this purpose.

I shall appear next Monday before the Subcommittee on Housing and Urban Affairs of the Committee on Banking and Currency in support of my bill. Meanwhile, Mr. President, to give some idea of the dimensions of the problem with which my bill seeks to deal, I ask unanimous consent that an article which appeared in the New York Times of August 1 be printed in the RECORD.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the article will be printed in the RECORD.

The bill (S. 2219) to provide Federal financial assistance to help cities and communities of the Nation develop and carry out intensive local programs of rat control and extermination, introduced by Mr. SCOTT, was received, read twice by its title, and referred to the Committee on Banking and Currency.

The article, presented by Mr. SCOTT, is as follows:

[From the New York Times, Aug. 1, 1967]

CITY OFFICIALS SAY RATS THRIVE HERE—NUMBER SAID TO HAVE RISEN IN THE LAST 2 YEARS

(By Martin Tolchin)

While no one is certain how many rats there are in the city, the Health Department estimates that there are eight million—equal to the city's human population.

And it believes that the rats have been thriving while the city has decreased its efforts to exterminate them.

The rats, which average 18 inches in length (half body, half tail), have been seen scurrying across the terraces of luxurious East Side apartment dwellings, as well as in dingy, overcrowded, foul-smelling slums. They have infested Central Park, Riverside Park and Marine Park, as well as garbage-strewn lots in the slums.

"The rats are getting bolder and bolder," said Charles C. Johnson, assistant health commissioner in charge of environmental health. "They are normally nocturnal, secluded, animals. When you see them in the daytime—and we do—you have a large population."

"The same rats that carried the black plague are here," Mr. Johnson continued. He added, however: "We know of no real diseases that are directly or indirectly carried by a rat in the New York area. But there's nothing to prevent these diseases from being carried by rats."

Mr. Johnson said that the "psychological damage" was far greater: "You can imagine living in a dwelling that's rat-infested, hear them in the walls, and not know if they are going to come out and bite you."

The city's rat problem reached crisis proportions in 1964, when Mayor Robert F. Wagner initiated a $1-million-a-year extermination program. This was reduced to $250,000 the next year, however, because of budgetary problems.

The immediate result was the reduction of the number of exterminators and their supervisors from 136 to 56.

The same year, detection of rats, and certification of rat-infested dwellings was transferred from the Health Department to the Building Department, as part of their routine inspection. The department hired 55 additional inspectors. Extermination remained the responsibility of the Health Department.

The number of dwellings certified as rat-infested was reduced, however, from 2,000 in 1964 to a total of 1,750 in the last two years, according to Doris Siegel, a supervising sanitarian.

The number of rat-bite cases investigated by the Health Department has increased from 497 in 1965 to 562 in 1966. There were nearly 300 such cases in the first six months of this year, Mrs. Siegel said. The projected figure for all of 1967 is 600, the number of cases reported in 1964.

THRIVE ON REFUSE

Because of their need for water, rats live in sewers and near rivers and lakes. They thrive on refuse, garbage and waste in buildings and alleyways. In this connection, the refusal of sanitation men to remove garbage from in front of rent-controlled buildings last June during a strike of maintenance men "certainly didn't help," Mr. Johnson said.

The extermination campaign is three-pronged—removal of food; repairing the walls, ceilings and other hiding places that give the rodents what is called "harborage"; and finally, extermination by a slow-acting anticoagulant, placed in paper cups. The anticoagulant causes internal hemorrhaging. It must be eaten several times before death occurs.

Experts have found that rats, which have a high survival intelligence, warn each other against the poisons. They communicate through sniffing, bodily contact and posture. The rats travel in packs of up to several hundred. Studies have shown that most rats don't travel far from their nests, usually about 40 feet. Mothers rear their litters, and the infants do not leave their nests until able to shift for themselves.

A litter may have up to 20 rats, and a rat reaches sexual maturity at three months. The gestation period is 21 days.

The Norwegian rat, the local variety, seldom lives more than three years or travels more than 100 to 200 feet from his nest in his life. He is gregarious, inquisitive, adaptable and breeds throughout the year, producing five or more litters a year. Their bulky nests, situated under planks or buildings, in walls or in the earth, are composed of any material at hand. From these retreats, trails lead to feeding stations.

Health Department officials say that their estimate of eight million rats in the city is conservative. However, Jerome Tricther, former assistant commissioner in charge of environmental health, said that it was very high. He said that a Johns Hopkins study of 15 years ago showed 500,000 rats in the city, and that the population had declined since then.

He said that the rat population was estimated on the basis of droppings, urine, rat runs (grease marks on walls), damage, and gnawings. The size, shape and condition of the droppings indicate the number of rats, their age and state of health, he said.

Health Department officials, who use the same method to make their estimates, said that they were aware of the study, but felt that it was erroneously low, and that the situation had worsened in the last 15 years.

Mr. Johnson estimates that $2-3 million a year for 10 years is needed for rat-control programs in the city. This should be augmented by an increase in the number of sanitation pickups in ghetto areas, Mr. Johnson said. His department is working with a demolition crew in Brownsville that is razing 150 blocks.

EMERGENCY URBAN ASSISTANCE ACT OF 1967

Mr. MORTON. Mr. President, in accordance with my remarks of July 27, I now introduce a bill to provide urban communities the wherewithal to conduct emergency programs designed to prevent civil disorder.

It is entitled the "Emergency Urban Assistance Act of 1967." It would empower the President to establish a special fund in the Treasury by transferring up to 10 percent of unobligated moneys appropriated for fiscal year 1968 for Federal urban assistance programs. These funds would then be granted to communities, under stipulations set down in the act, for speedy, local action aimed at riot prevention.

Compared with existing programs, the advantages of the Emergency Urban Assistance Act are threefold:

First. It is fast. It could be operable in a matter of days if Congress will act now.

Second. It gives the communities involved the latitude to formulate programs tailored to local circumstances with a minimum of Federal interference.

Third. It calls for no additional outlays of money. At a later date, however, Congress may supplement the money allocated for existing programs from which the funds for my proposal will be drawn.

Mr. President, I do not believe Congress has the duty of spelling out precisely how riot-endangered localities should spend these grants, since local leaders would be more likely to know what is needed. But as an example of what can be done, I would suggest a course of action which succeeded in blocking disorder in Hillsborough County, Fla. Facing another Watts, the sheriff recruited a cadre of young men to go into the street to use their influence in behalf of law and order. He did not confine this action to those with records of achievement and responsibility. He took those who knew the ways and language of the ghetto, gave them a uniform and a decent wage, and averted tragedy.

Congress really cannot dictate the details of action devised for the local level, but we can expect that funds of the Emergency Urban Assistance Act reach the disenchanted and alienated of our metropolitan society, the ones who make riots and, accordingly, the ones best fitted to prevent them.

Recently, the regional director for Kentucky of the National Conference of Christians and Jews, Mr. Raymond K. LeRoux, wrote me and underscored the importance of dealing with those persons who have grown so dissatisfied with our society that they are willing to destroy it, as they already have in part in scores of cities across the Nation.

I ask unanimous consent that a letter from the Kentucky Region of the National Conference of Christians and Jews, signed by Mr. Raymond K. LeRoux, Regional Director, be printed at this point in the RECORD.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

THE NATIONAL CONFERENCE OF
CHRISTIANS AND JEWS, INC.,
Louisville, Ky., July 28, 1967.

Senator THRUSTON B. MORTON,
Senate Office Building,
Washington, D.C.

DEAR SENATOR MORTON: I should like to take a moment to indicate solid support for your "anti-riot war chest" proposal submitted before the Senate yesterday.

As representative of a civic agency founded upon belief in the pluralistic composition of our society and the dream that men of all races and creeds can live and thrive together, I was heartwarmed by your courageous and clear-minded proposal.

Kentucky's history of outstanding political leadership from both sides of the aisle is well known, but your action under a time of civic stress shines out for its clarity and wisdom.

While the Louisville climate is outwardly and publicly calm, it is known to professional intergroup relations workers that certain conditions and actions in parts of our city this week have had our law enforcement agencies alerted for possible trouble in our own city.

The disease that has striken so many urban communities this summer can strike anywhere at any time. The arrest this week of one of Louisville's more well known civil rights activists could well have been the "trigger" event that plunged our city into senseless violence and turmoil.

No one can condone these senseless acts or the inflamatory voices which kindle them. However, to react emotionally or without thought to some of the deeper causes will only evade the ultimate solution of this American problem.

We were particularly interested in your idea of a Citizens Corps for young adults from conflict situations, and your comments that these people have more influence than Sunday School students.

The NCCJ, in conducting its education program for youth serving agencies, has come to realize this point well. While we may not agree with the thoughts of young people from conflict situations, or the voices which lead them, to disregard them completely is only courting deeper trouble.

This was our thinking in February of this year when we hosted a Rearing Children of Good Will Conference at General Butler State Park in Carrollton, Ky.

We had had a history of inviting a few pleasant children from the suburbs to represent youth. Instead, at the Carrollton program, we invited minority group youngsters from the Hough area of Cleveland, from the Job Corps, and other groups. In addition, we invited some adult voices who these young people are listening to.

Our intent was to present to representatives of youth serving agencies a thorough picture of the people we are missing—the kind of young person not reluctant to participation in violent action. The result was both informative and alarming.

Hostile attitudes were met with disbelief, resistance and equal hostility. Some people were astonished that their years of work were rewarded with a "so what" attitude. Many of the adults present and community citizens reading reports of the program in the Courier were upset that the NCCJ would give a forum to "those radical young people". Others felt that our organization should limit itself to religious affairs and not get involved in the growing problems of urban America.

Yet, these same young people, who community leaders were unwilling to listen to in February, are the same young people who in city after city are both victim and participant in urban disorder.

Your proposal to the Senate gives us hope that we will not repeat our past mistakes of failing to develop programs and concern for these misunderstood Americans.

I am enclosing the reports of the Carrollton program and a copy of the press reports of the same in the hope that they might be useful to members of your staff.

Cordially,

Raymond K. LeRoux,
Regional Director.

Mr. MORTON. I ask unanimous consent that the bill be printed in the Record.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the Record.

The bill (S. 2223) to provide emergency authority to the President to assist localities suffering or threatened by riots or other civil disorders, introduced by Mr. Morton, was received, read twice by its title, referred to the Committee on Banking and Currency, and ordered to be printed in the Record, as follows:

S. 2223

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Emergency Urban Assistance Act of 1967".

Sec. 2. (a) The President is authorized to make grants to local public bodies to carry out emergency programs (meeting criteria established by the President) which have been developed by such bodies to increase the ability of local authorities to prevent the occurrence or recurrence of riots or other civil disorders.

(b) In approving a program for assistance under this Act, the President shall consider—

(1) the relative need of the locality for assistance under this Act;

(2) whether the various projects or activities to be undertaken in connection with such program will be initiated within a reasonably short time;

(3) whether local laws and regulations are, or can be expected to be, consistent with the objectives of the program;

(4) whether the locality will maintain a level of expenditures for activities similar to activities being assisted under this Act which is not less than the level of expenditures for such activities prior to the initiation of the program; and

(5) whether the implementation of the program can reasonably be expected to make a significant contribution to the objectives sought to be achieved.

(c) Grants under this section shall be made on such terms and conditions, consistent with the provisions of this Act, as the President may prescribe.

(d) In making any grant under this section, the President may require such reports and fiscal controls as he deems necessary to assure the proper disbursement of and accounting for Federal funds.

(e) As used in this section, the term "local public bodies" means municipalities or other political subdivisions of States, or duly authorized agencies or instrumentalities of municipalities or political subdivisions of States.

Sec. 3. (a) There is hereby established in the Treasury of the United States an Emergency Urban Assistance Fund. To provide capital for such fund, the President is authorized to allocate to such fund not to exceed 10 per centum of any unobligated funds, appropriated for the fiscal year ending June 30, 1968, which are determined by the Director of the Bureau of the Budget to be available primarily to carry out Federal assistance programs in urban areas. Sums so allocated to such fund shall be available to the President to carry out the purposes of this Act.

(b) Notwithstanding any limitation on the amount that may be appropriated to carry out any program referred to in subsection (a), there is hereby authorized to be appropriated to any department or agency administering such program for the purpose of carrying out such program an additional amount equal to any sums allocated by the President to the Emergency Urban Assistance Fund from moneys appropriated to such department or agency for the fiscal year ending June 30, 1968.

Sec. 4. The President shall make semiannual reports to the Congress on the administration of this Act.

Sec. 5. The authority conferred by this Act, except section 3 (b), shall terminate on December 31, 1968, but such termination shall not affect the disbursement of funds under, or the carrying out of, any contract or commitment entered into prior to the date of such termination, or the taking of any action necessary to preserve or protect the interests of the United States in any amounts paid out under the provisions of this Act.

INTRODUCTION OF BILL TO ASSIST THE U.S. CATTLE INDUSTRY

Mr. SPARKMAN. Mr. President, on behalf of myself and other Senators, I send to the desk a bill entitled "The Cattle Industry Trade Conference Act," and ask that it be appropriately referred.

This proposal arises out of a study of nearly 3 years by the Senate Small Business Committee. The committee was seeking to learn of the possibilities and problems of assisting small independent producers and processors in the cattle industry by exploring potential markets overseas for high-quality American beef products.

In its report filed on June 12, 1967—"Expanding of Livestock Exports," Senate Report 343, 90th Congress, first session—our committee cited evidence of considerable demand in foreign countries, which could be translated into profitable commercial markets for the American industry.

In Western Europe, for instance, there are 370 million consumers, who have become increasingly prosperous and are seeking a more and better meat in their diets. Officials of the European Economic Community have estimated that by 1970 the six EEC nations might have to import 1 million metric tons of beef annually, with a value of as much as $1 billion a year to the suppliers.

It is the committee's hope and my hope that American farmers, ranchers, cattle feeders, and meatpackers will gain a fair share of this market.

The combination of this latest European demand and the lowered sea and air transportation costs accompanying the committee inquiry has been reflected in a small but growing trade in U.S. quality beef which began in 1966 and has now been extended to several hotels and restaurants.

A recent letter from Mr. Charles Bell, vice president for administration of the Hilton International Hotels, contained the following report:

> Hilton International has indeed expanded its exports (of American quality beef). In addition to the ton to ton and a half per week we are shipping to Paris (the Le Western restaurant), we are now shipping approximately the same quantity to the "Maison du Boeuf" restaurant of our new Brussels Hilton Hotel.
>
> In addition to the shipments to Paris and Brussels, Hilton International is supplying one ton and more to our hotels in Rotterdam and Amsterdam and has just shipped off almost 10,000 lbs. of beef ribs to the Hong Kong Hilton.
>
> Sample shipments have also been sent to the Royal Teheran Hilton and we anticipate steady ordering from that hotel.

These initial export movements are small, but significant. They constitute the first commercial export shipments of U.S. quality meats in nearly 50 years.

For that period of time American steaks, roasts, and hamburgers have not been available on the European Continent. The beef which is eaten there is veal and meat from older dairy cows, produced as a byproduct of the dairy industry, supplemented by imports of grass-fed beef from South America and elsewhere.

The growth in exports in American variety meats demonstrates the desire to upgrade beef consumption in Europe. In 1951 our variety meat exports were virtually zero. Now they are about 10.3 percent of American production and return $75 million to the American industry. It seems to the committee that this is an indication of the speed with which a similar trade might develop for other American meat products.

Looking at the other side of the picture—the ability of the American cattle and beef industry to furnish these products—we find that this country produces about one-third of all the world's beef. With by far the largest "productive platform," our industry is in a position to consider servicing the large import gaps now arising in places such as Western Europe.

It is well known that cattle constitutes a vital crop for the farmer in practically every State of the Union. Sales of livestock bring in nearly one-third of all farm income, with cattle accounting for about one-quarter. Thus, any success that we might have in developing export markets is likely to have wide benefits throughout the country as well as in our seacoast States, and can have also significant balance-of-payments advantages.

The bill which I introduce today proposes to assist our industry to explore and develop these markets.

It would establish an annual conference at which high Government policymakers, together with the industry leaders, would review and analyze world supply, demand, and trade in beef products.

This conference would be planned, organized, and conducted under the direction of two cochairmen: one from the Government side, appointed by the Secretary of Agriculture, and the other designated by industry.

The committee does not envision that this conference will result in the creation of any permanent commission or agency or would require the hiring of additional Government employees. Preparation of the conference would be in the regular course of business of the government departments concerned with exports and imports of meat products and the welfare of the industry that furnishes these fine products to our own people.

In this connection, the committee was concerned during its investigation when it learned of the low-profit margins which seem to persist and to characterize our domestic cattle industry. These conditions are reflected on the following table financial rates on ranch income, placed in the committee's May 1966 hearing record at the committee's request:

AVERAGE RETURN FOR BEEF CATTLE OPERATIONS, 1957-64

	Northern Plains	Inter-mountain	Southwest
Net ranch income	$6,482	$6,127	$6,179
Percentage return on investment	1.75	1.83	.71

On the basis of this information the committee's report recommends that the Department of Agriculture should present its assessment of the structural difficulties and low profit margins, which affect the full participation of the industry in both domestic and foreign markets, and should take the initiative in organizing a response to these problems.

This conference proposed by the committee will provide an opportune occasion for the Department to focus its efforts in this regard. It would also allow the Department to proceed with the program recommended by the committee to provide effective assistance to businessmen who wish to export, regardless of size or previous experience in international trade. The Department carries on successful cooperating programs as to many other products and the committee feels that the time has arrived for a similar sustained effort to be made in this commodity area.

Another section of this bill would also have the Department of Agriculture publish each year an authoritative report giving information on world supply, demand, and trade in beef products. This would be available 30 days prior to the conference and could serve as a basis for discussion.

It is my feeling that that the holding of such a conference would give the experienced and trusted leaders of industry and the Government an opportunity, on a regular basis, to discuss the potentials and problems of international trade which deeply affect this important segment of our economy. These deliberations would be instructive and might be helpful in arriving at the practicable solutions to the problems which have beset the cattle industry in recent years.

The committee has also included in the bill a provision on foreign trade restrictions. This proposal was formulated after careful study, which concluded a special hearing held by the Senate Small Business Committee jointly with the Senate Agriculture and Forestry Committee on September 9, 1965. The committee also solicited the opinions of businessmen throughout the country. In examining the patterns of agriculture in Europe, we become aware of the fact that restrictions which might be in the interest of only one or two countries could keep an entire group of countries from enjoying the benefits of the high quality and modest cost of American meat products. Such restrictions on our products could be imposed despite any economies of production, transportation, or distribution that our industry might be able to achieve.

The detriments of such a policy go far beyond the realm of increasing the pleasure and the health of European consumers and their families. It is the opinion of the Committee on Economic Development that most Europeans would stand to suffer from such restrictions in the following ways: consumers would pay higher prices, for which they would realize less in the way of food value, internal resources in Europe would become committed to uneconomic uses, labor shortages would be intensified, and the higher prices of food would be reflected in the cost of manufactured goods and services across the entire economy. The committee's report endorses this analysis.

As a consequence, the committee feels justified in stating that there would be wide support for the full use of powers made available by the Congress in the Trade Expansion Act in the event of undue protectionism as to this commodity. It has thus recommended that the President make full use of the powers to impose sanctions with respect to those countries who are obstructing trade in beef products in their own interest.

In the Congress, we shall continue to do all we can to further the development of export as well as domestic markets and the capability of the small and large American businessmen in the beef industry to participate fully in them.

The PRESIDING OFFICER. The bill will be received and appropriately referred.

The bill (S. 2226) to provide for an annual conference between representatives of the beef industry, the Secretary of Agriculture, and representatives of other departments and agencies of the Federal Government to consider problems relating to the export of beef and beef products from the United States and related international trade problems, and for other purposes, introduced by Mr. SPARKMAN (for himself and other Senators), was received, read twice by its title, and referred to the Committee on Agriculture and Forestry.

AMENDMENT TO THE FEDERAL POWER ACT

Mr. TYDINGS. Mr. President, I introduce, for appropriate reference, a bill to amend the Federal Power Act to provide for regulation of the construction of electric power transmission lines near national parks, forests, historic sites, and other similar areas, in order to preserve the historical, recreational, or scenic character of such areas. This bill is identical to H.R. 11809 which Representative REUSS introduced in the House on July 26, 1967.

At the present time nothing prevents a public utility in many States from ravaging the beauty of our national parks and historic sites with electric transmission towers. In many States, power companies have blanket power of condemnation for their powerline rights-of-way, without review by Federal, State, or local authorities. This is an intolerable situation which the Congress should rectify.

In my own State, the Potomac Edison Power Co. is planning to build a series of huge transmission towers adjacent to the historic Civil War battlefield of Antietam in Washington County. Future visitors to Antietam, scene of the bloodiest battle of the Civil War, will have no trouble locating Gen. Robert E. Lee's first northern invasion route: it will be highlighted by massive steel girders and electric powerlines. The desecration of this historic landmark will be a national tragedy.

I have spoken out frequently against Potomac Edison's utter disregard for the national interest in the proposed location of its towers. So have local citizens' groups, as well as the Commissioners of Washington County, the Washington County Planning and Zoning Commissions, and Secretary of the Interior, Stewart Udall.

Under present law, however, our combined opposition may be futile. No one can prevent Potomac Edison from desecrating Antietam if it chooses to do so.

Thomas Jefferson once wrote that "the earth belongs in usufruct to the living." A nation which neglects its natural beauty and its national heritage bequeaths a sterile estate to its future generations. It is sheer folly to leave the safeguarding of this beauty and heritage to the whim and convenience of the public utilities.

The bill I introduce today will rectify this intolerable situation. Public utilities will be prohibited from constructing power facilities adjacent to land which has been determined by the Secretary of the Interior to have a national, historic, recreational, or scenic value to the people of the United States, unless the Secretary of the Interior determines that such construction is consistent with the national interest. The Secretary would be required to hold hearings prior to his decision, at which all interested parties would have the opportunity to testify.

This bill places responsibility for the safeguarding of our national landmarks in the hands of the proper Federal authorities, instead of entrusting that responsibility to the public utilities. Although it in no way preempts existing or future State regulation of such rights-of-way, the bill will prevent public utilities from defacing our national parks and historic landmarks in the manner in which Potomac Edison plans to deface Antietam.

An editorial in the Washington Post on July 29 condemned Potomac Edison's planned construction and supported this bill to correct this intolerable situation. Mr. President, I ask that this editorial and a copy of the bill be printed in the Record at this point.

The editorial, presented by Mr. Tydings, is as follows:

Raw Power

In this era of concern about land use and proper planning, it seems almost unbelievable that an electric company can pick any route it wants for a power transmission line regardless of the views others may have. But that is the situation now being highlighted by plans of the Potomac Edison Company to build a 110-foot high power line through Western Maryland's Potomac Valley. No one—property owners, local governments, the State of Maryland, the Federal Government—is happy about the route except Potomac Edison. But, under the law, no one but Potomac Edison counts because it has unlimited powers of condemnation.

Delegate Lowe was right in describing what is going on in Western Maryland as "a blatant example of raw power when a public utility can be so powerful as to ignore the wishes of county, state and Federal government." And Delegate Lowe is in a position to see that situations like this do not occur in the future. As a powerful membei of Maryland's House of Delegates, Mr. Lowe can urge that body to withdraw the blanket power that public utility companies now have in Maryland and to require that the location of such blights on the landscape as power lines be subject to review by a state agency.

Congress can also do something about situations like this one. There is often a Federal interest in the location of interstate power transmission lines since such lines have an affinity for park areas. Congress should seriously consider the bill introduced this week by Representative Reuss to give the Secretary of Interior power to review the location of these lines.

The **PRESIDING OFFICER**. The bill will be received and appropriately referred; and, without objection, the bill and editorial will be printed in the Record.

The bill (S. 2227) to amend the Federal Power Act in order to provide for regulation of the construction of electric power transmission lines near national parks, national forests, national historic sites, and certain other areas in order to preserve the historical, recreational, or scenic character of such areas, introduced by Mr. Tydings, was received, read twice by its title, referred to the Committee on Commerce, and ordered to be printed in the Record, as follows:

S. 2227

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That part II of the Federal Power Act (16 U.S.C. 824–824h) is amended by adding at the end thereof the following new section:

"REGULATION OF TRANSMISSION LINES NEAR CERTAIN FEDERAL LANDS

"Sec. 210. (a) Within one hundred and eighty days after the date of enactment of this section and from time to time thereafter, the Secretary of the Interior shall, after consultation with appropriate officers, departments, and agencies of the United States, publish in the Federal Register a description (by metes and bounds) of lands and waters adjacent to lands owned by the United States which lands of the United States are determined by the Secretary of the Interior to have a historic, recreational, or scenic value to the people of the United States and which could be adversely affected by the construction of power transmission lines or associated facilities on such adjacent lands or over such adjacent waters.

"(b) No power transmission line or associated facility used or to be used for the transmission of electric energy or the sale of electric energy at wholesale in interstate or foreign commerce may be constructed on any lands described in the Federal Register pursuant to subsection (a) of this section, unless the Secretary of the Interior after notice and opportunity for a hearing determines that such construction would be in the public interest and grants a certificate permitting such construction."

Sec. 2. Section 201(f) of the Federal Power Act is amended by striking out "No provisions" and inserting in lieu thereof "Except as provided in section 210 of this part, no provision".

INVESTIGATION OF RECENT ACCIDENTS INVOLVING THE ARMED FORCES IN SOUTHEAST ASIA

Mr. **SCOTT**. Mr. President, I submit a resolution authorizing and directing the Committee on Armed Services to conduct a thorough investigation into the circumstances surrounding the recent disaster involving the U.S.S. *Forrestal* and similar tragic accidents in the Southeast Asian war zone which have taken a heavy toll of lives of American military personnel. My resolution directs the committee to report the results of its investigation together with such recommendations for corrective action as it deems appropriate within 90 days after the approval of the resolution.

I ask unanimous consent that the text of my resolution be printed in the Record.

The **PRESIDING OFFICER**. The resolution will be received and appropriately referred; and, without objection, the resolution will be printed in the Record.

The resolution (S. Res. 153) was referred to the Committee on Armed Services, as follows:

S. Res. 153

Whereas a fire aboard the United States Ship Forrestal has taken a tragic toll of lives of United States military personnel and has therefore adversely affected the accomplishment of the mission of United States Armed Forces in the Southeast Asian zone of hostilities; and

Whereas previous fires aboard the United States Ship Oriskany and the United States Ship Franklin D. Roosevelt have taken an equally tragic toll of human life and materiel; and

Whereas some of the sophisticated weapons and equipment utilized by United States Armed Forces have been associated with incidents, accidents, failures, and malfunctions leading to loss of life and property: Now, therefore be it

Resolved, That the Committee on Armed Services is authorized and directed to make a full and complete study and investigation of the causes of incidents, accidents, failures and malfunctions relating to the use of sophisticated military weapons and equipment in the Southeast Asian zone of hostilities.

Sec. 2. The Committee shall report to the Senate the results of its study and investigation, together with such recommendations for legislation or other action as it deems appropriate, not later than 90 days after the adoption of this resolution.

CENTRAL ARIZONA PROJECT ACT—AMENDMENTS

AMENDMENTS NOS. 234 TO 237, INCLUSIVE

Mr. **ALLOTT** submitted four amendments, intended to be proposed by him, to the bill (S. 1004) to authorize the construction, operation, and maintenance of the central Arizona project, Arizona-New Mexico, and for other purposes, which were ordered to lie on the table, and to be printed.

AMENDMENT OF FOREIGN ASSISTANCE ACT OF 1961—AMENDMENTS

AMENDMENTS NOS. 238, 239, AND 240

Mr. **JAVITS**. Mr. President, I have noted with dismay what is in effect the carving up of the foreign aid bill by the Senate Foreign Relations Committee. The committee's majority decision to cut deeply into our economic aid program is not the way to give the Senate a more decisive role in determining the direction and philosophy of our foreign policy. These actions are, I feel, gravely incompatible with the highest policy considerations which should control our foreign affairs.

I emphasize that what I speak of does not really involve money. What really has happened is that the program is being gutted in respect of authorizations and conditions rather than of money.

I am particularly concerned about the $65 million cut in the funds requested for the Alliance for Progress; the drastic limitations placed on the vitally important extended risk investment guarantee program; and the $33 million reduction in technical assistance to increase food production in developing nations.

What is really critical is the drastic limitation being placed on vitally important guarantee programs and other programs dealing with private enterprise and foreign aid.

The economic aid portion of our foreign aid program will be so eroded by the restrictions and cuts of this bill—if they are allowed to stand—as to make a fundamental change in the U.S. policy on foreign aid in effect since 1947. Just as many in the Senate object that the President is running away with the responsibility for foreign policy and leaving out the Senate, let us not allow a spirit of retaliation to creep in unwittingly, which can only harm the country, by unilaterally and basically revising our foreign aid policy under the guise of cuts and restrictions.

It is a fact that as long as poor nations constitute a majority of the world population we will not be secure. We cannot withdraw from the world for our power makes us a decisive part of it. Foreign aid—a fractional part of our budgetary expenditures—is a key element in closing the growing gap between the industrial and developing nations of the world and let's face it, it is likely to remain a part of our foreign policy for some years to come, in one form or another.

Even if the entire $2.7 billion foreign economic aid program for fiscal year 1968 was eliminated tomorrow and was added to domestic programs it would be but a relatively small contribution in solving our domestic social problems.

If we in the Senate are ready to deal with our unresolved urban problems—as we are dealing with the Vietnam war—then let us devise an effective strategy and vote the required funds and stand up to the financial responsibility it implies.

It is amazing to me that one of the most successful parts of the foreign aid program—private enterprise participation—is the very element of it the hardest hit by restrictions and cuts.

Let me assure the Senate that I am fully aware that this is not considered to be a popular program now. It is nice to be popular, too, but it is our primary duty to give the country intelligent leadership.

Accordingly, I am submitting today amendments which I intend to propose during the coming debate on the foreign aid authorization bill.

Mr. President, I send my amendments to the desk and ask unanimous consent that the amendments be printed in the RECORD.

The PRESIDING OFFICER. The amendments will be received and printed, and will lie on the table; and, without objection, the amendments will be printed in the RECORD.

The amendments, submitted by Mr. JAVITS, are as follows:

AMENDMENT No. 238

In section 104 of the bill, as reported, strike out the committee amendment to section 221 (b) of the Foreign Assistance Act of 1961 and insert in lieu thereof the following:

"( ) Section 221 (b) of the Foreign Assistance Act of 1961, as amended, which relates to authority for investment guaranties, is amended as follows:

"(1) In the proviso to paragraph (1), strike out '$7,000,000,000' and substitute '$9,000,000,000'.

"(2) In the third proviso to paragraph (2), strike out '$375,000,000' and '$215,000,000' and substitute '$575,000,000' and '$415,000,000' respectively.

"(3) In the last proviso to paragraph (2), strike out '1969' and substitute '1971'."

AMENDMENT No. 239

In section 106 of the bill, as reported, strike out the committee amendment to the first sentence of section 252 of the Foreign Assistance Act of 1961 and insert in lieu thereof the following:

"( ) In the first sentence (1) strike out 'and for each of the fiscal years 1968 and 1969, $750,000,000' and substitute 'and for the fiscal year 1968, $643,000,000', and (2) strike out '$100,000,000' and substitute '$110,000,000'."

AMENDMENT No. 240

In section 103 of the bill, as reported, strike out the committee amendment to section 212 of the Foreign Assistance Act of 1961, and insert in lieu thereof the following:

"( ) Section 212, which relates to authorization, is amended (1) by striking out '1967' and substituting '1968', and (2) by striking out '$210,000,000' and substituting '$243,000,000'."

Mr. JAVITS. Mr. President, my amendments would accomplish the following:

First, to restore AID's authority to give extended risk guarantees up to 75 percent of investments for purposes other than housing.

Second, to increase by $200,000,000 AID's authority to issue extended risk guarantees—from $375,000,000 to $575,000,000. This involves no money, as our loss ratio in these matters does not involve the need for appropriations.

Third, to extend AID's authority to give extended risk guarantees from the present, June 30, 1969, to June 30, 1971. You cannot possibly hope to curtail a program such as this without it suffering very badly, because much advanced planning is necessary.

Fourth, to increase AID's specific risk guarantee authority by $2 billion—from $7 billion to $9 billion. The only two money restorations I speak of; and I emphasize that the major factor here is authority rather than money, and this is very important in making our system work the best for the things we wish to do.

Fifth, to restore the $65,000,000 cut from AID's appropriations request for the Alliance for Progress for fiscal year 1968—from $578,000,000 to $643,000,000. I believe this is a very ill-advised time to make the Latin Americans believe that we are not doing all we can with them. The situation in Latin America is very tenuous, as everyone knows.

Sixth, to restore the $33,000,000 cut in technical assistance funds in AID's appropriations request for fiscal year 1968—from $210,000,000 to $243,000,000. This is specifically for the purpose of increasing food production. I can think of nothing which would be more constructive and which would have greater leverage than increasing the amount from $210 million to $243 million.

I call attention to the fact that the amendments which I have suggested are fully supported by the action which the House Foreign Affairs Committee took yesterday.

In the Nation's interest, this battle should not be over until the Senate has had the opportunity to work its will. As one Senator, I propose that the Senate be given that opportunity.

Mr. President, I ask unanimous consent that an editorial published in the New York Times of July 30, 1967, and an editorial that appeared in the Washington Post on the same day, bearing out this position, be printed in the RECORD as part of my remarks.

There being no objection, the editorials were ordered to be printed in the RECORD, as follows:

[From the New York Times, July 30, 1967]

BUTCHERING FOREIGN AID

In this year of skyrocketing Vietnam war costs and serious domestic problems it was inevitable that politics would supersede statesmanship in Congressional handling of the Administration's modest $3.5-billion foreign aid bill.

The Foreign Relations Committee has butchered the aid measure in a wholesale manner that reflects more spite than selectivity. The committee slashed the total request by more than 20 per cent to an all-time low of $2.5 billion for military and economic aid combined, and introduced a string of restrictions that will seriously inhibit the Administration's freedom to spend what money it eventually gets.

This is not to suggest the committee members had no cause to be disgruntled about some of the uses to which aid has been put. The manner in which military aid has been dumped into some developing countries, undermining economic efforts and helping to fire dangerous and costly local disputes, is certainly open to question.

But many of the cuts and restrictions—such as a $33-million cut in technical assistance and reductions in development loan and Alliance for Progress funds—do not make sense in the light of deteriorating conditions in many of the poorer countries and of this nation's vital interest in a world of peaceful economic and political development.

It can only be surmised that Senators who have traditionally supported aid are using this bill as a whipping boy to vent their ire over Administration policies in other areas, namely Vietnam. It would be more logical for them to vote against measures directly related to the Vietnam war rather than to attack a program that, on the whole, represents an enlightened attempt to prevent future Vietnams.

[From the Washington Post, July 30, 1967]

VICTIMIZED BILL

The foreign aid bill, in its passage through the Senate Foreign Relations Committee, had to bear a heavy burden of national and senatorial skepticism in concern. The country's immense frustration over Vietnam was piled on, and its perennial doubts about what good has been accomplished were sharpened by the Mideast war. Then there was the questioning of national priorities induced by the summer's riots. A congressional urge, bordering on desperation, to keep from being overrun by Executive initiative became part of the load, and so did senatorial pique at discovering that the Administration had been making furtive arms loans through the Export-Import Bank.

So it was shocking, but perhaps not so surprising, that the Foreign Relations Committee, which has known the reputation of being a bastion of intelligence, responsibility and the long view, should whack $740 million out of the foreign aid authorization bill. This was about 23 per cent and it came out of a bill already pared in anticipation of the congressional knife. One might have hoped the Committee would mark up the bill with an eye to the United States' continuing interest in a more stable world and that it would not have fallen prey to the anxieties and irritations of the day. But, unfortunately, this was not so.

The military cuts are one thing. Rightly or wrongly, the Administration has seemed to be spreading arms loosely around the world. This impression was only confirmed by revelation of the backdoor usage of the Eximbank to sell poor countries expensive arms. That the United States has sold weapons to several sets of countries which have warred against each other is another disturbing anomaly suggesting the need for more care.

But the economic cuts are another matter. Latin America's revolutionaries are about to meet in Havana to decide how to create "more Vietnams," and the Senate Committee reduced the Alliance for Progress authorization by $172 million. By far the most urgent task of the underdeveloped world is to grow more food, and the Committee cut some $33 million from this account. Private investment is a vital lever in many foreign countries, and the Committee backed off from a promising insurance program designed to attract more of it.

The Administration deserves a measure of blame for the blows inflicted on the foreign aid program. But a responsible Congress would not make the national interest pay for the miscues of the Administration. The United States pays a pathetically small share of its national income for foreign aid: this share goes into programs which, to be effective, must be continuous. To cut back foreign aid sharply and erratically is to lose much of its effect. Fortunately, the House Foreign Affairs Committee, and then the Senate, have the chance to undo the damage done so far.

ADDITIONAL COSPONSORS OF BILLS

Mr. JAVITS. Mr. President, I ask unanimous consent that, at its next printing, the name of the Senator from Wisconsin [Mr. PROXMIRE] be added as a cosponsor of the bill (S. 2000) to amend title IV of the Housing Act of 1950 to authorize annual grants to reduce the cost of private borrowing by educational institutions as an alternative form of assistance to the direct college housing loans presently provided for.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BYRD of West Virginia. Mr. President, on behalf of Mr. HARTKE, I ask unanimous consent that, at its next printing, the name of the Senator from South Carolina [Mr. HOLLINGS] be added as a cosponsor of the bill (S. 1726) to amend the Antidumping Act, 1921.

The PRESIDING OFFICER. Without objection, it is so ordered.

CHANGE OF REFERENCE

Mr. SPARKMAN. Mr. President, on behalf of the chairman of the Committee on Foreign Relations, the Senator from Arkansas [Mr. FULBRIGHT], I ask unanimous consent that that committee be discharged from the further consideration of Senate Concurrent Resolution 38, expressing the sense of the Congress with respect to the International Antidumping Code, and that it be referred to the Committee on Finance.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

APPOINTMENTS BY THE VICE PRESIDENT

The VICE PRESIDENT. The Chair appoints the following Senators to attend the 11th session of the General Conference of International Atomic Energy Agency, to be held at Vienna, Austria, on September 26, 1967: PASTORE and HICKENLOOPER.

SENSELESS DESTRUCTION IN THE NAME OF CIVIL RIGHTS

Mr. LAUSCHE. Mr. President, an editorial scoring our present internal disorders, written by Harry Yockey, appeared in the July 29, 1967, edition of the Dover, Ohio, Daily Reporter.

I concur fully in the thoughts expressed in this editorial.

America has had enough of the blatant lawlessness perpetrated by a small minority of its citizens.

"It is time for every American, who loves his country, to give sober thought to today's conditions and to weigh how he might correct them," affirms Mr. Yockey.

The editorial concludes with the assertion:

> The time for talking is past. The times demand action, the kind of action that will eradicate the spoilers, establish equal rights on a sound and sensible plateau and bring harmony to a nation that has grown and prospered on a foundation established on life, liberty and happiness.

Mr. President, I ask unanimous consent that Mr. Yockey's editorial be printed in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

Senseless Destruction in the Name of Civil Rights

America has had enough of senseless life taking and wide spread property destruction in the name of civil rights.

America has had enough of the loudmouthed, brazen exhorters who incite blind followers to shoot, burn and loot.

America has had enough of H. Rap Brown, who said "We'll burn the country down, honkies (whites) and all."

America has had enough of Stokely Carmichael, who was quoted from Havana as saying "we applied war tactics of the guerrillas in Newark and we're preparing groups of urban guerrillas for our defense in cities."

America has had enough of Adam Clayton Powell, who yells from his Bimini retreat that "riots are a necessary phase of the black revolution" and that there will be other upheavals unless Negroes are nominated to Congress "by September."

America has had enough of those who demand that they receive, scot-free, housing and other common necessities which others earn through hard work.

America has had enough of the unqualified and their commands for equal employment simply because of color.

America has had enough of the politicians including President Johnson, who try to make hay by placing the blame for the uncontrolled rioting and burning on each other.

America has had enough of national legislators who apparently would rather vote millions in tax money for "disaster relief" than incur the wrath of some voters and enact laws that, in no uncertain terms, will curb racists.

America has had enough of the congressional reticence in approving a gun control law aimed at preventing the "guerrillas" from arming themselves so they can wage a civil rights rooftop war on policemen, firemen, innocent citizens or anyone else they decide to snipe at.

America has had enough of youths, old enough for military service, who race through streets hurling firebombs and rocks while a half million others are fighting a war in Vietnam.

Yes, America has had enough. But just the mere saying that enough's enough isn't enough.

It is time for every American, who loves his country, to give sober thought to today's conditions and to weigh how he might help correct them.

It is time to recognize that the vast majority of Negroes are honest, conscientious, hard-working, respectable citizens who ask only an equal chance in the land of plenty and who want no part of the lawlessness that's putting the nation to shame.

It is time for the Republican and Democratic parties to declare a moratorium on their political bickering and work in complete harmony to bring the United States out of the civil rights chaos.

It is time for the Johnson administration, all senators and all representatives in Washington to stop the flow of foreign aid to unappreciative countries, and especially those in league with the communists, and channel the money into an allout effort to alleviate suffering and misery in the United States.

It is time for Congress to put a halter on the U. S. Supreme Court, whose rulings have aided the country's criminal element and fostered a freedom to pillage and kill at will.

It is time for stringent laws that provide imprisonment for any and all who have been taking advantage of free speech to encourage utter destruction and defiance of the government.

It is time for an understanding that taxpayers' dollars will not be used to replace buildings wrecked or destroyed as were those in Detroit and thereby, in effect, rewarding the rioters.

It is time for the enactment and enforcement of laws which compel penny-pinching landlords to keep housing properties in respectable condition and limit occupancy to a sensible number.

It is time to acknowledge the Communist party as an enemy and, even if constitutional changes are necessary, deport every Red to a country of his choice.

It is time to forego dilly-dallying and direct the full manpower of the Federal Bureau of Investigation into an intensive trackdown of those who organize, engineer and participate in wanton rioting.

It is time to open the doors of all educational institutions to Negroes and give them an equal chance to seek and absorb the knowledge to which they are entitled and which they must have to fulfill their roles as good countrymen.

It is time for every city and every hamlet to do something about undesirable housing for poor whites and Negroes, and to encourage private capital to join in investing in America's future.

It is time to rid the welfare rolls of loafers and leeches and sterilize women who don't care who fathers their children as long as taxpayers see to their care.

It is time for the nation to wake up to the truth that it has 2 wars on its hands, one in Vietnam and one in America; that one must be fought with bullets and the other with laws and humanitarianism.

Yes, it is time, and no community regardless of size, is in a position to say "it can't happen here." All are vulnerable.

Communities must work together, or separately, to eradicate undesirable conditions, no matter their nature, recognizing that the big cities now are in trouble because, from the time they were small, nobody cared enough to insist upon day-to-day housecleaning.

Communities must recognize that prejudices and petty jealousies are deterrents which slow or stop progress and kindle resentments that become fuel for destructive elements.

Communities must show appreciation for those citizens who volunteer many hours of their time in unrewarding public service designed to foster betterment, instead of accusing them of ulterior motives, such as self-gain.

Communities must be wary of those who would deny low-income families or senior citizens a better lot in life for fear it may take a few pennies off their income.

Communities must not be swayed by those who, because they didn't think of it first, throw "they're-trying-to-run-us" rocks in the path of possible improvements.

Communities must be alert to possibilities of participation in all federal programs for which money has been allocated, right or wrong, and which will go to those with enough desire that they formulate plans and made application for grants.

Communities must take a renewed interest in their law enforcement agencies, making certain they are adequately staffed, properly trained and fully equipped for any emergency involving life and property.

Communities must not be lackadaisical as they read of terror elsewhere because not just one segment but all of America is facing a rebellion that has been brewing many scores of years as a large part of the population looked down its collective nose at those it was keeping under foot.

The time for talking is past. The times demand action, the kind of action that will eradicate the spoilers, establish equal rights on a sound and sensible plateau and bring harmony to a nation that has grown and prospered on a foundation established on life, liberty and happiness.

ITT-ABC MERGER STILL IN DOUBT

Mr. NELSON. Mr. President, recently the Department of Justice said that the proposed merger of the International Telephone & Telegraph Co. and American Broadcasting Co. was against the public interest. In spite of the 4 to 3 merger approval of the Federal Communications Commission. Justice is appealing the decision to the courts. Antitrust implications are such that a court of law will have to make the final determination.

I applaud the move of Mr. Donald Turner to use every means at the disposal of the U.S. Government to make sure that the proposed merger, the biggest in the history of the Federal Communications Commission, is, in fact, explored to the complete satisfaction of the public. The courts will do that.

Enough doubt has been cast on the alleged benefits of the merger to cause many people to pause and wonder if we can trust an important news media to be owned and operated by a giant corporation, whose interest cannot help but conflict at times with the American philosophy of reporters and commentators speaking independently.

The discussion which occurred during the recent hearings centering around the incidents involving the New York Times disturbs the reading public as well as myself.

The latest issue of the Progressive, a fine public opinion magazine published in Madison, Wis., discusses the controversy. Mr. Morris Rubin comments that ITT has interests in 40 countries and holds hundreds of millions of dollars in Government defense and aerospace contracts. In spite of the assurances of the presidents of the two companies, which independent body is going to make sure that unbiased coverage of foreign news and defense and space programs can be counted on at all times?

I ask unanimous consent that the editorial be printed in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

The style of doing business in Washington, we regret to report, has declined lamentably.

Once upon a time in palmier days, well-heeled corporations would lubricate their way through the corridors of power with wine and song. Their emissaries would hang out in press rooms or press clubs, always good for a reassuring word or some bibulous camaraderie. That was the time when, so to speak, class showed.

This era is gone. In its place there is a style of corporate behavior that might be called the New Crassness. It has replaced the soft soap with the hard knock.

Among the pioneer practitioners are General Motors and the International Telephone and Telegraph Corporation. GM was first with its harassment of author Ralph Nader by private detectives. This baptismal effort backfired when it was laid out publicly in Senate hearings and in the press.

Next came ITT which took a more frontal approach. During Federal Communications Commission hearings on its merger case, ITT officials badgered reporters and their Washington bosses. *New York Times* economic reporter Eileen Shanahan, for example, told of a visit from an ITT senior vice president in which he asked to see the story she had filed to New York. Buy a paper in the morning, she replied. Weeks later Miss Shanahan learned that another ITT executive had called personal associates to inquire into her "background."

What gives piquancy to this behavior is that a central issue in the merger case was whether the many-splendored corporate interests of ITT might dominate the news content and general programming of its prospective affiliate, the American Broadcasting Corporation.

The giant telecommunication company (1965 revenues $1.8 billion) holds hundreds of millions of dollars in Government defense and aerospace contracts. It also has interests in forty foreign countries. Should it decide after the merger to meddle in ABC coverage of the defense and space programs, or of foreign affairs, there would be no one in a position to tell it to buy the morning paper or tune in on the morning news.

That, at least, was the concern of the professional staffs in both the Justice Department and FCC as well as the three Commissioners who voted against merger.

Nonetheless a narrow majority of four Commissioners voted last June 22 to give ITT control of both the medium and the message.

PRISON IS PLACE FOR ANARCHISTS

Mr. BYRD of West Virginia. Mr. President, the Elkins, W. Va., Inter-Mountain of July 29, 1967, printed an editorial entitled "Prison Is Place for Anarchists." The editorial makes specific reference to Stokely Carmichael's preaching of insurrection and rebellion, and I think the editorial is timely.

I ask unanimous consent that it be inserted in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD as follows:

PRISON IS PLACE FOR ANARCHISTS

Black Power advocate and rabblerouser, Stokely Carmichael warned in London this week that when he returns to the United States his next target city for violence is Washington, D.C.

Speaking of the Newark and Harlem troubles, Carmichael said, "We don't call them riots. They're rebellions. If we say 'Burn, baby, burn' we mean it and we are the first people to strike a match."

At Cambridge, Md., H. Rap Brown, National Chairman of the Student Nonviolent Coordinating Committee urged a crowd of about 400 Negroes to "burn this town down if this town don't turn around" and grant militant Negro demands.

In Franklinton, La., Lincoln Lynch, an organizer for the Congress on Racial Equality told 125 Negroes, "We are through clapping our hands and marching. From now on, we must be ready to kill." He said that Negroes would "burn up Louisiana" if they were not granted equality of justice.

Here are flagrant instances of U.S. citizens preaching insurrection and rebellion and yet the Federal government has done nothing about prosecuting them under existing law. Why are Federal authorities so reluctant to arrest these dangerous lawbreakers? This is the question uppermost in the minds of all decent Americans, both black and white. They cannot understand why this handful of irresponsible individuals are permitted to run free inciting the most violent criminal acts.

Federal law is clear. It prescribes:

"Whoever incites, sets on foot, assists, or engages in any rebellion or insurrection against the authority of the United States or the laws thereof, or gives aid or comfort thereto, shall be fined not more than $10,000 or imprisoned not more than ten years, or both; and shall be incapable of holding any office under the United States."

Now how is it that we never hear of any of the ringleaders and participants in these riots being charged by Federal authorities under this law? Why is it that instead, those few who are arrested, usually are charged under state statutes only on such counts as stealing, disorderly conduct, assault, arson or similar charges? Why aren't Federal officials active in this field of criminal activity which so endangers the peace and welfare of the whole country?

It is time for our elected representatives in Congress to speak up and inquire about this vital matter. The American people are sick and tired of hearing Congressmen and Senators always calling for the usual palliatives—more housing measures, more education programs, more anti-poverty funds—which have all been tried and found wanting. The citizens today want to hear something about stopping the rioting, the looting and murdering going on in so many of our cities. They're tired of the sloganeering and apologizing for the anarchists and they want effective action to put the guilty criminals behind prison bars.

Maybe Stokely Carmichael's threatened promise to bring this mob violence next to Washington, D.C. will bestir our congressmen to the courageous action which is required to meet this most serious challenge to our Nation.

U.S. ASSISTANCE TO LESS-DEVELOPED COUNTRIES, 1956–65

Mr. COOPER. Mr. President, the July issue of Foreign Affairs Quarterly contains an article entitled "U.S. Assistance to Less Developed Countries, 1956–65," written by Kenneth M. Kauffman and Helena Stalson. Mr. Kauffman is a senior research fellow on the staff of the Council on Foreign Relations and was formerly Economic Adviser to the U.S. AID mission in India. Miss Stalson is a research economist on the staff of the Council on Foreign Relations.

In the article, the authors summarize by country and by category the foreign aid assistance that Congress has authorized and appropriated to the less-developed countries over this 10-year period.

The Senate will soon be considering the foreign aid authorization bill for fiscal 1968, and I think Members of the Senate will find the article of interest and timely.

Mr. President, I ask unanimous consent that the text of the article be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

U.S. ASSISTANCE TO LESS DEVELOPED COUNTRIES, 1956-65

(By Kenneth M. Kauffman and Helena Stalson)

In the great debate as to the obligations of the highly industrialized nations to the less developed countries (L.D.C.s), it is not always easy to find relevant and consistent information on the actual amounts of foreign aid provided by the United States. This is so chiefly because of the variety of American aid programs and the variety of ways in which their activities are recorded. The reduction of this diversity to a relatively few figures means some loss of precision but is justified by the need for some kind of straight-forward measurement. While a considerably body of informed opinion, in the United States and abroad, holds that the growing gap between the rich nations and the poor nations may lead to disaster, this view appears to be moving against the current of public and Congressional opinion. To meet this issue it may be useful to have in one place an annotated set of figures on U.S. Government aid as well as a summary of total world aid to the L.D.C.s in the decade 1956-65.

The most striking facts revealed by the data can be summarized in eleven points:

1. Official economic aid to all L.D.C.s from all sources (including communist countries) averaged $6.7 billion a year between 1961 and 1965.

2. During the 1956-65 decade member countries of the Development Assistance Committee (DAC), which account for about 90 percent of all economic aid, provided over $50 billion of official economic assistance for L.D.C.s. The U.S. share was 58 percent of this total.

3. The net flow from all DAC countries was 45 percent higher in the second quinquennium than in the first.

4. U.S. commitments of economic assistance rose 60 percent between the first and second halves of the decade—from $2.5 billion to $4.0 billion a year. But the rising trend in annual commitments ended in 1962.

5. U.S. commitments of economic assistance to L.D.C.s and multilateral agencies rose from 0.54 percent to 0.68 percent of G.N.P. between 1956-60 and 1961-65. But from a 1962 high of 0.76 percent, they fell steadily to 0.60 percent of G.N.P. in 1965.

6. Net U.S. bilateral economic assistance expenditures for L.D.C.s rose more than 50 percent between the two halves of the decade—from an average of $2.1 billion a year to $3.2 billion a year.

7. U.S. military aid to L.D.C.s averaged $1.3 billion a year in both halves of the decade.

8. Between the first and second halves, U.S. economic aid to East Asia declined in absolute amounts. The proportions and amounts going to Africa, Latin America and to non-regional funds rose.

9. Large countries have tended to rank high in total aid but low in per capita aid.

GLOSSARY

L.D.C.'s—Less developed countries, which include:

NEAR EAST AND SOUTH ASIA. Afghanistan, Pakistan, India, Nepal, Ceylon; Cyprus, Greece, Turkey; Egypt, Iran, Iraq, Israel, Jordan, Lebanon, Saudi Arabia, Syria, Yemen.

EAST ASIA. All countries in the region (except Japan and Mainland China), plus the Trust Territories of the Pacific Islands.

AFRICA. All countries except Egypt and the Republic of South Africa.

LATIN AMERICA. All countries in the region.

In addition to the L.D.C.s covered in U.S. aid statistics, DAC aid figures include Malta, Spain and Jugoslavia.

DAC—Development Assistance Committee. Members: Australia, Austria, Belgium, Canada, Denmark, France, West Germany, Italy, Japan, Netherlands, Norway, Portugal, Sweden, the United Kingdom and the United States. An agency of the O.E.C.D. (Organization for Economic Cooperation and Development).

NET FLOWS—Disbursements of economic grants and loans (maturity of one year or more) to L.D.C.s and to multilateral agencies, minus repayments of principal. Data are on a calendar-year basis.

G.N.P.—Gross National Product.

P.L. 480—The Public Law establishing the program now called "Food for Peace."

From the jumble of terms that are used to describe the U.S. aid-giving process, two have been chosen—"commitments" because they are an indicator of intentions, and "expenditures" because they measure the amounts used by recipients.

COMMITMENTS: (1) Authorization of long-term loans and grants; (2) in the case of agricultural commodities under P.L. 480, the planned uses of the local currencies acquired through sales, the authorization of grants and donations, or the long-term credits for dollar sales; (3) obligation of funds to international organizations and capital subscriptions to the Inter-American Development Bank, the International Development Association and the International Finance Corporation. Commitments are on a fiscal-year basis, July 1 through June 30.

EXPENDITURES: (1) Dollars disbursed by the U.S. Government to the account of a foreign government or entity, or (2) the dollar equivalents of goods shipped or delivered, services rendered or foreign currencies disbursed; not including disbursements by international agencies of funds to which the United States has contributed. Expenditures are on a calendar-year basis.

Commitments will usually exceed expenditures because of (1) time lags, (2) the inclusion of a large part of the annual average of $200 million in commitments for non-regional funds (chiefly contributions to international agencies) that do not appear in expenditures since they are not assignable to L.D.C.s, and (3) the valuation of some items in P.L. 480 aid at higher prices in the commitment figures. Inclusion in expenditures of the net accumulation of foreign currencies, a portion of which is excluded in commitments, reduces the difference between the two measures.

10. Over the decade the terms of U.S. assistance hardened. Aid was increasingly tied to procurement in the United States. Loans rose from 42 percent to 60 percent of bilateral commitments between the first and second halves of the period. From the middle of the decade loans increasingly became repayable in dollars and interest rates on these loans rose toward the end of the period.

11. During 1963-65 interest and principal repayments amounted to nearly half of U.S. gross bilateral economic aid expenditures in Latin America, and to about 12 percent in the rest of the L.D.C.s.

According to DAC, total world flows (net) to all the L.D.C.s from all official sources—multilateral and bilateral—averaged $6.7 billion a year from 1961 to 1965. In 1965 they reached $7.4 billion.[1] Of the total flow about 90 percent came from fifteen DAC member countries. For these countries data covering the 1956-65 period are shown below.

TABLE I.—NET FLOW OF OFFICIAL FINANCIAL RESOURCES TO LESS DEVELOPED COUNTRIES AND MULTILATERAL AGENCIES

[In billions of U.S. dollars]

	1956-60	1961-65	1956-65
All DAC	21.0	30.5	51.5
United States	11.7	18.1	29.8
All other DAC	9.3	12.4	21.7

In the decade covered, DAC countries provided some $50 billion of economic assistance for the L.D.C.s.[2] Between 1956-60 and 1961-65 the amounts increased by 45 percent. Although this was a significant improvement in the level of aid, the 1966 DAC Chairman's report cautioned against the presumption that there is a rising trend in the total volume of economic assistance. From several donor countries there were disquieting reports of disenchantment with aid, which may affect budgetary appropriations for both bilateral and multilateral programs. Consequently it is not certain whether the flow of official aid will continue to rise.

As far as official U.S. aid is concerned, commitments of economic assistance increased by 60 percent between 1956-60 and 1961-65, and net expenditures rose 52 percent. Military aid, however, remained the same in the first and second halves of the ten-year period.

Table II.—U.S. ASSISTANCE TO L.D.C.'s—ANNUAL AVERAGES

[In billions of dollars]

	Commitments[1] (economic)	Expenditures[2]		
		Economic		Military
		Gross[3]	Net[4]	
1956-60	2.5	2.3	2.1	1.3
1961-65	4.0	3.5	3.2	1.3
Decade	3.3	2.9	2.6	1.3

[1] Fiscal years; includes nonregional commitments.

[2] Calendar years; excludes nonregional expenditures.

[3] Gross aid, before repayment of principal.

[4] Net aid, after repayment of principal.

In Table IIIA the percentage distribution of economic assistance commitments is shown by broad regions. There were distinct changes between the first and second halves of the decade. Only the Near East and South Asia maintained about the same relative share. The East Asian share fell from 33 percent of the total to 15 percent; it was the only region to experience a decline in the dollar value of commitments—from $4.1 billion to $2.9 billion—owing in large part to the decline in the aid programs for the Philippines and Taiwan. Africa's share increased 116 percent as five newly independent countries received aid for the first time in 1959 and another thirteen for the first time in 1961. Latin America's share rose 40 percent,

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[1] Total net flows of economic aid to less developed countries, from non-Communist and Communist countries, from official and private sources, were estimated by DAC (in billions of dollars):

	1960	1961	1962	1963	1964	1965
Total	7.7	9.0	8.6	9.4	9.9	11.0
Total, excluding private bilateral flows	4.9	6.0	6.4	7.0	6.9	7.4

[2] Amounts provided to multilateral agencies go partly to more developed countries. Unlike the data cited in footnote 1, the figures in Table 1 measure flows *to* multilateral agencies and not *from* them to the L.D.C.s.

and the share of non-regional commitments 90 percent. The broad pattern of commitments is reflected in the data on expenditures shown in Tables IIIB and VIII. (Discrepancies are the result of differences in coverage, valuation and timing.)

TABLE III-A.—DISTRIBUTION OF U.S. ECONOMIC ASSISTANCE TO L.D.C.'s

[Commitments expressed in percentages]

	1956-60	1961-65	1956-65
Near East and South Asia	40.4	42.1	41.5
East Asia	32.7	14.5	21.4
Africa	4.9	10.6	8.5
Latin America	17.7	24.8	22.1
Nonregional and multilateral	4.2	8.0	6.5
Total, in billions of dollars	12.4	20.2	32.6

TABLE III-B.—DISTRIBUTION OF U.S. ASSISTANCE TO L.D.C.'s[1]

[Expenditures in billions of dollars]

	Economic 1956-60	Economic 1961-65	Economic 1956-65	Military 1956-65	Total 1956-65
Near East and South Asia	4.6	8.4	13.0	4.2	17.2
East Asia	4.1	3.6	7.7	7.8	15.5
Africa	0.5	1.7	2.2	0.2	2.4
Latin America	2.2	4.0	6.2	0.8	7.0
Total	11.5	17.7	29.2	13.0	42.2

[1] Gross aid, before repayment of principal; excluding expenditures by international agencies.

Between the first and second halves of the 1956–65 decade there was a definite shift in the sources of U.S. economic aid. As shown in Table IV, the Agency for International Development and its predecessors and the Export-Import Bank declined in relative importance, while P.L. 480 (Food for Peace) and others increased. The substantial rise in "other" commitments mainly reflects growing contributions to multilateral agencies.

TABLE IV.—SOURCE OF U.S. ECONOMIC ASSISTANCE COMMITMENTS TO LDC'S

[Dollar amounts in billions]

	1956-60		1961-65		1956-65	
	Amount	Percent	Amount	Percent	Amount	Percent
AID	$7.2	58	$9.7	48	$16.9	52
Export-Import Bank	1.6	13	1.8	9	3.4	11
Public Law 480	3.0	24	6.3	31	9.2	28
Other	0.6	5	2.4	12	3.1	10
Total	12.4	------------	20.2	------------	32.6	------------

In Table V twenty countries are listed in order of the total amount of U.S. economic assistance received between 1956–65. These nations accounted for 80 percent of U.S. economic aid expenditures in L.D.C.s during the decade. The table shows both total and per capita expenditures for the ten years and for the entire post-World War II period. Figures in parentheses are rankings.

TABLE V.—U.S. ECONOMIC ASSISTANCE EXPENDITURES, BY MAJOR RECIPIENTS

	1956-65		1945-65	
	Total (millions)	Per capita[1]	Total (millions)	Per capita[1]
1. India	$5,001	$10.29 (19)	$5,431 (1)	$11.16 (19)
2. Pakistan	2,504	24.34 (13)	2,681 (3)	26.06 (17)
3. Korea	2,473	87.22 (6)	3,881 (2)	136.88 (7)
4. Vietnam	2,085	129.31 (4)	2,335 (5)	144.82 (6)
5. Brazil	1,746	21.23 (16)	2,389 (4)	29.05 (15)
6. Turkey	1,417	45.14 (9)	1,848 (7)	58.87 (9)
7. Egypt	1,041	35.17 (10)	1,084 (10)	36.62 (11)
8. Taiwan	888	71.45 (7)	2,263 (6)	182.07 (5)
9. Chile	797	93.03 (5)	939 (12)	109.61 (8)
10. Israel	640	249.71 (1)	1,014 (11)	407.34 (1)
11. Colombia	571	31.60 (12)	640 (16)	35.42 (12)
12. Iran	568	24.24 (14)	792 (15)	33.81 (14)
13. Indonesia	547	5.23 (20)	805 (14)	7.70 (20)
14. Mexico	529	12.39 (17)	859 (13)	20.12 (18)
15. Argentina	511	22.86 (15)	611 (17)	27.34 (16)
16. Jordan	452	228.74 (2)	483 (18)	244.43 (2)
17. Morocco	435	32.65 (11)	471 (19)	35.35 (13)
18. Greece	424	49.58 (8)	1,760 (8)	205.82 (4)
19. Laos	396	198.00 (3)	435 (20)	217.50 (3)
20. Philippines	373	11.53 (18)	1,268 (9)	39.20 (10)

[1] Per capita data are based on estimated 1965 population.

There are striking differences between total aid expenditures in a country and assistance per capita. India is first in total but nineteenth in per capita aid among the first twenty recipients. Pakistan and Brazil rank high in total but low in per capita assistance. Conversely, Israel, Jordan and Laos are rather far down the list of total aid but rank first, second and third in aid per capita. Evidently countries with large populations tend to receive more aid, but not nearly in proportion to the number of their inhabitants.

There have also been a few significant changes in the ranking of countries. Compared to their positions over the entire period 1945–65, Chile, Colombia, Egypt and Iran in the last ten years have moved up in the ranking of total aid received, while Greece and the Philippines have gone down.

Over the ten-year period, 1956–65, the terms of U.S. economic assistance have become progressively harder. During the first quinquennium, 42 percent of bilateral economic aid commitments were loans; in the second, 60 percent. Grants accounted for 81 percent of economic aid expenditures in 1956, 64 percent in 1960 and 43 percent in 1965. The grant component of expenditures fell precipitously in the Near East and South Asia from 77 percent in 1956 to 53 percent in 1960 and 27 percent in 1965. Grants were a more stable proportion of expenditures in East Asia, constituting 91–95 percent in the first half of the decade and 83–85 percent in the second half. In Latin America the grant portion was lower throughout the period, and there was no marked trend; grants formed 26 percent of the total for the decade. For Africa, grants averaged 71 percent of economic assistance expenditures for the ten-year period. The proportion rose steadily from 54 percent in 1956 to 78 percent in 1963. In 1965 the proportion fell to the 1956 figure—54 percent.

During the first half of the period principal and interest on most U.S. economic assistance loans were repayable in local currency—except for Export-Import Bank loans which have always been repayable in dollars. In the second half of the decade service on A.I.D. loans became payable in dollars. Since 1962, commodities provided under P.L. 480 have increasingly had to be paid for in dollars and by 1971 the bulk of this kind of assistance will be on dollar terms.

Although average interest rates were lower and grace periods longer on A.I.D. loans made during the second half of the decade, the advantages of this from the point of view of most L.D.C.s were offset by the requirement to repay in dollars. Moreover, within the 1961–65 period interest rates have risen as a result of legislative action. For the softest A.I.D. loan (forty-year maturity) from 1961–63 a charge of 0.75 percent per year was made. In 1964 the rate rose to 1 percent during the ten-year grace period and 2 percent thereafter. In 1965 the rate subsequent to the grace period increased to 2.5 percent.

A.I.D. soft loans are made to L.D.C.s whose balance-of-payments positions do not warrant harder terms. To countries that are better able to service debt, A.I.D. tends to use twenty-year loans at 3.5 percent interest. The Export-Import Bank follows commercial interest rates more closely. Its loans for the last several years have averaged thirteen years maturity; interest has been 5.5 percent.

Although in 1965, of all the major DAC aid donors the United States was still giving the best overall loan terms, the gap had narrowed appreciably since 1962. While the weighted average interest rates on U.S. official bilateral loan commitments had risen from 2.5 percent to 3.3 percent, the rate for all DAC member countries was 3.6 in both years.[3]

A major change in policy came toward the middle of the decade when A.I.D. loans were tied to procurement in the United States. In the second half of the decade vigorous efforts were made to link other A.I.D. expenditures to purchases of U.S. goods and services. As Table VI shows, these policies have resulted in a decline of A.I.D. spending abroad from 60 percent to 20 percent of the total between 1961 and 1965. Naturally this has diminished the direct contribution of aid to deficits in the U.S. balance of payments, but it also has been regarded by recipients as a hardening of the conditions of U.S. aid and undoubtedly has reduced the amount of.

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[3] Terms for DAC members as a whole became harder in 1965 The 1966 DAC review shows the following history of terms:

Loan terms (weighted averages)	1962	1963	1964	1965
Maturity (in years):				
DAC total	23.6	24.8	28.4	22.2
United States	28.6	32.5	33.4	28.0
Interest (in percent):				
DAC total	3.6	3.4	3.0	3.6
United States	2.5	2.0	2.5	3.3

goods and services that recipients obtain per dollar of aid.

TABLE VI.—GROSS AID EXPENDITURES

Fiscal year	Total (millions)	Amounts spent abroad (millions)	Amounts spent abroad percent
1961	$1,801	$1,065	59
1962	1,849	983	53
1963	2,074	799	39
1964	2,022	515	25
1965	2,091	411	20
1966	2,202	503	23

Table VII compares U.S. bilateral economic aid expenditures with principal and interest payments by the L.D.C.s over the last three years of the decade. In Latin America, debt service in recent years has amounted to nearly half of gross U.S. aid expenditures. In other parts of the less developed world service payments have been rising, but still constitute a rather small proportion of gross aid. For the L.D.C.s as a whole, the cost of servicing U.S. loans averaged 19 percent of gross aid from U.S. sources.

TABLE VII.—U.S. ECONOMIC ASSISTANCE EXPENDITURES AND DEBT SERVICE

[Dollar amounts in millions]

Calendar year	Latin America			Asia and Africa		
	Gross expenditures	Principal and interest payments	Principal and interest as percent of expenditures	Gross expenditures	Principal and interest payments	Principal and interest as percent of expenditures
1963	$816	$375	46	$2,912	$275	9
1964	729	405	56	2,840	355	13
1965	856	347	41	2,891	367	13
Total	2,401	1,127	47	8,643	997	12

Principal and interest in Table VII include payments in local currencies. For most countries these do not constitute as great a burden as dollar payments, but with the shift to loans repayable in dollars, and as the impact of higher interest rates begins to affect payments, the L.D.C.s will be faced with sharply rising dollar obligations. This will reduce the net outflow from the United States, but it necessarily will also reduce the effect of U.S. assistance. If gross loans to L.D.C.s were forthcoming at a constant amount each year on the average terms offered by A.I.D. and the Export-Import Bank in the early 1960's, in five years repayments of principal and interest would amount to about 15 percent of new gross loans, in ten years to about 35 percent and in fifteen years to 60 percent. It is virtually inevitable, therefore, that the United States and other donors will soon be forced to consider the consequences of the mounting burden of the L.D.C.s' debt service.

TABLE VIII.—U.S. ECONOMIC AND MILITARY AID EXPENDITURES IN LESS DEVELOPED COUNTRIES, CALENDAR YEARS 1956-65

[In millions of dollars or dollar equivalents]

	1956	1957	1958	1959	1960	1961	1962	1963	1964	1965	Total, 1956-65
Economic:											
Loans	306	497	802	777	773	1,449	1,657	1,844	1,919	2,120	12,144
Grants	1,270	1,276	1,344	1,339	1,399	1,601	1,635	1,648	1,647	1,571	14,730
Total	1,576	1,773	2,146	2,116	2,172	3,050	3,292	3,492	3,566	3,691	26,874
Net accumulation of foreign currency claims	328	426	230	256	453	160	165	236	3	56	2,313
Total, economic	1,904	2,199	2,376	2,372	2,625	3,210	3,457	3,728	3,569	3,747	29,187
Repayment of principal	162	186	189	242	253	285	303	384	469	404	2,877
Economic, net	1,742	2,013	2,187	2.130	2,372	2,925	3,154	3,341	3,100	3,344	26,311
Military [1]	960	1,329	1,697	1,099	1,378	1,294	1,263	1,302	1,078	1,568	12,968
Total (bilateral):											
Gross	2,864	3,528	4,073	3,471	4,003	4,504	4,720	5,030	4,647	5,315	42,155
Net	2,702	3,342	3,884	3,229	3,750	4,219	4,417	4,646	4,178	4,911	39,278
Multilateral and nonregional [2]	96	84	75	88	172	183	340	291	292	503	2,124

[1] Including transfers of excess stocks.

[2] Commitments of U.S. funds in grant form.

NOTES TO TABLE VIII

N.B. The data on expenditures are taken, for the most part, from annual volumes and hence are not revised figures.

ECONOMIC AID: Programs of the Agency for International Development and its predecessor agencies, the Social Progress Trust Fund, Peace Corps, and "other" programs; Export-Import Bank long-term loans (including credits extended to refinance principal payments, excluding advances by others whether or not guaranteed by the Bank); Food for Peace (P.L. 480) programs—grants and loans, including donations through private welfare agencies and also including some portion of grants of local currency for common defense (Sec. 104c) which, when transferred as cash grants, are considered as economic aid. Economic aid here excludes payment on war damage claims to the Philippines and operations of the U.S. Exchange Stabilization Fund.

Loans are disbursements of new credits. *Grants* are net grants. *Net accumulation of foreign currency claims* is the total of the local currencies acquired through sales of agricultural products, less the amounts used for grants and credits to the L.D.C.s and for U.S. purposes. *Repayment of principal* includes repayment in both dollars and local currencies on dollar and local currency loans. It excludes repayment of lend-lease silver by India and Pakistan.

MILITARY AID: Primarily grants under the Military Assistance Program, but also including small amounts of other military aid. Excess stocks of military equipment (included at their acquisition value) are not charged to MAP funds. Military aid includes the portion of local currency funds acquired through P.L. 480 Title I sales, allocated to Sec. 104c uses (common defense) and used by the United States for purchases of military supplies and services. Military aid excludes credits provided to finance the sale of military supplies and services; these credits are included under economic loans. It also excludes defense support/supporting assistance, which is regarded as economic aid extended for the purpose of meeting political and security objectives.

MULTILATERAL AND NON-REGIONAL AID: Grants and subscriptions to the United Nations and related agencies, to the Inter-American Development Bank, the International Development Association, and the International Finance Corporation, and to non-regional economic programs.

SOURCES

Table I. O.E.C.D., Development Assistance Committee, "Development Assistance Efforts and Policies, 1966 Review," Report by Willard L. Thorp, Chairman (Paris, 1966), p. 148.

Footnotes 1 and 3. Same, p. 30 and 160.

Tables II, IIIA, IIIB, IV, V and VIII. U.S. Agency for International Development, "U.S. Overseas Loans and Grants and Assistance from International Organizations: Obligations and Loan Authorizations, July 1, 1945—June 30, 1965" (1966), and the Agency's 1963 report covering the period July 1, 1945–June 30, 1962; U.S. Department of Commerce, *Foreign Grants and Credits by the United States Government*, December issues; U.S. National Advisory Council on International Monetary and Financial Problems, semiannual reports to the Congress and the President; U.S. Foreign Claims Settlement Commission, semiannual reports to the Congress. Population estimates from the U.N.

Table VI. U.S. Agency for International Development. Figures are for A.I.D. expenditures in all countries, including a few not here considered as L.D.C.s.

Table VII. U.S. Department of Commerce, *Survey of Current Business*, June 1966.

OMBUDSMAN

Mr. LONG of Missouri. Mr. President, does the American public need or want an ombudsman?

A further example of the functions of such an office is found in the following introductory pages of the annual report of Ombudsman Guy Powles, of New Zealand.

This illustrates the great variety of cases which can become the concern of the ombudsman. After reading and digesting the report, it becomes unmistakably clear that the selection of a person to fill such an office has to be given careful thought and consideration.

As is demonstrated in this single report, compassion cannot and must not rule the situation. A wide background of experience and a "Sherlock Holmes" approach to the facts—seasoned by an objective consideration of all aspects of the cast from the viewpoint of the allegedly erring agency or official, as well as that of the complainant—must be the prerequisites for a successful "ombudsman" who will have the confidence and support of the public.

Although many complaints are determined to be "unfounded" by the ombudsman, the fact remains that there exists for the individual someone in an objective position to whom their problems can be taken for an impartial review of the facts.

In many instances, this fact alone acts as an effective "steam valve," giving the complainant the satisfaction of knowing that he has at least been heard.

Additionally, and along the same

lines, is a news clipping from the Wall Street Journal which comments on the annual report submitted by the Nassau County, N.Y., "public protector," Judge Samuel Greason.

The article reports:

> After listening to citizens complaints about bureaucratic injustices . . . In about one out of every five cases, Judge Samuel Greason has found grounds on which to seek redress.

It goes on to point out:

> In his first year of office, Judge Greason processed more than 470 complaints . . . lodged by citizens against practically every department or agency of the county and against the three towns, two cities, several villages, and special districts within the county.

I ask unanimous consent to have printed in the RECORD the introductory pages of the report by Ombudsman Powles, including a few case histories which will give a brief idea of the contents of the report, and the news article entitled "A County Ombudsman Ends Year," published in the Wall Street Journal of July 18, 1967.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

REPORT OF THE OMBUDSMAN FOR THE YEAR ENDED MARCH 31, 1967

(Presented to the House of Representatives pursuant to section 25 of the Parliamentary Commissioner (Ombudsman) Act, 1962)

Mr. Speaker, I have the pleasure to submit a report upon the work of my Office for the year ended March 31, 1967.

CASES HANDLED

During the year I received 702 complaints. In addition 86 uncompleted cases were brought forward from the previous year and 11 cases previously dealt with were reopened upon the discovery of new evidence.

The following summary shows the monthly intake during the year, the yearly intake since the Office was established, the number of cases dealt with, and the number still under action at March 31, 1967:

	Intake	Dealt with	Still under action
Received during April 1966	29	29	-------
Received during May 1966	49	47	2
Received during June 1966	55	54	1
Received during July 1966	80	79	1
Received during August 1966	92	92	-------
Received during September 1966	87	85	2
Received during October 1966	61	54	7
Received during November 1966	63	57	6
Received during December 1966	39	37	2
Received during January 1967	34	28	6
Received during February 1967	54	30	24
Received during March 1967	59	22	37
Reopened during year	11	11	-------
Total:			
For year ended Mar. 31, 1967	713	625	88
For year ended Mar. 31, 1966	685	682	3
For year ended Mar. 31, 1965	743	741	2
For year ended Mar. 31 1964	760	760	-------
For 6 months ended Mar. 31, 1963	340	340	-------
For the whole period from Oct. 1, 1962, to Mar. 31, 1967	3,241	3,148	93

In addition to the complaints formally recorded as above, there was a considerable number of miscellaneous inquiries by letter, telephone, and in person, which were not separately classified. Where possible these people were told how best to get proper advice for their particular problems.

CASES NOT FULLY INVESTIGATED

Of the total complaints received during the year 348 did not call for full investigation, mainly because they were not within my jurisdiction. The corresponding total for last year was 401.

One hundred and eighty-one of these 348 complaints did not fall within the provisions of the main operative section of the Parliamentary Commissioner (Ombudsman) Act 1962, namely section 11(1) (see p. 102). Last year 210 complaints were in this category.

Thirty-eight (33 last year) were declined as being outside my jurisdiction under section 11 (5) and (6) of the Act (see p. 102)—as concerning matters for which there were existing rights of appeal, decisions of trustees, or conditions of service as member of the armed forces.

Seven (14 last year) were not investigated on one or other of the miscellaneous grounds set out in section 14 (2) (see p. 102)—in some cases because the complainant did not have a sufficient personal interest in the matter he wanted to have investigated, and in others because the complaint was more than 12 months old, not of great importance, and there were no good reasons for delay in submitting it.

In 64 (66 last year) cases the investigation was, under section 14 (1) (see p. 102), not proceeded with, either because it became apparent that to go further would be fruitless, or because there was some other adequate remedy available to the complainant under the law or as a matter of administrative practice. In the latter cases the complainants were told how they should proceed.

Sixty-five (78 last year) were withdrawn by the complainants while investigation was in progress.

Ninety-three (86 last year) were still under investigation at the end of the year.

CASES INVESTIGATED

Three hundred and fifty-one (272 last year) complaints were fully investigated, this total including uncompleted cases carried over from the previous year. Of the 351 complaints investigated, 295 were considered not to be justified.

COMPLAINTS JUSTIFIED

This leaves 56 cases in which I found the complaint to be justified, as compared with 45 for the previous year.

In accordance with a now established pattern, I had to issue formal recommendations in 13 cases only. In many of the other justified cases the investigations were well advanced—sometimes to the stage of a draft report and recommendation—when remedial action was taken by the Department or agency concerned. In the remainder, remedial action was taken quite quickly.

In my report last year I referred to one case concerning the Soil Conservation and Rivers Control Council (No. 1060) which had not been classified in respect of which a tentative recommendation had been made. I mentioned that in the light of the further investigation that had been undertaken my conclusions might have to be modified. The consideration of the new aspects disclosed by this further investigation led me to withdraw my earlier recommendation and a report on this case will be found in Appendix A of this report (see p. 90).

In all cases where I have made firm recommendations they have been acted upon by Departments, even when, as has happened occasionally, they have not agreed with them.

GENERAL COMMENTS

The figures show that while the total intake of complaints increased by 28, the number investigated increased by 69, and there were at the end of the year seven more under investigation than there were last year. This increase in the number investigated seems to be due mainly to reduced rejections for lack of jurisdiction.

The Notes of Cases published in Appendix A to this report show again the wide range of subjects covered. It will be noted that the published case notes contain a preponderance of cases in which some fault was found. This is because a very much bigger proportion of the cases in which no fault was found contain little that would be either informative or instructive to administrators or the public, so that publication would not serve any useful purpose. On the other hand, something may be learnt from most of the cases that resulted in corrective action. In reading the cases in Appendix A, this disproportionate weighting should be kept in mind.

The steady pressure of work throughout the year has rendered it difficult to give regular and periodical publicity to cases as they are decided, which it would be desirable to do, although a few releases were made. Two of the largest investigations were concluded during the year. One (case No. 1808, p. 39) required an extensive study of a particular local industry, in which the complainant and several other firms had been engaged and a voluminous amount of material had to be gone through. The case note is not particularly informative, because it would not be proper to reveal the affairs of third parties. There was some suggestion in this case that improper influence may have been used to secure a commercial advantage, but my investigation (which closely examined this point) showed that this was not the case. My recommendation for an import-license entitlement that would in my view be sufficient to cover the complainant's losses insofar as these were due to departmental fault, did not fully meet the complainant's wishes. Nor was the Department prepared to admit fault. Nonetheless, the recommendation was complied with.

The other large case (case No. 1751, p. 16) concerned circumstances which had received much publicity some years ago, so the case note is quite explicit. This was a most intensive investigation covering a deep and careful study of all matters relevant to a single occurrence—the accidental death of a naval Petty Officer—and the resulting recommendation was able to relieve in some measure a sad case of personal distress.

In October 1965 a petition was referred to me in terms of section 11 (3) of the Act by the Chairman of a Committee of the House of Representatives for investigation and report. The investigation, which was a major one, was completed in June 1966, when I reported to the Committee. A case note has not, however, been prepared because this would not be appropriate in an investigation of this nature.

With the continued cordial co-operation of Ministers and the sincere and willing assistance of the Departments and organizations subject to jurisdiction, the Office continues to run according to a fairly stable pattern. The proportion of justified complaints to those investigated remains steady, and this proportion bears a remarkable similarity to those obtained in Ombudsmen's offices overseas. The institution seems to have taken root.

RESULTS IN DETAIL

Appendix B contains a statistical summary of this year's cases and also cumulative figures covering the whole period from the inception of the Office on 1 October 1962 to 31 March 1967.

Appendix C is a schedule, under departmental headings, of all complaints dealt with during the year.

The following table sets out most of the fully investigated cases which have been recorded this year (last year's figures are in parentheses):

	Considered justified		Considered not justified		Total	
Social security	7	(4)	61	(68)	68	(72)
Education	3	(0)	35	(14)	38	(14)
State services commission	6	(8)	19	(7)	25	(15)
Post office	4	(3)	14	(4)	18	(7)
Justice	3	(4)	15	(8)	18	(12)
Customs	5	(3)	12	(17)	17	(20)
Railways	3	(6)	14	(4)	17	(10)
Labor	1	(2)	14	(11)	15	(13)
Health	1	(1)	12	(17)	13	(18)
Government Superannuation Board	2	(0)	10	(11)	12	(11)
State advances	2	(2)	10	(7)	12	(9)
Works	4	(2)	7	(6)	11	(8)
Lands and survey	1	(2)	7	(7)	8	(9)
Inland revenue	0	(0)	6	(6)	6	(6)

There are some obvious changes, but last year's caution against comparisons among Departments should be repeated, and reference made to Appendix C because there the subject matter and result of each complaint are listed.

OVERSEAS INTEREST

Overseas interest in the Ombudsman idea generally has continued to grow, with perhaps the most noteworthy event being the passing of the United Kingdom legislation referred to later in this report. In North America, despite a good deal of discussion in political and administrative circles, no state or province has yet acquired an Ombudsman, although one has been appointed by Nassau County (population over 2 million) in the State of New York.

My Office continues to receive a number of postal inquiries from academic, professional, and official circles in many countries. There has been a steady flow of overseas visitors, some of whom are interested to make contact with a novelty, while others devote time to serious study of the work and to discussions with my staff and myself. Amongst the more important of these latter were Dr. J. R. Kidd, of the Ontario Institute of Education; Hon. H. D. Ahern, M.L.C., of Sydney; and Mr. Anthony Polsky, of the North American Newspaper Alliance. There were also visiting United Nations Fellows from Singapore and Nepal.

VISITING OMBUDSMEN

Because of the general similarity in institutions and problems, the most interesting visitor was Sir Edmund Compton, who was appointed Parliamentary Commissioner (designate) for the United Kingdom in August 1966, and visited my office in September for several days of discussion on mutual problems and on the practical operation of the institution of Ombudsman. This name is deliberately not used officially or in the legislation in Britain, although it continues to be used by the public. The office is called "Parliamentary Commissioner for Administration", and the enabling legislation was not actually passed until March 1967. The "P.C.A.", as he is known in Whitehall, commenced duty on 1 April 1967. His functions are broadly similar to those in New Zealand in that he has full powers of investigation and may recommend to Departments and report to Parliament but there are some important differences. He may receive complaints only through Members of Parliament; his jurisdiction is narrower in some respects; he may not examine a discretionary decision which has been "taken without maladministration"; and he has a large staff. This is an interesting attempt to tailor the institution to a large population, and Sir Edmund Compton's progress will be watched in New Zealand with sympathetic appreciation.

Another visitor was Mr. G. S. S. Gillette, Q.C., Ombudsman of Guyana. The Prime Minister of Guyana. Mr. Forbes Burnham, had approached our Prime Minister asking whether his newly-appointed Ombudsman could visit New Zealand to gain first-hand knowledge of the practice and procedures of the Office here. As a consequence Mr. Gillette was invited to visit New Zealand for this purpose as the guest of Government, and was here in the latter part of October, spending a useful time in discussions in my Office and with helpful departmental officers.

Prior to that, in May 1966, following an approach from the Government of Tanzania, the New Zealand Government bore the New Zealand expenses of a visit from Mr. E. A. M. Mang'enya and Mr. H. K. Katua, Chairman and Secretary of the Permanent Commission of Enquiry of Tanzania. This body has functions similar to those of the Ombudsman, and these visitors spent a good deal of time in my Office.

As several pundits have commented that the Ombudsman institution can flourish only in a good society with established ideals of administrative justice, the visitors from Guyana and Tanzania were of particular interest because in both cases the institutions they represented had been deliberately created by constitution for the definite purpose of achieving certain national objectives rather than merely maintaining standards. In Guyana the objective was racial equality in a bi-racial society torn by much racial violence, and in Tanzania the President saw the institution in a rather novel way, as an essential organ in his theory of a one-party State.

ACKNOWLEDGMENTS

I am grateful to my staff, who have cheerfully borne the burdens of a heavy year and to all those in administration who so willingly facilitated my investigations.

GUY POWLES, *Ombudsman*.

EXCERPTS FROM MARCH 31, 1967, ANNUAL REPORT

CUSTOMS

[Case No. 2374]

The complainants, who operated a sawmilling business, had constructed a special type of machine to assist in log loading operations. This machine, which was referred to as a "log-hauler", consisted of a four-wheeled chassis (with engine and cab) on which was mounted a mechanical winch and a short compact crane jib. Tyres and tubes had been fitted and the complainants then applied for a refund of sales tax paid on those items.

The Department refused the application on the grounds that there was no statutory sales tax exemption in respect of "vehicles for the transport of passengers or goods", and that as the "log-hauler" was such a vehicle a refund of sales tax could not be approved for the tyres and tubes fitted thereto.

The complainants considered this decision to be an unreasonable one and sought my assistance.

Having studied photographs of the so-called "log-hauler" and considered the primary role in which the appliance was used—i.e., hoisting and stacking logs—I formed the opinion that the machine could more properly be described as a "mobile winch" rather than a "vehicle for the transport of goods" and represented this view to the Department.

The Comptroller of Customs subsequently agreed that the machine would be considered as being a type of mobile crane. This enabled it to qualify for sales tax exemption under the existing statutory provisions applicable to such appliances, and thus empowered the Department to approve of a refund of sales tax on the tyres and tubes fitted thereto.

I informed the complainants accordingly.

AGRICULTURE

[Case No. 2491]

The complainant, who farmed in an area in which the Tb Eradication Scheme operated, had his herd tested by the Department for bovine Tb. The normal test for bovine Tb is the caudal fold test, and on this test being given to the complainant's herd of 212 head, 64 reacted. Under the provisions of the scheme those animals which had reacted to the test were required to be slaughtered within a prescribed period. Because of the high percentage of reactors in the complainant's herd, and his belief that the caudal fold test did not provide a fully reliable indication that bovine Tb was present in an animal, he approached the Department with the request that a further test, called the short thermal test, be given to the 64 reactors in order that the results of the earlier test be confirmed. The complainant alleged that the Department declined to agree to any further test being carried out. Representations had then been made on his behalf to the Minister and succeeded in obtaining a substantial extension of time within which to dispose of the reactors. Within the extended time stipulated by the Minister only some 34 reactors were slaughtered, but the complainant had not received any compensation for these reactors, as was provided for under the scheme.

I informed the complainant's solicitors, who had made this complaint to me on his behalf, that as the complainant's case had already been considered by the National Tb Committee on two separate occasions, and as the Committee had upheld the Department's decision, I considered that the complaint, insofar as it related to the Department's refusal to give the short thermal test, had already been fully investigated, and that in these circumstances no investigation by me was justified. I did, however, say that I would take up the matter of the non-payment of compensation for those 34 reactors that had been slaughtered within the time set by the Minister for the disposal of all reactors.

Before I was able to complete my investigation of this aspect of the complaint the complainant himself came to see me. From the discussion I had with him it emerged that the Department, on being asked to give the short thermal test to all 64 reactors had in fact agreed to do so and had made arrangements that the tests be carried out on two successive days. The complainant said, however, that no officer of the Department ever arrived to carry out the test and that shortly afterwards he was advised by the Department by telephone that it was no longer the intention to carry out the testing.

In view of this somewhat different account of events to that which I had previously received I decided to carry out an investigation into the matter of the complainant's request for a short thermal test. I obtained a full report from the Department and I also received a report, together with relevant papers, from the complainant's Member of Parliament who had made representations to the Minister on his behalf.

From a study of these reports I was satisfied that the cancellation by the Department of the offer of the short thermal test, resulted from the complainant, on the basis of advice given to him by his M.P., declining to have the test until the outcome of the representations being made on his behalf to the Minister were known. The Department, on confirming that the Minister was considering representations from the complainant, cancelled the arrangement for the short thermal test, but not before a further offer to carry out the test had been declined by the complainant.

I concluded from the evidence available to me that the complainant's recollection of what had occurred had been mistaken, and that the cancellation of the test arrangements had not been made arbitrarily by the Department but only after the offers it had made had been declined by the complainant on two separate occasions.

As regards the payment of compensation for the reactors that had been slaughtered, I found that because of the extension of time granted to the complainant by the Minister for the final disposal of the reactors, no disposal notices had been issued by the Department with the result there existed no statutory authority to pay compensation. As a consequence any compensation that might be paid to the complainant would have to be by way of an *ex gratia* payment. The complainant's failure to dispose of all the reactors by the date set by the Minister had, however, resulted in a prosecution against him being instituted by the Department. In these circumstances the Department took the view, with which I concurred, that consideration of the making of any *ex gratia* payment by the Minister must await the outcome of the legal proceedings pending against the complainant.

I concluded that the complainant had been shown a great deal of consideration throughout by the Department, and that there was no ground on which I would be justified in making any recommendation on this complaint.

EDUCATION

[Case No. 2702]

A school headmaster complained about the critical contents of a report made following a general inspection of his school. The inspection (the first in five years) took place after only 13 days of the new school year when there were nine new teachers on the staff and in the absence of the headmaster on several weeks' sick leave.

I took the view that I would not be justified in differing from an inspector's assessments in a report made in the course of his duties—but that I would be justified in investigating procedural aspects such as the timing of the inspection, the absence of the headmaster and his consequent lack of opportunity to forestall or mitigate express or implied criticism of his professional or administrative work.

After studying the matter I informed the Director-General that I was not satisfied that this particular school inspection should have taken place at the time it did. If, however, it had to take place at that particular time and in the absence of the headmaster, then special consideration should have been given, both in the conduct of the inspection and in the wording of the report, to the absence of the headmaster through illness.

Although the Director-General was not fully in accord with my views, they decided that the offending section of the report should be withdrawn, and this was accordingly done.

LABOUR

[Case No. 2730]

The complainant, whose 20th birthday was on 30 January 1966, was required in terms of section 9 of the National Military Service Act 1961 to apply for registration for military service within 14 days of the date of his 20th birthday. He overlooked this requirement but he stated that on 1 April, being prompted by reading a statement by the Minister of Labour in the press, he went to the local Post Office, obtained a form of application, took it home and completed it, put it in an envelope addressed to the District Superintendent, Labour Department, Wellington, and posted it in a suburban post office by noon on that day. The ballot was held on 5 April and the complainant's birth date was not drawn. However, on 23 May he received a notice from the Department requiring him to report for medical examination. On 3 June he called at the Department's district office and said that the medical examination notice must have been issued in error because his birth date had not been drawn in the ballot. The interviewing officer confirmed that this was so and that he had been called for examination in error. A later study of the complainant's application in the Department showed that, while it was dated 13 February, the Department did not record it as having been reecived until 6 April, the day after the ballot. It was therefore a late application, and the complainant was thus, in accordance with the legislation, liable for service, and had been properly called for medical examination.

On receiving this information the complainant wrote to the Department stating that he had posted the application on 1 April, and as the Department continued to maintain that it had not received the application until 6 April, the complainant approached the Minister and then made his complaint to me.

My investigation covered the normal movement of mail between the suburban Post Office in question and the local Wellington Office, at which was situated the Labour Department's post box, and showed that if it had been posted as the complainant stated the application would, in the normal course, have reached the Labour Department's post box in plenty of time before the ballot on 5 April. Inquiries in the local suburban Post Office were helpful, and at my suggestion the complainant called on the local Postmaster and saw some of the staff, but they were unable to recollect his having been in the office. My Investigating Officer examined the departmental procedures for the receipt of mail and for the recording of applications for registration for military service. Inspection of the Military Service Register showed that entries were made in the order of receipt of applications, and the entry immediately prior to that of the complainant's was checked and was found to relate to an application that had been received over the counter on 6 April. The entry immediately following that of the complainant related to an application that had been received through the post some six days after this. All the internal evidence pointed to the fact that the application had not, in fact, been received by the Department until 6 April.

The complainant's obligation in law was to post his application by registered post or deliver it. The application form itself was designed to be folded and the printed address, duly crossed for registration, appears on the reverse side of the form together with the statement that the postage and registration fee will be payable by the addressee. All the complainant had to do was to fill in the word "Wellington" on the printed address. This he did but he then states that he put the whole form in another envelope and posted it by ordinary mail. He had made no attempt to complain to the Post Office about late delivery of mail.

It seemed to me that in the circumstances the onus was on the complainant to show beyond reasonable doubt that the Department had, in fact, received his application before the ballot day and that the evidence fell far short of discharging this onus. Indeed a reasonable conclusion from my investigation was that the Labour Department did, in fact, receive the application on the day after the ballot.

I therefore found the complaint not to be justified.

[From the Christian Science Monitor, July 18, 1967]

A County Ombudsman Ends Year

(By George H. Favre)

Mineola, N.Y.—When a Nassau County citizen thinks he has been done an injustice but "can't fight City Hall," he has one more place to turn: the county public protector.

For the past year a silver-haired, craggy-featured former judge in the county has been listening to citizen complaints about bureaucratic injustices. In about one out of every five cases, Judge Samuel Greason has found grounds on which to seek redress.

The former district-court judge is listed on the county's budget as commissioner of accounts, but he refers to himself as "a public protector de facto." It is in this role that he was appointed by Nassau County Executive Eugene Nickerson in July, 1966.

The public-protector concept is based on an institution started in Sweden in 1809 called the Justitieombudsman, or ombudsman for short. In recent years other Scandinavian countries have appointed ombudsmen. So have England, New Zealand, and West Germany. However, Judge Greason is the only such appointee in the United States at any level of government.

OUTSIDERS INTERESTED

Currently New York City Council president Frank D. O'Connor has a bill before the council to establish an ombudsman in this city. Judge Greason, in his first annual report to the Nassau County Executive, noted that universities, cities, states, and federal agencies have sent representatives to study the county operation.

In his first year of office, Judge Greason processed more than 470 complaints. These were lodged by citizens against practically every department or agency of the county and against the three towns, two cities, several villages, and special districts within the county.

Although he has subpoena powers and can hold hearings and investigate agencies, Judge Greason so far has had to use only the last of these powers in his first year. In that case he investigated the poverty program in Nassau County at the request of the county executive, after complaints were lodged that the program gave jobs to political favorites.

Judge Greason said he found no basis whatever to the complaints and praised the poverty-program workers generally for their dedication and professional capability.

TAX LIEN CASES

Complaints by five citizens that tax liens had been foreclosed without proper advance notice were another cause of inquiry. Judge Greason said his investigation showed "clear instances of abuse." He found that a small group of persons had been specializing in profiteering on tax liens. Most of the victims, he reported, were persons accustomed to paying taxes to the bank holding their mortgages. The individuals involved, he said, were semiliterate.

Mr. Nickerson praised the action in these tax-lien cases as being worth alone the $25,000 salary paid Judge Greason. The county now is working on changes in the administrative code to prevent more such cases.

The judge also worked with many welfare recipients over the year. "Almost all welfare complaints," he noted, "had some basis and justification." The welfare cases include preventing some human tragedies from occuring because of bureaucratic holdups.

REDWOOD AGREEMENT HAS DANGEROUS IMPLICATIONS

Mr. METCALF. Mr. President, when I first introduced a bill in the 89th Congress to establish a Redwood National Park, I realized that this was complex legislation and that the concerns of many parties would have to be considered before it could pass. I recognized too that not the least of these concerned parties would be the State of California, which administers the redwood State parks which are an important component of all national park proposals.

Accordingly, I have watched the progress of negotiations over the redwoods between the Federal Government and the State of California with great interest. I want to commend California's new Governor, Ronald Reagan, for so quickly picking up the train of negotiations that were begun with his predecessor. From the parties involved, I had understood the negotiations principally involved the transfer of certain Federal beach properties in California to the State in return for inclusion of one or more redwood State parks in a national park. I am told conservationists in California look with approval on the transfer of these surplus beach properties, now in military installations, to the State division of beaches and parks.

On the basis of these reports, it appeared that entirely reasonable and constructive negotiations were taking place. It was a great surprise, therefore, to learn recently that the negotiations had been expanded to include a great range of issues going far beyond a simple exchange of Federal beaches for State redwood parks. On June 22, 1967, Phillip S. Hughes, Deputy Director, Bureau of the Budget, set forth the terms of a purported agreement between the executive branch of the Federal Government and the Governor of the State of California in a 12-page letter to the chairmen of the Senate and House Committees on Interior and Insular Affairs. This letter raises fundamental questions of public policy, precedent, and equity that can only complicate the progress of redwood legislation, rather than smooth its way. I think the premises behind negotiations of this extent and color are questionable. They go far beyond legitimate concerns of the State of California and they suggest that the major decisions in this matter will be made by the State and the executive branch of the Federal Government rather than by the Congress.

The Bureau of the Budget letter now proposes that not only four Federal beach properties be turned over to the State—San Onofre Beach at Camp Pendleton, Fort Ord coastline, El Castillo, and Marin headlands in Forts Barry and Cronkite—but it also proposes to give the State 301,000 acres of the public domain under the Bureau of Land Management and two national monuments. I understand that the Bureau of Land Management only thinks 23,000 acres of these holdings are suitable, under appropriate authorities, for disposal to the State. For no good reason that I can perceive, the Bureau of the Budget is willing to contemplate disposal of Muir Woods National Monument and Devils Postpile National Monument, both well managed and popular units of the National Park System. But that is not all. The Bureau is also willing to impair Sequoia National Park by forcing the Secretary of the Interior to accept a road through it to serve nonpark purposes, contrary to the mandate of the Organic Act of 1916 of the National Park Service which requires that the parks be kept free of impairment. The Secretary has not been willing to grant a right of way through the park's sequoia groves for a major new road to service a massive resort development outside the park proposed by the Disney enterprises in the Mineral King basin. Presumably to satisfy the State, which wants to oblige the Disney interests, the Bureau proposes to override the Secretary's best judgment on this matter. And finally a package of financial aid is proposed: in addition to $61 million for land acquisition for the national park and $23.7 million for accelerated development, operations, and economic adjustment payments in connection with it, the Bureau of the Budget now promises $21 million in new Federal spending in the area on parkways, logging roads, and national forest campgrounds and $30 million in accelerated freeway construction moneys.

Mr. President, I fully acknowledge that it is desirable to have the cooperation of the States in establishing new national parks. But in seeking that cooperation, we should be mindful of the fact that national parks have proven to be of immense economic benefit to the States where they are located. Economists have predicted that a Redwood National Park would bring $38 million in new income to the locality during the first 5 years after its establishment. Negotiations with the States should be cast in terms of the fact that they will be the beneficiaries of a heavy Federal investment. Yet these negotiations seems to have proceeded under the assumption that the State is being burdened with a great detriment for which a settlement must be paid. Is the establishment of national parks now to be by the leave of each State, with each vying to see which can negotiate the largest settlement with the Federal Government? Such an approach is just not acceptable. It denies the fact of Federal supremacy; it denies the fact of dual citizenship; and it disregards the mandates by which Congress has directed that other Federal properties be managed.

Does the Bureau of the Budget accept the premise that each State Governor can now set the limit on Federal holdings in his State? Must the Federal Government trade off its old holdings before it can acquire new ones? Obviously, the Federal Government will not assent to such a practice when it comes to defense properties. The national interest is too strong. But when it comes to a politically weak issue, like parks, will this become the new standard practice? Must the Federal Government surrender the purpose of some of its old programs before it can embark on new ones? If so, which programs are to be regarded as dispensable?

A curious feature of the proposed agreement is that programs of the Department of the Interior are regarded as dispensable while those of the Department of Agriculture are not. The State proposed that the 14,000 acre Northern Redwood Purchase Unit of the Forest Service be exchanged for the private redwood lands to go in the national park. The purchase unit is the residue of a defunct program to purchase 860,000 acres for a Redwood National Forest. While this program authorized in the 1930's failed to be achieved, the unit remains the largest Federal property supporting redwood growth. Ironically, the Forest Service's management consists mainly of selling the huge trees to loggers and remitting the proceeds to the Federal treasury. If ever there was a program that might be dispensable, this is it. Yet the suggestion now is that it is sacrosanct. The Bureau of the Budget will not consider trading it. What apparently are not sacrosanct are those supposedly inviolate units of the national park system: Muir Woods National Monument and Devils Postpile National Monument. These will be traded to a State whose highway department keeps wanting to push freeways through its parks.

The ironies of this letter compound when we look at the financial offering to the State. The Bureau of the Budget, we are told, keeps saying there is no room in the budget for only $60 million for a Redwood National Park. Yet, on one hand, it refuses to consider exchange of the Purchase Unit which would bring between $25 and $30 million toward a Redwood National Park, while accepting all sorts of other highly disruptive exchange proposals. On the other hand, the Bureau is generous in promising stepped-up Federal spending locally on all sorts of programs that do not save one single redwood. Out of a tight budget, the Bureau is suddenly able to find $21 million to spend on projects that were not previously priority projects: $11 million on logging roads in the Six Rivers National Forest, $7 million for a parkway, and $3 million for national forest campgrounds. Moreover, the Bureau of the Budget promises as though it were Congress to accelerate construction of a freeway along route U.S. 101 at a cost of $30 million more in the next 7 years. Here is $51 million that the Bureau can find for freeways, parkways and logging roads that it cannot find for saving redwoods. The opportunity to build these roads will still be there next year and in 10 years; fewer of the redwoods we are proposing to save will be there next year, and in 10 years most will be gone. What kind of double-standard budget do we have under which we can always find more money for bulldozers but not to save trees?

Some kind of onerous, inverse political proportion seems to be operating here. The more we agree to spend on things besides saving redwoods, the less opposition the Bureau must think there will be to a Redwood National Park. This perverse principle seems to have a corollary too. While spending more on other things, limit spending on redwoods and curtail total acquisitions by all methods. As part of its political settlement with the State, the Bureau is now willing to forego the possibility of acquisitions in the more southerly area where I have proposed the national park be. In its letter of March 11 transmitting its park proposal to Congress, the Department of the Interior was willing to accept a provision for the use of donated funds to acquire private lands in the Lost Man Creek and Little Lost Man Creek areas which are included within my bill, S. 514. Now the Bureau says:

> The Administration is prepared to request that the Congress not include this provision.

Furthermore, the letter says:

> The Administration will not seek extension of the park area beyond the limits described in the bill itself if this is an important factor in reaching agreement with the

State of California on the inclusion of Del Norte and Jedediah Smith State Parks in the National Park.

What this remarkable commitment means is that the administration has closed the door to any compromise with 60 Members of Congress over the location of the national park. These Members, including 20 Senators, have joined with me in sponsoring bills for a national park in Redwood Creek. It is entirely regrettable that the administration is split with so many Members of Congress and with a substantial share of America's conservation movement over the best location for a Redwood National Park. The reasons for this split are complicated, but stem basically from an inexplicable reversal in the administration's position. There was a growing hope, however, that the split could be healed through a combination of plans. Now for additionally inexplicable reasons, the administration is willing to turn its back on much of the conservation movement and the 60 Members of Congress who agree that Redwood Creek is the best place for the national park.

Mr. President, it is sad that the administration, in its laudable desire to ease the way for this legislation, has been carried to the point of making so many unnecessary commitments to the State of California. I say these commitments are unnecessary because it is now clear that California's Governor has not demanded them. In a letter dated June 28, 1967, to the chairmen of the Interior Committees, Gov. Ronald Reagan disavows interest in most terms of the projected settlement. He makes it clear that, besides beaches, he is principally interested in an exchange, with owners of proposed park lands, of the Forest Service's Purchase Unit. In an amazing rebuff to the Bureau of the Budget offer, the Governor states that most of the Federal offerings have no proper bearing on discussions regarding a Redwood National Park. Accordingly, he disclaims interest in a parkway, in accelerated freeway construction, and in obtaining the Kings Range and other Bureau of Land Management holdings—with exception of those around Anza-Borrego State Park. Moreover, while the Governor professes willingness to take over the two national monuments, he does not place any great value on these acquisitions. And while expressing support for a road through Sequoia National Park to Mineral King, the Governor even admits that "this problem should bear no relation to discussions regarding the redwood park."

In view of the fact that the State is not interested in most of the offerings, why does the Bureau of the Budget persist in proferring them? Why has the Bureau misled the public into thinking that agreement was near when the parties agree on so little? In point of fact, the State is not even satisfied with the beach negotiations. Surely, after many months of discussion, the contents of the Governor's letter do not come as a surprise to the Bureau.

As a result of the trend that these negotiations have taken, Congress task in considering redwood park legislation has been made immensely more complicated. In trying to solve a political problem with the Governor of California, the Bureau has created a host of new problems for the Congress. The Bureau of the Budget's letter says:

> The Administration is prepared to implement these positions immediately unless otherwise indicated, or unless subject to authorization or funding by the Congress.

I think it would be improper for any provision of this purported agreement to be implemented until Congress has acted on the basic legislation to establish a Redwood National Park. I hope every Member will scrutinize this proposal for the implications it may have for other new Federal programs and for all of those that Congress has already authorized. In fact, Congress may well want to consider whether it should honor agreements such as this which are designed to limit its freedom of action in establishing new units of the national park system.

Mr. President, I ask unanimous consent that the Bureau of the Budget letter and Governor Reagan's letter be printed in the RECORD.

There being no objection, the letters were ordered to be printed in the RECORD, as follows:

EXECUTIVE OFFICE OF THE PRESIDENT, BUREAU OF THE BUDGET,
Washington, D.C., June 22, 1967.

Hon. WAYNE N. ASPINALL,
Chairman, Committee on Interior and Insular Affairs, House of Representatives, Washington, D.C.

DEAR MR. CHAIRMAN: At the hearings held by the Senate Committee on Interior and Insular Affairs on the Redwood National Park proposal on April 17 and 18, Secretary Udall referred in his testimony to discussions then underway between Federal and State officials.

Mr. Philip M. Battaglia, Executive Secretary to Governor Reagan, in his testimony on behalf of the Governor similarly referred to these discussions.

There have been fruitful and continuing negotiations in recent weeks between Governor Reagan, Mr. Battaglia and his associates, and various Federal officials representing the Departments of Interior, Agriculture, Defense and Executive Office of the President. Mr. Laurance Rockefeller has participated in most of these discussions at the request of the President.

While some differences of view remain, I believe it may be helpful to the Committee now to be advised as to the talks that have taken place and the views of the Administration on a number of matters discussed. I believe that we are in agreement with the State in principle on all but one major detail. It is my understanding that you will hear directly from the State with regard to its views.

The Administration's Redwood National Park bill sent to the Congress on March 11 and introduced by Senator Kuchel for himself and others as S. 1370 would result, in our opinion, in substantial long-run benefits not only to the Nation and to the State of California but also to Del Norte County in which the Park would be located. Among the benefits inherent in the Administration's proposal are,

1. A planned expenditure of $18.3 million for park development costs in the next five years, of which $16.6 million would be in Del Norte County.

2. Estimated operating costs of $3.7 million in the first five years. This amount would start at about $525,000 in the first year, and gradually rise to $835,000 by the fifth year.

3. New Jobs created in developing and operating the Park, ranging from 250 jobs in the first year to 390 jobs in the fifth year, plus a net increase in service, trade and tourism jobs of about 200 by the fifth year.

4. The National Park probably would bring 950,000 additional visitors annually to Del Norte County by the fifth year and these visitors would spend some $38 million in the county.

5. Special provisions in the Administration's bill for economic adjustment payments (Sec. 5), if related to the estimated purchase price of the Rellim and other private property of $56 million, would bring about $342,000 annually to the County treasury for each of the first five years. This is about $90,000 per year more than is currently paid by the present landowners in property taxes.

Although there has been some fluctuation, the Rellim Redwood Company in recent years has employed about 250 persons. If the company were to close down, these persons would need to seek other positions. But it is believed that the new jobs created, plus Federal expenditures in the County, would more than offset any loss in jobs by that company. It is true there would be some dislocation of individuals but the County would be converted from primarily a single industry economy based on timber to a dual economy of timber and tourism.

Discussions between State-Federal officials have considered the eight principles set forth in Mr. Battaglia's testimony. We have also considered the Governor's letter of May 3 to Congressman Aspinall.

There is at this time a mutual desire by both Federal and State officials to initiate a series of conservation transactions between State and Federal governments that will improve the park and recreation programs in the State for the benefit of Californians and the visiting public from out-of-State.

In brief, we are desirous of developing in cooperation with the State:

1. A balanced State-Federal recreation and conservation program, and

2. Reasonable steps to alleviate fears and provide as smooth a transition as possible in the local area where the Park would be established.

At the same time we are cognizant that no measures should be taken that would establish undesirable precedents with respect to creation of Federal park and recreation areas in other States. We believe that the State recognizes not only the National need for a Redwood National Park but also that the Park will bring substantial benefits to the State as a whole and to the north coast of California.

Within this framework, discussions have centered on: (a) measures immediately associated with the Redwood National Park; and (b) other conservation-recreation actions which would advance an overall program in California.

Following is the Administration position on a number of items over and above the provisions of S. 1370. The Administration is prepared to implement these positions immediately unless otherwise indicated, or unless subject to authorization or funding by the Congress. In the latter instance authorization, where needed, could be included in amendments to S. 1370. Where funding only is involved, request for funds will be submitted.

REDWOOD NATIONAL PARK

1. *Redwood Parkway.* A major park development road of some 25–30 miles would be constructed extending through Jedediah Smith State Park south through the National Park to the Klamath River and continuing south through Prairie Creek State Park and joining U.S. 101 slightly north of

Orick. This would be a high-grade two-way park road generally comparable to Blue Ridge Parkway standards. This road would include access connections and interchanges with U.S. 101 and would cost an estimated $6 million for construction and $1 million for addition of the coastal strip of land between the Klamath River to the north boundary of the Prairie Creek Park.

Construction would start immediately upon authorization and would be planned for completion in five years. This would be 100 percent Federal financing. The road would be constructed mainly in Del Norte County. It would benefit the County from the additional Federal funds that would be spent in the County, the employment that would be generated thereby, and the increased tourism attraction and accessibility of the Park.

2. *Six Rivers National Forest Timber.* The Forest Service has reexamined the potential timber available from the Six Rivers National Forest. Some 91,000 acres of the Six Rivers National Forest north of the Klamath River in Del Norte County have been held in "deferred" status because of the scattered nature of the timber stands and the special measures needed to protect soil and water. However, with a capital investment of $11 million for new road construction and reconstruction, the Forest Service could make available an increased allowable cut of 37 million board feet annually. With reasonable assurance that the road program could be completed, the allowable cut could be increased 23 million feet immediately. An additional 14 million board feet per year would come from more intensive timber management such as commercial thinnings and salvage. This additional allowable cut would be fed into the sales program progressively over a 5-year period as the road system is extended. Because all this timber *lies north of the Klamath River and because* of the road pattern, timber operators in Del Norte County would be in a favored position to bid on it.

The increased allowable cut of 37 million feet is greater by about 5 million feet per year than is the present cut of the Rellim Redwood Company. Thus, the Forest Service by utilizing presently unscheduled timber from the Six Rivers National Forest could more than offset the reduction in timber-products output from the Miller lands that would be acquired for a national Park.

In addition to the timber that would be supplied from this development of the Six Rivers National Forest and the employment generated therefrom, Del Norte County would receive an estimated additional $50,000 of funds annually in lieu of taxes based on the 25 percent national forest receipts formula.

3. *Six Rivers National Forest Recreation Developments.* The recreational potential of the Six Rivers National Forest has been largely undeveloped. If the National Park were established, there is a recognized need to accelerate development of recreational facilities on the Six Rivers National Forest to complement the National Park.

An accelerated 5-year program of National Forest recreation developments involving campgrounds, picnic sites, organization sites, swimming, boating, public service sites, and observation sites is proposed that would total about $3 million. This would give the National Forest the capacity to accommodate 30 to 35 thousand visitors at one time and an estimated 1.7 million visitor days annually of recreation use. About one-half of this proposed expenditure would be for facilities in Del Norte County.

4. *Northern Redwood Purchase Unit.* This 14,000 acres of redwood-douglas fir timber just north of the Klamath River is currently being cut under sustained yield management at the rate of about 20 million board feet per year. Timber for this unit has been purchased by a half dozen or more mills, most of which are in Del Norte County. With the additional timber that could be made available from the Six Rivers National Forest, it would be unnecessary to consider any over-cutting or transfer of the Northern Redwood Purchase Unit in order to maintain local employment in the timber-based industry.

Furthermore, under the Multiple Use-Sustained Yield Act (P.L. 86–517) and the legislative history connected therewith, it is illegal for the Secretary of Agriculture to permit over-cutting of the National Forest.

The Administration will not consider the transfer of fee title of Forest Service land on a barter basis, or as compensation in kind, to the Rellim Redwood Company. This would establish undesirable precedents with respect to compensation in kind to other private timber owners throughout the country if their land is purchased or taken by a Federal agency whether for park or other recreation areas, reservoirs, roads or whatever purpose.

Such proposals have been made at periodic intervals since 1953. They have been voted down by the House of Representatives. The House Government Operations Committee in 1959 in House Report 293 emphatically rejected the principle stating that it would constitute a "dangerous precedent" and that the fee transfer of National Forest timberlands under sustained-yield management to specified timber operators would simply benefit the grantees at the expense of other users.

If the Northern Redwood Purchase Unit were transferred in fee or the timber assigned to the Rellim Redwood Company under a sustained-yield cooperative arrangement, this would deprive the half dozen smaller mills now dependent on the Northern Redwood Purchase Unit from their timber supply. Thus, the action would be one of making a *single large company whole at the expense of* several smaller companies and without adding significantly to local employment.

There has been consistent and strong opposition to the principle involved since it was first proposed 14 years ago by the Congress, the Executive agencies, and the Bureau of the Budget to proposals for payment in kind to achieve Federal conservation projects.

The Administration sees no reason an exception should be made to principle or precedent in the present instance, especially in view of the additional timber that is being made available from the Six Rivers National Forest and the other benefits that would accrue to the County—employment and dollarwise—as outlined in this letter.

The Northern Redwood Purchase Unit now returns to Del Norte County $150–$200,000 a year of revenues in lieu of taxes.

In summary, considering both the Six Rivers National Forest and the Northern Redwood Purchase Unit, the Administration is opposed to trading National Forest land and timber to the Rellim Redwood Company. It is apparent, furthermore, that the Purchase Unit can continue to operate as it has and that additional timber can be made available from the Six Rivers National Forest to more than offset the reduction in the Rellim operations.

5. *Rellim Redwood Company.* Of the Rellim-Miller holdings of about 24,000 acres, some 18,000 acres would be purchased for National Park purposes. This would leave about 6,000 acres of Miller lands in his ownership with an estimated stand of redwood-fir timber of about 400 million board feet. This timber lies both south and north of the proposed Park. Thus, Miller, if he so desired, could through his own choice minimize any transitional effect on the economy of Del Norte County by continuing to operate his mill on the 400 million feet that he would retain. This would continue his operations at their present level about for ten years. Long before then the benefits of the Park would have stimulated the local economy.

Provision could be made to continue Miller's mill at his present site on a temporary basis during the transition period of five years. Moreover, Miller, if he wished to consider continuous long-term operations, would have not only his own timber to draw upon but would be in a favourable position to bid on the additional 37,000 board feet offered annually from the Six Rivers National Forest.

6. *Extension of the National Park South of Prairie Creek Park.* Although the Administration's letter of March 11 transmitting the bill invites extension of the National Park toward the South, if State or private sources donate funds or lands, the Administration is prepared to request that the Congress not include this provision.

Furthermore, the Administration will not *seek extension of the Park area* beyond the limits described in the bill itself if this is an important factor in reaching agreement with the State of California on the inclusion of Del Norte and Jedediah Smith State Parks in the National Park.

7. *Acceleration of U.S. 101.* The segment under consideration is 49 miles which extends from a point two miles north of Orick on U.S. 101 to a point on U.S. 199, one and one-half miles east of the eastern limits of Jedediah Smith State Park. The estimated cost is $96.6 million. The present schedule is seven–eight years to complete the design and about two more years to complete the construction, or a total elapsed time of something less than ten years. The Department of Transportation is willing to accelerate this schedule by three years and to complete the entire project in seven years if the State recommends a reallocation of its Federal Aid Highway moneys to accomplish this.

OTHER CONSERVATION PROGRAM ACTIONS

1. *Coastal Beaches.* The Administration has surveyed the coastal properties of the Defense Department in California. Periodic negotiations have been underway between the State and the Defense Department for several years regarding the northern one mile of the San Onofre Beach on the extreme northwest corner of Camp Pendleton. This beach is currently needed for amphibian training purposes in connection with the requirements of Southeast Asia. Camp Pendleton has the only amphibious training beach available to the U.S. Marines anywhere in the world where a force of two regiments can train on a beach at one time.

The Army has one four-mile beachfront in Fort Ord in Monterey County which may be suitable for out-lease or co-use in whole or in part. The thirty-six and one-half miles of coastal property at Vandenberg Air Force Base and Pillar Point Air Force Station in San Mateo County are precluded from civilian recreational use because of the extremely sensitive safety and security requirements.

The Administration recognizes that the San Onofre Beach is probably the finest surfing beach in California. The Defense Department is agreeable to a commitment to working out a lease transfer arrangement with the State of California for the one-mile San Onofre Beach and at least a portion of Fort Ord beaches, providing the arrangements would include recapture rights for military purposes if the need should arise.

In addition, the Administration will explore, if the State desires the availability of the coastal areas at Fort Barry and Fort Cronkite on the Marin Headlands. However, it should be made clear that only the coastal strips themselves might be made available. The higher areas are definitely needed for defense purposes.

There is no objection to the lease or transfer of the El Castillo area in Monterey County of about 25 acres.

Within the above specifications, the Defense Department is willing to initiate negotiations immediately with the State of California concerning Fort Ord, Fort Barry, Fort Cronkite, and El Castillo. Negotiations with respect to the San Orofre Beach will be carried out sometime prior to 1970.

2. *Public Domain Lands.* In December 1966, the California State office of the Bureau of Land Management, the Resources Agency of the State of California, and the regional office of the Bureau of Outdoor Recreation completed a joint report on "Proposed Use of Certain Federal Public Domain Lands for State Park System Purposes in California."

This report recommends 17 areas totaling 23,000 acres for transfer to the State of California for park and recreation purposes. It recommends two areas for further study, totaling 18,000 acres and three additional areas for cooperative planning and development. At the State and regional level, there was disagreement on two areas totaling about 164,000 acres. The Department of the Interior is willing to enter into detailed negotiations with the State of California to reach a decision on the 25 areas totaling approximately 270,000 acres that are identified in the study as being especially suited for recreation development.

3. *King Range and Muir Woods.* The Administration's bill, S. 1370, would authorize the transfer of 31,000 acres of public domain land in the King Range area of California to the State for public park and recreation purposes. The bill would also authorize the transfer of Muir Woods National Monument in Marin County to the State for similar purposes. The King Range area is adjacent to Humboldt Redwood State Park and could be developed in connection with the Humbodlt Park as a major State redwood park, recreation area, and seashore complex.

The Muir Woods National Monument is surrounded on three sides by the Mt. Tamalpais State Park.

4. *Other Federal Lands of Interest to the State of California for Inclusion in the State Park System.* Governor Reagan's letter of May 3 to Congressman Aspinall included an attachment listing numerous Federal lands in which the State of California has expressed an interest.

A number of these have already been discussed, such as Camp Pendleton, Fort Ord, Marin Headlands, El Castillo, and Muir Woods National Monument.

The National Park Service is willing to consider the State's interest in transfer of the Devils Postpile National Monument in Inyo County to the State.

All of the other lands listed in the attachment to Governor Reagan's letter are National Forest lands. Some of these are now under permit to the State of California for park and recreation purposes. Some others are close to existing State parks.

The Forest Service recognizes that adjustment of boundaries between National Forest and State lands would in some instances, be mutually beneficial and it is willing to enter into negotiations with the State for such boundary adjustments, which would be of mutual benefit, on an exchange basis.

The Forest Service is not presently authorized to transfer lands in fee to the State except on an exchange basis and in general it sees no purpose to be served in establishing new State Park or recreation areas in the interior of existing National Forests. The National Forests, under the Multiple Use-Sustained Yield Act, are administered for recreation as well as other resource purposes and recreation is given priority consideration equal to that afforded other resources.

5. *Land and Water Conservation Fund.* The Secretary of the Interior, in support of redwood preservation efforts has committed, subject to availability of funds, $3½ million over a period of three years from his contingency reserve to be transferred to the State on a 50–50 matching basis for the purchase of additional Redwood State Park lands. These purchases will be used primarily for key additions to the Humboldt Redwood State Park and the Prairie Creek Redwood State Park.

Of this program, an initial transfer of $1 million of Federal funds was made last year for the purchase from the Pacific Lumber Company of a strip of land bordering the northern portion of Humbolt State Park to extend the Avenue of the Giants some five or six miles.

An additional purchase application in the same general area for $1 million is currently pending before the Department of the Interior and FY 1967 funds are available to implement this application. Most of the matching moneys are being donated by the Save-the-Redwoods League.

In addition to the special action taken under the Land and Water Conservation Fund program as described above to help round out the Redwood State Parks, the State of California has had apportioned to it $8.3 million from the Land and Water Conservation Fund. This Federal aid is available on a 50–50 matching basis to the State or through the State to local governments for acquisition and development of State or local government recreation areas and projects. An additional substanial sum will be made available to the State of California in Fiscal Year 1969.

6. *Mineral King.* It is in the interest of the Administration and the State that the Mineral King area in the Sequoia National Forest be carefully developed for year around use featuring winter sports. Access to Mineral King involves crossing 11 miles of the Sequoia National Park.

The Department of the Interior has been requested to consider issuance of a permit jointly to the Department of Agriculture and the State of California for a two-lane road through the Park to provide access to Mineral King subject to the following conditions to protect the park: (a) alignment and construction details will be approved by the National Park Service, (b) assurance that adequate measures will be taken in road construction, maintenance and facility development to prevent stream pollution, (c) the existing road right-of-way will be conveyed to the United States by the State of California for addition to Sequoia National Park, (d) assurance that development of the Mineral King area will be held to a visitation capacity that can be accommodated on a two-lane road, and (e) should it ever be necessary in the future to provide for increased visitation capacity in Mineral King, an alternate means of access to Mineral King shall be provided which does not involve access through the Park, or in the alternative, such excess capacity shall be accommodated through mechanical means in lieu of any further improvement of road access.

7. *Point Reyes.* The Senate Committee, in its hearings on the Redwood National Park, briefly raised a question about Point Reyes. The Administration now has under study the serious land escalation problems at Roint Reyes National Seashore. These problems may compel modification of previous plans to lessen the cost of land acquisition. Administration action on Point Reyes is not related to the Redwood National Park proposal. It is mentioned here only because the question arose at the hearings on April 17 and 18.

In summation, the Administration believes that its Redwood National Park proposal plus the supplementary actions outlined in this letter would bring substantial benefits to the County, State, and Nation.

Through making available additional National Forest timber, the lumber-based economy of the County could continue and even be enlarged. In addition, a substantial tourism business would be built up thus giving Del Norte County a two-industry economy—timber and tourism—whereas, it is now dependent almost wholly on timber.

Employment would rise rather than decrease. Existing small timber operators would be protected and the Rellim Redwood Company could continue its existing level of operations for at least ten years and probably longer if it is so desired.

No National Forest land would be transferred in fee to private ownership to accomplish the above benefits and thus, no undesirable precedents would be set.

With respect to other actions throughout California, the State would derive substantial benefit by achieving public use of certain coastal properties now in the Defense Department. Certain public domain lands could be transferred if the State so desired, and an exchange may be worked out with the Forest Service for boundary adjustments which are agreed on between the State and Department of Agriculture as being of mutual benefit. Access to Mineral King will be assured.

Furthermore, the State is receiving substantial Federal aid in rounding out the California Redwood State Park System through the Land and Water Conservation Fund as well as having available to it over $8 million of additional Federal Land and Water Conservation moneys for acquisition and development of recreation areas in other portions of the State.

If any points in this letter are not clear, we shall be glad to attempt to clarify them.

Sincerely,

PHILLIP S. HUGHES,
Deputy Director.

STATE OF CALIFORNIA,
GOVERNOR'S OFFICE,
Sacramento, June 28, 1967.

Hon. HENRY M. JACKSON,
Chairman, Interior and Insular Affairs Committee, U.S. Senate, Washington, D.C.

MY DEAR SENATOR: It is my understanding through Mr. Phillip S. Hughes, Deputy Director of the Bureau of the Budget, that a letter has been forwarded to your committee outlining in some detail the administration's position regarding negotiations between his office and the State of California over the issue of the proposed Redwood National Park.

We in California would like to publicly express our appreciation to Mr. Hughes and other federal officials who have worked diligently and with a spirit of cooperation and flexibility to resolve the many serious problems that are involved in the creation of this park.

There are, of course, areas of disagreement, particularly over the vital issue of the exchange of Forest Service property for private timberlands that would be taken for a national park. But we are extremely pleased with the progress that has been made and are grateful for the friendly and helpful tenor of the discussions which have led us to the point where a Redwood National Park can become a reality.

The purpose of this letter is to re-emphasize the State of California's desire to cooperate in any way possible with your committee and others in the Congress and to bring your committee up to date regarding the state's views, especially in areas where there is some disagreement between the administration's approach as contained in Mr. Hughes' letter to you last week.

I am very hopeful that this complex and emotional issue can be resolved. I would like to convey to you and the members of your committee my gratitude for the time and effort that is being expended by all concerned in order that a truly fair and equitable solution can be found which is acceptable to the localities involved, the state, the nation, private industry, conservationists and the public.

It is my fervent hope that a final conclusion leading toward a Redwood National Park can be consummated before the end of this year. To that end, we in California pledge our cooperation in any way which may assist you.

As I noted earlier, one major issue still remains unresolved between the administration and the state. That, as Mr. Hughes pointed out in his letter to your committee, revolves around the Forest Service's insistence that there can be no transfer in fee of the Northern Redwood Purchase Unit for privately-held timberlands that would be incorporated into the proposed park.

Mr. Philip M. Battaglia, my Executive Secretary, pointed out quite forcefully in a recent letter to Mr. Hughes that the state is most insistent that an exchange be worked out in order to protect the economy of the area.

Mr. Battaglia said in that letter: "The State of California completely disagrees with the federal administration's attitude on the transfer in fee of the Northern Redwood Purchase Unit. Governor Reagan is firmly convinced that such a transfer would have a beneficial effect, contrary to the stated position of the Forest Service that the transfer would set an 'undesirable precedent.' We have set forth our thinking in this regard at each of our meetings and know that you are cognizant of it."

There is no change from that position now. Both my Secretary of Resources, Mr. Norman B. Livermore, Jr., and I must remain firm in our position that without such a transfer, no park proposal can advance because it will not meet the objections of the people of the north coast of California nor will it be acceptable to the state legislature.

It is important to point out that contemplated acquisition by the federal government of the majority of timber holdings of the Rellim Redwood Company would substantially and for all intents and purposes eliminate the major employer in Del Norte County. It is argued by the Forest Service that an increased timber cut in the Six Rivers National Forest would eventually compensate for the loss of timber resulting from the acquisition of the Rellim property.

While it is not the intent of myself or the Resources Agency to advocate the interests of an individual timber operator in the area to be affected, we do feel strongly that any park plan must adequately provide the private sector with other timberland and not just dollars. As of now, the federal administration's proposals do not meet that requirement.

While we appreciate the Forest Service's proposal to increase the timber yield in the Six Rivers National Forest, it actually is a plan which would and should occur in the normal course of sound forest management, regardless of the formation of a Redwood National Park.

Mr. Hughes pointed out in his letter to your committee that economic adjustment payments would bring about $342,000 annually to the county treasury for the first five years when related to the estimated purchase price of the Rellim property of $56 million. However, the federal administration failed to take into account the fact that Rellim has an annual payroll of approximately $30 million which would be substantially if not completely reduced if the Rellim property were acquired and no provision were made to compensate this operator with the transfer in fee of other timberland.

It should also be pointed out that even with accelerated lumbering activities in the Six Rivers National Forest, it would only compensate the smaller mills whose operations in the purchase unit would be displaced by transfer in fee of the purchase unit to the operator whose lumbering was eliminated by the acquisition of his property in the Mill Creek area.

Finally, and from the standpoint of a Congress which is acutely aware of the many demands for the tax dollar, the transfer in fee of federally-owned land (the Redwood Purchase Unit) for private land (Miller Rellim-Mill Creek area) would significantly and substantially reduce the cost to the federal government for a Redwood National Park.

Obviously, the large projected costs of a Redwood National Park could be materially reduced by such an exchange agreement. Because of the tremendous costs of the war in Vietnam and other national security costs throughout the world, it is my belief that such an exchange in fee would ease the strain on the taxpayers of the nation and at the same time provide its citizens with an outstanding example of conservation and the fullest use of publicly-owned lands.

I would like to add that the timber which would be acquired from private sources for a park is worth at retail prices many millions of dollars. We in California are sure the Congress recognizes that this is a very real consideration in view of the difficulty of financing an otherwise very expensive project.

It is difficult to understand why the Forest Service is adamant in view of the enormous demand for a Redwood National Park and the obvious desire of the public to aid in the formation of this park without disturbing the local economy.

While on the subject of the purchase unit and the Rellim Redwood Company, I should like to note that there is a question in the mind of the Resources Agency as to the accuracy of the 400 million board feet of timber owned by Miller outside of the Mill Creek drainage.

Even though Miller has substantial outside stumpage, there is every reason to believe he would refuse to continue to operate his mill if his supply was limited to this scattered, outlying Douglas fir. He would have every reason in condemnation proceedings to insist that the total of his mill value be taken if the bulk of his timber is taken. Even if he sold off his outlying timber, it is highly unlikely that Miller would consider continuing to operate in his present location. There is no way he could be forced to change his operation from where he is cutting his own timber to one where he would be bidding against the many other small mills on the 37 million board feet additional allowable from the Six Rivers Forest.

I would like to say that the proposed 37 million board feet of additional allowable cut from Six Rivers is a very encouraging offer and I commend the Forest Service for moving forward in this area. Before California could agree to any final plan, however, the Forest Service should detail the method of financing the availability of the additional 37 million board feet cut. In addition, unless the increased cut and its financing were made available immediately, there would be serious short-run unemployment in Del Norte County forest industries.

Mr. Hughes' statement that Del Norte County would receive an additional $50,000 annually based on the 25 percent national forest receipts formula raises some questions. Later in his letter to your committee, he states the Northern Redwood Purchase Unit will produce $150,000 to $200,000 annually in Forest Service 25 percent receipts. This does not seem to compare logically with the stated $50,000 receipts from 37 million board feet cut on the additional allowable.

There is one area in which the state and the administration agree in principle, but so far have not settled on details. I feel very strongly about the transfer of Department of Defense-owned seashore to the state for recreational use in exchange for the two state redwood parks.

I would like to quote two paragraphs of Mr. Battaglia's letter to Mr. Hughes where this subject was touched upon:

"Governor Reagan also urges that those Department of Defense seashore lands mentioned in your letter be transferred in fee to the state in return for the two state parks that would be transferred in fee to the federal government.

"Negotiations, as you know, have been conducted unsuccessfully during a period of years for a lease arrangement for the San Onofre beach at Camp Pendleton. The state administration, therefore, believes that the only way a meaningful exchange between the state and federal governments can be accomplished is through transfer-in-fee. Definite dates for transfer to the state of these beachlands would also be necessary."

Mr. Hughes in his letter to your committee indicated that the administration would consider a lease transfer arrangement for the one mile of San Onofre beach at Camp Pendleton. However, California's position, as Mr. Livermore outlined May 16 in a letter to Mr. Hughes, urged the transfer-in-fee of the one mile of San Onofre plus four miles of beach southerly from the Southern California Edison atomic power plant.

At Fort Ord, the state requested fee title to approximately four miles of beach whereas Mr. Hughes' letter to your committee suggested the Fort Ord beach may "be suitable for out-lease or co-use in whole or in part." In addition, his letter contains no reference to oral discussions between federal and state officials concerning the correction of the sewage problem at Fort Ord which is polluting the ocean.

Transfer-in-fee of the entire Marin Headlands coastal area would be necessary. Comments regarding the El Castillo area in Monterey County appear to be satisfactory providing that the expense of removing improvements is assured.

I have been informed by my representatives who have participated in numerous meetings in Washington that the agreement arrived at between the participants greatly exceeded the mere "exploring the availability" of such transfers and exchanges. I feel that the many details which were arrived at must immediately be set forth in definite and workable agreements of exchange with the state for the beach lands I have referred to above.

I would like to make these other comments in regard to Mr. Hughes' letter:

Park Generated Tourist Income—The estimate of tourist income is very questionable and comments that a national park would increase employment receive little favorable reaction from the locality involved without assurances that forest industry payrolls can be maintained at the same level as now exist.

Six Rivers National Forest Recreation Developments—The proposed five-year $3 million plan for accelerated recreational development is highly desirable. However, it does not appear to have any direct bearing on the details for a national park. California believes recreational development should proceed without regard to whether there is or is not a Redwood National Park. Mr. Livermore of the Resources Agency also feels a major development program in the redwood park is not desirable because the redwoods should be treated more as museum pieces than as developable areas—as places to view and visit rather than develop.

The Redwood Parkway—The value of this proposed parkway is questionable from an economic feasibility standpoint as well as from its desirability in regard to proper park planning. The proposed $6 million could be put to much better use by allocating it to the state for augmentation of its own park system.

Extension of the National Park—Mr. Hughes' statement is very helpful and ties in with one of California's main objectives: to agree on a final delineation of boundaries that will bring an end to the constant pressure that has been exerted against the redwood forest industry.

Highway 101 Construction Acceleration—This offer is not particularly pertinent to park negotiations. It is questionable if the state would agree to a shift of highway funds to this project when the demand is so high for construction funds throughout the entire state.

Public Domain Lands—California has made its position clear that with the exception of the Anza-Borrego area, the subject of BLM public lands is not relevant to the redwood park discussions.

Kings Range and Muir Woods—The state has said Muir Woods would be of interest for administrative purposes, but that it could not be regarded as any addition to our recreational areas since it is already under active use.

Kings Range—This area holds little, if any, interest to the state insofar as the redwood park is concerned.

Devil's Postpile—The state is interested in Devil's Postpile and would be glad to take it over as part of the redwood park exchange although no great value is placed on it.

U.S. Forest Service Lands—The state has no interest in exchanges with the Forest Service except for the redwood purchase unit as expressed earlier. It is the state's feeling that since active negotiations for exchanges are going on in many areas, these negotiations need not be included in the redwood park exchange proposals.

Land and Water Conservation Fund—The state feels that mentioning this in connection with the redwood park exchange is irrelevant. Facts stated in Mr. Hughes' letter are helpful particularly in their matching provisions for purchases in the redwood area.

However, since these negotiations have been going on for some time, it is our feeling they need not be mentioned in connection with proposed Redwood National Park exchanges.

Mineral King—Problems over the right-of-way for access to Mineral King are of deep concern to California and the position of the Secretary of the Interior in this regard is at best confusing. But this problem should bear no relation to discussions regarding the redwood park.

Point Reyes—We agree with Mr. Hughes that Point Reyes is not directly related to the redwood park discussions. The Resources Agency will be discussing this area with Congressman Clausen, whose district includes this area.

In general, Mr. Chairman, we believe considerable progress has been made toward solution of the redwood park issue since our last communications. We are very hopeful the administration will continue its negotiations with the state so that mutually satisfactory solutions can be found for the complex exchange problems that have been the subject of our many discussions.

We are equally hopeful that the administration and the Congress will recognize the need to protect the lumbering economy of the area to be affected by agreeing to a fee transfer of the Northern Redwood Purchase Unit to the private timber owner whose lands will be needed for a national park.

I want to assure you of my continuing interest in these matters and to pledge whatever help we in California can give to the Congress as it deliberates these very important issues.

Thank you very much for your courtesies. Please do not hesitate to call upon me, Mr. Livermore, or other members of my administration for whatever additional information you and your committee may require.

Sincerely,

RONALD REAGAN,
Governor.

THE POISONOUS SUBSTANCES WHICH MAN INGESTS

Mr. LONG of Missouri. Mr. President, it is infrequent that one finds a book or an article that is outstanding in both knowledge and wit. This rare combination turned up recently in an article, by Prof. Walter Modell, an outstanding scientist and citizen, and published in the magazine Science for April 1967.

Dr. Modell describes the various poisonous substances, generally known as "drugs," which man has ingested into his body in huge quantities since the dawn of history.

To give the flavor, I shall read the opening paragraph in that part of the article dealing with nicotine:

> Montezuma's Revenge does not compare with what might be called Pocahontas' Revenge, for it was the Red Man who introduced the invaders from the Old World to tobacco. The effects of tobacco on the central nervous system that the smoker seeks (causing definite changes in the electroencephalogram, with sensations that the smoker cannot describe) are presumed to be caused by nicotine; the ill effects, by tars. It is probable that the sites and rates of absorption differ with the different methods by which tobacco is used.
>
> Nicotine is one of the very potent natural poisons; it is rapidly absorbed through the skin, on which a few drops may be fatal. But pure nicotine was not extracted from tobacco leaf until long after smoking was established as an acceptable habit; it is so potent and so quickly fatal that man has never been able to use it on himself for pleasure. It is used as an insecticide, however, and before World War II more tobacco was consumed in the manufacture of nicotine insecticides than for smoking. Now the situation is reversed; we use other poisons for the insects and reserve the tobacco for ourselves.

Dr. Modell deals with a variety of substances and their effect on man. These include alcohol, narcotics, and the so-called psychedelic drugs.

After a discussion of current drug legislation, Dr. Modell says:

> A great current danger is that legislation based on an inconsistent, puritanical, and illogical definition and lacking a historic view may well limit drug research and at the same time may aggravate old, and create new and serious, problems of drug adversity.

This whole article is so outstanding that I ask unanimous consent that it be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

MASS DRUG CATASTROPHES AND THE ROLES OF SCIENCE AND TECHNOLOGY

(By Walter Modell*)

Drug disaster—qua drugs—attracted little attention until very recently despite the fact that no drug catastrophes of modern times compare even remotely with those of the past, probably because we have come to expect only good from drugs.

The roles of science and technology in the causation, control, and prevention of poisoning from the new drugs can best be developed against the background of the history of mass poisoning and drug catastrophe. A logical, meaningful definition of "drug" is essential to such an examination if one is to establish the relative importance of different kinds of mass poisonings and chemical catastrophes. In a purely biologic sense and as the pharmacologist views it, any substance that by its chemical nature alters structure or function in the living organism is a drug. Drug action is therefore a general biologic phenomenon; usefulness in disease and adverse effect are merely results of pharmacologic action. Pharmacologic effects are exerted by foods, vitamins, hormones, microbial metabolites, plants, snake venoms, stings, products of decay, air pollutants, pesticides, minerals, synthetic chemicals, virtually all foreign materials (very few are completely inert), and many materials normally in the body.

Early man knew much more about poisons than about drugs with therapeutic value (*1*). Even later, although Hippocrates saw little use for drugs in therapy, when they wanted to dispose of Socrates, the Greeks had an herb for it. Toxicology paved the way to pharmacology. If the surgeon can be said to have been fathered by the barber, then the modern pharmacotherapist is the direct descendant of the Borgias. It seems only yesterday (perhaps it was less than 30 years ago) that strychnine was an important drug in every physician's pharmacopoeia; today it is archaic, not because it is poisonous but because it has no demonstrable medical use.

The ancients knew nothing of modern approaches, nor did they have the understanding that can turn poisons, like curare, into agents of therapeutic value. They learned by accident alone, and, their methods of observation being limited, the effects that were first attributed to drugs were more likely to be adverse than therapeutic. Man learned early that the wild parsnip caused quick death, and bites of certain snakes, a more lingering one; that the sting of certain insects caused local or even serious systemic reactions; that certain fish were not "seafood"; and that toadstools were not for eating. He knew of fishberries, strychnine, hemlock, and curare. Cleopatra's testing of the poison of her asp on her slaves before she applied it to herself is typical of the pharmacological experiments of the time.[1]

Poisoning, accidental and deliberate, was well known in peace and war. The environment had a full complement of potent poisons with which man had to learn to deal, along with wind, water, heat, cold, and famine, in order to survive. Poisoning from strange foods and foods from strangers' kitchens was a common danger for the wealthy and those in power; the food taster or tester was the equivalent of the "informed" subject of a modern acute experiment in clinical pharmacology. Even as late as the 17th century there was more exact knowledge of and concern with poisons than with medicinal effects of drugs.

Today, poisoning is uncommon; the physician no longer tends to think of it in making a differential diagnosis involving even the most bizarre symptoms. Poisoning, innocent or homicidal, is more often first suspected by the medical examiner; only the suicide who leaves a written message gets a quick diagnosis. Today we are shocked when poisoning is reported—especially so when it comes from the use of a new drug; we have recently come to expect only good from drugs.

Pharmacologic effects of plants other than quick death were identified as due to drugs when they were as patent as diarrhea, diuresis, or emesis, and drugs were early used for these purposes in medicine. Effects on sensation, behavior, and gait were also relatively easy to discern but, except for analgesia, their usefulness in disease was not clearly identified, while effects on internal homeostatic mechanisms, which might be therapeutically useful, were much too subtle to be recognized—much less put to use.

It is natural, however, that, of the drugs that did not kill promptly or disturb unduly, those with pleasurable effects—gin, opium, coca, tobacco, coffee, peyote, hashish—were used by ancient man for their pleasurable effects alone. By the very nature of the reasons that led to their choice, these were habit-forming and addicting; thus nonmedical use of drugs in early history laid the foundation for what is still one of man's most important social problems and, beyond dispute, the most important of the mass adverse effects of drugs—addiction. Although the continued use of many drugs may lead to addiction in the sense that adaptation, tolerance, and the withdrawal reaction may develop (adrenal insufficiency after cortisone, hyperglycemia after insulin, and such; as a rare curiosity, even habituation to sodium bicarbonate in those attracted by the eructations it induces, with serious acidosis on withdrawal), habituation and addiction pose serious social problems only with drugs that affect the central nervous system.

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*The author is in the department of pharmacology of Cornell University Medical College, 1300 York Avenue, New York 10021. The article is based on his report to the Committee on Science in the Promotion of Human Welfare, AAAS.

[1] H. W. Haggard, *Devils, Drugs, and Doctors* (Harper, New York, 1929).

Alcohol, in one form or another, is used the world over just for fun as well as in religious, ritual, social, and even political celebration; but it is used because it acts like, and in fact is, a drug. It is one of the oldest drugs deliberately used for a currently accepted pharmacologic action.

Alcohol must have been accidentally produced long before man evolved, and he used it before history was recorded.[2] With time, many fermented beverages, mead, wines, beers, ales, ciders, and so on, were achieved. Because fermentation stops when the concentration of alcohol reaches about 12 to 14 percent, no stronger alcoholic beverages were known before the distillation process was developed during the 9th century. Acute, fatal alcohol poisoning must have been rare before that time because of the enormous quantities of fermented liquor necessary to accompany this feat. The possibility of fatal poisoning by alcohol is not known by laymen today even though death after a drinking contest is not a rarity. Distillation provided not only stronger drink but also a quicker kick; it was not until this facet was added to its poisonous properties that alcohol became a serious problem in the Western World.

The physical effects of chronic alcoholism, which is usually complicated by the effects on the peripheral and central nervous systems and the liver of concomitant reduction of intake of food and vitamins, were not accepted by all physicians until the early 20th century, although we know that the effects were common after spirits became widely used in Europe.

Alcohol is a drug that is strongly entrenched in our culture. Although the anti-tobacco group make a similar claim for their candidate, alcohol has probably caused more disease than any other drug in man's history. It is a major cause of social disability: there are at least 2,500,000 socially useless alcoholics in this country and about as many more whose productivity is curtailed by alcohol; it accounts for countless broken homes, broken marriages, serious automobile accidents, and other tragedies—and much of our crime. It is also pleasurable, habit-forming, and addictive and causes physical disease, psychosis, and death. Although used as a universal remedy in medicine until recently, we now know that it has no important therapeutic actions; it is a mild, prompt sedative and a poor antiseptic; it is not, as is so widely assumed, a stimulant at all.

Montezuma's Revenge does not compare with what might be called Pocahontas' Revenge, for it was the Red Man who introduced the invaders from the Old World to tobacco. The effects of tobacco on the central nervous system that the smoker seeks (causing definite changes in the electroencephalogram, with sensations that the smoker cannot describe), are presumed to be caused by nicotine; the ill effects, by tars. It is probable that the sites and rates of absorption differ with the different methods by which tobacco is used.

Nicotine is one of the very potent natural poisons; it is rapidly absorbed through the skin, on which a few drops may be fatal. But pure nicotine was not extracted from tobacco leaf until long after smoking was established as an acceptable habit; it is so potent and so quickly fatal that man has never been able to use it on himself for pleasure. It is used as an insecticide, however, and before World War II more tobacco was consumed in the manufacture of nicotine insecticides than for smoking. Now the situation is reversed; we use other poisons for the insects and reserve the tobacco for ourselves.

The cigarette is more attractive to many than the cigar or pipe (the forms used by the American Indian) because it leads to inhalation of higher concentrations of vapor into the lungs, a site of almost instantaneous absorption. The tremendous increase in tobacco smoking during the last decade almost entirely reflects increase in the use of cigarettes and is probably related to the intensity of effect of the drug. Unfortunately the hot smoke of the cigarette contains tars as well as nicotine; even hard-sell advertisements for filter cigarettes do not claim separation. Careful studies indicate that the smoking of pipes or cigars and the chewing or sniffing of tobacco do not cause cancer of the lung, which relates statistically to cigarette smoking alone (about 40,000 deaths annually in the United States). It is also held by many that tobacco causes heart and vascular diseases.[3]

Were tobacco introduced as a new drug would our society, with this information at hand, accept or reject it? Would we permit a known carcinogenic agent to be used for anything but the treatment of cancer?

Opium was used before history was recorded. In the Orient, where it is still used in the natural form in the old traditional way, it is not considered as antisocial as it is in Western cultures, and drives against its use have been largely unsuccessful; there it is not as much associated with crimes of violence as it is here. While opium came to Europe perhaps 2000 years before Christ[4] and was long used in medicine as well as for other purposes, it was only after the extraction of morphine (1805) and the invention of the hypodermic syringe (1834), which made possible more rapid and more intense effects, that addiction became a substantial problem in the West. Although opium abuse (see De Quincy) was long established in Europe, it did not become an important addiction in this country until about 100 years ago.

Acetylation of morphine to make heroin (1890), a much more potent drug, vastly aggravated the problem. At the turn of the century it was estimated (however crudely) that there were 1 million narcotic addicts in this country; measures, including the Harrison Narcotic Act, were initially effective in reducing this number, but now the morphine (in fact heroin) habit is spreading again.

Crime committed in the pursuit of morphine constitutes a very large proportion of all crime in New York City.[5] The death rate of addicts is much higher than of the general population, accounting in part for their lower average age; in part it reflects accidental overdosage. Those able to get the drug freely (having money, chronic illness, or special connections) do not seem to suffer in any way from the habit however long it continues. A large hospital study bears out the contention that longstanding addiction to morphine has no deleterious physical or mental effects and, except for the unproductive periods of reverie, no social detriments.[4] Crime is a means of getting narcotics to satisfy the habit; it does not result from pharmacologic action of the drug.

Coca leaves have been chewed by many South American Indians for centuries for its central stimulant action, often to help them work at high altitudes or while undernourished. Importation of the leaf did not lead to chewing in Europe. However, when extraction of pure cocaine from the leaf made possible intense and rapid effects, the cocaine habit rapidly developed. Freud, the first physician to procure pure cocaine, tried it, liked it, used it for his depressions, recommended it, and was, by his writings and teachings, largely responsible for the rapid spread of the habit at the turn of the century. He was publicly denounced at a medical meeting as the cause of the "third scourge of mankind"—the first scientist to be blamed for a major drug disaster.[6]

Although habit-forming, cocaine is not tenaciously so, and, since it is not physiologically addictive, strong personalities like Freud and Sherlock Holmes had no trouble in controlling the habit. The Harrison Narcotic Act was far more effective in limiting the use of cocaine than of morphine or heroin. Cocaine acts as a potent and sometimes unpredictable central stimulant, and rash and violent behavior have been attributed directly to its action; it is clearly antisocial. It is also highly toxic and, because of irregular and sometimes unanticipatedly rapid absorption, occasionally fatal.[7]

Hashish, marihuana, bhang, pot, and a multitude of other names are used to describe cannabis and its preparations. This hallucinogenic drug was in use before history was recorded, and since one variety or another of cannabis will grow almost anywhere in the world, with little or no work required for its husbandry and little art for effective preparation, it is not surprising that the drug is easily available and widely used.

Cannabis is habit-forming but not addictive; the habit is not difficult to break. A chronic effect on the brain is suspected. In the Middle East and North Africa where the drug (in the form of hashish) is used by many in large amounts from childhood onward, the population of mental hospitals has a much higher proportion of chronic users of hashish than does the general population; there is then suggestive evidence of chronic mental effects. Chronic users there are largely socially useless.[8]

About 25 years ago the purified principle of cannabis, tetrahydrocanabinol, was isolated, but it is so difficult to extract, while simple preparations are so effective, that it has not entered into illicit traffic; only a few humans are known to have used it (in experiments)[9].

Mescaline (peyote) is a psychedelic drug that has long been used by North American Indians and is now used in the Native American Church (Indian) in religious rites. The ritual standardized and limited all aspects of use, including dosage; adverse effects were not noted.

In modern times, drugs with similar or

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[2] B. Roueche, in the *New Yorker*, 9 Jan. 1960 (p. 32); 16 Jan. 1960 (p. 38).

[3] Advisory Committee to the Surgeon General of the Public Health Service, *PHS Publ. 1103* (Government Printing Office, Washington, D.C.).

[4] D. M. Wilner and G. K. Kassebaum, Eds., *Narcotics (McGraw-Hill,* New York, 1965).

[5] A. R. Lindesmith, *The Addict and the Law* (Indiana Univ. Press, Bloomington, 1965).

[6] E. Jones, *The Life and Work of Sigmund Freud* (Basic Books, New York, 1953), vol. 1.

[7] N. B. Eddy, H. Halbach, H. Isbell, M. H. Seevers, *Psychopharmacol. Bull.* 3, 1 (1966).

[8] R. P. Walton, *Marihuana* (Lippincott, New York, 1938).

[9] Mayor's Committee on Marihuana, *The Marihuana Problem in the City of New York* (Cattell, Lancaster, Pa., 1944); Ciba Found. Study Group 21, *Hashish, Its Chemistry and Pharmacology* (Little, Brown, Boston, 1965).

closely related effects on the brain, psylocibin, LSD (lysergic acid diethylamide), and amphetamine (Benzedrine), have been used experimentally without serious adverse reactions. Lysergic acid diethylamide is far more potent than any psychedelic drug previously known, far more potent in fact than any other drug acting on the brain.[10] Preliminary conditioning, ritual, and "set and setting" assist the phychedelic drug in developing particular effects with the low dosage used in religious rites and experiments, whereas the layman, usually a "loner" taking the drug without psychological "props," takes a much larger dose in order to experience effect. Since LSD has gotten out of the hands of the authorized experimenter (and mescaline, out of the hands of the Native American Church), indiscriminate, uncontrolled use at excessive dosage of, and serious reactions to, these drugs are common [11].

With the coffee break a union requirement for some workers, it may be a surprise that tea (which usually contains even less caffeine per cup than coffee) came in for some grave appraisal in the early 18th century when the habit began to establish itself in England. Acrimonious and, since they failed to stop it, now amusing literary polemics on the physical dangers and values of tea to body, mind, and soul were rampant before Samuel Johnson and other tea addicts won.

Caffeine and closely related xanthines are not now considered causes of serious drug adversity. The xanthines are widely distributed in nature and many cultures have found xanthine beverages to their liking. In ours, the central stimulant action is felt by all who use it at breakfast, luncheon, coffee breaks, dinner, and other odd times. Caffeine is a habituating drug and since caffeine withdrawal causes in many people headache and general letdown that are relieved by drinking coffee, it also satisfies the definition of pharmacologic addiction. It is not a serious addiction, however, and "cold turkey" treatment is no great trial for the "addict."

Caffeine causes insomnia and restlessness, which can be overcome by proper timing and dosage. Caffeine also stimulates the secretion of gastric juices, which fact may be good for digestion (and logically calls for coffee or tea before a meal rather than after) but is bad for ulcers—actual, incipient, or even healed. For those wishing to experience the cerebral effects of caffeine, there seems to be no other medical reason why this drug cannot be taken ad libitum. Here, then, is a drug that causes pleasurable central stimulation and waste of time during working hours, a habituating and addicting drug that is now sanctioned by an established position in every meal of the day. Were this mild central stimulant a new drug, would its characteristics be considered desirable, acceptable, or adverse? Would its unrestricted use be permitted? Would Dr. Johnson win again? [12]

By far the most important mass drug poisonings, were the sporadic epidemics during the Middle Ages of St. Anthony's Fire [caused by rye rot (ergot)] whose consequences were more horrible than those of leprosy.[1] [13] The syndrome was characterized by pain, abortion, loss of fingertips, and psychosis (perhaps due to LSD, which is a congener of ergotamine, the active principle of ergot, and very easily derived from it). The epidemics diminished sharply when the cause was recognized, and disappeared at the turn of this century.

Therapeutic agents in use during the Middle Ages also caused mass poisoning (*l*). Mercury induced reactions in a large proportion of patients who took it, a steady stream of saliva and loss of teeth being among the less consequential ill effects; permanent damage to the kidneys was more substantial. But the therapeutic value of mercury in treatment of syphilis was presumed to justify its use, for in the widespread epidemics of the 16th century the acute form of syphilis apparently was far more virulent than now. Although mercury was only palliative, it was the only effective antisyphilitic drug that medicine had to offer, and the hazards were accepted as justifiable in the treatment of a serious disease. Hence mercurialism is not ordinarily cited as an example of mass drug disaster; it was expected!

Few records were kept during the early searches for new drugs, and no systematic attempts were made to bring out their potential for adversity. Withering's reports show toxic effects from digitalis in about 15 percent of his patients.

While most of the drugs of disaster were first used without help from Science, their use was often under better control before technologic improvements stimulated it—improvements such as distillation of alcohol, extraction of morphine from opium and of cocaine from coca leaf, invention of the hypodermic syringe, acetylation of morphine to heroin, modification of the cigar to the cigarette—by making it possible to obtain more intense and more rapid effects than with the cruder products.

One should note that except for mercury, which was used despite recognition of its hazards and the accidents, all the great drug catastrophes were caused by drugs affecting the central nervous system. None resulted from medical usage; all resulted from deliberate nonmedical use by the layman or accidental exposure to poison. Some drugs are still with us as major social problems but are rarely recognized for what they are; all dwarf the horrible thalidomide disaster. These may be fairly compared with the catastrophes that have occurred during the continual trial in man of vast numbers of new synthetics and newly isolated chemicals of nature in recent years.

Modern drugs acting on the central nervous system, with important adverse effects, have displaced some old drugs having similar effects; they have not enlarged the base of drug disaster. Meperidine (Demerol), which was introduced about 30 years ago, has become an outstanding cause of accidental therapeutic addiction; coincidentally, the rate of accidental therapeutic addiction to morphine has declined. Lysergic acid diethylamide is not a new type of drug but one of the ancient family of psychedelic drugs (only the word psychedelic is new).

Addiction to barbiturates is often substituted for alcoholism because their effect on the central nervous system is rather similar to that of alcohol. Barbiturates are habit-forming and addicting, but they do have advantages over alcohol: they have no odor, they are lighter to carry and easier to hide, and they can be easily taken surreptitiously. They also disturb the appetite less (having no significant caloric value) and so do not result in the nutritional deficiences that often complicate chronic alcoholism and cause serious physical disease. The extent of addiction to barbiturates is unknown, but it is certainly a large problem. Whether the total problem has been extended, along with the substitution of barbiturates for alcohol, is unknown. But there is another important question: Which type of addiction is preferable?

Compare the following with the disastrous toxic effects associated with the more palliation of syphilis with mercury. Chloramphenicol has a rate of serious reaction of perhaps 1:50,000, but its unique curative action in typhoid fever alone justifies its continued availability. If it is used when it is not really needed, any adversity derives not from the drug but from the prescriber. Penicillin causes 300 to 400 deaths annually from allergic reaction. The cure of many acute infections so far outweighs the danger of allergic reaction in a population in which perhaps 10 percent are sensitive, that its continued use is clearly justified. The tetracyclines cause disturbances in bone formation, but they cure far too many infections for this fault to be a reason for any restriction other than proper prescription. Highly toxic drugs are regularly used in cancer chemotherapy, but the dangers are known and carefully weighed. Other modern drugs also have substantial benefits as well as clear dangers that are recognized and limited by control; that is much more than can be said for the old drugs, most of which had almost nothing but adversity to offer—an unhappy conclusion that led Oliver Wendell Holmes to recommend that all drugs but opium be jettisoned. There have been very few serious drug problems during the 20th century.

About 10 years ago a suspicion, after smoldering for perhaps 50 years, led to acrimonious controversy: Was phenacetin, a drug about 75 years old and used for that period the world over in a variety of remedies, and sold without prescription in large amounts for the relief of everyday aches and pains and headaches, the cause of sporadic cases of serious kidney disease? This complication had been reported only in connection with continued massive dosage of phenacetin analgesics over many years. Thus it was 65 years before the question was raised, and it is still uncertain whether the association is a causal one. In any case, phenacetin is a drug prescribed for himself by the layman, and at least in the United States the kidney complication is uncommon.

During the last years of prohibition in the United States there was an outbreak of serious, irreversible, toxic peripheral neuritis in the South; it was known as the jakes. The cases were numerous and countless in the sense that the number is unknown. The cause was traced by a pharmacologist detective to contamination of fluid extract of ginger with tri-*o*-cresylphosphate; once this was done, the jakes promptly disappeared.

In the 1930's "Elixir of sulfanilamide" was marketed and sold widely because it was a palatable solution of the first of the new wonder drugs. The concoction was sold without anyone troubling to find out whether man or animal could tolerate the solvent (ethylene glycol), which also served as the vehicle for the flavoring; the "elixir" was acceptable for infants who could not swallow tablets. After about 100 deaths in infants, it was demonstrated that ethylene glycol is a potent renal poison in animals. It was possible to stop the sale of this preparation not because it was lethal but only because it was mislabeled: it was not a true elixir since it did not contain alcohol. This episode led to amendments of the Food and Drug Act that for the first time required tests on animals for toxicity before drugs could be sold commercially.

About 20 years ago lithium chloride was introduced as a substitute for salt for persons on salt-restricted diets. It was most successful because, unlike all other substitutes, it tasted like salt; it was in fact ten times as salty as salt. Because heart disease requiring salt restriction is exceedingly common, a great deal of lithium chloride was taken. It was not, however, sold as a drug but as a food in food shops; thus were circumvented the requirements for toxicity testing. About 500 cases of disturbance of the central nervous system were quickly recorded, and similar effects were soon shown to occur in animals. The drug was then officially designated a drug and removed from the market. Whether or not the government designates a chemical a drug clearly determines who may be poisoned by it without restriction.

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[10] A. Hoffer, *Clin. Pharmacol. Therap.* 6, 183 (1965).

[11] Anon., *MD* 10(9), 111 (1966); R. Blum, *The Natural History of LSD Use. Utopiates*, W. E. Henry, Ed. (Atherton, New York, 1964).

[12] H. E. Sigerist, *On the History of Medicine* (MD Publications, New York, 1960).

[13] H. Burn, *Drugs, Medicines, and Man* (Scribner's, New York, 1962).

In recent years triparanol (MER/29) was introduced on the drug market after meeting the requirements of the Food and Drug Administration. The drug hindered the synthesis of cholesterol and was presumed, therefore, to be useful in the prevention and treatment of arteriosclerosis. It caused a variety of adverse reactions in about 500 patients, ranging from baldness to impotence to cataracts, before it was withdrawn. Similar effects, however, had been noted in experimental animals.

Thalidomide caused what was probably the greatest drug catastrophe of our time; about 5000 cases of phocomelia are attributed to it. Yet the horror may well have been greater but for modern methods of pharmacologic detection. Identification was difficult; no one thought of drugs as teratogenic; the vital statistics required for control purposes were poor; the sensitive period during gestation was brief, so that many pregnant women who took thalidomide fortunately bore normal children, thereby helping to obscure the teratogenicity of thalidomide. But there can be no question; 50 years ago the disaster would have been far greater.

The most recent experience with the screening of new drugs is very impressive when the whole picture is examined. Of all the synthetic chemicals, plant extracts, and microbial metabolites that were tested for clinical utility during 7 recent years, only 250 were found by the Food and Drug Administration acceptable for general clinical use. The research director of a pharmaceutical manufacturer recently estimated that only one of every 3000 new chemicals tested in the laboratory for possible usefulness and danger in therapy, is finally passed by the Administration for use in clinical medicine only 20 of the 3000 prove safe enough for testing in man)[14]. If this estimate is projected backward, the 250 drugs accepted into commerce result from the screening of about 750,000 drugs.

Of this large number, only eight caused serious unpredicted reactions in man. With two of the eight, more extensive standard experimentation with animals would have revealed the particular dangers; as to the remaning six, we have no preliminary tests that would have revealed what was discovered after extensive trial in man. Some deaths resulted from use of these six drugs, but they were few and the drugs were promptly withdrawn from the market when the reactions were noted. As far as one can judge on the basis of these six drugs, it is possible that a more effective early alerting system may have further reduced the small number of accidents.

Our current experience clearly shows that we do not know all that should be known about drug adversity; that, although our preliminary systematic studies rule out the vast majority of unduly hazardous drugs, we do not yet know how to predict all adverse effects of drugs. Widespread experience in man is still needed to develop the full story, especially to elicit the rare events. Often the rare events in man are never seen in animals at all. For this reason a probationary period of about 3 years has been suggested, during which all physicians would be required to make special observations and to turn in reports of both good and bad unpredicted reactions to new drugs[15].

Experience with catastrophic reactions to drugs is that drugs that act on the central nervous system are the most frequent cause of mass disaster; that the danger of mass catastrophe becomes substantial only when the drug escapes from control by the medical profession and into the hands of the layman; and that science increases the possibilities of mass drug catastrophe by technologic advances—often very simple ones—that make possible more intense and more rapidly developing effects on the central nervous system, either increasing the effectiveness of old drugs or creating new drugs having similar effects but greater potency or more rapid action.

In terms of the potential for mass catastrophe, inherent in new drugs, that I have outlined, there are now no new drugs having unique effects on the central nervous system, but there is always the possibility of a unique action that man finds especially pleasurable; and there is a special danger because little can be learned by experimentation on animals about actions of drugs on the central nervous system of man that make for addiction. Most immediate is the still-undetermined hazard of the very potent and easily manufactured LSD, which is out of control, still available to the interested layman, and widely and indiscriminately used. The only comforting feature is that LSD is not, in the pharmacologic sense, an addictive drug; if it needs to be controlled it should not pose the same great difficulties as do narcotics.

Perhaps more important today to all of us as a source of mass drug hazard (than new chemicals introduced for therapy) are substances that are not always defined as drugs and are used in industry or agriculture—pesticides, herbicides, gasoline additives, and so on. We are chronically exposed to them because of indiscriminate contamination of our environment, and neither physician nor layman can avoid them. These should count as drug hazards.[16]

Agreement on definition of drugs and drug adversity is essential to progress and safety. We seem to be unwilling to apply definitions of drug and drug adversity that are logical and consistent with the meanings of the science of pharmacology and can be used in relation to the acceptability of new drugs in medicine, at the same time making sense of generally accepted practices with common drugs which today are more wasteful and destructive of health and life than all the new drugs tried, used, and discarded during the last century of pharmacologic progress. What needs to be understood and incorporated into the modern definition of drug adversity is not the truism that "most drugs" or even "all drugs" are toxic (we have known this for a long time), but that all effects of drugs—good, bad, and indifferent—are examples of drug toxicity, a selective toxicity producing alterations in structure and function, which by some happy chance are useful to the sick man, or, by some misfortune, make matters worse for him.[17]

Our new drugs are the products of a well-grounded scientific program that has led to the great positive achievements of modern therapeutics. The benefits must be weighed against the cost, which is far less than ever before; the benefits are incomparably greater. The concept that modern pharmacologic advance has left a new trail of disasters in its wake is simply untrue. What is true is that drug development has grown and expanded very rapidly, that reportage is better than ever, that observation is more acute, and that we no longer placidly accept adverse reactions of drugs. In some cases of old drug problems, matters are even becoming worse.

Unfortunately the layman views experimentation with drugs as a new, dangerous, and cold-blooded scientific pastime conceived by the Nazis, whereas in fact it is merely a safer, more public, and better controlled version of the natural, unwitting, inevitable, historic, and too-often-catastrophic drug experimentation in man that started with the witch doctor.

A great current danger is that legislation based on an inconsistent, puritanical, and illogical definition and lacking a historic view may well limit drug research and at the same time may aggravate old, and create new and serious, problems of drug adversity.

There is no aspect of drug experimentation on man that is not more ethically handled now than in the time of Hippocrates, Galen, or Withering—and now handled more safely. If a code is needed to define the ethical basis for drug research in man, it should be designated to protect man from mass disaster as well as to preserve the rights of the subjects of drug trials, and at the same time to foster progress in therapeutics. It should take into account past as well as current history—not merely thalidomide but penicillin and a host of other modern drugs—and it *must* have logic and consistency. It must recognize and weigh the accomplishments of pharmacology as well as unavoidable accidents and rare and unpredictable reactions to drugs.

If drug disasters have become less frequent, one cannot attribute the fact to legislation. All our outstanding modern achievements in pharmacotherapy preceded our new drug legislation; it is more logical to conclude that they result from the basic interest of the biomedical scientist in the health of the community and from his drive. It is a matter of medical science keeping its own house in order.

RUSSIA MOVES AHEAD IN OCEANOGRAPHY RESEARCH

Mr. BARTLETT. Mr. President, in an age when man's attention has been directed toward the exploration and conquering of space, there is another and not so well publicized exploration into yet another unknown—the mysteries of the ocean depths.

All over the world maritime nations are dedicating more and more of their scientific talents to discover what lies at the bottom of the oceans and what lies between the ocean beds and the surface. Of course, it is already known that the seas yield vast amounts of fish and, under wise and prudent conservation management, can produce even more. It is known, too, that ocean waters contain vast stores of mineral wealth. However, despite the work that has gone on up to this time the fact remains that we are at the very beginning of oceanography research. The United States is heavily embarked upon this venture but from a recent account appearing in the Seattle Post-Intelligencer written by Don Page it would seem that once more in a vital race, and this time a race that can produce economic dividends, we are lagging behind the Russians. According to Mr. Page:

> The Russians have just ordered 10 oceanographic research vessels from a Polish yard. They'll be impressive boats—282 feet long, ice-strengthened with twin screws, variable pitch propellers and 19 shipboard laboratories apiece.

We must concentrate and intensify our efforts, particularly because the United States is blessed with a wide expanse of Continental Shelf where the water is not too deep for exploration and where there are great concentrations of fish and other wealth.

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[14] Ciba Pharmaceutical Co., "Drug searches draw on best of two worlds," *Med. World News* 10 Dec. 1965, p. 46.

[15] M. Weatherall, *Brit. Med. J.* 1 May 1965, p. 1174; W. Modell, *J. Amer. Med. Assoc.* 196, 415 (1966).

[16] R. L. Brown, *Pesticides in Clinical Practice* (Thomas, Springfield, Ill., 1966).

[17] A. Albert, *Selective Toxicity* (Wiley, New York, ed. 3, 1965).

NATHAN PRESENTS EFFECTIVE TESTIMONY ON NATION'S POST-VIETNAM PLANNING

Mr. BAKER. Mr. President, for the past 4 days, the Subcommittee on Fiscal Policy of the Joint Economic Committee has held hearings on revenue sharing and its alternatives. While I am not a member of the subcommittee, I attended the hearings and found them both timely and enlightening.

I was especially pleased with Dr. Richard P. Nathan's excellent remarks before the subcommittee on August 3. Dr. Nathan is a distinguished economist at the Brookings Institution here and he has correctly pointed out the need for the Congress to start now in planning for a post-Vietnam economy. Should we fail to start now in this difficult planning process, then we shall lose one of the great opportunities in the history of this country to grapple constructively with the future of federalism.

Dr. Nathan points out that several alternatives and combinations with tax sharing will be helpful in meeting the demands of State and local governments. They include tax credits and tax reductions by the Federal Government. I ask unanimous consent that Dr. Nathan's testimony be printed in the RECORD.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT PREPARED FOR PRESENTATION AT THE JOINT ECONOMIC COMMITTEE HEARINGS ON REVENUE SHARING BY RICHARD P. NATHAN, THE BROOKINGS INSTITUTION, AUGUST 3, 1967

Despite its tragic costs, the war in Vietnam offers the nation a unique opportunity to strike a comprehensively planned balance among the now increasing number of major proposed post-Vietnam fiscal policy alternatives. When the war ends, it will release as much as $15 billion in now committed federal resources for other purposes, even assuming continued high-level economic support and defense related expenditures in Southeast Asia. Taking advantage of this opportunity requires thorough and systematic planning efforts *now*, considering the administrative feasibility as well as the economics of the various proposed alternatives.

My own view is that revenue sharing should be a major component of the nation's post-Vietnam fiscal policy mix—both for political reasons as it relates to the structure and future of our federalism and for economic reasons as it relates to needs for improvements in the quality and quantity of the essential public services provided by state and local governments. But revenue sharing cannot be considered in a vacuum if we are to take advantage of the opportunity to develop a planned and balanced post-Vietnam fiscal policy mix. Other alternatives are:

First, a major commitment of resources to the rehabilitation of deteriorated core cities which—if the ambitious goals of the "model city" concept are to be achieved on a nationwide basis—will require many times the resources now being devoted to this new program;

Second, a new effort—either through a negative income tax or a family allowance program—to provide those who live below the poverty line with some appropriate guarantee of a minimal living income on a more efficient (and, I would add, more humane) basis than under most existing federal, state, and local public welfare programs; and

Third, a tax reduction, in recognition of the fact that the domestic production side of the private sector is being squeezed by current spending for the war effort.

These three alternatives by no means exhaust the list. More anti-poverty spending (besides income support type programs), expanded regional economic development programs on the order of the Appalachia program, increased foreign aid, and anti-missile missiles are all contenders and all have strong supporters.

These various alternatives can, of course, be combined and blended in any number of ways, and it is ultimately the President and the Congress that will have to deal with these resource allocation or planning issues.* There are, however, two points about the packaging of policies that I would like to stress.

1. FOCUSING ON BROAD AND UNDERSTANDABLE POLICY GOALS

Growing out of, and in the thirty years subsequent to, the New Deal, the federal government has responded largely on an *ad hoc*, piecemeal basis to domestic public expenditure needs. The increase in the number and specificity of categorical federal grants-in-aid over this period has been widely commented upon in the past year. Invaluable testimony on the impact of existing federal aids has been collected by the Muskie and Ribicoff Subcommittees of the Senate. These hearings, as well as other recent studies and reports, reveal an increasing and disturbing tendency for decision-making at all levels of government to be turned over by default to specialists (including highly paid experts in grantsmanship) as a result of the complexity and wide diversity of the federal grant-in-aid system, if indeed it can be called a system.

In this context, it is desirable that we move away from narrow and highly specific federal aids (a movement which it can be argued has already begun) and focus instead on new and broader federal aid instruments. Revenue sharing and the several major domestic policy alternatives mentioned above fulfill this criteria in terms of being the type of big and clear issues on which a free political system such as ours should focus. The essential point here is that revenue sharing, a major core city rehabilitation program, family allowances, all can be levers for reforming our total grant-in-aid system, because at the same time that they meet major public needs, they also help to simplify and broaden the bases on which the federal government provides financial aid to states and localities.

This is not to say that internal grant-in-aid reforms of the kind urged by the President and now being considered by the Bureau of the Budget are unnecessary. Rather, that we must go beyond these internal and limited steps in thinking about the future role of national government fiscal subventions in our federalism. Revenue sharing, as a generalized supportive supplement to state and local resources is particularly well suited to this purpose. It is precisely for this reason that many proponents urge revenue sharing as a supplement to—not substitute for—the present wide assay of categorical federal grants-in-aid.

2. POLITICS AND THE FISCAL POLICY PLANNING PROCESS

The second point I would stress is that post-Vietnam planning should be political and administrative, as well as economic. It must not become the sole province of the economist. The "how-to-do-it" questions of policy implementation are increasingly becoming as important as the basic question of what needs to be done.

Here again, the revenue sharing idea, as essentially a new political instrument, has obvious relevance. But, the other options, too, must be evaluated in terms of their administrative feasibility and impact. It may be, for example, that a broadened and expanded core city rehabilitation program would be more effective than the "model cities" approach as presently structured. Such a program might perhaps include the states as a partner (where and only where the state is willing to contribute a given percentage of the program) on a basis that would make the core city rehabilitation plan the responsibility of a federal-state-local agency with any two votes controlling so that the federal government would not have an automatic veto. Similarly broadened and more flexible federal aid approaches can be devised in other areas—both for new policy options and for existing federally aided functions, such as manpower services, education, and transportation.

To summarize, I would stress three points: (1) that revenue sharing be evaluated in the context of broad post-Vietnam fiscal policy planning; (2) that its political, as well as economic, aspects be carefully assessed; and (3) that, in fact, the whole question of the post-Vietnam fiscal policy mix in large part involves political questions of great importance for the structure and future of American federalism.

FIVE HUNDRED SIGN PETITION OF SUPPORT FOR BILINGUAL EDUCATION BILL

Mr. YARBOROUGH. Mr. President, the Council of Mexican-American Women of Los Angeles, Calif., has long been active in bringing justice and equality of opportunity to our fellow citizens of Mexican extraction. Evidence of their capability is shown in the appointment of their President, Miss Lupe Anguiano, to a position in the newly established Mexican-American Education Unit in the Office of Education.

Recently the Council of Mexican-American Women circulated a petition for support of S. 428, the bilingual educational bill, which received over 500 signatures in the Los Angeles area. I regret that the limitations of space will not permit the printing of these names of support, but I ask that the reasons of support which were given be printed in the RECORD, with an indication of the 500 signatures from the Los Angeles area at this point and also the transmittal letter of Miss Ann Ramirez of Los Angeles, first vice president of the Council of Mexican-American Women.

There being no objection, the items were ordered to be printed in the RECORD, as follows:

[Petition sponsored by the Council of Mexican-American Women]

PETITION: REASONS FOR SUPPORT OF S. 428

This nation possesses a considerable reservoir of natural bilingual peoples.

The immensity and complexity of the needs of non-English speaking children especially

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* It should be noted here that the President in his 1967 Economic Report established an interagency planning group under the Council of Economic Advisors "to review our readiness (to adjust to peace)." *Economic Report of the President*, January 1967, pp. 23–24.

Mexican-American children in the Southwest have not been met.

Specific funds for non-English speaking children would reflect a concern to perceive him, his language and his culture as an asset to our American society.

The goals of this nation are to prepare functioning citizens in this democratic society.

Therefore,

We the undersigned go on record in support of the bilingual education bill S. 428 introduced by Senator Yarborough of Texas.

(Attached to the petition were the supporting signatures of 500 persons from the Los Angeles area.)

COUNCIL OF MEXICAN-AMERICAN WOMEN,
Los Angeles, Calif., July 20, 1967.
Senator YARBOROUGH,
Senate Office Building,
Washington, D.C.

DEAR SENATOR YARBOROUGH: We of the Council of Mexican-American Women support your Senate Bill 428.

We believe that this legislation will extend education that will meet the special needs of the Mexican-American of the Southwest.

Very truly yours,

ANN RAMIREZ,
First Vice-President, Council of Mexican-American Women.

REACTIVATION OF THE BATTLESHIP "NEW JERSEY"

Mr. MURPHY. Mr. President, it was with a great deal of pleasure that I learned of the decision by the Defense Department to reactivate the battleship *New Jersey*.

This warship will be a potent addition to our naval forces in Vietnam, and its reactivation is a step long overdue.

I congratulate the distinguished Senator from Georgia [Mr. RUSSELL] for his leadership in the campaign that eventually convinced the Defense Department of a battleship's value in Vietnam. The firepower mustered by the *New Jersey* will accomplish the same results as aerial bombardment in many target situations. An acknowledged expert in defense matters, Senator RUSSELL sometime ago concluded that many lives could be saved by allowing a battleship to carry out some of the missions now falling to our aviators.

The Senator from Wyoming [Mr. HANSEN] and the Senator from New Hampshire [Mr. MCINTYRE] lent their support to the proposal of reactivating a battleship, and I commend them for it.

My own interest revolved entirely around the question: Can the use of battleship fire acomplish the desired objective while saving lives of American aviators? I concluded that it can. As I observed in a speech last April 28, I think the arguments in support of that proposition are convincing.

All of us are aware of the number of aircraft that have been lost over North Vietnam. The toll now stands at more than 625, according to official figures. If a battleship, accomplishing equal results, can save even one plane and the life of the pilot flying it, I believe it is worth reactivating one. The prospects are good that many more planes can be saved.

I also believe that battleship fire, in many instances, can be more effective than bombing from the air. Its shells can be focused upon a target such as a bridge, and the shelling can continue unabated, thus preventing rebuilding from proceeding immediately as often occurs after aerial bombardment.

I am also persuaded of the battleship's value by the chance of saving Vietnamese lives. Naval authorities assure me that battleship fire can be directed with pinpoint accuracy. A naval shell has a minimum chance of straying to civilian areas. This, too, is a worthwhile reason for reactivating the *New Jersey*.

So I applaud the Defense Department's decision, and I look forward to the recommissioning of this great vessel.

NOT TIME FOR A CHANGE

Mr. BARTLETT. Mr. President, last week the senior Senator from Washington [Mr. MAGNUSON] and the junior Senator from Oregon [Mr. HATFIELD] discussed on the Senate floor the plight of the lumber industry in their respective States.

As I understand the problem, because Japanese interests can pay more for raw logs to be imported to their country than lumber companies in these States can afford, there is a shortage of logs available for lumber mills, and many towns dependent on thriving lumber industries face economic "disaster."

Mr. President, I can appreciate and endorse the concern expressed by the Senators for the plight of their constituents. I will support almost any means available designed to assist the lumber industries in Washington and Oregon. However, I feel compelled at this time to speak out against one suggestion for relieving the pressure on the supply of raw logs in the Pacific Northwest.

This suggestion would have the Secretary of Agriculture lift a ban on the export of raw logs harvested in Alaska forests. The thinking is that if raw logs were available for export for Alaska, the demand for raw logs from Washington and Oregon forests would diminish, making more logs available for lumber mills in those States.

Mr. President, I would have no objections if the Secretary of Agriculture were to impose a ban or a limit of exports of raw logs from Washington and Oregon, but the wholesale lifting of such a ban in Alaska could have serious economic repercussions for my State's developing economy.

Mr. President, the ban on export of raw logs from Alaska was instituted long ago. This was done with one principal aim in mind, and that was to encourage establishment of permanent industries in Alaska. The late B. Frank Heintzleman, formerly regional forester of Alaska, and later to become Governor of the Territory of Alaska, was the motivating force behind the export ban. It was his view, accepted by the Forest Service and by the Department of Agriculture and enthusiastically by the people of Alaska, that if an export policy were permitted the day would never come when a pulp mill would be constructed and would operate there. The widsom of all this is demonstrated by the fact that two big mills, one at Ketchikan and one at Sitka, have been built and are operating at full capacity now. One further sale of forest timber remains to be accomplished before a third—and probably the last big operation that Tongass National Forest timber can support—comes into being. The policy has proved successful. In addition to the pulp mills, local processing mills have been built in Alaska and Alaska lumber products have been exported to Japan, aiding the Nation's balance-of-payments problem, as well as creating jobs for people and tax revenues for the State.

The annual harvest of logs in Alaska can and will be increased. I think it is important to note that major lumber firms are interested in purchasing Alaska timber with the stipulation that they must construct processing plants.

The timber industry is of great importance to Alaska's overall economy. To reverse a policy designed to assist economic development of Alaska would be most shortsighted, indeed. It would be a step backward in time to the era when Alaska was considered a territory for ravishing rather than a State for developing.

HEED L. B. J.'S CALL FOR ORDER, JUSTICE, AND EQUALITY

Mr. LONG of Missouri. Mr. President, four Negro leaders who have spent their lives fighting for justice and equal rights, last week issued a statement which, in my opinion, sums up the responsible opinion of responsible Americans who want to support their President in his quest for order, justice, and equality.

The statement by Roy Wilkins, Martin Luther King, Jr., Whitney Young, Jr., and A. Philip Randolph, struck at the heart of recent conflict by stating:

> There is no injustice which justifies the present destruction of the Negro community and its people.

And they condemned the rioting, looting, and violence in absolute terms.

But they also said the Negro people must not submit tamely to joblessness, inadequate housing, poor schooling, insult, humiliation and attack.

And this is the platform on which the Congress must build its future attitude toward riots.

We cannot let the riots turn us away from the unfinished business of America.

We cannot let the riots turn us away from supporting President Johnson's excellent urban programs to transform America.

We cannot let the riots blind us to the accomplishments of the past and our hopes of the future.

We now have an unparalleled opportunity to restore faith and peace among the citizenry.

Let us do it now.

I ask unanimous consent to have printed in the RECORD an editorial entitled "A Plea for Reason—and Justice," published in the New York Post of July 27.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

A PLEA FOR REASON AND JUSTICE

Four Negro leaders who have long fought the battle for justice have issued an appeal that deserves to be heard in the black ghettos, in the white suburbs, in the halls of Congress—by every segment of the nation—if we are to resume the quest for equality and end the futile turmoil in the streets.

"There is no injustice which justifies the present destruction of the Negro community and its people," declared the statement signed by Martin Luther King Jr., A. Philip Randolph, Roy Wilkins and Whitney Young Jr. They added:

"We call upon Negro citizens throughout the nation to forego the temptation to disregard the law. This does not mean that we should submit tamely to joblessness, inadequate housing, poor schooling, insult, humiliation and attack. It does require a redoubling of efforts through legitimate means to end these wrongs and disabilities. We appeal not only to black Americans, but also to our fellow white citizens, who are not blameless . . . The 90th Congress has exhibited an incredible indifference to hardships of the ghetto dwellers."

In cold figures, the "indifference" amounts to this: the projected urban anti-poverty allocation has been more than halved by the Administration, and is now only $1,000,000,000. Congress has shown signs of cutting it still further. Vietnam war spending has also cut deeply into other domestic programs—primarily school aid—which could help answer the needs of the lower depths.

But, as the four leaders assert, "the riots have not contributed . . . to the eradication of these just complaints."

We echo their urgent words: "No one benefits under mob law. Let's end it now!" Then let us try to begin anew the fight for equity and decency that cannot be won by wild looting, aimless lawlessness—or smug apathy.

U.S. SALES OF WEAPONS

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent to insert in the Record an editorial which appeared in the July 24, 1967, edition of the Charleson, W. Va., Gazette, entitled "United States Can't Honestly Seek Peace, Sell Weapons, Too."

There being no objection, the editorial was ordered to be printed in the Record, as follows:

United States Can't Honestly Seek Peace, Sell Weapons, Too

It stands to reason that a Nasser armed to the teeth with planes, tanks, guns and ammunition is going to be more belligerent and more inclined to make warlike moves against a neighbor (such as closing the Gulf of Aqaba) than a Nasser without arms but with a good supply of agricultural equipment to keep his people busy.

It is equally logical that in underdeveloped nations, where the masses are ill fed, ill clothed, ill housed, and largely illiterate, their leaders would serve better by upgrading the economy and aiding humanity than by making war, which they can do only if they have the armaments.

Nasser is mentioned only by way of example, since he was involved in the latest war to break out, and the same could be said about other leaders on a number of continents.

It is not surprising, therefore, that members of the U.S. Senate, among others, are concerned with the U.S. military aid program as a threat to international peace.

Unquestionably, as the major arms supplier of the Arab states, the Soviet Union bears a large share of responsibility for the Middle East war, even though most of its investment wound up as useless hardware in the desert. But American hands are anything but clean, for our own government also fed the Middle East arms race which finally erupted in predictable war.

As Sen. Frank Church, D-Idaho, noted in a recent Senate speech on "Arsenal Diplomacy," the U.S. has granted $322 million in military aid to the Arab states since World War II, while selling Israel $28 million in arms.

Church viewed President Johnson's call for reporting to the United Nations of arms shipments to the area as a constructive proposal, but said it will not stanch the flow of arms to the Middle East. As a second step back from the brink, he urged that the U.S. make every effort to reach agreement among the suppliers of arms to the region—the great powers and notably Russia—on an arms embargo or a stringent arms limitation applicable to Arab and Israeli alike.

Certainly, for the future peace of the Middle East, it is obvious that Russia and the U.S. must agree to refrain from fueling a new arms race there. It is also self-evident that even without such an agreement, we have nothing to gain from further arms shipments to the Arabs. And surely the time has come to revise the whole policy of "arsenal diplomacy" which has made our country the dominant supplier of weapons to the world.

Church had some interesting, even frightening, figures to offer on the subject.

"In the eyes of much of the world," he said, "the United States seems more intent on furnishing swords than plowshares. During the past 17 years, we have bestowed on foreign governments $8 billion in military vehicles and weapons, $7 billion in aircraft, $5 billion in ammunition, $2 billion in ships, $2 billion in communications equipment, $1.5 billion in missiles and $3 billion in other supplies. Services granted in the form of base construction, training repair, and spare parts amounted to an additional $8 billion, for a staggering total of $37 billion dispensed abroad since 1950."

As if to augment these massive gifts of arms, Church said the Defense Department is now engaged in a mushrooming sales campaign. Direct sales to foreign governments already exceed $16 billion, while Pentagon officials anticipate orders worth another $15 billion in the next decade.

"Today," said Church, "the federal government is the principal arms dispenser of the world; giving away, advancing credit, and promoting the sale of a volume of arms more than six times that of our nearest rival, the Soviet Union."

One broad justification for serving up American military hardware on a global platter, much of it to countries far removed from Communist neighbors, is that it serves to bolster resistance to subversion from within.

But, said Church, "Vietnam is a poignant example of the failure of American guns to create loyalty out of fear and distrust. Massive injections of U.S. weapons, ammunition, equipment, and supplies failed to turn the tide against the insurgents. Our own troops had to be summoned and the war converted into an American engagement."

Another argument for the sale of the wares of war is that it helps to erase our balance of payments deficits.

The Senate Foreign Relations Committee sees it differently: "The U.S. balance of payments is not in such perilous condition that it has to be salvaged by taking blood money from poorer countries. If we turn down every sales request for useless military equipment to nations which cannot afford such expensive baubles, the effect on our balance of payments would scarcely be noticed."

Church also points out that foreign armies are a risky investment and that we pay a heavy political cost for supporting them, adding:

"In any poor country of Asia, Africa, or Latin America, where there is an unconscionable concentration of wealth the army is usually the hate symbol of the status quo. Military governments, however stable they may appear, tend to be brittle as well as repressive."

As Church sees it, the greatest danger to world peace—assuming we can prevent the war in Vietnam from widening into a world war—is from some regional dispute igniting into a conflagration which spreads out of the control of those who supplied the arms which touched it off.

The United States should get out of this dirty business of giving or selling arms to start wars, and should push for U.N. action to control regional arms races. Then we could talk in good conscience about world peace.

CARMICHAEL STATEMENTS IN CUBA GO BEYOND FREE SPEECH

Mr. McCARTHY. Mr. President, the statements of Stokely Carmichael in Cuba, making threats against President Johnson, British Prime Minister Harold Wilson, and other high U.S. officials, run far beyond the reasonable limits of freedom of speech.

I have long been concerned about the operations of the Central Intelligence Agency and have studied its operations most carefully, but his assertions that "the U.S. Central Intelligence Agency has international license to kill, and if the CIA continues to assassinate fighters and guerrillas, vengeance must be taken against Western leaders," are wholly without substance and can serve only to prejudice the proper and defensible intelligence activities of the U.S. Government.

HIGH-SPEED GROUND TRANSPORTATION PROGRAM

Mr. SCOTT. Mr. President, I ask unanimous consent that a statement which I submitted today to the Senate Committee on Appropriations regarding the proposed appropriations for the Department of Transportation be printed in the Record.

There being no objection, the statement was ordered to be printed in the Record, as follows:

Statement by Senator Hugh Scott on Fiscal 1968 Appropriations for the Department of Transportation

Mr. Chairman, in connection with the Department of Transportation appropriations bill for fiscal year 1968, which is currently before your Committee, I wish to submit the following statement.

I have considered the possible effects of budget cuts which the House voted both in demonstration projects and in research and development pertaining to the Office of High Speed Ground Transportation in the Department of Transportation.

It is my position that the demonstration program should be continued and should be funded to produce adequate and favorable results. I would question whether the reduction voted by the House Appropriations Committee would leave sufficient funds to produce a constructive and worthwhile program.

Specifically, I urge that the Senate Committee carefully examine the House action in eliminating $3,511,000 for the demonstration of the "Auto-Ferry" concept. The House Appropriations Committee questioned why private industry could not finance this project. It is my understanding that the purpose of the demonstration is to determine whether the project could be self-sustaining and until this is proven we cannot expect private industry to risk funds of this magnitude. In view of the potential that appears possible from this type of operation, which could benefit many areas of the United States, I urge that the demonstration be allowed. When a favorable answer is obtained, it would appear reasonable for the Congress to expect that private industry invest the funds necessary to expand this project in other sections of the country.

This would be consistent with what I understand to be one of the objectives of the High Speed Ground Transportation Act, that of encouraging private investment by means of a small initial Federal expenditure. Furthermore, it has been called to my attention that between $1.5 to $2 million has already been expended of a total project cost of $3,511,000. Thus, for little additional expenditure the project can be carried forth to a meaningful conclusion. The alternative would be to shelve the project with little benefit accruing from the already expended funds.

At this point I would like to turn attention from the Auto-Ferry Project to other phases of the High Speed Ground Transportation program.

While I recognize the urgent need for Congress to minimize spending, it appears to me that the reduction of $450,000 from the New York to Boston high speed demonstration would jeopardize the success of that particular project. Moreover, the reductions in the research and development expenditures for the High Speed Ground Transportation program are particularly severe, especially when compared to Government-financed research and development for other modes of transportation, such as the nearly $200 million in research and development being spent for the SST project and the countless millions being spent on highway systems. I would urge that you carefully examine the Department of Transportation's appropriation requests and wherever practical furnish the requested funds. As a guideline I would suggest that research and development expenditures be made where there is some prospect for tangible benefits for industry and the public in the immediate future.

In conclusion, my basic concern is that this new agency, which was created by Act of Congress, should not be handicapped by insufficient resources from accomplishing those objectives which we have established as their responsibility. From my examination of the action taken by the House, it would appear that the cuts which have been made will hamper the Department from accomplishing its goals. I feel at least a partial restoration of funds would be in keeping with our responsibilities to the public at this time.

TAX DECISION SHOULD BE DELAYED

Mr. McCARTHY. Mr. President, it is my opinion that Congress should wait until September to decide whether or not to approve the tax increase requested by President Johnson. Congress will have a better reading of the economic indicators and also of the increased cost of the war in Vietnam on which to base its decision.

The President's request for a tax increase and also for an increase in the number of troops to be sent to Vietnam is a kind of dual escalation.

On the basis of the record of the past year, there is nothing to indicate that an increase in troops of this number will lead to success. But if it is done, undoubtedly the cost of the war will be greatly accelerated, and Congress will have to give more serious attention to the proposed tax increase.

I am of the opinion, however, that we ought not to act on it until September, when we will have a better reading of the economic indicators and also of the increased cost of the war in Vietnam. It may well be that a tax increase at that point may have the effect of slowing down the economy when it would be better to accelerate it in order to increase production to meet growing domestic and international demands.

OPPOSITION BY U.S. MERCHANT MARINE TO THE PANAMA CANAL TREATIES

Mr. THURMOND. Mr. President, starting on July 24, 1967, the Subcommittee on Inter-American Affairs of the House Committee on Foreign Affairs has been conducting hearings on pending House concurrent resolutions sponsored by some 135 Members of the House of Representatives in opposition to the basic purposes and provisions of the proposed Panama Canal treaties.

At the hearings on August 2, a principal witness was Ralph E. Casey, president of the American Merchant Marine Institute, who spoke for that organization and the Pacific American Steamship Association of which Ralph B. Dewey is president. These two organizations represent a large part of the U.S. merchant marine.

I point out in particular one very important paragraph of the statement which Messrs. Casey and Dewey presented. They point out that Congress will be abdicating completely from all oversight of the canal and its operations. They say:

> Our deepest concern in the new treaty is the manner in which Congress will relinquish its surveillance over the operational aspects of the Panama Canal and the tolls structure. We see in the establishment of a bi-national authority the removal from the Congress of its historic role in Canal affairs. We see in the bi-national authority, the built-in temptation to act in a manner calculated to cater to diplomatic pressures without the checkmate of Congressional approval or disapproval. We see in the establishment of a bi-national authority the removal of those disciplines which have so effectively brought about an efficient operation of the Canal and a harmonious arrangement between the Canal management and users of the Canal.

As our maritime industry will be directly and adversely affected, by the proposed treaties with Panama and has expressed very definite ideas that will assist all members of the Senate in evaluating the treaty proposals, I ask unanimous consent that the indicated statement by Mr. Casey and its attachments be printed in the Record.

There being no objection, the statement was ordered to be printed in the Record, as follows:

Statement on Behalf of Pacific American Steamship Association and American Merchant Marine Institute Submitted to the Subcommittee on Inter-American Affairs, Committee on Foreign Affairs, U.S. House of Representatives, on Panama Canal Treaties, August 2, 1967

Gentlemen, while, at the time of preparation of this statement, the texts of the new Panama Canal Treaties are not available, there is enough available in the public print to offer a few preliminary comments.

The members of Pacific American Steamship Association and the American Merchant Marine Institute comprise a very large portion of the American-flag users of the Panama Canal. Both Associations are also members of the International Chamber of Shipping whose interest in the affairs of the Panama Canal is of paramount importance.

During the nearly fifty years that the Canal has been open, our two associations or their predecessors have served the function of operational surveillance over the transiting of vessels through the Canal, as well as policy aspects established by the Congress and the Executive Departments. During this entire time, our main concern has been that the Panama Canal be operated as an international public utility and that its corporate structure be established and financed so as to provide the maximum facilitation of vessels at a minimum cost to world commerce. It is, of course, world commerce and its producers and consumers who must pay the price of transiting, through the medium of ocean freight rates.

At present, more than half the cargoes transiting the Canal originate in—or are destined to—United States ports. Approximately one-third of this U.S.-oriented commerce is carried on U.S.-flag vessels, although in the over-all transiting of the Canal U.S.-flag vessels represent only about 15 per cent. Nevertheless, U.S.-flag vessels still comprise the largest group using the Canal.

We would be derelict if we did not state at the outset in our remarks that the management of the Panama Canal over the past ten or twelve years has been of a caliber to warrant our warmest commendation. As a result of the reform statutes enacted in 1950, the Panama Canal embarked upon management changes wherein cost effectiveness of each aspect of the Canal operation has undergone the most careful reappraisal. During this period there has been a sharp reduction of nonessential personnel, a curtailing of nonessential, unrelated, or outdated functions. At the same time, the number of transits have more than doubled and the average transit time has been held to a reasonable minimum. The Port Captain and other operational officials have cooperated magnificently in responding to problems presented by steamship associations like ourselves and the steamship agents domiciled in the Canal Zone. The Canal management has been extremely careful not to give preference to vessels of any particular flag but, in the true spirit of freedom of the seas, has treated every vessel as a customer. During this period the Canal management has not been static in its thinking but has made advance preparations for new types of vessels and for the accelerated traffic flow. This has required heavy annual capital input which, together with all other expenses, has been accomplished out of the earnings from the payment of tolls.

The end result financially has been a continuing annual surplus—thereby avoiding the necessity for tolls increases or of any appropriations from the Congress in order to make ends meet. Additionally, the Panama Canal Company has funded considerable research into the feasibility of a new Panama Canal to meet traffic conditions anticipated toward the end of the century. A keystone in motivating the Canal Company to meet these new demands of increasing traffic without requiring additional income from tollspayers has been the discipline of Congressional statutes and Congressional surveillance.

Our deepest concern in the new treaty is the manner in which Congress will relinquish its surveillance over the operational aspects of the Panama Canal and the tolls structure. We see in the establishment of a bi-national authority the removal from the Congress of its historic role in Canal affairs. We see in the bi-national authority, the built-in temptation to act in a manner calculated to cater to diplomatic pressures without the checkmate of Congressional approval or disapproval. We see in the establishment of a bi-national authority the removal of those disciplines which have so effectively brought about an efficient operation of the Canal and a harmonious arrangement between the Canal management and users of the Canal.

Our second observation concerns the interrelationship of the Status of Forces Treaty and the new Panama Canal Treaty. Here we would intend to ask that the cost of the Status of Forces Treaty be met in full measure by the Defense Department or some other appropriate budget. Our concern is that the Treaty price be inordinately low and that the balance of the price be achieved through the medium of tolls. Our objection—our strong objection—to using Canal tolls as a secondary source for payment of military agreements is based on our contention that the defense of the Canal is not the obligation of the users of the waterway. The Canal Zone Government costs are supplied from Canal Company funds. A substantial police force is part of the Zone Government. Thus, the tollspayers do, in fact, participate in the establishment of peaceful conditions in the Canal Zone. We object, however, to taking on U.S. Defense Department obligations such as might flow from a Status of Forces Treaty whose military purposes far transcend the transiting of vessels.

In our role of shipowners. it is perhaps not entirely within our sphere to comment on what might be termed the political implications of this Treaty. However, we are mindful of what has happened to the Suez Canal twice in a span of ten years. And we cannot help but fear what might happen to the Panama Canal once it is removed from United States control. A closing of that waterway would involve millions of dollars in excess shipping costs.

We appreciate the opportunity to present these preliminary views to this Committee, and hope that we may supplement this statement after we have had an opportunity to see the full text of the new Treaty and examine its provisions, particularly with respect to the potential impact of such provisions on the American-flag users of the Canal.

Also, there is attached a statement prepared earlier this year which elaborates upon various aspects of the Panama Canal as viewed from the standpoint of the Tollspayer, together with a letter dated May 16, 1967, to the Secretary of State, written during the course of the negotiations.

In closing, it is our hope that this body will express to the Senate its dissatisfaction with the basic purposes and provisions of this Treaty.

Statement of Tollspayers Views Concerning the Future of the Panama Canal

(Prepared by Pacific American Steamship Association)

As the period approaches during which the United States attempts to conclude new Treaties with Panama, the American steamship industry—as prime users of the Canal—presents this statement of its views. In so doing, it is our avowed purpose to give responsible analysis and direction to both the political as well as the fundamentally economic aspects of the United States stewardship in the Canal.

A. CONSTRUCTION AND OPERATION BY THE UNITED STATES: SOME GENERAL OBSERVATIONS

1. We think it should never be forgotten that the construction of the Canal was a miracle of technological and scientific achievement by United States' construction and sanitary engineers. Even by today's standards it is a marvel of ingenuity and personal fortitude, to say nothing of the high cost in American lives.

2. The 60 years of operation of the Canal demonstrated an enlightened responsibility by the U.S. administrators toward rapid, efficient and safe transiting of vessels to serve world commerce. Such operational delays as have occurred have been of short duration and mostly occasioned by unforeseen surges of wartime or peacetime shipping activity. It requires a high degree of skill to operate and maintain the complex machinery of a six lock Canal. There are no locks at Suez.

3. As observers of the entire situation at Panama, we feel that the United States in its political, social and economic relations with the Republic of Panama has been firm, but fair. It has been alert to the need to maximize the benefits to the Republic through Treaty revisions and through such administrative prerogatives as are available, by channeling into the Republic (1) an increasing potential for profitable sale of goods and services, (2) an increasing potential for better and more sophisticated job opportunities and for equality in pay scales, (3) an increasing financial assistance through AID development programs, (4) an increasing awareness of the Republic's joint political tenure in the Zone alongside the United States and (5) an incredible patience in the face of indignities against the United States' Flag, against the United States' stewardship as operators of the Canal and against the Treaty itself.

4. The United States need make no apology for the size or scope of its contributions to Panama's economy. Panama currently realizes one-sixth of its national income from direct expenditures by the Canal—or about $85 million per year. The Canal Company (i.e., the tollspayers) has supplied free or at low rates many services to Panama such as water, electricity, sanitation. Our foreign aid program has been extensive, mostly in agriculture, but also including housing, mining, power production, road construction, sewerage, water, health-sanitation, education and public administration.

In addition to the above, past Treaties have granted Panama certain land and buildings thereon (housing, hospitals, rail terminals, etc.) which were supposed to have been used to improve the economic life of Panama. Unfortunately, a number of the buildings have been unoccupied and not even policed against vandalism. One wonders whether the people will derive any more benefits in future Treaties than they have in the past.

5. We hold the view that constructive or actual sovereignty of the United States over the Zone is essential to an efficient, economic and stable Canal operation. The United States should not lightly give up its status of a sovereign, or of one who has sovereignty.

In the 1903 Treaty, the United States paid $10 million cash plus $250,000 per year annuity (later raised to $430,000 when the United States went off the gold standard) "as the price or compensation for the rights, powers, and privileges granted in this Convention by the Republic of Panama to the United States . . . ." The United States also guaranteed the independence of Panama, which has an annual value of considerable amount to the Republic.

In the 1955 Treaty, Article I states that the increase in the annuity of $1,500,000 annually was in no way pursuant to any Treaty obligations. Article I says, "The High Contracting parties recognize the absence of any obligation on the part of either party to alter the amount of the annuity". There is still no obligation for an adjustment in the annuity, although it provides one device for adjusting the compensation to Panama for Canal rights.

6. The Treaty of 1903 was mutually satisfactory for both nations, since it granted the infant Panamanian Republic guarantees of its independence from Colombia and put her in a position to realize the natural benefits of the Canal operation resulting from its geographic location. Had Nicaragua been chosen, the entire destiny of Panama would have been much different. It put Panama on the world's sea lanes and removed its centuries-old isolation. It never would have been politically possible for the American Congress to finance such a costly venture were it not for such guarantees of constructive sovereignty.

7. We commend both the Panamanian and the United States' citizens in the Zone for the fact that the transiting of vessels engaged in essential world commerce has never been interrupted. We adhere to the historically proven view that political differences can and must be resolved through discussion and negotiation to the end that the Canal's daily mission as a world waterway be preserved.

8. We endorse the programmed investment of annual surplus funds into improvements in the locks and waterways. We accept the proposition, based on technical and economic studies, that currently programmed improvements can keep up with ship traffic only until 1980. We share the deep concern as to the inadequacy of the Canal and costly delays to vessels which will arise after 1980.

9. We are pleased that Congressional directives have set in motion construction of a new Canal. Historical records tell us that in the 1901 debate in the House of Representatives, a bill to choose the Nicaraguan route passed by 309 to 2. Recent studies reaffirm the feasibility of either the Nicaraguan route, a Colombian route or a second Panama route. All routes and political aspects should be given careful scrutiny; then we must go ahead since it will take a long time to realize the new Canal.

B. TOLLS POLICY AND FINANCIAL ASPECTS

Panama Canal tolls have always been extremely high and have not been adjusted since 1938. A conventional cargo vessel of modern design pays more than $7,500 each way for an 8-hour transit. One of the modern supertankers recently paid over $30,000 to transit one way. Tolls are a significant factor in costs of vessel operation and hence in freight rates. Many shipping and commodity groups have complained about the high level of tolls and its effect on trade. Over 70% of the cargo transiting the Canal is destined to or coming from U.S. ports. Canal tolls, therefore, directly affect the rates on most U.S. exports and imports, and play a vital role in the U.S. competitive position in world trade and in our balance of payments. American vessels account for 18% of the Canal transits and are, therefore, the largest users of the Canal. Our intercoastal ships still are a major factor in Canal transits. They still comprise a key lifeline of trade between the East Coast and West Coast of our country.

Toll revenues since the Canal opened have covered *all* of the costs of Canal operation, *all* of the net costs of running the Zone Government (local U.S. residents pay no local taxes as do other American citizens in the U.S.), *all* of the losses incurred by business facilities in the Zone and *all* of the annual interest payments to the Treasury for the outstanding indebtedness. Toll revenues also have paid for all improvements to the Canal since it opened except for the abortive 3rd Lock project during World War II and except for a bridge which was a concession granted in the 1955 Treaty. The Canal has not had to borrow any capital funds for improvements although it has authority to do so.

The 1951 accounting reforms (P.L. 841) require that the Canal waterway and the ancillary business functions, separately calculated, shall be operated so as to be self sufficient. Since 1951, Canal accounting under the statutory formulas of P.L. 841 has resulted in *not one cent of annual appropriations* for the operation of the waterway or for the Canal Zone Government. Even before 1951, the Canal took in more than it spent (including operating overhead, Zone Government, debt service and amortization of debt), and resulted in *no net cost* to the taxpayer.

In point of fact, the General Accounting Office has testified on two occasions before the House Merchant Marine and Fisheries Committee that the excess over and above all costs of depreciation, interest on the capital investment, operation of the waterway, maintenance, repairs, sanitation, Zone Government costs, business costs, steamship line costs, etc., is $40 million from 1914 to 1951. Audits show that surpluses since 1951 have averaged over $5 million per year. Thus, the surplus to date, after all capital and operations costs, has totalled about $115 million in the 47 years of actual operation of the Canal. Most of this has been expended annually for improvements to the waterway.

There are two reasons why tolls have not had to be increased since 1938. One is that the number of transits has nearly tripled since 1938 and has more than doubled in the last 15 years. The other is that due to the accounting reforms of 1951, the Canal ceased being an "expense account agency" and became a Government corporation with mandates to balance its income and outgo. Through cutting personnel from a wartime high of 18,000 people to its present 13,000, through better use of personnel, through divestment of a number of non-remunerative functions, etc., they have been able to meet higher wages and costs of operation and keep tolls stable.

It is occasionally argued that if the shipowners feel that the tolls are too high, that they should consider the alternative costs of rounding Cape Horn. This is specious reasoning and ignores the main issue, namely, by law and by Treaty, tolls are to be set at a level to recover certain costs of operation and not at a level based on what some alternative might cost.

It could be noted that the Suez Canal reduced its toll nine times from 1869 until 1956 due to operational economies and due to increased revenues from expanding ship traffic. Since 1956, tolls have been stable at Suez and closely approximate tolls at Panama.

C. FURTHER FINANCIAL CONCESSIONS TO PANAMA: EFFECT UPON TOLLS

Concessions granted in previous Treaty revisions have, with the exception of the 1956 bridge concession and the annuity increase of $1,900,000 been paid for through increased costs to the Company and, hence, have fallen upon the toll revenues to meet them. The cost of old Treaty concessions and the generally increased cost of doing business in recent years has brought the Canal to a nearly breakeven point despite high traffic volume. In recent years, surpluses have been between $2–$3 million. Any new concessions would have to be met first by further operational economies. Ultimately, pressure for a tolls increase can be anticipated, although it is not inevitable. In order for there to be a toll increase, however, it is necessary to give six months' notice, provide a full administrative hearing, and incur the collective opposition from shipping interests in many countries as well as foreign governments who will want to probe into the full financial record from 1914. There is a specific tolls formula in the law which must be applied separately from the accounting in the annual chart of accounts. (2CZ 412)

It is the view of users of the Canal that costs which arise from political rather than economic factors, must not be paid from the tolls. Congress itself has recognized this and chose not to charge the Canal operation with the $1,500,000 additional annuity granted in the 1955 Treaty. This is paid from State Department funds. A speech by Senator Knowland at the time the Treaty of 1955 was debated summarized very well the existing Congressional sentiment against putting U.S. political costs, such as annuity increases, upon the backs of world shipping and world commerce.

D. THE CANAL AND NATIONAL DEFENSE

There is much loose talk from time to time regarding the Defense value of the Canal. But so long as we are a maritime power, so long as we have a two-ocean Navy, so long as we continue to rely upon foreign imports for as much as 80 to 90% of certain strategic raw materials, and so long as merchant ships are the backbone of the supply of any military effort far away or near our shores, the Canal is essential to our Security, and that of the Hemisphere and the Free World. Some 12,000 ships transit the Canal each year. The downgrading of the Canal as a Defense factor serves only to weaken our national resolve to preserve our status at the Canal for world commerce and world security.

Pacific American
Steamship Association,
May 16, 1967.

Hon. Dean Rusk,
Secretary of State,
Washington, D.C.

Panama Canal: Current status of treaty negotiations—impact on world commerce.

My Dear Mr. Secretary: Our 50 years' interest in both the economic and political aspects of the Panama Canal prompts us to now express our deep concern based on press reports concerning some of the proposals in the current Panama Treaty negotiations. If brought to pass, they could have an unsettling effect on the future of this vital waterway which affects such a large portion of our export and import commerce.

The undersigned association represents the majority of U.S.-flag vessel owners who use the Canal. While perforce it is the ships which pay the tolls, world commerce and consumers ultimately must pay the bill in the form of higher freight costs. There is therefore an overriding U. S. national interest in Canal tolls, since over two-thirds of all cargoes transiting the Canal are en route to or from U. S. ports.

We are informed there are three treaties under negotiation: a revised Canal Treaty to replace the 1903 Canal Treaty (previously revised 1936, 1954); a new Status-of-Forces Treaty, and a new treaty covering the new route for a new canal in the future. Our concern in this communication is in reference to the first two of these treaties, and the impact on tolls. This letter confirms much of what we have discussed privately with your team of negotiators and advisors.

Although we are not privy to the draft treaty documents, press reports indicate that a proposal has been made in the Canal Treaty that not only operation of the Canal, but also the procedures for setting tolls be taken away from the President and the Congress and placed in the hands of a new bi-national authority. We are not aware of any formula in this new Canal Treaty for setting a limit on how high they could go. We fear that the Canal, whose major source of income is private ships, will become a "Castle-on-the-Rhine." Tolls will then no longer reflect the actual cost of transit, and already some Panamanian officials are talking about asking for a 50% increase or more if they get the chance. The paradox is that tolls already are inordinately high, costing $7,000 for a one-way transit of a modern freighter, and as much as $30,000 for the supertankers. Tolls are high enough now, and have been too high for most of the time since the Canal opened.

Under present law, tolls can be increased only after public notice by the President. Thereafter, a six-month grace period is provided in law, during which hearings must be held (2 CZC 411). There is a statutory formula established in 1950 by Congress by which the President judges the level for the tolls (2 CZC 412). This excellent procedure should not be sacrificed on the altar of hemispheric diplomatic obligations. If increased compensation to Panama is desirable, it can be accomplished adequately without increasing current Canal income. There are several changes which could be made in current Canal statutes to accomplish this, including forgiving the $10 million of interest paid annually into the United States Treasury and $18 million of Zone Government costs now charged annually against toll revenues.

Another aspect of current treaty negotiations that concerns us deeply is the possible impact on tolls of the compensation features in the Status-of-Forces Treaty. Other international canals have not burdened tolls payers for defense costs beyond normal policing costs. Our plea is that the compensation features must adequately reflect the U.S. national interests, and must be financed out of Defense Department appropriations, and not from Canal revenues.

In our view, the compensation provided for in the Status-of-Forces Treaty which is less than the full measure of the security value to the United States is an invitation to additional compensation being sought from toll revenues. We are joined in this plea by shipowner organizations throughout the world who, like ourselves, are prepared to pay appropriate economic costs for the transiting of vessels, but not costs which relate primarily to hemispheric security.

Concurrent with treaty discussions, there are several toll studies under way, by Arthur D. Little Company (commissioned by the United Nations at Panama's request), by Stanford Research Institute (commissioned by the Canal Company), and by a firm of public accountants, all focusing upon how high tolls might go before they would frustrate use of the Canal and force vessels to circumnavigate Cape Horn. In our view, this is a fruitless goal, and violates the historic U.S. role as custodian of the Canal (set forth in the Hay-Pauncefote Treaty) to build and operate a world waterway as the *servant* of world trade. To seek the upper limit of "what the traffic will bear" launches a new and risky concept of the Canal as the *master* of world trade.

The negotiators should endorse the historic cost-of-service concept of tolls, and get off the discredited tack of "what the traffic will bear." Unless they do so, there will be more problems and arguments created by the new treaties than are solved by them.

We attach a more detailed memorandum concerning tolls and other aspects of the United States stewardship in building and successfully operating the Panama Canal.

Very truly yours,
Pacific American Steamship Association,
Ralph B. Dewey, *President.*
American Merchant Marine Institute,
Ralph E. Casey, *President.*

STATEMENT BY U THANT ON THE VIETNAM WAR

Mr. THURMOND. Mr. President, the Secretary General of the United Nations, U Thant, according to news reports, has contended that the war in Vietnam is not a war of Communist aggression, but a fight of national independence against all foreigners, particularly Americans.

With this statement U Thant drops the pose of objectivity and neutrality which is supposed to characterize officials of the

United Nations. It has long been clear that U Thant talks in Marxist terms and that he sympathizes right with the Communist and Socialist regions of the world. I think that it is ridiculous that official U.S. policy continues to uphold U Thant as a distinguished world leader, competent to direct the activities of an international organization.

We pay more for the support of the United Nations than any other country. In fact, we support the maximum that we are permitted to do.

By placing so much confidence in the United Nations we undermine our own unity, our own stability and our own peace in the world. Since the United States today, not the United Nations, is the last hope of the world to keep peace, such a policy of overoptimistic sympathy toward the United Nations is undermining world peace.

Mr. President, I ask unanimous consent that the U Thant article, which was published on July 31, 1967, in The State newspaper, of Columbia, S.C., be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

THANT: VIETNAM WAR INDEPENDENCE FIGHT

GREENSBORO, N.C.—U.N. Secretary-General U Thant contended Sunday night that the war in Vietnam is not a war of Communist aggression but a fight of national independence against all foreigners, particularly Americans.

He called the war a Vietnamese resistance movement and said it will not end until the United States and its allies recognized that.

Thus Thant made his sharpest challenge yet to the U.S. claim that the war is an effort by North Vietnamese and South Vietnamese Communists to subvert an independent South Vietnam.

His remarks were prepared for an expected audience of 8,500 at Greensboro's Memorial Coliseum, including about 1,300 Quakers from 34 countries gathered here for a Friends World Conference.

Prior to the address, Thant told a news conference there could be "meaningful talks within a matter of a few weeks" in Vietnam, if the United States halted its bombing of the north. If the war goes on indefinitely, he said, there are "grave prospects" that Red China will become involved.

He said that he had known various leaders of the "War for Independence" in Vietnam for the last quarter century and that their fight was "essentially nationalist, not Communist."

Like other previous resistance movements in Asian colonial areas, he said, the Vietnam "struggle was primarily motivated by patriotism and nationalism, not political ideology."

"I feel increasingly that the war could have been settled by appropriate discussions and negotiations earlier, without the necessity of resorting to violence," he said. He indicated such a solution would be possible if the war were approached as a "national independence movement," rather than as a Communist bid for aggression.

ABOLISH THE SUBVERSIVE ACTIVITIES CONTROL BOARD

Mr. TYDINGS. Mr. President, all of us are aware that the cost of Vietnam makes it imperative that we economize in every possible way this year. Although many Government programs cannot be curtailed because they are essential to the national welfare, there are some programs which are so obviously expendable that for reasons of economy they must be eliminated. A glaring example of an agency which has outlived its usefulness is the Subversive Activities Control Board.

Created in 1950, the Board now has nothing to do. The five-member Subversive Activities Control Board is supposed to determine, on application of the Justice Department, whether or not a suspected organization should be required to register as subversive. Since the Supreme Court has ruled that such registration violates the fifth amendment's guarantee against self-incrimination, the Attorney General has not referred a case to the Board for a hearing for over a year; the Board's last formal meeting was 6 months ago; not a single hearing has been held in the last 20 months.

In other words, the Board's continued existence makes a mockery of our pledges of economy. It is shocking that $330,000 of the taxpayers' dollars are spent each year to continue its negligible operations.

Some have argued that $330,000 is not much money, particularly when compared with the $1 million spent for a fighter plane or $5 million spent for a bomber. One of my distinguished colleagues in the Senate has stated that $300,000 a year is a paltry sum to pay for the potential good which the Subversive Activities Control Board can do.

I, for one, Mr. President, do not wish to see this substantial sum spent for "potential" good—I would like to see it spent to do "actual" good. This Nation has too many urgent problems which need action now—in education, transportation, pollution control, and health, to name but a few—to waste 1 cent of the taxpayers' money.

And instead of comparing the Board's budget to the cost of a fighter plane, I would like to change the perspective.

The annual appropriation for the Subversive Activities Control Board is $330,000—a handsome sum. This money would not buy a fighter-bomber, but it could, for example, support for 2 years the budget of a Headstart program in Baltimore County. Three hundred and thirty thousand dollars could insure that 180 preschool youngsters from disadvantaged backgrounds receive the extra attention and preparation they need to succeed in school. The $26,000 salary of a single member of the Board could finance for a year a remedial reading and preschool training project in Cambridge, Md.

It is extremely difficult, Mr. President, to obtain funds to continue programs like these. Yet the $330,000 appropriation for the superfluous Subversive Activities Control Board continues to breeze through Congress.

Examples of how this money could be put to better use could be multiplied endlessly. I am sure that each of my colleagues has in his head a list of urgent needs in his State which must be deferred and postponed due to reduced appropriations this year.

There has been in recent days a great deal of controversy and criticism over the appointment of Mr. Simon F. McHugh, Jr., to the Subversive Activities Control Board. I would agree with much of this criticism. In particular, I disapprove strongly of the manner in which Mr. McHugh's nomination was confirmed in this body. His name was not placed on the Executive Calendar which alerts Senators to Presidential nominations awaiting confirmation by the Senate. We were not notified that his nomination was being brought up for approval. As a result, most Senators, including myself, did not realize that this vote was about to be taken and were not present on the Senate floor.

In fact, there was no real "vote" at all. The nomination was approved by a motion to which no one objected. But only a handful of Senators were present, and I doubt that any of them were acquainted with the background of this nomination. The Senate, therefore, had no real opportunity to vote on whether Mr. McHugh is qualified for the post to which he was appointed.

Still, the method of McHugh's confirmation and the extent of his qualifications are not really the central questions. His qualifications seem to be as good as anyone needs for a job which has no duties, let alone qualifications.

Attention should properly be focused on whether the Subversive Activities Control Board should continue to exist at all. Because it has virtually no functions to perform, I submit that the Board should be abolished.

For this reason, I asked the Senator from Wisconsin [Mr. PROXMIRE] to add my name to the list of sponsors of his bill, S. 2146, which would abolish the Subversive Activities Control Board and transfer its responsibilities to the Department of Justice. The bill would save the taxpayers a third of a million dollars a year, and any residual duties of the Board can be handled equally as well by the existing staff of the Justice Department.

I believe this amount of money is worth saving. As Senator PROXMIRE has said, our failure to eliminate such a blatantly useless Board would make a transparent sham of any boast by Congress of an interest in economy. I heartily concur.

THE PANAMA CANAL—STRATEGIC KEY TO THE AMERICAS

Mr. THURMOND. Mr. President, during recent weeks, I have made a series of statements in the Senate on various aspects of the interoceanic canal problem, quoting basic documents in its juridical setup and the texts of the proposed new treaties with Panama dealing with the Panama Canal.

As many have previously pointed out, the control of this strategic waterway is not an isolated problem, but the part of a highly organized long-range program of Communist revolutionary power for world domination through gaining control over strategic waterways and areas. Other elements in the current crisis in world strategy are the Suez Canal-Red Sea route to the Middle East and Far

East, Southeast Asia for the dominance of the Malay barrier and its waterways between the Pacific and Indian Oceans, and southern Africa for controls of the sea routes around the Cape of Good Hope.

The Suez Canal is now blocked by Egypt, forcing vessels from Europe to sail around the Dark Continent where the ports of strategic South Africa are indispensable for servicing them. In Southeast Asia our country is waging a major war for the security of that key region. In Panama, U.S. ownership and control of the Panama Canal are under juridical and diplomatic attack by alien powers, aided and abetted by influences in our own Government, and aimed at wresting control of the Canal Zone from the United States and driving our country from the isthmus altogether.

The proposed cession of sovereignty over the Canal Zone would inevitably lead to a Red takeover of Panama and the transforming of that country into another Cuba at a time of unprecedented peril.

A recent article in the Washington Report of the American Security Council by Anthony Harrigan, distinguished student of world strategy and associate editor of the Charleston News and Courier in my State, ably summarizes key points that others have made concerning the crucial importance of the United States maintaining its indispensable sovereignty over the Panama Canal undiluted, and some new issues in the overall picture.

Mr. President, in order that the article may be readily available to Senators, I ask unanimous consent that it be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

THE PANAMA CANAL: STRATEGIC KEY TO THE AMERICAS

(By Anthony Harrigan)

Even as the maritime nations of the world assess the economic damage caused by closure of the Suez Canal, the U.S. public is confronted with the possibility of a fresh crisis involving the future of the Panama Canal.

In late June, President Lyndon B. Johnson and President Marcos A. Robles of Panama issued a joint announcement reporting that negotiators have agreed on new treaties covering the Panama Canal and a possible new sea-level inter-oceanic canal. While the substance of the treaties has not been divulged, there is profound concern in Congress that the draft treaties may involve a massive giveaway of U.S. security interests and sovereign rights in the Canal Zone.

The danger of such a giveaway has been apparent for some time. Indeed, the best informed students of the isthmian canal situation hold that the current negotiations began on a dangerous and improper basis for, in September 1965 President Johnson and Robles, agreed to joint negotiations leading to abrogation of the 1903 treaty in which the U.S. gained sovereign rights in the Canal Zone. Many press and public discussions of the current negotiations have assumed that abandonment of U.S. sovereign rights is now the settled United States policy.

This assumption of a surrender of sovereignty is unfounded. As members of Congress have pointed out, the Executive Branch of our government has a clear-cut responsibility to safeguard U.S. sovereign rights, power and authority in and over the Panama Canal and Canal Zone. Vice Admiral T. G. W. Settle, USN (Ret.) and Dr. Donald M. Dozer, in a report on the canal issue prepared for the Center For Strategic Studies of Georgetown University, noted earlier this year:

"We do not accept the view that a presidential statement that purports to abrogate a treaty which has been constitutionally ratified and to relinquish sovereign control over legally acquired territory of the United States should be allowed . . . to block a full and open-minded consideration of the canal problems."

Though the United States currently has its attention principally focused on Southeast Asia and the Middle East, it cannot be unmindful of the dangers in this restless hemisphere. The recent visit of Premier Kosygin to Communist Cuba, where he held consultations with Fidel Castro, is a reminder that the Soviets have not relinquished their politico-military objectives in the Caribbean, Central America and South America.

Further Soviet-Cuban moves certainly will involve Panama. Indeed, the danger is that Panama will become another Cuba in 1968. Panama will hold a presidential election next year and leftist elements have been marshaling their forces for a confrontation with the United States over the Panama Canal. These elements oppose any treaty which allows the U.S. to maintain armed forces in the Canal Zone or any part of Panama. In brief, they hope to be as successful in ousting the United States as Colonel Nasser of Egypt was in removing British troops and influence from the Suez area in 1956. Behind the Panamanian extremists is the controlling hand of the Soviet Union.

The Soviet role in agitation to force the U.S. to abandon sovereign rights over the Panama Canal has been spelled out by U.S. Congressman Daniel J. Flood (D-Pa.), who has devoted years to the study of the canal question and to defense of U.S. rights to that strategic waterway.

"The basic question," Congressman Flood recently declared, "in the proposed surrender of U.S. sovereignty there is not U.S. control over the Panama Canal versus Panamanian control but American control versus communist control." In the Near East, he added, "Egypt, with Soviet collaboration, not only denies transit of the Suez Canal to some countries but also threatens to block that waterway completely if any move is made contrary to the dictates of Nasser and the Soviets. These facts emphasize with greater force than anything I can say about the peril at Panama."

If Panama were Switzerland, there might be a valid argument for a sharing of authority over the canal. Panama, however—a turbulent nation of 1.2 million people—is notoriously unstable. Dr. John D. Martz has described "this bizarre and unique little nation" as "the most unpredictable republic of all Central America."

Though fiercely proud of their independence, the people of Panama are plagued by illiteracy, poverty, and faction-ridden political institutions. Control of the Panama Canal is used by unscrupulously political leaders as a means of exciting and manipulating the population, whereas the real needs of the country involve improvement in agriculture, cattle-breeding and development of light industries. A great majority of the population has little or nothing to do with the canal or its associated commercial enterprises. As in Egypt under Nasser, however, a single, emotional issue serves as a smoke screen which obscures the inadequacies of the country's leadership in terms of economic development.

The United States government, in trying to maintain peace and good will in Panama, has erred in following a policy of appeasement of Panamanian extremists. The massive mob assaults of January 9, 1964, in which U.S. citizens were killed, were the bitter fruit of this appeasement policy. Throughout the 1950's, the U.S. made concessions to Panamanian opinion, only to have demands escalate and violence spread. Mob attacks and threats of future violence have constituted Panamanian blackmail of the United States.

Those who argue for further concessions to Panama, including the ultimate concession of a giveaway of U.S. sovereign rights to the canal, insist that a new deal on canal questions would produce an era of good feeling. They insist—without offering supporting evidence—that the canal always would remain open and available to the U.S. if the United States restored Panama's sovereignty.

This argument is unconvincing, however. Congressman Flood has rightly pointed out that "if we cannot control the Panama Canal and Canal Zone over which we hold sovereignty in perpetuity under treaty grant with responsible treaty rights and which we own by purchase from individual owners, how can we hold any canal over which we do not have such authority and ownership and what is to prevent our country from being driven altogether from the isthmus?"

Apologists for Panama argue that the Panamanians have the most at stake—that the 10-mile-wide, 48-mile-long Canal Zone is the heart of the small republic. Ignored in this apology, however, are the vital interests of the other countries in the Americas. The United States has invested almost $5 billion in the Panama Canal Zone, and certainly Panama is in no position to compensate the U.S. for any losses we might receive under relinquishment of U.S. sovereignty. Moreover, the efficient operation of the canal is essential to other Latin nations. Eighty-seven and one-half percent of the imports and 79 percent of the exports of Peru pass through the Panama Canal. For Chile, the comparable figures are 88 and 83 percent. Thus, these and other nations in this hemisphere have a vital stake in a well-run inter-oceanic canal that is open to all free nations at all times. Panama, obviously—because of its lack of engineering and managerial personnel—lacks the technical capability of operating the canal in an efficient manner.

All questions of Panamanian technical performance aside, however, the basic canal situation is one of hemispheric security. To turn over the canal to the Panamanians or to revise the canal management system so as to achieve temporary political accommodation at the expense of operational effectiveness, would be a disaster for all concerned.

The inter-oceanic canal question has many aspects, some of them highly complex. Supporters of a sea-level canal advocate a new canal across Panamanian territory as part of a package treaty deal with Panama. Other students of the canal problem insist that a less expensive procedure would be to improve the existing lock system. Indeed, if the U.S. were to build a new inter-oceanic canal, it might be far better to construct it across Colombia or Nicaragua, as has been suggested in some proposals. Still in force is an agreement, concluded early in the century, under which the Nicaraguans authorized U.S. construction of a canal system. If U.S.-operated inter-oceanic canals were in two Central American countries, instead of one, the United States would have additional political leverage in dealing with future canal operations.

It should not be forgotten that in 1956, after Nasser seized the Suez Canal, the Panamanians turned on their beneficent neighbor to the north. Demands were voiced for nationalization of the Panama Canal.

The United States, as a gesture to Panamanian pride, made numerous concessions. Each agreement, however, produced new waves of Panamanian agitation and protest. North Americans have a right to conclude, therefore, that Panama's signature on one or more treaties in 1967 would not end harassment of the United States.

U.S. citizens should never forget that the Panama Canal is the geographic center of the Western hemisphere and a crossroads of world trade. The Canal Zone is a control point vital to the barring of a deep Soviet penetration in Latin America. If the U.S. surrenders its sovereignty over the canal, this surely will be a signal to Latin American leftists to begin a general assault on anti-communist governments.

The Soviets, for their part, want the Western powers deprived of all authority over key waterways, as part of their new maritime strategy of conquest. They already have a powerful bastion in Cuba, and Panama is a logical stepping stone to communist domination of Central and South America. Thus, if the United States surrenders its sovereign rights over the Panama Canal, it will be slashing its own "jugular vein" in this hemisphere.

The United States certainly wants to be a good neighbor to Panama. No doubt the "colossus of the North" stands ready to do more to help Panamanians diversify and strengthen their economy. Surrendering U.S. sovereign rights in the Canal Zone, however, is not the way to render assistance. With the U.S. out of the Canal Zone, the "big ditch" across Panama soon would be as much under Soviet control as is the White Sea-Baltic Sea Canal.

GUN CONTROL, CRIME AND THE RIOTS

Mr. TYDINGS. Mr. President, I invite the attention of Senators and of the Nation to two very fine editorials which have appeared in the Baltimore Sun. They are entitled "Snipers" and "What To Do." The editorials point out that the recent Detroit and Newark riots were fueled by snipers, many of whom could easily have obtained their weapons through the mails. If the Watts and New Jersey experiences are any indicator, many of the Detroit snipers did get their guns through the mail.

The Senate has pending before it S. 1, a comprehensive gun control bill, which would bar the interstate mail-order sale of handguns, rifles, and shotguns to individuals. This bill has been strongly requested by President Johnson every year for the last 3 years. All the law-enforcement agencies of the Federal Government as well as the International Association of Chiefs of Police, the Defense Department, and law-enforcement officials across the country have asked for this bill.

Federal legislation is absolutely necessary to keep mail-order guns out of the hands of rioters, other criminals, juveniles, and lunatics, because any State gun laws can easily be subverted by interstate sale of guns, especially through the mail. Only the Federal Government can practically regulate interstate commerce in guns. A State's own gun laws can be rendered useless if someone can merely order a gun through the mail or cross a State line and purchase a gun forbidden him in his own State. The prompt enactment of S. 1, the State Firearms Control Assistance Act, is essential to the protection of the American people from the presently nearly unlimited traffic in guns.

I recently wrote an article, at the request of the General Federation of Women's Clubs, more fully dealing with the need for and provisions of S. 1. I ask that that article as well as the Sun editorials entitled "What To Do" and "Snipers" be printed in the RECORD at the close of my remarks.

A second suggestion made by the Sun editorial "What To Do" is that Congress provide the means for a thorough and professional investigation of rioting and its effects. This is a constructive suggestion which Congress should follow. The vehicle for such an investigation is already at hand in the bill I have introduced with the Senator from Utah [Mr. Moss] to create a joint committee of Congress to investigate crime.

The joint committee would have the stature, competence, and charter to probe into the details of the riots as well as all crime and the problems of criminal justice which have been plaguing our Nation. A Joint Committee on Crime could provide the means for Congress to study all aspects of the crime problem including riots and their immediate and underlying causes.

We have a Joint Committee on Economics, a Joint Committee on Internal Revenue Taxation, and Joint Committees on Reduction of Nonessential Federal Expenditures, Atomic Energy, and Defense Production. Congress should have a joint committee equipped with a full-time staff of experts to deal with the urgent national problem of crime, including the riot epidemics.

Swift action to create a Joint Committee on Crime would be an effective first step in analyzing the problems of violence plaguing our country.

The **PRESIDING OFFICER.** Is there objection to the request of the Senator from Maryland?

There being no objection, the items were ordered to be printed in the RECORD, as follows:

SNIPERS

A sniper on a tenement roof in Newark, exercising his Constitutional right to keep and bear arms, is clearly a menace. Sportsmen and misguided patriots who insist that the Federal Government has no right or reason to put restrictions on the sale of firearms contribute to the ease with which drunks, criminals, children, dope addicts, and the mentally ill can turn themselves into lethal snipers.

The bill pending before a congressional committee would not make it impossible for all dangerous people to arm themselves, but it would make it tougher for many and impossible for some. The bill aims mainly at mail-order sale of guns. As long as slum snipers—or presidential assassins—can buy weapons through the mail without the knowledge of local officials, no local or State gun control legislation will be effective, and only the Federal Government can effectively tackle that problem.

WHAT TO DO

There are two things Congress can do immediately to help in the urban race crisis now gripping the nation. One, it can pass a bill dealing with the the mail-order sale of guns. The Detroit riot shows that snipers—organized or not—can keep a city in chaos for days. If it were not for the snipers there, the police, or at least the police and National Guard, could have brought law and order back probably within 24 hours. But because of the snipers, after three days the fight still raged, even with the addition of back-up assistance of over 4,000 regular Army paratroopers.

If it were not for the mail-order sale of guns, snipers would have greater difficulty in getting them. A Senate Judiciary Committee investigator said after a visit to Newark that most of the guns confiscated in the riot area there were mail-order guns. New Jersey has tough laws of its own, but as long as people can order firearms through the mails, local and state laws are of little effectiveness.

Two, Congress can provide for a thorough professional investigation of rioting. It should not be just a who-shot-whom, or who-set-fire-how affair, either. If there is an effective conspiracy afoot, that needs to be known; but more important is why cities are so vulnerable to the destruction and social disintegration of the past four years. It goes without saying that whoever investigates this state of affairs—Congress, the White House, a special commission—should completely avoid partisan politics.

WHAT CONTROLS SHOULD THERE BE ON GUNS?

(By Senator JOSEPH D. TYDINGS)

Fifty million guns are in private hands in the United States. And that number is rapidly increasing. Guns enter private hands in the United States *by means of import alone* at the rate of nearly 20,000 a week, every week of the year. We are paying a very high price for this enormous gun traffic. During 1965, 5,600 murders, 34,700 aggravated assaults, and the vast majority of 68,400 armed robberies in this country were committed with guns. All but 10 of the 278 law officers murdered in this country between 1960 and 1965 were shot down with firearms.

Yet practically no effective state or federal laws exist to control the gun traffic. In nearly every state in the Union, anyone, regardless of his age, criminal record, or state of mind, can buy a gun or order one by mail, using order forms conveniently provided in sporting magazines nad even comic books. In almost every state in the Union it is easier to buy a gun than to register to vote. It is easier to buy a gun than to get a driver's license or a prescription cold remedy.

The assassination of President Kennedy with a thirteen dollar, imported Italian rifle, which Lee Harvey Oswald ordered by mail under an assumed name and had delivered to a post office box, riveted American public attention on the menace we face from the large-scale, nearly unlimited dissemination of firearms in this country. A 1966 Gallup Poll shows that 67% of all Americans favor much stronger gun control legislation.

For five years, Congress has had before it reasonable proposals to deal with the virtually unregulated gun traffic in this country. For the past three years, President Johnson has strongly endorsed, and I have cosponsored, federal regulation of firearms to help the states enforce the gun control laws they adopt for themselves. The President's bill has six major features:

1. It prohibits the interstate mail order sale of handguns, rifles, and shotguns to individuals. However, individuals would still be able to order guns by mail from sources within their own state.

2. It prohibits over-the-counter sale of hand guns to non-residents of the state in which the sale is made. But travelers from out-of-state could still buy a rifle or shotgun over-the-counter.

3. It prohibits sale of rifles and shotguns to youngsters under 18 and would prohibit sale of handguns to anyone under 21. But adults could still purchase guns for youngsters, so nothing in the bill would prevent a boy from learning to shoot and hunt.

4. It requires federal licensing of all dealers, importers, and manufacturers of firearms, in order to secure their compliance with the act and other federal laws concern-

ing firearms. But it would not require any present owner or future purchasers of any firearms to register his weapons with anyone or have a permit to buy, keep, or use those weapons.

5. It prohibits importation of military surplus handguns and regulates importation of all other firearms. But it would not prohibit importation of sporting and hunting weapons or antiques.

6. It provides for stringent control of destructive devices, (such as hand grenades), anti-tank guns, bazookas, mortars, and other similar military weapons.

In short, the President's proposal to regulate the gun traffic is a modest attempt to provide a degree of protection to the public against the menace of the gun traffic. As such, it has received overwhelming endorsement by law enforcement officers all across the country.

Why has Congress not passed the President's gun traffic control proposal? The answer is that those who oppose regulation of the sale of firearms—especially the National Rifle Association—have made the President's firearms bill the target of one of the most intense pressure campaigns I have ever seen. I have received thousands of letters against the bill, most of them based, I am sorry to say, on misleading propaganda and misinformation put out by the gun lobby.

These letters generally express four false charges against the gun traffic control bill.

First, some opponents of firearms regulation assert the President's bill is a part of a campaign to disarm law-abiding citizens. In fact, the bill only places reasonable restraints on the interstate shipment and sale of firearms, to reduce the chance they will fall into the hands of criminals, lunatics and juveniles. The bill does not require or contemplate registration or surrender of firearms by their owners, and would not prevent any law-abiding adult from walking into his local store and buying or ordering a gun.

Second, opponents of the bill argue that it imposes unfair restrictions on sportsmen. The only restriction this bill imposes on sportmen is that they must purchase their hand guns in their own state. This provision will help states enforce their own effective gun laws by preventing their residents from purchasing hand guns in a neighboring state with lax gun laws. (One study by the Massachusetts State Police showed that 87% of concealable firearms used during the commission of crimes there are obtained from sources outside the state.) But sportsmen will still be able to buy rifles and shotguns in any state in the Union, regardless of their state of residence.

The third argument the opponents of the gun control bill make is that despite any gun control measure criminals will still get guns. Therefore, to reduce gun crimes, stronger penalties for gun crimes, not reasonable controls on gun sales, are the answer. The record shows, however, that stringent penalties for gun crimes do not control gun crimes. The death penalty for murder did not prevent 4,760 gun-caused murders in 1963 or 5,600 in 1965. The prospect of long terms in jail did not prevent the 34,700 gun-committed aggravated assaults in 1965.

On the other hand, states which have enacted strong gun control laws have experienced significantly lower gun crime rates than states which have lax laws or no laws at all. Fifty-seven percent of all murders in the United States between 1962 and 1965 were committed by gun. In four states which have effective gun laws, however, gun murders made up 43% of the total murders in Pennsylvania, 39% in New Jersey, 35% in Massachusetts, and 32% in New York. In stark contrast, states with minimal or no gun laws experienced sharply higher gun murder rates. The percentage of all murders committed with guns was 59% in Colorado, 62% in Louisiana, 66% in Arizona, 68% in Montana, 69% in Texas, and 70% in Nebraska. The reason effective state gun laws do not work even better is that existing Federal law undercuts them by allowing guns to be purchased by mail-order or purchsed under looser laws in nearby states and then smuggled in.

The fourth and least valid argument against an effective federal gun law is that such a law would violate the Second Amendment to the Constitution which provides that:

"A well-regulated militia being necessary to the security of a free state, the right of the people to keep and bear arms shall not be infringed."

The President's gun control proposal does not infringe anyone's right to keep or bear arms, except the lunatic, juvenile, and criminal. The proposed bill only places some reasonable restraints on how such weapons may be sold and purchased. In any case, in the light of history and the consistent interpretation of the Second Amendment by the Federal courts, there can be no doubt that the purpose of the Amendment was to preserve state militias, not to give every citizen an absolute right to acquire any weapon he chooses from any source he chooses. Commenting on this assertion by the gun lobby, during his testimony before the Senate on the President's gun traffic control bill, the Attorney General of the United States said:

"With respect to the Second Amendment, the Supreme Court language made it clear that the amendment did not guarantee to any individuals the right to bear arms."

In short, passage of an effective federal law to protect the American people from the unlimited gun traffic and to help the States enforce their own gun laws has been blocked by a very small, but very vocal minority, using invalid arguments. The reason this bill has not been passed is that the overwhelming majority of Americans who favor reasonable gun control legislation have not been mobilized to write their Congressman and Senators in favor of such legislation.

Fortunately, things are changing. A new national organization, the National Council for a Responsible Firearms Policy, has recently been organized to work for reasonable and effective gun control legislation. The President and Vice President of the new organization, I am proud to say, are both Marylanders: Mr. James V. Bennett, distinguished Director of the Federal Bureau of Prisons from 1937 to 1964 and Chairman of the Criminal Law Section of the American Bar Association and Mr. Leonard Blondes of my own State of Maryland, a member of the Maryland House of Delegates, whose efforts secured passage of Maryland's first effective hand gun control law.

The National Council for a Responsible Firearms Policy needs your help. If you wish to become a member to work for reasonable gun traffic control, you can write "The National Council for a Responsible Firearms Policy", 100 Maryland Avenue, N.E., Washington, D.C. 20002, for information.

In the meantime, I urge you to write your Congressman and Senators and tell them you support and want them to vote for Senate Bill No. 1, the President's proposal to curb the growing menace of the gun traffic.

REPUBLICAN LEADERSHIP STATEMENTS ON ACTS AGAINST THE PUBLIC SAFETY

Mr. DIRKSEN. Mr. President, following the meeting of the Republican leadership of Congress on August 2, Representative GERALD R. FORD and I issued statements to the press. I ask unanimous consent that they be printed in the RECORD.

There being no objection, the statements were ordered to be printed in the RECORD, as follows:

Statement by Senator Dirksen

No person has a right to act against the public safety, anywhere, any time. There is no excuse—ever—for riot, arson and murder. On this Americans are agreed.

Americans also agree that—

When near-anarchy exists in this nation—

When trouble-makers defy the law, incite rioting, burning, pillaging and murder—

There must be action. Its urgency is extreme.

Punishment of those who break the law must be swift and decisive—no matter who they may be.

The protection of life and property must be primary and total.

The re-enforcement of every arm of the law everywhere must be maximum. There can be no compromise with crime—and crime is exactly what this is.

Republicans in Congress and across America call for firm, certain action at all levels and in total strength.

Explanations for this war in America's streets are many. Some may be well-founded. Others are not. To find the right answers is our first duty.

The Administration has named a "blue ribbon" commission to work to this end. This is not enough—not nearly enough. Congress itself must act to determine promptly the causes and the cures of this frightful situation. The Congress—for the people—must provide the solutions. Our people *must* be made safe in their homes, at their jobs and on the streets.

Mr. Ford and I, with many of our colleagues, have filed a resolution calling for immediate creation of a Joint Committee of the Congress to investigate riots and violent civil disorder, with full powers necessary to this purpose.

Additional measures having similar objectives have been filed by others in Congress. The Government Operations Committee of the Senate may be named to take initial investigative action. Whatever is done must be done promptly, without partisanship. We are all in this boat together and the winds are raging.

We repeat, punishment must be swift for those who break the law—whoever they may be. There must be *no* reward for those who riot and destroy.

But—There *must* be found workable solutions to this unrest and violence that will permanently assure eradication of these evils.

There *must* be achieved a restoration of that strength-in-unity that has made America great and will keep America free.

Statement by Representative Ford

The statements just made by Senator Dirksen have my complete and wholehearted support.

This war in our streets *must* be brought to the earliest possible end for the safety and benefit of every American citizen.

I am wholly confident that the Congress and, hopefully, the Administration, will promptly and accurately determine the root causes and enduring cures for this malignant social cancer.

The Republican Leadership of the Congress believes that there are immediate steps to be taken by all of us—now. In our January appraisal of the State of the Union we urged several of these:

A total re-vamping and re-direction of the Poverty War—where waste has been astronomical and administration ineffective. We said then and we repeat:

"We want an Opportunity Crusade that will enlist private enterprise and the States as effective partners of the Federal Government in this fight. We would give the children of poverty the very highest priority they deserve. As Republicans have urged for two years, Head Start requires follow-through in the early grades."

Creation of a new Industry Youth Corps "to provide private productive employment and training on the job".

The passage of a Human Investment Act "to induce employers to expand job opportunities for the unskilled".

The enlargement of "opportunities of low-income Americans for private home ownership".

Support for a system of tax sharing to return to the States and local governments a fixed percentage of personal income taxes without Federal control.

The elimination of the poverty of realistic ideas among Poverty War officials.

We believe that in vastly expanded educational opportunities and productive job training the earliest and best of these solutions will be found. A closer application of Federal resources to local needs is clearly necessary.

In help—and self-help—for this generation of Ameriacns, in help—and opportunity—for the next generation—we will find the answers we seek and *must* have.

TREATMENT OF STRIKING FARMWORKERS SHOWS THEIR NEED FOR COLLECTIVE BARGAINING

Mr. WILLIAMS of New Jersey. Mr. President, the Subcommittee on Migratory Labor of the Committee on Labor and Public Welfare has been, and is, conducting hearings on S. 8, which would provide farmworkers with the same type of legal protection to organize and bargain collectively as is presently afforded to the workers under the National Labor Relations Act as amended.

In this connection the subcommittee, of which I am the chairman, recently completed 2 days of hearings in the Rio Grande Valley of Texas concerning this subject.

A recent interview of William L. Kircher, director of the AFL–CIO Department of Organization, and an editorial in the AFL–CIO News were on this subject. Both discussed the treatment of farmworkers in the Rio Grande Valley by Texas Rangers. Mr. Kircher was interviewed on the AFL–CIO public service program, Labor News Conference, heard over the Mutual Broadcasting System.

I commend these articles to Senators and to other readers of the Record and ask unanimous consent that they be printed in the Record.

There being no objection, the items were ordered to be printed in the Record, as follows:

A Page From the Past

What has been happening to farm workers in the Rio Grande Valley is a newly-printed page from a half-forgotten past—a black past which America renounced more than 30 years ago.

Here is a struggle that evokes grim memories to those of the older generation; memories of workers desperately struggling to organize against the unbridled opposition of their employers, the community and those who command the police.

The farm-owners in this Texas valley may not, in fact, be more bitterly opposed to union organization of their workers than many employers in other fields. The commander of the Texas Rangers may not be more hostile to union members (or to Mexican-Americans) than many of his counterparts elsewhere. The difference is this: These other employers and these other police officials must restrain their anti-union zeal to the limits established by federal law.

But farm workers are outside the law. They are not even given the protection of the National Labor Relations Act, limited as that may be. Their right to organize and to bargain collectively is not recognized by statute.

They are still in the jungle, and they must wage jungle warfare to establish a little clearing in which to build some measure of shelter from its perils.

There is no proper place in American society for jungle law. Farm workers should and must have the same rights as other workers.

The exclusion of farm labor from the labor relations law was opposed by unions from the start, and the AFL-CIO is leading a drive to reverse this old injustice. The events in Texas have dramatized the need—a need Congress should promptly meet.

Huelga on the Rio Grande

Guest: William L. Kircher, director of the AFL–CIO's Department of Organization.

Panel: Stanley Levey, labor correspondent for the Scripps-Howard Newspapers; Sam Sharkey, labor specialist for the Newhouse Newspapers.

Moderator: Harry W. Flannery.

Flannery: Labor News Conference. Welcome to another edition of Labor News Conference, a public affairs program brought to you by the AFL–CIO. Labor News Conference brings together leading AFL–CIO representatives and ranking members of the press. Today's guest is William L. Kircher, director of the AFL–CIO's Department of Organization.

For more than a year, farm workers in the Rio Grande Valley in Texas—most of them Mexican-Americans—have been striking to win recognition of their union, the United Farm Workers Organizing Committee, AFL–CIO. Here to question Mr. Kircher about that effort and developments that have recently drawn it into the national spotlight are Stanley Levey, labor correspondent for the Scripps-Howard Newspapers, and Sam Sharkey, labor specialist for the Newhouse Newspapers. Your moderator, Harry W. Flannery.

And now, Mr. Levey, I believe you have the first question?

Levey. Mr. Kircher, every day in the press you read stories of unrest, arrests and trouble down there in the Rio Grande Valley. What is the cause of it all?

Kircher. Mr. Levey, it is the whole area of change. This always causes some dislocation and what people generally refer to as trouble.

Farm workers in the Rio Grande Valley have just reached the point where they don't want to be third-class citizens any longer. They don't want to continue to work at back-breaking jobs at ridiculously low rates of pay. They are tired of being kept out of the mainstream of what we like to call the Great Society, denied the privileges of a collective bargaining base. And, they are intent on doing something about it. This is what is going on.

They are building a union, because the whole process of unionism is the one, real self-help program for people to do something about their impoverished conditions.

Sharkey: What has been the cause of the battling that has been going on down there? I believe the Texas Rangers have been involved in it and so on. Where does that all stand?

Kircher: Mr. Sharkey, I think you really have to start by understanding the entire power structure of the area.

The Rio Grande Valley is, I have been told rather authoritatively, the most impoverished area of the United States. And for many, many years, folks have enjoyed—those in the power structure—the pleasure and privilege of doing what they wanted to with workers, when they wanted to.

The more a power structure becomes set in its ways, the more they get upset by anything that tends to change it. So we have had local law enforcement people who have caused trouble—the Texas Rangers have come in and used the worst kind of methods.

Sharkey: What are some of those methods? I believe the Texas Advisory Committee of the U.S. Civil Rights Commission has issued a report on that.

Kircher: I think that basically, what the Texas Rangers have done, is come into the Rio Grande Valley and consider their job there to be that of helping to get the crop harvested, produced and marketed without any incident, despite the fact that there is a strike going on. Anybody who knows anything about a strike knows that its purpose is to upset the general production schedule—to keep these things from happening.

The Rangers have come in and placed themselves squarely on the side of the employers.

The things that they have done from that point—with that kind of attitude—shoved the people around a great deal—we have had a few people who have been physically beaten by the Rangers. We have had situations where some of the people working in the fields as strikebreakers learned that the strike was going on and what it was all about, who tried to leave the fields and join the strike, and were literally shoved back in the fields by the Rangers. These are some of the things that have happened.

Levey: Mr. Kircher, let's get some of the dimensions of this problem. How many farm workers are there in that part of the world? How much are they earning? What do they want?

Kircher: It is hard to simplify, Mr. Levey, wage levels, work-force and so forth, where agricultural workers are concerned, particularly when they are migrants. The stream of migrant farm workers that each year fans up through the central United States, and east and west, originates in this particular area—comes out of the whole broad Rio Grande area. These are the people who start out in April, picking canteloupes at Starr County, where this strike is occurring and end up 2, 3, 3½ months later up in the northern tip of Michigan and Wisconsin in the fruits and cherries. They work all along the way.

The exact number involved is very hard to estimate. I should say that in the course of one year, out of this area—including the green card workers who come out of Mexico itself—those farm workers who are based in the southern part of Texas—that there are probably as many as 200,000 to a quarter of a million workers who are ultimately involved in this great migrant stream.

Levey: But not that many are involved in your organizational efforts right now?

Kircher: Not right now.

Levey: A few thousand are involved in this strike situation?

Kircher: Yes. I would say there are probably something in the neighborhood—at harvest peak—something between 3,500 and 4,000 workers in this particular area, which is mainly Starr County—a large county that borders on the Rio Grande River. The biggest farm involved is the La Cosita ranch, or the La Cosita farm, which is one of the largest in Texas.

Flannery: What do they get paid?

Kircher: Well, of course our organizing effort, Mr. Flannery, has raised the wages, as it always does. As you know, one of the best ways for a worker to get a wage increase is for the union organizer to appear at the front door, because all over the country, employers seem to feel that the best way to keep the union organizer away is to give people wage increases.

Now, he doesn't do that until the organizer shows up. This is why the labor movement represents probably 90 percent of the workforce in this nation, and an awful lot of people who don't pay union dues. The kind of thrust that we give our organizing effort causes employers to raise their wage levels even before they are organized.

So, we are reasonably certain that we have added, in the last year, probably 15 to 25 cents an hour to wage levels that, as nearly as we can find out, were probably, at the time the strike started, somewhere between 65 and 75 cents an hour, and are today, probably somewhere between 75, 80 or 90 cents an hour.

Levey: That is still way under the minimum wage, isn't it?

Kircher: Oh, certainly. If these people worked at those wages—if a farm worker worked at the wage of $1 an hour—he would have to work somewhere in the neighborhood of 3,400 hours a year, just to earn what is considered the poverty level. And to work 3,400 hours a year, he would have to work approximately 14 hours a day, every day of the work-week, for 52 weeks.

Sharkey: What are you asking in wages?

Kircher: In the Texas situation, it is a combined effort, Mr. Sharkey, with the established labor movement—the Texas AFL–CIO. Not only are we pressuring for the collective bargaining effort, but we are also pressuring through the legislative effort at the state level.

We are working toward $1.25 an hour minimum wage. This is not only the immediate goal, where our collective bargaining effort is concerned, but it is also a major plank in the platform of the state AFL–CIO for state legislation.

Sharkey: Mr. Kircher, what do you think are your prospects of getting something done down there on wages?

Kircher: I wouldn't characterize them as bleak, but I would characterize them as still facing many, many obstacles, and many, many difficulties, and many, many hurdles.

Sharkey: Well, one of the problems, it would seem to me, would be whether you have the support of the state administration—Governor John B. Connally (D.). You had a long conference with him. Could you tell us what came out of that?

Kircher: Well, we are not sure. What we feel came out of it and what Governor Connally feels came out of it, evidently is an area of some controversy today. My purpose in meeting with Governor Connally was to try to influence him to take some immediate action to remove the Texas Rangers. We are very happy that the evening of the day I met with him, about 80 percent of the Rangers were removed. The most obnoxious character among the Rangers, Captain Alfee, was one of those removed. Governor Connally made quite a point of the fact that my meeting with him had nothing to do with his decision to remove them. I don't care whether it did or did not. We were able to get almost all of them removed.

Flannery: How did that meeting come about, Mr. Kircher?

Kircher: I asked the top officials of the Texas AFL–CIO to contact the Governor and ask him if he would meet with me, and he agreed.

Levey: Mr. Kircher, out in California, where your organizing efforts have been considerably more successful than they have been in Texas, one of the keys to your success was the ending of the Bracero program—the importation of Mexican labor for farm work. Now, I assume that that also applies to Texas, but it also appears to be true that a large number of illegal Mexican farm workers are coming in across the border and acting as strikebreakers. Would that be true?

Kircher: It is difficult to determine who might be illegal, Mr. Levey. The green card—what we call the "green card operation"—is one where a Mexican can live in Mexico and work each day, legally, in the United States. The green card is a sort of visa that permits him free entry and exit on a daily basis—or several times a day, if he wishes—because he has declared his intention to become an American citizen. He is considered a domestic worker, and on this basis, he goes back and forth. So, he is really not illegal, but he is the person who is working as a strikebreaker.

Unfortunately, he will most frequently, our research indicates, not be a member of a Mexican union. Very frequently, he will be an employer who may have a small place of business with 3 or 4 employees. And he can come into the fields on the United States side of the Rio Grande and work, even at the low wages that I just described, and in a week's time, earn enough money to handle the payroll for his employees for maybe as long as 5 or 6 weeks.

Levey: I gather that these green card workers come in under a Federal arrangement. Is that right?

Kircher: That's right.

Levey: Well, isn't one of the keys to your problem bringing pressure to bear on the Federal Government to revoke those green card privileges, or in some way limit them? How many of these people are there?

Kircher: We don't know—we don't know how many there are. We know there are very large numbers. Incidentally, we are working at that.

One of the problems is that there are many different departments of the federal government that have an interest in this.

The State Department, of course, has an interest, because of the whole area of international relations. And this is an important interest—one that we need to take into consideration.

The Labor Department has an interest, because obviously, where you have labor-management situations, and strikes, and strikbreaker situations that are related, in effect, to alien workers, this brings the Labor Department into a position of interest.

Officially, the Justice Department has an interest, because the Immigration Service, which is the day-to-day policeman of situations on the border, is placed, structurally within the Justice Department.

So, one of our difficulties is to sort out what the interests are and get the proper agencies and the proper people working on the problem.

We have had some wonderful cooperation in this respect, particularly from the Labor Department. There has very recently been an administrative order put into operation which now limits the right of the green card worker to become a strikebreaker.

This, we think, is some forward movement. We don't think that it goes quite far enough, but it does represent some improvement.

Sharkey: Mr. Kircher, in that connection, you mentioned that the green carders have declared their intention to become United States citizens. How many of them actually do that, or, do they use this as a subterfuge?

Kircher: Mr. Sharkey, I don't know. I would hesitate to say that they use it as a subterfuge, because I think it implies things in the wrong direction.

Even if it does become the mechanics of subterfuge, I would like to put it on a little different basis. The Mexican worker doesn't choose to be prone to subterfuge. His economics are pretty bad. And some of the conditions above which he is trying to rise may cause him to do things that if his economics were a little different, he might not do. I don't know the statistics.

Levey: Do the growers, Mr. Kircher, go across the border and recruit these green card people? Do they bring them in?

Kircher: Not personally. We have not found that they personally go across, but, of course, they have agents they can work with.

Levey: In other words, it is to the growers' interest to bring these people in. Are they fighting you in your attempt to get some kind of curtailment on the part of the government on this privilege?

Kircher: They are not openly, as individuals, fighting this so much, but their agents are. And of course, this is a political question. It has all kinds of implications. It is just a very bitter struggle, because it involves the changing of conditions that the people have been able to live with for a long time.

Levey: Mr. Kircher, out in California, one of the interesting and rather exciting developments in connection with your farm worker organizing drive was the role played by the clergy. All three of the great American faiths were involved in that drive, and there is a kind of religious aura surrounding the union activities of Cesar Chavez and his farm group out there. Is the same thing true in Texas?

Mr. **Kircher**: No, it isn't. We have tried to make some improvements on that, Mr. Levey. The Church, we felt—at least by comparison—has been very, very quiet in Texas.

I suppose we could make a general commentary that in our kind of system, various segments of the structure will tend to reflect the province in which they exist.

Perhaps the labor movement in Texas is not as aggressive as it is in other places. Perhaps the clergy is not as aggressive. Maybe there is a combination of circumstances to which we can lay the blame for the lack of progress.

But, we have, in the past 6 months—through the migrant ministry—through some of the Catholic and Jewish groups—been bringing the situation in Starr County to the attention of as many people as we can.

I am sure that you gentlemen, as representatives of the press, would be interested in—I won't say knowing—but I am very willing to charge that there is no segment of Texas that is more a part of the power structure of Texas than is the great Fourth Estate—the newspapers.

For example, five Catholic priests prayed outside the jail in Rio Grande City, in which some of our leaders were incarcerated, were also arrested. Their being jailed didn't make much news in Texas. As a matter of fact, you had to look a long way to find any coverage.

Several days later, however, the Archbishop in San Antonio gave them some discipline because they had crossed jurisdictional lines to go into Rio Grande City. This was a different diocese. So he disciplined them slightly, and his disciplinary act made the front page with 8 column headlines in most of the newspapers in Texas, pointing out that the Texas press likes for the people to feel that the Catholic church is sort of opposed to this unionizing effort—doesn't want them to find out that the power structure in Rio Grande City would arrest a priest. The results of these two things are entirely different.

Sharkey: Mr. Kircher, you mentioned political implications. Texas is the home state of President Johnson. Is there any evidence that he has been leaning on Governor Connally to try to resolve this, or have you made any direct attempts to get Administration help?

Kircher: I have not made any direct attempts. It would seem to me that the fact that the President is from Texas is accidental. It would seem to me that the Governor of Texas, just as the governor of any of the other 50 states should be a big enough boy to stand on his own two feet and do the thing that is right, without having to have a chief executive who just accidentally comes from his state lean on him. No, I have not made any direct approaches.

Levey: Mr. Kircher, one of the weapons used effectively in California was a consumer boycott of products of strike-bound growers out there. Are you using the same technique in Texas?

Kircher: Yes we are. It is a little difficult to boycott honeydew melons and other kinds of sugar melons. But, we are asking anybody who finds melons that have little labels on them that say "Starr County, Texas," in any way, or "La Cosita," not to buy them, because they are helping to inflict conditions of poverty on workers every time they do.

Flannery: Thank you, gentlemen. Today's guest on Labor News Conference was William L. Kircher, director of the AFL–CIO's Department of Organization. Representing the press were Sam Sharkey, labor specialist for the Newhouse Newspapers, and Stanley Levey, labor correspondent for the Scripps-Howard Newspapers. This is your moderator, Harry W. Flannery, inviting you to listen again next week. Labor News Conference is a public affairs production of the AFL–CIO, produced in cooperation with the Mutual Radio Network.

ISRAEL ATTACK ON U.S.S. "LIBERTY"—RESOLUTION

Mr. TOWER. Mr. President, I ask unanimous consent to have printed in the Record the text of a resolution approved by the American Legion Post 52 of Houston subsequent to the Israel attack on the U.S.S. *Liberty*. The resolution addresses itself to this incident.

There being no objection, the resolution was ordered to be printed in the Record, as follows:

Whereas the American Legion has always championed the rights of our service men and of their dependents and survivors; and

Whereas Israel's unprovoked attack on the U.S.S. Liberty in international waters on June 8 requires strong measures on the part of our government if our national honor is to be protected and if justice is to be done to the seventy odd service men injured in Israel's attacks and to the next of kin and dependents of the thirty odd servicemen killed, and

Whereas this an area where the American Legion is especially dedicated and qualified to take leadership and is also the sort of issue where the American people can and should be vocal in demanding proper handling of these acts of piracy.

Now, therefore, Be It Resolved by the American Legion, Post 52, Houston, Texas, in regular meeting this July 3, 1967 as follows:

1. We ask this Post to undertake to obtain copies of all available reports of hearings heretofore had or hereafter to be had into the facts; also that we undertake to learn the names of the service men injured in these attacks and the next of kin and dependents of those who were killed.

2. We ask that our Post register a complaint with the appropriate authorities and officers in our government demanding proper steps on the part of our government to, first, see that adequate indemnities are paid by Israel to the service men injured and to the next of kin and dependents of those who were killed; and also indemnity for damages to the U.S.S. Liberty; second, that the Israel authorities who are to blame for these crimes on the high seas be brought to account and dealt with in any proper tribunal where they are answerable or, in the absence of such tribunal then through diplomatic channels;

3. That this subject be acted on by our Department and National conventions and that the National Convention be called on to set up a commission or committee whose sole responsibility will be the adequate investigation of the entire subject and to follow up our protest and recommendations to see that justice will be had for our service men involved and for the next of kin and dependents of those who were killed in the attacks; also to see that those Israel officials or personnel who were responsible for the attacks be punished in keeping with their participation and in keeping with the enormity of their criminal acts.

The foregoing is certified as a true copy of resolution adopted as and when stated.

Certified July 3, 1967.

Glenn Trupper, *Commander.*
George W. Siefert, *Adjutant.*

POWERLINE REGULATION

Mr. TYDINGS. Mr. President, it is becoming increasingly apparent to all responsible public officials and citizens generally that we need to have Federal legislation which will empower the Federal Power Commission to exercise control over extra-high-voltage electrical transmission lines that are interstate in character. A case in point which illustrates the need for this legislation is the proposal by the Potomac Edison Co. of Hagerstown, Md., to construct a 500,000-volt electric transmission line through the Antietam and South Mountain Battlefield areas of southern Washington and Frederick Counties, Md. The location of this line is opposed by the Washington County Planning and Zoning Committee, the Washington County Board of Commissioners, the Department of Interior, My colleague from Maryland [Mr. Brewster] and myself; and various Civil War roundtables. It has been editorialized against in the Hagerstown Daily Mail; the Hagerstown Morning Herald; the Washington Post; and Life magazine.

The Maryland Legislative Council has voted to ask its Senate Judiciary Committee to look into the matter, and the chairman of that committee, Delegate Thomas Hunter Lowe, has asked Potomac Edison not to proceed with its plans for the new powerline until the committee has completed its investigation.

The Department of Interior has a task force of experts which is considering alternate routings of the line and has publicly announced that they will report shortly after mid-July.

In spite of this very formidable opposition from public officials and private groups, Mr. President, we read with great dismay that on July 7, 1967, the Potomac Edison Co. filed a condemnation suit against one of the property owners on the proposed right-of-way of the 500,000-volt powerline.

Again, Mr. President, this illustrates the urgent need to pass the legislation—S. 1834 and S. 1835—introduced by the Senator from Montana [Mr. Metcalf], and which I have cosponsored, to authorize Federal Power Commission jurisdiction over interstate high-voltage-electric transmission lines and would require that, before issuing a certificate of necessity to a power company, the Commission would consider the impact of the line upon esthetic, historic, and scenic values.

I invite attention of Senators to the excellent column written by Mr. Phil Ebersole, Daily Mail government affairs editor of the Hagerstown Daily Mail, and published on July 7, 1967. This excellent column points up the need to preserve historic and scenic values from destruction by electric transmission lines. I ask unanimous consent that the article and editorial be printed in the Record.

There being no objection, the article and editorial were ordered to be printed in the Record, as follows:

Potomac Edison Files Suit To Condemn for Right-of-Way

The Potomac Edison Company filed a condemnation suit for a right-of-way for its 500,000 volt power line against George A. Coblentz and Helen E. Coblentz, and Roy H. Coblentz, of Knoxville, Rt. 2.

George A. Coblentz and Helen E. Coblentz own a half interest and Roy H. Coblentz owns a half interest in a Sandy Hook tract of land that PE proposes to put the power line across.

Potomac Edison asks for a right-of-way of 100 feet in either direction for the 500,000 volt line and asks permission to cut all underbrush on the right-of-way, according to legal papers filed at the Washington County Courthouse. The papers say the towers will be 122 feet high, give or take 10 feet.

Inside Antietam's Second Battle: Power Lines, Please Go Away

(By Phil Ebersole)

Out of the uproar over the Potomac Edison power line in southern Washington County, one conclusion is fairly plain:

It would be better for Washington County if the power line were relocated north of Sharpsburg or south of Harpers Ferry.

Potomac Edison is no villian. The 500,000 volt power lines it wants to build are a national necessity. The power lines have to go somewhere, they are sure to be unpopular wherever they go, and there is nothing on paper to indicate to PE that it should go elsewhere.

The responsibility for providing proper guidelines for locating the power lines is a responsibility, not of Potomac Edison, but of the county, state and federal governments. Potomac Edison has acted in good faith in following the guidelines it has been given.

HISTORIC AREA

New guidelines are being developed by the Washington County Planning and Zoning Commission, which has sought the advice of the Washington County Historical Society and the Hagerstown Civil War Round Table in mapping the historic sites of Washington County.

In trying this approach, the Planning and Zoning Commission, in my opinion, is in the right church, but the wrong pew.

Washington County is saturated with historic sites, someone like the late E. Russell Hicks could tell the history of practically any square yard of Washington County.

It does not therefore follow that everything with a long history is worthy of preservation or restoration in its original state. Fox Deceived Farm, for example, has a long history. If someone is willing to take the trouble to erect a small marker at Fox Deceived Farm noting this, it would be very nice, but it is hard to see why the Planning and Zoning Commission would want to get involved with Fox Deceived Farm.

Or take the Hager House, as a second example. Hager House is an outstanding example of historic restoration. But the value of the historic restoration is not spoiled by the railroad tracks that run behind it or the factory located near by. The value of Hager House, to that extent, is independent of its surroundings.

THIS IS DIFFERENT

But I think the southern part of Washington County is different. I think having 100 foot towers pass by the Antietam Battlefield is bad in a way that having the towers pass by Hager House or Fox Deceived Farm would not be.

The southern part of Washington County is of national, not merely local, historic importance. It adjoins Harpers Ferry and contains the Antietam Battlefield. Harpers Ferry was the scene of John Brown's Raid. The Battle of Antietam was the occasion for the Emancipation Proclamation. Harpers Ferry and Antietam comprise the story of the abolition of slavery in America—probably the most important event in American history besides the American Revolution itself.

Antietam and Harpers Ferry are now important tourist attractions. According to the Department of the Interior, they will someday be joined by an Antietam Heritage Trail and an improved C & O Canal, which will provide facilities for the boater, the fisherman, the hiker and the bicyclist.

Overlooking Harpers Ferry is Maryland Heights, donated to the U.S. Government by the Washington County Historical Society, and Fort Duncan, which is in the hands of private developers. Nearby is the John Brown Farm, also in the hands of a private developer.

Just as the C & O Canal runs along the county's western boundary, the Appalachian Trail runs along its eastern boundary, linking Harpers Ferry to Gathland State Park and Washington Monument State Park.

All this is in one of the most beautiful natural settings in the eastern United States. It is much more attractive than the areas around Gettysburg Battlefield.

Historic significance, a beautiful landscape and varied recreational opportunities combine to make southern Washington County a potential tourist attraction of national importance—a major economic asset to the people of Washington County and a place capable of giving pleasure and inspiration to thousands.

POWERLINE EFFECT

To be sure, all these things will still be there even if the 500,000 volt power line is built as planned.

Beauty is in the eye of the beholder, and different people react differently to the same thing. John Frye believes the towers will spoil the appearance of Pleasant Valley. Bonnard J. Morgan doesn't believe they will. Robert Lagemann says the power line won't make any difference to tourists at Antietam Battlefield. Stewart Udall says it will.

Even if everyone agrees that the power lines would look nicer elsewhere, there is still the problem of weighing this against the cost of locating the lines elsewhere. More will be known about this when the Interior Department's electric power experts complete their study of the feasibility of alternate routes, Potomac Edison even so may feel it is being asked to compare the proverbial apples and peaches—things which are too unalike for comparison.

In this case, however, I think the burden of proof is on Potomac Edison. The beauty of a landscape is like any other natural resource. It cannot be added to; it can only be taken away from. Potomac Edison, in time, can absorb a moderately increased cost. The landscape will never absorb the power line; the subtraction will be permanent.

For this reason I believe the county, state and federal governments should do what they can to keep out the power lines and anything else that would spoil this area.

COMPLIMENT TO VETERANS HOSPITAL IN LISBON, TEX.

Mr. TOWER. Mr. President, a Senator's mail brings to his desk each day a cross section of the world's problems, and I suppose, of course, that this is as it should be. We do want to know what needs attention.

Nevertheless, it is refreshing to glimpse the other side of reality when a constituent is courteous enough to write about how well things are going. I was fortunate enough to receive such a letter recently from Mr. Carl B. Callaway, a vice president of Transcontinental Bus System, Inc.

To him I extend my thanks, and to the administrator and personnel of the veterans hospital in Lisbon—whose outstanding service was the subject of his letter—I express my congratulations and appreciation on behalf of the people of Texas.

I ask unanimous consent that the text of Mr. Callaway's letter be printed in the Record.

There being no objection, the letter was ordered to be printed in the Record, as follows:

Transcontinental Bus System, Inc.,
Dallas, Tex., July 21, 1967.

Senator John Tower,
Washington, D.C.

Dear Senator Tower: I recently had an experience which I would like to call to your attention.

For something in excess of sixty years, there was working for my wife's family an old colored man who originally came to the family as an orphan boy who had run away from home when he was about nine years old. Recently this old man became ill and inasmuch as he had served in World War I, we took him to the Veterans' Hospital in Lisbon, Texas, for examination. The hospital staff gave him an immediate and careful examination; came to the tentative conclusion that he had a possibly serious malignancy; and immediately admitted him to the hospital.

He was in the hospital approximately two months and all of my family were simply amazed at the careful and conscientious attention which he received. Different members of the family made it a practice to go out to see him at regular intervals, and I do not believe any one of us was ever at the hospital when some one associated with the hospital staff did not come by to administer to him in some way. He finally died a few days ago, but only after he had received as excellent care as any patient could have possibly received in any hospital.

The staff of the Veterans' Hospital in Lisbon seemed to me to be so dedicated and so conscientious in their work that I felt I wished to call this to your personal attention. If all the Veterans' Hospitals around the country operate anything like the Veterans' Hospital in Lisbon, we are indeed fortunate.

Respectfully yours,

Carl B. Callaway.

FARMWORKERS NEED COLLECTIVE BARGAINING

Mr. WILLIAMS of New Jersey. Mr. President, Mr. Walter P. Reuther, president of the Industrial Union Department of the AFL–CIO and president of the United Auto Workers, submitted valuable testimony to the Subcommittee on Migratory Labor on July 13. In support of legislation to extend to the farmworkers the rights of union representation and collective bargaining, he stated:

> Farm industries will have more labor peace, not less, once farm workers are organized and there are bona fide guarantees which workers can rely on. Farm workers live and work in an economic jungle today. Once they have the right to join unions and work under negotiated contracts, there will be a civilizing atmosphere good for both employer and employee.

I wish here to highlight only a few of the important issues presented in his statement. In discussing the precedents in this field, Mr. Reuther presented evidence which shows that there was no substantial argument for ever dropping the farmworkers from our collective-bargaining laws. Rather than on any grounds of philosophy, the exclusion was made because of political expediency and public apathy.

Turning to the farm employers who fear that once legally organized, the workers might inflict crippling strikes during prime picking time, he noted that the majority of union contracts, including all those negotiated last year by the farmworkers union in Delano, Calif., contained no-strike clauses, barring any such action for the life of the contract.

Finally, speaking for the UAW and IUD, Mr. Reuther concluded by asserting that they of the American labor movement are very willing to take up the task of organizing farmworkers. Recalling their past record of having encouraged farmworker unions for years, and of having given money for their struggle, he pledged backing for the continuance of this battle.

Mr. President, I ask unanimous consent that Mr. Reuther's statement be printed in the Record.

There being no objection, the statement was ordered to be printed in the Record, as follows:

Statement of Walter P. Reuther, President, Industrial Union Department, AFL–CIO, and President, United Automobile, Aerospace, and Agriculture Implement Workers, Before the Subcommittee on Migratory Labor, Senate Committee on Labor and Public Welfare, on S. 8, July 13, 1967

Mr. Chairman and members of the Senate Subcommittee on Migratory Labor, on behalf of the 1.6 million members of the UAW and the 7 million members of the Industrial Union Department, I am here to ask that Congress give America's farm workers the same right to vote for union representation and the same right to bargain for wages, hours and working conditions as millions of other American wage earners have.

Farm workers are the poorest of the working poor. They work short seasons when they work, and they work for miserably low wages. Their hours are long and their working conditions are unspeakably bad. Only this year for the very first time did the federal minimum wage law cover farm workers on the very largest factory farms at $1.00 an hour. Farm workers have but minimal effective coverage under Social Security.

This Subcommittee has done yeoman work in calling attention to the wants and needs of farm workers. Your solid and intensive investigation of farm worker problems has helped Congress and the nation realize how much remains to be done before farm workers can, as your Chairman has said, "enter the mainstream of American life."

So I salute the work of the Senate Subcommittee on Migratory Labor. You have made life a little better for the American farm worker, his family, and his children. But I am sure you appreciate that existing legislation for farm workers is barely scratching the surface. You have eased the pain slightly, but you have not cured the patient.

The real thrust of this legislation before you—giving farm workers a legal right to organize into unions of their own choosing and enabling them to bargain collectively for a better life—offers farm workers their best hope to assume first-class economic citizenship.

Let me, therefore, list some of the compelling reasons why Congress must close the legislative gap which deprives thousands of farm workers of their right to better living.

1. *Legislative History Shows Farm Workers Were Left Out of Wagner Act to Trade Votes.*

A careful examination of the legislative history of the Wagner Act by independent scholars and by the Legislative Reference Service of the Library of Congress clearly indicates that farm workers were exempted from the Wagner Act—not because of any unique situation in farming—but to trade off farm bloc votes to secure passage of the bill at that time.

A study by James R. Wason dated May 19, 1966 for the Library of Congress traces the legislative history of the farm worker exemption in the basic Labor-Management Relations Act in the mid-1930's. Mr. Wason concludes:

"The clear indication is that the decision to exclude agricultural workers from the Wagner Act was taken on the grounds of expediency, not of philosophy. With them included it was believed that sufficient votes might not be obtained to pass the bill, at least not in the form desired." (Wason, Legislative Reference Service, May 19, 1966, p. 7)

Another exhaustive study of the farm labor exemption was written by Austin P. Morris, S.J., for the California Law Review in December, 1966. He concludes that political apathy is equally responsible for lack of legislative jurisdiction among farm workers:

"The long exclusion of farmworkers from the nation's labor legislation is not entirely a result of agriculture's political power. While it is undeniably a major factor, it must be admitted that the public at large, farmworkers themselves, and particularly the forces of organized labor have, until recently, never resisted, nor even protested, the flow of legislative events." (Morris, California Law Review, December, 1966, p. 1989)

There were obviously many other arguments raised during legislative maneuvering on the Wagner Act and subsequent labor-management amendments—but the fundamental explanation for exclusion of farm workers was that a political decision was made to secure votes for passage, for which public apathy was partially to blame.

2. *Only Small Fraction of Farms Would be Affected by Coverage.*

The Farm Bureau Federation and its allies among the grower organizations have been repeating the same arguments over and over for years with carbon copy regularity: farmers are poor, farm prices are low, farming is more valuable to economic loss from strikes than other industries, and farming does not lend itself to comparison to industry.

None of these arguments are convincing when examined carefully.

First of all, only 3 percent of America's farms would even qualify for National Labor Relations Board criteria if this legislation passed. The NLRB jurisdictional standards require interstate shipments amounting to more than $50,000 a year, which would affect but a small fraction of America's farms. Ninety-seven percent of all farms would therefore fall outside of the NLRB sphere, even though the bulk of hired farm workers would be covered by these huge farm operations.

Only 33,000 of the very largest farms in the United States, with a total of 390,000 farm workers, were covered by the new minimum wage regulations.

3. *There is Nothing Unique About Large Farm Operations.*

The biggest farms in the United States are a far cry from the small family farm operations which for many years characterized farming, and which still play an important role in American agriculture.

Some of the giant farms are on the receiving end of huge government subsidies, either in outright cash or in the form of below-cost government irrigation water (often in violation of 160-acre limitations). Yet these farms try to hide behind the fiction that farming is a small, family operation which does not lend itself to the usual business considerations.

Farm prices are in trouble today, but there is a great deal of variation within agriculture—ranging all the way from marginal farms with 3 acres and a mule to the Griffen Farms in Fresno, California, which alone pocketed $2,397,073 in federal price supports last year.

Senator John Williams of Delaware enumerated some of the largest government farm subsidies in the June 19 Congressional Record this year, showing five farm operations which received direct government subsidies over $1 million each, 11 farm operations each receiving between $500,000 and $1 million, and 258 individuals or corporations receiving direct cash payments between $100,000 and $500,000. Senator Williams also reported that 936 "so-called farm operations" received direct cash subsidies between $50,000 and $100,000.

It is stretching the credulity of Congress to picture these giant farmers as hard luck servants of man worthy of special government help when they can collect such large sums of money from the federal government.

The UAW has always supported farm programs to raise farm income for family farm operators. We favor price support levels which give the family farmer a fair return for his labor. But we are just as firmly opposed to any program which makes the rich farmer richer whether by government subsidies in cash or irrigation water in violation of federal law. We are especially opposed to any farm program which permits large farms to enjoy exceptional government subsidies and be exempt from the labor-management regulations with which other business operations of the same magnitude are expected to comply.

4. *Farming is No More Vulnerable to Economic Pressure than Other Enterprises.*

The critics of farm labor unions state that farming is a highly sensitive operation and is therefore peculiarly vulnerable to any work stoppage. Therefore, they say, farm unions should not be permitted. This is a strange line of defense, but it repeatedly appears in all the attacks on proposed farm labor coverage under the National Labor Relations Act.

Nearly every industry has a time when it is particularly vulnerable to a strike, otherwise the strike weapon would have no power. Yet this has not been an excuse to permit other industries to be exempt from the right of workers to organize nor to set up machinery to handle grievances.

What makes the vulnerability argument so foolish is the fact that processing and canning workers are covered by NLRB procedures. Numerous elections have been conducted, contracts have been negotiated, and there is a long history of labor peace in these industries. The work is seasonal, and the products are highly perishable. This has made no great difference. It is merely one of the labor-management equities which must be balanced in setting forth terms of wages, hours, and work.

It can be stated categorically that farm industries will have more labor peace, not less, once farm workers are organized and there are bona fide guarantees which workers can rely on. Farm workers live and work in an economic jungle today. Once they have the right to join unions and work under negotiated contracts, there will be a civilizing atmosphere good for both employer and employee.

Unions do not negotiate contracts to put employers out of business. Unions negotiate on the basis of economic facts. These farm employers who belabor the vulnerability theme are simply ignorant of the facts and history of labor-management relations.

The vast majority of union contracts negotiated in this country include "no-strike" clauses, barring strikes for the life of the contract. It is interesting to note that all three contracts negotiated last year in the Delano, California area by the farm workers union, contain no-strike clauses for the life of those contracts.

The way to labor peace in American farming is not more uncertainty with the guerrilla warfare occurring today. Genuine labor peace will stem from contracts negotiated on an equitable basis between farm labor and farm management.

5. *Food Prices Are Little Affected by Labor Costs.*

When all other arguments fail, farm organizations fighting farm labor coverage under the National Labor Relations Act state that food prices would rise if farm labor costs were to rise. This again is an empty argument without solid supporting evidence.

Farmers properly complain on the one hand that farm prices are too low. But have farmers any moral right to take their profits out of the hide of the farm workers?

The answer to farm problems is not low wages, but more scientific agriculture, better fertilizers, better seeds, better machinery—and better marketing organization.

The ills of modern farm prices will not be solved, should not be solved, by keeping farm wages low. Farm operators need better organization to get the best price for their products. Farm workers likewise need organization to get a fair price for their product, which is their own sweat and toil.

Acts of God—drought, flood, and other bad weather—have played havoc with farm prices. Farmers can do little about these hazards, but society as a whole can do something about farm wages, and must.

In commenting on recent rises in the cost of living, the U.S. Department of Labor observed:

"Farm labor costs are such a small fraction of the retail price of most fruits and vegetables that it is doubtful that they contributed significantly to the rise in the cost of living." (Farm Labor Situation in 1966, U.S. Dept. of Labor, Feb. 1967)

This was stated officially despite a 5 percent rise in food prices during 1966.

Earlier studies by the Department of Labor attempting to forecasts the impact of a higher minimum wage, made similar findings. "In agriculture," a 1966 study showed, "cash wages of hired workers were 7 percent of cash receipts from marketings." Thus a 20 percent wage increase could easily be absorbed without resulting in significant price increases for farm products.

Other farm expenses have risen much more sharply than labor costs. Interest rates went up 175 percent between 1950 and 1960. Fertilizer and taxes climbed 70 and 80 percent respectively during the same period. Labor costs rose less than any other item.

6. *Farm Labor is Not a Substitute for Welfare.*

Another tack taken by the critics for farm labor legislation is that many large farm operators are running a public charity. They argue with a perfectly straight face that if they didn't hire farm workers at low wages for menial tasks, these people would be thrown on the public welfare rolls. Since these people are unskilled, farm work may be the only work they can handle without becoming public charges.

It is true that in some parts of the Deep South poor Negro farm workers have been displaced by machinery and are without jobs. But they need remedial reading skills, and an opportunity to find other work—not more work at starvation wages.

Farm mechanization is relentlessly taking its tolls in reducing the farm population.

Better farm machinery means improved productivity which in turn can mean higher farm wages for those workers remaining on the land.

Job opportunities to stoop, to hoe, to pick, to cut crops in the fields are diminishing—and unionization and mechanization will undoubtedly hasten this trend. The answer is not to try to halt human and mechanical progress—but to provide remedial catch-up education as part of the war on poverty to those farm workers who have suffered generations of social and economic neglect.

7. *Farm Workers Have a Right to Share in Farming's Amazing Productivity Increase.*

Farm wages are less than half the wages of manufacturing workers. The average farm wage, according to the 1967 Economic Report to the President, was $1.07 an hour in 1966, while the average wage for manufacturing was $2.75 an hour.

Yet productivity for farming has gone up faster than productivity for the non-farm sector of the economy. The index of output per man-hour (based on 1957–59 equalling 100) for farming was 110.7 in 1960 and rose to 155.6 in 1966. The index of output per man-hour for non-farm parts of the economy rose from 103.8 in 1960 to 124.3 in 1966. Farm productivity, therefore, rose twice as fast during the same period of time.

Much of this amazing productivity increase has resulted from better farming methods, and with heavy inputs of non-farm capital. Yet farm workers have gotten only a few crumbs from the heavily-frosted cake of this productivity wonder.

8. *Will Unions be Willing to Organize Farm Workers?*

There is genuine doubt among some congressional leaders about the willingness of the American labor movement to take up the task of organizing farm workers, once the legislative authority has been granted.

Speaking for the UAW and the IUD, I will state that we are not Johnny-come-latelys. We have encouraged farm worker unions for many years, given money to help their struggle, and have worked closely in recent years with the National Farm Workers Association (now merged with the United Farm Workers Organizing Committee) to carry on the campaign to bring farm workers into the union fold. We shall continue this battle for many reasons.

Part of this stems from our determination to wage war on human poverty. Farm labor unions are an indispensable part of the war against human misery.

A greater part, however, is our conviction that all people who work for a living have a legal right to join unions of their own choosing and to bargain for wages, hours, and working conditions. Until Congress gives workers this legal right, thousands of Americans will be denied a basic economic right.

9. *The Need for Congressional Action.*

Farm workers have been denied the right to hold a union election, brutality by the Texas Rangers has been rampant, and a state of civil war has occurred during the recent upheavals in Starr County, Texas.

The Senate Subcommittee on Migratory Labor has examined this problem in depth and has contributed a great public service by bringing many of the facts to light in this tragic situation.

Chairman Harrison Williams of New Jersey, has stated that there is no more powerful case for the pending legislation than a review of the somber events in Starr County.

What has happened in southern Texas is but a whiff of the social explosion which is sweeping American agriculture. On one side are the agricultural giants grown rich on government cash subsidies and government irrigation water. On the other side are farm workers—thousands of them living on the thin edge of human existence.

All of us as consumers of food have a moral responsibility to correct this human injustice.

Many farm operators and grower organizations who resist the very thought of unions would be better off if federal laws provided a floor of human decency below which no other farm operator could fall.

It is a heartening sign that Senators Murphy and Fannin in their minority views to the 1967 Report of this subcommittee expressed the bipartisan view that "the principle of collective bargaining is the heart and soul of American labor relations." While these minority members of this subcommittee disagreed with the hiring hall approach as the way to represent farmer workers, they nevertheless stated "these questions are not insoluble."

I would hope within this context the Senate Subcommittee on Migratory Labor, which has done so much for farm workers in past years, would examine the facts carefully and recommend to Congress that at long last farm workers be given a legal right they have been so long denied—a federally protected right to join and participate fully in a union.

No one thing Congress or anybody else does can overnight transform the bleak lives of America's farm workers, but it is my conviction that farm worker unions will hasten the day when farm workers can toil with a greater semblance of human dignity and America's marvel of abundant agriculture will not be based on the misery of a few.

I therefore ask your support for legislation to give farm workers a federally protected right to organize unions and pledge to you the wholehearted backing of the UAW and the IUD to the cause of human betterment through unions of farm workers.

AN EIGHTH-GRADER LOOKS AT LIFE

Mr. TOWER. Mr. President, at the close of the school year in June, an eighth-grader at James S. Deady High School in Houston wrote her teacher, commenting most astutely on more than just life in the eighth grade. Her comments amply attest to her maturity and intellectual capacity. Moreover, they are astonishingly perceptive and reflect a grasp of the lessons of history—an understanding and commitment to the moral superiority of freedom—which is rare.

I ask that Miss Patricia Alsobrook's letter, which was reprinted in the June issue of Texas Industry, the official publication of the Texas Manufacturers Association, be printed in the Record. I am especially indebted to Mr. H. Crosley Turner for calling this letter to my attention.

There being no objection, the letter was ordered to be printed in the Record, as follows:

(Editor's Note.—A beatnik-hippie takeover of our country poses no threat as long as we have young people who speak out as fluently, forcefully and persuasively for our way of life as does Patricia Alsobrook. A talented 13 year old eighth grader at James S. Deady High School, Patricia was a 1967 winner in the Park Place Library Poetry Contest. Green-eyed and auburn-haired, Patricia has beauty as well as brains.)

Dear Teacher: When I leave Room 213, on June first, I'll be taking with me many new things. My head will be crammed full of history from the Crusades to the formation of the U.N. And for the first time since the fourth grade, I'll be understanding every bit of it. But more important, I'll be taking away with me ideas about democracy and freedom. I'll know how important it is to be on your own and to never let anyone live your life for you. I can see how Communism is spreading over our world and killing us slowly like a cancer. And I don't take my freedom as an individual as much for granted as before.

Now that the year is over I can compare all my accomplishments in this class to accomplishments and discoveries in past history. The first of this year was in some ways like the Crusades. Here is why. To most students, and to me a bit too, school is like a war. The rules of the school, of the teacher, and of the student vs the student. The student tries to see how much he can get away with and how much he can get out of, and it sometimes seems that the teacher sees how much homework he can give before it begins to get him down, too. So when I first came into class in September, I thought it would be just another class. Just another class where I would go to *have war* each day, as I mentioned above. But like the Christian warriors, I discovered treasures. And instead of silks, spices, and jewels, I found a teacher that was human and had time for other people's troubles. I found a teacher whose purpose for teaching wasn't only to make money, but was to help young men and women become ready for the world facing them in the future. Yes, I, like the crusaders, was amazed.

Another accomplishment, was that I learned not to be ashamed or feel stupid and corny about thinking or talking about my love and concern for my country. Like Christopher Columbus learned not to be ashamed of thinking and talking about, then finally proving the earth was round.

Remember how the people woke up and saw it was time to fight the British when Thomas Paine wrote *Common Sense?* The people then realized it was time to separate the true Americans from loyalists and tories. I took a great step when I realized that it is now time to resist and kill Communism wherever and whenever it attacks. Whether a small article in a newspaper or magazine with a left-wing slant, or a huge demonstration on the campus of a university in our country, the time to fight is here and if we don't do something now, today, our great and powerful country will fall.

I can think of another of my accomplishments that can be compared to a famous event in past history. My newly developed ideals about democracy and freedom must have been the same as Patrick Henry's when he said: *"Gentlemen cry peace, peace—but there is no peace. The war is actually begun! Is life so dear, or peace so sweet, as to be purchased at the price of chains and slavery? Forbid it, Almighty God! I know not what course others may take; but as for me, give me liberty or give me death!"*

I know that I am still young and have many years to go before I can vote or have any say in our government, but I love my country and am anxious to do any and everything I can to help the cause of democracy and freedom in our land.

I believe that if, in this coming year, and in those to follow, you, my teacher, can change the minds and hearts of students, as much as you have mine, there *is* hope for the children, grandchildren, and great grandchildren, of people like you and me, to live in a nation as great, powerful and free as ours is.

Patricia Alsobrook.

RIOTS IN OUR CITIES

Mr. BYRD of West Virginia. Mr. President, on July 25, 1967, I addressed the Senate on the subject "Riots in Our Cities." I ask unanimous consent to insert a copy of that speech in the Record.

There being no objection, the speech

was ordered to be printed in the RECORD as follows:

RIOT IN THE CITIES

Mr. BYRD of West Virginia. Mr. President—

"A thousand years scarce serve to form a
state;
An hour may lay it in the dust."
(Byron—*Childe Harold*).

Mr. President, the city of Detroit has now been added to the scores of U.S. cities that have recently been plagued with destructive race riots. The Washington Evening Star of yesterday reported that Michigan Gov. George Romney and Mayor Jerome Cavanagh had "asked President Johnson for 5,000 Federal troops as Negro rioting raged into its second day and claimed its fourth life." The Washington Star also stated that the request was "the second for Federal help that Romney and Cavanagh had made in the wake of the worst racial rioting to hit Detroit since 1943." The Star story stated that "Romney withdrew the earlier request moments after making it believing that Federal troops might be needed in other areas of the country hit by racial strife over the weekend."

The Star indicated that 1,000 State and local police and 6,000 National Guardsmen were already on the scene.

Mr. President, I am fully in accord with the idea that Federal troops should be used if and when a situation involving insurrection has gotten entirely out of hand and if the troops are requested by appropriate authorities. However, I am against the use of Federal troops to preserve peace until such time as the situation has gone entirely beyond the power of a State to control it, and, from the facts as stated by the Star on yesterday, it is not entirely clear that the Governor had utilized all of the forces at his disposal before asking for U.S. troops. It seems to me that with 10,000 Army National Guardsmen in Michigan, in addition to the hundreds of city and State policemen, the rioters could have been subdued.

If I were the Governor of a State, I would feel it my duty to utilize, to the utmost, all of the forces at my command before calling upon, as a final resort, the Federal Government to intervene with military force. This is not to say that I am against the use of Federal troops, if necessary. I say that Federal troops should be used only as a last resort.

News reports having stated that 6,000 National Guardsmen were on the scene, it would appear that the full utilization of forces available at the State level had not been made, but the facts may have been otherwise. In any event, I hope that the President of the United States will insist upon the full application of maximum forces available at the local and State levels before allowing Federal troops to be sent into a State situation. In other words, I do not want to see Federal troops used upon the slightest of pretexts, and this is what could ultimately develop at some future time if we do not carefully guard against it, and the best insurance is for a Governor to utilize the police and military strength which are available to him at the local and State levels to the fullest extent before he acts to involve the President of the United States and the forces at his command.

I would be the first to criticize Federal authorities for sending Federal troops into a State except at the request of the appropriate State authorities; but, at the same time, I feel that the State authorities have a responsibility of fully using the instrumentalities at their disposal before sending out an SOS involving the Commander in Chief.

Under the circumstances, the President did everything he could do. He had no other choice but to act as he did in sending Federal troops to Detroit, for "lawlessness, if not checked, is the precursor of anarchy."

MEET FORCE WITH GREATER FORCE

Mr. President, it is later than we think. Hoodlums, looters, snipers, and the criminal element involved in such riots should no longer be handled with kid gloves. Any mayor who is confronted with a riot should order his police department to meet force with force, and when the situation has gotten out of hand to the extent that a Governor must send in his National Guardsmen, they should be given orders to put down such insurrections with all of the force available. Firemen should be equipped with arms with which to protect themselves if necessary, and orders should be issued to the police and National Guardsmen to shoot adult looters, snipers, and brick and bottle throwers.

It is absolutely unbelievable to read of looters driving pickup trucks loaded with everything from floor mops to new furniture with price tags still dangling from the merchandise. I recall one newspaper story concerning the recent New Jersey riots which stated that the "old folks were looting while the young folks were shooting." Regarding the Detroit riots, the story is the same as with other recent riots:

"Looters filled cartons and shopping bags and backed their autos up to stores stuffing goods into the trunks and back seats."

In Detroit the police, at first, were ordered to withhold gunfire. Then according to the press story, Mayor Cavanagh asserted, "Their safety is at stake and if they must return fire, it must be."

Mr. President, as long as these mobs feel that they can loot and pillage and burn and destroy and maim without getting shot in return for their crimes, they will commit these acts increasingly. These insurrections should be put down with determined force, and the hoodlums and criminal element should be warned that police and National Guardsmen will not wait until fired upon before firing their own weapons. Adult looters, caught in the act, should be shot on the spot.

A policeman has always been under a duty to use whatever force is necessary to prevent a felony from being committed in his presence, and the looting of business places and the stealing of valuable property, depending on the amount, of course, constitute a felony. Were it only a situation in which one individual were attempting to rob a business establishment, then there would be every reason for the use of force only as a last resort. But where mobs are roaming the streets, breaking the windows of business establishments, dragging innocent people from automobiles, setting fires to buildings, and carrying away valuable merchandise to which they have no just claim, they should be made to understand that they do so at the peril of losing their own lives. Government has a right to survive. There is only one way to deal with rioters who are bent upon the wanton destruction of property and life and that is to deal with them swiftly and forcefully. So long as public officials, local, State or Federal, temporize or vacillate or show hesitancy in dealing with the rioters, the rioters will run amuck and endanger the lives and properties of law-abiding citizens. When, on the other hand, the rioters are made clearly to understand that the patience of a nation is coming to an end and that those who are caught in the act of looting and destroying will be shot on the spot, they will stop this mad mockery of the law.

POVERTY, GHETTOS, SLUMS, AND DISCRIMINATION ARE THE USUAL EXCUSES FOR, BUT ARE NOT THE BASIC CAUSES OF, RIOTS AND VIOLENT CRIMES

Mr. President, the usual excuses are being made for violence in the streets. They are the same excuses that were trotted out in the wake of the Watts riot. We hear that slums constitute a basic cause. Yet, Plainfield, N.J., is not a slum, with its tree-lined streets and two-family apartments. Watts was not a slum.

No slum was ever deliberately planned to be a slum. No slum was ever deliberately built. Slums develop as a result of the carelessness of the inhabitants. Slums are developed by slummy people. The people may be taken out of the slums, but the slums cannot be taken out of some people. As long as people throw their trash into the hallways, and throw their beer cans and their whiskey bottles and their rotting garbage into the yards and onto the streets, there will continue to be slums. And wherever these same people go, the slums will follow after them. As long as they insist upon ripping up the steps and the bannisters, tearing off the wallpaper, punching holes in the walls, kicking the panels out of the doors, breaking the windows, and ripping loose the plumbing fixtures, there will be slums, and the landlord can scarcely be blamed for his reluctance to repair such destruction.

As to the ghetto, a ghetto need not be a slum. It depends upon the inhabitants thereof.

Many immigrants who have entered our country have been housed in ghettos, but, for the most part, they have taken a personal interest in their surroundings and have sought to keep the ghettos clean. They have not considered this to be an excuse or justification to riot, but rather they have sought to make their surroundings liveable and they have sought to improve those surroundings.

There are those who blame the riots on poverty. Yet, poverty-stricken white Americans outnumber poverty-stricken Negroes, but white Americans have not resorted to violence in the streets. Moreover, there are millions of poor Negroes in America today who deplore the riots.

If poverty were an excuse for rioting, Abraham Lincoln would have been the Stokely Carmichael of his day and Booker T. Washington would have been the Floyd McKissick of his time.

I remember the depression of the early 1930's. Thousands of men and women and children in West Virginia were inadequately clothed, fed, and sheltered, but they did not attempt to take the law into their own hands. Negroes and whites saw hunger in the mining communities, but they did not find in this an excuse to burn and loot and destroy. The mining communities where I lived as a boy, and during my early adult years, were areas of grinding poverty.

I have seen men wearing hemp sacks around their feet in the wintertime because they lacked shoes. I have seen Christmases come and go without a stick of candy in many a home. I have seen children without shoes and tables without food. I have seen men without jobs, and I have seen rat-infested houses. As to plumbing fixtures, there were none. Air conditioning was unheard of. Few people could boast of owning a radio or a refrigerator, and fewer still possessed an automobile.

There were times when an owner of an old automobile could not afford the cost of a new license plate. Running water in the houses was but a dream. A washtub constituted the bathing facilities. Yet, these poor people as a general rule, kept their floors scrubbed and their steps clean. Here and there they planted a flower or a piece of shrubbery. Their few bits of clothing were washed on a scrubboard in a No. 3 tub. They could not afford the luxury of a washing machine. Yet, these people, Negro and white, were law-abiding citizens and they taught their children to obey the law and to respect governmental authority.

Negroes and whites got along well together. I often visited in Negro churches and Negro homes when I was a young man. Whites and Negroes respected one another. They worked together, and they helped one another during difficult days.

As I indicated in a Senate speech recently, I formerly worked in a coal company store as a produce clerk and as a meat cutter. Many times I placed an empty flour barrel at the end of the meat counter and started off a "pounding" for a stricken Negro miner. Whites and Negroes lining up at the counter contributed lard and bacon, meal and flour, pinto beans and potatoes to the stricken family. People tried to help one another rather than to hurt one another. People sought to give, even when they had little to give, instead of taking that which was not rightfully theirs. And, believe it or not, people did not have to lock their doors at night and bar their windows. Nobody ever heard of homes being burgularized, of women being raped, of old men being knocked to the ground and robbed, and of pockets being picked in those communities.

So, Mr. President, I cannot have much sympathy with those who attempt to blame the riots upon poverty. Strangely enough, many of these so-called poverty-stricken rioters seem to be mainly interested in looting the liquor stores. According to the news reports, these are the establishments that are first looted.

Some would have us believe that these rioters want jobs. I happen to believe that most of them would not hit a lick at a snake. They are allergic to work, and as the old saying goes, a drop of their sweat would cure the leprosy.

One has only to look at the job opportunities in the Washington Metropolitan area, or in any other city, to see that many jobs go begging for want of people to fill them. The Eastern Panhandle of West Virginia is a great apple-growing area, and it is but a few miles from the Nation's Capital. Yet, fruit pickers have to be imported every year to help harvest West Virginia apples. There are reported to be between 7,000 and 8,000 individuals here in the city of Washington who supposedly constitute the hard core unemployed, and yet, heretofore, it has been impossible to recruit people from this area who are willing to travel to the apple orchards, just a few miles away, to help harvest the fruit.

Look at the classified section in the Washington newspapers on any day of the week, and one will find advertisement after advertisement calling for domestic help. Most of these domestics can get $12 for 8 hours' work and their transportation paid and lunch provided, but all too many of the employable women do not want to work, and so the jobs are not filled. Many of these people would rather draw welfare checks than to go to work.

All that one has to do is to travel about six blocks from the Capitol building, wherein I am now speaking, in any one of three directions, and look at the young, defiant hoodlums who are congregated on the street corners and listen to their vulgar language, and one will readily understand the reluctance of employers to give them jobs. The element about which I speak would constitute a danger to the employer, in the first place, and, in the second place, they are absolutely untrustworthy.

When a man heaves a brick through a store window and makes off with a television set or other loot, he thereby brands himself as an irresponsible individual who is not worthy of employment and one whom no sensible employer would want to hire.

Discrimination, some say, is the cause of the riots. I referred earlier to millions of foreign immigrants who have come to this country, immigrants who could not even speak the English language and who were thus placed at great disadvantage as against people born here. They were Germans, they were Poles, they were Hungarians, they were Italians, Jews, Lebanese, Greeks, and other nationalities. They were discriminated against. Even the Irish were discriminated against in earlier years. But these people did not riot. They went to work and lifted themselves up by their own bootstraps, so to speak. If they could not find work, they peddled papers or fruits and vegetables, or opened their own shops. Many of them walked the country roads in my State or the streets of big cities and peddled laces, liniments, and other wares, until they could get enough money to establish a shop. They contributed to the communities in which they lived, and they proved themselves to be responsible citizens and thereby earned the respect of other people. They did not resort to violence in the streets, to rioting and looting and burning.

The same can be said of many of our Negro citizens. They, too, have shown themselves to be worthy of respect. They have worked hard and saved a little here and there and bought themselves a home. They, too, have lifted themselves up through their own initiative. Many of these responsible Negro citizens have been the first to suffer in Detroit and other cities at the hands of rioters. Many of their homes have been burned by the raging fires.

So, Mr. President, many people, Negroes and whites, have been subjected to discrimination through the years, but they have not joined the mobs in the streets. No, discrimination is not an excuse. Moreover, there are more laws on the statute books today against discrimination than ever before in the history of our country, while at the same time there is more unrest, more crime, and more violence in the streets. The Federal Government is doing more today than it has ever done before to wipe out discrimination.

In recent years, Federal policies, and congressional statutes, have, in actual practice, often favored Negro jobseekers and Negro jobholders. Federal agencies go out of their way to employ Negroes.

Look at the Post Office Department, and you will see that Negroes have been employed in increasing numbers. Civil service standards have, in some instances, been lowered in order to accommodate Negro applicants. But even in the face of these things riots are increasing and have become the order of the day.

The charge is often made that police brutality is at the root of the growing unrest in our cities. One is at a loss, however, to understand how this can be the case, when the vastly overwhelming majority of such charges have been proved untrue and utterly unfounded. Our Nation has come to a sad state of affairs when a police officer cannot make an arrest in the proper performance of his duty, and in properly enforcing the laws of the community, without being immediately surrounded by a jeering, threatening mob shouting "Police brutality." It has become virtually a pattern throughout the country, and the fuse to many of the recent riots has been ignited by an arrest properly executed. What is going to happen to law and order if the community is unable, through its properly constituted authorities, to enforce the law? Anarchy will result. Mob rule will prevail. Every man will be a law unto himself. And every man will arm for his own protection and for the protection of his own family.

"Society based on the rule that each one is a law unto himself would soon be confronted with disorder and anarchy." (Justice Harlan, U.S.S.C.)

No, Mr. President, police brutality is not the cause of the unrest sweeping over the Nation. I do not condone police brutality, and I do not believe that much of it can be found to exist. It is reasonable, however, to believe that the citizen who obeys the laws and who conducts himself properly will need have no fear of police brutality. All too often, the individual who charges police brutality has been guilty, first, of breaking the law, and then of resisting the officer who made the arrest. The policeman is more often abused and mistreated than is the person who cries "Police brutality."

Where would we be, Negro and white, without the policeman? Society would be at the mercy of the hoodlum, the arsonist, the murderer, the rapist.

Laws are made to be obeyed by all of the people all of the time. Respect for the law is the basis for orderly government, and law-abiding and peace-loving citizens, regardless of race, need to rally around the police, who, too often, play a thankless role in riotous and difficult and dangerous situations.

Some people say the riots result from the slow pace of integration and poor educational facilities. But one does not have to have an integrated, interracial education to have a good education. If this were so, it would be impossible to get a good education in many European schools. If it were true, few Americans, relatively speaking, would have had a good education over the years.

Moreover, most people of my age in America can remember the one-room school, the two-room school, the school without running water and without plumbing fixtures, the school with a Burnside stove. I am not advocating that we go back to that, but more moneys are being spent today, and rightly so, to educate people in these troubled areas than were ever spent before. Whereas most of our parents had to furnish our books when we went to school, the State and Federal Governments today supply these and other necessities. Libraries, gymnasiums, air-conditioned schoolrooms, modern teaching aids, free textbooks—all of these and more are provided at great cost—and I support them—to many in the areas which are being beset by riots.

Of course, not all of the schools in the crowded cities are the best—no one would maintain that to be the case—but they are rapidly being replaced with new and modern facilities, and even the oldest and worst of the city schools today are often better than many of those in which most Americans my age and older acquired their education. Yet, poor school facilities were never heretofore considered an excuse or justification for rioting.

After all, it is not the school so much, perhaps, as it is the student himself. We can only provide the opportunity for an education, but if the student shows no inclination to take advantage of the opportunity, he will not become educated. Education cannot be administered as a drug through a hypodermic needle. It cannot be absorbed by osmosis. It requires effort. And many people will never put forth the effort, regardless of how modern the school may be. Some people simply are allergic to study just as some people are allergic to work.

No, Mr. President, "There is no such things as a vested right to do wrong." These words were spoken by a former Justice of the U.S. Supreme Court. In the context of the riots which are fast becoming commonplace in our American cities, the words are worth repeating.

In a degree, however, it is understandable that the rioters would harbor the idea that they have a vested right to do wrong because they have sometimes been encouraged to believe this. They have been so encouraged by those who say that poverty or discrimination or lack of jobs, et cetera, are the causes for riots. Public officials, if they are forced by recent events to deplore the riots, often do so in one sentence, but, almost invariably, they immediately embark upon a speech wherein they seek to excuse the violence and excuse those who perpetrate it by placing the blame upon a society which has been unable fully to eradicate poverty, discrimination, and unemployment. Little wonder that the rioters are encouraged to do violence.

Mr. President, I do not maintain that poverty and slums and unemployment are to be ignored, or that we should close our eyes to these things. Indeed, we should take feasible action to effectively deal with them. I do say, however, that they are not a justification for insurrection and riot. They are not an excuse for violence. Most people have had to work for what they own. Most people are willing to work for what they receive. Most people have demonstrated the patience, the initiative, and the effort to get where they are, and the obstacles they have had to overcome have often been great.

The issue here is whether any minority group in the country should be able to bring such pressure to bear on Government by the threat of violence that it can exact funds from the Public Treasury.

If democracy means anything at all, it means that the taxpayer's money—that the people's property which has been taken for public purposes—shall be spent only in accordance with laws and policies determined by the people's representatives. And if democracy means anything at all, it means that such laws and policies are formulated and adopted only through a process whereby the people's representatives are persuaded to support them by rational arguments presented in democratic debate.

To shortcut the process of debate by threatening violence is to attack democracy itself. Whoever takes up and uses—however indirectly—the threat of violence, is guilty of something like blackmail. And it may behoove us all to remember Mr. Justice Frankfurter's admonition: "Respect for law cannot be turned off and on as though it were a hot-water faucet."

Increasing numbers of public leaders are attempting to persuade Congress to vote more funds for various urban and antipoverty programs by warning Members of Congress of the violent consequences that will occur should Congress not fund such programs. It might be said that this is a most effective argument. In fact, it is not an argument at all.

An effective argument is made by reason. Violence is not reason—it is the very opposite of reason. To use the probability of consequent violence as a means of argument is to corrupt the democratic process of persuasion through debate. I am appalled, Mr. President, that presumably responsible men of influence in our public life should fail to see the corruption they work when they use the implicit threat of violence as a means of persuasion.

To make such an argument is equivalent to saying: "Fund these programs in the amounts we ask for, or else."

When he was elected national director of the Congress of Racial Equality last July, Floyd McKissick stated:

"You can interpret this any way you want, but all I am saying is that the black man's cup is running over in the ghetto and you can no longer expect him to remain nonviolent.

"I am not going to condemn him if he does become violent, either, because I have been pleading and begging for positive action from the government." (Washington Star, July 3, 1966: A–3).

When he was asked recently by the U.S. News & World Report about the possibility of summer riots in 1967, McKissick replied in this manner:

"Hardly any community in this country can call itself immune to trouble this coming summer."

Pointing to particular cities, McKissick said:

"Cleveland stands out like a very sore thumb. Nearly every city in New Jersey is in trouble. I bet that New Jersey will never get through the summer without trouble."

He was right, Mr. President.

Continuing McKissick's reply: "Among other cities, I name New York, Detroit, Omaha, Kansas City, St. Louis, and especially East St. Louis, Chicago, Gary, Indiana, San Francisco and Oakland, Los Angeles, of course, and also Washington, D.C." (U.S. News, May 1, 1967: 42).

According to McKissick, he had begged and pleaded in vain "for positive action from the Government," and so he would not blame the Negro if he resorts to violence.

Last April, the Reverend Dr. Martin Luther King, Jr., said: "I'll still preach nonviolence with all my might, but I'm afraid it will fall on deaf ears."

And he continued: "I'm sorry to have to say this, but the intolerable conditions which brought about racial violence last summer still exist." (Washington Star, April 17, 1967: A–6).

These words do not sem to fit a winner of the Nobel Peace Prize. And they have the same persuasive character as a blackjack.

The same kind of "argument"—if we can call it such—was made by Ernest Cooper of the Urban League—a foremost civil rights organization—in Cleveland. Asked by an interviewer from the U.S. News whether violence might hit Cleveland this summer, Cooper stated that the prospect looks "very dismal unless a number of things happen soon to indicate that Cleveland is going to be responsive to the needs of its people." U.S. News, May 1, 1967, page 44.

William G. Robinson, director of public welfare in Cook County, Ill., when asked about the situation in Chicago by the U.S. News, asserted that, unless the State legislature passes an open-housing bill, "we will be in for trouble." Same issue, page 45.

It is even more subversive of the democratic process when the "put-up-or-else" argument is offered to Congress. The Subcommittee on Executive Reorganization of the Senate Government Operations Committee was confronted by this kind of shotgun persuasion several times in the course of its hearings last year on the Federal role in urban affairs.

Bayard Rustin, who organized the 1963 March on Washington and who is presently executive director of the A. Phillip Randolph Institute, testified last year, I am informed, before the Subcommittee on Executive Reorganization. He cited two instances—the riot in Chicago and the riot in Watts—in which young Negroes stated that they got what they wanted from the city government only after they resorted to violence and not before. The moral that he drew from this for the members of the subcommittee was clear. Mr. Rustin said:

"If these two instances are not clear illustrations of the extent to which the conduct of the society creates and nourishes the despair and violence among Negro youth, then I do not know of any.

"I maintain, therefore, that unless a forthright master plan is executed, one that sees the problem of housing, schools, jobs, and the psychology of the ghetto, as a single problem, then this society will have to acknowledge that it is indirectly saying to the young dispossessed in this Nation that if they want something, the only way they can get it is not to depend on leaders who are temperate, leaders who advocate nonviolence, but that they themselves must take the law into their own hands.

"This is a tragedy, and I ask you to see it as a tragedy which is being assisted and deepened by the inability of this society to produce or facilitate victories for the dispossessed so that they can maintain their faith in this Nation, in law and order, and in the cement of society, which is nonviolent action." (Hearings: 1855).

And so the Government, says Rustin, must come up with a master plan to meet the problems of housing, schools, jobs—and why must it do so? That is the point about his testimony. Why must the Government undertake this planning and expenditure? To forestall violence, and to keep Negro young people from taking the law into their own hands. This is the kind of argument which is tantamount to blackmail.

I am advised that A. Phillip Randolph, an outstanding Negro labor leader and president of the institute that bears his name, offered the same kind of argument to the subcommittee. He referred to "these teenagers who throw the Molotov cocktails, who set stores and houses afire, who turn over automobiles, who create disorder in the streets, and so forth." And he went on to say about them:

"Well, now, I am definitely of the belief that these youngsters can be rescued, but they have not been touched as yet. You go through Harlem or Detroit or St. Louis or Chicago. You will find them standing on the street corners, standing on the stoops, some shooting crap, some engaged in this and that thing, but not any work is visible. They have nothing to do, and this is the tragedy, because idle hands and idle minds naturally flow into antisocial activities."

Mr. Randolph continued by saying:

"We have got to reach the unreached. They are the young teenagers who represent the explosive force in every community, and with that chemistry of the loss of hope and the loss of jobs, or no possession of jobs, and with the belief that society is against them, that is the chemistry out of which you have social and racial explosions." (*Ibid.*: 1994, 1995).

So Mr. Randolph offered Congress the alternatives of Federal funding of vast programs or "social and racial explosions" complete with Molotov cocktails, the burning of stores and houses, and the overturning of cars, and so on.

The same alternatives were presented to the subcommittee by Robert C. Weaver, Secretary of the Department of Housing and Urban Development. Mr. Weaver cited the problems of American cities, and then said to the members:

"Now that there is violence in the streets to bring these problems to our attention more forcefully than ever before, I simply want to identify . . . root causes of our difficulties," (*Ibid.*: 182).

We are evidently to assume, from what Mr. Weaver says—and, incidentally, others have implied or said the same thing—that violence in the streets is to be regarded as a means of bringing social problems to our attention more forcefully than ever before. Indeed, in concluding his testimony, Mr. Weaver said:

"The most immediate domestic problem facing us is the unrest and violence in our cities. I need not labor the point before this Committee that these dangerous occurrences are but surface manifestations of deeper and more enduring ills. Nor is it necessary for me to urge upon you support for remedial action to deal with this unfinished business of democracy." (*Ibid.*: 214).

Presumably, it is not necessary for Mr. Weaver to urge remedial action upon us because the violence in our cities should be urging enough.

Even Mr. Nicholas Katzenbach, who was then Attorney General, offered the threat of urban violence as a prime argument for funding Federal programs of urban assistance. Testifying before the subcommittee, Mr. Katzenbach said that the Justice Department had investigated recent city riots and found that the riots—and I am quoting his words—"were indeed fomented by agitators—agitators named disease and despair, joblessness and hopelessness, rat-infested housing and long-impacted cynicism. These sources of agitation are not the product of Communists or Black Nationalists or terrorists. They are the product of generations of indifference by all the American people to the rot and rust and mold which we have allowed to eat into the core of our cities."—C. O. Almanac 1966: 232.

R. Sargent Shriver, Director of the OEO, imported the threat of violence into the argument for Federal aid to the cities. Shriver said to the subcommittee:

"The urban ghettos of this Nation are crying out for help in a voice desperate to be heard and to be understood. In Watts a year ago, we had not heard. Or if we heard, we did not heed. When we finally listened, it was to the crack of exploding firebombs and sniper fire." (Ibid.: 233).

In a similar vein, A. V. Sorensen, mayor of Omaha, told the subcommitte that the riots in Omaha and in other cities were partly the result of maladministration of Federal programs or urban assistance. Mayor Sorensen said:

"The Negro wants first class citizenship now and he is tired of headline promises from government." (Ibid.: 236).

I suppose the mayor intends that we draw from this statement the implication that either the Federal Government comes through on its promises or the Negro will take to the streets.

Jerome P. Cavanagh, who is mayor of Detroit, also raised the specter of the violent city mob in order to add urgency to his argument for a total approach by Congress toward urban problems. In his criticism of the present administration of Federal aid which divides such aid among many agencies for different problems, Mayor Cavanagh cited a catalog of Federal programs issued by OEO which is over 400 pages long. Then the mayor added these words:

"But the sad fact of the matter is that the so-called angry young man standing on a ghetto street today is seldom reached by the content of that catalog. And that young man today is the symbol of a national and very great national domestic crisis." (Hearings: 619.)

Let me say again, Mr. President, that the public leaders whom I have cited should understand that they have a responsibility to maintain the integrity of the democratic process of persuasion through reasoned debate. And this sense of responsibility should prevent them from replacing reasoned argument with the kind of blackjack "argument" of which I have given numerous examples.

And I earnestly hope that Members of Congress, when they are considering programs of aid to disadvantaged groups of citizens or to urban areas, will be fully aware of the difference between supporting such programs out of reasoned conviction of their usefulness in promoting the general welfare, and supporting them out of apprehension of the threatened violence that might occur in the absence of such programs.

I have worked for years to improve the lot of the poor and to better their conditions. I have supported most housing programs, most of the social welfare and economic programs designed to help people, and I want to see all of our people enjoy a better life if they will work for it and if they will shoulder the responsibilities that are a part of living in a free society. But I also believe that people have to do a few things for themselves. The Government cannot do everything for them. And pouring more and more money into more and more programs is not going to stop these people from rioting, because those who are doing the rioting are not the solid Negro citizens.

It is the criminal element—the hoodlums and the irresponsible hooligans who have an apparent obsession for trouble and mischief. They will only stop it when they are made to fully understand that the local, State, and Federal governments mean business, and that violence will not be tolerated any longer, and that force will be overcome with greater force.

SO-CALLED CIVIL DISOBEDIENCE AND DEMONSTRATIONS HAVE SET THE STAGE

Mr. President, there is no single cause for the riots. I believe, however, that the wave of civil disobedience and demonstrations which swept over this country during the last few years laid the foundations for today's violence. The wind was then sown and today we are reaping the whirlwind. Laws were broken, court orders were flaunted, towns were overrun, and police were made helpless. Lawlessness has begotten anarchy.

SOME STEPS WHICH SHOULD BE TAKEN

Likewise, there is no easy or simple or single solution to the street violence and the riots. They are obviously not all ignited by outside agitators, and they are not all Communist inspired, if indeed, any of them are so inspired. But of one thing we can be sure. They cannot be tolerated if our people are to remain a free people under a government of laws.

Peaceful assembly is protected by the Constitution and so is the right to petition the Government against grievances. But willful violation of the law—whether the law be municipal, State, or Federal—should not be tolerated. The civil rights of all Americans are guaranteed by the Constitution and the Bill of Rights, and the individual whose rights are denied should seek redress in the courts rather than in the streets. For, as a great Associate Justice of the Supreme Court, Louis Brandeis, once said: "All rights are derived from the purposes of the society in which they exist; above all rights rises duty to the community."

Every effort should be put forth to stamp out illiteracy, and the emphasis, for every individual, should be upon education. Education for the sake of education, rather than integration for integration's sake, is the important thing. Education will light the paths to mutual respect, cooperation, and better understanding. Education is the cornerstone for amicable race relations.

Booker T. Washington, one of the greatest of American Negroes, lived as a boy in Malden, W. Va., where he toiled in the salt works and in the mines. In later years, when he had become a great educator, he made a statement, the wisdom of which can benefit not only the Negro boy or girl, but also the white youth who is desirous of making a success in life:

"When a Negro girl learns to cook, to wash dishes, to sew, to write a book, or a Negro boy learns to groom horses, or to grow sweetpotatoes, or to produce butter, or to build a house, or to be able to practice medicine, as well or better than someone else, they will be rewarded regardless of race or color."

Moreover, every man should have the opportunity for employment on the basis of merit, and he should expect to be chosen only on the basis of merit, education, training, experience, industry, and character—not the color of his skin. Nor should the color of one's skin be a badge for preferential treatment in hiring and promotion any more than it should be a badge for discriminatory treatment.

Also, family planning is imperative, and civil rights organizations should make intensive efforts to promote such. The high birth rate among low-income Negro families simply cannot be overlooked. For, whatever importance may be assigned to unemployment as a factor in riots and other developments which have racial overtones, the fact is that, in this age of automation, cybernation, and advancing technology, the problem of unemployment will always be with us, and no amount of Government largess and costly poverty programs will constitute a panacea therefor as long as the birth rate is permitted to soar, unchecked and uncontrolled, among those families least prepared and least able to provide for large numbers of children who, in later years, will be unprepared candidates for jobs which no longer exist.

Additionally, the problem of illegitimacy must be dealt with. In New York City's Harlem, where Negro rioting has flared in the past, one out of every five Negro children is illegitimate. An indication of the concomitant social evils can be seen in the fact that there were 12 times as many cases of venereal disease per 100,000 people in Harlem as there were per 100,000 people in New York City as a whole.

Illegitimacy is, more and more, becoming a frightening factor in this whole equation. How the Nation can continue to close its eyes to this disturbing fact is beyond comprehension. Something will have to be done about it, or the burden of crime, riots, and the dole will ultimately become unbearable. Militant civil rights groups should stop blaming the white power structure for all of the ills that are visited upon the Negro community.

Negroes must themselves take the lead in doing something constructive for themselves; and they can do this by waging war upon the evils of illegitimacy as one important beginning.

The Negro's lot can be infinitely better in the future if something is done now to encourage and promote planned parenthood and parental responsibility. This is not to say that illegitimacy is nonexistent among white, but the statistics show clearly where the problem is greatest, and it should there be attacked most intensely.

Finally, Mr. President, no amount of Government paternalism can take the place of drive and ambition when it comes to developing the substantial and upright citizen. Hard work, perseverance, and self-accomplishment breed independence and strength, and courage and resourcefulness in the man or woman. Somehow the glory of honest toil is going to have to be restored if this Nation is going to survive all of the domestic dangers that confront it. There is no question but that the Central Government has a responsibility to assist, a responsibility to provide certain services, but if that Government is to endure, the people must not be encouraged more and more to depend upon the Government for the supplying of every want and every need. A nation on the dole can never hope to maintain the moral fiber, the spiritual strength, and the rugged resourcefulness to keep her people free.

Easy money, easy living, laziness, shiftlessness—all these go hand in hand with irresponsibility, a disordered society and ultimate decay.

Disobedience to law and acts of violence by a few can hurt the just cause of the many. Not alone this. The perpetuation of ours as a government of laws depends upon the preservation of the constitutional process through which the rights of minorities can be safeguarded and only through which the freedoms of all our citizens will endure.

It may be a tedious process, a long and painstaking process, but, like the mills of the gods, it grinds exceedingly fine. And anything that is antithetic to that constitutional process, whether it be the street riot or the lynchman's noose, or whether it be the false doctrine of self-determination by one's conscience as to what laws should be obeyed or disobeyed does violence to this Republic and to constitutional American liberty.

In the words of a former Supreme Court Justice:

"The foundation of a republic is the virtue of its citizens. They are at once sovereigns and subjects. As the foundation is undermined, the structure is weakened. When it is destroyed, the fabric must fall. Such is the voice of universal history." (Swayne, U.S.S.C.)

RESOLUTIONS OF THE TEXAS LEGISLATURE

Mr. TOWER. Mr. President, the Legislature of the State of Texas has, within the past several months, passed a number of resolutions which I believe will be of interest to my colleagues in that they reflect the judgment of vast numbers of voters in my State.

I ask unanimous consent that the text of four such resolutions be printed in the RECORD, so that Senators may be apprised of the thinking of Texans on such issues as tax exemption for education, limitation on use of water from Federal reclamation projects, Middle East conflicts, and textile imports.

As the Senate will note, a plea is made in each of the resolutions for congressional recognition of the situation and action by the U.S. Congress to deal effectively with the situation.

I might note that I have introduced or cosponsored legislation dealing with the three domestic problems mentioned.

There being no objection, the resolutions were ordered to be printed in the RECORD, as follows:

H. CON. RES. 53

Whereas, The cost of educating one's children and supporting them while they are in school and college increases every year along with the rise in the general cost of living; and

Whereas, Each year greater emphasis is being placed on education, and properly so, because of its demonstrated value to the nation, the state, and the individual; and

Whereas, The federal, state, and local governments are all seeking new methods of improving education and broadening the educational opportunities of all our citizens; and

Whereas, Parents still bear the major share of the cost of education, which benefits society as a whole, and any incentive or consideration given to parents in order to encourage them to provide the maximum attainable amount of education for their children would be of great benefit to the state and nation; and

Whereas, The present income tax laws provide only a $600 exemption to the taxpayer for each child who is a student; and providing a larger exemption would be a timely recognition of the role of the parents in encouraging their children to obtain a higher education, and would be consistent with the efforts being put forth at all levels of government to improve the educational level of our society; now, therefore, be it

Resolved by the House of Representatives of the State of Texas, the Senate concurring, That the Congress of the United States is respectfully urged to amend the federal income tax laws so as to increase the parent's tax exemption for children who are students to $900 or to any amount which will more appropriately recognize the role of the parents in encouraging and providing for the education of their children; and, be it further

Resolved, That a certified copy of this Resolution be furnished to the President of the United States Senate, the Speaker of the United States House of Representatives, and each of this state's Senators and Representatives in the Congress of the United States.

PRESTON SMITH,
Lieutenant Governor, President of the Senate.

BEN BARNES,
Speaker of the House.

I hereby certify that H.C.R. No. 53 was adopted by the House on April 4, 1967.

DOROTHY HALLMAN,
Chief Clerk of the House.

I hereby certify that H.C.R. No. 53 was adopted by the Senate on May 3, 1967.

CHARLES SCHNABEL,
Secretary of the Senate.

Approved: May 20, 1967.

JOHN CONNALLY,
Governor.

H. CON. RES. 146

Whereas, The high standard of American living has been established in large part through mass production and assembly-line techniques in agriculture as well as industry; and

Whereas, It has become virtually an economic impossibility for small farms to successfully compete with large and mechanized competitors; and

Whereas, Labor shortages and efforts to reduce costs require the utilization of expensive machinery which is only economical and practical when capital costs can be spread over larger acreages; and

Whereas, The 160-acre limitation in the federal reclamation laws is outmoded and impractical in view of the expansion of farm operation which modern economy now requires; now, therefore, be it

Resolved by the House of Representatives of the State of Texas, the Senate concurring, That the Legislature of the State of Texas respectfully memorializes the President and the Congress of the United States to remove from the federal reclamation laws the 160-acre limitation or to provide for the reasonable adjustment of the existing acre limitation commensurate with modern agricultural pursuits; and, be it further

Resolved, That the clerk of the House is directed to transmit copies of this Resolution to the President and Vice President of the United States, to the Speaker of the House of Representatives, and to each Senator and Representative from Texas in the Congress of the United States.

PRESTON SMITH,
Lieutenant Governor, President of the Senate.

BEN BARNES,
Speaker of the House.

I hereby certify that H.C.R. No. 146 was adopted by the House on May 23, 1967.

DOROTHY HALLMAN,
Chief Clerk of the House.

I hereby certify that H.C.R. No. 146 was adopted by the Senate on May 23, 1967.

CHARLES SCHNABEL,
Secretary of the Senate.

Approved: June 18, 1967.

JOHN CONNALLY,
Governor.

H. CON. RES. 158

Wheras, At this time the eyes of the world are turned toward the tensions of the Middle East, a matter of grave concern which threatens the security of the entire world; and

Whereas, This 60th Session of the Texas Legislature wishes to express to The Honorable Lyndon B. Johnson, President of the United States, its wholehearted support of the policy announced this week in connection with recent developments in the Middle East; and

Wheras, It is the desire of this body to lend its support to his efforts in maintaining peace in this area consistent with the commitments of our government to preserve the freedom of use of international waterways and the territorial integrity of all nations; now, therefore be it

Resolved, That this Legislature go on record as endorsing and commending our President in this most serious hour of decision; and, be it further

Resolved, That a copy of this Resolution be forwarded to The Honorable Lyndon B. Johnson, President of the United States, and all Members of the Congress.

PRESTON SMITH,
Lieutenant Governor, President of the Senate.

BEN BARNES,
Speaker of the House.

I hereby certify that H.C.R. No. 158 was adopted by the House on May 25, 1967.

DOROTHY HALLMAN,
Chief Clerk of the House.

I hereby certify that H.C.R. No. 158 was adopted by the Senate on May 25, 1967.

CHARLES SCHNABEL,
Secretary of the Senate.

Approved: June 18, 1967.

JOHN CONNALLY,
Governor.

H. CON. RES. 167

Whereas, The Legislature of the State of Texas understands and accepts the need for a substantial volume of international trade in textile products, but the state's future well-being depends heavily on the economic stability and confidence of these industries; and

Whereas, Current trade policies, however, have generated imports into this country in a volume and at a rate of growth that seriously threatens the economic stability of the cotton farmer, of the primary U.S. textile industry, the apparel industry, the wool producers, the chemical and machinery industries, and many other industries which supply and serve the U.S. textile industry; and

Whereas, Texas is one of this nation's leading producers of cotton: in 1966, more than 30 percent of the nation's cotton crop was produced in Texas; Texas cotton farms employ about 160,000 persons and provide an annual payroll of more than $120 million; and

Whereas, The apparel and primary textile industries of Texas employ another 30,000 persons and have a combined annual payroll of more than $100 million; including employment in gins, cotton seed oil mills, farm and gin machinery manufacturing and transportation, more than 230,000 Texans are dependent on cotton and cotton textiles for their livelihood; and

Whereas, Aside from cotton, Texas is the country's leading producer of wool and mohair, and the Texas petrochemical industry is a leading supplier of materials used in the production of synthetic fibers; and

Whereas, Texas' heavy dependence on textile and related industries is such that this Legislature cannot ignore the tremendous flood of cotton, wool and man-made fiber textile goods that are devouring this country's domestic market; and

Whereas, Ten percent of the United States cotton textile market in 1966 was absorbed by imports of more than 1.8 billion square yards of cotton textile goods, and in 1967, imports have been running 11 percent ahead of last year's record total; and

Whereas, Of the entire United States wool market, 25 percent has been absorbed by wool textile imports, amounting to more than 179 million square yards; it is estimated that cotton, wool, and man-made fiber textile imports have replaced jobs in the United States for 200,000 to 250,000 persons directly in textiles, plus another 100,000 to 150,000 in those industries which supply materials and services to textiles; and

Whereas, The rapid and sharp increase in textile imports demonstrates clearly that present policies governing imports of textile products do not provide for the development of orderly trade; rather, they create extreme disruption in U.S. textile markets and deprive hundreds of thousands of employment; the textile tariff reductions negotiated during the recent Kennedy Round of the Geneva Agreement on Tariffs and Trade can only invite further increases in imports and resulting unemployment; now, therefore, be it

Resolved by the House of Representatives of the State of Texas, the Senate concurring, That we do respectfully urge the executive and legislative branches of the United States Government to recognize the immediate urgency of the textile imports situation and to move promptly to impose meaningful quantitative controls on imports of cotton, man-made fiber and wool textile imports; and, be it further

Resolved, That a copy of this Resolution be forwarded to the President of the United States, to the Secretary of State, and to each member of the Texas delegation in the United States Congress.

PRESTON SMITH,
Lieutenant Governor,
President of the Senate.
BEN BARNES,
Speaker of the House.

I hereby certify that H.C.R. No. 167 was adopted by the House on May 27, 1967.

DOROTHY HALLMAN,
Chief Clerk of the House.

I hereby certify that H.C.R. No. 167 was adopted by the Senate on May 29, 1967.

CHARLES SCHNABEL,
Secretary of the Senate.

Approved: June 18, 1967.

JOHN CONNALLY,
Governor.

SAFETY IMPROVEMENTS AND 1968 AUTOMOBILE PRICES

Mr. MONDALE. Mr. President, last May, the Senator from Washington [Mr. MAGNUSON] and I became deeply concerned by statements from various automobile industry sources that substantial price increases would be forthcoming with their 1968 model automobiles as a result of the additional costs they would incur in complying with the initial Federal motor vehicle safety standards and air pollution requirements. These statements were particularly disturbing because many of the safety features which will be required in 1968 model automobiles were already present on 1967 model cars and were presumably paid for by the 1967 price increases.

As a result, Senator MAGNUSON and I asked the four major automobile companies for a breakdown by model and standard of any price increases attributable to compliance with the Initial Federal motor vehicle safety standards.

We recently received responses from all four of the automobile companies. These letters uniformly state that the companies are unable to furnish such information at this time because 1968 model prices have not yet been firmed up. While this might be an adequate explanation for not providing such information at this time, the four automobile companies also contended that it would be virtually impossible to provide such data at any time, now or in the future, because car prices reflect many factors and are not based solely on the direct costs involved.

It is certainly peculiar that the industry is unable to determine what the consumer will be charged for safety improvements, after it so readily attributed anticipated price increases to compliance with the new safety standards. And it is disturbing in view of the fact that the automobile companies seem to be saying that they are incapable of doing what the Bureau of Labor Statistics does each year; namely, to make market value determinations of quality changes in automobiles in terms of consumer prices.

As a result, Senator MAGNUSON and I have written Mr. Arthur Ross, the Commissioner of the Bureau of Labor Statistics, asking him to evaluate the automobile company responses and to explain the apparent contradiction of how the Bureau of Labor Statistics can evaluate quality changes such as safety improvements on specific models of automobiles when the manufacturers themselves say it is virtually impossible to do so.

In short, I do not see how the auto industry can have it both ways. Either BLS figures, which are based on information provided by the industry itself and are often used to justify price increases to the public, are unrealistic, or else the manufacturers are capable of doing what BLS does and what they say they cannot do.

If the latter is the case, it would appear that the auto industry is simply refusing to reveal how much the consumer will be charged for safety improvements and the new car buyer should prepare to be taken for a price ride when 1968 cars go on sale.

Mr. President, because the complete text of this exchange of correspondence may be of interest to other Members of the Senate, I ask unanimous consent that it be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

MAY 29, 1967.

Mr. VIRGIL E. BOYD,
President, Chrysler Corp.,
Detroit, Mich.

DEAR MR. BOYD: We are naturally concerned by recent statements that compliance with the Initial Federal Motor Vehicle Safety Standards will necessitate substantial increases in the prices of the 1968 model automobiles.

Congress has the responsibility to assess the impact of the National Traffic and Motor Vehicle Safety Act on the economy as well as on public safety. However, as the Federal Highway Administrator indicates in the attached letter to Senator Mondale, the National Traffic Safety Bureau does not now have access to sufficient cost and price data to assess this impact objectively. We would therefore very much appreciate receiving from you a breakdown by model and standard of the increase in your prices which will be directly attributable to compliance with the Initial Federal Motor Vehicle Safety Standards.

In addition, we would appreciate receiving your answers to the several related questions raised by Administrator Bridwell in his letter.

Sincerely yours,

WARREN G. MAGNUSON,
U.S. Senate.
WALTER F. MONDALE,
U.S. Senate.

AMERICAN MOTORS CORP.,
Detroit, June 21, 1967.

Hon. WALTER F. MONDALE,
Hon. WARREN G. MAGNUSON,
U.S. Senate,
Washington, D.C.

DEAR SENATORS MONDALE AND MAGNUSON: This letter is in response to your request for information concerning the impact on 1968 car prices necessitated by compliance with the Initial Federal Motor Vehicle Safety Standards.

The prices for American Motors vehicles are established primarily through evaluation of competitive factors in the marketplace. We believe this is the appropriate and only feasible course of action for the smallest producer in the automobile industry. This approach is well-illustrated by the dramatic reduction made last February in the prices of our American series in a successful effort to improve our competitive position.

In establishing our prices for the 1968 models, we again expect that the competitive environment will be the principal determinant. In addition, there will be numerous cost considerations which will be of importance. There will be increased costs incurred as a result of incorporation of safety standards and anti-smog devices by our company and the other manufacturers. Necessary pricing levels will also be influenced by the outcome of labor contract negotiations this fall. Price changes of raw materials and component parts must also be taken into account. The new product features and model line-up revisions offered by American Motors for 1968 will also affect our pricing levels.

American Motors Corporation has always considered its product cost data to be confidential and has not furnished this information to any outside parties for any purpose. Inasmuch as the cost of safety standards is only one of several factors that will be taken into account in pricing our 1968 cars, we would appreciate your understanding of our determination not to alter this long-established policy.

American Motors, as a matter of merchandising strategy, has always provided the customer a high product value—low prices and extra product features. If the factors outlined make it essential to increase prices in 1968, we give you our assurance that the new safety standards will not be singled out as the primary causal factor.

Sincerely,

W. V. LUNEBURG.

CHRYSLER CORP.,
June 2, 1967.

Hon. WARREN G. MAGNUSON,
Hon. WALTER F. MONDALE,
U.S. Senate,
Washington, D.C.

DEAR SENATORS MAGNUSON AND MONDALE: We have received and have reviewed with care your letter of May 29, 1967 and the letter of Administrator Bridwell, which you enclosed with your letter.

As you may know, we have not yet made any decisions regarding our 1968 model car prices. We will make these decisions in the fall, shortly before the introduction of the 1968 cars. Naturally, increased costs will have a tendency to push prices upward, whether such increases result from compliance with the National Traffic and Motor Vehicle Safety Act, compliance with the Clean Air Act, increased costs of labor or materials or any other increase in our cost of doing business. Conversely, any cost savings we may be able to effect in any area of our operations will help reduce this upward price push.

Since pricing of our vehicles combines not only myriad costs, but competitive factors as well, and is almost unbelievably complicated, and since your letter indicates real and deep concern, it is necessary to go into some extensive detail to purposefully acquaint you with the true situation.

When we price our products in the fall of this year, we will take into account a great number of factors. Initially, we will attempt to establish what our total costs will be for the ensuing model year. These costs, in addition to direct labor and material costs, will include estimated costs for administration, research, selling expense, amortization of tools and depreciation of facilities, taxes, and all other factors that are involved in the running of our business. Once having arrived at an estimate of this total cost situation, we will attempt to determine what number of cars we can reasonably expect to sell of each model and body type during the ensuing model year. Following this, we will arrive at initial prices that, based on our selling estimates, will return to us a reasonable profit.

Having arrived at these prices, we will then have to review each such price in line with our appraisal of the competitive conditions present in each segment of the market and our analysis of the salability at such price of each of our models. As a result of this appraisal, we likely will have to make a number of adjustments, decreasing the price of some models and perhaps increasing the price of others, still hoping to maintain the estimated reasonable profit we had previously established. Finally, we may have to price all of our products below this level in order to be competitive, based on our appraisal of the overall strength of the market and the product offerings and anticipated prices of our competitors' products.

For the above reasons, it is impossible to attribute any specific price change in a particular model of a car to only one item of increased cost, such as compliance with the provisions of the Safety Act. We have to consider our total costs, our total expected sales, and the prices that we believe the public will pay for our products in a competitive marketplace. Obviously, our total prices have to cover our total costs and leave room for some profit, or we will not be able to continue in business. As a result, total increases in costs will normally tend to have an increasing effect on total prices, but prices of particular models can vary upward or downward, depending on market conditions and independent of any particular item of increased cost.

Further, even if we were able to attribute directly to each model a specific price increase based on the increased cost of complying with the Safety Act, we question whether it would be possible to isolate these increased costs with complete precision. It would certainly not present an accurate picture of our costs if we were simply to include the cost of labor and material involved in adding any particular item at the production level. We would have to consider the added cost in engineering and development work, the increased cost of necessary administrative procedures, and many other such added indirect costs. We do not isolate our indirect costs in this manner, rather, we deal with them in an aggregate, based on the overall job that has to be done, one facet of which is compliance with the Safety Act.

With the foregoing as background, we hope that you will more readily understand why we find it impossible to comply with your request for a varying number of reasons, among which are:

1) We have not yet made any decision regarding our 1968 model car prices.

2) While overall cost changes do affect overall price levels, the cost change involved in a particular model does not necessarily reflect itself directly in the price of that model.

3) Market and competitive conditions affect the degree to which changes in overall cost levels will result in changes in overall price levels and, consequently, the two do not necessarily follow in exact order.

4) Many kinds of costs are not segregated on model or an item basis.

Further, any efforts to isolate such costs would necessarily reveal a great deal about our engineering and development costs, our administrative costs, and our volume estimates for our various models. Information of this kind is highly confidential and it would be extremely detrimental to our competitive situation if it were to become known to our competitors.

I believe the above also answers the several related questions raised by Administrator Bridwell in his letter. I hope that this information will be of help to you and that you will appreciate why the factors stated above make it impossible for us to give you the precise information you requested.

Sincerely yours,

VIRGIL E. BOYD.

FORD MOTOR CO.,
Dearborn, Mich., June 28, 1967.

Hon. WARREN G. MAGNUSON,
Hon. WALTER F. MONDALE,
U.S. Senate,
Washington, D.C.

DEAR SENATOR MAGNUSON AND SENATOR MONDALE: Mr. Arjay Miller has asked me to reply to your letter of May 29, 1967, in which you indicated concern about "recent statements that compliance with the Initial Federal Motor Vehicle Safety Standards will necessitate substantial increases in the prices of 1968 model automobiles".

Mr. Henry Ford II and Mr. Miller included some comments on the price outlook in their remarks to our stockholders at the Company's Annual Meeting on May 18, 1967. Copies of these talks are attached. One point that I am sure will be clarified by a reading of these remarks is that Federal Safety requirements are not the only factor contributing to our pricing problem. There is no intent on our part to ascribe all of the pressures to safety requirements. For example, Mr. Miller, in discussing the Company's cost-price position, mentioned the following factors, in addition to safety and exhaust-emission requirements:

1. Since 1959, our *labor* costs have increased by 40% per hour worked.

2. *Material* costs have also risen, although less in percentage terms than labor costs.

3. We have deliberately put extra costs into our cars in order to *build a better product reputation* and to increase our long-run market share. These added costs brought about real gains in product value—reduced weight, lower noise levels, improved fuel economy, increased durability, improved interior space, greater comfort, and a broader range of customer choices. In addition, with respect to safety, we are voluntarily going beyond the government standards in many instances.

Until recently, generally higher volumes and improved management productivity—the investment of capital and skills—enabled Ford to absorb these cost increases without raising prices. In fact, the indexes published by the Bureau of Labor Statistics show that new car prices have *dropped* by 6.4% since 1959, while consumer prices as a whole have *risen* by 11.4%. During this same period, passenger car production rose by more than 50%.

We believe this record demonstrates Ford's reluctance to raise prices if cost pressure can reasonably be contained by other means. Within the past two years, however, our profit margins have been increasingly squeezed. Ford's sales in 1966 rose 6%, but our net income dropped by 12%—and the disparity is growing in 1967. Accordingly, we face an unacceptable misalignment of costs and prices. It appears that the prices of cars will have to go up; and in practically every other industry, we shall have to bring prices and costs back into a reasonable relationship with each other if we are to remain a sound business.

You have asked for a "breakdown by model and standard of the increase in your prices which will be directly attributable to compliance with the Federal Motor Vehicle Safety Standards". We cannot respond to this request because our 1968 model prices have not yet been established. When they *are* established, we shall of course take account of all the relevant cost and market factors, including of course, safety-related product costs. With regard to our *labor cost* outlook, as you may be aware, our present contract with the U.A.W. expires on September 6, 1967, and the union has indicated that it plans to seek substantial increases in the new contract.

Another key element in 1968-model pricing is the nature of the products that will be offered by our competitors, and the prices that will be established by competition. Our prices will be competitive; that is, they will bear a relationship to the prices of our competitors, both domestic and foreign, that we think appropriate in the light of differences in customer value. (You may recall that competitive conditions brought about some reductions in our prices last year, after we had established initial 1967-model prices that appeared reasonable to us in terms of all the relevant cost and market factors then available.) In summary, then, we simply do not have at this time the information necessary to make pricing commitments on our 1968 models.

I should like to make another point with respect to the effect of the Federal Safety Standards on prices. A price must apply to a whole car, rather than only to selected components. Even after 1968 prices have been established, it will be virtually impossible to ascribe portions of a given price change *solely* to a safety standard or to any other specific design change. Whatever price change finally takes place will result from consideration of *all* the relevant cost and market factors—and the singling out of the portion of the change attributable to only *one* factor must be, at best, rather arbitrary and subjective.

Nevertheless, it is obvious that cars complying with the 1968 safety standards will cost more to produce than cars equal in all other respects but not complying with the standards. As Senator Mondale indicated in his Senate speech on June 1, 1967, "no one questions that some of the new vehicle safety standards will cost money". To cite four obvious examples, the 1968 safety standards require additional seat belts; front shoulder harnesses; vehicle side markers; and added interior padding—all, of course, over and above what has been standard in prior years. In the long run, vehicles containing such equipment will have to be priced higher than alternative vehicles identical in every respect except for the absence of such devices.

Mr. Bridwell's letter of May 23 to Senator Mondale raises some further questions that we are glad to answer. First, we consider that the product costs relevant to the 1968-model safety standards comprise only the net additional costs incurred in order to meet the standards, rather than the absolute costs of all components for which design changes may be required by the standards. Second, as stated by Mr. Bridwell, the 1967 models already meet some of the 1968 standards; in such cases, compliance should not bring further cost increases. Third, any product cost *reductions* achieved on our 1968 models as a result of standardizing safety equipment will become a factor in our 1968 pricing.

Mr. Bridwell also stated that "in determining 1968 model prices, the cost of our safety standards apparently has been lumped with the cost of the anti-smog devices required under the Clean Air Act administered by the Department of Health, Education, and Welfare". Our response is that the two sets of requirements will each increase our product costs. What the two share in common, of course, is the force of law as a determinant of product cost, and it is therefore not surprising that they are sometimes coupled in discussions. There is no intent on our part to build up one cost or to minimize the other. As to the last question about the costs of "defect notifications and recall campaigns", these are not considered as safety costs in our accounting. I am sure you know that we have been incurring costs for campaigns for many years.

Finally, we should like to provide assurance on one additional point not cited in your letter but mentioned by Senator Mondale on June 1—namely, the reduction (by five percentage points) in the rate of Federal excise tax on passenger cars that is scheduled for April 1, 1968. We can state, without qualification, that our vehicle prices will be reduced to reflect immediately the full impact of such a tax reduction, whenever it becomes effective. Our Company will make such price reductions regardless of whether, or when, similar actions are taken by our competitors. We have provided similar assurances in the past, beginning with a telegram on June 6, 1958 from Mr. Henry Ford II to Senator Douglas, and we have lived up to them.

Sincerely,

F. G. Secrest.

General Motors Corp.,
Detroit, June 8, 1967.

Hon. Warren G. Magnuson,
Chairman, Committee on Commerce, U.S. Senate, Washington, D.C.
Hon. Walter F. Mondale,
U.S. Senate,
Washington, D.C.

My Dear Senators: This is in reply to your letter of May 29, 1967 which referred to recent statements that "compliance with the Initial Federal Motor Vehicle Safety Standards will necessitate substantial increases in the prices of the 1968 model automobiles" and requested from General Motors "a breakdown by model and standard of the increase in your prices which will be directly attributable to compliance with the Initial Federal Motor Vehicle Safety Standards." In addition, you requested answers to several related questions raised by Lowell K. Bridwell, Federal Highway Administrator.

First, General Motors has not indicated that compliance with the Initial Federal Motor Vehicle Safety Standards will necessitate substantial increases in the prices of the 1968 model automobiles. I have stated that undoubtedly selling prices of cars must increase because it has been necessary to add some items of equipment which are not available today or are on an optional basis. I cited as examples the mandatory addition of smog control emission devices on all cars sold nationally as well as the addition of seat belts and shoulder belts. I also mentioned material and labor cost increases during the past year stressing that all of these items go to make up the cost of our cars. Also, I stressed that as in the past new model prices cannot be established until shortly before the new models are introduced and all design, cost, and market factors can be considered.

Over the last few years we have added many safety related items. For 1966, six items of safety equipment, specified by the U.S. General Services Administration, which were previously extra cost options on most cars, were added as standard equipment. The additions were made at prices more than 10% below the previous option price for the items added. The 1967 models included as standard equipment four safety related items which were optional on most 1966 models. In addition, many new or improved safety items such as the energy absorbing steering column and dual master cylinder brakes were added. The 1967 passenger car price adjustments were less than the 1966 option prices for those items made standard plus an adjustment for the cost of product improvements. Copies of the press release announcing the 1966 and 1967 model prices are attached.

On November 23, 1966 the Bureau of Labor Statistics after intensive analysis of new model car prices stated "the prices of 1967 autos, taken as a whole, are only about 0.2% higher than the 1966 models, after allowance for quality changes." This covered the entire industry. For General Motors alone, based on our own analysis of prices for 1967 models, we calculate that General Motors 1967 model prices included in the Bureau's index showed a decrease from the previous year of 0.2%.

For 1968 models, General Motors will add a number of items and make additional modifications to meet the Federal Motor Vehicle Safety Standards. These will include items previously sold separately as options or accessories; for example, center seat belts and shoulder harnesses are currently offered at a combined price of $34.00 on a typical Chevrolet sedan. Other items which must be considered include additional interior padding, side marker lamps and other changes required to meet the various present or anticipated provisions of the safety standards. And, as in the past, General Motors intends to incorporate further safety advances in its 1968 models.

Under the provisions of the Clean Air Act, anti-smog devices are required on all 1968 models. These devices, required on current model cars in California and available in other areas, carry a suggested list price of $47.50.

With respect to your request for a breakdown by model and standard of any price increases directly attributable to compliance with safety standards. GM's basic car prices are determined by our competitive position and established, model by model, in the light of many factors, including costs, but not as the sum of the "prices" of the parts of each model. The list price of the basic car includes all of the parts which are standard equipment on that model. In contrast, only parts which are sold separately—as options or accessories—are priced individually.

With respect to Mr. Bridwell's questions concerning costs, you may be assured that cost data which are reviewed in connection with our 1968 model prices will reflect both decreases as well as increases from the 1967 models, as applicable.

While certain product changes may involve deletion of existing equipment, other related additions or modifications may be required which increase cost or offset, to a large extent, the savings due to deletions. In any event all such changes will receive full consideration. The recall campaigns are and have been a part of our continuing efforts for many years to insure that the customer is driving a completely reliable and safe vehicle. Therefore, the costs of such campaigns are not attributable to the cost of complying with the new safety standards.

We have been and are very conscious of the necessity to contribute to economic stability in the country as a whole. The restraint evidenced in our new car pricing policy bears out our desires in this respect. Since the fall of 1958, the Bureau of Labor Statistics index for new car retail prices has declined approximately 8% during a period when the Bureau's consumer price index showed an increase of about 14%. Over this same period GM's basic wage rate and fringe benefits have increased by over 50% and there have been increases in material costs. The impact of any cost increases growing out of the wage negotiations this year, together with the trend of suppliers' prices, will also have to be evaluated before our 1968 prices can be determined. However, you may be assured that General Motors will continue to recognize all factors involved and maintain the responsible attitude we have demonstrated in the past by establishing prices which, to the best of our ability, recognize the best interests of all concerned.

Very truly yours,

James M. Roche.

July 28, 1967.

Mr. Arthur M. Ross,
Commissioner, Bureau of Labor Statistics,
Washington, D.C.

Dear Mr. Ross: On May 29 we wrote the presidents of the four major American automobile companies expressing our concern about statements that compliance with the initial Federal motor vehicle safety standards would necessitate substantial increases in the price of 1968 automobiles. Since the Federal Highway Administrator, Lowell K. Bridwell, had already indicated that his agency does not currently have access to the cost and price data needed to assess the cost impact of safety standards, we asked each company to furnish a breakdown by model of the price increase attributable to compliance with each of the 20 safety standards. Copies of our letter as well as the four responses are enclosed.

As the only Federal agency that presently has information, expertise and experience in this area, we would appreciate your evaluation of the companies' responses to our request.

You will note that the companies uniformly state that it is impossible to furnish such information at this time because 1968 model prices have not yet been firmed up. This is understandable. However, they also claim that it would be virtually impossible to provide such data at any time because car prices are not based solely on the direct costs involved but also reflect other factors, primarily the price of competitive models.

For example, Ford Motor Company said:

"A price must apply to a whole car, rather than only to selected components. Even after 1968 prices have been established, it will be virtually impossible to ascribe portions of a given price change *solely* to a safety standard or to any other specific design change. Whatever price change finally takes place will result from consideration of *all* the relevant cost and market factors—and the singling out of the portion of the change attributable to only *one* factor must be, at best, rather arbitrary and subjective."

The response from General Motors was similar:

"GM's basic car prices are determined by our competitive position and established, model by model, in the light of many factors, including costs, but not as the sum of the 'prices' of the parts of each model. The list price of the basic car includes all of the parts which are standard equipment on that model. In contrast, only parts which are sold separately—as options or accessories—are priced individually."

The letter from Chrysler said:

"It is impossible to attribute any specific price change in a particular model of a car to only one item of increased cost, such as compliance with the provisions of the Safety Act. We have to consider our total costs, our total expected sales, and the prices that we believe the public will pay for our products in a competitive marketplace. . . . Further, even if we were able to attribute directly to each model a specific price increase based on the increased cost of complying with the Safety Act, we question whether it would be possible to isolate these increased costs with complete precision. It would certainly not present an accurate picture of our costs if we were simply to include the cost of labor and material involved in adding any particular item at the production level. We would have to consider the added cost in engineering and development work, the increased cost of necessary administrative procedures, and many other such added indirect costs. We do not isolate our indirect costs in this manner, rather, we deal with them in an aggregate, based on the overall job that has to be done, one facet of which is compliance with the Safety Act."

And American Motors commented:

"The prices for American Motors vehicles are established primarily through evaluation of competitive factors in the marketplace . . . American Motors Corporation has always considered its product cost data to be confidential and has not furnished this information to any outside parties for any purpose. Inasmuch as the cost of safety standards is all other factors that are involved in the running of our business. Once having arrived at an estimate of this total cost situation, we will attempt to determine what number of cars we can reasonably expect to sell of each model and body type during the ensuing model year. Following this, we will arrive at initial prices that, based on our selling estimates, will return to us a reasonable profit.

Having arrived at these prices, we will then have to review each such price in line with our appraisal of the competitive conditions present in each segment of the market and our analysis of the salability at such price of each of our models. As a result of this appraisal, we likely will have to make a number of adjustments, decreasing the price of some models and perhaps increasing the price of others, still hoping to maintain the estimated reasonable profit we had previously established. Finally, we may have to price all of our products below this level in order to be competitive, based on our appraisal of the overall strength of the market and the product offerings and anticipated prices of our competitors' products.

For the above reasons, it is impossible to attribute any specific price change in a particular model of a car to only one item of increased cost, such as compliance with the provisions of the Safety Act. We have to consider our total costs, our total expected sales, and the prices that we believe the public will pay for our products in a competitive marketplace. Obviously, our total prices have to cover our total costs and leave room for some profit, or we will not be able to continue in business. As a result, total increases in costs will normally tend to have an increasing effect on total prices, but prices of particular models can vary upward or downward, depending on market conditions and independent of any particular item of increased cost.

Further, even if we were able to attribute directly to each model a specific price increase based on the increased cost of complying with the Safety Act, we question whether it would be possible to isolate these increased costs with complete precision. It would certainly not present an accurate picture of our costs if we were simply to include the cost of labor and material involved in adding any particular item at the production level. We would have to consider the added cost in engineering and development work, the increased cost of necessary administrative procedures, and many other such added indirect costs. We do not isolate our indirect costs in this manner, rather, we deal with them in an aggregate, based on the overall job that has to be done, one facet of which is compliance with the Safety Act.

With the foregoing as background, we hope that you will more readily understand why we find it impossible to comply with your request for a varying number of reasons, among which are:

1) We have not yet made any decision regarding our 1968 model car prices.

2) While overall cost changes do affect overall price levels, the cost change involved in a particular model does not necessarily reflect itself directly in the price of that model.

3) Market and competitive conditions affect the degree to which changes in overall cost levels will result in changes in overall price levels and, consequently, the two do not necessarily follow in exact order.

4) Many kinds of costs are not segregated on model or an item basis.

Further, any efforts to isolate such costs would necessarily reveal a great deal about our engineering and development costs, our administrative costs, and our volume estimates for our various models. Information of this kind is highly confidential and it would be extremely detrimental to our competitive situation if it were to become known to our competitors.

I believe the above also answers the several related questions raised by Administrator Bridwell in his letter. I hope that this information will be of help to you and that you will appreciate why the factors stated above make it impossible for us to give you the precise information you requested.

Sincerely yours,

VIRGIL E. BOYD.

FORD MOTOR CO.,
Dearborn, Mich., June 28, 1967.

Hon. WARREN G. MAGNUSON,
Hon. WALTER F. MONDALE,
U.S. Senate,
Washington, D.C.

DEAR SENATOR MAGNUSON AND SENATOR MONDALE: Mr. Arjay Miller has asked me to reply to your letter of May 29, 1967, in which you indicated concern about "recent statements that compliance with the Initial Federal Motor Vehicle Safety Standards will necessitate substantial increases in the prices of 1968 model automobiles".

Mr. Henry Ford II and Mr. Miller included some comments on the price outlook in their remarks to our stockholders at the Company's Annual Meeting on May 18, 1967. Copies of these talks are attached. One point that I am sure will be clarified by a reading of these remarks is that Federal Safety requirements are not the only factor contributing to our pricing problem. There is no intent on our part to ascribe all of the pressures to safety requirements. For example, Mr. Miller, in discussing the Company's cost-price position, mentioned the following factors, in addition to safety and exhaust-emission requirements:

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3. We have deliberately put extra costs into our cars in order to *build a better product reputation* and to increase our long-run market share. These added costs brought about real gains in product value—reduced weight, lower noise levels, improved fuel economy, increased durability, improved interior space, greater comfort, and a broader range of customer choices. In addition, with respect to safety, we are voluntarily going beyond the government standards in many instances.

Until recently, generally higher volumes and improved management productivity—the investment of capital and skills—enabled Ford to absorb these cost increases without raising prices. In fact, the indexes published by the Bureau of Labor Statistics show that new car prices have *dropped* by 6.4% since 1959, while consumer prices as a whole have *risen* by 11.4%. During this same period, passenger car production rose by more than 50%.

We believe this record demonstrates Ford's reluctance to raise prices if cost pressure can reasonably be contained by other means. Within the past two years, however, our profit margins have been increasingly squeezed. Ford's sales in 1966 rose 6%, but our net income dropped by 12%—and the disparity is growing in 1967. Accordingly, we face an unacceptable misalignment of costs and prices. It appears that the prices of cars will have to go up; and in practically every other industry, we shall have to bring prices and costs back in a reasonable relationship with each other if we are to remain a sound business.

You have asked for a "breakdown by model and standard of the increase in your prices which will be directly attributable to compliance with the Federal Motor Vehicle Safety Standards". We cannot respond to this request because our 1968 model prices have not yet been established. When they *are* established, we shall of course take account of all the relevant cost and market factors, including of course, safety-related product costs. With regard to our *labor cost* outlook, as you may be aware, our present contract with the U.A.W. expires on September 6, 1967, and the union has indicated that it plans to seek substantial increases in the new contract.

Another key element in 1968-model pricing is the nature of the products that will be offered by our competitors, and the prices that will be established by competition. Our prices will be competitive; that is, they will bear a relationship to the prices of our competitors, both domestic and foreign, that we think appropriate in the light of differences in customer value. (You may recall that competitive conditions brought about some reductions in our prices last year, after we had established initial 1967-model prices that appeared reasonable to us in terms of all the relevant cost and market factors then available.) In summary, then, we simply do not have at this time the information necessary to make pricing commitments on our 1968 models.

I should like to make another point with respect to the effect of the Federal Safety Standards on prices. A price must apply to a whole car, rather than only to selected components. Even after 1968 prices have been established, it will be virtually impossible to ascribe portions of a given price change *solely* to a safety standard or to any other specific design change. Whatever price change finally takes place will result from consideration of *all* the relevant cost and market factors—and the singling out of the portion of the change attributable to only *one* factor must be, at best, rather arbitrary and subjective.

Nevertheless, it is obvious that cars complying with the 1968 safety standards will cost more to produce than cars equal in all other respects but not complying with the standards. As Senator Mondale indicated in his Senate speech on June 1, 1967, "no one questions that some of the new vehicle safety standards will cost money". To cite four obvious examples, the 1968 safety standards require additional seat belts; front shoulder harnesses; vehicle side markers; and added interior padding—all, of course, over and above what has been standard in prior years. In the long run, vehicles containing such equipment will have to be priced higher than alternative vehicles identical in every respect except for the absence of such devices.

Mr. Bridwell's letter of May 23 to Senator Mondale raises some further questions that we are glad to answer. First, we consider that the product costs relevant to the 1968-model safety standards comprise only the net additional costs incurred in order to meet the standards, rather than the absolute costs of all components for which design changes may be required by the standards. Second, as stated by Mr. Bridwell, the 1967 models already meet some of the 1968 standards; in such cases, compliance should not bring further cost increases. Third, any product cost *reductions* achieved on our 1968 models as a result of standardizing safety equipment will become a factor in our 1968 pricing.

Mr. Bridwell also stated that "in determining 1968 model prices, the cost of our safety standards apparently has been lumped with the cost of the anti-smog devices required under the Clean Air Act administered by the Department of Health, Education, and Welfare". Our response is that the two sets of requirements will each increase our product costs. What the two share in common, of course, is the force of law as a determinant of product cost, and it is therefore not surprising that they are sometimes coupled in discussions. There is no intent on our part to build up one cost or to minimize the other. As to the last question about the costs of "defect notifications and recall campaigns", these are not considered as safety costs in our accounting. I am sure you know that we have been incurring costs for campaigns for many years.

Finally, we should like to provide assurance on one additional point not cited in your letter but mentioned by Senator Mondale on June 1—namely, the reduction (by five percentage points) in the rate of Federal excise tax on passenger cars that is scheduled for April 1, 1968. We can state, without qualification, that our vehicle prices will be reduced to reflect immediately the full impact of such a tax reduction, whenever it becomes effective. Our Company will make such price reductions regardless of whether, or when, similar actions are taken by our competitors. We have provided similar assurances in the past, beginning with a telegram on June 6, 1958 from Mr. Henry Ford II to Senator Douglas, and we have lived up to them.

Sincerely,

F. G. SECREST.

GENERAL MOTORS CORP.,
Detroit, June 8, 1967.

Hon. WARREN G. MAGNUSON,
Chairman, Committee on Commerce, U.S. Senate, Washington, D.C.

Hon. WALTER F. MONDALE,
U.S. Senate,
Washington, D.C.

MY DEAR SENATORS: This is in reply to your letter of May 29, 1967 which referred to recent statements that "compliance with the Initial Federal Motor Vehicle Safety Standards will necessitate substantial increases in the prices of the 1968 model automobiles" and requested from General Motors "a breakdown by model and standard of the increase in your prices which will be directly attributable to compliance with the Initial Federal Motor Vehicle Safety Standards." In addition, you requested answers to several related questions raised by Lowell K. Bridwell, Federal Highway Administrator.

First, General Motors has not indicated that compliance with the Initial Federal Motor Vehicle Safety Standards will necessitate substantial increases in the prices of the 1968 model automobiles. I have stated that undoubtedly selling prices of cars must increase because it has been necessary to add some items of equipment which are not available today or are on an optional basis. I cited as examples the mandatory addition of smog control emission devices on all cars sold nationally as well as the addition of seat belts and shoulder belts. I also mentioned material and labor cost increases during the past year stressing that all of these items go to make up the cost of our cars. Also, I stressed that as in the past new model prices cannot be established until shortly before the new models are introduced and all design, cost, and market factors can be considered.

Over the last few years we have added many safety related items. For 1966, six items of safety equipment, specified by the U.S. General Services Administration, which were previously extra cost options on most cars, were added as standard equipment. The additions were made at prices more than 10% below the previous option price for the items added. The 1967 models included as standard equipment four safety related items which were optional on most 1966 models. In addition, many new or improved safety items such as the energy absorbing steering column and dual master cylinder brakes were added. The 1967 passenger car price adjustments were less than the 1966 option prices for those items made standard plus an adjustment for the cost of product improvements. Copies of the press release announcing the 1966 and 1967 model prices are attached.

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For 1968 models, General Motors will add a number of items and make additional modifications to meet the Federal Motor Vehicle Safety Standards. These will include items previously sold separately as options or accessories; for example, center seat belts and shoulder harnesses are currently offered at a combined price of $34.00 on a typical Chevrolet sedan. Other items which must be considered include additional interior padding, side marker lamps and other changes required to meet the various present or anticipated provisions of the safety standards. And, as in the past, General Motors intends to incorporate further safety advances in its 1968 models.

Under the provisions of the Clean Air Act, anti-smog devices are required on all 1968 models. These devices, required on current model cars in California and available in other areas, carry a suggested list price of $47.50.

With respect to your request for a breakdown by model and standard of any price increases directly attributable to compliance with safety standards. GM's basic car prices are determined by our competitive position and established, model by model, in the light of many factors, including costs, but not as the sum of the "prices" of the parts of each model. The list price of the basic car includes all of the parts which are standard equipment on that model. In contrast, only parts which are sold separately—as options or accessories—are priced individually.

With respect to Mr. Bridwell's questions concerning costs, you may be assured that cost data which are reviewed in connection with our 1968 model prices will reflect both decreases as well as increases from the 1967 models, as applicable.

While certain product changes may involve deletion of existing equipment, other related additions or modifications may be required which increase cost or offset, to a large extent, the savings due to deletions. In any event all such changes will receive full consideration. The recall campaigns are and have been a part of our continuing efforts for many years to insure that the customer is driving a completely reliable and safe vehicle. Therefore, the costs of such campaigns are not attributable to the cost of complying with the new safety standards.

We have been and are very conscious of the necessity to contribute to economic stability in the country as a whole. The restraint evidenced in our new car pricing policy bears out our desires in this respect. Since the fall of 1958, the Bureau of Labor Statistics index for new car retail prices has declined approximately 8% during a period when the Bureau's consumer price index showed an increase of about 14%. Over this same period GM's basic wage rate and fringe benefits have increased by over 50% and there have been increases in material costs. The impact of any cost increases growing out of the wage negotiations this year, together with the trend of suppliers' prices, will also have to be evaluated before our 1968 prices can be determined. However, you may be assured that General Motors will continue to recognize all factors involved and maintain the responsible attitude we have demonstrated in the past by establishing prices which, to the best of our ability, recognize the best interests of all concerned.

Very truly yours,

JAMES M. ROCHE.

JULY 28, 1967.

Mr. ARTHUR M. ROSS,
Commissioner, Bureau of Labor Statistics, Washington, D.C.

DEAR MR. ROSS: On May 29 we wrote the presidents of the four major American automobile companies expressing our concern about statements that compliance with the initial Federal motor vehicle safety standards would necessitate substantial increases in the price of 1968 automobiles. Since the Federal Highway Administrator, Lowell K. Bridwell, had already indicated that his agency does not currently have access to the cost and price data needed to assess the cost impact of safety standards, we asked each company to furnish a breakdown by model of the price increase attributable to compliance with each of the 20 safety standards. Copies of our letter as well as the four responses are enclosed.

As the only Federal agency that presently has information, expertise and experience in this area, we would appreciate your evaluation of the companies' responses to our request.

You will note that the companies uniformly state that it is impossible to furnish such information at this time because 1968 model prices have not yet been firmed up. This is understandable. However, they also claim that it would be virtually impossible to provide such data at any time because car prices are not based solely on the direct costs involved but also reflect other factors, primarily the price of competitive models.

For example, Ford Motor Company said:

"A price must apply to a whole car, rather than only to selected components. Even after 1968 prices have been established, it will be virtually impossible to ascribe portions of a given price change *solely* to a safety standard or to any other specific design change. Whatever price change finally takes place will result from consideration of *all* the relevant cost and market factors—and the singling out of the portion of the change attributable to only *one* factor must be, at best, rather arbitrary and subjective."

The response from General Motors was similar:

"GM's basic car prices are determined by our competitive position and established, model by model, in the light of many factors, including costs, but not as the sum of the 'prices' of the parts of each model. The list price of the basic car includes all of the parts which are standard equipment on that model. In contrast, only parts which are sold separately—as options or accessories—are priced individually."

The letter from Chrysler said:

"It is impossible to attribute any specific price change in a particular model of a car to only one item of increased cost, such as compliance with the provisions of the Safety Act. We have to consider our total costs, our total expected sales, and the prices that we believe the public will pay for our products in a competitive marketplace. . . . Further, even if we were able to attribute directly to each model a specific price increase based on the increased cost of complying with the Safety Act, we question whether it would be possible to isolate these increased costs with complete precision. It would certainly not present an accurate picture of our costs if we were simply to include the cost of labor and material involved in adding any particular item at the production level. We would have to consider the added cost in engineering and development work, the increased cost of necessary administrative procedures, and many other such added indirect costs. We do not isolate our indirect costs in this manner, rather, we deal with them in an aggregate, based on the overall job that has to be done, one facet of which is compliance with the Safety Act."

And American Motors commented:

"The prices for American Motors vehicles are established primarily through evaluation of competitive factors in the marketplace . . . American Motors Corporation has always considered its product cost data to be confidential and has not furnished this information to any outside parties for any purpose. Inasmuch as the cost of safety standards is only one of several factors that will be taken into account in pricing our 1968 cars, we would appreciate your understanding of our determination not to alter this long-established policy."

In our letter to the four companies, we specifically requested price information rather than cost information which the manufacturers claim must be kept confidential for competitive reasons. Now it appears that competitive reasons prevent them from determining or divulging price information as well.

It seems to us that the auto companies are saying that they are incapable of doing what your office does each year—that is, to quantify the quality changes by model from one year to the next in terms of consumer prices.

According to the enclosed material which you supplied to Senator Ribicoff last year, the Bureau of Labor Statistics, in its consumer price index, assigns quality credits (in terms of consumer prices) to automobile changes which increase or decrease the value of the vehicle in comparison with the previous year's model. According to your statement, BLS "uses three types of data for approximating the market value of a quality change". The statement explains that in the case of factory installed options which have become standard equipment, BLS uses the market price of the option to determine the market value of the change, and that in the case of structural and engineering changes, BLS uses either producer costs for labor and materials when such data is made available or else dealer net prices for replacement parts.

The BLS statement also notes that values which are estimated on the basis of labor and material cost data supplied by the manufacturer "represent that portion of the total price of the fully assembled vehicle accounted for by a change in specifications."

We would appreciate a clear explanation of this apparent contradiction—how BLS is able to make market value determinations in terms of consumer prices on an item-by-item, model-by-model basis (graphically illustrated by the list of 189 quality changes considered by BLS in different makes of automobiles from 1959 to 1966 and the list of 19 different 1966 model cars priced by BLS for the consumer and wholesale prices indexes, both of which you provided to Senator Ribicoff) while the companies, with their superior resources, say they are unable to estimate the increased price to the consumer attributable to compliance with each of the safety standards.

This is particularly difficult to understand in view of the fact that a number of the safety standards being required on 1968 model cars cover equipment which was either standard or optional equipment on previous models. As the enclosed article from the July 18 issue of the *Wall Street Journal* notes, "Besides extra belts and harnesses, lights visible from the side of the car are about the only devices required by the 1968 standards that weren't already on the 1967 model cars." Surely, at the very least, the manufacturers should be able to determine the increase in price attributable to previously optional features on the same basis used by BLS.

It is also difficult to understand in view of BLS's statement that the type of data used by BLS to approximate the market value of quality changes "depends upon the nature of the change and *the method used by the company to estimate the value of the change.*" (Emphasis added.) This would seem to indicate that the auto companies provide BLS with an estimate of the value of each vehicle change, and we would therefore appreciate knowing whether these value estimates are provided to BLS in terms of market prices, wholesale prices or producer costs.

In addition, and without divulging the specific data which auto manufacturers supply BLS on a confidential basis, we would also appreciate your comments on the extent to which this information is sufficient for an adequate evaluation of the changes made each year, including changes which decrease quality.

As you know, automobile manufacturers continually cite the BLS Consumer Price Index statistics as proof that consumer prices for automobiles have not increased significantly and in fact have dropped over the years in terms of quality. For example, both Ford and General Motors do exactly this in the same letter in which they say they cannot attribute portions of a price increase to individual safety standards. James M. Roche, President of General Motors, notes that "On November 23, 1966, the Bureau of Labor Statistics after intensive analysis of new model car prices stated 'the prices of 1967 autos, taken as a whole, are only about 0.2% higher than the 1966 models, after allowance for quality changes.'" And Fred G. Secrest, Vice President-Controller of Ford Motor Co., states that "the indexes published by the Bureau of Labor Statistics show that new car prices have *dropped* by 6.4% since 1959, while consumer prices as a whole have *risen* by 11.4%.

It is inconceivable how BLS can make market value determinations for the Consumer Price Index based on less information than is available to the manufacturers when the manfacturers themselves claim they are unable to make this kind of determinations. And it hardly seems consistent for the automobile companies to contend, on the one hand, that it is impossible to determine consumer prices of quality changes such as safety improvements, and, on the other hand, to constantly cite BLS consumer price extrapolations based on industry-selected information as official proof that car prices really haven't increased in terms of product quality.

Finally, we recall that last fall you stated that a number of changes were being made in your methods of arriving at the quality credits for changes in new model vehicles. We would appreciate an explanation of these changes and the extent to which they will be implemented in assessing 1968 model changes. Additionally, we understand from the enclosed article in the July 17 issue of *Automotive News* that some of the manufacturers will delay complying with the safety standards until the January 1 deadline. In view of the fact that these are obvious quality additions, will the automobile consumer price index reflect changes in cars put on the market this fall, those offered as of January 1, or both?

In view of the fact that 1968 model cars will soon be appearing on the market and that the industry has indicated that price increases are imminent, we would appreciate your reply as quickly as possible.

Sincerely,

WALTER F. MONDALE,
U.S. Senate.
WARREN G. MAGNUSON,
U.S. Senate.

STATEMENT ON AUTOMOBILE PRICE INDEXES

(By Arthur M. Ross, Commissioner, Bureau of Labor Statistics, September 22, 1966)

The task of the BLS is to determine price indexes for hundreds of commodities. Movements in a price index from one period to another presuppose that the product is the same. If the product is changed, this fact must be taken into account. The automobile is only one of many products for which quality changes are ascertained in measuring the movement of price indexes.

In the case of automobiles, product changes are taken into account when they result in improvement or deterioration of safety performance, durability, comfort or convenience. The dollar price change is adjusted in computing the price index for the commodity as a whole, which is a weighted average for all models in the sample.

The BLS makes its own determination as to which product changes should be regarded as quality changes, and as to the proper adjustment reflecting net change in production cost and other relevant factors. No one else would be in a position to predict what our decisions will be. This would include industry representatives, union officials and members of the press.

This is the first year I have been associated as Commissioner of Labor Statistics with the task of computing price indexes. After studying the procedures, I concluded that access to engineering expertise would be desirable to supplement the knowledge and experience of commodity specialists and statisticians. Therefore I have made arrangements with the Bureau of Standards in the Department of Commerce, and with the General Services Administration, for assistance of a consultative nature.

The Bureau of Standards has administrative responsibilities under the automobile safety legislation Engineers on the staff of the Bureau of Standards are working together with staff members of BLS in studying product changes on the 1967 models of automobiles.

The GSA has established the safety standards for automobiles purchased by the government, and these standards are the core of the industry's safety program at this time. We will have an opportunity to consult with the GSA's Automotive Safety Panel, which consists of distinguished engineers and safety experts in private life, unconnected with the automobile industry or the government. Consultation with the Automotive Safety Panel will be most helpful in judging whether product changes actually will improve safety, in conformance with the intent of the GSA, and whether they represent a logical method of achieving the desired result. We also want to assure ourselves that we have done everything possible to ascertain any deterioration as well as improvement of quality.

Since the 1967 automobiles will go on sale in October, they will be reflected in our October index, which we will issue during the second half of November. The automobile component of the October Consumer Price Index will represent sales of both 1966 and 1967 models, in proper proportion. I will announce the price index for the 1967 models, however, to show the extent of change as compared with 1966 models when first introduced. I wish to emphasize that the determinations will be those of BLS alone. It goes without saying. I believe, that they will be made on an impartial and professional basis.

U.S. DEPARTMENT OF LABOR, BUREAU OF LABOR STATISTICS, WASHINGTON, D.C.

BLS PROCEDURES FOR ESTIMATING THE MARKET VALUE OF A QUALITY CHANGE IN NEW AUTOMOBILES

In recent years the automobile manufacturers have provided the BLS, on a strictly confidential basis, a considerable amount of information relating to changes in new model automobiles. The changes listed by each company are evaluated by the BLS to determine whether a change in physical characteristics represents an improvement or a deterioration. Guidelines which consider all the attributes of an automobile are used to determine those changes for which adjustments should be made. Reported claims of product improvement may be accepted in full, partially accepted, or rejected depending upon whether the change is considered acceptable under our criteria for judging quality.

The types of changes for which price adjustments are made are: (1) adjustments for changes in physical characteristics that affect safety, performance, durability, comfort or convenience, and (2) adjustments for changes in the list of accessories and equipment included in the price of the equipped car specified for pricing. Generally, adjustments are not made for changes in appearance or style features that serve no function other than to make the car appear new and different.

The Bureau uses three types of data for approximating the market value of a quality change. The type used in a particular situation depends upon the nature of the change and the method used by the company to estimate the value of the change.

Established market prices for factory installed options are used to adjust for changes in accessories and equipment included in the selling price. If a feature was offered at extra cost one year and became standard equipment the succeeding year, the procedure is to adjust the price for the previous model to include the cost of the optional feature so that the models priced are comparably equipped in both years.

Two types of data are used to estimate market values for structural and engineering changes. In a particular situation, it depends upon the method used by the company to estimate the value of the change. Whenever available, producer costs for labor and materials adjusted to selling price levels are used. These values represent that portion of the total price of the fully assembled vehicle accounted for by a change in specifications. When producer costs are not available, the dealer net prices for replacement parts deflated for additional costs such as storing, wrapping, and shipping, are currently used to estimate the values. In this case, the difference in the deflated price for replacement parts that constitute the assembly or component in the old and new model is taken as the estimated value of the change.

In the BLS measurement of price changes for automobiles, changes in warranties are also taken into account. Replacement or repair-of-parts warranties are considered part of the service provided to consumers as part of the terms of sale, and adjustments are made to reflect these changes in service. Costs to producers for replacement parts and repairs are used as estimates of the value for the change.

With the exception of prices for optional equipment, the companies generally report only wholesale values for quality changes. When retail values are not reported, the BLS adjusts wholesale values to retail. This is done by adjusting wholesale values by the ratio of the factory suggested retail delivered price, including Federal excise tax, for the basic car with standard equipment and with a specified engine to the price paid by the dealer for the same car without tax. These estimated retail values, which are expressed in terms of list prices, are then adjusted to selling price levels, i.e., list prices less concessions. This is done by adjusting the list price for the quality change by the ratio of the selling price to the list price for the automobile.

There are situations also where the cost approach does not provide a satisfactory basis for valuing quality changes. This approach fails as an estimator when higher quality is reported at the same or lower cost, or when lower quality is reported at the same or higher cost. Lacking any other estimator, prices are compared directly since this procedure gives "credit in part" for the quality change. The price difference, however, does not reflect the full price reduction or increase for the improvement or deterioration. Attempts to develop an acceptable alternative to the cost approach in such cases are continuing.

The following *hypothetical* examples illustrate how the BLS estimates values for quality changes.

1. DATA REPORTED BY THE MANUFACTURER

The manufacturer reported that the incoming model differed from the outgoing model as follows:

(a) Extra cost equipment—windshield washers, padded dash and rear seat belts offered as optional extra cost equipment on the outgoing model are now standard equipment and included in the price of the incoming model. Market retail price for the options is $40.00; wholesale price, $30.77.

(b) Improvements in the incoming model included new bumpers for increased protection, improved headlights for better visibility, and improved fresh air ventilation system. Estimated wholesale value based on producer costs for labor and materials adjusted to selling price levels is $32.50.

If the company had valued the changes in terms of replacement parts, i.e., reported the net dealer prices for replacement parts that constitute the assembly or component in the old ($61.76) and the new model ($100.00) plus a price deflator (.85) which adjusts for additional costs such as storing, shipping, etc. that are not present when the part is utilized on the assembly line, the value of the change would be estimated as follows:

$$(\$100.00-\$61.76)\times .85=\$32.50$$

2. BLS PROCEDURES

The above changes were considered quality changes for which adjustment should be made according to the criteria used by the BLS for evaluating specification changes.

(a) Adjustment of wholesale value for product improvement to retail list price.

The value of the product improvement ($32.50) is adjusted by the ratio of the retail list price including Federal excise tax ($2600) for the car with specified equipment to the wholesale price excluding tax ($2000)

$$\$32.50\times\frac{\$2600}{\$2000}=\$42.25$$

This adjustment is not necessary for optional equipment values since the company reported both wholesale and retail prices.

(b) Adjustment of the value for quality difference to reflect end-of-season prices.

The quality adjustments are normally stated in relation to the list price of the car. End-of-season prices are generally lower than beginning-of-season prices because of higher rebates and dealer concessions. To take this situation into account, the estimated wholesale and retail values expressed in terms of list prices are adjusted to current selling price levels. This is done by adjusting the list price of the quality change by the ratio of the list price less rebates or concessions to the list price for the automobile.

$$\frac{\$2{,}000-\$50\text{ (rebate)}}{\$2{,}000}\times(\$30.77+\$32.50)=\$61.69=\text{estimated wholesale value}$$

$$\frac{\$2{,}600-\$100\text{ (concession)}}{\$2{,}600}\times(\$40.00+\$42.25)=\$79.08=\text{estimated retail value}$$

MAJOR CHANGES IN QUALITY OF DIFFERENT MAKES OF AUTOMOBILES CONSIDERED BY BUREAU OF LABOR STATISTICS, 1959 TO 1966 MODELS

1959 MODELS

Wheel covers made standard.

Positive action wipers installed.

Backup lights installed.

Dome lamp provided.

Redesigned hub caps.

Redesigned brake drums.

Redesigned steering knuckle.

Redesigned steering gear assembly.

Redesigned rear axle tie rod.

Substitution of electric windshield wiper for vacuum type.

1960 MODELS

Trim package made standard.

New type carpeting, deluxe upholstery and interior trim made standard.

Modified frame assembly.

Modified brakes.

Redesigned oil filter.

Padded instrument panel made standard.

Redesigned front seat.

Electric windshield wipers made standard.

Foam cushion front seat made standard.

Backup lights made standard.

Cigar lighter made standard.

Right-hand sun visor made standard.

Horn ring made standard.

Front arm rests made standard.

Ball-type front fender guide made standard.

1961 MODELS

Warranty period extended.

New ceramic muffler and tail pipe.

New style plastic headliner.

Ammeter gauge made standard.

Molding trim package made standard.

Bumper guards made optional.

Self-adjusting brakes installed.

Increase in needed chassis lubrication interval.

Electric clock made standard.

Backup lights made standard.

Rust resistant underbody parts provided.

Reduction in tire size.

Redesigned fuel tank, filler pipe, and fuel gauge.

Deluxe steering wheel made standard.

Larger capacity fuel tank.

Modified air cleaners.

Redesigned ignition system.

Redesigned engine mounts.

1962 MODELS

Self-adjusting brakes installed.

Redesigned brake system.

Seat belt attachment installed.

Increase in needed chassis lubrication interval.

New type carpeting provided.

Electric clock made standard.

New type automatic transmission.

Reduction in tire size.

Heater and defroster made standard.

Increase in fuel filter replacement interval.

Backup lights made optional.

Electric clock made optional.

Redesigned frame.

Luggage compartment light made standard

Redesigned muffler.

Deluxe interior accessory group made standard.

Lower cost hydraulic master brake cylinder.

1963 MODELS

Warranty period extended.

Electric clock made optional.

Closed crankcase ventilation system made standard.

Modified wiper blades and assembly.

Padded instrument panel made standard.

Wheel covers made standard.

Increased horsepower engine.

Permanent anti-freeze made standard.

Redesigned brakes.

Redesigned opening device for vent windows.

Redesigned door latches.

Redesigned suspension system.

Motor-operated rear window made standard.

New type automatic transmission.

Substitution of alternator for generator.

Increase in needed chassis lubrication interval.

Increase in fuel filter replacement interval.

Self-adjusting brakes installed.

Substitution of hydraulic valve lifters for mechanical.

Increased corrosion resistant muffler and tail pipe.

Reduction in capacity of battery.

Increase in capacity of battery.

Modified front end suspension.

Redesigned automatic choke system.

Simplification of voltage regulator assembly.

Reduction in tire size.

1964 MODELS

Substitution of alternator for generator.

Reduction in warranty period on ceramic muffler and tail pipe.

Increased horsepower engine.

Decreased horsepower engine.

Design changes for more comfortable riding.

Increase in tire size.

Reduction in tire size.

Redesigned door latches.

Wheel covers made optional.

Modified seat belt attachments.

Modified heavy duty rear axle.

Seat belt attachments installed.

Redesigned springs.

Installation of front stabilizer bar.

Redesigned brakes.

Redesigned air filter.

Harmonic balancer provided.

Generator capacity increased.

Smaller horn size.

Reinforced front fender.

Redesigned automatic choke.

Redesigned propeller shaft gear.

Substitution of perimeter type frame for X-frame.

Redesigned steering gear.

Redesigned exhaust system.

Modified speedometer.

Molding trim package made standard.

Lower horsepower engine.

Decrease in diameter of stabilizer and in spring rate.

Redesigned tie rod and ball joint.

Nylon insulation added to secondary spark plug wires.

Redesigned transmission.

1965 MODELS

Closed crankcase ventilation system made optional.

Increased horsepower engine.

Heater made standard.

Permanent anti-freeze made standard.

Backup lights made standard.

Rear seat foam cushions made standard.

Lower horsepower engine and different transmission system.

Positive throttle return added.

Wheel covers made optional.

Redesigned front suspension.

Redesigned automatic choke.

Redesigned power steering.

Alternator made standard.

Rocker panel molding made standard.

Redesigned automatic transmission.

Padded instrument panel made standard.

Redesigned hood insulation fastener.

Redesigned strut rods.

Substitution of cast housing for stamping for rear axle.

Redesigned exhaust and tail pipe assembly.

Redesigned rear suspension.

Substitution of alternator for generator.

Redesigned steering linkage.

Redesigned hydraulic valve lifters.

Redesigned exhaust system.

Modified starter motor.

Redesigned windshield wipers.

White-wall tires made standard.

1966 MODELS

Electric clock made standard.

Electric clock made optional.

Rear seat belts made standard.

Padded sun visors made standard.

Windshield washer made standard.

Backup-lights made standard.

Manual outside mirror made standard.

Padded instrument panel made standard.

Rear seat foam cushion made standard.

Ash tray light and cigar lighter made standard.

Luggage compartment light made standard.

Glove box light made standard.

Parking brake warning light made standard.

Instrument panel courtesy light made standard.

Heavier laminate windshield.

25 percent added brake lining life.

Redesigned sealing and weather stripping.

Redesigned door handles.

Larger tail lamps with increased side and rear visibility.

Modified ventilation system.

Greater use of corrosion resistant materials.

Redesign of front suspension for broader distribution of loads.

Redesign to reduce drive-train vibration.

Redesign piston rings.

Redesigned power brakes.

Rear-door dome light switches added.

Emergency flasher added.

Substitution of open for closed chankcase emission system.

Strengthened rear wheel drive attachment.

Redesigned rear engine mount.

Redesigned steering column and knuckle.

Redesigned hydraulic brake lines.

Redesigned water pump.

Redesigned body mountings.

Redesigned frame.

Larger bumpers.

Redesigned front and rear suspension systems.

Larger rear axle shafts.

Larger rear wheel bearings.

Increased horsepower engine.

Larger radiator.

Redesigned exhaust system.

Redesigned air cleaner element.

[From Automotive News, July 17, 1967]

CHRYSLER TO SKIP SOME SAFETY ITEMS ON EARLY 1968'S—EXPECTED TO GAIN PRICE ADVANTAGE UNTIL JANUARY 1 DEADLINE

(By Charles R. Plumb)

DETROIT.—Chrysler Corp. will beat the rest of the industry in introducing 1968-model cars, but the new models are slated to bow without the complete safety package as standard equipment which will be mandatory on all cars after Jan. 1, 1968.

Among the missing items will be shoulder harnesses and center seat belts. The 1968 Chrysler, Dodge, Imperial and Plymouth cars will offer harnesses and the added sets of belts as extra-cost options.

New safety items mandatory after Jan. 1 are expected to be standard on other makes of cars at the start of the model run.

Chrysler Corp. has advanced its dealer introduction date of 1968 models to Sept. 14, one week earlier than originally planned and one week ahead of the rest of the industry.

It probably will be the first in the industry to reveal how much of a price increase consumers will find in the new models.

Not only will consumers and dealers be eager to learn how much more cars will cost in the new model year, United Auto Workers officials also will be watching pricing schedules for an indication of how much of their new contract demands makers are prepared to meet.

Price increases on 1968 models will be necessary, industry officials have said, to cover the cost of new safety features and increased labor costs.

Chrysler Corp. prices may not be up so much as other makers' since some of the new safety features are not slated to be standard at the start of the model year.

There are indications now that consumers are buying late-model '67s at an accelerated rate to escape paying higher prices for '68 models.

Top officials of several auto divisions have told AUTOMOTIVE NEWS they believe this factor accounts in part for the current high rate of travel in new-car sales.

Auto executives have been careful not to say how much prices will increase in '68, but Henry Ford II, chairman of Ford Motor Co., did say at Ford's stockholders' meeting this spring that price rises would be "substantial." This has been interpreted in the consumer press to mean in the area of $150.

Well-informed industry observers, however, now think that the price increases may be well under $100. While there will be fewer new safety features added in '68 than in '67, a cost factor is involved in air-pollution controls.

Last year, Ford Motor Co., and then Chrysler Corp. set their prices on new models ahead of General Motors. When GM came out with an average increase of $54 a car, Ford rolled back its price tags $31 to an average of $82 a car and Chrysler cut its average increase from $111 to $79.

In 1968 models, two added sets of seat belts, two shoulder harness sets and side lights, front and rear, are about the only new items of safety equipment that were not standard on '67s.

There also will be some design changes—principally interior impact areas and an improved impact-absorbing steering column—aimed at improving auto safety, but makers may find it difficult to justify price hikes on the basis of these.

Makers generally may not be able at the start of the run to comply with the safety standard spelling out requirements for design of interior impact areas because these have yet to be defined. They are expected to make any changes necessary as quickly as possible.

But American Motors and GM affirm that they will offer seat belts for each passenger seat (generally six sets for cars with front bench seats and five for cars with front bucket seats) and two sets of shoulder harnesses for the front seat as standard equipment at the start of the '68 model run.

Ford Division says full seat belts and shoulder harnesses will be available at the start of the model run, but that whether to make them standard "is a policy decision which has not been made yet."

Lincoln-Mercury Division says it expects to offer the belts and harnesses as standard equipment at the start of the run.

The Chrysler moveup of announcement date, decided on in the last two or three weeks, evidences optimism in the continuation of the current new-car sales spurt and in Chrysler's ability to reach a labor contract settlement without a strike.

Sept. 14 is the industry's earliest new-model announcement date in at least nine years.

This year's shift from Sept. 21 by Chrysler Corp. was announced to the dealer organization in a letter from John J. Riccardo, Chrysler's automotive group vice-president.

He cited robust new-car sales, the prospect of an orderly cleanup of Chrysler's 1967 models and the company's two-week earlier start on building new cars this year as factors influencing the move.

The letter stated, in part:

"As you well know, the market for new-car sales has developed with increasing strength in the last three months and there are strong indications that buyer interest will continue at a high level and generate an orderly cleanup of our 1967 models.

"Additionally, we have accelerated our new model startup by approximately two weeks this year. By the end of August, all of our assembly plants will be in full production and new-car availability will be much greater than last year.

"Advancement of our announcement date is designed to help you continue the sales momentum you have generated this spring and summer and which we anticipate will carry on for the balance of the year.

"Our new-car announcement plans will assure you of maximum availability of new-car models at the earliest possible date."

Reflecting optimism in the labor picture, Riccardo added:

"In the summer period ahead, we will be negotiating a new labor contract with the United Automobile Workers. Good judgment dictates that we plan on the basis that these negotiations will be successfully concluded with no interruption to normal business operations.

"This is our approach, and we urge you to take the same approach. To do otherwise could reduce your sales and profits."

Chrysler is in better position to advance showroom dates than the other makers because it will begin production of '68s earlier than the others.

Six of Chrysler's seven assembly plants are slated to start '68 operations July 24. This would give the company just over six weeks of production before the expiration of its labor contract on Sept. 6.

Based on last year's performance, this could give Chrysler-Plymouth and Dodge dealers 100,000 to 125,000 new models by announcement time even if Chrysler should become the primary strike target of the UAW negotiations.

Additionally, the corporation is planning to step up daily car production schedules for at least four of its assembly plants including a 20 percent boost at the St. Louis facility.

Chrysler is not alone in planning hefty production schedules for the '68 startup. General Motors has said it will build cars at a hearty rate in August and September.

A top executive of one GM car division has said his division's programming calls for availability of 30,000 more cars at announcement date than dealers had of the '67s last debut date.

SOME DEVICES REQUIRED ON JANUARY CARS WON'T BE ON EARLIER MODELS—LATE SAFETY DEADLINE CONFUSES PRICING OF 1968 AUTOS; EXTENT OF EXPECTED RISE IS DEBATED

DETROIT.—When some 1968-model cars are introduced in September, they won't include as standard equipment all the safety devices the Government will require on all new cars sold after next Jan. 1.

The missing equipment, however is expected to be made standard in time for the Jan. 1 deadline.

But the development promises to complicate the pricing of 1968 cars. It is generaly expected that prices of 1968-models will go up to cover the cost of extra safety and anti-smog devices, as well as other increased costs. Top auto men have said so publicly.

However, the amount of the proposed increase is already controversial. Two senators have asked the auto companies to justify any price increases they plan to make on the basis of extra safety equipment. Other government officials have said a "substantial" increase, blamed on the safety standards, wouldn't be justified. Detroiters have privately mentioned increases of $100 or more for everything.

The question is how much prices will go up when cars without all the safety gear are first put on sale. And the complication is compounded because the cars missing the equipment will be introduced and presumably priced before other cars equipped with all the devices the Government will require.

Chrysler Corp.'s 1968 models will start rolling off assembly lines later this month offering shoulder harnesses and lap seat belts for middle seat passengers as optional equipment at extra cost.

American Motors Corp.'s 1968 Rambler Americans scheduled for sale before Jan. 1 won't have the special door latches required by the standards.

The standards say that door latches on cars sold next year have to be stronger than on current models. In addition, American Motor said it hasn't yet gotten its steering columns modified in accord with another safety standard that limits the amount of space they can move rearward during a collision. "But we'll have this worked out well before the Jan. 1 deadline," says a spokesman.

Chrysler and AMC will start selling their 1968 models before the other two auto makers. Chrysler's new model introduction is scheduled for Sept. 14, with AMC introducing Sept. 20. Ford Motor Co. and General Motors Corp. plan debuts for Sept. 21–22. New cars are normally priced a few days before they go on sale.

It's not clear whether Ford and General Motors plan to meet all the safety standards from the start of 1968 model production.

Ford says it hasn't yet decided whether it will include the middle seat belts and the shoulder harnesses as standard equipment from the start of the 1968 model run, or wait till the Jan. 1 deadline for compliance. GM isn't saying what it plans to do. "We have nothing to announce at this time," says a spokesman.

The equipment scheduled to be missing from Chrysler's cars this fall is expected to be highly controversial among car buyers. Some auto men say the extra belts and shoulder harnesses "will make the inside of 1968 cars look like a bowl of spaghetti," or "a snake pit."

Detroit observers also note these controversial safety items make up the major share of the extra devices required by the 1968 standards. Besides extra belts and harnesses, lights visible from the side of the car are about the only devices required by the 1968 standards that weren't already on 1967 model cars.

FIREARMS CONTROL

Mr. DODD. Mr. President, there is no question as to the position of the American public with respect to the proposed firearms control legislation.

Overwhelmingly, the public supports the legislation I have introduced and which is now pending in committees of the House and Senate.

Evidence of this support has been clearly expressed in the editorials of large and small newspapers across the country.

Immediately after I introduced firearms legislation early this year—S. 1 and the administration's amendment No. 90—the American public proclaimed its support of that legislation.

I will not belabor that issue at this time. However, for the benefit of Senators as they consider the proposed legislation, I ask unanimous consent that a sampling of editorials from such outstand newspapers as the Newark, N.J., Star-Ledger; Montgomery, Ala., Advertiser; Milwaukee, Wis., Journal; the Boston, Christian Science Monitor; the Bethlehem, Pa., Globe-Times; the Salt Lake City, Utah, Tribune; the Erie, Pa., Times-News; the St. Louis, Mo., Post-Dispatch; the Atlanta, Ga., Journal; the Miami, Fla., News; the Providence, R.I., Journal; the Riverside, Calif., Enterprise; the South Bend, Ind., Tribune; the Helena, Mont., Independent Record; the Utica, N.Y., Press; the Portsmouth, N.H., Herald; the St. Petersburg, Fla., Times; the Colorado Springs Gazette-Telegraph; the Saginaw, Mich., News; the Louisville, Ky., Courier-Journal; the St. Louis, Mo., Globe-Democrat; the Baltimore News American; the Baltimore Sun, and several others be printed in the RECORD. The feeling of the public is clear; the public wants more effective Federal control over the sale of firearms.

There being no objection, the items were ordered to be printed in the RECORD, as follows:

[From the Newark (N.J.) Star-Ledger, June 30, 1967]

FEDERAL RESPONSIBILITY

There's a frustrating futility in New Jersey's pioneering gun registration law, something akin to the little Dutch boy who stuffed his finger in the dike to stem the raging, turbulent sea that threatened his home.

New Jersey stands helplessly alone, an oasis of reason struggling to overcome massive governmental indifference of the federal government and other states in an area of broad public concern that urgently demands official action.

Within the state proper, the nine-month-old gun law has been effective. About 3,000 persons with arrest records or for causes cited in the statute have been denied identification cards required to purchase firearms in this state, but many have evaded this legal proscription by merely going out of New Jersey to buy guns. And there could be many more who simply did not attempt to go through the formalities of registration because they knew they could not meet requirements; they just skipped across state lines and bought guns.

Attorney General Arthur Sills, the major advocate of Jersey's gun control, disclosed he is working with federal officials in an attempt to curb the interstate flow of weapons into this state, but this hardly seems to be the solution. It is merely a transitory, stopgap measure that may stop some of this illegal trafficking in firearms but will never effectively close it off entirely.

What is happening should not have been entirely unexpected; but what is naturally disturbing to Mr. Sills and other concerned officials is the magnitude of this illegal out-of-state trafficking in firearms. The flouting of law and authority has a broad corrosive effect on society; it infects younger people who see their elders breaking the law.

The irony, of course, is that the law is specifically designed to protect the community, keeping weapons out of the hands of persons with criminal records, mental defectives, alcoholics and dope addicts. It is a sound law in principle but it is critically flawed by the elemental lack of federal legislation that would make it apply universally.

Gun control measures have been bottled up in Congress, stymied by powerful lobbies representing sportsmen and hunting interests. The Administration has not shown sufficient interest to stir legislative action. It is an apathy that appears to be at cross-purpose with Presidential concern over the alarming rise in the incidence of crime in America. There is an intimate interlocking of cause and effect in crime and the easy accessibility to weapons. The President could deal with both problems simultaneously by incorporating an effective federal gun statute regulating interstate sales of weapons with the omnibus bill directed against crime in the streets.

[From the Baltimore Sun, July 22, 1967]

TOO MANY GUNS

The preliminary finding of a Senate staff investigator is that more than half the persons arrested with pistols in Newark during the riots had criminal records, and could not legally own pistols under New Jersey's gun control law. But interstate mail order purchases make a mockery of any state's attempt to control firearms. An Administration bill getting nowhere in Congress would prevent mail-order sales of guns and counter sales of pistols to nonresidents of a state, as well as require identification of purchasers and prevent the import of military surplus pistols.

Successful lobbying by the National Rifle Association has blocked this clearly needed legislation for years. Yet none of the contemplated controls would keep guns from hunters or persons legitimately needing them for safety. It should not require the assassination of a President with a mail-order rifle or a sniper battle in a major city to pry this legislation loose. But these things have at least served to show the disastrous folly of our present guns-for-everyone laxity.

[From the St. Petersburg (Fla.) Times, July 5, 1967]

School for Assassins

"The absence of sensible gun control legislation is not only unreasonable. It is an open and permanent invitation to violence and disorder."

The writer of these words is no far-out utopian. He is Defense Secretary Robert S. McNamara.

McNamara was moved to this strong appeal for congressional action on pending gun control bills by the events surrounding the arrest in New York last month of a group of Red China-oriented terrorists accused of plotting the assassination of moderate civil rights leaders.

Seized with the 16 prisoners were more than 30 weapons, 1,000 rounds of ammunition and various explosives.

McNamara has two reasons for being alarmed:

The group, organized behind a front called the Jamaica Rifle and Pistol Club, had held target practice at three National Guard armories under the Defense Department.

According to New York Sen. Robert F. Kennedy, the club "apparently was affiliated with and received a certificate of endorsement from the National Rifle Association, and thus under present regulations was entitled to participate in the civilian marksmanship program."

That's the heart of the problem with guns. When they are so easily obtained, no one can tell whether they will be used to fire at a target, a civil rights leader or a president.

McNamara says Congress has tied his hands in giving the NRA controls over the civilian marksmanship program. But even the powerful NRA cannot, we believe, force the Defense Department to continue a program that is so loosely run that U.S. taxpayers pay for the training of assassins.

[From the Portsmouth (N.H.) Herald, July 11, 1967]

NRA's Tired Old Song

The National Rifle Association is still thrumming away relentlessly at its favorite tune: Congress has no business enacting the administration-backed gun control law because it would curb sportsmen's and other legitimate gun users' ready access to the guns they want. Though the tune is monotonous in the extreme, it continues to have a magic effect in Congress.

There are variations on the central theme, notably that shooting is a great organized sport (which hardly anyone denies) and that the NRA's programs have done wonders for national defense (which is open to serious question). But for the most part the National Rifle Association's lobbyists against gun control laws spend their time plinking out that favorite tune over and over again.

With good effect from its standpoint, unfortunately. The other day Sen. Tydings of Maryland challenged the NRA to stop blocking the gun control bill with "wild, inaccurate and irresponsible misrepresentation."

But on the same occasion he acknowledged that the bill which has "languished in Congress for two years is hardly closer to passage now than on the day it was introduced."

President Harold W. Classen of the NRA responded with variations on the familiar theme, and intimated that the availability of guns has no bearing on the crime rate. The National Rifle Association may do itself serious harm if it does not temper its stubborn, self-serving hostility toward reasonable gun control.

Public sentiment for such legislation is rising. Congress should bend a more attentive ear to the public will, and spend less time listening to the NRA's tired old theme song.

[From the Erie (Pa.) Times, June 22, 1967]

Stop This Subsidy

Strongest pressure against an effective gun control act by Congress has come from the National Rifle Association.

For many Americans the failure to pass some kind of gun control legislation—three and a half years after the assassination of President Kennedy by a mail order rifle—is one of the worst contemporary U.S. failures.

Now comes the astonishing news that Congress may vote a $2.3 million subsidy to the National Rifle Association. The rationale is apparently to aid people in the use of arms.

NRA is a major lobby group and the proposed subsidy program should be eliminated.

[From the Baltimore News American, July 26, 1967]

Deadly Delay

The failure by Congress to enact any really effective Federal firearms control law has long been a disgrace. Not even the assassination of President Kennedy with a $12.78 mail order rifle was enough to spur the kind of clamp-down the powerful lobby of the National Rifle Assn. has so bitterly and so successfully opposed.

Today the NRA lobby still is blocking effective action in Washington. And today, also, the grim results of stalling are being manifested by the evergrowing presence of sniper fire in our riot-ravaged cities. Guns, readily available to anyone, this summer have been brought out by criminals and racist incendiaries to wage open bullet warfare against the forces of law.

This enormously dangerous development makes it absolutely imperative for Congress to take the step it has so long avoided. Its inaction now has become far worse than a disgrace. Continuing easy access to guns is threatening the security of the nation. Interstate mail order shipments of rifles and shotguns simply must be halted.

Past opposition by the NRA to such legislation is understandable even if it has been utterly selfish and short-sighted. Now, however, the situation has changed in the most radical and sinister way. In fact, if the self-proclaimed sportsmen and patriots of the NRA are ever to perform a vital service to their country they could do so now by moving for congressional action instead of fighting to block it. Whether they alter their position or not, Congress itself can delay no longer.

The fruit of further failure to control the sale and possession of guns could be full-scale civil warfare.

[From the Rock Island (Ill.) Argus, June 30, 1967]

At Last, Gun Control

Legislative enactment of a mild Illinois gun control law appears to have been assured with Senate acceptance of House amendments to the so-called Arrington bills. The measure now goes to Gov. Kerner.

It provides for the registration of gun owners instead of guns, as proposed in rival bills, and bars registration to convicted felons, anyone under 21 who has been convicted of a misdemeanor, narcotics addicts and anyone who has been a mental patient within the past five years.

No gun control law, as we have pointed out before, will keep criminals from obtaining weapons. But a law of this kind may satisfy gun-control champions for a while, and it will definitely give the police a new tool for detaining persons who possess guns illegally.

[From the Saginaw (Mich.) News, July 10, 1967]

Why Allow Riflemen "Defense" Subsidy?

Secretary of Defense McNamara says his cost-reducing efforts saved $914 million in military spending during the fiscal year that ended June 30.

Said Mr. McNamara: "There must be water somewhere in our $73 billion budget for this year. I propose to find it and wring it out."

Those are laudable sentiments from a man who is so beset by legitimate military outlays that he has expressed his personal dismay over failure of Congress to enact gun-control legislation.

Mr. McNamara stopped short of saying that the high cost of the war in Viet Nam is staggering enough without his department's being called upon to subsidize national rifle matches at a cost of $3 million a year.

National Rifle Association Members compete in month-long matches. The Government not only makes available a military base as the site of this contest but also pays for the contestants' travel expenses, lodging and meals. Throughout the year National Rifle Association members are also entitled to free ammunition, the loan of military weapons, and the right to buy others at cost.

Critics have commented before Congress that this little-known subsidy serves no useful defense purpose. These sportsmen are as well able to finance their hobby as are golfers or swimmers.

But beyond the lack of justification for subsidizing the marksmanship program and rifle matches, the National Rifle Association has injected itself into an area of concern that carries with it the disturbing tinge of vigilante assumption of law enforcement's proper authority.

For years the NRA has fought legislative restraints upon the sale of, and traffic in, firearms. It has argued that citizens have a "constitutional right" to keep arms in their homes, which they do not. It claims that legal restraints upon the sale and ownership of firearms are unconstitutional, and would prevent homeowners from defending themselves against criminals.

Now, the association's members are urged to form themselves into armed civilian bands, and the language of the NRA, as appeared in a spring publication of "The American Rifleman", had this editorial comment:

"With homefront safeguards spotty and uncertain, the armed citizen represents a potential community stabilizer. His support of law and order, whether as a civilian member of the posse comitatus or as one of the unorganized milita defined as the 'whole body of ablebodied male citizens,' could prove essential."

As one New England newspaper commented, there could be "nothing more dangerous to the security of the community and its inhabitants than for NRA's advice to be followed. Especially since some of the urban disorders of 1966 cited to strengthen the NRA's exhortation had a racial basis."

[From the Providence (R.I.) Journal, May 15, 1967]

Heavily Armed Citizens

Policy discovery of a sizable arms cache in Warwick is an example of the startling ease with which Rhode Islanders can arm themselves heavily despite strict state laws over the purchase of weapons.

The fact that America, the world's citadel of freedom, also has the world's most heavily armed citizenry is nothing to be casual about. Too many of us fail to recognize this critical flaw in our collective public safety. No municipality nor state can mend this flaw by itself. Witness the ease with which Rhode Island residents of any age and in whatever emotional or mental state can acquire from a surplus gun house lethal weapons at bargain prices by mail.

This dangerous situation leads to the familiar but fundamental question: What valid reason is there for the interstate mail order gun traffic in the first place except to profit the surplus gun brokers? A variety of public opinion polls shows a majority favoring a proposal that the federal government ought to run these gun houses out of business. To halt the loose gun traffic, however, requires federal legislation which is proving most difficult to enact in any useful form because Washington's powerful gun lobbies refuse to face up to certain important truths.

The most important of these truths is that many a rifleman and sportsman who has reflected on the surplus gun problem has come around to upholding his obligation to strive for "domestic tranquillity" as strongly as he does his right to protect his home with firearms and to hunt game. Is it asking too much of the leaders of the gun lobby to divide their reverence for what the Second Amendment has to say about bearing arms with what the Constitution's Preamble has to say about insuring domestic tranquility?

The obvious and grave hazards implicit in the easy availability of weapons in the U.S. probably will be corrected only when those now raising the strongest voices against gun controls see the light and accommodate their position on gun ownership to the responsibilities that must underlie effective public safety.

[From the Riverside (Calif.) Enterprise, May 9, 1967]

SPORTSMEN ALL

All along we were led to believe the National Rifle Association, "foremost guardian of the American tradition and Constitutional right of citizens to keep and bear arms," was just an organization of sportsmen bent on shooting away at small targets and lesser game with a minimum of legal restrictions.

But it turns out the NRA has larger targets and bigger game in mind, too.

Now the National Rifle Association has advised its membership—put at 800,000—that good as the police may be, they can only be relied upon up to a certain point when a mob is in action. And, reliable as the National Guard may be, in support of your local police, what if the troops are overseas fighting a war?

The NRA's answer is armed civilian posses and association membership is encouraged to form such units.

This is all for home protection, because not only is there the problem of riots, but "some courts seem to pamper criminals."

And so, the sportsmen, the National Rifle Association, worried about gun control legislation, are going to protect us all, against the rioters, and, if only by implication, when the courts fail us by pampering criminals.

The National Rifle Association's case sounds curiously like that of the Black Panthers, the armed Negroes who invaded the State Assembly in Sacramento last week to dramatize their argument that they need to go around armed for protection, too.

The NRA contends that "with home-front safeguards spotty and uncertain, the armed citizen represents a potential community stabilizer."

Or a potential community menace.

Who protects people from their extra-legal protectors?

[From the Pittsfield (Mass.) Berkshire Eagle, July 6, 1967]

WHY SUBSIDIZE SHOOTING?

One good thing has been accomplished by the so-far-unsuccessful attempt to enact new federal gun-control legislation: It has turned a scorching spotlight on that powerful special-interest group known as the National Rifle Association (NRA).

In the course of backing weapons-curbing bills, congressmen are showing up the rifle association as the hard-lobbying, tax-aided outfit it is. The disclosures should give pause even to some of the association's 700,000 members.

No longer can it be seriously argued that the millions of government dollars going to the NRA produce a fair return in enhanced national security. In the nuclear age when military training is thorough and expert, civilian marksmanship exercises bear less relationship to real soldiering than does a Boy Scout campout. Few taxpayers, if asked, would be willing to shell out money to help their gun-toting neighbors practice their hobby at public expense.

The point was made by Senator Edward M. Kennedy last week, and very effectively. In a letter to Defense Secretary McNamara, Senator Kennedy asked the department to call off the government-financed national rifle matches at Camp Perry in Ohio. The matches, the climax of the National Rifle Association's year-long program and open only to NRA members, are federally underwritten to the tune of $3 million a year.

Voicing grave reservations about the value of the government-aided marksmanship programs, "and especially about the privileged position given the NRA under that program," the senator suggested that Camp Perry on Lake Erie be used instead for a summer camp for underprivileged young people from Cleveland, Toledo and other racially troubled cities.

As it happened, Defense Secretary McNamara passed the buck on the rifle matches, saying they were the responsibility of Congress rather than his department. Declaring that the basic issue is sensible use of firearms, Mr. McNamara expressed dismay that "Congress has been so remiss in enacting the necessary controls to assure that the sales and use of weapons are effectively kept out of the hands of those who use them to threaten the right of free dissent."

So the immediate question of government support for the rifle matches was left unanswered, with the defense secretary unwilling to cut off the money and the senator unable to pass new legislation singlehanded. But the exchange of views did bring to light the unjustified government subsidy of the rifle association. And it did underline the belief of two respected national leaders that the firearms traffic must be curbed by law.

[From the St. Louis (Mo.) Post-Dispatch, July 12, 1967]

FIREARMS STILL UNCONTROLLED

Congressional subservience to a pressure group, especially one backed by the Pentagon, is on display again this week as for the fifth year in a row the Senate considers federal firearms control. The assassination of President Kennedy, not to mention incidents such as the random execution done at the University of Texas, surely ought to have brought about reasonable control of the distribution of firearms, especially by mail.

Action has been balked, however, largely by the National Rifle Association, supposedly in the name of sportsmen. The long-time patron of the NRA is the Defense Department which spends $3,000,000 a year to conduct the shooting matches at Camp Perry on Lake Erie, and also supplies free ammunition and rifles at or below cost to NRA groups. Among these have been found anti-labor goon squads and extremist political outfits such as the so-called Jamaica Rifle and Pistol Club, 17 of whose members recently were indicted for plotting the assassination of civil rights leaders. For the sake of its own good name, the NRA ought to be eager for safeguards.

Secretary of Defense McNamara recently wrote to Senator Edward Kennedy that he is "frankly shocked that Congress has been so remiss in enacting the necessary controls to assure that sales and use of weapons are effectively kept out of the hand of bigots and extremists." But he did not respond to the Senator's suggestion that instead of for rifle matches Camp Perry be used as a summer recreation center for slum children. However Secretary McNamara may feel about that, he might tell the Senate that it ought to do more than adopt the Hruska bill which requires little more than a seven-day wait in filling mail orders for pistols, not rifles and shotguns. How alarmed are Senators about "crime in the streets"?

[From the Louisville (Ky.) Courier-Journal, July 12, 1967]

TIME TO GO ON OFFENSIVE FOR A GUN LAW

Once again a Senate subcommittee is holding hearings on firearms legislation. Witnesses appear to stress the need for restraints on the insane traffic in firearms in this country. They tell what is by now a familiar horror story.

Our lack of controls on the distribution of deadly firearms is an invitation to violence and murder. Any nut can get his hands on a gun more easily than he can get a driver's license. Any juvenile can get a gun as easily as he can get a record album. It isn't even very difficult for a child to get one.

This is a situation which no civilized society should abide. Yet abide it we do. Congressional efforts to enact curbs on gun sales have failed year after year.

This year, the Johnson administration is proposing restrictions on the firearms traffic as a part of its anti-crime package. The administration's bill would prohibit mail-order sales of firearms, forbid over-the-counter sale of handguns to nonresidents of a state, require identification and age of purchasers of firearms from federally licensed dealers and halt the importation of military surplus handguns.

HUNTERS AREN'T THE TARGETS

This is a sensible, reasonable bill. It is not aimed at legitimate sportsmen. Hunters would still be free to hunt and marksmanship clubs would still operate.

But you would never know this from the propaganda mounted against this legislation by the National Rifle Association. This organization, by the way, is subsidized by the government which is seeking the gun curbs the NRA opposes.

One measure of how much the Johnson administration wants to enact its firearms proposals will be how it deals with the NRA. If it chooses to do so, the administration can put the heat on the NRA. The Rifle Association is a nonprofit, tax-exempt organization. But unlike most tax-exempt institutions it is permitted to lobby, although it is not registered as a lobby. The Rifle Association also receives subsidies running into millions from the Defense Department.

The Internal Revenue Service could remove the Rifle Association's tax exemption, and it should. Congress could insist that the NRA register as a lobby, and it should. The Defense Department could stop underwriting the NRA with the taxpayers' money, and it should.

If the government made this series of moves, the NRA would be so busy defending its privileged position that perhaps at last we might get the gun-control legislation that we so badly need.

[From the Atlanta Journal, May 11, 1967]

AND NOW, A POSSE?

The National Rifle Association, which has been lobbying against effective gun control laws, now seems to be encouraging a dangerous kind of vigilante action.

The 800,000-member association's magazine has urged members to arm themselves and be prepared to move in against urban rioting.

The idea appears to be that the police and National Guard may prove inadequate and we may need the Rifle Association to keep order.

We will stick with the police, the National Guard and the armed forces, thank you. The day is not at hand when we need an urban posse, whether it be a bizarre organization such as the Minutemen, a Klan front such as the gun club was during St Augustine's racial difficulties, or even a respectable organization such as the National Rifle Association.

This is another extraordinarily bad judgment from an organization that ought to be helping to reduce the irresponsible spread of private weapons but which, instead, has made itself a powerful impediment.

When sound gun control laws have been offered at the federal level, the Rifle Association has stood in the way. When a good bill backed by police agencies and other responsible quarters concerned with law enforcement was offered in the Georgia Legislature this year, again the Rifle Association stirred the opposition.

When anyone may obtain a dangerous weapon through the mail, and a convicted felon or an insane man may walk into a store and buy a pistol, the civilian right to bear arms has been reduced to an absurdity.

The right does exist, and will continue to, despite the scare propaganda put out by some people opposed to effective gun control laws.

But effective control laws are needed. And posses and vigilantes are not. The Rifle Association is not serving the country when it assumes an irresponsible position on both these matters.

[From the Miami (Fla.) News, May 11, 1967]

The Hysterical Riflemen

The emotional weeping of the National Rifle Association reaches a new high decibel in the suggestion that Americans form civilian posses to provide "community stabilizers" against urban rioting.

The latest ploy in an organized campaign against federal gun control legislation appalls law enforcement officers and citizens alike who shudder at the thought of Americans taking up arms against fellow Americans.

The NRA suggests the best police on earth can't stem mob violence that has swept many cities but points out that a 12-gauge shotgun, loaded with 27 pellets of No. 4 buckshot can. And "there is a good deal to be said for a sledge or axe handle," the American Rifleman magazine adds.

In an editorial "Who Guards America's Homes?" the magazine asserts there is little indication that congressional sponsors of a bill to check mail order gun sales have given any thought to the fate of citizens "who may be trapped and beleaguered by howling mobs . . ."

The lobbying of the NRA is one of the principal reasons why Congress might well take action at this session on the legislation offered by Sen. Tom Dodd. The unfettered sale of guns and pistols has made crime easy but the rifle association is stringently opposed to any efforts at making the purchase more difficult.

Every day we read of senseless holdups and killings. Here in Miami a week ago, a bread salesman was gunned down by boys who had a small pistol in their possession. Guns are easy to steal and just as easy to buy.

Miami Police Chief Walter Headley comes right to the point when he observes that if vigilante groups are formed, there'll be more hoodlums carrying guns than citizens.

And if the NRA feels that law-abiding civilians need guns to protect themselves, then civilization surely is marching backwards. Revive the Minutemen? Not today.

[From the South Bend (Ind.) Tribune, July 12, 1967]

Further Delay Unconscionable

This is the third consecutive Congress to consider legislation to aid states in effectively regulating the sale of firearms. Perhaps this will be the year that constructive action will be taken, although the record certainly doesn't inspire optimism.

The latest round of hearings is now under way, being conducted by the Senate subcommittee on juvenile delinquency.

The proposed legislation would prohibit certain mail order sales and shipments of firearms except between federal licensees. It would prohibit over-the-counter sales of firearms other than rifles and shotguns to any person who does not reside in the state in which the federal licensee does business.

It would prohibit federal licensees from selling handguns to any person under 21 and from selling rifles and shotguns to any person under 18. It would curb imports into the United States of surplus military firearms and other firearms not suitable for sporting purposes or antiques.

The legislation is aimed basically at keeping guns, especially handguns, from getting into the hands of irresponsible persons, the deranged, narcotic addicts and persons with criminal records.

The legislation is no panacea for the danger of human irrationality and violence.

But as President Johnson said earlier this year in a report to Congress: "To pass strict firearms control laws at every level of government is an act of simple prudence and a measure of civilized society. Further delay is unconscionable."

We agree.

[From the Milwaukee (Wis.) Journal, July 24, 1967]

Guns and Fair Play

The National Rifle association has come up with a new argument against a gun control law—it would be "contrary to the American spirit of balance and fair play."

As Sen. Church (D–Idaho) put it, arguing in the same vein as the NRA, if you curb guns, "does it follow that housewives, then, must be licensed to purchase carving knives? Should teen agers be required to show sandlot permits to buy baseball bats?" Harold Glassen, a Michigan sportsman, says that fair play "would require legislation against automobiles and airplanes."

These are all exercises in speciousness. Fair play doesn't decree allowing guns to get into the hands of misfits, criminals and persons who might misuse them. And we do legislate about automobiles and airplanes—we test and license drivers and pilots, we control use, we in many cases require safety checks.

Why the so-called "sportsmen" of the NRA object to controls on the sale and ownership of guns when few of its members would be denied guns is hard to understand.

[From the Christian Science Monitor, July 24, 1967]

Guns

Simply send your money through the mail. Whoever you are, you'll receive a deadly weapon by return post. That Congress allows this situation to continue is inconceivable. Yet it does.

Snipers in the recent New Jersey riots were apparently armed with mail-order guns. New Jersey's strict gun-control law counted for little when weapons were readily obtainable from sources outside the state. Police report that four out of five guns confiscated in Newark in recent years came from outside New Jersey.

Attorney General Ramsey Clark recently testified that half of some 2 million firearms purchased in the United States last year were sold by mail-order houses, that "among the purchasers were known dangerous criminals, mental defectives, angry spouses, habitual drunkards, children and drug addicts." He complained that "the issue has been debated beyond reason" and asked, "When will we act?"

Public support for action is at hand. A Gallup Poll showed that the public overwhelmingly supports stricter gun laws.

What then is preventing action? The gun lobby—notably the National Rifle Association (NRA) which has, by the way, never polled its own membership on the issue. The NRA misuses the 2d Amendment to the Constitution in its efforts to block constructive action. Proposed legislation will not infringe the right of the people to keep and bear arms. But it will regulate this right, as other rights have been regulated, in the interest of the public safety and welfare.

The NRA speaks for the rural West where, as Sen. Frank Church (D) of Idaho put it: "Guns come close to the feeling of sovereignty itself among our people. This is an issue that cuts right to the bone." But in the urban East (and urban West) reasonable legislation to regulate interstate traffic in guns is one essential weapon in the war against crime and violence.

For four years the gun lobby has had Congress so well covered that it has been afraid to make a move. With increasing public support of stricter gun laws and growing evidence of the urgent need to act, perhaps Congress will at last dare to make its move.

[From the Salt Lake City Tribune, July 13, 1967]

Repeat Performance in Gun Control Drama

A full-page presentation in a gun magazine was a feature of the first day of a much-delayed Senate subcommittee hearing on firearms legislation.

Introduced by Treasury Undersecretary Barr, the ad offered at cut-rate prices a "45-caliber 30-shot semi-automatic completely legal Eagle carbine," riot guns, automatic rifles and other weapons.

Mr. Barr testified that one of the main causes of "the spreading cancer of crime and juvenile delinquency" is "the indiscriminate acquisition of the weapons most frequently utilized in crimes of violence." Under the present law any person can acquire with ease firearms rarely ever used in sports. The way is open generally for criminals, juveniles (without knowledge of their parents), narcotic addicts, mental defectives, and zealous organizations seeking to supplant duly constituted public authorities.

The administration bill would regulate such sales and also prohibit over-the-counter sales of handguns to nonresidents of a State, require identification and age of purchasers of firearms from federally licensed dealers and prohibit the importation of military surplus handguns.

The hearing was requested by Sen. Hruska (R-Neb.), who is the sponsor of a much milder bill which would not affect mail order sales but would require the filing of affidavits when handguns are sold across state lines. As Mr. Hruska has said, so-called concealable weapons are the "real offenders" in the misuse of firearms.

Senator Hruska's measure, it appears, would be effective in discouraging minors, criminals and incompetents from obtaining pistols, and is sound to that extent. Sen. Edward F. (Ted) Kennedy (D-Mass.) and others working for some kind of federal firearms control have repeatedly made it clear they were eager to get Hruska's bill onto the floor as soon as possible.

Mr. Hruska's performance so far adds to the suspicion that he really is interested in killing firearms legislation, not getting his watered-down bill before the Senate. He launched a tirade against the administration bill and the committee's hearing schedule (agreed on in advance by Hruska).

A recent national poll showed that 73 per cent of those questioned favored firearms control and 75 per cent favored doing away with all mail order sales of guns. Yet because of the savage quality of the criticism of the administration bill, much of it originating with the National Rifle Association, some members of Congress seem reluctant to act. Persons favoring firearms control should let lawmakers know they, too, have an opinion on this vital matter.

[From the Bethlehem (Pa.) Globe-Times, June 27, 1967]

Legislators Avoiding Gun Control Issue

(Editor's Note.—The following expresses the opinion of political and governmental developments on the state Capitol scene.)

(By William Ecenbarger)

Harrisburg.—Who can buy a gun in Pennsylvania?

Anyone at least 18 years old—or willing to say they're 18 when they're not.

It would seem that a civilized society, faced with a rising crime rate, would clamp some meaningful controls on guns to keep them out of irresponsible hands. National polls show that roughly three of every four Americans favor tougher gun laws.

But such proposals are always greeted by opposition from a small, well-knit segment which argues they would be unfair, unconstitutional and unworkable.

Present Pennsylvania law places some innocuous restrictions on the sale of pistols and small rifles, but the majority of rifles and shotguns are unregulated in the commonwealth. Except, that is, in Philadelphia, where ironically the nation's toughest gun control law has been in effect for about two years.

CITY LINE LIMIT

The glaring weakness of the Philadelphia statute is the lack of similar restraints for the rest of the state. A Philadelphian merely has to step outside city limits to purchase a weapon.

Legislatures across the nation are considering stricter regulations this year, but the Pennsylvania General Assembly is not among them. Only a few prosaic proposals, providing "gun control" in title only, have been introduced.

The sponsors of these measures announced they were designed to keep guns away from "anti social elements" without inconveniencing "law-abiding citizens." Their goal is admirable, but it is based on the false assumption that there is a sharp line dividing these two groups.

State legislators could learn much from the stormy passage of the law in Philadelphia, where the general public was mobilized to overcome acrimonious opposition.

SHOOTINGS SPUR LAW

A rash of shootings in the summer of 1964 led to the clamor for the tough Philadelphia statute. Opponents resorted to such tactics as abusive letters and middle-of-the-night telephone calls to city councilmen. During a public hearing on the proposal, one gun enthusiast likened city councilman Paul D'Ortona to Adolph Hitler.

The Philadelphia law gives police the right to refuse permission to purchase a gun to anyone deemed unfit to have one. It was the first such statute to apply to all guns.

Last year New Jersey enacted similar restrictions on guns despite the same emotion-laden opposition. It requires every firearms owner to have an identification card issued by police.

Opponents of both regulations contend they are not working and object to what they consider "police-state red tape" in obtaining a weapon. They also generalize isolated instances of bureaucratic bungling in administering the laws.

MURDER RATE DROPS

Last month on the floor of the U.S. House of Representatives, where strict federal gun controls are under consideration, U.S. Rep. Richard McCarthy, D-N.Y. said Philadelphia's homicide rate dropped by 17 per cent during the first nine months of the law. He added that in the same period 110 convicted criminals were refused permission to buy guns in the city.

Gun enthusiasts contend the nation is suffering from "anti-gun hysteria" brought on by such incidents as the Kennedy assassination and the University of Texas sniper.

They claim that any attempt to restrict the use of guns by responsible citizens is a violation of the U.S. Constitutional provision that "the right of the people to bear arms shall not be infringed."

They are quoting out of context. The full provision in the second amendment reads: "A well-regulated militia being necessary to the security of a free state, the right of the . . . etc." The U.S. Supreme Court has ruled that the right to bear arms must have "some reasonable relationship to the preservation or efficiency of a well-regulated militia."

GUARD ON DUTY

Today's militia is the National Guard. The efficiency of individual citizens grabbing the family rifle and dashing out to defend the country somehow seems absurd in the thermonuclear age.

Opponents further argue that tough restrictions would be a serious inconvenience to sportsmen and other legitimate gun owners. But can anyone say that this "inconvenience" is too high a price for keeping deadly weapons away from criminals?

Present Pennsylvania law imposes a 48-hour waiting period on pistol purchasers to give local authorities time to check for a criminal record. However, the prospective buyers are not required to submit meaningful identification data such as fingerprints.

A woman later convicted of fatally shooting a Philadelphia policeman three years ago eluded this check by simply filling out the application for the death gun in her married name. She had a criminal record in her maiden name.

NEW LAW POSSIBLE

The new state Crime Commission is almost certain to take up the question of gun control in Pennsylvania, and there is a good chance of federal legislation this year that will minimize the need for improvements in the state law.

But Pennsylvania legislators shying away from this controversial issue might note a speech two weeks ago by Gov. Richard Hughes of New Jersey in which he said:

"I hope that the small minority who adopt the emotional platitudes of special interest groups to oppose our gun control law will soon realize . . . that they are actually advocating the indiscriminate sale of dangerous weapons to convicted criminals, narcotics addicts and the mentally unbalanced," Hughes said.

[From the New York Post, July 20, 1967]

The Domestic Gun Business

New Jersey has a gun control law that prohibits sale of firearms to those with criminal records. Yet more than half the persons arrested during the Newark riots with firearms on them had such records.

These weapons, says a Senate investigator, came from out-of-state mail-order houses or were smuggled over the state border with ease.

One solution for this problem is painfully obvious—passage of the federal gun control legislation shot down annually by the National Rifle Assn. lobby.

The law would ban interstate mail order sales of weapons to individuals and prohibit all sales to criminals and "incompetents."

Its application to urban rioting is no new revelation. It is a tragedy that it took 26 deaths to underline the importance of the bill. Let us hope Congress will be shocked into action. The real question about the pending bill is whether it is strong enough. But its adoption would be a real beginning—and far more meaningful than the spurious "anti-riot" bills being solemnly pushed in Congress.

[From the Houston Chronicle, July 21, 1967]

Riots and Gun Control Bills

If ever there was an obvious argument for sensible gun control legislation, the recent riots in Newark, N.J., provided it. Snipers held forth for days, shooting at police and National Guardsmen from rooftops.

U.S. Atty. Gen. Ramsey Clark and investigators for the Senate Judiciary Committee reported that many of the guns used in the New Jersey insurrection were bought through the mails. Eugene W. Gleason, a judiciary subcommittee investigator, said this was particularly true of the hand guns, most of which were cheap foreign makes.

New Jersey has a strong gun control law, in effect about a year. It apparently halted in-state sales. But Gleason said most of the rifles had been smuggled in from Southern states.

The lesson to be learned from New Jersey's violence and shooting is that if gun sales were more tightly controlled by federal law, they would be less easily available for persons inclined to riot. This is especially true of weapons bought by mail, where anonymity is the key.

We support President Johnson's plan for firearm control which would:

Prohibit most mail order sales and shipments of firearms inter-state except between federal licencees.

Prohibit over-the-counter sales of firearms to any person who does not reside in the state in which the federal licensee does business.

Prohibit a federal licensee from selling hand guns to any person under 21 and from selling any other firearm to anyone under 18.

Curb imports into the United States of surplus military firearms and other firearms not suitable for sporting purposes.

Rep. Bob Casey's bill also would provide a mandatory 10-year sentence for any person convicted of using a firearm in the commission of another felony.

None of the provisions of either of these bills would significantly hamper a sportsman in hunting or competitive shooting. These proposals are aimed at persons who would use firearms for illegal purposes.

The argument by gun law opponents that potential criminal would pay no attention to firearms laws is not valid. One of the things learned from the New Jersey investigation is that the New Jersey law worked well within the state's borders. It sharply reduced weapon purchases by criminal or unstable types. But many such persons either had weapons before the law took effect or were forced to go out of state to buy.

If President Johnson's proposals had been in effect throughout the nation, this unwanted traffic in guns would have been cut off.

[From the Cleveland Plain Dealer, July 13, 1967]

Ammunition for Gun Controls

When a mail-order dealer advertises reduced prices on 45-caliber semiautomatic carbines and other weapons as his "Long Hot Summer Special" he inadvertently points to the imperative need for enactment of strong federal gun control legislation.

So does the sportsmen's association which editorially advises its members to form armed civilian posses to act as a "potential community stabilizer" against rioting.

The point here is that guns of all kinds have been and are too easily obtained, that lethal weapons find their way into the possession and use of irresponsible, as well as responsible, persons. Felons, the mentally ill and people hiding behind aliases have been able to get guns via mail-order catalogues.

Present gun laws are no real barrier to acquisition of firearms by criminals, mental defectives, narcotic addicts, juveniles or those who would take the law into their own hands and replace duly constituted authority with vigilante justice.

The perennial debate over tighter federal firearms control again is under way in Congress. The Senate Judiciary Committee's subcommittee on juvenile delinquency is hearing from proponents and opponents of legislation sought by President Johnson as part of his campaign to better equip the nation to fight its war on crime.

The Johnson administration's bill is not, as those who cry out against it, the first step in a plot to disarm the civilian population, to deny it the right of armed sport or self-protection. It is, rather, an entirely reasonable measure aimed at keeping guns out of wrong hands.

The bill's provisions for banning mail-order sales and shipments of firearms except between federal licensees, for prohibiting over-the-counter sale of handguns to nonresidents of a state, for restricting sale of shotguns and rifles to those over 18 and sale of handguns to those over 21, and for halting the importation of military surplus handguns, are not unreasonable in the light of what must be done to help forces of law and order deal with increasing crime and lawlessness.

Congress should keep in mind President Johnson's February message which described strict gun control as "an act of simple prudence and a measure of a civilized society."

[From the Los Angeles Times, July 20, 1967]

NEWARK RIOTS SHOW GUN LAW NEED

If any further evidence were needed in favor of an enforceable federal gun law, it was provided by the recent tragic riots in Newark, N.J. Senate investigators said Tuesday that most of the weapons seized from rioters were purchased from mailorder gun firms.

Like California, New Jersey has stiff laws regulating the in-state sale of guns. But nothing inhibits a person wishing to buy a gun from simply ordering one from a mail-order house, with nobody the wiser.

It seems preposterous that the gun lobbyists would remain adamant against reasonable controls over such sales in the face of mounting proof of the dangers involved. Yet they do.

The Times has consistently urged passage of a federal law, tougher than the one now before the Senate, that would prohibit interstate shipment of weapons except between licensed dealers.

A proper bill would also ban sales to customers who aren't residents of the state where the dealer does business, and include all firearms rather than just concealable weapons.

Atty. Gen. Ramsey Clark testified this week: "Some 2 million firearms were sold in the United States last year, half by mail-order houses, half by retailers, from sporting goods stores to five-and-dimes and filling stations.

"Among the purchasers were known dangerous criminals, mental defectives, angry spouses, habitual drunkards, children and drug addicts."

California's registration laws for concealable weapons have taken a long step toward impeding this kind of gun traffic. But much more remains to be done, both here and elsewhere in the United States. Ultimately a law requiring registration of all weapons may be the only solution.

[From the Baltimore News American, July 23, 1967]

THE GUNS OF NEWARK

The massive use of firearms during the recent Newark, N.J., racial riots compounds the alarming nature of such outbreaks. It emphasizes, as perhaps nothing else, the urgent necessity for strong, Federally-enforced gun-control legislation.

The Senate is investigating the widespread use of rifles, pistols, and other weapons in Newark. Sen. Thomas J. Dodd, (D.-Conn.), chairman of a subcommittee on juvenile delinquency and an ardent backer of strict firearms laws, noted most persons arrested with pistols in Newark had criminal records.

The riots thus demonstrate, in stark fashion, a flow of unregulated guns is available to any person or group who wishes to be armed, for whatever purpose. The condition is intolerable, shameful, and uncivilized.

The most historic evidence of the lack of adequate gun-control legislation was provided by the assassination of President Kennedy, slain with a $12.78, mail-order rifle. The tragedies in Newark and other riot-torn communities now underscore this dangerous situation.

[From the Minneapolis Star, July 22, 1967]

GUN SALES AND THE CRIMINAL

In the aftermath of the riots in Newark and Plainfield, N.J., one question looms large: Where and how did the snipers get their guns?

Some of the answers are beginning to come out of the hearings on gun control legislation by a Senate subcommittee. It was found, for instance, that more than half the persons arrested with pistols in the Newark rioting had criminal records. Under New Jersey law, this should have barred them from buying and owning the weapons. But this kind of law does not deter the criminal. He finds it a simple matter to purchase his pistol, rifle or automatic weapon from a mail order house, with no questions asked.

Opponents of the bill that would prohibit all interstate commerce in mail order handguns and regulate the sale of rifles and shotguns argue that there is no "causal relationship" between the easy availability of guns and crime or rioting. They also claim that the law would be unduly restrictive on rural Americans and "contrary to the American spirit of balance and fair play."

These are arguments that have been heard before and are becoming less meaningful to most Americans who are increasingly concerned over rising crime rates and violence in the cities. Although it is impossible to trace the source of every gun used in a crime committed with firearms, the statistics provide more than a hint of a "causal relationship": A million firearms were sold by mail order houses last year, and another million by retailers, "from sporting goods stores to five-and-dimes and filling stations," according to the U.S. attorney general.

The legislation is not aimed at the sportsman, who will be able to buy his firearms from a retailer. It is aimed, instead, at the criminal and the potential criminal. State laws, ranging from the tough in New York to the meaningless in Texas, cannot keep guns out of their hands. Only a federal law can do it.

[From the Long Island (N.Y.) Newsday, July 20, 1967]

BADLY NEEDED: A GUN LAW

Some grim statistics about guns have been provided the U.S. Senate by Attorney General Clark. In 1966, some 6,400 murders, 10,000 suicides and 2,600 accidental deaths were caused by firearms. Criminals used guns in 43,000 aggravated assaults and 50,000 robberies. Some 2,000,000 guns were sold in the U.S. last year, among the purchasers being criminals, mental defectives, angry spouses, habitual drunkards, children and drug addicts.

Surely this is convincing evidence that Congress must approve President Johnson's proposals for a ban on the mail-order sales and shipments of firearms, except between federal licensees. Congress also should adopt other proposed restrictions that do not hamper the sportsman while putting at least a partial brake on those who use guns for criminal purposes. Consider the havoc wrought by snipers in the Newark riots, and the house-to-house search for guns in Plainfield, N.J.

It's time for Congress to get moving. Some form of regulation is essential. Heavy pressures have been brought to bear on the members by the National Rifle Association. Those pressures should be resisted. Unregulated firearms are a menace!

[From the Baltimore Sun, July 27, 1967]

WHAT TO DO

There are two things Congress can do immediately to help in the urban race crisis now gripping the nation. One, it can pass a bill dealing with the mail-order sale of guns. The Detroit riot shows that snipers—organized or not—can keep a city in chaos for days. If it were not for the snipers there, the police, or at least the police and National Guard, could have brought law and order back probably within 24 hours. But because of the snipers, after three days the fight still raged, even with the addition of back-up assistance of over 4,000 regular Army paratroopers.

If it were not for the mail-order sale of guns, snipers would have greater difficulty in getting them. A Senate Judiciary Committee investigator said after a visit to Newark that most of the guns confiscated in the riot area there were mail-order guns. New Jersey has tough laws of its own, but as long as people can order firearms through the mails, local and state laws are of little effectiveness.

Two. Congress can provide for a thorough, professional investigation of rioting. It should not be just a who-shot-whom, or who-set-fire-how affair, either. If there is an effective conspiracy afoot, that needs to be known; but more important is why cities are so vulnerable to the destruction and social disintegration of the past four years. It goes without saying that whoever investigates this state of affairs—Congress, the White House, a special commission—should completely avoid partisan politics.

[From the Washington Post, July 23, 1967]

COMMUNITY STABILIZERS

The National Rifle Association thesis that "with homefront safeguards spotty and uncertain, the armed citizen represents a potential community stabilizer" received a pretty good test in New Jersey during the past week. After five nights of instability during which 25 persons lost their lives and 1200 were injured in Newark, the Governor was able to report on Monday that "the sniper shooting is so sporadic it is grinding to a halt. My evaluation of the situation is the rioting and looting are apparently over and the violence has ceased."

How fortunate that so many of the citizens of Newark possessed firearms when the rioting started! Without these community stabilizers, it would have been difficult for them to spot policemen from rooftops or to terrorize whole neighborhoods by shooting at random in the darkness. In nearby Plainfield, according to United Press International, Negroes armed with rifles and submachine guns contributed to stability by barricading themselves behind kitchen appliances in the downtown portion of the city.

You, too, can help foster community stabilization in this way. An advertisement in *The Shotgun News*, introduced in evidence last week at a Senate subcommittee hearing, proclaims a "Long Hot Summer Special" and offers anyone with the wherewithal—anyone at all—a chance to purchase riot guns, semiautomatic carbines, World War I rifles and a variety of other lethal devices. No discrimination in this bonanza. The weapons are available for blacks or whites, the sober or the drunken, cops or robbers, the wise and the foolish. And thanks to the thoughtfulness of the NRA, Congress has been kept from passing legislation which might interfere with the mail order purchase of these community stabilizers.

[From the Des Moines Register, July 25, 1967]

ANYONE CAN BUY A GUN

The consequences of this nation's failure to enact adequate gun control laws have been frightening enough in the past. Children, madmen and criminals have had free access to guns offered by mail suppliers and could purchase them over the counter almost as easily. Lunatic fringe paramilitary outfits have armed themselves to the teeth. Firearm death rates (from murder, suicides and accidents) in the U.S. have been as much as 100 times greater than those in European and Asian countries which have strict firearms control laws.

To this list must now be added the potential for disaster which this easy accessibility of arms has created in riot-prone American cities. Mobs which destroy, loot and burn create tragedy enough. Armed mobs which turn city streets into shell-pocked battlefields—as in Newark—give the tragedy a more awesome dimension.

Senate investigators have reported to the subcommittee considering a gun-control bill that most of the weapons confiscated in Newark were mail order items. This underscores the urgent need for federal legislation. New Jersey itself has strict (at least by U.S. standards) gun laws. These require a minimum seven-day waiting period for a permit to buy a pistol; they prohibit sales to persons under 18. But mail order gun sales make a mockery of such state laws—one needs only to fill out a coupon and have a few dollars to get a gun. Less restrictive border states also provide a ready source of arms.

In Watts, two years ago, few Negroes were armed, but white residents cleared shelves of gun suppliers within a few hours. Whites, as well as Negroes, in other cities are likely to be arming themselves as determinedly. These guns are in the hands of hot-headed youngsters as well as sober adults.

Accessibility of such weapons does not cause our summer riots; shutting off their supply will not prevent future riots. Nor will it prevent at least some rioters from getting weapons. But the fact that some rioters might have guns does not hold quite the dire potential presented by the fact the hostile populations can deliberately arm themselves for all-out war.

Permitting such traffic for all these years has been folly. It is such no longer. It is madness.

[From the Philadelphia Inquirer, July 21, 1967]

NEWARK AND GUN CONTROLS

According to Senate investigators, most of the weapons used by snipers in the Newark, N.J., insurrection were obtained from mail order gun houses. According to a statement of Attorney General Ramsey Clark, approximately two million firearms were sold in this country last year, among the purchasers being known criminals, mental defectives, habitual drunkards, children and even known drug addicts.

It is an irony that New Jersey should be brought into the Senate Judiciary subcommittee's hearings on gun controls as a bad, if compelling, example of the need for such controls because New Jersey has had—for a year—one of the toughest control laws in the country. But it is only one State, as Newark is only one city in that State, and its laws are easily circumvented by the criminally inclined who seek to traffic in arms illegally, or to use them in the despicable manner guns were used in Newark last week. The mail order guns kept coming, obviously, and others were smuggled in; and at least 40 of those arrested carrying rifles and revolvers were New Yorkers.

We doubt that the passage of the Administration's proposed gun control law will immediately bring peace on earth—or in Newark, for that matter. But it could stop mail order sales; it could at least slow down retail sales to non-residents of a State; it could put a crimp in the importation of cheap foreign weapons (so-called military surplus) and it could set standards for identification and qualification of gun-purchasers for Federally licensed dealers. Licensing would be a vital part of the law.

In view of the dimensions of the problem—two million guns a year sold in the U.S.—and the likelihood that our social ills are not to be repaired overnight, thus keeping the temptation to murder and mayhem alive constantly, it certainly appears that intelligent control of the possession and use of firearms is a Federal matter of great importance. The present bill may not have all the answers, but it has enough to recommend it highly for passage.

The constitutional right "to keep and bear arms" refers, in the estimation of many, primarily to "well regulated" State militia organizations—and these the administration measure does not hamper in the slightest degree.

STATE OF THE BUDGET—MESSAGE FROM THE PRESIDENT (H. DOC. NO. 152)

The PRESIDING OFFICER (Mr. SPONG in the chair) laid before the Senate the following message from the President of the United States, which was referred to the Committee on Finance:

To the Congress of the United States:

THE HARD AND INESCAPABLE FACTS

Behind the accounts that make up the Nation's budget lies the pursuit of America's responsibility and purpose at home and abroad.

As we enter this new fiscal year, the Congress and the American people should have an up-to-date report on the state of the budget, and on the steps that must be taken to protect the national security and to sustain the health and vitality of this Nation.

Last January we submitted our budget for fiscal 1968. In that budget we estimated expenditures of $135 billion; revenues of approximately $127 billion, including income from a 6-percent surcharge on corporate and individual taxes effective July 1; a resulting deficit of about $8 billion.

Since then much has happened to change these prospects.

For several weeks, I have reviewed with my advisers the entire economic and budgetary situation. I have consulted with leaders of the labor, farm, and business communities. As a result of that review I am submitting today a financial plan for America's continued economic well-being.

No President likes to report a significant revision in the Nation's budget estimates. Treasury, budget, and economic experts tried to be as realistic as possible in the estimates they made late last year. Yet, no task is more formidable than to try to predict—over 18 months in advance—a budget of around $135 billion and its related revenues for 200 million Americans.

The Nation now faces these hard and inescapable facts for fiscal 1968:

Expenditures are likely to be between the January budget figure of $135 billion and $143.5 billion—as much as $8.5 billion higher—depending upon the determination and ability of the Congress and the Executive to control expenditures.

Revenues are now estimated some $7 billion lower than in January, even with a 6-percent tax surcharge.

These changes in the January budget estimates would result in a deficit of $23.6 billion.

Without a tax increase and tight expenditure control, the deficit could exceed $28 billion. And that does not include an estimated $700 million higher cost of interest on the public debt that such a deficit would involve.

A deficit of that size poses a clear and present danger to America's security and economic health.

If left untended, this deficit could cause—

A spiral of ruinous inflation which would rob the poor, the elderly, the millions with fixed incomes.

Brutally higher interest rates and tight money which would cripple the homebuilder and home buyer, as well as the businessman. Interest rates have already turned up sharply despite the relatively easy money policy of the Federal Reserve System.

An unequal and unjust distribution of the cost of supporting our men in Vietnam.

A deterioration in our balance of payments by increasing imports and decreasing exports.

This Congress and this administration must not accept so large a deficit.

Under these circumstances, we must choose between two alternatives:

First, the deficit could be accepted and totally financed by additional borrowing, which itself would drive up interest rates, or

Second, the deficit could be reduced by rigidly controlling expenditures, raising as much money as possible through increased taxes, and then borrowing the difference.

The first alternative would be fiscally and financially irresponsible under present conditions. The second alternative is the only way to maintain a strong and healthy economy.

America in its strength and wisdom

must choose to travel a responsible fiscal and budgetary course.

That is why I present for your judgment and action a fiscal program that is sensible and sound. There are two essential elements to this program: expenditure restraint, to which this administration is committed and which I urge upon the Congress; tax measures to increase our revenues.

FISCAL 1968 EXPENITURES

The budget for fiscal 1968, submitted 6 months ago, estimated expenditures at $75.5 billion for the Defense Department and Atomic Energy Commission, and $59.5 billion for our civilian programs.

These estimates may now have to be revised upward by as much as $8.5 billion: $2.5 billion for civilian programs; $2 billion for reduced sales of participation certificates; $4 billion for defense.

1. CIVILIAN EXPENDITURES

The estimate of nondefense spending for fiscal 1968 has already increased by $1.5 billion. This increase stems from two sources:

First, a number of essential activities were temporarily deferred in fiscal 1967 as part of our fight against inflation. Early this year inflationary pressures had been brought under control. Some of these deferred funds already voted by Congress were released in late February, and again in March and April, particularly to help homebuilding. This added $600 million to fiscal 1968 expenditures. These releases included funds for the purchase of low-cost home mortgages ($500 million), construction grants for health and education facilities ($30 million), and the construction of dams, flood control projects, and other public works ($20 million).

Second, the January estimate of expenditures is up by $900 million primarily because of increases in programs whose payments are fixed by law and over which the President has no discretion—such as payments to the States for public assistance and health programs ($250 million), farm price supports ($400 million), and Federal contributions to medicare ($150 million).

In addition, the Congress is still considering important legislative measures which will vitally affect fiscal 1968 expenditures. Although we are already a month into the new fiscal year, 10 of the 13 regular appropriation bills have not yet been enacted. No one knows what the total of those appropriations to be voted by Congress for this fiscal year will be.

We do know, however, that the Congress is considering a bill which would raise civilian and military pay by more than $1 billion above the administration's 4.5-percent pay proposal. The $1 billion extra pay raise is equivalent to the yield of a 2-percent tax surcharge and comes directly out of the pockets of American taxpayers.

These items alone would increase civilian expenditures by $2.5 billion above the budget submitted in January.

Moreover, the Congress, in actions by one or the other House, has reduced by over $2 billion the authorizations I requested for the sale of participation certificates. Failure to restore these authorizations as appropriations bills move to final passage would add still further to the budget deficit.

Therefore, I urge the Congress to exercise the utmost restraint and responsibility in the legislative decisions which are yet to come and to make every effort not to exceed the January budget estimates.

The executive branch pledges to take every proper action within its power to reduce expenditures in the January budget. But our discretion is limited.

Of the $61 billion now estimated for nondefense expenditures, more than two-thirds is not subject to an Executive reduction.

Consider these facts:

More than $30 billion will be spent on programs under which payments are definitely fixed by law or otherwise mandatory—such as interest on the public debt (over $14 billion), veterans' compensation and insurance pensions ($5 billion), public assistance ($4 billion), farm price supports ($2 billion), medical payments out of the general revenues (over $1 billion), legislature and judiciary (over $350 million).

More than $15 billion will be spent to complete contracts or obligations entered into in prior years, such as the purchase of mortgages under earlier commitments and the completion of construction begun in 1966 or 1967.

An additional $8 billion is spent for the pay of Federal employees in civilian agencies other than the Post Office. Substantial reductions are not possible in these expenditures without bringing to a halt many essential activities such as law enforcement and the Nation's air navigation system. Another $1 billion will be spent if the 4.5-percent civilian and military pay increase I recommended is enacted.

After taking account of these items, and allowing for a reduction of more than $5 billion in total expenditures—achieved through the sale of financial assets—this leaves only $12 billion of outlays over which the President has discretion in the year ahead. Even here, many indispensable programs are involved: for example, medical supplies and equipment for veterans' hospitals, equipment for the U.S. Coast Guard, grants for construction of civilian hospitals.

Reductions in spending will not be easy, for the budget submitted in January was already lean. But I pledge to the country and the Congress that I will make every possible expenditure reduction—civilian and military—short of jeopardizing the Nation's security and well-being.

As the Congress completes each appropriation bill for fiscal 1968 expenditures, we will examine at once, very very carefully, the results of those actions, and determine where, how, and by how much expenditures under these appropriations can be reduced.

I am directing each department and agency head to review every one of his programs, to identify reductions which can be made and to report to the Director of the Budget in detail on the actions he is taking to put those reductions into effect.

But action by the executive branch alone is not enough.

It will achieve nothing if every time the executive branch saves a dollar, the Congress adds another dollar, or more, to the expenditures recommended in my January budget.

All actions we take to reduce Federal spending must, and will, be carefully and compassionately weighed. For we cannot turn our backs on the great programs that have been begun, with such promise, in the last 3½ years. And we cannot now postpone, at a much higher economic and human cost later, the urgent task of making the streets of America safe from crime and chaos and rooting out the underlying causes of unrest and injustice in our land.

Nevertheless, we must move with determination to assure that those for whom these programs were begun are not robbed by the inflation that would accompany an unacceptable deficit.

2. DEFENSE EXPENDITURES

I have concluded, after considering the recommendations of Secretary McNamara, the Joint Chiefs of Staff, and General Westmoreland, that I should authorize an increase of at least 45,000 in the number of men to be sent to Vietnam this fiscal year.

This Nation has taken a solemn pledge that its sons and brothers engaged in the conflict there shall never lack all the help, all the arms, and all the equipment essential for their mission and for their very lives.

America must, and will, honor that pledge. It is for this reason that expenditures for Vietnam, subject as they are to the variable demands of military operations, may now exceed our earlier estimates.

The Department of Defense has been a pace setter in the Federal Government for efficiency and economy. Still, any organization that has so greatly expanded in so short a time is bound to have some areas in which further economies can be achieved or less essential expenditures stretched out.

I have asked Secretary McNamara, therefore, to conduct a searching review of all defense expenditures and to withhold all such expenditures that are not now essential for national security.

By such action we will try to hold total defense expenditures as near as possible to the level budgeted in January. However, the history of war teaches one clear lesson: The costs of conflict can never be precisely estimated nor fully foreseen. Thus, the possibility remains that defense spending in fiscal 1968, based on present plans, may exceed the January budget by up to $4 billion.

FISCAL 1968 REVENUES

The fiscal 1968 budget submitted in January projected revenues of approximately $127 billion, including income from the tax measure I proposed at that time.

Since January, revenue estimates have been revised downward by a total of about $7 billion:

Eight hundred million dollars as the

result of congressional action in restoring the investment credit and accelerated depreciation earlier than the budget had assumed and more generously than the administration had requested.

One and three-tenths billion dollars because of lower corporate profits and $300 million because of lower personal income than projected 6 months ago.

Three billion dollars because of a decrease in estimated yield from existing income tax rates and $200 million because of a decrease in the estimated yield of gift and estate taxes and customs.

Six hundred million dollars because of a reduced estimate of miscellaneous receipts such as stockpile sales ($450 million) and offshore oil revenues ($80 million).

Eight hundred million dollars because of a later effective date for the surcharge on personal income taxes than recommended last January.

A PROGRAM TO INCREASE OUR REVENUES

Just as we must take determined action to control expenditures, so we must take action to increase our revenues if we are to avoid an unsafe and unmanageable deficit in the fiscal year ahead.

The three-point tax program here presented is shaped to provide the fairest and least disruptive means of sustaining, without inflation, America's unprecedented period of uninterrupted prosperity, now in its 78th month.

1. A speedup of corporate tax collections, as recommended last January:

Beginning January 1, 1968, corporations would pay their estimated taxes on the basis of 80 percent of their liability, rather than 70 percent.

Over a 5-year period, small corporations, as well as large, would become current in their tax payments, in the same way as individual priopríetors already are.

This acceleration in collections should yield $800 million in additional revenues for fiscal 1968, somewhat more in subsequent years.

2. Continuation of excise taxes for the immediate future:

The 7-percent manufacturer's excise tax on automobiles is now scheduled to fall to 2 percent on April 1, 1968, and to 1 percent on January 1, 1969.

The drop to 2 percent should be postponed to July 1, 1969, and the drop to 1 percent should be postponed to January 1, 1970.

The 10-percent excise tax on telephone service is now scheduled to fall to 1 percent on April 1, 1968, and to be eliminated on January 1, 1969.

The drop to 1 percent should be postponed to July 1, 1969, and the tax should be eliminated on January 1, 1970.

Extending these excise taxes would provide additional revenues of $300 million for fiscal 1968 and more than $2 billion for fiscal 1969.

3. Surcharges on corporate and personal income taxes:

A temporary surcharge of 10 percent should be placed on corporate income tax liabilities, effective July 1, 1967.

A temporary surcharge of 10 percent should be placed on individual income tax liabilities, effective October 1, 1967.

These are surcharges on taxes, not on incomes. They would expire on June 30, 1969, or continue for so long as the unusual expenditures associated with our efforts in Vietnam require higher revenues.

These surcharges are 4 percentage points higher than recommended in January. But they are vitally necessary to provide some of the additional revenues this Nation must have. Altogether, the new surcharges will yield $6.3 billion in revenues for fiscal 1968, and somewhat more in fiscal 1969.

Under this proposal—

A family of four with an income of $10,000, now ordinarily paying a tax of about $1,100 will pay at most an added tax of $9.25 a month.

Those American families whose incomes are below $10,000—three out of every four—will pay less than this amount.

The 16 million taxpayers in the lowest income brackets would be completely exempt from the surcharge. For example, a married couple with two children, with an income of less than $5,000 a year, would pay no surcharge.

The one out of every four American families who now pay no income tax would be unaffected by the surcharge.

Let us be clear about the significance of this tax surcharge.

If Americans today still paid taxes at the rates in effect when I became President, a little over 3½ years ago, they would be paying this year over $23 billion more than they are paying now.

Now your Government is asking for a return of substantially less than half of those tax cuts that I recommended and the Congress overwhelmingly passed in the last 3 years. This is necessary to give American fighting men the weapons, equipment, and the help they need, to hold the budget deficit within limits and to continue our education, health, poverty, urban, and other vital programs.

For three out of every four American families, the burden of this increase will be between a few cents and $9 a month. That is a small burden, a small inconvenience, compared to what is borne by our men in arms who put their lives on the line in Vietnam.

A SOUND AND HEALTHY ECONOMIC ADVANCE

These tax recommendations, taken together, would raise $7.4 billion in fiscal 1968. These added revenues combined with the steps that the Congress and the Executive can and should take to control expenditures will reduce the deficit to manageable proportions. If, working together, we can avoid an excessive pay increase, and provide the recommended authorization for sale of participation certificates, the deficit could be reduced to a range between $14 and $18 billion, depending upon our ability to hold down expenditures.

Last January, we concluded that higher taxes in fiscal 1968 would safeguard our prosperity. Present economic prospects reaffirm that judgment.

It is the unanimous judgment of the President's advisers that the fiscal program we are recommending is consistent with a sound and healthy economic advance during the year ahead, without tight money and soaring interest rates.

THE COSTS OF INACTION

Failure to act promptly on these tax proposals and to restrain unnecessary spending could have the most serious consequences:

The Nation could face a return of strong inflationary pressures and an intensified wage-price spiral which could rob the poor, the elderly, the millions with fixed incomes. We would lose our opportunity to make progress this year toward one of our most urgent objectives: price stability.

An excessive expansion of domestic markets could again quicken the flow of imports to the United States, while rising costs and prices cut into our exports. The position of the dollar as the key element in the world's financial system could be impaired.

The resulting distortions in our economy could ultimately endanger the prosperity that generates the jobs and opportunities our men returning from Vietnam have the right to expect.

Spiraling interest rates and severely tight money would return.

What the Government does not raise through taxes the Government must borrow.

That additional borrowing would be imposed on financial markets already strained by the unprecedented demands of private borrowers and State and local governments. Long-term interest rates are already near their peaks of late last summer, and short-term rates have begun to climb.

Without a tax increase, I am informed by Chairman Martin that nothing the Federal Reserve System could responsibly do could avoid the spiraling of interest rates.

As interest rates rose, a starvation of mortgage funds would throw housing into a new depression before it had even recovered from the last one. Every other borrower—but most of all the small businessman and farmer—would bear the cost of our fiscal irresponsibility.

A failure to raise taxes would not avoid the burdens of financing a war. For these burdens are inescapable. But, instead of sharing those burdens equitably and responsibly—as an income tax surcharge would do—inflation, tight money, and shortages would tax the American people cruelly and capriciously. The consequences of that irresponsibility would haunt America and its people for years to come.

CONCLUSION

Some may hear in this message a call to sacrifice.

In truth, it is a call to the sense of obligation felt by all Americans.

Americans in Vietnam stand in, and brighten, the light of a proud tradition. They give their service, and some give their lives, for their country, and, for us.

To this point, America has served them well by supporting them unstintingly to the last of their needs while building a strong and prosperous Nation at home.

I urge you to remember the following. Last year real wages were the highest in history—and the unemployment rate reached the lowest point in 13 years; total after-tax real income of American families rose 5 percent; corporate profits after taxes reached an all-time peak, up 9 percent last year; net income per farm increased more than 9 percent, even after adjusting for the higher prices farmers paid; our gross national product, valued in constant prices, advanced 5.8 percent.

These gains were achieved without either runaway inflation, or the imposition of the wage and price controls which have been the condition of American life in every conflict of this century.

In significant part, this was the result of responsibility and restraint exercised by the business, farm, and labor communities.

The current situation summons those groups as never before to maintain that responsibility in their wage and price decisions.

It summons all Americans to respond with that same responsibility in the challenge of their own lives.

The inconveniences this demand imposes are small when measured against the contribution of a marine on patrol in a sweltering jungle, or an airman flying through perilous skies, or a soldier 10,000 miles from home, waiting to join his outfit on the line.

There are times in a nation's life when its armies must be equipped and fielded, and the nation's business must still go on. For America that time is now.

The Nation's unfinished agenda here at home must be pursued as well. The poor must be lifted from the prisons of poverty, cities must be made safe and livable, sick and undernourished bodies must be restored, our air and water must be kept clean, and every hour of our future must see new opportunities unfold.

This, then, is the story behind the facts and forecasts, and the recommendations I submit today.

Last January I told the Nation:

> I wish I could report to you that the conflict in Vietnam is almost over. This I cannot do. We face more cost, more loss, and more agony. For the end is not yet. I cannot promise that it will come this year—or come next year. Our adversary still believes, I think tonight, that he can go on fighting longer than we can, and longer than we and our allies will be prepared to stand up and resist.
>
> Our men in that area—there are nearly 500,000 now—have borne well the "burden and the heat of the day." Their efforts have deprived the Communist enemy of the victory that he sought and that he expected a year ago. We have steadily frustrated his main forces. General Westmoreland reports that the enemy can no longer succeed on the battlefield.
>
> I must say to you that our pressure must be sustained—and will be sustained—until he realizes that the war he started is costing him more than he can ever gain.
>
> I know of no strategy more likely to attain that end than the strategy of "accumulating slowly, but inexorably, every kind of material resource"—of "laboriously teaching troops the very elements of their trade." That, and patience—and I mean a great deal of patience.

Those words are even more true today.

The test before us as a people is not whether our commitments match our will and our courage, but whether we have the will and the courage to match our commitments.

I urge the Congress to respond to the fiscal challenge that faces the Nation. I hope that in the national interest you will act promptly and favorably upon these recommendations.

LYNDON B. JOHNSON.

THE WHITE HOUSE, *August 3, 1967*.

MESSAGE FROM THE PRESIDENT—APPROVAL OF BILL

A message in writing from the President of the United States was communicated to the Senate by Mr. Jones, one of his secretaries, and he announced that on August 1, 1967, the President had approved and signed the act (S. 1191) to provide for the distribution of judgment funds among members of the Confederated Bands of the Ute Indian Tribes.

Mr. MANSFIELD. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Is there further morning business? If not, morning business is concluded.

CENTRAL ARIZONA PROJECT ACT

Mr. BYRD of West Virginia. Mr. President, I move that the Senate proceed to the consideration of Calendar No. 395, S. 1004.

The PRESIDING OFFICER. The bill will be stated by title.

The ASSISTANT LEGISLATIVE CLERK. Calendar No. 395, S. 1004, authorizing the construction, operation, and maintenance of the central Arizona project, Arizona-New Mexico, and for other purposes, reported with an amendment.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from West Virginia.

The motion was agreed to, and the Senate proceeded to consider the bill.

PRIVILEGE OF THE FLOOR

Mr. JACKSON. Mr. President, I ask unanimous consent that appropriate members of the staff of the Committee on Interior and Insular Affairs be allowed the privilege of the floor in connection with the consideration of the Central Arizona Project Act.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BYRD of West Virginia. Mr. President, I suggest the absence of a quorum, and, at the request of the distinguished chairman of the Committee on Appropriations, I hope that the Senate staff will alert Senators to the fact that this will be a live quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk called the roll, and the following Senators answered to their names:

[No. 203 Leg.]

Anderson
Bennett
Byrd, W. Va.
Church
Cooper
Dirksen
Dominick
Ellender
Fannin
Griffin
Gruening
Hansen
Harris
Hatfield
Hayden
Hickenlooper
Holland
Jackson
Javits
Jordan, Idaho
Kuchel
Mansfield
McCarthy
McClellan
Montoya
Morton
Moss
Ribicoff
Young, Ohio

Mr. BYRD of West Virginia. I announce that the Senator from Indiana [Mr. BAYH] and the Senator from Oregon [Mr. MORSE] are absent on official business.

I also announce that the Senator from Maryland [Mr. BREWSTER], the Senator from South Carolina [Mr. HOLLINGS], the Senator from Wyoming [Mr. MCGEE], the Senator from Maine [Mr. MUSKIE], the Senator from Rhode Island [Mr. PELL], and the Senator from Florida [Mr. SMATHERS] are necessarily absent.

Mr. KUCHEL. I announce that the Senator from New Jersey [Mr. CASE] and the Senator from California [Mr. MURPHY] are necessarily absent.

The PRESIDING OFFICER. A quorum is not present.

Mr. BYRD of West Virginia. Mr. President, I move that the Sergeant at Arms be directed to request the attendance of absent Senators.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from West Virginia.

The motion was agreed to.

The PRESIDING OFFICER. The Sergeant at Arms will execute the order of the Senate.

After a little delay, the following Senators entered the Chamber and answered to their names:

Aiken
Allott
Baker
Bartlett
Bible
Boggs
Brooke
Burdick
Byrd, Va.
Cannon
Carlson
Clark
Cotton
Curtis
Dodd
Eastland
Ervin
Fong
Fulbright
Gore
Hart
Hartke
Hill
Hruska
Inouye
Jordan, N.C.
Kennedy, Mass.
Kennedy, N.Y.
Lausche
Long, Mo.
Long, La.
Magnuson
McGovern
McIntyre
Metcalf
Miller
Mondale
Monroney
Mundt
Nelson
Pastore
Pearson
Percy
Prouty
Proxmire
Randolph
Russell
Scott
Smith
Sparkman
Spong
Stennis
Symington
Talmadge
Thurmond
Tower
Tydings
Williams, N.J.
Williams, Del.
Yarborough
Young, N. Dak.

The PRESIDING OFFICER. A quorum is present.

The Senator from Arizona is recognized.

Mr. MANSFIELD. Mr. President, will the Senator yield to me, without losing his right to the floor?

Mr. HAYDEN. I yield.

LEGISLATIVE PROGRAM

Mr. MANSFIELD. Mr. President, the distinguished minority leader and I have discussed the possibility of a Labor Day recess, and we did give serious consideration to the possibility of a recess until the latter part of August, as had been suggested by some Senators on both sides of the aisle, but we have come to the conclusion that that would not be possible at this time.

Therefore, we wish to make a joint announcement to the effect that there will be a recess, on the part of the Senate, from the conclusion of business on Friday, September 1, up to and including Sunday, September 10. So if Senators will put that down in their calendars, they will be able to make arrangements accordingly; and the joint leadership will send out notices to that effect shortly.

With respect to the second matter, the pending business, the joint leadership has discussed this legislation, which is very important, with both the chairman of the committee and the ranking minority members, including the Senator from California [Mr. KUCHEL] and the Senator from Colorado [Mr. ALLOTT]. It is intended to stay on this bill until it is completed. There may be votes today; there may be votes tomorrow. So the Senate is on notice.

CENTRAL ARIZONA PROJECT ACT

The Senate resumed the consideration of the bill (S. 1004) to authorize the construction, operation, and maintenance of the central Arizona project, Arizona-New Mexico, and for other purposes.

Mr. HAYDEN. Mr. President, I appreciate this opportunity to make a statement in support of S. 1004, the bill which my colleagues, Senators FANNIN, CANNON, and JACKSON, cosponsored with me to authorize the central Arizona project. For more than 25 years, I have witnessed the obstruction of Arizona's effort to put to use its share of the Colorado River water.

I think all of you know that I have always attempted to help in any way possible with every project for the development of our country's resources—even when I was being fought on my own project for my own State. I am entitled, and the State of Arizona is entitled, to prompt action on the central Arizona project; and there is no sound reason why this project cannot be considered now. It is entirely compatible with the regional developments proposed by the Department of the Interior.

I pause to remark that during all my 40 years of service in the Senate, I have voted for and supported legislation which authorized the expenditure of large sums of money for the improvement of rivers and harbors and for flood control, not a dollar of which was reimbursable. It should not be forgotten that every dollar appropriated for the construction of reclamation projects is returned to the Treasury in due time.

The central Arizona project was conceived in 1940 as a separate project. The Bureau of Reclamation found it feasible in 1947. The Department of the Interior reported favorably on it in 1948. The 1947 report was updated in a report made in January 1962, and the project found to be more feasible and more needed than in 1947. The report was further refined and reevaluated by the Bureau of Reclamation in 1963. A subsequent favorable report was issued in January of 1964.

More recently, in February of 1967, the Bureau of Reclamation issued yet another report in which the feasibility of the project was again established. Throughout the 88th, 89th, and 90th Congresses, officials of the Bureau of Reclamation and the Department of the Interior have repeatedly testified before committees of Congress and have established the need for and the feasibility of the central Arizona project.

A bill to authorize this project was passed by the Senate in 1950 and again in 1951. In 1952, California prevailed upon the House Committee on Interior and Insular Affairs to postpone further consideration of the project until the extent of Arizona's water rights had been adjudicated or agreed upon.

We did what we were told to do. We went to the U.S. Supreme Court, where we battled for 11 long years, at the end of which the Court found that we were legally entitled to the water for which California had contended and to some extent even now continues to contend that we have no right.

Since I first came to the Senate in 1927, I have labored unceasingly to help Arizona secure the full benefit of its rightful share of Colorado River water. A civilization has grown up in Arizona that has added wealth and strength to our Nation. That civilization, as is true in the rest of the Southwest, is based on water. Today that civilization is threatened. Arizona has only one source of water if that productive civilization is to survive—that source is the Colorado River.

It cannot be denied that sufficient water is available to Arizona from the Colorado River to justify a central Arizona project. California, on the other hand, has other ample sources of supply within its own borders sufficient to meet its needs. If Federal assistance is needed to develop those sources, I will be glad to obtain that help for California. This is no new attitude on my part. I cheerfully supported the appropriation of Federal funds required to bring the water from the Sacramento River into central California.

Arizona can wait no longer. I am confident that this Congress and this administration will give first priority to the central Arizona project—a desperately needed project.

When the Supreme Court handed down its historic opinion on June 3, 1963, it appeared that my years of labor were about to bear fruit and that the people of my State would realize the benefits of their full rights in the Colorado River. I trust that I—and the citizens of Arizona—will not be disappointed.

Finally, I should like to say that I believe that, in the final analysis, the State of California and those people who today purport to speak on her behalf will honor the pledges of two of her Governors—namely, that of the Honorable Earl Warren, given in 1948, that—

> Whenever it is finally determined what waters belong to Arizona, it should be permitted to use that water in any manner or by any method considered best by Arizona.

And that of the Honorable Edmund G. Brown, given shortly after the Supreme Court decision, that California, having lost the Supreme Court case, "would not try to accomplish by obstruction what she had failed to accomplish by litigation."

Mr. President, I ask unanimous consent to have printed in the Record an editorial which was published today in the Washington Post.

There being no objection, the editorial was ordered to be printed in the Record, as follows:

Arizona's Emergency

As the Central Arizona Project bill goes before the Senate today, it has been stripped of its most controversial features. The bill failed last year largely because it called for construction of two power dams in Marble and Bridge Canyons. Both those dams have now been eliminated, and the way is clear for the addition of Marble Canyon to the Grand Canyon National Park. The question of the Hualapai Dam at Bridge Canyon is left for future decision, but meanwhile the Federal Power Commission would be forbidden to authorize any private dam at that site.

Power to lift Arizona's share of the Colorado water over the hills to Phoenix and Tucson would come from a huge steam generating plant to be constructed by public and private agencies. To minimize opposition, the Senate Interior Committee also included in the bill a guarantee of 4,400,000 acre-feet of Colorado water to California for 27 years, five reclamation projects in Colorado and New Mexico and aid for the Dixie project in Utah. The bill would also create a Lower Basin Development Fund which could be used to obtain water from other sources in future years, despite the elimination of the controversial dams.

Unfortunately, these concessions have not fully eliminated opposition. A few Senators still complain that no provision has been made for a study of water importation to the Southwest and that the loss of revenue from the proposed Hualapai Dam will diminish the possibility of obtaining such imports. Both points seem to us unsubstantial. The needed study of water imports can be undertaken by the National Water Commission to be established by a separate bill which has passed both houses, and a modified Hualapai Dam could be authorized at some future date if that should prove imperative to a larger solution of future water problems.

As against this vague concern for the future, the needs of Arizona are direct and immediate. The Senate Committee report shows that the water table in Arizona has dropped from an average of 70 feet below the surface in 1940 to 200 feet in 1964, with some depths as great as 500 feet. In other words, Arizona has been supplying its needs by "mining" water that has accumulated over millions of years. It cannot continue drawing upon underground water at the same rate without disastrous consequences.

The bill in question is designed to help Arizona relieve its problem by drawing upon the Colorado River for water to which it is entitled under a decision of the Supreme Court. There is no reason for further delay of this essential project. We think Congress should enact the bill and that the Administration should move promptly to add Marble Canyon to the Grand Canyon National Park.

Mr. FANNIN. Mr. President, my distinguished senior colleague has just spoken on a bill he has sought to have passed for over 20 years. I pay tribute to him for his great efforts to obtain this legislation which is so vital to our State of Arizona and the Nation, and for his outstanding assistance to other States on reclamation projects important to them. I support this project wholeheartedly because of its necessity to Arizona and to other States in the Nation as a whole.

THE CENTRAL ARIZONA PROJECT—ARIZONA'S SALVATION

It was over 20 years ago that the Senate in the 78th Congress first looked upon this same project. Since that date, both Houses of Congress have considered the project in various bills, subjecting it to exhaustive hearings and documentation. For 11 long years the project lay on the congressional shelves, while Arizona and California took the legal issues to the U.S. Supreme Court.

In a moment I will briefly trace that long history. But first, let me discuss briefly why this project is needed so desperately by Arizona.

Historically Arizona's development lagged somewhat behind most regions in the Nation because her lands were remote and her climate arid. Recently, however, population and economic growth have virtually exploded, putting to use the area's dormant wealth of natural and human resources. This has spurred an acceleration in manufacturing, mining, lumbering, and tourist attractions. Situated next door to the most populous States in the Nation, Arizona continues to strengthen this burgeoning southwest region.

Water has put the muscle in Arizona's economy and given the surge to her spectacular recent growth—a growth that has not only served the people within her borders but the entire Nation as well. Without a permanent supply of water, much of this area would revert to desert, as it has already begun to do in some areas of the State where water shortages are most critical. This shortage is the result of Arizona's lack of facilities to use her legal share of Colorado River water, a condition the CAP would correct.

Arizona finds herself unique among all the seven States of the Colorado River Basin—she is now entirely dependent on the waters from this one river system. In contrast, the other States of the basin have available sources from other major river systems. But, due to the exasperating delays she has suffered in Congress and the Supreme Court, Arizona has been unable to utilize her full legal share from this great river.

Consequently, much of the water used to maintain central Arizona's economy has come from groundwater basins. Water stored in these underground reservoirs has accumulated over millions of years. It is being depleted at a frightening rate. To the people of Tucson, this is a sobering statistic, for this great metropolis is the only major city in the United States wholly dependent on groundwater sources for its water supply.

The current average rate of groundwater decline in central Arizona has been approximately 10 feet per year, with much of the area experiencing annual declines equaling and exceeding 20 feet.

The average water table depth in 1940 was only approximately 70 feet below ground surface. By 1964, however, it had dropped to 200 feet with depths as great as 500 feet. Pump lifts associated with these water-table levels vary from 250 to 600 feet. At this rate, the average water table is expected to drop to 300 feet and lower by 1975. In Pinal County, between Phoenix and Tucson, these ground-water depletions have been graphically illustrated by instances where the surface lands have visibly sunk.

Because of pumping costs, poor water quality, and the physical limitations imposed by the variable nature of the underground storage, the entire volume of underground water cannot be considered available for use. The present net rate of overdraft of approximately 2 million acre-feet per year will drastically deplete this largely nonreplenishable resource before adequate water is available to once again balance supply with demand.

All Arizonans have been hurt by the declining water supply, and with the current rate of population explosion the damage may become irreparable.

Urbanization is rapidly expanding in Arizona and, in some areas, is taking over prime agricultural land. This is especially true in central Arizona where the major metropolitan areas, principally Phoenix and Tucson, have sprung from towns in the irrigated farming areas.

Phoenix and Tucson are not just the population centers of our State—they are the home for three air bases which provide the major source of aircraft and fighter pilots in Vietnam. Phoenix is flanked by Williams and Luke Air Bases, where many of our fighter pilots receive their advanced pilot and gunnery training preparatory to assignments in Vietnam. Davis-Monthan at Tucson is the largest aircraft reconditioning base in the U.S. Air Force. From this sprawling installation come most of the reconditioned propeller and jet aircraft destined for service in Vietnam. It is also the home of one of three Titan II ICBM wings and 18 missile sites.

So you can see, Mr. President, that the threat to Arizona's water supply bears down as well on our Nation's defense capability.

These stark facts of the water crisis in Arizona, of course, have been recognized by the Congress for all these many years. I had the privilege as Governor of Arizona to personally accompany members of the House Interior Committee during their field hearings on the CAP bill some years ago and to personally show them our plight.

It is our overdependence on this diminishing underground supply that poses the most dire threat to Arizona's survival. This problem can be helped by water obtained by the CAP, but even then the quantity of water obtained will not completely solve the difficulty. Since 1948, however, Congress has had before it a project which would help meet the crisis.

The CAP was conceived in its present form by the Bureau of Reclamation in 1947. And, as contained in S. 1004, it remains essentially the same project, differing principally in the source of power for lifting the water, with only minor changes in the distribution facilities after two decades of congressional examination.

The first hearings on the CAP were held by the 78th Congress. Further hearings followed in the 79th. In the 80th Congress, CAP bills were again introduced and, in the 81st, the Senate passed the project. Again in the 82d Congress, the Senate passed the CAP. But at the same time the House Interior and Insular Affairs Committee halted all action, instructing Arizona that further congressional consideration would have to await adjudication by the U.S. Supreme Court of the Arizona/California dispute over the waters of the Colorado.

In 1952, as instructed by the House committee, Arizona filed suit against California before the U.S. Supreme Court. There then began a lawsuit of historic significance. It was not until June 3, 1963, that the Supreme Court handed down its decree affirming Arizona's claim.

The Court adjudged the respective water rights of the three lower basin States to the Colorado River, stating that neither had priority over the others. The bitterness so often prevalent between California and Arizona lifted. When the Court's decision was announced, California's then Gov. Pat Brown stated that California would not try to accomplish by obstruction in Congress that which she had failed to accomplish in the Court.

Immediately Arizona's Senators again introduced the CAP bill, and hearings were held within 2 months. Further Senate hearings were held the following spring, 1964.

At this time the Secretary of the Interior announced a huge plan for water development in the entire Pacific Southwest, which, among other features, included the CAP, but, in addition, also authorized a study of a monumental project to import water into the Colorado River.

Negotiations among the seven Basin States resulted in the submission to the House, during the 89th Congress, of a similar huge regional plan. But the bill died with that Congress. Three forces, none having any connection with the feasibility of the CAP, precipitated its demise:

First. Opposition to the plan by the Pacific Northwest States, which feared the Columbia River would be tapped as the source for augmentation of the Colorado River.

Second. Opposition to construction of Hualapai and Marble Canyon Dams on the Colorado River.

Third. Refusal of some of our allies to proceed with the bill in the House notwithstanding Arizona's desire to do so.

Mr. President, the last two decades have been long, frustrating, and costly for my State. Yet, over these 20 years, two basic propositions have remained unchanged:

First. The water crisis in Arizona occasioned by the lack of facilities to utilize her rightful share of the Colorado, and the resultant overdraft of her diminishing groundwater, pose a threat to her very existence.

Second. The central Arizona project, after all these years of laborious inquiry, remains an economically feasible project capable of rescuing our State from this catastrophe.

While Arizona has had to wait, other States in the basin have gone forward with their projects with Arizona's support.

Mr. President, let me now briefly describe the central Arizona project and highlight the other features of S. 1004.

The central Arizona project is essentially the same as it has been in previous bills. Specifically it will consist of facilities designed to divert Colorado River water from Lake Havasu to the central part of the State through the Granite Reef aqueduct, which will be constructed for a 3,000-cubic-foot-per-second capacity. Pumping plants will be located along the aqueduct as required including some short tunnels where needed.

Sizing the Granite Reef aqueduct to 3,000 cubic feet per second from the previously designed 2,500 cubic feet per second will make the overall project more economically feasible—permitting Arizona, during periods of high river flow, to use her rightful surplus, now presently diverted by California.

Water delivered to central Arizona will be stored in Orme Reservoir near Phoenix for use by municipalities and irrigation districts in the area. Some of this water will then be diverted southward through the Salt-Gila aqueduct to irrigate areas in Pinal County. At the end of the Salt-Gila aqueduct, pumping plants will lift the water into a pipeline leading to the city of Tucson.

Other dams will be constructed on the Gila River in Arizona and New Mexico to regulate flows and provide recreation, fish and wildlife uses, and sediment detention. Charleston Dam on the San Pedro River, just north of the border of Mexico, will provide similar benefits and, in addition, serve as another source of water for the city of Tucson through a conduit.

In addition to the CAP, S. 1004, as passed by the Senate Interior and Insular Affairs Committee, incorporates practically all features of previously introduced regional development bills. But the bill substitutes a thermal powerplant as a source of power and revenue in place of the controversial Hualapai and Marble Canyon Dams contained in other proposed legislation.

Specifically, the bill provides—

First. The central Arizona project just described with Hooker Dam and Reservoir in New Mexico.

Second. As a substitute for the Hualapai and Marble Canyon Dams, which were the cash registers for future development funds and provided pumping power for the central Arizona facilities in other regional bills, the Secretary, instead, is authorized to contract with non-Federal interests for enough of the generating capacity of a thermal generating powerplant to run the CAP pumps. Excess power, if any, will be banked with participating agencies for future use or sold in the same manner as hydropower was proposed to be sold in other bills, for the purpose of creating moneys for a development fund.

Mr. President, I expect that the few opponents of this needed project will tell my colleagues that this power purchase plan will first, provide a huge Federal giveaway to the private and public utilities who will construct and own the thermal plant; and, second, that this plan puts the Federal Government in the power business.

Now I ask you, as a matter of rational thought, how can it be both? Quite precisely, of course, it is neither.

This plan will merely permit the project to buy its pumping energy at a conservative price, by advancing to these utilities no more than that portion of the plant's construction cost which bears the same ratio to the total plant construction cost as the purchased electricity bears to the total power capacity of the plant. Of course, the Secretary will also pay annually to the utilities the same percentage of operation and maintenance costs.

I trust it will not be necessary to repeat that the Federal Government will not own a nickel of this thermal plant. As I have just described, it will only contract for enough power capacity from the plant to run the project pumps.

Third. Deferral of Hualapai Dam has become even more advisable in light of the recent suggestion by the city of Los Angeles that a pump storage project be incorporated as an integral part of the entire plan. Accordingly, section 13 of the bill imposes a moratorium on the Hualapai site "until and unless otherwise provided by the Congress."

Fourth. A development fund is established into which will be placed all revenues collected from operation of the works authorized; all Federal revenues from Boulder Canyon and Parker-Davis projects after they are paid for; all Federal revenues from the portion of the Pacific Northwest/Pacific Southwest power interties located in the States of Arizona and Nevada after completion of repayment requirements. In addition to assisting payout of the CAP and the Dixie project, this fund will, more importantly, be available for augmentation of the Colorado River's supply. The fund will accumulate a net amount exceeding $377 million by the year 2025 and over $1.2 billion by 2050.

Fifth. Five Upper Basin projects are authorized: the Animas-La Plata project in Colorado and New Mexico, and the Dolores, Dallas Creek, West Divide, and San Miguel projects in Colorado.

Sixth. A 27-year priority is granted to California for 4.4 million acre-feet annually of Colorado River water. Let me reemphasize that the U.S. Supreme Court proclaimed that California was not legally entitled to a priority to her 4.4 million acre-feet—any more than Arizona and Nevada are legally entitled to a priority for their respective rights to 2.8 million acre-feet and 300,000 acre-feet. We give California a 27-year priority in this bill out of a sense of comity, so as not to jeopardize payout of her Metropolitan Water District aqueduct.

Seventh. S. 1004 provides the same Upper Basin benefits in earlier proposed regional bills including repayments to the Upper Colorado River Basin fund of $500,000 each year for payments made from that fund to compensate for power deficiencies resulting from the filling of the Glen Canyon Dam; provision for the promulgation of equitable criteria for the coordinated long-range operation of reservoirs constructed in both the upper basin and the lower basin; provision for the completion of planning reports on proposed projects in the upper basin located in Colorado, Wyoming, and Utah; the integration of the Dixie project in Utah for purposes of participation in the development funds; and related fish, wildlife and recreation benefits which inure to the advantage of the entire Colorado River Basin.

The five Colorado projects will cost $360 million. The cost of the central Arizona and New Mexico projects is $768 million.

These costs will be financed by moneys flowing into the development fund, principally from the water users. The Hoover, Parker, and Davis revenues after payout will provide almost $480 million by the year 2025 and approximately $837 by the year 2050. The intertie revenues from Arizona and Nevada after payout will approximate $130 million by 2050 and the units authorized by S. 1004 would provide surplus revenues of approximately $315 million by 2050. According to accepted Bureau of Reclamation practice these moneys can be advanced earlier if needed.

The immediate need for funds in the first few years following authorization will be minimal, since the projects will then still be in planning stages and subject to funding by additional congressional action.

There you have it. A final project hammered out after 20 years of congressional debate, including more than a decade in the U.S. Supreme Court.

Mr. President, I ask unanimous consent to have printed in the RECORD an editorial published in this morning's Washington Post, entitled "Arizona's Emergency," which supports Arizona's need and justification.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

ARIZONA'S EMERGENCY

As the Central Arizona Project bill goes before the Senate today, it has been stripped of its most controversial features. The bill failed last year largely because it called for construction of two power dams in Marble and Bridge Canyons. Both those dams have now been eliminated, and the way is clear for the addition of Marble Canyon to the Grand Canyon National Park. The question of the Hualapai Dam at Bridge Canyon is left for future decision, but meanwhile the Federal Power Commission would be forbidden to authorize any private dam at that site.

Power to lift Arizona's share of the Colorado water over the hills to Phoenix and Tucson would come from a huge steam generating plant to be constructed by public and private agencies. To minimize opposition, the Senate Interior Committee also included in the bill a guarantee of 4,400,000 acre-feet of Colorado water to California for 27 years, five reclamation projects in Colorado and New Mexico and aid for the Dixie project in Utah. The bill would also create a Lower Basin Development Fund which could be used to obtain water from other sources in future years, despite the elimination of the controversial dams.

Unfortunately, these concessions have not fully eliminated opposition. A few Senators still complain that no provision has been made for a study of water importation to the Southwest and that the loss of revenue from the proposed Hualapai Dam will diminish the possibility of obtaining such imports. Both points seem to us unsubstantial. The needed study of water imports can be undertaken by the National Water Commission to be established by a separate bill which has passed both houses, and a modified Hualapai Dam could be authorized at some future date if that should prove imperative to a larger solution of future water problems.

As against this vague concern for the future, the needs of Arizona are direct and immediate. The Senate Committee report shows that the water table in Arizona has dropped from an average of 70 feet below the surface in 1940 to 200 feet in 1964, with some depths as great as 500 feet. In other words, Arizona has been supplying its needs by "mining" water that has accumulated over millions of years. It cannot continue drawing upon underground water at the same rate without disastrous consequences.

The bill in question is designed to help Arizona relieve its problem by drawing upon the Colorado River for water to which it is entitled under a decision of the Supreme Court. There is no reason for further delay of this essential project. We think Congress should enact the bill and that the Administration should move promptly to add Marble Canyon to the Grand Canyon National Park.

Mr. KUCHEL. Mr. President, obviously, I have no objection to having this editorial printed in the RECORD; but I do ask my friend to note that subsequently in this debate I shall be referring to it.

Mr. FANNIN. I state to my distinguished colleague that, of course, I would expect him to do so.

Mr. President, patience, it has been said, is a virtue. But, as with all maxims, there are limits to its exercise. The virtue of patience lies in the certainty that the event awaited will ultimately occur. A man dying of thirst can await water just so long—its absence can be endured only to a point, beyond which his survival is threatened.

The analogy fits for Arizona.

I ask for support for this rescue project.

Mr. President, I yield the floor.

Mr. JACKSON. Mr. President, the bill before the Senate involves a matter which has been steeped in controversy for two decades. I know of no single subject to which the Interior and Insular Affairs Committee has devoted more time and effort.

Disputes between States and between interests within States have plagued proposals for development in the Lower Colorado River Basin. There have been genuine disagreements over matters of substantial importance.

The bill, S. 1004, as amended and reported by an overwhelming vote of the committee deals fairly and justly with the issues which have been the subject of disagreement. It has as its foundation voluntary and negotiated agreements and understandings entered into by representatives of the States of the Basin over the past several years. In addition, this legislation incorporates compromises and accommodations designed to resolve issues of concern.

The bill before the Senate is concerned with equitable development and utilization of the existing water resources of the Colorado River Basin. Opposition to the bill is focused on the contention that this measure should go beyond existing resources and provide for a major enhancement of the flow of the Colorado River by importation of water from another area of the country.

Let me make it very clear that the central Arizona project and the other projects authorized by this bill require water from no source other than the Colorado River system.

The proponents of transbasin water diversion talk in terms of a volume of water equal to more than half of the current annual flow of the Colorado River. This contemplates not a pipeline system but the construction of a canal equal to a major river.

This proposal raises questions of obvious national as well as regional concern. These questions involve matters of cost, of water supply and ultimate requirements, of impact on the areas of origin, of the uses to which water will be put, and many others. The factual data necessary to answer these questions have only recently begun to be gathered. The policy issues inherent in these proposals and the criteria necessary to judge them have yet to be explored or formulated.

These are issues of great sensitivity. They must be approached with the utmost objectivity and care. Dispassionate study and unprejudiced advice are required in reaching sound decisions.

The Senate has already approved legislation to establish a National Water Commission to study the whole range of our Nation's water problems and alternative means for meeting our water requirements, including transbasin diversions. The House of Representatives has also approved the measure with some amendments. The Commission's recommendations concerning the water problems of the Nation will provide needed guidance to the Congress and the administration.

The bill as reported from the Interior Committee does not include the so-called cash register dams on the Colorado River which have been the subject of much controversy. A new dam on the Colorado River is not required for purposes of the central Arizona project or the other projects associated with the bill. The proponents of the Hualapai Dam insist that it must be built to generate electric power which would be sold to finance a water importation scheme. In other words, the Senate is asked to authorize construction of this dam, adding almost half a billion dollars to the estimated cost of this bill, solely for the purpose of financing a scheme which has not been authorized by the Congress. This proposal was soundly rejected when offered in committee.

The highest and best use of these proposed damsites on the Colorado River—whether for hydroelectric development, additions to our system of national parks, or for other purposes—is a matter the committee recommends be reserved for future action by the Congress. The administration recommended that the proposed Hualapai Dam site be a subject of study by the National Water Commission and the Interior Committee concurs in this recommendation.

During the Senate's consideration of this measure, amendments which have been considered, evaluated, and rejected by the Interior Committee may be offered again in an effort to authorize the construction of dams in the Grand Canyon; to undertake the first steps toward a massive and costly importation program; and, as a last resort, to add crippling amendments to the bill. I urge the Senate to reject these amendments and proceed to prompt and favorable action on S. 1004 as reported by the committee.

This legislation provides the framework for continued and expanded regional water resource development and planning in the Lower Colorado River Basin. Its purpose is realistic and it deals fairly with the interests of all of the States of the basin.

The major features of the bill are as follows:

First. Authorization of the central Arizona project. This project has been approved by the Senate on two previous occasions. Construction of the project is necessary to enable the State of Arizona to use its entitlement of 2.8 million acre-feet as determined by the Supreme Court in Arizona versus California. Water made available by the project is needed so that arid central Arizona and the cities of Phoenix and Tucson will be able to maintain their present economy.

Second. No new Colorado River dams are authorized by this bill. The authority of the Federal Power Commission to issue licenses at the Hualapai site in the Grand Canyon is suspended by section 13 of the bill "until and unless otherwise provided by the Congress." An extension of the Grand Canyon National Park to include the Marble Canyon site is the subject of separate legislation now pending before the Interior Committee.

Third. Pumping power required for the central Arizona project will be furnished by authorizing the Secretary of the Interior to purchase electricity through prepayment arrangements, from a group of private and public utilities in the Southwest who plan to construct, own, and operate a large thermal powerplant near Page, Ariz.

Fourth. California is guaranteed 4.4 million acre-feet of Colorado River water for a period of 27 years. This date coincides with the payout date of the Metropolitan Water District aqueduct.

Fifth. A Lower Colorado River Basin development fund is established. Post amortization surplus Federal revenues from the central Arizona project, the portions of the Pacific Northwest-Pacific Southwest intertie in Nevada and Arizona, and from Hoover and Parker-Davis Dams will be used for irrigation assistance and to undertake such water conservation, salvage, and development projects as may be authorized in the future by the Congress. The Dixie project in the State of Utah is integrated into the development fund.

Sixth. Five reclamation projects in the Upper Colorado River Basin—four in the State of Colorado and one located in both Colorado and New Mexico—are authorized.

Seventh. Reservoir operating criteria which are equitable and fair to both the upper and lower basins are established.

Eighth. A number of other provisions reflecting agreements arrived at by representatives of the States of the Colorado River Basin are also included in the bill.

As Members of the Senate are aware, S. 1004 is sponsored by the dean of the Senate, Senator CARL HAYDEN, of Arizona, in concert with his junior colleague, the

Senator from Arizona [Mr. Fannin], Senator Cannon, and myself. The efforts of the senior Senator from Arizona on behalf of other States and regional water-resource-development programs are well known.

His efforts to gain authorization of the central Arizona project began 20 years ago. The enactment into law of S. 1004 will be a fitting tribute to a career which is unparalleled in the history of the U.S. Senate.

This bill is in the national, regional, and State interest. It represents the high art of statesmanship practiced by the senior Senator from Arizona [Mr. Hayden]. I call upon my colleagues in the Senate to join in supporting Senator Hayden's bill.

Mr. KUCHEL. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

[No. 204 Leg.]

Aiken
Allott
Anderson
Baker
Bartlett
Bennett
Bible
Burdick
Carlson
Church
Cooper
Curtis
Dirksen
Dominick
Ervin
Fannin
Gore
Griffin
Hartke
Hatfield
Hayden
Inouye
Jackson
Javits
Jordan, Idaho
Kuchel
Lausche
Long, Mo.
Long, La.
Magnuson
Metcalf
Monroney
Morton
Moss
Randolph
Ribicoff
Russell
Scott
Sparkman
Spong
Talmadge
Williams, Del.

THE PRESIDING OFFICER. A quorum is not present.

Mr. INOUYE. Mr. President, I move that the Sergeant at Arms be directed to request the attendance of absent Senators.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Hawaii.

The motion was agreed to.

The PRESIDING OFFICER. The Sergeant at Arms will execute the order of the Senate.

After a little delay, the following Senators entered the Chamber and answered to their names:

Boggs
Brooke
Byrd, Va.
Byrd, W. Va.
Cannon
Clark
Cotton
Dodd
Eastland
Ellender
Fong
Fulbright
Gruening
Hansen
Harris
Hart
Hickenlooper
Hill
Holland
Hruska
Jordan, N.C.
Kennedy, Mass.
Kennedy, N.Y.
Mansfield
McCarthy
McClellan
McGovern
McIntyre
Miller
Mondale
Montoya
Mundt
Nelson
Pastore
Pearson
Percy
Prouty
Proxmire
Smith
Stennis
Symington
Thurmond
Tower
Tydings
Williams, N.J.
Yarborough
Young, N. Dak.
Young, Ohio

The PRESIDING OFFICER. A quorum is present.

Mr. ANDERSON. Mr. President, when I decided to seek the office of the U.S. Senator from New Mexico nearly 20 years ago, one of my primary ambitions was to contribute as much as I could toward the full development of the water resources of the Colorado River Basin. My State of New Mexico is an integral part of that area, having drainage in both the Upper and Lower Basins.

A large measure of success was achieved for the Upper Basin with the enactment of the Colorado River storage project in 1956. This immense project harnessed the water resources in the upper regions of the Colorado River and its tributaries. Later, with the passage of the Navajo Indian irrigation and the San Juan-Chama transmountain diversion projects in New Mexico and the Fryingpan-Arkansas project in Colorado, we witnessed further planning of the limited water resources of the basin to benefit large areas of these two States.

Now we are on the threshold of another step forward with an opportunity to benefit the entire basin. By passage of the pending business, the Senate will greatly assist our water-short Pacific Southwest in our continuing efforts to develop and augment our water supplies.

The Committee on Interior and Insular Affairs favorably reported the pending bill, S. 1004, to authorize the central Arizona project and for other purposes.

As a Senator from New Mexico, a State which has a vital interest in the full development of both the upper basin and the lower basin of the Colorado River, I will work for the passage of this measure and urge my colleagues to support it.

This bill, like most legislation, represents a compromise. It is, however, an honorable compromise which was reached after lengthy hearings and extensive consideration of all issues by the committee. The Senate Interior Committee voted 14 to 3 in favor of reporting the bill, as amended.

It is my honest conviction that the provisions found in S. 1004, as amended, promise immense benefits to both the Upper and Lower Basin States of the Colorado River.

During my service in the Senate, I have on many occasions dealt with the problems of western water. Based on my experience and knowledge of the needs and the alternatives facing the Colorado River Basin States, I can recommend S. 1004 to the Senate without reservation. We have in this legislation an honest attempt to reconcile the differences among basin States in a manner consistent with the national interest. This bill is integrated with a network of State and Federal planning. It meets legitimate needs and takes into account the interests of all parties affected.

There has been a vocal opposition to this bill by a small minority in the committee. It has come in part from representatives of the Upper Basin States. But I submit that a careful examination of the bill will reveal that S. 1004 offers sound support to the goals of all Colorado River water users. It seems to me that sound legislative judgment of the local as well as the national interests affected by the bill make it one in which all Members of the Senate can, and should, join. I should like to suggest a careful reading of the committee report as evidence of the regional scope of S. 1004.

As an upper basin Senator, I believe S. 1004 provides essentially everything that the upper basin wants except the authorization of Hualapai Dam. The purpose of Hualapai Dam would be to furnish revenues to a development account. S. 1004 provides a development account with substantial revenues accumulating from Hoover, Parker, Davis, the Arizona-Nevada portion of the Northwest-Southwest intertie, and the central Arizona project. While the development account thus provided is somewhat less than it would be were Hualapai Dam included therein, it is nonetheless substantial. The Senate is well aware of the national interest and concern over the controversy surrounding the Grand Canyon.

It therefore seems that, in the aggregate, this bill has many advantages for the upper basin as well as the lower basin.

Our senior and beloved colleague, Carl Hayden, has worked for many years to see the day when the central Arizona project would be passed. He has made every effort to meet the problems of all concerned by legitimate and honorable compromise. I, for one, intend to support him. By so doing, I will at the same time be advancing the cause of resource development in my State, region, and Nation.

Mr. BIBLE. Mr. President, I rise in support of S. 1004, the measure that will authorize the central Arizona project in my neighbor State of Arizona, but more to pay my respects to our beloved colleague, Carl Hayden, the principal sponsor of the pending bill and the author of many similar bills over the past 20 years.

His dedicated interest and active support of this proposal goes back so many years that most of us in the Senate must read the record to realize the long and dedicated struggle he undertook to carry Arizona's share of the Colorado River water to those areas of his State which need it most.

The proposal has had a long and stormy history before Congress. The Bureau of Reclamation's original planning report was completed in December 1947, and was published as House Document No. 136, 81st Congress, first session.

Hearings on bills to authorize central Arizona were conducted in both the Senate and House in 1949. Senator Hayden's bill was approved in the Senate both in 1950 and 1951, but hearings were indefinitely postponed by the House Interior and Insular Affairs Committee in 1951 pending the adjudication with respect to the waters of the Lower Colorado River Basin.

The Supreme Court rendered its decision in the case of Arizona against California, and again Senator Hayden introduced a bill to accomplish his fondest dream. The Committee on Interior and Insular Affairs, of which I am a member, approved the proposal in 1964, and again our colleague reported it to the Senate, but again final action was not taken.

So there will be no doubt, I intend to support and vote for S. 1004 as reported. Despite statements in the minority views in the report on S. 1004, I am satisfied that the interests of my State of Nevada are protected in the measure, and that the enactment of this bill will be of immeasurable benefit to the economy of southern Nevada and the entire Southwest.

Finally, let me add that in my opinion,

CARL HAYDEN is the outstanding conservation statesman in Congress. He is outstanding because his entire career in Congress, spanning a period of more than half a century, has been one of cooperation for the development of the Nation's resources in the North, the East, the South, as well as the West. I sincerely trust that this Congress will in a small way reciprocate by overwhelmingly approving the central Arizona project.

Mr. ALLOTT. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. WILLIAMS of Delaware. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

ILLEGAL RAISING OF CAMPAIGN FUNDS

Mr. WILLIAMS of Delaware. Mr. President, today I call attention to another racket in raising campaign funds—a racket whereby millions have been pouring into the campaign coffers and in time being charged off as business expenses for income tax purposes.

Conspiracy to violate the Federal income tax laws and the Corrupt Practices Act is a criminal offense.

The Treasury Department has confirmed this illegal practice and has promised prosecution.

This device, the object of which was to circumvent both the tax laws and the Corrupt Practices Act, works as follows: Contributors would conspire with a public relations firm to act as a go-between and then make unusually large payments to that firm under the guise that it is for public relations when in effect it was understood that the payments were to be distributed as campaign contributions to certain designated parties. By this ingenious arrangement they would claim tax credit for campaign contributions which otherwise would not be possible, and if not caught they avoid compliance with the provisions of the Corrupt Practices Act.

This was called to my attention several months ago, and while it was being checked the Wall Street Journal, on June 28, published an article on this same subject entitled "Public Relations Firms Investigated as Blinds for Political Donations." This article named some of the public relations firms.

In answer to my inquiry the Treasury Department confirmed the use of this illegal scheme and said that the existing law was adequate to cope with the problem.

In the July 31, 1967, reply signed by Mr. Fred B. Smith, General Counsel of the Treasury Department, he said:

> A little over a year ago, the Intelligence Division of the Internal Revenue Service, as a result of an unrelated investigation, found evidence which indicated that certain public relations firms in the Los Angeles area may have conspired with political campaign contributors for the purpose of enabling such contributors to deduct political contributions as business expenses. As a result of the revelations in Los Angeles, the Service is alert to the possibility that such tax abuses exist in other geographical areas.
>
> The Internal Revenue Service is closely coordinating its overall investigation with the Tax and Criminal Divisions of the Department of Justice, and any evidence pointing to violations of the Corrupt Practices Act, or other laws outside the jurisdiction of the Internal Revenue Service, will be referred to the Attorney General.

Mr. President, since the Treasury Department has confirmed that this scheme is a violation of the law and that the law is adequate I most respectfully suggest that it now proceed to enforce it.

I ask unanimous consent that the Wall Street Journal article of June 28, my letter to the Department of July 3, and the reply thereto of July 31, all be printed at this point in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From the Wall Street Journal, June 28, 1967]

PUBLIC RELATIONS FIRMS INVESTIGATED AS BLINDS FOR POLITICAL DONATIONS—IRS CHECKING 10 IN LOS ANGELES—CONTRIBUTIONS CAMOUFLAGED AS EXPENSES COULD BE DEDUCTED

(By a Wall Street Journal Staff Reporter)

LOS ANGELES.—The Internal Revenue Service is conducting an investigation of at least 10 public relations firms in the Los Angeles area to determine if they have been used as conduits to attempt to make political contributions tax deductible.

Political contributions ordinarily aren't deductible. A company's public relations expenditures, however, are. It is believed that some concerns may have paid publicity firms ostensibly for public relations activities when, in fact, the public relations firms were expected to use those funds on behalf of a political candidate or referendum issue.

An IRS spokesman in Washington confirmed that the agency is looking into possible abuses of the Federal tax codes in California involving the claiming of political contributions as business expenses. He added that the California situation has prompted the agency to investigate "other places" as well. But he wouldn't comment on any specific companies or individuals being investigated.

In Los Angeles, sources at several publicity agencies that conceded they were under investigation said, in each case, that it was their understanding that at least nine other local firms were being investigated.

One of the 10 firms, Howfield, Inc., filed a complaint in Federal court here that IRS investigators improperly gained access to its records through assurances that Howfield itself wasn't being investigated. The IRS, however, subsequently stated that Howfield actually wasn't under investigation until it had seen about eight Howfield checks and seven client vouchers that raised some questions about Howfield's own activities.

Howfield's lawyer, Walter S. Weiss of Goodson & Hannam in Los Angeles, said Howfield ceased operations "about 18 months ago." He declined to state Howfield's business but the firm has been described in the past as conducting an advertising and public relations business. The company, however, is still a legal entity, he said, and is headed by William H. Ahmanson as president. Mr. Ahmanson is a nephew of Howard Ahmanson, board chairman of Los Angeles' Home Savings & Loan Association, the nation's biggest stockholder-owned savings and loan organization.

Mr. Weiss, however, said Howfield had no connection with Galaxy Inc., Home Savings & Loan's own advertising agency, and that William Ahmanson has had no connection with Galaxy. He didn't state whether Howfield had done any work for Home directly, however.

No criminal actions have been filed in connection with the investigation.

U.S. SENATE,
Washington, D.C., July 3, 1967.

Hon. HENRY H. FOWLER,
Secretary of the Treasury,
Department of the Treasury,
Washington, D.C.

MY DEAR MR. SECRETARY: In the Wall Street Journal of June 28, 1967, there appeared an article entitled, "Public Relations Firms Investigated as Blinds for Political Donations."

Several weeks ago I received a similar complaint about public relations firms in the Los Angeles area which were representing some of the maritime industry. The allegations were along the lines as indicated in this article; namely, that through substantial payments or assessments, the companies were siphoning money to the public relations organization which in turn was being distributed as political contributions. The suggestion was that through this procedure the political contributions were being marked off as a business expense for tax purposes and in addition they could by-pass certain phases of the Corrupt Practices Act.

My information was to the effect that these public relations firms were seeking from the Treasury Department a ruling that such practices were not prohibited by existing law.

Please advise me whether or not any such ruling has been rendered, along with any other information which you may have as to the extent of this practice. Also, do you need any additional legislation in this area to cope with this problem?

Enclosed is a copy of the newspaper article referred to above.

Yours sincerely,

JOHN J. WILLIAMS.

THE GENERAL COUNSEL
OF THE TREASURY,
Washington, D.C., July 31, 1967.

Hon. JOHN J. WILLIAMS,
U.S. Senate,
Washington, D.C.

DEAR SENATOR WILLIAMS: Secretary Fowler has asked me to thank you for your letter of July 3, 1967, and the copy of the *Wall Street Journal* article of June 28, 1967, which you enclosed, entitled "Public Relations Firms Investigated as Blinds for Political Donations."

This article is essentially correct. A little over a year ago, the Intelligence Division of the Internal Revenue Service, as a result of an unrelated investigation, found evidence which indicated that certain public relations firms in the Los Angeles area may have conspired with political campaign contributors for the purpose of enabling such contributors to deduct political contributions as business expenses. As a result of the revelations in Los Angeles, the Service is alert to the possibility that such tax abuses exist in other geographical areas.

The Internal Revenue Service is closely coordinating its overall investigation with the Tax and Criminal Divisions of the Department of Justice, and any evidence pointing to violations of the Corrupt Practices Act, or other laws outside the jurisdiction of the Internal Revenue Service, will be referred to the Attorney General.

I have been advised that officials of the Internal Revenue Service are unaware of any request by a public relations firms, or any representative of the maritime industry, for a ruling relative to the legality of the practices currently under investigation. Also, I am advised that the Service's experience to date indicates that existing law is adequate in this area; however, the Department will be in a better position to comment on this aspect of your inquiry after the current field examinations have developed more information regarding the abuses.

With best regards,

Sincerely,

FRED B. SMITH,
General Counsel.

FEARS OF MINIMUM WAGE INCREASE CONSEQUENCES PROVE TO BE UNFOUNDED

Mr. YARBOROUGH. Mr. President, when this body considered the 1966 amendments to the Fair Labor Standards Act, we did so under protest from a few groups that would be affected by the changes. Although this has happened when any amendment has been considered over the years that either raised the minimum wage or increased the scope of worker coverage under the act, the fears proclaimed by these groups were particularly vehement. It is our duty as legislators, however, to look beyond the momentary objections toward the ultimate benefit which such legislation can bring. I am pleased to be able to report that, based on the information available, these fears appear to be unfounded and many Americans who were previously at the poverty level of income are now receiving a better wage for a day's work.

It is too soon at this time—only 6 months after the amendments went into effect—for precise statistical data in specific areas and industries to have been collected and analyzed on the effects of the recent changes in the minimum wage law. However, the data which we do have, from whatever sources, show no adverse employment effects. They show that, because of the efforts of this Congress, a larger number of employees is receiving a more equitable rate of pay. They live better, feed their children better, and have some measure of self-respect because they are paid a decent wage for a day's work done. At the same time, these increased wages move into the main stream of the economy for the increased prosperity of all.

Regularly published data of the Bureau of Labor Statistics show that our economy has adjusted well to the recent changes in minimum wages. The number of employees on nonagricultural payrolls increased by almost 2 million between May 1966 and May 1967, the latest month for which detailed figures are available. During the same period unemployment has declined by almost 500,000.

In comparison, it will be remembered that last summer when the minimum wage law was being debated we had predictions of calamity in this country if that law were passed and it was said that hundreds of thousands of persons would be knocked out of work if it passed. I shall come to those industries affected by the coverage of the minimum wage law which Congress voted for last year.

In those industries which we anticipated would be most affected by the recent changes in the minimum wage law we see significant increases in employment. The number of employees in retail trade for example is 300,000 higher than a year ago and the number of employees in the service and miscellaneous industries, such as laundries and others covered by the act, has increased by more than one-half million over the year, the very trades that some people opposed in the minimum wage law.

We had votes in one instance on amendments that would have taken away coverage, and they were rejected by only one vote; so that by one vote we saved the operation. Now we have 300,000 more employees in the retail trades and a half million more in the service trades.

Employment has increased not only in retail trade as a whole but also in the lines of retail trade which had to make significant wage adjustments—variety stores up 15,000, restaurants up 72,000, drugstores up 25,000, apparel stores up 25,000, and department stores up 37,000. In the personal services, including laundries, cleaning and dyeing plants, photographic studios, barber and beauty shops, employment is also higher than a year ago, by 13,000. These are the hard facts that are now available. They show that our confidence in the ability of the business community to pay a minimum wage was sound.

The Department of Labor is now in the process of preparing comprehensive studies on the impact of the new minimum wages as they affect employees in hotels, motels, restaurants, and agriculture who were newly covered in February 1967.

No Federal minimum wage law had applied to those categories before. The results of these studies are not yet available because this became effective only in February of this year, but they are scheduled for completion at the end of the year. I expect they will support the evidence we have outlined here. The evidence from other business sources is merged in the tables I have here.

Regional offices of the Wage and Hour and Public Contracts Divisions throughout the country were alerted to note effects of the wage increases and submit reports at regular intervals. The national office of Wage and Hour and Public Contracts Divisions had received only 211 reports as of June 30, 1967.

This is what the regional offices send out to try to find out the impact of the law and they had received 211 reports from business by June 30.

Of these, only 61 appeared to involve any layoff of employees or plant shutdowns for any reason—not just pinpointing the minimum wage, but any of these that had any layoffs or plant shutdowns for any reason whatsoever.

A review of 39 of these layoffs or shutdowns has already been completed, and what was found? Of the six reported shutdowns, two never did shut down and one has reopened. The three establishments which did not reopen included a small hospital, which indicated medicare was a factor, and a nursing home and small glove manufacturing establishment which together employed 16 persons. Of the 33 reports of establishments with actual or impending layoffs, 15 had no layoffs, seven had overstated the extent of layoffs, and two had rehired their old workers and added new ones. The total number laid off in the remaining establishments involved 52 workers.

On the other hand, a significant number of reports indicated definite beneficial effects of the minimum wage amendments. It was reported that higher wages removed competitive inequities, attracted a higher caliber of workers and thereby reduced labor turnover. Other reports noted a more efficient utilization of labor and the hiring of additional workers because it had become advantageous to reduce overtime. In fact, when the overtime provision became applicable under the minimum wage law, some companies quit giving overtime and hired more workers or took back some of the unemployed from the unemployment rolls by that means.

Let us not forget that we considered the small businessman very carefully in designing the 1966 amendments to the Fair Labor Standards Act. Even in a large multiestablishment enterprise, which has more than one place of business, only those establishments within the enterprise which do an annual business volume of $250,000 or more are covered. Enterprises with annual business of $250,000 to $500,000, the mislabeled "small stores" are not covered until 1969. They were allowed 2 additional years to make their adjustment to minimum wage coverage.

Nothing substantiated or documented has been brought to our attention to date which indicates that the 1966 amendments have been harmful. Furthermore, there is a built-in delay in wage increases in newly covered establishments so that the $1.60 an hour level will not be reached until 1971.

The Senate will recall that the old minimum wage law was $1.25 an hour. Under our amendments last year, in February of this year it went up to $1.40 an hour for 32 million workers who had been covered by the old law. Next year, it goes up to $1.60 an hour. But, as to the newly covered 8 million workers, in newly covered industries such as hotels, motels, restaurants, drycleaning establishments and the like, they have the $1 an hour minimum wage this year. It goes to $1.15 an hour next February; $1.30 an hour in 1969. Then it goes to $1.45 and up to $1.60 in successive years. It takes until 1971 to get up to this minimum wage. In the case of farm labor, that cuts off at $1.30 an hour.

Let us look for a moment at the less than 1 million who will be added to coverage in February 1969. Most of these workers are in newly covered industries which were brought under the act in 1967. Only about one-fourth of the newly covered hotel and motel workers and one-fifth of retail trade workers will be added in 1969. These workers, just as those covered in 1967, are employed by establishments with receipts of $250,000 or more a year. The only difference is that these large establishments are not parts of larger chains. There is no data which indicates that these establishments are less able to pay a minimum wage than establishments which are already under the act or that their employees need less money to live.

We went over this same ground at the

time the legislation was enacted and the judgment of Congress last year was that after allowing for a time lag—coverage should be applied to enterprises with receipts of $250,000 to $500,000 as well as those with $500,000 or more, rather than perpetuating a competitive inequity, and lowering the wage on labor.

What has happened since we passed that law bears out the judgment of Congress last year in providing for this extended coverage.

Just to keep the record straight, I want to repeat that the Nation has not only survived but has also prospered greatly since the first minimum wage law was enacted in 1939. The minimum wage not only increases the standard of living for the people at the lowest economic levels, but is also a boost to the morale of the most deprived segment of our population. We Americans stand proudly before the world as the nation with the highest standard of living—we can ill afford to discredit ourselves and penalize the poorest of our citizens with substandard wages.

The thought and effort of experts and the carefully considered judgment of this legislative body of the United States, created the 1966 Amendments to the Fair Labor Standards Act. We must therefore have the courage of our convictions—that the benefits of our Great Society are provided to all of our citizens. One way is clear—to make sure that they receive a fair wage for their day's labor through the increase in the minimum wage. There will always be reports circulated by affected interests which tend to show that the effects of minimum wage coverage is not what we anticipated. We must examine these claims with care.

Mr. President, I have a special interest in this subject, being chairman of the Labor Subcommittee, and having been the floor manager on the minimum wage law last year.

I invite attention to an article published in the Wall Street Journal for August 2, 1967, entitled "Wage-Raise Impact—Higher Minimum Pay Causes Less Disruption Than Critics Expected—Employment and Prices Show Little Overall Effect From $1.40 Guarantee—South Feels Boost the Most."

I am just reading the headline from the Wall Street Journal article. It goes on to recite that the dire predictions of last year if we passed the minimum wage law have not been borne out by the facts. It says that some people do not like it, but in other areas, where people said they had a hard time getting employees, when the wages were raised to $1 an hour in some of the service employments, some of the housewives who were not willing to work for 45 or 50 cents an hour, were willing to work part time for $1 an hour. It enabled employers to get seasonal and part-time workers. So they are pleased.

I predict that when a full year, showing the achievements of this law, has passed, in February 1968, and we have had a few months in which to gather statistical data, we will find that there is much satisfaction with this law rather than the dire predictions which had been made. The statistics for the first year of the law will show beneficial effects of the minimum wage law, and not detrimental effects.

I ask unanimous consent that the article in the Wall Street Journal for August 2, 1967, to which I referred, be printed at the conclusion of my remarks.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

WAGE-RAISE IMPACT—HIGHER MINIMUM PAY CAUSES LESS DISRUPTION THAN CRITICS EXPECTED—EMPLOYMENT AND PRICES SHOW LITTLE OVERALL EFFECT FROM $1.40-AN-HOUR GUARANTEE—SOUTH FEELS BOOST THE MOST

(By John Barnett)

Like many other prophets of disaster, some employers of lower-paid workers find it embarrassing now to be reminded of what they were saying six months ago.

What they said then was that the new Federal minimum wage law, which took effect Feb. 1, would cause all sorts of upheavals. A Southwestern chain of auto supply stores predicted that higher wage costs would push up its prices an average of 5%; a Pittsburgh department store foresaw price boosts on practically everything it sells. The National Retail Merchants Association said its member stores expected to lay off an average of 10% to 14% of their workers, cut the work week sharply for remaining employes, and probably trim store hours as well to hold down the cost rise. Farmers and small manufacturers warned of more job-eliminating automation to offset higher wages.

So now the law has been in effect six months, boosting the guaranteed wages of 32 million workers to $1.40 an hour from $1.25 and guaranteeing a $1-an-hour minimum to 8 million other workers who were never before covered by minimum-wage laws. And the result?

"Well," says an official of the Pittsburgh department store "I guess things aren't as bad as we thought they would be."

"ALARM" OVERDONE?

That seems to be generally true, too. The Pittsburgh department store and the auto-supply chain say they haven't raised prices, after all. The National Retail Merchants Association found that one group of stores it surveyed recently had reduced total hours worked by their employes only 4%, as a result of both layoffs, and shorter weeks—against the 10% to 14% slash from layoffs alone that the trade group had predicted earlier. ("When you get people to make projections, they tend to cry with alarm," comments an NRMA spokesman.)

Government figures indicate the economy as a whole has been taking the minimum wage increase in stride. Retail prices, as measured by the Labor Department's consumer price index, rose at an annual rate of 2.7% between January and June—considerably below the annual price-increase rate of 4.8% in the first half of 1966. Unemployment by June had risen to 4% of the labor force, from 3.8% in January, but many economists think that rise is no greater than could have been expected without any minimum wage increase.

Critics had feared the minimum wage increase would cause especially large layoffs among such marginal workers as teen-agers. But teen-age joblessness has been fluctuating from month to month only about as much as it did in 1966 without any minimum-wage changes. The rate has ranged from 13.2% in February to 10.7% in March (it was 11% in January, just before the minimum-wage increase) and was 12.6% at last report in June.

SOME PAIN, BUT . . .

To be sure, there are cases where the increased minimums have caused genuine cost squeezes. Some workers indeed have been laid off, some prices have been increased and some employers are looking with renewed interest at automation.

But other employers now regard the minimum-wage boost as helpful. J. S. Mack, chairman and president of the G. C. Murphy Co. variety store chain, says the higher minimums will give customers, including Murphy's own employes, more purchasing power and thus provide "more sales potential." Other companies find labor-shortage problems eased; Edward L. Field, a vice president of Federated Department Stores Inc., says the higher minimums have attracted more suburban housewives to work part-time in his company's stores.

Why hasn't the minimum-wage increase been more disruptive? One reason is that White House economic planners, fearing serious effects on employment, successfully resisted labor pressures for a much sharper increase than was enacted, according to one source close to the Administration. The AFL-CIO wanted a $2-an-hour minimum.

MANY GOT NO RAISE

Also, the increase affected far fewer workers than the scope of the minimum-wage laws would indicate. Although 32.3 million workers come under the $1.40 minimum wage, the Labor Department figures only 3.7 million were earning less than that before Feb. 1. Of the 8 million workers newly covered by the $1 minimum, including employes on large farms, in hospitals and schools and in such service establishments as laundries and restaurants, only 953,000 were making less.

Such adverse effects as have resulted from the new minimums are highly concentrated in certain industries and geographical areas. The lowest-paid workers tend to be clumped in certain types of jobs, notably the retail trades and services, hospitals and a few specialized manufacturing industries such as footwear and furniture. Geographically, these workers are mainly in the South and in rural and small-town areas of the North Central states. The Labor Department calculates that only 15% of all covered workers reside in those areas, but they include more than 30% of those who received raises because they were making less than the new minimums.

But though adverse effects of the new minimums have been spotty, they have been painful when they have occurred.

James V. Sommers, owner of the Model Laundry & Cleaners at Chadron, Neb., for instance, says that the minimum wage forced him to lay off four part-time and three full-time workers, reducing his work force to 19. Laundries, covered by minimum wage laws this year for the first time, must pay at least $1 an hour, compared with the 75 cents to 85 cents Mr. Sommers had been paying the workers he laid off.

In Alabama, the Birmingham Baptist Hospitals are expanding, but because of the new wage floors "we just won't be hiring as many workers as we would otherwise," says L. R. Jordan, executive director of the two hospitals, which have a total of 800 beds. Instead of adding employes, who previously would have received 75 cents an hour instead of the $1 required now, the hospitals will trim jobs by automating some laboratory tests, buying machines to speed up floor scrubbing and polishing, and using more disposable linens and dishes to cut down on laundry and kitchen help.

Plantation owners in the South say the spread of minimum wage coverage to workers on big farms is causing them to fire thousands of workers, especially in the cotton-growing Mississippi Delta. They say it's now cheaper to spray weed-killing chemicals than to hire human cotton-choppers, and mechanical cotton pickers are cheaper than human labor.

> ### VARYING IMPACT ON SCHOOLS
>
> The inclusion of school employes under the minimum wage guarantees for the first time has caused scarcely a ripple in the North and West, where almost all workers receive more than the $1 an hour guarantee. But administrators of school lunch programs in North Carolina have cut working hours, eliminated overtime and laid off a few cooks, bakers and helpers who run cafeterias.
>
> Some employes were getting as little as 37 cents an hour last year, and the new $1 minimum "has got us down on our knees financially," comments O. L. Searing, state supervisor of school food services. He adds that, having raised lunch prices once in the past year, "we can't do it again—the very kids who need our hot lunches the most are the ones who would quit buying them if we raise prices."
>
> Some other employers affected by the new minimums have raised prices, however. In Dallas, a semi-private room now costs $27.50 a day at Parkland Memorial Hospital and Woodlawn Hospital, both operated by the Dallas County Hospital District, against $22 a day last year. Also, the district has raised its tax rate about 17%. Peter Gellich, assistant administrator, says minimum wage increases contributed significantly to both rises.
>
> Even where higher wage minimums have had adverse effects, however, it's difficult to pin down how much those effects might be due to the new wage scales, how much to other factors. Hospital costs have been skyrocketing lately throughout the nation, even in high-paying areas unaffected by the minimum wage. And substitution of chemicals and machines for human labor on Southern plantations has been increasing for some time as planters begin to catch up with heavily mechanized cotton growers of California and Arizona.
>
> In any case, opponents of higher minimum wages haven't yet given up their fight. Their target now is a provision of the new law that will raise the minimum for most covered workers to $1.60 an hour next Feb. 1 and extend coverage to another million workers.
>
> Both the National Retail Merchants Association and the American Retail Federation, another trade group, say they're seeking legislation to stave off until Feb. 1, 1969, the boost to $1.60 an hour. They also say they hope to prevent altogether the spread of minimum wage guarantees to more workers in retail stores. The present law extends such guarantees to all workers in businesses grossing $500,000 or more a year. Next year the limit is scheduled to drop to $250,000.

CENTRAL ARIZONA PROJECT ACT

The Senate resumed the consideration of the bill (S. 1004) to authorize the construction, operation, and maintenance of the central Arizona project, Arizona-New Mexico, and for other purposes.

Mr. KUCHEL. Mr. President, I quote:

> [F]or those of us who represent the States of Arizona and California this has been a historic day. It marks the end of many years of controversy and many long months of patient negotiation.

Another quotation:

> Arizona's 3 House Members and 31 California Congressmen joined today in the introduction of a bill to construct the central Arizona project as part of a Lower Colorado River Basin project.

Quoting:

> This action heralds a new era of cooperation in which we can begin to solve the critical water shortage of both Arizona and California.
>
> The legislation declares it is the intention of Congress to make the Colorado an adequate supplier of water not only for existing projects and the central Arizona project but for other projects authorized in the future. The Secretary of Interior is ordered to undertake planning to this end.

Quoting:

> Essence of the historic compromise:
>
> 1. California agrees to immediate construction of the central Arizona project and a southern Nevada project without insisting on construction of any lower basin works for California.
>
> 2. Arizona agrees that California, which must take a cut from its present 5.1 million acre-foot use to 4.4 million acre-feet, will be guaranteed a minimum of 4.4 million acre-feet until such time as an additional 2.5 million acre-feet can be developed for the basin.
>
> 3. Congress will declare its policy to provide the additional 2.5 million acre-feet and directs the Secretary of Interior within 3 years to determine how this water can be obtained by imports from other areas, desalinization, or a combination of these and other methods. He shall submit feasibility reports on specific projects to accomplish this goal.
>
> Water engineers say that it will be approximately 25 years before Arizona might feel any pinch from the 4.4 million acre-foot guarantee to California. Moreover, California has an equal stake in finding the additional 2.5 million acre-feet of water . . . because (1) its existing use will be cut some 0.7 million acre-feet by the compromise, and (2) within the next few years the growth of southern California will require far more water than the 5.1 million acre-feet now being used. Thus, both States will have a powerful incentive to provide new water. Furthermore, the compromise bill provides the machinery for eventually developing more than the 2.5 million acre-feet of new water which is to be the initial objective.
>
> The united stand by the Arizonans with the large California delegation considerably brightens prospects for action in the current session of Congress.

Mr. President, although I gladly adopt the words I have just spoken as the sentiments which are mine in this debate, let the Record clearly show they were first uttered by a man named UDALL—not a member of my party, but a member of your party, Mr. President. The distinguished Congressman from the State of Arizona, MORRIS K. UDALL, made those utterances in the last Congress. And he did not speak alone. He spoke for a distinguished Republican Congressman from Arizona, Mr. JOHN RHODES, and the third member of the Arizona delegation in the House of Representatives, Mr. SENNER; and he uttered these comments on February 9, 1965.

AMENDMENT NO. 233

Mr. President, in the spirit of the words of these three distinguished Americans, all honorable Representatives of my sister State of Arizona, I now send to the desk an amendment in the nature of a substitute for S. 1004. I do it on behalf of the distinguished senior Senator from Colorado [Mr. ALLOTT], a forceful and persuasive advocate of the State of Colorado, and an unswerving advocate for regional development, and for the distinguished junior Senator from Wyoming [Mr. HANSEN], who has helped put the light of truth on this unhappy and unfortunate controversy during our hearings in the Senate Committee on Interior and Insular Affairs, as well as my colleague from California [Mr. MURPHY], the senior Senator from Utah [Mr. BENNETT], the junior Senator from Utah and able member of the Interior Committee [Mr. MOSS], and for myself, and ask that it be printed.

The **PRESIDING OFFICER** (Mr. JACKSON in the chair). The amendment in the nature of a substitute will be received and printed and will be on the table.

Mr. KUCHEL. Mr. President, there are four areas of grave concern in this whole area of legislation:

First. Is legislation which represents a regionwide effort to serve the needs of the entire Colorado River Basin preferable to a "go-it-alone" single-State scheme to impose shortages on other States for the sole benefit of Arizona?

Second. Should the legislation assure augmentation of the severely short supply of water in the river? A supply, I might add, which will become increasingly scarce, according to all knowledgeable professional engineers.

Third. Should the legislation adequately protect existing economies in Arizona's sister States from the subsidized creation of new uses of Colorado River water in Arizona?

Fourth. Should the legislation authorize construction of new hydroelectric facilities on the Colorado River?

Mr. President, the amendment which I have sent to the desk is H.R. 4671 of the 89th Congress. It was word for word and comma for comma the legislation introduced by the three distinguished Arizona Members of the House of Representatives in the last Congress. In my own view, enactment of Representative UDALL's bill would be the greatest feat of statesmanship in the western water history, but, lest I be accused of being a greedy water-snatching Californian—I observe the smirk on my friend's face—making self-serving statements on behalf of California alone, I shall refer to the past remarks of my friends from Arizona to describe the amendment, with perhaps a passing reference to the past comments of my able friend who now occupies the chair, the Senator from Washington [Mr. JACKSON].

THE VIRTUES OF REGIONAL COOPERATION

I hold to the firm belief that a massive new use of water on the Colorado should not be authorized, except through legislation drafted in cooperation with the representatives of all of the basin States and which threatens the future of none of the States.

The amendment which we have just offered, which is, as I say, the exact text of Representative UDALL's bill in the last Congress, H.R. 4671, precisely fits that description.

The distinguished Secretary of the Interior, Mr. Stewart Udall—the brother of Representative UDALL—who might well have been regarded the father of regional legislation had he not executed an abrupt about-face earlier this year, appeared on behalf of his regional legislation before the House Irrigation and Reclamation Subcommittee on August 23, 1965, and here is what Secretary Udall then said:

> Mr. Chairman, there is one overriding fact of life which dominates the entire Colorado River Basin today—the fact that the streamflow quantities which formed the framework of the Colorado River compact in 1922 and the Mexican Treaty agreement in 1944, are not present in the river today. The specter of shortage hovers over the entire region in 1965, and must of necessity provide the setting for all deliberations concerning its future. This basin and its water service area contain most of the fastest growing major cities in the whole United States—Los Angeles—

For which I am sure my friend has a fondness—

> San Diego, Las Vegas, Denver, Phoenix, Salt Lake City, to name only a few—and they include some of the most desirable land areas and vital resources in the Nation for future growth as well.

I continue with Secretary Udall's words—not mine:

> However, there is not enough water to underwrite the region's potential growth. And we must plan on ahead 25 or 50 years. That is the great secret of resource development planning. This is the problem that brings us here today and compels the wisest possible action by this committee.
>
> The bills before the committee bear the title, 'To authorize the construction, operation, and maintenance of the Lower Colorado River Basin project, and for other purposes.' These bills are not, however, I would underscore, concerned only with the problems of the Lower Colorado River Basin. They reflect the growing realization and understanding that a successful resolution of the water problems of the lower basin requires consideration of the needs of the entire region.
>
> Therefore, there must be equal involvement in the development of a comprehensive program to provide adequate water supplies for the Upper Colorado River Basin States as well as for the lower basin.
>
> It is my considered opinion that when the water history of the Colorado River States is written, of all of the States of the basin, the year 1965 will be regarded as a historic turning point; 1965 is the year the Arizona-California cooperation began; 1965 is the year 11 Governors of the West began common planning on water problems on a westwide basis. This is a development of enormous significance; 1965 is the year the solemn fact of shortage was recognized by all Western States and all parties as the controlling element in all future water planning.

He continued:

> I should like to ad lib at this point, Mr. Chairman, that I am convinced that as long as this type of broad westwide planning is carried out with the right type of cooperative approach, there is nothing that cannot be accomplished in terms of providing for future needs.
>
> With the willingness to cooperate that is demonstrated by these developments, there is no doubt that a solution will be found. We need not and will not bog down in the mire of divisive controversy. (Hearings on H.R. 4671 and related Bills Before the Subcommittee on Irrigation and Reclamation of the House of Representatives Committee on Interior and Insular Affairs, 89th Cong., 1st Sess., 101, 102 (1965).)

The Arizona House delegation, made up of the distinguished Representatives of that State (Messrs. UDALL, RHODES, and Senner, urged the enactment of the legislation contained in the amendment which has now been introduced here; and, speaking for all of them, Mr. UDALL made this statement:

> We of the Arizona delegation are grateful for the statesmanlike attitude and cooperation of the many representatives from all seven States who spent many long hours seeking to arrive at mutually acceptable solutions to the major problems encountered in the comprehensive planning and development of the water resources of the entire region. With this new spirit of cooperation between the seven States, we of Arizona cannot help but feel that, at long last, the final goal is in sight. (Hearings on H.R. 4671 Before the Subcommittee on Irrigation and Reclamation of the House of Representatives Committee on Interior and Insular Affairs, 89th Cong., 1st Sess., 41 (1965).)

No one graces the Chamber of the Senate of the United States with more ability than the junior Senator from Arizona [Mr. FANNIN], our good friend and brother who sits over here.

On August 12, 1966, my able colleague, the junior Senator from Arizona [Mr. FANNIN], commenting on the bill which I have just introduced along with my colleagues from Colorado, Wyoming and Utah told the Senate:

> H.R. 4671, the Colorado River Basin Project Act, has been reported favorably by the Interior and Insular Affairs Committee of the House of Representatives after long and intensive study. It is the product of the most qualified engineering, economic, and governmental intelligence in our country.

That quotation comes from the CONGRESSIONAL RECORD, volume 112, part 14, page 19255.

On August 23, 1966, he continued:

> As a westerner I am proud to say that the political and citizen leadership of the Colorado River Basin States has proved equal to the challenge.
>
> We faced our problems and our differences squarely. We spent countless hours in exploratory meetings searching for the common ground we realized was mandatory.
>
> Throughout this tedious and often discouraging process we enjoyed the firm support and cooperation of the Bureau of Reclamation.
>
> I cannot begin to mention all of the individuals and organizations in the various States who have contributed so much to this continuing joint enterprise. All of them deserve credit for their perseverance and courage.
>
> We have learned it is possible for men of good will to transcend old, static ways of thinking about water in terms only of local advantage and State boundaries.
>
> In the time-tested American tradition, Members of the other body have managed to hammer out a unified approach through honorable compromise—a compromise in which Arizona has made many concessions.
>
> The principles and objectives remain the same—maximum possible development of all resources of the Colorado River to provide the greatest good for the greatest number.

That statement is to be found in the CONGRESSIONAL RECORD, volume 112, part 15, page 20334—a little less than a year ago.

Secretary Udall summed up the case for a regional solution to regional problems of water, and I think he did it very aptly and appropriately when he said:

> The central Arizona project is not only a most important feature of the regional plan, it is also most urgently needed. Although it is a feasible undertaking on its own, its size and impact on regional water supplies are of such magnitude as to require that it be considered within the content of overall regional development. (Hearings on S. 1658 before the Subcommittee on Irrigation and Reclamation of the Senate Committee on Interior and Insular Affairs, 88th Cong., 2nd Sess., 314 (1964).)

Those are the words of the Secretary of the Interior during hearings on S. 1698 before the Subcommittee on Irrigation and Reclamation of the Senate Committee on Interior and Insular Affairs.

AUGMENTATION STUDIES ARE MANDATORY

The amendment which we have offered, and I repeat, which represents the precise bill our Arizona colleagues in the House of Representatives offered in the last session, H.R. 4671, would authorize certain basic studies, looking toward eventual augmentation of the flow of the Colorado River. Subordinating judgment in the face of political pressure, S. 1004 provides no studies or other steps to deal with the basin's inexorably approaching water crisis.

On that point I will cite again, and listen to the words of the distinguished Secretary of the Interior who explained the study provisions in Representative UDALL's bill in a letter written May 17, 1965, to that very able and highly distinguished public servant, the chairman of the House Committee on Interior and Insular Affairs, our colleague, WAYNE ASPINALL, of Colorado, when Secretary Udall said:

> The lower Colorado project bills have the same major objectives as were outlined in our Pacific Southwest water plan. They would provide the means to meet the immediate water needs of the Southwestern United States and lay the basis for developing a comprehensive program to solve the water supply problems of the Western United States which are related to the Colorado River by providing adequate water supplies in the Upper and Lower Colorado River Basin.

I repeat that before I continue with this quotation. He said:

> * * * providing adequate water supplies in the upper and lower Colorado River Basin.

Secretary Udall said:

> These bills would:
>
> 1. Authorize and direct the Secretary of the Interior to investigate sources and methods of providing water to meet current and long-range needs in the Colorado River basin and to prepare and submit reports to the Congress on comprehensive plans and projects to accomplish this objective. (Hearings on H.R. 4671 and Related Bills Before the Subcommittee on Irrigation and Reclamation of the House of Representatives Committee on Interior and Insular Affairs, 89th Cong., 1st Sess., 9 (1965).)

When asked if studies looking toward augmentation of the river's flow might not better be omitted from the central Arizona project legislation, Secretary Udall said:

> [It] seems to me that the really compelling reasons for studies to begin now is that the river is already short and the region is already in trouble, and that now is as good a beginning time as any. Technically, it could be separated. But it seems to me that it does properly belong in this legislation in some form. (Hearings on H.R. 4671 and Related Bills Before the Subcommittee on Irrigation and Reclamation of the House of Representatives Committee on Interior and Insular Affairs, 89th Cong., 1st Sess., 207 (1965).)

Californians agreed with the distinguished Arizona Representative in the House of Representatives, Representative Senner, when he said:

> We know that some areas of this country have surplus water, other areas are very short. The two aspects of our area which put us in such a special bind are these: we are the fastest growing part of the Nation, and we are the most arid part of the Nation. We have less rainfall. I would think there are sources of water that the Secretary might study, increased desalinization or programs of this sort along the ocean. There are surplus waters in Canada. There are surplus waters in other parts of this great Nation. I would hope that the Secretary would come up with some studies telling us how we can import water and from where we can augment the supply in the river. (Hearings on H.R. 4671 and Related Bills Before the Subcommittee on Irrigation and Reclamation of the House of Representatives Committee on Interior and Insular Affairs, 89th Cong., 1st Sess., 53 (1965).)

Mr. President, those represent precisely the views of the Members of the Senate who still contend that we should develop the central Arizona project in the State of Arizona, at the same time that we assist the States in the Upper and Lower Colorado River Basins, to cope now—and to prepare for the future—with the specter of mounting water shortages in all the States through which this great river wends its way westward and southward.

We agreed with Representative UDALL in his efforts to allay the groundless fears of Representatives of the Pacific Northwest; because Representative UDALL, a distinguished Representative from Arizona, speaking with respect to the bill that we have offered as a substitute, has said:

> I think it is important to hammer away to emphasize to our Northwest friends that the bill before them provides for nothing but a study. The bill doesn't provide for importation of water. It says let's talk and look and study, and think about it, and the language on pages 3 and 4 of the bill simply instruct the Secretary to do what you have been telling him he ought to do, make these studies, and on page 4 it instructs him —I think it is on page 4—that in any event, he cannot study unless the area of origin, protection—down at the bottom of page 3—and planning works and import and studies, and so forth, the Secretary shall make provision for adequate and equitable protection of the interests of the States and areas of origin, including assistance from the development fund established by title IV of this act, to the end that water supplies may be available for us therein adequate to satisfy their ultimate requirements of the Northwest in this case, at prices to users not adversely affected by the exportation of water, and so forth. (Hearings on H.R. 4671 and Related Bills Before the Subcommittee on Irrigation and Reclamation of the House of Representatives Committee on Interior and Insular Affairs, 89th Cong., 1st Sess., 193 (1965).)

Representative UDALL at that time completely reflected the views of the stalwart Senators, leaders in the field of water, who have participated in the hearings on this problem; and I mention particularly my able friend, the senior Senator from Colorado, and my able friend, the junior Senator from Wyoming. Those are the views which have prompted Senator ALLOTT, as an advocate and as the spokesman of the people of Colorado, to indicate that the way to help one Colorado River Basin State is to try to help them all. That precisely is the reasoning which has guided my friend, the Senator from Wyoming [Mr. HANSEN] along the same path.

The three Arizona Representatives summed up the crisis facing the entire basin, and the desperate need for immediate and adequate augmentation studies, in their joint statement before the House Irrigation and Reclamation Subcommittee:

> We are extremely gratified with the willingness of all seven States to work toward a general understanding on this vital water supply problem.
>
> The long-range need for supplemental water supply through importation is recognized by all States in the Colorado River Basin. In this regard, Arizona has an urgent need for water in excess of the 2.8 million acre-feet entitlement; and we, therefore, consider it appropriate that authorization of this project should contain adequate provision for the importation of substantial quantities of water for the long-range water supply and water requirements in both the upper and lower basins.
>
> The six other basin States have a vital interest and a vital stake in this aspect of the proposal—an interest and a stake no less compelling than our own. California's need in this respect is obvious when, with an entitlement and guarantee of 4.4 million acre-feet under the decree—

I observe, parenthetically, that they were speaking of the decree of the Supreme Court in the Arizona against California law suit—

> her actual diversions to meet current needs are in excess of 5.1 million acre-feet. Nevada's needs most certainly will exceed her allotment of 300,000 acre-feet in the not-too-distant future.
>
> The need for additional water by the upper basin States is equally apparent. These needs can and must be met, in substantial part, by exchange when the importation of additional water is made.
>
> There is a general recognition in the West that Arizona's water situation is only a part of a larger problem which confronts all of the States of the Colorado Basin.

May I repeat that sentence, Mr. President. These are the words of the three Representatives of the people of Arizona:

> *There is a general recognition in the West that Arizona's water situation is only a part of a larger problem which confronts all of the States of the Colorado Basin.*

They continued:

> During the past week informed and experienced representatives of the seven Colorado River Basin States—Arizona, California, Colorado, Nevada, New Mexico, Utah, and Wyoming—met for several lengthy and fruitful sessions exploring the basin's water situation as it is affected by the legislation before the committee. We are gratified by the broad consensus of views on many fundamental factors.
>
> This consensus, without affecting the accord heretofore arrived at among the lower basin States, as set forth in H.R. 4671, 89th Congress, expresses certain principles with respect to the rights, obligations, and requirements of each basin as against the other. These principles are:
>
> 1. The upper basin's right to the use of water of the Colorado River, pursuant to the Colorado River compact, shall not be jeopardized by the temporary use of unused upper basin water by any lower basin projects.
>
> 2. The importation of substantial quantities of water into the Colorado River Basin is essential to the adequate development of both the Upper and Lower Colorado Basins. It is recognized that this importation must be accomplished—

And I reemphasize that these are the words of the Representatives from Arizona—

> under terms which are fair to the areas of origin of the water so imported. The pending legislation should authorize the Secretary to construct importation works which will deliver not less than 2,500,000 acre-feet annually, upon the President's approval of the Secretary's finding of feasibility.
>
> 3. Such importation works should be planned and built so as to make the imported water available, if possible, not later than 1980. Water supply prospects on the Colorado River, based in part on the temporary use of the water allocated to the upper basin, appear adequate to furnish a full supply to the central Arizona project accompanied by the safeguards for existing projects agreed to by Arizona and California, until sometime during the last decade of the present century. Thereafter, the central Arizona project supply would diminish unless supplemented by importation.
>
> 4. Satisfaction of the Mexican treaty burden should be the first priority to be served by the imported water. The costs of importation allocable to the satisfaction of that burden, which is a natural obligation, should be nonreimbursable.
>
> It is hoped that with this general consensus on these basic issues we have established workable guidelines within which to arrive at final legislative language on all aspects of the bill. (Hearings on H.R. 4671 and Related Bills Before the Subcommittee on Irrigation and Reclamation of the House of Representatives Committee on Interior and Insular Affairs, 89th Cong., 1st Sess., 39 (1965).)

Mr. President, that is the statement of our colleague from Arizona, who testified in favor of H.R. 4671 in the last Congress, which has been reintroduced here as an amendment in the nature of a substitute for S. 1004.

CONGRESS SHOULD NOT DESTROY EXISTING ECONOMIES TO SUPPLY WATER TO NEW USES IN ARIZONA

Mr. President, in committee I voted against an amendment offered by the most highly respected Senator honored to serve here, and one for whom I have a profound and never-ending respect, CARL HAYDEN, of Arizona.

In a few sentences I want to recall with a great deal of pride that my uncle, my beloved 96-year old mother's late brother, was the last Speaker of the Arizona Territorial Legislature. He knew a young man named CARL HAYDEN, and they were friends during their lifetime. I am profoundly indebted to CARL HAYDEN for all that he has done for this speaker and for the people of California. The Senator is a Stanford graduate and I take particular pride in saluting him on this occasion.

However, it remained for me to vote in committee against the amendment which the dean of the Senate [Mr. HAYDEN] offered to extend priority for 27 years, to 4.4 million acre-feet of existing uses of Colorado River water in California, over newly created uses in the central Arizona project area. I respectfully suggest that this is a meaningless proposal. All of the experts whose hydrologic studies were presented to the committee agreed that the lower basin shortages would become acute during the last decade of this century, at precisely the time the 27-year protection is expiring.

When we were discussing this problem 2 years ago, and when the Governor of Arizona and the Governor of California, representing their two States, agreed to apply the theory of "first in time, first in right" to existing uses in Arizona, California, and Nevada, it was agreed that California would not have priority for the amount of water we use today from the Colorado River, 5.1 million acre-feet, but 700,000 acre-feet less, the reduced amount of 4.4 million acre-feet of existing uses in California, would be deemed superior to the new use envisioned by the central Arizona project.

The priority California needs and deserves, and which is included in the Udall bill, pending as a substitute at the desk, was ably defended by Arizonans themselves.

Listen to the words of Secretary Udall:

> These bills would—
>
> Provide a priority to existing California Colorado River consumption uses in the amount of 4,400,000 acre-feet annually and to existing main stream Colorado River consumptive uses and entitlements in Arizona and Nevada by limiting diversions from the main stream for the central Arizona unit in any year in which the Secretary of the Interior determines that there is insufficient main stream Colorado River water available for release to satisfy annual consumptive use of 7,500,000 acre-feet in California, Arizona, and Nevada. This priority is to last until the President determines that works are in operation capable of delivering 2,500,000 acre-feet per year of water originating outside the Colorado River Basin into the main stream of the Colorado River below Lee Ferry. (Hearings on H.R. 4671 and Related Bills Before the Subcommittee on Irrigation and Reclamation of the House of Representatives Committee on Interior and Insular Affairs, 89th Cong., 1st Sess., 9 (1965).)

The foregoing statement, from hearings in the House of Representatives on H.R. 4671, was made by Secretary Udall talking about the equity and moral right by which a reduced use of the waters of the Colorado River in a State which is the largest in the country in population, which grows by more than 600,000 new human beings every year, and which is going to need far more water than she has today in order to provide for her future, would be protected against new uses in Arizona.

The three Arizona Congressmen expanded on the Secretary's explanation of the provision to which their State had agreed:

> In addition to the protection extended to those water users holding "present perfected rights," the bill also directs itself to the protection of present uses under existing contracts with the United States for which diversion works have been constructed. All such existing uses in Arizona, pursuant to contracts, are located in Yuma County.
>
> With respect to these, I should point out that it is the purpose of the bill to give present contract users—as well as those water users having "present perfected rights"—in both Arizona and Nevada the same degree of protection that is intended to be given to California users of the same character. It is intended that the existing users in Yuma County and in Nevada—just like those in California, within its 4.4 million limit—would not share shortages with the central Arizona unit but would be entitled to their full contract entitlement of main stream Colorado River water before releases, in times of shortages, are made to the Central Arizona unit. Correspondingly, it follows, that in the administration of the central Arizona project in nonshortage years, the legal entitlements of Arizona's present contract users and holders of present perfected rights would not be curtailed in favor of the central Arizona unit.
>
> By the same token, this protection is terminated in Arizona and Nevada—as it is in California—when the President proclaims that the importation works, capable of delivering not less than two and a half million acre-feet, have been completed. (Hearings on H.R. 4671 and Related Bills Before the Subcommittee on Irrigation and Reclamation of the House of Representatives Committee on Interior and Insular Affairs, 89th Cong., 1st Sess., 40 (1965).)

At those hearings, Congressman SAYLOR, of Pennsylvania, attempted to persuade Congressman UDALL that Arizona had struck a bad bargain by agreeing to the protection of existing uses contained in H.R. 4671:

> Mr. SAYLOR. On page 15, of the decision of the Supreme Court, is the following—

Parenthetically, this is an excerpt from the Supreme Court's decision in Arizona against California which Representative SAYLOR quoted.

> We have concluded, for reasons to be stated, that Congress in passing the Project Act—

That was the act to authorize construction of the Hoover Dam—

> intended to and did create its own comprehensive scheme for the apportionment among California, Arizona, and Nevada of the mainstream waters of the Colorado River, leaving each State its tributaries.
>
> "Congress decided that a fair division of the first 7,500,000 acre-feet of mainstream water would give 4,400,000 acre-feet to California, 2,800,000 to Arizona, and 300,000 to Nevada; Arizona and California would each get one half of any surplus."
>
> Therefore this bill which has been introduced and to which I have referred guarantees to the State of California 4.4 million acre-feet of water in case of a shortage. Personally I don't blame the Governor of California for agreeing to it because he got everything that Congress said they were supposed to get.
>
> But the State of Arizona by the very terms of this bill will be prejudiced if there is a shortage and not only this project, but every other project.

Well, here is what Mr. Udall stated in reply:

> Mr. UDALL. Let me say that my friend is very wise and often gives us very good advice. He is telling us today that in effect Arizona made an unwise compromise in agreeing with the bill which is before the committee. I think he overlooks a couple of factors here.
>
> We fought in the courts for many years and we ended up 2 years ago with all of our legal rights—we had all the legal rights that we wanted to get out of the lawsuit and these looked fine on paper. Only we didn't have water. We have never had water. We want water.
>
> We are tired of fighting over legal rights and pieces of paper. We simply want to get water. And the gentleman's suggestion that California gave up nothing in this compromise is [not] the truth. They gave much and received much. The truth of the matter is that California is using 5.1, or more, every year and no one has suggested that this water ought to go into the ocean and until we have a ditch to divert our share of the water it is not going in the ocean; it will go to California.
>
> California had the alternative of either seeking to block this legislation, hoping that somehow they could continue to use more water than the Court had given them, or that they could agree that Arizona could pass this legislation. We have only 3 members against their 38.
>
> So what California told Arizona was "you can build your ditch and you can take out water and eventually, we will have to cut back—

He means on California—

> from 5.1 to 4.4"—this was a major concession that California made.

Was it not, Mr. President, a 700,000-acre-foot cutback?

Mr. Udall continued:

> On the other hand, we receive the building of our project at long last—if the bill passes—this is the great benefit we receive, and we were not likely to receive it with the opposition of California and Colorado and Nevada and all the other States.
>
> I think this is in the best tradition of compromise with both States recognizing that regardless of who has legal rights the river is short. California doesn't need 4.4 or 5.1—they need a lot more than that and we want to help them get what they need and we understand that they will help us. This is the heart of this compromise. (Hearings on H.R. 4671 and Related Bills Before the Subcommittee on Irrigation and Reclamation of the House of Representatives Committee on Interior and Insular Affairs, 89th Cong., 1st Sess., 254 (1965).)

I congratulate Mr. Udall for the position he took, because it did represent the agreement that was reached not only by the two State governments involved, but also by most of those representing the two States in Congress. It was concurred in by the other Colorado River Basin States.

Although with somewhat less enthusiasm, the distinguished Senator from Arizona [Mr. HAYDEN] acknowledged Arizona's agreement in a February 1, 1965, memorandum to me:

> In other words, I am prepared—although reluctantly—to accept your proposal when the legislative process has reached the point where I can plainly see that my acceptance of it will result in the authorization of the central Arizona project. I shall do so because authorization of the central Arizona project and additional developments in California are of such vital importance that our presently differing views regarding the manner in which protection for California shall be spelled out must not be allowed to delay enactment of the necessary legislation.
>
> It is my hope that both Houses can now proceed simultaneously to consider legislation authorizing a Lower Colorado River Basin project.

Even prior to the agreement of the State of Arizona and the State of California on the language included in the amendment now offered as a substitute, Arizona herself had recognized the fairness of protecting existing rights to use water in the lower basin States. Governor Osborn, of Arizona, in reply to a letter from Governor Warren, of California, said on March 12, 1947—20 years ago:

> Arizona recognizes the right of California to use the quantity of water to which California, by the statutory agreement, is forever limited.

That is 4.4 million acre-feet of Colorado River water a year.

In a subsequent letter to Governor Warren dated May 23, 1947, Governor Osborn stated:

> California has unconditionally and irrevocably limited herself forever to the quantity of water set out in the California Self-Limitation Act. Arizona has by contract recognized the right of California to the quantity of water set out in that act and Arizona does not intend to and will not attempt to utilize water to which California is entitled, Arizona respects her commitments.

These statements by the Arizona Governor followed 1930 testimony by the dean of the Senate, Senator HAYDEN, when my State was represented by another one of the great giants of the past, and a lifelong friend of Senator HAYDEN, Hiram W. Johnson of California. Senator HAYDEN said:

> What will happen is that the waters of the Colorado River will be impounded in the Boulder Canyon Reservoir and made available for use; large quantities of water will be taken out of the Colorado River into the great All-American Canal; over 1 million acre-feet will be further taken out of the river by a pumping plant, and taken over into the coastal plain of California in the vicinity of Los Angeles; they will be put to beneficial use; and once having acquired the prior right to its use, no other State can obtain the use of those waters.

Mr. President, that was the dean of the Senate talking in the 71th Congress, second session, as appears on page 171 of the hearings on H.R. 12902, before a subcommittee of the Senate Appropriations Committee.

When Governor Osborn proposed to his legislature that Arizona ratify the Colorado River compact in 1943, he further stated:

> Now, of course, we would like to take from California some of that 4,400,000 acre-feet of water, but neither unrecognized filings against it nor wishful thinking on our part can accomplish that * * *. The Federal Government, having expended tens of millions of dollars of the people's money to provide irrigation and power facilities for the use of this water in one State will not wipe out that investment and divert that water to another State. Arizona cannot compel that any more than we can turn back the pages of history. The time is long since past when Arizona could obtain the water which California has already put to beneficial use. (Ariz. Senate Journal, 16th Legis., 1st Spec. Sess., 1944 at 16.)

The bill sponsored by this administration and introduced by my colleagues from Arizona provides for a permanent priority for all existing uses of water in Arizona—permanent. Does it do that with its neighbor? No, not so. With its neighbor it says, "We will give you a 27-year guarantee."

Mr. President, a number of years ago the people in southern California bonded themselves to the extent of some $500 million. They did not ask the Government of the United States for a nickel of assistance. They bonded themselves to the extent of $500 million by which to build a great aqueduct that would bring water from the Colorado into the great metropolitan heartland of the southern part of my State.

Why did they do that? Why did they say, "Let us bond ourselves to this prodigious amount of money"? Did they envisage some future possibility that the Congress of the United States would say, "We are not going to let you have this water any more"? Of course not. They relied in good faith on the Congress of the United States which, 40 years ago, said to California, "You and your legislature agree voluntarily to limit yourselves to 4.4 million acre-feet of Colorado River water, and we are going to build Boulder Dam." California's Legislature did so bind itself, and the people in southern California did act on that reliance. I hope the Congress of the United States, in this session, will vindicate the faith and the respect the people in the West, and particularly the people in the State from which I come, had and have for the word and the intent of the American Congress.

ADDITIONAL HYDROELECTRIC FACILITIES ARE NEEDED

The administration bill, introduced by our brothers from Arizona, deletes both Hualapai and Marble Canyon Dams, which the distinguished Secretary of the Interior had previously supported with great enthusiasm. Representative UDALL's bill, which represented Secretary Udall's views, is now pending at the desk as a substitute, and that bill includes both dams.

The distinguished Secretary of the Interior, Mr. Udall, did not equivocate for a split second when the Dean of the Senate [Mr. HAYDEN] asked him 3 years ago if the dams should be authorized.

I quote Senator HAYDEN:

> Now, the revenue from the basin account will of course be available for projects throughout the Pacific Southwest, but because of the complexity of the task of determining specifically at this time which other projects will be needed, and the timing of such projects, I urge that we get underway at once with the two "cash register" dams and with the central Arizona project.
>
> Would you not consider that action by the Congress, to establish the basinwide development fund and to authorize the immediate construction of the Bridge and Marble Canyon Dams and central Arizona project works, as an initial step toward the regional approach which you desire?
>
> Secretary UDALL. Senator, certainly, and we propose that, and obviously, this is one of the biggest initial items in the plan as we conceive it, the construction of Bridge and Marble Canyon Dams as part of a regional plan, with their revenues going into the development fund to help pay for whatever projects are needed in the river. (Hearings on S. 1658 Before the Irrigation and Reclamation Subcommittee of the Senate Committee on Interior and Insular Affairs, 88th Cong., 2d Sess., 338 (1964).)

That is the position the Secretary of the Interior took, my colleagues, when he was testifying in 1964 in the hearings re S. 1658.

Secretary Udall also said:

> Of course, if you don't have a basin account to do work for the basin, you don't have a basin plan. This is the gist of it and this is the reason that we think it is absolutely essential that Bridge and Marble Canyon Dams go to work for the basin.

I repeat his words—

> That Bridge and Marble Canyon Dams go to work for the basin. Then we have a platform on which we would hope everyone in the region can work together. (Hearings on S. 1658 Before the Irrigation and Reclamation Subcommittee of the Senate Committee on Interior and Insular Affairs, 88th Cong., 2d Sess., 332 (1964).)

Secretary Udall carefully weighed the alleged impairment of park values and the need for resource development, and here is what he had to say on that subject:

> Our studies show that on a 50-year project repayment basis the financial feasibility of the proposed regional plan would be marginal without the added revenues provided by a high dam at Bridge Canyon.
>
> If there were any other site for a major dam which did not carry with it even the slight impairment of the park values resulting from a high dam at Bridge Canyon, I would not favor the high dam. However, the urgency of the need for water in the Pacific Southwest and the requirement for the revenues from the high dam under presently applicable feasibility standards, in my opinion, far outweigh the slight impairment of park values which Congress anticipated might result from the water development proposed in the plan. (Hearings on S. 1658 Before the Irrigation and Reclamation Subcommittee of the Senate Committee on Interior and Insular Affairs, 88th Cong., 2d Sess., 317 (1964).)
>
> The urgency of the need for water in the Pacific Southwest and the requirement for the revenues from the high dam under presently applicable feasibility standards.

That was his position then. He is running away from it, in one of the most spectacular public flip-flops in modern times.

Our able friend, the junior Senator from Arizona [Mr. FANNIN] weighed the facts and arrived at the same conclusion:

> More than a quarter century of study and planning have gone into the two hydroelectric dams that are the heart and lungs of the entire project.
>
> Hualapai Dam at Bridge Canyon and Marble Canyon Dam would no more flood the Grand Canyon of the Colorado River than a few drops of water would flood the Senate Chambers.
>
> The simple truth is that Hualapai and Marble Canyon Dams would not harm the Grand Canyon in any way. What they would do is make possible the maximum development of the Colorado River's total resources for the greatest possible benefit for the greatest number of people.

That was on August 12, 1966, here in this Chamber as shown by the CONGRESSIONAL RECORD, volume 112, part 14, page 19255.

> Given our experience with Lake Mead and Lake Powell, we know that Hualapai Lake would soon develop into one of the most popular attractions in the Nation.
>
> Lake Mead is a priceless recreational asset because of its promixity to urban centers of the most populous State in the union and adjacent States. With metropolitan concentrations growing rapidly in the Southwest,

> Hualapai Lake—like Lake Powell and Lake Mead today—would be another welcome bonanza for boating, fishing and camping enjoyment.

That was August 23, 1966, CONGRESSIONAL RECORD, volume 112, part 15, page 20335. Arizona Senators of both political parties, Mr. HAYDEN and Mr. Goldwater, two of our best friends, urging authorization of the dams, said together:

> In keeping with the long-established policy of Congress, we should look to the hydroelectric power potentials of the area to provide such assistance. Plans for the full development of these potentials are well advanced. Clearly the Bridge and Marble Canyon Dams are financially and economically feasible. We should, therefore, proceed to make full use of these renewable resources. We should construct both the Bridge and the Marble Canyon Dam at the earliest opportunity. (Hearings on S. 1658 Before the Subcommittee on Irrigation and Reclamation of the Senate Committee on Interior and Insular Affairs, 88th Cong., 2d Sess., 576 (1964).)

All three Arizona Congressmen—Mr. UDALL, Mr. RHODES, and Mr. Senner—were convinced that the dams are an indispensable part of sound legislation. They said:

> This Nation has taken pride in its abilities to plan and construct great wealth-producing hydroelectric power dams. We would have all been the losers if Congress had heeded the criticisms of some to delay the authorization of Hoover Dam 35 years ago to store water for diversion to southern California. Arizona surely would have been a disaster State had not farsighted men hastened the construction of the Salt River project's Roosevelt Dam that made possible the growth of Phoenix. People in the Northwest would have been the poorer if Grand Coulee hadn't been built.
>
> And yet the criticism we hear most often about this project is about building the dams, and the critics have raised a number of doubts about their feasibility and merits. In the main they are—
>
> Is the power marketable? Could it be produced more cheaply by steamplants?
>
> Do such dams make more water available or just cause more water to be lost by evaporation? Would they become obsolete?
>
> Would the dams destroy scenery?
>
> I believe there are full and adequate answers to each of these questions. In this brief discussion space doesn't permit me to deal with every point and every aspect, but I will attempt to answer each of these main lines of criticism.
>
> President Johnson, speaking on the subject of conservation and development of the Nation's water resources, observed that "the real wasters, the real spendthrifts, are those who by neglecting the needs of today destroy the hopes of tomorrow."
>
> The dams on the Colorado River are our hopes for tomorrow. The revenues from the sale of hydroelectric power make the project feasible. These revenues plus revenues from Hoover and Parker-Davis Dams (available once their costs have been repaid a few years hence) will make possible the ultimate import of water into the basin. That is what millions of people have at stake in the dams on the Colorado River. (Hearings on H.R. 4671 Before the Subcommittee on Irrigation and Reclamation of the House of Representatives Committee on Interior and Insular Affairs, 89th Cong., 1st Sess., 43 (1965).)

The Secretary's new scheme substitutes steam power for hydroelectric power. But I ask, is steam generation preferable to hydroelectric generation?

Back when he would "rather fight than switch," Secretary Udall characterized his new steam scheme as a "controversial new departure" which "would require a complete change with regard to the whole traditional reclamation program."

I quote from the House hearings:

> Mr. UDALL. The Secretary has been rather silent for a while, and I will throw him a question. We have had a lot of mail in my office, and I suspect my friends are in the same position, asking why in the world we cannot use fossil fuel plants and thermal plants for the water problems of this 7-State region. Would you care to comment on this? Why can we not eliminate both?
>
> Secretary UDALL. The obvious answer to that is that traditionally, since the beginning of the reclamation program, it has been keyed to water development and hydroelectric development. What is being proposed by those who make a proposal of this kind is that there be a completely new departure which obviously would be highly controversial and which obviously would in itself be something that would be debated at great length.
>
> So, one cannot say that this perhaps is not an alternative. It is. But it would be something that would require a complete change with regard to the whole traditional reclamation program. (Hearings on H.R. 4671 and Related Bills Before the Subcommittee on Irrigation and Reclamation of the House of Representatives Committee on Interior and Insular Affairs, 89th Cong., 1st Sess., 147 (1965).)

But he did it. He changed; and during this debate, I shall have some additional comments about what his insidious scheme does to a program that you Democrats and we Republicans together put on the statute books of the United States a long time ago.

The Arizona Representatives echoed Secretary Udall's preference for hydro power:

> It has been argued by those opposing the dams that cheaper power is available from fossil fuel operating plants. Both private and public power companies will testify they are eager customers for hydroelectric power. In fact, engineers predict there will be a shortage of such power in a few years if new dams are not built. "Peaking power," provided by hydroelectric dams, is needed to realize the most efficient operation of electric utilities depending on steam plants for their "baseload" power. The two types of generation do not compete with one another but are complementary; economic studies show that "peaking" hydroplants would produce the greatest return to the development fund.
>
> It can be anticipated that thermal and atomic powerplants will improve in efficiency in the future, but it is highly unlikely they will ever approach the operating flexibility of hydropower.
>
> The Federal Power Commission has current applications for non-Federal hydroelectric dams at both the Bridge and Marble sites. If the lower Colorado River project is not approved by the end of 1966, it is entirely possible that the FPC may grant licenses for construction of dams at these sites to State or private bodies. (Hearings on H.R. 4671 and related bills before the Subcommittee on Irrigation and Reclamation of the House of Representatives Committee on Interior and Insular Affairs, 89th Cong., 1st Sess., 43 (1965).)

I observe that the bill of our two friends from Arizona, which is essentially the administration bill, does seek to prevent this occurrence by sealing off the power of the FPC to deal with the possibility of a license.

My distinguished colleague, the junior Senator from Arizona [Mr. FANNIN], has also compared the desirability of steam and hydrogeneration:

> They say: "Go ahead and build the central Arizona project and use conventional steam generating plants to provide the necessary pumping energy. Besides, cheap nuclear power is just around the corner."
>
> To the naive and uninformed, this sounds fine. But it just is not true—and wishful thinking cannot change fiction into fact.
>
> [S]team generating plants require fuel—coal, oil, natural gas—or some form of fissionable material, in the case of nuclear reactors.
>
> All of these, uranium included, are depletable and nonrenewable resources. Their unnecessary use to perform a function that can more efficiently and economically be performed by inexhaustible falling water surely cannot be justified in the name of conservation. (CONGRESSIONAL RECORD, vol. 112, pt. 15, p. 20336.)

The support for my amendment in Arizona has been overwhelming. I quote from the House hearings when H.R. 4671 was being considered.

> Mr. UDALL. Mr. Chairman, we have of course a vast number of Arizonans who are interested in this legislation, many of them would like to testify but *all of them have come here to support this legislation.*

I observe that he is talking about the same bill we just offered here.

I continue to read:

> I would like to have a list of those people from Arizona which I have prepared be made a part of our record.

Mr. President, I am not going to read the whole list. The list includes the Governor and all the Members of Congress from Arizona. It includes the distinguished former Member of Congress, Barry Goldwater. It includes another former U.S. Senator, Ernest McFarland.

To their credit, the list includes most of the people who had the responsibility to speak for the future development of the State of Arizona. They took the position then that the central Arizona project should be built as part of a piece of legislation contemplating the importation of additional water into the basin so that all States might be helped. They recognized that the existing uses of Colorado River water ought to be protected over new uses in time of shortage, until that shortage was completely eliminated.

That was their position then. It was the position we took then. It is the position we take now.

I regret with all my heart that the distinguished Secretary of the Interior has now turned his back on the regional development concept which he was glorifying into God's skies not very many months ago.

Mr. President, I ask unanimous consent that the list of Arizonans who appeared, in Congressman UDALL's words, "to support this legislation," be printed at this point in the RECORD.

There being no objection, the list was ordered to be printed in the RECORD, as follows:

LIST OF ARIZONA CITIZENS PRESENT AT THE HEARINGS

Senator Carl Hayden.
Senator Paul Fannin.

Congressman John J. Rhodes.

Congressman Morris K. Udall.

Congressman George F. Senner, Jr.

Hon. Samuel P. Goddard, Governor, State of Arizona.

Clayton Niles, administrative assistant to Governor.

Hon. Barry M. Goldwater, former Senator, Arizona.

Hon. Ernest McFarland, former Senator and Governor, Arizona.

ARIZONA INTERSTATE STREAM COMMISSION

Douglas J. Wall, chairman.

Evo De Concini, vice chairman.

Victor I. Corbell, member and president Salt River Project.

Sam Dick, member and president Yuma Valley Water Users Association.

Ashby I. Lohse, member.

Linton Claridge, member.

J. A. Roberts, member.

John Geoffrey Will, attorney for commission.

Ozell Trask, special attorney for commission.

John E. Madden, special attorney for commission.

Mark Wilmer, special attorney for commission.

William S. Gookin, State water engineer.

Vivian Talton, office secretary.

Ray Killian, executive secretary.

Rich Johnson, president, Central Arizona Project Association.

Morley Fox, director, Washington office of Central Arizona Project Association.

J. A. Riggins, Jr., attorney, Salt River project.

Roger Ernst, manager, land department, Arizona Public Service.

Tom Choules, attorney, Wellton-Mohawk Irrigation District, North Gila Irrigation District, Unit B Irrigation District.

Bryant Jones, attorney, Yuma County Water Users Association.

Elliott Waits, president, Yuma Mesa Irrigation District.

Thadd Baker, attorney, Yuma Mesa Irrigation District.

Jack Weinberger, board member.

Eldon Poulson, board member.

James L. Savage, president, Central Arizona Irrigation and Drainage District.

Newton S. Cooper, president, Maricopa-Stanfield and Drainge District.

R. J. Ellis, attorney, for the above districts.

Gordon Jorgensen, engineer for above districts.

Dr. Harold Myers, dean of the College of Agriculture, University of Arizona.

Clifford A. Pugh, area engineer, Bureau of Reclamation, Phoenix office.

Bruce Blanchard, central Arizona project planning engineer, Phoenix office.

Robert Comstock, reports coordinator, Phoenix office.

O. N. Arrington, chief of special services, Arizona Game and Fish Commission.

Dr. Wendel Swank, director of Arizona Game and Fish Commission.

PERSONS APPEARING AS WITNESSES

Hennen Foreman, executive vice president, Arizona Public Service.

Dr. Hiram Davis, economist, Phoenix, Ariz., Western Management Consultants.

George Rocha, chairman, Tribal Council, Hualapai Indian Tribe of Arizona.

Royal Marks, counsel, Tribal Council.

Jack Jackson, president, Arizona Game Protective Association.

Jerry Lobel, Scottsdale, Ariz.

Dr. John Ricker, Phoenix, Ariz.

Dr. John Tyson, Phoenix, Ariz.

(Hearings on H.R. 4671 and related bills before the Subcommittee on Irrigation and Reclamation of the House of Representatives Committee on Interior and Insular Affairs, 89th Cong., 1st sess., 267 (1965).)

Mr. KUCHEL. Mr. President, nothing more needs to be said. The Secretary and his fellow Arizonans have spoken eloquently for the amendment I have offered. If they speak a different message today it is because the administration has bent to the winds of sectionalism and political expediency. The political expediency represented by S. 1004 is not even the product of political sophistication, for no administration is well advised to declare open war on the largest State in the Nation. As the Los Angeles Times has said:

> President Johnson, therefore, ought to step in now to assure that proper regional solution is achieved before the political wells run dry.

From this end of Pennsylvania Avenue, may I respectfully urge the President of the United States to do just that?

Mr. HANSEN. Mr. President, will the Senator yield?

Mr. KUCHEL. I yield.

Mr. HANSEN. Mr. President, I am most reluctant to interrupt this brilliant presentation by the very distinguished senior Senator from California.

I am well aware of the erudition that he brings to the Senate floor this afternoon as well as the spell that I can perceive is being cast over all within reach of his voice. However, I do rise nevertheless to interrupt him because I would like to call attention to the excellent editorial which appeared in the Los Angeles Times on Friday morning, June 9, 1967, the editorial to which the distinguished senior Senator from California just alluded.

The editorial is entitled "The Politics of Water."

The editorial had high praise for Senator KUCHEL. In addition, the editorial made crystal clear the issue before us today and said:

> The new Colorado River Basin bill presented by Interior Secretary Stewart Udall is as illogical as it is unfair. Apparently a variety of political pressures caused the administration to do a flip-flop from its previous recommendations for a regional plan.

The Los Angeles Times said further:

> Udall stunned the Southwest states earlier this year with a new proposal calling for construction of the $1.1 billion Central Arizona Project without any provision for replacing the Colorado River water it would use, and with no protection for water rights of the other basin states.

There is room for no equivocation on these points. These words of the Los Angeles Times need no further explanation. They speak for themselves.

Mr. President, I ask unanimous consent that the editorial to which I have referred be printed at this point in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

THE POLITICS OF WATER

"Man is losing his race with the growing need that he has for water," warned President Johnson at the recent International Water for Peace Conference.

"While men barely tap the abundance of lakes, rivers and streams, others watch their crops shrivel from drought.

"How can we engineer continents and how can we direct our great river systems to make use of the water resources that all of us are wasting today?" asked the President.

Many members of Congress must have found a special irony in Mr. Johnson's stirring words. For the advice the President gave the rest of the world is being ignored by his own administration in development of U.S. water resources, particularly in the arid Southwest.

The new Colorado River Basin bill presented by Interior Secretary Stewart Udall is as illogical as it is unfair. Apparently a variety of political pressures caused the administration to do a flip-flop from its previous recommendations for a regional plan.

Udall stunned the Southwest states earlier this year with a new proposal calling for construction of the $1.1 billion Central Arizona Project without any provision for replacing the Colorado River water it would use, and with no protection for water rights of the other basin states.

The secretary performed a "bewildering intellectual somersault," said Sen. Thomas Kuchel (R-Calif.).

Last year Udall favored a compromise agreement among the basin states that included construction of the project, guarantees of water rights and establishment of a development fund for other basin projects.

A key element of that pact was insistence upon studies leading to importation of water from areas of surplus—"to make use," as the President put it, "of the water resources that all of us are wasting today."

The inter-state agreement, however, got caught in the rapids of power politics.

Most obvious source from which to import water is the Columbia River—where, to quote the President again, "men barely tap the abundance." More than 10 times the annual flow of the Colorado is annually wasted into the sea from the Columbia.

Water from inter-state river systems like the Columbia does not belong to any one state and is subject to the will of Congress. But the state of Washington has very powerful representation in Congress, including Sen. Henry Jackson, chairman of the Senate Interior Committee.

Sen. Jackson does not want any mention of importation studies in the Colorado River bill that his committee will begin marking up today. And none will be, despite the objections of Sen. Kuchel.

Arizona, however, seems willing to pay almost any price for its long-sought project and has all but repudiated its prior agreement with the other basin states.

It knows that without such importation there won't be enough water in the river to supply the Central Arizona Project and to meet the minimum amounts guaranteed to other basin states by law and to Mexico by treaty.

Although Arizona may be willing to take that chance, California cannot. Nor can the other members of the Colorado River Basin.

If the authorization again fails, Arizona will have only itself to blame. There isn't room on the river for a project that can be built only at the expense of other states' water rights.

President Johnson, therefore, ought to step in now to assure that a proper regional solution is achieved before the political well runs dry.

Mr. HANSEN. Mr. President, I thank the distinguished Senator from California.

Mr. KUCHEL. Mr. President, I thank my able friend, the Senator from Wyoming, very much, both for his very kind personal comment and for having the editorial printed in the RECORD.

Mr. President, on April 9, 1964, Secretary Udall argued eloquently for legislation of the type embodied in the substitute bill now before us, and I think

Secretary Udall quite appropriately and correctly said:

> Unless we are successful in developing a program of action which receives regionwide, and can receive nationwide support, the region and the Nation will be losers. We must proceed with the important business of resolving the issues that remain.
>
> Thus, two distinct trends in opposite directions are compounding the water supply problems of the Pacific Southwest. In one direction, the explosive population growth is creating new demands for water at a constantly increasing rate. In the other direction, the water supplies of the Colorado River available to the Pacific Southwest are progressively decreasing. The inevitable result is water shortage on an impressively increasing scale. The inevitable solution is the development of new water supplies for the Pacific Southwest.
>
> It follows that there should be a common, comprehensive, and coordinated solution. The answer to the water problems of the Pacific Southwest does not lie in a series of independent, uncoordinated actions. This can only lead to continued controversy and stalemate. The States of the Pacific Southwest must put behind them the long and unproductive controversies of the past and unite in a common effort to assure their future water sufficiently.
>
> First, a regional plan must recognize and respect the "law of the river." The upper basin States must be assured, for instances, that no regional plan for the Pacific Southwest will, in any way, deprive them of Colorado Basin water apportioned to them by the Colorado River compact. The rights of the individual States likewise must be respected and the aspirations of the States accommodated to the greatest extent practicable. Even within individual States the rights and aspirations of geographic areas must be given proper consideration. The plan has to recognize the structure of water rights law in each affected State. The basic rights of the several Indian tribes have to be respected. Existing water contracts and agreements, entered into in good faith, cannot summarily be set aside even if to do so would provide a more economic method of developing new water supply. The plan must conform to congressionally directed Federal policies and it must adhere to sound financial requirements. It must provide for existing and future patterns of economic growth. Finally, it must so relate these many factors with the basic problem of developing new water supplies for the Pacific Southwest that it will receive maximum acceptance by and support of the widely varied local, State, and regional interests. (Hearings on S. 1658 before the Subcommittee on Irrigation and Reclamation of the Senate Committee on Interior and Insular Affairs, 88th Cong., 2nd Sess., 324–25, 311 (1964).)

Those are the words, I repeat, of Secretary of the Interior Udall. I congratulated him when he said that. It was on the basis of these recommendations that we came together in the last Congress with an agreed-upon proposal which merited and had the friendly and enthusiastic support of almost every Senator from Southwestern United States.

Governor Goddard, of Arizona, appeared before the House Interior Committee and referred to the meeting—which I clearly remember and in which I participated—at which the States of Arizona and California agreed to the language of H.R. 4671 regarding protection of existing uses as "the historic day right after the last inauguration of our President when the congressional delegation and the Governors of Arizona and California sat down here in Washington and agreed that we should no longer waste our strength and our efforts and our resources in futile disputations but that we should work together for the common development of our regional resources"—hearings on H.R. 4671 and related bills before the Subcommittee on Irrigation and Reclamation of the House of Representatives Committee on Interior and Insular Affairs, 89th Congress, first session, 243, 1965.

I have just received a letter from the distinguished Governor of my State of California. I shall read some but not all of it. I ask unanimous consent that the letter, addressed to me, under date of July 27, 1967, from Gov. Ronald Reagan, of California, be printed in full at this point in the RECORD.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

STATE OF CALIFORNIA,
GOVERNOR'S OFFICE,
Sacramento, Calif., July 27, 1967.

Hon. THOMAS H. KUCHEL,
Senate Office Building,
Washington, D.C.

DEAR TOM: Your letter of June 30 analyzing Senate Interior Committee Action on S. 1004 is appreciated. It is extremely unfortunate that the Committee not only failed to make S. 1004 a regional bill, but approved a financial arrangement for the Central Arizona Project, which places a substantial cost burden on users of Hoover and Parker-Davis power in California. We must do our utmost to overcome these objectionable features of S. 1004.

I appreciate the difficulties we face in securing amendments to this important legislation that will make it acceptable to California. Reestablishment of the unity of purpose presented by the seven states of the Colorado River Basin early last year would appear to be a requisite of success in this regard.

Since taking office, I have done my best to reopen lines of communication with Arizona. On June 25, Bill Gianelli and I met with Governor Jack Williams and two of his top aides at West Yellowstone, Montana. Of course, nothing of a final nature was decided at that meeting, but I am encouraged that a way may be found to reunite California and Arizona on Colorado River legislation. Assuming that we are able to reach agreement, the next step would be to expand consensus to include most, if not all, of the other states in the basin. Until these states present a solid front, we can't expect to make much headway with the states of the Northwest on a regional program.

I fully intend, as you suggest, to promote regional water planning and a reasonable and responsible solution to the Colorado River problem in my contacts with the other Governors. As you know, I wrote all ten of the Governors of the western states last February, and made a special point at the Western Governors' Conference on June 26 of urging them to expedite regional water planning in the West.

The road ahead will be most difficult. We must do our best to continue to speak with one voice on this matter which is of such extreme importance to all of California.

Sincerely,

RONALD REAGAN,
Governor.

Mr. KUCHEL. I read, in part:

> It is extremely unfortunate that the committee—

The Governor refers to the Committee on Interior and Insular Affairs—

> not only failed to make S. 1004 a regional bill, but approved a financial arrangement for the Central Arizona Project, which places a substantial cost burden on users of Hoover and Parker-Davis power in California. We must do our utmost to overcome these objectionable features of S. 1004.
>
> I appreciate the difficulties we face in securing amendments to this important legislation that will make it acceptable to California. Reestablishment of the unity of purpose presented by the seven States of the Colorado River Basin early last year would appear to be a requisite of success in this regard.

How eminently correct the Governor of California is, when he indicates that only through concerted action, only through a unity by which the common water problem of every basin State may be solved, can we enact the type of legislation that Secretary Udall spoke about before he abruptly changed his position.

Those of us in California who were present at the meeting to which Governor Goddard referred will not settle for any less than what Secretary Udall urged on that "historic day." We do not intend to support any bill which substitutes expediency for cooperation and understanding. We will not support any bill which lacks the basic elements of the regional approach, including, one, recognition that the dependable water supply of the Colorado River Basin is insufficient to meet existing and committed uses, including the Mexican Water Treaty obligation; two, effective steps to augment the inadequate flow of the Colorado River; three, authorization of the Hualapai project; four, use of a development fund to help defray the costs of future water augmentation projects; and five, adequate protection of existing uses and investments against proposed new uses of the Colorado River.

I venture a fond hope that before Senators commence voting on such amendments as will be offered, and before the bill is voted on, Senators will be interested in reading the RECORD.

Before I conclude my comments today, I shall refer briefly to the hearing.

I desire also, Mr. President, to be recognized subsequently in this debate, in my own right, to develop—or, at any rate, to attempt to develop—some of the aspects of S. 1004, which should not receive the approval of Congress.

At this time, I wish to refer to the printed record of the May 1967 hearings on S. 1004.

I refer to page 184 of our printed hearings where the able senior Senator from Idaho [Mr. CHURCH] was asking questions of Secretary Udall. The Senator from Idaho [Mr. CHURCH] said in part:

> I wrote to you at that time—in 1963—a letter which I think perhaps you will recall. The last paragraph of that letter reads as follows:
>
> "It is inevitable that the sponsors of this most recent California scheme will seek to involve the Federal Government in their plans. For this reason, I make the request that you issue a definitive statement of the Administration's position respecting this Los Angeles proposal to divert Idaho water to Southern California."
>
> Under date of December 9, 1963, you replied to my letter, and the last paragraph—well, your reply was rather short—so let me read it all into the record:
>
> "DEAR SENATOR CHURCH: This is in reply

to your letter of November 21 concerning the Los Angeles proposal to divert Snake River water to the south.

> "As you know, the suggestion that the Snake River in Idaho could provide a source of water for Southern California was advanced by an official of the Los Angeles Department of Water and Power. The water needs of the Southwestern United States are critical, and it is in the national interest that they should be satisfied.
>
> "However, I fully agree that it would be the height of folly to create a water shortage in Idaho in order to relieve one anywhere in the Pacific Southwest. I can assure you categorically that the Administration of President Johnson has no intention to divert Idaho water to other regions or river basins. You can assure the people of your State that their water resources will receive full protection and move toward full development for Idaho uses while this Administration is in office."

I suggest that when Secretary Udall says "it would be the height of folly to create a water shortage in Idaho in order to relieve one anywhere in the Pacific Northwest" that is a type of logic that applies to this bill. We are dealing with shortages. Why shuffle shortages around? Why not do the statesmanlike thing and make arrangements for augmenting the supply?

Mr. President, Senator CHURCH continued and said:

> That ends the letter. Since that was 1963, I would like to ask you, Mr. Secretary, if your letter still represents the position of the Johnson administration on the question of possible diversion of water from Idaho or any other State in the Northwest?
>
> Secretary UDALL. I think, Senator, I can say again categorically that that was our position, that still in our position, and I am pleased to be able to reassure you on that point at this time.

That seemed to me to be a little far reaching and I broke in and I said:

> Senator KUCHEL. May we understand that answer to be responsive to your question? So there is no question at all about it, Senator may the reporter read your question so that the Secretary understands exactly what he said "yes" to?
>
> Senator CHURCH. Yes.
>
> Senator KUCHEL. You did not confine that to Idaho. You confined that to every State of the Northwest.
>
> Senator CHURCH. If the reporter will read the question please, and the Secretary may readdress the question, and if he has any changes in his answer, let the record show what they are.
>
> Senator ANDERSON. Read the question and the answer as it there appears.
>
> (The reporter at this point read back the question and answer about referred to.)
>
> Senator KUCHEL. That is the Secretary's answer to that question, and the record is clear on the point. I just wanted to be sure that there is no misunderstanding.

Mr. President, before we go any further, in answer to a question on possible diversion of water from Idaho or any other State in the Northwest, Secretary Udall said he was against it.

I shall continue to read from page 185 of the hearings:

> Senator CHURCH. Do you want to modify your answer in any way?
>
> Secretary UDALL. The Senator's question in the letter that I responded to was related to the State of Idaho. I was not aware that he broadened it.

Mr. President, let us take it at face value and say that he was not aware that the question had been broadened. Let us say he made a mistake and that he did not listen to the questions.

He further said:

> I have been one who in the period when there has been discussion about the Columbia River have said that I did not ever expect to see a headwater diversion at anytime. I thought it was foolish to plan and contemplate taking any water from the Columbia River that was not water taken out below Bonneville Dam after the Northwest was through with it; in other words, waste water that would go into the ocean.
>
> Now, my position on this has been clear throughout——
>
> Senator CHURCH. Yes.
>
> Secretary UDALL (continuing). And I want to make it clear again today.
>
> Senator CHURCH. So there is no misunderstanding, Mr. Secretary, I meant, of course, to confine my question to the content of the original letter, and I will now do it. Is it still the decision of the administration that you are categorically opposed to the diversion of water out of the State of Idaho, into the Southwest?
>
> Secretary UDALL. I can say, categorically, that is our position. It has not changed.
>
> Senator KUCHEL. You have to have a couple of policemen around this committee.
>
> Senator CHURCH. Mr. Secretary, I appreciate getting that testimony. It means a great deal to me, because we are unable in my State to justify the enormous costs that would be involved in diverting water from Idaho into southern California, or any other part of the Southwest, and there applied to the land for irrigation, when there is so much unirrigated land still to be placed under water right at the point of diversion, where, of course, the cost would be a great deal less.
>
> On that same point, it seems utterly and uneconomically indefensible to propose diversions into the Southwest while Idaho still remains so largely undeveloped, and while there are hundreds of thousands of avid acres close to the source of water supply that can and will in the future be placed under irrigation.
>
> Secretary UDALL. Senator, the thinking that is expressed by you and what I was responding to is that if the course of the growth of the country continues, we will need just as many more potatoes as we will grapes and grapefruits, let's put it that way.

Mr. President, I now jump to page 192 where our able friend from Wyoming [Mr. HANSEN] examined the distinguished Secretary. He said:

> If I may, Mr. Secretary, I would like to ask you: Do you endorse the idea of a National Water Commission?
>
> Secretary UDALL. Yes, indeed: very enthusiastically, of the type that the Senate has already passed.
>
> Senator HANSEN. Do you think such a Commission should be able to study the problem of water free of administrative directives?
>
> Secretary UDALL. Yes; I think it is very important for the Commission to have a broad charter and to be independent.
>
> Senator HANSEN. You would not wish, then, if such a Commission were to become a reality, to inhibit it in any way in its findings or in the recommendations that it might make?
>
> Secretary UDALL. I would think, as I said, it should be independent. I would think at the same time, if the Commission were wise, it would want to pump all the information and data and opinions it could from the main water agencies of the Federal Government, such as the Corps of Engineers, the Bureau of Reclamation, and so on.
>
> In other words, it would use all the resources at its disposal, including Federal.
>
> Senator HANSEN. You spoke this morning about the broad gage character of the membership of such a commission, and I inferred from that statement that you probably would impose a rather considerable trust in them, being appointed as they would be; is that not right?
>
> Secretary UDALL. These would be Presidential appointees. I personally think this would be one of the most important Presidential commissions appointed during the 1960's, and that, therefore, I am sure the President would want to have the very best people that he could get from the country at large.
>
> Senator HANSEN. What would be your opinion if this commission were indeed to become a reality, and after having studied the entire western part of the United States, after surveying the water needs of the Southwest it were to make a recommendation that water be taken from the State of Idaho?
>
> Secretary UDALL. Well, Senator, that is the type of "iffy" discussion that I don't think I should get into at this point because I can't really assume. I think we should all remain openminded as to what types of recommendations or policy decisions such a commission might make.
>
> Senator HANSEN. I share that last expression from you, Mr. Secretary, and for that precise reason I was quite surprised to hear you say, I think a little bit ago in response to a question by the Senator from Idaho, Mr. Church, that this administration would oppose categorically—if I did not misunderstand you—the exportation of any water from Idaho. Did you not say that?
>
> Secretary UDALL. Yes, and if I may explain, Senator because you are new on the committee, we have discussed this in the past. I think my position has been quite consistent. I have said many times, and I said it again here a few moments ago, that I think it would be politically impossible, and from a planning standpoint rather foolish, to contemplate—I would apply this even broader than the Columbia River—that any region would want water or expect to get an importation of water from another region, except water that has already been fully used by a State or States, or a basin and that is going to otherwise be wasted.
>
> This is the reason that when we had our dialog about the Columbia River, I have been one who has talked about the mouth of the Columbia River. I will be very surprised in my lifetime, if there is a project of importation from one region to another, if this principle is not adhered to, because I don't see how politically you could get it done otherwise.
>
> Senator HANSEN. It may be that you can't contemplate it at all, and yet I must point out to you that the State of Wyoming is very vitally concerned, and we are very much interested.
>
> We have opposed some of the bills before the Congress in the past and may at this time have to, not because we don't want to do all we can to see the development of all of the Southwest, but that, in so doing, we don't write our own death warrant in the State of Wyoming.
>
> Now, if you are precluded or if you attempt to preclude the consideration of areas from which water may be taken—if in the judgment of the commission, there may be an excess—if you say or if you imply that only from certain places can water be taken, then I think what you are telling the State of Wyoming, in effect, is that we may not have as many options open to us to have water put into the Colorado River Basin system at some place and at some time so as to make available to us in Wyoming that portion which has been guaranteed us by the terms of the Upper Colorado River Compact, ratified in 1948.
>
> Now, we have never said that we would point to Idaho or any other State, and by the same token, it seems somewhat improper

> to me that you would assure the State of Idaho, our good friends and good neighbors on the west, that no matter what else happened, they could be assured of your undying opposition and the opposition of this administration to a plan which would contemplate the exportation of water from that State.
>
> I am perfectly willing to have water taken from the mouth of the Columbia, after it is just ready to drop into the salty brine of the Pacific, and we would welcome any such step, but frankly, I am surprised that you would give the endorsement that I thought you gave this morning to a national water commission, and then turn around and say, "But don't look here." Isn't that what you are doing now?
>
> Secretary UDALL. The commitment that I made in writing to Senator Church three and a half years ago was made prior to the time that the National Water Commission study was conceived. But I don't see any reason to change our basic position in that regard.

Mr. President, I regret that is the kind of testimony which the Secretary of the Interior gave in answer to questions from the Senator from Wyoming.

This is a big country. I come from a big State. I come from a big State that is forever indebted to the American Congress for what it has done under Federal reclamation law to help it. I pay my particular debt of gratitude for my people to Senator CARL HAYDEN, of Arizona, for what he has done to help my State.

As an American, I want to help Arizona. As an American, I want to help all the States of the Colorado River Basin. As a Californian, having the responsibility to speak in part on the floor of the Senate for 20 million citizens, I can ask fair play for California. California can ask for equal treatment. California can say, "If you are going to protect existing uses of Colorado River water in Arizona, then apply that same rule to California."

California can say—as she has said, "Let Arizona and California come together as friends and, with the other U.S. Senators and Representatives from the Pacific Southwest, work together for constructive legislation, as was urged by Secretary Udall, as was introduced by every member of the Arizona delegation in the House of Representatives, and as was urgently approved by representatives of the people of California and of the Governors in the several Colorado River Basin States—every single one of them."

Mr. President, I regret with all my heart that I am required by my sense of duty to stand and oppose any legislation in which my two friends, Senators HAYDEN and FANNIN, of Arizona, are interested.

However, Mr. President, some of us are of the view that this is a mischievous thing that is sought to be done in the Senate. One State would be helped, but only temporarily, and the other States of the Southwestern United States would, as a result, continue to face the permanent and still unanswered hazard of a water shortage.

I hope that there may yet be time in which that which we wanted to do together in the 89th Congress may be the basis on which we can come together in the 90th Congress.

With that, Mr. President, I yield the floor.

Mr. ALLOTT. Mr. President, will the Senator from California yield?

Mr. KUCHEL. I am happy to yield to the Senator from Colorado.

Mr. ALLOTT. I want to congratulate my very good friend, the senior Senator from California, not only upon a very knowledgeable presentation of the case as both he and I see it but also upon what has been an inspirational approach to show that this problem is far more than a matter of bickering between the States.

As the Senator from California has mentioned and presented so graphically and dramatically, this is the lifeblood of his State. It certainly is the lifeblood of the upper basin States. I am thinking particularly of Colorado, Wyoming, and Utah.

In the report, on pages 23, 24, and part of 25, under the title "Proposed Legislation," there is a history of the legislation going back to the 78th Congress, which was before the time that both the senior Senator from California and the senior Senator from Colorado were here, and bringing it up through the present time.

Now the distinguished Senator from California preceded me in the Senate and I want to ask him this question, clearly and unequivocally: Has it not been true that he has done everything—as has the Senator from Colorado—to try to work out a central Arizona project for the State of Arizona?

Mr. KUCHEL. The complete and truthful answer is, "Yes." My able friend from Colorado—where the Colorado River begins its journey—and I, and other Senators, have earnestly tried, and indeed succeeded, in finding a way to help solve the water problems of Arizona without damaging her neighbors and, in the long run, of assisting all the States of the basin. The Senator is completely correct.

Mr. ALLOTT. I join the Senator from California in that statement because we want to make the situation specifically clear that we are not arguing Arizona's needs but are talking about the lifeblood of our own States.

I think it is important to have the record made clear that for at least 5 or 6 years prior to the convening of the 90th Congress, almost literally dozens of representatives from California, Arizona, Nevada, Colorado, New Mexico, Wyoming, and Utah—all seven States—have met repeatedly. I think it would be safe to say they have spent hundreds of thousands of dollars just traveling to such meetings, in an attempt to work out a bill such as that represented by the one introduced in the last session of Congress by Representative MORRIS UDALL, H.R. 4671.

Each of us, in an attempt partially to solve the problem of the whole Colorado River Basin, gave up some things. California did. Colorado did. So did other States.

Then, suddenly, after Congress had adjourned last year, we were faced with a complete flip-flop in the position of the Secretary of the Interior, a position which he had never discussed up to that time, and the result is the bill now pending before the Senate.

The Senator from California has documented in his wonderful speech the repeated acts and voices of the Secretary of the Interior during these years while we were trying to work out a comprehensive plan for the development of the Basin, one which would provide, hopefully sometime in the future, for an augmented water supply. It was not until that time that we were presented with this new plan, which was for the benefit of only one State, to the exclusion of others.

Mr. KUCHEL. That is completely correct.

Mr. ALLOTT. Let me ask the Senator this: Even though this bill were to pass in its present form, is it not a fact that, because of the expanded uses of water in Arizona, which will come, incidentally, from the States in the upper basin—and I shall discuss that at a later time—and because of the Mexican Water Treaty, providing for one and a half million acre-feet, somewhere down the road the problems of the basin can never be answered without exactly the bill which the Senators from California, Wyoming, Utah, and Colorado have offered in the Senate?

Mr. KUCHEL. The Senator is correct; and that is the tragic irony of what this body is now asked to do.

This bill has been described as one of "shuffling of shortages." As the Senator has just suggested, I agree with the unanimous opinion of the water engineers who have come before our committee, that shortages will plague all of us. This bill helps only one State, and that one on a temporary basis only.

Mr. ALLOTT. With respect to water augmentation, I think there may be an assumption on the part of some persons—particularly if they read the testimony of Secretary Udall with relation to what the distinguished Senator from Idaho said—that in our bill we have latched onto water from Idaho or northern California, or from Washintgon or Oregon, and are going to transport it.

Is it not a fact that nowhere, either in Representative Morris Udall's bill last year or in the legislation sponsored by the distinguished Senators from California and the upper basin Senators, is there anything asked except an opportunity to study the feasibility of the importation of water?

Mr. KUCHEL. The Senator is completely correct. I want to make a little longer answer than just that. The Senator from Colorado has been interested for a long time in augmenting the water supply of the semiarid West through weather modification, cloud seeding. I have followed his leadership in that field. Both of us interested ourselves, with the leadership of the Senator from New Mexico, [Mr. ANDERSON] in desalting. What the able Senator from Colorado has asked is, "Does our proposal, or the proposal of the distinguished Secretary of the Interior 2 years ago, confine or restrict a feasibility study to any one area, or to any one mode of adding to the water supply?" The answer is, "No." The Secretary would be empowered and directed to conduct an inquiry into the feasibility of any means of adding to our water supply, including the harvesting of water in clouds, in which the Senator has been interested, or desalting, or the possibility of utilizing surplus water from any part of our Nation.

Mr. ALLOTT. Along those lines, I think it is important that we set out here that the distinguished Senator from California and all the other Senators involved in this question have made it perfectly clear that they would not support in any way any augmentation of the water supply from any source that would tend to injure or have a probability of injuring the States involved in the source of the supply. That is my position today, and it is the Senator's position; is it not?

Mr. KUCHEL. It is, and it ought to be an appealing principle for Congress.

I want to add and say to my good friend that I come from a State that is 1,100 miles long. We have 20 million people. The population is going to increase to 50 million people by the end of the century. We are doing all we can to use the waters that are available efficiently. Where water is taken from the north and sent to the south, the areas of origin will be protected by suitable constitutional and statutory language.

The Senator is correct when he describes our conception of the basis on which any kind of regional plan of water supplementation would be accomplished.

Mr. ALLOTT. I appreciate very much the distinguished Senator's remarks. In all sincerity, I say no one in the Senate of the United States has the comprehension and knowledge of the Colorado River situation that the distinguished Senator from California has. I can remember when the Frying Pan-Arkansas project was pending for the State of Colorado, he lived up to the principles he has been talking about today.

I know California is fortunate to have a man of his experience and particular and peculiar knowledge of this most complex and difficult subject to represent its interest—yes, and to represent the interest of the entire Colorado River Basin—here in the U.S. Senate.

I am as heartsick as I can be—and I cannot use any other words; I am heartsick—at what S. 1004 proposes to do to the other basin States. The eloquent plea of the Senator from California, if read and heeded, should go far in persuading and making Members of the Senate realize that this is an issue in which our States have a great stake in just surviving, because water in the West is our survival.

Mr. KUCHEL. Mr. President, I express my gratitude for the very kind and very generous personal comments of my distinguished friend, and able Senator. I am honored to work with him in this fight and to sponsor, under his leadership, a constructive alternative to the mischief which came out of the committee. I hope, Senator, we win, because right is on our side.

Mr. FANNIN. Mr. President, will the distinguished Senator from California yield for a question?

Mr. KUCHEL. I yield.

Mr. FANNIN. I do not intend to delay the proceedings. I trust the distinguished Senator will permit me to ask further questions tomorrow.

Mr. KUCHEL. We will have further colloquy tomorrow. I wish to repeat what I said earlier about the Senator from Arizona, that he is an able man and a friend, and is respected in this body. I only wish that the approach he is taking today were as completely right as that he took in the last session.

Mr. FANNIN. I thank the distinguished Senator. I merely wished to ask a question concerning his remarks about the legislation considered in the House last year, which, I understand, was an exact duplicate of the substitute amendment he introduces today.

I ask the Senator, what happened to that legislation last year in the House of Representatives?

Mr. KUCHEL. The Senator knows, of course, that the House committee approved it very late in the second session of the last Congress. There were some who wondered whether or not there would be a majority in favor of it on the House floor. I do not think it was given the consideration it should have been.

Mr. FANNIN. Will the Senator agree that it did fail to get through the House Rules Committee in the 89th Congress? And would the Senator also agree that perhaps one of the essential reasons for its failure was that the bill provided for two controversial dams on the Colorado River?

Mr. KUCHEL. We must speak very frankly. We must make a record here that reflects the truth.

Mr. FANNIN. Yes.

Mr. KUCHEL. I think one of the regrettable and tragic facts was and is that to some people, hydroelectric power facilities to be constructed on the Colorado River, at either Hualapai or Marble, are an anathema. That is regrettable. I think the words of the able junior Senator from Arizona and the Secretary of the Interior shear away that kind of nonsense.

I think basically we have an opportunity here, in the Senate, to fashion a bill along the lines that the Senator from Arizona, the Senator from Colorado, and I think almost all the members of our committee favor, putting an almost unanimous stamp of approval on it in this body, and sending it over to the House. As the Senator knows, there are very able men in the House of Representatives who accept the position which was taken in the last Congress, but who object to the position taken by the administration during this Congress. I believe we have a great opportunity for water statesmanship. We should fight for the things that we know are right.

Hiram Johnson was a great Senator. For years he fought, in the Senate for the Hoover Dam. He was defeated again and again; but finally the measure passed. The Senator from Arizona can do the same thing.

Mr. FANNIN. We can fight and fight; but unfortunately Arizona is standing all of the shortage, and we have a disastrous water shortage in our State, which becomes more desperate by the month and year.

When we talk of fighting, it brings to mind the words of the capable Representative from Arizona to whom the Senator referred, Mr. UDALL: "How long, O Lord, how long will we have to wait?"

We have waited all these years with hopes and aspirations, but unfortunately we have not received the water. We are still waiting; and Arizona, the State with the greatest need, is the one suffering the most.

I am sure that the Senator does not want Arizona's suffering to conclude with her economic death, so if my good friend will reconsider the realities of Arizona's plight, he will better understand why the distinguished senior Senator from Arizona and I have sponsored this exceptional bill, together with other Senators, with the hope that our State's economy can survive.

Mr. HANSEN. Mr. President, will the Senator yield?

Mr. FANNIN. I do not have the floor.

Mr. KUCHEL. I yield to the Senator from Wyoming.

Mr. HANSEN. Is it true that the Legislature of the State of Arizona has recently passed a bill which would authorize the State to issue revenue bonds for an aqueduct and related facilities for a central Arizona project?

Mr. FANNIN. I answer the Senator by saying that we will do what we can to get water for Arizona. We will go to all lengths to get water for our State. We favor a Federal project, for it is a regional approach. We have worked hard for a Federal project. We are still working hard for a Federal project. Because S. 1004 is a regional approach, we think it is the obligation of the other States in the basin to assist us in getting a project. We have assisted them all the way in obtaining their needed projects, many of which, I might add, were not regional projects.

The Supreme Court has adjudged that we are entitled to 2.8 million acre-feet of water. We have the same rights as California. Our respective entitlements to the river are on an equal footing. California is receiving, not the 4.4 million acre-feet of water which it was allotted—as verified by the Supreme Court—but 5.1 or 5.2 million acre-feet. We are unable to obtain the water to which we are entitled and which California has been using. We have, therefore, been forced to mine our underground waters, which have accumulated over millions of years.

So we are destitute. Whatever we can possibly do to get a project, we intend to do. But we do not think it is fair and equitable for the other States in the basin to say that Arizona must stand all the shortages.

I feel that if the upper basin will abide by the Colorado River compact, if California will be fair and equitable with Arizona, we will overcome this conflict.

Mr. HANSEN. I appreciate the Senator's response, but he has not quite answered my question yet.

Is it true that the State Legislature of Arizona recently passed a bill?

Mr. FANNIN. I thought I answered by

explaining what they have done and why they have passed this legislation. Yes.

Mr. HANSEN. The answer is yes?

Mr. FANNIN. Yes; the answer is yes.

Mr. HANSEN. Is my understanding correct that the Senator's State is prepared to go it alone if the Federal authorization of the central Arizona project is not passed by December 16, 1967?

Mr. FANNIN. The Senator is correct, to the extent that we will attempt to do what we can to relieve our State of this great shortage. From that standpoint, the Senator is correct.

But we feel that the other States in the basin, as well as all the States of this great Nation, should assist Arizona to obtain this Federal project. We should not be singled out to have waited all these years in vain. We have established our legal rights to our water as we were instructed to do by Congress. We ask no more.

Mr. HANSEN. Is it true that the plan, as authorized by the Arizona State Legislature, would provide for the inclusion of revenue-producing features, if the Federal Power Commission licenses are granted?

Mr. FANNIN. That is true. We have attempted, all these years, to obtain a project without success. We now have the means by which thermal power can be developed much more cheaply than when we first had this matter under consideration. When we first considered hydroelectric power, thermal power would have been unreasonable, because the cost would have been exorbitant. But that is not true today. So we do have other considerations.

Mr. HANSEN. In other words, is it true that the Arizona legislation has considered the construction of a dam at the Hualapai or the Bridge Canyon site?

Mr. FANNIN. Arizona's economy is starving for water, and whatever we can do to get our rightful share of Colorado River water into our State, we will do, although, as I have stated before, many people in this country have expressed their desire to hold the river free of a dam; at least they have so convinced quite a few Members of the House of Representatives and others, so that we have not been able to get a project through.

So I will say to the Senator, in answer to his question, that we have several alternatives we can try. Whether or not we can secure those alternatives is something else. We feel that we are entitled to a Federal project, and the approach devised in S. 1004 is, in the considered judgment of most Senators on the Senate Interior Committee, the wisest alternative.

Mr. HANSEN. I thank the distinguished Senator.

Mr. FANNIN. If I might ask the Senator from California, is he agreeable to continuing this colloquy tomorrow?

Mr. KUCHEL. Certainly. I will say to my friend that I believe we ought to try to build a complete record and a correct record of the issues involved and our views.

I will be here throughout.

Mr. HANSEN. Mr. President, will the Senator yield further?

Mr. KUCHEL. I yield.

Mr. HANSEN. Mr. President, I compliment the senior Senator from California for the very great contribution he has made toward a complete and an objective understanding of the complicated issues facing not only the Pacific Southwest, but also, indeed, the people of the United States.

Involved, along with other considerations, is the question of the responsibility of the United States to the sovereign nation of Mexico. The Mexican Treaty is a problem.

I know how touched we all are—and this is particularly true of those who come from the arid West—When we contemplate the dire need for water.

The Senator has addressed himself most eloquently on this point, as did the distinguished Senator from Arizona [Mr. FANNIN].

I am not from a part of the country that is as dry as some of the Southwestern States, but I do know enough about vast stretches of land without water to appreciate how much we would all like to help solve the problems of the people who live in these areas and who experience first hand the problem of insufficient water.

I think it is equally important to review the record, and I compliment the Senator from California for the tremendous contribution he has made by reviewing the long record that has been written not only in the Senate but also in the House of Representatives and, in addition, at the State level.

The Senator from Arizona [Mr. FANNIN] and I happen to have served our States, the great States of Arizona and Wyoming, as Governors together a few years ago.

I can say, I think without contradiction, that it has been the overriding policy and the great desire of all of the Governors in the Colorado Basin States to work together, to join together to advance the interests of not only one single State at the expense of the others, but to advance the interests of all of the States.

As a consequence, I was present at the National Governors Conference at Los Angeles a little more than a year ago, as I recall, and was pleased to join with the other Governors in addressing a letter to the President of the United States, urging that he do all in his power to see that the bill then introduced by Representative UDALL, of Arizona, be pushed forward to enactment.

I did that because I wanted to continue that long tradition of support that each of us feels to every other State in the Southwest.

Something started to go wrong. That bill, as we all know, was amended. There were changes made in it, and it was a very distinguished Governor from the State of Utah, the friend of my very good friend, the Senator from Utah [Mr. MOSS], who is on the floor this afternoon, Governor Rampton, who called me long distance and said: "CLIFF, I am concerned about the changes being made in this bill."

Most reluctantly, he and I agreed that these long-range objectives which should, we think, characterize the legislation that can push forward the fair demands of all of the people of a region were being subverted. They were kicking out provisions in that legislation, and their action made the legislation no longer able completely to serve the purpose that it had been intended to serve by its sponsors.

I know that it is going to be easy for many who will not concern themselves sufficiently with the record and who will not become involved in this problem sufficiently to learn all of the facts to say very simply, "Well, Arizona is drying up. Let us solve that problem first, because we are not going to take water that is presently needed from other States in this great and vital and growing region of the United States."

That would be an easy way out. However, it is the wrong way out. It is the wrong way out because the problems are part and parcel of this overall situation. As we contemplate the expanse of population and the growth of industry there is call not for any short-range solution that picks out only a part of the problem. And that is precisely what we would be doing in this instance.

I think the senior Senator from California has spelled out far more eloquently than I could ever hope to do, and with a greater background than I will perhaps ever possess, the ramifications in the consideration of the pending bill that I urge each Member of the Senate to become familiar with before he casts a vote on the pending measure.

This is no time for short-range solutions. As the distinguished Senator from California pointed out, it sometimes takes a while to get the right action, to get the right answer. And, as he called to our attention, his distinguished predecessor, Senator Johnson, of California, worked long and hard before he finally was able to persuade—he and those who supported him—the people of the United States and their elected representatives that the national will and the national purpose must be paramount.

I think that is precisely the issue that is before us this afternoon. And, because the Senator from California has contributed so ably to a complete understanding of all of the ramifications of the bill, I compliment him and thank him very much.

Mr. KUCHEL. Mr. President, I think the Senator from Wyoming knows how much I value his exceedingly kind comment.

I think he knows how full of thanks I am to him.

I add that he and I have served on this committee now since the beginning of this year. He served as the chief executive of his State.

I think it is a very highly relevant thing to this debate that he should recall the common anxiety of the Governors of the basin States during the last Congress, last year, relative to the progress of legislation, the principles of which had been unanimously agreed to by the Governors of the basin States—upper and lower.

I have a profound respect for my colleague, the Senator from Wyoming, because of his experience, his personality, his constant constructive contributions to the work of the Senate and the work of our Interior and Insular Affairs Committee. I can testify to that, for I have been there.

All I can say is that I look forward to the Senator from Wyoming obtaining the floor in his own right and participating in this debate.

I thank the Senator for what he has just said.

Mr. FANNIN. Mr. President, will the Senator yield?

Mr. KUCHEL. I yield.

Mr. FANNIN. Mr. President, I concur with the statement just made by the distinguished Senator from Wyoming. I appreciate very much the privilege I have had of serving with him on the many programs on which we have worked together.

I should like to make one comment, referring the Senator from Wyoming and the Senator from California to page 40 of the bill, section 12(a), where it states:

> Rights of the upper basin to the consumptive use of water apportioned to that basin from the Colorado River system by the Colorado River compact shall not be reduced or prejudiced by any use of such water in the lower basin.

That is my only comment. I desired to call that to the attention of the Senator. I believe it is very important.

Mr. MOSS. Mr. President, will the Senator yield?

Mr KUCHEL. I yield.

Mr. MOSS. I compliment the Senator from California for his excellent and forthright dissertation on the pending bill and on the situation that exists on the Colorado River. His emphasis on the fact that the river does not flow with enough water to meet all the commitments that legally have been placed against the river indicates that there must be a degree of cooperation in the management of the river, and there must also be immediate and urgent effort made to augment the flow of the river, so that those legal commitments can be met.

I expect to spend some time discussing this matter during the course of the debate on the bill. But I believe that what the Senator from California has placed before the Senate today will provide the basis for pause on the part of Senators in thinking about this great problem, and in understanding that it is folly to attack a regional—even a national—problem on a small, piecemeal basis, which leaves hanging unsolved the great overreaching problem.

We should broaden our view and take the wider approach at this time, as the Senator from California has so clearly set forth.

I have served with the Senator for 9 years on the Committee on Interior and Insular Affairs. We have worked on many water projects all over the country—some in my State, some in his State, some in other States—and I believe that we have been in agreement 99 percent of the time. In fact, one of the remarkable aspects of the committee, it seems to me, is that we usually get together on a consensus, after we have discussed a matter. I believe that more legislation is acted upon by unanimous vote in the Interior Committee than in any other legislative committee of the Senate. I believe this is because we have many devoted Senators on the committee who work on resource problems.

I am, therefore, most reluctant to find that there is a severe division with respect to the pending measure, and I join with the Senator from California in attempting to explain where we divide on our views with respect to the bill. The divisions are serious, and they pose a grave threat to the rights of my State, to the rights of the State of the Senator from California, and to the rights of other States in the basin.

I compliment the Senator from California for speaking so eloquently and forthrightly about the problem.

Mr. KUCHEL. I express my thanks to a longtime friend, the Senator from Utah, for his kind and generous personal comments.

I confirm what he has said with respect to the action of our committee. The Senator has made an excellent contribution to all the debates and constructive action that our committee has taken in endeavoring to solve problems by helping and never damaging. As the distinguished Senator has said, that help has come from our committee, in the main, after discussion and debate, by unanimous approval of its members.

Mr. MOSS. I thank the Senator.

Mr. CASE. Mr. President, will the Senator yield?

Mr. KUCHEL. I yield.

Mr. CASE. Mr. President, the Grand Canyon of the Colorado has been called the Grand Canyon of Arizona, since it is located there. It has been called, as fittingly, the "Grand Canyon of the Urban East," since we residents of the megalopolis draw from its assurance that the natural world still exists with its capacity to awe and instruct us. Yet it is even more than this, it is quite probably the most famous natural attraction on our planet, and it has been called the most revealing geological display on earth.

Many people who know the Grand Canyon are surprised to learn that less than one-third of it is included within the existing Grand Canyon National Park, and less than half of it is within the park and the adjacent national monument. Outside the arbitrarily drawn boundaries of the park and monument are more than 50 miles of the upper canyon, including Marble Gorge, and nearly 100 miles of the lower canyon, including Lower Granite Gorge.

Yet, even within the existing park and national monument, natural values they were designed to protect would be destroyed by hydroelectric dam and reservoir projects proposed for Marble Gorge and for Bridge Canyon, downstream from the national park, in legislation considered last year by the House. These dams were to have been built as part of the central Arizona project, a water development program for the Phoenix and Tucson areas, which is the subject of the bill (S. 1004) the Senate is considering today.

Happily, no dams in the Grand Canyon are included in the CAP bill now before the Senate, but unfortunately there is no assurance there will not be a renewed push for them. Indeed, there is ample indication that there will be. Thus, until all of the Grand Canyon is reliably protected, all of it will remain in jeopardy. Such protection is the object of my bill, S. 1686, which would extend the park to include all 280 miles of the Grand Canyon, from Lee Ferry to Grand Wash Cliffs.

S. 1004 does not provide the protection I believe essential. I should like, therefore, to address some questions on this point to the Senator from Washington, who has worked so hard and so well on this legislation. I ask these questions in a spirit of cooperation, so that we can move from this bill to speedy protection of all of the Grand Canyon.

First, with regard to section 13 of the bill, do I understand correctly that its prohibition against building non-Federal dams applies to an area extending from the western boundary of Grand Canyon National Park to that point on the Colorado River at which Hoover Dam itself is located?

Mr. JACKSON. I am pleased to respond to the question raised by the distinguished Senator from New Jersey. The answer to his question is yes. Section 13 of S. 1004 removes from the jurisdiction of the Federal Power Commission that stretch of the Colorado River.

Mr. CASE. Then, without affirmative action by Congress, no dam whatever can be built in that area?

Mr. JACKSON. Yes, that is correct. The moratorium provided for in section 13 reserves to the Congress decisions concerning this stretch of the river and will allow the National Water Commission to undertake its studies of the alternative and best uses of our Nation's water resources. It is anticipated that the Commission will direct time and energy to a consideration of the highest and best uses of this stretch of the river. The results of the Commission's studies will be available to the administration and to Congress, and should provide guidance and valuable information concerning the future of this area.

Mr. CASE. Can the Senator tell me whether and how soon the Interior Committee will consider legislation, including my bill (S. 1686), to expand the Grand Canyon National Park?

Mr. JACKSON. In addition to the bill sponsored by the Senator from New Jersey, other bills are pending before the Committee which would enlarge the Grand Canyon National Park to include Marble Canyon. The Department of the Interior's report of February 15, 1967, on Lower Colorado River Basin legislation recommended that the highest and best use of Marble Canyon would be to retain it in its natural state as an addition to the existing Grand Canyon National Park. It is my intention to seek favorable action on the park extension during the 90th Congress. I do think it will be necessary to achieve final approval of S. 1004 in order to achieve that goal.

Mr. CASE. The reason I ask these questions is that the need for an unimpaired Grand Canyon, all protected within a national park, is great. The value of the Grand Canyon to this Nation was well stated by the English author J. B. Priestley, in 1937:

> I have heard rumors of visitors (to the Grand Canyon) who were disappointed. The same people will be disappointed at the Day of Judgment. In fact, the Grand Canyon is a sort of landscape Day of Judgment. It is not a showplace, a beauty spot, but a revelation. The Colorado River, which is powerful, turbulent, and so thick with silt that it is like a saw, made it with the help of the erosive forces of rain, frost, and wind, and some strange geological accidents; and all these together have been hard at work on it for the last seven or eight million years. It is the largest of the eighteen canyons of the Colorado River, is over two hundred miles long, has an average width of twelve miles, and is a good mile deep. It is the world's supreme example of erosion. But this is not what it really is. It is, I repeat, a revelation. The Colorado River made it, but you feel when you are there that God gave the Colorado River its instructions. It is all Beethoven's nine symphonies in stone and magic light. Even to remember that it is still there lifts up the heart.

And Mr. Priestley concluded:

> Every member or officer of the Federal Government ought to remind himself with triumphant pride that he is on the staff of the Grand Canyon.

Mr. President, I trust that when the time comes, and it must come soon, we will all be "on the staff of the Grand Canyon," and that we can all at least fulfill the trust Theodore Roosevelt laid on us:

> I want to ask you to do one thing in connection with the Grand Canyon . . . leave it as it is, you cannot improve on it. The ages have been at work on it and man can only mar it . . . What you can do is keep it for your children, your children's children and all who come after you.

MESSAGE FROM THE HOUSE—ENROLLED BILLS SIGNED

A message from the House of Representatives, by Mr. Hackney, one of its reading clerks, announced that the Speaker had affixed his signature to the following enrolled bills, and they were signed by the Vice President:

H.R. 1886. An act to provide for the free entry of certain articles for the use of Princeton University, Princeton, N.J.;

H.R. 1566. An act to provide for the free entry of a four-octave carillon for the use of the Northfield and Mount Hermon Schools, East Northfield, Mass.;

H.R. 3029. An act to provide for the free entry of one ship model for the use of the Lutheran Church of the Covenant, Maple Heights, Ohio;

H.R. 3737. An act to provide for the free entry of a carillon for the use of the University of California at Riverside;

H.R. 4934. An act to provide for the free entry of one mass spectrometer for the use of Indiana University; and

H.R. 4977. An act to provide for the free entry of a triaxial apparatus and rheogoniometer for the use of Northwestern University.

CENTRAL ARIZONA PROJECT ACT

The Senate resumed the consideration of the bill (S. 1004) to authorize the construction, operation, and maintenance of the central Arizona project, Arizona-New Mexico, and for other purposes.

Mr. KUCHEL. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. Byrd of Virginia in the chair). The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MOSS. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MOSS. Mr. President, I ask unanimous consent that I may yield to the junior Senator from Colorado [Mr. Dominick], with the understanding that I shall not lose my right to the floor.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. DOMINICK. Mr. President, I shall not detain the Senate long in discussing this bill. I regret that I am no longer a member of the Interior Committee. I appreciate the courtesy of the Senator from Utah, who is a member of the committee, in yielding to me.

Mr. President, since the bill is of such vast importance to our State and the entire region, I will set forth my position as clearly as I can and in as short a period as I can.

First, I wish to say that I was happy to cosponsor with my senior colleague [Mr. Allott], S. 1242 as well as the proposed substitute bill, amendment 214. Both of these would, in my opinion, embody the regional approach which we were all aiming for last year.

Mr. President, I have listened with considerable care to the very fine speech of the Senator from California [Mr. Kuchel]. I have read portions of the remarks that I know the distinguished Senator from Wyoming [Mr. Hansen] and my colleague [Mr. Allott] are going to give. They are fine speeches. I have tremendous respect for my very distinguished friend, the Senator from Arizona [Mr. Fannin], who last year was working in tandem with the rest of us to get a regional approach. I do not censure him for seeking more water for Arizona, for that is something we would all like to see done if it can be accomplished in a regional manner in a basin that is largely supplied by one river system.

It would seem to me, however, that there is one indisputable fact in this entire argument that cannot be overemphasized. If we go forward with this bill as it is now proposed, without having the assurance of any additional water coming into the basin, we are going to find ourselves either immediately or very soon in a position of dire water shortage in all of the upper basin States and probably in most of the lower basin States as well. There simply is not enough water to be able to take care of all the needs of that seven-State area.

Certainly the bill as proposed to us today does not provide even a hope that we are going to get any more water into the basin. You will recall that because of these water deficiencies, we worked with the water groups of the seven Basin States to come up with a program whereby we could at least have studies made on how to bring in more water. This is why the Colorado Legislature passed a memorial supporting the basin-wide compromise bill last year. The memorial is printed in the 1966 House hearings on H.R. 4671 at page 1047. In that memorial, our legislature endorsed four chief principles for Colorado River Basin legislation. One of these was an augmentation program for the Colorado River water supply. We must get more water into the area. We cannot simply rob Peter to pay Paul.

Mr. President, I presented my viewpoints in some detail on this subject to the Senate Water and Power Resources Subcommittee in May of this year. I wish to reemphasize some points at this time in order that my position will be crystal clear.

Though some would have us believe otherwise, there can be no reasonable doubt as to the need for water augmentation of this water deficient basin. It is commonly accepted that the negotiators of the Colorado River compact in 1922, in allocating 7.5 million acre-feet to the upper basin and 7.5 million acre-feet to the lower basin, overestimated the average annual virgin or undepleted flow at Lee Ferry, believing the quantity to be some 17 million or more acre-feet. Previous Senate and House hearings are replete with figures on historical flows.

Annual virgin flows at Lee Ferry have fluctuated widely since 1896, varying from 5.6 to 24 million acre-feet. Of course, for any degree of reliability some system of averaging must be used and different long-term averages have been computed according to various base periods. Parenthetically, I might add that only 4 years ago, we completed one of two of the lowest 10-consecutive-year periods on record—1954–63—when the average annual virgin flow was only 11.8 million acre-feet. The other period was 1931–40. Frankly, I believe the real significance conclusion is that even though the long-term annual average since 1896 is about 14.9 million acre-feet, the progressive 10-year average of virgin flow from 1933 through 1965 has remained below this figure.

Noteworthy for careful consideration are the conclusions of the House Interior Committee in reporting out H.R. 4671 on August 11, 1966:

> It seems to the Committee that this presently thriving, prosperous area of our Nation is on a collision course with economic disaster unless this water gap can be closed by augmentation of the Colorado River Basin water supplies * * *.
>
> If economic disaster in the Lower Colorado River Basin is to be avoided, then studies of all possible means of augmentation of Colorado River water supplies must be initiated at once and expedited to the greatest possible extent * * *.
>
> This particular water development program has added urgency because of the desperate water supply situation existent throughout the Colorado River Basin.

I have heard the argument expressed that a National Water Commission study is to be favored over a regional study by Interior for the reason that Interior has already acknowledged there is a need for augmentation. Clearly there is a need. The crux of the problem is whether augmentation is to come from importation, weather modification, desalinization, a combination of one or more of these, or otherwise. I do not believe a study by any national water commission is the proper solution. S. 20, which passed the Senate February 6, 1967, and passed the House last month with amendments, directs a national commission to review present and anticipated water problems, make projections of water requirements and identify alternative manners of meeting requirements throughout the United States—all within 5 years. That is a rather sizable assignment. But the Colorado River Basin needs an in-depth, concentrated water augmentation study now. No other river basin is in such critical shape. Moreover, water problems tend to be regional or sectional, and unique to particular areas of the country. Solutions obviously will have some geographical limits.

Each time the word "importation" is mentioned, shudders run through the hearts of the distinguished Senators from our Northwestern States.

I have said before, and I say again, that if the situation were in reverse, I am sure it would make us shudder, too, but our situation is so much more critical than theirs is at the present time.

Let the record be clear that this is one Senator who is looking more and more to the potential usefulness of weather modification for augmentation. I say this because it seems to me weather modification may be one practical solution. Importation raises some terrific problems, and desalinization would seem to be somewhat curtailed by mileage limitations from salt water bodies.

Colorado, due to the nature of its geography and topography is particularly adapted to becoming another source of water under a weather modification program. Such a program could reasonably be expected to increase precipitation significantly in the locality where conducted. Benefits would inure to the entire Colorado River Basin.

The tremendous potential of weather modification was demonstrated during Senate Commerce Committee hearings in 1965 and 1966, and in hearings before this committee last year. I was delighted to sit as chairman for the portion of the Commerce Committee hearings held on S. 23 and S. 2916 in my home State of Colorado in March and April of 1966. S. 2916 was reported by the Commerce Committee and passed the Senate, but unfortunately the House failed to act on the bill. I was a cosponsor of both S. 23 and S. 2916 in the 89th Congress and am currently a cosponsor of S. 373, a bill similar to S. 2916. On June 29, 1967, I introduced S. 2058, legislation which would establish a 3-year pilot project in weather modification for specific areas within the Upper Colorado River Basin. While I do not envision weather modification as a total solution to the water problems of the Colorado River Basin, I do see it as making a significant contribution in solving the crisis.

All we ask for at this time is a study of the various possibilities for augmentation. We seek no commitment that one method of augmentation be substituted for another or that recommendations be confined to a single solution.

We look hopefully for some action by the Commerce Committee and the Senate on a weather modification system designed specifically to take care of the needs of the Colorado River Basin—and to do it as soon as possible.

Mr. President, I think it is only fair to point out to the senior Senator from Arizona, who has worked so hard on the present bill, that the authorization for his bill is $768 million—October 1963 prices—with not to exceed an additional $100 million for construction and distribution of drainage facilities for non-Indian land. Section 16 of his bill also authorizes such additional sums as may be required for the operation and maintenance of the project.

If these are 1963 prices, then we can well ascertain, without doing more than look at the inflation which has occurred since 1963, that we are talking about well over $800 million in the main project, and we are probably talking about well over $1 billion for the entire project.

Just to put the sum of $1 billion compared to $1 million in its proper context, it is about the same as saying one penny compares to $10 as $1 million compares to $1 billion.

Mr. President, with respect to the project which I have asked the Committee on Commerce and the Senate and House to act upon—if the National Science Foundation is correct, if the National Science Advisory Committee of 1957 is correct, if the National Science Foundation report of 1966 is correct, and if the hearings we took last year are correct, this program produces 2 million acre-feet of water for each $1 million spent. This can solve a large portion of the problems with which we are faced and which now create the need for really fighting the proposed bill which has been put forth by the Senators from Arizona.

Senator HAYDEN's bill puts the cart before the horse. We are authorizing projects to divert water which we do not have. Let us get the water and then see what we can do about its diversion. That is what I believe is so important and why I think this bill must be defeated; otherwise, we are going to find ourselves at an impasse, and in an impossible situation.

Mr. ALLOTT. Mr. President, will my colleague yield to me?

Mr. DOMINICK. I am happy to yield to my colleague.

Mr. ALLOTT. I want to congratulate my colleague on a very well presented statement. I know, having participated with him, of his interest in weather modification.

However, in looking at the planning for the Colorado River Basin, I am sure the Senator would agree that at this point, although the ability to produce moisture from clouds has been proved, we do not have the technique and technology developed to the point where we can be assured that we will be able to produce the amount of water where we want it and when we want it to supply the needs of the Colorado River Basin.

Mr. DOMINICK. The Senator is correct in the sense that the Bureau of Reclamation has not as yet established a plan of operation by which we could put existing techniques into operation. If my bill, for example, were passed and we should be successful in getting this done—which I hope will be so—it would still take a period of time before the Bureau of Reclamation would have a program which would tell us where it was going to seed, what type of snowfall we could expect, where it would be, and the volume we could anticipate. So we will need more experience before we can tell what is going to be done.

Mr. ALLOTT. I have always admired the ability of the Senator to absorb information on such complex problems. I shall look forward to hearing his remarks later in the debate on this matter.

Mr. DOMINICK. I thank my distinguished colleague. I know of his tremendous interest and the work he has done in this field.

Mr. KUCHEL. Mr. President, will the Senator permit me to ask a question?

Mr. MOSS. I yield to the Senator from California.

Mr. KUCHEL. I merely want to say that the able junior Senator from Colorado has made an excellent contribution this afternoon on a subject that is of vital concern to the State which he so admirably represents with his colleague, but it is of equal importance to every western commonwealth through which the waters of the Colorado River pass.

What he has had to say about the concept of a regional or cooperative approach is precisely correct, and it represents, in the opinion of most western Americans, the only means by which he and his State and its future, and we in our States with our people and the future of our own, may be adequately cared for with respect to the quantity or quality of water.

The Senator from Colorado is a fair man. I am delighted that he joins his colleague and our friend not only in an unswerving advocacy for fair play for the people of Colorado but, in a very real sense, equal treatment for all the Western States is the one problem that is paramount to our common and mutual future growth. He has made a fine contribution to that subject today.

Mr. DOMINICK. I very much appreciate those courteous and kind remarks. We in Colorado are in a rather interesting position, because we, in effect, are the headwaters of many of the large river systems in the West. We have the Rio Grande, which goes into New Mexico and Texas, and there have been problems with it. We have the Arkansas. We had tremendous floods in that river. We have the South Platte, which goes into Nebraska, joins the Missouri and finally the Mississippi River. We have the great Colorado system, which goes through seven States. All of these rivers originate in our State. We are constantly faced with trying to work with our neighboring States so they can have their fair share of the water, yet retain sufficient water for Colorado to supply our own needs as well as the downriver States. This is what we have been striving for. So I am happy to work with all the regional States to try to design an Arizona project which would fit into a basinwide plan. As my friend knows, we were all working together last year, until the Secretary of the Interior put his large foot right in the middle of it and upset the apple cart. At that point we found ourselves at odds.

Mr. KUCHEL. I thank the Senator.

Mr. HANSEN. Mr. President, will the Senator yield?

Mr. MOSS. Mr. President, I ask unanimous consent that I may yield to the Senator from Wyoming without losing my right to the floor.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

Mr. HANSEN. First, Mr. President, I would like to compliment my good friend, the distinguished junior Senator from Colorado for his most esteemed leadership in the field of weather modification. I recognize that this is yet another area in which the States have demonstrated what can be done through close cooperative efforts, working together, and I think we are all grateful for his leadership in this important area of scientific research.

Mr. DOMINICK. I thank the Senator from Wyoming.

Mr. HANSEN. Mr. President, first, let me address a few words to my friends, the senior Senators from California and Colorado.

To the senior Senator from Colorado, I pay my deepest respect for his statesmanship and for the courage that he has displayed in following the many nuances of this difficult legislation.

It has been my pleasure to work with the distinguished senior Senator from Colorado for a good many years, and I can assure the Senator that the contribution he has made in these difficult hearings and the vast knowledge from which he has drawn frequently and deeply have contributed to a better understanding by all of us of the complicated problems that are involved in trying to make adequate an inadequate supply of water for a very important region in the United States. I salute the distinguished Senator from Colorado.

Mr. ALLOTT. Mr. President, I appreciate the Senator's very kind remarks, but it was also his work as a governor and as a man who dealt with the practical side of the water problem all his life that makes his contribution so meaningful. That is why, when he speaks, everyone listens, because they know he is speaking from the standpoint and the viewpoint of a man who has learned that the use of water means the difference between success and failure in his own business and ranching enterprises. Therefore, may I say to the distinguished Senator that his contributions to the markup of this bill in the Committee on Interior and Insular Affairs have been available to us. We cherish his presence, his experience, and his ability.

Mr. HANSEN. I thank the Senator.

Mr. President, throughout the long and arduous battle over the Colorado River, the distinguished whip of the minority party [Senator KUCHEL] has led us with both vigor and brilliance. His constructive plea for a regional approach to this problem has been made consistently and articulately.

Both of these Senators, in offering their amendments during the executive sessions of the Senate Interior Committee, gained my admiration and my support for the approach which they advocated.

As I indicated in my individual views which were filed with Senate Interior Committee Report No. 408 on the central Arizona project bill, I strongly oppose S. 1004 and I urge that it be disapproved by Congress. I ask, Mr. President, that those views be printed in their entirety at this point in the RECORD.

There being no objection, the views were ordered to be printed in the RECORD, as follows:

INDIVIDUAL VIEWS OF MR. HANSEN

Introduction

I strongly oppose S. 1004, the Central Arizona Project bill, which the Senate Interior Committee has recently voted to report to the Senate, and I urge that it be disapproved by the Congress.

This legislation proposes to bring immediate relief to the water needs of Arizona, but it does so at the expense of the long-range interests of all the States, including Arizona, of the Colorado River Basin. The bill represents a serious threat to the proper economic development of the entire seven-State Colorado River Basin and is inimical to the best interests of the Nation as a whole.

The State of Wyoming has never shirked in making its position clear with respect to Federal legislation proposed through the years which would bring a solution to the water needs of the Pacific Southwest. The views of Wyoming's representatives appear in the legislative record as follows:

1. Memorandum from Floyd A. Bishop, Wyoming State Engineer, to Clifford P. Hansen, Governor of Wyoming, dated May 27, 1965, hearings on "H.R. 4671 and Similar Bills" before the Subcommittee on Irrigation and Reclamation of the House Committee on Interior and Insular Affairs, 89th Congress, first session (1965), page 460.

2. Memorandum from John F. Raper, attorney general of the State of Wyoming, to Clifford P. Hansen, Governor of Wyoming, dated May 27, 1965, ibid., page 459.

3. Letter from Clifford P. Hansen to Hon. Wayne Aspinall, chairman, House Interior Committee, dated May 28, 1965, ibid., page 459.

4. Letter from Clifford Hansen to Wayne Aspinall, dated June 22, 1965, ibid., page 461.

5. Statement of Teno Roncalio, Congressman from Wyoming, August 23, 1965, ibid., page 78.

6. Letter from Clifford Hansen to Wayne Aspinall, dated August 24, 1965, ibid., page 461.

7. Statement of Clifford P. Hansen, Governor of Wyoming, August 26, 1965, ibid., page 363.

8. Letter from Clifford Hansen to Wayne Aspinall, dated September 10, 1965, ibid., page 374.

9. Statement of Clifford P. Hansen, Governor of Wyoming, presented by H. T. Person, commissioner, Upper Colorado River Commission, May 11, 1966, hearings on "H.R. 4671 and Similar Bills" before the Subcommittee on Irrigation and Reclamation of the House Committee on Interior and Insular Affairs, 89th Congress, second session (1966), page 1189.

10. Statement of William H. Harrison, Congressman from Wyoming, March 13, 1967, hearings on "H.R. 3300 and Similar Bills, S. 20 and Similar Bills," before the Subcommittee on Irrigation and Reclamation of the House Committee on Interior and Insular Affairs, 90th Congress first session (1967), page 183.

11. Statement of Senator Clifford P. Hansen, March 16, 1967, ibid., page 361.

12. Statement of Senator Gale McGee, March 16, 1967, ibid., page 397.

13. Statement of Stanley K. Hathaway, Governor of Wyoming, March 16, 1967, ibid., page 363.

14. Letter from Floyd A. Bishop, Wyoming State Engineer, to Hon. Harold T. Johnson, chairman, Subcommittee on Irrigation and Reclamation, House Interior Committee, dated March 24, 1967, ibid., page 393.

15. Letter from Gov. Stanley K. Hathaway to Hon. Harold T. Johnson, dated March 27, 1967, ibid., page 378.

16. Statement of Floyd A. Bishop, State engineer, accompanied by John Bereman, Interstate Streams engineer for the State of Wyoming; Thomas Cahill; and C. J. Kuiper, May 4, 1967, hearings on "S. 1004, S. 1013, S. 861, S. 1242, and S. 1409," before the Subcommittee on Water and Power Resources of the Senate Committee on Interior and Insular Affairs, 90th Congress, first session (1967), page 405.

Most recently, Mr. Floyd Bishop, Wyoming's State Water Engineer, testifying on behalf of Governor Hathaway before the Senate Interior Committee of this Congress said:

"Wyoming has continually faced a difficult choice on this Colorado River Basin legislation. We are reluctant to oppose a project which makes it possible for Arizona to utilize her apportionment of Colorado River Basin waters. However, as a fundamental precept, we think it unwise to authorize Federal projects which require a greater amount of water than is apportioned to the various entities by interstate compact agreements. We believe that these compacts state the supreme and only method of allocating the waters of the Colorado River. We think it is wrong to authorize Federal projects which will utilize in the lower basin a greater apportionment of water than the lower basin entitlement, and we have the same reservations as it applies to the authorization of Federal projects in the upper basin for any State in excess of its apportionment. (Hearing on 'S. 1004, S. 1013, S. 861, S. 1242, and S. 1409,' before the Subcommittee on Water and Power Resources of the Senate Committee on Interior and Insular Affairs, 90th Congress, first session, May 4, 1967, pp. 418–19)."

It is Wyoming's view that S. 1004 would result in the utilization by Arizona of waters previously allocated to Upper Basin States. Simply stated, the Central Arizona Project would rely on water borrowed from the Upper Basin.

Those who support this legislation have refused to write into it any safeguards insuring the availability and return of this loaned water when it was needed by the lending States of the Upper Basin. Absent such safeguards, Wyoming must oppose this Central Arizona Project bill.

Interstate compacts

Wyoming believes that the Colorado River Compact of 1922, the Upper Colorado River Basin compact of 1948, and the Water Treaty of 1944 with the United Mexican States represents the supreme law of the river. All Colorado River legislation considered by the Congress must recognize the supremacy of these agreements. Congress should pass no laws which would be inconsistent in word or in fact with the terms of these agreements.

The 1922 compact involves all seven States in the drainage of the Colorado River. It provides for a division of water use between the Upper Basin and the Lower Basin, with the dividing point between the two basins being located at Lee Ferry near the Arizona-Utah State line. This 1922 compact apportioned from the Colorado system in perpetuity, to the Upper Basin and to the Lower Basin, respectively, exclusive beneficial consumptive use of 7½ million acre-feet annually.

Wyoming also believes that the Lower Basin water supply apportioned by the compact consists of the sum of the following:

(1) 7½ million acre-feet of water delivered by the Upper Basin at Lee Ferry;

(2) The virgin flow of all of the Lower Basin tributaries of the Colorado River;

(3) Runoff from precipitation which falls on the river or reservoirs or on lands which drain directly into the Colorado River.

Wyoming further believes that before the Upper Basin is required to deliver any water at Lee Ferry to satisfy the Mexican Treaty obligation, the sum of the three aforementioned sources of water must be less than 9 million acre-feet which is accounted for as follows:

(1) 7½ million acre-feet of beneficial consumptive use in the entire Lower Basin;

(2) 1½ million acre-feet to Mexico.

In the event the sum of the three sources of water available for use in the Lower Basin falls below 9 million acre-feet, then, and only then, is the Upper Basin obligated to deliver additional water at Lee Ferry. The additional delivery required if such deficiency occurred is limited to one-half of the amount by which the total water supply available to the Lower Basin fails to produce 9 million acre-feet per year.

Unfortunately, Arizona apparently does not agree with this interpretation of the Colorado River compact. Arizona apparently contends that the Upper Basin is obligated to deliver at Lee Ferry an average of 7½ million acre-feet per year to satisfy the requirements of the Colorado River Compact of 1922, plus an additional three-fourths of a million acre-feet per year in satisfaction of half of the Mexican Treaty burden. Arizona must base its interpretation upon its contention that the Gila River and other Lower Basin tributaries within the United States were excluded from the terms of the Colorado River Compact.

Arizona's contention flies in the face of the terms of the 1922 Compact which clearly apportioned to the Lower Basin, and to the Upper Basin as well, the use of specific quantities of water from the "Colorado River system" which included "that portion of the Colorado River and its tributaries within the United States of America." The Mexican Water Treaty itself placed the burden for delivery of water to Mexico upon "the waters of the Colorado River from any and all sources * * *" (Treaty Series 207, article 10).

During the recent executive session of the Senate Interior Committee which was devoted to the marking up of S. 1004, I proposed an amendment which would have ended this existing disagreement between the Upper Basin States and the State of Arizona. That amendment would have added a new subsection "c" to section 9 of S. 1004. The amendment would have provided that the Secretary of the Interior "(c) operate all facilities under his jurisdiction on the Colorado River and its tributaries in such a manner that all consumptive uses of water in the lower basin from the Colorado River System are accounted for as consumptive uses under the terms of the Colorado River Compact and the Boulder Canyon Project Act."

Unfortunately, the singleminded views of Arizona prevailed in the voting within the Interior Committee and this amendment was rejected.

Wyoming and the other Upper Basin States can only now look forward to litigation or negotiations at some future time to resolve this major disagreement. In the meantime, there appears to be no prudent course for us to follow in evaluating obligations on the available water supply except to assume the worst; namely, that the Upper Basin may have to deliver at Lee Ferry as much as 8¼ million acre-feet annually.

Existing lower basin uses

If we assume that the upper basin has the responsibility to deliver an average of 7½ million acre-feet at Lee Ferry annually, and recognizing further the disputed possibility that the Upper Basin may have to deliver as much as 8¼ million acre-feet annually, it will now behoove the Congress to examine some facts on Lower Basin consumptive uses from the main stream of the Colorado River at the present time. As used herein, "consumptive use" is defined as diversions less returns.

Undisputably conservative figures quoted in the 1964–65 report of the Colorado River Board of California show average annual consumptive use from the main stream in Lower Basin years 1961 through 1965 as follows:

	Thousand acre-feet
Arizona[1]	976.4
California[1]	4,989.4
Nevada[1]	24.2
Mexico[2]	1,850.4
Lake Mead evaporation[3]	800.0
Computed net losses, Hoover Dam to Mexico[4]	988.2
Total	9,628.6

[1] Colorado River Board of California Annual Report, 1964–65, table 4, averaged.

[2] Colorado River Board of California Annual Report, 1964–65, table 6, averaged.

[3] USDI Pacific Southwest Water Plan Report, January 1964, table 12.

[4] Colorado River Board of California Annual Report, 1964–65, table 5 averaged, with adjustments suggested in following text.

The foregoing clearly shows that even without the Central Arizona Project the Lower Basin is presently using more water from the main stream than would be supplied to them under the 1922 Compact by the Upper Basin, when development therein is complete, and that this excess use at the present time from the main stream of the Colorado River may be as much as 2.1 million acre-feet annually. The Central Arizona Project as proposed in the legislation being considered by this committee would require an additional 1.2 to 2 million acre-feet and Nevada proposes to utilize 0.3 million acre-feet per year. Increased evaporation losses connected with this new additional development are assumed to be offset by the savings realized from the proposed channel improvement program. The combined total of all these ultimate demands upon the main stream in the Lower Basin is 11.1 million acre-feet per year, and even if we assume that California will cut back to her decreed allocation of 4.4 million acre-feet, the demand would still be 10.5 million acre-feet per year, or nearly 3 million acre-feet per year in excess of the 7.5 million acre-feet required to be delivered to the Lower Basin at Lee Ferry. Wyoming thinks it is both legally and morally wrong to authorize expensive Federal projects in the Lower Basin which depend on the availability of a greater portion of water than the Lower Basin entitlement.

Dependence on upper basin water

The record of the House hearings concerning the Colorado River Basin project legislation during both sessions of the 89th Congress and also during the present session of the 90th Congress is replete with references to the effect that the water supply for the Central Arizona Project is dependent upon Upper Basin water which is presently in excess of Upper Basin needs. As the Upper Basin develops, the water supply in the Lower Basin will progressively diminish, and sometime within the next 30 years the surplus of water flowing from the Upper Basin to the Lower Basin will cease to exist, providing that nothing is done to thwart the normal development of the Upper Basin region.

Proposed projects within the State of Colorado

The figures developed previously showing existing Lower Basin uses indicate clearly that demands for consumptive use of Colorado River water exceed existing supplies. Thus, increased use demands in the Lower Basin will only be met, if at all, by shifting existing shortages to another region. Water shortages will also plague the various States of the Upper Basin. Wyoming must be both fair and consistent in opposing any scheme which merely shifts known existing water shortages. An analysis of the water supply available for use under the terms of the Upper Colorado River Basin Compact of 1948 indicates that the State of Colorado may be in excess of her Compact apportionment of Colorado River water if all five of the projects proposed in S. 1004 are constructed. Therefore, Wyoming must take the position that construction of three of these Colorado projects should be deferred until the construction of importation works adequate to alleviate the water shortages of the entire Colorado River has been commenced.

Wyoming's analysis of the available water supply in the Upper Basin is set out fully on pages 409–411 of the Senate hearings on S. 1004, dated May 2 through 5, 1967. In summary, the total depletions of Colorado River water within the State of Colorado are as follows:

	Thousand acre-feet
Present depletions	1,786
Depletions due to presently authorized Federal projects	140
Probable future depletions	346
Depletions due to the 5 projects proposed to be authorized by present legislation	378
Total Colorado depletions	2,650

Under the Upper Colorado River Basin Compact, Colorado's share of the Upper Basin apportionment amounts to 51.75 percent of the total amount which is available to the Upper Basin. Based on the 4.7 million acre-feet annually available for consumptive use in the Upper Basin as stated in the Tipton & Kalmbach study less the 50,000 acre-feet apportioned to Arizona from the Upper Basin entitlement, Colorado's share would be 51.75 percent of 4.65 million acre-feet, or only about 2.4 million acre-feet per year.

Comparing the previously stated estimates of total Colorado depletions of the Colorado River including the five proposed new projects in the State of Colorado, amounting to 2.65 million acre-feet per annum, with the figure of 2.4 million acre-feet to which Colorado would be entitled under the compact on the basis of the previously cited figures from the Tipton & Kalmbach report, it can be seen that Colorado would be exceeding her apportionment by about 250,000 acre-feet per year. Deferral of the Dallas Creek project, West Divide project, and San Miguel project would reduce this excess to about 50,000 acre-feet annually.

Colorado River legislation must be regional in scope

The Minority views which I have signed on S. 1004 discusses in depth the undisputed water shortages facing the entire Colorado River region. That report emphasizes the need for the augmentation of water to meet these shortages.

In 1965, Secretary of the Interior Stewart Udall, testifying before the House Interior Committee in support of H.R. 4671, as introduced in the 89th Congress, was asked the following question by Congressman Wyatt of Oregon: "Has the Bureau or has the Department any opinion as to the inevitability of augmenting the Colorado water system from other water resources?"

Secretary Udall answered: "I think we have made the one major point: That when one looks 30, 40, 50 years ahead the entire region, the Upper Basin as well as the Lower Basin, will run into shortages and be in difficulty. Therefore, we think it is a major assumption that the prudent thing to do for the Nation, in terms of resource planning, is to look to augmentation, yes."

Congressman Wyatt then asked: "* * * I would like to ask you, in this connection, if the Bureau or if the Department has conducted any extensive studies on diverting the water from the Columbia River below the Bonneville Dam to the Southwest."

Secretary Udall answered: "Obviously, Congressman, we have not; we do not have any studies of any detail, otherwise we could present more facts to you. But I think, just from the standpoint of a very quick, rough reconnaissance, basically what engineers and reclamation experts could gather from a study of the bare bones of the thing, it is obvious that—there are many things that are very desirable about diverting from the Columbia below Bonneville. No. 1—as distinguished from northern California, for example, because, although there are two or three fine smaller rivers in the northern California, they don't have the quantity which you have in the Columbia—you could take 2.5 million acre-feet, for example, which is about 1.5 percent of the total water of the Columbia. The Columbia is the great river of the West, it is the great river of the country in a way. Therefore, could you take that quantity, you could take 1, 2, 3 percent of the water out of the Columbia River estuary without doing harm to the other values that are present. This is the type of thing you could study and you could also study what benefits to the Northwest would be gained. I think the people in the Northwest might be surprised what you would come up with in terms of actual concrete benefits." (Hearings on H.R. 4671 before the Subcommittee on Irrigation and Reclamation of the Committee on Interior and Insular Affairs, House of Representatives, 89th Cong., first sess. (1965), pp. 135–137.)

When, in February of this year, Secretary Udall abandoned all attempts to find a regional solution to the water shortage problem of the Colorado River, the States of the Colorado River Basin, with the exception of the Secretary's home State of Arizona, were predictably shocked, angered, and dismayed. In recent years Wyoming has described and advocated five basic elements it considered essential for any Colorado River legislation. Not one of these elements is now included in S. 1004.

During the course of the executive session mark-up of S. 1004, I presented to the Senate Interior Committee an amendment in the nature of a substitute to S. 1004, amendment No. 213, on behalf of myself and my colleague from Wyoming, Senator McGee. This substitute bill would have provided for the five fundamental provisions which Wyoming has consistently recommended to the Congress. These provisions are as follows:

"(1) There should be authorized, concurrently with the Central Arizona Project, a project which will import into the Colorado River drainage or its service area, sufficient water to satisfy the Mexican Treaty burden. The cost of this importation project should be a nonreimbursable obligation of the United States.

"(2) In conjunction with the foregoing, there should be provision for an immediate reconnaissance study of all possible sources of augmentation of the water supply of the Colorado River system. The satisfaction of the Mexican Treaty burden would only partially solve the water supply problem of the Colorado River Basin, and the long-range need for further augmentation will still exist even after the first provision has been fulfilled.

"(3) As an integral part of any Colorado River Basin project authorization, there should be sufficient revenue-producing features to assure adequate financing of the augmentation measures needed to supplement the water supply in the drainage.

"(4) The authorization of the San Miguel project, West Divide project, and the Dallas Creek project in the State of Colorado should be conditioned upon completion of the importation project to relieve the Colorado River Basin of the Mexican Treaty burden.

"(5) If a priority to the consumptive use of 4.4 million acre-feet annually is granted to California by Arizona, it should be clearly stated that such priority involves only those two States and does not involve any granting of priority to California by the upper basin."

Unfortunately, this substitute was rejected by the Committee.

A further substitute, amendment No. 214, was also offered jointly by Senators Kuchel and Allott which would have provided some measure of assurance that regional solutions would be sought through augmentation programs. Since this substitute was far preferable from a regional point of view to the limited provisions of S. 1004, I supported it in committee. Unfortunately, it too was defeated.

Conclusion

In view of the mounting demands which will be made upon the inadequate water supplies of the Colorado River, Wyoming believes that the Congress now more than ever before must give full attention to the interstate compacts which it has previously ratified apportioning the water between the various states of the basin. The realities of the yield of this river and the obligations which has been placed upon it must no longer be ignored. In our view, it is unconscionable to propose to the Congress, as is done in S. 1004, that the interests of an entire region be made to suffer while singular benefits are brought to one State. This administration sponsored proposal reported out of the Senate Interior Committee rejects all of the years of work that have gone into achieving a realistic and responsible approach for a basinwide development program which would have treated with equity all of the States in the Colorado River Basin.

It is important that Wyoming's legal and moral position with respect to this much tortured river be made as clear as possible. It is also important to realize that Wyoming has no qualms about the correctness of her position. The Central Arizona Project bill as reported out by the Senate Interior Committee would place in jeopardy the future meaningful development of the entire Colorado River Basin. We denounce such irresponsible legislation and we urge the Congress and the Nation to do likewise.

Mr. HANSEN. Mr. President, this legislation proposes to bring immediate relief to the water needs of Arizona, but it does so at the expense of the long-range interests of all of the States, including Arizona, of the Colorado River Basin. The bill represents a serious threat to the proper economic development of the entire seven-State Colorado River Basin, and destroys the best interests of the Nation as a whole.

Let me say to those Senators who may be listening that the Colorado River is a "water-short" river. In brief, this means that there will not be enough water in the Colorado River to satisfy the legal demands for water which will be made by each of the seven States in the Colorado River Basin. The central Arizona project as proposed in S. 1004 would rely on water borrowed from the upper basin States, principally Colorado, Wyoming, and Utah. In the near future, these upper basin States will want to put this water to use in their own States. This can only be done by withdrawing water being used at the time by the proposed central Arizona project, thus rendering it bankrupt, or by importing water into the system from outside sources.

Those who have supported a regional solution for this dilemma, such as the Senators from California, Colorado, Utah, and Wyoming, have urged that we provide now in this Congress for the importation of water into the Colorado River system. Similar legislation was urged by both Secretary of the Interior Stewart L. Udall and the State of Arizona in April of 1964. At that time Secretary Udall said:

> The water supply problems of the various sectors of the Pacific Southwest comprise, in fact, but one common closely interrelated problem. It follows that there should be a common, comprehensive, and coordinated solution. The answer to the water problems of the Pacific Southwest does not lie in a series of independent, uncoordinated actions. This can only lead to continued controversy and stalemate.

This year the administration, through Secretary Udall, has abandoned all of the elements necessary for bringing solution to the water shortages of the basin area. With his usual brilliance, Senator KUCHEL characterized the reversal by Secretary Udall as a "bewildering intellectual somersault." Instead, S. 1004 now merely brings relief which will be temporary at best, to Secretary Udall's home State of Arizona.

Authorization of the stripped-down Arizona project reported out of the committee would be the epitome of uncoordinated action. Secretary Udall's latest proposal, embodied in S. 1004, is now generating the basinwide controversy that he himself predicted. The predictable results of enactment of this bill will be a bankrupt river and a crippling of present water uses and potential development in other States of the basin.

It is no exaggeration to say that the people in the States of California, Colorado, Utah, and my own State of Wyoming, received the news of Secretary Udall's reversal with shock, with dismay, and with anger.

In 1965, Secretary Udall, testifying before the House Interior Committee in support of H.R. 4671, as introduced in the 89th Congress, was asked the following question by Representative WYATT of Oregon:

> Has the Bureau or has the Department any opinion as to the inevitability of augmenting the Colorado water system from other water resources?

Secretary Udall answered:

> I think we have made the one major point: That when one looks 30, 40, 50 years ahead the entire region, the Upper Basin as well as the Lower Basin, will run into shortages and be in difficulty. Therefore, we think it is a major assumption that the prudent thing to do for the Nation, in terms of resource planning, is to look to augmentation, yes.

Representative WYATT then asked:

> I would like to ask you, in this connection, if the Bureau or if the Department has conducted any extensive studies on diverting the water from the Columbia River below the Bonneville Dam to the Southwest.

Secretary Udall answered:

> Obviously, Congressman, we have not; we do not have any studies of any detail, other-

wise we could present more facts to you. But I think just from the standpoint of a very quick, rough reconnaissance, basically what engineers and reclamation experts could gather from a study of the bare bones of the thing, it is obvious that—there are many things that are very desirable about diverting from the Columbia below Bonneville. No. 1—as distinguished from Northern California, for example, because, although there are two or three fine smaller rivers in the northern California, they don't have the quantity which you have in the Columbia—you could take 2.5 million acre-feet, for example, which is about 1.5 percent of the total water of the Columbia. The Columbia is the great river of the West, it is the great river of the country in a way. Therefore, could you take that quantity, you could take 1, 2, 3 percent of the water out of the Columbia River estuary without doing harm to the other values that are present. This is the type of thing you could study and you could also study what benefits to the Northwest would be gained. I think the people in the Northwest might be surprised what you would come up with in terms of actual concrete benefits.

These are the words of Secretary Udall.

In response to the obvious need for regional solutions, Wyoming has consistently recommended to the Congress five fundamental provisions for any Lower Colorado River Basin project legislation. These provisions are as follows:

First. There should be authorized, concurrently with the central Arizona project, a project which will import into the Colorado River drainage or its service area, sufficient water to satisfy the Mexican Treaty burden. The cost of this importation project should be a nonreimbursable obligation of the United States.

Second. In conjunction with the foregoing, there should be provision for an immediate reconnaissance study of all possible sources of augmentation of the water supply of the Colorado River system. The satisfaction of the Mexican Treaty burden would only partially solve the water supply problem of the Colorado River Basin, and the long-range need for further augmentation will still exist even after the first provision has been fulfilled.

Third. As an integral part of any Colorado River Basin project authorization, there should be sufficient revenue-producing features to assure adequate financing of the augmentation measures needed to supplement the water supply in the drainage.

Fourth. The authorization of the San Miguel project, West Divide project, and the Dallas Creek project in the State of Colorado should be conditioned upon completion of the importation project to relieve the Colorado River Basin of the Mexican Treaty burden.

Fifth. If a priority to the consumptive use of 4.4 million acre-feet annually is granted to California by Arizona, it should be clearly stated that such priority involves only those two States and does not involve any granting of priority to California by the Upper Basin.

These five fundamental elements were included in an amendment in the nature of a complete substitute which was offered in the Interior Committee by myself, and which is supported by the Senator from Wyoming [Mr. McGee].

I ask unanimous consent, Mr. President, that the full text of amendment No. 213 to S. 1004 be printed at this point in the Record.

There being no objection, amendment No. 213 was ordered to be printed in the Record, as follows:

Strike out all after the enacting clause and insert in lieu thereof the following:

"TITLE I—COLORADO RIVER BASIN PROJECT: OBJECTIVES

"Sec. 101. That this Act may be cited as the 'Colorado River Basin Project Act'.

"Sec. 102. The Congress recognizes that the present and growing water shortages in the Colorado River Basin constitute urgent problems of national concern, and accordingly authorizes and directs the National Water Commission and the Water Resources Council, established by the Water Resources Planning Act (Public Law 89-80), to give highest priority to the preparation of a plan and program for the relief of such shortages, in consultation with the States and Federal entities affected, as provided in this Act. This program is declared to be for the purposes, among others, of regulating the flow of the Colorado River; controlling floods; improving navigation; providing for the storage and delivery of the waters of the Colorado River for reclamation of lands, including supplemental water supplies, for municipal, industrial, and other beneficial purposes; improving water quality; providing for basic public outdoor recreation facilities; improving conditions for fish and wildlife; and the generation and sale of hydroelectric power as an incident of the foregoing purposes.

"TITLE II—SOUTHWEST INVESTIGATIONS AND PLANNING

"Sec. 201. (a) The Council, in consultation with the Commission, acting in accordance with the procedure prescribed in section 103 of the Water Resources Planning Act, shall within one hundred and twenty days following the effective date of this Act establish principles, standards, and procedures for the program of investigations and submittal of plans and reports authorized by this section and section 203. The Secretary of the Interior (hereinafter referred to as the 'Secretary'), under the direction of the Commission, in conformity with the principles, standards, and procedures so established, is authorized and directed to—

"(1) prepare estimates of the long-range water supply available for consumptive use in the Colorado River Basin, of current water requirements therein, and of the rate of growth of water requirements therein to at least the year 2030;

"(2) investigate sources and means of supplying water to meet the current and anticipated water requirements of the Colorado River Basin, including reductions in losses, importations from sources outside the natural drainage basin of the Colorado River system, desalination; weather modification, and other means;

"(3) investigate projects within the lower basin of the Colorado River, including projects on tributaries of the Colorado River, where undeveloped water supplies are available or can be made available by replacement or exchange;

"(4) undertake investigations, in cooperation with other concerned agencies, of the feasibility of proposed development plans in maintaining an adequate water quality throughout the Colorado River Basin;

"(5) investigate means of providing for prudent water conservation practices to permit maximum beneficial utilization of available water supplies in the Colorado River Basin;

"(6) investigate and prepare estimates of the long-range water supply in States and areas from which water may be imported into the Colorado River system, together with estimates of the probable ultimate requirements for water within those States and areas of origin, for all purposes, including, but not limited to, consumptive use, navigation, river regulation, power, enhancement of fishery resources, pollution control, and disposal of wastes to the ocean, and estimates of the quantities of water, if any, that will be available in excess of such requirements in the States and areas of origin for exportation to the Colorado River system; and

"(7) investigate current and anticipated water requirements of areas outside the natural drainage areas of the Colorado River system which feasibly can be served from importation facilities en route to the Colorado River system.

"(b) The Secretary is authorized and directed to prepare reconnaissance reports of a staged plan or plans for projects adequate to meet the requirements of subsection (a) of this section, in conformity with section 202."

"(c) The plan for the first stage of works to meet the future requirements of the areas of deficiency and surplus as determined from studies performed pursuant to this section shall include, but not be limited to, import works necessary to provide two million five hundred thousand acre-feet annually for use from the main stream of the Colorado River below Lee Ferry, including satisfaction of the obligations of the Mexican Water Treaty and losses of water associated with the performance of that treaty. Plans for import works for the first stage may also include facilities to provide water in the following additional quantities:

"(1) Up to two million acre-feet annually in the Colorado River for use in the Lower Colorado River Basin;

"(2) Up to two million acre-feet annually in the Colorado River system for use in the Upper Colorado River Basin, directly or by exchange;

"(3) Such additional quantities, not to exceed two million acre-feet annually, as the Secretary finds may be required and marketable in areas which can be served by said importation facilities en route to the Colorado River system.

"(d) The Congress declares that the satisfaction of the requirements of the Mexican Water Treaty constitutes a national obligation. Accordingly, the States of the upper division (Colorado, New Mexico, Utah, and Wyoming) and States of the lower division (Arizona, California, and Nevada) shall be relieved from all obligations which may have been imposed upon them by article III(c) of the Colorado River compact when the President issues the proclamation specified in section 305(b) of this Act.

"(e) The Secretary shall submit annually to the Commission, the President, and the Congress reports covering progress on the investigations and reports authorized by this section.

"Sec. 202. (a) In planning works to import water into the Colorado River system from sources outside the natural drainage areas of the system, the Secretary shall make provision for adequate and equitable protection of the interests of the States and areas of origin, including (in the case of works to import water for use in the lower basin of the Colorado River) assistance from the development fund established by title IV of this Act, to the end that water supplies may be available for use therein adequate to satisfy their ultimate requirements at prices to users not adversely affected by the exportation of water to the Colorado River system.

"(b) All requirements, present or future, for water within any State lying wholly or in part within the drainage area of any river basin and from which water is exported by works planned pursuant to this Act shall have a priority of right in perpetuity to the use of the waters of that river basin, for all purposes, as against the uses of the water delivered by means of such exportation works, unless otherwise provided by interstate agreement.

"Sec. 203. (a) Within three years from the effective date of this Act, the Secretary shall proceed with the preparation of a feasibility report on the first stage of the staged plan of importation development if he finds, on the basis of reconnaissance investigations pursuant to section 201, that a water supply surplus to the needs of the area of origin exists, benefits of the proposed first stage exceed costs, and repayment can be made in accordance with titles III and IV of this Act. Such feasibility report shall be submitted to the Commission and to the affected States and Federal agencies within four years from the effective date of this Act.

"(b) After receipt of the comments of the Commission and affected States and Federal agencies on such feasibility report, but within five years of the effective date of this Act, the importation works covered by the Secretary's findings shall be deemed authorized and shall be immediately undertaken by the Secretary, if the Secretary finds that such importations have engineering and economic feasibility and that the benefits exceed the estimated cost of construction. But if the benefits do not exceed said total estimated cost, then said works may be undertaken by the Secretary only after provision therefor has been made by act of Congress enacted after the Secretary has submitted to the President and the Congress the report and findings involved.

"Sec. 204. There are hereby authorized to be appropriated such sums as are required to carry out the purposes of this title.

"TITLE III—AUTHORIZED UNITS: PROTECTION OF EXISTING USES

"Sec. 301. The Secretary shall construct, operate, and maintain the lower basin units of the Colorado River Basin project (herein referred to as the 'project'), described in sections 302, 303, 304, 305, and 306.

"Sec. 302. The main stream reservoir division shall consist of the Hualapai (formerly known as Bridge Canyon) unit, including a dam, reservoir, powerplant, transmission facilities, and appurtenant works, and the Coconino and Paria River silt-detention reservoirs: *Provided*, That (1) Hualapai Dam shall be constructed so as to impound water at a normal surface elevation of one thousand eight hundred and sixty-six feet above mean sea level, (2) fluctuations in the reservoir level shall be restricted, so far as practicable, to a regimen of ten feet, (3) this Act shall not be construed to authorize any diversion of water from Hualapai Reservoir except for incidental uses in the immediate vicinity, (4) before initiating construction of the Hualapai Dam and appurtenant hydroelectric generating facilities and transmission lines the Secretary shall certify to the United States Congress that, in his judgment, contracts or letters declaring an intent to contract in accordance with the provisions of this Act are in existence to provide revenues adequate to pay all expenses of operation and maintenance of said works incurred by the United States and to repay all reimbursable costs, including applicable interest costs, of said dam and hydroelectric generating facilities, within fifty years from the date of completion of said works, and (5) the Secretary is authorized and directed to continue to a conclusion the engineering and economic studies and negotiations with any non-Federal entities with respect to constructing and operating the hydroelectric generating and transmission facilities to be installed at or in connection with Hualapai Dam and Reservoir as a combined hydro-pump storage peaking plant and, not later than eighteen months from the date of enactment of this Act, report the results of such negotiations, including the terms of proposed amendments, if any, that may be reached, together with his recommendations thereon, which agreements, if any, shall not become effective until approved by Congress. The Congress hereby declares that the construction of the Hualapai Dam herein authorized is consistent with the Act of February 26, 1919 (40 Stat. 1175).

"Sec. 303. (a) As fair and reasonable payment for the permanent use by the United States of not more than twenty-five thousand acres of land designated by the Secretary as necessary for the construction, operation, and maintenance of the Hualapai unit, said land being a part of the tract set aside and reserved by the Executive order of January 4, 1883, for the use and occupancy of the Hualapai Tribe of Arizona (1 Kappler, Indian Laws and Treaties, 804), $16,398,000 shall be transferred in the Treasury, during construction of the unit, to the credit of the Hualapai Tribe from funds appropriated from the general fund of the Treasury to the Department of the Interior, Bureau of Reclamation, for construction of the project and, when so transferred, shall draw interest at the rate of 4 per centum per annum until expended. The funds so transferred may be expended, invested, or reinvested pursuant to plans, programs, and agreements duly adopted or entered into by the Hualapai Tribe, subject to the approval of the Secretary, in accordance with the tribal constitution and charter.

"(b) As part of the construction and operation of the Hualapai unit, the Secretary shall (1) construct a paved road, having a minimum width of twenty-eight feet, from Peach Springs, Arizona, through and along Peach Springs Canyon within the Hualapai Indian Reservation, to provide all-weather access to the Hualapai Reservoir; and (2) make available to the Hualapai Tribe up to twenty-five thousand kilowatts and up to one hundred million kilowatt-hours annually of power from the Hualapai unit at the lowest rate established by the Secretary for the sale of firm power from said unit for the use of preferential customers: *Provided*, That the tribe may resell such power only to users within the Hualapai Reservation: *Provided further*, That the Hualapai Tribal Council shall notify the Secretary in writing of the reasonable power requirements of the tribe up to the maximum herein specified, for each three-year period in advance beginning with the date upon which power from the Hualapai unit becomes available for sale. Power not so reserved may be disposed of by the Secretary for the benefit of the development fund.

"(c) Except as to such lands which the Secretary determines are required for the Hualapai Dam and Reservoir site and the construction of the operating campsite and townsite, all minerals of any kind whatsoever, including oil and gas but excluding sand and gravel and other building and construction materials, within the areas used by the United States pursuant to this section are hereby reserved to the Hualapai Tribe: *Provided*, That no permit, license, lease, or other document covering the exploration for or the extraction of such minerals shall be granted by the tribe nor shall the tribe conduct such operations for its own account, except under such conditions and with such stipulations as are necessary to protect the interests of the United States in the construction, operation, and maintenance of the Hualapai unit.

"(d) The Hualapai Tribe shall have the exclusive right, if requested in writing by the tribe, to develop the recreation potential of, and shall have the exclusive right to control access to, the reservoir shoreline adjacent to the reservation, subject to conditions established by the Secretary for use of the reservoir to protect the operation of the project. Any recreation development established by the tribe shall be consistent with the Secretary's rules and regulations to protect the overall recreation development of the project. The tribe and the members thereof shall have nonexclusive personal rights to hunt and fish on the reservoir without charge, but shall have no right to exclude others from the reservoir except as to those who seek to gain access through the Hualapai Reservation, nor the right to require payments to the tribe except for the use of tribal lands or facilities: *Provided*, That under no circumstances will the Hualapai Tribe make any charge, or extract any compensation, or in any other manner restrict the access or use of the paved road to be constructed within the Hualapai Indian Reservation pursuant to this Act. The use by the public of the water areas of the project shall be pursuant to such rules and regulations as the Secretary may prescribe.

"(e) Except as limited by the foregoing, the Hualapai Tribe shall have the right to use and occupy the area of the Hualapai unit within the Hualapai Reservation for all purposes not inconsistent with the construction, operation, and maintenance of the project and townsite, including, but not limited to, the right to lease such lands for farming, grazing, and business purposes to members or nonmembers of the tribe and the power to dispose of all minerals as provided in paragraph (c) hereof.

"(f) Upon a determination by the Secretary that all or any part of the lands utilized by the United States pursuant to paragraph (a) of this section is no longer necessary for purposes of the project, such lands shall be restored to the Hualapai Tribe for its full use and occupancy.

"(g) No part of any expenditures made by the United States, and no reservation by or restoration to the Hualapai Tribe of the use of land under any of the provisions of this section shall be charged by the United States as an offset or counterclaim against any claim of the Hualapai Tribe against the United States other than claims arising out of the utilization of lands for the project: *Provided, however*, That the payment of moneys and other benefits as set forth herein shall constitute full, fair, and reasonable payment for the permanent use of the lands by the United States.

"(h) All funds authorized by this section to be paid or transferred to the Hualapai Tribe, and any per capita distribution derived therefrom, shall be exempt from all forms of State and Federal income taxes.

"(i) No payments shall be made or benefits conferred as set forth in this section until the provisions hereof have been accepted by the Hualapai Tribe through a resolution duly adopted by its tribal council. In the event such resolution is not adopted within six months from the effective date of this Act, and litigation thereafter is instituted regarding the use by the United States of lands within the Hualapai Reservation or payment therefor, the amounts of the payments provided herein and the other benefits set out shall not be regarded as evidencing value or as recognizing any right of the tribe to compensation.

"Sec. 304. (a) The central Arizona unit shall consist of the following principal works: (1) a system of main conduits and canals, including a main canal and pumping plants (Granite Reef aqueduct and pumping plants), for diverting and carrying water from Lake Havasu to Orme Dam or suitable alternative, which system shall have a capacity of two thousand five hundred cubic feet per second (A) unless the definite plan report of the Bureau of Reclamation shows that additional capacity (1) will provide an improved benefit-to-cost ratio and (ii) will enhance the ability of the central Arizona unit to divert water from the main stream to which Arizona is entitled and (B) unless the Secretary finds that the additional cost resulting from such additional capacity can be financed by funds from sources other than the funds credited to the development fund pursuant to section 403 of this Act and without charge, directly or indirectly, to water users or power customers in the States of California and Nevada; (2) Orme Dam and Reservoir and power-pumping plant or suitable alternative; (3) Buttes Dam and Reservoir, which shall be so operated as to not prejudice the rights of any user in and to the waters of the Gila River as those rights are set forth in the decree entered by the United States District Court for the District of Arizona on June 29, 1935, in United States against Gila Valley Irrigation District and others (Globe Equity Number 59); (4) Hooker Dam and Reservoir, which shall be constructed to an initial capacity of ninety-eight thousand acre-feet and in such a manner as to permit subsequent enlargement of the structure (to give effect to the provisions of section 304 (c) and (d)); (5) Charleston Dam and Reservoir; (6) Tucson aqueducts and pumping plants; (7) Salt-Gila aqueduct; (8) canals, regulating facilities, powerplants, and electrical transmission facilities; (9) related water distribution and drainage works; and (10) appurtenant works.

"(b) Unless and until otherwise provided by Congress, water from the natural drainage area of the Colorado River system diverted from the main stream below Lee Ferry for the central Arizona unit shall not be made available directly or indirectly for the irrigation of lands not having a recent irrigation history as determined by the Secretary, except in the case of Indian lands, national wildlife refuges, and, with the approval of the Secretary, State-administered wildlife management areas. It shall be a condition of each contract under which such water is provided under the central Arizona unit that (1) there be in effect measures, adequate in the judgment of the Secretary, to control expansion of irrigation from aquifers affected by irrigation in the contract service area; (2) the canals and distribution systems through which water is conveyed after its delivery by the United States to the contractors shall be provided and maintained with linings, adequate in his judgment to prevent excessive conveyance losses; (3) neither the contractor nor the Secretary shall pump or permit others to pump ground water from lands located within the exterior boundaries of any Federal reclamation project or irrigation district receiving water from the central Arizona unit for any use outside such Federal reclamation project or irrigation district, unless the Secretary and the agency or organization operating and maintaining such Federal reclamation project or irrigation district shall agree or shall have previously agreed that a surplus of ground water exists and that drainage is or was required; and (4) all agricultural, municipal and industrial waste water, return flow, seepage, sewage effluent and ground water located in or flowing from contractor's service area originating or resulting from (i) waters contracted for from the central Arizona unit or (ii) waters stored or developed by any Federal reclamation project are reserved for the use and benefit of the United States as a source of supply for the service area of the central Arizona unit or for the service area of the Federal reclamation project, as the case may be: *Provided*, That notwithstanding the provisions of clause (3) of this sentence, the agricultural, municipal and industrial waste water, return flow, seepage, sewage effluent and ground water in or from any such Federal reclamation project, may also be pumped or diverted for use and delivery by the United States elsewhere in the service area of the central Arizona unit, if not needed for use or reuse in such Federal reclamation project.

"(c) The Secretary may require as a condition in any contract under which water is provided from the central Arizona unit that the contractor agree to accept main stream water in exchange for or in replacement of existing supplies from sources other than the main stream. The Secretary shall so require in contracts with such contractors in Arizona who also use water from the Gila River system, to the extent necessary to make available to users of water from the Gila River system in New Mexico additional quantities of water as provided in and under the conditions specified in subsections (e) and (f) of this section: *Provided*, That such exchanges and replacements shall be accomplished without economic injury or cost to such Arizona contractors.

"(d) In times of shortage or reduction of main stream water for the central Arizona unit (if such shortages or reductions should occur), contractors which have yielded water from other sources in exchange for main stream water supplied by that unit shall have a first priority to receive main stream water, as against other contractors supplied by that unit which have not so yielded water from other sources, but only in quantities adequate to replace the water so yielded.

"(e) In the operation of the central Arizona unit, the Secretary shall offer to contract with water users in New Mexico for water from the Gila River, its tributaries and underground water sources, in amounts that will permit consumptive use of water in New Mexico not to exceed an annual average in any period of ten consecutive years of eighteen thousand acre-feet, including reservoir evaporation, over and above the consumptive uses provided for by article IV of the decree of the Supreme Court of the United States in Arizona against California (376 U.S. 340). Such increased consumptive uses shall not begin until and shall continue only so long as delivery of Colorado River water to downstream Gila River users in Arizona is being accomplished in accordance with this act, in quantities sufficient to replace any diminution of their supply resulting from such diversions from the Gila River, its tributaries and underground water sources. In determining the amount required for this purpose full consideration shall be given to any differences in the quality of the waters involved.

"(f) The Secretary shall further offer to contract with water users in New Mexico for water from the Gila River, its tributaries and underground water sources in amounts that will permit consumptive uses of water in New Mexico not to exceed an annual average in any period of ten consecutive years of an additional thirty thousand acre-feet, including reservoir evaporation. Such further increases in consumptive use shall not begin until and shall continue only so long as works capable of importing water into the Colorado River system have been completed and water sufficiently in excess of two million eight hundred thousand acre-feet per annum is available from the main stream of the Colorado River for consumptive use in Arizona to provide water for the exchanges herein authorized and provided. In determining the amount required for this purpose full consideration shall be given to any differences in the quality of the waters involved.

"(g) All additional consumptive uses provided for in subsections (e) and (f) of this section shall be subject to all rights in New Mexico and Arizona as established by the decree entered by the United States District Court for the District of Arizona on June 29, 1935, in United States against Gila Valley Irrigation District and others (Globe Equity Number 59) and to all other rights existing on the effective date of this Act in New Mexico and Arizona to water from the Gila River, its tributaries and underground water sources, and shall be junior thereto and shall be made only to the extent possible without economic injury or cost to the holders of such rights.

"SEC. 305. (a) Article II(B)(3) of the decree of the Supreme Court of the United States in Arizona against California (376 U.S. 340) shall be so administered that in any year in which, as determined by the Secretary, there is insufficient main stream Colorado River water available for release to satisfy annual consumptive use of seven million five hundred thousand acre-feet in Arizona, California, and Nevada, diversions from the main stream for the central Arizona unit shall be so limited as to assure the availability of water in quantities sufficient to provide for the aggregate annual consumptive use by holders of present perfected rights, by other users in the State of California served under existing contracts with the United States by diversion works heretofore constructed and by other existing Federal reservations in that State, of four million four hundred thousand acre-feet of main stream water, and by users of the same character in Arizona and Nevada. Water users in the State of Nevada shall not be required to bear shortages in any proportion greater than would have been imposed in the absence of this section 305(a). Nothing herein shall be construed to alter, amend, repeal, modify, or be in conflict with the agreement required by section 4(a) of the Boulder Canyon Project Act (45 Stat. 1057) and made by the State of California by act of its legislature (ch. 16. Calif. Stats. 1929, p. 38) so far as the benefits of said agreement are conferred upon the States of Colorado, Nevada, New Mexico, Utah, and Wyoming. This section shall not affect the relative priorities, among themselves, of water users in Arizona, Nevada, and California which are senior to diversions for the central Arizona unit, or amend any provisions of said decree.

"(b) The limitation stated in paragraph (a) shall cease whenever the President shall proclaim that works have been completed and are in operation, capable in his judgment of delivering annually not less than two million five hundred thousand acre-feet of water into the main stream of the Colorado River below Lee Ferry from sources outside the natural drainage area of the Colorado River system; and that such sources are adequate, in the President's judgment, to supply such quantities without adverse effect upon the satisfaction of the foreseeable water requirements of any State from which such water is imported into the Colorado River system. Such imported water shall be made available for use in accordance with subsection (c) of this section.

"(c) To the extent that the flow of the main stream of the Colorado River is augmented by such importations in order to make sufficient water available for release, as determined by the Secretary pursuant to article II(B)(1) of the decree of the Supreme Court of the United States in Arizona against California (376 U.S. 340), to satisfy annual consumptive use of two million eight hundred thousand acre-feet in Arizona, four million four hundred thousand acre-feet in California, and three hundred thousand acre-feet in Nevada, respectively, the Secretary shall make such additional water available to users of main stream water in those States at the same costs and on the same terms as would be applicable if main stream water were available for release in the quantities required to supply such consumptive use, taking into account, among other things, (1) the nonreimbursable allocation to the replenishment of the deficiencies occasioned by satisfaction of the Mexican Treaty burden provided for in section 401, and (2) such assistance as may be available from the development fund established by title IV of this Act.

"(d) Imported water made available for use in the lower basin to supply aggregate annual consumptive uses from the main stream in excess of seven million five hundred thousand acre-feet shall be offered by the Secretary for use in the States of Arizona, California, and Nevada in the proportions provided in article II(B)(2) of said decree. The Secretary shall establish prices therefor which take into account such assistance as may be available from the development fund established by title IV of this Act in excess of the demands upon that fund occasioned by the requirements stated in subsection (c) of this section. Within each State, opportunity to take such water shall first be offered to persons or entities who are water users as of the effective date of this Act, and in quantities equal to the deficiencies which would result if the total quantity available for consumptive use from the main stream in such State were only the quantity apportioned to that State by article II(B)(1) of said decree.

"(e) Imported water made available for use in the upper basin of the Colorado River, directly or by exchange, shall be offered by the Secretary for contract by water users in the States of Colorado, New Mexico, Utah, and Wyoming in the proportions, as among those States, stated in the Upper Colorado River Basin compact, and at prices which take into account such assistance as may be available from the Upper Colorado River Basin fund, in excess of the demands upon that fund occasioned by the requirements of the Colorado River Storage Project Act.

"(f) Imported water not delivered into the Colorado River system but diverted from the works constructed to import water into that system shall be made available to water users in accordance with the Federal reclamation laws.

Sec. 306. The main stream salvage unit shall include programs for water salvage along and adjacent to the main stream of the Colorado River and for ground water recovery. Such programs shall be consistent with maintenance of a reasonable degree of undisturbed habitat for fish and wildlife in the area, as determined by the Secretary.

Sec. 307. The Secretary shall construct, operate, and maintain such additional works as shall from time to time be authorized by the Congress as units of the project.

"Sec. 308. The conservation and development of the fish and wildlife resources and the enhancement of recreation opportunities in connection with the project works authorized pursuant to this title shall be in accordance with the provisions of the Federal Water Project Recreation Act (79 Stat. 213).

"Sec. 309. The Secretary shall integrate the Dixie project and southern Nevada water supply project heretofore authorized into the project herein authorized as units thereof under repayment arrangements and participation in the development fund established by title IV of this Act consistent with the provisions of this Act.

"Sec. 310. There is hereby authorized to be appropriated to carry out the purposes of this title the sum of $1,167,000,000 based on estimated costs as of October 1963, plus or minus such amounts, if any, as may be justified by reason of ordinary fluctuations in construction costs as indicated by engineering cost indexes applicable to the types of construction involved.

"TITLE IV—LOWER COLORADO RIVER BASIN DEVELOPMENT FUND: ALLOCATION AND REPAYMENT OF COSTS: CONTRACTS

"Sec. 401. Upon completion of each lower basin unit of the project herein or hereafter authorized, or separate features thereof, the Secretary shall allocate the total costs of constructing said unit or features to (1) commercial power, (2) irrigation, (3) municipal and industrial water supply, (4) flood control, (5) navigation, (6) water quality control, (7) recreation, (8) fish and wildlife, (9) the replenishment of the depletion of Colorado River flows available for use in the United States occasioned by performance of the Water Treaty of 1944 with the United Mexican States (treaty series 994), (10) the additional capacity of the system of main conduits and canals of the central Arizona unit referred to in section 304(a), item (1), in excess of two thousand five hundred cubic feet per second, and (11) any other purposes authorized under the Federal reclamation laws. Costs of construction, operation, and maintenance allocated to the replenishment of the depletion of Colorado River flows available for use in the United States occasioned by compliance with the Mexican Water Treaty (including losses in transit, evaporation from regulatory reservoirs, and regulatory losses at the Mexican boundary, incurred in the transportation, storage, and delivery of water in discharge of the obligations of that treaty) shall be nonreimbursable. All funds paid or transferred to Indian tribes pursuant to this Act, including interest on such funds in the Treasury of the United States and costs of construction of the paved road, authorized in section 303(b) hereof, shall be nonreimbursable. The repayment of costs allocated to recreation and fish and wildlife enhancement shall be in accordance with the provisions of the Federal Water Project Recreation Act (79 Stat. 213): *Provided*, That all of the separable and joint costs allocated to recreation and fish and wildlife enhancement at the Dixie project, Utah, and the main stream reservoir division shall be nonreimbursable. Costs allocated to nonreimbursable purposes shall be nonreturnable under the provisions of this Act. Costs allocated to the additional capacity of the system of main conduits and canals of the central Arizona unit, referred to in section 304(a), item (1), in excess of two thousand five hundred cubic feet per second shall be recovered as directed in section 304(a).

"Sec. 402. The Secretary shall determine the repayment capability of Indian lands within, under, or served by any unit of the project. Construction costs allocated to irrigation of Indian lands (including provision of water for incidental domestic and stock water uses) and within the repayment capability of such lands shall be subject to the Act of July 1, 1932 (47 Stat. 464), and such costs as are beyond repayment capability of such lands shall be nonreimbursable.

"Sec. 403. (a) There is hereby established a separate fund in the Treasury of the United States, to be known as the Lower Colorado River Basin development fund (hereinafter called the 'development fund'), which shall remain available until expended as hereafter provided for carrying out the provisions of title III.

"(b) All appropriations made for the purpose of carrying out the aforesaid provisions of title III of this Act shall be credited to the development fund as advances from the general fund of the Treasury, and shall be available for such purpose.

"(c) There shall also be credited to the development fund—

"(1) all revenues collected in connection with the operation of facilities herein and hereafter authorized in furtherance of the purposes of this Act (except entrance, admission, and other recreation fees or charges and proceeds received from recreation concessionaires); and

"(2) all Federal revenues from the Boulder Canyon and Parker-Davis projects which, after completion of repayment requirements of the said Boulder Canyon and Parker-Davis projects, are surplus, as determined by the Secretary, to the operation, maintenance, and replacement requirements of those projects: *Provided, however*, That the Secretary is authorized and directed to continue the in-lieu-to-taxes payments to the States of Arizona and Nevada provided for in section 2(c) of the Boulder Canyon Project Adjustment Act so long as revenues accrue from the operation of the Boulder Canyon project.

"(d) All revenues collected and credited to the development fund pursuant to this Act shall be available, without further appropriation, for—

"(1) defraying the costs of operation, maintenance, and replacements of, and emergency expenditures for, all facilities of the project, within such separate limitations as may be included in annual appropriation Acts;

"(2) payments, if any, as required by section 502 of this Act;

"(3) payments as required by subsection (f) of this section; and

"(4) payments to reimburse water users in the State of Arizona for losses sustained as a result of diminution of the production of hydroelectric power at Coolidge Dam, Arizona, resulting from exchanges of water between users in the States of Arizona and New Mexico as set forth in section 304 of this Act.

"(e) Revenues credited to the development fund shall not be available for construction of the works comprised within any unit of the project herein or hereafter authorized except upon appropriation by the Congress.

"(f) Revenues in the development fund in excess of the amount necessary to meet the requirements of clauses (1), (2), and (4) of subsection (d) of this section shall be paid annually to the general fund of the Treasury to return—

"(1) the costs of each unit of the project or separable feature thereof, authorized pursuant to title III of this Act which are allocated to irrigation, commercial power, or municipal and industrial water supply, pursuant to this Act, within a period not exceeding fifty years from the date of completion of each such unit or separable feature, exclusive of any development period authorized by law;

"(2) the costs which are allocated to recreation or fish and wildlife enhancement in accordance with the provisions of the Federal Water Project Recreation Act (79 Stat. 213); and

"(3) interest (including interest during construction) on the unamortized balance of the investment in the commercial power and municipal and industrial water supply features of the project at a rate determined by the Secretary of the Treasury in accordance with the provisions of subsection (h) of this section, and interest due shall be a first charge.

"(g) To the extent that revenues remain in the development fund after making the payments required by subsections (d) and (f) of this section, they shall be available upon appropriation by the Congress, to repay the costs incurred in connection with units hereafter authorized in providing (i) for the importation of water into the main stream of the Colorado River for use below Lee Ferry as provided in section 206(c) to the extent that such costs are in excess of the costs allocated to the replenishment of the depletion of Colorado River flows available for use in the United States occasioned by performance of the Mexican Water Treaty as provided in section 401, and (ii) protection of States and areas of origin of such imported water as provided in section 207(a).

"(h) The interest rate applicable to those portions of the reimbursable costs of each unit of the project which are properly allocated to commercial power development and municipal and industrial water supply shall be determined by the Secretary of the Treasury, as of the beginning of the fiscal year in which the first advance is made for initiating construction of such unit, on the basis of the computed average interest rate payable by the Treasury upon its outstanding marketable public obligations which are either due nor callable for redemption for fifteen years from the date of issue.

“(i) Business-type budgets shall be submitted to the Congress annually for all operations financed by the development fund.

“Sec. 404. (a) Irrigation repayment contracts shall provide for repayment of the obligation assumed under any irrigation repayment contract with respect to any project contract unit or irrigation block over a basic period of not more than fifty years exclusive of any development periods authorized by law; contracts authorized by section 9(e) of the Reclamation Project Act of 1939 (53 Stat. 1196; 43 U.S.C. 485h(e)) may provide for delivery of water for a period of fifty years and for the delivery of such water at an identical price per acre-foot for water of the same class at the several points of delivery from the main canals and conduits and from such other points of delivery as the Secretary may designate; and long-term contracts relating to irrigation water supply shall provide that water made available thereunder may be made available by the Secretary for municipal or industrial purposes if and to the extent that such water is not required by the contractor for irrigation purposes.

“(b) Contracts relating to municipal and industrial water supply from the project may be made without regard to the limitations of the last sentence of section 9(c) of the Reclamation Project Act of 1939 (53 Stat. 1194); may provide for the delivery of such water at an identical price per acre-foot for water of the same class at the several points of delivery from the main canals and conduits; and may provide for repayment over a period of fifty years if made pursuant to clause (1) of said section and for the delivery of water over a period of fifty years if made pursuant to clause (2) thereof.

“Sec. 405. On January 1 of each year the Secretary shall report to the Congress, beginning with the fiscal year ending June 30, 1968, upon the status of the revenues from and the cost of constructing, operating, and maintaining the project and each unit thereof for the preceding fiscal year. The report of the Secretary shall be prepared to reflect accurately the Federal investment allocated at that time to power, to irrigation, and to other purposes, the progress of return and repayment thereon, and the estimated rate of progress, year by year, in accomplishing full repayment.

“TITLE V—UPPER COLORADO RIVER BASIN AUTHORIZATIONS AND REIMBURSEMENTS

“Sec. 501. (a) In order to provide for the construction, operation, and maintenance of the Animas-La Plata Federal reclamation project, Colorado-New Mexico; the Dolores Dallas Creek, West Divide, San Miguel Federal reclamation projects, Colorado, as participating projects under the Colorado River Storage Project Act (70 Stat. 105; 43 U.S.C. 620), and to provide for the completion of planning reports on other participating projects, subsection (2) of section 1 of said Act is hereby further amended by deleting the words ‘Pine River extension’, and inserting in lieu thereof the words ‘Animas-La Plata, Dolores, Dallas Creek, West Divide, San Miguel: *Provided that,* construction of the Dallas Creek, West Divide, and San Miguel Participating Projects shall not be commenced before construction has been commenced on the importation works authorized by section 203 of this Act’. Section 2 of said Act is hereby further amended by deleting the words ‘Parshall, Troublesome, Rabbit Ear, San Miguel, West Divide, Tomichi Creek, East River, Ohio Creek, Dallas Creek, Dolores, Fruit Growers extension, Animas-La Plata’, and inserting after the words ‘Yellow Jacket’ the words ‘Basalt, Middle Park (including the Troublesome, Rabbit Ear, and Azure units), Upper Gunnison (including the East River, Ohio Creek, and Tomichi Creek units), Lower Yampa (including the Juniper and Great Northern units), Upper Yampa (including the Hayden Mesa, Wessels, and Toponas units)’, and by inserting after the word ‘Sublette’ the words ‘(including a diversion of water from the Green River to the North Platte River Basin in Wyoming), Uintah unit and Ute Indian unit of the central Utah, San Juan County (Utah), Price River, Grand County (Utah), Ute Indian unit extension of the central Utah, Gray Canyon, and Juniper (Utah)’: *Provided,* That the planning report for the Ute Indian unit of the central Utah participating project shall be completed on or before December 31, 1971. The amount which section 12 of said Act authorizes to be appropriated is hereby further increased by the sum of $360,000,000 plus or minus such amounts, if any, as may be required, by reason of changes in construction costs as indicated by engineering cost indexes applicable to the type of construction involved. This additional sum shall be available solely for the construction of the projects herein authorized.

“(b) The Animas-La Plata Federal reclamation project shall be constructed and operated in substantial accordance with the engineering plans set out in the report of the Secretary transmitted to the Congress on May 4, 1966, and printed as House Document 436, Eighty-ninth Congress: *Provided,* That the project construction of the Animas-La Plata Federal reclamation project shall not be undertaken until and unless the States of Colorado and New Mexico shall have ratified the following compact to which the consent of Congress is hereby given:

“‘ANIMAS-LA PLATA PROJECT COMPACT

“‘The State of Colorado and the State of New Mexico, in order to implement the operation of the Animas-La Plata Federal Reclamation Project, Colorado-New Mexico, a proposed participating project under the Colorado River Storage Project Act (70 Stat. 105), and being moved by considerations of interstate comity, have resolved to conclude a compact for these purposes and have agreed upon the following articles:

“‘ARTICLE I

“‘A. The right to store and divert water in Colorado and New Mexico from the La Plata and Animas River systems, including return flow to the La Plata River from Animas River diversions, for uses in New Mexico under the Animas-La Plata Federal Reclamation Project shall be valid and of equal priority with those rights granted by decree of the Colorado state courts for the uses of water in Colorado for that project, providing such uses in New Mexico are within the allocation of water made to that state by articles III and XIV of the Upper Colorado River Basin Compact (63 Stat. 31).

“‘B. The restrictions of the last sentence of Section (a) of Article IX of the Upper Colorado River Basin Compact shall not be construed to vitiate paragraph A of this article.

“‘ARTICLE II

“‘This Compact shall become binding and obligatory when it shall have been ratified by the legislature of each of the signatory States.’

“(c) The Secretary shall, for the Animas-La Plata, Dolores, Dallas Creek, San Miguel, West Divide, and Seedskadee participating projects of the Colorado River storage project, establish the nonexcess irrigable acreage for which any single ownership may receive project water at one hundred and sixty acres of class 1 land or the equivalent thereof, as determined by the Secretary, in other land classes.

“(d) In the diversion and storage of water for any project or any parts thereof constructed under the authority of this Act or the Colorado River Storage Project Act within and for the benefit of the State of Colorado only, the Secretary is directed to comply with the constituion and statutes of the State of Colorado relating to priority of appropriation; with State and Federal court decrees entered pursuant thereto; and with operating principles, if any, adopted by the Secretary and approved by the State of Colorado.

“(e) The words ‘any western slope appropriations’ contained in paragraph (i) of that section of Senate Document Numbered 80, Seventy-fifth Congress, first session, entitled ‘Manner of Operation of Project Facilities and Auxiliary Features,’ shall mean and refer to the appropriation heretofore made for the storage of water in Green Mountain Reservoir, a unit of the Colorado-Big Thompson Federal reclamation project, Colorado; and the Secretary is directed to act in accordance with such meaning and reference. It is the sense of Congress that this directive defines and observes the purpose of said paragraph (i), and does not in any way affect or alter any rights or obligations arising under said Senate Document Numbered 80 or under the laws of the State of Colorado.

“Sec. 502. The Upper Colorado River Basin fund established under section 5 of the Act of April 11, 1956 (70 Stat. 107), shall be reimbursed from the Colorado River development fund established by section 2 of the Boulder Canyon Project Adjustment Act (54 Stat. 755), for all expenditures heretofore or hereafter made from the Upper Colorado River Basin fund to meet deficiencies in generation at Hoover Dam during the filling period of reservoirs of storage units of the Colorado River storage project pursuant to the criteria for the filling of Glen Canyon Reservoir (27 Fed. Reg. 6851, July 19, 1962). For this purpose $500,000 for each year of operation of Hoover Dam and powerplant, commencing with the enactment of this Act, shall be transferred from the Colorado River development fund to the Upper Colorado River Basin fund, in lieu of application of said amounts to the purposes stated in section 2(d) of the Boulder Canyon Project Adjustment Act, until such reimbursement is accomplished. To the extent that any deficiency in such reimbursement remains as of June 1, 1987, the amount of the remaining deficiency shall then be transferred to the Upper Colorado River Basin fund from the Lower Colorado River Basin development fund, as provided in paragraph (d) of section 403.

“TITLE VI—GENERAL PROVISIONS: DEFINITIONS: CONDITIONS

“Sec. 601. (a) Nothing in this Act shall be construed to alter, amend, repeal, modify, or be in conflict with the provisions of the Colorado River compact (45 Stat. 1057), the Upper Colorado River Basin compact (63 Stat. 31), the Water Treaty of 1944 with the United Mexican States (Treaty Series 994), the decree entered by the Supreme Court of the United States in Arizona against California, and others (376 U.S. 340), or, except as otherwise provided herein, the Boulder Canyon Project Act (45 Stat. 1057), the Boulder Canyon Project Adjustment Act (54 Stat. 774), or the Colorado River Storage Project Act (70 Stat. 105).

“(b) The Secretary is directed to—

“(1) make reports as to the annual consumptive uses and losses of water from the Colorado River system after each successive five-year period, beginning with the five-year period starting on October 1, 1965. Such reports shall be prepared in consultation with the States of the lower basin individually and with the Upper Colorado River Commission, and shall be transmitted to the President, the Congress, and to the Governors of each State signatory to the Colorado River compact.

"(2) condition all contracts for the delivery of water originating in the drainage basin of the Colorado River system upon the availability of water under the Colorado River compact.

"(c) All Federal officers and agencies are directed to comply with the applicable provisions of this Act, and of the laws, treaty, compacts, and decree referred to in subsection (a) of this section, in the storage and release of water from all reservoirs and in the operation and maintenance of all facilities in the Colorado River system under the jurisdiction and supervision of the Secretary, and in the operation and maintenance of all works which may be authorized hereafter for construction for the importation of water into the Colorado River system. In the event of failure of any such officer or agency to so comply, any affected State may maintain an action to enforce the provisions of this section in the Supreme Court of the United States and consent is given to the joinder of the United States as a party in such suit or suits, as a defendant or otherwise.

"(d) Nothing in this Act shall be construed to expand or diminish either Federal or State jurisdiction, responsibility, or rights in the field of water resources planning, development, or control; nor to displace, supersede, limit, or modify any interstate compact or the jurisdiction or responsibility of any legally established joint or common agency of two or more States, or of two or more States and the Federal Government; nor to limit the authority of Congress to authorize and fund projects.

"Sec. 602. (a) The Secretary shall propose criteria for the coordinated long-range operation of the reservoirs constructed and operated under the authority of this Act, the Colorado River Storage Project Act, the Boulder Canyon Project Act, and the Boulder Canyon Project Adjustment Act. To effect in part the purposes expressed in this paragraph, the criteria shall make provision for the storage of water in storage units of the Colorado River storage project and releases of water from Lake Powell in the following listed order of priority:

"(1) Releases to supply one-half the deficiency described in article III(c) of the Colorado River compact, if any such deficiency exists and is chargeable to the States of the upper division, but in any event such releases, if any, shall terminate when the President issues the proclamation specified in section 305(b) of this Act.

"(2) Releases to comply with article III(d) of the Colorado River compact, less such quantities of water delivered into the Colorado River below Lee Ferry to the credit of the States of the upper division from sources outside the natural drainage area of the Colorado River system.

"(3) Storage of water not required for the releases specified in clauses (1) and (2) of this subsection to the extent that the Secretary, after consultation with the Upper Colorado River Commission and representatives of the three lower division States and taking into consideration all relevant factors (including, but not limited to, historic streamflows, the most critical period of record, and probabilities of water supply), shall find to be reasonably necessary to assure deliveries under clauses (1) and (2) without impairment of annual consumptive uses in the upper basin pursuant to the Colorado River compact: *Provided*, That water not so required to be stored shall be released from Lake Powell: (i) to the extent it can be reasonably applied in the States of lower division to the uses specified in article III(e) of the Colorado River compact, but no such releases shall be made when the active storage in Lake Powell is less than the active storage in Lake Mead, (ii) to maintain, as nearly as practicable, active storage in Lake Mead equal to the active storage in Lake Powell, and (iii) to avoid anticipated spills from Lake Powell.

"(b) Not later than July 1, 1968, the criteria proposed in accordance with the foregoing subsection (a) of this section shall be submitted to the Governors of the seven Colorado River Basin States and to such other parties and agencies as the Secretary may deem appropriate for their review and comment. After receipt of comments on the proposed criteria, but not later than January 1, 1969, the Secretary shall adopt appropriate criteria in accordance with this section and publish the same in the Federal Register. Beginning January 1, 1970, and yearly thereafter, the Secretary shall transmit to the Congress and to the Governors of the Colorado River Basin States a report describing the actual operation under the adopted criteria for the preceding compact water year and the projected operation for the current year. As a result of actual operating experience or unforeseen circumstances, the Secretary may thereafter modify the criteria to better achieve the purposes specified in subsection (a) of this section, but only after correspondence with the Governors of the seven Colorado River Basin States and appropriate consultation with such State representatives as each Governor may designate.

"(c) Section 7 of the Colorado River Storage Project Act shall be administered in accordance with the foregoing criteria.

"Sec. 603. (a) Rights of the upper basin to the consumptive use of water apportioned to that basin from the Colorado River system by the Colorado River compact shall not be reduced or prejudiced by any use of such water in the lower basin.

"(b) Nothing in this Act shall be construed so as to impair, conflict with, or otherwise change the duties and powers of the Upper Colorado River Commission.

"Sec. 604. Except as otherwise provided in this Act, in constructing, operating, and maintaining the units of the project herein and hereafter authorized, the Secretary shall be governed by the Federal reclamation laws (Act of June 17, 1902; 32 Stat. 388 and Acts amendatory thereof or supplementary thereto) to which laws this Act shall be deemed a supplement.

"Sec. 605. (a) All terms used in this Act which are defined in the Colorado River compact shall have the meanings there defined.

"(b) 'Main stream' means the main stream of the Colorado River downstream from Lee Ferry within the United States, including the reservoirs thereon.

"(c) 'User' or 'water user' in relation to main stream water in the lower basin means the United States, or any person or legal entity, entitled under the decree of the Supreme Court of the United States in Arizona against California, and others (376 U.S. 340), to use main stream water when available thereunder.

"(d) 'Active storage' means that amount of water in reservoir storage, exclusive of bank storage, which can be released through the existing reservoir outlet works.

"(e) 'Colorado River Basin States' means the States of Arizona, California, Colorado, Nevada, New Mexico, Utah, and Wyoming."

Amend the title so as to read: "A bill to authorize the construction, operation, and maintenance of the Colorado River Basin project and for other purposes."

Mr. HANSEN. I note for the Record, that a word change has been made at page 5, line 9, changing the word "may" as the amendment was printed to "shall."

Unfortunately, that amendment was rejected by the committee.

Let me speak for a moment, if I may, about several of the underlying issues in this controversy. Let me speak about the need for a revenue-producing facility on the Colorado River such as has been urged by the Senators from California, Utah, Colorado, and Wyoming, versus the argument that such a facility as the Hualapai Dam would do irrepairable damage to the natural wonders of the canyons of the Colorado River system. My answer to those who make such a claim is a simple one. I would say to the administration and to those who propose the elimination of a hydroelectric facility from this legislation that if the Hualapai Dam is in fact abhorrent to the majority in this Nation, then so be it. But if the Nation does have a real interest in preserving the Grand Canyon in its unblemished state, then the Nation also has an equal interest in providing the same funds as would have been provided by the revenue-producing facility. The Nation has a great stake in the economic welfare of the entire Colorado River Basin. In response to this interest the Nation should be prepared to pay, in one form or another, for the importation of water into the thirsty Colorado River. To make the importation of water into the Colorado River, a national obligation may be small cost to pay for a bigger and better Grand Canyon National Park.

If the administration is sincere in its desire to protect the national interest, then I believe that this sincerity must extend in both directions. This may mean a recognition of the natural values to be preserved, but it also means that the administration must come forward with a plan for importation works paid for out of the National Treasury which will meet the growing needs of this thirsty region. Thus, I assert that the onus is on the administration to show its good faith in this respect.

But I have no illusions. At this late date in the history of this bitterly contested legislation, the administration has shown a much greater inclination to base its decisions on political expediency rather than on a stimulation of the national interest.

Therefore, I believe that the burden rests even more heavily upon Congress to give full attention to the mounting demands which will be made upon the inadequate water supplies of the Colorado River and to leave no doubt as to its strong recognition of the supremacy of the interstate compacts apportioning the water between the various States of the basin. The realities of the yield of this river and the obligations which have been placed upon it must no longer be ignored. In my view, it is unconscionable to propose to the Congress, as is done in S. 1004, that the interests of an entire region be made to suffer while singular benefits are brought to one State. The administration-sponsored proposal reported out by the Senate and Interior Insular Affairs Committee rejects all of the years of work that have gone into achieving a realistic and responsible approach for a basinwide development which would have treated with equity all of the States in the Colorado River Basin.

I denounce this legislation and I urge the Congress and the Nation to do likewise.

Mr. President, I thank the distinguished Senator from Utah for his graciousness in yielding to me at this time. I yield the floor.

Mr. MOSS. Mr. President, I commend the Senator from Wyoming for his forthright statement on the floor today.

I know of the long hours of study he has devoted to this matter. He has participated fully in the committee hearings, the committee consideration of the bill, and the executive sessions.

Before he came to the Senate, he was a great Governor of his State of Wyoming, a neighboring State of Utah. During all of those years, he has had great devotion to the interest of not only Wyoming but also of all the West and, indeed, the entire Nation.

I agree that his statement here indicates that the pending bill is a small, fractional treatment of a problem that stretches far beyond the State of Arizona and even beyond the Colorado River Basin. If the Senate does not measure up to its obligation and if Congress does not treat this matter as it is, as a national and regional problem, we will be plagued for years with deficiencies and difficulties in the water seat.

Mr. President, I rise to state my position on S. 1004, the bill before us. The record will show that I voted to report the bill to the floor, but it will also show that I filed my separate views on the legislation explaining my views and my actions. I clearly stated that I would offer or support an amendment or amendments on the floor of the Senate to rectify the glaring deficiencies in the bill and press as hard as I could for their adoption. Without these modifications I cannot support the measure before us.

Three years ago I was the chairman of the subcommittee considering the central Arizona project or, as it was also called, the southwest water plan. In this capacity I introduced the compromise bill that evolved from our hearings and discussion. This was the first bill upon which Arizona and California Senators could unite. But in a spirit of compromise each State gave some ground—or, should I say water—and we had a bill in the interest of both, and in the interest of the country. But action was not forthcoming from the other body.

In that compromise bill, which bore the number S. 1658, there was a section 103 which reads as follows, and this is not lengthy, but it deals with the subject that I think is now missing from the pending bill:

SEC. 103. (a) The Secretary of the Interior is authorized and directed to—

(1) Prepare estimates of the long-range water supply available for consumptive use in the Lower Colorado River Basin, of current water requirements in said basin, and of the rate of growth of water requirements therein to the year 2030.

(2) Investigate alternative sources in the State of California and various methods such as weather modification and desalinization of water as means of supplying water to meet the current and anticipated water requirements in the Lower Colorado River Basin, and prepare preliminary plans to accomplish such purpose. In planning any works to import water into the Lower Colorado River Basin from alternative sources in California, the Secretary shall give due consideration to existing and future needs within the areas of origin of the imported water and the State of California and the means of offsetting the additional costs of future projects within said areas of origin and State of California caused by the preemption of the lower cost water sources that otherwise would have benefited said areas of origin and State of California, including the use of the development fund for this purpose.

(3) Investigate projects within the Lower Colorado River Basin, including projects on tributaries of the Colorado River, where undeveloped water supplies are available or can be made available by replacement or exchange.

(4) (a) Investigate means of providing for prudent water conservation practices to permit maximum beneficial utilization of available water supplies.

(b) The Secretary shall submit annually to the President and the Congress reports covering the investigations required by subsection (a) and, within five years from the effective date of this Act, the Secretary shall recommend to the President and the Congress projects and programs for authorization pursuant to paragraphs (2), (3), and (4) of subsection (a) and shall submit feasibility reports on such projects and programs. Said recommendation and feasibility reports shall include projects designed to provide water of an adequate quality for the Lower Colorado River Basin to assist in meeting that basin's long-range needs and, in any event, sufficient to meet deficiencies between the quantities required to supply water for the annual consumptive use of two million eight hundred thousand acre-feet in Arizona, four million four hundred thousand acre-feet in California, and three hundred thousand acre-feet in Nevada and the quantities available in the main stream of the Colorado River for such uses as determined by the Secretary.

That is the end of section 103.

It is very clear that what this bill did—the first compromise bill that we finally reported from the Interior Committee—was to require the Secretary of the Interior to make the studies and to report on the feasibility of augmentation of the river; and it clearly indicates an amount of water over and above the legal requirements and the difference that the river runs. This is what is missing from the pending measure.

Mr. ALLOTT. Mr. President, will the Senator yield?

Mr. MOSS. I yield.

Mr. ALLOTT. The Senator has been discussing this matter, and I wish to make clear at this point which bill he has been discussing. This is the bill that was introduced in the House last year?

Mr. MOSS. No. This is the bill that goes back to 1964, which the Senate reported at that time—S. 1658, of 1964.

Mr. ALLOTT. The bill which was reported by the Senate Committee on Interior and Insular Affairs?

Mr. MOSS. That is correct.

Mr. ALLOTT. I believe that was reported with the Senator's vote, was it not?

Mr. MOSS. It was, indeed. As I attemped to explain, this was the first time that Arizona and California agreed on a bill. As far back as 1964 we were together on the provision of a study and a report on importation of water into the basin.

Mr. ALLOTT. I thank the Senator.

Mr. MOSS. In the report that this was made with S. 1658 in 1964, filed in August of that year, is an interesting congressional history of the bills with regard to the Colorado River. I read briefly from the report:

CONGRESSIONAL HISTORY

The Central Arizona project has had a long history. Arizona's desire to utilize the waters of the Colorado River in central Arizona antedates 1918. The present plan for the Central Arizona units is the result of an evolutionary process. It is essentially, the plan set forth in the December 1947 report of the Bureau of Reclamation. House Document 136, 81st Congress, 1st session. This plan was subsequently updated as of June 1963, and submitted to this committee. Hearings on previous authorization bills were had in both the Senate and the House during the 79th (on H.R. 934 and H.R. 935), 80th (on S.J. Res. 145 and H.J. Res. 227), 81st (on S. 75 and S.J. Res. 4), and 82d (on H.R. 1500 and H.R. 1501) Congresses. Two of these bills passed the Senate, but none passed the House.

The obstacle to passage of the authorizing legislation was the dispute between California and Arizona over their respective rights to the waters of the Colorado River. In connection with this dispute, the Honorable Earl Warren, then Governor of the State of California, in a letter dated December 29, 1948, to the Secretary of the Interior, in respect to the Central Arizona project, stated:

"It is only because a determination of the respective rights of the lower basin States to the waters of the Colorado River system has not been made that California submits any criticism of your proposed report."

On April 18, 1951, the Committee on Interior and Insular Affairs of the House of Representatives adopted a resolution that consideration of bills relating to the Central Arizona project "be postponed until such time as use of the waters in the Lower Colorado River Basin is either adjudicated or binding or mutual agreement as to the use of the waters is reached by the States of the Lower Colorado River Basin."

Shortly after this resolution was adopted, an action was instituted by the State of Arizona against the State of California to obtain such an adjudication. On June 3, 1963, the Supreme Court in *Arizona v. California* (373 U.S. 546), vindicated most of Arizona's contentions as to her rights and rejected most of California's. S. 1658 was introduced the day after the opinion was announced.

There is a section on the history of the litigation in Arizona against California, and there is a section dealing with the history of the Colorado River. I ask unanimous consent that these two sections of the report be printed at this point in the RECORD.

There being no objection, the excerpts were ordered to be printed in the RECORD, as follows:

HISTORY OF LITIGATION

Arizona v. California was filed in 1952, as an original action in the Supreme Court of the United States, by Arizona against California and seven of the latter's public agencies. The United States and Nevada later intervened, and New Mexico and Utah were joined as additional parties on the motion of California. The principal controversy concerned the relative rights of California and Arizona to the legal use of water from the Colorado River. After lengthy preliminary proceedings the matter came to trial before Simon H. Rifkind, Esq., as a Special Master appointed by the Supreme Court. The trial before Mr. Rifkind began on June 14, 1956, and ended August 28, 1958; some 340 witnesses were heard orally or upon deposition and approximately 25,000 pages of transcript were filled. The Master reported his findings and his recommended decree to the Supreme Court on January 16, 1961. The Court heard argument on January 8–11, 1962 and required a reargument on November 13–14, 1962. The opinion of the Court was rendered June 3, 1963. The final decree was entered on March 9, 1964 (376 U.S. 340).

The Court held and decreed that, if sufficient water is available to satisfy 7,500,000 acre-feet of annual consumptive use from waters of the main stream of the Colorado River without regard to the lower basin tributaries, then of such 7,500,000 acre-feet of consumptive use, there are apportioned to Arizona 2,800,000 acre-feet, to California 4,400,000 acre-feet, and to Nevada 300,000 acre-feet.

The Court held and decreed that if there is insufficient main-stream water available to satisfy the annual consumptive use of 7,500,000 acre-feet in Arizona, California and Nevada: (1) the Secretary of the Interior must satisfy present perfected rights, i.e., those existing as of June 25, 1929, in order of priority and without regard to State lines; and (2) that if there were an amount remaining for consumptive use, it should be apportioned by the Secretary "* * * in such manner as is consistent with the Boulder Canyon Project Act as interpreted by the opinion of this Court herein, and with other applicable Federal statutes." As interpreted by the Court, the Boulder Canyon Project Act does not provide a priority to existing uses except "present perfected rights," existing as of June 25, 1929. The Court specifically rejected California's contrary contentions, saying "* * * we cannot accept California's contention that in case of shortage each State's share of water should be determined by the judicial doctrine of equitable apportionment or by the law of prior appropriation (373 U.S. at 593–594)."

Counsel for the California agencies testified at the hearings on S. 1658 that California's entitlement to 4.4 million acre-feet is not superior to Arizona's entitlement to 2.8 million acre-feet. In response to Senator Anderson's question: "Does the Supreme Court give you 4.4 superior to Arizona's 2.8?" he answered: "No, sir; it did not." The committee agrees California's entitlement to 4,400,000 acre-feet is not superior to Arizona's entitlement to 2,800,000 acre-feet.

By the opinion and decree, Arizona is placed in the position of having met the requirement of the Committee on Interior and Insular Affairs of the House of Representatives as set forth in its resolution of April 18, 1951, and is in a position to renew its request for authorization of the central Arizona project. The request is now supported by the authority of the highest Court.

The legal support for Arizona's request has been recognized by responsible authorities in California. Shortly after the Supreme Court decision, the Honorable Edmund G. Brown, Governor of the State of California, announced that California having lost the Supreme Court case "would not try to accomplish by obstruction what she had failed to accomplish by litigation."

HISTORY OF THE COLORADO RIVER

The Colorado River has its origin in the mountains of Colorado and flows in a southwesterly direction for about 1,300 miles through Colorado, Utah, and Arizona and along the Arizona-Nevada and Arizona-California boundaries, after which it empties into the Gulf of California. Its tributary waters are received from Wyoming, Colorado, Utah, New Mexico, Nevada, and Arizona. The river drains an area of approximately 242,000 square miles, encompassing practically one-twelth of the area of the continental United States, excluding Alaska. Much of this basin, and particularly the lower basin, is dependent upon the waters of the Colorado River in order to make it habitable and productive.

For some 60 years, the efficient use and regulation of the river for purposes of reclamation, flood control, and production of power has been a concern to all of the States through which it flows. As the uses of the waters of the river increased in California, particularly, so did the fears of other States that California would appropriate to her permanent and exclusive use a disproportionate share of the waters of the river, and that the States which were developing more slowly would be deprived of their fair share, and of an opportunity to participate in the use, of the river as a national asset. The fact that the law of prior appropriation prevailed exclusively in all of the affected States except California, and was important there, intensified their fears, particularly after the decision in *Wyoming* v. *Colorado* (259 U.S. 419 (1922)). To allay their fears and to let development proceed, Congress in 1921, authorized the seven States of the Colorado River Basin to compact for the equitable division of the waters of the Colorado River and its tributaries. The compact negotiated pursuant to this authorization is known as the Colorado River compact, and was prepared at Santa Fe, N. Mex., in November of 1922.

The Colorado River drainage is divided by the compact into two basins, an upper basin and a lower basin, with the division point on the river being Lee Ferry, Ariz. It apportions 7,500,000 of beneficial consumptive use annually in perpetuity to the upper basin States and 8,500,000 acre-feet annually to the lower basin States, of waters of the Colorado River system; i.e., from those of the Colorado River and its tributaries within the United States of America. The possibility of a treaty with Mexico was anticipated, and the compact allocates the burden of Mexican rights by declaring they shall be supplied first from surplus over and above the waters allocated to the two basins, and in the event of shortage that the deficiency is to be borne equally by the two basins. The compact also provides that the upper basin shall not deplete the flow of the river at Lee Ferry below an aggregate of 75 million acre-feet for any 10 consecutive years.

The compact did not resolve the relative rights of California and Arizona. Despite the areas of agreement, Arizona and California did not agree upon the amount of water that each would receive from the lower basin allocation.

It was in this setting that a series of bills, all commonly known as Swing-Johnson bills, were introduced in Congress authorizing the construction of a dam on the Colorado and an All-American Canal from the Colorado River to the Imperial Valley in California. Three of these bills failed. The fourth was enacted and became the Boulder Canyon Project Act of December 21, 1928 (45 Stat. 1057). This act authorizes the Secretary of the Interior to construct, operate, and maintain the multiple-purpose dam, now known as Hoover Dam. By the act Congress provided its own method for a complete apportionment of the main stream water among Arizona, California, and Nevada, and implemented this method by authorizing the Secretary to carry out the allocation of water through making contracts with the States and water users. The first 7,500,000 acre-feet of beneficial consumptive use of main stream waters were allocated by contract; 4,400,000 acre-feet to California, 2,800,000 to Arizona, and 300,000 to Nevada, 373 U.S. at 575, 580, 583. Any surplus over 7,500,000 acre-feet is divided equally between Arizona and California.

This act became effective on June 25, 1929, when six States of the basin, all except Arizona, had ratified the Colorado River compact, and when the California Legislature had passed an act accepting a limitation of 4,400,000 acre-feet per year as required by the Boulder Canyon Project Act (Calif. Stats. 1929, c. 16, p. 38).

Even after the enactment of the Boulder Canyon Project Act and the California Limitation Act, California contended that it was entitled to a greater amount of water from the main stream than the 4,400,000 acre-feet allotted to her. It also contended that Arizona was entitled to less than the 2,800,000 acre-feet from the main stream by an amount equal to her uses on her tributaries. Arizona argued to the contrary. Because of this basic dispute, Congress refused to consider the central Arizona project further until the legal rights to the use of the waters allocated to the lower basin had been settled.

On June 3, 1963, in *Arizona* v. *California* (373 U.S. 546), the Supreme Court of the United States decided the tributary issue by holding that California was entitled to 4,400,000 and Arizona was entitled to 2,800,000 acre-feet of beneficial consumptive use from the waters in the main stream of the river, provided, of course, that the lower basin entitlement could support such use.

Thus, the longstanding controversy between Arizona and California as to their respective rights to the main stream waters of the Colorado River was resolved, and Arizona was in position to renew its request for authorization of the central Arizona project, and to ask California to redeem the pledge the Honorable Earl Warren gave as Governor of California in 1948:

"Whenever it is finally determined which waters belong to Arizona, it should be permitted to use that water in any manner or by a method considered best by Arizona * * *."

The central Arizona project will enable the State of Arizona to put to beneficial use that portion of the waters of the main stream of the Colorado River allocated to it by the Supreme Court but which it is presently unable to use because of lack of diversion works, and to meet thereby a critical need for a supplemental water supply in the densely populated central portion of the State.

S. 1658 was thereupon introduced to authorize the construction of the central Arizona project in order that the waters of the river adjudicated for the use of Arizona could be most beneficially applied for her lands and people.

Mr. MOSS. Then there is a section on the present bill:

On April 9, 1964, the Honorable Stewart L. Udall, Secretary of the Interior, presented to the committee a plan for the development of the water resources of the Pacific Southwest on a broad regional basis. The plan acknowledges the feasibility of the central Arizona project as presented in S. 1658. A draft of bill to authorize the Pacific Southwest water plan was submitted to the committee at the time the plan was submitted. The proposed bill provided for the development of the water resources of the entire Pacific Southwest, the establishment of a Pacific Southwest Development Fund, and the creation of a Pacific Southwest Regional Water Commission.

From the discussion of that bill and S. 1658 as originally introduced by Senators Hayden and Goldwater, an amendment was offered by the Honorable Frank E. Moss, chairman of the subcommittee, which amends S. 1658 as originally introduced and which was reported favorably by the subcommittee on July 27, 1964.

PURPOSES OF THE BILL

The purposes of the bill are: (1)—

Notice that this is No. 1—

> to augment the existing water supply in the Lower Colorado River Basin; (2) to remove the threats of water shortages; (3) to authorize construction of the following units of the Lower Colorado Basin project; (a) the main stream reservoir unit consisting of Bridge Canyon and Marble Canyon projects; (b) the Central Arizona unit; (c) the southern Nevada water supply unit; (4) to secure to Arizona, California, and Nevada the shares of the river which the Supreme Court apportioned to them; (5) to accomplish the foregoing without impinging on the rights of the upper basin States—Colorado, New Mexico, Utah, and Wyoming—under the Colorado River compact; (6) to provide for recreational facilities, and the conservation of natural, historic and archaeological objects; (7) to conserve and develop fish and wildlife; (8) to authorize the creation of the Colorado-Pacific Regional Water Commission.

That is the end of the excerpt from the report, except that I wish to underline again that in listing the purposes of the bill, the first one is "to augment the existing water supply of the Lower Colorado River Basin," and the second, "to remove the threats of water shortages."

So when the committee in 1964 finished its hearings and reported its bill, those were the foremost objectives of the bill.

As I indicated earlier, the other body did not act on the bill, so it died. But last year the Interior Committee of the House reported a bill, one that I consider a good central Arizona bill. But no action was taken on the floor of the House. That bill contained a section—title II, the National Water Commission and Southwest Investigations and Planning—which was similar in effect to the sections I read in the previous Senate bill.

Section 201 of H.R. 4671, the bill reported by the House of Representatives last year, reads:

> SEC. 201. (a) There is established the National Water Commission (hereinafter referred to as the "Commission").
>
> (b) The Commission shall be composed of seven members, who shall be appointed by the President and serve at his pleasure.

Section 202 of that bill provided:

> SEC. 202. (a) The Commission shall (1) review present and anticipated national water resource problems, making such projections of water requirements as may be necessary and identifying alternative ways of meeting these requirements—giving consideration, among other things, to conservation and more efficient use of existing supplies, increased usability by reduction of pollution, innovations to encourage the highest economic use of water, interbasin transfers, and technological advances including, but not limited to desalting, weather modification and waste water purification and reuse; (2) consider economic and social consequences of water resource development, including, for example, the impact of water resource development on regional economic growth, on institutional arrangements, and on esthetic values affecting the quality of life of the American people; (3) advise on such specific water resource matters as may be referred to it by the President and the Water Resources Council established in section 101 of the Water Resources Planning Act (79 Stat. 245) (hereinafter referred to as the "Council"); and (4) conduct such specific investigations as are authorized herein or as hereafter may be authorized by the Congress.
>
> (b) The Commission shall consult with the Council regarding its studies and shall furnish its proposed reports and recommendations to the Council for review and comment. The Commission shall submit to the President such interim and final reports as it deems appropriate, and the Council shall submit to the President its views on the Commission's reports. The President shall transmit the Commission's final report to the Congress together with such comments and recommendations for legislation as he deems appropriate.

Mr. President, the point I am making is that I wish to call attention to the fact that the House bill devoted itself in the first section of the bill to setting up the commission, with the duties we have spoken of.

In the report that accompanied the bill I shall read from page 16. This is Report No. 1849 of the 89th Congress, second session, House of Representatives:

> (3) While "in basin" conservation measures and programs can assist in relieving the critical lower basin water situation, it appears to the committee that the long-term answer to the problem must be an augmentation of the water supply of the Colorado River. The source of this additional water will be determined by the studies authorized by the act, including as possible sources: importation from other basins, desalination, and weather modification.
>
> * * * * *
>
> (6) Under long-standing Federal water resource development policy, the financial assistance which would be provided by the power operations at the Marble Canyon and Hualapai Dams is necessary to the feasibility of the central Arizona unit, as well as to the feasibility of any important works, desalination projects or other projects which may be authorized later. In addition, these dams will furnish valuable and needed electric power and energy to load centers in the project area; power for pumping water to the central Arizona units; provide outdoor recreation opportunities for hundreds of thousands of people annually, including opportunities to view and enjoy the spectacular canyon scenery which in the past only a few have been able to see; and provide much needed economic assistance to the Hualapai Tribe of Indians. In view of the foregoing and after its thorough study and consideration of the nominal effect of these dams upon the Grand Canyon National Park, the committee has approved and recommends the construction of both of these dams on the Colorado River.

On page 29 there is a discussion of the Colorado River water supply and the need for augmentation. I shall quote from that section:

> ### COLORADO RIVER WATER SUPPLY AND NEED FOR AUGMENTATION
>
> #### WATER SUPPLY CONTROVERSY
>
> For at least the last five decades, the water resources of the Colorado River Basin have been a subject of controversy. The water supplies available are severely limited in proportion to the other natural resources of the seven basin States and water needs are continuing to expand. The imbalance has become more acute during the past 20 years as the result of the increasing population of the Nation and the westward migration of the hundreds of thousands of persons seeking new opportunities, homes, and space.
>
> From the time of the authorization of the first Federal water development project in the basin to the hearings on this legislation, the Congress has been subjected to a barrage of conflicting testimony concerning the amount of available water and the uses for which it should be or should not be developed. During the period between 1953–56 the committee had under consideration legislation to authorize the Colorado River storage project. Notwithstanding bitter opposition to the legislation based on arguments with regard to water supply, the committee approved that legislation because such a large portion of the consumptive use of water apportioned by the Colorado River compact for use in the upper basin was still available in 1956. Furthermore, the storage units and participating projects authorized in the Colorado River Storage Project Act brought the total consumptive use of water in the upper basin to less than 50 percent of the total apportioned to it by the compact.
>
> #### COLORADO RIVER FLOWS
>
> Hydrologists regard the virgin or estimated undepleted flow of the Colorado River at Lee Ferry, Ariz., as an index of the basin's water supply. Annual flows of the river vary within wide limits. Figure 1 indicates that the virgin flow at Lee Ferry has varied between about 5.6 and 24 million acre-feet per year since 1896—the long-term annual average being about 14.9 million acre-feet. From 1933 to 1965 the progressive 10-year average virgin flow line has remained below the long-term average virgin flow.
>
> At the time the Colorado River compact of 1922 was negotiated, the available records indicated that the average annual virgin flow amounted to about 17 million acre-feet. By 1964, this long-term average had decreased to 14.9 million acre-feet. The Upper Colorado River Basin compact commissioners used, as the basis of their compact, the 1914–45 streamflow records—the average for that period being calculated at 15.6 million acre-feet. For the term beginning at the time of the negotiation of the Colorado River compact, 1922–64, the average annual virgin flow was only 13.8 million acre-feet, with the lowest 10 consecutive years on record being the years from 1931–40 and 1954–63 when the average annual virgin flow amounted to only 11.8 million acre-feet.

Mr. President, from this we find that the river does not supply the amount of water it was calculated to do when the legal division of the water was made and, therefore, there is a shortage in the river. There cannot be enough water to satisfy the obligations. Unless we have an augmentation of the supply there will never be enough water to go around and there will be constant litigation.

Mr. President, when hearings were held in the House of Representatives dealing with H.R. 4671, Mr. Ival V. Goslin, executive director, Upper Colorado River Commission, the official head responsible for representing the upper basin States on the management of the river on the upper basin, appeared as a witness. On page 1057 of those hearings, on May 9, 1966, Mr. Goslin stated as follows:

> Mr. Chairman and members of the committee, my name is Ival V. Goslin. I am Executive Director of the Upper Colorado River Commission. Our Commission was created by the Upper Colorado River Basin Compact. It is an interstate, administrative agency of the Upper Division States of the Colorado River Basin. These states are Colorado, New Mexico, Utah, and Wyoming.
>
> Fundamentally our Upper Colorado River Commission is interested in H.R. 4671 and related bills to authorize a Lower Colorado River Basin project, or a Central Arizona unit, because of the imbalance that exists between the water supply of the Colorado River Basin and its other natural resources. Water resource development in this basin has reached the stage where any new, large project could have an impact on the future of other areas in the basin. Due to the present water shortage in the Lower Colorado

River Basin and the impending shortage in the Upper Basin these two regions are more closely interrelated with respect to water development than they have ever been in the past. For instance, as emphasized at the hearings on H.R. 4671 last August, the operation of a large, water consuming project in the Lower Basin is possible only by temporarily utilizing in part, presently unused water apportioned in 1922 to the Upper Basin by the Colorado River Compact.[1]

When the 1922 compact was negotiated a consumptive use of 7.5 million acre-feet of water was apportioned to the Upper Basin. We are now faced with the hydrologic reality that even with the extensive hold-over storage facilities, Upper Basin development is destined to a permanent shortage of about 20% of its anticipated use of Colorado River water.[2] Our neighbors in Arizona, California, and Nevada are also encountering painful impediments to their expansion because there is not enough Lower Basin water available for another large-scale project after taking into consideration the Mexican Treaty obligation, existing consumptive uses in the Lower Basin, evaporation, and other losses.

There is broad and general agreement that the water supply of the Colorado River is deficient for potential requirements of both the Upper and Lower Basins, as well as with respect to compact allotments. Therefore, the Upper Basin water people are apprehensive that without protective measures in the pending legislation, the Upper Basin would be forced to stand alone against the adverse effects of nature's failure to supply the amount of water contemplated when the Colorado River Compact was written in 1922.

There are currently extensive storage dams and reservoirs on the Colorado River. Their primary purpose is for regulation of the river in order to fulfill the compact guarantee to deliver 75 million acre-feet to the Lower Basin in each period of ten years while consumptively using upstream as much of the water as needed within the Upper Basin's apportionment. With the river under controlled conditions, the most important factor, so far as the water supply for the Lower Basin is concerned, is the amount of water released from Upper Basin reservoirs for delivery at Lee Ferry, Arizona.

Due to the above-outlined situation, described in detail at the hearings in August 1965, the Upper Colorado River Commission at the previous hearings suggested several amendments to the pending legislation for the consideration of this Committee.[3] Last August there was not complete agreement among the seven states, nor between the two Basins, with respect to these amendments; although there was close to general consensus on several fundamental factors, or certain principles with respect to the rights, obligations, and requirements of each basin as against the other.[4] Since the hearings of last summer there have been many meetings and conferences of representatives of the seven Colorado River Basin States in attempts to attain a final agreement on all particulars that could be presented to this Committee as being unequivocally supported by all of the Basin States. Although the goal of complete agreement was not reached, it is believed that we have a much better understanding of each other's problems in the basin than has ever existed in the past. Certainly it was in recognition of this spirit that Committee Print No. 19, a recommended revision of H.R. 4671 that came from the negotiations among the Colorado River Basin States, was prepared and presented to this Committee for its consideration. The Upper Colorado River Commission on February 22, 1966, adopted a resolution by a four to one vote, New Mexico being opposed. In this resolution the Commission stated that it regards a predecessor draft of Committee Print No. 19 (a *Recommended Revision* of H.R. 4671 dated February 8, 1966, subsequently slightly revised and dated February 22, 1966) "as one vehicle for implementing its resolution of August 16, 1965, to be submitted to the Interior and Insular Affairs Committees of the United States Congress for their consideration and aid in formulating and enacting a law that will include, among other features, the principles and criteria expressed in said *Recommended Revision.*"[5] A copy of the Commission's resolution of February 22, 1966, is attached to this statement. Therefore, in the light of testimony by representatives of the Lower Basin that has already been heard, the Committee Print is intended to reflect the results of negotiations that have been achieved between the Upper and Lower Division States.

Conferences among the States and between the two basins have produced several recommended changes in the language of the original H.R. 4671, as shown in Committee Print No. 19. It is my purpose to cite the major modifications made by the Committee Print and to briefly describe their meanings and objectives.

(1) Title I has been changed from Lower Colorado River Basin Project to Colorado River Basin Project in order to more adequately describe the true nature of the Bill. The Bill is now intended to be for the benefit of the entire Colorado River Basin. As our studies and negotiations progressed it became more and more evident that close interrelationships of operational procedures involving water storage and regulating facilities in the Upper and Lower Basins require the solution of problems for the entire river—not for only part of it. In the future this close interrelationship will play an even more important role. Each of the changes made in Title I has as its purpose the conversion of H.R. 4671 into a Bill with basin-wide implications.

(2) In Title II of the original H.R. 4671 the Secretary of the Interior was to investigate present and future water supplies and needs, and the possible importation of water into the Basin, as well as other means of augmenting the water supplies. He was also to submit to the President and Congress within three years a plan to import not less than 2.5 million acre-feet per year into the Colorado River. He was to suggest means to protect areas of origin of the imported water.

In the Committee Print the Secretary is authorized and directed to investigate present and future water supplies and needs, possible importation plans, and other means to augment water supplies in both the Upper and Lower Basins. He is also to submit to Federal, State, and other agencies by the year 1970 a first-stage of an importation plan for not less than 2.5 million acre-feet of water per year. He may also plan, as part of the first stage, facilities to include two million acre-feet of imported water for the Lower Basin, two million acre-feet for the Upper Basin, and two million acre-feet to be used in other States along the importation route. The Mexican Treaty water-delivery obligation is declared to be a national obligation. The Colorado River Basin States would be relieved of this burden when not less than 2.5 million acre-feet of water are imported into the Colorado River. Greater protection is also given to areas of origin of imported water by giving priority of right in perpetuity to uses of water to the State within which the water originates, as against the uses of water delivered by means of exportation facilities.

Mr. President, I have quoted from two previous bills, the bill reported to the Senate in 1964, S. 1658, and the bill reported last year by the House Committee on Interior and Insular Affairs, H.R. 4671.

To show that both these bills recognize there was a deficiency of water in the river and that augmentation was an absolute necessity if there was to be a water shortage on the upper basin and, indeed, in the lower basin, the bill today bears little resemblance to the earlier bills. Water for Arizona is the thrust of the bill, but the features of water storage, hydropower generation, augmentation studies, and assurances to upper basin States of protection of water rights are all missing. The bill was reported from committee after repeated efforts to amend it to provide these features. But such amendments were beaten back with proxy votes in rollcall after rollcall.

At that time, a bill was pending before the committee, which I had introduced with the number S. 1409. On the 4th day of April, when the bill was introduced, I made an address to the Senate explaining the reasons for introducing the bill. I ask unanimous consent that the remarks I made on that date which appear on page 8220 of the Record be printed in the Record.

There being no objection, the address was ordered to be printed in the Record, as follows:

Construction, Operation, and Maintenance of the Colorado River Basin Project

Mr. Moss. Mr. President, I send to the desk a bill to authorize the construction, operation, and maintenance of the Colorado River Basin project, and ask that it be appropriately referred.

The Senate Interior and Insular Affairs Committee has announced hearings on Colorado River Basin project bills. This problem has been before the Congress before, but has floundered because of lack of unity among the States in the Colorado Basin. Last year we thought we had achieved that unity, but the bill was killed when "nature preservationists" conducted a well-financed campaign against it.

In response to this attack the administration has proposed a bill—S. 1013—this year which sacrifices the hard-won unity of the Colorado Basin States in order to stop the attack of the "nature preservationists"; overlooked, however, is the need for water conservation and development in our arid West. The administration would authorize the central Arizona project but then ostrichlike, would hide its head and not see the problem that has delayed this project all of these years. The basic problem which has plagued this legislation is simply that there is not sufficient natural flow in the Colorado River to meet the demands within the basin beyond the year 1990. Therefore, any meaningful legislation must involve balancing the interests of the State of Arizona with the other States who have rights to the waters of the Colorado River.

The first safeguard that the other basin States need is a study of sources to supplement the natural flow of the Colorado River. Without a legislative commitment to study water importation from areas of surplus, there is a danger that when the upper basin States utilize their allocations, there will be insufficient water for the central Arizona project to divert. Although I support any feasible means of augmenting the water supply, importation appears as the only practical means today.

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[1] Hearings before Subcommittee on Irrigation and Reclamation, House of Representatives on H.R. 4671, Tipton Report, 1965, p. 476. Also, see testimony of Mr. W. Don Maughan, p. 531.

[2] Hearings, p. 475.

[3] Hearings, pp. 506–511.

[4] Hearings, Hon. Morris Udall, p. 39, and I. V. Goslin, p. 500.

[5] Hearings, pp. 511–512.

Second, the upper basin States want their most needed projects authorized so that they can utilize a greater share of the waters allocated to them.

The third need is for the establishment of a lower basin fund. There is no fund established under the administration bill because the steamplant will produce no revenue which could be added to a fund. The authorization of the High Hualapai Dam would provide revenues for the lower basin fund. This fund could then be utilized to support the costs of supplemental water.

In short, the administration bill provides for the immediate needs of Arizona, but the needs of the other six basin States will be sacrificed. That is exactly what Secretary Udall warned against a year ago when he hailed the Colorado River Basin project bill as a fine example of regional cooperation and said that this cooperation was essential to its success.

Recognizing the need for cooperation, several bills have been introduced this year along the lines of the bill reported by the House last year. I cosponsored Senator Kuchel's bill, S. 861, and I still support it. I also support S. 1242, introduced by Senator Allott a short time ago. All of these bills embody a regional approach to the problems of the Colorado River Basin. The administration bill does not.

But to make clear and to fully protect the interest of Utah in this legislation, I am introducing a slightly modified version of the Kuchel bill which I cosponsored earlier this year.

This bill authorizes the construction of the central Arizona project with an aqueduct capacity of 2,500 cubic feet of water per second. It authorizes, as does Senator Allott's bill, S. 1242, the construction of the High Hualapai Dam and contains the language earlier submitted by Senator Allott regarding section 305(a), dealing with California's guarantee of 4.4 million acre-feet of water per year. The major departure in my bill from those previously introduced concerns the matter of study of importation of water from sources outside the Colorado River Basin. My bill provides that a feasibility grade study be initiated concerning the importation of water from the north coastal streams of the State of California. The first 2½ million acre-feet of such import from this source would be allocated to the satisfaction of the obligation of the Mexican water treaty and to losses of water associated with the performance of that treaty. Additionally, a quantity of water, not to exceed 2 million acre-feet annually, would be made available to areas served by the importation facilities en route to the Colorado River system. Further, the bill would initiate a reconnaissance-type study of importation from areas of surplus other than the north central area of the State of California.

The State of Utah is greatly imperiled by the threat to its future rights in the Colorado River system and inasmuch as the supply of the Colorado River is inadequate to meet the demands placed upon it, the provision of an import study in this legislation is imperative. The provision to make the first area subject to import study the north coastal streams of California is consistent with the general provision of Secretary Udall's Southwest water plan.

Section 602 of my bill provides criteria for the coordinated long-range operation of the Colorado River storage reservoirs. This important provision is supported unanimously by the Colorado River States and, in a slightly modified form contained in my bill, would provide an additional safeguard to the future generations of Utahans who will look to the Colorado River for water.

Section 501(a) contains language which would enable the State of Utah and the Secretary of the Interior to fulfill their commitments which were established by agreement with the Ute Indian tribe of the Uinta and Ouray Indian Reservation. By reason of this agreement it is necessary for the Ute Indian unit to be given a priority in planning, so my bill provides that the planning report on this unit must be completed prior to 1972.

Section 401 as outlined in my bill restores language which was a part of H.R. 4671, 89th Congress, providing that all of the separable and joint costs allocated to recreation and fish and wildlife enhancement at the previously authorized Dixie project shall be nonreimbursable in conformity with the original authorizing legislation. My bill provides, as do others, for the integration of the Dixie project into the Colorado River Basin project and directs that the Dixie project shall participate in the lower basin fund.

In other respects, this legislation is similar to previous bills introduced. This recognizes the fact that S. 20, providing for the National Water Commission, has been passed by the Senate. It also contemplates that the revision of the boundaries of the Grand Canyon National Park shall be accomplished by legislation similar to that introduced by Chairman Aspinall as H.R. 6132 and by Senators Dominick and Allott as S. 1243. This bill reflects the longstanding interest and constructive approach that has been taken by the State of Utah in intra- and inter-state water projects.

Mr. MOSS. Mr. President, Arizona is in dire need of water. Arizona is legally entitled to 2.8 million acre-feet from the Colorado River. With all my heart I would like to vote for any bill to enable Arizona to claim its birthright.

Moreover, this bill contains help which the Dixie project in my State of Utah sorely needs. But this bill is otherwise so deficient that I cannot support it unless it is amended to protect the rights of Utah and other States as well.

As I see it, passage of this bill will mean a giveaway of assets belonging to all—special favors for one State contradicting the legitimate interests of other States in the region.

Passage of this bill will place the stamp of approval upon the turning of his coat by the Secretary of the Interior—the contradiction of thousands of words of his own testimony spoken in recent years.

Passage of this bill could not serve its primary purpose—provision to Arizona of its just share of the waters of the Colorado, because it will inevitably be challenged in the courts, and could, like previous litigation respecting Colorado water rights, take years to conclude.

Passage of this bill will mean dependence upon an untried method of financing water projects, a possible giveaway to private power companies of millions of dollars of tax moneys or the unfair raising of power costs. It would replace a time-tested and financially sound method of financing construction of multipurpose water development projects with a wholly new and novel scheme of prepayment for pumping power for 50 years.

Passage of this bill will mean impairment of the birthrights of several sovereign States of the Union—not with the compensation guaranteed under eminent domain proceedings, and with no reference to demonstrated national interest or national policy.

The question of Arizona's right to the water—or of the need of that State for her share of the Colorado River flow—is not at issue. We all agree on this. But the fight of the preservationists and eastern interests against the lower Colorado River bill approved last year by the House Committee on Interior and Insular Affairs succeeded in blocking consideration of the bill on the issue of building two Colorado River dams. A bill similar to H.R. 4671, but with one dam, plus the addition of some of the Colorado gorge to Grand Canyon National Park would, in my opinion, have been enacted and would have provided the State of Arizona with her water on a sound economic basis, and without the threat of prolonged warfare in the courts.

Already, the delays of litigation have too long denied Arizona the use of the water that is rightfully hers.

The longest oral argument made before the U.S. Supreme Court in this century did not come in any of the cases concerning the great social issues, or subversion, or the rights of accused persons. That distinction went to Arizona against California—the water case to which I have referred.

Mr. President, in accordance with the order previously entered, I understand that I shall be recognized tomorrow. Therefore, I yield the floor at this time.

Mr. FANNIN. Mr. President, I ask unanimous consent that there be placed in the Record at this point, the introduction, the committee recommendation, and the summary of Senate bill 1004 as contained in Report No. 408, on pages 12, 13, and 14.

There being no objection, the extracts were ordered to be printed in the Record, as follows:

I. INTRODUCTION

The Subcommittee on Water and Power Resources of the Committee on Interior and Insular Affairs of the U.S. Senate, 90th Congress, first session, held hearings on May 2–5, 1967, on S. 1004 and related bills. The principal purpose of S. 1004, as introduced by Senator Hayden (for himself, Senators Fannin, Cannon, and Jackson) on February 16, 1967, was to authorize the construction, operation, and maintenance of the Central Arizona Project, Arizona-New Mexico. The Central Arizona Project is designed to enable the State of Arizona to put to beneficial use waters from the main stream of the Colorado River which it is presently unable to use because of a lack of diversion works, and to thereby meet a critical need for a supplemental water supply in the densely populated central portion of the State.

The bill as reported also authorizes five reclamation projects in the Upper Colorado River Basin; establishes a Lower Colorado River Basin development fund; and includes provisions concerning river regulation and reservoir-operating criteria which were agreed upon by representatives of the Colorado River Basin States during recent years.

The bill was presented directly to the full Committee on Interior and Insular Affairs for executive consideration on June 9, 1967. Following 6 days of executive sessions on June 9, 22, 23, 27, 28, and 29, 1967, the committee ordered S. 1004, as amended, reported favorably to the Senate.

The central feature of this bill—the Central Arizona Project—has been approved by the Senate twice in previous Congresses. (For a detailed discussion of the legislative history of the Central Arizona Project, see sec. V of this report.)

II. COMMITTEE RECOMMENDATION

Based on a careful consideration of all the issues, all of the alternatives, and the needs of the State of Arizona and the Colorado Basin States, the committee strongly recommends that the Senate pass S. 1004, as amended, and as reported by the committee.

III. SUMMARY

S. 1004 provides the framework for continued and expanded regional water resource development and planning in the Lower Colorado River Basin.

Major features of the bill include:

(1) The Central Arizona Project with Hooker Dam and Reservoir in New Mexico. The essential project facilities consist of an aqueduct system to convey Colorado River water to central Arizona together with the necessary regulating reservoirs and works. In brief, these are: The Granite Reef aqueduct and pumping plants; the Salt Gila aqueduct and pumping plant; Orme Dam and Reservoir; Tucson aqueduct and pumping plants (Colorado River source); Buttes Dam and Reservoir; Hooker Dam and Reservoir (New Mexico); Charleston Dam and Reservoir; Tucson aqueduct (San Pedro River source). The total cost of the project, exclusive of the power prepayment arrangements described below, is $665,237,000. Under Reclamation law the reimbursable cost of the project will be returned to the Treasury over a 50-year repayment period. A detailed description of the Central Arizona Project features is found in section VII of this report.

The Granite Reef aqueduct will require a high-lift initial pumping plant at Lake Havasu and a series of lower lift pumping plants at appropriate places along the way.

(2) The Secretary of the Interior is authorized to purchase the pumping power required for the Central Arizona Project, through prepayment arrangements, from non-Federal interests (private and public utilities in the Southwest), who will own, construct and operate a large fossil fuel thermal generating plant. Bureau of Reclamation estimates indicate that the project will require approximately 470 megawatts of electrical pumping power. The United States will also acquire the right to have the power delivered to the places of use on jointly shared transmission facilities where available. The total cost for prepayment of the electrical power to be used by the projects is $103,210,000. The Central Arizona Project would repay to the Treasury the full amount of the prepayment costs with appropriate interest, and would also pay the annual operating costs. A detailed description of the arrangements for prepayment for the electrical power is found in sections 2(b)(1) to 2(b)(2) of the section-by-section analysis of this report.

(3) The authority of the Federal Power Commission to license hydroelectric projects on the Colorado River, between Lake Mead and the present western boundaries of the Grand Canyon National Park, is suspended subject to future action by the Congress.

The Central Arizona Project does not require the construction of a new dam on the Colorado River for water supply, pumping power, or for the sale of power to gain revenues for the development fund.

Therefore, the committee finds that decisions affecting the future of this stretch of the Colorado River should be reserved for later action by the Congress. An evaluation by the National Water Commission as recommended by the Bureau of the Budget and the Department of the Interior in their February 15 and April 28 reports, will be useful in making wise judgments affecting this important natural resource.

(4) A Lower Colorado River Basin development fund is established into which will be placed: (1) all revenues collected in connection with the operation of the works authorized in this bill; (2) all surplus Federal revenues from the Hoover and Parker-Davies projects after they are paid for; and (3) all surplus Federal revenues from the portion of the Pacific Northwest-Pacific Southwest power intertie located in the States of Arizona and Nevada after completion of repayment requirements.

Balances in the development fund for selected future dates, after having provided financial assistance in the sum of $122 million to the Central Arizona Project, and not considering possible assistance to the Dixie project ($25 to $30 million), are as follows:

Year:	*Balance*
2025	$377,302,000
2047	1,186,612,000
2050	1,281,921,000

Following payout of the Central Arizona Project in the year 2025, the project would, by the year 2050, repay this money plus an additional $315 million. The balance of the revenues in the development fund are "to be expended or applied in connection with water conservation and development for the Lower Colorado River Basin" as determined by future acts of the Congress.

(5) Five Upper Basin projects, the Animas-La Plata project in Colorado and New Mexico, and the Dolores, Dallas Creek, West Divide, and San Miguel projects in Colorado, are authorized for construction, operation, and maintenance.

The total cost of these projects is $360 million. The portion of these costs which are reimbursable under reclamation law will be repaid to the Treasury.

(6) A priority is given to the State of California for 4.4 million acre-feet annually of Colorado River water (the maximum California entitlement out of the Lower Basin 7.5 million acre-feet apportionment under the Colorado River compact). This water priority is limited to a period of 27 years to coincide with the repayment period of the original bonds issued for the construction of the Metropolitan Water District aqueduct built to convey water from the Colorado River to Los Angeles and San Diego.

(7) Upper Basin benefits in addition to the five projects mentioned in paragraph (5) include—

(*a*) repayments to the Upper Colorado River Basin fund for payments made from that fund to compensate for power deficiencies at Hoover Power Plant resulting from the filling of the Glen Canyon Dam;

(*b*) provision for the promulgation of equitable criteria for the coordinated long-range operation of reservoirs constructed in both the Upper Basin and the Lower Basin;

(*c*) provision for the completion of planning reports on proposed projects in the Upper Basin located in Colorado, Wyoming, and Utah;

(*d*) the integration of the Dixie project in Utah for purposes of participation in the development fund (the Dixie project is in the Lower Basin; however, Utah is primarily an Upper Basin State);

(*e*) related fish, wildlife, and recreation benefits inuring both to the Upper Colorado River Basin from the construction of projects there as well as to New Mexico and Arizona.

ORDER FOR ADJOURNMENT UNTIL 11 A.M. TOMORROW

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that when the Senate completes its business today it stand in adjournment until 11 o'clock tomorrow morning.

The PRESIDING OFFICER. Without objection, it is so ordered.

AUTHORITY FOR COMMITTEES TO FILE REPORTS

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that during the adjournment of the Senate following today's session, all committees be authorized to file their reports, and to include any minority, individual, and supplemental views.

The PRESIDING OFFICER. Without objection, it is so ordered.

ORDER FOR TRANSACTION OF ROUTINE MORNING BUSINESS TOMORROW

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that following the approval of the Journal tomorrow morning, there be a brief period for the transaction of routine morning business, and that statements made during that period be limited to 3 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

ORDER FOR RECOGNITION OF SENATOR MOSS TOMORROW

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that, following the transaction of routine morning business tomorrow, the distinguished Senator from Utah [Mr. Moss] be recognized for a period not to exceed 1 hour.

The PRESIDING OFFICER. Without objection, it is so ordered.

POSSIBILITY OF VOTES TOMORROW

Mr. BYRD of West Virginia. Mr. President, I wish to reiterate the admonition that was expressed by the distinguished majority leader earlier when he said that all Senators should be alerted to the possibility of votes tomorrow.

CAUSES OF CIVIL STRIFE—EDITORIAL

Mr. MILLER. Mr. President, in the Wednesday, August 2, issue of the Johnstown, Pa., Tribune-Democrat, the lead editorial, entitled "Causes of Civil Strife," merits the attention of readers of the Congressional Record. It is a knowledgeable editorial, and points out that one of the causes is inflammatory statements by such individuals as Adam Clayton Powell, H. Rap Brown, and Stokely Carmichael. I commend the editorial to readers of the Congressional Record, because I believe it is a well-thought-through editorial touching on one of the facets of the riots in a very scholarly and pointed fashion.

I ask unanimous consent that the editorial be printed in the Record.

There being no objection, the editorial was ordered to be printed in the Record, as follows:

Causes of Civil Strife

The sickening civil strife that has been sweeping the country has started many people to wondering what could have been done to prevent the tragedy—and what can be done to prevent it in the future.

And many will be the proposals and the opinions about how to help avoid recurrences. Whether they will work or not is, of course, problematical. But there are certain things that will not help to maintain order in the United States and which must be listed among the causative factors in what has happened so far.

Some of the responsibility for the rioting must be assumed by certain American church organizations and certain leading clergymen. The groups and the individuals in mind are those that have seen nothing dangerous in civil disobedience and even in some cases went so far as to become part of it. Demonstrations and marches were to be condoned and praised if the targets were judged to be morally unacceptable. The trouble developed, naturally, when the demonstrators and the marchers approached the fine line between civil disobedience and criminal disobedience.

It was just one short but disastrous step across the dividing line, for the demonstrators and the marchers had been generally tolerated and with that tolerance grew a sense of strength and immunity. The strength carried them closer and closer to criminal disobedience, and the feeling of immunity to the laws gave them enough courage of irresponsibility to break criminal laws.

Of course, it took someone besides clergymen to goad people on to create unrest. It took, among the Negroes of the land, some leaders who in the name of civil rights have sought to seek not equality but unbalanced supremacy.

Consider the words of Adam Clayton Powell in regard to the civil violence of the past several weeks:

"Violence is a cleansing force. It frees the native from his inferiority complex."

Powell regards riots as "a necessary phase of the black revolution—necessary."

What revolution? Rather, the emergence of American Negroes from inequities that suppressed them for so long should be regarded as an evolution. An evolution that will take time but that will bring as much equality among individuals as is physically and mentally possible.

Consider also the words of one H. Rap Brown, national chairman of the grossly misnamed Student Nonviolent Coordinating Committee:

"We'll burn the country down."

And the following inflammatory statement by Stokely Carmichael, black power advocate:

"We don't call them riots. They're rebellions. If we say 'Burn, baby, burn,' we mean it, and we are the first people to strike a match."

Certainly, such pronouncements and such policies are not designed to exert a calming influence on anyone. They must, to be sure, be regarded as promoting incitement to riot, and someone in law enforcement must recognize them as such and prosecute their authors.

While awaiting legal action, however, any Negro and any white and any other individual of any racial group would do well to heed remarks of people displaying some common sense.

"No one benefits under mob law. Let's end it now!" That is part of a statement signed by four Negro leaders—Martin Luther King Jr., A. Philip Randolph, Roy Wilkins and Whitney M. Young, Jr.

"I have the utmost sympathy for any person who has never had a decent chance in life. But the fact that society has treated him badly does not give him the right to smash a store window and take what he wants or to attack our police with animal ferocity." That is the opinion of former President Eisenhower.

And especially for those who feel that all civil strife is a manifestation of a desire for civil rights and is to be therefore condoned or condemned only in that light, here are the words of a Detroit Negro serving as a lieutenant in Vietnam:

"I've got enough problems fighting a war over here without having to worry about my people back home. I think the majority of the people—the rioters—aren't really concerned with civil rights per se. I think they are exploiting the situation for their own personal gain, such as the vandalism of stores."

PRACTICAL REASONS AGAINST A BOMBING PAUSE

Mr. MILLER. Mr. President, in the August 1 issue of the Washington Evening Star, the eminent columnist, Crosby S. Noyes, has an article entitled "Practical Reasons Against a Bombing Pause." Mr. Noyes writes from knowledge and firsthand conversations with people who know what the situation is in Vietnam. He points out very well that the real bottleneck of communications in North Vietnam is the northern area around Hanoi and Haiphong, and that a proposal to confine the bombing to the demilitarized zone would not meet the military requirements of slowing down the flow of troops, munitions, and supplies to the south. It points out, further, that in recent weeks the effectiveness of the bombing in the north has substantially increased to the point where in the port of Haiphong there are signs of a serious backup of supplies as communications in the Haiphong-Hanoi area are subjected to mounting pressure.

To my colleagues who have been advocating a cessation of the bombing, I would commend this article, because I believe it is written in a very scholarly manner and is well thought out. I would hope it would convince them that this is certainly not the time to have another bombing pause.

I ask unanimous consent that the article be printed in the RECORD at this point.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the Washington (D.C.) Star, Aug. 1, 1967]

PRACTICAL REASONS AGAINST A BOMBING PAUSE

There are a number of hard, practical reasons for the refusal of administration leaders to heed suggestions for a new experimental bombing pause in Vietnam at this point.

The most obvious, of course, is the pressure being brought to bear on the Marines in the northern First Corps area by North Vietnamese regulars from across the so-called demilitarized zone. As long as this pressure remains at its present intensity, no military commander in his right mind—and no political leader either—is likely to agree to a letup of counter-pressure on the enemy lines of communcation and supply.

Nor is it really very practical, as bomb-pause enthusiasts suggest, to limit the bombing to the immediate vicinity of the demilitarized zone itself. *The real bottleneck of communications in North* Vietnam is in the northern area around Hanoi and Haiphong. Stopping the flow of traffic before it reaches the frontiers of South Vietnam is from many viewpoints the best way of limiting the Communist war effort.

The fact that this is being done today more effectively than in the past is another reason why resistance to a bombing pause is unusually strong.

In the past, one of the main arguments against the bombing was its failure to prevent the flow of men and supplies to the south and the high price paid in planes and crews lost to the deadly anti-aircraft fire of the North Vietnamese. But today this argument is beginning to lose some of its validity.

One of the things that Defense Secretary Robert S. McNamara was told in the course of his recent inspection tour in Vietnam was that the bombing has been getting more effective and less expensive as new weapons and tactics have come into the picture. This report, delivered by Air Force Lt. Gen. William W. Momeyer, was one of the brighter parts of McNamara's high-level secret briefing.

The new weapons include a variety of anti-personnel bombs used for flak suppression and electronic devices for jamming enemy radars and Russian-made surface-to-air missiles. Their success can be measured by the fact that despite an ever-increasing number of anti-aircraft emplacements, the intensity of fire within the last few months has been substantially reduced.

So has the loss rate of American aircraft. The exact rate of losses per thousand missions flown is, not very surprisingly, a classified figure. Nevertheless, actual losses in the year ending June 30 were 200 planes less than estimations based on the previous loss rate. And in the coming year, Pentagon officials expect the number of aircraft "saved" by the new weapons and tactics to reach 300.

The effectiveness of the effort to disrupt communications and transport in North Vietnam has also been measurably improved, according to Momeyer's report. The time taken to repair roads, bridges and rail lines is gradually increasing as more systematic bombing patterns have become possible. In the port of Haiphong there are signs of a serious backup of supplies as communications in the Haiphong-Hanoi area are subjected to mounting pressure.

This is not the first time, of course, that an Air Force general has come up with a fairly optimistic rundown on the results of his operations. No one is claiming as a result of the bombing that North Vietnam is at the point of collapse or that air power alone will ever be able to prevent the flow of all men and supplies to the south.

What this report does reflect, however, is a widespread feeling among top U.S. officials that North Vietnam is now making the maximum effort that it is capable of making and that the results achieved by this effort are on a slowly declining curve. They also believe—and the facts seem to bear them out—that the pressure of the bombing is a vitally important element in this picture.

The time may come, to be sure, when the prospects of a successful negotiation would justify a letup of the military pressure being brought to bear on Hanoi. But at a very critical juncture of the military and political struggle in South Vietnam, that time, it would appear, is not yet at hand.

FORTHCOMING ELECTIONS IN SOUTH VIETNAM

Mr. BROOKE. Mr. President, some of the most critical developments on the current Vietnamese scene have occurred not on the battlefield but in the political arena. Many recent events threaten to undermine the forthcoming elections, not by disrupting them directly but by subverting their fairness as a test of popular sentiment among the South Vietnamese. Propriety dictates a certain reticence in discussing the internal politics of another country, but American and Vietnamese interests are now so intertwined, and our common concern for the creation of representative institutions in South Vietnam so great, that I feel compelled to make a few observations on this, the opening day of the election campaign in South Vietnam.

I have wanted to credit the ruling junta in South Vietnam with good faith and a growing sophistication insofar as the transition to an elected government is concerned. For a while, I thought the military leaders clearly understood the relationship between the honesty of the coming elections and a continuation of the American commitment to South Vietnam. Surely the leaders of South Vietnam must know that the American people have no taste for supporting a mammoth war effort unless they can be reasonably sure that the Vietnamese Government in fact speaks for the majority of its citizens. It must be made absolutely clear to the government in Saigon that Americans consider themselves allies of the Vietnamese people, not of any particular faction. Our association with the ruling junta is and must continue to be contingent upon the movement to a more broadly based and representative government.

In this light the Saigon authorities should recognize that any action taken by them which calls into question the integrity of the electoral process now under way is bound also to call into question the future of the U.S. presence in Vietnam. If this point has somehow been lost on the junta, if the generals now in power are under the delusion that they can win additional American assistance merely by dressing up their regime in the trappings of a constitution and an election, then they are fatally mistaken. The increasing evidence that the military government may try to manipulate the coming elections is alarming. The announcement by Premier Ky that the junta will still try to maintain control by means of a military committee over whatever government is elected is reprehensible.

I am speaking bluntly on this matter, for the encouraging trend toward truly representative government in South Vietnam has taken an adverse turn in the last few weeks. It was with growing apprehension that we in this country witnessed Premier Ky's exploitation of his incumbency by a premature campaign for the presidency. This apprehension was exacerbated by the power struggle between Premier Ky and General Thieu. The only tangible effect which the Premier's abandonment of his own presidential candidacy to become General Thieu's running mate seems to have accomplished is the production of a stronger military ticket. It certainly did little to halt the incumbents' abuse of their control of the machinery of government to advance their joint candidacy. Well before the designated opening of the presidential campaign, Premier Ky and General Thieu made "nonpolitical" appearances throughout the country, and distributed posters lauding their regime.

No less disturbing was the manner in which the junta behaved during the provisional National Assembly's review of candidate applications for the presidential elections. According to most reports the military leaders exerted wholly improper pressure upon the Assembly's proceedings. Their actions in "alerting" police and military units in the Saigon area seemed to threaten the deputies with forceful reprisals should the Assembly actions displease the junta. Some members of the Assembly are said to have feared that the body would be dissolved outright if it did not approve the candidacy of General Thieu and Marshal Ky. In sum, the Assembly's final debates and decisions took place in an atmosphere thick with intimidation, an atmosphere hardly suited for judicious, independent deliberation on the vital issues at stake.

The principal issues were three: first, whether the constitution required Chief of State Thieu and Premier Ky to resign their government posts for the duration of the campaign as they had resigned their military positions; second, whether General Duong Van Minh would be allowed to return from exile to run for the presidency; and third, whether former Economics Minister Au Truong Thanh would be disqualified as a "pro-Communist neutralist."

Although there was some debate on the first issue, and the Assemblys' election committee eventually referred the eligibility of the Thieu-Ky ticket back to the full Assembly without a recommendation, there was little doubt that their candidacy would be allowed.

General Minh's difficulties arose because his vice-presidential nominee had been a French citizen during the 1950's. Under the Assembly's interpretation, this seemed incompatible with article 53 of the Constitution, which provides that candidates "must have Vietnamese citizenship from day of birth." Whether the Assembly would have interpreted article 53 strictly—as it did—banning General Minh's candidacy, if the junta had not already made plain that it would refuse the general permission to return to Vietnam on the grounds he is a security risk, is still not clear.

Similarly, it is difficult to avoid the suspicion that the military government brought pressure to bar Mr. Thanh from the race. Although he had served the present regime for some time as a highly regarded Cabinet member, the junta and its allies charged that Thanh is "pro-Communist and neutralist," and argued that he was, therefore, barred from the campaign by article 11 of the presidential election law.

Is it mere coincidence that on all these issues the junta's position prevailed; that the Constitution was strictly applied when opposition candidates were considered but loosely interpreted in its application to the incumbents? Unfortunately, actions in these and other cases have dissipated confidence in the junta's impartiality and creditability.

Most discouraging of all has been Premier Ky's repeated assurances that regardless of the outcome of the elections the military will retain control. He has frequently reiterated his intention to "topple" the elected government if it does not accurately reflect "the preferences of the Vietnamese people." And just yesterday it was reported that the generals were at work on a plan which would create a "military affairs committee" to formulate national policy regardless of who may be elected in September. One member of the military junta was even quoted as saying:

> We think democracy is coming too soon to Vietnam. There's a war to fight. The army must remain powerful. We are willing to go along with the voting, but things must come out right.

These events remind one how easy it is to be perpetually disillusioned with the prospects for an orderly, democratic transition to civilian government in South Vietnam. For more than a decade the professed aim of leading elements in South Vietnam has been to create a representative government out of the political morass in which the country has foundered. Yet the record is one of successive disappointments. Hopes for representative institutions have often been raised only to be crushed by corruption, fraud, nepotism, and outright dictatorship. Talk of democracy in Vietnam reminds cynic and idealist alike of the old French saying: "Hypocrisy is the tribute vice pays to virtue."

Current efforts to establish a representative government can and must be more than merely hypocritical mouthings, designed to cover the consolidation in power of an entrenched elite. There are enormous difficulties involved in building a democracy in any transitional society. In Vietnam these difficulties have been complicated immeasurably by a prolonged and tragic war. Notwithstanding the litany of discouraging portents and events I have just recited, there have been countervailing events of the last 18 months which give cause for hope.

Without giving vent to naive or exaggerated optimism, I think it would serve us well to reflect on a number of favorable political changes which have occurred in Vietnam since 1966.

We have only to recall the mood and in fact the political realities of a year ago. Most observers doubted that there would ever be elections of any kind in South Vietnam and their doubts seemed well founded. The ruling junta's published plans for holding elections were dismissed as a mere sop to the sensibilities of its American ally. Yet in spite of the war and in spite of Vietcong intimidation, the South Vietnamese managed to organize and conduct elections for a Constituent Assembly. To the surprise of most students of Asian affairs, these elections were generally considered a success—a creditable first step. The religious and ethnic composition of the Assembly is varied, a wide range of professions is represented, and it has rapidly become clear that many diverse opinions and objectives are reflected in the membership.

Many doubted that the Assembly would produce a new constitution at all, much less within the allotted 6 months. Others insisted that the Assembly would become nothing more than a rubberstamp for the ruling generals. On both scores I believe the Assembly has proved itself a respectable and a responsible servant of the Vietnamese people. Its success in drafting a new constitution is already well known. Less noticed, but of even greater importance, has been the manner in which the Assembly has slowly begun to set a pattern for the future politics of South Vietnam.

Far from being the mouthpiece of the governing junta, the 117 deputies of the Constituent Assembly have taken the first halting steps toward creating the type of pluralistic politics that is both necessary and appropriate for the nation's multifaceted society. The Constitution itself was developed through a genuine process of give and take, both among various elements of the Assembly, and between the Assembly and the junta. The Assembly quickly sensed and has capitalized on its standing as the only body with any explicit popular base in the country. At critical junctures in its continuing off-the-record dialog with the junta, the Assembly successfully invoked its public mandate to bolster its position.

On at least two points in the drafting of the Constitution this factor was of crucial importance. The Assembly made clear its reluctance to see the junta employ the veto power which it had reserved to deal with "objectionable" provisions. The junta finally accepted and promulgated the Constitution without change. The Assembly also insisted that it, and not the present regime, should draft the electoral laws and supervise the polling for the first nationwide elections for President. Again, after some signs of resistance to the continued functioning of the Assembly, the junta abandoned its plans to run the elections by its own rules.

It is puzzling that so little has been written in the United States about the new Vietnamese Constitution. Perhaps the first thing to be said is that, although the Assembly found models for its work in the Constitution of the United States, France, and other democratic countries, the new document is in several respects a distinctly Vietnamese product. For example, I am particularly impressed by the Assembly's efforts to deal with the historic practice of nepotism, one of the legacies which has so handicapped the search for honest and equitable government in many lands. Among other provisions, the Constitution is carefully designed to limit the opportunities for officeholders or their families to make private profit from their public positions. Spouses of those holding public office, for example, are explicity forbidden to do contract business with the government. To the degree that this prohibition is actually enforced, the South Vietnamese will be able to eliminate some of the outrageous abuses which have marked previous regimes.

As an additional attempt to safeguard the honesty and integrity of the new government, the Constitution provides for a special court with power to remove from office the President or other high elected officials in cases of treason or other capital crimes. And potentially of even greater significance may be the so-called inspectorate, an independent investigating and auditing body specifically intended to seek out and eliminate corruption, speculation, influence-peddling and similar activities. An American may greet this proposal with wry amusement, but to the Vietnamese it is a prerequisite to the establishment of public confidence in a new popular government.

Similarly, the Assembly has made a commendable effort to devise electoral laws and procedures that will encourage uncoerced popular participation and an honest tally of the results. Considering the ample opportunities for fraud which exist in any election involving voters who are generally illiterate and untutored in the complexities of the ballot, I am impressed by the ingenuity of the Assembly's provisions to guarantee an honest election. There are detailed arrangements to prevent double-voting or other manipulations. To further reduce the opportunity for fraud, absentee voting is prohibited. At each polling place the votes are to be deposited and counted under the direct observation of representatives of all the candidates. There are severe penalties specified for persons abridging, by threat, coercion or intimidation, any eligible citizen's right to run for office or to cast his vote.

A fundamental article of the presidential electoral law reserves to the Constituent Assembly, acting as an interim National Assembly, sweeping power to annul the entire election if there are irregularities which impugn "the honesty of the voting and affect the general results of the election." In this respect, as in others the Assembly has displayed its overriding concern to arrange as accurate and as honest an electoral test as possible.

While the Assembly has been performing its most difficult task, other events have attested to South Vietnam's earnestness in building popular institutions. From April through June of this year local elections brought several million voters to the polls to select village councils and hamlet chiefs. Despite substantial Vietcong terrorism, assassinations, and kidnapings, over 24,000 candidates contended for some 14,000 council seats. There were even more candidates, proportionately, for the hamlet chiefs' positions. Elections have now been held in 44 percent of the country's 2,500 villages, and in 33 percent of its many thousand hamlets.

There will be many opportunities in the future to subvert both the election and the Constitution. The hazards can only be weathered by the Vietnamese themselves. As their principal ally, our country can best assist them by encouraging strict adherence to the Constitution and electoral laws which they themselves have adopted. We cannot and should not try to run the elections for the South Vietnamese people.

It is imperative that the United States make clear to the ruling junta that we place decisive importance on the Assembly as the one popularly chosen institution presently in South Vietnam. We should certainly be willing to acknowledge the accomplishments which the military leaders have made in the last 2 years, but they should not be misled about the basic sympathies of the American people. Our support for the interim government is purely instrumental. The Saigon government should recognize that the United States looks principally to the Assembly as the appropriate foundation for South Vietnam's transition to an elected government. If the coming elections are to serve the interests of the South Vietnamese people, the junta must exhibit greater restraint than it has shown to date, and must defer increasingly to the Assembly in its agreed role as the arbiter of the electoral process.

THE LAW AND THE DEPLOYMENT OF FEDERAL TROOPS TO AID DETROIT

Mr. HART. Mr. President, last week, at the height of the lawlessness that was rending Detroit, I cautioned on this floor against the political overtones being given to the deployment of Federal troops to aid Detroit. I said then that historians removed from the shrill of politics and the collision of events finally and with objectivity will judge the correctness of the action of all participants. Today I still refuse to get into the political wrangle. But I do want to get onto the record certain documents and references historians and students will need for a determination of certain aspects.

The first is a memorandum prepared by the Department of Justice, which summarizes the legal basis required before troops can be used in civil disorder. There was attached to this memorandum the text of the Constitution and the text of the Federal statutes authorizing and conditioning the action of the President.

This same memorandum provided a list of the 15 prior instances in which Governors of this country and the Commissioners of the District of Columbia requested Federal troops, including instances in which the requests have been denied.

Next are the proclamation and Executive order issued July 24 by the President. These cite as authority for such action the sections of the United States Code, title 10, quoted in the attachment to the Justice Department memorandum to which I have just made reference.

Section 301 of title III of the code, which is referred to in the Executive order, reports to the general delegation of executive functions.

The remarks of the President made to the Nation outlining his actions then follow.

Finally, the transcript of a press conference of the Attorney General, which outlines the events of the early morning of July 24, is useful.

In summary, section 331 of title 10 of the Federal Code does authorize the President, upon the request of a State legislature, or, if the legislature cannot be convened, of the Governor, to call into Federal service troops whenever there is "an insurrection." No insurrection was represented to have occurred in Detroit.

Section 333 authorizes the President to use the Armed Forces he considers necessary to suppress, in any State, not only an insurrection but "domestic violence." But it is necessary among other things, that the State authorities "are unable, fail, or refuse to protect" order in the locality.

The Governor, and I think understandably, did not state there was "insurrection"—section 331 requirement; nor that he was "unable" to keep order—section 333 requirement for Federal action. His wire to the President of July 24 stated "there is reasonable doubt we can suppress" the violence.

The concern of the President under these circumstances and these statutory requirements, I think, is exactly what should be demanded of the President of the Republic. If there are any Senators who believe there should be less restriction on a President putting what is really the ultimate in Federal power—namely, our Armed Forces—into a State in our Republic, then let him propose such lesser restrictions. It may well be desirable to study this sensitive area, one which goes to the root of Federal-State relations. The preservation of any republic requires explicit restraints on the troops of the central government, yet ready availability in extremity.

Mr. President, I ask unanimous consent to have printed in the RECORD the several documents to which I have referred.

There being no objection, the matters requested were ordered to be printed in the RECORD, as follows:

USE OF FEDERAL TROOPS IN CIVIL DISORDER

1. The President moved under Article IV, Section 4 of the Constitution and Chapter 15 of Title 10 of the United States Code.

2. Under the Constitution, these laws, and the uniform practice of past Presidents, before troops can be used in a civil disorder, the following elements must be present when a state seeks assistance:

(1) A request for troops by the legislature of a state, or if the legislature is not available, the Governor.

(2) Domestic violence or an insurrection.

(3) An inability of state and local authorities to control the situation despite the use of all law enforcement resources which can reasonably be brought to bear.

Attached are the text of the Constitution and statutes involved and the list of the 15 prior instances in which governors or the D.C. Commissioners requested troops.

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1. The United States shall guarantee to every State in this Union a Republican Form of Government, and shall protect each of them against invasion; and on Application of the Legislature, or of the Executive (when the Legislature cannot be convened) against domestic Violence," *Article IV, Section 4, U.S. Constitution.*

2. The United States Code (Title 10, Chapter 15) provides:

"SEC. 331. *Federal aid for State governments.*

"Whenever there is an insurrection in any State against its government, *the President may, upon the request of its legislature* or of its *governor if the legislature cannot be convened, call into Federal service such of the militia of the other States, in the number requested by that State, and use such of the armed forces,* as *he* considers necessary to suppress the insurrection.

"SEC. 333. *Interference with State and Federal law.*

"The President, by using the militia or the armed forces, or both, or by any other means, shall take such measures as he considers necessary to suppress, in a State, any insurrection, domestic violence, unlawful combination, or conspiracy, if it:

"(1) so hinders the execution of the laws of that State, and of the United States within the State, that any part or class of its people is deprived of a right, privilege, immunity, or protection named in the Constitution and secured by law, *and the constituted authorities of that State are unable, fail, or refuse to protect that right, privilege, or immunity, or to give that protection;* or

"(2) opposes or obstructs the execution of the laws of the United States or impedes the course of justice under those laws.

"SEC. 334. *Proclamation to disperse.*

"Whenever the President considers it necessary to use the militia or the armed forces under this chapter, he shall, by proclamation, immediately order the insurgents to disperse and retire peaceably to their abodes within a limited time."

TROOP REQUESTS BY GOVERNORS TO SUPPRESS DOMESTIC VIOLENCE (GOVERNORS REQUESTED TROOPS 15 TIMES; PRESIDENT SENT IN TROOPS 11 TIMES)

President	Incident	Comment
1. Van Buren (1838)	"Buckshot War" in Pennsylvania	President refused because State resources were adequate.
2. Tyler (1842)	"Dorr Rebellion" in Rhode Island	President refused because legislature was in session and had not requested aid.
3. Pierce (1856)	"San Francisco" vigilante committee threatening to take over State.	President refused because State had not exhausted its powers.
4. Grant (1873)	Racial problems in New Orleans	President issued proclamation to disperse; sent in 2 regiments.
5. Grant (1876)	Riots between Ku Klux Klan and Negroes in South Carolina.	President sent in troops to 70 locations in State.
6. Hayes (1877)	Railroad strike riots in West Virginia, Maryland, Pennsylvania, and Illinois.	President issued proclamations to disperse: sent in some troops and arms.
7. Harrison, Cleveland, McKinley (1892–1900).	Mining riots in Idaho	President sent in troops.
8. Cleveland (1894)	"Coxey's army" in Montana	President sent in troops to assist.
9. T. Roosevelt (1903)	Colorado mining riots	President did not send in troops because State did not show it could not control riots and "request not made as contemplated by law."
10. T. Roosevelt (1907)	Nevada mining riots	President sent in troops.
11. Wilson (1914)	Colorado mining riots	Do.
12. Wilson (1919)	Race riots in Washington, D.C., and Omaha. Gary steel strike.	Do.
13. Harding (1921)	West Virginia coal mining riots	President sent in troops after first refusing.
14. Hoover (1932)	Requested by District of Columbia Commissioners—"Bonus army" in District of Columbia.	President sent in troops.
15. Franklin D. Roosevelt (1943)	Detroit race riots	President sent in troops after martial law declared.

LAW AND ORDER IN THE STATE OF MICHIGAN—A PROCLAMATION BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

Whereas the Governor of the State of Michigan has informed me that conditions of domestic violence and disorder exist in the City of Detroit in that State, obstructing the execution and enforcement of the laws, and that the law enforcement resources available to the City and State, including the National Guard, have been unable to suppress such acts of violence and to restore law and order; and

Whereas the Governor has requested me to use such of the armed forces of the United States as may be necessary for those purposes; and

Whereas such domestic violence and disorder are also obstructing the execution of the laws of the United States, including the protection of federal property in the City of Detroit:

Now, therefore, I, Lyndon B. Johnson, President of the United States of America, by virtue of the authority vested in me by the Constitution and laws of the United States, including chapter 15 of Title 10 of the United States Code, do command all persons engaged in such acts of violence to cease and desist therefrom and to disperse and retire peaceably forthwith.

In witness whereof, I have hereunto set my hand this twenty-fourth day of July, in the year of our Lord nineteen hundred and sixty-seven, and the Independence of the United States of America the one hundred and ninety-second.

LYNDON B. JOHNSON.

THE WHITE HOUSE, *July 24, 1967.*

EXECUTIVE ORDER NO. 11364, PROVIDING FOR THE RESTORATION OF LAW AND ORDER IN THE STATE OF MICHIGAN

Whereas on July 24, 1967, I issued Proclamation No. 3795, pursuant in part to the provisions of Chapter 15 of Title 10 of the United States Code; and

Whereas the conditions of domestic violence and disorder described therein continue, and the persons engaging in such acts of violence have not dispersed;

Now, therefore, by virtue of the authority vested in me as President of the United States and Commander in Chief of the Armed Forces by the Constitution and laws of the United States, including Chapter 15 of title 10 of the United States Code, and Section 301 of Title 3 of the United States Code, it is hereby ordered as follows:

Section 1. *The Secretary of Defense* is authorized and directed to take all appropriate steps to disperse all persons engaged in the acts of violence described in the proclamation and to restore law and order.

Section 2. In carrying out the provisions of Section 1, the Secretary of Defense is authorized to use such of the Armed Forces of the United States as he may deem necessary.

Section 3. The Secretary of Defense is hereby authorized and directed to call into the active military service of the United States, as he may deem appropriate to carry out the purposes of this order, any or all of the units of the Army National Guard and of the Air National Guard of the State of Michigan to serve in the active military service of the United States for an indefinite period and until relieved by appropriate orders. Units, or members thereof, may be relieved subject to recall at the discretion of the Secretary of Defense. In carrying out the provisions of Section 1, the Secretary of Defense is authorized to use units, and members thereof, called or recalled into the active military service of the United States pursuant to this section.

Section 4. The Secretary of Defense is authorized to delegate to the Secretary of the Army or the Secretary of the Air Force, or both, any of the authority conferred upon him by this order.

LYNDON B. JOHNSON.

THE WHITE HOUSE, *July 24, 1967.*

REMARKS OF THE PRESIDENT TO THE NATION JULY 24, 1967

In the early morning today, Governor Romney communicated with Attorney General Ramsey Clark and told him of the extreme disorder in Detroit, Michigan. The Attorney General kept me advised throughout the morning.

At 10:56 this morning, I received a wire from Governor Romney officially requesting that Federal troops be dispatched to Michigan. This wire had been sent at 10:46 a.m.

At 11:02 a.m. this morning, I instructed the Secretary of Defense, Mr. McNamara, to initiate the movement of the troops which the Governor had requested.

At the same time, I advised the Governor by telegram that the troops would be sent to Selfridge Air Base just Northeast of Detroit and would be available to support and assist the 8,000 Michigan National Guardsmen and the several thousand State and local police under the command of Governor Romney and the Mayor of Detroit. I informed the Governor that these troops would arrive this afternoon.

I also informed the Governor that immediately Mr. Cyrus Vance, as Special Assistant to the Secretary of Defense, and others would proceed to Detroit for conferences with the Governor and other appropriate officials.

This plan proceeded precisely as scheduled. Approximately 5,000 Federal troops were on their way by airlift to Detroit, Michigan, within a few hours. Mr. Vance, General Throckmorton, and others were in Detroit and in conference with Governor Romney by the middle of this afternoon.

Their initial report was that it then appeared that the situation might be controlled without bringing the Federal troops from the Selfridge Air Force Base into downtown Detroit. They, therefore, recommended to the President that the troops be maintained on a 30-minute alert and they advised that they would be in continual touch with the situation and with Secretary McNamara and me, making periodic reports about every 30 minutes.

At approximately 10:30 this evening, Mr. Vance and General Throckmorton reported to me by telephone that it was the then unanimous opinion of all the State and Federal officials who were in consultation—including Governor Romney, Mr. Vance, General Throckmorton, the Mayor, and others—*that the situation had developed in such a* way in the few intervening hours as to make the use of Federal troops to augment the police and Michigan National Guard imperative. They described the situation in considerable detail, including the violence and deaths that had occurred in the past few hours, and submitted as the unanimous judgment of all concerned that the situation was totally beyond the control of the local authorities.

On the basis of this confirmation of the need for participation by Federal troops, and pursuant to the official request made by the Governor of the State of Michigan, in which *Mayor Cavanaugh of Detroit joined, I forthwith* issued the necessary Proclamation and Executive Order as provided by the Constitution and the statutes.

I advised Mr. Vance and General Throckmorton to proceed immediately with the transportation of the Federal troops from Selfridge Air Force Base to places of deployment within Detroit—a movement which they had already provisionally begun, pursuant to their authority.

I am sure the American people will realize that I take this action with the greatest regret—and only because of the clear, unmistakable and undisputed evidence that Governor Romney of Michigan and the local officials in Detroit have been unable to bring the situation under control.

Law enforcement is a local matter. It is the responsibility of local officials and the Governors of the respective States. The Federal Government should not intervene—except in the most extraordinary circumstances.

The fact of the matter, however, is that law and order have broken down in Detroit, Michigan.

Pillage, looting, murder, and arson have nothing to do with civil rights. They are criminal conduct. The Federal Government in the circumstances here presented had no alternative but to respond, since it was called upon by the Governor of the State and since it was presented with proof of his inability to restore order in Michigan.

We will not tolerate lawlessness. We will not endure violence. It matters not by whom it is done or under what slogan or banner. It will not be tolerated. This nation will do whatever it is necessary to do to suppress and to punish those who engage in it.

I know that with few exceptions the people of Detroit and the people of Newark and the people of Harlem and of all of our American cities, however troubled they may be, deplore and condemn these criminal acts. I know that the vast majority of Negroes and whites are shocked and outraged by them.

So tonight, your President calls upon all of our people, in all of our cities, to join in a determined programs to maintain law and order—to condemn and to combat lawlessness in all of its forms—and firmly to show by word and by deed that riots, looting and public disorder will not be tolerated.

In particular, I call upon the people of the ravaged areas to return to their homes, to leave the streets, and to permit the authorities to restore quiet and order without further loss of life or property damage. Once this is done, attention can immediately be turned to the great and urgent problems of repairing the damage that has been done.

I appeal to every American in this grave hour to respond to this plea.

Press Conference of the Honorable Ramsey Clark, Attorney General, Tuesday, August 1, 1967

Attorney General Clark. Let me say first that I am testifying before the Senate right now before the Subcommittee on Constitutional Rights. I am due back up there 3:30. I will move along as quickly as I can with my brief statement. I do need to leave by 3:30.

It is with real reluctance that I get into this matter at all. Ordinarily it would not have been necessary. It was made necessary in my judgment by statements attributed to Governor Romney yesterday. Because of these I think it is important that the American people know in some detail the role that I played as Attorney General in the early morning hours of last Monday, July 24.

Let me say first on the preceding Sunday through officials in the Department of Justice I had been advised from time to time during the course of the day about the developing situation in Detroit, Michigan; that *the first contact I had from other than Government* officials was at 11:55 p.m. Sunday night. At that time Cavanagh called. He told me that he was sitting with Governor Romney; that he wanted to advise me, as he assumed I knew of the rioting and looting that was taking place in his city, that he considered the situation very dangerous, and wanted to inform me of the situation at that time.

Immediately upon hanging up I called Secretary of the Army Stanley Resor and passed on this general information to him. I went to bed then, and did not hear further about the situation until 2:40 a.m., at which time Governor Romney called me. He said the situation was very bad.

Among the things he said were: There were about 80 fires unattended; he had a total of about 700 state police coming, and he had about 6,000 National Guards that would be able to come to the situation some time later in the day. He said he thought he could have 3,000 Guardsmen on the street in the morning.

They had about 1500 Detroit police on duty at that time. The rioting went clear across the city, 139 square miles. There was extensive looting. He said that he thought he might need some Army troops, and he mentioned the number of 5,000.

He asked me whether normal procedures were necessary; should he send a telegram? I told him that he need not worry about procedures at that time; that we could take care of the details later without losing time in alerting the Army for any preparatory movement that might become necessary, because we could begin the alert at that time, and we would not lose time in terms of military precedents if it later became necessary to use the Army.

He gave me the numbers where I could get in touch with him should that be necessary in the next few minutes.

I immediately called Secretary Resor upon hanging up and advised him of the details of the situation in Detroit that Governor Romney had passed along to me.

After talking with Secretary Resor, I called the President, and advised him of the situation. This was about 3:00 a.m. He said I should keep him advised. Those were virtually his only comments. He was obviously very much concerned about the situation.

At 3:30 I had engaged in a number of phone calls from my home. I was anxious to get to the office where I would have more telephones and support available. I called Governor Romney——

Question: Where was this?

Attorney General Clark. This was still at home I called Governor Romney.

He said the situation was about the same, that there was sniping going on; he still may need the Army. I told him the Army could be there by late evening, before noon if necessary, and we should keep in close touch.

I then proceeded to the office where I talked with Secretary Resor on three occasions before I again talked to Governor Romney.

At 5:15 I called Governor Romney. I told him that I had been advised by Secretary Resor and General Simmons, who is the Commanding General of the Michigan National Guard, and General Moore, who is a General in the Michigan National Guard, and Inspector Sage, who is with the Detroit Police, all felt the situation was under control; that it could be handled locally.

Governor Romney told me at this time he had been thinking in an endeavor to bring the situation under control Monday, and rather than take any chance, he would want to have Federal help. He said he had just told the press at 5:15 a.m. that Federal troops were requested.

I told him that as this situation developed it would be necessary to have a formal request. *We would need a written record of* what was happening; that we should have a formal request before there was an actual commitment of troops; that he would have to exhaust all his resources; that he should be prepared to state that there was a state of insurrection in the State of Michigan or domestic violence he was unable to suppress.

Governor Romney said he would talk to General Simmons and General Moore, Inspector Sage, and he would advise me later of his decision on the Army troops.

He said the situation was not as bad as it was in Newark at that time, as he understood it, and he appreciated all the help and the assistance he has been given.

I then called Secretary Resor on three more occasions and talked to him.

I next talked to Governor Romney at 6:50 a.m., at which time he called me. He said there was still major looting, there were new fires breaking out; that no one could say whether the situation was contained or not. He said he was going out at that time—it was getting to be daylight—to review the situation, and he would call me back within an hour. This was at 6:50.

He said General Simmons was unable to assure the Governor he could control the situation; that he, Governor Romney, was unable to say he could not control it. I told Governor Romney if Federal troops were used, it probably would be necessary to federalize the Guard. I wanted him to understand you cannot have two military commands at the same time.

I told Governor Romney he should not ask for the troops unless they were needed, unless he was unable to contain the situation. I told him we were now beginning to lose time in which the Army could arrive because at this time we were in a state of readiness at Bragg and Campbell.

I said he would need to decide in three hours—this is 6:50 a.m. again—if these soldiers were to arrive during the daylight hours.

I then talked with Secretary Resor and other people here in the Department who had been working on the situation. At 8:55 Governor Romney called back. This is two hours and five minutes after our earlier conversation when he told me he was going out to review the situation and would get back in touch with me within an hour.

He read at this time a page and a half statement recommending the use of Federal troops. I told him it would be necessary he request the use of Federal troops; that this was the requirement of the Constitution and the law; that if we were to use the procedures provided, he should make this request.

He should also assure me a full commitment of state resources was made, and that he was unable to suppress the violence. He told me he understood, and he would get in touch with me as soon as he could.

I should say at this time that during all of my conversation with Governor Romney on this day there was never the least tone of anger or disappointment, or lack of cooperation, that I detected. I understood and felt there was cordiality throughout our conversation.

This conversation with Governor Romney I mentioned was 8:55 a.m. I talked to Secretary Resor, and at 9:35 I briefed the President on the situation. At 9:45, 50 minutes after our last conversation, Governor Romney called, and he read a telegram of less than 100 words. I told him upon hearing the telegram over the telephone that telegram would be adequate; that he should make his judgment as to whether to send it, and if he decided to send it, to send it quickly. It was 9:45 a.m. He said a decision on use will be made promptly.

I continued conversations with various military people and Department of Justice people who were following the situation. I understand at 10:46 Governor Romney actually wired the President. It was this wire of less than 100 words which I described he had read to me at 9:45.

Question. What time is that?

Attorney General CLARK. That is 10:46.

Of course the request goes to the President of the United States.

Ten minutes later the wire was received, and in less than ten minutes the President had replied, telling him Federal soldiers would be moved in. He discussed it with Secretary McNamara who was in fact, and had been for some time, at the White House.

Question. What time was that? What time did he wire back?

Attorney General CLARK. It was less than ten minutes after 10:56. I think it was about 11:03.

Question. He replied by telegram?

Attorney General CLARK. He replied by telegram.

We immediately put a call in for Governor Romney. Since I had been the person who talked with him through the night, the call was to be referred to me. We were advised that Governor Romney was on his way home; that they would get in touch with him as soon as they could.

Governor Romney called back at 11:55. I read him the telegram. He said that had been very helpful. I told him Cyrus Vance would be in charge of the Federal operations, and put Mr. Vance on the telephone, and he chatted briefly with Governor Romney.

Question. Were you at the White House at this time?

Attorney General CLARK. Yes, we were in the cabinet room at this time.

I then called Governor Romney at 2:25—this was the last occasion on which I talked to him on this day—to advise him of the arrival time of Secretary Vance, which I indicated would be a few minutes after three o'clock. Governor Romney previously had indicated he would have a car at the airport to pick up Secretary Vance on his arrival.

Governor Romney asked me at that time whether it would be necessary to federalize the National Guard. I told him there would be no decision on that until Secretary Vance could study the situation and report to the President, but I reminded him of our earlier conversation in which I said if Federal troops were actually committed, it would be necessary in my judgment to federalize the National Guard. He said this was excellent and, "many thanks".

On the law, I would like to keep this to my understanding of the law, my judgment of the law, and the facts as I knew them from having been involved in the course of this tragic morning in American history.

We are of course a Federal system. Law enforcement in the United States by practice and by preachment has been local throughout our history. Our resources are local. We have 425,000 full time law enforcement officers in the United States. About 23,000 of these are in the Federal civilian service.

We look to local law enforcement. We look next to a combination of local enforcement and state. We look to the state police, the National Guard, and, when it is essential to the public safety, we look to the use of Army troops.

This occasion is the first time since June 26, 1943 in which Federal troops have been committed against civilians in the United States in a riot situation under Presidential Proclamation.

Article IV, Section 4 of the Constitution provides, as you know, that "The United States shall guarantee to every State in this Union a Republican Form of Government and shall protect each of them against Invasion; and on Application of the Legislature, or of the Executive (when the Legislature cannot be convened) against domestic violence."

Pursuant to that, the Congress has enacted three statutes. They are codified in Title X of the United States Code. They are Sections 331, 332 and 333. Section 334 relates to procedural matters when the previously mentioned titles might happen to be used.

The most appropriate title, the original title, the section enacted in early days of the Republic is 331. That is the section under which proceedings of this nature have historically been undertaken where the local government, the state government is endeavoring to maintain law and order but cannot.

I might mention that we were watching the press service tickers, AP and UPI. At 6:30 a.m. the AP ticker said Romney says he is considering an appeal for troops. That is one of our four entries that we have found on our ticker that morning.

At 8:35 a.m.—AP earlier than that, between 8:24 and 8:35 a.m. had said: "Romney says he withdrew request because of situation elsewhere in the country."

At 8:35 there seems to be a roundup—you understand these things better than I, but there is this entry on the ticker of AP at that time. Romney announced pre-dawn news conference. He said he had asked for troops, and that "the Governor promised a 5,000 man division by the early afternoon." Minutes later Romney turned to the television camera to say he was withdrawing the request because of the situation elsewhere.

Troops were dispatched. Their orders were to proceed immediately to Selfridge Air Force Base. This came at or near 11:00 a.m. Monday morning. They were processed and were touching down there when Secretary Vance arrived at about 3:05 that afternoon.

Secretary Vance proceeded to meet with Governor Romney. It is my understanding when he met with him between 4:00 and 4:30 there were more than 3,000 National Guards still uncommitted to arrive at the situation.

Question. Sir, does this Law 331 give you the authority as chief civilian law enforcement officer to commit the Army?

Attorney General CLARK. No, it does not.

Question. It does not. By what authority did you commit the Army in your conversation with Governor Romney during the night?

Attorney General CLARK. I did not commit the Army to Governor Romney. I could not commit the Army to Governor Romney. I told him that I would alert, and later told him I had alerted, the Secretary of the Army, to make all these preparations to proceed if so ordered.

It of course takes some little time for soldiers in the middle of the night to get ready, whether they be in Kentucky or North Carolina, or wherever it may be, to get their gear ready to get to the airport and to be prepared to embark.

Question. Do you think Governor Romney wasted any time or vacillated?

Attorney General CLARK. I think I should let the record speak for itself on that. I have stated the facts as I know them, and you can draw your conclusion as well.

Question. You made a statement in here: "We were beginning to lose time". Did you feel he was not moving as rapidly as he should?

Attorney General CLARK. That had reference to the fact that I had told him earlier in the morning that we were at a time then when the Army was proceeding in its preparations and in a way it would be necessary whether they were under orders or not. At the time you refer to, they were ready. They could then proceed further. Before they proceeded further there would have to be some indication that there was this need. That is the time that he said that he was going out to review the situation, and he would call me back in an hour.

This is a judgment that he as a Governor had to make. His judgment should be based on facts. He reviewed the situation. He went out to review the situation; he said he would call me back within an hour. He called me back within about two hours.

Question. General, when you told Governor Romney at 2:40 in the morning he need not worry about the procedures at that time, did he have any justification for surmising that he would not need a formal, carefully worded written request, based on a paraphrase of the appropriate statutes?

Attorney General CLARK. In my judgment that was neither necessary nor relevant at that time in view of the tenor of our conversation. I don't think that we addressed ourselves to the need. The actual telegram that was sent contains some expressions that were necessary, the elements were simple. It was less than 100 words, and he did read it to me until 9:45. He told me he sent it, according to the indication on the telegram, at 10:46, about an hour later.

Question. Was there or was there not a dispute about the language required to meet the purposes of the Act?

Attorney General CLARK. In my judgment there was no dispute. There was never a controversy during the course of the evening. If there was any dispute about the word "insurrection," I do not recall it. People who were in my office say they do not recall any dispute about it. In the telegram, which is about a page and a half document—that you should read carefully in its context—which he read to me uses the word "recommend." I told him he would have to "request" the troops.

Question. Why the difference? Why did you insist on "request" instead of "recommend," sir?

Attorney General CLARK. The statute says, "request." The Constitution says "on application." It is necessary to follow the law. It is essential to our Federal system, and it would seem a minor matter at the very best.

I could feel no controversy about this. His words to me, as I related to you a moment ago, were, "I understand."

An oral request under the circumstances that would require emergency action could be sufficient, but what we were doing was during the course of the evening, while we were waiting, while the soldiers were prepared to move if necessary.

Question. Mr. Attorney General, throughout your report on this conversation, you make the point that you said to Governor Romney repeatedly that he should not request Federal troops until all of the state's resources to keep law and order had been committed. The concluding remark that you make in the report is when Governor Romney met with Secretary Vance, after Army troops were already on the way, at that point—which was four o'clock in the afternoon—3,000 State National Guardsmen had not yet been committed.

Is the implication of these observations that Governor Romney did not indeed use all of the forces at his command in the state before he made the request, and should have done so?

Attorney General CLARK. I think you can draw the implications as well as I can. I think the fact is between 4:00 and 4:30 there were 3,000 National Guardsmen in an armory in Detroit uncommitted to the situation at that time.

Question. When you got the telegram at 9:45 in the morning, and I'm not sure I understood this, did I understand you to say that Romney said a decision on the use of Federal troops would be made promptly? Are you saying he was still not asking for troops?

Attorney General CLARK. I said that he called me at 9:45. We had previously last talked at 8:55 when he read me this longer statement, when he said he understood, and he would get back in touch with me. He read me the short telegram, less than 100 words. I told him upon hearing it over the phone this was adequate, and he should send it if he thought it was necessary. He said the decision will be made promptly.

Question. Did you hang up the phone then with the understanding he was not yet asking for troops to be sent there? Is that what you took him to be saying?

Attorney General CLARK. I was then waiting to hear formally and finally from him. I told him to advise me immediately when he made a decision, and he sent the telegram at 10:46.

Question. Did the Governor hang up the phone on you as he alleged?

Attorney General CLARK. I don't know of that. I don't recall in any sense there had been any hanging up of telephones except when we were through talking.

Question. General, is the heart of this controversy that the Administration here regarded with far more gravity the dispatch of Federal troops for the first time in 24 years in a riot than local officials on the scene?

Attorney General CLARK. I think we were very much concerned that we know Federal troops, regular Army troops, are committed against a civilian population of the United States; that local law enforcement was unable to control the situation, and endeavor to do so, and that every effort was being made by state law enforcement, including utilization of the National Guard, was available to meet the emergency situation.

On that occasion, June 26, 1943, the Michigan National Guard was overseas; it was not present to meet the situation that then took place.

Question. Do you feel the state and local officials did all they could in the best way possible to solve the situation?

Attorney General CLARK. I think that is a question on which an individual person makes his judgment. I don't want to pass judgment on what they did. I thought it was necessary under the circumstances that I tell you what I know as a matter of fact, and that is what I have endeavored to do.

Question. What was the Federal Government's response to the information that 3,000 National Guard troops were still in armories?

Attorney General CLARK. I am a lawyer, and I can only say that is hearsay to me. That information would have to come properly and accurately from the people who were actually there in Detroit. My general understanding is when Mr. Vance arrived he asked about this because this had been a matter of concern. According to my information Governor Romney said there were 3,000 National Guardsmen uncommitted at this time. He asked what should be done.

Question. Did he indicate to you in any of his conservations with you or with Mr. Vance, to your knowledge, as to why he did not commit the National Guard troops more quickly?

Attorney General CLARK. I don't recall that he did. I assumed through the early morning hours that the National Guard wasn't around. Much of the National Guard was somewhere else. This outbreak had begun about 5:00 a.m. Sunday morning, so we are talking about 24 hours later. We are talking about 5:00 a.m. Monday morning, and I just assumed they were doing everything they could. It was not for me to tell them how to control their situation at that time.

Question. Mr. Attorney General, we keep waltzing around this point. Is there or was there a difference of opinion in the Federal Government, not you necessarily—you, the President, and all the advisors of the Federal Government—and Governor Romney on whether or not Federal troops should be sent to Detroit? Did you feel Governor Romney at that point had not done all he should have, and he should have done more with the state and the local facilities before he requested Federal troops? Did you ever convey that impression?

Attorney General CLARK. It is so difficult to define what you mean when you say "at that point" because this was in the course of many hours. I told him throughout the night this was a most drastic measure. We had discussed Watts, and we had discussed Newark, and we discussed the fact that Federal troops were not used there. I did tell him in my judgment it was necessary he do these things, he use city police to the extent he possibly could first, that he use county sheriffs, to the extent he could; that he use a combination of local forces to the extent he could; that he coordinate state police to the extent he could, and that he should use the National Guard. This has been a procedure that we have used throughout these recent trying times.

Question. Mr. Attorney General, yesterday Governor Romney said President Johnson played politics in this situation. Did he or did he not?

Attorney General CLARK. Absolutely not.

Question. Were you convinced that Governor Romney should have moved faster in getting this telegram to the White House?

Attorney General CLARK. We were moving all this time because we were concerned about the situation. We moved with the Army, getting it prepared, beginning at 2:40 a.m.

Question. You waited for a telegram that never came.

Attorney General CLARK. It didn't have to be a telegram. But the telegram was received, and apparently within ten minutes after it was sent. But this was to be a communication of his decision. I couldn't judge the situation out there. I hadn't been out in a helicopter. I hadn't been out on the streets that morning. As far as I could tell, sitting in this room in Washington, he might not ever send a telegram, and I assumed he would keep us advised.

Question. Why keep on calling you about a telegram which he never sent until 10:46?

Attorney General CLARK. The first time he called about the telegram was at 8:45. He described it as a page and a half—I don't know how many pages it would be if you counted it up. That was 8:45. He said he understood when I told him this was inadequate as a formality. He was not endeavoring to make a decision; he was running some language by me. I did not understand he was in the process of preparing this language at a time before that, because the last thing he had told me was he was going out to look at the situation, and he would get back in touch with me in an hour.

He had this document. He read it to me. I read him the law. I had the statutes right in front of me. He said he understood, and he would get back in touch.

Question. Didn't you expect then after that conversation an immediate telegram to the White House at that time?

Attorney General CLARK. No, I didn't, because I assumed he was reading this language to me to see whether it was adequate, so when he came to send the telegram he would have the telegram——

Question. He was not then asking?

Attorney General CLARK. No, he was not.

Question. When did he first ask orally, or any other way, for Federal troops?

Attorney General CLARK. He first asked officially—

Question. Not officially; any way?

Attorney General CLARK. The first communication that we had that indicated his firm decision that he would want Federal troops present was when we received a telegram at the White House at 10:56 a.m. Monday morning. That was sent at 10:40.

Question. You said he had made no oral request for troops before that?

Attorney General CLARK. This was all preliminary discussion of the situation as it developed.

Question. The first request of any time was at 10:56 for troops when he said, I need troops, was at 10:56. He didn't say it over the phone?

Attorney General CLARK. I told you what he said at 2:40 and thereafter on that.

Question. He claims at 2:40 his first conversation with you he requested troops, and he never waivered from that position.

Attorney General CLARK. I think the record shows quite the contrary.

Question. In order to put this in proper perspective would it be fair to characterize the discussion that took place since your initial phone call with the Governor as a consultative process and a deliberative one, so that between you you could decide and estimate the situation, and be prepared for any eventuality rather than a demand-type of situation?

Attorney General CLARK. I think that is very close to what the situation was, with the understanding that there were a number of hours between 2:40 and the time when troops could be certain to be moved. Anyway no time was being lost because they were mobilizing.

Question. Did the President ask you to hold this press conference at this time?

Attorney General **Clark**. No, he did not.

Question. Did you tell the President you were going to do this?

Attorney General **Clark**. The White House has been advised.

Question. Isn't this a new procedure for the mayors and governors to contact you? Isn't this sort of new in our country? Didn't we used to have the riots go directly to the President? Why didn't they talk directly to the President that night on the phone?

Attorney General **Clark**. This is a new situation. I have been, and the Attorney General before me, the focal point for this procedure for the past few years. I have talked to a number of Governors, a number of Mayors late at night, some since Governor Romney, and Mayor Cavanagh, I might add.

Question. Do you consider the matter closed as of now?

Attorney General **Clark**. I would have hoped it would have been closed before now, because I do not believe this is a constructive conversation. I engage in it reluctantly. I felt it became necessary when Governor Romney made the statements he made.

Question. In your last conversation with him at 2:25 in the afternoon, you said he asked if it was necessary to federalize the Guard, was there some question about whether Federal troops could be used?

Attorney General **Clark**. As he knew, there were no Federal troops there at that time. There was nothing for anybody to hold the troops were in the process of coming. His question to me was not about the Army; it was about the National Guard. He was asking me whether it would be necessary to federalize the National Guard. His question contemplated that you could have the Army in there and committed, and still have National Guard under the command of the Governor.

As I indicated, I told him that no decision on that would be made until Secretary Vance studied it and made a report. I reminded him of our earlier conversation in which I said that if Federal regular Army soldiers were committed, it would be necessary to federalize the Guard, as you can't have two military commanders in the same situation.

I am sorry I am due for a hearing.

Question. Do you think Governor Romney was playing politics with regard to the statements yesterday?

Attorney General **Clark**. I would rather let the record speak for itself.

Question. Do you think the Governor is interpreting the statute to mean that he could request the troops from you instead of the President?

Attorney General **Clark**. I don't know whether the Governor ever read the statute. As to whether he had an opportunity of misinterpreting it, you would have to ask him about that.

In my conversation with him he understood the communication would have to be to the President, and the wire was to the President.

(Thereupon, at 3:30 o'clock p.m., the press conference was concluded.)

JULY 24, 1967.

THE PRESIDENT,
The White House:

With further reference to present Detroit problem covered in my earlier telegram to the Attorney General.

As Governor of the State of Michigan, I do hereby officially request the immediate employment of Federal troops into Michigan to assist State and local authorities in reestablishing law and order in the city of Detroit. I am joined in this request by Jerome P. Cavanagh, mayor of the city of Detroit. There is reasonable doubt that we can suppress the existing looting, arson and sniping without the assistance of Federal troops. Time could be of the essence.

GEORGE ROMNEY,
Governor of Michigan.

THE VICE PRESIDENT SPEAKS IN DETROIT

Mr. HART. Mr. President, I ask unanimous consent to have printed in the RECORD the speech of Vice President HUMPHREY at the National Association of Counties Convention in Detroit on August 2, 1967.

There being no objection, the speech was ordered to be printed in the RECORD, as follows:

REMARKS OF VICE PRESIDENT HUBERT HUMPHREY, NATIONAL ASSOCIATION OF COUNTIES, DETROIT, MICH., AUGUST 2, 1967

I speak to you today not as a former mayor, former Senator, or even as your Vice President. I come to you not as a political partisan, but as a concerned American. Our nation is in trouble.

Today, in this city, all of us are compelled to face an American crisis. It is the crisis of a nation which by its actions, must now determine whether or not the American dream—the dream of a free and equal people, living together in happiness and harmony—will be or will not be achieved.

Make no mistake: People all over this world are watching our American crisis. A small few may be taking pleasure from it. But by far the most are watching because our crisis is, in fact, their crisis.

They are watching because the American dream is, in fact, their dream.

They are watching because they know in their hearts that if we—in this richest and most powerful country ever known to man—cannot surmount our crisis, there is certainly no hope for fulfillment of the dream in their own nations.

In this century—and most rapidly since World War II—the downtrodden and striving people of this world have come to the city. They have come to Rio de Janeiro. They have come to Lima. They have come to Chicago and New York and Detroit.

And, in their coming, this wave of immigrants has been channeled into, and helped further create, the ghetto and the slum on a scale almost forgotten in our own country since the early days of the Industrial revolution.

But, as this audience well knows, this is a crisis not only of our cities—although that is where we see and feel its symptoms. It is a a crisis, too, affecting many rural areas where the poor and deprived are all but invisible and inaudible to the affluent majority of Americans.

Wherever there is despair and fear, chronic unemployment and illiteracy, broken-down neighborhoods or the sharecropper's shack, the vitality of America is being drained . . . the full promise of America is being denied.

Now is a time when we must look within ourselves.

It has become all too easy in these past few years to think of our nation as rich and powerful, and many other parts of the world as poverty-ridden and weak. And in doing so, we have overlooked the fact that conditions exist in America to match those in the most backward slums, villages and countrysides of Asia, Africa or Latin America.

As the President pointed out to this nation in his memorable address at Howard University: There are two Americas. There is the America that you and I know in our everyday life. There is also the America of poverty.

And as we have awakened to the necessity of helping the underdeveloped nations and peoples of the world, we must also awaken to the necessity of helping those who live outside the mainstream of our own American prosperity and well-being.

If we presume to stand in this world as the friend and helper of the new nations, we must demonstrate our capacity and willingness to help our own people.

If technical assistance and long-term, low-interest loans are needed for overseas development, surely they are needed here at home.

If massive investment of private capital is needed in the new nations, so is it needed in America's slums and rural poverty areas.

Our goal in America, as everywhere, must be not merely welfare and compassion, but opportunity and human dignity.

We must set priority on such fundamentals of nation-building as decent shelter and housing . . . jobs for those willing and able to work . . . education and training.

And whatever it will take to get the job done, we must be willing to pay the price.

Now, what?

There are three things we can, and must, do.

The first part is to re-establish law and order in this country by whatever legal means it takes to do it.

We believe in social progress. America is permanent, constantly evolving social progress.

But it is part of the creed of this land that our progress shall be peaceful.

It is also part of our creed that justice shall be served.

There is no justice for anyone—least of all for the oppressed citizen of the ghetto—in senseless violence and lawlessness. And therefore we, who bear public responsibility, owe it to those we serve that law and order shall prevail.

And I know of no statement which says it better than that issued by four of America's most responsible civil rights leaders—Dr. Martin Luther King, A. Philip Randolph, Roy Wilkins, and Whitney Young, Jr.:

"Killing, arson, looting, are criminal acts and should be dealt with as such. Equally guilty are those who incite, provoke, and call specifically for such action. There is no injustice which justifies the present destruction of the Negro community and its people."

It is time for some plain talk about the methods and the motives of those who have been inciting violence and preaching hate.

Do they really believe that violence and hatred can lead to anything but more violence and hatred?

Do they think for one minute that injustice can be remedied by injustice?

Do they think gunfire . . . the burning of schools . . . the literal destruction of neighborhoods can bring any change but change for the worse?

We have seen extremist demagogues at work in this country before.

We have seen people interested more in personal power than in the welfare of the people they would use and deceive to gain that power.

And I have a message for those who would turn Americans against each other: *We recognize you for what you are*—destroyers, haters, and enemies of freedom.

This is America. This is not a totalitarian state.

We have a means and a process of change. It is the democratic process. It does not always work as quickly or efficiently as we would like. But it *does* work.

And we will not stand by and see that precious process subverted by those who would substitute the rule of the jungle for the rule of law.

Make no mistake about it. The rule of the jungle will *not* prevail.

The fundamental responsibility of government at all levels—the maintenance of public order—*will* be met.

The *second* thing we must do is to get

at the hard frustrating work of rooting out the conditions which have led to the slum and the life of physical and spiritual poverty within it.

And here let me make myself crystal clear: If there were no disorders . . . if there were no violence . . . if our cities rested in total calm, the slum would remain a blight on the consicence of each of us. It is the dirty face—the scarred countenance of America.

There is no room for slumism and all it stands for—for poverty . . . for crime . . . for ignorance . . . for disease . . . for a family of 10 in one room . . . for segregation and discrimination, bitterness and despair.

How do we square the slum—this literal ghetto of people outside American society—with our Constitution . . . with our Bill of Rights . . . with any of the things we believe in?

As my good friend, Governor Otto Kerner of Illinois, wisely said last Friday night: "America does not seek separatism, segregation or spiritual secession. Any man who preaches these doctrines is an enemy of freedom."

If this is so, then how do we break open the ghetto? How do we let in the light and air of hope and opportunity? How do we let out the people trapped within it? Well, here are a few suggestions:

Jobs.

Education.

Training and retraining.

Decent, low-cost housing.

Convenient mass transit.

Creative use of tax and other incentives to bring private investment into the center city.

Crime control.

Recreation.

Health services.

Participation by people in the life of their community.

It means getting trained people, with their sleeves rolled up, into the problem areas to help these new American immigrants become real citizens.

And it means the creative, carefully-conceived programs we certainly must have to get the job done.

We have a good start at the federal level. Job Corps, VISTA, Head Start, Upward Bound, Model Cities, Medicare, the Youth Opportunity Campaign—all these things have been added to our vocabulary, and to our society, in a period, literally, of a few months.

The President recommended almost 26 billion dollars for federal programs directly helping the poor, and building opportunity for fiscal year 1968.

That sum was 3.6 billion dollars above fiscal 1967—and almost *three* times that requested only six years ago.

Our federal programs for health, and for education, are two to three times what they were before the 1960's.

With the measures, particularly, passed by the historic 89th Congress, we have the basic building blocks with which to eliminate the slum and build a stronger nation.

Now these programs, and others to supplement them, need help.

As a minimum first step, we must make sure that legislation now before the 90th Congress is passed and that outstanding requests for funds are met.

Let us start with crime.

President Johnson has proposed, on the basis of extensive study, the Safe Streets and Crime Control Act.

The President has also proposed firearms and narcotic control legislation.

You need these bills and they need your support.

And there are other programs which need support:

Rent supplements . . . metropolitan development grants . . . urban research funds . . . urban information and technical assistance . . . the Economic Opportunity Act . . . low income housing . . . rural development . . . rat control.

Then there is the Model Cities Act—I like to call it the New America Act—a Marshall Plan for urban America.

This Act provides for major private sector entry into housing for the poor . . . genuine participation of neighborhood residents in directing community rebuilding . . . comprehensive planning for blending physical and social development . . . unique breakthroughs for applying space technology and the so-called "systems approach" to the cities—in other words, the most modern and progressive measures for urban development.

America needs a fully-funded long-term Model Cities program . . . and I ask your help in seeing that America gets it.

But even all these programs—given full funding—will be only shovelsful of sand on a forest fire if they are not carried through and administered with energy and imagination.

As you know, all these new programs require state, local, and private cooperation and participation.

The problems of America today are so big—so complex—that *all* our governmental and private resources must be brought to bear upon them, in the most efficient way possible—and on a continuing basis.

These problems cannot be solved with the tools and the methods of yesterday. They require modern-day efficiency in both government and private enterprise.

As part of this, states and counties, cities and villages must re-examine their structure.

Constitutional reform and modernization of county and municipal government are no longer subjects for academic debate and editorial discussion. They are imperatives if our democracy is to survive.

Finally, there are things we can do right now with the resources we have at hand.

You have received materials from me today in my capacity as Chairman of the President's Council on Youth Opportunity. We have reported imaginative programs which are working well in communities across the country. I hope you will put some of them to use to fit the circumstances in your own communities.

We have suggested ways in which public facilities like National Guard armories and schools can be used this summer.

We have strongly urged that Youth Councils in our cities and counties continue to function throughout the year, that summer job programs be expanded and extended to provide free-time employment for your youngsters throughout the year.

Your police and fire departments, and sheriff's offices, can hire and train as many people as possible from the disadvantaged areas of your communities. You can re-educate your present law officers in community relations.

You can adopt the Crime Commission recommendation that "community service officers" be added to police forces.

You can recruit returning Negro veterans into your county community services.

You can improve cooperation with regional and local offices of all federal agencies to insure that all programs in your area are coordinated to produce the greatest possible impact.

You can urge your local business communities to help establish training programs, and see to it that these job-training programs really meet the needs of industry in your area.

Make a note right now to check on these three programs: your Neighborhood Youth Corps, your industrial training program, and your On-the-Job Training. Are all positions filled? Are the programs running smoothly? Unemployed young people need jobs—jobs in private industry which will give them self-respect and income.

You can establish realistic lines of communication with the minority leadership in your communities. In all too many cases we have abetted men of violence by our reluctance to deal with men of reason.

And, then, there is the all-important business of cooperation—cooperation across old jurisdictional lines—that I mentioned earlier.

County and metropolitan human relations commissions are important. I am told there are only six county human relations commissions with staffs in the entire nation.

When you return from this conference, staff that commission. Have it work with others throughout your metropolitan area.

There are imperatives for sharing governmental responsibilities in many other areas. We have too few working metropolitan councils of government. In many places, new state legislative authority is needed to make metropolitan-area cooperation workable.

Parks and recreation, educational centers of excellence, transportation to jobs—yes, crime prevention and law enforcement—must be planned and administered on a metropolitan basis.

And in this regard there is something else that can be done right now.

I would like to propose today that all 50 states consider formation of Councils for Civil Peace at state and, where possible, metropolitan level.

A State Council for Civil Peace could include representation from all racial and religious groups in the state . . . the state attorneys general's office . . . the National Guard . . . law enforcement agencies and officials of local government.

It could provide a state community relations service designed to prevent violence and to gain community cooperation and hear the voices of those who have gone unheard. It could set up a coordinated early-warning system so that coming disorders might be detected in advance and, perhaps, be stopped before they began. It could establish a central communications network.

A Council for Civil Peace could provide a way and a means for those who would be the innocent victims of violence to have an opportunity to forestall that tragedy and to bring to bear their knowledge, their information and their sense of citizenship.

A State Council for Civil Peace would, in short, help give every American state and community the means to assure law and order to its own citizens in all but the most extreme conceivable emergencies—in which the protection guaranteed under the Constitution by the federal government would, of course, be available.

It would be just as valuable that States take the initiative in forming Metropolitan Councils for Civil Peace—with the same broadly-based representation—to do the same job on a community basis. This would be especially important in those areas where a major metropolitan complex crosses two or even three State boundaries.

Under existing programs, federal funds could be applied for to help such councils when organized on a metropolitan basis.

All of these are things we can do to build the better communities we would want to build even if there were no trouble.

Finally, there is the inevitable question: Are we going to make it through this crisis?

I think we are.

The whole story of our America has been the story of a people who have always overcome all obstacles in their search for a more just and perfect union. There have been dark moments, but we have always prevailed. And I do not believe that, at this moment, we shall fail.

I have faith, too, in the courage and good sense of the people who today remain still trapped within the walls of poverty and despair.

I do not believe they will fall victim to the demagogues and agitators who would tear down what men of peace have built with their life's blood over generations.

This is not the time for promises, postponement and delay. It is a time for healthy, constructive, prompt action.

This is no time for hate and revenge. It is a time for reconciliation and cooperation.

Now is the time when every American—black, white, rich, poor, North, South—must stand up and be counted for the kind of country he believes in.

Our commitment to the building of free, safe and just communities must be no less than the commitment we have made in the past to military defense of our country . . . to the exploration of outer space . . . to the rebuilding of a devastated Western Europe after World War II. We have that commitment in the model cities act. It is for our cities a Marshall Plan for the impoverished areas of America. Yes, call it that if you wish.

Or call it the American Plan, or the Plan for a New Day.

The 89th Congress, by adopting President Johnson's Model Cities Act, has already given us most, if not all, of the mechanism we need to carry out this plan.

But even as we embark on such an effort, we must realize that it will be a long and difficult one.

The injustices of a 100 years will not be wiped away in 5, and the behavior patterns of a lifetime will not be changed in a month or two.

The ghetto of the heart, mind, and soul, as well as the physical ghetto, will not dissolve in the warmth of good intention and wishfulness. It will be eradicated only when each of our citizens stands equal and proud before the law and his neighbors. It will be eradicated only when the people trapped within it are able to lift themselves into self-sustaining, productive citizenship.

I said at the beginning that it is the American Dream which is being tested today.

That Dream lives, even in the hate and fever of our slum streets, down deep in the people who dwell there. And it lives, too, in impoverished rural America where the life can be as depressing and grinding for the rural white as it is for the urban Negro. (For if the urban Negro is an immigrant the impoverished rural American is in a sense a refugee.)

The American Dream has lived and been nourished by the difficult, step-by-step, day-by-day patient, persevering progress made over many generations.

Laws have been passed. Promises have been made. Hopes have been raised and raised again. Programs have been started. Restlessly and relentlessly we have moved forward.

Now we are at the testing place. We are at the place where jobs, where housing, where education must be available for those who seek them not in a token, but in a *real* way.

Yes, jobs for those who need and want and can work . . . decent housing for those whose families do not have it . . . quality education for children and young people who need it most—these are the things that every American should be able to look ahead to.

Hopes raised must not be dashed. Expectations risen must not be left to wither. The dream of our country must not be denied.

And if we do succeed—and I believe we shall—the light that will shine forth in the world once again from America will not be the light of a nation aflame, but the light that has shone forth from the beginning from a people whose message to the world has been, and remains, this: "Give me your tired, your poor, Your huddled masses yearning to breathe free, The wretched refuse of your teeming shore, Send those, the homeless, tempest-tossed, to me; I lift my lamp beside the golden door."

Those are the words inscribed on our Statue of Liberty.

Now is the time to live by them.

Mr. HART. In my view, the Vice President struck exactly the right notes, and I hope his words will come out loud and clear: our first priority is to reestablish law and order—this is fundamental. But immediately thereafter we must tackle the root causes of disorder. Neither approach will succeed without the other, as the Vice President so well points out. I subscribe to the points effectively made by the Vice President as he spoke in Detroit—where but a week before violence and vandalism and arson threatened a great city.

Mr. President, I suggest the absence of a quorum.

Mr. BYRD of West Virginia. Mr. President, will the Senator withhold that request?

Mr. HART. I withdraw it.

ADJOURNMENT UNTIL 11 A.M. TOMORROW

Mr. BYRD of West Virginia. Mr. President, if there is no further business to come before the Senate, I move, in accordance with the previous order, that the Senate stand in adjournment until 11 o'clock a.m. tomorrow.

The motion was agreed to; and (at 5 o'clock and 45 minutes p.m.) the Senate adjourned until Friday, August 4, 1967, at 11 o'clock a.m.

EXTENSIONS OF REMARKS

Pride, Inc.

EXTENSION OF REMARKS
OF

HON. JOEL T. BROYHILL

OF VIRGINIA
IN THE HOUSE OF REPRESENTATIVES
Thursday, August 3, 1967

Mr. BROYHILL of Virginia. Mr. Speaker, The Department of Labor is guilty of a direct and deliberate affront to the House and Senate of the U.S. Congress in placing convicted felon Rufus Mayfield in a position of guidance and authority over 900 District of Columbia youth.

Secretary of Labor Wirtz should immediately rescind the Mayfield appointment and call to account the officials of his agency responsible for this deliberate insult to Members of Congress as well as to the decent youth of the District who will be placed in subservience to an admitted agitator who has continuously displayed reckless disrespect for law and human decency.

I have no objection whatsoever to the program of youth assistance outlined in the proposed plan today, except for a reservation about paying 14-year-old boys $56 a week, which will undoubtedly be more than their fathers earn in many instances. I object strenuously, however, and believe that Congress should also object, to this act of irresponsibility on the part of the Department of Labor. And it is my fervent hope that until such time as Rufus Mayfield is removed from his new position as "chairman of the board" of the Labor Department's new $300,000 "Pride, Inc.," that somebody will keep an eye on the cash register.

Congressman Wydler's 1967 Opinion Poll Report

EXTENSION OF REMARKS
OF

HON. JOHN W. WYDLER

OF NEW YORK
IN THE HOUSE OF REPRESENTATIVES
Thursday, August 3, 1967

Mr. WYDLER. Mr. Speaker, it has become a tradition in the "Fabulous Fourth" Congressional District to send reports to my constituents of my activities and once each year to ask them for their views on important current national issues by means of a questionnaire.

The questionnaire is now in its fourth consecutive year. I send the questionnaire to every resident who lives in the Fabulous Fourth Congressional District regardless of party. In this way I can truly test the prevailing opinion on great national issues.

Once again thousands of the people of the Fourth Congressional District have answered the questionnaire. The results have been carefully tabulated and I am busy answering the many comments that have been made to me on the questionnaires. The enthusiastic response once again proves that people do care about their Government.

I am now sending each person in the Fourth Congressional District a copy of the results of the questionnaire. These results show the prevailing opinions in our congressional district.

My reaction to the answers this year is that our district shows a determination to meet our commitments in Southeast Asia, but with a strong feeling that the war there should be brought to an end as soon as possible. Only 10 percent of the people would actually withdraw from Vietnam. A majority want to mount a strategically sound effort for military victory.

In other areas of foreign policy, there is an overwhelming and growing determination not to expand trade with Communist nations while they are supplying arms and aid to North Vietnam.

There is also hardening against participation of Red China in the United Nations because of its internal disorders and external policies.

On the domestic scene, our area shows an overwhelming opposition to the President's proposal for a 6-percent tax increase. There is continued support for my proposal to allow parents a tax credit for college tuitions.

Somewhat surprising was the strong approval of the use of wiretapping to control crimes of violence and subversion when done under court direction and supervision.

There is a sharp split on the question of draft deferment for students attending institutions of higher education.

Finally, and most surprising of all to me, was the two to one opposition to reduce the voting age from 21 to 18.

Once again my thanks and congratulations to those who joined in and made this questionnaire successful.

The success of this questionnaire makes it clear to me that the people of the district wish it continued and it will be sent once again early in the year 1968. It will be our district's fifth consecutive Fabulous Fourth questionnaire.

The questionnaire results follow:

RESULTS OF THE FOURTH ANNUAL "FABULOUS FOURTH" QUESTIONNAIRE OF THE CONGRESSIONAL DISTRICT, NASSAU COUNTY

		Percent	
FOREIGN POLICY			
1. What should we do about Vietnam? (Check only 1):			
(a) Continue our present course		7	
(b) Mount a strategically sound effort for military victory		56	
(c) Hold key positions and try to negotiate a settlement		27	
(d) Withdraw as soon as possible		10	
	Yes	No	Undecided
2. Do you favor expanding trade with the Soviet Union and other Communist bloc countries who supply aid to North Vietnam?	13	84	3
3. Do you favor participation of Red China in the United Nations?	30	66	4
DOMESTIC POLICY			
4. Would you have the Federal Treasury share some of its revenues with the States for locally administered programs?	61	33	6
5. Should a tax credit be allowed parents supporting students in college?	76	23	1
6. Do you believe that we should end our farm price support and crop curtailment programs?	64	27	9
7. Do you favor President Johnson's request for an increase in income tax through a 6 percent surcharge?	15	83	3
8. Do you feel there is a need for a truth-in-lending bill so that a borrower may know the true interest rate he is required to pay?	93	5	2
GENERAL			
9. Would you favor direct election of the President in place of the electoral college system now used?	78	17	4
10. Would you permit the police under court supervision to employ wiretapping and other electronic devices to control crimes of violence and subversion?	86	12	2
11. Do you favor draft deferments for students attending institutions of higher education?	55	42	3
12. Do you favor a proposed constitutional amendment to lower the voting age from 21 to 18?	31	65	4

Food Stamp Act

EXTENSION OF REMARKS

OF

HON. AL ULLMAN

OF OREGON

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 3, 1967

Mr. ULLMAN. Mr. Speaker, I would like to call to the attention of the House the need for prompt action on the pending Food Stamp Act, S. 953.

The House and the Senate passed different versions of this bill several weeks ago. The House passed a 1-year extension and the Senate a 3-year extension of the 1964 act. Thus far, the conferees have been unable to resolve this difference and agree on a final version. This deadlock has made it impossible for the Department of Agriculture, in cooperation with the States, to plan for further expansion of this program for the current fiscal year even though we are now well into the second month of fiscal year 1968.

When the House considered the original legislation in June, the future of this worthwhile program was in doubt. Through the legislative skill of the able chairman of the Committee on Agriculture [Mr. POAGE] we were able to successfully authorize the extension of the food stamp program. Further delay will place the entire program in jeopardy once again.

This program for our needy citizens involves long-range planning and contractural arrangements with the States. State and local organizations must make careful commitments and plan well in advance of actual operation of the program.

Periodic review of the Food Stamp Act is a desirable and necessary feature of this important legislation. However, in view of the leadtime necessary for adequate planning, it would seem that review every 2 or 3 years would satisfy our legislative responsibility for program control. It would also provide a stable commitment to the States and localities which participate.

I urge the conferees to resolve their differences so that the food stamp program can continue to reach those of our citizens who are in need of additional food.

Washington Report

EXTENSION OF REMARKS

OF

HON. WILLIAM E. MINSHALL

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 3, 1967

Mr. MINSHALL. Mr. Speaker, I include in the RECORD my newsletter, Washington Report, for the month of August:

WASHINGTON REPORT

(By Congressman WILLIAM E. MINSHALL)

Even cynical observers of the Capital scene are amazed by the length of time—one full year—granted by the President to his National Advisory Commission on Civil Disorders to answer his three basic questions about the riots ravaging our nation. The President's questions are: 1) "What happened?" 2) "Why did it happen?" 3) "What can be done to prevent it from happening again?" . . . *While we wait a year for the Commission's report how many more innocent citizens of all races will be killed or injured? How many more American cities will be pillaged and reduced to ashes by firebombs?"* . . . Answers to the President's questions are already a matter of record. The facts speak for themselves.

Facts: Communist Involvement. Testifying before the House Appropriations Committee February 16, 1967, FBI Director *J. Edgar Hoover* said: "Communists and other subversives and extremists strive and labor ceaselessly to precipitate racial trouble . . . Such elements were active in exploiting and aggravating the riots . . . in Harlem, Watts, Cleveland and Chicago." . . . 1964 Un-American Activities Committee hearings quote racial agitator and *FBI fugitive Robert Williams*, who fled to Castro's Cuba and now mails his publications from Red China to the U.S. via Canada: "During the hours of the day sporadic rioting takes place and massive sniping. Night brings all-out warfare, organized fighting and unlimited terror against the oppressor and his forces. Such a campaign will bring about an end to oppression and social injustice in the U.S.A. in less than 90 days." . . . *Stokely Carmichael*, speaking from Havana July 27, 1967: "We must internationalize our struggle and if we are going to turn into reality the words of Che (Guevara) to create, two, three or more Vietnams, we must recognize that Detroit and New York are also Vietnam." . . . *H. Rap Brown*, head of the Student Nonviolent Coordinating Committee, July 26, 1967, after his arrest for inciting a Cambridge, Md., riot: "These rebellions are but a dress rehearsal for the real revolution," and July 27, speaking in a Washington, D.C., church, *Brown* said: "black people" should do "more looting and shooting. If you're going to loot, loot yourself a gun store. You got to arm yourself, brother."

Solution: Arrest and prosecution of insurrectionists advocating the overthrow of our government. For this reason I introduced in 1966 and voted on July 19, 1967, for passage of the *Anti-Riot Bill* to invoke severe penalties on any person using interstate facilities for the purpose of inciting riots. This legislation now awaits Senate action. For this reason I also telegraphed the President and the Attorney General July 28 calling for the immediate apprehension and *arrest of Stokely Carmichael* the moment he returns to this country, to be held without bond on a charge of treason, even though we are in an undeclared war. For this reason I urge *strong anti-crime laws, better police pay,* and possibly *mobile anti-riot squads* at strategic locations near potential trouble spots. . . . I urge that the *U.S. Supreme Court* review its decisions which place justice to the criminal and anarchist before justice to the victim. According to official FBI records, national crime rates have risen by 62% since 1960.

Facts: Demagoguery to gain votes. The sudden dismay and alarm of high-ranking Washington officials ring false to those who recall that in August, 1965, *President Johnson* told demonstrators at the White House: "I am proud this morning to salute you as fellow revolutionaries. Neither you nor I are willing to accept the tyranny of poverty . . . I hope that you . . . will go out into the hinterland and rouse the masses and blow the bugles and tell them that the hour has arrived and their day is here." . . . And *Vice President Humphrey's* statement last year that if he had to live in slums "you'd have more trouble than you have had already, because I've got enough spark left in me to lead a mighty good revolt under those conditions."

Solution: A curb on inflammatory remarks by men in public office—Democrat or Republican; by legitimate civil rights leaders who represent just grievances by minority groups; and by clergymen who advocate civil disobedience and open their church doors to provide forums for such characters as Rap Brown. The political leader who treats the poor, and particularly Negroes, not as individuals but as a "bloc vote," and attempts to manipulate them through impossible promises, insults them not only as American citizens but as human beings. *The news media,* including radio and TV, has a responsibility to report the news accurately and impartially. But it increasingly has become a sounding board for the rabble-rousing Carmichaels, Browns and Floyd McKissicks, under the guise of "public service programming."

Facts: Sharecropper politics, promising grandiose handouts which seldom materialize. The first $1 billion of the Anti-Poverty Program went for "administration," but in fact lined the pockets of political appointees. *The poor never saw a penny of it.* Only about 10,000 youths have been "graduated" from the scandal-ridden Job Corps in three years at a cost of $54,000 each. Only 1 in 10 corpsmen has found a job through direct placement by Corps officials. Capitol Hill is hearing testimony that Office of Economic Opportunity workers in some cases contributed to racial and social unrest—Newark's police chief wired OEO's Sargent Shriver to that effect six weeks in advance of the riots there. Shriver never answered the telegram. . . . The Federal government has spent literally hundreds of billions of dollars on programs relating directly to the poor—$25.6 billion is earmarked for such purposes in this year's budget alone!—without achieving the desired results. An impersonal bureaucracy, with all its red tape and administrative costs, is bungling jobs which could be handled better and at less expense by state and local governments.

Solution: Education, job-training and intelligent social welfare aid in cases of proven need, administered by dedicated personnel who understand and can communicate the fact that *freedom's corollary is responsibility.* Generations of privation and slipshod schooling have created a society of both black and white Americans on public dole because of a lack of education, a lack of job skills and a lack of ambition. Education and incentive-building programs must be the tasks not only of the Federal government, but, more important, of state and municipal agencies which are closer to the problems involved. Private industry, local church and charitable organizations and private citizens must share in these efforts. Every American's rights are clearly written in the Constitution and underscored by numerous laws whose passage I have supported in Congress. Now is the time to emphasize responsible exercise of those rights, but not through bigger welfare checks or handouts. . . . *Overseers of the Great Society planation system* disregard a cruel aspect of their reckless spending—for those who must literally count every penny, the rise of nearly 12% in the cost of living since 1961 means less food on the table and fewer clothes for the children of the poor.

Facts: Rats vs Riots—not relevant. Pettifoggery as typified by the furor over the Administration's 2-year $40 million "Rat Control Bill"—rejected by the House in a 207-176 rollcall vote—creates false issues and disharmony. The legislation would, in fact, have served about only half of 1% of the nation's 18,000 communities and would have duplicated $3 million in programs now underway in four Federal agencies. Ironically, Detroit was cited by the bill's proponents as a model city in its municipally-sponsored and financed rat control program. Under it, Detroit has drastically reduced the incidence of rat bites, rat-transmitted diseases and rat-infested buildings. A Federal rat program would have been administered by the Department of Housing and Urban Development. *Since Cleveland has yet to come up with "workable programs" according to HUD criteria, the city probably would not have been eligible for aid.* Cleveland Health Department figures for animal bites during 1966, incidentally, reveal these statistics: 4,626 dog bites; 202 cat; 53 rat; 42 squirrel; 18 rabbit; 17 hamster; 9 mouse; 7 monkey; 4 guinea pig; 2 each, chipmunk, raccoon and horse, and, 1 each, oppossum and skunk.

Solution: Stronger local enforcement of building codes, garbage collection and littering, plus an all-out program to educate individuals in eliminating cause of rat infestation. City officials might well study the Detroit rat-eradication plan which has proven so successful. Some responsibility still rests with private citizens and the communities in which they live. For the Federal government to launch another multimillion-dollar program at a time when we have plunged $29 billion deeper into public debt can only add to inflationary trends which place the heaviest burden on the poor.

Summary: Americans of all colors and creeds must not heed the cry of the insurrectionist: "If we don't get change we are going to tear this country apart!" My compassion is boundless for the vast majority of loyal and industrious Negro Americans who go about their business peacefully, maintain decent homes and moral standards, and try to keep their equilibrium under a storm-cloud of hate-mongering by rabble-rousers of both races, ranging from Black Power advocates to the Ku Klux Klan. *Lincoln said: "There is no grievance that is a fit object of redress by mob law."* The more than 120 dead, the many thousands injured and the millions of dollars of property damage this year alone as a result of riots bear testimony to that truth. Americans must not look entirely to government to fill the moral vacuum which exists in our country today. We must not sacrifice ourselves, our children, or the future of our country as a free nation on an altar of greed, cynicism, hypocrisy, intolerance, indolence or political corruption. We must return to the proven virtues which made the United States great: honor, courage, self-reliance, self-discipline, industry, compassion for others, and respect for family and the laws of God and country. We must respond to the words of the Great Emancipator:

"We are not enemies, but friends. We must not be enemies. Though passion may have strained it, it must not break our bond of affection. The mystic chords of memory, stretching from every battlefield and patriot grave to every living heart and hearthstone all over this broad land, will yet swell the chorus of the Union when again touched, as surely they will be, by the better angels of our nature."

Ullman Resolution To Set a National Housing Goal and Establish Stability in Homebuilding

EXTENSION OF REMARKS

OF

HON. AL ULLMAN

OF OREGON

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 3, 1967

Mr. ULLMAN. Mr. Speaker, on Tuesday, I joined my able colleague the gentleman from New York [Mr. OTTINGER] in introducing a resolution (H.J. Res. 762) to establish a national housing goal. The resolution directs the President to discuss in his annual Economic Report the minimum number of new starts required for stability in the homebuilding industry and the economic conditions required to meet this objective.

A close interrelationship exists between Government monetary and fiscal planning, the credit markets, the housing industry, and the general economic health of the Nation. To illustrate this relationship, let me trace briefly the tight money crisis of 1966 and its impact on the general economy.

TIGHT MONEY AND ITS EFFECTS

Last year, inaction and indecision by both the Federal Reserve Board and the administration permitted the money markets to reach the brink of a financial panic. The Federal Reserve Board shut off the money supply at the same time that money demands from the corporate economy reached an alltime high. Treasury borrowings were also high. In September, the President finally moved to restore a semblance of balance by adopting many of the ingredients of a monetary-fiscal mix which I and others in the Congress had recommended some months earlier. By suspending the investment credit, postponing some Federal spending, and coordinating Government borrowing, the administration and the Congress stopped further deterioration of the economic situation.

By then, the mortgage market had dried up, and the housing and lumber industries were taking the punishment for our economic excesses.

I have waged throughout my years in Congress a fight against high interest rates and overreliance on monetary restraint as an economic policy tool. As a Representative from the Nation's No. 1 lumber-producing State, I am especially aware of the impact of tight money on the homebuilding and lumber industries.

I do not need to remind the Members of this House of the subsequent collapse of new housing starts in the fall of 1966, and their painfully slow recovery since then.

The general consequences of this slowdown soon spread to related industries. Sales in the first 4 months of this year for built-in gas and electric ranges were down 39 percent from a year ago; all electric ranges, down 20 percent; built-in dishwashers, down 15 percent; disposal units, down 14 percent; refrigerators, down 12 percent. This representative list illustrates how quickly a recession in homebuilding can affect other large segments of our Nation's industrial complex and labor force.

IMPORTANCE OF OBJECTIVES

The Congress cannot permit a recurrence of last year's mistakes. But in order to plan against similar economic disasters, we must be fully informed of the policies and objectives of the administration.

As the gentleman from New York [Mr. OTTINGER] said Tuesday:

> Fluctuations in homebuilding do not occur by accident.

Government activities, which have often been permitted to proceed independently in the money markets, have a marked effect on the availability of mortgage funds. The Treasury, the Federal Reserve Board, and the Federal Home Loan Bank Board are all involved in financial operations which determine the conditions for borrowing long-term money. The Department of Housing and Urban Development, the Federal National Mortgage Association, the Farmers Home Administration, and other Federal departments and agencies are involved in underwriting and guaranteeing home purchases.

Unfortunately, in the absence of Presidential guidance, many of these agencies of Government have responsibilities which bring them into competition with each other and cause them to work at cross purposes. For example, the discount rate hike of December 1965, by the Federal Reserve Board was prompted in large part by financial conditions in some large New York member banks. The hike may have prevented a run on these institutions by holders of large certificates of deposit, but it also touched off an interest rate war with savings institutions which spread throughout the country and continued unchecked until the Congress clamped an interest ceiling on these instruments late last summer. The consequences of this unhealthy competition on credit markets, housing, and the economy in general are well documented.

If there had existed a firm directive—backed by the Office of the President—that it was in the public interest to provide a financial framework to meet a national housing goal, perhaps this dangerous situation could have been avoided. Other responsibilities of our monetary agencies would have been tempered by this important national objective.

HOUSING—A NATIONAL GOAL

The recent turmoil in our cities underscores the need for planning adequate housing for all of our citizens. Last year's White House Conference to fulfill these rights emphasized the importance of providing housing to low-income groups. By creating the Department of Housing and Urban Development at the cabinet level, the Congress recognized the Federal involvement in homebuilding. Sustained economic growth demands an accurate assessment of housing conditions and needs throughout America.

It is appropriate therefore that the executive branch spell out its housing goals each year, just as it outlines its fiscal program, its balance-of-payment policies, its employment and price stability objectives. The Economic Report of the President, presented at the beginning of each congressional session, is an ideal vehicle in which to present the requirements and objectives of our national housing effort.

PROMPT ACTION ESSENTIAL

Swift adoption of this resolution will remind the administration that the Congress has not forgotten the experience of 1966. It will notify the White House that the legislative branch is tired of seeking remedies to economic imbalance after the fact, and requires advance notice of a coordinated program of economic planning. The resolution will establish an important economic target for fiscal and monetary planning.

I recommend this legislation—House Joint Resolution 762—for the prompt attention of the House.

Problem of Rats

EXTENSION OF REMARKS

OF

HON. JAMES A. BURKE

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 3, 1967

Mr. BURKE of Massachusetts. Mr. Speaker, in view of the reluctance on the part of many of my colleagues in the House to consider the many problems created by the existence of rodents in our country, I feel compelled to share the following facts I have accumulated concerning rats, their characteristics and habitats.

There are two species of house rats now habituated to civilization in all parts of the world. The black rat is of light and slender build, about 7 inches in length, usually of a bluish black color, but sometimes grayish, and has quite large, thin ears. The brown rat, or Norway rat, is much heavier and larger with short rounded ears and a dull brown color. The black rat is the chief disseminator of bubonic plague.

Rats are aggressive, active, omnivorous, adaptable, and fecund—immensely successful as biological organisms. They have been known to destroy poultry, game, crops, and stored grain. Adults are fertile at all seasons and in warm places litters are produced at about 2-month intervals; in cooler places, at about 4-month intervals. Gestation is 20 to 25 days. The six to 22 helpless, naked young are born in a secluded site. They are weaned in a month and are ready to breed in 3 to 4 months. Rats have acutely developed senses, especially of touch and hearing, as befits essentially nocturnal animals. They climb with surpassing ease; this skill coupled with an ability to jump and a propensity to burrow and gnaw gains them entry to places inaccessible to many other small animals.

When driven by hunger, thirst, or foul weather, they are resourceful and unrelenting in their attempts to enter buildings, yet ratproof construction and adequate sanitation are the best methods of control. Rats may also be controlled by a coordinated and vigorously prosecuted program of trapping, poisoning, and fumigation. Because of their exceedingly destructive habits, rats are of enormous economic importance, causing millions of dollars in damage annually in the United States alone. They are also of importance in public health, having been implicated in harboring or in transmitting directly or indirectly more than 20 diseases, including typhus fever, plague, ratbite fever, hemorrhagic jaundice, tularemia, rabies, trichinosis, and salmonellosis.

Probably the most well known of the diseases communicated by rats is the plague, or commonly referred to as the "Black Death" which in the 14th century caused the death of approximately three-fourths of the population of Europe.

Plague may take three clinical forms: Bubonic, pneumonic, or septicemic. The illness varies within the widest limits, exhibiting all gradations of severity from mere indisposition, which may pass almost unnoticed, to extreme violence, equaled only by fulminating cholera. The mild infections are always bubonic; the other forms are invariably severe and almost always fatal unless treated. The incubation period is usually 3 to 6 days; it may be as short as 36 hours or as long as 10 days. As a rule the onset is sudden and well marked.

Plague is carried from rodents to man through the common flea, when, failing to find a rodent host, will begin to infect man.

From 1345 to 1350, the infamous Black Death held Western Europe by the throat. More than 43 million deaths are on record during these 5 dread years and papal chroniclers of the day speak of no fewer than 200,000 depopulated towns laid waste and inhabited only by the beasts of the field. There is no reason to believe that the death toll of the period was in any way exaggerated—in fact, authorities consider that the figures might well have been an understatement. Medicine in the Middle Ages was in the hands of mystics; hygiene in the crowded cities was practically nonexistent; and although the rat was associated with the plague, no one suspected it of being the main carrier.

In Europe the disease became endemic and remained so until the 19th century. In 1665 London was ravaged, with 10,000 dying in a week, the shops closed and grass growing in the streets. In 1720 it traveled from Syria to Marseilles and killed 86,000 people. In 1770 it appeared in Moscow and killed 80,000. It appeared in the Balkan peninsula, in Greece, in Italy. It broke out in Constantinople in 1803, killed 150,000 and returned again in 1815 to slay 110,000. Messina suffered an epidemic in 1743.

Toward the end of the 18th century, Egypt was recognized as an established plague focus. Between 1783 and 1844, 21 epidemics occurred. In 1799, as many as 2,000 French soldiers in Egypt and Syria were wiped out. In India the disease first appeared in 1896 and was at first limited to Bombay. But it soon spread. Ten years after the appearance of plague in the subcontinent almost three and a half million people had died of it. The number of deaths in 1 week in 1907 was as high as 76,000, almost equal to the entire strength of the British Army in India at that time. Throughout history man has recognized the existence of a rat-society intermeshed within the framework of his own. He has also always been aware to a lesser degree of the threat to his health and wealth from rat-infestation, but without really understanding the true gravity of the threat. Consequently, control measures have often faced unnecessary difficulties, ranging from complete indifference to downright hostility.

To fight the rat menace effectively action must be taken against entire rat populations and not merely against individuals. Unless planned attacks against entire groups are carried out, piecemeal extermination will at the best give temporary relief. Permanent reductions in their ranks can be brought about only by radically changing the rats' environment: first, by sanitation designed to cut down the waste and, second, by blocking off rooms where foodstuffs and produce are kept. Ratproofing of buildings is a two-pronged weapon: it denies the animal entry to food supplies and at the same time stops it from settling in sewers, drains, and walls. This basic—and most effective—form of control compels a rat to expose itself to natural dangers and enemies—compels it to come out into the open, face attacks from cats, dogs, man, and in cities, expose itself to traffic hazards.

Well-planned measures, based on an understanding of its way of life, also subject the animal to biological limitations—in effect, the concept of the "survival of the fittest" can be brought into play. When rats compete among themselves for reduced food supplies, they inevitably thin their own ranks out in a struggle to stay alive.

House Resolution on Southern Rhodesia

EXTENSION OF REMARKS

OF

HON. FRANK J. BRASCO

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 3, 1967

Mr. BRASCO. Mr. Speaker, I would like to emphatically state my support for the bipartisan House resolution on Southern Rhodesia which affirms the support of Congress for continuing U.S. support for the program of sanctions voted by the Security Council of the United Nations and the support for the principle of majority rule before independence for the people of Southern Rhodesia.

Criticisms of the United Nations' sanctions against Rhodesia, both those allegedly grounded in international law and those appealing to the cause of self-determination are invalid.

The United Nations is duly empowered to employ these sanctions against Southern Rhodesia under article 41 of the United Nations Charter which deals with U.N. measures short of force. Contrary to the insistance of its critics, the Security Council's action does not violate paragraph 7, article 2 of the charter, which forbids U.N. intervention "in matters which are essentially within the domestic jurisdiction of any state."

First, the application of paragraph 7, article 2 "shall not prejudice the application of enforcement measures under chapter VII" of the charter, covering threats to peace. There is substantial danger of violence in the suppression of 94 percent of the population in Southern Rhodesia, by a 6-percent minority.

Second, Southern Rhodesia is not a "state" and has not been recognized as such by any government. Rhodesia has not even been granted diplomatic recognition by South Africa and Portugal, the two nations which have befriended the Salisbury regime.

Third, Britain had repeatedly offered independence to Rhodesia. London's sole condition was that there be some provision made in the Rhodesian constitution for the eventual enfranchisement of the black majority. Ian Smith unilaterally declared independence from Britain in November 1965. At that time the self-governing powers held by Rhodesia reverted to Britain. Therefore, Britain is now legally responsible under the U.N. Charter relating to non-self-governing territories. Since Britain sought United Nations assistance after the Security Council determination of a threat to the peace, United Nations sanctions are legal.

Fourth, critics claim that the Salisbury regime merely exercised the right of self-determination. However, when 220,000 people take it upon themselves to declare independence for a nation of over 4 million, it is indeed a bizarre distortion of the concept of self-determination. It is in truth an illegal act, calculated to perpetuate the oppressive rule of a 6-percent minority over a 94-percent majority. The major African political parties, Zanu and Zapu have been declared illegal. African political meetings and demonstrations are outlawed by the Law and Order Maintenance Act and the Unlawful Organization Act. The Minister of Justice has the power of Preventative Detention and the press is heavily censored. The oppressive nature of Ian Smith's regime has been established beyond a doubt.

The justification for the U.N. sanctions against Southern Rhodesia can hardly be criticized. The only valid criticisms lie not with the sanctions but with the loopholes in them.

First, Rhodesia is still receiving all of the petroleum it needs from refineries in South Africa. Second, Zambia's transportation and communications system runs through and is dependent upon Rhodesia, Zambia risks economic strangulation if her diplomatic relations with Rhodesia become severed. An airlift for Zambia should be undertaken to enable her to cut off trade with Rhodesia in the event that sanctions are not effective within the next few months. Third, all possible steps should be taken to administer the U.N. sanctions so that the economic hardships created by them will not rebound and be passed on to the 4 million oppressed Rhodesian Africans.

In light of our responsibilities as a member of the United Nations to act under its charter to uphold its principles, I most emphatically affirm my support for the resolution endorsing the Security Council program of sanctions.

In view of the oppressive and illegal nature of the Salisbury regime, I most fervently wish to see it altered and to see the principles of majority rule instituted before Southern Rhodesia legitimately receives her independence.

Lumber Standards Should Be Voluntary

EXTENSION OF REMARKS

OF

HON. AL ULLMAN

OF OREGON

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 3, 1967

Mr. ULLMAN. Mr. Speaker, the American softwood lumber standard needs to be revised. At the present time, the standard is widely recognized as being technically inadequate. Progress and technological change can only come about when technical standards are kept up to the latest state of the art.

The lumber industry has been working with the Department of Commerce in an attempt to arrive at an acceptable revision of the standard. The problem of revising the lumber standard, however, has been so difficult that several years have gone by with no solution in sight even today.

Last month, a special advisory panel to the Secretary of Commerce recommended that Secretary Trowbridge seek a legislative solution to this problem rather than to use his executive authority. I am strongly opposed to legislating standards of this type and then imposing them upon industry. There are other alternatives, based on joint efforts and voluntary cooperation. A result achieved through voluntary cooperation is always more easily accepted than a decision brought about through coercion.

Therefore, I was pleased at the news that Secretary Trowbridge has decided to exercise the powers that have been delegated to him by the Congress, and that he will seek an executive solution to the lumber standard problem rather than a mandatory legislative solution. The hard task of developing a suitable standard still lies ahead, but at least we are on the right track, which is the voluntary, cooperative track. I know that many other Members will join with me in applauding this decision by Secretary

Trowbridge, and with permission I insert his announcement in the RECORD:

SECRETARY TROWBRIDGE ANNOUNCES ACTION ON LUMBER STANDARDS

Secretary of Commerce Alexander B. Trowbridge announced today that he plans an executive, not a legislative, solution to the problem of achieving a satisfactory revision of the country's softwood lumber standard.

The Secretary refused for the present to accept the first of two recommendations of a three-man Federal panel which on June 19 heard witnesses on whether the current standard should be withdrawn and whether the Secretary should recommend legislation to the Congress for a mandatory lumber standard.

The panel recommended that since the lumber industry was unable to agree voluntarily under the Department's procedures requiring general concurrence of affected interests, the Secretary should recommend authorizing legislation to the Congress, but should not withdraw the standard pending legislation.

Secretary Trowbridge said that many Senators and Congressmen who had expressed their views favored an executive solution rather than a legislative one. He said further: "It is time for forthright action to bring the lumber standards controversy to a conclusion. A solution by agreement among the affected interests is apparently not possible under our procedures. In this situation, we should not let all the progress toward sound national standards and effective enforcement and inspection become blocked either by an effective veto of a minority of interests or dominated by a few regional interests. For the good of the entire country, we should have a truly national standard. Lumber now has a national market and is used all over the country in the homes we buy and in construction. Home buyers usually do not know what lumber goes into their homes or where it comes from. And they have a right to expect a standard that local building code officials and inspectors can use to ensure uniformity of performance in construction. We all are entitled to a better engineered product from a progressive industry."

He added, "While we cannot issue a *mandatory* standard without Congressional authorization, we can meet our responsibility and the country's needs by recommending a national voluntary lumber standard. We have the authority to develop and publish such standards in cooperation with industry and Government agencies. We intend to use this authority to publish a lumber standard, working with the most representative body in existence, the American Lumber Standards Committee, as well as other interested parties. We intend to act through an appropriate public process to develop and recommend this national standard. I am asking the new Office of Standards Review in the Department under the Assistant Secretary for Science and Technology to assume the responsibility for developing such a standard, working closely with the American Lumber Standards Committee and the National Bureau of Standards. Under this solution, we do not have to resubmit the recommended voluntary standard to an industry vote because it will be developed by a public process similar to rule-making."

Secretary Trowbridge stated that the following steps would be taken:

1. The American Lumber Standards Committee, a committee appointed by the Secretary of Commerce and representative of producers, distributors and consumers of lumber as well as others, will be given the opportunity to give advice on the kind of a standard the Secretary should publish.

2. Based on these recommendations and other relevant information and discussions, the Department will propose a standard and publish it in the Federal Register for public comment, at which time, if need be, evidentiary hearings will be commenced to explore in depth the implications of the proposed standard and to get the best possible technical information on the feasibility of performance standards which are not in the standard which was recently not accepted.

3. The Department then will publish its standard and at that time will withdraw the existing standard. The Department's work will also be in cooperation with other Federal agencies, and they will be invited to participate in the public process. Industry, of course, will be under no legal obligation to follow the standard published.

The Secretary also applauded the recent inquiry by the Federal Trade Commission into abuses of grademarking and inspection of lumber and offered the Department's cooperation to the Commission in whatever action is necessary to correct these abuses which have too long been hidden from public view. He said that the American Lumber Standards Committee has done a fine job within its authority and resources, and we support it, but that more protection to the public may be necessary.

Secretary Trowbridge concluded by reflecting that the lumber standards matter is one of the most complex problems the Department has faced from the time Herbert Hoover was Secretary of Commerce. He called on the industry to participate in the process and added his conviction that members of the Congress would support this kind of responsible executive action. "Although legislation ultimately may be necessary," he said, "we are confident that our action is the best way at present to reach a solution as promptly as possible in the total national interest."

Congratulations to Prof. J. F. Moore, Outstanding Citizen, on His 95th Birthday

EXTENSION OF REMARKS

OF

HON. JAMES G. FULTON

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 3, 1967

Mr. FULTON of Pennsylvania. Mr. Speaker, Saturday, August 5, 1967, is the 95th birthday of an outstanding gentleman and civic-minded American from our district in the southern part of Allegheny County in western Pennsylvania, Prof. J. F. Moore. On the occasion of his 95th birthday, I would like to congratulate Professor Moore on his pioneering spirit and on his full life of public service to the people of the South Hills area of Pittsburgh. He represents to us the generation of builders, innovators, and developers who worked to make our modern American community a good place to live in.

I would like to call the attention of Congress and the American people to a short biographical sketch of Prof. J. F. Moore, as we in the South Hills of Pittsburgh are certainly proud of him. I am sure everyone in our district joins me in wishing him a happy birthday and many happy returns.

PROF. J. F. MOORE

Prof. J. F. Moore, a pioneer in the development of the South Hills of Pittsburgh, is 95 on Saturday, though for those of us who know his clear mind, vivid memory, and sharp wit this hardly seems possible. Professor Moore came to Allegheny County in western Pennsylvania and settled in the South Hills of Pittsburgh when it was still a rural farming community. During his residence in the Brookline section of Pittsburgh the area blossomed into a thriving suburb. Through his work in education and banking, and his selfless service to church and community, Professor Moore played a key role in this development.

Born August 5, 1872, north of Pittsburgh, Pa., in Plaingrove Township, Lawrence County, he began his career as a young teacher in 1893 when he taught all eight grades at the Hultz School in Scott Township—now Mount Lebanon, Pa.

In 1900 he married the former Ada Montgomery. Their marriage was to be a long and happy one, ending only with Mrs. Moore's death in 1960.

Shortly after the turn of the century—by this time a veteran of service, both to his country and to many active schoolchildren—he was appointed principal for the schools of the borough of West Liberty, the position he held till his resignation in 1940. In this interval he helped the city select the ideal location for the South Hills High School and he proved himself to be a popular and efficient administrator.

The key to his enviable success as an educator lies in his concern for children as very special people. He said:

> Children look forward to things; therefore, we should train them to anticipate to be effective in our teaching. If we appreciated the things that attract little children, we could make them better children.

Always aware of the individual, even in his administrative position, he made sure that each child had a part in auditorium programs—not just the more talented or more docile ones.

This enthusiasm for children and education carried on through the family, passing from father to son to grandson. His son Charles was given an award for his outstanding work in education in California; and Charles' son is also a teacher.

Professor Moore's concern for children extended outside the school room as well. As the Brookline area became more heavily settled, he realized the importance of a safe and attractive area for play. The Moore Playground in Brookline is largely the result of his persistent efforts to guarantee space for the young people amidst a rapidly developing community.

His interest in young people made Professor Moore an enthusiastic "Scouter" from the time the Boy Scout movement first became popular in the United States. He was awarded the coveted Silver Beaver Award, the highest recognition in Scouting as a distinguished council Scouter. At 95, Professor Moore is still the chairman of Boy Scout Troop No. 206, of Paul Presbyterian Church in Brookline.

Years ago Professor Moore turned an old farm in Butler County, Pa., into a camp for young people, and every summer since then Scouts and other groups of youngsters go away from the city of

Pittsburgh to fish, swim, play ball, and explore at Camp Moore.

Early in his life, Professor Moore decided that "to be engaged in school work was not going to deprive me of my responsibility as a citizen of this community." He has certainly been faithful to that promise.

The construction of a streetcar line tunneling under Pittsburgh's Mount Washington, then winding along West Liberty Avenue, marked the beginning of the transformation of the South Hills from a rural community to a progressive suburban section of the city of Pittsburgh. Professor Moore was one of the many citizens who worked hard for the widening of West Liberty Avenue, recognizing the future importance of this thoroughfare.

Professor Moore was also active in the campaign for an automobile tunnel through the mountain. When he first came to the South Hills, the men who worked in the city of Pittsburgh either drove their horse-drawn buggies to the top of Mount Washington, and took an inclined railway straight down its other side, or they commuted by coal train, jouncing into the city from Castle Shannon. The single most important factor in the development of the South Hills was therefore the construction of the mile-long Liberty Tubes, two parallel automobile tunnels through 500-foot-high Mount Washington.

The tunnel was not easily won. As early as 1910 agitation for a tunnel for vehicles other than trolley cars began on the south side of Mount Washington. Pittsburghers divided into several literally warring factions over the question. There were, of course, those who smugly opposed spending so much money "out there." Even those favorable to a tunnel could not agree on the best location.

Professor Moore was a strong advocate of the tunnel and was always in the fore of the battle to obtain it. He was chairman of the South Hills Tunnel Association, a lobby of tunnel proponents, and success came in 1921 when the county began blasting for the Liberty Tubes.

Always an active citizen in the South Hills community of Brookline, Professor Moore served as secretary at the organization of the Brookline Board of Trade and has been a member and officer ever since.

In the midst of all his work in education and civic affairs Professor Moore embarked on still another career as a banker. In 1925 he and other interested citizens of Brookline obtained a charter and opened a bank in June 1926. He has served as a director of the Brookline Savings & Trust ever since. For 20 years, 1939–59, he was president and unofficial chairman of the board. In 1959 he resigned as president and was chosen as chairman of the board. At 95 he still enlivens the board meetings, and he just recently stopped visiting the bank every day. Professor Moore and his wife, recognizing the importance of a church to a blossoming community, helped organize the initial congregation of the First Presbyterian Church of Mount Lebanon, which became the Dormont Presbyterian Church.

Professor Moore also assisted the Paul Presbyterian Church in getting its start, serving as chairman of their building committee and later Sabbath school superintendent. He has further served God and his community as a member of the YMCA board of directors.

Still remarkably keen at 95 years of age, Professor Moore quips:

> The secret of true longevity and youthfulness is merely selecting the right ancestors and taking care of what they gave you.

Representative George Brown Speaks at Los Angeles' Town Hall

EXTENSION OF REMARKS

OF

HON. EDWARD R. ROYBAL

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 3, 1967

Mr. ROYBAL. Mr. Speaker, last Tuesday, August 1, my colleague from the congressional district adjacent to my own, the gentleman from California [Mr. Brown], spoke before Town Hall in Los Angeles on the subject of "Vietnam: What Next?"

The speech was well received and was given wide attention in the newspapers and on television and radio. The gentleman from California [Mr. Brown], has given a thought-provoking statement of his views on the role that the United States is playing in Southeast Asian affairs.

Mr. Speaker, I include the speech at this point in the Record, and urge each of my colleagues to read George Brown's remarks on this problem which is of such grave concern to us all:

Vietnam: What Next?

(A speech given by Representative George E. Brown, Jr., at Town Hall, August 1, 1967, Los Angeles, Calif.)

Mr. Chairman, members, and friends of Town Hall, it may sound trite for me to say this, but I am both pleased and honored to be invited to address you today. Not just because I am well aware of your large and distinguished membership and your thoughtful and enlightened approach to public affairs, although these are obviously important factors to me, but also because I have been for nearly 20 years a close observer of your activities, your reports and your recommendations on critical issues. For some of those years I have been a member of Town Hall, a participant in your section meetings. Frankly, during those years I never felt that I would ever achieve the eminence of being asked to address you on a controversial issue of national importance, knowing the high standards that you set for your guest speakers. So, you have given me, by your invitation, a little of the feeling of the country boy who made good. I hope that after my remarks I will still have the same feeling.

My topic today is Vietnam—What Next?, and I approach the subject in the role of a critic of current Administration policy. To be more precise, for critics of Administration policy are to be found on both sides, or all sides, I am a critic of the Administration's thesis, as indicated by its actions, if not its words, that there is a military solution to the Vietnam problem—that continued escalation at some point will secure our aims. You will have no trouble detecting the nature of this criticism throughout my remarks. I shall deal with my specific proposals for a solution at greater length later in my remarks. Before doing so I would like to lay the groundwork by discussing the current situation in Vietnam.

Vietnam policy is today in the process of receiving another thorough review by the Administration, or, to use a cliche, is in the throes of an agonizing reappraisal. Saigon has just experienced the ninth coming of McNamara, with a new message of salvation. The message this time is that we must make more efficient use of our manpower resources. General Westmoreland insists that this message could not be for him, since his Command is already functioning perfectly. His only need is for another 100,000 troops, in order to increase the momentum of his operations. However, the Administration wants him to settle for another 30,000 troops and just maintain his present momentum. They are afraid that any increase in momentum will put the 1968 budgetary deficit into orbit.

There is an interesting debate going on in the press as to whether "maintaining our momentum" means that we have reached a stalemate. Every Administration spokesman becomes indignant at this suggestion. New descriptions of our progress have been coined. The enemy, we are told, has reached a "cross-over point", where his manpower build-up can no longer match ours. We are told, on the other hand, that *our* forces are achieving their objectives, while the enemy is not. The nature of these objectives is still left a trifle fuzzy.

Obviously, an increasing part of the criticism about inefficient use of manpower is aimed at the ARVN forces. We are incensed that the Saigon government does not increase troop levels by drafting 18 and 19 year olds. We are unhappy about the poor fighting qualities of much of the Vietnamese army. We are distressed at the casualty ratios, which now clearly indicate that the U.S. is doing the bulk of the fighting. And we are unhappy about the continuing propensity of the native soldiers to exploit the peasants rather than protect them.

After first denying that there was any possibility that the troop level could be increased, the Saigon government has announced plans for adding 50,000 more to the regional and popular forces. Training will be strengthened. The U.S. advisor detachment will be increased by 50%. It is probable that all of this is a political gesture to satisfy U.S. criticism, rather than an indication of major improvement. The fact that the Saigon Army from the beginning has been trained under U.S. Advisors, and according to U.S. Army doctrine, is rarely mentioned anymore.

There is a growing behind-the-scenes debate on the bombing of North Vietnam. Some followers of the LeMay-Power line want to unleash the Air Force to destroy North Vietnam's military targets completely. To these air power exponents military targets include not only Hanoi and Haiphong but also the irrigation systems, the dykes of the Red River, and all the works of man. As General LeMay said in a recent speech, the bombing should continue ". . . so long as there are two bricks still stuck together." A growing number of advisors, however, are urging a de-escalation or even the ending of the bombing of the North, for a variety of reasons. For one thing, the dollar value of the aircraft shot down over North Vietnam considerably exceeds the dollar value of all the targets destroyed. This hurts a man like McNamara, who thinks in terms of cost-benefit ratios. As it is now, the North's industrial capacity is over 50% destroyed, including 65% of her POL storage, 60% of her electric power generating capacity and most of her steel making capacity. In spite of this, infiltration to the South has increased, Northern morale is higher and the desire to negotiate seems to be nil. All of this is the exact opposite of the effect hoped for from the bombing. It is doubtful if the complete destruction of all observable targets would eliminate the fighting potential of the North.

Temporarily at least the President will follow his customary practice of going down the middle, making no change in the bombing policy, probably until after the September 3 elections in Vietnam. To do so would have an adverse effect on the morale of the Generals who are running for office with our tacit support.

Revolutionary Development, the current phrase for programs to extend the influence of Saigon over the peasants, is making little observable progress. Figures that I have seen indicate that less than 10% of the 14,000 or so hamlets in South Vietnam are securely under government control. Even in the large cities there is little assurance of safety from Vietcong attacks against government installations, largely because much of the urban population is sympathetic to them.

The highly touted elections scheduled for next month will undoubtedly come off with precision, as did last years elections; will elect a military slate to run the government; and will change conditions very little. The legislature will probably differ very little from the present Constituent Assembly which is composed largely of representatives of the land-owning and wealthy classes, and close supporters of the military. No other possibility exists when not only members or sympathizers of the National Liberation Front are prohibited from running or voting, but also neutralists, militant Buddhists and others with views unwelcome to the Generals.

All in all, the situation in Vietnam is best summed up by such items as the U.S. News & World Report heading on its July 17 article, which reads "Stalled War, Now What?" Or in the analysis of Ward Just, after 18 months in Saigon for the Washington Post, who said in June "This war is not being won, and by any reasonable estimate, it is not going to be won in the foreseeable future. It may be unwinnable."

The optimistic reports of Administration spokesmen, continually seeking new ways to obscure the truth, are best described in the words of Senator Mansfield upon McNamara's return from his latest trip to Saigon. "Reports of progress are strewn like burned out tanks, all along the road which has led this nation ever more deeply into Vietnam and Southeast Asia."

A brief review of the escalating troop commitments to this war gives very little encouragement to hopes of military victory. Five years ago, in 1962, we reached the most favorable ratio of Allied to Vietcong forces in the war. The combined Allied strength was about 480,000 against 80,000 Vietcong, or 6 to 1. Only 10,000 U.S. troops were involved. The ratio has steadily deteriorated since then.

In 1963, 5.9 to 1, with 16,500 U.S. troops.

In 1964, 5.7 to 1, with 23,000 U.S. troops.

In 1965, 3.7 to 1, with 181,000 U.S. troops.

In 1966, 3.4 to 1, with 389,000 U.S. troops.

As of today, with nearly 1¼ million Allied troops, almost ½ million of them—U.S., the Army thinks that the ratio may be back up to about 4–1. We can not be sure of this, however, because of different infiltration estimates made by Westmoreland and McNamara. Westmoreland, seeking to justify another 100,000 troops, says 8,000 per month may be infiltrating from the North. McNamara, seeking to justify a much lower increase, as well as give some weight to our massive bombing of infiltration routes, says it is only 1000 per month.

The deteriorating ratio of ground forces may possibly be made up for by the vast increase in air and sea power committed by the U.S. since early 1965. I say "possibly" because there is some evidence that by using this power, and by Americanizing the war, we may have contributed to the lowered morale of the Saigon troops, reflected by a desertion rate that runs at 15 to 25% per year, and we may have strengthened the determination of the Vietcong and the North Vietnamese to resist to the bitter end.

Casualty figures for the two sides now show about 12,000 U.S. dead, 50,000 Saigon troops dead, and an astronomical 210,000 Vietcong dead. Vietcong killed in this war, by Army figures, are about 70% of the total Vietcong troops committed to action, which number about 300,000. If you include the normal ratio of 2 wounded for each dead, the Vietcong dead and wounded during the past 6 years are about 630,000 or more than double the total number of Vietcong troops currently committed to combat. Another 80,000 have been captured, or defected to the Allies, by the U.S. figures. Civilian casualties figures in this war, while exceedingly difficult to come by, are generally estimated at one to two times the military casualties. Peasants removed from their homes and living in refugee camps are around a million, and increasing.

What all this means is that in this little "limited" war, which we watch on TV and casually read about in the morning papers, a level of death and destruction for Vietnam has been reached exceeding that of the worst of WWII on the countries of Europe.

And despite all this, there is nothing that looks like victory in sight. Here is the analysis of General Le May as given on April 10 to the Chamber of Commerce of Wichita, Kansas. "Basically, I think it would be fair to say that the Vietcong has gotten stronger—and we are the ones who are frustrated. The long, drawnout conflict has created dissension and dispute in America—and a greater sense of determination and purpose in North Vietnam."

Behind this dissension and dispute in America referred to by the General, lies a great lack of conviction that this is a just or moral war, or that any vital interest of the U.S. is at stake. It is agonizing to the conscience of America to recognize that we may be casually destroying a country primarily because it does not have the good sense to yield to our military power, not because we are threatened by it, or because of any great virtue on the side that we are supporting.

Just as today marks a time of re-appraisal by the Administration of our military policies in Vietnam, it likewise marks a time of re-appraisal by our citizens and by our political leaders of both parties. Perhaps a key element in that re-appraisal is the scholarly study of the Vietnam War prepared by the Staff of the Senate Republican Policy Committee in April. Never officially approved by the Policy Committee, it has never-the-less had tremendous readership. Because this study sets the stage for what should be a far-reaching analysis of our goals in Vietnam as a part of next year's political debate, I would like to quote its concluding sentences, which are largely in the form of questions for the American people.

I quote: "Does the Republican Party serve America best by saying that politics stops at the water's edge? That we must rally behind the President? Does bipartisanship mean that Democratic mistakes are Republican responsibilities?

"Republicans—for two decades—have believed the United States must not become involved in a land war on the Asian continent. We are so involved today.

"Republicans, in 1954, made a limited commitment to the South Vietnam Government. Under the Democrats our commitment has become open-ended.

"Before making any further decisions to support or differ with the President, Republicans might agree to seek hard, realistic answers to two basis questions:

"1. What precisely is our national interest in Thailand, Cambodia, Vietnam, and Laos?

"2. To what further length are we prepared to go in support of this interest?"

While the Democrats have always had their dissenters from Administration Vietnam policy, led by Morse and Fulbright, these questions have produced a stirring among the Republicans. Seven Republican House Members, led by another Morse, Bradford Morse of Massachusetts, have proposed a plan for gradual de-escalation of the bombing of the North.

Prominent Republican Senators, such as Aiken of Vermont, Case of New Jersey, and Cooper of Kentucky, have joined Hatfield of Oregon and Percy of Illinois in dovish criticism of the Administration. Romney is reported now to have called for a cutback in bombing and to have stressed that pacification must do the decisive job in the south.

Among the Democrats, the Hawks are beginning to sound like doves. Senator Frank Lausche of Ohio has announced that he now favors de-escalation of the bombing in North Vietnam, and Senator George Russell of Georgia, Chairman of the Armed Services Committee is quoted in Newsweek as saying "We need a new policy more than new troops in Vietnam." Senator Symington only last Thursday suggests that, ". . . we offer not only to stop the fighting in North Vietnam, but also the fighting in South Vietnam—and start negotiations from there."

What do the American People think about our course in Vietnam? One obvious observation is that the amount of frustration is increasing, and will increase even more as the citizen is hit by higher taxes and more casualties, compounded by an unsteady economy, as well as negro riots, hippie love-ins and assorted demonstrations. Most polls show that about 75% of the American people reject both all-out war, and withdrawal of U.S. troops on a unilateral basis, giving some support to the thesis that the President's policy is still the policy of consensus.

The Harris Poll in the July 10 Newsweek is typical. Harris shows, however, that this 75% is divided between those who want more military pressure and those who want more effort at negotiation, with those favoring more military pressure gaining on the negotiators. Likewise, among the other 25%, those favoring all-out war are gaining on those supporting a pull-out. I have done my own survey, by summarizing the results of 37 Congressional questionnaires taken over the last 4 months, in Congressional Districts in 20 different states. These polls are weighted in favor of the middle-western states, and Republican Congressmen, and include about a half million responses from about 5 million questionnaires mailed. I make no claim for the scientific precision of these polls, but their sheer magnitude gives them some validity. The results clearly shows a much smaller consensus, with only about 25% of the respondents favoring a course of gradual escalation as followed up to now by the Administration. More than half would favor some variation of a "fight harder and win" policy, all the way up to nuclear weapons. About a quarter favor the "de-escalate and negotiate" policy, with possibly 10% ready to withdraw. On the closely related questions of a tax increase to finance the war, however, there is about an 80% rejection by all the respondents. In a fairly carefully-worded questionnaire sent to voters in my own district, with six possible responses, only about 10% favored the present policy of gradual escalation.

It is my opinion that the obvious shift by the voter toward a more hawkish position, just at the time that more political leaders of both parties may be inclined to shift toward a more dovish position, poses a real threat to the policy making processes of this country. Such a voter shift quite obviously results from frustration and anger. The course it takes most easily is that of righteous indignation, a patriotic demand that our military might should prevail, and an increasing hatred of those foreigners who keep shooting and killing our boys as fast as we send them over there.

The groundwork has been sometimes unwittingly laid for this by the continuous Administration repetition that we are fighting only for freedom and democracy—against an invader from the North engaged in a conspirational effort to destroy its small neighbor, using the diabolical tactic of a Communist Chinese—inspired "War of National Liberation". All of these assertions are highly questionable oversimplifications of an extremely complex geo-political situation. Yet the American people *want* to believe in the rightness of our cause, and given a constant repetition of half-truths, they tend finally to reject the whole truth.

If the prospects of a speedy military solution are dim, as is the almost unanimous view of knowledgeable observers, what is the possibility of a negotiated settlement, given the present negotiating positions of the two sides? Will the Vietcong and North Vietnam join us at the negotiating table, accepting our oft-repeated assurance that we are ready for "unconditional" negotiations? The answer to this question is again, No.

The reasons for this are simply stated. The vast expenditure of U.S. planning, intrigue, effort and resources in Vietnam since 1954 practically demands that the Administration paint the situation there in terms of tremendously significant emotional issues—protecting freedom against tyranny—stemming the global communist tide—defeating the Communist Chinese—created strategy, of "Wars of National Liberation", as I have just indicated. Hence it is true now, just as it was 13 years ago at Geneva, that our Government cannot accept a solution which results in a government other than the one we are supporting, *even if it were elected by the people of South Vietnam in impartially supervised elections*. We rejected the path of supervised elections in 1956, and to go back to it now would make mockery of a course to which thousands of bureaucratic careers in the CIA, the State Department, the Pentagon and the Executive offices have been committed, and would deny the validity of the great motives we have ascribed to our involvement. Hence we have encouraged and accepted a South Vietnamese Constitution which makes Communism a crime, which even the U.S. has not yet done.

We hail with jubilation the results of elections in which Communists, Communist sympathizers, neutralists, militant Buddhists, and opponents of the Military Junta are permitted neither to run nor to vote. We make no protest over Premier Ky's statement that if an elected government sought to come to terms with the NLF he would overthrow it with the Army. We describe with horror the possibility of National Liberation Front participation in the Government in even the smallest way as "letting the fox in the Chicken coop."

By all these means we make it clear that to us "negotiation" means discussing where the Vietcong will turn in their arms and which routes they will take back to North Vietnam. And we describe this happy state of affairs as restoring freedom and democracy to South Vietnam.

The National Liberation Front sees these actions and accepts them as the true indication of our position rather than the generalizations made by President Johnson for domestic U.S. consumption. Their position, on the other hand, is that the South Vietnamese government is merely a puppet of the U.S., with no support from the people, and is both corrupt and dictatorial. Their aim is to root it out completely. Between these two extremes there can be no compromise.

To complicate the picture even more the Liberation Front and Hanoi completely distrust the U.S. To them our often-reported offer to negotiate is merely a cover to placate U.S. and international opinion, while continuing to escalate. They feel we betrayed the Geneva Agreements, just as France betrayed several agreements she made with the Viet Minh prior to 1954.

This explains in part Hanoi's insistence on specific actions, such as an end to the bombing of the North, before even considering further efforts to negotiate.

At one point in time, I felt that the election of a civilian government in South Vietnam would increase the chances of a negotiated settlement. I am now extremely dubious of that. The present military government, with advice and guidance from U.S. experts, has become quite adept at shaping the outcome of elections. By controlling who votes, who runs, who has access to the media and what they can say, it is hardly even necessary to engage in fraud to insure the proper results. High turn-out of the eligible voters can be insured by the rumor that those who do not vote may have trouble getting food rations. And if worse comes to worse, the advance threat by the Premier of a military coup against any unsuitable government should clinch the case.

I am, therefore, of the opinion that after the September 3rd election, we will see the same people performing the same jobs and following the same policies and practices. The only difference will be in their claim to legitimacy through an overwhelming mandate of the people in a "free" election—thus it was with Diem in 1955 when he received 98% of the vote in a rigged contest against the discredited Bao Dai, who ran from the French Riviera.

In view of those rather pessimistic assertions on my part, what do I see for the future?

As to a military victory, as I intimated earlier, I see no chance whatsoever. An enemy which we claim has roots in only five to seven million of the 14 million population of South Vietnam has suffered over 600,000 military casualties in the last 6 years, at least another 600,000 civilian casualties, and the evacuation of over a million of its women, children, and elderly. This is the destruction of one-third to one-half of its total base of support, according to our figures. Yet this enemy is now nearly 4 times as strong in numbers as it was six years ago, better trained and equipped, and apparently with higher morale. He has sanctuary in Cambodia, Laos, and North Vietnam. According to General Westmoreland, his manpower is replenished at rates as high as 8,000 per month from North Vietnam, in spite of the greatest aerial bombardment ever used against an enemy. Recruitment from the local peasants seems to remain at a high level. And if we should seek to destroy his sanctuary, especially in North Vietnam, the odds become dangerously high that we involve the 700,000,000 Red Chinese.

I am convinced that while neither China nor Russia wish to be involved in this war, they will commit troops if either Hanoi or the Liberation Front is faced with military destruction. In the meantime, they will provide an increasing array of military hardware and the training to use it. Reports of the use of 122 mm rockets of 6-mile range and pinpoint accuracy are only an indication of our potential problem if the U.S.S.R. should decide to supply North Vietnam with a full range of sophisticated military hardware.

Russia and China will also encourage military diversions on a world-wide scale. Those diversions may include the Middle East, Burma, Thailand, Hong Kong, Korea, the Philippines, various parts of Latin America, and possibly Africa. In this game of escalation and diversion the enemy enjoys a tremendous leverage because of the nature and location of the war, and of the tactics used. According to our military doctrine we require a superiority of 10–1 in manpower to control guerrilla tactics. Yet we fight at the back door of 25% of the human race as potential enemies. Because of the location of the enemy, our logistics problem is massive. Because of the sophistication of our technology, it is tremendously expensive. All these factors run our costs to 25 billion per year at present levels. The enemy's costs probably run to 250 million per year, or 1% of ours. One successful diversionary effort by the enemy involving another of the 50 or so "freedom-loving" nations to which we have made a "commitment," at a similarly remote part of the world, would require total mobilization of the American people and resources.

The present level of involvement in Vietnam has produced major impacts on American society, and will produce even more. An unhappy and frustrated people will be made even more unhappy by a major federal tax increase in the next few months. For Californians, this will be added to the largest state tax increase in history, which becomes effective today. Despite its size, the federal tax increase will not be enough to prevent the largest budgetary deficit in history, except for the years of WW II. This will increase government borrowing, increase interest rates, reduce the flow of residential mortgage funds, and have a generally unsettling economic effect.

An indignant Congress and an unhappy President will cut domestic expenditures for the War on Poverty, education, space, health, urban blight, and a variety of other programs, crippling many of them and saving 2 or 3 billion dollars, which will have an insignificant effect on the deficit. However, because the programs cut will be those widely hailed as the basis for a "great society", and for which expectations were for a great increase, rather than a cut, the resulting gap between expectations and performance will encourage more and bigger riots. These riots may cost the economy considerably more than the budgetary savings, if the estimates I have seen so far of riot costs are any indication.

At the political level I see very little chance for the re-election of President Johnson under the present circumstances. I likewise see very little chance of the Republicans nominating a candidate who will do any better. None of the three top Republican Presidential prospects—Romney, Reagan, and Nixon—have given a single indication of having a program that can cope with the crisis facing the U.S. and the world today. This country deserves better than what it apparently faces for next year from its great democratic system.

At the very minimum next year's election should provide a dialogue and a choice on the great issues of our time. Is Vietnam really a great crusade, worthy of the full support of the American people? Or is it a tragic error perpetuated by a stubborn and arrogant Executive bureaucracy, from which we should withdraw with a degree of humility? Is the noble effort to create world order under law, conceived in WW II by the Great Powers, to be replaced by a new U.S. Imperialism? Is the Cold War to be the perpetual condition of mankind? Are the problems of poverty, race, urban decay and a society which massively befouls its own environment to be solved, as an example to all mankind, or be disregarded?

My guess is that these questions will be submerged in waves of rhetoric, rarely asked, and never answered in realistic terms for fear of alienating a voter. Yet they must be answered soon and adequately, if we are to cope with the present crisis of mankind. They are each related to the other, they require a political philosophy as different from the present as day from night, and yet nowhere on the horizon does there appear such a philosophy.

I have left until last a few brief comments about my own program for a solution in Vietnam. My previous remarks should have made clear my complete disillusionment with the course we have followed. I regard that course as a compound of all that is bad in American foreign policy. Yet as responsible citizens we should always try to answer the question "What would you do if you were making the decisions?"

Up until the present time I have always felt that, although I am a vocal dove in criticizing our Vietnam policy, I could fit within the limits of the concensus posture of the President. I have never advocated a U.S. pull-out of Vietnam. I have never urged turning the government over to the National Liberation Front. I consider our troops to be brave men doing an ugly job in the best way they can. I have accepted in good faith the President's verbal assent to the Geneva Accords as a basis for negotiations, his support of free elections, his willingness to see Vietnam re-unified if the people desire, feeling that these provided an ample basis for settlement of the conflict. My most radical proposals have been for an end to the bombing of the North, negotiation with the National Liberation Front as well as Hanoi, and a government elected in an honest election with every citizen free to run and free to vote.

The iron logic of event has convinced me that I have been naive. I believe now that the President has accepted in fact and by his actions the position of those advisors who urge a military victory and the continuation in power of our hand-picked generals as the government of South Vietnam. I believe his political strategy is to seek to win the war, thus justifying his course of action and his tremendous commitment of U.S. resources, or failing that, to intensify Vietnam next year to a full-scale war in the hope that he will survive as a war-time President—none of whom have ever been defeated—according to his research.

I would rather retire from politics than support this course.

I now call upon the President to reverse his position and take the following steps:

(1) Order our half million troops, our massive air and naval fleets, to cease fire and stand fast. Announce to the enemy and to the world that our soldiers will fire only if fired upon, but if fired upon will take all steps necessary for their own defense.

(2) Ask the Geneva Powers to re-convene, under call of the co-chairman, to a neutral site in Asia, with the National Liberation Front participating as a belligerent.

(3) Participate in good faith negotiations as long as necessary to reach a settlement, making clear that he will be guided by the basic principle that the future of South Vietnam shall be determined by the freely-expressed decisions of its own people.

(4) Insist that the final agreement be guaranteed by the great powers, and adequate enforcement machinery provided.

I believe that these steps contain all that is necessary to achieve an immediate end to the war, and a political settlement which will satisfy the great majority of the American people. It allows the United States to seize the initiative. It builds upon the precedents of previous international agreements relating to the area, fragile and unsatisfactory as they have been. It adheres to the principle of self-determination of peoples, a cornerstone of American foreign policy. It remedies the cardinal defect of Geneva, the lack of guarantees by the participants, so that when France failed to carry out her obligations, the other great powers would have filled that gap. It places the U.S. squarely back on the side of enforceable world law, rather than as the self-proclaimed policeman of the world.

Undoubtedly there will be those who will say that this course would constitute surrender to the enemy. They are completely wrong. It does constitute a recognition that there is a military stalemate in Vietnam, which cannot be broken without the commitment of an unacceptable level of U.S. manpower and resources. It does constitute a recognition that in a war that is primarily political in its nature, the course of military escalation can lead to unacceptable possibilities of greater involvement. It may constitute a recognition that the U.S. made a mistake in seeking by clandestine means to subvert the Geneva Agreements of 1954.

This course will also require that the Administration admit frankly to the American people that most South Vietnamese feel that this is an anti-colonial war, not a war of Communist aggression—that the government we are supporting has no roots among the people, and never could have as long as it consists of generals who fought for the French, and landholders and businessmen who owe their wealth to the French—that all Vietnamese are inherently suspicious of the Chinese and highly unlikely to serve as lackeys of Chinese Communism—and that the course of Communism in Asia will be determined more by how honest and dedicated to the welfare of their people the government leaders are than by how big their armies are. All of these requirements fly in the face of myths promulgated by the Administration for several years.

But if our real goals in this tragic war are what the President claims they are—a government of South Vietnam acceptable to its own people, and a settlement of the problems of the area in accordance with the spirit of the Geneva Agreements—we will achieve them by the program I am now advocating.

Nor will this course endanger the safety of our men in Vietnam. If I thought it did, I would not advocate it. Our present military strategy is primarily that of "search and destroy". Under this doctrine we go to enormous effort to locate enemy concentrations, exposing our troops to great hazards and tremendous casualties. Then, having located them, we rush our battalions to destroy them, almost invariably on terrain and under circumstances favorable to the enemy. If, in order to satisfy the military, I need a more warlike description of my first point than "cease-fire and standfast", I would call it "sit and destroy" rather than "search and destroy". In other words, we can select the terrain favorable to our troops, protect it to whatever extent required, and engage in constant reconnaissance. If the enemy desires to continue the fight they must do it under our conditions, concentrating where our air and artillery can destroy them, rather than the opposite. While I am convinced that they would accept the cease-fire, I see no hazards to our troops remotely comparable to the present situation if they did not.

And the very fact that a half million American troops sit permanently astride their land compels them to seek negotiations. No other course is possible, since we cannot be removed by military means.

For the U.S. to end the war in Vietnam by its own initiative, and to institute the reconvening of the Geneva Powers under reasonable prospects for successful negotiations, would have such far-reaching benefits as to require another speech to explore fully. However, in order to conclude this speech on an optimistic note, I will mention four such benefits.

First, it would effectively balance the budget, by saving 10 to 15 billion dollars this year. Second, it would eliminate the need for a Federal tax increase. Third, it would allow for planning a major attack on our domestic problems in the next fiscal year. Fourth, it might get both me and President Johnson re-elected next year.

The last reason alone makes a very strong case, as far as I am concerned.

SENATE

Friday, August 4, 1967

The Senate met at 11 o'clock a.m., and was called to order by the President pro tempore.

The Chaplain, Rev. Frederick Brown Harris, D.D., offered the following prayer:

Our Father God, for a hallowed moment snatched from the pressing concerns of state, we bow in reverence at this wayside altar of prayer.

We would be still and know that Thou art God. Into Thy hands we commit ourselves and our cause. Frail and fallible as we are, make us, we beseech Thee, the instruments of Thy purpose in speeding the day when hatred will be conquered by love, when fear will give way to confidence, and when the glad service of the common need will join all men everywhere in one great company of comrades.

Against all odds and obstacles may we keep our love of life, our delight in friendship, our hunger for new knowledge, our hatred of a lie, and our intolerance for what our hearts tell us is false and degrading. Quicken our love of America that we may see the shining glory of the Republic both as a heritage and a trust. We ask it in the name of that One who is the truth and the way. Amen.

THE JOURNAL

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the reading of the Journal of the proceedings of Thursday, August 3, 1967, be dispensed with.

The PRESIDENT pro tempore. Without objection, it is so ordered.

SUBCOMMITTEE MEETINGS DURING SENATE SESSION

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Subcommittee on Merchant Marine and Fisheries of the Committee on Commerce and the Subcommittee on Employment, Manpower, and Poverty of the Committee on Labor and Public Welfare be permitted to meet during the session of the Senate today.

The PRESIDENT pro tempore. Without objection, it is so ordered.

THE CALENDAR

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of the calendar, beginning with Order No. 457, and that the calendar be considered in sequence.

The PRESIDENT pro tempore. (Mr.

Spong in the chair). Without objection, it is so ordered.

DOCUMENTATION OF VESSEL "NORTHWIND" AS A VESSEL OF THE UNITED STATES WITH COASTWISE PRIVILEGES

The bill (H.R. 7043) to authorize and direct the Secretary of the Department under which the U.S. Coast Guard is operating to cause the vessel *Northwind*, owned by Wallace P. Smith, Jr., of Centreville, Md., to be documented as a vessel of the United States with coastwise privileges was considered, ordered to a third reading, read the third time, and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the Record an excerpt from the report (No. 471), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the Record, as follows:

PURPOSE OF THE BILL

The purpose of the bill is to restore coastwise privileges to the vessel *Northwind*.

REASON FOR THE BILL

The vessel involved in this legislation is 34 feet long and was built in Los Angeles, Calif., in 1941. Subsequent to that date, it was owned by a Swiss national, but it is presently owned by an American citizen. Under section 27 of the Merchant Marine Act of 1920, coastwise privileges are limited to American-built, American-owned, and American-operated vessels.

The purpose of restricting documentation with coastwise privileges to vessels built in American shipyards is to encourage ship construction in the United States. It has been the policy of the United States since 1789 to reserve the coastwise trade to vessels constructed in U.S. shipyards. However, from time to time and under special circumstances, Congress has passed legislation authorizing the documentation of vessels for use in the domestic trades although the vessel was built in a foreign country or otherwise lost its documentation because of a transfer to foreign registry. The committee considers each proposal for such documentation on its own merits.

This 13.82 tons gross and 11 tons net vessel is owned by Wallace P. Smith, Jr., of Centreville, Md. Mr. Smith is a citizen of the United States and he desires to use the vessel to transport passengers and/or merchandise in conjunction with a summer camp he is connected with in the vicinity of Centreville, Md. He desires to redocument the vessel for this purpose.

In view of the hardship that would otherwise be imposed and because of the limited size and employment of the vessel, the committee recommends approval of the bill. The committee believes that this exception is of such a limited and restricted nature that it will pose no threat to the general goals of our coastwise restrictions or to the American shipbuilding industry.

AMENDMENT OF THE SHIPPING ACT

The bill (S. 706) to amend section 27 of the Shipping Act of 1916 was announced as next in order.

The PRESIDENT pro tempore. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on Commerce, with an amendment, to strike out all after the enacting clause and insert:

> That section 27 of the Shipping Act (46 U.S.C. 826) be amended by deleting the present section and substituting therefor the following:
>
> "Sec. 27. (a) In all proceedings under section 22 of this Act, depositions, written interrogatories, and discovery procedure shall be available under rules and regulations issued by the Federal Maritime Commission, which rules and regulations shall, to the extent practicable, be in conformity with the rules applicable in civil proceedings in the district courts of the United States. In such proceedings, the Commission may by subpena compel the attendance of witnesses and the production of books, papers, documents, and other evidence, in such manner and to such an extent as the Commission may by rule or regulation require. Attendance of witnesses and the production of books, papers, documents, and other evidence in response to subpena may be required from any place in the United States at any designated place of hearing, and persons so acting under the direction of the Commission and witnesses shall, unless employees of the Commission, be entitled to the same fees and mileage as in the courts of the United States.
>
> "(b) Obedience to this section shall, on application by the Commission, be enforced as are orders of the Commission other than for the payment of money."

Mr. BARTLETT. Mr. President, this bill would amend section 27 of the Shipping Act, 1916, to empower the Federal Maritime Commission to adopt pretrial deposition, written interrogatory and discovery procedures to be used by parties in hearings required by statute before the Federal Maritime Commission.

Prior to 1964, the Federal Maritime Commission utilized pretrial discovery procedures pursuant to rule 12(k) of its rules of practice and procedure. That rule was patterned after rule 34 of the Federal Rules of Civil Procedure setting forth discovery authority for Federal district courts in civil proceedings. However, in a case in 1964 before the U.S. Court of Appeals for the Ninth Circuit, *Federal Maritime Commission* v. *Anglo-Canadian Shipping Co.*, 335 F. 2d 244 (1964), it was held that the Commission had no specific statutory authority for discovery procedures and could not, therefore, promulgate rules for discovery and production of documents. In lieu of petitioning the Supreme Court to grant certiorari and reverse the decision of the court of appeals, the Commission determined that the matter should be brought to Congress and specific authorization requested.

Under existing procedures, without discovery power, the only recourse available to a party—either a private party or the Commission itself—seeking proof of an allegation, is to obtain a subpena requiring the respondent to produce at a hearing every requested document having relevancy to the case. This is burdensome for the respondents, leads to legal maneuvering in court, and may cause production of great quantities of files and records at the hearing, only a portion of which may ever be offered in evidence. Furthermore, because subpenas are returnable at the hearing, delay is caused by the possibility of surprise and the necessity to postpone the proceedings for examination of documents.

The deposition and discovery process avoids such delays by enabling a litigating party to examine witnesses and review books, documents, and records of another party, before trial, and copy those which have evidentiary value.

Procedures for prehearing deposition and discovery in Federal district courts have existed since 1948, under Federal Rules of Civil Procedure, and experience has shown that these procedures have well served the interest of justice and equity. The deposition and discovery authority given to the Federal Maritime Commission under this proposed legislation would be similar to the deposition and discovery authority now available to parties in civil proceedings in the Federal district courts.

The Administrative Conference of the United States, chaired by Circuit Judge E. Barrett Prettyman, in its report, Senate Document No. 24, 88th Congress, urged increased use of pretrial discovery in administrative proceedings, pointing out that such procedures would—

First. Guarantee fair treatment of the parties;

Second. Accelerate hearings by eliminating excessive continuances which frequently result from surprise when evidence is first introduced at hearings; and

Third. Render existing pretrial devices more meaningful and effective.

Prior to 1964 when the Commission used pretrial procedures under its rule 12(k) the examiner and parties were generally successful in reaching voluntary agreements on production of documents, without serious delays due to disputes and litigation. However, in Commission proceedings since 1964, there have been delays and postponements which might have been avoided or reduced if pretrial discovery procedures had been available. In a number of cases there were long delays because of refusal to comply with subpenas requiring subsequent court action.

Other agencies including the Interstate Commerce Commission, Federal Power Commission, Federal Communications Commission, and Civil Aeronautics Board have prehearing discovery procedures similar to that which would be authorized by this proposed legislation.

A fair procedure for prehearing deposition would streamline and expedite Federal Maritime Commission proceedings without impinging upon the rights of the parties regulated by the Commission.

Mr. President, I ask unanimous consent to have excerpts from the committee report on S. 706 printed in the Record at the conclusion of my remarks.

There being no objection, the excerpts were ordered to be printed in the Record, as follows:

Agency Comments

Federal Maritime Commission,
Office of the Chairman,
May 5, 1967.

Hon. Warren G. Magnuson,
Chairman, Committee on Commerce,
U.S. Senate,
Washington, D.C.

Dear Mr. Chairman: In response to your letter of February 1, 1967, asking for comment on S. 706, a bill to amend section 27 of the Shipping Act, 1916, we are happy to furnish the following:

The proposed bill would empower the Federal Maritime Commission to adopt pre-trial discovery procedures. Prior to 1964, the Federal Maritime Commission was utilizing pre-trial discovery pursuant to its Rule 12(k). The need for clear statutory authorization for such discovery procedures, however, arose as a result of a decision of the United States Court of Appeals for the Ninth Circuit in *Federal Maritime Commission* v. *Anglo-Canadian Shipping Company,* 335 F. 2d 244 (1964). That decision held that the Commission could not promulgate rules for discovery and production of documents. In lieu of seeking a grant of certiorari and reversal of the decision of the Court of Appeals, it was determined that the feeling of the Congress should be ascertained and that clear statutory authorization should be obtained.

The Federal Maritime Commission has always sought to streamline and expedite proceedings whenever to do so would not interfere with performance of regular functions and responsibilities and would not impinge upon the rights of segments of the industry regulated. To this end, promulgation of rules of procedure for pre-hearing deposition and discovery would be consistent. The Federal Rules of Civil Procedure providing for pre-trial discovery procedures have without doubt well served the interests of justice and equity. Applicability of the same practices in agency proceedings is obvious.

Under present conditions, hearings and investigations undergo considerable delay while parties spar over production of materials. Not infrequently hearings must be spread over a considerable period of time, in situations in which the delay could be abbreviated through the use of pre-trial discovery practices. The increasing delay, expense, and complexity attendant upon administrative hearings in which vast records are compiled has been a matter of growing concern. In all probability, pre-trial discovery would reduce the size of the administrative records while at the same time insuring that relevant material upon which administrative review may bear is included.

The Administrative Conference of the United States has contended that increased use of discovery rules would (1) guarantee fair treatment of the parties, (2) accelerate hearings by eliminating excess continuances which frequently result from surprise when evidence is first introduced at hearings, and (3) render existing pre-trial devices more meaningful and effective.

Accordingly, the Federal Maritime Commission recommends that Congress act favorably upon S. 706.

The Bureau of the Budget has advised that there would be no objection to the submission of this letter from the standpoint of the Administration's program.

Sincerely yours,

JOHN HARLLEE,
Rear Admiral,
U.S. Navy (Retired), Chairman.

OFFICE OF THE SECRETARY
OF TRANSPORTATION,
Washington, D.C., May 15, 1967.

Hon. WARREN G. MAGNUSON,
Chairman, Committee on Commerce,
U.S. Senate, Washington, D.C.

DEAR MR. CHAIRMAN: Reference is made to your request for the views of this Department on S. 706, a bill to amend section 27 of the Shipping Act, 1916.

The proposed bill would empower the Federal Maritime Commission to adopt pre-trial discovery procedures along with its existing power to issue subpoenas in adjudicatory proceedings under section 22 of the Shipping Act. The need for this bill apparently stems from the ambiguity of the present statutory authority of the Commission to issue rules for discovery and production of documents.

The other regulatory agencies: Interstate Commerce Commission, Federal Power Commission, Civil Aeronautics Board, and the Federal Trade Commission presently have similar authority that S. 706 would give to the Federal Maritime Commission. It would appear that the procedural technique of discovery should facilitate adjudicatory proceedings before the Commission and contribute to a fair and speedy resolution of cases. For these reasons, the Department would support this legislation.

The Bureau of the Budget advises that from the standpoint of the Administration's program there is no objection to the submission of this report for the consideration of the Committee.

Sincerely yours,

JOHN L. SWEENEY,
Assistant Secretary for Public Affairs.

GENERAL COUNSEL OF THE DEPARTMENT OF COMMERCE,
Washington, D.C., May 8, 1967.

Hon. WARREN G. MAGNUSON,
Chairman, Senate Commerce Committee,
U.S. Senate, Washington, D.C.

DEAR MR. CHAIRMAN: This is in reply to your request for the views of this Department with respect to S. 706, a bill to amend section 27 of the Shipping Act, 1916.

The bill would amend section 27 of the Shipping Act, 1916 (46 U.S.C. 826) by deleting the present section and substituting a new one which would empower the commission to adopt pretrial discovery procedures along with its existing power to issue subpoenas in all adjudicatory proceedings under section 22 of that Act, which provides that any person may file with the board (now the Federal Maritime Commission), a sworn complaint setting forth any violation of the Act by a common carrier by water, or other person subject to this Act, and asking reparation for the injury, if any, caused thereby. The new section would provide that depositions and discovery shall be available and would permit the Federal Maritime Commission by subpoena to compel attendance of witnesses and the production of books, papers, documents, and other evidence, in such manner and to such an extent as the Commission may by rule or regulation require. Attendance of witnesses in response to subpoena would be required from any place in the United States at any designated place of hearing, and the witnesses so acting would be entitled to the same fees and mileage as in the courts of the United States. Subsection (b) would provide that obedience to this section would on application by the Commission be enforced as are orders of the Commission other than for the payment of money.

The need for clear statutory authorization for discovery arose as a result of the decision in *Federal Maritime Commission* v. *Anglo-Canadian Shipping Co. Ltd. et al.* 335 F2d 255 (1964). In that case the Court held that Rule 12(k) of the Federal Maritime Commission's Rules of Practice, which provided for discovery and production of documents, was invalid because it lacked a proper statutory basis.

We would recommend favorable consideration of the bill inasmuch as it would provide a means of developing facts, encouraging settlements, limiting issues, and lessening the expense of litigation. This authority would be similar to existing authority of other regulatory agencies.

We have been advised by the Bureau of the Budget that there is no objection to the submission of this report from the standpoint of the Administration's program.

Sincerely,

ROBERT E. GILES,
General Counsel.

COMPTROLLER GENERAL
OF THE UNITED STATES,
Washington, D.C., February 16, 1967.

B-158610.

Hon. WARREN G. MAGNUSON,
Chairman, Committee on Commerce,
U.S. Senate.

DEAR MR. CHAIRMAN: This is in reference to your letter of February 1, 1967, requesting our comments on S. 706, a bill to amend section 27 of the Shipping Act, 46 U.S.C. 826. The amendment would empower the Federal Maritime Commission to adopt pretrial discovery procedures along with its existing power to issue subpoenas in certain adjudicatory proceedings.

We have no special information that would assist in the consideration of S. 706, and therefore have no comment to offer.

Sincerely yours,

FRANK H. WEITZEL,
Assistant Comptroller General
of the United States.

CHANGES IN EXISTING LAW

In compliance with subsection 4 of rule XXIX of the Standing Rules of the Senate, changes in existing law made by the bill are shown as follows (existing law proposed to be omitted is enclosed in black brackets, new matter is printed in italic and existing law in which no change is proposed is shown in roman):

SHIPPING ACT, 1916

(39 Stat. 728, Chapter 451, approved Sept. 7, 1916)

* * * * *

SEC. 26. The board shall have power, and it shall be its duty whenever complaints shall be made to it, to investigate the action of any foreign Government with respect to the privileges afforded and burdens imposed upon vessels of the United States engaged in foreign trade, whenever it shall appear that the laws, regulations, or practices of any foreign Government operate in such a manner that vessels of the United States are not accorded equal privileges in foreign trade with vessel of such foreign countries or vessels of other foreign countries, either in trade to or from the ports of such foreign country or in respect of the passage or transportation through such foreign country of passengers or goods intended for shipment or transportation in such vessels of the United States, either to or from ports of such foreign country or to or from ports of other foreign countries. It shall be the duty of the board to report the results of its investigation to the President with its recommendations and the President is hereby authorized and empowered to secure by diplomatic action equal privileges for vessels of the United States engaged in such foreign trade. And if by such diplomatic action the President shall be unable to secure such equal privileges, then the President shall advise Congress as to the facts and his conclusions by a special message, if deemed important in the public interest, in order that proper action may be taken thereon.

[SEC. 27. That for the purpose of investigating alleged violations of this Act, the board may by subpoena compel the attendance of witnesses and the production of books, papers, documents, and other evidence from any place in the United States at any designated place of hearing. Subpoenas may be signed by any commissioner, and oaths or affirmations may be administered, witnesses examined, and evidence received by any commissioner or examiner, or, under the direction of the board, by any person authorized under the laws of the United States or of any State, Territory, District, or possession thereof to administer oaths. Persons so acting under the direction of the board and witnesses shall, unless employees of the board, be entitled to the same fees and mileage as in the courts of the United States.

Obedience to any such subpoena shall, on application by the board, be enforced as are orders of the board other than for the payment of money.]

Sec. 27. (*a*) *In all proceedings under section 22 of this Act, depositions, written interrogatories and discovery procedure shall be available under rules and regulations issued by the Federal Maritime Commission, which rules and regulations shall, to the extent practicable, be in conformity with the rules applicable in civil proceedings in the district courts of the United States. In such proceedings, the Commission may by subpoena compel the attendance of witnesses and the production of books, papers, documents, and other evidence, in such manner and to such an extent as the Commission may by rule or regulation require. Attendance of witnesses and the production of books, papers, documents, and other evidence in response to subpoena may be required from any place in the United States at any designated place of hearing, and persons so acting under the direction of the Commission and witnesses shall, unless employees of the Commission, be entitled to the same fees and mileage as in the courts of the United States.*

(*b*) *Obedience to this section shall, on application by the Commission, be enforced as are orders of the Commission other than for the payment of money.*

SEC. 28. That no person shall be excused on the ground that it may tend to incriminate him or subject him to a penalty or forfeiture, from attending and testifying or producing books, papers, documents, and other evidence, in obedience to the subpoena of the board or of any court in any proceeding based upon or growing out of any alleged violation of this Act; but no natural person shall be prosecuted or subjected to any penalty or forfeiture for or on account of any transaction, matter, or thing as to which, in obedience to a subpoena and under oath, he may so testify or produce evidence, except that no person shall be exempt from prosecution and punishment for perjury committed in so testifying.

The PRESIDENT pro tempore. The question is on agreeing to the committee amendment.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, was read the third time, and passed.

AGRICULTURAL PRODUCERS MARKETING ACT OF 1967

The Senate proceeded to consider the bill (S. 109) to control unfair trade practices affecting producers of agricultural products and associations of such producers, and for other purposes which had been reported from the Committee on Agriculture and Forestry with an amendment to strike out all after the enacting clause and insert:

That this Act shall be known as the Agricultural Fair Practices Act of 1967.

LEGISLATIVE FINDINGS AND DECLARATION OF POLICY

SEC. 2. Agricultural products are produced in the United States by many individual farmers and ranchers scattered throughout the various States of the Nation. Such products in fresh or processed form move in large part in the channels of interstate and foreign commerce, and such products which do not move in these channels directly burden or affect interstate commerce. The efficient production and marketing of agricultural products by farmers and ranchers is of vital concern to their welfare and to the general economy of the Nation. Because agricultural products are produced by numerous individual farmers, the marketing and bargaining position of individual farmers will be adversely affected unless they are free to join together or not to join together in cooperative organizations as authorized by law. Interference with these rights is contrary to the public interest and adversely affects the free and orderly flow of goods in interstate and foreign commerce.

It is, therefore, declared to be the policy of Congress and the purpose of this Act to establish standards of fair practices required of handlers and associations of producers in their dealings in agricultural products.

DEFINITIONS

SEC. 3. When used in this Act—

(a) The term "handler" means any person engaged in the business or practice of (1) acquiring agricultural products from producers or associations of producers for processing or sale; (2) grading, packaging, handling, storing, or processing agricultural products received from producers or associations of producers; (3) contracting or negotiating contracts or other arrangements, written or oral, with producers or associations of producers with respect to the production or marketing of any agricultural product; or (4) acting as an agent or broker for a handler in the performance of any function or act specified in clause (1), (2), or (3) of this paragraph.

(b) The term "producer" means a person engaged in the production of agricultural products as a farmer, planter, rancher, dairyman, fruit, vegetable, or nut grower.

(c) The term "association of producers" means any association of producers of agricultural products engaged in marketing, bargaining, shipping, or processing as defined in section 15(a) of the Agricultural Marketing Act of 1929, as amended (49 Stat. 317; 12 U.S.C. 1141j(a)), or in section 1 of the Act, entitled "an Act to authorize association of producers of agricultural products," approved February 18, 1922 (42 Stat. 388; 7 U.S.C. 291).

(d) The term "person" includes individuals, partnerships, corporations, and associations.

(e) The term "agricultural products" shall not include cotton or tobacco or their products.

PROHIBITED PRACTICES

SEC. 4. It shall be unlawful for any handler or association of producers knowingly to engage or permit any employee or agent to engage in the following practices:

(a) To coerce any producer in the exercise of his right to join and belong to or to refrain from joining or belonging to an association of producers, or to refuse to deal with any producer because of the exercise of his right to join and belong to such an association; or

(b) To discriminate against any producer with respect to price, quantity, quality, or other terms of purchase, acquisition, or other handling of agricultural products because of his membership in an association of producers; or

(c) To coerce or intimidate any producer or other person to enter into, maintain, breach, cancel, or terminate a membership agreement or marketing contract with an association of producers or a contract with a handler; or

(d) To pay or loan money, give any thing of value, or offer any other inducement or reward to a producer for refusing to or ceasing to belong to an association of producers, or for terminating an agreement with a handler; or

(e) To make false reports about the finances, management, or activities of associations of producers or handlers; or

(f) To conspire, combine, agree, or arrange with any other person to do, or aid or abet the doing of, any act made unlawful by this Act.

DISCLAIMER OF INTENTION TO PROHIBIT NORMAL DEALING

SEC. 5. Nothing in this Act shall prevent handlers and producers from selecting their customers and suppliers for any reason other than a producer's membership in an association of producers, nor prevent handlers and producers from dealing with one another individually on a direct basis, nor require a handler to deal with an association of producers.

ENFORCEMENT

SEC. 6. (a) Whenever any handler or association of producers has engaged or there are reasonable grounds to believe that any handler or association of producers is about to engage in any act or practice prohibited by section 4, a civil action for preventive relief, including an application for a permanent or temporary injunction, restraining order, or other order, may be instituted by the person aggrieved. In any action commenced pursuant hereto, the court, in its discretion, may allow the prevailing party a reasonable attorney's fee as part of the costs. No restraining order or preliminary injunction shall issue except upon the giving of security by the applicant, in such sum as the court deems proper, for the payment of such costs and damages as may be incurred or suffered by any party who is found to have been wrongfully enjoined or restrained.

(b) Whenever the Secretary of Agriculture has reasonable cause to believe that any handler, group of handlers, or association of producers has engaged in any act or practice prohibited by section 4, he may request the Attorney General to bring civil action in his behalf in the appropriate district court of the United States by filing with it a complaint (1) setting forth facts pertaining to such act or practice, and (2) requesting such preventive relief, including an application for a permanent or temporary injunction, restraining order, or other order against the handler, handlers, or association of producers responsible for such acts or practices. Upon receipt of such request, the Attorney General shall immediately file such complaint.

(c) Any person injured in his business or property by reason of any violation of, or combination or conspiracy to violate, any provision of section 4 of this Act may sue therefor in the appropriate district court of the United States without respect to the amount in controversy, and shall recover damages sustained. In any action commenced pursuant to this subsection, the court may allow the prevailing party a reasonable attorney's fee as a part of the costs. Any action to enforce any cause of action under this subsection shall be forever barred unless commenced within two years after the cause of action accrued.

(d) The district courts of the United States shall have jurisdiction of proceedings instituted pursuant to this section and shall exercise the same without regard to whether the aggrieved party shall have exhausted any administrative or other remedies that may be provided by law.

(e) The foregoing provisions shall not be construed to deprive the proper State courts of jurisdiction.

SEPARABILITY

SEC. 7. If any provision of this Act or the application thereof to any person or circumstances is held invalid, the validity of the remainder of the Act and of the application of such provision to other persons and circumstances shall not be affected thereby.

Mr. AIKEN. Mr. President, on January 6, 1965, at the beginning of the 89th Congress I introduced a bill, S. 109, aimed at protecting the rights of farmers to join cooperatives without fear of any subsequent retaliatory action by buyers simply because of their membership status.

The bill was distributed widely, and was studied carefully, and discussed by all concerned. On June 14, 15, and 16, 1966, almost a year and a half after introduction, hearings were held by the Subcommittee on Agricultural Research and General Legislation.

Subsequently, and as a result of the suggestions received during the hearings, an amendment in the nature of a substitute was developed and submitted to the committee for its consideration. The subcommittee conducted hearings on the substitute on September 28, 1966. Witnesses representing the Department of Agriculture recommended several amendments at these hearings, which were incorporated in the new S. 109 introduced by me in the 90th Congress on January 11, 1967.

The Subcommittee on Agricultural Research and General Legislation conducted hearings on the current bill on May 2, 4, and 11, 1967. All hearings have been printed.

The measure before the Congress today is the result of intensive study and careful deliberation. Witnesses were in general agreement in favoring the objectives of the bill, but differed as to the mechanics and language by which those objectives could be achieved. Many proposals were advanced and all of them carefully considered by the subcommittee and by the committee. The committee has recommended an amendment in the nature of a substitute, which it believes will accomplish the purpose of the bill most effectively; makes it clear that normal and proper dealings not designed to restrict the producer's freedom of choice are not prohibited; and is fair to producers, associations of producers, handlers, and any others who may be affected by its provisions.

This bill is important to the freedom of our farmers and to the future of agriculture. It is designed to protect the agricultural producer's right to decide, free from improper pressures, whether or not he wishes to belong to a marketing or bargaining association.

It consists of seven sections.

Section 1 provides a short title, the "Agricultural Fair Practices Act of 1967."

Section 2 contains a legislative finding that interference with the rights of farmers to join together or not to join together in cooperatives adversely affects interstate and foreign commerce; and declares the policy of establishing fair practices for handlers and associations.

Section 3 defines "handler," "producer," association of producers," "person," and "agricultural products."

Section 4 prohibits coercion, discrimination, intimidation, bribery, falsehood, and conspiracy designed to influence a producer's election as to joining a cooperative or otherwise marketing his produce.

Section 5 is a disclaimer of any intent to prohibit proper dealings between producers and handlers or to compel dealings between handlers and associations.

Section 6 provides for enforcement through injunction on the application of the aggrieved party or the Secretary of Agriculture, or through actions for compensatory damages.

Section 7 provides for separability in case of any provision is held invalid.

Because of the increasing concentration of the marketing and distribution of agricultural products in the hands of fewer buyers, most farmers feel very strongly that they should have the right to organize and compete without fear of reprisal or of unfair trade practices. They believe that the wider use of contract marketing has created a greater need for the strengthening of their own bargaining position in order to secure prices and other benefits which they feel, and rightly so, they are entitled to. The bill provides farmers with an opportunity to improve their own lot through their own action.

The PRESIDING OFFICER. The question is on agreeing to the committee amendment.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, was read the third time, and passed.

Mr. BYRD of West Virginia. Mr. President, I move that the Senate reconsider the vote by which the bill was passed.

Mr. AIKEN. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the Record an excerpt from the report (No. 474), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the Record, as follows:

SHORT EXPLANATION

This bill is designed to protect the agricultural producer's right to decide, free from improper pressures, whether or not he wishes to belong to a marketing or bargaining association. It consists of seven sections providing as follows:

Section 1. Short title "Agricultural Fair Practices Act."

Section 2. Legislative findings and declaration of policy.

Section 3. Definitions of "handler," "producer," "association of producers," "person" and "agricultural products" (the last definition excluding cotton and tobacco from the bill).

Section 4. Prohibition of coercion, discrimination, intimidation, bribery, falsehood, and conspiracy designed to influence a producer's election as to joining a cooperative or otherwise marketing his produce.

Section 5. Disclaimer of any intent to prohibit proper dealings between producers and handlers or to compel dealings between handlers and associations.

Section 6. Enforcement through injunction on the application of the aggrieved party or the Secretary of Agriculture, or through actions for compensatory damages.

Section 7. Separability in case of any provision is held invalid.

COMMITTEE CONSIDERATION

A similar bill by the same number, S. 109, was introduced in the 89th Congress on January 6, 1965. Hearings were held by the Subcommittee on Agricultural Research and General Legislation on June 14, 15, and 16, 1966. Subsequent to those hearings and as a result of the suggestions received at them an amendment in the nature of a substitute was developed and submitted to the committee for its consideration. The Subcommittee on Agricultural Research and General Legislation conducted hearings on the substitute on September 28, 1966. Witnesses representing the Department of Agriculture recommended three amendments at the hearing; and those amendments were incorporated in the substitute and introduced as S. 109 in the 90th Congress. The Subcommittee on Agricultural Research and General Legislation conducted hearings on the current bill on May 2, 4, and 11, 1967. All hearings have been printed.

Witnesses were in general agreement in favoring the objectives of the bill, but differed as to the mechanics and language by which those objectives could be achieved. Many proposals were advanced and all of them were carefully studied by the subcommittee and by the committee. The committee has recommended an amendment in the nature of a substitute, which it believes will accomplish the purpose of the bill more effectively than would the original text; makes it clear that normal and proper dealings not designed to restrict the producer's freedom of choice are not prohibited; and is fair to producers, associations of producers, handlers, and any others who may be affected by the bill.

The following section-by-section explanation of the committee amendment describes in further detail some of the matters considered by the committee in connection with the various sections of the bill.

AMENDMENT OF THE FOOD AND AGRICULTURE ACT OF 1965

The Senate proceeded to consider the bill (S. 2126) to amend the Food and Agriculture Act of 1965.

Mr. COOPER. Mr. President, the bill before the Senate, S. 2126, is a bill I introduced earlier this year. I am glad that its adoption has been recommended by the Senate Committee on Agriculture, and I appreciate the attention it has received from the distinguished chairman of the subcommittee [Mr. Holland], from the chairman of the full committee [Mr. Ellender], and by the members of the committee, with whom I have served and who are friends of the farmers and understand their problems.

The bill is directed to farmowners who are displaced when their land is taken by an agency having the right of eminent domain. When a farm is taken for a reservoir, or road or other public purpose, the owner must move and acquire a farm in a new location if he is to continue farming. I know it has always been the intention of the Committees on Agriculture and, I am sure of the Congress, that these displaced farmowners be enabled to reestablish their farm operation without undue hardship. For example, we have provided that the farm allotments can be transferred in such cases.

The Tennessee Valley Authority is in the process of acquiring lands in Kentucky for the Between-the-Lakes Recreation Area. During the course of these acquisitions it appeared that a provision of the Food and Agriculture Act of 1965 failed to provide clear authority to the Secretary of Agriculture to enable displaced farmowners to participate in the cropland adjustment program on their new farms. The purpose of S. 2126 is to provide this authority—that is, to make eligible for the cropland adjustment program land acquired by farmers who have had to move, without waiting for the 3-

year period following acquisition otherwise required by the act of 1965.

Congressman FRANK A. STUBBLEFIELD of the First Congressional District of Kentucky, which includes the area Between-the-Lakes, introduced a similar bill in the House of Representatives, H.R. 2375, which was approved July 17 by the House Committee on Agriculture, on which he serves. I want to say that he discussed this problem with me, and acknowledge his initiative in helping to resolve the problem—which is important to the farm operations of those affected by the provision.

The bill has been approved by the Department of Agriculture, and I am glad to recommend its adoption by the Senate.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 475), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

PURPOSE OF THE BILL

This bill would make a farm acquired to replace one transferred to an agency having the right of eminent domain eligible for the cropland adjustment program, even though it had been acquired during the previous 3 years.

The bill was ordered to be engrossed for a third reading, read the third time, and passed, as follows:

S. 2126

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 602(a) of the Food and Agriculture Act of 1965 is amended by adding at the end thereof the following new sentence: "The foregoing provision shall not prevent a producer from placing an eligible farm in the program if the farm was acquired by the producer to replace a farm from which he was displaced because of its acquisition by any Federal, State, or other agency having the right of eminent domain."

AMENDMENT OF THE ECONOMIC OPPORTUNITY ACT

The Senate proceeded to consider the bill (S. 1657) to extend for 1 year the authority of the Secretary of Agriculture to make indemnity payments to dairy farmers who are directed to remove their milk from commercial markets because it contains residues of chemicals registered and approved for use by the Federal Government which had been reported from the Committee on Agriculture and Forestry with an amendment to strike out all after the enacting clause and insert:

That the Secretary of Agriculture is authorized to make indemnity payments, at a fair market value, to dairy farmers who have been directed since January 1, 1964, to remove their milk from commercial markets because it contained residues of chemicals registered and approved for use by the Federal Government at the time of such use. Such indemnity payments shall continue to each dairy farmer until he has been reinstated and is again allowed to dispose of his milk on commercial markets.

SEC. 2. There is hereby authorized to be appropriated such sums as may be necessary to carry out the purposes of this Act.

SEC. 3. The authority granted under this Act shall expire on June 30, 1968.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, was read the third time, and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 476), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

This bill would extend to June 30, 1968, the authority of the Secretary of Agriculture to make indemnity payments to dairy farmers whose milk is removed from commercial markets because it contained residues of chemicals approved by the Federal Government. The existing statutory authority expired June 30, 1967.

As introduced, the bill would have extended section 331 of the Economic Opportunity Act of 1964, which is the existing authority. However, the report of the Department of Agriculture raised a question as to vesting the funding responsibility in the Secretary of Agriculture; and to remove any such question the committee has recommended an amendment providing authority separate from the Opportunity Act. The committee amendment is in the nature of a substitute and the authority provided by it is identical to that provided through June 30, 1967, by section 331 of the Opportunity Act. There would of course be no duplication of payments for the same milk.

DAIRY INDEMNITY PAYMENTS FOR TEXAS FARMERS

Mr. YARBOROUGH subsequently said: Mr. President, I am very pleased at the Senate action today in extending the program for dairy indemnity payments for another year.

This bill will provide compensatory payments to dairy farmers whose milk must be removed from the market because of residues of pesticides. The payments are allowed where the residues occurred through no fault of the farmer, but because of drift from neighboring fields or application to feed or in reliance on recommendations of the Agriculture Department in using the pesticides.

These payments have been of special importance in west Texas in recent months, where efforts to control an unusually high infestation of pink bollworm on cotton have produced unallowable residues in some dairy milk. Some $250,000 of payments to El Paso area dairymen for fiscal year 1967 appears necessary. This program needs to be extended through 1968 pending an assurance that the difficulties experienced in west Texas can be corrected. The Senate's action in extending this program is very meritorious.

AMERICAN PETROFINA CO. OF TEXAS

The bill (S. 1678) for the relief of American Petrofina Co. of Texas, a Delaware corporation, and James W. Harris, was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

S. 1678

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, in the administration of section 31 of the Mineral Leasing Act of February 25, 1920 (30 U.S.C. 188), the Secretary of the Interior is authorized and directed to receive, consider, and act upon any petition of American Petrofina Company of Texas, a Delaware corporation, and James W. Harris, filed within one hundred and eighty days after the date of enactment of this Act, for reinstatement of United States oil and gas lease "Mississippi 030263" and United States oil and gas lease "Mississippi 030263(A)", as if such petition had been filed within the time provided in such section and such section had been applicable thereto.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 477), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

PURPOSE

The purpose of the bill is to authorize and direct the Secretary of the Interior to consider a petition of the American Petrofina Co. of Texas, a Delaware corporation, to reinstate two oil and gas leases if petition is filed within 180 days after the reenactment of the bill.

STATEMENT

The Department of the Interior in a report to the committee, dated July 17, 1967, recommends that the bill be enacted.

In its favorable report to the committee, the Department of the Interior sets forth the facts in the case and its recommendations as follows:

Your committee has requested this Department's report on S. 1678, a bill for the relief of American Petrofina Co. of Texas, a Delaware corporation, and James W. Harris.

We recommend that the bill be enacted.

The bill would authorize and direct the Secretary of the Interior to consider a petition of the American Petrofina Co. of Texas to reinstate two oil and gas leases if the petition is filed within 180 days after enactment of this bill.

The original lease (Mississippi 030263) was issued effective August 1, 1956, to the assignee of Phronia R. Garellick, namely, I. P. LaRue. The lands included in the lease are described as follows:

T. 4 N., R. 10 E., Choctaw Meridian Mississippi

Sec. 18: East 30 acres of SE¼NE¼,
Sec. 29: All,
Sec. 30: S½,
Sec. 31: 10 acres in SW corner of NW¼ NW¼,
Sec. 32: W½, NE¼,
Sec. 36: NW¼NE¼.

The acreage is given in the lease as 1,002.35 acres, and rental payments of $501.50 have been made based on this acreage.

The lease was extended to July 31, 1966, on July 12, 1961. The entire lease was again assigned with the approval of the Bureau of Land Management to the American Petrofina Co. of Texas, effective September 1, 1962. A partial assignment of the lease to James W. Harris (Mississippi 030263(a)) was made on July 1, 1966, covering 40.16 acres, and both leases were extended to June 30, 1968.

According to the official plat of survey, the true acreage originally included in the 1956 lease was 1,524.84 acres. Apparently, the area included in sections 32 and 26 was not included in the total lease acreage. The annual rental, therefore, was deficient and the lease actually terminated prior to October 15, 1962. The discrepancy between the description of the lands included in the lease and the total acreage shown in the lease were not discovered by the Department, the lessee, or the assignees until recently.

There is now pending before the Committee on Interior and Insular Affairs of the Senate a bill (S. 1367) designed to enable the Secretary of the Interior to decide cases such as this one administratively where the lease terminated after October 15, 1962. We have considered the possibility of recommending that S. 1367 apply to leases terminated prior to that date, but we have come to the conclusion that the 1962 date should be continued in that bill. The chances of similar cases arising prior to that date are fairly remote because the 1962 act was designed to cover those cases. Where they do come to light, we believe that special legislation such as S. 1678 would be appropriate.

In considering a petition under this legislation, we will follow the applicable criteria set forth in the general bill.

The Bureau of the Budget has advised they have no objection to the presentation of this report from the standpoint of the administration's program.

The committee believes that the bill as recommended by the Department of the Interior is meritorious and recommends it favorably.

BILL PASSED OVER

The bill (S. 922) for the relief of Euphemia King Hartley, James Hartley, and James Holmes Hartley was announced as next in order.

Mr. MANSFIELD. Over.

The PRESIDING OFFICER. The bill will be passed over.

ANTONIO MARTIN RUIZ DEL CASTILLO

The bill (S. 1709) for the relief of Antonio Martin Ruiz del Castillo was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of the Immigration and Nationality Act, Doctor Antonio Martin Ruiz del Castillo shall be held and considered to have been lawfully admitted to the United States for permanent residence as of October 25, 1961.

Amend the title so as to read: "A bill for the relief of Doctor Antonio Martin Ruiz del Castillo."

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 479), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

PURPOSE OF THE BILL

The purpose of the bill, as amended, is to enable the beneficiary to file a petition for naturalization. The amendment is technical in nature.

The title was amended so as to read: "A bill for the relief of Dr. Antonio Martin Ruiz del Castillo."

MITSU BLOMSTROM

The Senate proceeded to consider the bill (S. 975) for the relief of Mitsu Blomstrom which had been reported from the Committee on the Judiciary with amendments in line 4, after the word "Act", to strike out "Mitsu" and insert "Mitsuo"; and in line 7, after the word "said", to strike out "Mitsu" and insert "Mitsuo"; so as to make the bill read:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, in the administration of the Immigration and Nationality Act, *Mitsuo* Blomstrom may be classified as a child within the meaning of section 101(b)(1)(F) of such Act, subject to the proviso to such section, and a petition may be filed in behalf of the said *Mitsuo* Blomstrom by Staff Sergeant and Mrs. Robert J. Blomstrom, citizens of the United States, pursuant to section 204(a) of such Act.

The amendments were agreed to.

The bill was ordered to be engrossed for a third reading, was read the third time, and passed.

The title was amended so as to read: "A bill for the relief of Mitsuo Blomstrom."

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 480), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

PURPOSE OF THE BILL

The purpose of the bill as amended is to facilitate the entry into the United States in an immediate relative status of the adopted son of citizens of the United States. The bill has been amended to correct the spelling of the beneficiary's first name.

DR. RAMIRO DE LA RIVO DOMINGUEZ

The Senate proceeded to consider the bill (S. 1748) for the relief of Dr. Ramiro de la Rivo Dominguez which had been reported from the Committee on the Judiciary with amendments in line 6, after the word "of", to strike out "February 3, 1961", and insert "October 9, 1960"; so as to make the bill read:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of the Immigration and Nationality Act, Doctor Ramiro de la Riva Dominguez shall be held and considered to have been lawfully admitted to the United States for permanent residence as of October 9, 1960.

The amendments were agreed to.

The bill was ordered to be engrossed for a third reading, was read the third time, and passed.

The title was amended so as to read: "A bill for the relief of Dr. Ramiro de la Riva Dominguez."

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 481), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

PURPOSE OF THE BILL

The purpose of the bill, as amended, is to enable the beneficiary to file a petition for naturalization. The bill has been amended to reflect the proper date upon which he entered the United States as a visitor. The bill has been amended further to correct the spelling of the beneficiary's name.

AMENDMENT OF THE UNITED STATES CODE

The Senate proceeded to consider the bill (H.R. 5876) to amend titles 5, 14, and 37, United States Code, to codify recent law, and to improve the Code which had been reported from the Committee on the Judiciary with amendments on page 14, after line 2, strike out:

(22) Section 5532(a) is amended to read as follows:

"(a) For the purpose of this section—

"(1) 'period for which he receives pay' means the full calendar period for which a retired officer of a regular component of a uniformed service receives the pay of a position when employed on a full-time basis, but only the days for which he actually receives that pay when employed on a part-time or intermittent basis; and

"(2) 'uniformed service' includes the commissioned corps of the Coast and Geodetic Survey."

At the beginning of line 14, to strike out "(23)(A)" and insert "(22)"; on page 15, at the beginning of line 3, to strike out "(B)" and insert "(23)"; on page 50, line 11, after "(69)", to strike out "(A)"; at the beginning of line 13, to strike out "(B)" and insert "(70)"; at the beginning of line 15, to strike out "(70)" and insert "(71)"; on page 51, after line 2, to strike out:

(71) Section 8311 is amended by inserting "or of the commissioned corps of the Coast and Geodetic Survey" after the words "uniformed service" wherever they appear in paragraphs (1)(C) and (3).

On page 52, after line 7, to strike out:

(F) by amending paragraph (13) by striking out the word "or" after the semicolon at the end of clause (B), by inserting the word "or" after the semicolon at the end of clause (C), and by inserting the following new clause after clause (C):

"(D) as a commissioned officer of the Environmental Science Services Administration;";

And, in lieu thereof, to insert:

(F) by amending paragraph (13)(C) by striking out the words "Coast and Geodetic Survey" and inserting "Environmental Science Services Administration" in place thereof;

On page 55, after line 8, to strike out:

(76) Section 8337(e)(1) is amended by striking out the words "within the purview of" and inserting "in which he is subject to" in place thereof.

And, in lieu thereof, to insert:

(76) Section 8337(e) is amended by striking out the words "within the purview of" wherever they appear and inserting "in which he is subject to" in place thereof.

On page 70, after line 22, to strike out:

(98) Section 903(a)(5) is amended by striking out "an officer in the civil service or uniformed services" and inserting in place thereof "an officer in the civil service, of a uniformed service, or of the government of the District of Columbia".

And, in lieu thereof, to insert:

(98) Section 902 is amended—

(A) by striking out paragraph (1)(B) and (C) and inserting in place thereof:

"(B) an office or officer in the executive branch; and

"(C) any and all parts of the government of the District of Columbia other than the courts thereof;";

(B) by striking out the word "and" at the end of the paragraph (1);

(C) by striking out the period at the end of paragraph (2) and inserting "; and" in place thereof; and

(D) by inserting the following new paragraph after paragraph (2):

"(3) 'officer' is not limited by section 2104 of this title."

(99) Section 903(a(5) is amended by striking out "in the civil service or uniformed services".

(100) Section 8113(b) is amended by striking out "shall" and inserting "may" in place thereof.

On page 72, after line 2, to strike out:

SEC. 3. Section 554(a) of title 37, United States Code, is amended by striking out the words "when it is located outside the United States, or in Alaska or Hawaii".

And, in lieu thereof, to insert:

SEC. 3. Title 10, United States Code, is amended as follows:

(1) In section 280, strike out "6150,".

(2) Chapter 80 is repealed. In the analysis of part II of Subtitle A, strike out the item relating to chapter 80.

(3) In section 1586(g)(2), strike out "compensation schedule for the General Schedule of the Classification Act of 1949, as amended," and insert "General Schedule as prescribed in section 5104 of title 5" in place thereof.

(4) In subsections (c) and (d) of section 2031, strike out the words "noncommissioned and commissioned officers" wherever they appear and insert "officers and noncommissioned officers" in place thereof.

(5) In the analysis of chapter 559, strike out item 6112.

(6) In section 8851(a), insert "whose name is not on a recommended list for promotion to the reserve grade of brigadier general" after "in the reserve grade of colonel".

After line 22, to insert a new section, as follows:

SEC. 4. Section 107(c) of title 32, United States Code, is amended by striking out "251 and 252" and inserting "402 and 403" in place thereof.

At the top of page 73, to insert a new section, as follows:

SEC. 5. Title 37, United States Code, is amended as follows:

(1) In section 415(d)(3), strike out "is".

(2) In section 554(a), strike out "when it is located outside the United States, or in Alaska or Hawaii".

(3) In section 1007(b), strike out the second sentence.

After line 6, to insert a new section, as follows:

SEC. 6. (a) The Secretary of Labor shall act on any application for an Exemplary Rehabilitation Certificate received under this section from any person who was discharged or dismissed under conditions other than honorable, or who received a general discharge, at least three years before the date of receipt of such application.

(b) In the case of any person discharged or dismissed from an armed force under conditions other than honorable before or after the enactment of this section, the Secretary of Labor may consider an application for, and issue to that person, an Exemplary Rehabilitation Certificate dated as of the date of issuance, if it is established to his satisfaction that such person has rehabilitated himself, that his character is good, and that his conduct, activities, and habits since he was so discharged or dismissed have been exemplary for a reasonable period of time, but not less than three years. The Secretary of Labor shall supply to the Secretary of Defense a copy of each Exemplary Rehabilitation Certificate which is issued, and the Secretary of Defense shall place it in the military personnel record of the individual to whom the certificate is issued.

(c) For the purposes of subsection (b), oral and written evidence, or both, may be used, including—

(1) a notarized statement from the chief law enforcement officer of the town, city, or county in which the applicant resides, attesting to his general reputation so far as police and court records are concerned;

(2) a notarized statement from his employer, if employed, giving the employer's address, and attesting to the applicant's general reputation and employment record;

(3) notarized statements from not less than five persons, attesting that they have personally known him for at least three years as a person of good reputation and exemplary conduct, and the extent of personal contact they have had with him; and

(4) such independent investigations as the Secretary of Labor may make.

Any person making application under this section may appear in person or by counsel before the Secretary of Labor.

(d) No benefits under any laws of the United States (including but not limited to those relating to pensions, compensation, hospitalization, military pay and allowances, education, loan guarantees, retired pay, or other benefits based on military service) shall accrue to any person to whom an Exemplary Rehabilitation Certificate is issued under subsection (b) unless he would be entitled to those benefits under his original discharge or dismissal.

(e) The Secretary of Labor shall require that the national system of public employment offices established under the Act of June 6, 1933, chapter 49, as amended (29 U.S.C. 49 et seq.) accord to any person who has been discharged or dismissed under conditions other than honorable but who has been issued an Exemplary Rehabilitation Certificate special counseling and job development assistance.

(f) The Secretary of Labor shall report to Congress not later than January 15 of each year the number of cases reviewed by him under this section and the number of Exemplary Rehabilitation Certificates issued.

(g) In carrying out the provisions of this section the Secretary of Labor is authorized to (1) issue regulations; (2) delegate his authority; (3) utilize the services of the Civil Service Commission for making such investigations as may be mutually agreeable.

On page 75, at the beginning of line 21, to change the section number from "4" to "7"; in line 24, after the word "and", to strike out "(70)" and insert "(71)"; on page 76, at the beginning of line 9, to change the section number from "5" to "8"; on page 77, at the beginning of line 5, to change the section number from "6" to "9"; in line 6, after the word "sections", to strike out "1–5" and insert "1–8"; in line 11, after the word "sections", to strike out "1–5" and insert "1–8"; in line 16, after the word "sections", to strike out "1–5" and insert "1–8"; in line 20, after the word "sections", to strike out "1–5" and insert "1–8"; on page 78, line 15, after "(89)", to strike out "and (98)" and insert "(98), (99), and (100)"; at the beginning of line 20, to change the section number from "7" to "10"; and, on page 79, line 2, after the word "section", to strike out "6" and insert "9".

The amendments were agreed to.

The bill was ordered to be engrossed for a third reading, was read the third time, and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 482), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

STATEMENT

The act of September 6, 1966, Public Law 89–554, enacted title 5 of the United States Code, "Government Organization and Employees," consolidating all the general and permanent laws on those subjects. Title 5 of the United States Code is now law—rather than merely prima facie evidence of the laws—and can be changed only by direct amendment. As enacted, title 5 restated laws that had become effective on or before June 30, 1965, and thus did not include laws that became effective after that date.

The purpose of this bill is to incorporate in title 5, the laws, relating to subjects covered by title 5, that became effective after June 30, 1965, and February 21, 1967, and to correct a small number of errors, in the earlier act. The bill also amends title 14, "Coast Guard," to correct a typographical error in section 73(a)(3) of Public Law 89–718, and title 37, "Pay and Allowances of the Uniformed Services," to reflect a law that became effective after June 30, 1965. In addition, the committee amendments include amendments to titles 10, 32, and 37 to correct a limited number of typographical and technical errors and incorrect citations.

This bill has been prepared on the same basis as the original title 5 codification act of September 6, 1966, Public Law 89–554. The purpose, history, scope, arrangement, nature of the revision, and methods of preparation of the original act are explained in detail in House Report 901 and Senate Report 1380, 89th Congress. Like that act, this bill makes no change in the substance of existing law, except so far as necessary to correct the errors noted above. Minor changes in phraseology are made for consistency and to conform to the style of title 5. The corrections, that are explained in the revision notes below, have in the case of title 5 been made retroactive to September 6, 1966, the effective date of the original title 5 codification act, and in the case of title 14, to November 2, 1966.

Because it is necessary in most cases to account only for source laws effective after June 30, 1965, for the most part no other laws are shown as source credits in the revision notes, even in instances when for clarity, the entire section has been restated. Persons interested in tracing the original sources for language repeated from title 5, as enacted on September 6, 1966, should examine the revision notes for the original codification act in Senate Report 1380.

This bill was drafted by the staff of the Office of the General Counsel of the Civil Service Commission in cooperation with the law revision counsel of the House Committee on the Judiciary.

CONVEYANCE OF CERTAIN REAL PROPERTY OF THE UNITED STATES IN THE STATE OF PENNSYLVANIA

The bill (H.R. 4833) to provide for the conveyance of certain real property of the United States situated in the State of Pennsylvania was considered, ordered to a third reading, read the third time, and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 483), explaining the purposes of the bill.

There being no objection, the excerpt

was ordered to be printed in the Record, as follows:

PURPOSE

The purpose of the bill is to authorize the conveyance of not more than one-half acre of land in Pennsylvania by the Attorney General to an adjoining landowner upon the payment of a fair market value to the United States.

STATEMENT

The bill as introduced in the House provided for the conveyance of 0.262 acres of land by the Attorney General. In a favorable report on the bill the Attorney General recommended that the bill be amended to provide that in conveying the tract the Attorney General might vary from the description provided that the total area actually conveyed should not exceed one-half acre. The Committee on the Judiciary of the House of Representatives amended the bill as recommended by the Attorney General.

In its favorable report on the bill, the Committee on the Judiciary of the House of Representatives said:

The Department of Justice has stated in its report to the committee on the bill that it has no objection to the bill with the amendment recommended by the committee. The land involved is a triangular tract which approximates one-fourth of an acre in area. It is located at the southeast corner of a large tract of land which is the site of the Northeast U.S. Federal prison camp, located about 10 miles south of the city of Williamsport, Pa. It lies on the west side of U.S. Route 15, and is bounded on the south by the property of Ralph J. Litchard which is improved with a motel.

"As is noted in the report of the Attorney General, the property extends in front of some of the motel property along the highway. The conveyance which would be authorized by this bill would make it possible to "square off" the motel property and the Federal property in relation to the highway. The Department of Justice further states that the conveyance would not in any way adversely affect the operation of the U.S. prison camp and, for this reason, it has no objection to the conveyance.

"Section 2 of the bill contains the description of the parcel of land which is proposed to be conveyed. The Department of Justice finds that this description may be defective in some respects and for this reason has suggested that the bill be amended by a new section 3 to obviate any problems. The committee agrees that this amendment should be added and has accordingly recommended that the bill be amended to include the language suggested by the Department of Justice.

"In view of the position of the Department of Justice, it is recommended that the bill, amended to conform with the suggestions of that Department, be considered favorably."

The committee believes that the bill is meritorious and recommends it favorably.

BROOKLYN CENTER, MINN.

The bill (H.R. 4496) for the relief of the village of Brooklyn Center, Minn., was considered, ordered to a third reading, read the third time, and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the Record an excerpt from the report (No. 484), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the Record, as follows:

PURPOSE

The purpose of the proposed legislation is to pay the village of Brooklyn Center, Minn., $2,036.62 in full settlement of its claims for reimbursement for one-half of the cost of certain civil defense alerting monitors and tone signaling equipment which were purchased by the village during the year 1963 in reliance on an assurance by civil defense officials that such reimbursement would be made.

STATEMENT

Records of the Department of the Army disclose that in 1963 Brooklyn Center submitted a project application, through Hennepin County, for transmittal to the State civil defense office. The project application requested the Federal Government to provide financial assistance in an amount of one-half the cost of acquisition of the above-described equipment.

In accordance with the usual procedures, the State civil defense office reviewed the project application. It returned it to the village on May 6, 1963, requesting additional information regarding the location and installation of the equipment.

According to the village this information was provided and the application returned to a county civil defense employee. In January 1964, the county employee was said to have appeared before the village council and informed it that the application had been approved by the Office of Civil Defense. Based on this, invitations to bid were issued and on February 22, 1964, a contract was awarded. The minutes of the council indicate that it had been advised of the approval of the project.

Subsequently, after June 30, 1964, the village inquired of the county with respect to the project application. The county could find no record with respect thereto. There being no approval, and the fiscal year having ended, the application was denied.

Had the project application been properly submitted within the fiscal year in which the equipment was purchased (fiscal year 1964) it would have been approved as all other elements are in order. However, such applications may not be approved when the procurement has occurred prior to the availability of the Federal appropriations sought to be charged (31 C.G. 308).

The committee feels that one of the basic equities in this case is the fact that had the project application been properly submitted within the fiscal year in which the equipment was purchased, that is, within the fiscal year 1964, it would have been approved, since the Army has stated that all other elements in the application are in order. The problem, of course, is that applications may not be approved when the procurement has occurred prior to the availability of the Federal appropriations sought to be charged.

This committee has in a number of cases extended relief such as is provided to the village of Brooklyn Center by this bill. Further, as is evidenced in the Department of the Army report, Congress, by Public Law 87–393, provided retroactive approval to financial contributions approved and made to the States prior to June 30, 1960, which was ratified and affirmed. The purpose of this public law was to eliminate the need to take collective action against the States where similar defects concerning approval of applications had been made. In view of the fact that similar relief has been accorded by prior congressional action, and further in view of the fact that the Department of the Army has indicated that the application was otherwise in order and that it has no objection to relief in this instance, the committee recommends that the bill be considered favorably.

EDDIE GARMAN

The bill (H.R. 8485) for the relief of Eddie Garman was considered, ordered to a third meeting, read the third time, and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the Record an excerpt from the report (No. 485), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the Record, as follows:

PURPOSE

The purpose of the bill is to pay Eddie Garman, of Mill Creek, Pa., $897.30 in full settlement of his claims for a death gratuity for the death of his brother who was killed in action in Korea on September 19, 1951.

STATEMENT

In its favorable report on the bill the Committee on the Judiciary of the House of Representatives said:

"The Department of the Army in its report to the committee on the bill stated that it favored its enactment.

"The bill would make it possible to pay a death gratuity to Eddie Garman in a situation where Mr. Garman is qualified under applicable law for payment as the beneficiary of his brother's death gratuity but did not receive it because he was a minor at the time and apparently the required guardian was not appointed in his behalf. The 10-year statute of limitations now bars the payment.

"Eddie Garman's brother, Paul Pete Garman, was inducted into the Army on November 13, 1950. On March 22, 1951, he designated his brother Eddie Garman, as the beneficiary of the 6 months' death gratuity payment. Private First Class Garman was killed in action in Korea on September 19, 1951. In November 1951 Mr. Pete Paul Garman, father of the deceased member, executed appropriate Department of Defense forms and applied to the Army Finance Center for the 6 months' gratuity pay in the name of his 9-year-old son, Eddie Garman, who was the named beneficiary. The Army Finance Center acknowledged receipt of the executed forms on November 14, 1951, but Mr. Garman was informed that no payment could be made until a guardian for his minor son had been appointed to receive the gratuity and certified copies of the letters of guardianship furnished. The record does not indicate that a guardian was appointed. Mr. Eddie Garman, having reached his majority, applied to the General Accounting Office in 1964 for payment of the death gratuity. The claim was considered and denied by the Comptroller General on October 13, 1964 (Z–984232), and on May 4, 1966 (B–158951), on the basis that Mr. Garman's claim was not received in the General Accounting Office within 10 years after his brother's death and was barred by the 10-year time limitation placed on claims by section 71a of title 31, United States Code. The more recent decision also states that the continuing claims theory of limitation cannot be applied as this death gratuity constitutes a lump-sum payment as distinguished from amounts payable in installments in which each installment is regarded as a separate entitlement.

"The act of December 17, 1919 (41 Stat. 367), provides for the payment of the equivalent of 6 months' pay to the widow or child, or other designated dependent relative of any Regular Army member whose death results from wounds or disease while on active duty and not as a result of his own misconduct. Under section 5 of the act of April 3, 1939 (53 Stat. 557), all officers and enlisted men of the Army of the United States, other than those of the Regular Army, who are called or ordered to active military service in excess of 30 days, are entitled to receive the same pensions, compensation, retirement pay, and hospital benefits as are now or may hereafter be provided for officers and enlisted men of the Regular Army. The act of December 10, 1941 (55 Stat. 796), amended the act of April 3, 1939, supra, and extended the payment of the death gratuity under the act of December 17, 1919, supra, to dependent beneficiaries of enlisted men and officers of the Army of the United States. Section 2 of the act of June 20, 1949 (63 Stat. 202), further amends section 5 of the act of April 3, 1939, supra, and provides for the 6 months' gratuity pay to beneficiaries of non-Regular members of the Army and Air Force who are ordered to active duty for more than 30 days or for active duty for training or inactive duty training for any period of time, who die from injury or disease incurred in line of duty. The term 'dependent' in the act of December 17, 1919, supra, was construed by the Comptroller General to mean an insurable interest in the decedent's life and not actual dependency.

"Fathers, mothers, brothers, or sisters were considered to have an insurable interest in the life of the deceased member by reason of relationship alone (22 Comp. Gen. 85 (1942)).

"In its report the Department of the Army concluded that the equitable considerations in this case are such that it favors the bill. The position of the Department is summarized in the following manner in its report:

"'Mr. Eddie Garman qualified, under the laws cited above, as the beneficiary of his brother's death gratuity benefit but payment was denied him because of his minority and the nonappointment of a guardian. The 10-year time limitation imposed on the claim by section 71a of title 31, United States Code, expired before he reached his majority. A timely application for this payment was filed for him in November 1951 by his father who was his natural guardian. In view of these equitable consideration, the Department of the Army favors the bill.'

"In view of the considerations outlined in this report and in the report of the Department of the Army, this committee has determined that this is a proper subject for legislative relief. There is no question concerning Mr. Garman's entitlement to the amount provided in this bill and the only reason he was not paid was due to the factors beyond his control. In the first instance, he was not paid because of his being a minor and by the time he had reached his majority, the statute of limitations had expired. Clearly, the case merits relief and the committee recommends that the bill be considered favorably."

The committee believes that the bill is meritorious and recommends it favorably.

JAMES W. ADAMS

The Senate proceeded to consider the bill (S. 234), which had been reported from the Committee on the Judiciary with an amendment to strike out all after the enacting clause and insert:

That the following employees of the Bureau of Reclamation who received the overpayment of per diem compensation listed opposite their names for the period from July 15, 1963, through August 14, 1963, which overpayment resulted from administrative error in authorizing a retroactive increase in the per diem rate, are hereby relieved of all liability to refund to the United States the amount of such overpayment.

Employees:	*Overpayment*
James W. Adams	$176.75
James L. Erickson	192.25
Allen D. Milner	192.25
Ansen L. Phillips	121.25
Donald W. Stackhouse	192.25
James A. Stradley	192.25

(b) In the audit and settlement of the accounts of any certifying or disbursing office of the United States, full credit shall be given for the amount for which liability is relieved by this Act.

(c) The Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to each of the said employees, the sum of any amount received or withheld from him on account of the payments referred to in the first section of this Act.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, was read the third time, and passed.

The title was amended so as to read: "A bill for the relief of James W. Adams and others."

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the Record an excerpt from the report (No. 486), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the Record, as follows:

PURPOSE

The purpose of the bill, as amended, is to relieve James W. Adams and five other employees of the Department of the Interior of liability to repay the sum of $1,067 to the United States, representing overpayments of per diem compensation for the period from July 15, 1963, through August 14, 1963, which resulted from an administrative error.

A similar bill in the 89th Congress for these claimants was approved by this committee and was passed by the Senate and was favorably reported by the Committee on the Judiciary of the House of Representatives but reached the House floor too late in the 89th Congress for consideration by the House.

The Department of the Interior recommends enactment of the legislation and has set forth the facts as follows:

"Mr. Adams and several other Bureau of Reclamation employees were detailed on July 15, 1963, from the Kansas River Projects Office to the Cheyenne, Wyo., Projects Office to perform surveys required in the construction of transmission lines, substations, and substation additions. A per diem rate of $8 was initially authorized. It was subsequently determined that the $8 rate was inadequate to meet the employees' living expenses because of the frequency of moves required of them in the performance of their duties. On August 15, 1963, their travel authorizations were amended to provide a higher per diem rate for the remainder of their detail and it was intended to make the higher rate retroactive.

"The Comptroller General later disallowed payment of the higher rate on the ground that even though the rate originally prescribed was inadequate to cover the living expenses of the travelers, that rate was the rate the authorizing official had prescribed in the exercise of his discretion and that there was therefore no lawful basis for effecting a retroactive adjustment increasing the per diem rate. The Department unsuccessfully attempted to have the Comptroller General reverse his decision and on June 17, 1964, the original decision of the Comptroller General was reaffirmed.

"This Department has exhausted all known avenues to assist Mr. Adams in obtaining relief from the decision of the Comptroller General.

"As we are without legal authority to provide him and the others with any relief from the reimbursement requirement, we favor a private bill allowing him this relief."

The Department concluded its report with the following recommendation:

"Because the other Bureau of Reclamation employees involved in this case are in a similar status we recommended that this legislation be amended to extend to those employees the same relief which we recommend for Mr. Adams."

The committee believes that the bill is meritorious and recommends it favorably.

AMENDMENT OF THE CONSOLIDATED FARMERS HOME ADMINISTRATION ACT OF 1961

The Senate proceeded to consider the bill (S. 1550) to amend the Consolidated Farmers Home Administration Act of 1961, as amended, to provide for release of valueless liens, and for other purposes which had been reported from the Committee on Agriculture and Forestry with amendments on page 1, line 5, after the word "the," to strike out "period" and insert "colon"; and on page 2, line 2, after the word "or", to strike out "uneconomical." and insert "uneconomical:"; so as to make the bill read:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Consolidated Farmers Home Administration Act of 1961, as amended, is further amended as follows:

Section 331(d) is amended by (a) changing the colon at the end of subsection 331(d)(5) to a semicolon, and (b) adding a new subsection (6) to read as follows:

"(6) release of mortgage liens may be made if it appears to the Secretary that the lein has no present or prospective value or that its enforcement likely would be ineffectual or uneconomical:"

The amendments were agreed to.

The bill was ordered to be engrossed for a third reading, was read the third time, and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the Record an excerpt from the report (No. 487), explaining the purpose of the bill.

There being no objection, the excerpt was ordered to be printed in the Record, as follows:

EXPLANATION

This bill would authorize the Secretary of Agriculture to release valueless liens securing loans administered by the Farmers Home Administration. The Administration may find itself the holder of valueless liens in a number of ways. The most usual is that where additional security is obtained from a debtor to protect an existing loan. It may later develop that the debtor's title was defective, or subject to prior mortgage or judgment liens for more than the value of the property. Even if the debtor has some equity at the time the mortgage is given, that equity may be lost through advances under a prior lien, tax sales, damage to the mortgaged property resulting from a change in water table, erosion, or other casualty, or through a drop in market prices.

Releasing such valueless liens may avoid unnecessary communications and litigations to clear title, and the Secretary of Agriculture advises that considerable savings could result from enactment of the bill. Valueless liens can at present be released in certain cases on the request of a prior lien holder by the Comptroller General under 28 U.S.C. 2410(d), but this is a somewhat more cumbersome and limited procedure than under the bill.

AMENDMENT OF THE INTERNAL REVENUE CODE OF 1954 PROVIDING RULES RELATING TO DEDUCTION FOR PERSONAL EXEMPTIONS FOR CHILDREN OF PARENTS WHO ARE DIVORCED

The Senate proceeded to consider the bill (H.R. 6056) to amend the Internal Revenue Code of 1954 to provide rules relating to the deduction for personal exemptions for children of parents who are divorced or separated which had been reported from the Committee on Finance with an amendment on page 2, at the beginning of line 4, to strike out "written separation agreement to which section 71(a)(2) applies" and insert "a written separation agreement."

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, was read the third time, and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 488), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

I. SUMMARY

H.R. 6056 would amend the provision of the Internal Revenue Code of 1954 relating to the $600 deduction for dependents as it applies with respect to the children of divorced or separated parents. With the exception of a technical amendment, your committee has accepted the House bill without change. The determination of which parents is entitled to the deduction in these cases has become a source of constant irritation to taxpayers and an acute administrative problem for the Internal Revenue Service. The bill provides rules designed to facilitate the determination of which parent is entitled to the deduction in these cases.

The new rules apply only if the combined support furnished by the parents amounts to more than one-half of the total support of the child for the year, and only if the child is in the custody of either or both of his parents for more than one-half of the year. In these cases the bill provides as a general rule that the parent having custody of a child for the longer period of time during the year is entitled to the $600 deduction for personal exemption.

The bill contains exceptions to this general rule under which the parent not having custody (or having custody for the shorter period) becomes entitled to the deduction. Under these exceptions that parent is entitled to the deduction—

(1) If he contributes at least $600 toward the support of the child and the decree of divorce or separate maintenance, or a written agreement between the parents, provides that he is to receive the deduction; or

(2) If he provides more than $1,200 of child support (regardless of the number of children) and the parent having custody for the longer period does not clearly establish that he provided a greater amount of support.

In determining the amount of support provided by each parent for purposes of these exceptions, amounts expended for child support are to be considered as received from the parent not having custody to the extent he provides amounts for this purpose.

In cases where the parent not having custody contributes more than $1,200 of support and claims the deduction with respect to the child, or children, and the parent having custody claims to have provided a greater amount of support, the bill provides that each parent is entitled to receive an itemized statement of the expenditures upon which the other bases his claim.

The new rules are to be applicable for years after 1966.

II. REASONS FOR THE BILL

One of the problems which arises most frequently under the individual income tax provisions of the Internal Revenue Code of 1954 is the question of which of divorced or separated parents is entitled to the deduction for personal exemption with respect to their children. The solution of this problem under present law has been unsatisfactory both from the standpoint of the parents and from the standpoint of the administration of the tax laws by the Internal Revenue Service. Under present law the parent who contributes more than one-half of the support of the child for a year is entitled to the deduction. The problem arises from the difficulties encountered in establishing which parent meets this requirement.

In many cases each parent honestly believes that he has contributed more than one-half of the support. The problem is compounded because of the ill will which sometimes exists between divorced or separated parents. In these cases the Internal Revenue Service finds itself in the position of an unwilling arbiter between the contending parents. In addition, in discharging its duties in administering this provision, the Service is hampered by the provisions of existing law which prohibit disclosure to either parent by the Service of information concerning the nature and amount of support which the other claims to have contributed.

The number of disputes involving this issue is so great that it has cast a serious administrative burden on the Service and has tended to clog the administrative machinery involved in bringing them to a conclusion. In fact, a disproportionate number of these cases are taken to the Tax Court for resolution. It has been estimated by the Service that during a recent year 5 percent of all income tax cases handled at the informal conference level of the administrative process involved this issue as the principal issue. The amounts involved in these cases, although significant to the taxpayers, are quite small. The costs to the taxpayers and the Government of resolving this issue in the administrative process and in the Tax Court are inordinate when compared with the amounts involved.

For these reasons the bill would amend present law to provide a set of rules under which this issue may be resolved on a basis that is more satisfactory to the parents and which will alleviate the current administrative burden. The above rules are to be applicable for years after 1966.

III. GENERAL EXPLANATION OF THE BILL

The bill provides specific rules for determining which of separated parents is to be entitled to the deduction for personal exemption with respect to their children. These new rules apply where the parents are divorced or legally separated under a decree of divorce or of separate maintenance or, are separated under a written separation agreement. (In this respect, your committee made a technical amendment to the bill to make it clear that the new rules are to be applicable in all situations involving parents who are separated under a written separation agreement. Under the language used to accomplish this result in the bill as passed by the House, it seems likely that some of these situations would not have been covered.) The new rules apply with respect to a child only if the parents together furnish more than one-half of his support for a year, and only if the child is in the custody of his parents for more than one-half of the year. Thus, the new rules do not apply where a third person contributes one-half or more of the support of the child or where the child is in the custody of a person other than his parents for one-half of the year or more.

In the case of parents who are separated under a written separation agreement, the new rules do not apply if the parents file a joint return for the year.

As the general rule, the bill provides that the parent who has custody of a child for the greater portion of the year is entitled to the deduction.

The bill also contains exceptions to this general rule under which the parent not having custody (or having it for the lesser period of time) may be entitled to the deduction. The first of these exceptions grants the deduction to the parent not having custody if the decree of divorce or of separate maintenance or a written agreement between the parents specifies that he is to be entitled to the deduction with respect to a child, and he has contributed at least $600 for the support of the child during the year. Where one of the parents claims the deduction with respect to a child pursuant to a written agreement between them, the Treasury Department may require that reasonable substantiation of the existence of the written agreement be submitted with his tax return.

Under this exception it will be possible for the courts hearing divorce and separation suits to resolve this issue in many cases at the time they are considering the financial arrangements which are to apply between the parents and to take the income tax deduction directly into account in this connection. It also provides a means whereby parents who can reach an amicable agreement may resolve the issue with certainty. Your committee concurs with the Committee on Ways and Means in its belief that this exception provides fair and practical alternatives for the resolution of this problem which will be utilized in many divorces and separations which occur in the future.

Under the second exception, the parent not having custody of a child would be entitled to the deduction if he contributes more than $1,200 of support for the child (or children) for the year and the other parent does not clearly establish that he provided a greater share of their support for the year. This exception does not apply, and the parent having custody remains entitled to the deduction with respect to a particular child, if he establishes that he, in fact, furnished a greater portion of that child's support than did the parent not having custody, but only if he establishes this fact by clear and convincing evidence.

In determining the amount of support furnished by each of the parents for purposes of these exceptions, the bill provides that the amounts spent for the support of a child, or children, is to be treated as having been received from the parent not having custody to the extent he provided amounts for their support. In cases involving the second exception referred to above, that is, where the parent not having custody claims to have furnished more than $1,200 of support and the parent having custody claims that such amount was not furnished or claims to have furnished the greater amount of support, the bill provides an additional special rule. Under this special rule, each parent is entitled to receive an itemized statement of the expenditures upon which the other's claim of support is based. Normally, these statements are to be provided by each parent and furnished to the other parent in conformity with the regulations in this regard that are prescribed by the Secretary of the Treasury or his delegate. However, when circumstances so require, the statement of the expenditures upon which a parent's claim of support is based may be provided and furnished to the other parent by the Secretary of the Treasury or his delegate in conformity with such regulations.

The bill also provides that the Secretary of the Treasury or his delegate is to prescribe such regulations as are deemed necessary to carry out the purposes of these new provisions.

A determination of dependency of a child under the provisions of the bill is to be applicable with respect to other provisions of the Internal Revenue Code that are dependent upon such a determination for their operation. For example, a child who is determined to be a dependent of one of his parents under the provisions of this bill is also to be considered a dependent of that parent for purposes of the provision of existing law which provides a deduction for medical and dental expenses.

These new rules are to apply with respect to taxable years beginning after December 31, 1966.

Mr. MANSFIELD. Mr. President, that concludes the call of the calendar.

EXECUTIVE SESSION

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate go into executive session to consider the nominations on the Executive Calendar.

The PRESIDING OFFICER. Is there objection?

There being no objection, the Senate proceeded to consider executive business.

EXECUTIVE MESSAGES REFERRED

The PRESIDING OFFICER laid before the Senate messages from the President of the United States submitting sundry nominations, which were referred to the Committee on Armed Services.

(For nominations this day received, see the end of Senate proceedings.)

The PRESIDING OFFICER. If there be no reports of committees, the nominations on the Executive Calendar will be stated.

DEPARTMENT OF JUSTICE

The legislative clerk proceeded to read sundry nominations in the Department of Justice.

Mr. MANSFIELD. Mr. President, I ask that the nominations in the Department of Justice be considered en bloc.

The PRESIDING OFFICER. Without objection, the nominations in the Department of Justice are considered and confirmed en bloc.

Mr. MANSFIELD. Mr. President, I move that the President be notified immediately of the confirmation of the nominations.

The motion was agreed to.

LEGISLATIVE SESSION

Mr. MANSFIELD. Mr. President, I move that the Senate resume the consideration of legislative business.

The motion was agreed to; and the Senate resumed the consideration of legislative business.

LIMITATION ON STATEMENTS DURING TRANSACTION OF ROUTINE MORNING BUSINESS

Mr. MANSFIELD. Mr. President, I ask unanimous consent that statements in relation to the transaction of routine morning business be limited to 3 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MANSFIELD. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

LABOR DAY RECESS AND THE LEGISLATIVE PROGRAM

Mr. MANSFIELD. Mr. President, for the information of the Senate, and so that there will be no miscalculation or misunderstanding relative to the Labor Day recess announced jointly by the leadership yesterday, I would point out that what the recess will amount to, in effect, is 4 days off, and only 4 days—the Tuesday, Wednesday, Thursday, and Friday following Labor Day.

It is anticipated that the legislation which will be reported to the Senate and placed on the calendar shortly—and I refer to such matters as the wild rivers bill, the Department of Defense appropriation bill, the bills concerning the Inter-American Bank, foreign aid, and the Export-Import Bank, and other measures of transcendent importance—will be taken up beginning early next week. The Senate then will be expected to meet long hours and even on Saturdays, if necessary, so that this and future proposed legislation, after due consideration, can be disposed of as expeditiously as possible, to the end that we can adjourn sine die as soon as possible.

I hope that no one will get the idea that we are taking 10 days off at Labor Day. We are not. And I repeat: The proposed recess amounts only to the 4-day period immediately following the holiday.

We are facing up to a situation which earlier we hoped would not confront us, because it then had been the hope of the leadership to adjourn sine die by Labor Day. Circumstances and developments have made that impossible. Therefore, facing up to the realities of the situation, yesterday's announcement of a short holiday recess was made on behalf of the distinguished Senator from Illinois [Mr. DIRKSEN], the minority leader, and the Senator from Montana so that all Members could make whatever plans they thought advisable for this particular period.

Mr. President, I repeat, it is very likely that beginning next week, the Senate will come in early, stay late, and, if necessary, meet on Saturday in order to keep up with legislation that is now beginning to roll out of the committees.

Mr. DIRKSEN. Mr. President, will the Senator yield?

Mr. MANSFIELD. I yield to the distinguished minority leader.

Mr. DIRKSEN. Mr. President, by way of amplification only, it is quite true that we have added these additional 4 days to the normal Labor Day recess for the benefit of Senators. I have heard no complaint whatever with respect to this action.

I fully concur in the statement of the majority leader with respect to Saturday sessions and early hours if we ever expect to finish this session, because I still foresee a very substantial workload which must be disposed of before the adjournment curtain can ring down.

Mr. MANSFIELD. I agree with the distinguished minority leader. I hope it will be possible to arrive at votes today—rollcall, voice, or otherwise—on amendments or substitutes which may be brought up in connection with the unfinished business.

RICHARD K. JONES

Mr. TALMADGE. Mr. President, I ask that the Chair lay before the Senate a message from the House of Representatives on S. 454.

The PRESIDING OFFICER laid before the Senate the amendment of the House of Representatives to the bill (S. 454) for the relief of Richard K. Jones, which was, on page 1, line 6, strike out "$15,000", and insert "$5,000".

Mr. TALMADGE. Mr. President, on behalf of the distinguished chairman of the Committee on the Judiciary, I move that the Senate disagree to the amendment of the House of Representatives to S. 454 and request a conference with the House of Representatives thereon, and that the Chair appoint the conferees on the part of the Senate.

The motion was agreed to; and the Presiding Office appointed Mr. ERVIN and Mr. HRUSKA conferees on the part of the Senate.

REPORT OF A COMMITTEE SUBMITTED DURING ADJOURNMENT

Under authority of the order of the Senate of August 3, 1967,

Mr. CHURCH, from the Committee on Interior and Insular Affairs, reported favorably, with amendments, on August 4, 1967, the bill (S. 119) to reserve certain public lands for a National Wild Rivers System, to provide a procedure for adding additional public lands and other lands to the system, and for other purposes, and submitted a report (No. 491) thereon, which was printed.

MESSAGES FROM THE PRESIDENT

Messages in writing from the President of the United States submitting nominations were communicated to the Senate by Mr. Jones, one of his secretaries.

SUPPLEMENTAL AGREEMENT BETWEEN THE BOARD OF TRUSTEES OF HOWARD UNIVERSITY AND THE DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

The PRESIDENT pro tempore laid before the Senate a letter from the Secretary of Health, Education, and Welfare, Washington, D.C., transmitting, pursuant to law, a supplemental agreement between the board of trustees of Howard

University and the Department of Health, Education, and Welfare, for the transfer of Freedmen's Hospital to Howard University which, with an accompanying paper, was referred to the Committee on Labor and Public Welfare.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. HART, from the Committee on the Judiciary, without amendment.

S. 321. A bill for the relief of Charles Bernstein (Rept. No. 492).

By Mr. MUSKIE, from the Committee on Banking and Currency, with amendments:

S. 1155. A bill to amend the Export-Import Bank Act of 1945, as amended, to shorten the name of the Bank, to extend for 5 years the period within which the Bank is authorized to exercise its functions, to increase the Bank's lending authority and its authority to issue, against fractional reserves, export credit insurance and guarantees, and for other purposes (Rept. No. 493).

Mr. BYRD of West Virginia subsequently said: Mr. President, at the request of the Senator from Maine [Mr. Muskie], I ask unanimous consent that the report filed earlier today from the Committee on Banking and Currency, by Mr. Muskie, be printed, together with the individual views of the Senator from Wisconsin [Mr. Proxmire] and the Senator from New Jersey [Mr. Williams].

The PRESIDING OFFICER. Without objection, it is so ordered.

By Mr. RUSSELL, from the Committee on Appropriations with amendments:

H.R. 10738. An act making appropriations for the Department of Defense for the fiscal year ending June 30, 1968, and for other purposes (Rept. No. 494).

BILLS AND JOINT RESOLUTIONS INTRODUCED

Bills and joint resolutions were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. PROXMIRE (for himself, Mr. Sparkman, Mr. Long of Missouri, Mr. McIntyre, and Mr. Mondale):

S. 2229. A bill to amend the National Housing Act to provide mortgage insurance for the development of land for recreational uses, and for other purposes; to the Committee on Banking and Currency.

(See the remarks of Mr. Proxmire when he introduced the above bill, which appear under a separate heading.)

By Mr. SPARKMAN (for himself and Mr. Dirksen):

S. 2230. A bill to authorize the Secretary of Agriculture to utilize the columns removed from the east central portico of the Capitol in an architecturally appropriate manner in the National Arboretum; to the Committee on Rules and Administration.

By Mr. GRUENING:

S. 2231. A bill for the relief of Milford A. Taylor of Valdez, Alaska; to the Committee on the Judiciary.

By Mr. GRUENING (for himself and Mr. Bartlett):

S. 2232. A bill to amend 16 United States Code 1082 relating to the prohibition of foreign fishing in the territorial waters of the United States; to the Committee on Commerce.

(See the remarks of Mr. Gruening when he introduced the above bill, which appear under a separate heading.)

By Mr. McCARTHY:

S. 2233. A bill to provide for the establishment and maintenance by the Commodity Credit Corporation of reserve stocks of agricultural commodities for national security, public protection, meeting international commitments, and for other purposes; to the Committee on Agriculture and Forestry.

(See the remarks of Mr. McCarthy when he introduced the above bill, which appear under a separate heading.)

By Mr. HARRIS:

S. 2234. A bill for the relief of Lester H. Sherman; to the Committee on Armed Services.

By Mr. RANDOLPH (for himself, Mr. Morse, Mr. Clark, Mr. Kennedy of New York, and Mr. Yarborough):

S. 2235. A bill to provide counseling and technical assistance to local educational agencies in rural areas in obtaining benefits under laws administered by the Commissioner of Education; to the Committee on Labor and Public Welfare.

(See the remarks of Mr. Randolph when he introduced the above bill, which appear under a separate heading.)

By Mr. HARRIS (for himself and Mr. Monroney):

S. 2236. A bill to prohibit the Secretary of the Army from charging fees in connection with permits for certain floating facilities; to the Committee on Public Works.

By Mr. WILLIAMS of New Jersey:

S. 2237. A bill to amend the Urban Mass Transportation Act of 1964 with respect to the determination of project cost and the Federal and non-Federal share thereof; to the Committee on Banking and Currency;

S. 2238. A bill for the relief of Cheung Shing On;

S. 2239. A bill for the relief of Lam On;

S. 2240. A bill for the relief of Li Chau;

S. 2241. A bill for the relief of Lok King Yip;

S. 2242. A bill for the relief of Kei Ka Fun;

S. 2243. A bill for the relief of Chan For Sing;

S. 2244. A bill for the relief of Yuen Ping Sum:

S. 2245. A bill for the relief of Wong Fat Heung; and

S. 2246. A bill for the relief of Yu Jong Gen; to the Committee on the Judiciary.

By Mr. BARTLETT:

S. 2247. A bill to amend the Merchant Marine Act, 1936, to increase the Federal ship mortgage insurance available in the case of certain oceangoing tugs and barges; to the Committee on Commerce.

By Mr. BARTLETT (for himself, Mr. Fong, and Mr. Muskie):

S.J. Res. 101. Joint resolution amending title XI of the Merchant Marine Act, 1936, to authorize the Secretary of Commerce to guarantee certain loans made to the national Maritime Historical Society for the purpose of restoring and returning to the United States the last surviving American square-rigged merchant ship, the *Kaiulani*, and for other purposes; to the Committee on Commerce.

(See the remarks of Mr. Bartlett when he introduced the above joint resolution, which appear under a separate heading.)

By Mr. HARTKE:

S.J. Res. 102. Joint resolution to authorize an immediate study by the Secretary of Commerce, and a report to the Congress within 60 days, with respect to the availability of insurance protection against disaster perils resulting from riots or other civil disorders; to the Committee on Commerce.

(See the remarks of Mr. Hartke when he introduced the above joint resolution, which appear under a separate heading.)

RECREATION DEVELOPMENT

Mr. PROXMIRE. Mr. President, I introduce, for appropriate reference, a bill to provide FHA mortgage insurance for recreational facilities. I am delighted that Senators Sparkman, Long of Missouri, McIntyre, and Mondale have agreed to cosponsor this important measure to advance the economics of underdeveloped regions.

The bill I have introduced would attract badly needed private capital into the recreation industry by providing standard FHA mortgage insurance from the Federal Housing Administration. This insurance would be available at two levels:

First, up to $5 million in loans to any one private business could be insured. These loans would be secured by 30-year mortgages and could be for building or modernizing resorts, motels, camps, lodges, and other recreational facilities.

Second, up to $25 million in loans to State-chartered development corporations could be insured. These corporations would buy promising land, construct the necessary public facilities, and resell the remaining land to private developers for resorts, motels, vacation homes, marinas, and other recreational facilities. In this way the resources for both government and private industry can be combined in a long-term development effort.

The insurance would be available in economic development areas and districts designated by EDA and in multi-State economic development regions such as Appalachia, New England, the Ozarks, the Upper Great Lakes, the Coastal Plains region which includes eastern North Carolina, South Carolina, and Georgia, and the Four Corners region which includes portions of Arizona, Colorado, Utah, and New Mexico. With the exception of Appalachia, these regions have been designated by the Secretary of Commerce under title V of the Public Works and Economic Development Act—Public Law 89–136.

Mr. President, economic growth has bypassed many of our underdeveloped regions such as the Upper Great Lakes. Although these regions are richly endowed in scenic and recreational resources, they have not been able to participate fully in our country's economic development.

For example, in the Upper Great Lakes region which includes northern Minnesota, Wisconsin, and Michigan, median-family income is only 84 percent of the national average; the incidence of poverty is 25-percent greater than the national average; and the percentage of substandard housing is nearly double the national average.

I believe the economy of the Upper Great Lakes and other regions can be revitalized by building up the recreation and tourism industry. American families now spend over $45 billion a year on recreation, and this figure is growing at least three times faster than the whole economy. Recreation is clearly a growth industry. The rise in personal incomes and leisure time are significant factors affecting recreation demand. The changing age composition of our population is another potent factor. As millions of American families reach retirement age, they will constitute a vital new addition to the recreation market. At the present time, more than 1.2 million Americans retire each year. The increasing mobility of our population, and the improvements in our highway systems are having, and will have a tremendous impact on the recreation industry.

Estimates compiled this year by the Bureau of Outdoor Recreation show that Americans paid 6½ billion visits in the year 1965 to facilities for 19 kinds of popular outdoor recreation activities. The Bureau forecasts that this volume will increase to more than 10 billion visits by the year 1980, assuming that the facilities to handle this expansion exist.

All too often, however, underdeveloped regions such as the Upper Great Lakes have not been able to obtain their fair share of this growth. Adequate credit is frequently unavailable. It has also been difficult to attract the large-scale development necessary for an adequate return. For example, one recent study on the development of outdoor recreation in the Upper Midwest concluded that:

> The most pressing problem of the industry is the acquisition of the necessary long-term capital with which to build new tourist facilities and attractions or expand existing ones. Bank financing has not been available to some resort operators, primarily due to the difficulty of predicting the success of any given project and the large role which managerial ability plays in achieving success.

There are a number of reasons why the underdeveloped regions have not been able to utilize fully their comparative advantage in recreational resources:

First of all, there has been a lack of adequate capital—and particularly long-term capital. The recreation business is a risky business, and bankers have often hesitated to supply new capital. In addition, restrictions on bank lending powers have prevented the flow of long-term investments in mortgages on recreational property.

Second, the governmental response to the problem has been inadequate. Although the Farmers Home Administration has been extremely helpful in helping rural residents to finance recreational facilities, the program has been primarily oriented toward the local residents. On the other hand, if recreational facilities are to have any appreciable economic impact, they must learn to compete for the urban tourist dollar. Other potential Government programs, such as SBA, have inadequate lending powers to be of major assistance.

Third, there has been a lack of sufficiently large-scale development and aggressive management. Today, recreation is a highly complex and competitive business. To survive, one must be constantly alert and responsive to changing tastes. The days of the rustic two- or three-cabin fishing lodge are over. Today's tourists demand a wide variety of recreational opportunities in a conveniently packaged form. Existing resorts must be expanded and modernized if they are to survive. New facilities must be constructed at a much faster rate if a region hopes to maintain its share of the market.

Fourth, there has not been sufficient long-term cooperation between government and private enterprise. Both public and private investment need to be carefully planned and coordinated in order to achieve maximum economic growth.

The bill I have introduced would build upon the existing mortgage insurance program of the Federal Housing Administration. I realize that recreation is somewhat removed from HUD, but there are also substantial parallels. The insurance for land development projects is quite similar to title X of the Housing Act, which is aimed at suburban land development or so-called new towns. I believe the same techniques can be extended to provide for comprehensive land development for recreational purposes in underdeveloped regions.

In addition, HUD is quite familiar with the mortgage market and has an extensive field staff for reviewing insurance applications. HUD also has an established secondary market institution under FNMA.

I am not, however, wedded to the administration of the program by HUD. If, in the course of hearings on the bill, it develops that better administrative arrangements can be provided, I would be glad to consider an amendment.

Under part I of the bill, a new program of land development insurance would be authorized. Up to $25 million in loans to State chartered recreation development corporations could be insured by the FHA. It is expected that the State development corporation would focus on the development of recreation communities which would appeal to a wide variety of tastes and income levels. The corporation would buy up land with development potential. It would then construct the necessary public facilities such as access roads, water and sewage systems, public docks and beaches, and so forth. Once the project was underway, the corporation would resell the land to private developers who in turn would build resorts, motels, ski lifts, golf courses, vacation homes, restaurants, marinas, and other recreational facilities. By concentrating recreational investment in a comprehensively planned area, the entire project becomes self-reinforcing. Variety of recreational opportunity is combined with orderly development in order to achieve maximum tourist attraction.

Another advantage of the development corporation approach is to combine the resources of government and private enterprise in a long-term development effort. Public investment plays a vital role in stimulating economic growth and in triggering private investment. This is particularly true in the recreation and tourism area. The plans of government must be made clear and specific so that private investors know when and where to invest. The State development corporations envisioned under part I of the bill would play a vital role in stimulating and attracting private investment.

Part II of the bill would provide mortgage insurance directly to private firms, either for the expansion or modernization of existing facilities or new construction. Up to $5 million can be insured for 30-year mortgages on such facilities. The rate of interest would be set at the market rate but with a maximum of 6 percent. This provision of the bill should provide badly needed capital to existing and prospective recreational investors.

In addition to the foregoing, the bill would waive the various lending restrictions placed upon banks and savings and loan associations. This should provide for a readier flow of mortgage credit into the recreation and tourism industry. Also, the bill provides that such mortgages would be eligible for purchase by FNMA special assistance funds. This will provide an added incentive to investment by improving the liquidity of such mortgages. Under the bill, FNMA could hold up to $200 million of such mortgages at any one time. Mortgages purchased could also be resold under the Participation Sales Act of 1966, thereby replenishing FNMA's purchase authority.

I believe this bill will help the economy of northern Wisconsin and similar areas. And it will do so without Federal cost. By relying on mortgage insurance rather than Federal grants, it will put private capital to work in an area where it is most urgently needed.

I ask unanimous consent that the text of the bill be printed in the RECORD following my remarks.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the RECORD.

The bill (S. 2229) to amend the National Housing Act to provide mortgage insurance for the development of land for recreational uses, and for other purposes, introduced by Mr. PROXMIRE (for himself and other Senators), was received, read twice by its title, referred to the Committee on Banking and Currency, and ordered to be printed in the RECORD, as follows:

S. 2229

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the National Housing Act is amended by adding at the end thereof a new title as follows:

"TITLE XII—MORTGAGE INSURANCE FOR RECREATIONAL DEVELOPMENT

"PART I—LAND DEVELOPMENT

"Purpose

"SEC. 1201. It is the purpose of this part to assist in the acquisition and development of land situated in underdeveloped areas of the nation to provide home sites and other facilities for recreational or related purposes in accordance with, and in furtherance of, approved programs for the economic development of such areas.

"Definitions

"SEC. 1202. As used in this part—

"(1) The term 'underdeveloped area' means an area included within (A) a redevelopment area or economic development region, as designated pursuant to section 401 or 501 of the Public Works and Economic Development Act of 1965; or (B) the Appalachian region, as defined in section 403 of the Appalachian Regional Development Act of 1965, which, by reason of its natural state, scenic beauty, or other physical characteristics, is suitable in whole or in part for recreational development.

"(2) The term 'recreation development corporation' means a nonprofit or limited dividend corporation authorized under State law to develop land situated in underdeveloped areas within the State for recreational purposes in accordance with, and in furtherance of, an overall economic development program being carried out by the State.

"(3) The term 'State' means any of the several States, the Commonwealth of Puerto Rico, and any territory of the United States.

"(4) The terms 'mortgage', 'first mortgage', 'mortgagee', and 'mortgagor' have the same meaning as in section 1001 of this Act.

"(5) The term 'improvements' includes waterlines and water supply installations, sewage disposal installations, gas and electric lines and installations, roads, streets, drainage facilities, beach facilities, and such other installations or work, whether on or off the site, which the Secretary deems necessary or desirable to prepare land primarily for recreational and related uses (including sites for seasonal homes, lodges, motels, or other facilities for the accommodation of vacationers), and to provide appropriate facilities for public or common use. Such term shall not include any building unless it is a building (A) which is needed in connection with a water supply or sewage disposal installation, or a gas or electric line or installation, or (B) which is to be owned and maintained jointly by the property owners.

"(6) The term 'land development' means the process of making, installing, or constructing improvements.

"Basic conditions for insurance

"Sec. 1203. (a) The Secretary is authorized (1) to insure, upon such terms and conditions as he may prescribe, any first mortgage (including advances on such mortgage) in accordance with the provisions of this title, and (2) to make a commitment for the insurance of such mortgage prior to the date of execution of such mortgage or prior to the date of disbursement of the mortgage proceeds.

"(b) The mortgage shall—

"(1) be executed by a recreational development corporation;

"(2) be made to and held by a mortgagee approved by the Secretary; and

"(3) cover land situated within an underdeveloped area which is to be developed, and the improvements to be made, with the assistance of mortgage insurance under this title.

"(c) The principal obligation of the mortgage shall (1) not exceed 90 per centum of the Secretary's estimate of the value of the property upon completion of the land development, and (2) not exceed the sum of 75 per centum of the Secretary's estimate of the value of the land before development and 90 per centum of his estimate of the cost of such development. The outstanding principal obligation of mortgages involving a single land development undertaking (as defined by the Secretary) shall at no time exceed $25,000,000.

"(d) The mortgage shall—

"(1) have a maturity not to exceed seven years or such longer maturity as the Secretary deems reasonable in the case of a privately owned system for water or sewerage, and contain repayment provisions satisfactory to the Secretary;

"(2) bear interest at a rate satisfactory to the Secretary, and such interest shall be exclusive of such premium charges for mortgage insurance and such service charges and fees as may be approved by the Secretary; and

"(3) contain such terms and provisions with respect to protection of the security, payment of taxes, delinquency charges, prepayment, additional and secondary liens, and other matters as the Secretary may in his discretion prescribe.

"(e) A property or project to be financed by a mortgage insured under this title shall—

"(1) represent an acceptable mortgage insurance risk, giving consideration to the expected contributions of the land development to the economic growth of the area; and

"(2) involve improvements that comply with all applicable State and local governmental requirements and with minimum standards approved by the Secretary.

"Conditions applicable to land development projects

"Sec. 1204. (a) No land development shall be eligible for mortgage insurance under this title, unless the Secretary, after consultation with appropriate State agencies, determines that the project is consistent with, and in furtherance of, an overall economic development program being carried out by the State.

"(b) The land development covered by a mortgage insured under this title shall be undertaken pursuant to a schedule, conforming to such requirements and procedures as the Secretary may prescribe, that will assure the use of the land for the purposes for which it is to be developed within the shortest reasonable period consistent with the requirements of subsection (c).

"(c) The land development covered by any such mortgage shall be undertaken in accordance with a plan, appropriate to the scope and character of the undertaking, which is acceptable to the Secretary as providing reasonable assurance that the area to be developed will (1) have a sound economic base and a long economic life, (2) be characterized by sound land-use patterns, (3) will promote employment and economic activity in the area, and (4) will include or be served by such facilities as the Secretary deems adequate or necessary.

"Cost certification

"Sec. 1205. (a) The Secretary shall adopt such requirements as he determines necessary to assure, at reasonable intervals of time during land development and upon completion of such development, that the amount of the mortgage loan insured under this part which is outstanding at each such interval does not exceed with respect to that portion of the land remaining under the lien of the mortgage (1) 75 per centum of the Secretary's estimate of the value of such remaining land before development, plus (2) 90 per centum of the actual costs of the development allocated by the Secretary to such remaining land.

"(b) From time to time during, and upon completion of, the development, the Secretary shall require the mortgagor to certify as to the actual costs of development of the land.

"(c) Certifications required pursuant to this section shall be accompanied by such data and records as the Secretary shall prescribe.

"(d) A mortgagor's certification approved by the Secretary shall be final and incontestable except for fraud or material misrepresentation on the part of the mortgagor.

"(e) As used in this section, the term 'actual costs' means the costs (exclusive of kickbacks, rebates, or trade discounts) to the mortgagor of the improvements involved. These costs may include amounts paid for labor, materials, construction, contracts, land planning, engineers' and architect's fees, surveys, taxes, and interest during development, organizational and legal expenses, such allocation of general overhead expenses as are acceptable to the Secretary, and other items of expense incidental to development which may be approved by the Secretary. If the Secretary determines there is an identity of interest between the mortgagor and the contractor, there may be included an allowance for contractor's profit in an amount deemed reasonable by the Secretary.

"PART II—RECREATIONAL FACILITIES

"Purpose

"Sec. 1211. It is the purpose of this title to assure the availability of credit in underdeveloped areas of the nation to assist in financing the construction or rehabilitation of facilities for recreational and related uses.

"Definitions

"Sec. 1212. As used in this part—

"(1) The term 'facilities for recreational and related uses' includes homes, lodges, motels, and similar accommodations primarily for seasonal use, and such recreational, commercial, and community facilities as may be necessary or appropriate to serve the residents or occupants of such accommodations.

"(2) The terms 'underdeveloped area', 'mortgage', 'mortgagee', and 'mortgagor' have the same meaning as in section 1202.

"Authority to insure

"Sec. 1213. The Secretary is authorized (1) to insure mortgages (including advances on such mortgages during construction), upon such terms and conditions as he may prescribe, in accordance with the provisions of this part, and (2) to make commitments for the insuring of such mortgages prior to the date of their execution or disbursement thereon.

"Basic conditions for insurance

"Sec. 1214. (a) To be eligible for insurance under this title, the mortgage shall—

"(1) be executed by a mortgagor approved by the Secretary;

"(2) be made to and held by a mortgagee approved by the Secretary; and

"(3) cover a property or project which is situated in an underdeveloped area, and is approved for mortgage insurance prior to the beginning of construction or rehabilitation.

"(b) The mortgage shall—

"(1) not exceed $5,000,000;

"(2) not exceed 90 per centum of the amount which the Secretary estimates will be the value of the property or project when construction or rehabilitation is completed; the value of the property may include the land and the proposed physical improvements, architects fees, taxes, and interest accruing during construction or rehabilitation, and other miscellaneous charges incident to construction or rehabilitation which are approved by the Secretary;

"(3) have a maturity satisfactory to the Secretary but not to exceed thirty years and provide for complete amortization of the principal obligation by periodic payments within such term as the Secretary shall prescribe; and

"(4) bear interest (exclusive of premium charges for insurance and service charges if any) at a rate of not to exceed 5 per centum per annum of the amount of the principal obligation outstanding at any time, or not to exceed such rate (not in excess of 6 per centum per annum) as the Secretary finds necessary to meet the mortgage market.

"(c) No mortgage shall be insured under this part, unless the Secretary determines that the project to be assisted will promote employment and economic activity in the area, and is an acceptable mortgage insurance risk, giving consideration to the expected contributions of the project to the economic growth of the area.

"PART III—GENERAL PROVISIONS

"Releases

"Sec. 1231. The Secretary may, on such terms and conditions as he may prescribe, consent to the release or subordination of a part or parts of property mortgaged under this title from the lien of the mortgage.

"Premiums and fees

"Sec. 1232. The Secretary shall collect reasonable premiums for the insurance of any mortgage under this title and make such charges as he determines are reasonable for the analysis of land development plans and the appraisal and inspection of any property, project, or improvements.

"Insurance benefits

"SEC. 1233. The provisions of subsections (e), (g), (h), (i), (j), (k), (l), and (n) of section 207 of this Act shall be applicable to mortgages insured under this title, except that as applied to such mortgages (1) any reference therein to section 207 shall be deemed to refer to this title, and (2) any reference to an annual premium shall be deemed to refer to such premiums as the Secretary may designate under this title.

"Incontestability provisions

"SEC. 1234. Any contract of insurance executed by the Secretary under this title shall be conclusive evidence of the eligibility of the mortgage for insurance, and the validity of any contract of insurance so executed shall be incontestable in the hands of an approved mortgagee from the date of the execution of such contract, except for fraud or material misrepresentation on the part of such approved mortgagee.

"Rules and regulations

"SEC. 1235. The Secretary is authorized to make such rules and regulations and to require such agreements as he may deem necessary or desirable to carry out the provisions of this title.

"Taxation provisions

"SEC. 1236. Nothing in this title shall be construed to exempt any real property acquired and held by the Secretary under this title from taxation by any State or political subdivision thereof to the same extent, according to its value, as other real property is taxed."

LOANS BY NATIONAL BANKS

SEC. 2. The next to the last sentence of the first paragraph of section 24 of the Federal Reserve Act is amended to read as follows: "Notwithstanding the foregoing limitations and restrictions in this section, any national banking association may make real estate loans which are secured by mortgages insured under title X or XII of the National Housing Act."

LOANS BY FEDERAL SAVINGS AND LOAN ASSOCIATIONS

SEC. 3. The next to the last paragraph of section 5(c) of the Home Owners Loan Act of 1933 is amended by inserting "or title XII" after "title X".

LABOR STANDARDS

SEC. 4. (a) The next to the last sentence of section 212(a) of the National Housing Act is amended to read as follows: "The provisions of this section shall also apply to insurance under title X and part I of title XII with respect to laborers and mechanics employed in land development financed with the proceeds of any mortgage insured under such title or part."

(b) The last sentence of such section is amended—

(1) by inserting "or part II of title XII" after "title XI"; and

(2) by inserting "or part" after "under such title".

FEDERAL NATIONAL MORTGAGE ASSOCIATION

SEC. 5. (a) Section 302(b) of the National Housing Act is amended by inserting after "section 1004 thereof," the following: "or insured under title XII,".

(b) Section 305 of such Act is further amended by adding at the end thereof the following new subsection:

"(j) Notwithstanding any other provision of this Act, the Association is authorized to make commitments to purchase and to purchase, service, or sell any mortgages which are insured under title XII of the National Housing Act. The total amount of such purchases and commitments shall not exceed $200,000,000 outstanding at any one time."

COST CERTIFICATION

SEC. 6. Section 227(a) of the National Housing Act is amended by striking out "or" before "(VIII)", and by striking out the semicolon at the end and inserting in lieu thereof the following: ", or (IX) under part II of title XII;".

AN AMENDMENT TO EXISTING LAW TO STOP VIOLATION OF OUR FISHING AREAS BY RUSSIAN POACHERS

Mr. GRUENING. Mr. President, for the third time this year a Russian vessel has been caught fishing in Alaskan waters. This is an outrage and must be stopped.

A considerable part of the responsibility must lie at the door of the State Department, which has repeatedly injected itself into the judicial proceedings by sending word to the Department of Justice that it wanted a very moderate application of the penalties which the law provides.

The legislation introduced by my able colleague, Senator BARTLETT, during the 88th Congress, and enacted as Public Law 88-308, prescribed penalties for any non-American person violating its provisions by a fine of not more than $10,000 or imprisonment for not more than 1 year, or both, not merely upon the captain but upon every member of the crew, as well as confiscation of the vessel and catch.

Instead, the trawler seized on March 2 was given a fine of $5,000 and the one seized on March 22 a fine of $10,000. In one instance it was reported that there were some $60,000 worth of fisheries in the vessel's hold. Consequently, it was a most profitable deal for the Russian poacher.

In both of these cases both my colleague, Senator BARTLETT, the author of this desirable legislation, and I protested against the lightness of the penalty imposed.

It is now crystal clear that unless a penalty is imposed sufficient to discourage similar violations, these will continue.

It is a well-known fact that Alaska's coastline is so extensive that there are undoubtedly violations which are not apprehended by the Coast Guard. It now appears that the vessel caught yesterday is the same as that apprehended on March 22.

In these circumstances, I am introducing for myself and for my colleague, Senator BARTLETT, an amendment to the existing law which will provide a mandatory confiscation of any vessel caught for the second time fishing in Alaskan waters. I ask that this bill be appropriately referred and hope for its prompt enactment. We have a duty to protect our fisheries and our fishermen against these brazen actions of Soviet skippers.

The PRESIDING OFFICER. The bill will be received and appropriately referred.

The bill (S. 2232) to amend 16 United States Code 1082 relating to the prohibition of foreign fishing in the territorial waters of the United States, was received, read twice by its title, and referred to the Committee on Commerce.

ESTABLISHMENT OF RESERVE STOCKS OF AGRICULTURAL COMMODITIES

Mr. McCARTHY. Mr. President, I introduce, for appropriate reference, a bill to establish reserve stocks of agricultural commodities for national security, public protection, and international commitments.

This measure will establish a strategic reserve for certain farm commodities. For many years the problem has been that of surpluses greatly in excess of demand and there was no immediate need of a strategic reserve. That situation has been changing since new farm programs were enacted by Congress beginning in 1961 and particularly under the Agricultural Act of 1965. Market prices have been running beyond the loan levels and the Government acquisition of stocks as loan collateral has been declining substantially. Meanwhile, exports of farm commodities have been increasing rapidly and the world food demands are rising.

I do not believe that anyone questions the need for a reserve of farm commodities as a safeguard against the hazard of crop failures, to assure adequate supplies for the export markets, and to be able to assist needy peoples in other nations in time of famine and disaster.

We cannot expect the individual farmers or the processors to carry the burden of such a national reserve. The farmers deserve protection against having supplies, which are needed in the national interest hanging over the market to depress the price farmers receive.

This bill would provide authority for the Commodity Credit Corporation to make orderly purchases of limited quantities of wheat, feed grains, soybeans, and cotton at prices up to 15 percent above the announced loan level, or the minimum CCC selling price at the time. These stocks would be shielded from the open market and consequently farmers would not have to worry about any price lowering effect in the markets.

At present the CCC can increase its stocks of these commodities only under a situation where the current farm market price drops to the loan level or lower. The normal way the CCC acquires stocks is when farmers release a commodity as collateral for settlement of their loans and, of course, they do not do this if the farm market price is above the loan price.

Under provisions of this bill there would be reserve levels below which CCC would be required to start making purchases which would be necessary for it to maintain its inventory. That is, whenever wheat in the reserve got below 20 percent of estimated utilization the CCC could purchase such quantities as would permit it to maintain its inventory at that level. For feed grains, the level would be 15 percent of estimated utilization; for soybeans, it would be 6 percent; for cotton it would be 20 percent. These are not large amounts but they would be effective if needed for relief of a domestic crisis and the alleviation of world hunger.

The bill also provides that these amounts held for emergencies would be insulated from the market, and would not depress the price farmers receive. Whenever in any marketing year the Secretary determined that any one of these reserves would fall below a fixed percentage of the estimated export and domestic consumption, such stocks could not be disposed of except under two conditions: first, for the use in meeting needs upon proclamation by the President that an emergency exists which requires utilization of CCC owed commodities; or,

Second, for sale for export or for domestic unrestricted use at not less than 145 percent of the current price support loan rate.

The fixed percentages which would be in effect, except for these two situations, would be 15 percent for wheat, 10 percent for feed grains, 5 percent for soybeans, and 15 percent for cotton.

The reserve levels of 20 percent of estimated consumption for wheat, 15 percent for feed grains, 6 percent for soybeans equal 290 million bushels authorized inventory for wheat, 25.5 million tons of feed grains, 56 million bushels of soybeans. These authorized inventories for CCC are arrived at based on present expected utilization figures for wheat equaling 1,450 million bushels, 170 million tons of feed grains, 940 million bushels of soybeans.

The amounts authorized for purchase during the 1967–68 marketing year would be the authorized figures less the inventories at the start of the year held by CCC. These expected inventories are 125 million bushels of wheat, 9 million tons of feed grains, 35 million bushels of soybeans. CCC purchases permitted, therefore, equal 165 million bushels of wheat, 16½ million tons of feed grains, and 12 million bushels of soybeans.

The bill establishes a CCC maximum selling price of 145 percent of the loan level when CCC stocks reach 219 million bushels of wheat, 16.9 million tons of feed grains, 47 million bushels of soybeans.

Release prices above these levels are determined for wheat and feed grains by the amendment to section 407 of the Agriculture Act of 1949. The release price of soybeans and a statement concerning the release price of commodities held by CCC in excess of the amounts dealt with in the bill will be set out in Department testimony scheduled for next week's hearings in the House Agriculture Committee. The loan rates per bushel are roughly $1.25 on wheat, $2.50 on soybeans, and approximately $1.05 on corn.

This is a limited proposal. It covers only four commodities, and there may be a question as to whether cotton should be included, since the Government still has very large surpluses on hand. The program would be in effect only to the end of the marketing year for the 1969 crop, since the proposal is tied to the Agricultural Act of 1965. Any substantial changes in the commodity programs in 1969 would require adjustments in a strategic reserve policy, and extension of the reserve program should be worked out at that time.

It is my view that this legislation will achieve two desirable objectives. One, it will make possible improved income for the farmers who produce these commodities; in particular it will give them a firm assurance that a defined percentage of each commodity will not be sold by CCC at less than 145 percent of the current price support loan rate, or under a Presidential proclamation of emergency. Second, it will provide the country with greater security of having at least a minimum reserve of these commodities on hand in cases of need, and it will also mean we have a minimum to draw upon to help meet the world problem of hunger.

It is being demonstrated that our reserves can be depleted. The wheat acreage for the 1967 crop had to be expanded substantially. The American farmers will produce more when called upon to do so, but at the same time they should be guaranteed that whatever fixed percentage of their production is considered a national reserve should not be used to hold down the market price.

The farmers should not be called upon to carry this great burden, which should be shared by the entire country. I believe the proposed legislation will go a long way toward accomplishing these two very desirable objectives.

The PRESIDING OFFICER. The bill will be received and appropriately referred.

The bill (S. 2233) to provide for the establishment and maintenance by the Commodity Credit Corporation of reserve stocks of agricultural commodities for national security, public protection, meeting international commitments, and for other purposes, introduced by Mr. McCarthy, was received, read twice by its title, and referred to the Committee on Agriculture and Forestry.

SENATOR RANDOLPH INTRODUCES BILL TO PROVIDE COUNSELING AND TECHNICAL ASSISTANCE TO LOCAL RURAL EDUCATIONAL AGENCIES TO ASSIST IN OBTAINING EDUCATIONAL LOANS AND GRANTS

Mr. RANDOLPH. Mr. President, on behalf of myself, and Senators Morse, Clark, Kennedy of New York, and Yarborough, I am today introducing a bill which will provide counseling and technical assistance to local educational agencies in rural areas in obtaining benefits under laws administered by the Commissioner of Education.

This measure is needed in rural areas not only in West Virginia, but across the Nation, where the school administrators suffer from lack of funds for proper staffing of their offices. It is often impossible for rural administrators to employ professional personnel who can identify educational programs which would help the areas and then give counsel and advice on appropriate submission of applications for aid under such programs.

My bill, which I will offer during our Subcommittee on Education meetings as an amendment to the Elementary and Secondary Education Act Amendments of 1967, will authorize the Commissioner of Education, on application from a State educational agency, to provide such clearly necessary counseling and technical assistance to these rural school districts. This assistance may be either in the form of professional persons from the Office of Education or in the form of grants to the local educational agencies in rural areas, enabling them to employ staff of their own choosing.

The measure further provides that the Commissioner of Education is to determine "rural areas." I have included this language in the bill for a very important reason, as we begin to establish legislative history on this subject. It is my hope, also, that if this amendment is included in the act, our committee report will further amplify the intent of this language.

As we know, school districts are defined in different ways in different States. In some, as in West Virginia, a county is a school district. In others, districts can be within cities, within counties, or can overlap city and county boundaries. However, under certain of our new programs, not in the educational field, "rural areas" are defined with regard solely to county lines. The definition further states that, if a given county contains a city with a population of 50,000 or more, it is ineligible for "rural" aid. It is my contention, Mr. President, that such reasoning is fallacious, and, should it become the pattern for the Commissioner of Education to follow, it would defeat the very purposes I seek to achieve.

Due to the diversity of State and local determinations of school district lines, it is almost impossible for us to define "rural area" in law, but we can, and I propose to, make our intent quite clear.

It would seem then, if a school district serves a predominantly rural area, it is a rural school district, and the local agency which operates that school district is a local agency in a rural area. And a rural area, we would expect, would be an area which includes, as its largest town, one with a population of perhaps 10,000. I suggest this now as a possibility.

I hope that my colleagues on the Subcommittee on Education will be of assistance in making the determination as to guidelines for the Commissioner of Education to use when he is defining a rural area, and that in our committee report on the Elementary and Secondary Education Act Amendments of 1967 we will have developed language which will make our intention quite clear.

My bill, Mr. President, adds $1,500,000 to the amount authorized for section 706 of this act. This is not a large sum, and I hope my colleagues will agree that it will be money well spent. Our rural schools need help. We must insure that they will receive the services they need. This result we owe to our children.

The PRESIDING OFFICER. The bill will be received and appropriately referred.

The bill (S. 2235) to provide counseling and technical assistance to local educational agencies in rural areas in obtaining benefits under laws administered by the Commissioner of Education, introduced by Mr. Randolph (for himself and other Senators), was received, read twice by its title, and referred to the Committee on Labor and Public Welfare.

THE "KAIULANI"

Mr. BARTLETT. Mr. President, history, heritage, and tradition are things often made more valuable and desirable the less abundant they are. As science and technology thrust an ever new future upon us day by day, preserving links with the past which contribute to a sense of continuity becomes more difficult and more important.

We are approaching the day when great atomic-powered cargo ships will plow the trade routes of the world, making our present merchant vessels outdated. With nuclear propulsion beginning to replace conventional power, it is easy to forget the first, basic power man harnessed to cross the oceans: the wind against the sail.

Square-rigged merchant ships pioneered the trade routes which the NS *Savannah* and our other modern ships still use today.

To preserve a tie with the past, last year I introduced Senate Resolution 275 expressing the sense of the Senate supporting the project to restore and repair the *Kaiulani*, the last surviving American-built square-rigged merchant ship. Built in Maine and named after a Hawaiian princess, the *Kaiulani* was presented to the American people by our Philippine friends in 1964. It is now undergoing almost complete restoration by the National Maritime Historical Society, which has done a magnificent job with the limited resources available to them. Its work to this date has been entirely financed through voluntary contributions from concerned Americans and Filipinos. Unfortunately, these have not been enough.

That is why I introduce for Mr. Fong, Mr. Muskie, and myself, Senate Joint Resolution 101 to amend title XI of the Merchant Marine Act of 1936 and authorize the Secretary of Commerce to guarantee certain loans made to the National Maritime Historical Society for the purpose of restoring and returning the *Kaiulani* to the United States where it will be berthed on the Washington waterfront as a nonprofit maritime museum and a monument to the American merchant marine.

This legislation, already introduced in the House—House Joint Resolution 751—would authorize the Secretary to issue a Federal ship mortgage guarantee on behalf of the National Maritime Historical Society, allowing the society to borrow the funds necessary to complete the restoration from a commercial lender with a Federal guarantee of repayment of interest and principal. The receipts earned by the museum ship in the future will enable the society to eventually repay the loan. However, the bill leaves it up to the Secretary of Commerce to determine the financial feasibility of the project.

Without the expenditure of any Federal funds, Mr. President, the Congress can act to support the goodwill and friendship existing between the Republic of the Philippines and our country, and can help to preserve a magnificent symbol of the past which will be a visible reminder of progress made and progress to be made.

I ask unanimous consent that the text of the joint resolution be printed at this point in the Record.

The PRESIDING OFFICER. The joint resolution will be received and appropriately referred; and, without objection, the joint resolution will be printed in the Record.

The joint resolution (S.J. Res. 101) amending title XI of the Merchant Marine Act, 1936, to authorize the Secretary of Commerce to guarantee certain loans made to the National Maritime Historical Society for the purpose of restoring and returning to the United States the last surviving American square-rigged merchant ship, the Kaiulani, and for other purposes, introduced by Mr. Bartlett (for himself, Mr. Fong, and Mr. Muskie), was received, read twice by its title, referred to the Committee on Commerce, and ordered to be printed in the Record, as follows:

S.J. Res. 101

Whereas the Kaiulani, the last surviving American-built, square-rigged merchant ship, was a gift of the people of the Philippines to the people of the United States; and

Whereas the President of the Philippines formally presented the gift to President Lyndon B. Johnson in a ceremony at the White House on October 5, 1964; and

Whereas the task of restoring the Kaiulani was assigned by President Johnson to the National Maritime Historical Society as trustee for the people of the United States; and

Whereas the Kaiulani is presently being restored in the Philippines by the National Maritime Historical Society; and

Whereas, upon completion of restoration, the Kaiulani will be sailed to the United States and permanently berthed on the Washington Channel waterfront in the Nation's Capital as a nonprofit museum devoted to the maritime heritage of this great country; and

Whereas the restoration of the Kaiulani and its preparation for the return voyage to the United States is being unduly delayed because of the lack of funds for the completion of this project: Now, therefore, be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That title XI of the Merchant Marine Act, 1936, is amended by adding at the end thereof the following new section:

"Sec. 1112. (a) Notwithstanding any other provision of law, the Secretary of Commerce is hereby authorized to guarantee all or any part of the principal of and interest on any loan and/or mortgage made, within the three-year period beginning on the date of enactment of this section, to the National Maritime Historical Society of the District of Columbia for the purpose of restoring and returning to the United States the vessel Kaiulani, the last surviving American-built, square-rigged merchant ship presented as a gift to the people of the United States from the people of the Philippines.

"(b) Each guarantee issued under this section shall be made only with respect to loans which, in the opinion of the Secretary of Commerce, are economically sound and each such guarantee shall be subject to such reasonable terms and conditions as he may deem necessary to protect the interests of the United States, including an assignment of the owner's interest in the vessel.

"(c) The Secretary of Commerce is authorized to make commitments to guarantee a loan or part thereof under this section before the date of the execution of such loan or disbursement thereon.

"(d) The aggregate unpaid principal amount of guarantees issued under this section shall not exceed $500,000.

"(e) The faith of the United States is solemnly pledged to the payment of interest on and the unpaid balance of the principal amount of each loan or part thereof guaranteed under this section.

"(f) The vessel Kaiulani shall, for the purposes of all maritime and customs laws be deemed to be a vessel in the service of a public authority which is not engaged in trade."

PROTECTING INSURANCE RIGHTS OF RIOT VICTIMS: SENATE JOINT RESOLUTION 102

Mr. HARTKE. Mr. President, the insurance industry is in a quandary concerning the future of its underwriting in riot-prone areas. One symptom of its concern is the fact that tomorrow there is a meeting in Chicago by the Property Committee of the industry organization, the American Mutual Insurance Alliance, at which the question of insurance claims arising out of the recent riots, and the prospects for future problems, will be the focus of attention.

Recently there have appeared, on financial pages and in business publications, several articles dealing with the question. There is confusion, both in the industry and among those who have lost property. No one doubts that the probability of events in the future will compound that confusion. Nor can it be doubted that, while tragedy surrounds the entire chain of circumstances in the riots from Watts to Detroit and all the others, within the broader frame there are a great number of financial tragedies involving the loss of property by innocent victims of the riots. Says an article in the July 29 Business Week:

> The most difficult question of all involves future insurance company operations in riot-prone areas. It is no secret that most insurers are not particularly eager to write policies in slum areas.

Yet we must do all we can, for the sake of the social necessities of improving ghetto conditions, to preserve the life of businesses in these areas in order to give them the maximum stability, not to break them down further socially. But fully as much we need, in simple equity, to see that individuals whose property is looted, burned, and vandalized in an outbreak do not bear the sole risk for individual unreimbursed loss.

But how is this to be done?

There have been proposals, including bills before the Congress which would provide for Federal reinsurance, or which would reimburse insurance companies outright for 90 percent of their losses. But while there have been policy cancellations and rate increases, there has also been a lack of any systematic dealing with the problem. To me, while it is true that the insurance companies may need some assistance in the problem, the paramount necessity is protection of the innocent victim from bearing the burden of his loss prohibitively. After all, it is not he but the insurance companies who control the policies under which insurance losses are contemplated.

Because there is a genuine need for study of the situation, for a study to devise workable plans which will prevent unreimbursed loss of property in riot areas, I am today introducing a Senate joint resolution calling for such a study. The joint resolution asks that it be undertaken immediately—there is certainly urgency—and that a report be sent back within 60 days. The content of the report is specified—it is to cover a determination of, first, the extent to which insurance protection is available from private or public sources; and, second, whether legislation is needed to assure continuing availability.

Mr. President, I realize that it is difficult to deal with this problem. There are complexities which the insurance industry itself has not solved. But I do not believe the basic goal of property protection through a joint public and private effort is insoluble. In order to achieve a sound solution, however, I believe it is inappropriate to try to devise a too-hasty legislative concoction. At the same time there is an urgency which cannot be denied. It is for that reason that the resolution requires that the Secretary of Commerce initiate the study immediately and report to the Congress within 60 days. Presumably, if 60 days is not long enough, there will be an extension request; but the time limit indicates the urgency with which I view the need to meet the problem.

The joint resolution takes account of the fact that there has been developed some expertise in the Department of Housing and Urban Development, particularly in connection with the flood insurance bill now before the Banking and Currency Committee with recommendations from its Securities Subcommittee. The Secretary of Commerce is directed to consult with them as well as with other Government agencies, and with representatives of the insurance industry.

In this area the companies writing insurance affected are represented almost entirely by three organizations. These are the American Mutual Insurance Alliance, whose members are mutual companies; the American Insurance Association, whose members are stock companies; and the National Association of Independent Insurers, which includes a couple of the Nation's largest companies with household names, as well as others. I have talked with representatives of each of these three organizations, and I am assured that they support the principle of a study of this kind. They have also assured me that they will gladly cooperate in furthering any project of the sort which is undertaken.

A House joint resolution very nearly identical to mine is also being offered by Congressman THOMAS REES, of California, who has been concerned about the insurance problem ever since the Watts riot. The only difference between the two is that in my resolution the study is in charge of the Secretary of Commerce, who is to cooperate with the Department of Housing and Urban Development, and, in his, HUD is the first-named agency, with Commerce in the cooperating role.

Mr. President, I have mentioned Watts. Because it is farther away in time than the recent losses—Detroit's is estimated at $150,000,000—perhaps it can serve to illustrate the need as well as any. There, according to a recent story in the Los Angeles Times, a white druggist in Watts is finding his insurance "becoming impossible" because he is "paying as much for a month of insurance as for a year before the rioting." This has happened despite the fact that 108 carriers set up a pool in order to make insurance available in the area, to meet the situation arising when many companies canceled policies or declined to renew them. Fire insurance rates in Watts today are three to five times what they were before the riot, and even under the pool no risk is covered above $150,000.

Mr. President, I am not asking for specific substantive legislation at this time. I do not believe anyone is in the position to know, without a study such as I propose, what legislation would be the best for the purpose. But I do want in the study to keep in mind a dual objective—protection for the property owner in the riot-prone ghetto area, and protection for private insurers who will be encouraged to maintain their services in these areas without crushing losses. If it is true, as I think it is, that the Nation as a whole, and the Federal Government in particular, through its past failure to cure the causes of these riots, has a responsibility, then I think it is true that the Government needs to consider the means by which it can support the insurers and the insured so that their burdens will not be abnormal in these abnormal areas. Whether the means most desirable is Federal reinsurance or something else, I am not prepared to judge on the scanty available evidence. We need a study to clarify and sharpen the issues and to formulate alternative possibilities to guide us in legislation.

We have been able to do this in the production of a bill to deal with the problems of flood insurance, considered in earlier times an uninsurable risk. We have provided other mechanisms for disaster relief in case of tornado and other natural tragedies. We can do as much here, for the protection of the innocent victim of manmade tragedy in the ghetto.

In order to further throw light on the problem, I ask unanimous consent that the text of my joint resolution may be printed in the CONGRESSIONAL RECORD, to be followed by articles appearing in the Washington Star of Wednesday, July 26, in the July 29 issue of Business Week, and in the July 18 Los Angeles Times.

Mr. President, I ask unanimous consent that the Senate joint resolution which I am about to introduce be referred to the Committee on Commerce concerning the insurance and the protection of insurance rights of riot victims.

The PRESIDING OFFICER. The joint resolution will be received; and, without objection, the joint resolution and articles will be printed in the RECORD, and the joint resolution will be referred to the Committee on Commerce.

The joint resolution (S.J. Res. 102) to authorize an immediate study by the Secretary of Commerce, and a report to the Congress within 60 days, with respect to the availability of insurance protection against disaster perils resulting from riots or other civil disorders, introduced by Mr. HARTKE, was received, read twice by its title, referred to the Committee on Commerce, and ordered to be printed in the RECORD, as follows:

S.J. RES. 102

Resolved in the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of Commerce shall undertake an immediate study to determine the extent to which insurance protection against disaster perils resulting from riots or other civil disorders is available from public or private sources, and whether legislation is necessary to assure the continuing availability of such insurance. In carrying out such study, the Secretary shall, to the maximum extent practicable, consult with representatives of the insurance industry, with other Federal departments and agencies, and with State and local agencies. Findings and recommendations resulting from such study shall be reported to the Congress at the earliest practicable date, but in no event later than 60 days after the effective date of this joint resolution.

SEC. 2. There are authorized to be appropriated such sums as may be necessary to carry out the purposes of this joint resolution.

The articles presented by Mr. HARTKE are as follows:

[From the Washington (D.C.) Evening Star, July 26, 1967]

CASUALTY FIRMS AVOID USING RIOT CLAIMS ESCAPE CLAUSE—STATEMENT BY AETNA BELIEVED TO REPRESENT INDUSTRY VIEWS

(By Donald B. Hadley)

Major fire and casualty companies are not expected to define rioting in Detroit and other cities as insurrection and thus invoke an escape clause that would allow them to avoid paying losses incurred in the disorders.

If later information shows there was an organization and a leadership trying to overthrow the government, and therefore was an "insurrection," the escape clause could be used, but no evidence of this has been uncovered.

Aetna Life and Casualty Group of Hartford, Conn., late yesterday issued a statement, which was considered representative of views among major companies. Statements from other companies are expected in a few days.

"On the basis of current information, we have found no evidence for denial of coverage on the basis that the Detroit disorders constitute insurrection," the Aetna statement said.

SAME VIEW ON NEWARK

A spokesman in Hartford said the company took the same view of the recent Newark rioting.

The statement added, "Aetna is not cancelling any coverage in the Detroit area because of the disorders."

The Aetna statement followed a prediction made by a veteran Washington insurance executive earlier in the day. He said that no evidence had been found so far that Detroit or Newark disorders had been organized under a definite leadership.

He recalled that the word "insurrection" had been used to describe the Watts rioting last summer and that this had caused some confusion as to whether insurance companies might try to avoid payment of claims on this basis. Nothing came of it and insurance claims were paid, he emphasized.

Much of the fresh confusion arose this week over Detroit and Newark losses because of a report that Gov. Richard J. Hughes of New Jersey had described the Newark rioting as "insurrection" or a "near insurrection."

The confusion was fanned by newspaper stories, one in a Hartford publication, which indicated the possibility that insurance companies might decide the latest disorders represented "insurrection" as defined in the exclusion clause.

REPORTS OF PRESSURE

A report that Gov. George Romney of Michigan was being pressured to declare that a state of insurrection existed in Detroit only added to the confusion. Sources said to be close to Romney were quoted as saying he was reluctant to do this because it would automatically cancel out insurance policies covering millions of dollars in property loss from the fires and looting.

Most fire and casualty policies across the nation provide for reimbursement for fire losses and also extend coverage to losses arising from riots, civil commotion, riots attending strikes or damage caused by aircraft, vehicles and smoke. However, they carry a clause excluding coverage of losses resulting from war, insurrection, revolution or civil war.

The insurance industry was moving with all possible speed to assess the latest losses as quickly as possible, but will be forced to wait until order is restored in Detroit.

SPECIAL OFFICE SET

The General Adjustment Bureau in New York announced yesterday that it expects to open a special claims office soon in Detroit to handle the avalanche of claims expected to be filed against insurance companies there.

This is done as a special service to the member companies. A similar office was opened in Newark and now is in the process of handling claims in that city.

The bureau sets up these offices also in areas damaged by storms and natural disasters. A storm is soon over, but it takes several days to restore order in a riot torn area, it was pointed out by a bureau official.

None of the insurance companies knows at this point as to what actual claims will amount to in the Detroit area.

The Associated Press yesterday estimated that property damage in the Detroit Area would exceed $150 million.

President Dwight Havens of the Greater Detroit Chamber of Commerce added an estimate of how much retail business was lost due to the disorders and came up with a total loss figure approaching $1 billion for the area. However, actual property damage was only part of this total.

COST ESTIMATES

The Associated Press survey listed these loss estimates for other cities: $15 million in Newark; $3 million in Cincinnati; $1 million in Tampa, Fla.; $350,000 in Dayton, Ohio; $250,000 in Buffalo, N.Y.; $150,000 in Erie, Pa., and $100,000 in Cairo, Ill.

Insurance industry experts cautioned that preliminary estimates of damage tend to run higher than actual losses.

The riots are likely to lead to much higher insurance costs in the future. Insurance companies are permitted to cover losses by higher rates, but this is done gradually.

John Liner, a Boston insurance expert, commented that Americans not directly involved in racial riots in cities such as Detroit, Newark, Boston and New York, eventually will pay most of the cost.

After insurance companies pick up the tab for the multi-million-dollar damage to property, "they are likely to seek rate increases to recoup their losses," he said.

Liner said extended coverage endorsement, which most businessmen have attached to their fire insurance policies, covers not only damage done to plate glass windows, fixtures and the like, but also the theft of merchandise carried off during a riot.

[From Business Week, July 29, 1967]

Insurers Tote Up Riot Tab—Industry Faces Tangle of Problems in Trying To Assess Damages and Impact on Operations—Task Is Complicated by Tough Legal Questions: When Is a Riot an Insurrection?

Top managements of major fire and casualty insurance companies huddled in hurriedly called executive sessions this week to assess the impact of the wave of riots on their operations.

But the president of one major New York company conceded: At this point it's strictly a guessing game for us. Our Detroit offices are bolted shut, and only late this week did we dare send any of our people out to look at the Newark situation."

Michigan's Commissioner of Insurance, David Dykhouse added: "No one's in a position to talk insurance in a serious way until the dust settles."

Common strategy. One of the few things that could be said with certainty was that the insurance industry would act in concert. Tuesday afternoon, word spread through the industry that a summit meeting of executives would be held soon to formulate some common strategy.

A difficulty is that there is little precedent other than the industry's experiences after the Watts riot of 1965. That outbreak cost the industry more than $40-million, but it was much more limited in scope.

Of pressing importance now is how much of the financial loss the industry will pick up—and the size of that loss is anybody's guess. There may be fussing and flailing, but there is little doubt in the industry that nearly all policyholders in riot areas will have legitimate claims paid in full.

Relief. Most insurers will get a bit of relief, however, through "stop-loss reinsurance treaties," which limit their liabilities for any single disaster. Everything over that limit is paid by reinsurance companies.

According to Donald Kramer, an insurance industry analyst with First Manhattan Co., if the riots do not spread much further, "the companies will be hurt financially, but not crippled."

Another question being explored by insurance executives is the extent of their legal recourse. The small print of all insurance contracts generally carries a clause relieving the companies of financial responsibility in cases of "insurrection." If the insurers could show that the riots were "acts or instances of revolt against civil authority or established governments," they would be off the hook. The courts may have to figure this one out.

Definition needed. New Jersey Governor Richard J. Hughes called the Newark riots "out-and-out rebellion." Does this constitute insurrection? While Michigan's Governor Romney was careful not to use such dramatic language, did his call for federal troops imply insurrection?

In addition, many states have obscure laws that could pin some financial responsibility for riots on the municipalities. New Jersey's law, dating from 1887, has never really been tested. The state's Deputy Commissioner of Banking and Insurance, Horace J. Bryant, asks: "Is this law applicable to people who have no other means of financial recovery, or does it apply to all people?"

The most difficult question of all involves future insurance company operations in riot-prone areas. It is no secret that most insurers are not particularly eager to write policies in slum areas.

Policy freeze. Growing fears among Newark businessmen of mass policy cancellations, for example, prompted New Jersey Commissioner of Banking Charles Howell on Wednesday to call for a 90-day cooling-off period in which insurers operating in the Garden State would freeze all policies. He has asked them to sit down with him and other officials to work out some equitable plan for the future in problem areas.

Changes in the way fire and casualty insurance is underwritten are likely, though. Says one Hartford insurance man: "You just can't eliminate the human bias of an executive when it comes to situations like this."

To be sure, there is also going to be considerable political pressure on the insurers from all sides. One proposal due for close consideration: "assigned risk plans" that would force companies to insure ghetto property. Another would model new laws on programs recently adopted in California and other states requiring an insurer to show cause why he will not write insurance in a ghetto.

Impact on rates. "The problem with trying to force anything upon the industry, notes a New York executive, "is that it will force insurance premium rates sharply higher for everyone, which would bring political pressures from the other side."

As it is, insurance men concede that rates in the riot areas are likely to go up sharply because of the pay-outs they will have to make.

[From the Los Angeles Times, July 18, 1967]

Watts Insurance Rates Hit—New Business Affected

"It's becoming impossible," said a white druggist in Watts. "I'm paying as much a month for insurance as for a year before the rioting."

After that uprising, when many insurance companies canceled policies or simply declined to renew, 108 multi-line carriers set up a pool in order to make insurance available in the area.

How that pool worked out is a matter for argument. Critics simply point to the absence of new business in Watts as proof that it did little—if anything.

One prominent Los Angeles insurance broker, unwilling to be identified, has charged that the program was launched amid great publicity, but is so set up as to be almost totally ineffective.

FIRE INSURANCE SPIRALS

For one thing, the broker said, fire insurance rates in Watts are three to five times what they were before the riot and the maximum amount of any single risk covered by the pool is $150,000.

This, the broker emphasized, is next to nothing in coverage for a major business. And, too, the pool companies refuse to write policies covering theft, vandalism or malicious mischief.

He sees all this as a full explanation of why the pool has issued only $14 million in policies for the curfew area out of a $25 million capacity.

The broker said that the insurance losses in the Bel-Air fire of 1961 were spread statewide, so Watts helped pay for them, but that Watts business (if it comes in at all) must absorb the high cost of its own risk through escalated premiums.

Richard S. L. Roddis, state insurance commissioner, feels the problem is hardly that simple.

"The businessman looks to the insurance companies to work some kind of mathematical miracle," he said, "but control of social problems isn't too easy."

"The pool," he said, "did the job it was supposed to do—provide a market for otherwise unplacable risks."

Bel-Air, he mentioned, doesn't strike insurance companies as being an area of continuing high risk (although many brush-covered hill regions do have high rates), but as for Watts:

"The fact is that we continue to have incidents down there. Companies worry about these things."

Just spreading the risk statewide and giving South-Central Los Angeles a rate comparable to other places, said Roddis, would only mean that companies would avoid the area altogether. They could write lower-risk insurance for similar premiums elsewhere.

OTHER SOLUTIONS

Possible solutions have been suggested; including an "assigned risk" set-up (similar to the auto liability plan) under which companies would be compelled to take on their shares of coverage.

Another is some form of government indemnification—a sort of fire-burglary-theft Medicare program.

It was fear of just this kind of government involvement, say some, that may have prompted the insurance companies to work out the pool arrangement in the first place.

But Roddis responded that the insurance companies' committee which designed the plan "was really a very public-spirited bunch."

INCOME TAX TREATMENT OF CERTAIN DISTRIBUTIONS PURSUANT TO THE BANK HOLDING COMPANY ACT OF 1956—AMENDMENTS

AMENDMENT NO. 241

Mr. WILLIAMS of Delaware submitted an amendment, intended to be proposed by him, to the bill (H.R. 4765) relating to the income tax treatment of certain distributions pursuant to the Bank Holding Company Act of 1956, as amended, which was ordered to lie on the table and to be printed.

AMENDMENT NO. 242

Mr. PROUTY submitted an amendment, intended to be proposed by him, to House bill 4765, supra, which was ordered to lie on the table and to be printed.

ADDITIONAL COSPONSORS OF BILLS

Mr. BYRD of West Virginia. Mr. President, on behalf of the Senator from Connecticut [Mr. RIBICOFF], I ask unanimous consent that, at its next printing, the name of the Senator from Nevada [Mr. CANNON] be added as a cosponsor of the bill (S. 2116) to establish a commission to study the organization and management of the executive branch of the Government, and to recommend changes necessary or desirable in the interest of governmental efficiency and economy.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. HARTKE. Mr. President, I ask unanimous consent that, at its next printing, the name of the Senator from Alaska [Mr. GRUENING] be added as a cosponsor of the bill (S. 1736) to provide increased opportunities for students in higher education for off-campus employment by establishing programs of work-study cooperative education.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. HARTKE. Mr. President, I ask unanimous consent that, at its next printing, the name of the Senator from South Carolina [Mr. HOLLINGS] be added as a cosponsor of the bill (S. 1726) to amend the Antidumping Act, 1921.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BYRD of West Virginia. Mr. President, on behalf of the Senator from South Carolina [Mr. HOLLINGS] I ask unanimous consent that at its next printing, the names of the Senator from New Mexico [Mr. ANDERSON], the Senator from Pennsylvania [Mr. CLARK], and the Senator from Oregon [Mr. HATFIELD] be added as cosponsors of the bill (S. 1796) to impose quotas on the importation of certain textile articles.

The PRESIDING OFFICER. Without objection, it is so ordered.

JUNTA'S AMBITION PERILS VIETNAM ELECTIONS

Mr. YOUNG of Ohio. Mr. President, if there remains any doubt as to the nature of the regime we are supporting in South Vietnam, recent news reports should dispel that doubt. The generals who form the ruling junta in South Vietnam are at work on a plan that would perpetuate their power and virtually nullify any results of the forthcoming presidential election not to their liking. The junta is determined to convert into a farce the September 3 election, which has been widely heralded as an example of South Vietnamese democracy.

These 10 generals forming the ruling junta of the Saigon government are not content with assuring a militarist victory at the polls by combining the two most powerful generals on one slate and by removing the names of their most serious challengers from the ballot. The junta and other senior officers in the comic opera South Vietnamese Army have now let it be known that they are forming a "Military Affairs Committee" which would continue to formulate and direct national policy, no matter what candidates receive the most votes next month. Nine of the 10 generals who form the military junta which overthrew the elected civilian government of South Vietnam in June 1965 were born and reared in North Vietnam and fought with the French Army from 1946 to May 1954 against the forces of the National Liberation Front seeking freedom from French rule of all Vietnam, Cambodia, and Laos.

The New York Times reported earlier this week that one South Vietnamese general recently told an American friend:

> There's a war to fight. The army must remain powerful. We are willing to go along with the voting, but things must come out right.

The American remained silent just as our administration leaders remained silent a few days back when Prime Minister Ky declaimed that under no circumstances would he tolerate the Vietcong being represented by delegates at any peace conference and when he sounded off politically that before we take steps toward peace, Hanoi must lay down its arms.

For all practical purposes, regardless of who is elected President of South Vietnam, the military junta will continue to reign in that unhappy land. If Gen. Nguyen Van Thieu, the present chief of state, is the winner, the committee would protect the interests of the other officers and prolong, to some degree, the rule by committee, which the army leaders prefer.

If Tran Van Huong, the leading civilian candidate, is the winner, the committee would be the Army's vehicle for government behind a facade of legitimacy. Mr. Huong is reported to be prepared to accept the advice of the military on most subjects. In fact, he has promised that if elected President he will name a military officer as Premier.

This travesty on democracy is in keeping with the attitude long blatantly expressed by Premier Ky who has said more than once that if he is not satisfied with the outcome of the election next September 3 he will use force to change it.

Marshal Ky, Prime Minister of the Saigon regime, who also was an Air Force cadet in the French army fighting to enslave his fellow countrymen under a restored French Indochinese colonial empire, is reported to be the driving force behind the formulation of this proposed committee. It is his very obvious method of reasserting his influence, which he might otherwise find difficult to do as Vice President under General Thieu or as commander of the Vietnamese Air Force, if a civilian ticket should win.

Our forefathers would have denounced Prime Minister Ky and nine of the 10 junta generals as Tories. This was the term we Americans have always used in referring to loyalists of the American Colonies, many of whom fought with the English and emigrated to Canada following the Revolutionary War. Even today, these generals, including Ky, have the effrontery to wear French decorations awarded them while serving with the French Armed Forces seeking to crush the Vietnamese patriots fighting for their nation's independence.

Now, this flamboyant Prime Minister of the Saigon junta proves, as he has daily in the past, that his interests lie closer to those who have oppressed the Vietnamese people for a hundred years than to any desire to serve the needs of the people of Vietnam and to end exploitation of the masses of Vietnamese people by landowners and a privileged few.

Mr. President, the tremendous commitment in men and money that our Nation has assumed in Vietnam gives the United States no right to dictate the outcome of the forthcoming election. However, it does impose the moral obligation on us to use our influence to keep the election from turning into a mockery. President Johnson, Secretary of State Rusk, and other administration spokesmen have for months hailed the forthcoming elections as a major turning point in the war and a proof of our resolve to assure self-determination for the Vietnamese people. The formation of this "Military Affairs Committee" by the South Vietnamese Tory generals has turned the election into a charade. Nothing will change in Saigon, in the conduct of the war, or in the estimate of other nations of the legitimacy of our involvement in a civil war in a little nation which is of no strategic importance to the defense of the United States.

The United States has furthered this travesty on democracy by giving the elections an appearance of respectability. Whom are we trying to fool by advertising the regime we are defending as "free" or "democratic"? Whom can we convince that South Vietnam is on its way to becoming a representative democracy when the present rulers publicly proclaim they will overthrow any elected government that does not suit their purposes?

We are involved in an ugly civil war in the worst place in the world to which we have committed 600,000 of our finest fighting men of whom more than 14,000 have been killed and more than 70,000 wounded or afflicted with malaria and other dread diseases, and which is costing American taxpayers more than $2 billion 500 million every month. There is a glimmer of hope—a very faint one at most—that the September presidential election could open an avenue toward peace by bringing to power a Saigon government willing to negotiate directly with the Vietcong, or officials of the National Liberation Front which is the political arm of the Vietcong and whose leader is a Saigon lawyer who is not a Communist.

The Associated Press reported yesterday that Tran Van Huong stated at a news conference that if elected President of South Vietnam his government would seek a political solution to the war, but not peace at any price. This, from one who is reported to be prepared to accept the thinking of the military on most subjects. Even more hopeful is the Associated Press report that Dr. Phan Quang Dan, a leading civilian candidate for Vice President, called for deescalation of the war and negotiations with the Vietcong. Dr. Dan, the running mate of presidential candidate Phan Khac Suu, told a news conference:

> It is impossible to fight the Communists like we are now. It would be better to have a shouting war rather than a shooting war.

He proposed negotiations with the Communists "at all levels, including the National Liberation Front," the political arm of the Vietcong. These statements offer some hope that the election next month can possibly result in a step toward peace.

Mr. President, we must assure a free and fair election. We must also prevent the Vietnamese tories from attempting to nullify the results of that election. If real and honest elections are held, I doubt whether those elected would choose to prolong the Vietnam civil war that is now raging and has been raging since 1946 directly following the departure of Japanese air and ground forces when the French commenced to reestablish their colonial empire which had oppressed and exploited the Vietnamese for nearly a hundred years. If the real voice of south Vietnam could be heard, and listened to by our State Department bureaucrats and our Joint Chiefs of Staff, it would be asking for peace, not military victory.

Mr. President, yesterday, August 3, there appeared an excellent editorial entitled "Junta's Ambition Perils Viet" in the Plain Dealer, a great newspaper in Cleveland, Ohio. This editorial clearly and concisely points out the danger of this plotting by the military junta to retain control of the Saigon government after the elections. I ask unanimous consent to have this editorial printed in the Record.

There being no objection, the editorial was ordered to be printed in the Record, as follows:

Junta's Ambition Perils Viet

Reports coming out of Vietnam that the military junta is plotting moves to retain political control after the elections next month are straws in the wind with enough substance to rate the closest attention.

What the generals reportedly are working toward is establishment of a military affairs committee which would determine national policy, just as the armed forces leadership has done for the last two years.

American officials in Saigon and Washington are deeply concerned over the threat to the future stability of Vietnam such an arrangement would present.

The matter reportedly was high on the agenda of Secretary of Defense Robert McNamara on his recent trip to Saigon and was discussed at length in top American military and diplomatic circles.

McNamara is said to have expressed dissatisfaction at the failure of the American command to apply greater pressure on the junta to deactivate its political preoccupations.

The driving force behind the junta's aim to perpetuate its control is Premier Nguyen Cao Ky, running mate of Lt. Gen. Nguyen Van Thieu in the campaign. If Thieu should win, the committee would act to protect the interests of the other army officers.

If Tran Van Huong, the leading civilian candidate, wins, the committee would be the legal vehicle by which the army would continue to rule.

No matter who wins, Ky, through the committee, would continue as the dominant influence in the Saigon government.

The propaganda value to the enemy of a military committee outranking an elected government would be of major dimensions.

All of the effort to prepare the way for the voting and all of the risks taken by the participants would be nullified by a continuation of the junta's power under a new label.

If Ky is reluctant to surrender his authority, he should have stood for election to the top job. Any attempt to continue in power to subterfuge is a threat to the interests of South Vietnam and of America. Ky should be told to put these interests ahead of his personal ambitions.

THE GOLDEN CIRCLE CONCEPT

Mr. MOSS. Mr. President, almost everyone has now heard about the "golden circle," the fabulous scenic area surrounding the only point in the country where four States meet—Utah, Colorado, New Mexico, and Arizona.

But few people know how and where the golden circle concept originated. George B. Hartzog, Jr., the Director of the National Park Service, tells about its birth in the summer 1967 issue of Western Gateways.

The idea was first enunciated at a campfire gathering in the Anderson Bottom along the Green River in southeastern Utah in 1961. Included in the group around the campfire, besides Director Hartzog, were two members of the President's Cabinet, two Members of the U.S. Congress, and one Member of the U.S. Senate.

Since I was the Member of the Senate present, I can well remember how impressed I was, and how impressed were Utah's two Congressmen, Dave King and Blaine Peterson, and Secretary of Agriculture Orville Freeman, when Secretary of the Interior Stewart L. Udall, in searching for a way to describe his enthusiasm for the fantastic assortment of scenery we were seeing, came up with the phrase "golden circle." We all knew the moment he said it that it was exactly right.

With this interesting incident as his takeoff, Director Hartzog then proceeds in the article to describe the sweeping golden circle area and some of the scenery in it—both inside the boundaries of its many national parks and monuments—and outside those boundaries.

The meeting around the campfire was also a stepping stone toward two important measures of mine to open up and develop the golden circle area. The first was my bill to establish the Canyonlands National Park, which the Congress enacted in 1964, after a long, hard battle. A bill to expand the boundaries of Canyonlands (S. 26) and bring under the protection of the National Park Service additional spectacular areas—some of them deleted at the time of the 1964 battle—is now pending before the Interior and Insular Affairs Committee. I hope that it can be considered soon.

A second bill of mine (S. 258) to authorize a survey of roads and tourist accommodations needed to expand the recreational resources of the golden circle and the four corners area, is also pending before the Interior Committee and I hope that this bill can likewise be considered at an early date.

The case for the further development of the golden circle and all of its treasures is made so well in Director Hartzog's article that I ask unanimous consent to have it printed in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

The Golden Circle Concept

(By George B. Hartzog, Jr., Director, National Park Service)

The campfire's glow illuminated the faces of the men. Comforting sounds of burning pinon punctuated quiet conversation.

Thoughts are long and talk is best around a campfire, and on this summer night in 1961 the men discussed nature's grandeur as they had seen it, as they were surrounded by it, at their camp at Anderson Bottom along the Green River in southeastern Utah.

By boat, helicopter, jeep, and on foot, they had explored this little-known red-rock country. Now they were trying to express their impressions of what they had seen.

This was no ordinary campfire gathering. Included in the group were a U.S. Senator, two members of the House of Representatives, and two members of the President's Cabinet—Secretary of the Interior Stewart L. Udall and Secretary of Agriculture Orville L. Freeman.

Secretary Udall, squatting before the fire, thought of other places not far from their camp, places that possess many of the diverse sources of man's inspiration and pleasure. Different in kind, he reflected these places are related by reason of location, a providential location, and they are related, too, in that they are joined by expanses of seldom-seen landscapes of a rare kind of wild beauty.

"Surely," he said to his friends, "the boundary of this remarkable region is a golden circle, encompassing the greatest concentration of scenic wonders to be found in the country, if not in the world."

And thus was born the concept of the Golden Circle.

Today, after the establishment of Canyonlands National Park and Glen Canyon Recreation Area near the center of the circle, I am even more convinced of the accuracy of

Mr. Udall's appraisal of the region and of the need for carefully planned access parkways.

Look at the map. The dotted line of the circle encloses southern Utah, southwestern Colorado, northeastern New Mexico, and north-central and northeastern Arizona, an area of unmatched richness in units of the National Park System, Indian reservations and tribal parks, national forests, state parks, and broad sweeps of scenic country administered by the Bureau of Land Management. Altogether, they offer an education in natural history, history and archeology. And at the bull's eye lies Glen Canyon Recreation Area, deep water and 1,800 miles of canyon-indented shoreline surrounded by desert.

My primary interest rests with the units of the National Park System within the Golden Circle. Let's take a quick look at them.

Zion National Park is particularly noted for the displays of color in the walls of its deep, narrow canyons and in the faces of its sheer rock masses. Zion Canyon has been described as "the best known example of a vertically walled chasm readily accessible for observation." Highly colored finger canyons that probe the western edge of Kolob Terrace illustrate graphically the end result of great opposing forces of nature: uplifting of the earth, faulting, and erosion. Nine marked and maintained trails, ranging in round-trip length from half a mile to 12½ miles, wind their secluded way into the pristine back country.

Cedar Breaks National Monument contains a gigantic amphitheater eroded into the variegated Pink Cliffs, in a setting of mountain meadows and aspen groves. At an elevation of 10,400 feet, the monument is briskly cool in summer but closed by snow in winter.

Bryce Canyon National Park was described by the Paiute Indians as "red rocks standing like men in a bowl-shaped canyon," in their language "unka-timpe-wa-wince-pokich." The visitor today who stands anywhere along the 20-mile rim of the Paunsaugunt Plateau and gazes across the canyon may be reminded of a megalopolis, a city of stone, with cathedrals, spires, windowed walls, structures of innumerable shapes and colors—all carved by nature in limestone. Trails lead along the rim of the plateau and down among the huge curious shapes in the canyon.

Capitol Reef National Monument includes a section of the Waterpocket Fold, a great doubling up of the earth's crust that is referred to in geology textbooks. A towering sandstone cliff, jutting above the desert floor, stretches for 20 miles across the monument, and slicing through the escarpment are two narrow gorges. The 1,000-foot walls of one of these, Grand Wash, are only 16 feet apart in places. Trails lead into the gorges and to a natural bridge.

Arches National Monument, in the redrock country, contains more natural stone arches, windows, spires, and pinnacles than any other known section of the nation. Some 90 arches have been discovered, others are probably hidden away in rugged parts of the monument.

Canyonlands became the nation's 32nd national park on September 12, 1964. Probably to a higher degree than any other area, it represents to me the type of landscape that I associate with the Golden Circle, for it contains so many facets of the landscape, so many evidences of the power of nature's forces: the Green and Colorado Rivers grinding their way through their deep canyons to their rendezvous within the park, high plateaus and their sweeping views, arches—such as Angel Arch and Druid Arch—of incredible size and grace, quite meadows surrounded by walls of rock. Wild this new park is and wild it will remain, even though roads are now being improved, campgrounds are being built, and facilities are being planned to care for the many visitors who will go there.

Natural Bridges National Monument, isolated, was difficult to see until the completion of the paved loop road in 1966. The road leads to parking areas near the three large bridges, and trails lead down to them. Kachina, Sipapu, and Owachomo Bridges, formed from sandstone by the wearing-away action of meandering streams, illustrate three stages in the life of a natural bridge.

Hovenweep National Monument, also isolated, preserves the remains of striking towers and other structures that were erected by the Pueblo Indians some 800 to 900 years ago. Farmers, these people obviously were also skilled masons.

Mesa Verde National Park contains the well-preserved ruins of the most famous of all cliff dwellings, which date back to the A.D. 1200's; but even more significant are the older opensite ruins on top of the mesa. The National Park Service, aided by substantial contributions by the National Geographic Society, has recently completed extensive archeological investigations at Wetherill Mesa, also within the park but not yet open to the public. Some of the reports on the finds have been published; others are now being prepared.

Hubbell Trading Post National Historic Site is another new addition to the National Park System. It represents today an accurate picture of the Navajo trading post of yesterday. John Lorenzo Hubbell, called "Lorenzo the Magnificent" by Teddy Roosevelt during one of his visits to the post, began trading on the reservation in 1876. To the Navajos, he was merchant, teacher, and trusted friend who translated and wrote their letters, settled family quarrels, explained governmental policies, and helped the sick. After his death in 1930, members of his family continued to operate the post until, in 1966, arrangements were made with the National Park Service—following an act of Congress—to administer it as a national historic site, and so assure its preservation. The site includes the Hubbell home, with its valuable collection of the things accumulated by two generations of the pioneer family, and the trading post. In February 1967, an agreement was made with Southwestern Monuments Association, a nonprofit organization, to operate the post in the traditional way, and a very qualified trader was found to manage it—a trader with some 40 years of experience with the Navajos.

Canyon de Chelly National Monument exhibits proof that the prehistoric Pueblo Indians, as their descendants, had a deep appreciation of beauty. The sheer smooth-rock canyon walls form a lovely setting for the ancient dwellings nestled at their bases and perched on their ledges. Within the canyons are the remains of hundreds of prehistoric Indian villages, most of them built between A.D. 350 and 1300. Present-day Navajo Indian homes are scattered along the canyon floors.

Navajo National Monument, too, contains the ruins of outstanding cliff dwellings: Betatakin, Keel Seel, and Inscription House, in settings as impressive as those at Canyon de Chelly. But here the ruins are widely separated, pleasantly isolated.

Sunset Crater National Monument is closely related, in its story, to Wupatki National Monument, about 15 miles to the north. In A.D. 1065, the earth here was suddenly rent, and volcanic ash and cinders spewed forth. When the eruption ceased, a new cinder cone, 1,000 feet high, had appeared. Lava flows lay at its base. Black volcanic ash covered hundreds of square miles surrounding the cone. Vapor-deposited minerals around the crater rim stained the cinders, which glow with the hues of perpetual sunset. The volcanic cone occupies Sunset Crater National Monument.

When the volcano began to erupt the few farming Indians who lived in the vicinity fled their homes and fields. After the eruption, people moved back into the area and made a great discovery: The porous layer of volcanic ash that covered the ground formed an excellent mulch that trapped moisture in the soil. The Indians found that corn could be raised where thirsty plants previously had shriveled and died. Word of the fine farmland spread over the Southwest, attracting families from all directions, and the area became a meeting place of cultures. Villages sprang up throughout the cinder-covered area. Wupatki National Monument contains the stone-walled ruins of hundreds of these communities, including a ball court and an amphitheater.

Pipe Spring National Monument is a monument to the courage and determination of the pioneers who settled the Southwest, particularly the Mormon pioneers. A group of Mormon missionaries, led by Jacob Hamblin, camped at the spring in 1858 while en route to the lands of the Hopi Indians. At that time, according to legend, William "Gunlock Bill" Hamblin shot the bottom out of a smoking pipe to demonstrate his marksmanship, and this gave the spring its name. In 1870, President Brigham Young of the Mormon Church appointed Anson Perry Winsor to superintend the operations of a cattle ranch in the vicinity and build a fort at the spring. The fort is typical of the forts built by the Mormons in the Utah Territory. Never attacked, it served as a ranchhouse until 1923, when it became a national monument.

Glen Canyon Recreation Area is another new unit of the National Park System that is well into the intermediate stage of development. Here is a water-oriented recreation area in an incomparable setting: blue-green water, deep and clear, between steep walls of red sandstone; scores of deep-water narrow winding side canyons leading away from the broad expanse of lake. When Lake Powell, now forming behind 580-foot-high Glen Canyon Dam, is filled, it will be 186 miles long, with 1,800 miles of serrated shoreline. Facilities and supplies for the boatsman and camper are now available at sites along the lakeshore: Wahweap, Bullfrog, Lees Ferry, Halls Crossing, Hite, and Rainbow Bridge Landing. And developments are planned for Warm Creek Basin, Hole-In-The-Rock, Oil Seep Bar, and Castle Butte. The Navajo Tribe is planning visitor facilities on the south shore.

Rainbow Bridge National Monument, once visited by few people because of its location, may now be reached from Wahweap or Halls Crossing by a 55-mile boat trip on Lake Powell and a 1-mile walk up the canyon. Colorful, symmetrical Rainbow Bridge is the largest of all known natural bridges. But its graceful form distinguishes it as much as its dimensions.

Grand Canyon National Park, known in all parts of the world to people who have never heard of any other national park in this country, has been the subject of superlatives for many years. During my time in Washington, I have noticed that the Grand Canyon is one place that visiting important people from other countries want to see. This is not surprising. President Theodore Roosevelt, after his first trip to the canyon in 1903, said that it is the one great sight which every American should see.

These, then, are the units of the National Park System that lie within the Golden Circle. At each of them, trained naturalists or historians or archeologists are on duty; their jobs are to explain the significance of the areas to visitors. This they do through museum exhibits, wayside exhibits, campfire talks, publications, self-guiding trails, and conducted walks.

But the Golden Circle encloses more, much more.

Monument Valley Tribal Park, on the Navajo Reservation, is operated efficiently by the Navajo Tribe. Uniformed Navajo park rangers at the park's visitor center, about 20 miles north of Kayenta, Arizona, tell visitors of the park and suggest the best ways to see it. Monument Valley is unlike any other place. Tall erosional remnants of red sandstone rise starkly above the desert, casting mile-long shadows in late afternoon and early morning. Squat, round hogans, homes of the Navajos, fit cozily into their surroundings. Mixed flocks of sheep and goats amble across the desert, encouraged along by laughing boys and happy-looking dogs. In the stillness of evening, the baas of sheep, seeming to come from no particular direction, can be heard—the animals unseen, far away.

The hospitable people of the Navajo Tribe, who want visitors to come to their reservation, are developing tribal parks and campgrounds at other sites that have special scenic or archeological values: Lake Powell Tribal Park, Little Colorado River Tribal Park, Window Rock-Tse Bonito Tribal Parks, and Kinlichee Tribal Park.

Other Indian reservations within the Golden Circle include the Hopi, with its famous First, Second, and Third Mesas; Havasupai, at the bottom of the Grand Canyon; Kaibab; and Ute Mountain.

The Golden Circle's state parks are those of Utah, and their intriguing names suggest their character, their variety: Coral Pink Sand Dunes, Dead Horse Point, Dixie, Goblin Valley, Great Goosenecks, Green River, Indian Creek, Minersville, Palisade, Paria, and Piute.

Camping in the wild, hiking the long trails, fishing in remote streams, hunting—all these are offered in the national forests. And the Golden Circle has its national forests, along with its deserts: the Dixie, Fishlake, Kaibab, Manti-La Sal, San Juan, and Uncompahgre National Forests.

Considering the multitude of single attractions within the land of the Golden Circle, what does it need? First, an overall development plan, including connecting parkways or roads, that will preserve the character of the region. Planning, which should involve more than roads, must be coordinated at all levels of interest—community, county, state, and federal. Such planning was inherent in Secretary Udall's original idea put forth in 1961.

The late Dr. Angus M. Woodbury, ecologist of the University of Utah, commented on the area in 1963 in an unpublished manuscript:

"To make it possible for people seeking inspirational scenic enjoyment to reach some of these marvelous natural sculptures, it has been proposed to construct a federal highway across the center of this erosional display between Bryce Canyon and Mesa Verde National Parks. This route has been bypassed by the national road planners largely because of the rough character of potential roadways and the sparse populations along the route. Such a route would have to be justified on broader grounds, particularly on its value as (1) a shortcut between important national parks that would eventually save enough travel expense to pay for itself, (2) a link in a transcontinental series of highways that would provide a new route, and (3) opening new scenic attractions otherwise unavailable to public appreciation that would draw travelers over it."

I believe that Dr. Woodbury's third point should be justification enough, and it is more in keeping with my idea of what a road in that fragile, untouched country should be. Certainly it should not be a traffic-hurrying highway from here to there. I cringe at the thought of a high-speed transcontinental highway bulldozing its way across this land. I am sure that the people who live there and the people of the other agencies involved feel the same way. The Golden Circle roads, or parkways, must be planned carefully and considered in the light of region-wide development.

And the planning his begun. The Utah State Department of Highways has conducted a series of meetings with representatives of the interested agencies: U.S. Forest Service, Bureau of Land Management, State Park and Recreation Commission, Utah Travel Council, Utah State Historical Society, the National Park Service, and others. Results of the conferences and study are described in the second edition of a beautifully illustrated and informative report entitled "Access Roads for the Golden Circle, America's Newest Playground." It was published in 1966 and is now available in a condensed version entitled "Utah Highway Needs." I commend it to anyone who is interested in the Golden Circle.

Late in 1961, the National Park Service arranged with the Bureau of Economic and Business Research of the University of Utah to make an economic study of the then proposed Canyonlands National Park and related recreation resources. The report on the study was published in March 1962. A part of the report relates to the Golden Circle. By 1970, the study indicates, the number of visits a year to units of the National Park System within the Golden Circle—*just the units of the National Park System*—will be 6,306,000, with expenditures of visitors totaling $70,627,000. By 1980, the estimates jump to 10,582,000 and $118,518,000. And there is this qualification: "Should the road network between the various parks and monuments be improved greatly—particularly between the western group (Grand Canyon, Bryce Canyon, and Zion National Parks) and the eastern group (Canyonlands and Mesa Verde)—both the number of visits and the average length of stay should increase. However, without specific plans for highway development this cannot be guaranteed."

I believe that these estimates are too modest. In 1966, units of the National Park System within the Golden Circle recorded 4,969,210 visits, and this does not include Hubbell Trading Post National Historical Site.

Bills have been introduced in both houses of Congress to authorize the Secretary of the Interior to conduct, in cooperation with the states and interested federal agencies, a development survey of the recreational resources of the Golden Circle and connecting parkways. If the bills pass, work on the survey will begin promptly.

The Golden Circle embraces a region of rare beauty, easily ravaged. We must be careful.

DEDICATORY ADDRESS BY SENATOR BYRD OF WEST VIRGINIA, AT CRANBERRY GLADES, W. VA.

Mr. BYRD of West Virginia. Mr. President, on last Saturday, I delivered the dedicatory address at the dedication ceremony marking the opening of the new Visitors' Information Center at Cranberry Glades in Pocahontas County, W. Va. I ask unanimous consent to insert that address in the RECORD at this point.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

REMARKS BY U.S. SENATOR ROBERT C. BYRD, DEDICATION OF THE CRANBERRY GLADES VISITOR CENTER, JULY 29, 1967, CRANBERRY GLADES, W. VA.

It is always a distinct honor for me to be present at the opening of a new facility for the use and enjoyment of the American people.

And, of course, it is especially pleasing when that facility can be located here in our own State of West Virginia.

The Cranberry Glades Visitor Information Center, located on State Highway 39 overlooking the Back Country and the Cranberry Glades Botanical area is situated in an area long favored by sportsmen and naturalists.

And it was to take advantage of the uniqueness and natural beauties of this site that the idea of a Visitor Center was born.

We stand now in the presence of that idea translated into brick, steel and wood.

The Center, built by the U.S. Forest Service, complements the forward-looking program to which the State of West Virginia has dedicated itself; a program which is designed to make the natural wonders of our State easily accessible to the millions of tourists of our land.

Yet, far from being the final step in the recreational development of this area, I believe this Visitor Information Center is only one of the first in what hopefully will be a series of many future steps.

For with the public demand for outdoor recreation increasing year by year, both the Forest Service and the State are striving to provide expanded services.

Let me list some of the projects which the Forest Service or the State of West Virginia have either built or propose to build in order to convert this area into a Bethlehem for recreational pilgrimages.

In the immediate vicinity, there is a proposed improvement of the presently inadequate boardwalk which runs along the edge of Cranberry Glades.

If it is not repaired or replaced, we will be left in the position of sitting back and allowing this valuable area to be trampled to death through uncontrolled, unplanned use.

Should this happen the Glades will be ruined—lost to future generations of Americans.

All of the public has a right to enjoy the unique and scenic wonders of Cranberry Glades, and, bearing this in mind, the Forest Service has proposed to build a new boardwalk to allow visitors to walk through a section or two of the glades—without getting their feet wet—and without forever trampling the Glades' floor.

Along the 2,800 foot trail through the Glades will be placed interpretive material to inform the visitor of what he is viewing and of its significance.

Not far from this new Visitor Center are a number of popular visitor attractions already in existence. They include the Cass Scenic Railroad and Watoga State Park. These are both operated by the West Virginia Department of Natural Resources. There is also the National Radio Astronomy Observatory at Greenbank.

Among the developments which are planned for this area is included the construction of the Highland Scenic Highway, for which my able colleague, Senator JENNINGS RANDOLPH, is to be commended; improvement of the Hills Creek falls forest trail, access road and parking area; improvement of the Summit Lake campground facilities; construction of the proposed Eagle Lake Recreation area with swimming, camping and picnicking facilities available; a proposed resort lodge and golf course near the old prison camp site and the possibility of a ski area.

All of these exciting recreational uses are in addition to—or rather, I should say—an integral part of the Forest Service's multiple use concept of forest management for the National Forest system in general and the Monongahela National Forest in particular.

For recreation is not the only purpose to which a National Forest may be put. There are wildlife conservation and flood control as well as the economically beneficial use of sustained yield timber harvesting.

Under the sustained yield system of timber harvesting, sawtimber and pulpwood are harvested only in quantities that promote the healthy growth of the forest and assure a never-ending supply of healthy young trees.

Last year, in the Monongahela National Forest, this method of harvesting yielded some 56-million board feet of quality sawtimber and over 100,000 cords of pulpwood and other wood products. This is obviously an important source of raw material to the more than 1,000 timber-based industries in West Virginia.

And, in addition, 25 percent of the funds realized from the sale of this timber revert back to the State of West Virginia for use in road maintenance and for support of public schools.

Thus the benefits of the Monongahela National Forest to West Virginians extend far beyond mere recreation or timber harvest.

Finally, I think it is interesting to note that the Monongahela National Forest is of interest to forest scientists. I am told that it is a remarkable meeting ground of northern and southern timber species. Within its bounds are valuable stands of trees usually common only to Canada or to our own Southern states. This diversity is produced by wide variations in elevation, soils, and climate.

The Forest is also noted for the fact that the native red pines which grow here represent the southernmost range of that species in the eastern United States.

So, I think it is quite clear that this Visitor Information Center—located within the Monongahela National Forest—really has quite a bit that it can pass on to visitors passing this way.

Therefore, on behalf of all of the people of the United States, I take great pride in dedicating this Visitor Information Center and in hoping that it will be the forerunner of many future developments in this unique scenic area.

MAYOR MAIER'S ELOQUENT STATEMENT OF CONCERN

Mr. PROXMIRE. Mr. President, yesterday I reported to the Senate on the remarkable job that the mayor of Milwaukee, Hon. Henry Maier, had done to control the riot in that city and to reduce the incidence of death, personal injury, and property damage far below that of other cities.

Today's New York Times contains a most eloquent plea from Milwaukee's mayor to Congress to act to meet the terribly urgent needs of our cities.

As mayor of Milwaukee, past president of the National League of Cities, and author of an outstanding book entitled "Challenge to the Cities," Mayor Maier speaks with impressive authority.

I ask unanimous consent that the plea of Milwaukee Mayor Henry Maier be printed in the Record.

There being no objection, the statement was ordered to be printed in the Record, as follows:

A Statement of Concern About the Crisis of Our Cities

(Note.—Henry W. Maier, is mayor of Milwaukee, Wis., past president, National League of Cities; past chairman, Resolutions Committee, U.S. Conference of Mayors, author. "Challenge to the Cities.")

Across the country, the symptoms of the deep-rooted problems of the central city are flaring to attention. The tragedy, the wanton waste, the rubbled destruction are horrible enough.

It will be a tragedy compounded if the nation does not resolve to face the problems of the central city. It will be a tragedy if the nation does not carry out its resolve even after the embers have cooled.

Central city mayors have long been calling attention to the plight of the central city—too much poverty, too much blight, and fast-dwindling resources—all rubbed raw by fiscal and social isolation within the affluent metropolitan area.

With the limited resources at their command, central city mayors are fighting these problems. Now, as never before, they need the commitment of all truly concerned citizens to help win the resources needed to find lasting solutions to these urgent problems.

The need for this commitment was stressed by a group of some 30 central city mayors at a meeting with the President last October. The words of the policy statement I presented them as spokesman for the group carries an even greater urgency today: "The nation needs a national commitment to achieve a rebirth of our cities. A commitment was made to put a man on the moon by 1970 and we have reordered our national priorities and set aside the funds to see that the goal is accomplished. We must now make a similar commitment to . . . our cities."

Now, as never before, the central cities of America need the full resources of the federal government, of their states, and of their metropolitan areas to prevent them from becoming urban wastelands.

The crisis of the central city is no longer a "creeping crisis." It is a fact of life in this summer of 1967. Less than complete national attention to this crisis is only a postponement of any change for the better.

"That does not mean," the St. Louis Post-Dispatch said the other day, "merely a few more crumbs from the table, a grudging reform or two. What is needed is a basic reorientation of American society, as drastic and as revolutionary as the infection which challenges it."

This will require a drastic reallocation of our national resources to help build the central city. Piddling pennies will no longer do the job and the central city simply does not have the money it needs.

The flight of the middle class from the central city lessens the ability of the central city to pay the freight, and, in turn, causes further flight. As the *Milwaukee Journal* said in a distinguished series of editorials entitled "The Central City Blues": *The vicious circle is inescapable under the kinds of governmental and tax arrangements that persist here. No matter how much the city struggles, it can't break itself loose."*

Indeed, one of the greatest contributions to inequality in urban life is the social and fiscal segregation of the central city from the more affluent metropolitan area. Each metropolitan area is divided into two cities—the outer city of the comfortable and well off, and the inner city of the poor. Can there be any future for the American metropolis unless the walls between the two come tumbling down?

The 1966 U.S. Conference of Mayors took note of this major inequality in a resolution which asked both the state and federal governments to pass legislation to help provide a remedy.

The mayors asked Congress to condition federal grants for community facilities—such as sewage and water systems, park spaces, and hospitals—on the provision that a reasonable share of low and middle income housing be included in the building and zoning codes of all municipalities applying for such grants.

Federal aids to education, the resolution said, should require some responsiveness to pupil exchanges or other measures designed to reduce the social and economic stratification now prevalent between city and suburban school systems.

It also called for a revision of FHA and other home financing policies to favor and encourage the building of low and middle income housing in all municipalities of metropolitan areas.

The U.S. Conference resolution urged state governments to remove all features of state financial aid which aggravate differences in local fiscal capacity or which encourage the proliferation of local governments in metropolitan areas, and to encourage metropolitan zoning so as to permit a wide range of housing prices throughout metropolitan areas.

These actions would help to break down the artificial walls that encircle the central city within our metropolitan areas.

But more than this, the central cities need a greater share of national resources. President Johnson has worked harder to solve the problems of central cities than any other president in history. He, like every mayor, inherited ancient deep-seated problems at the precipitous stage. His innovative programs can help make great inroads into our plight if they are given the necessary funds. Now there is an urgent need to carry out these and other programs on an all-out scale.

The time of concern should be a time of commitment to the fight for the central city . . . a time for the long overdue massive infusion of federal and state funds needed to translate that concern into action which will treat and cure the hard core economic and social ills which blight not only the life of the central city but also the fabric of American society.

This fight for resources must be won. Then, can we find workable, permanent solutions to such pervasive city-crippling problems as crime, poor housing, poor education and chronic joblessness.

The nation can no longer afford *not* to provide immediately the resources needed by the central city.

Henry W. Maier.

THE NATIONAL OCEANOGRAPHIC PROGRAM

Mr. FONG. Mr. President, all who have worked to advance ocean science and technology can look back on 1966 as a milestone year of growth and change. Congress approved the Marine Resources and Development Act and the Sea Grant College and Program Act, laying the foundation for exciting developments to come. In other spheres of government, in private industry, and in the academic world, a new tide of interest and activity lifted oceanography on the national scene.

A review of ocean-related events during the past year has been detailed in the lead article of "Oceanology International" for June 15, 1967. It was written by two knowledgeable authors who have been closely associated with several of these developments—Robert B. Abel, Director, and Harold Leland Goodwin, Associate Director, Office of Sea Grant Programs, National Science Foundation.

As one who has actively supported the promoted oceanographic legislation and programs, I am pleased to call attention to the article by Messrs. Abel and Goodwin, entitled "The National Oceanographic Program."

I ask unanimous consent that the article be printed in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

The National Oceanographic Program

(By Robert B. Abel, director, and Harold Leland Goodwin, associate head, National Sea Grant Program, National Science Foundation)

Historians of science and technology probably will record 1966 as the year of the great change, the year in which the development of the oceans and the continental shelves for defense and as a prime source of food and other materials became a matter of national policy.

The past year was one of organization and reorganization, in government, in industry, and to some extent in the academic community. The purpose of realignment was to reform old entities and create new ones to get on with the exciting job of utilizing the seas. There was universal recognition of the magnitude of the task, and equal recognition of the opportunities.

Events in Washington reflected national interest. Under the skilled leadership of Sen. Warren Magnuson, the House of Representatives and the Senate got together and resolved their differences in pending ocean legislation.

The result was the Marine Resources & Engineering Development Act, signed by the President on June 17, 1966. Public Law 89–454 was perhaps the most important piece of ocean legislation ever passed. It established ocean development as national policy, and its emphasis was on the pragmatic use of the seas and their resources for the national interest, and for the benefit of mankind in all lands.

The act created two organizations. The first, the National Council on Marine Resources & Engineering Development, was a cabinet-level group under the chairmanship of Vice President Hubert H. Humphrey.

The second was a commission to examine the entire national need in oceanology and resource development, and to recommend a program that would meet that need. The commission, composed of 15 members from industry, the academic world, and government, was not brought into being in 1966, but the council got underway without delay.

The Vice President, to no one's surprise, turned out to be a highly enthusiastic, energetic chairman. Under his leadership, the council selected several priority areas for development, and also began the task of pulling together a federal program for the coming year. The council staff, headed by Dr. Edward Wenk Jr., was composed of various consultants, specialists from the federal agencies, and the Interagency Committee on Oceanography.

The impact on federal agencies was great. Some had been urging better programs, and others had been more or less apathetic. Under the spur of council activities, all agencies involved in ocean science and technology either moved into action or increased their efforts.

MUDDY WATERS CLEARS AIR

A major reorganization had been pending in the Navy, and about midyear the new structure emerged, headed by what many people called "the first Navy oceanographic czar." Rear Adm. Odale "Muddy" Waters, oceanographer of the Navy, was given direct responsibility for direction and coordination of the Navy's deep sea and oceanography programs, with three deputies. Rear Adm. John K. Leydon, chief of naval research, became assistant oceanographer for ocean science; Rear Adm. Frank Pinney, chief of naval development, became assistant oceanographer for ocean engineering and development; Capt. Louis De Camp recently has been named assistant oceanographer for operations.

To ensure that the reorganization was not simply a matter of paper shuffling, Waters was placed directly under the chief of naval operations and the Secretary of the Navy, with direct access to both. His control was extended to cover all ocean-related naval research, the Deep Submergence Systems Project, ocean development activities in the Office of Naval Material, and, of course, the offices of the oceanographic and hydrographic programs.

In the Interior Dept. (with 10 separate bureaus and offices involved in some aspect of water or ocean management), Secretary Stewart L. Udall established an intra-departmental group composed of the assistant secretaries under the chairmanship of Assistant Secretary Stanley Cain.

The National Science Foundation, already charged with support of some aspects of oceanography, received a brand new charter when the National Sea Grant Program, introduced in the Senate by Sen. Claiborne Pell (D.-R.I.) and in the House by Rep. Paul Rogers (D.-Fla.), was passed as an amendment to the Magnuson Bill and then assigned to NSF for implementation.

As the purpose of the Sea Grant Program primarily is practical applications, the bill put NSF into the applied technology business for the first time. Like the Land Grant Act, the Sea Grant Program will attempt to create links between academic scientists and practical technologists, stimulating the flow of science into application. Part of the task is training of ocean engineers and technicians, and another part is the communication of practical information to those who need it.

Two advisory groups issued reports that had immediate impact in 1966. The Ocean Science & Technology Advisory Committee of the National Security Industrial Assn. submitted a report to the chairman of the Interagency Committee on Oceanography (ICO), with emphasis on industry-government relationships in the oceans, particularly in regard to continental shelf exploitation.

Dr. Robert W. Morse, then ICO chairman, followed up immediately with implementing messages to the federal agencies. Morse left the federal service to become president of Case Institute of Technology and was replaced by Dr. Robert A. Frosch as Assistant Secretary of the Navy for Research & Development.

EFFECTIVE USE OF THE SEA

The second major report was "Effective Use of the Sea," prepared by the Panel on Oceanography of the President's Science Advisory Committee. The report included over 100 recommendations for federal action, and its impact was felt immediately throughout the government.

The aerospace industry, already rather heavily involved in the development of the more complex ocean systems and hardware, received an unexpected shove at Orlando, Fla. Industry representatives were told in unequivocal language that there wasn't enough space business to go around, so they should look to the oceans for the future.

The past year was one of new associations, too. First to get underway was the National Oceanography Assn. (NOA), with John Clotworthy as president. NOA's membership covers industry, organizations, and individuals, and the group is oriented to public education and promotion of ocean development. Forming on NOA's corporate heels came the Ocean Industries Assn. (OIA), which aims at becoming the major industrial trade association for the seas.

In the various states, both formal and informal agreements were reached. These were typified by the oceanographic commission formed jointly by Maine and New Hampshire, and by the Gulf Universities Research Corp.

The excitement of ocean development even reached below college level when the city of Long Beach, Long Island, decided to build a new high school especially fitted for teaching oceanography. Other high schools in Florida and California now also are teaching oceanography.

There were solid, technical accomplishments in ocean development, too, but this was not unique to 1966. Each year during the past decade has brought its own dramatic technical developments. One 1966 incident, though, deserves special mention because it may have done for ocean location and recovery what the *Thresher* tragedy did for man-in-the-sea and deep submergence.

The incident was, of course, the loss of the thermonuclear bomb off Palomares, Spain. The staggering mobilization of Navy and civilian resources, at a cost that will never be known with any accuracy, brought the point home: We must develop the technologies necessary to quick, relatively inexpensive location and recovery, and we must do it soon.

The deep submersibles, *Alvin* and *Aluminaut*, helped, but in the end it was the Navy's cable-controlled CURV that put a line around the errant bomb.

The whole sequence of events was wilder than fiction, and it is something of a miracle that the H-bomb was recovered at all. Yet it is no greater miracle than the profound changes that took place in the national attitude at a time when many ocean buffs had almost lost hope.

SEVENTY-ONE NATIONS HAVE RATIFIED FREEDOM OF ASSOCIATION HUMAN RIGHTS CONVENTION—CXIII

Mr. PROXMIRE. Mr. President, on August 27, 1949, President Harry Truman submitted to the Senate for its advice and consent the Convention on Freedom of Association.

Simply stated this convention guarantees the rights of workers and employees, without distinction, to establish and join organizations of their own choosing.

At the time of its adoption, the Freedom of Association Convention received the overwhelming endorsement of both American business and American labor.

For 18 years, the Senate has failed to take any action on the Convention of Freedom of Association. I, for one, cannot understand why.

Certainly the convention is in harmony with existing State and Federal law.

Certainly in the United States where the American workingman has contributed immeasurably to and shared in the highest standard of living achieved by any society in recorded history, we recognize both the wisdom and justice of the freedom of association.

I do not believe that the freedom of association is any more cherished in Algeria, or Burma, or Costa Rica, or Ghana, or Japan than it is in the United States. Yet every one of these countries has ratified the Freedom of Association Convention and the United States has not.

In all a total of 71 nations, large and small, old and new, have deemed the Freedom of Association Convention to be in their national interest and of such international importance that they have ratified this convention.

I, once again, urge the Senate to ratify the Convention on Freedom of Association along with the Human Rights Conventions on Forced Labor, Genocide, Political Rights of Women, and Slavery.

Mr. President, I ask unanimous consent that a list of the nations which are parties to the Convention on Freedom of Association be printed in the Record.

There being no objection, the table was ordered to be printed in the Record, as follows:

PARTIES TO CONVENTION ON FREEDOM OF ASSOCIATION

Algeria
Albania
Argentina
Austria
Belgium
Bolivia
Bulgaria
Burma
Byelorussian, S.S.R.
Cameroon
Central African Republic

Parties to Convention on Freedom of Association—Continued

Chad
China
Congo (Brazzaville)
Costa Rica
Cyprus
Czechoslovakia
Dahomey
Denmark
Dominican Republic
Ethiopia
Finland
France
Gabon
Ghana
Greece
Guatemala
Guinea
Honduras
Hungary
Iceland
Ireland
Israel
Italy
Ivory Coast
Jamaica
Japan
Kuwait
Liberia
Luxembourg
Mali Republic
Malta
Mauritania
Mexico
Netherlands
Niger
Nigeria
Norway
Pakistan
Panama
Paraguay
Peru
Philippines
Poland
Romania
Senegal
Sierra Leone
Sweden
Syria
Togo
Trinidad and Tobago
Tunisia
Ukranian, S.S.R.
Upper Volta
U.S.S.R.
United Arab Republic
United Kingdom
Uruguay
Yugoslavia
Federal Republic of Germany

ABATEMENT OF AIR POLLUTION

Mr. SPONG. Mr. President, in view of the recent unanimous action of the Senate in approving the Air Quality Act of 1967, I ask unanimous consent to have printed in the Record an editorial published in the Wall Street Journal of Wednesday, August 2, 1967. I concur fully in the view that the business community has a particular responsibility in the fight to abate air pollution.

There being no objection, the editorial was ordered to be printed in the Record, as follows:

A Business Responsibility

The air pollution control bill the Senate passed the other day represents a victory for business spokesmen. If it becomes law, as seems entirely likely, the business community will bear a particular responsibility to see that it works effectively.

Before the Senate committee which unanimously approved the current bill, industrial groups including the U.S. Chamber of Commerce and the National Association of Manufacturers argued for a strictly regional approach to pollution control. They won deletion of an Administration proposal to set national standards for smokestack emissions by various industries.

The bill now would allow the Department of Health, Education and Welfare to define "air quality control regions" based on local pollution problems, weather patterns and geography. State commissions would then set air quality and emission standards; if they failed to do so, HEW could step in with its own rules.

The bill unquestionably represents badly needed progress against a serious problem. In one recent public opinion poll, for instance, air pollution control proved a more popular field for government action than any other domestic concern. And since it frequently is an interstate problem, at least an umbrella of Federal law seems appropriate.

The bill's regional approach, moreover, recognizes that different areas do have different pollution problems. It allows each region to concentrate its efforts first on its most pressing ones. It also avoids needless investment in pollution control equipment in areas where the problem is not acute.

If a regional approach is ultimately approved, however, its success will depend a good deal on the attitudes the business community takes. A multiplicity of regional agencies will create ideal opportunities for obstructionism. These opportunities doubtless will tempt some businessmen, so a bit of quiet suasion from their peers will be entirely in order. Fortunately, a number of the nation's most prominent companies are fully aware of their responsibility.

In dealing with either national or regional control authorities, of course, business has every right to insist that regulation remain reasonable. It has every right to ask for recognition of any time to adjust to the inevitable difficulties. It has every right to insist that standards move in step with the development of control technology that is both available and economically feasible.

An industry forfeits much of those rights, though, if it fails to move full speed in developing the technology necessary in its particular field. Nothing will bring unreasonable regulation faster than for business to insist it will take decades to develop the technology, and then finding it can be developed in a few years after all, once an obstreperous public body sets deadlines.

Nor should regional pollution control become an excuse for inaction on severe but isolated problems. Even if there is no other pollution source within 500 miles, no one should be forced to look forward indefinitely to living in, say, the stench identified with paper mills.

Finally, no business should take refuge in the narrow-minded argument that its particular brand of pollution has not yet been proved dangerous. The nation will make little progress with its pollution problem if it tacitly assumes anything can be belched into the air until the last "t" is crossed in a report proving it kills people.

The controlling assumption, rather, ought to be that all air pollution is perforce obnoxious and ought to be reduced as rapidly as possible within the limits of feasibility. And, as Surgeon General William H. Stewart has said, "we should push that word 'feasibility' just as far as we can."

If the business community endorses that kind of assumption—and the indications are most of it is headed that way—it can rest confident in its argument that regional control will prove itself preferable to inflexible Federal standards.

SENATOR SCOTT CAUTIONS NEWS MEDIA

Mr. PEARSON. Mr. President, earlier this week, the junior Senator from Pennsylvania wrote a letter to the broadcasting networks and the wire services to caution the news media on the handling of riot news. He said he felt that the news media, in many instances, inadvertently contributed to the turmoil and recommended that the industry engage in some self-regulation and draw up a code of emergency procedures to be followed in reporting riot news.

Knowing that the Senator from Pennsylvania is, "a first amendment man," as he describes himself, I know that his recommendation carries no taint of censorship or news management. His concern is with the great public responsibility which the news media must share in times of crisis.

I ask unanimous consent that the letter be printed following my remarks, as well as a related editorial which appeared August 3 in the Pittsburgh Post-Gazette.

There being no objection, the material was ordered to be printed in the Record, as follows:

Text of letter from U.S. Senator Hugh Scott to the American Broadcasting Corp., Associated Press, Columbia Broadcasting System, Mutual Broadcasting Co., National Broadcasting Co., and United Press International:

"I am greatly concerned about the newspaper and radio and television coverage of the recent riots and civil disturbances throughout the country. I believe that the news media, in many instances, inadvertently contributed to the turmoil.

"I recommend that the new industry confer with specialists in civil liberties, the Justice Department, representatives of local and state law enforcement agencies, and civic organizations to draw up a code of emergency procedure to be followed in reporting riots and incidents or speeches which could spark disturbances or permit militants to signal opportunities for disturbances in other areas.

"Such a code must be consistent with freedom of speech, a constitutional privilege which of course must be guarded vigilantly. Nevertheless, concentration on the sensational aspects of the situation and the frequent broadcast of appeals to riot by extremists raise a serious question as to the editorial responsibility and the discretion of the media.

"A more balanced presentation would counteract the alarming effects on the law-abiding Negro and white community of statements by such individuals as H. Rap Brown and Stokely Carmichael.

"I believe the news media must balance the inflationary statements by presenting at the same time appeals for law and order and reasonable conduct by such responsible leaders as Roy Wilkins, Whitney M. Young, A. Philip Randolph, and Martin Luther King.

"The communications media must meet their responsibility to report the news, but to help dampen the fires burning in our cities they must avoid inciting to further violence by the very manner in which the news is carried.

"At the same time, political concerns must be set aside in favor of practical and humanitarian approaches to the concrete problems of our urban areas. We are not going to get anywhere in this country by efforts to spread the blame. There is guilt enough for all. What the country needs is to undertake responsible action at all levels so that we may rapidly attain domestic tranquility.

"Nothing less than a combined and concerted effort by local, State, and Federal Government, business, civic and religious groups, and the news media will enable us to effectively and constructively deal with these problems."

Riots in the News

We agree with Pennsylvania's Sen. Hugh Scott that the media of communication should show more responsibility in their coverage of irresponsible people involved in rioting and incitement to riot. Given the fierce competition among the news media, however, it would not be easy, as he proposes, to establish a "voluntary code of emergency procedure" to be followed in covering riots.

Responsible procedures to be followed in an "emergency" would be just as desirable all of the time. The problem is to agree ever on what is news and how it should be handled in the public's best interests. Agreement has eluded newsmen for as long as there have been newspapers. This is because what may seem fair and constructive to one editor will impress another as ridiculous and unreasonable.

While we do not anticipate general agreement, we deplore the practice of sticking microphones and cameras into the faces of irresponsible people whose inflammatory harangues are then broadcast to untold numbers of impressionable citizens. Senator Scott makes a good point when he argues that such coverage should at least be balanced off by the statements of responsible leaders.

Back in the days of racial integration of public schools in the South, Alfred Friendly, of the Washington Post, raised a pertinent question as to the mob reporting of mob activities. The very presence of masses of reporters and photographers, he argued, "make what is already a difficult task close to impossible."

In support of his argument, Mr. Friendly offered an extension of Heisenberg's uncertainty principle. This principle holds that the very act of observing or probing a phenomenon changes the phenomenon.

Thus what might otherwise be a quiet and peaceful assemblage or protest can suddenly degenerate into a riot simply through the appearance of a crowd of newsmen and cameramen looking for action and affording an opportunity for worldwide coverage of those who provide it. Rather than disappoint a potential audience, some idiot is moved to violence.

On the other hand, but for an alert press the public would have no way to know what goes on and how its affairs are handled. The need is to find a way to keep the public informed adequately without in the process unduly magnifying and contributing to evils the press should help to combat.

Past efforts to get media representatives to agree on standards of conduct and such have been unavailing nor do we, in such a heterogeneous field of activity, expect much agreement now. Where a free press operates under competitive conditions, we can only trust to the judgment and sense of responsibility of individual owners of the media.

DEVASTATION BY RIOT

Mr. HART. Mr. President, anyone who did not have the chance to visit the devastated areas of Detroit following the recent riot could not possibly conceive of the vastness of property damage done. Truthfully, even when you see it, the mind does not fully comprehend the magnitude.

Tuesday's Journal of Commerce, however, carried a list of the buildings that were either damaged by fire or vandalized or looted, or both, during the riot. An unofficial list compiled for the newspaper by an insurance official numbered 269 buildings damaged by fire and 528 affected by looting or vandalism.

The list—in that bifocal-testing type newspapers use for these things—runs over four columns. Its length is some testimony to the financial suffering of Detroiters because of the lawless action of their fellow citizens. First, the reading of it may heighten one's understanding of the damage, and I shall ask unanimous consent that the list be printed in the RECORD at the conclusion of my remarks.

But as one reads down the list a fuller appreciation of the disruption to normal life the riot caused Detroiters dawns. Included are homes—so now there are homeless. Drugstores—so medicine is harder to come by. Grocery stores—where do we shop today? Furniture stores, warehouses, real estate offices, body shops, tobacco stores, shoe repair shops, hardwares, and an upholstery store.

Each of these losses represents inconvenience to its customers. But, more important, it represents families of the owners and employees who face years of debt to get back in business, limited incomes, or the search for a new way to earn a living. Help to overcome this economic hurt must be given.

Mr. President, no Senator would like such suffering to come to the residents of his State. How did it come? From criminal action by a few against the many. The causes may be clear and understandable, and we must work to eradicate them. But the list points out that the more immediate need is for action to prevent another city enduring such privation.

Congress today is already at work trying to determine the causes of the riots. Good. Anything less would be foolhardy. But correcting the causes will take time and is an impossible task when our cities are burning.

First things must come first. Congress must immediately assure our citizens that steps are being taken to protect the people of our cities from the flames, the snipers, and the looting.

Several measures to do this are already before us, including the President's Safe Streets and Crime Control Act of 1967, of which I am a cosponsor, and the Riot Prevention and Control Act of 1967 introduced in the House by Representative JAMES O'HARA of Michigan.

Hearings have been held in the Senate on the President's bill, and the House today will be asked to accept the O'Hara measure. There is no question that either of these measures would be of far more help to our cities than the antiriot bill which the Senate Committee on the Judiciary is now considering and which seems to have gained the public eye.

Mr. President, Congress has been criticized by many—including the Vice President of the United States—for not sensing the emergency situation of our country today. However one wishes to plead to that charge; however we may have lumbered along in the past on the measures that might have prevented this summer of riot and havoc, is it not about time that the light of the fire in our cities illuminated for us the road we must travel?

There is fright in the citizenry today—fear that their Government, which they traditionally have entrusted with their well-being, can no longer do the job.

This fear must be stilled. If not, we will become a nation of vigilantes on every corner and shotguns in every living room.

Congress must move—and swiftly—before the United States writes the most infamous chapter in its history.

I ask unanimous consent that the Journal of Commerce list of property damages be printed in the RECORD.

There being no objection, the list was ordered to be printed in the RECORD, as follows:

LIST OF DETROIT RIOT LOSSES—FIRES: 269; VANDALISM 528

(The following is a list of places and business establishments that have been damaged by fire during the recent riots and civil commotion in Detroit, Michigan, according to an unofficial tabulation, compiled by an insurance official for The Journal of Commerce.)

Allied Polishing, 2915 Mt. Elliot; Forest Market, 4678 John R., market; Gerald Buckley, 5236 Grand River; Gerald Buckley, 5228 Grand River; Florence Robert, 3517 W. Warren; Florence Velmann, 4566 Trumbull; Foust Department Store, 4700 Trumbull, department store; Raimi Brothers, 4600 Grand River; Philip Lion, 4534 Trumbull; Draperies by Andrew, Inc., 14850 Linwood, drapery store; Daisy Shops, 7345 Grand River, ladies store; Hershel Radio & Electronics, 5245 Grand River, radio supply store; David Green Shoes, 3500 W. Warren, shoe store; Rubins Department Store, 3517 W. Warren, department store; Becks Suso Supply, 3365 W. Warren; Zorry Furniture, 4601 14th St., furniture store.

Maurice Borisoff, 4550 Trumbull; Tyme Furniture, 4500 Grand River, furniture store; Sabah Garino, 4406 Milford; J. McCullough, 6001 Stanford; Joseph Lee, 2650 Myrtle; George Byrd, 9629–31 E. Forest, dwelling; Mary Thomas, 8500–4 Mack; Howard's Shops, 7901 Mack, ladies shop; Marie Malloc, 8844 Mack; Mattie Winkfield, 8508 Mack, dwelling; Wm. Hunter, 4717 Pennsylvania, dwelling; Riverside Storage, 7922 Mack, storage warehouse; Morris Lerner, 7310–22 W. Warren; Famous Brand Shoes, Inc., 17626 James Couzens Hwy., shoe store; Roul Berriest, 111 Highway, dwelling; Delaware Market, 1213 Delaware, market; Joseph Bing, 8940–46 Northfield.

Najil Roumayah, 8767 Kercheval; Franklin Patent Medicine, 11630 Charlevoix, drug store; Paul Verriest, 12800–16 E. Jefferson; Hudson Jewelry, 12804 E. Jefferson, jewelry store; Gonzales, 5245 Trenton, dwelling; Jack J. Bashuwa, 3229 Fenkell; John Zenobian, 15721 Petosky, dwelling; Joseph Lee, 4535 Trumbull; Gorman Furniture, 15700 Livernois, furniture store; Recreational Amusement, 20000 Woodward; Haig Kakusian, 27 E. Arizona; Samuel Check, 8715 Oakland; Edward Fishman, 8338 12th; George Kassa, 10341 Kercheval.

Frank Mansoor, 7938 Kercheval; Charles Danniels, 8735 Mack; Michael Lazzana, 9321 Mack; Irwin Henovitz, 9900 Kercheval; Frederick W. Tistle, 7960 Kercheval; Jack Chaiken, 9626 Kercheval, store; Edith Levine, 9200 Kercheval; Listh Bakery, 8735 Gratiot, bakery; F. James, E. Hurst, 1709 Baldwin; Germaines Collision, 3844 Gratiot, bump and paint shop; R. Farris, 1150 Middlebelt; Gerry Kappy D-B-A Jack's Place, 2237 E. Davidson; Elsie Carr, 1716 W. Euclid; Abraham Ferris, 4303 14th Street; Abraham Ferris, 4240 14th Street; D & R Army Surplus, 7700 Harper, store retail; Bachman & Chodoroff, 3745 Joy Rd., super market; Abraham Ferris, 4285 14th Street.

Louis El'Chomen, 2514–16 Pingru, dwelling; Famous Brand Shoes, Inc., 11646 Dexter, shoe store; M. Adler, 3444 W. Warren, dwelling; G. Pabala, 3888 W. Warren, dwelling; Warren Loan, 5412 W. Warren, pawnshop; Wilshire Realty, 12603 Dexter, real estate office; C. Lesser, 13200 Dexter; Rudin's Department Store, 3513 W. Warren, department store; Robert Steinberg, 8701 12th; Ben Kent, 8923 Linwood; Albert Brandt, 8605 12th, pawnshop; Linwood Drugs, 8782 Linwood, drug store; Estell McClendon, 1935 Delaware, dwelling; Benford Jenkin, 2500 Pingru, dwelling.

Theo. Namzia, 9100–12 Grand River; Arthur's Furniture, 4727 Grand River, furniture store; Wilber & Paige, 4719 Grand River; Joy Furniture, 9117 Grand River, furniture store; R. Braham, 9320 Grand River; Reid Corp., 9024 Grand River; H. Cribben, 8771 Grand River; Cadillac Body Shop, 8521 Grand River, bump and paint shop; A. Cherow, 7755 Grand River; H. Geha, 4058 Joy Road; Ginsbury & Broder, 4033 Joy Road; M. Starr, 3300 Joy Road; M. Roberts, 2435 Edison; M. Najar, 8906 Northfield; J. Stellah, 8543 Wildemere; F. Farbat, 8222 Epworth, mercantile; Mirror Lounge, 9710 Dexter, cocktail lounge; E. Kent, 8923 Linwood, mercantile; Englander Furniture, 4423 Humbolt, furniture store.

Charles Lesser, 13300 Dexter; H. Krane, 3722 Harrison, drug store; M. Gubels d-b-a

Meatland, 8847 Linwood, butcher shop; James Bologna, 694 Continental; Joseph Cliantz, 7614 Kercheval; Judish Snyder, 9215 Mack; City of Hamtramck, 8228 McDougal; Charles Furniture, 8025 W. Grand Blvd., furniture store; Ben Kert, 2617–23 Taylor, dwelling; Eva Shulman, 7133 W. Warren; Gertrude Echols, 2532–34 Blaine, dwelling; Lincoln Market, 4101 Lincoln, market; Paul Hagon, 8380 W. Grand Blvd.; New Galilie Church, 4711 Penn St., church.

Bennie Roy, 2568 Pingru, dwelling; Schefges Co., 5792 Van Dyke; Max Langwald, 1012–18 Westminster, store; Ernest Mathert, 312–28 E. Warren; Michigan Estate Furniture, 3400 Grand River, furniture store; K. Gemmen, 4304 Tireman; Mark Liss, 1717–19 Hazelwood, dwelling; Sav–U–Cash, 5122 Wabash; P. Workmons, 2431–33 Blaine, dwelling; Eula Griffin, 9530 Goodwin, drug store; Peter Theodore, 3100 Woodward; Lieberman's Department Store, 2401–11; Joseph Campeau, merchandise store; Mack Ave. Tobacco, 7616 Mack, candy, tobacco store; Albert Ellis, 6815 Charlevoix; Maria Gardella, 3600–24 Cass; H & H Party Store, 2839 Hastings, liquor store; Liebermans Department Store, 2761–67 Waterloo, merchandise store; Helen Rashid, 1430–32 W. Forest.

Lee Saperstein, 1632–36 Gladstone, dwelling; David Berk, 2925 Woodward; Wallace Warehouse Clothes, 2640 E. Grand Blvd., clothier merchant; Frank Solomon, 1825 Concord; Vard Byrd, 2468 Pingru, dwelling; Alvin Friedman, 12218 Dexter, store; Tauba R. Dresser, 8363 John C. Lodge; Ernest Robinson, 5113–15 Roehm, dwelling; I. Hansburgh, 3912 Chene; B & B Variety, 8560 Linwood, variety store; George Shietz, 12350 Woodrow Wilson; Kaplan's Cut Rate Drugs, 12700 E. Jefferson, drug store; Louis Kensia, 8501 Linwood; Morris Ehrlich, 8841 12th.

Furniture-Rama, 7735 12th, furniture store; Abraham Weinstein, 8774 Linwood; Star-Light Food Market, 9314 12th St., store (food); Waldo Cain, 8027 12th St.; La Salle Sign, 8405 Linwood, sign company; Rueben Mendel, 8001 12th; Ben Weinstock, 8333 12th; J. Gourwitz, 8140 John C. Lodge; Carl's Department Store, 8945 12th, retail store; W. Thistle D–B–A Casey's Bar, 7960 Kercheval, bar; George W. Bolis, 4871 Grand River; General Plating Co., 1701–17 Bellevue, industrial plant; Wm. Petzold, 5724 Grand, dwelling; Bennie Simms, 1723 Euclid, dwelling; Habib Oashat, 8405 John C. Lodge; Russell Mule, 9326–28 Kercheval; Gregory Parthalis, 8763–67 Kercheval; Irving Grumet, 8937–47 12th, men's cloth store; Katzman Pharmacy, 11320 Dexter, drug store.

N. Ginsburg, 8029 Linwood, Mercantile; National 5c & $1.00, 11636 Dexter, mercantile; George Gross, 11630 Dexter, doctor's office; Merchandise Mart, 18958 Livernois, hardware store; Famous Upholstery, 3928 Gibson, furniture outlet; Pasquale Cosenga, 10318 12th, mercantile; Lucky B. Corp., 10354 12th; Joseph Rosen, 12130 Linwood; Harold Seymore, 12251 Linwood; Mr. K's Neighborhood Market, 12142 Petoskey, grocery; Wadi Bachana, 4805 Grand River, mercantile; M. Grosberg Carson Furniture, 8600 Grand River; D. Baji, 4349 Grand River, mercantile.

Searwood Co., 3401 Grand River; B. Fenton, 9104 Grand River; L. Milgrom, 8675 12th; Rueben's Variety Store, 12033 12th, mercantile; P. Cosenga, 10318 12th; M. Zacks, 8202 12th, mercantile; Royall Marks, 10022 Fenhell; A. P. Food Stores, 1133 Hamilton, super market; E. J. Watson Insurance Agency, 9029 Linwood, insurance office; S. S. Kresge Co., 7350 Grand River, variety store; Jupiter Discount Store, 9010 Grand River, variety store; Eugene Clowers, 1128 W. Forest, dwelling; Southern Mich. Blood Service, 3112 Woodward, blood donor service; Ace Loan Co., 3102 Woodward, pawn shop; Gen. Sales Co., 2929 Woodward, mercantile; Boyer Recreation, 6056 Woodward; P & P Grocery, 1451 Pallister, grocery; Delaware Market, 1213 Delaware, grocery.

Costa's Resale Shop, 4413 Grand River, furniture store; Neighborly Bar, 4564 Grand River, tavern; Davidson's Barber Shop, 4616 Grand River; Nickie's Furniture, 14th St. at Grand River, furniture store; Dixie Furniture, 4801 Grand River, furniture store; Topps Furniture, 4921 Grand River, furniture store; Paris Cleaners & Dyers, 4899 Grand River; Al Daly Tire Co.-Warehouse, 5228 Grand River, warehouse; Silver Bell Market, 5636 Grand River, grocery; Radio & Sound Equipment Co., 5656 Grand River; Edna Lee, 5676 Grand River; Brewer Hardware, 5680 Grand River, mercantile; Curley's Furniture, 4507 14th; Hajj & G. Restaurant, 7765 Grand River.

Leather Shop, 7761 Grand River mercantile; Vells Cleaners, 8737 Grand River, mercantile; Multi Repro Co., 8739 Grand River, mercantile; Walker Bros. Floor Covering, 8745 Grand River, mercantile; Eaton Pharmacy, 14801 Livernois, drug store; Quality Market, 14805 Livernois, grocery; Luck Barber Shop, 14807 Livernois barber shop; Universal Stores 5c & $1.00, 3501 Trumbull, variety store; Ruth Shill, 3513 Trumbull; Andersons Clothing Shop, 3519 Trumbull, mercantile; Bee's Beauty Shop, 3527 Trumbull, mercantile; Red Robin Shops, 7366 Grand River, shoe store; National Bank of Detroit, 7380 Grand River, bank; Sherwin-William Paint Co., 2023 W. Grand Blvd.; Leader Carpet Cleaners, 8648 Linwood; Pushkin Apartments, 8911 Linwood; Epstein's Bakery, 9936 Dexter; Food Farm Market, 11550 Dexter; Economy 5c to $5.00 Store, 7954 Kercheval.

The Good Housekeeping Shop, 8938 Grand River, appliance store; Mannys Loan Office, 9011 12th; Hardy Drugs, 9051 12th, drug store; Jacks Esquire Shop, 9035 12th, mercantile; Cancellation Men's Shoes, 9047 12th, mercantile; Tiny Tim Market, 8062 12th, grocery; Lipson's Discount Variety Store, 8541 12th, mercantile; Trecher Fruit Market, 8531 12th, mercantile; Harry Band Fish Market, 8533 12th, mercantile; Devotive Baptist Church, 3225 Fenkell, church; Shulmans Market, 3231 Fenkell, grocery; Bell's Coffee Cafe, 3237 Fenkell, restaurant; Joseph's Food Market, 5770 John R. grocery.

Toodle Drugs, 5250 Beaubean, drug store; Ritzie Beauty Salon, 4864 Brush, mercantile; Up to Date Cleaners, 4868 Brush, mercantile; Water Wonderland Market, 4856 Brush, mercantile; Kings 5c to $5.00, 8719 Oakland, mercantile; Allen Moses, 8713 Oakland, mercantile; Carters Cleaners, 8707 Oakland, mercantile; Florence's Resale Shop, 9030 Oakland, mercantile; Owen Party Store, 9101 Oakland, mercantile; Cancellation Shoes, 9115 Oakland, mercantile; Sportsman Shine Parlor, 9131 Oakland, mercantile; Oakland Ave. Beauty Shop, 9145 Oakland, mercantile; Oakland Super Market, 8636 Oakland, mercantile; H & G Shoe Repair, 8620 Oakland, mercantile; Barthwell's Drugs, 8600 Oakland, mercantile; Mara-Lee Dress Shop, 915 Westminister, mercantile; Fix-It Resale Shop, 933 Westminister, mercantile; Vacant, 923 Westminister, mercantile; Vacant, 911 Westminister, mercantile.

American Legion Hall, 8228 McDougall-Hamtramck; Sams Clothiers, 1001 Westminister, mercantile; Model Shoe Store, 1009 Westminister, mercantile; Joe's Place, 1015 Westminister, mercantile; Elmer's Fish & Poultry, 1019 Westminister, mercantile; Westminister Shoe Repair, 1029 Westminister, mercantile; Vacant, 1033 Westminister, mercantile; Bess Barber Shop, 1037 Westminister, mercantile; Allenas Beauty Shop, 1039 Westminister, mercantile.

(The following locations were vandalized and-or looted in the act of riot and civil commotion.)

Ace Loan, 3111 Woodward, pawn shop; B&R Drugs, 3101 Woodward, drug store; United Stores, 2828 Woodward, haberdashery; Sproat Drugs, 2655 Woodward, drug store; Sid's Loans, 2645 Woodward, pawn shop; Adelson's Music Store, 2477 Woodward, musical instruments; Capper & Capper, 1571 Woodward, men's clothing; J. M. Citron, 1200 Washington Blvd., men's furnishings; Scholnick's, 1400 Washington Blvd., men's clothing; Congress Cut Rate Medicine, 13901 Hamilton, drug store; Royal Mourad Imports, 13847 Hamilton, mercantile; Tobacco Brands Distributors Inc., 13829 Hamilton, wholesalers-tobacco; Highland Park Tobacco & Candy, 13755 Hamilton, wholesalers.

Lewis Drugs, 11505 Hamilton, drug store; Louis Poultry & Fish, 11317 Hamilton, meat fish market; Detroit Bank & Trust Co., 11317 Hamilton, bank; Sidney's Ready to Wear, 10331 Hamilton, men's furnishings; Fuller Customs Upholstery, 8515 John C. Lodge, upholstery shop; Archie's Liquor Store, 8501 John Lodge, liquor store; Chick's bar, 8485 John Lodge, bar; John Lodge Record Shop, 8425 John Lodge, record store; Majon's Bar, 8241 John C. Lodge, bar; Hamilton Party Store, 8225 John C. Lodge, liquor store; Young's Cleaners, 8051 John C. Lodge, cleaning store; Furnace & Boiler Repairs Shop, 1105 Delaware, service; Hamilton Laundry, 7737 John C. Lodge, laundry; Ernest Barber Shop, 7735 John C. Lodge, barber shop; Shamrock Bar, 7739 John C. Lodge, bar; Michigan Mobile Radio, 20232 Livernois; Trainors Liquor Store, 20100 Livernois, mercantile; Claire Perone, 19452 Livernois, ladies clothing; Jeanette Stewart, 19491 Livernois, interior decorator; Greenston's Jewelry, 19500 Livernois, jewelry store; Shewitz Custom Tailors, 19414 Livernois, men's clothing; The Wig Shop, 19380 Livernois, mercantile; Hampton House, 19376 Livernois, mercantile; Danby's Store, 19190 Livernois, men's clothing; B. Siegel Co., 6375 W. Seven Mile Rd., ladies' apparel; Wm. Devlin, 17125 Livernois, jeweler; College Pharmacy, 15956 Livernois, drugs; Puritan Pharmacy, 2597 Puritan, drugs.

Charlies Exclusive Men's Wear, 2015 Puritan, men's wear; Borin Brothers, 14450 Linwood, ice manufacturers & distributors; Wholesale Distributors, 3915 Fenkell, wholesale mercantile; Johnnies Records, 3940 Fenkell, mercantile; Siella Products, 4011 Fenkell; Mozel Auto Radio, 4041 Fenkell; S. S. Kresge, 15340 Livernois, retail mercantile store; Cannon Shoes, 15374 Livernois, mercantile; Smith Corona, 3450 Woodward, office equipment sales; Drug Store, 3408 Woodward; Woodward Loan, 3153 Woodward, pawn shop; C. King Book Store, 3157 Woodward, book store; Emiliness Book Store, 3134 Woodward, book store.

New Center Market 8631–35 Second Blvd., grocer; Mike Stark Co., 7455 Grand River, mercantile; Fred Restum, 2906–2914 Third, mercantile; State Prescription, 10680 Grand River, drug store; Ed. C. Stanley, 3433–37 Buchanan, mercantile; Valentine Furniture, 8781 Grand River, mercantile; Packer Jewelry, 2625 Woodward, mercantile; Honey Baked Ham, 3741 Fenkell, Whalings, Inc., Fisher Building, mercantile; Deans Bar, 7427–31 W. Chicago; Dr. O'Rourke, 7477 LaSalle; Derrick, 700 Seward.

L. L. Concession, 2937 St. Aubin; Henry Miller, 2622–24 Gratiot; Black & White Mkt., 7429–37 Kercheval; UAW–CIO, 11500 Charlevoix; Sam Farber, 2831 55 Gratiot; Kemp Furniture, 435 Division; Joseph Quasarano, 6661–65 Mack; Mack Canton Market, 6808 Mack, mercantile; Front Rinaldi, 6800 Mack; Wigs International, 1540 Woodward, mercantile; Schons Men's Wear, 3903–13 Woodward, mercantile; Anthony R. Wehby, 2919 Mack; Motor City Barber, 3535 Gratiot; Murrays Loan, 4721 W. Warren; Witkowski Sons & Co., 5536 Michigan Ave.

Commercial Tobacco Co., 5310 Russel St., mercantile; Fairmount Restaurant, 2915 Third; Louis Loans, 3143 Woodward; A. Applebaum & A. Starr, 2545 Bagley; My T Good Shoe, 3430 W. Grand River, mercantile; Morey Drug Co., 2545 Bagley, mercantile; Great Lakes Hotel Supply, 1961 W. Grand River; Zenith Loan Office, 2965 Woodward;

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Albert Nahara, 4854 Michigan; Joe Konja, 6844 E. Lafayette; Food Liner Market, 11334 12th, mercantile; Linwood Drug, 8782 Linwood, mercantile.

Marion Schwartz, 11331 Hamilton; Milford 5c to $1.00 Store, 4400 Milford, mercantile; Sandy's Variety & Hardware, 2903 Mt. Elliot, mercantile; Roy J. Pugh, 8900–04 Northfield; Lewitt, 4510 Joy Road; Kapser Shoe Store, 9038 12th St., mercantile; Reliable Rug Co., 9018 12th St., mercantile; Stern Boot Shop, 8645 12th St., mercantile; A. Nouman, 10721 Mack Ave.; Franks Shoes, 8021 Gratioit, mercantile; Helmuth Krave, 3709 Harrison; Salasnek Fisheries, 2140 Wilkins, wholesale fish; Rolin A. Lambert, 4230 Woodward; Olympia Stop N Shop, 5744 Grand River, mercantile; Leytons, Inc., 7733 Harper.

Big Dipper Inc., 2900 Brush; Antonio Angelo, 4325 Moran St.; Wm. J. Santilli, 4189 Moran; Jack Dabish, 8800 Oakland; David Aboo, 3435 Brush; George Kherkher, 4719 Brush; Sam Yaldoo, 3796 14th; Saul Firestone, 9608–12 Grand River; Manuel Gona, 5929 14th St.; Norman Sandweiss and Samuel Cash, 3511 Brush; Ernest Smith, 8553 Oakland.

John H. Hakim, 9645 E. Forest; Grover Weyhet-Vernon E. Lane, 9655 Greenfield; Calvin Whitlow, 8973 Linwood; Joseph Kassis, 3011 Longfellow; Chuck Kandah dba Crystal Mkt, 7516 Lawton, mercantile; Maurice Starr dba Star Cut Rate Drugs, 3300 Joy Road, mercantile; Albert Gordon, 12144 12th St.; New Center Market, 8631–57 2nd Blvd., mercantile; Central Outfitting Co., 3500 Chene, mercantile; Eddie W. Stephens, 8638–30 Oakland; National Laundry Co., 555 Farnsworth; Wayne Super Market, 10345 Hamilton, mercantile; Helen Stein, 8651 Woodward; Detroit Leather Works, 2895 E. Grand Blvd.; Wood Mil Realty & Investment, 6500–18 Woodward; Joseph & Anna Sake, 6518 Woodward; Padberg Linotyping Co., 4470 Cass Avenue; C. E. Tringali, 7429–37 Kercheval; Kosins Clothes, 1430–36 Griswold, mercantile; Brand Patent Medicine, 1000 Helen, mercantile; Sol & Rose Rybeck, 2276 Indiandale; Gerald G. Russ, 10437 Mack; E&S Packing, 3425 Russell; Bells Meats Inc., 10307 Mack; West End Cleaners, 6835 W. Warren; LeClair Inc., 2020–66 W. Grand Blvd.; Vorhies Estates, Inc., 2416–26 W. Grand Blvd.

Tom & Elizabeth Mitchell, 2533 Blaine, dwelling; Asad David, 10301 Mack; Thomas Denha, 8340 Second; Hana Essa, 2842 McGraw; Henry Shapiro & Art Levine, 1101–11 Westminster; Stevens Boot Shop, 8645 12th, mercantile; Abraham Weinstein, 8774 Linwood; J&J Patent Medicine, 7459 Joy Road, mercantile; Virginia Bradford, 1732 Euclid; B. M. Lewis, 5420 W. Warren; Warren Loan, 5412 W. Warren; M. Lewis, 5408 W. Warren; F. Saad, 5710 W. Warren; Davis Beer, 4530 W. Warren; M. Lerner, 7310 W. Warren.

Discount Medical Mart, 3370 W. Warren, mercantile; J. Landsman, 3370 W. Warren, mercantile; Dave's Beer & Wine, 4530 W. Warren, mercantile; Blott-Robb Co., 5733 Grand River; Leslie Moore, 3400 W. Grand River; Carls Family Drug, 7352 Kercheval, mercantile; Farm Boys Market, 7938 Kercheval, mercantile; Radio Bar, 6538 Lindwood; Macks Provisions, 3829 W. Warren, mercantile; David Berman, 4530 W. Warren Sarasohns, 5511 W. Warren.

Joe Ellis, 5511 Warren; Max Furniture, 4858 Michigan, mercantile; Minnie Barakat, 4503 12th St.; B&C Hardware, 3839 W. Warren; Economy Linen Service Inc., 3736 Humboldt; Prime Meat Packing Co., 2380 20th St.; Grand Value Super Mkt., 5415 W. Warren, mercantile; Ideal Patent Medicine, 2603 Buchanan, mercantile; Harry Cohen, 5245 Grand River; Boulevard Groc. Beer & Wine, 6566 Linwood, mercantile; Jacob Ghannan, 6427 Linwood; Isaac Al-Hermizi, 10715 Mack; Sabri & Sam Ghannam, 9101 E. Forest; Margaret M. Monaghan, 8110–20 Mack Ave.; Mahfet Party Store, 11228 Mack Ave.

Mich Floral Co., 4748 Grand River, mercantile; Hotel Liquidating Co., 4770 Grand River, mercantile; American Auction, 4849 Grand River, mercantile; General Cleaners, 5479 Grand River, mercantile; E&B 5 & 10 Store, 5677 Grand River, mercantile; Central Grill, 5724 Grand River, mercantile; Value Village, 5740 Grand River, mercantile; Miller-New Mark, 5743 Grand River, mercantile; General Cleaners, 5757 Grand River, mercantile; Olympia Liquor, 5744 Grand River, mercantile; Neel Shoe Co., 7312 Grand River, mercantile; United Shirt, 7316 Grand River, mercantile; Winkelmans, 7324 Grand River, mercantile; Coll & Hanson, 7301 Grand River, mercantile; Peoples Credit Jewelry, 7415 Grand River, mercantile.

Dona Rae Shop, 7461 Grand River, mercantile; Frame Shop, 7420 Grand River, mercantile; Sanders Cleaning, 7520 Grand River, mercantile; McCurdy, 7767 Grand River, mercantile; Gateman's Mkt, 8250 Grand River, mercantile; Dr. E. Keemer, 8260 Grand River, mercantile; Superior Office Supply, 8378 Grand River, mercantile; Lundy Drugs, 8382 Grand River, mercantile; Logans Cleaners, 8420 Grand River, mercantile; Carousal Cleaners, 8468 Grand River, mercantile; Capri Furniture, 8536 Grand River, mercantile; Genes Lounge, 8546 Grand River, mercantile; Halfway Bar, 8519 Grand River, mercantile; Dorseys, 8626 Grand River, mercantile; Big Star Mkt., 8772 Grand River, mercantile; Paint Stores Inc., 8780 Grand River, mercantile; Guss Carpets Inc., 8792 Grand River, mercantile; Auto Equipment Co., 8787 Grand River, mercantile; Paradise Loan, 9049 Oakland, mercantile.

C. Rock, 10000 Fenkell, mercantile; A. Yezbick, 6526 John R, mercantile; E. Victoria, 2800 John R, mercantile; Amar Corp., 7300 Grand River, mercantile; Amar Corp., 2023 Grand River, mercantile; Amar Corp., 7360 Grand River, mercantile; A Silber, 2340 Grand River, mercantile; Beacon Enterprise, 300 W. Lafayette, mercantile;. J. Malcoun, 4400 Lillibridge, mercantile; S. Meczezenski, 6000 John R, mercantile; L. Racey, 12546 Dexter, mercantile; E. Montgomery, 3505 Trumbull, mercantile; Bond Staner Inc., 909 Grand River, mercantile; I. Goldstein, 8217 John Lodge, mercantile; B. Sarasby, 3412 Brush, mercantile.

Supreme Paint, 8939 12th St., mercantile; Park Shelton Hotel, 5400 Woodward, mercantile; L. Klein, 3829 W. Warren, mercantile; A. Weinstein, 2541 Gladstone, dwelling; G. Teisen, 8844 Mack, mercantile; M. Zacks, 8202 12th St., mercantile; R. Lambert, 4230 Woodward, mercantile; F. Rubin, 4400 Milford, mercantile; N. Moss, 5310 Russell, mercantile; La Salle Dist., 20201 Livernois, mercantile; Auto Craft Trim, 20215 Livernois, mercantile; Grinnels, 19400 Livernois, mercantile; Walters, 13416 Livernois, mercantile; Lizette Mamoth, 19506 Livernois, mercantile; Arthurs Interiors, 19499 Livernois, mercantile; Margie Franzel, 19390 Livernois, mercantile; Ceresnex Offen, 19386 Livernois, mercantile; Alexander Wig, 19218 Livernois, mercantile; Blocks, 19132 Livernois, clothiers; Al Harris, 19114 Livernois, mercantile; Whalings, 6329 W. Seven Mile, mercantile; Epps, 16215 Livernois, sporting goods; Discount Cleaners, 3843 Puritan, mercantile; A. & P., 4010 Puritan, mercantile; Lux Cleaners, 3111 Puritan, mercantile; King Cole, 2441 Puritan, mercantile; Klein Drugs, 2041 Puritan, mercantile; Top Star Market, 3406 Fenkell, mercantile; Famous Cleaners, 3700 Fenkell, mercantile; Fenkell Records, 3712 Fenkell, mercantile; Soul Bro-Party Store, 7654 Fenkell, mercantile; Star Awning, 8343 Fenkell, mercantile.

Arrow Shirt, 10021 Fenkell, mercantile; Cunninghams, 15300 Livernois, druggist; Robelle Shops, 15366 Livernois, mercantile; Good Housekeeping, 15239 Livernois, appliances; North End Hardware, 9135 Oakland, mercantile; Furniture Mart, 9316 Oakland, mercantile; Katz Paint & Hardware, 9328 Oakland, mercantile; Oakland Auto Supply, 9332 Oakland, mercantile; Rite Way Auto Parts, 9325 Oakland, mercantile; Oakland Beer Store, 11315 Oakland, mercantile; Davison Market, 1903 Davison, mercantile; Eddies Market, 12845 Woodrow Wilson, mercantile; Famous Cleaners, 12753 Woodrow Wilson, mercantile; Supreme T. V. Rep., 12630 Woodrow Wilson, mercantile; Liquor Store, 12501 Woodrow Wilson, mercantile; National Ladder Co., 12320 Woodrow Wilson, mercantile; Smith & Mahlon, 12301 Woodrow Wilson, drugs; Monroe & Syke, 12200 Woodrow Wilson, liquor store; Saks Fifth Ave., Second & Lothrop, mercantile; S. & H. Green Stamps, 7601 Second Blvd. mercantile.

Milgrom's, 122 Fisher Bldg., Blvd. & Second, mercantile; Mosley's, 120 Fisher Bldg., Blvd. & Second, mercantile; Check Store, 12040 Twelfth St., mercantile; Delco's Laundry, 12056 Twelfth St., mercantile; Lindy's Super Market, 12117 Twelfth St., mercantile; Calumet Show Bar, 12144 Twelfth St., mercantile; Maksym Refrigeration, 8238 Woodward, mercantile; Basso Appliances, 7644 Woodward, mercantile; Harris Rexall Drugs, 7400 Woodward, mercantile; Allens Shoes, 6549 Woodward, mercantile; Leo Beresh, Jeweler, 6519 Woodward, mercantile; Max Greens Men's Wear, 6513 Woodward, mercantile; Mich. Liquor Control, 55 Milwaukee, mercantile; Celeste Cleaners, 2588 W. Grand Blvd., mercantile.

Pallister Laundry, 1531 Pallister, mercantile; Pallister Cleaners, 1508 Pallister, mercantile; Steve Petix, Inc., 7433 McNichols, mens clothier; Tates Market, 402 E. Bethune, grocer; Richards 5c & 10c, 7701 Oakland, mercantile; Nicholsen Pat. Med., 7722 Oakland, mercantile; 7992 Oakland, grocer; 8326 Oakland, grocer; Oakland-Euclid Market, 8408 Oakland, grocer; Picket Fence Bar, 8539 Oakland, merchandise; Nu-Way Market, 8541 Oakland, grocer; 20th Century Barber, 8620 Oakland, mercantile; 8959 Oakland, pawn shop; Packers Super Market, 3429 Grand River, grocer; 3438 Grand River, lunch room; Meyers Music, 3448 Grand River, mercantile; Quick Clean Laundry, 3512 Grand River, mercantile ; Amin Grill, 4407 Grand River, mercantile; A. & P., 4711 Grand River, grocer; Central 5c & 10c, 4739 Grand River, mercantile.

Wonderland Pools Inc., 12603 Grand River, mercantile; V. Weijscha, 4832 Greenfield, mercantile; E. Carr, 1716 W. Euclid, dwelling; L. Newman, 9226 Mack, mercantile; Jerry Dechin Bar, 3305 Joy Rd., bar; General Aniline Film, 12790 Westwood, mercantile; Hospital Drug Co., 6501 Chene, mercantile; G. Atkins, 8720 Ephworth, mercantile; Madison Cleaners, 5706 Warren, West, mercantile; Prime Meat Packing, 2380 20th St., mercantile; Detroit Leather Works, 2895 E. Grand Blvd., mercantile; You Save Super Market, 12407 Linwood, grocer; Packard Patent Machine, 1481 E. Grand Blvd., mercantile.

Andy's Market, 12371 LaSalle, mercantile; Peter's Ice Cream, 10341 Hamilton, mercantile; C. & D. Market, 8001 Lawton, grocer; Cleanrite Cleaners, 12141 Dexter, mercantile; Fred's Market, 3942 Joy Road, grocer; Richman Bros., 14361 Gratiot, mercantile; Modern Dairy, 3942 Fenkell, mercantile; Farmer Outlet, 6326 Gratiot, mercantile; John Paul Enterprise, 4729 W. Warren, mercantile; Lin Terry Cleaners, 2555 Ferry Park, mercantile; Seward Laboratory, 8317 Hamilton, mercantile; Cole & Erwin, 123 State St., jeweler; Mort Siegel, 8313 John Lodge, mercantile; Ralph Klegan, 5003 Collingwood, pharmacy; Davis Beer, 4530 W. Warren, mercantile; J. Kogan, 7100 W. Warren, mercantile; L. Racey, 12546 Dexter, mercantile; Paul Feiner, 12111 Dexter, mercantile; D. Berk, 2725 Woodward, mercantile.

Savette Drug, 12501 Linwood, drug store; G. Agnello, 10916 Mack, mercantile; Schiners Market, 7600 Churchill, mercantile; H. Goodman, 13651 Nine Mile Rd., Oak Park, mercantile; Leytons Inc., 7737 Harper, mercantile; Eddie Dawson, 1743 W. Euclid, dwelling; Arley's Auto Supply, 7609 Ephworth, mercantile; G. Hackad, 11609 Hawthorne, mercantile; H. Hesano, 3051 W. Warren, mercantile; I. Eisenman, 12827 Linwood, mercantile; Maylers Bakery, 12028 Dexter, mercantile; E. Slobin, 3877 W. Warren, mercantile; S. Lafkin, 2609 W. Davison, mercantile.

H. Toodle, 579 Josephine, mercantile; A. Glazer, 6224, 16th St., mercantile; I. Kidler, 7340 Grand River, mercantile; Petrie Stores, Inc., 6560 Woodward, mercantile; M. Randazzo, 9635 E. Forest, mercantile; J. Taormina, 5400 Cadillac, mercantile; A. J. Seltzer, 4011 Fenkell, mercantile; Max's Bargain, 8007 12th St., mercantile; M. B. Lewis, 8926 12th St., mercantile; R. Carlton, 9035 12th St., mercantile; E. Glanz, 12048 12th St., mercantile; A. Brant, 8605 12th St., mercantile; M. Zacks, 8202 12th St., mercantile; S. Roth, 9038 12th St., mercantile; J. Baker, 15360 Livernois, mercantile; J. Baker, 15354 Livernois, mercantile; S. Adler, 15209 Livernois, mercantile; N. Zuchler, 3126 Fenkell, mercantile; Z. Yagoobien, 3921 Penkell, mercantile.

May Furniture, 6640 Van Dyke, mercantile; Carl Freedman, 7347 Puritan, mercantile; E. Brylowski, 3500–24th, mercantile; Northland Theatre, 16856 Schaefer, mercantile; A. Hermizi, 10715 Mack, dwelling; H. Mansoon, 1115 Mack, mercantile; N. Zingar, 2272 Hurlbut, mercantile; Sam Harb, 9241 Charlevoix, mercantile; H. Roggin, 7352 Kercheval, mercantile; J. Lucas, 3832 St. Jean, mercantile; Family Food Market, 7400 Kercheval, grocery; L. Simons, 2650 Fairview, mercantile; UAW–CIO Hall, 11500 Charlevoix, meeting hall; Burke Realty, 12736 Gratiot, office building.

Dawn Drugs, 8337 Gratiot, drug store; H. Erman, 719 Harper, mercantile; Waddels, 5708 Baldwin, mercantile; Radio & TV Service, 8844 Gratiot, mercantile; Peter Savil, 501 Continental, restaurant; Cater Upholstering, 8771 Grand River, mercantile; Farris Brothers, 4303 - 14th, furniture; J. Quasamm, 6661 Mack, mercantile; Gershenson Realty, 2473 Woodward, mercantile; Leland Harnutt, 2965 Woodward, mercantile; Esther Schein, 1001 Westminster, mercantile; E. Machet, 2603 Russell, mercantile; Colonial Fruit, 10500 E. Jefferson, mercantile; L. Enterpuni, 11519 E. Jefferson, mercantile; F. Rinaldi, 6800 Mack, mercantile; F. Corino, 3429 Grand River, mercantile; A. Lenhoff, 3333 Puritan, mercantile; G. Kappy, 2237 E. Davison, mercantile; H. Restum, 2900 3rd, mercantile.

Peter Lafata, 500 Kitchner, dwelling; Shiffren Willens, 14317 Mack, jewelry store; Dood Market, 1705 Baldwin, cont. grocery; Sajeck Solomon, 10450 Schumacher; Kaplans Drugs, 12700 E. Jefferson, drug store; Wyler Drugs, 10500 E. Warren, drug store; Vincent Laracano, 5301 Pennsylvania; B. Siegel Co., 6375 W. 7 Mile Rd., apparel shop; Rays Tobacco & Candy, 3921 Fenkell; S. Birdie, 19128 Ohio, dwelling; Whalings Clothes, 6329 W. 7 Mile Rd., men's clothes; Shiffren Willens, 13710 Michigan, jewelry store; Louis A. Shalhoob, 7503 Joy Rd., mercantile; Dr. Robert C. Tripp, 14203 W. McNichols, mercantile.

Morris Lerner, 7310 W. Warren, mercantile; Harry Thomas, 15200 W. 7 Mile Rd., clothing store; Leon Friedman, 8501 Puritan; Eva Schulman, 7133 W. Warren, mercantile; Henry Feldman, 13517 Livernois, mercantile; S. A. Cardinal, Inc., 19512 Livernois, mercantile; Matz Tailor Shop, 7631 W. McNichols, mercantile; Sam Carmen, 14801 Livernois, mercantile; A. Geha, 13316 14th, mercantile; A. Ali, 2200 W. Davison, mercantile; W. Boland, 19442 Livernois, mercantile; M. Krugel, 3900 Fenkell, mercantile; W. Trotzki, 13733 Hamilton, mercantile; Central Outfitting, 4017 Fenkell, mercantile; Jack Fine, 13700 Linwood, mercantile; Mich Mobile Radio, 20232 Livernois, mercantile; Eli Masry, 4180 Oakman, mercantile; Recreational Amusement, 20000 Woodward, mercantile; Dan Jacobs, 10330 Dexter, mercantile.

McKerchy, 2619 Woodward, mercantile; D. Berk, 2905–11 Woodward, mercantile; L. Cantor, 4161 Woodward, mercantile; M. Halpert, 2649 Woodward, mercantile; A. Goldbaum, 8651 Woodward, mercantile; Demery's Inc., 6433 Woodward, department store; M. Gould & C. Finer, 4233 Joy Road, mercantile; A. Taweel, 4421 Joy Road, mercantile; Appelbaum & Starr, 2545 Bagley, mercantile; Santex Cleaners, 11350 Woodward, mercantile; Madison Cleaners, 5706 W. Warren, mercantile; Stella Cleaners, 9132 Charlevoix, mercantile.

Cleanrite Cleaners, 12141 Dexter, mercantile; D. P. Gagen, 12851 Woodrow Wilson, mercantile; Reese Hardware, 12831 Woodrow Wilson, hardware; E. Singerman, 12099 Dexter, mercantile; F. Kottenstetle, 2251 W. Davison, mercantile; You Save Super Mkt., 12407 Linwood, grocer; Andy's Market, 12371 LaSalle, grocer; Fine Arts Upholstery, 12111 Dexter, mercantile; E. Glanz, 12048-12th St., mercantile; Green Valley Mkt., 12735 Linwood, mercantile; Eddies Pastry Store, 12831 Linwood, mercantile; Davis Drugs, 13340 Woodrow Wilson, mercantile; J. Holly, 3375 Fullerton, mercantile; Harry Soloman Inc., 19472 Livernois, mercantile; Bernies Loan 8428 Grand River, pawn shop; E. Gumann, 9223 Mack, mercantile; Carsons Furniture, 7600 Grand-River, mercantile; Detroit Consumers, 3429 Grand River, mercantile; Kanes Drugs, 8554 Grand River, mercantile; New Lindsdale Laundry, 8549 Grand River, mercantile.

B. Simon, 4641 Grand River, mercantile; J. Ascher, 8509 Grand River, mercantile; J. Alfreda, 7459 Grand River, mercantile; R. Katsen, 9301 Grand River, mercantile; Famous Br Shoes, 7320 Grand River, mercantile; Searwood Co., 3401 Grand River, mercantile; J. Menkens, 8926-12th St., mercantile; D. Damcheff, 3360 Grand River, mercantile; Soberman & Co., 8675 12th St., mercantile; Bond Store Inc., 9009 Grand River, mercantile; May Lipsitz, 1632 Gladstone, dwelling; Vassars Men's Shop, 12146 Dexter, mercantile; Thompson-Cain Meat Co., 5144 Lawton, mercantile; The Reid Corp., 9024 Grand River, mercantile.

M. Daond, 8026 Wildemere, mercantile; Union Pacific Mkt., 10201 Campron, mercantile; Steward Corp., 6501 Chene, mercantile; Parkinson Variety, 13316 Dexter, mercantile; Harper Furniture, 7312 Harper, mercantile; Richards Market, 4400 Bewick, mercantile; A. Manaco, 10300 Mack, mercantile; Jims Bar, 634-W 9 Mile Rd., Oak Park, mercantile; Super "8" Food, 8621-W 8 Mile Rd., mercantile; Gem Sales Co., 14 Temple, mercantile; J. G. Ellias, 2345 Joseph Campau, mercantile; H. Rostumi, 2900-3rd St., mercantile; Joy 5c to $5.00, 6509-14th St., mercantile; J. W. Runicaan, 2900 Mt. Elliot, mercantile; V. Abba, 24066 5 Mile Rd., mercantile; S. Kerma, 12021 Linwood, mercantile; C. Estes, 8642 Linwood, mercantile; Marlot 5c to $5.00, 7443 Joy Road, mercantile; Acme Furniture, 1100 Mack, mercantile.

Levine Delicatessen, 908 Westminster, mercantile; Criswell Trucking, 914 Westminster, mercantile; Lonnie's Resale, 916-32 Westminster, mercantile; Westminster Beauty Shop, 926 Westminster, mercantile; Good Neighbor Market, 1000 Westminster, mercantile; Nates Poultry Mkt., 1012 Westminster, mercantile; Max's Groc. & Meats, 1024 Westminster, mercantile; Nates Groc. & Meats, 1030 Westminster, mercantile; Allen Confectionery, 940 Westminster, mercantile; Higgin's Confectionery, 1040 Westminster, mercantile; Delman Super Mkt., 1130 Westminster, mercantile.

WIRETAPPING AND ORGANIZED CRIME

Mr. SCOTT. Mr. President, one need make no lengthy study to realize that a major problem facing this Nation is the internal threat created by the increasing incidence of crime. As a result, our citizens cannot lead their lives free of the fear and disquieting atmosphere resulting from the existence and reports of crime.

On March 9 of this year, I spoke at length on this subject, and I would like to direct my remarks today to the one aspect of this problem which represents the most insidious threat to the continued existence of American society as we now know it—the threat of organized crime. These are not the spontaneous crimes of passion, or the three escapades of misled youth—but rather the planned activities of professional criminals who plot their exploits with the utmost care and precision.

As stated in the Report of the President's Commission on Law Enforcement and Administration of Justice and in the Task Force Report on Organized Crime:

> Organized crime is a society that seeks to operate outside the control of the American people and their governments. It involves thousands of criminals, working within structures as complex as those of any large corporation, subject to laws more rigidly enforced than those of legitimate governments. Its actions are not impulsive but rather the result of intricate conspiracies, carried on over many years and aimed at gaining control over whole fields of activity in order to amass huge profits.
>
> The core of organized crime activity is the supplying of illegal goods and services—gambling, loan sharking, narcotics, and other forms of vice—to countless numbers of citizen customers. But organized crime is also extensively and deeply involved in legitimate business and in labor unions. Here it employs illegitimate methods—monopolization, terrorism, extortion, tax evasion—to drive out or control lawful ownership and leadership and to exact illegal profits from the public. And to carry on its many activities secure from governmental interference, organized crime corrupts public officials.

It should be patently clear that organized crime does not operate in a vacuum. We can ill afford to stand aside and shake our collective heads at the effects of such criminal activity, for in one way or another, every individual is affected when such activities are permitted to exist in our society.

It is due to these complex structures and intricate overlays of authority that law enforcement officials have such a difficult time in ever really reaching the high command of organized crime. Underlings "on errands" for the boss often come within the ready grasp of alert law enforcement officials, but they are the "expendables." When they neither know exactly who their real boss is or are fearful of discussing such matters, law enforcement work is stymied. The reluctance and fear of victims and witnesses do not ease the task.

How then do you break into this core and get to the center of this cancer? How do you obtain the necessary evidence when an organization is dedicated to protecting its masters through a code of silence? What do you look for when almost all communication is by word of mouth, and there are no telltale records or memorandums of illicit enterprises? There can be no doubt as to the extent of

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the problem, the question is how to successfully combat it.

It is against this unique background that I turn to probably the most controversial means of obtaining evidence—the techniques referred to as bugging and wiretapping. There are those who say that these techniques are the only effective tools to fight such criminal activity. Others condemn these methods as a dangerous invasion of privacy. There are valid arguments on both sides. But there should be no doubt that the final decision on how to proceed in this area must be based on both the rights of individuals and the need to protect society, not an emotional harangue which too often accompanies these electronic surveillance debates. It should also be noted that the present U.S. law on wiretapping and bugging is totally unsatisfactory. Neither the right of privacy nor enforcement of the law is adequately served.

While I feel reluctant to authorize the overhearing of private conversations, even where there is the possibility that evidence concerning criminal activity may be uncovered, I must admit some doubt as to whether any wiretapping legislation should prevent the use of this weapon in society's struggle against organized crime—especially in view of the unique evidence-gathering problems in this area. The impact of the Crime Commission reports, revealing testimony before the Senate Judiciary Subcommittee on Criminal Laws and Procedures, on which I serve, and discussions with persons interested and concerned with all aspects of the criminal justice system lead me to believe that if such organized criminal activity is permitted continued immunity while it infects all of our lives, it may well destroy the viability and organization of our system. At the least, I am afraid I may have been wrong to believe that society does not need this weapon in its struggle against organized crime.

It is for these reasons that I have decided to cosponsor S. 2050, the Electronic Surveillance Control Act of 1967, introduced by Senator HRUSKA. This legislation has the following major provisions—

First, private utilization of wiretapping and bugging would be flatly prohibited.

Second, Federal authorities would be authorized upon the obtaining of Federal court orders pursuant to application of the appropriate U.S. attorney, to conduct carefully circumscribed and strictly controlled electronic surveillance in investigation of specified crimes involving national security and serious criminal offenses.

Third, at the State level, electronic surveillance would be authorized pursuant to State statute and upon order of a court of general jurisdiction.

Fourth, an elaborate system of checks and safeguards would be established whereby criminal and civil remedies would be available to prevent abuses and unauthorized surveillance by public officials and private persons.

I believe that this legislation can provide our law enforcement authorities a useful tool in their investigations of organized crime while not unduly disturbing the privacy of the ordinary, law-abiding citizen.

In short, the advantages to society of this legislation outweigh its disadvantages. If flaws appear in its administration, they can—and must—be corrected.

THE COMING ELECTORAL FARCE IN SOUTH VIETNAM

Mr. GRUENING. Mr. President, of course, it should long have been obvious that the attempts to impose, instill, inject, or otherwise inculcate democracy upon the self-imposed regimes which the United States has been supporting with our military might and money for the last 13 years in South Vietnam are farcical. In practice, they are a sham, and the sooner the realization of that comes to all concerned, including the unfortunate victims of the folly of our totally unjustified military intervention in Southeast Asia, the better.

The editorial entitled "Neutralizing Vietnam's Vote," published in the New York Times of August 3, adduces just one more bit of evidence of the tragic error of our unwarranted interference in Asian affairs with the mounting costs of precious American lives and endless American dollars. I ask unanimous consent that the editorial be printed at this point in my remarks.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

[From the New York Times, Aug. 3, 1967]

NEUTRALIZING VIETNAM'S VOTE

South Vietnam's ruling military junta seems determined to convert the Sept. 3 Presidential election—so widely touted as a democratic showcase—into a farcical matter of "heads we win, tails you lose."

Not content with virtually assuring a military victory at the polls by combining the two most powerful generals on one slate and by removing the names of their most serious challengers from the ballot, the junta has now let it be known that it is forming a "military affairs committee" which would continue to direct national policy no matter who gets the most votes next month.

This travesty on democracy is quite in keeping with the attitude long blatantly expressed by Marshal Ky. The present Premier and Number Two man on the junta slate has said more than once that if he isn't satisfied with the outcome of the election he will use force to change it.

It is also, unfortunately, not incompatible with the undisguised preference of the American Embassy for continued military rule in Saigon. Former Ambassador Henry Cabot Lodge voiced this preference openly. The present Ambassador, Ellsworth Bunker, has been more discreet, but the feeling in Saigon is that Mr. Bunker is "neutral" in favor of the military slate. He is believed to have played an important behind-the-scenes role in ending the military split that threatened to give civilian candidates a fighting chance.

The heavy commitment in men and money that the United States has assumed in Vietnam gives it no right to dictate the outcome of the election, but it does require the exercise of American influence to keep the voting from turning into mockery.

President Johnson and other Administration spokesmen have for months hailed the elections as a major turning point in the war effort and a proof of the American resolve to assure self-determination for the Vietnamese people. Their hope has been that the establishment of a popularly elected regime in Saigon would rally the people to the Government and thus accelerate the military and pacification efforts. Others have suggested that the election could offer a promising avenue toward peace by bringing to power a Saigon Government willing to negotiate directly with the National Liberation Front.

If the junta is permitted to proceed with the present charade, nothing will change—in Saigon, in the somber conduct of the war or in the world's estimate of the legitimacy of American war aims.

Mr. GRUENING. Mr. President, nor is it surprising, as the news story in the Washington Star of August 3 reveals in a dispatch from Saigon by knowledgeable correspondent Richard Critchfield, that:

> South Vietnam's presidential election campaign . . . opened . . . in what veteran observers felt was a disturbing climate of growing popular cynicism and brooding indifference.

It could scarcely be otherwise considering the prospective fraudulence of a campaign from which a large contingent of voters is debarred by the orders of the ruling junta.

As Mr. Critchfield further reports:

> The consensus among many responsible Vietnamese seems to be it will take a near-miracle in the next 30 days if the elections are to create the kind of authentic popular government Vietnamese unanimously say is needed to win the war and rekindle enthusiasm.

Critchfield further points out:

> Reminders from the ruling generals that they have both the desire and ability to keep power in their hands have been reinforced by creation this week of a new "military affairs committee" to run the armed forces once the current junta is replaced by an elected government.

Mr. Critchfield's article should be read by any and all who may have been fooled by the attempt to make the coming elections in South Vietnam appear like a constructive step toward democracy in that unhappy wartorn, dictator-ridden little country.

I ask unanimous consent that it be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the Washington Star, Aug. 3, 1967]

VIETNAM CAMPAIGN OPENS AMID INDIFFERENCE, CYNICISM

(By Richard Critchfield)

SAIGON.—South Vietnam's presidential election campaign formally opened today in what veteran observers felt was a disturbing climate of growing popular cynicism and brooding indifference.

There seems to be little doubt a large percentage of nearly 5.5 million registered voters—1.2 million from metropolitan Saigon—will go to the polls Sept. 3 to cast ballots for a nationally-elected president, vice president and 60 senators. Polling for 130 representatives, elected in local constituencies, will follow Oct. 22.

The new government, which in all likelihood will eventually be the negotiating authority on behalf of the South Vietnamese people, will be sworn in for a four-year term sometime in October. U.S. officials anticipate it may require until early next year, however, before all the new government's constitutional institutions are fully installed.

(The running mate of one of the most prominent civilian candidates today called for deescalation of the war and negotiations with the Viet Cong, the Associated Press reported.

(Dr. Phan Quang Dan, vice presidential running mate of presidential candidate Phan

Khac Suu, told a news conference: "It is impossible to fight the Communists like we are now. It would be better to have a shouting war rather than a shooting war." Suu, president of the Provisional Assembly, was sitting beside Dan as he spoke.

(Dan proposed negotiations with the Communists "at all levels, including the National Liberation Front." The NLF is the political arm of the Viet Cong. Premier Nguyen Cao Ky's military government has admantly opposed any negotiations with the Viet Cong.

(Premier Ky, the ruling military junta's vice presidential candidate, with Chief of State Nguyen Van Thien, also talked about a peace settlement but spoke in terms of the Communists giving up "someday." He said there would be no pause in the bombing of North Vietnam until the allies are sure Hanoi will respond to such a pause.

(Tran Van Huong, 65-year-old former mayor of Saigon who is considered the leading civilian candidate for president, also held a news conference with his running mate, Mai Tho Truyen. They said the government must seek a political solution to the war but not "peace at any price.")

The consensus among many responsible Vietnamese seems to be it will take a near-miracle in the next 30 days if the elections are to create the kind of authentic popular government Vietnamese unanimously say is needed to win the war and rekindle enthusiasm.

So far the South Vietnamese people have refused to be aroused. In a two-week tour of the central provinces this reporter found few peasants out in the hamlets who were aware of the coming elections or, with the exception of Premier Ky, even knew the names of the principal candidates.

There is nothing odd about this. Saigon is still almost as remote as Paris or Washington to the average Vietnamese peasant whose horizon barely reaches to the next village and whose notion of government is usually embodied in his local village chief and policemen.

The widespread disinterest in the more sophisticated towns and cities seems based on past experience in which the Vietnamese learned to distinguish elections from representative or good government. Cynicism and loss of nerve is especially evident among Saigon intellectuals which has not been helped by seeming rebuffs from South Vietnam's Asian allies over supplying more combat troops and their disinterest in an early second summit conference.

Reminders from the ruling generals that they have both the desire and ability to keep power in their hands have been reinforced by creation this week of a new "military affairs committee" to run the armed forces once the current junta is replaced by an elected government.

Even a massive U.S.-financed "get out the vote" campaign has so far made much less impact than the successful effort before the September 1966 elections, although posters are again being pasted on the city walls and pink and yellow banners strung from city trees. But something more is badly needed to give the elections some oomph.

A grand whistle-stopping plane tour of the country to carry the 11 presidential tickets to 21 major cities and towns outside Saigon has lost much of its oomph since Lt. Gen. Nguyen Van Thieu and his running mate, Premier Ky, said their official duties would prevent them from going along at all.

At the moment, except for brief radio and television appearances, Thieu and Ky are likely to appear on the same platform with their civilian rivals only at formal press conferences Aug. 14 and 31.

Thieu's press secretary said the general's campaign will be strictly "low key" but predicted Thieu will name his choice of a future premier during the next two or three weeks. The spokesman said it would be a civilian and that Ky would be consulted to help choose between "many people now under consideration."

COST OF LIVING ISSUE

The sense of anti-climax and disillusionment with the electoral process itself expressed by some educated Vietnamese is overshadowed among the common people by deep political implications of a new sharp rise in the cost of living. This hits hardest the government-salaried soldiers, civil servants and teachers on whom the success of the elections largely depends.

Prices stayed fixed for several months until July when they shot up 9 percent, nearly 4 percent in the past week alone and a gain of 30 percent over a year ago.

This was partly because the Viet Cong blew up five bridges between Saigon and Dalat and cut Highway Four to the Mekong Delta in eight places 10 days ago. Since then Operation Coronado, involving a record 23 U.S. and Vietnamese battalions in a joint operation in the delta, has, in the words of Lt. Gen. Fred G. Weyand, the commander of Field Force II, "chewed up pieces" of three Viet Cong battalions.

Weyand said the Communists intended large-scale attacks during the first two weeks of August, presumably tied to creating a fresh inflationary wave in time for the elections.

Saigon has also been rocked by a charge made during the McClellan Committee hearings in Washington that La Thangh Nghe, the country's leading pharmaceutical importer, had gotten nearly $1 million in "kickbacks" from U.S. drug manufacturers and supplied medicine to the Viet Cong. A U.S. spokesman said yesterday the U.S. mission could find no evidence to support such charges against Nghe, a former cabinet minister.

GOVERNMENT REPORT PROVES PUBLIC WILL NEVER LEARN TO LOVE THE BOOM

Mr. PROXMIRE. Mr. President, a report has just been issued by the Office of Science and Technology in the Executive Office of the President which, based on intensive testing at Edwards Air Force Base in California, shows very clearly that a significant proportion of the American people will never learn to love or even tolerate the sonic boom.

This report proves that the Federal Aviation Administration has been talking through its hat when it comes to the sonic boom. In a recent FAA brochure, the boom was written off with the statement:

> Individuals tend to accommodate themselves to an initially disturbing noise once it becomes a pattern of daily life.

The Edwards Air Force Base tests show that this just is not true.

The sonic booms the proposed supersonic transport would produce would be as irritating to people, the report declared, as the noise made by a turbofan aircraft if one were standing at the end of the runway directly under its flight path as it was taking off.

If the SST is built and put into regular service over land—and, in my view, that is what would have to happen if the plane is to be an economic success—then we will be able to boast to our constituents at election time that we had been able with their tax money to put a jetport into every backyard in the country. I doubt whether the acquisition would be welcomed with much enthusiasm.

Transportation Secretary Alan Boyd has promised that the SST will not fly at supersonic speeds over land if the sonic boom proves unacceptable. If that is the case, one has to stretch the economic facts of life very hard to make any sense out of this project. Why spend huge amounts of the taxpayer's money to develop a commercial transport that will fly at supersonic speeds when, once in service, it will have to fly much of the time at subsonic speeds, which present jets can do far more efficiently?

Promises such as the one made by Secretary Boyd, however, have a way of eroding in the face of pressure from powerful economic interests such as the aviation industry.

In that event, noise pollution will become a serious problem in every nook and cranny in this country.

I ask unanimous consent that a New York Times account of an inquiry now underway in France into the deaths of three persons when the farmhouse which they occupied collapsed following a sonic boom be printed in the RECORD.

I also ask unanimous consent that an article published in the London Times about the way Londoners have reacted to recent sonic boom tests be printed in the RECORD, to be followed by the reports published in the New York Times and the Washington Post on the Edwards Air Force Base test results.

There being no objection, the items were ordered to be printed in the RECORD, as follows:

[From the New York Times, Aug. 3, 1967]

FRENCH INVESTIGATE DEATHS OF THREE LINKED TO SUPERJET'S BOOM

(By John L. Hess)

PARIS, August 3.—Military and civil authorities began an inquiry today to determine whether a supersonic boom was responsible for the deaths of three persons in the collapse of a farm house in Breton.

If such a finding is made, the accident yesterday will be recorded as the worst among thousands registered in France in recent years as having been caused by the shock wave produced by planes traveling faster than the speed of sound. At flight altitudes, that speed is about 660 miles an hour.

It is not yet known whether a supersonic plane was flying above the farm house at the time of the accident.

Since 1963, at least eight deaths in France have been attributed to supersonic booms. Four of the deaths resulted from heart attacks, two from runaway horses and two from the collapse of a well. In none of the cases, however, was the evidence conclusive.

The news of the deaths in the farm house heightened concern about the sound problem that will be posed by the Anglo-French Concorde supersonic airliner, scheduled to make its first flight next February, and by its Boeing competitor, due to fly in three to five years.

HAPPENED AT MEALTIME

The accident occurred yesterday in an old farmhouse near the village of Mauron, during the midday dinner of a farmer, his wife and eight neighbors and workmen helping in the harvest.

According to survivors, a loud clap was heard. Seconds later, the roof beam and rafters collapsed. Eight tons of barley stored in the attic fell with them and buried most of the diners. Three workmen were killed and one was seriously injured.

Of the previous accidents linked to supersonic booms, investigators at the Armed Forces Ministry say nearly all concerned old,

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decrepit rural buildings that might have crumbled at any time. The farmhouse at Mauron, typically, was old and its beams were heavily laden.

In 1965, the authorities investigated 1,763 complaints of damages from supersonic booms, and in 907 of these cases paid damages totaling $255,000.

After that, flight rules were tightened considerably. Military planes—the only ones yet capable of flying faster than sound—were forbidden to fly that fast over metropolitan areas at any time or over the rest of France at night. They were also forbidden to fly at lower than 30,000 feet, or in a dive, or near the coastline in summertime.

The rules were said to reduce the shock felt on the ground to that of a door slammed.

Nevertheless, the number of damage complaints rose by more than a thousand last year. Final figures on settlements were not available, but approached $400,000 in the southwest alone, around the chief base of the Mirage IV supersonic bomber.

[From the London Times, July 18, 1967]

LONDON ROUSED BY DOUBLE BOOM—CALLS SWAMP MINISTRY OF TECHNOLOGY

No one will ever know how many Londoners were angry enough to ring the Ministry of Technology in protest yesterday after a double boom had shattered the capital's afternoon peace.

The first wave of telephone calls swamped the Ministry's switchboard, and callers were still getting the engaged signal after an hour. Some kept trying until they got through; many telephoned the Noise Abatement Society's London office instead; some telephoned newspapers.

The Ministry said afterwards that they would never know how many gave up. Yet the point of the exercise, in the Ministry's own words, is to "assess the spontaneous reactions of the public."

"ONE HUNDRED AND THIRTY DECIBELS"

London's foretaste of the Concord came at 3.30 p.m. First reports were from the Thames estuary area, where a high-speed aircraft was seen over Canvey Island (where seafront houses were shaken) and heading towards London. Protests then came in from places as diverse as Billericay, Essex (where children jumped and cried), Cheshunt, Hertfordshire, and Guildford, Surrey.

A sound engineer in central London claimed to have measured 130 decibels. People in tall buildings said the booms appeared to shake the structure, as well as rattling windows.

Among several calls to *The Times* was one from a man in Barnes who said he had been trying to ring the Ministry of Technology for at least half-an-hour without success. His wife was suffering from a serious heart condition and had been greatly upset by the noise.

Mr. John Connell, chairman of the Noise Abatement Society, said they had received 150 calls in the first hour, some 30 miles from central London. Motorists complained their driving was affected, mothers said that their babies had been awakened, and most people spoke of "tremendous shock." He said anything over 60 decibels was generally regarded as detrimental to health.

GIFT FOR LEGAL ACTION

The society is to take out a writ against the Ministry, seeking an injunction to prevent unnecessary noise, and a £50 cheque had been given by a member of the public to pay the costs of proceedings, Mr. Connell added.

The Ministry refused to confirm or deny that the noise was a boom, but said that inquiries by the public were welcomed.

A spokesman said "We heard a boom here, but I am not in a position to say I heard a sonic boom."

Supersonic boom tests were welcome by the British Association for the Control of Aircraft Noise, if the noise was comparable to that expected from the Concord, Mr. Eric Epson, the association's chairman, said yesterday. The people of Britain must be allowed to ascertain by personal experience exactly what was involved.

[From the New York Times, Aug. 3, 1967]

SUPERJETS MUST CUT SPEEDS OVER LAND, BOOM TESTS INDICATE

(By Evert Clark)

WASHINGTON, August 2.—The latest Government report on sonic boom tests tends to reinforce the widespread belief that supersonic airliners will not be allowed to fly at top speed over land.

It suggests that even persons who have heard several booms a day for many years object to booms of the intensity likely to be produced by the superjets.

[In France, the authorities began an inquiry to determine whether the collapse of a farm house in which three persons died had been caused by a supersonic boom.]

The United States, a British-French team and the Soviet Union are building superjets, and the question of whether they will be permitted to fly supersonically over populated areas is still unsettled. Most experts believe the planes would still be profitable even if supersonic flight were limited to water routes.

LITTLE HARM FOUND

The report, made public today by the Office of Science and Technology, is an inch-and-a-half thick document containing preliminary findings of the effects of booms on people, animals and buildings.

While the report draws few simple conclusions, it indicates that 367 boom flights near Edwards Air Force Base, Calif., last summer and winter caused little or no physical harm to people, test structures or the 220,570 horses, cows, sheep, turkeys, chickens and pheasants in the area.

Annoyance, however, was another question. A summary of the report deals only with the relative annoyance of boom of differing intensities, and the relative annoyance of booms versus jet aircraft engine noise. These were main objectives of the tests.

But tabulations included in the report indicate that anywhere from one third to 98 per cent of the test subjects objected to booms in the 2.0 to 3.5-pound per square foot over-pressure range that superjets are expected to produce under the worst of circumstances.

Planes moving at more than 660 miles an hour, the speed of sound at high altitudes, compress the air into shock waves. The shock waves then trail along behind and beneath the plane and produce booming sounds as they strike the earth. The force at the ground, measured in pressure greater than atmospheric pressure, is referred to as over-pressure.

Normal atmospheric pressure is 2,117 pounds a square foot.

NOISE VARIES WIDELY

To the human ear the booms can sound as sharp as a rifle crack or as dull as the rumble of distant thunder, varying with size, shape, speed, altitude and maneuvers of the plane and with atmospheric conditions.

Over pressure caused by military planes can vary from nothing to more than 100 pounds a square foot—a level that observers have described as sounding like battlefield noise.

Superjet designers hope to keep booms produced by the passenger planes down to no more than 2.5 pounds. But atmospheric conditions can occasionally cause a focusing effect that doubles a boom's intensity.

The tests reported on today took place from June 3 to June 23, 1966, and from Oct. 31 of last year to Jan. 17 of this year. They involved 11 types of aircraft that made 367 supersonic and 261 subsonic flights near Edwards.

The air base is a test center for military and civilian aircraft. From early 1963 to mid-1966, these planes had produced 5,099 booms in the Edwards area.

TWO HUNDRED AND FIFTY-SIX TESTED EACH BOOM

For the boom tests, 393 adults were chosen as subjects from among the 50,000 residents of the area. For any one boom, 256 test subjects were stationed in test houses or outdoors and asked to record their reactions.

The preliminary conclusions indicate that booms sound worse outdoors than indoors, that walls of houses shut out jet aircraft engine noise better than they do booms, and that annoyance increases faster with increasingly bigger booms than it does with increasingly loud engine noise. Flights testing for engine noise were flown by subsonic aircraft representative of today's passenger airliners.

As an example of how booms can vary from plane to plane, those from the XB–70 research plane sounded worse indoors than outdoors, but booms from the B–58 bomber sounded worse outdoors than indoors, the report said.

Before the flights were made, 100,390 panes of window glass at Edwards were inspected. Of these, 669 were cracked and 25 broken or missing before the flights.

"During the test program, only three broken windows were reported that could be attributed to the test flights," the report said.

No complaints of glass damage to non residential buildings were received during the test program.

Fifty-seven damage complaints were made from the surrounding area and resulted in the filing of 19 damage claims.

These complaints alleged damage to glass, stucco, structures and bric-a-brac. Three per cent referred only to "bothersome noise."

Low-flying subsonic aircraft bothered animals more than the booms did, the report said.

"Furthermore, the reactions were of similar magnitude and nature to those resulting from flying paper, the presence of strange persons or other moving objects," the report said.

The researchers found no significant changes in animal production such as egg-laying but said that too few farms had been involved "to produce any conclusive evidence." They also said the four to eight booms a day normally heard around Edwards might have caused the animals "to have become considerably adapted to sonic booms prior to these tests."

Owners of a pheasant-breeding flock have filed a claim of a severe drop in egg production but "no significant changes in turkey egg production or feed consumption were apparent," the report said.

[From the Washington Post, Aug. 3, 1967]

SONIC BOOM TESTS FAIL TO WIN ANY BOOSTERS

(By David Hoffman)

Insofar as sonic booms are concerned, years of familiarity will not produce affection.

Heretofore, this conclusion was scorned by the experts. Yesterday, the Government published it after pelting 393 volunteers with 331 booms of wide-ranging intensity and studying the subjects' reactions.

Volunteers were split into two test groups—residents of Edwards Air Force Base, Calif., who had been exposed to four to eight booms per day for the past two years, and citizens of Redlands and Fontana, Calif., who were unfamiliar with the boom.

A delta-wing B–58 bomber laid down a boom of precisely the same strength expected from supersonic transports of the future. When outdoors, 33 per cent of the veteran boom-listeners called the shock wave irritating. The comparable figure in the novice group was 39 per cent.

When queried indoors, 27 per cent of the Edwards residents found booms of SST strength to be irritating. Among novices the figure climbed to 40 per cent.

Five types of supersonic military aircraft boomed the Air Force's highly instrumented, experimental village at Edwards AFB. Subjects reported no significant difference in the noxiousness of one plane's boom as opposed to the boom of another, so long as the booms were of equal strength.

It had been hoped that aircraft design refinements could render some booms less irritating than others, even at the same strength.

In setting a ceiling on the noise jetliners could make at local airports, the Port of New York Authority came up with a measurement called the "perceived noise decibel" or PNDB, which measures not just the intensity of sound but its subjective irritability. Jetliners operating through New York Port Authority airports cannot generate more than 112 PNDB.

Subjects unfamiliar with aircraft noises, when indoors, found the SST-strength booms as irritating as jetliner noise levels of 118 to 119 PNDB. Said the report: "Noises having these PNDB values would be generated on the ground directly under the flight path of a turbofan aircraft at an altitude of 300 or 600 feet."

The same group found the boom intolable when outdoors, while the Edwards AFB residents found it tolerable when inside or outside their "typical" test house.

TEXAS' CONSERVATION NEEDS, TREATED BY JUSTICE DOUGLAS, GIVEN PROMINENT PLACE IN LITERATURE ON THE SUBJECT

Mr. YARBOROUGH. Mr. President, on Thursday, July 27, the Christian Science Monitor published a review of three books which concern conservation, which included Justice William O. Douglas' "Farewell to Texas."

This book, which is sweeping the country with its vivid and compelling descriptions of the beauties of the Texas landscape, well deserves a foremost place among recent works of literature which deal with the conservation needs of this country.

Justice Douglas pleads eloquently for the preservation of the scenic woodlands of Texas and for their increased use by tourists and vacationers. The Big Thicket is an area that he takes special note of in his book. I have tried to insure the conservation of this natural wonderland by the introduction of legislation, S. 4, to make the Big Thicket a national park. Justice Douglas' love of wildlife and of the land help to make all who read "Farewell to Texas" realize how precious are our few remaining spots of untouched wilderness.

Mr. President, I ask unanimous consent that the article entitled "America the Beautiful: Exploited Landscapes," written by Donovan Richardson, of the Monitor, be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

"AMERICA THE BEAUTIFUL": EXPLOITED LANDSCAPES

("Another View of the City," by Russell Peterson, New York: McGraw-Hill, $6.50. "Farewell to Texas: A Vanishing Wilderness," by William O. Douglas. New York: McGraw-Hill. $6.95. "Moment in the Sun," by Robert and Leona Rienow. New York: The Dial Press. $6.)

(By Donovan Richardson)

In its own way each of these books is a plea for conservation. They point to the advantages of a more appreciative and helpful relationship with other living things and with the vast, intricately balanced natural forces we so heedlessly damage to our own hurt.

Russell Peterson's "Another View of the City" is simple, pleasant, and effective. For he succeeds admirably in helping us to share his knowledge and affection for the wild life around his home near Sandy Hook, New Jersey.

The title is a misnomer. The author is not really looking at the city. The fact that Manhattan's towers scrape part of his skyline does emphasize the resistance of wild things to the encroaching asphalt jungle. But it is animals, plants, and people Mr. Peterson is really looking at—and enabling us to view more sympathetically through his understanding eyes.

Whether dealing with spiders or whales, he enlists our interest. Among bits this reviewer recalls are the accounts of the "school for screech owls"; the distinction bald eagles made between old inhabitants and strangers, and the experiments with wasps (the author found 34 kinds near his barn).

SAVE TEXAS

"Farewell to Texas" is also a misleading title. Justice William O. Douglas is really introducing readers to Lone Star wildernesses and making an eloquent plea for their preservation.

The author says that the "field work" for this book took six years. One assumes he means parts of six years for he does have other occupations, such as sitting on a bench in Washington and exploring the Himalayas. Even so the reader marvels at the scope and acuity of his observations. Indeed in some cases the detailed lists of flora and fauna congeal what might have been a travel story.

This detail does carry authority, however. When Justice Douglas pleads for the preservation of Capote Falls or the Santa Elena Canyon, he speaks as one who knows and loves them. Readers for whom Texas spells boundless prairie will be surprised by the author's descriptions of dense forests, towering mountains, and gorges 2,000 feet deep. The areas covered include the Big Thicket, the Chisos and Guadalupe mountains, McKittrick Canyons, and the Big Bend.

The author says the "Bend" became a national park not because Texans were converted to conservation but because, after the land was overgrazed and the grass destroyed, owners were glad to be "bailed out" by the government. He rates Texas as the most backward state in conservation measures. His undiplomatic words may not endear him to Texans, but his purpose may be achieved if they turn Texan pride into active conservation of the natural treasures he describes.

"Moment in the Sun" is an even more debatable title. The book's thesis is that the American people "have already passed our zenith." In the last chapter the gloom is pierced by a suggestion that inevitable decline could be halted by a revolutionary change of attitude toward all fields of conservation. But the authors don't expect it.

Robert and Leona Rienow write from a sense of outrage, believing that "America the Beautiful" has been turned into "America the squalid." The record of heedless or greedy exploitation and waste is shocking. Air and water pollution are only the more obvious and disgraceful abuses. Deserts are being created daily by some road builders and by slaughter of the irreplaceable redwoods. Careless use of pesticides merits sharp warnings. But a good case can be weakened by overstatement.

"WATER STANDARD OF LIVING"

On water, for example, the authors say: "Our living standards in regard to our most precious natural resource, water, have deteriorated." As to quality this is true in many sections, although our grandmothers who had to catch "soft" water in rain barrels might demur. As to quantity it is glaringly untrue. The book itself says every American uses 26,000,000 tons in a lifetime. Restrictions here and there only underscore the new uses our generation enjoys. Was the "water standard of living" higher when hot showers, automatic washers, and backyard pools were unknown?

One hopes no reader will conclude that the authors are trying to convince him it is unsafe to eat. They often appear terrified themselves. Which is a pity for some of their concerns deserve more attention. They rightly challenge the assumptions that a baby boom automatically spells prosperity. They might well question their own assumption that population increases automatically spell disaster. One interesting question raised is how the United States (with one-fifteenth of the world's people) can comfortably continue to consume half of its total product—much of it imported.

One is glad that the Rienows are "biased for beauty" and have the discernment to cherish intangible values like privacy. But their book would be more useful if it offered more specific examples of constructive effort such as that of one brewing firm which in a single year recaptured more than 2,000,000 cans which otherwise might have littered the landscape. The Rienows have a strong message; it could have been presented more winningly.

NO TIME TO RAISE TAXES

Mr. PROXMIRE. Mr. President, I simply cannot agree with the President's proposal that we raise taxes now.

My disagreement with the President is entirely economic. When the economy is booming, when there are broad shortages of labor, when production is pressing hard against capacity—in such an inflationary situation a rise in taxes may be wise economic policy.

Under such circumstances, higher taxes slow the economy. They reduce income and prevent inflationary pressures.

But there is no economic case for a tax increase now.

The country should grow every year to keep our great and increasing resources of manpower, which is expanding at a million and a half a year, and of plant and equipment which have lately been growing at a 7-percent rate, occupied.

But what is the economic situation in America today? For almost a year, now, the American economy has been virtually standing still. Industrial production has actually declined since a year ago.

The great American economic upsurge between 1964 and 1966 was driven by an unprecedented expansion in capital goods production. In the past 6 months that expansion has not only stopped, it has declined.

And with the Nation's production now down to 85 percent of its capacity compared to 91 percent in January, the incentive to invest in plant and equipment has evaporated. Continued large inventories in relation to sales aggravate the problem.

We may face a capital goods recession. We certainly will get no stimulation from this sector that was mainly responsible for our past economic boom.

The tax increase proposed by the President is bound to slow down the kind of economic growth we vitally need now. Growth in real terms would have to reach 5 percent to give us reasonably full employment.

But the stagnant condition of the private sector suggests that growth may not even reach 4 percent for the rest of this year and the first part of next.

Hours of work per week in American factories is lower than it has been at any time in the past 6 years. Unemployment, while still relatively low, at 3.9 percent is too high and may go higher.

As for the size of the deficit, the President's tax proposal may be largely counterproductive. It will probably raise some additional revenue. But because it will tend to reduce corporate and personal income, the higher rates will yield little more in revenues.

To sum up, the President's tax increase is mistaken because it will slowdown the Nation's economic growth and by holding down business and personal income, it will raise little more in revenue—even with higher tax rates.

Mr. President, I ask unanimous consent to have printed in the Record a splendid editorial entitled "Must Taxes Be Raised?" which seriously and wisely questions the wisdom of the President's proposal, published in this morning's Washington Post; a remarkably perceptive and hard-hitting editorial entitled "Muddled Economic Priorities," published in the New York Times; and an emphatic and impressive editorial entitled "Taxes, the Promise of Failure," published in the Wall Street Journal.

There being no objection, the editorials were ordered to be printed in the Record, as follows:

Must Taxes Be Raised?

President Johnson's message calling for a 10 per cent surcharge on individual and corporate income taxes is a singularly unimpressive document, devoid of the sound reasoning and supporting evidence on which so important a fiscal proposal should be based. He argues that a failure to raise taxes will result in a "spiral of ruinous inflation," "brutally higher interest rates" and a "deterioration of our balance of payments." But aside from a $23.5 billion deficit and the obvious political consequences, the grim prospects envisioned by the President are more firmly anchored in rhetoric than in fact.

The specter of "ruinous" inflation presupposes an excessive demand for goods and services that will force prices up. But there is no reason to believe that excess demand pressures will in fact develop. In reviewing the budgetary figures, the President indicated that the deficit for fiscal 1968 will be $15.3 billion higher than anticipated. Of that increase $7 billion represents a shortfall of tax revenues that resulted from the slowdown in economic activity. None of the available evidence suggests that total demand is going to expand so sharply as to overheat the economy in the near future, and it is therefore difficult to share the President's concern over inflation or the balance of payments.

What about the threat of "brutally higher interest rates"? Here the analysis is complicated by the fact that business enterprises anticipating a repetition of last summer's monetary "crunch" are contracting bank loans far in excess of their needs. Interest rates consequently returned to the peak levels of last summer. But so long as the Federal Reserve authorities permit the stock of money to grow, there is no reason why the financing of the Government deficit should result in chaos or panic.

The Federal Reserve authorities argue assiduously that fiscal restraint is necessary to lighten burden on monetary policy. But their line of reasoning assumes an either/or choice between a highly expansionary monetary policy and the nearly ruinous restraint which they imposed upon the economy last summer when they reduced the stock of money. There is a middle ground in monetary policy, and Congress should not be blackmailed into reducing the after-tax income of the American people simply because the Federal Reserve authorities believe that it cannot be found.

There will be those who argue that a tax increase is necessary to finance both the war in Vietnam and the programs that seek to alleviate urban poverty and racial tensions. But the President did not pose that issue. Effective programs have yet to be formulated, and if feasible proposals were in fact ready, Congress would be in no mood to enact them.

Last October, when the Administration rammed through the unfortunate suspension of the investment-tax credit, it refused to present the Congress with an economic forecast on which its unfulfilled expectations of continuing inflationary pressures were based. Before Congress runs the risk of committing another fiscal error—and this one could be far more serious—it should demand a detailed economic forecast by the Council of Economic Advisers. Such an exercise would permit the public to decide whether taxes must be raised out of fear for inflation or the fear of a very large deficit.

Muddled Economic Priorities

President Johnson gave Congress dubious economic advice in yesterday's tax message. Neither his assessment of national priorities nor his prescription for economic health squares with the country's real needs in this anxious period.

Despite his assurance earlier this week that the country can afford to do all that is necessary on both the home and war fronts, Mr. Johnson's preoccupation with further escalation in Vietnam appears to have made him blind to the urgency of what Vice President Humphrey calls a Marshall Plan for the slums.

In assessing the economic situation, the President deserts the precepts of the "new economics" in favor of a potentially damaging concession to the orthodoxy of budget balance even at the risk of a business downturn and joblessness.

For most of 1967 the United States has suffered a high-level economic stagnation that forces substantial resources to stand idle. More than 15 per cent of the nation's manufacturing capacity was inactive in the spring quarter; industrial production in June was below the same level a year earlier and unemployment was at the highest rate in a year and a half. The impact of all this was acknowledged earlier this week by Secretary of Commerce Trowbridge when he reported that Federal statisticians have revised downward by several billion dollars their original estimate for the value of 1967 total national production.

Against this background of mini-recession, it is difficult to take seriously the specter of runaway inflation that the President sought to conjure up as partial justification for the tax increase. Not only is there no galloping rise in prices, but such price pressure as there is stems primarily from the breakdown—under White House mismanagement—of the Administration's wage guideposts, a factor that will certainly worsen as unions seek further wage gains to offset the pinch of higher taxes.

The real challenge to the nation, as the summer riots have made clear, is to end idleness and restore hope in the strife-ridden cities—the kind of program for which Mr. Humphrey appealed less than 24 hours before the President's message. "Whatever it will take to get the job done, we must be willing to pay the price," said the Vice President. But his words found no echo in the Johnson prescription.

The worst aspect of the tax increase the President proposes is that it may abort the chances for a second-half economic upsurge and thus defeat hopes for more jobs and fuller utilization of the nation's resources. A budget deficit of almost $10 billion in the last fiscal year did not produce full employment, and there is no certainty that even the larger deficit Mr. Johnson now predicts for this year will bring the country closer to that goal.

More serious are the President's arguments about the squeeze on the capital markets and the continuing balance of payments deficit. But other and more direct curbs could be employed to control those situations if the political courage were present. Moreover, the very large amount of corporate bond flotation in recent months raises the possibility that a significant portion of private capital demand originally estimated for the last months of 1967 has already been met.

It is understandable that the politician in President Johnson quails at the thought of campaigning next year with the albatross of a $20- or $25-billion budgetary deficit around his neck. But an even bigger albatross would be the explosion of much more of the social dynamite now stored in the concentrations of unemployed and bitter men in the ghettos of all the nation's major cities. His tax program provides no good answer to that danger.

Taxes: The Promise Failure

The President's tax message yesterday is a confession of failure past and a promise of failure to come.

The proposed increase—a whopping 10% on individuals and corporations, instead of the 6% talked of earlier—testifies to the Administration's inability to get Federal finances under control. Vietnam is offered as the main excuse, but in fact spending on all kinds of domestic programs has been rapidly rising as well; the Administration has adamantly refused to set the spending priorities obviously required by war.

In the process it has generated fresh inflation, itself a vicious form of taxation. It is producing prospective budget deficits of unacceptable proportions. Now, unwilling to restrain its own extravagance, it wants to grab still more of the people's hard-earned money.

Assuming Congress goes along (and it may not go all the way), will the tax boost work—that is, contain the deficits and curb the inflation?

There is no pretense at all that it will erase the red ink; Mr. Johnson himself calculates that this fiscal year's deficit would still be in the range of $15 billion to $18 billion. Such an enormous sum, coupled with the Government's easy-money policy, means that the prospects for inflation are good, even if business activity declines as a result of the tax increase.

Moreover, as these columns have previously observed, the Federal planners would almost certainly view higher taxes as a mandate for even higher spending. What they urgently need is discipline; what they would be getting is a license for a new binge.

The recommended "surcharges" are supposed to expire not quite two years hence, unless the Administration says it still needs the revenue. Unhappily, that is a likely upshot.

For just one consideration, but a big one, it seems most probable that defense spending will go up in the years ahead, even if Vietnam outlays decrease. Already the talk is of major increases for strategic weapons, lest Russia overtake us in that area; some officials also believe the U.S. will have to deploy an extremely costly anti-ballistic missile system.

If the Administration will not cut less essential spending in the face of such possible demands, the question is raised: How much more taxation can the people and industry stand without significantly interfering with their ability and willingness to produce?

We think Congress should finally assert some courage and insist on substantial spending reductions—and only then decide whether this tax is really necessary.

THE DOMESTICATION OF THE MUSK OX: AN ALASKAN PROJECT

Mr. GRUENING. Mr. President, an excellent article on the musk ox and the program to domesticate it being carried out at the University of Alaska under the direction of John Teal was published in the July 17 issue of Sports Illustrated. It is distressing to read in a subsequent article—July 24—that the Governing Council of Canada's Northwest Territories has announced it was considering offering hunters the opportunity to kill a musk ox and would charge them $4,000 for the privilege. Considering that this subsequent notice reveals that killing a musk ox would have "all the thrill of killing, say, a cow," this is a shocking piece of news. Let us hope that sportsmen will unite in protesting against this proposal.

Apart from its indecency, to renew the killing of musk ox is shortsighted, since the domesticated animal can be a substantial source of revenue because of the unique quality of its wool, as well as a means of employment.

I ask unanimous consent that the article entitled "The Golden Shmoo of the Barren Lands," written by Dolly Connelly, and a shorter article entitled "Headhunters" be printed in the RECORD.

There being no objection, the articles were ordered to be printed in the RECORD, as follows:

[From Sports Illustrated, July 17, 1967]

THE GOLDEN SHMOO OF THE BARREN LANDS

(By Dolly Connelly)

Last May, from the unlikely interior of the calving barns at the University of Alaska, there emerged seven bright-eyed, roly-poly hanks of hair that may someday be considered among the world's most important animals. They were the first results of a selective-breeding program designed to help the musk ox do for the north country what the Longhorn steer did for the American West a century before.

Not that anyone who has known and loved a musk ox—and the two conditions apparently are inseparable—would listen for a moment to comparison of his beast with the scrawny, ornery Longhorn. A musk ox smells good, tastes good, gives milk and loves to play games. But, most important of all, beneath the long, coarse, drab-brown hair that descends like chain mail from the pale saddle across their backs almost to their spatulate feet musk oxen carry an underwool finer than any other wool substance known in nature. And since they are capable of ingesting Arctic vegetation that any self-respecting reindeer or caribou would sniff at, the prairies stretching around the northern zones of the earth could support huge herds of them without ruffing the ecological balance of that rough yet fragile land.

In recent geological times, musk oxen ranged south at least to Kentucky on the North American continent and throughout Europe. While it is generally accepted that their pasturage shrank as they followed the retreat of ice northward during the last Ice Age, Vilhjalmur Stefansson blames their sharp decline in numbers on man and his thoughtless extermination of the herds. "Bows, arrows and spears were invented 20,000, 30,000 or 40,000 years ago," wrote Stefansson. "Ever since those days nearly every band of musk ox has in effect committed suicide by not fleeing but standing up against man to fight."

To passionate protectors of the earth's rare animals, these are among the most tragic words in Stefansson's long chronicles of life in the Arctic. When attacked, musk oxen form a rough circle of defense in the manner of a western wagon train threatened by Indians. Larger animals take up positions shoulder to shoulder on the perimeter, massive horned heads lowered to confront the enemy, with calves and yearlings buried within the protective ring. An individual animal will make a short, threatening sortie out of the circle and then promptly wriggle back into position, but rarely do the animals attack en masse, and they will run only if thoroughly alarmed. This circling strategy is a splendid defense against wolves, but a set-up for slaughter by man.

There is no sport in the killing of musk oxen, but in past years many "fearless" hunters returned to civilization with horrendous tales of attacks by "the world's most dangerous game animal." The musk ox, misnamed, misunderstood, maligned in a hundred fictitious stories delivered from the lectern, had no friends except a few who marveled at its magnificent adaptation to the Arctic prairies.

Musk ox range reached its low point in the last century. Whalers—Russian, Norwegian and American—wintering over in Arctic seas indulged in wanton slaughter, as much to relieve boredom as to obtain food, for they killed whole bands far in excess of need. As recently as the decade 1860 to 1870 the last native band of musk oxen in Alaska was exterminated in the vicinity of Point Hope. Canada's Banks Island is strewn as thickly with the bones of animals killed in the late 19th century as a Dakota prairie in the years of the buffalo slaughter.

I first saw a band of musk oxen move in flowing, fast gait, astonishingly graceful despite their short legs, through coarse, frozen tundra grass on a fog-shrouded island of the Bering Sea. Suddenly in dim winter twilight, like a forgotten vista of the Ice Age, they wheeled in clouds of self-generated steam and turned to study me. Years later I watched a young man named Terry Hall, herd manager of the musk ox breeding station at the University of Alaska, playfully haul a large bull across a snowy pasture on a sledge. Intensely curious, musk oxen will leap aboard any moving object—which led one of us to question just who was domesticating whom. This delightful incident was as incongruous as sighting a diplodocus at play in the backyard.

Like many other admirers of the musk ox, I have traced its dwindling natural range on the globe many times—the Arctic islands of extreme northern Canada, Peary Land to Scoresby Sound on the eastern coast of Greenland and the Canadian mainland at the game sanctuary created for it on the Thelon River west of Chesterfield Inlet on Hudson Bay. In 1930 this natural range was extended when the U.S. Fish and Wildlife Service captured wild musk ox calves and yearlings in Greenland and transplanted them first to Fairbanks and then to Nunivak Island off the coast of Alaska. Similar resettlements were made in Spitsbergen and in Norway. These little bands flourished, mostly because the habitats are free of wolves, their No. 1 enemy next to man, and the animals are now protected by international laws against slaughter and capture. The Nunivak herd—my own introduction to musk oxen—rapidly increased in 30 years from 33 animals to the current estimated population of 680.

In 1954, into this poignant picture of musk oxen surviving in remote huddles on the Arctic prairies there stepped the Institute of Northern Agricultural Research, a group of Arctic ecologists devoted to the domestication of both animals and plants for use in the northern economy. Concentration was on the musk ox in the belief that this great, shaggy, yoke-horned beast is best equipped to lead the northward march of civilization.

The name musk ox is absurd, for they are not oxen nor do they have musk glands. Having buried my face deep in the foot-thick shoulder wool of a damp musk ox and sniffed and sniffed, I can report that they smell only wet and wooly and faintly—but not offensively—of manure. Even the scientific name, *Ovibos moschatus* (musky sheep-cow), is a misnomer, as the musk ox probably is an ancient reminant that started off independently somewhere between the antelope and goat species. The Eskimos call it *oomingmak* (the bearded one) and know his wonderful underwool as *qiviut*.

Modern appreciation, dating from Stefansson's enthusiasm for the animal, is a complicated story now reaching marvelous culmination, the creation of a new economy for natives of the Canadian and Alaskan Arctic. The first inkling that this Ice Age mammal still existed on the northern tundra came three centuries ago when Arctic adventurers were astonished to see small clouds of gossamer blowing on the summer winds, a substance so light and silky that often it caught in shining sheets on dwarfed willow clumps growing in upper layers of soil over the permafrost. It was totally out of character with the environment, so much so that discoverers sought out the source of supply. They were astonished to learn that the wool substance was shed in sheets by a large, long-haired animal whose head was enclosed with heavy horns. Subsequently the literature of the time carried references to the strange "monster" that carried under its thick guard hairs an incredibly light wool drawn in long, silken strands.

It bore kinship to the extinct giant musk ox whose massive bones turn up now and again in the gold-dredging pools of Alaska and along the undercut banks of Arctic rivers. Bulls can weigh as much as half a ton and bear some superficial resemblance to the American bison.

The effort to domesticate the musk ox began in 1954 with the capture of three calves from the Thelon River Game Sanctuary in Canada's Northwest Territories under the auspices of the Institute of Northern Agricultural Research. The leader of this project was John J. Teal Jr., an anthropologist who heads up the institute and its cherished Project Musk Ox. The three babies were taken with tender care to Teal's own farm at Huntington Center, Vermont. They were gentled within a week, demonstrating an eagerness to establish good relations with their captors and to master the routine of American farm life.

The oxen did, however, distrust dogs. "Just after the oxen arrived our dogs came up to the fence," Teal says. "The musk oxen, whose natural enemy is the wolf, either saw through to the origin of that selective breeding or mistook the dogs for wolves. With great snorts the oxen dashed for me, stamping their feet on the ground, and formed a defense with me in the center. I knew then that I had been accepted."

Affectionate, playful, intelligent, these sup-

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posedly fearsome animals turned out to be sweetie pies of the animal kingdom. They opened gates, picked locks and pockets, played king of the mountain, playfully butted heads, leaned on visitors to induce blissful scratchings, went swimming in the farm pond with members of the Teal family and learned to answer to their names. Wirtes John Teal in the monthly bulletin of the institute: "Angnanguak, always known as Girlie, the first calf captured in the Northwest Territories, is about to enter her 14th year as the pioneer domestic musk ox at the Institute's farm in Vermont. Always affectionate and fond of petting, she has allowed herself to be milked in the open pastures. Her calf of 1962, Little Girl, is a giant female of splendid proportions, but has not yet been bred for lack of a proper bull. Meanwhile Little Girl is much enamored of a horse with which she grazes, standing flank to flank by the hour and exchanging friendly nips."

In 1964 the institute began establishment of the Alaska breeding station with captures from the wild herd on Nunivak Island. Financing is by grant from the W. K. Kellogg Foundation with land provided by the University of Alaska. Capturing proved a frustrating procedure, as the slightest approach to the animals produced an immediate circle of threatening horns, the young safely enclosed within the group. They defeated every trick tried on them, from corralling to forcing them into the sea. It was finally discovered that musk oxen are terrified of the downdraft of helicopters. A hovering aircraft scattered the circled animals in all directions. After that the roping was greatly simplified, and soon 31 young animals in their fetching hula skirts of hair—most of them juvenile females—were ruminating in the enclosures.

The great value to the northern economy lies in the qiviut, the golden fleece of the Arctic, which is shed annually at one swoop. Shearing is about as difficult as peeling off a sweater. Breaking away from the skin, qiviut works through the guard hairs. As it grows heavy and hot in warm weather, animals practically ask to be peeled, siding up for a good scratching. Each animal drops about six pounds of qiviut, compared to three ounces of pashm from the Cashmere goat. The fiber is similar to pashm but about twice as long and half as thick, and thus far silkier. It can be prepared with the same machinery used for cashmere. Four to eight ounces make a sweater. One pound of the precious stuff, worth at least $50, spun into 40-strand thread, makes a ball of thread 25 miles long. A knitter can keep busy for a long time with a quarter of a pound of qiviut yarn. Very strong, it will not shrink when scrubbed or even boiled, and it will take dye without loss of softness or of warmth. Garments woven or knitted of qiviut are so light that the wearer scarcely feels them, yet warming enough to keep the wearer cozy in temperatures well below zero. After all, qiviut keeps musk oxen contentedly chewing cuds at 60° below zero.

Some of the fiber goes into research, but most is being stockpiled toward a goal of 1,000 pounds—an adequate quantity for the first commercial use. At that time one of the many textile firms specializing in rare materials will be selected for processing and manufacture of garments.

The Institute of Northern Agricultural Research has now come through the first two of its major phases with musk oxen: maintenance of the pilot-study herd in Vermont, used for research in physiology, taxonomy, diseases, genetics, behavior and response to management; and the establishment of breeding stations where "seed" stock will be produced and management and other studies further pursued. The experimentation ultimately will be followed by the distribution of domesticated breeding stock to qualified individuals and organizations. Eskimo councils from northern Quebec to the coastal villages of Alaska, learning of Project Musk Ox apparently through "mukluk telegraph," have already requested breeding stock. This summer the institute hopes to establish its second breeding station in collaboration with the province of Quebec, using animals captured on Ellesmere Island, probably the richest remaining musk ox territory in proportion to area. The station would be near Fort Chimo on Ungava Bay in response to urgent petitions from Eskimo village councils of the region.

In nature, musk ox bands number from five to 100 or more animals. A nucleus herd in a northern village probably will number two or three bulls and six cows to the bull. But only when the breeding herds have been augmented by natural increase and further captures of calves—enough to spare the cadre for new domesticated herds—will the musk ox take its giant step out of the Ice Age and into the 20th Century economy.

Along with domestication of the animals, this fall the institute will begin the training of promising young Eskimos as herdsmen. Mrs. Lillian Schell, a graduate student at the University of Alaska, working for a Master of Fine Arts degree, is preparing herself to teach the subtleties of qiviut garment hand-manufacture to native women. An honor graduate of the New England School of Textiles, Mrs. Schell will be a key instructor in the new native industry. Points out John Teal: "The quest for qiviut may be the means by which man will open up the North for permanent settlement and will achieve that greater wisdom, the happy adjustment of economy and environment."

Careful preparation of the native settlements to receive the musk oxen is an integral part of the plan. Some earlier attempts to teach Eskimos to herd reindeer came a cropper when the Fish and Wildlife Service failed to take into account the hunter instinct of the Eskimo. As quickly as hopeful Fish and Wildlife men winged off into the blue, the Eskimos did what comes naturally. They ate the reindeer on the grounds that a sure reindeer in the belly is to be preferred to a possible calf in the spring. This will not happen with musk oxen, no matter how delicious their flesh may be.

In captivity, the calves will be weaned in three months, so that cows may be bred again in August, producing calves annually instead of every second year as they ordinarily do. Without straining the imagination, it is possible to foresee the Arctic prairie again populated with herds of musk oxen as it once must have been—not food for prehistoric man, but bearers now of a golden opportunity for a hard-pressed people.

[From Sports Illustrated, July 24, 1967]

Headhunters

The musk ox, that delightful Arctic beastie now being domesticated by the University of Alaska in the hope that its soft warm fleece will outcash cashmere and provide a steady source of revenue for Eskimos (SI, July 17), is being talked about in different quarters as a prize for big-game hunters.

Last week the governing council of Canada's Northwest Territories announced it was considering offering hunters the opportunity to kill musk ox at $4,000 a shaggy head. The cost would include an airplane charter, guides, shooting licenses and all the thrill of killing, say, a cow. "The musk ox is even easier to shoot than a cow," says one northern wildlife expert. "You can walk right up to them."

The Superintendent of Game for the Northwest Territories concedes, "It is no sport in the proper sense. There is no skill to it. The only skill required is to select the biggest animal. But we can capitalize on the musk ox because it is an extremely rare trophy. [None have been shot since 1917.] We already have applications from Germany to hunt them."

Advocates of the plan say that the Eskimos could make a profit of $1,500 on each musk ox shot. They would be the guides and outfitters for expeditions and would receive the headless carcasses.

The Territorial Council needs revenue, but there must be a better way to get its pound of flesh.

BILLY GRAHAM TELLS OF HIS SUPPORT FOR WAR ON POVERTY

Mr. YARBOROUGH. Mr. President, last June, Billy Graham told an audience of 200 Congressmen and leading businessmen that, although he had not spoken in Washington for over 17 years, either for or against a Government program, he had now "come to speak to various Congressmen in favor of the poverty program." Mr. Graham had recently completed a tour of poverty areas in the South.

I ask unanimous consent that an account of Billy Graham's views on the war on poverty, written by W. Barry Garrett and published in the Capital Baptist of June 22, 1967, be printed in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

Graham Says He's Been Converted on Poverty War

(By W. Barry Garrett)

Washington.—Billy Graham, world-renowned Southern Baptist evangelist, came to Capitol Hill here and proclaimed, "I am a convert" to the nation's war on poverty.

"This is the first time in 17 years," Graham said, "that I have come to Washington to speak for or against a government program." But now, he continued, "I have come to speak to various Congressmen in favor of the poverty program."

The evangelist addressed nearly 200 persons at a luncheon in the Rayburn House Office Building. Among those present were over 100 Congressmen, both Republicans and Democrats, and 45 of the nation's leading businessmen.

The business leadership advisory council, appointed by Sargent Shriver, director of the Office of Economic Opportunity, was in quarterly session. These business leaders advise Shriver on how to improve the poverty program and seek to enlist other business men in the interests of the Office of Economic Opportunity.

Graham came to the luncheon after a lengthy visit with President Lyndon B. Johnson at the White House. He was on his way to London for a long-standing engagement there.

Shriver explained that Graham's visit had no political significance, that it was an "accident" that he was in town at this time, and that "he just dropped in to have lunch with us."

The coincidence was that the evangelist's visit came at a time when both the Senate and the House of Representatives were holding hearings and considering renewal of the Economic Opportunity Act (War on Poverty).

Both the Office of Economic Opportunity and Shriver had been under heavy attack in recent weeks by Republicans and others who want to make changes in the program.

The immediate occasion of the luncheon was the showing of a film made three weeks earlier during a Shriver-Graham tour of poverty areas in North Carolina.

Graham was outspoken in defense of

Shriver whom he described as one of the most dedicated men in America. He was equally as enthusiastic about the War on Poverty.

Proclaiming that the War on Poverty should not be bogged down in partisan politics, Graham said that this is a national need that requires the action of government.

He said that there was a time when individuals and small groups could deliver themselves from poverty conditions. "But this is impossible now," he said, "and only by government action can we win the poverty war."

When the War on Poverty first began, he explained, "I was against it, but now I am for it."

The reason for his conversion, he said, was an intense study of the Bible on the subject of poverty coupled with a study of the program of the Office of Economic Opportunity.

Graham read Deuteronomy 15:7–11 to the Congressman and businessmen. This is a passage that commands care for the poor and needy. There are 175 more passages in the Bible, he said, that teach the same thing, making anti-poverty efforts a major teaching of the Bible.

Avowing close adherence to separation of church and state, the Baptist evangelist nevertheless said that there are many ways in which churches and government can and should work together to help eliminate poverty.

In an interview over Columbia Broadcasting System (CBS) television following the luncheon, Graham denied that his appearance on Capitol Hill was politically motivated and that he was not there by design to save the poverty program.

In the same interview Shriver was asked if he thought he and the poverty program would survive the Republican attack. He answered, "Yes."

"What makes you think so?"

"Votes," Shriver answered.

"Have you counted them?"

"Yes," he continued.

"Do you think that Billy Graham's visit to Washington will offset the recent attack on you and the poverty program by a North Carolina Congressman?", Shriver was asked.

"When it comes to a choice between one Congressman and Billy Graham, I will take Billy Graham," he replied.

WORLD BANK PLANS $150 MILLION BOND ISSUE IN THE UNITED STATES

Mr. SYMINGTON. Mr. President, in 1965, the Secretary of the Treasury gave his assurances that he would "examine all factors, including the effects on our own balance of payments," before approving future World Bank bond issues.

In that connection, it is interesting to note an article published in yesterday's Wall Street Journal, reporting that the International Bank of Reconstruction and Development—the World Bank—has announced that it will offer $150 million of bonds in the U.S. market.

This issuance has been approved despite the fact that, according to figures released by the Department of Commerce in June of this year, the first quarter balance of payments measured on the official reserve transactions basis was adverse by about $1,820 million, seasonally adjusted. This compares with an adverse figure of $20 million for the previous quarter and $440 million in the first quarter last year.

With mounting offshore military expenditures, especially those incident to our Armed Forces in Southeast Asia, it would seem that all possible measures should be taken to prevent our continuing unfavorable balance-of-payments position from becoming even worse.

I ask unanimous consent that the article entitled "World Bank Plans $150 Million Issue; U.S. Offering Is Slated for Week of August 21," be printed in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

World Bank Plans $150 Million Issue—U.S. Offering Is Slated for Week of August 21

New York.—The International Bank for Reconstruction and Development (World Bank) said it will offer in the U.S. $150 million of bonds. The offering is slated for the week of Aug. 21 and is to be made through underwriters headed by First Boston Corp. and Morgan Stanley & Co.

The bonds are to be nonredeemable for 10 years; institutional purchasers may order the bonds on a delayed-delivery basis.

The 105-nation organization, which helps finance investment in the less-developed nations, last went to the U.S. bond market March 14, when it sold $250 million of 5⅜% bonds in a negotiated transaction.

URBAN EMPLOYMENT OPPORTUNITIES ACT RECEIVES WIDE SUPPORT

Mr. YARBOROUGH. Mr. President, on Wednesday, July 12, 1967, the distinguished junior Senator from New York [Mr. Kennedy] introduced S. 2088, the Urban Employment Opportunities Act of 1968. The bill, which I am pleased to have cosponsored, provides incentives to enable private enterprise to start new industry in urban ghettos.

This program attacks the problem of urban poverty at its roots. Unemployment in the slums of America is three times the national average, and until the unfortunate victims of poverty can find jobs all the government relief projects in the world cannot bring these people out of their despair.

Businessmen are understandably hesitant to locate in the ghettos if they feel they can make a higher and more secure profit elsewhere. The bill attempts to solve this dilemma by allowing tax credits, liberalized depreciation provisions, and higher deductions for wages—provisions designed to give business the necessary incentives to hire and train slum dwellers and to locate industry in the ghettos. These incentives only go to businesses that open new plants in the ghettos and hire a substantial number of ghetto residents; thus they would not be permitted merely to transfer workers and remain under the provisions of the bill.

The Urban Employment Opportunities Act will pay for itself. It will save the taxpayer's money in two ways: First, the Government will gain new revenue from the income taxes of the new workers and through the other tax revenue that will come because of the increased prosperity of the area; and second, the poor who will be employed because of this act will be taken off the relief rolls.

Evidence of the bill's excellence is the wide support that S. 2088 has received from different quarters. The Dallas Morning News, a newspaper which is often hesitant to support new proposals of Federal assistance, in an editorial on July 14 came out in support of the cooperation between Government and private enterprise in this program, with special praise for the profit motive embodied in the bill. The News is one of many newspapers supporting this bill because it is the most practical method of alleviating the ever-growing problem of the urban ghetto.

I ask unanimous consent that the Dallas Morning News editorial of July 14 be printed in the Record.

There being no objection, the editorial was ordered to be printed in the Record, as follows:

Recruit the Experts

Robert Kennedy has proposed that the "great armies" of private enterprise be enlisted to build job-creating industries in ghetto areas. As an enlistment incentive, the senator would allow a tax break to those businessmen willing to locate in these areas and to train and hire the ghetto inhabitants.

Though this approach to the war against poverty has been opposed by the administration and organized labor, it is a promising alternative to present methods used by government. The private enterprise-incentive method realistically faces up to some home truths about the American economy.

First, the American war against poverty is not new, but has been going on since the first settlers arrived in this country, ready and willing to work to improve their own standard of living. In fighting their personal war against poverty, generations of Americans have raised themselves and their families—and their country—to the highest level of national prosperity ever seen. From the beginning this successful war against poverty has been fought primarily by private enterprise.

Today, despite the massive role of government in the economy, private enterprise remains the source of the people's prosperity and government's.

Businessmen, seeking a profit, have brought more economic benefits to their fellow citizens than all the altruistic government welfare plans combined. On the record, private enterprise has been far more successful at fighting poverty than any government.

Second, the main motive of free enterprise, as of most human endeavor, has been based on intelligent self-interest. Given an incentive to improve the lot of ourselves and our loved ones, we work harder and more effectively, whether we work as executives or production workers.

Businessmen who are willing to locate their plants and businesses in ghetto areas face some special problems and disadvantages. Allowing them to keep a larger share of what they would otherwise pay out in taxes would help to balance those disadvantages in the decision process of hardheaded businessmen, providing private incentive for doing a public good.

Business is the world's greatest poverty fighter; but, unlike government, it cannot survive on a diet of deficits. Though businessmen are as humane as bureaucrats, few see a service to humanity in selflessly going bankrupt.

Bluntly put, the quickest and best way to eliminate ghetto poverty is to allow free enterprise to make a profit in doing a job. This approach would benefit not only the businesses, but the ghetto inhabitants who get jobs and the opportunity to work their way up and out of the slums by their own efforts.

True, this doesn't ring with the noble and selfless phrases of public welfare plans. But our experience of the past three decades raises a question: Do we want an antipoverty program that sounds noble in theory or do we prefer one that works in helping people escape from poverty?

DR. BILLY GRAHAM ENDORSES WAR ON POVERTY

Mr. HARRIS. Mr. President, recently an outstanding spiritual leader came to Washington to announce to all that he is now a convert in support of the war on poverty—and that we all have a moral and spiritual responsibility as a people to attack this poverty problem with even greater vigor than we have thus far. The man who came is Dr. Billy Graham.

Dr. Graham, as we all know, is a world leader in attempting to show us our moral responsibilities in life. He is respected throughout our Nation as well as nations throughout the world. I think it is quite significant that a man of his stature would come to Washington to endorse the poverty program. He made a speech in which he pointed out that for 17 years in his career, leaders of our country, Senators, Representatives, Cabinet officials, and even Presidents have urged him to come forward to endorse a program. But he never has until now.

His reason for coming to Washington for the support of a program for the first time is simply that he sincerely believes that the poverty problem is indeed a moral question. It is a question of whether we will meet our responsibility in providing for our poor an opportunity to help themselves. Dr. Graham reveals that he has spent a considerable amount of time researching the Bible from Genesis to Revelation and he finds that it is one of our greatest teachings of the responsibility that we, as a people, have to the poor in our society.

Mr. President, a recent editorial published in the Pryor, Okla., Times, comments well and favorably on Dr. Graham's interest in the continuation of OEO's programs. I ask unanimous consent that it be printed in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

BILLY GRAHAM SPEAKS ON POVERTY

Last week Dr. Billy Graham of North Carolina met with a group of Congressional leaders and made a short talk. Which were inserted into the Congressional Record and, we think, deserve consideration;

I began to study a few months ago, the subject of poverty in the Bible. And I went through the entire Bible from Genesis to Revelation, and I got every passage in the Bible that had to do with our responsibility to the poor. And I was absolutely bowled over. I had never studied it, to my shame. And I found that it's one of the greatest teaching in the scriptures. That we have a responsibility as a church, as a society, as people to the poor in our area.

"If there be laws—this is one—the laws of God was laying down not only for Israel but for any nation . . . and here's one passage from Deuteronomy that Moses said: 'If there be among you a poor man who is one of thy brethred within any of thy gates in thy land which the Lord thy God giveth thee, thy shall not harden thy heart nor shut thine hand from thy poor brother. Thou shalt surely give unto him, and thine heart shall not be grieved.

"In other words, you're not going to lose by giving when 'Thou givest unto him because for this thing the Lord thy God shall bless thee in all thy affairs and all that thou puttest thy hands to. For the poor shall never cease out of the land."

"Now this is what Christ said. He said, the poor you're going to have with you all the time. He didn't commend it. He said, You're going to have them and you ought to do something about it. "Therefore, I command thee' . . . this is a command from God saying 'Thou shalt open thine hand wide unto thy brother, to the poor and to thy needy in the land.' I have 175 scriptures just like that from the scriptures. And they're not taken out of context either. . . . "Now, I go from city to city and I don't have to tell you we've got a time bomb in our cities, getting ready to go off and it's going off. And I think we have a responsibility. Now, I know that when they started this (poverty program), I was somewhat against it because of all the mistakes that were made and because of all I read about the Job Corps camp up in New Jersey. I got off on the wrong foot on this and I was critical.

"I am a convert. I believe that a lot of these problems have been ironed out and I believe we have a moral and spiritual responsibility as a people to attack this problem with even greater vigor than we have thus far. And if we don't, I think we're going to pay for it spiritually, morally and in every phase of our society.

"And one of the things that impressed me about what the Office of Economic Opportunity is doing—this is not a giveaway program—I thought it was until I began to look into it and study it a little bit. It's making people help themselves. It's giving them an opportunity, it's retraining.

"I visited the Job Corps camps and went to some of these places and I've seen what they're doing with some of these young people. A lot of people say, 'well, it's only for the Negroes.' Seventy-five percent of them are white. And they said it's for other groups, but it's for all Americans.

". . . I've never come up here (Washington) in 17 years of going up and down the country preaching and testified or spoken for anything like this before, and the reason I'm doing it is not because of my friendship with Sargent Shriver. It's because I believe it. It's not because of any friendship for the President. He's asked me to serve on, I guess, a dozen different things and I've said 'no'. Because I felt I didn't want to get involved in anything that could be considered partisan politics . . . I don't think the poverty program ought to be involved in politics. I don't think we ought to make a political football out of it.

". . . We were delighted to have (Shriver) down there (North Carolina) and one of the things that I appreciated was when we went back into those mountain coves, miles from anywhere, I wondered, how, how can Sargent Shriver, the brother-in-law of President Kennedy, a man that's known for affluency, how can he communicate with these people?

"He communicated. He knew how to talk their language and get right down with them. And I appreciate that. And so today, I've come up here to say 'God Bless you Sargent Shriver and God bless all those associated with you.'"

CAN WE AFFORD TO ECONOMIZE WITH OUR HEALTH?

Mr. YARBOROUGH. Mr. President, even in a country as blessed and opulent as ours, it is significant that our major resource is still the American people. And yet in comparison to the expenditure on conservation of our other natural resources, the expenditure on medical research and development is meager. The United States has been and continues to be the leading country in regard to medical research and development. Through its programs a great deal has been accomplished; many diseases have been completely eradicated and many others controlled. But even with these great advances much remains to be done. Annually thousands of productive man-hours are lost, many exceptional and potentially exceptional Americans lose their lives, and all to disease. These losses are tragic, not only from a humanitarian view but also from a national economic outlook, as many productive workers are reduced to a state of dependency. Yet even today medical research is less than 10 percent of the total research expenditures.

Dr. Michael De Bakey, Chairman of the President's Commission on Heart Disease, Cancer, and Stroke, and one of the world's eminent heart surgeons, points out the great potentialities and problems of medical research and development in an excellent article published in Medical World for June 2, 1967. I ask unanimous consent that the article be printed in the RECORD.

Dr. De Bakey's article illustrates the importance of Wednesday's Senate approval of $1,252,225,000 for the National Institutes of Health. This is an increase of $129,063,000 over the fiscal year 1967 appropriation.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

CAN WE AFFORD TO ECONOMIZE WITH OUR HEALTH?

(By Dr. Michael E. De Bakey)

The wealthiest nation in the history of the world, America has still not heeded Thomas Jefferson's admonition of almost two hundred years ago. "An attention to health," he said, "should take the place of every other object."

During the past half century, life expectancy of Americans has been extended from about 50 years to slightly more than 70 years, primarily as a result of the scientific conquest of major infectious diseases that were previously fatal. In cardiovascular disease, more progress has been made during the past 15 years than in all recorded history. Effective drugs have reduced the death rate from high blood pressure by 50% in the past decade. In cancer, researchers have made tremendous strides. In psychiatry, advances have been revolutionary.

All these and other near-miracles can be traced directly and exclusively to medical research, supported primarily by the National Institutes of Health. No other comparable expenditure of funds has yielded higher dividends in human happiness, productivity, and longevity.

But can we be satisfied with a job only started, when there is so much more to be done? We have still not uncovered some very basic questions about the human body. We still do not know, for example, why the heart beats, why blood clots, why some cells grow wild, or why some babies are born deformed. We do not even understand fully the mechanism of pain relief by one of the oldest and most widely used drugs—aspirin.

A recent cost-effectiveness analysis of expenditures for the medical sciences projected remarkable savings that would accrue if funds for medical diagnosis and research were increased. In arthritis, for example, an expenditure of less than $200 per person would extend by five years the income-producing lives of 13 million patients. The total national saving would $1.5 billion, for a benefit/cost ratio of 38 to 1; that is, for every dollar invested in improved diagnosis and control, $38 would accrue to our national economy.

Where can you find a better investment than this? In cancer of the uterus, one of the most common and most often fatal forms of this malignant disease, an investment of $119 million for early detection would prevent 34,000 deaths; for every dollar spent, $9 would accrue to the economy. The list could be extended indefinitely, to include elimination or minimization of venereal disease, automobile accidents, and other health hazards.

But reducing our appeal to the cold figures of benefit/cost ratios is alien to my philosophy as a physician. From a humanitarian standpoint, the physician wants to give every human being a fair chance to survive, and therefore to provide every patient with the maximum health benefits possible by current skills and knowledge.

What I am saying is, can we put a price tag on human life? What price should we assign to a drug that will arrest leukemia or prevent blindness in a child, or to an operation that will restore an invalid from heart disease to a normal, useful life? From a purely mercenary standpoint, it behooves us to remove as much of our population as possible from the ranks of the disabled and handicapped, where they constitute a tax burden, and place them among the productive and employable, where they contribute as taxpayers. But from a humanitarian standpoint, it is incumbent upon each of us to do everything we can to help every human being fulfill his potential, make a contribution to the world, and lead as comfortable, healthful, and happy a life as our skills and knowledge will permit.

Uninformed and prejudiced critics frequently quote the percentage increase in federal support for medical research in this country as justification for questioning current expenditures. Such statistics are misleading, in view of the fact that federal support for medical research was almost nonexistent before World War II and that any increase would thus seem deceptively great.

Not until 1942 did expenditures on all science reach $1 billion. The truth is that only about 3% of the gross national product will be spent on all forms of research and development this year, and only a small fraction of this (10%) to protect and maintain the health of the American people. Two thirds of the national expenditures will come from the federal government.

From 1950 to 1965, total expenditures (government, industry, private) for medical research rose only from 5.6% ($160 million) to 8.8% ($1.85 billion) of all research and development. Furthermore, the fact cannot be ignored that as medical knowledge expands, effective health care becomes more complex and more costly. Nor can the fact be ignored that improved health services prompt even greater expectations from the people. Meeting these expectations costs money.

The further truth is that one half of all research grant applications to the National Institute of Health are rejected by members of the reviewing advisory councils and study sections. And many of those that are scientifically approved and recommended to the Surgeon General are never activated because of insufficient appropriations for medical research.

Who knows if one of the inactivated research applications might not lead to a cure for cancer or some other disease? Like the risk of incarcerating or executing an innocent man, the risk of bypassing a worthy research project is too great for our society to afford.

Medical research, too, receives an insufficient fraction of the total cost of health to the nation. Of the $2 billion spent on medical R&D in 1966, the federal government spent $1.3 billion, or 64%. But this was still only 3% of the total cost of health.

The ratio of R&D to net sales in certain industries can be used for a rough comparison. In 1965, R&D was 8% of sales in the ethical drug industry, 9% in electrical equipment and communication, 28% in aircraft and missiles. In the "health industry" as a whole that year, R&D was only 4.5% of the total expenditure.

How can we claim leadership in health or criticize governmental expenditures for this purpose when 15 million Americans still suffer from rheumatic and arthritic diseases, 10 million from neurologic disorder, and nearly a million from cancer? If present rates continue, cancer will strike approximately 49 million Americans alive today.

Because of our double standard of medical care and the exorbitant costs to paying patients, physicians are usually consulted only for acute illnesses for which immediate relief is desired. However, a national health survey of people in the labor force during the year ending June 1962, indicated that 52% had one or more chronic conditions. More than half! Is this good health?

In my opinion, the only conclusion permitted is that any appropriation short of an all-out attack on disease and disability is far too modest. Even without further expansion of knowledge or technology, but with full application of current skills and knowledge, about half of those who now develop cancer could be saved—about 235,000 lives per year.

The question is not whether we can afford to spend the money to accomplish this end, but whether we can afford not to.

HONORS TO THE MAYOR OF PITTSBURGH AND THE MAYOR OF PHILADELPHIA, PA.

Mr. CLARK. Mr. President, it is a great pleasure to note the recent elections of James Barr, mayor of Pittsburgh, to the presidency of the National Conference of Mayors, and of James Tate, mayor of Philadelphia, to the presidency of the National League of Cities.

It is a great honor to the State of Pennsylvania and to the cities of Pittsburgh and Philadelphia that these two gentlemen have been chosen, in a time of unprecedented urban crisis in our country, to head these two important national organizations. It is a much deserved tribute, as well, to Joe Barr and Jim Tate, who have shown exceptional foresight and imagination in the administration and redevelopment of their cities.

I am confident that Mayor Barr and Mayor Tate will bring to their new responsibilities the bold and challenging leadership which has distinguished their service to Pittsburgh and Philadelphia. Their elections augur well for a meaningful and constructive dialog among the leaders of our cities and for a renewed and more effective assault on the urban problems so critical to the well-being of country.

TWENTIETH ANNIVERSARY OF DOWNTOWN AIR PARK, OKLAHOMA CITY

Mr. HARRIS. Mr. President, Hon. Alan S. Boyd, Secretary of Transportation, recently spoke in Oklahoma City on the occasion of the 20th anniversary of the Downtown Air Park there. He delivered an excellent and useful address and in the process gave some much-deserved recognition to my distinguished senior colleague [Mr. MONRONEY].

I ask unanimous consent that the address by Secretary Boyd be printed in the RECORD.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

REMARKS BY THE HONORABLE ALAN S. BOYD, SECRETARY OF TRANSPORTATION, ON THE OCCASION OF "ALAN BOYD DAY" IN OKLAHOMA AND THE 20TH ANNIVERSARY OF THE DOWNTOWN AIRPARK, AT THE DOWNTOWN AIRPARK, OKLAHOMA CITY, OKLA., THURSDAY, JUNE 29, 1967

I am delighted to be here today in a city that ranks, in so many respects, as one of the most remarkable in America.

It is, for one thing, the home of Senator Mike Monroney—and there just isn't a more able and effective advocate of aviation progress or of the interests of his home state and his country.

As you know, the Federal Aviation Administration, which is the largest unit within the Department of Transportation, has been charged by Congress with the responsibility for air safety. I know of no Senator or Member of Congress who is more responsible for the great air safety record we have had in the last decade than Mike Monroney. I know he will continue to advocate the reforms and the dollars that will make air travel even safer in the future. The FAA also is responsible for airport construction. There are literally hundreds of communities in the United States that can thank Mike Monroney that they now enjoy either scheduled airline service where they did not have it before or enjoy a far better scheduled service because of the great support that this senator has given to the airport construction program.

Mike's interest in progress hasn't stopped with aviation. For twenty years, he has been a champion of efforts to strengthen the voice of the people in their government through Congress. This year, that effort is producing a new program of computer research that will give Congress faster access to the facts they need to make judgments on what government must do and how well it is doing it.

He is leading the campaign to take postmasters out of politics and to put the Post Office on a sound, businesslike footing.

This is a great Senator and a good friend of mine and this country.

I understand that Oklahoma City spreads out over more square miles of land than any other city in the country. Having just come from one of the more cramped and crowded corners of the nation—the so-called Northeast Corridor that runs from Boston to Richmond—I can't tell you how good it feels to enjoy all the breathing space, the elbow room—and the generous hospitality—that you offer.

I would not be surprised to find out that you've carved out for yourselves—on a proportional basis—more square miles of air than any other city in the country. You have, besides this Airpark, three municipal airports. You house the Aeronautical Center of the Federal Aviation Administration. You make airplanes and airplane parts. You offer a variety of excellent aviation services. Nearby Tinker Air Force Base couldn't ask for a better neighbor. And an out-of-stater and Federal bureaucrat like myself couldn't ask for a better host.

I much appreciate your considerable kindness in giving me a "Day," but I have at least one lingering doubt. Most "Days" I've heard about have been held for some illustrious athlete or other whose day is almost, if not already, done. I'm afaird I'm neither so illustrious or so old—and in recent years I haven't had much time for athletics.

As a matter of fact, let's explore my "day."

The editor of one of the country's leading transportation magazines recently spent some time reviewing the records on transportation of the last five presidents of the United States. And this is what he found:

President Johnson, he wrote, "has made more public utterances—and more incisive and analytical ones—about transportation than any other president of this nation."

The President has not only said more, he has done more. And the Department of Transportation is just one result of his concern that we respond to the challenge of growth and mobility with "new institutions, new programs of research, new efforts to make our vehicles safe as well as swift."

That is why—for the first time in its history—the United States is making a coordinated effort to maintain its total system of transportation as the best in the world.

And that is why I am here today.

I join you in honoring the industry and imagination that not only built this Airpark when its chances of survival seemed slim, but stayed with it year after year and have made it, on this the threshold of its twentieth anniversary, a strong and stable enterprise.

That basically, is the story of this Airpark—a story which Mr. Amis has so concisely and cogently recounted. But it is not the whole story. For this Airpark is an outstanding—but not isolated—example of the great role that private investment and private effort are playing in the continued growth of American aviation.

At the end of last year the nation had 9,673 airports. Over three-fifths of these were privately owned.

Last year the 300 airports with FAA traffic towers handled a total of about forty-five million operations—a 19 percent increase over 1965. These are impressive figures. Far more impressive is the fact that general aviation aircraft accounted for 75 percent of these operations—and that total general aviation operations at these fields grew by 27 percent over the year before.

And we have every reason to expect that general aviation will exhibit this same kind of growth in the decade ahead. Today, we have about 100,000 general aviation aircraft. Our current estimate is that ten years from now we will have 180,000 of these aircraft—and that 8,000 of them will be turbine-powered. But judging by the way we have to keep revising our forecasts upwards—so great has been our aviation growth—the actual figures may very well be far higher than these.

These figures make one simple and important point: private flying and private aviation investment will continue to occupy a prominent place—indeed, a more and more prominent place—in our aviation picture.

And that is the way we want it. But, at the same time, we cannot forget that general aviation does not account for the whole aviation picture—which includes our fleet of great commercial airliners, the great cities and the vast public they serve, and the extensive facilities they require to accommodate them as well as the people and products they carry.

In our large metropolitan areas, airport congestion has become a serious—sometimes an acute—problem. Crowded airports, runways, airlanes, access and exit routes—these mean delay, often intolerable delay, for passengers and products, and greater danger for pilots and passengers.

Already, the so-called "stretched" jets are entering the airlanes. In a few years, the "jumbo" jets will join our commercial fleet. And in eight years the Supersonic Transport will begin service.

So it doesn't take an expert to understand that we will have our hands full over the next ten years—even if we try to do nothing more than to keep things from getting worse. And I'm sure there isn't one of who wouldn't insist that we do a lot more than that.

Sometimes, when we talk about the potential for aviation growth, we like to say the sky is the limit. But the sky is not the limit. The ground is.

The human world may seem small and insignificant from an altitude of, say, 20,000 feet, but it is the people below—their desires and needs, their cities and communities—that air travel, like any other form of transportation, serves. Air flights begin and end on the ground—and their main purpose is to move people and products more swiftly than any other means from one point on the ground to another.

I emphasize this obvious point because I think we can no longer afford to overlook or ignore it—as sometimes we have in the past.

We can no longer become so absorbed by the awesome aircraft we build that we forget to build the airports that must accommodate them and the people and the products they carry.

And when we build airports we can no longer afford to get so involved in trying to accommodate the planes that we forget that airports, like planes and roads and houses, are mainly supposed to accommodate people—people who need adequate access roads that will take them to and from the airport without undue delay, and who need nothing less than a home incessantly serenaded by the sound of aircraft overhead.

I do not mean, for a second, to diminish the truly phenomenal accomplishments we have made in aviation over recent years. They have earned us the envy and admiration of the world.

But in the years ahead our margin for error will be far less, and the price of failure far greater, than in the past.

The basic pattern of air travel will not radically alter. Our large urban areas will grow larger, and the volume of air traffic between these areas will grow greater and more complex. That means it is going to be more and more difficult, and more and more important, to provide adequate ground facilities.

No ground facilities will be adequate that ignore the needs of the people and communities they serve.

One of our biggest needs in the decade ahead will be for more and better airports to handle the large growth we expect in general aviation. Undoubtedly in some of our major urban areas Federal funds will be required to help build some of these airports.

But I very much hope that the vast majority of these airports will be the product of the same kind of private enterprise in the public interest that has made this Airpark possible.

In aviation, as in all other forms of transportation, a major part of my job is to encourage private effort and private initiative in meeting the nation's needs. I intend to do so everywhere and anywhere I can.

In the meantime, I join with you in celebrating the Twentieth Anniversary of this Downtown Airpark—to the vision and the courage that started it, sustained it, and made it succeed.

OUR POLITICAL INTERVENTION IN THE CONGO

Mr. FULBRIGHT. Mr. President, the recent dispatch by the U.S. Government of three C–130 transport planes to the Congo was not so much a prelude to what might have become a new military intervention, as an indication of the steps our Government is willing to take to protect our already massive involvement in the internal politics of that nation.

Our political intervention has increased over the years, and while the covert activities of our officials have been sharply reduced, our Embassy still maintains a most intimate relationship with the rulers of the National Government. This has contributed to difficulties encountered by our past two Ambassadors, both of whom left the country in a less than cordial atmosphere. Our political interests far surpass any strategic or commercial value we might place in that country, and recent developments might find us in a position of defending political commitments which do not necessarily relate to our national security.

An article written by Henry Tanner and published in the New York Times of August 3, 1967, aptly portrays the scope of American involvement at the present time. I ask unanimous consent that the article be printed in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

Kinshasa, the Congo, August 2.—No other nation, not even Belgium, is as deeply involved in the Congo as is the United States.

The American involvement here goes back to 1960 when, shortly before the downfall of Patrice Lumumba, the first Premier, the Soviet Union tried to turn the Congo into a Soviet outpost in Africa. American influence on President Joseph Kasavubu was instrumental in getting the Soviet and Czechoslovak embassies evicted.

Since then the Soviet Union has made no serious attempt to turn the Congo into a cold-war battlefield. The Soviet Embassy later reopened, and it closed again some three years ago. Now Soviet-Congolese negotiations are once more under way and informed sources predict that fairly soon the Soviet Union will open an embassy again.

The American commitment, meanwhile, remained. Over the years both the embassy and the Central Intelligence Agency have taken a hand in shaping things here.

For instance, the agency financed and organized a company called Wigmo, an acronym for Western International Ground Maintenance Organization, which was incorporated in Liechtenstein. The company's task was to look after the planes used by the Congolese armies and the mercenaries in the fight against the left-wing rebels in Eastern Province.

The pilots who flew the planes, mostly Cubans, also were recruited and paid through C.I.A. channels.

Over the last two years the covert part of American activities here is understood to have been sharply reduced.

Wigmo is no longer financed by the United States, but by the Congolese Government instead. The last Cuban pilots have left. And C.I.A. money which, in the early years, found its way into the pockets of local politicians, is no longer flowing.

But the American influence is still predominant. Embassy officials are in almost constant touch with the President and key Cabinet ministers. Neither the Belgians nor the French have comparable access. Often, therefore, Belgian grievances are being presented to the Congolese by American diplomats.

What has happened, in a sense, is that the United States and Belgium divide the role that the former colonial powers, such as France, normally played alone in their colonies.

The Belgian part is being played by more than 1,000 teachers, some 1,700 technical-assistance workers and several thousand other technicians and by the Belgian community at large—planters, missionaries and businessmen of all kinds. There are 40,000 to 50,000 Belgians in the country.

However, it is the United States rather than the Belgian Government that provides the strategic support, advice and political influence and bears the biggest part of the burden of financial aid.

Annual American financial assistance averages $50-million, which is used for imports of industrial machinery, trucks, chemicals and textiles for an economy that is kept running mainly by the Belgian business community.

This division of labor between American "strategic support" and Belgian "presence" has been working well on the official level. Individual Belgians often find it hard to take. A Belgian company manager who spent most of his life here may be prepared to ask for the American Embassy's help in dealing with a Congolese minister but he finds it galling to do so.

The popular Belgian view is that nothing can happen here without the approval of the Americans, and the Americans are often blamed, therefore, for everything from nationalization of Union Miniére du Haut-Katanga, the mining company, on down.

American and Belgian interests, of course, are different here.

The Belgians, with their large comunity, their families and investments, need a Congo that is not completely "congolized."

American policies according to United States officials, are aimed at making it possible for the Belgian community to stay, because without the Belgians the economy would collapse.

But, unlike the Belgians, the United States could let the Congo find her own level, if need be. The United States has no American community and almost no investments to protect. It is giving aid to the Congolese, not the European community, and its stake in the country would remain even if Europeans could no longer live here with their families.

But the exercise of American power has often been frustrating.

All of the first three United States Ambassadors were in difficulty when they left: The first, Clare H. Timberlake, because he clashed with the United Nations; the second, Edmund A. Gullion, because the Congolese felt that he was giving too much support to the United Nations, and the third, George McMurtrie Godley 2d, because American policy required him to give General Mobutu advice he did not want.

U.S. POSITION STRONG

The new Ambassador, Robert H. McBride, who arrived just before the revolt of the mercenaries, is keeping his fingers crossed.

Just now the American position here is extremely strong, thanks in part to the three Air Force C–130 transports that were sent to give the Congolese Army logistical support against the mercenaries in the fighting last month.

There are potential weaknesses, however. The Americans are lonely here. As the Belgians and other Western powers reduce their commitments to the Congo, the American involvement becomes relatively greater and deeper.

Second, the American position became more brittle and vulnerable when General Mobutu moved into the Presidency. One European diplomat calls the general "the last card" of the United States in the Congo.

The general always had American support. From 1960 to November, 1965, he was the power-behind-the-power, ready to move in, if necessary, while President Kasavubu and his successive Premiers also had United States backing.

Now, General Mobutu is in power, and there is no visible alternative or successor.

THE WAR ON POVERTY—A COMPASSIONATE PROGRAM

Mr. HARRIS. Mr. President, I am proud to invite the attention of Senators to an editorial published recently in the Tulsa, Okla., Eagle. Citing the success of war on poverty programs in the Tulsa area, the editorial rightly stresses the important progress that can be made when government is responsive to the needs and aspirations of a local community. We can be especially proud that in the Tulsa area our economically disadvantaged fellow citizens are actively involved in the process by which they may achieve self-sufficiency. As the editorial says:

> Under their own initiative they are holding their neighborhood councils together, pinpointing their needs, promoting projects on their own to better their way of life and voicing their minds in no uncertain terms on decisions being made which affect their welfare.

I was happy to see that the same editorial highlighted a recent column by Roscoe Drummond, who said:

> The Nation as a whole has come to accept the war on poverty as one of the most compassionate, humane and intelligent programs of the Johnson administration.

The Office of Economic Opportunity and the community action program in Tulsa are to be congratulated for the success story described in the editorial. I ask unanimous consent that it be printed in the Record.

There being no objection, the editorial was ordered to be printed in the Record, as follows:

[From the Tulsa (Okla.) Eagle, June 8, 1967]

The People's Eyes Are Opening

The columnist, Roscoe Drummond, in one of his columns in the Tulsa Daily World, makes four significant statements in his discussion on the war on poverty.

They read: "The American people are making no mistake in giving their strong support to the war on poverty.

"Voters are 60 per cent behind the war on poverty and want it continued or expanded, the Harris survey shows.

"Public support has been growing steadily for the last seven months. The nation as a whole has come to accept the war on poverty as one of the most compassionate, humane and intelligent programs of the Johnson Administration."

Assuming that this columnist's observations are correct, it is safe to assume that the change in attitude toward government help and the use of federal funds to help eliminate poverty and the attendant evils, is proof again that if we give the people light they will find their way.

This truth was never more evident than in the transformation which is taking place among the rank and file of the citizens of Tulsa.

The Community Action program in Tulsa got off to a slow start because of conflicting ideas about how and who was to wage the war against poverty in our area. But now the lines are drawn, the policies clear and the objectives well defined.

The Economic Opportunity program is designed to do three things: first educate and train the unemployed and the under-employed; second, provide employment for the unemployed and thirdly, provide that all Americans shall live in decency and with dignity. And these aims are not to be achieved for the economically disadvantaged, but with them, by them and through them.

It is gratifying to note that there is a representative sized hard core of citizens in Tulsa, living in the target areas, who understand this and are beginning to insist that this is the way its going to be.

Under their own initiative they are holding their neighborhood councils together, pinpointing their needs, promoting projects on their own to better their way of life and voicing their minds in no uncertain terms on decisions being made which affect their welfare.

But the healthiest thing about this growing cohesion among the rank and file is that they are no longer listening to the familiar voices which used to speak for them.

Those fearful voices which have always been afraid of change and have always pictured government as something to be feared. Their eyes are open, and they know that the only thing they need fear is fear itself; that government not only is not something to be feared in our democracy, but something to be cherished, something to be collaborated with and when the people see it so, the dream of a nation of the people, by the people and for the people will be closer to reality than anyone would have thought.

MILWAUKEE AVERTS A MAJOR TRAGEDY

Mr. NELSON. Mr. President, during the past week the city of Milwaukee faced the same serious threat to law and order that has affected scores of communities throughout the United States during this tragic summer of 1967.

When violence first erupted last Sunday night it appeared that Milwaukee was destined to suffer the same fate as other large cities that were devastated by riots. But in Milwaukee this did not come to pass. The police and National Guard took firm and effective action that averted a major riot on the scale of Detroit and many other cities. Their job was more effective than that of any other group of law enforcement officers this summer.

The major credit for leadership in Milwaukee's success in dealing with this explosive situation is due to Mayor Henry Maier. Fifteen months ago Mayor Maier formulated a plan to deal with any eventual disorder. He had determined exactly what steps the city would take and when trouble began the plan was placed into action. A curfew was imposed, and each and every city official knew what he was to do. This plan averted what threatened to be a major riot.

But the underlying causes and conditions that brought about the violence still exist. In a statement in today's New York Times, Mayor Maier eloquently states the case for our cities. The major cities throughout the United States are in a state of deterioration and decay. Inner cores have become massive ghettos, filled with poverty-stricken Negroes. The cities do not have the resources necessary to rebuild and restructure their societies.

The conditions of the cities are a national disgrace and a national responsibility. Mayor Maier writes:

> The nation can no longer afford not to provide immediate resources needed by the central city.

I ask unanimous consent that the statement of Mayor Maier be printed in the Record.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

A STATEMENT OF CONCERN ABOUT THE CRISIS OF OUR CITIES

(By Henry W. Maier, mayor of Milwaukee, Wis.)

Across the country, the symptoms of the deep-rooted problems of the central city are flaring to attention. The tragedy, the wanton waste, the rubbled destruction are horrible enough.

It will be a tragedy compounded if the nation does not resolve to face the problems of the central city. It will be a tragedy if the nation does not carry out its resolve even after the embers have cooled.

Central city mayors have long been calling attention to the plight of the central city—too much poverty, too much blight, and fast-dwindling resources—all rubbed raw by fiscal and social isolation within the affluent metropolitan area.

With the limited resources at their command, central city mayors are fighting these problems. Now, as never before, they need the commitment of all truly concerned citizens to help win the resources needed to find lasting solutions to these urgent problems.

The need for this commitment was stressed by a group of some 30 central city mayors at a meeting with the President last October. The words of the policy statement I presented then as spokesman for the group carries an even greater urgency today: "The nation needs a national commitment to achieve a rebirth of our cities. A commitment was made to put a man on the moon by 1970 and we have reordered our national priorities and set aside the funds to see that the goal is accomplished. We must now make a similar commitment to . . . our cities."

Now, as never before, the central cities of America need the full resources of the federal government, of their states, and of their metropolitan areas to prevent them from becoming urban wastelands.

The crisis of the central city is no longer a "creeping crisis." It is a fact of life in this summer of 1967. Less than complete national attention to this crisis is only a postponement of any change for the better.

"That does not mean," the St. Louis Post-Dispatch said the other day, "merely a few more crumbs from the table, a grudging reform or two. What is needed is a basic reorientation of American society, as drastic and as revolutionary as the infection which challenges it."

This will require a drastic reallocation of our national resources to help build the central city. Piddling pennies will no longer do the job and the central city simply does not have the money it needs.

The flight of the middle class from the central city lessens the ability of the central city to pay the freight, and, in turn, causes further flight. As the Milwaukee *Journal* said in a distinguished series of editorials entitled "The Central City Blues": *The vicious circle is inescapable under the kinds of governmental and tax arrangements that persist here. No matter how much the city struggles, it can't break itself loose."*

Indeed, one of the greatest contributions to inequality in urban life is the social and fiscal segregation of the central city from the more affluent metropolitan area. Each metropolitan area is divided into two cities—the outer city of the comfortable and well off, and the inner city of the poor. Can there be any future for the American metropolis unless the walls between the two come tumbling down?

The 1966 U.S. Conference of Mayors took note of this major inequality in a resolution which asked both the state and federal governments to pass legislation to help provide a remedy.

The mayors asked Congress to condition federal grants for community facilities—such as sewage and water systems, park spaces, and hospitals—on the provision that a reasonable share of low and middle income housing be included in the building and zoning codes of all municipalities applying for such grants.

Federal aids to education, the resolution said, should require some responsiveness to pupil exchanges or other measures designed to reduce the social and economic stratification now prevalent between city and suburban school systems.

It also called for a revision of FHA and other home financing policies to favor and encourage the building of low and middle income housing in all municipalities of metropolitan areas.

The U.S. Conference resolution urged state governments to remove all features of state financial aid which aggravate differences in local fiscal capacity or which encourage the proliferation of local governments in metropolitan areas, and to encourage metropolitan zoning so as to permit a wide range of housing prices throughout metropolitan areas.

These actions would help to break down the artificial walls that encircle the central city within our metropolitan areas.

But more than this, the central cities need a greater share of national resources. President Johnson has worked harder to solve the problems of central cities than any other president in history. He, like every mayor, inherited ancient deep-seated problems at the precipitous stage. His innovative programs can help make great inroads into our plight if they are given the necessary funds. Now there is an urgent need to carry out these and other programs on an all-out scale.

This time of concern should be a time of commitment to the fight for the central city . . . a time for the long-overdue massive infusion of federal and state funds needed to translate that concern into action which will treat and cure the hard core economic and social ills which blight not only the life of the central city but also the fabric of American society.

This fight for resources must be won. Then, can we find workable, permanent solutions to such pervasive city-crippling problems as crime, poor housing, poor education and chronic joblessness.

The nation can no longer afford *not* to provide immediately the resources needed by the central city.

RETIREMENT AND THE INDIVIDUAL

Mr. WILLIAMS of New Jersey. Mr. President, the University of Michigan each year calls its Annual Conference on Aging. This year, the participants celebrated the 20th birthday of the conferences, and I was privileged to take part and to report on the activities of the Senate Committee on Aging, of which I am chairman.

Much of the credit for the high repute of the conference must be given to Dr. Wilma Donahue, director of the Institute of Gerontology at the university. Dr. Donahue, as we on the Senate Committee on Aging know so well, is a forceful, knowledgeable, and creative leader in all causes related to aging and the aged. She is eminently deserving of the many tributes paid to her at the conference, including a very moving presentation by members of her own staff.

The conference was noteworthy, too, because it provided a platform for a report on the activities of a new unit of the Committee on Aging, the Subcommittee on Retirement and the Individual. That subcommittee began its work in Washington, D.C., on June 7 and 8 with hearings that deservedly attracted widespread attention. The able subcommittee chairman, the Senator from Minnesota [Mr. MONDALE], was both accurate and challenging when he said that the Nation is faced by a "retirement revolution" which will increase geometrically as the retirement age continues to go down while the number of years of life increases. The witnesses he called in June and again last week at a hearing in Ann Arbor have already given weighty substantiation to the Senator's observations. He is to be congratulated not only for recognizing the importance of the mission assigned to his subcommittee, but also for his effectiveness in awakening the Nation to the need for new directions in our thinking and actions on matters related to retirement, present and future.

Mr. President, Senator MONDALE's address to the 20th Annual Conference on Aging of the University of Michigan expresses the goals of his subcommittee and the need for national attention to those goals. It is a document worthy of careful study by all Americans who believe that the later years of life should be rewarding to society and to each individual who enters retirement. I ask unanimous consent that it be printed in the RECORD.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

RETIREMENT AND THE INDIVIDUAL

(Address by U.S. Senator WALTER F. MONDALE, chairman, Subcommittee on Retirement and the Individual U.S. Senate Special Committee on Aging, 20th Annual Conference on Aging, University of Michigan, Ann Arbor, Mich., July 26, 1967)

I am most honored to have been asked to help conclude your 20th Annual Conference on Aging. This annual conference has become one of the most important institutions in the field of aging, and I would like to begin today by paying my respects to Dr. Wilma Donahue who, I understand, has convened 19 of the 20 annual conferences and who has been the moving force in bringing the University of Michigan Annual Conference on Aging to its present pinnacle of prestige and importance. The people of this country—especially the aged—owe you a debt of gratitude, Wilma.

As you know, the Subcommittee on Retirement and the Individual is just beginning its studies. The committee was created earlier this year; our first hearings were held just over a month ago; and our second hearing will be held here in Ann Arbor today with many of the participants in this conference appearing as witnesses.

So you can see I have come here not only to speak to you, but more importantly to listen to you—and I would like to invite you all to stay on for the hearing if at all possible. We are planning to use a Town Meeting format for part of the hearing, so even though you may not be scheduled as a witness, I can promise that you will have an opportunity to rebut my remarks here this morning.

I have been asked to speak today on the subject of "retirement and the individual." This new subcommittee of the Senate Special Committee on Aging was created because of concern that the non-material aspects of retirement and aging were being neglected in our efforts to meet the important material problems of income, health care, and housing.

And it was established because of growing evidence that we are in the midst of a retirement revolution involving significant and far-reaching changes in both the nature and dimensions of retirement. Our first hearing—plus the statements which many of you have submitted to us—have confirmed that we are indeed in the midst of what can only be described as a revolution in retirement.

You are already aware of the trends and broad outlines of this revolution, but most Americans unfortunately are not. Both the number of retired individuals and the number of years they live in retirement have been increasing and will continue to increase in the years ahead. Automation, technology, and other forces are itensifying the pressure for earlier retirement, while Medicare and continuing medical advances are not only stretching life expectancy but producing greater youthfulness at ages we now regard as advanced.

Thus we are approaching a point where the average person will be spending nearly as much time in retirement as he now spends on the job and where nearly half of his life will be spent off the job.

Dr. Juanita Kreps, Professor of Economics at Duke University, whom I am sure many of you know, gave testimony at our first hearing which dramatically illustrates some of the revolutionary and exciting choices which we will be able to make in the years ahead.

She points out that assuming no change in our present work system—that is, a 40-hour week and a 49-week work year—that our Gross National Product at projected rates of growth would be over $1.5 trillion by 1985, or about two and a third (2⅓) times its present level. This would mean that despite population increases, per capita GNP would rise from $3,181 to $5,802—an increase of 80%.

She then points out that if we were to decide to hold per capita GNP constant at $3,181 and take this growth in productivity in the form of leisure time, we would be able to reduce the work-week to 22 hours, or we would be able to reduce the work-year to 27 weeks, or we could lower retirement age to 38 years, or we would be able to keep half of the total labor force in retraining.

We will not, I am sure, use this fabulous economic growth in any single way alone, but rather in a combination of ways involving shorter work-week, shorter work-year, retraining, and earlier retirement. But I think it is most important that we realize that this revolution is here and is coming on at a rapid rate, and that we realize the options open to us and try to plan reasonable and logically so that we make decisions which will enrich the lives of all of us.

Accompanying this economic miracle is a medical miracle which was most dramatically illustrated by Dr. August Kinzel. Based on the rate of anticipated progress in biology, he predicted that by 1980 the man of 65 to 75 years of age who has availed himself of what is offered will have the health and vigor of a man 45 to 55 years of age and that he would retain much of this vigor until he dies when, like the old one horse shay, he will fall apart all at once. Dr. Kinzel also went out on a limb to predict in 100 to 200 years, we would be able to prolong life indefinitely with death occurring only by accident.

I'm not too sure how desirable immortality might be, but we don't have to worry about it anyway. We do, however have to concern ourselves with the ramifications of constantly improving health in retirement and new medical and biological break-throughs.

As I noted in my statement opening our hearings last month, these trends and changes present us with new challenges and pose the question as to how ready we are for the retirement revolution.

The hearings made it abundantly clear that we are not ready in several areas.

We are certainly not ready in terms of income. Virtually every single witness emphasized the inadequacy of present income levels and the need to increase them significantly.

Nor are we ready in terms of our attitudes. Our attitudes toward retirement are showing their age—they are based on a time when a man of 60 or 65 really was an old man—and I think it is clear that we must work to revamp them.

And we are not ready in terms of understanding the subtle, yet profound, changes with which the individual must cope when he retires—voluntarily or otherwise—from his job in this work-oriented society of ours. There is a tendency to downgrade those who are no longer engaged in productive labor, and as a result, retirement to many becomes a time of being shunted aside and being made to feel useless, indeed, even worthless.

It is ironic, I think, that we refer to retirement as a problem. For through history, one of man's cherished dreams has been the elimination of heavy labor and perpetual toil. Now that industrialization and the rapid advance of technology is making this dream come true, we find ourselves feeling uncomfortable and uneasy and guilty about free time.

We find we don't know how to use our free time. We find that too much of our education is simply vocational training, education designed to prepare for a job. And one of the main points made by witnesses in our first hearing was the growing need for education for life off the job and acceptance of a philosophy that will enable us to bring about such education.

Another major point made by witnesses before the committee was the need for more educational opportunities, especially in mid-career. Secretary Gardner was most eloquent on the need for opportunities for the individual to return to school in order to renew himself, and other witnesses stressed the fact of educational obsolescence in our rapidly changing society.

They noted that for most retirees their last formal education was 40 to 45 years earlier and may no longer be very relevant to the world as it is today. Thus we have a growing need not only to give people an opportunity to go back to school, but also to motivate them to take advantage of this opportunity, to make them realize that they have to keep up with the changing world.

And while I am aware that many states have struck out boldly in this direction, I would still pose the question: What are your schools and state universities doing to make room for the middle aged adult who may end up on the scrap heap unless he is given the opportunity to return to school for a year or so in his 30's and 40's.

And particularly important is the need to make the individual himself aware of this need. For one of the things with which I am most impressed is that there is little awareness of the impact that our economic and medical miracles are having on retirement. There is, in fact, a tendency to avoid thinking about retirement until it is upon us. Again, this goes to the heart of the problem, for failure to prepare for retirement is like allowing a child to grow to the age of 20 without schooling or training and then expecting him to be able to find a decent job and make a satisfactory adjustment in the work-a-day world.

We must, I believe, begin recognizing retirement for what it is: a separate and distinct phase of life which may last from 20 to 25 years before a person can be considered as entering old age. And we must realize that there is a great and growing need for earlier awareness and consideration of the realities of retirement, the explosion of leisure time, and the potentialities of the retirement revolution, so that those who are dissatisfied or bored with their present role will realize that they can change their lives and that they have a whole lifetime ahead of them when they retire.

And we must expand pre-retirement preparation and counseling. The opinion on this issue is unanimous: namely, that efforts at all levels are totally inadequate to the need. What pre-retirement preparation does exist seems to consist mainly of consideration of the economic aspects of retirement.

There is little, if any, thought given to preparing people for the sociological and health aspects of retirement. Too many retirees are totally unprepared for the loss of job status that occurs when they retire and end up as victims of what physicians call retirement shock. To them retirement becomes a time of personal crisis and despair, a time of emptiness and depression.

For others it becomes a time of serious health problems. Yet research indicates that preoccupation of older people with their health problems concentrates primarily on minor ailments. They will go to the doctor with minor symptoms such as stomach ache and fever but not for symptoms indicative of a major illness, such as a pain in the head or chest, shortness of breath or fatigue. Apparently they either fear the worst and don't want to hear the bad news, or else they don't recognize the symptom as serious. Thus there is a growing need to make people aware of the symptoms of possible serious illnesses, of problems of which they may be unaware, and to describe to them the probable consequences that personal habits such as excessive smoking, drinking, eating, lack of exercise will have in their retirement years.

In short, we need preventive educational and medical programs at an earlier age to identify the habits which will impair health in retirement.

What this all adds up to, I believe, is the need to institutionalize some sort of a mid-career pause. During this time, the individual could stop to take stock of his personal health and his social and job status, to determine what is important in his life, to reflect on where he has been and where he is going next, to consider a change in career, and to begin thinking about what he is going to do when he retires.

The problems of retirement are problems which reflect a serious lack of understanding, both on the part of society and the individual himself. And until we begin to understand the challenges and opportunities involved in earlier retirement, longer life, more free time and better health in old age, our efforts will go for naught.

Thus, I would hope we can elevate the non-material needs of older people to the level of concern we have for their material needs. We have been able to make progress in the areas of health care, housing and income because we have been able to focus attention on the need and gain public acceptance for our goals. I would hope that we can now do the same with the problems of retirement adjustment fulfillment.

President Kennedy set forth our goal with his comment: "It is not enough to add new years to life; our objective must be to add new life to those years."

THE FEDERAL HOUSING ADMINISTRATION

Mr. MONDALE. Mr. President, over the past few days I have noted with interest the quixotic turns which can be provided by the application of the adage that there are two sides to every question.

One side maintains that the Federal Housing Administration is too conservative and should be more liberal. The other says it is too liberal and should be more conservative.

I want to assure you I am not attempting to destroy the value of a treasured old adage. I do want to suggest, however, that the FHA does not have the philosophical dexterity to occupy both positions.

It is, after all, carrying out the programs given it by Congress. Congress has made the laws, and in doing so has decided the degrees of risk FHA should take in handling the several housing programs.

Within the framework of congressional intent there usually remains—and rightly so—some latitude, but not enough to measure up to the ambivalence suggested by the critics.

An article published in the July 7, 1967, edition of the New York Times describes the situation, and gives a report on the reaction of the FHA. An article published in the July 7, 1967, edition of the Atlanta Journal and an editorial from the July 10, 1967, edition of the Atlanta Constitution report on how FHA, working with private industry, is providing housing for low and moderate income families.

Mr. President, I ask unanimous consent that these articles and editorials be printed in the RECORD.

There being no objection, the items were ordered to be printed in the RECORD, as follows:

[From the New York Times, July 7, 1967]

SENATE PANEL CHARGES FHA ERRORS

(By Robert B. Semple, Jr.)

WASHINGTON, July 6.—A Congressional subcommittee has charged that $1.3-billion worth of housing projects insured by the Federal Government is in financial difficulty.

The charges, which were vigorously disputed today by high Administration officials, were contained in a 59-page report circulated this week by the Permanent Subcommittee on Investigations of the Senate Government Operations Committee.

The subcommittee chairman is Senator John L. McClellan, Democrat of Arkansas.

The essence of the report is that the Federal Housing Administration, either through mismanagement or imprudence, approved insurance on loans to projects that were economically unsound and doomed to foreclosure, thus wasting the taxpayers' money.

The essence of the Administration's retort is that the subcommittee's allegations are inaccurate, greatly exaggerating the extent of F.H.A.'s difficulties, and that they reflect what one official called a serious misunderstanding of the purpose of the agency's programs.

The subcommittee report says that of $5.8-billion worth of projects insured by the agency under six separate "multifamily" programs, about $1.3-billion worth is in trouble.

Under the subcommittee's definition of "financial difficulty," a project is considered in trouble when the property has been foreclosed and taken over by the F.H.A., when the mortgage is in default or has been turned over by a commercial lending institution to the agency, or when the mortgage has been "modified" by the agency to permit deferred payments on the loan or some other liberalization of the original terms.

In an interview Philip N. Brownstein, F.H.A. Commissioner, protested this definition, much as he had during testimony before the subcommittee.

He said that "modification agreements" were part of the agency's standard operating procedure, especially during a project's early phases when construction had not been completed or when the owner had not had enough time to rent his units to tenants.

He said that if the subcommittee had not counted the projects with such agreements, its figures on the number of projects "in difficulty" would have dwindled by almost three-fourths.

PHILOSOPHY REJECTED

But what has disturbed agency officials most is not the subcommittee's statistical findings but its implicit rejection of the philosophy behind some of their programs.

The report concentrated almost exclusively on the agency's so-called 220 multifamily program, under which the Government issues mortgage insurance for apartments to be constructed in urban renewal areas.

It said that nearly 40 per cent of the mortgages under the 220 program were "in difficulty" and recommended that the agency pay more attention to the "economic soundness" of a 220 project before insuring it.

In reply, agency officials say that Congress, in the 1954 Housing Act, clearly intended the 220 program to be a "high risk" program for low income urban renewal areas and deliberately omitted strict requirements for "economic soundness" so that the agency would feel free to insure mortgages in such areas.

They also contend that many major urban renewal programs in the country would never have succeeded without this freedom and that if Congress wants to change the law it should first consider whether it wants to sacrifice the social aims of the 220 program to economic soundness.

Housing officials observed that for years the agency had been accused of being a "mortgage banking" agency without a "social conscience," more interested in preventing defaults than in helping the poor.

"Now," one official said, "the subcommittee is trying to make less adventurous the main instrument we have for helping rebuild rundown areas of the city."

In effect, they say, the agency is being judged by a double standard.

Senator Robert F. Kennedy, New York Democrat, as well as many academic critics, continue to accuse the agency of excess caution and unwillingness to insure loans for housing in deteriorating areas. The subcommittee is accusing it of too much exuberance.

The feeling among housing officials is that the social content of the agency's programs should be preserved at all costs.

In any case, as one official put it, they would be pleased if Congress "made up its mind and delivered us from this ambiguity."

[From the Atlanta Constitution,
July 10, 1967]

HAPPY HOUSING EXAMPLE

Atlanta's efforts to provide decent housing for low and moderate income families got an important boost last week with approval of a 208-unit, $2.3 million complex in the Atlanta University area.

The development means more than just 208 more units. For the first time, a major private corporation is providing the seed money under the federal 221–d–3 program.

Celotex Corp., a major building supplies manufacturer, has taken responsibility for the design, financing and construction of the project. Upon its completion, the Friendship Baptist Church will assume ownership as nonprofit sponsor. Actual costs will be refunded by the federal government.

In ceremonies announcing the winning proposal, Celotex officials called on other corporations to join the effort to improve urban housing. "Government alone cannot do the job," sail James W. Kynes, assistant to the president.

He observed that although a few large corporations have become involved in rehabilitation of slum dwellings, "big capital, as a whole, has been notable by its absence" from 221–d–3 urban renewal projects.

The project will be built on urban renewal land at Mitchell Street and Northside Drive. There will be one-, two-, and three-bedroom apartments, town houses, laundry units and a community building. The area will be extensively landscaped. Rentals will range from $72.50 for a one-bedroom unit to $92.50 for three.

The Atlanta Housing Authority set a fixed price on the 13 acres of land for the project. The winning submission was judged on such factors as rents, quality, convenience, recreation facilities and landscaping. Mayor Ivan Allen said all seven proposals were of high quality.

It is of particular historic interest that Friendship Baptist Church should be sponsor. It is 105 years old, the oldest Negro congregation in the city. It has a long association with the schools of the Atlanta University complex. Its pastor, the Rev. Samuel Williams, is a leader in the Negro community.

We agree with the mayor that Celotex has demonstrated a "very high sense of public responsibility," and hope that other corporations will follow its example.

[From the Atlanta Journal, July 7, 1967]

APARTMENT PACT SIGNED FOR ATLANTA U. CENTER

Atlanta's University Center Urban Redevelopment program has reached its final stage of planning with the Celotex Corp. joining with the Atlanta Housing Authority in contract-signing ceremonies at the AHA office here.

Celotex purchased a 13.5 acre site in the University Center area from the AHA to develop a 208-unit apartment house project for low and moderate income families. Cost of the total development was estimated at $2.3 million at the Thursday meeting.

The development, to be located at Northside Drive and Mitchell Street, will be financed under the Federal Housing Administration's 221(d)(3) urban redevelopment program.

The Friendship Baptist Church of Atlanta has been named nonprofit sponsor of the program and will assume ownership of the apartment community upon its completion.

Celotex, a Tampa-based national building materials manufacturer, will be responsible for the design, financing and construction of the project.

Celotex was one of six companies submitting proposals to AHA.

Under the Celotex proposal, the development will consist of 208 garden apartment and town house units, situated and buffered from adjoining commercial, light industrial and highway areas to create a community or neighborhood entity. A community building and common green will be provided.

The units will consist of 34 one-bedroom units, 95 two-bedroom units, 30 three-bedroom units, 49 town houses, four laundry units and a community building.

The design team selected by Celotex for the project is composed of J. N. Smith, design critic and administrative assistant at the Georgia Institute of Technology, architect; Dr. D. A. Polychrone, former head of the School of Architecture at Auburn University, engineer; E. L. Daugherty, considered one of the outstanding landscape architects in the Southeast, landscape architect.

In congratulating Celotex for its selection as the developer of the project, Atlanta Mayor Ivan Allen said, "This marks an important new step toward meeting Atlanta's housing needs in that one of the largest building material manufacturers in the nation is entering this field for the first time. In so doing the Celotex Corp. is demonstrating a very high sense of public responsibility."

EQUAL OPPORTUNITY IN EMPLOYMENT

Mr. CLARK. Mr. President, just a few hours ago at the White House, in the course of the swearing-in ceremonies for the new Chairman of the Equal Employment Opportunity Commission, Mr. Clifford L. Alexander, President Johnson forcefully and eloquently renewed the commitment of the present administration to the goal of genuine equality of opportunity in employment. The President said:

> We are all equal before God. We are equal in the eyes of the law. If I have anything to do with it in this country, we are all going to be equal in seeking a job.

As chairman of the Subcommittee on Employment, Manpower, and Poverty, which has now favorably reported President Johnson's legislative proposals in the field of equal employment opportunity, I enthusiastically endorse the President's statement.

I ask unanimous consent that the President's remarks be printed in the Record.

There being no objection, the remarks were ordered to be printed in the Record, as follows:

Remarks of the President at the Swearing in of Clifford L. Alexander as Chairman of the Equal Employment Opportunity Commission, August 4, 1967

Mr. Alexander and family, Judge Higginbotham, distinguished Members of the Cabinet, Members of the Congress, distinguished guests:

It was a little over three years ago that we met here in the East Room to sign the Civil Rights Act of 1964.

That historic achievement was the product of the very long and soul-searching debate. It was a very proud victory—and it was a bipartisan one. An overwhelming majority of the Republicans as well as the Democrats had voted for this measure in the Congress of the United States.

In signing the bill, I said:

"That purpose of the law is simple.

"It does not restrict the freedom of any American, so long as he respects the rights of others.

"It does not give special treatment to any citizen.

"It does say the only limit to a man's hope for happiness, and for the future of his children, shall be his own ability."

To say this is merely to reaffirm the original promise of what we call the American system. We are a nation that is founded on the belief that the greatest achievement of the human spirit is to live up to one's opportunities—to make the very most of one's resources.

We have come here this morning and are about to swear in a new Chairman for the Equal Employment Opportunity Commission of this government. This Commission—like the Civil Rights Act that created it—exists for one reason, because millions of Americans are still barred from full participation in the American dream.

The doors to opportunities most of us take for granted seem to remain closed to them. Some are barred because they are of the "wrong" religion . . . or because their parents came from the "wrong" country . . . or because they are the "wrong" sex. But above all, avenues to achievement remain closed to millions of our countrymen because they are of the "wrong" color.

Yet if we Americans, with all our differences, share one fundamental, bedrock proposition, it is this: there is among us no such thing as a "wrong" religion or a "wrong" nationality. There is among us no one with the "wrong" color. We are all equal before God. We are equal in the eyes of the law. If I have anything to do with it in this country, we are all going to be equal in seeking a job.

I do not believe there is anyone in the United States who is better qualified to achieve that goal for this government than Clifford Alexander. He knows what prejudice is. He has endured it himself—and he has fought it with every resource at his command.

He has been an outstanding student of the law. He served in our Army. He served as Assistant District Attorney for New York City. He led one of that city's successful programs for slum rehabilitation. He helped to discover new ways to help the children of the slums.

Cliff Alexander joined the Government in 1963. He came here as a Foreign Affairs Officer of the National Security Council. A year later he became one of my own assistants. For more than three years now he has given his President, and his country a wise and creative counsel that belied his years.

We are reluctant to see him do any work except work at the White House—though we know that we will always use his counsel in the critical days ahead—and there may be a good bit of them here at the White House. We seem to attract crises sometimes.

In Cliff Alexander, the country gains an able and devoted public servant in a place where a man of his understanding and where a man of his commitment is needed a great deal right now.

The Commission is in sure and skillful hands. It is above all I think in just and determined hands. My friend, Cliff, you will leave with our gratitude—and you set forth in your new mission with our admiration, with our confidence and our trust.

Thank you very much.

THE FIGHTING IN VIETNAM

Mr. FULBRIGHT. Mr. President, the August 4 issue of the New York Times carried an article by Tom Buckley from Saigon, reporting that more than 2,000 marines have been killed in action and more than 14,000 wounded in combat since the first of the year; that "in many respects, the initiative in the I Corps area, the five northernmost Provinces of South Vietnam, appears to have passed to the enemy"; that "the pacification program has all but collapsed"; that "the Marines are relatively short of tanks" and are handicapped by a "lack of helicopters"; and that "the 22 Marine infantry battalions are markedly understrength, some by as much as 50 percent."

On the same page of the same newspaper, there appears an interview with Lt. Gen. Lewis W. Walt, until recently Marine commander in Vietnam, commenting on Mr. Buckley's report. In the interview, General Walt was quoted as saying that "the North Vietnamese have been reduced to staging occasional ambushes along the buffer strip and harassing Marine positions there with artillery and mortar fire in an attempt to win psychological victories to offset their military failures"; that Marine battalions "have not been worn down to 50 percent strength" but are "at 95 percent strength"; that not 2,000 but "1,875 marines have been killed in all of I Corps since the beginning of the year"; that "the Marines had plenty of tanks in Vietnam"; and that he "never lacked for helicopters to move troops in a combat situation."

I ask unanimous consent that the full text of both articles be printed in the Record.

There being no objection, the items were ordered to be printed in the Record, as follows:

[From the New York Times, Aug. 4, 1967]

Saigon, South Vietnam, August 3.—Early in July, an exhausted Marine infantryman—a survivor of an ambush near the demilitarized zone in which nearly 100 of his companions were killed and more than 200 were wounded—shook his head and said, "Man, we need help." Last Saturday, a Marine battalion was ambushed under similar circumstances in the demilitarized zone. Twenty-three Marines were killed and 191 were wounded. By official count, more than 2,000 Marines have been killed and more than 14,000 have been wounded in combat since the first of the year, about 40 per cent of all American casualties in Vietnam during the same period.

This total of 16,000 casualties is the equivalent of 16 full-strength infantry battalions. The Marines have 22 battalions in Vietnam.

It is understood on good authority that about 10,000 of the Marine losses have been incurred in fighting in or near the demilitarized zone.

Marine commanders have reported killing four or five times as many North Vietnamese, but these reports—like those of the Army—are no longer taken seriously by observers who have visited battlefields and talked with survivors.

The North Vietnamese Army's ability to wage war does not seem to have been impaired. It continues to elude Marine searches. When it is ready, it strikes with savage effectiveness.

SHIFT IN INITIATIVE SEEN

In many respects, the intiative in the I Corps area, the five northernmost provinces of South Vietnam, appears to have passed to the enemy.

As this has happened, civilian officials acknowledge that the pacification program has all but collapsed. The South Vietnamese Army has been unable to protect the so-called revolutionary-development teams, or provincial towns and cities such as Hoian, Quangtri and Hue, from raids.

The Marines, some civilian and military observers believe, have failed to contain the enemy threat. Why?

From official sources, it is difficult to get anything but assurances that the war along the border is going well, but that another Marine division or so would make it go better.

Observations over several months, conversations with officers and men in the field and with experts in other branches of the armed forces suggest that, while manpower is unquestionably a major problem, there are serious shortcomings in Marine equipment, tactics and command flexibility.

The Marines are shock troops. They have displayed their courage again and again in Vietnam, most recently when they suffered 1,000 casualties in the repeated frontal assaults in late April and early May on North Vietnamese positions on the hills near Khesanh.

Unlike the Japanese on the Pacific islands in World War II, who had nowhere else to go, the north Vietnamese fight as long as it seems profitable, inflict as many casualties as they can and then drift away.

The Marines, specialists in amphibious assaults, continue to stage these complex operations, complete with naval bombardments, even though they rarely make contact with the enemy in these assaults.

In short, knowledgeable sources say, the Vietnamese war is different from the Marines' past engagements and the war, it is said, has changed radically in the last year. As more and more North Vietnamese units have joined the struggle the war has lost something of its guerrilla character without becoming entirely conventional.

Like the Vietcong, the North Vietnamese are skilled at night movement, concealment and ambush. But they are better armed and better led than the Vietcong and, for the most part, they fight within a few days' march of relatively safe bases north of the Benhai River. They employ artillery, mortars and rockets with great skill, shifting them rapidly among hundreds of sturdy, well-camouflaged emplacements.

Marine field commanders agree that they are handicapped by a shortage of ready reserves and by a lack of helicopters to move them quickly to battle areas.

The helicopter has become indispensable for quickly transporting troops and supplies, evacuating the wounded and, fitted with machine guns and rockets, for providing close support for embattled ground troops. The two Marine divisions have about 200 helicopters. The seven Army divisions have 1,700.

The Marine helicopters are mostly obsolete reciprocating-engine Sikorsky H-34's, no match in speed, lifting capacity or trouble-free operation for the Army's turbine-engine UH-1's.

NOT ENOUGH TANKS

Although the terrain near the eastern half of the demilitarized zone is fairly level and open, the Marines are relatively short of tanks, which could exploit it, and lack fast and maneuverable armored personnel carriers.

In addition, the Marines were the last combat men to get the new M-16 rifle. The light-weight, rapid-fire weapons were issued to units near the demilitarized zone just before the battle of Khesanh in April.

The Marines did not get a chance to familiarize themselves with the M-16 and were plagued with malfunctions.

Men in the field indicate that two items of special equipment have proved disappointing.

The first, the Howtar—a 4.2-inch mortar mounted on a wheeled carriage—can only be loaded by a tall man standing on a box, they say. The second, the Ontos—six 105-mm. recoilless rifles mounted on a tracked vehicle—is said to be difficult to operate and serve quickly.

It is understood on good authority that the heavy casualties of the last seven months were largely unanticipated by Marine commanders.

UNITS ARE UNDERSTRENGTH

Since it takes about four months to schedule and move replacements from United States training camps to the war zone, the 22 Marine infantry battalions are markedly understrength, some by as much as 50 per cent, and are likely to remain so. Rear area troops, such as military policemen, have already been transferred to the infantry.

Both the Marines and the Army appear to have abandoned in practice their doctrine that guerrillas are best opposed by using their own tactics against them. Small-unit commanders acknowledge that night operations are seldom undertaken. In both ambushes, the Marines were moving down a road surrounded by thickets, apparently without adequate flank security.

As the quality of the enemy and his weapons has improved, the penalties for errors of judgment have increased. The Marines' 13-month tour of duty here, while a month longer than the Army's, gives junior officers and noncommissioned officers barely enough time to learn the practical skills required for survival, in the view of experts.

The Marine command, led by Lieut. Gen. Robert E. Cushman Jr., who succeeded Lieut. Gen. Lewis W. Walt on June 1, seems more determined than ever to prove that it can rely on traditional tactics. Perhaps the Marines can, but it is likely to be costly.

[From the New York Times, Aug 4, 1967]

WASHINGTON, August 3.—Lieut. Gen. Lewis W. Walt, until recently commander of the Third Marine Amphibious Force in South Vietnam, insisted today that the Marines were successfully dealing with the North Vietnamese threat along the demilitarized zone.

General Walt, who is now Marine personnel chief and is considered a leading candidate to become the next Commandant of the corps, commented on a report to the New York Times [printed on this page], based on observations in Saigon, that the Marines could not contain the enemy in the demilitarized zone.

General Walt commanded the 79,000 marines in South Vietnam's five northern provinces, the I Corps zone, for two years. He returned to the United States June 1.

In an interview at Marine headquarters here, the general contended that the American and South Korean marines under his command and the South Vietnamese troops in I Corps repulsed a concerted enemy effort between February and May to seize control of the two northernmost provinces, Quangtri and Thuathien, inflicting heavy losses on the North Vietnamese.

TRYING TO BUY TIME

Since May, he said, the North Vietnamese have been reduced to staging occasional ambushes along the buffer strip and harassing Marine positions there with artillery and mortar fire in an attempt to win psychological victories to offset their military failures.

"The enemy has not met a single objective he set out to achieve," General Walt said. "He is now trying to buy time with blood."

He said that the enemy campaign to seize Quantri and Thuathien began Feb. 15, shortly after Tet, the Vietnamese New Year, with a diversionary attack by the First Vietcong Regiment in Quangngai, the southernmost of the five northern provinces.

Two Vietcong battalions, about 1,000 men, assaulted a South Korean Marine company in a prepared position there. The Koreans crushed the assault, killing 243 Vietcong. nineteen Koreans were killed and 38 wounded.

On Feb. 17, General Walt said, he learned through intelligence the location of the 21st North Vietnamese Army Regiment near Quangngai City. A South Vietnamese-American operation was immediately begun. On Feb. 18 and 19, the North Vietnamese were surrounded and 812 of them were killed while breaking out of the encirclement.

HEADQUARTERS WAS TARGET

Captured documents and prisoners disclosed that the regiment had been under orders to overrun the airfield and the bridge outside Quangngai City on Feb. 21 and then to attack the Ducpho district headquarters south of the provincial capital.

"If these battles in Quangngai had been successful for the enemy," General Walt said, "I would have been forced to divert troops from up north to reinforce there. I learned later that this was what they had wanted me to do."

On Feb. 27, General Walt said, the first thrust across the demilitarized zone began. A Marine patrol ran into the lead elements of a North Vietnamese battalion north of the Camlo outpost. A major battle quickly developed between three Marine battalions and four battalions of the North Vietnamese 324B Division attempting to push into Quangtri.

The North Vietnamese were forced back, leaving 569 dead on the battlefield. Prisoners and documents disclosed that the enemy's mission had been to overrun the artillery at the Marine strongpoint of Camp Carroll on Feb. 29.

FIVE HUNDRED KILLED AT GIOLINH

Two days later, he said, three battalions of the 341st North Vietnamese Division were repulsed near Giolinh, losing 500 men.

The North Vietnamese then achieved partial successes, at heavy cost, but again were repulsed north of Khesanh between April 24 and May 5.

In this battle, two Marine battalions seized three hills north of their outpost. Contrary to reports, General Walt said, the Marines did not suffer 1,000 casualties in the battle. They had 138 killed and 270 seriously wounded, and the North Vietnamese left 980 bodies on the battlefield, he said.

On May 4, he said, a regiment from the 324B Division attempting to overrun Marine artillery at Conthien was repulsed with at least 200 dead.

Another North Vietnamese battalion was decimated during a South Vietnamese-American operation within the demilitarized zone itself.

"The enemy tried all of these things," General Walt said, "and he did not achieve a single one of them during this period.

"Since May," he added, "there has been no big commitment of enemy forces. I honestly believe he now has no hope of taking any of that territory out there. He is just trying to make gains in the psychological and political war by inflicting casualties."

General Walt said that an occasional ambush had to be expected. "Every foot of that country has an ambush capability," he said.

Marine battalions, he said, have not been worn down to 50 percent of their strength.

"Those infantry battalions are at 95 per cent strength," he said. The flow of 1,100 to 1,200 Marine replacements from the United States, he added, "is adequate to meet our needs."

REPORTS CALLED MISLEADING

General Walt contended that reports of 10,000 marines killed and wounded since the beginning of this year were highly misleading. In fact, he said, 1,875 marines have been killed in all of I Corps since the beginning of the year, 876 of these in the demilitarized zone.

Although 14,788 have been wounded, he said, 70 percent of the wounded are not evacuated from Vietnam and return to duty within 30 days. About half of these marines do not even leave their units for hospitalization.

Of all Marines wounded, 10.6 per cent cannot be returned to duty either in Vietnam or the United States.

General Walt asserted that the Marine amphibious vehicles were just as good as the Army's M-113 armored personnel carriers and that the Marines had plenty of tanks in Vietnam. The tanks are not used more often, he said, because rice paddies are not a practical field for heavy armor.

He said that the Marines have about 350 helicopters in Vietnam, not 200 as has been reported.

"I never lacked for helicopters to move troops in a combat situation," he said.

LSD AND DEFORMITY

Mr. HANSEN. Mr. President, a recent issue of the Saturday Evening Post contains an article entitled "The Hidden Evils of LSD," which describes, vividly, the dangers posed by this hallucination-producing drug for "generations yet unborn."

The article cites case after case in which LSD has caused long-lasting and oftentimes permanent damage. Dr. William A. Frosch of the New York University Medical Center reports that more than 200 patients a year are being admitted to the Bellevue Hospital psychiatric wards, suffering various grades of LSD-induced paranoia and schizophrenia. The chief geneticist of a LSD study at the University of Oregon Medical School reports:

> The drug could be as dangerous to a developing foetus as Thalidomide.

According to the article:

> Nearly every carefully controlled research project has deflated the scientific value of LSD.

Several months ago the subcommittee of which the distinguished Senator from Connecticut [Mr. Dodd] is the chairman, held extensive hearings on the dangers involved in the use of LSD. But, unfortunately, these hearings were conducted prior to the new indexes of LSD's chromosome-damaging effects.

It is my opinion that further investigation into this and other similar drugs such as the so-called STP is needed.

In a recent letter to the U.S. Surgeon General I pointed out that—

> In the light of the tests that have already been conducted and the results that they have yielded, this drug is highly dangerous. I would, therefore, urge your office to take definitive action to alert the public to the clear and present danger of the use of LSD.

In the most recent series of Government-sponsored animal studies to determine the effect of LSD on heredity, Dr. Robert Auerbach and James Rugowski, at the University of Wisconsin, gave minute quantities of LSD to pregnant mice. Dr. Auerbach reports:

> We got horrible malformations and brain defects in virtually all of the baby mice—so horrible, in fact, that we're running the entire experiment all over again, to be sure we haven't made a mistake.

As Dr. J. Thomas Ungerleider, a psychiatrist specializing in LSD cases at the University of California at Los Angeles, said:

> The research of the last few months has convinced me that this is the most dangerous drug to come down the pike in a long, long time.

Mr. President, for the sake of the estimated 4 million LSD users in the Nation, for the sake of others who may be tempted to try it, and for the sake of their unborn children, I feel that some action must be taken.

The National Clearing House for Smoking and Health, a branch of the National Center for Chronic Disease Control, operates under a $2 million yearly appropriation involving itself in behavioral research, community development programs, and educational information programs. This agency works closely with State and local interagency councils and State education and health services. The Clearing House maintains a library, archives, and research facilities for colleges and universities. As required by Federal law, this agency publishes an annual report on the consequences of smoking which is passed on to Congress by the Surgeon General, thus further alerting the American people.

It seems to me, Mr. President, that if we have taken such steps to inform the American people of the dangers of smoking, then certainly we should take steps at least equal to these to alert Americans to the evils of LSD and other such drugs. The evidence available to us at this time leaves little doubt that these hallucination-producing drugs pose a much greater danger to one's health than do cigarettes.

Mr. President, I ask unanimous consent that the Saturday Evening Post article, a news report on the article, published in the Washington Post, and an article entitled "United States Develops STP as Chemical Developed by Dow," published in the New York Times of August 3, 1967, be printed in the Record.

There being no objection, the articles were ordered to be printed in the Record, as follows:

THE HIDDEN EVILS OF LSD

(Note.—New research finds it's causing genetic damage that poses a threat of havoc now and appalling abnormalities for generations yet unborn.)

(By Bill Davidson)

In Oregon, a young mother brought her newborn baby in to be examined. The child had a defect of the intestinal tract and its head was developing grotesquely—one side growing at a much faster rate than the other.

A mental patient in New York and six young men in Oregon were found to have extensive damage of their heritage-carrying chromosomes—damage of the type that is known to result in misshapen and defective babies.

Two of the young men in Oregon also were found to have a chromosomal abnormality that seems to be identical with the first stages of leukemia, the incurable blood cancer that proliferated at Hiroshima after the bomb fell.

A graduate student in Los Angeles has twice undergone typical epileptic *grand mal* convulsions—one time with seizures so violent that he broke two vertebrae.

The young mother, the mental patient in New York, the young men in Oregon and the graduate student—along with several thousands of new mental-hospital inmates—all have one thing in common. They all took LSD.

The baby, of course, hadn't taken much of anything—except, perhaps, the consequences.

The scientific evidence linking LSD with the baby's deformities, the broken chromosomes, the leukemia-like chromosomal abnormality and the convulsions is still circumstantial. No one has yet proved, except in test tubes, that LSD breaks chromosomes, but the horror that broken chromosomes can wreak on human beings, and on their offspring, has been amply proved. And, for that matter, it took some time to get proof of what Thalidomide could do to unborn babies, but when the ghastly proof came, it was as irremediable as it was convincing.

The staggering implications of the evidence gathered so far have added an enormous dimension to LSD, which already means different things to different people. To the chemist, the letters stand for Lysergic Acid Diethylamide, the formal name for the powerful mind-altering drug, the manufacture and sale of which are now illegal in the United States. To the hippie, LSD is "acid," "the chief," "the hawk," a droplet of which can take him on a mental "trip" in which he thinks he will experience instant euphoria. To Dr. Timothy Leary, the unfrocked Harvard professor who is high priest of the estimated four million users in the United States, LSD stands for League of Spiritual Discovery, a new religion he has founded, which uses the drug as a "sacrament."

But to the medical scientists now studying the effects of LSD on the human body, the three letters invoke a threat of deadly damage now and appalling defects for generations yet unborn. As Dr. J. Thomas Ungerleider, a psychiatrist specializing in LSD cases at the University of California at Los Angeles, told me, "The research of the last few months has convinced me that this is the most dangerous drug to come down the pike in a long, long time."

The new research, begun only this year, is unfolding one horror after another before it is even out of the preliminary stages. The Oregon cases evolved at the University of Oregon Medical School, Portland, where eight young men, LSD takers, volunteered blood samples for microscopic studies. Six of the eight were found to have damaged—broken—chromosomes. And two of the six—the two who were by far the heaviest users of LSD—have the chromosomal abnormality that seems to be identical to one seen only in the first irreversible stages of leukemia.

This form of leukemia is so rare that if the abnormality had shown up in only one of the volunteers, it might have been considered a coincidence. But when it showed up in two, the drug became the prime suspect.

The medical school's call for volunteers in Portland also brought in the young mother, with her baby. She had taken a single dose of LSD in the first month of her pregnancy, and she was worried about the effects on the baby. The infant was the first to be examined under a Federal Government grant to study possible abnormalities in the offspring of LSD users. According to the chief geneticist of the study, the baby had Hirschsprung's disease, a defect of the lower intestinal tract that interferes with bowel movements. It also had hyperplasia of the face; the right side of its head has developed far more than the left.

Again, it is too early in the research to bind LSD to these and other possible abnormalities (such as brain damage). The circumstantial evidence, however, is there. The prime question in the minds of the research team centers on the one small dose of LSD taken by the mother.

"From what we know," the geneticist said, "the baby would have abnormalities if the mother had taken large doses of LSD in the first three months she was pregnant. The drug could be as dangerous to a developing foetus as Thalidomide."

Even earlier danger signals had gone up at the State University of New York Medical Center in Buffalo, where a mental patient who had taken LSD for six years was found to have a high rate of chromosome damage resembling that seen in some tumor cells and in patients with a severe form of anemia. The same damage occurred when LSD was turned loose on blood in test tubes.

In Canada and in Los Angeles there have been reports of epileptic seizures in persons taking LSD. One Los Angeles case is particularly clear-cut. It involved a 32-year-old graduate student in anthropology who took black-market LSD for the first time, under the guidance of a so-called "sitter," or guide—in this case a clinical psychologist who was able to describe the victim's actions scientifically when the student was later admitted to the U.C.L.A. Medical Center.

The sitter reported that 50 minutes after the student had swallowed his LSD capsule, he went into spasms and convulsions—a typical grand mal seizure so violent that the student broke two vertebrae. At the hospital, X rays confirmed the fractures, but standard brain-wave tests could not locate the peculiar brain dysfunction that normally shows up in epileptics.

After the first episode, the student tried LSD four more times—without seizures. The fifth time, he had another massive epileptic attack. Frightened, he stopped taking the drug. He has had no more seizures.

Along with the new physiological evidence that is coming to light, psychiatric testimony continues to mount against LSD. Dr. William

A. Frosch of the New York University Medical Center reports that more than 200 patients a year are being admitted to the Bellevue Hospital psychiatric wards, suffering various grades of LSD-induced paranoia and schizophrenia. "Some cases are so bad," says Dr. Frosch, "that we have had to transfer them to state mental hospitals, and the patients are still committed there after more than a year."

The same holds true in other big metropolitan centers, such as Chicago, San Francisco and Los Angeles. At U.C.L.A.'s Neuropsychiatric Institute, LSD psychotics are no longer admitted—they are sent directly to Camarillo, the nearest state mental hospital. "We were overwhelmed with LSD cases," Dr. Duke D. Fisher, psychiatric resident, told me, "to the extent that we didn't have room for *normally* disturbed patients—no joke intended."

But even these figures don't tell the whole story, for, as Dr. Fisher points out, the "acid-heads try to hide their 'casualties,' as they call them—they don't let them go to hospitals if they can help it—to protect the image of LSD."

Dr. Fisher tells of one case he attempted to treat—a Los Angeles man who took LSD several times and then became convinced that he was an orange. "He locked himself in his room," Dr. Fisher says, "and refused to leave it for fear that if someone touched him he'd turn into orange juice. He also refused to let me treat him. This man is totally and perhaps permanently psychotic, but, like thousands of other poor creatures wandering around in a dazed condition in hippie neighborhoods, his case will never be reported and he may never be treated. The hippie community brings food to the orange man's room and they look after his basic needs."

This factor showed up frequently in the stories of the dozen LSD victims with whom I spoke. Typical was the experience of a girl, whom we'll call Yvonne, in Encino, Calif. After careful negotiations, her psychiatrist arranged for me to talk with her, and she poured out her story for two hours in the living room of her home while her father padded nervously in and out. Yvonne, now 23, is a tall, pretty brunette from a well-to-do middle-class family. She began smoking "grass" (marijuana) when she was 17 and still in high school. She says, "It was very simple. I was at my girl friend's house with a lot of other kids and someone said, 'Do you want to get high?' I smoked the grass because everyone else was doing it and I didn't want to look like a square."

Yvonne graduated from high school in 1962 and began nurses' training at a Los Angeles hospital. Three years later she "graduated" from marijuana to LSD. She says, "I kept reading the wonderful things. Dr. Leary said about LSD and I decided I was a psychedelic person. I began to dress in psychedelic boots and pants. Then one day I asked a friend of mine where I could get some LSD, and he gave me a number to call. I did, and a fellow showed up at the phone booth a few minutes later with two sugar cubes that had the acid in them. They cost five dollars apiece—we call it five dollars a ticket. My girl friend and I ate the sugar cubes and then we started to drive to the Teen-age Fair. Suddenly everything was in slow motion and flicking like an old-time movie. I couldn't drive anymore, so we went back to her house. We lay back on the floor and it was a good trip. We rolled on the floor and we laughed and the room filled up with gold fog and we swam through it. It was beautiful."

A week later Yvonne decided to try LSD again. She took it at a party, "but nothing happened for five hours, even though everyone else was nice and high. Then we drove to a guy's house in Beverly Hills and while I was in the car it hit me. I began to shake and sweat and I felt like someone was pulling a band tight around my head. The whole world looked like it was a comic strip, like it was drawn by a lousy artist, and I was a cartoon character in the middle of it. I screamed and said, 'Please help me. Get me an ambulance.' When they wouldn't, I tried to walk to a phone booth to call an ambulance. But two guys tackled me and knocked me down. They said, 'You can't go to a hospital. You'll blow it for all of us.' They took me to my girl friend's house. Her mother is a spiritualist and she also takes LSD. They kept me there in the house for three days, and my friend's mother talked religion to me and gave me tranquilizers. They didn't help."

At the end of the three days, Yvonne's friends decided to move her to the hippie community in San Francisco. Yvonne says, "I was still trembling and crying all the time and everything still had that nightmare comic-strip look. I couldn't eat or sleep. The day after I got to San Francisco, the people there had a 21st-birthday party for me. I walked out in the middle of it and somehow I got on a plane and went back to Los Angeles. I stayed with an aunt because I was afraid to tell my parents what had happened to me. They thought I had gotten a job in San Francisco. I spent my days wandering around from church to church, praying that the nightmare would go away. Finally I walked into the medical center at U.C.L.A. and said, 'Please help me! Please take me in!' Thank God they did."

Yvonne was a patient at the Neuropsychiatric Institute for 2½ months. She was treated with heavy doses of the powerful tranquilizer, chlorpromazine, and was given daily psychotherapy until the nightmare subsided. When I saw her nearly two years later, she had not taken any more LSD (the two doses that precipitated her psychosis were the only ones she ever had), but she was still trembling and still unable to work.

To LSD advocates, such cases are "casualties" or "accidents"—the unfortunate price paid by a few in order that the multitude may enjoy the wonders of the drug. Among the "accidents" are several suicides (one boy flung himself from a cliff in the belief that he could fly; another went out a high window under the same impression), at least one murder (a girl stabbed her boy friend with a kitchen knife and didn't even know it), hundreds of cases of acute schizophrenia (one man refused to eat; he believed he was the New Messiah and required no sustenance) and recurrent hallucinations months and years after the drug has been taken (a young man driving on a highway, a year after his only LSD experience, suddenly saw a hundred headlights coming at him instead of just two, and he crashed his car).

The most pathetic "accident" I saw was a beautiful 19-year-old girl in a mental hospital in the Midwest. It was her second confinement—she had previously been hospitalized after just two exposures to LSD but had recovered in three weeks and been released. Then, to give her a change of environment, her parents, who are wealthy, sent her to visit friends in New York City last Christmas. At a New Year's Eve party, someone slipped the girl a dose of DMT (dimethyltryptamine, a hallucinogenic drug even more powerful than LSD and currently in favor on the East Coast). The girl went raving mad at the party and was rushed to Bellevue Hospital, where she was confined in a straitjacket. Her own doctor flew to New York from the Midwest and took her home, still in the straitjacket, on a private ambulance plane.

I saw the girl six months later on the grounds of the mental hospital, which is near her home. Her doctor and I approached as she was playing volleyball with other patients. Except that she wasn't really playing; she was just standing there. As we approached, she said to the doctor, "Your eyes are movie cameras and they're looking right through me." She talked rationally for a few minutes, then she shrank back and pointed to an envelope the doctor was carrying. "Why did you bring that computer with you?" We left.

"Six months of treatment and she's getting worse," the doctor said. "The prognosis is poor."

With the new evidence of chromosome damage added to the already extensively documented history of psychiatric damage, the prognosis for the usefulness of LSD itself is poor, too.

Few drugs have begun with greater promise than LSD. It was first synthesized in 1938 by Dr. Albert Hofmann, a Swiss chemist who was looking for a new drug with which to treat migraine headache. He ran a series of tests with various derivatives of lysergic acid, a component of ergot, a fungus that grows on rye. On the 25th try, he came up with the chemical combination that has now become famous as LSD. He swallowed some, and as he later wrote, "Space and time became disorganized, and I was overcome with fears that I was going crazy." He, in fact, did become temporarily insane. But his quick recovery led to the great expectations for the drug. Research psychiatrists reasoned that if they could safely induce what they called a "model psychosis," it might lead them to answers to the still-unsolved question about how to treat real psychosis. American researchers, with the approval of the Government's National Institute of Mental Health, began to look into the possibilities of using LSD in alcoholism and psychoneurosis. Some experimenters even though it might be useful in treating homosexuality and frigidity.

For 20 years LSD remained relatively unknown to the general public, although it was being used here and there. In the late 1950's, for example, Cary Grant underwent a series of LSD experiments with a doctor and wrote glowingly of the self-knowledge that he gained.

Then, in 1962, Dr. Timothy Leary and his colleagues in the Harvard psychology department, Richard Alpert, latched onto the drug. They had originally started experiments with the "mind-expanding" chemical psilocybin, a substance derived from Mexican mushrooms, which primitive Indian tribes had used as hallucinogens. But Leary and Alpert soon switched to the far more potent LSD. When they were fired from Harvard for holding candlelight drug parties for students, Leary and Alpert embarked on a crusade to spread The Word about LSD through hippie colonies and a series of private organizations, the latest of which is the League of Spiritual Discovery.

One of the peculiarities of LSD is that it instills in its users a missionary zeal. Also, Leary is a skilled publicist. He turned to his advantage his dismissal from Harvard and his conviction and 30-year sentence in Texas (still on appeal) for illegally transporting untaxed marijuana, claiming violation of his constitutional right to alter his own states of consciousness. By founding his religion, using LSD as a sacrament, he is laying the basis for a court fight in which he will claim protection under the freedom-of-religion guarantees of the First Amendment. The courts already have ruled in favor of the Native American Church, in which western Indian tribes chew hallucinogenic peyote, from cactus, also as a so-called sacrament.

Leary has done a remarkable job of spreading his Word, the essence of which is that by taking LSD and other "mind-expanding" drugs, you get insights into yourself that you never had before, you solve your problems, you isolate yourself from the "life-games" that cause tension in the world, and you greatly increase your creativity. "Turn on, tune in, drop out," said Leary.

But by early 1966 the LSD boom began to lose its respectability. First the Federal Governments Food and Drug Administration took note of the great number of psychiatric casualties caused by illegal traffic in LSD. The FDA listed it as a "dangerous drug" and outlawed the traffic by including LSD in the Drug Abuse Control law that provides fines and jail terms for those who make or sell such drugs. Several states, including New York and California, had made even simple possession of LSD a crime.

These actions temporarily slowed, but did not halt, the distribution of LSD. Making LSD is relatively easy for anyone with a reasonable competence in chemistry. And the distribution system is already there; it has been identified in congressional testimony as a Cosa Nostra operation.

The only legal source of LSD in the United States today is the National Institute of Mental Health, which doles it out only to those few scientific projects it has approved.

These Government-approved research projects, which only now are beginning to be reported, indicate that LSD is turning out to be a bust. Dr. Jonathan Cole of the National Institute of Mental Health told me, "The 'model psychosis' theory of LSD has been discredited and abandoned. The drug produces effects which are nothing like real psychosis." Dr. Jerome Levine, also of the Institute, says, "The alcoholism and neurosis research with LSD is drawing to a close. The final results won't be in for another year, but I've been keeping tabs on the work, and my guess is that there will be no startling new revelations, no worthwhile new psychiatric tool. My guess also is that LSD never will become a widely used treatment."

Nearly every carefully controlled research project has deflated the scientific value of LSD. At the Missouri Institute of Psychiatry, the drug was tried on 150 severe schizophrenics. It helped none, and three got worse. Dr. Sidney Cohen, chief of psychiatry at the Veterans Hospital in Los Angeles, tested the LSD-users' claim that the drug made them more creative. He worked with 24 volunteers who were put on LSD, watching their creative efforts in writing, painting, etc. "At the end of the study," Dr. Cohen told me, "the LSD people all *felt* they were creating far better than before. But by objective analysis of their work and by every test we could give them, they were doing about the same or worse."

At U.C.L.A., Dr. Thomas Ungerleider and Dr. Duke Fisher made studies of 50 patients and outside hippies to test Leary's claim that LSD is harmless and useful if taken with the proper "set and setting." This means being in a calm frame of mind before taking the drug; taking it in a room with soft lighting and a soft carpet to sit on, with one or two friends and an experienced "sitter" or guide present. Drs. Ungerleider and Fisher concluded: "We have hospitalized many persons who had taken these precautions and who also had had up to 100 previous good LSD experiences. . . . There is no single factor that guarantees immunity from an adverse LSD reaction."

As a result of their studies, the U.C.L.A. experts also believe that even carefully controlled scientific experiments with LSD are dangerous. Dr. Ungerleider told me of a young psychologist who was screened carefully for mental stability and who was given only small doses of the drug in a federally licensed hospital experiment. One day the psychologist was found sitting in his underwear in the electroencephalograph room of the hospital, in a stupor, staring at the brainwave machine. He was treated with tranquilizers. But when he recovered he left his job and joined a beatnik colony.

Today the number of Government-supported research programs using LSD on humans has dwindled to five. There are about 50 other approved projects, many of them investigating the possibilities of LSD damage to the body and to the unborn. "In fact," says the National Institute of Mental Health's Dr. Cole, "we're so concerned about what's been turned up so far that we're encouraging new research in this area."

The first word of warning on genetic damage came in the March 7 issue of *Science* magazine from Dr. Maimon M. Cohen, a highly respected geneticist at the State University of New York in Buffalo. Dr. Cohen studies chromosomes—those tiny components in the microscopic cells of the body that transmit heredity factors such as skin-, eye- and hair-color, and physical and personality characteristics from one generation to another.

It has been known for a long time that certain violent factors, such as atomic radiation and intense X-rays, disrupt and break the chromosomes, causing illness and death from leukemia and other malignancies. Also, breakage in the chromosomes in parents may result in malformed babies.

Geneticist Cohen started his tests with normal human blood cells in a test tube. He added minute quantities of LSD and studied the chromosomes under a microscope. He was startled and alarmed to see the same kind of chromosomal damage that occurs with radiation. Then he took blood cells from a mental-hospital patient who had been treated with LSD in one of the experiments. Again, a high rate of chromosomal breakage.

Cohen published his results, setting off alarm bells in the world of science. But to be absolutely sure, he initiated another research project involving New York University and Mount Sinai Hospital in New York, where plenty of LSD takers are available for observation. Cohen, along with research teams headed by Dr. William Frosch and Dr. Kurt Hirschhorn, examined the blood cells of three mothers, all LSD users, and their four children. The same frightening breakage of chromosomes showed up. The babies are now being studied for abnormalities.

An even more positive confirmation of the Cohen findings was then made with the volunteers at the University of Oregon Medical School and the Oregon Regional Primate Research Center, by Dr. Samuel Irwin and Dr. Jose Egozcue, a young Spanish geneticist. They studied the blood cells of eight LSD users and nine men and women who had not taken LSD. *Six of the eight LSD users had abnormally broken chromosomes and only one on the non-LSD users showed slight breakage, and it was determined that he had previously undergone intensive X-ray therapy. In the LSD-user group, the worst chromosome damage took place in the blood cells of those who had taken the largest doses.* It was in two of these young men—the heaviest users—that Dr. Egozcue found what appears to be the so-called Philadelphia-L chromosome, which never occurs in normal blood cells and always shows up in the initial stages of fatal chronic myelogenous leukemia.

Dr. Egozcue explained to me some of the other implications of broken chromosomes. He said, "The biggest problem, when broken chromosomes occur in parents, is mental retardation and other malformations in their children. We get all kinds of aberrations. Most frequently, there is mongolism—a dull-witted child with distorted features and slanted eyes and lax, inefficient muscles.

"Then there's the problem of peculiar bone structure in the child—also accompanied by mental retardation. At Vanderbilt University they studied such a child, the product of chromosome damage in the parents. This youngster was very short and had an enormous skull, the two halves of which never properly closed. The child had a double row of front teeth.

"Still a third possibility which is likely to occur with LSD, because of the same kind of break in the chromosome, is what we call cri-du-chat syndrome. The baby cries like a cat, not a human. The child is always severely defective, both mentally and physically."

In the first of a projected new series of Government-sponsored animal studies to determine the effect of LSD on heredity, Dr. Robert Auerbach and James Rugowski at the University of Wisconsin gave minute quantities of LSD to pregnant mice. Dr. Auerbach told me, "We got horrible malformations and brain defects in virtually all of the baby mice—so horrible, in fact, that we're running the entire experiment all over again, to be sure we haven't made a mistake."

Concerning possible LSD-caused chromosome damage in adults, Oregon's Dr. Egozcue lists, as the No. 1 likelihood, a change in the chemistry of the brain cells—which could account for the psychosis and epilepsy-like seizures already noted. (Brain-damage studies are underway now to attempt to confirm this supposition.)

While the world of science is expressing deepest concern over the new findings on LSD, the world of the acid-heads, apparently, couldn't care less. It simply moves on to bigger and better hallucinogenic drugs. Recently, for example, a new hallucinogen called STP by the hippies (after the powerful oil additive for automobiles), turned up in great quantities on the West Coast. In a two-week period dozens of victims showed up in California hospitals suffering the effect of STP, which is perhaps four times more virulent than LSD. One of the patients nearly died. He had taken chlorpromazine, normally an antidote for LSD. However, chlorpromazine actually intensifies the reaction to STP and can cause respiratory paralysis, convulsions and possibly death. Drug experts have identified STP as a combat weapon designed to incapacitate enemy soldiers, developed for the Army under the label JB 314.

None of this news seems to affect the pastoral calm that pervades the 2,500-acre estate in rural Millbrook, N.Y., where Timothy Leary presides over his colony—the Mother Church of his League of Spiritual Discovery. On a recent afternoon some 75 of his disciples wandered contentedly around the premises in blue jeans and sneakers. In a cottage called "The Bowling Alley," a card game was in progress on the floor in front of a solemn statue of Buddha, while a phonograph played Bob Dylan records. In a pale-blue outbuilding called "The Chicken Coop," a dozen hippies played guitars, pounded wooden staffs on the floor and recited what they called "The Hare Krishna Chant." It was as if they had never heard of chromosome damage.

But they had.

Eddie Schwartz, a Leary lieutenant, an artist, an LSD user for six years, said, "Acid is a very, very, highly dangerous drug. Every time you blow your mind, you might end up in the nuthouse. But to me it's worth the risk. If you're sincere with it, it works for you and not against you."

Asked about the new genetic findings in Buffalo, Portland and New York, Schwartz snorted: "It's just scare tactics by the Government. I'm not at all worried about what the doctors find. Doctors are programmed to the illnesses of the world, not the happiness. You can't cure happiness."

And the guitars played on.

[From the Washington Post]

Worse Deformities Feared in LSD Than Thalidomide

(By Nat Haseltine)

The mind-bending drug LSD may not only drive its user crazy but may be more deforming to unborn children than the sedative called thalidomide.

Severe malformation in the child of a young mother who, when pregnant, took a single, presumably mild dose of LSD, have been recorded by a Portland, Ore., geneticist, Dr. Jose Egozcue.

The coincidence of LSD-taking and the birth of the child with faulty intestines and a misshapen head is not proof positive of cause-and-effect relationship, admitted Dr. Egozcue in the report published in today's issue of The Saturday Evening Post.

But, coupled with a recent report of experiments with LSD in pregnant rats by Dr. George Alexander of the Columbia College of Physicians and Surgeons, it tends to warn female hippies that if they take the drug only once, they may pay the price of malformed or retarded offspring.

The report recalled detailed studies of LSD dangers, including drug-induced epilepsy, leukemia, paranoia and schizophrenia.

The Portland study confirmed a warning issued four months previously by Dr. Egozcue and Dr. Samuel Irwin of the University of Oregon Medical School that LSD may be a chromosome breaker. Since broken chromosomes can be disastrous to the seeds of coming generations, the possibilities for hereditary malformations are endless.

Earlier, the two doctors had analyzed blood cells on eight LSD users and nine others who had not taken the psychedelic drug. Six LSD users, they reported, had abnormally broken chromosomes, and only one nonuser, a man who had undergone extensive X-raying, had any cell breakage.

CHROMOSOME EFFECT

In the two heaviest users of LSD, Dr. Egozcue found what appeared to be the so-called "Philadelphia-L" chromosome derangement which shows up in persons in the final stage of fatal myelogenous leukemia.

The magazine article says the medical school's call for volunteers of LSD users brought in the young mother and her child. According to Dr. Egozcue, the infant had Hirschsprung's Disease, a blockage defect in the lower intestine. Moreover, the right side of the baby's head was overdeveloped in relation to the left side of the head.

"The biggest problem, when broken chromosomes occur in parents, is mental retardation and other malformations in their children," said Dr. Egozcue. "Most frequently there is mongolism . . . (and) peculiar bone structure. One youngster had an enormous skull, the two halves of which were never properly close, and a double row of front teeth."

BEST NOT TO REPORT

To the hippies such cases are accidents best not to report, since they may close off the sources of LSD. The "acid-heads" (LSD users) try to hide and protect their accidents, according to Dr. Duke D. Fisher, psychiatric resident of the University of California at Los Angeles Neuropsychiatric Institute, who said his institute has "been overwhelmed with LSD cases."

Dr. Fisher told of one unsuccessful case that hides a "bad trip"—a Los Angeles man took the drug several times and became convinced he was an orange. He didn't want others to touch him for fear he'd turn into orange juice.

"This man is totally and perhaps permanently psychotic, but like thousands of other poor creatures wandering around in a dazed condition in hippie neighborhoods, his case will never be reported and he may never be treated. The hippie community brings food to the 'orange man' and they look after his basic needs," Dr. Fisher declared.

[From the New York Times, Aug. 3, 1967]

UNITED STATES IDENTIFIES STP AS CHEMICAL DEVELOPED BY DOW

(By Harold M. Schmeck Jr.)

WASHINGTON, August 2.—The powerful mind-affecting drug called STP has been identified by the Food and Drug Administration as an experimental compound developed by a major chemical company.

Neither the F.D.A. nor the company knows how the formula got into unauthorized hands, spokesmen for each said today.

The compound is chemically related to mescaline, one of the most widely known hallucinogenic substances, and amphetamine, the stimulant.

The drug agency said today its scientists had identified STP as an experimental compound called DOM, developed by the Dow Chemical Company.

A spokesman for the drug concern said it was one of a group of compounds developed in the hope that some of them might be useful in treating some forms of mental illness. A patent has been applied for on the group. DOM itself has been sent to some scientific investigators for tests of its potential for this kind of use.

The spokesman would not identify the scientists, nor their institutions, but said the compound was first distributed to them this spring.

USED ON WEST COAST

STP, as the compound is called among those who use it illicitly has evidently been rather widely used on the West Coast. It has a more powerful mind-distorting effect than LSD although on a weight-for-weight basis it is less potent.

The chemical company has not published information on the compound, nor allowed samples of it to get into the hands of persons other than the drug agency and the scientists, a spokesman for the company said.

He said the company did not know how the formula got out, but that checks of Dow's own inventories indicated that none of the illicit users has gotten it from that source.

Evidently someone has obtained access to the formula and has made further supplies.

This was described as a task not difficult for a qualified chemist, once the formula was known.

STP has been under investigation for some time by the drug agency. Its identity was discovered because of its chemical similarity to another compound of the same class on which Dow had applied for investigational new drug status.

The drug agency today identified STP as 4-methyl 25-di-methoxy alpha methyl phenethylamine and described it as "chemically related to mescaline and amphetamine."

Mescaline is a hallucinogenic drug derived from peyote, a cactus plant that has been used for centuries by some Indian tribes for ceremonial and religious purposes.

Amphetamine is one of several stimulants all closely related chemically. Among the best known such products are benzedrine and dexedrine.

The true identity of STP was discovered by a scientist of the drug agency who noted its chemical similarity to the drug named in Dow's application. A check with the company completed the identification.

The F.D.A. said Dow had cooperated fully in furnishing all available information on DOM.

"Little information on the toxicological, pharmacological, or therapeutic properties of the substance is available," said the drug agency announcement.

"Many persons who have allegedly used STP have suffered severe reactions, according to reports from a number of hospitals. Because of the lack of information about the effects of the substance, the F.D.A. considers its use extremely hazardous."

The name STP for the mind-distorting compound appears to be borrowed from that of a commercial motor oil additive.

NATIONAL MAPA CONVENTION ENDORSES BILINGUAL EDUCATION

Mr. YARBOROUGH. Mr. President, on July 14, 15, and 16 of this year, the Mexican American Political Association, better known as MAPA, held its national convention in Riverside, Calif. This organization has long been active in public issues and causes that would bring equality of opportunity to the Mexican Americans of this Nation, and they have given their helpful support to S. 428, the bilingual education bill.

On the last day of their national convention, MAPA passed a resolution in support of bilingual education. I ask unanimous consent that the text of this resolution be printed at this point in the RECORD.

There being no objection, the resolution was ordered to be printed in the RECORD, as follows:

RESOLUTION, MEXICAN AMERICAN POLITICAL ASSOCIATION NATIONAL CONVENTION, JULY 14, 15, AND 16, 1967, RIVERSIDE, CALIF.

Whereas: This nation is actively engaged in promoting peace and understanding among non-English countries throughout the world, and

Whereas: A bilingual-bicultural curriculum will best meet the educational needs of Spanish-speaking students in the United States, and

Whereas: The present limited aid to education program guidelines do not specifically focus attention on the development of bilingual-bicultural education programs, and

Whereas: There are nine and one-half million Spanish-speaking persons in this Nation and its territories who would best develop their God-given talents in a bilingual-bicultural curriculum and,

Whereas: Specific funds for non-English speaking children would reflect a concern to perceive him, his language and his culture as an asset to society, and

Whereas: The goals of this nation are to prepare functioning citizens in this democratic society.

Be it resolved that the Mexican-American Political Association go on record in support of bilingual education—especially S 428 introduced by Senator Yarborough and HR 8000 introduced by Congressman Roybal.

CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Is there further morning business? If not, morning business is closed.

Mr. BYRD of West Virginia. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

CENTRAL ARIZONA PROJECT ACT

Mr. BYRD of West Virginia. Mr. President, I move that the Senate proceed to the consideration of Calendar No. 395, S. 1004, the unfinished business.

The PRESIDING OFFICER. The bill will be stated by title.

The ASSISTANT LEGISLATIVE CLERK. A bill (S. 1004) to authorize the construction, operation, and maintenance of the central Arizona project, Arizona-New Mexico, and for other purposes.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from West Virginia.

The motion was agreed to; and the Senate proceeded to consider the bill.

Mr. BYRD of West Virginia. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Under the previous order, the Chair recognizes the Senator from Utah [Mr. Moss] for 1 hour.

Mr. MOSS. Mr. President, at the conclusion of my address last night in the Senate, I had pointed out that the longest oral argument made before the U.S. Supreme Court in this century did not come in any of the cases concerning the great social issues, or subversion, or the rights of accused persons, but the distinction went to Arizona against California, the water case to which I referred.

In the average case, the Supreme Court hears about an hour of oral argument. The tidelands oil cases involving Texas and Louisiana were allotted no more than 16 hours. Arizona against California was allotted 22 hours. Before the 22 hours of argument were heard, a special master was appointed. The first appointed master died, and a second was chosen. In total, their work took 8 years. The masters heard 340 witnesses, reviewed 25,000 pages of testimony, and reported findings in a volume of 433 pages. The final decree of the Court was handed down in 1964. Arizona won, and obtained the right to 2.8 million acre-feet annually of the Colorado's waters.

It is true that the West has always fought over water, while, to most of the Nation, water has been—like air—there for the taking. But 5 years of drought in the Northeast and a rising tide of pollution made the Nation aware at last of the incalculable value of this resource.

Increasingly, the control of water is the key to prosperity, growth, and political and economic power in the United States.

By the standards of the East, the Midwest, and the South, permanent shortage of water is the condition of 40 percent of the land area of the contiguous 48 States—that region lying between the 100th meridian—Dodge City, Kans.—and the Sierra Nevada Mountains. It has an average annual rainfall of about 12 inches, less than a third of that enjoyed by the State of Virginia.

This vast region includes Montana, Wyoming, Utah, Colorado, Nevada, Arizona, and New Mexico. It includes eastern Oregon and eastern Washington; Idaho, except for the oasis created by the Great Snake River; and the western portions of the Dakotas, Nebraska, Kansas, Oklahoma, and Texas. Skirting the Sierra Nevada, it also includes the San Joaquin Valley and southern California.

The economic and political history of the West is tied to water; not only its ownership and use, but also the realities imposed by the precipitation figures. Such men as Maj. John Wesley Powell warned that land use was limited by water availability. But business promoters and overanxious public officials convinced prospective farmers that "water followed the plow," and—three times—dry years followed wet to parch the land and bring varying degrees of disaster.

In the early 1890's, easterners flocked to the plains, hungry for land and eager to stake out new towns, which they envisioned as centers of agriculture and commerce. After 1885, a series of crop failures bankrupted the area, drove these people back East, and spawned the Populist Party.

The rains returned by 1897—and so did the farmers. This time, science played some part in their operations. There were the "rainmakers," who argued that concussion could induce rainfall, but there was also dry farming and the introduction of some drought-resistant plants. Then, in 1933, the effects of the great depression were compounded by another drought. For 4 or 5 years, author W. Eugene Hollon tells us, "the desert smouldered like a giant fire." The topsoil was blown away, and with it went the farmers again, this time to California. That drought led to the birth of the Soil Conservation Service.

The third time croplands were extended too far to meet food shortages was during World War II. Four years later, the dry cycle struck, but this time understanding of the land and preparation, in the form of greatly increased water storage, held down the losses.

America had learned the long, hard lesson that prosperity in the West depends completely on wise use of water.

The driest portion of the region I have been speaking about is that comprising the southwest quadrant of the Nation. It is also our fastest growing area. Here, precipitation seldom falls except in the mountains. For the most part, the clouds move over the flat lands, releasing no moisture and soaking up by evaporation a great deal from rivers, lakes, canals, and irrigated lands. When the mountains are reached, the precious water is discharged. Often, the winter's stock of snow moisture is the only water supply to the dry valleys in the summer.

Huge areas of the arid West grow no crops, because agriculture is dependent on irrigation fed by reservoirs or by pumping of ground water. Throughout much of the region, cattle and sheep raising is the largest volume agricultural activity, and great acreages of irrigated land are used only to grow hay for winter forage.

In 1902, the Bureau of Reclamation was created in the Department of the Interior to develop the water resources of 17 Western States, to "reclaim" land for agriculture. Ever since, the Bureau has been a major factor in the economic life of the region.

For many reasons, the early reclamation program mired in financial difficulties. For one thing, land speculation made it hard to pay back water project costs. For another, not enough was known to build satisfactory dams or to locate them properly. In 1924 a fact-finding committee made a series of recommendations. These led to comprehensive economic feasibility studies of every water project. The addition of hydroelectric power as an income-producing factor, made the projects sound financially while reducing water costs to the users.

Let us turn now to the Colorado River which drains a 250,000 square mile area of the southwest quadrant and is the lifeline to one-twelfth of the land area of this Nation. It is an area that, to those who saw it early, promised little. Lt. G. C. Ives, the Army officer in command of the first navigation up the Colorado, wrote:

> The region . . . is, of course, altogether valueless. It can be approached only from the south and, after entering it, there is nothing to do but leave. Ours was the first, and will doubtless be the last party of whites to visit this profitless locality. It seems intended by nature that the Colorado River, along the greatest portion of its lonely way, shall forever be unvisited and undisturbed.

Scarcely more than a century later, that waterway is the most completely harnessed and regulated major river in the Nation.

The Spaniards discovered the river. The conquistadors looked out on a river heavy with silt and named it Colorado—Spanish for red. It was later nicknamed the "Big Red" by early American settlers, who feared the murderous floods that came each year, but could not survive without the river's precious waters.

Not until 1922 were the initial steps taken to harness the river. Meeting that year in Santa Fe, representatives of the basin's seven States drew up the Colorado River Compact, which divided the river into an upper basin—Colorado, Wyoming, New Mexico, and Utah—and a lower basin—Arizona, California, and Nevada. The dividing line between the basins is at Lee Ferry, south of the Arizona-Utah border.

The compact allotted each State a share for all time to come. The lower basin States were given an entitlement of 75 million acre-feet, every 10 years, plus an additional million acre-feet a year when available; the upper basin States could retain and use 7.5 million acre-feet per year or the part thereof available after the lower basin allotment and the Mexican allotment had been supplied. Mexico was to get an unstated share to be established by a United States-Mexican treaty. Should no surplus exist for Mexico, each basin was to allot from its own supply half of Mexico's entitlement. By treaty, Mexico now is entitled to 1.5 million acre-feet annually. If the lower basin receives 7.5 plus 1 million acre-feet, and Mexico receives 1.5 million, then the upper basin may retain water in addition to its basic entitlement.

Here is the genesis of the struggle over this bill today—signatories to the 1922 compact proceeded under the belief that the Colorado flow averaged 18.5 million acre-feet each year. This would have been more than sufficient to meet allocations to the upper and lower basin States and Mexico, with enough left over to cover evaporation losses which were estimated between 750,000 to 1 million acre-feet. The signatories were too optimistic. Flow at Lee Ferry averaged only 13 million acre-feet annually from 1930 through 1964, short more than 5 million acre-feet a year.

The upper basin States divided their share of the river in 1948. Acrimony and ultimate resort to the courts has dogged the lower basin. However, the 1922 compact paved the way for construction of the great dams that have harnessed the Colorado and stored its water. In 1928, Congress passed the Boulder Canyon Project Act authorizing the Bureau of Reclamation to build Boulder Dam—later Hoover Dam.

The key to downstream regulation and control, Hoover Dam began to store water in 1935. The dam impounds water to form Lake Mead, which has a maximum storage capacity of 29.8 million acre-feet of water—about 2 years of average river flow.

The Boulder Canyon Act also authorized construction of the All-American Canal System and the Imperial Dam and Desilting Works. Water entered the All-American Canal in 1940.

Davis Dam, completed in 1963 in accordance with terms of the United States-Mexican treaty, regulates flow into Mexico. Parker Dam, 88 miles further downstream, was completed in 1938. Lake Havasu, the reservoir impounded by Parker Dam, holds the water that would be pumped to the central Arizona project.

There are some who, in the name of preservation, argue that dam building on our major rivers is uneconomic—even wasteful. The benefits from Hoover Dam should convince them that multipurpose dams in the West have proved their worth through experience.

Since 1935, there has not been a major flood or drought on lands served by the Lower Colorado. Hoover Dam stores water for irrigation, industrial use, municipal use, and recreation. Fish and wildlife have prospered. More than 3 million visitors a year come to see, swim, boat, water ski, and fish on 115-mile-long Lake Mead. Thanks to Hoover Dam, the Colorado now provides some 80 percent of the water used by southern California. Water stored in Lake Mead irrigates three-quarters of a million acres of land in the United States and another half-million in Mexico. Economically priced water is made possible by the nearly 1.4 million kilowatts of power generated at the dam and purchased at bargain counter prices by consumers in southern California, Nevada, and Arizona. Water delivered by the All-American Canal has produced crops worth some $2.5 billion in 25 years. Crop wealth is 37 times the Federal investment. Water users are repaying 92 percent of the $65.5 million Federal construction outlay for irrigation.

Years of planning to control and conserve the waters of the upper basin of the river culminated in 1956, when Congress authorized the Colorado River storage project. Four major storage units were approved: Flaming Gorge, on the Green River in Utah; Glen Canyon on the Colorado River in Arizona; Navajo, on the San Juan River in New Mexico; and Curecanti, on the Gunnison River in Colorado. The first three are completed. Construction is proceeding on Blue Mesa, one of the three dams of the Curecanti storage unit.

The four-State upper basin project will have a total reservoir capacity of 34 million acre-feet and an electric power capacity of 1.3 million kilowatts. Glen Canyon is by far the largest of the storage units. Its dam—710 feet high—backs up Lake Powell, which, when full, will be 186 miles long and have a shoreline of 1,860 miles. The reservoir will store 27 million acre-feet of water and provide 900,000 kilowatts of power.

The question has been asked: Why was Glen Canyon Dam built, since not a drop of irrigation water will be taken from it?

This is a question of utmost significance to the issue before us. The answer is that it was built to make it possible for the States of the upper basin to take physical possession of—to put to use—their legal share of the river's waters. Glen Canyon Dam and the other storage reservoirs make it possible to retain damaging flood waters to be used later to satisfy water rights downstream. Then the upper basin States can divert waters upstream to satisfy the needs of their farms and industries and cities. I remind the Senate today that the Congress approved a great Federal investment to make possible this arrangement that will be jeopardized should this bill be enacted. Moreover, dams make certain that the Federal investment will be paid off and that revenues will be available to help finance the needed upper basin "participating projects."

Under the terms of the Colorado River Compact, the lower basin must receive its share of water even if there are several years of low flow. Under the law that governs water use, the upper basin cannot draw irrigation water from the tributaries of the Colorado—and thus put to use its legal share—unless its compact commitment to the lower basin can be met. By keeping water on hand, the storage dams guarantee that the lower basin commitment will be met. Let me emphasize again that the dams are also the "cash registers" for the project. Sale of hydroelectricity produces most of the revenue to pay back the U.S. Treasury for its advance construction funds. Hoover Dam will be paid off in 1987, after which $11 million of electric power revenue will be available each year to help pay for other lower basin projects, or to be returned to the Treasury. If the electricity rate to consumers is made more realistic, there will be additional millions of dollars.

Water users will pay only about 5 percent of Colorado River storage project—upper basin—costs; sale of power will yield the other 95 percent to repay the Federal outlay. Power is fed into a massive grid connecting both private utility and public power resources. This income from sales of power and water goes into a "basin fund" for the upper basin which is used to repay costs and interest to the U.S. Treasury, and to make assistance payments to other upper basin projects.

The upper basin can put to use the water of Colorado's tributaries through "participating projects." An example is the central Utah project, which will take water from smaller streams that flow into the Green River, a main arm of the Colorado River, and divert this water to some of Utah's populous areas. Eventually, the Green itself will be tapped for use in the Colorado Basin. Potentially, there is room for more than forty participating units within the storage project—upper basin. Four have been completed, and some 24 are in various stages of construction and planning.

Thus reclamation is made possible because surplus flow in the spring and in wetter years can be stored for use in the summer and in dry years. There are losses from evaporation, but they are small compared with the waste that takes place where river waters flow unused to the sea. There are losses from seepage into porous sandstone walls of canyons, but most will return during dry periods when the reservoir level sinks below the upper line of the stored waters.

Inability of lower basin States to reach agreement on division of allotted water caused Congress, when it passed the Boulder Canyon Act, to lodge ultimate responsibility for division in the Secretary of the Interior. The act provides that in years when the flow past Lee Ferry totals 7.5 million acre-feet, plus 1.5 million for Mexico, California will receive 4.4 million, Arizona 2.8 million, and Nevada 300,000 acre-feet. Any lower basin surplus over 7.5 million and over 1.5 million for Mexico will be divided equally between Arizona and California.

Disagreement over these lower basin allotments was finally resolved by the Supreme Court's ruling on Arizona against California.

ABOUT DAMS ON THE RIVER

When Glen Canyon Dam was built, Congress was almost inundated by mail from the status quo conservationists. The question they raised was whether the values created by the Colorado River storage project exceeded the values of nature undisturbed.

One facet of importance to this discussion of water needs to be examined in detail: preservation versus development. This is behind the blind and strident opposition to any dam or reservoir on the lower part of the river. It is masked behind the allegation that the Grand Canyon will be flooded. This is laughable. Not only would the Grand Canyon not be flooded by the Hualapai Dam and Reservoir, but the water would be unseen from the canyon rim. However, people would be able to boat upon the surface of the lake and view the Grand Canyon from the bottom—an experience now reserved to a very hardy few.

What are we to strive for—opening up more areas for recreation use or keeping them undeveloped and unseen and therefore unspoiled? My answer is: strike a balance.

It is desirable that some stretches of scenic rivers be kept in their natural state, and that dams and marinas be kept out. This I believe and support, and this will be done through the legislation to create a wild and scenic rivers system.

Moreover, from the economic point of view, the wonders of nature can be among the greatest assets of a region if they are wisely protected and attractively presented to the general public. These are the tourists who cover our land. They are the taxpayers who own these wonders. They are entitled to visit and view. But without access at modest cost, they are denied this privilege.

But, every mountain stream need not be turned into a lake for mass recreation, just as every undeveloped and unpolluted stream cannot be set aside for the use of a few or left unused simply because that is how it has always been. New high-density water recreation areas must be created. New recreation areas for less intensive use must be created. And a few truly wilderness streams should be protected and cherished.

This is being done. Conservation is not being forgotten. There are now two national parks on the Colorado gorge—Grand Canyon and Canyonlands. Through them the river will run forever free.

Based on personal observation as well as congressional investigation, it is obvious that Congress made the correct choice in authorizing Glen Canyon Dam.

Years ago, I had the opportunity to go by boat down the Glen Canyon of the Colorado. We used to float past the damsite before construction began, and I have always been grateful for the experience. But this was not a trip to be recommended for most, since it was too hard a journey for the very young or the old, and it took several days to complete, camping on sandbars and drinking river water.

The view of the canyon from the muddy surface of the river was awe-inspiring; but the view is even better today. And today, Lake Powell is the crown jewel of this scenic area, which has been opened up to the many who come to see, swim, boat, fish, and enjoy the outdoors. Those who visit Lake Powell return home enriched by their look at a magnificent setting created jointly by man and nature. The towering multicolored cliffs, changing color as daylight shifts to evening, are made more beautiful by their contrast with the blue waters added by modern engineering.

As it ran downstream before Glen Canyon Dam was built, the Colorado River was red with sediment. Oldtimers said it was too thick to drink and too thin to plow. Lake Powell's waters, nestling within the time-carved orange-red sandstone canyons, are now a deep blue.

Critics complain that Lake Powell has covered irreplaceable natural beauty that should have been left untouched. But without the reservoir, water for tomorrow would not be available. The untouched beauty of yesterday was available only to a hardy handful who entered the area by river raft. Today's beauty is for all to enjoy. Preservation has an important place in water use planning, but not at the expense of essential water conservation.

Mr. ALLOTT. Mr. President, will the Senator yield?

Mr. MOSS. I yield.

Mr. ALLOTT. I am very interested in the discussion of the Senator with respect to recreation, because it is a matter that has caused all of us much concern over the years.

Does the Senator have at this moment any figures relative to the number of people who have used Lake Powell for recreation during the past year?

Mr. MOSS. I do not have the precise figures available, but I do know that they exceed a half million. Lake Mead is now used by more than 3 million people a year. I believe that the number of people using Lake Powell will equal this figure as soon as there is adequate access to the lake. The lake is very remote, and roads have not yet been built to the shoreline.

Mr. ALLOTT. So, actually, with respect to the Lake Powell situation, in excess of a half million Americans a year have access to a great recreation area, whereas before the construction of the lake, there was only a handful, literally?

Mr. MOSS. That is very true.

The Rainbow Bridge National Monument illustrates this fact perhaps best of all. This is the greatest sandstone arch in the world, beautifully set just off the shore of Lake Powell. Presently, people can go by boat and land within a mile of the base of the bridge and take an easy trail up to see it, and they do this by the thousands.

Rainbow Bridge has been a national monument for half a century, yet just the barest handful of people have been able to get there. It is a 14-mile hike or muleback ride to come in overland from the Arizona side. Previously, people could go by river for 2 or 3 days and then hike 6 miles up to see Rainbow Bridge. More people now see Rainbow Bridge in a week than did so in a year in the 50 years before.

Mr. ALLOTT. As an example, although I have been in the southeastern portion of the Senator's beautiful State several times—in my opinion, it is one of the outstanding scenic areas in the world—I do not know how one can approach the fantastic rock formations which are found in that area, down toward the Four Corners area and up north and west of there. Unfortunately, although I have been in that area several times, I have never had an opportunity to see the Rainbow Bridge.

I have one other question along the same line: Is it not true that there is no access, except by a very good jeep or by horseback, into the area where the Hualapai Dam would be created?

Mr. MOSS. That is true. It is almost totally inaccessible.

Mr. ALLOTT. Is it the Kanab Indian Reservation that one can go through to get to that area?

Mr. MOSS. No. That is farther up river. I believe one must go down onto the river and come along the river botton to get into the Hualapai area where the dam would be built.

The point I was trying to make is that this area is nestled in the bottom of a canyon, and it is so far down that one cannot stand on the rim of the Grand Canyon and see the area where this water would back up if the lake were formed down there. Therefore, the great wails and cries that go out, and the articles that appear in national magazines, saying, "Don't flood the Grand Canyon," are ludicrous. Not only could you not flood Grand Canyon; you could not even see the water from the rim of the canyon if the lake were impounded.

Mr. ALLOTT. As a matter of fact, so that the record will be perfectly clear, the Colorado River forms a portion of the western boundary of the Grand Canyon National Park. Is that not true?

Mr. MOSS. That is true.

Mr. ALLOTT. And contrary to the information particularly put out by the Sierra Club and other similar organizations, no part of the Grand Canyon National Park would be invaded except that portion from the center of the stream out to the edge of the reservoir, and in no place would the reservoir actually back into the Grand Canyon National Park. Is that not true?

Mr. MOSS. The Senator is correct. The very maximum elevation that the lake would reach would be that it would touch Grand Canyon National Park for 13 miles on one side of the reservoir. It would not intrude into the reservoir, but it would touch the Grand Canyon National Park for 13 miles.

(At this point, Mr CANNON assumed the chair as Presiding Officer.)

Mr. ALLOTT. The Senator is well informed about this area. Would it be safe to say, and would it be in line with complete logic and objectivity, that whereas perhaps a very small handful of people out of the entire population of the United States have the money, time, and health to get into this area where the Hualapai Dam would be constructed and see it, if the dam were constructed, it would open up a vast recreation area that could compete with Lake Powell or Lake Mead where so many people have found recreation and fun?

Mr. MOSS. The Senator is correct. That is the purpose of my dwelling on Lake Powell. As the Glen Canyon Dam was planned and built, we had the same objections that it would drown out the canyon and ruin the beautiful formations. There was an emotional campaign in connection with permitting any finger of water from protruding against the Rainbow Bridge Monument.

As the Senator said, hundreds of thousands of people in the United States, the people who own that area, can go there now and enjoy these beauties and they can see Rainbow Bridge. Beyond that, the scenery has been enhanced. They can look out upon the surface of a beautiful green-blue lake, a sight that very few persons had seen before because it was not possible to get there before due to the fact that if one were down on the river bottom he could not climb into that area and no one could come in from the top. That area was not even seen by Indians.

Mr. ALLOTT. This is true, is it not, even with archeological resources? Perhaps these sites have been seen by one individual, maybe one of our old desert rats who was looking for uranium or gold, but otherwise they were hardly ever seen by anyone.

Mr. MOSS. The Senator is correct. That was our experience in connection with Lake Powell. A similar situation would exist on Hualapai. In this case, the people of the United States would have a chance to come and go on the surface of that lake and be able to look up and see the great massive walls and great expanse of the Grand Canyon. Older people would be able to do that, or people who had only a few days to spend there, or the very young. In fact, the great mass of people could go there because it would be economic. Now, the only way to get there is to float down the river on a raft, which takes money and time.

Mr. ALLOTT. It takes money and time, and a hardy disposition. Is that correct?

Mr. MOSS. The Senator is absolutely correct.

Mr. ALLOTT. Will the Senator yield for another moment or two?

Mr. MOSS. I will be glad to yield.

Mr. ALLOTT. I have been concerned for a long time, as I am sure the Senator has. We have in this country a vastly increasing number of people who have reached the age of retirement at the age of 60, 62, or 65, who retire on either private pension funds from organizations for which they have worked, or on social security. These are people who have been at a desk working all of their lives. They have not been able to get there. It would be foolish for them to go there and attempt to cope with the rigors of a float trip down the river. We have millions of people who reach that age in life who are looking forward to receiving a few of the rewards of the things they have worked for all of their lives. With the situation the Senator describes, this place is forbidden to them for practical reasons and financial reasons, because it is expensive to do, and for physical reasons, because they are not strong enough. These people perhaps have spent all of their lives at a lathe or at a desk or in some occupation and they cannot go through extreme physical rigors. However, this would open it up to these people who have reached retirement age and who have a right to see this area for the first time, because they have been busy raising their families; it has taken all of their money to raise their families and to educate their children. Those persons would be able to see for the first time and have access to this gorgeous area which they could never hope to see and never have access to, because of the way the situation now exists. Does the Senator agree with that statement?

Mr. MOSS. I agree entirely with the Senator. The Senator describes the situation very well. We are now experiencing a veritable explosion of outdoor recreation which consists largely of touring, getting a little camper and going about, and a great proportion of that explosion comes from retired people, as the Senator has pointed out.

One of the facets of the outdoor recreation explosion is water recreation. Water recreation has grown a great deal faster than any other area of recreation in this country in the last 5 or 10 years. Water recreation is being sought everywhere one turns. The dry desert country, which is fantastically beautiful, is very lacking in water except for the one river that goes through the area. To create a lake is to create wealth untold for people to come there, enjoy recreation, and have those beauties available to them, as the Senator described.

Mr. ALLOTT. It is creating almost a second heaven where people with limited physical capability and limited financial capability could come and not only enjoy the wonderful scenic areas there, but also fish, that great American pastime which we do not get to enjoy too much down there.

I believe the Senator has made a real contribution in pointing this out. From a recreational standpoint I do firmly believe that we will accommodate hundreds of thousands of Americans, the very young, the elderly, the physically infirm, who would never and could never hope to have a look at that area in any other way.

I appreciate the Senator's remarks.

Mr. MOSS. I thank the Senator.

Mr. HANSEN. Mr. President, will the Senator yield?

Mr. MOSS. I yield.

Mr. HANSEN. Mr. President, I compliment the Senator on bringing to the attention of the Senate a number of important facts and valid considerations that I think should enable all of us to make a more accurate judgment in connection with this entire question.

The Senator has spoken specifically about the physical situation as he contemplates what would result were the Hualapai Dam to be constructed.

I wish to ask the Senator if he is familiar with the Flaming Gorge area which is so important to his State of Utah and my State of Wyoming.

Mr. MOSS. I am very familiar with the area. I must make a confession and tell the Senator that last week I was on the lake there, where the fishing is superb. This is similar to what I was talking about with respect to Lake Powell. Lake Powell is a deep lake which got its name from John Wesley Powell who went through there 100 years ago. It is a great, beautiful gorge, filled with blue-green, clear water and it comes out of Utah where the dam is located and goes on up into Wyoming for 100 miles. I do not know whether this should go in the RECORD, but I must say that the fish are a little bit bigger in Wyoming than they are in Utah.

Mr. HANSEN. I thank the Senator for admitting something that Wyoming has long contended to be a fact; namely, that the fish in Wyoming are slightly larger than they are in Utah.

The Senator is making such an excellent statement this morning. Because he is a leader in the field of resource conservation, he recognizes, as I do, the important contribution that these areas of pristine excellence contribute to all the people.

Utah possesses a number of the most important jewels in the national park system. In Wyoming, we are proud to claim title to the major part of the first national park—Yellowstone. In addition to Yellowstone, in my own country—Jackson Hole country—there is the Grand Teton National Park.

Thus, each of us, I am sure, has more than an average perception of the importance of preserving untrammeled and unspoiled the pristine character of the unique areas; yet, at the same time, we recognize that in Flaming Gorge we have brought a great deal of enjoyment to increasing numbers of people. Equally important, a recreational asset is available for a great many people would be denied the benefits which come from fishing, boating, and sightseeing on the important reservoirs. Does the Senator agree?

Mr. MOSS. I agree entirely. I appreciate the Senator's comments about this. I was recently in that beautiful area of the Grand Teton National Park and Yellowstone Park. What a wonderful outdoor scene it is. As I viewed it last, the thought came to me, as I went across the dam which raises Jackson Lake, what a thing of great beauty it is to have Jackson Lake. How superb it looks lying across the face of Grand Teton with Mount Moran in the background.

To think that if the preservationists had been busy then we could never have created a national park in that area by raising the dam and making the lake larger, because they would have charged we were changing nature and therefore the whole thing should be rejected. Yet, the lake would have been flooded had it not been for placing a small earthen dam against it, with a spillway out of it. By doing that, Wyoming has not only created additional beauty and an additional recreation area, it has also been able to control the flow of the Snake River and keep it running at a regulated amount of water all during summer months. So that now one can go out on the Snake River and boat and fish, or whatever else one wishes to do downstream from that dam all during summer; whereas, as it was before, early in the year, there were floods and damage and resultant low water where one could almost jump across it late in the year. That is what used to happen. That is what used to happen with all the rivers down there, which broke out, we will remember, for 3 years to create Salton Sea. But the river was brought under control. Yet late in the year, the water would be so low that we could literally jump across it. Now it runs all year round and runs at a relatively steady pace.

Thus, we have created this additional recreational beauty spot and wonder, in addition to making the lake.

Mr. HANSEN. I thank the Senator for calling attention to the successful coordination of the use of our resources in order to serve many purposes. I think the Department of the Interior has struck out in creating some bold new approaches. The impact of the population has demanded it, that we make multiple use of all our resources.

I should like to point out that it is certainly true that a great many people will use or presently use Flaming Gorge, as I suspect and I know they will use Hualapai, when and if it is built.

After all, many of us could be retired and in our old age by that time—which many of us look forward to with some misgivings. I am one who contemplates old age as not being so bad when we consider the alternatives. Because of that, I think it is understandable that last year, in Flaming Gorge, I am told, there were more than a million and a half people who enjoyed that area. I remind the Senator that a million and a half persons is over half the total number that visited Yellowstone Park last year. My prediction would be that because of the extended period of use of this area, the time is not far distant when there will be more persons enjoying Flaming Gorge annually than those who visit Yellowstone annually. I suspect that the same thing will be said, at a later date, about Hualapai. This is a great area but is presently restricted only to those who have the unique qualifications of being vigorous, young, and with sufficient time for that kind of vacation.

Mr. MOSS. I thank the Senator, and I agree with his observations. I appreciate his comments on this matter.

Mr. President, let me sum up by saying that Lake Powell is an outstanding example of the kinds of balancing required by today's realities. The waters provide 1,860 miles of shoreline in one of the Nation's most scenic water recreation wonderlands. Recreation areas being completed will provide accommodations for all budgets—those of low-income campers as well as those who can afford luxury. Rainbow Bridge, a beautiful national monument in the State of Utah, was once accessible only to a very few who boated and hiked, or packed into the rugged country. Vacationers at Lake Powell may now take a boat to floating docks at the entrance to Rainbow Bridge Canyon, then walk the trail along the canyon's side. Undamaged by the water, Rainbow Bridge soars high in arched and graceful sandstone beauty carved by time, wind, and rain.

What I have said about Lake Powell and Glen Canyon is applicable to Hualapai Dam in Bridge Canyon. A great blue-green lake below the Grand Canyon National Park would be a tourist mecca in addition to providing storage capacity, hydroelectric power, and water for the Hualapai Tribe of Indians. Hundreds of thousands of people would come to enjoy water recreation and to view the Grand Canyon Gorge from the bottom.

The fact that the lake created would touch the border of Grand Canyon National Monument for a few miles at its extreme western end would not detract from this great scenic wonder. However, should there be objection to this change of the natural state, a very small slice of that vast National Park could be severed, at the same time that great areas are, by statute, added to it in the Marble Canyon Gorge and on the north rim of the Grand Canyon.

DIXIE PROJECT

Mr. President, I turn now to a brief discussion of the Dixie project. Since the occupant of the chair, the distinguished Senator from Nevada [Mr. CANNON], is from this area, I think it very appropriate to describe it at this point.

In talking about the Dixie project, many Senators may be surprised to hear it brought up again, since they voted for it 3 years ago. The path to its completion has been strewn with difficulties, and so my State of Utah is still engaged in the struggle to make Dixie a reality.

As we know, this struggle is of long duration—more than 25 years.

The Dixie project is located in the Virgin River Basin in southwestern Utah. The river rises in the high plateaus and mountains of western Kane County, and flows through Iron and Washington Counties in Utah, across the corner of Mohave County, Ariz., and discharges into Lake Mead in Clark County, Nev., making it a part of the Lower Colorado River Basin.

The area is known as the Dixie of Utah because of its moderate climate and the fact that cotton was grown there when it was first settled.

There is available in the valley considerable water. The river reaches flood proportions in the spring and dwindles to a very limited supply in other months. Average rainfall is 8.42 inches. There are land and resources for both the production of crops not in surplus and for industrial development.

Following passage of my Dixie project bill in 1964, the Bureau of Reclamation conducted complete engineering feasibility studies as is the agency's regular procedure. It was discovered that the damsite chosen was underlain with porous rock and would not hold water. The dam could not be made secure. An alternative site was found which was otherwise satisfactory but at which electric power could not be generated. This placed the project beyond the capacity of the water users to repay, and made essential the provision of financial assistance.

The financial problems for Dixie were aggravated because of the strict provisions insisted on by the House Interior Committee, provisions which I commented on in 1964.

While I was elated to have House action on the project for which the people of southern Utah had waited so long, my elation was considerably tempered by the House amendments.

That committee amended my bill abandoning the concept recognized in Central Valley, Missouri Basin, and other reclamation legislation that a project should bear the costs of necessary highway relocation in the reservoir area. The House Interior Committee, however, amended the Dixie bill to shift about $2 million to the shoulders of the State and to the power consumers in the area. The costs of relocating the highway fell on the State of Utah and on the citizens of St. George through increased power rates. There is no precedent for shifting the road costs to the State, but this amendment was not successfully opposed in the House.

The House committee also rejected a Senate provision allowing the repayment of $3 million of project construction costs from Hoover Dam revenues. This provision also followed a pattern which had been set. Excess costs are repaid by the power revenues in basin accounts in most areas. But the House struck this from the bill. The Dixie project is in the lower basin of the Colorado River, where huge power revenues are available from the great Hoover Dam and other dams on the lower Colorado. Three million dollars is a very minor part of those revenues, yet of greatest importance to a small project like Dixie. It did not seem fair to deny this power revenue support just because no lower basin fund was then in existence.

In anticipation of the establishment of such a fund—which we already had in the Upper Colorado River Basin—the Department of the Interior interposed no objections to plans to allow the project to use this small portion of Hoover Dam revenues. The Senate agreed that this was fair.

I served notice then that I would make an effort, when the lower basin account bill was before the Senate, to amend it to lessen the burden placed by the House bill upon the power and water users of the Dixie project.

When one understands the difficulties that beset the project, and recalls the legislative history, it is plain why I could not turn my back on the Dixie project now.

My somewhat testy reaction to the changes made in the Dixie reclamation bill by the House Interior Committee was heightened, I will admit, by the provisions of another reclamation project reported only a few days before the Dixie project. I am referring to the Savery-Pot Hook project for Colorado and Wyoming. As chairman of the Senate Irrigation and Reclamation Subcommittee, I was asked by the House committee to schedule hearings on this measure as soon as the House had acted on it—which I did within the week and with pleasure, even though we were in the last days of the session.

The Savery-Pot Hook project pays back a much smaller percentage of its costs than will Dixie.

The farmers who will use Dixie water to irrigate their farms must pay back over half of the irrigation costs of the project; the farmers who will use Savery-Pot Hook water will pay back only one-eighth of the project irrigation costs.

Again, the ad valorem tax to residents of Washington County, site of the Dixie project, is 5 mills countywide; Savery-Pot Hook residents will pay less than 2 mills.

I realize that the Savery-Pot Hook project is a high-altitude project, with limited acreage to be brought under cultivation, while Dixie is located in a section of the country where the climate is mild and where it has been proved that water can create lush green fields growing a variety of crops in an extended growing season.

Savery-Pot Hook operations must, therefore, be large-scale farming operations, since it will require a large unit to make them economical. Dixie, on the other hand, will bring water to many small farms, of limited acreage, some of them inadequate for more than marginal living. So when the Congress made it more difficult for the Dixie water users to pay out their project, we put a greater burden on the small farmers on the postage-stamp farm. This I could not accept without making vigorous objection.

The Dixie project is an excellent project. The cost-benefit ratio exceeds 2.2 to 1. It is of regional and national, as well as local, importance.

The opportunity to repair the deficiencies in the 1964 Dixie bill arrived with the bill before us. I felt that I could not permit the bill to authorize the central Arizona project to come to the floor containing a lower basin development fund that did not make that fund applicable to the Dixie project. Therefore, I requested an amendment to include Dixie, and when that amendment was accepted I voted to report the bill. No matter how imperfect S. 1004 is otherwise, Dixie is protected. If the entire bill cannot be perfected and if the imperfect bill passes despite my opposition to it, Dixie yet will be protected.

I should like to read a paragraph from page 51 of the report on the bill. I do this because it has been erroneously stated in several instances that the Dixie project would not enjoy the nonreimbursable feature of fish and wildlife since it was not referred to this legislation. I read from page 51 of the report, referring to section 2(j) of S. 1004:

> SECTION 2(j)
>
> The Dixie project, located in Utah, has been authorized but is not yet under construction because present studies indicate it will be $25 to $30 million short of being able to repay the reimbursable costs. This amendment provides that the Dixie project may receive financial assistance from the development fund and thus become a financially feasible project.
>
> It is the intention of the committee that the provisions for the repayment of the Dixie project remain as far as possible in accord with the project's authorizing legislation (Public Law 88-565, 78 Stat. 848). Costs allocated to recreation and fish and wildlife are to remain nonreimbursable as in the original authorization.

I am sure this is in accord with the law. These funds having been originally made nonreimbursable, there could be no change in the law without specific reference to repeal of that section.

Without storage of high-water flows to increase the reliable year-round supply, to agriculture, to the towns of St. George and Hurricane, and to other communities, growth in the valley will be limited. The reservoirs will service the area for increasing numbers of tourists and visitors to Zion National Park, Dixie State Park, Cedar Breaks National Monument, Bryce Canyon National Park, and other scenic and recreational areas in southwestern Utah. Visitors there will increase even faster when Canyonlands—a little to the east—is fully developed as an outstanding national park in southern Utah. There is, consequently, real national, as well as State, interest in the Dixie development.

WATER NEEDS

So much for past history. Let us remember that we, too, are making history.

This August of 1967 is no time to be enacting water legislation tied to narrow sectional interests. Such a bill as this might have been appropriate 30 years ago; today it is an anachronism. It is a horse-and-buggy legislation in a day when rockets orbit the earth. This bill deals with one small facet of the water problem and in so doing jeopardizes the rights of several States. It should take the long view and deal with interbasin transfer and river augmentation.

The PRESIDING OFFICER. The Senator's 1 hour has expired. Does the Senator wish to be recognized?

Mr. MOSS. I would like to be recognized so that I may continue.

The PRESIDING OFFICER. Without objection, the Chair recognizes the Senator from Utah.

Mr. MOSS. The water story of America this year is a national story—and it is frightening.

In fact, the water story today is a cliff hanger.

Will America find ways to meet its growing water shortage?

Will we stop using and misusing and generally wasting our water resources as if there were no tomorrow?

Will we stop polluting our rivers and our lakes, creating health hazards for our people, killing off our fish, and desecrating our recreation areas?

Will we glut the beautiful Ohio with garbage?

Will we let the Great Lakes die?

Will we awaken one morning to find that we have run out of clean water in some sections of our country, and out of water of any kind in others?

No one can answer that today. Ask again in 1980.

Find out whether the people in the richest nation in the world were sufficiently awakened in the sixties to do the things which must be done in the seventies to prevent the country from going through its water ceiling in the eighties.

Learn whether we made enough progress in discovering and employing revolutionary techniques in water resource development and conservation to keep our faucets from running dry, our crops from turning brown, and the wheels of our industry from slowing down and stopping.

Learn whether we kept our water sources clean, our water wastage down, our water reuse cycle high—whether we found out how to control "water hogs," how to bridle unreasonable water use, how to impose disciplinary measures to control waste—whether we discovered how to desalt water cheaply, and how to make rain fall where we want it.

Find out whether we learned how to put to beneficial use surplus water through interbasin and intercontinental water transfer.

Learn whether we saved enough of the precious liquid through recharing of aquifers, and through multiple-use projects to increase supplies of municipal and irrigation water, to improve navigation, to control floods, to provide more power, to create new recreational areas, and to protect our wildlife.

I believe that America will win this water fight.

I say we will win because both the private sector and government, from the county level up, are beginning to realize the immensity of our water problems and are moving to conquer them.

And, finally, I say we will win because the people themselves are awakening to the perils of our water pollution and the vulnerability of our water supply and they are beginning to insist that more be done, and to support financially the doing of it.

The breakthrough to the man on the street is the crucial one. For years, as the Senate well knows, water has been discussed back and forth in the jargon of water experts, resource engineers, technicians, lawmakers, and departmental authorities. But today the pollution of our waters and the ebbing of our supplies is a subject for discussion in editorial columns, in magazine articles, in television specials, in civic clubs, and over backyard barbecue pits.

Many forces have converged to make water of such commanding interest. A real impetus came from the report made by the Select Committee on National Water Resources, on which I served.

Some have forgotten, perhaps, that—8 years ago—the Senate was so concerned about the state of our wastes that we appointed a select committee to study and report.

This committee inventoried our water resources and projected our requirements through 1980, and supplied us with the hard facts.

But it took a whim of nature to dramatize our troubled waters—to make water breakfast table conversation. A shift in wind patterns, causing rain to fall over the ocean rather than upon the coastal areas, greatly reduced, for several years in a row, the normal precipitation which fell from New Hampshire to West Virginia. This is a region of our densest population and our heaviest concentration of industry.

Now, we in the West know all too well what it is to have our cities and towns thirsty, and our fields dusty and dry. But the people of the East and Northeast have almost always had a bountiful supply of water—and they serenely assumed they always would. Then they discovered that it could happen to them.

In August 1965, the chief engineer of the city of New York warned the Delaware Basin Commission that "Fun City" could "run out of water by the middle of February." President Johnson declared the Delaware Basin and New York a disaster area, and a drastic water savings program went into effect.

Well, as we all know, the East and Northeast did not run out of water. It did skimp through. But the interest of the people and their officials and their newspapers and their civic clubs was aroused as it never could have been aroused by a Senate Committee report. A whole new and important area of the country became receptive to the water story.

By now, some of this has been forgotten. In 1967, the rains came. The Potomac's flow in July was three times that of 1965. With thirst gone, the sense of urgency has expired.

But we still must ask—what is the water outlook in the years ahead in concrete terms. The facts compiled by the Senate Select Committee are still our bible on this.

If we in America are to sustain our expanding population and rising standard of living, we will have to double our usable gallonage by 1980 and triple it by the year 2000. We now use an average of 280 billion gallons of water each day for irrigation, industry, and homes; we will be using about 600 billion gallons in 1980 and 900 billion gallons a day by the year 2000.

We found out further that 600 million gallons of water a day is getting close to the ceiling of the total supply of water of good quality which our engineers have told us could be made available with present knowledge and techniques.

We learned that in five of the Nation's 22 resource regions we stand on the edge of full water use—we could well be out of water in any of them by 1980. One of these water-short basins is the Colorado River Basin about which you are hearing so much this week.

In most of the other water basins, where rainfall is generally adequate, pollution is rampant. Almost every American river of consequence is infested with water pollution from one source or another. Ten times as much industrial waste, per million persons, is being poured into our waters today as in 1900. Municipal waste has increased threefold during that period.

Some estimate it will take $75 billion, spent over two or three decades, to clean up America's rivers.

Nor have our lakes been spared. The Great Lakes are a tragic example. Industry and communities around the lakes have used the once-pure water as a dumping ground. Erie, the northern border for much of industrial America, is the sickest of the Great Lakes. About one-fourth of Erie is all but dead today. A huge expanse contains almost no oxygen, no fish swim about, and the surface is infested with scum.

We learned also from the Water Committee that we were proceeding too slowly in harnessing and developing our rivers through multiple-purpose projects—that we must make the 1970's the decade of advance dam construction, just as we have made the 1960's the decade of advanced highway construction.

We learned that we must do more to combat water variability, which means both floods and low water flow. And finally, we discovered that we have only started to work on the great problem of water waste—on the ways in which water is being used inefficiently, on "water stealing" vegetation, on evaporation, and on allowing water to run off to the sea unused or only used once.

Finally, we found that we had lagged on research in all of these fields—that a constant expansion of knowledge and technical capability in the water field is indispensable.

The committee estimated that the Nation should invest a total of $228 billion in the period between 1958—when the figures were gathered—and 1980 for all types of water resource facilities. This means that we need to spend more in a 20-year period than we have spent in almost 200 years.

This report unbuttoned a surge of both discussion and action in the water field. I think it is safe to say that the Congress has passed more constructive water legislation in the past 5 years than at any other time in history.

We established a Water Pollution Control Administration which will conduct and oversee a broad public and industrial pollution control program, and greatly expand the Federal funds available to communities for the construction of waste treatment and other pollution control facilities.

We launched a water research program which will invest nearly $100 million a year for 10 years on basic water research, over and above the desalting program.

We enacted the Water Resources Planning Act to get water resource planning on a river basin basis, and provide planning money for the States.

All of this—and much more—in 5 short years.

But, through all this water activity, the needs of Arizona are seemingly forgotten. A project that had been proposed for decades—the central Arizona project—lay dormant.

There were two reasons for this and I have previously mentioned both.

First was the court case.

Second, the States of the Colorado Basin were negotiating over the allocation of the water. Month after month the water experts and representatives of the seven basin States met to thrash out an agreement among themselves that would settle this vexing problem with justice to all.

That agreement resulted in the Lower Colorado Basin development bill which was approved by the House Interior Committee last year. As everyone knows, the bill floundered on the issue of the construction of two more dams on the Colorado River in Arizona. This proposal so outraged the preservationists that the House committee was unwilling to bring the bill to the floor.

It was then anticipated that the principal features of that bill would be retained for legislative action this year—but with the elimination of the one most controversial of the dams. With one dam eliminated, and a willingness of Congress indicated to extend the national park in the Colorado gorge, it was hoped this would be a reasonable compromise which could be enacted at this session.

But the administration decided to forget compromise and go all the way in the other direction.

S. 1004, this bill would authorize the central Arizona project but would ignore the problem that has delayed this project all of these years—the fact that there is simply not sufficient natural flow in the Colorado River to meet the demands within the basin beyond the year 1990.

Therefore, any acceptable bill must involve balancing the interests of the State of Arizona with the other States who have rights to the waters of the Colorado River.

Our need is to understand the arithmetic of the situation. The decree in Arizona against California confirms 7,500,000 acre-feet annually to the lower basin and an equal amount to the upper basin. The share of the lower basin has been divided into 4.4 million acre-feet to California, 300,000 acre-feet to Nevada, and 2.8 million to Arizona. This, of course, equals 7.5 million acre-feet. But to that must be added the 1.5 million acre-feet that must be delivered to Mexico under the terms of the Mexican Water Treaty and 1 million that is lost in evaporation between Lee Ferry and the border. This totals 10 million acre-feet—an amount of water which simply is not there.

During all the discussions of the States on this problem, this arithmetic has been foremost in the minds of the conferees. They have recognized that a primary safeguard for all the basin States is a study of sources to supplement the natural flow of the Colorado River. This bill is incomplete without a legislative commitment to study water importation from areas of surplus. The danger will always remain that when the upper basins utilize their allocations, there will be insufficient water for the central Arizona project to divert.

I am anxious to see any area of the United States receive water that it needs. I will support any feasible means of providing that supply. But the only practical method of meeting the problems of the Colorado Basin is to place importation studies in this bill. I would, of course, support any feasible means of augmenting the water supply, but as of today, importation appears to be the only practical method.

Interbasin transfer of water has been transformed into some sort of scare word in some quarters. There is nothing unique in interbasin transfers. Colorado River water is now being transferred into the Missouri River Basin, into the Rio Grande River Basin, and into the Great Basin. There should be nothing startling in the proposal to bring water from either the Columbia or northern California to supplement the flow of the Colorado. Indeed, one could say that the need for importation is to satisfy a treaty with Mexico, not to meet any new uses. Therefore, importation would be to meet a national obligation—not a State or regional obligation.

I have proposed in the bill which I introduced (S. 1409) that we look first to northern California's coastal region as a source of water importation. This would require development of water projects much sooner in this part of California than would otherwise be necessary, but this could be of considerable benefit to the area of origin. It was the water association of this area in northern California that suggested that this might be the best way to solve the shortage in the Colorado River. The fact that the water comes from a State that is itself deeply concerned with the Colorado River, may allay some fears of representatives of the Northwest.

Mr. Ely, representing the State of California in the recent House hearings, stated:

> We are prepared to have the Secretary, the Commission, anybody else look at a plan to take from the streams of northern California, two and a half million acre-feet for the rescue of the entire Colorado River Basin by putting that quantity in to the main stream, even though the amount we get back out of it is less than 20 percent of what we contribute.

I think that is a commendable and statesmanlike position. In a sense, it embodies the real effort of the basin States to resolve their differences, to compromise, and to work out a regional bill. To discard this unity, so laboriously achieved, will not free the central Arizona project from controversy. Nothing could be more controversial than building a project for which there is not enough water.

The most devasting question anybody can ask about this legislation as it now stands is, "Where do we go from here?"

Proponents of S. 1004 in its present inadequate form have many promises but no answers to that question. There are answers, for the simple reason that there must be answers. We have to find them. My recommendation and the type of amendment that I want to support, is that we put into this bill the start of the search for some of those answers. It is that simple.

The late Charles F. Kettering, genius of the automobile and author of many of the ideas which made General Motors what it is today, is reported to have defined research as the business of trying to find out what you are going to do when you have to stop what you are doing now.

That is the improvement I am asking for this legislation, that we amend S. 1004 by making provision now for the search for answers to the question of what we do next.

I had thought that with all the progressive water legislation of the past half decade the Congress of the United States had learned Dr. Kettering's lesson. Surely, we can foresee the day when we have to stop what we had done for so long, piecemeal planning, short-range projects, uncoordinated resource development planning.

S. 1004 is a step backward. It is out of step with the national planning objectives, the total water management philosophy, and the modern systems analysis approach to the great problems which face our country today.

This will be the first time, I believe, in 5 years, that the Senate will have taken any action of this importance which would reduce the momentum of sound natural resource planning, slow down the progress we have been making toward preservation of our country.

The irony of the situation is that the shortcomings of this bill can be so promptly overcome. We need only to amend S. 1004 to reflect the fact that the lower Colorado Basin is an administrative division, not a natural one, that it is part of a much larger Colorado Basin, and that the whole Colorado Basin is a part of the great region we call the West, and that the West is a part of the United States. And, contrary to the situation we in the West faced not so many years ago, there is a sympathy and understanding in other parts of the country of the water problem of the West. This is simply because the water problem is national, not sectional.

The work of the National Water Commission proposed by the President and approved twice by the Senate is now in conference awaiting its turn in the process of ironing out differences between House and Senate versions. I believe it will be a useful body, even though its very existence may tend to delay some decisions that the Congress ought to make on its own.

The Commission would have 5 years in which to write a national water policy. It may make recommendations on specific steps at any time during the 5 years of its life. I hope it will begin studies promptly of the organization problem, that is, the problem of disjointed water resource management that results from separated responsibility, divided authority, differences in the functional orientation of the Federal agencies, competition for funds to meet statutory assignments, conflicts in user interests, Federal, State, and local political prerogatives, and sectional protectivism.

These are problems which can be examined by the seven-man National Water Commission and what I hope will be its competent staff, without spending 2 or 3 years gathering the geophysical data required for technical judgments as a necessary basis for development and evaluation of solutions. These problems call for political and administrative decisions on which the Congress wants recommendations from a competent group of outstanding citizens making judgments free of any bias attributable to a preconceived interest in Federal water policy and with a sound perspective on Government operations.

But this is only half the problem, Mr. President. The political and administrative analysis and evaluation we want from the Commission deal only with the machinery for making the necessary technical judgments. The technical judgments themselves are something else. We have some very difficult judgments to make, as is clearly illustrated by the debate on S. 1004.

The Water Study Commission would not be free to do its job if the Congress gave it statutory instructions to answer questions on specific projects or proposals. We would certainly be wasting our time and the time of the outstanding citizens we want to serve on the Commission if we start telling them what to do. As a matter of fact, if we try to shift the responsibilities of the Congress for making decisions on specific projects to the Commission, or tell them what answers we want to problems necessarily before the Congress, we will not get the caliber of citizens we want to serve on this important Commission.

The principal sponsor of this legislation in the Senate, the chairman of the Committee on Interior and Insular Affairs, the able junior Senator from the State of Washington [Mr. JACKSON], has taken a very firm but constructive position on this point of having an absolutely free Commission. Senator JACKSON has steadfastly maintained, and I trust he will concur in this estimate of his position, that the Commission must be free of any restrictive directions either from the Congress or the President. I share his views on this point.

But there is such a thing as restricting the freedom of the Commission by denying it information on which to base judgments. Unless this Commission has available to it at some time during the 5 years, the information upon which to base recommendations on multibasin interchange of water, we cannot possibly get any guidance on the subject.

My position is that the competent agencies of the executive branch of the Government must be directed promptly to start gathering the necessary data to permit full examination of the possibilities of interbasin transfers of water. It is time to start collecting information required, among other purposes, Mr. President, as a basis for meaningful debate in this body as to whether it makes sense even to talk about importing water from Canada.

My study of the NAWAPA concept convinces me that true continental planning of water resource development makes sense for both Canada and the United States. I believe, on the basis of all the data available, that when Canada has completed the projections of her own ultimate water requirements and the appraisals of her water resources, she will find she has a surplus. I believe she will also find that she can profitably export that water to the United States as a sustained yield crop which is not subject to depletion.

I do not kid myself, Mr. President, that the working out of a treaty, arriving at an equitable arrangement for trade in water taking into account all of the sensitive and complex factors involved, will be an easy job. It will be very difficult. But it will be an impossible job unless we have the necessary base of geophysical data by which to select routes and plan an efficient system to make full use of imported water.

Engineers of the Ralph M. Parsons Co., who worked on the NAWAPA concept, are careful to point out that it is strictly a preliminary demonstration of the principle of continental water planning. They say it would take several years of intensive field engineering work and geological studies to check out the system even before beginning actual design of facilities.

NAWAPA happens to be the most comprehensive water resource development concept, perhaps the stimulator of other plans for interbasin transfers, but not the only one. It is my understanding that the Corps of Engineers, in the course of their studies of droughtproofing of the Northeast, is examining the possibilities of interconnections among the Susquehanna, the Delaware, the Hudson, and perhaps other watersheds as a means of making full use of all our water. Such planning is sound, sensible, and necessary.

Similar planning is going on in other parts of the country. The possibilities of transferring water from the lower Mississippi to West Texas are under study. In Canada, preliminary studies are underway as to the possibilities of collecting water in the midcontinent North with the view to distribution in the Prairie Provinces and export of surplus to the southern High Plains region of the United States, one of our serious water crisis areas.

The State of California, of course, has gone ahead with multibasin development, within State. The monumental California water project is a magnificent tribute to the engineers who designed and the planners and political leaders who sponsored it.

It is, at the same time, an encouraging demonstration to the rest of the country of what can be done if we set our minds to it.

One of the most critical water problems we face today is the Great Lakes. The International Joint Commission is studying the problem of lake levels, but is confined in the search for a solution to building control works on the lakes themselves. Such a solution does not appear to be effective in the long run, nor sound from a resource care and development standpoint.

The most pressing aspect of the problem is pollution, but we are making a start on solving that one. The concerted effort of the Federal Water Pollution Control Administration and the States and cities using the Great Lakes for waste removal is going to pay off. We are still a long way from control of the poisonous inputs to the world's greatest body of fresh water, but we can see the day when we will be able to turn the curve downward. It will be a long time before we can see a change in the water of Lake Erie, for example, but at least we can predict the day when we will stop making it worse.

When this day comes, it makes sense then to talk about adding water to the lakes. Such a proposition has been under discussion in Canada since 1959, when the Kierans plan was first advanced. This is a concept developed by an engineer, Thomas W. Kierans, of Sudbury, Ontario, to bring water from the James Bay watershed into the Great Lakes-St. Lawrence system. He would use the lakes as a massive storage and transfer reservoir to supply water to the whole north central and northeast quadrant of the United States. In this area, the NAWAPA concept and the Kierans plan overlap. The interesting point is that the same ideas have grown independently in both countries.

The continental planning approach has brought water planners to a new look at a number of old ideas and proposals. For example, in Mexico, engineers think now it may be economically feasible to bring water from the rain-rich Tehuantepec region north to the gulf coastal plains, and even into Texas, possibly in exchange for water delivered by an NAWAPA-type system on the western slopes of the Rockies and the plains of the Gulf of California.

Similarly, the Parsons engineers think that the multibasin exchange concept will make economically practical and otherwise appealing to the people of Wisconsin a modernized version or modification of resource development concepts stemming from work done years ago within the State. The new approach involves integration into a multibasin system. It appears that an idealized watershed care program on the Wisconsin and Fox Rivers, with provision for recovery of all the water, might expand recreational potentials, assure rational conservation, remove both low water troughs and flood peaks on the mainstream of the Wisconsin River, and provide several million acre-feet of water a year input to Lake Michigan. This would permit a constructive start on the restoration and maintenance of the geophysical health of the Great Lakes. It would certainly provide evidence to the Canadians, if we want them to do the same, of our good faith and intentions and willingness to share the burdens.

I mention all of these possibilities, Mr. President, not primarily because they are about to be dumped on our doorstep demanding action, but because they reflect the ferment abroad in the land and the fact that traditional subbasin and regional thinking is giving way to national and continental thinking. The Congress is just behind the times.

Most of these ideas, and that is what they are, they are not proposals, cannot be evaluated because we do not have adequate geophysical data by which to make the necessary comparisons, to check one solution against another, or to weigh the costs against the benefits.

We have a problem on our doorstep that has been there for a long time, and is growing. S. 1004 is going to make that problem worse if the bill is passed in its present form. The basic problem is the overcommitment of the Colorado River water.

We cannot avoid coming to grips with that problem very much longer. The more we delay, the more serious the problem becomes. There is simply no logical explanation for the failure of the Congress to deal with the problem. We are wearing blindfolds, not just blinkers, if we continue to deal with this type of water problem on a sectional, subbasin, or State-by-State basis. We are simply making trouble for everybody, ourselves included. I warn right now it is serious trouble, and it may be doubly serious for the people of Arizona.

We are dealing here—in S. 1004 as it affects the lower Colorado—with a matter that affects the economic foundation of nearly a fourth of the country, the livelihood of from 30 to 40 million people, and a great part of the Nation's productive capability in agriculture.

But in principle, we are dealing with the future of our country. Unless we start now the job of preparing for assessment and evaluation of interbasin water transfer potentials, we can undermine the very natural wealth base of the American Nation.

S. 1004 is a good place to start. This bill has gained the status it now has partially because the needs of the people of Arizona are recognized by the administration and Members of the Senate but also the rights, as determined by judicial process.

But neither people's needs nor their rights can change the facts of life in nature's realm. Man has to do something himself by positive action if he expects nature to continue to support him. We have reached the point in our dependence upon the waters of the Colorado River where we have to do something more than try to subdivide flows to meet all claims. We have had adequate warning that there is not that much water.

We can amend S. 1004 to provide for a start of the work which will tell us at some point in the future whether we have to restrict the growth of the Southwest, or that we can sustain our progress there.

The start I want to make involves no commitments. It does not approve any projects in the future. It does not tie the hands of the Congress nor the executive in future policy determination. It does just the opposite. It means assembling the technical data to save us from future policy straitjackets.

My plea to the Senate today is not to authorize another resource development project of any kind without starting the engineering studies which will tell us where we go from here.

How can we pretend that multibasin exchange of water does not offer some hope of solution to problems we know are serious?

How can we refuse even to collect the information we need to make decisions?

How can any of us face an intelligent voter who knows the Nation has to do a better job of resource utilization from now on than we have done in the past?

How can we delude ourselves that water problems in any part of the country can be treated as though the rest of the country had no stake in the solutions, let alone concern for the welfare of their fellow Americans?

We cannot cut the Nation up into a collection of artificially defined geographic units and treat each as though it had no dependence upon the others. Yet, that is exactly what we are doing if we pass this bill without some provision for the future of the water supply.

I must apologize to the Senate for taking so much time, but this problem is so serious that I am compelled to do everything within my power to enable my colleagues to see this problem in its true perspective.

The Nation has a water problem for four basic reasons.

First, the amount of water available in nature is fixed and the number of people and their demand for it are not.

Second, most of our uses of water are degrading.

Third, the water resources and the people are not distributed efficiently with respect to each other.

Finally, we do not make the most of the water we have.

Now, if we expect to continue to live on this North American continent more than just a few generations more, we had better do something about each one of these basic causes of our national, regional, and local water problems.

I do not have to belabor the Senate with the fact that water is essential to life. It is as essential to the life of nations as it is to individuals. We either do better from now on than we have done in the past in taking care of our water, or we will not be the nation we want to be very much longer.

There are not very many things that we can do, in broad terms, but there are a great many specific steps to be taken in each of three general categories.

One category of response to the threatened shortage of water for the long-term future—and the short term in some places—is better control of demand, more discipline in our domestic use of water, improved industrial practices involving water, extensive recycling, and much greater study and care with respect to agricultural requirements.

The second category of action is to generate new supplies of usable water. The first and most pressing step in many parts of the country is abatement of pollution. Along the coast, we can desalt the oceans and at other places, upgrade brackish water which nature has distributed more or less at random over the continent. Finally, it appears that we can alter nature's pattern of desalting and transfer through the atmosphere. Call this rainmaking, weather modification, stimulated atmospheric transfer, or what you will, there is enough encouragement in our research to date to justify increasing investment in research aimed at substantially increasing the precipitation within a defined precipitation area such as the entire Colorado.

The third category is full water resource development. This means intensive conservation of water producing areas, collection, storage, and redistribution of excess runoffs and floodwaters, which, of course, includes interbasin transfers, the cleaning up of the water courses to be used for distribution.

The Parsons studies clearly point to the fact that it makes just as much sense to have a continental water grid as it does a power grid.

The sensible thing for the Senate to do right now is to add to S. 1004 a provision directing the Water Resources Council, which brings together all of the competent agencies in the water field, to start building the geophysical data base which will eventually permit treating our country as a whole, then if we are so minded, and the Canadians and Mexicans deem it in their interest, to treat the continent as a whole.

We have put this matter off much too long. We hear over and over again that the excess runoff from the Columbia River would solve all of the water problems of the Southwest. I do not know whether that is the thing to do or not. I do not know whether it makes sense even to dream of it. I do not know whether new water can be brought into the Texas Panhandle or not. I do not know whether the Colorado should be supplemented from the Columbia Basin, that is, water originating in British Columbia, Idaho, Washington, and Oregon, or water originating in Alaska and coming to the Southwest via the Yukon Territory and the Rocky Mountain Trench. The point is, there is not a water planning engineer in America who can answer these questions.

Why? For one reason, because Congress inserted a prohibition against interbasin transfers in the Water Resources Planning Act of 1965 and has since refused to approach the problem head-on. Now is our chance to recover.

There is not a Senator whose State interests are not adversely affected by our continued refusal to treat the United States as a whole, at least the 49 States on this continent, with respect to water resource planning, development, and preservation.

All of the New England and Northeast Senators are already concerned with interbasin transfers, and they have a stake in our getting ready to talk to our Canadian friends.

All of the Senators from the States which are served by rivers having their fountain sources in Appalachia are directly concerned with unified planning to make certain we protect the water producing capabilities of the Appalachian mountain system.

All of the Senators whose States are affected by the quality and quantity of the water in the Great Lakes have a stake in this type of study.

All of the Senators whose States are concerned with the stabilization of flows and the control of floods and low water period on the Missouri and Mississippi River systems are concerned with our ability to do unified planning.

All of the Senators from States utilizing the groundwaters of the southern high plains region are concerned with the start of data acquisition which will permit evaluation of possibilities of imports for recharge of aquifers.

All of the Senators from States in any way dependent upon the flow of the great Colorado River are concerned, for obvious reasons.

All of the Senators from Pacific Coast States are concerned because by integrating their great water producing and distribution systems with a national or continental grid, they can enjoy the benefits of stabilized flows which mean dependable supply and hydrogeneration with freedom from floods and low water.

There is no justification for our continued refusal to start work on the engineering studies which will eventually make possible the full development of the Nation's water resources.

As far as the people of Arizona are concerned, and the proponents of the water legislation now before the Senate, the amendment I propose would provide the only meaningful insurance available that Arizona will be able to enjoy the water which the Supreme Court said was its due and which the Senate would like to provide within the limits of currently available supplies.

If we are truly the Senate of the United States instead of an assemblage of spokesmen for separate States concerned only with their own immediate interests, then we must act in the interest of the United States as a whole.

As I said to the Royal Society of Canada last spring, if we want to continue to live on this beautiful continent for longer than a predictably limited number of decades, then we had better start taking better care of the life-supported capabilities of both our countries. This means a new day of total water management and unified planning of resource development.

Mr. President, I yield the floor.

Mr. JACKSON. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. JACKSON. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. CANNON. Mr. President, I appreciate this opportunity to speak on behalf of S. 1004, a measure which will greatly advance the future development of the Southwest and of my State and the Nation.

This bill has many unique legislative features. It is the product of more than a generation of careful study and scrutiny, safeguards and compromise. It is an amazing document, and its authors have gone to great lengths to satisfy all of the objections which have sprung up from the region and elsewhere.

S. 1004 is a testament to the wisdom, skill, and imagination of our beloved colleague, Senator CARL HAYDEN, who has labored tirelessly to formulate a plan which is worthy of support by the entire Senate.

It envisions a continuing era of great growth for the Southwest, which already has made enormous contributions to the economy and progress and vitality of the Nation. It seeks to preserve the beauties of the region for future generations on an economic and practical basis.

Some objections have been made to certain features of this bill as they affect my State. The preponderance of evidence from experts and other authorities in the field, however, demonstrates that the measure will assist Nevada in a very positive fashion, as it will the Southwest and the entire Nation.

In supporting the central Arizona project I feel that we are exercising our responsibility for resource development, and have moulded a plan which does great credit to the States involved and to the Federal Government which assisted in the study and planning.

I congratulate Senator HAYDEN on the brilliance and effectiveness of the legislation which he has conceived and nurtured for a system which would be a living, useful monument to his already enormous contributions to the Nation.

Mr. HATFIELD. Mr. President, I join with the Senator from Washington [Mr. JACKSON] and 13 other members of the Senate Interior and Insular Affairs Committee in recommending prompt and favorable Senate action on S. 1004 as amended and as reported by the Senate Interior Committee.

Passage of the bill is in the best interest of all of the States of the Colorado River Basin. It lays the groundwork for an effective approach to regional water resource development and planning.

The primary feature of S. 1004, of course, is the authorization of the central Arizona project. This project will enable the State of Arizona to use its share of Colorado River as decreed by the Supreme Court in Arizona against California. In addition, the bill will authorize the construction of five reclamation projects in the States of Colorado and New Mexico. The projects will enable those States to use their share of Colorado River water as allocated under the upper basin compact.

Action is necessary and agreement is difficult where the allocation of Colorado River water is involved. Unanimity of opinion has never been a possibility. An exercise of great statesmanship and an honest search for the best possible solution of the questions of southwest water development have galvanized the committee to action. The myriad questions raised by this bill have received careful answers.

As the Members of the Senate are aware, my State of Oregon, as well as other States in the Pacific Northwest, has rightfully been concerned over proposals which have been made to divert water from the Columbia River Basin into the Colorado River. It is my State's position that these proposals, as found in legislation which has been introduced and in amendments rejected by the committee, are premature and involve the risk of unnecessarily mortgaging the economic future of one region of the country at a great cost to the Nation. I feel it is in the best interests of my State and the Nation that S. 1004 does not undertake to authorize a massive and costly importation program.

It is a myth that Oregon and the Pacific Northwest have a surplus of water. For example, in Oregon over one-half of our land area has an annual precipitation of less than 20 inches. While certain outsiders would have you believe it rains 365 days a year, we know this is not the case, and records prove it. In fact, we have had 40 long days and 40 long nights of dry spell in my State, without any rain.

In other words, Oregon has serious seasonal water shortages, even in some of the western portions of the State. In the eastern part of our State across the Cascade Mountains, the problem is more acute. The same thing is true in some degree in all States of the Pacific Northwest.

Although a complete analysis of western water problems has not as yet been prepared, there is universal recognition that one of the major physical problems is the serious seasonal and geographic maldistribution of our water resources. This maldistribution problem is not unique to California and the Pacific Southwest. It is a real and unresolved problem in the State of Oregon and in the Pacific Northwest generally.

Today, Oregon, Washington, and Idaho are each in the process of evaluating their State needs and supplies of water. In 1965, Oregon began the first phase of our State's "ultimate water needs" study. This year, the Oregon legislature has appropriated additional funds to complete the study. The three-pronged study, scheduled for publication June 1969, identify water supply, benefits and detriments of diversion, and ways of meeting Oregon's long-range water needs. A newly formed Pacific Northwest River Basin Commission will be an appropriate vehicle for developing and coordinating a comprehensive plan when the States have assessed their water future.

At its Portland meeting, the Western Governors' Conference, by unanimous resolution, established a Western Water Resources Council, and agreed to sharing of costs for the first-year operation of this coordinating entity in the amount of $150,000. Thus, the Oregon program is being augmented by cooperative studies of a regional nature, and, with establishment of the National Water Commission, we can expect to gain the knowledge which we must have if we are to solve the total water problem.

Concurrently, Federal agencies have undertaken a $5 million type I comprehensive investigation of the Columbia River Basin to determine water requirements for all authorized purposes to the year 2020. By 1970, Congress will have available information which may or may not justify a feasibility study for transbasin diversion.

If studies by the National Water Commission, by regional river basins planning commissions, and by the States involved indicate that resolution of western water problems will require large-scale transbasin diversions of water, then there will be time to consider this question. Determination of policy alternatives, costs, and the economic ramifications of transbasin diversions, however, precondition any study of how to import water or where to dig a ditch.

Is it in the public interest to prorate water and distribute it on the basis of current need, or should proper safeguards be provided to protect the areas of origin so that they might meet future requirements?

Is it in the public interest to transport water long distances at great expense to grow crops which can be grown near the source of the diverted water?

Is it in the public interest to detract from the economic and social values of one area to enhance the same type of values of another area?

We can act today with sensitivity to the needs of the Southwest, and with foresight regarding the Nation's water resources. This bill reflects patience and dedication to honest problem solving.

If the legislative process holds any promise of justice, if debate and deliberation are the source of any wisdom, then S. 1004, authorizing construction of the central Arizona project, embodies that promise and that wisdom. Senator JACKSON's Committee on Interior and Insular Affairs, of which I am a member, has gathered volumes of testimony and carefully studied numerous counterproposals and amendments. I believe that the bill before us authorizes necessary and appropriate uses of Colorado River water, and represents the best interest of the Nation. I heartily endorse the recommendations of the Committee on Interior and Insular Affairs, and urge passage of S. 1004.

Mr. FANNIN. Mr. President, I wish to commend the distinguished Senator from Oregon for his statement recognizing that this is a regional project and that there is protection to the other States in the region. This is a program which has been sought for many, many years, and it should go forward.

I know that the Senator, as the capable Governor of the State of Oregon, had vast experience in connection with water programs and water problems. It was my pleasure to work with the Senator on these problems when I was the Governor of the State of Arizona.

I am appreciative of the fact that the Senator was a member of this committee. He has given studious thought to this program.

MESSAGE FROM THE PRESIDENT—APPROVAL OF JOINT RESOLUTION

A message in writing from the President of the United States was communicated to the Senate by Mr. Jones, one of his secretaries, and he announced that on August 2, 1967, the President had approved and signed the joint resolution (S.J. Res. 98), authorizing the National Advisory Commission on Civil Disorders to compel the attendance and testimony of witnesses and the production of evidence.

CENTRAL ARIZONA PROJECT ACT

The Senate resumed the consideration of the bill (S. 1004) to authorize the construction, operation, and maintenance of the central Arizona project, Arizona-New Mexico, and for other purposes.

Mr. MURPHY. Mr. President, I am not a member of the Interior and Insular Affairs Committee. However, my State is vitally interested in the eventual solution to this problem.

I have been a cosponsor of previous bills, and 4 years ago I realized that the shortage of water was a condition of immediate concern for not only the States of Arizona, California, and other States of the Colorado River Basin, but also the entire world. Scientists have told us that by the year 2000 entire new sources of water must be found or there will be a water shortage affecting the entire world.

Mr. President, today I rise to oppose S. 1004, the proposed Central Arizona Project Act, as reported out by the Committee on Interior and Insular Affairs. I have joined Senators KUCHEL, ALLOTT, DOMINICK, MOSS, BENNETT, and HANSEN in offering amendment No. 214, as a substitute. Four of the seven States of the Colorado Basin thus remain united in support of a basinwide regional solution to our common problems. Ours would be the "Colorado River Basin Project Act." This is substantially identical with the bill which Senators KUCHEL, MOSS, and I introduced, S. 861, in this Congress. By contrast, S. 1004 is properly entitled the "Central Arizona Project Act." It is a bill which, if passed, would benefit Arizona at the expense of her sister States. The small bones thrown to them in various sections of the bill are transparent political bait, to divert attention from the bill's catastrophic effect on the water supply and the economy of the rest of the basin—the four upper basin States of the Colorado, New Mexico, Utah, and Wyoming, and the other two lower basin States, California and Nevada.

Our basinwide bill, amendment No. 214, differs from Arizona's bill, S. 1004, in these major respects. I quote from the minority views, at page 99:

> (1) The amendment sponsored by the basin States, unlike this bill as reported, gives recognition to the undisputed fact that the dependable available water supply of the Colorado River system will never be adequate to overcome the imbalance between that natural supply and the water demands of the vast storehouse of other natural resources. The Mexican water treaty burden would be lifted from the backs of

> the seven Colorado River Basin States and filled as an obligation of the U.S. Government, which it truly is by its origin and nature.
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> (2) Realistic initial steps would be taken to augment the inadequate flows of the Colorado River.
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> (3) Priority of right of existing investments would be recognized as against water shortages that would be caused by the Central Arizona Project.
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> (4) Authorization of the Hualapai project as a 5-million-kilowatt pump-storage peaking installation, one of the Nation's greatest powerplants, would be accomplished.
>
> (5) A development fund would be created by using revenues derived from hydroelectric generation at Hualapai Dam to help repay the costs of water supply augmentation. Over a 75-year period this development fund would accrue about a billion dollars more than the comparable fund in the committee bill.

In the 89th Congress, Senator KUCHEL and I introduced S. 1019, a bill upon which the representation of all seven of the Colorado River Basin States had agreed, drafted by representatives of the Interior Department and these seven States, including Arizona. It was introduced in the House by all three of Arizona's Representatives and by 35 of 38 of California's Representatives. Senator HAYDEN gave Senator KUCHEL a written memorandum, which has been published in the RECORD stating that if the House passed this compromise he would accept it in the Senate.

I should like to mention at this point that I found it to be much more pleasant last year when my esteemed friends Senator HAYDEN and Senator FANNIN were allies than it is this year, when they are opponents. However, there comes a time when even friendships and respect must yield to considerations for the general welfare.

Now to return to my comments on S. 1019, of the 89th Congress. California witnesses supported it before the House committee. It was reported favorably by the House Committee on Interior and Insular Affairs as H.R. 4671, by Representative UDALL of Arizona. All five California members of that committee voted to report the bill out late in the session. It did not reach the House floor for a vote. But that is not our business at this time. Our business today is to consider a bill in which Arizona repudiates all her agreements of last year with her sister States. She then agreed with us on three major principles. They are referred to at page 94 of the present minority report:

> Notwithstanding these grim water supply figures, States of the Colorado River Basin, other than Arizona, reluctantly agreed in the 89th Congress to support a bill to authorize a Central Arizona Project, which was substantially smaller than the one now proposed, on three major conditions, all of which, along with other elements of a sound regional approach, are scuttled by the committee's bill. These deserve reiteration:
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> 1. The bill must launch meaningful investigations of means to add at least 2.5 million acre-feet annually to the river on terms fair to the areas of origin. Whenever that water arrives, both basins would be relieved of the Mexican treaty burden. This would be a national obligation, the cost of satisfying it to be nonreimbursable. The present bill deletes all of these provisions.
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> 2. The bill must authorize Hualapai Dam and powerplant to generate revenues to finance that importation program. This bill strikes out that essential feature, too.
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> 3. If the Central Arizona Project is built before imported water arrives to offset the shortage which the new project would create, the Central Arizona Project must bear that risk, not cast it upon potential uses in the upper basin or upon Nevada or California—recognizing that, as a result of the 1928 Boulder Canyon Project Act, California's existing uses of 5.1 million acre-feet per year can be protected only to the extent of 4.4 million. Arizona's bill in the 89th Congress, H.R. 4671, contained this protection, and for that reason California supported it. S. 1004, as reported, gives Arizona's existing water uses explicit and unlimited protection against the Central Arizona Project, gives no protection at all to Nevada's existing and authorized projects, and limits protection for California's 4.4 million acre-feet to 27 years. This is almost precisely the date when it is now calculated that the protection would become necessary if no imported water arrives.

In particular, the present bill, S. 1004, guts the protection to the existing economy in California, to which Arizona agreed in the 89th Congress. Again, I quote from the minority report, at page 95:

> California's citizens have spent or committed more than half a billion dollars of their own money on Colorado River water projects in developing their existing economy. Those projects and that economy must be protected within the framework of the "law of the river." The protection is, of course, subject to the limitation imposed on California's protection by the Boulder Canyon Project Act; that is, to 4.4. million acre-feet per year out of the 5.1 million acre-feet presently used. In 1928 Congress required California to so. limit her uses by act of her legislature if Hoover Dam, which Arizona opposed, was to be built without Arizona's ratification of the compact. Arizona now proposes, in effect, substitution of a lesser figure, abrogating the 1928 agreement between the Congress and the California Legislature which was imposed on California solely in consequence of Arizona's obduracy in rejecting the Colorado River compact. (She continued her rejection of it for another 16 years, until 1944.)
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> The provisions of S. 1004, section 2(a), emasculate not only the bargain of 1928 but that of 1965. The bill cuts off all protection of California projects at the end of 27 years, or at about the time when engineers tell us that the odds favor the occurrence of shortages. Such a provision is similar to an insurance policy which lapses on the death of the insured.
>
> Furthermore, although S. 1004 would cut off all protection of California's projects at the end of an arbitrary 27-year period and provide no protection at all to existing water uses in Nevada, it would continue to protect in perpetuity the presently existing Arizona projects as against the Central Arizona Project. Should equities differ on opposite sides of the same river? The bill also protects in perpetuity existing uses on the Gila River against new uses to be made possible by the Central Arizona Project. Should equities differ on the two streams?

Now let us look at the central Arizona project itself and the mammoth aqueduct called for in the bill to divert Colorado River water from Lake Havasu.

To begin with, Arizona's apportionment under the 1964 Supreme Court decision is 2.8 million acre-feet per year, but only if 7.5 million acre-feet per year are available for consumptive use in the lower basin after meeting our Mexican Water Treaty obligations and substantial evaporation losses. That means that some 10 million acre-feet must flow past Lee Ferry to the lower basin, since 1.5 million acre-feet must go to Mexico and another million acre-feet are lost to the atmosphere by means of evaporation.

According to the latest expert hydrological studies, the total annual flow of the Colorado is something less than 14 million acre-feet, half of which belongs to the upper basin States. Now Arizona is presently consuming 1.2 million acre-feet annually of its maximum conditional apportionment, which leaves only 1.6 million acre-feet available—under the best possible conditions—for the central Arizona project. Now, however, we are presented with this bill, which provides for a supersized canal capable of diverting 2 million acre-feet annually. That adds up quickly to 3.2 million acre-feet, which is almost 500,000 acre-feet more than she is apportioned—if the river per chance happens to be full and brimming. This would be very pleasant if we could always expect it; but unfortunately it is not always the case.

Keep in mind, too, that the Bureau of the Budget has never approved the construction of a central Arizona project with a main aqueduct having a capacity in excess of 2,500 cubic feet per second. Yet, this bill asks for a canal that is still 20 percent larger.

Having ignored the mathematics of even the most optimistic estimates of the best river hydrologists, the bill's funding provisions then present still another kind of inconsistency. After deciding to take more water than Arizona is entitled to and more water than the river can spare, the bill's proponents then determine that the power users of California and Nevada should shoulder the financial burden of subsidizing the central Arizona project. The usurpation of surplus power revenues from Hoover and Parker-Davis Dams for the proposed lower basin development fund presents an anomaly that I, for one, am unable to understand.

This inequitable situation is outlined briefly and explicitly on page 117 of the bill's minority views. Allow me to quote the pertinent section:

> First, California and Nevada power users would be called upon to subsidize the Central Arizona Project which would jeopardize the future water supply of those two States.
>
> Second, the Secretary is guessing that Congress, after 1990, will allow rates for Hoover power to be increased 50 percent to these same California and Nevada power users.
>
> Third, the Secretary is guessing that Congress will allow power rates on the Pacific Northwest-Southwest Intertie to remain artificially high half a century from now, and will earmark the Nevada portion of those bills for Arizona's exclusive benefit.
>
> Fourth, usurping Hoover and Parker-Davis revenues to subsidize the Central Arizona Project would preclude their use for basin-wide water augmentation in the future.
>
> Fifth, the recently authorized Southern Nevada Water Project, like California's Metropolitan Water District, receives no financial aid from Hoover power revenues, yet Nevada power users and the Metropolitan Water District (MWD to the tune of $100 million-plus after 1990) would be subsidizing the Central Arizona Project by paying higher power rates for Hoover power for that sole purpose.

(At this point Mr. Mondale assumed the chair.)

Mr. ALLOTT. Mr. President, will the Senator yield at that point?

Mr. MURPHY. I yield.

Mr. ALLOTT. Is it not a fact that under the bill pending, the power rates for the electricity from the Hoover and Parker-Davis Dams, in order to pay out the central Arizona project, would require almost a 50-percent increase in the power rates?

Mr. MURPHY. The information which I have, and I have read from the minority report, would indicate that the Senator from Colorado is entirely correct.

Mr. ALLOTT. So that we end up with the power going from the Hoover-Parker-Davis complex, which is now used by Arizona, California, and Nevada, and most of it, or the greater portion of it, being used in the Senator's State, going into the payment of a project in Arizona.

In other words, the 50-percent increase in power rates in Nevada, California, and Arizona are going to pay off a project for one State only and that is the State of Arizona. I do not have in mind the exact figures of the percentage of power allocated to these particular States, but the bulk goes to California and Nevada.

Mr. MURPHY. That is the situation as I understand it.

Mr. FANNIN. Mr. President, will the Senator yield?

Mr. MURPHY. I yield.

Mr. FANNIN. In answer to the statement of the Senator from Colorado, the principal part of the power goes to California and the benefits go to California. The question is: Should the Federal Government continue to subsidize industries in California, or should they be treated the same as others?

Mr. President, I ask unanimous consent to include in the Record at this point a more detailed explanation of this, and also a more complete discussion of the reasons for the aqueduct size.

There being no objection, the explanations were ordered to be printed in the Record, as follows:

INCREASE IN HOOVER-PARKER-DAVIS POWER RATES AFTER PAYOUT

Hoover power contracts each contain an option for renewal after payout—at a new negotiated rate.

Dissatisfaction has been expressed recently by the minority members of the Committee as to the proposed use of Hoover and Parker-Davis revenues—at increased rates—after payout. Some suggestion has been made that these rates should be "frozen" by this legislation at present levels—or less.

Use of these revenues for the Lower Basin Development Fund has been contemplated in every lower basin bill—including those introduced by the same members of the minority—except S. 1013—and there, the Secretary stated he had no opposition to a development fund, as provided in all these bills.

Objections—particularly by California—to the use of these revenues come late. Any claim of "surprise" that a rate increase was contemplated could not be seriously made. The 1963 proposal for the Pacific Southwest Water Plan contemplated the use of Hoover-Parker-Davis power revenues, after payout.

In discussing the financial aspects of the plan, the report says: "* * * Saleable Commercial energy from the existing Hoover, Parker, and Davis power plants was priced at 4 mills per kilowatt-hour for Hoover energy and 4.7 mills per kilowatt-hour for combined Parker-Davis energy after these plants have paid out existing costs and obligations.* * *"

The Pacific Southwest Water Plan was widely circulated and was meticulously examined by California and its various interested agencies as well as other states in the basin. In fact, the senior Senator from California prepared a memorandum which specifically touched upon this very point (page 633, et seq., Part II, Hearings, S. 1658). Here, incorporated as a part of his memorandum, was a detailed analysis and study of the Pacific Southwest Water Plan prepared for the California-Colorado River water contractors by Engineer Thomas M. Stetson and associates. The Stetson study sets forth a "Summary of Rates" for both water and power with the power rates being as follows:

Energy rates per kilowatt-hour (mills)

Marble-Bridge:	
On-peak	6.0
Off-peak	3.0
Hoover	4.0
Parker-Davis	4.7

In addition to the foregoing Stetson report, Senator Kuchel introduced into the record numerous resolutions and letters setting forth the objections to the Southwest Water Plan by most every agency in the State of California interested in water. Not one raised an objection to the increased rates or to placing Hoover-Parker-Davis power revenues in the development fund after project payout.

In August, 1963, California's Governor Brown forwarded to Secretary Udall the official comments of the State of California on the Pacific Southwest Water Plan. (See Report of January, 1964, on Pacific Southwest Water Plan, Comments of the State of California, pages 11 and 12.) Reference is made to Hoover and Parker-Davis rates being assumed to be at 4.0 and 4.7 mills per kwh, after payout. These California comments do not quarrel with using these revenues for water development—but say:

"The report also states that the power rates were assumed for purposes of financial analyses and demonstration of program payout, and that as development of water and power resources of the Pacific Southwest proceeds and the pumping loads and financial requirements become better defined, the matter of power rate determination will be under continuing consideration. *Certainly, no attempt should be made at this time to peg future rates at the levels employed in the economic analyses.*" (Emphasis added)

With this part of California's official position the Secretary should be free to negotiate rates under the circumstances and requirements existing at that time.

Back in 1964 the Committee Report on S. 1658 specifically recognized the importance of a Lower Basin Development Fund. "Net revenues from the sale of power at Hoover, Parker, and Davis Dams, after repayment of construction costs and existing obligations, are also dedicated to providing financial assistance in meeting regional water needs." The Senate Committee (Report No. 1330, 88th Congress, 2nd Session, page 10) concluded by recommending a basin development fund in these words:

"The lower Colorado River Basin Development Fund, established by this section, follows generally the precedent of the Upper Colorado River Basin Fund established by the Colorado River Storage Project Act. The Lower Colorado River Basin Development Fund, unlike the Upper Colorado River Basin Fund, *does not include the apportionment of net revenues among the States concerned. There is good reason for this difference.* The fundamental water supply problem in the lower basin is one of insufficiency rather than of underdevelopment. Hence interests of the lower basin States will best be served by using net revenues accruing to the fund to assist in the repayment of costs of projects to be authorized to augment the basin's water supply. An apportionment of revenues for use within each State might, therefore, impede rather than assist development."

To further illustrate that there has been no secret concerning the proposed use of Hoover-Parker-Davis revenues at increased rates, refer to the hearings during August and September of 1965 on H.R. 4671 and similar bills. In those hearings, during a discussion of the economic and financial analysis of the lower basin plan, Commissioner Dominy, at the page 124 thereof said, *"After payout of Hoover and Parker-Davis costs, energy produced at these facilities would be sold at an average of 4 mills and 4.7 mills per kilowatt-hour, respectively."*

The development fund, provided for under S. 1004, amounts to about $1.3 billion by the year 2050. With the exception of approximately $100 million as assistance to the Central Arizona Project (which will ultimately be repaid several times over by Arizona water and power users) the balance of over $1.2 billion is dedicated to lower basin long-range water development and conservation purposes—with the principal direct beneficiaries being California, Arizona, Nevada, and New Mexico. The ultimate division and use of the fund is left for future action by the Congress. With California's great political strength in the Congress, it is hard to believe that California's lower basin water agencies will not get their fair share in the future—just as they have consistently managed to do in the past.

CAPACITY GRANITE REEF AQUEDUCT—3,000 CUBIC FEET PER SECOND

S. 1004 provides that the Granite Reef Aqueduct shall be built to a capacity of 3,000 c.f.s. Other proposed bills provided for capacities ranging from 1,800 c.f.s. to 2,500 c.f.s The following arguments favor the larger aqueduct:

1. On pp. 144–145 of the printed hearings in the House on H.R. 4671, in response to a question from Mr. Udall, Commissioner Dominy stated:

"Mr. Dominy. We have made some preliminary estimates merely for our own edification, as to what a 3,800 second foot granite reef aqueduct would cost. It is roughly $140 million more expensive as compared to the 1,800 second foot canal.

"Mr. Udall. Would the project still be feasible?

"Mr. Dominy. Yes, it would be more feasible as far as the benefit-cost ratio is concerned. It would improve the benefit-cost ratio because we would improve the certainty of water supply over the payout period with a larger canal taking advantage of the peaks in the river's runoff."

2. All of the hydrology studies indicate that there will be excess water in the Lower Basin for many years. A 3,000 c.f.s. aqueduct would permit the diversion of Arizona's share of such surplus water—whereas an 1,800 c.f.s. aqueduct could not even deliver the 1.2 million acre feet average diversion planned for use in the Central Arizona area.

3. The Bureau of Reclamation hydrology indicates that even under conditions of ultimate development there will be recurrent periods of high flow which would result in periodic spills from Lake Mead (p. 236, House hearings on H.R. 4671). Excess capacity in the aqueduct would permit capture and use of Arizona's share of such spillage.

4. While the exact amount of water made available by increasing the size of the aqueduct depends upon the criteria used in analyzing the hydrology, it is reasonable to anticipate that over a 50-year payout period, water made available by a 3,000 c.f.s. aqueduct would average between 100,000 and 125,000 acre-feet annually more than that made available by a 2,500 c.f.s. aqueduct.

The 2,500 c.f.s. aqueduct would, in turn, make available in the order of 300,000 acre-feet annually more than would an 1,800 c.f.s. aqueduct.

5. The cost of increasing the aqueduct capacity from 2,500 c.f.s. to 3,000 c.f.s. would be in the order of $50,000,000 if done at the time of initial construction. This figure includes the cost of prepayment for additional capacity in a thermal plant to permit operation of the larger pumps required to pump at the rate of 3,000 c.f.s. (On page 115 of the Minority Views, the incremental cost of increasing the aqueduct capacity from 2,500 c.f.s. to 3,000 c.f.s. has been incorrectly cited as "over $177,000,000.") The cost of enlarging the capacity of the Granite Reef aqueduct following initial construction would be extremely high. As a practical matter, it would be necessary to construct paralleling facilities to provide such increased capacity.

6. The present overdraft on the groundwater basins in Central Arizona approximates 2,500,000 acre-feet annually. Thus, a 3,000 c.f.s. aqueduct when flowing at capacity for 11 months each year would permit reduction of ground-water pumping to within an estimated 300,000 acre-feet of the present safe annual yield in the Central Arizona Project area. The Central Arizona is unique in that a fluctuating surface supply from the Colorado River can be profitably used—due to regulating reservoirs in the central part of the State, plus pumping facilities, both of which can be operated so as to utilize the Colorado River's fluctuating deliveries without waste.

7. The larger the capacity, the better—at least up to a capacity of 3,800 c.f.s.; but 3,000 c.f.s. seems to be a reasonable compromise. In all of the Reclamation's sizing analyses, the benefit-cost ratio continued to rise with the corresponding increase in aqueduct capacity up to and including the 3,800 c.f.s. capacity which was the maximum size considered.

Mr. ALLOTT. If the Senator is talking about subsidies, $300,000 is paid to Arizona every year because the river is flowing through there.

Mr. FANNIN. Under the bill, $500,000 would be transferred to Colorado.

Mr. ALLOTT. Not Colorado.

Mr. FANNIN. The upper basin States.

Mr. ALLOTT. That is only for the retainment of water.

Mr. FANNIN. Mr. President, will the Senator from California yield to me?

Mr. MURPHY. I yield to the Senator from Arizona.

Mr. FANNIN. Mr. President, we have had a very pleasant relationship with the State of California. Naturally, we want to continue that relationship. I have great admiration for the Senators from California. I want to clarify this point, because it is important to the Senate in the matter that we are considering today.

With respect to what has happened over the years, I think it should be recognized that California has benefited the most. We are glad they have. However, Arizona was allocated 2.8 million acre-feet, California was allocated 4.4 million acre-feet, Nevada was allocated 300,000 acre-feet and these allocations were upheld by the Supreme Court. Arizona is not trying to divert annually an additional 2 million acre-feet as has been suggested, but we want an aqueduct large enough so that when surplus of water is available we will be able to use it—but this will not be in excess of the allocation.

Mr. MURPHY. What is there in the present bill which gives the Senator from Arizona the idea that there will be surplus water?

Mr. FANNIN. There is surplus water today.

Mr. MURPHY. The bill introduced by my distinguished senior colleague from California envisioned research, examination, and study to find out where the sources of available water would be. It is common knowledge that some areas have more water than they can use.

In fact, it is possible that in some areas of California, by research and engineering studies, sources of water may be found. This was the purpose of the bill introduced by my colleague—to search out new sources in the most practical manner and to assist not only the great State of Arizona but other areas as well.

Mr. ALLOTT. Mr. President, will the Senator yield to me?

Mr. MURPHY. I yield.

Mr. ALLOTT. I wish to correct the statement of my friend, the Senator from Arizona. The fact is that under this bill it is true that $500,000 was given in lieu of taxes. However, if the Senator will read the bill and look at the law he will discover that Arizona and Nevada continue to be subsidized at the rate of $500,000 each per year only because the dams happen to be at that point in the Colorado River. The bill does not affect this one bit—not one iota.

Mr. FANNIN. The Senator will realize the benefits they will receive from this project which Arizona was——

Mr. ALLOTT. Mine?

Mr. FANNIN. Yes. I said the upper basin at Glen Canyon. Here we have that project physically located in Arizona that benefits the upper basin States. We supported it. We have the Hoover, Parker, and Davis projects on the river between Arizona, Nevada, and California—from which both California Senators have agreed California receives the greatest benefit.

Mr. MURPHY. Will the Senator from Arizona yield at that point?

Mr. FANNIN. I yield.

Mr. MURPHY. Is the Senator saying that California receives a greater share of the benefits from this? Would the Senator please explain that?

Mr. FANNIN. I would say, because of many circumstances. I do not believe there is only one circumstance involved.

Mr. MURPHY. Would it be because of the greater population?

Mr. FANNIN. Yes, and your consequent greater power in Congress. I would say this, in answer to the question of the Senator from Colorado [Mr. ALLOTT] about water, that Arizona is not trying to take water from anyone.

Mr. ALLOTT. Except from the upper basin States.

Mr. FANNIN. If the Senator will read this:

> SEC. 12. (a) Rights of the upper basin to the consumptive use of water apportioned to that basin from the Colorado River system but the Colorado River compact shall not be reduced or prejudiced by any of such water in the lower basin.

Mr. ALLOTT. I am well aware of that, but the only way the central Arizona project can pay out—I repeat, the only way—is by deferring the development of the upper basin. We are going to pay it out of what the upper basin States are entitled to, and there is no getting around that.

Mr. FANNIN. That is not borne out by the record.

Mr. ALLOTT. By deferring it—but I will develop this later.

Mr. FANNIN. All right.

Mr. ALLOTT. My own argument is that by deferring the development of the upper basin, that is the only way to utilize the water to which the upper basin States are entitled, both by the Colorado River compact and the Upper Colorado River compact.

Mr. FANNIN. The State of Colorado agreed to the compact and, in fact, sought it.

Mr. ALLOTT. Which compact is the Senator talking about?

Mr. FANNIN. The Colorado River compact of 1922.

Mr. ALLOTT. Yes, which Arizona did not sign.

Mr. FANNIN. Yes, because we did not think we were getting our fair share, but we had it pushed down our throats, and we signed it in 1944. We accepted that, in 1944. All we want is for Colorado to abide by it, for all the States in the basin to abide by it. We do not want any water that is not legally ours.

Mr. ALLOTT. Let me ask the Senator this question: Can he state any case in which Colorado has not abided by that compact——

Mr. MURPHY. Or California.

Mr. FANNIN. Please, let me answer one question at a time. [Laughter.] Colorado has not used its apportioned amount of water.

Mr. ALLOTT. And why?

Mr. FANNIN. By 1950——

Mr. ALLOTT. And why?

Mr. FANNIN. Because you have not developed the projects. We are trying to help you do that.

Mr. ALLOTT. The projects are and have been developed, but they have been thwarted by the Lower Basin States.

Mr. FANNIN. Yes, but now we are trying to help you get five projects. In fact, five of those Colorado projects are included in this bill.

Mr. ALLOTT. But those five projects are not financed. They are authorized, and feasibility reports have been prepared and are available for them.

Mr. FANNIN. Colorado will get more benefits than ever before, if this bill goes through. It will get far more benefits. It will be much further on its way to getting more benefits than ever before.

Mr. ALLOTT. This is only a start.

Mr. FANNIN. But Colorado will be further along the way than it ever has been before.

Mr. President, I ask unanimous consent to include at this point in the RECORD certain facts brought up by our preceding colloquy.

There being no objection, the memorandum was ordered to be printed in the RECORD, as follows:

ALLEGED DEPENDENCY OF THE CENTRAL ARIZONA PROJECT ON "BORROWED" WATER

The position of California is simply that she is entitled to use the entire Lower Basin water supply except for limited Arizona uses in the Yuma area, until there is augmentation of the river which may or may not come about and that the Central Arizona Project should therefore be delayed indefinitely, if not forever.

This is not now—nor ever was—the intent of Congress or the Compact between the Basin States.

The Compact provided 7.5 million acre-feet for the *entire* Lower Basin, to be divided between Arizona, California and Nevada—not for the exclusive use of California. The Congress provided for 7.5 million acre-feet for the *entire* Lower Basin to be divided among California, Arizona and Nevada—not 7.5 million acre-feet for California alone.

The Supreme Court confirmed the action of Congress and held that the 7.5 million acre-feet was for the entire Lower Basin to be divided among California, Arizona and Nevada—not that California should have it all until the river is augmented.

Yet here is California again saying "No" to the plain language of the Compact; "No" to the will of the Congress; and "No" to the Supreme Court. She is saying, "We, California, who contribute nothing to the supply of water to the river itself, are unwilling to share the waters which should be divided, unless and until the river itself is augmented. We, California, want not only the 4.4 million acre-feet we agreed to limit ourselves to, but from 5.2 million acre-feet to 5.6 million acre-feet per year."

And California has apparently convinced Colorado and Wyoming to join her in this unfair position. At page 87 of the Minority views on S. 1004, Senators Kuchel, Allott and Hansen have joined in a gross misstatement of the opinion of the Supreme Court and its decree. They say:

"Arizona's apportionment is 2.8 million acre-feet per year, but only if 7½ million acre-feet per year are available for consumptive use in the Lower Basin after meeting the Mexican Water Treaty obligation and river losses."

This is completely and patently incorrect. The opinion and decree say that if there is a full supply, Arizona obtains 2.8, California 4.4 and Nevada .3 million acre-feet per year. If there is not a full supply, the Secretary shall make a division of that supply based upon the then existing circumstances. Arizona's entitlement of the Lower Basin supply is not conditioned upon augmentation or a full supply any more than California's entitlement is conditioned upon augmentation or a full supply. Each has its apportioned share of a full supply or the Secretary's division of a short supply.

The Minority Views continue at length to argue that the Central Arizona Project is dependent upon "borrowed" water—that is, water "borrowed" from the Upper Basin. Again, this is a gross misstatement of the law and the facts. The Lower Basin is entitled by Compact; by Congress; and by the Court, to 7.5 million acre-feet per year, plus any extra or surplus which flows through the generators of Glen Canyon Dam and past Lee Ferry. Arizona desires to claim its rightful share of this water—nothing more. It neither seeks nor expects to use any Upper Basin water. If there is insufficient water to satisfy all claims, Arizona is willing to take its chances and abide by the decision of the Secretary of the Interior as to how that insufficient supply shall be divided among the three participating Lower Basin States. Furthermore, as a physical fact, the Upper Basin is upstream from the Lower Basin and by virtue of this geographic fact is in a position to physically divert its entitlement before the Lower Basin can make any diversion. The Lower Basin cannot and will not call on the Upper Basin to deliver one drop more than the Upper Basin is obligated to deliver under the terms of the Compact.

If there be insufficient water to satisfy all the Lower Basin requirements it is California's present uses in excess of 4.4 million acre-feet that will first be curtailed—not its lawful entitlement. Is this inequitable? California agreed to limit her use to 4.4 million acre-feet per year in consideration of Congress passing the Boulder Canyon Project Act. By her consistent and unrelenting program of opposition to passage of the Central Arizona Project she has successfully enlarged her use of the Lower Basin water so that she has used each year her own full share plus a major portion of Arizona's entitlement.

The records of the U.S. Geological Survey disclose that each year since California passed the Limitation Act (by which California has voluntarily agreed to limit her use of Lower Basin water to a maximum of 4.4 million acre-feet plus one-half of surplus) she has effectively created surplus by preventing Arizona's use of its water and has in some years used as much as 5.3 million acre-feet. The rule of thumb for valuation of this water for municipal and industrial use is $50.00 to $70.00 per acre-foot. California has therefore by her successful opposition to further river development been able to add to her economy to the extent of $50 to $70 million per year.

The issue before Congress at this time is whether or not California shall be permitted to continue to thwart the Compact, the will of Congress and the decision of the Supreme Court to her own selfish enrichment or whether California, like the other states of the Union, shall be required to live up to her own commitments.

S. 1004 does not make use of "borrowed water" from the Upper Basin. The Upper Basin is protected, first of all by the Compact itself which divides the water between Upper and Lower Basins.

Finally, the Upper Basin is protected clearly and unmistakably by the provisions of Section 12 of S. 1004 which provide:

"Rights of the Upper Basin to the consumptive use of water apportioned to that Basin from the Colorado River system by the Colorado River Compact shall not be reduced or prejudiced by any use of such water in the Lower Basin."

Mr. MURPHY. The Senator from California would like to state that he wishes Arizona would be thoughtful to both the State of California and the State of Colorado by returning to its position of last year. We in California have had many projects started. Because we have such a large share of water is not because California is possibly the most beautiful State, and not because it is the fastest developing State, but because the need for this water was already there.

Mr. FANNIN. I will grant that, but——

Mr. MURPHY. I call to the Senator's attention that the two Senators from California have been in the forefront of trying to do everything possible to implement the furtherance of desalinization so that new sources of water may be supplied from the Pacific Ocean.

Mr. FANNIN. Let me say to the Senator that I also sponsored that bill.

Mr. MURPHY. That, however, takes study. We want to be able to desalinate Pacific Ocean water, perfect weather modification and study transbasin diversions, but at the moment——

Mr. FANNIN. Unfortunately, we must face the situation as it actually exists today. We are not asking for anything except to be able to use our allotted water—2.8 million acre-feet. We are not trying to take water from anyone. We are the only State that has no other water source than the Colorado system.

I have heard from your people in northern California that their water, approximately 30 million acre-feet, runs wasted into the ocean, and that they would like to be protected from the floods that that creates. We would like to help them do that.

Mr. MURPHY. That is exactly what I made reference to in the bill.

Mr. FANNIN. I will develop that further.

Mr. MURPHY. If the Senator will give me the opportunity—I still have the floor.

Mr. FANNIN. Of course.

Mr. MURPHY. I made that reference earlier. The bill which my distinguished colleague introduced last year would create——

Mr. BENNETT. Will my good friends now engaging in this colloquy give me a chance to get in on this? [Laughter.] The Senator from Utah would like to join this colloquy. I should like to make the speech I have ready but I would be glad to join in the colloquy, with the request that the "wolves" leave the Senator from California alone so that he can finish his remarks.

Mr. MURPHY. I was intending to finish my speech when the Senator from Arizona interrupted me.

Mr. KUCHEL. May I join in the colloquy too?

Mr. FANNIN. I say that we are with the Senator so long as we have what the Supreme Court upheld. Arizona was given 2.8 million acre-feet of water. They are legally and morally entitled to it.

Mr. KUCHEL. Mr. President, will my colleague yield to me?

Mr. MURPHY. I am happy to yield.

Mr. KUCHEL. Mr. President, first of all, I want the RECORD to show that my friend and colleague from California [Mr. MURPHY] is contributing a highly important and very relevant address to a very important debate, a debate that involves not only the future of the State of California, but also the future of our neighboring Pacific Southwest States.

I also want the RECORD to show that I congratulate GEORGE MURPHY for pointing out once again the only means by which we can eliminate this terrible problem of water shortage in the Pacific Southwest States is through legislation which will help all of them, rather than helping only one on a temporary basis while the rest suffer.

Let me say that my friend from Arizona is wrong when he suggests the people of Arizona are paying more for their power from Hoover Dam than we are in California.

I have just been informed by the committee staff that the fact is, the people of Arizona paid 2.62 mills per kilowatt-hour, while the people in the home city of my able friend, Los Angeles, paid 3.32 mills per kilowatt-hour for Hoover power. I want the RECORD to clearly show that.

Mr. FANNIN. Could I later answer that? I know the Senator will agree that others are paying for power at the market price. I want to develop this later.

Mr. President, I ask unanimous consent to include at this point in the RECORD an explanation of the respective rate charges at Hoover by California and Arizona.

There being no objection, the explanation was ordered to be printed in the RECORD, as follows:

AUGUST 4, 1967.

MEMORANDUM ON POWER RATES—HOOVER DAM

The 1966 average power rates for all contractors from Hoover Dam are as follows:

	Mills
City of Burbank	2.09
City of Pasadena	2.09
State of Arizona	2.62
California Electric Power Company [1]	19.25
Metropolitan Water District	2.08
City of Glendale	2.08
City of Los Angeles	3.32
State of Nevada	2.88
Southern California Edison Company [1]	4.20
Energy reserved for United States	3.06

[1] These organizations have now been merged and consolidated.

The differences in the rates for the various utilities involved are caused by two factors: one, the date of installation of units ranging between 1935 and 1960, and two, the fact that some agencies have installed more generators in order to be able to utilize peaking capacity rather than baseload energy from the Hoover plant.

Mr. MURPHY. Out of deference to the distinguished Senator from Utah, who is most anxious to speak and has a most important message, I shall complete my remarks promptly but I do want to say that this entire colloquy disturbs me terribly. I know of no two Senators in this great body for whom I have a greater regard than my great, close seatmate and former Governor of Arizona, the great Senator from Arizona [Mr. FANNIN], and the dean of the entire Senate, a man whom we all love and admire so much, the Senator from Arizona [Mr. HAYDEN]. However, it disturbs me, as well as my colleagues, to find ourselves in this position where we are in disagreement.

Last year there was complete agreement on this; is that not true, I ask my colleague?

Mr. KUCHEL. Exactly.

Mr. MURPHY. Everyone had agreed that we had, we thought, arrived at an equitable solution to the entire water problem. There was great joy in California. There was great joy in Nevada. There was great joy in Colorado and Arizona. But now, suddenly, for some strange reason, there seems to be a wholly new prospectus.

I do not know the cause of it. I do not know why suddenly the facts of last year have disappeared and new facts have arrived. Does someone have an idea that may be better, that we do not understand, or have new facts that we do not quite understand? This is why this has disturbed me greatly.

I hope sincerely that my distinguished friend, the Senator from Arizona [Mr. FANNIN], will develop all these points as the debate continues, so my distinguished colleague from California and I will have full knowledge of them and will be able to return to our wonderful, No. 1 State, and explain to our constituents what has happened between these two great, friendly States.

Yesterday I flew over the Senator's wonderful State of Arizona. As I watched the developments of industry on both sides of the river, I realized the joy of the future that is going to be ours, if we can only have a proper solution to these programs. It disturbs me to be in disagreement. I know my distinguished friend will not hold it against me. I am only doing what I regard to be my duty to my constituents in California.

I will remind Senators at this time that the report also points out that California is not opposed to utilizing the Hoover and Parker-Davis power revenues for a development fund. That is a major provision of the bill which I cosponsored with the distinguished senior Senator from California, but the fund envisioned in our legislation—and that of other upper basin members—is earmarked for the benefit of the entire seven-State region. Combined with the revenues from the proposed Hualapai pumped storage power project, which the central Arizona project bill forsakes, ample funds would accrue to help finance the augmentation program so urgently needed now to stave off potential water supply bankruptcy.

It is obviously absurd to create a new use on the Colorado River without providing some solution to the underlying problem thereby aggravated—the lack of sufficient water in the river to meet the demands upon it. While other methods of augmenting the river's flow hold out some speculative hope of distant, future relief, it is manifest that in the present or immediate future, only the importation of large amounts of water from areas of surplus offers realistic hope of solving the problem. The critical element of time requires immediate investigation of intrebasin exchanges of water.

The lack of any specific directions for such studies and the deletion of the Hualapai project as a potential source of funds for implementing the results represent two of this bill's most serious sins of ommission.

For these reasons, I join with my colleague, Senator KUCHEL, and with the Senators from Colorado, Utah, and Wyoming to urge this body to reject the central Arizona project bill now before us and to respectfully suggest to Arizona that she renew her former alliance with her sister States and work for a regional solution to the problems that are common to all of us in the area, so all seven States may be provided for and we can go forward with plans for the present, the immediate future, and the distant future as well, to satisfy the needs of all.

Mr. ALLOTT. Mr. President, will the Senator yield?

Mr. MURPHY. I yield.

Mr. ALLOTT. Being mindful of the request of the Senator from Utah, I simply want to compliment the distinguished junior Senator from California on a very fine statement, which is not only a well-reasoned statement but is also based on the facts. It has been very valuable. The remarks the Senator has made have added a great deal to this debate.

Mr. MURPHY. I thank the distinguished Senator from Colorado. I apologize to all present if I seem to be copying the manner of speech of our distinguished minority leader [Mr. DIRKSEN]. This is not my intent. It is because I have had an impairment in my voice, which is gradually getting better. I fear that if Arizona fails to renew her cooperation with her neighboring States, I will be singing once again long before this matter is settled.

Mr. KUCHEL. Mr. President, will the Senator yield?

Mr. MURPHY. I yield to my colleague.

Mr. KUCHEL. I first repeat my congratulations. Then I join in urging upon our friend from Arizona, even at the last moment as the debate is drawing to an end, to reconsider his position and return, as my able friend has suggested, to the position unanimously recommended by our State and his State and other States in the Colorado River Basin a year ago.

The able junior Senator from California raised the question why these people have changed their minds. Would it not be of intense interest to know what motivated the Secretary of the Interior and the national administration? Why the flip-flop?

Mr. MURPHY. This has occurred to me, but I chose not to discuss it too much today, for fear that there might be a misunderstanding that some partisan, political interjection was involved.

Mr. KUCHEL. That we do not want to do.

Mr. MURPHY. No, we do not want to do that. I am quoting our distinguished Chief Executive when I say, "Come, let us reason together." Why can we not sit down and return to the agreements of last year? What is so wrong with them? Maybe they have gathered a little dust, but let us sit down and gaze upon them and examine them a bit, and under the dust we may find them to be shiny.

Mr. FANNIN. Mr. President, will the Senator yield?

Mr. MURPHY. I yield.

Mr. FANNIN. The Senator has made an eloquent statement, but I remind him that his State is the home of the Sierra Club, and the proposal of the dam was looked at last year in the House and it failed.

ORDER FOR ADJOURNMENT TO 10 A.M. MONDAY

Mr. MANSFIELD. Mr. President, it is my understanding that after the Senator from Utah [Mr. BENNETT] has completed his remarks, the Senator from Wyoming [Mr. HANSEN] has some comments to make on the pending legislation, and then, following that, the distinguished senior Senator from Colorado [Mr. ALLOTT] intends to speak for some time.

I ask unanimous consent that when the Senate completes its business this afternoon, it stand in adjournment until 10 o'clock Monday morning next.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

LEAK REPORTED ON PRESIDENT'S TAX PROPOSAL

Mr. WILLIAMS of Delaware. Mr. President, yesterday the President sent to Congress for release a 12 o'clock noon his message recommending a 10-percent surtax increase. A suggestion has been made that there was a leak in connection with this message and that on Wall Street this news was available earlier than noon.

In the New York Daily News of today there is an article entitled "Hint Wall Street Got Tip on Tax News." In the article the question is raised as to how the leak occurred. The suggestion is made that the Securities and Exchange Commission and the stock exchange are now investigating how the leak developed.

Mr. President, there is no secret as to how the leak developed. The way it was handled it was an open secret. This tax message was available to the press early in the morning for release at 12 o'clock noon and was then sent out over all of the wire services. There is nothing mysterious about the fact that somebody may have read this message and took advantage of it.

The question is why somebody in the White House did not realize that potential and did not have the judgment to release news of this importance while the market was closed. Preferably, it should have been released over a weekend. There is no other way for a release of this nature to be handled. Surely the Treasury Department knew that a message of this type would have an impact on the market and that it should always be released after the market has closed or over the weekend. Then all the American people will have the power to evaluate the impact and not just a few people who are on the inside.

Mr. MURPHY. Mr. President, will the Senator yield?

Mr. WILLIAMS of Delaware. I yield.

Mr. MURPHY. Mr. President, I am pleased that the Senator from Delaware has raised this point. I was in New York last night. I assure the Senator that this matter was the subject of extensive conversation. It would seem to me that the advisers of the President have permitted him to be placed in a very embarrassing position.

Many years ago I was a messenger on Wall Street as a runner for one of the brokerage houses. In those days, we were very careful that news which might affect the stock market so vitally was handled with the greatest of care. News of this type should be released when the market is closed or over the weekend. In that way, the impact of the message would hit and the professionals or those who might get the advantage of knowing the news ahead of time could not take advantage of it.

Mr. President, I think it would be interesting and I wonder if it would not be proper for us, as Senators, to ask the president of the New York Stock Exchange to make available to us a complete record of all stock transactions that took place from the hour of 11 o'clock, when the leak took place, up until 12 o'clock, which would include transactions of selling and transactions of buying.

I am told there were over 13 million shares of stock traded yesterday. This is an abnormal amount. If the release of this news caused that situation. I think that we, as Senators, have an obligation to find out all that we can and make known to the people of the United States how this unfortunate affair occurred. If any great public damage occurred it should be made certain that it will not happen again.

Mr. WILLIAMS of Delaware. I thank the Senator for his remarks, and I agree. The request is being made that the Committee on Finance be furnished with a record of all transactions for the entire day. We should check all transactions during the day, which would cover transactions both before and after the release of the message.

The article in the New York Daily News refers to the fact that while the message was not released until 12 o'clock it was over one brokerage wire service at 11:17. I do not criticize the press; I understand this is standard practice. When a message of this importance is marked for release at 12 o'clock the major wire services naturally put the message on the wire to editors all over the country with instructions to hold for release at 12 o'clock. But certainly the White House knows that one does not keep a secret by telling 5,000 or 10,000 people about it an hour ahead of time. There is no excuse for the manner in which this message was handled by the White House.

There is only one way to prevent such a situation; and that is, to announce all tax messages after the market has closed, preferably over the weekend.

The results of this blunder put the President in a most embarrassing position. I do not suggest that he did this deliberately. I do not think he stopped to consider. However, those advisers around him, the Secretary of the Treasury and others, know the impact of these matters, and they were negligent in not advising the President to hold the message back until the market had closed.

An explanation from them is in order.

Mr. MURPHY. Mr. President, will the Senator yield?

Mr. WILLIAMS of Delaware. I yield.

Mr. MURPHY. At the very best, the least that could have been done would have been to have the message released immediately.

Mr. WILLIAMS of Delaware. The Senator is correct.

Mr. MURPHY. In that way all of the wire services and the people could take advantage of it simultaneously. As the Senator pointed out so correctly, the proper way to have done it, as everybody knows, and certainly the advisers of the President know, would be to release it over the weekend or at a time when the market is closed so that the impact on the market would be minimized. I understand that some of those stocks moved 15 to 20 points.

It will be found that the man taking advantage of the situation, sells going down, buys going up, changes position twice, and doubles the amount of profit he can take. This is the thing that is disturbing to me.

I thank the Senator for bringing this matter to the attention of the Senate. I join with the Senator in requesting that the matter he brought to the attention of the Chief Executive in the White House so that he will be certain his financial advisers and the Secretary of the Treasury never permit this to happen again.

Mr. WILLIAMS of Delaware. I thank the Senator. In the Agriculture Department where the issuance of crop reports often has an impact on the market there is a practice which was adopted many years ago not to release the reports or the material connected with the reports until after the market has closed. The men who work in preparation of the final report do not come out of the room until the market closes and the report is ready for release. In that way it can be made available to all people before the market opens.

The only solution would be to release the information after the market has been closed so that it can be available to everyone in the morning newspapers, and preferably it should be released over the weekend.

I hope the President will get a new set of advisers. At least he should make sure that it does not happen again. Too many innocent investors were hurt as the result of this negligence.

I am going to ask the Finance Committee to examine all in-and-out transactions of yesterday to see who was taking advantage of the premature notice which came direct from the White House.

Mr. MURPHY. I thank the Senator. I join with him and I congratulate him for bringing this matter to the attention of the Senate. I also join with the Senator in the request that there be made available records of all in-and-out sales, along with purchasers, the houses through which the sales were made, and the buying and selling prices. All of this material should be made available to the Senate and to the press.

Mr. WILLIAMS of Delaware. I thank the Senator.

Mr. President, I ask unanimous consent to have printed in the RECORD the article which was published in the New York Daily News of today and the Dow-Jones scoreboard on the half-hour changes in the market. Following this I ask that there be printed a copy of the notice of this tax increase which was sent out over a national wire service at 11 a.m. yesterday. I note that this message was timed for 1 hour before the noon release period named by the President. Certainly any trader reading this message would not wait until noon before acting.

How naive can the White House be to have thought otherwise?

There being no objection, the material was ordered to be printed in the RECORD, as follows:

HINT WALL STREET GOT TIP ON TAX NEWS

(By Dennis Duggan)

Did Wall Street brokerage houses yesterday leak details of the President's tax proposals a full hour before the scheduled release to the public?

Rumors that "insiders" took advantage of confidential information that reached the brokerage houses by 11 A.M. spread through the financial community.

Millions of dollars could have been made in that hour, during which 2,860,000 shares were traded on the New York Stock Exchange.

COULD HAVE SOLD AT TOP

Traders who were privy to the leak theoretically had an edge over the rest of the trading community. Knowing that news of a tax hike would depress the market, a trader could have sold his stocks at the top of the market and less than an hour later have bought them back at the bottom, bringing a fat profit.

Since the tax hikes were even higher than Wall Streeters were braced for, there was little doubt that the market would undergo a wave of selling, which is precisely what happened.

A spokesman for the Stock Exchange said: "It is still too early to pass judgment, but we will definitely look into these reports, and if they are true there will be a full-scale investigation."

COMMISSION SIFTS RUMORS

Manuel F. Cohen, chairman of the Securities and Exchange Commission, watchdog of the securities market, declined comment on the reported leak of so-called embargoed news.

But a source close to the SEC said that the agency was looking into rumors that traders may have taken advantage of early knowledge of the tax news.

It is known that at least three of the Street's biggest brokerages had news of the tax proposal by 11 A.M. on a "hold for release at noon" basis.

The advance report came over a news service wire just before 11 a.m. Minutes later, selling of stocks accelerated at a rapid pace.

THE MARKET PLUNGES

At 11 A.M., the Dow Jones industrial average was slightly off, down .77. By 11:30, however, still half an hour before the tax outline was to be made public, the market had plunged 5.08 points.

At noon, the industrial average had fallen 8.61 points and at 12:30 P.M., the average had skidded to its low point—off 9.30 points.

How fast the news of the Administration's proposed tax hike flashed throughout the financial community was spotlighted by an advisory bulletin dispatched at 11:17 a.m. a major brokerage house on its nationwide interoffice wire service.

TOLD TO KEEP IT QUIET

In it the brokerage house spelled out the details of the President's tax proposal for its boardroom tape watchers, numbering in the thousands.

One broker, who requested anonymity, said employes were told "not to spread the news around" before noon.

DOW JONES SCOREBOARD

Here is the half-hour scoreboard on how the Dow Jones industrial average reacted to the President's surtax proposal.

10:30 a.m	−0.06
11:00 a.m	−.77
11:30 a.m	−5.08
Noon	−8.61
12:30 p.m	−9.30
1:00 p.m	−7.74
1:30 p.m	−5.37
2:00 p.m	−2.83
2:30 p.m	−1.27
3:00 p.m	−.58
Close	−.29

WASHINGTON.—President Johnson asked Congress today to impose a temporary 10 percent surtax on corporations and individuals. This is a 4-percent increase over his previous request.

The surcharge on individual income taxes would take effect October 1. The surtax on corporations would be retroactive to July 1.

In a special message to the House and Senate, Johnson warned that unless these and other new tax proposals are enacted, the Federal deficit for fiscal 1968 will rise from his earlier estimate of $8.8 billion to a probable $23.6 billion.

POVERTY WARRIORS—THE RIOTS ARE SUBSIDIZED AS WELL AS ORGANIZED

Mr. HICKENLOOPER. Mr. President, I ask unanimous consent to make a preliminary statement and then an insertion in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. HICKENLOOPER. Mr. President, in the July 31 issue of Barron's Weekly, which is, of course, a highly respected financial weekly in the country, there is an editorial entitled "Poverty Warriors: The Riots Are Subsidized as Well as Organized." It contains a startling compilation of the money that is being funneled by Government officials into various programs and various organizations that are stimulating riots, supporting subversion, and generally causing a lot of the trouble in this country.

It is a startling editorial, or article—whatever one might want to call it—and I call particular attention to the last paragraph, which is rather significant and carries much meaning.

I ask unanimous consent that the editorial be published in connection with my remarks at an appropriate place in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

POVERTY WARRIORS: THE RIOTS ARE SUBSIDIZED AS WELL AS ORGANIZED

Marion Barry and Rufus Mayfield are angry young men. Former national head of the Student Nonviolent Coordinating Committee (SNCC), Mr. Barry in August, 1965, took part in a protest demonstration organized by the so-called Assembly of Unrepresented People. He was arrested and charged with disorderly conduct while leading demonstrators onto the Capitol grounds. "Riot power and rebellion power," he was quoted as saying last week, "might make people listen now." Mr. Mayfield is a Black Muslim. Twenty-one years old, he has spent most of the past eight years in prison for various offenses, including petty and grand larcency. This month Marion Barry acquired gainful employment. He was hired as a $50-per-day consultant by the United Planning Organization, top anti-poverty agency for the District of Columbia. Rufus Mayfield, according to Rep. Joel P. Broyhill (R., Va.), will serve as Barry's "back-up man."

While perhaps more arresting than most, these are not isolated instances. On the contrary, the files fairly bulge with equally radical cases in point. Thus, federal and state investigations of New York's Mobilization for Youth, pilot project for the Job Corps, disclosed that its staff included several members of the Communist Party. LeRoi Jones, who was taken into custody during the riots in Newark and charged with illegal possession of deadly weapons, once ran a hate-the-whites Black Arts Theater which got $115,000 in federal funds from Haryou-ACT before police discovered an arsenal on the premises. The Southwest Alabama Farmers Cooperative Association of Selma, which the Office of Economic Opportunity recently granted $700,000, numbers among its principals John Zippert and Shirley Mesher. Louisiana's Joint Legislative Committee on Un-American Activities recently documented Mr. Zippert's association with radical causes, including the Kremlin-financed World Youth Festival. According to the Alabama Legislative Commission to Preserve the Peace, Miss Mesher, a former coordinator for SNCC, is "a prime participant in the Black Panther movement designed to overthrow the government . . ."

Right after Watts (Barron's, August 23, 1965), we observed: "In the name of civil rights, a small band of ruthless men has not hesitated to stir up violence, break the law and undermine duly constituted authority. The so-called civil rights revolution . . . has begun to mean exactly what it says." Since then compelling evidence, including eyewitness testimony and the findings of a Cleveland grand jury, has shown that the riots are less spontaneous outbreaks than carefully planned subversion. To judge by the record, moreover, civil unrest is not only organized but also subsidized. Thanks to the Office of Economic Opportunity, the U.S. taxpayer now has a chance to finance his own destruction. The Great Society, so Newark, Detroit and scores of other smouldering cities suggest, cannot coexist with the American way of life.

Like the poor, slums and rats have always been with us. Only the devastating riots—and the professional agitators who prepare the tinder, await a spark and fan the flames—are significantly new. The 1964 outbursts in Harlem turned up William Epton, vice-chairman of the Red-Chinese-oriented Progressive Labor Party, who taught people how to make Molotov cocktails. Mr. Epton was convicted of criminal anarchy for his part in the riots. The Rev. Billy Graham called Watts a "dress rehearsal for revolution," a description in which radical spokesmen ever since have gloried. Last year's riots in Cleveland, charged Sen. Frank Lausche (Dem., O.) were the work of a "national conspiracy executed by experts." Shortly afterward a Cleveland grand jury, after hearing the testimony of detectives who penetrated the conspirators' ranks, found that "the outbreak of lawlessness and disorder was organized, precipitated and exploited by a relatively small group of trained and disciplined professionals." In a story on the Newark riots, the current issue of Life Magazine describes its reporters' "clandestine meeting with members of the sniper organization." Finally, SNCC's Stokely Carmichael, whose subversive interests range far and wide, openly boasts of what's afoot. After a quick trip to Prague, he landed last week in Havana. There he told newsmen: "In Newark we applied (guerrilla) war tactics . . . We are preparing groups of urban guerrillas . . . It is going to be a fight to the death."

So much for subversion, which the country will ignore at its own risk. As to federal subsidy of violence, an ominous pattern has emerged. From the beginning, as radicals recognized, the war on poverty, notably the Community Action Programs, had impressive trouble-making potentials. Somehow CAP has expanded much faster than OEO expenditures as a whole, surging from $246.5 million in fiscal '66 to an estimated $500 million in the current fiscal year. As noted above (much of the material comes from a forthcoming book, "Poverty Is Where the Money Is," to be published by Arlington House and written by Shirley Scheibla, Washington correspondent for Barron's), some of the money funded dubious ventures and put jailbirds and subversives on the federal payroll. Mrs. Scheibla cites other horrible examples: John Ross, member of the Progressive Labor Party, who served on an anti-poverty board in San Francisco; Howard Harawitz, member of a similar board in Berkeley and former member of the W.E.B. DuBois Clubs, which the FBI calls "Communist-spawned"; and a number of U.P.O. personnel in Washington, D.C., who turned out to be SNCC organizers and agitators.

Taxpayer-financed trouble has exploded in one part of the country after another. Last fall the mayor of Perth Amboy, N.J., accused the local anti-poverty leader of seeking "to foment and incite unrest, agitation and disorder," a charge which the city manager of Rochester echoed last week. Newark's police chief weeks ago warned that the city faced anarchy because of agitation by federal anti-poverty workers, several of whom were arrested during the riots. In New York City five marauding young Negroes, collared while looting stores on Fifth Avenue, worked for the anti-poverty program; one wore a sweater blazoned, after the OEO-funded agency, "Harlem Youth Opportunities Unlimited."

To fight riots with OEO grants, in short, is like fighting fire with gasoline. However, Sargent Shriver alone is not to blame. Some of the fault lies with local officials like New York's Mayor Lindsay (tapped last week to serve on the President's special advisory body), who repeatedly refused to condemn the appearance of his Human Rights Commissioner at the Black Power conference in Newark, as well as with Mayor Cavanagh of Detroit (first recipient of OEO aid and welfare state showcase), who tied the hands of the police for the first few strategic hours. On the federal level, the country should call to account the Office of the Attorney-General and its three recent occupants: Robert Kennedy, who once wrote a letter to the head of an identified Communist front, seeking advice on a national service corps; Nicholas Katzenbach, who shrugged off all evidence of conspiracy; and the incumbent, Ramsey Clark, who testified against pending anti-riot legislation. The blame reaches right up to the official White House family, to Vice President Humphrey, who last summer said that if he lived in a rat-infested slum: "there is enough of a spark left in me to lead a pretty good revolt."

Law and order are the stuff of civilization; they are also the first duty of government. On the record, "liberals" of both parties, by tolerating subversion, have made a mockery of their oaths of office and forfeited the public's trust. Appeals to prayer are all well and good, but what this country needs is a political and philosophic call to arms.

ORDER FOR RECOGNITION OF SENATOR ALLOTT MONDAY

Mr. MANSFIELD. Mr. President, I ask unanimous consent that at the conclusion of the morning business on Monday, the distinguished senior Senator from Colorado [Mr. ALLOTT] be recognized.

The PRESIDING OFFICER. Without objection, it is so ordered.

CENTRAL ARIZONA PROJECT ACT

The Senate resumed the consideration of the bill (S. 1004) to authorize the construction, operation, and maintenance of the central Arizona project, Arizona-New Mexico, and for other purposes.

Mr. BENNETT. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. BENNETT. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

UTAH'S INTERESTS MUST BE PROTECTED

Mr. BENNETT. Mr. President, the State of Utah wants to take a constructive approach in helping to provide additional water to meet the needs of our sister State, Arizona. Throughout the years our good neighbors to the south have been very helpful to Utah on many congressional, business, regional, and personal problems. Many of Arizona's problems down through the years have been very similar to Utah's as these two States have struggled to solve their various growing pains.

That Arizona has a critical water problem requiring early solution, there is no doubt at all. All of us from Utah, be it Members of the Senate, the House, water officials in the State, or what have you, have pledged to help where we can.

Arizona's right to water in the river was covered in the lower basin allocation in the famed Colorado River compact which was an interstate agreement providing the best means to an acceptable and equitable apportionment of the river. Arizona ratified the compact in 1944.

The agreements were founded on the basis of mutual help, protecting the rights of all involved, through this fine cooperative effort.

However, I regret to say that this bill, S. 1004, the so-called central Arizona project or Lower Colorado River Basin project, in the opinion of Utah's water authorities, does not reflect the spirit of the compact.

It seems to me that basically the bill before us completely ignores the fact that the water supply of the Colorado River is inadequate to meet the future demands on the river. Let me repeat, Mr. President, there simply is not enough water in the Colorado River.

The addition of a new major project to the Lower Colorado River Basin without at the same time making a start on meeting the necessity of finding additional long-range solutions to the water supply problems of the entire basin will only aggravate the problem and jeopardize resource development in the upper basin.

As the committee and the Senate know, Utah and its upper basin friends have joined in pointing out that we were willing to support the central Arizona project, asking in return for provisions authorizing studies of augmentation of the supply of water in the Colorado River Basin.

Utah's water officials—and I have held many conferences with them and I am convinced they are correct—feel that we must have this legislative safeguard in any lower basin legislation so that Utah will have the right to proceed with the development of its entitlement of Colorado River water.

Any large, new project, such as the central Arizona project, can exist only on presently unused compact apportioned water belonging to the upper basin—and can exist only so long as water is not withdrawn by the upper basin States beyond their present capacity to use it.

Utah's present depletions and committed uses total only about 60 percent of our compact apportionment. We are afraid that in the future when we need this water for our own uses we may be standing alone when we try to withdraw it from a going downstream economy for the establishment of new upstream developments. Therefore, Utah's support of any lower basin legislation is dependent upon the inclusion of certain protective measures that will give some assurance that our future water resources development will not be jeopardized.

Unfortunately, S. 1004 as reported by the Senate Interior Committee does not include such protective measures as we feel are necessary. The administration has seen fit to abandon the regional approach to Colorado basin problems to benefit Arizona at the expense of her neighbors. Utah is opposed to a system providing pumping power for the central Arizona project from a thermal generating plant because, among other things, such a plan fails to contribute to a solution of a pressing regional problem.

As I said earlier, this fundamental regional problem revolves around an uncertain future water supply; therefore, it is my State's position that it can support legislation only if there is a "legislative commitment" for a study of an importation of water from sources outside the Colorado River Basin. We feel it is essential for the protection of our own water rights.

In view of the imminent critical water shortage in the Colorado River, Utah will support any feasible means of augmenting the water supply. This protection can and should be realistically provided in this legislation at least by authorizing studies of all forms of augmentation of water supplies, such as reductions in water losses, water conservation practices, desalination, weather modification, importation of water from outside the natural drainage basin of the Colorado River, and any other means. Directly, or by exchange, the new water from any of these sources could be utilized by States in both the lower and upper basins.

Moving now to the next point, Utah feels that the authorization of a high Hualapai Dam is vital to provide revenues for a development fund for repayment of other features of the project, including Utah's Dixie project, and for providing a sound approach for future augmentation of the river. Instead of a dam, however, a financing scheme has been injected into the bill which will effectively stifle any chance that a fund will be created to relieve the water crisis in the Colorado River Basin in time to be useful. According to all the water experts, the basin will need more water before 1990. But there may not be money for anything other than the central Arizona project costs in the development fund for at least 50 years, which takes us to the year 2017.

Mr. President, on this last point, I make the statement because Utah's water officials and I agree with the excellent summary and analysis of the costs in the development fund which are in the committee report under the minority views signed by Senators KUCHEL, ALLOTT, and HANSEN. They appear on page 120 of the report; and, so that the record can be complete, I ask unanimous consent that the summary and analysis be printed in the Record at this point.

There being no objection, the excerpt from the committee report was ordered to be printed in the Record, as follows:

PUFFING THE BASIN FUND

On June 26, 1967, the Department of the Interior provided Senator Kuchel with financial tables reflecting development fund income and disbursements which will accrue under S. 1004 as reported. A copy of Secretary Holum's letter and accompanying tables is attached as appendix C to these views.

Secretary Udall predicts gross development fund revenue over the payout period of $2,261,352,000 and deductions of $1,882,646,000, leaving a balance of $378,706,000 in the fund by the year 2025. Careful study of the Secretary's table reveals:

1. The balance in the fund by 2025 is overstated by $173,203,432.

2. There will be no balance whatsoever in the fund until 2018.

3. Raising the main aqueduct size to 3,000 cubic feet per second adds $177,147,000 to the project costs. There will be no water to fill the inflated aqueduct unless it is drained away from the upper basin, diminishing the prospect of filling Lake Powell.

4. The tables fail to disclose the possible additional $100 million drain on the fund for distribution and drainage systems in Arizona.

GROSS OVERSTATEMENT

The Secretary's estimate of $2,261,352,000 of gross revenue to the basin fund cannot increase unless the rates for the sale of water and power, or the quantities which he estimates will be sold, change. But his estimate of deductions, $1,882,646,000, is misleading; it can and must change, and change upward only. The Department based its estimates of project costs on 1963 prices. There has already been a rise of 9.2 percent in the cost index (he ignores it), which would result in increasing the deductions from the development fund by $173,203,432, as of A.D. 2025, even if there is never any further increase in construction costs—a most unrealistic assumption. As the cost index rises higher in future years, this incremental cost, hence these total deductions, will also rise. If the balance in the development fund were corrected to reflect increased construction cost, by the end of the payout period it could be not over one-half of the $378,000,706 claimed by the Secretary. The proposed new $30 million Dixie project drain on the development fund further reduces the balance in A.D. 2025.

The Secretary admitted that there will be no net balance in the development fund until the year 2010. When corrections for even present (1967) costs and the Dixie project deficit are incorporated into the calculations, the Secretary's table shows that the fund will be empty until at least 2018, or 51 years from now.

Obviously, the financing scheme which has been injected into the bill kills off any possibility that a fund will be created to mitigate the water crisis in the Colorado River Basin. The basin needs more water before 1990, but for half a century (until at least A.D. 2018) there will not be a single cent in the development fund for use to defray any costs other than Central Arizona Project costs.

Mr. BENNETT. Mr, President, in addition, and to back up the statement the minority views include a chart entitled "Repayment Analysis: Central Arizona Project With Development Fund and 2,500-Cubic-Foot-per-Second Aqueduct" which begin on page 136 of the report. The information was obtained from the Bureau of Reclamation so I am assuming that it is as accurate as any information available. On page 141 where the chart continues we find that the first sign of any net revenues to the development fund appears in the year 2009. However, by the time increased costs and other payments are made the money for the development fund probably will not be available until later, perhaps in 2016—some 50 years from now.

When this lower Colorado River project proposal came before us many of my colleagues in the Senate urged me to join them in sponsoring many and varied versions of proposed bills. These included proposals by Senator Kuchel, Senator Allott, Senator Moss and others. After analyzing all of the bills, looking over the administration's bill and conferring with interested Utah water officials, I told all of my colleagues who sought my support that I would be pleased to join in any bill that provided the following legislative safeguards for Utah:

First. The authorization of studies to augment the water supply of the Colorado River Basin.

Second. Inclusion of equitable criteria for the coordinated long-range operation of the Colorado River storage reservoirs.

Third. Language making it clear that the lower basin projects shall in no way affect the division of water between the upper basin and lower basin States as established by the compact.

Fourth. Language establishing the planning report on the Ute Indian unit so that it will be finished by 1972.

Fifth. Language providing that it will become a national obligation that augmentation of water from outside the Colorado River Basin will relieve the upper basin from the burden of the Mexican treaty. This, of course, is tied in with any augmentation language.

Sixth. Language including a comprehensive Dixie project, authorizing it to participate in the development fund and providing nonreimbursable fish and wildlife sections.

Seventh. Language providing that the Upper Colorado River Basin fund be reimbursed for all expenditures diverted from it to meet so-called deficiencies in generation at Hoover Dam during the filling period of Glen Canyon Reservoir.

Eighth. Language providing for the Hualapai Dam.

Safeguards 2, 3, and 7 are in the bill before us today.

Safeguard 4 regarding the Ute Indian unit is in the bill, but there is no deadline giving the Bureau of Reclamation guidance or a requirement that the planning report must be completed by 1972, mainly because we all know how these planning reports have a tendency toward taking years upon years to be completed.

Safeguard 5 is really part of No. 1, the augmentation section, so it is not included in the bill.

This brings us to what I consider the most important safeguards as far as Utah is concerned.

No. 1 is water augmentation.

No. 8 is the Hualapai Dam.

No. 6 is a complete Dixie project.

As we know, there is no augmentation and there is no Hualapai Dam. There is some language for the Dixie project, but many questions still remain to be settled with respect to it.

Going back a few years, I should point out that it was my privilege to introduce the first Dixie project bill, offered after the Bureau of Reclamation had completed its restudy of the project in 1961. We authorized this project in the 88th Congress only to discover technical difficulties which apparently the engineers had overlooked. After the project was authorized, they found that the ground beneath the planned power dam and reservoir was unsafe and would not hold water. Alternate sites proved inadequate and from all indications it appeared that Dixie had lost its feasibility because of the inability to sell enough power at a profit so that the water users could repay the construction costs.

This was a severe blow to the people of southern Utah who have been waiting for the Dixie project since the turn of the century. The Dixie project involves a dam on the Virgin River, and the pioneers who went into Dixie 115 years ago began to develop their own version by building an aqueduct, and the small dam which they built with horse drawn equipment and hand tools—literally carving that aqueduct out of the side of the hill—is still here and still operating. However, this is of course a very minor thing compared with what we are interested in now. The opinion of the people has not changed. As an example of their interest and support for the project, the local citizens agreed to impose an almost unprecedentedly high tax to repay their share of the project costs.

Despite all of this, however, Dixie has become an authorized project that cannot be built. The only apparent way out is to give the project some help from the Hoover Dam power profits. The pending bill does integrate the Dixie project into the development fund. The committee report estimated that the fund could provide $25 to $30 million in assistance.

Admittedly on the surface this appears good, but it is not clear at all whether or when Dixie will get any of this money because it is not clear whether or when any of this money from Hoover Dam might be available. One account I saw on the subject rightfully called it "a mortgage on money that will not be available at least until 1991, when Hoover has paid back its own costs—although Congress may draw on that fund earlier in anticipation of Hoover profits."

As I pointed out earlier Utah's water authorities feel that there is some question as to when we can expect any help from the development fund and the minority views covered the subject in my previous insert into the Record.

On another aspect of the Dixie project, I should say at this time that I consider it necessary that all of the separable and joint costs allocated to recreation and fish and wildlife in the Dixie project shall be made nonreimbursable. As the language in the bill now stands, Utah's water officials inform me that the local people in southern Utah—the same citizens who have agreed to the 5-mill ad valorem tax which was later dropped to three—would be called upon to pay even more tax money for the fish and wildlife portions of the Dixie project. Reclama-

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tion Bureau officials in Utah have told Dixie officials in the fields that under Federal Water Project Recreation Act—Public Law 89–72—which calls for certain amounts of cost sharing of wildlife and recreation features of reclamation projects—they, the local citizens, probably will be called upon to pay half of the fish and wildlife costs.

That is why in every discussion of the Dixie project, be it amendment or bill, we have included the provision that fish and wildlife features be made nonreimbursable. It is regrettable that this language was not included in the bill when the Dixie section was considered on the last day of the markup session in the Interior Committee.

What we have here is a disagreement of interpretation of two words in the bill. Those two words, as I remember, are "previously authorized," and the people who refer to the Dixie project's right to nonreimbursable income for fish and wildlife costs assume that, because the Dixie project had previously been authorized, these words protect them adequately.

Actually, the Dixie project was authorized before Public Law 89–72 was passed. Then, that project as authorized was declared infeasible, and there developed a cloud on the meaning of this phrase "previously authorized."

I cannot understand why our friends, to whom this is not a major problem, either did not get specific authorizations for this use of fish and wildlife money in the pending bill, or why they would resist language to include it in the bill now. It has been in virtually every other bill that was introduced with the exception of the administration bill.

Mr. FANNIN. Mr. President, will the Senator yield?

Mr. BENNETT. I yield.

Mr. FANNIN. The bill on page 27, line 7, states:

> The Secretary shall integrate the Dixie project, heretofore authorized—

Has that not been provided for previously?

Mr. BENNETT. All I can say is that the water users in Utah, apparently backed by the Governor and his legal advisers, feel this is not adequate. It seems to me that the Utah people have a deep interest and serious concern with it.

Why not make it doubly sure by adding specific language to say that?

Mr. FANNIN. Was it in the previous legislation to which the Senator referred?

Mr. BENNETT. It was.

Mr. FANNIN. It says "heretofore authorized," and it is considered as being sufficient.

Mr. BENNETT. We, in Utah, believe that that leaves us at the mercy of a future Secretary of the Interior, who may say, "That is not the same project. We authorized a project up the river, and now you have had to move it down the river."

Mr. ALLOTT. Or even, unfortunately, the present Secretary.

Mr. FANNIN. I referred to the words "heretofore authorized' because I believed it would help.

Mr. BENNETT. Does the Senator not realize that interpretation of two- and three-word phrases are the basis of some of the most difficult lawsuits in the world?

Mr. FANNIN. If they are not specific. I believe that in this instance it is very clear. It refers to legislation "heretofore authorized." Only one bill has been authorized. Am I correct?

Mr. BENNETT. How firm does the Senator feel about that? Does he feel so firmly that he would not give Utah the satisfaction of language which would make it perfectly clear?

Mr. FANNIN. Only one bill has been authorized heretofore, and I believe it is clear.

Mr. ALLOTT. I must observe that not only do the Governor and the water people in Utah feel this way, but many other people who have had some experience in water matters also are of the same opinion as the able Senator from Utah.

Mr. BENNETT. It is beyond my comprehension why, when the question is raised, it would not be handled immediately, because it is of no great concern to anybody but the people of Utah.

Mr. President, it seems to me that the carrot that was dangled in front of us in the form of a Dixie project is merely bait to gain our support for S. 1004. I am afraid that I cannot bite, and I can report that the people of southern Utah support my reluctance to go along on the terms as outlined in the present bill. The official position of the State of Utah, of the Governor, of Utah's Director of Natural Resources, Mr. Jay R. Bingham, of the Central Utah Conservancy District, and of virtually everyone in the State who has an interest in this bill, remains unchanged, as I have described it.

That generally outlines my views on this proposal, Mr. President. I very much would like to support it, and I could support it if the so-called Allott-Bennett-Dominick-Kuchel-Moss-Murphy amendment, which I understand will be offered soon, could be adopted.

In summary, the amendment to the bill would provide for construction of the Hualapai Dam: a reconnaissance study of importation of water; a basin fund to provide money for importation; the comprehensive Dixie project; nonreimbursable status for Fish and Wildlife features of the Dixie project; priority status for the Ute Indian unit of the central Utah project; establishment of equitable criteria for the coordinated long-range operation of the Colorado River storage reservoirs; as well as a number of Colorado participating projects.

This amendment, if adopted, will provide what I believe is a constructive approach to the problems of the Colorado River. It also would give Utah that long-sought legislative protection.

I had the honor to represent Utah when the Colorado River Storage Project Act was enacted and signed into law by President Eisenhower in 1956. I sincerely hope that the amendments to be offered will be accepted by the Senate to safeguard the interests of all the Colorado Basin States, so that I will have the additional honor of representing Utah when the central Arizona project is signed into law.

Mr. President, so the record can be complete and so that the Senate can have an idea of the feelings of Utahans I ask unanimous consent to have printed in the RECORD at this time editorials from Salt Lake City's two daily newspapers on the central Arizona project proposal.

There being no objection, the editorials were ordered to be printed in the RECORD as follows:

[From the Salt Lake Tribune, July 2, 1967]

CENTRAL ARIZONA BILL BIG DISAPPOINTMENT

The Central Arizona Reclamation Project as reported out of the Senate Interior and Insular Affairs Committee is a disappointment to Utah interests. While it contains financing for the Dixie Project, it lacks any assurances that Utah's unused water entitlement from the Colorado River will be protected. A crumb is little consolation if the whole cake is lost.

That Arizona has a critical water problem requiring early solution, there is no doubt. As a matter of record, Utah officials and reclamation leaders acknowledge the situation and have pledged help. Arizona as part of the Colorado River's Lower Basin was allocated water from the river by solemn agreements dating back to 1922. But these agreements were founded on the principle of mutual assistance, western state signatories believing each would benefit from cooperative efforts. The Central Arizona Project bill as now written does not reflect this spirit.

Utah and its Upper Basin neighbors were willing to support the bill, asking in return for provisions authorizing studies of ways to augment the supply of water in the Colorado River Basin. One such possibility would involve diversion from the water-rich Northwest. Certain Colorado River operation requirements on Glen Canyon's upstream side were also requested. All these concessions were stripped from the bill in the Senate committee, headed by Senator Jackson (D-Wash.), unyielding opponent of diversion of any Columbia Basin water to the Colorado Basin.

Central Arizona was planned on the basis of water supply expectations estimated more than 40 years ago when Upper and Lower Basin entitlements were divided by compact. Subsequent flow measurements show early estimates over-generous and if Arizona is to receive its allocation as river rights were originally distributed, the subtraction will come from the Upper Basin's share.

Utah, Colorado, Wyoming and New Mexico, in the Upper Basin, are as vitally concerned with ultimate development of their water rights as are Arizona, California and Nevada in the Lower Basin. Our future prosperity is limited by the amount of water we can reclaim for industrial, agricultural and residential use. The cooperative approach to region-wide water development must not be abandoned now, but if one of the seven Colorado River Compact states insists on using the leverage of private advantage at the expense of its former partners, the other states have no alternative but to resist.

The Central Arizona bill faces several obstacles before reaching a final congressional vote. It must be examined in the House Interior and Insular Affairs Committee, chairmanned by Rep. Wayne Aspinall (D-Colo.). On June 1 as featured speaker at the Central Utah Reclamation Project's Bonneville Unit groundbreaking, Mr. Aspinall called for the highest degree of water statesmanship in meeting requirements of a growing, but oftentimes arid, West. He said such diplomacy contemplates the idea of transbasin diversion. We hope Mr. Aspinall remembers those words when his committee considers the Central Arizona Project bill, for, as currently written, it should not pass.

[From the Deseret News, July 1, 1967]

PROTECT UTAH INTERESTS ON THE COLORADO

It's hard to imagine that anyone in Congress wants to stunt Utah's growth and replace regional cooperation with reclamation rivalry. But the Colorado River Water Bill reported out this week by the Senate Interior Committee would, if approved, do just that.

The bill would give Arizona water not in the river if Utah and the other states ever are to get their full shares.

It eliminates the Hualapai Dam at Bridge Canyon, which was relied upon under previous agreements to provide revenue to finance projects to bring water from areas of water surplus into the arid Colorado River Basin.

It calls for a steam electric power generating plant to pump mainstream Colorado River water onto thirsty Arizona acres. This plant is beyond the scope of reclamation in previous western history. It would meet Arizona water users' needs by burning Arizona coal in a facility financed by taxpayers of all states.

How about Utah's future needs?

The bill agreed upon by the seven states last year called for investigations looking toward augmenting dwindling water supplies of the Colorado River Basin, possibly from the Columbia Basin. The new bill, however, contains no provision for any such investigation.

Without imports, how is Utah to get the projects that have been authorized if Arizona and California are allowed to use all available flow of the Colorado River?

Moreover, is it just by chance that Secretary of Interior Stewart L. Udall, an Arizonan, has permitted use of Colorado River water for huge steam generating plants near Farmington, N.M. and for the Mohave Project near Davis Dam, but has said "no" so far to water for the Kaiparowits Project in eastern Kane County?

The Mohave Project will pipe coal slurry from the Black Mesa coal fields in northeastern Arizona to the generating plant in central Arizona. The Kaiparowits Project would use Utah coal. But Secretary Udall has been imposing such conditions for use of the Utah-owned water that the Resources Co. has been unable to firm up its plan for a $96 million operation in Utah.

Obviously a thorough repair job is in order before either House of Congress should even consider acting on the Colorado River water bill.

Mr. ALLOTT. Mr. President, will the Senator yield?

Mr. BENNETT. I yield.

Mr. ALLOTT. Mr. President, I compliment the distinguished senior Senator from Utah upon his very valuable contribution to the discussion of this subject.

It is obvious, not only from the complexity of the subject matter but also from the lack of understanding generally of what it entails, that it will take a long time to educate and inform the Senate about this situation.

I say to the distinguished Senator that I recall when he, as the junior Senator from Utah, and I, as the junior Senator from Colorado—although he was my senior—sat in the long hearings, particularly the session in Denver, when the real future of the Upper Colorado River Project Act was settled; and when, through the pressure of one minor lobby group, the upper Colorado River project was forced to yield to that pressure group, and there was not developed the most feasible, the most economic, and the best revenue producer of all the dams which were originally in that bill.

The Senator from Utah has been unflinching, and he has kept a straight course on his reclamation position throughout all the years of my acquaintance with him. I do not know how many problems connected with reclamation he has discussed with me, particularly those relating to his own State, during the years. His advice and his sound, good judgment have been of help and of value, not only to me but also to other members of the Committee on Interior and Insular Affairs. In this matter, he has kept a steadfast position.

The representatives of his State, of my State, and of the other seven States in the basin worked for years to come to a common plan and a common concept of development, only to find their efforts overturned in one night by the Secretary of the Interior, with a rather peculiar—that is the best adjective I can use—concept to the approach in reclamation which is contained in the pending bill.

I believe that the Senator has made a great contribution in keeping his eyes on the road and stating in such a plain fashion that we cannot solve the problems of the great Southwest for the benefit of one State, and we cannot solve them without looking down the road to the future, whether it is 5 years, 20 years, or 50 years.

As I hope to develop later in my more comprehensive discussion, I believe I will be able to illustrate, that if the pending bill passes in its present concept, there simply will be no future development on the Colorado River for anybody else for a long time.

We used to have a saying on the Arkansas River, along which I was born, where I practiced law, and the waters of which I was very well acquainted, that the Arkansas River rose above Leadville and emptied into the Fort Lions Canal. All I can say is that if the pending bill is passed, we will have to paraphrase that and say that the Colorado River rises mainly in Colorado and empties into the central Arizona project.

I thank the Senator for his contribution, and I appreciate it.

Mr. BENNETT. I thank the Senator very much.

Mr. FANNIN. Mr. President, I commend the Senator for agreeing that this is a basin project, inasmuch that he recognizes that most of his objections have been answered in the bill. I shall go down the list. First, the National Water Commission. I know that is not an acceptable answer to the Senator. On No. 2, the answer is in the bill. On No. 3, there is an answer to his satisfaction. The only question on No. 4 is the date of 1972. I feel that, too, is answered, but not fully. No. 5 is not answered.

With respect to No. 6, I would say that since the language is not clear to the Senator, would it not be in order for us to get a letter from the Secretary on this matter? I am sure the intent is as the Senator understands it should be, and, therefore, if a letter were obtained, would that satisfy the Senator?

Mr. BENNETT. No, because we will have another Secretary one of these days and one man can not bind another man.

Mr. FANNIN. Does not the Senator feel if the intent is written in the RECORD it would be upheld?

Mr. BENNETT. We feel the safest thing is to have the language in the bill that clearly sets it forth. Anything less than that leaves a loophole which may create future trouble.

Mr. FANNIN. What language would meet that situation, I do not know. However, if the Secretary clarifies it, I think that should be satisfactory. I am not sure what the Senator would desire in this respect.

Mr. BENNETT. The Senator will be glad to supply a suggested amendment which we can debate before we finish with the bill.

Mr. FANNIN. In the hearings and in the markup session, this was discussed, and "heretofore authorized" was considered sufficient.

Would the Senator like a letter to be obtained, at least in that respect?

Mr. BENNETT. I keep saying to my friend from Arizona that we do not trust a letter. A letter is not a substitute for the law.

Mr. FANNIN. But the wording here would be the law. Consequently, it is a matter of interpretation; is that right?

Mr. BENNETT. If the language in the law needs interpretation before the administration of the law begins, I think we are in——

Mr. FANNIN. Evidently, out of 17 members of the committee, there were 14 who voted for it, and that is an overwhelming majority.

Mr. BENNETT. It is the impression of the Senator from Utah that most of those 14 Senators had no direct interest in the problem of Utah. This is one of those things that went by in the normal process of reporting a bill as being insignificant.

Mr. FANNIN. I am sure the Senator realizes the Senator from Arizona has an interest in Utah. We will work closely together.

I would like to do that, and we will do so, if the Senator does not object.

Mr. BENNETT. Does the Senator mean he will get a letter from the Secretary?

Mr. FANNIN. Yes. The letter will be forthcoming.

Mr. BENNETT. I do not object to the Senator getting the letter, but, as I keep saying, a letter is not a substitute for the law.

Mr. FANNIN. But we have the law, so I feel that this would be helpful. I feel an obligation to get the letter. With respect to No. 7, I think we are in agreement that the language is satisfactory.

Mr. BENNETT. That is right.

Mr. FANNIN. We now come down to No. 8, the language providing for the Hualapai Dam. I think the Senator recognizes that we had this language in previous bills in the House of Representatives. They were not accepted. The bills were not passed. We had a bill last year and he realizes that the dams have been a great problem.

Consequently, I ask the Senator if he has any reason to feel the bill would be

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more acceptable to the House of Representatives this year than it was last year?

Mr. BENNETT. There is no way of knowing that the bill in its present form is acceptable.

Mr. FANNIN. Yes, and so this is not a determining factor.

Mr. BENNETT. With respect to the people of Utah, for whom I am attempting to speak, they are concerned.

Mr. FANNIN. That is, about the dam in Arizona.

Mr. BENNETT. The Senator is correct.

Mr. FANNIN. It is not connected with Utah.

Mr. BENNETT. But it is a source of funds.

Mr. FANNIN. To the development fund.

Mr. BENNETT. To the development fund, which is vital to Utah, because out of that will have to come funds for the Dixie project, for water augmentation, and, as the able Senator from Arizona has often pointed out, Hualapai Lake will be a recreation haven of incomparable beauty.

Mr. FANNIN. The Senator is correct. There are funds in the bill to take care of the Dixie project.

Mr. BENNETT. This is a matter of disagreement.

Mr. FANNIN. What is the matter of disagreement? Why would funds from Hualapai have any more to do with the Dixie project than the funds now?

Mr. BENNETT. It is a question of the volume of funds. The Hualapai Dam could add to the volume and make it available sooner. As it says in the minority views of the report on page 121:

> There will be no balance whatsoever in the fund until 2018.

Mr. FANNIN. Does the Senator agree with the report?

Mr. BENNETT. I agree with the report of the minority.

Mr. FANNIN. As far as the development funds are concerned?

Mr. BENNETT. Yes; the report of the minority.

Mr. FANNIN. Does the minority give an amount that would be involved?

Mr. ALLOTT. Mr. President, will the Senator yield?

Mr. FANNIN. I yield.

Mr. ALLOTT. I do not think the central Arizona project is feasible.

Mr. FANNIN. The Senator is very much in a minority in that view.

Mr. ALLOTT. No.

Mr. FANNIN. The vote was 13 to 3.

Mr. ALLOTT. Seven of those votes were proxy votes. They were proxy votes.

Mr. FANNIN. They have all had a chance to express themselves differently. Has the Senator heard anybody express himself differently?

Mr. ALLOTT. Only a few took part in the committee's deliberations.

Mr. FANNIN. I see. Of the 13 who voted, has the Senator had any Senator express himself differently?

Mr. ALLOTT. Not of the 13.

Mr. FANNIN. That answers the question.

Mr. ALLOTT. It does not answer the question, because, of the votes voted, seven were by proxy.

Mr. FANNIN. I have asked the Senator if he has had anyone express himself differently.

Mr. ALLOTT. They were not in attendance at the meeting or at the markup.

Mr. FANNIN. They voted, and it was legal.

Mr. ALLOTT. Let us lay it cold on the record. In amendment 214, which is the amendment the Senator from Colorado and others will offer, page 27, commencing on line 9, there is a proviso which reads as follows:

> *Provided,* That all of the separable and joint costs allocated to recreation and fish and wildlife enhancement at the Dixie project, Utah, and the main stream reservoir division shall be nonreimbursable. Costs allocated to nonreimbursable purposes shall be nonreturnable under the provisions of this Act. Costs allocated to the additional capacity of the system of main conduits and canals of the central Arizona unit, referred to in section 304(a), item (1), in excess of two thousand five hundred cubic feet per second shall be recovered as directed in section 304(a).

This is the language the Senator is talking about, is it not?

Mr. BENNETT. The Senator is correct.

Mr. ALLOTT. This is not in S. 1004, the bill presently under consideration.

Mr. BENNETT. This language is not in this bill because, as the Senator from Arizona explained, they are relying on two words.

Mr. ALLOTT. The Secretary of Interior.

Mr. BENNETT. They are relying on the good nature of the Secretary of Interior.

Mr. ALLOTT. It is about time that we quit relying on the good nature of the executive branch of Government and start writing into law what we mean it to be. The Senator is correct on his position in this matter.

Mr. BENNETT. I say to my good friend from Arizona that I have had the experience of getting an amendment on a bill which was accepted in advance by the administration, and then they decided they did not like it, so I was notified they would not enforce it because there was not sufficient debate on the floor of the Senate to satisfy it. Therefore, I say to my good friend from Arizona that I am gun shy; I am very gun shy.

Mr. FANNIN. I feel the wording is in the bill. I sat through what would be called debate in the committee. I feel that a letter from the Secretary would be appropriate.

Mr. ALLOTT. Did the recent action of the Secretary of the Interior on the central Arizona project—and I am referring to his flip-flop of position—have any influence on the Senator's trusting nature?

Mr. BENNETT. There is an old saying: A foolish consistency is the hobgoblin of little minds.

Mr. HANSEN. Mr. President, it has been suggested by some of those whose sentiments are directed in favor of the passage of the central Arizona project bill that opposition to the measure as reported by the Interior Committee and, indeed, opposition here on the Senate floor, tends to be largely along partisan lines.

Nothing could be further from the truth. In fact, from my own point of view, I think the falsity of this assumption can be illustrated in no better fashion than the unity in opposition to the committee bill that the Wyoming senatorial delegation has on this matter.

My senior colleague from Wyoming [Mr. McGEE] has joined me in sponsoring those amendments to the measure which we feel imperative from the standpoint of Wyoming and the upper basin States. We have conferred frequently as this legislation has progressed through the Congress. We have met with our State officials and others who have such great interest in this bill and its effect. We are in agreement. The bill must not pass in the form reported by the Interior Committee if Wyoming is to reasonably expect to play its proper role in national development and make its just contribution to the national economy and welfare.

Mr. President, the senior Senator is in Wyoming today, so I would like to present to the Senate a brief statement he left with me to read for him in the event this legislation reached the floor in his absence.

STATEMENT BY SENATOR M'GEE, READ BY SENATOR HANSEN

Mr. McGEE. Mr. President, I wish to join with my Western colleagues today in voicing my most strenuous opposition to the pending central Arizona project legislation.

Without the safeguards pertaining to water importation into the upper basin, as suggested by those who disagreed so emphatically with the report of the Interior Committee, we in Wyoming have no alternative but to assume that the lower basin States want to rob Peter to pay Paul.

Without the guarantee of water importation specifically written into the legislation, Wyoming cannot accede to a bill that in its present form can be characterized no other way than special purpose legislation—to the sole benefit of a single State—Arizona.

Wyoming has been willing to cooperate, and has cooperated through the years in realistic basin-wide programs. But Wyoming cannot sit idly by and see its future spent to quench the thirst of others without solid guarantees to protect her own water resources. Language in a committee report is not enough. You cannot irrigate crops with language. A feasibility study is not enough. You cannot squeeze water out of a study. You get water only when it is delivered to you.

Without provisions for augmenting the Colorado Basin's water supply, passage of this bill and construction of the central Arizona project would have the effect of foreclosing future development in the upper basin, including Wyoming's Green River, because the water would already be committed to the central Arizona project.

Mr. President, I can think of no more graphic illustration of the shortsightedness of the proponents' position on this bill than that evidenced in a press release which arrived from the Department of Interior in my office just today. That press release quotes a just-completed study by the Bureau of Mines on present and future water demands in Wyoming. In that report, the Bureau predicts that by the year 2000 Wyoming mineral industries will annually require 40 billion gallons of new water—a 100-percent increase.

Thus, we are being told on the one hand that the downstream demands on upper basin water are not unreasonable, nor penalizing toward future development and demands, and on the other hand we are being warned by the Department of Interior—which ostensibly has some expertise on these matters—that Wyoming is going to be faced with a 100-percent increase in the demands on its water usage in the future.

Mr. President, if we in Wyoming were to agree to this legislation as reported by the Senate Interior Committee, we would be guilty of not only abetting a short-range and temporary solution to the problem of a single State with the application of a multistate resource, but we would be equally guilty of shortchanging the expectations of thousands of upper basin citizens who hope to fulfill the destinies and expectations of their own areas of this great country by the sound and reasoned development of our God-given water resources.

Mr. HANSEN. Mr. President, I yield the floor.

Mr. ALLOTT. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. ALLOTT. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. ALLOTT. Mr. President, the hour is growing late. For obvious reasons, due to the day of the week, it will be impossible this afternoon to present the amendment by way of a substitute which it is contemplated that certain Senators, including the senior Senator from Colorado, will present to the Senate next week. Nevertheless, I feel impelled to discuss, in a general way, some of the background of the proposed legislation now pending, in order that Senators who are not from the Western States, and who are not acquainted with the seriousness of the water problem in the Western States, will perhaps have a little better idea of what the proposed legislation is all about.

I am fully aware that to the great bulk of the people in the United States, water is something that simply comes out when one turns on the tap. To those pioneers who went across the country and settled in the West many years ago, this was not true and has never been true. The achievement of water in the tap has been the result only—I say only—of many years of long, hard planning, scraping out long, tortuous canals by means of mules and horses, digging reservoirs and damming rivers by the same arduous efforts, and hoping that ultimately, even when hydrological information was not available, that there would be sufficient water left for the people to accomplish their purpose, so one could, in fact, turn the tap and get water.

Unfortunately, this is something that is not understood by most people of our country, including our great Midwest, who, as a whole, have never had to contend with this problem. I think the people of the East, of the seashore, and of the South were brought closest to this in the last 4 or 5 years with the drought situation which developed in the East. They started thinking, for the first time, in terms of reclamation programs that have made water available in the West. But no one can sympathize more with the people of Washington, D.C., Maryland, Virginia, Pennsylvania, New York, or the New England States than the Senators who have spoken here on the floor from the Western States, and who all of their lives have been associated, either peripherally or directly, with the supply, conservation, and use of water.

I happen to be one of those who has been associated with it intimately for 25 years, in the practice of law, before I came to the U.S. Senate a little over 12 years ago. So what I say this afternoon I say from the heart, and mean it—the problems that we are talking about here today are going to be the problems of New England, New York, Pennsylvania, New Jersey, Maryland, Virginia, and perhaps even some of our Southern States, unless they have the foresight and the willingness, to face the problems that our forerunners in the Western States faced, starting over a century ago, and to learn from the problems what we learned to deal with.

Another difficulty of understanding this problem from the viewpoint of the average Senator—and I speak of Senators because, although there are very few on the floor, perhaps they will read these words—is that the basic water law of the East and the basic water law of the West are entirely different.

The basic water law of the East is derived from the old common law, operating under the legal principle of what is known as riparian rights. Stating this in a very rough way, it is that one who owned land adjacent to a stream or a lake was entitled to enjoy the use of that water undiminished in quantity or in quality.

When the great development of the West started—and the States of Wyoming and Colorado were the first States to develop this—the economic necessities of the times dictated that a different principle be adopted. We in the West—and this is almost uniformly true in the West now, slightly modified in some States such as California—have adopted a system of laws relative to the use of water which is known as the doctrine of prior appropriation.

The doctrine of prior appropriation is stated briefly by many people as, "First in time, first in right." This is not all of it, however. It is simply that the first man on a stream to beneficially use water acquires a legal right in the use of that water. This is an oversimplification of a complex principle, but I believe it will be helpful to Senators. When the various States came into the Union, they, either by constitution or statute, or by both, set up certain priorities for the use of that water, and certain statutes providing for the perfection of the legal rights to the title of that water.

Just as a brief example, which would not be specifically applicable to every other Western State, but specifically applicable in my own State, if a man wishes to perfect title to water, he makes a filing with his county and with the State engineer, and then subsequently goes to court and proves the date of his filing and the beneficial use to which he has put the water. He then gets a decree for the use of that water as of that date, and is entitled to the legal right to the use of that water thereafter.

This system raises many complications, as anyone can easily see, but this whole system lies at the basis of the claims and the counterclaims of the West for the Colorado River. Actually, the whole development of the West was, to a large extent, dependent upon this water principle.

The things of which I have spoken, Mr. President, are very, very basic, and not only any lawyer, but almost any farmer or rancher in the West, understands them.

But it is important that the Members of the Senate understand them. Not having lived with the situation, as some of us have, all of our lives, they perhaps do not appreciate the deep significance that these differences in the water law place on the drama now being played before the U.S. Senate—because it is a drama. This is not cut-and-dried technical argument. This is a debate over a matter which affects the future of my State in a very real way. In fact, I can say that it affects the future of every one of the seven States in the basin—Colorado, Utah, Wyoming, New Mexico, Arizona, Nevada, and California.

I do not take my friends from Arizona to task, no matter how wrong I think they may be in their present position. I do not take them to task for attempting to protect and develop what they believe is theirs; because that is exactly what the senior Senator from Colorado intends to do, on this floor, until he has exhausted every ounce of strength to continue.

Perhaps I can make the point more clearly by saying that water is such a valuable commodity in the West that if one man would even attempt to place his hand on the headgate of a lateral or ditch of another man in the West, he would be subjecting himself to the possibility of immediate and violent physical damage. In fact, the history of the West is replete with killings and gunfire just for the protection of such rights. Water, to us, is liquid gold; so much so, I repeat, that anyone in the West who is knowledgeable at all would not think of laying his hand on the headgate of another man, knowing that in doing so, he risks not only a lawsuit—that would be the fortunate part of it—but bodily harm, if he were caught in the act.

So this is the background against which we speak about the matter. In 1922, 45 years ago this year, the seven States of the Colorado River Basin—with the exception of Arizona, which came in subsequently—entered into a solemn compact dividing the waters of the Colorado River. That instrument is commonly known as the Colorado River Compact. That compact was solemnized with approval by an act of the Congress of the United States.

Basically, in simple words, it did the following:

First, it divided the waters of the river, allotting 7.5 million acre-feet a year to the States of the upper basin, which are Colorado, Utah, Wyoming, and New Mexico, and 7.5 million acre-feet to the three States—Nevada, Arizona, and California—in the lower basin.

This was further restricted by the proviso that the upper States had to deliver, at a point on the Colorado River known as Lee Ferry, down near the Utah-Arizona border, 75 million acre-feet over a 10-year period. The 10-year period being rolled forward 1 year each year, so that each succeeding 10 years of history the upper basin States are obligated to deliver 75 million acre-feet at Lee Ferry.

Despite the fact that the compact was signed in 1922, the upper basin States were repeatedly held back in the development of their water and the means with which to use it until the passage of the Upper Colorado River Storage Project Act in 1956, in which I was happy to have played some small part, although at that time I was a very junior Senator to such people as Senator Millikin, Senator ANDERSON of New Mexico—who had already been in the Senate for some time—Senator Watkins of Utah, Senator O'Mahoney of Wyoming, Senator BENNETT of Utah, Senator Chavez of New Mexico, and our former Senator and great Governor of Colorado, Edwin C. Johnson, who even today, 12 years after his retirement, is one of the great water authorities on the river, and is still most active, physically and mentally, in the protection of our water.

Mr. President, I expect on Monday to call up amendment No. 214. At that time I shall go into many ramifications of that amendment, compared with the present bill, and discuss them in great detail.

But there is one further matter—or perhaps two—that I shall discuss briefly today.

It has been said repeatedly on this floor that Colorado is protected in S. 1004, now pending before the Senate, because we have five Colorado projects authorized—not financed, only authorized in that bill. Those five Colorado projects have gone through all of the feasibility studies that a very reluctant, I must say, Department of the Interior can impose, and now, by virtue of the law of the land, are ready for authorization.

But one thing which has not been discussed—and I shall discuss the other features later—is this: That even though the Colorado projects and the Utah project are authorized, the history of the appropriation process in Congress does not offer us much hope for the future.

As a matter of fact, it seems to me that the development of our water will be a very long deferred process. I must state, however, Mr. President that even when we develop these five projects, we still will not have the opportunity to use all of the water to which we are entitled under the Colorado River compact and under the upper Colorado River compact, which in turn again divides among the upper States the water of the upper Colorado River.

I see the distinguished Senator from Wyoming in the Chamber [Mr. HANSEN], my great and good friend. Among the States in the upper basin which have barely been permitted to get started—and I say barely permitted to get started—Wyoming stands in first place. Surely, after 45 years, Wyoming has a right to stand up, as she has through her great Senator here, and express her will that she be permitted to develop through the reclamation process the water of her State so that she, too, can share in that which is lawfully and rightfully hers and has been for 45 years. And, we in Colorado feel the same way.

We have been too long denied. We have been too long starved for the projects with which to develop the use of our water.

When I consider all the great opportunities in my State, and I do not want to engage in a chamber of commerce speech, to develop the great agricultural lands which will grow almost anything if we put water on them; when I think of the recent tragedy in the Near East and the necessity that we develop oil shale in Colorado for the protection of the national interest, then I think we can get concerned and even emotional, because in the development of oil shale alone, a trillion barrels of it which is many times more than has ever been discovered in liquid petroleum in the world, we have the greatest single national resource that exists. And these deposits extend over into the State of Wyoming and the State of Utah.

So, there is a national interest. And when we consider that oil from oil shale is short in the element of hydrogen, and that it will take from 1 to 1½ barrels of water in the cracking process to supply the hydrogen that needs to go into a barrel of that oil in order for it to be utilized in the commercial market, we then see something of the demand that we will have for water in Colorado, coupled with the development of our agricultural lands and the demands of our municipalities.

We still have a great area east of the Rockies. There will be further demands, I am sure, for further transmountain diversion down the line to take care of the municipal supplies of our great cities on the east side of the Rocky Mountains—Denver, with all of its environs, and Colorado Springs and Pueblo, plus supplemental water for irrigation.

When I can foresee down the line the need for the development of this water, I say today that the mere authorization of these projects will not solve the problem for Colorado.

So, I turn to the first subject that I want to discuss here very briefly for the sake of the record. Everything in the Congress of the United States falls into a certain pattern. And there has been a certain amount appropriated each year for the development of reclamation projects in the West.

The appropriations for construction of reclamation projects for the last 10-year period—that is, from 1958 through 1967—has averaged $242 million per year.

The anticipated appropriations for the next 5 years for the construction of reclamation projects in the West—and this includes the Manson unit, which is a part of Chief Joseph project in the State of Washington, in the home State of the distinguished chairman of our committee, and the Tualatin project in Oregon—run as follows:

In 1968, the present fiscal year, it will require an appropriation of $238,128,000. In 1969, it will amount to $406,191,000. In 1970, it will amount to $437,573,000. In 1971, it will amount to $422,019,000. And in 1972, it will amount to $342,714,000. These figures represent the economic rate of construction of presently authorized projects and do not reflect any new authorizations during that period.

The picture is simply this: that, from a financial standpoint, with the projects now underway plus the two which have been authorized by this Congress—and for which funds will be demanded this year—instead of a $242 million average for the last 10 years, we will be running, except for fiscal year 1968, more than $100 million over the average that has been appropriated for the past 10 years—allegedly the most prosperous 10 years of our economy in this country.

What will happen if the central Arizona project is authorized, a project which is for the benefit of only one State?

In 1969, it would require $6,886,000.

In 1970, it would jump to $17,538,000.

In 1971, it would be $103,381,000.

In 1972, it would be $118,543,000.

In 1973, it would be $115,023,000, which is almost half of what has been appropriated for all 11 States in the last 10 years on the average.

To continue, in 1974 it would be $100 million. In 1975 it would be $75 million. In 1976 it would be $75 million. In 1977 it would be $50 million. In 1978 it would be $25 million. From 1979 on, it would drop down from $15 million to $1⅓ million in 1985.

What is the significance of this? Let us just take the next 4 years after the present fiscal year.

With the projects which are now authorized, plus the one in Washington and the one in Oregon—and I am certain that the distinguished chairman of the Interior Committee will be able to see that funds are supplied for the Washington project—Congress, just to take care of what is now authorized, not what Colorado or Utah or anybody else has in this bill, except Arizona, would have to appropriate in 1969, $413,077,000; in 1970, $455,111,000, in 1971, $535,400,000—over twice the average of the last 10 years; and in 1972, $461,257,000. At that point, of course, most of the projects under construction will be pretty well finished. It is not possible to project what will happen in the future, but I anticipate that other projects will be authorized and that there will be requests for appropriations for those projects.

Mr. COOPER. Mr. President, will the Senator yield?

Mr. ALLOTT. I yield.

Mr. COOPER. I do not wish to interrupt the flow of the Senator's speech, but I am certain he understands that to Members of the Senate who do not live in his great section of the country, this is a difficult subject. I had the opportunity of reading the speech of the Senator from Arizona, and I have heard almost all of the other speeches. My questions may seem simple, but answers to them may help me in arriving at a decision.

Do I correctly understand that the Colorado Basin is divided into two sections—the upper and the lower basin?

Mr. ALLOTT. The Senator is correct.

Mr. COOPER. Is my understanding correct that in the Supreme Court decision—was it in 1964?

Mr. ALLOTT. In 1963.

Mr. COOPER. Is my understanding correct that the Supreme Court held that the flow of water to the lower basin could not be reduced to a point where it would be less than 75 million acre-feet over a 10-year period? In other words, that is assuming an average of about 7.5 million acre-feet a year.

Mr. ALLOTT. May I interrupt the Senator at this point?

Mr. COOPER. The Senator knows much more about this subject than I do.

Mr. ALLOTT. I do not believe the matter of which the Senator is speaking came from the Supreme Court decision. It came from the Colorado River compact, which was entered into in 1922, which provided—for the purpose of the Senator's discussion of the moment—two things: First, that 7.5 million acre-feet was allotted to the States of the upper basin and 7.5 million acre-feet to the States of the lower basin; and, second, that the upper basin would deliver, at a point called Lee Ferry, 75 million acre-feet over a rolling 10-year period.

Mr. COOPER. That is correct. I did know that it was based on the compact, but the Supreme Court referred to the compact.

It is provided now that the supply water in the upper basin cannot be reduced so that it would not have available 75 million acre-feet?

Mr. ALLOTT. Seven and five-tenths million.

Mr. COOPER. Seven and five-tenths million acre-feet per year over a rolling period of 10 years. Does the pending bill change that in any way? Could it deplete the upper basin below 7.5 million acre-feet?

Mr. ALLOTT. I will have to answer that question in two ways, and the Senator from Arizona will disagree.

It would not deplete the waters of the upper basin, but the waters of the upper basin can be used only as reclamation projects are developed to permit them to withhold the water for use. It is the lack of this development, for example, that has permitted, over these 45 years, the great majority of the water from the States of Wyoming, Colorado, Utah, and New Mexico to go down the river, where it has been utilized.

I must say this frankly, that Arizona has never been able to utilize all the water to which it has been entitled, and the water has been utilized to a great extent by the State of California. For example, when the Supreme Court decision was announced in 1963, California was put in the position of cutting back its use of water—and this is complicated by previous agreements also—from 5.2 million acre-feet a year to 4.4, provided there was 7.5 million acre-feet of water in the lower river.

Mr. COOPER. I will hear the Senator's speech on Monday. But am I correct in my understanding that the thrust of the argument that the Senator has been making—at least one point of it—and which I assume he will make on Monday, is that these projects in his State and in the State of Wyoming should be developed so that those States could have a use of this water which they do not now have?

Mr. ALLOTT. That is part of the matter. The other part which has great significance and is contained in the amendment by way of a substitute which will be offered by several Senators, including myself—is that a study of augmentation of the water supply in the river must be undertaken. As the situation now exists if the central Arizona project were in operation today, we would still be adjusting shortages of water in the river.

Mr. FANNIN. Does the Senator mean that as of today we would be adjusting shortages of water in the river?

Mr. ALLOTT. Not as of this minute.

Mr. FANNIN. The Senator is talking about 30, 40, or 50 years from now?

Mr. ALLOTT. I am talking about the situation as of today, if we had the river developed.

Mr. FANNIN. But the river is not developed.

Mr. ALLOTT. Water is going down the river now, yes.

Mr. FANNIN. I was merely seeking to be helpful.

Mr. ALLOTT. Perhaps I should have put it in the context of the developed river. As I see the river developed, there is no escaping the fact that if the central Arizona project is developed, and if we develop just the five Colorado projects which are authorized in the bill, which do not utilize all of Colorado's share of water—and Wyoming is still sitting outside in the cold, for the most part—there would be a shortage of water in the entire Colorado River Basin.

Mr. FANNIN. Does the Senator not agree that the upper basin States have the obligation to release the amount of water that the Senator from Kentucky has referred to, and that this will not be changed by the proposed legislation?

Mr. ALLOTT. I do not understand that the Senator from Kentucky asked that question.

Mr. FANNIN. I believe he did.

Mr. COOPER. Yes, I did ask the question whether the bill, if adopted, would in any way change the present requirement that 7.5 million acre-feet a year must be preserved for the upper basin.

(At this point, Mr. SPONG assumed the chair.)

Mr. ALLOTT. It does not change that requirement. I thought the Senator was going to ask a simpler question which is whether we would have to provide 7.5 million acre-feet or a rolling average of 7.5 million acre-feet to the lower basin. The answer is "Yes." The bill, however, does not change the fact that the upper basin is still entitled to 7.5 million acre-feet of consumptive use.

Mr. COOPER. Assume there was not 15 million acre-feet available in 1 year. Would there be an equal division or would the lower basin or upper basin have priority to use or consume 7.5 million acre-feet?

Mr. ALLOTT. The purpose of the construction of the Glen Canyon Dam, which impounds Lake Powell, was for the purpose of enabling us to regulate the river in order to accomplish these deliveries on a year-by-year basis. Before that time, without the development of the upper basin, there was no choice. The water came down and that part which could be used was diverted by irrigation ditches. The remainder went down the river, and anybody who had use for the water and could justify its use under State laws, grabbed it. In that respect it does not change the fact that we are still entitled to 7.5 million acres of water in the upper basin.

Mr. COOPER. Is there a priority of one basin over another basin, assuming the river could not supply 15 million acre-feet? Who would lose?

Mr. ALLOTT. The river cannot and will not supply 15 million acre-feet. I do not have those hydrological tables with me. But, because of the delivery requirement, the upper basin loses.

Mr. HANSEN. Mr. President, will the Senator yield?

Mr. ALLOTT. I shall yield in a moment, but first I wish to complete my answer.

In the minority views, page 87, we pointed out:

> The experts agreed that, while the project could not be justified on the water supply actually available during the past 45 years, which averaged only 13.7 million acre-feet for all uses in both basins, there was a 50-50 probability that 14.9 million acre-feet might be available.

This was based on conjecture. That is all it could be based on. I do not agree with that conjecture.

To answer the question, there is no way I can see that the upper basin States can avoid their obligation to the lower basin States under the Colorado River compact of delivering 75 million acre-feet of water, regardless of what is in the river, over a 10-year period.

Mr. COOPER. That is the interpretation I had from reading the statement.

Mr. ALLOTT. It was a most unfortuitous compact for the upper basin States. We had some of the most brilliant water minds, representing Colorado and the upper basin States at that time, in connection with the entire river. Now it is very easy for us to look back and see that they made a mistake. However, with the hydrological information they had available at that time they guaranteed delivery of 7.5 million acre-feet. They may have thought they were gaining some advantage on the river to the upper basin States. But, it must be remembered, they thought there was 18 to 20 million acre-feet in the Colorado River. However, as history developed, and taking the last 20 to 30 years, the water simply is not there.

Mr. COOPER. For industry and agriculture.

Mr. FANNIN. I would like to answer the question further, if the Senator will yield.

Mr. COOPER. First, I would like to ask this question, and perhaps the Senator can answer it.

Mr. FANNIN. Surely.

Mr. COOPER. There is 1.5 million acre-feet, which I understand has, by treaty, been contracted for delivery to Mexico. Is that a part of the 7.5 million acre-feet which must be delivered into the lower basin or an additional amount of water which is to be delivered?

Mr. ALLOTT. One of the great quarrelsome points we have is the extent to which the upper basin is obligated to share Mexican Water Treaty burden.

Mr. FANNIN. If the Senator will yield, I shall answer the question.

Mr. ALLOTT. I yield.

Mr. FANNIN. There is an obligation to deliver 1.5 million acre-feet. It was considered that water would be delivered on surplus. If the time came that it could not be delivered because of a shortage, we would all share the shortage. If there were a shortage of 100,000 acre-feet the upper basin and the lower basin would each share by delivering 50,000 acre-feet.

Mr. ALLOTT. I shall clarify the last answer. If there is a deficiency in the lower basin we would be obligated to that extent.

The Senator from Kentucky has put his finger on one of the most sensitive aspects of this controversy. If the river could free itself today of the Mexican Treaty obligation of 1.5 million acre-feet a year I think it would be possible for us to resolve many of our differences. But we cannot free ourselves of that obligation at the moment. We have had many disputes with Mexico. The Senator from Arizona participated in those discussions. I heard him talking about the matter the other day where the Mexicans are complaining about the quality of water they receive there. But, Mr. President, there is no point in talking about this because we have no way to rid ourselves of the problem. This is why we think that a water augmentation study is a necessary part of the bill.

Mr. COOPER. Does the Senator fear, if this bill is passed, that it will reduce or, if not, prohibit for some time possible legislation dealing with the augmentation of water in the Colorado Basin?

Mr. ALLOTT. If this bill is passed in its present form there will be no study for the augmentation of water. We will have to wait on the decision of the National Water Commission which hopefully will be appointed. At the time that bill went through the Senate the senior Senator from Colorado offered an amendment to the bill, to place the study of the Colorado River Basin at the top of the list. This amendment was unacceptable to the chairman of the Interior and Insular Affairs Committee even though the Secretary of the Interior said that this was the most critical and crucial water problem in the United States. Now we must wait for a willy-nilly commission report which is off in the future some 5 years or more.

I would say that there is no augmentation in this bill. I must state quite frankly that I think that one of the chief purposes of the present bill is to defer a study of augmentation.

Mr. HANSEN. Mr. President, will the Senator yield?

Mr. ALLOTT. I yield.

Mr. HANSEN. Mr. President, in an effort to be helpful to the Senator from Kentucky I would like to call attention to some official records that I think may be interesting and informative. I refer to page 408 of the central Arizona project hearings and I call attention to reports made by the Colorado River Board of California, the annual report of 1964–65 and the USDI Pacific Southwest Water Plan Report.

These figures show the average annual consumptive use from the mainstream in lower basin, for the years 1961 through 1965. This is for a 5-year period. During that 5-year period, the State of Arizona used an average each year of 976,400 acre-feet; California used 4,989,400 acre-feet; Nevada used 24,000 acre-feet; Mexico used 1,850,400 acre-feet. There was evaporated from Lake Mead 800,000 acre-feet. The computed net losses—Hoover Dam to Mexico amounted to 988.2 acre-feet.

These uses and losses total 9,628,600 acre-feet.

I point this out to the distinguished Senator from Kentucky, because it demonstrates quite graphically that the lower basin area of the Colorado River and the nation of Mexico presently used far in excess of the 7.5 million acre-feet plus the 1.5 million acre-feet that are to go down to Mexico according to the treaty ratified in 1944, that when we consider these uses alongside the fact that for a period of years there has been measured at Lee Ferry, taking into account what is used above and is used below, between 13.7 and 14 million acre-feet of water in the river annually, we begin to realize what the situation in the upper basin States is and what the situation is in the lower basin States.

Were it not for the fact that the States of Colorado, Wyoming, and Utah are not using their present entitlements, there would not be any water at all for the central Arizona project, because they are already using far in excess of what their legal commitments are under the terms of the compact.

Mr. FANNIN. Not Arizona. It is not even close to what the Senator is referring to. I want to cover that in a moment, because I think it is very important.

Mr. HANSEN. If I may, I simply call attention to the fact that this area down here in California is in excess of the use recognized by the Supreme Court decision.

Mr. FANNIN. And Mexico.

Mr. HANSEN. There are 4.4 million acre-feet under the terms of the Court decision available for California, except when there is a surplus in the river. According to the terms of the Court decision, when there is a surplus, that surplus is to be divided equally between the States of Arizona and California.

It is also true that the Mexican Treaty calls for 1.5 million acre-feet of water. They used 1,850,000 acre-feet. There are other uses, not authorized uses, yet they are real uses. We cannot stop evaporation. Maybe they will be able to stop it by squatters along that stretch of the river.

Mr. FANNIN. Mr. President, will the Senator from Wyoming yield?

Mr. HANSEN. I will be glad to yield to the Senator in just a moment, but I should like to make this point, that we are talking about the situation existing there now, with the exception of the additional use of water made by California and what little extra of the 350,000 acre-feet that go to Mexico. That is the situation. Before that can be changed, something else must be done down there, which must be made available for the lower basin if the central Arizona project is going to have water down there. It means some of these uses will have to be cut back, and even if they are cut back, we cannot hope to save enough water, I think, to make the central Arizona project feasible without using water which is presently credited and authorized for the upper basin States.

I invite attention to this, because I think it is important to understand what our position is.

Mr. FANNIN. Mr. President, will the Senator from Wyoming yield?

Mr. ALLOTT. I have the floor. I will yield in just a moment.

Mr. FANNIN. I thank the Senator.

Mr. ALLOTT. The distinguished Senator from Kentucky, as always, has asked some very cogent questions, particularly with respect to the water supply. I invite his attention, particularly for his own reading, to my individual views toward the end of the report, and particularly to pages 150 and 151. I discuss the question of water supply and the three chief engineering studies which have been made most recently upon this question: one by the Bureau of Reclamation, one by the engineering firm of Tipton and Kalmbach, for the Upper Colorado River Commission, and another study made by engineers of lower basin States.

Because of the Senator's interest, and from his questions about the water supply, I think he would be interested in reading this.

Now I am happy to yield to the Senator from Arizona.

Mr. FANNIN. I thank the Senator from Colorado. I would say that if we look back we might say, "Why do we have a compact?" We have a compact because California was developing much more rapidly than any other State. They were diverting water which could have posed a serious problem for the other States, especially the upper basin States. Thus, the compact was devised as protective matter.

Arizona did not agree to that compact for almost 15 years because we did not think—since 700 miles of the river runs through and along the borders of Arizona and California with less than 250 miles of river border—that we had a fair arrangement—an allocation of 2.8 million acre-feet and California 4.4 million acre-feet. But, nevertheless, we were forced to agree to it, by 1944, because we did want to go forward with our own development.

S. 1004 does provide for the conservation of water. If we will notice, the computed net losses on the river from Hoover Dam to Mexico are almost 1 million acre-feet.

Senate bill 1004 contains a provision to enable going forward with practices to save water, such as channelization, by methods of free enterprise. So we are hopeful that with that and other conservation practices on the river it will be possible to save around 680,000 more acre-feet of water.

We have tried to get our project for 20 years. If we had been successful, we would not be in the dire need that we are today. That was no fault of the upper basin States, but California insisted that we did not have the rights we contended we did have. Consequently, we were forced to go to the U.S. Supreme Court and were delayed by that law suit 11 years in our attempt to get legislation. We are still trying to get that legislation for a survival project for Arizona.

Colorado has not developed its projects so as to use even one half its water. We wish Colorado well. We hope to assist Colorado in doing so. But why should our State that has the greatest need continue to suffer the most, when the other States have water. For instance, although California contends it may be short of water, it is in a position to obtain water from other sources within its own borders. I have before me a report or a statement of the executive committee of the Eel Flood Control and Water Conservation Commission of California in connection with bills considered in the House of Representatives.

I also have a table which illustrates the amount of water used in California. According to this particular statement, the counties of northern California, because of their overabundant supply, were desirous of having water diverted from their area to the south, so that it could be used to alleviate problems in the south, specifically in the Lower Colorado River Basin.

I shall at a later time place the entire statement in the RECORD.

Mr. ALLOTT. Would the Senator agree that the bill before us would not even allow us to make such a study for importation of water, even though Mr. Ely, in testifying for the State of California in the hearings, said that California would ask for such a study?

Mr. FANNIN. The bill would not prevent a study. The National Water Commission will obviously study it. Arizona does not have any other source of water, such as California, Colorado, and Wyoming have. We are dependent on the water from the Colorado River.

Mr. ALLOTT. Will the Senator from Arizona tell me what other sources of water Colorado has?

Mr. FANNIN. Colorado is fortunate in having other sources of water.

Mr. ALLOTT. Colorado has only the streams that flow in that State. The Senator from Arizona asked a while ago: Why should not Arizona have the water? I ask: Why should not the State that furnishes 70 percent of the water that flows into the Colorado River have a chance to develop its resources?

Mr. FANNIN. Colorado made a compact several years ago. In that compact, Colorado was protecting its rights on the Colorado River but by that compact clarified the rights of the other lower and upper basin States. Arizona merely wants Colorado to live by that compact. We want to live by that compact. That compact entitles us to have 2,800,000 acre-feet of water.

Mr. ALLOTT. Colorado will be so protected when and if Congress authorizes and provides funds for the development of every single drop of water to which she is entitled, and not until then. It is not worth a hoot to us as long as it keeps flowing down the river for anybody in the lower basin to grab. The Senator knows that.

Mr. FANNIN. Every month and year we are suffering more and more.

Mr. ALLOTT. Arizona is not the only one.

Mr. FANNIN. We are the only one suffering to this extent.

Mr. ALLOTT. My position on S. 1004 is premised upon the relief of suffering of all our sister States, not just one.

Mr. COOPER. Mr. President, this discussion has been very interesting. If the Senator will permit me, I would like to ask the Senator from Arizona a question. Under the compact, how many acre-feet of water are appropriated annually?

Mr. FANNIN. It is 2,800,000. We recognize that if there is a shortage, it is up to the Secretary of the Interior to decide the allocation of that shortage. All we are asking is our rights to the percentage of water allocated. We want the water that would be so utilized.

Mr. COOPER. I have enjoyed listening to the debate the past few days. I want to compliment all of you. I have never heard a group talk about a problem which is of vast importance to all of you with your knowledge and understanding of it as it affects your States in that whole area. I have enjoyed hearing the statements, and I have learned something, due to your clarity and your belief in your positions. I also think it is very important from the country's standpoint that the Senators have pointed out the absolute necessity of water.

Mr. ALLOTT. Some of the Eastern States may be facing this problem. The Senator has been helpful with his questions.

Mr. FANNIN. I wish to thank the Senator from Kentucky.

Mr. ALLOTT. I want to say one thing to the Senator from Arizona. I know he misspoke a moment ago. Actually, the compact did not give Arizona any water.

Mr. FANNIN. The Supreme Court did.

Mr. ALLOTT. The Supreme Court's decision perfected Arizona's right to the specific amount of water contained in the compact.

Mr. FANNIN. That is a technicality. Arizona was given water included in the amount coming down to the lower basin.

Mr. ALLOTT. But not any specific amount.

Mr. FANNIN. But it was given water. The amount was settled by the Supreme Court.

Mr. ALLOTT. Is that not exactly what I just said?

Mr. FANNIN. The Senator said we did not have specific water in the compact.

Mr. ALLOTT. Arizona did not have a specific amount of water until the Supreme Court decision.

Mr. FANNIN. We thank the Senator for clarifying that.

Mr. ALLOTT. The Senator knows that.

Mr. FANNIN. The Supreme Court did clarify it. We do have 2,800,000 acre-feet of water allotted to us in the lower basin. According to the Supreme Court, we are just as entitled to those rights as California is.

Mr. ALLOTT. If the 2,800,000 acre-feet are available.

Mr. President, I have concluded my preliminary remarks for the day and will continue Monday, when we take up this matter again.

Therefore, I yield the floor, because I told the distinguished Senator from Vermont [Mr. PROUTY] some time ago that I would.

INCOME TAX TREATMENT OF CERTAIN DISTRIBUTIONS—DEDUCTION OF MEDICAL EXPENSES BY TAXPAYERS AGED 65 AND OVER

AMENDMENT NO. 242

Mr. PROUTY. Mr. President, today I have had printed an amendment to H.R. 4765, which was reported from the Committee on Finance yesterday. When H.R. 4765 is called up I intend to offer that amendment to it.

The amendment would essentially do two things:

First. Restore the right of a taxpayer age 65 or over to deduct all medical expenses he incurs for himself and his spouse; and

Second. Restore the right of taxpayers in this age bracket to deduct all amounts spent for medicine and drugs for themselves and their spouses.

Both provisions were applicable to taxable years prior to 1967. Beginning for the taxable year 1967, under present law, the medical expenses deduction for persons 65 or over will be reduced to that portion which exceeds 3 percent of adjusted gross income. My amendment will continue the present deduction for these older people.

Last year, the Committee on Finance amended the Foreign Investors Tax Act of 1966 to include these provisions and the amendment was approved by the Senate. However, the Senate conferees found it necessary to recede. The Senate had, also, passed this same amendment in 1965.

Despite medicare, 55 to 60 percent of the medical costs of elderly citizens have to be paid by them, and this constitutes a terrific and frequently unsurmountable burden for a great majority of older people.

Common humanitarianism suggests that those now trying to exist on grossly inadequate social security benefits and small pensions should not be forced to assume an obligation which was not theirs prior to January of this year.

I sincerely hope that all Senators will recognize the importance of this amendment and will support it when it is called up on the floor.

FAR-REACHING FEDERAL CONTROLS OVER MUTUAL FUNDS NOT IN PUBLIC INTEREST

Mr. BENNETT. Mr. President, this week, the Banking and Currency Committee began hearings on legislation recommended by the Securities and Exchange Commission which would change the philosophy and purpose for which that Commission was established. From its beginning the fundamental purpose of the Securities and Exchange Commission has been to provide full disclosure of information regarding securities. How often, we have heard it emphatically stated by spokesmen of the Commission that its purpose is not to pass on the quality of securities or to determine what is or is not appropriate with respect to price or profits.

DISCLOSURE IS DESIRABLE AND EFFECTIVE

It is with this long background and history that one cannot help but be surprised at the recommendations presently being discussed in the Banking and Currency Committee. I believe that most of us, including myself, are in sympathy with the responsibilities granted the SEC, to provide for full disclosure. Securities are a special type of commodity, the value of which depends on many factors not readily apparent. When one considers the purchase of a home or an automobile, or household appliance, he may not know very much about the construction, or operation of the product, but at least he can see what he is purchasing. Not so with a security. He receives only a certificate representing part ownership in something that he probably has not seen and will never see. Thus, it is important that he be provided with facts regarding the enterprise in which he is purchasing a part.

Disclosure requirements have been very helpful to investors who do not have the time or knowledge to delve into those intricate facets of an enterprise which determine its value. Once the disclosure is available, it has been the general philosophy that the prospective investor should be free to determine whether or not he desires to invest, without any additional protection by Government, except, of course, from fraudulent or dishonest operations.

PROPOSED AMENDMENTS ARE TOO BROAD

In the present proposals for supervision of open-end investment funds we have a request for powers suggested for the Securities and Exchange Commission which are not limited to disclosure or regulations regarding disclosure but are concerned with the decisions that have always been reserved to shareholders, investors, market forces, and management.

It is unfortunate that agencies of the Federal Government sometimes lose confidence in the operation of the free enterprise system to the extent that they seem to feel the only way to protect the public is to regulate prices, profits, and methods of operation of private nonmonopolistic and nonutility enterprises. This is exactly what the legislation pending before our Banking and Currency Committee would do.

MUTUAL FUNDS ARE WELL MANAGED

The mutual fund industry has been developed to give the person who has a relatively small amount of capital to invest an opportunity to acquire expert management and a diversity in his investment; it has been operated in a reasonable manner. It has provided investors who have little capital to invest and sometimes must build that capital by saving a small monthly amount the advantages of excellent management of their funds at a fee far lower than would have otherwise been possible. The record indicates that those who have purchased mutual fund shares have profited handsomely over the past three decades.

If mutual fund shareholders generally were dissatisfied with their investments, or if even a significant number had begun to complain to Congress there would be some reason to be sympathetic with the idea that there should be certain restrictions on the industry, but the shareholder reaction is all to the contrary. Of the thousands of letters I have received from shareholders and industry since this legislation was introduced, not one correspondent has expressed support for the legislation. And, I would wager that the correspondence of all other Members of this body has not been far different from my own. The general comment from shareholders is that when they purchased their shares they knew what the sales charge was, and considering the doubling or tripling of the value of their investment, they consider the sales cost to be insignificant. Incidentally, the sales cost is disclosed on the face of every prospectus, and from the information supplied at the hearings it is obvious that it is discussed with every prospective buyer. No one would suggest that all investors in mutual funds are completely aware of all facets of their investment, since many are unsophisticated in matters of investment. This does not mean, however, that because of their lack of knowledge or sophistication the mutual fund industry is taking advantage of them. The very fact that some very sophisticated investors with many millions to invest purchase mutual funds in order to make use of the same management and get the same results as the person with only a few dollars and no investment know-how is evidence that the funds have demonstrated their power to provide a good investment vehicle. The fact that the amount invested in mutual funds has grown from about $450 million at the end of 1940 to more than $40 billion at the present time is convincing evidence that millions of investors have found them to be a good investment.

NO REASON FOR SUCH STRINGENT CONTROLS

With a record like this and without any obvious abuses, one is puzzled to find a reason for the far-reaching nature of the proposals recommended by the Securities and Exchange Commission. I do not intend to discuss all of the proposals contained in the bill we are now considering in the committee, but I would like to mention a few of the more drastic ones.

First, the legislation would limit the maximum sales commission that could be charged for the purchase of mutual fund shares to 5 percent of the sales price of the shares. Present maximum charges range from "no-load" funds with no sales charge to some charging up to 9 percent. The typical maximum is around 8½ percent. The SEC proposal, if approved, would bring about a statutory reduction of about 40 percent in sales charges on the typical small mutual fund purchase. And, I might add, that this recommendation by the Securities and Exchange Commission admittedly is not based on economic analysis of what its effect would be to the industry in general and to small brokerage dealers and salesmen throughout the country specifically. A study made by the National Association of Securities Dealers with the assistance of a well-known research firm, Booz-Allen Applied Research, Inc., comes to the conclusion that the imposition of a 5-percent ceiling on sales charges would seriously disrupt the investment company industry and would drive many small brokerage houses out of business. This is not inconsistent with the conclusion found in the study published in 1962 by the Wharton School of Finance and Commerce from which I quote:

> The regulation of selling charges and fee rates would be disruptive, and would, in addition, raise extremely difficult problems of equitable rate fixing.

Despite these facts, the SEC Chairman has suggested that the lower sales limit could cause the industry to grow even more rapidly.

PRESENT SEC POWERS SUFFICIENT TO PROTECT PUBLIC

I would also like to point out that the SEC is not now without authority to take action against sales rates which it considers unconscionable or grossly excessive. Since the SEC was never intended to be a ratesetting agency, it appears that its present authority should be sufficient to provide whatever protection to investors is necessary in the public interest.

Not only would the legislation we are considering impose a ceiling price on sales commissions, but it would authorize the Securities and Exchange Commission to effectively determine, through court action, the compensation to be paid to management companies. Most mutual funds are managed by external companies called investment advisers. The investment advisory company historically organizes and manages a group of funds. It provides many services to the mutual fund company and shareholders. For this management, the investment advisory firm receives an advisory fee which is almost always a percentage of the net assets of the fund, generally one-half of 1 percent per year but often less. The rate of charge is set forth in the prospectus, and must be approved by the funds shareholders and unaffiliated directors each year. The proposed legislation would substitute SEC judgment for the judgment of owners and directors of the funds.

GOVERNMENT INTERFERENCE WITH MANAGEMENT FUNCTIONS

During the early years of a mutual fund, the operation is seldom profitable. The advisory group takes the loss because it expects to recoup and make a profit as the fund grows and becomes successful as a result of the investment decisions made which it makes on their advice. The SEC has come to the conclusion that the advisory company and the mutual funds are not dealing at arm's length; that there is no competition between advisers and, therefore, it is necessary in the interest of shareholders that SEC should have the power to determine the compensation to be paid by the funds to the advisers. The bill would require that the compensation be "reasonable." I doubt that anyone could argue against a requirement that the compensation be reasonable. In fact, the funds and the advisers favor such a result. It is, however, not only questionable, but, in my opinion, highly improper for the Securities and Exchange Commission to get involved in the determination of management fees. The legislation provides that the determination, if the matter went to court, would be decided finally by the courts, not the SEC. The important thing, however, is that the SEC has the right to sue the advisers if they do not feel that the advisory fees are reasonable. With all due respect to the SEC, this effectively puts that agency in a position to coerce the management into setting a lower fee. To accomplish that result the SEC needs only to threaten to sue, and it can so undermine public confidence and good will that any management so attacked will be forced to bow to the SEC demands. Chairman Cohen, in answer to a question which I asked on this subject, said:

> We do have a coercive power in the sense that, of course, if we think the fee is unreasonable, that we would discuss it with the company, and if we didn't resolve the issue, as we do most issues, we would have authority to bring action.

SEC COULD COERCE ANY ACTION IT WANTED

There would need to be few, if any, actual suits under the proposal, however, because not only would the SEC have authority to threaten to bring action in the courts, but it has the right under present law to compel disclosure in mutual fund prospectuses of any existing litigation or any prospective litigation of which the mutual fund has knowledge. And, of course, it is the SEC which determines the adequacy and form of disclosure in prospectuses. The threat of a suit, therefore, would be sufficient to bring about SEC fee recommendations.

This effective coercive power gives me deep concern because the Commission's basic attitude is revealed by its proposal on sales-commission ceilings, which I have discussed before. If the SEC can sustain a 40-percent cut in sales charges as being reasonable even though it admits that this may bring about a drastic reduction in sales forces in the industry and that this may throttle the "forced institutionalization," which is what the SEC calls the growth in mutual funds, then could one not expect a similar drastic attitude toward management fees? And, I might add, since the proposal for a 5-percent ceiling admittedly is not based on reasoned economics, why would we expect the reduction in management fees to be based on anything other than arbitrary standards?

This appears as a real possibility when one realizes that it was suggested by one witness in our hearings that management in mutual funds has not done any better than a person could have done if he had used a completely random selection of stocks listed on the New York Stock Exchange. Even selection by the method of just throwing a dart at the listing of the stocks on the business page was discussed as an acceptable alternative. I know of no one who would be willing to invest money on such a basis. This suggests there is really no value in any intelligent management judgment, and I cannot subscribe to such a view. In fact, in the funds with which I am acquainted, the management function and selection of securities is a highly specialized operation, and the large ones use modern computers to provide the most accurate data possible to back up and assist the finest human investment judgment available. When this type of management brings about profitable results, it should be compensated fairly and adequately.

GOVERNMENT SHOULD NOT CONTROL PROFITS AND PRICES

Human ingenuity and judgment form the basis on which industry in this country has been able to provide the highest standard of living that the world has ever known, and I greatly fear that this proposal to regulate management fees in this industry directly or indirectly could be just the beginning of many inroads by Federal agencies into the determination of profit margins and prices, in all industries, which, heretofore, have been considered nonmonopolistic and nonutility industries. I am not familiar with any similar industry into which entry was unrestricted, and in which a vast number of firms are competing with each other, which has been put in the position of having prices and management compensation determined by a Federal agency in peacetime. Of course, we have had general wage and price controls during war emergencies. I am strongly opposed to the peacetime extension of such economic controls by the Federal Government under any guise.

PLANS FOR SMALL INVESTORS TO BE ELIMINATED

This legislation would seek to eliminate what are called contractual plans for the purchase of mutual funds. These plans are ones in which the purchaser decides to undertake a program of investing a certain amount monthly in order to attain a specific investment goal over a period of 10 or more years. The monthly payments are quite low, and, in order to provide a reasonable incentive income to the salesman, the plans provide that up to 50 percent of the first year's payments may go for sales commission. This results in an offsetting lower commission throughout the remaining years of the plan, so that the commission over the period is virtually the same as it would have been in a plan in which the sales commission represents a fixed proportion of each payment.

I do not doubt that there are some individuals who do not complete their plans and therefore pay a higher-than-normal commission. If a person pays for only 1 year and then cancels, half of his payments would be absorbed by the salesman's commission.

INDUSTRY IS SOLVING ITS PROBLEMS

In virtually all cases of cancellation, within the first year or two the purchaser would cancel at a substantial loss. However, there are many advantages which offset this risk for those who can hold on to contractual plans, and elimination of this investment alternative is not the answer. I am sure that some plan can be found to mitigate the loss should one be unable to complete his personal commitment which would not eliminate the whole program, as the SEC proposal would. Already various firms have reimbursement and insurance features that meet part of the need, and with some sympathetic assistance from the Securities and Exchange Commission, it is my view that the industry will be able to work out some additional reasonable programs. I have been informed that some such discussions have already taken place, and I hope that there will be future discussions which will be fruitful.

FAR-REACHING CONTROLS NOT WARRANTED

As I mentioned in the beginning, I did not intend to go into all of the provisions of the proposed legislation. I have briefly touched on three, which I consider most important and far reaching. I am not aware of any abuses that would warrant the far-reaching controls proposed in this legislation for this important segment of American industry. Investors are protected under the present law by the requirement of full disclosure, disclosure of complete information which must be supplied by the prospectus and which must be given to each investor, the forces of competition, and the existing provisions of Federal securities laws and SEC regulations. So far as I know, the SEC has never used its present authority to successfully challenge either present management fees or sales commissions, as being unreasonable or excessive. Of the 58 private lawsuits, of which I am aware, challenging management compensation, only three got to trial on their merits, and in each of those, management compensation was found to be reasonable.

The hearings now going on have resulted in serious discussion of some problems that need attention. The economic relationships in the mutual fund industry are somewhat different from those in other industries, and therefore, it may be necessary to make some adjustments in the law under which mutual funds operate. But I do not feel that the protection of any fundamental consumer or investor interest requires that the Government take over the control of sales commissions, management fees, and methods of operation of this industry, which for many years has produced very satisfactory investment results for many investors large and small.

ONLY A MINORITY OF NEGROES FOLLOW THE RAP BROWNS AND CARMICHAELS

Mr. HOLLAND. Mr. President, during this period of rioting, looting, and killing in many of our Nation's cities and of mass violations of law and order which, in some instances have reached a state of anarchy, and while Negro leaders such as Rap Brown and Carmichael are preaching rebellion, it is most interesting to note that they by no means are representative of the Negro community.

A recent issue of the Florida Star News, one of our leading Negro papers with a large circulation in the State, having offices in Miami and Jacksonville, Fla., ran an editorial entitled "SNCC's Counsel Doesn't Hold Water."

Mr. President, I know my fellow Senators will be most interested in this editorial as it very clearly shows that the sounder elements of the Negro community are not of the Rap Brown and Carmichael variety but are citizens who strongly believe in their country, and are interested in the betterment of themselves. Mr. President, I ask unanimous consent to have printed in the RECORD the editorial to which I have referred.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

SNCC'S COUNCIL DOESN'T HOLD WATER

A student chapter of SNCC, civil rights organization on FAMU's campus, is sending letters protesting the University's mandatory Reserve Officer's Training Program to Governor Kirk, state legislators, and the Board of Regents.

The FAMU chapter of SNCC feels that the program should be elective, on the grounds that it teaches us to kill our brothers in Asia, Africa, and Latin America in their struggles for self-determination.

Before giving the SNCC chapter a supporting yell, let us examine the position of the FAMU chapter.

A loyal citizen is duty-bound to support his nation's military efforts, no matter how he feels about fighting war. No male citizen is more despicable than the one who refuses to shoulder arms for his country.

However, we are objecting to these letters of petition for another sound reason. Mandatory requirements that all freshmen and sophomore males take ROTC is one of the best things that could happen to some Negro youths. The training makes them men who stand for something, who can be counted upon to obey authority, to report to classes promptly, to give respect wherever it is due, to keep one's person clean and neat to pass inspection.

Never for a moment should the ROTC program be elective, because too many male students would miss an opportunity that cannot be matched anywhere.

Mr. HOLLAND. Mr. President, Florida A. & M. State University is an institution of higher learning established to educate the Negro youth of my State. There is ample evidence to show that there are many of the Negro race who have the desire and will to move forward in the right way and have done so. To illustrate this point, I ask unanimous consent that an article appearing in the St. Petersburg Times, Sunday, April 2, 1967, entitled "Source of Pride: A. & M. Graduates," be inserted in the RECORD.

The article mentions many notable alumni of Florida A. & M. such as Althea Gibson, the tennis player, Bob Hayes, the sprinter, and Willie Gallimore, the former football player. It mentions that there are 18 professional football players now, from that one school, and mentions numerous deans of colleges, doctors, and other graduates of whom the institution is very proud.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

SOURCE OF PRIDE: A. & M. GRADUATES

Florida A & M University takes great pride in its graduates.

In almost every state, and several foreign countries, enough of them are achieving strong marks in sports, business, the professions and the Foreign Service to "justify our existence as a university," in the opinion of Dr. George W. Gore Jr., the school's president.

Two graduates have acquired international reputations in sports:

Althea Gibson, a 1953 A & M physical education graduate became the greatest Negro woman tennis player in history, winning the U.S. and Wimbledon championships in 1957 and 1958; then switching to professional golf where she also became top rank.

Robert Lee (Bullet Bob) Hayes, spring champion of the 1964 Olympic Games, holder of national and international speed records, now an outstanding professional football player with the Dallas Cowboys.

Other sports heroes:

The late Willie Lee Gallimore, one-time star running back for the Chicago Bears.

Eighteen former Rattler stars now in professional football; one head college coach (Texas Southern); four grads playing professional baseball.

"We're certainly proud of these fine athletes," says Gore, "but we don't want anyone to think we produce only sports stars. We have outstanding graduates in many other fields, too."

David C. Collington, A & M's energetic director of public relations, has the list at his fingertips:

Thirty dentists, one instructor of dentistry; 52 medical doctors; 60 school principals in Florida, three in New Jersy, Pennsylvania and New York;

Two college deans of women, two deans of men, three deans of colleges; 39 winners of doctoral degrees in education at 20 universities; eight National Science Foundation fellows; 4 graduate assistants at medical colleges;

Fifteen instructors in colleges of nursing; 9 supervisors of departments in hospitals.

The list is long and certainly impressive.

A & M graduates are now teaching at Temple and the Universities of Michigan, Minnesota, Indiana, Wayne State, Florida and Florida State; Alma College and Morehead State College.

Dr. Jack White is professor of surgery at Howard Medical College. Dr. L. D. Leffall is assistant dean of the Howard Medical College. Dr. Daniel T. Rolfe is dean of the Meharry Medical College at Nashville. Dr. George Rawls is a staff surgeon at University of Indiana.

Several are working in foreign countries in programs sponsored by the U.S. State Department.

A & M alumni are scattered across the nation. Dr. Gore, on a recent visit to the Pacific coast, was honored at a dinner in Los Angeles given by 100 graduates now living there. Fifty greeted him in San Francisco. East Coast graduates are planning their annual reunion meeting in Washington next month. Fifty have formed an alumni chapter in Cleveland.

"All are doctors, lawyers, professional athletes, teachers and businessmen who are doing very well in these communities," Dr. Gore says.

Adds Collington:

"Don't forget Jesse Bennett Sams, whose book 'White Mother' was a best-seller in 1957. Or Dr. Ted Hunter who is the senior research chemist for Goodyear Rubber Co. in Akron, Ohio, or Jim Matthews, an assistant U.S. attorney in Miami, or Noah Bennett, who is vice president of North Carolina Mutual Insurance Co. in Durham."

"If it is correct that a university should be judged by its product—the alumni—then our record is outstanding," says Dr. Gore.

Mr. HOLLAND. Mr. President, I also ask unanimous consent that there be printed in the RECORD a very fine article from an editorial column, entitled "It's Our Opinion" appearing in the Fort Lauderdale News and Sun-Sentinel under date of July 30, 1967, captioned "Levi Henry, Jr., Represents What Can Be Achieved Through Work, Self-Esteem," be printed in the RECORD at this point, for this article vividly illustrates that a man of the Negro race, having the will and desire, can be a responsible member of his community though he has experienced many personal adversities.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

LEVI HENRY, JR., REPRESENTS WHAT CAN BE ACHIEVED THROUGH WORK, SELF-ESTEEM

With just about everybody and their brother seemingly now engaged in trying to explain the whys and the wherefores behind the racial outbreaks in our nation these days, a couple of simple truths about these nasty affairs need to be emphasized if for no other reason than to keep things in proper focus.

One of these truths is that there are still a tremendous number of Negroes in this country who don't subscribe to the belief that looting, pillaging and rioting are proper ways for anybody to accomplish anything.

There are also a tremendous number of Negroes who still don't believe the White man is their enemy and who, by their own example and their own station in life, have amply demonstrated there are opportunities available for just about everyone in this country, White or Black, to climb a good way up the ladder of success if they are willing to expend the time and the effort to do so.

We can think of no better representative of this type of person than the man who was recently chosen as Father of the Year by the Northwest branch of the YMCA and who, in this newspaper last Friday, voiced some thoughts and some ideas about the racial situation that make sense all the way.

Levi Henry, Jr. is certainly no stranger to poverty nor to the squalid living conditions that so many members of his race are born under and are forced to live under during their formative years.

He was one of eight children, and there was seldom enough money available to feed such a large family, much less provide any of the so-called luxuries.

But Levi Henry, Jr. didn't believe he was chained to this kind of existence for the rest of his life. As he so eloquently put it, the sense of being a free man dwells as much in a man's mind as it does in his physical makeup and early in his life he set out to prove for himself, and perhaps for others, that when "you're free in your mind, you are free."

Establishing this proof didn't come easy. It entailed work, lots of it, and much of it at unskilled jobs bearing low pay. It entailed earning, not being handed, a high school diploma. It entailed traveling around as illustrated by the fact this man had been in 36 states by the time he was 18 years old. And it also entailed fighting for his country in Korea where he admits he first started thinking whether or not when the fighting was done he could come back home and be accepted "in all phases of society."

"I knew from furloughs that I probably wouldn't be—so I prepared myself to meet this challenge, not violently, but intelligently, legally."

So Levi Henry, Jr. came home; got a job, found himself a wife and started raising his family. There were six children, the youngest one 11 months, when he came home from work one night to find his wife dead—struck down by a cerebral hemorrhage.

Many weaker individuals would have succumbed to such an overwhelming tragedy. But not this man. Though his mother and his sister offered help in raising his children he decided to do the job himself. Why? His own words explain it.

"I've seen too many children raised by three or four people. They get three or four ideas about life and it confuses their minds about who's right and who's wrong."

So Levi Henry, Jr., cooked, washed, ironed and supported six children all by himself for two years. Last fall he remarried, and today at the age of 35 he has a nice home, a good job in the sales department of a local radio station, and he has, what is even more important, won the full respect of all who know him and have worked with him, both White and Negro.

What does this man think about all the recent riots? "There's no reason behind Detroit or Newark that I can see," he says. "Because you feel you've been mistreated for the past 100 years doesn't give you the right—or the reason—to destroy yourself.

"The solution, as I see it, is to fight with your own ideas—legally not violently. If you know you're being neglected, why throw bricks to accomplish what you want?"

And what does this man prescribe as a remedy for improving racial relationships in this community?

"The only way we can prevent it is to treat the disease of this violence by listening and acting—stop making promises and start creating tangible evidence. Let the people see that you're doing something.

"There are so many jobs that could be created right now. I don't care if the city just gets three or four wreckers to drag those old abandoned cars out of the city.

"They could clean up these open lots. This would give these kids money to spend. It would keep them occupied. It will keep them from gathering on street corners and discussing the problems of other cities. It would give them a sense of responsibility."

There's an awful lot of truth in what Levi Henry, Jr. says. That sense of responsibility he talks about is what has driven him to climb above all the obstacles in his path and make a success out of his life. It has won him the admiration and the love of his children and the respect of his fellowmen. To us he has proved his point that when "you're free in your mind, you are free," and what a contrast there is between this man and the example he has set and the words and the deeds of men like Stokely Carmichael and H. Rap Brown who can only urge their people to go out in the streets and burn and destroy to get what they want.

Mr. HOLLAND. Mr. President, in conclusion, I ask unanimous consent to have printed in the Record an article entitled "Tylear Sanders: Big Bend Success Story," published in the Tallahassee Democrat of July 23, 1967, an article about a Negro citizen who has made a success, as an illustration, again, of a man of the Negro race who has earned the respect of his fellowmen in his community.

There being no objection, the article was ordered to be printed in the Record, as follows:

TYLEAR SANDERS: BIG BEND SUCCESS STORY—AREA FARMER FITS PATTERN OF "THE SELF-MADE MAN"

(By Clarence Bizet)

Quincy.—He doesn't remember anybody ever stopping him, and he has always tried to do a decent job with confidence he could strike out on his own.

He succeeded and the stream of success took him into the heart of his community's activities. Significant because he's Tylear Sanders Jr. of Quincy? No, because success even defies opposition, and accrues to the working worthy.

Success, Sanders finds, grows on your neighbors and friends.

Among farmers of yesteryear the man who wasn't afraid of work, wouldn't go hungry or want for the basic needs of life. And there was special respect for the fellow who could look beyond that red ball of fire sinking in the West. If he could satisfy all his needs and build up a nest egg for that special wish, there was the compliment, "He knows what he wants."

HE'S FARMER

Sanders earned these plaudits out on the farm. He was born on Oct. 21, 1909, on a 35-acre farm on State Road 267, in Gadsden County, the oldest of nine children.

He attended a rural school until he was in the fifth grade, then hard times forced him out to earn a living for the family.

He and his father raised corn and peanuts to fatten the hogs the family raised for meat, and he worked out in his spare time. His mother would wash and iron for "white people in the city." They kept her supplied with work with a one-horse wagon, and Sanders pitched in with the ironing and washing until he was grown.

Old enough to do outside work, he spent 12 years laboring before World War II, when four brothers went to war, and he stayed home to be given eight acres of land. He built a house on the land even before he was married as his father insisted that sooner or later the lovebug would get him and he had better be prepared for the added responsibilities.

MARRIED AT 25

The bug got him when he was 25 and he married. With less than $75 he entered business and opened a small country store.

It seemed his father knew that Tylear could take on many responsibilities and keep them all going at a progressive pace, and suggested he take charge of the farm. But Tylear felt he didn't know enough about agriculture; nonetheless he had the instinct of making money and planted Spanish peanuts and sun tobacco for income.

After paying for the necessities, Sanders invested the surplus in land, 20 acres of it. That made him a partner with his father.

They now had 90 acres in cultivation and 30 acres in pasture and the remainder in timber. The timber provided the lumber for two tobacco barns and his father's house.

The farm was not to be denied, its potential called for improvements. Sanders got rid of a 15-year-old mule and a blind one, and bought two young mules and a cultivator.

AN OBSERVER

Someone was watching Sanders. It was former Sen. A. L. Wilson. Why not raise cattle, he suggested. The advice was accepted, and Tylear had himself three Hereford heifers and a purebred Polled Hereford bull.

The herd grew and its by-products were used as fertilizer for shade tobacco. One enterprise drew another and Tylear's pace to success had been set. He couldn't stop it. Nor could his children.

His son Solomon, and daughter, Ellen, followed his footsteps. They were active in 4-H activities. Solomon showed the reserve champion steer two years in a row and Ellen won a $200 scholarship for her 4-H work.

Tylear listened again to advice. Gadsden County Agents A. G. Driggers and Russell H. Stephens suggested he attend a seven-day institute at Tuskegee Institute on soil erosion.

This was a highlight of his career. Now he wasn't only the Mr. Sanders who farmed outside of Quincy. Now he was the Sanders who had been successful in every venture and had something to share with his fellow students. Maybe, this was as important as putting to work what he had learned.

CONSULTATION

As soon as Sanders got back to Quincy he consulted a soil conservation specialist. His land was properly terraced, he learned to plant cover crops and improved his pastures. The following year he boosted his bushel-of-corn-per-acre-yield from 15 to 30.

Sanders' list of crops was growing—Spanish peanuts, corn, truck crops, shade tobacco, hogs and cattle. He had added to his equipment inventory, buying a tractor and more tools.

Somebody else was watching Sanders. J. T. Budd Jr. offered him a contract to raise shade tobacco. As if it could be otherwise, this was a successful venture too.

BIG HONOR

The year was 1953 when all this was happening, and while he was working, the honor of Florida's No. one Negro Soil Conservation Farmer of 1953 slipped up on him.

Southeastern Livestock Foundation directors were also observing Sanders. He was a natural for their gold medal for distinguished service. They recognized "one of the outstanding citizens of Gadsden County, a man who has long been a leader in his community. Over the span of his 57 years this man has built a reputation for industry, integrity, thrift and high moral character.

"He is . . . a capable tobacco grower and steer feeder. He has headed his stock show committee since 1940, is a member of the loan committee of the Farm Home Administration, a member of the Gadsden County Tax Commission . . . and has always unselfishly given his time and his money to help with any worthwhile effort in the field of agriculture.

"Mr. Sanders has been very active in church and civic affairs. He is a founder of the Mt. Cavalry Baptist Church, having personally built the church as well as guaranteed the loan on the building. He continues to serve on the advisory board of the American Red Cross and is always active in the United Fund drive . . . suffice it to say that he is always eager to help with a worthy cause or to aid those less fortunate than himself."

A BETTER PLACE

The Foundation concluded, "Perhaps, the most fitting thing that could be said about Mr. Sanders is that his community is a better place for his having lived here . . . we solicit his continued counsel and assistance in the years ahead."

Sanders hadn't stopped since then and the trust he has earned was exemplified recently during the 23rd Annual Fat Cattle Sale and Show in Quincy. Among the bidders was no other but Sanders, not for himself, but for the May Drug Co. that wanted to do its civic share. His cattle-know-how was sufficient evidence that the May Drug Co. could be assured of a good and reasonable buy.

Perhaps the most significant thing about Sanders, the Negro, is his modesty and concern for peaceful relationship with his fellow men, white and black.

"Are you sure this article will not create friction?" he asked.

Not on his life will it create friction, he was told by this reporter. What Tylear Sanders Jr. is comes from what he earned. What image he has today is a permanent fixture in the life of Gadsden and Sanders could no more divorce himself from that role than one of his cows could jump over the moon.

Sanders said it well, "I thank my Creator and would like to give honor to our many friends both white and colored of Gadsden County who have made it possible for us to have gone thus far."

Mr. HOLLAND. Mr. President, I believe the articles I have inserted in the Record very clearly show that Negroes can move forward and establish themselves successfully as respectable and accepted members of their community when they have the motivation to do so and there is no place of respect in the Negro community for radical troublemakers such as Rap Brown and Stokely Carmichael.

I believe there is too much tendency, these days, to emphasize the fact that the Negro community has some bad citizens, just as the white community has, and not enough attention is paid to the fact that there are literally thousands of Negroes who are fine citizens, who have made their way in professional life, business life, athletics, or other respected fields that are distinctly worthwhile.

I hope that our Negro citizens, especially the youngsters, will not conclude that the white community does not realize that many Negroes are good citizens, who make their own way and are capable of showing others the way to attainment and success, which is generally the way of hard work and devotion to duty.

THE ROLE OF THE PRESIDENT IN CIVIL DISORDER

Mr. GRIFFIN. Mr. President, on Monday of this week, President Johnson told a press conference that he knew of nothing that could be gained by trying "to justify or explain" the actions of the Federal Government during the recent civil disorders in Detroit.

However, the next day, on Tuesday, Attorney General Clark held a press conference and attempted to justify and explain the Federal Government's action and inaction during the crisis. Then, yesterday, on Thursday, the President held still another press conference and tried again to justify and explain the Federal role in the Detroit riot. Perhaps we shall see even more press conferences on this subject in the days and weeks ahead, because the President, in my opinion, stands on shaky ground.

I realize that most people have heard enough of the charges and countercharges about who played politics while Detroit burned. It is not my purpose today to rehash all of the particulars of that dispute.

However, several points which came out of the President's press conference yesterday should not pass without comment.

I am convinced that some discussion of these points will serve the national interest, if it helps to assure that the Federal executive will be better prepared to promptly assume its proper role in the event of another crisis of similar proportions.

Less than 2 weeks before the Detroit riot, a very serious disturbance had occurred in Newark, N.J., beginning on July 12. According to press reports, the President had talked directly with Gov. Richard Hughes of New Jersey, during that crisis, and had offered all necessary assistance. Although the disorder in Newark was quelled without dispatching Federal troops, it is not unreasonable to assume that the White House and the Attorney General must have considered the question of a possible need for Federal troops, and it should have been determined and made clear at that time what procedures would have to be followed in the event such a need arose.

When violence erupted in Detroit, however, it became apparent that Federal authorities were not clear as to the procedures which had to be followed—politics or no politics. The President's press conference yesterday has only served to emphasize that point.

According to a report in today's New York Times, the President explained at his press conference that three elements were necessary before he could use Federal troops to put down violence within a State. He listed those elements as follows:

> First, a request . . . by the (state) Legislature, . . . or if the Legislature cannot be convened, by the governor.
>
> Two, certification of insurrection or domestic violence.
>
> Three, . . . demonstration of a clear inability of state and all local authorities to control the situation despite the use of all law enforcement resources which can be brought to bear.

Mr. President, I suggest that these assertions may be open to serious question.

Did the Governor of Arkansas declare a state of insurrection and formally request assistance before President Eisenhower sent Federal troops to Little Rock in 1956? Of course not.

Did the Governor of Mississippi declare a state of insurrection and formally request Federal troops before President Kennedy sent Federal troops into Mississippi in 1962? Of course not.

It appears that President Johnson may have exaggerated the limits on his authority in this instance whereas it seems to many that he tends to exaggerate the expanse of his authority in other situations.

There was considerable conflict about who said what, to whom, when, and why, before Federal troops were actually ordered into Detroit. Since I was not present at either end of the telephone conversations I, of course, cannot shed light on what was said or not said. Yet there are certain facts which do not appear to be in dispute. For example:

Shortly after 2:30 a.m., on July 24, Mayor Cavanagh, of Detroit, spoke with Vice President Humphrey, asking his advice on the disorders in Detroit.

The Vice President told Mayor Cavanagh that he should talk to the Attorney General.

The mayor then talked by telephone with the Attorney General, who advised him that a request for Federal troops should come from the Governor of the State.

When the mayor talked to Governor Romney and informed him of this, the Governor immediately called the Attorney General to discuss the situation, including the possible use of Federal troops. In the next 7 hours, the Attorney General and the Governor talked on the phone at least four times.

Now we leave the area of agreed-upon facts and return to areas of controversy.

On Sunday the New York Times reported White House charges that the Governor had "vacillated for nearly 20 hours" about the need for Federal troops. Governor Romney has strongly denied that charge. To be sure, we will not resolve the dispute which has grown out of that series of events in Detroit, but we can and should learn from it.

A substantial part of the delay was apparently due to prolonged discussions about legal and semantic questions. The Attorney General was reported to have told the Governor at some point during that period that he, the Governor, would have to formally request Federal troops, and that he, the Governor, would have to declare a state of insurrection.

Governor Romney was understandably reluctant to declare a state of insurrection. He was aware that such a declaration would virtually wipe out the insurance coverage of thousands of people.

It should be noted that while Governor Romney did request Federal troops, thus meeting one of the elements listed at yesterday's press conference, he never did certify that a state of insurrection existed in Detroit.

It is clear now that much of the delay which has been the subject of discussion resulted because the White House was apparently relying solely on section 331, title 10, of the United States Code, which reads as follows:

> Whenever there is an insurrection in any state against its government, the President may, upon the request of its legislature or of its governor if the legislature cannot be convened, call into Federal service such of the militia of the other states, in the number requested by that state, and use such of the armed forces, as he considers necessary to suppress the insurrection.

While it is clear that the use of Federal troops can be predicated upon this section, I submit that it is also abundantly clear that this is not the only section of the United States Code to which the President can point to justify such an exercise of authority.

To cite again the use of troops in Mississippi and Alabama when the Governors of those States did not request them underscores this point.

I return now to focus attention again upon the second element which President Johnson said was necessary yesterday in his press conference:

> Two, certification of insurrection or domestic violence.

Section 331, which I have just read, and which requires a request by the Governor—or the legislature—is clearly operative only in case of insurrection. That section makes no reference whatsoever to "domestic violence."

However, another section of the code, section 333 of title 10, does authorize the President, without a request by the Governor, to "suppress domestic violence if it so hinders the execution of the laws of a State that any part or class of its people is deprived of a right, privilege, immunity, or protection named in the Constitution."

Mr. President, the prolonged discussion about the action and inaction of the Federal authorities in this situation reveals that there was doubt and uncertainty for a number of hours as to what was necessary and who had to do what before troops could be sent in. If no other benefit comes out of all this, I hope that at least we have learned and that we will be prepared and ready the next time such a crisis occurs.

Mr. President, I ask unanimous consent that the sections of the Federal code and the text of the New York Times article to which I have referred be printed in the RECORD at this point.

There being no objection, the statutory sections and article were ordered to be printed in the RECORD, as follows:

§ 331. Federal aid for State governments.

Whenever there is an insurrection in any State against its government, the President may, upon the request of its legislature or of its governor if the legislature cannot be convened, call into Federal service such of the militia of the other States, in the number requested by that State, and use such of the armed forces, as he considers necessary to suppress the insurrection. (Aug. 10, 1956, ch. 1041, 70A Stat. 15.)

§ 333. Interference with State and Federal law.

The President, by using the militia or the armed forces, or both, or by any other means, shall take such measures as he considers necessary to suppress, in a State, any insurrection, domestic violence, unlawful combination, or conspiracy, if it—

(1) so hinders the execution of the laws of that State, and of the United States within the State, that any part or class of its people is deprived of a right, privilege, immunity, or protection named in the Constitution and secured by law, and the constituted authorities of that State are unable, fail, or refuse to protect that right, privilege, or immunity, or to give that protection; or

(2) opposes or obstructs the execution of the laws of the United States or impedes the course of justice under those laws.

In any situation covered by clause (1), the State shall be considered to have denied the equal protection of the laws secured by the Constitution. (Aug. 10, 1956, ch. 1041, 70A Stat. 15.)

[From the New York Times, Aug. 4, 1967]

JOHNSON EXPLAINS DETROIT RIOT ROLE—RECALLS THREE MESSAGES TO HIM BEFORE TROOPS WERE SENT

(By Roy Reed)

WASHINGTON, August 3.—President Johnson broke his public silence today on his handling of the dispatch of Federal troops to Detroit on July 24.

Mr. Johnson, explaining one part of his actions, did not mention Gov. George Romney of Michigan, who has accused the President of "playing politics" with the Detroit situation. But the Johnson explanation was clearly in rebuttal to the Governor's charge.

The President's first open comment on the controversy was made in a meeting with surprised newsmen who had been given to understand earlier that the White House was tired of the dispute and considered the episode ended.

He had refused to comment on the controversy at a news conference Monday, saying that nothing was to be gained by "trying to justify or explain."

DETROIT AIDES PRAISED

The President's explanation came as he introduced and warmly congratulated Cyrus R. Vance, his chief envoy in Detroit, and Maj. Gen. John Throckmorton, commander of the Federal troops there.

Mr. Vance and General Throckmorton had come to the White House to report the restoration of law and order and the return of law enforcement responsibilities to state officials.

Mr. Vance added after the President had left the room that "there were no politics involved" in the dispatch and use of Federal troops.

After his announcement that he was sending troops to Detroit Mr. Johnson was criticized for his repeated statements that Governor Romney was unable to control the situation.

Obliquely answering that criticism today, Mr. Johnson went into history to explain his reluctance to send the troops and the reason for his seemingly pointed language in finally announcing his decision.

"Under the Constitution and laws of this country and the uniform practices of all past Presidents," he said, "before troops can be used in any civil disorder, the following elements must be present when a state seeks assistance:

"First, a request for troops by the Legislature, if the Legislature can be convened, or if the Legislature cannot be convened, by the Governor.

"Two, certification of insurrection or domestic violence.

"Three, the demonstration of a clear inability of state and all local authorities to control the situation despite the use of all law enforcement resources which can be brought to bear." He continued:

"There are a good many reasons for this, which go back to the Constitution itself in 1789, and the great debate that took place in Congress in 1792, so that Presidents would not be throwing Federal troops around states.

"They were actually none of any consequence that were called into states until the Reconstruction period, which was a period that is vivid in our memories and not always pleasant memories, either. At that time troops were called out to occupy 60 to 70 places around election time by Governors and by Presidents.

"So we tried to be very careful.

"THREE STEPS CITED

"The Presidency is involved in two instances here, or really three.

"The first was in the middle of the morning at 2:30 or 3 o'clock when we were notified that there was a problem in Detroit which might necessitate troops. They were momentarily alerted, as was the Secretary of the Army and the Chief of Staff of the Army, and the appropriate commanders.

"So much for the 3 A.M. meeting.

"The next time a request was presented to the President was a telegram filed at 10:46 that reached here at 10:56, requesting troops.

"The President approved that telegram and replied by saying troops would be sent. They were ordered loaded at 11:02.

"Now the third requirement, either insurrection or domestic violence, was certified to the President about 11 that evening by Mr. Vance and by General Throckmorton. They had declined to do that at 8:30 that evening. They can go into that with you if they want to. When they made that certification, the President, in the same conversation, ordered the deployment."

Mr. Johnson went on to congratulate Mr. Vance, General Throckmorton and the 4,800 Federal troops for a job "well done."

He said that none of the 4,800 soldiers had been wounded or injured and that only one person had lost his life at the hands of the Federal troops.

Mr. Vance was asked if he had found evidence of "outside agitators" in the Detroit disorders. He said "there may have been some," but that he had seen no indication "of any over-all conspiracy to incite or to conduct a riot."

He said there was no evidence that the snipers firing into the streets had been organized or trained.

A TAX INCREASE WILL THREATEN THE ECONOMY

Mr. HARTKE. Mr. President, Congress yesterday received the long-awaited fiscal and tax policy message from President Johnson.

This tax proposal does not really present to the American people the central issue involved in whether we should or should not have a tax increase. The question that it presents to the American people is simply whether we shall place the United States in the position of, in effect, pursuing a course of conduct which would accomplish exactly what the Communists could not directly do for themselves—that is, to damage severely the U.S. economy.

In his message, the President paints a dire picture of the consequences if we do not enact the tax proposals he presents. These include—if I may paraphrase and summarize—a return of "strong inflationary pressures," an "intensified wage-price spiral," spiraling interest rates and return of tight money.

Finally, the President says that if we fail to increase taxes as we are requested, "the consequences of that irresponsibility would haunt America and its people for years to come."

In other words, this is an implied threat to Congress that if anything goes wrong in the future of America because we do not adopt this proposal, it will be the fault of Congress. The President is attempting to put Congress right squarely on the spot.

Mr. President, I want it understood that I differ diametrically with his view. In fact, I hold that, quite to the contrary, it is at least equally possible—and in my judgment more probable—that to increase taxes now would be irresponsible and that, to repeat, "the consequences of that irresponsibility would haunt America and its people for years to come."

Let me specify the reasons for my complete disagreement with the President:

First. The economy is not booming toward an inflationary danger, and there are as many signs of current softness as of strength.

Second. To put on the brakes is to halt needed growth in the economy. We must not sacrifice longrun strength for short-run demands for a temporary and politically palatable smaller deficit.

Third. The proposal itself is self-defeating in the long run. The overall long-range effects on the economy will decrease its growth potential, and a smaller base of gross national product on which to raise taxes will decrease the tax take itself to the point where it will, in the longer run, be self-nullifying.

For these reasons, Mr. President, and I shall elaborate on them, I believe that a tax increase as recommended is not only unwarranted and unjustified at this time but that it is dangerous to the longrun health of the American economy.

Let me begin with the third factor. This is an element which might in terms of sports be called the hidden ball factor. Stated bluntly, if we increase taxes we reduce gross national product. When GNP is made smaller, there is a smaller tax base and therefore smaller tax revenue. In other words, the tax which will result from the President's proposal is not all gravy for the Federal Treasury. Instead, it carries at least in part the seeds of its own decrease. In the long run, those seeds can have an effect which can be restored only with much effort over a long time.

Let me be specific. The current issue of U.S. News & World Report, dated July 31, discusses the effects if taxes are raised. One section of the article is headed "Multiplier Effect of Tax Rise." The magazine's economic unit has made calculations based on the expectation that a tax rise request would call for a 6-percent rather than a 10-percent surtax. I read from that article:

> (The "multiplier effect" of a tax increase) means that the restraint caused by higher taxes has a cumulative effect as it spreads through the economy. Thus, business activity would be reduced by considerably more than the mere 5.8 billion dollars of the proposed tax increase.

The article goes on to indicate how much the result of this "multiplier effect" would be. The result is that with a 6-percent surtax, in the first year gross national product would drop $11.2 billion, personal income would be $7.1 billion lower, profits would be $4.1 billion lower, personal spending would be $4.8 billion lower.

These results are items which are not included in the President's discussion of the evil effects of doing without the tax increase. But they are in reality evil effects of adopting the tax increase.

But what about the effect of the proposed 10-percent surtax rather than a 6-percent surtax?

I have made inquiry concerning that effect, and I am told by responsible economists that, although they are at this very time continuing their analysis, the 10-percent surtax will result in a decrease of gross national product during the first full year of its effectiveness which would be no less than $23.3 billion. If the tax should go into effect in the current quarter, the rate of GNP loss by the end of 1968 calendar year would be $28 billion.

What does that mean in the amount of revenue derived from the tax proposal? In order to get perspective on this question, I asked the Treasury how much loss of revenue to the Treasury would be involved if there were a decline of $24 billion in GNP. Treasury has no formula, no rule of thumb which can be applied, and there appears to be a range of estimates. But it was conceded that a figure of 20 percent has been frequently used, and it was also conceded that while this is much higher than Treasury feels warranted in applying to the total GNP, it may very well be close to the truth when it is applied to an amount taken off the top, so to speak.

In other words, if GNP is reduced by the final $24 billion which it has added on with rising productivity, the revenue loss may well be close to $5 billion. Let us cut that 20 percent to about 17 percent or $4 billion, in order to be generous. This is the amount of built-in reduction in income to the Treasury which the built-in drop of GNP resulting from the proposed 10 percent surtax will achieve.

According to the President's message, the surcharge will—and this leaves out the "hidden ball" play—bring in in fiscal 1968 $6.3 billion in revenues. But let us subtract the $4 billion drop I have just described and the net to the Treasury is only $2.3 billion—and it may well be less than $2 billion if the 20 percent "multiplier effect" is the closer one.

Certainly in this respect the 10-percent tax does more damage than the 6 percent. As I stated, the figures on the 6-percent increase result in a GNP reduction of $11.2 billion in the first year, but the 10 percent will result in more than double the GNP loss, $23.3 billion. Do we want to cut our own economic throats by deliberately provoking a recession in this fashion?

I noted in the beginning that I differ with the tax proposal on the grounds that it is fallaciously based on assumptions of inflationary danger, of what the President calls a spiral of ruinous inflation which will ruin us if more taxes do not take heat out of the economy. The truth is that if we do have inflation, we will add to the dangers of inflation by the amount of the surtax.

Let us look at the current economic facts. The indicators are mixed, and there are some hopeful signs: personal incomes have continued to rise; but that includes the increase in social security; housing starts are above a year ago; there has been a small growth in real GNP in the second quarter. But at the same time—

Industrial production, in the words of a New York Times article a week ago last Sunday, has "drifted gently downward since the beginning of the year."

Growth in employment has slowed up, and by June there was a noticeable rise in unemployment, to 4 percent.

Profits are off sharply. Net profits for the first half of the year, among the first 500 companies reporting—and this is from the New York Times for July 28—have dropped 5.28 percent from the profits of a year earlier, the sharpest decline for any half year since 1959.

On the same point, Walter W. Heller has forecast: "For the year as a whole, I anticipate a decline of about 5 percent" in before-tax profits. This is without taking any new tax into account. It is worth noting that Treasury officials pointed out to me that one reason for their inability to fix a ratio between GNP and revenue decline is that the effect would vary with the amount of corporate taxes—because the effect there is far more noticeable than in the personal income sector.

Factories are operating at only 85 percent of capacity. This is the latest figure, for the second quarter of 1967. One year ago, in the like quarter, they were operating at 91 percent. At present we have more idle capacity than at any time since early 1964—hardly an indication that we are on a "spiral of ruinous inflation."

A survey by the Commerce Department and the Securities and Exchange Commission, reported in March, showed a low level of business investment planned for this year—only 3.9 percent. This contrasts very strikingly with the figure for the rise in business investment outlays in 1966—which was 16.7 percent. In other words, in this area we are doing less than a quarter as well as last year.

In reference to business outlays, it should be noted that the facts I have recited were among those persuading Congress to restore the investment credit tax—which in effect was a tax cut—which I have consistently said should never have been removed. But now we are asked to go in exactly the opposite direction, although a couple of months ago we were asked by the administration, in view of these circumstances, to cut taxes. Now we are asked to go ahead and increase taxes. This policy is discouraging rather than encouraging more economic growth.

Mr. President, all of what I have said adds up to an appraisal of the President's message, which is in complete agreement with the editorial in the Washington Post this morning:

> The grim prospects envisioned by the President are more firmly anchored in rhetoric than in fact.

It would be less than charitable, but still perhaps factual, to quote some of the other words of the editorial:

> A singularly unimpressive document, devoid of the sound reasoning and supporting evidence on which so important a fiscal proposal should be based.

The lead editorial in the New York Times begins in a similar vein:

> President Johnson gave Congress dubious economic advice in yesterday's tax message. Neither his assessment of national priorities nor his prescription for economic health squares with the country's real needs in this anxious period.

Let us look at the last assessment. What are our real needs in "this anxious period"?

Is the real need to balance the budget, or is the real need to deal with the explosive situations on our second front, our home front, the racial riot front in our explosive cities?

Is the real need to cut social security increases for the poorest of our poor below the President's recommendation, in order to provide the funds for Vietnam? This is what we are faced with—even though the message complains that nothing is achieved if "every time the executive branch saves a dollar, the Congress adds another dollar—or more—to the expenditures recommended."

One ought to ask, For what are these expenditures added? Is it completely irresponsible, or is it a higher order of responsibility, to consider the needs of the mentally retarded and add a few dollars for construction funds as this body did the other day in support of my amendment? Is it no achievement, or is it rather for the welfare of the people in the long run that we in the Congress feel we cannot sacrifice improved education, halt the poverty program, give no support and attention to the problems of pollution, of housing, of the anguished cries of those who in riots shout "Burn, baby, burn," and who in other times suffer the malnutrition, lack of jobs, and rat bites of the ghettos? Where is our order of priorities?

Indeed, where is the truthfulness with which our problems are approached? Can we, indeed, continue to fight a big conflict 9,000 miles away from home as we are told is necessary, without sacrificing the great domestic programs we have underway? Are we to continue to neglect the unfinished business of America, or are we to bow down to the balanced budget—which could not even be balanced by the assumptions of the President's message—to throw our hundreds of millions, indeed thousands of millions, into the war machine every month, while starving our domestic social improvement?

We have been told by students of the Communist society that they see as one of their primary objectives the weakening of the "imperialist," "capitalist" society by driving it into its own self-destruction. This they can do if they can involve us in fruitless commitments and expenditures sufficient to drain us of our wealth to the detriment of our real welfare—to a form of social and economic suicide.

We are a strong nation—without doubt the strongest in the world—and there is no strong second. Of this there is no doubt. We probably will not suffer suicide if the tax cut is adopted. But we will bleed a little more and the effects of such bleeding are protracted and weakening. The effect of the tax increase will be, in the world of business, much more immediate than in the past because of the practice of shortening the timelag for corporate income tax payments. This means we will halt the "inflation"—so far not a reality but only a bogey word—more immediately. The shock will be more drastic. By including deferral of the excise tax reduction on automobiles, we will add to the problem of new car sales. Let no one be misled about those sales being up, because I cite the total for the first 6 months of this year: 4,042,856, down from 4,918,856 for the same period in 1966.

General Motors' net profit for the half-year was down 20 percent from a year ago; Chrysler's profit was off 43 percent. No corporation pays taxes when there are no profits. The continuation of the excise tax rather than its scheduled reduction will certainly not benefit car sales and the great segment of the economy which rests on them. If this tax increase is adopted, car sales will be badly hurt.

What about the individual, the man in the marketplace, who is going to have to pay an increase of 10 percent of the amount of his present taxes? Let us take, for example, a man earning $7,500 a year who is married and has two children. His income tax in 1966, without what is to be asked for, was $686. Under the proposal of the President this tax will be $755. In addition, if we take only the increase in social security taxes under the new proposed schedule in the House of Representatives, there would be an additional $44. This means that the individual would pay, beginning on January 1, 1968, $113 a year more in taxes. He is presently paying $686. This means that he will have an increase in tax of 16 percent, or more truthfully, a cut in his pay of $113.

Mr. President, it is the attack on our needs in the riot-torn unrest of the Nation's cities which needs to be put in first place, not subjected to a higher priority in balancing the budget.

We listened to Dean Rusk as he said that we can have both guns and butter and provide all that is necessary in connection with Vietnam. We have been given a partial picture of what that will mean. He said that we can pay for all that is necessary at home in addition to what is in the budget at the present time. However, in the message of the President to Congress nothing has been added to take care of the problem in the cities. If we are to have Federal programs, where will the money come from? In effect, the President is saying that nothing more will be done for the riot-torn cities.

Here we have a social problem for our society greater than the problem of Vietnam, so far as America in any real sense is concerned. Were it not for that conflict, we would not have our present proposal and our unbalanced approach to priorities.

We cannot afford a tax rise. The effect, as I have shown, is too greatly against our own best interest, too counterproductive in having a "hidden ball" loss whose long-range GNP reduction is extremely dangerous—like a chronic illness—and too neglectful of the necessities which lie before us for dealing with the great and serious problems of our poor, our elderly, our minorities, our undereducated, our mentally ill and mentally retarded, our neglected economically deprived at the bottom of the heap of "forgotten" citizens on whom the burden of society rests. We cannot afford and we should not have a tax rise. Therefore, I conclude with the words of the New York Times at the editorial to which I have referred:

> It is understandable that the politician in President Johnson quails at the thought of campaigning next year with the albatross of a $20- or $25-billion budgetary deficit around his neck. But an even bigger albatross would be the explosion of much more of the social dynamite now stored in the concentrations of unemployed and bitter men in the ghettos of all the nation's major cities. This tax program provides no good answer to that danger.

Mr. President, the effect of this tax increase would most certainly be strongly felt in the cities. The effect of the tax increase, if it is adopted, will be to increase the likelihood more riots. In effect, the proposal is to put one more stick of dynamite in every major city in the United States, because it will slow down the economy. We know that these people are the last to be hired and the first to be fired. They are in the heart of the ghettos. They are trying to break out of the depressing situation they are in, and they are trying to look to society to end their difficulty.

Mr. President, perhaps this is a good way to put Congress on the spot. I do not think that Congress has done all that it should. But I do not think that Congress should bear the full brunt of the troubles growing from neglect in years gone by. I do not think that Congress at this moment has had an opportunity even to voice itself in connection with a declaration of war, and it should not be made the scapegoat of an unnecessary war in Vietnam.

WHERE IS THE CHEAP CREDIT?

Mr. HARTKE. Mr. President, I invite attention to the possibility that there will not be a coming upsurge in the economy. Several negative forces are building pressure against any upsurge.

The Vietnam costs are so great that the Government demand for money will keep money in short supply and thus keep interest rates high. This negative pressure on the economy led Mr. Harold B. Dorsey to write in his financial column in the Washington Post of July 17, 1967.

> Under these circumstances it is difficult to see the logic in the forecasts of an upsurge in the economy in the next six months.

I ask unanimous consent that Mr. Dorsey's article be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

WHERE'S THE PREDICTED CHEAP CREDIT?—INVESTMENT VIEW

(By Harold B. Dorsey)

NEW YORK, July 16.—The interest yields now available on corporate bonds have risen to the peak levels of last August—levels which were the highest in forty years. To some investors, these yields have become more attractive than an investment in mortgages.

Of equal significance is the fact that interest rates on short-term debt instruments have been rising in recent weeks to levels which are as attractive to savers as deposits in the savings institutions which are a primary source of mortgage money. This most recent increase in the short-term rates undoubtedly is related to the Federal Government's demand for $6.2 billion of short-term money. And the credit markets are completely aware of the fact that much more of this demand for credit is yet to come between now and the end of the year. Furthermore, the short-term rates rose very sharply in spite of massive support by the Federal Reserve.

In brief, the interest rate situation has become as critical as it was ten months ago when the condition was recognized as one which would have a negative effect on the economy.

Nevertheless, one still hears predictions by some Administration economists that a business boom will develop before the end of the year. This seems inconsistent with arguments advanced last January that there would be an upsurge in the second half of the year because there would then be an ample supply of cheap credit. In view of the present position of credit markets and the enormous government demands for credit yet to come to finance the deficit, it seems entirely inconsistent to assume that there will be an ample supply of cheap credit in the fall and early winter.

At this point nobody seems to know what the actual size of the government demand for credit will be in the next six months because nobody knows the size of government expenditures, or the degree to which these expenditures will be offset by higher taxes, or when those higher taxes, if any, will become effective. If taxes are going to be increased but the effective date is not before January 1, then the government's demand for credit between now and the end of the year seems certain to be enormous.

And how can anyone have a reasonably reliable opinion about the state of the economy next fall and winter if he has no basis for appraising the impact on the economy of higher taxes or for appraising the state of credit markets that seem certain to be influenced by financing the government deficit.

Under these circumstances it is difficult to see the logic in the forecasts of an upsurge in the economy in the next six months. Certain timing elements involved suggest that the government demand for credit in the fourth quarter will be very large, just at the time when the seasonal demand for ceridt by the private sectors is greater than any other period of the year.

It seems highly likely that mortgage money will become more expensive and more difficult to obtain. Hence, it is not logical to assume that rising residential construction activity will be making a contribution to the anticipated upsurge in the economy.

Although the pace of inventory accumulation has subsided very significantly, the fact remains that inventory/sales ratios are still high. This basic fact, combined with a deceleration in the growth of sales to the private sectors, provides an insecure basis for assuming that a resumption of inventory accumulation will contribute to the anticipated upsurge.

An assumption that a renewed upward trend in capital spending will contribute to the upsurge anticipation does not have a good foundation in the facts of the situation. With the utilization of capacity already in a downward trend, with competition increasing and with profit margins contracting, there would seem to be a greater likelihood of a declining trend in capital expenditures rather than a revival of the upward trend.

THE WRONG JUNGLE

Mr. HARTKE. Mr. President, the Washington Evening Star of July 31, 1967, contains an article by Mr. Eliot Janeway which very pointedly describes the relationship of Vietnam costs to our domestic economy. I believe that what Mr. Janeway says is "must reading," I ask unanimous consent that his article, entitled "Vietnam War Gulps Domestic Funds," be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

VIETNAM WAR GULPS DOMESTIC FUNDS

(By Eliot Janeway)

NEW YORK.—Since 1965, the Johnson administration has been bogged down in the jungle. But it is beginning to look like it is the wrong jungle. The explosions in our cities have caught the federal government overcommitted in Vietnam and undermobilized to root out the source of the cancer at home.

Money cannot win wars but lack of money can lose them. If money could buy victory, Vietnam would long since have been won. It has set a new record for dollars spent and goals unrealized.

LOCAL MONEY NEEDS

Worse yet, we are far from the end or even the beginning of the end. Expensive though the war has already become, our commitments of money are necessarily escalating along with our commitments of military manpower and equipment. The cost of the war is admittedly running substantially ahead of the budgetary provision for it.

A year ago, when war costs were already running at the rate of $2 billion a month, Secretary of Defense Robert McNamara was admitting to only $1 billion a month. If McNamara's arithmetic proves as wrong this years as it did last, the country will wake up to discover it has a $4-billion-a-month war on its hands. A realistic estimate of the present drain is $3 billion a month, or at an annual rate of $36 billion.

The $36 billion will not buy a year's peace in our riot-torn cities. But it would begin to put together the makings of a pretty impressive shopping list of everything that's needed—all the way from nursing homes for the old people to nursery schools for the young, with schools, hospitals, and housing.

Of course, the money that's needed to meet the challenge of the second front—in the jungle war in our cities—could not and would not come from the federal government, even if Vietnam were over and done with. This is the kind of money the cities and states are obliged to raise by their own borrowings, backed by their own use of the taxing power. It is the kind of money need that is best identified and met close to home.

The trouble is that the federal government needs to scoop so much money out of the stream to pay for the running cost of the war that it has crowded state and local governments away. Even before the disaster in Detroit forced the country to recognize that it is involved in not one jungle war but two, and while Vietnam was still costing very much less than it is now, states and cities were withdrawing bond issues and making do without new money for old projects.

LITTLE LEFT FOR CITIES

The underfinanced condition of the federal treasury is the main reason why the present inflation is making cash worth more, not less, and why it is going to be worth still more. The banking firm of Salomon Brothers & Hutzler, in its authoritative weekly commentary on money conditions, calculates that the Treasury supplied $12 billion of lendable cash to the money market during the first half of 1967, but will borrow more than $16 billion back during the second half—a greater than seasonal shift. The latest Treasury borrowing announcement suggests that this may be a low guesstimate.

This net change in the federal government's money-using operations will preempt $28 billion of market availability from less powerful borrowers within half a year. This is the scale on which the cities and the states behind them are on notice to find the money to get ahead of their blight and to defuse the time bombs ticking in their ghettos.

Lyndon Johnson is on notice to make room in our congested money market for our war-torn cities and their tax-burdened citizens.

THE CBS "WARREN REPORT"—PART II

Mr. HARTKE. Mr. President, earlier I placed in the RECORD, part I of a remarkable four-part broadcast, the CBS news inquiry entitled "The Warrent Report." That part, which was broadcast on Sunday, June 26, appeared in the RECORD of July 18, beginning on page 19143. I now ask unanimous consent to have printed in the RECORD, part II, which was broadcast on Monday evening, June 27. It is my intention to offer the other two parts, as well, during the course of next week.

There being no objection, the inquiry was ordered to be printed in the RECORD, as follows:

THE WARREN REPORT—PART II

(As broadcast over the CBS television network, June 26, 1967; 10:00–11:00 PM, EDT with CBS news correspondents Walter Cronkite, Dan Rather and KRLD–TV News Director Eddie Barker; Executive producer Leslie Midgley)

CRONKITE. Last night, in the first of this series of four broadcasts about the Warren Report, CBS News considered and tried to give reasonable answers to some major questions about the Report.

Did Lee Harvey Oswald take a rifle to the Book Depository Building? Our answer was yes.

Where was Oswald on the day President Kennedy was shot? In the building on the sixth floor.

Was Oswald's rifle fired from the building? Yes.

How many shots were fired? Most likely three.

How fast could Oswald's rifle be fired? Fast enough.

What was the time span of the shots? At least as large as the Warren Commission reported? Most likely the assassin had more time, not less.

These, CBS News concluded, added up to the answer to last night's central question: Did Lee Harvey Oswald shoot President Kennedy? Our conclusion was that he did. Beyond reasonable doubt, the chronic misfit and malcontent was at least one of the men who fired on President Kennedy. But was he the killer or a killer? A lone madman or the agent to the monstrous and successful conspiracy? Tonight's central question: Was there a conspiracy to assassinate President Kennedy?

ANNOUNCER. This is a CBS News Inquiry: "The Warren Report." Here is Walter Cronkite.

CRONKITE. In the 888 pages of the Warren Commission Report on the assassination, these are certainly among the most significant words: "The Commission has found no evidence that either Lee Harvey Oswald or Jack Ruby was part of any conspiracy, domestic or foreign, to assassinate President Kennedy." And the Report also states: "The Commission has found no evidence that anyone assisted Oswald in planning or carrying out the assassination."

Let's stop a moment to examine just what that says and, more important, what it does not say. Note that, contrary to the popular impression, the Commission, by these words, left the door open on the question of conspiracy just a crack. The words do not preclude the possibility of a conspiracy. They don't say that the Commission concluded that there was no conspiracy, or that Oswald was the sole assassin. They only say that the Commission could find no evidence that others were involved, no evidence that there was a conspiracy.

If there was a conspiracy, it could have taken one of two forms: either Oswald was a sole triggerman for behind-the-scenes manipulators, or there were one or more additional gunmen firing at the President. Most of the critics of the Report insist there were other gunmen.

Within the broad matter of conspiracy, our basic questions for tonight are: Where did the shots come from? If the shots did not all come from the Book Depository window, then there was most likely some form of conspiracy. Could a single bullet have wounded both President Kennedy and Governor Connally? The single bullet theory has become perhaps the most controversial aspect of the report. The Commission said it was not essential to its conclusions. But, to make those conclusions square with the facts, either three groups of wounds were caused by two bullets, which is the single bullet theory, or all three bullets from Oswald's rifle struck President Kennedy and Governor Connally, which the Commission rejected in the belief that one bullet missed completely.

The only other alternative is a second assassin. Let's look first at the scene of the assassination in Dealey Plaza, Dallas, Texas. Correspondent Dan Rather.

Rather. First, Walter, here's the part of the story that is not in dispute, and that any theory of the assassination must explain. The Presidential motorcade entered the plaza in a sharp right turn off Main and onto Houston. It ran slowly along the eastern edge of Dealey Plaza. Then the motorcade slowed even more, for the extremely sharp left, more than 90 degrees, onto Elm Street, which runs directly under the windows of the Texas Schoolbook Depository. It's a perfect place for an ambush. And as the limousine drifted into the odd S curve, shots began to rain on it.

Cronkite. Here is our first basic question for tonight: Where did the shots come from?

Rather. We decided on last night's program that some of the shots came from up here, Lee Harvey Oswald's nest in the sixth floor window. But, there are persistent reports of other virtually simultaneous shots, which would admit more than one assassin and therefore a conspiracy. Most often the other shots are reported from over there, the famous grassy knoll, ahead of, to the right of, and slightly above the President's car. The witnesses for both sets of shots are generally positive and persuasive.

This photograph, taken only seconds after the assassination, shows one group of those witnesses, Oswald's co-workers, who perched themselves in fifth floor windows to watch a parade and instead saw a murder.

Bonnie Ray Williams. So, when the President came around, we remember seeing him standing up and waving. And as he's turning to go down Elm Street, we heard a shot, and we saw the President slump. Well, be— prior to that, though, we decided there was some fireworks and everything, you know? And then after we saw him slump, we said— I think one guy, I don't remember which one he was, say that I believe they're shooting at the President, and I believe it came from right up over us.

Harold D. Norman. Then I think, about that time, well, Jarman says, somebody's shooting at the President. And I told Jarman, I said, I said, I know it is because I could hear—they are above me, and I could hear the shots and everything, and I could even hear the empty cartridges hitting the floor. I mean, after the shots had been fired.

And so, after the shots were fired, well, all the officers and everyone else seemed to think they came from by the track over by the underpass, because that's where everyone ran, over that-a-way. But, I—just like I said, I've been hunting enough to know the sound of a rifle from—from a backfire or a firecracker or anything like—especially that close to me.

Rather. The witnesses in the fifth floor windows say they heard the shots right overhead. But other observers below thought they heard firing from other directions. This is the view of Elm Street from the grassy knoll, up behind the picket fence where some critics claim another gunman lay concealed. We're looking through the trees at the spot where the final shot took effect, the shot that killed the President.

At this point, the President would have presented as good a target from here as from the Schoolbook Depository. Some think that right here is where the fatal shot came from.

Eddie Barker. Now, railroad man, S. M. Holland, was up on this overpass when the firing started. From here, you can see the Book Depository and the grassy knoll. Mr. Holland came back up here with us a short while ago, and his is perhaps the most telling account in favor of the grassy knoll theory, not only because of what he saw and heard during the assassination, but what he says he found on that grassy knoll immediately afterward.

S. M. Holland. Just about the time that the parade turned on Elm Street, about where that truck is—that bus is now, there was a shot came from up—the upper end of the street. I couldn't say then, at that time, that it came from the Book Depository book store. But I knew that it came from the other end of the street, and the President slumped over forward like that and tried to raise his hand up. And Governor Connally, sitting in front of him on the right side of the car, tried to turn to his right and he was sitting so close to the door that he couldn't make it that-a-way, and he turned back like that with his arm out to the left. And about that time, the second shot was fired and it knocked him over forward and he slumped to the right, and I guess his wife pulled him over in her lap because he fell over in her lap.

And about that time, there was a third report that wasn't nearly as loud as the two previous reports. It came from that picket fence, and then there was a fourth report. The third and the fourth reports was almost simultaneously. But, the third report wasn't nearly as loud as the two previous reports or the fourth report. And I glanced over underneath that green tree and you see a—a little puff of smoke. It looked like a puff of steam or cigarette smoke. And the smoke was about—oh, 8 or 10 feet off the ground, and about 15 feet this side of that tree.

And I immediately ran around to the spot that this shot came from. Of course, there was no one there because it took us quite a little while to thread our way through the cars—there's so many parked there—and they parked at every angle, that when I got over there I did find where a man had been standing and walking from one end of the bumped to the other, and I guess if you could have counted the footsteps there'd a been 200 or more on the muddy spots—footprints. And there were two mud spots on the bumper of this station wagon.

Barker. Would you take me over there and show me this place you're talking about?

Holland. Yes, I will.

Barker. All right, let's go. Well now, Mr. Holland, where would the person have to be standing to have fired that shot that you heard that came from up here?

Holland. From the footprints and all indications, he was standing right here.

Barker. Were they fresh footprints?

Holland. They were fresh. It had been raining that morning. There was footprints— mud on these two-by-fours—there was mud on the bumper of the station wagon, and they was only two sets of footprints that I could find that left this station wagon and they went behind a white Chevrolet car that was settin' over there.

Barker. Abraham Zapruder, whose film of the assassination was studied at length on last night's program, was standing up on this little wall right at the edge of the grassy knoll. Now, shots from behind that picket fence over there would have almost had to whistle by his ear.

Mr. Zapruder, when we interviewed him here, tended to agree that the knoll was not involved.

Abraham Zapruder. I'm not a ballistics expert, but I believe that if there were shots that come from my right ear, I would hear a different sound. I heard shots coming from—I wouldn't know which direction to say—but they was driven from the Texas Book Depository and they all sounded alike. There was no difference in sound at all.

Barker. Associated Press Photographer James Altgens was actually looking toward the Book Depository.

James Altgens. As I was getting ready to make some pictures, why, I heard this noise. I thought it was a firecracker explosion. So, I just went ahead and made the picture, which shows the President right after he was struck by a bullet, struck in the neck, the first shot. And this was a picture that the Warren Report later fixed as being made two seconds after the shot was fired. And as they got in close to me, and I was prepared to make the picture, I had my camera almost at eye level; that's when the President was shot in the head. And I do know that the President was still in an upright position, tilted, favoring Mrs. Kennedy. And at the time that he was struck by this blow to the head, it was so obvious that it came from behind. It had to come from behind because it caused him to bolt forward, dislodging him from this depression in the seat cushion, and already favoring Mrs. Kennedy, he automatically fell in that direction.

The one thing that did seem to be a little bit strange, immediately after the car proceeded on to Parkland Hospital, men with drawn guns ran up the terrace of this plaza, up into what is considered to be and referred to as the knoll area. And, thinking that they had the assassin cornered up in this knoll area—and it seemed rather strange, as I say, because knowing that the shot came from behind, this fellow had to really move in order to get over into the knoll area.

Barker. You had no thoughts about another assassin behind the fence or on the knoll?

Altgens. I've had a lot of people to contact me in that they felt there was another person involved, and trying to get me to verify either photographs they had or to work out some information they felt they had come across to substantiate the evidence of—substantiate the fact that there was another assassin behind the fence or on the evidence proved to me beyond a shadow of a doubt that there was another assassin.

Officer Jacks. The car in which I was driving, which occupied the Vice President, was—had just completed its turn, and I felt a blast which appeared to be a rifle shot come from behind me. I turned and looked up to the School Book Depository.

Barker. Well now, what about these people who say shots came from this fence area up here? Would you agree with that at all, or not?

Jacks. No, sir. I—I—I don't think there was. I heard three shots and I could feel the concussion from all three.

Cronkite. Eddie Barker went to Austin to ask the same question of Governor and Mrs. Connally, who were in the best possible position to know the direction from which the shots came.

Governor Connally. All of the shots came from the same place, from back over my right shoulder. They weren't in front of us, or they weren't at the side of us. There were no sounds like that emanating from those directions.

Barker. Was there any doubt in your mind, the direction that those shots came from?

Mrs. Connally. No. They all came from the same direction.

Barker. Which was?

Mrs. Connally. It was behind us, over my right shoulder. You see, the first one—the first sound, the first shot, I heard and turned and looked right into the President's face. So, the sound drew me to that direction and had a definite reaction.

(Announcement.)

Announcer. A CBS News Inquiry: "The Warren Report" continues. Here again is Walter Cronkite.

Cronkite. In Abraham Zapruder's film of the assassination, the fatal shot appears to move the President's head back. The critics contend this can only mean the shot came not from the Book Depository, but from somewhere in front. Not for the first time, nor for the last in these reports, we find equally qualified experts in disagreement.

We put the question of the President's head movement to an experienced photo analyst and two expert pathologists.

RATHER. From a physicist's point of view, from a photographic analysis point of view, what can you tell about the direction of the bullet?

CHARLES WYCKOFF. Well, the—in frame 313, the—there was an apparent explosion at this point, which would be on the front side of—of—the head. Now, characteristically, this would indicate to me that the bullet came from behind, and this is what's called spalling. It's a minor explosion where pieces of material have—have left and go generally in the direction of the bullet.

RATHER. But now, the explosion, this minor explosion, occurs forward of the President. Now, wouldn't that indicate the bullet coming from the front?

WYCKOFF. No, quite contrary. It does indicate that the bullet was coming from behind.

RATHER. Well, you're aware that some critics say that by the very fact that in the picture you can clearly see the explosion of the bullet on the front side of the President, that that certainly indicates the bullet came from the front.

WYCKOFF. Well, I don't believe any physicist has even said that. This picture might explain the principle that we've been talking about just a little bit more clearly. It's a picture taken in a millionth of a second, of a 30 calibre bullet being shot through an electric lightbulb. The bullet was traveling from this direction, entered the lightbulb here, passed through and caused a rather violent explosion to occur on the exiting side, and it's very similar to the situation in the Zapruder-Kennedy assassination films.

CRONKITE. That is one explanation from a physicist as to how a head could move backward after being struck from behind, which seems to many laymen not possible. Forensic pathologists are experts in the examination of victims of violent death, both medically and legally qualified. Dan Rather put the matter to one of them, Dr. Cyril W. Wecht, professor at Duquesne University.

CYRIL W. WECHT. I have seen too many biological and physical variations occur in forensic pathology to say that it would have been impossible. I say that it is quite unlikely. I say that it is difficult for me to accept, but I would have to admit that it is a possibility that his body could have moved in that direction after having been struck by a bullet that hit him in the back of the head.

CRONKITE. Eyewitnesses, and even film analysts often produce as many problems as they solve. In this case, the physical evidence would seem to be more reliable, and that evidence came first to the attention of the doctors at Parkland Hospital, who were the first to look closely at both the massive head wound and the less critical neck wound.

At Parkland, Dr. Malcolm Perry, attending surgeon, tried desperately to keep the President alive. But the very urgency of that problem prevented him from examining the two wounds, as he now explains in his first public statement since the Report was published.

Dr. MALCOLM PERRY. I noted a wound when I came into the room, which was of the right posterior portion of the head. Of course, I did not examine it. Again, there was no time for cursory examination. And if a patent airway cannot be secured, and the bleeding cannot be controlled—it really made very little difference. Some things must take precedence and priority, and in this instance the airway and the bleeding must be controlled initially.

BARKER. What about this wound that you observed in the—in the front of the President's neck? Would you tell me about that?

PERRY. Yes, of course. It was a very cursory examination. The emergency proceedings at hand necessitated immediate action. There was not time to do more than an extremely light examination.

BARKER. There's been a lot said and written about was this an exit wound, or an entry would? Would you discuss that with me, sir?

PERRY. Well, this is a difficult problem. The determination of entrance or exit frequently requires the ascertation of trajectory. And, of course, this I did not do. None of us did at the time. There was no time for such things.

The differentiation between an entrance and exit wound is often made on a disparity in sizes, the exit wound generally being larger, in the case of an expanding bullet. If, however, the bullet does not expand—if it is a full-jacketed bullet, for example, such as used commonly in the military, the caliber of the bullet on entrance and exit will frequently be the same. And without deformation of the bullet, and without tumbling, the wounds would be very similar—and in many instances, even a trained observer could not distinguish between the two.

BARKER. Did it occur to you at the time, or did you think, was this an entry wound, or was this an exit wound?

PERRY. Actually, I didn't really give it much thought. And I realize that perhaps it would have been better had I done so. But I actually applied my energies, and those of us there all did, to the problem at hand, and I didn't really concern myself too much with how it happened, or why. And for that reason, of course, I didn't think about cutting through the wound—which, of course, rendered it inviolate as regards further examination and inspection. But it didn't even occur to me. I did what was expedient and what was necessary, and I didn't think much about it.

BARKER. You did not turn the President over?

PERRY. No, there was no reason to. There was not time at that problem, and there was really no reason to. It made very little difference to me, since my immediate concern was with an attempted resuscitation.

CRONKITE. The nature of the throat wound can no longer be verified, for no records were made and no pictures taken before Dr. Perry cut through it in attempt to relieve his patient's breathing. The doctors at Parkland were engaged in a desperate struggle to keep the President alive; all else was secondary. But their task was impossible. One of the shots had virtually destroyed the President's head. Even as the doctors worked, the President died.

At the hospital the scene was turbulent and disordered. The press and public were clamoring for news. Dr. Perry was rushed from the emergency room to a news conference, where he was badgered into giving a description of the wounds.

The neck wound, he told the press, looked like an entry wound, and he pointed to the front of his neck. In the transcript of that news conference there's no doubt that Dr. Perry made it sound as if he had a firm opinion. Well, the reporters flashed the news, and in that moment of confusion and misunderstanding established once and for all in the minds of a great many people a conviction that at least one bullet had been fired from the front to the motorcade.

Legally, the dead President was now just another part of the evidence in a Texas homicide case. The murder had been committed in that state, and there were no laws which gave the federal government jurisdiction.

In his book, "The Death of a President," William Manchester describes a scene of almost horrifying confusion, in which the Dallas County Medical Examiner tried to prevent the removal of the President, and Kennedy aides almost literally bulldozed his coffin out of Parkland Hospital.

During the flight to Washington it was agreed that an autopsy had to be performed, and Manchester writes Mrs. Kennedy chose Bethesda Naval Hospital because her husband had been a naval officer.

The autopsy was performed by the Chief of Pathology, Commander—now Captain—James J. Humes; Dr. J. Thornton Boswell; an Army Lt. Colonel, Pierre Finck, a forensic pathologist. They reported in a document reproduced in the supplementary volumes of the Warren Report that the President's wounds were inflicted from the rear. As part of standard procedure, they had photographs and X-rays taken as they proceeded.

Confusion continued at Bethesda, as it had reigned at Parkland. F.B.I. agents submitted a report, later disclosed in Edward J. Epstein's book, "Inquest," which said they had heard one pathologist state that he had found a wound in the President's back, and could not find an exit.

The Warren Report version was explicit, that there was no wound in the back, but one in the neck. However, details of these published sketches tended to indicate that there was a wound below what could be described as the neck.

The photographs and X-rays which might clear up the issue were in possession of the Kennedy family, and only officially turned over to the Archives on October 31st, 1966—with the provision that they not be made public for five years. Now, there the matter has rested until now. But Captain Humes, the Senior Pathologist at the autopsy, has since gone to the Archives and re-examined the X-rays and photographs. His conclusions we will hear later in an exclusive interview, the only one he's granted since that fateful night.

But first, the observations of Dr. Wecht, whom we heard earlier.

WECHT. This sketch was made by Dr. Boswell, Mr. Rather, is a very important sketch. It shows the bullet hole which he diagrammed in at a point approximately several inches below the collar level, although he does give other measurements to the side—which would place it at a higher level.

RATHER. Now, the Commission Report accepted that the bullet entered very near the neck, did it not?

WECHT. Yes. Take a look at this sketch, if you would, please. This was made by a medical illustrator at Bethesda Naval Hospital. This sketch shows the one that was accepted by the Warren Commission. It shows the point of entrance in the back at a much higher level, and it shows the point of exit again at approximately the level of the knot of the tie. You can then see why it was very important to accurately determine whether or not the bullet wound in the back was at this point, or whether it was five and a half inches below the collar level.

CRONKITE. Since the X-rays and films were turned over to the Archives, Captain Humes has re-examined them. And tonight, for the first time, he discusses with Dan Rather what is contained in them.

RATHER. Commander—now Captain Humes, have you had a look at the pictures and X-rays from the autopsy since the time that you submitted them to the Warren Commission?

HUMES. Yes, Mr. Rather, we have.

RATHER. And do you have any different conclusion, any different ideas, any different thoughts now, after seeing them again, than you had at that time?

HUMES. No, we think they bear up very well, and very closely, our testimony before the Warren Commission.

RATHER. How many wounds in the President's body?

HUMES. There were two wounds of entrance, and two of exit.

RATHER. And the two wounds of entry were where?

Humes. Posteriorly, one low in the right posterior scalp, and one in the base of the neck, on the right.

Rather. Let's talk about those two wounds, Captain. Both of these are blowups from the Warren Commission Report, these sets of drawings. Now, there are people who think they see discrepancies in these two drawings from the Warren Commission Report, in that this drawing shows the—what you called an entry wound at the base of the neck of the President—shows it to be, or seems to show it to be, in the upper back, near the shoulder blade—considerably below the base of the neck. Whereas, this drawing does show the entry wound to be at the base of the neck. Now could you talk about these, and reconcile that?

Humes. Yes, sir. This first drawing is a sketch that—in which the outlines of the figure are already prepared. These are on sheets of paper present in the room in which the examination is conducted, and are routinely used to mark in general where certain marks or scars or wounds may be in conducting a post mortem examination. They are never meant to be accurate or precisely to scale.

Rather. This is a routine in—in preparing autopsy reports, to use this kind of drawing, and at this stage for them not to be prepared precisely?

Humes. No. No precise measurements are made. They are used as an aide memoire, if you will, to the pathologist as he later writes his report.

More importantly, we feel, that the measurements which are noted here at the margins of the drawing are the precise measurements which we took. One states that—we draw two lines, points of reference—from bony points of reference. We note that there were—the wound was fourteen centimeters from the tip of the right acromiom, and fourteen centimeters below the tip of the right mastoid. Now the acromion is the extreme outermost portion of the shoulder. The tip of the mastoid is the bony prominence just behind the ear. And where these two lines intersect was, in actuality, where this wound was situated. And if we would try and draw that to scale, which we weren't trying to do as this mark was made, this, I think, would appear a little bit higher.

Rather. Now, you examined this whole area of the back?

Humes. Yes, sir.

Rather. Were there any other wound except one at the base of the neck, and one up in the skull?

Humes. No, sir, there were not. Now the second drawing, which you mentioned, was prepared as we were preparing to testify before the Warren Commission, to rather schematically and as accurately as we possibly could depict the story for the members of the Warren Commission.

Rather. In this drawing you were trying to bé precise?

Humes. Yes, sir, we were. We were trying to be precise, and refer back to our measurements that we had made and noted in the margins of the other drawing.

Also, of course, since this time we have had opportunity to review the photographs which we made at that time. And these photographs show very clearly that the wound was exactly where we stated it to be in our testimony before the Warren Commission, and as it is shown in this drawing.

Rather. Your re-examination of the photographs that the wounds were as shown here?

Humes. Yes, sir, they do.

Rather. About the—the head wound——

Humes. Yes, sir.

Rather. There was only one?

Humes. There was only one entrance wound in the head, yes, sir.

Rather. And that was where?

Humes. That was posterior, about two and a half centimeters to the right of the midline, posteriorly.

Rather. And the exit wound?

Humes. And the exit wound was a large irregular wound to the front and side—right side of the President's head.

Rather. Now, can you be absolutely certain that the wound you described as the entry wound was, in fact, that?

Humes. Yes, indeed, we can—very precisely and incontrovertibly. The missile traversed the bony skull. And as it passed through the skull it produced a characteristic coning, or beveling effect on the inner aspect of the skull—which is scientific evidence that the wound was made from behind and passed forward through the President's skull.

Rather. This is very important. You say the scientific evidence—is it conclusive scientific evidence?

Humes. Yes, sir. it is.

Rather. How many autopsies have you performed?

Humes. I—I would estimate approximately one thousand.

Rather. Is there any doubt that the wound at the back of the President's head was the entry wound?

Humes. There is absolutely no doubt, sir.

Cronkite. So the Chief Pathologist at the Kennedy autopsy, after re-examining the X-rays and photographs, states without the slightest qualification that the shots which killed the President came from the rear.

(Announcement)

Announcer. A CBS News inquiry: "The Warren Report" continues. Here again is Walter Cronkite.

Cronkite. In answer to our major question as to whether shots came from a direction other than the Book Depository Building, indicating other gunmen and a conspiracy, we have eye—or ear witnesses inside the building saying the shots came from there. Now, Mr. Holland who was on the railroad overpass, here, insists that he heard a shot from here. And in Mark Lane's book, "Rush to Judgment," he writes that 58 out of 90 people who were asked about the shots thought they came from the grassy knoll.

Now, expert opinions differ. All the experts agree that the shots could have come from the rear. But where some experts, such as Dr. Humes, say bluntly that they did, others—such as Dr. Wecht—find it highly unlikely.

CBS News concludes that the most reasonable answer is that the shots came from the Book Depository Building, behind the President and Governor Connally. But if the shots came from the rear, and if there were only three of them, can all the wounds be accounted for? The President was struck at least twice. Governor Connally was wounded in the chest, the wrist, and the thigh. One bullet was recovered intact, as well as two large fragments. The Warren Commission concluded that of the three bullets fired, one missed entirely, one struck the President's skull and fragmented, and the third—this one—passed through the President's neck and went on to inflict all the Governor's wounds. This is the single bullet theory. And so we must ask: Could a single bullet have wounded both President Kennedy and Governor Connally?

Now, this is what the Report says: "Although it is not necessary to any essential findings of the Commission to determine just which shot hit Governor Connally, there is very persuasive evidence from the experts to indicate that the same bullet which pierced the President's throat, also caused Governor Connally's wounds. However, Governor Connally's testimony and certain other factors have given rise to some difference of opinion as to this probability but there is no question in the minds of any member of the Commission that all the shots which caused the President's and Governor Connally's wounds were fired from the sixth floor of the Texas School Book Depository."

Well, through the tortured English of that paragraph, a sentence that begins with "however," and has "but" in the middle, we can make out the Commission's struggling to paper over internal dissension. It's unfruitful to try to puzzle out the meaning of the statement.

Instead, we asked Arlen Specter, Assistant Counsel to the Commission, and now District Attorney of Philadelphia, and the author of the single bullet theory.

Specter. The possibility of one bullet having inflicted the wounds on both the President's neck and the Governor's body came in a very gradual way. For example, the first insight was given when Dr. Humes testified, based on his autopsy findings. And at that time it was made clear for the first time that the bullet that went through the President's neck hit no bone, hit no solid muscle. And, according to Dr. Humes, came out with great velocity.

Now, it was at that juncture that we wondered for the first time what happened to the bullet. Where did the bullet go? The probability is that it went into Governor Connally, because it struck nothing else in the car. That is the single most convincing piece of evidence, that the one bullet hit both men, because looking down the trajectory, as I did through Oswald's own rifle, and others did too, the trajectory was such that it was almost certain that the bullet which came out of the President's neck with great velocity would have had to have hit either the car or someone in the car.

Rather. It stated in the Warren Commission Report that belief in the single bullet theory is, quote, "not essential"—end of quotation—to support of the conclusion of the Warren Commission Report.

Now, can you describe for us any other theory, besides the single bullet theory, that would support the conclusions in the Report?

Specter. The Commission concluded that it was probable that one bullet inflicted the wound on the President's neck, and all of the wounds on Governor Connally. But you could have three separate bullets striking under the sequence as we know them. For example, the President could have been struck at frame 186 of the Zapruder film, which is a number given to the Zapruder film. Then Governor Connally could have been struck some 42 frames later, which would be a little over two and a quarter seconds at about frame 228 or 229; and then the third shot could have hit President Kennedy's head at frame 313, which was pretty clearly established. So that it is not indispensable to have the single bullet conclusion in order to come to the basic finding that Oswald was the sole assassin.

Cronkite. The Commission's dilemma lay in the fact that it had to choose between two unpalatable alternatives in order to make its case stand up. Having decided that three shots were fired, and having three sets of wounds to explain, the Commission could only find either that all three shots hit their marks, or that one of the three bullets hit two men.

But, if all three shots hit, then one of them would have had to pass through the President's neck, emerge at 1800 feet per second, headed on a downward path toward the midst of the Presidential car and the six people in it, and vanish in mid air, hitting nothing and leaving no mark. Well, this was more than the Commision could stomach. Despite its own words, the single bullet theory is essential to its findings.

The bullet was found after it rolled off a stretcher at Parkland Hospital during the tumult that followed the arrival of the two wounded men. The man who found it was Darrell C. Tomlinson, senior engineer at Parkland.

Darrell C. Tomlinson. There was a doctor that went into the Doctors' Lounge and he had to pull this stretcher out, the one I'd taken off the elevator, and whenever he came out he failed to push it back up against the wall, so I just stepped over and gave it a little kick to get it back in line, and then I turned to walk away and I heard a rattle, and I turned around and looked. I didn't see anything at that time, but I walked back over to the stretcher and there was this bullet was layin' there. So, I picked it up, looked at it, put it in my pocket.

Barker. Do you recall, was there any blood on the bullet, or was it—how did the bullet look?

Tomlinson. Well, it was copper colored bullet and I couldn't tell whether it had blood on it or not. I—I really didn't look for it.

Barker. It was a spent shell?

Tomlinson. Yes.

Barker. Well, now, as you think back, is there any doubt in your mind today that the stretcher on which you found that bullet was the stretcher that came off of the elevator?

Tomlinson. Well, I know that. That I know. I just don't know who was on that stretcher.

Barker. But, the stretcher was on the elevator?

Tomlinson. Right.

Barker. And this was the elevator that Governor Connally would have taken, or would have been placed on to go to the operating room, is that right?

Tomlinson. Yes, sir, that's—that's the one he went up on.

Cronkite. Critics have claimed that in fact the bullet came from the President's stretcher, which would rule out the single bullet theory. But the President's stretcher was never in that elevator and consequently Mr. Tomlinson's recollection disposes of that particular dispute. It does not dispose of another claim, however, the claim that the bullet was planted on the Governor's stretcher as part of a plot to link Oswald to the assassination. And that claim can never be disproved.

The bullet is almost intact, only slightly flattened, with a little cone of lead missing from the rear end. Could such a bullet have penetrated successively, a human neck, a human torso, a wrist and a thigh, and emerged in this condition? The Commission used animal carcasses and blocks of gelatin to test the bullet's penetrating power, firing repeated shots from Oswald's rifle. Now, this is standard technique. But, because of the difficulty of lining up such a shot, the Commission experts fired their bullets separately through the various simulators. Each time they measured how much speed the bullet had lost from its initial 2,000 feet per second, and in the end, concluded that the bullet would have retained enough velocity to penetrate the Governor's thigh.

But, it seemed to us that the only completely valid test would be a single shot directly through a series of objects with the same thickness and density as the two bodies. We decided to make that shot.

Rather. Dr. Alfred G. Olivier, Chief of Wound Ballistics at Edgewood Arsenal who conducted the tests for the Warren Commission, served as consultant to CBS News in these experiments at the H. P. White Ballistics Laboratory. Dr. Olivier suggested using gelatin blocks to simulate human tissue. The main object was to line up targets simulating the President's neck and the Governor's chest, wrist and thigh, spaced as far apart as Mr. Zapruder's film indicated they were in the limousine, and then to see how far a 6.5 Mannlicher-Carcano bullet would penetrate.

Extensive research at Edgewood Arsenal has shown that gelatin, in a 20 percent concentration, gives a good simulation of human tissue. The first gelatin block was made five and a half inches thick to simulate the President's neck with cloth added to represent his coat and shirt. Set two feet or so away was a 12 inch block representing the Governor's chest, also with appropriate clothing. This high speed sequence, taken at 22,000 frames a second, shows the chest simulation block and how the bullet, slightly unstable after passing through neck simulation, begins to turn off course as it tears through the gelatin, exiting in an attitude pointing down.

The wrist block was two and a half inches thick, inset with masonite to represent bone. Beyond was a fourth gelatin target representing the Governor's thigh. Dr. Olivier told reporter Walter Lister about the tests.

Olivier. When the bullet struck the simulated neck, it was perfectly stable, passed through making a small track in the gelatin. This—this very closely simulates the wound received by the President. It was a small entrance and a small exit, as described on the autopsy report.

Walter Lister. This is about the way it would look through human muscle tissue?

Olivier. Yes. After the bullet left this simulated neck, and passed from this dense medium into air, which is less dense, then it had a chance to start to tip and by the time it struck this block it was tipped, and you can see the difference: a much larger track in the gelatin block, which represents a more serious wound, as the Governor received. In his case, the bullet passed along the rib, fractured the rib, throwing fragments into the lung. Of course, we have no rib here, but it still simulates passing through the flesh.

By the time it had passed through here, it had lost considerable velocity, and entered the simulated wrist. In some cases, it passed through the wrist; in other cases, it lodged in the wrist. Behind this wrist, we had another gelatin block, representing the Governor's thigh. In none of the cases did this thing actually penetrate that, but it would have taken very little more velocity to have caused a similar wound.

Lister. What do you think that these tests have indicated here?

Olivier. Well, that they—I think they very strongly show that this one bullet could have caused all the wounds.

Lister. Did someone outline these experiments for you?

Olivier. No, I'm afraid I'm guilty of the whole business.

Cronkite. Our tests confirm that a single bullet could indeed have wounded both men. But conceding that it is possible, we must also ask if it is probable. We asked two distinguished pathologists, both experienced in the study of wounds, to give us their best judgment. They are Dr. William F. Enos of Northern Virginia Doctors Hospital, who has studied wounds both as a military and civilian pathologist; and Dr. Cyril Wecht, from whom we heard earlier. First, Dr. Enos with Dan Rather:

Enos. I have had cases in which the missiles have gone through relatively heavy bone and very little deformity. The fact that it went through two men is perfectly acceptable because of its velocity.

Rather. Now, most of us have an idea that the minute a bullet hits a bone that it shatters that bullet.

Enos. No, not necessarily. Again, it depends on the construction of the missile, of the bullet. If it's a full-jacketed bullet it can remain intact with very little or no deformity.

Rather. Is it possible that the bullet would have gone through President Kennedy, gone through Governor Connolly and not suffered any more damage than is shown in this photograph?

Enos. No, without hedging. In medicine we always fall back upon the trite expression; we never like to say that something is impossible. I—I would say that it is highly improbable. I—I—I would hesitate, really, to say that it's absolutely 100 percent impossible, but it is highly improbable. Another one, you see, another one of the very many highly improbables that we are asked to accept by the Warren Commission, if we are to accept the validity of their full Report.

(Announcement)

Announcer. This is a CBS News Inquiry: "The Warren Report." Here again is Walter Cronkite.

Cronkite. The most persuasive critic of the single bullet theory is the man who might be expected to know best, the victim himself, Texas Governor John Connally. Although he accepts the Warren Report's conclusion, that Oswald did all the shooting, he has never believed that the first bullet could have hit both the President and himself.

Connally. The only way that I could ever reconcile my memory of what happened and what occurred, with respect to the one bullet theory, is that it had to be the second bullet that might have hit us both.

Barker. Do you believe, Governor Connally, that the first bullet could have missed, the second one hit both of you, and the third one hit President Kennedy?

Connally. That's possible. That's possible. Now, the best witness I know doesn't believe that.

Barker. Who is the best witness you know?

Connally. Nellie was there, and she saw it. She believes the first bullet hit him, because she saw him after he was hit. She thinks the second bullet hit me, and the third bullet hit him.

Mrs. Connally. The first sound, the first shot, I heard, and turned and looked right into the President's face. He was clutching his throat, and just slumped down. He just had a—a look of nothingness on his face. He—he didn't say anything. But that was the first shot.

The second shot, that hit John—well, of course, I could see him covered with—with blood, and his—his reaction to a second shot. The third shot, even though I didn't see the President, I felt the matter all over me, and I could see it all over the car.

So I'll just have to say that I think there were three shots, and that I had a reaction to three shots. And—that's just what I believe.

Connally. Beyond any question, and I'll never change my opinion, the first bullet did not hit me. The second bullet did hit me. The third bullet did not hit me.

Now, so far as I'm concerned, all I can say with any finality is that if there is—if the single bullet theory is correct, then it had to be the second bullet that hit President Kennedy and me.

Cronkite. The Governor insists that he heard a shot before he was struck, and that therefore he could not have been struck by the first bullet, as the Warren Commission supposes.

Those of you who were with us last night remember that we cited indications in the Zapruder film that it was Oswald's first shot, fired earlier than the Commission believed, which missed. Now if that is so, then the Governor could indeed have heard a shot and begun reacting to it before he himself was hit. We have, in fact, three theories to explain the same facts—the single bullet theory, the second assassin theory, the theory that all three bullets that were fired found their targets.

Our own view, on the evidence, is that it is difficult to believe the single bullet theory. But, to believe the other theories is even more difficult. If the Governor's wounds were caused by a separate bullet, then we must believe that a bullet passed through the President's neck, emerged at high velocity on a course that was taking it directly into the middle of the automobile, and then vanished without a trace.

Or, we can complicate matters even further, as some do, by adding a second assassin, who fires almost simultaneously with Oswald, and whose bullet travels miraculously a trajectory identical with Oswald's, and that second assassin, too, vanishes without a trace. Difficult to believe as the single bullet theory may be, it seems to be the least difficult of all those that are available. In the end, like the Commission, we are persuaded that a single bullet wounded both President Kennedy and Governor Connally.

The Warren Report's contention that there was only one assassin rests on the conviction that all the wounds suffered by both men were inflicted by no more than three shots, fired from behind and above them. We have heard Captain Humes, as well as other doctors and experts. We have looked hard at the single bullet theory. The case is a strong one.

There is not a single item of hard evidence for a second assassin. No wound that can be attributed to him. No one who saw him, although he would have been firing in full view of a crowded plaza. No bullets. No cartridge cases. Nothing tangible.

If the demands of certainty that are made upon the Commission were applied to its critics, the theory of a second assassin would vanish before it was spoken.

As for the Governor, he now concedes he might have been struck by the bullet that pierced the President's throat. And our own investigation makes it likely that the bullet was the second, and not the first, that Oswald fired. The Governor's objections, which were the most troubling of all, now disappear. CBS NEWS concludes, therefore, that Oswald was the sole assassin.

But was he truly alone? Or were there others in dark shadows behind him, co-authors of a plot in which Oswald was cast as a triggerman? Tomorrow we will look into those charges, and concern ourselves with Officer Tippitt, with Jack Ruby, and the murky accounts and strange personages introduced into the case by District Attorney Jim Garrison in New Orleans.

GARRISON. He did not touch a gun on that day. He was a decoy at first, and then he was a patsy, and then he was a victim.

CRONKITE. We will hear Garrison, and some of those whom he has involved. And we will try to answer the third of our major questions: Was Lee Harvey Oswald part of a conspiracy?

This is Walter Cronkite. Good night.

ANNOUNCER. This has been the second of a series, a CBS News Inquiry: "The Warren Report." The third part will appear tomorrow night at this same time.

This broadcast has been produced under the supervision and control of CBS News.

Mr. HARTKE. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

ADJOURNMENT TO MONDAY NEXT AT 10 A.M.

Mr. BYRD of West Virginia. Mr. President, if there be no further business to come before the Senate, I move, in accordance with the order previously entered, that the Senate stand in adjournment until 10 o'clock a.m. on Monday next.

The motion was agreed to; and (at 5 o'clock and 19 minutes p.m.) the Senate adjourned, until Monday, August 7, 1967, at 10 o'clock a.m.

NOMINATIONS

Executive nominations received by the Senate August 4, 1967:

IN THE ARMY

The following-named officers for promotion in the Regular Army of the United States, under the provisions of title 10, United States Code, sections 3284 and 3305:

To be colonels

Doriot, Jack V., O52386.
McManus, Vincent J., O36334.
Stein, William H., O33837.

To be colonel

MEDICAL SERVICE CORPS

Grow, George L., O37573.

The following-named officers for promotion in the Regular Army of the United States, under the provisions of title 10, United States Code, sections 3284 and 3299:

To be lieutenant colonel

Alberti, Donald W., O56695.

To be lieutenant colonels

MEDICAL CORPS

Svjagintsev, Juiri J., OF108317.

To be majors

Abercrombie, Edward, O76933.
Adams, Basil R., Jr., O86982.
Adams, John E., O88544.
Adams, Paul M., Jr., O98506.
Adamson, George F., O87990.
Adessa, Anthony J., O76935.
Agnew, James B., O85473.
Aguanno, Edwin M., O70580.
Aguilar, William P., O68856.
Ahearn, John F., O97948.
Ainslie, Robert E., O69844.
Aitken, Milton L., O70581.
Albro, Ames S., Jr., O70583.
Alderman, Nathaniel, O95547.
Allen, Charles B., O89173.
Allen, Stanley C., O72809.
Alston, Lonnie N., O68860.
Alvey, Everett L., O76937.
Anderson, Andrew H., O73283.
Anderson, Darrell R., O70588.
Anderson, George B., O76938.
Anderson, Jerome H., O70589.
Anderson, Robert C., O85122.
Andre, Nick J., O68864.
Andrew, Donald G., O76939.
Anklam, Frederick M., O70591.
Anthis, Robert F., O70592.
Applewhite, Ray, O74627.
Archer, William T., O70593.
Archibald, Norman E., O79167.
Arkley, Robert J., O80206.
Armstrong, Raymond, O68867.
Arnold, Thomas H., O81370.
Arrington, Saul, OF105221.
Asente, James, O88327.
Atkinson, Ellis O., O68869.
Ault, William E., O89027.
Avveduti, Paul R., O68874.
Awtrey, Sherry E., O77257.
Bachman, Clayton J., O92155.
Bacon, Norman J., O96879.
Bacon, Willis G., O70596.
Baddaker, William L., O76941.
Bailey, Kenneth R., O70599.
Bailey, Robert H., O94989.
Bailey, Ronald O., O76942.
Bain, John R., O81372.
Baker, Ralph H., Jr., O98169.
Baker, Russell A., O75140.
Baldwin, Jessie E., O74629.
Baldwin, William R., O70600.
Ball, Fred R., O96580.
Ballantyne, John L., O70601.
Balzhiser, Robert M., O79171.
Bard, John C., O70602.
Bardwell, James E., OF104371.
Barker, James R., OF105321.
Barksdale, Clifford, O81374.
Barnes, Harold F., O70603.
Barnes, Robert S., O81375.
Barnitt, George W., O71139.
Barrand, Kerwood W., O70605.
Barron, William T., O88563.
Bartlett, Leslie R., O98521.
Bartclacci, Alfred, O79177.
Barton, Robert H., Jr., O99787.
Bass, Richard H., O79179.
Bauer, Daniel H., O81376.
Baughman, Richard C., O70608.
Bayer, William S., OF105611.
Beam, James D., O94042.
Bean, John F., O68883.
Beaumont, Charles D., O70610.
Becker, Donald C., O99789.
Beckwith, George G., O79182.
Bedell, Norman H., O70611.
Belcher, Eugene R., O71759.
Bell, Frederick D., O76949.
Bellows, Robert E., O69856.
Beltman, Laurence J., O78635.
Benfer, Richard H., O70613.
Benn, Clark H., O70614.
Bennett, George C., O70615.
Bennett, John C., O70616.
Bennett, Raymond G., O76951.
Bennett, Willard M., O79185.
Bennetto, Edward, II, O84472.
Beringer, Jack M., O70618.
Berkey, Ronald R., O71443.
Bernstein, Harold, O82141.
Bertrand, Milton A., O94047.
Bidwell, Bruce W., O70619.
Biggerstaff, Jack, O75145.
Bilderback, Gerald, O76952.
Billy, Myron D., O68900.
Bindrup, Lavere W., OF103657.
Blanche, John G., III, O81379.
Blichmann, Donald J., O81381.
Bockman, Leonard I., O74641.
Bodine, James F., O79188.
Boe, Richard I., O70622.
Boggs, Joseph C., O72823.
Boggs, William L., O73291.
Bole, Albert C., Jr., O76954.
Bond, Gene T., O67896.
Bonner, Laurence B., O70623.
Bonomo, Reno J., O76956.
Bonsall, Edward H., O82144.
Boon, Ivan G., O99794.
Boose, Gordon D., O70624.
Borum, Louis M., OF100900.
Borum, William D., OF108118.
Boster, Philip L., O81382.
Bostian, Robert E., O81383.
Bowden, John C., Jr., O76958.
Bowdoin, Arthur C., OF103675.
Bowling, Frederick, O70625.
Boyd, David T., O92163.
Boyd, Gerald M., O79192.
Boyle, Dean G., O81384.
Boyle, Dennis M., O76960.
Boyle, Willard F., O84955.
Boyle, William P., O81385.
Bozeman, Wallace B., OF106508.
Bradbury, Donald K., O70627.
Bradel, James F., O70628.
Brady, James P., O76961.
Branch, William E., O76962.
Brandt, Leo M., O76963.
Breeding, Gene L., O70630.
Breeding, William B., O85296.
Brenner, James J., OF100362.
Brinkpeter, Paul F., O92165.
Brinton, John R., O81388.
Brizee, Harry A., O71154.
Brobeck, Irvin, Jr., O79201.
Brock, Eldridge W., O87690.
Brock, Mervin E., O68919.
Brodeur, Alfred F., O81390.
Brogan, Thomas W., O68920.
Broman, Ralph W., O78242.
Brookshire, Grail L., O70133.
Broumas, Andre G., O70635.
Brown, Charles W., O69869.
Brown, Elmer A., O69870.

Brown, Ollie, O97090.
Brown, Robert F., O79203.
Brown Sam A., O73437.
Brown, Thomas D., O68458.
Browne, Robert T., Jr., O76965.
Browne, Roger J., II, O70638.
Brownlee, Emory W., O76966.
Bryson, Jack M., OF106527.
Buckheit, Wilbur C., O70639.
Buckley, Donald C., OF102423.
Buckley, Fletcher J., O70640.
Buckley, Paul R., O97174.
Buckner, Allen M., O73299.
Bullock, Charles A., O84960.
Burbules, Peter G., OF106067.
Burch, Olger D., Jr., O79205.
Burkland, James M., O68462.
Burnett, Clark A., O82151.
Burnett, Sheldon J., O70643.
Burnison, George E., O79206.
Burr, Richard A., O69873.
Burris, James C., O70644.
Butler, Henry W., O70645.
Butler, Joe C., OF108130.
Bynum, Donald K., O79210.
Byrd, Roger D., O73226.
Cain, David L., O88245.
Caldwell, James K., O68932.
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Call, Thomas J., OF106533.
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Callis, Bennie E., O72410.
Campbell, Harold T., O81394.
Campbell, Laurence, O76972.
Canham, Thomas R., O68464.
Canja, Safron S., O71325.
Cannon, Archie S., Jr., O81395.
Carey, Gordon T., O79215.
Carey, William K., O97095.
Carlile, Cecil O., O98472.
Carlson, Charles W., O70650.
Carlson, Earl C., O85407.
Carlson, Gustaf R., O77306.
Carmichael, Horace, O73301.
Carrasco, Valentine, O82155.
Carroll, Henry S., O70653.
Carson, David L. O76973.
Carter, William J. OF105643.
Carvell, Richard F., O94917.
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Chesbro, John S., O70660.
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Chirio, Michael L., O79223.
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Clark, Donald O., O76982.
Clark, Gene E., O68954.
Cleary, Arthur C., O74660.
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Cochran, Jerry L., O87709.
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Cunningham, Walter, O76992.
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Daggett, Robert W., O73312.
Dahl, Bruce E., O69895.
Daniels, Thomas W., O99810.
Daniels, Walter C., O68976.
Daoulas, Arthur, O85151.
Darden, Fred A., O97897.
Darling, Sterling P., O70679.
Daschle, Charles L., OF103371.
Daugherty, Paul R., O85152.
Daura, John, Jr., O70676.
Davia, Albert J., O81407.
Davis, Edward E., O73315.
Davis, Jack C., O85312.
Davis, Jethro J., OF103819.
Davis, Jonah B., Jr., O94067.
Davis, Willie L., O94068.
De Jarnette, Larry, O75171.
De Rouen, Milton, Jr., O89199.
Debelius, Charles A., O70681.
Deis, Donald R., OF106094.
Delamain, Frederic, O70682.
Deming, Roger M., O76997.
Dendy, Norris F., OF105375.
Denton, Walter M., O70180.
Derrick, George E., O68985.
Detwiler, Harvey C., O81412.
Dewey, Desmond D., O94069.
Diamond, Eugene M., O75174.
Diener, Everett P., O88655.
Diesu, Angelo J., O79253.
Dietsch, Richard K., O91199.
Diggory, Mark L., O79255.
Diller, Richard W., O70684.
Dimtsios, George J., O68510.
Doby, Robert F., O77001.
Doherty, James J., OF102853.
Dolfi, Eugene, O87732.
Doray, Paul D., OF109898.
Doty, Daniel W., OF101032.
Downen, Robert E., O70687.
Doyle, William P., O77005.
Drake, Charles E., OF106100.
Drisko, Shapleigh M., O70690.
Drumm, Donald R., O81416.
Du Beau, Leo F., O92318.
Duke, Lynwood R., OF102049.
Duncan, Ross E., O68998.
Dunn, James F., Jr., O73320.
Dure, John H., O84480.
Dyer, Gerald D., O81420.
Ealer, George L., O69002.
Eaton, Prescott, O70089.
Eberhard, Floyd, O88666.
Eberhart, Loren M., O70693.
Eberle, John S., O71486.
Eckhart, John W., III, O71487.
Eckles, Donald R., O68233.
Edmonds, Maurice O., O77007.
Edwards, William H., O69909.
Eitel, John C., O70697.
Eldred, Marshall S., O77008.
Elliott, Richard L., O99313.
Ellis, Mike, O81421.
Ellis William T., O77011.
Ellis, William L., O84982.
Elmore Louis N., Jr., O69010.
Elton, Robert M., O70699.
Eng, Charles, O71178.
Enger, Kenton O., OF103823.
Engram, Edwin J., O74684.
Ennis, John A., O79266.
Enright, Eugene J., O82168.
Epling, William Y., O70700.
Erickson, Eric A., Jr., O99640.
Esplin, Willard B., O74686.
Etheridge, James R., O70182.
Eubanks, James M., O89054.
Evans, Herbert C., O87736.
Everett, Robert W., OF100817.
Ewing, Leroy B., O89055.
Fague, Donald L., O73328.
Falter, Vincent E., O94075.
Farrar, John H., Jr., O70704.
Farris, John T., O71180.
Faulk, Emmett A. L., O87519.
Feilke, Glenn T., O69019.
Feist, Robert J., OF106593.
Fellerhoff, John H., O79273.
Fellows, Robert L., O81423.
Ferguson, Harold C., OF109124.
Ferguson, James H., O77016.
Ferullo, Generoso J., O81424.
Fiesler, Robert J., O97905.
Finehout, Arthur W., O77388.
Finley, John L., O81425.
Finney, Don E., O75184.
Fisher, George E., Jr., O94855.
Fitzgerald, Thomas, O79277.
Flanigan, Clifford, O70706.
Flenniken, David B., O94079.
Flickinger, Robert, O79280.
Floore, Billy H., OF106597.
Flynn, Thomas J., O85323.
Foley, William R., O72332.
Fontaine, Sully H., O94581.
Forman, Robert C., O70707.
Fountain, Charles D., OF102464.
Fowler, Roy, O68538.
Fowler, Thomas R., O77024.
Francis, John K., O71184.
Francis, Phillip M., O77025.
Francois, Frank, O82172.
Franklin, Charles D., O77026.
Franklin, Raymond D., O99646.
Fritchman, Lynn V., O88688.
Froede, Carl R., O69036.
Fuchigami, Harry H., O99846.
Fuerst, Werner F., O81431.
Fuller, Leonard H., O70709.
Gabardi, David L., O77028.
Gabbert, Howard M., O70710.
Gabel, James M., O70092.
Gallagher, Thomas M., O88693.
Galliher, Kay O., O73332.
Galloway, Frederick, O70713.
Galloway, William W., O92191.
Galvin, John R., O70714.
Galyon, Norman L., O79289.
Ganahl, Joseph, O70715.
Gannon, Norbert J., OF104426.
Garcia, John L., O69927.
Gardner, William S., O81433.
Garretson, Edmund S., OF106115.
Gartman, Frank T., O67921.
Gassaway, Kenton C., O69931.
Gaston, Donald E., O70717.
Gatti, Raymond E., O79293.
Gazlay, John C., O81436.
Geraci, John F., O79295.
Gerda, Joseph J., O70720.
Gernon, Thomas E., O77029.
Gettings, Theodore, O75191.
Gheen, John W., O70721.
Gibson, Henry L., OF105404.
Gilbert, Wendell H., O70723.
Gilboux, John W., O70724.
Giles, George R., O71089.
Gillespie, John T., O73335.
Gillingham, Richard O79299.

middle of the automobile, and then vanished without a trace.

Or, we can complicate matters even further, as some do, by adding a second assassin, who fires almost simultaneously with Oswald, and whose bullet travels miraculously a trajectory identical with Oswald's, and that second assassin, too, vanishes without a trace. Difficult to believe as the single bullet theory may be, it seems to be the least difficult of all those that are available. In the end, like the Commission, we are persuaded that a single bullet wounded both President Kennedy and Governor Connally.

The Warren Report's contention that there was only one assassin rests on the conviction that all the wounds suffered by both men were inflicted by no more than three shots, fired from behind and above them. We have heard Captain Humes, as well as other doctors and experts. We have looked hard at the single bullet theory. The case is a strong one.

There is not a single item of hard evidence for a second assassin. No wound that can be attributed to him. No one who saw him, although he would have been firing in full view of a crowded plaza. No bullets. No cartridge cases. Nothing tangible.

If the demands of certainty that are made upon the Commission were applied to its critics, the theory of a second assassin would vanish before it was spoken.

As for the Governor, he now concedes he might have been struck by the bullet that pierced the President's throat. And our own investigation makes it likely that the bullet was the second, and not the first, that Oswald fired. The Governor's objections, which were the most troubling of all, now disappear. CBS NEWS concludes, therefore, that Oswald was the sole assassin.

But was he truly alone? Or were there others in dark shadows behind him, co-authors of a plot in which Oswald was cast as a triggerman? Tomorrow we will look into those charges, and concern ourselves with Officer Tippitt, with Jack Ruby, and the murky accounts and strange personages introduced into the case by District Attorney Jim Garrison in New Orleans.

GARRISON. He did not touch a gun on that day. He was a decoy at first, and then he was a patsy, and then he was a victim.

CRONKITE. We will hear Garrison, and some of those whom he has involved. And we will try to answer the third of our major questions: Was Lee Harvey Oswald part of a conspiracy?

This is Walter Cronkite. Good night.

ANNOUNCER. This has been the second of a series, a CBS News Inquiry: "The Warren Report." The third part will appear tomorrow night at this same time.

This broadcast has been produced under the supervision and control of CBS News.

Mr. HARTKE. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

ADJOURNMENT TO MONDAY NEXT AT 10 A.M.

Mr. BYRD of West Virginia. Mr. President, if there be no further business to come before the Senate, I move, in accordance with the order previously entered, that the Senate stand in adjournment until 10 o'clock a.m. on Monday next.

The motion was agreed to; and (at 5 o'clock and 19 minutes p.m.) the Senate adjourned, until Monday, August 7, 1967, at 10 o'clock a.m.

NOMINATIONS

Executive nominations received by the Senate August 4, 1967:

IN THE ARMY

The following-named officers for promotion in the Regular Army of the United States, under the provisions of title 10, United States Code, sections 3284 and 3305:

To be colonels

Doriot, Jack V., O52386.
McManus, Vincent J., O36334.
Stein, William H., O33837.

To be colonel

MEDICAL SERVICE CORPS

Grow, George L., O37573.

The following-named officers for promotion in the Regular Army of the United States, under the provisions of title 10, United States Code, sections 3284 and 3299:

To be lieutenant colonel

Alberti, Donald W., O56695.

To be lieutenant colonels

MEDICAL CORPS

Svjagintsev, Juiri J., OF108317.

To be majors

Abercrombie, Edward, O76933.
Adams, Basil R., Jr., O86982.
Adams, John E., O88544.
Adams, Paul M., Jr., O98506.
Adamson, George F., O87990.
Adessa, Anthony J., O76935.
Agnew, James B., O85473.
Aguanno, Edwin M., O70580.
Aguilar, William P., O68856.
Ahearn, John F., O97948.
Ainslie, Robert E., O69844.
Aitken, Milton L., O70581.
Albro, Ames S., Jr., O70583.
Alderman, Nathaniel, O95547.
Allen, Charles B., O89173.
Allen, Stanley C., O72809.
Alston, Lonnie N., O68860.
Alvey, Everett L., O76937.
Anderson, Andrew H., O73283.
Anderson, Darrell R., O70588.
Anderson, George B., O76938.
Anderson, Jerome H., O70589.
Anderson, Robert C., O85122.
Andre, Nick J., O68864.
Andrew, Donald G., O76939.
Anklam, Frederick M., O70591.
Anthis, Robert F., O70592.
Applewhite, Ray, O74627.
Archer, William T., O70593.
Archibald, Norman E., O79167.
Arkley, Robert J., O80206.
Armstrong, Raymond, O68867.
Arnold, Thomas H., O81370.
Arrington, Saul, OF105221.
Asente, James, O88327.
Atkinson, Ellis O., O68869.
Ault, William E., O89027.
Avveduti, Paul R., O68874.
Awtrey, Sherry E., O77257.
Bachman, Clayton J., O92155.
Bacon, Norman J., O96879.
Bacon, Willis G., O70596.
Baddaker, William L., O76941.
Bailey, Kenneth R., O70599.
Bailey, Robert H., O94989.
Bailey, Ronald O., O76942.
Bain, John R., O81372.
Baker, Ralph H., Jr., O98169.
Baker, Russell A., O75140.
Baldwin, Jessie E., O74629.
Baldwin, William R., O70600.
Ball, Fred R., O96580.
Ballantyne, John L., O70601.
Balzhiser, Robert M., O79171.
Bard, John C., O70602.
Bardwell, James E., OF104371.
Barker, James R., OF105321.
Barksdale, Clifford, O81374.
Barnes, Harold F., O70603.
Barnes, Robert S., O81375.
Barnitt, George W., O71139.
Barrand, Kerwood W., O70605.
Barron, William T., O88563.
Bartlett, Leslie R., O98521.
Bartclacci, Alfred, O79177.
Barton, Robert H., Jr., O99787.
Bass, Richard H., O79179.
Bauer, Daniel H., O81376.
Baughman, Richard C., O70608.
Bayer, William S., OF105611.
Beam, James D., O94042.
Bean, John F., O68888.
Beaumont, Charles D., O70610.
Becker, Donald C., O99789.
Beckwith, George G., O79182.
Bedell, Norman H., O70611.
Belcher, Eugene R., O71759.
Bell, Frederick D., O76949.
Bellows, Robert E., O69856.
Beltman, Laurence J., O78635.
Benfer, Richard H., O70613.
Benn, Clark H., O70614.
Bennett, George C., O70615.
Bennett, John C., O70616.
Bennett, Raymond G., O76951.
Bennett, Willard M., O79185.
Bennetto, Edward, II, O84472.
Beringer, Jack M., O70618.
Berkey, Ronald R., O71443.
Bernstein, Harold, O82141.
Bertrand, Milton A., O94047.
Bidwell, Bruce W., O70619.
Biggerstaff, Jack, O75145.
Bilderback, Gerald, O76952.
Billy, Myron D., O68900.
Bindrup, Lavere W., OF103657.
Blanche, John G., III, O81379.
Blichmann, Donald J., O81381.
Bockman, Leonard I., O74641.
Bodine, James F., O79188.
Boe, Richard I., O70622.
Boggs, Joseph C., O72823.
Boggs, William L., O73291.
Bole, Albert C., Jr., O76954.
Bond, Gene T., O67896.
Bonner, Laurence B., O70623.
Bonomo, Reno J., O76956.
Bonsall, Edward H., O82144.
Boon, Ivan G., O99794.
Boose, Gordon D., O70624.
Borum, Louis M., OF100900.
Borum, William D., OF108118.
Boster, Philip L., O81382.
Bostian, Robert E., O81383.
Bowden, John C., Jr., O76958.
Bowdoin, Arthur C., OF103675.
Bowling, Frederick, O70625.
Boyd, David T., O92163.
Boyd, Gerald M., O79192.
Boyle, Dean G., O81384.
Boyle, Dennis M., O76960.
Boyle, Willard F., O84955.
Boyle, William P., O81385.
Bozeman, Wallace B., OF106508.
Bradbury, Donald K., O70627.
Bradel, James F., O70628.
Brady, James P., O76961.
Branch, William E., O76962.
Brandt, Leo M., O76963.
Breeding, Gene L., O70630.
Breeding, William B., O85296.
Brenner, James J., OF100362.
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Brodeur, Alfred F., O81390.
Brogan, Thomas W., O68920.
Broman, Ralph W., O78242.
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Broumas, Andre G., O70635.
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Brown, Elmer A., O69870.

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Brown, Robert F., O79203.
Brown Sam A., O73437.
Brown, Thomas D., O68458.
Browne, Robert T., Jr., O76965.
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Carlile, Cecil O., O98472.
Carlson, Charles W., O70650.
Carlson, Earl C., O85407.
Carlson, Gustaf R., O77306.
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Chancellor, George, O70657.
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Coleman, James P., O69884.
Collier, Alvis W., O68958.
Collins, Franklin W., OF110212.
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Cunha, Frederick R., O76991.
Cunnigham, Martin, O73311.
Cunningham, Walter, O76992.
Curry, Jerry R., O94285.
Custer, Robert G., O82162.
Cutolo, Edward P., O70675.
Daggett, Robert W., O73312.
Dahl, Bruce E., O69895.
Daniels, Thomas W., O99810.
Daniels, Walter C., O68976.
Daoulas, Arthur, O85151.
Darden, Fred A., O97897.
Darling, Sterling P., O70679.
Daschle, Charles L., OF103371.
Daugherty, Paul R., O85152.
Daura, John, Jr., O70676.
Davia, Albert J., O81407.
Davis, Edward E., O73315.
Davis, Jack C., O85312.
Davis, Jethro J., OF103819.
Davis, Jonah B., Jr., O94067.
Davis, Willie L., O94068.
De Jarnette, Larry, O75171.
De Rouen, Milton, Jr., O89199.
Debelius, Charles A., O70681.
Deis, Donald R., OF106094.
Delamain, Frederic, O70682.
Deming, Roger M., O76997.
Dendy, Norris F., OF105375.
Denton, Walter M., O70180.
Derrick, George E., O68985.
Detwiler, Harvey C., O81412.
Dewey, Desmond D., O94069.
Diamond, Eugene M., O75174.
Diener, Everett P., O88655.
Diesu, Angelo J., O79253.
Dietsch, Richard K., O91199.
Diggory, Mark L., O79255.
Diller, Richard W., O70684.
Dimtsios, George J., O68510.
Doby, Robert F., O77001.
Doherty, James J., OF102853.
Dolfi, Eugene, O87732.
Doray, Paul D., OF109898.
Doty, Daniel W., OF101032.
Downen, Robert E., O70687.
Doyle, William P., O77005.
Drake, Charles E., OF106100.
Drisko, Shapleigh M., O70690.
Drumm, Donald R., O81416.
Du Beau, Leo F., O92318.
Duke, Lynwood R., OF102049.
Duncan, Ross E., O68998.
Dunn, James F., Jr., O73320.
Dure, John H., O84480.
Dyer, Gerald D., O81420.
Ealer, George L., O69002.
Eaton, Prescott, O70089.
Eberhard, Floyd, O88666.
Eberhart, Loren M., O70693.
Eberle, John S., O71486.
Eckhart, John W., III, O71487.
Eckles, Donald R., O68233.
Edmonds, Maurice O., O77007.
Edwards, William H., O69909.
Eitel, John C., O70697.
Eldred, Marshall S., O77008.
Elliott, Richard L., O99313.
Ellis, Mike, O81421.
Ellis William T., O77011.
Ellis, William L., O84982.
Elmore Louis N., Jr., O69010.
Elton, Robert M., O70699.
Eng, Charles, O71178.
Enger, Kenton O., OF103823.
Engram, Edwin J., O74684.
Ennis, John A., O79266.
Enright, Eugene J., O82168.
Epling, William Y., O70700.
Erickson, Eric A., Jr., O99640.
Esplin, Willard B., O74686.
Etheridge, James R., O70182.
Eubanks, James M., O89054.
Evans, Herbert C., O87736.
Everett, Robert W., OF100817.
Ewing, Leroy B., O89055.
Fague, Donald L., O73328.
Falter, Vincent E., O94075.
Farrar, John H., Jr., O70704.
Farris, John T., O71180.
Faulk, Emmett A. L., O87519.
Feilke, Glenn T., O69019.
Feist, Robert J., OF106593.
Fellerhoff, John H., O79273.
Fellows, Robert L., O81423.
Ferguson, Harold C., OF109124.
Ferguson, James H., O77016.
Ferullo, Generoso J., O81424.
Fiesler, Robert J., O97905.
Finehout, Arthur W., O77388.
Finley, John L., O81425.
Finney, Don E., O75184.
Fisher, George E., Jr., O94855.
Fitzgerald, Thomas, O79277.
Flanigan, Clifford, O70706.
Flenniken, David B., O94079.
Flickinger, Robert, O79280.
Floore, Billy H., OF106597.
Flynn, Thomas J., O85323.
Foley, William R., O72332.
Fontaine, Sully H., O94581.
Forman, Robert C., O70707.
Fountain, Charles D., OF102464.
Fowler, Roy, O68538.
Fowler, Thomas R., O77024.
Francis, John K., O71184.
Francis, Phillip M., O77025.
Francois, Frank, O82172.
Franklin, Charles D., O77026.
Franklin, Raymond D., O99646.
Fritchman, Lynn V., O88688.
Froede, Carl R., O69036.
Fuchigami, Harry H., O99846.
Fuerst, Werner F., O81431.
Fuller, Leonard H., O70709.
Gabardi, David L., O77028.
Gabbert, Howard M., O70710.
Gabel, James M., O70092.
Gallagher, Thomas M., O88693.
Galliher, Kay O., O73332.
Galloway, Frederick, O70713.
Galloway, William W., O92191.
Galvin, John R., O70714.
Galyon, Norman L., O79289.
Ganahl, Joseph, O70715.
Gannon, Norbert J., OF104426.
Garcia, John L., O69927.
Gardner, William S., O81433.
Garretson, Edmund S., OF106115.
Gartman, Frank T., O67921.
Gassaway, Kenton C., O69931.
Gaston, Donald E., O70717.
Gatti, Raymond E., O79293.
Gazlay, John C., O81436.
Geraci, John F., O79295.
Gerda, Joseph J., O70720.
Gernon, Thomas E., O77029.
Gettings, Theodore, O75191.
Gheen, John W., O70721.
Gibson, Henry L., OF105404.
Gilbert, Wendell H., O70723.
Gilboux, John W., O70724.
Giles, George R., O71089.
Gillespie, John T., O73335.
Gillingham, Richard O79299.

Gillis, John B., O69043.
Gilmore, Edward R., O82174.
Gimple, Lloyd A., O79300.
Glover, Alfred P., O83625.
Glover, Rupert F., O79302
Godwin, Ralph L., O79303.
Godwin, William C., O69049.
Goetzmann, Philip A., O75193.
Golden, Robert K., O91636.
Gomez, Robert M., O70727.
Gonzales, Ralph V., OF108179.
Goode, Franklyn C., O75194.
Goode, Ralph W., Jr., O81441.
Goodman, Wilbur G., O81443.
Goodwin, Clifton R., O79306.
Goodwin, Robert E., O70728.
Gorvad, Peter L., O69051.
Goss, Ephriam M., O72716.
Goss, Wallace F., Jr., O82176.
Grace, William P., O70730.
Graham, Jones R., O83627.
Grant, Donald E., O94084.
Gray, Jack, OF102887.
Greeley, John M., O81445.
Green, Alford W., O81446.
Green, David E., O74703.
Green, Richard D., O69053.
Green, William T., O77033.
Greer, Richard B., O74704.
Gregerson, William, O77034.
Griffin, Richard W., O70735.
Griffith, Joseph K., O77035.
Griswold, Donald E., O69059.
Gross, Robert H., O70739.
Grubbs, Brandt F., O70740.
Guenther, Leo A., O82178.
Guffey, Howard R., O94085.
Guidroz, Evans J., O75200.
Guy, George S., Jr., O70741.
Guyton, Robert E., O82179.
Haas, Virl E., O70742.
Hackworth, David H., OF103837.
Hall, Harry E., O77038.
Hallenbeck, David R., O81448.
Haller, Douglas L., O77039.
Halsted, Robert E., O81449.
Halvatgis, James N., O70745.
Ham, Lewis H., Jr., O70746.
Hampel, Victor H., O77426.
Hampton, Wade, O70747.
Hance, Carl W., O87774.
Hannas, Robert O82181.
Hannaway, Harold C., O81451.
Hannon, Clarence W., O70748.
Hannum, David B., Jr., O77041.
Harber, Gerald J., O75204.
Harman, Asher W., Jr., O79319.
Harmon, Tommy J., O77042.
Harper, William B., O70751.
Hart, Franklin A., O70754.
Hartert, Richard A., O84485.
Hartman, Donald F., O88721.
Harvey, Aaron C., Jr., O92386.
Hathaway, Warren A., O77045.
Hauser, William L., O70757.
Hawes, Richard W., OF106643.
Hawley, Richard S., O89699.
Haws, Elbert D., O73343.
Hayes, Alva W., O69070.
Hayes, James B., Jr., O99329.
Hayes, Walter P., O75206.
Haynes, Harvey R., O88091.
Hays, James E., O70758.
Hazlett, John W., O91864.
Headley, Fred C., Jr., O99123.
Healey, Thomas F., O70759.
Heath, Arthur M., O73501.
Hedgepeth, Leroy J., O87532.
Heffner, Gary R., O96980.
Heiter, James A., O92394.
Hellmuth, Harry E., O77047.
Helms, Jack E., OF104446.
Henderson, Berry H., O85562.
Henry, Cecil M., O94932.
Henry, Frank L., OF105699.
Henry, James R., O70760.
Herring, Shelby D., O88733.
Hess, Boyd G., OF104449.
Heverly, Clifford C., O72374.
Heyward, James O., O79324.
Hickey, Thomas B., O79325.
Hicks, Franklin D., O70761.
Higgins, Alan R., O74722.
Hight, Adolph A., O69948.
Hill, Clarence O., O84488.
Hillsman, Dan A., O69080.
Hilsman, William J., O70763.
Hilt, George H., O70764.
Hincke, John I., Jr., O70765.
Hobbs, Guy E., Jr., O79327.
Hobbs, Leo P., O70766.
Hobbs, Richard W., O70767.
Hoffert, Charles E., O77451.
Hogg, Jerry W., OF105704.
Holden, Joseph B. J., O65663.
Holder, John B., O81458.
Holland, David K., O81459.
Holler, John C., O81460.
Holloway, James E., O82337.
Holloway, Teddy G., O79329.
Holly, John W., OF105430.
Horlitz, Alfred E., O71522.
Hormann, Vaughn A., O79331.
Hornsby, Jesse S., O71208.
Houy, Edward W., Jr., O69092.
Howard, Lonnie T., O97922.
Howard, Newman A., Jr., O69094.
Howard, Samuel A., O76243.
Hoy, Richard P., O70770.
Hubp, Frank, O88746.
Hudachek, John W., O70771.
Hughes, Norman J., O79336.
Hugo, Victor J., Jr., O70772.
Humphries, George D., OF108206.
Hungerford, Franklin M., O71810.
Hunt, Robert L., O70773.
Hunter, Robert L., OF100292.
Hurst, Dale W., O96989.
Hurtubise, William, O79338.
Hutchens, Douglas L., O88109.
Hyatt, Frederic D., O84492.
Ianni, Francis A., O70774.
Ice, Ronald E., O69101.
Ingram, Thomas A., O69102.
Ironside, Robert A., O70775.
Jackson, Wilfred A., O69108.
Jackson, William S., O87801.
Jacobsen, Richard L., O79342.
Jacquez, Oscar S., O70100.
Janairo, Maximiano, O70776.
Janssen, Arlo D., O77055.
Jeffers, Sam E., Jr., O77056.
Jenne, Dale E., O70778.
Jeo, Herbert, OF108211.
Jessee, William T., O70779.
Johnson, David L., O97457.
Johnson, Edward K., OF102931.
Johnson, James D., O92436.
Johnson, Kenneth F., O99335.
Johnson, Richard T., O72740.
Johnson, William A., O97141.
Johnston, Johnny J., O73349.
Jones, Charles R., O77060.
Jones, George E., Jr., O81465.
Jones, Glenn W., O74739.
Jones, Glenwood E., O88271.
Jones, John R., O81466.
Jones, Peter G., O70785.
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Jones, Richard B., O99887.
Jones, Robert P., O69958.
Jongebloed, Nicholas H., O74740.
Jordan, William R., O85337.
Jorgensen, Norman E., O97928.
Kamandulis, Donald, O97143.
Kampschror, Darrell, O71818.
Kay, Joseph V., O88764.
Keaton, Jack L., O73353.
Keener, Robert E., O70789.
Keiser, Edwin C., O70790.
Keith, Harlan A., O80215.
Kells, Robert A., O97931.
Kelly, James J., O92439.
Kelman, Manfred, O87817.
Kent, John F., O77067.
Kesterson, William, OF102208.
Kincaid, Jack D., O70792.
King, Charles R., O71215.
King, William W., O70201.
Kinne Milton J., Jr., O71819.
Kinney, Philip R., O74747.
Kirkland, Faris R., O77068.
Klein, William E., O70796.
Klick, Clyde F., O84494.
Kline, Edward F., OF109193.
Klingenfus, Emil J., O77070.
Klippel, Kenneth L., O77071.
Klugh, James R., O90194.
Knight, Bobby M., O71216.
Knoff, Edward M., Jr., O70799.
Koehler, William F., O77074.
Koloski, John J., O95347.
Komornik, Ronald G., O75225.
Korpal, Eugene S., O75227.
Kortum, Marvin R., O70800.
Kourakos, George S., O70804.
Kros, William J., O77075.
Krueger, William H., O77076.
Kvernes, Roger W., O69137.
Lachance, Martin P., O70809.
Lackey, Marvin E., O81473.
Lacour, George A., O70810.
Lacy, James F., O89239.
Lafever, Morris, O79358.
Lambert, Richard T., O77079.
Lampkin, George W., O96772.
Landau, Bernard M., O81475.
Lane, James C., Jr., O69146.
Lane, Pearce A., O94604.
Langford, Paul P., O82196.
Langston, Gary E., O92697.
Lanier, Albert B., Jr., O77081.
Lanphere, Robert F., O77082.
Larsen, John W., O77083.
Larson, Harry D., O73452.
Lasher, Sebastian A., O70811.
Laskowski, Frank W., O79361.
Laucirica, Xavier A., O69150.
Lawrence, William J., O70104.
Lax, Joseph O., Jr., O77085.
Lay, Gilbert R., O77523.
Laybourn, William E., O69154.
Le Clair, William J., O77088.
Le Mere, John R., O70813.
Leach, Ercie J., OF104185.
Leathers, Billy J., O77087.
Ledford, William V., O77089.
Lee, Lynn L., O73364.
Lee, Ronald B., O70814.
Lees, Robert E., O77090.
Leese, Donald A., O77091.
Leiser, Maurice H., O70815.
Leister, Richard W., O88122.
Leland, David P., O77092.
Lemanski, Ronald J., O70816.
Lenard, Stanley, O69161.
Leonard, Dan S., O88785.
Leone, Peter N., O70817.
Leszcynski, Joseph, O73366.
Leva, Neil I., O81479.
Levanger, John C., O99679.
Levine, Edwin R., O88280.
Lewis, John P., O77093.
Ley, Robert E., O70819.
Lilley, Aaron L., Jr., O85027.
Lilly, Richard A., O84497.
Lindsay, James J., O75235.
Lindsey, Fred S., O70821.
Lindsey, Tommy G., O77095.
Littlefield, Richard E., O70822.
Loane, Jabez W., IV, O78597.
Lobdell, Edward D., O79366.
Lochner, Jack A., O70823.
Logan, Jack R., O70825.
Long, James L., O73367.
Lovato, Lawrence L., O78598.
Lowery, Carlton M., O77098.
Lowery, Rolla W., O92090.
Lowrey, Patrick R., O88424.
Lucas, Andre C., O70827.
Luce, Charles M., O70828.
Luepnitz, Carl A., O77101.
Lummis. Mason M., O86433.
Lundy, William H., OF105471.
Lutsch, John W., O97151.
Lykke, Arthur F., Jr., O70831.
Mackey, William C., O89098.
Macklin, Joseph D., O70832.
Madigan, John J., III, O74763.
Maga, Fred D., O77102.
Mallia Louis A., A84498.
Mallo, Harry R., O77103.
Mallonee, John B., Jr., O77104.

Malmgren, Alfred C., O77105.
Malone, Dandridge M., O71832.
Maloney, James P., O71386.
Mangold, Clarence A., A81481.
Mann, William M., Jr., A72757.
Mantooth, John W., OF102040.
Marcrum, Robert H., O70835.
Marcy, Edwin J., Jr., O72928.
Marder, Everett J., O91596.
Marini, James L., O88807.
Marker, Robert H., O77107.
Martellini, Carmen, O77108.
Martin, Arnold, Jr., OF101292.
Martin, Haywood H., O69199.
Martin, James R., O79372.
Martin, Jesse H., O70837.
Martin, John R., O88810.
Martin, Paul E., O91634.
Martin, Quinton T., O88811.
Mason, Elijah F., O79374.
Massaro, Joseph M., O70840.
Massengill, James R., O85033.
Massey, Joseph O., Jr., O69979.
Masters, Barrie P., O72759.
Masuck, Joseph, O70841.
Matsumoto, Glenn K., O70842.
Matthews, Lloyd J., O70843.
Matthews, Ralph A., OF106726.
Mattmuller, Norman, O70846.
Mayberry, Thomas S., O70848.
Mayhew, John W., O87555.
McBee, Willie H., O70107.
McCarthy, Richard, O70108.
McCaskill, John L., OF103531.
McCloskey, William, OF102546.
McClusky, James D., O71836.
McCollum, James M., OF103876.
McCollum, Richard, O81485.
McConnell, Lewis J., O84499.
McCord, John S., O75247.
McCormick, Richard, O85349.
McCoy, Don S., O69176.
McCrea, J. Hollis, O77112.
McCue, James A., O79376.
McDonald, John F. J., O95407.
McDonald, Payton R., O75394.
McDonnell, Gerald, O88543.
McEvily, Robert E., OF103877.
McGee, Calvin A., O85041.
McGraw, John F., Jr., O89105.
McGraw, Russell M., O85350.
McGreevy, Edgar R., O82207.
McGuire, William E., O70852.
McKay, William L., O73374.
McKee, Jona, O97945.
McKenzie, Moran A., O69985.
McKnight, Don A., OF106712.
McKnight, James R., O73375.
McLaughlin, Thomas, O74772.
McLean, Raymond O., O88287.
McLennan, Richard, O84500.
McPherson, Robert, O70857.
McQueen, James T., O94488.
McRill, Billy I., O83105.
McSorley, Lester F., O71559.
Meador, Marion F., O70858.
Meadows, Thomas R., O69202.
Meanor, John E., O68270.
Meese, John R., O71839.
Meister, Melvin E., O71099.
Mendenhall, Robert, O74773.
Menetrey, Louis C., O71395.
Mentillo, Louis R., O70859.
Merklinger, George, O88290.
Merrick, Philip B., O74775.
Merritt, Ronald H., OF100428.
Metzger, Ronald W., O88832.
Meyer, Harvey B., O84223.
Meyer, Richard W., O84915.
Michel, Robert W., OF106729.
Mikle, Franklin O., O69218.
Milburn, Lloyd E., O79385.
Miller, Charles E., O70861.
Miller, George F., O77124.
Miller, Harold L., O89261.
Miller, Harry W., O81489.
Miller Harvey F., O77126.
Miller, James M., O70862.
Miller, John T., O70863.
Miller, Kenneth M., O77127.
Miller, Paul, Jr., O70864.
Miller, Richard J., O85046.
Miller, Thomas A., Jr., O70112.
Miller, William D., OF100664.
Mills, Robert W., O96701.
Minturn, Lindsey B., O70866.
Mitchell, William T., O87569.
Mix, James E., O81493.
Mizell, Dan J., O70214.
Mizell, John J., Jr., O82210.
Mock, Newell A., Jr., O79386.
Modica, Donald, O77128.
Moeller, Gene L., OF109603.
Monroe, Charles A., O77130.
Mooney, Harley F., Jr., O77131.
Mooney, Robert, O71233.
Moore, Clay P., O92227.
Moore, Gordon E., O70145.
Moore, James E., Jr., O70869.
Moore, Patrick J., O69226.
Moore, Richard E., O69228.
Moore, Robert L., OF102568.
Moore, Robert O., O69229.
Moran, John F., Jr., O99516.
Mordente, Joseph, OF109244.
Morn, Charles P., O71234.
Morrill, Donald P., O81494.
Morrill, George H., O77133.
Morris, Henry F., O85222.
Morris, Robert P., O70872.
Morsey, James A., O69236.
Moseley, Robert L., O79392.
Moses, Edward M., O70874.
Moses, William C., O69994.
Mosher, David L., O79393.
Motsko, Myron M., O97170.
Mott, Carl M., Jr., O69995.
Mountain, Benjamin, O73379.
Moxley, Robert J., O79394.
Moye, Harold W., OF100758.
Mullen, Jack L., O79395.
Mullen, Warren E., O93063.
Mullins, Thomas E., O70441.
Mulvanity, Donald C., O74786.
Munn, William R., O77138.
Murphy, Alvin F., O77139.
Murphy, James K., O79397.
Musser, John B., O79398.
Mustain, James C., O77141.
Muth, Roy W., O70878.
Nagorski, Walter J., O71405.
Negris, Rocco, O77144.
Nelson, Russell D., OF106194.
Neu, George T., O70881.
Newnham, Donald F., O70882.
Nicholson, Rowland, O79402.
Nicholson, Thomas G., O85053.
Niedermeyer, Frederick H., O94626.
Niemi, John A., O75260.
Nikkel, Roy G., O68036.
Nix, Eddie M., O89116.
Noffsinger, Gordon, O79404.
Nolan, John R., O81499.
Nolin, Edmond R., O70004.
Noonan, Richard B., O99937.
Nordgren, Courtland, O68662.
Northcutt, Maurice, O85056.
Nosek, George F., O87574.
Nowalk, Charles L., O82216.
Nutter, Raymond T., O79407.
Oates, John T., O95370.
O'Brien, George F., Jr., O70885.
Odom, William E., O70888.
O'Keefe, Neil L., O71849.
Old, William D., II, O70889.
Oliver, Henry M., O77150.
Olson, Ronald D., OF106762.
O'Malley, John M., O73383.
Openchowski, Kenneth F. A., O81501.
O'Quinn, James J., O69256.
Ormsby, Mark A., O70891.
Ornstein, Alvin, O97017.
Orr, Charles E., Jr., O84503.
Orr, Charles R., O70892.
Owens, Joe S., O73384.
Pace, Ray D., O70894.
Page, Harold R., O81504.
Palastra, Joseph T., O70895.
Palermo, Frank J., Jr., O74799.
Palmer, Warren T., O70896.
Panageas, Dan P., O70007.
Panton, William E., O70218.
Panzer, Donald F., O70898.
Pappageorge, John G., O70899.
Parini, Romano J., O79413.
Paris, Kenneth G., O90602.
Parker, Hassel L., O73385.
Parker, Russell W., O70901.
Parker, Velma F., O92661.
Partridge, Charles, O77151.
Pascarella, Pascal, O81507.
Passmore, Edwin E., O70903.
Patterson, Mercer H., O70904.
Paul, William V., Jr., O70905.
Pawlowski, Edward J., O70906.
Paxman, James C., O79417.
Payne, Thomas L., O79419.
Peisinger, Roman J., O70907.
Penney, Hubert F., O77621.
Percy, Francis J., O70908.
Perkins, Andrew D., O82219.
Perkins, Rodney B., O82220.
Perrin, Everett I., O75264.
Perrin, George E., O70909.
Person, David E., O71712.
Persons, George A., O79420.
Peters, Billy, O77154.
Petersen, Peter B., O79421.
Phelan, Michael J., OF102244.
Philbrick, Donald F., O72774.
Phillips, Edward L., O99952.
Phillips, Ted N., O77158.
Piepho, Carlton D., O79425.
Piolunek, Chester J., O70913.
Pistone, Louis J., O91979.
Plencner, Francis B., O88877.
Poarch, James W., Jr., O71111.
Podurgal, Emanuel, O99711.
Poel, David J., O77160.
Pole, Freddie R., O81509.
Pollard, Louis M., Jr., O69273.
Ponder, William L., O79430.
Pope, William A., O77161.
Porter, Clair E., O72968.
Porter, Covington B., OF100331.
Porter, John G., O70916.
Porter, Robert C., O94780.
Portteus, Willard L., O70114.
Poteat, John A., Jr., O70917.
Powell, William G., O93072.
Powers, George F., Jr., OF100332.
Powers, Paul V., O70918.
Prescott, Warren T., O77628.
Price, Francis K., Jr., O77165.
Proctor, Lawrence B., O77166.
Proietto, Raymond T., O73111.
Prokopowich, Lucien, O77167.
Puckette, Cecil L., O84067.
Purdy, John T., O70922.
Pursell, Alfred B., O77170.
Qualls, Orbun F., Jr., O70923.
Quedens, Bernard B., OF108278.
Quinn, William J., O79436.
Radke, Galen W., O77172.
Radu, Cornelius J., O91985.
Ragains, Robert L., O74818.
Ralls, Dan H., O70023.
Ralph, James R., O81513.
Randall, Starr D., O85074.
Ransone, James F., Jr., O70925.
Rapkoch, James M., O77638.
Ratcliff, Walter A., O79439.
Rathburn, Vinton L., O72779.
Rawlings, Charles R., O70026.
Rayl, Wallace I., O82227.
Raymond, Robert A., OF102251.
Reddell, Eugene B., O79440.
Redic, Maxie O., Jr., O84507.
Reding, Charles H., O75275.
Reed, Leonard F., O70926.
Reed, Robert T., O70927.
Reese, Mark L., Jr., O70928.
Reid, Frederick L., O71413.
Reisling, Glenn M., O81515.
Remus, Melvyn D., O70930.
Renfro, Richard M., O70931.
Resley, Robert D., O70932.
Rhea, Donald M., O70933.
Rice, Harrold E., O73389.
Rich, Jordan M., O98538.
Richard, Alan V., O70934.
Richards, Charles D., O70935.
Richards, David A., OF102258.

Richards, Howard C., O77180.
Richards, Joseph F., O85366.
Richards, William E., O99972.
Ricker, Norman H., Jr., O73390.
Ridgway, John J. Jr., O77182.
Riede, James R., O69295.
Riese, Robert C., O70936.
Rife, Byard W., O69298.
Riley, Frank J., O70027
Riley, Walter G., Jr., O70227.
Ripple, Larry M., O77652.
Ritz, Karl C., O79445.
Roberts, Leo M., OF105530.
Robinson, Frank E., O66413.
Robinson, Hugh G., O70937.
Robinson, Robert E., O75279.
Roderick, Edward E., O70938.
Roeder, Harold Y., O93494.
Rogers, Clare R. J., O77184.
Rogers, John C., O70939.
Rogers, Roland B., O74827.
Rollinger, Jack R., O69308.
Roper, Charles A., O79447.
Rorke, Donald M., O71260.
Rose, Myron W., O70940.
Rose, Ronald J., O75280.
Rosen, Leslie M., O69310.
Rosing, Willis S., Jr., O79449.
Ross, Ernest E., OF106797.
Rouchon, Anthony C., O82229.
Routh, Harry M., O77186.
Rudser, John L., O69312.
Rue, Norman L., O73393.
Rufe, Charles P., O79453.
Rumsey, Frank A., Jr., O75281.
Runnion, John E., OF108288.
Ruskauff, Donald R., O85371.
Ruth, Charles W., O85799.
Ryan, Dennis W., Jr., O75282.
Ryan, James P., O70945.
Salvador, Ronald L., O70948.
Samouce, Warren A., O70949.
Sampson, Edward E., O79457.
Sanders, Bobby L., O77188.
Sanders, Drexel E., O71595.
Sanders, Richard D., O89848.
Sandla, Robert S., O82232.
Scales, David E., O98048.
Schaefer, John R., O89287.
Schludecker, Otto A., O75288.
Schmidt, Theodore H., O69321.
Schneider, George J., O77191.
Schnoor, Jack E., OF108291.
Schoen, Frank C., O82234.
Schoendorfer, Frank, O82235.
Schoening, George W., O71718.
Schrodetzki, Robert, OF104535.
Schwarz, Charles E., OF102268.
Schweikert, Paul, Jr., O70953.
Scibilia, Anthony J., O75290.
Scoggins, John, OF104539.
Scott, Charles G., O71269.
Scott, Hugh A., O81521.
Scovel, James L., O70954.
Seale, Billy G., O79466.
Seaman, Richard T., O79467.
Searls, Billie E., O69329.
Seay, Jefferson, III, O71719.
Segrest, William D., O77193.
Serven, Harold M., Jr., O70035.
Sesslar, James R., Jr., O75292.
Severance, Fayette, O79469.
Shafer, John C., O70955.
Shallcross, George, O83633.
Shaughnessy, Thomas, O81523.
Shaw, Donald P., O70956.
Shebat, Donald, O70957.
Shedden, Eckols L., O70036.
Sheider, Augustus L., O82237.
Sherron, Gene T., O74841.
Shields, George D., O77197.
Shiro, Marvin L., OF106820.
Short, Audrey J., O70959.
Sikorski, Bennie W., O88309.
Simmons, Marvin E., O69338.
Simpson, Claude S., O69340.
Sims, Roy D., O77200.
Sisson, Deryl A., OF101161.
Skeen, Henry G., O79477.
Skibbie, Lawrence F., O70964.
Skinker, Harry J., O85259.
Slater, Burt E., O77202.
Slater, James J., O69342.
Slesnick, Bruce W., O65377.
Sloan, James H., Jr., O70965.
Slocombe, Donald K., O71871.
Smiley, Robert D., Jr., OF103736.
Smith, Albert J., O77203.
Smith, Bill J., O70039.
Smith, Blair E., OF108304.
Smith, Donald L., O69350.
Smith, Douglas S., O71725.
Smith, George E., O77204.
Smith, John A., O74846.
Smith, Julian H., O69351.
Smith, Marion G., O73405.
Snyder, Clinton W., O77205.
Snyder, Quay C., O70967.
Sorrels, Charles V., O70122.
Spang, Alan W., O79482.
Speer, Robert M., O65804.
Spence, Craig H., O70968.
Spence, Thomas H., O79484.
Spradlin, Glenn D., O77210.
Springman, Robert W., O77699.
Spry, Alfred E., O74853.
Stallings, Joseph L., O69358.
Stamper, James M., O89294.
Stanberry, Billy M., O71876.
Stanton, Martin P., O77211.
Starkey, James E., O88957.
Ste. Marie, Normand, O85674.
Steed, Robert B., O79487.
Stein, Henry J., Jr., O69360.
Stelmachowicz, Peter J., O79488.
Stenehjem, George N., O70974.
Stephens, James E., O71727.
Stephenson, Lamar V., O77213.
Sterling, Allan C., O70975.
Sterzik, Wilfred L., O69364.
Stevens, Perry G., OF104549.
Stevenson, Leroy P., O69366.
Stewart, Dennis W., O77214.
Stewart, John K., O71286.
Stewart, Richard K., O96347.
Stewart, Robert R., O70977.
Stodter, Charles S., O70978.
Stoessner, Richard, O90504.
Stotser, Don M., O69370.
Stout, Glen W., O70981.
Stout, Herald F., Jr., O70982.
Strand, Vincent W., O73411.
Stuart, Douglas B., O70984.
Sugg, Richard H., O70987.
Sulik, John A., O70988.
Sullivan, Harry E. B., O70989.
Sullivan, William F., O81539.
Sunell, Robert J., O82240.
Surber, James W., O70990.
Suso, Anthony, O97046.
Swaren, John W., Jr., O70991.
Swisher, Robert K., O77219.
Talley, John D., Jr., O70050.
Tallon, Richard J., O94142.
Tanner, Lester W., O88968.
Tawes, Robert H., O70993.
Taylor, Leon B., OF103571.
Taylor, Willie M., Jr., OF109655.
Teberg, David T., O70994.
Terry, Richard T., O71288.
Therianos, Pericles, O82243.
Thomas, John A., Jr., OF102645.
Thomas, John D., O81544.
Thomas, Julius O., Jr., O70996.
Thompson, Bill T., O70997.
Thompson, Charles H., OF104161.
Thompson, Kenneth R., O69385.
Thompson, Richard W., O71733.
Thoreson, David P., O70998.
Thornton, James F., O82370.
Thorpe, John C., O77720.
Thorpe, Marion E., O79503.
Thurman, Maxwell R., O70125.
Tinsley, Philip, Jr., O71613.
Tippett, Jesse R., Jr., O71000.
Tobin, Daniel J., O71001.
Todd, Harold C., O79504.
Tom, Harry K. L., O94145.
Tomsen, Willis C., O71002.
Toreson, Lowell E., O71003.
Trahan, Leon J., O99748.
Travas, John E., O82248.
Troutman, Gregory, O77223.
Tucker, Charles E., O77224.
Tunmire, Dana, O74873.
Turner, James M., Jr., O70240.
Uhrig, Richard A., O81546.
Underhill, Victor S., O77226.
Underwood, Andrew F., O71007.
Van Sickle, James P., O77227.
Van Vranken, Robert, O71291.
Vaughn, Luther C., O79508.
Vermillion, Lewin E., O79510.
Vesser, Dale A., O71010.
Vidrick, Robert L., O74878.
Vining, Ray E., OF106248.
Vinson, Newell E., O71012.
Visscher, Robert E., O77228.
Vittorini, Domenic, OF100028.
Vorba, Richard G., O73419.
Vosel, Donald M., O81548.
Wagner, Louis C., Jr., O71013.
Wall, Frank B., Jr., O74881.
Wall, Henry L., Jr., O85383.
Walters, Howard C., O84069.
Walton, Ben L., O77230.
Ward, Felker W., Jr., O97647.
Ware, Fletcher K., Jr., O71018.
Warf, Elmer R., O71741.
Wash, William B., O81552.
Washer, Robert J., O71019.
Waters, Thomas L., OF105579.
Watkins, James E., O71297.
Watkins, William W., O73422.
Watson, Jack D., O73423.
Watson, Ronald J., O87964.
Watson, Shelly F., O92269.
Watts, William E., O73425.
Weafer, William J., O71021.
Weall, Robert H., O69408.
Weathersby, Russell, O77231.
Weaver, Richard L., O71024.
Webb, John F., Jr., O85696.
Webber, Herbert M., O92430.
Weeks, Frederick H., O71298.
Weeks, Robert E., O71026.
Weidenthal, Carlton, O69412.
Weinstein, Kenneth, O77232.
Weinstein, Saunder, O79519.
Welch, Gene B., OF103918.
Wells, Robert W., O71027.
Wells, Roy D., O79520.
Welsch, Hanno F., Jr., O77770.
Welsh, Milton, O94661.
Welzel, Lewis A., O90558.
West, Kenneth L., O81554.
West, Pleasant H., O87663.
Westervelt, John R., O71029.
Whalen, John J., Jr., O82376.
Whaley, Zachary, O81555.
Whitaker, Malvern R., O71299.
White, Ulysses X, O79527.
White, Walter J., O69420.
Whitehead, Ruby L., O81556.
Whitehorn, Jack A., OF105589.
Whitley, James R., O71031.
Whittington, Richard H., O69422.
Whittington, Wesley, O69423.
Wilcox, Robert L., Jr., O70066.
Wilkinson, Paul F., O67524.
Wilks, Clarence D., O75318.
Williams, Billie G., O81558.
Williams, Edmund R., O75320.
Williams, Emanuel L., OF105873.
Williams, Herbert E., O71032.
Williams, Howard M., O70158.
Williams, James R., O94156.
Williams, James A., O71033.
Williams, Lawrence, O74892.
Williams, William H., O78198.
Williamson, Richard, O69428.
Williamson, Thomas, O81560.
Williamson, William, O69429.
Williford, Henry G., O79534.
Willner, Larry E., O71034.
Willwerth, Dean R., O82257.
Wilson, Dennis F., O69434.
Wilson, Dwight L., O70067.
Wilson, Francis V., O69435.
Wilson, Parks W., Jr., O74894.
Wilson, Robert E., O71307.
Wilson, Robert D., O77238.
Wilson, Virgil H., O92846.

Wilson, Walter C., Jr., O77239.
Wise, David L., O71629.
Witt, John R., O77240.
Witteried, Peter F., O71038.
Wohlman, Melvin, OF103080.
Wolfe, Oren, O70069.
Wood, Joseph S., Jr., OF102681.
Woodbury, Grayson C., O71040.
Woodruff, Albert R., O73431.
Woodyard, John H., O71041.
Wooge, Luvern J., O71042.
Wright, Elden H., O81563.
Wright, Lewis W., O79541.
Wyatt, James E., O71632.
Wyatt, Lloyd L., O81565.
Young, Clyde A., Jr., O70070.
Young, George D., O73433.
Young, John G., O71044.
Young, Robert L., O77243.
Young, Roy J., O70129.
Young, Thomas C., O71045.
Yoxtheimer, Donald, OF108337.
Zapata, Roland T., O79543.
Zeleznikar, Louis J., O81567.
Ziegler, Richard G., O71046.

To be majors, Chaplain

Anderson, Alister C., O97276.
Barry, Raymond E., O92156.
Boggs, James R., O91207.
Clark, Albert V., O85989.
Cook, Richard G., O88634.
Davis, Pat H., O88252.
Degi, Joseph, Jr., O88651.
Dryer, Richard E., O94071.
Ettershank, John P., O86127.
Everett, Paul P., O86129.
Floyd, William R., O96355.
Forsythe, Walter D., O85749.
Garner, Calvin H., O88694.
Green, John E., O88711.
Harding, Richard M., O86222.
Harrell, Ralph E., O86226.
Hartman, Richard W., O88722.
Hayes, Quentin O., O86236.
Helton, Clinton, O92064.
Johnson, Kermit D., O96936.
Kienitz, John E., O86363.
Logan, Fred G., O88421.
Logan, John D., O89091.
Lyon, Wilson L., O88802.
Martin, William A., O88813.
McCloy, Charles H., O88818.
Moorfield, Claude E., O84232.
Moss, Ira G., O89113.
Nagata, William M., O88856.
Nybro, Richard, O88864.
Raynis, Edgar A., O84252.
Salemme, Robert A., O86714.
Stevey, John E., O94140.
Swager, Robert G., O88963.
Tate, David F., O88969.
Tibbetts, Alan C., O88976.
Wright, Wendell T., O89017.
Young, Willis F., O89169.

To be majors, Women's Army Corps

Austin, Audrey H., L495.
Collins, Joyce L., L539.
Johancen, Mary G., L607.
Ossenkop, Eva L., L591.
Purcell, Mary M., L498.
Russell, Marilyn J., L624.
Smith, Ann B., L474.
Theodoroff, Mary J., L501.
Veach, Eva M., L648.
White, Jocelyn A., L491.
Williams, Mary R., L515.

To be majors, Medical Corps

Bagg, Raymond J., Jr., O88000.
Bartelloni, Peter J., O86992.
Berry Sidney R., O86999.
Blechschmidt, George F., O97408.
Blee, William A., OF109076.
Bogard, Francis H., OF105864.
Brickner, Theodore, O88340.
Buker, Robert H., OF102425.
Burdick, Claude O., O88345.
Canales, Luis, O94574.
Caplinger, Carl B., O94055.
Carson, John W., Jr., O92635.
Cataldo, Joseph R., O94056.
Catton, Raymond M., O95259.
Chamberlain, Eugene, O87702.
Chipman, Martin, O94448.
Conant, Charles N., O87494.
Cooper, Neill S., Jr., O88033.
Copas, Howard L., O88355.
Cruciani, Dominick, O88359.
Curzon, Eugene C., Jr., O97061.
Daly, Anthony F., Jr., O88038.
Decker, John T., O87725.
Dilworth, John H., O88047.
Dobbs, Robert M., Jr., O88048.
Dyer, John T., O94289.
Enstrom, Oscar G., II, O86119.
Franger, Alfred L., O88063.
Freeman, James H., O91830.
Frick, Ross T., O88066.
Friedlander, Harvey, O94080.
Froker, Lowell D., O88380.
Fugelso, Peter D., O87747.
Gamber, Herbert H., O87520.
Garcia, Guillermo, OF110248.
Gerster, Paul W., O88264.
Graham, Arthur D., O88384.
Graham, John L., O87761.
Gray, John H., O87762.
Grodsky, Leonard H, O94086.
Hagen, Raoul O., O96974.
Hammond, Charles, O96680.
Hardman, John M., O88388.
Haug, James A., O95034.
Hawes, William J., O94588.
Hazlett, David R., O89220.
Hedges, James K., O87782.
Heisterkamp, Charle, O88094.
Hennessy, William J., O88393.
Hernandez-Fragoso Ignacio, O96487.
Herrick, Clyde N., O88098.
Hill, Jay M., O92066.
Hill, John E., Jr., O87790.
Hoffmeister, Richard A., O87534.
Holloway, Harry C., O88397.
Hunt, Walter L., O94089.
Huott, Archer D., O94937.
Jackman, Roger L., O92423.
Jaques, Darrell A., O97313.
Jiamachello, Nicholas, O96686.
Johnson, Herbert F., O88111.
Jones, Billy E., O94091.
Karshner, Paul H., O87813.
Kelsh, James M., O88410.
Kleck, Henry G., O94477.
Knovick, George C. O94478.
Koebele, Eberhard, OF100140.
Kriz, Frank K., Jr., O89082.
Kurland, Kenneth Z., O94598.
Leaver, Robert C., O88279.
Lopez, Ramon E., O88131.
Marshall, William R., O88434.
Martens, Thomas J., O99080.
Marx, Ralph L., O88436.
Massad, Louis B., O89252.
Mayes, Hubert A., O94107.
Mayfield, Gerald W. O94318.
Meyer, James A., O88292.
Michie, James L., O92226.
Miller, William C., O94491.
Mologne, Lewis A., O70868.
Montegut, Ferdinand, O94114.
Mullins, Charles E., O88294.
Myers, Charles R., O88454.
Neil, Alexander L., O88164.
Nelson, Joseph H., O88459.
Nelson, Roald A., O94119.
Newton, John K., O94947.
Nowosiwsky, Taras, O94325.
Nuss, Donald D., O88167.
Nusynowitz, Martin, O88298.
Park, Robert C., O95471.
Paulsen, Carl A., O87876.
Peterson, Richard B., O89276.
Phillips, Ran L., II, O88471.
Pierce, Clovis H., O88303.
Pitcher, James L., O88176.
Poindexter, James L., O94124.
Price, Harold M., OF101210.
Pruitt, Basil A., Jr., O96711.
Reed, William A., Jr., O87895.
Reeder, Maurice M., O88482.
Reiley, Carlton G., O94784.
Ritter, Richard R., O87900.
Rokous, Joseph R., O88486.
Ruback, Irwin H., O88488.
Rugani, Peter R., O92245.
Rupp, Richard N., O88191.
Russell, Philip K., O94957.
Scheetz, Walter L., O92790.
Shambaugh, George E., O94787.
Sieber, Otto F., Jr., O88493.
Siegal, David L., OF108299.
Sollie, Stanley C., O97260.
Stewart, James L., Jr., O87934.
Strader, Lorenzo D., O88311.
Strevey, Tracy E., Jr., O92567.
Terra, Justin C., OF110079.
Tomlinson, Fred B., O88508.
Torp, Richard P., O88216.
Treasure, Robert L., O87953.
Valpey, Jack M., O88316.
Vennes, George J., Jr., O88512.
Verdon, Thomas A., Jr., O88513.
Vila-Balzac, Gilberto, O93534.
Webber, Peter B., O97052.
Wergeland, Floyd L., O88521.
Wettlaufer, John N., O88226.
Whaley, Robert A., O88524.
Wimsett, Willard B., O99122.
Zurek, Robert C., O88238.

To be majors, Dental Corps

Acomb, Kent M., O78564.
Amand, Donald S., O95130.
Barnes, George P., O94566.
Bowles, William F., O99294.
Brown, John S., O92628.
Brudvik, James S., O99297.
Brunton, Donald A. J., O88595.
Burger, Robert B., O94052.
Cheatham, Joe L., O91791.
Cohen, George R., O99627.
Combs, Frank F., OF101260.
Daniels, Jon L., OF102844.
De Champlain, Richard W., O84775.
Dearr, Marvin D., O99815.
Decker, Richard M., O99052.
Duffey, Horace H., OF103087.
Endicott, William R., O97399.
Engelhardt, Herbert, OF102863.
Fedalei, Albert F., O87512.
Feeney, George E., O97115.
Hart, Richard I., O99969.
Heid, Theodore H., OF106133.
Hoffman, William, Jr., O92413.
Hutchinson, Rowland, O86297
Johnson, Robert M., O85423.
Jost, Thomas J., O84788.
Kleehammer, Daniel, O94941.
Klinar, Karl L., O88277.
Lane, James J., O93050.
Lederer, Robert M., O94482.
Leonardo, Raymond C., O92087.
Lewis, Jack A., O92703.
Lhomme, Paul R., O89245.
Loke, Michael W. T., OF102535.
McConnell, Richard, O94773.
Milder, Jay J., O99355.
Newell, Donald H., O84797.
Olson, Robert A. J., O97177.
Ott, Gerald R., O94495.
Parker, Warren A., O94123.
Preston, Jack D., O99959.
Saari, James T., O96792.
Smith, Paul E., O94135.
Staehle, William, O84804.
Stanford, Hilton, Jr., O94792.
Stoll, Robert P., O92019.
Storie, David Q., O84806.
Strader, Robert J., O92258.
Tsagaris, George J., O78136.
Tye, Edward J., O94148.
Van Swol, Ronald L., O84811.
Vatral, John J., O91713.
Walker, Alton L., OF104571.
Wallace, John R., O95362.
Zingale, Joseph A., O96727.

To be majors, Veterinary Corps

Chandler, Harold K., O88614.
Dean, Richard F., O97298.
Oakes, Richard G., O85059.
Stewart, Roland R., O87936.
Stookey, James L., O92257.

To be majors, Medical Service Corps

Axtens, Frank W. B., O73462.
Bigham, Harral A., O84331.
Bizer, James E., O94441.
Blackburn, Edward W., O71147.
Brandt, Clarke M., O70132.
Briot, William R., O85730.
Brissee, John A., O76809.
Buell, Leonard K., O76810.
Burdick, Robert L., O87486.
Cabell, Ben M., O85734.
Carr, Robert A., OF105347.
Christie, Thomas C., O78663.
Clark, Scott W., O88628.
Clyde, Norman E., O80333.
Dysart, Stanley H., O94290.
Ertell, Charles H., O97113.
Evans, Billy W., O74943.
Evans, Wayne O., O94295.
Flanery, Colbert L., O84332.
Fowler, Harland W., O73031.
Gensler, Herman H., O78680.
Guibor, Milferd T., O73467.
Hawkins, William H., O85762.
Herwig, Lee C., Jr., O80335.
Hille, Robert A., O71362.
Hoen, Warren K., O88739.
Ikeda, George, O92072.
Johnson, Aaron B., O89790.
Killo, William S., O78668.
Latham, Robert M., O84334.
Lawrence, Frank P., O88783.
Lucas, Walter H., O81874.
MacEntee, John L., O96695.
Mateer, Charles A., O69200.
McKenney, William, O70854.
McKinley, Fred W., O84336.
Miller, Norman G., O67945.
Minx, Ramon P., O84228.
Montalvo, Frank F., OF103879.
Noble, Ralph E., O78685.
Patterson, William, O73534.
Radke, Myron G., O73479.
Rizer, Charles B., O86684.
Rosen, Arthur, O86703.
Ross, Don R., O75424.
Roy, Edward E., OF106220.
Russell, James L., Jr., O74954.
Sadler, Tom H., O75425.
Singletary, Winfield S., Jr., O71601.
Smith, Robert C., O78687.
Sperling, Gerald J., O94964.
Stiles, Peter W., O74959.
Stover, James W., O75433.
Temperilli, John, Jr., OF106846.
Thomas, Evan T., O76816.
Thomas, Tommy, O70051.
Triano, Donald H., O86313.
Trudeau, Thomas L., O84288.
Walker, James F., O70058.
Webb, Richard, III, O78675.
Weber, Charles J., Jr., O80338.
Yamamoto, Hiroshi, O75443.

To be majors, Army Nurse Corps

Antonicci, Anna E., N2889.
Ayers, Donna M., N3051.
Baker, Evaline R., N2785.
Baskfield, Margaret, N2797.
Betz, Catherine T., N2766.
Burke, Frances M., N2811.
Canfield, Margaret E., N3318.
Cooper, Robbie F., N3174.
Geissinger, Amy D., N2793.
Gilson, Claire E., N2874.
Glisson, Bessie R., N2900.
Hall, Marjorie, N3057.
Hall, Natalie, N3058.
Heckman, Edna M., N3036.
Houle, Alice T., N3019.
Knox, Edith V., N2798.
Lyons, Mary E. D., N2756.
Mackey, Helen J., N3170.
Nichols, Glennadee, N2762.
Raffety, Gladys L., N2868.
Rivera, Jeanne E., N3031.
Robinson, Agnes L., N3089.
Shoemaker, Vera E., N2965.
Smith, Marjorie A., N2773.
Steckbar, Janette L., N2927.
Sullivan, Louise E., N2690.
Tauroney, Teresa J., N3039.
Ware, Jean M., N3044.
Whitten, Blanca A., N3287.

To be majors, Army Medical Specialist Corps

Beitzel, Barbara A., J83.
Bogrette, Ann, M10167.
Day, Donna J., J90.
Gregory, Rita T., M10162.
MacTaggart, Lois, M10171.
Metcalf, Virginia A., M10164.
Street, Dorothy R., J99.

SECRETARY OF THE NAVY

Paul R. Ignatius, of California, to be the Secretary of the Navy.

UNDER SECRETARY OF THE AIR FORCE

Townsend Hoopes, of Virginia, to be the Under Secretary of the Air Force, vice Norman S. Paul, resigned.

CONFIRMATIONS

Executive nominations confirmed by the Senate August 4, 1967:

U.S. ATTORNEYS

Louis M. Janelle, of New Hampshire, to be U.S. attorney for the district of New Hampshire for the term of 4 years.

Stephen H. Sachs, of Maryland, to be U.S. attorney for the district of Maryland for the term of 4 years.

U.S. MARSHALS

Frank Udoff, of Maryland, to be U.S. marshal for the district of Maryland for the term of 4 years.

John H. Phillips, of Mississippi, to be U.S. marshal for the northern district of Mississippi for the term of 4 years.

HOUSE OF REPRESENTATIVES

MONDAY, AUGUST 7, 1967

The House met at 12 o'clock noon.

The Chaplain, Rev. Edward G. Latch, D.D., offered the following prayer:

"Obey My voice," saith the Lord, "and I will be your God and you shall be My people; and walk in all the ways that I command you, that it may be well with you." Jeremiah 7: 23.

O God, our Father, who art the spirit of truth and the life of love, as we set out upon another week of work may Thy presence within give us courage and strength and fidelity. Cleansed by Thy forgiving grace we would make our bodies temples of Thy spirit, our hearts the dwellingplace of Thy love and our minds the center of Thy wisdom.

We bring to this altar of prayer ourselves, cluttered up with a lot of little things and confused at times about what is right and wrong. May the splendor of Thy spirit and the glory of Thy greatness shame our little thoughts, our petty prejudices, and our unworthy ways. May the vision of what we ought to be, and by Thy grace can be, spur us on to do our best for our country and for the people we represent.

Grant unto each one of us an inner greatness of spirit, an inner purity of heart, and an inner nobility of mind.

God, who touchest earth with beauty
Make us lovely, too,
Keep us ever, by Thy spirit,
Pure and strong and true.

Amen.

THE JOURNAL

The Journal of the proceedings of Thursday, August 3, 1967, was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Arrington, one of its clerks, announced that the Senate had passed without amendment bills of the House of the following titles:

H.R. 4496. An act for the relief of the village of Brooklyn Center, Minn.;

H.R. 4833. An act to provide for the conveyance of certain real property of the United States situated in the State of Pennsylvania;

H.R. 7043. An act to authorize and direct the Secretary of the Department under which the U.S. Coast Guard is operating to cause the vessel *Northwind*, owned by Wallace P. Smith, Jr., of Centreville, Md., to be documented as a vessel of the United States with coastwise privileges; and

H.R. 8485. An act for the relief of Eddie Garman.

The message also announced that the Senate had passed with amendments in which the concurrence of the House is requested, bills of the House of the following titles:

H.R. 5876. An act to amend titles 5, 14, and 37, United States Code, to codify recent law, and to improve the code; and

H.R. 6056. An act to amend the Internal Revenue Code of 1954 to provide rules relating to the deduction for personal exemptions for children of parents who are divorced or separated.

The message also announced that the Senate disagrees to the amendments of the House to the bill (S. 454) entitled "An act for the relief of Richard K. Jones," requests a conference with the House on the disagreeing votes of the two Houses thereon, and appoints Mr. ERVIN and Mr. HRUSKA to be the conferees on the part of the Senate.

The message also announced that the Senate had passed bills of the following titles, in which the concurrence of the House is requested:

S. 109. An act to control unfair trade practices affecting producers of agricultural products and associations of such producers, and for other purposes;

S. 234. An act for the relief of James W. Adams and others;

S. 706. An act to amend section 27 of the Shipping Act, 1916;

S. 975. An act for the relief of Mitsuo Blomstrom;

S. 1550. An act to amend the Consolidated Farmers Home Administration Act of 1961, as amended, to provide for release of valueless liens, and for other purposes;

S. 1657. An act to extend for 1 year the authority of the Secretary of Agriculture to make indemnity payments to dairy farmers who are directed to remove their milk from commercial markets because it contains residues of chemicals registered and approved for use by the Federal Government;

S. 1678. An act for the relief of American Petrofina Co., of Texas, a Delaware corporation, and James W. Harris;

S. 1709. An act for the relief of Dr. Antonio Martin Ruiz del Castillo;

S. 1748. An act for the relief of Dr. Ramiro de la Riva Dominguez; and

S. 2126. An act to amend the Food and Agriculture Act of 1965.

ENDORSEMENT FOR PRESIDENT'S PROGRAM

Mr. MILLER of California. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The **SPEAKER.** Is there objection to the request of the gentleman from California?

There was no objection.

Mr. MILLER of California. Mr. Speaker, I strongly endorse the President's program for reducing the budget deficit in fiscal 1968. This program is urgently needed—not only to meet our commitments at home and in Vietnam, but also to shore up our defenses against inflation.

We must not be deceived by the slowdown in price increases during recent months. A large part of this slowdown was caused by falling farm prices, a decline which has now come to an end. Meanwhile, industrial costs have continued to increase, and profit margins have shrunk in many industries. Now demand is accelerating, as industry completes its inventory adjustment, as spending by State and local governments continues to increase, as homebuilding recovers from its slump, and—as the President has informed us—as Federal expenditures run higher and revenues lower than anticipated.

If left unchecked, these trends of rising costs and expanding demand clearly signal a renewal of strong inflationary pressures in the months ahead. No one can want that. Inflation obviously hurts most those least able to protect themselves—those on fixed incomes, the poor, the elderly, the weak, and unorganized members of our society. Also, as we have seen again in the past year, the effect of price increases are felt long after their original cause has disappeared. Workers strive to regain the loss in the purchasing power of their wages, industrial strife increases; and the tragic spiraling of wages and prices inexorably continues. Finally, inflation distorts incentives and the pattern of production, and seriously impairs our balance of payments.

For these reasons, I agree with the President's judgment that a budget deficit of the size now anticipated presents a clear and present danger to the health of the American economy, as well as to our national security. We must move against this inflationary threat promptly and sensibly, both by eliminating unnecessary expenditures and by enacting a moderate increase in taxes. The President has proposed precisely such a program, and I am proud to support it.

OEO DESERVES TO LIVE

Mr. FRIEDEL. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The **SPEAKER.** Is there objection to the request of the gentleman from Maryland?

There was no objection.

Mr. FRIEDEL. Mr. Speaker, responsible journalism is practically unanimous in opposing the plan, sponsored by some Member of this body, to dismember, and eliminate OEO, our Federal antipoverty headquarters. The Baltimore Sun went on record to this effect on July 5, in an editorial entitled "War on Poverty," which affirmed that OEO "deserves to live."

The greatest weakness experienced in the President's war on poverty has been insufficient resources to meet the staggering challenge presented by 32,000,000 or more impoverished and destitute Americans. The brilliant successes achieved in the program to date have largely been due to the dynamic, resourceful, and creative leadership which OEO has provided.

I salute the Sun for its timely message in behalf of OEO, and place the editorial at this point in the RECORD:

WAR ON POVERTY

> The poverty program is not an outstanding success, but the nation would be a lot worse off without it. The Administration is seeking a higher budget for the Office of Economic Opportunity, and the Republican opposition, with some Southern Democratic support, is seeking to dismantle it. Not that the Republicans would do away with all the programs, but they would redistribute them among other departments and agencies.
>
> This is not the time for such a change. There are two reasons for the lack of conspicuous OEO success. One is that the cure for poverty is not properly known (or at least is not agreed upon by those who profess to know it), and the programs are often frankly expermiental (that is, not guaranteed to succeed). The other reason is that the poverty program has been pushed and pulled by tugs of war for control—in Washington, among professions, in municipal politics, and among those purporting to represent the poor.
>
> Neither of these two difficulties would be overcome or ameliorated by dispersing the programs. But the chance for coordination of a rational, comprehensive effort would be lost. So would the hope embodied in the OEO. Unfulfilled hope is bad enough. Rejected hope would be much worse. In testifying before the House Education and Labor Committee, OEO Director Sargent Shriver, while ostensibly seeking more funds, actually has been fighting to save his agency. It deserves to live.

PROPOSED COMMISSION ON OBSCENITY AND PORNOGRAPHY

Mr. BOLAND. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The **SPEAKER.** Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. BOLAND. Mr. Speaker, I wish to take this opportunity to congratulate the distinguished Member from New Jersey, Congressman DANIELS, for the sponsoring of legislation that would create a commission to be known as the Commission on Obscenity and Pornography. His bill, H.R. 10347, has been favorably reported out of the House Committee on Education and Labor.

Creation of such a commission is the most sensible and practical way to attack and eventually remove through constitutional legal means the cancer of obscenity and pornography which clogs and thus debilitates our mails and which decays and warps our youth. Over the past 10 years, according to statistics issued by the U.S. Children's Bureau, delinquency cases have increased by 58 percent. Some experts are of the opinion that "smut," both visual and written obscenity and pornography, contributes to delinquency. As Dr. Nicholas G. Frignito, the medical director of the county court of Philadelphia, Pa., said in a letter to the Committee on Education and Labor:

> There are records in the county court of Philadelphia to demonstrate that indiscriminate use of smut leads to sexually aggressive acts, and in some incidents, to homicide. Aggressive delinquents band in small groups and devote considerable time to pursuing and reading smut devoted to sadistic and masochistic practices.

Mr. Speaker, it is both my hope and my belief that this Commission will examine the connection between delinquency and smut and that it will develop both definitions and laws which will help the Post Office Department and the courts to control or limit, or even stop, the flow of this material.

HOUSE CONCURRENT RESOLUTION INVITING FORMER PRESIDENT EISENHOWER TO UNDERTAKE WORLDWIDE FACTFINDING MISSION—VACATING SPECIAL ORDER

Mr. ROTH. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The **SPEAKER.** Is there objection to the request of the gentleman from Delaware?

There was no objection.

Mr. ROTH. Mr. Speaker, I had secured a special order for the close of business today, the purpose to discuss a House concurrent resolution I am introducing inviting former President Dwight D. Eisenhower to undertake a worldwide factfinding mission and report his findings to the Congress and the President.

In light of General Eisenhower's hospitalization over the weekend, plans for this special order will be held temporarily in abeyance.

Mr. Speaker, I respectfully request unanimous consent that the special order granted to me for 1 hour today be vacated.

The **SPEAKER.** Is there objection to the request of the gentleman from Delaware?

There was no objection.

SUSPENSIONS FOR MONDAY, AUGUST 7, 1967

Mr. BOW. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The **SPEAKER.** Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. BOW. Mr. Speaker, very shortly we will be having a number of suspensions, but I think it is well to call the attention of the House to what these are going to cost us. We will have on each 40 minutes of debate. These amounts really are not earthshaking, but a dollar saved is a dollar earned, and it might be well to know what we are doing.

H.R. 8629 is going to cost us through fiscal year 1969, $450,000.

S. 1762 will cost us $500,000 a year for 3 years.

H.R. 8009, which is retroactive to January 1, 1967, has an annual cost of $50,000.

H.R. 839 will have a cost of $2,530,000 in fiscal year 1968, and annually a cost of $798,000.

H.R. 8375 is going to cost us $5,531,300.

H.R. 10242 is an additional cost of $2 million for fiscal year 1968, and a future cost of $500,000 a year.

H.R. 11945 will add $18,600,000 to a present appropriation of $139 million, and it will cost us $9 million from now on.

So I would suggest, Mr. Speaker, that we look carefully at these in view of the President's message that we must cut down on spending. We ought to take a good look at these suspensions. Sometimes I think 40 minutes for debate is not enough, particularly on the one item of $18 million.

WASHINGTON AREA TRANSPORTATION BOTTLENECKS AND THEIR POSSIBLE SOLUTIONS

Mr. GUDE. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Maryland?

There was no objection.

Mr. GUDE. Mr. Speaker, this afternoon the Congressmen from the four districts of Maryland and Virginia adjacent to the District of Columbia are holding a conference to consider Washington area transportation bottlenecks and their possible solutions. Responsible administrators and officials of the affected agencies will participate.

A major roadblock in the past has been the continuing procrastination of the National Capital Planning Commission whose indecision has virtually halted necessary approval to long-planned and discussed highway facilities. Last week James Gleason, a Montgomery County, Md., member of the Washington Metropolitan Area Transit Authority, highlighted the problem which has so long frustrated highway builders when he charged that the Planning Commission is hampering progress of the subway system.

We have long been concerned with the Planning Commission's approval of projects, then later rescinding that approval and calling for another study. It will do serious damage to the Nation's Capital and the surrounding area if the Planning Commission is permitted to extend its obstructionist approach to mass transit.

Leadership to push ahead with deliberate speed, as Mr. Gleason has demonstrated in this instance, is to be commended and encouraged, if we are to develop an adequate transportation system in the Washington metropolitan area employing all means of transportation—rail, air, bus, and highway.

Mr. SCOTT. Mr. Speaker, I should like to commend my colleague from Maryland for bringing to the attention of the House the problems of transportation in the Washington metropolitan area.

SEVENTH ANNIVERSARY OF THE REPUBLIC OF THE IVORY COAST

Mr. O'HARA of Illinois. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. O'HARA of Illinois. Mr. Speaker, Americans have watched with pleasure the increasing stature and prosperity of the Ivory Coast since its independence in 1960. Under the able leadership of President Felix Houphouet-Boigny, Ivory Coast has not only prospered but has provided responsible leadership toward reason and moderation on African and international issues. Stability has prevailed in the Ivory Coast since independence, a strong factor in the development of her prosperous economy.

Ivory Coast has generally shunned involvement in cold-war issues. The government has adopted policies that are in practice friendly to the West. Ivory Coast became a member of the United Nations in 1960 and served a 2-year term on the Security Council in 1964–65.

The government of Houphouet-Boigny has favored a step-by-step approach to the question of African unity rather than broad proposals for early continental union.

Today on its seventh anniversary I am happy and privileged to convey the hearty congratulations of the House of Representatives of the Congress of the United States to the people and the Government of the Republic of the Ivory Coast for 7 years of noteworthy achievements. The distinguished President, His Excellency Houphouet-Boigny, will be visiting Washington on August 17 and 18. We look forward to welcoming this most able statesman and wish him good fortune in all his undertakings. My personal good wishes go to the able and popular Ambassador from the Ivory Coast to the United States, His Excellency Timothe' Ahoua.

COMMITTEE ON RULES—PERMISSION TO FILE REPORTS

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the Committee on Rules may have until midnight tonight to file certain reports.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

SUBCOMMITTEE ON CONSUMER AFFAIRS OF THE COMMITTEE ON BANKING AND CURRENCY—PERMISSION TO SIT

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the Subcommittee on Consumer Affairs of the Committee on Banking and Currency may be permitted to sit today while the House is in session during general debate.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

CONSENT CALENDAR

The SPEAKER. This is Consent Calendar day. The Clerk will call the first bill on the Consent Calendar.

PURCHASE OF LAND FROM TEXAS SOUTHMOST COLLEGE

The Clerk called the bill (H.R. 472) to authorize the Secretary of Agriculture to purchase certain land from Texas Southmost College, Brownsville, Tex.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. JOHNSON of Pennsylvania. Mr. Speaker, reserving the right to object, I see the gentleman from Texas [Mr. de la Garza] is here, and I would like to ask the gentleman one or two questions with respect to the bill.

Would the gentleman briefly explain why the Government should buy this building from Southmost College?

Mr. de la GARZA. Mr. Speaker, in answer to the gentleman's question, Southmost College is a junior college in Brownsville, Tex. About 10 years ago they leased a building containing approximately 7,200 square feet to the U.S. Department of Agriculture for a laboratory conducting research in the control of the pink boll worm and other related problems of the cotton industry. At this time the college is now in need of additional classroom and dormitory space and, rather than ask the Department of Agriculture to vacate this building, they have offered it for sale—and I might add at a lower price than it was appraised for by independent appraisers. Therefore this 4.87 acres which adjoins 10 acres the U.S. Department of Agriculture already owns would be sold to the Department of Agriculture, and with the funds received from this sale the college would construct on the other side of the campus approximately the same type of a building, either for classroom or for dormitory space.

Mr. JOHNSON of Pennsylvania. Mr. Speaker, I have another question to ask the gentleman from Texas:

I would ask the gentleman if this is a firm price, $125,000—is that what the Government will pay for this building?

Mr. de la GARZA. Yes.

I might also inform the gentleman that this had been negotiated informally, and this was the price that both parties had agreed would be the formal price for the land and the building.

Mr. JOHNSON of Pennsylvania. Mr. Speaker, I have another question to ask the gentleman from Texas.

If the Government gives the college this $125,000, do we have any assurance the money will then be used by the college to build additional classroom facilities, or dormitory space, or whether in fact this money will be used and put into a building to replace this building?

Mr. de la GARZA. I would reply to the

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gentleman first of all that I cannot see whether that is any concern of ours, but I will say to the gentleman that that was what precipitated the offer of sale to the U.S. Department of Agriculture so that the funds derived from that sale could then be used to build additional buildings, rather than asking the U.S. Department of Agriculture to vacate the building. This whole thing stems from the fact that the college needs more space, and I can assure the gentleman that that is what it will be used for.

Mr. JOHNSON of Pennsylvania. Mr. Speaker, I thank the gentleman for his explanation, and I withdraw my reservation of objection.

Mr. GROSS. Mr. Speaker, further reserving the right to object, may I ask the gentleman from Texas if this offer did not expire a year ago?

Mr. DE LA GARZA. The gentleman is correct. There was a contract entered for the purchase, and then the contract expired. However, the two parties have informally continued their dialog, if I might use that word, and at this time they are awaiting passage of the necessary legislation to authorize the Secretary of Agriculture to acquire the building and land.

However, I have had word from both parties as of last week that they will honor their former contract.

Mr. GROSS. Is that contained in the report?

Mr. DE LA GARZA. No, sir; it is not contained in the report.

Mr. GROSS. Mr. Speaker, may I ask the gentleman how old the building was when it was leased to the Government?

Mr. DE LA GARZA. I could not tell the gentleman exactly how old it was, but I think it was not more than 2 or 3 years old, but I will be very happy to ascertain this fact for the gentleman from Iowa.

Mr. GROSS. What was the building originally constructed for; what was the purpose of the building when it was originally constructed?

Mr. DE LA GARZA. I do not know what the original purpose of the construction of the building was.

Mr. GROSS. It was not constructed as a laboratory; is that correct?

Mr. DE LA GARZA. I am not too certain, but I do not believe so, because I think it was remodeled to lease it to the U.S. Department of Agriculture.

Mr. GROSS. Well, more than $25,000 an acre for land in and near Brownsville, Tex., is a pretty fair country price, I would say to the gentleman, having spent a little time there.

Mr. DE LA GARZA. I might add that this includes 7,200 square feet of building space with all of the appurtenances in the building. It is not only the land that is being sold. This is for the building and the land.

Mr. GROSS. What research funds are going to be used by the Department of Agriculture to consummate this deal?

Mr. DE LA GARZA. General research funds.

Mr. GROSS. Then this means the Department of Agriculture has been oversupplied with research funds, I take it if they have such funds to use for brick and mortar or the equivalent. It seems to me that the Department of Agriculture is oversupplied with research money if this is the case.

Mr. DE LA GARZA. I am not conversant with that. The gentleman, of course, can check with the proper persons who are acquainted with those matters.

Mr. GROSS. What did the 14 acres cost orignally that the college now holds?

Mr. DE LA GARZA. The acreage where the college now is was at one time the Fort Brown cavalry installation of the U.S. Army. As to how the college acquired that acreage I do not know.

Mr. GROSS. You do not know the terms on which the college acquired old Fort Brown; is that right?

Mr. DE LA GARZA. No, sir; I am not acquainted with that fact.

Mr. GROSS. It still seems to me that $125,000 for 5 acres of land—less than 5 acres—is a pretty steep price.

Mr. DE LA GARZA. I might inform the gentleman that independent appraisers have appraised the building and land at $150,000. The offer of sale has been $25,000 less than the appraised figure by independent appraisers.

Mr. GROSS. So you do not think you would have any trouble at all in getting the college down there to accept $125,000 from the Government for a building of questionable value? You do not think you are going to have a bit of trouble doing that; do you?

Mr. DE LA GARZA. I might tell the gentleman I do not think that we are here dealing with a building of questionable value. I think, as a matter of fact, speaking truthfully, that the college is making a sacrifice in letting the U.S. Department of Agriculture buy this building because if we were to build the same type of building now, it would be much more expensive; and if they were to secure land of the same caliber and type of land in the same locality, it would be much more expensive. I feel just as the gentleman does—I like to stretch a penny as far as I can, but I think we are getting a good deal here and that this is a bargain.

Mr. GROSS. I would suggest to the gentleman he provide a letter with complete assurance that this deal is going to be consummated. I would like to have further information with respect to the building, that is the cost of the building, that is now on this less than 5 acres of land.

Mr. DE LA GARZA. I have told the gentleman that an independent appraisal of the building and grounds was $150,000.

Mr. GROSS. Well, there are appraisals and there are appraisals—I am sure the gentleman is aware of that. I simply would like to know more about this proposal.

Therefore, Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Iowa [Mr. GROSS]?

There was no objection.

RELOCATION OF PLEASANTON PLANT MATERIALS CENTER

The Clerk called the bill (H.R. 547) to authorize the Secretary of Agriculture to sell the Pleasanton Plant Materials Center in Alameda County, Calif., and to provide for the establishment of a plant materials center at a more suitable location to replace the Pleasanton Plant Materials Center, and for other purposes.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. PELLY. Mr. Speaker, reserving the right to object, this bill, H.R. 547, would authorize the sale of the Pleasanton Plant Materials Center in Alameda County, Calif., and to provide for its relocation at a more suitable location.

Mr. Speaker, according to the information we have, the price of the relocation would be approximately $800,000, the same as could be obtained from the sale of the existing facilities.

The question I would like to ask is whether or not that $800,000 figure includes not only the cost of relocation but also the cost of the new similar facilities.

Can someone give me that information?

Mr. POAGE. I do not claim to know all the details of the California land transfer. But it is our understanding that the money derived from the sale of the facility in Alameda would pay for the land and the new buildings that would be necessary, and it would actually give the Department a better location than that which they have. You understand that the present location is more or less in downtown Alameda. It adjoins the county fair, as a matter of fact, and we are trying to get it out in the rural area where the land will be cheaper and the larger percentage of the valuation will be in buildings.

Mr. PELLY. Mr. Speaker, the gentleman has answered my question. I withdraw my reservation of objection.

Mr. GROSS. Mr. Speaker, further reserving the right to object, I am not quite clear for what purpose Alameda County wants to acquire this land. It is proposed that Alameda County will sell it to private developers? What will be done with it?

Mr. POAGE. No, it is proposed that they will use it for part of the Alameda County Fair.

Mr. GROSS. What?

Mr. POAGE. The county fair.

Mr. GROSS. F-a-i-r?

Mr. POAGE. That is correct.

Mr. GROSS. This land was acquired in 1939. Is that correct?

Mr. POAGE. I believe that is correct.

Mr. GROSS. Does the report show the acquisition cost at that time?

Mr. POAGE. I am sure the gentleman has read the report since I have. I do not think that it does.

Mr. GROSS. I do not believe it does, either. I am just trying to find out whether the Government is getting a fair deal out of this or not.

Mr. POAGE. I am advised that about 1939 this land was worth about $200 an acre, and the Government is now getting $800,000 for it.

Mr. GROSS. Are there improvements on the land?

Mr. POAGE. Yes, there are improvements on the land.

Mr. GROSS. So that the cost ought to be probably $800,000 at a minimum, if there are improvements on the land, and this has become desirable for other purposes?

Mr. POAGE. It has become desirable for other purposes. It has become quite valuable. Of course, that is the reason we are trying to move it out, so that we can put a larger percentage of our investment in buildings and not such a large percentage of the investment in land.

Mr. GROSS. If land is worth $25,000 an acre in Brownsville, Tex., with a nondescript building on it, I do not know what it would be worth in Alameda County, Calif.

Mr. POAGE. This is not in Brownsville, Tex. This is Alameda County, Calif.

Mr. GROSS. I understand. But I say that if land is worth more than $25,000 in Brownsville, Tex., I wonder what it is worth in Alameda County, Calif.

Mr. POAGE. In all kindness, I certainly could not suggest to the gentleman what any land is worth without knowing about the improvements on the land. The gentleman seems to feel that the character of the improvements have nothing to do with the value of the land.

Mr. GROSS. Oh, yes; I do. I say that if less than 5 acres is worth $125,000 with questionable improvements in Brownsville, Tex., land must be worth considerably more on the same basis in Alameda County, Calif. All I want to know is that the Government is getting a fair market price, all things considered, in this transaction. That is all I want to know.

Mr. POAGE. I do not think the gentleman will ever know. I do not think any of us know. I think all we can do is to use our best judgment, and I think the best judgment of those who are familiar with this matter is that this is a real good deal for the U.S. Government.

Mr. GROSS. I must say to the gentleman that I am somewhat surprised that the original acquisition cost on the part of the Federal Government does not appear in the report.

Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER. Is there objection to the present consideration of the bill?

There being no objection, the Clerk read the bill, as follows:

H.R. 547

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of Agriculture is authorized to convey to the County of Alameda, State of California, by quitclaim deed, for not less than fair market value as determined by independent appraisal, all right, title, and interest of the United States in and to the Pleasanton Plant Materials Center, situated in Alameda County, California, and the improvements thereon, which conveyance may be made subject to such reservations and upon such terms and conditions as the Secretary may deem appropriate, including the reservation of the right to continue the operation of the Pleasanton Plant Materials Center until a plant materials center to replace the Pleasanton Plant Materials Center shall be constructed, equipped, and ready for operation, and the functions of the Pleasanton Plant Materials Center are removed to the new site.

SEC. 2. The Secretary of Agriculture is authorized to apply the proceeds of the sale of the Pleasanton Plant Materials Center to the costs of acquiring other lands or interests in land in the State of California which the Secretary deems suitable for a plant materials center to be established as a replacement for the Pleasanton Plant Materials Center, to the cost of construction and alteration of buildings, and the development of such other improvements thereon as may be necessary for the establishment of the plant materials center, and to the costs of removal to such center of the functions of the Pleasanton Plant Materials Center, including the expenses incident to the transfer of personnel, and the removal of equipment, planting stock, and other property.

SEC. 3. Proceeds received from the sale of the Pleasanton Plant Materials Center shall be available to the Secretary until expended for carrying out this Act. Any such funds which the Secretary determines are not required for the establishment of a comparable new plant materials center as provided in this Act shall be deposited in the Treasury of the United States as miscellaneous receipts.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

GOLDEN SPIKE CENTENNIAL CELEBRATION COMMISSION

The Clerk called the resolution (S.J. Res. 10) to establish the Golden Spike Centennial Celebration Commission.

The SPEAKER. Is there objection to the present consideration of the Senate joint resolution?

Mr. JOHNSON of Pennsylvania. Mr. Speaker, reserving the right to object, may I interrogate the gentleman from Colorado [Mr. ROGERS]?

Mr. Speaker, my question is, first of all, What type of celebration is contemplated in this Golden Spike Centennial Celebration?

Mr. ROGERS of Colorado. Mr. Speaker, as the gentleman will recall, there was a plan to have a transcontinental railroad completed on May 10, 1869, at which time the Chinese were building the railroad from the West, and the Irish were building the railroad from the East, and the two lines were to meet. A golden spike was driven to celebrate this event over 100 years ago. That is, it will be 100 years on May 10, 1969. The objective is to try to find the golden spike that was driven at that time, and to celebrate the progress that has been made through railroads in this Nation. This event is of particularly great interest to the States in the West, and of particular interest to the great State of Utah, where this happening occurred.

Mr. JOHNSON of Pennsylvania. Mr. Speaker, I have another question of the gentleman. Elsewhere on the Consent Calendar there is a request for the Federal Treasury to fund a 200th anniversary celebration to the tune of $450,000, even though the original bill said that particular celebration would be conducted through donated funds. I notice this bill is not asking for any money for the centennial celebration. Does the gentleman contemplate coming back next year and asking for $450,000 for this celebration also?

Mr. ROGERS of Colorado. Mr. Speaker, to begin with, as the gentleman pointed out, this bill does not authorize the expenditure of any funds. For that reason we do not contemplate that there will be any necessity for the great State of Utah, and others in the West to come and ask for funds in connection therewith.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. JOHNSON of Pennsylvania. I yield to the gentleman from Iowa.

Mr. GROSS. Mr. Speaker, is the gentleman from Colorado saying he will or he will not come back and ask for funds? I do not like this "contemplation" business.

Mr. ROGERS of Colorado. Mr. Speaker, I may not be in Congress in 1969, and the gentleman may not be. Does the gentleman know?

Mr. GROSS. Mr. Speaker, I plan to be here.

Mr. ROGERS of Colorado. So do I. May I say in response to the gentleman's question, I do not have any plans to come back and ask for funds for this celebration from now until May 10, 1969, or thereafter.

Mr. GROSS. Mr. Speaker, will the gentleman yield further?

Mr. JOHNSON of Pennsylvania. I yield to the gentleman from Iowa.

Mr. GROSS. Mr. Speaker, did the gentleman from Colorado put a time limit on his response?

Mr. ROGERS of Colorado. I said May 10, 1969, or thereafter. If necessary, I will say forever.

Mr. GROSS. All right, that is fine.

Mr. McCLORY. Mr. Speaker, will the gentleman yield?

Mr. JOHNSON of Pennsylvania. I yield to the gentleman from Illinois.

Mr. McCLORY. Mr. Speaker, the fact is that the Legislature of Utah has appropriated $10,000 for the purpose of financing this celebration, and it is contemplated expenditures will be made from those funds.

Mr. ROGERS of Colorado. Mr. Speaker, if the gentleman will yield further, the State of Utah has appropriated $10,000 for those expenditures for this celebration.

Mr. JOHNSON of Pennsylvania. Mr. Speaker, I thank the gentleman from Colorado [Mr. ROGERS].

Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER. Is there objection to the present consideration of the Senate joint resolution?

There being no objection, the Clerk read the Senate joint resolution, as follows:

S. J. RES. 10

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) there is established a commission to be known as the Golden Spike Centennial Celebration Commission, which shall be composed of thirteen members as follows:

(1) Four Members of the Senate to be appointed by the President of the Senate;

(2) Four Members of the House of Representatives to be appointed by the Speaker of the House of Representatives; and

(3) Five members to be appointed by the President of the United States.

(b) The President shall, at the time of appointment, designate one of the members appointed by him to serve as chairman and executive officer. The members of the Commission shall receive no salary by reason of

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their services as members, but the executive officer may reimburse them for reasonable and necessary expenses incurred by them in conducting Commission business.

(c) Any vacancy in the Commission shall not affect its powers, but shall be filled in the same manner in which the original appointment was made.

SEC. 2. The functions of the Commission shall be to develop and execute suitable plans for the celebration of the one hundredth anniversary of the completion on May 10, 1869, of the first transcontinental railroad across the United States.

SEC. 3. The Commission may employ, without regard to the civil service laws or the Classification Act of 1949, such employees as may be necessary in carrying out its functions: *Provided,* That no employee whose position would be subject to the Classification Act of 1949, as amended, if said Act were applicable to such position, shall be paid a salary at a rate in excess of the rate payable under said Act for positions of equivalent difficulty or responsibility. Such rates of compensation may be adopted by the Commission as may be authorized by the Classification Act of 1949, as amended, as of the same date such rates are authorized for positions subject to said Act. The Commission shall make adequate provision for administrative review of any determination to dismiss any employee.

SEC. 4. (a) The Commission is authorized to accept donations of money, property, or personal services; to cooperate with the Golden Spike Contennial Commission established by the Legislature of the State of Utah, and any other agencies of State and local governments, with patriotic and historical societies, with institutions of learning, and with representatives of the railroads; and to call upon other Federal departments or agencies for their advice and assistance in carrying out the purposes of this joint resolution. The Commission, to such extent as it finds to be necessary, may procure supplies, services, and property and make contracts, and may exercise those powers that are necessary to enable it to carry out efficiently and in the public interest the purposes of this joint resolution.

(b) Expenditures of the Commission shall be paid by the executive officer of the Commission, who shall keep complete records of such expenditures and who shall account for all funds received by the Commission. A report of the activities of the Commission, including an accounting of funds received and expended, shall be furnished by the Commission to the Congress on or before its termination. The Commission shall terminate upon completion of its duties but in no event later than December 31, 1969.

(c) Any property acquired by the Commission remaining upon termination of the celebration may be used by the Secretary of the Interior for purposes of the national park system or may be disposed of as surplus property. The net revenues, after payment of Commission expenses, derived from Commission activities, shall be deposited in the Treasury of the United States.

(d) Mail matter sent by the Commission as penalty mail or franked mail shall be accepted for mail subject to section 4156 of title 39, United States Code, as amended.

The Senate joint resolution was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

AUTHORIZING THE APPROPRIATION OF FUNDS TO CARRY OUT THE ACTIVITIES OF THE FEDERAL FIELD COMMITTEE FOR DEVELOPMENT PLANNING IN ALASKA

The Clerk called the bill (S. 1281) to authorize the appropriation of funds to carry out the activities of the Federal Field Committee for Development Planning in Alaska.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. GROSS. Mr. Speaker, reserving the right to object, I think we ought to have a brief explanation of this bill.

Mr. CAREY. Mr. Speaker, on behalf of the Subcommittee on Territorial and Insular Affairs, I am pleased to respond to the request of the gentleman from Iowa. This bill would continue the authorization for the appropriation of the Federal Field Committee for Development Planning in Alaska. The gentleman will recall that after the devastating earthquake in Alaska, we did make an emergency authorization for Alaska, and out of that came this continuing study of the efficacy of the development assistance for this huge national resource represented in the State of Alaska.

The Federal Field Committee for Development Planning in Alaska is a modest group. I believe the gentleman will note, on page 2 of the report, that actually the Federal Field Committee has been frugal in its operations. It has a unique attribute, in that I believe it returned some 15 percent of its last appropriations to the U.S. Treasury.

In this measure we merely propose to continue the authorization for the Federal Field Committee, to be coterminal with the Economic Development Assistance Act available to all 50 States.

Alaska has the most modest budgetary authorization and appropriation of any of the 50 States despite the fact that the development resources are momentous in size. Proper study and planning, we believe, are in order.

Mr. GROSS. Does the gentleman mean to say that the State of Alaska cannot finance a development commission, which apparently is what the Federal Field Committee means? Can they not finance a development commission to the extent of $300,000? Or is it $400,000?

Mr. CAREY. The authorization in the bill is for $300,000.

Mr. GROSS. I notice that as recently as June 8, 1967, the counsel for the Department of Commerce put a price tag of $400,000. The gentleman says it is $300,000, and not $400,000, as the report indicates?

Mr. CAREY. The gentleman is correct.

Mr. GROSS. The gentleman is saying that the State of Alaska is unable to finance a development commission in the State of Alaska to the extent of $300,000 a year?

Mr. CAREY. That is correct. A similar interrogatory was directed to the Member from Alaska [Mr. POLLOCK]. He indicated that because of the current financial condition and economic condition of the great State of Alaska it was felt this help was needed.

Mr. GROSS. Does the State have a poverty program?

Mr. CAREY. I suspect they do.

Mr GROSS. Apparently they need one for the State.

The SPEAKER. Is there objection to the present consideration of the bill?

There being no objection, the Clerk read the Senate bill, as follows:

S. 1281

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, There is authorized to be appropriated not to exceed $300,000 in any one fiscal year ending June 30, 1968, and for each fiscal year thereafter through the fiscal year ending June 30, 1970, for the operating expenses of the Federal Field Committee for Development Planning in Alaska, established by Executive Order 11182, dated October 2, 1964 (F.R. Doc. 64–10178), as authorized by section 5 of the 1964 amendments to the Alaska Omnibus Act (Public Law 88–451, August 19, 1964, 78 Stat. 505), or the successor to such Committee.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

PARTICIPATION OF THE UNITED STATES IN THE INTERNATIONAL CRIMINAL POLICE ORGANIZATION

The Clerk called the bill (H.R. 2834) to amend the act of June 10, 1938, relating to the participation of the United States in the International Criminal Police Organization.

There being no objection, the Clerk read the bill, as follows:

H.R. 2834

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Act of June 10, 1938 (52 Stat. 640; 22 U.S.C. 263a), as amended, is further amended by deleting the last sentence.

With the following committee amendment:

On page 1, lines 4 through 5, strike the phrase "is further amended by deleting the last sentence" and insert in lieu thereof the following: "is further amended by deleting '$25,000' and inserting in lieu thereof '$28,500'.".

Mr. POFF. Mr. Speaker, I move to strike the last word. There is no greater value, dollar for dollar, in the war on crime than membership in Interpol. For just $28,500, the amount of the yearly membership dues in this world-renowned organization, the United States obtains the assistance of the police force of 90 nations in apprehending international criminals. It also gains access to a special kind of who's who—Interpol's master file containing the fingerprints and dossiers of more than 600,000 of these international criminals. In rounding up one international narcotics ring, the Treasury Department received information from Interpol which otherwise would have cost the Treasury Department an estimated $100,000 to obtain. Such an example makes clear the necessity of renewing our membership.

Interpol is not a police force or an academy for spies. It is rather a clearinghouse which radios information to and from 90 member nations, just about every country outside the Communist bloc. Its purpose is to promote efficient cooperation among the police forces of member nations.

If the Treasury Department had to rely on traditional channels in attempting to apprehend an American counterfeiter in a foreign land, the criminal might well escape. For by the time the

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Treasury Department would have requested the State Department to ask the embassy of a foreign country in the District if it would obtain information about the counterfeiter from its home office and this information was relayed back through normal diplomatic channels, the counterfeiter would have had ample opportunity to move on safely to another country. But if such a case arises now, an Interpol man in the United States merely contacts the Interpol representative in the foreign country and almost immediate cooperation can be expected from that country's police. Thus often a criminal is apprehended who otherwise would have escaped.

These "international criminals" specialize in narcotics, smuggling, and counterfeiting. However, Interpol will cooperate in tracking all "international" violators of the traditional criminal law, but it will not touch any "political" crimes. The "international" criminal is one, first, who operates in several countries; second, who operates in one country but who affects another country, or third, who commits a crime in one country but flees to another.

In 1959 a special House Judiciary Subcommittee made a study of Interpol. So impressed was the subcommittee with the skill and efficiency of Interpol activity, it suggested that our local law enforcement agencies visit and observe the operation.

Efficiency, knowledge, cooperation—they are not easily bought. We should be glad that we have the opportunity to buy them for $28,500.

The committee amendment was agreed to.

The bill, as amended, was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

WORLD FARM CENTER

The Clerk called the resolution (H. Con. Res. 413) to endorse the concept of World Farm Center.

There being no objection, the Clerk read the concurrent resolution, as follows:

H. CON. RES. 413

Whereas the business of agriculture is a basic industry vital to the economy and sustenance of the United States of America and the entire world; and

Whereas the development of techniques, research, and procedures for the improvement of the agricultural industry is necessary to the well-being of the farmers and consumers of farm products; and

Whereas World Farm Center advocates from all segments of the agribusiness industry are cooperating in the founding of a World Farm Center at Ontario, San Bernardino County, California, as a service organization which is designed to—

(1) serve as an agricultural "clearinghouse" and marketing information center;

(2) encourage, assist, and cooperate in agricultural research programs with universities, governmental agricultural agencies, and private agencies;

(3) develop the site of World Farm Center as a manufacturing and/or demonstration and display center for all types of agricultural machinery and equipment;

(4) establish prototype agricultural enterprises for display and production;

(5) establish a convention center for agricultural organization meetings;

(6) engage in other service and educational functions which will advance the agricultural industry;

(7) establish a center for offices or companies, associations, governmental and others; and

(8) improve public relations between agriculture and the general public: Now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That the concept of World Farm Center be endorsed as a means of furthering the advance of national and international agriculture.

With the following committee amendment:

On page 2, line 4, strike out the period and add the following: "without any cost or obligation on the part of the United States."

Mr. HANNA. Mr. Speaker, I move to strike the last word.

Mr. Speaker, the House of Representatives is being asked to vote today on a resolution supporting the concept of a World Farm Center. After 8 years of careful and meticulous planning by a number of sincere and dedicated men the program has arrived at the point where it will shortly be operating.

Last year I had the opportunity to make my views on this farsighted program known. I would like to include portions of that statement at this point because the conclusions I reached last year are just as valid today.

The great problem of the world food supply has so dominated the arena of political discussions recently, it seemed elementary that a constructive, imaginative, and creative proposal to serve this great need would be seen as a national contribution. It is my concern with the central problem of world famine and food shortage that originally attracted my interest in and support for the World Farm Center.

This idea which I shall outline briefly below originated with a group of Californians in farm equipment, farm production, food processing, food packaging, and farm finance. After 6 years of preliminary planning, research and education groundwork, the group has attracted the support of every responsible segment of agribusiness in our State and has as one of its directors the State Director of Agriculture, Mr. Charles Paul. The project last year was recognized by a resolution passed by both the Senate and Assembly of the State of California.

It is my belief, and that of those who are committed to the World Farm Center, that the growing of foodstuffs cannot be separated from the important development of fertilizers and insecticides; the necessary improvements in farm machinery and the latest technology of seed advancement. All of these operate in tandem with the growing of crops. Then there is the important marriage between the farm and overall flood control, irrigation and soil conservation. Finally after the harvest, the farmer is immediately interrelated to marketing, processing, packaging, and distribution. All of these together are the great team effort of American agribusiness, unique in the world today.

The tremendous showing of America's food production has rested upon the mutual growth, development, and technological advance in each sector of this great business complex to which we have referred. This full-fold plan is the real effective way to demonstrate the agricultural revolution of the United States. Too often our approaches internationally have been segmented. We insist that land reform is the great answer. Or, we insist that fertilizers and chemicals hold the miracle of progress. Again forces move ahead who hail improved seed as the sole key to success.

The farm center concept born and nourished out of the experience of the private entrepreneurs who have lived this revolution presents the overview—a powerful unit project where the interrelated, interdependent aspects of agribusiness can be seen as a whole in one gigantic showplace. The miniature of what the Department of Commerce shows to be a $140 billion section of our gross national product.

The farm center is designed to demonstrate in one place the interworkings of the various supporting elements that in the United States has brought the greatest yield per acre in the history of mankind and has delivered it to the consumer at the lowest unit cost.

It would be an unjustified and, I think, unfortunate slight to these representatives of our farm oriented free enterprise if we failed to extend the recognition of the importance this kind of program could hold, especially at a time when we are groping for the answers to this massive and frustrating problem of increasing the bread of mankind.

Speaker, let me make clear that what we are doing today is endorsing the idea embodied in the World Farm Center program. What we are doing is recognizing that private initiative and private endeavor have a most important role to play in advancing man's ability to feed himself.

I urge the Congress to give its unanimous approval to this farsighted and well considered program.

The committee amendment was agreed to.

The concurrent resolution, as amended, was agreed to.

A motion to reconsider was laid on the table.

AMERICAN REVOLUTION BICENTENNIAL COMMISSION

The Clerk called the bill (H.R. 8629) to amend the act of July 4, 1966 (Public Law 89-491).

Mr. HALL. Mr. Speaker, I ask unanimous consent that the bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

DECLARING THAT THE UNITED STATES HOLDS IN TRUST FOR THE INDIANS OF THE BATTLE MOUNTAIN COLONY CERTAIN LANDS WHICH ARE USED FOR CEMETERY PURPOSES

The Clerk called the bill (H.R. 9761) to declare that the United States holds in trust for the Indians of the Battle Mountain Colony certain lands which are used for cemetery purposes.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. PELLY. Mr. Speaker, reserving the right to object, I notice that the House bill differs from the bill passed by the Senate, in that the Senate had a provision added to require the Indian Claims Commission to determine the extent to which the value of the lands involved should be offset against claims against the United States as determined by the Commission.

Mr. Speaker, it seems to me that the provision of the other body is a fair one.

I would like to inquire of the distinguished gentleman from Colorado [Mr. Aspinall] as to whether or not the gentleman agrees with that statement.

Mr. ASPINALL. Mr. Speaker, will the gentleman yield to me?

Mr. PELLY. I would be glad to yield to the distinguished gentleman from Colorado.

Mr. ASPINALL. Mr. Speaker, as soon as unanimous consent is given for the consideration of this bill, I shall then ask that the Senate bill be considered in lieu of the House bill. As far as I know there is no opposition to that part of the Senate bill to which the gentleman has referred.

Mr. PELLY. Mr. Speaker, in view of the statement which has been made by the distinguished gentleman from Colorado [Mr. Aspinall], I withdraw my reservation of objection.

The SPEAKER. Is there objection to the present consideration of the bill.

There was no objection.

Mr. ASPINALL. Mr. Speaker, I ask unanimous consent that a similar Senate bill, S. 1701, be considered in lieu of the House bill.

The SPEAKER. Is there objection to the request of the gentleman from Colorado?

There being no objection, the Clerk read the Senate bill, as follows:

S. 1701

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That all of the right, title, and interest of the United States in the following described public domain land located in the State of Nevada are hereby declared to be held by the United States in trust for the Indians of the Battle Mountain Colony:

Township 32 north, range 44 east, Mount Diablo base and meridian, section 13, west half southeast quarter northwest quarter northeast quarter, containing 5 acres, plus a right-of-way for access purposes across the west 33 feet of the northeast quarter northwest quarter northeast quarter of said section 13.

Township 32 north, range 45 east, Mount Diablo base and meridian, section 18, north half northwest quarter southwest quarter northeast quarter, southwest quarter, containing 1¼ acres, plus a right-of-way for access purposes across the west 33 feet of the south half northwest quarter southwest quarter northeast quarter southwest quarter, southwest quarter southwest quarter northeast quarter southwest quarter, and southeast quarter southwest quarter of said section 18.

Sec. 2. The Indian Claims Commission is directed to determine, in accordance with the provisions of section 2 of the Act of August 13, 1946 (60 Stat. 1050), the extent to which the value of the title conveyed by this Act should or should not be set off against any claim against the United States determined by the Commission.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

A similar House bill (H.R. 9761) was laid on the table.

DISPOSAL OF MOLYBDENUM

The Clerk called the bill (H.R. 5784) to authorize the disposal of molybdenum from the national stockpile.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. ASPINALL. Mr. Speaker, reserving the right to object—and I do not expect to object—I would like to ask the distinguished chairman of the subcommittee handling this legislation a question:

Is it not the feeling of the subcommittee, after listening to testimony from the General Services Administration, that the disposal of molybdenum will take place in such a manner and over such a period of time that it will not disrupt the market's ability to absorb it?

Mr. PHILBIN. Mr. Speaker, will the gentleman yield?

Mr. ASPINALL. Yes. I yield to the gentleman from Massachusetts.

Mr. PHILBIN. Yes. I wish to advise the able and distinguished chairman that that is a fact according to the assurances given our committee by Government witnesses.

Mr. ASPINALL. Mr. Speaker, I am very glad that that is the fact, and I understand that the statement of the distinguished gentleman from Massachusetts [Mr. Philbin] will cover this matter in detail in his statement.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. GROSS. Mr. Speaker, further reserving the right to object—and I shall not object—I simply want to note that this is the first of, I believe, three bills dealing with disposals from the national stockpiles.

Mr. Speaker, several weeks ago the House of Representatives, at the urgent request of the gentleman from Massachusetts [Mr. Philbin], passed by unanimous consent a bill disposing of some 60 million pounds of nickel from the national stockpile. The supply of nickel throughout the country has been very scarce, and the price thereof has skyrocketed. In some areas there has been what some at least call a "gray market" and others call a "black market" in nickel.

The legislation went to the other body, and nothing has been done about it. This was weeks ago.

Mr. Speaker, I hope that these bills are meritorious and that the other body will provide them with a better fate.

I cannot, for the life of me, understand why they are holding up the disposal of nickel in the other body.

Mr. PHILBIN. Mr. Speaker, will the distinguished gentleman yield to me?

Mr. GROSS. I am delighted to yield to the gentleman from Massachusetts.

Mr. PHILBIN. Mr. Speaker, I wish to say that I fully share the concern and the anxiety of the distinguished gentleman from Iowa concerning the status of the nickel bill in the other body. The gentleman from Massachusetts has made several efforts to try to get favorable action and disposition of that bill in the national interest.

I am sure that the distinguished gentleman from Iowa well understands the fact that the bill passed by the House is now in a committee of the other body. As to what they are finally going to do, what action they will take, if any, I do not know.

However, insofar as this House subcommittee of the Committee on Armed Services is concerned, we have done everything we possibly can to meet the objections of the gentleman, and in doing that, with respect to the pending bills, we have received assurance to the effect that these stockpile measures which are enacted by the Congress will be carried out just as soon as possible. Of course, that means everything will be done in order not to precipitate any disruption of prices and the markets.

As I have advised the able gentleman, I have been informed of serious shortages of nickel in the economy and of alleged high prices and will continue to advise appropriate Government officials, so that these matters can be checked and favorable action taken to assist defense-rated users as well as other users.

I thank the able gentleman for the information he has furnished, and the deep interest he has shown, and assure him that we are giving these matters every possible attention and hope early favorable action can be taken.

Such action would accommodate some of the needs of those who require nickel, and give industry a fair opportunity to secure available nickel for which there is need.

Incidentally, on that particular nickel disposal, as the gentleman knows, most of the nickel will be allocated to Defense Department contracts, but other users would get some too.

Mr. GROSS. I will say to the gentleman from Massachusetts that I appreciate his remarks. I would add that it is my understanding that certain defense contractors do not have an adequate supply of nickel, and consequently have been forced to pay in some instances exorbitant prices for nickel in order to carry out their defense contracts. This can only mean one thing in the end, and that is higher costs and taxes to the American taxpayers. That is the reason why I cannot understand the delay by the other body in considering the bill.

Mr. PHILBIN. I will say to the distinguished gentleman that I do not understand that, either, and will assure the gentleman that the committee will continue to do everything it can to get favorable action on the bill, and on the protests of those who are currently facing exorbitant prices for nickel. I am very thankful for the able gentleman's interest and cooperation, which, are very helpful.

The **SPEAKER**. Is there objection to the present consideration of the bill?

There being no objection, the Clerk read the bill, as follows:

H.R. 5784

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Administrator of General Services is hereby authorized to dispose of, by negotiation or otherwise, approximately fifteen million pounds of molybdenum now held in the national stockpile established pursuant to the Strategic and Critical Materials Stock Piling Act (50 U.S.C. 98–98h). Such disposition may be made without regard to the provisions of section 3 of the Strategic and Critical Materials Stock Piling Act: *Provided,* That the time and method of disposition shall be fixed with due regard to the protection of the United States against avoidable loss and the protection of producers, processors, and consumers against avoidable disruption of their usual markets.

Mr. **PHILBIN**. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The **SPEAKER**. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. **PHILBIN**. Mr. Speaker, H.R. 5784 provides for the release of 15 million pounds of molybdenum from the national stockpile.

In January of this year, the Office of Emergency Planning reduced the stockpile objective for molybdenum from 55 million pounds, an objective established in 1966, to 40 million pounds.

The nuclear stockpile objective for molybdenum is zero.

Because of this substantial reduction in the objective, our committee thoroughly went into the matter of whether this reduction would impair the national security.

The 1964–66 period was one of unprecedented growth in world demand and mine development for the molybdenum industry. In 1965, free world production of molybdenum in ores and concentrates reached a new high of 98.4 million pounds and in 1966 was estimated to reach the record level of 124 million pounds. The United States, the world's largest producer of molybdenum, produced approximately 65.6 million pounds in 1964 and approximately 77.4 million pounds in 1965. U.S. production in 1966 was estimated at 90.5 million pounds. In 1965, U.S. production represented about 79 percent of the free world's total.

In 1965, domestic consumption of molybdenum was 52.2 million pounds, and exceeded the previous record year of 1964 by 9 percent. For 1966, U.S. consumption was estimated at 61.3 million pounds, an increase of 17 percent over 1965. This increase in consumption was made possible because the supply from current domestic mine production was augmented by release of approximately 23 million pounds from Government stockpiles since late 1964. Exports of molybdenum in concentrates in 1965 were 24.1 million pounds and were estimated at 30 million pounds in 1966.

In selling the molybdenum, representatives of General Services Administration told the committee that priority would be given to holders of unsatisfied defense-rated orders and the filling of such orders will not be restricted by any other provisions of the disposal program. The sales will be restricted to domestic producers or processors of molybdenum concentrates who will agree to resell the Government material either in its present form or after processing for domestic consumption only or to domestic consumers of molybdenum who would certify they would not be able to obtain all their molybdenum requirements from the regular sources of supply or who would also certify they would either consume the material in their own domestic facility or arrange for processing into a usable state and then consume it in their own domestic facility.

Molybdenum is a hard, silver-white metal obtained from molybdenite. It imparts a high-melting point, high strength, stiffness and toughness to alloys. The principal uses of molybdenum are as an alloying agent in iron and steel. It is also used by the electrical, chemical, and ceramics industries. Small quantities have applications as catalysts, welding rods, paints and pigments, lubricants, and a trace element in plant and animal metabolism.

The average acquisition cost of molybdenum is approximately $1.07 per pound. The current market price is approximately $1.55 per pound. Thus, the Government will stand to make approximately $9 million on this transaction.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

DISPOSAL OF RARE-EARTH MATERIALS

The Clerk called the bill (H.R. 5787) to authorize the disposal of rare-earth materials from the national stockpile and the supplemental stockpile.

There being no objection, the Clerk read the bill, as follows:

H.R. 5787

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Administrator of General Services is hereby authorized to dispose of, by negotiation or otherwise, approximately seven thousand, six hundred forty short dry tons (rare-earth oxides content) of rare-earth materials now held in the national stockpile established pursuant to the Strategic and Critical Materials Stock Piling Act (50 U.S.C. 98–98h) and the supplemental stockpile established pursuant to section 104(b) of the Agricultural Trade Development and Assistance Act of 1954, 68 Stat. 456, as amended. Such disposition may be made without regard to the provisions of section 3 of the Strategic and Critical Materials Stock Piling Act: *Provided,* That the time and method of disposition shall be fixed with due regard to the protection of the United States against avoidable loss and the protection of producers, processors, and consumers against avoidable disruption of their usual markets.

Mr. **PHILBIN**. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The **SPEAKER**. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. **PHILBIN**. Mr. Speaker, H.R. 5787 would authorize the disposal of approximately 7,640 short dry tons—rare-earth oxides content—of rare-earth materals now held in the national and supplemental stockpiles.

The total inventory of rare-earths held by GSA now stands at 15,787 short dry tons—rare-earth oxide content. The present stockpile objective is 3,000 short dry tons. Although the excess is 12,787 short dry tons, the Office of Emergency Planning requested that 5,147 short dry tons of the excess be reserved pending the completion of certain research as to quantities of specific forms of rare earths to be held in the stockpile. The remaining excess of 7,640 short dry tons is covered by H.R. 5787.

The average acquisition cost of the rare-earths held in our inventory was $839.10 per short dry ton. Because of substantial increases in production and consumption of rare earths in recent years, prices have gradually declined, and the present market value of the stockpile material is about $450 per short dry ton. Thus, the loss on the sale of these rare-earth materials will result in a net loss of $3 million.

The most familiar use of rare-earth minerals is for sparking metal in cigarette lighters. These minerals are also used as steel bath additives in the form of "misch" metal to improve the hot working qualities of certain steels which are difficult to forge and roll. Other rare-earth uses are in armor plate and heavy forgings; in the glass industry as a coloring agent and polishing medium; and as a core in arc carbons used in projectors and searchlights. However, the most recent and spectacular use of rare earths is in the manufacture of phosphor compounds for color television tubes.

Largely as a result of the breakthrough in television tubes consumption of rare earths in the United States has grown from 2,300 tons in 1963 to an estimated 6,000 tons in 1966, an increase of over 150 percent over the 4-year period involved.

Rare-earth supplies of domestic consumers originate only in part from domestic production, with one company accounting for most of the U.S. output. The balance of U.S. needs are supplied from foreign sources, notably Australia, Malaysia, and Ceylon.

The significant growth in rare-earth consumption which is being experienced as a result of developments in the color television industry is expected to continue for some time. This favorable circumstance thus affords the Government an unprecedented opportunity to begin the orderly disposal of the unneeded stocks of these materials from the Government inventories at a time when they can be moved into the supply stream without disruption of markets.

THE UNIVERSITY OF MICHIGAN LIBRARIES

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

DISPOSAL OF BISMUTH

The Clerk called the bill (H.R. 5788) to authorize the disposal of bismuth from the national stockpile and the supplemental stockpile.

There being no objection, the Clerk read the bill, as follows:

H.R. 5788

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Administrator of General Services is hereby authorized to dispose of, by negotiation or otherwise, approximately one million two hundred thousand pounds of bismuth now held in the national stockpile established pursuant to the Strategic and Critical Materials Stock Piling Act (50 U.S.C. 98–98h) and the supplemental stockpile established pursuant to section 104(b) of the Agricultural Trade Development and Assistance Act of 1954, 68 Stat. 456, as amended. Such disposition may be made without regard to the provisions of section 3 of the Strategic and Critical Materials Stock Piling Act: *Provided,* That the time and method of disposition shall be fixed with due regard to the protection of the United States against avoidable loss and the protection of producers, processors, and consumers against avoidable disruption of their usual markets.

Mr. **PHILBIN**. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the Record.

The **SPEAKER**. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. **PHILBIN**. Mr. Speaker, H.R. 5788 would authorize the disposal of approximately 1,200,000 pounds of bismuth now held in the national and supplemental stockpiles. The total inventory of bismuth held by the General Services Administration is 3,600,000 pounds. The stockpile objective is 2,400,000 pounds. The Director of the Office of Emergency Planning has determined that the excess of 1,200,000 pounds covered by H.R. 5788 is not needed to meet stockpile requirements.

The average acquisition cost of the stockpile inventories of bismuth was $2.13 per pound. The current market price is approximately $4 per pound. Thus, the profit to the Government on this disposal will amount to approximately $2,400,000.

Bismuth is a metal that is produced as a byproduct from the smelting and refining of copper, lead, and tungsten ores. The United States, Peru, Mexico, Japan, Bolivia, Canada, and the Republic of Korea are the major producing countries. Bismuth is used for low-melting alloys in a number of safety devices such as plugs for compressed gas cylinders, automatic sprinkler systems, firedoor releases, and electrical fuses. The use of bismuth as a catalyst in the production of acrylic fibers and paints has increased in the past few years. It has other pharmaceutical and cosmetic uses as well.

There has been a spiraling boom in industrial use of bismuth over the past 5 years. U.S. consumption in 1966 was in the area of 3 million pounds, as compared to 1,478,000 pounds in 1961, an increase of slightly over 100 percent. The largest areas of consumption growth took place in the catalyst, cosmetic, and fusible alloy fields.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

UNIFORM AND FLAG FOR DECEASED NATIONAL GUARD MEMBERS

The Clerk called the bill (H.R. 2630) to provide for the furnishing of a uniform and the presentation of a flag of the United States for deceased members of the National Guard.

The **SPEAKER**. Is there objection to the present consideration of the bill?

Mr. **GROSS**. Mr. Speaker, reserving the right to object, I would like to ask how it is proposed to supply the flag and a uniform in the short period of time that might be available?

Mr. **BRAY**. Mr. Speaker, will the gentleman yield?

Mr. **GROSS**. I yield to the gentleman.

Mr. **BRAY**. I would say to the gentleman that this would be handled in the same manner in which they are furnished for service men in the regular service. For instance, the Post Office Department furnishes the flag. I am not exactly certain how the matter of furnishing the uniforms will be accomplished, but I do understand there will be no problem.

Mr. **GROSS**. The gentleman spoke of the flag, and said it is to be supplied through the Post Office Department?

Mr. **BRAY**. Just exactly as the flag has always been supplied. And it can be furnished only upon request of the family, it is not an automatic self-operating law.

Mr. **GROSS**. The uniform would be supplied through what source?

Mr. **BRAY**. Through the Quartermaster Corps.

Mr. **GROSS**. But there would have to be some facility much nearer than that. Say this occurred in some village in the State of Iowa. Where would they go to secure the uniform for the serviceman?

Mr. **BRAY**. I would say that there are bases within reach in the length of time of 48 hours, or perhaps 24 hours, that could provide the uniforms. I would also mention to the gentleman that this is an administration problem. Naturally this is not spelled out in the legislation.

Mr. **HALL**. Mr. Speaker, will the gentleman yield?

Mr. **GROSS**. I am glad to yield to the gentleman from Missouri.

Mr. **HALL**. Mr. Speaker, I believe I can give an explanation that may be of assistance to the House.

As I understand, this has application only to National Guard members serving on extended active duty, so there will always be a base supply in the places where the serviceman was rendering service at the time the accident led to his death.

Mr. **GROSS**. I thank the gentleman.

The **SPEAKER**. Is there objection to the present consideration of the bill?

There was no objection.

The Clerk read the bill, as follows:

H.R. 2630

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 1482 of title 10, United States Code, is amended by adding a new subsection (e) to read as follows:

"(e) In addition, the Secretary concerned may pay the necessary expenses of furnishing a uniform and presentation of a flag of the United States to the person designated to direct disposition of the remains of any member of the Army National Guard or Air National Guard who is not covered by the provisions of section 1481 of this chapter, and who dies under honorable circumstances as determined by the appropriate Secretary."

With the following committee amendment:

Strike all after the enacting clause and substitute in lieu thereof the following:

"That section 1482 of title 10, United States Code, is amended by adding the following new subsection at the end thereof:

"'(e) The Secretary concerned may pay the necessary expenses of furnishing a uniform to clothe the remains of a member of the Army National Guard or Air National Guard, or a Reserve of an armed force under his jurisdiction who is in the Ready Reserve, who is not covered by section 1481 of this title and who dies under honorable circumstances as determined by the Secretary. The Secretary concerned may also pay the necessary expenses of the presentation of a flag of the United States to the person designated to direct the disposition of the remains of such a member.'"

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, and was read the third time.

The title was amended so as to read: "A bill to provide for the furnishing of a uniform and the presentation of a flag of the United States for deceased members of the National Guard and Ready Reserve."

A motion to reconsider was laid on the table.

MODIFYING RECOUPMENT REQUIREMENTS ON MILITARY DISABILITY SEVERANCE PAY

The Clerk called the bill (H.R. 5645) to revise the provisions of title 10, United States Code, relating to the recoupment of disability severance pay under certain conditions.

There being no objection, the Clerk read the bill, as follows:

H.R. 5645

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 1212 (c) of title 10, United States Code, is amended by adding at the end thereof the following: "Deduction of the disability severance pay from disability compensation shall be made at a monthly rate not in excess of the rate of compensation to which the former member would be entitled, based on the degree of his disability as determined on the initial Veterans' Administration rating."

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

AMENDING THE DEPENDENTS MEDICAL CARE ACT

The Clerk called the bill (H.R. 8009) to amend title 10, United States Code, to remove the restriction on the use of certain private institutions under the dependents' medical care program.

There being no objection, the Clerk read the bill, as follows:

H.R. 8009

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 1079 (d)(4) of chapter 55, title 10, United States Code, is amended by striking out the word "nonprofit".

Sec. 2. The amendment made by this Act shall be effective as of January 1, 1967.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

INCREASING THE STATUTORY CEILING ON THE AUTHORIZED NUMBER OF MARINE CORPS RESERVE GENERAL OFFICERS

The Clerk called the bill (H.R. 11144) to authorize an increase in the number of Marine Corps Reserve officers who may serve in an active status in the combined grades of brigadier and major general.

The SPEAKER. Is there objection to the present consideration of the bill?

There was no objection.

The Clerk read the bill, as follows:

H.R. 11144

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 5458(a), title 10, United States Code, as amended, be amended by deleting the number "ten" at the end of the subsection and substituting the number "fifteen" therefor.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

The SPEAKER. This concludes the call of the Consent Calendar.

AMERICAN REVOLUTION BICENTENNIAL COMMISSION

Mr. ROGERS of Colorado. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 8629) to amend the act of July 4, 1966 (Public Law 89-491), with an amendment.

The Clerk read as follows:

H.R. 8629

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Act of July 4, 1966 (80 Stat. 259), is hereby amended as follows:

1. By adding in section 2(b)(3) the words "the Secretary of Commerce," after the words, "The Secretary of Defense,".

2. By deleting in section 3(d) the words "two years after the date of the enactment of this Act," and inserting in lieu thereof "July 4, 1969.".

3. By deleting section 7(a) and inserting in lieu thereof the following:

"Sec. 7. (a) There is authorized to be appropriated not to exceed $450,000 for the period through fiscal year 1969."

Mr. MARSH. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the Record.

The SPEAKER. Is there objection to the request of the gentleman from Virginia?

There was no objection.

Mr. MARSH. Mr. Speaker, I rise in support of H.R. 8629 in reference to the Bicentennial Commission of the American Revolution. I compliment the gentleman from Colorado [Mr. Rogers], the subcommittee which he chairs, and the full Committee on the Judiciary for bringing this legislation to the floor.

I am pleased that the Congress recognizes the need, and seeks to meet that need, by funding this Commission in order that it can begin what can be a historic and monumental work. At this time, it is appropriate to point out some of the background of this Commission and the heritage of ideas it seeks to commemorate.

The purpose of a Bicentennial Commission, I believe, is to observe the American Revolution as not primarily a historical commemoration, but rather a reexamination of the issues and idea forces which produced the American Revolution. In our Western heritage, the American Revolution was the fire that took the dross out of much of the 18th century English socialpolitical institutions and refined many Western ideas. Concord Bridge did more than start a local conflict; rather, as Toynbee has said, it began a revolutionary era.

We know that in nearly all of the great movements that have shaped history, there is a body of theory including certain idealistic goals that provides an inspiration and a framework in which the participants of the cause operate. In many instances, those involved are never aware of the broad spectrum of ideals or ideas which their cause involves.

We need, in my opinion, to inject into U.S. policy more of the goals and purposes of the American Revolution which crystallize the issues of some of the best thinking of a momentous age. We need, as American citizens, to become more aware of these same goals and purposes. If anything, I would describe my own thoughts on this concept more in the sense of a renaissance of the concepts and ideas of the American Revolution and the application of the same to the problems of a changing nation and a changing world.

Historians consider the American Revolution to have begun in 1763 with the signing of the Treaty of Paris which ended the French and Indian War. The 12 years from 1763 to 1775 have been described as the "Golden Age" of the American Revolution. These might be called the "idea years." Two hundred years later, the present period in which we live offers an excellent opportunity to focus national attention on the events that would later usher in the American Revolution and ultimately produce the American Republic.

Seventeen hundred and sixty-three was a turning point in relations between England and her Colonies in America. From 1763 on, relations grew progressively worse for a number of reasons.

First, England sought to reassert colonial control that had slipped from its grasp because of military necessities of the Seven Years War.

Second, there was a question of economics and repayment of a huge war debt which had been incurred by the Crown in defense of the colonies.

Third, 1763 marked the end of what is termed the "old colonial period" and ushered in the "new colonial period" that got off to an inauspicious start under George III and Grenville, who became Prime Minister in April of 1763.

Fourth, historians say in 1763 there can be discerned the emergence of what has been termed the American character, symbolic of the breed of individual that was to conquer the West and endure the hardships and rigors of what was actually a terrifying wilderness. Later this temper or character would be described as we know it today by the soubriquet "the pioneer spirit."

Clearly, the 12-year span from 1763 to 1775 would develop the issues of legality and constitutional rights that became peculiar to the American Revolution. Many of the great Englishmen, such as Burke, Pitt, and others, would find in the colonial cause, prior to armed conflict, a struggle by Englishmen living in the Americas to protect the rights of Englishmen living in the British Isles. Burke, in the House of Commons in 1775, attributed to the colonial bar a substantial role in having produced the American temper and paid tribute to what the legal profession did in formulating and defining the issues of the Revolution. Perhaps of all the hallmarks that distinguish the American Revolution none is more prominent than the emphasis placed on "legality" and the need for civil authority to accomplish revolutionary ends. Historians points out that there was never associated with this conflict, bloody as it was, the terrorism, anarchism, and radicalism which accompanied the French and Russian revolutions.

We cannot wait for the bicentennial of Concord Bridge which will occur in April of 1975, or till the bicentennial of the Declaration of Independence in 1976 to begin planning and observing this bicentennial of ideas which occurred 12 years prior to Concord Bridge. To illustrate the need of moving forward at this time with the Commission, I would mention several significant events in this period of history from 1763 to 1775. You will note some have already passed and have regretfully gone unnoticed.

Seventeen hundred and sixty-three marked the Treaty of Paris which ended the French and Indian War and as also the year in which Patrick Henry argued the Parsons' Cause.

The Sugar Act of 1764 made a significant change in trade policies and this year also saw the Currency Act.

In 1765, the hated Quartering Act was introduced to the Colonies. In that year, were adopted the famous Virginia Resolves. Seventeen hundred and sixty-five also saw the Stamp Act Congress held in the Colony of New York. The Stamp Act raised question of taxation without representation and freedom of the press.

The year 1766 saw the repeal of the

Stamp Act and passage of the Declaratory Act which gave the King and Parliament authority to make laws to bind the Colonies.

In 1767, the New York Assembly was suspended because of a failure to comply with the Quartering Act.

In 1768 the Massachusetts General Court petitioned the Crown and issued the famous circular letter to the other Colonies. John Hancock's sloop *Liberty* was seized and later in that year, British troops moved into Boston.

In 1769, Parliament sought to enforce the famous statute of Henry VIII that would provide for trial in England for those alleged to have committed treason outside the realm.

The year 1770 saw the Boston Massacre.

From 1770 to 1773 occurred many other significant events throughout the Colonies such as the beginning of the Committees on Correspondence, a change in the method of paying Governors and judges in Massachusetts, the Gaspee Affair, the Boston Tea Party, to name a few.

The year 1774 was of tremendous importance with the passage of those punitive measures called the Coercive Acts, one of which would close the port of Boston. In that year, there would be held the first Continental Congress at Philadelphia, which would produce the document entitled "A Declaration of Rights and Grievances."

The events that I have mentioned in these 12 years are only a few of many which would shape the form and substance of the American Republic.

It is my feeling that as we look at this golden age of the American Revolution, we can find great lessons in the courage of the human spirit as well as a willingness to sacrifice for principle and what it means to be dedicated to a great cause. Also, we will develop a better knowledge and greater understanding of our Government that not only will be an inspiration to all Americans, but will also contribute to national will.

In short, the purpose of this Commission is to tell why the shot was fired at Concord Bridge.

Mr. POFF. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the Record.

The SPEAKER. Is there objection to the request of the gentleman from Virginia?

There was no objection.

Mr. POFF. Mr. Speaker, the purpose of the American Bicentennial Commission is to prepare an overall program for commemorating the 200th anniversary of American independence and to plan, encourage, develop, and coordinate observances and activities commemorating the historic events of the American Revolution.

But comprehensive plans do not come ready made. Rather, they are the product of thorough investigation and skilled judgment. Presently, the Commission finds itself without the resources to hire the necessary staff to prepare such a comprehensive plan.

The Commission needs $450,000 to carry on its work for the next 2 years. That is not a large amount by any means in view of the gigantic task ahead. Considering the vast sums we have spent on less significant commemorations, I must conclude that $450,000 is a pittance in comparison. It would be an insult to our heritage to pinch pennies now.

Private donations cannot be expected until prospective donors are presented with a plan they can evaluate. These Federal funds will be used to finance an administrative staff to prepare such a plan.

Mr. DOWNING. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the Record.

The SPEAKER. Is there objection to the request of the gentleman from Virginia?

There was no objection.

Mr. DOWNING. Mr. Speaker, I enthusiastically endorse these proposals because in my mind they are definitely needed in order to guarantee a fitting commemoration of the greatest single event in the history of the United States. I refer, of course, to the events of almost 200 years ago; events in Boston, Lexington, and Concord, Philadelphia and throughout the Thirteen Original Colonies which culminated in Yorktown in 1781. These were events of the American Revolution. These were the events of patriotic Americans.

Since the enactment of Public Law 89-491 an unprecedented interest in this great series of celebrations has been shown, not only throughout our entire Nation, but across the world among peoples who likewise revere our birth of freedom. The possibility of a great international exposition has been mentioned and it would be altogether fitting and proper for the distinguished Secretary of Commerce to be added to the membership of the Commission in order to give proper study to this and other phases of the activities to be considered.

You will note that under the original provision of the law a comprehensive report from the Commission shall be submitted to the President no later than July 4, 1968. The members of the Commission were not appointed until February 22, 1967, thereby losing the greater portion of 1 year of the time allotted them for this report. In order not to jeopardize the work of these 35 distinguished individuals nor to jeopardize the importance of the commemoration, I deem it most proper to extend the date for the submission of the report to July 4, 1969.

Serious consideration must be given to any measure which comes before this body involving the authorization of funds, particularly in view of the news of last week. In this instance the proposed authorization of an appropriation not to exceed $450,000 for the period extending through fiscal year 1969 deserves a proper explanation. It should be clearly understood that these funds would not involve any portion of the program which might be included in the recommendations of the Commission. What is requested falls into the category of basic operational funds to allow only a proper study and detailed report by 35 most distinguished and knowledgeable citizens who are serving our country without pay.

The funds would allow them to travel to Washington in order to attend meetings of the Commission and would employ the basic staff to attend to the activities of the Commission during the period outlined.

In my opinion this support is not only fitting but necessary if we are to look forward to a proper recognition of those who pledged their lives, their fortunes, and their sacred honor almost 200 years ago.

Mr. ROGERS of Colorado. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the Record.

The SPEAKER. Is there objection to the request of the gentleman from Colorado?

There was no objection.

Mr. ROGERS of Colorado. Mr. Speaker, H.R. 8629 amends the statute approved July 4, 1966, Public Law 89-491, which established the American Revolution Bicentennial Commission. The purpose of the Commission is to develop appropriate plans to commemorate the 200th anniversary of the American Revolution. The Commission is directed to encourage, develop, and coordinate observances and activities worthy of the significance of this great historic event.

The Commission is composed of four Members of the Senate; four Members of the House of Representatives, various officials in the executive branch, and 17 members from private life appointed by the President. The representatives of this body on the Commission include our committee colleagues, Harold Donohue and Richard Poff, and our colleagues, John Saylor and John Marsh. The Commission held its first meeting on February 22, 1967. At that meeting three specific amendments to Public Law 89-491, which established the Commission, were recommended. These amendments would extend the date on which the comprehensive report of the Commission to the President would be due; provide for membership on the Commission for the Secretary of Commerce, and provide authorization in the statute for the appropriation of such sums as may be necessary for the Commission to carry out the purposes of the act.

H.R. 8629 embodies the changes proposed by the Commission and was introduced at the request of the Bureau of the Budget.

It appears that the Commission will give thorough consideration to the question of a major international exposition as part of the bicentennial celebration in 1975-76. In view of the fact that the Department of Commerce has the major responsibility for fairs and expositions held in the United States, it is appropriate that the Secretary of Commerce should serve as an ex officio member of the Commission. We are also persuaded that extending the date to July 4, 1969, the date by which the Commission shall submit its comprehensive report to the President, is appropriate.

Finally, it is necessary to discuss the authorization for appropriation of public funds to support the operations of the

Commission. As I have already stated, the bill as introduced would have authorized without limitation the appropriation of public funds to finance the work of the Commission. The committee, however, has amended the bill to limit the authorization for appropriation to $450,000 during the period through fiscal year 1969.

Section 7(a) of the present act requires that all expenditures of the Commission be made from donated funds only. It was the view of many that because of the great interest of all Americans in the Revolution bicentennial that the Commission should be privately financed. It still remains my view that it will be entirely proper and feasible for private citizens and organizations to fund the program of bicentennial celebrations and the numerous specific projects which it will include. However, it may be unrealistic to expect that the initial operating expenses of the Commission be financed by public contributions. The need at present is to commence the preparation of a comprehensive report for the President which will include specific recommendations for the commemoration of the bicentennial and related events. Under section 3(e) of the act the President is directed to transmit to the Congress the Commission's report together with such comments and recommendations for legislation as he deems appropriate. The committee believes that it is entirely appropriate and necessary that for the initial 2-year period of report preparation that there be the assurance of sufficient funds to meet the expenses for financing the basic planning that the Commission has been directed to do.

Accordingly, the bill has been amended to authorize an appropriation not to exceed $450,000 to cover the expenses of administrative staff through fiscal year 1969 only. This authorization is based on budget estimates of the Commission for salaries and other office expenses which run approximately $225,000 annually. Members of the Commission, including the congressional members, were unanimous in their recommendation that the Federal Government finance these Commission expenses. However, I wish to emphasize that the statutory authorization contained in this bill is only through the period of fiscal year 1969. The committee believes that Congress should again review later the question of whether the Commission should depend on donated funds or Government appropriations to finance its further operations.

Mr. Speaker, in our judgment the Congress acted wisely last year when it enacted legislation establishing the American Revolution Bicentennial Commission. The commemoration of this historical event is of significance to every American. Its celebration will recall to America and to the world the democratic ideals and significance of the American experiment. This Commission will help all America to understand the political thought which inspired the American Revolution and to appreciate the history and the culture of the Revolutionary War period. It is entirely fitting that the Congress make available to the Commission the resources with which to undertake its initial operations.

I urge my colleagues to approve H.R. 8629, as amended.

The SPEAKER. Is a second demanded? If not, the Chair will put the question.

The question is on suspending the rules and passing the bill, as amended.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

ADDITIONAL APPROPRIATION AUTHORITY FOR THE CITY PLANNING AND URBAN STUDIES FELLOWSHIP PROGRAM

Mr. BARRETT. Mr. Speaker, I move to suspend the rules and pass the bill (S. 1762) to amend section 810 of the Housing Act of 1964 to extend for 3 years the fellowship program authorized by such section.

The Clerk read as follows:

S. 1762

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 810 of the Housing Act of 1964 is amended by striking out "three-year period" and inserting in lieu thereof "six-year period".

The SPEAKER. Is a second demanded?

Mr. WIDNALL. Mr. Speaker, I demand a second.

The SPEAKER. Without objection, a second will be considered as ordered.

There was no objection.

The SPEAKER. The gentleman from Pennsylvania [Mr. BARRETT] is recognized.

Mr. BARRETT. Mr. Speaker, this bill would simply extend for 3 years the authorization for appropriations for graduate studies in city planning and urban studies. That program was begun in 1964 and the appropriation made last year was the last one covered by existing law. S. 1762 would permit further appropriations at the same $500,000 a year rate.

This bill passed the Senate by voice vote and was approved unanimously by the Committee on Banking and Currency.

Mr. Speaker, the graduate training which would be made possible by the extension of the existing fellowship program is one of the wisest investments which this Congress can make. The skills involved in administering community services and in planning for future growth are among the most complicated of any in our growing technical society. The dramatic increase in the number and proportion of our citizens who live in urban areas along with the higher standards of public services demanded by our people have placed a tremendous strain on the limited supply of those with the specialized backgrounds needed to cope with urban problems. While substantial expenditures are needed to meet the needs of our towns and cities, we all recognize that money alone cannot do the job. What is needed is the highest levels of responsibility, devotion, and skill on the part of our elected officials and the key personnel who must carry out their policies. And that is exactly what this program will accomplish.

The 38 universities already participating in this program are spread throughout the country and many more will be covered as the program continues.

Mr. Speaker, the Congress has offered aid and encouragement in a number of fields, particularly the physical sciences to overcome the shortage of highly trained people but there is no field in which the need is more urgent than that of local public administration and planning. This program has made a promising start with the announcement of the first 95 scholars who will participate and it is important that we pass this bill today to continue that effort.

The program of fellowships for city planning and urban studies popularly known as the Clark fellowships in recognition of the leadership and hard work that the senior Senator from Pennsylvania devoted to the creation of this program is needed not only to meet known existing shortages but even more importantly is vital for the future of our cities. Over two-thirds of our people now live in urban areas which continue to grow more rapidly than the Nation as a whole. This means that the demands of the future will be even more pressing than they are today. The graduate students trained under this program will be the leaders in public administration and city planning and problems tomorrow. We must not let them down and we must not let our cities and the people who live in them down by denying this vital extension of the Clark program.

I urge all of my colleagues to support S. 1762.

Mr. PATMAN. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. PATMAN. Mr. Speaker, S. 1762, the Urban Fellowship bill, would simply extend an existing program but it is a very important program. In the Housing Act of 1964, the Congress approved the appropriation of $500,000 a year for 3 years to support graduate training in the increasingly important field of city planning and urban studies. The funds appropriated for these fellowships for 1967 were the last that could be provided under existing law. The President's budget includes a request for an additional $500,000 for fiscal year 1968 which this bill would authorize.

Over the years, the Congress has wisely raised the planning standards on federally aided programs to assure that the expenditure will result in maximum benefit. At the same time, the problem of administering towns and cities of every size has become more complex and more demanding of experts in municipal finance, public administration, and the coordination of the many services which local government provides. Our cities sorely need the specialist who can be trained under this program and the best interests of the Federal Government will also be served best by their skills.

Mr. Speaker, universities throughout the country are participating in this program and it has the solid support of the American Council on Education and the National Association of State Universities and Land Grand Colleges. The program provides that the fellowships added under this law will make a net addition to the number of graduate students pursuing these studies and I believe we all recognize that we need this additional skilled personnel.

Mr. Speaker, S. 1762 passed the Senate by voice vote and was approved by the Committee on Banking and Currency unanimously. I believe it is not controversial and I urge all of my colleagues to support it.

Mr. WIDNALL. Mr. Speaker, I would like to comment on the bill. This is an existing program that has been operating for 3 years, to the best of my knowledge, without criticism, and it has provided some very much needed expertise in the field that is covered by the bill. The bill will continue the program for 3 years and provides an authorization of $500,000 for each year.

I would like to read one section from the report:

> Those selected to participate in the program will receive grants that provide for stipends of $3,000 plus a dependency allowance of $500 per dependent up to two. A grant will also be made to the institution in lieu of tuition. Students must be enrolled in full-time graduate programs at accredited institutions.
>
> One of the major criteria for the awards are that they increase the total number of persons being trained in a given program (rather than support persons who would otherwise complete the program of study). The award should increase the capacity or output of the university in the program.

We are in an era of change, an era in which, as we look to the future, we have to combine the needs of the rural areas, the suburban areas, and the city areas. I believe the question definitely needs expertise in the field, and it can be furnished by the further training of people with this specialization.

The bill came out of the committee unanimously, and I believe that it is a very worthwhile bill. I urge its adoption.

Mr. HALL. Mr. Speaker, will the gentleman yield?

Mr. WIDNALL. I yield to the gentleman from Missouri.

Mr. HALL. I would like to ask the gentleman, whom I thank for yielding, or the chairman of the subcommittee, two simple questions:

First. Does this continue to bypass the States, or does it provide a State veto by the Governor or the Commissioner of Education?

Second. Does it also continue the authority without reference to the Congress of the $500,000 a year for the 3 years which it extends the act?

Mr. BARRETT. The program deals directly with HUD. The Secretary of HUD is the administrator of the program.

Mr. HALL. With whom does he deal? Is he authorized to bypass those on the State level and go directly to the institution?

Mr. BARRETT. He deals directly with the institutions.

Mr. HALL. Mr. Speaker, the answer to my question, then, is affirmative; namely, yes, it does bypass the State in that the designee of, or the Secretary of HUD deals directly with the institutions or the municipal levels.

Mr. BARRETT. I would say that is correct.

Mr. HALL. Mr. Speaker, will the gentleman answer my second question as to whether or not it does extend, without further reference to the Congress, the authority of $500,000 a year, subject, of course, to appropriation?

Mr. BARRETT. Mr. Speaker, will the gentleman yield to me?

Mr. HALL. I am glad to yield to the gentleman from Pennsylvania if I have the floor.

Mr. BARRETT. Mr. Speaker, this is strictly by appropriation. It does not bypass. There is no backdoor step.

Mr. HALL. The question is, does it extend the authority for the 3 additional years that it extends the patent?

Mr. BARRETT. It does extend for 3 more years.

The SPEAKER. The question is on the motion of the gentleman from Pennsylvania that the House suspend the rules and pass the bill, S. 1762.

The question was taken; and (two-thirds having voted in favor thereof), the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

RETIREMENT IN HIGHEST GRADE SATISFACTORILY HELD IN ANY ARMED FORCE

Mr. HARDY. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 839) to amend title 10, United States Code, to provide that members of the Armed Forces shall be retired in the highest grade satisfactorily held in any Armed Force, and for other purposes.

The Clerk read as follows:

H.R. 839

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That chapter 69 of title 10, United States Code, is amended—

(1) by adding the following new section at the end thereof:

"§ 1377. Highest grade satisfactorily held

"(a) For the purpose of the provisions of this title and title 14 relating to retired grade, retired pay, and disability severance pay, active service by a member in any grade, permanent or temporary, in any armed force is considered active service in the equivalent temporary grade in the armed force from which he retired or is separated.

"(b) The Secretary having jurisdiction over the armed force in which a member performed active service shall determine whether that service, or any period of that service, was satisfactory,"; and

(2) by adding the following new item at the end of the analysis:

"1377. Highest grade satisfactorily held."

SEC. 2. (a) Except for persons covered by section 3, a retired member or person to whom retired pay has been granted, who would have been eligible to be retired in a higher grade or advanced to a higher grade on a retired list if the amendments made by sections 1 and 5 of this Act had been in effect at the time of his retirement, or at the time he was granted retired pay, shall, if he applies within one year after the date of enactment of this Act, be advanced on the applicable retired list to that higher grade and, if otherwise entitled to retired pay under any law, be entitled to retired pay on and after the date of enactment of this Act at the rate prescribed by law for that grade, except that a member of the armed forces who is advanced to a higher retired grade under this Act may elect to receive the retired pay to which he was entitled on the day before the enactment of this Act.

(b) Except for persons covered by section 3, this Act does not entitle any person to advancement on the retired list, or to an increase in retired or retirement pay, for any period before the date of enactment of this Act. No person who was separated for physical disability before the date of enactment of this Act is entitled to any increase in disability severance pay because of this Act.

SEC. 3. (a) Notwithstanding section 1377(b) of title 10, United States Code, any member of the Air Force who retired before the date of enactment of this Act, and who held a temporary grade in the Army that was higher than the highest temporary grade in which he served satisfactorily in the Air Force, is entitled to be advanced on the retired list to that higher grade if his service while in that grade was satisfactory, as determined by the Secretary of the Air Force, and in the case of service in a commissioned grade if such service was for at least six months.

(b) This section becomes effective for all purposes as of June 29, 1948.

SEC. 4. For the purposes of sections 8963(a) and 8964 of title 10, United States Code, a member of the Air Force who was transferred to the Department of the Air Force under section 208 of the National Security Act of 1947, as amended (63 Stat. 591), shall be treated as if his service in the Army was performed in the Air Force.

SEC. 5. Chapter 561 of title 10, United States Code, is amended—

(1) by striking out the following item in the analysis:

"6151. Higher retired grade and pay for members who serve satisfactorily under temporary appointments."

and inserting the following item in place thereof:

"6151. Higher retired grade and pay for members who serve satisfactorily."

(2) by striking out from the catchline of section 6151 "under temporary appointments".

(3) by striking out in section 6151(a) "officer" and "under a temporary appointment".

SEC. 6. Chapter 71 of title 10, United States Code, is amended—

(1) by adding the following new section at the end thereof:

"§ 1406. Effect of retirement in highest grade

A member of the armed forces who is retired in, or advanced on a retired list to, the highest grade in which he served on active duty satisfactorily is entitled to retired pay for that grade but he may elect to receive retired pay for any other grade in which he served on active duty satisfactorily, as determined by the Secretary of the military department concerned."; and

(2) by adding the following new item at the end of the analysis:

"1406. Effect of retirement in highest grade."

Mr. HARDY. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Virginia?

There was no objection.

Mr. HARDY. Mr. Speaker, I rise in support of H.R. 839, a bill to amend title 10, United States Code, to provide that members of the Armed Forces shall be retired in the highest grade satisfactorily held in any armed force, and for other purposes.

EXPLANATION

Various provisions of existing law preclude certain individuals who have served in one Armed Force and later retire from another Armed Force, from retiring in a higher grade held in the former service. A similar situation exists with respect to computing disability severance pay. Also enlisted personnel in the Navy and Marine Corps, unlike enlisted personnel of the Army and Air Force, are only eligible for advancement on the retired list to higher officer grades.

These inequitable situations, some of which have resulted in adverse Comptroller General decisions, would be rectified by enactment of this legislation.

PREVIOUS LEGISLATIVE ACTION

This bill is identical to H.R. 2450 passed by the House on July 11, 1966, but not acted upon by the Senate.

COST

The Department of Defense estimates that enactment of H.R. 839 would generate an estimated cost for fiscal year 1968 of $2,530,914. The normal annual cost for subsequent years is estimated as $798,456.

DEPARTMENTAL POSITION

The Department of Defense advises it has no objection to the provisions of this proposal and supports its enactment. The Bureau of the Budget interposes no objection.

COMMITTEE RECOMMENDATIONS

The Committee on Armed Services unanimously recommends enactment of H.R. 839 as reported.

The SPEAKER. Is a second demanded? If not, the question is on the motion of the gentleman from Virginia that the House suspend the rules and pass the bill (H.R. 839).

The question was taken; and (two-thirds having voted in favor thereof), the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

AMENDING TITLE 37, UNITED STATES CODE

Mr. HARDY. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 8375) to amend title 37, United States Code, to authorize a dislocation allowance under certain circumstances, certain reimbursements, transportation for dependents, and travel and transportation allowances under certain circumstances, and for other purposes, as amended.

The Clerk read as follows:

H.R. 8375

A bill to amend title 37, United States Code, to authorize a dislocation allowance under certain circumstances, certain reimbursements, transportation for dependents, and travel and transportation allowances under certain circumstances, and for other purposes

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That chapter 7 of title 37, United States Code, is amended as follows:

(1) Section 404(d) is amended by adding the following new sentence: "In addition to the allowances authorized by this section, reimbursement may be allowed for the actual cost of parking fees, ferry fares, and bridge, road, and tunnel tolls."

(2) Section 404 is amended by adding the following new subsection:

"(g) Under regulations prescribed by the Secretaries concerned, a member of a uniformed service who receives change of permanent station orders while he is away from his permanent station under orders may, without regard to the comparative cost of the various modes of transportation, be authorized to travel and transportation allowances for travel performed or to be performed by him to the permanent station from which ordered for the purpose of settling his personal affairs and, from that station, to the permanent station to which ordered. Travel performed under this subsection is considered to be travel on official business."

(3) Section 406 is amended by adding the following new subsection:

"(i) Where a member is ordered to sea duty on a vessel or with a mobile unit and although otherwise entitled moves his dependents and household effects to other than the home port or home yard of the vessel or mobile unit because of anticipated extended deployment of such vessel or mobile unit, and he is subsequently ordered to a different vessel or mobile unit which has the identical home port or home yard, the Secretaries concerned may authorize the movement of the dependents, baggage, and household effects to the home port or home yard and prescribe transportation in kind, reimbursement therefor, or a monetary allowance in place thereof, as the case may be, as authorized under subsection (a) or (b) of this section."

(4) The catchline of section 406a and the corresponding item in the analysis are each amended by striking out "and transportation" and inserting in place thereof ", transportation, and dislocation" and by amending the text of section 406a by inserting "dislocation allowance under section 407 of this title notwithstanding the requirement prescribed in subsection (b)(1) of that section," after "section 404 of this title,".

(5) Section 407 is amended as follows:

(A) Subsection (a) is amended by (i) striking out "make" and inserting in place thereof ", in reliance on orders, make or begin"; (ii) inserting "or prolonged treatment in a hospital," after "change of permanent station"; and (iii) inserting "or 406(i)" after "405a (a)".

(B) Subsection (b) is amended by striking out "or" at the end of clause (2), striking out the period at the end of clause (3) and inserting in place thereof "; or", and adding the following new clause:

"(4) the member is certified, in accordance with regulations prescribed by the Secretary concerned, as requiring prolonged treatment in a hospital."

(6) Section 408 is amended by adding the following new sentence: "In addition to the fixed rate a mile authorized by this section for the use of privately owned vehicles, reimbursement may be allowed for the actual cost of parking fees, ferry fares, and bridge, road and tunnel tolls."

(7) Section 411(a) is amended by striking out "(d)–(f)" and inserting in place thereof "(d)–(g)".

(8) The last two sentences of section 411 (d) are amended to read as follows: "The definition shall include a shore station or the home yard or home port of a vessel or other afloat mobile unit to which a member of a uniformed service who is entitled to basic pay may be ordered. An authorized change in the home yard or home port of such a vessel or other afloat mobile unit is a change of permanent station."

Mr. HARDY. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Virginia?

There was no objection.

Mr. HARDY. Mr. Speaker, I rise in support of H.R. 8375, as amended, to authorize a dislocation allowance under certain circumstances, certain reimbursements, transportation for dependents, and travel and transportation allowances under certain circumstances.

The purpose of this proposal is to make various changes in existing law—title 37, United States Code—relating to the authorization and entitlement of military personnel to various transportation allowances.

The major change would authorize reimbursements to members of the uniformed services for the actual costs of parking fees, road tolls, and so forth, incurred during official travel performed in privately owned vehicles, as is now authorized Federal civilian employees.

This principal provision of the proposed legislation was acted upon favorably by the House during the 89th Congress as H.R. 12615; however, the Senate failed to act on the bill.

The cost of the major change in the law relating to reimbursements of expenses incurred because of movements required as a result of official orders or duties is estimated at $5,291,000.

JUSTIFICATION

Under existing law, uniformed services personnel are not entitled to reimbursements for actual expenses incurred during official travel performed in privately owned vehicles. Federal civilian employees presently have this entitlement. There is no justification for denying this entitlement to uniformed services personnel. Consequently, the Department of Defense has requested enactment of this legislation.

Similarly, the proposed legislation makes various other minor changes in the law relating to entitlement for transportation and related allowances.

COST

The total estimated cost of this legislation as recommended by the Department of Defense is $5,531,300 annually.

DEPARTMENTAL POSITION

The bill is a Department of Defense legislative recommendation and its enactment is supported by the Bureau of the Budget.

COMMITTEE RECOMMENDATION

The Committee on Armed Services unanimously recommends enactment of H.R. 8375, as amended.

The SPEAKER. Is a second demanded?

If not, the question is on the motion of the gentleman from Virginia that the House suspend the rules and pass the bill (H.R. 8375) as amended.

The question was taken; and (two-thirds having voted in favor thereof), the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

PROVIDING AN IMPROVED PROMOTION SYSTEM FOR MEDICAL AND DENTAL OFFICERS OF THE ARMED FORCES

Mr. HARDY. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 10242), as amended.

The Clerk read the bill, as follows:

H.R. 10242

A bill to amend title 10, United States Code, relating to the authorized strengths by grade for medical officers on active duty in the Army, Navy, and Air Force.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That title 10, United States Code, is amended as follows:

"(1) The first sentence of section 3202(a) is amended by inserting ", except as provided in subsections (e) and (f)," after "basis, is".

(2) Section 3202 is amended by adding the following new subsections at the end:

"(e) The authorized strengths of the Army in Officers in the Medical Corps and Dental Corps in grades above captain shall be based on the needs of the Army, as determined by the Secretary under regulations to be prescribed by the Secretary of Defense.

"(f) In determining the authorized strength of the Army under subsection (a), the strengths authorized for the Medical Corps and Dental Corps shall be excluded."

(3) Chapter 545 is amended as follows:

(A) by adding the following new section at the end:

"§ 5793. Authorized strengths in grade and promotions of Medical Corps and Dental Corps officers

"Notwithstanding any other provisions of this title, the authorized strengths of officers of the Medical Corps and Dental Corps in grades above lieutenant, and the selection and promotion of those officers to such grades, shall be based on the needs of the Navy, as determined by the Secretary under regulations to be prescribed by the Secretary of Defense."; and

(B) by inserting the following item in the analysis:

"Sec. 5793. Authorized strengths in grade and promotions of Medical Corps and Dental Corps officers."

(4) The first sentence of section 8202(a) is amended by inserting ", except as provided in subsections (e) and (f)," after "basis, is".

(5) Section 8202 is amended by adding the following new subsections at the end:

"(e) The authorized strengths of the Air Force in officers who are designated as medical or dental officers of the Air Force in grades above captain shall be based on the needs of the Air Force, as determined by the Secretary under regulations to be prescribed by the Secretary of Defense.

"(f) In determining the authorized strengths of the Air Force under subsection (a), the strengths authorized for those who are designated as medical or dental officers of the Air Force shall be excluded."

Mr. HARDY. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the Record.

The SPEAKER. Is there objection to the request of the gentleman from Virginia?

There was no objection.

Mr. HARDY. Mr. Speaker, I rise in support of H.R. 10242, as amended, a bill to amend title 10, United States Code, relating to the authorized strengths by grade for medical and dental officers on active duty in the Army, Navy, and Air Force.

JUSTIFICATION

The Department of Defense advises that in order to insure the continued availability of a high level of medical and dental competence in each of the armed services it is imperative that each service maintain an adequate career Medical and Dental Corps. However, because of the unusually high rewards available to physicians and dentists, both economic as well as professional in our civilian society, the military departments are finding the task of maintaining career Medical and Dental Corps extremely difficult.

Enactment of this legislation should provide added incentive for these highly skilled and necessary professional personnel by the establishment of a reasonable, just, and attractive career program that is reasonably competitive in the marketplace.

COST

The Department of Defense advises that if this bill is enacted it presently estimates that approximately 1,300 Medical Corps officers would be promoted under its provisions during fiscal year 1968. These are officers who would not but for enactment of this proposal, be promoted during that period. In the event such increased promotions result, the additional cost involved will be approximately $2 million, and $500,000 annually thereafter.

DEPARTMENTAL POSITION

The Department of Defense recommends enactment and the Bureau of the Budget interposes no objection.

COMMITTEE RECOMMENDATION

The Committee on Armed Services recommends enactment of H.R. 10242, as amended.

Mr. GONZALEZ. Mr. Speaker, I ask unanimous consent that the gentleman from Florida [Mr. Bennett] may extend his remarks at this point in the Record.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. BENNETT. Mr. Speaker, I rise in support of H.R. 10242 which increases incentives for military, medical, and dental service. The purpose of this bill is to permit the establishment of grade authorizations for medical and dental officers, which take into consideration, and are responsive to, the many special considerations affecting medical and dental officers, and the needs of the military medical and dental services in general.

H.R. 10242 provides for uniform treatment of medical and dental officers in all the services and enables each Secretary to determine the grade authorizations for medical and dental officers of his service based on the needs of his service, under regulations prescribed by the Secretary of Defense.

As originally introduced, this bill dealt only with the particular problems of medical officers, but I received dozens of letters from military dentists questioning their exclusion from coverage under my bill. I brought this to the attention of the committee, and I am glad the bill was amended to extend to dental officers as well as medical officers.

It is well known that medical and dental officers tend to compare their promotion opportunities with their professional contemporaries in other services rather than with nonmedical or nondental officers in their own service. For example, senior Army and Air Force doctors today commonly see their contemporaries in the Navy advanced in grades as much as 5 years ahead of them. It is therefore of little wonder that retention of Army and Air Force medical officers is so low.

I believe this legislation is needed to insure the continued availability of a high level of medical and dental competence in each of the services. H.R. 10242 provides an added incentive for skilled and necessary professional personnel to continue a career in the Medical or Dental Corps. I believe the bill should be enacted.

Mr. HALL. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the Record.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mr. HALL. Mr. Speaker, I rise in support of H.R. 10242 which would provide for an improved promotion system for medical and dental officers of the Armed Forces. This legislation was a long time coming and is urgently needed, in my considered opinion.

By improving the promotional system the poor retention rate of physicians and dentists in the armed services will be improved. This, in turn, will provide for more experienced medical personnel, the end result being improved quality in medical care to our service men and women.

Unsatisfactory promotion opportunity has long been an important factor in our poor retention rate in the medical and dental officer corps. Physicans and dentists are highly trained and scarce commodities of personnel who have never had equal promotion opportunity in the armed services. They have always had to compete with other officers in the line for promotion when a vacancy occurred. This new legislation will eliminate the wasteful and unnecessary competition with line officers, and will create new promotional opportunities in the Medical and Dental Corps, especially for field grades.

The legislation would also grant much needed relief of the presently severe restriction in the number of authorized general or flag officer positions. As we well know, under existing regulations, we cannot expect to retain our senior colonels beyond the 20-year point unless there is a reasonable opportunity for further promotion.

I have introduced similar legislation which would assist in the elimination of this problem throughout the entire armed services which is entitled "selected extended tenure program." Coupled with this is the fact that the military is unable at present, to promote their experienced clinical specialists to general officer grade without removing them from their clinical position. What is required is authorized flag and general officer positions in our teaching hospitals and larger medical centers, so as to provide the incentive for highly qualified physicians to remain in the military service. The remaining step is to possibly increase and certainly compress specialty professional and proficiency pay.

Mr. Speaker, in summary, this legislation not only provides new career incentive through promotion and retention, but it would substantially enhance the prestige of highly qualified physicians and dentists in the armed services.

The SPEAKER. Is a second demanded? If not, the question is on the motion of the gentleman from Virginia that the House suspend the rules and pass the bill (H.R. 10242) as amended.

The question was taken; and (two-thirds having voted in favor thereof), the rules were suspended and the bill was passed.

The title was amended so as to read: "A bill to amend title 10, United States Code, relating to the authorized strengths by grade for medical and dental officers on active duty in the Army, Navy, and Air Force."

A motion to reconsider was laid on the table.

COMMISSION ON OBSCENITY AND PORNOGRAPHY

Mr. DANIELS. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 10347) creating a commission to be known as the Commission on Obscenity and Pornography, as amended.

The Clerk read as follows:

H.R. 10347

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

FINDING OF FACT AND DECLARATION OF POLICY

SECTION 1. The Congress finds that the traffic in obscenity and pornography is a matter of national concern. The Federal Government has a responsibility to investigate the gravity of this situation and to determine whether such materials are harmful to the public, and particularly to minors, and whether more effective methods should be devised to control the transmission of such materials. It is the purpose of this Act to establish an advisory commission whose purpose shall be, after a thorough study which shall include a study of the causal relationship of such materials to antisocial behavior, to recommend advisable, appropriate, effective, and constitutional means to deal effectively with such traffic in obscenity and pornography.

COMMISSION ON OBSCENITY AND PORNOGRAPHY

SEC. 2. (a) ESTABLISHMENT.—For the purpose of carrying out the provisions of this Act, there is hereby created a commission to be known as the Commission on Obscenity and Pornography (hereinafter referred to as the "Commission"), whose members shall include persons having expert knowledge in the fields of obscenity and antisocial behavior, including but not limited to psychiatrists, sociologists, psychologists, criminologists, jurists, lawyers, and others who have special competence with respect to obscenity laws and their application to juveniles.

(b) MEMBERSHIP OF THE COMMISSION.—The Commission shall be composed of sixteen members appointed by the President, after consideration of a panel of sixteen names submitted by the Speaker of the House of Representatives and sixteen names submitted by the President of the Senate.

(c) VACANCIES.—Any vacancy in the Commission shall be filled by appointment by the President.

(d) ORGANIZATION OF COMMISSION.—The Commission shall elect a Chairman and a Vice Chairman from among its members.

(e) QUORUM.—Nine members of the Commission shall constitute a quorum, but five members shall be sufficient for the purpose of taking testimony or interrogating witnesses.

COMPENSATION OF MEMBERS OF THE COMMISSION

SEC. 3. (a) MEMBERS EMPLOYED BY UNITED STATES.—Members of the Commission who are officers or full-time employees of the United States shall serve without compensation in addition to that received for their services as officers or employees of the United States; but they shall be allowed travel expenses, including per diem in lieu of subsistence, as authorized by section 5703 of title 5, United States Code, for persons in the Government service employed intermittently.

(b) OTHER MEMBERS.—Members of the Commission who are not officers or full-time employees of the United States shall each receive $75 per diem when engaged in the actual performance of duties vested in the Commission. In addition, they shall be allowed travel expenses, including per diem in lieu of subsistence, as authorized by section 5703 of title 5, United States Code, for persons in the Government service employed intermittently.

STAFF OF THE COMMISSION

SEC. 4. Such personnel as the Commission deems necessary may be appointed by the Commission without regard to the provisions of title 5, United States Code, governing appointments in the competitive service, and may be paid without regard to the provisions of chapter 51 and subtitle III of chapter 53 of such title relating to classification and General Schedule pay rates.

DUTIES OF THE COMMISSION

SEC. 5. (a) INVESTIGATION AND RECOMMENDATIONS.—It shall be the duty of the Commission—

(1) with the aid of leading constitutional law authorities, to analyze the laws pertaining to the control of obscenity and pornography; and to evaluate and recommend definitions of obscenity and pornography;

(2) to ascertain the methods employed in the distribution of obscene and pornographic materials and to explore the nature and volume of traffic in such materials;

(3) to study the effect of obscenity and pornography upon the public, and particularly minors, and its relationship to crime and other antisocial behavior; and

(4) to recommend such legislative, administrative, or other advisable and appropriate action as the Commission deems necessary to regulate effectively the flow of such traffic, without in any way interfering with constitutional rights.

(b) REPORT.—The Commission shall report to the President and the Congress its findings and recommendations as soon as practicable and in no event later than January 31, 1970. The Commission shall cease to exist ten days following the submission of its final report.

POWERS OF THE COMMISSION

SEC. 6. (a) HEARINGS AND SESSIONS.—The Commission or, on the authorization of the Commission, any committee thereof, may, for the purpose of carrying out the provisions of the Act, hold such hearings and sit and act at such times and such places within the United States as the Commission or such committee may deem advisable.

(b) CONSULTATION.—In carrying out its duties under the Act, the Commission shall consult with other Federal agencies, Governors, attorneys general, and other representatives of State and local government and private organizations to the extent feasible.

(c) OBTAINING OFFICIAL DATA.—The Commission is authorized to secure directly from any executive department, bureau, agency, board, commission, office, independent establishment, or instrumentality, information, suggestions, estimates, and statistics for the purpose of this Act, and each such department, bureau, agency, board, commission, office, establishment, or instrumentality is authorized and directed, to the extent permitted by law, to furnish such information, suggestions, estimates, and statistics directly to the Commission, upon request made by the Chairman or Vice Chairman.

(d) OBTAINING SCIENTIFIC DATA.—For the purpose of securing the necessary scientific data and information the Commission may make contracts with universities, research institutions, foundations, laboratories, hospitals, and other competent public or private agencies to conduct research on the causal relationship of obscene material and antisocial behavior. For such purpose, the Commission is authorized to obtain services of experts and consultants in accordance with section 3109 of title 5, United States Code.

The SPEAKER. Is a second demanded?

Mr. STEIGER of Wisconsin. Mr. Speaker, I demand a second.

The SPEAKER. Without objection, a second will be considered as ordered.

There was no objection.

The SPEAKER. The gentleman from New Jersey is recognized for 20 minutes.

Mr. DANIELS. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, it is with a great sense of both pride and humility that I rise in this House today in support of H.R. 10347. Pride because House consideration of this bill which I have introduced marks the end of a long road for me, and for all Americans who are vitally concerned with the corrosive effects of hard core pornography upon American society. Humility because my long interest in finding ways to protect our children has shown the immensity of the problem which we face.

Mr. Speaker, as an attorney and a former member of the judiciary of the State of New Jersey, I am aware of the legal intricacies posed by the blurred line between that which is pornographic and that which is not. We have all been witness to the vacillation of the Supreme Court of the United States concerning pornography and obscenity cases because of the inability to establish a viable, consistent standard to differentiate the really hard core pornography from the material that may be of some social significance. In 1957, the people most closely concerned with obscenity decisions in the Court felt that they had finally achieved a standard that could be practically applied to all such cases—that is the Roth standard: "Whether to the average person applying contemporary community standards, the dominant theme of the material taken as a whole appeals to prurient interests." This criterion, it was believed, would censor hard core pornography while preserving the integrity of our first amendment protection of free speech. Unfortunately, as witnessed by the recent cases in the pornography field, the Roth decision has proven inadequate, and once again the Court is fumbling with the problem of discerning that fine line between censorship of illicit materials and freedom of expression. Mr. Speaker, because of this inadequacy, the billion-dollar business of hard-core pornography has been allowed to flourish and prey on the minds of our young children. As a member of the Post Office and Civil Service Committee, I am well aware of the immensity of the traffic in obscenity which pours through the mails. Last year, for example, the U.S. postal service received not less than 200,000 complaints, the overwhelming majority from parents who objected to filth received through the mails by their children. In the last 10 years, postal inspectors have made over 100,000 investigations into the use of the mails by purveyors of allegedly obscene materials.

During this 10-year period, more than 4,000 convictions have been obtained in courts of law throughout the United States. Figures that I have seen indicate that the modern traffic in pornographic materials has reached a figure in excess of 20 million pieces annually. This is a national problem, and must be met by national solutions.

Mr. Speaker, I cannot overemphasize to every Member of this body the nature and scope of the problem which we face. It is nothing less than awesome. But while disconcerted by the problems of pornography, I will not allow myself to subvert the protections of the first amendment. A solution must be devised that can reconcile itself with the best of both worlds. It involves reason and restraint. I know that I am neither a fanatic nor a zealot and I know the evil that has come about by witch hunters and extremists who in their enthusiasm for good causes have proscribed as pornographic works which are today considered great works of art. At times those who have emulated Anthony Comstock have succeeded in banning the dissemination of works like Walt Whitman's "Leaves of Grass" or the plays of the immortal Eugene O'Neill.

The problem we face, gentlemen, is not defined by clearcut boundaries marked by road signs, "Pornographic"—"Not pornographic." It is a more subtle question—one that our own Supreme Court in over a century of effort has been unable to answer. I think, however, that this Congress can establish a commission of reputable scholars who can help us—if not to place the road signs—at least to create them.

At this point I would like to describe for all Members of the House how I would like this commission to be set up and what I visualize its duties to be.

H.R. 10347 provides that an advisory study commission be established, whose purpose shall be, after a thorough study, to recommend effective, advisable, and appropriate constitutional means to deal with the rising tide of pornography.

To facilitate an objective and impartial study, the ultimate appointive authority has been vested in the President of the United States; however, the Speaker of the House, and the President of the Senate, shall each submit a panel of 16 names to the President for his consideration. These 32 nominations are only advisory in nature, and thus the Chief Executive still maintains the needed latitude to appoint a representative commission.

The duties of the commission are as follows:

First, with the aid of leading constitutional law authorities, to analyze the laws pertaining to the control of obscenity and pornography; and to evaluate and recommend definitions of obscenity and pornography.

Second, to ascertain the methods employed in the distribution of obscene and pornographic materials and to explore the nature and volume of the traffic in such materials.

Third, to study the effect of obscenity and pornography upon the public and particularly minors, and its relationship to crime and other antisocial behavior.

Fourth, to recommend such legislative, administrative, or other advisable and appropriate action as the commission deems necessary to regulate effectively the flow of such traffic, without in any way interfering with constitutional rights.

My colleagues, it is to be expressly understood that this commission is not intended in any way to serve as a board of censorship. There should also be no doubt that the purposes and duties, as set forth in this bill, are to be carried on without any interference with the constitutional freedoms of speech and press guaranteed by our first amendment.

Mr. Speaker, as I said a moment ago, the problem we face is awesome, but it is a challenge which must be met if we are to do right by this Nation's children.

We must face the tragic fact that the traffic in pornography is of such magnitude that this problem is now a Federal responsibility. We cannot shirk this responsibility to protect the moral fiber of our Nation's youth. It must never be forgotten, gentlemen, that the youth of today will be the adult leaders of tomorrow. When we step aside our young people must be adequately prepared to assume our difficult tasks.

H.R. 10347 provides that the Commission will make its final report no later than January 31, 1970, and will cease to exist 10 days thereafter. The lifetime of the Commission is short, considering the important work it will perform for our whole culture. I am confident that from the work of the Commission will come exemplary Federal laws, and model State laws, consistent with constitutional safeguards.

I therefore urge all Members of this House to support H.R. 10347.

Mr. CAREY. Mr. Speaker, will the gentleman yield?

Mr. DANIELS. I am happy to yield to my distinguished colleague, the gentleman from New York [Mr. CAREY].

Mr. CAREY. Mr. Speaker, I wish to associate myself with the remarks of the distinguished gentleman in the well on this legislation and acknowledge the gentleman's great expertise in the law in this field. As a former member of the legislature of the great State of New Jersey, the gentleman from New Jersey is well aware of the fact, I am confident, that there has existed in the opinions of the Supreme Court, especially in its ruling on the Roth case and in subsequent cases, an open invitation to legislatures to take such measures and actions as they deemed advisable in order to protect minors from this situation. Is that not correct?

Mr. DANIELS. The position of the gentleman from New York is absolutely correct, based upon the recent decisions of the Supreme Court.

Mr. CAREY. And, Mr. Speaker, if the gentleman will yield further, by having a comprehensive Commission of this kind to inquire into the causative nature of the sociological effect upon the minds of the young people, there would be available to the State legislatures and others in this field a far more voluminous and a greater and broader picture of its operations upon which to proceed with reference to State legislation dealing therewith.

Mr. DANIELS. The gentleman is absolutely correct.

Mr. BOLAND. Mr. Speaker, will the gentleman yield?

Mr. DANIELS. I am glad to yield to the distinguished gentleman from Massachusetts.

Mr. BOLAND. Mr. Speaker, I wish to congratulate the distinguished gentleman in the well, the gentleman from New Jersey [Mr. DANIELS] for bringing this bill to the floor of the House for its consideration. I feel that it is a piece of legislation that is needed. The hearings that the subcommittee of which the gentleman is the chairman and which have been devoted to the consideration of this problem indicate that there does exist a problem with respect to this situation all over America.

Mr. Speaker, I congratulate the gentleman from New Jersey and I thank the gentleman for yielding.

Mr. DANIELS. I thank the gentleman from Massachusetts for his contribution.

Mr. PERKINS. Mr. Speaker, will the gentleman yield?

Mr. DANIELS. I yield to the distinguished chairman of the full Committee on Education and Labor.

Mr. PERKINS. Mr. Speaker, there can be no quarrel with the findings expressed in section 1 of H.R. 10347, that the growing traffic in obscenity and pornography is a matter of national concern. And there should be no quarrel with the scholarly approach proposed in H.R. 10347 in response to that concern. The gentleman from New Jersey [Mr. DANIELS], chairman of the Select Subcommittee on Education and author of the bill, has labored generously and untiringly in his efforts to bring to the House a bill which promises an effective and appropriate means to deal with a most complex and serious problem. H.R. 10347 represents many hours of extensive study and deliberation that have produced a proposal for which there was unanimous support in both the subcommittee and full committee. I am sure, Mr. Speaker, many Americans particularly parents, share my deep sense of gratitude to Mr. DANIELS for this outstanding piece of legislation.

THE UNIVERSITY OF MICHIGAN LIBRARIES

The bill proposes that an advisory commission be established whose purpose shall be, after a thorough study, to recommend effective, advisable, and appropriate constitutional means to deal effectively with the growing traffic in obscenity and pornography. The excellent design of the commission and its carefully defined tasks has been thoroughly described and analyzed by the author of the bill. I wish to point out initially that every provision of the bill—the composition of the commission, the manner of appointment, the rules and procedures under which it will operate—so frequently matters for which boilerplant language is accepted—has received the most careful scrutiny with a view to insuring that there will be a fair, objective, impartial, and thorough study.

Undoubtedly, there are some who would prefer a much different bill than the one proposed here. They will argue with deep feeling and concern that what is necessary at this point is not study but action. On the other hand, there are others who feel that perhaps even this bill goes too far—that we are attempting to legislate in an area where there is great danger of an infringement on the constitutional rights of freedom of speech and freedom of expression. I have great respect for both points of view, but at the same time I feel confident that H.R. 10347 does not do an injustice to either. The bill does not propose nor will it allow a witch hunt. Every provision of the proposal reflects the greatest consideration of and sensitivity to the constitutional questions involved.

While the bill contains every possible safeguard, it nevertheless provides for a very meaningful and necessary step forward. One of the assigned tasks for the Commission is I believe of great significance, particularly for those who feel that action rather than study is necessary. The Commission will be required to study the effects of obscenity and pornography upon the public and its relationship to crime and other antisocial behavior. Such a study is long overdue. Until we have explored thoroughly and in depth the entire question, it seems to me the only step we can take into this very sensitive area is the one proposed in H.R. 10347. Mr. Speaker, it is my hope that the House today will approve this legislation with the same unanimous support it was accorded in committee and subcommittee.

Mr. DANIELS. Mr. Speaker, I thank the distinguished gentleman from Kentucky for this contribution.

Mr. CUNNINGHAM. Mr. Speaker, will the gentleman yield?

Mr. DANIELS. I am happy to yield to the gentleman from Nebraska.

Mr. CUNNINGHAM. Mr. Speaker, I want to commend the gentleman from New Jersey for bringing this legislation to the floor for debate.

I sponsored similar legislation 4 or 5 years ago, and it languished in committee. Now the gentleman has the legislation through the committee, under its new leadership, and it has been brought before us, and since it has passed in the other body I am sure we can proceed to its enactment.

Mr. Speaker, it seems to me the main thing this is going to do is focus the Nation's attention on this major problem. That is what we have tried to do, as the gentleman will recall, in the Committee on Post Office and Civil Service.

Mr. DANIELS. That is very true.

Mr. CUNNINGHAM. I offered legislation during the 88th Congress that passed the House overwhelmingly, and again in the 89th Congress, which passed the House overwhelmingly, and again in this session, and I am sure it will be up soon, and I hope it will pass for the third time overwhelmingly. But it seems to get bottled up over in the other body. My legislation happens to be one facet of this whole problem. I believe the advantage in the gentleman's proposal is that it will focus the Nation's attention on the seriousness of this problem rather than having the gentleman as an individual, and other Members of the House as individuals, making the fight and struggle against this problem on their own.

This will be a high-level group which should interest all of the facets of our society in this severe and dangerous situation which faces us, this billion-dollar smut racket. In the Subcommittee on Postal Operations we had testimony from all over the country, as many of the older Members will recall, under the leadership of Mrs. Granahan as chairman of the Post Office Subcommittee on which I was the ranking minority member, and then under Mr. DULSKI following Mrs. Granahan, and now under Mr. NIX, we have had hearings throughout the country. We have had testimony from the west coast and the east coast, and in Washington we have held hearings through the years, but we can deal only with that facet of this tremendous problem that affects the movement of smut through the mails. We have had testimony from the very finest people and from the highest levels in the medical and legal professions who have said without qualification that this traffic in pornography and obscenity is one of the major contributing factors in the crime rate.

When we speak of crime and related facets of that tremendous problem, we must bear in mind that obscenity and pornography are very important contributing parts of this developing and serious crime problem facing us today.

So I commend the gentleman from New Jersey and I commend the committee and I hope that we will have this high-level group appointed. We cannot wait, of course, until 1970 to act further on this problem. The legislation which I sponsored that has twice passed this House in the 88th and 89th Congresses overwhelmingly. I feel quite certain this will again pass in the 90th Congress and this is one facet that we must act upon and act upon immediately while this study is in progress.

Mr. DANIELS. I thank the gentleman for his contribution.

The SPEAKER pro tempore (Mr. ALBERT). The gentleman from New Jersey has consumed 15 minutes.

Mr. STEIGER of Wisconsin. Mr. Speaker, I rise in support of H.R. 10347, creating a Commission on Obscenity and Pornography.

In my judgment, such a Commission can make a number of important contributions in dealing with a vexing social problem—the traffic in obscene materials. Our committee made some very significant changes in the bill before reporting it to the House. The bill now requires that the membership of the Commission include persons having expert knowledge in such fields as psychiatry, sociology, and criminology, among others, so that it may probe deeply into such questions as the causal relationship, if any can be found, between pornography and antisocial behavior.

The Commission also must have among its members jurists and lawyers with special competence with respect to our laws on obscenity. This is a wise requirement, because the entire subject matter involves difficult constitutional questions of rights of free speech and free publication. These questions are not only difficult, but I think it is fair to say that the distinctions between protected expressions and criminal traffic in pornography are left extremely uncertain by recent court decisions. A high-level, "blue ribbon" Commission, as proposed by this bill, might well help clarify such questions in a manner acceptable to everybody. Any such contribution would be well worth the modest cost of the Commission.

Mr. Speaker, the traffic in outright pornography, especially as it is aimed at young people, is a major social concern. At the same time, there is a fundamental concern for the protection of free expression, however distasteful to most of us a particular type of expression may be, which is a legitimate form of artistic or social or intellectual comment. It is precisely because of the sensitivity of this problem that a Commission is needed, and I recommend enactment of H.R. 10347.

Mr. LANGEN. Mr. Speaker, will the gentleman yield?

Mr. STEIGER of Wisconsin. I yield to the gentleman.

Mr. LANGEN. Mr. Speaker, it is my hope that this House will take swift action in favor of the bill to create a Commission on Obscenity and Pornography.

The Committee on Education and Labor is to be commended for its action last week in reporting this bill. The idea of this type of Commission is one that I proposed early in my service in Congress, and recognizes the need for a positive effort and effective tools for stopping the flow of the evil and contamination that forms a vexing thorn in the side of society.

I note that this bill does not attempt to prejudge the materials that have flooded America through various mediums. A Commission on Obscenity and Pornography would gather together a panel of experts to analyze the laws now in effect, explore the methods and volume of traffic in such materials, study their effect on the youth of the Nation, and come up with recommendations that can be used as guides for action by the Federal, State, and local levels of government and by individuals.

The Commission would be composed of 16 members appointed by the President, who would consider recommendations from both the House of Representatives and the Senate. This was the essence of my own bills through the years, and is the essence of a similar bill passed earlier this year by the Senate. The Commission would shed needed light on the legal darkness surrounding filth peddling, and provide a means to adequately inform the public.

One must remember that public opinion is, in the final analysis, the driving force that can and must create an atmosphere of decency. But the public, like the government, is entrapped in a maze of uncertainty. The proposed Commission on Obscenity and Pornography would provide the people and the government with the proper information with which to deal effectively with the evil influences that would corrupt our young people by appealing to the lowest of human behavior at the moment in their lives when they are least emotionally equipped to properly evaluate the consequences.

Mr. HARVEY. Mr. Speaker, will the gentleman yield?

Mr. STEIGER of Wisconsin. I yield to the gentleman.

Mr. HARVEY. Mr. Speaker, I wholeheartedly endorse and support the enactment of H.R. 10347, a bill to create a Commission to be known as the Commission on Obscenity and Pornography. The creation of a Commission such as this has been a long-sought goal of many Members of Congress for many years. I can well recall that in 1961, one colleague, former Gov. William Scranton, introduced a similar resolution, and I supported him then. It is unfortunate that the era in which we live should require such a commission, but there is no doubt that it is long overdue. I hope that the Commission will be successful in its efforts, for it has become such a serious problem with our young people, that the very future of our Nation may depend upon it. There is no doubt in the minds of the American people, particularly the mothers and fathers of America, that traffic in obscenity and pornography has become a problem of huge proportion. Nor is there doubt in the minds of Congress that this is a matter of national concern. Unfortunately, however, decisions of the Supreme Court show a lack of understanding of the problem, and will greatly impede the Commission. Mr. Speaker, this effort, however, regardless of its outcome, will be well worthwhile for the future of America.

Mr. DANIELS. Mr. Speaker, I yield to the gentleman from Illinois [Mr. O'HARA].

Mr. DENT. Mr. Speaker, I am pleased to rise today in support of H.R. 10347, a bill to create a Commission on Obscenity and Pornography. Before proceeding, may I briefly pay tribute to my esteemed and able colleague, the author of the bill and chairman of the subcommittee, the gentleman from New Jersey [Mr. DANIELS]. The gentleman's patient consideration of this bill is a testament to his ability as a legislator. His care with it reflects his judicial background and vital concern for our constitutional guarantees. In all respects, the gentleman exercised the most positive qualities in his leadership of this important legislation. It is now a good bill, and one all of us can vote for with satisfaction in the need for it and optimism for what it can mean.

Mr. Speaker, statistics issued by the U.S. Children's Bureau indicate that in 1965, nearly 700,000 delinquency cases were handled by the juvenile and family courts in the United States. This was a 2-percent increase from the previous year, and a continuation of an upward trend that began in 1949.

In the past 10 years, delinquency cases have increased by 58 percent. By 1970 it is estimated that one out of nine children will come into contact with the juvenile courts or law enforcement agencies.

Because of these alarming statistics concerning our Nation's youth, I am most pleased that H.R. 10347 places special emphasis in dealing with the growing influence of pornography upon our youth.

The text of the bill reflects this problem when it states:

> The Commission shall include but not be limited to psychiatrists, sociologists, psychologists, criminologists, jurists, lawyers and others who have special competence with respect to obscenity laws and their application to juveniles.

During the hearings which were held by the Select Subcommittee on Education, there was overwhelming testimony concerning the dangerous impact of hard-core pornography upon young and impressionable minds.

My colleagues, I know you share with me the understandable concern of all parents who have been shocked by the degenerate material in public circulation today.

H.R. 10347 deals with a pernicious matter. At the same time, this bill assures us that there is no breach of our constitutional guarantees of freedom of speech and press.

While I have always opposed legislative and administrative efforts to eliminate one evil—pornography—by paying the price of another—the subversion of individual liberty—I can truly endorse this bill in good conscience because it attacks pornography and still guards vigorously our most sacred Bill of Rights.

Some articles on this subject follow:

[From Variety, Aug. 2, 1967]

Porno Probe Versus Witchhunt—House Opposes Lurid Methods

(By Larry Michie)

WASHINGTON, August 1.—Congress may soon establish a commission to study and eventually perhaps recommend ways to curb obscene and pornographic materials, but if the legislation passes it won't be in the blue-nosed form of past bills that have failed to be enacted into law.

The House Education and Labor Committee last week approved a bill to set up such a commission, but there are crucial differences between the House legislation and the measure already approved by the Senate—and indications are that the House will fight for its version, which calls for a far more scholarly approach than the Senate bill. Sen. Karl Mundt (R-S.D.) has gotten his bill through the Senate for the last four years, only to see it languish and die in the House.

The Mundt bill was changed in three essential ways by the House version sponsored by Rep. Dominick Daniels (D-N.J.). First, the commission would focus on whether there is any "causal" link between pornographic material and antisocial behavior, and the commission would be free to farm out the sociological work to a university. Second, the Daniels bill would tone down the political aspects of the commission by specifically saying that commission members should be drawn from experts such as constitutional lawyers, sociologists, etc.

Third, the Mundt bill would have given the commission subpoena power to call witnesses, which might lend an aura of the "witch hunt" to any investigations. The Daniels bill takes away the subpoena power and also specifies that at least five commission members have to be present to take testimony, which assures that no one will go off on a minority crusade.

House hopes to get a vote within a couple of weeks, and though passage there is considered likely, the real fight will come in the Senate-House conference to iron out differences. Best indications are that Daniels and the House will prevail or there will be no commission at all, as the House has been unwilling to approve the Mundt version in the past.

According to the House bill, both the House and the Senate would draw up a list of 16 names for the commission, and the President would appoint 16 people to the panel. He would use the Congressional recommendations as being advisory, however, and could pick from outside those lists. Presumably the panel would include, besides such experts as sociologists, members of the film and radio-tv industries. In the House report on the bill, there is a pointed and explicit demand that commission members without "pre-frozen ideas" be picked.

The commission will have these basic charges:

—With the aid of constitutional lawyers, it will analyze current (and often conflicting) laws regarding obscenity and pornography and recommend a legal definition.

—Especially in light of the U.S. Supreme Court ruling in the (Ralph) Ginzburg case that quality of the advertising has a bearing on whether material is pornographic, the commission will study commercial distribution patterns, including the volume and origin of pornographic material.

—If, and the emphasis is on the word if, the commission finds a definite and correctible causal link, it will recommend legislation to control pornographic materials within the limits of constitutional rights. The commission would also recommend model state laws.

Daniels has worked hard over his version of the legislation, aiming at setting up a commission that can do valuable work without indulging in excessive self-righteousness. And motion picture industry sources indicate that the House bill would not only be bearable, but might shed light on what has always been a very iffy area.

[From Motion Picture Daily, Aug. 3, 1967]

Report Is Filed on Pornographic Bill; Held "Far Superior" to Senate Draft

WASHINGTON.—The pornography-study bill approved last week by the House Labor Committee is "far superior" to the similar proposal passed by the Senate earlier this year, a film industry spokesman asserted after an analysis of the formal report just filed by the committee.

Although industry sources are not expressing any enthusiasm about any studies of this type—they don't feel such an inquiry can be productive—they concede that some sort of legislation along these lines is virtually inevitable, and feel that the House committee approach is more sensible and prudent than that adopted by the Senate. Whereas the

The bill proposes that an advisory commission be established whose purpose shall be, after a thorough study, to recommend effective, advisable, and appropriate constitutional means to deal effectively with the growing traffic in obscenity and pornography. The excellent design of the commission and its carefully defined tasks has been thoroughly described and analyzed by the author of the bill. I wish to point out initially that every provision of the bill—the composition of the commission, the manner of appointment, the rules and procedures under which it will operate—so frequently matters for which boilerplant language is accepted—has received the most careful scrutiny with a view to insuring that there will be a fair, objective, impartial, and thorough study.

Undoubtedly, there are some who would prefer a much different bill than the one proposed here. They will argue with deep feeling and concern that what is necessary at this point is not study but action. On the other hand, there are others who feel that perhaps even this bill goes too far—that we are attempting to legislate in an area where there is great danger of an infringement on the constitutional rights of freedom of speech and freedom of expression. I have great respect for both points of view, but at the same time I feel confident that H.R. 10347 does not do an injustice to either. The bill does not propose nor will it allow a witch hunt. Every provision of the proposal reflects the greatest consideration of and sensitivity to the constitutional questions involved.

While the bill contains every possible safeguard, it nevertheless provides for a very meaningful and necessary step forward. One of the assigned tasks for the Commission is I believe of great significance, particularly for those who feel that action rather than study is necessary. The Commission will be required to study the effects of obscenity and pornography upon the public and its relationship to crime and other antisocial behavior. Such a study is long overdue. Until we have explored thoroughly and in depth the entire question, it seems to me the only step we can take into this very sensitive area is the one proposed in H.R. 10347. Mr. Speaker, it is my hope that the House today will approve this legislation with the same unanimous support it was accorded in committee and subcommittee.

Mr. DANIELS. Mr. Speaker, I thank the distinguished gentleman from Kentucky for this contribution.

Mr. CUNNINGHAM. Mr. Speaker, will the gentleman yield?

Mr. DANIELS. I am happy to yield to the gentleman from Nebraska.

Mr. CUNNINGHAM. Mr. Speaker, I want to commend the gentleman from New Jersey for bringing this legislation to the floor for debate.

I sponsored similar legislation 4 or 5 years ago, and it languished in committee. Now the gentleman has the legislation through the committee, under its new leadership, and it has been brought before us, and since it has passed in the other body I am sure we can proceed to its enactment.

Mr. Speaker, it seems to me the main thing this is going to do is focus the Nation's attention on this major problem. That is what we have tried to do, as the gentleman will recall, in the Committee on Post Office and Civil Service.

Mr. DANIELS. That is very true.

Mr. CUNNINGHAM. I offered legislation during the 88th Congress that passed the House overwhelmingly, and again in the 89th Congress, which passed the House overwhelmingly, and again in this session, and I am sure it will be up soon, and I hope it will pass for the third time overwhelmingly. But it seems to get bottled up over in the other body. My legislation happens to be one facet of this whole problem. I believe the advantage in the gentleman's proposal is that it will focus the Nation's attention on the seriousness of this problem rather than having the gentleman as an individual, and other Members of the House as individuals, making the fight and struggle against this problem on their own.

This will be a high-level group which should interest all of the facets of our society in this severe and dangerous situation which faces us, this billion-dollar smut racket. In the Subcommittee on Postal Operations we had testimony from all over the country, as many of the older Members will recall, under the leadership of Mrs. Granahan as chairman of the Post Office Subcommittee on which I was the ranking minority member, and then under Mr. DULSKI following Mrs. Granahan, and now under Mr. NIX, we have had hearings throughout the country. We have had testimony from the west coast and the east coast, and in Washington we have held hearings through the years, but we can deal only with that facet of this tremendous problem that affects the movement of smut through the mails. We have had testimony from the very finest people and from the highest levels in the medical and legal professions who have said without qualification that this traffic in pornography and obscenity is one of the major contributing factors in the crime rate.

When we speak of crime and related facets of that tremendous problem, we must bear in mind that obscenity and pornography are very important contributing parts of this developing and serious crime problem facing us today.

So I commend the gentleman from New Jersey and I commend the committee and I hope that we will have this high-level group appointed. We cannot wait, of course, until 1970 to act further on this problem. The legislation which I sponsored that has twice passed this House in the 88th and 89th Congresses overwhelmingly. I feel quite certain this will again pass in the 90th Congress and this is one facet that we must act upon and act upon immediately while this study is in progress.

Mr. DANIELS. I thank the gentleman for his contribution.

The SPEAKER pro tempore (Mr. ALBERT). The gentleman from New Jersey has consumed 15 minutes.

Mr. STEIGER of Wisconsin. Mr. Speaker, I rise in support of H.R. 10347, creating a Commission on Obscenity and Pornography.

In my judgment, such a Commission can make a number of important contributions in dealing with a vexing social problem—the traffic in obscene materials. Our committee made some very significant changes in the bill before reporting it to the House. The bill now requires that the membership of the Commission include persons having expert knowledge in such fields as psychiatry, sociology, and criminology, among others, so that it may probe deeply into such questions as the causal relationship, if any can be found, between pornography and antisocial behavior.

The Commission also must have among its members jurists and lawyers with special competence with respect to our laws on obscenity. This is a wise requirement, because the entire subject matter involves difficult constitutional questions of rights of free speech and free publication. These questions are not only difficult, but I think it is fair to say that the distinctions between protected expressions and criminal traffic in pornography are left extremely uncertain by recent court decisions. A high-level, "blue ribbon" Commission, as proposed by this bill, might well help clarify such questions in a manner acceptable to everybody. Any such contribution would be well worth the modest cost of the Commission.

Mr. Speaker, the traffic in outright pornography, especially as it is aimed at young people, is a major social concern. At the same time, there is a fundamental concern for the protection of free expression, however distasteful to most of us a particular type of expression may be, which is a legitimate form of artistic or social or intellectual comment. It is precisely because of the sensitivity of this problem that a Commission is needed, and I recommend enactment of H.R. 10347.

Mr. LANGEN. Mr. Speaker, will the gentleman yield?

Mr. STEIGER of Wisconsin. I yield to the gentleman.

Mr. LANGEN. Mr. Speaker, it is my hope that this House will take swift action in favor of the bill to create a Commission on Obscenity and Pornography.

The Committee on Education and Labor is to be commended for its action last week in reporting this bill. The idea of this type of Commission is one that I proposed early in my service in Congress, and recognizes the need for a positive effort and effective tools for stopping the flow of the evil and contamination that forms a vexing thorn in the side of society.

I note that this bill does not attempt to prejudge the materials that have flooded America through various mediums. A Commission on Obscenity and Pornography would gather together a panel of experts to analyze the laws now in effect, explore the methods and volume of traffic in such materials, study their effect on the youth of the Nation, and come up with recommendations that can be used as guides for action by the Federal, State, and local levels of government and by individuals.

The Commission would be composed of 16 members appointed by the President, who would consider recommendations from both the House of Representatives and the Senate. This was the essence of my own bills through the years, and is the essence of a similar bill passed earlier this year by the Senate. The Commission would shed needed light on the legal darkness surrounding filth peddling, and provide a means to adequately inform the public.

One must remember that public opinion is, in the final analysis, the driving force that can and must create an atmosphere of decency. But the public, like the government, is entrapped in a maze of uncertainty. The proposed Commission on Obscenity and Pornography would provide the people and the government with the proper information with which to deal effectively with the evil influences that would corrupt our young people by appealing to the lowest of human behavior at the moment in their lives when they are least emotionally equipped to properly evaluate the consequences.

Mr. HARVEY. Mr. Speaker, will the gentleman yield?

Mr. STEIGER of Wisconsin. I yield to the gentleman.

Mr. HARVEY. Mr. Speaker, I wholeheartedly endorse and support the enactment of H.R. 10347, a bill to create a Commission to be known as the Commission on Obscenity and Pornography. The creation of a Commission such as this has been a long-sought goal of many Members of Congress for many years. I can well recall that in 1961, one colleague, former Gov. William Scranton, introduced a similar resolution, and I supported him then. It is unfortunate that the era in which we live should require such a commission, but there is no doubt that it is long overdue. I hope that the Commission will be successful in its efforts, for it has become such a serious problem with our young people, that the very future of our Nation may depend upon it. There is no doubt in the minds of the American people, particularly the mothers and fathers of America, that traffic in obscenity and pornography has become a problem of huge proportion. Nor is there doubt in the minds of Congress that this is a matter of national concern. Unfortunately, however, decisions of the Supreme Court show a lack of understanding of the problem, and will greatly impede the Commission. Mr. Speaker, this effort, however, regardless of its outcome, will be well worthwhile for the future of America.

Mr. DANIELS. Mr. Speaker, I yield to the gentleman from Illinois [Mr. O'Hara].

Mr. DENT. Mr. Speaker, I am pleased to rise today in support of H.R. 10347, a bill to create a Commission on Obscenity and Pornography. Before proceeding, may I briefly pay tribute to my esteemed and able colleague, the author of the bill and chairman of the subcommittee, the gentleman from New Jersey [Mr. Daniels]. The gentleman's patient consideration of this bill is a testament to his ability as a legislator. His care with it reflects his judicial background and vital concern for our constitutional guarantees. In all respects, the gentleman exercised the most positive qualities in his leadership of this important legislation. It is now a good bill, and one all of us can vote for with satisfaction in the need for it and optimism for what it can mean.

Mr. Speaker, statistics issued by the U.S. Children's Bureau indicate that in 1965, nearly 700,000 delinquency cases were handled by the juvenile and family courts in the United States. This was a 2-percent increase from the previous year, and a continuation of an upward trend that began in 1949.

In the past 10 years, delinquency cases have increased by 58 percent. By 1970 it is estimated that one out of nine children will come into contact with the juvenile courts or law enforcement agencies.

Because of these alarming statistics concerning our Nation's youth, I am most pleased that H.R. 10347 places special emphasis in dealing with the growing influence of pornography upon our youth.

The text of the bill reflects this problem when it states:

> The Commission shall include but not be limited to psychiatrists, sociologists, psychologists, criminologists, jurists, lawyers and others who have special competence with respect to obscenity laws and their application to juveniles.

During the hearings which were held by the Select Subcommittee on Education, there was overwhelming testimony concerning the dangerous impact of hard-core pornography upon young and impressionable minds.

My colleagues, I know you share with me the understandable concern of all parents who have been shocked by the degenerate material in public circulation today.

H.R. 10347 deals with a pernicious matter. At the same time, this bill assures us that there is no breach of our constitutional guarantees of freedom of speech and press.

While I have always opposed legislative and administrative efforts to eliminate one evil—pornography—by paying the price of another—the subversion of individual liberty—I can truly endorse this bill in good conscience because it attacks pornography and still guards vigorously our most sacred Bill of Rights.

Some articles on this subject follow:

[From Variety, Aug. 2, 1967]

Porno Probe Versus Witchhunt—House Opposes Lurid Methods

(By Larry Michie)

Washington, August 1.—Congress may soon establish a commission to study and eventually perhaps recommend ways to curb obscene and pornographic materials, but if the legislation passes it won't be in the blue-nosed form of past bills that have failed to be enacted into law.

The House Education and Labor Committee last week approved a bill to set up such a commission, but there are crucial differences between the House legislation and the measure already approved by the Senate—and indications are that the House will fight for its version, which calls for a far more scholarly approach than the Senate bill. Sen. Karl Mundt (R-S.D.) has gotten his bill through the Senate for the last four years, only to see it languish and die in the House.

The Mundt bill was changed in three essential ways by the House version sponsored by Rep. Dominick Daniels (D-N.J.). First, the commission would focus on whether there is any "causal" link between pornographic material and antisocial behavior, and the commission would be free to farm out the sociological work to a university. Second, the Daniels bill would tone down the political aspects of the commission by specifically saying that commission members should be drawn from experts such as constitutional lawyers, sociologists, etc.

Third, the Mundt bill would have given the commission subpoena power to call witnesses, which might lend an aura of the "witch hunt" to any investigations. The Daniels bill takes away the subpoena power and also specifies that at least five commission members have to be present to take testimony, which assures that no one will go off on a minority crusade.

House hopes to get a vote within a couple of weeks, and though passage there is considered likely, the real fight will come in the Senate-House conference to iron out differences. Best indications are that Daniels and the House will prevail or there will be no commission at all, as the House has been unwilling to approve the Mundt version in the past.

According to the House bill, both the House and the Senate would draw up a list of 16 names for the commission, and the President would appoint 16 people to the panel. He would use the Congressional recommendations as being advisory, however, and could pick from outside those lists. Presumably the panel would include, besides such experts as sociologists, members of the film and radio-tv industries. In the House report on the bill, there is a pointed and explicit demand that commission members without "pre-frozen ideas" be picked.

The commission will have these basic charges:

—With the aid of constitutional lawyers, it will analyze current (and often conflicting) laws regarding obscenity and pornography and recommend a legal definition.

—Especially in light of the U.S. Supreme Court ruling in the (Ralph) Ginzburg case that quality of the advertising has a bearing on whether material is pornographic, the commission will study commercial distribution patterns, including the volume and origin of pornographic material.

—If, and the emphasis is on the word if, the commission finds a definite and correctible causal link, it will recommend legislation to control pornographic materials within the limits of constitutional rights. The commission would also recommend model state laws.

Daniels has worked hard over his version of the legislation, aiming at setting up a commission that can do valuable work without indulging in excessive self-righteousness. And motion picture industry sources indicate that the House bill would not only be bearable, but might shed light on what has always been a very iffy area.

[From Motion Picture Daily, Aug. 3, 1967]

Report Is Filed on Pornographic Bill; Held "Far Superior" to Senate Draft

Washington.—The pornography-study bill approved last week by the House Labor Committee is "far superior" to the similar proposal passed by the Senate earlier this year, a film industry spokesman asserted after an analysis of the formal report just filed by the committee.

Although industry sources are not expressing any enthusiasm about any studies of this type—they don't feel such an inquiry can be productive—they concede that some sort of legislation along these lines is virtually inevitable, and feel that the House committee approach is more sensible and prudent than that adopted by the Senate. Whereas the

Senate proposal pinpoints specific areas of pornography—including motion pictures and television—and calls for representation of these industries on the proposed commission, they point out, the House committee bill looks to a broad-scale, in-depth, fact-finding inquiry.

The Senate bill, on the other hand, appears to have political overtones, and focuses attention principally on the legal aspect.

The House committee, in its report, stated specifically: "It is hoped that the commission would institute its study with minimum pre-suppositions. To facilitate this aim, the . . . committee rejects the idea that the appointing authority necessarily should be limited by statute to designated categories or fields of interest. At the same time, (the bill) places special emphasis on the growing influence of pornography upon our youth."

The commission makeup under the bill would include specialists in the fields of law, psychiatry, sociology and criminology with "special competence" regarding obscenity laws and problems.

The report also emphasized that this version has been supported by the Justice Department.

Furthermore, it added, the Post Office Department said the "trend in commercialized pornography is toward books and magazines and away from photographs and films."

[From the Film Daily, Aug. 3, 1967]

HOUSE VIEW OF SMUT LAW GETS TRADE AYE

(By Harry Lando)

WASHINGTON.—The formal report on the House Committee version of a bill to set up a Commission on Obscenity and Pornography was released yesterday, and a film industry spokesman immediately termed this version much superior to the one which has already passed the Senate.

The Senate bill specified that representatives of films, TV and publications be included on the Commission where the House Committee bill does not, but the spokesman pointed out that the House version specifies those with "special competence," such as sociologists, psychologists and criminologists. He added that media representatives under the Senate-passed measure are greatly outnumbered by such as crusaders against pornography and law enforcement officers who are apt to have more enthusiasm than judgment in the area.

It was also pointed out that special emphasis in the House bill is placed on a study to find out if obscenity and pornography actually have harmful effects and actually result in anti-social behavior. The Senate bill presumes such effects. Both bills would study the traffic and present laws concerning it and would envisage recommendations as to legislative and other action. The Senate bill would concentrate on finding a legal definition of obscenity which would stand up under court tests.

The spokesman praised the members of the House subcommittee which drafted the bill, and indicated hope that the House will pass this bill in its present shape or no bill at all and that the House will insist on its own version in conference with the Senate.

Mr. BERRY. Mr. Speaker, I rise in support of legislation which would create a national commission on obscenity and pornography to come up with ways of effectively combating the growing problem of filth in this country.

Because of the lack of laws dealing with this type of activity, smut peddlers have come brazenly into the open almost as if they dared someone to crack down on their deplorable racket.

As a coauthor of this bill, I am hopeful that swift and favorable action can be taken. The measure has already passed the Senate and needs only our approval.

The commission, to be set up by the bill, would include members of all pertinent fields to attack this problem. Only last year, new court decisions and other factors brought this problem into the limelight. We must act now to see that the flow of obscenity is checked in a way which will not be voided by the courts and will still successfully halt this illicit traffic.

Mr. WYATT. Mr. Speaker, the growing problem of obscene and pornographic material flooding our motion picture screens and newsstands today is an extremely serious one. This bill, which I wholly support, will provide an important step toward the control of trash literature and movies.

The establishment of a commission on noxious and obscene matters is the best way to proceed. Court rulings have made this area a tricky one in which to plot a course. The proposed Commission would chart a lawful and effective way through the thorny thicket of the obscenity problem.

In the past 10 or 15 years the availability of pornographic materials to persons of every age has increased a hundredfold. This filth is easily available to our youth. Though no direct association has been documented, it is worth noting that the increase in obscene literature and movies correlates almost perfectly with the tremendous rise in the past few years of juvenile delinquency cases.

Young peoples' minds are malleable, and can be easily warped and distorted by the filth surrounding them on the newsstands and in the moviehouses today. Pornography is one of many roads to moral decay. When young people feed on distortion and filth, their tendency to crimes, especially violent crimes of passion increases.

We must stem this tide of moral decay, and the best way to begin is by passing this bill to create a commission to seek ways to combat obscenity and pornography.

Mr. FASCELL. Mr. Speaker, it is a pleasure to voice my support for H.R. 10347. The distribution of obscene and indecent literature has long been of great concern to me. As a freshman Member of this body during the 84th Congress, it was my privilege to serve on the Post Office and Civil Service Committee. A subcommittee of the committee conducted an extensive study of this problem at that time.

The result of this study was the passage of legislation under which the Postmaster General was authorized to impound obscene mail for a period of up to 20 days when it was directed to a firm or person known to be engaged in the distribution of such literature. During the 86th Congress I cosponsored legislation, later enacted into law—Public Law 86–673—which extended the detention period to 45 days.

The legislation which we are now considering is indicative of the continued concern of the Congress over this problem. In light of recent indications that there has been an upsurge in the traffic of such material, it is mandatory that we again explore the situation and find a solution to the problem. Passage of H.R. 10347 will accomplish that end; further, passage of this measure will reaffirm the interest that the legislative branch has in stemming the tide of offensive, indecent, and fraudulent mail.

Mr. PUCINSKI. Mr. Speaker, I rise to urge support of H.R. 10347.

This bill, which will create a Commission on Obscenity and Pornography, was unanimously approved and reported by the Select Subcommittee on Education and the full Committee on Education and Labor, with bipartisan approval.

This bill establishes a blue ribbon Presidential panel to consider the complex problems which obscenity regulation raises.

There is a growing national need for clarification of the problems arising from the sale and consumption of salacious materials. We must seek a course of moderation to avoid unrestricted censorship on the one hand and the unchecked distribution of obscene literature on the other.

Our basic freedoms of speech and the press must be safeguarded, but must also be reconciled with the need to protect our society, and particularly our youth, from the corruptible influences of pornography.

Clearly, if we are to fulfill our obligations to the people we represent we can neither allow a cultural witch hunt, nor can we as responsible members of Government withdraw from a confrontation with the issue. A witch hunt would lead to the dictation of what is acceptable art and literature which we abhor in totalitarian states. Withdrawal, on the other hand, would permit the anarchy of absolute freedom that unprincipled elements would use to exploit the weakness of the dissolute and the curiosity of the young.

There is hardly a magazine stand in the United States today where you cannot find smut and perversion of every type and description. All one has to do is take a walk along the main streets of any one of a thousand city streets, and you instantly become aware that the present situation cries out for action.

J. Edgar Hoover has stated:

> It seems to me, that the peddler who assaults our children's minds is as clearly a sexual offender as a man who molests a child's body.

I could not agree more, and believe it is imperative that we find an answer to the increasingly grave problem.

The present situation is wholly inadequate. The controversy surrounding Henry Miller's book, "Tropic of Cancer," serves to illustrate the problem. The Illinois Supreme Court unanimously declared the book obscene. The California Supreme Court unanimously found the book not obscene. In Massachusetts it was judged not obscene in a 4-to-3 decision, and in New York was declared obscene by a similar 4-to-3 vote. Order was finally brought to the scene when the U.S. Supreme Court found the book not obscene and suitable for sale.

At the present, due to a lack of a workable national standard, the Supreme Court undertakes the difficult, recurrent, and unpleasant task of reviewing each special case. Clearly this is not a satisfactory solution to this problem. The Supreme Court already has an enormous caseload; the Court cannot provide fair consideration for every book, film, magazine, et cetera, that is questionnable. The Supreme Court does not have, nor I believe does it want, the role of censor for the Nation. The existing legal morass is inefficient and nonuniform, except in the few cases which the Supreme Court decides. The present system is also discriminatory in favor of the publishers who can finance test cases before the courts.

Our State and Federal legal structures need to be examined to focus on what legislation is essential and what is superfluous; what is satisfactory to our needs and what requires improving; and what should be handled through local law enforcement and what should be coordinated nationally.

The nature of the problem is as perplexing as the various means we have developed for controlling it. For it is in the definition of our terms that we confront our dilemma.

In *Roth* v. *the United States*, 354 U.S. 476 (1957), the landmark decision on the subject, the Supreme Court declared that the standard for judging obscenity is whether, "to the average person, applying contemporary community standards, the dominant theme of the material, taken as a whole, appeals to the prurient interest." Here again we have semantic problems. Even if we can agree on a meaning for prurient, how are we to determine "contemporary community standards."

Since the Roth decision in 1957, a vast quantity of law has been developing at the Supreme Court level and an even greater amount of law has emerged on the State and lower court levels.

In the Ginzburg case, the Court set off in a new direction with an approach that has been both widely praised and criticized. However, one point remains evident, and that is, the present confusion concerning the definition of obscenity appears to have a direct relationship to the growth of the commercial distribution of pornographic material.

Undoubtedly, there is an overwhelming need for enactment of H.R. 10347. The peddlers of pornography in all forms have multiplied to the point that they operate on a nationwide basis and reach across State and local boundaries like a giant octopus.

Critics of the Commission, I believe, misinterpret its purpose. Congress is not delegating any of its functions to this Commission; this will be no witch hunt or inquisition. The Commission has for its function the analysis, investigation, and clarification of the problems involved in safeguarding our great freedoms while protecting society from those who would pervert and destroy the family and other institutions which are basic to our way of life. The Commission would recommend, not enact or enforce, solutions to these problems. The Commission would merely aid Congress in facilitating the enactment of responsible legislation which would fulfill the constitutional function of the legislative—"to provide for the general welfare of the United States."

There is no doubt that the Presidential Commission proposed in H.R. 10347 comports with our fundamental constitutional standards and is truly in the public interests. It is for these reasons that I urge all of my colleagues to approve this most important legislation.

Mr. CLANCY. Mr. Speaker, as a sponsor for some time of a bill to create a national commission which would make a comprehensive examination of the problem of the spread of obscene publications and other materials and then recommend appropriate and effective remedial legislation or other action, I am pleased to add my strong endorsement to the bill now under consideration and urge its adoption.

I am sure most of us are agreed that the increasingly widespread dissemination of indecent literature and other forms of pornography is indeed a grave problem that demands our attention and action.

Without infringing upon the constitutionally guaranteed rights of free speech and press of the first amendment or the procedural rights relating to search and seizure of the fourth amendment and the right of due process and equal protection of the laws of the 14th amendment, an effective way must be found to control the distribution of harmful materials.

A national commission such as we envision, composed of experts from a wisely representative group with the responsibility of devising effective means of coping with this menace, would put the smut peddlers on notice that we intend to protect our citizens, and especially our children, from their illicit offerings. Particularly essential is the need to keep morally objectionable materials out of the hands of impressionable minors.

I believe it has been made unmistakably clear that the proposed Commission would not in any way function as a board of censors, nor would it interfere with constitutionally guaranteed freedoms. Instead, it would perform a distinct service for the Congress and for the Nation by laying the groundwork for a program to regulate the traffic in obscene materials.

I strongly urge once again that swift and favorable action be taken on this legislation to create a National Commission on Obscenity and Pornography.

Mr. FEIGHAN. Mr. Speaker, I urge favorable action on H.R. 10347, to create the Commission on Obscenity and Pornography. H.R. 10347 is designed to cope with one of the most difficult problems confronting our society. The Commission created by this bill will analyze existing laws pertaining to obscenity, recommend definitions, study the effect of pornography on the public and particularly on minors, and recommend legislation to regulate effectively the flow of obscene and pornographic materials.

In the 89th Congress, I introduced a bill to establish such a commission. I again reintroduced legislation in this session. My bill is essentially the same as H.R. 10347.

Such legislation is essential for numerous reasons. Legislators on the Federal, State, and local levels have had great difficulty in drafting legislation to curb the spread of obscene material and, at the same time, not interfere with constitutional rights protected by the first, fourth, and 14th amendments. The magnitude of this problem is readily apparent in the recent Supreme Court decisions. The divergent theories and concepts utilized by the various Justices are clearly expressed in *Redrup* v. *N.Y.*, 386 U.S. 67, May 8, 1967. In the cited case, no fewer than four separate methods of determining obscenity were expressed.

The present state of distribution of pornographic literature creates a clear and present danger to the youth of America. The flood of pornographic material constitutes a most adverse influence upon youth easily susceptible to perverted and depraved literature. Law enforcement officers are expressing their conviction that the accessibility of such material to our young people is contributing to the rapidly increasing incidence of sex crime. Moreover, it is believed that pornographic and obscene matter stimulates sexual deviates and thereby increases their propensity toward violence and sexual misconduct.

The situation has grown to such magnitude that the average citizen in numerous instances is unable to avoid exposure to disgusting pictures and magazines. Unsolicited, such matter has been mailed to the private residences of our citizens, invading their right of privacy. Pandering advertisements mailed on a mass basis, too, are frequently offensive.

The inability to determine precisely what constitutes obscene or pornographic material poses a formidable obstacle to merchants who wish to remain within the framework of the law. The guidelines are so vague that the average vendor certainly cannot be expected to determine what is permissible and what is not, since the Supreme Court Justices themselves seem to differ substantially on the matter.

It is essential that we halt the burgeoning deluge of pornography. Our youth must be shielded from this material. Standards and guidelines must be established. The Commission on Obscenity and Pornography could achieve these goals while affording the greatest observance of constitutional requirements.

The pornography problem in the United States has reached a crisis level. We must act now before its harmful effects slowly spread and undermine the morality of our youth and our Nation.

Mr. DONOHUE. Mr. Speaker, I most earnestly hope, and urge, that this House will promptly and overwhelmingly approve this vitally important bill before us to establish a National Commission with instructions to thoroughly review the grave problem of the publication and distribution of pornographic and obscene materials and make recommendations to the Congress for appropriate and effective remedial legislative action.

There is a growing national need for clarification of the problems arising from the sale and consumption of salacious materials. We must seek a course of moderation to avoid unrestricted censorship on the one hand and the unchecked distribution of obscene literature on the other.

Our basic freedoms of speech and the press must be safeguarded, but must also be reconciled with the need to protect our society, and particularly our youth, from the corruptible influences of pornography.

J. Edgar Hoover has stated:

> It seems to me, that the peddler who assaults our children's minds is as clearly a sexual offender as a man who molests a child's body.

I could not agree more, and believe it is imperative that we find an answer to the increasingly grave problem.

Mr. Speaker, statistics issued by the U.S. Children's Bureau indicate that in 1965, nearly 700,000 delinquency cases were handled by the juvenile and family courts in the United States. This was a 2-percent increase from the previous year, and a continuation of an upward trend that began in 1949.

In the past 10 years, delinquency cases have increased by 58 percent. By 1970 it is estimated that one out of nine children will come into contact with the juvenile courts or law enforcement agencies.

Because of these alarming statistics concerning our Nation's youth, I am most pleased that H.R. 10347 places special emphasis in dealing with the growing influence of pornography upon our youth.

Legislation is essential for numerous reasons.

The bill proposes that an advisory Commission be established whose purpose shall be, after a thorough study, to recommend effective, advisable, and appropriate constitutional means to deal effectively with the growing traffic in obscenity and pornography.

I believe it has been made unmistakably clear that the proposed Commission would not in any way function as a board of censors, nor would it interfere with constitutionally guaranteed freedoms. Instead, it would perform a distinct service for the Congress and for the Nation by laying the groundwork for a program to regulate the traffic in obscene materials.

I strongly urge once again that swift and favorable action be taken on this legislation to create a National Commission on Obscenity and Pornography in the urgent interest of the general public and paramount concern for the welfare of our American youth.

Mr. ZABLOCKI. Mr. Speaker, I want to express my strong support for H.R. 10347, legislation creating a Commission on Obscenity and Pornography.

As you know, for some years I have been deeply interested in the problem of dealing effectively with the traffic in pornography and smutty materials in our society.

As the result of research by myself and my staff, I have become aware of three relevant factors:

First, it is clear that the amount of obscene materials being circulated in America has increased dramatically in the past few years. Last year, for example, the Post Office Department received some 200,000 complaints from postal patrons about unsolicited obscene materials they or their children had received. That was four times the number of complaints received in 1960.

Second, it is evident that there is a real dearth of knowledge about pornography, the smut-peddlers who circulate it, the operations of their filthy industry, and, finally, the relationship between such materials and antisocial behavior. I myself have introduced legislation seeking to restrict the flow in unsolicited mail-order pornography through regulation of the buying and selling of mailing lists.

This is just one segment of a complex problem, yet the Post Office Department has admitted that it has insufficient knowledge about the mailing list business.

Third, our Nation must take effective action to stop this pollution in the bloodstream of our Nation. That is clear. Not so evident, however, is the means which should be used to get at the disease, without at the same time injuring other, wholesome parts of the body politic.

The Commission, I believe, will deal effectively with the national problems posed by pornography and obscene materials.

First, the Commission it creates will be a focal point for the complaints of a disgusted and alarmed American public.

Second, it can gather the information and data necessary to provide a full and undistorted picture of the smut industry and its effects on our society.

Third, the Commission can recommend realistic, practical, and constitutional remedies to the problem.

The Congress has acted against obscenity and pornography at various times in the past. Yet today we find the traffic in smut heavier than ever. The explanation, I believe, is in the piecemeal approach which we have sometimes taken to the pornography problem. What has been needed is an overall national master strategy—based on concrete scientific data and the best expert advice—to cope with obscenity in all its ramifications.

Passage of this bill should bring an end to the piecemeal approach. Through the establishment of this Commission on Obscenity and Pornography we will at last have an instrumentality for determining the whole problem and, on that basis, recommending solutions.

It is my hope that the differences between the House bill and a similar Senate passed proposal will be ironed out without difficulty, and the resulting legislation signed into law by the President before the month is out. Every day of delay may mean yet another mind poisoned by the smut peddlers.

Finally, I wish to commend the distinguished gentleman from New Jersey [Mr. DANIELS] for his sponsorship of this proposal. Through his tireless efforts on behalf of this legislation, he has made a major contribution to the welfare of our people.

The SPEAKER pro tempore. The question is on the motion of the gentleman from New Jersey that the House suspend the rules and pass the bill, H.R. 10347, as amended.

The question was taken; and (two-thirds having voted in favor thereof), the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

GENERAL LEAVE TO EXTEND REMARKS

Mr. DANIELS. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to extend their remarks in the RECORD on the bill just passed.

The SPEAKER pro tempore. Without objection, it is so ordered.

There was no objection.

CREATING A COMMISSION ON NOXIOUS AND OBSCENE MATTERS AND MATERIALS

Mr. DANIELS. Mr. Speaker, I ask unanimous consent for the immediate consideration of the Senate bill (S. 188) creating a commission to be known as the Commission on Noxious and Obscene Matters and Materials.

The Clerk read the title of the Senate bill.

The SPEAKER. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

The Clerk read the Senate bill, as follows:

S. 188

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

FINDING OF FACT AND DECLARATION OF POLICY

SECTION 1. The Congress finds that traffic in obscene matters and materials is a matter of grave national concern. The problem, however, is not one which can be solved at any one level of government. The Federal Government has a responsibility to find more effective ways of preventing the transmission of such matters and materials through the instrumentalities which, under the Constitution, are subject to Federal regulation. The State and local governments have perhaps an even greater responsibility in the exercise of their police powers to protect the public, and particularly minors, from the morally corrosive effects of such matters and materials. Governmental action to be effective needs the support and cooperation of an informed public. It is the purpose of this Act to bring about a coordinated effort at the various governmental levels, and by public and private groups, to combat by all constitutional means this pernicious traffic.

ESTABLISHMENT OF THE COMMISSION ON NOXIOUS AND OBSCENE MATTERS AND MATERIALS

SEC. 2. (a) For the purpose of carrying out the provisions of this Act, there is hereby created a Commission to be known as the Commission on Noxious and Obscene Matters and Materials (hereinafter referred to as the "Commission").

(b) Service of an individual as a member of the Commission or employment of an individual by the Commission as an attorney or expert in any business or professional field, on a part-time or full-time basis, with or without compensation, shall not be considered as service or employment bringing such individual within the provisions of sections 281, 283, 284, 434, or 1914 of title 18 of the United States Code, or section 190 of the Revised Statutes (5 U.S.C. 99).

MEMBERSHIP OF THE COMMISSION

SEC. 3 (a) NUMBER AND APPOINTMENT.—The Commission shall be composed of twenty members, appointed by the President, as follows:

(1) One from the Senate;

(2) One from the House of Representatives;

(3) Two from the Post Office Department;

(4) Two from the Department of Justice, one of whom shall be from the Federal Bureau of Investigation;

(5) One from the Department of Health, Education, and Welfare;

(6) Three from the clergy;

(7) One who shall be a prominent educator in the field of secondary education;

(8) One who shall be a prominent educator in the field of higher education;

(9) One who shall be a prominent librarian;

(10) One who shall be a prominent representative of the book publishing industry;

(11) One who shall be a prominent representative of the newspaper, magazine, and periodical publishing industry;

(12) One who shall be a prominent representative of the motion picture industry;

(13) One who shall be a prominent representative of the radio and television industries;

(14) One from among the attorneys general of the several States;

(15) One who shall be a chief prosecutor of a city or county government; and

(16) One who shall be a chief law enforcing officer of a city or county government.

(b) Vacancies.—Any vacancy in the Commission shall not affect its powers, but shall be filled in the same manner in which the original appointment was made.

(c) Continuation of Membership Upon Change of Status.—A change in the status or employment of any person appointed to the Commission pursuant to subsection (a) of this section shall not affect his membership upon the Commission.

ORGANIZATION OF THE COMMISSION

Sec. 4. The Commission shall elect a Chairman and a Vice Chairman from among its members.

QUORUM

Sec. 5. Eleven members of the Commission shall constitute a quorum.

COMPENSATION OF MEMBERS OF THE COMMISSION

Sec. 6. (a) Members of Congress.—Members of Congress who are members of the Commission shall serve without compensation in addition to that received for their services as Members of Congress; but they shall be reimbursed for travel, subsistence, and other necessary expenses incurred by them in the performance of the duties vested in the Commission.

(b) Members From the Executive Branch.—The members of the Commission who are in the executive branch of the Government shall serve without compensation in addition to that received for their services in the executive branch, but they shall be reimbursed for travel, subsistence, and other necessary expenses incurred by them in the performance of the duties vested in the Commission.

(c) Members From Private Life.—The members from private life shall each receive $100 per diem when engaged in the actual performance of duties vested in the Commission, plus reimbursement for travel, subsistence, and other necessary expenses incurred by them in the performance of such duties.

STAFF OF THE COMMISSION

Sec. 7. The Commission shall have power to appoint and fix the compensation of such personnel as it deems advisable, without regard to the provisions of the civil service laws and the Classification Act of 1949, as amended.

EXPENSES OF THE COMMISSION

Sec. 8. There is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, so much as may be necessary to carry out the provisions of this Act.

DUTIES OF THE COMMISSION

Sec. 9. (a) Investigation, Analysis, and Recommendations.—It shall be the duty of the Commission—

(1) to explore methods of combating the traffic in obscene matters and materials at the various levels of governmental responsibility;

(2) to provide for the development of a plan for improved coordination between Federal, State, and local officials in the suppression of such traffic;

(3) to determine ways and means of informing the public as to the origin, scope, and effects of such traffic, and of obtaining public support in its suppression;

(4) to secure the active cooperation of leaders in the field of mass media for the accomplishment of the objectives and purposes of this Act;

(5) to formulate recommendations for such legislative, administrative, or other forms of action as may be deemed necessary to combat such traffic; and

(6) to analyze the laws pertaining to traffic in noxious and obscene matters and materials, and to make such recommendations to the Congress for appropriate revisions of Federal laws as the Commission may deem necessary in order to effectively regulate the flow of such traffic.

(b) Report.—The Commission shall report to the President and the Congress its findings and recommendations as soon as practicable and in no event later than two years after the Commission is established. The Commission shall cease to exist sixty days following the submission of its final report.

POWERS OF THE COMMISSION

Sec. 10. (a) Hearings and Sessions.—The Commission or, on the authorization of the Commission, any subcommittee or member thereof, may, for the purpose of carrying out the provisions of this Act, hold such hearings and sit and act at such times and places, administer such oaths, and require, by subpena or otherwise, the attendance and testimony of such witnesses and the production of such books, records, correspondence, memorandums, papers, and documents as the Commission or such subcommittee or member may deem advisable. Subpenas may be issued over the signature of the Chairman of the Commission, of such subcommittee, or any duly designated member, and may be served by any person designated by such Chairman or member. The provisions of sections 102 through 104 of the Revised Statutes of the United States (2 U.S.C. 192–194) shall apply in the case of any failure of any witness to comply with any subpena or to testify when summoned under authority of this section.

(b) Advisory Committees.—In carrying out its duties under this Act, the Commission (1) may constitute such advisory committees within States composed of citizens of that State, and (2) may consult with Governors, attorneys general, and other representatives of State and local government and private organizations, as it deems advisable. Any advisory committee constituted pursuant to this subsection shall carry out its duties without expense to the United States.

(c) Obtaining Official Data.—The Commission is authorized to secure directly from any executive department, bureau, agency, board, commission, office, independent establishment, or instrumentality, information, suggestions, estimates, and statistics for the purpose of this Act, and each such department, bureau, agency, board, commission, office, establishment, or instrumentality is authorized and directed to furnish such information, suggestions, estimates, and statistics directly to the Commission, upon request made by the Chairman or Vice Chairman.

Mr. DANIELS. Mr. Speaker, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. Daniels: Strike out all after the enacting clause of S. 188 and insert the text of H.R. 10347, as passed:

"FINDING OF FACT AND DECLARATION OF POLICY

"Section 1. The Congress finds that the traffic in obscenity and pornography is a matter of national concern. The Federal Government has a responsibility to investigate the gravity of this situation and to determine whether such materials are harmful to the public, and particularly to minors, and whether more effective methods should be devised to control the transmission of such materials. It is the purpose of this Act to establish an advisory commission whose purpose shall be, after a thorough study which shall include a study of the causal relationship of such materials to antisocial behavior, to recommend advisable, appropriate, effective, and constitutional means to deal effectively with such traffic in obscenity and pornography.

"COMMISSION ON OBSCENITY AND PORNOGRAPHY

"Sec. 2. (a) Establishment.—For the purpose of carrying out the provisions of this Act, there is hereby created a commission to be known as the Commission on Obscenity and Pornography (hereinafter referred to as the "Commission"), whose members shall include persons having expert knowledge in the fields of obscenity and antisocial behavior, including but not limited to psychiatrists, sociologists, psychologists, criminologists, jurists, lawyers, and others who have special competence with respect to obscenity laws and their application to juveniles.

"(b) Membership of the Commission.—The Commission shall be composed of sixteen members appointed by the President, after consideration of a panel of sixteen names submitted by the Speaker of the the House of Representatives and sixteen names submitted by the President of the Senate.

"(c) Vacancies.—Any vacancy in the Commission shall be filled by appointment by the President.

"(d) Organization of Commission.—The Commission shall elect a Chairman and a Vice Chairman from among its members.

"(e) Quorum.—Nine members of the commission shall constitute a quorum, but five members shall be sufficient for the purpose of taking testimony or interrogating witnesses.

"COMPENSATION OF MEMBERS OF THE COMMISSION

"Sec. 3. (a) Members Employed by United States.—Members of the Commission who are officers or full-time employees of the United States shall serve without compensation in addition to that received for their services as officers or employees of the United States; but they shall be allowed travel expenses, including per diem in lieu of subsistence, as authorized by section 5703 of title 5, United States Code, for persons in the Government service employed intermittently.

"(b) Other Members.—Members of the Commission who are not officers or full-time employees of the United States shall each receive $75 per diem when engaged in the actual performance of duties vested in the Commission. In addition, they shall be allowed travel expenses, including per diem in lieu of subsistence, as authorized by section 5703 of title 5, United States Code, for persons in the Government service employed intermittently.

"STAFF OF THE COMMISSION

"Sec. 4. Such personnel as the Commission deems necessary may be appointed by the Commission without regard to the provisions of title 5, United States Code, governing appointments in the competitive service, and may be paid without regard to the provisions of chapter 51 and subtitle III of chapter 53 of such title relating to classification and General Schedule pay rates.

"DUTIES OF THE COMMISSION

"Sec. 5. (a) Investigation and Recommendations.—It shall be the duty of the Commission—

"(1) with the aid of leading constitutional law authorities, to analyze the laws pertaining to the control of obscenity and pornography; and to evaluate and recommend definitions of obscenity and pornography;

"(2) to ascertain the methods employed in the distribution of obscene and pornographic materials and to explore the nature and volume of traffic in such materials;

"(3) to study the effect of obscenity and pornography upon the public, and particularly minors, and its relationship to crime and other antisocial behavior; and

"(4) to recommend such legislative, administrative, or other advisable and appropriate action as the Commission deems necessary to regulate effectively the flow of such traffic, without in any way interfering with constitutional rights.

"(b) Report.—The Commission shall report to the President and the Congress its findings and recommendations as soon as practicable and in no event later than January 31, 1970. The Commission shall cease to exist ten days following the submission of its final report.

"POWERS OF THE COMMISSION

"Sec. 6. (a) Hearings and Sessions.—The Commission or, on the authorization of the Commission, any committee thereof, may, for the purpose of carrying out the provisions of the Act, hold such hearings and sit and act at such times and such places within the United States as the Commission or such committee may deem advisable.

"(b) Consultation.—In carrying out its duties under the Act, the Commission shall consult with other Federal agencies, Governors, attorneys general, and other representatives of State and local government and private organizations to the extent feasible.

"(c) Obtaining Official Data.—The Commission is authorized to secure directly from any executive department, bureau, agency, board, commission, office, independent establishment, or instrumentality, information, suggestions, estimates, and statistics for the purpose of this Act, and each such department, bureau, agency, board, commission, office, establishment, or instrumentality is authorized and directed, to the extent permitted by law, to furnish such information, suggestions, estimates, and statistics directly to the Commission, upon request made by the Chairman or Vice Chairman.

"(d) Obtaining Scientific Data.—For the purpose of securing the necessary scientific data and information the Commission may make contracts with universities, research institutions, foundations, laboratories, hospitals, and other competent public or private agencies to conduct research on the causal relationship of obscene material and antisocial behavior. For such purpose, the Commission is authorized to obtain the services of experts and consultants in accordance with section 3109 of title 5, United States Code."

The amendment was agreed to.

The Senate bill was ordered to be read a third time, was read the third time, and passed.

The title was amended so as to read: "An act creating a commission to be known as the Commission on Obscenity and Pornography."

A motion to reconsider was laid on the table.

A similar House bill, H.R. 10347, was laid on the table.

THE LOW AND MODERATE INCOME HOUSING ACT OF 1968

Mr. REUSS. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

Mr. REUSS. Mr. Speaker, the gentleman from Pennsylvania [Mr. Moorhead], the gentleman from Ohio [Mr. Ashley], and I have today introduced H.R. 12142, the Low and Moderate Income Housing Act of 1968.

In 1949, Congress declared "a decent home and a suitable living environment for every American family" to be the goal of national housing policy.

But the Nation has advanced toward this goal at only a snail's pace.

The last housing census, taken in 1960, recorded 10 million housing units as deteriorated or dilapidated. Little has been done in the past 7 years to upgrade or replace these substandard houses.

In its 6 years of operation since 1961, the 221(d)(3) below market interest rate mortgage program has built or rehabilitated only 65,000 units of housing for moderate-income families.

Today, the Federal Government, through its low- and moderate-income housing programs, is adding to the housing supply at the wholly inadequate rate of 60,000 units a year.

Private enterprise, which supplies the rest of the housing market, fails, due to high construction costs, to supply this lower end of the market.

Traditionally, the handing down of houses from one economic group to another has been the basic process by which low-income families improve their housing.

There are indications, however, that the turnover process has been slowed in the 1960's. Private construction of new housing has lagged, due to higher interest rates, the demolition of existing sound housing has increased as a result of urban renewal and highway construction, and the urban population continues to expand rapidly. The result is less housing vacated by middle-class families which low-income families can move into.

Racial barriers further impede the turnover process, causing a severe shortage of decent housing for Negroes trapped in inner-city ghettos. Nothing has been done by the Federal Government to remove these housing barriers since the 1962 Kennedy Executive Order 11063 on equal opportunity in housing, which sought to enforce fair housing in the sale of FHA and VA-insured housing, a small 17 percent of the housing market. And a May 1967 report of the American Friends Service Committee questions the effectiveness of the enforcement of the 1962 order.

The explosive events of the past three summers in Watts, San Francisco, Hough, Newark, Cambridge, Detroit, Milwaukee, and many other cities across the Nation emphasize the wisdom and humanity of the 1949 housing goal, the degree of the Nation's failure to reach it, and the urgent need to rededicate ourselves to its achievement. Would the names of these cities today evoke pictures of burning, looting, sniping, and violence if all Americans were now housed in a decent home in a decent neighborhood, if the Nation had finished the task set for it by the 1949 Congress?

John Kenneth Galbraith, in his exciting and trailblazing new book, "The New Industrial State", points out that the marketplace cannot by itself come to grips with the problem of slum housing:

> In the slums, it has long been recognized, there is no socially useful market response. Rents, because of demand for space, tend to be at the highest level the traffic will bear. Being at the maximum, they will be no higher if the property is replaced, improved or even decently maintained. The most profitable course is to minimize outlay and, where possible, to pack more people in. These shortcomings are recognized. Again, however, they are assumed to be isolated failures of the market. In consequence, the corrective is the patchwork planning provided by weakly financed housing authorities of limited power and autonomy; housing and building codes which seek to enforce less profitable, but socially more desirable, behavior; zoning regulations which seek to deny to the owners of land what seems to them their normal right to the best return; and subsidies to offset the financial advantages of bad use and promote redevelopment. Or, as also happens, nothing is done and the adverse consequences are suffered in the belief or hope that market responses, however bad in the present, will eventually become benign.

The bill which we introduced today is designed to achieve immediate and visible results at a cost far less than the cost of the senseless destruction which our great cities have suffered. It sets as a goal of Federal housing policy the building and rehabilitation over the next 20 years of 10 million units of low- and moderate-income housing by public and private effort. This would mean an almost tenfold increase in the Nation's annual production of low- and moderate-income housing.

The bill would beef up and expand established Federal programs designed to stimulate the construction of low- and moderate-income housing. It is designed to increase the supply of decent low- and moderate-income housing by producing new or rehabilitated units throughout the city, and by removing the barriers which prevent Negro families access to existing housing units vacated by middle-class white families as they move outward from the central city.

The bill is designed to remove the following barriers to an adequate supply of low- and moderate-income housing:

First, the lack of a specific national housing objective. Title I establishes the objective of building and rehabilitating 10 million units of low- and moderate-income housing over the next 20 years by public and private effort.

Second, the lack of an adequate low- and moderate-income housing action program. Title II directs the Department of Housing and Urban Development to prepare each January an action program to see that at least 500,000 low- and moderate-income housing units are constructed in that year.

Third, inadequate Federal low- and moderate-income housing laws. Existing programs which rely on private, nonprofit corporations, limited dividend corporations and cooperatives to produce and rehabilitate housing, are strengthened by title III. The present cooperative and rental program is extended to the sale of new homes. FNMA is given additional funding to expand low- and moderate-income housing programs. Maximum income limits for families qualifying for the purchase of rehabilitated homes are increased from the present public housing income level. The present 3 percent below market mortgage interest rate is graduated down to 0 percent, in order to permit lower income families to own or occupy such housing without exceeding a housing or rental payment of one-fourth of their income. As they earn more income, their payments are adjusted upward; if they sell the home, they are required to repay the interest subsidy. Present conservation and rehabilitation laws are broadened to permit their use by nonprofit organizations which undertake to rehabilitate entire neighborhoods.

Fourth, excessive demands on nonprofit and cooperative housing sponsors. Title IV provides funds for "seed money" and technical assistance so that, in addition to limited dividend corporations, churches, unions, cooperatives, and civic associations can undertake the production and rehabilitation of low- and moderate-income housing.

Fifth, inadequate insurance protection for low- and moderate-income homeowners. Title V provides for pooled insurance for low- and moderate-income families to maintain their mortgage payments when faced with personal adversity such as illness or unemployment, and for fire insurance protection at reasonable rates on property in the inner core of metropolitan areas.

Sixth, lack of services in public housing projects. Title VI provides residents of public housing projects with social services directed at the upkeep of their homes, and guidance in shopping and money management.

Seventh, insufficient funds for urban renewal. The present backlog of urban renewal applications is about $1.5 billion against the fiscal 1968 authorization of $750 million. Title VII doubles that authorization to $1.5 billion. The maximum amount of grants to low income homeowners to rehabilitate their homes is increased from the present $1,500 to $2,500.

Eighth, high cost of housing construction. In order to prevent local building conditions from unduly raising the cost of housing construction, title VIII requires HUD, within 1 year, to develop a model building code, and provides that 3 years thereafter any community failing to have a similar building code will be precluded from receiving the benefits of such Federal assistance as sewer and water facility grants, open space grants, community facilities grants, urban renewal programs, and FHA insurance.

Ninth, lack of a Federal research and development program on housing and urban problems. Title IX would provide for an assistant secretary for Research and Development in HUD to organize an effective governmentwide research and development program to increase innovation in the field of housing and urban affairs generally.

Tenth, housing discrimination. President Kennedy's Executive order of 1962 provided for fair housing in FHA and VA mortgages. Since this covers only some 17 percent of all private housing starts, it has not been effective. Title X would extend the fair housing policy by prohibiting any federally insured bank, mutual savings bank, or savings and loan institution from discriminating, thus extending fair housing to an important 70 percent of the housing market.

Eleventh, barriers erected by suburban communities against the construction of low- and moderate-income housing. A major obstacle to providing decent low- and moderate-income housing is the practice by many suburban communities, where such housing could be built, of zoning against it. Title XI would cease to reward such communities with such Federal assistance as sewer and water facility grants, open space grants, community facilities grants, urban renewal programs, and FHA insurance.

Twelfth, code violations by landlords. Title XII would penalize landlords maintaining property in violation of local health, fire, or housing regulations by denying them a Federal income tax depreciation deduction.

The bill meets each of these problems by improving existing Federal programs and strengthening existing Federal policies. Since the U.S. Housing Act of 1937, the Federal Government has been in the business of aiding the construction of low- and moderate-income housing. We do not believe the experience of 30 years should be cast aside in favor of wholly new and untried measures. The fundamental parts of a successful low- and moderate-income housing program are already on the statute books; this bill seeks to strengthen these programs and to give them coherence. Many of the ideas found in this legislation were first advanced by the National Housing Conference and the Task Force on Economic Growth and Opportunity of the U.S. Chamber of Commerce.

In 1957 this country was shocked and surprised when Sputnik flashed through the skies. Our response was a $5 billion a year program to gain the upper hand in outer space.

Today, 10 years later, the Nation has again been jolted by the fires in the skies over the cities. Can our commitment to eradicate our slums be any less complete than our commitment to be the first on the moon?

The text of H.R. 12142 and a section-by-section review of the bill follow:

H.R. 12142

A bill to accelerate the construction and rehabilitation of low- and moderate-income housing in the United States in order to fulfill the national goal declared in the Housing Act of 1949 of a decent home and a suitable living environment for every American family

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, that this act may be cited as the "Low- and Moderate-Income Housing Act of 1968".

TITLE I—STATEMENT OF PURPOSE

SECTION 101. The Congress finds that the supply of low-and moderate-income housing is not increasing rapidly enough to meet the national goal, established in the Housing Act of 1949, for "the realization as soon as possible of the goal of a decent house and a suitable living environment for every American family." The Congress reaffirms this national goal and determines that it be met within the next twenty years. It therefore establishes an expanded and improved program for the construction and rehabilitation of low and moderate income housing designed to produce the publicly assisted portion of the 10 million new or rehabilitated units of low- and moderate-income housing which must be produced over the next 20 years, at the aggregate rate of 500,000 units annually.

TITLE II—ANNUAL LOW- AND MODERATE-INCOME HOUSING REPORT

SEC. 201. Section 301(b) of the Housing Act of 1948 is amended by adding the following new sentence at the end thereof: "Such reports shall be made annually, in January, and shall include the Secretary's best estimates of the actual number of standard housing units produced for low- and moderate-income families in the preceding year through new construction and rehabilitation, private and public, and his recommendations, after consultation with the Council of Economic Advisers and the Board of Governors of the Federal Reserve System, of the steps necessary to achieve in the coming year the goal of, or as close to, 500,000 additional standard units for low- and moderate-income families as can be achieved without generating damaging inflationary pressures."

TITLE III—EXPANDED SECTION 221(d)(3), 221(h), AND 203, LOW AND MODERATE INCOME HOUSING PROGAMS

Extending section 221(d)(3) to the sale of new houses

SEC. 301. Section 221(d)(3)(iii) of the National Housing Act is amended in the third proviso by inserting "or if newly constructed may be for sale," between "project," and "and", and by inserting "purchase or" between "for" and "occupancy".

Removing the $20 million limitation on 221(h) mortgages

SEC. 302. Section 221(h) of the National Housing Act is amended by striking paragraph 221(h)(4), and renumbering the existing paragraph (5) as paragraph (4).

Extending section 221(h) to the sale of existing houses in need of little or no rehabilitation

SEC. 303. Section 221(h) of the National Housing Act is amended by adding a new paragraph 221(h)(5) as follows: "(5) In addition to mortgages insured under other provisions of this subsection, and the Secretary is authorized, upon application by the mortgagor and in accordance with the mortgage terms of this subsection, to insure any mortgage for the purchase by a low-income purchaser of existing housing in need of little or no rehabilitation.".

Raising the income limits for purchase of section 221(h) houses

SEC. 304. Section 221(h)(5)(A) of the National Housing Act is amended by deleting "specified (with respect to the area involved) in section 101(c)(1) of the Housing and Urban Development Act of 1965." and inserting "established pursuant to section 221(d)(3)(iii) (with respect to the area involved) to be eligible to occupy 221(d)(3) housing financed at below market interest rates.".

Broadening the participants in section 221 (d)(3) and section 221(h) housing programs

SEC. 305. (a) Section 221(d)(3) of the National Housing Act is amended by deleting "(and which certifies that it is not receiving financial assistance from the United States exclusively pursuant to the United States Housing Act of 1937)".

(b) Section 221(h) of the National Housing Act is amended in paragraph (1) by deleting the words "a non-profit organization" and inserting "an organization eligible as a mortgagor under section 221(d)(3) of the National Housing Act", in subparagraph (2)(A), by deleting "a private non-profit corporation or association" and inserting "an organization", and in subparagraph (5)(F) by deleting phrases (i), (ii), and (iii) and inserting "an organization eligible as a mortgagor or a low-income purchaser, approved for the purposes of this section by the Secretary.".

Graduating interest rates on 221(d)(3) and 221(h) mortgages downward

SEC. 306. Section 221(d)(5) of the National Housing Act is amended by deleting "and there shall be no differentiation in the rate of interest charged under this proviso as between mortgages under subsection (d)(3) on the basis of differences in the types or classes of such mortgagors" and inserting "except that the rate of interest shall be graduated down to zero percent if a higher rate would cause the occupant's or purchaser's housing expense to exceed one-fourth of his income (In the case of multiple unit rental or cooperative housing the project mortgage interest rate shall be determined by averaging the rate of interest chargeable on each unit based upon the income of its occupant.).".

Periodic interest rate adjustments under section 221(d)(3) and section 221(h)

SEC. 307. (a) Section 221(d)(3) of the National Housing Act is amended by striking "and" at the end of subparagraph (ii), by striking "or" at the end of paragraph (iii), and by adding the following new subparagraph "(iv) contain a provision for periodic adjustment of the interest rate in accordance with regulations of the Commissioner so that 25 per centum of the income of the mortgagor (or in the case of rental or cooperative housing of the occupant) is paid for housing expense until the mortgagor or occupant is paying the highest interest rates permissible under this section and the regulations of the Commissioner effective at the time of commitment for issuance of the mortgage, and in the case of the sale of housing to the occupant contain a provision that if the mortgagor does not continue to occupy the property, the interest rate shall increase to the same maximum level, except that the increase in the interest rate shall not be applicable if the property is sold and the purchaser is an organization eligible as a mortgagor or an individual eligible as a purchaser, and approved for the purposes of this section by the Commissioner; and".

(b) Section 221(h)(5) of the National Housing Act is amended by adding at the end "(G) any mortgage insured under this paragraph shall contain a provision for periodic adjustment of the interest rate in accordance with regulations of the Secretary so that 25 per centum of the income of the mortgagor (or in the case of cooperative housing of the occupant) is paid for housing expense until the mortgagor or occupant is paying the highest interest rates permissible under this section and the regulations of the Secretary effective at the time of commitment for issuance of the mortgage.".

Recovery of interest payments by Government of gains from sale

SEC. 308. (a) Section 221(d)(3) of the National Housing Act is amended by adding the following new subparagraph "(v) in the case of a transfer of housing sold by an owner-occupant contain a provision for the recovery of the lesser of (A) the amount of capital gain arising from such transfer or (B) the cost to the Government of carrying the mortgage; or".

(b) Section 221(h)(5) of the National Housing Act is amended by adding at the end "(H) any mortgage insured under this paragraph shall contain a provision for the recovery in the case of a transfer of the property by the mortgagor of the lesser of (i) the amount of capital gain arising from such transfer or (ii) the cost to the Government of carrying the mortgage."

Use of urban renewal neighborhood conservation assistance in section 221(h) neighborhoods

SEC. 309. (a) Section 221 of the National Housing Act is amended by adding at the end thereof the following new subsection:

"(i) In order that an organization eligible to receive a mortgage insured by the Federal Housing Administration under the provisions of subsection 221(h) (hereafter referred to as the "organization") may effectively undertake the rehabilitation of the maximum number of houses in a neighborhood (in addition to the authority given to such organization under the provisions of subsection 221(h) to receive below market interest rate rehabilitation mortgage loans insured by the Federal Housing Administration to finance the purchase and rehabilitation of housing for resale to low-income purchasers), such organization shall, with regard to properties in a neighborhood qualified under 221(h), have the following rehabilitation grant and loan authority:

"(1) On behalf of low-income homeowners having an income not exceeding the eligibility requirements of section 115 of the Housing Act of 1949 ($3,000 annual income to be eligible for a full grant), to make application for housing rehabilitation grants not to exceed $2,500 made pursuant to that section;

"(2) On behalf of low-income homeowners having an income not exceeding the maximum amount specified (with respect to the area involved) in section 101(c)(1) of the Housing and Urban Development Act of 1965, to make application for housing rehabilitation loans, bearing interest not to exceed 3 per centum, made pursuant to section 312 of the Housing Act of 1964,

"(3) On behalf of other homeowners, to make application for market rate housing rehabilitation mortgages, insured by the Federal Housing Administration made pursuant to section 221(d)(2) of the National Housing Act.

Upon agreement by the homeowner involved, the organization shall be eligible on his behalf to apply for the $2,500 grant under (i)(1), the 3 per centum loan under (i)(2), and the market rate mortgage under (i)(3), respectively; to plan, contract for, and direct the rehabilitation; and to receive and disburse to the rehabilitation contractors the proceeds of the rehabilitation grant or loan made to the homeowner.

The organization, at the time it applies for such grants or loans, shall submit a rehabilitation plan to the Federal Housing Administration. Such plan shall describe the rehabilitation work to be undertaken in the neighborhood, pursuant to subsections 221(h) and 221(i). Such plan may also include reference to coordinated programs in that neighborhood, undertaken or proposed, by local authorities for demolishing substandard buildings under section 116 of the Housing Act of 1949, and for concentrated code enforcement and public improvements under section 117 of the Housing Act of 1949. The Federal Housing Administration, in cooperation with the appropriate agencies of the Department of Housing and Urban Development, and the appropriate local authorities where subsections (i)(1) and (i)(2) above are involved, shall approve such grant and loan applications if it finds that the rehabilitation plan gives reasonable promise that a stable environment will be created in the neighborhood.".

(b) Section 115 of the Housing Act of 1949 is amended by adding a new subsection:

"(c) Such grants may also be made in areas approved by the Federal Housing Administration under section 221(h) of the National Housing Act. In such cases, grants may be made only to homeowners recommended by an organization which is eligible as a mortgagor under section 221(h), and can be used to finance rehabilitation undertaken by such organization.".

(c) Section 312(b)(1) of the Housing Act of 1964 is amended by adding before the semicolon ", or in the case of areas approved under section 221(h) of the National Housing Act, improvement or repair necessary to bring the property up to the standards contemplated in the approved plan for the area.".

(d) Section 312 of the Housing Act of 1964 is amended by adding a new subsection "(i) Such loans may also be made in areas approved by the Federal Housing Administration for mortgage insurance under section 221(h) of the National Housing Act. In such cases loans may be made only to property owners recommended by an organization which is eligible as a mortgagor under section 221(h), and can be used only to finance rehabilitation (and necessary refinancing) undertaken by such organization".

Increased 221(d)(3) and (221(h) Federal National Mortgage Association Special Assistance Funds

SEC. 310. Section 305(c) of the National Housing Act is amended by deleting the figure "$525,000,000" and substituting the figure "$2,000,000,000".

Extending section 203 Federal Housing Administration insurance to section 221(h) neighborhoods

SEC. 311. Section 203(1) of the National Housing Act is amended by deleting the period at the end and adding the following; "or (1) that the dwellings covered by the mortgage are situated in an area which is sufficiently stable and contains sufficient public facilities and amenities to support long-term values, or (2) the conservation efforts to be carried out in the area by owners of housing, or public or private organizations give reasonable promise that a stable environment will be created in the neighborhood, and (3) such dwelling is an acceptable risk giving due consideration to the need for providing adequate housing for families of low and moderate income in such area.".

TITLE IV—FINANCIAL AND TECHNICAL ASSISTANCE TO NONPROFIT ORGANIZATIONS AND COOPERATIVES SPONSORING LOW AND MODERATE INCOME HOUSING

Financial assistance

SEC. 401. Section 207 of the Housing Act of 1961 is amended by striking "$15 million" and inserting in lieu thereof "$20 million", and by adding at the end of the section the following sentence "The Secretary is authorized to use not to exceed $5 million of these funds to make grants or loans for organizational and development expenses of nonprofit or cooperative organizations established to provide housing for low and moderate income families to be financed under subsections 221(d)(3) (below market interest rate), 221(h), or 221(i) of the National Housing Act, or to provide housing for elderly or handicapped families to be financed under section 202 of the Housing Act of 1949.".

Technical assistance

SEC. 402. Section 221 of the National Housing Act is amended by adding the following new subsection: "(j) There is authorized to be established in Federal Housing Administration field offices where the Secretary determines that need exists the position of Assistant Director for low and moderate income housing to provide technical assistance to nonprofit or cooperative organizations established to provide housing for low or moderate income families to be financed under subsections 221(d)(3) (below market interest rate), 221(h), or 221(i) of the National Housing Act, or to provide housing for elderly or handicapped families to be financed under section 202 of the Housing Act of 1949.".

TITLE V—INSURANCE PROTECTION FOR HOMEOWNERS

Homeowners mortgage insurance and extended fire insurance protection

SEC. 501. Section 221 of the National Housing Act is amended by adding a new subsection 221(k) as follows:

"(k)(1) To assist low and moderate income homeowners in meeting mortgage payments in times of personal adversity, the Secretary shall seek to arrange with the private insurance industry for the establishment at the earliest practicable date of a program of insurance protection against mortgage foreclosures. Such insurance program shall be designed to protect mortgagors against foreclosure due to curtailment of income resulting from factors beyond their effective control including such factors as death, disability, illness, and unemployment (particularly, unemployment during a period in which an involuntary unemployed home buyer is participating in a program of education and training to qualify for new employment requiring additional skills).

"(2) To assist low and moderate income homeowners in securing fire insurance protection at reasonable rates, the Secretary shall seek to arrange with the private insurance industry for the establishment at the earliest practicable date of a broadened program of fire insurance protection at reasonable rates. Such insurance program may be designed to protect low and moderate income homeowners against other risks to their property.

"(3) Such insurance programs shall be designed to be actuarially sound through the use of premiums, fees, extended or increased payment schedules or other similar methods.

"(4) Any combination of insurance companies, investment institutions or other institutions or persons may join together to form a corporation or other joint enterprise which as its sole purpose and activity provides homeownership mortgage insurance protection or fire insurance protection to mortgagors as described in this title. Such combination shall not be deemed to be a combination or conspiracy in restraint of trade under the Act of July 2, 1890 (the Sherman Act), as amended (15 U.S.C. 1–7); nor shall the formation of a corporation to effectuate the purposes of this section be prohibited by section 7 of the Act of October 15, 1914 (the Clayton Act), as amended (15 U.S.C. 18).

"(5) The Secretary is authorized and directed to report to the Congress within one year after the date of enactment of this Act as to its success in establishing these insurance programs, and to make any recommendations, including for Federal reinsurance, he may deem desirable.".

TITLE VII—SOCIAL SERVICES IN PUBLIC HOUSING

"SEC. 601. (a) Section 10(a) of the United States Housing Act of 1937 is amended—

(1) by inserting "(i)" after "pay" in the first proviso; and

(2) by inserting before the period at the end of the first proviso the following:

"and (ii) the cost of providing social services for families living in low-rent housing projects, as approved by the Authority".

TITLE VII—EXPANDED URBAN RENEWAL

Expanded urban renewal rehabilitation grants

SEC. 701. Section 115(b) of the Housing Act of 1949 is amended by striking "$1500" and inserting in lieu thereof "$2500'.

Increased urban renewal funds

SEC. 702. Section 103(b) of the Housing Act of 1949 is amended by striking "$750,000,000 on July 1 in each of the years 1967 and 1968" inserting in lieu thereof "$750,000,000 on July 1, 1967, and $1,500,000,000 on July 1, 1968.".

TITLE VIII—REDUCING THE COST OF HOUSING CONSTRUCTION

SEC. 801. (a) The Secretary of Housing and Urban Development shall, within one year after the date of enactment of this Act, develop and publish in the Federal Register a model building code which will permit the use of modern architectural and engineering techniques and practices to facilitate the construction of housing at reasonable cost. The Secretary shall develop and issue revisions of this code from time to time to keep it abreast of continuing technological development.

(b) No program of subsidy, aid, or assistance by any agency of the Department of Housing and Urban Development (including but not limited to sewer and water facility grants, open space grants, community facilities grants, urban renewal programs, and Federal Housing Administration insurance) may be carried on within any jurisdiction within which the model building code (including any revision thereof) published pursuant to subsection (a), or a variation thereof approved by the Secretary of Housing and Urban Development, is not in effect within three years after its publication.

TITLE IX—ASSISTANT SECRETARY FOR RESEARCH

SEC. 901. The first sentence of section 4(a) of the Department of Housing and Urban Development Act (79 Stat. 668) is amended by striking out "four" and inserting in lieu thereof "five".

TITLE X—REMOVING FEDERAL INVOLVEMENT WITH LENDING INSTITUTIONS WHICH DISCRIMINATE IN MAKING MORTGAGE LOANS OR WHICH LOAN TO PERSONS WHO DISCRIMINATE

SEC. 1001. (a) No federally insured lending institution shall make any loan secured by, or for the acquisition, development, operation or rehabilitation of, any residential property or related facilities (including land to be developed for residential use), to be sold, leased, rented, or otherwise disposed of, unless—

(1) such loan is made without regard to race, color, religion, or national origin, and

(2) legally enforceable assurances are furnished to such institution that such property will be sold, leased, rented, or otherwise disposed of without regard to race, color, religion, or national origin.

(b) For the purposes of this Act, the term "federally insured lending institution" means any bank or other institution insured by either the Federal Deposit Insurance Corporation or the Federal Savings and Loan Insurance Corporation.

(c) This Act shall be administered and enforced, in the case of—

(1) national banks, by the Comptroller of the Currency,

(2) banks (other than national banks) which are members of the Federal Reserve System, by the Board of Governors of the Federal Reserve System,

(3) banks (other than national banks and State member banks) insured by the Federal Deposit Insurance Corporation, by the Board of Directors of the Federal Deposit Insurance Corporation, and

(4) any institution insured by the Federal Savings and Loan Insurance Corporation, by the Federal Home Loan Bank Board.

TITLE XI—REMOVING FEDERAL SUBSIDIES FOR DISCRIMINATION AGAINST MODERATE AND LOW INCOME FAMILIES

SEC. 1101. (a) No program of subsidy, aid or assistance by any agency of the Department of Housing and Urban Development (including but not limited to sewer and water facility grants, open space grants, community facilities grants, urban renewal programs, and Federal Housing Administration insurance) may be carried on within any jurisdiction within which a reasonable share, as determined by the Secretary of Housing and Urban Development, of housing is not available for low and moderate income families, whether by reason of restrictions in zoning ordinances or building codes, or other factors within the reasonable control of the State within which the jurisdiction is located, or the jurisdiction itself.

(b)(1) Subsection 1004(b) of the National Housing Act is amended by inserting after numbered clause (2) a new clause

"(3) provision of a proper balance of housing for families of moderate or low-income;" and by renumbering clauses (3) and (4) as clauses (4) and (5) respectively.

(ii) Subsection 1005 is amended by inserting a period after the phrase "particularly small builders" and striking the words ", and the inclusion of a proper balance of housing for families of moderate or low-income."

TITLE XII—REMOVING FEDERAL INCOME TAX BENEFITS FOR LANDLORDS VIOLATING HEALTH, FIRE, OR HOUSING REGULATIONS

SEC. 1201. (a) Section 167 of the Internal Revenue Code of 1954 (relating to deduction for depreciation) is amended by redesignating subsection (j) as (k), and by inserting after subsection (i) the following new subsection:

"(j) Limitation in the Case of Residential Property Held in Violation of Local Housing Regulations—

"(1) GENERAL RULE.—Under regulations of the Secretary or his delegate, no deduction shall be allowed under this section with respect to any rental housing for any taxable year in which the owner of such rental housing has been determined pursuant to local law to have violated any housing regulation with respect to such rental housing and has failed to correct such violation within the period prescribed by local law.

"(2) DEFINITIONS.—For purposes of this subsection:

"(A) The term 'rental housing' means any building which constitutes the abode of a person who is not the owner thereof, and includes any fixture, appliance or equipment on the premises of such building.

"(B) The term 'local law' means a law of a State, or political subdivision thereof, a law applicable only to the District of Columbia, or a regulation prescribed pursuant to any such law.

"(C) The term 'housing regulation' means a local law which provides for public enforcement of standards relating to housing, or to health or safety in residential buildings."

(b) The amendment made by this section shall apply with respect to taxable years beginning after the date of enactment of this Act.

SECTION-BY-SECTION REVIEW OF THE LOW- AND MODERATE-INCOME HOUSING ACT OF 1968

TITLE I. STATEMENT OF PURPOSE

Congress establishes the goal of building and rehabilitating 10 million units of low and moderate income housing over the next 20 years, by private and public effort at the rate of 500,000 units annually. When the goal is fulfilled, the nation will be rid of its present 10 million units of deteriorated and dilapidated housing. The houses which

Broadening the participants in section 221 (d)(3) and section 221(h) housing programs

Sec. 305. (a) Section 221(d)(3) of the National Housing Act is amended by deleting "(and which certifies that it is not receiving financial assistance from the United States exclusively pursuant to the United States Housing Act of 1937)".

(b) Section 221(h) of the National Housing Act is amended in paragraph (1) by deleting the words "a non-profit organization" and inserting "an organization eligible as a mortgagor under section 221(d)(3) of the National Housing Act", in subparagraph (2)(A), by deleting "a private non-profit corporation or association" and inserting "an organization", and in subparagraph (5)(F) by deleting phrases (i), (ii), and (iii) and inserting "an organization eligible as a mortgagor or a low-income purchaser, approved for the purposes of this section by the Secretary.".

Graduating interest rates on 221(d)(3) and 221(h) mortgages downward

Sec. 306. Section 221(d)(5) of the National Housing Act is amended by deleting "and there shall be no differentiation in the rate of interest charged under this proviso as between mortgages under subsection (d)(3) on the basis of differences in the types or classes of such mortgagors" and inserting "except that the rate of interest shall be graduated down to zero percent if a higher rate would cause the occupant's or purchaser's housing expense to exceed one-fourth of his income (In the case of multiple unit rental or cooperative housing the project mortgage interest rate shall be determined by averaging the rate of interest chargeable on each unit based upon the income of its occupant.).".

Periodic interest rate adjustments under section 221(d)(3) and section 221(h)

Sec. 307. (a) Section 221(d)(3) of the National Housing Act is amended by striking "and" at the end of subparagraph (ii), by striking "or" at the end of paragraph (iii), and by adding the following new subparagraph "(iv) contain a provision for periodic adjustment of the interest rate in accordance with regulations of the Commissioner so that 25 per centum of the income of the mortgagor (or in the case of rental or cooperative housing of the occupant) is paid for housing expense until the mortgagor or occupant is paying the highest interest rates permissible under this section and the regulations of the Commissioner effective at the time of commitment for issuance of the mortgage, and in the case of the sale of housing to the occupant contain a provision that if the mortgagor does not continue to occupy the property, the interest rate shall increase to the same maximum level, except that the increase in the interest rate shall not be applicable if the property is sold and the purchaser is an organization eligible as a mortgagor or an individual eligible as a purchaser, and approved for the purposes of this section by the Commissioner; and".

(b) Section 221(h)(5) of the National Housing Act is amended by adding at the end "(G) any mortgage insured under this paragraph shall contain a provision for periodic adjustment of the interest rate in accordance with regulations of the Secretary so that 25 per centum of the income of the mortgagor (or in the case of cooperative housing of the occupant) is paid for housing expense until the mortgagor or occupant is paying the highest interest rates permissible under this section and the regulations of the Secretary effective at the time of commitment for issuance of the mortgage.".

Recovery of interest payments by Government of gains from sale

Sec. 308. (a) Section 221(d)(3) of the National Housing Act is amended by adding the following new subparagraph "(v) in the case of a transfer of housing sold by an owner-occupant contain a provision for the recovery of the lesser of (A) the amount of capital gain arising from such transfer or (B) the cost to the Government of carrying the mortgage; or".

(b) Section 221(h)(5) of the National Housing Act is amended by adding at the end "(H) any mortgage insured under this paragraph shall contain a provision for the recovery in the case of a transfer of the property by the mortgagor of the lesser of (i) the amount of capital gain arising from such transfer or (ii) the cost to the Government of carrying the mortgage."

Use of urban renewal neighborhood conservation assistance in section 221(h) neighborhoods

Sec. 309. (a) Section 221 of the National Housing Act is amended by adding at the end thereof the following new subsection:

"(i) In order that an organization eligible to receive a mortgage insured by the Federal Housing Administration under the provisions of subsection 221(h) (hereafter referred to as the "organization") may effectively undertake the rehabilitation of the maximum number of houses in a neighborhood (in addition to the authority given to such organization under the provisions of subsection 221(h) to receive below market interest rate rehabilitation mortgage loans insured by the Federal Housing Administration to finance the purchase and rehabilitation of housing for resale to low-income purchasers), such organization shall, with regard to properties in a neighborhood qualified under 221(h), have the following rehabilitation grant and loan authority:

"(1) On behalf of low-income homeowners having an income not exceeding the eligibility requirements of section 115 of the Housing Act of 1949 ($3,000 annual income to be eligible for a full grant), to make application for housing rehabilitation grants not to exceed $2,500 made pursuant to that section;

"(2) On behalf of low-income homeowners having an income not exceeding the maximum amount specified (with respect to the area involved) in section 101(c)(1) of the Housing and Urban Development Act of 1965, to make application for housing rehabilitation loans, bearing interest not to exceed 3 per centum, made pursuant to section 312 of the Housing Act of 1964,

"(3) On behalf of other homeowners, to make application for market rate housing rehabilitation mortgages, insured by the Federal Housing Administration made pursuant to section 221(d)(2) of the National Housing Act.

Upon agreement by the homeowner involved, the organization shall be eligible on his behalf to apply for the $2,500 grant under (i)(1), the 3 per centum loan under (i)(2), and the market rate mortgage under (i)(3), respectively; to plan, contract for, and direct the rehabilitation; and to receive and disburse to the rehabilitation contractors the proceeds of the rehabilitation grant or loan made to the homeowner.

The organization, at the time it applies for such grants or loans, shall submit a rehabilitation plan to the Federal Housing Administration. Such plan shall describe the rehabilitation work to be undertaken in the neighborhood, pursuant to subsections 221(h) and 221(i). Such plan may also include reference to coordinated programs in that neighborhood, undertaken or proposed, by local authorities for demolishing substandard buildings under section 116 of the Housing Act of 1949, and for concentrated code enforcement and public improvements under section 117 of the Housing Act of 1949. The Federal Housing Administration, in cooperation with the appropriate agencies of the Department of Housing and Urban Development, and the appropriate local authorities where subsections (i)(1) and (i)(2) above are involved, shall approve such grant and loan applications if it finds that the rehabilitation plan gives reasonable promise that a stable environment will be created in the neighborhood.".

(b) Section 115 of the Housing Act of 1949 is amended by adding a new subsection:

"(c) Such grants may also be made in areas approved by the Federal Housing Administration under section 221(h) of the National Housing Act. In such cases, grants may be made only to homeowners recommended by an organization which is eligible as a mortgagor under section 221(h), and can be used to finance rehabilitation undertaken by such organization.".

(c) Section 312(b)(1) of the Housing Act of 1964 is amended by adding before the semicolon ", or in the case of areas approved under section 221(h) of the National Housing Act, improvement or repair necessary to bring the property up to the standards contemplated in the approved plan for the area.".

(d) Section 312 of the Housing Act of 1964 is amended by adding a new subsection "(i) Such loans may also be made in areas approved by the Federal Housing Administration for mortgage insurance under section 221(h) of the National Housing Act. In such cases loans may be made only to property owners recommended by an organization which is eligible as a mortgagor under section 221(h), and can be used only to finance rehabilitation (and necessary refinancing) undertaken by such organization".

Increased 221(d)(3) and (221(h) Federal National Mortgage Association Special Assistance Funds

Sec. 310. Section 305(c) of the National Housing Act is amended by deleting the figure "$525,000,000" and substituting the figure "$2,000,000,000".

Extending section 203 Federal Housing Administration insurance to section 221(h) neighborhoods

Sec. 311. Section 203(1) of the National Housing Act is amended by deleting the period at the end and adding the following; "or (1) that the dwellings covered by the mortgage are situated in an area which is sufficiently stable and contains sufficient public facilities and amenities to support long-term values, or (2) the conservation efforts to be carried out in the area by owners of housing, or public or private organizations give reasonable promise that a stable environment will be created in the neighborhood, and (3) such dwelling is an acceptable risk giving due consideration to the need for providing adequate housing for families of low and moderate income in such area.".

TITLE IV—FINANCIAL AND TECHNICAL ASSISTANCE TO NONPROFIT ORGANIZATIONS AND COOPERATIVES SPONSORING LOW AND MODERATE INCOME HOUSING

Financial assistance

Sec. 401. Section 207 of the Housing Act of 1961 is amended by striking "$15 million" and inserting in lieu thereof "$20 million", and by adding at the end of the section the following sentence "The Secretary is authorized to use not to exceed $5 million of these funds to make grants or loans for organizational and development expenses of nonprofit or cooperative organizations established to provide housing for low and moderate income families to be financed under subsections 221(d)(3) (below market interest rate), 221(h), or 221(i) of the National Housing Act, or to provide housing for elderly or handicapped families to be financed under section 202 of the Housing Act of 1949.".

Technical assistance

Sec. 402. Section 221 of the National Housing Act is amended by adding the following new subsection: "(j) There is authorized to be established in Federal Housing Administration field offices where the Secretary determines that need exists the position of Assistant Director for low and moderate income housing to provide technical assistance to nonprofit or cooperative organizations established to provide housing for low or moderate income families to be financed under subsections 221(d)(3) (below market interest rate), 221(h), or 221(i) of the National Housing Act, or to provide housing for elderly or handicapped families to be financed under section 202 of the Housing Act of 1949.".

TITLE V—INSURANCE PROTECTION FOR HOMEOWNERS

Homeowners mortgage insurance and extended fire insurance protection

Sec. 501. Section 221 of the National Housing Act is amended by adding a new subsection 221(k) as follows:

"(k)(1) To assist low and moderate income homeowners in meeting mortgage payments in times of personal adversity, the Secretary shall seek to arrange with the private insurance industry for the establishment at the earliest practicable date of a program of insurance protection against mortgage foreclosures. Such insurance program shall be designed to protect mortgagors against foreclosure due to curtailment of income resulting from factors beyond their effective control including such factors as death, disability, illness, and unemployment (particularly, unemployment during a period in which an involuntary unemployed home buyer is participating in a program of education and training to qualify for new employment requiring additional skills).

"(2) To assist low and moderate income homeowners in securing fire insurance protection at reasonable rates, the Secretary shall seek to arrange with the private insurance industry for the establishment at the earliest practicable date of a broadened program of fire insurance protection at reasonable rates. Such insurance program may be designed to protect low and moderate income homeowners against other risks to their property.

"(3) Such insurance programs shall be designed to be actuarially sound through the use of premiums, fees, extended or increased payment schedules or other similar methods.

"(4) Any combination of insurance companies, investment institutions or other institutions or persons may join together to form a corporation or other joint enterprise which as its sole purpose and activity provides homeownership mortgage insurance protection or fire insurance protection to mortgagors as described in this title. Such combination shall not be deemed to be a combination or conspiracy in restraint of trade under the Act of July 2, 1890 (the Sherman Act), as amended (15 U.S.C. 1–7); nor shall the formation of a corporation to effectuate the purposes of this section be prohibited by section 7 of the Act of October 15, 1914 (the Clayton Act), as amended (15 U.S.C. 18).

"(5) The Secretary is authorized and directed to report to the Congress within one year after the date of enactment of this Act as to its success in establishing these insurance programs, and to make any recommendations, including for Federal reinsurance, he may deem desirable.".

TITLE VII—SOCIAL SERVICES IN PUBLIC HOUSING

"Sec. 601. (a) Section 10(a) of the United States Housing Act of 1937 is amended—

(1) by inserting "(i)" after "pay" in the first proviso; and

(2) by inserting before the period at the end of the first proviso the following:

"and (ii) the cost of providing social services for families living in low-rent housing projects, as approved by the Authority".

TITLE VII—EXPANDED URBAN RENEWAL

Expanded urban renewal rehabilitation grants

Sec. 701. Section 115(b) of the Housing Act of 1949 is amended by striking "$1500" and inserting in lieu thereof "$2500'.

Increased urban renewal funds

Sec. 702. Section 103(b) of the Housing Act of 1949 is amended by striking "$750,000,000 on July 1 in each of the years 1967 and 1968" inserting in lieu thereof "$750,000,000 on July 1, 1967, and $1,500,000,000 on July 1, 1968.".

TITLE VIII—REDUCING THE COST OF HOUSING CONSTRUCTION

Sec. 801. (a) The Secretary of Housing and Urban Development shall, within one year after the date of enactment of this Act, develop and publish in the Federal Register a model building code which will permit the use of modern architectural and engineering techniques and practices to facilitate the construction of housing at reasonable cost. The Secretary shall develop and issue revisions of this code from time to time to keep it abreast of continuing technological development.

(b) No program of subsidy, aid, or assistance by any agency of the Department of Housing and Urban Development (including but not limited to sewer and water facility grants, open space grants, community facilities grants, urban renewal programs, and Federal Housing Administration insurance) may be carried on within any jurisdiction within which the model building code (including any revision thereof) published pursuant to subsection (a), or a variation thereof approved by the Secretary of Housing and Urban Development, is not in effect within three years after its publication.

TITLE IX—ASSISTANT SECRETARY FOR RESEARCH

Sec. 901. The first sentence of section 4(a) of the Department of Housing and Urban Development Act (79 Stat. 668) is amended by striking out "four" and inserting in lieu thereof "five".

TITLE X—REMOVING FEDERAL INVOLVEMENT WITH LENDING INSTITUTIONS WHICH DISCRIMINATE IN MAKING MORTGAGE LOANS OR WHICH LOAN TO PERSONS WHO DISCRIMINATE

Sec. 1001. (a) No federally insured lending institution shall make any loan secured by, or for the acquisition, development, operation or rehabilitation of, any residential property or related facilities (including land to be developed for residential use), to be sold, leased, rented, or otherwise disposed of, unless—

(1) such loan is made without regard to race, color, religion, or national origin, and

(2) legally enforceable assurances are furnished to such institution that such property will be sold, leased, rented, or otherwise disposed of without regard to race, color, religion, or national origin.

(b) For the purposes of this Act, the term "federally insured lending institution" means any bank or other institution insured by either the Federal Deposit Insurance Corporation or the Federal Savings and Loan Insurance Corporation.

(c) This Act shall be administered and enforced, in the case of—

(1) national banks, by the Comptroller of the Currency,

(2) banks (other than national banks) which are members of the Federal Reserve System, by the Board of Governors of the Federal Reserve System,

(3) banks (other than national banks and State member banks) insured by the Federal Deposit Insurance Corporation, by the Board of Directors of the Federal Deposit Insurance Corporation, and

(4) any institution insured by the Federal Savings and Loan Insurance Corporation, by the Federal Home Loan Bank Board.

TITLE XI—REMOVING FEDERAL SUBSIDIES FOR DISCRIMINATION AGAINST MODERATE AND LOW INCOME FAMILIES

Sec. 1101. (a) No program of subsidy, aid or assistance by any agency of the Department of Housing and Urban Development (including but not limited to sewer and water facility grants, open space grants, community facilities grants, urban renewal programs, and Federal Housing Administration insurance) may be carried on within any jurisdiction within which a reasonable share, as determined by the Secretary of Housing and Urban Development, of housing is not available for low and moderate income families, whether by reason of restrictions in zoning ordinances or building codes, or other factors within the reasonable control of the State within which the jurisdiction is located, or the jurisdiction itself.

(b)(1) Subsection 1004(b) of the National Housing Act is amended by inserting after numbered clause (2) a new clause

"(3) provision of a proper balance of housing for families of moderate or low-income;" and by renumbering clauses (3) and (4) as clauses (4) and (5) respectively.

(ii) Subsection 1005 is amended by inserting a period after the phrase "particularly small builders" and striking the words ", and the inclusion of a proper balance of housing for families of moderate or low-income."

TITLE XII—REMOVING FEDERAL INCOME TAX BENEFITS FOR LANDLORDS VIOLATING HEALTH, FIRE, OR HOUSING REGULATIONS

Sec. 1201. (a) Section 167 of the Internal Revenue Code of 1954 (relating to deduction for depreciation) is amended by redesignating subsection (j) as (k), and by inserting after subsection (i) the following new subsection:

"(j) Limitation in the Case of Residential Property Held in Violation of Local Housing Regulations—

"(1) General rule.—Under regulations of the Secretary or his delegate, no deduction shall be allowed under this section with respect to any rental housing for any taxable year in which the owner of such rental housing has been determined pursuant to local law to have violated any housing regulation with respect to such rental housing and has failed to correct such violation within the period prescribed by local law.

"(2) Definitions.—For purposes of this subsection:

"(A) The term 'rental housing' means any building which constitutes the abode of a person who is not the owner thereof, and includes any fixture, appliance or equipment on the premises of such building.

"(B) The term 'local law' means a law of a State, or political subdivision thereof, a law applicable only to the District of Columbia, or a regulation prescribed pursuant to any such law.

"(C) The term 'housing regulation' means a local law which provides for public enforcement of standards relating to housing, or to health or safety in residential buildings."

(b) The amendment made by this section shall apply with respect to taxable years beginning after the date of enactment of this Act.

Section-by-Section Review of the Low- and Moderate-Income Housing Act of 1968

TITLE I. STATEMENT OF PURPOSE

Congress establishes the goal of building and rehabilitating 10 million units of low and moderate income housing over the next 20 years, by private and public effort at the rate of 500,000 units annually. When the goal is fulfilled, the nation will be rid of its present 10 million units of deteriorated and dilapidated housing. The houses which become deteriorated over the 20 year period and the low and moderate income houses needed to take care of the increase in American families in this period will not be met by this goal.

TITLE II. ANNUAL LOW AND MODERATE INCOME HOUSING REPORT

The Department of Housing and Urban Development is now building or rehabilitating low and moderate income housing units at the rate of about 60 thousand a year; the private housing industry produces a handful. The nation needs 500,000 annually. To achieve this nearly tenfold step-up in the production of low and moderate income housing HUD will have to prepare each year a detailed statement of the amount of low and moderate income housing produced in the preceding year. The Secretary is then required, after consultation with the Council of Economic Advisers and the Board of Governors of the Federal Reserve System, to report annually in January to the President and to Congress on how the 500,000 housing units goal is to be met in the coming year. He may diminish this goal if in any year its fulfillment would generate damaging inflationary pressures.

TITLE III, EXPANDED SECTION 221(d)(3), 221(h), AND 203 LOW AND MODERATE INCOME HOUSING PROGRAMS

If the Federal government is to stimulate the construction of low and moderate income housing on a large scale, the low and moderate income housing programs must be strengthened. Specifically, section 221(d)(3) now authorizing three percent, 40 year Federal Housing Administration-insured loans for the construction or rehabilitation of low and moderate income rental housing by non-profit corporations, limited dividend corporations, and cooperatives must be expanded.

In addition, the excellent new 221(h) program, established by the Demonstration Cities and Metropolitan Development Act of 1966, now authorizing three percent, 20–25 year FHA-insured loans to finance the purchase and rehabilitation by non-profit organizations of low-income housing for resale to low-income purchasers must be upgraded from a small experimental program to a large-scale nationwide effort.

Finally, broadened powers should be given to rehabilitation organizations to operate in 221(h) neighborhoods.

The following changes are made to accomplish these objectives:

1. *Extending Section 221(d)(3) to the Sale of New Houses.*—Section 301 authorizes the sale of section 221(d)(3) housing to low and moderate income families which now qualify as tenants. Under the present law section 221(d)(3) housing can only be rented by low and moderate income families or owned on a cooperative basis. Section 101(e)(3) of the Housing and Urban Development Act of 1965, authorizing the rent supplement program, contemplates that section 221(d)(3) below market interest rate housing can be sold when coupled with the rent supplement program, but there is no specific authorization for such sale in the present law.

Multiple family 221(d)(3) housing could be sold on a condominium basis under the proposed amendment.

2. *Removing the $20 Million Limitation on 221(h) Mortgages.*—Section 302 removes the $20 million limitation on the amount of mortgages insured under section 221(h). As a result of the amendment, section 221(h) funds will be governed by the amount of Federal National Mortgage Association special assistance funds allotted to the program by the President, just as the amount of section 221(d)(3) funds is now determined.

3. *Extending Section 221(h) to the Sale of Existing Houses in Need of Little or No Rehabilitation.*—Section 303 expands Section 221(h) to finance the sale of houses needing little or no rehabilitation to low and moderate income families.

4. *Raising the Income Limits for Purchase of Section 221(h) Houses.*—Section 304 raises the maximum income of a family qualifying to purchase section 221(h) houses from the maximum level allowed for entry into public housing to the maximum level allowed for occupancy of 221(d)(3) housing. This allows moderate-income families as well as low-income families to receive the benefits of the 221(h) program.

5. *Broadening the Participants in Section 221(d)(3) and Section 221(h) Housing Programs.*—Section 305 allows private and public non-profit corporations, including public housing authorities, cooperatives, and limited dividend corporations to finance the construction or the rehabilitation of housing for rent or for sale under either section 221(d)(3) or section 221(h). Under present law public housing authorities cannot build 221(d)(3) housing and only private non-profit organizations can rehabilitate 221(h) housing.

6. *Graduating Interest Rates on 221(d)(3) and 221(h) Mortgages Downward*—Section 306 provides that the present 3 percent interest rate on section 221(d)(3) and section 221(h) mortgages be graduated down to zero percent, if a higher rate would cause the family which occupies or purchases the housing to have a housing expense exceeding one-fourth of its income.

In the case of 221(d)(3) multi-unit rental housing, the mortgage interest rate would be determined by averaging the rate of interest chargeable on each unit based on the income of the family occupying the unit.

7. *Periodic Interest Rate Adjustments Under Section 221(d)(3) and Section 221(h).*—Section 307 provides for the periodic readjustment of the interest rate on mortgages paid by low or moderate income families to reflect changes in their income. The mortgage rate will be adjusted upward to reflect the increased income of the mortgagor or occupant until he is paying the full FHA-insured interest rate.

8. *Recovery of Interest Payments by Government of Gains from Sale.*—Section 308 provides for the recovery of the capital gain realized by the low or moderate income family on the sale of the mortgaged house to pay the cost to the government of carrying the mortgage.

9. *Use of Urban Renewal Neighborhood Conservation Assistance in Section 221(h) Neighborhoods.*—The great innovation of section 221(h) is not only the objective of home ownership for low-income families which it establishes, but the assistance which it gives to non-profit organizations to rehabilitate housing on a large scale. A non-profit organization may combine in one wholesale package both the financing and the construction work necessary to rehabilitate five or more houses at one time in a neighborhood. If each house were to be rehabilitated separately, the individual mortgage would be so small that banks would not be interested, and the construction would be inefficient and expensive.

Section 221(h) does not, however, provide the non-profit organization with the needed authority to combine in the single wholesale package the rehabilitation of houses already owned by low or moderate income homeowners. Thus, in a block of thirty deteriorated low and moderate income houses, ten owned by absentee landlords and twenty by low and moderate income families, 221(h) provides only the tools necessary to purchase and rehabilitate the ten rented homes.

Section 309 establishes a new section 221(i) which allows an organization eligible under section 221(h) to use existing urban renewal rehabilitation tools in order to combine in one job the rehabilitation of the twenty remaining homes in the hypothetical block owned by low and moderate income families. Specifically it would allow:

a. Section 115 housing rehabilitation grants to be made to the lowest-income homeowners in areas eligible for 221(h) assistance. These grants can now be made only in urban renewal areas, and are presently limited to $1500. Section 702 of the bill would raise these grants to $2500 in all areas. To be eligible to receive a full grant, a homeowner cannot have an annual income exceeding $3,000.

b. Section 312 three percent interest rate housing rehabilitation loans to be made to low and moderate income homeowners in areas eligible for 221(h) assistance. These loans now may be made only in urban renewal and concentrated code enforcement areas. To be eligible for such loans in section 221(h) neighborhoods, a homeowner must have an annual income not exceeding that which would make him eligible to rent 221(d)(3) housing in the area (this limitation, as at present, would not apply to such 3 percent loans in urban renewal and concentrated code enforcement areas).

c. Section 220(d)(2) FHA-guaranteed market rate loans to be made to other homeowners in 221(h) rehabilitation areas.

If the homeowner involved agrees, the organization would apply for the grant or loan on his behalf, would plan, contract for, and direct the rehabilitation work, and would receive and disburse the proceeds of the grant or loans to the rehabilitation contractors.

The organization is required to submit a rehabilitation plan to the Federal Housing Administration. The plan would set forth in detail the houses which the organization plans to buy, rehabilitate, and sell to families with the financial assistance of subsection 221(h), the houses which it will rehabilitate on behalf of homeowners under Section 221(i), and the financial arrangements—whether $2500 grant, 3 percent direct loan, or market-rate mortgage loan—which it wishes to use to finance the rehabilitation on behalf of the homeowners.

It is contemplated that the organization will seek the assistance of the city in spot demolition of houses deteriorated beyond repair in the rehabilitative area (for which a two-thirds federal grant is available under section 116 of the Housing Act of 1949), and for concentrated code enforcement and needed public improvements, such as the repair of sidewalks and streets and the planting of trees (for which a two-thirds federal grant is available under section 117 of the Housing Act of 1949). Plans for demolition, concentrated code enforcement, and public improvements, to be carred out by the appropriate city authority, could be included in the organization's rehabilitation plan.

The Federal Housing Authority, in reviewing the organization's plan, would consult with other HUD agencies (such as the Renewal Assistance Administration) and with local urban renewal authorities, whenever $2500 grants or three percent direct loans are sought as part of the plan (since RAA and the local urban renewal authorities are responsibile for administering these grants and loans).

10. *Increased 221(d)(3) and 221(h) Federal National Mortgage Association Specal Assistance Funds.*—Section 310 provides for a $2 billion increase on July 1, 1968 in Federal National Mortgage Association special assistance funds which are available for the financing of section 221(d)(3) and section 221(h) housing. The increase in special assistance funds provided in the present law is $525 million. Under present law direct annual appropriations are authorized to pay the difference between the interest paid on the below market interest rate mortgage and the rates the government must pay to finance the purchase of the mortgages.

11. *Extending Section 203 Federal Housing*

Adminstration Insurance to Section 221(h) Neighborhoods.—Section 311 allows the FHA to extend its normal market rate mortgage financing to houses in neighborhoods which qualify for 221(h) mortgage assistance. Under the present law FHA is often reluctant to insure houses in inner core areas because it is required to make "economically sound" mortgages.

TITLE IV. FINANCIAL AND TECHNICAL ASSISTANCE TO NON-PROFIT ORGANIZATIONS AND COOPERATIVES SPONSORING LOW AND MODERATE INCOME HOUSING

Many churches, unions, cooperatives, and civic associations which would sponsor low and moderate income housing are deterred by the large initial expenditure that must be made to develop an application for a Federal Housing Administration housing project. In the case of a $1 million 221(d)(3) rental housing project, the costs of organization, land options, feasibility studies, and architectural drawings may be as high as $40,000. If the Federal Housing Administration does not make a commitment to insure, the organization is out $40,000.

Section 401 raises the authorization for low-income housing demonstration programs contained in section 207 of the Housing Act of 1961 from $15 million to $20 million in order to encourage more nonprofit organizations and cooperatives to sponsor section 221(d), 221(h), 221(i) low and moderate income and section 202 elderly housing projects. This additional $5 million is to be used to make grants or loans to nonprofit organizations and cooperatives to help defray administrative and project development expenses.

Section 402 authorizes the Secretary to establish an Assistant Director for Nonprofit Housing in any field office where he determines a need exists to improve the legal, architectural, engineering, and other assistance given by the Federal Housing Administration to nonprofit and cooperative organizations.

TITLE V. INSURANCE PROTECTION FOR HOMEOWNERS

An obstacle to homeownership by low and moderate income families is the inability of many of these families to maintain their mortgage payments when faced with personal adversity such as the loss of income due to death, disability, illness, or unemployment. Another obstacle is the inability of many low and moderate income families to obtain fire insurance protection at reasonable rates on property which they occupy within the inner core of many cities across the country.

Title V requires the Secretary to seek to arrange with private insurance companies for the establishment of programs of insurance protection against mortgage foreclosure and fire at reasonable rates. These insurance programs are to be designed to be actuarially sound. The Secretary is required to report to Congress within a year of the date of enactment of this section as to his success in establishing these insurance programs and to make recommendations for needed legislation, including the need for federal reinsurance.

Senator Charles Percy of Illinois first suggested the homeowners insurance and part of this section is patterned largely after his legislation. The House Banking and Currency Committee has before it H.R. 11197 to authorize federal participation in the extension of flood insurance to areas where flood insurance is not now available. The fire insurance provisions of this section seek a similar objective with regard to extending fire insurance to areas not now insured at reasonable rates within inner cities.

TITLE VI. SOCIAL SERVICES IN PUBLIC HOUSING

This title would authorize HUD to assist local public housing authorities in providing much needed social services to families living in public housing projects.

Some local public housing authorities now provide limited social services to their tenants, such as counselling in good housekeeping practices, and the use of project and community facilities. The extent of these services is severely limited by the small amount of money available from project revenues; and the services offered could be expanded to include needed social services, such as guidance in shopping and money management.

TITLE VII. EXPANDED URBAN RENEWAL

The present backlog of urban renewal applications is about $1.5 billion against a fiscal 1968 authorization of $750 million.

Section 701 increases the fiscal 1969 $750 million authorization, available on July 1, 1968, to $1.5 billion in order to expand the program to meet the backlog and to provide additional funds for increased section 115 grants and for grants and loans in section 221(h) rehabilitation areas.

Section 702 increases section 115 grants to low-income homeowners to rehabilitate their houses from $1500 to $2500. The increase is necessary in view of rising construction costs.

TITLE VIII. REDUCING THE COST OF HOUSING CONSTRUCTION

The rigid requirements and infinite variation of local building codes are a major obstacle to the introduction of new housing technology and the consequent lowering of housing costs. New material and methods of housing construction can not be adapted for mass production so long as there remains a profusion of differing and narrowly defined building codes throughout the country.

This title follows a 1966 recommendation of the National Commission on Technology, Automation and Economic Progress.

To modernize building codes and introduce an acceptable degree of uniformity, while allowing for local variations, HUD is required within a year to develop a model building code which will permit the use of modern architectural and engineering techniques in the construction of housing.

Within three years after publication of the model building code, any locality not having adopted the code, or a variation approved by HUD, will be precluded from receiving the benefits of HUD aid, including sewer and water facility grants, open space grants, community facilities grants, urban renewal programs, and Federal Housing Administration insurance.

TITLE IX. ASSISTANT SECRETARY FOR RESEARCH

This title would authorize the appointment of an additional Assistant Secretary in HUD to organize an effective, government-wide research and development program to increase innovation in the field of housing and urban affairs generally.

TITLE X. REMOVING FEDERAL INVOLVEMENT WITH LENDING INSTITUTIONS WHICH DISCRIMINATE IN MAKING MORTGAGE LOANS OR WHICH LOAN TO PERSONS WHO DISCRIMINATE

President Kennedy's Executive Order 11063, issued November 24, 1962, on Equal Opportunity in Housing required that federally subsidized housing, and housing insured by the Federal Housing Administration and the Veterans' Administration be available to all home buyers without regard to race, religion, or national origin. In 1965, FHA and VA loans combined helped finance only a small fraction (17 percent) of all private housing starts.

Title X would prohibit any federally-insured bank, mutual savings bank, or savings and loan institution from discriminating in the making of home mortgage loans or from making mortgage loans to persons who do not give legally enforceable assurances that they will sell or lease the mortgaged property on a non-discriminatory basis.

The operation of this section would extend the federal open housing policy to 70 percent of the housing market.

Many groups have urged that this extension of the 1962 Executive Order be made, including the Real Estate Board of Greater Baltimore.

As is said in the 1967 Report of the U.S. Chamber of Commerce Task Force on Economic Growth and Opportunity (p. 181): "Eliminating social discriminations in the sale and rental of housing would contribute immeasurably toward improving living conditions for Negroes as well as countering patterns of segregation. . . ."

TITLE XI. REMOVING FEDERAL SUBSIDIES FOR DISCRIMINATION AGAINST LOW AND MODERATE INCOME FAMILIES

A major obstacle to providing decent housing for low and moderate income families is the barriers erected by many suburban communities to low and moderate income housing construction.

Section 1101(a) would preclude any locality which, by laws within its control, prevents the provision of a reasonable share of low and moderate income housing, as determined by HUD, from receiving the benefits of HUD aid, including sewer and water facility grants, open space grants, community facilities grants, urban renewal programs, and Federal Housing Administration insurance.

The United States Conference of Mayors endorsed such a restriction at their annual conference in June, 1966.

Section 1101(b) amends section 401 of the Demonstration Cities and Metropolitan Development Act of 1966 to require that new towns, eligible for FHA mortgage insurance, must provide for a proper balance of low and moderate income housing. Under the present legislation new town developers are only encouraged to provide such a balance.

TITLE XII. REMOVING FEDERAL INCOME TAX BENEFITS FOR LANDLORDS VIOLATING LOCAL HEALTH, FIRE, OR HOUSING REGULATIONS

Landlords maintaining property in violation of local health, fire, or housing regulations are penalized by denying them a federal income tax depreciation deduction. This title follows a recent suggestion to the House Committee on Banking and Currency made by the Architects' Renewal Committee in Harlem, Inc.

TRAINING OF MILITARY PERSONNEL FROM COUNTRIES THAT HAVE BROKEN DIPLOMATIC RELATIONS WITH THE UNITED STATES

Mr. WOLFF. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. WOLFF. Mr. Speaker, despite broken diplomatic relations, despite admittedly anti-American acts and deeds, despite attacks on our allies we are continuing to train 355 airmen from nine Arab nations.

There will never be an acceptable justification for a policy that violates our national interest; there will never be an acceptable justification for today providing access to our military bases, and their secrets, to men from countries allied with the Soviet Union; there will never be an acceptable justification for training men from countries militantly opposed to the United States and/or our allies.

I have written to the State and Defense Departments about this absurd policy. In reply I have received confusing and evasive answers. I call upon my colleagues in the Congress to take the necessary steps to bring about an immediate halt to this self-defeating policy that is a wanton disregard of our national security.

DEPARTMENT OF STATE,
Washington, D.C., August 1, 1967.

Hon. LESTER L. WOLFF,
House of Representatives,
Washington, D.C.

DEAR CONGRESSMAN WOLFF: The Secretary has asked me to reply to your letter of July 20 concerning our policy with respect to the training of Arab pilots and other military personnel in the United States.

The United States Government has over a period of years provided pilot and other military training to Arab countries and Israel. In some cases the pilot training has been a corollary to the sale of aircraft. In the Arab world, as in other parts of the world, the military play a key role in political life. We believe that these programs, limited though they have been, have served to provide a useful offset to the Soviet influences in Arab military establishments.

As to countries in the Arab world which have broken diplomatic relations with the United States, we are initiating no new training programs for Fiscal Year 1968.

As far as we can determine, there has been no compromise of our national security as a result of these training programs, and measures have been taken to protect classified material.

In summary, our Arab military training programs have been confined largely to those countries which are on friendly terms with us, such as Jordan, Saudi Arabia, Libya, Morocco and Tunisia. In recent years we have had only modest training programs with those Arab countries who have broken relations with us. There remain only eight Iraqis and twelve Sudanese from such countries who are completing training started before the crisis.

If I may provide additional information in this or any other matter, please do not hesitate to let me know.

Sincerely yours,
WILLIAM B. MACOMBER, Jr.,
Assistant Secretary for Congressional Relations.

AUGUST 4, 1967.

Hon. DEAN RUSK
Secretary of State,
Department of State,
Washington, D.C.

DEAR MR. SECRETARY: I have received a letter dated August 1 from William B. Macomber Jr., in reply to my letter to you on July 20. I regret to say that I consider Mr. Macomber's reply totally unsatisfactory.

We are currently training 355 Arab airmen, according to the Air Force figures, in an obvious and thoroughly incredulous violation of our national security. These men are from countries militantly opposed to the United States and/or our allies. Some of these men are from countries that have broken diplomatic relations with the United States; some are from countries allied with the Soviet Union. How, Mr. Secretary, can we be so naive? The time is long overdue to acknowledge that we are providing access to valuable security information. Certainly the Central Intelligence Agency would welcome like opportunities to place our allies throughout military bases in the Soviet Union.

Mr. Macomber's letter skirts these issues. It is time, I am convinced, to stop dealing in rhetoric and to deal in the hard realities. We are violating our national security every day that we permit military personnel from our enemies and the enemies of our allies to train at our military bases.

Thus I demand an end to existing and future programs of training military personnel from countries that have broken diplomatic relations with the United States. We also must terminate military training programs for countries that have vilified us and attacked our allies.

Every ounce of energy at my disposal will be used in and out of Congress to see that such training programs are stopped immediately. To this end I will bring this entire matter before the House of Representatives in consideration of the foreign aid appropriations and other relevant legislation.

Furthermore, Mr. Macomber suggests that military training wins us friends in the world community. Such spurious logic deludes the American public into believing that this policy is in our best interests—even while our security is violated. It would be a reasonable extension of Mr. Macomber's thinking to train and share our secrets with men from the Soviet Union, Mainland China, Cuba and North Vietnam in order to make them our friends.

The problem that concerns me, Mr. Secretary, is not limited to the Arab nations. It involves any self-defeating altruism that causes us to train military men from countries antagonistic to us and our allies. Such practices are so incredulous as to be almost ludicrous.

I would appreciate a responsible reply taking into account the importance of maintaining our national security. Our security is more important than unsuccessful magnanimity.

Sincerely,
LESTER L. WOLFF,
Member of Congress.

ASSISTANT SECRETARY OF DEFENSE,
Washington, D.C., July 28, 1967.

Hon. LESTER L. WOLFF,
House of Representatives,
Washington, D.C.

DEAR MR. WOLFF: Secretary McNamara has asked me to reply to your letter of July 16 regarding training of military personnel from the Arab nations.

As you know, the military plays a key role in many of the Arab states and it is the largest group of educated men. By training the future military leaders from Arab countries, we have provided exposure of the younger officers to U.S. military doctrine and to the democratic way of life in the United States. We have also given them an opportunity to associate with our own military personnel. We believe these programs, limited though they have been, have served to provide a useful offset to Soviet influence in the Arab military establishments.

Pilot training has been provided by the U.S. to selected, friendly Arab states and Israel for a number of years. However, press reports of the amount of pilot training have been greatly exaggerated. Enclosed is a summary of such training.

U.S. military assistance policy toward the Near East, especially those countries which have broken relations with us, is under intensive and continuing review. As one result of that review we have suspended fiscal year 1968 training for those Arab countries which have severed diplomatic relations with the United States. Our future position will be dependent upon the prospective Arab political climate and the importance of these countries to United States national interests.

The Governments of Saudi Arabia, Jordan, Morocco and the Sudan have all adopted a policy of restraint by not following the radical anti-American posture of the UAR or Syria. In particular, King Hussein of Jordan has courageously rebutted the false charge of American participation in the recent conflict, and consistently exerts a moderating influence on more radical Arab states. Saudi Arabia, Morocco and the Sudan took no meaningful part in the war and continue to maintain friendly intercourse with us, even though Sudan has severed relations at the diplomatic level. Morocco and the Sudan have made limited purchases of Soviet arms, but none of these four countries is supported militarily by the Soviet Union.

Of these four countries, Saudi Arabia, Jordan and Morocco have received classified information relating to their own security situations. Jordan and Saudi Arabia have received additional classified information in connection with specific items of purchased equipment, but not until we had ascertained through a security survey that the recipient was able to safeguard the information properly.

I am sure you will appreciate that our military assistance policy, including the provision of training assistance, represents the end product of carefully coordinated study and action by appropriate agencies of the Executive Branch, particularly the Department of State. It reflects our considered judgment as to what will best serve the interests of the United States, in both the short and long term.

If I may be of further help to you, do not hesitate to let me know.

Sincerely,
TOWNSEND HOOPES,
Acting Assistant Secretary.

PILOT TRAINING CONDUCTED IN THE UNITED STATES FOR MILITARY PERSONNEL FROM THE ARAB COUNTRIES AND ISRAEL

Country	Number of personnel trained during period fiscal year 1964–67	Number of personnel currently in training
Iraq	10	0
Israel	0	4
Jordan	5	24
Libya	8	0
Morocco	48	10
Saudi Arabia	4	7
Sudan	6	3
Total	81	48

NOTES

1. Pilot training includes both undergraduate pilot training for new pilots and advanced training for experienced pilots.
2. There is no pilot training being conducted for other Arab countries.
3. The pilot training for Israel, Jordan, and Saudi Arabia is under the foreign military sales program.

AUGUST 4, 1967.

Hon. ROBERT S. MCNAMARA,
Secretary of Defense, Pentagon,
Washington, D.C.

DEAR MR. SECRETARY: I have received a letter dated July 28 from Townsend Hoopes in reply to my letter to you on July 16. His letter was totally unsatisfactory in answering my previous letter and indicated obvious confusion in the Department of Defense over military programs for Arab personnel.

The second paragraph of Mr. Townsend Hoopes' letter indicates the purpose of training Arab military personnel is to bring them in touch with the "democratic way of life" and expose them to American military personnel. The aim of such a program is obviously to counteract the influence of the Soviet Union in the Middle East. However, events there have proven our efforts in this regard to be a dismal failure.

Mr. Secretary, we are currently training 355 Arab airmen, according to the Air Force figures, in an obvious and thoroughly incredulous violation of our national security. These men are from countries opposed to the United States and/or our allies. Some of these men are from countries militantly opposed to the United States and/or our allies. Some of these men are from countries that have broken diplomatic relations with the

United States; some are from countries allied with the Soviet Union. The time is long overdue to acknowledge that we are providing access to valuable security information. Certainly the Central Intelligence Agency would welcome like opportunities to place our allies throughout military bases in the Soviet Union.

Mr. Hoopes claims that press reports of the training programs have been exaggerated. The figures we released to the press agreed with Mr. Hoopes' figures for the pilots. We also took into account 307 military men from nine countries that the Air Force advised me were in the United States. That these 307 men are not pilots does not lessen the security risk.

Mr. Hoopes then writes that "we have suspended fiscal year 1968 training for those countries that have severed diplomatic relations with the United States." Yet according to a letter I have from the Department of State we are completing aid programs to Iraq and the Sudan. Obviously there is confusion and misunderstanding between State and Defense in this regard.

Mr. Hoopes refers to the "radical anti-American posture" of Syria. Yet at this moment, according to the Air Force, a Syrian airman is training in the United States. Mr. Secretary, I can only ask—why? To what end?

Mr. Hoopes' unsatisfactory letter does not convince me that it is in the best interests of the United States to train military men from certain Arab nations. I would hope that the United States policy in this regard would receive a most basic and fundamental examination to bring it in accord with our national interest. To this end I will do all I can in and out of Congress to see the training programs I refer are ended immediately.

Sincerely,

LESTER L. WOLFF,
Member of Congress.

H.R. 5037 WOULD CONCENTRATE GREAT POWER IN THE HANDS OF ONE FEDERAL OFFICIAL

Mr. CABELL. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. CABELL. Mr. Speaker, the hearings held by the Committee on the Judiciary, its report, and the hours of debate on H.R. 5037 have been so voluminous and have made such extravagant and emotional forecasts that the average Member finds it most difficult to separate the wheat from the chaff.

One of the most concise and objective evaluations of events leading up to the drafting of this legislation that I have seen to date is a confidential report made to the attorney general of Texas by his special assistant, the Honorable Nola White.

Since the attorney general of Texas is the chief enforcement officer of that State and is keenly aware of his responsibilities in the law enforcement field, he was in attendance at the President's Conference which was called by the Department of Justice on March 28 and 29, as was his special assistant.

At my urging, permission was granted for inclusion of this report in the RECORD for the benefit of all Members of this House.

I urge all Members to read this report carefully and to evaluate the implications contained therein. By so doing, I am confident that they will realize that as presently drafted, H.R. 5037 is not truly a crime control nor law enforcement measure, but instead is a flight into the fantasy of sociology, and the concentration of a dreadful amount of power into the hands of one Federal official.

CONFIDENTIAL REPORT TO GEN. CRAWFORD MARTIN WITH REFERENCE TO THE NATIONAL CRIME CONFERENCE CALLED BY THE DEPARTMENT OF JUSTICE IN THE CITY OF WASHINGTON, ON MARCH 28 AND 29

(By Special Assistant Attorney General Nola White)

DEAR GENERAL MARTIN: It was my privilege to attend this crime conference at the request of yourself and Governor Connally, and I feel that it would be of great interest for you to know first-hand what actually transpired at that conference. It is therefore my privilege and pleasure to give you at this time a brief résumé of what transpired at that conference, together with certain observations that I deem pertinent to an overall understanding of this conference. There were in attendance approximately 700 law enforcement officials, judges, social workers, professors and state legislators. The prime purpose of the conference was how to implement the 200-odd recommendations made by the President's Commission on Law Enforcement and Administration of Justice, called "The Challenge of Crime in a Free Society."

The conference began with a morning session highlighted by an address by the Honorable Ramsey Clark, Attorney General of the United States. The afternoon sessions were from 2:00 to 5:00 p.m. and were broken up into seven separate panel meetings. It was thought that the smaller panel meetings would permit a more informal discussion by the delegates attending the conference. I attended each of these sessions from start to finish.

First, in order that this entire conference may be brought into proper perspective, I feel that it is necessary for me to tell you that in my judgment the entire conference was socially oriented. I believe that this view was shared by the great majority of the law enforcement officials attending this conference. The only exceptions to the idea that the conference was socially oriented came from a few lay members of the delegates whose interests and areas of responsibilities were somewhat removed from the actual field of law enforcement.

Second, I think you should understand that the panel chosen by the government was rigged, with two notable exceptions, the first being Mr. Wilson, the Police Commissioner of the City of Chicago, and the second being Chief Tom Redding, Chief of Police of the City of Los Angeles. In connection with these two fine gentlemen, I desire to point out that their particular locale is of great significance. First, in Chicago there have been, as you well know, many race riots within the city, and more are now threatened and are expected. With reference to Chief Redding of Los Angeles, it was, as you know, the locale of the Watts race riot, and I think it is necessary to take these matters into consideration when we talk about the exceptions to the rigged panel.

What do I mean by rigged—simply this: the majority of the panel members were hand-picked and carefully briefed with reference to the approach, or sales pitch if you please, to be made to the delegates attending this conference. It was quite evident that considerable advance work had been done with the members of the panel to insure the fact that they stayed strictly in line with what the Justice Department was in truth trying to sell.

Third, the main thrust of the conference was devised and engineered with the thought in mind of selling to the several states first the various recommendations contained in the report of the President's Commission on Law Enforcement and Administration of Justice, better known as "The Challenge of Crime in a Free Society," and second to sell the delegates on an all-out support of the Safe Streets and Crime Control Act of 1967 which the President has recommended to the Congress and which is now being considered by the Congress. The Safe Streets and Crime Control Act in substance provides planning and program grants to states and local governments requiring comprehensive planning in all aspects of law enforcement.

Fourth, this two-day conference was actually called by the National Crime Commission, whose appraisal of America's crime problem took 18 months and filled some 340 pages with findings in which there were more than 200 recommendations.

Addressing my remarks solely to the conference, there are certain observations and comments that I think might be of interest to you. The chairman of the panel selected by the Justice Department was Mr. James Vorenberg, a Harvard University law professor on leave while serving as director of the crime commission. From numerous angles this conference was one of great significance. However, none is more important than the opportunity it afforded for expressions from those involved in law enforcement at the local level.

There seemed to be some considerable disagreement between this group and the members of the panel who were handpicked by the Justice Department. I can find no fault with President Johnson, Attorney General Ramsey Clark and others in their stressing that the pivotal point for mounting an effective new fight on crime must be a community program and citizens concerned within its framework. I do, however, find considerable difficulty in agreeing on the commission's proposals on the method and the manner in which this new fight on crime should take.

In my judgment the commission's proposals, from which the administration's big anti-crime measure was drawn, can be permanently implemented only if they are sound and can be sold to the people on the basis of potential for making their own neighborhood a safer place in which to live.

It was quite evident among the delegates-at-large that many of them were not happy with all of the commission's recommendations or with all features of the administration's plan for federal involvement, and we can only hope that these objections may be fully aired before any definite plan evolves.

I found considerable misgivings, for instance, about the report's strong emphasis on the solution of the social problem as a deterrent to crime, and in which the panel moderators went to great length to emphasize and to sell to the delegates. Many of us got the impression that in substance they were making a big plug for the Great Society.

It is not my purpose here to debunk the significance of these areas when considered in the long-term picture of lawlessness. However, many of us in attendance at this conference felt that greater stress should have been placed on proposals that can be quickly implemented, insuring immediate relief in our critical crime areas. Besides, many of us in attendance at that conference felt that some recommendations of the commission which were so strongly pushed by this crime conference were of questionable value when viewed from any angle.

It is, in my judgment, an irrefutable fact that doing something about crime is everybody's business, and it is my fervent hope that 'every practical recommendation made by the commission, that is practical and a part of common sense, be accepted and implemented. Certainly the report itself gives much evidence of many hours of laborious effort in its preparation. But I must say that many of us are not impressed with the idea of scrapping the old way of doing things unless there is pretty strong evidence that the new way will be more fruitful.

More than 95% of the entire time of the conference was spent in discussing various recommendations made by the President's crime commission, but there was very little substance and nothing new coming from the various panel members. However, the conference, I think, was highly successful from the point of view of being able to exchange ideas with delegates from over 50 states and who comprised the top law enforcement officials of the several states. I think it is significant and indeed unfortunate that the panel moderators of the several groups time after time refused to permit discussions of matters of great moment to the law enforcement officer and to crime prevention in general, but preferred to keep the discussions on sociological, psychological and technological lines.

The general consensus among those attending the crime conference seemed to be that the conference was called primarily to push President Johnson's Safe Streets and Crime Control Act which is now being considered by the Congress. The majority of the delegates were, in my judgment, disappointed, some to the point of disgust, when the presiding officer at the conference as well as the members of the panel consistently scotched or dodged any discussion with reference to whether or not the Supreme Court's rulings in the *Miranda* and other cases have effectively tied the hands of the law enforcement officers in their battle with criminals, but rather devoted the great majority of the discussion regarding the most effective or desirable way to plug the Great Society, and especially the President's proposed Safe Streets and Crime Control Act. This act calls for a $50 million spending program during the year 1968 to stimulate local and state anti-crime efforts, with an additional $300 million planned for 1969.

The $50 million mentioned in the proposed Safe Streets and Crime Control Act would be spent primarily for planning purposes, and while it is conceded that much needs to be done in the field of planning and in focusing attention on the national crime problems, it must at the same time be recognized that law enforcement must be preserved at local levels lest we become ultimately a police state. I would agree that federal funds could probably be well utilized in establishing state and municipal crime data centers and in otherwise upgrading our local police training programs, but I am apprehensive of the federal government becoming involved in the law enforcement field at the local levels.

I was privileged to attend this convention with Col. Homer Garrison, Director of the Texas Department of Public Safety, and at this time I should like to make this observation with reference to Col. Garrison. I have not known during my lifetime a more knowledgeable or a more dedicated public servant than Col. Homer Garrison. I feel that every Texan can take justifiable pride in his courageous, aggressive and foresighted leadership, and we are indeed fortunate that his services are available to us at the state level.

Getting back to the discussion of the National Crime Conference, I think you would be interested in the mimeographed sheet which is attached hereto, and upon which it is designated "Panel Topics," which was the agenda for the various panels and all subjects were to be covered in a two-day session. Please note number 1, "Upgrading Personnel: A. Police." This subject alone occupied four-fifths of the entire discussion in Section 4 of which I was a member. It was quite evident that the delegates to the conference were interested in one aspect of the crime picture while on the other hand, the members of the panel (previously selected) were interested in an entirely different aspect of the overall crime situation.

My own personal feelings in the matter are very briefly this: with our crime situation rising at an alarming rate there is great need for immediate and aggressive steps to be taken to prevent crime on the local level and in substance this means swift apprehension of the criminal, prompt prosecution and sure punishment for his crime. The general proposals put to us by the panel in this conference would not, in my judgment, significantly affect the crime rate at the local level for at least ten years.

For some reason that I could not understand, the selected members of the panel felt that the crime situation could be solved in Washington by the application of certain sociological, psychological and technological techniques which, if followed by the several states, would permit the states to receive specific money grants to enable them to implement the federal program. There was too little consideration given the crime problem at the local level. There was absolutely no discussion of one of the basic reasons for the present predicament of the law enforcement officials throughout our several states, and that is the doctrine laid down by the Supreme Court in the *Escobedo* and *Miranda* cases.

One of the most critical deficiencies I think in the entire crime commission report and contained in the proposed Safe Streets and Crime Control Act is the fact that certain financial overtures are made to cities having a population in excess of 50,000 for crime study and control, without regard to a state level program. My feeling is that any program initiated by any city in Texas should be first cleared at the state level.

I think Governor Connally ought to have the authority to veto any program initiated by any local government that did not effectively comply with an overall state standard which could and should be set up after careful study and analysis; otherwise, we would have as many different standards of procedures, training, etc. as we have cities with population in excess of 50,000 within our state, and I cannot imagine a more chaotic situation plaguing our already over-burdened enforcement machinery.

I anticipate that there will be considerable pressure put upon the heads of the several state governments, including Governor Connally, to form crime commissions to coordinate the activities of local crime commissions, and while I agree in principle with this, I think that any such commission formed ought to be formed after a very carefully planned crime conference at the state level and which conference itself should be held only after a lengthy, exhaustive and in-depth study of our overall problem. There is much statistical information that we do not now have available but which would be absolutely necessary to setting up a conference on crime preliminary to setting up a crime commission.

I note with considerable interest that the President's crime report calls for a huge modernization program of the courts and of the techniques needed to fight crime, and these were the things that the panel members desired most to discuss. However, it was the feeling of the delegates-at-large that the expenditure of several hundred million dollars a year to accomplish all the reforms and the modernization the commission report envisions would be of little immediate assistance or help in dealing with our immediate and pressing crime problems.

In conclusion I would like to make this observation with reference to the conference itself. While there were many helpful suggestions which came out of this conference, the conference failed to do an effective selling job insofar as the delegates to the conference were concerned, either in the acceptance of the recommendations as contained in the President's crime commission report or in their desire to solicit support of the conference for the passage of the President's Safe Streets and Crime Control Act of 1967.

I think this failure was caused not because of disagreement among the delegates-at-large as to many of the worthwhile suggestions contained in the crime commission report, but rather because it simply was not tailored to the respective communities represented, and in fact had very little application to many areas of our society. And while I for one appreciated many of the worthwhile suggestions contained in the crime commission report, as well as the various discussions relative to these suggestions, I resented the fact that the conference itself was rigged and that the panel moderators were selected with the view of selling something to the public now which the public generally (represented by the delegates-at-large) felt like it might need twenty years hence.

CRIME IN THE DISTRICT OF COLUMBIA

Mr. CARTER. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Kentucky?

There was no objection.

Mr. CARTER. Mr. Speaker, quite regularly I am told by residents, both white and colored, of the District that they live in constant fear of robbery, riots, and arson. On Friday, August 4, at 6:30 a.m., the Bay State Beef Co. plant at 474 L Street NW., was held up and robbed by two armed men. As fortune would have it, butchers in the refrigerator were told of the robbery and were able to telephone the police station nearby. The armed robbers were apprehended and the money recovered.

The alarming thing, Mr. Speaker, is that one of these robbers was released on his personal bond, and another on a bond of $2,000. In many of our States, my own included, armed robbery constitutes a capital offense, punishable by life imprisonment or death.

Releasing these men on such insignificant bonds constitutes merely a slap on the wrist for a holdup which might well have ended in death of innocent workers. While out on bond, these two men constitute a threat to the good citizens of the District of Columbia.

Mr. Speaker, this is one of many reasons so many people want the Capital moved to Kansas.

[From the Washington Post, Aug. 5, 1967]

TELEPHONE IN FREEZER FOILS HOLDUP ATTEMPT

(By Alfred E. Lewis)

A bunch of the boys were cutting up about 6:30 a.m. yesterday in the big cold back room that serves as a refrigerator for the Bay State Beef Co. plant at 474 L st. nw., when a newcomer joined them.

The newcomer was in civvies (no bloodstained white coveralls) and a high state of agitation. "Hey" he said to the busy butchers, "don't you guys know the place is being held up?"

The newcomer was Darryl Dawson, 53, a food inspector for the Department of Agriculture. He told the butchers two gunmen flanked him as he stepped out of his car parked near the meathouse and told him to make his regular inspection call on the place as if he didn't have two guns stuck in his back.

When Bay State manager John Alafoginis answered the doorbell, the two gunmen pushed right in behind Dawson.

One of the bandits marched him to the refrigerator and shoved him in. The other marched Alafoginis into the office where about $6,000 was lying around, some of it already stuffed into pay envelopes.

Police said it might have been a clean score for the bandits except for two things. The Second Precinct stationhouse is catty-cornered across the street from the beef company at 5th Street and New York Avenue nw., and the refrigerator is equipped with a telephone, which one of the butchers got on as soon as Dawson brought the news. A few of the Second Precinct boys even rode over in a patrol wagon just to make it look police-like, but most of them just trotted over.

Pvts. William Avery and Jack Bradford said they pulled Darrelle Hill, 22, of 2818 14th st. nw., from under a parked car and Sgts. Harry Noone and Donald Allen said they found Willie B. McCloud, 37, of 720 3d st. nw., under a laundry truck—both complete with guns and beef company pay envelopes.

Both were charged with armed robbery. Hill was released in General Sessions Court on his personal bond and McCloud posted a $2,000 bond for his release.

UNCONSCIONABLE FAILURE OF THE DEPARTMENT OF JUSTICE TO ENFORCE CRIMINAL STATUTES

Mr. MINSHALL. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. MINSHALL. Mr. Speaker, the unconscionable failure of the Department of Justice to enforce criminal statutes which would end seditious and insurrectionist activities being conducted in this Nation under the cloak "free speech" prompted me on August 4 to send the following letter to the President of the United States:

AUGUST 4, 1967.

The PRESIDENT,
The White House,
Washington, D.C.

MY DEAR MR. PRESIDENT: The nation is appalled by the fact that you apparently countenance the unwillingness of the Attorney General of the United States to enforce statutes in the U.S. Code clearly applicable to Stokely Carmichael, H. Rap Brown, Floyd McKissick and others who are openly inciting rebellion and insurrection, advocating the overthrow of the government, threatening the life of the President, interfering with and influencing the loyalty, morale and discipline of our military forces, and encouraging and abetting evasion of the Selective Service Act.

To suggest that apprehension and indictment of these criminals would cause racial violence is a gross insult to the loyalty and patriotism of our Negro citizens. The vast majority of these citizens abhor the rabble-rousers and live in a state of terror and oppression because of them. May I remind you that American Negroes are entitled to equal justice under law and that includes protection from the criminal element which is preying on them, killing and wounding them, destroying their neighborhoods and corrupting their youth. The Department of Justice surely would not tolerate this in any other element of our society.

On July 27 I telegraphed the Attorney General to this affect and to date I have not had the courtesy of a reply. For the protection of American citizens of all races I urge you to insist that Attorney General Ramsey Clark enforce these Federal statutes at once. If he fails to do so, he should be immediately replaced by an Attorney General who will obey your instructions.

Respectfully,
WILLIAM E. MINSHALL,
Member of Congress.

My colleagues are thoroughly familiar with the statutes in the United States Code which are applicable, but for the RECORD I wish to include them:

TITLE 18, SECTION 2383, REBELLION OR INSURRECTION

Whoever incites, sets on foot, assists or engages in any rebellion or insurrection against the authority of the United States or the laws thereof, or gives aid or comfort thereto, shall be fined not more than $10,000 or imprisoned not more than ten years, or both; and shall be incapable of holding any office under the United States.

TITLE 18, SECTION 2384, SEDITIOUS CONSPIRACY

If two or more persons in any State or Territory, or in any place subject to the jurisdiction of the United States, conspire to overthrow, put down, or to destroy by force the Government of the United States, or to levy war against them, or to oppose by force the authority thereof, or by force to prevent, hinder, or delay the execution of any law of the United States, or by force to seize, take, or possess any property of the United States contrary to the authority thereof, they shall each be fined not more than $20,000 or imprisoned not more than twenty years, or both.

TITLE 18, SECTION 2385. ADVOCATING OVERTHROW OF GOVERNMENT

Whoever knowingly or willfully advocates, abets, advises, or teaches the duty, necessity desirability, or propriety of overthrowing or destroying, the government of the United States or the government of any State, Territory, District or Possession thereof, or the government of any political subdivision therein, by force or violence, or by the assassination of any officer of any such government; or

Whoever, with intent to cause the overthrow or destruction of any such government prints, publishes, edits, issues, circulates, sells, distributes, or publicly displays any written or printed matter advocating, advising, or teaching the duty, necessity, desirability, or propriety of overthrowing or destroying any government in the United States by force or violence, or attempts to do so; or

Whoever organizes or helps or attempts to organize any society, group, or assembly of persons who teach, advocate, or encourage the overthrow or destruction of any such government by force or violence; or becomes or is a member of, or affiliates with, any such society, group or assembly of persons, knowing the purposes thereof—

Shall be fined not more than $20,000 or imprisoned not more than twenty years, or both, and shall be ineligible for employment by the United States or any department or agency thereof, for the five years next following his conviction.

If two or more persons conspire to commit any offense named in this section, each shall be fined not more than $20,000 or imprisoned not more than twenty years, or both, and shall be ineligible for employment by the United States or any department or agency thereof for the five years next following his conviction.

As used in this section, the terms "organizes" and "organize," with respect to any society, group, or assembly of persons include the recruiting of new members, the forming of new units, and the regrouping or expansion of existing clubs, classes, and other units of such society, group, or assembly of persons.

TITLE 18, SECTION 2387. ACTIVITIES AFFECTING ARMED FORCES GENERALLY

(a) Whoever, with intent to interfere with, impair, or influence the loyalty, morale or discipline of the military or naval forces of the United States:

(1) advises, counsels, urges, or in any manner causes or attempts to cause insubordination, disloyalty, mutiny, or refusal of duty by any member of the military or naval forces of the United States; or

(2) distributes or attempts to distribute any written or printed matter which advises, counsels, or urges insubordination, disloyalty, mutiny, or refusal of duty by any member of the military or naval forces of the United States—

Shall be fined not more than $10,000 or imprisoned not more than ten years, or both, and shall be ineligible for employment by the United States or any department or agency thereof, for the five years next following his conviction.

(b) For the purposes this section, the term "military or naval forces of the United States" includes the Army of the United States, the Navy, Air Force, Marine Corps, Coast Guard, Naval Reserve, Marine Corps Reserve, and Coast Guard Reserve of the United States; and, when any merchant vessel is commissioned in the Navy or is in the service of the Army or the Navy, includes the master, officers and crew of such vessel.

TITLE 50, SECTION 462. OFFENSES AND PENALTIES

(Any person) who knowingly counsels, aids or abets another to refuse or evade registration or service in the armed forces or any of the requirements of this title (said sections), or of said rules, regulations, or directions, or who in any manner shall knowingly fail or neglect or refuse to perform any duty required of him under or in the execution of this title (said sections), or rules, regulations or directions made pursuant to this title (said sections), or any person or persons who shall knowingly hinder or interfere or attempt to do so in any way, by force or violence or otherwise, with the administration of this title (said sections) or the rules or regulations made pursuant thereto, or who conspires to commit any one or more of such offenses, shall, upon conviction in any district court of the United States of competent jurisdiction, be punished by imprisonment for not more than five years or a fine of not more than $10,000, or by both such fine and imprisonment.

UNJUST CRITICISM OF THE NATIONAL GUARD ADVERSELY AFFECTS ITS MORALE

Mr. SCOTT. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Virginia?

There was no objection.

Mr. SCOTT. Mr. Speaker, I would like to share a communication from a noncommissioned officer of the National Guard indicating that unjust criticism of the Guard adversely affects its morale.

Undoubtedly, the membership of this House will agree with the writer of the letter that members of the Guard stand ready to defend our country and our way of life when called upon by their political leaders. In my opinion, the people who make up the Guard stand in direct contrast to the lawless ones who have been participating in the recent disorders throughout our cities. They are citizen soldiers from all walks of life who believe in America and are willing to fight, when necessary, to preserve our way of life. We should appreciate their efforts and encourage them.

Mr. Speaker, I know that each Member receives a lot of mail on a large variety of subjects, and I believe that we are responsive to that mail. I would like to insert in the RECORD at this point the letter from John Goolrick regarding the Guard, and commend it to you.

Congressman WILLIAM L. SCOTT,
Washington, D.C.

DEAR BILL: The flaming insurrections in Newark, Detroit and dozens of other American cities have brought a new and dangerous cry from the lips of those who overtly or covertly excuse and condone the actions of the criminal element which seeks anarchy as a way of life.

It is no longer just "police brutality" that we hear but "National Guard brutality" as well. Guardsmen summoned to quell riots of this long, hot summer have now come under an attack apart from those of the sniper, the firebomber and the looter. An editorial in the Washington Post, for example, mentions the "wanton and irresponsible" actions of the Guard in Newark. Two syndicated columnists put membership in the Guard on a level with membership in such fraternal and benevolent organizations as the Moose and Elks with the clear implication that Guardsmen consider themselves as constituents of an exclusive club. The President of the United States proclaims on national television that he is ordering intensified anti-riot training for all Guard units, but says not a single word of praise for Guardsmen risking their lives on the fiery streets of cities, large and small, under siege of the prophets and perpetrators of violence. Somehow there is detected an unsubtle effort to make the National Guard the villain of the piece.

And why should this be? The answer seems fairly obvious. National Guardsmen, like police officers, stand ready on the thin, frail line between the rule of law and the rule of disorder. When needed they become a symbol of authority and another target for those who despise and resist all authority. It is not surprising that insurrectionists would heap venom upon any and all who are prepared to thwart their savage plans, but it is frightening that so many supposedly responsible national leaders and members of the news media would echo this slanderous outcry.

For nine years I have served proudly as a member of the National Guard and I hope to continue to serve. I could have obtained my release three years ago after fulfilling my legal obligation as could thousands of fellow Guardsmen with far more years of experience than I—men who were on the front lines in World War II and Korea. These men happen to feel, though, that there is no stopping point on a man's moral obligation to his country. Is the reward for their years of selfless service to be the big lie that they cannot conduct themselves as professional soldiers in time of crisis? Such smears are shameful and utterly deceptive.

But let us consider specifics. In 1959 the National Guard was completely reorganized and many units converted to new missions. No sooner had this been done than talk of another reorganization began and this was, indeed, accomplished in 1962. Once again thousands upon thousands of Guardsmen arduously trained in specific military jobs had to start anew and undergo long, hard hours of retraining. Yet the story was far from over. For the past five years there has been continuous talk of still another painful reorganization and now the Department of Defense confirms that this will be the case during the year of 1967. Thus, for nearly a decade no National Guard unit in America has had a chance to enjoy the stability which comes with a feeling of permanence because of this constant talk of reorganization creating the ever-present thought that today's mission is merely a temporary thing likely to be changed tomorrow by the powers-that-be in the Department of Defense. In my mind there is absolutely no doubt that morale among Guardsmen has suffered from this Damocles sword of reorganization. But despite such unsettling factors the Guard has reached the highest proficiency in its long, proud history even though nearly all units have been ill-equipped by contrast with their regular service counterparts.

It is no secret, for instance, that the Army Guard gets the regular Army's hand-me-downs. Some units train with equipment and weapons declared obsolete following the Korean Conflict. Rifles are often faulty, machine guns inoperative because of age, obtaining proper uniforms and equipment for each man is a Supply Sergeant's nightmare. Take one small example, that of the ordinary gas mask which can spell the difference between life and death when poisonous gases are in the air. Soldiers in the regular Army who wear eyeglasses are fitted with special glasses of their own prescription which snap-on inside their masks. No such service is rendered most Guardsmen who wear glasses and they must remove them when putting on masks with no regard to whether their vision without glasses is good enough to enable them to protect themselves. Guardsmen for the most part are issued no cold-weather gear yet asked to train in bitterly cold weather. When attempting to practice weapons firing at regular Army bases or to undergo other realistic training, Guard units often lose use of such facilities to regular Army units at the last minute and are forced to hurriedly reshuffle their training schedules with little time to adequately prepare for the revised training. In my particular unit this has happened time and again, yet our Secretary of Defense, while criticizing the structure of the Guard, fails to mention these hard facts and others not of the Guard's own making which hamper the efficient operation of our reserve forces and go uncorrected despite the constant pleas of National Guard officials for better and larger volumes of equipment and ready access to training facilities.

I know of one unit which has in excess of 180 men but has not been issued individual weapons enough to serve just all of those men. I know another unit with hardly enough radios to maintain even the most rudimentary communications in event of an emergency situation. Multiply these by many others and the sad truth becomes apparent that the 400,000 men of the National Guard maintain high readiness not because of actions taken by our administration, but in spite of them.

There are other points to be made. Consider Newark where Guardsmen were initially given only eight rounds of ammunition each and ordered not to fire unless actually fired upon. In Detroit members of the Guard were instructed not to load their weapons unless sniper bullets came in their direction. Indeed, the pattern has been the same all over. Criminal rioters are not to be provoked, looters are not to be disturbed, firebombers are to be tolerated until such time as no other course remains save drastic action. Yet a riot is a cancerous thing, an ever growing malignancy which can be stopped only by radical surgery. But all too often aspirin has been used.

What of the new anti-riot program ordered by our President? Perhaps it will prove beneficial and certainly can do no harm. But the impression has been given that the Guard as presently constituted cannot cope with a civil disturbance, an impression which is totally false. It is my point to remind our officials that not only are National Guardsmen good soldiers but they are also good citizens. There are no criminals in the Guard, no insurrectionists, no preachers of hate and violence. Such men have no place in the Guard anywhere and will never have a place. Guardsmen may be bankers, merchants, truck drivers, engineers, gas station attendants, accountants, mill workers, blue-collar workers or white-collar workers. But whatever their stations in life they are law-abiding citizens prepared to serve their country today just as they have served the nation in peace and war from the first days of the founding of our great Republic. They have struggled with rain-swollen rivers threatening flood, they have brought aid and comfort to Americans left homeless and destitute by tornadoes and hurricanes, they have struggled in the Meuse-Argonne, died on the beaches of Normandy and faced the Red horde in Korea. And lest there be doubt, they can stop an insurrection in any city in this nation if allowed to follow the proven method of meeting force with greater force. If the new anti-riot training promises radical surgery, but when actually used turns out to be, on the orders of the elements superior in command, just another dose of aspirin for a terminal disease then it will be a meaningless and empty gesture. It is my belief that the vast majority of Americans citizens are more than ever very glad they have a National Guard in these perilous times. It is my belief that the people of our nation do not believe National Guardsmen to be "wanton and irresponsible." I can only hope that those in Washington who control our ultimate purpose and our fate share in this belief and will indicate their faith with the meaningful support that is so critically needed. Without this support then certainly what we once knew as the law of the land shall become the lawlessness of the land and for decent Americans there will be no sanctuary.

Sincerely yours,

JOHN GOOLRICK.

THE TUESDAY-TO-THURSDAY CLUB

Mr. VAN DEERLIN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. VAN DEERLIN. Mr. Speaker, in a time of turmoil at home and abroad, and with a resulting multitude of problems confronting the Federal Government, Congress is sticking to a 3-day legislative workweek.

Last week, for example, consideration of the crime control bill, which we had been told was vital for the preservation of law and order, was suddenly broken off at 3:12 on Thursday afternoon.

And last month, of course, neither body saw fit to meet on the Friday before a national railroad strike developed. The economic pressures of the strike were such, however, that both the House and the Senate actually voted on the following Monday—frequently another "day off"—so the walkout could be ended before any more damage was done.

All this must appear rather strange

to our constituents who are required by their employers to put in 5-day weeks.

I am sure that many of these same constituents would like to be able to adjourn every Thursday afternoon, not to return until the following Tuesday morning. What a joy that would be—a 4-day weekend every week. But I shudder to contemplate the eventual impact of such idleness on our national well-being.

I have reason to believe that many of my colleagues share my concern and, yes, disgust, over the Tuesday-to-Thursday schedule for lawmaking.

I suspect, also, that steps will soon be taken to block, or otherwise impede, Thursday adjournments. If and when this happens, I imagine that the great majority of us will be relieved as well as grateful.

At this point, I would like to insert an editorial titled "Congress Shirks Its Responsibility," which appeared in the Los Angeles Times on July 28, 1967:

CONGRESS SHIRKS ITS RESPONSIBILITY

Exactly a year ago the Joint Committee on Organization of Congress submitted a final report containing 67 specific recommendations.

One of the key proposals was that Congress go on a five-day week in order to expedite handling of legislative business. The point was made that over the years it has been difficult to obtain working quorums on Fridays and Mondays. Concentrating work in three days has resulted in committee conflicts and severe demands on the time of many members.

But the mythical "Tuesday to Thursday Club" is still with us.

The bill reported out last year contained most of the joint committee recommendations—but not the five-day week. Passed by the Senate in March, the measure is now hung up in the House with little chance of passage, with or without the five-day week proviso.

The Tuesday-Thursday situation came to the fore recently when Senate-House conferees on the bill to ward off the railroad strike failed to reach agreement at a Thursday session. Despite the Saturday-midnight strike deadline, neither they nor the House nor Senate held a Friday session. The legislation was finally enacted the following week after the railroads had been shut down.

That led Congressional Quarterly to run a check on the work calendar for the first six months of the 90th Congress.

CQ found that the House took no roll calls at all on any of the 27 Fridays and considered legislation on only two of those days. The House debated bills on 13 of the 26 Mondays and took 12 of its 92 roll calls on that day. Thus 87% of its business was conducted in the middle three days of the week.

On the Senate side the record was a little better. Approximately 76% of the work was concentrated in the three mid-week days.

There are many conscientious members in the House of Representatives and the Senate. We suggest that they, the voters and the nation as a whole deserve better from the "Tuesday to Thursday Club."

The problems confronting this nation are of such magnitude that they should not be handled on a three-day week basis. Solutions, or the search for those solutions, should not be delayed because some members of Congress have a liking for four-day weekends.

ELECTIONS IN VIETNAM

Mr. COHELAN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. COHELAN. Mr. Speaker, last Wednesday, our colleague, the gentleman from California, Congressman JOHN MOSS, voiced his concern about the conduct of the Saigon government in the elections which are to be held in South Vietnam. I want to add my own strong doubts about the manner in which Chief of State Nguyen Van Thieu and Premier Nguyen Cao Ky are campaigning, and the restraints they are exerting on the other candidates.

The ruling directorate of generals has pressured the constitutent Assembly into eliminating the requirement of a runoff election, thus opening the door to the possibility that a government could be elected representative of only a minority of the people. They also have exerted their will over the Assembly by calling an alert in Saigon after the assembly had rejected a proposal to place military presidential and vice-presidential candidates on the ballot. Shortly after the alert the Assembly approved the military slate. To many observers this was but another unfair tactic by the ruling directorate.

Recently, in a Washington Post article—July 16, 1967—Richard Harwood wrote:

> There has been no public protest by the (U.S.) Embassy of the persistent political censorship imposed by the government on all communications media in definance of the constitution and the national election laws. Six weeks ago, newspapers were instructed by the government to publish no articles of "antiwar" nature.

How, Mr. Speaker, can a candidate favoring negotiations make his position known without access to the press and other mass media?

Our Nation has long cherished its historical respect for free elections. But there can be no free elections unless there is freedom from fear or reprisal, unless there is assurance of tolerance for minority views, and unless there is absolute honesty in the conduct of unhampered balloting. If the present behavior of the Thieu-Ky team is indicative of its idea of self-determination for a so-called free and democratic South Vietnam, the United States should have an agonizing reassessment of the level of our entire commitment to the Saigon government.

Our presence in Vietnam has been predicated on the principle that we were saving the people of the south from a forcible takeover by the Government of North Vietnam. It speaks poorly for our commitment if we permit South Vietnam to be taken over by its own military, using rigged elections. How in principle does this differ from allowing the North Vietnamese to overrun the south?

Frankly, Mr. Speaker, unless we have further indications that the constitution and election code are honored, I can see little reason for maintaining our present level of military support and total economic support. As a matter of fact, I blush when I recall the faith I had in the high-sounding phrases of "self-determination" of the brave South Vietnamese people, when, in fact, we are quite probably backing a different version of a police state.

Why is the State Department so quiet on this issue? Why do they not speak out in protest to the Thieu-Ky government?

At a time when the American people are being asked to make additional sacrifices, is it not reasonable to expect, at the very least, free and fair elections?

FREE ADMISSION FOR YOUTHS TO ATHLETIC EVENTS

Mr. BURKE of Massachusetts. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. BURKE of Massachusetts. Mr. Speaker, I am today sending a letter to the mayors of Los Angeles, Detroit, Newark, New York, Boston, Cleveland, Toledo, Plainfield, Milwaukee, and many other cities with a copy of a letter I received from Sargent Shriver of the Office of Economic Opportunity. My letter to them points out the possibility of setting up programs through Federal grants that would provide free admission tickets to athletic events for our youngsters in the impoverished areas of the country.

During the past few weeks the Washington Senators have admitted thousands of youngsters to the Washington, D.C., stadium to enjoy the games. Last weekend the Minnesota Twins admitted over 4,000 youngsters to witness their games with the Boston Red Sox. There is evidence that the ball teams around the country are willing to cooperate.

All that is needed is a little initiative on the part of our Federal and local officials, with cooperation from the local business community.

This simple plan can be put into operation very easily. It will pay untold dividends. The young people in our ghettos will find out that people do care about them. It will help our youngsters direct their energies along healthy and beneficial lines.

I am calling this matter to the attention of the Members of Congress with the expressed hope that other Members will contact their local officials and make this suggestion to them as a means of helping to solve the problems of our younger generation.

OFFICE OF ECONOMIC OPPORTUNITY,
Washington, D.C., August 1, 1967.

Hon. JAMES A. BURKE,
House of Representatives,
Washington, D.C.

DEAR CONGRESSMAN BURKE: I have read with great interest your letter to the President and the accompanying press release describing the programs you have introduced in Congress to provide free tickets to athletic events for economically deprived children.

The Office of Economic Opportunity has etimated the community demand for recreation programs during fiscal year 1968 will be approximately $20 million. A program such as you have suggested would be funded under this category. As you know, however, the Office of Economic Opportunity operates on the basis of locally initiated requests for specific programs designed to meet the needs of a given community. Were a community to request funding of a program to purchase tickets to sporting events, this request would receive careful consideration by the appropriate Office of Economic Opportunity Regional Office. Most local communities have firm plans for programs during fiscal year 1968, so it is not likely that such programs would be undertaken for some time.

It would be my pleasure to make available members of my staff to assist the Department of Interior in the development and implementation of a recreation program. If there is any other way in which the Office of Economic Opportunity can offer support, I shall be most happy to cooperate to the fullest extent possible.

With every best wish.

Sincerely,

SARGENT SHRIVER,
Director.

PASSING OF TWO GREAT AMERICANS—CLARENCE B. RANDALL AND ARTHUR EVANS

Mr. O'HARA of Illinois. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. O'HARA of Illinois. Mr. Speaker, it is with sadness and a sense of national loss that I comment on the passing this weekend of two men of the Middle West who in different fields made large contribution to the making of the history of the 20th century: Clarence B. Randall, former board chairman of the Inland Steel Co., and Arthur Evans, veteran retired member of the editorial staff of the Chicago Tribune, who at 92 was one of the last of the fabled journalistic greats of Chicago who played their historic and dramatic part in changing the journalistic pattern of America.

Arthur and I had been close friends in earlier years, and his passing comes to me as a saddening blow. His brother and I served together in Cuba at the siege of Santiago in the war with Spain, and he died on the transport and was buried at sea when we were returning to the United States after the successful termination of the siege.

Arthur Evans was a great newspaperman.

Clarence B. Randall rendered many services to his country and the world as an adviser to four Presidents of the United States. I have always thought that it was his approval that finally determined the decision of President Kennedy to go ahead with the Volta project in Ghana. I had long and earnestly recommended the undertaking and completion of this project, but there were two sides and each had its champions, and President Kennedy was slow, as everyone now knows, in arriving at a vital determination until the examination had been thorough and no viewpoint had been left unexposed.

Clarence B. Randall, who, as a young lawyer just out of law school, won a lawsuit against the powerful steel company and thereafter was taken over and reasonably soon was made its chairman, was one of the industrial greats of our times. He was a man of mental integrity and placed his highest valuation on his own convictions. In some matters, as in that of the Volta project in Ghana, I, in my humble way, was in agreement with Clarence Randall. In some other matters we were in disagreement. Among those in the latter classification was that of apartheid and of South Africa.

Mr. Speaker, perhaps the last important writing of Clarence B. Randall was his letter to me of February 28, 1966. At that time he had suffered from two coronary thromboses. While Mr. Randall and I were not in agreement in this issue, I do feel that at this time of mourning throughout the Nation over the passing of a great American, who was the adviser of four Presidents of the United States, this letter, probably his last on a vital present issue, should be reproduced from pages 213–14 of part I of the hearings before the Subcommittee on Africa on United States-South African Relations:

INLAND STEEL CO.,
Chicago, Ill., February 28, 1966.

Hon. BARRATT O'HARA,
Committee on Foreign Affairs,
House of Representatives,
Washington, D.C.

MY DEAR CONGRESSMAN O'HARA: I have your letter of February 17, and am complimented that you should think I might be able to make a contribution to the hearings which the Subcommittee on Africa proposes to hold with reference to the social problems in South Africa.

I am sorry to have to say that for health reasons I shall have to decline your invitation to appear in person. I have had two coronary thromboses, and, although my day-to-day health permits me a wide range of activity, my doctors have asked me not to participate in public occasions because of the emotional experience that might be involved. I ask your indulgence, therefore, and hope that this letter may be received in lieu of the testimony which otherwise I should have been happy to present to you directly.

May I say with entire candor at the outset that I somewhat doubt the propriety of the holding of hearings by the American Congress with respect to social problems that lie within the sovereignty of another nation. I live in the Chicago area, and am disturbed that we have not here found solutions for our racial problems, but I should be deeply concerned if it were announced that the British Parliament had decided to conduct hearings with respect to racial relationships in Chicago.

Due somewhat to the accidents of life I have come to know quite intimately the situation in South Africa, having made three visits to that country in recent years, the last having been in October and November of 1965.

I make no defense of apartheid, but I do think the American people should examine that subject objectively, and without raising their voices in emotional outbursts.

There is much in South Africa that no thoughtful American would care to accept in his own country, but there is also much that is good. For the most part we hear the bad and do not hear the good. It must be remembered that when the white man first landed at the Cape of Good Hope in 1652 the Bantu tribes of black men were nowhere to be found in the geographical limits of what is now the Republic of South Africa. They were north of the Limpopo River. As time moved on they entered the area, but the white man had already established sovereignty. For this reason the whites have always regarded the blacks as a separate nation much as our States in the Southwest regard the underprivileged lying across their border in Mexico as a separate nation.

The whites in South Africa therefore developed the philosophy that if the blacks wishes to enter their employment they were welcome, but that in so doing they must accept the conditions imposed by the white man. Of these the principal one was residential segregation.

Today that segregation is a matter of law, and if we are honest with ourselves, we will recognize that in many parts of the United States the same result is achieved by common consent instead of doing it frankly by law as is done in South Africa.

Today in South Africa this physical separation has brought to pass for the employed Bantu far better living conditions than prevail in many areas of our country where minority groups live. Outside of Johannesburg, for example, the Bantu live in what are called townships. They lease their homes from the Government. The typical residence is built of brick, has a little garden in the back, has two bedrooms, plus a combination living-dining room, and a kitchen. All the facilities are modern, including water, sewers, and electricity. For all of these amenities he pays about $7 a month rent, which of course, has no parallel anywhere in the United States. Serving the area is a modern hospital for Bantu that has 3,000 beds.

His standard of living in terms of per capita income is far and away the highest for men of color anywhere in all Africa. In Liberia, which is governed by blacks, there was a strike recently in protest over the fact that the average daily wage was only 64 cents. In South Africa several industries have now adopted a daily minimum wage for black workers of 1 rand, or $1.40 per day. In the construction industry, the Bantu may now perform 90 skilled functions, and monthly wages for such African workers may reach as high as 100 rand, or $140. It is said that more automobiles are owned in South Africa by Bantu workers than are privately owned in the whole country of Russia.

Literacy is higher among the Bantu groups in South Africa than in the countries to the north, and there presently are among them 3,000 university graduates, which is a larger total figure than in all of the black countries to the north combined.

I could not accept in my country the so-called Job Reservation Act of South Africa by which certain callings and positions of responsibility are closed to the Bantu. I believe that if a man is worthy of employment at all he should be judged entirely on merit, and receive promotion when it is due him, regardless of color. Many industrialists in South Africa now share that view and feel confident that as the economy of that country grows, more opportunities are certain to open to men of ability found in the black groups.

This is but one of the evolutionary factors that are at work in the Republic of South Africa. Others are to be found within the churches and among the intellectuals. External pressures and threats such as economic sanctions, and military force, block the impact of these evolutionary factors due to the natural instinct of the citizen of any country to rensent and resist dictation from outside.

I hope, therefore, that the American people will advance their knowledge and understanding of these problems, but that we will limit the expression of our opinions to a quiet dialogue with the citizens of South Africa in which neither we nor they will raise our voices intemperately.

Very truly yours,

CLARENCE B. RANDALL.

AN ANSWER TO MISINFORMATION ON ANIMAL LEGISLATION

Mr. ROGERS of Florida. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. ROGERS of Florida. Mr. Speaker, last year the Congress passed into law Public Law 89–544, a humane animal care bill which called for regulation governing the handling, care, and feeding of animals, but excludes these laboratory animals when they enter the research process.

This law sets up machinery to inspect dealers of animals, their premises, and in general, is aimed at establishing better conditions for animals in dealers' care.

It is also known as the petnapping bill because it makes it a crime to kidnap someone's pet.

I supported this bill last year and I support funding of the law this year. In fact, because I feel the $300,000 that the House voted to appropriate for the enforcement of this law is inadequate, I have previously contacted Senator SPESSARD HOLLAND, of Florida, who is on the Senate Appropriations Committee, and asked that he help to provide more adequate funds. The Senate has voted to appropriate $1,200,000.

But despite all the good that will come as a result of of this law, it has not met the main problem—insuring humane treatment of animals in laboratory use. I would like to quote from the law regarding the area where the law presently does not cover laboratory research animal care. This comes from section 13.

> The Secretary shall establish and promulgate standards to govern the humane handling, care, treatment, and transportation of animals by dealers and research facilities. Such standards shall include minimum requirements with respect to the housing, feeding, watering, sanitation, ventilation, shelter from extremes of weather and temperature, separation by species, and adequate veterinary care.

And here is the important part:

> The foregoing shall not be construed as authorizing the Secretary to prescribe standards for the handling, care, or treatment of animals during actual research or experimentation by a research facility as determined by such research facility.

In other words, the law does not deal with animals in the laboratory in the course of experimentation and research. This is the area which my bill will cover and which is not covered by Public Law 89–544.

I would also like to cite from the committee report which points out the intent of the committee when it passed the bill. This comes from the brief summary:

> (2) Research facilities, as defined by the bill, would be required to register with the Secretary of Agriculture, but would not be required to be licensed.

Then from section 13 comes this, as to the intent of the committee:

> The important determination of when an animal is in actual research so as to be exempt from regulations under the bill is left to the research facility itself. Research or experimentation is also intended to include the use of animals as teaching aides in educational institutions.

The limits of this law are obvious and the need to correct them are as obvious. For that reason I plan to introduce a laboratory animal bill which will close those gaps, and insure that there is humane treatment for animals involved in medical research.

I feel that it will be a reasonable bill which will gain popular support, both from the humane interests, as well as the scientific and medical community.

Mr. Speaker, I have not introduced this bill yet. The reason I am commenting on it at this time is that I feel it is necessary to explain to Members of Congress and members of humane movements just what is happening.

For not too long ago a special bulletin was circulated by the Society for Animal Protective Legislation completely distorting the intent of the proposed legislation and my position as well.

Had this been a result of a misunderstanding on the part of Mrs. Christine Stevens, who produced this bulletin, it would have been understandable. Instead, it was a deliberate attempt to wreck a piece of proposed legislation which would help to ease pain and suffering of laboratory animals.

I am at a loss to explain why someone who calls herself a defender of humane treatment for animals would oppose legislation which would serve this purpose. Especially when the excerpts which I have quoted from Public Law 89–544 point out the limits of that law. In addition, Mrs. Stevens has proposed no legislation which would deal with this problem, leading one to believe she would rather neglect it altogether.

As a result, many of you have received letters from members of this group who have been grievously misinformed as the result of Mrs. Stevens' attempt to thwart humane legislation for laboratory animals.

I would like to explain the malicious statements which she has put forth so that you will know, if the occasion arises, the answer to these distortions.

First, my bill will in no way affect any funds which may be appropriated for Public Law 89–544. As I have said, I support additional funds to implement 89–544.

Second, my bill is an extension of Public Law 89–544. My bill will establish the Department of Health, Education, and Welfare as the administrator of animal care in laboratory research and experimentation. It will not eliminate any standards whatsoever from Public Law 89–544. Rather, it continues forward where Public Law 89–544 leaves off.

Because my bill is still being drafted and because I have had the support of the genuine humane organizations for many years in supporting various bills concerning animal care, I called a meeting and mailed out copies of the proposed bill in draft form. This way, these leaders in the humane animal community could comment on the bill and offer suggestions as how to better present the legislation.

Had I tried to undermine another bill, I would certainly not have used this open forum. Out of respect, I included Mrs. Stevens. But instead of reading the draft I sent, and then attending the meeting to voice her opposition, she rushed to spread malicious untruths.

I have received, and would like to introduce into the RECORD for my colleagues' information, letters of support from the Humane Society of the United States and the American Humane Association, two of the Nation's largest humane organizations. Both support the intent and principle of my proposed bill.

I would like to urge my colleagues to read these and consider my comments today when and if more letters result from Mrs. Christine Stevens' effort to stop additional humane legislation.

The letters follow:

THE AMERICAN HUMANE ASSOCIATION,
Denver, Colo., July 31, 1967.

Hon. PAUL G. ROGERS,
House of Representatives,
Washington, D.C.

DEAR MR. ROGERS: I am most appreciative of your kindness in sharing with me your proposed draft bill to regulate the use of animals in laboratories.

The American Humane Association favors in principle the proposed Bill. The Bill would appear to be a reasonable approach to supplement P.L. 89–544 which, although well designed to protect dogs and cats prior to delivery to research facilities, contains other provisions which purport to provide protection also for animals in laboratories, which latter provisions, in truth, are unenforceable. That provision, inserted in the Act over the objection of The American Humane Association, now stands as an obstacle to effective protection of Laboratory Animals. A bill like your bill would eliminate this road block.

If you see fit to introduce this legislation, you may be assured of the support of the American Humane Association.

Sincerely,
RUTHERFORD T. PHILLIPS,
Executive Director.

THE HUMANE SOCIETY
OF THE UNITED STATES,
Washington, D.C., August 4, 1967.

Hon. PAUL G. ROGERS,
Congress of the United States,
Washington, D.C.

DEAR MR. ROGERS: It was a great pleasure to receive your letter of July 14 enclosing a draft copy of proposed new laboratory animal protective legislation. In our opinion, the need for such legislation remains critical, and we are deeply appreciative of your continuing interest and efforts.

The provisions relating to laboratory animals in P.L. 89–544 are minimal. At most, they cover only a fraction of the animals in 20% of the laboratories and, then, only for the period prior to research. Furthermore, we are advised on good authority that many laboratories consider the research process to extend throughout the duration of the animal's stay in the laboratory. Thus, the present law hardly touches the problem of regulatory legislation for the use of animals in laboratories.

Accordingly, we would welcome the introduction of effective legislation. We endorse all of the basic principles contained in your draft proposal and want to assure you of our cooperation in working out the best bill possible.

Your efforts are deeply appreciated and

merit the sincerest gratitude of all true humanitarians.

Sincerely yours,

OLIVER EVANS,
President.

CONGRESS MUST REFORM THE FEDERAL RESERVE SYSTEM TO PROTECT THE PUBLIC'S INTEREST

The SPEAKER pro tempore (Mr. ALBERT). Under previous order of the House, the gentleman from Texas [Mr. PATMAN] is recognized for 1 hour.

Mr. PATMAN. Mr. Speaker, over the past week, I have attempted to detail the heavy interest cost which our present Federal Reserve System has placed on the American people and the Federal Government.

Mr. PATMAN. Mr. Speaker, as we discuss the need for new taxes, the unnecessary interest charges imposed by the Federal Reserve take on new meaning for every citizen of this country. The simple fact is that we would not need new tax revenues if the Federal Reserve had performed its function and supported the Government bond markets.

Mr. Speaker, if long-term interest rates had been held at the 2½-percent level existing under the Roosevelt and Truman administrations, from 1939 to 1952, we would have saved many times more than the money which will be raised through the proposed tax increase.

In fact, we are paying about $6.7 billion in excess interest on the national debt in the current fiscal year. Yet, the President's proposal for new taxes will raise only $6.3 billion in additional revenue. So, the tax increase does not even wipe out the increased charges that can be traced directly to the increase in interest rates over the last 14 years.

Since the Eisenhower administration, the Federal Reserve has not effectively supported the Government bond market. As a result, today the Federal Government, in effect, pays "retail" prices for the money that it borrows. In contrast, during the Roosevelt and Truman administrations, the Federal Reserve supported the Government bond market and kept the "wholesale" rate for money below 2½ percent on long-term borrowings.

This "wholesale" rate of 2½ percent—and less—provided a yardstick for all interest rates in the country. This benefited everyone—consumers, the workingman, farmers, homeowners—everyone that used credit.

But the Federal Reserve, under the Eisenhower administration, seized its independence, and since that time has refused to establish and maintain "wholesale" rates. As a result, everyone, from the Federal Government to the average wage earner, is hurt badly by high interest rates.

With a call for new taxes, it is regretable that no pressure has been brought to bear to force cancellation and retirement of $45 billion worth of U.S. bonds held by the Federal Reserve System. These bonds have been paid for once and should be retired and thus subtracted from our national debt.

Although these bonds have been paid for in full, the Federal Reserve continues to demand and receive more than $1.9 billion in interest on the bonds each year. It is wrong for the American taxpayer to be required to pay for these bonds twice and to continue to pay interest on a debt that has already been paid for in full.

These bonds are held in the Federal Reserve Bank of New York, headed by Alfred Hayes who draws $70,000 a year in taxpayers' money. Actually, the control of the Federal Reserve System resides in this New York Federal Reserve Bank. It is the Federal Reserve System.

It is the center of all activities of the Federal Reserve System and, in fact, the other 11 Federal Reserve banks cannot even issue a statement of condition without consulting with Mr. Hayes.

The Federal Reserve Bank of New York—like the other Federal Reserve banks—is actually controlled by the commercial banks. Six of the nine directors of the Federal Reserve Bank of New York are selected by the bankers themselves. The other three are selected from among people with "tested banking experience." So, in effect, this means all nine people on the board of directors have close ties and/or allegiances to the commercial banking industry. In controlling the New York Federal Reserve Bank they, in effect, control the Federal Reserve System in carrying out the policies of the Open Market Committee composed of the seven members of the Board and the 12 presidents of the Federal Reserve Banks.

Mr. Speaker, as I have mentioned earlier, this situation must be changed by the Congress. It is our duty to restore the Federal Reserve System to an institution that is responsive to the will of the people and their elected representatives.

To accomplish this, I propose:

First. That the terms of the Members of the Federal Reserve Board be shortened from 14 years to 5 years. As the situation now stands, the President cannot appoint a majority to the Board until his last year in office. This means that the President of the United States is unable to maintain any effective influence over the Board. This has been carefully planned. When the Republicans came into power in 1947, they submitted a constitutional amendment—and no one suspected at the time what it was—providing that no President shall hereafter serve longer than two terms. It passed the 80th Congress on March 24, 1947. The first 20 Republican State legislatures adopted it almost immediately. Then it was not long until it was adopted and became a part of the Constitution. So they now have what they set out to get in the first instance—a Federal Reserve Board whose terms are staggered in a way that no President shall hereafter ever get charge of that Board and be permitted to carry out the policies of the administration that has been elected by all the people.

Second. That the term of the Chairman of the Federal Reserve Board be coterminous with that of the President of the United States. This will enable the President to name a chairman of his own choosing, thus lessening the prospect of open defiance of the Government as has been exhibited by the Board's present chairman, William McChesney Martin.

Third. That the Federal Reserve System be subject to audits by the General Accounting Office as are other Government agencies.

Fourth. That the Federal Reserve System be required to come to Congress for appropriations. The Federal Reserve System now raises its funds through the $1.9 billion in interest which the Treasury pays it on the $45 billion worth of bonds that have already been paid for in full.

Mr. Speaker, I have received thousands of letters from all over the country urging that the Congress meet its responsibilities and enact the necessary reform of the Federal Reserve. I have received letters telling me "please keep up the fight and don't give in to the bankers' lobby."

These letters are from the grassroots of America, and they indicate a growing demand that the elected Representatives of the people do their duty in the field of monetary policy. I hope that these good citizens—who see the dangers of our present Federal Reserve System—will continue this letterwriting campaign. Eventually, the Congress must heed the people's wishes.

Mr. Speaker, the people's interest cannot be protected until they have a voice in monetary affairs. Under the present system, the actions of the members of the Federal Reserve Board indicate they are not accountable to anyone except the bankers.

This must be changed so that the people can hold someone responsible when major mistakes are made in monetary policy. Of course, elected officials—such as Members of Congress and the President of the United States—are directly accountable to the people. That is why it is so important that these elected officials have control and influence over monetary policy and the actions of the Federal Reserve System.

Should it be impossible to reform our present Federal Reserve System, then I feel it is essential that we move to an alternative position calling for the liquidation of the System as it now exists.

The System could be liquidated by paying off the $570 million worth of nonproprietary stock held by various commercial banks. The assets of the Federal Reserve System then would revert to the U.S. Treasury and this sum could be subtracted from our national debt. Under current calculations, these assets amount to at least $65 billion, including the $45 billion worth of paid-up bonds held in the New York Federal Reserve Bank.

After the liquidation of the System, a Commission or Board of five to seven public-spirited citizens could be appointed to oversee the day-to-day operations of our monetary policy. The members of this Board would all be appointed with the public interest in mind and would be directly responsible to the President of the United States and the U.S. Congress.

While we seek to bring about these changes—either reform or liquidation of the Federal Reserve System—we must find an immediate means of lowering the tremendous interest costs on financing of our national debt and our current

Federal expenditures. During the current year, the Vietnamese war will take approximately $26.4 billion out of the Federal budget.

One of the most wasteful and unnecessary items attached to our Vietnamese expenditures is interest. As our costs spiral in this war, we should find some means of lessening the heavy blow of interest charges on war materials.

To accomplish this, I suggest that the Congress enact legislation which would require the Federal Reserve to purchase a certain number of bonds, issued by the U.S. Treasury, on an interest-free basis.

These bonds would be long-term obligations which would spread the cost of the Vietnam war over future years. I propose that 2½ percent of the principal be paid back each year—without interest.

Such a program of direct financing through the Federal Reserve would lower the cost of fighting the war in Vietnam and would free funds for other purposes. This proposal would also help prevent inflation and high interest rates, since the Federal Government would not be required to go into the money markets for this credit.

In a severe wartime situation, there is no reason why the Federal Government should not use its own credit—the people's credit—without being forced to pay billions of dollars interest to the private banking system. Mr. Speaker, my proposal would apply only to wartime expenditures, leaving the bulk of Government financing in the normal channels.

Also, it would not be effective until the Government had sold all the bonds it could sell for actual money and had provided for all the taxes that could properly be levied. Then the money would have to be created. So instead of letting the bank create it on the Government's credit and getting high interest on it, just require the Federal Reserve to create it without interest or cost to the Government.

The financial community—as a patriotic gesture—should join in this program. Surely the banks do not desire to further profit from the war in Vietnam when so many people are giving so freely to the cause for freedom. Likewise, I hope the Federal Reserve will join its Government in this effort and not attempt to block the direct financing of war expenditures without interest.

Actually, high interest rates are requiring us to pay twice for our military equipment used in Vietnam. It is a well-accepted theory in financial circles that the interest will equal the principal over the life of long-term Government borrowings. In other words, for every billion dollars that we borrow to finance the war in Vietnam, we have to pay another billion dollars in interest. This is a tragic and unnecessary waste at a time when so many are sacrificing so much.

CHAIRMAN PATMAN SUGGESTS MORATORIUM ON BANK CREDIT CARDS—"A DANGEROUSLY UNSOUND BANKING PRACTICE"—QUESTIONS LEGALITY

Mr. PATMAN. Mr. Speaker, not since the heyday of "wildcat" banking have we Americans witnessed such wholesale unsound banking practices as those we see today. I am referring specifically to the credit card racket. The vast majority of our commercial banks are quite sound. And while I am not impressed by the latest report to the Congress from the Federal Deposit Insurance Corporation, I am confident that with our increased awareness of the Federal Reserve System's money-creating powers, this Nation need never fear a recurrence of those catastrophic days of the 1930's when nearly all our banks closed, including the Federal Reserve banks themselves.

But if there was ever an unsound banking practice, it has to be the sending out by many of our banks of millions of unsolicited credit cards to an unsuspecting public.

It should be clearly understood at the outset that a bank credit card is not like a check or like a letter of credit, both of which represent a means of transferring existing assets or claims of an amount certain. A bank credit card is an entirely different proposition altogether. The essential feature of the credit card is the issuing bank's guarantee to a subscribing merchant that a credit purchase by the cardholder will be paid by the bank. In exchange for this guarantee, the bank will charge the merchant a fee of anywhere from 2 to 7 percent of the amount of the purchase.

What makes this gimmick so inherently unsound from a banking standpoint, is that the credit card represents a device for an open-end injection of new credit into the economy which is not only unknown and uncontrolled, but also at a extremely high cost. In addition to the 2 to 7 percent discount charged the merchant, the bank also charges the cardholder a very high interest rate. The usual interest rate on credit card balances is an annual percentage rate of 18 percent, usurious by any standard. In fact, quite recently two national banks in Oregon were actually prosecuted for usury. Thus, the credit card has to have an extremely inflationary impact.

In addition to adding to the merchant's cost of doing business which he must recoup by increasing his prices, an additional cost factor of 18 percent is slapped on the consumer. But the most unbelievable aspect of this mushrooming racket, Mr. Speaker, is that neither the banks which have issued credit cards, nor the bank examiners and supervisors have the slightest idea about the impact of credit cards upon the banks which have already taken the plunge.

Federal Reserve Board member Andrew Brimmer, speaking in San Francisco on August 3, indicated that the Federal Reserve is seriously concerned about what is going on in credit cards. But their information is sketchy and is in no way sufficient to serve as a supervisory tool. So we can say with absolute accuracy that the credit card craze is an entirely unsupervised banking activity which has inherently unsound features. Any meaningful flow of information to the supervisors, according to Mr. Brimmer, is still many months away and the current study itself will not be completed until sometime next year. So in the meantime, the banks, the bank supervisors, the Congress, and the public are all in the dark about where the credit card craze is taking us.

But even when information is available reflecting the utilization of credit cards, these figures will be aggregate figures and an individual bank will have no way of knowing when, due to extraordinarily high use of credit cards by its customers at a given time, its credit resources may be overwhelmed. This can happen particularly in a time of tight money stress when everybody wants money, like last year, of also when the thousands or millions of cardholders decide to skip payments.

None of these factors are really controllable with any precision, and no doubt explains why under the banking laws banks are prohibited from acting as a guarantor or surety with respect to a transaction between two other parties, like a retail sale, for instance.

Accordingly, I strongly suspect that issuing a credit card, in contrast to issuing a certified check, a letter of credit, or even a bank note, where legal, is an illegal activity, particularly for national banks, and an activity for which such a bank's directors may be personally liable for any losses to their institution due to loan losses or to stolen or fraudulently used credit cards.

I would think that the Comptroller of the Currency would bring a test case in the courts to settle this question before too many banks and bank directors get themselves in too deep.

Mr. Speaker, at a time when our peace officers are being used to their full capacity and all their resources are being strained to protect the people, they are now being forced to spend their time running down delinquent credit card users and other abusers of credit cards. When the country is in desperate need of more peace officers to protect our citizens, it is no time to have them diverted from their main tasks and objectives.

There is another serious question which I do not believe those merchants who are now using credit cards have considered. Are they, in fact, discriminating against their customers who desire to pay cash? If one of their customers uses a credit card rather than paying cash, the merchant is forced to pay to the bank 5 to 7 percent of the credit transaction. If a man buys a suit of clothes for $100 using a credit card, the merchant would have to pay $5 to $7 to the bank that issued the credit card. What then of the customer who pays cash for a $100 suit of clothes? Should not the merchant, in all fairness, give the cash customer a $5 to $7 discount for paying cash? This would seem to be just and proper to provide fair treatment to the cash customer.

There are simply too many unknown factors, too many unanswered questions about bank credit cards, Mr. Speaker, and it is most unfortunate that our Federal supervisors are permitting hundreds and thousands of overly aggressive banks to issue millions of unsolicited cards to people who are not even given a routine credit check.

It seems to me that the American public deserves better than this from these public officials. But all Members of the House can be assured that your Committee on Banking and Currency may not wait for action by these administrators, and, if necessary will not hesitate to recommend a statutory moratorium on credit cards to determine their legality and whether or not use of the device is as dangerous an unsound banking practice as it appears to be.

THE LINK UP BETWEEN CIVIL RIGHTS AND RIOTS

The SPEAKER pro tempore. Under previous order of the House, the gentleman from Texas [Mr. FISHER] is recognized for 30 minutes.

Mr. FISHER. Mr. Speaker, a wag once said that the good Lord always takes care of the drunks, the sailors, and the United States.

In other words, we never seem to learn how to avoid making the same mistakes over and over again. The very height of stupidity and bungling was achieved in the mishandling of the civil rights issue in recent years.

In brief, our approach led unwittingly down the road to mob actions, bloodshed, arson, and riots. And now the bleeding hearts, the racists, the vote-oriented politicians, and the apologists would have us blink our eyes to reality and keep marching along the same path.

Martin Luther King and others blame the riots in part on Congress. They contend the price for Negro peace is more handouts, more housing, more welfare, a guaranteed annual income, and other offerings from the depleted Federal Treasury. And a few politicians, with an eye on the Negro bloc vote, string along.

REWARD THE RIOTERS?

Without spelling it out, Vice President HUMPHREY was in riot-torn Detroit last week to call for a grand "Marshall plan" for what he described as the impoverished areas of American cities. That is well and good, but where is the money coming from?

If by "Marshall plan" is meant pouring billions of dollars in welfare, housing, grants, and loans into our urban centers, then we have had a Marshall plan for several years. A Senate committee recently estimated that more than $100 billion in Federal money has gone into the big cities in recent years. Where is the saturation point? In some instances liberal housing and welfare offerings have served to entice Negroes to flock into the metropolitan areas. Hence the ghettos.

Mr. Speaker, it should be clear to everyone that having the Federal Government move into these riot-torn areas with tens of millions of dollars for reconstruction simply puts a premium on riots and arson. Such a policy creates an incentive for lawlessness and destruction.

We can profit from the experience of Watts, where a team of experts was rushed in following the insurrection to apply "the best programs now known to wipe out the causes of such violent outbursts." No expense was spared.

While Watts enjoys an uneasy peace today, despite the Government's generosity, the example of the outpouring of Federal cash is believed to have triggered other riots—inspired by prospects of similar treatment from Washington. The Wall Street Journal documents a series of instances where the Watts treatment has been held up by Negroes as a symbol for action, with ample rewards in prospect for the rioters.

It is encouraging to note that the President is not following that course with respect to the rebuilding of Detroit, Newark, and other sites of Negro riots.

After all, in principle there is not much difference in the child who goes into tantrums to get what he wants and the Negroes who burn and loot in order to get more Federal funds allotted.

Indeed every effort should be made to penalize such willful acts of wanton destruction. Those who burn, loot, and shoot during a riot should not only be punished to the limit but should at the same time be cut off from welfare and other aid to which they might otherwise be eligible. It is axiomatic that the hand of the criminal is stilled by the certainty of detection and punishment. Pantywaist treatment of these hoodlums simply invites more riots, more arson, and more bloodshed.

ANOTHER CIVIL RIGHTS BILL?

Mr. Speaker, I have said we fail to learn from experience. Although it has been demonstrated that excessive civil rights legislation has triggered demonstrations, mob actions, and riots, this House is about to act upon still another one. Only recently this body approved a measure to make it a serious Federal offense for a person to cross State lines with intent to incite a riot or other violence, and properly so. Now another bill, H.R. 2516, is presented which would go far to negate the usefulness of the antiriot measure. This one would protect the Stokely Carmichaels, the Martin Luther Kings, and others who would cross the line to incite violence—provided that in inciting the disorder they do it while promoting "civil rights." How ridiculous can we get?

THE LINKUP

America is plagued today with insurrections, murder, arson, looting, and violence on a scale such as might be expected to occur in darkest Africa. Yet it is happening today—right here in civilized America.

There have been 26 major riots already, thousands of stores looted, and more than a billion dollars worth of property destroyed. And Negro leaders tell us there is more to come.

This is a good time to examine our mistakes, take advantage of our experience, and get our house in better order. One thing is certain: Our past policies in dealing with civil rights and the Negro community have woefully failed. Those who have pursued these unsound policies should face up to them, admit their mistakes, and make the necessary amends.

The simple undeniable fact is that the White House and the Congress, through three or four administrations, must bear a major portion of the blame for the demonstrations and riots which have rocked this Nation to its foundation. I believe that fact can be documented.

Let us go back to 1960. Up to that time, except for minor isolated instances, there had been no big demonstrations, no sit-ins, no sit-downs, no mob actions, although for years the politicians in both parties, contesting for the Negro bloc vote, had attempted to convince the Negroes they were being exploited. This was pure hogwash, though highly inflammatory and provocative. Isolated instances were magnified as general practice.

The Congress enacted a major civil rights bill on May 6, 1960. The measure was ballyhooed at the time as the ultimate answer to what the politicians claimed was America's long-neglected obligation to the Negro race.

What happened? Instead of satisfying the Negroes it served to whet their appetites. They would not be moved. They would overcome.

It suddenly became stylish to be for "civil rights." Thousands of confused and misguided students grabbed the torch and got into the parade. Scores of ministers left the sanctity of their pulpits to join the motley crowds who marched. Few of them knew what they wanted except that they convinced themselves they were for "civil rights." The liberals had a field day. And careless America, crooning a tune, sat back and did little to prevent the buildup of emotions and hysteria. Somehow the people seemed to be convinced that everything would turn out for the best.

Mr. Speaker, it would undoubtedly shock and amaze the average American if he had laid out before him the voluminous pyramided array of severe laws that have been enacted in the name of civil rights.

This business of passing special laws for Negroes—grand and glorious laws—amid drum beats and false utopian promises of the new life is nothing short of a cruel hoax.

Then what happens? Disillusioned Negroes find they cannot eat civil rights. Nor can they eat integration or segregation. They find, as the great Negro leader George Washington Carver warned: they need jobs and they need ability to produce, pay their bills, and get ahead. Good will is not easy to come by. It is not achieved overnight by slight-of-hand compulsion, by Washington flats, nor by demogogic promises. It comes from friendly relationships on the local level with prospective employers, by convincing them of one's honesty and good faith and willingness to work and produce.

And, conversely, it can be destroyed by misconduct. What sensible employer would want to hire a Negro who took part in the shooting, looting, and burning of Watts, Newark, Detroit, or elsewhere? Or even their sympathizers?

FREEDOM RIDERS

Aside from the Supreme Court's intrusion into the lawmaking business in the 1950's, the real beginning of our present-day racial troubles is traceable to May of 1961, when the U.S. freedom riders were organized in New York. The press reported that the then Attorney General of the United States aided and abetted in that move. It caught on.

So-called "freedom rides" were sent

into Alabama and Mississippi, ostensibly to test compliance with the Interstate Commerce Act. Newspapers and cameras made a national Hollywood-type episode out of it. The mob spirit was ignited, and demonstrations begat demonstrations. It happens that riots are always—but always—preceded by demonstrations.

BIG MARCH ON WASHINGTON

The aftermath of the 1960 enactment was the freedom riders. The stage was set by then for something much bigger. Then came the big march on Washington on August 28, 1963, spearheaded by Martin Luther King who by that time, according to the press, was receiving vast contributions—chiefly from white liberals.

The press and cameras were in abundance at the teeming rally. It was headline news. The wildest charges were hurled and unbelievable demands were aired by orators, both black and white. The Congress was warned that unless approval was promptly given to one of the most drastic civil rights bills ever proposed in American history, there would surely be riots and bloodshed. Deadlines for action were announced. An ultimatum was unfolded. Politicians of both parties, in high places, acclaimed the success of the gathering.

The bill, with White House blessing, covering about everything that Martin Luther King could think of, was steamrollered through the Congress. It was a victorious performance of mammoth proportions. Those of us who dared oppose the whirlwind thrust were soundly trounced.

What the press overlooked during the bizarre performance was that the measure robbed the American people of far more civil rights than were protected for Negroes. The act was aptly described by objective observers at the time as being 10 percent civil rights and 90 percent politics. But it was stylish to be for "civil rights" and few showed any concern for what was really done. Indeed it was charged that relatively few Members of Congress bothered to even read the omnibus bill.

Surely, the American people must have thought, that bountiful offering would suffice. Surely this mass surrender of individual rights, taken away from the masses in the name of civil rights, and the undisguised encroachment upon the prerogatives of the State and local governments, should have pacified the most insatiable appetites of the most demanding.

But it did not. Martin Luther King had a good thing going. And if the money was to keep flowing into his coffers he must have a live cause to champion. So he led his flock to Selma, amid ballyhoo and flash bulbs. Every network, every tabloid, every news media, trailed along as if America's future hung perilously in the balance.

THE SELMA MARCH

Martin Luther King had decided that not enough Negroes were bothering to register and vote in the South, and so he chose this as a cause to champion. Just why King chose Selma has never been explained. Already on the books were ample laws to insure the right to vote on the part of all qualified electors, whether black or white. Already on the books was ample authority to strike down any arbitrary or unreasonable qualifications for voters. Before the invasion of Selma a Federal judge had already issued a mandatory injunction calling for orderly registration of all qualified voters at that place, and it was proceeding peacefully and to the satisfaction of the court.

The march was joined by renegades and nondescripts, by beatles and preachers, by liberals and extremists. Reports of immorality were sickening. But it accomplished its objectives. The publicity served to arouse racial bitterness and further condition the Negro masses for more demonstrations, and a one-sided and distorted picture was presented to the Nation and the world.

THE INCREDIBLE VOTER-RIGHTS LAW

Following the march, King triumphantly flew back to Washington after publicly boasting of his White House influence and his power to force a voter registration bill, of his own making, through the Congress.

In an atmosphere of hysteria the Congress responded. A joint session of the Congress was called for 9 o'clock at night in order that the President's message, sparked with "We shall overcome," could have a nationwide TV coverage. A sense of crisis was created. A fateful decision was in the air.

A most incredible voter-rights law, reminiscent of Reconstruction Days, was bulldozed through Congress. In one fell swoop the new law outlawed any semblence of any qualification as a condition for voting, so worded as to apply to only a half dozen Southern States—including Texas. The most illiterate suddenly became eligible to vote. The bill even authorized Federal agents—at the whim of the Attorney General—to be sent into local communities and take over the holding of local elections, push local election judges aside, and decide who could vote, regardless of State laws, however reasonable. The bill was signed by the President on August 6, 1965.

Martin Luther King had won another smashing victory. This was the same King who traveled from State to State, from pulpit to pulpit, urging young men to violate the law by refusing to serve their country and to disobey the draft. This was the same King who later took a militant pro-Communist attitude toward the war in Vietnam; the same King who was described by J. Edgar Hoover as "the most notorious liar in the country"; and the same King who told his subjects they had a right to violate the laws which they did not like.

King's "civil disobedience" was a seditious slogan of gross irresponsibility which managed to capture the imagination of citizens who in many respects were immature. And we were all obliged to stand by while celebrity status was accorded by some to those whose sick minds and corrupt souls tampered with and ridiculed orderly processes of government under law.

One other reference to King: At his New York demonstration, which witnessed the burning of the U.S. flag, King assailed the United States—our own Government—as "the greatest purveyor of violence in the world today."

Believe it or not, the voter-rights law did not suffice. The next thing we knew the President sent to the Congress still another civil rights bill. It covered many topics, including Federal control over local jury selections and a provision to force citizens who offer their property for rent or sale to rent or sell to Negroes—whether they want to or not. Fortunately this one was blocked in the Senate.

Still another—to give Federal agents the power to virtually dictate the private hiring, firing, and promotion policies of employers when Negroes are involved, was enacted—enforceable by contempt proceedings and jail sentences.

RELATION OF CIVIL RIGHTS TO CRIME

Mr. Speaker, you may now ask: What has all this got to do with crime and riots? Again, let us not speculate. Let us see what the record shows.

It must be kept in mind that throughout this emotion-packed 6-year period there were hundreds of marches, mob actions, instances of racial violence, provocations, and racist appeals by radical leaders—joined by vote-conscious political opportunists. Masses of gullible people were told by King, Carmichael, McKissick, Brown, and others that they were victims of white exploitation and they should throw off the yoke of oppression and take the law into their own hands. Anarchy was in the air. The news media, particularly, TV, added fuel to the fire.

During this epochal 6-year period of mounting hysteria, fanned by a multitude of civil rights bills that were rushed through Congress, the crime rate skyrocketed. During that 6-year period there was a 46-percent jump in the rate—six times the growth rate of our population.

Is it any wonder, Mr. Speaker, that with this buildup of hate and racism, sparked by these flamethrowers, the Negro crime rate shot skyward? Listen to this: FBI reports show that the arrest rate of Negroes in this country, per capita, is now four times the rate for whites. Our colored people, according to this same authority, commit 13 times as many murders and robberies, and 10 times as many rapes and aggravated assaults, per capita, as do the whites.

While there are, of course, millions of law-abiding Negroes among us who deplore this outrage, we must face up to the race problem as it relates to crime and treat it realistically.

NEGRO RIOTS

I have already referred to the Negro riots. Now what has caused all of this?

Is it lack of legislation? No; the Negroes have been given all and even more than they have asked for, except for forced housing and a few relatively minor demands. They have received well over 90 percent of everything Martin Luther King has asked for.

Is it poverty and unemployment? No; in most of the cities where these insurrections have occurred there was relatively little poverty and most of the Negroes had jobs or could get employment. There have been scores of equally impoverished white neighborhoods where there have been no demonstrations, no riots, no bloodshed.

Was it poor housing? No; Detroit, for example, has received more Federal money, per capita, for housing for the needy than has any other American city of comparable size. In several cities riots have occurred amid what was described as "idyllic" conditions. Before the insurrections Uncle Sam had pumped more than $70 million in poverty money into those two cities—and most of that investment has gone up in smoke. In addition, vast welfare programs have poured other millions and storehouses of food into those and other affected areas. Yet the mayor of Detroit has charged that the Congress is partly responsible for the riot there because his city had not received enough Federal cash.

CAUSE OF RIOTS

The President has appointed a commission to study the cause of these insurrections and recommend remedies. What should turn out to be a more meaningful investigation by the Congress is in the works. Let us hope that the scapegoats I have mentioned will not again be dusted off, embellished, and offered to the public.

How can this pattern of crime, bloodshed, and violence be explained in this civilized land? As is the case with many crimes, there can be no adequate explanation. To be sure, better living conditions are always desirable, whether for the honest or the dishonest.

This crime springs from motivation, from the state of mind, from a sense of rebellion against organized society and a callous indifference to the rights of others and who, regardless of station in life, are hostile to other people's rights and property; and they are fatally bent on mischief. Many of them are endowed with an inborn urge for thievery and destruction, often traceable to a willing response to the pleas of the agitators.

An intensive probe by experts of the University of California has been made public. It states some "successful" Negroes are just as prepared for violence as poor Negroes—or more so. The UCLA team also discounted the idea that unschooled southerners or rootless troublemakers were the incendiary forces that fanned the Watts conflagration.

At Toledo, scene of a recent riot, a safety department official found that 112 of 126 adults arrested were employed at the time of their arrest. Does that indicate poverty and unemployment motivated those people?

WHAT ABOUT GHETTOS AND SLUMS?

Mr. Speaker, we frequently hear people excuse the riots by saying ghettos and slums beget riots, and this explains violence.

That is obviously a phony way of disposing of this issue. What is a ghetto? Webster describes it thus:

> A quarter of a city in which members of a race group are segregated.

If, as some contend, that condition justifies riots, then nearly every city in America should have riots. By that definition there are literally thousands of white ghettos, composed predominantly of Poles, Latin Americans, Irish, Jews, and other ethnic groups. Do the people in these non-Negro ghettos rebel? Do they burn, kill, and loot because they happen to be segregated in white neighborhoods? Of course not. They are too proud and civilized to engage in such nonsense.

What about slums? Apologists would have us believe that Negroes have ample reason to burn and destroy because they happen to live in slum areas. The argument is untenable and actually makes little sense. To be sure, slums are bad and should be discouraged and corrected. But there are no statistics showing a direct relationship between slums and the crime rate. In fact, in many slum-ridden areas of the world there is a much lower crime rate than in this country.

There are many times more slum areas occupied by whites than Negroes in the United States. Yet the white residents thus situated have not revolted.

After all, what makes a "slum"? People make slums and people can cure slums. How many rundown, weather-beaten houses have you seen which were changed into fairly attractive living quarters by paint brushes, scrubbing mops, whitewash, wallpaper, a hammer, and some nails? On the contrary, how many attractive living quarters have you seen go to pot by neglect of the occupants?

Moreover, people who make or live in slums or ghettos have no more right to commit crimes than those who are better situated. Some of the most law-abiding people I have known were poor people. But they were proud people, loyal to their Government. I repudiate the thought that a poor person is tainted with dishonesty.

IS COMMUNISM INVOLVED?

Is communism involved? Perhaps so. As early as last May J. Edgar Hoover said:

> Communists and other subversives and extremists strive and labor ceaselessly to precipitate racial trouble and to take advantage of racial discord in this country. Such elements were active in exploiting and aggravating the riots, for example, in Harlem, Watts, Cleveland and Chicago.

Hoover linked Stokely Carmichael very directly with Max Stanford, field chairman of a notorious Chinese Communist organization. And Carmichael is now being toasted in Havana by an admiring Fidel Castro. We know that violence is a part and parcel of communism and anarchy.

THE REMEDIES

Mr. Speaker, with a situation that is out of control there are no easy solutions. An ounce of prevention would have been worth a hundred pounds of cure. But there must be a realistic frontal assault on this grave problem.

First, our politicians in both parties, high in government, should forget about the Negro vote and join in a massive crusade for solid nonpartisan law enforcement, free of apologies and excuses. In this effort the maximum use should be enlisted of law-abiding and responsible Negroes. And much of the unfortunate civil rights legislation enacted in recent years should be repealed in order that justice and fairness may apply to all Americans, regardless of race.

Second, these enlightened Negroes—of whom there are many—should scuttle their leaders who have led them and the cause of legitimate civil rights down the road to tragedy and disaster.

In the next place, the news media should change their practices of magnifying every trivial incident that has racial overtones.

Our poverty and welfare programs should be reexamined. Let us get away from the false assumption, indulged by many politicians, that large amounts of Federal money can cure anything. Let us be aware of the booby traps inherent in this claim.

The welfare-minded society, into which we are slipping, breeds indolence and dependence on government as a way of life. As a national policy it tends to develop a lack of individual pride and a reluctance to work and toil. Government intrusion in this area, to be really helpful, should be designed to help people help themselves: "In the sweat of thy face shalt thou eat bread," said the Good Lord to Adam when He turned Adam out of the Garden of Eden. And Abraham Lincoln said you cannot permanently help a man by doing for him that which he can and should do for himself.

Innumerable instances are being recorded of poverty assistance which has resulted in bitterness and revolt. Blank-check practices of spending money in the name of poverty is harmful and unsound. Let us face up to this fact and limit, restrict, and define the uses of any tax money thus spent. Let us strive to free the people's minds of the curse of being wards to the Government. Then there will be more peace and tranquillity, less bitterness and violence.

POLICE MUST BE SUPPORTED

Finally, above everything, our police officers should be unshackled and better trained for antiriot work. They should be allowed to carry guns and use them as prudence may require—without fear of recriminations occasioned by whining hoodlums who cry "police brutality" without reason and insist on being handled with kid gloves. Police must lower the boom on these characters, and should have solid official and public support in the discharge of their duties.

One other thing: Judges should apply heavy penalties to the criminals. The FBI reports much crime is traceable to the failures of weak judges in this respect. And there is a pressing—indeed imperative—need for better qualified judges, from the Supreme Court to justices of the peace.

Mr. Speaker, this country has been on a civil rights binge far too long, and the price being paid for it is shocking. The chickens are now coming home to roost. Let us resolve to undo these blunders, redirect our sails, and get this Nation back on the right course.

PELLY CALLS PRESIDENT'S TAX INCREASE RISKY

The SPEAKER pro tempore. Under previous order of the House, the gentleman from Washington [Mr. PELLY], is recognized for 30 minutes.

Mr. PELLY. Mr. Speaker, when the President of the United States sends a message to the Congress, each Member of the House of Representatives has an important responsibility to give it full and fair consideration. As such, I have been studying Mr. Johnson's fiscal and tax policy message.

Of course, almost every time the President issues a statement or makes a speech or sends a message to Capitol Hill, there are certain faithful majority party leaders who forthwith take the floor of the House or insert remarks in the RECORD in support of the President. How objective or impartial these remarks are, I would not know.

And frankly, by the same token, leaders of the minority party, seeking to exercise their role as the loyal opposition regularly offer their criticism and thereby seek to give the American people, acting as a jury, alternative solutions or views.

Sometimes it is obvious that partisanship colors the statements of one side or the other, but I am sure neither side fools the other or the people. The people see through politically inspired comments and I am sure no damage is done and perhaps most everyone has a little fun.

Mr. Speaker, the President message on fiscal and tax policy which came to us last Thursday received its regular rubber-stamp approval from the Democratic leadership of the House. The distinguished Speaker pronounced it as being forthright and realistic. The distinguished majority leader admonishes us that we ought to be proud that we have a President of the United States who has the courage and the candor to tell the American people what he believes, what is necessary and right and fair, so this Nation may prosper and endure. The majority whip, meanwhile, endorsed the message submitted by President Johnson, saying it was a reasonable blueprint for America's continued growth and progress.

Reference to Thursday's CONGRESSIONAL RECORD will provide plenty of other examples of loyalty to the President and applause by members of his own party. All this praise and support, however, is in strong contrast to last Friday morning's editorial in the Washington Post, that usually comes out on the side of the administration. The Post describes the message calling for a 10-percent surcharge on individual and corporate income taxes a "singularly unimpressive document, devoid of the sound reasoning and supporting evidence on which so important a fiscal proposal should be based."

By the same token, an editorial in the New York Times, entitled "Muddled Economic Priorities," says that the President gave Congress, to quote their words, "dubious economic advice."

No doubt, there will be plenty of newspapers in the country that will support the President's proposals, and many that will not. But, that is, as the saying goes, what makes a horserace.

As for the Republican leadership, our minority leader says he is unwilling to concede that spending cannot be cut so as to avoid a tax increase. Most all Republicans' statements call for cutbacks in spending, while some indicate that a tax bill also is inevitable.

Mr. Speaker, I might point out one thing about the President's message. It revealed, as Republicans said last January that the $8.1 billion deficit the President was then projecting was unrealistic. They then charged the American people were being deceived. Since a similar error occurred the previous year, we have thought the deception could be deliberate.

Finally, Mr. Johnson acknowledges that even with his originally requested 6-percent tax surcharge, there would be a $23.6 billion deficit and without it a deficit of $28 billion.

As to the consequences of such a deficit, Mr. Speaker, I find some disagreement with the President when he predicts that a $28 billion deficit would cause a spiral of inflation. The Washington Post questions this, saying there is no reason to believe that excess demand for goods and services forcing prices up will in fact develop. However, inflation is too serious a condition to warrant taking undue risks. So, I am in favor of doing what is necessary, being mindful, at the same time, that the general economy is presently in a slowdown. Certainly no one wants to overheat the economy, nor do we want an added siphoning off of buying power to bring about a slump.

Without committing myself on such a sudden consideration, my present inclination and reasoning is something as follows. I will take the President's proposals one by one. I start by expressing strong disapproval of the suggestion of a speedup in collecting corporate taxes. I never have approved of collecting taxes before they are due. One of these days, at this rate it will be in the United States as with the old war lords of China who extracted taxes for years in advance to give a system of imposing capital assessments an appearance of integrity. However, our Government collects 70 percent of corporation taxes in advance now, and reluctantly I would probably go along with changing this 70 to 80 percent. This would step up the receipts of $800 million in fiscal 1968.

Also I will probably support the continuation of the 7-percent manufacturers excise taxes on automobiles scheduled to drop to 2 percent next April and to 1 percent in 1969.

Likewise, I will support continuation of the 10-percent excise tax on telephone service, scheduled to go down to 1 percent in April 1968 and to be eliminated in 1969.

These two extensions would provide $300 million of added revenue for 1968 and $2 billion for the fiscal year 1969.

So far so good, but when I consider the new surtaxes of 10 percent on corporate and a like amount on individuals, I cannot go along with L. B. J. These new surcharges are estimated to yield $6.3 billion in revenues for fiscal 1968.

Instead of a tax increase, I would favor a cut in spending. Perhaps not the full $6 billion. But, I would not hesitate to support some very substantial cuts. I mean cuts such as $2 billion in our foreign aid funds and such as $1 billion in our space program.

Already the House has acted to cut the President's budget requests by more than $3.5 billion and more reductions will be made on future appropriation bills for which the President has requested a total of about $15 billion. In addition, at the risk of injecting partisanship, the Republicans have attempted unsuccessfully to make additional cuts when appropriation bills were being considered by the House. Let me recite some of these cases.

One was a motion to cut H.R. 10509, providing funds for the Department of Agriculture and related agencies. This would have saved $238 million.

And, there was the public works and atomic energy appropriation. The 5-percent Republican cut on this bill would have amounted to $400 million.

Also, we tried to reduce the Treasury, Post Office, Executive Office appropriation more than $375 million. And, we tried to reduce the independent offices and housing and urban development another $225 million.

A Republican move to cut back spending for agencies covered by the Interior Department bill by a flat 5 percent lost by a 158 to 231 rollcall vote.

There were other efforts to effect reductions in the level of spending in fiscal 1968. In all I am told the 5-percent Bow amendments that were offered from time to time would have resulted in a total reduction in the spending level of more than a billion dollars.

It would seem to me, Mr. Speaker, considering possible cuts in total Federal spending in fiscal year 1968 that it is possible to lower the level of Federal spending sufficiently so as to avoid the 10-percent tax increase.

In other words, as of now, I do not expect to support the President's request for a 10-percent surtax. The House Ways and Means Committee, of course, may make changes, but one thing is sure, the House is never allowed to amend tax bills. We vote them up, as reported by the committee, or we vote them down. There can be no amendment. So, as of today, I must say in all frankness, I think this proposed tax increase is fraught with more danger than the alternative of no tax increase.

Mr. Speaker, finally let me add this. The President has pressed Congress for all sorts of domestic massive spending programs entailing billions of dollars. He tongue-lashes the Republicans for their efforts to achieve economy and reduce spending. Now he says we are irresponsible if we do not increase taxes to pay for all his Great Society programs. Only he says the taxes are to pay for the Vietnam war. As one who has been voting for expenditure reduction and attempting to reduce the deficit, I feel no compunction to vote to raise taxes to pay for programs I did not support or voted to reduce.

However, regardless of that, and regardless of the criticism the economy block has received from the White House, nevertheless, I will act solely on what appears to be in the best interest of a sound economy. In this connection I believe an increase in taxes could be very detrimental to the economy, and by the same token so could runaway inflation be detrimental. Instead, I shall support what seems to me to be the lesser of the two evils, and at the moment I am sure of only one course; namely, the need to cut Government expenditures and establish a priority on spending and public needs. After we see what can be done in that direction, then a decision as to a tax increase can be made.

As of now, however, Mr. Speaker, I am willing to support a rescheduling of the excise tax reductions and to continue them at present rates. On the other hand, as of now, I think it would be a mistake to increase Federal income taxes. And finally, as of now, as heretofore, I strongly favor a reduction in the level of domestic spending.

THE NEED FOR EXPENDITURES LIMITATION

The **SPEAKER** pro tempore. Under a previous order of the House, the gentleman from Ohio [Mr. Bow] is recognized for 30 minutes.

Mr. BOW. Mr. Speaker, I wonder how many Members of this House remember the pledge which Congress made to the American people in 1964. It was a solemn pledge which has been torn asunder, not only by Congress but by the administration, during the last 3 years. The pledge was given in section 1 of the Revenue Act of 1964, and this is what it said:

> SECTION 1. Declaration by Congress.
>
> It is the sense of Congress that the tax reduction provided by this Act through stimulation of the economy will, after a brief transitional period, raise (rather than lower) revenues and that such revenue increases should first be used to eliminate the deficits in the administrative budgets and then to reduce the public debt. To further the objective of obtaining balanced budgets in the near future, Congress by this action, recognizes the importance of taking all reasonable means to restrain Government spending and urges the President to declare his accord with this objective.

How well, Mr. Speaker, was this solemn pledge kept by the administration and the Congress? The record reflects the following facts with respect to budget expenditures since the Revenue Act of 1964 became law:

Budget expenditures in fiscal 1964 totaled $97.7 billion.

In following the dictates of the 1964 pledge, the Congress and the administration were able to reduce 1965 expenditures to the level of $96.5 billion.

But what happened in 1966? By that time the Great Society programs had come into full bloom and spending leaped up to $107 billion.

Escalation in Vietnam war costs and the unrestrained continuation of Great Society programs in fiscal 1967 ballooned expenditures another $18.7 billion to the level of $125.7 billion.

Now, the President's message of last Thursday on the state of the budget and the economy estimates that fiscal 1968 spending will approximate $143.5 billion, which is a further increase of $17.8 billion in 1 year.

Inclusive of the estimate for fiscal 1968, spending has increased $45.8 billion in the 4 years that have followed our 1964 pledge to the American people. And the increased revenues which resulted from the tax cut's stimulation of the economy have been used to finance these increases in spending rather than to eliminate budget deficits and reduce the public debt.

Furthermore, this unrestrained spending, which has been approved by a majority of the Congress, triggered the resulting inflation which deprived taxpayers of much of the benefits intended by the 1964 tax reduction measure.

The failure of Congress and the administration to honor the 1964 pledge, which Congress made to the American people, is solely responsible for the President's tax message of last week.

With the war in Vietnam and riots in our streets all across the Nation, what more distressing news could the President give to the American people, than to say that the profligate ways of his administration and the Congress have carried this Nation to the brink of bankruptcy? And, to avert complete insolvency it is proposed that every American be saddled with an onerous burden of additional taxes.

Just consider, Mr. Speaker, the President now proposes that Congress impose a surtax of 10 percent on individual and corporation income tax liabilities, approve a further speedup of corporate tax collections, continue the 7-percent excise tax on automobiles and the 10-percent excise tax on telephone service.

And what does the President propose to do in turn for the already overburdened taxpayer. He says:

> As the Congress completes each appropriation bill for fiscal 1968 expenditures, we will examine at once, very, very carefully, the results of those actions, and determine, where, how, and by how much expenditures under these appropriations can be reduced.

Why, Mr. Speaker, does the administration propose to practice economy only after the various appropriation bills have been approved, rather than recommend cuts which we might make in bills still pending before Congress?

We have had some experience with voluntary spending reductions that were proposed by the administration and we know that they do not always materialize as planned. As recent as last November 29 the President announced his approval of Cabinet recommendations for a budgetary cutback of $5.3 billion in Federal programs which was expected to save $3 billion in fiscal 1967 spending. We still do not know the final outcome of that effort, but we do know that very soon after the cutback was announced, decisions were made to release for spending in fiscal 1967 some of the funds included in the reservation. The President estimates now, however, that in addition to the increased spending incurred in fiscal 1967, those decisions have added $600 million to fiscal 1968 expenditures.

It seems to me, Mr. Speaker, that Congress must take the initiative in setting the level of spending in fiscal 1968, and we must do so by making further cuts in the 11 appropriation bills which have not been enacted into law and by imposing expenditure limitations on the amounts that can be spent this year.

The so-called Bow expenditure limitation amendment, which has been adopted by the House on two appropriation bills—the one for State, Justice, Commerce, judiciary, and related agencies and the other for the Department of Transportation—could be an effective tool in curtailing spending, provided the other body will adopt the amendment on the nine bills still to be acted on over there. We still have three bills—foreign aid, military construction, and the supplemental—awaiting House action on which this body could adopt the expenditure limitation amendment. If the amendment were adopted on all the remaining appropriation bills, it could save up to $4.5 billion, excluding the costs of Vietnam. If necessary, Congress could increase the 5-percent limitation to an even larger percentage, and could assure itself and the public that the funds would not be released later on for expenditure this year.

Furthermore, since we still have 11 appropriation bills that have not been fully enacted, it seems to me that our only course is to take a further look at these bills to determine what may be cut from them without adverse effect upon the essential services of Government.

I say to all Members of the House, we can and should cut appropriations and spending sufficiently to avoid the tax increases that were proposed by the President last Thursday. We simply need to tighten our belts and recognize the fact of life that never before in history have we ever attempted to fight a war on the one hand and continue business as usual on the other. I am certain that the great majority of Americans are perfectly willing to make whatever sacrifices are necessary to win the war in Vietnam, but I am afraid their patience is wearing a little thin with respect to the nonessential Federal spending, which the administration proposes and the Congress authorizes in the form of a virtual blank check.

As I pointed out earlier, the President has now revised his estimate of spending in fiscal 1968 up to $143.5 billion, as compared to the January budget estimate of $135 billion. Based upon existing law, revenue for fiscal 1968 is estimated at only $115.2 billion, which will leave a budget deficit of more than $28 billion. Mr. Speaker, in his message of last Thursday, the President said:

> As we enter this new Fiscal Year, the Congress and the American people should have an up-to-date report on the state of the budget, and on the steps that must be taken to protect the national security and to sustain the health and vitality of this Nation.

We did, indeed, need a report on the state of the budget, but we needed it at least 2 months ago before the House had acted on most of the 1968 appropriation bills. For several years, I have introduced legislation calling for a mid-season budget review between May 1 and June 1. If that bill had been enacted into law in any prior year or earlier this year, Congress would have been aware of the Government's deplorable fiscal situation, and it would have been in a position to act with greater flexibility in correcting the astounding fiscal mess that now faces us. Although I have repeatedly forecast the course which our fiscal affairs was taking, my efforts were not enough to arouse any concerted efforts here in the House to avert the fiscal situation now facing us. Of course, the President's review of the situation comes much too late to ward off this fiscal chaos which is now upon us, but I do hope and pray that the message's impact will be great enough to initiate here in Congress a course of action that will restore fiscal responsibility in Federal affairs. The situation demands drastic action by the Congress, and if we take that drastic action, we can cut nonessential spending, avoid this proposed tax increase, and keep the economy healthy for all Americans.

Mr. PELLY. Mr. Speaker, will the gentleman yield?

Mr. BOW. I yield to the gentleman from Washington.

Mr. PELLY. I thank the gentleman for yielding. In his remarks the gentleman referred to the pledge of the Congress to the American people that we would hold down spending. All I can add at this time is that the gentleman from Ohio has no reason to apologize to the American people because he, from that time to this, has been trying to reduce expenditures and to get the administration to hold down spending. I can only say that I have been proud to be associated with the ranking Republican on the Appropriations Committee in this endeavor, and I shall continue to do what I can. I commend him for his effort, and I trust that in time he will be in a position to carry out more effectively some of his endeavors than he has been in the past.

Mr. BOW. I thank the gentleman from Washington, my good friend, and I do appreciate the support that he has given me in the past in trying to keep that pledge to America.

Mr. HARRISON. Mr. Speaker, will the gentleman yield?

Mr. BOW. I yield to my friend from Wyoming [Mr. Harrison].

Mr. HARRISON. I thank the gentleman for yielding. I congratulate the gentleman from Ohio for his leadership, not only in this Congress, but in preceding Congresses, in attempting to eliminate unnecessary or wasteful expenses of the Government. As the ranking Republican on the Appropriations Committee, he, along with the assistance of Members on both sides of the aisle, has been able to make a reasonable or a small reduction in the appropriation bills which have been brought before the Appropriations Committee. The reductions are, in my opinion—and I am sure in the opinion of the gentleman from Ohio—not sufficient.

I have had the pleasure of serving on the Appropriations Committee with the gentleman, and I know, too, that there are many instances where further reductions could have been made if there had been any disposition on the part of the administration to save some of the taxpayers' money and to prevent the proposed increase in income taxes at the present time.

I think it is an imposition to place upon the shoulders of the taxpayers, who are heavily taxed now, an additional tax unless the President and the administration are willing at the same time to make some comparable sacrifices themselves. If they are unwilling to cut back on unnecessary and unneeded programs at this time, some programs which may be good at a time when we have the money but certainly are unneeded now, if the administration is unwilling to do this, they certainly should not expect the taxpayers of this country alone to sacrifice.

I am beginning now to get letters from my constituents. It is only a few days since the President made his statement that he wanted to raise taxes 10 percent, and yet every run of letters—and they will begin coming in in greater numbers, and I know all other Members of the House will likewise be receiving letters from their constituents—every single letter protests the attempted raise in taxes.

Many of them say that they do not object to anything for our boys in Vietnam. The best there is not too good, nor too much, and they are willing to sacrifice for them. But they do feel that in return there should be an honest effort on the part of the administration to reduce some of the domestic expenditures and help them carry their own tax burdens as taxpayers.

Mr. BOW. I thank the gentleman from Wyoming for his comments.

In closing, may I point out this one thing: We have all talked about the administration spending, and I think we should. But by the same token, we must always remember the President cannot spend what we do not appropriate. This I think is the key to it. He cannot spend what we do not appropriate. If we will actually exercise our constitutional prerogative here in the House of Representatives and cut down on authorizations and cut down on appropriations, he will not have the money to spend.

Of course, we will not be able to criticize him, but I think we have got to accept some of the blame right here, particularly since that 1964 declaration.

I agree with the gentleman from Wyoming. He does an excellent job on the Appropriations Committee.

I am proud to have him on that committee. We have got to begin to take action to cut out the appropriation, because if the President does not have it, he cannot spend it.

Mr. CUNNINGHAM. Mr. Speaker, will the gentleman yield?

Mr. BELL. I yield to the gentleman from Nebraska.

Mr. CUNNINGHAM. Mr. Speaker, I am in agreement with what the gentleman has said. I have something in mind that I have been kicking around for several years. It seems to me it would improve our fiscal situation. As the custom is now, we act upon, and send to the President, individual appropriation bills. We do not know what the total package will be when we get through with all of the bills. I believe one of the first bills we send to the President is for the Treasury and Post Office. We are done and through with that. Then we come up with another one, and we act on that, and it goes to the White House.

It seems only logical to me that hearings should be held on all the appropriation bills, they should be then temporarily approved through some parliamentary device which could be worked out, until all of the hearings have been held on all the appropriations bills, and then we could total them in one package and have a final review.

Mr. BOW. Mr. Speaker, if I may interrupt the gentleman, the question of the single budget has been up a number of times and is now under consideration again. There is a Budget Commission appointed by the President, to try to simplify the budget. I am a member on that Commission, together with others of the House, including my distinguished friend, Mr. Mahon, the chairman of the full committee. There are other very fine men on that Commission. We are trying to come up with a new budget concept.

I do not approve of all the things they are suggesting, by any means.

The gentleman raises a question. I think the gentleman will find that under the Reorganization Act of 1945 we are almost committed to the concept where there is a committee or group in Congress which gets together and which is supposed to do what the gentleman is talking about. I think it was done one year, and some fault was found, and it has never been followed through with ever since.

Mr. CUNNINGHAM. Mr. Speaker, would the gentleman not feel if we went through all these bills and gave them temporary approval, but did not send them to the President, but held them in the Congress until we get them all completed and look at the grand total, then if we see it is way out of line and we have appropriated far too much money, we could go back and make some cuts?

Mr. BOW. Mr. Speaker, I think there is some merit to the gentleman's suggestion. There is some question as to how it could be accomplished. The gentleman's suggestion has some merit, and it will be given consideration.

Mr. MINSHALL. Mr. Speaker, will the gentleman yield?

Mr. BOW. I yield to the gentleman from Ohio.

Mr. MINSHALL. Mr. Speaker, I congratulate my colleague from Ohio for the excellent remarks he has made on our fiscal policies. I have always agreed with the gentleman on everything he has said about the budget.

The 16th District of Ohio can take great pride in the magnificent job Frank Bow is doing for them. Hard-pressed taxpayers across the Nation can look with gratitude on a man who works tirelessly in their behalf and in behalf of the fiscal integrity of our country. What the Congress needs is more Frank Bows.

I wish to associate myself completely with my colleague's excellent accounting of the need for a decrease in Federal spending. He will continue to have my support and encouragement. And I again wish to record my complete opposition to any increase in taxes, an opposition I expressed when a tax increase was suggested some time ago.

Quite unintentionally the President gave an apt summary of his administration's fiscal irresponsibility last week in his tax message, when he said, "Tax . . . borrow, none of it is pleasant."

It is a fitting description for the way he is running our budget.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. BOW. I yield to the gentleman from Iowa.

Mr. GROSS. Mr. Speaker, I, too, want to commend the gentleman for his statement, and also for the work he has done in an attempt to restore fiscal sanity to the operation of this Government.

I do not suppose I need tell the gentleman that the House Foreign Affairs Committee—and I regret some of the members thereof are not in the Chamber to hear the gentleman this afternoon—passed out a foreign aid bill last week which is approximately $300 to $400 million higher than the figure arrived at by the other body. The other body has not yet completed its markup on its foreign aid bill. There is word they may reduce it even more.

I mention this to the gentleman in view of the fact that the bill will apparently be before the House during the week of August 21. It would be my hope that with the help of the gentleman, and other Members of the House, we can take from the other body the distinction of being the economical body of the two Houses.

In other words, we in the House can slice several hundred million dollars more off the foreign aid bill.

Mr. BOW. I hope the gentleman is right, and that when we get through in the House we can clip that bill considerably. I certainly hope that when it goes to the Appropriations Committee it can get a further going over.

I had a report the other day, just to show what happens on this sort of thing, that somebody was sent over to London, England, to learn how to play the kettledrums. This is just one item of the ridiculous.

I suppose that the New York Philharmonic, or the great Philadelphia orchestra, or our own in Cleveland, or many others, does not have someone to teach someone else how to play the kettledrums, so they have to send him to England.

This is a small amount, but it is the small amounts of these ridiculous things that cause me to wonder how long the taxpayers of America, the fellows who work by the sweat of their brows, are going to have to contribute to pay for someone to go to London to play the kettledrums.

Mr. Speaker, we have been talking here about billions of dollars, about the $143 billion in the 1968 budget. I wonder how many of us know exactly how much a billion dollars is?

My colleague and associate on the Appropriations Committee, the gentleman from North Carolina [Mr. JONAS] has an explanation that I think is one of the best and which I think can be readily understood. If a man should give his wife $1 million and tell her to go out and spend $1,000 a day, in 3 years she would be back for more money. However, if he could give her $1 billion and tell her to spend $1,000 a day, he would not see her again for 3,000 years. This is the difference between $1 million and $1 billion. Multiply that 3,000 years by 143 and you will see how long it would take to pay off that kind of spending even if we were able to pay $1,000 a day on the national debt.

Mr. Speaker, I urge all Americans to make known their feelings on the question of fiscal responsibility.

Mr. MILLER of Ohio. Mr. Speaker, will the gentleman yield?

Mr. BOW. I yield to the gentleman from Ohio.

Mr. MILLER of Ohio. I should like to associate myself with the remarks made by the gentleman from Ohio.

Mr. BOW. I thank the gentleman.

MANAGING DIRECTOR FOR THE DISTRICT OF COLUMBIA GOVERNMENT

Mr. MYERS. Mr. Speaker, I ask unanimous consent that the gentleman from Minnesota [Mr. NELSEN] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Indiana?

There was no objection.

Mr. NELSEN. Mr. Speaker, your District Committee has reported favorably H.R. 12065, a bill aimed at making certain perfecting improvements in the present District of Columbia government. But first, one must always bear in mind that the District government is the creature of Congress and purposely designed to be responsive to the Congress for valid constitutional and practical reasons. It is not a geegaw to be manipulated or hamstrung by the White House.

The committee bill is a vast improvement over the President's reorganization plan and I urge my colleagues to support it and reject the President's plan.

Briefly, the committee bill sharpens the decisionmaking powers of the present Commission government; additionally it creates a City Manager. Also the bill allows the District citizenry to elect their own School Board. And, there are many other positive features.

Incredibly, so much false propaganda, misinformation, and half-truths surround this issue so that our colleagues will find it difficult to obtain a balanced viewpoint.

First, I must say categorically that your District Committee hearings failed to produce one shred of hard evidence that the Board of Commissioners should be replaced by the President's proposal of one single Commissioner and a nine-member, part-time Council—all appointed by the President. On the contrary, our hearings have indicated that the present Commission government has worked efficiently, responsively, and devoid of corruption and graft. On the other hand, can we say that honesty and efficiency have been the hallmark of many of our other large city governments?

At this time I would like to dwell in large part on the role of the City Manager which the committee bill establishes. Currently, each member of the Board has day-to-day supervisory responsibility over certain District departments and agencies. For instance one Commissioner has supervisory responsibility for the Police, Fire, Civil Defense, and Recorder of Deeds Departments. Likewise, his two fellow Commissioners supervise certain other agencies. However, the entire Board meets as a unit to decide policy relating to the entire District government. Proposing improvements, former District Commissioners have testified before your committee that, by and large, this dual role has worked very well. But some have felt that supervisory and other functions might well be delegated to a Managing Director or City Manager so that the Commissioners could be free to devote more time to their vital policymaking role.

Our bill, H.R. 12065, unburdens the Commissioners of many of their nonpolicymaking activities and places those activities in the hands of a newly created Managing Director who would perform those activities subject to the general policies of the Board.

We envision that the Managing Director would necessarily be highly skilled in administrative management. He would assume responsibility for the day-to-day management of the entire executive establishment. He would be the chief administrator responsible to the Board of Commissioners. He would carry out the policy established by the Board. Subject to established policy of the Board, he would prepare comprehensive budgets; direct, control, and coordinate program planning and development, and coordinate and evaluate program execution.

Mr. Speaker, the establishment of a Managing Director would, in my opinion, be a sharp step forward in making the District government more efficient and viable. I see little in the President's plan that would accomplish this objective.

As if anticipating our thoughts, in July the Committee on Economic Development in its praiseworthy recommendations for moderning State government forcefully advocated the creation of just such a Manager to assist the executive. H.R. 12065, our alternative to the President's plan, would do just that.

The President's plan divides the powers of the present three-man Board between two separate entities—a single Commissioner and a nine-man Board. Both would be so weighted down with clumsy and cumbersome operating machinery as to stultify the responsiveness of the District government. Efficiency would be the first victim.

NEW PANAMA TREATIES WOULD ABROGATE U.S. SOVEREIGNTY

Mr. MYERS. Mr. Speaker, I ask unanimous consent that the gentleman from Minnesota [Mr. NELSEN] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Indiana?

There was no objection.

Mr. NELSEN. Mr. Speaker, I am today

introducing a congressional resolution which urges that the U.S. Government maintain and protect its sovereign rights and jurisdiction over the Panama Canal. It serves congressional notice that the Government should in no way forfeit, cede, negotiate, or transfer any of these rights to any other nation or international organization.

This legislation is prompted by the Johnson administration's proposed three new treaties with Panama. One would abrogate the original U.S. agreement with Panama, the Hay-Bunau-Varilla Treaty of 1903, which guarantees U.S. sovereignty in the Canal Zone in perpetuity. It would explicitly recognize Panamanian sovereignty in a new "canal area" to be substantially reduced in size. The others call for changes in defense arrangements and provide conditions under which another sea-level canal could be built.

It is my firm opinion that forfeiting control of the Panama Canal with Castro offshore stirring hemispheric revolution is like planting a landmine underneath our own house. The effect of these new treaties would be to jeopardize the security, not only of the United States, but of the entire Western Hemisphere. The Panama Canal is a vital world waterway and 70 percent of its traffic originates or terminates in U.S. ports. It must remain in responsible hands, as the Suez Canal crisis so clearly demonstrates.

It seems inconceivable to me that the United States would risk the loss of a $5 billion investment hacked out of a virtually uninhabitable jungle by an earlier generation of Americans to appease a group of leftist-leaning Panamanian politicians. This canal, built and paid for by Americans at great physical cost and hardship, has ever since served to enrich the people and economy of Panama, to assist world shipping and to increase world commerce.

I would like to refer to an article in the July 15 issue of the Chicago Tribune by Chesly Manly of the Chicago Tribune Press Service. It says in part:

> Many American military and civilian authorities in both Panama and Washington regard the new defense treaty as hopelessly inadequate for the protection of the canal. They fear that in this age of nuclear weapons and blitzkrieg conventional warfare, such as Israel's spectacular defeat of the Arab countries in three days, the canal might be overrun or destroyed before the United States could obtain permission from a communist-infiltrated government of Panama to protect it.

The article makes the point that the new treaties recognizing Panamanian sovereignty would be an outright invitation to nationalize the canal, something many nationalists and Communist-oriented groups in Panama are already demanding. Should the canal be nationalized, Panamanians could adopt new laws forcing the United States either to withdrawn or defend it in the face of "intervention" charges throughout Latin America.

It should be remembered that the Communists have been trying ever since 1917 to overthrow U.S. control of the Panama Canal. We must not permit their aim to succeed through our own foolishness.

THAT'S WHERE OUR MONEY GOES

Mr. MYERS. Mr. Speaker, I ask unanimous consent that the gentleman from Ohio [Mr. ASHBROOK] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Indiana?

There was no objection.

Mr. ASHBROOK. Mr. Speaker, an article in today's Columbus Citizen Journal well portrays the difficulty that most of us have in supporting foreign aid. It is our global handouts that make it possible for tyrants like Kwame Nkrumah to buy a custom-made limousine which the Ghana Embassy now offers for sale for a scant $47,275.

While President Johnson asks American taxpayers to shell out even more in tax dollars, many of the recipients of our largesse are living it up. That is where our money goes.

The article follows:

NEED A SECOND CAR? HERE'S A FINE ONE

WASHINGTON.—Looking for an "excitingly different" second car?

The Ghana Embassy is trying to get rid of a $47,275 limousine that was custom-made for Ghana's deposed president, Kwame Nkrumah.

Now gathering dust in a public garage near the embassy, it is equipped with air conditioning, an AM-FM radio, television set, bar, refrigerator, writing desk, dictating machine, bulletproof glass, a hidden gun compartment, retractable steps for bodyguards and a back-seat telephone for communicating with the driver.

Nkrumah ordered the car in 1965 from Hess & Eisenherdt of Cincinnati, which makes limousines for U.S. presidents.

REMOVAL OF RAILWAY PASSENGER AND MAIL SERVICE

Mr. MYERS. Mr. Speaker, I ask unanimous consent that the gentleman from Minnesota [Mr. LANGEN] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Indiana?

There was no objection.

Mr. LANGEN. Mr. Speaker, I wish to call to the attention of the House a problem which is affecting thousands of our small towns and cities in rural America. The action of which I speak is the increasing and significant discontinuation of passenger service and mail service by train in many areas of our country.

Because of hardships being experienced by these communities, I am today introducing a concurrent resolution, expressing the sense of the Congress that the Interstate Commerce Commission should declare a moratorium on the discontinuation of railroad passenger service and that the Post Office Department declare a moratorium on the cancellation of railway mail contracts, pending the results of a study authorized by the resolution.

This situation cannot be evaluated only in terms of the needs of the railroads and Post Office Department, but the economic impact to many other phases of rural life should be taken into consideration.

As further facts pertinent to this request for a study, I wish to submit as the balance of my statement, a letter from the Minnesota Public Service Commission, which sets forth explicitly and in a most convincing manner the effects the elimination of this service has had and would continue to have, as well as an urgent appeal for an investigation.

MINNESOTA RAILROAD &
WAREHOUSE COMMISSION,
St. Paul, July 14, 1967.

Hon. ODIN LANGEN,
House Office Building,
Washington, D.C.

DEAR CONGRESSMAN LANGEN: The Minnesota Public Service Commission (formerly identified as the Minnesota Railroad and Warehouse Commission) at an official meeting decided to send a communication to all members of the Minnesota Congressional delegation urging them to request a thorough and comprehensive investigation of the Post Office Department as it pertains to their policy in removing mail from passenger trains operating throughout the United States. Our interest, however, is principally concerned with their current proposal to eliminate mail service from passenger trains serving our area.

The regional directors of the Post Office Department in Minneapolis and Seattle are in the process of developing plans and schedules to eliminate mail service from the following trains:

The Milwaukee Railroad: Trains, 58, 4, 5, and 6 operating between Chicago and Minneapolis; trains 56 and 1 operating between LaCrosse, Wisconsin and St. Paul.

Burlington Railroad: trains 24, 25, 47, and 48 operating between Chicago and Savanna, Illinois and Minneapolis.

Northern Pacific Railroad: trains 1 and 2 operating between Minneapolis and Spokane, Washington; trains 25 and 26 operating between Dickinson, North Dakota and Spokane, Washington; trains 3 and 4 operating between St. Paul and Jamestown, North Dakota; and trains 11 and 12 operating between International Falls and St. Paul.

Great Northern Railroad: trains 27 and 28/14 operating between St. Paul and Spokane; and trains 31 and 32 operating between Williston, North Dakota and Spokane, Washington.

Spokane, Pasco and Portland Railroad: trains 1 and 2 operating between Spokane and Portland.

The many years of experience that our Commission has had in dealing with the Post Office Department causes us to come to the conclusion that they establish policies that may be beneficial to the Post Office Department but are entirely contrary to the public's fundamental interest as it pertains to the overall effect it has on the economy of our area and the other areas involved.

A limited amount of passenger service must be maintained in the public's interest, and a federal agency, such as the Post Office Department, should not, as a result of curtailing the use of trains in transporting mail, force the railroad industry to abandon the passenger service.

The highways, at present, are over-encumbered, and when the Post Office Department transfers the transportation of mail from the rails to the highways, they are aggravating this situation and ignoring the fact that the effect of their policy is decidedly negative in comparison with the modest savings that may result.

The Post Office Department should be required to correlate and coordinate their policies so that they cooperate in the interest of the entire economy and of the public rather than in the effect it has on the Department's financial status.

Because of the few remaining passenger trains operating throughout the United States and because of the substantial curtailment in passenger service that has occurred in recent years between the Twin Cities, Chicago, and the West Coast, it is apparent that if America is to have a limited passenger train service, special consideration should be given to the degree to which the Post Office Department cooperates in the public interest in retaining the mail contracts with the railroads on the few trains that still operate to serve the public.

As a result of an investigation, it might prove to be in accordance with the public interest to require the Post Office Department to continue its mail contracts with the railroads, particularly when it concerns the last passenger train serving an area.

We realize that the use of air travel, private cars, and passenger buses has reduced substantially the extent to which the public uses the passenger trains, but the skeleton of passenger train service that is still characteristic of the area between Chicago, Minneapolis-St. Paul, and the West Coast should be continued and not be jeopardized by the Post Office Department's policy of eliminating mail contracts from these trains.

Our Commission would appreciate if you would give this matter thorough consideration and concur in our recommendation that an investigation be made of this phase of the Post Office Department's operation.

Respectfully,

PAUL A. RASMUSSEN,
Chairman.
RONALD L. ANDERSON,
Commissioner.
P. KENNETH PETERSON,
Commissioner.

THE FARM BUREAU

Mr. MYERS. Mr. Speaker, I ask unanimous consent that the gentleman from Iowa [Mr. SCHWENGEL] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Indiana?

There was no objection.

Mr. SCHWENGEL. Mr. Speaker, recently a major farm organization, the Farm Bureau, has come under attack. In my opinion the charges which have been made are unfair, unfortunate, and untrue.

I represent the First District of Iowa. It is one of the leading agricultural districts in this country. I was born on an Iowa farm. I have known farmers in Iowa and especially those in the First Congressional District for 30 years. The Farm Bureau, the Grange, Farmers Union, and NFO have members in the First District. While I have been in Congress, leaders from all of these organizations have contacted me. I see them often, listen to them, and counsel with them. I know them to be sincere, able, and hardworking farmers. If any of these organizations were subjected to a bitter, hostile, and unfair attack, I would rise in their defense.

My father, a farmer, was one of the original Farm Bureau members in Franklin County in Iowa. He recognized the importance and necessity of farm organizations. The overwhelming number of Farm Bureau members today are farmers. Because part of the criticism which has been leveled at the Farm Bureau concerns its nonfarm members, I would like to talk about this charge.

I have been a Farm Bureau member, although not a farmer. However, I have had a very direct interest in farming because of the part I have had to play in managing farms belonging to members of my family. This kind of experience is repeated over and over again. In my district, for instance, many retired farmers who still own land, manage farms or still have an active farming interest. They not only have a natural right but should be encouraged to remain actively interested and maintain their membership in the Farm Bureau. There are many retired doctors, lawyers, and businessmen who maintain their membership in their professional organizations. They are not and have not been criticized for maintaining membership in these organizations. To attack the Farm Bureau because 100 percent of its members do not live on farms is irrelevant and most unfair. The accompanying charge that the Farm Bureau cannot speak as a farm organization is simply not true in Iowa nor do I believe that it is true nationwide.

When the Farm Bureau solicits the viewpoints of its members, as it does on public affairs, it does a better job reflecting those views than most organizations I know. It sends out questionnaires to its members, its country organizations, through its committees and members, make recommendations to the State convention. Then recommendations are sent on to the national convention where a policy committee, representing a diverse cross section of American farmers, hammers out final policy statements.

Mr. Speaker, it is my experience that the Farm Bureau does represent the farmers who are its members. I have not always agreed with Farm Bureau positions. Both here in Congress and in the State legislature, I have opposed the Farm Bureau on issues such as reapportionment and others. But I have always respected the viewpoint of the Farm Bureau. I believe that their motivation is honorable and well-intentioned.

In Iowa, for instance, the Farm Bureau has been a strong supporter of every level of education. When I was chairman of the Schools and Textbooks Committee of the Iowa House of Representatives, the first State aid to education bill was adopted. The Farm Bureau gave important and much needed support to this legislation. The Farm Bureau has continued to work for good education in Iowa. They have cooperated in the multitude of efforts and programs which have benefited all farmers such as the crop program, national farm institutes, conservation field day, national plowing matches, and farm progress exhibits. Members of the Farm Bureau have served on many State committees and commissions and have made valuable contributions to their work.

Farm and highway safety programs in Iowa have existed through Farm Bureau leadership and support.

This is only part of the record. More could be said.

The Farm Bureau, through its program and the activities of its members, have made many positive contributions which have benefited the farmer. The work of other farm organizations has been similarly outstanding.

Because the issue of insurance companies has been injected into the debate regarding the Farm Bureau, I, as an insurance man, would like to discuss this aspect as well.

When I sold life insurance in Iowa, I competed with the Farm Bureau. Their agents were reputable people who had no unfair advantages. They are subject to the same regulations, the same rules and laws, and pay the same taxes that all other companies pay.

When in the Iowa Legislature I also served on the insurance committee and I know from my experience there that no special treatment has been given insurance companies affiliated with the Farm Bureau. They must and do observe the same rules everyone else does.

Mr. Speaker, under these circumstances I find it hard to understand the rationale for the attack on the Farm Bureau because of its insurance companies. There are many comparable groups who have their own insurance companies. They have as much right to provide services and insurance for their own members as any other organization.

There is no injustice here. Overall, the record of all farm organizations, including the Farm Bureau, has been good. The unfair charges and the distortion of the records which have taken place should not be allowed to stand unchallenged and I challenge any and all who seek to bring them into disrepute.

LIBERALIZING FOREIGN TRADE: ANOTHER SIDE OF THE DIALOG

Mr. MYERS. Mr. Speaker, I ask unanimous consent that the gentleman from Missouri [Mr. CURTIS] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Indiana?

There was no objection.

Mr. CURTIS. Mr. Speaker, one of the ablest proponents of Government regulation over international trade during recent years has been O. R. Strackbein, chairman of the Nationwide Committee on Import-Export Policy.

I have found him to be honest, forthright, and a student in the presentation of his views which are shared by many American businessmen, labor leaders, and economists. These are important views well worth listening to. I think it is a tragedy that people on the other side of the debate who today dominate our universities, the news media, the Federal governmental bureaucracy, the leadership of our large financial institutions, and many of our great corporations, instead of forthrightly debating the points at issue in public, tend to ignore the points being made and forcefully seek to deprive their opponents of an equal forum with equal time to bring the general public into the dialog.

Mr. Strackbein prepared an excellent

paper for the recent hearings held by the Joint Economic Committee Subcommittee on Foreign Economic Policy on the Kennedy round and the future of international trade. Regrettably the schedule had been set and Mr. Strackbein was not permitted to give this paper where he could have expounded further upon his points and be subjected to cross examination. The paper will become part of the published hearings, however.

I thought the hearings of the subcommittee and the witnesses who did appear to present papers were excellent but I must say that the exercise lacked balance. Those who disagree with our present trade policies are too readily dismissed as "protectionists," as if there was something sinful about trying to protect American industry and jobs. They are treated as if they were "isolationists," as if they had no concept that the United States was vitally affected by the economies of other societies.

Now I say all of this as one who thinks that the Kennedy round was a successful step forward for the United States and that the GATT so often criticized—and I think unfairly and ignorantly by some of the protectionists—is basically sound and indeed the basis upon which expanded fair and reciprocal trade between nations can be furthered. I say this as one, however, who agrees with the basic thesis in Strackbein's paper that the ideal of free trade is impractical in a world which adheres all too little to the basic principles necessary for a free competitive marketplace to exist as the mechanism for people and nations to make economic decisions.

My point of disagreement with Mr. Strackbein and strangely enough with many of the self-styled free traders of the day is this. Whoever maintained that the test of an ideal is whether it can be attained immediately? Once an ideal is attained it becomes a platitude and so loses its forceful function; namely, a guiding star to set our daily courses for long-range action. I would digress to say, however, to a generation that seeks to dismiss those ideals which have become paltitudes—namely, a part of commonsense—if they are lost they will again become ideals which men will hunger after and seek again. If we were about to attain the ideal of free trade, based as Mr. Strackbein rightly points out on a fair and truly competitive world marketplace, from which regrettably we are generations away, then we should be in the immediate business of setting forth other ideals to provide the fix for a new course of action. Now this is so unless someone wishes to challenge the ideal of free trade—and of the competitive marketplace. No ideal should ever be a dogma; ideals and platitudes should always be theories requiring proof and testing as and if they are challenged.

Because Mr. Strackbein is correct in saying that free trade is impractical in the world today our decision should not be to abandon it as a goal; our decision should be how to cope with the problems of an imperfect economic world and at the same time move toward the goal. I think this can be done through an emphasis on fair trade—reciprocal trade. If we can move towards international agreement of what constitutes fair and reciprocal rules for the international marketplace then we are moving toward free trade, but at the same time taking account of economic differences resulting from failures to establish such rules or abide by them.

I have argued that before one subsidizes an industry to equalize the subsidization of the government in the other society one first should seek to persuade the other government to eliminate or minimize its subsidy. If this is unsuccessful, then at least the equalizing subsidy imposed, or other way of compensating for the economic differential, is understood and the basis for its future removal is likewise understood.

It is ironic that Mr. Strackbein's conclusion that we should move to market sharing—the shares to be decided through the political process rather than through the economic process of the marketplace—is the same conclusion of Mr. Ball and others who state they are for liberalized international trade. I am afraid that under the guise of freetraders Fabian socialists and promoters of economic oligarchism have been simply attacking the relatively liberal system of tariff regulation of international trade so they can replace it with a much more restrictive system of market sharing where the governments of the societies will make the decisions in conjunction with the economic oligarchs—a form of neomercantilism. I think we have forgotten that Adam Smith and his disciples were to a large degree fighting against state trading—in those days often the king himself, who was the government and the investor. What they described as laissez faire was a system which eliminated government investment and trading and substituted in its stead a competitive private marketplace—a marketplace over which the government had to have a deep and abiding concern not to engage in it directly but to keep the weights and measures used in it fair and honest—to be certain that it was not caveat emptor, but rather that the seller had to be honest with the buyer. This is an entirely different concept of laissez faire from that which the Fabian socialists would have the people believe is advocated by those who promote the marketplace theory for economic decisionmaking. Government has the important role aside from establishing and enforcing fair trading methods and establishing and maintaining a system of honest "weights and measures" of keeping the market competitive through antitrust laws and regulation of natural monopolies.

Perhaps it is the dominance of the Fabian socialists in the movement which is billed as free trade which has deprived the protectionist of an equal forum in presenting his case and has unfairly cast doubt on his motives and his intelligence. The Fabian socialist of today seems to want open and honest discussion only of those things he thinks he can win by debate or when he has been deprived of the use of certain public forums to advance his own views; otherwise he is content to win his points by silencing his opponents through shutting off the amplification system.

But at any rate here is Mr. Strackbein's presentation of our failure to be very far along in establishing the marketplace system for economic decisionmaking. I would argue briefly with him: If we are to measure the shortfalls of the marketplace—and I believe we must if we are to be practical, fair, and kept on the proper course—let us do it after objective discussion and debate of what the shortfalls really are and then let us use the tariff as least offensive to the marketplace and not market sharing or any other device designed to get political or civil service appointees more into the business of making these economic decisions.

The statement referred to follows:

STATEMENT OF O. R. STRACKBEIN, CHAIRMAN, THE NATIONWIDE COMMITTEE ON IMPORT-EXPORT POLICY, BEFORE JOINT ECONOMIC COMMITTEE, SUBCOMMITTEE ON FOREIGN ECONOMIC POLICY, JULY 27, 1967

After 33 years of the trade policy that culminated in the so-called Kennedy Round on June 30, 1967, a stage has been reached in which an assessment of the results achieved should be possible, including any fall-out of an injurious character that may have occurred.

From a review of the results of three decades of tariff reduction certain conclusions may be reached on the possible modification of existing policy to adapt it to the present-day realities of the foreign-trade position of this country.

OBJECTIVE OF THE TRADE PROGRAM

It was the intent of the trade program to reduce tariffs and other trade barriers throughout the world. The purpose, as it evolved, was to free trade of restrictions so that global commerce might expand and thus lead to great economic benefits and to world peace. The benefit to the United States would come in some beneficent round-about way from the assured blessings bespoken of free trade by Adam Smith.

First, however, a little history.

Adam Smith, together with later British economists, notably John Stuart Mill and David Ricardo, no less than the philosopher Herbert Spencer, were staunch laissez-faire (free-market) political economists. They believed that the free market under competition would give the best economic return over all alternatives. Therefore economic forces should be left alone, with the least possible interference from the government. That was the laissez-faire philosophy.

It is not surprising then that there was a long period of time when the tariff was regarded by the laissez-faire economists in general as a black beast that despoiled the fair fields and meadows upon which grazed the gentle herds to which we looked for meat, wool, milk and weal. It was the tariff that stood in the way of the free market in which all interaction of supply, demand and prices would work itself out to the greatest benefit of all.

American economists imbibed freely of this philosophy and it was meted out to students of economics through college textbooks and lectures throughout the land, decade after decade.

Even as this country was moving toward unquestioned world industrial leadership under the tariff system, the tariff was pictured as the unredeemed enemy of all that was economically good and sensible in the eyes of the classical economists. It interfered with the free flow of commerce. Then came the opportunity this school of thought had long been waiting for.

The occasion arose in the 1930 decade when the Great Depression made it possible to give the tariff its due. We had fallen with a crash into the deepest depression of our history and we very badly needed a scapegoat in addition to Herbert Hoover.

When the American public was brought to epidemic hatred by our national economic frustration in the form of the Depression, the majority of the people fell victim to a feeling of vengeance that was far more understandable than rational. They hated with equal fervor all that moved on the landscape that had the misfortune of having any association with the great debacle. As a result a wholly improbable linkage was formed for purposes of venting our implacable fury. Laissez-faire economics, that unrelenting enemy of the tariff, found itself blindly and unaccountably blanketed with the tariff under the smothering folds of a lethal anathema. Mill and Spencer were read out of polite economic society hand-in-hand with the tariff! They were equally tattooed with the spots of smallpox and driven to cover, to cower with their equally condemned arch enemy, the protective tariff. Of such gargantuan illogic and contradiction is public policy sometimes wrought!

We wanted no more laissez faire! Our economy was to be controlled, not left alone. It was to be fettered, not set free; all, that is, but foreign trade. While all else was to come under control and regulation, trade was to be freed! All laissez-faire economics was condemned except as it applied to free trade.

This strangely contradictory phenomenon, born of the hatred and hostility arising from the Depression, has not yet fully run its course. Never in the course of our history have so many aspects of the American economy been brought under governmental control and regulation as during the past three decades. Yet our foreign trade, which was under a variable measure of control in the form of the tariff, a simple instrument compared with those employed by many other countries, was to be stripped of virtually all such controls. While the country was moving almost single-mindedly into a regime of highly regulated economy, we were bent on moving in the opposite direction in the field of trade.

FREE TRADE IN A NONEXISTENT FREE MARKET

This insistence, illogical as it was, reflected the mixture of high emotion with cerebration, a not uncommon phenomenon in the human species. It created a sequel that continues to bedevil thought on foreign trade and the policies that should guide it.

Somehow the blessings of Adam Smith's free market forces were to be enjoyed even though nearly all the assumptions on which he based his economic philosophy were swept away. In the reaction against laissez-faire economics, this country adopted numerous measures that made the free market of Adam Smith's devotion a relic of the past. We moved massively toward a managed economy, which is to say away from laissez faire. Among measures adopted during the Depression were the legalization and fostering of trade and labor unions, and the guaranty of obligatory collective bargaining; the establishment of minimum wages—a measure that no doubt spun the remains of British economist Ricardo around on its axis; the institution of social security, which, again, represented overt interference with free market forces; limitation of the work week, provision of unemployment compensation, and more recently, medical care. Other controls and regulations, extending to monetary matters, banking, stock market transactions, competition, and taxation as an instrument of national management, filled out the full array of interferences with the free market.

Yet, while Adam Smith's assumption of virtually uninhibited operation of free market forces has been swept away, the latter-day economists of the free-trade persuasion insist on judging the factors affecting and guiding foreign trade as if we were still in Adam Smith's world. While that world is far gone and beyond recall, not only in this country, but in all other parts of the world, it is resurrected and reinstated in all its glory when foreign trade theory is up for consideration and discussion. We are asked to judge trade policy as if the policy would be applied not in the modern world but in a vanished world. The latter is invoked because on the stage of modern economic reality, the quaint costumes of buckled shoes and knee breeches that went with laissez faire would seem awkward and out of place.

The make-believe maneuver, for example, makes it possible to maintain that low wages do not confer an abiding competitive advantage in a country in which they prevail over other countries in which wages are higher. The modern free-trade crusader will insist that costs will find an international equilibrium after the manner of Adam Smith's prescription. Any competitive advantage taking its cue from lower wages in one country will soon vanish, according to this view, because of the interplay of the international market forces of competition. Therefore a high-wage country, such as the United States, will have no cause to worry about low-wage competition from abroad.

By the same token the law of comparative advantage, which of course is the holy water of free-trade theory, can continue to be treated as the dominant element in the real world.

These mental gymnastics are made possible by recourse, in addition to the maneuver just described, to the universal crutch upon which economic theory leans. This is the phrase that curls the economists' lips into a smile of untouchable triumph: "Other things being equal". By use of this ever-handy crutch they seek to vault themselves onto the solid ground of physical science; but stand on the quicksand of other things being equal even as they utter the magic phrase. Economics is not a science such as we know in the physical world. "Other things being equal" represents an effort to test the behavior of variables, as in the physical sciences, while a controlled element is held constant, i.e., nailed down *physically*, so to speak. By *mentally* holding other things to be equal it is thought that the economic behavior of the variable can be tested.

Unfortunately for the economist, the mental device is no substitute for the physical. Other things are seldom equal; they do not usually stand still or cannot be clamped down securely. When they do stand still they are nevertheless influenced by what comes into the human mind and this may be no one knows what. "Other things being equal", again, does not stay hitched because of external pressures, such as a thousand legislative enactments, administrative decisions and regulatory measures. These are a continuing and unending stream of interferences with the free market. Then there is in private enterprise a multitude of scientific and technological innovations, inventions and discoveries that scatters the seed of obsolescence over industry far and wide, to sprout and take root today and tomorrow as they did yesterday and the day before. Thus economic enterprise is subjected not only to governmental influences through controls and regulation but also to the planning processes of private enterprise. These two may, moreover, be in conflict and thus distort one another. Then no clear reading of any kind is possible.

The beauty of the law of comparative advantage, which holds that a country's productive resources should be devoted to the pursuits for which it is best fitted by soil, climate, mineral resources, etc., is evicted from its ancient haunts and scattered to the breeze. It can no longer find a permanent domicile. A managed and planned technological economy does not pay it much heed. Its value as a measurable influence among the great complexities of costs in a changing melange of products, is lost, even in the computatorial world. Managerial decisions are reached without formal reading of the comparative advantage scale.

Even the frequent and unscheduled outbreak of devaluation of currency in one or another country soon makes a shambles of advantages that have found a temporary roost. Such devaluations are, of course, interferences with the free market; but that is precisely the point.

There is hardly an economic area in which one or another interference with the natural play of economic law does not occur every day to upset and produce a disarray in exactly the attendant circumstances that the economist tries to hold in status quo for his readings.

In view of the proliferation of governmental controls and regulations, to the extent that they have become a way of life, combined with the revolutionary changes wrought by technology and their need for control, it is singular indeed that our foreign trade should alone be stripped of control and regulation. In the ordinary course of events such an opposite course of treatment would be expected to cause disturbances and disruption. The uncontrolled element will be affected variously by the repercussion of the controls imposed on other elements. It will be buffeted this way and that; but if it is to be free of controls, it will be at the mercy of the other forces from many directions. This is not merely a mental aberration. Freeing of foreign trade from restrictions has indeed confronted many industries with the effects produced by controls and rigidities imposed on the economy as a whole, or on certain elements of the economy. Competitive capability has in many instances thus been severely compromised.

A few examples will be reviewed here.

THE AMERICAN ECONOMIC PLATEAU

American wage rates, for example, are by far the highest in the world, only Canada excepted. Canadian wages are not very far below the American.

The classical economic explanation would immediately point to two balancing or corrective factors: (1) the relatively high productivity of our industry and agriculture, and (2) the leveling process of international competition, as grounds for dismissing the likelihood of competitive disadvantage devolving on American industry by reason of the high wage; and there is some truth in the explanation offered if a simple situation is envisioned.

However, other factors than relative productivity have evaded the sentinels of the wary economists, and have infiltrated disruptively into the ranks of theoretical economic behavior. Forces that are not operative or have not been operative in other countries or not in the same degree as in this country have helped shape American wage levels, above and beyond differences in productivity, and have produced fixed costs that defy efforts to make competitive adjustment other than through the drastic one of the massive worker displacement. There has been and continues to be adequate insularity of national economies, at least those separated by oceans, to withstand the forces of international equilibration. Beside distance (which is of diminishing importance) time is also at work, no less than the effects of controls. The latter include private (corporate) controls as distinguished from the governmental, such as administered prices. In many instances these controls, both here and abroad, create an insularity that is impervious to the "benign" forces that work toward international equilibrium. The result is that competitive advantages and disadvantages of variable durability may exist among nations for periods of time long enough to weigh heavily on domestic industries competing with the foreign, and to interfere with their plans for possible expansion in the home market by stirring up uncertainty, presenting disturbing options, and producing discouragement.

The competitive elasticity envisioned by the followers of Adam Smith has, of course, been greatly reduced by rigidities that come from controls. In this country prices are no longer changed or held steady solely by free market forces—far from it. Other considerations of serious and even overriding moment may hold off the market influences. Industries, for example, are not free to reduce prices and wages merely to meet the market competition represented by low-priced imports and must take the consequences in loss of market, unless they are in a position to emulate the radical employment surgery of the coal industry, described later. This is because costs are highly rigid, particularly wages, which, as we shall see, represent the heaviest cost factor, just as they embody the major underpinning of consumer buying.

Differences in wage levels among different countries may persist long beyond the season prescribed by economic thought even when productivity differences are either narrowed or widened. This is because wage rate changes respond de facto to different causes in different countries and run their own course. The causes may be political, organizational (such as labor union power) or even traditional, and need not cross national boundaries.

Wages as the predominant element of cost are highly inelastic in this country as determinants of relative costs of goods. In flexing they are like the elbow, moving only in one direction. The only way by which labor costs may be reduced significantly is by labor displacement through labor-saving equipment, as already said; and this avenue also is open to other countries. Moreover, it reduces effective consumer demand.

That competitive advantages or disadvantages may linger despite the incantations of economists is easily demonstrated—even if specific reasons cannot be assigned.

EXAMPLE OF THE MERCHANT MARINE

A prime example is found in the American maritime industry, both with respect to shipbuilding and ship operation. The industry found itself totally unable to compete with its foreign counterparts during the post-World War II period.

It is presented here as a prime example of the persistence of a competitive disadvantage because both shipbuilding and ship operation represent clean instances of competitive impact, since neither is insulated against foreign competition by a tariff. This follows from the industry's performance of a service rather than offering a product or commodity that passes through the custom house. Also, the industry enjoys no insulation against foreign competition such as cushions other industries in the form of inland freight. The upshot is that the maritime industry is pitched competitively against its foreign counterparts in naked fashion. It is a clear case of one level of wages against another because productivity, while demonstrably higher here, is not so far above the foreign to distort relative costs unrecognizably.

The vastly predominant factor from which the American maritime industry's competitive disadvantage flows is unquestionably the wage differential. This is regularly measured by the Federal Government both here and abroad, to determine the margin of subsidization necessary to bridge the cost differential both in shipbuilding and ship operation. The differential is calculated from actual wage studies conducted under the provisions of the Merchant Marine Act of 1936. It falls into a magnitude of approximately 50% of our total costs. That is to say, our wage costs in both ship construction and ship operation are roughly double those of the foreign counterparts. This differential is made up by the subsidy which by law may run as high as 55% of our costs or a little above the total foreign costs.

That the ship-construction differential has not only persisted but has widened is supported by the Federal findings. It has indeed broadened about 10% in ten years. From an average of about 47% in 1957 it has moved to an average of approximateely 52.4% in 1967. Something different should have been expected if the economists' prescription were taken as the guide. The gap should have been closed or at least greatly narrowed in a movement toward equilibrium.

During this period Japan moved to the position of the world's leading shipbuilder. This fact might indeed have been expected to increase the differential because of the low Japanese wages. However, that country's wages increased annually more than twice as fast as the American (about 9% and 4% respectively). Yet in spite of this rapid upward movement of the Japanese wages the absolute differential in hourly wages between this country and Japan widened from about $2.12 in 1957 to $2.59 in 1964. In this fact lies a lesson that is often overlooked. A 5% wage increase in this country may be equal to one of 15% to 25% or higher in other parts of the world. Thus the gap in absolute pay may widen even when foreign wages rise more rapidly than here.

The result of the wide differential in cost, i.e., slightly over 50% today, or slightly over 100%, depending on which base is used, means that the American shipbuilder is already as heavily laden with cost when he has assembled at the shipyard all his materials, machinery and equipment that go into a ship as is the foreign shipbuilder when the latter has finished his ship. In other words, the American shipbuilder could compete only if he could put his ship together without hiring a single worker, because of the costs of materials. To date such a miraculous consummation has eluded the American industrial genius. On the same score, a ship operator of an American-built ship could not hope to compete because of his higher-cost ship unless he could sail it without a single crew member.

That cost differentials should be reflective of wage differentials when these are not compensated by productivity differentials, follows from the share of total cost of production accounted for by employee compensation. In this country in 1965 employee compensation was 80% of total corporate income. (Statistical Abstract of the United States, 1966, Table 459.)

However, that is not the point. This is that a 100% gap between domestic and foreign costs in an industry as similar as shipbuilding and ship operation has persisted without narrowing over a period of ten years.

The economist will point immediately to the U.S. subsidy as the cause, thus, perhaps unwittingly, proving the thesis of this paper, namely, that governmental controls and interferences prevent the natural economic laws from producing the results that otherwise might properly be expected of them.

We have only to observe that other policies, interferences and rigidities, likewise lying beyond the control of shipbuilders and operators, contributed their share to the competitive incapacity that made the subsidy necessary. For example, what was the cause of the high wage level in this country? It was the result of national economic policies, including labor policies, generally supported by heavy majorities of the electorate and therefore enacted by Congress—policies that were quite strictly American and did not go on statute books in foreign countries. Many of these statutes increased the costs of production in the United States and therefore generated competitive disadvantages of our industries *vis-a-vis* foreign producers, much as the disadvantage suffered by the maritime industry.

Perhaps the subsidy should have been refused to the maritime industry. Such would have been the prescription of the free-trade economists. However, that would have led to denudation of the seas of the American flagships. As it was, the subsidy was limited to a tonnage regarded as meeting the minimal national security needs and no more; and this limit marked the total tonnage of our flag fleet construction (ships built in American yards and employing American crews). This limit is very low. Our flag ships carry a little less than 6% of our total trade. To repeat, so great is the cost differential that our fleet would have been driven from the seas but for the subsidy.

Such economic expulsion would have been justified by free-trade policy on the grounds that our wages are too high in relation to our productivity in building and operating ships. The wages, however, are not out of line with those of similar domestic industries, but are kept at their high level by union power, supported by national legislation. They are therefore beyond the reach of the free market forces of Adam Smith.

That the wages are too high to make the American merchant marine competitive goes without saying; but they are a part of the American system, deeply entrenched in public policy. To make the wages competitive it would be necessary to adopt the lower wage standards of other countries or to displace a shockingly high number of workers by technology.

The American public is hardly aware that the bases of foreign competition may be drastically changed by the side effects of domestic legislative enactments on our industries. These enactments may have a justification of their own in the eyes of the electorate; and the side effect is then not only given no consideration but may be overlooked or regarded with a skeptical aloofness if it comes to public attention. The competitive incapacity or handicap imposed on industry may therefore not be recognized and industry may indeed even be blamed for inefficiency and slack management rather than being regarded as entitled to compensatory consideration. The public is so far removed from the forces released by legislative enactments for which it is responsible, and the effects are so indirect, that it is possible to disown the consequences or to be unaware of them.

The unenviable plight of our merchant marine as a victim of national legislative fall-out, illustrates two points worthy of attention. (1) The higher American costs would have destroyed our merchant marine if no compensating support had been granted. The market forces would have operated according to theory had they been given a free hand. As in a thousand other instances within the domestic economy this was not allowed. (2) The subsidy did prevent the competitive market forces from operating as far as the subsidy extended, but that was all. Beyond the limits of the subsidy no ships could be built or operated, showing clearly how far the market forces would have gone had there been no subsidy. Not one ton of American flag shipping could make its way competitively without subsidy. With cost burdens double those of competitors, the reason is clear enough.

THE COAL INDUSTRY

The experience of the coal industry illustrated a different aspect of competitive forces but the results so dramatically show the only effective means of materially reducing costs that the experience not only bears repeating; it should be trumpeted to all who have occasion to prescribe for our economy.

A few years after the close of World War II the coal industry fell on evil days. It was beset by relentless competitive forces from substitute fuels from both domestic and foreign sources. At the cost level of our coal production the industry was faced with destruction. Oil and gas and imported residual fuel oil were available at prices that were beyond the reach of the coal operators.

The coal industry found a way out without subsidization, an alternative that gives what should be an unforgettable lesson in the economics of cost-reduction. It saw the possibility of using mammoth and costly coal digging machinery and, not counting the cost in the jobs of coal miners, introduced mechanization as far as the technology permitted. American coal became competitive not only with oil and gas on the domestic scene but in foreign countries. It could undersell English and European mines in their home markets. England allowed no imports. West Germany imposed a restrictive import quota. However, that is another question.

The necessary reduction in the cost of coal was effected in the only way possible. The cost was paid in terms of miner-displacement, and it was excruciatingly high indeed. The number of coal miners was cut from 480,000 to 142,000 in about 15 years (1950–1965). This was a shrinkage of 340,000 jobs, or 70%! While the drastic steps thus taken saved the coal industry it gave to the nation the poverty and distress known as Appalachia. Such may be the cost of the efficiency that is constantly urged upon domestic industry by economists who are so blinded by the classical rules that reality fades from their grasp! We are much more productive than foreign miners but their wages may be so much lower than ours that in order to compete with them we must displace a large share of our work force. If we are twice as productive but their wages are only a third or a fourth or a fifth of ours, the remedy is obvious.

Theory holds that reduced costs will lead to greater consumption and that this in turn will lead to greater production and higher employment. It is, however, erroneous to conclude that reduced costs will always lead to a happily expanding consumption that will increase employment. It will not do so when the demand for the product is inelastic, for example. If costs are reduced at the expense of employment the displaced workers must then look elsewhere for employment. It also will not necessarily do so when costs are reduced in order to meet competition that has already invaded the market. As in the coal industry, the previous level of production may be recouped or nearly so; but as it was, the miners were not rehired. They went on the poverty and relief rolls for a long period, and the end is not yet.

Here again ancient theory broke on the rocks of reality. Import competition is often compared with the upset caused by mechanization, and should therefore be met in the same fashion; but the generalization overlooks too much. If the demand for the product is inelastic as in essential goods, of which there are many, the consumer demand will not expand in response to the lower-priced imports. What imports supply will then be subtracted from the sales of domestic producers. If the demand for the goods is elastic, demand will, of course, respond to the lower prices but imports may reap the benefit by capturing a rising share of the domestic market. The market does not wait for the domestic industry to adapt itself as it does when a technological innovation of a domestic company is covered by a patent. Thus the domestic industry often sees imports gain all or most of the effects of demand-elasticity.

Such is the price of economic efficiency! The productivity of the coal industry increased from 1159 tons per man-year in 1950 to 3697 tons in 1965, or more than threefold. This was reflected in the decimation of the work force related above.

The coal industry was in deep trouble because of the high wages of mine workers. Yet their hourly wages (average) were a little less than those paid in steel and rolling mills and in contract construction in 1963. (Survey of Current Business, U.S. Dept. of Com., December 1964, p. S–15.)

THE STEEL INDUSTRY

The American steel industry has in recent years become confronted with import competition that has absorbed about 11% of the total market.

Obviously the industry faces a problem not unlike that of coal. In recent years it has spent over $6 billion on new plant and equipment, devoted principally to modernization. Already in 1964 the output per man year had increased to 248 tons compared with 165 tons in 1950; but obviously this record fell far short of that of the coal industry. The latter exceeded steel fourfold in productivity increase and in displacement of workers.

The result in human terms was that while the coal industry sacrificed the jobs of 340,000 workers the steel industry displaced only 75,000 workers in 15 years.

The lesson is very clear. If steel is to make itself competitive with imports it must take much more drastic steps than it has taken hitherto. If it were to come on a par with coal it must separate some 200,000 more steel workers from its payroll. It could then reduce its cost of production about 10% and perhaps stand off imports. Whether the modern technology available to the steel industry will accomplish this feat is a question. Other countries are not backward in this field and are also increasing productivity. The steel workers might find themselves displaced and unemployed without gaining a competitive advantage for the industry.

This or some other order of gargantuan magnitude is the price exacted by the demand that the industry stand on its own competitive feet, to pull out of a situation into which it did not place itself. The steel workers have only to look across the Monongahela into West Virginia to read their own fortune if steel is to become competitive with imports or to get a lesson in laissez-faire economics as it tries to make its way midst the modern planned and controlled forces of the economy.

COMPETITIVE HANDICAPS OF OTHER AMERICAN INDUSTRIES

Not all other industries beside the two mentioned suffer the same disadvantages as the maritime industry, but the difference is a matter of degree. Some of them enjoy a material margin of tariff protection as an offset. Many of them enjoy additional insulation or protection from greater proximity to inland markets than imports, as already noted. Also, some enjoy a greater productivity lead than shipbuilding and ship operation over their foreign competitors, as a result of advantages from economies of scale. Mass production is not a characteristic of shipbuilding with the exception of some of the materials that are assembled into a ship.

Yet in spite of these differences all other industries are subject to the same general effects of the many legislative enactments that have increased costs of production. They were also subject to the same increase in costs that came from the War and cold war expenditures. They are therefore competitively disadvantaged compared with foreign producers no less so than the maritime industry, but some of them enjoy certain advantages from other sources (high productivity for example) that partially and in some instances wholly offset the disadvantages—at least temporarily.

However, what is important to this discussion is that competitive disadvantages not reflecting relative productive efficiency or deficiency may persist over the years between this country's producers and their foreign competitors. In terms of policy formulation it is also of the highest consideration that the disadvantages of the type here described originate from sources over which the industry has little or no control. They are imposed disadvantages, possibly for justifiable ulterior reasons. This point will not be argued here. The fact of the presence of imposed disadvantages concerns us as does the persistence of these disadvantages despite economic theories that in any case have had their teeth drawn.

DETERIORATION OF U.S. COMPETITIVE POSITION IN WORLD TRADE

There is adequate evidence that American industry on the whole is de facto in a weak competitive position, both in foreign markets and in this country under the challenge of imports, the official trade statistics showing an export surplus, notwithstanding. The outlook, further, is that this position is facing specific deterioration not only because of the forthcoming drastic tariff reductions but because of a narrowing of the productivity gap, while the wage differential persists.

The evidence already presented is more than adequate to demonstrate the undoubted influence of the high level of American wages on our import and export capabilities. The clear trends, again, ratify the durability and persistence of disparate competitive levels between this country and other countries.

We can readily conclude that this persistence is the result of the many deeply entrenched rigidities that have been introduced into our economic activities by numerous and most likely ineradicable enactments and developments not only in this country but also abroad. Whatever we have done or whatever the developments, the effects have almost universally replaced and usurped the functions of the free marketplace, on the operation of which our national trade policy is nostalgically based.

To continue to insist on treating international trade as operating under the benign guidance of free market forces, even if all tariffs were stripped down to zero, could only be explained as an intellectual tour de force; or as reflecting a failure to distinguish free competition from fettered or controlled competition. The latter is characteristic of much American international competition. Competition continues but the factors have been so modified that it bears little relation to free market activity. American producers are far from free.

In imports and exports, whatever the competitive variations from industry to industry and from one country to another, the realities come out in the wash, so to speak, theory to the contrary notwithstanding. Even State trading, which is not determined by free market forces, represents competition, and its effects will make themselves felt.

If differentials in cost determine in great part the relative rise or fall in imports and exports in this or that direction, as they do as a result of competition, even if the competition is contrived or artificial, we should look at the unit wage contents of the traded goods if we wish to find an explanation of trade trends—for the simple reason that, as we have seen, the labor going into the making of a product, from raw material, farm or mine, through the various stages of production account for some 75–80% of the total cost.

Manufactured products incorporate more steps of labor than do raw products. A manufactured product may go through a number of processes and fabrications in each of which additional labor is applied. A *raw* product goes through a minimum of steps, possibly only one or two exclusive of transportation. Semimanufactures fall into a halfway slot between raw products and finished manufactures.

From this recitation it would follow that a high-wage country would more easily dispose of its raw products in foreign markets than finished products because the raw material is not loaded with so many successive man-hours of high-cost labor. Finished goods would be less likely to enjoy a competitive advantage. Of course, they might still sell abroad if (1) foreign countries experienced shortages, (2) were not yet adequately equipped to produce particular goods competitively, or (3) especially if we should subsidize or give away these products. By that route we could continue to achieve handsome export surpluses without really trying—as indeed we have been doing.

On the other hand, the advantage would lie in the reverse direction with imports.

A high-cost country would find it more advantageous to buy finished products from lower-cost foreign countries precisely because these goods do incorporate successive stages of production. While it is advantageous to import raw materials from low-income countries the advantage broadens as still more of the cheap labor is incorporated in the product. This is the case with respect to finished goods or finished manufactures, as our Census Bureau classifies these products.

The importation of raw materials and crude foodstuffs would under the same circumstances offer a lesser incentive, simply because they contain the least amount of low-wage labor.

IMPORT TRENDS

If we now examine the import trends of these classes of products from 1961–66, which is the latest 5-year period and coincides with the biggest upsurge in imports since World War II, we will discover a remarkable correlation with the expected trend as just set forth.

From 1961 to 1966 imports of crude foodstuff increased from $1.60 billion to $2.12 billion, or 32.4%.

Crude material imports rose from $2.87 billion to $3.85 billion, or 34%.

Under our formula imports of semi-manufactures should have increased appreciably more because these products have had more low-cost labor applied to them. Imports increased from $3.38 billion in 1961 to $5.49 billion in 1966. This was an increase of 65.3%, or about twice as much as the increase in imports of raw materials and crude food products.

Our formula calls for the highest increase of all in the form of finished manufactures, since these goods incorporate the greatest amount of labor of all. Here we find imports rising from $6.68 billion in 1961 to $13.99 billion in 1966. This was an increase of 109.5%. This was over three times the increase registered in the importation of raw products, including foodstuffs, and nearly 70% higher than the rise in imports of semi-manufactures.

A small table will present the foregoing facts in handy form:

U.S. IMPORTS

[Dollar amounts in billions]

	1961	1966 [1]	Increase (percent)
Crude foodstuffs	$1.60	$2.12	32.4
Crude materials	2.87	3.85	33.9
Semimanufactures	3.38	5.59	65.3
Manufactured goods, including food	6.68	13.99	109.5

[1] 1966 imports are preliminary and unrevised and represent general imports.

These facts override whatever theories might be invoked to produce different results.

EXPORT TRENDS

If we turn to trends in exports we will find the same principle exemplified as in imports.

Exports of inedible raw materials, incorporating the least labor, expanded 67% from 1958–65, while exports of manufactured goods other than machinery rose only 45%.

Again carrying out the same principle, *imports* of inedible raw materials increased only 30%, compared with the *export* increase of 67%. There was less advantage in importing raw material because there was less saving. On the other hand, other countries bought more readily our raw materials precisely because these materials had the least amount of our high-cost labor expended on them.

In a different classification of exports and imports, published by the Department of Commerce, we find one grouping that is called "Other Manufactured Goods". This is exclusive of machinery and transport equipment.

Here we find further corroboration of what has already been said. These Other Manufactured Goods include such categories as Metals and Manufactures, Textiles Other Than Clothing and Textile Clothing, and a broad miscellany of other goods.

From 1958–65 exports of "Other Manufactured Goods" rose only 29.7%. Imports rose 125.1%.

The breakdown reveals some of the details. Exports of Metals and Manufactures rose only 31.9% compared with an import rise of 146.8%.

Textiles Other Than Clothing (meaning fabrics, cloth, etc.) had an export increase of 22.2% while imports rose 110.7%.

Textile clothing recorded an export increase of 52.1%, which was fairly brisk; but imports climbed 212.1%.

Surely these statistics which strongly corroborate those cited earlier can leave no reasonable doubt about the weak competitive position of this country. This is attributable almost exclusively to the higher labor costs. However, this is not said in derogation of our wage levels. We need high wages to absorb our unmatched volume of output of consumer goods. We cannot reduce labor costs without displacing workers; and total costs cannot be reduced in any meaningful sense without reducing labor costs, for the reasons already given.

FURTHER CORROBORATION OF COMPETITIVE WEAKNESS OF THE UNITED STATES

If we examine our exports and imports of finished products from 1957–65, we will be impressed with the further corroboration of the foregoing statistical findings. Exports of this class of goods increased only 29.6% while imports rose 151%. (U.S. Statistical Abstract, 1962, Table 1215, p. 880; Ibid., 1966, Table 1259, p. 874.) In other words, imports of the labor-saturated goods increased five times as rapidly as exports. This is what would be expected from the preceding analysis.

The Yearbook of the United Nations provides another source of information. It carries a table on trade in *manufactured goods.* U.S. exports of these products rose 21.8% from 1957–64 (latest available date). By contrast West German exports of the same class of goods rose 75%; the French, 92%; Italian, 209%; the Dutch, 113%; the Belgian, 87%; the Japanese, 169%. (U.N. Yearbook, 1965, Table 151–B, p. 418.) Total U.S. exports from 1957–64 rose distinctly less than half as rapidly as exports of the remainder of the world. This record, of course, reveals a substantial shrinkage in our share of world exports. The decline was most pronounced in manufactured goods. The record would be distinctly more sobering yet if exports of machinery and subsidized agricultural products were left out. Machinery exports have responded in lively fashion to our rising foreign investments and the preference of our foreign subsidiaries for U.S. machinery, with which they are familiar.

The foregoing record of our trade has not shredded the free-trade theory as such. What it has shattered beyond repair is the make-believe posture that we can with impunity walk toward free-trade principles in a world (1) in which vital free market forces have been prevented from asserting themselves and will continue to be so prevented; and (2) in which economic movement away from the laissez-faire norm in one country has taken the form of heavy cost burdens imposed on industry not matched by remotely equal burdens in competing countries. This is the situation in which United States industry finds itself.

CONCLUSION

Our tariff has been taken down under circumstances that make adaptation of American industry to the new low duty levels impossible without extreme pressure to follow the example of the coal industry, which is to say, to decimate the number of workers as a means of withstanding growing import competition. Yet we have become dependent on our high wages as the source of adequate consumer purchasing power to absorb our industrial, mineral and agricultural output. In many cases the technological capability that saved the coal industry will not be available. Then, alternately, or even concurrently, these industries must seek to escape dependence on their domestic business for recoupment of their competitive status by producing abroad at lower costs. Billions of dollars have already taken that flight.

Neither of the alternatives offers an acceptable solution to the pressures precipitated by the contradictory economics represented by our trade policy. In a world of economic controls, interferences and planning, one major element cannot be isolated and treated as if it were still in a laissez-faire world while nearly all else is controlled.

Inexorably if our industries are not to be inhumanly constrained to exile great portions of their work-force to the ash heaps of obsolete and unneeded humanity, a substitute for the tariff must be found and utilized.

MARKET SHARING

The concept of *market-sharing* with perhaps special concessions to the under-developed countries recommends itself as the most suitable and promising instrument as a substitute for the discarded tariff. It would make possible the restoration of a factorial balance that has been badly distorted by opposite treatment of one part of the economy compared with other parts. It would help bring under control a form of competition (imports) that is the result of a basically unfair and burdensome imposition on industry and that in turn falls with macabre effect on labor when industry seeks to do what it has to do in order to defend its position or to ward off extinction.

Percentage market-sharing would permit imports to grow with the domestic market without over-exposing the industry and its labor force to attrition and destruction. Planning into the future would be greatly facilitated—a course that is disrupted by uncontrolled imports. Merely to satisfy a trade policy that imposes harsh and even cruel exactions on industry, agriculture and labor as a tribute to what is essentially a gross doctrinal inconsistency, now that our foreign competitors are coming into a position to press their resulting advantages, would be inexcusable economic self-immolation.

The extension of controls to foreign trade would bring an element of consistency and rationality into our foreign trade policy that is now lacking to the great detriment of many industries and many hundreds of thousands of our workers.

LAWLESSNESS IN ELGIN, ILL.

Mr. MYERS. Mr. Speaker, I ask unanimous consent that the gentlewoman from Illinois [Mrs. REID] may extend her remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Indiana?

There was no objection.

Mrs. REID of Illinois. Mr. Speaker, I deplore the fact that we could have a situation in Elgin, Ill., where a few should resort to militant demands and lawlessness and destruction when sincere efforts have been made to work out problems peacefully and where there has been a desire to further cooperation and where every consideration has been given to those who feel they have grievances.

I have the utmost confidence in the city and law enforcement officials and the courts in Elgin—and in the Elgin people themselves—to do everything possible to solve their own problems—and I feel they are capable of solving their own problems if not stymied by exhortations to resort to lawlessness, rioting, and destruction and unreasonable demands. I am confident that anyone will always be given an open hearing to present complaints.

I have asked the mayor for any recommendations or requests that the people of Elgin might have of me and for full facts—and want to do everything I can to cooperate. I have also requested a full report from the Office of Economic Opportunity—and feel that when I have all of the facts which I have requested I will then have a much clearer picture of the problem. In the meantime, I express my sincere hope that the responsible people in Elgin, Ill., of all races will do everything in their power to put an end to the destructive actions of a few so that all past accomplishments and mutual understanding will not be completely destroyed.

In the words of Abraham Lincoln:

> There is no grievance that is a fit object of redress by mob law.

AMERICAN CASUALTIES IN VIETNAM

Mr. MYERS. Mr. Speaker, I ask unanimous consent that the gentleman from California [Mr. Bob Wilson] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Indiana?

There was no objection.

Mr. BOB WILSON. Mr. Speaker, the public of this Nation is entitled to know the tragic fact that American casualties resulting from the war in Vietnam now exceed 100,000 killed, wounded, missing, and injured in the line of duty.

I regret, Mr. Speaker, that the administration has seen fit to use deceptive bookkeeping methods in an attempt to obscure the statistical summaries. It has done so for only one conceivable purpose. That purpose is not in keeping with the nobility and heroism of the brave Americans whose sacrifices have been slyly covered up in order to minimize total losses. The administration's blunders and failures are thus hidden.

Let me put the record straight. I refer to Department of Defense press release No. 685-67, dated July 27, 1967. It purports to be a summary of all casualties in Vietnam cumulative from January 1, 1961, through July 22, 1967.

This release is divided into two categories. Category A, identified as "Casualties resulting from actions by hostile forces," is on the front page. On the back page, one finds category B, identified as "Casualties not the result of actions by hostile forces."

Category A announces that casualties on record in the headquarters of military departments through July 22, 1967, total 12,155 dead, 489 missing, 192 captured, and 73,925 wounded in action. These figures total 86,761.

Next we look at category B, tucked away on the back page. It lists 2,291 additional deaths as "Casualties not the result of actions by hostile forces." Included in this total are 456 listed as killed in helicopter accidents and incidents. Also, one finds 265 officers and men killed in fixed-wing accidents and incidents.

Now we come to the sleight-of-hand. The administration conveniently neglects to list the casualties involving men injured in the line of duty. Included among these are men maimed in accidental explosions, inadvertently injured in the line of duty in accidents involving military vehicles, shot by mistake, accidentally wounded by our own or allied forces, victims of disease incurred during swamp and jungle operations, and so forth. The total must be in the thousands, but no precise figure is available from the Pentagon.

In this connection, I wish to call attention to the tragic fires and explosions aboard the U.S.S. *Forrestal* as the ship prepared to launch a combat strike against North Vietnam. As we know, 129 brave men were killed and 64 wounded by rockets and bombs intended for the enemy. In a message of sympathy to the captain of the *Forrestal*, Gen. William C. Westmoreland, commander of U.S. forces in Vietnam, said the *Forrestal's* casualties "were suffered as much in the cause of freedom as if in the skies over North Vietnam or in the mud of the delta."

Certainly, the 64 men wounded aboard the *Forrestal* are entitled to the honor of being listed as casualties of war. But they would not be listed under the policies of the administration under category B of the Defense Department's press release. In discussions between members of my staff and Defense Department officials in charge of recording casualties, the Pentagon acknowledged that the 44 men lost in a fire aboard the aircraft carrier *Oriskany*, while operating off Southeast Asia, were listed as casualties, but the injured were not.

It is obvious to anyone that had it not been for the military operations of the Vietcong and North Vietnamese Communist aggression, these unlisted casualties would not have been in Vietnam. Thus they became casualties, albeit indirectly, as a result of the still-unresolved and unrelenting conflict. Their wounds were just as real and as mutilating as the wounds of those in category A who are given the recognition of being listed in the statistics.

It is shocking that men who made such sacrifices should be left anonymous in order to minimize total losses. The American people can face the facts. They are mature enough to face the implications of our situation. It is not in the national interest to distort and conceal to cover up failures in the administration's political direction of the waging of the war.

Our eyes have been diverted during this long, hot summer by the conflict in the Middle East and lawlessness in our cities at home. But our eyes must be opened to the continuing bloodletting in Vietnam, the true enormity of our losses there in light of the little achieved these last 6 years.

Perhaps it is time to take stock when casualties total over 100,000 and to examine more carefully the administration's failure to lead us to a proper conclusion of the Vietnam undertaking.

RIOTS EMPHASIZE NEED FOR REVENUE SHARING

The SPEAKER pro tempore (Mr. Multer). Under a previous order of the House, the gentleman from Wisconsin [Mr. Laird] is recognized for 10 minutes.

Mr. LAIRD. Mr. Speaker, if the riots and violence in our cities and the frustration and despair in their ghettos have proved nothing else, they have demonstrated that now is the time to put a broad revenue-sharing program into effect.

The breakdown in our society is more than a breakdown in respect for law and order; it is also flagrant testimony to the ineffectiveness of the categorical Federal-grant programs that have dominated Federal thinking in our recent history.

It is time to call a spade a spade; it is time we faced up to our past failures squarely and admit that the categorical approach simply does not work; it is time we sought better ways for Americans to do things so that we can proceed with the urgent business of building a good society for all Americans.

In my own view, a large part of our Nation's apparent inability to cope with its complex problems can be blamed on an approach to problem solving that is outdated and on problem solvers at the Federal level who have become wedded to the solutions of the 1930's instead of the demands of the 1970's.

National problems with their enormous complexity cannot be solved with "national" prescriptions that invariably oversimplify what is really needed.

The problems of Harlem are different than the problems of Watts. Newark's troubles stem from a different "mix" of shortcomings than do Detroit's. Milwaukee's attack on the problems of health, education, and welfare—if it is to be effective—demands one "mix" of resource allocations; Columbus, Ohio, requires another.

Mr. Speaker, Federal programs, more often than not, prevent cities and States from using the proper "mix" to attack their problems.

Revenue sharing will not provide miracles. It will not eliminate poverty, slums, and poor education overnight. But it will provide a framework within which tangible progress can be made on a steady basis.

Under categorical Federal grants—and today there are some 458 of them—terrible conditions have grown worse. In fact, the categorical program often compounds the very problems it is designed to correct.

The Federal sewer program is a prime example of this, the rat extermination bill would probably have been another.

Mr. Speaker, the Federal sewer construction program in the Department of Housing and Urban Development actually contributes to the pollution of our Nation's streams and rivers.

The President asked Congress for $165 million for the sewer construction program. But the Department of Housing and Urban Development already has more than $5 billion in applications from every corner of this country.

The municipalities that get a small slice of the Federal money available might make some progress—but all the others will wait and wait and wait—postponing a locally initiated program in the hope that the Federal program will take care of them too.

It will not, of course, because it cannot. There are 457 other Federal programs that also have a demand on Federal appropriations.

The Rat Extermination Act that the House defeated about 10 days ago was just another categorical grant program whose promises would almost surely outstrip its performance.

There are five or more departments or agencies of the Federal Government that already have rat-elimination programs. This one would have been administered by the Department of Housing and Urban Development, the same Department which administers the sewer program with such a notable lack of success.

Like many categorical programs, the Rat Extermination Act would probably have wasted the Federal dollars that are available. A new rat administrator would have to be appointed with still another staff to administer the program. There would be too few dollars chasing too many goals. The 2-year, $20 million program could at best have served only 2½ percent of the Nation's population and only a little better than one-half of 1 percent of the Nation's 18,000 communities.

Like most categorical Federal programs, no funds would go to any community unless it had a "workable program" approved by the Secretary of Housing and Urban Development. When the bill was considered, only one of 12 communities had such programs. Yet, if the bill had been passed, a great many of the communities that really have seious rat problems would have delayed attacking the problems themselves because of the "hope" of getting Federal money under the new program.

As a Nation, Mr. Speaker, we must get away from this self-defeating approach to our Nation's problems and find new and better ways for Americans to do things. It is time we abandoned the outmoded, outdated, ineffective approach of the 1930's and replaced it with a revenue-sharing system that would include tax credits for State and local taxes so that creative individuals on the State and local level would have the resources they need to tackle these problems.

Mr. Speaker, a very significant article appeared in the "Outlook" section of the Washington Post yesterday which should be read by every Member of this body.

The article, entitled "White Blindness Lamented" by former Assistant Secretary Daniel P. Moynihan, has some very sobering comments to make about the situation that faces America.

Mr. Moynihan was brought into Government service by the late President Kennedy.

Mr. Speaker, whether one agrees or disagrees with the recommendations of Mr. Moynihan, one thing at least is clear: he is that rare public servant who is not afraid to face harsh realities and who is not unwilling to admit publicly that an approach which has been tried and tested for many years simply is not working. The value of this kind of public figure, Mr. Speaker, is that he resists the all-too-human tendency of the average bureaucrat to blindly defend any program or any approach he is involved in, whether that program or approach has demonstrated any success at all.

Mr. Moynihan says, for example, that—

> In our concern to protect the good name of the poor, especially perhaps the Negro poor, we have entangled ourselves in positions that have had the effect of preventing effective action to help them.

He also points out that—

> In our desire to maintain public confidence in such programs (federal programs of recent years), we have tended to avoid evidence of poor results, and in particular have paid too little heed to the limited capacities of government to bring about social change.

Mr. Speaker, Dan Moynihan's remedies may be different in detail or in approach from what others of us may advocate but he brings to his work a freshness and insight that illumines the basic problems which we all are striving to solve.

So that all of my colleagues may have an opportunity to read Mr. Moynihan's article in full, I include it at this point in the RECORD.

The article referred to above follows:

WHITE BLINDNESS LAMENTED

(By Daniel P. Moynihan)

THE PAST IS PROLOGUE

"Nothing that we could say could add to the impressiveness of the lesson furnished by the events of the past year as to the needs and dangerous conditions of the neglected classes in our city. Those terrible days in July—the sudden appearance, as from the bosom of the earth, of a most infuriated and degraded mob; the helplessness of property owners and the better classes; the boom of cannon and rattle of musketry in our streets; the sky lurid with conflagrations; the inconceivable barbarity and ferocity of the crowd . . . the immense destruction of property were the first dreadful revelations to many of our people of the existence among us of a great, ignorant, irresponsible class, who were growing up without any permanent interest in the welfare of the community, of the success of the government . . . of the gradual formation of this class and the dangers to be feared from it, the agents of this society have incessantly warned the public for the past 11 years."—Draft riots in New York, c. 1863.

The description of New York in 1863 could be of Newark or Detroit, or of a dozen other American cities in which violence has raged in the streets this summer. But it describes the aftermath of the great Civil War draft riots in which the Irish masses of the city exploded in blind fury at what they perceived to be the injustices of the society in which they found themselves.

The Nation was then in the midst of the great crisis of slavery. We are now in the midst of another moment of maximum danger that has evolved from our failure fully to resolve that first crisis, and our unwillingness to see that this second one was developing in an urban setting for which the attitudes and to some degree the machinery of American government are desperately ill-suited.

The streets of the Negro slums contain the wreckage of a generation of good intentions on the part of American liberals, and good people generally, who have foreseen this outcome, or at least insisted on the urgency of the problems which we must suppose have led to it. Many of our proudest achievements are a ruin as well.

CONSIDERATION FOR LIBERALS

Liberals, to be sure, are not the only people in America who have been hurt and damaged by the violence of this summer. But they, and the poor themselves, are the only ones who deserve much consideration. The racists and reactionaries and so-called conservatives in Congress, the shrewd careerists in the Administration who have learned so well how to get along with them while keeping up appearances, and the great indifferent American mass that wanted it that way: for them there need be no sympathy.

When one reads Congressman Mahon of Texas, chairman of the House Appropriations Committee, describing Mayor Cavanagh of Detroit as "this arrogant man" for daring to suggest last Sunday, just as he did after the State of the Union message last January, that the Federal Government was not facing up to the needs of our cities, it becomes clear that the leaders of Congress have not only learned nothing from their failure, but that neither do they propose to forgive anyone who warned them against it. They had all but destroyed the legislative program of John F. Kennedy when he was murdered, and only thereafter relented somewhat.

Now that American cities are being assaulted one after another across the land, they appear to have decided against any further display of weakness. These are familiar men in history. They are the ones who lose wars, waste opportunities, squander time and destroy civilizations.

They will commonly do so, while invoking Mahon's principles of "discipline, self respect . . . law and order." Yet it is not ordained that they should prevail, and in the great crisis of the American past they have not. Whether they shall do so now is the issue before the Nation.

The outcome is likely to be determined now by persons of good will—who actively desire to see American society continue to succeed, who accept the fact that it has in ways failed, and realize that only great and costly effort can reverse the course of events.

SOURCES OF FAILURE

We liberals must enquire into the sources of our own failure, for surely we have not succeeded in bringing the Nation along with us. It is not only useless and tasteless to get into a name-calling contest with our presumed opponents; it's also a sure way to avoid facing the possibility that we have some explaining to do about the sources of the present crisis.

We ourselves have lost battles and opportunities, and with time growing short, we would do well to ask "why?"

First, in our concern to protect the good name of the poor, especially perhaps the Negro poor, we have entangled ourselves in positions that have had the effect of preventing effective action to help them.

Second, in our eagerness to see some progress made we have been all too willing to accept the pathetically underfinanced programs which have normally emerged from Congress, and then to oversell them both to ourselves and those they are designed to aid.

Third, in our desire to maintain public confidence in such programs, we have tended to avoid evidence of poor results, and in particular have paid too little heed to the limited capacities of government to bring about social change.

These failings have been accompanied, moreover, by a formidable capacity for explaining them away.

In the aftermath of the Newark riots one could already detect our self-defense system at work. Newark, we were beginning to say, was after all a backward city, doubtless run by the Mafia. Unemployment was high. The mayor was fighting with the poverty program. The police were brutal and corrupt. Newark, we were almost saying, deserved a riot. But Detroit . . . what have we to say after Detroit?

Detroit had everything the Great Society could wish for a municipality; a splendid mayor and a fine governor. A high paying and, thanks to the fiscal policies of the national government, a booming industry, civilized by and associated with the hands-down leading trade union of the world.

Moreover, it was a city whose Negro residents had every reason to be proud of the position they held in the economy and government of the area. Two able and promising Negro Congressmen are from Detroit. Relations between the Negro community and City Hall could hardly have been better. Detroit Negroes held powerful positions throughout the city administration, and to cap matters, the city was equipped with the very model of a summer task force, with a solid program and a 24-hour watch to avert violence.

URBAN UNDER CLASS

How then could Detroit riot? The answer lies in the question "Who rioted?" The rioting was begun and probably largely continued by young persons sociologists would describe as an urban under class. They happen in this case to be Negro and American, yet their counterparts are to be found in the slums and in the *literature of nations* throughout the Western world.

Marx despaired of getting any help for his revolution from persons whose main impulses seemed to be so destructive, both to themselves and the society around them.

Most agree that the life of this stratum of society is profoundly different from that of most working people, and certainly most middle class people. As one middle-aged Negro declared on television, at the height of the Detroit disturbances. "You don't see a family man out here." He may or may not have been right about that moment, but his understanding was sound: violent and criminal behavior set this group apart from the rest of society.

Where did this under class come from? How did it form? There does not seem to be any satisfactory answer, save that something like it has always been present in most cities in America, and that there are reasonably good signs by which to detect it. The Children's Aid Society of New York had foreseen the formation of such a class among the Catholic immigrants of the city, and indeed was formed to help the wretched young people—orphans and foundlings—involved. Their first annual report, dated 1854 said:

"It should be remembered that there are no dangers to the value of property or to the permanency of our institutions so great as those from the existence of such a class of vagabond, ignorant, and ungoverned children. This dangerous class has not begun to show itself as it will in 8 or 10 years when these boys and girls are matured. Those who were too negligent or too selfish to notice them as children will be fully aware of them as men. They will poison society. They will perhaps be embittered at the wealth and the luxuries they never share. Then let society beware, when the outcast, vicious, reckless multitude of New York boys, swarming now in every foul alley and low street come to know their power and use it."

A decade or so ago we began to detect the formation of a Negro version of this class, growing up in our northern cities. Just as certain, we did little or nothing about it.

THE DEPRESSION UNENDED

The basic conditions that would appear necessary for the formation of such a class have clearly existed in our cities for a generation now. First, and uppermost, is unemployment. The Depression has never ended for the slum Negro.

To unemployment, add low wages, add miserable housing, add vicious and pervasive forms of racial discrimination, compound it all with an essentially destructive welfare system and a social scientist would have every ground on which to predict violence in this violent country. Moreover, there were many specific warnings.

1. The increase in welfare dependency. Something like six out of every ten Negro youths reaching 18 has at some time been supported by the Federal Aid to Dependent Children program.

2. The increase in certain types of crime. For the crimes of burglary, larceny and auto theft, the Negro crime rate increased 33 per cent between 1960 and 1965. White rates also increased, but not as much.

3. The missing men in the census count. At least three years ago we began to realize that the number of Negro males enumerated in the 1960 census was far fewer than it should have been. We now know that altogether we missed 10 per cent of the Negro population, with a much higher loss rate in young adult males. Something like one male in six had in effect simply dropped out of organized society.

4. Educational failure. For five years or more, we have known that Negro children were doing very badly even in schools that would have to be described as quite good. For some time we have known that the net results, the failure rate on Selective Service examinations, were near horrendous: until recently, something like 56 per cent of Negro youth called up for the draft have been failing the mental test—a sixth grade examination.

5. The steady deterioration of family structure in low-income neighborhoods. Probably not more than a third of the children of low-income Negro families now reach 18 having lived all their life with both their parents.

This last point is often misunderstood. Probably the best available evidence we have of the increase or decrease in the size of lower class populations lies in the statistics about family life. Breakdown in family relations among poor persons is a pretty good clue that an under class is forming. Many persons—the more liberal a person is the more likely he will be to react this way—interpret the statement to mean that the plight of the poor is being blamed on the state of their families. In other words, that the poor are to blame for their troubles. But just the opposite is the truth; the state of the families is the best evidence of what is happening to the poor.

AVAILABLE EVIDENCE

It happens that this evidence was available not only for the Nation, but specifically for Detroit. In 1966 the Detroit Urban League published a special study of "The Detroit Low-Income Negro Family," which summarized these developments in an urban area whose Negro population had grown in that half century from a few thousand to two-thirds of a million. The captions over the bar charts in the Urban League report portray the life of the Negro poor in a typical northern city:

"Nearly one-third of Detroit area non-whites under 18 live in broken homes (1960) . . . Almost one Detroit area non-white family out of five is headed by a woman (1960) . . . About 20 per cent of Detroit area non-white females who were ever married are divorced or live apart from their husbands (1950–1960) . . . One out of seven persons in Detroit area non-white households are not members of the husband-wife-child family (1960) . . ."

In Detroit, the report continued, the non-white illegitimacy ratio rose from 138.0 per thousand live births in 1950 to 156.7 in 1957, to 228.4 in 1964. (In line with national trends, the white illegitimacy ratio during this period rose from 15.0 to 34.5, but for every two white illegitimate children born in the city, there were three non-white.)

In a 1965 study of low-income households in Detroit, Greenleigh Associates reported "24.9 per cent of the Negro households reported out-of-wedlock children and only 4.0 per cent of the white households did so . . . A common pattern found was for older children to be legitimate and younger children to be illegitimate."

It would be outrageous and unforgivable at this moment to pretend to understand more than we do, but we do know that these were signs of trouble coming. The Negro community was splitting: on the one hand, there was a large and growing group for whom progress was real and unmistakable. But, for another group, things were not working.

Relatively they grew worse off, not just the white society, but worse off when compared with other Negroes.

Negro leaders have naturally and properly wished to draw attention to their great achievements and even greater potential. Trapped in their own decencies, liberals have agreed, and so in a hundred ways, great and small, the problem of the burgeoning urban lower class was concealed.

If there was delinquency in the slums, we told ourselves that well-to-do kids in the suburbs were just as unruly but were never brought to law. Which is not true, but which *leaves everyone feeling better. If there are* fatherless children in the slums we told ourselves that white middle class fathers are never at home either. Which is true, but has nothing to do with the matter. It also, somehow, leaves those children in the slums, needing help and not getting it.

A CRUCIAL OPPORTUNITY

When the new frontier began formulating its programs, they were designed for an essentially different class of person; the competent, reasonably well motivated individual who happened to be out of work or out of skills, and who would surely take advantage of opportunities offered him. Our one crucial opportunity came with the major amendments to the welfare system in 1962, but we did nothing then but confirm the conventional wisdom that, for example, portrayed the typical mother requiring aid for dependent children as a West Virginia miner's widow. The system was enlarged somewhat, but not changed.

This summer, with something like one New York City child in five living on welfare, Dr. Mitchell Ginsberg of the Lindsay administration declared the system "bankrupt." It was just as bankrupt five years ago, but somehow we could not, would not see it then.

There has been a massive loss of confidence on the part of Negroes as to white sincerity. Two years ago, during the rioting in Watts comedian Dick Gregory tried to help calm things. He was shot for his troubles, and told the young man who had done it, "All right, you shot me. Now go home." Two months ago at a Black Power rally in Washington Gregory was shouting over and again: "Watts was legal!"

Our programs might have far greater impact if only they had been of sufficient size. The amounts of money going to cities and to the poor increased, but in nothing like the amounts or for the purposes demanded by the situation.

Anyone who was involved with the establishment of the War on Poverty knows that it was put together by fiscal mirrors; scarcely a driblet of new money was involved. Even an element of fraud entered the picture: the Bureau of the Budget began calculating interstate highway funds as part of the financial aid going to cities.

Such money is of considerable aid to General Motors and the United Automobile Workers, and the Association of General Contractors, but as for the poor, the best that can be said for it is that it destroys a lot of bad housing.

Here again it was fear of, and after a point too sophisticated a knowledge of, the fiscal conservatism, as well as social complacency in the Congress that held us back, that even somehow kept us from telling ourselves the truth.

Huge-sounding bills were passed, but mini-appropriations followed, and after a point both ends of Pennsylvania Avenue were cooperating in this process. Instead of taking what we could get, but insisting that it was not enough, liberals both within and without the Administration gave in to an orgy of tub thumping.

It does not follow that we raised hopes out of all proportion to our capacity to deliver on our promises, but if we did, and we *must* have, we have only ourselves to blame.

Ourselves and the Federal bureaucracy. Somehow liberals have been unable to acquire from life what conservatives seem to be endowed with at birth, namely a healthy skepticism of the powers of Government agencies to do good.

The American national Government is a superb instrument for redistributing power and wealth in our society. One person in ten in the United States, for example, now gets a Social Security check every month. But as an instrument for providing services, especially to urban lower class Negroes, it is a highly unreliable device.

THREE RECOMMENDATIONS

The more programs, the less impact. The 1966 White House conference "to fulfill these rights" produced a hundred pages of recommendations, which meant that the conference was a failure and a disaster. If it had produced three recommendations, it might have been a success. I will propose three.

First. The United States Government must become the employer of last resort, so that anyone looking for work and not finding it is automatically given a job. Put to work. If this is done stupidly it will turn out to be a WPA, but with just a little administrative energy it can be worked out that such jobs will be distributed throughout the labor market, so that in fact they are not visible as such. The Government must see to it that everyone looking for work finds work, and correspondingly that those without work have no excuse for their situation.

Second. We have got to get more money directly into the hands of the poor. The best way to do this, or at least the best known way, is through a family (or children's) allowance. The United States is the only industrial democracy in the world that does not have such a system of automatic payments for families who are raising minor children. We are also the only industrial democracy whose streets are filled with rioters each year. The connection may not be direct, or may not exist at all, but then it may.

Such a payment would have the advantage that everyone would get it, not just a special segiment artificially defined as below a certain income line, or across a certain racial line.

It has worked well all over the world, including Canada, and for $9 billion a year, it would be a sound investment in the future as well as the present.

Third. We must rebuild, or at least clear, the burnt-out neighborhoods. The Federal Government has a dozen ways to do this, and it must. Otherwise the ruins remain a symbol of the injustices that led to them. Accompanying such a clearance and rebuilding program, we simply must enact a form of Federal reinsurance of small business in such areas. Otherwise they will become deserts.

The problem, of course, is that it is unlikely we will do any of these things, or any other things. Never has the national instinct and the national interest appeared more divergent. The mood of the Administration in Washington is one of paralysis. There is no political will for the Executive branch to move in any direction, and nothing but fear as to what direction Congress will take if it should seize the initiative.

SOURCES OF PARALYSIS

This paralysis derives from several sources. The first, understandably, is disappointment, and not a little bitterness at what has happened. This is a mood tinged as well with exhaustion. Many men in Washington have been at their desks for eight years. The first few were exhilarating, but of late an entirely understandable exhaustion seems to have set in.

The second source of paralysis is the conviction within the Administration that the public mood is one of fierce dislike for Negroes and adamant determination that there be "no reward for rioting."

But the third is the decisive one: There is no money. The war has used up all the available income, and taken us beyond that to a massive deficit. Washington does not dare spend another nickel and indeed appeared to be in the process of quietly cutting back many domestic programs when the rioting resumed in June.

The result has been a curious process of backward reasoning. First: "We can't do anything." Second: "We don't do anything." *Third:* "We shouldn't do anything."

And, above all, not giving ammunition to the Republican enemy by suggesting perhaps there were some deficiencies in our approach to date. Beyond that, we are to pray and to await the report of the presidential commission, which will solemnly reassure us that the FBI has found no evidence of Communist conspiracy, and that the problem of rioting lies in despair and hopelessness in the ghetto.

We might get away with it. Just possibly. Or we might march directly into a political crisis that will spoil the rest of the 20th Century for the American people. Such a disaster would be the election, next year or five years from now, of a determined right-wing President.

The task of American liberals would seem to be clear. We cannot do anything without the President, and the President seems determined to do nothing. Worse, he is denying it. Talk about that rat bill is meaningless. The rat bill was nothing.

The Administration is not unwilling to do what is needed. The matter is more complicated. It would seem to feel that the Congress is not going to do anything and that therefore it will be useless and worse to ask and be refused. Not only will the obstructionist majority say "no," but from elsewhere there will come a chorus of charges that the war in Vietnam is the reason he will not move.

This is true, but also irrelevant. The President dares not and will not scrap the war in order to save the cities. Somehow he must be enabled to scrap other things, and raise new funds, in order to proceed with both. It is a time to ponder his oft-repeated statement, in those sweet days, so soon past, that he is the only President we have.

The experience of the Vietnam protest will hardly encourage the thought that he responds to pressure, much less to name-calling. (And much less to articles such as this.) The only serious option open to us would seem to be that of trying to persuade the public at large that we can do something about the causes of Negro violence that will not only help the rioters but everyone. It is time for this fabulously rich Nation to declare a dividend. A family allowance would be a good beginning, guaranteed full employment a logical accompaniment. But perhaps there are better, more feasible programs that will work in the slums, and yet assert the unity of the Nation. Let us look for them.

The one thing going for us is the apparent fact that however disturbed the Nation might be by events, it is nonetheless trying to understand them. If there is much white hatred abroad, it has been so far hesitant to show itself in public. The fact is that we are not the racist nation we used to be.

We are facing a problem we don't fully understand and certainly do not know how to solve. But to face such situations with calm and competence is what marks us as the people we are. It is what John F. Kennedy would have expected of us. It is what we have a right to expect of Lyndon B. Johnson. And a responsibility to demand of ourselves.

WRANGLING OVER WASHINGTON

Mr. GONZALEZ. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. MULTER] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. MULTER. Mr. Speaker, once again, this week, legislation for reorganizing the government of the District of Columbia will be on the floor of the House. The President's Reorganization Plan No. 3 will provide the 800,000 people of the District some voice in their own affairs, even though this voice will not be chosen by them, but at least from among them.

The District has a greater population than 11 States. It is time we permitted the people to have some say in their government.

We in Congress cannot possibly do an effective job for the people in the District. The Congress is not equipped to be a city government, nor should it serve as one. It will take knowledgeable District people who can devote their time and energy to the affairs of the District, in order for Washington to improve.

I have fought for home rule for Washington ever since I came to the Congress. I have sponsored the administration and other home rule proposals for many years. It is right and it is just that the people of the District of Columbia govern their own city with, of course, the Federal Government retaining the right to protect the Federal interest. I must emphasize, however, this plan is not home rule.

President Johnson's Reorganization Plan No. 3 is a first step to improve local District government. It does not do the full job. Only legislation can do that, but it is a good plan and deserves the support of our colleagues. I urge them to vote against House Resolution 512—the disapproval resolution—when it comes to the floor later this week.

I commend to the attention of our colleagues an editorial concerning this matter, which appeared in the July 31, 1967, edition of the Wall Street Journal, as follows:

Wrangling Over Washington

In recent hearings Congress again has been trying to decide what to do for the largely voteless citizens of the nation's capital. This time there appears to be at least a chance that something will come of the wrangling.

There appears, at any rate, to be a good deal of bipartisan support for amending the Constitution to allow Washington's 800,000 citizens some representation in Congress. Action along that line is long overdue, since the District's population exceeds that of 11 states.

Some legislators feel that Congressional representation will give Washington's residents all the home rule they need. The argument is that the city will have a voice in the body that now governs the District's affairs.

That contention, though, is actually pretty flimsy. By any reasonable assessment Washington would still have far smaller, and much more indirect, control over its local government than any comparable city in the nation.

Rep. Clarence Brown of Ohio has proposed that the District's residents be allowed to elect one of the three members of the city's governing Board of Commissioners. Members of the House District Committee favor keeping the present appointed board but allowing the citizens to elect the Board of Education. Whatever plan is adopted, it's high time to move toward home rule.

Full home rule for the District, even if politically possible, probably would not be desirable. Washington, after all, is not just any city; the Federal Government will have to retain some control over the affairs of the country's capital.

In nearly two centuries of trying to handle the task alone, however, the Federal Government certainly has produced no paragon of civic excellence. It is only sensible to let the people who have to live in the city have a hand at the job.

RICHARD GOODWIN DISCUSSES THE WAR IN OUR CITIES—ITS CAUSES AND ITS CURES

Mr. GONZALEZ. Mr. Speaker, I ask unanimous consent that the gentleman from Massachusetts [Mr. Boland] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. BOLAND. Mr. Speaker, I commend to the Congress the lecture of Mr. Richard Goodwin delivered recently at Brandeis University. It deals with the war in our cities—its causes and cures. Mr. Goodwin speaks with knowledge, ability, experience, and a burning desire that the Nation, its leaders in every facet of our democratic system, and our people join in an heroic effort to solve a problem that has shaken this country to its very foundations.

Mr. Goodwin served with distinction as a Presidential assistant to both President Kennedy and President Johnson. His remarkable mind was put to good use in both administrations. He uses it again to point up the causes and the cures of the perplexing problem that has rocked this land. His thoughtful message deserves to be absorbed, considered and acted upon. I am convinced that it offers some advice that cannot and must not be ignored.

Mr. Speaker, the senseless wave of riots that have panicked our people cannot, and of course, will not be tolerated. The incredible mass destruction, burning, looting, bloodshed, and killing must and will be stopped. Anyone with any sense of responsibility must know that this ugly defiance of law and order is completely at odds with the survival of the system of government under which we live. The full force of government, at all levels, must necessarily be marshaled to bring these self-defeating, senseless riots to a halt. So, too, Mr. Speaker, must the full power of the government, at all levels, be fueled to get at the root causes of these incidents.

Mr. Speaker, this is what Mr. Goodwin discusses in a reprint of his lecture that appeared in the Boston Globe of August 5, 1967. Under unanimous consent, I place it in the Record at this point:

The War in Our Cities—Its Causes—Cures

(Note.—Violence and rioting have made battlefields of America's city streets this Summer. Too few understand why. Too many suggest ridiculous remedies. Richard Goodwin of Brookline, a former special assistant to Presidents Kennedy and Johnson, is the exception. His speech last week before the Summer Institute for Adults at Brandeis University is truly an historic analysis of the strife. He also proposes avenues to civil peace and economic justice which ring with the New Frontier and Great Society aspirations others uttered, few knew were the brainchildren of ghostwriter Goodwin. The Globe here presents significant excerpts from this speech.)

(By Richard Goodwin)

Between the time this lecture was scheduled and tonight has come the shadow of a war whose immense portent for our nation, for its welfare and grandeur, dwarfs the American interest in the baffling and bloody struggle in Southeast Asia.

It is the war in our cities. It is the first large-scale racial conflict in American history. It is the bloody eruption of despair, hatred and yearning.

It is, or may be, if we are wise, the last great battle in the 200-year effort to form "a more perfect union."

Since I am a politician, although now retired, I share the political compulsion to affirm that violence and rioting are wrong, that order must be enforced; and those who shatter the law must be subjected to the rigors of justice, tempered, in this case, with a discriminating application of understanding and compassion.

Yet condemnation does not absolve us from the duty to understand; punishment is not prevention; nor does history offer much comfort to any who may think grievance and despair can be subdued by force . . .

Being against violence is like being against sin. It is right; it is popular; and it is easy. However, it will not diminish evil, unless you also provide alternatives to the temptations and desires which drive men toward wrong.

If the beginning of wisdom is understanding; the condition of effective political solution is knowledge of the problem. What lays behind the present civil strife? What has caused the cities of America, in the year 1967, to dissolve into fury and chaos?

We know some things are not causes.

This has not been caused by some mysterious and special defect in Negro character. Few people have borne oppression and anguish with greater forbearance and patience . . . Men truly without hope or expectation do not revolt.

Only when the door to possibility opens to a sliver of light do men hurl themselves against it. If we can see this so clearly in Africa and Asia and Latin America—where long dormant populations have stirred to revolution—we should be able to understand it in our own country.

AGITATORS NOT TO BLAME

Nor has the violence been caused by a few "agitators" or irresponsible leaders. Agitation can help provoke violence, but such men flourish only because the soil is fertile, and they are usually swept along, sometimes to national notoriety, by people they do not control.

We must condemn any who preach violence, but we must not indulge ourselves in the comforting and dangerous illusion that silencing a few men will bring peace and security to our streets.

Nor is there violence because Negroes have decided they can achieve more by riots than by laws and work.

The riots are not carefully planned, purposeful demonstrations. They are wild, aimless, and accidental in immediate cause, if not in basic condition. Most of the participants expect little from their governments or from white society. That is one of the reasons they find themselves in the streets.

It would be heartening if the causes were so simple and lucid; swiftly understood and quickly dealt with.

The truth, however, is that they are rooted in the far more profound conditions of urban Negro life in mid-twentieth Century America. It is as if a lens were suddenly placed over the ghettos, bringing to a searing focus the converging rays of Negro poverty, rapid urbanization, modern technology and affluence and the state of the world.

We have had other waves of urban minorities. Their descendants are justly proud of their success in rising from poverty. There is much in their experience which should be instructive to the Negro. But none of them has had a 300-year history of American oppression.

None of them began their climb amidst the conditions and possibilities of modern America. And none of them were black.

Therefore it is not enough to say that Negroes should do as other minorities have done. They can't. Not for want of ability or effort. They live in a different world.

If we understand this, we can give more sympathetic understanding to the springs that feed the rising flood of violence.

INCENTIVE TO LEARN ERODED

First, of course, is poverty itself; not simply the lack of money, but a poverty which infects every institution of this society within a society.

Men cannot earn a decent wage. Sometimes they cannot find a job at all. They cannot, therefore, sustain a family, and those unable to meet a responsibility are often driven to deny it.

Thus the Negro child is born not only into material poverty, but often amidst a poverty of family life, deprived of important sustaining relationships.

As he grows older he is sent to overcrowded schools which do not teach, and where minimal order and discipline rather than learning is the principal objective.

As he grows older he discovers that his job opportunities are narrow and scarce. Negro unemployment is actually growing, the gap between Negro and white employment is widening, and the rate of joblessness among teen-age Negroes is astronomical.

Thus the incentive to learn is eroded because there seems little point to an education which is miserable in content and which leads nowhere. When he drops out, and often even if he finishes, the prophecy is fulfilled.

There is little opportunity to sustain life decently and little hope that hard work will bring rising income. And so the process starts again with his children.

This cycle, poverty breeding poverty, is immensely darkened by the conditions of the modern city.

In his own neighborhood, the ghetto dweller often returns every night to squalor, perhaps to overcrowded rooms, in a crumbling building without adequate heat or plumbing, and where the battle against filth is unending and unwinnable.

The boy or girl has no place to play and no contact with nature. They are jammed in with thousands of others who share their plight.

The resources which helped the rural Negro endure material misery—nature, open spaces, a sense of community, of fruitful contact with friends and relatives—are all denied him.

While the noise and filthy air, the crowded streets and continual press of other people, rub against nerves already raw.

Meanwhile all around him, only a few blocks away or on the screen of his television set, he can see that other world: The white world. It is the world of well-dressed children and neatly furnished homes; of private cars and well-kept lawns; all the marvels of affluent America.

It is not the simple facts of poverty, degrading as they are, which breed violence and hatred in many Negroes. It is, especially for the young man, the hopelessness of his own future and the savage contrast which is forced upon his consciousness.

Is there a solution for distress which springs from such multifarious sources? There is not one solution but many. All of them require a national determination to confront the problem, and a national willingness to devote the necessary resources.

There is no doubt that we can afford the effort. Were we to devote to poverty and the ghettoes the amounts we are now spending in Vietnam, we could begin a rapid transformation.

The return would be enormous, not only in human, well-being and domestic tranquility, but in dollars and cents.

Our entire history is proof that the addition of new groups to the ranks of the educated and productive lifts the prosperity and standard of living of all. Each new group has been feared as a competitor. It has always proved an invaluable partner.

An investment now will be returned a hundred-fold by the millions who become part of the labor force and the consuming public. It is true, as President Kennedy said, the rising tide lifts all the boats.

Moreover we know how to begin. We are told that urban and racial problems are difficult, subtle, and complex. So they are. Experts and technicians bombard us with suggestions and solutions.

Yet the basic needs are clear, and there is no single right answer but rather there are many which will have an impact. The important thing is that we begin.

First, we should add to our manifestos of law and order a manifesto of hope. The life of millions of people cannot be changed overnight.

We can, however, begin with immediate impact projects which will demonstrate our concern, ease some of the most urgent afflictions and, most importantly, restore to young people some feeling of hope about the future and some confidence that a better life is possible.

To the extent hope replaces despair, to that extent will our cities become more peaceful.

Possibilities for such projects are limited only by the imagination of national and local officials. Let me give a few examples.

Every part of the country has large park and recreation areas which could be devoted, in part, to Summer camps and to work and study projects for the city poor—giving them some contact with nature, relief from the oppressiveness of a city Summer, the chance to learn new skills and to sense new individual capacities.

It should also be possible, in a city like Boston, to recruit large numbers of volunteers from the intellectual and university community to spend part of each week in city schools, easing the shortages of teachers and infusing the system with new energy and imagination.

This would require a drastic shift in the traditional patterns of school administration, but would permit us to draw on a huge reservoir of unused talent. I have little doubt that such a volunteer program would meet with enormous response on the part of Boston's civic-minded university community. As it is, we let one of our greatest sources of talent lie idle.

There are many other projects which could have an immediate impact—from swimming pools to training and recreation programs. They can begin to change the attitudes which breed such destructive passion.

SHATTERING THE DOOM

Second, is to begin work on the more profound and difficult problems. Specific techniques may differ but the essential needs are clear:

It is for better schools and more teachers, for decent housing and medical treatment; for a humane welfare system, especially one which does not require a broken family as a condition of help; for training programs and for job opportunities.

It is basically to attack the entire doomed and dreary cycle of poverty at once as the only way to shatter it forever.

The air is full of programs for this purpose. They range from aid to education and incentives for private investment, to systems of family allowance and a negative income tax.

I do not pretend to assess the merits of particular proposals. However the harsh fact of the matter is that debate has only been a mask for our unwillingness to pass the laws and spend the money.

We can vote laws against violence and reject programs to exterminate rats from the slums. We vote tens of billions to fight for freedom abroad and refuse the amounts needed to increase and enrich freedom at home.

As long as this is so, unrest will increase. When it changes, as it must change, the possibilities are endless, the way will be open, and progress can be swift.

Third, we must make a coherent effort to create a sense of community among American Negroes.

This means we should no longer think simply in terms of building housing units and projects; but of creating real communities—places where a man can live and work and play, find necessary services, and meet with his friends; all within an area which is small enough to be comprehensible.

It will also mean permitting and encouraging Negroes to leave the ghettos as other minorities have done. Integrated Negroes don't riot and rebel.

Moreover nothing is more critical than to create a sense of identification with the larger American community. That will be impossible as long as white society shuts its doors.

Fourth, we must devote serious study to the causes of racial hostility, to the springs of fear and hostility evoked by the color of a man's skin. The old song goes: You've got to be carefully taught to hate and fear.

Somehow millions of Americans are taught. If we can understand how this happens, we can begin to combine it.

It seems to me this will require specific changes in the education of white children—changes designed to combat intolerance and enlarge the belief in our common humanity. I am not talking about propaganda. For it is true that all men are equal and it is the job of education to carry the truth to the heart as well as the mind.

These are, in general and broad outline, some of the paths toward domestic tranquility and a more perfect union.

Few can be found who, in the abstract, will deny their necessity. Yet we are witnessing a strange and ominous surge of distrust and hostility between white and black America.

This is the most dangerous development of all. We cannot afford a darkening downward spiral of resentment breeding resentment, fear engendering fear, violence summoning suppression. That way lies disaster for both black and white Americans. . . .

There is work and prosperity for all in this abundant land. No man's well-being threatens another.

The ideals and purpose of this nation from its very beginning call upon us to assist the painful struggles of our fellow citizens and to help them enter the door of American opportunity.

In the most profound sense this is the only alternative if we are to preserve and strengthen the heart of this nation and the soul of our common humanity.

We are not enemies, but the common victims of the great wrong of racial injustice which has stained our history for 300 years.

I know it is often considered sentimental to talk about the deeper causes of violence. Yet that does not detract from the truth of those causes. Those who ignore them invite failure.

Neither are we served by those who ride the shifting winds of understandable popular resentment; by those who seek to persuade us that the policeman's club and the armored car are the answer to our problems.

They are leading us toward war; not a fight in foreign lands but one which will rip the fabric of American life itself.

If we ever needed moral leadership we need it now. The times demand men at every level of government who will tell us of our responsibilities as well as our rights, who pursue justice as well as tranquility, who teach that our problems are difficult and complicated and that they will require effort and sacrifice.

We have such leaders and there will be more. For I believe it is those who reach for the noblest and most compassionate instincts of the American people—not those who feed nameless fears and aimless discontent—who touch the deepest energies of this country.

And at least if they lose, they do so nobly.

We must enforce the law and bring justice to the law breaker. But if this is all we do in the face of such huge despairs; if we pile up wealth and power while allowing millions to live in poverty, then we will truly become the oppressors our worst enemies say us to be.

I do not believe this will happen. For in every great test of the past, victory has finally gone to the forces of compassion and justice. That is the nature of Americans.

THE LOW- AND MODERATE-INCOME HOUSING ACT OF 1968

Mr. GONZALEZ. Mr. Speaker, I ask unanimous consent that the gentleman from Pennsylvania [Mr. MOORHEAD] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there

objection to the request of the gentleman from Texas?

There was no objection.

Mr. MOORHEAD. Mr. Speaker, I have today joined with the gentleman from Wisconsin [Mr. Reuss] and the gentleman from Ohio [Mr. Ashley] in introducing the Low- and Moderate-Income Housing Act of 1968.

This far-reaching measure expands and improves existing Federal programs and combines them with a variety of new proposals designed to increase tenfold in a 20-year period the supply of decent low- and moderate-income housing in this country.

The bill attacks all the barriers to the production of this badly needed housing, whether it be building codes, zoning ordinances, violations of local health codes, or discrimination by lending institutions.

It is my conviction that if enacted, this bill will go further than all previous measures combined to eliminate the conditions that perpetuate our urban ghettos and breed human misery and civil discord.

Only 60,000 low- and moderate-income housing units are being built annually now, against a backlog of 10 million substandard homes that need either replacement or rehabilitation. The bill aims to boost the level of construction and rehabilitation of low- and moderate-income housing to 500,000 units a year, in order to eliminate the existing backlog within 20 years.

Existing Federal urban renewal, insurance, and tax programs are improved and enlarged, and the programs that rely on private, nonprofit corporations, limited dividend corporations, and cooperatives to produce and rehabilitate housing are strengthened.

I ask all of my colleagues who feel the urgency of the housing problem in this Nation to join with Mr. Reuss, Mr. Ashley, and myself in introducing and pushing for the enactment of this bill in the coming year.

THE SPIRIT OF '67

Mr. GONZALEZ. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. Farbstein] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. FARBSTEIN. Mr. Speaker, a privately sponsored exhibition is currently underway in my district. It is entitled "The Spirit of '67" and it illustrates, largely through the words of John F. Kennedy, recent advances in communications, industry, international relations, and space. Thousands of New Yorkers have seen this exhibit and I commend it to my colleagues. The ensuing statement evokes its aims and purposes.

The Spirit of '67

Over 190 years ago, men like Franklin, Washington, Adams and Jefferson, with pen and sword, brought a new nation into existence. Theirs was the "Spirit of 76," an exciting time, a time for moving ahead and boldly facing new dangers. It was a time when the American Spirit was molded. Today, we are again moving through exciting times. Again we move ahead, facing the dangers before us. It is a time when the American Spirit, so strongly forged nearly 200 years ago, is being tested and found worthy of the challenge before us. This is the Spirit of 67.

Now, more than at any other time in American history, we are undergoing vast changes in industry, education, science, international relations and communications. Today we "explore the stars, conquer the deserts, and encourage the arts and commerce."

A tall order, yes, but one which the American people can meet and match. It is the American Spirit—the Spirit of 67—that the Franklin Society salutes, both through this article and with the most dramatic exhibition ever held in Franklin Society's history.

Just as the Declaration of Independence was the voice of the Spirit of 76, so might the Inaugural Address of the late President, John Fitzgerald Kennedy, delivered in 1961, be considered a testament of our times. This historic document sets forth clearly and concisely, the aims and goals of America today—an America beset by challenges and given opportunities for greatness never before experienced by any people.

The text of the Kennedy Inaugural Address has been taken as the guide to this special exhibition, an exhibition every school child—every American—should visit.

How have we as Americans met the challenge of the Sixties? In science, education, international relations, space, medicine, business, industry, in fact, in every field, the challenge of the Sixties is met and matched by an appropriate display of will, inventiveness and energy that demonstrates the American character. The American Spirit of 67 is a fitting answer to President Kennedy's statement in his Inaugural Address: "Ask not what your country can do for you—ask what you can do for your country."

At Franklin Society, progress in the Sixties in medicine, industry, communications, international relations and space is vividly shown through photographic murals, models and exhibits.

In medicine, you will learn how the Laser beam, the "light knife," operates. The Laser beam permits surgery that cauterizes the wound as it cuts, preventing loss of blood and spread of contamination from disease growth. In industry, you will learn how atoms can be made to work for peace.

When you enter 217 Broadway, you will find suspended from the ceiling, a scale model of Intelsat, the communications satellite, which more than any previous scientific development has brought us closer to the rest of the world. Current events that happen anywhere in the world can now be seen on your television screen moments after they have taken place.

President Kennedy called the United Nations an "instrument of peace," where we could help develop "a new world of law, where the strong are just and the weak secure and the peace preserved."

Another interesting display in the exhibition will show the United Nations, how it functions in trying to provide a better world for all through keeping the peace and encouraging economic development throughout the world. You will see how the United Nations is striving to bring "new life to arid lands" and what it is doing to help the world's less fortunate children.

One of the most important programs of the Sixties is that of space, and America's space program is told with exciting models, displays and pictures, including color photographs of the space astronauts. Through the cooperation of NASA and the U.S. Treasury, there will be on display a model of the Mercury space craft.

The story of the "Spirit of 67" shows how as a nation, we are forging ahead in science, industry, medicine and international relations to provide a "more fruitful life for all mankind."

This exhibit pays homage to that great revolutionary spirit of America which blazes on to new frontiers in its quest for a better world.

MAKE SURE THE IMPORTANCE OF SEAPOWER IS NOT LOST TO OUR NATION

Mr. GONZALEZ. Mr. Speaker, I ask unanimous consent that the gentleman from Louisiana [Mr. Boggs] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. BOGGS. Mr. Speaker, at the request of an old friend of mine who lives at Yazoo City in my native State of Mississippi, Comdr. Robert W. Collins, a retired commander in the Naval Reserve, I am pleased to bring to the attention of my colleagues two excellent articles by Raymond Moley, the distinguished columnist of Newsweek magazine.

These two articles could well be read together under the caption "Make Sure the Importance of Seapower Is Not Lost to Our Nation" for they are on the all-important subject of the indispensability of sea power to our national security. These articles appeared in Newsweek in the issues of July 24 and August 7 and are entitled "Titan Unbound—I" and "Titan Unbound—II."

Commander Collins reminds me that Newsweek once carried on her masthead one of his favorite maxims in the delicate art of public relations, to wit: "A Well-Informed Public Is America's Greatest Security." Mr. Moley's two articles live up to that maxim. They herewith follow:

Titan Unbound—I

(By Raymond Moley)

The traditional concept of Russia, which still lingers in the minds of American statesmen, is a great intercontinental land mass with a population of multiracial strains, sinister and inscrutable, ever crowding upon its neighbors, but locked in by its lack of warm-water exits to the world outside. A titan, stirring uneasily within and suspicious of Western influence. It was so when Peter the Great gingerly surveyed Western ways. But through two centuries until the revolution it contented itself with harassing its neighbors, making alliances in Europe and breaking them when its rulers chose.

When attacked, as in 1812, Russia permitted such aggressors to perish in its vastnesses and cold. And even in our century, when it was racked by internal convulsions, Western eyes, except those of the most perceptive, looked on with passive indifference.

Then, when the cold war started in the late 1940s, we and our Western allies came to be alarmed by Soviet demonstrations of scientific progress and military might. We conceived the threat to be directed against Western Europe, Japan and the United States on land and in space and through subversion by Communist propaganda.

Our reaction has been to match the Soviet's military potential and by massive foreign aid to anticipate Soviet influence in needy countries.

We cannot deny the danger in such projections of power and influence nor the need for countermeasures.

THE STRATEGY OF SEAPOWER

What we see superficially are Soviet policies to exacerbate centers of conflict over the world, to make grand gestures in space, to rattle missiles and to poison world opinion by propaganda glorifying Russian scientific progress and vilifying the West as imperial and colonial.

But beyond those diversionary tactics is a major design rooted in the Kremlin's comprehension of seapower, a key to breaking out of landlocked isolation. Soviet strategists have been literate people. They have read in history that ever since Rome overcame Carthage, despite Hannibal's genius, the nations that have been dominant have been powerful on the sea, commercially and militarily. Nothing in our day has changed that.

Seapower is a nation's ability to project its identity into the seven seas—its commercial potential in peace; in war, its fighting ships. To employ to its advantage its capacity to use the seas—a navy, merchant ships, shipyards, seaports, a fishing industry and marine science and engineering.

Sometime before the death of Stalin fourteen years ago, the strategists in the Kremlin decided upon seapower as a national policy. Once made, that policy became binding upon all of Stalin's successors.

In creating long-term policy, a totalitarian police state has certain advantages over free or, if you will, democratic states. For it has continuity in its self-perpetuating oligarchy undisturbed by popular influences. Here, Presidents and Congresses make not policies but expedients as political tides change.

INTERNATIONAL PURPOSES

Since commercial intercourse is the basis of seapower, major wars must be avoided. At first, at least, the building of a navy is designed for defense and the possible destruction of an enemy's commerce. The Kaiser, who sought seapower, made the mistake of building a navy for offense against the British Navy and failed in the test.

Soviet strategy has considered that. In addition to building defensive naval forces, the U.S.S.R. has concentrated on accumulating a vast merchant fleet with all the auxiliary facilities. Soviet programs have been models of efficiency and determination, directed to political, military, economic and scientific ends.

The earlier ships were built for purely domestic needs. But now ships are being launched for a complex of international purposes.

V. G. Bakayev, Soviet Minister of Sea Transport, has emphasized the economic value of the program, especially to acquire for the Soviet more and more foreign currency. But he added that by "participating in the foreign-trade shipments between many countries of the world, the Soviet sailors contribute to the expansion of the international ties with the U.S.S.R." The role played in international economic relations creates, as another Russian put it, "a new alignment of forces" in the world.

Russian maritime policy is well designed to achieve supremacy at sea in relatively few years. In another piece I shall supply the details of this new phase of the cold war.

Titan Unbound—II

(By Raymond Moley)

In a piece two weeks ago I noted that a major, probably the major, long-term policy of the Soviet Union is to stay out of a great war, and, by developing a massive sea potential, to break out of its traditional landlocked isolation. That policy, created even before the death of Stalin fourteen years ago, has been binding upon all Russian leaders since. Some five-year economic plans have fallen short. But naval strength and seagoing commerce have even outpaced their original objectives.

At the end of World War II the Soviet merchant fleet was insignificant. When Stalin died in 1953 his government's 500 ships aggregated 1.5 million gross registered tons. Then maritime policy accelerated, and in five years an 80 per cent increase was made. That brought Russia into twelfth place among maritime nations. A seven-year plan began in 1959, and the fleet expanded to 7,290,000 gross tons, with 1,437 ships.

The economic potential of a merchant marine is measured not only in the number of units and total tonnage but in age. A technological revolution is a swift destroyer. Here the Russians, building from little, have a great competitive advantage. In 1964, 48 per cent of their dry-cargo ships and 63 per cent of their tankers were less than four years old. Only 22 per cent of the total were more than nineteen years old.

AMERICA, THE OBSOLETE

The Soviet design to penetrate into all sorts of nations is shown by the great suitability of their fleet. They have technically advanced ships in trade with the industrialized West, shallow-draft vessels necessary for the ports of North Vietnam and for the most primitive ports of small or underdeveloped countries, supertankers to carry oil to African states and Asia and sophisticated vessels for paramilitary support. Her trawlers are everywhere, as are survey and research vessels. More than a hundred times a month Soviet ships have been furrowing the Suez Canal. The Soviet Minister of Sea Transport has said that ships flying the hammer and sickle call at 600 ports in 91 countries, only thirteen of which are Communist and 51 of which are underdeveloped. Russia's many shipyards have worked long hours. The U.S.S.R. has also patronized the shipyards of Finland, Yugoslavia, East and West Germany, Japan, Italy, Poland, Sweden, Holland, Britain, Denmark—a good customer paying billions in cash and meticulously abiding by contracts.

The American active merchant marine is overwhelmingly obsolete—70 per cent of World War II vintage. To meet our needs in Vietnam, decayed relics are hauled out from the rusty reserves. They break down and are towed into port. These ships are the stigmata of our maritime sickness. The building program, which the Maritime Administration describes as proceeding "at a deliberate [snail's] pace," is 100 ships behind schedule. A baker's dozen are delivered annually. Last year 109 of the reserve fleet were turned into scrap. There is a great tanker and bulk carrier fleet built for American owners and sailing under many flags, and some serve in the war in Vietnam. But their contribution to American employment is mainly a bonanza to admiralty lawyers.

MONUMENTAL CHALLENGE

The Maritime Administration's figures on deliveries of new merchant ships are most significant. The U.S.S.R. added 100 new vessels in 1966 and in addition received 55 transfers from satellite countries. The U.S.A. added thirteen. Robert L. Nichols, in "A Survey of Russian Shipping," derived from Russian sources, notes that in a single year the Russians added more new ships than the U.S.A. built in five years. Only 386 ships have been built for the U.S. flag since 1947. But even more important so far as the future is concerned is the fact that as of May 1966 the Soviet had 581 ships under construction or on order.

"Jane's Fighting Ships, 1966–1967" makes particular reference to the Soviet Union's 2,000 merchant ships aggregating 9.5 million gross tons as an adjunct of naval strength. Her naval forces are now deployed on a world-wide scale. Her merchant fleet is "twice as big numerically and four times the size in capacity as it was only a decade ago, and is now the sixth largest in the world . . . the time has now come when [Russia] can exploit the oceans to the full."

The U.S.S.R. seeks not only monetary returns but the multiplication of influence everywhere. Landlocked isolation is gone forever. Seapower is a reality and, to Americans, a monumental challenge.

NATIONAL COURT ASSISTANCE ACT

Mr. GONZALEZ. Mr. Speaker, I ask unanimous consent that the gentleman from Massachusetts [Mr. McCormack] may extend his remarks at this point in the Record and include extraneous matter.

The **SPEAKER** pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. McCORMACK. Mr. Speaker, one of the outstanding jurists of our country, who is giving excellent leadership in the field of court reform and movement, is the Honorable G. Joseph Tauro, chief justice of the superior court of the Commonwealth of Massachusetts. In the Commonwealth of Massachusetts, Chief Justice Tauro has evidenced convincing and productive leadership in the field of judicial reform and improvement, so important in all fields of our judicial system, but particularly in speeding up the trial of cases.

On April 18, 1967, Chief Justice Tauro appeared and testified before a subcommittee of the U.S. Senate, presided over by U.S. Senator Joseph Tydings, of Maryland.

In my remarks, I include the testimony presented at that time by Chief Justice Tauro. The views of Chief Justice Tauro are worthy of profound consideration, not only as one of the outstanding jurists of our country, but as one of the real leaders in reform and improvements in the courts of the Commonwealth of Massachusetts.

A Presentation in Support of the National Court Assistance Act

(Note.—The following remarks formed a basis of the testimony given by Chief Justice G. Joseph Tauro, who appeared at the invitation of Senator Joseph Tydings before a hearing of the United States Senate Subcommittee on Improvements in Judicial Machinery on April 18, 1967.)

For the past two years Senator Joseph Tydings of Maryland has filed legislation entitled the National Court Assistance Act. There are two main features of his proposal: First, the availability of federal funds and assistance to state and local courts for the purpose of modernizing and improving judicial administration; and second, the establishment of an Office of Judicial Assistance as a national clearing-house for up-to-date information on court management.

All of us concerned with effective judicial administration share Senator Tydings' awareness "of the flood of litigation that is engulfing our courts and compounding already serious problems of docket delay and congestion." This is a problem that is not confined to one area or limited section of the country. It truly is a national problem and demands national attention. I would hope that the judiciary and legal profession throughout the country will encourage and support this first forward step designed to formalize a comprehensive attack on what has been described as "lagging justice" in our courts.

I am aware that there is apprehension in some quarters that this bill might jeopardize the traditional independence of our state judicial systems. But I am confident that the authors of this bill intend no federal encroachment in this area. A fair and impartial reading of the entire proposal reveals no interference or threat to the independence of our state court systems. It would seem that the provisions in Section 5 and 8 would satisfy the objections of those who insist this bill endangers our cherished principles of federalism. These sections specifically preclude any national supervision or control of the administration or organization of any state court and also prevent the initiation of any study or evaluation of a court without the prior approval of the chief judge of that court.

Although I consider these sections sufficient safeguards against possible federal interference, I see much merit in a suggested amendment to the proposal, which calls for the establishment of an Advisory Council on Judicial Assistance. The duty of this group would be to advise and consult with the Director of OJA with respect to matters involving programs and other functions arising out of the administration of the Act. In addition to allying fears of federal interference, I think this board can make a positive contribution in guiding this new federal office based on its vast experience in this field.

I am particularly optimistic over the proposed composition of this board. There would be one member appointed from not less than three nominees of each of the following seven groups: The National Conference of Chief Judges; The National Conference of Trial Court Administrators; The National Conference of Court Administrative Officers; The Section on Judicial Administration of the American Bar Association; The National Conference of Metropolitan Judges; The North American Judges Association; and The National Conference of State Trial Judges. The diversification of this group is excellent, and they each share eminent qualifications and common interest and concern in judicial administration. They should provide invaluable experience and expertise to the program of the Office of Judicial Assistance.

Furthermore, the involvement of members from these groups should enhance their interest and cooperation with OJA's objectives. In addition, the problems of conflicting or overlapping assignments between different organizations and of duplication of effort in particular area of study could be minimized and even obviated by the participation and background offered to this office by these national organizations.

Both of these factors will provide a real benefit to this new office, and I feel the adoption of this amendment to the present bill should be encouraged.

There is a problem which should be considered and resolved in discussing the inclusion of state judges on an advisory committee of this type. There might be state constitutional or statutory limitations on judges serving in this kind of dual capacity and under the authority of both state and federal governments. In fact, in my own state the possibility of such a restriction seems more real than illusory.

Nevertheless, I sincerely hope that all questions and doubts of federal interference and usurpation of state function will be discussed objectively and resolved so that this well-founded and much-needed legislation may be enacted. Of its many commendable features I would like to mention a few that I feel are especially attractive and beneficial.

First of all, the availability of federal funds should greatly encourage the study and evaluation of court systems, some of which have remained unaltered for decades. Naturally, financial support is not the sole answer, but it could provide the "seed money" needed to plant programs of court reform. Perhaps modernization of our court system has proceeded slowly due to its association with an honorable profession which has an ancient affinity with precedent. Regardless of reasons and despite the notable advances of some states, I must agree with Senator Tydings that there has been no unified and comprehensive mobilization of effort on a national basis to attack lagging justice in our Nation's courts. I honestly feel that the enactment of this bill is essential to awaken concern and consideration of judicial problems and their potential solutions and to spur our courts to concerted action.

If this bill provided nothing else it would be worth its enactment just to focus national attention on our judicial branch of government, about which so many of our citizens are poorly informed and apathetic. This attitude breeds complacency and inspires legislative inaction, thereby impeding the forces of reform. I envision that the studies and recommendations fostered by this bill at the state and local level will help to overcome the public and legislative indifference to the needs of the judiciary. Although intangible, over the years ahead this educative effect could prove one of the most lasting and significant by-products of the proposal.

In a more direct and tangible way I think this bill will induce the rapid introduction into our court systems of the "hardware" and "software" offered by modern technology. In the former category would fall the use of data processing and computer equipment, and the latter would encompass progressive business methods and programs designed by professional management consultants. More and more I realize that well-trained and professional court administrators versed not only in the law and court procedures but in sound business management as well can be of significant help. For a variety of factors some judges are often reluctant to admit the need for the services of such personnel and their techniques. For purposes of efficiency and effective justice, both must soon be made an integral part of every court system. It is no longer possible for a judge to look upon his role in judicial administration as an auxiliary function of his office. In this modern and complex society, judicial administration in itself is a full-time responsibility which should not be imposed entirely on already overburdened judges. This bill should go far to bring about advances in this area.

In addition, one of the more beneficial aspects of this proposal seems to lie in the plan for a central clearing-house to gather and evaluate plans and programs tried in various courts throughout the country.

There have been several professional organizations that have served the field of judicial administration very well. Among others, the American Judicature Society and the American Bar Association's Section on Judicial Administration under the most able leadership of Justice Tom C. Clark have provided outstanding service.

Despite the excellent efforts of these groups, the long history of judicial reform is one of trial and error in the various jurisdictions. Unfortunately, there has never been one national organization or office which collected and evaluated information and pertinent data from all our courts on a continuous basis. Only in a limited and sometimes fortuitous way may we in Massachusetts learn of what is being tried in Illinois, for example, in the way of court reform or revision. What is being tried elsewhere, both with success and with failure, can be of tremendous benefit to other jurisdictions with similar problems. With a central evaluating office many of the pitfalls of the trial-and-error technique may be obviated.

Consequently, the concept of this national clearing-house designed to make available facts, figures and statistics, which could be of value and interest to many of our state courts, is especially intriguing. It could prevent the duplication of error, supply suggestions for reform not originally envisioned, provide ready solutions in instances where proven methods have been successfully adopted and incentives to expand limited improvements.

I look forward to this approach as a major contribution of the proposed legislation. Through such a source, we should be able to avoid the situation which exists today whereby many programs for court improvement, years after their local implementation, remain a matter of controversy and debate, if not mystery, elsewhere throughout the country.

I certainly hope that the Office for Judicial Assistance will place much importance on its role as an evaluator of the various studies and programs which it might sponsor or conduct. As an objective national observer of sundry state and local projects, this office is ideally qualified to provide meaningful comparative analysis, to issue unequivocal appraisals and to recommend specific proposals. Naturally, each state must decide for itself which suggestions or improvements, if any, are best suited for its own system, but to enable a state to better plot its own course, the national office should fully exercise its independent judgment and make known the product of its evaluation.

I personally believe that assistance in the way of recommendations and suggestions resulting from these evaluations by highly respected experts would go far toward overcoming the obstructions to court reform caused by local political factors or other parochial considerations.

Another outcome of this office could be the development of a highly trained and knowledgeable group of experts in the fields of judicial administration. Hopefully, these personnel could make themselves available as consultants or advisors to those states which might request the benefit of this expertise. If this kind of cooperation and assistance would be forthcoming, it certainly should facilitate the implementation of improvements in judicial administration at the state and local levels of government.

Before closing discussion on the benefits to be accrued from this proposed bill, I wish to suggest the kind of project which I would hope the Office of Judicial Assistance would consider for early study and evaluation.

I believe there is the need for an in-depth survey of a state court system, which would include examination of all facets of its operation, organization, and procedure. I anticipate that the results or recommendations of such a study could serve as a pilot or master plan for other jurisdictions' adoption or adaptation, in whole or in part.

With the benefit of resources and talent available to the Office of Judicial Assistance it would seem a most appropriate office to undertake such a project. Perhaps it could enlist the cooperation of such groups as the American Bar Association, which several years ago approved a Model Judicial Article that several states have used as a guide to overhaul their judicial systems. I would think that far more benefits could eventually be expected from proposals offered as a result of a truly exhaustive and comprehensive survey sponsored by a governmental authority.

I realize that changes and improvements prompted by such a master plan will take years to evolve and as with all aspects of this Act, eventual success will greatly depend upon the acceptance and cooperation given this federal office by the various states. But a start must be made, and I feel this legislation and the funds it will provide along with the involvement of the federal government as an interested observer and invited participant in state court improvements will do much to promote real and substantial progress in this long neglected area.

Despite my enthusiasm for the bill as presently drafted there are, in my opinion, some other amendments which should be considered before the bill is enacted. As I earlier have indicated, I am not among the group who look upon this bill as a potential danger to the independence of our state courts. I am satisfied by the safeguards of Sections 5 and 8, but in fact, I question if they are too restrictive.

In both sections the presiding judge of the state court intended for study is given a virtual veto power over whether such a study or evaluation of his court may be made. It must be remembered that this court and its presiding judge quite often have the largest stakes in the status quo and that these same courts are frequently the very situs where change is often needed yet more often resisted.

I offer for consideration that the chief justice of the state's highest court be inserted as the necessary approving authority within a state for accepting grant applications instead of the chief judge of the court directly involved. As the highest judicial officer in the state, he is most often responsible for the over-all superintendence of all courts within his jurisdiction. Consequently, he should satisfy the valid check of requiring approbation by a judicial authority within the state court system to be studied before a grant will be authorized. Furthermore, by requiring the acquiescence of the chief justice of the highest court in a state, the risk would be lessened that a possibly far reaching and beneficial study would be scuttled due to the reluctance of a judge or court most immediately affected by the change. It is true than an obstructionist can be found in all judicial levels, but in any event it would seem more likely that the chief justice of the highest state court would at least be more detached and objective in his decision.

I realize the practicalities involved in requiring the approval of the chief judge of the particular court intended for study, and I do not underestimate the disadvantages caused by not having his complete approval and cooperation. Nonetheless, I feel many excellent studies and recommendations can still come to light through the efforts of the organized bar, law school faculties and individual lawyers and judges.

Another general observation that I wish to make about this bill concerns the lack of any provision establishing a contact between the state's judiciary and the legislative and executive branches in furtherance of any court study. It would seem the basic reason for this is sound. The courts are most directly connected with the administration of justice, and I agree they should be the prime movers in resolving their problems. However, it must be remembered that courts are not the masters of their own houses. They have the responsibility for its successful operation but not always the authority to exercise it. Most often, significant and necessary changes in the judicial system cannot be accomplished without legislative and even executive consent.

In view of this inescapable fact, I feel although this Act should not call for the approval of the legislative or executive arms to initiate study of a state court system, there should be incorporated into the bill some liaison with the other branches of government. Absent such an exchange, there is the distinct likelihood that many valuable studies could be permanently categorized as futile academic exercises since their chances for implementation would be weakened without the involvement or at least prior communication with the legislature and governor, whose aid will be eventually needed to enact any proposed changes.

Perhaps Section 4 would be a proper place to incorporate the requirement that a recipient of a grant in addition to submitting reports to the Director would also have to file progress reports to his own state legislature and governor. By including such a requirement in this Act, Congress will both emphasize and encourage not only the need for but also the importance of cooperation between all three branches of government if any changes or improvements in the court system are to come to fruition.

In conclusion, I reconfirm my opinion that this bill can provide real and substantive assistance to the states in promoting modern and effective methods in judicial administration. I would hope that if Congress sees the need for this bill, it would provide adequate funds for its successful operation. It must be remembered that highly professional people will be needed to staff and provide services to the Office of Judicial Assistance, and hopefully the salaries and stipends offered will be sufficient to attract the very best legal and administrative personnel.

I sincerely hope that this bill will receive the unified support of the bench, the bar and their related professional organizations. Much remains to be accomplished in the field of judicial administration, and this bill can provide the impetus for further significant achievements.

U.S. Senate, Committee on the Judiciary, Subcommittee on Improvements in Judicial Machinery,
July 24, 1967.

Hon. G. Joseph Tauro,
The Superior Court,
Boston, Mass.

Dear Judge Tauro: Thank you for your letter of July 11, 1967. I appreciate receiving a copy of the letter from Mr. Justice Clark, and due to the large number of calls and requests for a copy of your remarks that have recently reached my Subcommittee, I think the letter and your testimony have been most effective.

I appreciate your continued interest and cooperation in pursuing judicial reform through the National Court Assistance Act.

Sincerely,
Joseph D. Tydings,
Chairman.

Supreme Court of the United States,
Washington, D.C., June 1, 1967.

Dear Judge: The remarks of Chief Justice Joseph Tauro on the National Court Assistance Act are superb and since they did not get a wide circulation I am enclosing a copy.

If you are in agreement, you might call the Chief Justice's remarks to the attention of your Senators and Congressmen.

With best wishes, I remain,
Faithfully yours,
Tom C. Clark.

ANOTHER SUCCESS IN THE NEIGHBORHOOD YOUTH CORPS

Mr. GONZALEZ. Mr. Speaker, I ask unanimous consent that the gentleman from Florida [Mr. Pepper] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. PEPPER. Mr. Speaker—

> We have made a major and significant beginning to throttle want and elevate hope—

Stated President Johnson as he described the Neighborhood Youth Corps.

The importance of this program to our young people in urban areas is not often adequately proclaimed. When a "failure" succeeds at something for the first time, his world will never be the same again.

This is particularly true when the person is young and learns, through succeeding, that his future is something he can help mold to his own liking.

In 2 short years, this is what the Neighborhood Youth Corps has done for many urban youths. Some were in school, on the verge of dropping out. Others were already dropouts—social rejects, school misfits, jobless, often fatherless, sometimes dabblers in juvenile delinquency, or, in many cases, youths who thought that being poor was their inherited inescapable role in life.

The Neighborhood Youth Corps is dispelling this attitude among our urban young and giving them new hope of a better life. The NYC in Miami, Fla., has been especially successful in helping our young people find a better life. It is because of this "good job done" that I place this article in the Record.

Girl Finds Employment, Thanks to NYC

A young lady in Miami has found a good permanent job with the University of Miami School of Medicine and in a letter dated June 20, 1967, and addressed to the local Neighborhood Youth Corps project director, she gives the credit to NYC:

"I would like to take this opportunity to thank you, the staff at the NYC office, and the faculty at Assumption Academy for providing me with 25 months of important vocational training as an NYC clerk-typist and receptionist. This training enabled me to qualify for a permanent position as a clerk-typist for the University of Miami School of Medicine at Jackson Memorial Hospital. My starting salary is $304 a month.

"I shall always be grateful for having been able to acquire a vocational skill as an NYC enrollee . . . I now feel quite independent, secure and knowledgeable in the business world.

"In conclusion, the NYC breathed into my life a feeling of hope and a desire to succeed.

"Respectfully yours,
"(Miss) Anita Mincy."

SPEECH BY SENATOR EDWARD V. LONG

Mr. GONZALEZ. Mr. Speaker, I ask unanimous consent that the gentleman from Florida [Mr. Pepper] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. PEPPER. Mr. Speaker, I have always taken and continue to take a great interest in the Constitution of these United States, and I have always been opposed to anything which I thought was unconstitutional in any way, shape, or form.

Fifteen years ago when I was in the other body I started hearings on the wiretapping of telephones by Federal agencies and private individuals. This I believed to be a very grave invasion of privacy which, if it is allowed to continue, threatens to shake the very foundations of our great democracy. In this Congress I have sponsored the administration's proposal to control wiretapping, which I might add has been cosponsored by Senator Edward V. Long in the other body.

We all know of the trials and tribulations the able Senator from Missouri has been going through to erase this grievous invasion of the basic constitutional guarantee of privacy. Senator Long has recently made a speech on this very same subject before the Northeast Community Council, which I find to be very interesting. I recommend this speech to all people who are interested in the basic freedoms guaranteed to the American people by our Constitution.

Mr. Speaker, under unanimous consent I place this very excellent speech in this Record, following my remarks, for the further information of all who may read this Record in the future:

Ladies and gentlemen, I greatly appreciate the opportunity to be with you here tonight.

I think we owe a great vote of thanks to Bill Redpath and to all the members of the Northeast Community Council for their outstanding work in providing this Chautauqua program tonight. They are working in the cause for a better Northeast Community. With the help of this fine council and with the work of many individuals and firms, Northeast Kansas City is moving steadily ahead. There is a spirit of Chautauqua and progress here because the citizens believe in the importance and future of the community.

The Chautauqua has had a great role in American history. For your grandparents and my grandparents it was always a community event and the whole family would talk about it for months after it was over.

Times have changed. Today our nation is so developed that we can get performances on the television every night of the week. We have movies and plays and musicals. We have sports events. We have everything the early Americans dreamed of and we have far more. Yet, today, we are all too often missing the one thing that the Chautauqua had, the one thing we all feel here tonight. The Chautauqua was the symbol of community spirit. Each early American community was fiercely proud of its Chautauqua. The most talented and creative minds in our nation appeared in local Chautauquas coast to coast. It was a citizen's event. Everyone benefited; young and old, rich and poor. No town was too small or too out-of-the-way for a world famous singer or speaker. The Chautauqua stood for a vital, dynamic community life in which all shared.

In our nation today, the individual citizen can easily get lost in the shuffle. A strong community like this one in which every citizen can take a part is our best answer to the pressures of our times.

Yet, I regret to report that in our nation today, there are forces at work which could wreck a community like yours. There are forces which could tear down your freedoms, which could replace the happy spirit of Chautauqua with the grim spirit of a police state.

Before my Senate Subcommittee, a man testified that the Mayor of a New York community was using wiretaps and electronic eavesdropping devices to snoop on the activities of local citizens. This witness said he personally discovered a hidden microphone while making a call in a local phone booth. He showed us photographs of the microphone in the booth. He said many citizens in that community believed the mayor and his friends were listening in on personal phone calls. The people of this New York community were living in fear and distrust.

Only a court could have determined if the mayor really did commit the acts he was accused of. But that case demonstrated how easily a local community can be undermined by the fear of illegal snooping against individual citizens. That community could have been right here in Missouri. It could have been anywhere in the country.

If you lived today in Fairfax County, Virginia, the county taxes you pay would help purchase thousands of dollars worth of snooping equipment being used by the local police. The county not only uses wiretapping and eavesdropping devices on its own citizens. They also lend this equipment to neighboring counties. There are few laws controlling snooping by county officers. There is nothing on the books to say the citizen's tax money cannot be spent for wiretapping and eavesdropping equipment.

No one in this nation knows just how many citizens have been the victims of wiretapping or eavesdropping. My staff now estimates that one out of every ten American citizens has at one time or another been in a bugged room, or has talked on a tapped telephone. In another few years, unless we do something now, it will be one in every five citizens. It might already have happened once or more times to some of you here in the audience tonight. Unknown to you or your family, your phone might have been tapped, your bedroom might have been bugged, your washroom at work might have been installed with a hidden microphone attached to the boss's office. Until a year ago when my subcommitee began to investigate complaints, the telephone companies were listening in on millions of long distance phone calls. As soon as we began to investigate them, they conveniently dropped their monitoring system. One company alone had listened to over 3 million calls in a single year.

One witness testified that, a few years ago, 1,600 public telephones in New York City were bugged. Millions of innocent people used these phones. Millions of innocent phone calls were listened to. But, just in the hope that someone would say something wrong, agents were listening in. They overheard lawyers talking to their clients, they overheard husbands talking to their wives, they heard doctors talking to their patients.

This kind of practice could soon have every man and woman bound in the chains of fear, the dread that society is becoming a closed door.

What has happened to our America? Are we willing to sacrifice the principles of our democratic system, to sacrifice our constitutional rights in order to increase our security?

Who would believe that in over 4,000 business firms in the United States, the boss has rented equipment so he can secretly listen in on his employees' phone calls?

This is 20th Century America. We are supposed to be one of the most civilized nations on earth. Yet we are subject to these and thousands more violations of our every-day privacy.

A Rabbi, testifying before my Subcommittee, said that under Jewish Law all invasions of privacy then known were prohibited over 2,000 years ago. He said it's in the Book of Deuteronomy. The right of privacy is at least 2,000 years old. Yet, today in cities all across our land, government and private agents are listening in on phone calls and private room conversations of many thousands of citizens.

What is happening to our America? What is happening to our freedom? What is happening to your right to communicate freely with your wife, with your neighbor, with your lawyer, your priest, your rabbi, or your minister?

If we permit wiretapping and eavesdropping to continue in America, I can guarantee that there will soon be no more private conversations. Every citizen will have the terrible fear that someone is listening in. It is not that you are committing a crime or doing something wrong. It is just the uncomfortable feeling that maybe someone is snooping and may be you will say something that will displease them.

As you know, I have been concerned with this subject of the citizen's privacy ever since I came to the Senate. The more I learn about these practices of Federal and private agents, the more alarmed I become.

Our first big battle in the Senate against wiretapping came in 1962 when the Attorney General was proposing legislation to legalize wiretapping. I told them that the citizens' right of privacy was just as important as the citizens' right to good law enforcement. I supported and voted for every other measure the Attorney General proposed to step-up our fight against crime.

Was I right or did I undermine our drive against crime? Attorney General Clark said he has greatly increased his anti-crime drive without using wiretapping. When I asked him if a bill restricting wiretapping would hurt his work, he said no at three different points in the record. J. Edgar Hoover, after 50 years of experience fighting crime, said I had not hurt his fight against criminals. Both Clark and Hoover have been extremely helpful in working with my subcommittee on this whole matter.

I voted against the bill to permit wiretapping back in 1962 because I believed it would upset the delicate balance on which our democratic system functions.

We defeated that bill. Yet, there were Federal agencies which didn't care whether the Congress wanted wiretapping or not. These agencies were going ahead and wiretap anyway. In a report just released a few weeks ago, the Internal Revenue Service admitted that it kept right on wiretapping and eavesdropping after Congress refused to give it authority to do so.

I regret to report that fighting against wiretappers, snoops, and eavesdroppers is not an easy task. There are opponents. There are those who are opposed to the best interests of the people. There are those who have trampled on the rights of the little man, the average citizen for years and they have no intention of stopping now. There are those who have defied my Senate Subcommittee. There are those who have attacked me personally. They have not hesitated to try to cover up their activities. We discovered that the Internal Revenue Service has gone to great lengths to keep agents from testifying in court on cases in which they had wiretapped. In Boston, we found a Federal Judge furious at IRS agents who had lied to him. The Internal Revenue Service has had no qualms about concealing from the people and the Congress the extent of their wrongdoings.

Two and a half years ago, my subcommittee requested a full report on eavesdropping by the Internal Revenue Service. We waited and we waited. One year went by. Two years went by. Finally just a few weeks ago, they submitted their report. They admitted to 1,010 instances of electronic snooping. There was more going on in 1963 than any previous year. I firmly believe that if it had not been for my hearings, the IRS would have nearly doubled its tapping and bugging between 1963 and 1967.

There are still important questions on which the Internal Revenue Service has not answered. I am very pleased that the IRS, under the leadership of Sheldon Cohen, has made definite efforts to put an end to illegal snooping.

Unfortunately, they do not intend to reprimand any of those who placed illegal wiretaps. They do not plan to punish the IRS agent who wired a poor little secretary up with a microphone-transmitted and sent her into the witness room of a grand jury. IRS agents who have been wiretapping all their lives have already been promoted to better IRS jobs. But, we can only hope that those agents for whom snooping and eavesdropping are second nature, will retire soon and make way for young and more fair-minded recruits.

But the Internal Revenue Service and several other Federal agencies have a few more practices to clean up before they get a clean bill of health from the people of this nation.

Agents of the Food and Drug agency and the Internal Revenue Service have a long history of harassing and intimidating individual citizens. In our investigations of wiretapping and snooping we have run across many citizens who have been pressured and bullied by Federal agents.

Take the case of the Boston man who was detained in his home by IRS agents for a whole day. They kept him from contacting his lawyer or friends. They said, "You'd better cooperate if you expect to stay in business." They confiscated his financial records and threatened him with a jail sentence if he resisted. They questioned all his neighbors, they illegally copied his bank records, they interrogated his relatives, and started a tax investigation of his lawyer.

When a Federal Judge finally heard all about this, he strongly criticized the IRS for illegal pressures.

This was not headline news. We do not see in our newspapers every day the long and sad cases of citizen after citizen who has been crushed by one Federal agency or another.

You would be interested to know that a great many citizens give in to the Internal Revenue Service rather than fight. It would cost them more to hire a lawyer than they could possibly receive if the IRS lost the case. If you really know you are right, and you stand up and fight, the IRS can put a hold on your bank account and all your checks will bounce. They can attach your property. They can sell your property and they can completely tie up your savings. For the average citizen, this kind of power is too much. A man with a family could not survive a year or two of fighting the Internal Revenue Service.

This year in the Congress, Senator Magnuson and I have introduced a bill to provide an ombudsman or defender for the average citizen who is faced with small tax claims by the Internal Revenue Service. Many citizens don't know the first thing to do when they are confronted by the awesome power of an IRS ultimatum. They need help. Our bill will give them the help they need. In recent years, more and more, complaints have come to Congress from citizens who feel the Internal Revenue Service is being unfair. If the citizen is wrong, he will have to pay up. But if the IRS is wrong, the ombudsman or defender will be there to see that proper justice is done. I am always shocked when I hear of cases where, even when IRS is proven wrong, they refuse to pay their share. My subcommittee is determined to wipe out this arrogant, taxpayer-be-hanged attitude of some IRS agents.

We expect our Federal agencies to be fair. But they are not always fair. We expect our Federal agencies to be just. But they are not always just.

You may be assured that this Senator for one will keep up the fight against Federal abuse of citizens' rights. I will keep up this fight in spite of those who attack my subcommittee. I will keep up the fight in spite of those who want more wiretapping and eavesdropping in this country.

Do you realize, before my Senate subcommittee began its investigations, no one had any idea how much wiretapping and eavesdropping was going on in this nation. Congressman Claude Pepper, that great fighter for the people's rights from Florida, who held one of the first wiretapping hearings over 15 years ago, told me, "Senator, I had no idea these practices were so extensive. We don't want Federal agents wiretapping and snooping in Florida."

I think today, most Federal agents know I don't want any wiretapping and snooping on the people of Missouri. I think today, most Federal agents who abused the people's rights in the past, will think twice before they repeat their acts.

We have definitely made great progress. The President wants to get Congress to pass the Right of Privacy Act which I introduced. The Attorney General has issued regulations restricting all Federal agents from wiretapping and eavesdropping. The Supreme Court, in an historic ruling, has ruled against the New York wiretap law and I think has put an end to state laws which give a free pass to wiretapping and eavesdropping. The only thing now remaining is the passage of the Right of Privacy Act, which will help outlaw electronic snooping by private detectives and industrial spies.

I will keep up my fight for this vital legislation until all Missourians and all Americans have the kind of protection our Constitution guarantees us.

Our Bill of Rights is today 175 years old. It has survived some rough times. But if there is not enough public interest to defend the right of privacy, then the Bill of Rights will crumble. When our privacy goes, our right to free speech goes, our right to practice our religion goes. All our rights must stand or fall together.

I urge everyone here tonight, and every citizen throughout the land to oppose creeping Big Brotherism in America.

Let us renew our determination to work for an America in which every citizen's rights are secure, an America in which our children can live without fear and without being under the watchful eye of Big Brother.

OPERATION MAINSTREAM

Mr. GONZALEZ. Mr. Speaker, I ask unanimous consent that the gentleman from Texas [Mr. KAZEN] may extend his remarks at this point in the RECORD and include extraneous matter.

The **SPEAKER** pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. KAZEN. Mr. Speaker, with riots and violence dominating most of the headlines these days, many solid efforts to improve the lot of the hard-core disadvantaged go unnoticed.

It is therefore most gratifying to come across a newspaper story that so clearly shows how effectively Federal manpower programs are helping those most in need help themselves.

One of these highly successful programs is Operation Mainstream which is providing a good many disadvantaged citizens of three Texas counties with a new sense of meaning in their lives.

These persons, who had little to anticipate except day-to-day misery, are now getting a chance to build better lives for themselves and their families as they help build their own communities.

To illustrate how Operation Mainstream is benefiting the people of these three Texas counties, Mr. Speaker, I would like to insert into the RECORD the following Houston Post article of July 16, 1967:

OPERATION MAINSTREAM SETS GOAL FOR SEASONAL WORKERS

(By Ben Blanton)

KENEDY.—For Atansio Ortiz of Floresville the War on Poverty is more than a social welfare experiment. Through Operation Mainstream, a program to relieve hard core unemployment, Ortiz now has a regular job in the Floresville City maintenance department with regular pay to take home for his wife, Pauline, and their five children.

Life before that for Ortiz, born 43 years ago at Falls City, included only three years of public school and one seasonal farm or ranch job after another, such as bailing hay, chopping peanuts or feeding cattle.

The economic Opportunity Development Corporation of Karnes, Wilson and Atascosa counties received federal funds of $189,643 in 1966 to start the program. Job training opportunities in municipal maintenance were provided by 13 towns in the three counties.

They are Karnes City, Kenedy, Runge and Falls City in Karnes County; Floresville, Poth, Stockdale and LaVernia in Wilson County; and Pleasanton, Jourdanton, Poteet, Charlotte and Lytle in Atascosa County.

Ortiz was one of 60 men employed in the towns when the program started, to build recreation facilities, repair asphalt streets, water mains and sewer lines, and to learn the variety of work skills required in municipal maintenance.

Operation Mainstream became part of the War on Poverty as the Nelson Amendment, introduced by U. S. Sen. Gaylord Nelson, D-Wis., to overcome constantly recurring unemployment in agricultural areas. It was limited to counties with less than 100,000 population.

Now in their second year of drouth, the South Texas counties have a severe shortage of the usual seasonal jobs in farming and ranching.

S. E. (Bubba) Newman of Kenedy, executive director of the EODC programs for the three counties, received word July 1 that Operation Mainstream has been refunded for a full year with $376,500 of federal funds, to which the towns add $63,380 worth of "in kind" support. This is usually material and supplies.

Putting Operation Mainstream to work to bring men out of the chronic unemployment category and put them back in the economic mainstream required overcoming a traditional resistance to welfare in this part of Texas.

Charley Fuller, co-ordinator in the three counties, said, "This is country where people have always felt that if a man can't take care of himself and his family, then he is not worth anybody else's time or care. It's an area of rugged individualism and far less interest in social welfare experiments than in last month's rainfall records.

"Frankly, Bubba Newman had a tough selling job just to get the program started. Most of the city officials figured it was just red tape and trouble, with nothing worthwhile in return. On the first round they did not see how they could use extra men for city work. Now that they see what these men, given a chance, can accomplish, the city officials are eager to co-operate, and we have 90 men at work now in 13 towns.

"Operation Mainstream tries to anchor the part-time worker, to keep him from being a drifter, and to impress on him the responsibility of keeping his children in school so that another generation is not locked into the same cycle," Fuller said. "It may be a social experiment with welfare, but I think the city officials in Wilson, Atascosa and Karnes Counties have shown that they can do something useful and worthwhile with individuals in their own communities who have never before had such an opportunity."

Ray Pollock, mayor of Falls City and a member of the EODC board for Karnes County as well as the Tricounty board, worked for the program because he wanted help for older unemployed people, and they already had the Neighborhood Youth Corps.

"When we finally got the Nelson program," Pollock said, "our city council would not appropriate the money for our 'in kind' support, so the Falls City Chamber of Commerce raised it."

As a result, Falls City, population 462, has a park by the San Antonio River with circular concrete tables and benches built around huge pecan trees. The design, developed by Peter Szalwinski, a contractor, was so attractive the State Highway Department asked permission to copy it for roadside parks.

When the program was renewed, the Falls City council was ready with money for asphalt to pave every street in town.

Applicants for the jobs were screened by Newman's office in Kenedy, then they are screened by a three-man committee in each city. After approval, they are given a Texas Employment Commission test to determine the occupation they will fit in best.

"Some people had the idea that this would be a political program," Pollock said. "We didn't allow it to be anything but the program it is designed to be—to give worthwhile employment to people who need work and want to work, and to do something worthwhile with their labor while they learn new skills. It is working, and it means more to Falls City and our other towns than a multimillion dollar program would mean to Houston."

Pollock said that one of their men is handicapped and two of them, single men, had cash incomes of less than $300 last year. One of them, who has a wife and four children, had a cash income of less than $1,200 and just could not find work.

At Karnes City, Albert Fuchs, director of utilities, said that out of the eight men he has working he has already found one who will be trained to read meters.

"This program has made it possible for us to try men in jobs we could not afford to try on our own," Fuchs said.

Most of the cities built baseball parks and recreation centers in the first round of the program. Now they are paving streets, repairing water and sewer mains, painting buildings and taking care of needed maintenance.

In the recently re-funded Operation Mainstream, one hour of counselling and three hours of basic education for adults have been included with 36 hours of work a week. The workers are paid $1.40 an hour.

Newman says the Operation Mainstream program and the National Youth Corps out-of-school program are the most effective War on Poverty programs administered by his office, which also handles Medicare, the Head Start Summer Program, Pre-School and Day Care Centers and new recreation and first aid programs.

In the three counties the programs have served 790 adults, have found jobs for 300 youths in the Neighborhood Youth Corps, and put 1,200 children through the Preschool and Head Start programs.

Since 1966 the EODC has received $1,357,798 in federal funds, plus $209,839 worth of "in kind" support furnished by the participating cities and school districts for a total of $1,567,637.

PANAMA CANAL ISSUES AND TREATY TALKS: SEQUEL

Mr. GONZALEZ. Mr. Speaker, I ask unanimous consent that the gentleman from Pennsylvania [Mr. Flood] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. FLOOD. Mr. Speaker, in an address to the House on June 8, 1967, on "Panama Canal Issues and Treaty Talks: Defects and Validities," I dealt in considerable detail with the fallacies in the majority report of a nine-member interoceanic canal panel that was published in booklet form in March of this year by the Center for Strategic Studies, Georgetown University. In the May-June 1967, issue of the Military Engineer, the Journal of the Society of American Military Engineers, I have read a featured article on "Shipway Between the Oceans" by Brig. Gen. Harry G. Woodbury, Jr., who is now Director of Civil Works, Office of Chief of Engineers, U.S. Army, and the engineering agent for the current studies on the feasibility of constructing a canal of so-called sea level design across the American isthmus. The appearance of this article so soon after publication of the indicated booklet is, I believe, most significant.

It will be recalled that in my address on June 8, I emphasized that the majority report of the center's booklet was premised on the false assumption by the majority that, because the proposed surrender policy at Panama was made by a Presidential declaration, this position is an accomplished fact and precludes consideration of it on the basis of merits. In other respects, the indicated majority report was an ex parte treatment in support of one predetermined objective—securing authorization of a vast sea level construction project in Panama or the Canal Zone.

Though less comprehensive than the majority report, the article by General Woodbury gives the same ex parte treatment in support of the same predetermined objective and ignores crucial issues in the overall canal problem that must be considered in any evaluation that is realistic and protective of the U.S. interests.

As many of the detailed remarks in my June 8 address apply with equal force to parts of the Woodbury article, I shall not comment on specific excerpts but limit myself to some general conclusions. A careful reading of the article shows that it—

First, ignores the transcendent question of safeguarding the indispensable sovereign rights, power, and authority of the United States over the Canal Zone for the efficient maintenance, operation, sanitation, and protection of the Panama Canal.

Second, fails to present the major operating problems of the existing canal.

Third, does not describe the serious defects of the authorized third locks project, which was suspended in May 1942, after the expenditure of some $75 million.

Fourth, mentions the third locks project in the same category with the terminal lake plan, which is misleading.

Fifth, fails to mention that the lake-lock proposal was approved in principle by two Governors of the Panama Canal as the proper way for modernizing the existing canal.

Sixth, makes inadequate mention of the 1947 Isthmian Canal studies and the fact that its recommendations were premised on hypothetical questions of security and national defense incident to the hysteria over the advent of the atomic bomb.

Seventh, does not disclose that the 1947 Canal Report failed to receive Presidential approval, that it was sent to the Congress without comment or recommendation, and that the Congress ignored it, not even authorizing its publication.

Eighth, supports the long-predetermined idea of a canal at sea level but fails to state that such project in the Canal Zone would require a new treaty with Panama while the modernization of the existing canal according to the Terminal Lake-third locks plan would not.

Ninth, ignores the historical facts that the relative merits of the lake-lock type and the so-called sea-level type were threshed out during the Theodore Roosevelt administration with the result that, upon the strong recommendations of Chief Engineer John F. Stevens, both the President and the Congress approved the lake-lock design; and that the wisdom of the original construction has been completely established.

In view of the facts indicated, the Woodbury paper is obviously part of an organized propaganda campaign paralleling the views in the majority report in the booklet by the Center for Strategic Studies. In contrast, the minority report in the indicated booklet, prepared by Dr. Donald M. Dozer and Vice Adm. T. G. W. Settle, is a model of logical reasoning that reflects both knowledge and understanding of the actual problems involved in their broadest sense. Moreover, the minority report supplies a realistic program for our Government.

In order that President Theodore Roosevelt's message to the Congress and the indicated papers may be easily available for study and comparison by all Members of the Congress and others concerned with canal problems, I quote the three as parts of my remarks:

Panama Canal Issues and Treaty Talks

PART 2—MINORITY REPORT

Part two is a report by a minority of the Panel. In our consideration of Panama Canal problems we are unwilling to be limited by the joint announcement of Presidents Johnson and Robles on September 24, 1965. We do not accept the view that a presidential statement that purports to abrogate a treaty which has been constitutionally ratified and to relinquish sovereign control over legally acquired territory of the United States should be allowed to serve as a definitive guideline for this study or to block a full and open-minded consideration of Canal problems. Our analysis dealing more broadly with those problems therefore leads us to some conclusions different from those of the preceding report.

Donald M. Dozer.
T. G. W. Settle,
Vice Admiral, U.S. Navy (Retired).

HISTORICAL ANALYSIS

Panama, despite its small population of only 1.2 million, enjoys a status of singular importance because of its geographical position astride the Isthmus connecting the continents of North and South America. At the same time, its location makes it a focus of envy of the predatory communist nations that are working constantly to seize and control it. The Isthmus is one of the great strategic and military centers of the world.

Panama's independence was protected by the United States under the Hay-Bunau-Varilla treaty from 1903 to 1939, but since World War II its independent status has been compromised by a succession of crises, some fomented by communist-oriented agitators and some by surrenders to Panama by the United States of important rights, power, and authority, which are indispensable to effective management of the Canal and to safeguarding U.S. interests there. The global implications of these mounting crises in Panama, aimed at wresting control of the Canal from the United States, may be seen in the coincidence of events there with those in the Suez Canal, in South Africa, and in Vietnam, all directed toward gaining control of the strategic waterways of the world. The preservation of the sovereign control of the United States over the Canal Zone and Panama Canal is more vital to this nation than victory in Vietnam. The further forfeiture of that control will constitute a major surrender by the United States and may be expected to trigger communist takeovers of governments in Latin America.

The United States was acknowledged in 1903 by all the maritime nations to have an international mandate to construct, maintain, operate, sanitate, and protect a canal across the American Isthmus for the benefit of world commerce. It chose Panama over Nicaragua as the site of the Canal because of its superiority and because Panama offered as an inducement a grant of sovereign control over a canal zone and other concessions outside the zone which were indispensable to the discharge of that mandate. These were embodied in the Hay-Bunau-Varilla Treaty of 1903, which granted "in perpetuity" to the United States "all the rights, power and authority . . . which the United States would possess and exercise if it were the sovereign of the territory . . . to the entire exclusion of the exercise by the Republic of Panama of any such sovereign rights, power or authority" (Article III). This article, which still remains legally in full force and effect, granted the United States the sovereign control which has been demonstrated ever since as essential to enable it to discharge its canal responsibilities. It was intended to remove "in perpetuity" any possiblity of claims against the United States for the exercise by Panama or any other nation of extraterritorial rights in the Zone. Panama gave the United States these extensive rights "in perpetuity" in return for the obligation of the United States to operate the canal in perpetuity and to guarantee its independence. Just as Panama committed itself to granting to the United States in perpetuity a strip of its own land for building, operating, and maintaining an interoceanic canal the United States committed itself also in perpetuity to operate and maintain the canal. Panama thus gained an advantage which she would forfeit only at her cost and peril.

It should be noted that the Hay-Bunau-Varilla treaty was constitutionally ratified by both Panama and the United States and that when Panama adopted its first constitution in February 1904 it expressly ratified all the measures that had been enacted by the Provisional Government including the Hay-Bunau-Varilla treaty.

In implementing the treaty the United States proceeded to acquire outright ownership of all land and other property in the Canal Zone by purchase from the individual owners. The rights exercised by the United States in the Canal Zone are derived therefore from both the grant from the government of Panama and purchase from the individual property owners.

The total cost of the acquisition of the Canal Zone, as reported by the Deputy Secretary of the Army on March 31, 1964, is as follows:

Original payment, 1904 (treaty of 1903)	$10,000,000
Annuity, 1913–1963 (treaties of 1903, 1936, 1955)	30,150,000
Property transfers:	
In Panama City and Colón, 1943	11,759,956
Water system in Panama City and Colón	669,226
Under treaty of 1955	22,260,500
Colombia (1922)	25,000,000
Compagnie Nouvelle du Canal de Panama (1904)	40,000,000
Private titles, stocks, and claims	4,728,889
Total	$144,568,571

The principal objectives of the Isthmian Canal policy of the United States, as historically evolved, have been to construct, maintain, and operate the best possible type of canal at the best possible site for the transit of vessels of commerce and war of all nations on terms of equality as provided by treaty and to do so at the lowest possible cost of construction, maintenance, operation, sanitation, and protection. The United States has traditionally considered the Panama Canal as vital to her security and commercial interests and has operated it on a self-sustaining basis.

For more than ten years the United States has been enmeshed in crisis diplomacy with Panama and has responded with one concession after another, each of which has been followed by new and greater demands from Panama. While retaining the responsibility, embodied not only in the Hay-Bunau-Varilla Treaty with Panama but also in treaties with Great Britain (Hay-Pauncefote, 1901) and Colombia (Thomson-Urrutia, 1914–1922), the United States has progressively relinquished its authority in the Canal Zone under pressure from communist-led demonstrations and demagogic Panamanian politicians thus furthering the long-range communist objective of gaining control of the strategic waterways of the world.

To this pressure the United States has responded only with concession after concession. In the treaty of 1955 it increased the annuity to Panama by $1,500,000, to make a total annual payment of $1,930,000. At the same time it gave to Panama approximately $25 million worth of miscellaneous parcels of land, relinquished its treaty responsibility for sanitation in the cities of Panama and Colón, and turned over to Panama the railroad terminals, passenger stations, and freight yards in those cities, all without compensation.

Over and above the financial benefits which the Panamanians derive from the Canal enterprise they have received from the United States between 1946 and 1964 a total of $128 million in financial aid or more than $100 for every man, woman, and child in the country. This aid from the United States exceeds the total amount given to any other Central American country except Guatemala and the per capita amount given to any other Central American country except Costa Rica.

In return for the concessions which the United States made to Panama in the treaties of 1936 and 1955 Panama promised to "strengthen further the bonds of friendship and cooperation" with the United States to promote mutual understanding and friendship of her people with the United States. Panama has not fulfilled her part of this bargain. Meanwhile, the concessions made to her are increasingly seen to have been unwise, for they appear as part of a plan to wrest control of the Canal from the United States through piecemeal erosion. The agitation and demonstrations in Panama against the treaty position of the United States in the Zone, if continued, can only result in driving the United States from the Isthmus. Panama's repeated thrusts are directed toward the total liquidation of United States sovereignty and control over the Panama Canal. In December 1958 Panama took the bold step of proclaiming the extension of its territorial waters to a twelve-mile limit thus encompassing within its own territory the area beyond the three-mile limit of canal operations at both ends of the Canal Zone which was stipulated in the treaty of 1903. Panama thus established a legal basis for bottling up the United States in the Zone.

KEY ISSUES

The key Isthmian Canal issues facing the United States are: (1) whether the United States should insist upon preserving its existing treaty rights, power, and authority over the Canal Zone in order that it may adequately discharge its treaty responsibility for the efficient maintenance, operation, sanitation, and protection of the Panama Canal for the benefit of its own commerce and the commerce of the world and that it may at the same time defend and protect its own security interests and those of other nations of the western hemisphere, and (2) whether, because of the approaching traffic saturation of Canal capacity, the United States should construct additional Canal facilities required to meet increased traffic demands. This latter question has reopened the old debate as to the advisability of constructing (1) a so-called sea-level canal across the Isthmus, possibly with nuclear excavation, or (2) an alternate canal at a site other than the site of the existing canal. The United States has allowed itself to be impaled on the dilemma as to how far it can go in acceding to Panama's demands while retaining the control necessary to discharge its treaty obligations and protect its own vital interests in the Canal Zone. The problems of the Canal, which involve primarily matters of engineering and operation, have been allowed to become seriously intertwined with matters of politics and diplomacy, and the advocates of a sea-level canal, taking advantage of the resulting confusion, are again pushing their favorite project.

The United States has been maneuvered into its current negotiations with Panama by the blackmail tactics of Panama, aided and abetted by communist conspiratorial forces and by successive administrations in Washington. In this situation whatever bargaining advantage still rests with the United States is further weakened by its virtual dependence upon a satisfactory settlement with Panama and by the pressure being exerted by the Panamanian government for a speedy termination of the current treaty negotiations due to the political climate in Panama. In all the negotiations which the United States has carried on with Panama since 1936 it has never, except on a few slight occasions, required any reciprocal concessions by Panama. All that Panama seems to be expected to offer is a cessation of demonstrations and mob action against the United States, which it seems to be able to turn on and off at will. In addition, in the propaganda campaign for a sea-level canal among special interest groups in the United States, Panama has been supplied with a lever which it is shrewdly using to maximum advantage. These are Panama's only negotiating assets. Hence, the conditions for reciprocally satisfactory negotiation are lacking, and for this reason the current negotiations are stalemated. To put them on a proper basis it is necessary that the United States recover its position of bargaining strength and that Panama be made conscious of its international obligations as an avowedly responsible member of the American and international community.

CONCLUSIONS

The United States therefore should:

(1) Terminate immediately its present negotiations with Panama while holding Panama to strict accountability for respecting and enforcing its treaty obligations for the maintenance of law and order;

(2) Withdraw any and all arrangements for shared management of the Canal. Panama does not possess the skilled managerial and operating personnel required to handle the Canal. Moreover, as a country of mercurial politics it lacks the stable government necessary to discharge this responsibility to world commerce. Since 1930 Panama has undergone five unconstitutional changes of heads of state. Little comfort can be gained from examining the backgrounds of opposition leaders in Panama today or the extent of communist influence among the youth of that country.

(3) Reassert its position of sovereign control over the Canal and the Canal Zone, which has been dangerously weakened by ac-

tion of Presidents Eisenhower, Kennedy, and Johnson. As a symbol of its sovereign control it should allow only the United States flag to be flown in the Zone. The successes which the communists have already achieved in extending the area of their control, as notably in the case of Cuba, render it imperative that the United States maintain all its treaty rights, power, and authority over the Canal.

(4) Insist upon Panamanian recognition of the full force and validity of the 1903 Treaty allowing, however, an adjustment of the annuity provided in that treaty;

(5) As a necessary condition to the resumption of treaty negotiations, require that Panama agree to a revocation of certain major concessions made to her in the treaties of 1936 and 1955, which appear in perspective to have been only stepping stones to ultimate conquest of the Canal from the United States;

(6) Insist upon receiving from Panama in perpetuity the entire watershed of the Chagres River, thus enabling the United States, within the terms of the Treaty of 1903, to proceed with the modernization of the Canal and the enlargement of its traffic capacity with a secure water supply. It is important to note that the United States did not insist upon receiving a canal zone wider than ten miles in 1903 because it was given in the Hay-Bunau-Varilla treaty the right of eminent domain in Panama for all necessary canal purposes. The recommendation that the Canal Zone should be widened to include the entire watershed of the Chagres River was made initially by General Clarence R. Edwards while commanding the United States Army in the Canal Zone in 1915–1917. The United States surrendered the right of eminent domain in Panama in the Treaty of 1936 but now needs control over the entire Chagres River basin outside the Zone for the operation of the Canal. Only in this way can it prevent the burning of timber on the headwaters of the Chagres River by irresponsible campesinos and the resulting soil erosion which limits the water available for canal operations. The advantages to Panama from this additional grant can and should be convincingly demonstrated to Panamanians by their own political leaders.

Panama owes her national existence to the Canal enterprise, and from it she has derived, and will derive as long as the United States remains in sovereign control, tremendous economic benefits, which have given her one of the highest standards of living in all Latin America.

(7) Abandon plans for the digging of a new canal, whether by nuclear or by conventional methods. The Governor of the Canal Zone reported in 1931: "Considering the low cost of providing water for additional lockages by pumping, it is apparent that the ultimate capacity of the Panama Canal with locks is unlimited and may be increased to any amount desired by constructing additional locks and installing the necessary pumping equipment," thus ultimately envisaging a third, perhaps a fourth, and even a fifth set of locks.

A sea-level canal project derives advantages from its glamorous appeal and from the grandiose vision it creates of a Panama strait comparable to the Straits of Magellan. But it should be emphasized that the term sea-level canal is a misnomer; because of the differential in tides on the Pacific and the Caribbean sides of the Isthmus, with maximum ranges of 22 feet on the Pacific and only about 22 inches on the Caribbean, even a so-called sea-level canal would necessarily have to be a tidal-lock canal. The regulating works for tidal control, as well as the high dikes required to divert flood waters in a sea-level canal, would make such a canal as vulnerable to nuclear attack in wartime as the present lock canal, in fact more so because of the greater length and depth of the cut which would be necessary.

There is no substantial, evidential support for the assertion that a sea-level canal would require fewer supporting facilities and administrative procedures than the present Canal. On the contrary it seems highly probable that since a sea-level canal would be more susceptible to slides and would present unprecedentedly large maintenance problems it would require larger supporting facilities and administrative staffs. Moreover, the expense of digging a new canal at any site different from that of the existing Canal must take into consideration the following costs, among others:

a. Purchase of the right-of-way;

b. Idemnity to Panama for leaving the present site;

c. Purchase price for real estate at the new site; and

d. Construction at the new site of new facilities which are already constructed and being used at the existing Canal, including harbors and docks drydocks, shops, fueling and oil storage facilities, industrial plants, storehouses, towns with water, fuel, and electric current, roads, parks, schools, police stations, dams, reservoirs, electric power plants, telephone systems, sanitation systems, hospitals, defense installations, and many others.

TERMINAL LAKE-THIRD LOCKS PLAN

(8) Proceed with the improvement of the existing Canal in accordance with the Terminal Lake-Third Locks Plan in order to provide necessary additional transit capacity in the Canal. This plan grew out of wartime experience after 1941 which disclosed the following as principal Canal problems:

a. The traffic bottleneck at Pedro Miguel locks and lack of a summit-level traffic reservoir at the Pacific end.

b. Double handling of vessels at the separated Pacific locks.

c. Effects of fog in Gaillard Cut on Canal capacity and operations.

d. Lockage surges in the Gaillard Cut caused by operation of the Pedro Miguel Locks.

e. Limited operating range of the water level in Gatún Lake (87–82 feet).

f. Navigational hazards in Gaillard Cut due to its narrow width (300 feet minimum bottom width).

g. Inadequate dimensions of the locks for the largest vessels (110 feet by 1,000 feet by 41 feet).

To overcome these difficulties the Terminal Lake-Third Locks plan was proposed and was authoritatively recognized as supplying the best operational canal practicable of achievement. It called for elimination of Pedro Miguel Locks, the consolidation of all Pacific locks near Miraflores, the creation of a summit-level anchorage in the Pacific end of the Canal to match that at Gatún, and elevating the summit water level to its optimum height of 92 feet. It will thus provide summit-level navigation from Gatún to Miraflores with obvious operational benefits including reduced transit time for vessels and an anchorage area immediately north of the Miraflores locks. This plan, as contrasted with the sea-level plan, will not empty Gatún Lake but will raise it from 85 to 92 feet and will provide ample water supply for the operation of the Canal for many years to come.

This plan was recommended by the Governor of the Canal Zone to the Secretary of War for comprehensive investigation, was supported by maritime interests, and won the support of the President as a post-war project. The Governor of the Canal Zone, however, in his report to the Secretary of War warned that there remained advocates of a sea-level canal who would oppose "unjustifiable" any major improvement of the existing Canal on the grounds that it would delay the adoption of their sea-level scheme.

The advent of the atomic bomb near the end of World War II generated a new concern for Canal security.

As a result, the new Governor of the Canal Zone secured authorization to conduct a comprehensive investigation of the means of increasing the capacity "and security" of the Panama Canal to meet the needs of interoceanic commerce "and national defense", including a restudy of the 1939 Third Locks Project (Public Law 280, 79th Congress). In the hearings he approved the terminal lake proposal in principle as the proper form for modernizing the existing Canal.

The advocates of a sea-level route, according to their own statements, used "security" as their rallying cry and, ignoring money costs, tried to push through their scheme, which, in its modern form, called for the building of a sea-level canal near the approximate route of the present Canal and crossing it several times, a tidal lock, many miles of dams for flood control reservoirs on both sides of the projected canal, and four diversion channels.

There was a determined drive by those who would benefit to secure its authorization, including the manufacturers of heavy earth-moving machinery, dredging combines, contractors, and a limited group of engineers. But their proposal failed to receive Presidential approval and was not accepted by the Congress.

It was estimated at that time that the digging of a sea-level canal along the existing route would involve channel excavation of approximately one billion cubic yards of material. By comparison the total channel excavation for the present Canal, including the usable excavation performed by the French, was approximately 275 million cubic yards or only one-fourth as much. Questions were raised at the time by nuclear warfare experts whether a sea-level canal would actually prove to be less vulnerable to atomic attack and a summit-level canal.

In 1957 the House of Representatives authorized the appointment of an independent Board of Consultants on Isthmian Canal Studies to investigate plans for the operation and improvement of the Panama Canal. This Board, initially composed of six experts drawn from private life, presented its report in June 1960 (86th Congress, 2d Session, *House Report No. 1960*). The Board estimated the cost of the Terminal Lake-Third Locks project, on which $75 million had been spent between 1940 and 1942 and which had been shown by World War II experience to be necessary, at almost $1,021 million. This estimate was extravagant, however, because it was based upon locks of excessive dimensions, 200 feet by 1500 feet by 55 feet whereas the original Third-Locks Project called for locks of 140 feet by 1200 feet by 50 feet. The Board estimated the initial cost of a sea-level canal with regulating structures at $2,537 million, not including diplomatic costs, which would undoubtedly be huge.

They concluded that the present Canal, if modernized in accordance with the "consolidated third-locks" design in order to accommodate vessels with a beam of 132 feet, "will have fully adequate capacity to meet the demands of traffic beyond the year 2000," taking into consideration a report by the Stanford Research Institute that commercial freight traffic through the Canal would more than double in tonnage by the year 2000.

With reference to the proposal of a sea-level canal, the Board reported that the fixed charges of such a canal are "very high and would commence with the start of the enormous construction job. If started now, these fixed charges would commence decades before the volume of traffic, even with increased rates, could absorb them. Hence a subsidy would be required to meet a heavy deficit over a period of many years . . . We are doubtful," they added, "if any reasonable plan to construct a sea-level canal in the Canal Zone could be carried through without serious danger of a long interruption to traffic at the time of cutover from the present lock canal." The Board was also "extremely doubtful of the stability of the slopes "resulting from the construction of a sea-level canal." "In our opinion," they concluded, "slides of the first magnitude could easily result from the use of such slopes." As a further objection, they pointed out, the differential in tides on the Atlantic and the Pacific "would at times cause currents in the channel up to 4.5 knots in a sea-level canal without tidal-regulating structures. This flow, combined with currents caused by flood and intermingling of fresh and salt water, would produce currents up to 7 knots in certain places."

The Terminal Lake-Third Locks proposal makes possible a maximum utilization of all the work done thus far on the Panama Canal, including the Third Locks project between 1940 and 1942 and the continuing work of widening and deepening the channel, which has been going forward since 1960. All that remains is to construct larger locks in the present Canal. This proposal, calling only for an enlargement of existing facilities within the Canal Zone, does not require a new treaty with Panama but is covered by existing treaties—a paramount consideration because of current diplomatic difficulties with Panama.

The canal facility that is required at Panama is a two-way ship channel across the Isthmus with a traffic reservoir and ample lock capacity at both ends of the canal. The two-way ship channel is complete except for about three miles in Gaillard Cut, and the reservoirs and lock capacity will be provided under the Terminal Lake-Third Locks plan. This plan will necessitate a minimal additional expense, will require no new treaty negotiations, and will enable the Canal to accommodate all but approximately two percent of the vessels in world shipping well into the twenty-first century.

Objection to this simple, obvious, and economic solution has been raised that it would be only an interim solution, but all transportation systems are interim solutions. What is needed is one based upon the realities of the problem of economic transit across the American Isthmus. The evidence is conclusive that a lake-lock canal can be justified on a business basis whereas a sea-level project cannot be. If the time should ever come when a modernized Panama Canal with a two-way ship channel in the summit level equipped with ample lock capacity at each end becomes insufficient, then something more could be done. In any event, such a time is so far away that it should not be allowed to influence current decisions.

We now have a fine canal.

We know it will work.

We know how to operate it.

We know how to enlarge it from time to time as necessity requires.

We have a treaty with Panama which enables us to operate it and control it, though this treaty is now being abrogated by executive fiat.

We are losing control of the Panama Canal through a policy of retreat and through our obsession with the construction of a canal of sea-level design which weakens our bargaining position.

If we cannot control the Canal which we now own, we may be forced entirely out of the canal business in Central America.

If this happens, who will control this priceless interoceanic utility? Who will operate it to serve the needs of world commerce?

Report of the Board of Consulting Engineers for the Panama Canal

To the Senate and House of Representatives: I submit herewith the letter of the Secretary of War transmitting the report of the Board of Consulting Engineers on the Panama Canal and the report of the Isthmian Canal Commission thereon, together with a letter written to the chairman of the Isthmian Canal Commission by Chief Engineer Stevens. Both the Board of Consulting Engineers and the Canal Commission divide in their report. The majority of the Board of Consulting Engineers, eight in number, including the five foreign engineers, favor a sea-level canal, and one member of the Canal Commission, Admiral Endicott, takes the same view. Five of the eight American members of the Board of Consulting Engineers and five members of the Isthmian Canal Commission favor the lock canal, and so does Chief Engineer Stevens. The Secretary of the War recommends a lock canal pursuant to the recommendation of the minority of the Board of Consulting Engineers and of the majority of the Canal Commission. After careful study of the papers submitted and full and exhaustive consideration of the whole subject I concur in this recommendation.

It will be noticed that the American engineers on the Consulting Board and on the Commission by a more than two to one majority favor the lock canal, whereas the foreign engineers are a unit against it. I think this is partly to be explained by the fact that the great traffic canal of the Old World is the Suez Canal, a sea-level canal, whereas the great traffic canal of the New World is the Sault Ste. Marie Canal, a lock canal. Although the latter, the Soo, is closed to navigation during the winter months, it carries annually three times the traffic of the Suez Canal. In my judgment the very able argument of the majority of the Board of Consulting Engineers is vitiated by their failure to pay proper heed to the lessons taught by the construction and operation of the Soo Canal. It must be borne in mind, as the Commission points out, that there is no question of building what has been picturesquely termed "the Straits of Panama;" that is, a waterway through which the largest vessels could go with safety at uninterrupted high speed. Both the sea-level canal and the proposed lock canal would be too narrow and shallow to be called with any truthfulness a strait, or to have any of the properties of a wide, deep water strip. Both of them would be canals, pure and simple. Each type has certain disadvantages and certain advantages. But, in my judgment, the disadvantages are fewer and the advantages very much greater in the case of a lock canal substantially as proposed in the papers forwarded herewith; and I call especial attention to the fact that the chief engineer, who will be mainly responsible for the success of this mighty engineering feat, and who has therefore a peculiar personal interest in judging aright, is emphatically and earnestly in favor of the lock-canal project and against the sea-level project.

A careful study of the reports seems to establish a strong probability that the following are the facts: The sea-level canal would be slightly less exposed to damage in the event of war, the running expenses, apart from the heavy cost of interest on the amount employed to build it, would be less, and for small ships the time of transit would probably be less. On the other hand, the lock canal at a level of 80 feet or thereabouts would not cost much more than half as much to build and could be built in about half the time, while there would be very much less risk connected with building it and for large ships the transit would be quicker; while, taking into account the interest on the amount saved in building, the actual cost of maintenance would be less. After being built it would be easier to enlarge the lock canal than the sea-level canal. Moreover, what has been actually demonstrated in making and operating the great lock canal, the Soo, a more important artery of traffic than the great sea-level canal, the Suez, goes to support the opinion of the minority of the Consulting Board of Engineers and of the majority of the Isthmian Canal Commission as to the superior safety, feasibility, and desirability of building a lock canal at Panama.

The law now on our statute books seems to contemplate a lock canal. In my judgment a lock canal, as herein recommended, is advisable. If the Congress directs that a sea-level canal be constructed its direction will, of course, be carried out. Otherwise the canal will be built on substantially the plan for a lock canal outlined by the accompanying papers, such changes being made, of course, as may be found actually necessary, including possibly the change recommended by the Secretary of War as to the site of the dam on the Pacific side.

THEODORE ROOSEVELT.

[From the Military Engineer, May–June, 1967]

Shipway Between the Oceans

(By Brig. Gen. Harry G. Woodbury, Jr.)

For almost four centuries after Balboa's discovery of the Pacific Ocean in 1513, thousands of explorers, engineers, patriots, and opportunists unsuccessfully challenged the forbidding jungle of the American Isthmus in futile attempts to find or build a shipway between the two oceans. The most notable failure occurred during the latter part of the 19th Century when the efforts of a French syndicate under de Lesseps, the hero of the Suez Canal, ended in bankruptcy and failure at a cost of 1.2 billion francs and some 20,000 lives.

The construction of the Panama Canal by the United States is one of the richest sagas in the history of civil engineering as well as in preventive medicine. In August 1914, one month short of 401 years after Balboa's discovery, the aspirations of four centuries were realized as the steamer *Ancon* transited the Panama Canal.

In designing the double lane of locks of the Panama Canal more than half a century ago, engineers attempted to provide ample lock capacity for the largest ships they could foresee. They did well. As late as 1947 there were only two commercial ships afloat which could not transit the canal: the *Queen Mary* and the *Queen Elizabeth*. The locks, 1,000 feet long and 110 feet wide, with a depth of 41½ feet over the sills, were entirely adequate until the advent of modern supertankers and ore carriers. Today, there are more than 500 commercial vessels afloat which cannot pass through the canal when carrying a full cargo and many, including United States aircraft carriers, which cannot get through at all. While many of these vessels are on sea lanes which do not utilize the canal, there is little doubt that the canal has been an inhibiting factor in ship design for a long time. Traffic control, weather, lock operations, and lockage water are other factors which limit the transiting capacity of the canal. Previous studies and recent forecasts indicate that the capacity of the Panama Canal to transit ships will be insufficient before the end of this century.

A five-man Atlantic-Pacific Interoceanic Canal Study Commission [1] is now investigating when, where, and how a sea-level canal should be built in the American Isthmus. The studies also cover the management and financing of the construction, operation, and maintenance, and the foreign policy and defense implications which attend such a project. To be considered are many engineering, economic, social, and political problems.

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[1] The Chairman of the Canal Study Commission is Ambassador Robert Anderson, former Secretary of the Navy and Secretary of the Treasury, and currently a special representative of the United States on United States-Panama relations.

The Army Corps of Engineers, the Atomic Energy Commission, and the Panama Canal Company are assisting the Commission in the engineering aspects of the canal studies.

Since the Canal Study Commission is directed to consider national defense, foreign relations, intercoastal and interoceanic shipping, and finance aspects which are deemed important to the studies, it has established special study groups[2] to take up these matters and to submit recommendations to the Commission.

CONVERSION TO SEA LEVEL

Various plans for conversion of the existing lock canal to sea level include the consideration of dredging to depths of as much as 145 feet, and successive dredging to depths of 85 feet and lowering the level of Gatun Lake in stages. Another possibility involves dewatering a strip across Gatun Lake, after building two generally parallel dams and diversions, and then excavating to sea level practically in the dry. Several other routes for a sea-level canal in and near the Canal Zone are under consideration, some using reaches of the present canal. Only conventional construction methods are being considered for the routes in and near the Canal Zone because of the proximity of major centers of population. For comparative purposes, the Commission is also studying modernization plans, the third-locks plan, and the terminal-locks plan for the present lock canal. Whatever is done near the existing canal must permit continued use of the lock canal during the construction period.

The greatest engineering difficulty in excavating the existing Panama Canal was caused by the spectacular slides which occurred in the region where the canal crosses the Continental Divide. The Panama Canal builders were pioneers in massive cuts in earth and rock at a time when the science of soils mechanics was in its infancy. The slides greatly increased the quantity of excavation and delayed the completion of the canal. The Culebra slides on both sides of the canal began to move rapidly in September 1915, one year after the canal was opened to traffic, and closed the channel completely until April 1916.

In spite of these difficulties, the canal builders made an excellent record. In ten years, 40,000 workers moved about 250,000,000 cubic yards of earth and rock, created the largest man-made lake up to that time, 85 feet above sea level, and built three-step water stairways from the lake to the Atlantic and the Pacific Oceans, at a total cost of about $380,000,000. This engineering was achieved with excavation equipment which no one would risk using today.

RECENT STUDIES

Since World War II the United States has conducted several investigations in its search for a new canal. A major study, completed in 1947, considered thirty different routes between southern Mexico and northern Colombia and concluded that a sea-level canal in the present Canal Zone was the least costly solution. Such a canal, 60 feet deep and 600 feet wide which would require the excavation of more than a billion yards of material, was estimated to cost about $2.5 billion using conventional construction methods and equipment.

The possible use of nuclear energy for mass excavation[3] in remote areas has been included in studies made since 1959 of means of constructing a new canal. The Atomic Energy Commission and the Army Corps of Engineers are conducting a joint research program[4] to develop the techniques and determine costs and other factors involved in the use of nuclear explosives for construction. This joint program, although independent of the current canal study, will provide the basis in assessing the feasibility of using nuclear excavation for a sea-level canal.

Chemical explosives have been used to dig ditches for many years. A series of charges properly spaced and buried along the center line of the desired ditch will, when simultaneously exploded, shatter and eject the earth and rock. With proper design and preparation, the interconnecting craters will form channels with uniform slopes. The use of nuclear devices instead of chemical explosives in this method of excavation greatly increases the earthmoving potential, and at a tremendous saving in cost. The nuclear channels studied were envisaged as 1,000 feet wide, 60 feet deep at the channel line, and increasing to 250 feet in depth at the center.

The technical problems in current nuclear canal design concern scaling to higher yields, slope stability, and safety. More information is needed about the nature of the American Isthmus and further cratering experiments must be made before the Canal Commission can report that a canal could be safely built across the Isthmus at a reasonable cost using nuclear explosives.

NUCLEAR CANAL ROUTES

Major field work is being concentrated along two remote alinements in Panama and Colombia, where data are being collected for use in determining the technical and engineering feasibility of using nuclear excavation methods. Several hundred engineers, scientists, and technicians including many Panamanians and Colombians are investigating the surface and subsurface of the soil and the atmospheric environment in the vicinity of the proposed routes, about which very little is known.

Darien Route.—The Sasardi-Morti Route (Route 17 of the 1947 studies) crosses the Darien region of Eastern Panama from Caledonia Bay on the Caribbean Sea to San Miguel Bay on the Pacific Ocean, and is named for the two main rivers near the Continental Divide. The route, approximately 110 miles east of the Panama Canal, is about 44 miles long, and crosses the Divide at an elevation of 1,100 feet above mean sea level. Nuclear excavation methods are being considered for the entire length of this route.

Northwest Colombia.—The Atrato-Truando Route (Route 25) is about 100 miles long. From the Caribbean end, the alinement follows the western edge of the broad, low-lying alluvial plain of the Atrato River. This reach is about 55 miles long, with a maximum elevation of 50 feet above sea level. The material here (about a billion yards) would probably be excavated by dredging. The rest of the route follows terrain which rises rapidly in elevation, parallels the Truando River for some 15 miles, and crosses the Divide, at an elevation of approximately 950 feet above sea level, some 6 miles from Humboldt Bay on the Pacific Ocean. Nuclear excavation methods are being considered for this 45-mile reach.

DATA COLLECTION AND ENGINEERING

Data directly related to the possible use of nuclear explosions on the two remote routes are being collected to augment the earlier available site data for these areas which are inadequate for a feasibility study of this new method. Site data have previously been collected in the Canal Zone along the alinement of the existing canal, and will be used for the engineering study of converting the present lock canal to sea level.

Basic engineering data are being collected in topography, geology, hydrology, and hydrography. High- and low-level meteorological, seismic, and bioenvironmental data are also needed to support nuclear operations studies. Medico-ecological investigations are being made to identify diseases and natural hazards in the areas concerned.

Advance construction and logistic support for the data collection surveys in the jungle terrain and regions of heavy rainfall are major undertakings. Men, equipment, and supplies are transported from the Canal Zone to the remote routes in Navy LST's and are moved into the jungle along the navigable streams on LCM's and in native dugout canoes. Fixed-wing aircraft, helicopters, and canoes provide transportation, communication, resupply, and medical support to the data collecting teams.

This work began in Panama in February 1966 when a survey agreement with Panama was reached, and in Colombia in October 1966 after a similar agreement was signed with that government.

The base camp for the operations along Route 17 is at Santa Fe on the Sabana River, about 15 miles upstream from La Palma on the Pacific. An access trail 15 miles long has been cut and bulldozed through the rain forest from the Sabana River near Santa Fe to the Chucunaque River. Altogether, sixteen tide-, rain-, and river-gauge stations have been placed in operation in the area. Two meteorological stations have been built in Panama and have been collecting weather information since July 1966; one on Pidiaque Hill, probably in the general area where Balboa first saw San Miguel Bay; the other on Suskatupu, an offshore island inhabited by the San Blas Indians in the Caribbean.

The geological work includes surface and reconnaissance-type mapping, geophysical profiling, and the collection of samples for paleontological and petrographic analyses by United States laboratories. Field work on the surface geology is in progress and work on the subsurface, utilizing drill rigs to probe to depths of 2,000 feet, will start later this year.

In Colombia, base camps are being established at Cruiche near the Pacific coast and Teresita on the Truando River. Weather stations at Alto Curiche near the Continental Divide and at Loma Teguerre on the Atrato River will be in operation by mid-1967. Surface geology investigations are well under way with five teams mapping and collecting samples. The subsurface geology program will not begin until early in 1968. The data collection in Panama and Colombia will continue for two years on each route.

Through data evaluation and engineering studies, using the data collected, a preliminary design of a sea-level canal on each route will be developed to determine engineering feasibility and cost estimates.

Modernization of the present Panama Canal and converting it to sea level by conventional construction methods will be considered and will provide a comparison of the costs of alternate routes. Criteria for ship maneuverability and operation are being developed to determine the proper canal depth and width, and the effects of tidal currents on vessel navigation are being investigated.

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[2] Chairmen for the special study groups are drawn from the Departments of Defense, State, Transportation, and Treasury.

[3] See "Engineering Properties of Nuclear Excavations" [M. E. Sept.–Oct. 1964] and "Nuclear Excavation Applications" [M. E. Nov.–Dec. 1964] by Capt. Louis J. Circeo, Jr.

[4] The nuclear operations studies are being conducted by the Nevada Operations Office of the Atomic Energy Commission; engineering studies by the Jacksonville District of the Army Corps of Engineers; data collection under the Office of Interoceanic Canal Studies in the Canal Zone; medico-ecological studies by the Army Medical Service.

TABLE 1.—SEA LEVEL CANAL ROUTES

Route	Maximum elevation	Length	Estimated cost and year of studies			
			Conventional		Nuclear	
			Amount	Year	Amount	Year
	Feet	Miles	Billions		Billions	
Atrato-Truando	950	100	$5.26	1949	$1.45	1964
Sasardi-Morti	1,100	44	5.132	1947	.75	1964
Panama Canal conversion	530	46	2.176	1964	----------	
Nicaragua-Costa Rica [5]	760 153	140 173	4.135	1964*	1.900	1960

*Estimate from earlier study for local canal only.

[5] For background on this route see "The Nicaragua Canal Story," by Lt. Col. H. R. Haar, Jr. [M. E. Mar.–Apr. 1964].

Nuclear excavation studies, based on the topographic, geologic, hydrographic, and hydrologic data which are being collected, will determine the alinement and channel design as well as a nuclear detonation schedule for each route.

Nuclear operational studies will develop a plan and cost estimate for the conduct of nuclear excavation and the cost and operation of the required safety measures associated with this method. Evaluation of data obtained through these studies will provide a basis for calculating the yield limitation of any nuclear detonation, considering acoustical-wave and seismic effects, and the possible effects of radioactivity from the explosions on man and the terrestrial and marine environment.

Medico-ecological studies will cover medical problems and costs associated with the construction and operation of a sea-level canal.

Past estimates for the construction of sea-level canals along routes being studied are shown in Table 1.

If nuclear construction proves feasible, practicable, and acceptable and these estimates are of the right order of magnitude, the potential economic advantages of using this method are readily apparent.

CONCLUSION

The completion of the Panama Canal in 1914, after four centuries of seeking to build a shipway between the Atlantic and Pacific Oceans in the American Isthmus, was hailed as the greatest civil engineering achievement of man. Having served through more than half a century of tremendous growth in marine transport, the canal soon will reach the limit of its capacity, and some improved seaway of increased efficiency for the transit of modern vessels through the American Isthmus will be needed. The present studies of improvements to the existing canal and of possible alternate routes and of the application of the most modern methods and equipment, should lead to the efficient and economical construction of a canal that will serve the sea transport of the future.

CARMICHAEL MAY FACE ARREST

Mr. GONZALEZ. Mr. Speaker, I ask unanimous consent that the gentleman from Tennessee [Mr. FULTON] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. FULTON of Tennessee. Mr. Speaker, the press reports the Justice Department is prepared to order the arrest of Mr. Stokely Carmichael on a charge of sedition if and when he returns to this country.

It is reported the arrest order would be drawn on the basis of recent remarks allegedly made by Mr. Carmichael. The details as they are known, are reported by Mr. Thomas Talburt, Scripps-Howard staff writer, and appeared in the August 3, 1967, edition of the Washington Daily News. I have unanimous consent to have Mr. Talburt's article printed in the RECORD at this point:

JUSTICE DEPARTMENT READY—CARMICHAEL MAY FACE ARREST

(By Thomas Talburt)

The Justice Department is prepared to order the arrest of black power leader Stokely Carmichael on a sedition charge when—and if—he returns to the U.S. from Cuba.

This was disclosed today after wire service reports from Havana said the Negro militant had threatened "vengeance" against President Johnson, Secretary of State Dean Rusk and Defense Secretary Robert S. McNamara.

It was learned that Justice Department attorneys have drafted a complaint against Mr. Carmichael. Once filed in a Federal court, the complaint would set into motion the legal machinery for his arrest.

Spokesmen for the department, which has come under mounting pressure from the public and Congress to curb Mr. Carmichael, would neither confirm nor deny that Attorney General Ramsey Clark has decided to take such action.

BEING INVESTIGATED

They would only say, as they have in the past, that Mr. Carmichael's activities are being investigated. The Secret Service and FBI offered even less official information.

A Justice Department source pointed out, however, that because of Mr. Carmichael's status among some Negroes and the sensitive situation in many U.S. cities today, an order for his arrest almost certainly would have to be cleared by the White House.

Whether, a sedition charge against Mr. Carmichael would be based on his threats against Administration officials, his earlier calls for "guerrilla warfare" in American cities, or his activities in the U.S. before going to Cuba was not spelled out.

A section of the U.S. code known as the Smith Act provides up to $20,000 fine or 20 years' imprisonment, or both, for anyone convicted of knowingly or willfully advocating "the overthrow or destruction" of the government.

Another section provides identical penalties for anyone convicted of conspiring to oppose any U.S. law by force.

Mr. Carmichael, who is attending the communist-backed Latin American Solidarity Conference in Havana, has not divulged when he plans to leave or where he will go from Cuba.

But at a three-hour news conference yesterday, from which U.S. newsmen were barred, Mr. Carmichael said American Negroes "are taking the offensive now."

"They want to settle the score" and "will kill first and aim for the head," a transcript of the conference obtained by United Press International quoted him as saying.

"We must take our vengeance against the leaders of the United States. We don't know if our people are ready yet, but our list is ready: McNamara, Dean Rusk, Johnson, etc. . . ." he said.

If Mr. Carmichael returns to the U.S., the State Department will revoke his passport on grounds that he violated travel restrictions by going to Cuba without authorization.

Mr. Speaker, similar remarks calling for violence and threatening violence have recently been made in this city by Mr. H. Rap Brown. I feel that if an arrest order can be drawn for Mr. Carmichael then Mr. Brown should also be held accountable to society for his statements advocating violence.

In both these cases the full measure of the law must be applied. In the Carmichael case the point was exceptionally well put by the Nashville Banner in an editorial published August 2, 1967. I include the editorial in the RECORD at this point, and commend it to the attention of my colleagues:

FOR INFAMIES COMPOUNDED—NO PLACE FOR WRIST-TAP IN CARMICHAEL CASE

From riot-incitation to the screaming invective of borderline assassination talk is but a short step for Stokely Carmichael—and from Havana reports he took it as Fidel Castro's prize package in that Communist assembly Tuesday. By the language attributed to him, President Johnson, Dean Rusk, Robert S. McNamara, and Britain's Harold Wilson, would be the targets picked—as he put it—to "pay the price."

That Carmichael speaks for Carmichael, as Rap Brown speaks for Rap Brown, is a fact to remember in the assessment of threat. It is a personal guilt not shared by the millions of a racial constituency they seek thus to inflame; and who are, in the overwhelming majority, aghast at this infamy. That fact needs no documentation. America's Negro community knows Carmichael and his cohorts as the enemy.

The immediate subject is Carmichael & Co., and official speculation on what to do about him when—with characteristic audacity—he sets foot again on American soil, to resume the conspiracy of treason.

Presumably his passport will be picked up, on the technicality that he traveled where travel officially is forbidden. What then?

What of the flannel-mouth utterances, breathing anew the declaration of a civil war—amounting to armed rebellion against the United States of America; and by more than inference the pinpointed attack on top personnel? Does that come under the head of "Free Speech" within the meaning of the First Amendment?

How far backward does the law lean to permit a foreign-born bird of this subversive extraction to come and go at his own pleasure, preaching revolution, and breaking the law that is constitutionally and legally binding on all the rest of the nation's almost 200 million citizens, white or black?

That isn't a question that should take a lot of time for debate by Congress—the lawmaking body, or the Department of Justice as the federal agency of enforcement. The answer is so obvious that every concerned American, within the age of accountability, knows it.

Stokely Carmichael should be arrested the instant he steps foot on U.S. soil; held in custody for swift arraignment, tried on the evidence—not of hearsay, but of fact; and put where justice demands.

The longer that is postponed, the greater will be the toll of his impudent "burn and kill" assault—conditioned on the obvious belief of a seditious fraction that he has backed the whole United States of America into a corner, cringing there in fear of him, and hesitant to strike a blow where it would count for law enforcement and public security nationwide.

The same measure of justice which is required to be meted in the Carmichael case should be immediately applied to his partner in crime, H. Rap Brown, and others participating as itinerant firebrands calling the signals for this conspiracy of terrorism.

THE LIGHTNING DIVISION

Mr. GONZALEZ. Mr. Speaker, I ask unanimous consent that the gentleman from New Jersey [Mr. Daniels] may extend his remarks at this point in the Record and include extraneous matter.

The **SPEAKER** pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. DANIELS. Mr. Speaker, today, we live in a troubled world—war in Vietnam, bitter conflict in the Middle East, Communist insurgency in Latin America. In such an environment, the fightingman—the American soldier—becomes an indispensable instrument for the preservation of the ideals of freedom and democracy that we cherish so dearly. It is with extreme pride, therefore, that I rise to commemorate the 50th anniversary of one of these armed divisions, the heroic 78th Division of New Jersey, popularly called the Lightning Division.

On August 23, New Jersey celebrates the 50th anniversary of the 78th Division—New Jersey's only Army Reserve division. Now under the command of Maj. Gen. John G. Cassidy, the 78th has a background of gallantry in some of the fiercest battles of World War I and II, as well as an outstanding record of Reserve service as one of the Nation's sentinels.

So that all Members of the House may read of the heroism, and may be inspired by the successes of the Lightning Division, I am inserting two articles into the Record, both published in the New Jersey Business magazine. The first is entitled "The 78th Lightning Division, 'Jersey Born, Jersey Bred,' " by John T. Cunningham. The second is "The Golden Jubilee of the 78th Division," by Maj. Gen. John G. Cassidy, commander of the 78th Division—training.

I hope that all my colleagues in the House participate in this celebration by reading these articles:

The 78th "Lightning" Division: "Jersey Born, Jersey Bred"

(By John T. Cunningham)

Old-fashioned "Jersey Lightning," according to old-fashioned legend, made small men feel tall and gave ordinary mortals strength they never dreamed possible. That barn-distilled uncut applejack made men out of boys and supermen out of mere men. For the unwary, it could without warning sour the stomach, curl the hair and bulge the eyes; Jersey Lightning was nothing to fool with.

Next month, when the Army's "Lightning Division" (more accurately, if prosaically, the 78th Division) celebrates the 50th anniversary of this New Jersey-born fighting outfit, folklore enthusiasts will insist that the nickname came from the storied New Jersey applejack that struck vigorously. It probably is not so, but it makes a good barracks-type legend.

This much is certain at golden anniversary time: two generations of Lightning struck German armies without warning in World Wars I and II. Today the 78th Division is New Jersey's only Army Reserve Division. Truly Lightning is "Jersey born, Jersey bred."

Strikes twice. The 78th twice has taken recruits and turned them into Lightning—first in the summer of 1917 and again in the summer of 1942. Exactly a quarter century elapsed between the first and second activations. Next month marks the second quarter century. Certainly there is hope that Lightning may not have to strike again, but it is on the ready nevertheless.

Camp Dix (now Fort Dix) and the 78th Division were spawned simultaneously as twin evidences of a peacetime nation girding for war in 1917. Both grew out of conscription, for when boys and men signed up for the draft in June, 1917, the need for a giant training camp and for a division to train recruits became sharply evident.

Burlington County farmers were getting ready to harvest their early summer crops when the government announced in June, 1917, that it would build a massive army camp on 4,000 acres of ground near Wrightstown. By late July, nearly 10,000 civilians swarmed over the area, building wooden barracks at the rate of ten a day, hopeful of accommodating 50,000 men before fall. The government named the place Camp Dix, in honor of a Civil War general and later Governor of New York.

Twelve hundred second lieutenants, so newly commissioned that their gold bars sparkled, entered the camp on August 28. The next day the nebulous 78th Division was created, expressly to make soldiers out of the National Army (as draftees were politely named in 1917).

The first National Army civilians arrived at dusty Camp Dix on September 5, most of them New Jerseyans assigned to the 311th and 312th Regiments. New Yorkers were assigned to the 309th and 310th. Clarence Brown of Parkertown, near the camp, stood in line to be the first enrolled in the 78th, but had left his papers on his bunk. Thus George M. Aikens and Frank Stewart, both of Mount Holly, stepped forward and jointly were named the first 78ers.

Camp Dix looked so forlorn that soldiers promptly dubbed it "Camp Delirious." Yet, by September 20, when the bulk of draftees began to arrive, both the place and the old veterans (those on hand for two weeks) began to look as if they were ready for war.

NICKNAMELESS

The 78th Division still had no nickname, but by November 1 it came close to being ready for overseas duty. Suddenly the Army withdrew thousands of men and sent them into other units scattered throughout the east, effectively smashing the high morale at Dix. By January, 1918, companies which in November had boasted 175 men found fewer than fifty at morning roll call.

More draftees poured into camp in the first week of April, once more bringing the 78th Division to full strength. At this time the 78th acquired two distinctions—the lasting Lightning nickname and a reputation as the "Singing Army."

The nickname was chosen by popular vote, from such choices as Victory, All American, Thunderbolt, National Star, Triangle, Valley Forge, Mayflower and Lightning. There is always the possibility that a majority of soldiers thought of Jersey Lightning, plenty of which could be obtained in the nearby Pine Barrens. More likely, Lightning caught the imagination as an indication of a startling, irresistible force.

Singing sprang spontaneously from the ranks, at first to the consternation or scorn of hardened Army men, who still lived by the Civil War code that soldiers needed little more than hardtack, whisky and discipline. The singing started with small groups, but by the end of April, thousands of soldiers gathered for camp songfests. Later, in the mud of France, a song could begin anywhere in the 78th ranks and spread in all directions.

Secret orders the third week in May, 1918, temporarily stilled the voices. The Lightning Division moved out of Dix on May 18 and 19, boarded transports in Boston, Hoboken and Philadelphia and sailed for England. Within a month, the 78th landed in France and early in September the Division moved toward the front lines. The great drive to subdue Germany had begun.

Mark of a soldier. As it moved forward, the 78th Division evolved its official insignia. First it was a number of lightning streaks in a crimson square, then a black semi-circle without streaks, followed by a plain crimson semi-circle. The crimson semi-circle, split by a bolt of white lighting, was adopted in April 1919, and has remained the official mark of a Lightning man.

Once more singing, the 78th moved through ruined French villages, marched past the wreckage of Allied equipment and saw their first German prisoners. General John Pershing committed the 78th and other troops on September 12, first in feinting near the St. Mihiel sector, then in the bloody battle that routed the Germans in the Meuse-Argonne region.

The Lightning Division spearheaded the massive attack, moving forward on October 10 to subdue the German strongholds at Grand Pré and the Bois de Loge. It took exactly three weeks and thousands of casualties to power through the stubborn enemy defenses, but on October 31 Grand Pré fell and the Argonne offensive rolled into high gear. The 78th fought until it was relieved on November 5.

Armistice brought joy and relief, but as the conquering heroes came home early in 1919 to parade in hometown streets and to receive the accolades of their countrymen, they had to measure the glory against the dead. The twenty-six days of fighting in the Argonne took the lives of sixteen officers and 785 enlisted men, plus 135 wounded officers and 4,068 wounded enlisted men. In all the original Lightning Division lost 37 officers and 1,141 men by death throughout its career. The 78th became a reserve division in 1921.

Fellowship served. Soldiers of the 78th organized the 78th Division Veterans Association in April, 1919. That Association still lives, providing the tie between the beginnings and today. Interest waned in peacetime, however, and the Veterans Association membership declined to 212 members in 1938. As the official historian of the 78th has written:

"A new generation had come into being. This was the generation that read *All Quiet on the Western Front*. This was the generation that generally accepted isolationism. This was the generation that won World War II."

But Germany was on its arrogant way across Europe again, this time adding to its war crimes the slaughter of millions of innocent Jews. War was inevitable; the generation of isolationists changed its philosophy. By the end of 1939, the 78th Division Veterans Association had nearly 800 members, in evidence that the old soldiers were stirred again.

The 78th Division was reborn in August, 1942, just twenty-five years after its beginning in Camp Dix. The Reactivation took place in another completely new training camp in the timberland near Durham, North Carolina. Still abuilding when the first recruits arrived, the new site was named Camp Butner. As in World War I, the 78th's mission was to turn civilians into soldiers.

This was no longer a "Jersey Division," but it kept its Lightning name and its Crest continued to carry a mermaid, signifying its inception "near the Jersey Shore."

Training dragged on. Civilians streamed in and out of the 78th, until by March, 1943, the Division had trained nearly 50,000 men and sent them out to be melded into other outfits. Then the Lightning Division moved out for intensive maneuvers in South Carolina and Tennesse before reaching Camp Pickett, Virginia, apparently on the way overseas.

Over and over. History repeated, as it had a way of doing for the 78th. Washington decimated the Division, pulling out veterans and shipping them overseas to replace those who had been fighting or those killed or crippled. D-Day came and went in June 1944 and the 78th languished in camp. When the outfit finally headed for Camp Kilmer in October, Germany seemed reeling on the edge of defeat. It seemed unlikely that new Lightning would be needed in Europe.

Off sailed the 78th, nevertheless, moving through England and western France, just as their fathers and older brothers had done a quarter century before in the fading days of World War I. On Thanksgiving Day, 1944, the 78th went into forward positions near the German border, believing that the war soon must end.

German buzz bombs filled the air and the Division for the first time began to experience some nagging doubts about war. The time-honored tales of World War I combat no longer seemed just the boasting of aging men. On December 12, the men knew that they must move forward. Ahead lay the Roer River, a tricky threat, since two huge reservoir dams held back the water against the day when Germany could bomb them to flood the lowlands and bog down an advancing enemy.

The 78th's assignment was clear: seize the Schwammaneasl Dam and reservoir before the Germans could release the pent-up waters. Rolling out of strong positions on December 13, the Lightning soldiers struck fiercely toward Simmerath and Kesternich, strong points in the famed Siegfried Line. Then, in an amazing last ditch effort, the Germans struck back in the Battle of the Bulge.

Sudden reversal. Hitler's well-drilled Panzer units attacked on December 16, overpowering troops south of the 78th position. Immediately the entire Allied line went on the defensive; thoughts of piercing the Siegfried Line gave way to stopping the Nazi juggernaut. German salients struck at three sides of the 78th Division prong near the Siegfried Line.

The Allied troops contained, then repulsed the Germans. The drive for the Rhineland could resume. Recovering from a cold, cheerless Christmas, the 78th consolidated its position before striking eastward again in January, 1945. The race for the big dam took on renewed urgency.

When Lightning attackers captured Schmidt, close to the dam, on February 7, they promptly posted a sign for those who followed: "You are now entering the town of Schmidt through the courtesy of the 78th Division."

Advance troops of the 78th streaked toward the dam, aware that German demolition was imminent. At midnight on February 9, a small force of Lightning soldiers started across the top of the dam under heavy enemy fire. Blocked by a break atop the wall, they slid down the dam's 200-foot face in the darkness and entered a tunnel at the base, seeking wires or fuses attached to explosives. They knew that at any second a flick of a switch could explode the dam and doom them under 22 billion gallons of water.

Major breakthrough. They found no fuses, the dam did not explode and the danger of flooding on the Roer was over. Credit the 78th with the major share in the first breach of a vaunted German defensive position. Forty miles to the east lay the Rhine.

Units of the 78th took up the chase again, sweeping toward vital German bridge positions. Late in the afternoon of March 7, the 9th Armored Division (there *were* other American troops in Germany) reached the Remagen bridge on the Rhine. They stood astounded: Retreating Germans had left the span intact. The small unit of the 9th crossed the bridge, but it had to be held.

Allied commanders ordered the 78th Division's 310th Regiment across the bridge, to secure it for greater numbers of troops. The 310th did so before dawn on March 8 and the heart of Germany lay exposed. Now the end became a matter of time; Allied forces struck quickly outward from the Remagen bridgehead, overwhelming the disorganized Nazis.

The 78th Division was withdrawn from active duty on April 18 after 128 consecutive days of combat. War's end in Europe came on May 7 with German surrender. Ahead lay occupation duty and the agony of wondering whether the 78th and other victorious units must be reassigned to overwhelm Japan. It was not necessary, of course. The 78th came home in triumph.

The Lightning men again had left their mark on American military history. The World War II honor roll included: one Medal of Honor, nine Distinguished Service Crosses, 599 Silver Stars, twenty-six Legion of Merit Medals, 3,909 Bronze Stars, 5,453 Purple Hearts, one Distinguished Service Medal and 97 foreign decorations. These came at the cost of 1,359 deaths and more than 6,500 wounded.

New life. This time the 78th was not to go into limbo. The World War II soldiers revitalized the 78th Division Veterans Association, keeping alive the memory of an unusual unit of two wars. They dedicated memorial windows in the 78th Division Chapel at Fort Dix on August 31, 1947, and helped in plans for a 78th museum at Dix. The Veterans Association will convene at Fort Dix August 25, 26 and 27 for a celebration of the 50th anniversary.

Equally, the 78th was activated in the Organized Reserves on November 1, 1946 and was reorganized as a training division on May 1, 1959. Today the 78th is a vigorous reserve division, known officially as 78th Division (Training). It is the only Army Reserve Division in New Jersey. Division headquarters is at Camp Kilmer, and regiments train at Fort Monmouth, Lodi, Morris Township, Kearny and Nixon. Other units are based in Trenton, Northfield, Runnemede, Camden and Caven Point.

Major General John G. Cassidy of Nutley commands the 3,200 officers and men in the present training division. Named commander in 1964, General Cassidy follows a line of distinguished leaders. His predecessors were Maj. Gen. James McRae, World War I; Maj. Gen. E. P. Parker, Jr., 1942–1946; Brig. Gen. Ernest H. Hawkwood, 1946–1953; Maj. Gen. H. Norman Schwarzkopf, 1953–1957; Maj. Gen. Henry G. Nulton, 1957–1960, and Maj. Gen. H. Russell Morss, Jr., 1960–1964. General Cassidy's command associates at Kilmer are Brig. Gen. Harry J. Rockafeller of Manasquan, and Col. David B. Kelly of South Amboy, assistant division commanders.

Regimental commanders for the division's five regiments are: Col. Howard A. Louderback of Trenton, commander of the 309th, Fort Monmouth; Col. Richard J. Kunkel of Woodcliff Lake, commander of the 310th, Lodi; Col. Joseph K. Wright of Upper Montclair, commander of the 311th, Morris Township; Lt. Col. Walter Lakusta of Lebanon, commander of the 312th, Kearny, and Col. James S. Benson of Clifton, commander of the 78th, Nixon. In the event of a general mobilization of the Army Reserve, the 78th would assume operational duties at a training center similar to Fort Dix.

Ever ready. Veterans of the 78th hope that Lightning will not have to strike three times. Yet the power of Lightning stands in reserve. War is too grim to keep the applejack legend as an attribute of the 78th Division. Brave action in time of need has lent credence to something reputedly said of the 78th by a French officer when he saw the lightning on the red shoulder patch:

"It struck like a bolt of lightning, leaving the battlefield red with blood."

The Golden Jubilee of the 78th Division

(By Maj. Gen. John G. Cassidy)

The history of the 78th Division (training)—informally known as the Jersey "Lightning Division"—in both World Wars and in active Reserve status since 1946 is a record of heroic achievement, missions accomplished and outstanding service to the United States of America.

War, as such, is opposed to American principles and ideals; nevertheless, in times of emergency New Jersey citizens have turned from peaceful pursuits to undertake the protection of their country with steadfast determination. This was the situation in 1917 when the 78th Division was first organized, again in 1942 when it was reactivated and once more in 1946 when it became a part of the United States Army's Reserve component.

I joined the 78th Division in 1929 as an enlisted man with the 310th Regiment; the 78th has been my life since then, except for a period in World War II when I served with another outstanding division. Every day of my association with the "Lightning Division" has been a cherished, never-to-be-forgotten memory.

This year the 78th Division (Training) is celebrating its Golden Jubilee. And during those past 50 momentous years the division has reaped plentiful battlefield honors for heroism in some of the fiercest actions of World War I and World War II and also, since 1946, when it was reactivated as an Army Reserve Division, has received innumerable honors and awards.

For example, in 1966 the division was awarded 81 Secretary of the Army Superior Training Unit Citations—the highest number ever given to a United States Reserve division

It has been my privilege to have commanded this outstanding division since July, 1964 and service with the "Lightning" men has been an exceptional honor. Compilation of the history of a combat and reserve unit is a daring task; too great a part of this type of unit's past lies buried with the men who made it. For the deeds of one man on an unnamed hill or the actions of a squad fighting for an isolated farmhouse are often the turning points of a battle . . . and in the confusion of war, these actions are frequently unrecorded.

Certainly the history of the 78th Division is one of proud accomplishments, and I sincerely hope that the following pages will remind you of the greatness to which civilian soldiers can rise as a team, of the good fellowship many of the readers have had and of the pride which you developed in making the "Lightning Division" the famous unit that it is today.

NEED FOR A RESEARCH INSTITUTE IN THE DEPARTMENT OF JUSTICE

Mr. GONZALEZ. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. Scheuer] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there

objection to the request of the gentleman from Texas?

There was no objection.

Mr. SCHEUER. Mr. Speaker, the following letter is one of the many letters and editorials that I have received regarding our effort to create a strong research arm in the Department of Justice.

There are few men in America who have had as extensive and diversified experience in both the Federal Bureau of Investigation and in local law enforcement as Mr. Quinn Tamm, now executive director of the International Association of Chiefs of Police.

Entering the FBI as a special agent in 1934, Mr. Tamm ultimately served as an Assistant Director of the Bureau specializing in the scientific and technological activities of the Bureau. His responsibilities included positions as head of the Laboratory Division, Assistant Director in Charge of Identification, and Assistant Director in Charge of Training and Inspection.

After his retirement in 1961, Mr. Tamm became executive director of the International Association of Chiefs of Police, the principal organization for active, practicing police professionals.

International Association of
Chiefs of Police, Inc.,
Washington, D.C., August 4, 1967.

Hon. James H. Scheuer,
U.S. House of Representatives,
Washington, D.C.

My Dear Congressman: As you know, this Association has followed very closely your efforts to have Congress establish a National Institute of Law Enforcement and Criminal Justice, and I am very happy to know that this matter is still under lively consideration by the Congress. The fact that your concept is the subject of an amendment to Title III of the Law Enforcement Assistance and Criminal Justice Act of 1967 is most encouraging to the police profession.

We are convinced that unless the Federal Government takes a greater supporting role in the vital fields of research, science and technology as they apply to law enforcement, the police will continue to be hampered by archaic methods, crime will increase in its intensity and ferocity and our cities will go on being the targets of concerted violence.

You and your colleagues have our high hopes and support with respect to what you are trying to do, and we hope that your efforts will bring to fruition this sorely needed legislation.

Sincerely yours,

Quinn Tamm,
Executive Director.

Following Mr. Tamm's letter are additional quotations of support from outstanding leaders in law enforcement for the idea of a National Institute of Law Enforcement and Criminal Justice:

The establishment of a continuing source for criminological research becomes more than a need: in view of the rapidly growing crime problem of our society it is an unconditional demand. I would say we deserve this crime problem if we are not trying to do more than we do now.

Stephen Schafer,
Professor of Sociology and Criminology, and Director, Institute for International Delinquency Studies, Northeastern University.

This National Institute of Law Enforcement and Criminal Justice would be a wonderful step forward, and a most necessary one if we are to improve our present crime control methods. This Agency is most sincere in its endorsement of the bill, and I am willing to assist in its passage in any way.

Alvin J. T. Zumbrum,
Executive Director, Maryland Crime Investigating Commission.

Though we have a deep interest in progress through effective research, there are no current funds available with which to pursue funds or to permit development.

Orlando Wilson,
Superintendent, Chicago Police Department.

I share with you the belief that through research the answers to this basic problem of society will be found. It seems to me that with the many agencies of Government now engaged in various ways in seeking better ways to deal with crime that the coordination and integration of these efforts along with any new facilities that may be created would strengthen our whole approach to this problem.

Reis H. Hall,
Chief of Research and Development, Bureau of Prisons, U.S. Department of Justice.

It should be obvious that no single department in this country nor any combination of such departments has sufficient funds for the type of research which needs to be instituted.

Chief Richard R. Wagner,
Cleveland Police Department.

I think that the idea of a National Institute for Crime Prevention and Detection is an excellent one and I want to express my support for the idea.

Hyman Rodman,
Senior Research Associate, Merrill-Palmer Institute of Human Development and Family Life.

A National Institute for Crime Prevention and Detection is a great need at the national level at this time . . . We have vast areas of programs in the field of Corrections, Law Enforcement, and Criminal Justice which have operated without benefit of research over many years and the National Crime proposal demands a National Institute on the control of crime including crime prevention along the lines of the National Institutes of Health which the Federal Government adequately supported . . . We now have too many federal assistance programs scattered throughout various agencies, much of which are totally unrelated and, therefore, not effective . . .

George J. Reed,
Chief Parole and Probation Officer, State of Nevada.

The establishment of the proposed National Institute for Crime Prevention and Detection would without question be a significant forward step in bringing the crime problem under effective control . . . As one who has devoted many years to research in the field of delinquency prevention, I have often been struck with the reluctance of our control agencies to apply to problems of crime prevention the criteria of experimentally demonstrated effectiveness that an age of science has made universal in other endeavors. What is needed at this juncture is precisely what your bill furnishes; Federal leadership to make legitimate in the crime prevention field the principles of rationality that already are generally endorsed.

Chief Solomon Kobrin,
Social Systems Analysis, Institute for Juvenile Research, University of Southern California.

I am enthusiastically in support of the purposes of your bill, to establish national leadership in research training and assistance for law enforcement and the correction of offenders.

Daniel Glaser,
Chairman, Department of Sociology, University of Illinois.

I commend you for this effort and wish you much success as I sincerely believe that it (the Crime Institute) is a vital and important step in our fight against organized crime.

Senator Robert Shevin,
Florida State Senate.

I think that it (the Institute) is an excellent idea. As a member of the Governor's Commission to Study the Causes and Prevention of Crime in New Jersey, I would heartily applaud the creation of an institute such as you propose and its full implementation. I look forward to seeing it come to fruition . . .

Ora Rabkin,
Lawyer.

Camden, N.J.

The program that you (Scheuer) have outlined should, and will, receive the support of police officers throughout this nation. It is now evident that the law enforcement agencies can not do the job alone . . .

J. A. Chamblee,
Dectective Sergeant.

Jackson, Miss.

Having spent the greater part of my adult life in the fields of law enforcement and rehabilitation, I can assure you that I am in total agreement with your idea of a National Institute for Crime Prevention and Detection. Without the unifying catalyst of such an Institute on the Federal level, I am afraid that we will continue on a local level to pursue our individual ways and compound the chaotic results in which we find ourselves presently enmeshed.

John P. Conlin,
Director, Family Relations Division, Connecticut Superior Court.

This is to express the support of the Utah Council on Criminal Justice Administration for the objectives of the bill which you sent us.

K. Roger Bean,
Chairman, Utah State Council of Criminal Justice.

The importance of what you (Scheuer) are doing is vastly underrated by many people, who assume that there will be simple and easy solutions for the basic problems involved in law enforcement. By taking the matter seriously and pointing out what I feel is the most rational way of setting about these problems, you are doing the nation a great service.

John Kaplan,
Professor of Law, Stanford University.

I enthusiastically endorse your proposal for a National Institute for Crime Prevention and Detection. For too many years, federal interest in problems of crime has been limited to basic service functions; your bill admirably stresses basic research into causes of criminality and delinquency and the operation of law enforcement agencies.

John A. Gardiner,
Professor, Political Science Department, University of Wisconsin.

There is no doubt in my mind that the concerted effort you delineate is long overdue. To conduct imaginative research and to implement creative demonstration projects in the administration of criminal justice are goals which all thinking citizens should support.

A. C. Germann,
Professor of Criminology, California State College at Long Beach.

I am convinced that a better coordination between existing services, as well as an application of scientific knowledge in the crime detection and prevention fields, could improve considerably the quality of criminal justice administration and law enforcement. Consequently, I cannot but applaud and offer my support . . . If the bill is enacted, it will be the most important step forward toward the protection of the citizen.

DENIS SZABO,
Director, Department de Criminoligie, Universite de Montreal.

We have felt for a long time the need for a federally-sponsored institute similar to the one you propose. Only as we try to learn more about the specifics of the problem of crime and better ways of dealing with them, will we be able to make inroads into this perplexing social problem. We therefore endorse the principle behind this bill. We have always believed that the certainty of apprehension is a better deterrent than the threat of incarceration, and believe your bill provides adequately for this concept.

RICHARD A. MCGEE,
ERNEST REIMER,
Department of Corrections, State of California.

The field of corrections is much in need of new and imaginative approaches and could benefit greatly from an Institute such as the one you propose.

MARGUERITE Q. WARREN,
Principal Investigator, Department of Youth Authority, State of California.

This department has initiated research into areas ranging from infra-red equipment to more sophisticated use of computer technology. Due to lack of funds and in some cases the lack of sufficient technical knowledge, these projects have not been able to be implemented operationally. While private industry has in a number of cases provided some assistance in these projects, they have been unable to pursue them to their completion without additional funding . . . At the present time, this department has no funds specifically allocated for the conduct of research and development.

HOWARD R. LEARY,
New York Police Commissioner.

I am thoroughly in sympathy with the objects of this bill (to create a National Institute of Crime Prevention and Control).

ARCHIBALD COX,
Former Solicitor General of the United States, Presently Professor of Law, Harvard University.

I agree completely with . . . the concept in your bill (to establish a National Institute of Crime Detection and Control). The states badly need the help your plan would provide.

JACK B. WEINSTEIN,
Professor of Law, Columbia University.

Your re-introduction of the bill to create a National Institute for Crime Prevention and Control affords me considerable pleasure and allows me the opportunity to express my support. Particularly I am impressed with your interest in and emphasis on the need for a permanent basic research facility.

ROSS V. RANDOLPH,
Director, Department of Public Safety, State of Illinois.

We in the Association of Federal Investigators are dedicated to the professionalization of law enforcement on all levels of government. We too, believe that the high incidence of crime can be solved only by an interdisciplinary study and attack. Accordingly, we highly commend you and support the bill you and Senator Edward M. Kennedy are sponsoring to create a National Institute of Criminal Justice.

JOHN FINLATOR,
National President, Association of Federal Investigators.
WASHINGTON, D.C.

Mr. Speaker, the following is a telegram from Dean Sheehan of Northeastern University, president of the International Association of Police Professors, the men who are working to prepare the law enforcement officers of tomorrow. Dean Sheehan's telegram is further evidence that law enforcement professionals realize the need for a National Institute of Law Enforcement and Criminal Justice in order to conduct the thoroughly innovative research we need to solve the law enforcement problems of tomorrow:

BOSTON, MASS.,
August 7, 1967.

Congressman JAMES SCHEUER,
U.S. House of Representatives,
Washington, D.C.:

I very strongly favor strengthening HR 5037 by amending title three to provide for the structure and the top level leadership needed to carry out the purpose of the act. It is my opinion that without the McClory-Scheuer Amendment there can be no guarantee that title three will provide the thrust of innovations in law enforcement so necessary if the people of this Nation are to walk the streets in safety. The McCrory-Scheuer Amendment is a bold and progressive step forward. It deserves the support of every congressman.

DEAN ROBERT SHEEHAN,
College of Criminal Justice, Northeastern University and President, International Association of Police Professors.

VOLUNTEERS TO AMERICA

Mr. GONZALEZ. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. ROSENTHAL] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. ROSENTHAL. Mr. Speaker, America's position of world preeminence today makes it easy to forget that her greatness was constructed with the labor of immigrants who renewed and invigorated our national life from its beginning. This makes it more difficult to see that even today foreign nations have much to contribute to our society.

I am therefore pleased to note today the presence in this country of the first "Volunteers to America," a group of 68 young people from Latin America, Asia, the Middle East and Africa. They have recently begun 4 weeks of training which will be followed by a year of school teaching and community action assignments across the United States.

I consider this application of the successful principles of our Peace Corps to be one of the most refreshing innovations in overseas cooperation which we have developed in recent years.

This program is as revolutionary in concept as was our Peace Corps. I believe it holds the potential for promoting understanding between this country and others on a level never before attained. The practical benefits should also be mutual. As indicated by Assistant Secretary of State Charles Frankel, head of the Bureau of Educational and Cultural Affairs, which is running the project:

> While helping us, we hope that they (the Volunteers) will gain experience here which they can later apply at home.

"Volunteers to America" dates back to February 2, 1966, when the President proposed that the Peace Corps Act be amended to set up the program. The Committee on Foreign Affairs, however, recommended that the idea be tested under existing authority of the Mutual Educational and Cultural Exchange Act of 1961—the Fulbright-Hays Act. The State Department's Cultural Affairs Bureau is running the pilot program with the cooperation of the Peace Corps, numerous governmental and private agencies, and the foreign nations involved.

By early 1967, over 30 nations asked to participate in the program, although many could not immediately do so. A second group of volunteers will arrive toward the end of the year.

Selection of participants was made jointly by our embassies and foreign authorities. The volunteers were generally between 21 and 35; fluent in English or capable of becoming so; and with education or experience to make a useful contribution to the program and use their American experience upon returning home.

Volunteers had an orientation program stressing awareness of their own country and brushing up their English. This training was generally done by their own countries which also provided their transportation to the United States.

Volunteers for teaching assignments east of the Mississippi River are training at Brattleboro, Vt., under the auspices of the Experiment in International Living. Those headed for the western part of the country are being briefled by the U.S. Office of Education, at the University of Southern California at Los Angeles. After this 4-week training period, the teacher-volunteers will be assigned to various elementary and secondary schools and special educational centers.

The specific assignments will vary with local needs. In New York City, for example, Latin-American volunteers will work with Spanish-speaking American youngsters. Community development volunteers, meanwhile, are being trained by the Commonwealth Service Corps of Massachusetts, in Boston, to work in urban and rural projects, in cooperation with our own VISTA volunteers.

The "Volunteers to America" will gain not merely a greater understanding of our problems, but I am sure the American and foreign participants will gain a great appreciation of the idealistic dedication of one another.

Flexibility characterizes the program throughout. Teachers may become involved in community work. Similarly, community service volunteers, who will have the same freedom of action as our VISTA and Peace Corps workers, may be called upon to perform some teaching.

The cost of the program to the State

Department will be about $2,000 per person. Each volunteer will receive a taxable living allowance of from $275 to $300 per month. Expenses for official travel will also be furnished. Volunteers will be covered by health insurance during their stay in this country.

Should the pilot project prove feasible, as I am certain it will, some adjustments will undoubtedly become necessary. For example, it is quite possible that 4 weeks of training are simply not sufficient. In addition, it may become difficult, as the program expands, to expect foreign governments to pay all transportation costs. However, our Government, in turn, may seek to have the host schools and institutions provide some or all of the living allowance.

In January, the budget of "Volunteers to America" will be submitted before Congress. At that time we will have the opportunity to express our views in the most potent manner—by appropriating the necessary funds. An allocation far in excess of the current $200,000 allowance would still be modest enough for the considerable benefits of this program.

In the interim, let us extend a sincere welcome to the volunteers presently with us. And as is suggested by the handbook given each volunteer:

> It is now clear:
>
> That there is a common spirit and bond among young people of all nations—a common belief that poverty, ignorance, hunger, and disease need not be tolerated;
>
> That the world can mobilize men for peace as well as for war;
>
> That young people, even though relatively inexperienced, can be a powerful force in programs of development and of educational innovation;
>
> That people of all ages are willing to accept difficult and challenging tasks, and they do not require material reward or financial gain in return for their service; and
>
> That those who participate in such programs are immensely broadened in their outlooks and gain vital new perspectives on the world, on their own countries, and on themselves.

It is to be hoped that these goals may be translated into reality.

CHAIRMAN WRIGHT PATMAN CELEBRATES BIRTHDAY ON AUGUST 6

The SPEAKER pro tempore (Mr. MULTER). Under previous order of the House, the gentleman from Illinois [Mr. ANNUNZIO] is recognized for 10 minutes.

Mr. ANNUNZIO. Mr. Speaker, yesterday, August 6, was the birthday of the distinguished chairman of the House Banking and Currency Committee, Hon. WRIGHT PATMAN, from Texas, and I join his host of friends in extending to him best wishes for a happy birthday.

During the last 3 years, I have had the privilege and honor of serving on this important committee with this great American who has always championed the cause of the little people in our Nation.

Chairman PATMAN has fought vigorously over the years to strengthen the credit union system in the United States, and as a result, he has come to be known as "Mr. Credit Union" in our country.

During World War II, he was instrumental in establishing the Small Defense Plants Administration which later evolved into what we know today as the Small Business Administration. He has done more than any legislator I know to protect and encourage the small businessman in America.

Chairman PATMAN has been one of our greatest proponents of lower interest rates. The maintenance of realistic and reasonable interest rates for the American people can be attributed directly to the courageous efforts of one individual—the distinguished chairman of the House Banking and Currency Committee.

Mr. PATMAN is a man who comes from rural America but who represents, in the best traditions of our country, the interests and welfare of all Americans—whether they reside in rural or urban areas.

It has been my pleasure to support this outstanding American in his fight to make the Federal Reserve Board answerable to the Congress of the United States, comprised of lawfully elected representatives of the people. It has been my pleasure to support him on the issue of lower interest rates. It has been my pleasure to support him in his fight to end loan-shark and sharp-practice finance company abuses directed against our brave servicemen in the Armed Forces. Mr. Speaker, it has always been my pleasure to follow WRIGHT PATMAN's lead in advocating the just causes of the little people of America.

The distinguished gentleman from Texas has been reelected to every Congress since he was first elected in 1928 to the 71st Congress. This is eloquent testimony in itself to the honest, dedicated, and vigilant public service he has always given to our people.

Personally, I want to say that his wise counsel and guidance have been sources of profound inspiration to me, and I know that the gentleman from Texas, WRIGHT PATMAN, will rank in history as one of our greatest legislative leaders in the money and banking field.

On the occasion of your 74th birthday, Mr. Chairman, I wish you many, many more years of good health in order that you may continue your fight on behalf of the little people of America, who through your efforts, have secured genuine representation in the Halls of Congress.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted as follows:

To Mr. PEPPER for Monday, August 7, 1967, on account of official business in his district.

Mr. GURNEY (at the request of Mr. ARENDS) on account of a death in the family.

Mr. OLSEN (at the request of Mr. ALBERT) for today on account of official business.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

Mr. FISHER, for 30 minutes, today; to revise and extend his remarks and include extraneous matter.

Mr. PELLY, for 30 minutes, today; to revise and extend his remarks and include extraneous matter.

Mr. BOW, for 30 minutes, today; to revise and extend his remarks and include extraneous matter.

Mr. O'HARA of Illinois, for 30 minutes, on August 9, 1967; to revise and extend his remarks and include extraneous matter.

(The following Members (at the request of Mr. MYERS) and to revise and extend their remarks and include extraneous matter:)

Mr. LIPSCOMB, for 30 minutes, on August 8.

Mr. LAIRD, for 10 minutes, today.

Mr. ANNUNZIO (at the request of Mr. GONZALEZ), for 10 minutes, today; and to revise and extend his remarks and include extraneous matter.

EXTENSION OF REMARKS

By unanimous consent, permission to extend remarks in the CONGRESSIONAL RECORD, or to revise and extend remarks was granted to:

Mr. HOLIFIELD.

All Members (at the request of Mr. GONZALEZ) to extend their remarks on the subject of the special order of Mr. ANNUNZIO, today.

Mr. FRASER.

(The following Member (at the request of Mr. MYERS) and to include extraneous matter:)

Mr. GROVER.

(The following Member (at the request of Mr. GONZALEZ) and to include extraneous matter:)

Mr. TENZER.

SENATE BILLS REFERRED

Bills of the Senate of the following titles were taken from the Speaker's table and, under the rule, referred as follows:

S. 109. An act to control unfair trade practices affecting producers of agricultural products and associations of such producers, and for other purposes; to the Committee on Agriculture.

S. 234. An act for the relief of James W. Adams and others; to the Committee on the Judiciary.

S. 706. An act to amend section 27 of the Shipping Act, 1916; to the Committee on Merchant Marine and Fisheries.

S. 975. An act for the relief of Mitsuo Blomstrom; to the Committee on the Judiciary.

S. 1550. An act to amend the Consolidated Farmers Home Administration Act of 1961, as amended, to provide for release of valueless liens, and for other purposes; to the Committee on Agriculture.

S. 1657. An act to extend for 1 year the authority of the Secretary of Agriculture to make indemnity payments to dairy farmers who are directed to remove their milk from commercial markets because it contains residues of chemicals registered and approved for use by the Federal Government; to the Committee on Agriculture.

S. 1678. An act for the relief of American Petrofina Co. of Texas, a Delaware corporation, and James W. Harris; to the Committee on Interior and Insular Affairs.

S. 1709. An act for the relief of Dr. Antonio Martin Ruiz del Castillo; to the Committee on the Judiciary.

S. 1748. An act for the relief of Dr. Ramiro de la Riva Dominguez; to the Committee on the Judiciary.

S. 2126. An act to amend the Food and Agriculture Act of 1965; to the Committee on Agriculture.

BILLS PRESENTED TO THE PRESIDENT

Mr. BURLESON, from the Committee on House Administration, reported that that committee did on August 4, 1967, present to the President, for his approval, bills of the House of the following titles:

H.R. 1566. An act to provide for the free entry of a four octave carillon for the use of the Northfield and Mount Hermon Schools, East Northfield, Mass.;

H.R. 1886. An act to provide for the free entry of certain articles for the use of Princeton University, Princeton, N.J.;

H.R. 3029. An act to provide for the free entry of one ship model for the use of the Lutheran Church of the Covenant, Maple Heights, Ohio;

H.R. 3737. An act to provide for the free entry of a carillon for the use of the University of California at Riverside;

H.R. 4934. An act to provide for the free entry of one mass spectrometer for the use of Indiana University; and

H.R. 4977. An act to provide for the free entry of a triaxial apparatus and rheogoniometer for the use of Northwestern University.

ADJOURNMENT

Mr. GONZALEZ. Mr. Speaker I move that the House do now adjourn.

The motion was agreed to; accordingly (at 2 o'clock and 20 minutes p.m.), the House adjourned until tomorrow, Tuesday, August 8, 1967, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

977. A letter from the Administrator, General Services Administration, transmitting a report of violations of regulations issued, pursuant to the provisions of 31 U.S.C. 665; to the Committee on Appropriations.

978. A letter from the Secretary of Health, Education, and Welfare, transmitting a report of a supplemental agreement between the Board of Trustees of Howard University and the Secretary of Health, Education, and Welfare, pursuant to the provisions of section 1(c) of Public Law 87–262; to the Committee on Education and Labor.

979. A letter from the Acting Secretary of Health, Education, and Welfare, transmitting a report of personal property donated to public health and educational institutions and civil defense organizations, covering the semiannual period January 1 through June 30, 1967, pursuant to the provisions of section 203(o) of the Federal Property and Administrative Services Act of 1949, as amended; to the Committee on Government Operations.

980. A letter from the Comptroller General of the United States, transmitting a report of review of the management of and control over expendable supplies and materials, Architect of the Capitol; to the Committee on Government Operations.

981. A letter from the Comptroller General of the United States, transmitting a report of need for improved reviews of quantity estimates prepared by architect-engineers for solicitation of construction bids, Corps of Engineers (Civil Functions), Department of the Army; to the Committee on Government Operations.

982. A letter from the Chairman, Public Land Law Review Commission, transmitting a draft of proposed legislation to amend the act of September 9, 1964 (78 Stat. 983), establishing the Public Land Law Review Commission, and for other purposes; to the Committee on Interior and Insular Affairs.

983. A letter from the Administrator, National Aeronautics and Space Administration, transmitting a report on the positions which the National Aeronautics and Space Administration had established as of June 30, 1967, pursuant to the provisions of 75 Stat. 785, 791; to the Committee on Post Office and Civil Service.

984. A letter from the Secretary of the Interior, transmitting a report on pollution from vessels using the navigable waters of the United States, pursuant to the provisions of section 17 of the Federal Water Pollution Control Act, and a draft of proposed legislation to amend the Federal Water Pollution Control Act, as amended, to control pollution from vessels within the navigable waters of the United States; to the Committee on Public Works.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. POAGE: Committee on Agriculture. H.R. 11565. A bill to amend section 358 of the Agricultural Adjustment Act of 1938, as amended, to authorize the transfer of peanut acreage allotments (Rept. No. 539). Referred to the Committee of the Whole House on the State of the Union.

Mr. McMILLAN: Committee on the District of Columbia. H.R. 12065. A bill relating to the powers of the Commissioners of the District of Columbia and to the establishment of a Department of Management, providing for an elected board of education, and for other purposes; with amendment (Rept. No. 540). Referred to the Committee of the Whole House on the State of the Union.

Mr. HALEY: Committee on Interior and Insular Affairs. H.R. 10566. A bill to provide for the disposition of funds appropriated to pay judgments in favor of the Sac and Fox Indians, and for other purposes (Rept. No. 541). Referred to the Committee on the Whole House on the State of the Union.

Mr. MADDEN: Committee on Rules. House Resolution 856. Resolution providing for consideration of H.R. 2516, a bill to prescribe penalties for certain acts of violence or intimidation, and for other purposes (Rept. No. 542). Referred to the House Calendar.

Mr. PERKINS: Committee on Education and Labor. H.R. 11945. A bill to amend the college work-study program with respect to institutional matching and permissible hours of work (Rept. No. 543). Referred to the Committee of the Whole House on the State of the Union.

Mr. MILLS: Committee on Ways and Means. H.R. 12080. A bill to amend the Social Security Act to provide an increase in benefits under the old-age, survivors, and disability insurance system, to provide benefits for additional categories of individuals, to improve the public assistance program and programs relating to the welfare and health of children, and for other purposes (Rept. No. 544). Referred to the Committee of the Whole House on the State of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. PUCINSKI (for himself, Mr. Perkins, Mr. Ashbrook, Mr. Brademas, Mr. Carey, Mr. Eshleman, Mr. William D. Ford, Mr. Gibbons, Mr. Hathaway, Mr. Hawkins, Mr. Meeds, Mrs. Mink, Mr. O'Hara of Michigan, Mr. Scheuer, Mr. Adams, Mr. Daniels, Mr. Dent, Mr. Esch, Mr. Holland, Mr. Olsen, Mr. Reid of New York, Mr. Roybal, Mr. Thompson of New Jersey, and Mr. Tunney):

H.R. 12120. A bill to assist courts, correctional systems, and community agencies to prevent, treat, and control juvenile delinquency; to support research and training efforts in the prevention, treatment, and control of juvenile delinquency; and for other purposes; to the Committee on Education and Labor.

By Mr. ASPINALL:

H.R. 12121. A bill to amend the act of September 9, 1964 (78 Stat. 983), establishing the Public Land Law Review Commission, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. BOLAND:

H.R. 12122. A bill to provide incentives for the creation by private industry of additional employment opportunities for residents of urban poverty areas; to the Committee on Ways and Means.

H.R. 12123. A bill to encourage and assist private enterprise to provide adequate housing in urban poverty areas for low-income and lower middle income persons; to the Committee on Ways and Means.

By Mr. BROTZMAN:

H.R. 12124. A bill to amend the Internal Revenue Code of 1954 with respect to returns and deposits of the excise taxes on gasoline and lubricating oil; to the Committee on Ways and Means.

By Mr. BROWN of Ohio:

H.R. 12125. A bill to amend the Public Health Service Act to provide for the protection of the public health from radiation emissions from electronic products; to the Committee on Interstate and Foreign Commerce.

By Mr. CLARK:

H.R. 12126. A bill to amend section 303(b) of the Interstate Commerce Act to modernize certain restrictions upon the application and scope of the exemption provided therein; to the Committee on Interstate and Foreign Commerce.

By Mr. EDMONDSON:

H.R. 12127. A bill to amend the Internal Revenue Code of 1954 to provide a $100 deduction for the landowner for each producing oil and gas well where the mineral rights are reserved to the United States and the landowner does not receive income from the production of the well; to the Committee on Ways and Means.

By Mr. FARBSTEIN:

H.R. 12128. A bill to provide that the nuclear accelerator to be constructed at Weston, Ill., shall be named the Enrico Fermi Nuclear Accelerator in memory of the late Dr. Enrico Fermi; to the Joint Committee on Atomic Energy.

H.R. 12129. A bill to provide for orderly trade in textile articles; to the Committee on Ways and Means.

By Mr. FRIEDEL:

H.R. 12130. A bill to amend section 8336(c) of title 5, United States Code, to include the position of customs inspector in the category of hazardous occupations; to the Committee on Post Office and Civil Service.

By Mr. FULTON of Pennsylvania:

H.R. 12131. A bill for the establishment of a commission to study and appraise the organization and operation of the executive and legislative branches of the Government; to the Committee on Government Operations.

By Mr. GONZALEZ:

H.R. 12132. A bill to amend the Federal Voting Assistance Act of 1955 (69 Stat. 584); to the Committee on House Administration.

H.R. 12133. A bill to enable citizens of the United States who change their residences to vote in presidential elections, and for other purposes; to the Committee on House Administration.

H.R. 12134. A bill to reinstate the tax on transfers of silver bullion; to the Committee on Ways and Means.

By Mr. KING of New York:

H.R. 12135. A bill to provide for orderly trade in textile articles; to the Committee on Ways and Means.

By Mr. KUPFERMAN:

H.R. 12136. A bill to amend section 3 of the act of July 23, 1955 (ch. 375, 69 Stat. 368); to the Committee on Interior and Insular Affairs.

By Mr. LONG of Maryland:

H.R. 12137. A bill to authorize construction of the Six Bridge Dam and Reservoir on the Monocacy River in Frederick and Carroll Counties, Md.; to the Committee on Public Works.

By Mr. PATMAN:

H.R. 12138. A bill to amend the Federal Reserve Act in order to enable the Federal Reserve banks to extend credit to member banks and others in accordance with current economic conditions; and to provide for a regular audit of the Federal Reserve System by the Comptroller General; to the Committee on Banking and Currency.

By Mr. PELLY (by request):

H.R. 12139. A bill to establish the North Cascades National Park in the State of Washington, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. PUCINSKI:

H.R. 12140. A bill to provide for the issuance of a special postage stamp in commemoration of the 100th anniversary of the birth of Madam Marie Sklodowska-Curie, the discoverer of radium; to the Committee on Post Office and Civil Service.

By Mr. PURCELL:

H.R. 12141. A bill to amend Public Law 89-389; to the Committee on Ways and Means.

By Mr. REUSS (for himself, Mr. Ashley and Mr. Moorhead):

H.R. 12142. A bill to accelerate the construction and rehabilitation of low- and moderate-income housing in the United States in order to fulfill the national goal declared in the Housing Act of 1949 of "a decent home and a suitable living environment for every American family"; to the Committee on Banking and Currency.

By Mrs. SULLIVAN:

H.R. 12143. A bill to amend section 303(b) of the Interstate Commerce Act to modernize certain restrictions upon the application and scope of the exemption provided therein; to the Committee on Interstate and Foreign Commerce.

By Mr. PURCELL:

H.R. 12144. A bill to clarify and otherwise amend the Meat Inspection Act, to provide for cooperation with appropriate State agencies with respect to State meat inspection programs, and for other purposes; to the Committee on Agriculture.

By Mr. SMITH of Iowa (for himself, Mr. Foley, Mr. Gude, Mr. Dow, Mr. Feighan, and Mr. Green of Pennsylvania):

H.R. 12145. A bill to clarify and otherwise amend the Meat Inspection Act, to provide for cooperation with appropriate State agencies with respect to State meat inspection programs, and for other purposes; to the Committee on Agriculture.

By Mr. FULTON of Pennsylvania:

H.J. Res. 771. Joint resolution to establish the Commission on the Future Political Status of the Trust Territory of the Pacific Islands (Micronesia); to the Committee on Interior and Insular Affairs.

By Mr. GONZALEZ:

H.J. Res. 772. Joint resolution to amend the Constitution to provide for Statehood for the District of Columbia; to the Committee on the Judiciary.

By Mr. STEIGER of Wisconsin (for himself, Mrs. Heckler of Massachusetts, Mr. Halpern, and Mr. Feighan):

H.J. Res. 773. Joint resolution to call upon the President of the United States to promote voluntary neighborhood action crusades by communities to rally law-abiding urban dwellers in preventing riots; to the Committee on Banking and Currency.

By Mr. ROTH:

H. Con. Res. 476. Concurrent resolution expressing the sense of the Congress with respect to an investigation and report on the position of the United States in the current world situation to be undertaken by former President Dwight David Eisenhower; to the Committee on Foreign Affairs.

By Mr. ASHMORE:

H. Con. Res. 477. Concurrent resolution expressing the sense of the Congress that Stokely Carmichael should be prosecuted for sedition if he returns to the United States; to the Committee on the Judiciary.

By Mr. BROWN of Ohio (for himself, Mr. Ayres, Mr. Utt, and Mr. Ashbrook):

H. Con. Res. 478. Concurrent resolution relative to Citizens Radio Service; to the Committee on Interstate and Foreign Commerce.

By Mr. DADDARIO:

H. Con. Res. 479. Concurrent resolution providing for the printing of the report of the proceedings of the International Congress on Education of the Deaf and of the 43d meeting of the Convention of American Instructors of the Deaf; to the Committee on House Administration.

By Mr. HALPERN:

H. Con. Res. 480. Concurrent resolution expressing the sense of the Congress with respect to the establishment at the United Nations of a registration system for international armaments transactions; to the Committee on Foreign Affairs.

By Mr. LANGEN:

H. Con. Res. 481. Concurrent resolution to express the sense of Congress with respect to an investigation and study to determine the potential of railroad passenger and mail transportation in the United States; to the Committee on Interstate and Foreign Commerce.

By Mr. MULTER:

H. Con. Res. 482. Concurrent resolution expressing the sense of the Congress with respect to the establishment at the United Nations of a registration system for international armaments transactions; to the Committee on Foreign Affairs.

By Mr. NELSEN:

H. Con. Res. 483. Concurrent resolution expressing the sense of the Congress in re the Panama Canal Zone; to the Committee on Foreign Affairs.

By Mr. FULTON of Pennsylvania:

H. Res. 857. Resolution to express the sense of the House of Representatives on the importance of continuation of United States operation of the Panama Canal; to the Committee on Foreign Affairs.

By Mr. HAMMERSCHMIDT:

H. Res. 858. Resolution to create a select committee to study the impact of East-West trade and assistance to nations which support aggressions, directly or indirectly; to the Committee on Rules.

By Mr. WOLFF (for himself, Mrs. Bolton, Mr. Charles H. Wilson, and Mr. Stuckey):

H. Res. 859. Resolution concerning the U.S.S. *Forrestal* tragedy; to the Committee on Rules.

MEMORIALS

Under clause 4 of rule XXII, memorials were presented and referred as follows:

269. By the SPEAKER: Memorial of the Legislature of the State of California, relative to special educational assistance programs to local educational agencies; to the Committee on Education and Labor.

270. Also, memorial of the Legislature of the State of California, relative to legislation affecting interstate taxation; to the Committee on the Judiciary.

271. Also, memorial of the Legislature of the State of California, relative to the establishment of a regional water pollution control research facility on the Riverside campus of the University of California; to the Committee on Public Works.

272. Also, memorial of the Legislature of the State of California, relative to the inclusion of police officers in the critical occupation category under selective service; to the Committee on Armed Services.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BROTZMAN:

H.R. 12146. A bill for the relief of T & T Farms, Inc.; to the Committee on the Judiciary.

By Mr. LONG of Maryland:

H.R. 12147. A bill for the relief of Dr. Oh Yung Chung and his wife, Hae Son Lee; to the Committee on the Judiciary.

H.R. 12148. A bill for the relief of Danilo Victoria Santos; to the Committee on the Judiciary.

By Mr. PUCINSKI:

H.R. 12149. A bill for the relief of Mrs. Ecaterini Alexis; to the Committee on the Judiciary.

By Mr. ST. ONGE:

H.R. 12150. A bill for the relief of William Patrick Magee; to the Committee on the Judiciary.

By Mr. TEAGUE of California:

H.R. 12151. A bill for the relief of Amos E. Norby; to the Committee on the Judiciary.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

137. By the SPEAKER: Petition of County Board of Commissioners of Dawson County, Utah, relative to H.R. 845 and H.R. 427; to the Committee on Interior and Insular Affairs.

138. Also, petition of Henry Stoner, Avon Park, Fla., relative to the prosecution of Stokely Carmichael; to the Committee on the Judiciary.

139. Also, petition of Association for Grand Jury Action, Inc., Rochester, N.Y., relative to the use of the U.S. mail by the 1967 constitutional convention of the State of New York; to the Committee on the Judiciary.

SENATE

Monday, August 7, 1967

The Senate met at 10 o'clock a.m., and was called to order by the President pro tempore.

Rev. Darrel E. Berg, pastor, Trinity Methodist Church, Lincoln, Nebr., offered the following prayer:

We thank Thee, O Lord, for the great moments which have been experienced in this room. Let the decisions of this day be in the spirit of those great moments.

We ask for vision to see what our Nation needs most in these times of turbulence, and for the faith to believe that there is a solution to every problem.

We ask for courage to be what we are called to be—to bind our purest desires for this land to our spoken words, and let us also weld our words to our deeds.

Thus may our thoughts, words, and deeds be bound together in an unbreakable link for this day and for all time. Amen.

THE JOURNAL

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the reading of the Journal of the proceedings of Friday, August 4, 1967, be dispensed with.

The PRESIDENT pro tempore. Without objection, it is so ordered.

COMMITTEE MEETINGS DURING SENATE SESSION

Mr. MANSFIELD. Mr. President, I ask unanimous consent that all committees be authorized to meet during the session of the Senate today.

The PRESIDENT pro tempore. Without objection, it is so ordered.

WAIVER OF CALL OF THE CALENDAR

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the call of the legislative calendar, under rule VIII, be dispensed with.

The ACTING PRESIDENT pro tempore (Mr. Metcalf). Without objection, it is so ordered.

ORDER FOR TRANSACTION OF ROUTINE MORNING BUSINESS

Mr. MANSFIELD. Mr. President, I ask unanimous consent that there be a period for the transaction of routine morning business, with statements therein limited to 3 minutes.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

EUPHEMIA KING HARTLEY, JAMES HARTLEY, AND JAMES HOLMES HARTLEY

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 463, S. 922.

The ACTING PRESIDENT pro tempore. The bill will be stated by title.

The Legislative Clerk. A bill (S. 922) for the relief of Euphemia King Hartley, James Hartley, and James Holmes Hartley.

The ACTING PRESIDENT pro tempore. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill.

The bill was ordered to be engrossed for a third reading, read the third time, and passed, as follows:

S. 922

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That Euphemia King Hartley, James Hartley, and James Holmes Hartley may be naturalized upon compliance with all of the requirements of title III of the Immigration and Nationality Act, except that the provisions of section 312(2) shall not be applicable in these cases.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the Record an excerpt from the report (No. 478), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the Record, as follows:

PURPOSE OF THE BILL

The purpose of the bill is to enable the beneficiaries to proceed to naturalization upon compliance with the requirements of the Immigration and Nationality Act, except that they would be exempt from the requirements of section 312(2) to demonstrate a knowledge and understanding of the fundamentals of the history, and of the principles and form of government, of the United States.

STATEMENT OF FACTS

The beneficiaries of the bill are a family unit consisting of a 54-year-old father and 50-year-old mother who are both natives and citizens of Scotland and their 15-year-old son who is a native and citizen of Canada. They entered the United States for permanent residence on April 16, 1955, and have resided here continuously since that time. They reside in Longview, Tex., where the father is employed as a ranch manager.

ORDER FOR ADJOURNMENT UNTIL 10 A.M. TOMORROW—LEGISLATIVE PROGRAM

Mr. DIRKSEN. Mr. President, I should like to ask the distinguished majority leader about the schedule for today and what he foresees for the remainder of the week.

Mr. MANSFIELD. Mr. President, first, I ask unanimous consent that when the Senate completes its business today, it stand in adjournment until 10 o'clock tomorrow morning.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. MANSFIELD. Second, in response to the question raised by the distinguished minority leader, it is anticipated that following the completion of the legislation now pending, the central Arizona project, the next order of business will be the defense appropriations bill, which was reported on Friday last, to be followed by the consideration of the Export-Import Bank, which was reported by the Committee on Banking and Currency. That legislation will be followed by the wild rivers measure, Bank Holding Company Act amendments (H.R. 4765), the Inter-American Development Bank, and the foreign aid authorization bill.

This is quite a schedule—the legislation is all important and debate and discussion is expected on each of these proposals.

That is the schedule as I see it up to this time. But I hope that no one will be taken in by the apparent paucity of legislative proposals on the calendar; almost all items on the calendar are significant and important proposals; they will require some time; and it is the intention of the joint leadership, whenever possible, to come in early and stay as late as possible, and from now on, if need be, to meet on Saturdays, to try to get as much legislation as possible out of the way before the Labor Day adjournment.

Mr. DIRKSEN. Mr. President, will the distinguished majority leader yield?

Mr. MANSFIELD. I yield.

Mr. DIRKSEN. May I ask about the McClellan resolution?

Mr. MANSFIELD. That will come up sometime this week or next. Adequate notice will be given. But I feel that in view of the fact that the McClellan committee has a great deal of investigative and legislative authority at the moment, a delay in the consideration of the resolution will in no way inhibit that committee for undertaking the inquiry which it desires and which was approved by the Rules Committee.

MESSAGES FROM THE PRESIDENT

Messages in writing from the President of the United States submitting nominations and withdrawing a nomination were communicated to the Senate by Mr. Jones, one of his secretaries.

EXECUTIVE MESSAGES REFERRED

As in executive session,

The PRESIDENT pro tempore laid before the Senate messages from the President of the United States submitting sundry nominations, and withdrawing the nomination of Howard D. Holland to be postmaster at Hadley, N.Y., which nominating messages were referred to the appropriate committees.

(For nominations this day received, see the end of Senate proceedings.)

EXECUTIVE COMMUNICATIONS, ETC.

The PRESIDENT pro tempore laid before the Senate the following letters, which were referred as indicated:

Report on Violation of Funds for Construction of Federal Office Buildings, Cleveland, Ohio

A letter from the Administrator, General Services Administration, Washington, D.C., reporting, pursuant to law, on the violation of funds for the construction of a Federal office building, at Cleveland, Ohio; to the Committee on Appropriations.

Report on Personal and Real Property Donated to Public Health and Educational Institutions and Civil Defense Organizations

A letter from the Acting Secretary of Health, Education, and Welfare, transmitting, pursuant to law, a report on personal and real property donated to public health and educational institutions and civil defense organizations, for the 6-month period ended June 30, 1967 (with an accompanying report); to the Committee on Government Operations.

Report of Comptroller General

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report on need for improved reviews of quantity estimate prepared by architect-engineers for solicitation of construction bids, Corps of Engineer (Civil Functions), Department of the Army, dated August 1967 (with an accompanying report); to the Committee on Government Operations.

Amendment of Act Establishing the Public Land Law Review Commission

A letter from the Chairman, Public Land Law Review Commission, Washington, D.C., transmitting a draft of proposed legislation to amend the act of September 9, 1964 (78 Stat. 983), establishing the Public Land Law Review Commission, and for other purposes (with an accompanying paper); to the Committee on Interior and Insular Affairs.

Report on Persons Under the Supervision of the Federal Probation System

A letter from the Director, Administrative Office of the United States Courts, Washington, D.C., transmitting, pursuant to law, a report on persons under the supervision of the Federal probation system, for the fiscal year 1966 (with an accompanying report); to the Committee on the Judiciary.

Report on Professional and Scientific Positions

A letter from the Administrator, National Aeronautics and Space Administration, Washington, D.C., transmitting pursuant to law, a report on professional and scientific positions in that Administration, as of June 30, 1967 (with an accompanying report); to the Committee on Post Office and Civil Service.

Report on Pollution From Vessels Using Navigable Waters of the United States, and Draft of Proposed Bill

A letter from the Secretary of the Interior, transmitting, pursuant to law, a report on pollution from vessels using the navigable waters of the United States; and a draft of proposed legislation to amend the Federal Water Pollution Control Act, as amended, to control pollution from vessels within the navigable waters of the United States (with an accompanying report, and paper); to the Committee on Public Works.

PETITIONS AND MEMORIALS

Petitions, etc., were laid before the Senate, or presented, and referred as indicated:

By the **PRESIDENT** pro tempore:

A joint resolution of the Legislature of the State of California; to the Committee on Armed Services:

"S.J. Res. 14

"Joint resolution relative to military status of law enforcement personnel

"Whereas, Law enforcement officials in the metropolitan areas of the United States have become concerned at the alarming increase in crime; and

"Whereas, A well-trained experienced police force stands in the front line between the lawless elements and our citizens; and

"Whereas, City police departments throughout California are having increasing difficulty in recruiting police officers; and

"Whereas, Despite extensive recruiting efforts both in California and in other states, many metropolitan police departments are operating understrength; and

"Whereas, Those who are serving in the police departments have the mental and physical requirements which make them readily subject to the draft; and

"Whereas, Many draft boards take the position that, because "police officer" is not listed among the "critical occupations," no consideration should be given to requests for deferment; now, therefore, be it

"*Resolved by the Senate and Assembly of the State of California, jointly,* That the Legislature of the State of California respectfully memorializes the President and the Congress of the United States and the Director of the Selective Service System to direct the Selective Service Headquarters in the several states to include police officers in the "critical occupation" category; and be it further

"*Resolved,* That the Secretary of the Senate be hereby directed to transmit copies of this resolution to the President and the Vice President of the United States, to the Speaker of the House of Representatives, to each Senator and Representative from California in the Congress of the United States, and to the Director of the Selective Service."

A joint resolution of the Legislature of the State of California; to the Committee on Finance:

"Assembly Joint Resolution 25

"Joint resolution relating to interstate taxation

"Whereas, There is now pending before Congress legislation affecting state and local taxation of interstate commerce; and

"Whereas, If enacted, such legislation would (1) impose unduly restrictive jurisdictional standards on the imposition and collection of California sales and use taxes; (2) arbitrarily define interstate sales to include transactions that are in fact local sales; (3) permit out-of-state vendors to maintain employees and agents within this state for the solicitation of sales without being required to collect the California use tax; (4) impose restrictions on the reporting requirements and collection of local sales taxes which may jeopardize state administration of the California Bradley-Burns Uniform Local Sales and Use Tax Law; and (5) grant multistate corporations with a net income of one million dollars or less an option to apportion income for tax purposes on the basis of a two-factor formula; and

"Whereas, The proposed legislation would grant tax immunities to out-of-state vendors doing business in California in competition with locally based businesses; and

"Whereas, The optional use of a two-factor allocation formula in lieu of the three-factor allocation formula used by practically all states is tantamount to offering multistate corporations a tax reduction at their election; and

"Whereas, An in-depth study of state tax problems conducted by the Special Subcommittee on State Taxation of Interstate Commerce of the Committee on the Judiciary House of Representatives and the federal legislation introduced as a result thereof have caused the states to expedite their action in alleviating compliance problems their taxing systems may have created: thus, 17 of the 39 income tax states have adopted the NCCUSL Uniform Allocation Act and such act is under consideration in all but one of the remaining income tax states; 22 of the 39 income tax states use the federal income tax base as their state income tax base, with some variations; 39 of the 45 states provide for a use tax credit on items subjected to sales tax when purchased in another state; and all but approximately 150 of the 2,500 municipal and country sales and use tax jurisdictions are subject to a uniform state statute requiring the filing of a single return with the state which in turn remits back to local government taxes collected for them; now, therefore, be it

"*Resolved by the Assembly and Senate of the State of California, jointly,* That the members find that in view of the substantial progress the states have made in alleviating compliance problems which may be encountered by interstate businesses the enactment of such legislation would be contrary to the best interests of the people and business community of California; and be it further

"*Resolved,* That the Legislature respectfully requests the Congress not to enact legislation so affecting interstate taxation unless Congress determines that the states after a reasonable period of time are unable or unwilling to resolve any unreasonable compliance problems their tax systems have imposed upon interstate business; and be it further

"*Resolved,* That the Chief Clerk of the Assembly be hereby directed to transmit copies of this resolution to the President and Vice President of the United States, to the Speaker of the House of Representatives, and to each Senator and Representative from California in the Congress of the United States."

A joint resolution of the Legislature of the State of California; to the Committee on Finance:

"S.J. Res. 38

"Joint resolution relative to providing adequate benefits for disabled veterans

"Whereas, The United States of America and also the State of California have from their inception recognized that citizens who sacrifice part of their person, blood and tissue for the honor of our nation in the military service demonstrate in the highest the spirit of patriotism; and

"Whereas, The national welfare and pension formulae for disabled veterans, established many years ago by well-meaning, whole-bodied men, do not reflect the geometrically advanced economy of the United States of America in 1967; and

"Whereas, At this moment disabled and injured veterans are returning home from the conflict in the Far East to remain in federal institutions because the welfare and pension formulae payments are insufficient for marriage and family life; and

"Whereas, Enlisted personnel in the lower pay grades with severe disabilities do not receive adequate retirement pay to maintain themselves or dependents under the present economic conditions, because retirement from military service for disabilities incurred in line of duty from physical or mental causes are computed by multiplying the basic pay by the percentage of disability or by 2½ percent of active service, whichever is greater, but not less than 50 percent of basic pay; and

"Whereas, Those injuries suffered while in military service which have not only made the serviceman unable to perform duties commensurate with his grade or rank now also consign him to the lower and hopeless level of our economy for which relief should be made available by providing an income at least up to the poverty level of the federal statutory minimum wage; and

"Whereas, A grateful nation, through the Congress of the United States, should not delay in providing adequate benefits to those who have been injured or incapacitated in the military service of our country; now, therefore, be it

"*Resolved by the Senate and Assembly of the State of California, jointly,* That the Legislature of the State of California respectfully memorializes the President and the Congress of the United States to enact the legislation that is necessary to provide adequate benefits for injured or disabled veterans in order to bring succor and provide an income at least up to the poverty level of the federal statutory minimum wage; and be it further

"*Resolved,* That the Secretary of the Senate be hereby directed to transmit copies of this resolution to the President and Vice President of the United States, to the Speaker of the House of Representatives, to the Secretary of Defense, and to each Senator and Representative from California in the Congress of the United States."

Five joint resolutions of the Legislature of the State of California; to the Committee on Labor and Public Welfare:

"S.J. Res. 19

"Joint Resolution relative to federal education programs.

"Whereas, Under various acts of Congress, federal funds are available to provide financial assistance to local educational agencies for special educational purposes; and

"Whereas, Under some of these acts of Congress, the eligible local educational agency is not permitted to use allocated federal funds to provide buildings and classroom space for such educational purposes while some of these acts of Congress allow such use; and

"Whereas, The use of allocated federal funds to local educational agencies to provide buildings and classroom space is often essential to accomplish the purpose of the special educational programs; now, therefore, be it

"*Resolved by the Senate and the Assembly of the State of California, jointly,* That the Legislature of the State of California respectfully memorializes the Congress of the United States to enact legislation and the officers and agencies in the executive branch of the federal government to take all appropriate measures regarding the various special educational assistance programs to local educational agencies to allow the use of allocated federal funds to provide buildings and classroom space for such programs; and be it further

"*Resolved,* That the Secretary of the Senate be directed to transmit copies of this resolution to the President and Vice President of the United States, to the Speaker of the House of Representatives, and to each Senator and Representative from California in the Congress of the United States."

"Joint resolution relative to the administration of federal grants affecting education in California through the Department of Education.

"Whereas, Several California school districts and other local agencies have applied directly to the federal government for grants in aid of education without the knowledge of the California Department of Education; and

"Whereas, Despite its lack of knowledge with respect to such grant applications, the Department of Education is required to certify to the federal government that the State of California is not duplicating the services for which the federal grant was made; now, therefore, be it

"*Resolved by the Senate and Assembly of the State of California, jointly,* That the Legislature of the State of California respectfully memorializes the Congress of the United States and the officers and agencies of the executive branch of the federal government to take all appropriate measures to require that all federal grants affecting education in California be transmitted through the California Department of Education so that the expenditure of state funds for education will not duplicate federal moneys granted for the same purpose; and be it further

"*Resolved,* That the Secretary of the Senate be hereby directed to transmit copies of this resolution to the President and Vice President of the United States, to the Speaker of the House of Representatives, and to each Senator and Representative from California in the Congress of the United States."

"S.J. Res. 21

"Joint resolution relative to federal funds for local school districts

"Whereas, It has come to the attention of the Legislature of the State of California that local school districts may decide to not participate in federal programs based upon a fear that federal funds will be withdrawn after the first year; now, therefore, be it

"*Resolved by the Senate and Assembly of the State of California, jointly,* That the Legislature of the State of California respectfully memorializes the Congress of the United States to enact legislation, and the officers and agencies of the executive branch of the federal government to take all appropriate measures, to provide for the financing of federal programs for more than one year; and be it further

"*Resolved,* That the Secretary of the Senate be hereby directed to transmit copies of this resolution to the President and Vice President of the United States, to the Speaker of the House of Representatives, and to each Senator and Representative from California in the Congress of the United States."

"S.J. Res. 29

"Joint resolution relative to clinical laboratories

"Whereas, As a direct result of the brightened prospects for total health care afforded by recent legislation passed by the 89th Congress of the United States, the public of this country and the citizens of the State of California are developing a growing, critical awareness of the quality of available health care; and

"Whereas, The State of California has, for 30 years, led in the field of regulation and licensing of the clinical laboratory; and

"Whereas, This leadership was attained only through the active participation and cooperation of all professionals working and licensed within the field; and

"Whereas, Congress has recognized the important contribution of the clinical laboratory to total health-care in the passage of Public Law 89–97, the "medicare act"; and

"Whereas, The rules and regulations established by the Office of Health, Education and Welfare impede the implementation of congressional desire by stringent regulations upon the clinical laboratories in the State of California in particular and the United States generally; and

"Whereas, The regulations require that subsequent to June 30, 1971, clinical laboratories must be under the direction of either a physician with enumerated qualifications or a person with an earned doctoral degree in certain fields in order to qualify under medicare; and

"Whereas, Such requirements will prevent the participation of many California licensed clinical laboratories and limit the ability of physicians to fully utilize all resources available in California; and

"Whereas, The most important consideration in certifying clinical laboratories should be the ability of a given laboratory to perform those tests submitted to it, and Section 405.1314 of the regulations appears to set forth means of determining whether a laboratory does perform adequately, although it, too, places excessive emphasis upon the degree held by the director; now, therefore, be it.

"*Resolved by the Senate and Assembly of the State of California, jointly,* That the Legislature of the State of California respectfully memorializes the President and the Congress of the United States to direct the Department of Health, Education and Welfare to reexamine its present standards for clinical laboratories and the impact they will have upon the provision of services in California and other states; and be it further

"*Resolved,* That the Department of Health, Education and Welfare be directed to amend its clinical laboratory regulations to recognize the excellence of strict licensing of clinical laboratories in states such as California and to place major emphasis upon a determination of the adequacy of a laboratory's performance as opposed to the degrees earned by its director; and be it further

"*Resolved,* That the Secretary of the Senate is hereby directed to transmit copies of this resolution to the President and Vice President of the United States, to the Speaker of the House of Representatives, to each Senator and Representative from California in the Congress of the United States, and to the Secretary of Health, Education and Welfare."

"S.J. Res. 34

"Joint resolution relative to requesting the Federal Food and Drug Administration to schedule hearing on regulation of dietary foods

"Whereas, The business of manufacturing, distributing and selling vitamin- and mineral-fortified foods and food for special dietary uses constitutes a $250,000,000 industry in California, employing thousands of technicians, distributors, retired senior citizens and salesmen; and

"Whereas, The Federal Food and Drug Administration first proposed new regulations governing such foods in 1962, again in 1966 and again in 1967 without holding public hearings to determine the justification of such regulations; and

"Whereas, The continued delays caused by the proposed regulations have depressed and retarded the growth and technical progress of this industry in California; Now, therefore, be it

"*Resolved by the Senate and Assembly of the State of California, jointly,* That the Legislature of the State of California respectfully requests the Federal Food and Drug Administration to conduct hearings before adopting new regulations applicable to the manufacturing, distributing and selling of vitamin- and mineral-fortified foods and food for special dietary uses; and be it further

"*Resolved,* That the Secretary of the Senate be hereby directed to transmit copies of this resolution to the President and Vice President of the United States, to the Speaker of the House of Representatives, to each Senator and Representative from California in the Congress of the United States, to the Secretary of Health, Education, and Welfare and to the Commissioner of Food and Drugs."

Two joint resolutions of the Legislature of the State of California; to the Committee on Public Works:

"ASSEMBLY JOINT RESOLUTION 24

"Joint Resolution relative to establishment of a Federal water pollution control research facility in California

"Whereas, Regional research facilities for the conduct of technical investigations, experiments, field studies and training relative to the prevention and control of water pollution are urgently needed to supplement the activities of existing regional laboratories of the Federal Water Pollution Control Administration in providing technical assistance to the states and local agencies on the mounting problems of water pollution control and water resources management; and

"Whereas, It is both logical and desirable that a regional research facility be established in California, not only because of the magnitude of water pollution and water quality problems in this state but also for the reason that California agencies have been conducting a substantial portion of water pollution control research at the state level; and

"Whereas, California is one of the areas of the United States in which the problems of water quality management are both critical and of great magnitude as evidenced by the fact that the state's present population of over 17 million is expected to almost double in the next 20 years; and

"Whereas, California is the leading state in waste water reclamation, one of the most important aspects of the problem of pollution, and will probably be the location of more waste water reclamation activity than any other state; and

"Whereas, California is ideally located for studying the ground water quality problems that are unique to the southwest, since one-third of the nation's ground water supplies are developed here and since California has been the forerunner in conserving and augmenting water resources by recharging ground water basins; and

"Whereas, Ground water problems associated with sea water intrusion also can be studied in California for the reason that 13 ground water basins along the state's coastline already have been damaged by the encroachment of saline waters and other basins are now being threatened; and

"Whereas, California has the added geographical advantage of being situated where studies of marine waste disposal problems can be undertaken since two-thirds of the state's sewage and industrial wastes are discharged into ocean waters; and

"Whereas, The colleges and universities of California are carrying on very extensive research activities in the field of water pollution control which engage a large number of resident graduate students and sanitary engineers; and

"Whereas, A research facility located in the State of California would be able not only to draw upon a large reservoir of academic personnel and graduate students but also benefit from the extensive research being conducted by California's institutions of higher learning in the fields of water pollution control and water resources management; and

"Whereas, It is required that regional water pollution control research facilities be located near an institution of higher learning and it is essential that the people of California agree upon a particular site for the construction of such a laboratory; and

"Whereas, The various campuses of the University of California provide excellent locations for such a facility, but the Riverside Campus has been recommended by the University of California as having the best combination of advantages; and

"Whereas, The Assembly Water Committee has conducted an intensive study of water pollution and waste water reclamation in California and has found unanimous approval in California of the need for such a laboratory here; and

"Whereas, President Johnson's Water Pollution Control Advisory Board has already gone on record urging the selection of a site for such a facility in California; now, therefore, be it

"*Resolved by the Assembly and Senate of the State of California, jointly,* That the Legislature of the State of California respectfully memorializes the President, the Department of Interior, and the Congress of the United States to take such steps as are necessary for the establishment of a regional water pollution control research facility on the Riverside Campus of the University of California; and be it further

"*Resolved,* That the Chief Clerk of the Assembly be hereby directed to transmit copies of this resolution to the President and Vice President of the United States, to the Speaker of the House of Representatives, to each Senator and Representative from California in the Congress of the United States and to the Secretary of the Interior."

"S. J. RES. 32

"Joint resolution relative to a study of the San Joaquin River channel

"Whereas, An abnormal snowpack in the watershed of the San Joaquin River poses a threat of floods on the San Joaquin River during the early summer of 1967; and

"Whereas, Friant Dam, constructed by the Bureau of Reclamation as a feature of the Central Valley Project, and upstream power reservoirs built by the Southern California Edison Company, provide a large degree of flood control protection on the upper San Joaquin River; and

"Whereas, Without these reservoirs disastrous flooding would occur along the San Joaquin River and their presence has prevented, and is likely to prevent, several millions of dollars worth of damage this year; and

"Whereas, Flood control criteria developed by the Army Corps of Engineers are based upon a channel capacity of 8,000 cubic feet per second between Friant Dam and Gravelly Ford and these criteria are being used in the operation of these facilities; and

"Whereas, The State of California, in planning its flood control works for the lower reaches of the San Joaquin River, has also planned its operation on the basis of a channel capacity of 8,000 cubic feet per second on the upper reaches thereof; and

"Whereas, It appears that some damage is occurring along the San Joaquin River due to natural and manmade encroachment upon the river channel; and

"Whereas, It appears that there is no assignment of the responsibility for channel maintenance along the above described reach of the San Joaquin River; and

"Whereas, It appears desirable that a study of the condition of the channel of the San Joaquin River be made and responsibility for its maintenance assigned; now, therefore, be it

"*Resolved by the Senate and Assembly of the State of California, jointly,* That the Legislature of the State of California respectfully requests the Congress of the United States to direct the Army Corps of Engineers to study the condition of the channel of the San Joaquin River at the earliest possible date and make recommendations for whatever action is necessary to assure that the channel capacity is consistent with adopted criteria; and be it further

"*Resolved,* That the Army Corps of Engineers include in its study the question of assigning responsibility for channel maintenance and recommendations therefor; and be it further

"*Resolved,* That the Secretary of the Senate be hereby directed to transmit copies of this resolution to the President and Vice President of the United States, to the Speaker of the House of Representatives, and to each Senator and Representative from California in the Congress of the United States."

A concurrent resolution of the Legislature of the State of Iowa; to the Committee on Commerce:

"H. CON. RES. 17

"Concurrent resolution petitioning the Congress of the United States to enact a Uniform Interstate Motor Truck Registration and Fee law

"Whereas, the several states of the United States have enacted a variety of motor vehicle taxes applying to interstate motor truck operations; and

"Whereas, the taxes of the various states lead to inequity of application to the motor truck operators; and

"Whereas, the administration of motor truck taxes for the various states is costly and difficult as well as controversial; and

"Whereas, the national economy is greatly affected by the movement of goods in commerce and lack of uniformity in the various states' truck registration and taxation laws tends to restrict such movement; and

"Whereas, a substantial percentage of interstate motor truck traffic moves on federal interstate and primary highways; Now, therefore,

"Be it resolved by the house of representatives of the sixty-second General Assembly of the State of Iowa; the senate concurring:

"That the Congress consider the advisability of enacting a national truck registration law and road use fee system for interstate motor truck operation, replacing all such registrations, licenses and fees of the individual states; said registrations, licenses and fees to be prorated to the states on the basis of miles traveled in each state or other equitable basis, reserving to the states the registration and taxing of motor trucks engaged in limited, local interstate operation, and

"Be it further resolved that an attested copy of this Resolution be forwarded to each member of the Iowa delegation in the Congress of the United States and to the Secretary of the Senate and the Chief Clerk of the House of Representatives of the Congress so that they may file same with the appropriate committees.

"We, Maurice E. Baringer, Speaker of the House of Iowa, and William R. Kendrick, Chief Clerk of the House, hereby certify that the above and foregoing Resolution was adopted by the House and Senate of the Sixty-second General Assembly.

"WILLIAM R. KENDRICK,
"*Chief Clerk of the House.*
"MAURICE E. BARINGER,
"*Speaker of the House.*"

A resolution of the Legislature of the State of Nebraska; to the Committee on the Judiciary:

"LEGISLATIVE RESOLUTION 81

"Whereas, antifirearms legislation now being considered by the Congress, if adopted will seriously impair the right of legitimate hunters and target shooters to enjoy their chosen sports; and

Whereas, the history of such legislation is that the criminal and psychotic elements are little affected thereby; and

"Whereas, the second amendment to the United States Constitution sets forth the rights of citizens who have not lost their civil rights to keep and bear arms; and

"Whereas, tight controls on firearms as attempted in New York and Puerto Rico have not deterred the criminal classes but have only served to disarm the law-abiding citizen; and

"Whereas, certain Federal officials have indicated a desire to register and control all privately-owned firearms in a manner similar to New York's infamous Sullivan Law; and

"Whereas, a situation in which our law-abiding citizen would become effectively disarmed by firearms registration or by administrative action of governmental bureaus or by the necessity of complying with complicated and obtuse administrative procedure would be intolerable in these United States; and

"Whereas, control of crime and misuse of firearms is best accomplished by a combination of effective and stringent law enforcement and justice directed against the criminal himself, not the weapon, coupled with education and alleviation of the known factors that cause crime; and

"Whereas, no nation in modern times has fallen to tyranny without first imposing upon itself a strict system of firearms controls and registration.

"Now, therefore, be it resolved by the members of the Nebraska Legislature in seventy-seventh session assembled:

"1. That this body, (a) is opposed to federal legislation which interferes with the rights of our law-abiding citizens under the second amendment to the United States Constitution or which interferes with the rights of such citizens to transport, ship or receive sporting arms and ammunition in interstate commerce, (b) favors enforceable legislation at the federal level which provides stringent and enforceable penalties against the criminal misuse of firearms and ammunition shipped in interstate commerce, (c) is opposed to the federal registration of firearms or legislation whose thrust is in the direction of firearms registration.

"2. The Legislature directs the Clerk of the Legislature to furnish suitable copies thereof to the President of the United States, the President pro tempore of the United States Senate, the Speaker of the United States House of Representatives, to the chairman of the Senate Judiciary Committee, to the Nebraska congressional delegation, and to Senator Thomas Dodd, of Connecticut."

A joint resolution of the Legislature of the State of Alabama; to the Committee on the Judiciary:

"S.J. Res. 60

"Whereas Stokely Carmichael, the violent and inflammatory leader of the black power movement and former head of the Student Nonviolent Coordinating Committee, has traveled freely throughout this country advocating and initiating riots, rebellions and the overthrow of law and order; and

"Whereas this hate monger's visits to various cities of the Nation have led in every instance to riots and violence accompanied in many instances by burning, looting and bloodshed. In resigning from SNCC, Carmichael announced that he would spend the summer organizing "black resistance" to the war in Vietnam. On May 16, he told a screaming crowd of Negroes in Washington, "There is no need to go to Vietnam and shoot somebody who a honkey says is your enemy. We're going to shoot the cops who are shooting our black brothers in the back in this country. That's where we are going." In this same speech, recorded by radio and telecast throughout the country, he called President Johnson a "buffoon" and a "honky" and said "The honky is lyin' about Vietnam.", and

"Whereas Carmichael has purposefully and systematically set out to undermine the respect of his listeners for the established heroes of this country. He calls Christopher Columbus "a dumb honky"; George Washington "a dumb honky who had slaves"; and Abraham Lincoln "another dumb honky." He urges Negroes to riot and admittedly terms these riots as "rebellions." He tells his followers that the black man does not need to apologize for these rebellions and, "if a honky tried to shoot you, kill him before God gets the news." Carmichael's influence with his people is not to be underestimated when he sets a mob chanting endlessly against the Vietnam War with, "Hell, no. We won't go."; and

"Whereas Mr. J. Edgar Hoover, Director of the Federal Bureau of Investigation in a recent report to a congressional committee on some of Carmichael's activities stated that Carmichael in espousing his black power movement had been in frequent contact with Max Stanford, field chairman of the Revolutionary Action Movement (RAM), a highly secret all-negro, Marxist-Leninist, Chinese-Communist-oriented organization which advocates guerrilla warfare to obtain its goals, and that this organization has aided and guided Stanford in forming a Black Panther Party in New York City as well as in other areas of the United States; and

"Whereas it has been learned that Carmichael, who is not a native of this country and whose strange influence is creeping out in unexplained areas, is now out of this country and has gone to Czechoslovakia. He has stated his intention of going to Hanoi and North Vietnam and it was today reported by radio that he will attend a "Revolution School" in Cuba next week; now therefore

"Be it resolved by the Legislature of Alabama, both houses thereof concurring That the blasphemous and profane, communist revolutionary, Stokely Carmichael, be denied readmittance to this country as an undesirable alien or on any other available grounds that will prevent his return to vilify and overthrow the United States of America.

"Resolved further That a copy of this resolution be sent to the President of the United States, to the Congress, to the United States Supreme Court and to the office of Immigration with the respectful but urgent request that concerted action be taken to deny Stokely Carmichael reentrance to this country.

"McDowell Lee,
"Secretary of Senate."

A joint resolution of the Legislature of the State of Alabama; to the Committee on the Judiciary:

"S.J. Res. 17

"Resolution petitioning Congress to enact legislation making the malicious public burning of the American flag a federal crime

"Whereas at a time when our nation has again been compelled to take up arms in defense of liberty and freedom, and in support of our commitment to preserve the right of self-determination of the people of South Vietnam and integrity of their government against the onslaught of communist aggression, we have witnessed recently in this nation certain deplorable conduct on the part of a lawless segment of our population opposed to American involvement in the struggle in Vietnam; and

"Whereas the fundamental right of dissent and the freedom of expression guaranteed to every citizen of our great nation by the Bill of Rights of the Constitution necessarily entails the disciplined and responsible exercise of those rights, and freedom in the exercise of those rights does not include adhering to, or giving aid and comfort to the enemies of this nation; and

"Whereas the malicious public burning of the symbol of this nation, the American flag, as a means of expressing opposition or protest is not dissent but an act most accurately characterized as treasonous and deserving swift punishment of its perpetrators; now therefore

"Be it resolved by the Legislature of Alabama, both houses thereof concurring, That we respectfully memorialize and petition the Congress of the United States to enact appropriate legislation making the malicious public burning of the American flag a federal crime.

"Be it further resolved, That a copy of this resolution shall be sent to each member of the Congressional Delegation from the State of Alabama, to the Secretary of the United States Senate, the Clerk of the House of Representatives of the United States, and the President of the United States.

"McDowell Lee,
"Secretary of Senate."

REPORT OF THE 10TH MEETING OF THE CANADA-UNITED STATES INTERPARLIAMENTARY GROUP (S. DOC. NO. 42)

Mr. AIKEN. Mr. President, I submit the report of the Senate delegation to the 10th meeting of the Canada-United States Interparliamentary Group, of which I was chairman, held in Ottawa and Montreal last May. The report is under 50 pages, and I ask unanimous consent that it be printed as a Senate document.

The ACTING PRESIDENT pro tempore. The report will be received and printed, as requested by the Senator from Vermont.

BILLS INTRODUCED

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. HOLLAND:

S. 2248. A bill for the relief of Dr. Jose Puentes Roca; to the Committee on the Judiciary.

By Mr. HILL:

S. 2249. A bill for the relief of Dr. Mario G. Mendez; and

S. 2250. A bill for the relief of Dr. Hugo Vicente Cartaya; to the Committee on the Judiciary.

S. 2251. A bill to amend title VI of the Public Health Service Act to improve the existing program for assistance for construction and modernization of hospitals and other medical facilities and to provide for the making of loans for such modernization; to the Committee on Labor and Public Welfare.

By Mr. HOLLINGS:

S. 2252. A bill for the relief of Demetrios Evaggelos (Jimmy) Passaris; to the Committee on the Judiciary.

By Mr. BREWSTER:

S. 2253. A bill to authorize certain real property to be used for educational purposes; to the Committee on Government Operations.

By Mr. DIRKSEN (by request):

S. 2254. A bill for the relief of Herman M. Steljes; to the Committee on the Judiciary.

By Mr. JACKSON (by request):

S. 2255. A bill to amend the Act of September 9, 1964 (78 Stat. 983), establishing the Public Land Law Review Commission, and for other purposes; to the Committee on Interior and Insular Affairs.

(See the remarks of Mr. Jackson when he introduced the above bill, which appear under a separate heading.)

AMENDMENT OF ACT ESTABLISHING THE PUBLIC LAND LAW REVIEW COMMISSION

Mr. JACKSON. Mr. President, I introduce, by request, a bill to extend the Public Land Law Review Commission and to provide additional funds for its operation.

I ask unanimous consent that a copy of the letter from the Chairman of the Public Land Law Review Commission to the President of the Senate be printed at this point in my remarks, together with the text of the legislation.

The PRESIDENT pro tempore. The bill will be received and appropriately referred; and, without objection, the bill and letter will be printed in the Record.

The bill (S. 2255) to amend the act of September 9, 1964 (78 Stat. 983), establishing the Public Land Law Review Commission, and for other purposes, introduced by Mr. Jackson, by request, was received, read twice by its title, referred to the Committee on Interior and Insular Affairs, and ordered to be printed in the Record, as follows:

S. 2255

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Act of September 19, 1964 (78 Stat. 983), establishing the Public Land Law Review Commission is amended:

(1) By striking, in section 4(b), "December 31, 1968" and substituting therefor "June 30, 1970".

(2) By striking, in section 4(b) "June 30, 1969" and substituting therefor "December 31, 1970".

(3) By striking, in section 9(a), "$4,000,000" and substituting therefor "$7,390,000".

(4) By substituting for the present text of the first sentence of section 8(a) the following: "The Commission or, on authorization of the Commission, any committee of two or more members, at least one of whom shall be of each major political party, may, for the purpose of carrying out the provisions

of this Act, hold such hearings, take testimony or receive evidence under oath, and sit and act at such times and places as the Commission or such authorized committee may deem advisable. The member of the Commission presiding at any such hearing is authorized to administer the oath to witnesses."

The letter, presented by Mr. JACKSON, is as follows:

AUGUST 5, 1967.

Hon. HUBERT H. HUMPHREY,
President of the Senate,
Washington, D.C.

DEAR MR. PRESIDENT: Enclosed is a draft of a proposed bill, "To amend the Act of September 9, 1964 (78 Stat. 983), establishing the Public Land Law Review Commission, and for other purposes."

We recommend that the proposed bill be referred to the appropriate committee for consideration, and we recommend that it be enacted.

The Public Land Law Review Commission has the responsibility to (1) study existing statutes and regulations governing the retention, management, and disposition of the public lands; (2) review the policies and practices of the Federal departments and agencies having administrative jurisdiction over such lands; (3) compile data necessary to understand and determine the various demands on the public lands; and (4) recommend to the Congress and the President such modifications in existing laws, regulations, policies, and practices concerning the public lands as will, in the judgment of the Commission, best serve to provide the maximum benefit for the general public.

The lands concerning which this Commission is charged with making recommendations constitute one-third of the land area of the Nation. While most of the lands are located in the western states and Alaska, there is some public land, within the definition of the Act of September 9, 1964, in each of the 50 states. These lands and their resources constitute national assets of undetermined immeasurable value.

The resources of the lands—and the Commission is specifically required to consider the resources—include the minerals of the Outer Continental Shelf, untold mineral wealth comprised of oil shale, geothermal steam, coal, oil and gas, and many others, as well as vast stands of timber in the national forests; and recreation areas in the forests, the National Park System, and wildlife refuges and ranges, among others. Many of the policies the Commission is directed to review concern lands that are used for grazing by both the livestock industry and wildlife, for hunting and fishing, and for many other purposes. It is impossible to estimate the dollar value of the lands and resources or the potential benefits that may be obtained through a modernization of the policies and laws affecting these lands and resources.

An analysis of the proposed bill and the reasons for each amendment, follow.

(1) Section 4(b) of the Act of September 9, 1964 provides that the Commission shall submit its report and recommendations to the Congress and the President by December 31, 1968 and cease to exist six months after submittal of its report or on June 30, 1969, whichever is earlier. The proposed legislation would extend both dates by 18 months. The requested extension is required both because of an initial delay in organizing the Commission and because the Commission's study program has proven to be greater than had been anticipated when the legislation creating the Commission was considered.

(2) Section 9(a) of the Act authorizes the appropriation of a total of not more than $4 million for the conduct of the Commission's work. Since the $4 million limitation was proposed, in 1963, in the bill for establishment of the Commission, there have been three Federal employee pay raises and a general increase in the price of all goods and services. Some materials, e.g., law books, and facilities, e.g., office space, that were not contemplated as expenditures had to be paid for out of Commission funds. In addition, as the Commission's study program evolved, it became clear that the scope of studies required to permit a full understanding of public land policy was greater than had been contemplated previously. In order to carry out the projected program fully, we estimate that an increase of $3.3 million over the present appropriation limitation is necessary.

(3) Section 8(a) of the Act of September 9, 1964 authorizes procedures by which the Commission shall hold hearings, provides for the issuance of subpoenas and makes applicable the provisions of 2 U.S.C. 192–194 in the case of failure of a witness to comply with a subpoena. However, the Act omits authority for the Commission at such hearings to require that testimony be given under oath. If the study program now under way fails to produce all the information and data required by the Commission, it will be necessary that hearings be held to obtain such information or data. At that time, it may be desirable to receive testimony under oath.

(4) It has always been contemplated that the bulk of the research and data compilation would be accomplished under contract. A relatively small in-house staff designs the study program, supervises contractors, performs some research and analyses, and will accomplish all of the evaluations of reports for the Commission's consideration. Contractors will not make conclusions or recommendations, these being the responsibility of the Commission. We had always considered the maximum number of employees would approximate 50–55; our staffing pattern, utilized in obtaining fiscal year 1968 appropriations, calls for 48 employees during the current fiscal year. The enclosed legislative proposal is based on a maximum of 54 full-time and 2 part-time employees, or an increase of 7 man-years of civilian employment. These employees would be primarily in the research specialist and analyst category.

The additional $3.3 million authorization recommended is comprised of both personnel and contract funds. We estimate requirement, exclusive of consultant and counseling services, for a total of $2.9 million of contract work, some of which is already under contract. The balance of the money would be utilized for all other requirements of the Commission, including personnel compensation, reimbursement of expenses for travel of Commissioners and Advisory Council members, and other necessary travel expenses. Personnel compensation expenses would be increased by $1.6 million if the 18 month extension recommended herein is authorized.

There have been appropriated to the Commission $2,517,000 of the $4 million authorized in our organic statute, leaving a balance of $1.4 million unappropriated for which authorization still exists.

As recognized by Congress in establishing the Public Land Law Review Commission, a comprehensive review of public land law and policy is long overdue. To perform a review substantially short of that necessary to lay the foundation and formulation of sound and constructive public land policies would be a disservice to the public. The concept of the Commission requires that all areas of public land policy and administration be examined. Only by providing additional time and authorization for additional funds can this be fulfilled.

The Bureau of the Budget has advised that presentation of this draft bill and its enactment is not in conflict with the program of the President and would be consistent with Administration objectives.

Sincerely,

WAYNE N. ASPINALL,
Chairman.

SAFE STREETS AND CRIME CONTROL ACT OF 1967—AMENDMENT

AMENDMENT NO. 243

Mr. HART. Mr. President, in the search for a method of aiding the States in assuring citizens that riots will not become the rule and lawlessness the custom, Congress has the responsibility to explore all reasonable avenues.

Four significant proposals, to my knowledge, have been made. Each has merit. Each reflects thoughtful concern. And each has kinks.

This is not an unusual situation for Congress to face. Usually the solution is to draft a new measure, incorporating the best of the ideas and eliminating—as far as humanly possible—the drawbacks.

Today I offer a proposal which attempts to do just that.

Let us consider first the plans that have surfaced thus far.

Two of the suggestions came from the President. First was his omnibus crime bill—the Safe Streets and Crime Control Act—S. 917—introduced 5 months ago by the senior Senator from Arkansas [Mr. MCCLELLAN] and which I cosponsored.

This is a sound bill and an encompassing one. It is by all odds the most significant proposal ever made to bring the Federal Government into support of State and local law enforcement. It maps out an all-out attack on crime in our streets to be handled in a coordinated way. There is no doubt that this proposal would be most useful in controlling what might be called run-of-the-mill crime. One of its greatest contributions would be to aid in improving the quality of our techniques and training, giving us better police which are sorely needed.

But it was drafted before Newark—before Detroit—in short, before our summer of riot. And this summer has taught us even more clearly that we need a more effective method of law enforcement to handle mindless, massive mobs.

President Johnson recognized this in his speech to the Nation July 27 when he announced that he had directed the Secretary of Defense to step up the riot control training of the National Guard.

That is the second proposal. Obviously, this is a step in the right direction—of getting us more and better police. The advantage of the Guard is they would be available in number and, unlike metropolitan police, are accustomed to operating as a massive unit under one command. Also, they could be familiar with the cities in their State and would have mapped out in advance deployment, communication centers, and other operating procedures.

But, the National Guard has the disadvantage—and this is not in criticism—of being part-time soldiers. Normally they have to be called from their work or homes—with a resultant loss of time. And time is of the essence if a disaster is to be kept down to merely a confrontation. Even if they were garrisoned in the cities for the dangerous summer months, we would expect the men would keep rotating and they might, therefore, not be as combat ready at all times as a permanent full-time force.

Bearing those limitations in mind—and drawing on his intimate experience with the situation—Detroit's able Mayor Jerome P. Cavanagh proposed a federally sponsored riot force, composed of 1,000 men garrisoned in each of the 10 metropolitan areas in our country.

They would have the advantages of the National Guard but would be full time and available to other cities in the area.

Mayor Cavanagh's proposal is fresh and challenging. It has many good points. One clearly is that protection would be available without taxing metropolitan police budgets which already are generally overstretched. In fact, I understand the pay for police is one of our most serious handicaps. But it makes some edgy to have Federal police garrisoned in our cities. As we work with this idea we may find ways to eliminate that problem.

Also—and a reality that we must face—the idea has congressional vote appeal for too few States, notwithstanding the fact that life and events in our major metropolitan centers affect the whole of our country.

The fourth proposal—from Michigan Congressman JAMES G. O'HARA—also is of great value. It overcomes the drawbacks, real or fancied, of the federally sponsored police but presents new problems.

The O'Hara proposal, cosponsored by 24 Representatives, would make Federal grants to States and local governments for planning, training, and equipping riot forces. This gets the control back to the local authorities, provides for full-time forces backed up by reserves and would use men familiar with the area in which they work.

However, it seems to me that this proposal will be spreading our efforts too thin. There are almost 700 cities in the Nation over 25,000 population which conceivably could qualify under this proposal. Added to that would have to be the counties, townships, boroughs, parishes, and States.

Duplication of effort, equipment, and manpower also would be difficult to avoid.

For example, Michigan has 37 cities over 25,000 population, according to the 1960 census. Each may be able to qualify for equipment and training funds. Yet 22 of those cities are in the Greater Detroit area. It seems that one large, cohesive force, well equipped, could much better serve the area than 22 more poorly equipped and lacking single command and discipline.

Can we overcome those problems but still come up with a large force, centrally controlled but not by Washington, well equipped, well paid, and always on call?

I suggest we turn to the State police agencies.

I introduce today an amendment and separate title for the safe streets and crime control bill, which would provide for Federal grants to the States to be used for development and payment of riot squads under the State law-enforcement agencies.

But let us not fool ourselves. None of these proposals will have immediate effect. Not only do they have to clear the Congress, but it will take a year or more after for them to be effective.

But they represent the kind of thinking necessary. As I said Friday, it is essential that the people feel government will enforce the law firmly and fairly to the maximum of its ability now. If this confidence is ever lost, we will find vigilante groups roaming the streets and shotguns in every living room corner. That reaction could tear this Nation apart.

I ask unanimous consent that the amendment I now submit be printed at the conclusion of these remarks.

The **PRESIDENT** pro tempore. The amendment will be received, printed, and appropriately referred; and, without objection, the amendment will be printed in the RECORD.

The amendment (No. 243) was referred to the Committee on the Judiciary, as follows:

AMENDMENT 243

SEC. 1. (a) The Attorney General shall have the responsibility for making funds available to the States during the fiscal year ending June 30, 1968, and each fiscal year through the fiscal year ending June 30, 1972, in order to assist the law enforcement units of the State in the prevention and control of riots.

(b) For the purpose of making grants under this Act, there is authorized to be appropriated $300,000,000 for the fiscal year ending June 30, 1968, and such sums as may be necessary for each fiscal year through the fiscal year ending June 30, 1972.

SEC. 2. (a) In order to be eligible for the receipt of such funds the Governor of such State must submit an application to the Attorney General (in accordance with such procedure as the Attorney General shall by regulations prescribe) which—

(1) describes the existing State law enforcement unit upon which a riot control organization shall be built.

(2) contains a comprehensive outline of a program of such State law enforcement unit for—

(A) the employment of such additional personnel as is necessary to meet future riot contingencies,

(B) the acquisition of riot control equipment,

(C) the planning and establishment of programs to train law enforcement officers in methods and techniques of riot prevention and control, and

(D) the planning and training of law enforcement units specially trained and equipped to prevent and control riots or situations out of which riots develop.

(3) provides assurances that the part of the cost of such programs which will not be paid from such grant will be paid with funds which were not received under any other Federal program, and which provides assurances that Federal funds made available under this Act will be so used as to supplement, and to the extent practical, increase the amount of funds that the applicant would in the absence of such Federal funds make available for programs similar to those to be supported by this Act;

(4) provides for the making of such reports, in such form and containing such information, as may be reasonably necessary to enable the Attorney General to perform his functions under this Act; and

(5) provides for such fiscal control and fund accounting procedures as may be necessary to assure proper disbursement of and accounting for Federal funds paid to the State law enforcement unit.

(b) (1) The Attorney General may approve an application for a grant under this Act only if—

(A) the application meets the requirements prescribed by subjection (a) of this section; and

(B) the Attorney General determines that the programs outlined in the application can be expected to assist in the prevention or control of riots;

(b) (2) In considering an application for a grant under this Act, the Attorney General shall consider the density of population of the urban areas of the State which submitted such application and such other criteria as he may deem necessary.

(c) The amount of any grant made under this Act shall be 75 per centum of the cost of the programs outlined in the application for such grant.

(d) Payments under this Act may be made in installments, and in advance or by way of reimbursement, with necessary adjustments on account of overpayments.

SEC. 3. Nothing contained in this Act shall be construed to authorize any department, agency, officer, or employee of the United States to exercise any direction or supervision over any State or political subdivision of a State.

SEC. 4. As used in this Act—

(a) The term "riot" means a civil disturbance which involves arson, looting, wanton destruction of property, vandalism, or acts of violence by assemblages of three or more persons, and which poses an immediate danger to property or persons.

(b) The term "State" includes the District of Columbia, the Commonwealth of Puerto Rico, the Virgin Islands, Guam, and American Samoa.

EMERGENCY EMPLOYMENT ACT OF 1967—AMENDMENT

AMENDMENT NO. 244

Mr. **CLARK**. Mr. President, I send to the desk an amendment, intended to be proposed, to S. 1545, the Economic Opportunity Amendments of 1967, and ask that it be appropriately referred.

The **PRESIDING OFFICER**. The amendment will be received, printed, and appropriately referred.

The amendment (No. 244) was referred to the Committee on Labor and Public Welfare and ordered to be printed.

Mr. **CLARK**. Mr. President, this amendment would add a new and separate title to S. 1545, and would, if enacted, authorize an emergency employment program to provide assistance for public service employment in our Nation's ghetto areas. It would also authorize loans for the reestablishment of small businesses in riot-devastated areas.

The measure is cosponsored by Mr. MORSE, Mr. YARBOROUGH, Mr. RANDOLPH, Mr. WILLIAMS of New Jersey, Mr. PELL, Mr. KENNEDY of Massachusetts, Mr. KENNEDY of New York, Mr. NELSON, and Mr. HART.

Mr. **JAVITS**. Mr. President, will the Senator yield?

Mr. **CLARK**. I yield.

Mr. **JAVITS**. Mr. President, I wish to make it clear that I am joining as a cosponsor of this amendment, sponsored by the chairman of the Subcommittee on Employment, Manpower, and Poverty, in order to endorse the principle of the need for emergency action in the employment field to deal with the basic causes underlying riots in our ghettos. There is injustice and deprivation and it must be dealt with as it affects deeply the 97 percent who are not parties to the riots.

As to the amounts and terms of the

bill, I reserve the right to deal with those in the committee, of which I am a member. I join in the amendment for that reason.

Mr. CLARK. I thank the Senator for his support.

Mr. President, in the past several weeks we have witnessed the devastation of whole neighborhoods within some of our major cities, the looting of hundreds of businesses, the burning of hundreds of stores and homes, the maiming of hundreds of persons and the uprooting of thousands of innocent victims who today are homeless and have no place to live.

Our Government must respond and respond immediately to the plague of violence that has afflicted more than 30 of our Nation's cities. And our response must be both firm and positive. It must be affirmative. It must be directed toward the rebuilding of human lives rather than a search for scopegoats and conspiracies.

Of course, the bloodshed, burning, and looting in the recent riots is outrageous and must be abruptly and finally halted. Those who incite violence must be punished under State law. Those who advocate insurrection, threaten our President, and call for the overthrow of our democratic system must be prosecuted under Federal law.

But at the same time, we must also deal with the conditions which permitted the looters and arsonists to create anarchy and lay siege to large sections of our cities. We must undercut these hoodlums with positive programs that will bring tranquillity, security, and progress to the people living in slum areas.

Such positive programs need not and should not await the completion of studies by commissions and investigations by committees.

Vice President HUMPHREY and others have called for a "Marshall plan" for the Nation's impoverished areas. We need that same kind of commitment here at home that we had in the late forties and fifties toward rebuilding the devastated areas of Western Europe. That commitment requires an attack on every aspect of the cycle of poverty—the rebuilding of slum housing and rural shacks—better schools and an equal opportunity for the best education this country can provide—and most important, jobs.

Mr. President, the Vice President made a magnificent address on this subject early last week before the annual national convention of the county commissioners of our country. That address was printed in the RECORD at the request of the Senator from Michigan [Mr. HART] late last week. I strongly commend the speech to the attention of Senators and all readers of the CONGRESSIONAL RECORD. The speech of the Vice President was the inspiration and moved me to introduce the legislation I have sent to the desk this afternoon, and inspired me to press, if possible, toward its enactment in the next 30 days.

An equally helpful ally in this cause is the junior Senator from New York [Mr. KENNEDY] who appeared on the "Meet the Press" television program on August 6, 1967, during the course of which he answered a number of questions dealing with the problems of poverty and how to deal with them, and riots and how to deal with them in our Nation.

Mr. President, I ask unanimous consent to have printed in the RECORD a transcript of the "Meet the Press" program of Sunday, August 6, 1967, at which the junior Senator from New York [Mr. KENNEDY] was the guest.

There being no objection, the transcript was ordered to be printed in the RECORD, as follows:

MEET THE PRESS, SUNDAY, AUGUST 6, 1967

Produced by Lawrence E. Spivak.

Guest: Senator ROBERT F. KENNEDY (D., N.Y.).

Panel: Claude Sitton, New York Times; Robert Novak, Chicago Sun-Times; Douglas Kiker, NBC News; Lawrence E. Spivak.

Moderator: Edwin Newman.

Mr. NEWMAN. Our guest today on "Meet the Press" is Senator Robert F. Kennedy of New York. We will have the first questions now from Lawrence E. Spivak, permanent member of the "Meet the Press" panel.

Mr. SPIVAK. Senator Kennedy, I am sure you will agree that two of the most serious problems this country faces today are the war in Vietnam and the rioting in our city streets. Have our leaders shown you that they have solutions for either of those problems?

Senator KENNEDY. Well, I think there are many ideas and many thoughts, suggestions, that have been made in dealing with both of these areas, but obviously there is a great deal more that needs to be done as far as the future is concerned. Otherwise, we wouldn't be facing the present difficulties.

Mr. SPIVAK. Have any of the solutions that have been presented by the administration, do they have any special meaning to you; do you think any of them will succeed?

Senator KENNEDY. Well, I have some disagreements as far as Vietnam is concerned and I have had some ideas as to how I think the struggle can be terminated—without any gurantees, certainly, and I think there is much more that needs to be done as far as the ghettoes and as far as the unemployed and as far as the riots and the violence that is taking place in our cities today.

Mr. SPIVAK. You recently warned the Democratic party that it is in a critical moment in its history. What did you mean by that—why did you warn them?

Senator KENNEDY. Well, I think that really we have to look ahead to the future and what kind of a country we want to build for the 1970's and the 1980's, that we can't look back just to what we have done over the period of the last six years or during the administration of President Roosevelt or President Truman or President Kennedy, or even what President Johnson has done, all of which have been extremely important. But I don't think we can run just on that record. We have different problems. There are different difficulties that this country is facing, far more difficult than any we have faced in the past and I think we have to find new solutions to them and I think there have been some suggestions that have been made that are worthwhile.

Mr. SPIVAK. Is it fair to say then that you are dissatisfied with the efforts that are being made to meet new problems?

Senator KENNEDY. I am dissatisfied with our society; I suppose I am dissatisfied with our country. I am dissatisfied with the fact that perhaps I don't do enough personally. I think I just am dissatisfied with the progress that this country is making and that our society is making.

I don't think that we should turn to violence; I don't think we should turn to war as the answers to, solutions to problems. So I am dissatisfied. I think you have to be dissatisfied.

Mr. SPIVAK. Senator, James Reston in today's New York Times says that the American people have lost faith in their leaders. Do you think they have?

Senator KENNEDY. I don't think that they have lost faith in their leaders. I think that the people are terribly disturbed across this country as to what direction our country is moving in, whether the affluence that we have gained in the last five or six years is sufficient and whether we are making the kind of progress that they would hope to make, that we should make, and whether the answers to suggestions that have been offered by any of us at the governmental level are satisfactory, and whether they, as individuals, mean anything; whether they mean anything in relationship to government; whether their voices are ever going to mean anything or whether business has gotten so large, labor organizations so large that they care nothing for the individual. And even our universities and our educational system. So I think there is general dissatisfaction in our country, but not just with our political leaders.

Mr. SPIVAK. Senator, do you yourself today have faith in our leadership? Would you answer that directly?

Senator KENNEDY. Well, I expect that that means—in what leadership. I have great admiration for President Johnson if that is who you are talking about, but I don't think that any of us at the national level or at the state level have done enough in the political field. I think it is quite clear or we wouldn't be facing the difficulties we are facing today.

Mr. SITTON. Senator, in a speech in San Francisco on Friday night I believe you said in essence that the nation should reject the counsel of those who are willing to spend billions for the freedom of others while denying similar amounts to our own people. Now has this been true of this Administration's policy, Senator?

Senator KENNEDY. Well, I think that now we are taking another step as far as Vietnam is concerned which will be costly, not only as far as the manpower of this country is concerned but also financially, and I think the same effort, the same kind of commitment must be made for our own people who still suffer a great deal, many of our fellow citizens who still suffer a great deal from unemployment, from lack of education, from lack of opportunity and lack of ability to live out their lives in dignity and support and bring up a family.

Mr. SITTON. Would you say our domestic situation then perhaps is getting so serious that we should at least consider disengagement in Vietnam?

Senator KENNEDY. I would be opposed to pulling out unilaterally from Vietnam, but I think we have to make whatever sacrifice is necessary to preserve the freedom and preserve the lives in the real sense of our own people within the United States, and I think that is a question of priorities. I think we have to do things in Vietnam. I recognize that. But I think also it is more essential that we do what is necessary here for our own people, preserve the liberty of our own people and I don't think it is satisfactory at the moment here in our country where the unemployment rate despite all the programs that have been in existence, the unemployment rate of those who live in the ghetto is going up, not down. As the Labor Department said, the conditions in the ghetto amongst our minorities, amongst our Negroes, our Puerto Ricans, our Mexican-Americans is worse now than it has ever been.

That unemployment rate amongst that

group is much greater than it was in the country as a whole during the depression of the 1930's. I don't think that is satisfactory. Here we are a country with a gross national product of $700 billion a year, and these people, despite our speeches and despite the pronouncements and despite the passage of programs, and the pious protestations, hundreds of thousands of our fellow citizens are living far worse lives than they have lived, and their lives have gotten worse. Their housing has gotten worse over the period of the last six years. The unemployment rate, the ability to get jobs is getting worse. The educational system is worse. And so I don't think that that is satisfactory and I think that we can do something about it. I think we have the imagination here in the United States, I think we have the plans and the ideas and the programs and I think we should do something about it.

Mr. NOVAK. Senator, the wire service reports of your speeches in San Francisco on Friday night quoted you as departing from your text to advocate diverting funds from Vietnam to domestic use, against poverty and the conditions in the slums. Just which funds now going into Vietnam would you divert?

Senator KENNEDY. I didn't say that.

Mr. NOVAK. That is a misquotation?

Senator KENNEDY. You say the wire service; I didn't see it reported. I just answered Mr. Sitton's statement.

Mr. NOVAK. Would you reduce the spending in Vietnam?

Senator KENNEDY. I put it in the frame of priority. I would do what we have to do here. I think what we have done, as far as Vietnam is concerned, is an open-end commitment. In Vietnam, the costs can continue to go up, and yet we have limited the costs in our own country.

Could I just say what I think we should do in the United States is have an educational program, work with the local communities, have an educational program that is satisfactory. I think we have to find jobs—

Mr. NOVAK. I understand what you want to have here, sir, but I am asking what you are advocating in Vietnam? Would you reduce the amount of troops there? Would you give them less ammunition? How would you reduce the costs in Vietnam?

Senator KENNEDY. Well, if we have to have the present costs, then I would spend more money on our domestic programs.

Mr. NOVAK. So you would not—I am sorry.

Senator KENNEDY. If I could answer the question: I think what we have to do here, if it is going to be a question of one or the other—and I hope it would not come to that—then I would put the priority here in our own country.

Mr. NOVAK. President Johnson has said we could have both.

Senator KENNEDY. That is correct.

Mr. NOVAK. Do you think that is possible?

Senator KENNEDY. I think it is getting more difficult to have both. Now, we can have some of Vietnam and we can also meet and do what we have to do here.

Can I just say that for the life of those within our own United States—I mean I understand about the people of Vietnam, but we are talking now about sending 45,000 more troops to Vietnam. That is going to cost $2.5 billion. We spend more in a month in Vietnam than we do on the Poverty Program. I think there is more that we need to do within our local communities, our smaller cities and our larger cities here in the United States. I don't think it is satisfactory, for instance, for a child growing up in the ghetto to have only three chances in ten of finishing high school and when he finishes high school the chances are fifty-fifty that he will have the equivalent of an eighth grade education. I don't think it is satisfactory that only half the people who live in the ghetto have full-time jobs or jobs that make more than $60 a week. I think we can do better now.

I think we can also meet our commitment in Vietnam, but I would only favor doing more in Vietnam when the people of South Vietnam do more. I would like to answer this question completely because I think it does go to the heart of what the future of the country is going to be.

I would like to see the people of South Vietnam do more. I am distressed that our casualties continue to go up and theirs continue to go down. Our casualties are higher than theirs. This is different than it was a year ago. I think they should be doing some of the fighting, I think they should be carrying the war. I think they should make the efforts for political, economic and social reform within South Vietnam.

As President Kennedy said in 1963, we can help them win it, but we can't win it for them and I think that they should carry the burden of the fighting and we should help them, but I should like to see the South Vietnamese regiments, the South Vietnamese divisions up by the DMZ carrying the fight to the North Vietnamese.

Mr. KIKER. Will you support President Johnson's call for an increase in taxes?

Senator KENNEDY. I am going to examine it closely. I have some reservations about it. One of my reservations is that I think it poses a particularly heavy burden on lower income and middle income people, particularly the salaried and wage-earning individuals and those who receive incomes of that kind.

Secondly, it is going to cause an increase of unemployment in the United States of some kind. That unemployment rate will fall particularly on the Negroes, the Puerto Ricans and the Mexican-Americans; those who are having a particularly difficult time at the moment. That causes me great concern and I would like to see how we are going to protect against that.

The third reservation I have, in a recent year there were approximately 2,000 people who made more than $500,000 a year. Some of those people paid absolutely no taxes at all. One of the wealthiest men in the United States, with a net worth of well over a billion dollars, paid $685 worth of taxes several years ago. I think those people who make more than $500,000 and through various gimmicks are able to avoid paying any taxes, should be brought into the tax structure. The average person who makes over $500,000 pays only about 27 percent of it in taxes. I think those taxes should be raised before the lower income and middle income people are taxed.

Mr. KIKER. The programs that you have suggested as a cure for the rioting and the urban ills that plague us today would cost an awful lot of money. Would you support a tax increase for a massive increase in this sort of federal aid?

Senator KENNEDY. Yes, I'd like to have the tax increase focused in the areas that I have described.

Secondly, let me say that I don't think it is just a question of federal funds and federal spending. I don't think that is the answer for the problems of the ghettoes in the future. I think we have to bring the private enterprises system in in an active way. I have made some suggestions of legislation which will do that and which will accomplish it. I don't think it is just the federal government coming into the ghetto and spending large sums of money. I think we should make it attractive through credit, depreciation, in various tax ways, for the private enterprise system to make investment in the ghetto, to make investments in housing, to make investments in the construction of businesses which will employ people. I think that in the last analysis is the answer, and that is not expensive for the federal government.

Mr. KIKER. And yet we are told if the Poverty program were to be brought to a vote today that passage would be difficult, if not impossible.

Is Congress, or for that matter, the nation itself, really in a mood to support these proposals?

Senator KENNEDY. I think it is very questionable, but I think really there is a lack of understanding. I think the white population in the United States looks back over the period of the last five or six years and thinks we have passed a civil rights program, we have put a Negro in the cabinet, we have put a Negro on the Supreme Court, we have passed Poverty Programs, we have passed educational programs, and they think "Why isn't the Negro satisfied? Why isn't the Puerto Rican satisfied? Why isn't the Mexican-American satisfied? Why aren't they satisfied with their lots?" But for those who live in the ghettoes and have the problems with rats, have the problems with unemployment, have the problems with their housing and the problems with their educational system—last year, or several years ago, for instance, in the City of New York—we have a fifth of all of our students in the City of New York who are Puerto Rican extraction. Some 220,000 students. Last year 34 Puerto Rican students went to college. As far as their having the ability to escape the kind of lives that they have at the moment, it is very, very difficult. So I think that we have to make the kind of effort that is necessary in those areas of our country.

Mr. SPIVAK. Senator, your state of New York, I believe, has spent billions of dollars to help the Negro in the last decade. Yet the picture you painted the other day, and the picture you paint here indicates that it is a pretty sorry one.

Senator KENNEDY. Yes.

Mr. SPIVAK. Why is this so? Are we not spending enough money? Do we not have ideas enough? Are we not doing the right thing? Why are we doing such a miserable job?

Senator KENNEDY. Well, first, I think it is the fact that this has grown up over such a long period of time and that we are paying the price for it now.

Secondly, I think that there have been more speeches and pronouncements than there have been actual activities or actions.

Third, I don't think that we have shown the imagination that we should show in the development of some of these programs.

I think that we determined that the programs of the 1930's—the welfare program—if we just continued those, if we would put more money in those, then it would be satisfactory and the Negro would be happy, and particularly because also, as I said, they saw a Negro coming into the Cabinet, they saw other manifestations of Negro progress. But the fact is that they didn't want that and they want something more than handouts and that's an unsatisfactory life.

And the fact is, as I said, the situation gets worse because the housing gets worse, the educational system gets worse.

Mr. SPIVAK. Senator, the heart of this whole thing is the question of money. Recently you questioned Mayor Lindsay of New York and I believe he said that New York City would need $50 billion in a period of ten years and I think you said that was fantastic. Now, where is this money coming from? Who is going to give—is the federal government going to give? Is private industry really going to give you that much?

Senator KENNEDY. First, I think the federal government has to do more——

Mr. SPIVAK. Let's be specific. How much more are you willing to have the federal government spend if needed; 10 billion, 20 billion, 50 billion?

Senator KENNEDY. I don't think that we could even use that amount immediately, but I would think that immediately we certainly could use two to three to four billion dollars. I would put a good deal of that effort in the field of employment.

Mr. Spivak. Additional money, to what the President is now seeking to get?

Senator Kennedy. That is correct.

Mr. Spivak. And you would get it how?

Senator Kennedy. Well, let me just say that I spoke a year ago when I testified before the Ribicoff Committee that what we needed was the Marshall Plan for the cities. Vice President Humphrey said a few days ago that we needed this kind of a Marshall Plan for the cities. I think we should accept that.

I would hope that the Administration would come forward with a plan for what we are going to do within the cities, and I think part of that, certainly, is going to be finding employment for the unemployed at the moment.

Secondly, as I say, I think we don't have to continue just the programs we have had in the past which haven't been entirely successful by any means. As you point out, for the State of New York they haven't been successful. But I think that we can develop a partnership between the private enterprise system and government to make it attractive for the private enterprise system to become actively involved in the ghetto. We will have to have a re-insurance program certainly, but we can—we made it possible for the private enterprise system to build ships, to build super-sonic airplanes, to build grain bins, to build military facilities, by giving them tax credits and tax writeoffs and tax depreciation. Let's do the same thing for the ghetto so that they find it is in their interests to make an investment in the ghetto, to train people. Operation Bootstrap did such a tremendous job down in Puerto Rico. Why can't we do that same thing in Watts, New York, Chicago, Waterloo, Iowa, any of these areas which face this tremendous problem. And the cities themselves, Mr. Spivak, they cannot find the answers themselves. They are going to have to have some help from the federal government and as I say if we can do this in Vietnam, if we can spend $24 billion a year for the freedom and the liberty of Vietnam, certainly we can spend a small percentage of that for the liberty and the freedom and the future of our own people in the United States.

That is what concerns me and I don't think we have any alternative. I think that is what we have to do in this country or otherwise we are not going to stand for anything. That is what we have to do here in the United States. And we have the programs, we have the imagination, we have the initiative. Let's get on with it. I think the people have to understand what the alternatives are. I think it has to be explained by the President. But I think once they understand that, that they will support these kind of programs.

Mr. Sitton. Senator, what exactly do you mean by "Marshall Plan"? This has never been spelled out. Do you mean children's allowances, a guaranteed income, perhaps?

Senator Kennedy. First I think, which is an important part of developing any plan, is that the plan has to be worked out at the local community, with the city. I don't think it is the federal government coming in and saying "This is the program that would make sense for you," but I would let the local community work out a program or plan, just as we did for the Marshall Plan in fact in Europe. They worked out a plan and we then came in and said "We will finance it. We will put some money into it. We will invest into it," and I think that is what we should do.

We should have the local community work out a program in the field of education, in the field of jobs, in the field of housing, and when that program has been examined by the United States, that we should help finance it. An integral part of all of that has to be the use of the private enterprise system, and also I think that the universities and colleges should play a far greater role than they have in the past.

It seems to me that if we bring all of these groups together that we can have some success——

Mr. Sitton. What evidence do you have that private enterprise is really interested in the program——

Senator Kennedy. Well, before I offered my legislation, which would give them—as I say—tax credits, special tax depreciation and some writeoffs, I talked and consulted with representatives of some of the large businesses in the United States and they indicated that under these arrangements and under these circumstances they would make that kind of investment in the ghetto. Maybe people won't want to accept the proposals, the specific proposals that I have made, but help the Administration come up with an alternative.

I think, if I may say so, Mr. Sutton, what we need really is that we have had these problems, we have known since John McCone made the study in Watts, the Ribicoff Committee hearings and a number of other studies that have been made, that this problem existed in the United States. Maybe this Commission is going to accomplish some good and make its report in March, but I don't think we can wait until March—the Commission that has been appointed by the President—I don't think we can wait until March. We know what the problem is. We know at least some of the things that need to be done. There are plenty of ideas that make some sense. Let's put into operation those ideas and get on with the job. Then maybe it can be supplemented by the Commission's findings in March.

Mr. Novak. Turning to politics, Senator Kennedy, next year your name, under new laws, will be listed on the Presidential primary ballots in Wisconsin, Nebraska and Oregon, unless you sign an affidavit disclaiming any interest in the Presidency to get them off.

Will you sign that disclaimer?

Senator Kennedy. Yes, I will.

Mr. Novak. Can you envision any set of circumstances where you wouldn't sign this disclaimer?

Senator Kennedy. No. Not at the moment, at least.

Mr. Novak. Have you gotten in touch with any of the people who are still very aggressively and vigorously pushing the "Draft Kennedy-Fulbright" ticket? Have you gotten in touch with them to ask them to cut it out?

Senator Kennedy. Yes, I have.

Mr. Novak. What was their reply?

Senator Kennedy. I have written them a number of letters and asked them to discontinue. They just indicated as they have publicly they are going ahead with it anyway. I have asked them to discontinue it. I have said that I am not interested, that I am not going to run, and it is just a source of embarrassment.

Mr. Newman. About two minutes left, gentlemen.

Mr. Kiker. Senator Kennedy, everyone agrees that the riots this summer are going to have a tremendous impact on the next national election. You have got a reputation as being a pretty good politician. Could you tell us what in your opinion, what impact the riots will have on both the Presidential election and the Congressional elections in '68?

Senator Kennedy. I think it will have an impact. I think a good deal is going to depend on what we do over the period of the next 12 months, whether we show some leadership, whether we try to deal with them in a satisfactory way, as well as that we are opposed to violence. I think we have to make that quite clear, that we are not going to tolerate violence and the lawlessness but at the same time we are going to take some steps to try to deal with the sources and the causes of the riots and the violence and I think to explain that, to come forward with the programs so the American people understand it, and to give some leadership in the Executive Branch of the government and in Congress, I think whichever party does that is going to receive support next year.

Mr. Kiker. Which will be the larger issue, Vietnam or big city riots?

Senator Kennedy. I think they are going to be very closely related and I think it is going to be a question of priorities.

Mr. Spivak. Senator, in San Francisco last Friday you said that as to the riots "We must make it unequivocally clear by word and deed that this wanton killing and burning cannot and will not be tolerated."

Senator Kennedy. That is right.

Mr. Spivak. You have had experience in this field. How would you stop a riot from becoming a Detroit before it gets under way?

Senator Kennedy. First, I think that you have to move in rapidly where a riot or disorder breaks out. I think you have to move in with the right kind of forces.

When we had our difficulty down there——

Mr. Spivak. The federal government?

Senator Kennedy. Whatever it might be. We would hope that it should be the local forces, but I think that they should have training, that they should know what they are going to do and how to deal with the problem and I think if you are going to use the National Guard that they should be trained. When we sent our marshals down and had the difficulty in Oxford, Mississippi, 26 of them were wounded by bullets, another 80 or 90 were wounded in other ways and yet not one of them ever fired a gun. I am not saying that firing is not going to be necessary, under these circumstances, but we should know what we are doing, we should limit the firepower and we should use the kind of forces that have some experience.

Mr. Sitton. Senator, one quick question. You said those who lead others to burn and kill must feel the full force of the law. What would you do about Stokely Carmichael and Rap Brown?

Senator Kennedy. Well, I think they are perhaps different questions. First, if they have violated the state law, they should be prosecuted. If they have violated any federal law, for instance, the Smith Act, as a possibility, then they should be prosecuted for that.

Mr. Newman. I am sorry to interrupt, but our time is up. Thank you, Senator Kennedy, for being with us today on Meet the Press.

Mr. CLARK. Mr. President, on August 4, at the Hotel Fairmont in San Francisco, at the Democratic legislative dinner, the Senator from New York [Mr. Kennedy] spoke on the same subject and outlined a program not essentially different from, although somewhat more elaborate than the Emergency Employment Act of 1967 which I have just sent to the desk for appropriate referral.

I ask unanimous consent to have the address printed in the Record.

There being no objection, the address was ordered to be printed in the Record, as follows:

ADDRESS BY SENATOR ROBERT F. KENNEDY AT DEMOCRATIC LEGISLATIVE DINNER, HOTEL FAIRMONT, SAN FRANCISCO, AUGUST 4, 1967

We meet tonight as Democrats.

But we meet always as Americans.

And therefore I would speak with you, not about politics or election prospects, but about what is rapidly becoming the most terrible and urgent domestic crisis to face this nation since the War Between the States.

I speak of course, of the violence that has exploded in our cities, spreading across the country, sending fear and anger before it, leaving death and devastation behind.

It would have seemed fantastic, only a short time ago, if we had been told that the summer of 1967 would see tanks and helicopters patrolling our streets, armed battalions enforcing the peace of our cities, and thousands of our fellow citizens loosed on an aimless orgy of violence, robbery and death.

The strife is not the failure of a single Administration or single institution of government.

It does not rest with particular Mayors or Governors, with civil rights leaders or federal officials.

It is embedded in the history of modern America; it reflects an inadequacy of understanding, will and resolve by an entire nation.

This is not the time for futile accusation and recrimination; for shifting blame and apportioning fault.

Nothing we now say about any person's mistakes will give us one more moment of future peace, nor will it safeguard or enrich the life of a single American citizen.

So let us reject narrow views and struggles for political advantage; and let us find instead that spacious and resolute national purpose which alone can end the revolution in our cities, and build us cities that do not breed revolution.

For *our* party, the *Democratic Party,* has not spent its energies finding guilt in the past but in finding direction for the future.

And that is what the Democratic Party must and will continue to do.

At the outset we must make it unequivocally clear by word *and* deed that this wanton killing and burning cannot and will not be tolerated.

A violent few cannot be permitted to threaten the lives and well-being of the many, nor lawless gangs to disrupt the peace of our cities and the hopes of their fellows for progress.

Those who lead others to burn and kill must feel the full force of the law.

That, however, is just the beginning.

Punishment is not prevention.

History offers cold comfort to those who think grievance and despair can be subdued by force.

To understand is not to permit.

But to fail to understand is the surest guarantee of a mounting strife which will assault the well-being of every citizen.

The riots may have passed their peak—let us hope so—but now we enter a period of equal danger.

It is the danger of a deepening division between white and black America.

It is the danger that fear will breed resentment, and resentment will bring hostility, and increasing hostility feed mounting fear.

This is the danger that comes from those who refer to their fellow Americans as "honkies" or "man dogs".

This division represents not a failure of compassion, or of the American sense of justice; rather it is a failure of understanding and communication.

We live in different worlds and gaze out over a different landscape.

Through the eyes of the white majority, the man of decent impulse and moral purpose, the Negro world is one of steady and continuous progress.

In a few years, he has seen the entire structure of discriminatory legislation torn down.

He has heard Presidents become spokesmen for racial justice, while Negro Americans enter the Cabinet and the Supreme Court.

The white American has paid taxes for poverty and education programs, and watched his children risk their lives to register voters in Alabama.

Seeing this, he asks, what cause can there be for violent insurrection, or dissatisfaction with present progress?

But if we try to look through the eyes of the young slum-dweller—the Negro, and the Puerto Rican, and the Mexican-American—the world is a dark and hopeless place indeed.

Let us look for a moment.

The chances are that he was born into a family without a father—often as a result of welfare laws which require a broken home as a condition of help; for the Negro his chance to live to 20 is the same as a white man has of living to 40.

I have seen, in my State of New York, these children crowded with adults into one or two rooms, without adequate plumbing or heat, each night trying to defend against marauding rats.

The growing child goes to a school which teaches little that helps him in an alien world.

The chances are 7 out of 10 that he will not graduate from high school—and even when he does, he has a 50–50 chance of acquiring only as much as the equivalent of a 8th-grade education.

A young college graduate who taught in a ghetto school sums it up this way: "The books are junk, the paint peels, the cellar stinks, the teachers call you nigger, the window falls in on your head."

For the rest of life also there are statistics: Forty-three percent of ghetto housing substandard and overcrowded; 14,000 people treated for rat bites every year; a quarter of a million Puerto Rican schoolchildren in New York City, of whom only 37 went on to college last year; and the people of the ghetto live today with an unemployment rate far worse than the rest of the nation knew during the depth of the Great Depression.

That was a national emergency.

Our cities, therefore, envelop *dozens* of even *greater* emergencies.

In the typical big-city ghetto, only two out of five adult men have jobs which pay $60 a week or more—enough for each member of a family of four to eat 70 cents worth of food a day.

Only *half* the adult men have full-time jobs at *any* rate of pay.

Less than three out of five have any work *at all.*

Across the Bay in Oakland, there was a "Job Fair." Fifteen thousand people came to ask for work. Jobs were found for two hundred and fifty. And the other fourteen thousand who wanted to work, but for whom there was none—where are they tonight?

Many of them are in fact not even recorded in our statistics.

The Census Bureau, the Labor Department, the draft boards—the whole apparatus of government cannot even find from one-fifth to one-third of the adult men we know live in the ghetto .

They drift about the cities, separated from society, as if they were of no greater concern to us than so many sparrows or spent matches.

Twenty thousand or more in Los Angeles, perhaps twice that in my own city of New York—where are they and what are they doing.

When—and how—will they next remind us of their existence?

And let us be clear that all this is true despite the laws, despite the programs, despite all the speeches and promises of the last seven years.

It must be for us a cruel and humbling fact—but it is a fact nonetheless—that our efforts have not even maintained the problem as it was: economic and social conditions in these areas, says the Department of Labor, are growing worse, not better.

But this is not all that the young man of the ghetto can see.

Everyday, as the years pass, and he becomes aware that there is nothing at the end of the road, he watches the rest of us go from peak to new peak of comfort.

A few blocks away or on his television set, the young Negro of the slums sees the multiplying marvels of white America: more new cars and more summer vacations, more air-conditioned homes and neatly-kept lawns.

Every day he is told, by the television commercials we broadcast, that life is impossible without the latest products of our consumer society.

But he cannot buy them.

He is told that Negroes are making progress.

But what can that mean to him?

He cannot experience the progress of others, nor should we seriously expect him to feel grateful because he is no longer a slave, or because he can vote, or eat at some lunch counters.

He sees only the misery of his present and the darkening years ahead. Others tell him to work his way up as other minorities have done; and so he must. For *he* knows and *we* know, that only by his *own* efforts and his *own* labor will the Negro come to full equality.

But how is he to work?

The jobs have fled to the suburbs, or been replaced by machines, or have flown beyond the reach of those with limited education and skills.

He is powerless to change his place, or to make a better one for his children.

Thus he is denied the most fundamental of human needs; the need for identity; for recognition as a citizen and as a man.

Here, and not in the pitiful charade of revolutionary oratory, is the breeding ground of black nationalism and "reverse racism," and of aimless hostility and violence.

The violent youth of the ghetto is not simply protesting his condition, but making a destructive and self-defeating attempt to assert his worth and dignity as a human being—to tell us that though we may scorn his contribution, we must still respect his power.

Does all this give us direction for the future?

I think it does.

For the fact is that Americans are not cruel or unjust or indifferent to suffering.

The whole chronicle of our nation records the ultimate triumph of compassion and the spread of opportunity.

Those are, and they remain, the basic instincts of the American people.

What we must do is to build new bridges of trust and cooperation in a mutual commitment to justice.

We can begin with a dialogue between the two Americas, which in turn will require that we look into ourselves.

We have spent hundreds of millions of dollars trying to learn to speak to other peoples.

Now we must learn to speak to each other.

If the churches will affirm their involvement with the least among us, by working in the ghetto, and carrying the moral imperative into every suburban pulpit; if labor, with the fervor and drive of the 30's, will organize and fight for those who still languish in depression; if political parties see these problems as a chance, not to seize office, but to serve the nation; if we do these things, all of us—you and I—then we can engage in a dialogue between black and white which will reveal the misery of the one and liberate the fundamental decency of the other.

But dialogue requires more than words, and more than sentiments of brotherhood.

We must demonstrate good faith with forceful action.

The tasks before us—the opportunities to improve the lot of the poor and the life of the nation—are almost endless: we need to learn to build an educational system, far different in quality and kind, able to meet the special needs of educational poverty; a national system of hospital clinics and insurance, to guarantee that all American children have the chance to grow straight and strong; the development of basic housing at costs within the budgets of all; a police system with the confidence of all the people of the community because it protects and defends them all with firm efficiency and respect.

And there are other new ideas, to be assessed and debated and tested. And there are things we can—and must do—immediately.

The first is an impact project designed to put men to work and to restore hope to the young and to give the unemployed resident of the city slum some sense of dignity and promise.

We should begin immediate programs of needed public tasks and works—providing jobs to build schools and roads, to restore parks and erect clinics, and to staff the schools and clinics and neighborhood centers when they are built.

Our communities need these jobs done and the men of the ghetto need jobs.

By matching the two we can return hope while meeting the most urgent needs of the nation.

This will cost money, although—in the long run—the cost will be less than if we do not act.

But—in any case—we cannot allow involvement in the name of independence and democracy in Viet Nam to interfere with the extension of freedom for our own people.

We must also turn the power and resources of our private enterprise system to the underdeveloped nation within our midst.

This should be done by bringing into the ghettoes themselves, productive and profitable private industry—creating dignified jobs, not welfare handouts, for the men and youth who now languish in idleness.

To do this, private enterprise will require incentives—credits, accelerated depreciation, and extra deductions—as effective and comprehensive as those we now offer for the production of oil or the building of grain storage facilities or the supersonic transport.

What we have done to enhance the interests of the powerful—we can and must do to preserve the power of the nation.

Jess Unruh, the Speaker of the Assembly, has given important leadership in this field here in California. Other parts of the country, and the Federal government should follow the direction he has set.

And to do this is not to reward the thousands who have rioted—it is to extend the hand of good faith toward the millions who have not.

There is, after all, no alternative. History has placed us all, black and white, within a common border and under a common law. All of us, from the wealthiest to the young children I have seen in this country bloated by starvation—we all share one precious possession: the name "American."

It is not easy to know what that means. But in part to be an American means to have been an outcast and a stranger, to have come to the exiles' country, and to know that he who denies the outcast and stranger still among us, at that moment also denies America.

But I do not believe we will deny this nation. I believe we will make the necessary commitment of national will and resolution.

For us as Democrats the responsibility is clear.

We must reject the counsel of those willing to pass laws against violence, while refusing to help eliminate rats—and to ignore the monstrous disproportions of any willing to spend billions for the freedom of others—while denying our own people.

We must offer that leadership—in every legislature and school board and city hall—which dares to speak out *before* it tests the shifting wind of popular anger and confusion; that leadership which prefers facts to illusions, action to sullen withdrawal, sacrifice and effort to indulgence and ease.

For when the enemy is at the gates, who will reward the messenger that comforts the people?

As for those who find repression more congenial than justice, and anger more popular than compassion—let them go their way. It is not ours.

For our party and our tradition has always called on the best in our people to perform our duty with courage and conviction, to enrich the lives of all of our citizens.

We shall do so again, because it is right.

And—to that kind of commitment—we know the American people will respond.

Mr. CLARK. Mr. President, we know now, without waiting until next year, that widespread unemployment is a major cause of this summer's civil disturbances and that jobs can do more than anything else to prevent their recurrence.

We know that if there is one major reason for the shattered hopes, the rising desperation and despair, and the pentup frustrations that have exploded into the worst domestic crisis this country has suffered in a century, it is the mass joblessness of unskilled Americans. At the core of our civic cataclysms this year have been people—particularly young people—who, day after day, have nothing constructive to do, idle people who have never had the opportunity to take pride in themselves, their families, homes, or neighborhoods.

We know, also, that while the current national unemployment rate hovers around 4 percent, the jobless rate in the Nation's slums is 2½ times greater. We know that in urban slum areas the jobless rate among nonwhite 14- to 19-year-old boys is 31 percent and 46 percent for girls.

And we have known for years—we have been told time and time again—that what these Americans want and must have—to give them self-respect and respect for others is the opportunity to acquire a job. This is what the legislation I have introduced today is designed to provide.

Its purpose is not to bribe the malefactors but the very opposite—to cut them off, isolate them, leave them without their demogogic appeals, ignored and powerless. Nor is it a makework Federal handout program.

It is a program designed to provide meaningful jobs and socially productive employment. It will return honest pay for honest work, the kind of work that gives a man a sense of pride in what he is doing.

This legislation will help provide that kind of work. It would authorize a Federal expenditure of a billion dollars this fiscal year and a billion and a half next fiscal year for the creation by local communities of meaningful public service and private employment opportunities. Jobs would be provided in service fields such as health, public safety, education, and recreation. The unemployed in our urban and rural ghettos would be able to work to improve, rebuild, beautify, and maintain their own neighborhoods, their streets and parks, and their own backyards.

Many such jobs can be made available immediately to persons otherwise unable to obtain employment; other jobs will provide work for persons completing training under our manpower training programs. Still others will use the skills of unemployed persons in areas with a chronic labor surplus.

Let me emphasize again. This is not a Federal leaf-raking program. It is a local-Federal partnership with full local participation in the selection of target areas and the designation of projects.

We have seen recently two examples of what can be done by local communities to provide jobs for idle people in our urban slums.

In Philadelphia, just a few days ago, Mayor Tate instituted a crash program which has already produced pledges of 1,200 jobs for the poor. Mayor Tate was 100 percent correct when he bluntly told 250 business and industry leaders that the question of jobs for the jobless is no longer a matter of charity but an investment in our community. Mayor Tate's initiative can provide a model for other cities—cities that have been left with thousands of casualties and whole neighborhoods devastated, and cities that so far have escaped the holocaust.

Another program here in the District of Columbia is designed to open up 1,665 summer jobs for young people. More than 1,000 of these emergency jobs will involve rat-control and beautification projects, while at the same time 434 jobs will be opened with the District of Columbia Department of Sanitation. The young people will be paid $1.40 an hour for a 40-hour week with the U.S. Employment Service participating in the recruiting and job processing.

These two programs can create a new atmosphere of hope and promise in the ghettos of Philadelphia and Washington, D.C. But 1,200 jobs in Philadelphia and 1,600 in Washington is a drop in the bucket when we consider the thousands who line up to apply. Such projects must be transformed from an experiment into an enduring program that can give thousands of previously jobless ghetto residents fruitful and profitable employment, and, above all, a sense of worth and individual dignity. What we need to do now is extend such efforts into a nationwide program.

A second, equally important and particularly acute need arising from the recent riots is for the reestablishment of small businesses in areas which have been devastated by riots. In Detroit 1,308 fires were set. Hundreds of stores were looted. The assets of hundreds and perhaps thousands of small businessmen have been wiped out in Detroit, Newark, Plainfield, and more than 25 other communities. Hundreds of other persons who worked in these establishments are now without jobs. Unless these businesses are opened again, and new stores built where old ones have burned, thousands of innocent victims of the riots will be without the everyday needs that were supplied to them in their communities.

The amendment which I have proposed today would help reopen these looted and burned out small businesses. It would authorize the Federal Government to make interest-free loans for the establishment, reestablishment, and maintenance of small business enterprises in the same areas that are eligible for assistance in creating employment opportunities.

I would only say in closing that the time has come when this country must respond to the challenge of crisis here at home as it has always responded to the challenge of crisis abroad.

Our response to that challenge must be immediate and it will be costly—make no mistake about that. If we can give our lives in the cause of peace and freedom in foreign lands, we can and must give of our time, energy, money, and resources in the cause of rebuilding human lives here at home.

Mr. KENNEDY of New York. Mr. President, I am glad to cosponsor an amendment to the Emergency Employment Act of 1967 which the Senator from Pennsylvania [Mr. CLARK] has introduced today.

If there is one thing which emerges clearly from the statistics and from the human needs and concerns which lie behind them, it is that jobs for the thousands of unemployed and underemployed people who live in our Nation's poverty areas should be a matter of the highest priority.

Every list of grievances, every expression of dissatisfaction which comes from those who have not shared in our Nation's great affluence is headed by a statement of the need for jobs. The men who head the families which live in poverty, the young men who finish school or who drop out of school and are unable to find work—want nothing so much as to find meaningful employment which will enable them to support themselves and those who depend upon them.

Senator CLARK's proposal represents a first step of significant scope. It would have the immediate impact which is so essential to begin resolution of the crisis which grips our cities. And section 304 (a) of the Senator's proposal is particularly important, in my judgment. It tells the Secretary of Labor to place "maximum emphasis on local initiative and responsibility," both among local officials and residents of eligible areas, in the development of employment opportunities under the act.

I believe this is essential. No program of emergency employment can have the impact which is called for if it does not rely upon local judgment as to what projects, what kinds of jobs are needed in each community.

The Senator from Pennsylvania's proposal represents an enormous opportunity to put people to work on vital works and tasks.

The President's Automation Commission, which included a number of distinguished businessmen as well as labor leaders and academic experts, reported over a year ago that there is a potential of some 5,300,000 jobs in the public service field—in medical institutions and health services, in schools, in recreation, in welfare and home care, in public production, in urban renewal and sanitation, and in beautification. It recommended significantly, that $2 billion be appropriated initially to provide about 500,000 full-time jobs. Senator CLARK proposes $1 billion the first, and would provide $1.5 billion the second year. In comparison, then, to the recommendations of the distinguished members of the Automation Commission, Senator CLARK's proposal is modest indeed. I am glad to support it, and I urge its early enactment.

ADDITIONAL COSPONSORS OF BILLS AND JOINT RESOLUTIONS

Mr. MAGNUSON. Mr. President, I ask unanimous consent that, at its next printing, the name of the Senator from Maryland [Mr. TYDINGS] be added as a cosponsor of the bill (S. 859) to establish an emergency program of direct Federal assistance in the form of direct grants and loans to certain hospitals in critical need of new facilities in order to meet increasing demands for service.

The PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. MAGNUSON. Mr. President, I ask unanimous consent that, at its next printing, the name of my colleague from Washington [Mr. JACKSON] be added as a cosponsor of the bill (S. 1722) to amend the wheat acreage allotment provisions of the Agricultural Adjustment Act of 1938, as amended.

The PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. BREWSTER. Mr. President, I ask unanimous consent that, at its next printing, my name be added as a cosponsor of the bill (S. 2147) to clarify and otherwise amend the Meat Inspection Act, to provide for cooperation with appropriate State agencies with respect to State meat inspection programs, and for other purposes.

The PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. MOSS. Mr. President, I ask unanimous consent that, at its next printing, the name of the Senator from New York [Mr. JAVITS] be added as a cosponsor of the bill (S. 1661) to amend title XIX of the Social Security Act to assist in assuring the availability of both nursing home and alternative noninstitutional services for recipients of assistance thereunder, to encourage the use whenever professionally determined to be appropriate of noninstitutional services for such recipients, to establish basic standards of quality for nursing home and home health services provided to such recipients, and to provide for fair and equitable reimbursement for those providing health care services to such recipients.

The PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. CLARK. Mr. President, I ask unanimous consent that, at its next printing, the name of the Senator from New Hampshire [Mr. MCINTYRE] be added as a cosponsor of the bill (S. 2146) to abolish the Subversive Activities Control Board and transfer the powers, duties, and functions thereof to the Department of Justice, and for other purposes.

The PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. JAVITS. Mr. President, I ask unanimous consent that, at its next printing, the name of the Senator from Arizona [Mr. FANNIN] be added as a cosponsor of S. 2000, the college housing bill.

The PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. MURPHY. Mr. President, on June 20 I introduced Senate Joint Resolution 93, which would provide for the issuance of a gold medal to the widow of the late Walt Disney in recognition of Walt Disney's distinguished public service and outstanding contributions, not only to the United States, but to the world. The joint resolution also authorizes the issuance of duplicate bronze medals to the California Institute of the Arts which Walt Disney regarded as his most important contribution to posterity.

Mr. President, I would like to add one rather significant item to the many facts I mentioned in my statement at the time of introduction. Walt Disney was a man whose life was completely devoted to the education, the pleasure, and the entertainment of others. In addition to the volumes of awards and honors bestowed upon him during his lifetime, only last month his brother, Roy O. Disney, traveled to England to accept from the Cinema Exhibitors of Great Britain a posthumous "Master Showman of the World" award for Walt Disney.

It is most gratifying to me, Mr. President, that I am able today to ask unanimous consent to have 52 of my colleagues added as cosponsors of the joint resolution. I am particularly proud, Mr. President, of the fact that both the majority and minority leaders, a majority of the Members of the Senate, and a majority of the members of the Banking and Currency Committee, including the chairman, Senator SPARKMAN, and ranking Republican Senator BENNETT, have agreed to coauthor this resolution.

In view of the strong support that this joint resolution has received, I am hopeful that the Senate Banking and Currency Committee will act expeditiously on this joint resolution which pays fitting tribute to a great American. I ask unanimous consent that the names of those Senators who requested to coauthor this resolution be added to the next printing of the bill, and are as follows:

GORDON ALLOTT, HOWARD H. BAKER, JR., WALLACE F. BENNETT, ALAN BIBLE, EDWARD W. BROOKE, QUENTIN N. BURDICK, FRANK CARLSON, FRANK CHURCH, NORRIS COTTON, CARL T. CURTIS, EVERETT M. DIRKSEN, PETER H. DOMINICK, JAMES O. EASTLAND, SAM J. ERVIN, JR., PAUL J. FANNIN, ERNEST GRUENING.

VANCE HARTKE, MARK O. HATFIELD, BOURKE B. HICKENLOOPER, SPESSARD L. HOLLAND, ROMAN L. HRUSKA, DANIEL K. INOUYE, HENRY M. JACKSON, JACOB K. JAVITS, LEN B. JORDAN, ROBERT F. KENNEDY, THOMAS H. KUCHEL, EDWARD V. LONG, JOHN L. MCCLELLAN, GALE W. MCGEE, MIKE MANSFIELD, JACK MILLER, THRUSTON B. MORTON, FRANK E. MOSS, KARL MUNDT, EDMUND S. MUSKIE, GAYLORD NELSON.

JAMES B. PEARSON, CLAIBORNE PELL, CHARLES H. PERCY, WINSTON PROUTY, JENNINGS RANDOLPH, HUGH SCOTT, GEORGE A. SMATHERS, JOHN SPARKMAN, WILLIAM B. SPONG, JR., STUART SYMINGTON, STROM THURMOND, JOHN G. TOWER, JOSEPH D. TYDINGS, HARRISON A. WILLIAMS, JR., and RALPH YARBOROUGH.

The PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. CLARK. Mr. President, on behalf of the Senator from Oklahoma [Mr. HARRIS], I ask unanimous consent that, on the next printing of the joint resolution (S.J. Res. 97) establishing a Joint Commission on Civil Strife; authorizing the Commission established to investigate riots and civil strife in the cities and urban centers of the United States and to report and make recommendations on an emergency basis for the prevention of such riots and the elimination of the causes thereof, the name of the distinguished Senator from Alaska [Mr. GRUENING] be added as a cosponsor.

The PRESIDENT pro tempore. Without objection, it is so ordered.

ADDITIONAL COSPONSOR OF AMENDMENT NO. 228

Mr. MORSE. Mr. President, I ask unanimous consent to have the name of the Senator from Arizona [Mr. FANNIN] added as a cosponsor of amendment No. 228 to S. 1125.

The PRESIDENT pro tempore. Without objection, it is so ordered.

REMOVAL OF NAME OF COSPONSOR OF SENATE BILL 857

Mr. MAGNUSON. Mr. President, I ask unanimous consent that, at its next printing, the name of the junior Senator from Maryland [Mr. TYDINGS] be removed as a cosponsor of the bill (S. 857) for the relief of Puget Sound Plywood, Inc., of Tacoma, Wash.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

BRIG. GEN. BERNARD W. ROGERS NAMED COMMANDANT OF CADETS, U.S. MILITARY ACADEMY

Mr. BYRD of Virginia. Mr. President, I wish to commend the appointment today of Brig. Gen. Bernard W. Rogers as Commandant of Cadets, U.S. Military Academy.

General Rogers is now serving as assistant commander, 1st Infantry Division, in Vietnam. When I was in Vietnam a few months ago, I went into the field with General Rogers. I visited him at his headquarters of the 1st Infantry Division, and I flew with him in a helicopter to observe the combat assault mission near the Cambodian border.

It is my impression that General Rogers is one of the outstanding military leaders our Nation has today. It is extremely important that anyone who is appointed to the position of commandant of cadets at the U.S. Military Academy should be of the caliber of General Rogers. Not only is he an outstanding soldier, but he has the educational background and scholarship to do a great job at West Point.

I commend President Johnson on his appointment today of Brig. Gen. Bernard W. Rogers as commandant of cadets at the U.S. Military Academy.

MILWAUKEE JOURNAL OPPOSES TAX INCREASE

Mr. PROXMIRE. Mr. President, on Friday I pointed out that such leading newspapers as the New York Times, the Washington Post, and the Wall Street Journal had serious reservations about the President's proposed tax increase.

This morning I invite the attention of Senators to the fact that the Milwaukee Journal, another distinguished American newspaper, calls the President's case for a tax increase "not convincing."

The Milwaukee newspaper points out that the economy's general health does not add up to the threat of an overheated, inflationary economy; that in the event economic pressures do develop, the President could trim nonessential programs; and that if he did so first, he might have a better case for raising taxes.

I ask unanimous consent that the editorial be printed in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

STILL NO CASE FOR TAX BOOST

President Johnson's case for a 10% general income tax surcharge is not convincing. Congress should weigh the request with utmost care, for hasty action could create new strains in the national economy.

Though the president dramatized his argument with a direct appeal to patriotism—"a small inconvenience compared to what is borne by our men in arms who put their lives on the line in Vietnam"—the merits must be judged on sounder grounds than these. After all, less than half of the total revenue anticipated from the proposed tax package would go for defense. Most of the rest would help compensate for shortfalls in federal revenue.

Because of miscalculations, the slowdown in the economy and other reasons, government revenues are running about $7 billion less than was estimated in January. And with the prospect of a $28 billion deficit in the fiscal year ending next June, in an election year, the president's plea for a surcharge is not entirely devoid of political considerations.

It is on economic grounds, however, that the president's proposal must be assessed and it is here that the case falters. The national economy is now far too uneasy to be able to sustain the repressive effects of a surcharge on corporate and personal income taxes. Unemployment has been creeping up. At last report it stood at 4% of the total work force, the highest level in 18 months. Business investment has been weak. The decline in corporate profits and the softening of capacity utilization rates in manufacturing—from 91% last summer to about 85% now—have made businessmen cautious in their investment outlook. What these key barometers of the economy's general health add up to is anything but the overheated state of affairs that the president pictured as just around the corner.

It is true that serious inflation could develop again. It is also true that with the prospect of a towering federal deficit, pressure on capital markets and the whole interest rate structure could get very tight. But these are still largely possibilities that the president could help head off by actually trimming nonessential programs such as space and the supersonic airplane effort. If he did this, instead of making ritualistic nods to parsimony, he might have a better case for raising taxes when the situation warranted it. Right now, he has not made the case.

THE WYOMING STATE TRIBUNE VIEWS THE RIOTS IN AMERICAN CITIES

Mr. HANSEN. Mr. President, the Cheyenne, Wyo., State Tribune has commented editorially on the possibility that elements of conspiracy were present in the recent riots in American cities.

In an editorial headlined "The Riots Can be Stopped," Editor Jim Flinchum reviews a book by Phillip Abbott Luce entitled "Road To Revolution: Communist Guerrilla Warfare in the U.S.A." This book was also reviewed in the Washington Star and commented on editorially in that newspaper.

In an editorial which he entitled "America at Armageddon," published on July 25, Editor Flinchum commented on a report of the American Security Council, which predicted the riots which have ravaged America's cities.

I ask unanimous consent that the editorials be printed in the RECORD.

There being no objection, the editorials were ordered to be printed in the RECORD, as follows:

AMERICA AND ARMAGEDDON

In a special report of April, 1966, the American Security Council predicted the riots which this summer are ravaging America's cities large and small.

It told of the subversive potentialities of a small number of activist revolutionaries; how they were linked to possible Communist-inspired guerrilla warfare plans for the entire western hemisphere, and what might be in store in the way of mass uprisings that now have brutally, frighteningly come true.

Although this newspaper has quoted this exceptional report, no one so far as we have been able to determine paid it very much attention, most of all the authorities who should have been most concerned: Those residing at the highest level of the United States Government, those responsible for both the internal and the external security of America.

Today, one only has to read the grim news of the almost unprecedented rioting and devastation in one of this country's major cities. Detroit, to realize that the United States of America may be faced with a peril possibly unequalled since the Civil War of more than a century ago.

Those who do not read the danger from these mass, organized uprisings, without doubt plotted and directed by persons whose basic motive is the destruction of our government and society, must be classed as utter fools.

Re-reading the American Security Council's Washington Report of April 1, 1966, one is struck with the significance of its detailed revelation of the plans for the Negro revolution that now is occurring in the United States. "At this moment," it said over 15 months ago, "while Communist forces throughout the world are engaged in attempts to overthrow a number of governments, here, in the United States, the Progressive Labor Party (PLP) and the Revolutionary Action Movement (RAM) are actively involved in the first-step operations of guerrilla warfare.

"Both of these groups," said the ASC report, "are storing arms, training people in sabotage and terrorism and actively preparing a group of people to institute armed insurrection.

"Progressive Labor," said the ASC in April, 1966, "acting in its capacity as the American arm of the Chinese Communist International, has prepared a number of its members for any eventuality. During the summer of 1964 the PLP initiated a plan dividing various 'trusted' members into secret groups of four and then preparing them to go 'underground' if a police crackdown became imminent. The PLP members were not simply to change their names and alter their physical appearance but also were to use the weapons provided to aid and promote a guerrilla operation in those cities where Progressive Labor had any strength, such as in New York and San Francisco."

The American Security Council report recalled that when Harlem erupted in 1964 in the first of the big city Negro riots, PLP leader Bill Epton was there, and used previous training to instigate further rioting. "He actually trained people in the techniques of preparing and using molotov cocktails." The PL party newspaper Challenge in an editorial published during those riots three years ago said: "The vision of half a million or a million angry black men and women, supported by allies in the Puerto Rican and other working class communities, standing up to their oppressors, is haunting the ruling class. People have already begun to speak of 'guerrilla warfare' and 'revolutionaries.' "

The April, 1966 report also told how PL sent members abroad to receive additional training in guerrilla techniques, a project in charge of one Jake Rosen, a former member of the Communist Party USA, a traveler to China in 1958, and a man responsible for bringing firearms to New York from the South; of one Rick Rhoades who was sent by PL to the Tri-Continental Conference in Havana in January, 1966, where he admitted later to a New York conference with PL leaders to having conferred with Viet Cong representatives to make plans for stirring up trouble in the U.S.

ASC also devoted a detailed summary of the activities of Revolutionary Action Movement, which a few weeks ago was subjected to a raid which resulted in seizure of a firearms cache in New York; how RAM was founded in 1963 by two men named Max Stanford and Robert Franklin Williams, how it is active in large-city ghettos, and how it organized a group called Black Liberation Front that in 1965 attempted to destroy a number of national shrines and also planned a bombing raid on Washington, before they were rounded up by New York City police.

"RAM," said ASC in 1966, "has been explicit in its outline of how it will take power in this country. Advocating a guerrilla war different in nature from that described in the writings of Mao and the Chinese, RAM envisions using the urban areas as the base of operations. The revolutionaries in RAM believe that the black ghetto areas of our major cities hold the key to a successful guerrilla war. They specifically propose that black people be organized into small guerrilla units which will use the night to spread terror through a city. According to the plans of RAM, terror will be the major weapon—terror which will, in turn, lead to a demoralization of the will of the government. Bombs will be placed in New York's Grand Central Station or other public places, key personalities will be assassinated, snipers will indiscriminately murder innocent citizens, theaters will be fired."

The ASC report said the guerrilla warfare could not succeed because one of its major ingredients of success is to confuse and isolate the opponent, in this case the government; and that while it hopes the "enemy" will be misidentified and that whites will react against the "innocent Negro majority," its organization still has not made any significant major inroads on the Negro community.

The man who wrote this vision of America's Armageddon was no idle scaremonger: he was Philip Abbot Luce, himself a onetime leader of the New Left movement in this country, and a member of the Progressive Labor movement from April, 1963 to January, 1965. He and his wife later broke with the PLP because of its terror tactics.

If the government has recognized the real enemy, the leaders of subversion which are obvious instrumentalities of Communist governments abroad, it has given no sign.

As recently as nine days ago the attorney general of the United States, Ramsey Clark, said in a television interview he did not believe the Newark riots resulted from "outside" sources.

If the official of the U.S. government principally charged with law enforcement takes such a naive view, what can the American people expect in the way of vigorous steps to quell what is now going on in Detroit?

The Johnson Administration, which has been preoccupied with wars on poverty and wars for civil rights, may be awakening today to the ugly, hard fact that it has a massive civil war against the American government.

Let us hope so, let us hope that its leadership no longer has its head buried in the sands.

America today is in a graver crisis than any it has faced since Pearl Harbor, possibly worse than any since Fort Sumter, 1861.

THE RIOTS CAN BE STOPPED

Phillip Abbott Luce, the onetime New Leftist and official of the Progressive Labor Party, is the author af a new 165-page paperback volume that has just been published. Its grim and possibly prophetic title: "Road to Revolution: Communist Guerrilla Warfare in the U.S.A."

It may be, as the Justice Department reported yesterday on the authority of FBI Director J. Edgar Hoover, there is no evidence of a conspiracy behind the riots in Newark, Detroit and other cities across the land.

But Mr. Luce, who was quoted here yesterday from his April, 1966 report for the American Security Council that forecast what has now come about in our cities, makes a good case for a conspiracy.

The Republicans, plus those Democrats in Congress who are so alarmed by what is now taking place that they can no longer defend the Johnson Administration's establishment image, should busy themselves with reading Mr. Luce's new volume on "Road to Revolution" and considering some of its implications.

The 29-year-old native of Lancaster, O., who served as an official of the Progressive Labor Party, which is neither a labor organization nor a political party but according to Mr. Luce, a violently revolutionary group with connections with Peking, writes with the autority of one who personally knows the details of this disturbing subject.

It is quite possible, as the Justice Department has been quoted, that the current American city riots are spontaneous and unorganized; but if that be so, how does it happen that in one day a dozen such outbreaks occur all at once?

How does it happen that "four-man" sniper squads operating with obvious precision and teamwork, are able to seize control of huge sections of a city like Detroit?

How is it that large numbers of persons apparently become suddenly skilled in the manufacture and use of molotov cocktails, the handy gadgets for burning down buildings and homes?

How many citizens do you know, you who may read this, who know anything at all about making a molotov cocktail and using it?

For the vast employment of these weapons and the organizational scheme behind that usage, there must be some sort of organization. Does this suggest, then, there is no such thing as a conspiracy?

Mr. Luce, the man once privy to the plans of the Progressive Labor Party before he became upset over its terror tactics and advocacy of violence, writes in the final chapter of his exceptional book: "The success of Negro uprisings throughout our nation during recent years is a glowing testimony to Communist planning and strategy.

"Guided by the hand of international Communism," he asserts, "the Negro revolutionaries in the United States have kept their plans on schedule. By the time-honored tactics used so successfully by Marxists everywhere, radical black racists have probed the weak spots in the fabric of the American community that they so accurately diagnosed more than three decades ago. The response was as expected—defensive confusion on every front."

Thus we have the spectacle yesterday of one portion of Congress, that of the Republicans, calling for an investigation of the riots and suggesting they have some organizational basis, and of an immediate reaction from some Democrats assailing the Republicans for "playing politics" with the riots. Perhaps, but we also were offered a view of the President of the United States, in ordering federal troops to Detroit, throwing a political shiv at the governor of that state by repeatedly pointing out that the latter was unable to maintain order.

While politics must be kept out of the big city riots, it also is plain that the American people are fed up with the disturbances, and also that they no longer buy the theory that they stem—as Wyoming's senior United States senator, Gale McGee, suggests today—from slums, lack of proper educational facilities and poor housing.

A Negro man and his wife watching looters in Detroit yesterday bitterly commented to a reporter that the lawbreakers were just that; that they were not beset by anything except a desire to get something for nothing. The man, a 23-year-old laborer, said there were plenty of jobs available for the Negroes of Detroit if they wanted to work, but a lot of those in the riots just didn't want to work.

Luce in his book "Road to Revolution" suggests both immediate and long-range measures for countering the massive civil disturbances that he says are fomented by the Communists.

The immediate steps include (1) sealing off the riot area by police and National Guard troops, adding with another bit of prophecy that "if they need help, the regular army must be brought into service"; (2) imposition of a curfew, (3) foot patrols around the area ("if the guerrillas attempt to break out of the area or to engage the authorities in open combat, they must be suppressed") (4) suspensions of civil liberties and also search and seizure operations during daylight hours along with immediate arrest of anyone without proper identification, (5) setting up a control organization including ID cards for each inhabitant in the area, in cases where the guerrilla warfare is prolonged; and (6) exhorting the population in the ghetto to work with the authorities.

This latter requires the people's cooperation to report any guerrilla activities so that the police can "make immediate arrests without the warrant guarantees usually provided by the Constitution."

Finally, in the long-run, promotion of American ideals by getting the Negroes in the big city ghettoes to help themselves toward better economic conditions, must be the final solution.

This involves efforts in the communities by everyone concerned, civic groups, private industry and other as well as government.

Luce leaves no doubt that the problem can be solved. But he makes it equally clear that it cannot be solved without vigorous, immediate action.

NATIONAL COUNCIL OF JEWISH WOMEN RESPOND TO THE CHALLENGE

Mr. HART. Mr. President, in the last analysis the response of our country to the crisis confronting us in our core cities will depend on the will of the American people.

And so I am particularly pleased to be able to place in the Record a statement issued by the national board of the National Council of Jewish Women on July 30.

Not only does this statement offer sound advice for governmental action to respond to the rioting. The board calls upon its members to open new channels of communication with the ghettos "as a step toward dissolving the sense of alienation and abandonment which has driven a segment of our people into rebellion."

I commend this statement to thoughtful reading, and ask unanimous consent that it be printed in the Record.

There being no objection, the statement was ordered to be printed in the Record, as follows:

Topical Statement

(Issued by the national board, National Council of Jewish Women, Inc., meeting in special session, July 30, 1967)

The National Council of Jewish Women, which has long and proudly engaged in the struggle for civil rights and equal opportunity, applauds the distinguished leaders of the civil rights movement who have called for an immediate end to rioting and mob law, and have stated that "the overwhelming majority of the Negro community joins us in opposition to violence in the streets." Anarchy and violation of the law cannot be justified. Legitimate means exist for protest.

Ugly poverty and grave injustices characterize the lives of millions of our people. Progress to end these ills has been sporadic and faltering; yet our country has been committed by our President, a majority of our Congress, and our Courts to a national policy of equal justice and opportunity. This commitment requires measures of immensely greater significance and scope to meet this unprecedented crisis in our national life.

The immediate response to the violence must be restoration of law and order. The parallel response, equally forthright and tough-minded, must be positive action to destroy the decay and poverty of our cities and to provide the means for their inhabitants to live in decency, dignity and economic security. The problems of our cities and our citizens transcend partisan politics. Continued failure to act decisively will be to compound the sins of inertia and disorganization that have left millions of our citizens foundering in ghettos, jobless, hopeless, the easy target of demagogues.

The National Council of Jewish Women urges immediate passage by Congress of pending education and economic opportunity legislation, and of model cities and rent supplements appropriations. We urge early consideration of a variety of other measures designed to strengthen the economic security and opportunities of the deprived of our cities and to improve the quality of urban living.

Further, we call upon the communities of our country to move promptly—before and not after a crisis develops—utilizing all resources to tackle the problems of their slums. We call upon our own Council leaders to strengthen their many services to the deprived and to open new channels of communication with the ghettos as a step toward dissolving the sense of alienation and abandonment which has driven a segment of our people into rebellion.

It is incumbent upon Americans everywhere to help create a climate for building instead of burning.

CRISIS IN THE AIR

Mr. BOGGS. Mr. President, public understanding of the great and growing problem of air pollution is essential if effective steps are to be taken to combat it.

Because of this need, I am always glad to see articles which point out the magnitude of the problem now facing our country.

In the July issue of UAW Solidarity, the official publication of the International Union, United Automobile, Aerospace, and Agricultural Implement Workers of America, AFL–CIO, an article by Ted Ogar of the Solidarity staff does an excellent job of summarizing the extent of the problem.

In the interest of giving this article the greater readership that it deserves, I ask unanimous consent that it be printed in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

Crisis in the Air From Cleveland to Los Angeles

(By Ted Ogar)

"Tomorrow morning when you get up, take a nice deep breath. It'll make you feel rotten."

That's an advertising message by the New York Council for Clean Air which now has turned to wry humor in its campaign to dispel public apathy toward attempts to clean out the deadly sewers in our skies.

But ever-increasing air pollution anywhere and everywhere in the nation can do more than make you feel rotten. It can make you seriously ill and it can kill you. The experts also warn:

Air pollution causes auto accidents. It's responsible for increasing work absences due to respiratory diseases. It damages your property and it raises your taxes to pay for repairs to public buildings. It increases your cost of living by ruining fruit and vegetable crops. It despoils your parks and recreation areas.

No one can put a price tag on a human life but the collective bill for physical damage wreaked by soot, smoke and stink has been estimated at $11 billion a year—about $65 for each man, woman and child. Yet in most areas of the U.S. too little is done about the crisis in air and in others nothing at all.

It is 19 years since a smothering fog of waste gases, coal smoke and fly ash in Donora, Pa. brought sickness to 5,910 and death to 20 of the town's 14,000 residents.

It is 14 years since smog first obliterated hundreds of lives in New York City.

Not enough has been done since to avoid similar catastrophes throughout the country because too many still believe these are rare occurrences. They will become less rare as noxious dirt piles up in the atmosphere.

Today, every city of 50,000 or more population is in danger, if the experts are right. More than 7,300 communities have serious air pollution but only 199 are served by any kind of control agency.

The problem is one of lack of universal awareness of the problem and its dangers. The public needs far more information. For how do you save a man from drowning in a sea of polluted air when he doesn't know he's drowning?

But there are rays of hope piercing the murky skies. There has been increasing discussion and action on air pollution since passage of the Federal Clean Air Act of 1963. Large membership organizations have enlisted in the fight for clean air.

UAW was one of the first to join the battle with a call by President Walter P. Reuther to "take the price tag off fighting pollution just as we are willing to take the price tag off making ourselves strong enough to meet the threat of aggression."

IEB Member-at-Large Olga M. Madar, as director of UAW's Dept. of Conservation and Resource Development, has instituted action programs aimed at erasing "the spectre of a population suffering in epidemic proportions from illness and even death."

A grim warning comes from Dr. Morris Neiburger, professor of meteorology at the University of California: "If present concentrations of pollutants continue to be poured into the air without controls, no human on earth will be able to exist."

Scare talk? Yes, and with good reason, for the facts are here and they are plain. The average adult breathes in about 6,000 gallons of air every day. If he lives in a city, he inhales about 10 billion particles of foreign matter which contaminate his life-giving oxygen.

Only a small percentage of this aerial garbage is odorous and about 90 per cent is invisible. Because people cannot see or smell most of the impurities in the air, they generally are not aware of the great danger.

The volume of pollutants now has reached the staggering annual total of 133 million tons. If these pollutants were evenly dispersed over the 48 mainland states, the problem would be serious but not critical. However, it's the concentration of these poisons that spells grave danger; one-half of those 133 million tons comes from less than one per cent of land area which holds half of the country's population.

Industry is the terrible chief villain. Its manufacturing processes and the vehicles it produces account for almost all air pollution.

The lives that have been lost and the sicknesses that have been induced would not have happened if industry had faced up to its social and moral obligations not to poison the people's air. Lack of know-how cannot be an excuse. Most pollution control devices were invented many years ago—the electrostatic precipitator goes back all the way to 1911.

There has been scattered action by industry during the past 20 years to control pollution but most of it was accomplished only under compulsion by law.

Industry has yet to astound people by voluntarily doing all that's right when there's a price tag attached to the deed. Even on a clear day, industry's profits statistics obscure its view of the mortality tables.

Tough laws are the only answer to this critical problem.

The need for drastic action was underscored by Dr. A. B. Cowan who wrote in the British Medical Journal: "The use of poison gas is outlawed by the Geneva convention, but what in the name of common sense is smog if not a poison gas being used indiscriminately in peacetime?"

What are these poison gases in our air? There are hundreds of them, some without any names so far; modern science and technology have spawned exotic pollutants which sunlight transforms into weird chemicals no one can yet identify.

But the major culprits are well established: carbon monoxide, oxides of nitrogen, hydrocarbons, oxides of sulphur, fluorides and particulate matter. Put them all together and they spell smog—deadly smog.

Auto exhausts are the biggest contributors to the killing fog. They spew into the atmosphere millions of tons of carbon monoxide, hydrocarbons and other organic gases, oxides of nitrogen, aerosols and oxides of sulphur.

Oxides of sulphur are present in vehicle gases only in small amounts but industry makes them No. 2 on the poison list. They are produced by combustion of coal, oil, natural gas and gasoline. Moisture in the air changes them into a sulphuric acid mist which gets by the respiratory system's natural barriers to settle deep in lung tissue.

What else do these pollutants—singly or in combination—do to harm the human being? In high concentration, they can bring death to persons suffering from heart or respiratory diseases. Some scientists believe they may contribute to cancer and heart trouble.

It is certain that smog irritates skin, eyes and the upper respiratory tract. It causes coughing and chest soreness. It lowers resistance to stress and increases susceptibility to pneumonia and the common cold. Tests on high school cross-country runners showed that polluted air slowed them down.

Carbon monoxide alone is a more dangerous culprit than most realize. Everyone knows that auto exhaust in a closed garage can be lethal. But what about city streets and freeways? You can be in serious danger there, according to a report to Congress by John Gardner, secretary of the Dept. of Health, Education and Welfare. Carbon monoxide could cause you to have an accident, perhaps a fatal one.

This colorless, odorless gas acts harmfully upon the central nervous system by reducing the amount of oxygen available through the bloodstream. Mental processes are affected when blood is deprived of one to two per cent of its normal oxygen carrying capacity. Reaction time slows and judgment is affected. One hour's exposure to 120 parts of carbon monoxide per one million parts of air will cut down oxygen capacity by five per cent, far beyond the safety point.

If you live in one of four American cities. you're already in danger on the road—driving to and from work, shopping or visiting.

The effects of pollutants range all the way from the annoyance of nylon stockings which dissolve in the air to spoilage of millions of dollars in crops.

Los Angeles smog annually blights $10 million of San Joaquin Valley's fruits and vegetables.

Fluoride fumes from a Spokane, Wash. aluminum plant have damaged extensive stands of ponderosa pine.

Last year, fog combined with fumes from an oil refinery in Whiting, Ind. to strip paint from houses and coat streets and sidewalks with a greenish film.

Faulty, smog-producing combustion in auto and truck engines wastes one in every 10 gallons of gasoline, a financial loss to U.S. motorists estimated to be in excess of $5 million every day.

These are calculable losses. The dejection and degradation of the human spirit cannot be measured. Air pollution increases stress and irritability and it saps human vitality.

The prospect of unabated air pollution is a testifying one. Although our atmosphere is self-cleansing, its antiseptic capacity is being overtaxed in many areas.

Chemically active pollutants in the air require a certain amount of time to combine with the ingredients they are affecting. The length of air's exposure to pollutants as it moves within an airshed thus determines the amount of damage. Another factor is the quality of the air arriving at any airshed.

As airshed after airshed builds up pollutants, the supply of clean air diminishes and that supply is not inexhaustible. Our air is a mixture of gases, liquids and solid particles that forms a thin envelope around the earth. Some scientists believe that earth's atmosphere extends to the magnetosphere some 35,000 miles beyond the global surface.

But a frighteningly thin layer only 2,000 feet thick supplies most of the air we can use and breathe. And it's being used up at an alarming rate. Combustion of coal, oil and gas during one year, for one example, requires 3,000 cubic miles of air.

We can avoid choking to death on our own fumes if we act quickly and decisively.

The technical know-how and the actual devices are available now for the control of almost any air pollution problem existing from industrial sources. Auto crankcase pollution has been licked; the same result can be achieved with exhaust gases. The price tag will be high and the opposition great. But the nation cannot put off the crucial decision on the degree of clean air it desires and the price it is willing to pay for it.

Next month Solidarity will report on progress already made and the united action that must yet be taken to cleanse our badly soiled atmosphere. President Johnson placed the national problem in its proper perspective when he told Congress:

"Pollution affects the lungs and eyes of worker, manager, owner and government servant alike.

"The air cannot be divided in convenient shares. It is indivisible—and either clear and beneficial or fouled and dangerous for all of us."

WHY VIETNAM?

Mr. MUNDT. Mr. President, among the responsible and respectable American organizations altering and advising Americans against the continuing threat of international communism is the All-American Conference To Combat Communism. As one of the founders of this fine organization I can testify to its long record of constructive public service.

Founded at a meeting in the old Astor Hotel in New York City in 1950, under the inspiration of then National American Legion Commander George Craig, and highly renowned Rev. Daniel Poling, this organization has brought together some 40 outstanding American organizations working in harness as members of the All-American Conference to Combat Communism. Its headquarters is located in Washington, D.C., at 1028 Connecticut Avenue NW., and it publishes a monthly periodical called Freedom's Facts available to subscribers at $3 per year.

The July issue of Freedom's Facts contains an interesting and informative article entitled "Why Vietnam?", and I ask unanimous consent that this article appear in the body of the RECORD at this point and that following the article there appear the masthead of the publication which also includes a brief statement of the program and purposes of the All-American Conference to Combat Communism.

Each issue of this unique and hard-hitting publication is produced under the auspices of one of the constituent bodies which are members of the AAC. The July issue was published under the auspices of the American-Latvian Association. The Elks, the Eagles, the American Legion, and other constituent bodies are among those sponsoring other issues of Freedom's Facts.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

WHY VIETNAM?

Our protracted armed involvement in Viet Nam has raised three questions on the campus, in churches, and in the political arena.

The hawks and doves separate on the question: How can we win? and its counterpart: How can we get out?

But both hang up on the third: "Why are we there?"

Most answers have come from people who are lost in the woods. They chop up the underbrush, flush a few rabbits, but leave everyone as confused as before. Certainly, to review the decisions which led to our Viet Nam involvement leads nowhere, except to the past. None of these decisions can be changed none can be reversed.

Our decision not to give adequate aid to the French in 1954, the decision to broaden aid and advice to South Viet Nam in 1961, the decisions which led to the overthrow of President Diem in 1963, our consequent commitment of ground forces, initiation of the bombing north of the DMZ, and the off-and-on decisions about pacification—none of these can be changed or made over today.

Those who look to the future, toward a peaceful world in which free men can breathe, are less concerned with past decisions than with the values involved in our presence in South Viet Nam right now. The future-looking questions are: What is our purpose in Asia? What do we accomplish by being there?

AMERICAN NATIONAL INTEREST

All of our actions abroad, and certainly those in Viet Nam, must relate to our best national interests; not to the interests of the poor or the rich, not to one segment of the population or another, but to America as a nation. National interest relates not to our wealth or poverty, but to the kind of a nation we are and our needs for survival and for progress.

Assistant Secretary of State William P. Bundy explained to conferees at a Citizen's Conference on Asia in Mid-May 1967:

"The United States can only survive and prosper in a world of nations that are going ahead, that are able to stand independently, and, in a way, develop their own future, and that is the only kind of Asia, the only kind of world, in which, in the long run, the United States as we know it can exist and thrive."

That paragraph, along with one from President John F. Kennedy, should be placed in every recruiting station, every school, every church, every federal official's office. President Kennedy said:

"Yet our basic goal remains the same: a peaceful world community of free and independent states, free to choose their own future and their own system, so long as it does not threaten the freedom of others."

Neither of these statements of national purpose is really new. Our Revolution in 1776 lighted a torch of freedom in the world. It was to protect the independence of emerging Latin American nations that the Monroe Doctrine was put forth in the 1820's. World Wars I and II were fought to halt the spread of imperialism, of Nazi and Fascist political absolutism and economic exploitation across the maps of Europe, Africa and Asia. Our current containment policy was adopted by President Harry S. Truman 20 years ago to block the spread of a new form of absolutism, expanding outward from Moscow. Viet Nam is on that containment line in Southeast Asia.

RUSSIAN NATIONAL INTEREST

Who possibly could be against our ideals of national independence and free political and economic choice? Our adversaries are. They think their best interests are served by totalitarianism at home and the spread of absolutism abroad. They believe their interests are served when conformity replaces diversity, censorship of ideas and opinions, supplant free speech and free press, and tight political control wipes out political independence.

Just as freedom is identified with America, so political absolutism today is identified with Russia. The label is not new. Alexander I, Tsar of Russia, proposed in 1815 the Holy Alliance to crush the rise of democratic or otherwise independent governments. It was to block repenetration of Holy Alliance powers into Latin America that our Monroe Doctrine was established. By that time, the early 1800's confrontation between Russia and the U.S. over freedom vs. tyranny already was so obvious that a young French scholar, Alexis de Tocqueville, could write in 1835:

"There are at the present two great nations in the world . . . I allude to the Russians and the Americans . . . (which) are still in the act of growth . . . The American struggles against the obstacles which nature opposes to him; the adversaries of the Russians are men. The former combats the wilderness and savage life; the latter, civilization with all its arms. . .

"The Anglo-American relies upon personal interest to accomplish his ends, and gives free scope to the unguided strength and common sense of the people; the Russian centers all the authority in a single arm. The principal instrument of the former is freedom; of the latter, servitude. Their starting-point is different and their courses are not the same; yet each of them seems marked out by the will of Heaven to sway the destinies of half the globe."

Years before the coming of Karl Marx, Friedrich Engels, V. I. Lenin or Josef Stalin could be seen the Russian aim to spread tyranny over men versus the American commitment to freedom and struggle against hunger, poverty and backwardness. The policies and actions of both, in reality, reflect different internal policies and long and deeply held beliefs about man.

THE COMMUNIST FACTOR

When Communist power came to Russia in 1917, the quality but not the nature of tyranny changed. If anything, the Russian national interest in creating a uniform world, essentially under Russian control and essentially based on the Russian imperial model, was heightened. Lenin's rise to power merely introduced a new dimension of imperialism and with it new techniques of conquest and of control.

Fifty years later we see that Moscow now rules all of the territories once ruled by the Tsars and with a totalitarianism even more complete. Through the device of Communist Parties, the Kremlin has effective, if not always complete, control over many lands beyond the borders of Tsarist rule. In addition, the Kremlin can count on Communists in currently non-Communist countries as their "reserves"; namely, added forces working inside independent nations toward the goal of a totalitarian world. All of these Parties (with the current exception of Mainland China and Albania) look for leadership to the "mother" Party—the Communist Party of the Soviet Union.

It is no historic accident that a primary function of all Communist Parties (again, now excepting Mainland China and Albania) is the protection of the Soviet Union, and more specifically, Moscow, the fountainhead and center of the World Communist Movement. In any major contest between the Communist world and ours, the Red Chinese, the Albanians and the so-called independent Communists—the Yugoslavs—can be expected to side with the Kremlin against the United States.

THE NATURE OF THE CONFLICT TODAY

On ground level the conflict today is easy to visualize, in the Middle East as well as in Viet Nam. Tactically, the Middle East was an area where it was impossible for combatants to hide; Viet Nam is an area where it is impossible to move. Where blitzkrieg worked in the Sinai, the more complex techniques of search and destroy, interdiction of supplies, and pacification must be used in Viet Nam.

The military tactics, while more interesting, are less significant than are the combatants. In the Middle East the Egyptians and Syrians armed and backed by the Communist bloc started hostilities with a half-step by blocking one of Israel's most vital lifelines, the Gulf of Aqaba. This was so obvious a hostile act, that the entire nation of Israel could be mobilized against it quickly and without significant dissent.

In Viet Nam, however, the war began insidiously, inside of South Viet Nam, with Communist-trained agents and guerrillas. They infiltrated South Vietnamese institutions, gained villagers' support through persuasion and terror, and then—before the scope of their intentions was fully realized—opened up a major guerrilla-civil war. No one incident began the conflict, so that the war appeared to some merely as the escalation of civil protest to open revolution.

Simply stated, however, the war in Viet Nam is a continuation of the unfinished war in Korea which, in turn, was a continuation of the unfinished war on the China Mainland. While the players are different in Viet Nam, the game is the same. For in Viet Nam are the Viet Cong (Vietnamese Communists) backed by all Communist Parties, including Red Chinese and Albanians, on one side, and the non-Communist Vietnamese backed by Americans and non-Communist allies on the other. Communists on one side; non-Communists on the other.

OFFENSE VERSUS DEFENSE

Knowing who is fighting and where does not of itself disclose the strange, and often unequal nature of their conflict. The ground rules are these: Tyranny can be imposed upon subjugated people. Independence and freedom cannot be forced upon anyone. While one side can and does conquer and subjugate, the other side seeks to defend and strengthen.

Take this concept one more step. People who believe in the freedom to be different, who believe in diversity, can live in a world where some nations are democracies, others are monarchies, and some might even be internal dictatorships, so long as they do not threaten the freedom of others. But a nation or an international movement which seeks to build a uniform world under one-party rule threatens the freedom of all others.

The interplay between the forces of those who cannot live with diversity and those who can has made the Communists aggressors against independence and freedom and the Americans the defenders. Since the aggressions in the Middle East and Viet Nam have been aggression-by-proxy; the defenders of independence often seem to be engaged in the wrong war at the wrong time, in the wrong place, and against the wrong enemies.

Although some have advocated it, the United States so far has not seen fit to carry the conflict for independence into other nation's territories to overthrow Communist regimes (with possible exception of Guatemala and Cuba). So in Viet Nam President Johnson can say that our enemy is *aggression*. Our National goal is not to destroy Communist rule in the North: rather, it is to force North Viet Nam to cease its aggression-by-proxy against the South. The built-in defensiveness of this American position accounts for a major observable fact of our time. All the wars are fought on our side of the Iron and Bamboo Curtain boundaries; when foreign troops are involved they are ours, not those of the U.S.S.R.

THE CONFUSION FACTOR

All of this might be easy to understand, if not to agree with, except for a confusing element called "peaceful co-existence." Communists, who coined this phrase over 50 years ago, use it to present an image of being for peace while, in fact, they promote aggressive wars. The trick of peaceful co-existence is that it is an idea with several parts:

(1) Avoidance of war between major powers. (A major war would threaten the Soviet Communist homeland. Soviet policy since 1917 has never changed on this score. All threats to the Soviet homeland must be avoided).

(2) Promotion of wars of liberation. (These are proxy wars carried on by Communist-trained leaders, backed with arms, moral, political and economic support from the Communist world, and carried on inside the victim countries. Such wars can be conducted without risk of direct threat to the Soviet homeland.)

(3) Promotion of non-military war. (This area of conflict, involving economic, political, psychological, subversive attack, is so intensive it can only be described with the word *war*. It is directed against all non-Communist nations, primarily against the United States. Simply note the anti-American slogans of Arabs in the Mid-East War.)

While avoiding major war, which might threaten the Soviet homeland and all of humanity, Communists use wars of liberation and non-military warfare to (A) establish Communist-influenced-or-controlled regimes in the developing countries, (B) undermine the secondary powers such as France and Italy in order to draw them into the Soviet sphere of influence, and (C) isolate and weaken the United States economically, politically and psychologically.

Communists figure that when the U.S. is isolated politically and weakened economically, a Communist regime can be established in the United States by internal political means if possible, by guerrilla war and war of liberation if necessary.

WHERE'S THE PROOF?

Whether or not this analysis is valid can only be demonstrated by whether or not Communists act in accord with it. Communist ideology may be alive or dead, but Communists are doing almost to the letter what they say they are doing.

Communists are working to prevent a major world war. Their promotion of "peaceful co-existence" at the Glassboro meeting in May is but one of many examples. But, as Soviet Marshall A. A. Grechko said on May 1, 1967, the Soviet Union "supports in every way the national liberation struggle of peoples," that is to say, they fully support guerrilla and civil wars.

The Soviets last year tried to talk an international body of lawyers into accepting *wars* of liberation as legal under international law. This scheme failed by an eyelash. Right now they are in a campaign of meetings, seminars, and discussions to persuade world churchmen to accept *wars* of liberation and even support them as peoples' movements toward peace and justice. Wars, such as that in Viet Nam, are part of the Soviet concept of "peaceful co-existence."

Soviet and other Communists, of course, are feeding the flames of guerrilla, civil and, in the Middle East, regional war. The Soviets already have replaced a large portion of the warplanes and tanks lost by the Arabs in the blitz war with Israel. At the same time, the Soviets, the Red Chinese, and some of the other Communist-run countries have been supporting the North Vietnamese Communists with arms, ammunition, artillery, missiles and planes. In some cases, these have been accompanied by technicians and advisers.

Peace would be closer in Viet Nam today were it not for the military supplies, and political backing the Viet Cong receive from the Soviets and the World Communist Movement. Soviet Premier Alexei Kosygin indicated at the Hollybush meeting that Soviet support for the Viet Cong will continue.

HOW ABOUT VIETNAM?

When all the facts are laid end to end, it becomes clear that Viet Nam is not an isolated conflict as anti-war protestors would have us believe. Rather it is one of a sequence of confrontations between the USSR and the U.S. which includes the Communist takeover of Eastern Europe as our forces were withdrawn after World War II, confrontations in Greece, Turkey, West Berlin, Korea and Cuba. We're in Viet Nam because that's where the action is right now. Once the action was in Greece, then in West Berlin, then in Korea. Now its Viet Nam.

The question really should not be: Why are we there? but rather: What does our being there accomplish? In Viet Nam we are, at great sacrifice, defending the right of a small Southeast Asian nation to be independent. Our action supports our own often-expressed ideals for mankind, ideals of national independence and human freedom. This makes a profound impression upon all nations on our side of the Bamboo Curtain.

Assistant Secretary of State Bundy noted an interrelationship between our posture and the development of areas of peace and prosperity in Asia. Our defense of South Korea removed a possible threat to Japan, he said, and thus aided Japanses progress. Our opposition to Red Chinese aggression in the Formosa Straights protected Taiwan. Now South Korea, Japan and Taiwain in their prosperity, are adding to the area of peace and democratic progress throughout Asia.

It is possible to speculate that our defense of independence in Viet Nam encouraged Indonesians to throw out the Communists within hours of a Communist coup and gave courage to Israelis, if any courage was needed, in their conflict with Soviet-backed Arabs. No speculation is needed to see that our stand in Viet Nam is consistent with our most immediate national interests—maintenance of a world of independent nations. Only in such a world can we as a nation of free people survive and prosper. The burden is upon those who attack our position in Viet Nam to demonstrate that we can remain free and independent if we fail to defend freedom and independence for all.

FREEDOM'S FACTS

(A publication of the All American Conference To Combat Communism, 1028 Connecticut Avenue NW., Washington, D.C. 20036)

Annual Subscription, $3.

D. L. Miller, Editor.

The All American Conference includes some 40 national veterans, women's, fraternal, civic, religious, and youth organizations. Its purpose is to provide organization leaders and other with accurate information on the aims, programs and techniques of Communists and others who seek to undermine and destroy the free principles and institutions which these organizations support.

One AAC activity is distribution of Freedom's Facts, which quotes, at times, from Communist sources to give citizens direct access to Communist statements of their own objectives and tactics. Only when Americans know of Communist plans in advance can they act in time to defeat them.

EXTRADITION OF MOISE TSHOMBE

Mr. KENNEDY of New York. Mr. President, Moise Tshombe, the former Prime Minister of the Congo Republic, is now in Algeria awaiting extradition to the Congo where he faces possible execution by the Congolese authorities. Mr. Tshombe, who had been given asylum by the Spanish Government, was kidnaped while flying in a British aircraft over Spain and brought to Algeria. The Supreme Court of Algeria has ruled that he must be extradited to the Congo, but the final decision must rest with Col. Houari Boumedienne, the chief of state of Algeria. If Tshombe is extradited, the Congolese leaders have indicated that he be executed without any further legal proceedings.

Whatever one thinks of the political activities or the political past of Mr. Tshombe, all of us should deplore any action taken that violates established principles of law and recognized mandates of due process. Both Algeria and the Congo are signatories to the High Seas Convention of 1958, which calls on all states to cooperate in the suppression of piracy, and explicitly includes airplanes within its mandate. Both Algeria and the Congo as well as Spain are members of the United Nations, and all three nations with more than 100 others subscribe to the Universal Declaration of Human Rights which declares the right of every person to seek and enjoy political asylum. Further, the principle is generally accepted in international law that there should be no extradition for political offenses.

No individual and no nation should prejudge the issues of international law involved in this case; no individual and no nation should dictate a course of action to the interested parties. The action to be taken in this case is properly the concern of Algeria, Spain, and the Congo. But every individual and every nation should be concerned that respect is shown for the rule of law; every individual and every nation should be concerned that the dignity of every other person, the right of every man to due process and treatment under law, is properly recognized. In the end, kidnaping, hijacking, extradition for political crimes, and execution without trial serve no man's interest and benefit no nation.

For, among nations as well as individuals, one incident of lawlessness becomes a model for others who sense that acting outside the law will serve some particular interest. The result is rule, without law; the price is exacted from the ideal of orderly and peaceful relations among nations; the victim of tomorrow's lawless act may be someone whose political position is more to our liking or it may even be those who act against others today.

In the end, civilized treatment of each man, regardless of whether one disagrees with his views or acts, reflects the civilization enjoyed by all men. It is in this spirit that I would urge all the parties concerned with Mr. Tshombe to act with restraint, and to recognize that respect for law at this moment can only enhance respect for law among all individuals and all nations. As Camus wrote to a colleague, you have no right to question the ideals of others "so long as the murder of a man angers you only when that man shares your ideas."

TRAINING MAGAZINE PERFORMS SERVICE FOR EMPLOYERS AND EMPLOYEES OF UNITED STATES

Mr. YARBOROUGH. Mr. President, I was pleased and impressed to see an article entitled "Has Federal Legislation Affected Your Training?" written by Dr. Leonard Nadler, of George Washington University, and published in Training magazine for August 1967. The article, geared to the employer who has not become aware of the benefits of Federal training and development programs for him, gives full and persuasive advice about the many Government programs available to such employer.

We in Congress can work tirelessly for improved training and development opportunities for our Nation's working forces, but without the services of the news media the American public is "the last to know"—remaining unaware of the existence of the very programs which could be preparing them for better jobs and better lives.

Just such difficulties have been experienced in the first year and a half of the existence of the cold war GI bill, which I saw passed into law during the second session of the 89th Congress. Only a fraction of those eligible have been advised of its possibilities for them and have utilized this program of education and training. Yet while this program and others like it, all mentioned in the article, go begging, employers still are searching for qualified, trained workers.

I commend the magazine Training highly for the good service which it has performed for the public in this article, and congratulate Dr. Nadler on his thorough and helpful article.

Mr. President, I ask unanimous consent that the article be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

HAS FEDERAL LEGISLATION AFFECTED YOUR TRAINING?

(By Leonard Nadler)

(NOTE.—Dr. Nadler is Associate Professor of Adult Education and Employee Development at George Washington University, Washington, D.C. He is also the President of Leadership Resources, Inc.)

If you have to answer no to the title of this article, you could be missing one of the greatest boons to training in industry and business. A traditional attitude of private industry has been: the less we have to do with government the better. In today's world, this could mean cutting your organization off from some of the benefits which your legislators are trying to provide. It can also mean that you are ignoring a positive resource which can held you in meeting the manpower needs of your organization.

It would be impossible, in an article, to detail all the legislation which is of importance to those who are involved in training in business and industry. The magnitude of the data becomes apparent when it is seen that at present twenty-seven Federal laws contain provisions for direct financial assistance to persons while enrolled in educational or occupational training programs.[1] There are additional laws which do not contain financial assistance to the enrollees, but rather to the institutions or agencies conducting the training.

Some of the pertinent legislation will be discussed here under the following headings: (1) developing a trained work force, (2) helping the disadvantaged, (3) providing assistance to employees. In each case, the legislation will be cited and some observations made about industry involvement. A reference will also be made at the end of the article as to where additional and specific information may be obtained.

DEVELOPING A TRAINED WORK FORCE

One piece of legislation that bears directly on the problem of bridging the gap between what the labor market demands and what workers bring to the market is the Manpower Development and Training Act of

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[1] *Federally-Assisted Manpower Development Programs*, A planning Staff Study, Manpower Administration, OMPER, U.S. Department of Labor, undated, 33 pages.

1962 and its subsequent amendments. The potential of this Act can be seen in the words of one trainer who wrote: "Thus the Act embodies a striking new concept, one involving the cooperation of private industry, labor organizations, government agencies, and the schools in a concerted effort to solve a problem of national concern. This approach also adds a new dimension to the responsibility of the coordinator or supervisor of the training program; he must seek not only to satisfy the requirements of his own company, but also to contribute his insights and knowledge to those of others. . . ."[2]

One of the important contributions that private industry can make is providing OJT, which the Department of Labor identifies as "the actual performance of the work duties in any occupation under the supervision and guidance of a trained worker or instructor".[3] This informative pamphlet also points out that, "The Federal Government, under the provision of the Manpower Development and Training Act (MDTA) of 1962, is ready to help *employers* and related groups with the development and *cost* of on-the-job (OJT) training programs" (emphasis mine).

There is no secret about all this. Your company can provide OJT and get paid for it. Of course, there are other benefits. In addition to providing social and community benefits, it may also help you improve your OJT practices and provide a pool of trained individuals from whom you could draw future empolyees to meet your needs. There are many other parts of the MDTA which can be helpful, and your source for additional information is #1 on the Partial Listing.

In addition to the OJT, another major part of the MDTA is concerned with what is called institutional training. These are public *and private* vocational education facilities. Although you may not be interested in opening your training area as a vocational school, doing so might provide some interesting possibilities for another function for training, other than strictly employee training.

Another interesting aspect of this legislation is that instructors may be drawn from private industry. What about working out a reciprocal relationship between your instructional staff and the local training institution under MDTA? It might provide new insight for your training instructors and even the opportunity to expand their horizons. What about a job-rotation experience, for a limited period of time, into an institutional training facility of MDTA? More information on institutional training can be obtained from Source #2 on the Partial Listing.

How many times have you decried the absence of sound research in the area of training and manpower development? The American Society for Training and Development has endeavored to assist by the development of the Fund for Research in Training and Development.[4] But, why not also use government funds when they are available for this purpose? Under the Manpower Act of 1965, Title I, it is possible to obtain research funds for individuals and private research organizations. You may not be a private research organization, but you are an individual. It should not be too difficult to envision a working arrangement with your organization where the government is paying part of the cost to you or one of your staff in order to produce the research we so desperately need. The source for more information is #3 on the Partial Listing.

EDUCATION RESEARCH FUNDS

Another source of research funds can be found in the Office of Education under funds provided in the Vocational Education Act of 1963. One of the problems in this area has been the limitations of funds to nonprofit organizations. However, within the past few months there have been some contracts awarded to profit organizations. The guidelines are still unclear, but the intent of the Office to involve qualified private-profit-making organizations has become clear. In addition to research, it is also possible to set up teacher-training demonstration programs.

Are you among those who decry the lack of suitable vocational training in the schools? The criticisms of our vocational schools may be well-founded but once again it is "better to light one candle than to curse the darkness." Your candle may well be a program of having vocational teachers spend time in your training department, under funds provided by the Federal government. Your source is #4 on the Partial Listing.

Our universities are a tremendous resource, and not only for producing graduates. If you haven't been near a university lately, you are in for some surprises. In fact, university administrator Ernest E. McMahon has noted that training directors don't really know how to use universities to their advantage.[5]

For example, what do you know about the plans of the universities in your state? Under the Higher Education Act of 1965 (P.L. 89–329), Title I, universities are encouraged to undertake programs to improve community services, and one area of concern is employment. The exact programs are worked out in each state and in each community. What are some of the employment problems in your geographical area which could be approached through the use of the funds available under this Act? Contact Source #5 on the listing.

HELPING THE DISADVANTAGED

There is still much confusion about poverty and the poor, hence the more general use of the word disadvantaged. Your company may have disadvantaged individuals on its payroll, such as the fellows in the low-paying jobs who cannot move up? The nature of their disadvantage may be that they are unable to read and write effectively; they are not able to benefit from the training programs that you are prepared to make available to them. Moving up the scale, what about the 58 million adults in the U.S. without high school diplomas? How many of them are in your training program?

In the closing hours of this last session of Congress a new law was passed which is called the "Adult Education Act of 1966." Officially, it is Title III of the Amendments to the Elementary and Secondary Education Act of 1965 (P.L. 89–750). There are many important sections, but the operation of the Act is the most important. Actually, it stems from the old Title IIB of the Economic Opportunity Act. For the training director it means that your company can now provide basic education (defined as "educational programs for adults to enable them to overcome English language limitations, to improve their basic education in preparation for occupational training and more profitable employment, and to become more productive and responsible citizens" (Sec. 302).

As this activity has functioned in the past, it is possible to have classes conducted in your plant or office, without costing you a cent for instruction or materials. Your sources could be your local Board of Education, your State Director of Adult Education, or #6 on the Partial Listing.

A common complaint is that the disadvantaged don't want to get off the public rolls. After some experimental work in this area in Norfolk and Chicago, Congress passed Title V of the Economic Opportunity Act (P.L. 88–452) which, when added to earlier legislation under the Social Security Act, Title XI, Sec. 1115 (P.L. 84–880), provides one answer. A person on public assistance, in some cases, must make himself available for training if he wants to remain on the public assistance rolls. In many communities, such training activities are known as Work Opportunity Training Centers. However, a significant component of these programs must come from private industry. The WOTC can provide the necessary classroom instruction, but the vocational training element must be provided by existing private organizations. Your company could be one of these. In addition to providing an opportunity for individuals to move off the relief rolls, it also means that you can be creating additional manpower resources in your community, at no cost to yourselves. On the Federal level, the source is #7 on the Partial Listing.

As of this writing, between the 89th and the 90th Congresses, the fate of the Office of Economic Opportunity is open to question. However, there is no doubt but that the Community Action Programs will continue either under the OEO or some other government agency. These programs are currently authorized under the Economic Opportunity Act of 1964, (P.L. 88–452), Title IIA. Although funds cannot be given to a private profit-making organization, it is possible to become involved by providing a service for which the local community action agency can pay. As employability is the keynote of the Act, there is no question about the involvement of private industry, the future employers. To date, not enough has been done, although the headquarters staff of CAP has encouraged the inclusion of manpower development programs in every anti-poverty program. The community cannot do it by itself; it needs the help of business and industry. If there is a CAP in the area of your offices and plants, contact them. If not, the Federal source is #8 on the Partial Listing.

PROVIDING ASSISTANCE TO EMPLOYEES

There are several programs which provide training opportunities for your employees, most of them in out-of-house training opportunities. Some of these can be individualized, while some are of a general nature.

For example, have your employees taken advantage of the "Cold War G.I. Bill"? Officially it is the Veteran's Readjustment Benefits Act of 1966 (P.L. 89–358). Under certain circumstances, your employees could have their training paid for when they attend vocational or business schools as well as high school or college work. The Bill even provides for reimbursement for correspondence school training.

How can you use this? Well, if your company has a tuition-refund program, you may be paying for courses taken by your employees which could just as well be financed under this Bill. It may well be that there are employees who are not aware of the training opportunities which could be made available to them. The source, for them, would be #9 on the Partial Listing.

With the rapid explosion of knowledge, keeping employees up to date in their respective fields has become quite a problem. The Congress recognized this and provided the State Technical Services Act of 1965 (P.L. 89–182). The purpose is to provide scientific and technical information for private industry, business and commerce. The words "technical services" are broadly interpreted and can include training experiences of all kinds as well as the dissemination of scientific and engineering information and research.

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[2] DeCarlo Charles R. and Ormsbee W. Robinson. *Education in Business and Industry*. New York: The Center for Applied Research in Education, 1966. Page 56.

[3] *An Employee's Guide to On-the-Job Training*. U.S. Department of Labor, Bureau of Apprenticeship and Training. This is only a 17 page pamphlet but in addition to giving some basic information it also lists the Field Offices of Bureau of Apprenticeship and Training.

[4] Farbro, Patrick C. *"The Fund for Research in Training and Development." Training Directors Journal*, June 1965, pages 42–44.

[5] McMahon, Ernest E. "University Policies and Training Problems." *Training Directors Journal*, May 1966. Pages 30–33.

The purposes of the Act are accomplished through the efforts of qualified institutions, public as well as private nonprofit institutions. If you have needs for your employees, you should be contacting such institutions to encourage them to provide the training assistance you need, and at no cost to your training budget. If you don't know whom to contact in your state, your Federal source is #10 on the Partial Listing.

WHY ISN'T INDUSTRY INVOLVED?

Given the above very short and incomplete list of training opportunities which can be funded by the Federal government, why hasn't industry been involved to the extent possible? One reason is the traditional tendency of private industry to stay away from anything which is government sponsored.

There are other reasons which should not be ignored. For one, too little effort has been made by the appropriate government agencies and individuals to define the role which might be played by existing resources. The tendency has been more toward developing new resources rather than working with what already exists. There has not been enough innovative thinking among the practitioners.

Another problem area is the need for closer liaison between Washington and the field. One attempt in this direction is that made by the Office of Education, which has only recently reactivated its field offices and is slowly turning decision making over the field. Of course, this has been a hallmark of the antipoverty program, but the staffing of field offices did not encourage the kind of decision making at the local level which had been envisioned.

On the other side, business and industry must develop new ways of working with the Federal government. Through associations, consortiums and other forms of group ventures, it should be possible for related organizations to isolate those areas in which they have need and expertise. Individual companies must allow for more interaction between their training staffs and Washington. This is not a call for more "five percenters," those individuals whose function it is to obtain government contracts for their clients; rather, the training director must be made more knowledgeable and then given the time and funds to uncover the opportunities which abound as a result of the flood of legislation but which are not always apparent.

If the above is done, then another problem might well be handled. To date, the legislation reflects the government point of view and the needs as can be determined by Congress. Trainers must make their needs known to Congress if their requirements are to be reflected in the legislation.

CONCLUSION

The effect of legislation on training must be understood by all personnel connected with employee development if they are to meet the obligations of the job. For the future, the training director must spend more time bringing himself up to date on related legislation, must become more innovative in identifying how the legislation may be used to supplement the usual training programs of his organization, and must explore ways in which he can have a decisive effect on legislation as it goes through the normal processes and procedures of our government.

PARTIAL LIST OF SOURCES FOR INFORMATION ON FEDERAL PROGRAMS RELATED TO TRAINING IN BUSINESS AND INDUSTRY

1. Bureau of Apprenticeship and Training, U.S. Department of Labor, Washington, D.C. 20210.

2. Manpower Administration, U.S. Department of Labor, 1730 M Street, N.W., Washington, D.C. 20210.

3. Office of Research, OMPER, Manpower Administration, 1730 M Street, N.W., Washington, D.C. 20212.

4. Bureau of Research, Division of Adult and Vocational Research, U.S. Office of Education, Department of Health, Education and Welfare, Washington, D.C. 20202.

5. Bureau of Adult and Vocationl Education, Office of Education, Department of Health, Education and Welfare, Washington, D.C. 20202.

6. Division of Adult Education Programs, Bureau of Adult and Vocational Education, U.S. Office of Education, Department of Health, Education and Welfare, Washington, D.C. 20202.

7. Work and Experience Training Programs, Bureau of Family Services, Welfare Administration, Department of Health, Education and Welfare, Washington, D.C. 20201.

8. Community Action Programs, Office of Economic Opportunity, 1200 19th Street, N.W., Washington, D.C. 20506.

9. Veterans Benefits Office, Veterans Administration, Washington, D.C. 20420.

10. Office of State Technical Services, U.S. Department of Commerce, Washington, D.C. 20230.

DEATH OF WILLARD M. KIPLINGER

Mr. LAUSCHE. Mr. President, I join with the many friends and acquaintances in mourning the loss of one of Ohio's most prominent and beneficent native sons, Mr. Willard M. Kiplinger, who died at his home in Bethesda on Sunday.

Mr. Kiplinger, a native of Bellefontaine, Ohio, began his most illustrious and successful career in journalism as editor of his high school paper at Bellefontaine, and later was one of the first two journalism graduates of Ohio State University.

Mr. President, I ask unanimous consent that a newspaper article published in this morning's Washington Post, describing Mr. Kiplinger's outstanding career, be printed in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

W. M. Kiplinger, 76, founder of the Kiplinger Letters and Changing Times magazine, died of a heart attack yesterday at his home, 6609 Rover rd., Bethesda.

Long a force in Washington journalism, Kip—as he was known to friends and associates—prided himself upon being "a reporter's reporter."

Twenty years ago, the Saturday Evening Post estimated that he was "the best paid and most influential reporter in the world; also the most independent."

An aggressively unostentatious man who shunned Washington society life, Mr. Kiplinger covered the Nation's Capital for about 50 years as an Associated Press reporter, a business correspondent and an editor. But the distinguishing mark of his career was his penchant for writing Washington news in a breezy, staccato style that the folks back home understood.

Born Willard Monroe Kiplinger in Bellefontaine, Ohio, he edited his high school newspaper and became one of the first two journalism graduates of Ohio State University.

In those days, he once recalled, "the idea of a college-trained journalist was preposterous and presumptuous . . . It cost us both six months to establish the confidence of our fellow reporters."

ESTABLISHED CONFIDENCE

He joined the Ohio State Journal as a cub reporter and covered the Columbus flood of 1913.

In a horse and buggy, he drove across town in hub-deep water to get the names of the more than 100 flood victims.

He came to Washington as an AP correspondent and had such memorable assignments as walking in the rain with Woodrow Wilson the night he was nominated for the presidency, flattering his way into District Jail to get an exclusive interview with suffragettes locked up for parading without a permit and scooping the town with the complete list of the newly appointed state directors of the War Savings Drive.

BANK CORRESPONDENT

Mr. Kiplinger left AP in 1919 to become correspondent for the National Bank of Commerce of New York. As such, he established a query service to answer questions of clients about what was happening in Washington.

One evening in September, 1923, he decided to send all his clients a letter, a supplemental summary of Washington news. This was the first Kiplinger Washington Letter, which has since remained in continuous weekly publication.

Like the other letters he eventually published, such as the Kiplinger Tax Letter and the Kiplinger Agriculture Letter, the Washington Letter is colloquial in style, with "flag words" underscored and a controversial amount of prophetic opinion.

It was Mr. Kiplinger's experience that "men in public life would often give you a straight story in private, then reverse their field in their pro forma public statements.

NEVER QUOTE SOURCE

His newsletters, accordingly, have never quoted a source and have abounded in off-the-record comment indicating trends. He published details of the Marshall Plan four months before it was publicly announced.

Having pioneered in supplying businessmen with news, interpretation and judgment on economics and politics, Mr. Kiplinger decided to give families parallel information of the economics of day-to-day living. In 1947 he inaugurated the monthly magazine, Changing Times, which now has well over 1 million circulation. It is unique in the publishing world in its ability to make a profit without advertising and without ever having increaseed its subscription price.

The organization Mr. Kiplinger built went into the book-publishing business and its first five best sellers included three written by the boss himself, the most notible being his detailed and colorful account of political Washington, "Washington Is Like That."

PLAYED DOMINANT ROLE

Mr. Kiplinger played a dominant role in educational television in Washington from its beginning in 1952. It was largely through his efforts that Channel 26 received liberal foundation and local business support.

His most recent major interest was the Washington Journalism Center, a non-profit educational institution he helped found in 1965 to advance the study of national and international news reporting and editing.

Mr. Kiplinger is survived by his wife, LaVerne; a son, Austin H. Kiplinger, who now is president and publisher of the firm; two daughters, Mrs. John P. Wilson of Dallas and Mrs. F. E. Bonnie McNamara of Bethesda, and six grandchildren.

Services will be private. In lieu of flowers, the family requests that contributions be made to Children's Hospital.

RESPONSIBILITY FOR RIOTS

Mr. TOWER. Mr. President, during the recent rioting there were suggestions that not criminals but the scene of their crime be blamed and held responsible for the actions of an irresponsible few.

This illogical, knee-jerk reaction has been aptly assessed and laid to rest by the Dallas Morning News in an August 3 editorial which I ask be printed in the CONGRESSIONAL RECORD.

Let it be noted that Dallas does not blame Detroit—as some in Detroit once blamed Dallas.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

ON COLLECTIVE GUILT

It is not surprising that spokesmen for the various causes immediately began blaming others collectively for the crimes that occurred in Detroit.

This tendency to rush into print with assessments of collective guilt seems to be a standard reaction these days to shocking outbreaks of individual wrongdoing.

It has become customary to blame crime, not on the criminal, but on the scene of the crime. We are told he was helpless to avoid pulling that trigger or throwing that firebomb or looting that store because irresistible pressures of his surrounding environment forced him to commit his destructive deed.

And so, in the wake of Detroit's tragedy, we once again see the self-appointed tribunals for the determination of collective guilt handing down their decisions. We are informed that the City of Detroit was at fault, or that the nation was to blame or that mankind's vices of hate and bigotry really pulled those triggers.

This is not only absurd, but its logic is contrary to the fundamental principles of our religions, our government, our system of law, our way of life.

All of these are based on the basic belief that the sane man knows the difference between right and wrong and is capable of choosing between them. We Americans further believe that, as a citizen, he has not only the capability of making a responsible decision but the duty to do so.

The environment did not commit the crimes; men did. The perpetrators of these acts are not automatons, but citizens who are expected to live by the laws that the vast majority of their fellow citizens observe.

It is these individuals, not their city or their race or their nation, that must be held responsible for their actions. If there are those among them who cannot distinguish between right and wrong and govern their actions accordingly, they should be placed in hospitals, for their own good and society's, until they gain this capability. Those who are not insane deserve to be brought before the bar of justice as quickly as possible.

In the meantime, all who would condemn collectively for individual crimes deserve short shrift from the thinking public. The people of Dallas, above all others, can recognize that this form of broad-brush vilification is as unjust as it is inadvisable.

Before we are tempted to parrot the cries of denunciation against all Negroes or the innocent people of a vast city, let us recall that we were once the targets of similar comments, such as this editorial published on Nov. 23, 1963:

"It is hard, in this moment of shock and grief, not to blame all Texans, and especially people from Dallas. That city is a festering place of hatred, a magnet for race-baiters and for those on the radical right who see treason everywhere."

It appeared in the Detroit Free Press.

HUMAN RIGHTS CONVENTION ON SLAVERY IN COMPLETE ACCORD WITH U.S. LAW—CXIV

Mr. PROXMIRE. Mr. President, not a single one of the Human Rights Conventions on Forced Labor, Freedom of Association, Genocide, Political Rights of Women, and Slavery has yet been ratified by the United States. The Senate has had these five conventions before it for an aggregate total of 48 years—without so much as a single report from the Committee on Foreign Relations.

The Convention on Slavery was submitted to the Senate along with the Conventions on Forced Labor and Political Rights of Women for this body's advice and consent on July 23, 1963, by President John F. Kennedy. President Kennedy wrote at that time:

> The United States cannot afford to renounce responsibility for support of the very fundamentals which distinguish our concept of government from all forms of tyranny. Accordingly, I desire with the constitutional consent of the Senate, to ratify these Conventions for the United States of America.

The Convention on Slavery is supplementary to an earlier Convention on Slavery, which was signed by the United States during the Presidency of Calvin Coolidge and ratified during the Presidency of Herbert Hoover.

The convention charges all parties to it to take whatever steps are necessary to abolish the institutions and practices akin to slavery. These practices and institutions are: debt bondage, serfdom, delivery of children by parents or guardians to others for exploitation, involuntary marriage or transfer of women for consideration, and transfer of widows as inherited property.

Further, this convention provides that the slave trade should be prohibited, that the act of enslaving another person should be a criminal offense, and that any slave taking refuge on board a vessel of a state party to this convention shall be free.

To every American, this is a fundamental question long since resolved in our Constitution—13th amendment—and Federal statutes—Slave Trade Prohibition Act and peonage laws.

Yet the Senate has failed to act for 4 long years on this convention. The name of the United States is missing from the list of the 71 countires which have formally endorsed the Convention on Slavery.

Let the Senate correct this glaring error of omission by giving to the President of the United States the constitutional consent of the Senate in order to ratify the Convention on Slavery along with the Human Rights Conventions on Forced Labor, Freedom of Association, Genocide, and Political Rights of Women.

NEED FOR EVALUATION OF WASHINGTON-BALTIMORE AIRPORT FACILITIES

Mr. SPONG. Mr. President, the Civil Aeronautics Board currently is investigating the use of the three airports in the Washington-Baltimore area—National, Dulles, and Friendship. A comprehensive evaluation of airport facilities in this area is long overdue.

Increasing congestion at Washington National raises a serious question as to the adequacy of service being provided the traveling public by that airport. At the same time, the modern facility at Dulles International, which Congress established at substantial Federal investment to serve the Nation's Capital in the jet age, lies relatively idle.

A variety of solutions to this illogical situation have been suggested. "Move Them to Dulles," is the title of an editorial published yesterday by the Washington Post on one aspect of the problem. I ask unanimous consent that the editorial be printed in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

MOVE THEM TO DULLES

The way to get rid of the congestion at National Airport is simply to move all flights of more than 500 miles to Dulles Airport. It is not, as Congressman Pucinski has proposed, to juggle things around at National so that ground congestion is temporarily relieved, nor, as the CAB Examiner tentatively proposed, to permit some longer flights into National and apportion them among the airlines.

The trouble at National is that more and more people are flying each year. That Airport was built originally to handle 4 million passengers a year. This year it will handle about 10 million. Next year the figure will approach 11.5 million. Congestion inside the terminal is intolerable and the parking and traffic problems are out of hand. In addition, although the FAA insists that air traffic has not passed the danger point, it is obvious to anyone who has waited on the runways or circled in the air that the takeoff and landing capacities of National are often overtaxed.

Mr. Pucinski's proposal is to solve this by making it harder to rent automobiles at the terminal, eliminating valet parking, transferring Eastern's Air-Shuttle operations to some building outside the terminal, and remodeling the terminal itself. All that this would accomplish is to retain the convenience of National for those who travel from Atlanta and Chicago, particularly for the Congressmen from the South and Midwest. It is just another brazen attempt to override the public interest for the personal convenience of Congressmen.

Carried along with Mr Pucinski's proposal are threats from other congressional sources that there will be a thorough investigation of airline rates and profits if Congressmen are inconvenienced. Similar "persuasion" was applied to the FAA when it tried to bar all flights of more than 500 miles from National a year ago. We hope the CAB will do its job and not run from this attempt at blackmail.

The proposal explored by CAB Examiner Newmann that flights of, say 500 miles or more to National be limited and apportioned among airlines is also unacceptable. A person flying to Chicago ought to be able to leave and return from the same airport without spending hours studying schedules.

The only way in which air travelers can retain the convenience that National has given this city is if a rapid transit line is built to Dulles. That might be possible if it got the kind of support now being put forth by Mr. Pucinski and the other Congressmen who are outraged at the thought of spending as much time getting to an airport here as they spend getting to one in New York, Chicago or Los Angeles.

UPON THE DEATH OF KERN TIPS

Mr. TOWER. Mr. President, the State of Texas lost an outstanding citizen and servant last Thursday. On that date Kern Tips, of Houston, the dean of Southwestern sports announcers, passed away.

I can remember many a day when I was unable to attend my favorite game, sitting by my radio and listening to the broadcasts of Kern Tips. His method of delivery made it almost as good as being there. As a matter of fact, even when I did attend the game, I frequently took my radio, so as not to miss Kern's broadcast.

Mr. President, I ask unanimous consent that a brief account of Mr. Tips' career from the August 4 Houston Post be printed in the Record. Texas will certainly miss Kern and his colorful broadcasts. He added relaxation, excitement, and just plain fun to our lives which too often were overfilled with the worries and trials of the work-a-day world.

There being no objection, the article was ordered to be printed in the Record, as follows:

Kern Tips, Veteran Grid Announcer, Dies at 62

Kern Tips, 62, of Houston, the voice of Southwest Conference football, died Thursday of cancer in Methodist Hospital.

A coiner of colorful phrases and a master of the staccato delivery, Tips ended his 32nd season as a football announcer for Humble Oil & Refining Company last Dec. 17 at the Bluebonnet Bowl game. Because of declining health, he did not plan to be in his familiar place in the press box next fall, a Humble spokesman said.

"The death of Kern Tips comes as a great shock to all of us who were his friends for so many years," said Herman P. Pressler Jr., a Humble Oil vice president. Pressler continued:

"His association with our company spanned a third of a century. He pioneered the broadcasting of Southwest Conference football games and became one of the nation's greatest and most memorable sports commentators. Kern Tips was not only a fine communicator, but was outstanding as an individual and as a citizen. We deeply regret his loss and share the grief of his family at this time."

Tips lived at 8917 Memorial Drive.

Born Aug. 28, 1904, in Houston, Tips' career as a football announcer followed earlier experience as a writer, and he always advised young persons interested in sports broadcasting to first train as sports writers.

He attended Texas A&M College and Rice University.

He was sports editor of the Houston Chronicle from 1926 until 1934. He managed the KPRC radio station for the next 12 years, and in 1947, he began still another career—in advertising agency work. Tips joined the firm of Franke-Wilkinson-Schiwetz, which later merged into McCann-Erickson Inc. He retired as a vice president of the company last Sept. 1.

After retiring from the advertising agency, Tips continued to produce a five-minute feature-type sports program carried twice daily, five days a week by 15 radio stations, including two in Houston.

Services will be held at 11 AM Saturday in Trinity Episcopal Church, with Settegast-Kopf Funeral Home, 3320 Kirby Drive, in charge of arrangements. The body will be cremated.

Tips is survived by his wife, Mrs. Nancy Tucker Tips; a son, Robert Kern Tips; a daughter, Mrs. Phillip H. Jones, all of Houston and two sisters, Mrs. W. P. Alliger of Kerrville and Mrs. L. T. Paine of Deerfield, Ill.

UPWARD BOUND IN WISCONSIN

Mr. NELSON. Mr. President, Project Upward Bound of the Office of Economic Opportunity has been one of the most popular and successful of that agency's programs.

It affords the opportunity to poor high school students to go on to college if they have the ability.

Lawrence University in Appleton, Wis., administers an imaginative and creative Upward Bound program.

This summer 50 participants in the program are attending the "Trees for Tomorrow Camp" at Eagle River, Wis.

The students learn of various aspects of conservation and natural wildlife as part of their program.

The Appleton Post Crescent recently published an excellent article describing this effort.

I ask unanimous consent that the article be printed in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

Upward Bounders Study Conservation

Eagle River.—The Trees for Tomorrow Camp has been an outdoor classroom for 50 members of the Upward Bound program at Lawrence University, Appleton, this week.

Saturday the students, with pieces of birch bark stuffed in their suitcases as souvenirs and ideas on resource management crammed in their heads, returned to the Lawrence campus.

During their week's stay at the camp they attended tours of the grounds and nurseries, visited the Forest Products Building, studied the history of the area, and took side-trips to a fish hatchery and game farm.

The Upward Bound program, financed under the federal anti-poverty program, affords an opportunity for higher education to students with academic ability and financial need.

FROM MILWAUKEE

The majority of the participants at the Lawrence campus are from Milwaukee. The Upward Bound group in Appleton is directed by George Walter of Lawrence University. There are 248 such projects in the country including five being conducted this summer in Wisconsin.

Since late June the group in Appleton has studied advanced mathematics, English, business management, dramatics, history and typing.

The Trees for Tomorrow Camp provided an experience in a world not confined by concrete and steel for many of the Milwaukee participants. They learned about conservation techniques, wildlife, management, soil and water resources and the makeup of a forest. Job opportunities in the field of resource management also were discussed.

NONPROFIT CAMP

Founded in 1944, the camp is a nonprofit organization operated by 11 paper mills and seven power companies.

Lectures on the relationship between natural resources and their products were discussed by Al Barden and Lee Andreas, staff forestry teachers.

"Like each of the annual 4,000 visitors to the camp, the youths viewed trees only several inches high in seed beds, and mature stately trees three and four feet in diameter," M. N. Taylor, executive camp director, says. "In the demonstration forest, every tree is common to the lake states area. This unique plot is allowed to remain in its natural state to demonstrate how wood producers today can assist in growing trees as a crop."

After a tour through the forest, the students visited the Forest Products Building where hundreds of by-products from the trees are exhibited.

RELATED ASPECTS

The Upward Bound participants also studied related aspects of conservation and natural wildlife. They toured a musky hatchery in Woodruff and listened as fish managers explained the procedure of stripping spawn from adult fishes and rearing the eggs to the fingerling stage for release into fishing waters.

Forest fire fighting equipment was examined at Conover, north of Eagle River. Myron Ostrowski, forest ranger, explained the roles of the tower watchers who spot fires and the rangers on the ground who extinguish any blazes.

The group also toured the Star Lake tree plantation where members observed a tree thinning procedure. Later in the week they visited a paper mill in Rhinelander and watched as huge logs were chipped apart in seconds and produced into paper.

Cookouts, student stunt nights, and a visit to a game farm in Boulder Junction were included on the busy agenda of the Upward Bound participants.

The week of field tours, lectures on conservation, and movies about natural resources provided an educational dimension for the youngsters from low income families who might otherwise miss the opportunity.

All 50 participants, according to Mr. Walter, have been granted scholarships for some form of advanced schooling. In September, 40 of the students will begin college studies and 10 will pursue technical training courses.

THE RENT SUPPLEMENT PROGRAM

Mr. SCOTT. Mr. President, I support the rent supplement program. In doing so, I support the bipartisan declaration of national housing policy, whose architect was the late and great Republican Senator from Ohio, Robert A. Taft.

That policy not only sets the objective to be achieved "a decent home and a suitable living environment for every American family" but also focuses on the means. May I point out that our policy in attaining this objective is, to quote from the Housing Act of 1949:

> (1) Private enterprise shall be encouraged to serve as large a part of the total need as it can and (2) governmental assistance shall be utilized where feasible to enable private enterpirse to serve more of the total need.

For many years, I have supported public housing since it has been the only mechanism available to fulfill our Nation's pledge to the millions of ill-housed low-income families. Nevertheless, we must realize that, while public housing remains for many purposes an excellent mechanism, it is by no means the only answer. In fact by narrowly limiting our efforts in the low rent housing field to public housing we have by nonaction scuttled the objective of involving private enterprise in serving the largest possible share of the total need for low-income housing.

As a Republican, I am proud of the leadership of my party in attempting to get our housing programs back in line with our Nation's housing objectives. Representative William B. Widnall of New Jersey, ranking Republican member of the House Committee on Banking and Currency, has successfully led the fight to broaden and reorient public housing. His "rent certificate" program has reintroduced public housing to the private marketplace. And, not only has this program been a success in providing decent housing for many thousands of families, but perhaps even more important, it has succeeded in opening the eyes of public housing administrators in Washington and throughout the Nation to the fruitful possibilities that can result from enlisting the Nation's homebuilding industry in the task of housing the Nation's poor.

The section 23 leasing program which Representative Widnall sponsored and which the administration grudgingly supported, after much kicking and screaming, allows public housing authorities to utilize privately owned, privately operated properties that pay full taxes for the benefit of those who most need decent homes. And perhaps most importantly it does it quickly without the tremendous amount of redtape involved in a wholly public operation. Instead of forcing families to live in squalor while vacant standard units exist in the same locality the rent certificate program takes the commonsense approach and makes it possible to properly utilize these resources.

It is this same commonsense approach and the proper utilization of resources that also characterizes the rent supplement program—a program that uses privately owned housing throughout.

Further, I would like to point out that there is little actual difference between the rent supplement program and the rent certificate program. Of course, the rent certificate program involves single family housing whereas the rent supplement program involves multifamily housing. Also, the rent certificate program uses existing housing while the rent supplement program is designed to encourage the construction of new housing. However, these minor differences do not distract from the fact that the underlying philosophy of rent certificates and rent supplements are identical.

Both programs offer a subsidized rent—a rent payment from the Federal Government to a private landlord on behalf of the low-income families occupying the premises.

Under the rent supplement program, the rental payment is made by the Government to a nonprofit corporation or to a limited dividend corporation or to a cooperative, whichever owns the property. In the rent certificate program, the payment is made to the private landlord. Certainly there is basically no difference between the two programs in this regard. In fact they complement one another.

With close to 8 million families living in substandard housing, it is increasingly apparent that we need to produce a large volume of new housing. We need all the housing we can get for our low-income families—whether that housing be made available by full utilization of existing housing, by the rehabilitation and use of existing housing, or by the construction of new housing. I believe that both rent supplements and rent certificates are useful mechanisms in our professed goal of attaining a decent home for our low-income families. Both are working toward expansion of housing for low-income citizens and both seek the maximum involvement of private resources of the Nation's homebuilding industry.

It was, therefore, with some dismay that I have heard some of the attacks on rent supplements, for the rent supplement program totally involves the nongovernmental sector in the task of producing low-income housing. Not only will private builders build these developments but they will own and manage them as well. With a current waiting list of close to one-half million families in low-rent public housing, it is clear that we need to use additional approaches for meeting low-rent housing needs. If rent supplements can meet the test of the marketplace the gainers will be not only the many ill-housed low-income families but the whole Nation.

I view as unfortunate the attempt to nip this program in the bud. My views are echoed not only by hundreds of thousands of families living in the great urban complexes of my Commonwealth but also by many groups who have a deep commitment to private enterprise. In this regard I wish to read into the Record portions of a letter written by John C. Williamson, director of governmental relations of the National Association of Real Estate Boards, which was published in the Washington Evening Star on May 26, 1967:

> Your editorial, "Empty Victory," reflects the feeling of many of us in the real estate industry that the decision of the House of Representatives to reject the rent supplement program was a tragic error and, as you express it, an "empty victory." The rent supplement program is the first housing subsidy program endorsed by all segments of the real estate industry (realtors, home builders, and mortgage lenders) as well as the more publicly-oriented housing associations and organized labor. In my more than twenty years of experience in following housing legislation I recall no other subsidy program which enjoyed the support of all non-government associations identified with housing.
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> The House action in rejecting overwhelmingly the continued funding of the rent supplement program reflects an aversion against direct subsidizing of family shelter. I have already alluded to the growing bipartisan support of public housing where the full impact of the subsidies are hidden in exemption from local taxes and financing through the issuance of tax-exempt federally guaranteed obligations. No voice is raised in the Congress against the more than one billion dollars expended annually (from federal public assistance appropriations) which go to pay the shelter costs of the poor who are on the welfare rolls. This is the most inefficient method of providing rent assistance for the poor because most of this money subsidizes slum landlords in our urban communities. No voice is raised in the Congress against the indirect subsidy paid to families of moderate income whose rental units are financed with Treasury money at a 3 percent interest rate.
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> The rent supplement program deserves an opportunity to prove itself a less costly and more effective alternative to public housing. There is still time for Congress to let this experiment go ahead.

SMALL BUSINESS ADMINISTRATION ASSISTANCE TO AGRICULTURE IN STATE OF WASHINGTON

Mr. MAGNUSON. Mr. President, as many Senators are well aware, the balance which our Nation has maintained between the growth of our farm production and our industrial output has contributed greatly to the Nation's economic prosperity.

The maintenance of this balance is important to our future growth and development as well as our national defense. In order to have a sound economy we must have growth in both areas. Agriculture and industry working together can open new and unlimited horizons for our Nation's future development.

Mr. President, I mention this fact because I wish to point out for the benefit of Senators an example of how businessmen in the State of Washington are using sound business practices and innovative genius to promote both agriculture and industry in building a strong economy for our State.

I cite the example of Mr. Oliver R. Lovins of Moses Lake, Washington.

Moses Lake is in the heart of the Columbia Basin irrigation system and is noted for its rich farm land which produces bumper crops of potatoes, beans, peas, and other garden vegetables.

The prime economic income for the area is through agricultural production. Large truck farms dot the landscape making the area one of the most beautiful as well as most productive sections in the United States.

In 1957, Mr. Lovins began operation of the Lovins Produce Company, Inc., on leased premises in Moses Lake. The firm grades, stores, and sells potatoes. Mr. Lovins, who manages the business, is a good businessman and his firm has been very successful. It has grown from a small firm to one of the largest operations of this type in the Columbia Basin area.

The business continued to grow until 1963, when Mr. Lovins decided that he needed additional working space to provide for future growth.

It was at this point in the firm's growth that the Small Business Administration's regional office in Spokane assisted Mr. Lovins by approving a $75,000 business loan for the construction of a concrete building for potato grading and storage.

Mr. T. C. Ehart represented the National Bank of Commerce, in Moses Lake, which participated in the loan on a 50-percent basis.

The growth of the firm since the disbursement of the $75,000 SBA loan in June of 1963 has been phenomenal. In 1963, before the SBA loan was disbursed, net profits for the firm were less than $20,000. For fiscal 1966 net profit almost tripled to $55,300.

The SBA loan allowed Mr. Lovins to build much needed work space and also allowed his firm to hire additional employees, thus providing new income for the economy of the Moses Lake area.

At the time of the loan 60 people were employed by the firm. Today almost 100 are employed in the business.

Mr. Lovins' success in his own firm has allowed him to invest in another enterprise, Pronto Foods, a large frozen foods processing plant in Moses Lake which employs more than 250 people. Twenty percent of the total employed are from minority groups.

Mr. Lovins is aware of the important role which the $75,000 Small Business Administration loan played in the growth of his firm and indirectly in the growth of the area's economy.

Mr. President, this is but one example of how industry and agriculture are combining forces and working together to make our economy strong.

The President has urged that "small business be made one of the biggest growth industries in the Nation."

The Small Business Administration has been doing just that. In my own State of Washington, the SBA has approved a total of 2,477 loans amounting to more than $123,486,000 since the agency was established in 1953.

I am pleased that the Small Business Administration is rendering this type of assistance throughout the Nation and is making its programs responsive to the needs of the people.

SIZE OF BUDGET DEFICIT: A GUESSING GAME—NO ONE KNOWS

Mr. PROXMIRE. Mr. President, the administration not only misjudged the 1968 deficit accruing from Vietnam operations by a whopping $4 billion; according to their latest reestimate, they missed the yield from the personal income tax by a huge $3 billion. That is, they now think they overestimated it. Of course they can be wrong again. That $3 billion may be picked up after all—and without any additional taxes and without any pickup in the economy beyond what was expected from the beginning.

The reason the administration has decided to downgrade the prospective yield of the personal income tax during the current fiscal year is that the yield of the marginal increase in the income tax last year was far below expectations. But for several years the yield has been above expectations.

A part of this enormous miscalculation has to do with capital gains or losses in the stock market. But it is partly because the status of estimating what our tax system will yield is still a matter of guessing, and the misses are likely to be very great indeed, even when the estimate of personal income is accurate.

If personal income substantially exceeds estimates or falls well below them, the Treasury guesses may miss the mark even more widely.

What all this adds up to is a warning that Congress and the public should be very cautious, indeed, in accepting any estimates of a coming deficit of $14 billion or $29 billion in the administrative budget.

These are guesses; the eventual size of the deficit will depend not only on whether a tax increase is or is not passed, how it is timed, how large it is, and what will happen to spending by the Federal Government, State and local governments, business, and the consumer, but also on what effect any given level of economic activity may have on personal income tax receipts.

I ask unanimous consent that an article by Eileen Shanahan describing this particular fiscal mystery, published in this morning's New York Times, be printed in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

Treasury Missed Tax Yield Guess—Fiscal Mystery Is Blamed for Enlarging of Deficit in Federal Budget

(By Eileen Shanahan)

Washington, August 6.—A fiscal mystery that has not yet really been solved accounted for a significant share of the great enlargement of this year's prospective budget deficit announced by President Johnson last week.

The mystery itself has major implications for future Government decisions extending beyond the area of budget policy to such matters as the possible sharing of Federal tax revenues with the states.

The problem can be stated simply: The Treasury Department no longer knows, with any degree of certainty, how many extra tax dollars it will collect out of each billion dollars of rise in total individual income.

Up until a few years ago, the Treasury knew this with considerable precision. The result was that if the Government's forecast of the economic outlook (and the accompanying change in personal income) were correct the Treasury's estimates of total individual income tax collections were also correct.

CLOSE TO MARK

Since individual income tax collections constitute far and away the largest single chunk of Government tax receipts, its over-all tax collection estimates were also usually reasonably close to the mark, unless its basic economic forecast was seriously wrong.

Now however, the Government can be right, or nearly so, about the over-all economic outlook and still be very wrong about its individual income tax collection anticipations.

That is exactly what has happened this year, as officials publicly conceded last week in explaining the arithmetic of the President's tax increase proposal.

The trouble began in 1964, when an old rule that had stood since the mid-1950's proved wrong.

The rule was that the Government collected 10 or 11 cents in individual taxes out of every $1 of increase in total personal income.

The actual collections on 1964 individual income actually amounted to 14.3 cents for every dollar of increase in personal income.

PROPORTION GAINED

In 1965, the proportion moved up dramatically further, to 17.2 cents of every dollar.

In both years, the Treasury's advance estimates of tax collections were billions too low.

Thus, in making its estimates of the taxes to be collected on 1966 calendar year income—which mainly go into the fiscal 1967 budget—the Treasury adopted the hypothesis that the proportional yield would rise even further, to 19.2 per cent. It was wrong. The actual yield fell back to 14.1 per cent.

The decline in the ratio of the tax take cut $2.2-billion from the estimated fiscal 1967 individual tax collections, the final figures on which became available with the end of the fiscal year in June.

With this experience in mind, the Treasury last week revised downward its January estimates of personal tax collections for the current, 1968, fiscal year by $3-billion.

It arrived at the $3-billion figure by using the assumption that the tax yield on calendar 1967 income would be 15.5 cents on every dollar of increased income, with an adjustment of $500-million to take into account the higher expected capital gains taxes from a rising stock market.

The fall in stock prices last year, despite general prosperity, contributed to the decline in personal tax collections.

The short fall in this area was not great enough, however, to explain the entire discrepancy between the estimates and the actual receipts and nobody knows what the full explanation is other than the clear fact that the Treasury used a ratio that was too high.

The estimate that the tax yield for each extra dollar of personal income will be 15.5 cents this year merely represents a figure that is in the range of recent experience.

It is not necessarily any more reliable than the ratios that have been used in other recent years and have proved wrong.

PROPOSED DISTRICT OF COLUMBIA REORGANIZATION

Mr. KENNEDY of New York. Mr. President, last week, the House Government Operations Committee voted 26 to 4 in support of the administration's reorganization plan for the District. The plan, which has wide support among civic leaders and in the press, would help make Washington's government more efficient and effective, and would facilitate its responsiveness to the concerns of the District's citizens. It is not a home rule measure, but it is a step in the direction of better government and is, accordingly, well worthwhile.

However, an alternative to the reorganization, setting up a city manager and providing for an elected school board, has also been proposed in the House. I believe enactment of this alternative proposal would be a mistake. It would not result in any meaningful reorganization of the District's government. It would not eliminate the present divided authority of the District Commissioners. It would not pave the way to further internal reorganization of the District government. A part from the elected school board proposal, it would not help much at all, and is, therefore, much less constructive than the administration's reorganization plan.

Indeed, if the House does pass the proposed alternative, I would hope that the Senate will consider strengthening it to make it a real home rule measure. The Senate has enacted home rule many times in the past, so this suggestion is not without precedent.

The more preferable approach would be to allow the administration's reorganization plan to go into effect without further complication. That will avoid parliamentary difficulty and confusion. And then we can build on that action to try at last to bring true home rule to the District.

MAN—A RAT'S BEST FRIEND

Mr. SCOTT. Mr. President, I ask unanimous consent that an informative article describing the problem of rats in Philadelphia be printed in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

Human Buddies Make Sure Rats Prosper, Multiply Here

(By Rose DeWolf)

Maybe a man's best friend is a dog, but a rat's best friend is a man.

Sure, men say nasty things about rats—call them disease-carriers and baby-biters and property-destroyers, and dirty no-goods and things like that—but the rats aren't insulted.

Deep down they know that man is their friend. Who else than their human buddies supplies them with more food, water and shelter?

The above theory belongs to Browne C. Lucas, chief of the environmental section of the Philadelphia Health Department. Lucas is being only a bit whimsical when he describes the lowly rat's warm feelings for Philadelphians.

Philadelphians are great litterers, for example. We don't just drop papers. "We have a lot of people who don't want to wait for garbage collection so they just put a bag of garbage in their car and on the way to work they deliver it by airmail . . . that is, they toss it out the window onto a vacant lot," says Lucas. "The rats get breakfast in bed . . . what more could they ask for?"

The subject of rats came up most recently because the U.S. House of Representatives considered and rejected a bill that would have provided $40 million over a period of two years for rat control projects.

Since the bill was defeated, there is no way of knowing what Philadelphia's share of this might have been.

Browne C. Lucas feels it might have been around $200,000 a year. The city now spends $150,000 a year on rat control and Newell E. Good, the city public health entomologist recently said that amount does not even enable the city to keep even with the rats.

Lucas says you can't really estimate how many rats there are in Philadelphia. New York City estimates their rats at one per person or 8 million rats, but Lucas says there is just no accurate way to count them.

Last year the city received 6,000 complaints about rats. The phone calls, Lucas says, do not accurately reflect the problem. There are undoubtedly more rats in the slums than in the Northeast, for example, but more rat complaint phone calls come from the Northeast than from the slums. The difference, Lucas says, may be due to the attitude of the residents in demanding service from a public agency.

Rats are a problem, not just because of their potential as disease carriers (in fact, there really haven't been any rat-type plagues of late), but because they gnaw and therefore damage so much property. They are also unesthetic to most tastes.

Rats gnaw constantly. They have to. A rat's lower tusks grow two inches a year and if he didn't wear them down by gnawing, they'd grow up into his head and he'd actually stab himself to death. Rats gnaw through anything except metal.

Lucas keeps urging people to enclose their garbage in metal containers with tight lids but he thinks a more extensive (and expensive) educational program is needed before he'll get results.

The average Philadelphia rat, incidentally, is of the rattus norvegicus variety (as opposed to the rattus rattus variety which dwells cleanly in laboratories), weighs about a pound, sees everything in shades of gray and is pretty smart.

Rats, says Lucas, are fussy eaters. They prefer clean, dry garbage to messy, rained-on garbage if they can get it . . . and they usually can. The city's sewer system is a big underground highway for rats, despite constant gassing and fogging efforts to discourage them. They go where they feel welcome—that is where food and shelter are easy to come by.

Philadelphia is never going to eliminate rats, says Lucas. As long as one male and one female escape the traps, ratdom can continue to flourish. But rats can be controlled if money is available for both rat-poisoning and man-educating projects, he says.

Meanwhile, as long as man is content to have the rat in his midst, the rat is perfectly content to stay there.

HEALTH CHECKUPS AND "MID-CAREER CONSULATIONS"

Mr. MONDALE. Mr. President, the Wall Street Journal of June 8 contained an informative article about the increasing effectiveness of periodic health checkups in facilities designed expressly for effective, pleasant, and timesaving screening procedures.

I believe that the article is significant, and I ask consent that it be printed in the Record. The article is timely because health screening is receiving more and more attention from doctors and others who believe that prevention of disease should be at least as important a health goal in this Nation as treatment of disease.

As the article says, periodic examinations can detect the earliest signs of disease that could become chronic without early, preventive methods. I am impressed, for example, with the finding at one clinic that 3 percent of the people examined at one clinic have ulcers. I am even more impressed with the American Cancer Society that 50 percent of the U.S. population has never had a thorough health examination.

Perhaps, in view of such neglect, we should not be surprised that recent surveys show that 87 million living Americans, or 46 percent of the population, suffer from one or more chronic disorders. And it is not surprising, although it is appalling, that the total cost of chronic disease costs our economy an estimated $57.8 billion annually.

Fortunately, Congress has already received a proposal that would make health screening available to many Americans. The chairman of the Senate Special Committee on Aging, the Senator from New Jersey [Mr. Williams] has been persuasive and energetic in his efforts to advance the Adult Health Screening Act, or, as it is called in the Wall Street Journal, "Preventicare."

When Senator Williams first advanced the Preventicare bill early last year, he was pioneering in a new area. But within a relatively few months, the "Preventicare" concept had won many supporters. At a hearing last September of the Subcommittee on Health of the Elderly of the Committee on Aging, for example, distinguished experts from medicine and related fields made a compelling case for action along the lines suggested by the Williams legislation.

Health screening, to be effective for large numbers of people, should make full use of modern equipment now available. The Williams bill proposes the establishment of regional centers with links to satellite centers. Computers, automatic blood chemistry analyzers, and semiautomated equipment could be used effectively and economically. As the Wall Street Journal article implies, such arrangements would save the time of physicians by relieving them of many routine tasks now associated with the traditional physical examination. Under the "Preventicare" proposal, Americans past 50 would receive such screening if they wish to do so. Their physicians would analyze the findings provided by screening.

Mr. President, the new advances in health screening are directly related to a study now underway by the Subcommittee on Retirement and the Individual of the Senate Special Committee on Aging. At its opening hearing on June 7, the subcommittee heard from John Gardner, the distinguished Secretary of Health, Education, and Welfare. One of his major proposals called for midcareer clinics "to which men and women can go to reexamine the goals of the working life and consider changes of direction." As the Secretary said:

> Consultation has a great deal to do with retirement because if the individual reaching retirement is fully alive and accustomed to thinking constructively about life's transitions, he will be far better fitted for the next stage of the journey. All too often the man reaching age 65 has spent much of his work career in a routine or a blind-alley job, has been denied the opportunity to think actively and constructively about the use of his abilities, and has learned no new skills or interests for years. Then we plunge him into one of life's toughest adjustments and expect him to make it easily.

As chairman of the Retirement Subcommittee, I have since asked for opinions on whether health consultation should also become part of the midcareer assessment. Knowledgeable witnesses have agreed with my premise that screening for incipient disease can indeed be effective in middle age or even before—or at just about the time a person should receive midcareer consultation. I shall continue to gather testimony and opinions about the relationship of screening and preparation for retirement, and I shall also seek more information about the possible relationship of the "preventicare" proposal to comprehensive midcareer planning. I believe that the two ideas could well complement each other, and I think that the time has come for serious thought to be given to each.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Minnesota?

There being no objection, the article was ordered to be printed in the Record, as follows:

Say "Aahhh"—More Americans Rely on Periodic Checkups To Spot Ailments Early—How a Thorough Health Exam in a Private Clinic Differs From the Routine "Physical"—A Proposal for "Preventicare"

(By Jerry E. Bishop)

New York.—The room is small and quiet, and the young lady is blonde and comely. She places a cool hand on the reclining man's forehead, looks into his eyes and says gently: "Look up and don't blink."

Then she touches a pressure gauge to his eyeball.

An anticlimax, perhaps, but one only to be expected. The young woman is a medical technician using the small cylindrical pressure gauge to administer a tonometer test—that is, to check the man's eyes for signs of glaucoma.

The tonometer test is one of more than 30 different tests and examinations that make up a comprehensive health examination—commonly known as the yearly checkup. It is administered about midway through the four-hour-long checkup given by technicians and physicians at Manhattan's big Life Extension Institute, a 54-year-old private organization that specializes in providing periodic health examinations to corporate executives, employee groups and individuals.

The exam includes X-rays, blood and urine analyses, electrocardiograms, lung tests and a host of other procedures aimed at spotting tell-tale signs of afflictions ranging from cancer and heart disease to ulcers and gout. Usually diseases that are detected early enough can be cured or arrested more easily.

NEGLECTED CHECKUPS

For decades, doctors have been advocating—and most Americans have been avoiding—yearly health checkups. A recent survey by the American Cancer Society indicates that 50% of the U.S. population has never had a thorough health exam, and only 25% undergoes health exams regularly.

But periodic examinations are beginning to find new favor among Americans. Skyrocketing costs of medical care are being borne increasingly by health insurance and Government programs such as medicare and Medicaid. Acting on the theory that a disease caught in its early stages is less costly to treat, those who pay for or administer such programs—employers who pay insurance premium, insurance companies, medical care plans and others—are trying harder to prod people into making regular checkup visits to physicians.

More important, still, the chronic diseases that periodic exams are designed to detect and prevent have replaced fast-striking, unpredictable infectious illnesses as the major causes of death and disability. Heart disease, cancer and stroke currently account for 70% of all deaths in the nation. And health authorities estimate that more than 87 million living Americans, or 46% of the population, suffer one or more chronic disorders, ranging from arthritis and cataracts to diabetes and heart disease.

RAISING THE CANCER "CURE RATE"

Many medical men claim that new methods of disease detection and prevention can make periodic checkups a major weapon in stemming this rising toll. The Cancer Society says annual checkups using existing early detection and diagnotic techniques could help raise the cancer "cure rate" to half of all persons afflicted with cancer from the present cure rate of one-third.

Some lawmakers even are urging that the next big Federal medical program be oriented toward regular examinations of apparently healthy people. A Senate subcommittee has called for a Federal effort to promote mass screening programs to detect the more common chronic diseases. Sen. Harrison A. Williams (D., N.J.) has introduced a bill for a Federal "preventicare" program to provide health examinations for all persons 50 and over.

GRUMMAN'S PROGRAM

Many large corporations are convinced of the worth of providing periodic health examinations for valued employes. This year about 1,000 Grumman Aircraft Engineering Corp. employes over 50 will undergo complete checkups at New York City's Strang Clinic as a cost to the company of about $60 a person. Of the 2,333 Grumman employes examined in the last 12 years, about 50% have been found to have had some condition requring medical attention. "The findings resulted in the early detection and treatment of a great many disorders which might otherwise have been disabling or fatal," says a Grumman spokesman.

A periodic examination does more than just spot incipient illness. Medical researchers in recent years have learned that various living habits and physical conditions increase the risks of certain diseases later. For example, high amounts of fats in the blood, smoking and excess weight are known to increase the chances of having a heart attack. If nothing else, the annual checkups give doctors a chance to spot such high-risk people and to warn them to change relatively dangerous habits.

For most Americans, the annual checkup consists of a visit to the family doctor, who usually submits blood and urine samples to a medical laboratory for analyses and refers the patient to a radiologist for X-rays. For a growing number of persons, however, the exam means an appointment at a clinic specializing in health checkups.

One of the oldest of these clinics is Life Extension Institute, hidden away in a buff-brick building near New York's Grand Central Station. Some 15,000 persons, most of them middle-aged, go through the clinic each year, frequently at their employer's expense. Examinations range from a two-hour, $40 checkup for persons under 40 to an $85, four-hour session recommended for—but not limited to—those over 40.

I'm 36, and I recently had the four-hour checkup. It was a far cry from the ego-shattering physical that millions of naked, shivering American men have undergone in military induction centers. I disrobed only twice, for a few minutes each time, during my examination.

The exam began at 10 a.m. when an attractive brunette receptionist ushered me into a spacious, modern lounge that resembled the waiting room of many corporate executive offices. Several men were sitting in big, comfortable chairs, wearing thigh-length white cotton wrap-arounds, trousers and shoes. They weren't, as I first supposed, technicians waiting to pounce on me. They were only waiting their turns to visit various examining rooms down the hall.

I left my coat and shirt in a small dressing booth, donned a wrap-around and sat down at a table in the lounge to fill in a lengthy medical history form. It listed past illnesses and accidents, details of my smoking, drinking and eating habits, and what recent minor aches and pains I could recall. Later, a physician studied the form and used it as a guide while interviewing me.

"Often, we can learn more from talking with a person than by examining him; if he's sick, he's likely to tell us about it," says the institute's long-time director, Dr. Harry J. Johnson.

My first examination of the day was in a spartan, lead-lined room dominated by an awesome X-ray machine. Following advance instructions, I had skipped breakfast ("not even a cup of coffee") so that my stomach would be empty. My first "meal" of the day was a paper cupful of a pink, chalky-tasting liquid that contained barium. It coated my stomach and the entry to the duodenum, the upper part of the small intestine, to provide a detailed outline on the X-ray film that would reveal any abnormal narrowings or obstructions in those organs.

"HOLD IT"

Several X-rays were taken while I lay on the table, shifting to various positions and trying hard to heed the technician's instructions: "Take a deep breath. Hold it. Don't move."

Later, I was told to return to the X-ray room at the end of the checkup for a final gastrointestinal tract X-ray to see how much barium had gone from my stomach into my small intestine. "It normally takes about two hours for the stomach to empty," Dr. Johnson explained later. "If we find the barium isn't emptying from the stomach at the normal rate" another X-ray is taken. If the stomach still appears to be emptying abnormally slowly it may indicate an obstruction in the duodenum, perhaps a tumor.

"We find ulcers in about 3% of the people we examine, and in about a third of these cases there have been no symptoms," says Dr. Johnson. If an ulcer is detected, antacids and special diets can minimize the dangers of the ulcer perforating the stomach lining or causing internal bleeding.

A chest X-ray, aimed at detecting spots on the lungs, also was taken during my first visit to the X-ray room. "We don't see much tuberculosis anymore," says Dr. Johnson. Instead, he says, lung tumors are showing up more frequently—most often in persons who are heavy smokers, according to Dr. Johnson.

OVERWORKED HEARTS

The chest X-ray also reveals the size and configuration of the heart. The width of a normal heart is less than half the width of the chest. Anything larger could mean the heart has been overworked, indicating heart disease or a number of other circulatory system ailments.

"Enlarged hearts frequently are seen in conjunction with high blood pressure or overweight," Dr. Johnson explained later. An X-ray of an enlarged heart is even more meaningful when coupled with a blood pressure reading, an electrocardiogram, a blood analysis and the medical history form showing smoking, exercise and eating habits and whether there is a family history of heart disease. Taken together, these findings can help spot an apparently healthy man who is running a high risk of a heart attack.

After the X-ray room, I visited in quick succession several other examining rooms. At the stop where the tonometer test was administered, the blonde also gave me an extensive eye examination, a hearing test and an electrocardiogram.

The electrocardiogram seemed the most mysterious of all the exams I had. It was painless, took only a few minutes and required only that I lie quietly on a padded table with wires attached to my ankles, wrists and chest while the blonde bent over a small machine on a nearby table, occasionally turning a knob.

But, in the minds of most persons, electrocardiograms invariably are associated with impending heart attacks, and as I lay there staring at the ceiling I became acutely conscious of my own heart beat. Soon I was wondering whether the inked needle on the nearby machine was tracing out telltale signs of a damaged heart.

My curiosity never was fully satisfied, for physicians at the institute never show an electrocardiogram tracing to a client; they fear he will misunderstand the machine's capabilities and become alarmed about meaningless aberrations in the tracings. "We can't make cardiologists out of everyone," Dr. Johnson says, so there is no point in showing them the tracings. The institute, however, will mail an electrocardiograph to a person's family doctor.

The electrocardiogram records electrical nerve impulses that ripple through the heart muscle, causing it to contract, or beat. If the impulses fail to follow their normal pathways or lack normal rhythm, they produce an abnormal pattern on the tracing. Sometimes interference with the impulses is caused by the failure of disease-clogged arteries to supply sufficient blood to a section of the heart muscle. A variety of other heart disorders can also produce an abnormal tracing.

SIGNAL FOR A CLOSER LOOK

But a healthy heart can produce a seemingly abnormal tracing and a diseased heart doesn't always produce a suspicious tracing. Thus, doctors caution, an abnormal electrocardiogram result in an otherwise apparently healthy person is no more than a signal for more definitive tests, a closer look at the medical history for chest pains and other symptoms, and a closer study of the chest X-rays and other examination results.

In another examining room, a few minutes after the electrocardiogram, I lay face down on a less comfortable examining table that suddenly tilted forward until I was upended. A pleasant, graying physician who specializes in diseases of the colon and rectum examined me. This exam is to detect cancer of the colon and rectum and the polyps that occasionally develop into cancer. Cancer of the colon and rectum are among the most common types, especially in persons over 40, and cause about 43,000 deaths a year, according to the American Cancer Society.

The examination was only uncomfortable—it didn't come close to being the agonizing experience I had anticipated. The exam is performed with a proctosigmoidoscope, a long, hollow tube with a light at one end. It can probe 8 to 10 inches into the intestines, past the rectum and into the sigmoid, the lower section of the colon. "About 80% of all the trouble in the intestines is within range of the sigmoidoscope," says Dr. Johnson.

Polyps are found in 6% to 7% of the persons examined at the institute, but actual malignancies are found far less often. Discovery of potentially cancerous polyps is crucial, however, for they can be removed by a simple operation to prevent the possibility that they will develop into a fatal disease.

Except for that final X-ray to check the stomach's barium content, the examination ended with the type of physical check performed routinely in doctors' offices: Breathe deeply while the doctor listens through a stethoscope; cough while he checks for hernias; blow a whistle-shaped device that measures lung capacity; stand there while he feels the abdomen to determine the size and tenderness of the spleen, liver and other organs. Then the doctor looked into my mouth for dental diseases and leucoplakia, tiny white dots on the lining of the mouth that often develop into cancer.

I was asked to return a week later at 2 p.m. to learn the results of my examination from one of the institute's physicians. In the intervening days, I occasionally envisioned X-rays with huge spots on the lungs and jagged spike-like electrocardiogram tracings. But on my return visit, half an hour with Dr. Johnson removed my fears. He said everything was normal.

My blood tests turned up nothing noteworthy; no signs of anemia, leukemia, diabetes or infection. There was nothing to indicate that an impaired kidney was failing to remove urea nitrogen from my blood. My cholesterol count was 189 milligrams per 100 cubic centimeters of blood. "The average is about 230 milligrams and anything with 150 milligrams to 280 milligrams is an acceptable range," says Dr. Johnson. A count above 300 milligrams may signal a need for dietary changes to reduce the risks of heart disease.

EVERYTHING LOOKED NORMAL

The urine analysis showed no signs of diabetes or kidney disease. The electrocardiogram was "within normal limits" and showed the upper and lower chambers were beating in tune, at a rate of 77 beats a minute. My blood pressure pushed the little column of mercury on the sphygmomanometer to 124 millimeters when the lower left heart chamber contracted and let it drop to 84 millimeters when the chamber relaxed, for a reading of 124/84. A reading within the range of 100–140/70–95 usually is considered normal.

But Dr. Johnson commented at length on one item on my medical history form—the one that said I smoke up to two packs of cigarettes a day. That explained the "congested mucous membranes" notation on my physical exam report, Dr. Johnson told me. In a firm but friendly way, he told me that lung cancer is 10 times more common among smokers than nonsmokers and urged me to stop smoking or "at least try to cut down on it."

But I forgot to ask Dr. Johnson about the X-ray report that said my gastrointestinal tract is normal except that "there is inconstant spasm in the antral end of the stomach and bulb." I don't know what that is, but nobody else in the office seems to have it.

TEXAS SHEEP AND GOAT RAISERS' ASSOCIATION PASSES RESOLUTION FOR IMPROVEMENT OF PRODUCTS

Mr. YARBOROUGH. Mr. President, at the 52d Annual Convention of the Texas Sheep & Goat Raisers' Association, held in San Antonio, Tex., July 24 to 26, two resolutions were passed which express the continuing interest in the upgrading of agricultural products of that association.

The first calls for increasing efforts for the appropriation of State and Federal funds for agricultural research in Texas, in this point agreeing with an emphasis many of us in the Senate recently supported in the passing of appropriations for the Department of Agriculture.

The second calls for development of official mohair standards to insure the quality of this produce on the national market. This work has until now been passed over, to the detriment of the quality of the product.

Mr. President, I ask unanimous consent that the resolutions be printed in the Record.

There being no objection, the resolutions were ordered to be printed in the Record, as follows:

RESEARCH AND IMPROVEMENT COMMITTEE

Whereas Texas spends less money for research on agriculture than most other states,

Therefore, be it resolved that the Texas Sheep and Goat Raisers' Association contact the State and Federal agencies to request that more money be appropriated for research.

WOOL AND MOHAIR MARKETING

There is an urgent need for mohair grades and standards for use in classifying mohair for market, and it is recommended by the Texas Sheep and Goat Raisers' Association that work be accelerated, if at all possible, by the U.S. Department of Agriculture, Wool & Mohair Standards Laboratory, Denver, Colorado, for development of official mohair standards.

The Texas Sheep and Goat Raisers' Association wishes to express its appreciation to Mr. Elroy Pohle for his work on wool and mohair standards.

SENATOR SCOTT'S RAT CONTROL BILL

Mr. PERCY. Mr. President, it was my great privilege to be present this morning at a hearing of the Subcommittee on Housing and Urban Affairs of the Committee on Banking and Currency to hear an eloquent statement by the able and distinguished Senator from Pennsylvania [Mr. Scott] in support of his bill, S. 2219, the Rat Extermination Act of 1967. I ask unanimous consent that Senator Scott's statement be printed in the Record.

There being no objection, the statement was ordered to be printed in the Record, as follows:

STATEMENT BY U.S. SENATOR HUGH SCOTT, REPUBLICAN, OF PENNSYLVANIA, ON RAT CONTROL BEFORE THE SUBCOMMITTEE ON HOUSING AND URBAN AFFAIRS OF THE SENATE BANKING AND CURRENCY COMMITTEE, AUGUST 7, 1967

Mr. Chairman, much has been said and written in recent weeks on the subject of rat control, thanks in large measure to the amazing performance by some members of the House of Representatives.

When the Rat Extermination Act of 1967 came before the House some members of that body used the occasion for some rather bad humor and poor jokes. Rats are hardly a topic for levity.

Shortly after the House refused to consider the bill, a touching, graphic story by Jimmy Breslin appeared in the Washington Post after he had spent an evening in East Harlem. I won't try to read the entire article but the last few sentences are something which everyone everywhere should read:

"Then there was this sound in the walls," Breslin wrote. "A scratching sound. The tumbling, scrambling sound when one of the rats moved quickly. It is a sound by itself. And when you are young, and you sleep on the side of the bed next to the wall and the rats scratch against the wall at your ear, you carry the sound with you for the rest of your life. It is something that is heard by people in every poor neighborhood in every city in the Nation. And it is one of the reasons why this is our longest of summers. Last week, the House of Representatives thought it all was a cause for laughter."

Rats in themselves are a problem which we must solve. But they are part of an even larger problem—one which has had violent, visible demonstration in the past few weeks. This is the problem of our cities, of people in poor housing and with little opportunity, of slums and blight.

All of us are concerned with this bigger problem. We are trying many different approaches to ease the problems of our cities and we must try many more. We are trying to improve the housing of people who are forced to live in surroundings which are a disgrace to this Nation. We are trying to improve the education and job training opportunities for those now denied such opportunities. We are trying very hard to remove slums and blight from our Nation. But much more needs to be done.

The proposal to mount a national program to get rid of rats is but one small tool in this overall attack on the larger problem. The proposal to set up a national program, which would assist local communities in their efforts, was never contemplated as the final answer to the problem of rodents. But it is a start and will encourage local communities and citizens in the affected areas to do a better job of housekeeping and the handling of refuse and garbage.

The proposal is another indication to all people that the Federal Government *does* care about their living conditions. All too many of them, I'm afraid, have the feeling that no one is concerned about them.

Rats know no socio-economic boundaries. Housewives living in expensive river-side homes feel the fear of rats as sharply as those living in city tenements. Mothers in elegant lakeside communities share the dread of rat infestation with those in meager urban ghettos. Poor conditions, however, do increase the rodent problem and rats become part of the overall problem of our cities, of slums and blight. Approximately 14,000 persons suffer rat bites each year in this country. The Public Health Service reported that cities like Washington, Baltimore, New York and Atlanta averaged nearly 200 rat-bite cases last year. Philadelphia, Cleveland and St. Louis reported more than 50 cases.

Such bites can lead to rat-bite fever, tetanus and the danger of secondary infections. Rats spread other diseases by their contact with foodstuffs. These diseases include bacterial food poisoning, or salmonellosis, which is quite severe for several days and may even be fatal to infants or individuals weakened by other illnesses.

During the Middle Ages, the plague—a rat-borne disease—was common. Its danger has diminished as our knowledge and practice of public health, sanitation and good housing has increased and improved.

But the plague is still with us. Last year, according to the World Health Organization, there were almost 1,300 cases confirmed by laboratory tests—134 resulting in death—throughout the world. The United States is not immune to the plague for in 1965 there were eight cases reported. Every one of these plague cases was a youngster. One case involving the oldest of the victims—a 14-year-old boy—proved fatal.

In addition to carrying disease, rats cause enormous damage to food and property. A conservative estimate places the number of rats in the United States at about 90 million and each of them causes damage estimated at a minimum of $10 a year.

More than 14,000 persons bitten by rats each year and $900 million in damage, to my mind, constitutes a problem of some size. It deserves our serious attention and efforts.

The World Health Organization some months ago held a meeting of 30 scientists from 16 different countries to discuss this program. One of their findings pretty well sums up the way I feel about this problem:

"Clearly, the rat must be controlled and it entirely lies within man's power to do so, provided that he applies all existing methods painstakingly and methodically. Although this will be an expensive business, he will find that it will cost less than the ransom he pays at present in ill health and loss of food to the voracious rats and other rodents."

Some critics jokingly suggested we provide people with cats or dogs to fight rats, or that people could simply set traps, or put out poisons I'm afraid these suggested remedies would do very little to solve the problem. Individual effort, while necessary and laudable, does not solve the problem.

The problem requires the concerted effort of the individual homeowner and apartment dweller, the property owners, the entire neighborhood, the local government and the Federal government.

What is needed—and is contemplated in the proposal—is a coordinated attack which employs every weapon at our command. Piecemeal attacks give only temporary relief.

Many localities have conducted extermination programs and this, too, has only a temporary success. Experience has shown that an extermination drive in a city will eliminate about 75 percent of the rat population. However, the recovery rate is so frighteningly swift that in less than a year the rat population will be back where it was before the extermination drive.

Permanent reductions in the rat population can come only through a program which includes the ratproofing of buildings, the improvement of garbage and refuse collections, removal of debris inside and outside buildings, extermination, and the education and training of residents to assure long-lasting improvements of their surroundings.

This is what the Rat Extermination Act of 1967 contemplates. It does not call for the Federal Government to move in on localities and take over the operation of their local programs. It provides for financial and technical assistance to improve their efforts.

There has been a great deal of talk that it is needless to start another program when four Federal agencies already are involved in rat control programs.

Let us take a look at these fragmented efforts.

The Office of Economic Opportunity has underwritten a pilot program in Chicago supporting research and demonstrations in economically deprived areas. This is a one-time $2 million effort.

The Department of Health, Education and Welfare administers state-operated programs of disease control. HEW provides technical assistance on rat control measures. During 1966, HEW spent $229,900 to operate a field station in California studying the prevalence of plague in wild rodents.

The Department of the Interior conducts a basic research program to develop and evaluate anti-rat poisons and also provides technical assistance in control techniques to communities and organizations. During 1966, Interior spent $27,500 on rat control in cities.

The Department of Agriculture has a continuing program of research in rat poisons and regulates the marketing of poisons in rodent control.

As you can see from this, no one is making a concerted effort to eliminate rats from the slums and blighted areas of the cities; no one is conducting a complete, coordinated attack on the problem.

That is why the proposal for a national program calls for putting the program under the Department of Housing and Urban Development, the department which already is working with localities in planning and carrying out area-wide neighborhood improvement programs. HUD was created to attack the problems of the cities and rats certainly are one of the problems.

HUD would coordinate the work in this field by other departments and agencies, all of whom have given their assurance of cooperation. Secretary Gardner recently stated that while HEW would continue its activities in the health aspects of rodent control, he welcomed the start of a national program under HUD direction.

"The problem of rat infestation is in part a health problem," he said, "and as such it will require the continuing attention of health authorities of Federal, state, and local governments. But it is also a housing problem, a slum clearance problem, a public works problem, and above all a social problem which requires intensive and coordinated community action—not only by a number of local government departments and agencies, but also by the owners and residents of housing facilities in the infested areas.

"We, therefore, believe there is an urgent need for special Federal stimulation and assistance in the development of intensive community rat control programs along the lines of the pending legislative proposal."

Another question raised against the proposed legislation is why a rat control program could not be carried out under the Partnership for Health Legislation (Public Law 89-749).

Assistant Surgeon General Alan W. Donaldson of the Public Health Service answered this by pointing out that "extermination, which is about all that could be supported under Public Law 89-749, is only a temporary measure—or, at best, supplementary to the permanent measures."

Dr. Donaldson explained that the Partnership for Health legislation gives states more latitude in how they spend those funds but it requires them to support activities which they supported in the past. Not much in the way of additional funds is available to the states.

Dr. Donaldson concluded that: "I do not believe a concerted, effective nationwide program would even get off the ground through this mechanism—nor do I believe the funds could be used for permanent measures (slum clearance, etc.) that will be needed."

Some people poke fun at the expense of this proposal and make jokes about creating a vast bureaucracy to run the program. The proposal does not call for that; it calls on the Department of Housing and Urban Development to extend its present work with communities and assist those local programs already in operation.

HUD already is deeply involved in local programs, some of which include rat control activities.

Under its code enforcement program, HUD gives assistance to communities for carrying out educational activities and enforcement in rodent control.

Under the urban renewal program, assistance is provided for planning and carrying out rodent control activities through education, enforcement, extermination and public improvements, such as the paving of alleys.

Under its demolition program, assistance for such work includes extermination before the building is torn down.

Under the Demonstration Housing programs, assistance is given for improving garbage and trash disposal in existing housing.

In the low-rent public housing programs, advice and technical assistance is provided to local housing authorities on rodent control.

In providing rehabilitation loans and grants and in insuring mortgages for home improvements, allowable improvements include the rat-proofing of buildings.

There are other examples but it is clearly evident that in most HUD programs, rodent control is a consideration.

The proposed national program would provide for an expansion of these efforts and in assisting the local community to improve its attack on a community-wide basis, using every means available to eliminate the problem.

I strongly feel that the concerted effort must be made.

The rat knows no discrimination. It is a menace to the poor in our cities, but it threatens with equal severity all people at some time.

For this reason, last Thursday I introduced S. 2219, which is identical to H.R. 11000, the Rat Extermination Act of 1967—the bill which the other body cavalierly dismissed as not worthy of consideration.

Mr. Chairman, this measure is indeed worthy of consideration—urgent consideration and prompt action.

I urge its approval.

THE ATLANTIC ALLIANCE

Mr. HARRIS. Mr. President, as the Senate is aware, the Subcommittee on National Security and International Operations, under the chairmanship of the Senator from Washington [Mr. JACKSON], has conducted a landmark inquiry on the changing nature of the Atlantic Alliance and our relationship with other NATO members, which has had an important influence on opinion here and abroad during a critical period for the alliance.

The hearings and findings of the subcommittee have been published today in book form by Praeger, under the title "The Atlantic Alliance." The book has been enriched by an admirable introduction by Senator JACKSON, which emphasizes certain important points about the art of consultation among allies. I wish to bring this short essay to the special attention of Senators.

I ask unanimous consent that an excerpt from the introduction be printed in the RECORD.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

THE ART OF CONSULTATION

(By Senator HENRY M. JACKSON; excerpt from introduction to "The Atlantic Alliance," edited by Senator HENRY M. JACKSON, 1967)

These days, a good deal is heard about the new science of management and the use of such modern tools as the computer in decision-making, about operations analysis, cost-effectiveness studies, and new techniques of planning, programing, and budgeting. Obviously, these techniques have reached the point in their development where, if wisely used, they can be helpful aids in the business of the government. But the clear-sighted official will also understand that the art of management depends today, as in the past on the practice of the art of consultation—the oldest of all management tools.

The Founding Fathers deliberately designed our "checks and balances" to keep any one economic or social group, or any one governmental branch or department, from becoming dominant. Thereby, they made consultation a necessity; without it, our constitutional system cannot work.

The Presidency has a great deal of executive and legislative authority. But most of it is checked by the authority conferred by the Constitution upon an independent legislature: Congress is the creator of executive departments, the source of their statutory mandates, and the auditor of their operations; it is empowered "to provide for the common defense" and, for that purpose, to "raise and support armies" and to "provide and maintain a navy"; it authorizes executive programs and it appropriates funds; it investigates the executive agencies and holds department heads accountable for the proper performance of their statutory duties; the Senate advises and consents to treaties, and to senior civilian and military appointments.

The Executive Branch is thus dependent on an understanding and cooperative Congress to get many things it wants—and vice versa. In the interest of effective national policy, the Executive Branch and the Congress must master the art of consultation.

Above all, consultation is essential in hammering out an order of national priorities, giving focus and structure to the common effort. Unless there is basic agreement about what comes first and what comes second, what is necessary and what merely desirable, what will be fully financed and what will be skimped, there is bound to be drift and confusion.

An example of consultation at its best was the performance of Mr. Robert Lovett and Senator Arthur Vandenberg in 1947 and 1948. Some have been surprised that the 80th Congress, controlled by Republicans who scented victory in the 1948 campaign, gave its support to President Truman's unprecedented initiatives—the Marshall Plan and the North Atlantic Treaty. But the story of the consultation and collaboration between these two men helps to explain the Congressional response to these measures.

As Under Secretary of State, it had long been Mr. Lovett's practice, at the end of the day, to drop in at the apartment of Senator Vandenberg, the Chairman of the Committee on Foreign Relations, to discuss State Department problems. As work on what was to become the Vandenberg Resolution began, Mr. Lovett called almost every evening for several weeks and sometimes for long Sunday sessions. He was vividly aware of the need for a solid American commitment to Europe's defense. How, by whom, and how soon were the questions. Senator Vandenberg came to agree on the need for a new departure and was equally aware of the danger that "the best laid plans could die a-borning as a result of a hasty move and a subsequent rebuff in Congress." The final draft of the Resolution, although Mr. Lovett later described it as largely in the Senator's phraseology, was the product of this intimate collaboration. On June 11, 1948, the United States Senate adopted the Vandenberg Resolution giving the President and the Secretary of State the green light to proceed with the negotiation of the North Atlantic Treaty. The Senate's action, breaking with a tradition almost as old as the Republic, marked a triumph of executive-legislative consultation.

What is true about the importance of consultation *within* our own government applies with even greater force to an alliance. The most important finding emerging from this Subcommittee study, both for its direct value and because it is a key to other advances, is the urgent need to improve the practice of Alliance consultation. It is, after all, the essence of sovereignty that sovereigns do not *have* to agree. Within an alliance, therefore, consultation *is* the decision-making process, the substitute for executive authority, the only means available to clear up differences of view and to arrive at agreement on a common course of action.

When I speak of consultations, I do not mean a lecture with charts and graphs. Nor is consultation telling your partners what you are going to do after you have decided to do it—although that information is sometimes a help. Nor is it shooting the breeze with counterparts in allied governments. Consultation goes beyond discussion. It involves talking a problem through, setting down in an orderly fashion as much information as one can to see how near, or far, agreement is. It involves drawing out a partner's views, especially when they are contrary to one's own, and discovering each side's sticking points—all in the effort to reach accord on compatible policies, at least, to be sure that the consequences of proceeding without agreement are understood. The essence of consultation is to focus on what might be done to clear up differences of view. Cooperation and joint action are its offspring.

Genuine consultation is difficult, and it is more difficult for some officials than others. Like any art it demands skill and patience. It presupposes the capacity to listen and to learn and, honestly and generously, to collaborate with others who know more than you do about some aspects of the problem. It is helped by mutual confidence; it is helped by mutual respect. Consultation is never easy for anyone who is cocksure he has all the answers to start with.

The wise use of consultation is of great importance for America as we seek to employ our power and influence with the good judgment that marks a great nation. It should not be necessary to emphasize the requirement of thorough consultation when one ally is contemplating significant changes in its military strategy or in the deployment of its military forces—changes clearly of vital interest to its partners. Yet, over the years, several allied governments have offended against this fundamental rule of good conduct. The United States Government has been remiss on more than one occasion, as testimony included in this book reveals.

There are, of course, limits to what consultation among allies can achieve. At its most ingenious, consultation cannot rub out the underlying differences of power, geographical and historical association, and perspective which distinguish one ally from another.

What some allies most want is consultation about the use of American nuclear capabilities, or a share, whatever that may mean, in their control. Quite apart from technical problems, this would be difficult for us, if only because of the wider scope of our responsibilities. But technical difficulties cannot be put aside; sharing control either means something or it does not, and it would be to no one's advantage to dilute the power of decision with respect to these weapons. No President of the United States can delegate that power to anyone else.

More could be done, however, to give our partners confidence that they are, in fact, involved in United States strategic and political planning in such a way as to influence American policy in a crisis. To the unsophisticated, who imagine that the United States can show them a ready-made blueprint for every contingency, this kind of consultation may be disappointing. To the more sophisticated, it will not be, for they will know the high mortality rate of contingency plans and they will understand that the way to influence a decision in a crisis is to influence the thinking that is done before the crisis erupts.

The allies can and should consult regularly about their continuing policies; indeed, that is the meaning of alliance. In this process, no ally is without influence; the concept of a "forward strategy" did not come from one of the bigger allies, but from one of the smaller.

Close consultation will be even more significant for the future of the Atlantic Alliance than it was in the past, when a strong sense of common danger and common interests, and a sharp focus on Europe, helped the members over many a difficult spot. And, since de Gaulle gave NATO its walking papers, the fourteen need to consult fully and frankly to keep the defenses of the Alliance strong, to use its potential to advance a genuine, stable European settlement with the Soviet Union and Eastern Europe, and to build a Europe that will strengthen the prospects for world peace and contribute to peaceful progress in Asia, Africa, and Latin America.

UTAH'S DR. T. H. BELL ANALYZES EDUCATION AMENDMENTS

Mr. BENNETT. Mr. President, this morning before the Senate Subcommittee on Education, Dr. T. H. Bell, superintendent of public instruction for the State of Utah, presented a cogent statement concerning S. 1125 and H.R. 7819, Elementary and Secondary Education Act Amendments.

Dr. Bell is in a unique position to evaluate the impact of the Elementary and Secondary Education Act on Utah. He has had long experience in education administration, and has witnessed at firsthand the new problems arising from Federal control. Dr. Bell believes strongly that the House-passed amendments, in the form of H.R. 7819 should be enacted by the Senate. He has pointed out the dangers and the problems which arise when the Federal Government deals directly with local school districts as it does under title III of the present act.

I fully concur in the position which he has taken. Many Federal officials find it difficult to pronounce the names of our local school districts, let alone sit as judges over their educational programs. If the Federal Government continues to increase its control over various aspects of local school district programs we are in serious difficulty.

I emphasize the final point made by Dr. Bell: Utah's State Department of Education is one of the finest in the Nation and is much more capable of directing and guiding public education in Utah than is a group of bureaucrats located in Washington, some 2,100 miles from the scene of activity.

I fully endorse Dr. Bell's statement and ask that it be printed in the RECORD.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT OF TERREL H. BELL, STATE SUPERINTENDENT OF PUBLIC INSTRUCTION FOR THE STATE OF UTAH, CONCERNING S. 1125 AND H.R. 7819, PENDING LEGISLATION IN ELEMENTARY AND SECONDARY EDUCATION, BEFORE THE SENATE SUBCOMMITTEE ON EDUCATION, AUGUST 7, 1967

Mr. Chairman and Members of the Subcommittee:

I appreciate this opportunity to express my views on pending legislation on amendments to the Elementary and Secondary Education Act. It is my desire to place particular emphasis upon how this act has affected education in Utah.

This act has provided needed funds for Utah's forty school districts to offer new learning opportunities to educationally deprived children. It has improved our libraries and instructional materials. It has funded special projects in supplementary education centers and has generated renewed interest in experimentation and innovation.

Utah educators express appreciation to this subcommittee and to Congress for this act and for the potential that it has if some fundamental problems can be solved. My discussion of these problems is intended to point up areas of concern related to educational decision making in the federal state-local relationship.

As one having had 20 years of experience in school administration, I express sympathy and at least some degree of understanding of the great burden carried by the Commissioner of Education and his staff in implementing this act. Under pressure, and faced with unprecedented responsibility, understandable mistakes have been made. This act has touched, to some degree, every state and local school system in the nation. It needs a most critical review at this time.

In the State of Utah, Titles I and II have been implemented smoothly and with a minimum of friction and stress on the machinery of local-state-federal educational government. I believe these titles are functioning well because they have been based upon the premise that responsibility for adoption of important specifics should be left to the states. These titles spelled out the *ends* and left the detail of the means to accomplish those ends up to the states. Funds properly come to the states under Title I and the states deal with the component school districts in the state system. Upon submission and approval of a state plan, funds under Title II are also distributed to the states for subsequent release to local districts under the umbrella of the state plan.

Title III of the act has been useful to the school districts of Utah, but it has resulted in a fragmented effort. We have a series of supplementary centers and projects created out of the hectic game of grantsmanship. Districts apply directly to the commissioner for grant approval. The actual local need and potential in such places as Panguitch or Vernal, Utah, cannot be assessed from a distance of hundreds of miles and out of the confusion of 25,000 aspiring districts across the nation as a whole.

Long term planning is impossible on the State level under Title III because the power of decision making rests in Washington while the initiative rests in every member unit in our State. Unity of purpose in the use of these funds in our state is therefore lost. Such unity could be attained if the provision of HR 7819 calling for state plans became a reality. Utah's state education department is fully capable of administering Title III on a state plan basis. Although some states have been granted this authority, we resent the lack of the same privilege in our State. I would most respectfully ask that this committee concur in the provision of H.R. 7819 insofar as Title III is concerned.

Title V of ESEA has helped to improve the state educational leadership capability in Utah. The change in the formula for distribution of funds by prescribing 40% allocation to states on a flat grant basis and 60% on the basis of pupil population is a definite improvement in Title V.

Utah is participating in a number of multi-state projects under the provisions of Section 505 of Title V of the act. If the deletion of this section is enacted as provided by H.R. 7819 some provision should be made for an orderly phasing out of these projects. To drop them in the middle of a fiscal year would cause some states considerable difficulty.

The proposal to add a new Part B for Planning to Title V of the act, as contained in S. 1125, should be deleted. This places another categorical item in the act and prescribes too much that should be left to the discretion of the state education departments. Utah is now involved in a project to improve comprehensive planning and evaluation. We are increasing our capability in these areas as resources make this possible. For example, we recently completed a comprehensive assessment of the quality of our educational output (reported in a publication entitled: "How Good are Utah Schools?"). Two master plans (one for higher and one for elementary and secondary education) are currently being developed in our State. We recognize the value of planning and evaluation, but believe this should be done under state initiative and not by federal prescription.

Mr. Chairman, state departments of education are gaining in leadership capability. As a participant on evaluation teams, I have helped to appraise the work of several other state departments of education. From this experience in other states I am convinced that we have great leadership capability and also much future potential in our state education departments. If the full $65 million authorization for Title V were enacted and a like amount appropriated, we would be in an even better position to add to the leadership role of the state in the total federal system of shared responsibility. This would be a small but vital investment in the total potential of the entire act.

In the stress of implementing the provisions of the Elementary and Secondary Education Act of 1965, some state and federal disagreements are to be expected. It is sometimes human nature for us to look with some disdain upon those who refuse to see matters as we view them. USOE testimony concerning weak state departments of education should therefore be considered in the light of stress placed upon state and federal leaders. A strong state department of education may remonstrate with great vigor over issues where long established state administrative prerogatives have been violated. Refusal to conform and comply may not necessarily be a demonstration of weakness.

As stated earlier, USOE officials have been hard pressed to meet the great pressures of administration of this act. Like pressures and demands have been placed on state education officials. As I see it, we have had a successful initial experience. Now is the time for Congress to iron out the administrative and jurisdictional wrinkles.

I am grateful for the privilege of expressing these views to you. I am confident that the future relationships in the federal-state-local partnership in education will be improved as a result of the consideration you are giving to this very important legislation. The channels of fund granting authority should, as I see it, never by-pass the state department of education. To do so, is to weaken federal as well as state leadership potential. When this happens, the dollars you appropriate are administered in a climate of confusion. More than anything else, I would urge a *consistent* federal policy that follows proper channels in all federal education programs.

THE TONKIN GULF RESOLUTION REVISITED 3 YEARS LATER

Mr. GRUENING. Mr. President, 3 years ago a series of events led to the present situation in Southeast Asia. It will be recalled that on August 4, 1964, President Johnson went on television and told the American people that an attack had been made by North Vietnamese gunboats against U.S. naval vessels. The following day the President sent a message to Congress giving his reasons for requesting the passage of a resolution known officially as the Southeast Asia resolution but generally referred to as the Tonkin Gulf resolution, because it was in the Gulf of Tonkin that a reported attack against the U.S. 7th Fleet had taken place. I ask unanimous consent that the text of the resolution be printed at this point in my remarks.

There being no objection, the resolution was ordered to be printed in the RECORD, as follows:

SOUTHEAST ASIA RESOLUTION [1]

Whereas naval units of the Communist regime in Vietnam, in violation of the principles of the Charter of the United Nations and of international law, have deliberately and repeatedly attacked United States naval vessels lawfully present in international waters, and have thereby created a serious threat to international peace; and

Whereas these attacks are part of a deliberate and systematic campaign of aggression that the Communist regime in North Vietnam has been waging against its neighbors and the nations joined with them in the collective defense of their freedom; and

Whereas the United States is assisting the peoples of southeast Asia to protect their freedom and has no territorial, military or political ambitions in that area, but desires only that these peoples should be left in peace to work out their own destinies in their own way: Now, therefore, be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the Congress approves and supports the determination of the President, as Commander in Chief to take all necessary measures to repel any armed attack against the forces of the United States and to prevent further aggression.

SEC. 2. The United States regards as vital to its national interest and to world peace the maintenance of international peace and security in southeast Asia. Consonant with the Constitution of the United States and the Charter of the United Nations and in accordance with its obligations under the Southeast Asia Collective Defense Treaty, the United States is, therefore, prepared, as the President determines, to take all necessary steps, including the use of armed force, to assist any member or protocol state of the Southeast Asia Collective Defense Treaty requesting assistance in defense of its freedom.

SEC. 3. This resolution shall expire when the President shall determine that the peace and security of the area is reasonably assured by international conditions created by action of the United Nations or otherwise, except that it may be terminated earlier by concurrent resolution of the Congress.

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[1] Text of Public Law 88-408 [H.J. Res. 1145], 78 Stat. 384, approved Aug. 10, 1964.

Mr. GRUENING. Mr. President, it sounded like a not unreasonable and proper response to what in the "whereases" was called one of a series of attacks which were "part of a deliberate and systematic campaign of aggression." In retrospect all these statements and allegations can properly be challenged, but they were effective in persuading the Congress to approve the resolution. A brief debate took place in the House, where the resolution was approved unanimously, and a somewhat longer debate in the Senate, where it will be recalled that it was approved by a vote of 88 to 2, the only two votes in opposition being those of MORSE and GRUENING.

In the 3 years that have passed we have found this resolution to have led to a major war, steadily widening, increasingly bloody, increasingly costly, with consequences utterly disastrous to the United States. This, on the third anniversary of those fateful August days, would seem an appropriate time to reappraise the whole issue. There is no question that President Johnson is fully aware of the tragic mess into which our country has been plunged. There is no question that he, together with the great majority of the American people, would like to find what is called an honorable way out.

The difficulty is that no "honorable" way can be found unless we face the fact that our whole involvement is based on false premises. It was a tragic mistake from the beginning, and that mistake has steadily been intensified and aggravated by our subsequent acts. It is my reasoned belief, as one who voted against the Tonkin Gulf Resolution and has spoken repeatedly against our military commitment since that time both on the floor of the Senate and elsewhere, that any way of withdrawing and stopping the slaughter would be "honorable" in the fullest sense of the word.

Certainly it would be better than to continue what we are now doing. There is no such thing as "winning" this war. We are losing it daily. If for the originally alleged premise of wishing to save the "freedom" of South Vietnam is substituted the subsequent or concomitant plea that we are stopping world communism, let it be noted that to date neither the Russians nor the Chinese have committed a single soldier to combat. But the United States is needlessly sacrificing its sons and weakening its whole political, economic, and social structure.

An article in the New York Times of today by R. W. Apple, Jr., from Saigon, headed "Vietnam: The Signs of Stalemate" gives us the latest casualty figures—12,269 killed in combat—with several hundred others killed not in combat but incidental to being there—such as by the explosion on board the *Forrestal*, airplane crashes, and so forth—and 74,818 injured, some of them horribly crippled for life—blinded, paralyzed, armless, legless.

At the same time our long-overdue domestic programs, so brilliantly enacted in the 89th Congress, for which no small measure of credit is due to President Johnson's dynamic leadership—education, pollution abatement of air and waters, resource development, the war on poverty, the war on crime, slum clearance, transportation, and much else—are being steadily eroded.

The erosion of the war on poverty, of slum clearance, of housing are among the bitter fruits of the terrible error of our military involvement in Southeast Asia and are among the indirect causes of the unrest in the cities and the riotous outbreaks which however we may condemn, and rightly condemn, the criminal acts of sniping, looting and burning, and should be punished according to law, nevertheless have a deep base in conditions which our domestic programs would have begun to rectify.

While all this disaster mounts at home, the alleged freedoms on which we originally postulated our justification for going into Vietnam have become utterly farcical.

Our support of Diem, whom we imported from the United States, where he had taken no part in Vietnam's struggle for independence and installed there as our puppet, whose tactics of oppression and persecution, as well as reneging on the nationwide elections in which we supported him brought about the civil war into which we injected ourselves unilaterally and which has been going on ever since. And the eight successive South Vietnam regimes, all self-imposed, consisting of corrupt and grafting generals, maintained in power only because of our military and financial support, make an utter mockery of the pretense that we are promoting democracy and freedom in a country we ravage daily with the deadliest weapons in unprecedented quantities—yet all to no avail, and for no possibly good end.

This morning's New York Times in a story entitled "Candidates' Tour Fails in Vietnam" sheds further light on the lack of real interest and enthusiasm of the voters of South Vietnam, an election which under the circumstances can be nothing but a burlesque on its presumed exercise in democracy. I ask unanimous consent that the article "Candidates' Tour Fails in Vietnam" be printed at the conclusion of my remarks.

Finally, Carl T. Rowan, author and experienced journalist, and for a time President Johnson's appointee first as U.S. Ambassador to Finland and then as Director of the U.S. Information Service, writes in a column in the Washington Star of yesterday, August 6, of "Johnson's Need for New Advisers on Vietnam." The need for these new advisers has long been evident. Whether it is possible for Mr. Johnson, who after all has accepted their advice and must accept responsibility for it, to make the agonizing reappraisal which is so necessary can only be devoutly wished by all Americans.

I ask unanimous consent that this article by Mr. Rowan be printed at the conclusion of my remarks.

There being no objection, the articles were ordered to be printed in the RECORD, as follows:

[From the New York Times, Aug. 7, 1967]

VIETNAM: THE SIGNS OF STALEMATE

(By R. W. Apple, Jr.)

SAIGON, SOUTH VIETNAM, August 6.—A little more than two years ago, on July 28, 1965, President Johnson committed the United States more decisively than ever to the war in Vietnam by announcing the deployment of 50,000 more American troops to this stricken corner of Southeast Asia.

Last Thursday, in response to the urgent entreaties of his commanders, Mr. Johnson disclosed that he would send 45,000 to 50,000 more men, for a total of 525,000, by next June 30.

Between these two bench marks of the most frustrating conflict in American history, the fighting has careered along, week by bloody week, through wet seasons and dry, through two Christmas cease-fires, through peace feelers and escalations.

By this weekend, 12,269 Americans had been listed as killed and 74,818 as injured, millions of artillery shells and billions of rifle bullets had been fired, and 832 airplanes had fallen to enemy gunners.

The war costs the United States more than $2-billion each month.

And yet, in the opinion of most disinterested observers, the war is not going well. Victory is not close at hand. It may be beyond reach. It is clearly unlikely in the next year or even the next two years, and American officers talk somberly about fighting here for decades.

The official statements from Washington and Saigon seem optimistic, as they have been for almost five years. Gen. William C. Westmoreland, the American commander in Vietnam, said recently that his men had made "tremendous progress." Secretary of State Dean Rusk said the enemy was "hurting very badly."

"Stalemate" is a fighting word in Washington. President Johnson rejects it as a description of the situation in Vietnam. But it is the word used by almost all Americans here, except the top officials, to characterize what is happening. They use the word for many reasons, including the following:

The Americans and their allies, having killed by their own count 200,000 enemy troops, now face the largest enemy force they have ever faced: 297,000 men, again by their own count.

The enemy has progressed from captured rifles and skimpy supplies to rockets, artillery, heavy mortars, a family of automatic infantry weapons and flame throwers, most of which has been brought into South Vietnam in the face of American air power.

1.2 million allied troops have been able to secure only a fraction of a country less than one and a half times the size of New York State.

The allies are reaching the bottom of their ready manpower pool, while the North Vietnamese have committed only one-fifth of their regular army.

Above all, if the North Vietnamese and American troops were magically whisked away, the South Vietnamese regime would almost certainly crumble within months, so little have the root problems been touched.

ENEMY'S TENACITY DEFIES AWESOME U.S. EFFORT

It is true, as General Westmoreland has often said, that the United States has built an awesome logistical empire in Vietnam, that the enemy seldom wins a major battle, that more highways are open than before, that American bombers have severely hampered Hanoi's war effort, that the Vietcong are suffering.

But the enemy continues to fight with tenacity, imagination and courage, and no one knows when he will stop.

The goal of American policy, simply stated, is to defeat, together with the other allies, the Vietcong guerrillas and their backers, the North Vietnamese, so that South Vietnam's nationalists can transform their society into something strong and durable.

Originally, American troops were to form a series of dikes, of military shields, around critical areas, so that the South Vietnamese, sheltered from North Vietnam's regulars, could regroup and build.

This is still the role of the gallant marines along the demilitarized zone, facing the North Vietnamese homeland, who have lost 10,000 men killed or wounded since Jan. 1; of the Fourth Infantry Division, along the Cambodian border, and of other divisions that mount search-and-destroy operations in enemy base areas.

It is galling work. Because the enemy can fade into redoubts or across borders where the Americans cannot follow him, the same unit must be smashed again and again. General Westmoreland once conceded that he was unable to hurt any unit so badly that it could not be refitted in 90 days.

FRUSTRATION DRIVES ALLIES TO HEAVIER WEAPONS

Frustrated, the allies have turned increasingly to the use of artillery and airpower to hurt the enemy, substituting F-100 fighter-bombers and 155-mm. howitzers for infantrymen. The natural tendency of a technological society is to spend its steel and its inventiveness rather than its men.

But in Vietnam, technology is no substitute for the man on the ground. Artillery does not keep the Vietcong from moving at night; patrolling does. The artillery, in fact, often hurts more than it helps. When a 155-mm. shell, aimed almost at random into the gloom, crashes onto a sleeping hamlet, potential Vietcong are often created in an instant.

The most damaging fact is this: Behind these dikes that have been manned at the cost of so much blood and treasure, almost nothing has improved. The North Vietnamese have been pushed back into their lairs, away from the hamlets and villages, but security in the countryside is as bad as ever.

"I've destroyed the ——— Division three times," a senior American general said the other day. "I've chased main-force units all over the country, and the impact was zilch: It meant nothing to the people."

So now the Americans, implicitly admitting that they despair of results from the South Vietnamese themselves, are moving into action against the guerrillas, while trying at the same time to keep the North Vietnamese off balance.

Of the 25 American units of regimental or brigade size deployed in Vietnam, 14 are committed to the grisly business of digging out the mines in roads and defending tiny hamlets.

"We are on the way to a policy of occupation in this country," a Washington official said not long ago. "We have found that unless we put enormous numbers of our own troops into a very small area the thing doesn't go."

WHERE BIG UNITS MANAGE, SMALLER ONES FAIL

Where large units have been committed—for example, the First Cavalry Division (Airmobile) on the Bongson plain and the South Koreans in Phuyen Province—progress has been made.

Where the same tactic has been tried with smaller units, it has not worked. The Marines, stretched thin, have been trying to pacify the area around the Danang air base for two years, but they were unable to prevent the rocket attack July 15 that took a heavy toll in men and machines.

Army units have been engaged for months in Operation Rang Dong, the struggle to secure the approaches to Saigon, but during the last two weeks, the guerrillas have mined Route 4, the main road to the Mekong Delta, have struck with mortars at the Nhabe naval complex within sight of the lights of Saigon, and have fired their rockets into key American bases.

In all 53 districts of the III Corps—the sector around Saigon where the earth has been scorched in Operations Junction City, Cedar Falls and Manhattan—there remains a virtually complete guerrilla structure: a 10-man squad for each hamlet, a 30-man platoon for each village, an 80-man company for each district, and at the top a 350-man company for each of the 12 provinces.

The Vietcong have the incalculable advantage of the tactical offensive. The allies must defend and build; the Vietcong serve their ends by attacking and falling back.

FOR A COMPLETE SHIELD, 8 MILLION TROOPS

To repeat the pattern of Phuyen and Binhdinh in all the populous areas of South Vietnam, one ranking American official has estimated, the allies would require eight million men. Even then, as General Westmoreland has acknowledged, the problem would not immediately be solved because if the Americans pulled back, the enemy would filter down from the hills.

The situation has reminded more than one American in South Vietnam of these lines by Lewis Carroll:

> "If seven maids with seven mops
> Swept it for half a year,
> Do you suppose," the Walrus said,
> "That they could get it clear?"
> "I doubt it," said the Carpenter,
> And shed a bitter tear.

The answer to the seeming impasse is pacification—reestablishing the Government presence in the hamlets so that the peasants will want to defend themselves and will have the means to do so.

To accomplish this, the United States has built schools, pigpens and marketplaces; the South Vietnamese have conducted village and hamlet elections; a total of 315,000 pacification workers, American and South Vietnamese soldiers and civil servants have been committed; the American command structure has been reorganized and enormous sums are being spent this year: $400-milion by the Americans, $135-million by the South Vietnamese.

SOME SAY IMMENSE EFFORT GUARANTEES PROGRESS

Some American officials argue that progress is inevitable because of the resources involved, that if enough manpower and money are poured out of Saigon, some of it, somehow, will have an impact on the faraway peasant.

But the ground to be covered is enormous. According to the new system for evaluating hamlets, a total of 1,944 out of 12,537 are controlled by the Government—a figure amounting to fewer than one in six. The rest are contested or, to some degree, controlled by the Vietcong.

Some of the most experienced Americans here consider a hamlet secure when its chief is willing to sleep in it. About 2,000 are thought to meet this criterion.

The modest goal for this year is the pacification of 1,100 hamlets, most of them in 26 priority areas; but even this seems beyond the present state of the art. Of the 44 provinces, 26 are behind schedule. American officials concede that pacification is at best creeping ahead in three-quarters of the country and stopped cold in the northern part.

Competent pacification workers are becoming harder and harder to recruit; the goal of 41,000 by the end of 1967 will not be reached, and those already at work are being killed at a rate near 15 a week. The 53 South Vietnamese Army battalions supposedly protecting the workers are not doing so. Morale is so bad that 13 of every 100 workers are expected to desert during 1967.

A senior American said recently, "There is at least a 2-to-1 chance that we will increase the momentum of pacification over the next 12 to 18 months."

But nothing better than this can be hoped for, in the opinion of many observers, without a thorough overhaul of South Vietnamese society—without a second revolution to counter the revolution, however bogus, that the Vietcong have promised for more than a decade.

PEASANTS CAN BE RALLIED, BUT A CAUSE IS LACKING

The peasants, by and large, are apolitical. They stand by and watch as they are buffeted by the war. They want security more than anything else, but they can be rallied to an ideal, as the North Vietnamese and the Vietcong have sometimes shown.

The ideal is nowhere to be found in Saigon.

Unless a theme more positive and more stirring than simple anti-Communism can be found, the war appears likely to go on until someone gets tired and quits, which could take generations.

Unless the central fact of the allied war effort—the critical lack of commitment of South Vietnamese society to work for its own survival—is changed, there can be no real victory because there can be no viable, democratic Vietnamese society, which is what the United States came here to help build.

The Americans responsible for the war effort seem to have given relatively little thought to this problem, perhaps because it drives them up against the reality that the people they are fighting for are none too eager to fight for themselves.

Consider, for example, General Westmoreland's program for improving the South Vietnamese Army. It is contained in a thick booklet stamped "Secret," and it includes 44 subprograms—all of which relate to more equipment, better professional training, more advisers. None relate to what football coaches like to call "the will to win."

Commenting on this preoccupation with the material, The Saigon Post recalled the recent fate of the Egyptian Army, with its magnificent Soviet-made tanks and jets, and suggested that South Vietnam's generals bear in mind Napoleon's dictum: "The moral is to the physical as 3 to 1."

SOUTH VIETNAMESE TROOPS CONSIDERED INEPT

Allowing for such exceptional units as the marines, the rangers and the paratroops, the performance of South Vietnam's forces has been shockingly bad, in the opinion of most advisers.

Commanders only reluctantly commit their units to battle, because they are afraid of losing men. Once in battle, they are often unable to rally their troops. South Vietnamese units broke and ran during the early fighting around Conthien and again during recent fighting in the Mekong Delta.

One recent instance of inaction by Government troops occurred in the middle of May. The Vietcong overran a battalion command post in the delta, killing three American advisers and 29 South Vietnamese. One enemy body was found after the attack. Three South Vietnamese companies sat out the action only 300 yards away.

After years of cajolery by their advisers, Government units still operate ineffectively at night (as, indeed, some American units do). A visitor recently inspected three "night patrols" in three parts of the country. One was walking down a highway with transistor radios blaring, one was asleep in a house and the third was hiding in a cave.

The American advisers—whose superiors, including General Westmoreland, have refused to demand the removal of incompetent leaders—have had little impact. One former adviser described his role as that of "a glorified radio operator, tolerated only because I could call in air strikes."

NEED FOR REINFORCEMENTS A MEASURE OF OUR FAILURE

"Every time Westy makes a speech about how good the South Vietnam Army is," another general has said, "I want to ask him why he keeps calling for more Americans. His need for reinforcements is a measure of our failure with the Vietnamese."

At the same time paradoxically, the

Americans have created a dependent psychology in which the South Vietnamese abdicate responsibility in combat only to reassert it later.

An experienced adviser tells of having led a Government battalion in a ferocious all-night battle while its commander hid in a foxhole. The next morning, the commander emerged, shook himself and ordered his men to move out. When the American suggested that a less bunched-up formation might be better, the commander coldly ignored him.

At bottom, American officers say when they know that they will not be quoted by name, the trouble with the South Vietnamese Army is a lack of leadership. The fighting men are tough, willing and courageous, but like soldiers everywhere, they are worthless if badly led and poorly motivated.

The lack of leaders is heartbreaking to those who would reform the army. The best talent in the current generation has long since been lost: Thousands of men who might be leading South Vietnamese troops in combat are serving with the North Vietnamese or the Vietcong, heirs to the country's nationalist revolution against the French. Of all the Government officers serving as lieutenant colonel or higher, only two fought on the side of the Vietminh in the war against the French.

Some potential leaders are languishing in exile as a result of the purges of the last decade. Countless others have been killed in battle.

MANY OFFICERS FOUND WEARY AND CYNICAL

In their place stands a corps of young officers, often incompetent and more often corrupt. Weary of the war and cynical toward it, many of them work a four-and-a-half-day week, leaving their troops at noon Friday and repairing to Cantho or Danang or Saigon in search of diversion. It is not uncommon to see two dozen off-duty army officers taking their ease of a Saturday night in Maxim's a frightfully expensive Saigon nightclub.

Watching one such group drive through town in a long black car recently, a Vietnamese student commented, "Nguyen Huu Tho doesn't live like that."

Mr. Tho is chairman of the National Liberation Front, political arm of the Vietcong.

Saigon's army hardly seems a likely force to lead a revolution, and whatever can be said of the army can be said of the Government as well, for the army is the Government.

If the villagers resent soldiers who steal their rice and chickens, they resent far more the corrupt district and province officials, nearly all of them military men. They resent, for example, the delta province chief whose waterworks and electrical plant serve his headquarters and his house but not a single peasant hut; and they resent the highlands province chief who sold them diseased pigs, bought with American aid funds, at enormous profit to himself.

TALES OF CORRUPTION ABOUND IN SAIGON

The corruption—the sense of a diseased society—is most pervasive in Saigon. Many of the stories that float through the city's cafes are no doubt false; but in a sense, that does not matter because most of the people believe them.

This belief is a major political fact, contributing to cynicism and noncommitment. Conceivably General X's wife did not buy and sell draft deferments; but everyone said she did. The question has been asked: Is it reasonable to expect young men to volunteer eagerly to fight for their country in this kind of atmosphere?

La Thanh Nghe, a former Cabinet minister, is accused of having sold antibiotics to the Vietcong and, at the same time, of having earned almost a million dollars in kickbacks from American drug suppliers. Policemen on duty at night along Tu Do Street tell a journalist that they will need $3 to be sure his car is not towed away. Clerks on the piers, unable to locate a shipment through customs, suddenly find them when $10 passes across the counter.

Added to this is a civil service so weary, so undermanned, so bogged down in antique French techniques—18 seals and signatures are required on one car-ownership document—that the tinest tasks require weeks.

This is the system through which the pacification campaign must be made to work, through which the army must be reformed the economy must be managed, the hearts and minds of the people must somehow be won.

WHAT KY AND THIEU SAY, AND WHAT THEY DO

Premier Nguyen Cao Ky and Lieut. Gen. Nguyen Van Thieu, the chief of state, say all the right words, promising social justice, an end to corruption and a liberal revolution that will make the task of the Communists impossible.

But Premier Ky also once advised Western journalists to "watch what I do, not what I say"—and watching is not often encouraging.

After months of American prodding, for instance, the Government issued its "proclamation of national reconciliation," supposedly the beginning of a campaign to persuade high-ranking Vietcong to defect. Since then, the subject has been dropped, and only one field-grade enemy officer has turned himself in.

Four men who know Vietnam well have also watched. They recently said the same thing in different ways.

A former Premier commented: "The problem isn't the North Vietnamese Army. It's the South Vietnamese Government."

An American who has worked in the provinces for more than five years: "Nobody considers the Vietcong Robin Hood any more. But the Government and the army are still the Sheriff of Nottingham, and you'll never sell that."

A Saigon editor: "What is needed is someone who can seriously make the same claim on the loyalty of the people as Ho Chi Minh does in the North. Without that there can be nothing. The Americans will never understand, but it is obvious that the problem is not military but political, not American but Vietnamese. We have more of everything military—more bombing, more troops, more money—yet the situation does not change. This can be explained only in terms of the population's indifference, or even hostility, to Saigon."

A young army officer: "No South Vietnamese whose career or pocketbook isn't involved really looks up to or respects Ky. He could never be our national hero—too young, too flashy, too American, to much the playboy, too much the pilot."

ELECTIONS VIEWED AS A WAY TO TURN THE TIDE—IF

Confronted with these atttudes, and with open insurrection by militant Buddhists, the Government consented to national elections this fall. They offer an enormous opportunity, everyone here agrees to rally the people behind Saigon, to give the country a psychological lift, to dash the claims of the Vietcong to legitimacy and possibly even to open the way to peace negotiations.

But the military's old habits persist; it would be unrealistic not to expect them to. At the general's insistence, the only serious peace candidate, Au Truong Thanh, was ruled off the ballot, and the only nominee even remotely identifiable as a national hero, Maj. Gen. Duong Van Minh, was refused permission to return to the country.

Several left-wing candidates for the Senate were also denied the right to run.

A Saigon newspaper spoke for most of the country's intelligentsia and most civilian politicians when it said: "This may succeed in keeping out [of office] the people dedicated to radical social changes and reforms, and to ridding our people of inequalities and injustices with the perpetuation of which we would not triumph over Communism."

The remaining candidates—a collection of middle-aged and middle-class conservatives—seem to offer no real alternatives. The most prominent of these, Tran Van Huong, is considered an elderly, kindly and thoroughly honest retired teacher whose brief term as Premier in 1964 and 1965 was characterized chiefly by his stubbornness. Even his supporters concede that he is not the vibrant national leader the country needs.

OUTLOOK AFTER THE VOTING: NO BASIC CHANGES

Neither Mr. Huong nor any of the nine other civilian candidates is given more than a slight chance of winning, even if the balloting is scrupulously honest, which few expect it to be. The built-in advantages of incumbents, here as elsewhere, are so great that only a figure of great charisma can overcome them.

So the outlook, four weeks before election day, is for a ratification of the Thieu-Ky regime, with all that would mean: a "legitimized" but essentially unchanged central Government, continuation of heavy-handed police tactics, the same generally corrupt officials in the provinces, the same dispirited army, more war.

The prospect may be agonizing to Americans, but it is far worse for the South Vietnamese.

"What am I to do?" a young businessman asked a friend not long ago. "Vote for Thieu and Ky, and watch my country get torn apart for four more years? Vote for one of the civilians, when you and I both know they can't provide any real leadership? Join the Vietcong? Go to France or America?

"You know I can't do any of those things. I shall just have to wait longer."

[From the New York Times, Aug. 7, 1967]

Candidates' Tour Fails in Vietnam—18 Civilian Nominees Fly to Quangtri for Rally, Find No Greeters, and Leave

Saigon, South Vietnam, August 6—The provincial tour of the presidential candidates fell apart today before a single speech was made.

Eighteen civilian nominees for president and vice president of South Vietnam flew north from Saigon to open the 22-day campaign swing in Quangtri Province adjacent to the demilitarized zone, but no one was at the airport to meet them. Enraged, they flew back to Saigon while a crowd of 1,000 awaited them in the center of town in Quangtri.

"We have the feeling that they (the Government) didn't want us to go," said one of the candidates, Vu Hong Khanah. "This is really sabotage of the election."

"The late President Diem was better," added another nominee, Nguyen Dinh Quat, who ran against Ngo Dinh Diem in 1961. "He was a wiser dictator. This Government is a young and immature dictatorship."

It was indicated that the candidates hoped to meet and possibly hold a news conference. It was not clear whether they would agree to take part in a rally scheduled tomorrow for Hue, or whether they would go through with the rest of the itinerary.

It appeared probable, however, that some way would be found to soothe the hurt feelings and put the tour back on the road. A Vietnamese electoral campaign without a stop in historic Hue is as unthinkable as an American Presidential race without a rally in Manhattan's Garment District.

Lieut. Gen Nguyen Van Thieu, the chief of state, and Premier Nguyen Cao Ky—the military nominees for president and vice president—remained in Saigon. They did not send aides to represent them.

Eight of the 10 civilian presidential nominees and all 10 civilian vice presidential candidates made the trip, however.

LIFT OFFERED BY MARINES

The two Vietnamese Air Forces DC–3's carrying the party landed at Dongha Airport about seven miles north of Quangtri. Dressed in business suits and ties, the candidates stepped from the planes into 95-degree heat—and found no welcoming party.

"Nothing was there but wind and dust," said Dr. Phan Quang Dan, vice-presidential candidate on the ticket headed by Phan Khac Suu.

Several United States marines offered to drive the nominees from Dongha to Quangtri in three stake-trucks that were sitting at the side of the airfield, but the candidates demurred. Then First Lieut. Gary Loveridge of San Francisco, sizing up the situation, put in a call to Lieut. Col. Nguyen Am, the province chief.

Colonel Am sent a fleet of cars to fetch the angry nominees, but by that time they had been waiting for 30 minutes and their patience was exhausted. They climbed back into the plane and flew south to Danang.

The province chief, who was appointed to his job by Marshal Ky, insisted that he had no intention of slighting the politicans. He said no one had told him where the planes would arrive and he had assumed that they would land at the smaller Quangtri Airport.

NO INSTRUCTIONS RECEIVED

His statements surprised American officers stationed in Quangtri, who said that DC–3's never attempted to use the short dirt runway at Quangtri.

In any event, the candidates went on to Danang and walked into the airport restaurant for lunch. They chose one of their number, Ha Thuc Ky, whose Dai Viet party is the strongest political element in Quangtri—to telephone the commander of I Corps, which comprises the five northernmost provinces of South Vietnam.

The first time Mr. Ky, who is not related to Premier Ky, called at 2 P.M., he was told that the commander, Maj. Gen. Hoang Xuan Lam, was in bed and could not be disturbed. An hour and a half later, General Lam told Mr. Ky that he could do nothing because he had received no instructions from Saigon.

Finally, the 10 presidential slates took a vote on whether to drop the whole thing and go home. Tran Van Huong, who is considered the leading civilian nominee, presided. The tally was 6 in favor and 3 against, with 1 abstention.

While this was going on, the crowd, assembled in a high school basketball court in Quangtri, watched the empty chairs on the speaker's platform and waited. Not until 4 P.M., when the candidates were almost ready to leave Danang, did a provincial official tell them that the nominees were not coming. The crowd emitted a collective sigh.

An aged peasant, wearing the flowing Vietnamese ceremonial dress and a turban, took it calmly. "We're Vietnamese," he said. "What can we do about this? I only hope there is still a bus back to my village at this hour."

MAJORITY OF CIVIL SERVANTS

But another man, who said he was from Quangtri, was very angry. "These people haven't even been elected chief of state yet," he said. "If they were, they'd be worse than the others we've had."

A majority of those in the crowd were civil servants. Others had been summoned from the streets by the town crier, Nguyen Ho, a wizened 60-year-old man who moved through Quangtri, shouting through a crooked tin megaphone.

But some had walked in from outlying hamlets, leaving their homes as early as 6 A.M. They sat in the ferocious heat from 8 A.M., when the rally was originally scheduled to start, until it was finally called off, eight hours later.

Premier Ky spent a politically profitable afternoon at an athletic meet.

The 39-year-old Premier, accompanied by his wife dressed in traditional Vietnamese garb, went to Conghoa Stadium in the Cholon District. There some 10,000 shirtsleeved Vietnamese turned out to see the opening of the annual city sports festival.

Except for an occasional distant thud of allied artillery, it was hard to believe that a war was on. The stadium crowd, relaxed and friendly, applauded the winners and laughed at the more inept losers in the early events, a 1000-meter run and a fiercely contested motorcycle race.

The Premier, crisp and cool in a pearl gray suit and suede shoes, watched as Saigon's colorfully uniformed sports clubs, school teams and university athletes marched past with their banners to sound of band music. When he walked out on the field, he got a warm round of applause.

Aside from declaring the sports festival officially open, Premier Ky said nothing to the crowd. But, as several Vietnamese politicians noted, he was seen by far more voters today than were his opponents.

The elections are scheduled for Sept. 3.

[From the Washington Sunday Star, Aug. 6, 1967]

JOHNSON'S NEED FOR NEW ADVISERS ON VIETNAM

(By Carl T. Rowan)

The more I watch our deepening involvement in Vietnam, and the apparent rising dismay within the administration, the more convinced I become that President Johnson needs a whole raft of new advisers.

This is so because even the best of men tend to become mesmerized by the boss' voice, and enslaved to their own old arguments and predictions.

When Dean Rusk, Robert McNamara and Walt Rostow have sat through a hundred Tuesday luncheons and scores of Security Council meetings, listening to Lyndon Johnson's little soliloquies on Vietnam, they get both a conscious and subconscious understanding of what the President thinks, wants and prays for.

This is not conducive to new thinking on the part of the President's advisers. Rather, it induces them to try, in every mission and every utterance, to find or say something that eases the President's misery or justifies his previous policies.

A McNamara who has gone to Vietnam eight times and comes home exuding optimism will find it virtually impossible after a ninth visit to express public pessimism.

A Dean Rusk who has spent a year verbalizing justifications for not ceasing unconditionally the bombing of North Vietnam is too far committed to become the advocate of a bombing pause.

When a Robert Komer has declared publicly, with enthusiasm, that the pacification program is moving ahead in the villages of South Vietnam, who can expect him now to assert that things are going horribly and the U.S. must take another tack?

Just as self-preservation is a basic instinct of life, self-justification becomes a basic instinct of government service. This latter instinct drives all those advising the President to lean on and support each other in keeping alive the notion that the policies and programs of yesteryear were all valid—if only the advisers can hang on long enough for time to vindicate them.

Thus it becomes essential, particularly in a democracy, that even good men be moved out of key posts after reasonable intervals.

Sure, Vietnam is a woefully complicated problem. Sure, we are up against an adversary who seems to want peace only if it adds up to surrender by the allies. I say it "seems" that way, for none of us can be sure. One of the challenges to diplomacy is to fashion imaginative new steps and approaches that test out the validity of this assumption.

There is no reason to assume that new secretaries of state and defense, and new White House advisers, could bring peace in Vietnam where Rusk, McNamara, Rostow and others have failed. The only certainty is that new men would not be wed to all the utterances these men have made, to the dogma that they have built up over half a decade of grappling with Vietnam.

But this is surely an academic exercise about needed changes that Johnson isn't likely to make. Basically, he is distrustful of "strangers." He feels comfortable around those he has known, a point that is borne out in the extent to which he swaps and shifts key aides rather than go outside for new talent.

Cyrus Vance resigns as the Number 2 man in defense. Johnson plays a three-man game of musical chairs with men in defense whom he already knew.

George Ball leaves State and the President fills his job with his attorney general, Nicholas Katzenbach. He replaces Katzenbach with a man he already had learned to trust, Ramsey Clark.

To replace Adlai Stevenson at the United Nations, Johnson pulled from the Supreme Court Arthur Goldberg, whom he replaced with another old friend, Abe Fortas.

George Reedy is replaced by a Bill Moyers who is replaced by a George Christian—all old Johnson hands—in the press secretaryship.

The number of similar swaps and shifts is too large to be characterized as a routine policy of "promotions from within." It suggests that the President prefers those already "broken in" to his ways and views.

This means that he isn't likely to open the door to totally new advisers and the new ideas that he may now need more desperately than the "loyalty" of old colleagues and friends.

WHOLESOME MEAT ACT OF 1967

Mr. BREWSTER. Mr. President, for more than 100 years the Federal Government has been actively involved in consumer protection. The vast abundance of our country has provided the American consumer with the highest standard of living in the world. However, our increasing wealth, caused by a rapidly advancing technology, has exposed the consumer to new and uncontrolled dangers. When these dangers cannot be met entirely through State and local controls, the Federal Government has a responsibility to step in. This is especially relevant today, in the field of meat inspection.

In 1906, as a result of Upton Sinclair's novel, "The Jungle," Congress passed the Meat Inspection Act. In the 60 years between then and now, the meat industry has changed radically in both size and structure. But the law regulating this essential industry had been modified only once, and then only slightly.

Most Americans do not receive the protection they think they are getting from the existing statute. They are unaware of the fact that rotten and diseased meat is being sold every day. Most housewives believe that all the meat products they buy in stores and supermarkets have been thoroughly inspected. Yet, almost 25 percent of commercially produced meat products are processed without any Federal inspection.

This shortcoming is caused by the lack of effective State legislation in controlling intrastate movements of meat products. Shocking as it may seem, nine States, including my home State of Maryland, have no meat inspection laws at all. Another 13 States consider it adequate to have a voluntary meat inspection system.

In his special consumer message to Congress on February 16, 1967, President Johnson stated:

> It should be our goal to provide full assurance of the wholesomeness of all meat products offered for sale to the housewife. This assurance can best be developed through a Federal-State partnership for consumer protection.

Having always supported legislation to protect the consumer, I wholeheartedly agree with the aims expressed by the President.

To meet the need for legislation to solve this problem, the distinguished Senator from New Mexico [Mr. MONTOYA] introduced S. 2147, the Wholesome Meat Act of 1967. I am pleased to join in cosponsoring this essential legislation. Such a bill would help in the regulation of the marking, labeling, and packaging of meat products. In addition, it would help to prevent the falsification of certificates and misrepresentation of inspection.

Not only does the bill update the Meat Inspection Act, but it is designed to bring the standards of many States into compliance with Federal regulations. It permits a State to qualify for Federal aid of up to 50 percent of the cost if it develops an inspection system consistent with Federal requirements. It would allow the Department of Agriculture to make cooperative agreements to assist the States in formulating and administering their own programs.

I believe that the Federal meat inspection authority should be updated to meet the need for regulation in a rapidly growing and highly technical industry. I realized that this may cause a certain amount of readjustment in the meat products business, but matters of public protection should be primary. Therefore, I urge speedy passage of this vital legislation.

Mr. President, several days ago an editorial stressing the points I have just mentioned, was published in the Baltimore Sun. I ask unanimous consent that the editorial be printed in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

FIRST THINGS FIRST

Maryland is one of a group of states that has no laws covering the inspection of meat. Baltimore, however, does have such a law, and there have been no indications that it is faulty. This may be a case where local regulations are sufficient to protect the consumer. A report released by the United States Department of Agriculture last week was sharply critical of meat handling at some Maryland plants. If the findings can be substantiated, the General Assembly will almost certainly want to take action to correct the situation. Where local regulations are not satisfactory, and when states show no concern, it follows that the Federal Government must step in.

Ralph Nader, a reformer in the muckraking tradition, says modern meat-packing techniques are in some cases as bad or worse than those described in Upton Sinclair's "The Jungle." The situation may not be that critical. But one of the least assuring statements we've heard on the subject comes from Blaine Lilienquist, president of the Western States Meat Packing Association. Mr. Lilienquist can find no better reason for his opposition to an expanded Federal meat inspection law than the argument that it would be bad for business.

The Federal statute applies only to meats destined for interstate sales. But if the law were made to cover meat destined only for markets in the State where it is processed—which is what has been proposed—a lot of firms would simply have to close up shop, Mr. Lilienquist says. Why? Because they wouldn't be able to meet the higher Federal standards. Is he not saying, in effect, that business comes first and public health second? The same argument could have been made, and probably was, when the original meat packing law was enacted. It can be said, and often is, of almost any reform. But in matters involving public health and welfare it is at least a secondary consideration.

U.S. CIRCUIT COURT GENERALLY UPHOLDS NLRB IN J. P. STEVENS & CO. CASE

Mr. YARBOROUGH. Mr. President, in view of the large amount of discussion in regard to a recent decision of the National Labor Relations Board, I feel it desirable to have printed in the CONGRESSIONAL RECORD the decision of the U.S. Court of Appeals for the Second Circuit on July 7, 1967, which enforced the order of the NLRB against J. P. Stevens & Co.

As aspersions had been cast upon the actions of the Board in this situation and because each Senator has been subjected to letters from the parties in the case, it seems useful to complete the record on this matter. I ask unanimous consent that the decision of the U.S. Court of Appeals for the Second Circuit be printed in the RECORD.

There being no objection, the decision was ordered to be printed in the RECORD, as follows:

[U.S. Court of Appeals for the Second Circuit—Nos. 390, 389—September term—argued May 5, 1967; decided July 7, 1967—Docket Nos. 30914, 30391]

J. P. STEVENS & CO., INC., PETITIONER, AGAINST NATIONAL LABOR RELATIONS BOARD, RESPONDENT—TEXTILE WORKERS UNION OF AMERICA, AFL–CIO, PETITIONER, AGAINST NATIONAL LABOR RELATIONS BOARD, RESPONDENT, AND J. P. STEVENS & CO., INC., INTERVENOR

Before: WATERMAN, FRIENDLY AND FEINBERG, *Circuit Judges.*

Petitions for review and cross-petition for enforcement of an order of the National Labor Relations Board, 157 N. L. R. B. No. 90, requiring the employer, *inter alia*, to cease and desist from various unfair labor practices and to reinstate discharged employees, and dismissing complaints alleging violations in the discharges of certain other employees.

Order modified and, as modified, enforced.

DANIEL B. JORDAN, New York, N.Y. (Allan Sloan, New York, N.Y.; Adair, Goldthwaite, Stanford, Daniel & Horn, Atlanta, Ga., on the brief), *for Industrial Union Department, AFL–CIO, and Textile Workers Union of America, AFL–CIO.*

WHITEFORD S. BLAKENEY, Charlotte, N.C. (Blakeney, Alexander & Machen, Charlotte, N.C.; Paul, Weiss, Rifkind, Wharton & Garrison, New York, N.Y., on the brief), *for J. P. Stevens & Co., Inc.*

GLEN M. BENDIXON, Attorney, National Labor Relations Board (Arnold Ordman, General Counsel, Dominick L. Manoli, Associate General Counsel, Marcel Mallet-Prevost, Assistant General Counsel, Richard S. Rodin, Attorney, on the brief), *for Respondent.*

FEINBERG, *Circuit Judge:*

This case is before us on two petitions to review and a cross-petition to enforce an order of the National Labor Relations Board issued on March 22, 1966, 157 N. L. R. B. No. 90, against J. P. Stevens & Co., Inc. ("the company"). The Board concluded that the Company had engaged in massive violations of section 8(a)(1), (3) and (4) of the National Labor Relations Act, 29 U. S. C. §§ 158(a)(1), (3) and (4) ("the Act"), and found, *inter alia*, that the Company had discriminatorily discharged seventy-one employees because of their union activity.[1] The Board's order included notice provisions, some of them unusual, and required reinstatement of the improperly discharged employees. All of this is challenged by the petition to review brought by the Company. The Board also held that the General Counsel had not sustained his burden of showing discriminatory discharges of eight other employees. Six of these discharges form the basis of the other petition to review, brought by the Industrial Union Department, AFL–CIO ("the Union").[2] In its answer to the Company's petition, the Board has cross-petitioned to enforce. With minor modifications, we enforce the Board's order for reasons discussed below. The Company challenges both the Board's extensive findings[3] and its proposed remedies; we turn first to the former.

I. THE BOARD'S FINDINGS

According to the Board, in the spring of 1963, the Union launched a campaign to organize the textile plants operated by the Company in North and South Carolina; this proceeding involves incidents in twenty of those forty-three plants. In response to the Union's appearance, the Company posted a notice on the bulletin boards in the plants which stated its "positive intention to oppose this Union and by every proper means to prevent it from coming in here." (Italics omitted.) The Company also mailed copies of the notice to its employees. In the ensuing months, the Union succeeded in signing up a substantial number of employees. In many of the plants, most of the Union members at the Union's suggestion sent joint letters to their plant manager, of which the following is typical:

"This is to advise you that we, the undersigned, have joined the Textile Workers Union of America, AFL–CIO–CLC, and intend to help in every way that is legal to get our fellow workers to do the same.

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[1] The trial examiner found 69 discriminatory discharges and dismissed complaints as to 10 others. The Board disagreed as to 2 of these, raising the total of illegal discharges to 71.

[2] The Union has moved to substitute Textile Workers Union of America, AFL–CIO, as the petitioner in No. 30,391 and to amend the title of the proceeding accordingly. The motion is granted and the title reflects the change. References in this opinion to "the Union," therefore, also include the substituted party.

[3] The findings of the trial examiner were in large part adopted by the Board. The decisions of the examiner and the Board consume approximately 250 printed pages in the joint appendix; the briefs we have received number another 350, and the transcript runs well over 11,000 pages.

"We are aware of our rights under the law and any unlawful attempt on the part of the Company or its supervisors to interfere with the rights of Union people in this plant will be immediately referred to the National Labor Relations Board and charges against the parties involved will be filed."

The Company wrote letters in reply; the following is representative:

"We have received a letter written on the stationery of the Textile Workers Union of America, AFL–CIO–CLC, informing us that you have joined that union. We are taking due note of this information.

"We would like for you to understand, however, that your signing up with the union does not give you any immunity of any sort, nor any preference of any sort, nor any preference over other employees. You will be expected and required to perform your job as fully as anybody else—if you wish to remain in the Company's employment."

Thereafter, following management consultation, the Company posted on the various plant bulletin boards the names of employees who had so written and copies of the Company's reply. In the following days or months, many of these workers were reprimanded and discharged; others went to their supervisors seeking advice on how to withdraw from the Union and how to get their names "scratched" from these lists. For a time, such names were crossed off the lists.

Prior to the organizing campaign, the plants had been operated in a permissive manner. Once an employee was hired, his tenure was fairly secure; discharges were uncommon. The Company was tolerant, even lenient, in such matters as absences, work breaks, transfers, and rehirings. Formal written reports of employee reprimands, known as Personnel Action Reports or write-ups, were infrequent and occurred only where misconduct was serious or repeated. With the advent of the Union, however, this attitude changed swiftly. Issuance of write-ups, often quickly followed by discharge, became common for Union adherents. Incidents or activities that had previously been overlooked now occasioned speedy and severe disciplinary action. The examiner found:

"That this sudden tightening up, this splurge of write-ups, had little if anything to do with their work performance, as possibly affected by their interest in the Union, as [the Company] seems to infer (though it offered no evidence of it, and has not so argued) is demonstrated by the fact, among others, that as a rule there was simply no time for any effect to be shown. The normal pattern was a union meeting, generally on a weekend, at which a number of employees joined, the Company advised the same day by letter or telegram, the names received the next working day, if by letter, and the names posted, and a Personnel Action Report, or even discharge, the same day or the next. In the instance of the discriminatory discharges which I have found, the triggering act was clearly the employee's advising [the Company] that he had joined the Union. The write-up or discharge, or both, followed as quickly as a pretext could be found. Frequently, it was found the same day. In many instances the write-ups would be the first ever received by the employee during a long course of employment, or the first received for many years, or the first for the same alleged dereliction.

"This record bears no other interpretation than that the write-ups given to these employees were not given them because of their work performance, but to threaten and coerce them, and to build up a case against them upon which their subsequent discharge for union activity might be defended."

The Board found that the Company also resorted to other means in its campaign to defeat the Union, such as much closer supervision of employees at work and in rest periods, surveillance of Union meetings and Union organizers, and interrogation of employees, all of which far exceeded the "proper means" of opposition referred to in the Company's original notice. In brief, the Board found that the Company followed a pattern of interference, restraint and coercion of its employees.

Against these factual findings, the lengthy briefs in this case create a Pirandello-like effect, so different are the realities seen by each beholder. Time after time, what to the Union and the Board is an obvious discharge for concerted activity is to the Company merely a termination for unsatisfactory job performance. The conflict, of course, has been determined by the examiner and the Board, and it should require but the briefest reiteration that such factual resolutions are not to be lightly disturbed.[4] The Company's appellate response is a blanket attack upon the entire fact-finding process in this case. Focussing mainly on the findings of discriminatory discharges, it argues that each termination was based on a proper reason only, which the Board has ignored; in effect, it accuses the examiner and the Board of massive bias. Thus, the Company devotes two-thirds of its 122-page brief to challenging each and every one of the seventy-one findings of unlawful discharge. To test this accusation, we turn to the Company's first alleged "illustration—not of fact-finding inquiry on the part of the Examiner and the Board, but of determination to convict."

William Aldridge, employed by the Company at its Republic No. 2 plant in Great Falls, North Carolina, was discharged on August 28, 1963. The Company claimed that Aldridge was fired because he let the "laps" of cotton fibers, which are processed in the carding machines Aldridge tended, run out of several machines, causing damage to one of them.

The examiner did not believe the Company; he found instead that Aldridge was discharged because he had joined the Union. As support, the examiner pointed to the following evidence: Aldridge had been employed for nine years without once having received a derogatory write-up; less than three weeks before his discharge Aldridge had informed the Company of his Union membership; his name was posted on the bulletin board along with those of several others who had informed the Company they had joined; ever since then, his supervisors had more closely watched over him; Aldridge's immediate supervisor, J. T. Temple, did not testify to the nature or extent of the alleged damage to the machine; and two of the Company's witnesses could not point to any card tender having been fired for a similar offense, despite proof that it is not uncommon for laps to run out of a machine.

The Company criticizes these findings as follows: First, it argues that contrary to the examiner's finding that two witnesses could recall no card tender ever having been fired in this card room, another worker testified that he had seen card tenders discharged before Aldridge. What the examiner allegedly "ignores" turns out to be one employee's vague statement that in the thirteen years he had been in the card room he had seen card tenders get discharged, but not in the last four or five years; he could not name one who had been fired, nor was he asked nor did he explain why these anonymous card tenders had been fired. On the contrary, the witness did admit that he had damaged machines, which his supervisors were aware of, had sometimes let a lap run through a machine, but had never even been formally reprimanded. It is not difficult to see why the examiner made no mention of this testimony of other discharges; if they did occur, they were years ago and for unknown reasons; no records to corroborate the fact that there had been other card tender discharges, nor any more detailed facts as to a single one were presented by the supervisory personnel who testified.[5]

Second, the Company states that the examiner "cavils" at the fact that Temple could not describe the nature or extent of alleged damage to the machine and "wholly disregards the fact that J. W. Wood, Jr., the superintendent of the Plant, testified, without contradiction, that 'it took approximately $175.00 worth of material besides two men's labor' to repair the machine." But the examiner did note that neither Aldridge nor Funderburk, a Company witness, could see any damage. In addition, Temple, the assistant overseer of the card room, who summarily discharged Aldridge, and who claimed to have made a record of the extent of the damage (but threw the paper away) could not describe what Wood so neatly put his finger on. Nor do we believe that simply because the examiner did not mention Wood's testimony he ignored it. Rather, it seems to us that he simply gave it no weight, in view of how suspect this detailed evidence was compared to Wood's poor memory demonstrated by other testimony he gave. As the examiner and the Board found:

> John Wood . . . was as vague as his superior Burns when it came to naming other employees terminated from July 1962 to July 1963 for. . . . . shortcomings advanced as reasons for the termination of the employees named in the complaint in plant No. 2. . . . Nor could he remember any other employee who was given a personnel action report ["write-up"] for any of these faults during the same period.

This contrasted sharply with the Company's contention that discharges were a common thing and that the ones complained of constituted only about ten per cent of all the involuntary terminations during the period.

Finally, the Company alleges with emphasis that the examiner took no note of the testimony of a fellow card tender that he went to Aldridge in the smoking room to warn him that his laps were running out, whereupon Aldridge said, "'Well, I don't care,'" lit another cigarette, and stayed in the smoking room for another eight or ten minutes instead of returning to his machines. We note first that in direct contradiction to this testimony Aldridge stated that he had not been in the smoking room but in the water house (toilet facility). Obviously, the examiner believed Aldridge; but more important, the entire incident appears irrelevant. There is no evidence in the record that either Temple, who told Aldridge to go home and initiated the discharge, or Wood, the plant superintendent, who apparently approved it, had any knowledge of the alleged smoking room conversation until sometime after Aldridge had been discharged. Thus, this evidence of Aldridge's asserted contempt for his job duties could not have influenced their decision to fire him. Clearly then, in making findings as to what motivated the discharge, as distinguished from the red herring of later uncovered proper grounds, the examiner and the Board were justified in not mentioning this testimony.

We note also a coincidence not mentioned by the Company but observed by the examiner in his findings with respect to Republic Plant No. 2 and alluded to in his discussion of Aldridge. The same coincidence with variations, recurred at other plants, as the findings in the examiner's Summary show. Aldridge's name was posted on the Company bulletin board as a Union member about August 17, along with the names of six other employees. Within the next two days, three were discharged. Alarmed, two of the others went to their supervisors, one of whom was Wood, to ask how to get out of the Union.[6] Wood told them they would have "to prove" to him that they were no longer for the Union. These two employees were not discharged; eleven days later Aldridge was; within two more weeks, the last of the seven was terminated. To describe this evidence as supporting a finding of discriminatory discharge of Aldridge is understatement.

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[4] *E.g., NLRB* v. *Walton Mfg. Co.*, 369 U.S. 404 (1962) (*per curiam*), disapproving the standard for weighing evidence promulgated in *NLRB* v. *Tex-O-Kan Flour Mills Co.*, 122 F. 2d 433, 438–39 (5th Cir. 1941), cited to us by the Company. Accord, *Edward Fields, Inc.* v. *NLRB*, 325 F. 2d 754, 759 (2d Cir. 1963).

[5] In testimony the Company does not call to our attention, J. T. Temple did remember having fired one frame tender, Sinclair, in May or June of 1963, for refusing to perform his job, and another employee, Sistore, with an unspecified job, for "absenteeism," but could not recall the year.

We have examined the evidence regarding Aldridge in so much detail because the Company evidently regards it as a prime example of Board bias. We conclude that it is nothing of the sort. We turn now to another incident which gives the flavor of what the Board found to be the Company's tactics in combating organizational activity and represents the frivolity of most of the Company's attack on the sufficiency of the evidence. The discharges challenged by the Company here are of father and son.[7] The former, Jess Cudd, had worked for the Company in its Whitmire plant for over fifty years,[8] starting at the age of thirteen. Both were doffers in the spinning department and were apparently the only two employees of the 700 in that plant who were active in Union organization. In the small mill town of 3,500 people with many supervisors, son Donald's overt activity assisting a Union organizer was known to the Company. Before Donald joined the Union, he had never received a write-up. After he became a member in the summer of 1963, he received two in fairly quick succession; shortly thereafter, he was fired. The Company claims that Donald's work did not improve after a write-up while that of other doffers, similarly warned, did; it asserts that Donald was fired for bad piecing of ends on four or five bobbins which allegedly came from his frames. The supervisor who fired Donald claimed to have noticed the faulty work on the bobbins beginning around five p.m., but did not bring it to Donald's attention for five more hours, allegedly because he "was thinking it over" and "hated to let the boy go." The examiner observed that during this period of delay it became too late for Donald or anyone else to check the frames and the bobbins to see whether the bad work was his. As the examiner concluded, although the supervisor "hated to let the boy go," he did, the only doffer within his recollection that he had discharged.

As to Donald's father, the Company explains that three supervisors and one nonsupervisory employee testified that Jess was becoming progressively more neglectful, although in his approximately fifty years of employment prior to the advent of the Union he had been written up only once, in 1948. The actual incident culminating in his discharge came three months after the Cudds formally notified the Company of their Union membership. Jess Cudd had come to work to find three frames left over from the previous shift needing doffing, in addition to six of his own. By the end of the shift, Jess had doffed all but one. Despite his protests that he had been working as fast as he could all day, one frame remained undoffed, and he was fired.

The real reason for both firings becomes all too plain when an incident shortly prior to Jess Cudd's discharge is considered. Just before Christmas 1963, Jess had been approached by Stone, general overseer at the plant. He informed Jess that Donald, who by now had been fired, was passing out Union literature in town, and Stone suggested to Jess a plan for eliminating this problem; Jess would adopt Donald's children, quit work and collect relief payments; in that way Donald could be "run . . . off." At the same time Stone coupled his proposal with action; contrary to the Company's customary Christmas practice of giving families with children tickets exchangeable for fruit, Jess Cudd, whose son and grandchildren lived with him, was that year denied any tickets. Thus, the evidence was far more than adequate to show that both Donald and Jess Cudd were discharged not because of the quality of their work, but because of their protected Union activity.

We see no good reason to continue in this opinion with minute description of specific discharges. In some instances, the evidence of anti-union action is overwhelming; e.g., a loom fixer in the Victor plant was discharged after thirty-three years of excellent service with the Company; he received his first write-up a week after a supervisor questioned him about Union activity, in which he was actively involved, and added a veiled threat concerning whether the employee's daughter would be able to finish college. The employee was soon fired, allegedly for refusing to cooperate, the fact being that he balked at signing a confession of poor work on a job transfer slip. In others, the facts are nearer the borderline; e.g., an employee at the Black Hawk warehouse[9] was found to have been constructively discharged following a reprimand by his superintendent for dealing in lottery tickets and being absent the two previous days. Whether he was provoked into a "forced quit" or quit voluntarily is a close question,[10] but there was substantial evidence to support the Board's findings that it was the former.

In almost every instance, however, involuntary discharge was conceded. In those cases, the question before the Board was not whether there existed a valid ground for discharge, but whether the stated ground was the real one. If the Board's negative answer was supported by substantial evidence, its finding should not be set aside. *See NLRB* v. *Ambox, Inc.*, 357 F. 2d 138, 142 (5th Cir. 1966). And a discharge motivated only in part by anti-union discrimination is similarly illegal. E.g., *NLRB* v. *L. E. Farrell Co.*, 360 F. 2d 205, 208 (2d Cir. 1966); *Socony Mobil Oil Co.* v. *NLRB*, 357 F. 2d 662, 663–64 (2d Cir. 1966) (*per curiam*). While a few of the findings of illegal discharge might be questionable if they stood alone, each gains color from the general pattern, particularly in the same plant. Considering the Company's unalterable opposition to the Union, the swiftness of retribution after notification to the Company of Union membership, the number of letter writers and other known Union members who were discharged, and the failure to show comparable discipline of non-Union employees, the Company's claim of pervasive anti-employer bias that vitiates the entire fact-finding process does not hold up. That resolution of conflicting testimony is largely—or even entirely—adverse to the Company does not prove bias. *NLRB* v. *Pittsburgh S. S. Co.*, 337 U.S. 656, 659–60 (1949); *NLRB* v. *Dixie Gas, Inc.*, 323 F. 2d 433, 437 (5th Cir. 1963); *NLRB* v. *Geraldine Novelty Co.*, 173 F. 2d 14, 18–19 (2d Cir. 1949). Moreover, the Company's broadside charge that *"not once did the Trial Examiner or the Board find any witness for the Respondent to be telling the truth, or the conflicting testimony of witnesses for the Union and the Board to be anything but the truth!"* and always turned *"indifferently away from the explanation favorable to the Respondent,"*[11] almost entirely ignores the implications of the Board's dismissal of eight complaints against the Company. In five of the six cases which the Union has appealed, the examiner and the Board held that the General Counsel had not sustained his burden of proof. It was found that illegal discrimination based on Union activity was not the proven cause of discharge or failure to rehire, but rather some legitimate basis, e.g., poor work or absenteeism.[12] In other words, the Board did not hold that the General Counsel had failed to establish a prima facie case, but that he had failed to carry his burden of persuasion. And that finding implicitly means that the examiner believed the Company's alleged basis for its action to be the genuine one, albeit with some reservations.[13]

On the facts taken as a whole, there was far more to support the findings of the Company's illegal activity than the discharges alone. The sudden changes in pattern from permissiveness to harsh construction of work customs and rules has already been mentioned. Employees who became fearful when they saw fellow Union members fired and who went to their supervisors to say they wanted to get out of the Union were told they would have to prove they were through with it, for example, by reporting what the Union was up to. At the Company's Watts plant, a supervisor allowed a typewriter, a duplicating machine and one of its employees' services to be used to reproduce and circulate forms for withdrawing from the Union. And so it was that all but four of the forty-six Watts employees who had notified the Company of their Union membership resigned. Of the remaining four from the Union, one was out ill for a period of months and two were discharged in the ensuing weeks.

There is no room for doubt of the Board's ultimate conclusion:

"[The Company], through its plant superintendents, acting in collaboration, initiated and pursued a pattern of conduct the purpose of which was to crush the union movement. With scant regard for the means employed other than their effectiveness, it interfered with, restrained and coerced its employees in the exercise of their rights under the Act, flagrantly, cynically, and unlawfully."

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[6] As Mrs. Frankie Couch put it, "I told [Wood] that I have five children, and that I needed my job, and I felt it was more important than a union, and he told me, well, just prove myself, that I wasn't for the union. . . ."

[7] The facts are those found by the examiner, adopted by the Board and amply supported by the record.

[8] Except for a short leave of absence in the 1930's to get married, and a period of about 18 months in the late 1920's when he ran a soft drink concession at the plant.

[9] Garvis Powers, another case highlighted in the Company's brief as a particularly erroneous determination.

[10] The question of whether the employee was selling lottery tickets on the job was properly ignored as irrelevant to the issue of whether he quit voluntarily, the defense offered by the Company. In any event, examination of the record shows quite plainly that the lottery accusation was a pretext to cover the Company's displeasure with and sanction for the testimony the employee had given the day before as a Board witness.

[11] Emphasis in original.

[12] In the sixth case, the Board found Robert Carsey had voluntarily quit, though whether he had been driven to it by his supervisors was not free from doubt.

[13] See also the Board's handling of the testimony of Johnny Gambrell, who insisted that in his period of employment he had been absent only 8 or 10 days, and never without calling in an excuse. Tr. 4174–75, 4177–79. The examiner and the Board believed the Company's evidence, which directly conflicted with Gambrell's, finding he had been absent 28 days, 17 of which were unexcused. This led to the ultimate finding that absenteeism, not unionism, was the cause of Gambrell's discharge.

If there were room for such doubt, it would be demolished by the frequent evasiveness of key Company personnel in their testimony and the Company's failure to supply convincing corroborative data from records it admittedly possessed to back up some of its otherwise unsupported but crucial assertions, for example, that the discharges in dispute were just a small percentage of those comparable in the plants [14] or that the increased number of write-ups was due to higher standards, rather than being a form of interference with the unionization campaign. The Company also asserts that in some of the discharges it did not know that the employee was a Union supporter; it also claims that the increased discipline was due to unwarranted employee preoccupation with Union activity. The Board rejected these contentions and it was justified in doing so. The evidence in this record, circumstantial, *see NLRB* v. *Link-Belt Co.*, 311 U.S. 584 (1941), and direct, overwhelmingly supports the Board, taking into account whatever detracts from its weight. *Universal Camera Corp.* v. *NLRB*, 340 U.S. 474, 488, 491 (1951). Compare *NLRB* v. *Getlan Iron Works, Inc.*, —— F. 2d —— (2d Cir. May 23, 1967). With the few exceptions to follow, we will not discuss the evidence before the Board any further. We have reviewed the Board's findings and the evidence to support them with respect to each of the seventy-one employees discharged discriminatorily and the two denied overtime; most of the Company's charges that the evidence is insubstantial are entirely frivolous; all are without merit. We have also reviewed the six cases of discharge that are the subject of the Union's appeal. Here too, the strength of the evidence varies, but we conclude that the Board's findings are all supported by substantial evidence and hence cannot be disturbed.

Before leaving the issues dealing with substantiality of the evidence, one further matter deserves comment. As already noted, shortly after the Union appeared on the scene, the Company posted a notice,[15] which stated its opposition to the Union. The examiner made no finding that the Notice constituted a violation of the Act, but the Board did. Much attention has been paid in the briefs to the issue of whether the Notice—particularly the prediction in the first numbered paragraph that the Union's presence would bring "serious harm"—is coercive and illegal under section 8(a) (1). Apparently the Board has frequently characterized a substantially similar notice as an instrument of coercion. E.g., *Greensboro Hosiery Mills, Inc.*, 162 N. L. R. B. No. 108 (Feb 1, 1967); *White Oak Acres, Inc.*, 134 N. L. R. B. 1145, 1149–50 (1961). However, the Fourth and Sixth Circuits have disagreed with the Board, *see Wellington Mill Div., West Point Mfg. Co.* v. *NLRB*, 330 F. 2d 579, 583 (4th Cir.), cert. denied, 379 U.S. 882 (1964); *Surprenant Mfg. Co.* v. *NLRB*, 341 F. 2d 756, 758–60 (6th Cir. 1965). So also has the Court of Appeals for the District of Columbia, with the important qualification that "The notice may take a different coloration by virtue of the accompanying circumstances." *Amalgamated Clothing Workers* v. *NLRB*, 365 F. 2d 898, 909–10 (D. C. Cir. 1966) (2–1 decision). If we had to rule on the Notice *in vacuo* we might be particularly concerned as to the Fourth Circuit's position in the light of our present doubt whether it would not have made better sense for these petitions to have been heard by that court.[16] However, there can hardly be disagreement with the view of the District of Columbia Court of Appeals that the words of a notice should not be so regarded but may "take on a darker hue when viewed in the perspective of the particular setting." Whereas the Fourth Circuit found in the *West Point Mfg. Co.* case that most of the General Counsel's charges were not sustained, the "particular setting" in this case gave sufficiently dark a hue to the Notice. Since that limited basis suffices to sustain the Board's conclusion, we find it unnecessary to rule on the more general issues that have been posed.

II. THE BOARD'S ORDER

The order entered by the Board contains the usual cease and desist and reinstatement provisions about which there can be no valid question in the light of our holding as to the substantiality of evidence. The Company's real objections to the order are to four less usual provisions, which the Board added to the examiner's recommendations. These require the Company: (1) to post the usual notice, but in all its forty-three plants in North and South Carolina, not only the twenty where unfair labor practices have been found; (2) to mail a copy of the notice to each employee at the forty-three plants; (3) to convene those employees during working time and have a responsible Company official read them the notice; and (4) in those plants, to give the Union access for one year to the Company's bulletin boards where employee notices are posted. The Board acknowledged that these provisions went beyond the conventional, but considered them necessary "to undo the effect of the massive and deliberate unfair labor practices committed by [the Company] in its successful efforts to frustrate organization by its employees."

We are mindful that formulation of an affirmative order to remedy an unfair labor practice is " 'peculiarly a matter for administrative competence.' " *Fibreboard Paper Products Corp.* v. *NLRB*, 379 U.S. 203, 216 (1964). Moreover, the Board has attempted to cope here with a major campaign of illegal anti-union activity, spearheaded by retaliatory discharges. It has recently been noted that:

"In regulating organizational activity, a realistic sense of priorities should lead us to recognize that an elemental fear of reprisal still poses the major threat to the free and fair elections contemplated by the act. Under these circumstances, lesser problems should not be allowed to obscure the pressing need for more effective restraints against the clear threats and discriminatory discharges that do so much to awaken the fears of many employees." Bok, *The Regulation of Campaign Tactics in Representation Elections Under the National Labor Relations Act*, 78 Harv. L. Rev. 38, 140–41 (1964). We agree with those who have studied the problem of Board remedies and have concluded that a back pay award should not be "a license fee for union busting" [17] and that remedial orders should not be disapproved merely because they are imaginative.[18]

Taking the provisions of the Board's order in turn, we do not find inappropriate the requirement that the Company post notices in all its forty-three North and South Carolina plants. Flagrant violations occurred at each of the twenty plants involved in this proceeding where organization campaigns were instituted. The area is geographically limited and contiguous; the evidence shows that the Company's policies were not determined at individual plant levels alone. That being so, including the other twenty-three Carolina plants in the order was justified "since there is every reason to anticipate that if not deterred, [the Company] would pursue the same discriminatory policies" throughout the region. See *NLRB* v. *Lummus Co.*, 210 F. 2d 377, 381 (5th Cir. 1954); *NLRB* v. *UMW, Dist. 2*, 202 F. 2d 177, 179 (3d Cir. 1953). Equally important, the Board has found that the Company's practices were "so extensive and so well-publicized that they must inevitably have had a coercive impact" at the remaining plants. Posting of Board notices at all North and South Carolina plants is therefore needed to remedy the coercive atmosphere found by the Board.

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[14] The examiner observed that the Company made the same unsubstantiated assertion—that the disputed discharges amounted to only 10% of the plant totals—in affidavits successfully opposing preliminary injunctive relief sought by the Board under §10(j) of the Act, 29 U. S. C. §160(j). See *Johnston* v. *J. F. Stevens & Co.*, 234 F. Supp, 244, 247 (E. D. N. C. 1964). See also *Johnston* v. *J. P. Stevens & Co.*, 341 F. 2d 891 (4th Cir. 1965) (*per curiam*) (affirming unreported denial of preliminary injunction where hearing was on affidavits only).

[15] To all Employees:

Since the Union is putting on a campaign to get in here, a good many questions have arisen with regard to the following matters. We have decided to state the Company's position on these subjects as clearly as we can for everybody alike:

(1) *This matter is, of course, one of concern to the Company. It is also, however, a matter of serious concern to you and our sincere belief is that if this Union were to get in here, it would not work to your benefit but, in the long run, would itself operate to your serious harm.*

(2) *It is our positive intention to oppose this Union and by every proper means to prevent it from coming in here.*

(3) *We would like to make it clear that it is not necessary, and it is not ever going to be necessary, for anybody to belong to the Textile Workers AFL–CIO Union, or any other Union, in order to work for this Company. The law of South Carolina guarantees this to you.*

(4) *Those who might join or belong to a Union are not going to get any advantages or any preferred treatment of any sort over those who do not join or belong to any Union.*

(5) *If anybody causes you any trouble at your work or puts you under any sort of pressure to join the Union, you should let the Company know, and we will undertake to see that this is stopped.*

(6) *No person will be allowed to carry on Union organizing activities on the job. Anybody who does so and who thereby neglects his own work or interferes with the work of others will be subject to discharge.*

Anybody who tells you anything contrary to the foregoing is not telling you the truth.

[16] *Cf.* 1966 ABA Labor Relations Section 235–39, discussing a proposed "Amendment of the Act to Eliminate Races to the Circuits." The Board informed us that it uniformly takes no position as to which is the appropriate forum in controversies under 28 U.S.C. § 212(a), but when it is the first moving party, the Board always petitions for enforcement in the circuit where the unfair labor practices occurred.

We note that the Company in this case filed petitions for review in the Fourth Circuit, the Union filed in this court, the Fourth Circuit transferred the Company's petitions to us, and a panel of this court denied the Company's motion to transfer back. There have also been called to our attention orders of the Board or a trial examiner subsequent to the one reviewed here. We wish to make two things clear: (1) Now that we have completed a thorough review of the record, we are by no means sure that our earlier refusal to transfer was correct. The Company sought, *inter alia*, review of 71 discharges and an order extensively affecting it; the Union sought review of 6 discharges. All the discharges occurred in North and South Carolina, and the impact of the order, about which serious questions of policy are raised (see part II *infra*) will be directly felt in those states. The Board itself informed this court that it was in a "quandary" as to the circuit in which to proceed; and (2), in any event, our prior order is not controlling with regard to the proper forum to review the further Board orders, actual or potential, referred to above.

[17] Staff of Subcomm. on NLRB, House Comm. on Education and Labor, 87th Cong., 1st Sess., Administration of the Labor-Management Relations Act by the NLRB 3 (Comm. Print 1961).

[18] *See* Flannery, *The Need for Creative Orders Under Section 10(e) of the National Labor Relations Act*, 112 U. Pa. L. Rev. 69, 90–94 (1963); Bok, *supra*, 78 Harv. L. Rev. at 124–41.

The requirement that the Company also mail the notice to the employees in these forty-three plants is equally proper here. At the outset of the Union campaign, the Company posted its own Notice, already discussed, on the bulletin boards in the plants involved in this case. But the Company obviously thought that mere posting would not be sufficient to drive home its point, because in addition it mailed a copy to each employee in the plants. The Board's notice is entitled to the same circulation for the same reasons. An employee who must scan the Board's notice hurriedly while at work, under the scrutiny of others, will not be as able to absorb its meaning and hence to understand his legal rights as one who reads it at home in a more leisurely fashion. These considerations justify the Board's exercise of its discretion in this unusual case; we do not imply—and indeed do not understand the Board to suggest—that such a mailing order is necessary or even desirable in most cases. *NLRB* v. *American Laundry Machinery Co.*, 152 F. 2d 400 (2d Cir. 1945); *cf. NLRB* v. *United Brotherhood of Carpenters*, 321 F. 2d 126, 129–30 (9th Cir.), cert. denied, 375 U.S. 953 (1963). Mailing to all forty-three plants is proper for the reasons discussed above in connection with the posting provision.

However, we have more difficulty with the last two provisions of the order. The Company characterizes the requirement that its officials read the Board's notice to employees as tantamount to coercing a confession from it, citing *Miranda* v. *Arizona*, 384 U.S. 436 (1966), and *Escobedo* v. *Illinois*, 378 U.S. 478 (1964); indeed, it asks of the Labor Board, "Upon what meat doth this our Caesar feed?" We regard the reading requirement somewhat less emotionally and observe that the notice to be read does not in terms admit past offenses; for example, it does not contain the "cease and desist" language that so exercised Judge Learned Hand in *Art Metals Const. Co.* v. *NLRB*, 110 F. 2d 148, 151 (2d Cir. 1940), relied on by the Company.[19] On the other hand, there is an element in the requirement—not of "obeisance" as the Company claims—but of some humiliation in having Company officials personally and publicly participate. It was for this reason that the Fifth Circuit, albeit without much discussion, recently refused to enforce a similar order, *NLRB* v. *Laney & Duke Storage Warehouse Co.*, 369 F. 2d 859, 869 (5th Cir. 1966), although it had enforced such a provision in the past. *Jackson Tile Mfg. Co.* v. *NLRB*, 272 F. 2d 181 (5th Cir. 1959), enforcing *per curiam* 122 N.L.R.B. 764, 767–68 (1958); cf. *Taylor Colquitt Co.*, 47 N.L.R.B. 225, 257, enf'd, 140 F. 2d 92 (4th Cir. 1943). We have no desire to engage in humiliation of the Company; nor do we believe the reading provision was put in the order for that purpose. It was designed rather, as the Board said, "to undo the effect" of numerous and egregious unfair labor practices by insuring that the full counteracting force of the remedial order would be felt by the employees. Moreover, even posting a notice may be of some embarrassment to the Company. Balancing all of these considerations, and taking note of a recent suggestion based upon empirical research,[20] we will enforce this aspect of the order only at the twenty plants where the Board found unfair labor practices, and require the Board to afford the Company the alternative, at its option, of having the notice read by Board representatives, rather than by its own officials.[21] This alternative eliminates the necessity of participation by the Company, if it so desires, and still guarantees effective communication of the Board's order to the Company's employees.

Finally, we must consider the provision giving the Union access to the Company's bulletin boards. The Union has not achieved majority status and the Board declined to find that but for the Company's conduct it would have.[22] No unique problem of access has been shown as there was in *NLRB* v. *S & H Grossinger's Inc.*, 372 F. 2d 26 (2d Cir. 1967), where no effective alternatives to access to employees on company premises were available to the union in its organizational efforts. The other authorities cited by the Board for this provision are equally distinguishable. For example, *Fafnir Bearing Co.* v. *NLRB*, 362 F. 2d 716 (2d Cir. 1966), permitted access to company premises because that was the only way properly to judge a time study. Here the Board made virtually no findings concerning the issues relevant to solicitation, and made no adequate showing that the Company's bulletin boards are necessary to the Union in its organizational campaign.[23] Under these circumstances, we do not think that the Company should be forced to make them available.

With these modifications of the order, the petitions to review of the Company and the Union are denied and the Board's petition for enforcement is granted.

HOUSING AND URBAN DEVELOPMENT LEGISLATION, 1967

Mr. PERCY. Mr. President, the Subcommittee on Housing and Urban Affairs has just completed hearings on housing legislation of 1967. Some 41 bills are now before the committee. We are working very hard to obtain the facts that will enable us to bring to the floor of the Senate a good bill incorporating a number of important measures.

At the request of the Producers' Council, one of the Nation's leading private housing consultants, John M. Dickerman, has prepared an excellent short summary of the present status and prospects for Federal housing and urban development programs. While Mr. Dickerman's analysis does not extend to the various congressional initiatives that have been advanced by Senators on both sides of the aisle and are presently pending before the subcommittee, it nonetheless affords a useful perspective for evaluating our progress toward meeting current needs.

I ask unanimous consent that the summary be printed in the RECORD.

There being no objection, the summary was ordered to be printed in the RECORD, as follows:

HOUSING AND URBAN DEVELOPMENT, 1967

(By John M. Dickerman, for the Producers' Council, Inc.)

INTRODUCTION

A national paradox

The U.S. is now an urban nation. We have attained this urbanity in spite of law, heritage, and tradition designed to respond to the needs of a rural society. Change is in the wind and has been for some time. These changes in social, technological, political, and economic areas are well advanced, and may well pose the questions: In making way for the *new*, what takes the place of the old? And secondly, who guides, shapes, and implements the changes and the institutions wrought by change?

This report will identify and evaluate some of the basic forces at work in this revolution. Make no mistake, it *is* a revolution, quiet to be sure, but nevertheless a basic restructuring of our society.

Our roots are deep

The U.S. is rooted in the soil. Our agrarian society of a century ago did not require government direction. The industrialization of American signaled the doom of an agrarian economy and reflected the expansion of government intervention.

More than half the population lived in cities by the early 1940's. This figure has grown to 65% today, and is projected as 80% by the turn of the century. The urban shift is a well-known process. The problems of such a shift are well defined; the solutions remain elusive.

The Federal Government is moving toward solutions through long-term programs presently in the planning stages, and economic, social, and political weapons, both old and new.

In any case, it is safe to say that the search for viable solutions will always be with us. If present programs do not succeed, new programs will be evolved, ad infinitum if necessary. It is a predictable certainty that no matter what the evolution, urban America will be deeply and profoundly affected.

Four areas for discussion

Four areas stand out in the current history of federal involvement. Our exploration in these areas has not been of the trivia involved, but probing, seeking the vital areas that often reflect the inner philosophy of a subject.

These four areas are: *rebuilding our cities; metropolitan planning; new communities; and technological research in housing and urban development.*

We will discuss the scope and significance of the present 1967 Housing and Urban Development Program as it relates to current thinking, and project the logical extensions of such a program. Value judgments and commentary will be made in terms of probable program effectiveness, as well as costs, time schedules, and expected results.

When did it all start?

The first serious attempts at Federal housing programs were initiated in the mid-1930's. Three decades later a philosophy of power evolved in which the federal government exerts its full weight and prestige in the development of a new national urban image.

The Housing and Urban Development Department was assigned the task to provide planning and motivation for the legislation enacted by Congress.

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[19] The Board has long abandoned the form of notice reciting cease and desist provisions. See *NLRB* v. *Express Publishing Co.*, 312 U.S. 426, 438–39 (1941).

[20] *See* Ross, *Analysis of Administrative Process Under Taft-Hartley*, 63 Lab. Rel. Rep. 132, 153 (1966); McCulloch, *An Evaluation of the Remedies Available to the NLRB—Is There Need for Legislative or Administrative Change?*, 15 Lab. L. J. 755, 767–69 (1964).

[21] We do not hold that a reading provision without this alternative would never be appropriate.

[22] Indeed the Union had asked the Board to issue a bargaining order on this theory as to 3 of the Company's plants, but the Board refused to do so, stating that it could not under the Act "where majority status has never been obtained."

[23] *Cf.* Flannery, *supra* note 19, at 81.

Well established federal urban commitments and the ever deepening spiral of problems facing our cities prompted White House backing of this urban-oriented legislation. The decision was made in the face of accelerating international involvement and mounting national debt.

The outlook for success

Billions of federal dollars have been spent for public housing, urban renewal, sewer and water grants, urban planning, and social aid. More recently, a "war on poverty" was declared. The physical, sociological, and economic deteroration of urban areas continues, however. Slums grow, disease spreads, and crime proliferates. A significant number of our citizens are still trapped in the stricken ghettos of urban blight.

A massive "dollar-wave" tactic was developed for attacking the problem, after reluctant, almost stubborn, recognition that three decades of Federal direction in renewal and public housing had fallen far short of original objectives.

Superimposed on the general problem is a very specific problem. The explosive issue of Civil Rights has asserted itself in the form of protest, both militant and passive. The problems of the urban situation intensify the protest. Growing political awareness strengthens demands for action and in some cases ultimately results in uncontrolled rioting, which through a feedback cycle results in creating *more* slums, *more* disease, and *more* economic futility.

Only history will tell us whether this Congressional action, spurred to some extent by the Watts and Harlem riots, will contribute to solutions of the problem.

Passage of the Demonstration Cities, or Model Cities Program as it is informally dubbed, indicated executive and legislative awareness of mounting urban pressures.

The question that history will have to answer is: "Can success be built on a foundation of three decades of controversy and conflict over methods, philosophy, and achievement?"

The dream and the reality

The dream of Demonstration Cities is that 176 existing federal programs dealing with all aspects of the urban problem can be coordinated to the extent of meeting an overall policy objective.

The reality is that the fragmentation of objectives, redundancy, and inter-agency conflict have never, in our history, been legislated or memoed out of existence.

The Demonstration Cities program recognizes the problems and limitations of previous planning and has placed coordination among its major policy objectives.

Implementation and attainment of this objective, if accomplished, will be a unique and vital administrative performance.

Scope and significance of demonstration cities

The avowed emphasis of the program to rebuild our cities is on aids and systems for restoring blight areas, and assistance to residents of these areas toward "participation in the mainstream of American life." Although critical to the program, this aspect is by no means the only significant feature of the legislation.

Second of the four areas of discussion as previously mentioned is the *planned metropolitan development* section of the program. Significance of this will be its effect on the traditional form and function of local government.

The impact of *federally sponsored New Towns*, our third item, on existing cities has yet to be determined.

Although there is no clear direction as yet, our final area of report, *the research authority* in housing construction, rehabilitation and maintenance, and urban development will no doubt have a measurable impact on the construction industry. The research directive gives HUD the authority to test and demonstrate advances in technology relating to design, construction, manufacturing, materials, products, and building components.

The research authority provides HUD with a potential "power stick" of substantial proportions. HUD's power to grant or withhold approvals predicated on its research findings in a wide spectrum of construction-related activity could materially affect the construction industry at every level of operation: producers, labor, engineers, architect, financial institutions, and builders.

Rebuilding the cities

The Model Cities technique as it relates to cities is identifiable by a number of unique features:

It is a demonstrative experiment, designed to evaluate failure as well as success.

It is a concentrated effort seeking to focus coordinated action on specimen neighborhoods which conform to specific criteria of overcrowding, poverty, unemployment, welfare recipients, low skill and education levels, poor health, disease and crime. Action will be through an officially designated "city demonstration agency."

It is a people-factored program taking into account sociological guidance and direction in education, health, training, jobs, and counseling.

It is facilities-oriented with emphasis on recreation areas, parks, transportation, health, and education.

It is housing-oriented toward providing expansion of living units for low income families.

It stresses local participation through the citizenry in administration, work, and training. All phases of the program are subject to the approval of local governing bodies.

In addition to the above there are a number of other conditions which must be met: project must be able to demonstrate *measurable results;* be initiated in a *reasonably short time;* show adequate *organization and resources;* encourage private *initiative and enterprise;* local laws *must conform* to program objectives; have a satisfactory *relocation plan* for displaced citizens; prior commitment of *cooperation* from area agencies; project must be *consistent* with urban or metropolitan planning in the area; local jurisdictions must maintain *continuing level* of expenditures.

Federal financial assistance

Three types of assistance are provided in the statute:

1. Up to 80% of costs of planning and developing city demonstration programs.

2. Up to 80% of administrative costs for a local demonstration program. Limited to local demonstration city costs only, not local costs of administering any other federal programs.

3. Up to 80% of the amount of local (non-federal) contributions, otherwise required to be made to all projects or activities assisted by federal grants-in-aid programs which are utilized in connection with a demonstration program.

Twenty-four million dollars has been authorized to be appropriated to date through the year ending June 30, 1968 for (1) above. Four-hundred million dollars until June 30, 1968, has been authorized for (2) & (3). And five-hundred million through June 30, 1969, has been authorized for (2) & (3). An added two-hundred and fifty million was authorized for Model City-related Urban Renewal.

Congress, having approved the program and the authorizations, so far has been slow to appropriate the money. In 1966 it approved $11-million for (1) above, but nothing for (2) and (3). For fiscal year 1968 the Administration has asked for $12-million for (1) and $400-million for (2) and (3).

The question of appropriations will be a continuing issue.

Supplemental grants, (3) above, according to HUD's Model Cities Program Guide, ". . . must be used first to support new and additional projects and activities not otherwise assisted under an existing federal grant-in-aid program." Simplified examples of how various grant-in-aid programs may be included in the Model Cities Program are shown in Appendix A.

Informal estimates of the number of federal grants-in-aid applicable to Model Cities are as high as 200. The HUD Program Guide lists 46. The HUD list is revealing for two reasons: it shows specific examples of the types of grants-in-aid available, and also perhaps of even more significance, an indication of the possible redundancy of grants-in-aid through the various departments. How much duplication exists could only be determined by an in-depth survey of all departments. To HUD's credit, it must be stated that elimination of redundancy and complete coordination of programs is a major objective.

How the program functions

Cities desiring Demonstration Cities programs must meet HUD requirements as set forth earlier. Approval of a program for a given city is based on a selection system rather than a first-come-first-served basis.

Direct and indirect redundancy and overlap of functions within the various federal agencies could be a serious obstacle in the path of progress for Demonstration Cities.

The Federal Government has set the wheels in motion to avoid such conflict, however, HEW is establishing a Center for Community Planning, OEO has a liaison officer for model cities, Labor Department has a similar officer. Other departments are likely to follow the same path.

It will not do for local governments to submit re-hashed previously discarded city programs and thus attempt to meet the criteria for new ideas and approaches to local solution to local problems.

As the program has developed and the need for coordination became more obvious it has been reported that local governments in applying for demonstration cities funding are in most cases coordinating the first phase, planning, with a fair degree of success.

The basic issues confronting local governments are: housing, health, jobs, and education.

First, the city must determine, realistically, the real causes of neighborhood deficiencies. *Second,* they must analyze the programs available, local state and federal, for solutions. *Third,* they must draw up a comprehensive survey of the inter-relationships of these various solutions. *Fourth,* they must identify those problems for which there are no grants-in-aid available or where current grants are insufficient. These are problems to be attacked by supplemental grant funds.

The challenge of Demonstration Cities is local government's ability to develop creative, inventive, and imaginative, solution-oriented programs, toward their own problems.

Subect to funding, cities may request HUD for the appointment of a *metropolitan-expediter* as provided for in the Planned Metropolitan portion of the 1966 legislation. This expediter would serve as liaison between local governments and HUD.

Profile of a demonstration city

As published by HUD in their guidelines, an illustration of how the program might work, using HUD figures, would be as follows:

Sample City U.S.A. has a population of 1 million people, with 10% of the housing sheltering its citizens in sub-standard condition. Sample City has an unemployment rate of 6%, with a median family income of $6,200 yearly.

Sample City has slums which account for two-thirds of the sub-standard housing and 25% of the unemployment. Slum illiteracy rate among adults is 15%, average school facility 40 years old, infant mortality rate is 8%. Median slum family yearly income is $3,200.

On the assumption that Sample City would have participated in a number of uncoordinated federal programs such as urban renewal, public housing, and the Poverty Program, the city would now under a Demonstration Cities Program, establish a "Demonstration City Agency" which would apply for planning funds. Upon definition of the city's needs, resources, and objectives the city would receive a grant of 80% of the cost of planning.

A comprehensive planning program would be undertaken setting forth timing and scheduling for accomplishing the stated goals. The Sample City Program might roughly parallel this typical schedule: *Urban Renewal Rehabilitation* of 6,000 homes and apartments; *Job Corps Training* Program for 500 men; portions of the supplemental grant would be used to set up a *revolving fund* to make grants to needy homeowners, to train homeowners in repair work, to aid small businessmen in establishing rehabilitation businesses; there would be a 1200-unit public housing project; grants for housing code enforcement; and for parks and beautification.

In this Sample City Program a *Head Start* Program for 25,000 children, *day care* for 10,000 children, *basic education* for 2,500 adults, anti-dropout campaign for 20,000 and a *counseling and training* program for the educationally disadvantaged would serve education goals.

Employment opportunities programs would parallel the education projects: *manpower placement* for 75,000 workers, *after-school and summer employment* program for 15,000 a *vocational center* for 10,000 and *on-the-job training* for 5,000.

Supporting all of these activities would be assistance for the *drug and alcoholism* problems, community facilities such as *neighborhood centers, schools, libraries, transportation, welfare* and other *municipal services.*

Costs of the program

Total costs would be $253-million dollars. Federal share, under existing grants-in-aid $150-million, local share $103-million.

Under a Demonstration Cities Program the federal share would rise to $235-million, the original share of $153-million Plus an 80% supplement share of $103-million non-federal contribution, or $82-million. With this HUD supplemental grant the local share could be reduced to $21-million.

HUD estimated 5-year results

Unemployment reduced from 25% to 5%; *sub-standard housing reduced* from 65% to 5%; *infant mortality reduced* from 80 per-thousand to 25 per-thousand; *adult illiteracy* from 15% to 3%; *median income increased* from $3,200 to $5,000; *new schools, smaller classes; fewer dropouts; better streets; off-street parking; better transit; new health center; libraries; playground;* and *neighborhood centers.*

This represents a *400% drop* in the unemployment ratio, *a 1200% drop* in sub-standard housing ratio, *a 220% drop* in infant mortality ratios, *a 400% drop* in adult illiteracy ratios, and *a 56% rise* in median income.

Can this be accomplished?

The goals and achievements planned are admirable. The question of results within the time schedule of 5 years remains speculative. Sample City, U.S.A., is a *hypothetical case* set forth by HUD as an example of how the program *might* function. The anticipated achievements can only be evaluated in light of past experience and logical assumptions, based on practical and known realities.

Even with the assumption that prior history and experience has been in a different context, that the dollar incentives available under this program are substantially greater than in prior programs, and that focused resources on a well defined area is an untried innovation, old and new obstacles may begin to assert themselves. An examination of some of the more familiar obstacles might be in order.

Uncertainties of Congressional funding. The amount and timing of Congressional appropriations is an unpredictable variable over the time schedule as visioned by HUD.

Translation of policy into action. Literally thousands of federal, state, and local officials must interpret policy. One has only to look at present federal programs of any nature to understand the enormity of the coordination and cooperation problem.

Producing measurable results. The very size and scope of the program mitigates against attaining a finite measure of results. Since results must measure up to the goals originally set to obtain the program *and* the money, the temptation to rationalize results, meaningful only in terms of maintaining program funding, must be avoided.

Political Environment. Politics is mercurial, to say the least, and when we consider that a 5½ year program (½ year planning—5 years doing) could possibly span: 3 House elections; 3 Senatorial elections; 3 Presidential Administrations; and an incalculable number of state and local elections. The possibilities of *stop-start-stop* operations and their effect on a *finely timed and tuned schedule* are apparent.

Political Pressures. Choice of cities and programs will be at best difficult. When political reality and expediency meet HUD's carefully planned city selection process, fireworks and subsequent loss of time is the very least to be expected.

The very inventiveness and innovation of the program, its broad sweep, its comprehensive aims and its laudable objectives may well be the largest obstacles in its paths. The program as planned by HUD must, by its very size and nature, step on toes and cross jealously guarded lines and traditional structures.

Evaluating time/result/cost/factors

If we take a program that is brand-new in concept; add the variables of funding and Congressional appropriations; add the equation of state and local acceptance; multiply by political considerations at all government levels; take into consideration broad administrative discretion; apply it to a statute susceptible to varied interpretation; and finally commit it to an optimistic time schedule we can see the difficulties of analysis.

Some predictive evaluations may be made, however:

Time will be a major problem. So many of the Demonstration Cities Programs are based on time and timing that a meaningful evaluation is valid only on the logical extrapolation of history, and a knowledge of the workings of any federal program. *Time* is needed by local jurisdictions to prepare proposals. *Time* is needed to evaluate these proposals. *Time* is needed for funding approvals. *Time* is needed to demonstrate progress. *Time* is needed to fulfill all of the program criteria, i.e.: citizen participation, local city initiative, employment or residents of the demonstration area, and other requirements. *Time* will be required for coordination and liaison.

HUD has been reluctant, and understandably so, to establish firm time commitments for results. One intuitively feels that even when these commitments are made that a 100% hedge-factor could be employed with no other knowledge than "the Government just doesn't work that way." In other words, doubling the announced time schedules would indicate a more practical planning guide to HUD programs.

Witness the three decades of public housing before "hard-fact" results emerged and the residue of contention still extant. The 20-year-old Urban Renewal Program and its delays are to this day a subject of debate, its results in relation to its cost a matter of controversy.

On the basis of these two programs alone the reader might conclude that *merely doubling* the HUD timetable is conservative in the extreme.

Results must be demonstrated. To a large extent, HUD will be charting the unknown in demonstrating results. The physical laws do not apply in many of the areas HUD has chosen to explore. Although each of the end results, predicted in the Sample City, U.S.A., synthesis, may be *statistically* demonstrated, *only one, reduction of sub-standard housing,* is based on a physical or "brick and mortar" input.

Unquestionably certain early results will be evident, in some cases within the five-year period. Concentration of planning, money, and other inputs within a limited neighborhood is bound to produce noticeable results of a physical or facilities nature. Reportable results will no doubt be available in other areas as well. The degree of permanence, and costs of these results, remains to be seen.

Each of the other areas are based on people-factored inputs of education, training, interrelated (and in many cases dependent) sociological inputs.

Implicit in the need for demonstratable results is the commitment to examine *failure* as well as success. For it is only by this means that meaningful and substantive solutions may be found.

The ability to learn from failure is unfortunately not one of the attributes generally found in federal agency operations. The more likely line of least resistance will be toward the tangible successes in terms of physical facilities. It is a fate devoutly to be wished that the interrelationships of "brick and mortar" and "people-factored" segments of the program can be brought into a viable relationship leading to a practical formula of operations, applicable to the solution of urban problems.

Costs must be validated. It is in the area of costs that communications tend to be distorted. Semantics as well as differing ground-rules play a role in this important area. Are true costs just those dollars which have been pumped into a Demonstration Cities project? Are true costs based on the "investment" principle, that the money that goes *in* has an economic return in terms of area business and commerce, upgraded salary levels, reduction in welfare and unemployment payments, added tax revenue for local, state, and federal coffers as a result of the overall economic uplift? It is clear that the "cost accounting" of Demonstration Cities should be subject to a single policy in order for it to be a factor in the overall evaluation of the program on a cost-efficiency basis.

Enter the private sector

It is perhaps significant that the first mention of the Private Sector of the economy is in the general area of costs, expenditures, funding, and related financial factors. Government officials are increasingly stressing the need for private enterprise in the urban development process. This role is defined in two areas: as entrepreneurs; as contractors. In short, private enterprise is assigned a confined role of manufacturer, producer, supplier, engineer, or financier, the typical roles assigned private enterprise in most federal thinking.

It might be appropriate to ask at this juncture . . . "Why has private enterprise been assigned this traditional role when it can offer needed knowledge and imagination to the entire urban development program?"

PLANNED METROPOLITAN DEVELOPMENT

The "metro-government" section of the Demonstration Cities Act has its origins in the 15-year old concept of establishing preconditions for certain grants-in-aid for urban planning. These prerequisites have been imposed for: urban renewal, public housing and related FHA programs, workable programs, open-space land, sewer and water, mass transit, and FHA aided subdivisions.

Projected growth of urban areas in the next two decades has prompted Congress to declare that public welfare requires "sound and orderly development of metropolitan areas."

HUD is authorized to make grants (when funds are appropriated) to local jurisdictions carrying out metro development projects if they are consistent with "metropolitan wide comprehensive planning." These planning grants may not exceed 20% of the cost of the planned project and the total federal commitment may not exceed 80% of the total cost. $25-million for 1967 and $50-million for 1968 is authorized to be appropriated under this title.

The "metro government" title has *its supporters* as well as its *critics*. The former view the title as federal assistance to encourage metropolitan planning for sounder, more economical land use, and facilities utilization, all this tending to discourage undesirable urban sprawl and waste of urban assets and resources.

Critics interpret it as a reshaping of the traditional structures of state-local-federal relationships. They see federal intervention in the determination of how local communities should be planned and administered in details such as zoning, subdivision regulations, density controls, as well as location, financing and scheduling for public facility projects.

It is expected that of the 219 metropolitan areas designated, an estimated 150 will seek to be included with 12 or more advanced metropolitan plans qualifying first.

Congress approved the program with little debate, reflecting a probable conviction that coordination of fragmented local planning would serve the public welfare.

LAND DEVELOPMENT AND NEW COMMUNITIES

Philosophically the Land Development and New Communities title of the Demonstration Cities legislation appears to be a paradox. On the one hand we have legislation aimed at the urban problem; in this title we deal basically with a sub-urban problem. In the context of federal aid to create living environment for an enlarging urban population, however, the paradox evaporates.

Basically, this section is an extension of the 1965 Title X FHA mortgage insurance for subdivided land with sewer, water, streets and related on and off site facilities. Title X does not provide mortgage insurance for housing. Maximum insurable loan under Title X is $10-million for 7 years.

Congress in 1966 authorized HUD to expand this to $25-million with terms beyond 7 years and to include mortgage insurance for New Communities or New Towns. With this extension goes an expansion of the scope of HUD involvement. Detailed planning, land use, income levels, and density criteria will be required to comply with HUD-set standards.

The Federal National Mortgage Association (FNMA) is authorized to acquire resulting community mortgages under the more liberal Special Assistance Program.

Federal planning grants and federal public facilities loans would be available under the Land Development and New Communities title.

Until a "learning curve" on this title is established, it is expected that proposed new communities will be closely scrutinized by HUD and FHA. This legislative provision will probably spur development of a limited number of New Towns or New Communities.

The only significant plans for New Towns are now in the hands of private enterprise. A variety of problems have beset these early efforts and no single factor or set of factors has emerged as the key problem. The normal problem facing enterprises of this nature are: location, financing, market, design and management.

The vague wording of the statute as to what a New Town or New Community is, may attenuate progress. *Politically* it is suggested that these new jurisdictions will serve as satellites for the larger metropolitan areas. *Mayors of large cities,* a practical lot, see these New Towns or Communities siphoning off residents as well as urban business and industry. *Planners* see the new concept as an ecological system complete and self-sustaining.

It may be several years before a true picture of these New Towns can be evaluated.

FEDERAL RESEARCH IN CONSTRUCTION AND URBAN DEVELOPMENT TECHNOLOGY

Federal housing agencies have for years been authorized to study housing cost reduction methods through new and improved construction techniques. Except for a brief flurry of activity in the mid-1940's they have not actively pursued technical research. During these years the "research" was confined in great part to market data, inventories, mortgage finance problems, and housing needs.

The National Bureau of Standards has conducted research projects on building materials, but only as a by-product of its normal activity.

The bulk, indeed the *major* share, of research in housing construction has been performed, underwritten, and guided, through the channels of private companies. Work in research has also been regularly performed and sponsored by trade association groups and of course educational institutions.

HUD involvement

In requesting a new program of research in urban technology, the President pointed out that less than one-tenth of one percent of the government's total R&D expenditures have been in the housing and urban affairs field. Significantly, this did not reflect private investment in R&D.

HUD maintains that: *Technological progress* has been made but it is *slow to be adopted;* builders fear *major changes in design* or materials for fear of *negative market reaction;* home *buyers do not* readily *accept deviation from tradition* in materials as well as design; *labor may be unreceptive to innovation* for fear of economic loss; *communities are slow* to accept new urban devlopment techniques.

HUD's conviction that the Federal Government "can and should assert leadership" has led it to the conclusion that it must move with determination and aggressiveness into technological research. The direction of this federal intervention has been specifically outlined in the statute.

Scope of HUD research activity

In essence, HUD's charter in the area of research is stated as: (1) conduct research and studies to test and demonstrate new and improved techniques and methods of applying advances in technology to housing construction, rehabilitation and maintenance, and to urban activities; and (2) encourage and promote the acceptance and application of new and improved techniques and methods . . . by all housing industry segments including communities.

The law delineates specific technological fields within which such research and studies, shall apply. These areas, as previously noted, are *design concepts, construction* and *rehabilitation* methods, *manufacturing processes, materials,* and *products,* and building *components.*

Basically, HUD participation in the research field represents an enlargement and refinement of Federal Government power to adjust and enforce its concepts through the mechanism of "funding-availability" for programs a type of *conform* or *deny* process.

The President has asked Congress to authorize for HUD an Assistant Secretary for Research, Technology and Engineering. Fiscal requests amounted to $20-million for 1968 and a requested $5-million increase to $18-million for other studies in housing, urban development, and urban transportation.

Functioning of HUD in research activity

The broad language of the statute permits HUD to operate with complete flexibility. As presently envisioned the research operation will be primarily administrative in nature, functioning as an analytical and evaluation group. Actual work will be performed under contract or agreement with other government agencies, colleges and universities, and other R&D-oriented organizations.

HUD has proposed its sphere of activity in the following research fields: *housing* research; *building materials* and components; development of a wide-scale *rehabilitation* technology; *land use* and *community environment; public facilities* and services; effective *local government* and efficient *local administration;* departmental *programs* and resources.

The concept and reality of the systems approach

The systems approach, which has been heralded as a success in the areas of space and national defense, may well be the panacea HUD foresees in solutions to urban research technology. This approach to the problem has been suggested in the HUD publication "Science and the City."

The apparent success of systems methodology in space and national defense does not insure a similar success in its application to the technology of construction and urban development. The systems approach in space and defense deals essentially with physical laws which lend themselves to mathematical translation and subsequent computerization. If we examine this aspect of the HUD analysis and rationale for leadership in urban-related research it becomes quite clear that urban problems are heavily *people-factored* and thus not wholly compatible to the systems concept as it applies to space and defense technology.

HUD rationale bears repeating at this point. HUD points out that: *Technological progress has been* made but it is *slow to be adopted.* (The adoption process is a people-factor.) *Builders fear* major changes in design or materials for fear of *negative market reaction.* (Builders' fears and market reaction are people-factored.) *Home buyers do not readily accept* deviation from tradition in materials as well as design. (Buyer acceptance is people-factored.) *Labor may be unreceptive* to innovation for fear of economic loss. (Labor's fears are people-factored.) *Communities are slow to accept* new urban development techniques. (Communities are people-factored.)

HUD may develop a "systems methodology" for urban technology. It may be a fallacy to assume, however, that it can be transferred intact from a context which is not compatible with urban conditions.

CONCLUSIONS

The Department of Housing and Urban Development is involved in an extremely complex problem. The Demonstration Cities Act is, in essence, a reflection of the philosophy and concept of the department itself.

HUD objectives, though specific in intent, will find the translation into action a major undertaking, since no applicable precedent exists for many of the planned techniques.

The emphasis on sociological or people-factored criteria establishes an unknown variable which does not lend itself to measurement of program effectiveness by any presently known standards.

There is no reason to expect that time commitments for programs when announced by HUD will subject to any more or any less slippage than one would normally expect of any federal program. Doubling the announced time schedules would seem to be a reasonable expectation.

Congressional funding, of the program will be not only a variable factor but also unpredictable. The long-range planning inherent in the HUD program will be subject to the winds of political change. International involvement as well as internal national problems may shift present congressional thinking. Depending on the nature of the shift, it must be pointed out, the trend of HUD appropriations could be *up* as well as down.

An important element of the Demonstration Cities Program is the development of criteria suitable for *measuring* and evaluating *success* as well as *failure.*

The complexities of the program, in terms of cooperation and coordination, will require trained administrators in large numbers. Personnel requirements loom as an extremely important factor in the translation of policy into action.

Metropolitan-wide planning, encouraged by federal grants, will spread. The effect of federal grants in this area, on state and local jurisdictions will add substantially to federal control in local zoning, land-use, and planning functions.

Federal mortgage insurance for New Towns and Communities will not be extensive in the short-term future. As experience is gained in New Towns, now almost exclusively financed by the private sector, more federal participation may be expected. As presently expressed, the distinction between New Towns and suburban subdivisions is not clear. We may expect that the federal participation will be in the latter type of project in the near-term future.

The ambiguity of HUD's definition of the research and urban technology problem and its announced objectives will bear careful study. A breakthrough in the solution of urban problems, utilizing a "borrowed" aerospace systems approach seems unlikely within the present state-of-the-art. HUD must explore solutions within the dimensions of its own unique problems.

The increasing power of the Federal Government through the exercise of its funding-participation *conform* or *deny* grants will continue through every level of society. Individuals, local and state governments, and private enterprise may anticipate a continuation and expansion of federal involvement.

The Demonstration Cities Program, as with many other federal programs, does not clearly delineate the *precise role of the private sector of our economy.* The traditional assumption of government planners is that private enterprise will react to economic opportunity. Based on this assumption government planning invariably overlooks the *tremendous capacity* and *availability* of the private sector for guidance and consultation at the initial planning-development stage. The involvement of private enterprise in all phases of government programs must not be overlooked . . . indeed, the fact that this sector of our economy has often been ignored when government comes to grips with the realities of solutions, stands as an impediment to Creative Federalism.

This condition must be corrected.

APPENDIX—EXAMPLES AND COMPUTATIONS OF HUD GRANTS-IN-AID PROGRAM

[Dollar amounts in thousands]

Federally assisted activities included as part of local demonstration	Cost of activity	Statutory Federal share (percent)	Non-Federal share
Urban renewal projects	$15,000	66⅔	$5,000
Community action programs (Headstart, legal services, etc.)	3,000	90	300
Manpower development and training program	3,000	90	300
Vocational education program	800	50	400
Adult basic education program	300	90	30
Aid to dependent children	2,000	(1)	1,000
Work-training program, (Neighborhood Youth Corps)	70	90	70
Neighborhood center	1,200	66⅔	400
Hospital	3,750	(1)	2,500
Total	29,750		10,000

[1] Varies.

Thus, 80% of the non-Federal contribution would be $8 million in this example. These funds, according to the HUD Guide, might be used in the fashion shown in the following example:

New projects and activities not otherwise assisted under an existing Federal grant-in-aid program

[In thousands]

Revolving fund for purchase and rehabilitation of housing	$1,400
Intensified trash and garbage collection and rodent control in area	400
Police-community relations program	300
Improving and staffing neighborhood playgrounds for year-round and night use	700
Supplementary education services not fundable under other programs	500
Physical facilities for special educational programs	2,000
Alcoholic treatment center	300
Program to improve housekeeping standards and to prepare for home ownership	200
Total	5,800

A Federal grant-in-aid program which may be used in supplementation of the demonstration program is simply defined in the law as "a program of Federal assistance other than loans and other than the assistance provided by this title."

Clearly, this includes both any existing program of Federal grants plus any that may hereafter be authorized. Therefore, the determination of what Federal aid may be used as part of the demonstration cities program turns not on the law but on administrative discretion.

CONCLUSION OF MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Is there further morning business? If not, morning business is concluded.

CENTRAL ARIZONA PROJECT ACT

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of the unfinished business.

The ACTING PRESIDENT pro tempore. The bill will be stated by title.

The LEGISLATIVE CLERK. A bill (S. 1004) to authorize the construction, operation, and maintenance of the central Arizona project, Arizona-New Mexico, and for other purposes.

The ACTING PRESIDENT pro tempore. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill.

The ACTING PRESIDENT pro tempore. Under the order entered on Friday, the senior Senator from Colorado is recognized.

RECOGNITION OF SENATORS BROOKE, DOMINICK, AND YOUNG OF OHIO

Mr. ALLOTT. Mr. President, I ask unanimous consent that I may yield to the distinguished junior Senator from Massachusetts [Mr. BROOKE] for approximately 30 minutes, or until he has concluded his remarks; that after he has concluded, the junior Senator from Colorado [Mr. DOMINICK] be recognized for approximately 15 minutes; that then the distinguished Senator from Ohio [Mr. YOUNG] be recognized for 15 minutes; and that upon the conclusion of the remarks of the Senator from Ohio, a quorum call be had, and that I then be recognized.

The ACTING PRESIDENT pro tempore. Without objection, the several requests of the Senator from Colorado are granted.

Mr. BROOKE. I thank the distinguished Senator from Colorado.

AMINISTRATION OF LOW-INCOME PROGRAMS

Mr. BROOKE. Mr. President, the plainest and most pressing urban need today is housing. We do not need a study to tell us that much of the housing occupied by the poor is dilapidated, deteriorating and dismal. All we need do is drive through any major American city. We do not need a study to tell us that much of that housing is overcrowded. We need only remember, for instance, that there are 2½ million people living in Harlem. And if the rest of Manhattan Island were as densely populated as Harlem is, the entire population of the United States, 200 million people would be living in Manhattan.

The facts and figures on inadequate, substandard housing in this Nation are well documented and their effects are equally visible. Along with education and job opportunity, the housing problem today is a keystone of disorder and a key to future progress.

Few voices are raised in opposition to the concept of low-income housing. Its necessity, its desirability have long been recognized. The Senate Subcommittee on Housing has just completed 3 weeks of hearings, and much of that time was devoted to a recital of low-income housing needs and programs. But the fact is that with the exception of public housing, no truly low-income housing is being built. In fact, if we examine the government programs, especially the urban renewal program, we would find that more low-income housing has been destroyed than has been built. Many more low-income residents and small businesses have been displaced than have been relocated in new structures. The repeated promise made years ago by the Federal Government of a "decent home and suitable living environment for every American family" has an empty ring for millions of Americans in urban slums.

The Federal Government has not been oblivious to the need. Legislation has been proposed. Legislation has been enacted. But where is the housing?

The Federal Government's vehicle for providing multifamily low- and moderate-income housing is section 221(d)(3) of the National Housing Act. This program encourages nonprofit sponsors to receive 100 percent mortgages from the Government at below market interest rates. The result should be that projects constructed under the program will have lower rentals than would be possible through normal market financing.

But what has been the result? In the 6 years since the program was enacted in 1961, it has produced a grant total of 40,000 completed units. And 5,000 of these units were constructed before 1961. That is a pitifully inadequate number. It does not begin to meet the low-income housing needs. More units than that could be rented in a single week in any major urban center. If we were to build 40,000 units per year in New York City alone, it would take more than 20 years to equal the number of deteriorated buildings presently occupied.

The sum of $2.158 billion has been available to the 221(d)(3) program over 6 years. That sum is grossly inadequate to meet the demand for low-rent housing. But it is certainly enough to produce more than 40,000 units of housing in 6 years.

Why has the program lagged when its potential for the involvement of private enterprise and the initiative of national and local nonprofit sponsors seems to mark it as an effective tool for producing housing?

A catalog of the program's deficiencies, administered by FHA, can be seen in one pending project in the city of Malden in my own Commonwealth of Massachusetts.

More than 2 years ago Malden applied to the FHA for a mortgage to finance 108 units of low-income housing under the 221(d)(3) program. Malden asked for a $1,545,000 mortgage. The project is sponsored by a most responsible religious organization, the Agudas Achim Congregation of Malden. The housing is badly needed. It was to be built on an urban renewal site. It is intended to house many of the people who had been displaced by the urban renewal project. Because of the reduced land cost under the urban renewal program and below-market rate financing, the prospects were good for keeping the rentals low.

More than 2 years have passed since the initial application. The land is still vacant. The housing is still needed, but the prospects for construction are dim. Even if the project is completed, the rents will be considerably higher. Why?

First, it took the FHA 18 months to process the initial application for a $1,545,000 mortgage. It then made a commitment for that exact figure which was applied for by Agudas Achim. In the meantime, construction and material costs had risen 15 percent. As a result, the project which could have rented units at $89 per month, would have to rent at $109 per month. A vicious cycle had begun. The mortgage request increased to $1,799,000, more than a quarter of a million dollars over the original request.

That increase represents the needless price that is being paid for FHA delay. How many Maldens are there across the country in which FHA policy and procrastination force increases in project costs resulting in higher mortgages, higher rents, and worst of all less housing under construction?

Unfortunately, the increase in the cost of the project is not the end of the Malden story. For, when the increased mortgage request was submitted, it took the FHA 3 months to approve the higher figure, even though it was perfectly apparent that the increase was due to the rise in building costs during the 18-month delay in FHA's initial evaluation. Another factor was FHA's requirement of a cost-plus contract rather than the proposed lump sum which had previously been customary FHA policy. A policy of cost-plus contracts is a complete contradiction of Secretary Weaver's acclamation of the "turn-key" program in public housing which is a cost-saving lump-sum contract.

A further FHA obstacle was then encountered. FHA insisted that the general contractor post a 100-percent performance bond, despite the fact that this contractor had successfully completed six low-income housing projects of nearly 1,000 units under the 221(d)(3) program, without default or mortgage relief. One of those projects was 226 units built under the d-3 program in Malden, for which only a 10-percent bond was required.

The contractor has not been able to obtain the 100-percent performance bond. So the start of construction is further delayed. He has offered to withdraw from the project. His withdrawal would probably result in an increase in cost and require a resubmittal to FHA and another ride on the paper work "merry-go-round." The Malden project may very well die if there is another project increase.

The FHA requirement increasing performance bonds from 10 percent to 100 percent effectively impedes, if it does not eliminate, the use of small contractors in the construction of low-rent housing under the d-3 program. Their use has been an important factor in keeping construction costs low.

Whereas a large construction firm, with substantial liquid assets and an owner also having substantial assets will not find it difficult to obtain a 100-percent bond. But the small contractor, building for a nonprofit sponsor with few assets, may find it impossible. A representative of the Mutual Life Insurance Co. of New York, had this to say about the problem:

> In discussing the FHA 100% bonding requirement with the various underwriters of major bonding companies, their attitudes seemed to be uniform. They felt that if a contractor qualified for the more normal 10% bond requirement, he would need substantially more net quick assets to qualify for a 100% bond. This is particularly true where the principal is a non-profit sponsor with no assets of their own. In these cases, it is even more important for the contractor to have more than the minimum liquidity.
>
> Most of the people in the bonding industry feel it is quite unnecessary to require 100% bonding of contractors. As a matter of fact, the largest lenders of construction and permanent money, such as insurance companies and commercial banks, only require 10% bonds if any. These bond underwriters inform me that to their knowledge the FHA is the only group requiring such 100% bonding for this type of construction.

It should be emphasized that the Congress, in establishing the 221(d)(3) program, specified that a bond of not less than 10 percent be required of contractors. This program was designed with the congressional purpose of encouraging low-rent housing, encouraging the interest of private enterprise, encouraging the involvement of "small builders" has now gone out of its way to discourage that participation: the result of arbitrary requirements by the Agency charged with making that program work.

Any insurance program, whether public or private, requires safeguards, but a 10-percent bond, in the experience of the industry, is an adequate safeguard. An added protection is FHA's 10-percent holdback policy, which means that 10 percent of the contractor's payment is held back until the successful completion of the project.

There may be unusual situations that would warrant FHA's imposition of a higher than 10-percent performance bond. But in the Malden case, FHA was dealing with a contractor who had extensive and successful low-rent housing experience. The setting of the bond requirement is within the "discretion" of the Director. But why, in this instance, was that discretion exercised to impose a requirement, which was impossible to meet, and which effectively prevented the construction of 108 units of badly needed housing?

We have not yet come to the end of the Malden story. The FHA has informed the Agudas Achim Congregation that it must assume financial responsibility for any deficits in the project's operation during the first 2 years.

Many nonprofit organizations which can be encouraged to participate in the d-3 program are simply not in a financial position to assume such a risk. In Malden, the Agudas Achim Congregation was convinced to assume the risk and one of the reasons they were willing to do so was because there was a successful d-3 project across the street from the proposed project which has experienced 100-percent occupancy since completion. Most potential sponsors do not have such firsthand evidence to encourage them. Without such demonstrated success, it is doubtful that many potential nonprofit sponsors could convince their membership that a 2-year guarantee was an acceptable risk.

Who should be the risk taking agency? The Congress in establishing the d-3 program for participation of nonprofit sponsors intended to put the burden on the FHA, not the sponsoring organization. This is the reason why the project can be insured for 100 percent. The FHA's responsibility is clear. It must determine the eligibility of the nonprofit sponsor for a housing project. It must decide whether the project is feasible, and whether the units will rent. If FHA's judgment is favorable, it must insure the mortgage for that project. Congress did not intend the nonprofit sponsor to be the insurer of the project.

The task of finding competent nonprofit sponsors will be impossible if nonprofit sponsors are required to insure the operation of projects which, under the program, FHA is supposed to insure. The encouragement of nonprofit sponsors has been the policy of FHA. It is completely self-defeating and destructive of the aims of the program, to burden the sponsor with the role of insurer.

Last Sunday, as part of the President's call for prayer and reconciliation, Mayor Kelliher of Malden officially urged a prayer for new efforts "to break through Federal redtape" in getting its housing project. Mr. President, I join in the prayer of the city of Malden. I expect the FHA to seriously reconsider the obstacles it has placed in the way of these 108 units of housing. This project should be moved forward to completion without further delay. In addition, Mr. President, I urge that Federal redtape be cut anywhere and everywhere new housing construction is being delayed.

The present 221(d)(3) program, effectively administered and funded, should be an effective tool for producing 40,000 units of housing a year, not 40,000 units in 6 years. As the Malden example illustrates, tyranny of FHA policies and paperwork is a major factor in increased project costs. FHA insured mortgages on multifamily dwellings have dropped from more than 75 percent of the total number of new starts after World War II to only 9 percent today. Contractors, architects, and landowners cannot afford to be tied up in FHA red tape for a year and a half.

Another cost saving in the 221(d)(3) program would be the use of funds at the below-market interest rate during construction. Previously, construction funds were available only through an FHA insured bank loan at 6 percent interest. The 1966 amendments to the Housing Act, authorized FNMA to advance construction funds up to 95 percent. However, this section has not yet been implemented. In the Malden project, such an advance would have represented a savings of more than $50,000.

In the final analysis, it is the attitude and outlook of the government agency charged with administering the low-rent housing programs which determines, in large part, whether or not progress is made in improving housing conditions. The timidity which characterizes FHA's approach toward low-income housing is an increasing source of frustration to the successful and optimum operation of the d-3 program.

And Congress must bear part of the responsibility for this timidity. If Congress is going to take the position that any default or mortgage deficit, on any project, anywhere, under any circumstances, is an event which brings the validity of the entire program into question, then it fosters an unnecessarily cautious attitude which will inhibit or prevent the taking of acceptable risks. This is especially true of the low-income housing programs which necessarily involve a different orientation than the insuring of single family middle-class dwellings. The Congress too must understand the nature of the low-income housing programs and must encourage and insist that FHA make these programs work effectively.

If the present policy and attitude of FHA does not change, the Congress might well consider the creation of a separate Low-Income Housing Division to administer the low-income housing programs.

There is no great mystery to building needed low-income housing. When people cannot afford to pay the going rental and mortgage payments available on the private market, then there must be Federal assistance. Such assistance can take many forms.

It can be a reduced cost in land acquisition, as made possible under the urban renewal program.

It can be a below-market interest rate and a 100-percent insured mortgage in a program run by a nonprofit sponsor, as in the 221(d)(3) program.

It can be private construction of new housing with a subsidy to the developer on units occupied by people who cannot afford the full rental value, as in the rent supplement program.

All of these programs are effective tools for reducing the cost of decent housing to low-income families. New programs can be devised. But essentially, we already have the programs we need to provide low-income housing for millions of Americans who desperately need that housing. To make these programs work there must be adequate funding by the Congress. A giant step backward was taken by the House of Representatives this year when it eliminated the appropriation for the rent supplement program. Having adopted such a program in the first instance, the Congress should have been and must be responsive and committed on a long-range basis. The Congress must not be "in the position of a gardener who pulls up the plant each year to examine the roots."

But the administration of programs in the low-income housing field must be positive and creative. The responsibility rests with the Federal Housing Administration. They have the power to decide whether or not the epithet of one observer of 20th-century civilization is correct. In his words, "Hell is a government bureaucracy."

I thank you, Mr. President.

I yield the floor.

Mr. PERCY subsequently said: Mr. President, I wish to commend the Senator from Massachusetts [Mr. BROOKE] on his fine statement made here this morning. I support him 100 percent in his proposal for a Low Income Housing Division in the Department of Housing and Urban Development. At the present time, there is no bureau in HUD which has the exclusive responsibility of providing decent homes for low-income Americans. Present Federal programs have been successful in aiding middle-income America, but we must now see that they are broadened to provide the same assistance to lower income America. The Senator from Massachusetts has told a horror story of Government bureaucracy affecting the city of Malden, Mass.

The Senator asks in his speech:

> How many Maldens are there across the country?

Mr. President, unfortunately there are many, many Maldens in the Nation which have suffered at the hands of the FHA. In my own State of Illinois the capital city of Springfield has experienced many of the same problems of Malden, Mass. Mayor Howarth, of Springfield, recently testified before the Senate Subcommittee on Housing and said:

> Federal Residential Urban Renewal programs administered under HUD have so failed in my city, and in most Illinois cities outside of Chicago, that the words "Urban Renewal" itself in Illinois has become an unpopular word not to be used by candidates at election time—not because of its dislike by conservative Republicans, but because of its complete dislike by the very low income groups that it is supposed to help.

Mayor Howarth detailed his problems with the program in his excellent testimony, which I ask unanimous consent to have printed at this point in the RECORD.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT OF NELSON HOWARTH, MAYOR OF THE CITY OF SPRINGFIELD, ILL., BEFORE THE HOUSING AND URBAN AFFAIRS SUBCOMMITTEE OF THE SENATE BANKING AND CURRENCY COMMITTEE, JULY 28, 1967, DURING THE HEARINGS ON 1967 HOUSING LEGISLATION, AND IN PARTICULAR, THE NATIONAL HOME OWNERSHIP FOUNDATION ACT, S. 1592

Mr. Chairman and members of this subcommittee, ladies and gentlemen, my name is Nelson Howarth, Mayor of the City of Springfield, Illinois. I thank you for this opportunity to appear before you to testify in behalf of Senate Bill 1592, the proposed National Home Ownership Foundation Act. It is both an honor and an interesting experience.

As background for my testimony, I begin with a brief reference to myself and the city I represent. I now am serving my third 4-year term as Mayor—not in succession, however. In their judgment, and against my advice, the people of Springfield gave me a 4-year leave of absence between 1959 and 1963. I also serve as a Vice President of Illinois Municipal League and I am the immediate past President of The Central Illinois Mayors' Association, a conference of Mayors and City Managers of eleven Central Illinois Cities having a population in excess of 20,000. The office of Mayor is a full time position in our city. He is elected by a non-partisan election in which both political parties take an active part. I have always voted in the Republican Primary Elections, but I am nonpartisan in my own political viewpoints and publicly support partisan candidates without regard to their political party.

Those of you who are able to keep the Nation's Springfields properly catalogued in your mind, will remember that our Springfield is the Capital of Illinois and the home and last resting place of President Lincoln. Our principal businesses, and probably in the order of their dollar importance are: Government, Commerce, Tourism and Conventions, Insurance and Industry. Our 1960 census population of 83,271 and the presently estimated 91,000 does not accurately picture the size of our community because literally 50% of the area having residents receiving mail addressed to them by a specified street address, "Springfield, Illinois," is located outside our official corporate limits. Our wealthiest people and finest residential areas, as well as some of our slum areas, are in this fringe area. We are classified by the Census Bureau as 159th in the 225 metropolitan areas of the United States, with a 1960 metropolitan area population of 146,539, now estimated at 160,000.

Ninety-nine plus per cent of the estimated 8,000 Negro population of Sangamon County resides within the Springfield corporate limits; and although we have less segregation and discrimination than most Central Illinois cities, and have experienced some housing desegregation in the past two years, still, literally 98% of our Negro population resides within 13 of our 127 city election precincts, all but one or two of which are contiguous and in an area approximately 14 blocks wide and 20 blocks deep concentrated on the near east side of our city.

Most of our white population traces its ancestry back through Illinois, Indiana, Ohio, Kentucky, Tennessee and other middle border states. The remainder have backgrounds associated with the successive waves of immigration commencing in the 1840's.

Our Civil Rights programs have been inadequate, but fairly successful, in comparison to other Illinois cities. We have had a Human Relations Commission since 1948, one of the first in our State; and since 1963, it has had a paid staff working actively on Civil Rights programs. Although Negroes make up only 8% of our population, approximately 15% of our Police personnel are Negroes and include top supervising officers. Since 1955, representatives of minority groups have served on most of our Commissions and Boards. Long ago we eliminated racial discrimination in public places and two years ago in a citywide election, in close competition with other qualified white candidates, a prominent and highly qualified Negro physician was elected to our School Board.

We also are one of the few Illinois cities to have enacted an Open Housing Ordinance; but we also must confess that we find it necessary to file an application with HUD for a Model Cities Grant—that on a citywide average, 18% of our homes are substandard, and in the limited Model Cities area, 40 plus per cent of the buildings are substandard. Some areas in our city are out and out slums. The home of Abraham Lincoln also must confess that minority groups are still denied equal opportunities for housing and employment.

We have an active Public Housing Authority, well operated and well run, and are expanding public housing facilities, particularly, for the benefit of senior citizens. A survey made two years ago reported that the median family income in Springfield was $5,939.00, substantially below the State average of $6,566.00; but the survey also found that there were fewer people in Springfield than in most cities our size with income of less than $3,000.00 per year.

And so, I believe Springfield can be classified as an average Central Illinois city, perhaps a little more enlightened on Civil Rights matters because of the presence of our State Capitol, and certainly a bit more cosmopolitan because of its presence; but nevertheless, we suffer serious municipal problems; growing out of several recent national developments such as: the sudden and quickening rush of people from rural to urban areas; the corresponding backwash of people—usually the type that should be community leaders—out of the city and into its fringe areas; the growing and militant demands of Negro citizens for their Constitutional rights; and the corresponding reluctance of white citizens to grant them; and the failure of State Legislatures to find solutions for the problems.

The resulting problems are legion and frustrating to Mayors because Mayors are so close to the people they have no place to hide—they are supposed to answer the people's questions, but too often, there are no answers to these recurring problems.

(1) *Insufficient funds to do the job expected by the people.* For a hundred years or more prior to the beginning of World War II a City Government's responsibility was, primarily, housekeeping. There was not much expansion, and little need for capital improvements; but the population explosion requires that these long neglected improvements be installed all at once.

(2) Failure of the State Legislature to provide cities with the legal tools needed to assure city taxpayers that all taxpayers in a metropolitan area contribute equitably toward the cost of metropolitan benefits; and failure of the Legislature to consolidate local government so that metropolitan problems can be accomplished.

(3) *A serious lack of decent housing for low income groups having incomes just above* maximums established for public housing, but below the minimum required to meet market prices.

(4) *A lack of employment for the unskilled labor.*

(5) *Racial discrimination denying Negroes adequate opportunities for decent housing and for employment*—particularly in most local union labor—all active as a cancer, creating another by-product which amounts to denial of education for Negro youth.

(6) Exploding crime and expanding slums.

The foregoing is a background and thumbnail sketch of non-Chamber of Commerce viewpoint of the home of President Lincoln, and Capital of the State of Illinois.

On that background, I strongly support the enactment of Senate Bill 1592 and the creation of the National Home Ownership Foundation for a number of specific reasons.

I

I support Senate Bill 1592 because *four out of six of our most serious community problems* as indicated above revolve around the lack of adequate housing and adequate employment for low income groups, particularly, minority groups. As a Mayor who five times has campaigned for that office, I have campaigned in every church, tavern, hotel and hundreds of homes; but the most inadequate experience is to enter a cold water flat within six blocks of Lincoln's Home in the year, 1967, and visit with fine people living—too many to a bedroom—in a property that violates all housing codes—paying too much rent—asking for their vote, and promising to do what I can to correct these conditions. Senate Bill 1592 is a valuable tool supplemental to existing Federal Urban Renewal programs, and provides the answer to the questions these voters have asked me.

II

I support Senate Bill 1592 because Federal Residential Urban Renewal programs administered under the Housing and Urban Development Department have so failed in my city, and in most Illinois cities outside of Chicago, that the word "Urban Renewal" itself in Illinois has become an unpopular word not to be used by candidates at election time—not because of its dislike by conservative Republicans, but because of its complete dislike by the very low income groups that it is supposed to help. This factual condition occurs for a variety of reasons:

(a) The larger cities, such as Chicago, New York, Washington, D.C., Boston, and so on, apparently have been the chief draftsmen of Federal Urban Renewal Programs—and incidentally, the chief benefactors. Consequently, these programs are tailored to the needs of the densely populated mile upon mile of ghettos in those large cities where people neither know nor want to know their neighbors. Such programs, in most instances, are not helpful to smaller cities such as Springfield, where a home for a growing family, with a yard and a flower bed and a garden is a way of life; and until they get too old for such things, people do not want to move into "Units" of regimented, multifamily housing.

(b) The 1966 Municipal Yearbook indicates that in 1962 there were 91,985 local governments in the United States, and no doubt, each one of them has a number of applications pending with the Department of Housing and Urban Development; and so whether it realizes it or not, HUD has become a gigantic bureaucracy—with all of its evils. Its regional offices are given little or no decision making authority. As a result, the trials and tribulations of the officials of an average size city, attempting to learn what is desired in the preparation of applications, or their latest status as they bounce back and forth between the hometown, Chicago and Washington, is enough to make strong men weep.

In Springfield we have a classic example of a frustrated Federal Residential Urban Renewal Project. The application was first filed in 1956. By 1959, a five block area was cleared. In 1963, the land was still vacant, the redeveloper being still involved in disputes with the FHA and other Federal Agencies. By 1964, the redeveloper completed 24 of a promised 88 units—but without selling any. It (a corporation) gave up the ghost and turned the 24 completed units back to the Federal Housing Administration in lieu of foreclosure; in the Fall of 1964. For the next three years—to this very minute, as I testify, those 24 units are still standing vacant and unoccupied, although there is a list of more than 300 families trying to find public housing in our community; and these units remain vacant because two agencies of the Federal Government, HUD and The Federal Housing Administration, have not been able, in three years, to complete their transactions and rent these units for occupancy by public housing tenants—apparently tied up in their own red tape—all notwithstanding the strenuous efforts of both the Senior and Junior Senators from the State of Illinois and our Congressman, Paul Findley.

(c) The initial grievous error of Federal authorities in insisting that a city must first conduct an Urban Renewal Program, involving demolition and removal of the buildings in a slum area before it would allow the city to bring "Conservation" Urban Renewal Programs into spotted areas, might have been logical, but from a public relations viewpoint, it was fatal to the future of Residential Urban Renewal in communities such as Springfield.

This insistence on demolition and mass movement of people, plus slowness in getting Urban Renewal Programs finished, resulted in the movement of several thousand people from the very bottom income bracket, into already crowded areas—much to the dissatisfaction of the people residing in those areas, including the community leaders of those areas whose approval is needed in order to make Urban Renewal acceptable to the people.

The best proof I have for the accuracy of this statement is that I have been a candidate in four city elections since Federal Urban Renewal became available; and the Urban Renewal areas are the areas in which I and all other candidates concentrate their campaigns; and in all of those campaigns, I have yet to hear any voter ask a candidate, if elected, to push for completion of a Federal Residential Urban Renewal Program; but I have heard cheers when a candidate has become critical of the demolition practices of the Federal Urban Renewal Program.

III

I support Senate bill 1592 because I believe so sincerely it is the kind of an Urban Renewal Program that the people in my city want and so desperately need. One of the great, but little expressed problems experienced by citizens who live in areas that have been marked by the appraiser as substandard is that, even though such citizen may be a homeowner who has pride in his own home, and keeps it in good repair, he finds that he cannot get a mortgage loan from a bank or a savings and loan association to fix up his property or buy a property in this area, even though his credit is good and his job is secure. The Banker or Building and Loan Executive merely says, "we're not lending in that area." If the citizen just has to get the money to buy or improve in such area, he usually ends up—particularly, if he is of the minority race—by dealing with some unscrupulous but wealthy man who buys the house in his own name and, immediately, sells it to the citizen on contract at a 10% to 20% markup, and adds the maximum interest rate on top of this inflated sale price. Every Springfield lawyer is aware of the unscrupulous practice. Senate Bill 1592 would help eliminate it.

IV

I support Senate Bill 1592 because I am not aware of any other Federal program that accomplishes its same purposes. I am not an expert on these matters; but it appears to me, that non-profit housing procedures under 221(D)(3) of the National Housing Act comes the closest; but for two years, I have been attempting to interest some private agency in my community to construct residential units under the provisions of that act; and thus far, I have been unsuccessful. There may be some cities in Illinois outside of Chicago that have completed housing projects, other than senior citizen housing or nursing homes, under the provisions of this and related acts, but neither I, nor our technical staff are aware of any—probably, there are applications in the mill but neatly tied up in red tape somewhere between Chicago and Washington. But, in any event, Section 221(D)(3) relates only to multiple housing and is not the same thing as the "Home Ownership" in the sense that I understand it is contemplated by Senate Bill 1592.

V

I support Senate Bill 1592 because I believe it offers citizens in the lower income brackets with an alternate choice, better than they now have. Presently, a Springfield citizen in the lower income brackets with a wife and two children is better off if he earns only $4,200.00 a year than he would be if he earned $5,200.00 a year. If his income is the former salary, he is eligible to obtain a clean, two bedroom, two story apartment in our John Hay Homes—public housing—at a rental of approximately $67.00 per month, including heat and utilities; but if his income is in excess of $4,200.00 a year, he is not eligible for public housing. In that event, his only choice is to rent some substandard flat that our inspectors are about to cite for code violations, or turn to the classified ads of our local newspaper which on Sunday, May 28th of this year, listed only approximately 15 houses or apartments for rent, which, after inquiry, could be considered as rental space available to a family with two or more young children; and most of those prospective landlords, contacted by telephone, indicated they would be quite particular as to whom they would allow to rent their apartments or the number of children they would allow; and the average monthly rental was about $140.00 a month; and so, unless we develop some program—such as the National Home Ownership Foundation Act—to help persons such as this young man with a family of four to become homeowners, we put a premium on public housing. Public housing should be a necessity and not the better choice.

VI

I strongly support Senate Bill 1592 although I know it is not Utopia and of itself, will not solve the Nation's housing problems. It is a first step and the philosophy of this program comes closer to accomplishing the announced objectives of the National Administration than present Federal Urban Renewal Programs. The program guide for Model Cities, distributed by HUD, attributes these words to our President:

"To build not just housing units, but neighborhoods, not just to construct schools, but to educate children, not just to raise income, but to create beauty and end the poisoning of our environment".

A program concentrating on the single family, or at most, duplex dwellings in neighborhoods, with yards or gardens and family life, under a system, whereby, a man can acquire actual title to a piece of property and call it his own, comes closer to accomplishing the above goals set by our President.

VII

I support Senate Bill 1592 and urge its enactment because I am certain that it is a program that is most likely to be accepted by both the local people to be aided and the local people who will have to do the aiding. I came into public life as a "dogooder" and I hope I go out of public life as a "do gooder"; but I have come to realize that the people who make the wheels go around in the community, are not necessarily the "do gooders". The Bankers, the Labor Union Officials, the Realtors and the Merchants are excellent citizens and practical citizens. They must be interested in a local program before it succeeds; and that is one of the difficulties of Federal Residential Urban Renewal. Representatives of these groups call on me almost daily to push completion of Commercial Urban Renewal Programs, but in three times as Mayor, none have approached me to develop more Residential Urban Renewal facilities.

CONCLUSION

In conclusion, I urge that this Housing Bill—or any National Housing Bill—not be made a target of partisan politics. It is just as important that the solutions for the adequate housing, education and employment of our low income groups be bipartisan in nature as it is that our foreign policy have such attribute. Yet, I sometimes think, that true Democrats and true Republicans are like the couple that came to my law office in connection with domestic troubles. When I asked the husband why his wife was opposed to their buying the cottage on the lake, he said, "because she didn't think of it first"; and I think sometimes that becomes a problem in our Congress. It may well be that this program would help only a small segment of our lower income groups, and would not solve all the problems; but likewise, scholarships for brilliant young men and women do not educate all of our youth or solve all educational problems. Yet we approve scholarships on the theory they afford encouragements and help the nation. Likewise, the National Home Ownership Foundation Act—would, in the next three years, turn 200,000 American families who otherwise could no acquire such status, into homeowners; and this investment in the American way of life would be well worth the price—even if it did cost $300.00 per family.

Thank you.

Mr. PERCY. Mr. President, another example of FHA's lack of success in aiding low income Americans was detailed in yesterday's New York Times. FHA has tentatively agreed to finance the redevelopment of an entire block in East Harlem.

In an article written by Steven V. Roberts it is said:

City housing officials feel the Federal decision to insure such a large mortgage in such a rundown area is significant. They say that the failure of both private and governmental institutions to invest in such sections as East Harlem has been a major cause of their deterioration and a serious hindrance to their redevelopment.

Mr. President, I personally was much pleased to see that FHA is considering such a project particularly because they are working through a nonprofit community group in the area. Hopefully, FHA has recognized, what I have long been advocating, that local sponsorship means the project has a better chance of meeting local needs. This project has been in the drafting stage for some years now.

Everyone cooperated but nobody would go out on a limb—

Said Robert Meltzer, another council housing aide—

The possible tenants wanted a commitment from FHA before they would sign up and FHA wanted the leases before they would make a commitment. We ran around in circles for two years.

It is my hope that this signals a new awareness within FHA that they have an important role in assisting low income Americans find decent housing.

It is my firm belief that the establishment by Congress of a competitive yardstick, the National Home Ownership Foundation, to assist lower income families achieve home ownership, will be judged as a major step forward in the achievement of this objective.

Mr. President, I ask unanimous consent that the New York Times article be printed in the Record. I commend Senator Brooke for his challenging message this morning.

There being no objection, the article was ordered to be printed in the Record, as follows:

U.S. Aid Promised for East Harlem—FHA Tentatively Agrees To Finance Mortgage for Slum Block's Renewal

(By Steven V. Roberts)

The Federal Housing Administration has tentatively agreed to finance the redevelopment of an entire block in East Harlem with stores, housing for 460 families and parking and community facilities.

The sponsor is the East Harlem Tenants Council, a local antipoverty agency financed with city and Federal funds.

"We intend to insure a mortgage for about $18 million when we receive a formal application from the council," Alexander C. Naclerio, deputy regional director of the F.H.A., said recently.

City housing officials feel the Federal decision to insure such a large mortgage in such a rundown area is significant. They say that the failure of both private and governmental institutions to invest in such sections as East Harlem has been a major cause of their deterioration and a serious hindrance to their redevelopment.

The officials have encouraged such nonprofit community groups as the Tenants Council to sponsor housing projects. Local sponsorship means the development has a better chance of meeting local needs, and rents can be kept low because no profits are realized.

OBSTACLES ENCOUNTERED

The project will not have the problems that often occur under city ownership. City-owned public housing, which has 11,000 families as tenants in East Harlem, has been criticized for its sterile and institutional character.

But the obstacles that the council has encountered in trying to organize its project demonstrate how hard it is for an inexperienced group to get into the housing business.

Some of the problems must still be resolved before the council files its formal application for a mortgage, but Mr. Nacierio expressed confidence that "we've ironed out all the problems." The mortgage would bear only 3 per cent interest.

The council's first idea was to sponsor just housing.

"But every time we went into a building around here to help the tenants we found they had other problems—welfare, education, health," said Pete Velez, supervisor of the council's redevelopment program.

Therefore, when the council drafted plans about two years ago it included a health clinic, a swimming pool, a gymnasium, classrooms and other facilities in several low buildings. The architects, Gerald Silverman and Robert Cika, designed four 25-story apartment houses rising above them.

SITE STILL A SECRET

The council has selected a block in the northern end of East Harlem, which runs from 96th to about 125th Street, and east of Fifth Avenue to the East River. It will not disclose the precise site for fear of pushing up the purchase price.

The most difficult problem was making sure the revenue from the stores and community facilities would contribute enough to the mortgage payments so the council could charge low rents for the apartments. The plan is to rent a two-bedroom apartment for about $93 a month.

The F.H.A. was particularly concerned that the council secure long-term leases from prospective tenants to guarantee a steady income from the non-residential space.

"Everybody cooperated but nobody would go out on a limb," said Robert Meltzer, another council housing aide. "The possible tenants wanted a commitment from F.H.A. before they would sign up, and F.H.A. wanted the leases before they would make a commitment. We ran around in circles for two years."

Mount Sinai Hospital has now agreed to run the health clinic, Mr. Meltzer said, and several universities and city agencies are interested in renting other space.

MAZE OF REGULATIONS

A second major problem was that the council workers had to grope through a maze of regulations that even professional housing experts find baffling.

Such questions as how much tax abatement the city would grant the projects, and whether the area would be designated for urban renewal assistance, have required innumerable meetings, conferences and correspondence.

Council workers and city officials charge each other with dragging their feet, and even at this point neither side knows exactly what has to be done before the project can move ahead.

A third obstacle is the council's lack of money. Architects and accountants must be paid and options must be taken on the land before the F.H.A. mortgage becomes available. Mr. Meltzer estimated the council needed $54,000.

The Legislature passed a bill last year providing $10 million in "seed money" to assist groups like the council. But the state's regulations are so strict that a group must present almost as much evidence to get seed money as to get a mortgage. Housing experts thus consider the fund virtually useless.

Mr. DOMINICK. Mr. President, I suggest the absence of a quorum.

The **ACTING PRESIDENT** pro tempore. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. DOMINICK. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The **ACTING PRESIDENT** pro tempore. Without objection, it is so ordered.

AIR SAFETY

Mr. DOMINICK. Mr. President, recently the news media reported in detail the harrowing episode of the crash between a Piedmont 727 and a private executive airplane, a Cessna 310. Promptly, certain Members of the House raised a cry against general aviation and in favor of banishing them either from the airways entirely or to noncongested fields. This reaction was based on emotion, not on fact. Asheville is so noncongested, that, according to the FAA, it does not rate a radar system. Both planes were on instrument clearances; yet someone cleared the 727 through the very altitude the Cessna was told to maintain. Although both were on instrument clearances, it is not clear whether either was on airways control radar; and if they were not, it is not clear why not.

Having said this much and since I am about to be highly critical of the top management of the FAA and the Weather Bureau, I do want to pay some compliments to FAA flight personnel and to Weather Bureau employees. The FAA personnel at flight service stations, the various flight centers controlling instrument flights, and the tower operators do a truly fabulous job in routing ever-increasing air traffic swiftly and expeditiously and relatively safely—at least in comparison to automobile travel. The Weather Bureau personnel, too, do their best to be helpful, even though their inadequate information creates great scepticism in every weather forecast.

The problems are not with these personnel, but with inferior planning at the top levels. Today, I want to concentrate on general aviation and its problems. Later I will try to outline some ideas for airline aviation. The great Rocky Mountains of the West have contributed their share of accidents, and much of my remarks today will deal with methods to help pilots in this area.

By introduction, I want to say that I have held a flying license for 32 years, have amassed over 5,000 hours of pilot time in single- and multi-engine aircraft, and have flown the Rocky Mountain area for 20 years. Hence, I should have considerable firsthand knowledge of some of the problems involved.

The number of private or general aviation has grown steadily since the end of World War II. There are now over 102,000 personal and corporate aircraft, compared with the fleet of airline planes numbering only 2,379.

I might say this is a ratio of almost 50 to 1.

During the past 10 years the number of accidents involving general aviation aircraft has likewise grown each year. As the number of accidents has increased, the percentage of fatalities has remained more or less constant at about 10 percent.

For example, in 1957 the 4,200 accidents involving general aviation aircraft produced 438 fatalities. In 1961, there were 4,625 accidents and 426 fatalities. Last year, 5,425 accidents resulted in 538 fatalities. In Colorado alone, from 1964 to 1966, 349 general aviation accidents resulted in 81 fatalities.

But these figures do not tell the complete story. They do not show, for example, that the aircraft accidents which occur more than 5 miles from an airport account for only 20 percent of the total accidents, but result in 53 percent of the fatalities. These are the aircraft accidents which result in tens of thousands of hours being spent by the U.S. Air Force, the Civil Air Patrol, and the Coast Guard searching for the downed aircraft each year.

Since May 29, 1946, through December 31, 1966, FAA records show that the U.S. Air Force flew 1,580,315 hours in search and rescue operations. In fiscal year 1966 alone, the Air Force flew 57,585 hours in search and rescue operations at a total cost to the taxpayers of $59,224,142. The Air Force claims to have saved 525 persons as a result of these operations last year. This amounts to a cost of $112,808 per person saved. These figures do not include the costs incurred by the Civil Air Patrol or other Air Force units which often participated in these search and rescue operations.

FAA records show that from February 1, 1961, through December 31, 1966, the Civil Air Patrol flew 104,175 hours on search and rescue missions. In calendar year 1966 members of the Civil Air Patrol flew 21,868 hours on these missions. I do not have any accurate cost figures, as the members of the Civil Air Patrol fly their own private planes and are reimbursed by the Air Force for the fuel and oil used only if they request reimbursement.

There is much that can be done to improve this situation, especially with regard to the 20 percent of the total general aviation accidents which occur more than 5 miles from an airport. Important factors in these accidents have been weather and terrain. When a pilot has inaccurate or incomplete information about either, he is in trouble. If he has poor information about both, he is courting disaster. The lack of such information is not always the pilot's fault. This is especially true regarding weather in certain areas of our Rocky Mountain West.

For years I have been urging the U.S. Weather Bureau to improve its weather reporting service to aviation in the rugged mountainous areas of my own State. Unless you have experienced the weather closing in on you while flying through high mountain passes, you cannot fully appreciate the seriousness of that situation. I have had it happen to me dozens of times and, believe me, it is a frightening and dangerous experience. Most often it happens not because the pilot failed to check the weather reports or disregarded information he was given—it most often happens because the information just is not available on a current enough basis, or in many cases is not available at all.

I might interpolate here to say that in

our particular State we have over 50 mountains which exceed 14,000 feet in height. When one is flying a small airplane, the degree of wind turbulence in those mountains can cause the situation to become extremely perilous. If the pilot were flying in a flat area he could readily see what the weather turbulence might be, simply by observation.

Last year the Weather Bureau assured me that decided improvement in weather reporting could be brought about in Colorado for the relatively low cost of $43,855—absolutely a peanut within the budget before us this year and last year. They outlined proposed changes as follows:

First. Five of the weather reporting stations would be expanded to provide 3-hourly observations for 24 hours each day by contract observers, and their hours for reporting would be increased as follows:

Montrose and Gunnison, increase from 14 to 18 hours.

Salida, increase from 6 to 11 hours.

Aspen, increase from 10 to 18 hours.

Durango, increase from 19 to 24 hours.

Second. Two new weather reporting stations would be added at Nucla and Walden with 3-hourly observations for 24 hours each day, and reporting 8 hours a day.

Third. The Weather Bureau station at Alamosa would be expanded to 3-hourly observations for a full 24 hours each day, and reporting services would be increased from 17 to 19 hours a day.

Annual cost of increased observations, $32,855.

Annual cost of communications, $11,000.

Total annual cost of revised observing program for Colorado, $43,855.

I was assured this item could be included in the Weather Bureau's budget for fiscal year 1968. I urged unsuccessfully last year that in view of the potential benefits compared to the small cost, it be done sooner. The improvements have not been accomplished, and we now have received the 1968 budget. This item is not included. It is only fair to ask, Why not?

When you look at the cost incurred by the Air Force alone for each person it saves through search and rescue operations, the cost appears very small for improved weather reporting to help prevent aircraft accidents—as well as providing better background information for more accurate weather forecasting for all people. Remember that the Air Force alone reported that it spent $112,808 during 1966 for each person it saved. The Weather Bureau appears unwilling to spend a third of that amount to help prevent these accidents.

There are other improvements which could be made which would result in saving more lives and reducing costs in search and rescue operations following aircraft accidents. In a substantial number of cases, the searching aircraft have only a vague idea of where they should begin to search for the missing plane. Weather and terrain again are important factors which hamper search and rescue operations.

National figures for 1965 show 22 aircraft with 37 persons aboard lost in the most literal sense of the word. Although diligent searches were made, not a trace has yet been found of these people or the missing planes. No one knows how many of them may have been overflown many times and not seen from the air. I know this has happened in dozens of cases which have occurred in the Rocky Mountain area. The loss of Dr. Lovelace and his family last year is a recent example of that situation. In that case, I talked to many people who were in the search and rescue operation, they told me they went over the spot where the airplane went down seven times before they happened to find it. The tragedy of the story is that Dr. Lovelace and the passengers in that airplane were alive when they went down on the snow- and tree-covered slope outside of Aspen. They died because we could not find them in time.

This situation can be corrected at relatively low cost. The equipment to help solve it already is available. The legal authority to require its use is already on the statute books. The Federal Aviation Administrator has authority under the Federal Aviation Act to require aircraft to be equipped with such equipment as are shown to be essential to safety. Yet it has not acted to require that general aviation aircraft be equipped with crash locator beacons. Why not?

As long ago as January 9, 1964, FAA issued Advisory Circular No. AC 170-4 which stated as follows:

> 1. *Purpose*. This circular informs the aviation community and industry of recent FAA activities concerning the use of crash locator beacon systems and their respective potential application as an emergency signaling device.
>
> 2. *Background.*
>
> (a) An evaluation was recently conducted by the FAA in the Los Angeles and Salt Lake City areas to determine the effectiveness of such a system by using three individual and commercially developed equipments. Specific equipments used during the test program do no represent all available types. * * * Simulated test conditions were exercised in geographical areas including mountains, flat, and congested (radio signal-wise) areas.
>
> (b) *Results of the test program clearly indicated that such a beacon can successfully radiate energy to permit a suitably equipped search aircraft to identify and "home-in" on the transmitted signal.*

A chart included on page 2 of the circular shows that the signal from one of these crash locator beacons can be received by a plane flying at 10,000 feet within a range of 70 nautical miles. The FAA, in a letter to me dated May 12, 1967, in response to my inquiry, stated in part as follows:

> Crash locator beacons have been perfected, selling at prices exceeding $200. The question is: Should FAA require their use by regulation? We do not recommend such regulatory action.

Air Force, Navy and Coast Guard planes all have crash-locator beacons installed as standard equipment, as do commercial aircraft engaged in certain types of air carrier operations. Why not require their use on general aviation aircraft? The savings in lives of searchers as well as victims of air crashes would be significant.

I repeat, the FAA says that they have been perfected, and the question was, Should their use be required by regulation? The FAA, without any explanation of any kind, simply said:

> We do not recommend such regulatory action.

Mr. President, in an audit report from the General Accounting Office, sent to Congress May 26, 1967, the Comptroller General concluded that—

> The Federal Aviation Administration in the Pacific Region had procured goods and services costing $267,000 which could not be justified or could be justified only partially by the conditions existing at the time of the procurements or by the benefits received by the Government.

Among the findings in the report:

The Pacific region in 1964 acquired an alarm/sound system for its new headquarters building, leased for a 10-year period at $10,600 per year. The report states:

> Because alarm systems that might be needed had already been provided by the lessor of the building or by the State, we believe that the principal purpose being served by the FAA alarm/sound system was to provide the less essential features of music and paging.

The lease, incidentally, has been terminated since the report was issued, but the system had already cost the Government about $36,000.

The report continues:

> Also in 1964, the Pacific Region purchased 148 clothes dryers at a cost of about $12,500 for installation in employee housing on Wake Island. Additional costs of about $4,700 were incurred for shipping charges. About one year after the purchase of the dryers, the Pacific Region issued a contract to provide wiring, plumbing, and installation and modification work to make the dryers operational. The cost of this work totaled about $25,000. In our opinion, the purchase of dryers under these circumstances was premature and evidenced a lack of prudent management of Government resources.

Several other expenditures are detailed, such as procurements totaling about $27,000 for a facility which was about to be phased out of service; costs of over $30,000 for dedication ceremonies for three FAA facilities; $5,300 for audiometer booths which were subsequently placed in storage for 2 years for lack of space, then later declared surplus when the island was decommissioned; purchase of mobile radio equipment which was never installed because the cars were already equipped with mobile telephones.

It seems unfortunate, indeed, that such unjustified expenditures are made by a Government agency, in view of the present rate of deficit spending by the administration; but it is even more unfortunate in view of the critical need for research and development in the field of air safety. The Members of Congress are told time and again that for improved air safety equipment, more appropriations are needed. Yet, money is wasted on items such as those listed above while the FAA flatly rejects air safety devices which cost the Government nothing and which would save the lives of many people and save the taxpayers enormous amounts in air rescue operations. With more economical procurement policies than the ones adopted in the Pacific region, the FAA could have applied at least $267,000 toward further refinement of the many air safety devices and procedures currently under study.

A letter to the editor of Aero West magazine, May 1967, issue, eloquently states the case for requiring crash locator beacons on all aircraft. I read the letter in full because it is as dramatic an example as can be stated. It reads as follows:

> You can remove my husband's name from your sample copy mailing list. He was killed in 1965.
>
> I note in your editorial on page 6, and in the article on Senator Dominick's talk, that it would be possible to install an electronic marker beacon in the tail of every plane. If such equipment is available and has proved its effectiveness, it is unthinkable that it should not be required. Such equipment could have saved a week of fruitless searching for the plane in which my husband crashed with three passengers.
>
> The crash occurred only about 33 miles from our home airport, on a heavily timbered mesa. Searchers estimated they flew over the spot at least 20 times but could not see a sign of the plane because of the way it had dived into the timber.
>
> Even when ground vehicles pointed out the crash after it had been discovered, air searchers could not see it.
>
> The tail was relatively undamaged, and though it could not have saved these men, who were all killed on impact, it could have shortened the hazardous, expensive search conducted by the Civil Air Patrol and the local pilots.
>
> The idea that such a safety device would make people nervous about flying, or scare off buyers, is too absurd. If the device is very costly and cumbersome, it should be improved, not ignored. But it should most certainly be standard equipment.

That letter was from one of my constituents in Gunnison, Colo.

Mr. President, I state unequivocally that the failure of the Weather Bureau to install proper weather monitoring stations in the mountains of Colorado has meant the death of many fliers. I state unequivocally that the continued failure to install these stations and to man them with competent observers and reporters will mean more deaths. I state that the failure of the FAA to require the installation of locator beacons resulted in the death of Dr. Lovelace and his family, the loss of many other fine citizens, and has literally cost the taxpayers millions of dollars.

Mr. President, we need action now, not studies, not excuses, not delays, but action, if we are to save human lives.

The **ACTING PRESIDENT** pro tempore. Under the previous unanimous consent agreement, the Senator from Ohio is recognized.

LET US NOT SURRENDER TO ANGER AND HYSTERIA

Mr. YOUNG of Ohio. Mr. President, the so-called antiriot bill approved by the House of Representatives and presently under consideration in the Senate Committee on the Judiciary not only is not directed at the basic causes of the riots which have exploded in cities across the Nation, but also raises serious constitutional questions.

The bill provides penalties up to 5 years in prison and a $10,000 fine for persons traveling between States with intent to incite, organize, promote, encourage, or carry on a riot—whatever that means.

In my opinion—and I had practiced law for more than 40 years before giving it up following my election as a U.S. Senator—the proposed legislation is obviously unconstitutional and grossly violates the first amendment to our Constitution which guarantees free speech. The bill is about as senseless as the riots it is meant to discourage, but would not.

The language is so vague that a court trial of somebody charged with "encouraging" a riot would undoubtedly turn into a semantic maze. It is an abstruse bill which attempts to hang speech and motive on the thread of interstate commerce. It defines inciting a riot as "instigating other persons to riot." The bill fails to draw a distinction between one who urges his listeners to riot, and one who speaks before a hostile audience which is inclined to riot against him. Conceivably, if Secretary of State Dean Rusk crossed State lines to keep a speaking engagement to defend administration policy in Vietnam, but knew his listeners intended to demonstrate riotously if he appeared, he would presumably violate the law.

This example may be farfetched, but it points out the vagueness of the language of this bill and the fact that in time to come this proposed legislation could be used for purposes for which it was never intended.

Today it may be used against rabble-rousing Negro militants. Tomorrow it may be used against labor union organizers, or those who disagree with administration policy in Vietnam or those who in any way disagree with the viewpoint of the majority.

Mr. President, the fact is that every State in the Union already has laws to punish those who cause or incite disturbances and riots. Most of these are clearer and more enforceable than the bill approved in the other body. If anybody is inciting riots, he can and should be prosecuted under these existing laws.

In addition, every State in the Union has ample ordinances against disorderly conduct, looting, and other unlawful acts.

There is not a scintilla of evidence to the effect that State and local authorities are unwilling or unable to deal with individuals attempting to create public disorders and start riots. Every State has adequate statutes against the commission of crimes. Every city has adequate ordinances providing punishment for looting, rioting, acts of violence, and disorderly conduct. Local and State officials, including judges, should demonstrate determination to enforce the law. Certain punishment, like a shadow, must follow the commission of acts of violence.

Those who urge enactment of this so-called antiriot bill maintain that out-of-State agitators have been primarily responsible for the terror and violence which has plagued so many of our cities. The fact is there is no substantial evidence of outside agitators being primarily responsible for these riots. In a report to the Special Advisory Commission on Civil Disorders on August 1, FBI Director J. Edgar Hoover stated he had no evidence on which to conclude that the summer's urban violence was a result of a conspiracy. The President's Commission on Law Enforcement and Administration of Justice, in its final report, finds that the incidents resulting in a majority of the riots studied by the Commission were encounters between police and Negroes in the slums or ghettos. The report stated:

> An integral element in every riot was strain between the police and members of the Negro community.

The Commission found no evidence of advance planning, outside leadership, conspiratorial organization or outside incitement. For example, the Commission found:

> The Watts riot was a general outbreak in which all kinds of people took part—not just agitators or adolescents or criminals or new arrivals in town or the unemployed or "riffraff."

The Commission also refers to the FBI study of the 1964 riots, which stated:

> Aside from the actions of minor organizations or irresponsible individuals there was no systematic planning or organization of any of the city riots.

The Commission concluded that the riots were "unplanned, undisciplined, unled and incoherent"; that they expressed "hostility, resentment, revenge," the increasing conviction of Negroes that legal methods of protest are ineffectual; and that the riots are "not only an expression of hostility, but a cry for help."

A study of the sources of violence in six northern cities by Joseph Spiegel at Brandeis University concluded that outsiders have little to do with causing riots. Cities that blame outsiders for riots are simply unwilling to admit, or to do anything about, their basic social ailments that do lead to riots.

Mr. President, the so-called antiriot bill is really a mechanism to escape facing up to the real sources of civil disturbance. Riots do not occur where people are well housed, well fed, have employment or at least hope of employment, and have faith and hope in the future. Riots occur because of pentup frustrations, unemployment, and hopelessness of those living in neglected, closely built-up neighborhoods.

In a country ruled by law, the maintenance of civil authority and protection of life and order are absolute requisites. While suppression is obviously no cure for the root causes of the recent riotings, rioters must be dealt with as the criminals they are. The fires must be extinguished, the rifles taken from the hands of rioters and punishment meted out to fit the crimes. Police and firemen must be supported in their painful assignments. I fervently believe that arrest and punishment should like a shadow follow the commission of rioting and crimes of violence.

Some years ago, I was chief criminal prosecuting attorney of Cuyahoga County, Ohio, one of the great counties in the Nation, and I prosecuted scores and scores of homicide and other cases. As a trial lawyer over the years, I defended many men and women accused of committing crimes. So, I know something of the facts about which I speak. In fact, I believe I know a great deal about the facts.

Mr. President, rioting, looting, arson, and murder in Newark, Detroit, Cleveland, Cincinnati, Milwaukee, Toledo, and other cities are the result of poor housing, inferior schools, individual and group maladjustment to modern technology and unemployment. Involuntary unemployment is a great moral wrong. These are some of the causes of riots which on recent occasions have become so violent they bordered on insurrections. Chronic unemployment is extensive enough in scope to cause Negro men and women, including those who are in their late teens and early twenties, to conclude it is hopeless to even seek employment.

Ugly crowded housing conditions, squalor, filth, and misery and, above and beyond that, the fear of being unwanted in this world, and the evident disparity between the lovely and gracious living but a few blocks from squalid, filthy tenements lacking ventilation or decent living conditions—all these things so evident in most urban centers lead to disorder and violence.

Only Federal action on a large scale can strike to the heart of this grave urban situation and unsolved problem. Also, Federal funds for the elimination of poverty must be taken from the hands of the politicians in some of our cities who have been appointed to high-salaried positions and who have done very little for the poor and unemployed—and have, in fact, done very little to earn the high salaries that have been paid to them.

The housing program that we have at present is utterly inadequate. The poverty program is too small. The program for schools to replace inferior slum schools is too frequently nonexistent. It is not the riots in the slums, but these lame and inadequate programs that are the real disgrace of the richest nation on earth.

To rescue the next generation, heavy additional investments must be made, and on an enormous scale, in order to improve the schools in closely built-up sections of our cities, to overcome the handicap of deprivation, and to give Negroes educations and opportunities equal to what others have.

Our involvement by this administration in an ugly civil war in Vietnam, a little country of no strategic importance whatever to the defense of the United States, 10,000 miles from our shores, goes on month after month. Billions of dollars of taxpayers' money has gone up and is going up in smoke. The time is long past due when we must spend huge sums of money to take care of our own. To rescue the next generation, additional investments must be made on an enormous scale. We in Congress must improve housing conditions. We must provide hope of employment to young men and women. We must improve the schools. We must try to keep young people in the public schools. We must try to give them adequate job training.

We in Congress should act with determination in providing the money and the planning to rub out conditions in slum neighborhoods which give rise to the ugly rioting which has racked our cities over this summer and last year. We must be determined in this task. The handwriting is clearly written on the battered walls of Hough Avenue, Cleveland, Detroit, Los Angeles, Chicago; and other great cities of our Nation.

Mr. President, there are much more meaningful steps that we could take to attack the root causes of the rioting rather than by enacting an hysterical antiriot bill. We should increase President Johnson's proposals for antipoverty appropriations. In fact, it is extremely important that we increase the President's proposals for antipoverty legislation. Instead of doing that, the other body cut almost $800 million from the housing and model cities programs. I hope we undo that action in the Senate later on in this session. The other body also refused to appropriate $20 million a year for 2 years to help municipalities eradicate rats from slum areas—rats which too often attack the children of the poor, and epitomize the filth, squalor and the malignancy of the decaying neighborhoods they infest, and which, incidentally, destroy many millions of dollars in property every year.

These are the problems to which we ought to be addressing ourselves—unemployment, poverty, slums, delinquency, and others—instead of concentrating on how to dismember or abolish the poverty program, limited as it already is, and passing unconstitutional infringements of the right of free speech, as was done in the other body.

In the meantime, acts of violence must be suppressed. Our Federal, State and city governments must not countenance insurrection. Very definitely, grievances, however just, do not excuse taking the law into one's own hands. Until the rule of law prevails in riot-torn cities, the basic and essential human efforts to improve these conditions can only be distracted, distorted, and delayed.

The PRESIDING OFFICER (Mr. Byrd of Virginia in the chair). The time of the Senator has expired.

Mr. YOUNG of Ohio. Mr. President, I ask unanimous consent that I may proceed for 2 additional minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. YOUNG of Ohio. Mr. President, responsible Negro and white leaders have joined in totally condemning the recent riots as evil, purposeless, and self-destructive. However, misunderstanding still prevails tragically on both sides. The voices of hate are stronger than ever. The extremists are those who are heard the loudest. The great majority, who are moderate, are represented by respected leaders. They find it difficult to control the few zealots and rabblerousers who urge suicidally destructive measures.

It must be made clear to all that the methods advocated by extremists would destroy America. They offer no hope. The Stokely Carmichaels and the Rap Browns would achieve only disaster in the end. So would the white extremists.

Mr. President, the proposed legislation is merely a smokescreen for the real social problems plaguing our Nation. If many of those urging its enactment had supported legislation aimed to cure our urban ills, these riots might never have occurred.

Let us throw aside this effort to obscure the real issue before us. Let us begin with the important work of rebuilding our cities, of bettering the lives of those who in our Nation today are ill fed, ill housed, ill clothed, and ill educated. Let us begin building bridges toward better understanding between all our citizens, regardless of race.

The antirioting bill or "Stokely Carmichael" legislation as passed in the House of Representatives and in the form being considered in the Senate Committee on Judiciary is clearly unconstitutional. Let us not surrender to anger and hysteria. Rather, let us be vigilant and insistent that city, county, and State prosecuting or district attorneys enforce the many and entirely adequate criminal laws of their States and the adequate ordinances of their cities and villages against disorderly conduct, rioting, looting, assault, and a multiplicity of offenses, and that State Governors call out the entire National Guard of such States if and when violence and lawbreaking attains the magnitude of the recent violence in Detroit. If Congress has nothing better to do let us adjourn instead of passing bad, unconstitutional, and unneeded criminal laws such as was recently passed in the other body.

Mr. President, I yield the floor.

ORDER OF BUSINESS

Mr. ALLOTT. Mr. President, I ask unanimous consent that I may yield to the distinguished majority leader for such time as he desires without losing my right to the floor.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. ALLOTT. Mr. President, I ask unanimous consent that immediately thereafter I may yield to the distinguished junior Senator from Arizona [Mr. Fannin] for an insertion and correction of the Record.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MANSFIELD. Mr. President, I would be delighted to yield to the junior Senator from Arizona [Mr. Fannin] for that purpose now, and then be recognized for a period of time not to exceed 10 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

VIETNAM

Mr. MANSFIELD. Mr. President, the mission of Gen. Maxwell Taylor and Clark Clifford has been completed. They have stated that there was unanimous agreement among our allies that now is the time for a maximum effort in Vietnam. They both have indicated that our allies are in full accord on a continuation—if not a further step-up—of the bombing of North Vietnam. Whether or not they sought additional allied troops is not known, but on this point, it appears the reaction of our allies was negative. There was also some vague reference to a possible summit meeting but there again, nothing positive was forthcoming.

It is of relevance to note that during this past week the President stated in his tax message that in addition to recommending a 10-percent surcharge tax on individuals and corporations he would also send 45,000 men to Vietnam to increase our strength there to approximately 525,000. It was also announced that the battleship *New Jersey* would be taken out of mothballs and prepared for duty in the Far East at a cost of approximately $30 million.

All these factors indicate a further escalation with the costs in lives and money being borne preponderantly by us. They also indicate that a longer duration of the war is in the offing and that the prospects for peace may well have diminished accordingly. While this would be a valid assumption on the surface, I would hope that in the meantime, instead of continued intensification of the war, we would follow through on the Cooper formula to interdict the supply lines of North Vietnam at the 17th parallel—which incidentally would be in accord with a statement attributed to General Taylor to the effect that the supply lines from the north into South Vietnam "should be interdicted to the best of our ability."

Furthermore, I believe that construction of the defensive barrier at the southern end of the DMZ should be stepped up as much as possible to the end that the thinned-out marines in the 1st Corps area would be given this type of assistance at the earliest practical date.

Finally, I believe that the U.S. resolution which has been sitting "on its bottom" in the United Nations Security Council since late January 1966, should be resurrected by the United States on its own initiative—I wish to repeat: The U.S. resolution should be resurrected by the United States on its own initiative—and taken up by that body as expeditiously as possible now that the most intensive part of the crisis in the Middle East—which the Security Council faced up to—has now passed.

The accentuation should not be on further escalation in which the enemy can match and outmatch us but on concentration and consolidation in South Vietnam through the first two of the three point formula listed above and by taking the third part of that formula to the United Nations immediately.

In a more general vein, I would point out that the United Nations was established "to save succeeding generations from the scourage of war." Its primary purpose is to maintain international peace and security. Yet in Vietnam, where events are pushing the conflict towards another world war, the United Nations is conspicuously absent. The Secretary-General has made vigorous personal diplomatic efforts to bring about negotiations for peace. The Security Council at one point was asked by the United States to look at the matter but, for various reasons, apparently did not look at the time. The potential of the United Nations to contribute to peace in Vietnam, in short, has not even been explored, much less utilized.

To bring the United Nations into Vietnam, by taking up Vietnam in the Security Council, is as essential for the future of the United Nations as it is for us, the Vietnamese people and world peace. A realistic appraisal of the U.N. prevents us from expecting the Security Council to produce some miraculous solution overnight. It ought not prevent us, however, from expecting the Council at least to confront the issue of Vietnam squarely and to make a real effort to contribute to its solution.

In 22 years of existence the United Nations has expanded from 51 to 122 members and its regular budget has gone from $19.3 to $116.7 million. The success of the United Nations, however, will not be measured by the number of members, much less by the amount of money that is spent. As with the League of Nations, it will stand or fall by the contribution it makes to world peace. As with the League, the U.N. will fall if peace fails.

Even a continued reticence to attempt to cope with the Vietnamese conflict through the organization can only lead to a decline in its real strength and significance. In that respect, the U.N. will grow weaker and weaker even if it grows larger and larger.

So I would urge again that, as a minimum, the procedural machinery of the Security Council be utilized to its fullest. Under this machinery, the Security Council could invite all belligerents, direct and indirect, including China and North Vietnam as well as South Vietnam and the National Liberation Front, to participate in an open discussion of the conflict and ways and means of ending it. If negotiations for peace could come under the direct auspices of the United Nations, or, more probably, at its instigation, they could be conducted in the Geneva Conference or in some other suitable forum. An initiative of this kind might help the United Nations regain the confidence which tends to drain away with every day that the organization remains aloof from the Vietnamese conflict. There is nothing to lose and much to gain if the United Nations moves now on Vietnam.

Mr. COOPER. Mr. President, will the Senator from Colorado yield?

Mr. ALLOTT. Mr. President, I ask unanimous consent that I may yield to the distinguished Senator from Kentucky for 3 minutes, without losing my right to the floor.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. COOPER. Mr. President, the distinguished majority leader, and a great leader of our country, has spoken today, as he has spoken many times in past years, asking that our Government follow a rational course in dealing with the war in Vietnam. The Senator from Montana speaks sensibly. I hope very much that our Government will listen to him.

As I have in the past, I support his call that the question of Vietnam be submitted to the Security Council of the United Nations and submitted by our country without any reservations whatsoever.

We have witnessed a decline in the strength and influence of the United Nations in past years, but its recent action in dealing with the Middle East crisis gave some hope of its ability to deal with war. The Security Council finally did come to an agreement for a cease-fire and it is again considering means by which the basic problems of that region my be solved.

I do not see why our country would not take the course of submission to the United Nations, take it fully and without reservations, as the majority leader has asked that it be done.

I, too, have noted with concern implications of the report of General Taylor and Mr. Clark Clifford and the announcement that additional troops will be needed in South Vietnam immediately. It may be militarily necessary, in order to protect the security of our troops, to deploy additional troops. What gives concern is that this procedure may be repeated again and again with more troops, increased bombing, and ever mounting escalation; and, of course, that means it is believed the war will go on and on.

As I have in the past, I urge again that before this process commences again, before it is accepted by our Government and expansion of the war is required, that it take the step I have proposed; namely, that it stop unconditionally the bombing of North Vietnam, and bomb at those points where infiltration routes enter South Vietnam, to determine if negotiations are possible. I support also the step which the distinguished majority leader has urged, to strengthen by cleaning the DMZ to give greater protection to our troops.

I believe that an unconditional end to the bombing would be an incentive for the United Nations to take the subject of Vietnam under consideration. It would demonstrate that the United States means what it says about seeking honorable and just settlement of the war.

The distinguished majority leader never speaks as an obstructionist. He always speaks constructively. He offers again to our Government, to the President, and to the Congress a way which can be tested to see if this war can be ended, and ended honorably.

The consequences of its continuation are known to all of us, in relation to all the problems we are facing in this country and in the world.

I hope with all my heart that the proposal offered by the distinguished majority leader will be accepted by our Government.

Mr. MANSFIELD. Mr. President, will the Senator from Kentucky yield?

Mr. COOPER. I am happy to yield to the Senator from Montana.

Mr. MANSFIELD. I want to thank the distinguished Senator from Kentucky for his comments. I know of no one in this body who is more constructive in outlook, in desiring to achieve an honorable solution to this war, and no one more worried and frustrated about its continuance than the Senator from Kentucky who, I believe, represents the views of the great majority of the Members of this body, on both sides of the aisle, as well as a great majority of the American people.

The Senator from Kentucky and I have served together for a long time, not only in the Senate but also as fellow delegates to the United Nations.

I want to express to him once again my personal appreciation for the statesmanship which he has shown not only recently but also down through the years, and for his understanding and his courage in making known the views which he feels, not only in his mind but in his heart as well.

Mr. ALLOTT. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator from Colorado will state it.

Mr. ALLOTT. Do I correctly understand the parliamentary situation that the pending business is S. 1004 and that, under the order previously entered, after a call of the quorum, the senior Senator from Colorado will then be recognized?

The PRESIDING OFFICER. The Senator from Colorado is correct.

Mr. ALLOTT. Mr. President, I suggest the absence of a quorum and it will be a live quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk called the roll, and the following Senators answered to their names:

[No. 205 Leg.]

Aiken
Allott
Anderson
Bartlett
Boggs
Byrd, Va.
Byrd, W. Va.
Cannon
Case
Church
Cooper
Curtis
Dominick
Ellender
Fannin
Gruening
Hansen
Hayden
Hill
Jackson
Jordan, N.C.
Kuchel
Lausche
Magnuson
Mansfield
Metcalf
Montoya
Morse
Morton
Moss
Murphy
Prouty
Ribicoff
Russell
Smith
Talmadge
Williams, Del.
Yarborough
Young, N. Dak.
Young, Ohio

Mr. BYRD of West Virginia. I announce that the Senator from Indiana [Mr. Bayh], the Senator from Connecticut [Mr. Dodd], the Senator from Indiana [Mr. Hartke], and the Senator from Maryland [Mr. Tydings] are absent on official business.

I also announce that the Senator from Mississippi [Mr. Eastland], the Senator from Tennessee [Mr. Gore], the Senator from Missouri [Mr. Long], the Senator from Arkansas [Mr. Fulbright], the Senator from Wyoming [Mr. McGee], the Senator from Rhode Island [Mr. Pell], the Senator from Florida [Mr. Smathers], and the Senator from Mississippi [Mr. Stennis] are necessarily absent.

I further announce that the Senator from Rhode Island [Mr. Pastore], is absent because of a death in the family.

Mr. KUCHEL. I announce that the Senator from Tennessee [Mr. Baker] and the Senator from Michigan [Mr. Griffin] are necessarily absent.

The Senator from New Hampshire [Mr. Cotton] is detained on official business.

The PRESIDING OFFICER. A quorum is not present.

Mr. BYRD of West Virginia. Mr. President, I move that the Sergeant at Arms be directed to request the attendance of absent Senators.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from West Virginia.

The motion was agreed to.

The PRESIDING OFFICER. The Sergeant at Arms will execute the order of the Senate.

After a little delay, the following Senators entered the Chamber and answered to their names:

Bennett
Bible
Brewster
Brooke
Burdick
Carlson
Clark
Dirksen
Ervin
Fong
Harris
Hart
Hatfield
Hickenlooper
Holland
Hollings
Hruska
Inouye
Javits
Jordan, Idaho
Kennedy, Mass.
Kennedy, N.Y.
Long, La.
McCarthy
McClellan
McGovern
McIntyre
Miller
Mondale
Monroney
Mundt
Muskie
Nelson
Pearson
Percy
Proxmire
Randolph
Scott
Sparkman
Spong
Symington
Thurmond
Tower
Williams, N.J.

The PRESIDING OFFICER. A quorum is present.

CENTRAL ARIZONA PROJECT ACT

The Senate resumed the consideration of the bill (S. 1004) to authorize the construction, operation, and maintenance of the central Arizona project, Arizona-New Mexico, and for other purposes.

Mr. ALLOTT. Mr. President, I believe that, without a doubt that the Colorado River is the most controversial body of water in the western hemisphere, if not in the world. Those of us who have been close to its problems have come to realize that the Colorado River may soon be the first major river in the world to have its entire water supply controlled by man and put to use in such a way that not one drop will ever again be discharged to the ocean. On any river system, water resource problems, as any other commodity in limited supply, tend to become increasingly complicated as the water resource becomes more scarce. Increasingly complex decisions are required. The Colorado River is no exception.

The Colorado River Basin is an important segment of this great Nation. Its area, which embraces parts of seven States, is rich in mineral and land resources—and in space. Its area is about one-twelfth that of the 48 contiguous United States. Due to the great imbalance that exists between the water supply and other natural resources, the people of the region have always had to face greater difficulties than in other sections of the country in bringing their resources together for the creation of wealth, homes, and the means to making a living. Those who are familiar with the great Southwest can attest to the fact that the results of their efforts are staggering. But the surface has only been scratched; if we can continue to make water available in the region at the time and in the places where it will be needed for further constructive development of the other vast resources, past accomplishments will seem pale by comparison.

Last week the distinguished senior Senator from California [Mr. Kuchel] in a brilliant speech outlined the salient problem of the Colorado River. During the course of that speech he discussed the steps which had led up to the present situation and the reporting of S. 1004, a bill for the benefit of Arizona. He discussed also the efforts that have been made over a period of years, even while our good friend, the junior Senator from Arizona [Mr. Fannin], was Governor of Arizona, and when our good friend, the Senator from Wyoming [Mr. Hansen], was the Governor of Wyoming, efforts that had gone on over a number of years, the estimated hundreds of thousands of dollars that had been spent, the innumerable meetings by members of State water boards, water authorities, water engineers, the Governors, and the attorneys general of seven States, in order to come to agreement upon the development of the Colorado River.

Mr. President, those States did come to an agreement and an understanding which was agreed to by all of the seven Governors and, as far as I know, the corresponding water authorities in each of those States. Then, last fall, theretofore unknown to many of us, we learned for the first time that there was a change. I shall read a few remarks from page 147 of the hearings which explain exactly what happened in the language of the Secretary of the Interior:

> Secretary Udall. I don't want to misstate Senator Hayden's position because he has consistently been not for what I would call the full-fledged 4.4 priority. He has favored limitations, and I should probably let him speak for himself on that, but at one point I think it is fair to say that there was complete agreement that there should be some kind of 4.4 priority.
>
> Senator Kuchel. In which you participated.
>
> Secretary Udall. I participated in that; yes.
>
> Senator Kuchel. I will supply my version of that for the record a little later on. You have suggested in your proposal, Mr. Secretary, a so-called prepurchase of electricity in the amount of some $92 million, and stated to the committee that there is ample precedent I think for this. Actually is this not a new concept that you bring to this committee, in an attempt to justify the removal of the dam controversy on the river?
>
> Secretary Udall. There is nothing exactly like this that has been proposed, and, quite frankly, I think it is a very creative approach to the problem. It is one of the alternatives we developed last fall working with the Bureau of the Budget, and I was glad they went along with it, Senator.
>
> I hate to see the Bureau of Reclamation, with the work I see ahead of it, get tied to one formula or locked into one set way of doing business. In many areas of the West we do not have major hydroelectric sites remaining. I think the Bureau of Reclamation ought not to be tied to one way of doing business. This is the reason I think we are setting a new policy, a new pattern.

Mr. President, apparently Secretary Udall, the Bureau of the Budget, and perhaps others interested in the project as it now stands, got together last fall at a time when the seven States thought they were locked in agreement upon the type of bill that all seven States could support; but it is significant that it was not until February of this year that the Secretary made his announcement about the new-fangled type of reclamation which will surely wreck reclamation.

So, we heard about it for the first time and shortly after that a bill was introduced by the chairman of the Committee on Interior and Insular Affairs for the administration, and also the present bill introduced by the distinguished senior Senator from Arizona, S. 1004.

Mr. President, the other day, the distinguished senior Senator from California offered for printing a bill which essentially sets out the seven-State understanding and agreement. The seven States have been substantially in agreement on this matter for a period of approximately 2 years, prior to this year—at least that long a period of time—and the bill that he offered for printing the other day was sponsored by the brother of the Secretary of the Interior, Representative MORRIS UDALL, of Arizona.

During the course of this summer, on June 23, to be exact, the senior Senator from Colorado, together with Mr. BENNETT, Mr. DOMINICK, Mr. KUCHEL, Mr. MOSS, and Mr. MURPHY, offered an amendment to S. 1004, which is the Hayden bill, the pending bill.

Mr. President, at this time I call up my amendment, which is an amendment by way of a substitute for the entire bill.

The PRESIDING OFFICER (Mr. MONTOYA in the chair). The amendment in the nature of a substitute will be stated.

The legislative clerk proceeded to read the amendment.

Mr. ALLOTT. Mr. President, I ask unanimous consent that further reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered, and the amendment in the nature of a substitute will be printed in the RECORD.

The amendment (No. 214) in the nature of a substitute is as follows:

Strike out all after the enacting clause and insert:

"TITLE I—COLORADO RIVER BASIN PROJECT: OBJECTIVES

"SEC. 101. That this Act may be cited as the 'Colorado River Basin Project Act'.

"SEC. 102. The Congress recognizes that the present and growing water shortages in the Colorado River Basin constitute urgent problems of national concern, and accordingly authorizes and directs the National Water Commission and the Water Resources Council, established by the Water Resources Planning Act (Public Law 89–80), to give highest priority to the preparation of a plan and program for the relief of such shortages, in consultation with the States and Federal entities affected, as provided in this Act. This program is declared to be for the purposes, among others, of regulating the flow of the Colorado River; controlling floods; improving navigation; providing for the storage and delivery of the waters of the Colorado River for reclamation of lands, including supplemental water supplies, for municipal, industrial, and other beneficial purposes; improving water quality; providing for basic public outdoor recreation facilities; improving conditions for fish and wildlife; and the generation and sale of hydroelectric power as an incident of the foregoing purposes.

"TITLE II—SOUTHWEST INVESTIGATIONS AND PLANNING

"SEC. 201. (a) The Council, in consultation with the Commission, acting in accordance with the procedure prescribed in section 103 of the Water Resources Planning Act, shall within one hundred and twenty days following the effective date of this Act establish principles, standards, and procedures for the program of investigations and submittal of plans and reports authorized by this section and section 203. The Secretary of the Interior (hereinafter referred to as the 'Secretary'), under the direction of the Commission, in conformity with the principles, standards, and procedures so established, is authorized and directed to—

"(1) prepare estimates of the long-range water supply available for consumptive use in the Colorado River Basin, of current water requirements therein, and of the rate of growth of water requirements therein to at least the year 2030;

"(2) investigate sources and means of supplying water to meet the current and anticipated water requirements of the Colorado River Basin, including reductions in losses, importations from sources outside the natural drainage basin of the Colorado River system, desalination, weather modification, and other means;

"(3) investigate projects within the lower basin of the Colorado River, including projects on tributaries of the Colorado River, where undeveloped water supplies are available or can be made available by replacement or exchange;

"(4) undertake investigations, in cooperation with other concerned agencies, of the feasibility of proposed development plans in maintaining an adequate water quality throughout the Colorado River Basin;

"(5) investigate means of providing for prudent water conservation practices to permit maximum beneficial utilization of available water supplies in the Colorado River Basin;

"(6) investigate and prepare estimates of the long-range water supply in States and areas from which water may be imported into the Colorado River system, together with estimates of the probable ultimate requirements for water within those States and areas of origin, for all purposes, including, but not limited to, consumptive use, navigation, river regulation, power, enhancement of fishery resources, pollution control, and disposal of wastes to the ocean, and estimates of the quantities of water, if any, that will be available in excess of such requirements in the States and areas of origin for exportation to the Colorado River system; and

"(7) investigate current and anticipated water requirements of areas outside the natural drainage areas of the Colorado River system which feasibly can be served from importation facilities en route to the Colorado River system.

"(b) The Secretary is authorized and directed to prepare reconnaissance reports of a staged plan or plans for projects adequate, in his judgment, to meet the requirements reported under subsection (a) of this section, in conformity with section 202.

"(c) The plan for the first stage of works to meet the future requirements of the areas of deficiency and surplus as determined from studies performed pursuant to this section shall include, but not be limited to, import works necessary to provide two million five hundred thousand acre-feet annually for use from the main stream of the Colorado River below Lee Ferry, including satisfaction of the obligations of the Mexican Water Treaty and losses of water associated with the performance of that treaty. Plans for import works for the first stage may also include facilities to provide water in the following additional quantities:

"(1) Up to two million acre-feet annually in the Colorado River for use in the Lower Colorado River Basin;

"(2) Up to two million acre-feet annually in the Colorado River system for use in the Upper Colorado River Basin, directly or by exchange;

"(3) Such additional quantities, not to exceed two million acre-feet annually, as the Secretary finds may be required and marketable in areas which can be served by said importation facilities en route to the Colorado River system.

"(d) The Congress declares that the satisfaction of the requirements of the Mexican Water Treaty constitutes a national obligation. Accordingly, the States of the upper division (Colorado, New Mexico, Utah, and Wyoming) and States of the lower division (Arizona, California, and Nevada) shall be relieved from all obligations which may have been imposed upon them by article III(c) of the Colorado River compact when the President issues the proclamation specified in section 305(b) of this Act.

"(e) The Secretary shall submit annually to the Commission, the President, and the Congress reports covering progress on the investigations and reports authorized by this section.

"SEC. 202. (a) In planning works to import water into the Colorado River system from sources outside the natural drainage areas of the system, the Secretary shall make provision for adequate and equitable protection of the interests of the States and areas of origin, including (in the case of works to import water for use in the lower basin of the Colorado River) assistance from the development fund established by title IV of this Act, to the end that water supplies may be available for use therein adequate to satisfy their ultimate requirements at prices to users not adversely affected by the exportation of water to the Colorado River system.

"(b) All requirements, present or future, for water within any State lying wholly or in part within the drainage area of any river basin and from which water is exported by works planned pursuant to this Act shall have a priority of right in perpetuity to the use of the waters of that river basin, for all purposes, as against the uses of the water delivered by means of such exportation works, unless otherwise provided by interstate agreement.

"SEC. 203. (a) On or before December 31, 1970, the Secretary shall submit a proposed reconnaissance report on the first stage of the staged plan of development to the Commission and affected State and Federal agencies for their comments and recommendations which shall be submitted within six months after receipt of the report.

"(b) After receipt of the comments of the Commission, affected States, and Federal agencies on such reconnaissance report, but not later than January 1, 1972, the Secretary shall transmit the report to the President and, through the President, to the Congress. All comments received by the Secretary under the procedure specified in this section shall be included therein. The letter of transmittal and its attachments shall be printed as a House or Senate document.

"(c) The Secretary shall proceed promptly thereafter with preparation of a feasibility report on the first stage of said plan of development if he finds, on the basis of reconnaissance investigations pursuant to section 201, that a water supply surplus to the needs of the area of origin exists, benefits of the proposed first stage exceed costs, and repayment can be made in accordance with titles III and IV of this Act. Such feasibility report shall be submitted to the Commission and to the affected States and Federal agencies not later than January 1, 1973.

"(d) After receipt of the comments of the Commission and affected States and Federal agencies on such feasibility report, but not later than June 30, 1973, the Secretary shall transmit his final report to the President and, through the President, to the Congress. All comments received by the Secretary under the procedure specified in this section shall be included therein. The letter of transmittal and its attachments shall be printed as a House or Senate document.

"Sec. 204. There are hereby authorized to be appropriated such sums as are required to carry out the purposes of this title.

"TITLE III—AUTHORIZED UNITS: PROTECTION OF EXISTING USES

"Sec. 301. The Secretary shall construct, operate, and maintain the lower basin units of the Colorado River Basin project (herein referred to as the 'project'), described in sections 302, 303, 304, 305, and 306.

"Sec. 302. The main stream reservoir division shall consist of the Hualapai (formerly known as Bridge Canyon) unit, including a dam, reservoir, powerplant, transmission facilities, and appurtenant works, and the Coconino and Paria River silt-detention reservoirs: *Provided,* That (1) Hualapai Dam shall be constructed so as to impound water at a normal surface elevation of one thousand eight hundred and sixty-six feet above mean sea level, (2) fluctuations in the reservoir level shall be restricted, so far as practicable, to a regimen of ten feet, (3) this Act shall not be construed to authorize any diversion of water from Hualapai Reservoir except for incidental uses in the immediate vicinity, (4) before initiating construction of the Hualapai Dam and appurtenant hydroelectric generating facilities and transmission lines the Secretary shall certify to the United States Congress that, in his judgment, contracts or letters declaring an intent to contract in accordance with the provisions of this Act are in existence to provide revenues adequate to pay all expenses of operation and maintenance of said works incurred by the United States and to repay all reimbursable costs, including applicable interest costs, of said dam and hydroelectric generating facilities, within fifty years from the date of completion of said works, and (5) the Secretary is authorized and directed to continue to a conclusion the engineering and economic studies and negotiations with any non-Federal entities with respect to constructing and operating the hydroelectric generating and transmission facilities to be installed at or in connection with Hualapai Dam and Reservoir as a combined hydro-pump storage peaking plant and, not later than eighteen months from the date of enactment of this Act, report the results of such negotiations, including the terms of proposed agreements, if any, that may be reached, together with his recommendations thereon, which agreements, if any, shall not become effective until approved by Congress. The Congress hereby declares that the construction of the Hualapai Dam herein authorized is consistent with the Act of February 26, 1919 (40 Stat. 1175).

"Sec. 303. (a) As fair and reasonable payment for the permanent use by the United States of not more than twenty-five thousand acres of land designated by the Secretary as necessary for the construction, operation, and maintenance of the Hualapai unit, said land being a part of the tract set aside and reserved by the Executive order of January 4, 1883, for the use and occupancy of the Hualapai Tribe of Arizona (1 Kappler, Indian Laws and Treaties, 804), $16,398,000 shall be transferred in the Treasury, during construction of the unit, to the credit of the Hualapai Tribe from funds appropriated from the general fund of the Treasury to the Department of the Interior, Bureau of Reclamation, for constructon of the project and, when so transferred, shall draw interest at the rate of 4 per centum per annum until expended. The funds so transferred may be expended, invested, or reinvested pursuant to plans, programs, and agreements duly adopted or entered into by the Hualapai Tribe, subject to the approval of the Secretary, in accordance with the tribal constitution and charter.

"(b) As part of the construction and operation of the Hualapai unit, the Secretary shall (1) construct a paved road, having a minimum width of twenty-eight feet, from Peach Springs, Arizona, through and along Peach Springs Canyon within the Hualapai Indian Reservation, to provide all-weather access to the Hualapai Reservoir; and (2) make available to the Hualapai Tribe up to twenty-five thousand kilowatts and up to one hundred millon kilowatt-hours annually of power from the Hualapai unit at the lowest rate established by the Secretary for the sale of firm power from said unit for the use of preferential customers: *Provided,* That the tribe may resell such power only to users within the Hualapai Reservation: *Provided further,* That the Hualapai Tribal Council shall notfy the Secretary in writing of the reasonable power requirements of the tribe up to the maximum herein specified, for each three-year period in advance beginning with the date upon which power from the Hualapai unit becomes available for sale. Power not so reserved may be disposed of by the Secretary for the benefit of the development fund.

"(c) Except as to such lands which the Secretary determines are required for the Hualapai Dam and Reservoir site and the construction of the operating campsite and townsite, all minerals of any kind whatsoever, including oil and gas but excluding sand and gravel and other building and construction materials, within the areas used by the United States pursuant to this section are hereby reserved to the Hualapai Tribe: *Provided,* That no permit, license, lease, or other document covering the exploration for or the extraction of such minerals shall be granted by the tribe nor shall the tribe conduct such operations for its own account, except under such conditions and with such stipulations as are necessary to protect the interests of the United States in the construction, operation, and maintenance of the Hualapai unit.

"(d) The Hualapai Tribe shall have the exclusive right, if requested in writing by the tribe, to develop the recreation potential of, and shall have the exclusive right to control access to, the reservoir shoreline adjacent to the reservation, subject to conditions established by the Secretary for use of the reservoir to protect the operation of the project. Any recreation development established by the tribe shall be consistent with the Secretary's rules and regulations to protect the overall recreation development of the project. The tribe and the members thereof shall have nonexclusive personal rights to hunt and fish on the reservoir without charge, but shall have no right to exclude others from the reservoir except as to those who seek to gain access through the Hualapai Reservation, nor the right to require payments to the tribe except for the use of tribal lands or facilities: *Provided,* That under no circumstances will the Hualapai Tribe make any charge, or extract any compensation, or in any other manner restrict the access or use of the paved road to be constructed within the Hualapai Indian Reservation pursuant to this Act. The use by the public of the water areas of the project shall be pursuant to such rules and regulations as the Secretary may prescribe.

"(e) Except as limited by the foregoing, the Hualapai Tribe shall have the right to use and occupy the area of the Hualapai unit within the Hualapai Reservation for all purposes not inconsistent with the construction, operation, and maintenance of the project and townsite, including, but not limited to, the right to lease such lands for farming, grazing, and business purposes to members or nonmembers of the tribe and the power to dispose of all minerals as provided in paragraph (c) hereof.

"(f) Upon a determination by the Secretary that all or any part of the lands utilized by the United States pursuant to paragraph (a) of this section is no longer necessary for purposes of the project, such lands shall be restored to the Hualapai Tribe for its full use and occupancy.

"(g) No part of any expenditures made by the United States, and no reservation by or restoration to the Hualapai Tribe of the use of land under any of the provisions of this section shall be charged by the United States as an offset or counterclaim against any claim of the Hualapai Tribe against the United States other than claims arising out of the utilization of lands for the project: *Provided, however,* That the payment of moneys and other benefits as set forth herein shall constitute full, fair, and reasonable payment for the permanent use of the lands by the United States.

"(h) All funds authorized by this section to be paid or transferred to the Hualapai Tribe, and any per capita distribution derived therefrom, shall be exempt from all forms of State and Federal income taxes.

"(i) No payment shall be made or benefits conferred as set forth in this section until the provisions hereof have been accepted by the Hualapai Tribe through a resolution duly adopted by its tribal council. In the event such resolution is not adopted within six months from the effective date of this Act, and litigation thereafter is instituted regarding the use by the United States of lands within the Hualapai Reservation or payment therefor, the amounts of the payments provided herein and the other benefits set out shall not be regarded as evidencing value or as recognizing any right of the tribe to compensation.

"Sec. 304. (a) The central Arizona unit shall consist of the following principal works: (1) a system of main conduits and canals, including a main canal and pumping plants (Granite Reef aqueduct and pumping plants), for diverting and carrying water from Lake Havasu to Orme Dam or suitable alternative, which system shall have a capacity of two thousand five hundred cubic feet per second (A) unless the definite plan report of the Bureau of Reclamation shows that additional capacity (i) will provide an improved benefit-to-cost ratio and (ii) will enhance the ability of the central Arizona unit to divert water from the main stream to which Arizona is entitled and (B) unless the Secretary finds that the additional cost resulting from such additional capacity can be financed by funds from sources other than the funds credited to the development fund pursuant to section 403 of this Act and without charge, directly or indirectly, to water users or power customers in the States of California and Nevada; (2) Orme Dam and Reservoir and power-pumping plant or suitable alternative; (3) Buttes Dam and Reservoir, which shall be so operated as to not prejudice the rights of any user in and to the waters of the Gila River as those rights are set forth in the decree entered by the United States District Court for the District of Arizona on June 29, 1935, in United States against Gila Valley Irrigation District and others (Globe Equity Number 59); (4) Hooker Dam and Reservoir, which shall be constructed to an initial capacity of ninety-eight thousand acre-feet and in such a manner as to permit subsequent enlargement of the structure (to give effect to the provisions of section 304(c) and (d)); (5) Charleston Dam and Reservoir; (6) Tucson aqueducts and pumping plants; (7) Salt-Gila aqueduct; (8) canals, regulating facilities, powerplants, and electrical transmission facilities; (9) related water distribution and drainage work; and (10) appurtenant works.

"(b) Unless and until otherwise provided by Congress, water from the natural drainage area of the Colorado River system diverted from the main stream below Lee Ferry for the central Arizona unit shall not be made available directly or indirectly for the irrigation of lands not having a recent irrigation history as determined by the Secretary, except in the case of Indian lands, national wildlife refuges, and, with the approval of the Secretary, State-administered wildlife management areas. It shall be a condition of each contract under which such water is provided under the central Arizona unit that (1) there be in effect measures, adequate in the judgment of the Secretary, to control expansion of irrigation from aquifers affected by irrigation in the contract service area; (2) the canals and distribution systems through which water is conveyed after its delivery by the United States to the contractors shall be provided and maintained with linings, adequate in his judgment to prevent excessive conveyance losses; (3) neither the contractor nor the Secretary shall pump or permit others to pump ground water from lands located within the exterior boundaries of any Federal reclamation project or irrigation district receiving water from the central Arizona unit for any use outside such Federal reclamation project or irrigation district, unless the Secretary and the agency or organization operating and maintaining such Federal reclamation project or irrigation district shall agree or shall have previously agreed that a surplus of ground water exists and that drainage is or was required; and (4) all agricultural, municipal and industrial waste water, return flow, seepage, sewage effluent and ground water located in or flowing from contractor's service area originating or resulting from (i) waters contracted for from the central Arizona unit or (ii) waters stored or developed by any Federal reclamation project are reserved for the use and benefit of the United States as a source of supply for the service areas of the central Arizona unit or for the service area of the Federal reclamation project, as the case may be: *Provided*, That notwithstanding the provisions of clause (3) of this sentence, the agricultural, municipal and industrial waste water, return flow, seepage, sewage effluent and ground water in or from any such Federal reclamation project, may also be pumped or diverted for use and delivery by the United States elsewhere in the service area of the central Arizona unit, if not needed for use or reuse in such Federal reclamation project.

"(c) The Secretary may require as a condition in any contract under which water is provided from the central Arizona unit that the contractor agree to accept main stream water in exchange for or in replacement of existing supplies from sources other than the main stream. The Secretary shall so require in contracts with such contractors in Arizona who also use water from the Gila River system, to the extent necessary to make available to users of water from the Gila River system in New Mexico additional quantities of water as provided in and under the conditions specified in subsections (e) and (f) of this section: *Provided*, That such exchanges and replacements shall be accomplished without economic injury or cost to such Arizona contractors.

"(d) In times of shortage or reduction of main stream water for the central Arizona unit (if such shortages or reductions should occur), contractors which have yielded water from other sources in exchange for main stream water supplied by that unit shall have a first priority to receive main stream water, as against other contractors supplied by that unit which have not so yielded water from other sources, but only in quantities adequate to replace the water so yielded.

"(e) In the operation of the central Arizona unit, the Secretary shall offer to contract with water users in New Mexico for water from the Gila River, its tributaries and underground water sources, in amounts that will permit consumptive use of water in New Mexico not to exceed an annual average in any period of ten consecutive years of eighteen thousand acre-feet, including reservoir evaporation, over and above the consumptive uses provided for by article IV of the decree of the Supreme Court of the United States in Arizona against California (376 U.S. 340). Such increased consumptive uses shall not begin until and shall continue only so long as delivery of Colorado River water to downstream Gila River users in Arizona is being accomplished in accordance with this Act, in quantities sufficient to replace any diminution of their supply resulting from such diversions from the Gila River, its tributaries and underground water sources. In determining the amount required for this purpose full consideration shall be given to any differences in the quality of the waters involved.

"(f) The Secretary shall further offer to contract with water users in New Mexico for water from the Gila River, its tributaries and underground water sources in amounts that will permit consumptive uses of water in New Mexico not to exceed an annual average in any period of ten consecutive years of an additional thirty thousand acre-feet, including reservoir evaporation. Such further increases in consumptive use shall not begin until and shall continue only so long as works capable of importing water into the Colorado River system have been completed and water sufficiently in excess of two million eight hundred thousand acre-feet per annum is available from the main stream of the Colorado River for consumptive use in Arizona to provide water for the exchanges herein authorized and provided. In determining the amount required for this purpose full consideration shall be given to any differences in the quality of the waters involved.

"(g) All additional consumptive uses provided for in subsection (e) and (f) of this section shall be subject to all rights in New Mexico and Arizona as established by the decree entered by the United States District Court for the District of Arizona on June 29, 1935, in United States against Gila Valley Irrigation District and others (Globe Equity Number 59) and to all other rights existing on the effective date of this Act in New Mexico and Arizona to water from the Gila River, its tributaries and underground water sources, and shall be junior thereto and shall be made only to the extent possible without economic injury or cost to the holders of such rights.

"Sec. 305. (a) Article II(B)(3) of the decree of the Supreme Court of the United States in Arizona against California (376 U.S. 340) shall be so administered that in any year in which, as determined by the Secretary, there is insufficient main stream Colorado River water available for release to satisfy annual consumptive use of seven million five hundred thousand acre-feet in Arizona, California, and Nevada, diversions from the main stream for the central Arizona unit shall be so limited as to assure the availability of water in quantities sufficient to provide for the aggregate annual consumptive use by holders of present perfected rights, by other users in the State of California served under existing contracts with the United States by diversion works heretofore constructed and by other existing Federal reservations in that State, of four million four hundred thousand acre-feet of main stream water, and by users of the same character in Arizona and Nevada. Water users in the State of Nevada shall not be required to bear shortages in any proportion greater than would have been imposed in the absence of this section 305(a). Nothing herein shall be construed to alter, amend, repeal, modify, or be in conflict with the agreement required by section 4(a) of the Boulder Canyon Project Act (45 Stat. 1057) and made by the State of California by act of its legislature (ch. 16, Calif. Stats. 1929, p. 38) so far as the benefits of said agreement are conferred upon the States of Colorado, Nevada, New Mexico, Utah, and Wyoming. This section shall not affect the relative priorities, among themselves, of water users in Arizona, Nevada, and California which are senior to diversions for the central Arizona unit, or amend any provisions of said decree.

"(b) The limitation stated in paragraph (a) shall cease whenever the President shall proclaim that works have been completed and are in operation, capable in his judgment of delivering annually not less than two million five hundred thousand acre-feet of water into the main stream of the Colorado River below Lee Ferry from sources outside the natural drainage area of the Colorado River system; and that such sources are adequate, in the President's judgment, to supply such quantities without adverse effect upon the satisfaction of the foreseeable water requirements of any State from which such water is imported into the Colorado River system. Such imported water shall be made available for use in accordance with subsection (c) of this section.

"(c) To the extent that the flow of the main stream of the Colorado River is augmented by such importation in order to make sufficient water available for release, as determined by the Secretary pursuant to article II(B)(1) of the decree of the Supreme Court of the United States in Arizona against California (376 U.S. 340), to satisfy annual consumptive use of two million eight hundred thousand acre-feet in Arizona, four million four hundred thousand acre-feet in California, and three hundred thousand acre-feet in Nevada, respectively, the Secretary shall make such additional water available to users of main stream water in those States at the same costs and on the same terms as would be applicable if main stream water were available for release in the quantities required to supply such consumptive use, taking into account, among other things, (1) the nonreimbursable allocation to the replenishment of the deficiencies occasioned by satisfaction of the Mexican Treaty burden provided for in section 401, and (2) such assistance as may be available from the development fund established by title IV of this Act.

"(d) Imported water made available for use in the lower basin to supply aggregate annual consumptive uses from the main stream in excess of seven million five hundred thousand acre-feet shall be offered by the Secretary for use in the States of Arizona, California, and Nevada in the proportions provided in article II(B)(2) of said decree. The Secretary shall establish prices therefor which take into account such assistance as may be available from the development fund established by title IV of this Act in excess of the demands upon that fund occasioned by the requirements stated in subsection (c) of this section. Within each State, opportunity to take such water shall first be offered to persons or entities who are water users as of the effective date of this Act, and in quantities equal to the deficiencies which would result in the total quantity available for consumptive use from the main stream in such State were only the quantity apportioned to that State by article II(B)(1) of said decree.

"(e) Imported water made available for use in the upper basin of the Colorado River, directly or by exchange, shall be offered by the Secretary for contract by water users in the States of Colorado, New Mexico, Utah, and Wyoming in the proportions, as among those States stated in the Upper Colorado River Basin compact, and at prices which take into account such assistance as may be available from the Upper Colorado River Basin fund, in excess of the demands upon that fund occasioned by the requirements of the Colorado River Storage Project Act.

"(f) Imported water not delivered into the Colorado River system but diverted from the works constructed to import water into that system shall be made available to water users in accordance with the Federal reclamation laws.

"Sec. 306. The main stream salvage unit shall include programs for water salvage along and adjacent to the main stream of the Colorado River and for ground water recovery. Such programs shall be consistent with maintenance of a reasonable degree of undisturbed habitat for fish and wildlife in the area, as determined by the Secretary.

"Sec. 307. The Secretary shall construct, operate, and maintain such additional works as shall from time to time be authorized by the Congress as units of the project.

"Sec. 308. The conservation and development of the fish and wildlife resources and the enhancement of recreation opportunities in connection with the project works authorized pursuant to this title shall be in accordance with the provisions of the Federal Water Project Recreation Act (79 Stat. 213).

"Sec. 309. The Secretary shall integrate the Dixie project and southern Nevada water supply project heretofore authorized into the project herein authorized as units thereof under repayment arrangements and participation in the development fund established by title IV of this Act consistent with the provisions of this Act.

"Sec. 310. There is hereby authorized to be appropriated to carry out the purposes of this title the sum of $1,167,000,000 based on estimated costs as of October 1963, plus or minus such amounts, if any, as may be justified by reason of ordinary fluctuations in construction costs as indicated by engineering cost indexes applicable to the types of construction involved.

"TITLE IV—LOWER COLORADO RIVER BASIN DEVELOPMENT FUND: ALLOCATION AND REPAYMENT OF COSTS: CONTRACTS

"Sec. 401. Upon completion of each lower basin unit of the project herein or hereafter authorized, or separate features thereof, the Secretary shall allocate the total costs of constructing said unit or features to (1) commercial power, (2) irrigation, (3) municipal and industrial water supply, (4) flood control, (5) navigation, (6) water quality control, (7) recreation, (8) fish and wildlife, (9) the replenishment of the depletion of Colorado River flows available for use in the United States occasioned by performance of the Water Treaty of 1944 with the United Mexican States (treaty series 994), (10) the additional capacity of the system of main conduits and canals of the central Arizona unit referred to in section 304(a), item (1), in excess of two thousand five hundred cubic feet per second, and (11) any other purposes authorized under the Federal reclamation laws. Costs of construction, operation, and maintenance allocated to the replenishment of the depletion of Colorado River flows available for use in the United States occasioned by compliance with the Mexican Water Treaty (including losses in transit, evaporation from regulatory reservoirs, and regulatory losses at the Mexican boundary, incurred in the transportation, storage, and delivery of water in discharge of the obligations of that treaty) shall be nonreimbursable. All funds paid or transferred to Indian tribes pursuant to this Act, including interest on such funds in the Treasury of the United States and costs of construction of the paved road, authorized in section 303(b) hereof, shall be nonreimbursable. The repayment of costs allocated to recreation and fish and wildlife enhancement shall be in accordance with the provisions of the Federal Water Project Recreation Act (79 Stat. 213): *Provided*, That all of the separable and joint costs allocated to recreation and fish and wildlife enhancement at the Dixie project, Utah, and the main stream reservoir division shall be nonreimbursable. Costs allocated to nonreimbursable purposes shall be nonreturnable under the provisions of this Act. Costs allocated to the additional capacity of the system of main conduits and canals of the central Arizona unit, referred to in section 304(a), item (1), in excess of two thousand five hundred cubic feet per second shall be recovered as directed in section 304(a).

"Sec. 402. The Secretary shall determine the repayment capability of Indian lands within, under, or served by any unit of the project. Construction costs allocated to irrigation of Indian lands (including provision of water for incidental domestic and stock water uses) and within the repayment capability of such lands shall be subject to the Act of July 1, 1932 (47 Stat. 464), and such costs as are beyond repayment capability of such lands shall be nonreimbursable.

"Sec. 403. (a) There is hereby established a separate fund in the Treasury of the United States, to be known as the Lower Colorado River Basin development fund (hereinafter called the 'development fund'), which shall remain available until expended as hereafter provided for carrying out the provisions of title III.

"(b) All appropriations made for the purpose of carrying out the aforesaid provisions of title III of this Act shall be credited to the development fund as advances from the general fund of the Treasury, and shall be available for such purpose.

"(c) There shall also be credited to the development fund—

"(1) all revenues collected in connection with the operation of facilities herein and hereafter authorized in furtherance of the purposes of this Act (except entrance, admission, and other recreation fees or charges and proceeds received from recreation concessionaires); and

"(2) all Federal revenues from the Boulder Canyon and Parker-Davis projects which, after completion of repayment requirements of the said Boulder Canyon and Parker-Davis projects, are surplus, as determined by the Secretary, to the operation, maintenance, and replacement requirements of those projects: *Provided, however*, That the Secretary is authorized and directed to continue the in-lieu-of-taxes payments to the States of Arizona and Nevada provided for in section 2(c) of the Boulder Canyon Project Adjustment Act so long as revenues accrue from the operation of the Boulder Canyon project.

"(d) All revenues collected and credited to the development fund pursuant to this Act shall be available, without further appropriation, for—

"(1) defraying the costs of operation, maintenance, and replacements of, and emergency expenditures for, all facilities of the project, within such separate limitations as may be included in annual appropriation Acts;

"(2) payments, if any, as required by section 502 of this Act;

"(3) payments as required by subsection (f) of this section; and

"(4) payments to reimburse water users in the State of Arizona for losses sustained as a result of diminution of the production of hydroelectric power at Coolidge Dam, Arizona, resulting from exchanges of water between users in the States of Arizona and New Mexico as set forth in section 304 of this Act.

"(e) Revenues credited to the development fund shall not be available for construction of the works comprised within any unit of the project herein or hereafter authorized except upon appropriation by the Congress.

"(f) Revenues in the development fund in excess of the amount necessary to meet the requirements of clauses (1), (2), and (4) of subsection (d) of this section shall be paid annually to the general fund of the Treasury to return—

"(1) the costs of each unit of the project or separable feature thereof, authorized pursuant to title III of this Act which are allocated to irrigation, commercial power, or municipal and industrial water supply, pursuant to this Act, within a period not exceeding fifty years from the date of completion of each such unit or separable feature, exclusive of any development period authorized by law;

"(2) the costs which are allocated to recreation or fish and wildlife enhancement in accordance with the provisions of the Federal Water Project Recreation Act (79 Stat. 213); and

"(3) interest (including interest during construction) on the unamortized balance of the investment in the commercial power and municipal and industrial water supply features of the project at a rate determined by the Secretary of the Treasury in accordance with the provisions of subsection (h) of this section, and interest due shall be a first charge.

"(g) To the extent that revenues remain in the development fund after making the payments required by subsections (d) and (f) of this section, they shall be available, upon appropriation by the Congress, to repay the costs incurred in connection with units hereafter authorized in providing (i) for the importation of water into the main stream of the Colorado River for use below Lee Ferry as provided in section 206(c) to the extent that such costs are in excess of the costs allocated to the replenishment of the depletion of Colorado River flows available for use in the United States occasioned by performance of the Mexican Water Treaty as provided in section 401, and (ii) protection of States and areas of origin of such imported water as provided in section 207(a).

"(h) The interest rate applicable to those portions of the reimbursable costs of each unit of the project which are properly allocated to commercial power development and municipal and industrial water supply shall be determined by the Secretary of the Treasury, as of the beginning of the fiscal year in which the first advance is made for initiating construction of such unit, on the basis of the computed average interest rate payable by the Treasury upon its outstanding marketable public obligations which are neither due nor callable for redemption for fifteen years from the date of issue.

"(i) Business-type budgets shall be submitted to the Congress annually for all operations financed by the development fund.

"Sec. 404. (a) Irrigation repayment contracts shall provide for repayment of the obligation assumed under any irrigation repayment contract with respect to any project contract unit or irrigation block over a basic period of not more than fifty years exclusive of any development periods authorized by law; contracts authorized by section 9(e) of the Reclamation Project Act of 1939 (53 Stat. 1196; 43 U.S.C. 485h(e)) may provide for delivery of water for a period of fifty years and for the delivery of such water at an identical price per acre-foot for water of the same class at the several points of delivery from the main canals and conduits and from such other points of delivery as the Secretary may designate; and long-term contracts relating to irrigation water supply shall provide that water made available thereunder may be made available by the Secretary for municipal or industrial purposes if and to the extent that such water is not required by the contractor for irrigation purposes.

"(b) Contracts relating to municipal and industrial water supply from the project may be made without regard to the limitations of the last sentence of section 9(c) of the Reclamation Project Act of 1939 (53 Stat. 1194); may provide for the delivery of such water at an identical price per acre-foot for water of the same class at the several points of delivery from the main canals and conduits; and may provide for repayment over a period of fifty years if made pursuant to clause (1) of said section and for the delivery of water over a period of fifty years if made pursuant to clause (2) thereof.

"SEC. 405. On January 1 of each year the Secretary shall report to the Congress, beginning with the fiscal year ending June 30, 1968, upon the status of the revenues from and the cost of constructing, operating, and maintaining the project and each unit thereof for the preceding fiscal year. The report of the Secretary shall be prepared to reflect accurately the Federal investment allocated at that time to power, to irrigation, and to other purposes, the progress of return and repayment thereon, and the estimated rate of progress, year by year, in accomplishing full repayment.

"TITLE V—UPPER COLORADO RIVER BASIN AUTHORIZATIONS AND REIMBURSEMENTS

"SEC. 501. (a) In order to provide for the construction, operation, and maintenance of the Animas-La Plata Federal reclamation project, Colorado-New Mexico; the Dolores, Dallas Creek, West Divide, and San Miguel Federal reclamation projects, Colorado, as participating projects under the Colorado River Storage Project Act (70 Stat. 105; 43 U.S.C. 620), and to provide for the completion of planning reports on other participating projects, subsection (2) of section 1 of said Act is hereby further amended by deleting the words 'Pine River extension', and inserting in lieu thereof the words 'Animas-La Plata, Dolores, Dallas Creek, West Divide, San Miguel'. Section 2 of said Act is hereby further amended by deleting the words 'Parshall, Troublesome, Rabbit Ear, San Miguel, West Divide, Tomichi Creek, East River, Ohio Creek, Dallas Creek, Dolores, Fruit Growers extension, Animas-La Plata', and inserting after the words 'Yellow Jacket' the words 'Basalt, Middle Park (including the Troublesome, Rabbit Ear, and Azure units), Upper Gunnison (including the East River, Ohio Creek, and Tomichi Creek units), Lower Yampa (including the Juniper and Great Northern units), Upper Yampa (including the Hayden Mesa, Wessels, and Toponas units)', and by inserting after the word 'Sublette' the words '(including the Kendall Reservoir on Green River and a diversion of water from the Green River to the North Platte River Basin in Wyoming), Uintah unit and Ute Indian unit of the central Utah, San Juan County (Utah), Price River, Grand County (Utah), Ute Indian unit extension of the central Utah, Gray Canyon, and Juniper (Utah)': *Provided*, That the planning report for the Ute Indian unit of the central Utah participating project shall be completed on or before December 31, 1971. The amount which section 12 of said Act authorizes to be appropriated is hereby further increased by the sum of $360,000,000 plus or minus such amounts, if any, as may be required, by reason of changes in construction costs as indicated by engineering cost indexes applicable to the type of construction involved. This additional sum shall be available solely for the construction of the projects herein authorized.

"(b) The Animas-La Plata Federal reclamation project shall be constructed and operated in substantial accordance with the engineering plans set out in the report of the Secretary transmitted to the Congress on May 4, 1966, and printed as House Document 436, Eighty-ninth Congress: *Provided*, That the project construction of the Animas-La Plata Federal reclamation project shall not be undertaken until and unless the States of Colorado and New Mexico shall have ratified the following compact to which the consent of Congress is hereby given:

" 'ANIMALS-LA PLATA PROJECT COMPACT

" 'The State of Colorado and the State of New Mexico, in order to implement the operation of the Animas-La Plata Federal Reclamation Project, Colorado-New Mexico, a proposed participating project under the Colorado River Storage Project Act (70 Stat. 105), and being moved by considerations of interstate comity, have resolved to conclude a compact for these purposes and have agreed upon the following articles:

" 'ARTICLE I

" 'A. The right to store and divert water in Colorado and New Mexico from the La Plata and Animas River systems, including return flow to the La Plata River from Animas River diversions, for uses in New Mexico under the Animas-La Plata Federal Reclamation Project shall be valid and of equal priority with those rights granted by decree of the Colorado state courts for the uses of water in Colorado for that project, providing such uses in New Mexico are within the allocation of water made to that state by articles III and XIV of the Upper Colorado River Basin Compact (63 Stat. 31).

" 'B. The restrictions of the last sentence of Section (a) of Article IX of the Upper Colorado River Basin Compact shall not be construed to vitiate paragraph A of this article.

" 'ARTICLE II

" 'This Compact shall become binding and obligatory when it shall have been ratified by the legislatures of each of the signatory States.' "

" '(c) The Secretary shall, for the Animas-La Plata, Dolores, Dallas Creek, San Miguel, West Divide, and Seedskadee participating projects of the Colorado River storage project, establish the nonexcess irrigable acreage for which any single ownership may receive project water at one hundred and sixty acres of class 1 land or the equivalent thereof as determined by the Secretary, in other land classes.

"(d) In the diversion and storage of water for any project or any parts thereof constructed under the authority of this Act or the Colorado River Storage Project Act within and for the benefit of the State of Colorado only, the Secretary is directed to comply with the constitution and statutes of the State of Colorado relating to priority of appropriation; with State and Federal court decrees entered pursuant thereto; and with operating principles, if any, adopted by the Secretary and approved by the State of Colorado.

"(e) The words 'any western slope appropriation' contained in paragraph (i) of that section of Senate Document Numbered 80, Seventy-fifth Congress, first session, entitled 'Manner of Operation of Project Facilities and Auxiliary Features,' shall mean and refer to the appropriation heretofore made for the storage of water in Green Mountain Reservoir, a unit of the Colorado-Big Thompson Federal reclamation project, Colorado; and the Secretary is directed to act in accordance with such meaning and reference. It is the sense of Congress that this directive defines and observes the purpose of said paragraph (i), and does not in any way affect or alter any rights or obligations arising under said Senate Document Numbered 80 or under the laws of the State of Colorado.

"SEC. 502. The Upper Colorado River Basin fund established under section 5 of the Act of April 11, 1956 (70 Stat. 107), shall be reimbursed from the Colorado River development fund established by section 2 of the Boulder Canyon Project Adjustment Act (54 Stat. 755), for all expenditures heretofore or hereafter made from the Upper Colorado River Basin fund to meet deficiencies in generation at Hoover Dam during the filling period of reservoirs of storage units of the Colorado River storage project pursuant to the criteria for the filling of Glen Canyon Reservoir (27 Fed. Reg. 6851, July 19, 1962). For this purpose $500,000 for each year of operation of Hoover Dam and powerplant, commencing with the enactment of this Act, shall be transferred from the Colorado River development fund to the Upper Colorado River Basin fund, in lieu of application of said amounts to the purposes stated in section 2(d) of the Boulder Canyon Project Adjustment Act, until such reimbursement is accomplished. To the extent that any deficiency in such reimbursement remains as of June 1, 1987, the amount of the remaining deficiency shall then be transferred to the Upper Colorado River Basin fund from the Lower Colorado River Basin development fund, as provided in paragraph (d) of section 403.

"TITLE VI—GENERAL PROVISIONS: DEFINITIONS: CONDITIONS

"SEC. 601. (a) Nothing in this Act shall be construed to alter, amend, repeal, modify, or be in conflict with the provisions of the Colorado River compact (45 Stat. 1057), the Upper Colorado River Basin compact (63 Stat. 31), the Water Treaty of 1944 with the United Mexican States (Treaty Series 994), the decree entered by the Supreme Court of the United States in Arizona against California, and others (376 U.S. 340), or, except as otherwise provided herein, the Boulder Canyon Project Act (45 Stat. 1057), the Boulder Canyon Project Adjustment Act (54 Stat. 774), or the Colorado River Storage Project Act (70 Stat. 105).

"(b) The Secretary is directed to—

"(1) make reports as to the annual consumptive uses and losses of water from the Colorado River system after each successive five-year period, beginning with the five-year period starting on October 1, 1965. Such reports shall be prepared in consultation with the States of the lower basin individually and with the Upper Colorado River Commission, and shall be transmitted to the President, the Congress, and to the Governors of each State signatory to the Colorado River compact.

"(2) condition all contracts for the delivery of water originating in the drainage basin of the Colorado River system upon the availability of water under the Colorado River compact.

"(c) All Federal officers and agencies are directed to comply with the applicable provisions of the this Act, and of the laws, treaty, compacts, and decree referred to in subsection (a) of this section, in the storage and release of water from all reservoirs and in the operation and maintenance of all facilities in the Colorado River system under the jurisdiction and supervision of the Secretary, and in the operation and maintenance of all works which may be authorized hereafter for construction for the importation of water into the Colorado River system. In the event of failure of any such officer or agency to so comply, any affected State may maintain an action to enforce the provisions of this section in the Supreme Court of the United States and consent is given to the joinder of the United States as a party in such suit or suits, as a defendant or otherwise.

"(d) Nothing in this Act shall be construed to expand or diminish either Federal or State jurisdiction, responsibility, or rights in the field of water resources planning, development, or control; nor to displace, supersede, limit, or modify any interstate compact or the jurisdiction or responsibility of any legally established joint or common agency of two or more States, or of two or more States and the Federal Government; nor to limit the authority of Congress to authorize and fund projects.

"SEC. 602. (a) The Secretary shall propose criteria for the coordinated long-range operation of the reservoirs constructed and operated under the authority of this Act, the Colorado River Storage Project Act, the Boulder Canyon Project Act, and the Boulder Canyon Project Adjustment Act. To effect in part the purposes expressed in this paragraph, the criteria shall make provision for the storage of water in storage units of the Colorado River storage project and releases of water from Lake Powell in the following listed order of priority:

"(1) Releases to supply one-half the deficiency described in article III(c) of the Colorado River compact, if any such deficiency exists and is chargeable to the States of the upper division, but in any event such releases, if any, shall terminate when the President issues the proclamation specified in section 305(b) of this Act.

"(2) Releases to comply with article III(d) of the Colorado River compact, less such quantities of water delivered into the Colorado River below Lee Ferry to the credit of the States of the upper division from sources outside the natural drainage area of the Colorado River system.

"(3) Storage of water not required for the releases specified in clauses (1) and (2) of this subsection to the extent that the Secretary, after consultation with the Upper Colorado River Commission and representatives of the three lower division States and taking into consideration all relevant factors (including, but not limited to, historic stream-flows, the most critical period of record, and probabilities of water supply), shall find to be reasonably necessary to assure deliveries under clauses (1) and (2) without impairment of annual consumptive uses in the upper basin pursuant to the Colorado River compact: *Provided*, That water not so required to be stored shall be released from Lake Powell: (i) to the extent it can be reasonably applied in the States of the lower division to the uses specified in article III(e) of the Colorado River compact, but no such releases shall be made when the active storage in Lake Powell is less than the active storage in Lake Mead, (ii) to maintain, as nearly as practicable, active storage in Lake Mead equal to the active storage in Lake Powell, and (iii) to avoid anticipated spills from Lake Powell.

"(b) Not later than July 1, 1968, the criteria proposed in accordance with the foregoing subsection (a) of this section shall be submitted to the Governors of the seven Colorado River Basin States and to such other parties and agencies as the Secretary may deem appropriate for their review and comment. After receipt of comments on the proposed criteria, but not later than January 1, 1969, the Secretary shall adopt appropriate criteria in accordance with this section and publish the same in the Federal Register. Beginning January 1, 1970, and yearly thereafter, the Secretary shall transmit to the Congress and to the Governors of the Colorado River Basin States a report describing the actual operation under the adopted criteria for the preceding compact water year and the projected operation for the current year. As a result of actual operating experience or unforeseen circumstances, the Secretary may thereafter modify the criteria to better achieve the purposes specified in subsection (a) of this section, but only after correspondence with the Governors of the seven Colorado River Basin States and appropriate consultation with such State representatives as each Governor may designate.

"(c) Section 7 of the Colorado River Storage Project Act shall be administered in accordance with the foregoing criteria.

"Sec. 603. (a) Rights of the upper basin to the consumptive use of water apportioned to that basin from the Colorado River system by the Colorado River compact shall not be reduced or prejudiced by any use of such water in the lower basin.

"(b) Nothing in this Act shall be construed so as to impair, conflict with, or otherwise change the duties and powers of the Upper Colorado River Commission.

"Sec. 604. Except as otherwise provided in this Act, in constructing, operating, and maintaining the units of the project herein and hereafter authorized, the Secretary shall be governed by the Federal reclamation laws (Act of June 17, 1902; 32 Stat. 388 and Acts amendatory thereof or supplementary thereto) to which laws this Act shall be deemed a supplement.

"Sec. 605. (a) All terms used in this Act which are defined in the Colorado River compact shall have the meanings there defined.

"(b) 'Main stream' means the main stream of the Colorado River downstream from Lee Ferry within the United States, including the reservoirs thereon.

"(c) 'User' or 'water user' in relation to main stream water in the lower basin means the United States, or any person or legal entity, entitled under the decree of the Supreme Court of the United States in Arizona against California, and others (375 U.S. 340), to use main stream water when available thereunder.

"(d) 'Active storage' means that amount of water in reservoir storage, exclusive of bank storage, which can be released through the existing reservoir outlet works.

"(e) 'Colorado River Basin States' means the States of Arizona, California, Colorado, Nevada, New Mexico, Utah, and Wyoming."

Amend the title so as to read: "A bill to authorize the construction, operation, and maintenance of the Colorado River Basin project, and for other purposes."

Mr. ALLOTT. Mr. President, this measure is offered instead of the Morris Udall bill, which the distinguished Senator from California introduced the other day, for the simple reason that this bill contains certain technical amendments and the Senators who have sponsored it deem it to be a better overall bill than the other measure, although in essential points both the bill offered by the distinguished senior Senator from California and this proposal contain all of the essential elements of the agreement that seven States made, agreed upon, and worked their hearts out to accomplish. Mr. President, the amendment which I have offered would simply refine certain of the points.

It is because of my abiding faith in the future of the West, providing that sufficient water can be made available, that I have consistently supported water resources development. It is for this reason that I find my present position of having to resist S. 1004 somewhat distasteful. Those who are familiar with my record with regard to reclamation and water resource development know that I would only oppose reclamation legislation when great and overriding considerations demand it. Such great and overriding considerations are present in the proposed S. 1004, as reported by the Senate Interior and Insular Affairs Committee, and these considerations demand my active opposition.

Anyone who attended the hearings on Colorado River Basin legislation could ascertain that, although I hold great sympathy for the plight of my good neighbors in Arizona and would like very much to aid them to obtain a needed supplemental water supply project, the certainty of the adverse effects of such a project on my own State of Colorado and the upper basin States of the Colorado River, if simultaneously there is not authorized and immediately activated a suitable water importation plan.

This is one of the points which keeps me from supporting S. 1004.

I am firmly convinced that the presently deficient Colorado River water supply is soon going to be utilized to the extent that the rate of development of Colorado—in fact, of the entire seven States of the Basin—is going to be drastically retarded. For this fundamental reason I cannot support the committee version of S. 1004, which eliminates any study of an importation of water from outside sources and does not authorize the construction of Hualapai Dam as a revenue producer to aid in paying for water supply augmentation.

On behalf of Colorado's future welfare, I am particularly concerned about the water supply problems that will be created in the Colorado River Basin if S. 1004 is enacted into law, since it does not contain the basic principles of a true regional water resource solution as does my bill, S. 1242, and also amendment 214. While it is true that the existing water supply would meet the requirements of the five Colorado projects authorized by the committee bill, I cannot ignore the facts developed by recent water supply studies and the testimony of expert witnesses before congressional committees, which I will discuss in greater detail later.

Mr. President, in an effort to place a few of the problems pertaining to the proposed legislation before us in their proper perspective, I wish to review briefly a few pertinent informational details. The Colorado River has probably been the subject of more interstate compacts, interstate litigation, and interstate and intrastate disputes than any other river in history. For many years the waters of this river have been the subject of innumerable court battles within my own State of Colorado. Most of the flow of the Colorado River originates in Colorado. In fact, according to the records of the Upper Colorado River Commission, over 70 percent of the virgin flow as measured at Lee Ferry, Ariz., the point of delivery to the lower basin, is produced on the high mountains of Colorado. In spite of this apparent picture of abundance, Colorado through the medium of interstate compacts has shared large portions of her water resources with her neighbors and is now—this very minute—attempting to put to beneficial use some of the last components of water available to her under compact apportionments. This situation has been brought about by the vagaries of nature that deceived the negotiators of the Colorado River Compact into believing, when they negotiated it in 1922, that there were 18 to 20 million acre-feet of water annually available from the river instead of less than 15 million as determined by later more accurate and reliable studies.

When we objectively analyze these conditions in the light of past river history and the increasing demands for water by our downstream sister States, Colorado finds it most difficult, if not impossible, to support any further downstream water development unless certain other measures are included in the same or concurrent legislation.

The 1922 Colorado River compact apportioned the consumptive use of water of the Colorado River on a basis of 7.5 million acre-feet per year to the upper basin and 7.5 million acre-feet to the lower basin, with an additional provision of one million acre-feet of consumptive use to the lower basin. Legally, the upper basin is required to deliver 75 million acre-feet of water to the lower basin as a rolling 10-year average. While it is not technically accurate to say that the upper basin must deliver to the lower basin at Lee Ferry 7.5 million acre-feet annually, it is frequently and commonly discussed in this manner. Adding to that the Mexican Water Treaty obligation of 1.5 million acre-feet, the result is a total draft upon the river of 17.5 million acre-feet annually. Reliable hydrologic studies clearly show that that much water is simply not available.

The Tipton report, which I will discuss in more detail later, estimates the quantity of water available for the upper basin at 6.3 million acre-feet annually, taking into consideration the 7.5 million acre-feet annual delivery at Lee Ferry. Of that 6.3 million acre-feet, 700,000 acre-feet is chargeable to reservoir losses in the upper basin, leaving 5.6 million acre-feet for utilization. Upper basin water uses now total approximately 3 million acre-feet, leaving an unutilized balance in the upper basin of approximately 2.6 million acre-feet.

Arizona is reminded that the Colorado River Compact places a heavy burden upon the upper basin States by requiring the delivery of 7.5 million acre-feet per year at Lee Ferry. Despite the fact that the upper basin was apportioned 7.5 million acre-feet of consumptive use by the compact, the facts are that there is not enough water in the river to satisfy the delivery requirement to the lower basin and leave the upper basin with its full apportionment. With the virgin flow of the river, as calculated at Lee Ferry more in the neighborhood of 13.7 to 14 million acre-feet annually, the upper basin then starts off by absorbing a shortage of from 1.2 to 2 million acre-feet annually, depending upon the Mexican Water Treaty obligation.

I am citing these facts to show that Colorado and the other States of the basin have water problems as well as does Arizona. We in Colorado have the strongest sympathy for our neighbors in Arizona—else we would not have negotiated with them over the years in an attempt to arrive at a seven-State agreement—but the problems of the Colorado River Basin are not the problems of Arizona alone. They are the problems of seven States. Therefore, a single State approach—a single-shot approach to their resolution is out of the question. The approach must be regional in concept and physical scope. A single nail is not sufficient to hold a house together. Single-phase legislation, although it may be a step forward in a long journey, will not suffice to meet the national responsibility to provide a regionwide solution to the water problems of the Pacific Southwest.

The Secretary of the Interior met the issue head on in his 1963 report entitled "Future Water Resource Development in the Lower Colorado River Basin," when he said:

> The inadequacy of the Colorado River system to meet this region's continuing and rapidly growing water needs is already evident.

From personal observation of the Colorado River Basin, I can tell you that the Secretary at that time knew what he was talking about. The Secretary's further conclusion that the availability of additional Colorado River water to Arizona, "is no solution at all to the regional water problems because it merely temporarily moves the shortage from one place to another" is also valid.

In light of his earlier statements and the fact that he is a Cabinet officer charged with national responsibilities in the field of water resource development, it is beyond comprehension, it is beyond imagination, why the Secretary of the Interior suddenly suffered a blackout of foresight and reverted to a one-State approach. With a clear conscience, I could not join this about-face maneuver. The Secretary's proposal will not even cure the water problems of his own State of Arizona, because it will not supply enough additional water to replace all that is being "mined" from the ground. In fact, the Secretary's about-face on the question of a basinwide approach is best exemplified by his statement to the House Interior and Insular Affairs Committee on August 23, 1965, just about 2 years ago, on pages 168 and 169 of the House hearings on the Lower Colorado River Basin project. In answer to Mr. Reinecke's question, "Is the central Arizona project an end in itself or is it the long-range plan of the Department to incorporate other features of the original Southwest water plan in the future?" the Secretary said:

> I think the important answer to that is that the main feature of the bill, to me the heart of the bill, is not the central Arizona project. The heart of the bill is the basin account and the basinwide approach which opens the door to whatever the region needs in the future. I think that this is a first phase and an import program of some kind is the obvious second phase. We now propose a vehicle with the major hydroelectric dams on the river committed to produce revenues for whatever the region needs in the future . . .

In testimony before the Senate Interior and Insular Affairs Committee on May 2, 1967, in support of legislation which completely abandons the basinwide approach, the Secretary said:

> Senator Hayden's bill . . . proposes to eliminate controversy . . . (page 164 of Senate hearings).

What has been the effect of this turnaround in policy by the Secretary of the Interior? Has it eliminated controversy? In my opinion, it has not; if anything, it has intensified controversy. The only practical effect of this sudden change in policy has been to change the participants to the controversy.

In addition, a new issue has been injected into reclamation law by the bill, S. 1004. The bill permits the Secretary to prepay $103 million as a capital investment in the construction of a large steam powerplant.

Not a dam; a steam powerplant. So we are now putting the Government of the United States directly into the business of building, supporting, and paying the expense of operation and maintenance of a steam powerplant.

In effect, the Department would become a part owner of the steam powerplant, although naked title would reside in a group of private and public power entities. Senators should know that this is a departure from the traditional concepts of the multipurpose reclamation project. Power sales from federally owned generated capacity are anticipated almost immediately upon completion of construction. For a table showing the anticipated commercial sales of steam generated power under S. 1004, see footnote 28 on page 110 of the Senate report.

Mr. President, I ask unanimous consent that that table be inserted in the Record at this point.

There being no objection, the table was ordered to be printed in the Record, as follows:

FEDERAL COMMERCIAL SALES OF STEAM GENERATED POWER UNDER S. 1004

Year	Power sold (1,000,000 kw.-hr.)	Revenue at 5 mills per kilowatt-hour (thousands)
1973	175	$875
1974	175	875
1975	224	1,120
1976	228	1,140
1977	274	1,370
1979	320	1,600
1980	365	1,825
1981	410	2,050
1982	458	2,290
1983	504	2,520
1984	549	2,745
1985	597	1,985
1986	641	3,205
1987	687	3,435
1988	734	3,670
1989	778	3,890
1990	824	4,120
1991	855	4,275
1992	886	4,430
1993	915	4,575
1994	946	4,730
1995	976	4,880
1996	1,006	5,030
1997	1,037	5,185
1998	1,066	5,330
1999	1,097	5,485
2000	1,124	5,620
2001	1,139	5,695
2002	1,156	5,780
2003	1,171	5,855
2004	1,185	5,925
2005	1,201	6,005
2006	1,217	6,085
2007	1,232	6,160
2008	1,247	6,235
2009	1,264	6,320
2010	1,279	6,395
2011	1,294	6,470
2012	1,310	6,550
2013	1,325	6,625
2014	1,340	6,700
2015	1,356	6,780
2016	1,372	6,860
2017	1,387	6,935
2018	1,402	7,010
2019	1,418	7,090
2020	1,433	7,165
2021	1,448	7,240
2022	1,464	7,320
2023	1,480	7,400
2024	1,495	7,475
2025	1,510	7,550
Total	50,976	254,880

Mr. ALLOTT. I believe that the following colloquy between Senator Kuchel and Secretary Udall during the May 2, 1967, Senate hearings, will help to illuminate this question:

> Senator KUCHEL. Actually is this not a new concept that you bring to this committee, in an attempt to justify the removal of the dam controversy on the river?
>
> Secretary UDALL. There is nothing exactly like this that has been proposed and, quite frankly, I think it is a very creative approach to the problem. It is one of the alternatives we developed last fall working with the Bureau of the Budget, and I was glad they went along with it, Senator.
>
> I hate to see the Bureau of Reclamation, with the work I see ahead of it, get tied to one formula or locked into one set way of doing business. In many areas of the West we do not have major hydroelectric sites remaining. I think the Bureau of Reclamation ought not to be tied to one way of doing business. This is the reason I think we are setting a new policy, a new pattern. . . . (page 147 of Senate hearings).

I must interpolate here to say that the statement he makes about not many hydroelectric sites remaining in the West is perfectly true. It is all too true. But by his action in that conference—a secret conference, I suppose—with the Bureau of the Budget last fall, which certainly none of the other States of the basin knew about—I do not know whether Arizona knew about it; none of the other States knew about it—he abandoned one of the last great hydroelectric sites on the Colorado River, and that is the Hualapai Dam site.

So we find that a "new policy" or a "new pattern" is being set by this legislation that has not been considered or passed upon by the Congress. The Congress has not had an opportunity to explore the ramifications of this "new policy" and where it will lead us. However, I can report to the Senate that the American Public Power Association has taken a position in opposition to the Secretary's prepayment proposal with regard to the coal-fired steam plant. In a letter to me, dated June 5, 1967, the American Public Power Association's position on the prepayment plan of the Secretary's was set forth as follows:

> He has termed this plan "non-controversial"; however, a pre-payment plan constituting a purchase of power represents a major step away from Federal multiple-purpose water resource development policies and programs approved by Congress in the past and eliminates entirely the concept of hydroelectric power as a "paying partner" for reclamation.

Mr. President, I ask unanimous consent that the complete text of the letter and memorandum be inserted in the RECORD at this point.

There being no objection, the letter and memorandum were ordered to be printed in the RECORD, as follows:

AMERICAN PUBLIC POWER ASSOCIATION,
Washington, D.C., June 5, 1967.

Hon. GORDON ALLOTT,
U.S. Senate,
Washington, D.C.

DEAR SENATOR ALLOTT: The American Public Power Association is a national trade organization representing more than 1,400 local publicly owned electric utilities, mainly municipal systems, in 45 States, Puerto Rico, and the Virgin Islands.

On May 11, 1967, at the APPA 24th annual conference held in Denver, the Association's membership adopted the attached resolution endorsing Federal construction of Hualapai Dam on the Colorado River and investigation of a proposed 5 million kilowatt pumped storage project at this site. The resolution opposes the principle proposed by the Secretary of the Interior in S. 1013 which would substitute a plan calling for pre-payment to utilities for steam power in place of Federal construction of the hydroelectric plant at the Hualapai Dam site. In addition, the resolution reaffirms the Association's support of a National Water Commission.

Because our resolution was adopted after the close of hearings conducted by your Committee on S. 1013, it was of course not possible for us to submit our views at the hearings. We are therefore taking this means of transmitting our resolution to you and the other members of your committee, and would also like to elaborate somewhat on the position taken in our resolution.

In February, 1967, Secretary Udall announced his proposal by which the Federal government would re-pay for 400 megawatts of power from a non-federal thermal plant to obtain pumping power for the Central Arizona Project. [He has termed this plan "non-controversial"; however, a re-payment plan constituting a purchase of power represents a major step away from Federal multiple-purpose water resources development policies and programs approved by Congress in the past and eliminates entirely the concept of hydroelectric power as a "paying partner" for reclamation.]

The Colorado River is the life-blood of many thousands of people throughout the Colorado River Basin. Taken together, existing and planned dams on the Colorado constitute a system for conserving and utilizing water resources for the entire Pacific Southwest. They provide power, flood control, water storage, stream flow control and distribution of water for irrigation, municipal and industrial uses, silt control, recreation, and fish and wildlife conservation. The components of the basin system do not all provide the same services or to the same degree; indeed, they are not designed to do so. On the contrary, they supplement and complement each other.

Hualapai Dam would constitute a new part of the system. It would provide power, water storage, and silt control. Its power plant would be integrated with other regional generating plants, both hydraulically and electrically.

An essential component of Hualapai Dam is the power generating capability of this project which could provide substantial revenues—not only for repaying the reimbursable costs of the dam, but also for a development fund financing facilities to make maximum use of existing water in the region. Under the Administration proposal, however, the Government would share in the cost of the power plant without benefit of ownership or the revenues that would accrue from Government construction of the dam.

An innovating approach to Hualapai Dam, made possible by technological advances, was proposed by Floyd Goss, Chief Electrical Engineer and Assistant Manager of the Los Angeles Department of Water and Power, earlier this year. By use of reversible pump turbines, a 5 million kilowatt peaking pumped-storage project could be constructed at the Hualapai site. The Los Angeles analysis of this proposal indicates its feasibility and its economic benefits.

Growing demand for electricity in the Southwest, plus the necessary increased use of thermal plants, insures the marketability of this peaking power. In the years 1970 to 1980, an additional six to nine million kilowatts of peaking power will be required in the states surrounding the Hualapai site, and by 1990 the regional need for peaking power will reach approximately 19 million kilowatts. These states are interconnected with other states, which will also provide a market area for this power.

While power available from the development of the Hualapai site will serve Arizona, Southern California, and Southern Nevada directly, its influence will extend broadly over the area referred to as Region VIII by the Federal Power Commission, which encompasses most of Arizona, Nevada and California.

Region VIII is in the midst of a tremendous population explosion. Southern California is expected to have 30 million people by the year 2000. The Phoenix metropolitan area is expected to reach 2.5 million by the year 2000.

FPC projections indicate that overall per-capita energy demand will grow in a spectacular fashion. In Southern California and Central Nevada, the per-capita demand will increase from the current average of 4200 kwh per annum to over 10,000 by 1990; in Arizona, the per-capita demand will increase from 8300 kwh per annum to 14,200. In Region VIII from 1965 to 1980 the total *peak demand* for power will increase from about 20 million KW in 1965 to 52 million KW in 1980.

In view of the historic role of Federal power in this region, and in recognition of the fact that power produced from the Lower Colorado River project will be marketed under Reclamation law, every effort should be made to insure that preference customers are given a full opportunity to share equitably in the benefits of hydro peaking capacity—directly or indirectly.

If the feasibility analysis made by Los Angeles is confirmed, the American Public Power Association endorses prompt construction of the project by the Federal government, in conjunction with the traditional preference clause for marketing the output of the project. We believe that a potential asset of 5 million kilowatts of capacity, and 5 billion kilowatt-hours of energy, available to preference customers, is too important a resource to forgo.

The Administration has recommended deferral of authorization of Hualapai Dam because of concern over scenic considerations. We feel the project's cost-benefit ratio and the future demands for power suggest that it be made an integral part of the Lower Colorado River development now. From the standpoint of accepted tests of economic and financial feasibility, Hualapai Dam represents an exceptionally sound investment. Further, it lays an impressive financial foundation for works to develop the water supply of the Colorado River for the future. The effects of Hualapai Dam on the scenic grandeur of the Grand Canyon would be imperceptible, while access to more remote portions of the Grand Canyon would be greatly enhanced. Construction of Hualapai Dam would enable thousands of people annually to appreciate the scenic beauties of areas of the Canyon which only a handful of "river-runners" are able to view today. We feel that deferring action on this aspect of the project on the ground of destroying aesthetic values is not justified.

In 1919, when Grand Canyon National Park was created by an act of Congress, the necessity for multiple use was anticipated, requiring the balancing of water-development and park-preservation values. Accordingly, the following language was included in the Act:

"That whenever consistent with the primary purposes of said park, the Secretary of the Interior is authorized to permit the utilization of areas therein which may be necessary for the development and maintenance of a Government Reclamation project. . . ."

In the debate in the House at that time, Arizona's Senator Carl Hayden, then a Representative, expounded the purpose of this amendment as follows:

"The provision contained in the bill would authorize the Secretary of the Interior, when consistent with the primary purposes of the Park—that is, not to impair the scenic beauty—to allow storage reservoirs to be constructed for conserving the water of the Colorado River for irrigation purposes."

Furthermore, as Hualapai Dam (formerly called Bridge Canyon Dam) relates to Grand Canyon National Monument, which was established with its present boundaries by Presidential proclamation on December 22, 1932, there is the following letter of January 11, 1933, from Horace M. Albright, then Director of the National Park Service, to Dr. Elwood Mead, then Commissioner of Reclamation:

"As I see it, the Bridge Canyon Project is in no way affected by the Grand Canyon National Monument proclamation. . . . We have had in mind all the time, the Bridge Canyon project. While I did not handle this personally, I am absolutely certain that the men who did handle it for me kept the project in mind in formulating the Grand Canyon National Monument plan."

Thus, we have this evidence of long range recognition, extending back to the days when the National Park and Monument were created, that ultimately there would be a Reclamation project that would affect the Park and Monument.

Although Hualapai Dam would not invade the Grand Canyon National Park, it has been claimed that if reclamation projects are constructed within national parks, a dangerous precedent may be established which will threaten the unaltered appearance of all our National Parks. This argument is misleading. There are at least four precedents, that I am aware of, for combining reclamation projects and national parks.

1. Jackson Lake Dam is within Grand Teton National Park. It stores water for the Minidoka Reclamation Project, providing irrigation for 1,162,000 acres of land in Southern Idaho. Although the Park was created after the dam was built, this is recognition by Congress that a reclamation project may complement a national park.

2. The reclamation reservoir behind Sherburne Dam is almost entirely within Glacier National Park. In this instance the park was created first. The Milk River Project which it serves provides irrigation for 120,000 acres around Havre, Montana.

3. The Lower Two Medicine Dam also is in Glacier National Park. This is a Bureau of Indian Affairs operation for the benefit of the Black Feet Tribe. While it was washed out last year, it is now being rebuilt by the Bureau of Reclamation.

4. Fontana Lake forms the boundary for miles of Great Smoky Mountains National Park and provides 248 miles of shoreline. It was built by TVA for power generation and flood control.

No one has asserted that Grand Teton, Glacier, or Great Smoky Mountains are less majestic because of these dams. To the contrary, an argument can be made that their beauty and usefulness have been greatly enhanced.

Some contend that Hualapai Dam would "flood" the Grand Canyon. *If* a dam could be built big enough to flood the Grand Canyon, the stored water would solve the water problems of the Pacific Southwest for centuries. Nobody advocates this solution to the water problem.

The fact is that after the Hualapai Dam reservoir is constructed, over 99 percent of the park will remain in its natural condition. The Colorado River forms the northwest boundary for the Grand Canyon National Park and serves as the southern boundary for most of the Grand Canyon National Monument. Hualapai Dam would back water up the Colorado for 93.8 miles, and the last 13 miles at the head of the reservoir would form the park boundary. Hence, the water impounded by Hualapai Dam would not back up "into" the park or "throughout" the monument. Nor can it be considered to "flood" this area. For instance, the normal level of the river at the extreme northwest boundary of the park with Hualapai Dam would be raised by only 90 feet, and this added depth would decrease to nothing 13 miles upstream. The canyon wall of the inner gorge at this point is 1200 to 1500 feet above the river bed. Furthermore, this stretch of river is inaccessible by normal means and cannot be seen from any viewpoint on the canyon rim within the park. A stretch of 104 miles of natural river will remain between the headwaters of Hualapai Dam and the Marble Canyon Dam site. This 104 miles of natural river will include about 91 miles within the boundaries of Grand Canyon National Park. The same matchless and unaltered view will be available from the North or South rims. The same mule-back trips or long arduous foot descent and climb will be possible and in no way deteriorated or impaired.

The National Park Service has reported that from 1955 to 1963, 1,300 persons made the boat trip through the Grand Canyon and viewed the area where Hualapai Dam reservoir would be if the project were constructed. Accessibility to this part of the river would be increased. The National Park Service estimates that hundreds of thousands of people would be able to visit the area annually. The beauty of the Hualapai Dam reservoir would be comparable to that of Lake Powell and Flaming Gorge. Making this area accessible to interested persons is certainly consistent with the National Park program. Creating a lake with the beauties of Flaming Gorge and Lake Powell is certainly not inconsistent with the objectives of the National Park program.

Intrinsic to the APPA resolution endorsing development of the Hualapai site is the creation of a separate National Water Commission as approved this year by the Senate. Independent of any government agency, this commission would be able to make an objective study of water resources and needs of the nation, and to formulate recommendations for meeting projected water needs. Without a specified importation proposal, development of Hualapai Dam proposes no threat to the present water supply of any region of the country. Water needs and methods of meeting these needs would be entirely within the jurisdiction of the National Water Commission, which could consider, among other matters, means for further supplementing the water supply of the Southwest.

APPA urges that the Senate Interior Committee support Federal development of the Hualapai site, and encourage immediate studies by the Department of the Interior of the feasibility of the Goss plan to insure maximum utilization of this reach of the Lower Colorado River.

Sincerely,

ALEX RADIN.

ENDORSEMENT OF MAXIMUM DEVELOPMENT OF HUALAPAI DAM SITE

The American Public Power Association approves and endorses the maximum development of the nation's hydroelectric sites as sources for electric power to satisfy the needs of public agencies. The Association opposes the principle proposed by the Secretary of the Interior in S. 1013 which would substitute a plan calling for pre-payment to utilities for steam power in place of federal construction of the badly needed hydroelectric plant at the Hualapai Dam site on the Colorado River.

The American Public Power Association reaffirms its endorsement of the federal construction of the Hualapai Dam to such height and with such installed capacity as will effect the maximum economic development of the power resource at this site, subject to the preference rights of public agencies under applicable federal statutes. It recommends the immediate investigation of the pumped-storage plan for the Hualapai power plant with a capacity of approximately 5 million kilowatts, proposed by the Los Angeles Department of Water and Power, and, if the City's analysis is confirmed, recommends the adoption of that plan in the federal construction of the Hualapai Dam and power plant.

The Association reaffirms its recommendation that associated water resource studies proposed be conducted, as expeditiously as feasible, under the direction and control af a National Water Commission composed of citizens outside of federal government service, as proposed in Senator Jackson's bill, S. 20, 90th Congress.

Mr. ALLOTT. Mr. President, I believe it is most important that Senators recognize that affirmative action on the part of the Congress with respect to this legislation, as it has been reported by the committee, will be interpreted by the Department of the Interior as approval of its entry into the coal-fired steam generation business. Perhaps that is the will of the Senate and perhaps it is not, but I think there is little question on how it will be interpreted. So we will have a grand change in the policy and pattern by executive fiat in the Secretary's Office.

Later, in the same colloquy with Senator KUCHEL, Secretary Udall said:

> The Federal Government would not own a single portion of a steamplant. It would not operate a steamplant. It would be a purchaser of power— . . . (Pages 147 and 148 of Senate hearings.)

I should like to point out that an amendment was offered in committee by Senator KUCHEL and myself, to authorize the Secretary to purchase such power as was needed for pumping purposes. This amendment was defeated by a vote of 12 to 4.

Mr. President, I ask unanimous consent that the text of the amendment be printed in the RECORD at this point.

There being no objection, the amendment was ordered to be printed in the RECORD, as follows:

> Strike section 2(b) and insert: "The Secretary may enter into an agreement with non-Federal interests whereby the United States shall purchase from time to time such electrical power as he determines is required in connection with the central Arizona project."

Mr. ALLOTT. Mr. President, so we find that the Department of the Interior, through its prepayment proposal, is attempting to do something indirectly which it may not be able to achieve directly. To say that the Federal Government will simply be a "purchaser of power" is to ignore the facts and place an erroneous interpretation on the effects of the bill. As we said in our minority views on S. 1004:

> Although bare "title" to the Federal portion of the steamplant, having a generating capacity of 470 megawatts, will remain with the three participating non-Federal agencies, the Secretary will assemble a cluster of rights and privileges which, when taken together, will bear no definition short of "Federal ownership." . . . (page 111 of Senate Report 408).

I repeat, S. 1004 does not eliminate controversy; it intensifies it. The only controversy "eliminated" is the construction of the Hualapai Dam, and it is not "eliminated"; it is merely set aside for the time being, until some very indefinite time in the future.

The more serious controversy raised by this legislation is the controversy between Arizona and the upper basin.

A colloquy appearing on page 133 of the 1965 hearings before the House Committee on Interior and Insular Affairs on H.R. 4671 is particularly pertinent:

> Mr. WYATT. Would we be talking about this project here today without the prospects of augmentation of the Lower Colorado River system?
>
> Secretary UDALL. I think the answer to that is yes.
>
> Mr. ASPINALL. Will the gentleman yield?
>
> Mr. WYATT. Yes.
>
> Mr. ASPINALL. Only at the expense and with the use of the Upper Colorado Basin entitlement under the Colorado River Compact.
>
> Secretary UDALL. During the period in which——
>
> Mr. ASPINALL. I don't care whether it is during that period or whether it lasts forever. That is the only way it can be done, because there is a shortage in the Lower Basin at the present time, if we consider only water to which the Lower Basin is entitled.
>
> Secretary UDALL. I am proceeding on the major assumption of the 7.5 million acre-feet delivery and the contemplation of the assumption with regard to build-up in the Upper Basin depletion.
>
> Mr. ASPINALL. But the fact is without that water which the Upper Basin is not using this project could not be here before Congress.
>
> Mr. DOMINY. I agree.

For the information of those who have not read the record of the hearings, Mr. Dominy is, of course, the Commissioner of Reclamation.

It is patently clear the central Arizona project is predicated upon the use of water apportioned to the upper basin, but which is presently unused. If the development of the upper basin exceeded the gloomy and, in my opinion, unrealistic projections of the Department of the Interior, the question then becomes: "Is the central Arizona project feasible?" The upper basin States are not deluded; they know that without augmentation the feasibility of the central Arizona project depends upon a retarded development of the upper basin, a development that has already been retarded for too long. Forty-five years after the signing of the Colorado River compact, here we are, still awaiting the development of the major portion of our water, water from which we supply the major portion—70 percent—to the lower basin.

The upper basin States are anxious to develop their lawful and rightful share of the waters of the Colorado River—which we can put to use—and Congress acknowledged this right and encouraged its fruition when in 1956 it passed the Colorado River Storage Project Act. In section 1 the Congress proclaimed the purposes of that act were, among other things, "making it possible for the States of the upper basin to utilize consistently with the provisions of the Colorado River compact, the apportionments made to and among them in the Colorado River compact and the Upper Colorado River Basin compact, respectively."

Now comes S. 1004, authorizing the central Arizona project, which is admittedly predicated upon the use of water apportioned to the Upper Colorado River Basin for its feasibility. Does it make sense for Congress to enact legislation whose purpose is to make it possible for the upper basin States to beneficially utilize the water apportioned to them, and then in a later Congress enact legislation that would authorize a project whose feasibility is based upon the upper basin States not putting their water to beneficial use at an early date? The achievement of one requires the thwarting of the other. It was with this knowledge that legislation was hammered out during the 89th Congress which would have permitted the continued development of all of the States of the Colorado River Basin. This legislation was reintroduced in the 90th Congress with some modifications. All of these bills—S. 861, S. 1242, S. 1409, and H.R. 3300—contain the essential basinwide approach necessary to appropriately deal with the water shortage problem.

I wish to emphasize again that I am not opposed to the authorization of the central Arizona project per se, providing other essential legislative features are included. I am opposed to the enactment of S. 1004, the committee bill, in its present form because it certainly does not represent a regional approach to regional problems.

For at least 50 years the water resources of the Colorado River Basin have been the subject of controversy. The available supplies are severely limited in relation to other natural resources in the seven basin States. Water needs are continuing to expand. The imbalance has become more acute during the past 20 years as a result of increasing populations and westward migration of hundreds of thousands of people seeking new opportunities and new homes.

Mr. President, I have just procured a population projection for the Pacific Southwest region to the year 2020. This was received from the project development office of the Bureau of Reclamation and is taken from a feasibility study of the Pacific Southwest water plan. I think these figures may be of interest.

The projections are as follows:

For the State of Arizona, 9,654,000.

For southern California, 27,616,000.

For southern Nevada, 690,000.

For southwestern New Mexico, 10,000.

For southwestern Utah, 17,000.

This makes a total population of 37,987,000 projected for this area for the year 2020.

From the authorization of the first Federal water development project in the basin, the Congress has been subjected to a barrage of conflicting testimony concerning the amount of available water and the uses for which it should or should not be developed. On almost every occasion when legislation involving the Colorado River has been considered, the committee has heard testimony indicating wide differences of opinion with regard to the dependability of the water supply actually available for consumptive use. For this reason, the chairman of the House Interior and Insular Affairs Committee, when considering H.R. 4671 in the 89th Congress, demanded that the States of the Colorado River Basin produce up-to-date water supply analyses and state their position in light of the results.

During the course of the hearings on H.R. 4671, the House Committee on Interior and Insular Affairs received testimony concerning three detailed analyses of a water supply. These analyses were prepared by engineers of the Bureau of Reclamation, by engineers of the States of Arizona, California, and Nevada, and by the engineering firm of Tipton and Kalmbach, Inc.—under the auspices of the Upper Colorado River Commission representing the States of Colorado, New Mexico, Utah, and Wyoming. The three sets of studies were based upon different assumptions as to net channel and evaporation losses, rates of future increase of upper basin stream depletion, and, in some instances, the periods of streamflow records employed, although the studies of the Upper Colorado River Commission embrace many combinations of these factors.

The important result of these three analyses is the surprising degree of agreement with respect to the water supply remaining available for development in the basin and for the central Arizona unit, in particular. The differences in the final results of the three studies relate only to the expected time when utilization of the entire water resource of the basin will be reached.

I summarize very briefly these conclusions because they are very important.

1. BUREAU OF RECLAMATION

The Bureau concluded that through the year 1990 the central Arizona unit will have a water supply of at least 1.2 million acre-feet per year. After 1990, as the upper basin depletions increase, a water supply from the Colorado River available to the lower basin States will decrease accordingly. If a priority were granted by this legislation to California for the use of 4.4 million acre-feet annually—and the bill does provide for a 4.4 million acre-feet guarantee annually for 27 years—and to other water users in Arizona and Nevada holding similar water rights and contracts for the water, shortages would have to be absorbed by the central Arizona project. The water supply estimated by the Bureau of Reclamation for the central Arizona project indicates the availability of at least 1.2 million acre-feet in 1975, not less than 1.2 million acre-feet in the year 1990, approximately 900,000 acre-feet in the year 2000, and only 580,000 acre-feet in the year 2030.

According to the testimony of the Commissioner of Reclamation on H.R. 4671 and similar bills in the 89th Congress, by adopting a reservoir operation designed to produce the greatest average annual yield, based upon the average of the entire period 1906–65 and using part of the flood-control storage in Lake Mead for regulation, there would be available for a central Arizona project 2,142,000 acre-feet of water in 1975, diminishing to 822,000 acre-feet in the year 2030.

In the 90th Congress, testimony from the same source on H.R. 3300 and the pending Senate bills, using the same period of water supply records, indicates that there would be available for the central Arizona project—with a 2,500-cubic-second-foot aqueduct—1,650,000 acre-feet of water in 1975; 1,255,000 in 1990; 1,026,000 in 2000; and 676,000 acre-feet in the year 2030.

Senate report No. 1330, 88th Congress, second session, on S. 1658, a bill to authorize construction of a central Arizona project says:

> *Based on what the Commisisoner of Reclamation described as conservative estimates of runoff and optimistic estimates of the buildup of upper basin uses, it would appear that the lower basin states will have a Colorado River supply of 7.5 million acre-feet until 1975, after which, barring a return to favorable flow conditions there may be a decline below that figure.* (Emphasis supplied.)

2. UPPER COLORADO RIVER COMMISSION (TIPTON & KALMBACH, INC.)

From the analysis of the Upper Colorado River Commission, it was concluded that shortage of water in the mainstream of the Colorado River to supply first, 2,800,000 acre-feet for consumptive use in Arizona; second, up to 4,400,000 acre-feet for consumptive use in California; third, 300,000 acre-feet for beneficial consumptive use in Nevada; and, fourth, 1,500,000 acre-feet of water to Mexico will amount to over 1 million acre-feet by the year 2000. The analysis also indicates that shortages could exceed 1,500,000 acre-feet by that year and could commence by the year 1991, and almost certainly would occur by the year 1995.

The estimated consumptive use by presently conceived projects could utilize by the year 2000 more water than will be physically available from the Colorado River.

The studies of Tipton and Kalmback actually revealed that with presently existing water storage capacity, and assuming curtailment of delivery of water at Lee Ferry to an average of 7.5 million acre-feet per annum, the depletions in the States of the upper division would be limited by nature to 6.3 million acre-feet per year. The net depletion, excluding evaporation from reservoirs of the Colorado River storage project, would be 5.6 million acre-feet. Thus, due to the vagaries of nature it appears that the upper division States will be curtailed in their total water resource development to an amount about 20 percent below that apportioned to them in 1922 by the Colorado River compact.

Mr. KUCHEL. Mr. President, will the Senator yield?

Mr. ALLOTT. I yield.

Mr. KUCHEL. Mr. President, I hesitate to interrupt the Senator, but I think this is a most appropriate place to ask two or three questions that should be asked.

First of all, the able senior Senator from Colorado is making a most forceful and persuasive, and very clear case against the pending legislation.

The Senator has just utilized the reports by experts in the field of water and water engineering, and he has indicated beyond all peradventure of doubt that were the pending measure enacted into law, without any studies of augmenting the supply in the river, the States of the upper basin would suffer to an extent of 20 percent of the supply of Colorado River water which was allocated to them when the Colorado River compact was adopted. Am I not correct?

Mr. ALLOTT. If I understand the Senator's statement, I believe the percentage is even worse than was anticipated.

The Colorado River compact was signed 45 years ago, before some Members of the Senate were born. It has been a long time. People do not realize how long it has been. When the Colorado River compact was signed, it was anticipated by the men who signed it that we would have 7½ million acre-feet to use in the upper basin, at a bare minimum, because it was figured that there might be as much as 18 or 20 million acre-feet of virgin flow in the river.

So we find at this point, because of the diminishment of the flow of the river, and taking out such amounts as are absorbed by evaporation, which is 700,000 acre-feet, the best we can do, even with the passage of the Colorado River Storage Project Act, is to develop water at a level about 20 percent below what the people figured back in 1922.

Mr. KUCHEL. I join with the Senator when he expresses a very real concern, as an American citizen, for the water problems of Arizona.

I also join with him in the comment he made a few moments ago, when he said that the upper basin States know that without augmentation, "the feasibility of the central Arizona project depends upon a retarded development of the upper basin, a development that has already been retarded too long."

I ask this question of the able Senator: Is it not true that with the increase of population that surely will come to every State in the Colorado River Basin, the only means of assuring an adequate supply of water for his State, for Arizona, and for all the other Colorado River Basin States is augmenting the supply?

Mr. ALLOTT. That is unquestionably so. This is the only way in which it can be done.

I have made the statement repeatedly that the feasibility of the central Arizona project, as now constituted, can depend on only one thing—the deferred and delayed construction of the projects in Colorado, Wyoming, and Utah; because it is that water, on their own schedules, that they are going to bring down the stream, so long as it is not developed upstream, and sell in the central Arizona project, to pay off the central Arizona project. In other words, they would run our waters downstream for a period of X number of years and pay off the project.

The Senator from California is absolutely correct. A man who studies these three engineering reports can come to no conclusion other than what Congress should do in the pending measure—and this is the thrust of the amendments of the Senator from California, the Senator from Wyoming [Mr. HANSEN], other Senators, and myself—it is to consider a study of the augmentation of the water supply in the river.

We have never asked to latch onto any water in northern California or the Northwest, or any particular place. But why should we be forced to sit here, seeing this condition coming on, knowing that the central Arizona project can only be paid for if construction in Colorado is deferred, when we are not even permitted to study the possibility of the development of an augmented supply, and when the Hualapai Dam, which would pay for such a study, is taken out of the bill?

Mr. KUCHEL. A few moments ago, the Senator from Colorado mentioned the fact that every Governor of every Colorado River Basin State, upper basin and lower basin, came into agreement with the present Secretary of the Interior on a bill introduced in the last Congress which would have provided revenues for future augmentation, and preliminary studies leading to an actual augmentation of the supply of water. I ask the Senator: Is it not true that the facts he has spelled out so clearly in his address in the Senate today form the basis on which that unanimity was obtained?

Mr. ALLOTT. I believe the facts speak for themselves. I know of no one who will deny the great and extended efforts of all the Governors and of all the officials concerned with water development in each of the seven States over a period of years, to come to an agreement upon the measure which was introduced last year, which is the substance of the bill offered by the distinguished Senator from California the other day and the substance of the present amendment by way of a substitute.

Mr. KUCHEL. Senators should understand that, and they should understand it clearly.

I look forward to listening to the further comments which the able Senator from Colorado, a leader in the fight for regional development of the water resources of the West, will make upon this occasion, and I repeat my congratulations to him. I believe that the Senator from Colorado has clearly demonstrated the complete folly of the measure now pending before the Senate.

Mr. ALLOTT. I thank the Senator for his words. May I call his attention to another fact.

It is not only the shortage of water that will cause further controversy in the Senate. If the pending measure should become law, we will never see the time when the controversy does not wage more bitterly on this subject.

For example, I should like to cite some figures of which Senators may or may not be aware. I gathered these statistics the other day.

The average appropriations for the construction of reclamation projects in the last 10 years, including fiscal year 1967, amounted to $242,060,000. Keep that figure in mind for a moment.

If we take just the reclamation projects that are now under construction, construction planning, actually underway, and we add the Manson unit of the Chief Joseph project in Washington, which the distinguished Senator from California supported, as did I, and we add the Tualatin project of Oregon, for which the distinguished Senator from California voted, as did I—just add those two projects, which are not actually underway, to those actually underway—it would require in 1968, in round figures, $238 million of appropriations.

But in 1969, it would require $406,000,000; in 1970, it would require $437.5 million, which is aproximately double the amount which Congress has appropriated for all reclamation projects to date; in 1971, it would require $422 million; and in 1972, it would require $342 million, which is over $100 million more than the average that Congress has appropriated for reclamation in the last 2 years.

Mr. President, take the figures, look at them, and see what is going to happen. If some persons think the controversy has been bitter to date, it is going to get tougher as time goes on.

In order to finance the central Arizona project under this bill we would have to have $7 million appropriated in 1969, $17.5 million in 1970, $103.3 million in 1971, $118.5 million in 1972, $115.02 million in 1973, and then it goes down in 1974 to $100 million.

Let us take the amount that Congress will be obliged to appropriate just to keep the presently authorized reclamation projects going, and adding only the Manson unit of Chief Joseph and the Tualatin project of Oregon, which are not financed as yet, but they are included in the figures I gave. Taking those figures and adding them to the cost of the central Arizona project, and the need for appropriation, let us see where we come out.

In 1969 Congress would have to appropriate $413 million, which is about 80 percent more than its average appropriations over the past 10 years. In 1970 Congress would have to appropriate $455 million; in 1971 it would have to appropriate $525 million, which is more than twice the amount Congress usually appropriates for reclamation; and in 1972 $461 million. It is impractical to carry these projections further because we do not know what oncoming projects there will be.

Mr. KUCHEL. Mr. President, will the Senator yield?

Mr. ALLOTT. I yield.

Mr. KUCHEL. Mr. President, that is why it is so tragic to listen to the words of Secretary Udall which the able Senator from Colorado has quoted. When Secretary Udall appeared before Congress in the last session he said, as the Senator has quoted:

> The heart of the bill—

And that was the bill that all States and the Federal Government agreed on—

> is the basin account and the basinwide approach which opens the door to whatever the region needs in the future * * * We now propose a vehicle with the major hydroelectric dams on the river committed to produce revenues for whatever the region needs in the future.

The Senator has demonstrated why that kind of approach has to come, in order to face up to the needs of tomorrow. The argument that the Senator makes is irrefutable. Whether one lives in or out of the basin there is no answer to the argument the Senator from Colorado has made. I hope and pray that Senators, one by one, will see the wisdom of the Senator's argument.

Mr. ALLOTT. I appreciate the Senator's contribution.

In addition to the shortages of water and the fact that it would be built and paid for out of upper basin water, I think the figures I just gave show irrefutably that if the central Arizona project is built it will be impossible to secure money from Congress for 20 years to build many of the other participating projects.

Mr. MOSS. Mr. President, will the Senator yield?

Mr. ALLOTT. I yield.

Mr. MOSS. Mr. President, first I wish to compliment the Senator from Colorado for the excellent discussion he is conducting on the matter before the Senate and which is of such great concern to all Colorado River Basin States. In addition, it is of concern to the entire West where reclamation is the means by which we live, and it is of interest to the entire United States because, in my opinion, there are some grave questions of policy that have to be decided by the Senate.

I wish to follow that statement by asking a question of the Senator from Colorado. Is the Senator from Colorado aware of any other reclamation project or any other water project where the device has been used of prepaying for a long period in advance of funds for power for pumping purposes on any other project?

Mr. ALLOTT. I am not. In discussions before the committee, of course, the excuse has been used that we did this in our treaty with Canada. We built the dams for Canada. How we ever got any Secretary of State who was soft-minded enough to build them and pay for them I do not know.

However, we are operating here under reclamation which the Senator from Utah knows and understands as well as anyone in the Chamber. I do not know of any instance in which we had this sort of situation or where we constructed a thermal plant which is being financed by the Federal Government at $103 million and the greatest benefit will be reaped by a power company.

Mr. MOSS. Is it not a fact that if this pattern is followed and prepayment is made, we are in effect committing the Federal Government to the use of a particular kind of energy for a period of 50 years downstream without any reasonable prediction as to whether energy produced by coal 50 years from now will be comparable to the price of energy produced by water or nuclear energy, or in any other way? Are we not locking ourselves in for 50 years?

Mr. ALLOTT. We are locking ourselves in with stupidity. The Senator dealt with this matter in his excellent address the other day.

I am sorry that I cannot recall the exact figures but for example, in one of the scientific journals over which I pore, I read that there was a breakthrough in the nuclear energy field which has just occurred recently in Pennsylvania where they are now able to operate with temperatures of 1,500 degrees and pressures of approximately 1,000 pounds. I do not want to be held to those figures.

The facts are that the advancements are so dramatic that they literally make every other nuclear powerplant in the country nearly obsolete; every other plant has to be raised to this level before they can hope to compete. The situation cannot be more dramatically demonstrated than with this new advancement in nuclear power. What are we doing? We are locking ourselves in on a steamplant which may be as obsolete as a dodo bird in 20 years. I do not know. Nobody knows. I suppose we will continue to develop means of extracting heat and energy from coal, the same as is done in other places. However, we may be locking ourselves in for an archaic method of production.

There is another matter in connection with steamplants. The great crying need is for peaking power. Many do not understand peakloading. A steam generator plant fired by coal, oil, or gas, cannot be put on and jerked off the line without greatly increasing operating costs, because the big cost in steam generation is the fuel costs.

We have got to maintain the steam pressure although it may be used only to a small percentage of capacity. Consequently, we cannot turn it on or off at will. But the beauty, from an operating standpoint, of the dam is that during the surge that comes at 5 o'clock, 6 o'clock, and 7 o'clock at night, for the next 4 hours and during the surge starting at 6 o'clock the next morning, when it comes on the line, people who supply the power out of their terminal plant can keep it running at a steady pace. They can put the hydroelectric plant on the line in a few minutes and take care of the peak demand. This is known as peaking power. We will get no such benefits out of this plant which Secretary Udall has dreamed up for Arizona.

Mr. MOSS. On the point the Senator is making about the use of coal for thermal power, I had a rather interesting discussion with the junior Senator from Alabama. Alabama has a great deal of coal. A great deal of TVA is located there. He made an observation that struck me rather forcefully, when we were talking about this idea of locking ourselves in for 50 years, that when they were holding hearings on TVA some years ago, and he was concerned with it, they had a scientist who testified before them then, when TVA was talking about the use of thermal power in addition to hydro power, and they were discussing the values of coal. The burden of the testimony of the scientist was that coal had such values for other chemicals, such as gasoline, coal tar, and things that could be extracted from coal, that he made the prediction that the time would come when it would be illegal to burn coal to generate heat as an energy source.

While I do not know too much about that, and I am sure the Senator does not necessarily concur, it did seem to me to illustrate how far in advance we were committing ourselves.

Supposing this event should come about. Supposing coal became so valuable for other reasons that it was no longer feasible to put it to use to burn merely as heat to generate power, but we already had a credit of 30 years or 15 years, or something like that, to run, what would the dilemma be that we would face if we were making this prepayment on a coal-fired plant?

Mr. ALLOTT. I cannot say exactly. The Senator's State of Utah has a great reserve of coal, as does mine—also New Mexico and Wyoming. Thus, all four States have reserves of coal. The wonderful thing about coal is that it is possibly the most plenteous source of hydrocarbons known. Hydrocarbons happen to be convertible into almost every known and conceivable substance.

What worries and disturbs me most about this situation is that, having committed ourselves to the construction of a powerplant down the road, no matter what the demands may or may not be for coal, having committed ourselves to the construction of a powerplant and the use of that plant for 50 years, and the payment of maintenance and operating costs—the proportionate share that goes into the central Arizona project—we might be confronted in as little as 10 or 15 years' time with methods of electrical generation which would make the cost of such a plant completely unfeasible.

The Senator has already made this point. I think this is the main point he is concerned about, that if we go ahead with this, we are locking ourselves out from any future opportunity to take advantage of new technology.

Mr. FANNIN. Mr. President, will the Senator from Colorado yield at that point for a question?

Mr. ALLOTT. I yield.

Mr. FANNIN. The Senator realizes that a group of public and private utilities are not only building this plant, but others of a like nature, and that the plant would be built with a percentage of the amount of money paid to the group by the Federal Government, all of which will be repaid under this bill. Is it not true that this program has been predicated upon a thorough study of this program by these utilities?

Mr. ALLOTT. I cannot tell the Senator how thorough the studies are which they made. I doubt very much if anyone else on the floor of the Senate can tell me.

Mr. FANNIN. I know the Senator is quite familiar with this activity, and realizes they are building a plant both in the Senator's State as well as in the States of Arizona and New Mexico.

Mr. ALLOTT. I do not care what activity these people are concerning themselves in. What I am concerned about is the Government's prepaying $103 million for the building of a plant. True, Arizona will benefit, but so will two private power companies and one public power entity.

Mr. FANNIN. Of course, the whole basin will benefit, but when the Senator talks about——

Mr. ALLOTT. How is Colorado going to benefit?

Mr. FANNIN. Colorado is in the bill with five projects. But I should like to say this, that when we talk about prepayment for power, I should like to refer to a memorandum of mine which discusses this particular question in more detail.

Mr. ALLOTT. Which question is the Senator talking about? The steamplant?

Mr. FANNIN. Prepayment. The Senator was talking about prepayment. He was referring to the first one, the largest one.

Mr. ALLOTT. All right.

Mr. FANNIN. While many precedents for prepayment for services or goods may exist, I would like to point out two recent examples of prepayment of power. The first and largest prepayment plan for the purchase of power is contained in the contract between the United States of America, acting by and through the Bonneville Power Administration, and the Columbia Storage Power Exchange—CSPE—with the Canadian Government. Under this plan the United States, acting through CSPE, paid the Canadian Government $253,930,000 for prepayment of power which the United States will receive as a result of construction of three dams in Canada which will store surplus water for release at a time when the water can be used to generate power in powerplants located in the United States. The excess energy from this plant was divided between the United States and Canada, and that portion which was due the United States was prepaid by the United States. This permitted the Canadian Government to construct the three dams for water storage in Canada. CSPE is a Washington nonprofit, nonstock corporation consisting of four private utilities, 11 municipalities, 12 co-ops and 14 PUD's.

Mr. ALLOTT. Apparently the Senator was not listening to me. I was referring to the situation which I said a little while ago I think stinks.

Mr. FANNIN. The second example of prepayment is the prepayment which the Salt River project of Arizona made to Colorado-Ute in Colorado for 50,000 kilowatts of capacity from a thermal plant. The project advanced approximately $10 million to prepay for the output from the 50,000 kilowatts during the lifetime of the plant. This money was used by Colorado-Ute in constructing a larger plant than it would have constructed with its own resources.

Mr. ALLOTT. Let me ask the Senator at that point: What is the Salt River project?

Mr. FANNIN. It is the Salt River Agricultural Improvement and Power District commonly referred to as the Salt River Power Districts. The district is a political subdivision of the State of Arizona and operates "the Salt River Federal reclamation project as the agent for the United States."

Mr. ALLOTT. It is not "United States." I make two points to the Senator. One, it is not the United States; and, second, the advance was made to Colorado-Ute, by REA. Thus, the statement I made I still stand by. So far as I know——

Mr. FANNIN. I stand by this, too.

Mr. ALLOTT. There has not been any such program as this, any development of a steam-generation plant by the Bureau of Reclamation in any of our reclamation projects.

Mr. FANNIN. The Salt River Federal reclamation project as the agent for the United States.

Mr. ALLOTT. It is not the "United States," though.

Mr. FANNIN. No, not in the Salt River project's prepurchase from the Colorado-Ute. But as agent for the United States, the Salt River project does operate the Salt River Federal reclamation project.

Mr. ALLOTT. The Colorado-Ute is not a reclamation project. It has nothing to do with the Bureau of Reclamation.

Mr. FANNIN. Salt River project's purchase of power from the Colorado-Ute project is "prepayment" which the Senator was talking about.

Mr. ALLOTT. I might say, while we are on that point, since the Senator seems to be so proud of that little situation, that case—that loan—was made by the Salt River and the REA. It went to the Supreme Court, and the Supreme Court of the United States found it illegal. Thus, if the Senator wishes to point to that——

Mr. FANNIN. It is in operation today.

Mr. ALLOTT. Let me get this straight—a technicality here—I refer to the Supreme Court of Colorado which said it was illegal and then the Supreme Court of the United States refused to overturn it. So that is the way it stands.

It has caused us a great deal of difficulty. It is operating, yes; because it was on the line before the final decision, but we do not know what is to become of it.

Mr. FANNIN. Mr. President, will the Senator yield for another question?

Mr. ALLOTT. I yield.

Mr. FANNIN. When the Senator refers to what is involved in reclamation in the next few years, I think he realizes that in 1969 the appropriations required by this bill would be a little less than $7 million, and $17 million in 1970. Then in 1971, 1972, and 1973 larger amounts are involved.

Mr. ALLOTT. I do not want to quibble, but is not the Senator quoting the figures I quoted? Is he saying I did not quote them correctly?

Mr. FANNIN. These are the figures quoted on the floor by the Senator from Utah, and perhaps by the Senator from Colorado.

Mr. ALLOTT. I have not misquoted those figures; have I?

Mr. FANNIN. No; but I wanted to bring them out so it would be understood that, as far as 1969 appropriations would be concerned, we are talking about less than $7 million for this project and $17 million for 1970.

Mr. ALLOTT. That is right, and that is what I read a little while ago on the floor. Is the Senator saying I did not read them correctly?

Mr. FANNIN. I did not say the Senator did not read them correctly.

LOWER BASIN

Mr. ALLOTT. Let us get back to the lower basin study.

An independent and different approach to the water supply problems of the Colorado River was presented in a joint report to the House Subcommittee on Irrigation and Reclamation in August 1965 by engineers representing the States of California, Arizona, and Nevada. These engineers recognized that the future water supply of a stream with such a widely fluctuating annual runoff as the Colorado River cannot be predicted with absolute confidence. They stated that recent studies of the virgin flow of the Colorado River at Lee Ferry indicated a dependable yield of about 13.7 to 14 million acre-feet per year. Probability studies showed that there is a 50–50 chance that the future virgin flow will be 14.9 million acre-feet per year. The engineers concluded that with a water supply augmentation program pending, it would be in the national interest to construct the central Arizona project, which is the point of view expressed by my good friend from California.

They further concluded that the supply of water from the Colorado River will neither be sufficient to meet future demands, estimated to be about 18 million acre-feet per annum by the year 2000, nor to meet the apportionment of consumptive use water made by the Colorado River compact—to the upper and lower basins—and by the Mexican Water Treaty.

All the studies indicate the presence of a serious water deficiency in the lower basin of the Colorado River. They show a real crisis is being faced by Arizona, southern California, and Nevada. Furthermore, the same crisis is coming closer and closer to the upper basin with each passing year. Therefore, the fundamental issue facing the Congress involves the question of the water supply deficiency of the entire Colorado River Basin.

All of the studies indicate that any large increase in use of water in the lower basin must even now be supplied in part from water apportioned by the compact to the upper basin but which is presently unused by it.

I might say, by way of interpolation, in case anyone should wonder about the reason why it is unused, it is that we have not been able to get it developed. We have not been able to get the projects authorized or to get the feasibility reports on them or to get them financed.

As the upper basin progresses with its development, the amount of unused water will diminish until there will be no surplus upper basin water available for use in the lower basin. The supply will diminish unless augmented from other sources. In the absence of imported water, the average divertible supply for the central Arizona project will reach precariously low levels by the turn of the century.

On the basis of water supply studies available, and testimony presented at the hearings, it is apparent that the water supply of the Colorado River will neither be sufficient to meet the future requirements of the area dependent upon it, nor to meet the apportionments of consumptive use of water made by the Colorado River compact to the upper and lower basins, plus the delivery of water to Mexico, as required by the international treaty. It is only a question of time until the water requirements exceed the amount of water available. This condition will occur whether or not the central Arizona project is constructed.

Now that the bill has been stripped of provisions that would lead to a water augmentation program, we must look at the dependable yield of 13.7 to 14 million acre-feet per year rather than at the chance of obtaining 14.9 million acre-feet per year, or the 15.06 million acre-feet per year estimated by the Bureau of Reclamation. This more conservative approach reveals that there is little water available for the central Arizona project over a long-term period.

It is important to keep in mind that the Supreme Court apportionment among the lower basin States is conditional, based upon available water supply. Arizona's apportionment is 2.8 million acre-feet per year, but only if 7.5 million acre-feet per year are available for consumptive use in the lower basin. The Bureau of Reclamation has estimated that existing Arizona projects and Indian reservation needs will consume at full development 1,230,000 acre-feet per year. This will leave a maximum of 1,570,000 acre-feet per year available for use by the central Arizona project if 7.5 million acre-feet per year is available for consumptive use in the lower basin. With a dependable yield of only 13.7 to 14 million acre-feet per year calculated at Lee Ferry, the delivery point to the lower basin, less than 7.5 million acre-feet per year will be available for consumptive use in 1977, the assumed first year of full operation of the central Arizona project. This quantity will diminish in subsequent years as the upper basin continues to use its apportioned water.

With respect to upper basin use of its apportioned water, the projections used in all the departmental calculations with regard to the central Arizona project are based upon utilization of 5.8 million acre-feet of the upper basins water, considering the 7.5 million acre-feet annual delivery to the lower basin, at the year 2030. This contemplates 63 years for the upper basin to put to beneficial use only 5.8 million acre-feet of its 7.5 million acre-feet apportionment, and anticipates a stagnated development commensurate with such a gloomy projection.

When we talk about water in the West, we are not talking about merely stagnating the development of water; we are talking about stagnating the development of the economy and of the people.

I cannot accept this dismal outlook with regard to upper basin development, particularly in light of the population pressures of today.

Such projections can only be based upon an unrealistic prognosis of the population growth of the upper basin States. The combined population of Colorado, New Mexico, Utah, and Wyoming now exceeds 4 million persons, and indications are that future growth will greatly accelerate. In addition, water needs per person are continually increasing. To forecast only a constant rate of water development over the next 60 years, which is implicit in the projection, of full use of the upper basin's remaining water by 2030, instead of contemplating accelerated water development needs, is to ignore the facts. The Department, then, is only planning for an additional development of 2.7 million acre-feet of water by the year 2030 in the upper basin. The question then is: "Why is the upper basin's development projected at a snail's pace?"

On the other hand, the Department of the Interior plans to sell 1.8 million acre-feet of water through the central Arizona project in 1975. Applying a 10-percent loss factor, over 2 million acre-feet will be diverted annually to just one project in the lower basin, a project which planned to divert water in 5 years.

It is abundantly clear that the only way that the hopes and aspirations of both the upper and lower basins can be achieved is through the augmentation of the river, and a basinwide or regional approach. Secretary Udall gave lip-service to the regional approach during the May 2, 1967, Senate hearings, when he said to Senator KUCHEL:

> Senator, I am not retreating one inch from my belief that the only wise thing for the people of the Colorado River Basin is to work together on a regional basis to solve their problems.

Amendment 214 embodies a regional approach and permits the Secretary to search for new sources of water. His search is not limited to importation but is broad enough to cover almost every conceivable source of additional water. I quote section 201(a)(2) of my substitute amendment:

> (2) investigate sources and means of supplying water to meet the current and anticipated water requirements of the Colorado River Basin, including reductions in losses, importations from sources outside the natural drainage basins of the Colorado River system, desalination, weather modification, and other means;

I remind the Senate that I have enthusiastically supported scientific investigation of other forms of water supply augmentation, such as desalination and weather modification. This support has been at the authorization level through the Interior and Insular Affairs Committee, and at the funding level through the Appropriations Committee. Furthermore, so long as these scientific investigations are constructive, I will continue to give them my aid.

On the other hand, because these processes are still in the investigation stage and have not been proven from a hydrologic engineering basis, nor practicable from either an economic or a legal basis, it would be imprudent to rely upon these unproven processes as a "solution" to the water problems of my State or the upper basin. While the Secretary of the Interior has "high hopes" for the potentials of these processes, I see no reason why my State, instead of the Secretary's State, should be selected as the guinea pig, awaiting the results of experimentation into physical, engineering, economic and legal problems to which the answers might or might not be able to produce more water in the quantities, at an affordable cost, at the location, and at the times when it would be needed to supply future water requirements. I cannot tie the future of my State to such a risky, and nebulous, prospective solution, when the proven method of importing water from other river basins is open for investigation and project planning.

In view of all the prevailing circumstances and implications surrounding this legislation, I cannot support it unless it incorporates the authorization of a meaningful study of water importation and the Hualapai Dam. These two features are the pillars upon which rests the success of a regional plan for the Southwest's water future.

Other basic elements of amendment 214 are of vital importance to my State of Colorado. At this point I wish to briefly examine some additional features of the substitute amendment that are essential parts of a regional approach to the solution of the problems either present or imminent in the seven States of the Colorado River Basin.

First. Title I explains the objectives of the bill. These objectives are regionwide—not localized to one State. Congress recognizes that there are water problems in the entire basin and directs the National Water Commission and the Water Resources Planning Council to give highest priority to plans for their relief.

Second. Title II provides for planning and investigation in the Southwest. Estimates of water availability and water needs of both areas of use and areas of origin would be made. The Secretary of the Interior is directed to prepare a reconnaissance report of a staged plan of development to meet the needs defined in the investigations. The plan for the first stage should, among other things, include provision for 2.5 million acre-feet of water to meet the burden of the Mexican Water Treaty as a national obligation and make up losses of about a million acre-feet in the lower basin associated with the delivery of that water to Mexico. The Mexican Treaty obligation of 1.5 million acre-feet per year has become a bitter bone of contention as the available water in the river has been reduced by added uses every year. Colorado has insisted that uses of water from the Gila River in Arizona should be counted as part of the lower basin's apportionment.

Our position has always been consistent, since the signing of the Colorado River compact, that that is what the compact says. The lower basin States disagree and place a different interpretation upon the compact. We have considered that a clarification of this issue is necessary before any new lower basin projects are constructed in order to protect ourselves against any imposition of claims for water to fill the Mexican Treaty requirements. As negotiations with the lower basin States progressed it became apparent that the internal conditions in Arizona were such that it was impossible for her representatives to reach agreement with the upper basin concerning accounting for waters used from the Gila River. If, under an import scheme, 2.5 million acre-feet can be brought into the river this dispute will dissolve in the imported water. If even a study of such a plan is not possible, there will be another major lawsuit on the Colorado River commencing at the first occasion that terms of the Mexican Treaty are invoked by the Secretary and development in the upper basin is precluded. This is as inevitable as night following the day.

Only after reporting back to the Congress and finding that certain very stringent criteria are met can the Secretary proceed beyond a reconnaissance report on an import plan. Furthermore, the strongest and broadest criteria possible are provided to protect areas of origin which also will benefit materially from any plan that may be ultimately adopted.

What are we talking about, specifically, when we talk about water augmentation? A representative of the State of California, in testifying before our committee on this bill, testified that they would be happy to have and welcome a study of the water resources of northern California, to see if there would be any water available for transportation to the Southwest.

When you consider the high economic use to which water in the Southwest will be increasingly devoted in the future, it is obvious that this water will draw a good price.

We are also talking about a look at the Columbia River Basin. We have never asked for anything but a look. We have never asked for anything but a study.

Two and one-half million acre-feet of water delivered to the lower regions of the Colorado River in the lower basin, would go a long way toward the solution of not only the Mexican Treaty problem but also the problems of the entire river. My friend, the Senator from Arizona, would then not have to worry about getting this proposal passed.

We know that below The Dalles on the Columbia River no further water is taken out. We know that 160 to 170 million acre-feet of water flow into the ocean every year, totally wasted, of no use to anyone.

So, what are we talking about? We talk about the opportunity to study the possibility of taking out 2.5 million acre-feet down on the river at a point where it flows into the ocean, wasted—about 1.5 percent of the whole flow. And the advocates of this bill have said: "No. You are not even going to have a chance to look at it. We are going to have our project for ourselves."

Maybe when the National Water Commission or some other commission, reports in 5 years, those men—who are still very nebulous—may permit us to take a look at it and study it.

When that water bill was in the Senate, before the Committee on Interior and Insular Affairs, an incident took place which adequately illustrates what the purpose is. The proponents never intended to permit a study even under the National Water Commission because at that time, although the Secretary of the Interior had testified before the Committee on Interior and Insular Affairs that the water problems of the Colorado River Basin were certainly the most prominent in the United States and the needs there were great, and that they were the most pressing of all.

Even though the Secretary of the Interior testified in that manner, the Committee on Interior and Insular Affairs turned down an amendment offered by the senior Senator from Colorado to make the Colorado River Basin study a priority item for the National Water Commission.

So we are here, to this day, denied the right to even take what would be a cupful. We are denied the right even to take a look at it and study it. We are denied the right to have a feasibility study made of this project. It may turn out to be unfeasible. I do not know. But I do not know how anyone can take the position, with 170 million acre-feet of water rolling down to the ocean to waste, that another section of our country is not entitled to have at least an opportunity to study whether a few drops, literally, out of that vast river of water might be taken down into the southwestern part of the United States for the purpose of curing the ills that the Senator from Arizona complains about and the ills with which all the rest of us are afflicted.

Third. Title III would authorize construction of the Hualapai Dam about which I have already commented. It would also authorize the central Arizona project, including Hooker Dam in New Mexico. The aqueduct for the central Arizona project would be capable of transporting 2,500 cubic feet of water per second which is more than adequate to deliver the necessary supply. That has now been raised to 3,000 cubic feet of water a second, and there is no feasibility study on that at all, just some remarks off the cuff by members of the Department of Interior.

This part of the bill also includes a priority for 4.4 million acre-feet of water per year from the lower basin supply for the State of California. There is some disagreement as to whether this obligation would fall upon the upper basin in years of shortage. This is not the intention of the bill because it is strictly a matter of agreement between Arizona and California. As added insurance, however, I have included a provision to make it clear that any benefits of section 4(a) of the Boulder Canyon Project Act that the other States now possess shall not be disturbed in any way by the priority for 4.4 million acre-feet granted by Arizona to California under the terms of the bill.

Under this title the Dixie project in the State of Utah would be integrated into the lower basin development fund.

Mr. MOSS. Mr. President, will the Senator from Colorado yield?

Mr. ALLOTT. I yield.

Mr. MOSS. I feel certain that the Senator from Colorado is familiar with the report made by the committee on the Dixie project, at page 51 of the committee report. I should like to query the Senator particularly about the paragraph on that page which reads:

> It is the intention of the committee that the provisions for the repayment of the Dixie project remain as far as possible in accord with the project's authorizing legislation (Public Law 88-565, 78 Stat. 848). Costs allocated to recreation and fish and wildlife are to remain nonreimbursable as in the original authorization.

Is the Senator familiar with that provision?

Mr. ALLOTT. Yes, I remember that provision.

Mr. MOSS. Is the Senator aware of any opinions stated in the committee or by the Department, or by anyone else, that the fish and wildlife costs allocated would be changed at all by the proposed legislation if the Dixie project were enabled to participate in the lower basin fund?

Mr. ALLOTT. I cannot honestly answer the Senator's question without completely reviewing the record. The Senator will recall that at the markup of the bill we had an unusual situation. We were holding hearings and were marking up the bill at the same time.

Frankly, the representatives of the Department of the Interior said so many things—some of them, I think, contradictory—that I really cannot answer the Senator's question.

Mr. MOSS. The reason why I bring that up at this point—and I addressed myself to it when I spoke last week on the bill—is that there has been raised again in the record what I consider to be an old herring or red shirt.

Mr. ALLOTT. Chestnut.

Mr. MOSS. The reimbursables. There is an insistence on bringing this subject up. I asked the Commissioner of Reclamation about it and obtained from him an answer in a letter from him dated August 7, 1967, in which he discusses this very point. He states that so far as the Bureau of Reclamation is concerned, and based on legal advice, there is no question that the funds used for the enhancement of fish and wildlife and recreation in the Dixie project remain nonreimbursable, as they were in the authorizing legislation.

But this bill makes no change whatever in the authorization of that project; it simply provides that it may get some financial help if a lower basin fund is set up. It does not change anything else.

With the permission of the Senator from Colorado, I should like unanimous consent to place the Commissioner's letter in the RECORD at this point, to establish what I think is a final and authoritative legal opinion as to what the terms of the Dixie project would be.

Mr. ALLOTT. I should be happy to have the Senator from Utah place the letter in the RECORD at this point in order to clarify the status of his own situation.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Utah?

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

U.S. DEPARTMENT OF THE INTERIOR,
BUREAU OF RECLAMATION,
Washington, D.C., August 7, 1967.

Hon. FRANK E. MOSS,
U.S. Senate,
Washington, D.C.

DEAR SENATOR MOSS: This is in reply to your recent oral request for our comments on the provisions which are included in S. 1004, as favorably reported by the Senate Committee on Interior and Insular Affairs, concerning the repayment of costs of the authorized Dixie Project, Utah. You particularly inquired concerning the reimbursability of costs allocated to fish and wildlife and recreation.

Subsection 2(j) of S. 1004 provides that, "The Secretary shall integrate the Dixie Project, heretofore authorized, into the repayment arrangement and participation in the Development Fund established by . . . (the bill)." This would permit surplus revenues from the Lower Colorado River Basin Development Fund which would be established if S. 1004 were enacted to be applied to assist in the repayment of costs of the Dixie Project allocated to irrigation which are beyond the repayment ability of the water users. As you are aware, construction of the Dixie Project cannot proceed until a source of such assistance is provided. Our analyses indicate that there will be sufficient surplus revenues in the Development Fund under the provisions of S. 1004 over 10 years in advance of the date they would be required to accomplish repayment of the Dixie Project.

Aside from supplying repayment assistance, S. 1004 would not affect the repayment provisions of the Dixie Project. Section 3 of the bill states, ". . . the Central Arizona Project works authorized pursuant to this Act . . ." shall come under the provisions of P.L. 89–72 regarding recreation and fish and wildlife. This section does not apply to the Dixie Project. The Committee Report (Report No. 408, 89th Congress) states on page 51: It is the intention of the Committee that the provisions for the repayment of the Dixie project remain as far as possible in accord with the project's authorizing legislation (Public Law 88–565, 78 Stat. 848). Costs allocated to recreation and fish and wildlife are to remain nonreimbursable as in the original authorization.

Sincerely yours,
FLOYD E. DOMINY,
Commissioner.

Mr. MOSS. Mr. President, will the Senator from Colorado yield on one further point?

Mr. ALLOTT. I yield.

Mr. MOSS. The Senator's discussion of how the Hualapai Dam would be built under the provisions of the amendment which he is offering brings to my mind an article published in the press yesterday concerning the Grand Canyon. It is similar to other articles that have been published ad nauseam concerning how the Grand Canyon will be threatened in some way if the Hualapai Dam is built. I have previously addressed myself to this subject, as I know the Senator from Colorado has. However, the article contains two statements about which I should like to have his comment. The article is written by Irston R. Barnes, chairman of the Audubon Naturalist Society, and was published in the Washington Post of yesterday, August 6, 1967.

I should like to comment on one sentence in the article.

Mr. Barnes says:

> Clearly, the Grand Canyon is of national interest; It is a unique part of our national heritage. It can be safe-guarded if the people in the rest of the Nation, to whom the Grand Canyon belongs as much as it belongs to the Colorado River States, support their Senators and Representatives in adamant opposition to the proposed dams and in whole-hearted support of the enlargement of Grand Canyon National Park.

Does the Senator have an opinion that the Grand Canyon is other than a national resource belonging to all the people?

Mr. ALLOTT. I had always thought it was. I presume that when Grand Canyon National Park was established, it was thought that it belonged to all the people.

Not only members of the committee, but also others who are interested in this matter, in dozens and dozens of speeches—if we could get them reported in the newspapers sometime—have tried to show that this would not invade the Grand Canyon National Park.

The Senator from Utah did a beautiful job the other day in showing that the Hualapai Dam would be far below the park. As I measured on the map, it would be 77 miles below the closest point of the Grand Canyon National Park.

Here you have one of the greatest potential resources. A few rich people, with a great deal of money, are able to outfit themselves—those who spend a great deal of time keeping themselves physically healthy and who do not have to do anything else—can get on a packhorse and get a guide and go in there each year. They are practically the only people who see this area today, and there are just a handful of them.

As the Senator from Utah pointed out last week, if the Hualapai Dam were built, there would be a reservoir which would not invade, except on the west side, and that would be just a relatively few feet in the canyon walls where the river is the boundary between the Grand Canyon National Park. Literally millions of people would have an opportunity to get into this area and see the beautiful canyon walls extending above them in some places 2,000, 3,000, or 4,000 feet. They would have access to boating and fishing. At present, we are preserving the area for the few people who run some of these organizations, financed by misleading many people all over the United States, and even financed sometimes by misleading schoolchildren, and getting them to contribute.

Mr. MOSS. The favorite phrase used in this scare campaign, it seems to me, is that we are going to flood the Grand Canyon. I ask the Senator if he could visualize any kind of dam that could be built to flood the Grand Canyon.

Mr. ALLOTT. It is difficult for me to envision it. As the Senator knows, I have been concerned with water problems all of my adult life. It would be impossible.

But what the Senator says is true. They have envisioned and they have painted for the people a picture of filling the Grand Canyon National Park with water, so that there would no longer be a Grand Canyon National Park, so that you could not go down the trails to the bottom of it any more. Nothing could be more false.

Mr. MOSS. Is this not to some extent a carryover of what we witnessed when the Colorado River storage project was authorized, and the same group was carrying on a scare campaign about the flooding of the Dinosaur National Monument, so that I believe even today the people of the United States think that the Echo Park Dam would have flooded the dinosaur quarry and ruined forever the great geologic wonder that caused the creation of the Dinosaur National Monument in the first place, which is in the Senator's State and partly in my State?

But the dinosaur quarry itself was downstream from where the dam was proposed, and never could have been touched in any way by any impounded waters. Yet, the gravemen of the scare campaign is, "Don't flood the dinosaur quarry. Don't destroy the dinosaur quarry." And it has succeeded. The proposal for the dam was finally set aside.

Mr. ALLOTT. That is the tragedy—the scare campaign did succeed. And when it succeeded, it destroyed one of the two or three really valuable hydroelectric projects on the Colorado River. The Echo Park Dam had the highest feasibility and the highest payout of any of the dams in the upper Colorado River project, as the Senator well knows. If we had not been the victims of this sort of thing, we would have been able to have that dam. The Senator and I have been active in trying to get roads built into that area. I do not have a count, but instead of a relatively few hundred people visiting the area at this time, I believe a half million or a million people each year would be able to enjoy it and have a place for recreation.

Mr. MOSS. I believe the Senator is correct. Had the great lake been built that would have been made by the Echo Park Dam, many more people would be attracted to the area, and they would have the opportunity to see the geological and archeological wonder of the dinosaur quarry. A building has been erected on the side of the mountain, and people may stand within the building, on a gallery, and see the work going on of taking the rock away and exposing the dinosaur bones. The bones are taken out, and one can see where they were deposited in the delta of some prehistoric river. This is one of the great sights in the country. But, as the Senator has stated, it is seen by only a few hundred people now, because the area is remote and is not easily accessible. The only drawing power of the area is this geologic factor.

Mr. ALLOTT. In that instance, the emotionalism in the country was aroused by the fact that you are going to destroy the area, or leading people to believe that you are going to destroy the area—the only area in the country containing dinosaur bones. It could not have been more untrue. It could not have been more vicious—I will say that, and I cannot describe it in any other words.

By the same token, the same people are using the tack today that we are going to fill up the Grand Canyon. Frankly, if we could put a dam into the Grand Canyon, I do not know if there is enough water in the Colorado River to ever fill the Grand Canyon.

Mr. MOSS. Not in the next thousand years, I do not suppose.

One final question: Does the Senator agree with me that the sudden turnaround and elimination of the Hualapai Dam—which has so much to offer not only from the economic support of the project and the provision of hydroelectric power to the fastest growing area of the country, but also as a recreational potential—seem to be just an abject surrender to the same group that succeeded in eliminating the Echo Park Dam in the upper basin?

(At this point Mr. Hollings assumed the chair.)

Mr. ALLOTT. Absolutely, and that is what it is: an abject surrender.

I think the Senator would be interested in an article which appeared in the Arizona Republic of August 1, which I hold in my hand. The article is written by Bill Nixon and is entitled "Representative Morton Says River Visit May Change His Vote." The article states:

> Rep. Rogers C. B. Morton, R-Md., who is one of nine influential members of the House Interior and Insular Affairs Committee making a six-day trip down the Colorado, said that he would return to his home state and tell his constituents they were misinformed.
>
> "I voted against it (CAP)," Morton admitted, "but now, after getting a first-hand look at the country, I'm convinced that the recreation advantages on the river with the dams are tremendous.
>
> "I had pressure from conservation groups and garden clubs in my own state to vote against the CAP because they believed the dams (Marble Canyon and Bridge Canyon) would interfere with Grand Canyon National Park."

Mr. President, I might add that Marble Canyon has been dropped and Bridge Canyon is now known as Hualapai.

The article continues:

> Morton was the most outspoken of the congressional members, who were new to the area. However, Rep. Wendell Wyatt, R-Oreg., appeared to be shocked at a geography lesson given by Rep. Udall.
>
> At the Colorado, just below the Phantom Ranch area, Wyatt asked Udall, "Where will the water back up here from the Bridge Canyon Dam?"
>
> "Wendell, we will have to travel two more days on the river before we come to an area where the river will rise because of the proposed dam (at Bridge Canyon)," Udall answered.
>
> Within earshot of the conversation was Rep. F. F. Sisk, D-Calif., a member of the House Rules Committee, which blocked passage of the CAP bill last year.

Mr. President, I ask unanimous consent that the entire article written by Bill Nixon, to which I have referred, may be printed in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

Representative Morton Says River Visit May Change His Vote

(By Bill Nixon)

Phantom Ranch.—Two days of running the Colorado River in the heart of Grand Canyon National Park has convinced a Maryland Republican congressman that he was wrong in originally opposing Central Arizona Project legislation.

As a result, the Arizona water project may have a new ally on Capitol Hill.

Rep. Rogers C. B. Morton, R-Md., who is one of nine influential members of the House Interior and Insular Affairs Committee making a six-day trip down the Colorado, said that he would return to his home state and tell his constituents they were misinformed.

"I voted against it (CAP)," Morton admitted, "but now, after getting a first-hand look at the country, I'm convinced that the recreation advantages on the river with the dams are tremendous.

"I had pressure from conservation groups and garden clubs in my own state to vote against the CAP because they believed the dams (Marble Canyon and Bridge Canyon) would interfere with Grand Canyon National Park."

The Maryland legislator, a younger brother of Kentucky Sen. Thruston Morton, said that in his opinion the dam sites would not affect Grand Canyon.

Morton made the comments in the presence of other interior committee members and Rep. Morris K. Udall, D-Ariz., who arranged the trip.

Udall, who said that he originally planned the trip down the Colorado two years ago, was obviously elated over Morton's enthusiasm for the CAP.

The congressional group spent last night at Phantom Ranch, at the bottom of Grand Canyon, and planned to proceed downriver for another 48 to 72 hours on rubber rafts before returning to Washington.

Morton was the most outspoken of the congressional members, who were new to the area. However, Rep. Wendell Wyatt, R-Oreg., appeared to be shocked at a geography lesson given by Rep. Udall.

At the Colorado, just below the Phantom Ranch area, Wyatt asked Udall, "Where will the water back up here from the Bridge Canyon Dam?"

"Wendell, we will have to travel two more days on the river before we come to an area where the river will rise because of the proposed dam (at Bridge Canyon)," Udall answered.

Within earshot of the conversation was Rep. B. F. Sisk, D-Calif., a member of the House Rules Committee, which blocked passage of the CAP bill last year.

Also making the river run from Lees Ferry to Diamond Creek, above the proposed Hualapai Dam site, and Reps. Roy A. Taylor, D-N.C.; William D. Ford, D-Mich.; Theodore Kupferman, R-N.Y.; Laurence Burton, R-Utah; James A. McClure, R-Idaho; and Sam Gibbons, D-Fla.

Commenting on the river run, Udall said, "This is certainly no high-pressure job to sell the Central Arizona Project to my colleagues. It's simply the best way to show them the proposed project sites first hand."

The congressmen, members of the committee that will ultimately decide whether Arizona is to get its long-sought water project, are enjoying themselves and observing too.

Rep. Wyatt, perspiring freely at the bottom of the Grand Canyon, commented, "I can't understand why Arizona and California are fighting over this."

Mr. MOSS. I thank the Senator for placing the article in the Record. I was not aware of that situation but the experience is not new. I find if I can take visitors to Lake Powell in Utah so they can see for an hour or two, all of these warped notions they have about the destruction of the river and the scenery evaporate and they go away ecstatic with the beauty that is there because the dam made a great blue lake and has made it possible for people to see the area.

Mr. ALLOTT. The Senator is correct. I appreciate the Senator's contribution on this very vital point because there is no question that, although lingering in the dark scenery behind the curtains, it is this pressure group which really caused the Secretary of the Interior to do a mental flip-flop and come up with this rather perverted version of the bill which we all worked so hard to achieve in the past few years.

Mr. MOSS. I thank the Senator.

Mr. ALLOTT. Mr. President, I shall continue with my address.

Fourth. Title IV would create a lower basin development fund and provides for cost allocations and repayment. As I have emphasized previously this development fund is the heart of the entire regional program. Without the development fund the regional program cannot exist.

Fifth. Title V is of paramount importance to my State of Colorado and the entire upper basin development program. Five reclamation projects would be authorized for construction in western Colorado. These are the Animas-La Plata, the Dolores, the Dallas Creek, the West Divide, and the San Miguel projects. These five projects are participating projects of the Colorado River storage project and have been on drawing boards for many years. Their water supply is well within the apportionment of water by the applicable compacts to the State of Colorado. The State of New Mexico will receive direct benefits from the first of these projects. Payout studies by the Department of the Interior show that repayment of costs from the Upper Colorado River Basin fund is well within Colorado's share of that fund which, as I recall, is 46 percent. Needless to say, I support all five projects wholeheartedly.

Senate Document No. 80 of the 75th Congress has long been the causative agent of many intrastate disputes between the east and west slopes of Colorado. Representatives of both sides of the Continental Divide, after seemingly endless negotiations, have agreed upon an interpretation that is included in section 501(e) of my bill.

Another subject of bitter dispute between the upper and lower basins of the river is laid to rest in section 502. This section provides for a method of repayment to the upper basin fund of money that has been diverted therefrom to pay for diminutions in generation at Hoover Dam attributed to the filling of reservoirs of the Colorado River storage project. This section is the result of long and detailed negotiations between representatives of the upper and lower basin States.

Sixth. Title VI is another very important part of the bill so far as relations among the seven basin States is concerned. It took many months of detailed computation, studies, and negotiations by some of the most able water engineers and lawyers in the West and in the Department of the Interior to formalize the reservoir operating principles of section 602. I wish to thank publicly and congratulate all of these capable people who participated in this most difficult task. The operating criteria are fair and reasonable to both basins. They do not violate any of the principles of either the Colorado River Compact or the Upper Colorado River Basin Compact. They do, however, provide direction to the Secretary with respect to how to operate storage reservoirs under the terms of the compacts and yet allow for sufficient flexibility that extraordinary changing conditions can be successfully met.

Mr. President, in the above six enumerated items I have briefly mentioned those basic elements that are absolutely essential to a sound and reasonable approach to the resolution of the water problems of the Pacific Southwest.

The committee bill does contain the five Colorado projects, and I have always been an ardent supporter of those projects. But as Senators know, it is a long step between authorization and construction. There may be many pitfalls in the processes of advance planning, the appropriation of construction funds, and actual construction of a project. Authorization is no assurance of contemporaneous construction of the Colorado projects and the central Arizona project. Further, the authorization of the central Arizona project would seal Colorado's fate with respect to future water development.

Colorado simply cannot afford the central Arizona project if its cost includes the shelving of its future water development, while central Arizona development rolls merrily along, in the absence of legislative guarantees under which my State can unquestionably retrieve from Arizona the water that would be "loaned" to her under the terms of S. 1004, because Colorado would find her future resource development encased in an inflexible, limited pattern from which escape will be impossible. Oil shale enterprises, petrochemical industries, other related resource developments, agriculture and associated water consuming activities, and municipal use, which we can now see over the horizon would be pushed back into the darkness.

Oil shale is just one example of the important resources in the upper basin whose development may be limited by the enactment of S. 1004 as reported by the committee. As Senators know there has been a recent surge of interest in the oil shale deposits in Colorado, Utah, and Wyoming. There are now favorable indications that the technological problems can be solved and oil shale may become a primary source of petroleum.

With fluid world conditions and the fragility of the alliances which now permit foreign oil production for importation into the United States and Western Europe, the national security implications of a future oil shale industry take on added significance. But an oil shale industry of any significant size will require considerable water, both in the upgrading and processing of the shale oil and in the related industries, associated services, and domestic needs of the communities to house the employees operating these plants. As an example of direct water use, I have been informed by oil shale experts that shale oil—kerogen—is a hydrogen-deficient hydrocarbon. It requires hydrogenation before refining, and this process requires water—a lot of water. Estimates are that hydrogenation of shale oil requires 1½ barrels of water per barrel of oil. Water development will obviously have a direct relationship to oil shale development. Oil shale development is going to have a direct relationship to the development of the States of Colorado, Utah, and Wyoming.

But the upper basin cannot afford to base its future on the development of one mineral to the exclusion of others, nor can the Nation permit it. Other important resources of the upper basin must also be developed under a balanced program. It would be unthinkable for the upper basin to defer other development solely for the preservation of sufficient water from our dwindling supply for the express purpose of developing only one resource. While present indications are favorable, it is a fact that a commercially and economically feasible method of extracting shale oil from oil shale has not been proven, and commercial production does not now exist.

Balanced development will require full development of our apportionment under the Colorado River compact, and augmentation of our water resource is essential in order for the upper basin to receive its full apportionment of 7.5 million acre-feet annually. S. 1004 totally fails to come to grips with these needs.

I have repeatedly stated that I could not support and would be compelled actively to resist any central Arizona legislation which did not provide for all of the following four elements:

First. Provide for the repayment to the upper basin fund of the charges made to it for power deficiencies during the filling of Glen Canyon Dam;

Second. Provide for the five Colorado projects—Dolores, San Miguel, West Divide, Dallas Creek and Animas-La Plata;

Third. Provide for some beginning of a study for the importation of water; and

Fourth. Provide for the Hualapai Dam.

Only two of these four elements are contained in S. 1004 as reported by the committee, the repayment provision and the five Colorado projects.

At the hearings on S. 861, S. 1004, S. 1013, S. 1242, and S. 1409, witnesses from my own State of Colorado and the States of Utah and Wyoming expressed great concern over the fact that most of the water left for future development in the upper basin of the Colorado River, and which would have to be used on the central Arizona project under S. 1004, is water that has been apportioned to those States for their consumptive use. Representatives of these three States believe that it is the duty of Congress to assure their future development of water resources by protecting the water apportioned to them by compacts. I concur with them completely. This protection can and should be realistically provided in this legislation by authorizing studies of all forms of augmentation of water supplies, such as reductions in water losses, water conservation practices, desalinization, weather modification, importation of water from outside the natural drainage basin of the Colorado River, and other means. Directly, or by exchange, the new water could be utilized by States in both the lower and upper basins.

I repeat, all four elements are essential to the resolution of the upper basin dilemma. This is the official position of the Governor of Colorado and of the Colorado Water Conservation Board, which is by statute charged with the responsibility of water development and conservation in the State of Colorado, and it is the position that has been taken by members of the Colorado congressional delegation.

It should be remembered by all concerned that nearly 92 percent of all of the virgin flow of the Colorado River originates in the upper basin, while considerably less than half is reserved for upper basin use by the effects of the Colorado River compact. Seventy percent comes from Colorado.

Colorado's sister States should also be reminded of the fact that Colorado was apportioned only 51.75 percent of upper basin water, under the terms of the Upper Colorado River Basin Compact. But, over 70 percent of the virgin flow of the Colorado River as measured at Lee Ferry is produced in Colorado, according to the records of the Upper Colorado River Commission. Colorado has been generous in sharing her precious water resources, and as such is entitled to the good will and support of her sister Colorado River Basin States in resolving her water problems.

Amendment No. 214 is a compromise, but it is a compromise that was worked out in good faith. While no one State gets everything it wanted under its terms, it did grant benefits to all. It is an agreement with which all seven States could live. But, more importantly it represented an agreement which recognized, in the form of legislation, that the water shortage problems of the Colorado River Basin were mutual, and that if those problems were ever to be solved the whole basin had to work together. S. 1004 represents an abandonment of that spirit of cooperation and mutual assistance and a return to the attitude of each State attempting to solve its own problems without regard for the injury or potential injury which may be done to her sister States in the basin.

I offer amendment No. 214 in an effort to recapture that spirit of cooperation and to give Senators an opportunity to vote for a long-range solution to the Colorado River Basin's water shortage problem.

Mr. KUCHEL. Mr. President, will the Senator from Colorado yield?

Mr. ALLOTT. I am happy to yield to the Senator from California.

Mr. KUCHEL. First, I wish to repeat what I said earlier, We have just listened to an excellent, scholarly, powerful, and persuasive address which demonstrates, with forceful clarity, why the administration's bill should be defeated.

I congratulate the distinguished senior Senator from Colorado [Mr. ALLOTT] for spreading the truth upon this record, and for offering a good-faith substitute in which Senators on both sides of the aisle have joined.

Mr. President, let this record clearly show that the substitute offered by the distinguished senior Senator from Colorado is no sudden, spur-of-the-moment nostrum. It represents the considered judgment of the governments of every State in the Colorado River Basin, concurred in by the Secretary of the Interior before he committeed his amazing political flip-flop.

I want to say to the Senator from Colorado that he has preached a good gospel of regional cooperation, by which the American people and their representatives in the several States of the American Union would seek to give immediate help to the people of Arizona and at the same time provide a means by which long-term assistance to Arizona and to the other six Colorado River Basin States could be achieved.

I am personally proud to put my name on the substitute which the distinguished senior Senator from Colorado has introduced. As he said earlier, it represents some refinements over an almost identical bill which the Representatives in Arizona in the House of Representatives introduced in the last session.

Because of those refinements, we have agreed that the Senate ought to stand up and be counted on the substitute, and that the substitute should be the one that bears the Senator's name, and the names of some of the rest of us, Democrats and Republicans, in this body.

I want to say particularly that the Senator from Colorado has demonstrated courage in what he has said here today. It is true that the bill as it came from committee contained some amendments that would be appealing to the people he has the honor to represent and who have the honor to be represented by him.

The Senator is a good Coloradan and a good American. His conclusions and his substitute proposal represent the public interest at its very best; represent the paramount interest of all the States in the Pacific Southwest who are going to have to rely for their survival on more than the diminishing quantities of water in the river. That is why the Senator from Colorado put his finger on the continuing urgent need for regional cooperation, and that is why, also, the Senator from Colorado threw back into the mouth of the Secretary of the Interior the very words the Secretary of the Interior used to demonstrate that we need revenues in the Federal Treasury to help, in the future, to pay for the prodigious costs of water works.

The Senator from Colorado spoke the truth. The truth needed saying. I simply salute him and tell him that I am glad to put my name on the substitute he has proposed and offered here, and to hope and pray that, in the spirit of cooperation, in which all our States have participated, the substitute may be adopted.

Mr. ALLOTT. I thank the Senator very much. He, himself, has fought a great battle in this problem. The marking up of the bill was a long, extensive process, and his advice, help, and courage have always been a great asset during the hearings on this issue.

I can only express to the Senator that Colorado has its back to the wall now, and every effort, no matter how poor, of mine that can be exerted must be exerted, so the Senate may know what is actually involved and in order that the rights not only of Colorado but of the other Basin States may be preserved. I see on his feet the Senator from Wyoming [Mr. HANSEN]. The Senators from California, Utah, Nevada, and other States are present. There are many facets of the bill which I think are wrong in principle. I think the measure which several of us have offered together provides an answer.

One way for the Senate to adopt it would be to avoid the somersaulting secretary for a few minutes. Then the Senate could pass this substitute, which would be of benefit to the whole Nation, and particularly to the Southwestern States.

Mr. KUCHEL. I agree with my friend. I hope the substitute will receive the approval of the Senate.

Mr. ALLOTT. I thank the Senator.

Mr. President, a former Governor, then Senator, and later Governor of Colorado, Edwin C. Johnson, is a man who, despite his now considerable years, is very active intellectually and physically. He has been of great help to the people of Colorado through his knowledge of the water system of the Colorado River Basin.

Mr. Johnson recently wrote an article which I am going to have placed upon the desks of each Senator, relative to S. 1004. In fact, it is a critique of S. 1004.

Mr. President, I ask unanimous consent that the article to which I have referred be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

S. 1004

(By Edwin C. Johnson)

As amended by the Senate Interior Committee S–1004 is a mysterious legislative proposal. Its fanatical passion to grab water apportioned by the Colorado River Compact to the Upper Division of the Colorado River Basin, borders on the ludicrous. Its stubborn determination to resist and avoid at any cost, the importation of water from the areas of tremendous surpluses in the region, smack of delusion. The people of Colorado and the other Upper Division states who comprehend the extreme shortage of water in the Colorado River are convinced that importation is the only solution but Arizona has rejected their efforts to help her.

On February 16th, 1967, the Honorable Carl Hayden, a very distinguished United States Senator, who by years of extraordinary public service holds the distinction of "legend" among the statesmen of America, introduced in the Senate, S–1004 to authorize the Central Arizona project. Numerous amendments in the Senate Interior Committee have altered its original purpose, however.

Unfortunately, Arizona Congressmen Morris D. Udall, John J. Rhodes and Sam Steiger have misled Senator Hayden into believing that it is not necessary to import water from basins outside the Colorado drainage basin. Actually, their silly position is fatal to the Senator's bill. This is the position the three mistaken Congressmen advocate:

"By this proposed bill we do not seek to obtain water at the expense of other States in the Colorado River Basin or for that matter, from the Northwest, from California, or from any other source outside the Colorado River Basin."

But Arizona has no water remaining in the Colorado River Basin.

On June 3, 1963 the Supreme Court of the United States said:

"Hoping to prevent conflicts and expensive litigation which would hold up or prevent the tremendous benefits expected from extensive federal development of the river, the basin States requested and Congress passed an Act on August 19, 1921, giving the Colorado River Basin States consent to negotiate and enter into a compact for the *equitable division and apportionment . . .* of the water supply of the Colorado River." (Emphasis Added)

Following is an excerpt from the Act of Congress about which the Supreme Court of the United States had made reference:

"Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, that consent of Congress is hereby given to the States of Arizona, California, Colorado, Nevada, New Mexico, Utah, and Wyoming to negotiate and enter into a compact or agreement not later than January 1, 1923, providing for *an equitable division and apportionment* among said States of the water supply of the Colorado River and of the **streams tributary** thereto * * *." (Emphasis Added)

These then were the official guide lines under which the Colorado River Compact was to be assembled. All divisions of water had to be equitable. Commissioners' votes must be unanimous.

By unanimous vote Herbert Hoover was named Chairman of the newly formed Commission. A total of 27 meetings was held by them during the year 1922 at various points in the member States and in Washington, D.C. The final session was held on November 24th, 1922 in Santa Fe, New Mexico.

The roll call of the Commission was, Herbert Hoover, Chairman, W. S. Norviel, Arizona, W. F. McClure, California, Delph E. Carpenter, Colorado, J. G. Scrugham, Nevada, Stephen B. Davis, Jr., New Mexico, R. E. Caldwell, Utah, and Frank C. Emerson, Wyoming.

These statesmen, patriots and compact negotiators voluntarily undertook a mission that was almost beyond human fulfillment. Congress had authorized them to put together and develop an interstate compact which would provide for the *equitable division and apportionment of the water supply of the Colorado River Basin States.*

But it simply was not feasible to negotiate an equitable division of Colorado River water between or among the seven individual states. Their needs for this water varied greatly and their basic views and plans for the future were far apart. Every effort to develop a compromise ended in a jealous row. An "equitable division" of the water supply of the Colorado River insisted upon by Congress authorizing them to form a compact was based on an "equitable division" of Colorado River water. The "two basin idea" urged by Herbert Hoover appeared the only way out. Finally the individualistic Commissioners gave up and two basins were created primarily for "equitable division purposes." This is how they did it:

"There is hereby apportioned from the Colorado River System in perpetuity to the Upper Basin and to the Lower Basin, respectively, the exclusive beneficial consumptive use of 7,500,000 acre-feet of water per annum, which shall include all water necessary for the supply of any rights which may now exist."

Could language be plainer? Could purposes be clearer? Could objectives be more equitable? The two basins were separated by hundreds of miles of deep breath-taking canyons. In Arizona v. California 373 U.S. 566 June 3, 1963, the Supreme Court of the United States commented thusly:

"Participants [in the compact negotiations] have stated that the negotiations would have broken up but for Mr. Hoover's proposal that the Commission limit its efforts to a division of water between the Upper Basin and the Lower Basin, leaving to each basin the future internal allocation of its share. And in fact this is all the Compact did."

The Colorado River Compact is an interstate agreement. All interstate compacts must have the consent of Congress before they can be formed. As a matter of course an interstate compact is formed for some distinct purpose which must be stated and respected. The major purposes of the Colorado River Compact are to provide for the equitable division and apportionment of the use of the waters of the Colorado River System; "To these ends the Colorado River Basin is divided into two basins and an apportionment of the use of an equal part of the water of the Colorado River system is made to each of them with the provision that further equitable apportionments may be made." (The Colorado River Compact, Article I).

When Congress gave its constitutionally required consent to the seven Colorado River States to enter into a solemn compact and agreement with respect to the conservation and use of the water of the Colorado River, Congress made it plain to all concerned that the division of water between the Upper and Lower Basins had to be an "equitable division."

In line with this declaration by Congress every provision of the Colorado River Compact large and small, faithfully adhered to the "equitable division" standard except Article III, paragraphs (b) and (d).

The water rights on the Colorado River in the order of their priority are as follows:

The first water rights are those which existed on the river on November 24th 1922, the day the Colorado River Compact was signed by the Compact Chairman, Herbert Hoover and the seven official negotiators of the seven Colorado River States; standing second are the water rights acquired by the United Mexican States in the Treaty negotiated with the United States of America in 1945, interpreted by Article III, paragraph (c) of the Colorado River Compact; standing third are those rights which were automatically created in the apportionment of 7,500,000 acre-feet of water to the Upper Basin and a like amount to the Lower Basin by Article III, paragraph (a); then came the surplus water designated by Article III(b); and the final water right includes whatever surplus water which might occur in the Colorado River System at any time and not apportioned by Article III, paragraphs (a), (b) and (c).

In imposing the Mexican water burden upon the Upper and Lower divisions, the Colorado River Compact was exceedingly careful to follow to the letter the commanding and specific Congressional Consent, featuring the specific demand that there must be an "equitable division" of the water supply of the Colorado River between the two river basins.

Careless language in the Colorado River Compact probably has caused the great confusion and uncertainty attributed to (b). This provision from time to time has had numerous interpretations. It was argued before Mr. Justice Brandeis in Arizona v. California (283 U.S. 423, 1931) but not determined.

Doubtless paragraph (b) was never intended to be an instrument for the division of water between the two basins. Under the rigid equitable division formula, upon which Congress based its *Compact Consent,* if the Lower Basin were to be apportioned one million acre-feet of Lee Ferry water, the Upper Basin must be apportioned a million acre-feet of identical water. Only such action would be an "equitable division" under the compact.

Accordingly the water supply for paragraph (b) must come from the water surplus of the Colorado River System which includes the surplus waters of the Gila River.

On the other hand, paragraph (d) is an out and out swindle of Upper Division water. The authors of the Colorado River Compact over estimated the flow of the Colorado River by more than seven million acre-feet per annum. The Upper Basin's negotiating Commissioners concluded that with such an overwhelming volume of water the adoption of paragraph (d) was insignificant and routine and a simple and a perfectly safe way to settle the last dispute with the Lower Division. The Upper Basin deemed it a perfectly harmless gesture of good will between the two competing divisions. However, today we have discovered their wild-eyed appraisal was a grievious error and that paragraph (d) is a frightful handicap and a vicious threat to every area above Lee Ferry. While it was an honest mistake made by honest men, other honest and bold men must correct paragraph (d)'s destructive and trouble making provisions.

Perhaps the only way out is the appointment of a master by the Supreme Court to make an equitable division of the water supply of the Colorado River between the Upper and Lower Divisions. Whatever the method, it must be done now.

Furthermore Article III, paragraph (d) is in complete violation of the "equitable division" declaration of Congress when Congress gave its consent to the Seven States to enter into a compact and agreement respecting the conservation and use of the water of the Colorado River. In addition to its basic illegality, its provisions are completely unenforceable.

For the first time in history "the States" of the Upper division have "caused" the flow of the river at Lee Ferry to be depleted below an aggregate of 75 million acre-feet of water for a period of ten consecutive years. If it is a violation of the Compact to fail to deliver at Lee Ferry 75 million acre-feet of water, which of the four Upper Basin states are guilty? Is it one state, or two states or three or all four? What penalty will be imposed? And on which of them will it be imposed? Will the Secretary of Interior open the head gates of Navajo, Flaming Gorge, Curecanti or Glen Canyon and help himself to our water? What will the four Upper Basin Governors do should the Secretary of Interior seize Upper Basin water? It is my prediction that the Secretary of Interior will not move an eyelash until the election of 1968 is out of the way.

For whatever reason it happens, when the Upper Division is not ready to use Upper Basin apportioned water the Upper Division will be glad to have the Lower Basin make emergency use of it, but cannot tolerate having the Lower Division in the name of Central Arizona borrowing federal money for construction and borrowing our water for a water supply for their pet project. The Supreme Court has approved water use in Arizona only *when water is available* so the Upper Basin must be certain that water borrowed from the Upper Basin is identified as our paragraph (e) water and not water understood generally to be Arizona water.

On March 13, 1967, Congressman Morris K. Udall on behalf of himself and Congressmen John J. Rhodes and Sam Steiger of Arizona in testimony before the House Subcommittee on Reclamation, said:

"* * * in 1963 the Supreme Court of the United States ruled that Arizona is entitled to two million eight hundred thousand acre-feet of Colorado River water per year, to help meet its water needs."

No such ruling by the Supreme Court has ever been made! However, in 1963 the Supreme Court issued this explanatory decree:

"If sufficient mainstream water is available for release, as determined by the Secretary of the Interior, to satisfy 7,500,000 acre-feet of annual consumptive use in the aforesaid three States, *then* of such 7,500,000 acre-feet of consumptive use, there shall be apportioned 2,800,000 acre-feet for use in Arizona, 4,400,000 acre-feet for use in California, and 300,000 acre-feet for use in Nevada;" (emphasis added).

The 2,800,000 acre-feet of water apportioned *conditionally* to Arizona by the Supreme Court includes all the water Arizona takes out of the mainstream of the Colorado River. This would include Arizona water under contract; mainstream water consumed by Arizona Indian tribes; water legally or illegally seized by squatters along the Colorado River; and all mainstream water consumed by Arizona. It, of course, would include the water Arizona is obligated to deliver to Mexico under the provisions of the Mexican Treaty. At least a million acre-feet below Lee Ferry is lost annually through evaporation, and unfair as that may appear to the Arizona Congressmen, under Colorado River law Arizona is held responsible along with California and Nevada for such a consumptive use.

The U.S. Supreme Court Decree added this word of caution:

"Any mainstream water consumptively used within a state will be charged to its apportionment, regardless of the purpose for which it was released;" (376 U.S. 340 March 9, 1964).

Henceforth it will be a struggle to deliver 750,000 acre-feet of water to Mexico and 75 million acre-feet to the Lower Basin at Lee Ferry. I do not believe it can be done. Answers to these questions must be had before Congress assumes the obligation of delivering an additional 1,200,000 acre-feet of water at Lee Ferry for the Central Arizona project.

However, Article III, paragraph (e) of the Colorado River Compact is as constructive and wholesome as paragraph (d) is evil and destructive. The provisions of paragraph (e) are designed to guard against a water blockade on the Colorado River. It insists that the entire supply of water serve one or the other of the Colorado River Basins.

Paragraph (e) water is water which has been apportioned to the Upper Basin and belongs to the Upper Basin but has not been used because the Interior Department has failed to designate any Upper Basin projects for construction. As those of us from the far west understand it, the Upper Basin can put its water to beneficial use only through projects constructed by the Secretary of Interior.

Since (e) water belongs to the Upper Basin the Upper Basin is given the first chance to use it. If we have no projects ready to use it the Lower Basin can borrow it until we do have projects ready. The Secretary of Interior has been very slow to approve projects for construction in the Upper Basin.

Something needs to be done to speed up the construction of projects in the Upper Basin. With the exception of Central Arizona, construction in the Lower Basin is practically completed. The Upper Basin has been very patient but patience in this respect is no longer a virtue.

This table spells out of the total water demand of the Upper Basin—project by project:

Upper basin depletions estimated by the States of the upper Colorado River division

	Acre-feet
Colorado:	
Present existing depletions	1,782,000
Silt	6,000
Evaporation, upper basin reservoirs	342,000
Fryingpan-Arkansas	70,000
Homestake	74,000
Pueblo Eagle River	3,000
Colorado Springs Blue River	6,000
Denver (Moffat, Jones Pass and Blue River) (Eagle and Piney)	215,000
Hayden steam plant	12,000
Pine River Ext. lands	6,000
Savery-Pot Hook (Colorado)	26,000
Bostwick Park	3,000
Fruitland Mesa	28,000
Four Counties (Transmountain)	40,000
Englewood (Fraser River)	10,000
Oil shale development	250,000
Dolores	74,000
Animas-La Plata	127,000
West Divide	71,000
San Miguel	74,000
Yellow Jacket	50,000
Battlement Mesa	11,000
Grand Mesa	32,000
Blue Stone	13,000
Upper Gunnison	32,000
Basalt	26,000
Juniper	48,000
Troublesome, Rabbit Ears, and Parshall	40,000
Great Northern	13,000
Wessels, Hayden and Toponas	63,000
Eagle Divide-Gypsum	20,000
Upper San Juan	12,000
Potential Transmountain	130,000
Dallas Creek	37,000
Total depletion	3,746,000

Upper basin depletions estimated by the States of the upper Colorado River division—Continued

	Acre-feet
New Mexico:	
Utah construction	40,000
Town of Farmington	5,000
Navajo Reservoir contracts	100,000
Navajo Reservoir evaporator	30,000
San Juan-Chama	110,000
Navajo Indian irrigation	250,000
Navajo Indian Hogback	10,000
Hammond	10,000
Animas-La Plata	35,000
Other existing uses	100,000
Colorado River storage project evaporation	74,000
Total depletion	764,000
Utah:	
Depletion as of 1952	407,000
Subsequent Utah Water and Power	25,000
M&I uses not included elsewhere	157,000
Private developments	3,000
Miscellaneous exports from basin	103,000
Central Utah project	760,000
Emery County project	14,000
Provo River project	6,000
Sanpete project	2,000
Evaporation Utah	186,000
San Juan County development	15,000
Ferron watershed	8,000
Other small watersheds	9,000
Carbon County development	10,000
Cottonwood Gooseberry	8,000
Pack Creek	1,000
Henry's Fork	7,000
Debeque	252,000
Juniper	160,000
Total depletions	2,138,000
Wyoming:	
All present uses	265,000
Seedskadee	165,000
Lyman	10,000
Eden improvement plan	15,000
Industrial Westvaco	24,000
Other industrial oil shale power	185,000
Boulder Lake	2,000
Henry's Fork	11,000
La Barge Area	14,000
Savery-Pot Hook	12,000
Cheyenne City Little Snake River	31,000
Private development	17,000
Sublette	117,000
Trans. Basin	233,000
Evaporation, Wyoming	92,000
Total depletion	1,193,000
Northeast Arizona: Total depletion	50,000

This table was put together by the officials and water experts of the States of Colorado, New Mexico, Utah and Wyoming. It indicates the importance of Colorado River water to the entire Upper Basin.

The chart on this page is not pleasant reading for any of the states of the magnificent Southwest. It tells the sad sad story of a bankrupt river. Nothing is quite so heartbreaking as half enough water out there on the desert. We must be realists. The man without shoes felt sorry for himself until he met a man without feet. We must keep our dreams going and our hopes hot and above all, we must fit the garment to suit the cloth.

Virgin flow, Colorado River

	Acre-feet
Average for last 44 years	13,951,000
Average for last 34 years	12,967,000
Average for last 10 years	12,031,500
Average for 1931 to 1940, inclusive 10 years	11,831,800

Virgin flow, Colorado River—Continued

	Acre-feet
Fiscal year 1954	7,667,000
Fiscal year 1955	9,189,000
Fiscal year 1956	10,749,000
Fiscal year 1959	8,562,000
Fiscal year 1961	8,470,000
Fiscal year 1963	8,360,000
Required delivery at Lee Ferry:	
Colorado River compact (on annual basis)	7,500,000
Mexican Treaty Upper Basin Burden	750,000
S. 1004 central Arizona (proposal)	1,200,000
Total Lee Ferry	9,450,000
Northeast corner State of Arizona commitment	50,000
Total lower basin (proposed)	9,500,000
When virgin flow is	13,951,000
S. 1004 requirement	9,500,000
Upper basin portion would be only	4,451,000
When virgin flow is	12,967,000
S. 1004 requirement	9,500,000
Upper basin share would be only	3,467,000

For years and years the Lower States have had the lion's share of the Colorado River. This experience has spoiled them and the United Mexican States too. During a period of five years ending in 1963 the Lower Basin dumped ten million acre-feet of water in the Gulf of California. From now on that will never be possible. This is only the beginning of the new water shortage in the Lower Basin. Henceforth it will be a struggle for the Upper Division to deliver 8,250,000 acre-feet at Lee Ferry each year. Should Central Arizona be enacted without importing water from other basins the Lower Basin requirement and demand will be at least 9,450,000 acre-feet at Lee Ferry. That's more water than the total flow of the Colorado River in five years in the table above.

Question: How large is the Central Arizona Project?

Answer: It would consume 1,200,000 acre-feet per annum.

Question: How many Colorado water projects would it require to use 1,200,000 acre-feet of water?

Answer: The answer is 32.

Question: Name them and the amount of water each would consume.

Answer:

	Acre-feet
Colbran	7,000
Paonia	10,000
Smith Fork	6,000
Florida	16,000
Silt	6,000
Frying Pan-Arkansas	70,000
Homestake	74,000
Hayden elec	20,000
Pine River ext	28,000
Savery-Pot Hook	38,000
Bostwick Park	3,000
Fruitland Mesa	28,000
Pueblo Eagle River	3,000
Colorado Springs Blue	6,000
Fraser R., Englewood	10,000
Oil shale water	144,000
West Divide	71,000
San Miguel	74,000
Yellow Jacket	50,000
Battlement Mesa	11,000
Grand Mesa	32,000
Blue Stone	13,000
Upper Gunnison	32,000
Basalt	26,000

	Acre-feet
Juniper	48,000
Parshall	40,000
Great Northern	13,000
Eagle Divide Gypsum	63,000
Upper San Juan	20,000
Dallas Creek	37,000
Animas-La Plata (Colorado portion)	127,000
Dolores	74,000
Total: These 32 Colorado projects would consume (water depletion)	1,200,000

Question: If the Central Arizona project is constructed and authorized to use Colorado River water at Lee Ferry how many projects and what size, will Colorado be able to supply thereafter with sufficient water to operate?

Answer: See Tipton and Kalmbach, Inc. Report (Page 21). As I understand the conclusions of this comprehensive report, it suggests:

Should the delivery at Lee Ferry be 8,250,000 acre-feet per year as required by the Colorado River Compact, the limitation of the *net beneficial consumptive use* in the Upper Division, including evaporation from the reservoirs of the Upper Colorado River Storage projects, would be *5,600,000* acre-feet.

It can be very much less than 5,600,000 acre-feet, but that is the most it can be. So, instead of the 7,500,000 apportioned to it by the Colorado River Compact, it now shrinks to 5,600,000 or less.

But, if 1,200,000 acre-feet is diverted to Central Arizona, the total consumptive use would drop to 4,400,000 acre-feet. And, should the virgin flow of the Colorado River drop to its 34-year average on top of the Central Arizona diversion, the "net beneficial consumptive use" would become 3,416,000; and that would end all project construction in the Upper Basin.

Among the Seven States of the Colorado River Basin where there is and has been an extreme shortage of public water, disputes thrive. The actual supply of water has varied from year to year and from season to season and there has been no end to estimates by interested parties. In 1965 the Upper Basin authorities undertook a comprehensive study of the Colorado River water supply to settle for all time these disputes.

On June 3, 1965, the Upper Colorado River Commission of Salt Lake City employed Tipton and Kalmbach, Inc., a well-known internationally experienced water authority and reputable engineering firm of Denver, Colorado and one that is familiar with the Colorado River, to make a detailed study and report on its water supplies. This report was filed with the Commission. It was a most comprehensive and valuable report. In fact, it is a masterpiece of clarity and boldness on the subject and was made without a hint of prejudice. Following are a few pertinent and general observations stated by it.

"Based upon the recorded historic flow of the Colorado River, it appears that nature has decreed that the River will not supply enough water to support the apportionment made by the Colorado River Compact to the Upper Basin; an amount of 7.5 maf for consumptive use from the main river to the states of Arizona, California, and Nevada; and the allocation to Mexico by the Mexican Water Treaty of 1944.

"Simple arithmetic indicates that there will not be enough water on the lower river to sustain a delivery of 7.5 maf for the states of Arizona, California, and Nevada, and to take care of the Mexican burden.

"The obvious conclusion is that a firm water supply is not available in the Colorado River to satisfy a basic beneficial consumptive use requirement of 7.5 maf from the main stem by Arizona, California, and Nevada, plus delivery of 1.5 maf of water to Mexico. If these requirements as well as Upper Basin requirements are to be satisfied, projects must be authorized and constructed to import major amounts of water into the Colorado River Basin from sources of surplus. Such importation is important to both the Upper and Lower Basins."

Royce C. Tipton, of Tipton and Kalmbach Inc., was quoted by the press as saying on October 11, 1965:

"I do not favor authorization of the Central Arizona Project. Even if we correct odious provisions of the present bill, this project would shut out for all time any additional diversions of water from the Colorado River by any Eastern Slope entities."

With great respect may we suggest that before the Senate proceeds with legislation on the subject, that it direct the Bureau of Reclamation to make a thorough and comprehensive study and official report on the water supply of the Colorado River over a period of the last fifty years.

Mr. HANSEN. Mr. President, will the Senator yield?

Mr. ALLOTT. I yield to the Senator from Wyoming.

Mr. HANSEN. I wish to compliment the distinguishd Senator from Colorado for having added immeasurably to a full understanding of this most difficult and involved question. I thank the distinguished Senator from Colorado for the contribution he has made here this afternoon. I am not surprised that he would make this contribution, because, first of all, he is a man trained and skilled in water law. He knows the West. He knows Colorado. He knows the problems of the river. He knows the successful approaches that have been used in the past by each of the seven States in the Colorado River Basin area in order to make the great progress that has marked the development of this region.

I am delighted that the Senator brings to bear also the seniority he enjoys in the Senate. It entitles him to the consideration that I am certain his views will be accorded.

The Senator has an intimate knowledge of the problems of the West, and particularly of the water problems of the West. He is recognized as a very diligent legislator in water problems, as well as in problems that concern the Rocky Mountain States in many other areas.

The prestige he brings on behalf of the upper basin States and California in this battle is important and crucial to all of us. Involved in this question are issues that go beyond the seven-State basin area. They project themselves onto the full national scene. I refer, of course, to the treaty with Mexico, one of the problems that is so intertwined in this whole complex situation as to make most difficult any easy resolution of these various issues.

I echo the sentiments of the distinguished Senator from California when he said he saluted the distinguished Senator from Colorado for the political courage he has shown once again this afternoon.

It is not easy to oppose our good friends from Arizona. It is not easy to oppose people who are trying to get water for parched land, whose wells are drying up, and whose cities will feel very acutely the pinch of inadequate water supply.

My own State of Wyoming is like the State of Arizona and the State of Colorado in that certain parts of it have a very restricted water supply. Much of Wyoming receives annually only about 6 inches of rainfall. So we in Wyoming, too, know something about water shortages, and we know something about the courage that is required for a person to speak out in the face of easily misunderstood sentiments as forthrightly, as honestly, and as courageously as the Senator has this afternoon.

It takes statesmanship to stand firm in proposing long-range solutions which will benefit an entire region. It takes statesmanship to face up to what I assume will be an overwhelming sentiment reflecting in part partisan political lines which may be in evidence here this afternoon—though I hasten to add that my colleague from Wyoming and I stand together. We are working together for the benefit of Wyoming and for the entire region in opposing this bill. I made a statement on the floor of the Senate just last week expressing some sentiments composed by my distinguished colleague.

The Senator this afternoon, among other things, has referred to the growth in population which will characterize the decades ahead for the Colorado basin area. There is one factor that I should like to refer to. The Senator from Colorado has devoted a portion of his remarks to a discussion of the potential growth of the upper basin States. He has spoken of the mineral resources which we could expect to extract from our lands in these States in the near future. He has spoken of the direct relationship between the availability of water and the economic feasibility of mineral enterprises. He called attention to the fact that it will take perhaps 1 to 1½ barrels of water to produce a barrel of oil from the oil shales which hold such great possibilities as an energy source for our future.

The Senator has spoken of the direct relationship between the availability of water and the economic feasibility of these mineral enterprises. The Senator has mentioned such water-consuming activities as the petrochemical industries, agriculture, and, as I have just noted, oil shale.

As the Senator has pointed out so well, these developments hold great promise for our upper basin States, particularly for the States of Colorado, Utah, and my own State of Wyoming.

Early this year, Northcutt Ely, who, as Senators know, is one of the foremost water lawyers in the world, as well as being a special counsel for water problems for the State of California, spoke out in a very important speech on the demand for water which may be made by a potential oil shale industry. He had this to say:

> First, as to demand, an oil shale industry producing 2 million barrels of oil daily can be expected to require each year the diversion of about 750,000 acre-feet for direct use, plus use by the population and affiliated industries which oil shale development will add to the economy of the Upper Colorado River Basin. Of this, perhaps 500,000 would be consumed, and say 250,000 returned to

> the river. The return flow, as in all cases of return flow everywhere, will carry with it some degree of contamination. Such pollution could create a serious problem, locally and interstate, to the extent that it reduces the usability of the water in the river downstream.

Mr. Ely continued:

> The impairment may conceivably be characterized as an additional consumptive use, but this is a separate area. Second, as to supply, the total lawful usable supply in the Upper Basin is a good deal less than the total visible supply. This is due to interstate commitments to downstream users. The effect, particularly in Colorado, is that there is not enough uncommitted water available for use in the State of origin to supply the anticipated water requirements of the oil shale industry, and these requirements must be met in large part by the purchase of existing water rights, perhaps reducing the state's agricultural economy in some degree as a partial offset to the benefits to be derived from the new industry. The ultimate remedy which may well come about is the importation of several million acre-feet annually into the Colorado River Basin from other watersheds.

With particular reference to Mr. Ely's last statement, where he spoke about the ultimate remedy lying in the importation of several million acre-feet of water annually into the Colorado River Basin: If there is any doubt in anyone's mind about the proportion of this problem, Mr. Ely's perspective should prove very instructive. This is a national problem, as the Senator from Colorado has so often stressed.

Without getting ourselves into a discussion of the water rights problem in our Western States, would the Senator from Colorado care to respond to these remarks of Northcutt Ely?

I invite the Senator's comment.

Mr. ALLOTT. Mr. President, I think I have, over the period of appproximately the last 3 hours, responded to all of them in one way or another. If the Senator wishes me to respond specifically to any of Mr. Ely's remarks, and will hand them to me, I shall be glad to try to do so. My attention was diverted.

Mr. HANSEN. No; I——

Mr. ALLOTT. I am sure I have discussed all of these points: The matter of the regional appproach, that it is a problem which has to be resolved on a regional basis, but that it is in fact a national problem, because you cannot take Arizona, California, Nevada, and the four other States, having one-twelfth of the land volume of the contiguous United States, and think of it in any other terms than that it is a national problem. We are not just dealing with a little water fight here between a couple of people who are just naturally ornery. We are talking about the life of our States. That is why it is such a vital issue.

Mr. HANSEN. I could not agree more. When I invited the Senator's comment, I simply wanted to give him another opportunity to emphasize what he has so eloquently stated already.

I was speaking about the development of our oil shale industry. We all know, because it was brought so forcibly to our attention not too many weeks ago, the precariousness of depending upon foreign sources of oil for our national security, to the extent that I believe we all with one accord started looking to our own resources to see what we might do in order to become more self-sufficient and less dependent upon foreign sources of supply.

I pointed out—or rather Mr. Ely did, whose words I quoted—that this will require a great deal of water, that it may take three-quarters of a million acre-feet annually in order to develop the sort of oil shale operation that we must have.

He went on to point out that perhaps a third of that amount might return to the original stream in a somewhat polluted condition, and that in effect this in itself would be a consumptive use.

I repeat that simply because I think what the Senator was saying is so important that all Senators should have it impressed upon their minds a second time. That is how vital I think these considerations are.

If the upper basin States are to make the contribution that I believe they can to their own economies, to their own people, and increase as well that strength which potentially is theirs to add to the national muscle and to our national ability, we must develop these resources within the States.

There is only one way that we can develop an oil shale industry, and that is by the application of rather significant amounts of water. So, this, on top of everything else, adds to the increased demand that will certainly be placed upon the Colorado River.

Mr. ALLOTT. The Senator is entirely correct, and he has pointed out the immediacy of this whole problem which would not exist if we were merely talking about developing this for agricultural areas.

The immediacy is the population growth which is very great, as we know, and also the development of the oil shale and the development of agricultural land.

It is not for some bureaucrat downtown to decide whether agricultural land should be developed in one State to the detriment of another State.

I thank the Senator very much for his remarks.

Mr. HANSEN. As the distinguished Senator from Colorado has said, we would be foolish to rely on the development of one mineral to the exclusion of others. I would call to the attention of the Senate the recent explosion in demand for uranium minerals which the world is now experiencing. The arid plateaus of the upper basin States of Wyoming, Colorado, Utah, and New Mexico contain the world's largest known reserves of uranium ore. With the great expansion of nuclear powerplants which are proliferating in this country, and with the dedication of nuclear power to many other peaceful purposes, the demand for uranium has suddenly grown very intense. Exploration, mining, and production is booming in our Western States. Obviously, water in large quantities will be necessary for the full mining and processing of this important resource. Water to support the expanding communities, which are bound to emerge on our high prairies will also be vitally needed.

I agree with the Senator from Colorado, and would only say that the development of water projects in the West must be part and parcel of an overall national policy which recognizes the necessary and, indeed, inevitable development of our many natural resources. To walk clumsily down the road, ignoring these larger policy considerations, seems to me to be a very unbecoming indulgence on the part of our National Congress.

I salute the senior Senator from Colorado. He has brought much light and reason to this debate and I am extremely proud to be associated with him here today.

Mr. ALLOTT. I thank the Senator so much for his kind words. His own contributions to this matter have been very great.

Mr. FANNIN. Mr. President, I commend the distinguished senior Senator from Colorado for much of what he has said this afternoon in regard to the needs of the basin.

I do feel that most of the basin problems the Senator has talked about are handled in the bill under consideration, S. 1004. Does the Senator consider that this bill is a violation of the compact?

Mr. ALLOTT. Do I consider it to be a violation of which compact?

Mr. FANNIN. Of the Colorado River Compact of 1922.

Mr. ALLOTT. It would not be except as to the portion of it which is based upon the Gila River, and the Senator knows the history of that as well as I do.

Colorado has always taken the position that the use of water in the Gila River and other rivers in Arizona are to be charged to Arizona, and are part of the Colorado River Basin.

In the case of California against Arizona, between those States, a different result was reached. Colorado was not a party to that lawsuit. We do not consider ourselves bound by it.

Mr. FANNIN. The Senator will agree however that section 12 of S. 1004 clearly protects the upper basin—it reads:

> Rights of the Upper Basin to the consumptive use of water apportioned to that basin from the Colorado River system by the Colorado River Compact shall not be reduced or prejudical by any use of such water in the Lower Basin.

Mr. ALLOTT. The Senator has referred to section 12 several times during the course of this debate. On what page is that?

Mr. FANNIN. Page 40, at the bottom of the page.

Mr. ALLOTT. Mr. President, I want to be very honest with the Senator about this. I think that this provision was put into the bill to try to protect the entitlement of the upper States to their share of basin water.

Mr. FANNIN. Does the Senator not agree that we are not desirous of taking any water from the upper basin to which we are not legally entitled?

Mr. ALLOTT. The fact is that the central Arizona project can never pay off except with the deferred development of the upper basin water. There is not any question about that.

There is then another very immediate situation which I discussed Friday and which I discussed very briefly again today.

Very frankly—and I am honest about this—if the central Arizona project is authorized as provided in S. 1004, I cannot see that there will be enough money in the reclamation fund in the next 20 years to build any Colorado project.

Mr. FANNIN. Let us talk about the payoff. I disagree with the statement of the Senator.

Is it not true that the Colorado River storage project is, in large measure, dependent for financial feasibility upon the revenues generated at Glen Canyon Dam, which in turn result from the flow of water through the Glen Canyon generators?

Mr. ALLOTT. The Senator is correct.

Mr. FANNIN. A large percentage—I think someone used the figure of over 50 percent—of the revenues would come from that source.

How could that revenue be provided unless sufficient water flows through those turbines?

The Senator in his statement concedes that the upper basin States must deliver 75 million acre-feet of water, regardless of what is in the river, over a 10-year period.

Mr. ALLOTT. The Senator is correct.

Mr. FANNIN. Is it not also true, in accordance with a letter of May 15, 1965, from the Secretary of Interior to Chairman ASPINALL, of the House Committee on Interior and Insular Affairs, that the studies of revenue available for the Upper Colorado River storage project are predicated upon an assumed "minimum delivery requirement averaging 8,250,000 acre-feet annually at Lee Ferry"?

This is the basis upon which the financial feasibility of the Upper Colorado River storage project was predicated.

Mr. ALLOTT. I cannot quite make out what the Senator is saying, but I do not believe it is quite accurate. From whose letter is the Senator quoting?

Mr. FANNIN. A letter from the Secretary of the Interior to Chairman ASPINALL, dated May 15, 1965.

Mr. ALLOTT. It is no wonder that I am confused, then.

Mr. FANNIN. It so happened that the Bureau of Reclamation made some of these decisions, in cooperation with Congress, as to how much water was necessary at Glen Canyon Dam so far as the financial feasibility of the project was concerned.

Mr. ALLOTT. If the Senator is saying that the upper basin States are responsible for all the Mexican Water Treaty obligation, the answer is "No."

Mr. FANNIN. I had not stated that.

Mr. ALLOTT. On the other hand the revenues of Glen Canyon Dam are apportioned by the act among the upper basin States for assistance in the construction of participating projects, a great many of which have not yet been authorized.

I say to the Senator that I hold in my hand a document from which I have quoted to him many times the summary report of the central Arizona project, for Federal payment power arrangements. And I remind the Senator that he has no feasibility report on the 3,000-second-foot aqueduct.

Mr. FANNIN. I remind the Senator that the Bureau of Reclamation even studied a 3,800-second-foot aqueduct, and the 3,000-second-foot aqueduct was adopted as a reasonable compromise.

Mr. ALLOTT. Mr. Weinberg and his associates did not produce it at the hearings.

Mr. FANNIN. I remind the Senator that in the State of California they have an aqueduct, and it is built to carry about 1,200,000 or more acre-feet of water, and they have just allocated 650,000 acre-feet of water, paid for by the metropolitan district.

Mr. KUCHEL. By the people of California.

Mr. FANNIN. They must have thought it was a good investment, and we believe this is a good investment. If the people of California were willing to pay that for their aqueduct——

Mr. ALLOTT. Let me say this to the Senator. I refer to page 21 of the document I have just mentioned. On the central Arizona project, limited by a 2,500-second-foot aqueduct, there would be available for Arizona, in 1975, 2,142,000 acre-feet.

Mr. FANNIN. The Senator is correct.

Mr. ALLOTT. That would decrease by approximately 600,000 acre-feet to 1,538,000, in 1990. It would decrease another approximately 300,000 feet in the year 2000 to 1,258,000, and it would decrease in the year 2030 to 822,000.

Mr. FANNIN. I know that the distinguished Senator realizes——

Mr. ALLOTT. I am sorry. I got my lines crossed there. What happens is that you do start limited by a 2,500-second-foot aqueduct from 1,650,000 and you go down to 676,000 acre-feet in the year 2030. That is, provided that the upper basin is developed.

Mr. FANNIN. That assumes a 4.4 million acre-feet guarantee in perpetuity to California, and this is not the basis upon which we are planning our project. The California priority is not provided in perpetuity, under S. 1004.

Mr. ALLOTT. It is provided for 27 years.

Mr. FANNIN. The Senator is correct.

Mr. ALLOTT. I call the Senator's attention to this—and I say it in all sincerity. You cannot pay off the central Arizona project except upon the deferred development of the upper basin. The figures may alter slightly, but they will not alter that. So during the time that the deliveries are going down from 1,650,000 to 676,000, or from 2,142,000 to 822,000—whichever figure is used—the water being paid for and delivered in Arizona will be somebody's water, and it will be the water of Colorado, Utah, and Wyoming. One cannot get away from that.

Mr. FANNIN. It is no more Colorado's, Utah's, or Wyoming's water than it is water of the lower basin. It is provided for in the compact. The compact was made to protect the upper basin States from California, because they did not want California to have all the rights to the water.

Mr. KUCHEL. The Senator from Arizona is getting perilously close to a breach of the rules of the Senate.

Mr. FANNIN. We are turning back history. The Senator is trying to turn back history, so I believe we should take into consideration——

Mr. ALLOTT. I am not trying to turn back history. I am just trying to lay the facts out cold. The cold facts are as shown in every report we have. It is shown in the hearings, it is in the report on page 142, and it is in the document to which I have just referred, that as the central Arizona project is built, it starts out with a relatively high proportion of water. Frankly, I hope the Senator's State gets the project. I hope to God that happens, but I hope to God I never see the day when the project is built under the terms of the pending bill.

As you proceed in time to the year 2030, you do not have as much water. Why do you not have as much water? Because by that time, it is presumed that the upper basin States will finally have received their little dribble-drabble, and will have been able to develop their projects, and with the development of their projects, there will not be as much water for Arizona. So the only possible way in which Arizona can pay for this is with water to which the upper basin States have an entitlement, and there is no way out of it. Even Reclamation Commissioner Dominy said, "I agree."

Mr. FANNIN. I can also quote him in several places where he disagreed.

But if we take the development fund figures that were utilized in the report on S. 1004 we have $377,302,000 surplus by the year 2025, even taking into consideration the fact that Arizona is guaranteeing California 4.4 million acre-feet. By the year 2050, we would have almost $1.3 billion surplus that would be available in the fund.

All I wish to ask of the Senator—and I believe I received an answer—is that nothing in the pending bill, S. 1004, is in violation of the compact and nothing in the bill requires the upper basin States to do anything other than what is required by the compact.

Mr. ALLOTT. I will not agree with the presumption in the bill that the Gila waters are not accountable under the Colorado River compact. It does go against the compact; yes.

Mr. FANNIN. I read section 12 to the Senator.

Mr. ALLOTT. I know that. I also have read it. The Senator asked me a question. I am only supposed to let him ask questions. The Senator asked me a question, and I attempted to answer it. I said that insofar as that is true, I believe it does go against the compact. There are some ways in that respect that I believe it could interpret and abrogate the compact. I am frank to say that I agree with the Senator that section 12 of the bill is an attempt to prevent it.

But in the year 2030, with all this water flowing down into the central Arizona project all these years, the recovery of this water, through court means or other, will be a most difficult project. We have to bring the water back up the river to the upper basin States, which are entitled to it.

Now, does the Senator wish to ask a question?

Mr. FANNIN. The bill only provides——

Mr. ALLOTT. Does the Senator wish to ask a question?

Mr. FANNIN. Yes, I shall ask a question of the Senator.

I have in my hand a list of projects for the State of Colorado. Arizona has supported these projects over the years. Arizona has not had any project on the Colorado to work into central Arizona, such as the CAP, since 1947. I should like to present to the Senate, to be printed in the RECORD, the reclamation projects, entirely or partly within the State of Colorado, authorized since 1950; and the amount is $972,651,500.

Mr. ALLOTT. If the Senator asks that that be printed in the RECORD, I do not object. I have not seen the piece of paper. It may not be complete.

Mr. FANNIN. Mr. President, I ask unanimous consent that the list of the reclamation projects, entirely or partly within Colorado, authorized since 1950, be printed in the RECORD.

There being no objection, the list was ordered to be printed in the RECORD, as follows:

RECLAMATION PROJECTS ENTIRELY OR PARTLY WITHIN COLORADO, AUTHORIZED SINCE 1950

Project	Date authorized	Authorized cost
Entirely within Colorado:		
Collbran project	July 1952	$16,086,000
Florida project	April 1956	6,963,500
Silt project	do	3,373,000
Smith Fork project	do	3,439,000
Fryingpan-Arkansas project.	August 1962	170,000,000
Bostwick Park project	September 1964	4,010,000
Fruitland Mesa project	do	27,285,000
Subtotal		231,156,500
Partly within Colorado:		
Pine River project extension,[1] Colorado-New Mexico.	April 1956	5,080,000
Colorado River storage project (5 States).	do	635,102,000
San Juan-Chama project, Colorado-New Mexico.	June 1962	85,828,000
Savery-Pot Hook project, Colorado-Wyoming.	September 1964	15,485,000
Subtotal		741,495,000
Total		972,651,500

[1] Later found infeasible.

Mr. DOMINICK. Mr. President, will the Senator yield?

Mr. ALLOTT. I am happy to yield to my distinguished colleague.

Mr. DOMINICK. Mr. President, I wish to congratulate my distinguished colleague on the address which he has made. The address contained an enormous amount of history and commonsense.

I was especially interested in the colloquy between my distinguished colleague and the distinguished Senator from Arizona [Mr. FANNIN] as to why Arizona would not support the amendment in the nature of a substitute which has been proposed. After all, the amendment would give them the central Arizona project, and the Senator from Arizona was a sponsor of the previous year. This was the approach suggested by the Secretary of the Interior. The proposal has the safeguards in it which we need, and the safeguards which the Senator from Arizona wants. It seems to me that we could do a great service to the Senate and to all of the seven States in our area of the Southwest if we passed the substitute as the method to go forward in solving all of our problems. Does that seem like a sensible approach to the Senator?

Mr. ALLOTT. That is exactly what we are trying to do, as I said before the Senator returned from his committee hearing. All we have to do is forget that somersaulting Secretary of Interior for a few minutes, and pick up our responsibility and exercise good judgment as Senators. There is no reason why we should not have a bill here which, in my judgment, would take a basin approach and get away from compounding the problems, which we would do with the pending bill. We would pick up our responsibilities and exercise our good judgment in the amendment in the nature of a substitute.

Mr. DOMINICK. I was disappointed not to see the names of the two Senators from Arizona on the substitute which the Senator offered. I was happy to cosponsor the measure. I notice that both of the Senators from California are cosponsors, as are the Senators from Utah. I had hoped that the Senators from Arizona would have done more. I see that they are noticeable by their lack of support for this measure.

Without being sardonic, the one thing we are truthfully looking for is a method to provide the water needed by all seven States. The approach offered in substitute of the senior Senator from Colorado, cosponsored by me and a variety of other Senators, is the approach which will bring us most closely to that goal. This is something which seems so evident to me that I am surprised that we are having extended argument in connection with it. The answer seems self-evident to me.

Mr. ALLOTT. The Senator and I followed the many, many meetings of representatives of the various States for several years. The Senator from Arizona is aware of these meetings also because he was the Governor of his great State. I had hopefully looked forward to this seven-State development plan which I thought would solve and go a long way towards solving many of the problems there. It seems to me that with S. 1004 we are treading backward now as fast as we can.

Mr. DOMINICK. I fully subscribe with the statements of the Senator.

Mr. FANNIN. Mr. President, will the Senator yield for a further observation?

Mr. ALLOTT. I yield.

Mr. FANNIN. Mr. President, the Senator talked about the bill and certainly covered it eloquently. However, I wish to ask the question again: What happened to the bill in the House of Representatives? Was it not held up because it had a controversial dam; and the bill is not being carried forward in the House of Representatives at the present time, nor is there any indication it will be. I shall answer by saying we must have legislation, not debate.

Mr. ALLOTT. This bill might still have been possible if the Secretary of Interior, who is from the Senator's State, had not made the unfortunate statement that this bill is a gun pointed at the Northwest.

Mr. FANNIN. I thank the Senator.

Mr. MOSS. Mr. President, will the Senator yield?

Mr. ALLOTT. I yield.

Mr. MOSS. Mr. President, I wish to congratulate the Senator from Colorado on his excellent speech today. The Senator is a public servant who has devoted years of his life in connection with these problems not only in the Senate but also in his State legislature in Colorado before he came here, and as a practicing attorney. The Senator has brought a wealth of experience to this problem which is common to his State, my State, and all of the States of the Southwest.

After listening to the Senator's speech today, and after giving it careful consideration, as anyone concerned with the long-range development of that entire region would, I agree that the reasonable solution would be the amendment that the Senator proposed, amendment 214. I am very pleased to be a cosponsor of the Senator's amendment.

I believe the Senator's amendment embodies the principles on which we have had agreement. At least at one time we had agreement among the representatives of all the States in the Colorado River Basin; and, except for one small vocal element, we had support of the vast majority of those people.

I believe the Senator has performed a great service here today in bringing this matter clearly and forcefully to the attention of the Senate. I hope that the Senator's speech will be carefully read, and considered by Senators because we are at a rather crucial point. If we abandon this degree of cooperation we had attained in the agreement among the States and suddenly fracture ourselves into groups that cannot agree, we are beginning along a perilous course that will lead to endless difficulties and probably would spell the doom of any central Arizona project in this session of Congress or probably in a subsequent session of Congress.

I wish with all of my heart that this problem can be solved, as does the Senator from Colorado. My heart aches for Arizona because Arizona needs its water desperately.

Mr. ALLOTT. And needs the cooperation of the other six States in the basin.

Mr. MOSS. And needs the cooperation of the other six States in the basin, and in developing it under a system whereby all may equitably share in their rights to the water. We must share the water there and the sine qua non is to have enough water to pass around, and enough water in the river.

I congratulate the Senator and I am happy to associate myself with him in his statement and in his amendment.

Mr. ALLOTT. I thank the Senator because his contributions in the Chamber and in committee in the development of the legislation which has been offered have been very considerable.

In conclusion, Mr. President, I think that one of the basic subjects that the Senator from Utah discussed so well was that the superactivism of the superconservationists and preservationists in the country is the only reason we did not have a bill passed by the House of Representatives last year. It is simply lamentable. Certainly with the power of the Senators, both for and against the bill, the respect in which the senior Senator from Arizona [Mr. HAYDEN] is held, and with a unified approach we could have passed the bill. If we did not cash in our chips to a few lobbyists, this amendment would give us an opportunity to reaffirm ourselves in the passage of really meaningful legislation. I thank the Senator.

Mr. President, I yield the floor.

Mr. KUCHEL. Mr. President, last Friday our able colleague, the Senator from Arizona [Mr. FANNIN], placed in the RECORD sundry prepared memoranda concerning the Colorado River controversy on which I wish to make a few comments.

On page 21471, the memorandum entitled "Increase in Hoover-Parker-Davis Power Rates After Payout," inserted by the Senator from Arizona, discusses the power rates for the Hoover and Parker-Davis projects, part of which I am going to read. I refer to the last paragraph on page 21471:

> The Lower Colorado River Basin Development Fund, established by this section, follows generally the precedent of the Upper Colorado River Basin Fund established by the Colorado River Storage Project Act. The Lower Colorado River Basin Development Fund, unlike the Upper Colorado River Basin Fund, does not include the apportionment of net revenues among the States concerned. There is good reason for this difference. The fundamental water supply problem in the lower basin is one of insufficiency rather than of underdevelopment. Hence interests of the lower basin States will best be served by using net revenues accruing to the fund to assist in the repayment of costs of projects to be authorized to augment the basin's water supply. An apportionment of revenues for use within each State might, therefore, impede further than assist development.

Mr. President, I do not know whether, by inserting a memorandum which includes this language, our able friend from Arizona adopts this language as a reflection of his own position. But simply for purposes of emphasis, I repeat a sentence or two from which I have just read:

> Hence interests of the Lower Basin States will best be served by using net revenues accruing to the fund to assist in the repayment of costs of projects to be authorized to augment the basin's water supply.

If the Senator from Arizona does agree that the words he has inserted in the RECORD reflect his position, then his position and my position are identical, because that is precisely the basis upon which some Senators—Democrats and Republicans—have urged the substitute now pending before the Senate.

The fact is, Mr. President, the administration's bill, offered by the two Arizona Senators, has been accurately referred to as "a bill to shuffle shortages." Every competent witness has testified that there will be more water, not less, needed in all the States, from the headwaters of the State of Colorado to all seven States through which the Colorado River runs.

I simply want the RECORD to show that to that extent, to the extent that my able colleague believes that "interests of the lower basin States will best be served by using net revenues accruing to the fund to assist in the repayment of costs of projects to be authorized to augment the basin's water supply," I am happy that his position and mine are identical.

At any rate, the bill on which he has placed his name does not adopt that philosophy.

Mr. President, we in California have never objected to the idea that Hoover power rates might eventually rise to finance augmentation of the river's water supply. That is, of course, the precise thinking behind the language in this memorandum.

However, 82 percent of the Hoover power is sold for use in California and Nevada, and we see no earthly justification for a hike in rates solely to subsidize an otherwise financially infeasible central Arizona project. The Department's present plan is to raise Hoover rates 48 percent to pump money into the central Arizona project.

That is what they say, and I am going to place the letter in the RECORD, in a moment, in which they say it to us. The Assistant Secretary of the Interior has said that, the power users will have their rates hiked by almost 50 percent—48 percent, to be scrupulously accurate.

Mr. President, I ask unanimous consent that a letter to me from Kenneth Holum, Assistant Secretary of the Interior, detailing the impact of the Secretary's plan on Hoover power customers be printed in the RECORD.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

HON. THOMAS H. KUCHEL,
U.S. Senate,
Washington, D.C.

DEAR SENATOR KUCHEL: The following is an elaboration of the information we gave at the Executive Session of the Senate Interior and Insular Affairs Committee on June 22 concering Hoover power rates.

The average mill cost per kilowatthour to allottees for Hoover Powerplant firm energy is not constant but varies from year to year depending upon yearly power generation. The average for the past several years was about 2.7 mills per kilowatthour. In 1966 the average was 2.71 mills per kilowatthour. Further, the average also varies among contractors depending upon the cost of generating machinery and switchyard facilities for which each power allottee is separately responsible. For 1966, although the average for all contractors was 2.71 mills per kilowatthour, the average for individual contractors was as follows:

	[Mills]
City of Burbank	2.09
City of Pasadena	2.09
State of Arizona	2.62
California Electric Power Co.[1]	19.25
Metropolitan Water District	2.08
City of Glendale	2.08
City of Los Angeles	3.32
State of Nevada	2.88
Southern California Edison Co.[1]	4.20
Energy reserved for United States	3.06

[1] These organizations have now been merged and consolidated.

In our studies involving the proposed Lower Colorado River Development Fund, we have assumed that the average cost to contractors per kilowatthour for Hoover firm energy after payout would be 4.0 mills, or a 48 percent increase over the average of 2.7 mills over the last several years. Although a rate schedule to apply after payout has not been derived, nor are we in a position to state what the cost to any one customer will be after payout, a mathematical application of the percentage relationship between the present 2.7-mill average and the assumed 4-mill average after payout, indicates that the cost to Metropolitan Water District would be 3.1 mills per kilowatthour compared to its 1966 average of 2.08 mills per kilowatthour.

Sincerely yours,
KENNETH HOLUM,
Assistant Secretary of the Interior.

Mr. KUCHEL. Mr. President, let me explain the concern of Californians over the new central Arizona financing scheme. We have printed the Secretary's financial analysis as an appendix to the minority views on this legislation. I ask unanimous consent that a portion of that analysis showing the balance in the basin fund and the reliance on Hoover and Parker-Davis revenues be printed in the RECORD.

There being no objection, the excerpt from the analysis was ordered to be printed in the RECORD, as follows:

	Surplus revenues for development fund				III. Net revenues to development fund	
	Hoover		Parker-Davis			
	Kilowatt-hours	Revenue	Kilowatt-hours	Revenue	Net revenues to development fund	Cumulative balance in development fund
	Millions	Thousands	Millions	Thousands	Thousands	Thousands
1973	--------	--------	--------	--------	------------	------------
1974	--------	--------	--------	--------	------------	------------
1975	--------	--------	--------	--------	------------	------------
1976	--------	--------	--------	--------	------------	------------
1977	--------	--------	--------	--------	------------	------------
1978	--------	--------	--------	--------	------------	------------
1979	--------	--------	--------	--------	------------	------------
1980	--------	--------	--------	--------	------------	------------
1981	--------	--------	--------	--------	------------	------------
1982	--------	--------	--------	--------	------------	------------
1983	--------	--------	--------	--------	------------	------------
1984	--------	--------	--------	--------	------------	------------
1985	--------	--------	--------	--------	------------	------------
1986	--------	--------	--------	--------	------------	------------
1987	--------	--------	--------	--------	------------	------------
1988	--------	--------	--------	--------	------------	------------
1989	--------	--------	--------	--------	------------	------------
1990	--------	--------	--------	--------	------------	------------
1991	3,873	$11,992	--------	--------	------------	------------
1992	3,873	11,992	--------	--------	------------	------------
1993	3,873	11,992	--------	--------	------------	------------
1994	3,873	11,992	--------	--------	------------	------------

	Surplus revenues for development fund				III. Net revenues to development fund	
	Hoover		Parker-Davis		Net revenues to development fund	Cumulative balance in development fund
	Kilowatt-hours	Revenue	Kilowatt-hours	Revenue		
	Millions	Thousands	Millions	Thousands	Thousands	Thousands
1995	3,873	$11,992	--------	--------	--------	--------
1996	3,873	11,992	--------	--------	--------	--------
1997	3,873	11,992	--------	--------	--------	--------
1998	3,873	11,992	--------	--------	--------	--------
1999	3,873	11,992	--------	--------	--------	--------
2000	3,873	11,992	--------	--------	--------	--------
2001	3,745	11,480	--------	--------	--------	--------
2002	3,745	11,480	--------	--------	--------	--------
2003	3,745	11,480	--------	--------	--------	--------
2004	3,745	11,480	--------	--------	--------	--------
2005	3,745	11,480	1,151	$3,793	--------	--------
2006	3,745	11,480	1,151	3,793	--------	--------
2007	3,745	11,480	1,151	3,793	--------	--------
2008	3,745	11,480	1,151	3,793	--------	--------
2009	3,745	11,480	1,151	3,793	--------	--------
2010	3,745	11,480	1,151	3,793	$8,152	$8,152
2011	3,660	11,140	1,151	3,793	21,442	29,594
2012	3,660	11,140	1,151	3,793	21,426	51,020
2013	3,660	11,140	1,151	3,793	21,407	72,427
2014	3,660	11,140	1,151	3,793	21,414	93,841
2015	3,660	11,140	1,151	3,793	21,400	115,241
2016	3,660	11,140	1,132	3,704	21,314	136,555
2017	3,660	11,140	1,132	3,704	21,294	157,849
2018	3,660	11,140	1,132	3,704	21,274	179,123
2019	3,660	11,140	1,132	3,704	21,286	200,409
2020	3,660	11,140	1,132	3,704	21,277	221,686
2021	3,580	10,820	1,132	3,704	20,937	242,623
2022	3,580	10,820	1,132	3,704	26,140	268,763
2023	3,580	10,820	1,132	3,704	35,202	303,965
2024	3,580	10,820	1,132	3,704	37,380	341,345
2025	3,580	10,820	1,132	3,704	37,361	378,706
Total	130,680	400,220	23,981	78,763	378,706	378,706

Mr. KUCHEL. Mr. President, as you can see, the Secretary himself admits that there will not be a cent in the development fund until the year 2010. That is a long time from now, Mr. President. It is also a long time after the water shortage in the Pacific Southwest will have become critical. If we then crank in the errors in the Secretary's analysis, we see that the central Arizona project will consume nearly another $200 million of Hoover and Parker-Davis revenues, delaying for another decade the day when the basin fund will finally begin to accumulate any money to bring new water into the basin. Mr. President, I ask unanimous consent that a portion of the minority views on S. 1004 which explains the errors in Secretary Udall's financial analysis be printed in the RECORD.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

PUFFING THE BASIN FUND

On June 26, 1967, the Department of the Interior provided Senator Kuchel with financial tables reflecting development fund income and disbursements which will accrue under S. 1004 as reported. A copy of Secretary Holum's letter and accompanying tables is attached as appendix C to these views.

Secretary Udall predicts gross development fund revenue over the payout period of $2,261,352,000 and deductions of $1,882,646,000, leaving a balance of $378,706,000 in the fund by the year 2025. Careful study of the Secretary's table reveals:

1. The balance in the fund by 2025 is overstated by $173,203,432.
2. There will be no balance whatsoever in the fund until 2018.
3. Raising the main aqueduct size to 3,000 cubic feet per second adds $177,147,000 to the project costs. There will be no water to fill the inflated aqueduct unless it is drained away from the upper basin, diminishing the prospect of filling Lake Powell.
4. The tables fail to disclose the possible additional $100 million drain on the fund for distribution and drainage systems in Arizona.

GROSS OVERSTATEMENT

The Secretary's estimate of $2,261,352,000 of gross revenue to the basin fund cannot increase unless the rates for the sale of water and power, or the quantities which he estimates will be sold, change. But his estimate of deductions, $1,882,646,000 is misleading; it can and must change, and change upward only. The Department based its estimates of project costs on 1963 prices. There has already been a rise of 9.2 percent in the cost index (he ignores it), which would result in increasing the deductions from the development fund by $173,203,432, as of A.D. 2025, even if there is never any further increase in construction costs—a most unrealistic assumption. As the cost index rises higher in future years, this incremental cost, hence these total deductions, will also rise. If the balance in the development fund were corrected to reflect increased construction cost, by the end of the payout period it could be not over one-half of the $378,000,706 claimed by the Secretary. The proposed new $30 million Dixie project drain on the development fund further reduces the balance in A.D. 2025.

The Secretary admitted that there will be no net balance in the development fund until the year 2010. When corrections for even present (1967) costs and the Dixie project deficit are incorporated into the calculations, the Secretary's table shows that the fund will be empty until at least 2018, or 51 years from now.

Obviously, the financing scheme which has been injected into the bill kills off any possibility that a fund will be created to mitigate the water crisis in the Colorado River Basin. The basin needs more water before 1990, but for half a century (until at least A.D. 2018) there will not be a single cent in the development fund for use to defray any costs other than Central Arizona Project costs.

DISTRIBUTION AND DRAINAGE FACILITIES

Section 16 of S. 1004, as approved by the committee, would authorize the appropriation of $768 million (1963 prices), plus a wholly new item: $100 million for construction of distribution and drainage facilities for non-Indian lands.

The Department insists that it is not contemplated that this added $100 million would be paid out of the development fund. However, S. 1004 makes no provisions at all for their repayment from any other source, and clearly allows their repayment from that fund. Thus, section 2(a)(9) authorizes construction of "related water distribution and drainage works" as a part of the Central Arizona Project, and section 5(f)(1) authorizes disbursement of money from the development fund to return "the costs of the project or separable feature thereof, authorized pursuant to section 2." Were the Secretary to use this authority, a further $100 million burden would be thrust upon the Hoover, Parker-Davis rate payers. As the prices for irrigation water, $10 per acre-foot, and for municipal and industrial water, $50 per acre-foot, are said to be limited to those amounts by the user's capacity to pay, it is obvious that they could not pay an added $100 million, and that the power users (82 percent in California and Nevada) must do so via the development fund. There goes another $100 million from the vanishing dream of a fund to finance the addition of new water to the Colorado River.

Mr. KUCHEL. Mr. President, at the end of the payout period, it is now possible to predict a maximum of $175 million, not $378 million as the Secretary would have us believe, and not the billions needed to augment the river's water supply.

Of the $478 million of Hoover and Parker-Davis revenues pumped into the fund, a meager $175 million remain for the purpose of augmentation after satisfying the ravenous appetite of the "stripped down" central Arizona project.

Mr. President, I really regret that the second insertion in the RECORD of my good friend from Arizona last Friday, on pages 21472–21473, describes the State which I have the honor to represent in rather inelegant tones.

The truth is that each of us is honored to represent one of the States in our American Union.

I come from a State which has had phenomenal growth. Many people came there from across the seas, back in the days of the gold rush. At that time, it was a kind of sleepy area in our country. But people had vision. The city of Los Angeles began to grow, at the turn of the century, and I doubt very much that we should heap scorn or ridicule upon public-spirited citizens in Los Angeles and the State of California who sought to bring water to this semiarid part of the United States.

I rather think that when "Profiles in Courage" are fully explored, we will not find one U.S. Senator more singularly responsive to the public good than my late predecessor, Hiram W. Johnson, who stood on the floor of the Senate, year in and year out, battling for Hoover Dam. Where did the opposition come from? It came from people who represented our good neighbor, the State of Arizona.

Finally, the Senate passed a bill. The House did likewise. One of the great engineering marvels of modern times was built on the Colorado River. It is called Hoover Dam today.

Subsequently, the people of Arizona, as they had a right to do, said they would like to approve the Colorado River Compact, which the other six States had adopted. I am glad they did, because, in a very real sense, the futures of both of those States are locked together. In fact, the futures of all of the Colorado River Basin States are locked together.

There is no need in this debate to reexplore the amazing bitterness and antagonism which took place in water controversies in years gone by. I suppose the history of water fights has been common to Western America. At any rate, the representatives of the government of Arizona, the representatives of the government of California, and the representatives of the national administration met here together 2 years ago, and, lo and behold, they were able to develop an agreement.

As the distinguished Senator from Colorado iterated on the floor earlier today, the Governor of every Colorado River Basin State gave his amen to the proposal which was agreed upon to build the central Arizona project, to provide a means by which the moneys to build it would be available, to provide the means for moneys to study water augmentation to be available, and, incidentally, to recognize in Arizona, Nevada, and California a priority of right in favor of existing uses, except that in the case of my State the existing uses would be protected, not at the rate of 5.1 million acre-feet a year, which are being consumed now, but at the reduced rate of 4.4 million acre-feet, to which the legislature of my State was compelled by Congress to agree to limit itself and to which it did so limit itself by statute.

Why that agreement has been torn up and thrown away. The Lord only knows why, but because it was thrown away, because the representative of this administration downtown, the Secretary of the Interior, completely abandoned what he agreed to in the past, we have this regrettable controversy on the floor of the Senate today.

If the Senate proceeds to pass the bill today, I doubt very much if it will ever travel through the other body and down to the White House. That in itself is a shame. Mr. President, I believe in cooperation. I believe in the old aphorism that democracy is the art of the possible. Surely, we had achieved not simply the possibility, but the probability, of marching forward together in friendship and as good neighbors until this legislation was announced last fall by the distinguished Secretary of the Interior.

I hope that the substitute may be adopted.

Now I yield to my able friend from Arizona.

Mr. FANNIN. I thank the distinguished senior Senator from California. I would say that I, too, wish to have cooperation. I know that we can look back over the history of this legislation, not in this session of Congress or in the last session, but back over the years. Bills were passed by the Senate in 1951 and 1952 which would have provided water for Arizona. When it got to the House, as my colleague well knows, it was opposed because California contested our right to water on the river. So the problem was sent back to us to try to work out an agreement with California. We were unable to work out a program. It resulted in a lawsuit which lasted 10 years. So Arizona was delayed not only in the beginning, but it has been delayed because of unfortunate delays in court. One of the masters passed away.

This has been a great problem for our State. In the meantime, each year we used more and more of our underground water, which had been accumulated underground over millions of years, and probably will never be replenished. So we seek legislation which would accomplish the objectives not only of the State of Arizona, but of all the basin States. I feel this legislation will do it.

The Senator from California mentioned the development fund contained in S. 1004.

Although the central Arizona project more than pays for itself by contributing $314,848,000 to the net surplus of the development fund by the year 2050, a basin development fund is, nevertheless, needed in the early years to provide financial assistance in the amount of approximately $76 million to the central Arizona project, and $30 million to Utah's Dixie project. The development fund included in this legislation will provide such assistance.

However, the principal purpose and basic long-range use of this development fund is to augment the water supplies of the lower basin of the Colorado River—and to make better and more efficient use of existing supplies. In discussing this long-range purpose of this sizable fund, the majority of the committee said:

> Upon further authorization by the Congress the revenues in the development fund will be available for use in connection with construction and operation of other projects, desalinization plants—

At this time I want to pay tribute to the State of California and its very capable Senator for pushing that program for desalinization of seawater at the rate of 150 million gallons of water—

> weather modification programs, watershed improvement and control, salvage operations, and purification of sewage effluent for reuse, and other programs designed to augment the flow of the river, conserve its water resources, and contribute to future basin development.

These specific items referred to by the committee all relate to the water resources of the Lower Colorado River Basin itself, as opposed to the possibility of large transmountain diversions from the other basins. The people of any river basin, including the lower basin, should, as a matter of fact, fully explore their own water resources before attempting to inaugurate a program for large transmountain diversions—and this is what is being done today in the lower basin even without the benefit of the proposed development fund.

Arizona did seek the approach the Senator has talked about, but, as I have stated many times before, we failed and the other States we worked with failed to get legislation passed.

Congress recently authorized a nonreimbursable appropriation to assist the people of southern California with construction of a large-scale desalination plant which will provide enough municipal water for a city of 750,000 people.

I refer to the desalination plant, but, of course, private enterprise furnished the bulk of the funds. I think it was a wise move, and I am sure it will benefit not only the State of California but the Nation.

Desalination may or may not be the answer to the Southwest water plans, but it is in the process of being fully explored, and such exploration should be fully continued.

I know the Senator is aware of the program that has been carried on in my own State in relation to weather modification. Optimistic reports are coming in with reference to the Interior Department's weather modification program. There is high hope that this program soon will provide answers.

A large experimental program has been underway for the past several years on the 13,000 square mile Salt River reclamation project to improve the runoff on this important watershed. This is a watershed from which annual runoff has progressively decreased over the last 50 years notwithstanding the fact that the average rainfall has remained about the same.

Salvage operations in general hold promise of providing additional water for the lower basin, but one of the most important—and perhaps the most effective program now underway relates to the purification of sewage effluent for reuse. Thousands of acre-feet of reclaimable and reusable water are today going to waste in all States—including the lower basin States—and particularly in the thickly populated areas of southern California. This waste should not be permitted to continue, and the lower basin development fund is in part dedicated to a program leading to the purification of sewage effluent for reuse.

These are programs beneficial to all States of the basin and programs which should be financed by a basinwide development fund. These are programs which the Department of the Interior should promptly inaugurate—and which the Congress should promptly authorize.

We are working together, and this bill will make it possible to go even further.

Mr. KUCHEL. Let me make a comment. In answer to the Senator's point about desalination, the record must be clear: Congress did not authorize financial participation in the desalination program of the city of Los Angeles, and certain public and private agencies there, as nonreimbursable assistance to California. It did it because it conceived that to the extent it participated, there would be a Federal benefit, to all of the people of America, in technical skill and know-how developed in this unique venture.

The cost of the whole project will be roughly half a billion dollars, and the federally authorized contribution is only $72 million.

Mr. FANNIN. I wholeheartedly agree with the Senator from California. We are very fortunate that these firms were willing to take upon themselves the cost of this program which, if it had not been performed, would have been an obligation of the Federal Government.

Mr. KUCHEL. I think we should also make it clear that there is going to be a need to put the funds coming in from the Hoover and Parker-Davis projects from electricity users to work, not for California, but for augmentation of the entire basins water supply.

I introduced a bill, as the Senator knows, to authorize construction of the central Arizona project last year. It is word for word and comma for comma what Representatives from Arizona introduced in the House of Representatives and word for word what I believe over 30 members of the delegation, Republican and Democratic, from California, introduced last year.

With respect to the fund that it created out of revenues from Hualapai, Marble, Hoover, and Parker-Davis, powerplants that approach provided that the moneys in fund be used for river augmentation.

The fund provided for in the bill to which the Senator has given his good name, which will come from Hoover, and Parker-Davis Dams, will be committed for the purpose of funding the central Arizona project until some time after the first or second decade of the next century; is that not correct?

Mr. FANNIN. No, that is not correct. The Senator is certainly a very capable attorney; I am not an attorney, but I think if the Senator will check up on this, he will find that other projects could be authorized from the funds in the development fund, within the 50-year period.

Mr. KUCHEL. Oh, certainly, if Congress will come in and change it, and the Dixie project in Utah will get some $30 million of these revenues.

Mr. FANNIN. No further authorizations would be in accord with this legislation.

Mr. KUCHEL. Mr. President, the list that I had has been taken by the reporter, but before we get around to a vote, I shall comment on that. Just one further point, and then I shall try to lay my hands on it.

Is it not also true that the Senator's bill protects existing uses of water in Arizona against any new use in time of shortage, but does not apply that same rule to existing uses in California? Do I make a correct statement?

Mr. FANNIN. I will just say that we follow a similar arrangement which is followed in California, with its "seven-party agreement."

Mr. KUCHEL. The Senator did not answer my question.

Mr. FANNIN. I say that that is an intrastate matter, and not an interstate matter. We are not quarreling with what California does with its water in its State. Neither do we think California should supervise what we do with respect to the division of water in our State. We did not enter into the seven-party agreement in California; we do not expect California to enter into agreements we may have in our State.

Mr. KUCHEL. I state most respectfully that the Senator's statement, in my judgment, is not responsive to my question, and I want——

Mr. FANNIN. No, I will say the bill provides, as far as the rights——

Mr. KUCHEL. Is it not true that the Senator's bill grants priority to existing uses of Colorado River water in the State of Arizona over new uses contemplated by the Central Arizona project?

Mr. FANNIN. Yes, as does California, by its seven-party agreement.

But, as I say, that is not the basis for the central Arizona project. We are not trying to tell you how to divide your 4.4 million acre-feet of water.

Mr. KUCHEL. That is the opinion of the Senator from Arizona, but it is not the opinion of the Senator from California. The fact is that existing uses of Colorado River water in Arizona are protected over new uses of Colorado River water in Arizona, but existing uses of Colorado River water in California are not so protected. Is that not true?

Mr. FANNIN. No. Arizona is not trying to dictate what you do with your 4.4 million acre-feet in California.

Mr. KUCHEL. Mr. President, I have here a table prepared from the Department of the Interior's data, which I inserted in the RECORD a few minutes ago. It shows the surplus revenues for the development fund, as contemplated in the Senator's bill. I respectfully suggest that this table shows that not until 2010 would there be any cumulative balance in the development fund available for any other purposes, and at that time only $8 million.

Mr. MAGNUSON. Mr. President, there can be no doubt that the State of Arizona is faced with the number of water problems that it is, because its people can no longer rely on ground water for their needs. I have long supported Senator CARL HAYDEN in his efforts to obtain authorization for the central Arizona project so as to insure that Arizona can receive water to which it is legally entitled. As long ago as the 81st and 82d Congress, Senator HAYDEN was instrumental in gaining Senate approval for the project.

However, the legal argument over proportioning of the Colorado River water held up further congressional consideration of the project until the U.S. Supreme Court, in a 1963 decision, established Arizona's legal rights to additional Colorado River water. If the State of Arizona is to make use of this water which is rightfully hers, under the Arizona against California case, this project is necessary.

Arizona's need for the central Arizona project reflects the problems inherent in developing land which is semiarid. But our concern with water supply can no longer be this limited. Water problems are national problems. Pollution, waste, drought, and floods have become national calamities.

The Senate and House have recognized the national scope of our water problems by voting to approve S. 20, to establish a National Water Commission. I am proud to have cosponsored that bill with Senator JACKSON—a leader in this field.

The duties assigned to the National Water Commission reflect the national scope of water problems. The Commission is to establish projections of water requirements and identify the alternative ways of meeting these requirements. Consideration must be given conservation, more efficient use of existing supplies, increased usability by reduction of pollution, interbasin transfers, desalting, weather modification, and waste water purification and reuse.

This is a large assignment, but it is necessary if we are to bring order out of chaos in our quest for solutions to future water resource problems.

There can be no doubt that immediate approval of the Arizona project is necessary, in order to slow the pace at which ground water resources in the central Arizona area are being exhausted. But I am concerned with the scope of some of the objections to the bill raised by its opponents.

These opponents would have Congress tell the National Water Commission that it is to give highest priority to plans and programs for the relief of water shortage in the Colorado River Basin. In addition, the Secretary of Interior, under the direction of the National Water Commission, would be directed to investigate sources of and means to augment the Colorado River water supply including importation from outside sources.

Mr. President, I find it quite inconsistent, to establish a National Water Commission which is to determine where and what type of water shortage exists and then, to suggest, what its first order of business must be. Before the Commission has even had an opportunity to determine if there is a water shortage in the Colorado Basin, we would be telling it to plan water importation.

The National Water Commission, as envisioned in S. 20, has a number of alternatives to consider in establishing national water policy. Weather modification and desalination must be fully considered. The Commission must also consider economic and social consequences of water resource development, including such things as regional economic growth and environmental influences. If a group of experts is to be established, then we should rely upon their expertise to develop the priorities in finding solutions to our national water resources problem.

I am, therefore, opposed to attaching Water Commission and importation provisions to a bill authorizing the central Arizona project. Arizona has an immediate need for this project. The question of augmentation of existing waters is a long-range water supply problem which must be left to the National Water Commission to handle as part of its overall studies.

Mr. President, the people of the Northwest are concerned with the possibility that short-range solutions will be permitted to prevail in water resource programs. While they fully support Arizona in its attempts to procure that water to which it is legally entitled, the Northwest is not ready to accept the idea that interbasin transfer studies are a necessary part of this project.

I commend Senator JACKSON, Senator HAYDEN, and the other members of the Interior Committee for the diligent work they have obviously done in developing a realistic remedy for Arizona's water problems. The Senate should follow the committee recommendations and pass the bill as reported.

Mr. HART. Mr. President, I intend to vote for S. 1004, and I do not want to offer any amendment which would in any way impede its course through the Congress.

However, I am aware that the deliberations of this body with respect to the central Arizona project bill are being followed closely by natural resources conservationists in my State of Michigan and throughout the Nation.

These conservationists are pleased to note, in the bill recommended to the Senate by its Interior Committee, and upon which we are about to vote, the absence of authorizations for dams within the Grand Canyon of the Colorado River. The bill now takes into account the need to preserve unspoiled some of this region's natural attractions, as well as the need to provide water and power for its thirsty communities and industries.

Senators will note that the next logical steps toward the permanent preservation of the Grand Canyon—one of the true wonders of the world—may well include expansion of the boundaries of Grand Canyon to include within the park the Marble Gorge and Bridge Canyon—Hualapai—damsites and the designation of all but the developed portions of this expanded park as a unit of the national wilderness preservation system.

Senators should realize, however, that S. 1004, as now being considered by this body, includes provision for the construction of a dam, the construction of which will bring about the first violation of the national wilderness preservation system established by the Congress just 3 years ago. I am informed that this aspect of the central Arizona project bill, authorizing the construction of Hooker Dam on the Gila River in New Mexico, is opposed by conservationists across the Nation.

The Gila Wilderness Area was the first unit of wilderness to be dedicated for preservation within the national forests, some 43 years ago. The area was given what was thought to be permanent protection with the passage of the 1964 Wilderness Act. Will this principle—that units of the national wilderness preservation system are truly to be permanently protected—be shown to the American public to be a myth, so soon after Congress has set its wilderness-preservation policy?

While it is true that the effect of Hooker Dam on the Gila Wilderness would be to flood out one scenic river-bottom access route for 7 to 9 miles into the dedicated area and that only a few hundred acres of the wilderness area would be directly affected, the precedent set by such an action could set the stage for requests for intrusions into other wilderness areas across the country. Ski tows, new highways, flood control, and reclamation dams, communication towers—Congress would be subject to requests for all manner of incompatible developments within this last 2 percent of our Nation that remains wild and unchanged by the hand of man.

This unfortunate precedent should be avoided if at all possible. Before enactment of this measure by the House of Representatives, I urge that every possible step will be taken to assure that a comprehensive investigation of all alternative damsites is conducted—including the detailed study of the so-called Connor site, 25 miles below the Hooker site, on the Gila River. I would hope we could provide for the construction of a water storage project which will in no way intrude upon the Gila Wilderness Area or the contiguous Gila Primitive Area, as the boundaries of these areas are now defined.

To ignore this troublesome aspect of the central Arizona project bill would be to ignore the 8 years of congressional debate and refinement which went into the 1964 passage of the parent Wilderness Act. Let us not begin to tear down now the wilderness system structure so carefully constructed during those years.

Mr. KUCHEL. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. JACKSON. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. ALLOTT. Mr. President, will the Senator yield?

Mr. JACKSON. I yield.

Mr. ALLOTT. Mr. President, I ask for the yeas and nays.

The yeas and nays were ordered.

Mr. JACKSON. Mr. President, I urge the Senate to reject amendment No. 214 in the nature of a substitute to S. 1004 which has been offered by the senior Senator from Colorado.

In my judgment, the amendment is not in the national interest. The amendment contains almost exactly the same language as is found in H.R. 4671, the bill introduced in the House of Representatives in the 89th Congress. This bill was amended in the House Interior and Insular Affairs Committee and ordered reported. As Members of the Senate are aware, the proponents of that bill did not bring it on the floor of the House last year.

The amendment would authorize the Hualapai Dam. This dam is not needed for the purposes of this bill. Under S. 1004, the central Arizona project requires no assistance from new hydroelectric projects. Dams have been proposed solely as "cash registers," not as "cash registers" for the central Arizona project, but as a source of revenue to finance a massive interbasin water transfer program that has not even been considered or authorized by the Congress.

Construction of Hualapai Dam would cost an additional $529 million.

The total cost of the projects authorized by the amendment exceeds $1.6 billion. This is one-half of a billion dollars more than the cost of projects authorized by S. 1004. In addition, this amendment directs the Secretary to undertake studies with the objective of authorizing water importation works of vast size at a cost of billions. Rough estimates add up to a potential cost of $20 to $30 billion.

In February the Senate passed legislation to establish the National Water Commission. The House also passed this legislation a few weeks ago. The purpose in enacting this legislation was to establish an impartial and objective Commission charged with the responsibility of undertaking an assessment of the Nation's, including the Southwest's, water problems. This assessment would include studies of the merits of importations and other alternatives in the management of our Nation's water resources. Until these studies have been made, we are in no position to authorize other studies committing the Nation to a continental water transportation scheme. We are in no position to authorize in this bill one-half of a billion dollars for a dam for the sole purpose of financing such a scheme.

The pending amendment was rejected by the committee on a vote of 12 to 4.

I urge the Senate to reject the amendment.

Mr. KUCHEL. Mr. President, I regret with all my heart that the chairman of the Committee on Interior and Insular Affairs should oppose the substitute, particularly using the arguments which he has just given us.

He refers to the bill—and I think I quote him accurately—as "a continental water transportation scheme."

Mr. President, this, after all, is a Nation of States. There is a national responsibility. If there is in this country any area which has resources, such as water, surplus to its present and future needs, is it not in the national interest to make that surplus commodity available to a parched area which, without supplemental water supplies, will return to the desert?

The legislation in the nature of a substitute, offered by the distinguished senior Senator from Colorado and others of us, represents an agreement of the Federal Government and of each of the State governments of the seven Colorado River Basin States, arrived at by painstaking negotiation, study, and compromise.

The chairman of the Committee on Interior and Insular Affairs suggested that a cash register in the nature of a $500-million-plus undertaking should not be approved in the pending bill. His administration recommended it until a very few months ago, when the administration changed its position completely. His administration said that it was in the public interest for the Government to construct a dam and bring into a development fund the moneys necessary to find supplemental water supplies.

This substitute is not a hastily drawn, politically motivated, weak alternative. The substitute bill was essentially the bill introduced by Democrats and Republicans alike in the House and in the Senate, with the backing of the administration of the present occupant of the chair last year. It can pass the Senate today by an overwhelming vote, and it can pass the House of Representatives, also.

I heard a Senator say in the debate earlier, "Well, it is true that this bill was approved by the House Interior Committee last year, but you could not get a rule on it." Well, why give up and roll over and play dead because you happen to lose one battle? I referred to the fight in Congress years ago with respect to the building of Hoover Dam. The proponents of Hoover Dam lost, year in and year out, and finally they won. And the great regional approach which was developed and unanimously agreed to should be the basis for the good people of Arizona and their Senators and Representatives, and the good people of every one of the Colorado River States, including my own State, and their Senators and Representatives, to come together and pass the legislation now pending before the Senate.

I hope the Senate will approve the substitute.

The PRESIDING OFFICER (Mr. SPONG in the chair). The question is on agreeing to the amendment. On this question the yeas and nays have been ordered.

Mr. ALLOTT. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

[No. 206 Leg.]

Aiken
Allott
Bartlett
Bible
Boggs
Burdick
Case
Church
Cotton
Curtis
Fannin
Hansen
Hatfield
Hayden
Hickenlooper
Hill
Hruska
Jackson
Jordan, N.C.
Jordan, Idaho
Kuchel
Lausche
Long, Mo.
Magnuson
Mansfield
McCarthy
Metcalf
Miller
Mondale
Monroney
Montoya
Morton
Murphy
Nelson
Scott
Spong
Talmadge
Tower
Young, N. Dak.

The PRESIDING OFFICER. A quorum is not present.

Mr. MANSFIELD. Mr. President, I move that the Sergeant at Arms be directed to request the attendance of absent Senators.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Montana.

The motion was agreed to.

The PRESIDING OFFICER. The Sergeant at Arms will execute the order of the Senate.

After a little delay, the following Senators entered the Chamber and answered to their names:

Bennett
Brewster
Brooke
Byrd, Va.
Byrd, W. Va.
Cannon
Carlson
Cooper
Dirksen
Dominick
Ellender
Ervin
Fong
Gruening
Harris
Hart
Holland
Hollings
Inouye
Javits
Kennedy, Mass.
Kennedy, N.Y.
McClellan
McGovern
McIntyre
Morse
Moss
Mundt
Muskie
Pearson
Percy
Prouty
Proxmire
Randolph
Ribicoff
Smith
Sparkman
Symington
Thurmond
Williams, N.J.
Williams, Del.
Yarborough
Young, Ohio

The PRESIDING OFFICER. A quorum is present.

The question is on agreeing to the amendment of the Senator from Colorado.

Mr. ALLOTT. Mr. President, we have been discussing this bill and the amendment for 3 days now. Unfortunately, I do not think too many Senators have been in the Chamber. Therefore, I want to state it is my intention to explain the situation very briefly—and I do mean very briefly—and then, so far as I am concerned, we will be ready to vote.

First of all, I should like to answer the statement made by the distinguished chairman of the committee a while ago, when he discussed the cost of the Hualapai Dam. I have forgotten the exact figures he used, but the figures I have from the Bureau of Reclamation indicate that it will cost approximately $540 million. The pending amendment calls also for a study of the so-called Goss proposal which instead of producing 1½ million kilowatts would produce 5 million kilowatts, in which event the Federal investment would be reduced to $254 million for 5 million kilowatts rather than $540 million for 1½ million kilowatts.

Mr. President, I have asked for the live quorum because those of us in the upper basin States are speaking with our backs to the wall. For several years, all seven States of the Colorado River Basin worked upon a plan. They compromised. They worked upon a plan to develop the entire Colorado River Basin. It is short of water. We do no good and serve no purpose to pass a bill which will merely readjust shortages. The Hualapai Dam would make it possible to study augmentation sources for the supplying of water in the Colorado River. It does not limit it merely to the importation of water. It includes also weather modification, further desalinization, and any other means which might be employed to augment the supply of water in the Colorado River.

There are two basic reasons why the bill is unacceptable—and I think I speak for the upper basin States with the exception, perhaps, of New Mexico. The first point is shown, if any Senator wishes to look, on page 282 of the hearings, that the amount of water going to the central Arizona project must constantly decrease from the time of completion of the project until the year 2030.

Where is that extra water coming from?

It means that it can come only from the upper basin States by reason of the deferral of the development of their projects, the development of water to which we are entitled not only by virtue of the Colorado River compact of 1922, but also the upper Colorado River compact and the Colorado River Storage Project Act.

Thus, No. 1, the essential financial integrity of the central Arizona project, no matter how we look at it, must be based upon water which the upper basin States are not permitted to develop and use.

I have referred to the dam. I think anyone interested in the development of his own area is interested in the development of dams, such as the Dickey-Lincoln Dam in New England. These dams are necessary. The bugaboo that has been put out about invading the Grand Canyon is tripe, because it does not invade Grand Canyon National Park. That should be understood now and for always, because the distinguished Senator from Utah [Mr. MOSS] went into great detail on this point the other day, and again in the Chamber today.

The second real reason we have our backs against the wall on this is that over the period of the past 10 years, Congress has appropriated only an average of $242 million toward reclamation projects.

The Senators from Oregon, Washington, and Montana—and all the other western Senators, know that the development of reclamation projects is the only way we can preserve and use the water that we have.

In spite of the fact that the average appropriation for all reclamation projects in the past 10 years has been only $242 million, under this proposal, just to take care of the present reclamation projects in process, including the Manson unit in the State of Washington and Tualatin project in the State of Oregon, and the ones now underway, would require a maximum of $437 million, which is almost double the amount that Congress appropriated on an average for the past 10 years.

When we add the central Arizona project into it, which costs will run as high as $103 million, $115 million, $118 million a year during the years 1971, 1972, and 1973, we find that we would be required to appropriate just to finance existing reclamation projects and to finance the central Arizona project, more than double the average appropriations for the past 10 years within 4 years from now.

What does this mean?

It simply means that there is going to be a fight on for appropriations to develop projects from here on out.

To Senators I can only say, in all sincerity, that if the central Arizona project is authorized as provided for in the bill now pending before the Senate, and if the amendment which has been offered by my colleague from Colorado and myself, the two distinguished Senators from California, and the two distinguished Senators from Utah, and is supported by the two distinguished Senators from Wyoming, is not adopted, we are going to be forestalled in the development of water for our use which every known method of legal contract has given to us, the Colorado River compact, the Upper Colorado River compact, and the Colorado River Storage Project Act. We do have our backs against the wall. It is just that serious.

What do we offer? We offer, instead, a plan which will give to Arizona in water exactly what she is asking for here. We offer a plan which will provide for the Hualapai Dam, developing up to 5 million kilowatts of electrical energy. There is a proviso in it that the Secretary must have contracts with purchasers before it can be built. We offer a plan which will provide for a study. We never ask for anything except a study of ways and means of water augmentation, which the present bill does not have. It provides certain provisions with respect to the Dixie project in Utah, and for five projects in Colorado.

My hope is that the Senate will consider this, because what is offered in the amendment is exactly the same bill that the seven basin States of the Colorado River agreed to, through their Governors, and which was introduced in the last session of Congress by MORRIS UDALL, the brother of the Secretary of the Interior. I can only surmise a part of the reason for the flip-flop of the Secretary of the Interior, but from the standpoint of cost to our Government, and from the standpoint of protecting all the States in the basin, the amendment before the Senate is the only one which offers a true, basinwide approach which I believe will protect the logical and orderly development of the basin without the myriad of differences and the shuffling of shortages that are bound to occur in any other way.

I hope the Senate will adopt the amendment.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Colorado. The yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk called the roll.

Mr. BYRD of West Virginia. I announce that the Senator from Indiana [Mr. BAYH], the Senator from Connecticut [Mr. DODD], the Senator from Indiana [Mr. HARTKE], the Senator from Maryland [Mr. TYDINGS], and the Senator from Pennsylvania [Mr. CLARK] are absent on official business.

I also announce that the Senator from Rhode Island [Mr. PASTORE] is absent because of a death in the family.

I further announce that the Senator from New Mexico [Mr. ANDERSON], the Senator from Mississippi [Mr. EASTLAND], the Senator from Arkansas [Mr. FULBRIGHT], the Senator from Tennessee [Mr. GORE], the Senator from Louisiana [Mr. LONG], the Senator from Wyoming [Mr. MCGEE], the Senator from Rhode Island [Mr. PELL], the Senator from Georgia [Mr. RUSSELL], the Senator from Florida [Mr. SMATHERS], and the Senator from Mississippi [Mr. STENNIS] are necessarily absent.

I further announce that, if present and voting, the Senator from Louisiana [Mr. LONG] and the Senator from Rhode Island [Mr. PASTORE] would each vote "nay."

On this vote, the Senator from Arkansas [Mr. FULBRIGHT] is paired with the Senator from Wyoming [Mr. MCGEE]. If present and voting, the Senator from Arkansas would vote "nay" and the Senator from Wyoming would vote "yea."

Mr. KUCHEL. I announce that the Senator from Tennessee [Mr. BAKER] and the Senator from Michigan [Mr. GRIFFIN] are necessarily absent.

The result was announced—yeas 12, nays 70, as follows:

[No. 207 Leg.]

YEAS—12

Aiken
Allott
Bennett
Cooper
Dominick
Hansen
Hickenlooper
Kuchel
Miller
Moss
Murphy
Prouty

NAYS—70

Bartlett
Bible
Boggs
Brewster
Brooke
Burdick
Byrd, Va.
Byrd, W. Va.
Cannon
Carlson
Case
Church
Cotton
Curtis
Dirksen
Ellender
Ervin
Fannin
Fong
Gruening
Harris
Hart
Hatfield
Hayden
Hill
Holland
Hollings
Hruska
Inouye
Jackson
Javits
Jordan, N.C.
Jordan, Idaho
Kennedy, Mass.
Kennedy, N.Y.
Lausche
Long, Mo.
Magnuson
Mansfield
McCarthy
McClellan
McGovern
McIntyre
Metcalf
Mondale
Monroney
Montoya
Morse
Morton
Mundt
Muskie
Nelson
Pearson
Percy
Proxmire
Randolph
Ribicoff
Scott
Smith
Sparkman
Spong
Symington
Talmadge
Thurmond
Tower
Williams, N.J.
Williams, Del.
Yarborough
Young, N. Dak.
Young, Ohio

NOT VOTING—18

Anderson
Baker
Bayh
Clark
Dodd
Eastland
Fulbright
Gore
Griffin
Hartke
Long, La.
McGee
Pastore
Pell
Russell
Smathers
Stennis
Tydings

So Mr. ALLOTT's amendment in the nature of a substitute, was rejected.

Mr. JACKSON. Mr. President, I move to reconsider the vote by which the amendment was rejected.

Mr. MANSFIELD. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

LEGISLATIVE PROGRAM

Mr. DIRKSEN. Mr. President, this morning I asked the distinguished majority leader about the schedule for the week, and as far down the road as he could reasonably foresee. At the time, there were not many Senators present. I thought, therefore, I ought to readdress that question to him, so that Senators might be informed.

The PRESIDING OFFICER. The Senate will be in order.

The Senator may proceed.

Mr. MANSFIELD. Mr. President, I am delighted that the distinguished minority leader, the Senator from Illinois [Mr. DIRKSEN], has raised that question again, now that we have more Senators present.

It is anticipated that following the disposal of the central Arizona legislation, which is now the pending business, we will take up the Department of Defense appropriations, the Export-Import Bank Act of 1945 amendments, a bill to reserve certain lands for a national wild river system, an act relating to bank holding companies, and a bill from the Committee on Finance having to do with the withdrawal of wine from bonded wine cellars without payment of tax when rendered unfit for beverage use.

Then we have the McClellan resolution, and after those matters are out of the way, it is anticipated we will take up the foreign aid bill some time next week or the early part of the week following.

THE RIOTS ARE SUBSIDIZED

Mr. DIRKSEN. Mr. President, the July 31, 1967, issue of Barron's National Business and Financial Weekly carried as its full front-page article, "Poverty Warriors: The Riots Are Subsidized as Well as Organized." Inasmuch as the current hearings being held by the Senate Judiciary Committee on the House-passed antiriot bill, H.R. 421, in which testimony reveals the recent riots were "well organized and planned," the timeliness of the article tempts me to tender this terse treatise for thoughtful consideration by each Member of the Senate.

Mr. President, I ask unanimous consent that the article to which I have referred be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

POVERTY WARRIORS: THE RIOTS ARE SUBSIDIZED AS WELL AS ORGANIZED

Marion Barry and Rufus Mayfield are angry young men. Former national head of the Student Nonviolent Coordinating Committee (SNCC), Mr. Barry in August, 1965, took part in a protest demonstration organized by the so-called Assembly of Unrepresented People. He was arrested and charged with disorderly conduct while leading demonstrators onto the Capitol grounds. "Riot power and rebellion power," he was quoted as saying last week, "might make people listen now." Mr. Mayfield is a Black Muslim. Twenty-one years old, he has spent most of the past eight years in prison for various offenses, including petty and grand larceny. This month Marion Barry acquired gainful employment. He was hired as a $50-per-day consultant by the United Planning Organization, top anti-poverty agency for the District of Columbia. Rufus Mayfield, according to Rep. Joel P. Broyhill (R. Va.), will serve as Barry's "back-up man."

While perhaps more arresting than most, these are not isolated instances. On the contrary, the files fairly bulge with equally radical cases in point. Thus, federal and state investigations of New York's Mobilization for Youth, pilot project for the Job Corps, disclosed that its staff included several members of the Communist Party. LeRoi Jones, who was taken into custody during the riots in Newark and charged with illegal possession of deadly weapons, once ran a hate-the-whites Black Arts Theater which got $115,000 in federal funds from Haryou-ACT before police discovered an arsenal on the premises. The Southwest Alabama Farmers Cooperative Association of Selma, which the Office of Economic Opportunity recently granted $700,000, numbers among its principals John Zippert and Shirley Mesher. Louisiana's Joint Legislative Committee on Un-American Activities recently documented Mr. Zippert's association with radical causes, including the Kremlin-financed World Youth Festival. According to the Alabama Legislative Commission to Preserve the Peace, Miss Mesher, a former coordinator for SNCC, is "a prime participant in the Black Panther movement designed to overthrow the government . . ."

Right after Watts (Barron's, August 23, 1965), we observed: "In the name of civil rights, a small band of ruthless men has not hesitated to stir up violence, break the law and undermine duly constituted authority. The co-called civil rights revolution . . . has begun to mean exactly what it says." Since then compelling evidence, including eyewitness testimony and the findings of a Cleveland grand jury, has shown that the riots are less spontaneous outbreaks than carefully planned subversion. To judge by the record, moreover, civil unrest is not only organized but also subsidized. Thanks to the Office of Economic Opportunity, the U.S. taxpayer now has a chance to finance his own destruction. The Great Society, so Newark, Detroit and scores of other smouldering cities suggest, cannot coexist with the American way of life.

Like the poor, slums and rats have always been with us. Only the devasting riots—and the professional agitators who prepare the tinder, await a spark and fan the flames—are significantly new. The 1964 outbursts in Harlem turned up William Epton, vice-chairman of the Red-Chinese-oriented Progressive Labor Party, who taught people how to make Molotov cocktails. Mr. Epton was convicted of criminal anarchy for his part in the riots. The Rev. Billy Graham called Watts a "dress rehearsal for revolution," a description in which radical spokesmen ever since have gloried. Last year's riots in Cleveland, charged Sen. Frank Lausche (Dem., O.) were the work of a "national conspiracy executed by experts." Shortly afterward a Cleveland grand jury, after hearing the testimony of detectives who penetrated the conspirators' ranks, found that "the outbreak of lawlessness and disorder was organized, precipitated and exploited by a relatively small group of trained and disciplined professionals." In a story on the Newark riots, the current issue of Life

Magazine describes its reporters' "clandestine meetings with members of the sniper organization." Finally, SNCC's Stokely Carmichael, whose subversive interests range far and wide, openly boasts of what's afoot. After a quick trip to Prague, he landed last week in Havana. There he told newsmen: "In Newark we applied (guerrilla) war tactics . . . We are preparing groups of urban guerrillas . . . It is going to be a fight to the death."

So much for subversion, which the country will ignore at its own risk. As to federal subsidy of violence, an ominous pattern has emerged. From the beginning, as radicals recognized, the war on poverty, notably the Community Action Programs, had impressive trouble-making potentials. Somehow CAP has expanded much faster than OEO expenditures as a whole, surging from $246.5 million in fiscal '66 to an estimated $500 million in the current fiscal year. As noted above (much of the material comes from a forthcoming book, "Poverty Is Where the Money Is," to be published by Arlington House and written by Shirley Scheibla, Washington correspondent for Barron's), some of the money funded dubious ventures and put jailbirds and subversives on the federal payroll.

Mrs. Scheibla cites other horrible examples: John Ross, member of the Progressive Labor Party, who served on an anti-poverty board in San Francisco; Howard Harawitz, member of a similar board in Berkeley and former member of the W.E.B. DuBois Clubs, which the FBI calls "Communist-spawned"; and a number of U.P.O. personnel in Washington, D.C., who turned out to be SNCC organizers and agitators.

Taxpayer-financed trouble has exploded in one part of the country after another. Last fall the mayor of Perth Amboy, N.J., accused the local anti-poverty leader of seeking "to foment and incite unrest, agitation and disorder," a charge which the city manager of Rochester echoed last week. Newark's police chief weeks ago warned that the city faced anarchy because of agitation by federal anti-poverty workers, several of whom were arrested during the riots. In New York City five marauding young Negroes, collared while looting stores on Fifth Avenue, worked for the anti-poverty program; one wore a sweater blazoned, after the OEO-funded agency, "Harlem Youth Opportunities Unlimited."

To fight riots with OEO grants, in short, is like fighting fire with gasoline. However, Sargent Shriver alone is not to blame. Some of the fault lies with local officials like New York's Mayor Lindsay (tapped last week to serve on the President's special advisory body), who repeatedly refused to condemn the appearance of his Human Rights Commissioner at the Black Power conference in Newark, as well as with Mayor Cavanagh of Detroit (first recipient of OEO aid and welfare state showcase), who tied the hands of the police for the first few strategic hours.

On the federal level, the country should call to account the Office of Attorney-General and its three recent occupants: Robert Kennedy, who once wrote a letter to the head of an identified Communist front, seeking advice on a national service corps; Nicholas Katzenbach, who shrugged off all evidence of conspiracy; and the incumbent, Ramsey Clark, who testified against pending anti-riot legislation. The blame reaches right up to the official White House family, to Vice President Humphrey, who last summer said that if he lived in a rat-infested slum: "there is enough of a spark left in me to lead a pretty good revolt."

Law and order are the stuff of civilization; they are also the first duty of government. On the record, "liberals" of both parties, by tolerating subversion, have made a mockery of their oaths of office and forfeited the public's trust. Appeals to prayer are all well and good, but what this country needs is a political and philosophic call to arms.

DOMESTIC MINK PRODUCTION THREATENED

Mr. BENNETT. Mr. President, the American mink rancher's marketing associations have spent millions of dollars over the past quarter of a century in advertising and promoting the sale of mink furs. This has resulted in a great demand for mink coats, stoles, and other mink-trimmed fashions by our American women. As demand for mink furs has increased, American mink ranchers have risen to the challenge and invested heavily in breeding stock and equipment to meet this need.

Unfortunately, this demand has also triggered greater production of mink furs in foreign countries and the American market has been flooded with cheap and inferior imports. This has resulted in a severe drop in price for American furs from an average high of $22.45 per pelt in January 1966 to a low of $10.32 in June 1967. Since the average cost of producing a pelt in the United States is approximately $16, this means U.S. mink ranchers are now operating at a tremendous loss and many have been forced out of business.

GRAPHIC ILLUSTRATION OF PROBLEM

Mr. President, this past week I received a letter from Mr. Richard E. Westwood, of West Jordan, Utah, which very graphically describes the critical problem faced by the mink farmers in the United States. Mr. Westwood is legislative chairman of the Utah Fur Breeder's Agricultural Cooperative, and president of the EMBA Mink Breeders Association. I ask unanimous consent that his letter be printed at this point in the RECORD.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

MINK BREEDERS ASSOCIATION,
Jordan, Utah, July 29, 1967.

Senator WALLACE F. BENNETT,
New Senate Office Building,
Washington, D.C.

DEAR SENATOR BENNETT: In the matter of import control bills I want to bring you up to date on the latest developments in the domestic mink market so that you can be fully informed to help get some relief for our industry. The low prices quoted are due largely to cheap foreign imports.

Because of economic conditions in our industry, the Emba Mink Breeders Association has dropped from a peak membership of 5623 in 1958 to a low of 3460 at the end of 1966. A large percentage of this number quit because they could not survive financially.

Following is a graph showing comparisons by the month of our 1966-67 selling seasons:

1966				1967				
	Offered	Percent sold	Average		Offered	Percent sold	Average	Percent of drop
December 1965	136,325	83	$18.20	December 1966	145,000	48	$15.99	12
January 1966	814,997	93	22.45	January 1967	718,807	66	16.75	25
February 1966	1,131,688	93	21.25	February 1967	1,206,564	77	17.39	18
April 1966	925,579	94	18.06	April 1967	1,051,480	68	13.74	24
May 1966	736,402	88	17.86	May 1967	1,014,921	77	12.84	28
June 1966	275,265	78	13.80	June 1967	885,300	66	10.32	25

As is obvious from the lower percent sold and the increased amount of pelts on later sales, many pelts have been offered for sale several times without selling. The Emba average to date this year is $14.63 gross to the mink farmer.

The following selling costs are incurred before the farmer receives his check:

1967 average gross to date	$14.63
Dressing	1.50
Auction company commission—5¼ percent	.77
Association assessment for promotion and advertising	.26
Total	2.53
Total	12.10

This net average receipt of $12.10 is considerably below the average $16.00 cost of production.

The June 1967 average gross sales price of $10.30 is the first time in our history when any month's average has fallen below $12.00.

Never before has the association had such a large quantity of unsold pelts at this time of year. Usually we are 99% sold out by now. This year we still have between 300,000 and 400,000 unsold pelts, all of which have been offered at least once at auction and have been bought back because of low bids, or no bids at all.

This quantity of unsold pelts obviously adds to our problems, in that it is highly probable that we will face the 1967 pelting season with a carry-over of unsold goods from the 1966 crop.

For an even more realistic look at the present market I have taken the sales reports from all auction sales in this country for the past four months (April, May, June, and July). These sales were for the account of Emba as well as the Great Lakes Mink Association (GLMA) and independent shippers. Here the gross average was $12.40. After deducting dressing costs on those pelts which were dressed, you come up with $11.15 average. Auction fee and association assessments come to .78, so the net price the farmer receives is $10.37. Looking at it realistically, I think this figure is what we are looking at for the crop we are now producing unless we get some kind of relief from imports.

The last major sale of the season was held at Hudson Bay Company in New York for the account of the Emba Mink Breeders Association. The sale contained 540,108 pelts and was 62% sold at a gross average of $10.60. After deducting $1.50 for cost of dressing and 74¢ for auction and associations the farmer gets $8.36.

If the trend continues there will be no mink ranching business in the United States. It will not only be disastrous for those of us engaged in mink farming, but will be a serious blow to the economy of Utah and the nation when you consider labor employed, materials and products used, as well as the immense quantities of other agricultural by-products used for feed.

We mink farmers of Utah appreciate the support we have had from you and hope the above material can be of use in getting further support for import controls.

Sincerely yours,

RICHARD E. WESTWOOD.

EARLY ACTION ON MINK BILL IS VITAL

Mr. BENNETT. Mr. President, on June 5, 1967, I introduced S. 1897, a bill which has been referred to the Senate Finance Committee. This bill, if enacted, would limit duty-free imports to 40 percent of annual consumption of mink in this country, which is approximately the level of imports in recent years. Enactment of this bill would not slam the door on imports but would grant a minimum of protection to our U.S. mink ranchers. As domestic use of mink increases through American promotion and sales, other countries could increase their imports into the United States, but not at a level which could destroy our ranchers. Several companion bills have been introduced in the House and are now pending before the Ways and Means Committee. It is my hope that congressional hearings might be held at an early date on these measures, and that effective safeguards might be enacted into law during this session of Congress.

FUR IMPORTS LINKED TO OUTFLOW OF GOLD

One additional point which I would like to make relates to the outflow of gold as a result of U.S. purchase of furs from abroad. In recent years, the loss of gold from foreign imports of skins has amounted to about $64 million per year. Any effort which can be made to slow the loss of our gold reserves is certainly a most desirable goal.

ADDITIONAL COSPONSORS OF S. 1897

Mr. President, when S. 1897 was introduced, I was listed as the sole sponsor. Since that date, several of my colleagues have asked to join as cosponsors. Consequently, I ask unanimous consent that when additional copies of S. 1897 are printed, that the following Senators be added as cosponsors: ALLOTT, BROOKE, CHURCH, DIRKSEN, DOMINICK, HANSEN, and JORDAN of Idaho.

THE OTHER 97 PERCENT

Mr. JAVITS. Mr. President, I call the attention of the Senate to the fascinating cover story in Time magazine today, dealing with the situation of the cities as they are affected by riots in the ghettos, and the position of the 97 percent of the population of those areas who are law-abiding, and working hard, fighting to get the processes of their country to work to do justice for them. The article particularly features the work of the most constructive and statesmanlike organization of Whitney Young, who is the head of the Urban League.

I ask unanimous consent to have printed in the RECORD the article entitled "Races: The Other 97 Percent," published in Time magazine for August 11, 1967.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

RACES: THE OTHER 97 PERCENT

Through an angry summer of racial rioting, the pillagers, the arsonists and the snipers, the anarchists, the loudmouths and the demagogues have held the center of the stage. When the fury abates and the fires die down, a wholly different cast of characters will move in to repair the damage. These are the area revolutionaries, the men who have been laboring undramatically for years, and in some cases for decades, to secure for the Negro a more equitable share of America's affluence. "These are the people who can do more," says Massachusetts Republican Edward Brooke, the first Negro in the U.S. Senate since Reconstruction. "They can accomplish something that the militants cannot."

They can, that is, unless the Negro Revolution follows, the classic pattern and devours the very men who did most to set it in motion, replacing them with extremist firebrands. In the wretched Negro slums, the more moderate Negro leaders pack no clout with the young buckoes who toss Molotov cocktails and chant murderous antiwhite slogans. "A black man today," insists one Black Power advocate, "is either a radical or an Uncle Tom." In fact, only a fraction of America's 22 million Negroes falls into either category. What worries the moderates is that increasing numbers of ghetto dwellers seem more susceptible than ever to the "Burn, baby, burn!" appeal of the radical. Whitney M. Young Jr., 46, executive director of the National Urban League and probably the most effective man in the nation when it comes to drumming up jobs for Negroes, says: "Whether the moderates can prevail will be determined by whether there is an immediate and tangible response to the riots from the white community." Adds Young, in the phrase with which he addresses mayors and businessmen: "You've got to give us some victories."

Broad Paths. Young's concern is shared by other top-echelon Negro leaders—most notably A. Philip Randolph, president of the Brotherhood of Sleeping Car Porters; Roy Wilkins, executive director of the National Association for the Advancement of Colored People; and Martin Luther King, winner of the 1964 Nobel Peace Prize and president of the Southern Christian Leadership Conference. Each has explored broad pathways to Negro advancement: Randolph in the labor movement, Wilkins by affirming legal rights, King by awakening the nation's conscience, Young by opening up economic opportunity. None of the advances came easily or swiftly.

Now come the militants—mostly men with minuscule followings and even less in the way of concrete accomplishment for their race—to confront the nation's Negroes with a choice. "They can try to solve their problems," says Philadelphia's U.S. District Judge A. Leon Higginbotham, a Negro, "by supporting people who have programmatic effectiveness, like Whitney Young. Or they can place their faith in others and have another century of increasing chaos."

Wilkins, for one, sees "no discernible danger that the moderates will be overthrown." Young, similarly, estimates that no more than 3% of U.S. Negroes applauded or participated in recent outbursts. What troubles him is that Congress, "in its obvious efforts to avoid rewarding the rioters," will embark on "a course of retaliation, revenge and vindictive activity" that will ultimately punish innocent Negroes as well and thereby play right into the hands of the extremists. "Such a course," says Young, "would simply change the 3% to 97%."

ERRAND BOYS

When Harlem erupted in 1964, touching off a four-year span of summer riots, Bayard Rustin, director of the A. Philip Randolph Institute and organizer of the 1963 March on Washington, was attacked as an Uncle Tom merely for trying to calm people down. His reply then was: "I'm prepared to be a Tom if it's the only way I can save women and children from being shot down in the street."

Today Young and the others are called Toms—or worse—for the very reason that they have assiduously maintained communications with the white community. Philadelphia's volatile Cecil Moore, suspended last month as head of the local N.A.A.C.P., calls them "the white man's black errand boys." Saul Alinsky, a self-styled white radical who prefers pressure to persuasion, compares Young to the "cooperative natives in the Congo" who were used by the colonial rulers "to keep the rest of the natives quiet." Few of the teen-age rioters even know who Young is.

Yet, as Rustin says, "Relevant is the word" where Young is concerned. "Whitney Young is relevant—more than any other person today. He has been getting work for people." Philadelphia Court of Common Pleas Judge Raymond Pace Alexander, a Negro, agrees: "He has done more for the elevation of the Negro in the industrial world than anyone else."

TIME RUNNING OUT

Tall and burly (6 ft. 2 in., 208 lbs.), with greying sideburns and modest mustache. Young looks like a mellow Gamal Abdel Nasser. He would cut an imposing figure in any executive suite—and, judging from his success, has already done so in quite a few. Last year alone, the Urban League found jobs for 40,000 unemployed Negroes, got better jobs for another 8,000.

Little publicity attended this accomplishment—or those of the other moderates. Understandably, they resent it. Said Wilkins last week: "Every militant who comes up and stamps his foot and says a dirty word and shakes his fist and pounds the desk and tells the mayor to go you-know-where—he is instantly the harbinger of a new trend." To be sure, the moderates acknowledge that the militants have helped them in one way. With every incendiary statement from the Black Power evangelists, the moderates find a more receptive audience among whites, who see them as constructive alternatives to the nihilists.

A Rumble of Thunder. Actually, Young dislikes the term moderate. Says he: "It isn't a question of moderate *v.* militant but of responsibility *v.* irresponsibility, sanity *v.* insanity, effectiveness *v.* ineffectiveness." Nor does he consider himself a "gradualist." Young saw the present crisis developing more than three years ago. In his 1964 book, *To Be Equal,* he warned that "the March on Washington was just a beginning, and the Freedom Rides, sit-ins, kneel-ins and pray-ins thus far have been only a rumble of thunder on the horizon signaling the storm that will surely engulf all of us if tangible, meaningful results are not achieved with speed and sincerity."

Since then, the Negro has made significant civil rights gains—and gone on a senseless rampage in well over a hundred cities. Why? For one thing, says San Francisco State College Psychology Professor Louis S. Levine, "there is far less exultation among Negroes over their improved status than the white assumes." For another, their advances have placed them in the position of those prisoners who, as they near the end of their terms, in Levine's words, "are more likely to attempt an escape than during the early phases of their confinement." More to the point, the Negroes' social and economic gains have not matched their expectations.

In the biggest cities, Negro unemployment runs from two to four times higher than white joblessness. The overall rate is 3.5% for Cleveland, but it is 15.6% for the black slum of Hough. Life expectancy for the Negro male has risen to 61.5 years, a level reached in 1931 by whites, who now have an expectancy of 67.7 years. Despite all the publicity designed to discourage Negro youngsters from quitting school, unemployment among Negro high school graduates is 16.1%, while the rate for Negro dropouts is only 16.3%.

The big-city slums—where three-fourths of U.S. Negroes now live—are a daily test of endurance. Robert Waite, a Sierra Leone native who heads Mayor John Lindsay's Harlem task force, likens the Manhattan ghetto to "an underdeveloped country." It lacks indigenously owned business, gets little risk capital, and keeps losing its talent to bigger industries elsewhere—just as in underdeveloped countries. "In underdeveloped areas," he adds, "colonial banks were the only source of credit, and rarely did an indigenous businessman receive a loan until independence permitted the establishment of local banks." Until two Negro-run banks opened in Harlem, "the same situation existed," with the big outside banks uninterested in promoting new business in the area. Gross sales of Negro-owned stores in Harlem account for only 8% of the total: most of the profits flow out of the community.

In every slum, the chronically hard-up residents actually pay more for most goods than do wealthier whites in better neighborhoods. During a brief outburst of rioting in Watts last year, the arsonists' first target was a supermarket chain that habitually stocked the shelves of its slum stores with scraggly meat and wilted vegetables that white customers had rejected in other outlets. In Detroit's slums, a 5-lb. bag of flour costs 14c more than in fashionable Grosse Pointe, Mich., peas 12c more per can, eggs up to 25c more per dozen. A television set selling for $124.95 in downtown Detroit costs $189 in a ghetto shop. In many slums, door-to-door salesmen saddle unsophisticated buyers with shoddy furniture and clothing that is overpriced to begin with and sometimes costs twice as much as the original price when exorbitant time-payment rates are added. To avoid gouging, slum dwellers in Harlem and other areas have begun forming co-ops aimed at keeping prices down.

Copulative Approach. "In the kind of jungle in which these people live," says Young, "it takes great strength to survive. If only we could build on this strength." A number of schemes have been put forward. They range from Black Nationalist demands for complete separation of the Negroes in their own tract of land (Blackistan? Negronia?) to what a writer in Manhattan's Village Voice calls "the copulative approach," aimed at complete elimination of racial differences through intermarriage (though if Brazil and the Philippines are any measure, subtle new discriminations would arise based on how much *café* one inherited and how much *lait*). Harlem Black Nationalist James Lawson even demands "reparations" amounting to $7,000 for every black person in America.

As for the "moderate" Negro leaders, they have come up with proposals that only recently might have struck many Americans as most immoderate. One such scheme is A. Philip Randolph's "Freedom Budget," originally proposed two years ago. It would wipe out the ghettos, provide a guaranteed annual income, increase spending on education, housing, vocational training and health services. The price tag: $185 billion over a ten-year period.

Young's proposal, put forward four years ago, was for a "Domestic Marshall Plan" that would cost $145 billion over ten years. He noted that the Negro suffered a "discrimination gap" caused by "more than three centuries of abuse, humilitation, segregation and bias." Because he is consequently incapable of completing equally with whites, said Young, he needs "more-than-equal" treatment.

The Inside Man. When the plan was first announced, it was considered hopelessly utopian—and Young was considered rather radical for even daring to suggest it. Last week, however, everybody seemed to be embracing it. Hubert Humphrey and ten House Democrats called for a "Marshall Plan" for the cities. Roy Wilkins told a Washington audience that "if we can underwrite the economies of Germany, France, Italy and England and see that these people recover their equilibrium, then we can underwrite the cost of recovering the equilibrium, of our own native black people."

None of those who urged a Marshall Plan for the cities named the original author of the plan. Politicians rarely do—and that is one of the problems with which the Negro moderates must cope. Actually, the sort of work Young does rarely brings him public notice, but knowledgeable observers are aware of its value. "No matter who is shouting for Negro rights in the streets," says Clarence Hunter, spokesman for the U.S. Commission on Civil Rights, "you must still have Young to go inside and deal for the jobs and the training." Says Young: "You can holler, protest, march, picket and demonstrate, but somebody must be able to sit in on the strategy conferences and plot a course." Though the Urban League has in many ways changed almost beyond recognition from the National League on Urban Conditions among Negroes that was set up in New York in 1910, its role and its goal—"not alms but opportunity"—have remained essentially the same.

Founded by white and Negro social workers and philanthropists only a year after the N.A.A.C.P., the league's first job was to help the Negro migrants who were just beginning to pour from the fields of the South into the big cities of the North. Starting with a budget of $8,500, it provided travelers' aid, trained Negro social workers, conducted studies of social and economic conditions among Negroes in the cities. By 1913, it had begun meeting with business and labor leaders to seek job openings for Negroes, still its biggest concern. When the U.S. entered World War II, 46 local branches were scattered around the country, and the league, through Industrial Relations Laboratories in 300 defense plants, was able to place more than 150,000 Negroes in jobs never before open to them. "What the Urban League means to the Negro community," said Gunnar Myrdal in *An American Dilemma*, his classic 1944 study of U.S. race relations, "can best be understood by observing the dire need of its activity in cities where there is no local branch."

"Green Power." Today the league has affiliates in 84 cities, from San Diego to Springfield, Mass., Tampa, Fla., to Seattle. The budget has mushroomed to $3.5 million, while some 8,800 paid and volunteer league staffers administer foundation- and Government-funded projects that cost another $20 million.

The league has a score of concerns and dozens of separate programs, but "the most important thing that we do," says Young, is still "to get jobs for people. 'Green Power' is important for the Negro now. Pride and dignity come when you reach in your pocket and find money, not a hole."

Under Young, who joined the league as executive director in 1961, the organization has made a particular effort to find jobs that have never before been open to Negroes or have what the league calls a symbolic "role model" significance. Secretarial positions, for example, are particularly coveted, because a Negro secretary or receptionist, sitting outside the boss's office, tells everyone in a company—more effectively than a dozen interoffice memos—that its policy is to hire Negroes. "If you've got them up on the executive floor," notes Young succinctly, "there is no question." More than 300 Negro girls in six cities are going through league-sponsored courses in typing, shorthand, English and office procedures.

Whitney Young is the nation's only Negro—and one of the few Americans—who has instant access to almost any corporate boardroom in the U.S. Without retreating one iota from his own ideals or minimizing his demands, Young manages to communicate with America's top executives on their own level—and more important—bring them over to his side.

All Those Panels. He and the N.A.A.C.P.'s Roy Wilkins are the two civil rights leaders closest to President Johnson, and Young presently holds seats on five presidentially appointed panels, has served on four others now disbanded. Nor is his influence purely temporal. After a 15-minute audience with Pope Paul last June, he met with the Vatican Cabinet for four hours to promote a papal encyclical on racial justice. The Vatican is now considering the question.

Not the least of Young's accomplishments has been the revitalization of the Urban League itself, which, for all its good works, was showing signs of arteriosclerosis as the civil rights era of the '60s began. Changing its watchword from "improvement" to "equality," he set up a Washington bureau, separate from the local league office, to bird-dog federal funds, established five regional centers around the country to ride herd on local offices, and extended branches aggressively throughout the South, a hitherto almost forbidden ground to a Negro organization that counted heavily on the help of local communtly-chest drives. To the surprise of many, the chests proved generous; and Southern newspapers, contrasting the nondemonstrating league with the other civil rights groups, have recently been almost embarrassingly fervent in their approval of the league.

With a membership that puts Negroes alongside a city's top business leaders (the National League's board of directors reads like a *Who's Who of American Business*), some local leagues are just about the only link between the Negro and white communities. "Anybody," notes Young, "can get a biracial commission together after a riot. The league provides an opportunity for dialogue and candid discussion before the riot."

Getting the Message. Before he took over, Young had won from the league's directors an assurance that they recognized the new climate in the civil rights movement and the need for change. Fearful that the league might lose its business support and its valuable status as a charitable organization—thus making any contributions tax deductible—some of the directors nonetheless bitterly opposed Young's decision to put the league behind the 1963 March on Washington. Young persisted, and contributions rose dramatically. More important, the league once again joined the mainstream of the Negro movement, a position it has retained ever since.

Today the league is striving desperately to reach and communicate with the young and alienated. Thirteen storefront "academies" are attempting to educate New York's "five-percenters"—the 5% who have been given up as hopeless by the public schools. Some of the teachers, and many of the students, are Black Muslims who have about as much in common with the Urban League as the Ku Klux Klan.

Proud Precedent. For his work with the league, Young is paid $32,000, though he has turned down a $75,000-a-year vice-presidency with at least one major corporation. Young had a proud precedent for that decision. Back in 1920, his father quit a $300-a-month job as an electrical engineer with the Ford Motor Co. to teach at Lincoln Institute, a white-run school for Negroes at Lincoln Ridge, Ky., at $68 a month.

Whitney Jr. was born at Lincoln Ridge in 1921. Although Kentucky was rigidly segregated at the time, growing up on campus was not too unpleasant. His father became the institute's first Negro president; his mother was commissioned postmistress of Lincoln Ridge, the first Negro postmistress in the U.S. In grade school, Whitney studied under a white tutor. Yet an excursion to Louisville meant taunts from white toughs, the black balcony in the movie house, the back door of a beanery for a hamburger. He prepped at Lincoln, got straight A's, and was graduated at 14. At segregated Kentucky State College, he took a premedical course and earned high grades.

Member of the Wedding. That he emerged from boyhood free of bitterness is another legacy from his father. Young still recalls the paternal lecture on white bigots: "These people are to be pitied rather than hated. They need Negroes to look down on for the sake of their own security." Whitney Sr. repeatedly reminded his son that he was like a ballplayer batting .400 in the minor leagues. The real competition would come in the integrated world.

The first test came with World War II. Young enlisted, was sent to the Massachusetts Institute of Technology for an intensive course in electrical engineering. At first, his white roommate from Mississippi refused to speak to him. Within six months, the Mississippian asked Young to be best man at his wedding (Young accepted) and suggested that he would tolerate Young as a brother-in-law (he declined). Instead, he married Margaret Buchner, a stunning schoolteacher whom he had met at Kentucky State College. She now writes children's books on civil rights and Negro history. They have two daughters, Marcia, 20, and Lauren, 13.

Life's Work. Despite his bachelor's degree from Kentucky State and electrical-engineering training at M.I.T., Young went to Europe as an enlisted man in a Negro road-construction company that was principally officered by Southern whites. "I had to negotiate between them," says Young. "I insisted on the officers' treating the men with dignity, giving them passes, and eliminating all forms of brutality. I suppose it was this experience that made me decide that I wanted to make my life's work race relations."

After the war, Young went to the University of Minnesota, where he earned a master's degree in social work (his thesis topic: a study of the Urban League in St. Paul) and helped organize a chapter of the Congress of Racial Equality. He worked for Urban League groups, first in St. Paul and then in Omaha, while lecturing at colleges in both cities. He then became dean of Atlanta University's School of Social Work. In Georgia, Young joined the N.A.A.C.P., eventually rose to become its state president before joining the National Urban League.

Wry & Romantic. Young wears his commitment on his lapel, in the form of a disk bearing the algebraic equal-sign (=). It is made of platinum, and he calls it his "more-than-equal button." His personal style is a beguiling mixture of the realistic, the wry and the romantic. He frankly lists among his assets as a Negro mediator with the white world his knowledge of "what happens in the sauna bath at the Harvard Club." When he feels he has pushed a white audience as far as he can, he turns a joke on himself. He admits facetiously to having felt "some anxiety" the first time he flew with a Negro pilot. "That shows how much I had been brainwashed." If the subject is Negro immorality, he points out that he did not get his relatively light color "because of an overly aggressive grandmother."

Young carries in his pocket the lyrics to *The Quest*, a song from *Man of La Mancha*, and will read the lines to himself or others at the slightest provocation. *To dream the impossible dream, to fight the unbeatable foe,/ To bear with unbearable sorrow, to run where the brave dare not go.* Last week, when a well-known Negro intellectual voiced his despair over the future of moderate leadership, Young rushed over to buck up his friend. First, he reminded him that the "wild men" among the militants would like nothing better than to see responsible leaders opt out of the civil rights cause. Then the romantic Young read the *La Mancha* lyrics.

Young making like Don Quixote? The superficial resemblance is slight. For exercise he mounts not a nag but an Exercycle in the recreation room of his $35,000 split-level home in a white section of New Rochelle, just north of New York City. For transportation he rides a commuter train through Harlem to his midtown Manhattan office, along with white suburbanites. Yet he has more of the knight errant in him than merely the song. On the night of June 22, after New York police disclosed a plot by the Revolutionary Action Movement to murder Young and other Negro leaders, he paid a late visit to Harlem to see for himself how he stood in the ghetto, where Martin Luther King was once stabbed by a Negro. Young found no menace, but one Harlemite asked him. "When are we going to get smart and stop killing each other?"

Operation Breadbasket. Young is convinced that nothing will end the tragedy more effectively than jobs, jobs and more jobs. So are most other Negro leaders. "Teen-agers with jobs," says Randolph, "don't throw Molotov cocktails through store windows." Wilkins is trying to get more construction jobs for Negroes with "a massive assault on discriminatory hiring practices," has urged some 1,500 N.A.A.C.P. branches to picket federal and state building projects worth $76.5 billion unless more openings are made available.

King has launched "Operation Breadbasket" in more than 40 cities, aimed at getting new or better jobs for Negroes. King credits Breadbasket with getting jobs for 2,200 Chicago Negroes, hopes to open up as many as 60,000 new jobs a year for Negroes in cities with populations exceeding 100,000.

Similarly wide-ranging is the Opportunities Industrialization Center program launched by the Rev. Leon Sullivan three years ago in a converted Philadelphia jail. Some 3,000 Negroes have already been trained in Philadelphia alone, for jobs ranging from cook to electronics technician, and now 65 U.S. cities from New Haven, Conn., to Los Angeles are setting up similar centers.

Self-Help. In scores of cities, Negro self-help projects are under way. "Operation Bootstrap" in Watts, launched with a $1,000 loan and Negro-run, has placed 175 graduates in skilled jobs in the past six months. In Indianapolis, Schoolteacher Mattie Rice Coney organized 500 block clubs to clean up the ghetto, figures that her group has swept up 42,000 tons of trash in the last year. "Slums are made by people," she says, "not by plaster or bricks. Civic rebuilding begins with people who care about themselves."

Chicago's "Jobs Now," as one of its founders explains, concentrates on "the kids who can strip a car in ten minutes but can't pass a mechanical-aptitude test." Half a dozen churches with predominantly Negro congregations have rehabilitated apartments in communities from Cleveland to Kiloch, Wis. In the Hough slum, former Cleveland Browns Football Star Jim Brown and Teammate John Wooten formed the Negro Industrial and Economic Union to help Negroes start their own businesses with the help of no-interest loans.

Such projects generate an immense—and justified—pride. "We've been treated unfairly," says Indianapolis' Mattie Coney, "but fairness isn't the argument. Black people are easily identified—they just plain have to be better behaved or they give the prejudiced white man a weapon." In a letter made public last week, the late William Faulkner offered similar advice to a former butler. Since Negroes "are a minority," the novelist wrote in 1960, "they must behave better than white people. They must be more responsible, more honest, more moral, more industrious, more literate and educated. They, not the law, have got to compel the white people to say, 'Please come and be equal with us.'" This is a point of view that Roy Wilkins, for one, angrily rejects. "We condemn the propaganda that Negro citizens must 'earn' their rights through good behavior," he told the N.A.A.C.P.'s 50th convention in 1959. Young, however, urges Negroes to try to be "more than equal," and for a time his theme song was *Anything You Can Do, I Can Do Better.*

Gilding the Ghettos. Rewarding as self-help projects may be, they cannot come close to soaking up all the available Negro manpower. King and Wilkins want massive WPA-style programs to provide public-works jobs for Negroes. In the wake of the rioting, a number of public officials moved quickly to reduce unemployment. Philadelphia Mayor James Tate sent out "job-mobiles" that recruited 504 unemployed ghetto residents for city work, then met with businessmen and got pledges of 1,200 more jobs. Maryland's Republican Governor Spiro Agnew mapped a job program for unemployed Negroes in Baltimore. Mayors of the riot-ravaged cities, of course, did not have to worry about creating jobs. In Detroit, hundreds of men can be kept busy for years at the task of reconstruction.

Urban Coalition. The most significant effort may prove to be the Urban Coalition formed in Washington last week by 22 leaders of industry, local government, churches, labor unions and civil rights groups. The goal is to persuade "every American to join in the creation of a new political, social, economic and moral climate, which will make possible the breaking up of the vicious cycle of the ghetto." Among its founding members: Whitney M. Young Jr. Another member, New York's Mayor Lindsay, liked the idea so well that he formed a New York coalition aimed at rehabilitating the slums and helping Negroes to become "their own butchers, bakers and candlestick makers."

Initially, the White House reacted coolly to the coalition. One reason for its concern was the fact that Lindsay urged the Administration to "reorder the nation's priorities." To Lyndon Johnson, that sounded like the opening gun for an attack on his Viet Nam policy and an appeal to end the war on any terms so that he could plow the money into the cities.

As for Young's view on Viet Nam, he personally regrets the size and cost of the U.S. commitment. Nonetheless, in Warsaw last fall, he outlined the U.S. position to Polish Premier Jozef Cyrankiewicz with eloquence and grace. No apologist for the Administration, Young explained that he did so because American policy was being challenged one-sidedly by Communist officials, who were plainly surprised and impressed when Young, a Negro, took the stand that he did.

Young, the only national Negro leader to visit Viet Nam besides Senator Brooke, does not make the simplistic argument—as does King—that an end to the war would instantly transfer billions of dollars to the cities. The main thrust of racial progress, as he sees it, is by political and psychological means. Indeed, despite the Supreme Court's reapportionment rulings, the U.S. Congress is still a predominantly rural body, unlikely to be too sympathetic to the needs of the central cities. In the House, 225 of the 435 members hail from towns of 50,000 or less; in the Senate, the ratio is 56 to 44.

"I Believe." As Young sees it, the process of rooting out discrimination will take both political action and an intensive educational effort, directed as much at whites, as at Negroes. "The lower middle class in America thinks that status means exclusiveness," he says, "that those white, antiseptic, bland ghettos called suburbs are the place to go. We need a generation of people who have the commitment and creativity to try integration—to explore the creative possibilities of diversity." Young professes optimism. "But I don't think it rests in the hands of the Negro," he argues. "He has already said in a thousand ways that he believes in America. Now the time has come for America to say, 'I believe in you.'"

Pounds & Pages. There were signs that the larger white society was groping for the words. In Los Angeles, Democratic Mayor Sam Yorty, who has never been a conspicuous champion of the Negro cause, declared: "We must find ways of guaranteeing any man who wants to work a job—whatever it costs." In Detroit, Vice President Humphrey reasoned: "Whatever it will take to get the job done, we must be willing to pay the price." In a Senate hearing room, North Carolina's Senator Sam Ervin held up a stack of civil rights bills that ran to 1,212 pages and weighed 15 lbs. 6 oz., and testily asked the Attorney General: "I'd just like to know how many more pages we're going to have." Replied Ramsey Clark: "As many pounds and pages as we need to ensure the rights of all Americans."

Despite the sudden flurry of interest in the Negro's plight, the spate of committees ordered to probe the ghettos' blight, and the rash of ratiocination in the press. Young warns that "time is running out." Not only for the Negro moderates, who are having more and more trouble persuading the slum dwellers not to turn to violence, but for the rest of society.

"There is a credibility gap beginning to emerge," says Young, "and there are forces saying that the cause is hopeless, that American white people are so selfish that they will remain silent in this crisis, or that the American white people are congenitally immoral and so bankrupt that it is futile even to try to bring about change. I don't believe this, but not because I think that a large number of Americans are going to get more moral. They are simply going to get more intelligent."

The tragedy today is that it should take warfare in the cities to awaken white Americans to the Negro's dire and manifold needs. It will, of course, be an infinitely greater tragedy for the future if they fail to do so.

THE POLICE ARE ON OUR SIDE

Mr. JAVITS. Mr. President, along the same line, I call the attention of the Senate to an editorial dealing with problems in East Harlem, N.Y., one of the very important areas in respect of the struggle which is being waged in what I call the agonies of the cities, printed in El Diario-La Prensa, which is read by thousands of Puerto Ricans and people of similar ethnic origin in New York, dealing with the cooperation and the perfectly extraordinary performance by the New York City Police in that area.

I ask unanimous consent to have printed in the RECORD the editorial entitled "The Police Are on Our Side," signed by O. Roy Chalk, publisher, and published in El Diario-La Prensa for July 26, 1967.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

THE POLICE ARE ON OUR SIDE

(By O. Roy Chalk)

What is going on in East Harlem? Are we going to behave as true members of the Spanish speaking community, respectful of law and order, or are we going to heed the call of rabble-rousers who wish to use us for furthering their own purposes?

No Puerto Rican and no member of the Spanish speaking community in New York, should be part of the racial trouble that is spreading over our nation. The preaching of communists and revolutionary elements should fall on deaf ears as far as our community is concerned. We should all remember that the police are trying to protect our people—all people equally—regardless of race or color.

We should show more respect for the police and they should be looked upon as friends and not as enemies. They are on the side of the law-abiding citizens, who are the majority of the people in East Harlem, and they are against the revolutionary and communist agitators who are in the main responsible for the riots.

The collective madness that is going on in East Harlem should be laid straight at the door of outside agitators sent to "El Barrio" to stir up trouble and to darken the name of the Puerto Ricans by making them a part of the racial riots that are now rampant in our country.

We are ashamed. We are ashamed of the behavior of those few who let themselevs be misled and who are soiling the name of the whole community.

Eyewitness reports brought in by two separate teams of El Diario-La Prensa reporters show—without any doubt—that the violence was stirred up by professional agitators who incited teenagers to acts of vandalism. They shouted and they preached violence but they carefully abstained from being a part to the riots so as not to get mixed up with the police or to suffer any bodily harm.

Among these agitators there are not only revolutionary elements, but also communists who are distributing leaflets in East Harlem which read in part: "Support and join the People's Armed Defense Group." In the pamphlet there is a Communist flag. This is the flag all of us should despise and the best way we can trample over it, is by disregarding the call of the agitators and by behaving like citizens respectful of law and order.

When the riots start, the dialogue ends. Rumor becomes a fact so strong that it sustains the violence already begun.

Let's not believe in rumors. Let's not be misled and let reason guide our steps. If we have grievances, we should air them through the proper channels without resorting to acts of vandalism, which deny our claim to civilization.

We join our President who, in his nationwide appeal, said: "I call on all of our people in all of our cities to join in a determined program to maintain law and order.... Pillage, looting, murder and arson have nothing to do with civil rights. They are criminal conduct."

We appeal to all of our community and especially to the parents of the misled teenagers, to get the crowds out of the streets—to stay in their homes and to keep their children there. Let's clear the streets and if we do so, peace will return to El Barrio and then we, all together, can begin to work to restore the good name that our community had enjoyed for so long.

Let's show the revolutionaries, the communists and the professional agitators that we are American citizens who respect law and order and the rights of all people.

At the same time, we should support our policemen who are doing their duty in protecting us from violence.

The police are on our side.

ALLOWABLE TIMBER CUT

Mr. MORSE. Mr. President, the question of allowable timber cut on public forests is one of great interest in Oregon. There the public forests are a major source of stumpage for the mills.

On July 24 the Forest Service advised me concerning the status of comparative studies of allowable cutting rates and management planning methods used by the Forest Service, Bureau of Land Management, and Bureau of Indian Affairs.

In its report the Forest Service advises that as progress on its Douglas-fir supply study "has unfolded, we have become increasingly convinced that any really productive effort toward uniformity in management planning and allowable cuts must await its results."

This is a highly technical subject of great economic importance to my State. Care and deliberate speed are consistent with the reviews under way because what is at stake is the long-term yield from the forest resource—and this yield is timber, water, recreation, wild life and the other great forest values which uphold Oregon's economy.

Last fall a report was made to the State of Oregon by Thomas J. Murray & Associates of Portland, on "Oregon's Timber Resources." That report made a number of observations on the relation between the allowable cuts on the national forests and the Bureau of Land Management lands.

The Forest Service letter sets forth a limited analysis of this subject. The Forest Service concept of modifying timber management to protect recreation values and produce desirable scenic effects is one which in part emanates from discussions Senator JACKSON and I had several years ago with Secretary Freeman and his dedicated conservation adviser, Dr. George Selke. It represents a solid recognition of the multiple forest values which America's leading conservationists have long supported and urged. I know Oregon's conservationists will be pleased to see the tangible evidence that this policy is operative on the national forests. I trust it will be considered, where proper, on the Bureau of Land Management forests.

I ask unanimous consent that the letter dated July 24 be printed in the RECORD so that it will be available for consideration by all who have an interest in these great public resources.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

U.S. DEPARTMENT OF AGRICULTURE,
FOREST SERVICE,
Washington, D.C., July 24, 1967.

Hon. WAYNE MORSE,
U.S. Senate.

DEAR SENATOR MORSE: Our record shows that last January we promised to inform you of progress in comparative studies of allowable cutting rates and management planning methods used by the Forest Service, Bureau of Land Management, and Bureau of Indian Affairs. The purpose of this letter is to bring you up-to-date.

An important effort of the three agencies, during the first half of the year, has been to obtain uniformity in timber appraisal principles and methods, and we have devoted most of our available time and resources to this end. You are familiar with our joint effort on this project.

At the same time, we have made substantial progress in the Douglas-fir Supply Study. As this project has unfolded, we have been increasingly convinced that any really productive effort towards uniformity in management planning and allowable cuts must await its results. We have adjusted our work priorities to conform with this conclusion and have not undertaken extensive new planning studies with the other agencies.

We did take a rather close look at some BLM and FS allowable cut comparisons which should be of interest to you. We analyzed the relationships between inventories, cutting rates, measurement units, and management restrictions for the Siuslaw Working Circles of both the Bureau of Land Management and the Forest Service. These two areas are not sufficiently comparable to permit precise comparison but they come closer to similarity than any others we know of. We found no significant difference in cut as related to inventory between the two Bureaus for areas being managed to obtain similar objectives. The following table shows the result of analysis.

Working circles, use classification	Inventory volume (MMBF)	Computed allowable cut (MMBF)	Allowable cut as percent of inventory volume
1. Siuslaw (BLM)	4,081.0	82.0	2.0
2. Siuslaw (FS):			
A. Modified landscape	2,206.8	24.9	1.1
B. Nonmodified	17,303.7	344.6	2.0
C. Alder and mixed	2,934.4	56.3	1.9

This table shows that comparing the principal timber-producing portions of the two units, the cuts are comparable at two percent of the inventory. The table also shows that some parts of the allowable cut determination cannot be directly compared. With the Siuslaw National Forest, we have designated areas bearing an inventory of about 2,200 million board feet where the aim of management is to modify timber management to protect recreation values and to produce desirable scenic effects. Here, there is a necessary and unescapable impact on the rates of timber harvesting. Present BLM management has not provided for modifying timber harvesting rates in recognition of scenic and recreation values on portions of the BLM Siuslaw Working Circle.

We hope this information will be helpful to you and appreciate your interest in the subject of allowable cut determination. As significant progress is made, we will keep you informed.

Sincerely yours,

M. M. NELSON.

CENTRAL ARIZONA PROJECT ACT

The Senate resumed the consideration of the bill (S. 1004) to authorize the construction, operation, and maintenance of the central Arizona project, Arizona-New Mexico, and for other purposes.

Mr. KUCHEL. Mr. President, on behalf of several Senators, I am about to offer an amendment to the pending bill.

I believe I may correctly say that what appeared originally to provoke another controversy has been set to rest and that the amendment I am about to offer will be accepted. I should like to speak thereafter for a very few moments against some of the provisions of the bill, and, as far as I am concerned, I do not believe there are any further amendments to be offered.

The bill provides that the U.S. Government will purchase power from a group of utilities, public and private, and will pay for that power, incidentally, 50 years in advance.

The question has arisen whether any of the electricity which the Government contemplates purchasing is surplus to the needs of the central Arizona project and whether, if the Government desires to dispose of it, the preference provisions of reclamation law should apply.

There was a very great question in the minds of departmental representatives whether it was intended that the provisions should apply.

To eliminate any question, I offer on behalf of my able friends, the Senator from Colorado [Mr. ALLOTT], the Senator from Wyoming [Mr. HANSEN], and any others who desire to join with us, an amendment which would read as follows:

> On page 41, line 14, after the word "supplement" insert the following: "*Provided*, that the sale or disposition of power or energy acquired pursuant to section 2 of this Act and surplus to the requirements of the Central Arizona Project shall be in accordance with the provisions of section 9 of the Act of August 4, 1939 (53 Stat. 1193) as amended."

Mr. KUCHEL. Mr. President, I repeat in plain English that this means the preference clause of the Federal reclamation law shall apply to the sale of any power acquired under this legislation which is deemed to be surplus to the needs of the central Arizona project.

I send the amendment to the desk and ask unanimous consent that it not be read since I have already read it.

The PRESIDING OFFICER. Without objection, the amendment will not be read.

Mr. JACKSON. Mr. President, it is my judgment, and I think the judgment of the majority of the committee, that this particular amendment is not necessary. Section 14 of the bill provides that the provisions of reclamation law shall be applicable to this project. This means that the provisions of the reclamation law, which includes section 9 dealing with the preference clause, would apply.

In the interest of clarity, however, and with a desire to make certain that there is no misunderstanding on this matter, I am pleased to accept the amendment offered by the Senator from California.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from California.

Mr. FANNIN. Mr. President, will the Senator yield?

Mr. JACKSON. I yield.

Mr. FANNIN. Mr. President, this would apply only to the 470,000 kilowatts necessary for the Central Arizona Project Act. It would not apply to any other power generated at the thermal plant. Is that correct?

Mr. JACKSON. The preference provision would apply only to the surplus of power acquired by the Secretary that might be available after all requirements had been met in connection with the operation of the central Arizona project. It applies only in that area.

Mr. FANNIN. For instance, if the plant were to produce 1 or 2 million kilowatts, and only 470,000 kilowatts was necessary for the central Arizona project, it would not apply to the remaining amount?

Mr. JACKSON. It would not apply, of course, in the connection with meeting the requirements of the operation of the central Arizona project, including the bank account arrangements.

Mr. FANNIN. Nor to the additional amount produced in that plant beyond the 470,000 kilowatts?

Mr. JACKSON. The Senator is correct, in so far as it relates to the operation of the central Arizona project.

Mr. KUCHEL. Mr. President, I want to make this point crystal clear.

This would make the preference provisions of reclamation apply to any electricity acquired under the pending bill from this group of public and private utilities, which is deemed surplus to the needs of the central Arizona project. The Department of the Interior provided me, on June 26, 1967, with details of the magnitude of such dispositions and the anticipated revenues. We placed those figures in the minority views at page 110 and I ask unanimous consent that the table on that page be printed in the RECORD.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

FEDERAL COMMERCIAL SALES OF STEAM-GENERATED POWER UNDER S. 1004

Year	Power sold (millions of kilowatt-hours)	Revenue at 5 mills per kilowatt-hour (thousands)
1973	175	$875
1974	175	875
1975	224	1,120
1976	228	1,140
1977	274	1,370
1979	320	1,600
1980	365	1,825
1981	410	2,050
1982	458	2,290
1983	504	2,520
1984	549	2,745
1985	597	1,985
1986	641	3,205
1987	687	3,435
1988	734	3,670
1989	778	3,890
1990	824	4,120
1991	855	4,275
1992	886	4,430
1993	915	4,575
1994	946	4,730
1995	976	4,880
1996	1,006	5,030
1997	1,037	5,185
1998	1,066	5,330
1999	1,097	5,485
2000	1,124	5,620
2001	1,139	5,695
2002	1,156	5,780
2003	1,171	5,855
2004	1,185	5,925
2005	1,201	6,005
2006	1,217	6,085
2007	1,232	6,160
2008	1,247	6,235
2009	1,264	6,320
2010	1,279	6,395
2011	1,294	6,470
2012	1,310	6,550
2013	1,325	6,625
2014	1,340	6,700
2015	1,356	6,780
2016	1,372	6,860
2017	1,387	6,935
2018	1,402	7,010
2019	1,418	7,090
2020	1,433	7,165
2021	1,448	7,240
2022	1,464	7,320
2023	1,480	7,400
2024	1,495	7,475
2025	1,510	7,550
Total	50,976	254,880

Mr. KUCHEL. This chart shows the anticipated revenues from disposition of all of the power not needed for pumping and other incidental requirements of the central Arizona project. It is the amounts of power shown on this chart to which my amendment is directed.

Mr. JACKSON. Mr. President, the point that may need clarification is that the preference provision contained in the pending amendment would apply only to the power purchased by the Federal Government under the prepayment arrangements authorized by section 2 of the bill. Obviously, it would not apply to the power and energy taken by the privately owned or publicly owned utilities.

That is the only point of clarification that I think needs to be made.

Mr. KUCHEL. Mr. President, the Senator is correct. In other words, in order to have the preference clause apply, the Federal Government must actually own the electricity and find that it is surplus to its needs.

Mr. JACKSON. The Senator is correct. It would apply only to the power and energy that the Government is purchasing by contract.

Mr. KUCHEL. The Senator is correct.

Mr. President, I ask unanimous consent that sundry comments, which I have prepared, but which in the interest of moving on to a third reading, I shall not read, be printed at this point in the RECORD.

There being no objection, the comments were ordered to be printed in the RECORD, as follows:

Mr. KUCHEL. Mr. President, one of the most perplexing aspects of the Udall thermal generation scheme has been the Administration's equivocal posture on the applicability of the "preference clause" in the sale of surplus power. One would have thought that Secretary Udall would be an enthusiastic supporter of the policy which has pervaded Federal power marketing programs since the first amendments were added to the Reclamation Law of 1902, by the Act of April 16, 1906 (34 Stat. 117). In that Act the Bureau of Reclamation was directed to give preference to "municipal purposes" in the sale of surplus power generated in connection with a reclamation project. In 1939 Congress revamped the Reclamation Law, but kept the preference clause, saying in part:

"In said sales or leases preference shall be given to municipalities and other corporations or agencies; and also to cooperatives and other nonprofit organizations financed in whole or in part by loans made pursuant to the Rural Electrification Act of 1936." (Section 9(c), Act of August 4, 1939, 53 Stat. 1193, 43 U.S.C. 485h(c))

The most authoritative statement of the official position of the Executive Branch was made by President Kennedy in a February 23, 1961, Message to Congress on Natural Resources. President Kennedy said:

"In marketing Federal power this administration will be guided by the following basic principles, which recognize the prior rights of the general public, consumer, and taxpayer, who have financed the development of these great national assets originally vested in them:

"(1) Preference in power sales shall be given public agencies and cooperatives.

"(2) Domestic and rural consumers shall have priority over other consumers in the disposal of power.

"(3) Power shall be sold at the lowest possible rates consistent with sound business principles.

"(4) Power disposal shall be such as to encourage widespread use and to prevent monopolization."

Mr. President, the Secretary of the Interior should leap to the obvious and honorable conclusion that the well established, historic tradition of selling Federal surplus power under the "preference clause" should apply to the sale of Federal power from the new thermal generating plant. Not so. As we have pointed out in the minority views, filed with the report on S. 1004, the administration has taken a very equivocal position on this question. In my view the cracks in the wall of the steam plant, which had been papered over with $103 million of prepaid taxpayer's dollars, were beginning to show. Why else would the Administration equivocate on such a long standing principle of reclamation law?

In the excerpt which I read from President Kennedy's Message to Congress, the President said, "power disposal shall be such as to encourage widespread use and to prevent monopolization." The Secretary has informed us that he may sell all of the surplus power back to one of the agencies participating in construction of the plant, thus keeping it out of the hands of other preference customers. Surely this is not what President Kennedy had in mind when he outlined a policy to "prevent monopolization." Nor is an arrangement by which the non-Federal agency which generates the power will act as a sponge to keep it off the market, consistent with the preference clause. My amendment will make the Secretary adhere to the historical application of the preference clause.

Mr. President, "preference" is not a partisan issue. In 1961, President Kennedy was merely reaffirming a policy set down during the Administration of a great Republican president, Theodore Roosevelt. In keeping with sixty-one years of reclamation history, I urge the Senate to wipe the confusion from the Secretary's brow by accepting this amendment. My amendment simply makes the provisions of Section 9 of the Act of August 4, 1939, applicable to the Secretary's disposition of surplus power and energy generated at the steam plant.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from California.

The amendment was agreed to.

Mr. KUCHEL. Mr. President, I move to reconsider the vote by which the amendment was agreed to.

Mr. JACKSON. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

The PRESIDING OFFICER. The bill is open to further amendment.

Mr. MOSS. Mr. President, I send to the desk an amendment, and ask that it be read.

The PRESIDING OFFICER. The amendment will be stated.

The ASSISTANT LEGISLATIVE CLERK. At the end of the bill insert a new section as follows:

SEC. 17. (a) For the purpose of improving water supplies in the Colorado River Basin States the Secretary of the Interior shall—

(1) establish and carry out a program of research and experimentation in the field of weather modification; and

(2) upon the determination of acceptable techniques in such field establish a program to put such techniques in operation in such manner as will best carry out such purpose.

(b) There is authorized to be appropriated not to exceed $5,000,000 for the fiscal year ending June 30, 1968, and for each of the succeeding nine fiscal years for carrying out the provisions of this section.

Mr. MOSS. Mr. President, the burden of the proposed amendment is to authorize the payment of $5 million a year for the next 10 years, to be used in weather modification research and then application to augment rainfall in the Colorado River Basin, so that there will be additional flow in the river.

If one thing has been established beyond any doubt by the engineers, by the record, and by the discussion that has taken place in the Senate in the last 3 days, it is that the flow in the Colorado River is inadequate. It cannot possibly satisfy all the legal obligations that have been established against the flow of the river. Consequently, we are coming to a period of time when there will be a head-on clash, and either we must share shortages or somebody will be left out.

We must turn every possible way we can to find additional water. By its vote on the amendment in the nature of a substitute, the Senate has turned away from the matter of studying other sources of water and diverting flow into the Colorado River, and that is not available to us. As the next most likely source of additional flow, I believe we have weather modification.

We have been talking a great deal about research in this respect, and there is some indication that we can augment rainfall through the techniques we have. We still have not found a reliable method, however. That is the purpose of this proposed amendment.

However, because of the lateness of the hour and because of the overwhelming size of the vote—it appears that the Senate has made up its mind, despite the fact that the Senator from Colorado pointed out that we have our backs against the wall in the matter of inadequate water supply—I will not press my amendment at this time. But I did desire to offer the amendment as part of the record, because I believe Congress must face up to this issue. Congress cannot leave the issue lying there without doing something about it. The position we are taking today will remain to haunt us in the Senate for years to come, unless we face up to it.

Mr. DOMINICK. Mr. President, will the Senator yield?

Mr. MOSS. I yield.

Mr. DOMINICK. I congratulate the Senator from Utah for his initiative in this matter. I can fully understand his feeling about not pressing the amendment at this time. As the Senator is aware, I have a bill in the Committee on Commerce to establish a weather modification program for the Colorado River Basin. It would cost $9 million over a period of 3 years. I would appreciate any support that the Senator from Utah could give to this measure, so that we could have hearings and continue further with this program.

Mr. MOSS. I thank the Senator. I am well aware of the initiative and leadership he has displayed with reference to this matter. I assure him that I support him fully.

This is a matter of the greatest urgency. I brought it forward now, because I believe it should be underlined under the circumstances.

Mr. President, I withdraw the amendment I offered.

The PRESIDING OFFICER. The question is on agreeing to the committee amendment in the nature of a substitute, as amended.

The committee amendment, as amended, was agreed to.

The PRESIDING OFFICER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed for a third reading and was read the third time.

Mr. ALLOTT. Mr. President, the basic issue involved in this legislation has been resolved by a vote which expresses the respect for the distinguished senior Senator from Arizona, the chairman of the Committee on Appropriations.

However, I do wish to state, before the final vote, in case there is not a rollcall vote, that I will vote against the bill. I feel that any bill which does not contain the Hualapai Dam and the study for augmentation is a great error, a great travesty, and a great burden upon the States of the upper basin. Therefore, I will vote against the measure, and I want the record to so indicate.

I ask unanimous consent that various communications and statements relating to Colorado's position in this matter be printed at this point in the RECORD.

There being no objection, the communications and statements were ordered to be printed in the RECORD, as follows:

THE COLORADO RIVER WATER
CONSERVATION DISTRICT,
Glenwood Springs, Colo., July 25, 1967.

Hon. GORDON ALLOTT,
U.S. Senate,
Washington, D.C.

DEAR SENATOR ALLOTT: Herewith is a certified copy of a resolution unanimously adopted by the Board of Directors for the Colorado River Water Conservation District at its Third Regular Meeting for 1967. This resolution relates to pending Colorado River Basin legislation before the United States Congress and is self-explanatory.

Respectfully submitted.

PHILIP P. SMITH,
Secretary-Engineer.

RESOLUTION

Whereas, there is pending before the United States Congress legislation of various sorts to authorize, among other things, the Central Arizona Project, and five Colorado Reclamation Projects as participating projects of the Colorado River Storage Project Act of 1956; and

Whereas, versions of this legislation in Committee in the United States House of Representatives differs from that pending in the United States Senate; and

Whereas, this Board has complete faith and confidence in Colorado's elected Congressmen and Senators and especially appreciate the leadership and perseverance exhibited by the Hon. Gordon L. Allott, United States Senator, and the Hon. Wayne N. Aspinall, M.C., in striving to protect the interests of the State of Colorado in the Colorado River in connection with such legislation.

Now, therefore, be it resolved, by the Board of Directors of the Colorado River Water Conservation District, meeting in regular session this 18th day of July, 1967, that this Board, by this resolution, wishes to express its appreciation to and continued support of the Hon. Gordon L. Allott, United States Senator, and the Hon. Wayne N. Aspinall, M.C., in their efforts to obtain for Colorado the five Reclamation Projects while protecting the interests of Western Colorado and the State of Colorado as a whole in the Colorado River.

Be it further resolved that the Secretary-Engineer of this District is hereby directed to forward certified copies of this Resolution to the Hon. Gordon L. Allott, United States Senator, the Hon. Wayne N. Aspinall, M.C., the Hon. John A. Love, Governor of the State of Colorado, and to the Colorado Water Conservation Board.

CERTIFICATE

I, Philip P. Smith, Secretary-Engineer for the Colorado River Water Conservation District do hereby certify that the foregoing and attached copy of Resolution is a true, complete and correct copy of the Resolution adopted by the said Colorado River Water Conservation District at its regular meeting held July 18, 1967.

PHILIP P. SMITH,
Secretary-Engineer of the Colorado River Water Conservation District.

THE SOUTHWESTERN WATER CONSERVATION DISTRICT,
Durango, Colo., June 26, 1967.

Hon. GORDON ALLOTT,
Senate Office Building,
Washington, D.C.

DEAR SENATOR ALLOTT: I have reviewed your statement of May 2nd before the Subcommittee on Water and Power Resources. My interpretation is that you are phased in completely with the Colorado Water Board.

I can speak only for myself, but I feel that Colorado must have the five projects, not just two. The operation and funding of Glen Canyon and Hoover Dams must be substantially as written in old H.R. 4671. That the Bridge Canyon Power Development can not be left out. But the importation studies might be watered down and left for future consideration if this will help to push the Bill along.

If Senator Hayden's provision that ad valorem tax should be eliminated on the Arizona Project, then this type of taxation should be rescinded on all present and future reclamation projects. This is really not too unfair in view of the flood control and river and harbor projects that are done in other parts of the country at total government expense.

I know how difficult this is for you and wish you success against great odds.

Sincerely,

FRED V. KROEGER.

COLORADO ASSOCIATION OF
SOIL CONSERVATION DISTRICTS,
Hooper, Colo., June 20, 1967.

Hon. GORDON ALLOTT,
U.S. Senate,
Washington, D.C.

DEAR SENATOR: I am in complete accord with your most comprehensive statement before the Subcommittee on Water and Power Resources on May 2, 1967.

Among the things mentioned in your statement, I think that three stand out as absolutely essential.

1. Hualapai Dam.
2. Importation Study.
3. Five Colorado Projects.

Without these definite provisions I don't believe Colorado should go along with any proposed legislation such as S. 1004 or S. 1013—but should voice vigorous and sustained opposition.

I wish to thank you for the copy of your very lucid and knowledgeable statement.

I hope Ival Goslin is in better health—he had a kidney stone attack when I was in Salt Lake last week.

Very truly yours,

QUINCY C. CORNELIUS.

GRAND JUNCTION, COLO.,
June 26, 1967.

Hon. GORDON ALLOTT,
Senate Office Building,
Washington, D.C.:

Regards Central Arizona project, your statement of May 2 the very minimum Colorado can accept. Northwest Colorado is very vulnerable under any CAP. We must provide meaningful study on water imports or White and Yappa Basins will be the big loser.

S. I. BERTHLESON.

DENVER, COLO.,
June 26, 1967.

Hon. GORDON ALLOTT,
New Senate Office Building,
Washington, D.C.:

Have reviewed your statement before Subcommittee on Water and Power Resources of May 2, 1967, in support of your bill, S. 1242, with members of staff on CWCB. Your statement of May 2, 1967, accurately and completely sets forth Colorado's official position as expressed by the State of Colorado and our board on this legislation.

BENJAMIN F. STAPLETON, JR.,
Chairman, Colorado Water Conservation Board.

DENVER, COLO.,
June 26, 1967.

Hon. GORDON ALLOTT,
New Senate Building,
Washington, D.C.:

Colorado's position on central Arizona project as formerly stated was and is the position determined by the Water Conservation Board, and concurred in by other water experts of Colorado. This position is the result of long study and reflection toward serving the best interest of our State. Your recent statement for the record is in conformity with that position. Regards.

JOHN A. LOVE,
Governor.

GUNNISON, COLO.,
June 28, 1967.

Hon. GORDON ALLOTT,
U.S. Senator,
Washington, D.C.:

I still support Colorado position of central Arizona project as reflected by May 2 statement.

CRAIG A. GOODWIN.

GUNNISON, COLO.,
June 27, 1967.

Hon. GORDON ALLOTT,
U.S. Senator,
Washington, D.C.:

We support Colorado's position on central Arizona project as reflected by May 2 statement of Colorado Water Board.

RIAL R. LAKE,
Chairman, Upper Gunnison River Water Conservancy District.

Mr. KUCHEL. Mr. President, I ask unanimous consent that the text of a telegram from the chairman of the board of the Metropolitan Water District, and sundry newspaper editorials be printed at this point in the RECORD.

There being no objection, the telegram and editorials were ordered to be printed in the RECORD, as follows:

LOS ANGELES, CALIF.

Hon. THOMAS KUCHEL,
U.S. Senate,
Washington, D.C.

Your incisive analysis of the calamitous effect of S. 1004 on the States of Colorado River Basin including Arizona deserves the most careful consideration by the Congress. We are entitled to demand an explanation for the abandonment of a sound regional plan by the administration and the majority of the members of the committee. California is not alone in being subjected to grossly unfair demands on her resources to support this project. Why must the upper basin have its future growth placed in jeopardy to furnish water for a project which we know cannot be met from a dwindled water supply? Why must power users in California and Nevada be asked to subsidize water delivered to Arizona farmers for only 20 percent of its cost? And why must the Metropolitan Water District, Hoover Dam's largest power customer, be asked to pay almost double its present power rates without any realistic assurance that what it pays will go toward providing more water, not less. California, Colorado, Nevada, Utah, and Wyoming have each asked for the construction of Hualapai Dam to assure the financial stability necessary for the future growth we know with certainty will come. Yet the administration and Arizona ignore the potential benefits to both water and power users of 5,000 megawatts of valuable peaking power, preferring to purchase it from three utilities who plan to build a coal-burning power plant. The Secretary has stricken the heart from the regional plan by removing Hualapai Dam. S. 1004 is a narrow sectional bill and deserves a decisive defeat.

Joseph Jenseon,
Chairman of the Board.

[From the Los Angeles (Calif.) Times, Aug. 3, 1967]

Playing Politics With Water

In legislative politics, the vote all too often has nothing to do with the virtues of a bill.

It will come as no surprise, therefore, if the U.S. Senate enacts an outrageous proposal masquerading as a regional water plan for the Southwest. Even the opponents of the bill concede that its sponsors have the votes for Senate passage.

The main—indeed, the sole—purpose of the measure is to authorize construction of the $768 million Central Arizona Project and to permit a massive diversion of water from the already depleted flow of the Colorado River. All other regional considerations have been subordinated to this one project.

Originally, the project was one element of an over-all regional water plan which recognized that future Southwest water needs could only be met through augmentation of the Colorado's meager supply. Such a plan was advanced by Interior Secretary Stewart Udall and received the support of all the states of the Colorado River Basin.

Pressure politics, however, have so eroded the plan that it now benefits only Arizona—and at the expense of the other basin states. Secretary Udall's far-sighted program, declared Sen. Thomas Kuchel (R-Calif.) has become "an instrument of myopic planning that forsakes a regional equitable solution for selfish expediency."

The present Senate bill has no provision for bringing new water into the Colorado from areas of surplus, no provision for financing any other basin projects except the CAP, and no realistic protection for existing uses of river water.

Even worse, California must not only give up water for the Arizona project but also subsidize it through 50% higher electric rates in Los Angeles, Pasadena, Glendale and Burbank, Kuchel warned. The decision to forgo construction of Hualapai Dam, he said, resulted in a "massive giveaway" to the three utilities that would build a substitute thermal power station.

Kuchel has the strong support of many other Colorado Basin members of Congress and of California's delegation and state administration. And fortunately, one of the strongest critics of the Senate bill is Rep. Wayne Aspinall (D-Colo.) chairman of the House Interior Committee, who announced that he will block the measure.

An effective regional plan can never be enacted unless Congress stops playing politics with water shortages.

[From the Sacramento (Calif.) Union, July 11, 1967]

Kuchel Correct: Colorado River Water Plan Has Lost Value

The contention of Sen. Thomas H. Kuchel that the Central Arizona Project of water development supported by the administration is "an instrument of myopic planning" sounds like hyperbole.

Unfortunately, the senior California senator's assessment of the measure is, if anything, an understatement.

As Sen. Kuchel says, the Arizona Water Project Bill approved by the Senate Interior Committee is, at the least, "selfish expediency" on the part of Arizona and the Northwest Pacific. It would do little more than authorize construction of another ditch between the Colorado River and the cities of Phoenix and Tucson.

Gone from it are the provisions for regional planning and studies for supplementary sources of water that were advocated so strenuously by the Interior Department less than four years ago.

Gone also are the provisions for construction of at least the Bridge Canyon Dam to provide economical hydro-electric power and financing for essential regional studies.

Worse than that, the measure would seriously hurt all states in the Colorado River Basin with the exception of Arizona by making them share scarcity. All but Arizona would be the first to feel the pinch of inadequate Colorado River supplies.

And by guaranteeing California's legitimate right to 4.4 million acre feet of water for only 27 years the bill ignores the law and equity. The real need for more water will come when the 27 years is up.

Unfortunately, the myopia to which Sen. Kuchel refers is not unintentional. Thinking it has the political power, now Arizona wants to look after its own interests at the expense of the other six states in the Colorado Basin. Legislators from the Pacific Northwest who apparently would rather see the excess water in their rivers run into the ocean than share it with others, also are putting parochialism above the national interest.

Regrettably it appears as if the measure will pass the Senate and stand the final challenge in the House. It must be defeated, for the bill is a bad one. No projects at all would be preferable and more equitable. At least a new beginning could be made.

The water plan for the Pacific Southwest must recognize existing and historic water rights. It must be regional in scope for the best use of natural resources, and it should work for new sources of water rather than just seek to divide the present scarcity.

Additionally, the new law should recognize that supplies of water to Mexico under a treaty are an obligation of the entire nation, not just a regional burden.

Any other solution would not only be a waste of national resources, but would again begin the longstanding feud among Colorado River states that seemingly was amicably settled in 1965.

[From the San Diego (Calif.) Union, July 8, 1967]

Shortsighted for Long-Term Problem: Danger in Water Project Bill

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[From the San Jose (Calif.) News, July 8, 1967]

Myopia and Magic in Water Project

The U.S. Senate's Interior Committee apparently believes the Colorado River is like that magic pitcher that can never run dry.

If only this were so. The fact is, however, that implementation of the Arizona water project, as approved by the Committee, would mean that the water in the Colorado would be badly overcommitted.

What is worse, the Committee has eliminated two steps that are essential if this heavy commitment is to be placed on the Colorado.

—One sound and fair principle is that in any shortage all the parties involved share the hardship. Under the Interior Committee's bill, however, Arizona would not have to share. The shortage would be made up from Colorado water that for the last 27 years has been committed for use in California.

—The second principle is so basic that its exclusion from the Committee's bill is a testimonial to the skill and influence of Sen. Henry Jackson, the Washington Democrat. It is that if a water source is to be overdrawn then another source must be sought. Yet the Committee wrote out of the proposed legislation a provision for a study of other water sources in the West. Sen. Jackson and his Northwestern constituents don't even like to talk about inter-state plans; they look upon them as a threat to their rights to Columbia River water.

But the water problem is a regional affair. The Arizona plan itself is regional because it draws on a source that is used by more than one state.

It is no wonder that Sen. Kuchel calls the Committee's action "an instrument of myopic planning that forsakes a regional, equitable solution for selfish expediency." And Gov. Reagan is correct in saying the proposal "compounds rather than solves" the water problem in the Southwest.

This matter is of acute importance to

Northern California even though the state's Colorado River allotment goes into the South. It is obvious that Southern California will have to look to the North in the event of a shortage brought on by the Arizona plan. As a "have-not" area that looks to those same northern water sources for part of its supply, Santa Clara County has a big stake in this issue.

Now that the bill is out of Committee, apparently its chances of going all the way through the Senate in substantially its present form are good. This means that it will be up to the House of Representatives, and to its Interior Committee in particular, to rewrite this defective measure.

[From the Los Angeles (Calif.) Herald Examiner, July 5, 1967]

Sold Out

California's plans to protect its Colorado River water supply and to gain approval of a detailed study of plans to bring huge new supplies of water to the Colorado from the Pacific Northwest have been dealt a damaging blow.

This occurred when the Senate Interior Committee approved a $1.2 billion group of water projects, including the long-stalled Central Arizona Project to bring water to the Phoenix and Tucson areas.

Northcutt Ely, special assistant attorney general for California, representing the Colorado River Water Board, called it a "complete sellout by Arizona to the Northwest and the conservationists."

His reference to the Northwest was in connection with long term plans of California to try to have some of the hundreds of millions of acre feet of wasted Columbia River water imported to the Colorado River to greatly replenish that river's dwindling supply.

The Senate Interior Committee rejected a substitute measure to authorize construction of the huge Hualapai Dam below the Grand Canyon National Park and to approve a study of water imports from the Pacific Northwest.

In rejecting construction of the Hualapai Dam, the Senate Committee definitely spiked efforts to develop power sources which would have greatly assisted future California-Arizona water developments.

But worst of all, the committee's vote once again stirs up the water warfare between Arizona and California which existed for years. Northcutt Ely spoke of this when he said:

"Arizona's unjustified decision to ram this bill through the committee destroys the basin's hopes for a real seven-state agreement to our mutual water problems. The secretary of the interior has disgracefully repudiated all the inducements of regional cooperation he endorsed last year."

The bill approved by the committee would still guarantee California a minimum of 4.4 million acre feet of water annually from the Colorado River, but that guarantee is only for 27 years. Water planning needs much more leeway than that.

The bill still faces the full Senate and then must undergo hearings by the House. But in the meantime, California's senators and many members of the House should join the battle to preserve for this state all of its fair share of Colorado River water.

[From the Los Angeles (Calif.) Times, July 3, 1967]

Water: More Leaky Legislation

The Senate Interior Committee has approved legislation creating a new water shortage problem for the states of the Southwest—without providing any meaningful solutions.

As expected, the committee authorized the controversial Central Arizona Project at the expense of the other Colorado River Basin states. There simply isn't enough water in the Colorado for the proposed project and for existing uses, already-authorized projects and the Mexico treaty obligation.

California not only would have water taken away for the Arizona facility but could wind up helping to pay for it through higher power rates. Upper Basin states, particularly Colorado, would also be hard hit.

This was too much for Sen. Thomas Kuchel (R-Calif.) who described the bill as "an instrument of myopic planning that forsakes a regional, equitable solution for selfish expediency."

Gov. Reagan joined Kuchel in denouncing the legislation as a measure that "compounds rather than solves" the water problems of the Southwest. "All it does," said Reagan, "is add an additional burden to an already overcommitted river."

The myopia referred to by Sen. Kuchel could better be described as the intentional shortsightedness of those who would deny to the Southwest any of the vast surplus of water in the Pacific Northwest. No mention was made in the bill of any water importation studies, which is just the way the committee chairman, Sen. Henry Jackson (D-Wash.), wanted it.

California insists—with the support of other Colorado Basin states—that if there is no importation of water, Arizona must share the shortage that its new project would cause. There must be a guarantee, declared Sen. Kuchel, that California's use of Colorado River water would not drop below the 4.4 million acre-feet annually provided in the Boulder Canyon Project Act.

The committee bill, introduced by Sen. Carl Hayden (D-Ariz.), recognizes that basic right of California—for 27 years. In other words, Arizona will honor the water rights of other states only so long as it is not inconvenienced.

This parody of a proper regional water plan probably has enough votes to pass the Senate. Fortunately it must then go to the House Interior Committee, where reason should be restored.

Despite threats of reprisal to Northern California projects, the state delegation in the House must stand together to assure that California isn't sold down the river.

[From the Salt Lake (Utah) Tribune, July 2, 1967]

Central Arizona Bill Big Disappointment

The Central Arizona Reclamation Project as reported out of the Senate Interior and Insular Affairs Committee is a disappointment to Utah interests. While it contains financing for the Dixie Project, it lacks any assurances that Utah's unused water entitlement from the Colorado River will be protected. A crumb is little consolation if the whole cake is lost.

That Arizona has a critical water problem requiring early solution, there is no doubt. As a matter of record, Utah officials and reclamation leaders acknowledge the situation and have pledged help. Arizona as part of the Colorado River's Lower Basin was allocated water from the river by solemn agreements dating back to 1922. But these agreements were founded on the principle of mutual assistance, western state signatories believing each would benefit from cooperative efforts. The Central Arizona Project bill as now written does not reflect this spirit.

Utah and its Upper Basin neighbors were willing to support the bill, asking in return for provisions authorizing studies of ways to augment the supply of water in the Colorado River Basin. One such possibility would involve diversion from the water-rich Northwest. Certain Colorado River operation requirements on Glen Canyon's upstream side were also requested. All these concessions were stripped from the bill in the Senate committee, headed by Senator Jackson (D-Wash.), unyielding opponent of diversion of any Columbia Basin water to the Colorado Basin.

Central Arizona was planned on the basis of water supply expectations estimated more than 40 years ago when Upper and Lower Basin entitlements were divided by compact. Subsequent flow measurements show early estimates overgenerous and if Arizona is to receive its allocation as river rights were originally distributed, the subtraction will come from the Upper Basin's share.

Utah, Colorado, Wyoming and New Mexico, in the Upper Basin, are as vitally concerned with ultimate development of their water rights as are Arizona, California and Nevada in the Lower Basin. Our future prosperity is limited by the amount of water we can reclaim for industrial, agricultural and residential use. The cooperative approach to region-wide water development must not be abandoned now, but if one of the seven Colorado River Compact states insists on using the leverage of private advantage at the expense of its former partners, the other states have no alternative but to resist.

The Central Arizona bill faces several obstacles before reaching a final congressional vote. It must be examined in the House Interior and Insular Affairs Committee, chairmanned by Rep. Wayne Aspinall (D-Colo.). On June 1 as featured speaker at the Central Utah Reclamation Project's Bonneville Unit groundbreaking, Mr. Aspinall called for the highest degree of water statesmanship in meeting requirements of a growing, but oftentimes arid, West. He said such diplomacy contemplates the idea of transbasin diversion. We hope Mr. Aspinall remembers those words when his committee considers the Central Arizona Project bill, for, as currently written, it should not pass.

[From the Denver (Colo.) Rocky Mountain News, July 2, 1967]

Blocking Water Grabs

Fortunately for Colorado and Wyoming it has a triumvirate of representatives sitting on congressional interior committees blocking water grabs threatened by the Central Arizona Project involving Upper Basin waters, the property of Colorado and Wyoming.

They are U.S. Sen. Gordon Allott of Colorado, U.S. Sen. Gale McGee of Wyoming, and powerhouse Rep. Wayne Aspinall, chairman of the House Interior Committee which holds life-or-death decision over the bill.

While we understand the necessity of water in the arid Arizona country, neither Colorado nor Wyoming, snowsheds for the principal tributaries of the Colorado River, can afford to be giving away vital water that must be preserved to guarantee anticipated industrial, residential and agricultural growth.

The Central Arizona Project, an immense system of dams to blockade the Colorado River in Grand Canyon National Park, is the major unit of the $1.2 billion Colorado River Project.

Senate old hands term the Central Arizona Project "a monument" to aging U.S. Sen. Carl Hayden, now 89 and nearing the end of his long career.

Finding tough opposition from Colorado and Wyoming sources, Hayden wanted to amend the bill to offer Colorado $360 million as an inducement to giving him his way.

You don't scoff at $360 million, but neither can you be bribed into giving away the most valuable resource of both Colorado and Wyoming.

The money would go to build and develop storage and irrigation systems on the San Miguel, Uncompahgre, Dolores, Animas, La Plata and the main stem of the Colorado where it leaves the state. The water would augment fruit orchards, ranches and farms in the high mesa country of the Western Slope.

Allott demands that the bill provide funds for a water augmentation program whereby surplus waters in giant systems such as the Columbia River might be diverted to states that are water-shy and growing increasingly so.

A third proposal made by Allott suggests that the Central Arizona Project include the projected Hualapai Dam, above the great Hoover Dam, to generate power that could be sold to pay off diversion studies.

The system of equitably allocating water by compact is a tenuous one at best. Water, once adjudicated to another state, never comes back.

We applaud the stand of our congressional representatives and trust they hold the bridge and protect our water interests.

[From the Los Angeles (Calif.) Times, June 9, 1967]

THE POLITICS OF WATER

"Man is losing his race with the growing need that he has for water," warned President Johnson at the recent International Water for Peace Conference.

"While men barely tap the abundance of lakes, rivers and streams, others watch their crops shrivel with drought.

"How can we engineer continents and how can we direct our great river systems to make use of the water resources that all of us are wasting today?" asked the President.

Many members of Congress must have found a special irony in Mr. Johnson's stirring words. For the advice the President gave the rest of the world is being ignored by his own administration in the development of U.S. water resources, particularly in the arid Southwest.

The new Colorado River Basin bill presented by Interior Secretary Stewart Udall is as illogical as it is unfair. Apparently a variety of political pressures caused the administration to do a flip-flop from its previous recommendations for a regional plan.

Udall stunned the Southwest states earlier this year with a new proposal calling for construction of the $1.1 billion Central Arizona Project without any provision for replacing the Colorado River water it would use, and with no protection for water rights of the other basin states.

The secretary performed a "bewildering intellectual somersault," said Sen. Thomas Kuchel (R-Calif.).

Last year Udall favored a compromise agreement among the basin states that included construction of the project, guarantees of water rights and establishment of a development fund for other basin projects.

A key element of that pact was insistence upon studies leading to importation of water from areas of surplus—"to make use," as the President put it, "of the water resources that all of us are wasting today."

The inter-state agreement, however, got caught in the rapids of power politics.

Most obvious source from which to import water is the Columbia River—where, to quote the President again, "men barely tap the abundance." More than 10 times the annual flow of the Colorado is annually wasted into the sea from the Columbia.

Water from inter-state river systems like the Columbia does not belong to any one state and is subject to the will of Congress. But the state of Washington has very powerful representation in Congress, including Sen. Henry Jackson, chairman of the Senate Interior Committee.

Sen. Jackson does not want any mention of importation studies in the Colorado River bill that his committee will begin marking up today. And none will be, despite the objections of Sen. Kuchel.

Arizona, however, seems willing to pay almost any price for its long-sought project and has all but repudiated its prior agreement with the other basin states.

It knows that without such importation there won't be enough water in the river to supply the Central Arizona Project and to meet the minimum amounts guaranteed to other basin states by law and to Mexico by treaty.

Although Arizona may be willing to take that chance, California cannot. Nor can the other members of the Colorado River Basin.

If the authorization again fails, Arizona will have only itself to blame. There isn't room on the river for a project that can be built only at the expense of other states' water rights.

President Johnson, therefore, ought to step in now to assure that a proper regional solution is achieved before the political well runs dry.

[From the Desert Hot Springs (Calif.) Desert Sentinel, June 8, 1967]

KUCHEL BILL NEEDS SUPPORT

The Colorado River Basin is a water-deficient area. The Southwest, Southern California in particular, is dependent upon the Colorado River water supply: A supply which has been over-committed by compact, court decrees and present long-time uses.

Today, Southern California must again battle to protect its rights in the river or face a drying up of more than $600 million invested in water facilities unless Congress faces up to the obligation of enacting meaningful legislation to provide realistic solutions to the inevitable water shortage that will follow unrestricted authorization of the Central Arizona Project.

The Colorado River Board of California and Coachella Valley County Water District, Imperial Irrigation District and other Colorado River users have firmly resolved to oppose river legislation now before Congress which is proposed by Arizona and the federal administration.

These California agencies take the stand that the proposed CAP bills of Arizona and Secretary of Interior Udall fail to recognize the water deficiencies and demands already caused by the Mexican Water Treaty, existing water rights and other authorized uses as well as evaporation losses upon all of which would be added the new burden of the Arizona proposal.

California, which has been using 5.1 million acre feet for many years, has projects designed to take 5.4 million acre feet per year. Californians will recall that in 1929 this state agreed to limit itself to 4.4 million acre feet. California's right to 4.4 million acre feet, its limitation underscored by the Supreme Court ruling, has been regularly acknowledged by Arizona. Simple arithmetic shows this is 700,000 acre feet less than we are currently using.

The problem is that even with the optimum flow of 7.5 million acre feet per year in the lower Colorado River, the Lower Basin will be short of river water. It is intolerable to contemplate a project such as the CAP without assurance that present rights are protected or that more water is assured from other sources. Who will bear the burden? What principles should apply?

California supports the Colorado River Bill S. 861 introduced by Sen. Thomas Kuchel in which he is joined by Sen. George Murphy. California also supports the counterpart in the House, H.R. 3300 by Rep. Wayne Aspinall of Colorado. California does so because S. 861 embodies the principles on which all seven Colorado River basin states agreed last year. Sen. Kuchel's S. 861 states the conditions on which the basin states could support authorization of the Central Arizona Project.

Basically, the stand of most basin states and the California agencies contains these points:

That when there are shortages of water in the river, Arizona shall be limited in diversions to the Central Arizona Project to assure water to supply the existing projects in Arizona and Nevada and existing projects in California not in excess of 4.4 million acre feet. In other words, Central Arizona's project must bear its portion of any shortages that project may create.

That this priority for the existing projects would terminate when 2.5 million acre feet of surplus water is imported from another basin into the Colorado River. In other words, meaningful studies of water importation projects must be made now and must be realistic and purposeful before the CAP can be approved.

That California's protection of its 4.4 million acre feet limitation must be maintained, and the future augmentation of the river by 2.5 million acre feet is a realistic goal.

That the high Hualapai Dam and power generating plant is also an integral part of the program which must be incorporated into any Central Arizona Project legislation. Hualapai Dam would provide development funds for underwriting costs of works to import the necessary supplemental waters.

These principles must be included in any Colorado River legislation. Sen. Kuchel's S. 861 does this. It is the only solution to what otherwise will mean a drying up of the already over-burdened river.

Southern California, indeed, all of California, and the Southwest should so advise their senators and congressmen of their support of S. 861 today. We ought to all rise up and tell President Johnson we mean business and we need water!

[From the Desert Hot Springs (Calif.) Desert Sun, June 7, 1967]

THE HEART OF A WATER PROBLEM

The famed Colorado River Water Fight is still being waged, and we might as well recognize it. The term itself has been heard seldom since the U.S. Supreme Court decision settling the California-Arizona legal battle. But the one agonizing fact that cannot be eluded remains, and that fact supports continuing struggle:

The Southwest is dependent upon a Colorado River water supply which has been over-committed by compact, court decrees and long-time uses.

And all of the fighting, the jockeying of legislation and other politicking, comes down to various sections of the Colorado River Basin trying to finagle more water or hold onto rights they believe they already have.

The situation as it exists today is vastly complex, involving all sorts of statistical, engineering and political issues, but that over-commitment is the key to California's stand against bills proposed for the Central Arizona Project.

This state's Colorado River users take the stand that the proposed CAP bills of Arizona and Secretary of Interior Udall fail to recognize the water deficiencies and demands. The view simply is that it is intolerable to contemplate a project such as the CAP without assurance that present rights are protected or that more water is assured from other sources.

Any attempt to discuss this great issue without reference to specific details—particularly acre feet of water—is difficult, but let's accept a bit of oversimplification in hopes of better understanding.

Basically, the stand of California and most of the basin states is embodied in a resolution of the board of directors of the Coachella Valley County Water District supporting Sen. Thomas Kuchel's Colorado Bill S. 861, which, the resolution states, contains the essential features for a settlement of the issues.

That resolution, oversimplified, calls for:

Works to augment the Lower Basin water supply. This includes authorization for meaningful studies for that purpose, including studies on importations necessary to firm up the water apportioned to the Lower Basin by the Supreme Court Decree and studies of adequate protection of areas and states where that imported water originates.

Acceptance of a proposal which would provide Colorado River basin project funds from sale of power from a high Hualapai Dam.

Provision that the Central Arizona Project would bear its portion of any shortages which it would create.

Protection of existing projects and California's allocation by the Supreme Court.

The gut issue, it appears, is that California insists that the over-commitment of water be recognized and enough water be provided to meet that commitment. Sen. Kuchel's bill seeks that. The other two bills ignore that demand.

But the details—the acre-feet, the dates of compacts and court decisions, the state and area loyalties—can and do confuse that issue for many of us.

That they do is a shame. The problem is truly a regional one. The Southwest simply does not have enough water and finding a way to provide enough water is the reasonable approach, not deciding who will have and who will not have.

This is important to all areas of the Southwest, directly or indirectly. Palm Springs, which uses not a drop of Colorado River water, is almost directly affected by the well-being of those areas which do.

The solution sought by the Kuchel bill is the only satisfactory solution: The solution to the Southwest Water Problem.

And we should let our legislators know we believe in that.

[From the Los Angeles (Calif.) Herald Examiner, May 25, 1967]

Fighting Back

Cornered and with their patience worn out by Colorado River water decisions which may be running against them, the people of California have decided they must fight to protect their rights in the great water controversy.

The Colorado River Board of California announced it had unanimously voted to oppose in Congress the Colorado River legislation now being supported by Arizona and the national Administration.

In so doing they will be backing the opinions of Gov. Ronald Reagan, Atty. Gen. Thomas C. Lynch and Senators Thomas Kuchel and George Murphy. They also will support the Kuchel Colorado River bill, S. 861, in which Kuchel is joined by Sen. Murphy.

Here is the Colorado River Board's position:

1. Loss to the Metropolitan Water District must be limited to 662,000 acre-feet annually against any demand from newer projects—such as the contemplated Central Arizona water plan.

2. A comprehensive study of water to augment the supply of the Colorado River mainstream, including studies of importation possibilities, should get under way at once. (This would include the possibility of obtaining water from the Columbia River.)

3. A 5 million kilowatt hydroplant at Hualapai Dam in Bridge Canyon, with pumped storage features to meet power demand peaks, should be authorized as an essential source of low cost electricity for the growing economy of the Southwest as well as a source of funds to finance facilities to add water to the Colorado River.

Arizona and California formerly worked together in an attempt to protect the interests of both. Arizona in recent months has made it obvious that it no longer intends to pursue this common defense policy—that it planned to act alone.

There is only one move that can be made now if California is to protect its present and future water supplies.

The people of this state and all their senators and congressmen must get out and fight!

Otherwise, the waters of the Lower Colorado will be drained off so extensively by the Central Arizona and other projects that the great Metropolitan Aqueduct will run dry, the California economy will be affected and thousands of Californians will face the ruin that goes with lack of sufficient water.

[From the Denver (Colo.) Post, March 19, 1967]

Water: Every Man for Himself

The biggest mistake Interior Secretary Stewart Udall could make in assessing the Colorado River hearings in Washington would be to assume that Colorado and other upstream states are perverse in expressing purely local viewpoint.

To some extent, we're forced to seek limited goals—for two reasons:

Udall himself has offered his Central Arizona Project (CAP) legislative proposal as a purely local benefit (including a federal subsidy) for Arizona. We in the upper basin have had to react by pushing our own interests.

The administration has abandoned national water planning as a contemporary fact of life. Udall is willing to study the idea in the abstract but that isn't enough for water-short areas in the Southwest. As a result, it's every man—or state, or region—for himself.

What we need in the long run is intelligent planning on a regional and national basis. This concept should be responsive to local interests. Some of the most comprehensive knowledge on how water can be used is available in states and regions.

But having said that, there is no question about the necessity for studies of future water use on an intensive scale we have not yet seen.

Considering population trends and food needs how much priority should be placed on irrigation over the next couple of decades and for what kinds of crops? How much industry should there be—in relation to water use—in dry areas of the West? What kind of industry?

In the absence of a specific interest in these questions by a specific governmental agency—and we're thinking of Udall's Interior Department—the people of regions and states have no alternative but to fight for local projects as a quid pro quo to the parochialism shown by Stewart Udall toward his home state.

We're not speaking theoretically. Arizona is not alone in having water shortages. The well-drilling squabble in Colorado's legislature is an indication of an incipient drought crisis. A dry year would bring serious shortages in basins all over the state.

What we need is a combination of practical reclamation efforts, as Rep. Wayne Aspinall, D-Colo., so ably represents in Washington, and some really visionary priority-setting under state and federal leadership. We think that would include a specific call for study of diversion of water from water-rich areas.

But, basically, we need leadership and it can only come from Washington. We hope to secure that leadership as a supplement to our own efforts which, in the absence of leadership, must remain "local."

[From the Los Angeles (Calif.) Times, Mar. 10, 1967]

Compromise on the Colorado

The Battle of the Colorado River will be resumed Monday in Congress with new plans and new tactics. The fighting, however, will be as senseless and unnecessary as ever.

Again the states of the Pacific Southwest will be quarreling over how to divide future water shortages rather than working to bring surplus water from other areas into the meager Colorado.

Last year California and the rest of the states of the Colorado River Basin were joined as allies in support of legislation that would assure them enough water to meet their future needs.

Now, however, the allies threaten to become adversaries, a division that could be disastrous for their common cause.

The only "victors" would be those members of Congress from the Pacific Northwest who are determined that every drop of the vast surplus of Columbia River water should continue to be wasted into the Pacific Ocean instead of used to relieve compelling shortages in other states.

The split in the Southwest is the result of an extraordinary flip-flop by Interior Secretary Stewart Udall, whose new regional water development plan repudiates most of his earlier proposals. About the only resemblance to the previous plans is authorization of the $1.2 million Central Arizona Project.

The latest Udall proposal backs down on the necessary dams for the project, makes no provision for augmentation of the Colorado and dismisses the all-important guarantee to California of the 4.4 million acre-feet of water specified in the Colorado River Compact.

Even many Arizonans were enraged by this collection of concessions despite its provision for their long-cherished project. Secretary Udall has "double-crossed his own state," declared Arizona State Sen. Ray Goetze, Natural Resources Committee chairman.

California has explored every avenue of compromise and still desires to support Arizona, but not at the expense of our fundamental water rights.

To that end, Rep. Craig Hosmer and Sen. Thomas Kuchel have introduced compromise bills for CAP construction and for augmentation studies that are in the best interests of all Colorado Basin states. A number of other legislators are joined as co-sponsors, and Gov. Reagan has spoken out in strong support of the bills.

"Legislation to authorize the Central Arizona Project," said Reagan, "must recognize that the dependable water supply of the Colorado available to the Lower Basin is insufficient to meet existing uses plus the requirements of the CAP."

It is as simple as that. There just isn't enough water in the river, and all the arguing among the Colorado Basin states won't alter that obvious fact.

The sooner that all the states of the Southwest face up to reality the sooner will a proper solution to their water shortages be achieved.

[From the Los Angeles (Calif.) Herald-Examiner, Feb. 21, 1967]

The Big Fault

California's U.S. Sen. Thomas Kuchel has thrown a stop-gap bill into Congress designed to continue protection of the 4.4 million acre feet of Colorado River water annually guaranteed to California.

What this bill really amounts to is the opening of a new battle in Congress to conserve and distribute to all of the Southwest states whatever water becomes available over the next quarter century.

The heart of it is what it always has been, a comprehensive study of the availability of a small portion of the 180 million acre feet of water from the mighty Columbia River which annually goes to waste in the Pacific Ocean. This demand for such survey also is included in the Kuchel bill.

Secretary of the Interior Stewart Udall has thrown a monkey wrench into the plans of the Southwest states by dismissing California's guarantee of 4.4 million acre feet annually from the Colorado by declaring this now must become a matter of congressional determination.

It is significant that although some years ago the battle for the waters of the Colorado was between only two states, California and Arizona, now the other states along the Colorado have become seriously involved.

The influential Denver Post, for instance, relates the woes of Colorado in an editorial which includes the following:

"He (Udall) would drop plans to build dams in Grand Canyon—which we have suggested. But he also would drop plans to study importation of water from the Pacific Northwest—plans we think are vital.

"Logically, if it makes sense for Arizona to borrow surplus waters from other states upstream on the Colorado River it makes sense to consider importation of surplus water from the Pacific Northwest."

In other words, what's good for the goose is good for the gander, and if you are going to take water away from Colorado why not take it away from Washington and Oregon when the taking of normally wasted water is vitally necessary for the existence of arid areas?

On Arizona's part, the people there are not too happy, either. They must either gain the cooperation of other states to help them get Federal funding for their Central Arizona Project for irrigation or try to do the job alone at vast cost to the state's citizens.

The Phoenix Gazette laments editorially that:

"In retrospect it seems quite likely that our state's mistake last year was in tying itself down to specific plans and compromises without first having an airtight commitment from others which would have resulted in passage of project (CAP) legislation."

Last year, Arizona and California had finally reached the ultimate in rapport.

California was going to support legislation authorizing the Central Arizona Protect and Arizona was to acknowledge California's right to 4.4 million acre feet of Colorado River water annually. Other Western states had joined in this important mutual accord.

And then there was a slipup and the necessary Federal legislation failed to pass in the closing days of that Congress.

What has just occurred, the new and vastly revised Stewart-Udall formula is due, we believe, to a gradual thaw and breakup of the Western states friendship treaty. This newspaper always has urged the necessity of such a treaty organization. We hope the senators, congressmen and governors of the Western states push for its revival again in rousing fashion.

[From the Monrovia (Calif.) News Post, Feb. 20, 1967]

Long-Range Needs: Udall Water Plan Is Awash

Dividing scarcity is an exercise in futility, yet this is what Secretary of Interior Stewart Udall now proposes for the Colorado River Basin.

Three years ago the secretary endorsed a sensible regional water conservation plan that included a guarantee of all the states' basic rights to water.

It included the Central Arizona Project to bring water to Phoenix and Tucson and lifted sights to the time when water would have to be imported into the basin from other sources.

Implementation of regional water plans depends on funds to be obtained from the sale of power to be generated at proposed Marble Canyon and Bridge (Hualapai) Canyon dams.

Now in an astonishing reversal, Mr. Udall has abandoned this imaginative and realistic regional approach in favor of a Central Arizona Plan without the dams, but with construction of a thermal power plant. It is a retreat from pressure opposing the two dams in the name of "conservation."

And it is a plan that will again divide the basin into sectionalism, set neighbor state against neighbor state in a fight for water that does not exist and put the Interior Department further into thermal generation, where it does not belong.

There simply is not enough water in the Colorado Basin to serve the needs of the 190,000 square mile area. The river produces about 16.5 million acre-feet of water a year Demands on this source total about 17.8 million acre-feet.

Without outside sources of water, construction of the Central Arizona Project would divert 1.2 million acre-feet to Phoenix and Tucson and cut California's fundamental right to 4.4 million acre-feet in half. It is a plan the Golden State could not tolerate.

There fortunately is a sensible compromise between the original plan for a regional program and the unthinkable retrogression of Mr. Udall. It is in the measure introduced by Sen. Thomas Kuchel, Republican of California, patterned after a bill approved by the House Interior Committee last year.

It would reinstate the original regional approach, but construct only the Hualapai Dam, 80.8 miles down-stream from Grand Canyon National Park at the headwaters of Lake Mead. As a concession to "conservationists" Marble Canyon Dam, 12.5 miles above the eastern boundary of Grand Canyon National Park, would be eliminated. California's basic water rights, fundamental in any plan, would be protected.

It is a minimally essential plan to protect the regional approach and provide long range water needs of the Colorado River Basin that should be approved by Congress.

[From the San Jose (Calif.) News, Feb. 18, 1967]

New Water Plan Threat to State

The Colorado River war is flaming again, and the front line currently is on the banks of the far away Potomac.

A combine of senators from thirsty Arizona and jealously apprehensive Washington state have introduced a bill that runs completely counter to California's interests.

The bill would revive in modified form the Arizona water project which failed to get through the 89th Congress. Two of the modifications are deadly, from California's point of view. Missing from the bill are a guarantee that California will continue to get some Colorado River water and that a study will be made of the possibility of exporting excess water from the Pacific Northwest.

Sen. Kuchel of California has introduced his own bill which includes these vital provisions.

The state of Washington does not want anyone even talking about taking water out of the Northwest. And Arizona is willing to go along with this, apparently feeling that an alliance with the Northwestern bloc will be powerful enough to put the bill through. And it well might.

One sponsor of the anti-California measure is Arizona's Sen. Carl Hayden, chairman of the potent Appropriations Committee. Another sponsor is Washington's Sen. Henry M. Jackson, chairman of the Interior Committee, which will conduct hearings on any Colorado River bill that stands a chance of getting to the floor.

And the Hayden-Jackson bill is not far removed from the latest Colorado River plan of Interior Secretary Stewart Udall, himself an Arizonan.

That is a tough combination to beat. Sen. Kuchel may have to call in all the political IOUs he has collected in the Senate over the years to curb this anti-California move. The state's delegation in the House of Representatives must start mobilizing its resources as well.

The Kuchel bill, like its predecessor which was killed last year, benefits Southern California. This is important to the northern section of the state, however, because a thirsty South can be a heavy drain on the North's water supply.

[From the Torrance (Calif.) S. Bay Daily Breeze, Feb. 13, 1967]

A Rationing of Scarcity

Dividing scarcity is an exercise in futility, yet this is what Secretary of Interior Stewart Udall now proposes for the Colorado River Basin.

Three years ago the Secretary endorsed a sensible regional water conservation plan that included a guarantee of all the states' basic rights to water.

It included the Central Arizona Project to bring water to Phoenix and Tucson and lifted sights to the time when water would have to be imported into the basin from other sources.

Importation of water studies depended in a large part on funds to be obtained from the sale of power to be generated at proposed Marble and Bridge (Hualapai) Canyon Dams.

Now, in an astonishing reversal, Mr. Udall has abandoned this imaginative and realistic regional approach in favor of a Central Arizona plans without the dams, but with construction of a thermal power plant. It is a retreat from pressure opposing the two dams in the name of "conservation."

And it is a plan that will again divide the basin into sectionalism, set neighbor state against neighbor state in a fight for water that does not exist and put the Interior Department further into thermal generation, where it does not belong.

There simply is not enough water in the Colorado basin to serve the needs of the 190,000-square-mile area. The river produces about 16.5 million acre feet of water a year. Demands on this source is about 17.8 million acre feet.

Without outside sources of water, construction of the Central Arizona Project would divert 1.2 million acre feet to Phoenix and Tucson and cut California's fundamental right to 4.4 million acre feet in half. It is a plan the Golden State could not tolerate.

There fortunately is a sensible compromise between the original plan for a regional program and the unthinkable extreme of Mr. Udall. It is in the measure introduced by Sen. Thomas Kuchel, Republican of California, patterned after a bill approved by the House Interior Committee last year.

It would reinstate the original regional approach, but construct only the Hualapai dam, 80.8 miles downstream from Grand Canyon National Park at the headwaters of Lake Mead. As a concession to "conservationists" Marble Canyon dam, 12.5 miles above the eastern boundary of Grand Canyon National Park, would be eliminated. California's basic water rights, fundamental in any plan would be protected.

It is a minimally essential plan to protect the regional approach and provide long-range water needs of the Colorado River basin that should be approved by Congress.

[From the San Diego (Calif.) Union, Feb. 11, 1967]

Kuchel's Regional Proposal Is Sensible: Udall Water Plan Doesn't Wash

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[From the Tucson (Ariz.) Citizen, Feb. 7, 1967]

NEW CAP PLAN BAFFLES STATE

Gov. Jack Williams expressed bewilderment last week when he was advised of a drastically revised Central Arizona Project proposed by the Johnson Administration.

The Arizona governor could have added that he was stunned. He, as were most Arizonans, was caught completely off guard by Interior Secretary Stewart Udall's proposal which reduces the seven-state regional plan to a three-county Arizona plan. Sen. Paul Fannin was wise to call at once for a meeting of Arizona's congressional delegation with state leaders.

The last session of Congress considered a blockbuster $2.1 billion regional water plan to develop water resources in the lower Colorado River Basin. The Central Arizona Project was part of the regional plan. So were two dams on the Colorado River, Hualapai and Marble Canyon dams.

The bill made more progress than ever before, but it still died in committee. Some of the seven states, including Arizona, vowed to renew the quest for vital water in the 90th Congress.

So far Arizona and two other states have introduced bills which are modified versions of the last session's seven-state regional plan. Arizona's, for instance, whittled the bill down by eliminating one of the two controversial dams opposed by the conservationist Sierra Club.

These states and Congress in general were caught by surprise by Secretary Udall's unexpected $719 million scaled-down plan. Reaction generally was complete bewilderment, but among Arizona legislators bewilderment slowly has turned to anger.

Secretary Udall's plan, if translated into legislation, means that Congress will enact legislation which would increase costs of water users and real property taxpayers in just three counties of one state.

And, this is what makes Arizonans angry. If the CAP is going to be an Arizona affair only, why is this a matter just for Congress to decide? And why is it necessary to abandon the Marble Canyon Dam, which would not spoil the Grand Canyon and which would help finance CAP?

Certainly, Arizona is in a better position than Congress to determine how to proceed with a project that will be of benefit to the entire state, not just to three of the state's counties as Secretary Udall's plan suggests.

[From the Oakland (Calif.) Tribune, Feb. 7, 1967]

CANYON FIGHT

When he announced that the Administration was dropping its plans for building two controversial dams in the Grand Canyon area, Interior Secretary Stewart L. Udall denied that this represented capitulation to conservationists who opposed them.

"This is not a big victory for anyone," Udall said. "It's a victory for common sense."

If the new Colorado River development plan represents a "common sense" approach, why didn't the Administration propose it last year?

[From the Long Beach (Calif.) Independent Press-Telegram, Feb. 5, 1967]

LITTLE CHOICE BUT TO FIGHT UDALL PLAN

Interior Secretary Stewart L. Udall has scuttled the regional plan for Colorado River development.

Instead, he announced support for immediate construction of the Central Arizona Project. Under his proposal, all other major elements in the regional plan would be either abandoned or left in indefinite suspension.

To California water officials the latest approach is flatly unacceptable because it junks a guarantee that this state will get annual delivery of 4.4 million acre-feet of water from the Colorado.

This minimum allotment was a vital part of the package legislation introduced in Congress a year ago with the endorsement of all seven of the Western and Southwestern states directly concerned. It was no less integral to the regional plan than the building of aqueducts to Central Arizona.

Udall told a Washington press conference that the new proposal has the support of the White House and the Budget Bureau. It also was welcomed by Sen. Henry M. Jackson, D-Wash., influential chairman of the Senate Interior Committee. His attitude probably reflects that of other lawmakers from the Northwest.

The California delegation in Congress thus faces a formidable challenge, as was implicit in the shocked reactions of Sen. Thomas H. Kuchel and Rep. Craig Hosmer.

Neither Kuchel nor Hosmer had taken it for granted that the regional plan would be adopted intact. It was accepted by the seven states after long discussions in 1965, but it never got out of committee after the bill was introduced early in 1966. Pacific Northwest interests, the conservationist Sierra Club and other behind-the-scenes groups combined to stall action.

But there was hope that some workable variation could emerge from Senate and House committees. While California supported the whole bill, its spokesmen were willing to make concessions on almost any point except the 4.4 million acre feet guarantee.

That is still the position of the Colorado River Board of California, a state agency better informed than anyone else on the state's water needs.

It seems doubtful now that a genuine regional approach can be salvaged this year. The attempt should be made, however, if any reasonable opportunity appears.

If not, Californians and their friends in the river valley and elsewhere will have no choice except all-out resistance to the Udall proposal for the Central Arizona project.

[From the Riverside (Calif.) Enterprise, Feb. 5, 1967]

UDALL UNDERCUTS THE WATER PLAN

The fight for comprehensive regional treatment of the West's water problems is by no means lost. But it has been made much more difficult by Secretary of the Interior Stewart Udall's surprise retreat from the basis of the seven-state plan agreed upon last year.

Mr. Udall's new plan would satisfy Arizona interests that are pushing for more water for Phoenix and Tucson. Also it will come as a relief to conservation groups that have been fighting the proposed Hualapai and Marble Canyon dams on the Colorado River.

But it would do so at the expense of a guarantee that California will retain a survival ration of 4.4 million acre feet of water annually from the Colorado until such time as that river is reinforced by an annual flow of 2.5 million acre feet diverted from the Pacific Northwest.

The Udall plan also torpedoes a regional study of the feasibility of sending south a small portion of the water that now cascades down the Columbia and spills, unused, into the Pacific. In its place would be a much more general study to be made on a nationwide basis by a national water commission yet to be created. That's a format for endless delay.

Finally, by eliminating the hydroelectric dams in favor of a more constricted output of steam-generated power, the Udall program removes a large source of public revenue that would have underwritten both the Central Arizona project works and at least the early stages of the Pacific Northwest development. The Secretary says the three Arizona counties that stand to benefit could pay for the Central Arizona Project.

But how is the larger propgram to be financed? The Secretary doesn't say.

What he has undercut here is an infinitely delicate and finely balanced compact among the seven states of the Colorado River watershed. The compact ended decades of unproductive feuding between California and Arizona, but only by virtue of the guarantee to California of interim Colorado River water and the prospect of fresh water from the Northwest.

It is clear that the Udall plan serves neither California's rockbottom needs nor the newfound unity among the Colorado Basin states.

Having failed to secure proper leadership through the executive branch it now becomes important for the seven states to stick together, for Arizona to be persuaded of the long-run dangers of trying to go it alone, and for the battle for a rational regional water plan to be pressed harder than ever in Congress. The campaign that has been going badly in the Interior Department can still be won on Capitol Hill.

[From the Los Angeles (Calif.) Herald-Examiner, Feb. 5, 1967]

THE BIG SWITCH

Secretary of the Interior Stewart Udall has, to use an old expression, sold California down the river—the Colorado—through his newly announced plan for settlement of the Colorado River basin controversy.

Instead of helping to maintain a spirit of cooperation which had finally been built up until recent months between California, Arizona and the other Colorado River basin states, he only has succeeded in botching the well laid plans previously pressed to guarantee the states their fair share of Colorado River water.

Among the details of his plan which will work against California's interest are:

1. No guarantee to California that it will retain its 4.4 million acre-feet annual guarantee of Colorado River water. Instead, Udall would leave that determination up to Congress.

2. No specific study of new water imports such as from the Columbia River, where more than 170 million acre feet of water annually wastes in a great flood into the ocean.

Instead, the Secretary would urge a "national study" to survey all water resources on a national scale. This opposes the principle which had been agreed upon by most of the western states who wanted a specific study to be made of possible water imports to the Colorado River to supply the wants of all western states.

Secretary Udall tried to explain his amazing new position on the Colorado River problem by declaring that his plan would result in a lower cost (presumably because of the decision not to construct the two major dams), and to eliminate controversy among the states.

If Mr. Udall thinks he is eliminating controversy among the states he will discover that this time he really has stirred up a hornets' nest.

California's U.S. Senator Thomas Kuchel declared that Udall "has performed a bewildering somersault, shattering the regional approach to solving the Colorado Basin water problem by reversing the principles he espoused before."

It is the belief of this newspaper that Mr. Udall has succumbed to the threatening attitude of Washington and Oregon national lawmakers, whose "dog in the manger" attitude would forever deprive California and other western states of additional water from the Colorado.

If that is the case, those backing Secretary Udall's so-called administration plan will discover that the legislators from California, the nation's largest state, also can make themselves heard in Washington.

[From the Los Angeles (Calif.) Times, Feb. 3, 1967]

UDALL'S WATERY "COMPROMISE"

Interior Secretary Stewart Udall has proposed an astonishing new plan for regional water development in the Pacific Southwest that is neither regional in scope nor creative in development.

It is, in fact, not so much a plan as a series of concessions.

The Colorado River Basin "compromise" announced Wednesday by Udall bears little resemblance to the imaginative concept of regional co-operation he once championed. Three years ago the secretary was urging the Basin states to join in developing new sources of supply so that present rights could be protected and future needs satisfied.

With Secretary Udall's support, the seven states served by the Colorado agreed last year on the introduction of legislation that would achieve the individual and collective aims of the states.

That regional approach is "rudely shattered" in Udall's new proposal, declared Sen. Thomas Kuchel (R-Calif.) one of the leaders in Congress most responsible for the progress that had been made. "The principles the secretary once espoused," said Sen. Kuchel, "are suddenly abandoned now. We have a right to ask: 'Why the switch?' "

Why indeed?

Secretary Udall explained that "This is not a big victory for anyone. It's a victory for common sense."

"Conservationist" groups, however, can claim victory in the dropping of plans to build Marble Canyon and Hualapai (Bridge) dams in spite of Udall's earlier insistence that hydroelectric development is essential to the economic integrity of a regional program. And Pacific Northwest members of Congress were victorious in insisting that no provisions for water importation studies be included.

Many Arizonans also will be elected because their cherished Central Arizona Project is included, even though the arrangements for financing and necessary power supply are at least debatable.

Politics thus prevailed, but it was hardly a "victory for common sense."

For as the secretary must know, there simply is not enough water in the Colorado to divert the 1.2 million acre-feet proposed for the Central Arizona Project and still provide the absolute minimum amounts guaranteed by law and court decree to the other basin states and by treaty to Mexico. Without the importation of new water, the CAP could be built only by cutting California's use nearly in half and by taking water granted to the upper Basin States by the original Colorado River Compact.

This is one of the reasons that Rep. Wayne Aspinall (D-Colo.), chairman of the all-important House Interior Committee, expressed immediate opposition to the new Udall plan. Chairman Aspinall had already introduced a bill authorizing the CAP but with provision for importation studies and a guarantee of California's fundamental right to 4.4 million acre-feet.

He and the other Colorado River Basin members of Congress will be awaiting a much fuller explanation of what Sen. Kuchel called the "bewildering intellectual somersault" of Secretary Udall.

It is a time for the Pacific Southwest states again to join in the common cause of sound water development. Or, as the 1963 Secretary Udall put it, if we do not work together, "we shall shrivel separately."

[From the Los Angeles (Calif.) Times, Jan. 3, 1967]

CONGRESS AND THE COLORADO

When Congress convened one year ago prospects were never brighter for settlement of the prolonged controversy over Colorado River water.

Twelve months later the outlook is anything but optimistic.

California and the other Colorado Basin states in 1965 had reached an historic agreement in support of a regional water development plan. Past differences were suspended in the awareness that only a joint effort could solve individual water shortages.

Each of the seven states yielded something in the resulting compromise legislation. The bill provided for construction of water projects in Arizona and Upper Basin states with a guarantee to California of at least 4.4 million acre-feet from the river, considerably less than our present annual usage.

All-important feature of the bill—the sine qua non of any Southwest regional water plan—was provision for a feasibility study of importing new water into the Colorado River system. Without such importation, the Colorado could not possibly meet the future needs of Basin states.

Although finally afloat, the inter-state legislation soon ran into dangerous political shoals.

First, the militant partisans of the Sierra Club attacked the proposed Marble and Bridge Canyon dams, necessary components of the Central Arizona Project. Club members couldn't prove their contention that the dams would "ruin" the Grand Canyon, but they were able to drum up a lot of uninformed sympathy and thus weaken the regional plan's chances.

Then the Pacific Northwest's representatives moved in to prevent any congressional action that could lead to even the slightest diversion of the vast surpluses of Columbia River water that are wasted annually.

In the face of such opposition, the states fell to quarreling among themselves. Their long-sought unity strained at the seams, and for a time it appeared that only an emasculated bill would emerge from committee hearings.

Fortunately, Congress adjourned before the measure reached the House floor.

In the months that followed, a great deal of soul searching has gone on in the Colorado Basin states. The temptation to scuttle the inter-state alliance and the original regional plan was surely strong, particularly in Arizona, where some water leaders advocate that the state build the Central Arizona Project on its own as a last resort. Other states are prepared to accede to the dam protestors on at least the proposed construction at Marble Gorge.

Worst of all, some basin states seem willing to give up on the feasibility study for water importation.

Yet nothing during the past year has changed the basic principles upon which the original regional plan was built.

Only the stubbornness—and political muscle—of Northwest senators and House members prevents serious consideration of diverting surplus Columbia River water. Only the vehemence of Sierra Club members and like-minded special interests could cause the abandonment of reclamation dam projects in the name of "conservation."

California's congressional delegation must not yield to this counsel of despair. We have joined in a sound and proper compromise to further the common cause of western water development. We recognize the water rights of every other state except the "right" to hoard water that it can never use.

If water justice cannot be achieved this year, let us continue to fight. California, however, must never surrender its fundamental rights on the river for any kind of a spurious political "deal."

UDALL'S PIHSRENTRAP

Mr. **KUCHEL**. Part of the proposed bill, as Senators understand, provides a unique and, I believe, rather dangerous means by which the Federal Government will acquire electricity. Yesterday's Washington Post carried an editorial which began:

> Mr. Udall, the Secretary of the Interior has abandoned the public interest.

The Post was discussing the 10th Street Mall, but the Secretary demonstrated his ability to abandon the public interest much more dramatically when he deserted years of work toward regional cooperation in the Colorado River Basin for his 1967 central Arizona project package.

The dean of the Senate [Mr. HAYDEN] and his colleague from Arizona [Mr. McFARLAND] first introduced central Arizona project legislation on February 1, 1947. From that day, until the day 20 years later when the new Udall scheme was blazoned, every supporter of the central Arizona project suggested that new dams and hydroelectric facilities be built on the Colorado River. These hydroelectric facilities were intended to generate pumping power for the central Arizona project water, and to provide irrigation assistance through the sale of power in accordance with reclamation law.

Then, with capricious abruptness, the

Secretary announced to the world, and to all of the friends with whom he had worked for years to solve the basin's problems, that in a victory for common sense he had formulated an entirely new scheme.

Briefly, the Secretary will prepay to a group of utilities, $103 million for the privilege of receiving, for a period of 50 years, the output of 470 megawatts of capacity in a coal-fired, electric generating plant. In addition to paying $103 million, which represents the capital cost of building 470 megawatts of capacity, the Secretary will pay $7.2 million per year, the cost of operation, maintenance, and replacement, including the cost of fuel for that 470 megawatt portion of the plant.

Some of the electricity acquired by the Secretary will be used to pump water from the Colorado River into the central Arizona project system. Some will be resold by the Federal Government to help subsidize construction of the aqueduct and other central Arizona project works.

This would be the first venture by the Secretary into the business of selling thermal-generated energy, inaugurating a wholly new policy of Federal participation in thermal generation and sale of electricity.

Secretary Udall says his plan is a beneficial partnership of non-Federal utilities and the Federal Government. In a penetrating analysis of the new Udall scheme, the word "partnership," like the Secretary's position, is reversed. I shall read portions of that analysis from the March 6, 1967, Electrical World, entitled "'Pihsrentrap': A New Policy, or Expediency?"

> Washington is watching Interior Secretary Stewart Udall's power purchase plan for the proposed Central Arizona Project [CAP] with much interest, trying to figure out if it is an intentional shift to a new reclamation power policy, or just incidental to an effort to shuck cost and criticism from his earlier, larger Colorado River plan.
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> As implications of this reversal are still being studied, most reaction hasn't jelled and few public comments have been made.
>
> If Udall's plan is an intentional policy shift, it is highly significant, raising the possibility of a foot in the door toward federal operation or ownership of steam units. One government official sees only a "thin line" between Udall's plan and actual federal ownership of capacity. Interior has, at least, an academic interest in thermal generation, as attractive hydro sites vanish. It would be interesting to know all 34 "alternatives" Udall said were studied for the CAP plan seems to satisfy only the Pacific Northwest. It has stirred up Reclamation traditionalists and Californians. It fails to satisfy conservationists and some Arizonans. It may win Senate approval under Sen. Carl Hayden's aegis, but more likely it will galvanize the House into action on a Colorado Project different from what Udall now proposes.
>
> If the House does indeed become stirred to act on a different proposal, such as Bridge Canyon, Udall would not be overly dismayed—this is his second choice anyway, and the prime choice of the Bureau of Reclamation.
>
> On the other hand, if the purchase proposal does clear the Congress, there is also the chance that utility power requirements could be stiffened, opening up a Pandora's Box. These possibilities—the resurrection of Bridge Canyon or the changing power sale requirements—raises a final question about Udall's plan. Is it only part of an unsuccessful political maneuver? Or is it deliberately aimed at either of these alternatives?

Secretary Udall obviously knew the enormous problems involved in congressional approval for building a big federally owned thermal generating plant, but he might reach the same result without the offensive label of "Federal ownership." What he was really after was Federal control of thermal generating capacity, and if objections could be stifled by leaving "title" in a "straw man" so much the better.

So Secretary Udall developed a plan to do just that. He decided to—

Contribute the capital cost of a portion of steam generating plant, a cost of one-tenth of a billion dollars, and leave title in a group of utilities which own the remainder of the plant.

Build the Federal portion big so there will be more power than is needed to pump project water; the surplus power can be sold commercially to subsidize the water features of the project.

Let the Federal Government hold a mortgage, and keep operational control over the Federal portion of the plant.

Pay the costs of operation, including the cost of fuel, the cost of maintenance, and the replacement cost of the Federal portion of the plant.

At the end of 50 years the American taxpayer will own nothing for the investment of capital costs, operating costs, maintenance costs, and replacement costs in the plant for five decades.

It seems to me that it is an indefensible position to ask the Federal Government to pay half a century in advance, to a group of utilities, public and private, for the electricity the Government intends to use—plus, incidentally, the Government's share of the cost of maintenance, operation, and replacement.

Speaking simply for myself, I hold the Secretary of the Interior, and no other person or agency, responsible for conceiving this scheme. It is against the public interest, and it is one of the features upon which I find myself compelled to vote against the bill on final passage.

Mr. President, I ask unanimous consent that selected portions of the minority views dealing with the power aspects of this bill be printed in the RECORD.

There being no objection, the portions of the minority views were ordered to be printed in the RECORD, as follows:

Under S. 1004, the Federal Government will prepay to three utilities $103 million (rather than $92 million as contemplated in the Secretary's scheme). Under S. 1004 the Federal Government each year will pay to those utilities operation, maintenance, and replacement costs of $7.2 million, rather than $6.5 million as proposed by the Secretary. The Government would receive the use of 470 megawatts of capacity in the companies' plant.

If the utilities should themselves finance the construction of a steam generating plant, they would pay commercial rates of interest on the borrowed funds. To the extent that the Federal Government finances construction of their plant, the three owners receive the advantages of lower unit costs of a larger powerplant. In effect, S. 1004 makes available to the utilities over one-tenth of a billion dollars of Federal money interest free, save for minimal interest during construction, to construct a company-owned plant which will sell energy to the Federal Government.

* * * * *

THE SECRETARY WILL ENGAGE IN LARGE-SCALE COMMERCIAL SALES OF STEAM-GENERATED POWER

The Federal steamplant will generate large quantities of energy for commercial sale,[38] to subsidize the Arizona water users, in addition to subsidizing their aqueduct. This is, in part, due to the fact that the size of the aqueduct has been inflated by S. 1004 to a capacity of 3,000 cubic feet per second, 40 percent larger than the one the Secretary first proposed (1,800 cubic feet per second), and 25 percent larger than the one to which the other States reluctantly agreed in the 89th Congress (2,500 cubic feet per second). The 470,000 kilowatts of steam-generated power which the Secretary will own is calculated to furnish the power needed for pumping enough water to fill a 3,000-cubic-foot-per-second aqueduct; this is about 2 million acre-feet annually. But there will not be that much water available. The Secretary concedes that he expects to sell surplus power from the very beginning, and these sales will rise to 1,510 megawatt hours annually, more than the combined output of Parker and Davis powerplants.

There will not be 2 million acre-feet to pump through a 3,000-cubic-foot-per-second aqueduct unless the upper basin is denied the right to accumulate storage in Lake Powell as other features of this bill contemplate. The same water cannot be stored in Lake Powell and drained out of the river through an oversized Central Arizona aqueduct. As the available water decreases, the sales of commercial power will grow.

FEDERAL COMMERCIAL SALES OF STEAM-GENERATED POWER UNDER S. 1004

Year	Power sold (millions of kilowatt-hours)	Revenue at 5 mills per kilowatt-hour (thousands)
1973	175	$875
1974	175	875
1975	224	1,120
1976	228	1,140
1977	274	1,370
1979	320	1,600
1980	365	1,825
1981	410	2,050
1982	458	2,290
1983	504	2,520
1984	549	2,745
1985	597	1,985
1986	641	3,205
1987	687	3,435
1988	734	3,670
1989	778	3,890
1990	824	4,120
1991	855	4,275
1992	886	4,430
1993	915	4,575
1994	946	4,730
1995	976	4,880
1996	1,006	5,030
1997	1,037	5,185
1998	1,066	5,330
1999	1,097	5,485
2000	1,124	5,620
2001	1,139	5,695
2002	1,156	5,780
2003	1,171	5,855
2004	1,185	5,925
2005	1,201	6,005
2006	1,217	6,085
2007	1,232	6,160
2008	1,247	6,235
2009	1,264	6,320
2010	1,279	6,395
2011	1,294	6,470
2012	1,310	6,550
2013	1,325	6,625
2014	1,340	6,700
2015	1,356	6,780
2016	1,372	6,860
2017	1,387	6,935
2018	1,402	7,010
2019	1,418	7,090
2020	1,433	7,165
2021	1,448	7,240
2022	1,464	7,320
2023	1,480	7,400
2024	1,495	7,475
2025	1,510	7,550
Total	50,976	254,880

THE PREPURCHASE ARRANGEMENT AMOUNTS TO FEDERAL OWNERSHIP OF STEAM-GENERATING FACILITIES

Although bare "title" to the Federal portion of the steamplant, having a generating capacity of 470 megawatts, will remain with the three participating non-Federal agencies, the Secretary will assemble a cluster of rights and privileges which, when taken together, will bear no definition short of "Federal ownership." The Federal Government will pay the total construction cost of 470 megawatts of capacity in the powerplant, associated switchyard and transmission facilities; it will pay the total cost of operation, maintenance, and replacement allocable to that 470 megawatts of capacity in the steampower plant; it will hold "adequate security for the Government's investment," presumably meaning that upon default by any of the three participating agencies in its obligations, the Federal Government would acquire title to that portion of the plant; and, finally, it will become a seller of substantial quantities of steam-generated power.

Mr. KUCHEL. Mr. President, on June 5, 1967, Mr. Alex Radin, general manager, American Public Power Association, wrote each member of the Senate Interior Committee, to spell out the association's strong objections to Secretary Udall's new proposal. I ask unanimous consent that Mr. Radin's letter be printed in the RECORD.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

AMERICAN PUBLIC POWER ASSOCIATION,
Washington, D.C., June 5, 1967.
Hon. THOMAS H. KUCHEL,
U.S. Senate, Washington, D.C.

DEAR SENATOR KUCHEL: The American Public Power Association is a national trade organization representing more than 1,400 local publicly owned electric utilities, mainly municipal systems, in 45 States, Puerto Rico, and the Virgin Islands.

On May 11, 1967, at the APPA 24th annual conference held in Denver, the Association's membership adopted the attached resolution endorsing Federal construction of Hualapai Dam on the Colorado River and investigation of a proposed 5 million kilowatt pumped storage project at this site. The resolution opposes the principle proposed by the Secretary of the Interior in S. 1013 which would substitute a plan calling for pre-payment to utilities for steam power in place of Federal construction of the hydroelectric plant at the Hualapai Dam site. In addition, the resolution reaffirms the Association's support of a National Water Commission.

Because our resolution was adopted after the close of hearings conducted by your Committee on S. 1013, it was of course not possible for us to submit our views at the hearings. We are therefore taking this means of transmitting our resolution to you and the other members of your committee, and would also like to elaborate somewhat on the position taken in our resolution.

In February, 1967, Secretary Udall announced his proposal by which the Federal government would pre-pay for 400 megawatts of power from a non-federal thermal plant to obtain pumping power for the Central Arizona Project. He has termed this plan "non-controversial"; however, a pre-payment plan constituting a purchase of power represents a major step away from Federal multiple-purpose water resource development policies and programs approved by Congress in the past and eliminates entirely the concept of hydroelectric power as a "paying partner" for reclamation.

The Colorado River is the life-blood of many thousands of people throughout the Colorado River Basin. Taken together, existing and planned dams on the Colorado constitutes a system for conserving and utilizing water resources for the entire Pacific Southwest. They provide power, flood control, water storage, stream flow control and distribution of water for irrigation, municipal and industrial uses, silt control, recreation, and fish and wildlife conservation. The components of the basin system do not all provide the same services or to the same degree; indeed, they are not designed to do so. On the contrary, they supplement and complement each other.

Hualapai Dam would constitute a new part of the system. It would provide power, water storage, and silt control. Its power plant would be integrated with other regional generating plants, both hydraulically and electrically.

An essential component of Hualapai Dam is the power generating capability of this project which could provide substantial revenues—not only for repaying the reimbursable costs of the dam, but also for a development fund financing facilities to make maximum use of existing water in the region. Under the Administration proposal, however, the Government would share in the cost of the power plant without benefit of ownership or the revenues that would accrue from Government construction of the dam.

An innovating approach to Hualapai Dam, made possible by technological advances, was proposed by Floyd Goss, Chief Electrical Engineer and Assistant Manager of the Los Angeles Department of Water and Power, earlier this year. By use of reversible pump turbines, a 5 million kilowatt peaking pumped-storage project could be constructed at the Hualapai site. The Los Angeles analysis of this proposal indicates its feasibility and its economic benefits.

Growing demand for electricity in the Southwest, plus the necessary increased use of thermal plants, insures the marketability of this peaking power. In the years 1970 to 1980, an additional six to nine million kilowatts of peaking power will be required in the states surrounding the Hualapai site, and by 1990 the regional need for peaking power will reach approximately 19 million kilowatts. These states are interconnected with other states, which will also provide a market area for this power.

While power available from the development of the Hualapai site will serve Arizona, Southern California, and Southern Nevada directly, its influence will extend broadly over the area referred to as Region VIII by the Federal Power Commission, which encompasses most of Arizona, Nevada and California.

Region VIII is in the midst of a tremendous population explosion. Southern California is expected to have 30 million people by the year 2000. The Phoenix metropolitan area is expected to reach 2.5 million by the year 2000.

FPC projections indicate that overall per-capita energy demand will grow in a spectacular fashion. In Southern California and Central Nevada, the per-capita demand will increase from the current average of 4200 kwh per annum to over 10,000 by 1990; in Arizona, the per-capita demand will increase from 8300 kwh per annum to 14,200. In Region VIII from 1965 to 1980 the total *peak demand* for power will increase from about 20 million KW in 1965 to 52 million KW in 1980.

In view of the historic role of Federal power in this region, and in recognition of the fact that power produced from the Lower Colorado River project will be marketed under Reclamation law, every effort should be made to insure that preference customers are given a full opportunity to share equitably in the benefits of hydro peaking capacity—directly or indirectly.

If the feasibility analysis made by Los Angeles is confirmed, the American Public Power Association endorses prompt construction of the project by the Federal government, in conjunction with the traditional preference clause for marketing the output of the project. We believe that a potential asset of 5 million kilowatts of capacity, and 5 billion kilowatt-hours of energy, available to preference customers, is too important a resource to forgo.

The Administration has recommended deferral of authorization of Hualapai Dam because of concern over scenic considerations. We feel the project's cost-benefit ratio and the future demands for power suggest that it be made an integral part of the Lower Colorado River development now. From the standpoint of accepted tests of economic and financial feasibility, Hualapai Dam represents an exceptionally sound investment. Further, it lays an impressive financial foundation for works to develop the water supply of the Colorado River for the future. The effects of Hualapai Dam on the scenic grandeur of the Grand Canyon would be imperceptible, while access to more remote portions of the Grand Canyon would be greatly enhanced. Construction of Hualapai Dam would enable thousands of people annually to appreciate the scenic beauties of areas of the Canyon which only a handful of "river-runners" are able to view today. We feel that deferring action on this aspect of the project on the ground of destroying aesthetic values is not justified.

In 1919, when Grand Canyon National Park was created by an act of Congress, the necessity for multiple use was anticipated, requiring the balancing of water-development and park-preservation values. Accordingly, the following language was included in the Act:

"That whenever consistent with the primary purposes of said park, the Secretary of the Interior is authorized to permit the utilization of areas therein which may be necessary for the development and maintenance of a Government Reclamation project . . ."

In the debate in the House at that time, Arizona's Senator Carl Hayden, then a Representative, expounded the purpose of this amendment as follows:

> The provision contained in the bill would authorize the Secretary of the Interior, when consistent with the primary purposes of the Park—that is, not to impair the scenic beauty—to allow storage reservoirs to be constructed for conserving the water of the Colorado River for irrigation purposes.

Furthermore, as Hualapai Dam (formerly called Bridge Canyon Dam) relates to Grand Canyon Natonal Monument, which was established with its present boundaries by Presidential proclamation on December 22, 1932, there is the following letter of January 11, 1933, from Horace M. Albright, then Director of the National Park Service, to Dr. Elwood Mead, then Commissioner of Reclamation:

> As I see it, the Bridge Canyon Project is in no way affected by the Grand Canyon National Monument proclamation . . . We have had in mind all the time, the Bridge Canyon project. While I did not handle this personally, I am absolutely certain that the men who did handle it for me kept the project in mind in formulating the Grand Canyon National Monument plan.

Thus, we have this evidence of long range recognition, extending back to the days when the National Park and Monument were created, that ultimately there would be a Reclamation project that would affect the Park and Monument.

Although Hualapai Dam would not invade the Grand Canyon National Park, it has been claimed that if reclamation projects are constructed within national parks, a dangerous precedent may be established which will threaten the unaltered appearance of all our National Parks. This argument is misleading. There are at least four precedents, that I am aware of, for combining reclamation projects and national parks.

1. Jackson Lake Dam is within Grand Teton National Park. It stores water for the Minidoka Reclamation Project, providing irrigation for 1,162,000 acres of land in Southern Idaho. Although the Park was created after the dam was built, this is recognition by Congress that a reclamation project may complement a national park.

2. The reclamation reservoir behind Sherburne Dam is almost entirely within Glacier National Park. In this instance the park was created first. The Milk River Project which it serves provides irrigation for 120,000 acres around Havre Montana.

3. The Lower Two Medicine Dam also is in Glacier National Park. This is a Bureau of Indian Affairs operation for the benefit of the Black Feet Tribe. While it was washed out last year, it is now being rebuilt by the Bureau of Reclamation.

4. Fontana Lake forms the boundary for miles of Great Smoky Mountains National Park and provides 248 miles of shoreline. It was built by TVA for power generation and flood control.

No one has asserted that Grand Teton, Glacier, or Great Smoky Mountains are less majestic because of these dams. To the contrary, an argument can be made that their beauty and usefulness have been greatly enhanced.

Some contend that Hualapai Dam would "flood" the Grand Canyon. If a dam could be built big enough to flood the Grand Canyon, the stored water would solve the water problems of the Pacific Southwest for centuries. Nobody advocates this solution to the water problem.

The fact is that after the Hualapai Dam reservoir is constructed, over 99 percent of the park will remain in its natural condition. The Colorado River forms the northwest boundary for the Grand Canyon National Park and serves as the southern boundary for most of the Grand Canyon National Monument. Hualapai Dam would back water up the Colorado for 93.8 miles, and the last 13 miles at the head of the reservoir would form the park boundary. Hence, the water impounded by Hualapai Dam would not back up "into" the park or "throughout" the monument. Nor can it be considered to "flood" this area. For instance, the normal level of the river at the extreme northwest boundary of the park with Hualapai Dam would be raised by only 90 feet, and this added depth would decrease to nothing 13 miles upstream. The canyon wall of the inner gorge at this point is 1200 to 1500 feet above the river bed. Furthermore, this stretch of river is inaccessible by normal means and cannot be seen from any viewpoint on the canyon rim within the park. A stretch of 104 miles of natural river will remain between the headwaters of Hualapai Dam and the Marble Canyon Dam site. This 104 miles of natural river will include about 91 miles within the boundaries of Grand Canyon National Park. The same matchless and unaltered view will be available from the North or South rims. The same mule-back trips or long arduous foot descent and climb will be possible and in no way deteriorated or impaired.

The National Park Service has reported that from 1955 to 1963, 1,300 persons made the boat trip through the Grand Canyon and viewed the area where Hualapai Dam reservoir would be if the project were constructed. Accessibility to this part of the river would be increased. The National Park Service estimates that hundreds of thousands of people would be able to visit the area annually. The beauty of the Hualapai Dam reservoir would be comparable to that of Lake Powell and Flaming Gorge. Making this area accessible to interested persons is certainly consistent with the National Park program. Creating a lake with the beauties of Flaming Gorge and Lake Powell is certainly not inconsistent with the objectives of the National Park program.

Intrinsic to the APPA resolution endorsing development of the Hualapai site is the creation of a separate National Water Commission as approved this year by the Senate Independent of any government agency, this commission would be able to make an objective study of water resources and needs of the nation, and to formulate recommendations for meeting projected water needs. Without a specified importation proposal, development of Hualapai Dam proposes no threat to the present water supply of any region of the country. Water needs and methods of meeting these needs would be entirely within the jurisdiction of the National Water Commission, which could consider, among other matters, means for further supplementing the water supply of the Southwest.

APPA urges that the Senate Interior Committee support Federal development of the Hualapai site, and encourage immediate studies by the Department of the Interior of the feasibility of the Goss plan to insure maximum utilization of this reach of the Lower Colorado River.

Sincerely,

ALEX RADIN.

ENDORSEMENT OF MAXIMUM DEVELOPMENT OF HUALAPAI DAM SITE

The American Public Power Association approves and endorses the maximum development of the nation's hydroelectric sites as sources for electric power to satisfy the needs of public agencies. The Association opposes the principle proposed by the Secretary of the Interior in S. 1013 which would substitute a plan calling for pre-payment to utilities for steam power in place of federal construction of the badly needed hydroelectric plant at the Hualapai Dam site on the Colorado River.

The American Public Power Association reaffirms its endorsement of the federal construction of the Hualapai Dam to such height and with such installed capacity as will effect the maximum economic development of the power resource at this site, subject to the preference rights of public agencies under applicable federal statutes. It recommends the immediate investigation of the pumped-storage plan for the Hualapai power plant with a capacity of approximately 5 million kilowatts, proposed by the Los Angeles Department of Water and Power, and, if the City's analysis is confirmed, recommends the adoption of that plan in the federal construction of the Hualapai Dam and power plant.

The Association reaffirms its recommendation that associated water resource studies proposed be conducted, as expeditiously as feasible, under the direction and control of a National Water Commission composed of citizens outside of federal government service, as proposed in Senator Jackson's bill, S. 20, 90th Congress.

Mr. KUCHEL. Mr. President, an article entitled "Dams and Conservation," by Mr. Alex Radin, appeared in the July 1967 issue of Public Power. I ask unanimous consent that Mr. Radin's comments be included in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

DAMS AND CONSERVATION

The building of hydroelectric power projects has fallen upon hard times, and the word "dam" seemingly has become a dirty word whether it is spelled with three or four letters.

Last month was a particularly tragic one for dam buildng. First, Secretary of the Interior Stwart L. Udall announced that the Department of the Interior was submitting an adverse report on the Rampart Canyon project in Alaska. Thirteen days later, the Senate Interior Committee reported out a bill authorizing development of the Lower Colorado River, including the Central Arizona Project, but without the Hualapai (formerly Bridge Canyon) Dam.

A significant factor in the rejection of both dams was the opposition of "conservationists." They opposed the Rampart Canyon project because of alleged damage to wildlife and fisheries interests, and the Department of the Interior's formula for "mitigation" of these resources so inflated the cost of the project that there was an adverse effect on economic feasibility. And although "conservationists" proclaimed through newspaper ads that the Hualapai Dam would "flood" the Grand Canyon (quite an engineering feat, if it were possible), the fact of the matter is that Hualapai Dam, would back water for only 13 miles along the border of the Grand Canyon National Park—and in an area that is not visible from any present public vantage point within the Grand Canyon.

Although dam building sadly seems to have fallen into disfavor in some quarters, I can remember when construction of dams was considered to be a blessing for an area. Growing up on the banks of the Tennessee River before the building of the TVA dams, I recall when the Tennessee River dried to practically a trickle near Chattanooga, while at other times large sections of the city were flooded by the rampaging river.

The building of Chickamauga Dam on the Tennessee River and other dams in the TVA system was regarded as one of the greatest things that had ever happened in the Tennessee Valley. And indeed it was. There was real drama in the damming up and controlling of this river. The lakes that were created by TVA dams made is possible to have water-based recreation on a scale that was never feasible heretofore. Fish thrived in TVA lakes, and boating became a popular sport. TVA dams won prizes for their outstanding architectural characteristics, and they were frequently the subject of magnificent photographs of real artistic merit.

Even today, some of those who oppose Hualapai Dam—and who have seen Glen Canyon Dam on the Colorado River—admit privately that Glen Canyon has actually enhanced the beauty of that stretch of the river.

REACTION IS MISPLACED

It is my belief that the reaction that has set in against dam building in reality is a misplaced reaction against the uglification that has taken place in so many aspects of American life. Many of us are repelled by the manner in which home builders have bulldozed trees and other natural vegetation, and have replaced wooded hills with monotonous lines of "cracker-box" houses. We are disgusted with the manner in which ostentatious hotels have taken over beautiful beaches. We are offended by the noxious fumes that are emitted from automobiles that choke our streets. We are revolted by the pollution of our rivers.

Nature deserves better at the hands of man, and we are frustrated that we are able to accomplish so little in correcting the abuses which violate our sensitivity every day of the year.

But I ask those who regard themselves as conservationists: Are you focusing on the really important issues in opposing dams that are located away from population centers, and that actually enhance the opportunity for mankind to enjoy nature? Wouldn't your efforts be spent to better advantage if you directed your ire at the developers who destroy the trees in areas where people live . . . the auto manufacturers who have done little to curb air pollution . . . the industries that have polluted our rivers . . . and the entrepreneurs who have decimated our beaches? It is these who do violence to the environment where people spend virtually all of their time—an environment that is infinitely more important to far more people than the wilds of Alaska or the treacherous waters of the Colorado River.

Yes, we need to preserve the beauty of nature in remote areas that people must journey to enjoy. But in my opinion the vastly more important need is to preserve the beauty of nature in the environment where people live and work. People should be able to live in surroundings of natural beauty; they should not have to travel hundreds of miles to enjoy nature.

HYDRO IS RENEWABLE ENERGY SOURCE

Those who are interested in conservation might also take note of the fact that the production of electric power by falling water is our only renewable energy source. The failure to build Hualapai Dam or the Rampart Canyon project does not diminish the need for electric power by one kilowatt-hour; the need will remain, and it will be filled by the burning of coal or uranium—both of which are not renewable energy sources, and both of which, unfortunately, add somewhat, at this time, to environmental pollution problems.

Opponents of dam building have somehow gotton the notion that nuclear power has made hydroelectric power obsolete or old fashioned. It is true, of course, that hydroelectric power does not have the capacity to provide all or even a major portion of our energy requirements. But where hydro power can be developed in a feasible manner, it would seem to me to be contrary to the principle of conservation to burn other fuels as a substitute for our only non-polluting, renewable energy resources.

It should also be kept in mind that hydroelectric power projects also are especially valuable in providing more reliable electric service (as was pointed out by FPC in connection with the Northeast blackout of November, 1965), and they will become increasingly valuable for storage of water—at a time when water supplies are becoming ever more critical.

Hydroelectric dam building is far from being obsolete, and I am confident that in time the present trend will be reversed.

Mr. KUCHEL. Mr. President, the bill, in my opinion, will not become the law of this land. But I pledge myself, as a Senator and as a Californian, to stand ready to assist, as best I can, in accomplishing constructive legislation by which the people of Arizona may have more water brought to them and by which the people of the other basin States also may participate in an augmentation program, rather than in a program of dividing scarcities and shortages.

The PRESIDING OFFICER. The bill having been read the third time, the question is, Shall it pass?

The bill (S. 1004) was passed.

Mr. MANSFIELD. Mr. President, I move to reconsider the vote by which the bill was passed.

Mr. MAGNUSON. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. MANSFIELD. Mr. President, the senior Senator from Arizona [Mr. HAYDEN], the patriarch of the Senate, has consistently supported projects that have sought to develop and preserve the Nation's resources. The fact that the project just authorized overwhelmingly by the Senate benefits his own State merely emphasizes his continuing and abiding interest in natural resources.

Over the years, Senator HAYDEN's broad and deep understanding of the Nation's resources problems has benefitted the Senate time and time again. Whether it was for the improvement of rivers and harbors, for the establishment of parks and recreation facilities, for flood control, or, as here, for the development and utilization of a waterway, Senator HAYDEN has always lent his valuable and tireless efforts and energy to the endeavor. He is to be commended today for another outstanding achievement. Without his splendid support, this measure unquestionably would not have received such favorable and decisive Senate approval. We are most grateful.

Of course, the interests of some of the other affected States were ably represented by the distinguished senior Senator from Colorado [Mr. ALLOTT]. He envisioned and advocated a program of much broader scope—a program which the Senate apparently does not favor at the present time. This in no way reflects upon the high caliber of his presentation or even the merits of the program he seeks. Senator ALLOTT, like Senator HAYDEN, is highly informed about matters of this nature and the Senate always welcomes his views. He is to be commended for the clarity of his argument and for the sincerity of his views—urging them strongly but in no way inhibiting the Senate's efficient disposition of the measure.

The distinguished junior Senator from Arizona [Mr. FANNIN] played a vital role in assuring favorable action. He displayed a deep understanding of all of the issues involved and expressed his interest clearly, concisely, and very persuasively. He too is to be commended for representing so well the people of his State.

The senior Senator from California [Mr. KUCHEL] contributed immensely to the discussion. He also urged his own strong and sincere views but in no way inhibited Senate action. As the ranking minority member of the committee, he, as much as any Member of this body, appreciates the importance of this Nation's resources, their preservation and their proper use. The distinguished chairman of the committee, the junior Senator from Washington [Mr. JACKSON] offered his capable and outstanding talents in the consideration of this measure. He likewise is to be commended for his support and splendid advocacy.

Adding their wisdom to the discussion were the junior Senator from Utah [Mr. MOSS], and the senior Senator from New Mexico [Mr. ANDERSON]. They and many others displayed their ingenuity and initiative in the discussion and we are most grateful. The leadership wishes to commend all Senators for joining to assure final action on this measure today so that we may continue on with the legislative program, disposing of as many major items as possible before the Labor Day recess.

WILD AND SCENIC RIVERS ACT

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 476, S. 119. I do this so that the bill will become the pending business.

The PRESIDING OFFICER. The bill will be read by title.

The ASSISTANT LEGISLATIVE CLERK. A bill (S. 119) to reserve certain public lands for a national wild rivers system, to provide a procedure for adding additional public and other lands to the system, and for other purposes.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on Interior and Insular Affairs, with an amendment, to strike out all after the enacting clause and insert:

SHORT TITLE

SECTION 1. This Act may be cited as the "Wild and Scenic Rivers Act".

STATEMENT OF POLICY

SEC. 2. (a) The Congress finds that some of the free-flowing rivers of the United States and related adjacent land areas possess outstanding scenic, fish, wildlife, and outdoor recreation values of present and potential benefit to the American people. The Congress also finds that our established national policy of dam and other construction at appropriate sections of the rivers of the United States needs to be complemented by a policy that would preserve other selected rivers or sections thereof in their free-flowing condition to protect the water quality of such rivers and to fulfill other vital national conservation purposes. It is the policy of Congress to preserve, develop, reclaim, and make accessible for the benefit of all of the American people, selected parts of the Nation's diminishing resource of free-flowing rivers. For this purpose there is hereby established a National Wild and Scenic Rivers System to be composed of (a) the areas designated by this Act or subsequent Acts as "national wild river areas" and "national scenic river areas," and (b) those State or locally administered wild or scenic river areas designated by the Secretary of Interior as part of the system. Areas designated as national "wild" or "scenic" river areas by subsequent Acts of Congress shall be administered in accordance with the provisions of this Act unless the subsequent Acts provide otherwise.

DEFINITION OF WILD RIVER AREA

(b) A wild river area eligible to be included in the System is a stream or section of a stream, tributary, or river—and the related adjacent lands—located in a sparsely populated, natural, and rugged environment where the river is free flowing and unpolluted, or where the river should be restored to such condition, in order to promote sound water conservation, and promote the public use and enjoyment of the scenic, fish, wildlife, and outdoor recreation values.

DEFINITION OF SCENIC RIVER AREA

(c) A scenic river eligible to be included in the System is a stream or section of a stream, tributary, or river—and the related adjacent lands—that is unpolluted and should be left in its pastoral or scenic attractiveness, or that should be restored to such condition, in order to protect, develop, and make accessible its significant national outdoor recreational resources for public use and enjoyment.

NATIONAL WILD RIVERS

SEC. 3. (a) The following rivers, or segments thereof, and related adjacent lands, are hereby designated as "national wild river areas":

(1) Salmon, Middle Fork, Idaho—from its origin to its confluence with the main Salmon River.

(2) Clearwater, Middle Fork Idaho—the Middle Fork from the town of Kooskia upstream to the town of Lowell; the Lochsa River from its junction with the Selway at Lowell forming the Middle Fork, upstream to the Powell Ranger Station; and the Selway River from Lowell upstream to its origin.

(3) Rio Grande, New Mexico—the segment extending from the Colorado State line downstream to the State Highway 96 crossing, and the lower four miles of the Red River.

(4) Saint Croix, Minnesota and Wisconsin—the segment between the dam near Taylors Falls, Minnesota, and the dam near Gordon, Wisconsin, and its tributary, the Namekagon, from its confluence upstream with the Saint Croix to the dam near Trego, Wisconsin.

(5) Wolf, Wisconsin—From Langlode-Menominee County Line downstream to Keshena Falls.

(6) Rogue, Oregon—The segment of the river extending from the mouth of Graves Creek downstream to river mile 38, below Flea Creek.

(7) Illinois, Oregon—The segment of the river extending from Briggs Creek downstream to Lawson Creek.

NATIONAL SCENIC RIVERS

(b) The following rivers, or segments thereof, and related, adjacent lands, are hereby designated as "national scenic river areas":

(1) Saint Croix, Wisconsin and Minnesota—downstream from the dam near Taylors Falls, Minnesota, to its confluence with the Mississippi River.

(2) Eleven Point, Missouri—the segment of the river extending downstream from Thomasville to State Highway 142.

(3) Rogue, Oregon—the segment of the river extending from the mouth of the Applegate River, downstream to the mouth of Graves Creek; and that segment of the river extending from river mile 38 below Flea Creek downstream to the Lobster Creek Bridge.

(4) Illinois, Oregon—that segment of the river extending from the mouth of Deer Creek, downstream to Briggs Creek; and that segment of the river extending from Lawson Creek downstream to its confluence with the Rogue.

(5) Namekagon, Wisconsin—that section of the river extending from Lake Namekagon downstream to the dam near Trego, Wisconsin.

FEDERAL-STATE PLANNING FOR ADDITIONS TO SYSTEM

SEC. 4. (a) The Secretary of the Interior, and the Secretary of Agriculture where national forest lands are involved, after consultation with interested Federal agencies, are directed to consult with the Governors and officials of the States in which the rivers listed below are located to ascertain whether a joint Federal-State plan is feasible and desirable in the public interest to conserve segments of these rivers. The appropriate Secretary shall submit to the President within five years from the date of enactment of this Act his recommendations for inclusion of any or all of them in the National Wild and Scenic Rivers System, and the President shall submit to the Congress his recommendations for such legislation as he deems appropriate:

(1) Salmon, Idaho—from the town of North Fork downstream to its confluence with the Snake River.

(2) Buffalo, Tennessee—the entire river from its beginning in Lawrence County to its confluence with the Duck River.

(3) Big Fork, Minnesota—the entire river.

(4) Hudson, New York—the segment of the main stem extending from its origin in the Adirondack Park downstream to the vicinity of the town of Luzerne: Boreas River from its mouth to Durgin Brook; Indian River from its mouth to Abanakee Dam; and Cedar River from its mouth to Cedar River flow.

(5) Missouri, Montana—the segment upstream from Fort Peck Reservoir toward the town of Fort Benton.

(6) Niobrara, Nebraska—the mainstem segment lying between the confluence of Antelope Creek downstream to the headwaters of the proposed Norden Reservoir east of the town of Valentine, and the lower eight miles of its Snake River tributary.

(7) Skagit, Washington—the Skagit from the town of Mount Vernon upstream to Gorge powerhouse near the town of Newhalem; the Cascade River from its mouth to the confluence of the North and South Forks; the Sauk from its mouth to Elliott Creek; and the Suiattle from its mouth to Milk Creek.

(8) Susquehanna, New York and Pennsylvania—the segment of the Susquehanna River from a dam at Cooperstown, New York, downstream to the town of Pittston, Pennsylvania.

(9) Suwannee, Georgia and Florida—entire river from its source in the Okefenokee Swamp in Georgia to the gulf, and the outlying Ichetucknee Springs, Florida.

(10) Youghiogheny, Maryland and Pennsylvania—from Oakland, Maryland, to the Youghiogheny Reservoir, and from the Youghiogheny Dam downstream to the town of Connellsville, Pennsylvania.

(11) Little Miami, Ohio—the segment of the Little Miami River in Clark, Greene, Warren, and Clermont Counties from a point in the vicinity of Clifton, Ohio, downstream to a point in the vicinity of Morrow, Ohio.

(12) Little Beaver, Ohio—the segment of the North and Middle Forks of the Little Beaver River in Columbiana County, from a point in the vicinity of Negly and Elkton, Ohio, downstream to a point in the vicinity of East Liverpool, Ohio.

(13) Maumee, Ohio—from Perrysburg, Ohio, to Fort Wayne, Indiana.

(14) Pine Creek, Pennsylvania—the segment from Ansonia, Pennsylvania, to Waterville, Pennsylvania.

(15) Delaware, Pennsylvania and New York—the segment from Hancock, New York, to Matamoras, Pennsylvania.

(16) Allegheny, Pennsylvania—the segment from the Allegheny Reservoir at Kinzua, Pennsylvania, to Tionesta, Pennsylvania, and then from Franklin, Pennsylvania, to East Brady, Pennsylvania.

(17) Clarion, Pennsylvania—the segment from where it enters the Allegheny River to Ridgway, Pennsylvania.

(18) West Branch Susquehanna, Pennsylvania—the segment of the West Branch Susquehanna from Clearfield, Pennsylvania, to Lock Haven, Pennsylvania.

(19) Chattooga, North Carolina, South Carolina and Georgia—the entire river.

(20) Flathead, Montana—the North Fork from the Canadian border downstream to its confluence with the Middle Fork; the Middle Fork from its headwaters to its confluence with the South Fork; and the South Fork from its origin to Hungry Horse Reservoir.

(21) Gasconade, Missouri—the entire river.

(22) Guadalupe, Texas—the entire river.

(23) Klamath, California—the segment from Scott River downstream to a point two miles upstream from United States 101 crossing.

(24) Penobscot, Maine—its east and west branches.

(25) Pere Marquette, Michigan—the entire river.

(26) Upper Iowa, Iowa—the entire river.

(27) Feather, California—the Middle Fork.

(b) In all planning for the use and development of water and related land resources, consideration shall be given by all Federal agencies involved to potential national wild or scenic river areas, and all river basin and project plan reports submitted to the Congress shall consider and discuss any such potentials. The Secretary of the Interior and the Secretary of Agriculture shall make specific studies and investigations to determine which additional wild or scenic river areas within the United States shall be evaluated in planning reports by all Federal agencies as potential alternatives uses of the water and related land resources involved.

(c) The Secretary of the Interior and the Secretary of Agriculture shall also submit, in accordance with the procedures and requirements of this section, to the President from time to time their recommendations for inclusion in the National Wild and Scenic Rivers System of any other river or segment thereof. The President shall submit to the Congress his recommendations for such legislation as he deems appropriate.

(d) Recommendations made under this section shall be developed in consultation with the States, those Federal agencies which normally participate in the development of recreation plans and comprehensive river basin plans, any commissions established pursuant to interstate compacts the assigned responsibilities of which would be affected, commission or other bodies which may be established for the purpose of developing a comprehensive plan for the river basin within which the comtemplated national wild or scenic river area would be located, and the public through local public hearings. Each such recommendation shall be accompanied by (1) expressions of any views which the agencies and States consulted pursuant to the foregoing may submit: *Provided*, That no river or portion of any river shall be added to the National Wild and Scenic Rivers System subsequent to enactment of this Act until the close of the next full session of the State legislature, or legislatures in case more than one State is involved, which begins following the submission of any recommendation to the President with respect to such addition as herein provided, (2) a statement setting forth the probable effect of the recommended action on any comprehensive river basin plan that may have been adopted by Congress or that is serving as a guide for coordinating Federal or Federal and State programs in the basin, and (3) in the absence of such plan, a statement indicating the probable effect of the recommended action on alternative beneficial uses of the resources of the basin.

REPORT ON LAND ACQUISITION

(e) Any recommendation for an addition to the National Wild and Scenic Rivers System shall indicate the extent to which land will need to be acquired by the State and by the Federal Government, and the extent to which the acquisition of scenic easements or other interests in land may be an adequate substitute for the acquisition of a fee title.

ADMINISTRATION OF SYSTEM

SEC. 5. (a) The Secretary charged with the administration of each national wild or scenic river area, or portion thereof, shall establish detailed boundaries for such areas, within the limits set by this Act. Such boundaries may be revised from time to time, but may not include on both sides of the stream, tributary, or river a total of more than three hundred and twenty acres per mile. The appropriate Secretary shall publish notice of detailed boundaries in the Federal Register, together with appropriate descriptions, and shall make such official boundary description available to the public through appropriate Federal, State, and local agencies.

(b) National wild and scenic river areas designated by Acts of Congress shall be administered by the Secretary of the Interior, except that when the national wild or scenic river area is wholly within, partly within, or closely adjacent to, a national forest such area shall be administered by the Secretary of Agriculture unless it is also partly within, or closely adjacent to an area administered by the Secretary of the Interior, in which event administration over the river area shall be determined as agreed upon by the Secretary of the Interior and the Secretary of Agriculture, or as directed by the President. The Secretary charged with the administration of a national wild or scenic river area or portion thereof, may enter into written cooperative agreements with the Governor of the State, or other appropriate local official, for State or local governmental participation in the administration of the area. The States shall be encouraged to cooperate in the planning and administration of such areas where they include State-owned lands. Any Federal land located within a national wild or scenic river area may, with the consent of the agency having jurisdiction thereof, be transferred to the jurisdiction of the appropriate Secretary or State for administration as part of the area.

(c) Each component of the National Wild and Scenic Rivers System shall be administered in such manner as to protect and enhance the values which caused it to be included in said System, without prohibiting the construction of roads or bridges, timber harvesting and livestock grazing, and other uses that do not substantially interfere with public use and enjoyment of these values. In such administration, priority emphasis shall be given to protecting its esthetic, scenic, historic, fish and wildlife, archeologic, scientific, and recreational features, based on the special attributes of the area. In order to accomplish these purposes, the Secretary of the Interior may utilize any authority he has under other provisions of law with respect to rights-of-way, easements, and enforcement of rules and regulations.

The Secretary of Agriculture, in administering a national wild or scenic river area, shall utilize the statutory authorities relating to the national forests in such manner as he deems appropriate to carry out the purposes of this Act.

(d) Within the exterior boundaries of a national wild or scenic river area, the Secretary of the Interior or the Secretary of Agriculture may acquire lands or interests therein by donation, purchase with donated or appropriated funds, exchange, or otherwise: *Provided,* That on both sides of the stream, tributary, or river a total of not more than one hundred acres per mile may be acquired in fee under authority of this Act, except that the appropriate Secretary may acquire the portion of any individual tract of land which lies outside of the boundaries of a national wild or scenic river area, with the consent of the owner, in order to avoid the payment of severance costs: *Provided further,* That neither Secretary may acquire lands, waters, or interests therein by condemnation without the owner's consent when 50 per centum or more of the acreage within the entire national wild or scenic river area is owned by Federal, State, or local governmental agencies, but this limitation shall not apply to the acquisition of scenic easements. Lands owned by a State may be acquired only with the consent of the owner. Lands owned by an Indian tribe may be acquired only with the consent of the tribal governing body. In the exercise of his exchange authority, the Secretary of the Interior may accept title to any non-Federal property within a national wild or scenic river area, and in exchange therefor he may convey to the grantor of such property any federally owned property under his jurisdiction within the State in which the river or segment thereof runs, except lands within the national park system, the national wildlife refuge system, or revested Oregon and California Railroad and reconveyed Coos Bay Wagon Road grant lands, which he classifies as suitable for exchange or other disposal. The properties so exchanged shall be of approximately equal fair market value. If they are not of approximately equal fair market value, the Secretary of the Interior shall accept cash from, or pay cash to, the grantor in order to equalize the values of the properties exchanged. The Secretary of Agriculture, in the exercise of his exchange authority, may utilize authorities and procedures available to him in connection with exchanges of national forest lands. Any such lands acquired by the Secretary of Agriculture within or adjacent to a national forest shall upon acquisition become national forest lands. Money appropriated for Federal or State purposes from the land and water conservation fund shall be available for the acquisition of property for the purposes of this Act.

(e) As used in this Act the term "scenic easement" means the right to control the use of land (including the air space above such land) for the purpose of protecting the scenic view from the river, but such control shall not affect, without the owner's consent, any regular use exercised prior to the acquisition of the easement.

(f) Neither the Secretary of the Interior nor the Secretary of Agriculture may acquire lands by condemnation, for the purpose of including such lands in any national wild or scenic river area, if such lands are located within any incorporated city, village, or borough when such entities shall have in force and applicable to such lands a duly adopted, valid zoning ordinance that conforms with the purposes of this Act.

(g) Neither the Secretary of the Interior nor the Secretary of Agriculture may exercise any authority to acquire county-owned lands within any national wild or scenic river area without the consent of said county as long as the county is following a plan for the management, zoning, and protection of such lands that conforms with the purposes of this Act.

(h) (1) In order to carry out the provisions of subsections (f) and (g), the appropriate Secretary shall issue guidelines, specifying standards for local zoning ordinances, which are consistent with the purposes of this Act.

(2) The standards specified in such guidelines shall have the object of (A) prohibiting new commercial or industrial uses other than commercial or industrial uses which are consistent with the purposes of this Act, and (B) the protection of the bank lands by means of acreage, frontage, and setback requirements on development.

(i) (1) Any owner or owners (hereinafter in this subsection referred to as "owner") of improved property on the date of its acquisition, may retain for themselves and their successors or assigns a right of use and occupancy of the improved property for noncommercial residential purposes for a definite term not to exceed twenty-five years, or, in lieu thereof, for a term ending at the death of the owner, or the death of his spouse, or the death of either of them. The owner shall elect the term to be reserved. The appropriate Secretary shall pay to the owner the fair market value of the property on the date of such acquisition less the fair market value on such date of the right retained by the owner.

(2) A right of use and occupancy retained pursuant to this subsection shall be subject to termination whenever the Secretary is given reasonable cause to find that such use and occupancy is being exercised in a manner which conflicts with the purposes of this Act. In the event of such a finding, the Secretary shall tender to the holder of that right an amount equal to the fair market value of that portion of the right which remains unexpired on the date of termination. Such right of use or occupancy shall terminate by operation of law upon tender of the fair market price.

(3) The term "improved property", as used in this Act, shall mean a detached, one-family dwelling (hereinafter referred to as "dwelling"), the construction of which was begun before January 1, 1967, together with so much of the land on which the dwelling is situated, the said land being in the same ownership as the dwelling, as the appropriate Secretary shall designate to be reasonably necessary for the enjoyment of the dwelling for the sole purpose of noncommercial residential use, together with any structure accessory to the dwelling which are situated on the land so designated.

(j) No lands, waters, or interests therein other than scenic easements may be administered under this Act as a part of the National Wild and Scenic Rivers System if such lands, waters, or interests were acquired by a State under its power of condemnation for the specific purpose of making such lands, water, or interests therein a part of the National Wild and Scenic Rivers System under this Act.

SPECIAL PROVISIONS

SEC. 6. (a) Except as specifically authorized by the Congress, the Federal Power Commission shall not authorize the construction, operation, or maintenance in any national wild or scenic river area of any dam or other project work under the Federal Power Act (41 Stat. 1063), as amended (16 U.S.C. 791a et seq.): *Provided,* That the provisions of that Act shall continue to apply to any project, as defined in that Act, already constructed or under license to be constructed.

(b) Except as specifically authorized by the Congress, the Federal Power Commission shall not authorize the construction, operation, or maintenance of any dam or other project work under the Federal Power Act (41 Stat. 1063), as amended (16 U.S.C. 791a et seq.); on any river, or segment thereof, listed in section 4, subsection (a), during the five-year period following enactment of this Act unless, prior to the expiration of said period, the Secretary of the Interior or the Secretary of Agriculture, on the basis of study, concludes that such river should not be included in the National Wild and Scenic Rivers System and publishes notice to that effect in the Federal Register: *Provided,* That the provisions of that Act shall continue to apply to any project, as defined in that Act, already constructed or under license to be constructed.

(c) Nothing in this Act shall affect the applicability of the United States mining and mineral leasing laws within the National Wild and Scenic Rivers System, except that all mining claims located after the effective date of this Act shall be subject to such regulations as the Secretary of the Interior, or the Secretary of Agriculture in the case of national forest lands, may prescribe to effectuate the purposes of this Act. Any patent issued shall recite this limitation. All such regulations shall provide among other things for safeguards against pollution of the river.

(d) Any portion of a national wild or scenic river area that is within the national wilderness preservation system, as established by the Act of September 3, 1964 (Public Law 88–577), shall be subject to the provisions of both the Wilderness Act and this Act with respect to the preservation of such a national wild or scenic river area, and in case of conflict between the provisions of these Acts the more restrictive provisions shall apply.

(e) The head of any Federal, State, or local agency administering a national wild or scenic river area shall cooperate with the Secretary of the Interior, and with the appropriate State water pollution control agencies, for the purpose of eliminating or diminishing the pollution of waters within a national wild or scenic river area.

(f) The jurisdiction of the States and the United States over waters of any stream included in a national wild or scenic river area shall be determined by established principles of law. Under the provisions of this

Act, any taking by the United States of a water right which is vested under either State or Federal law at the time such river is included in the National Wild and Scenic Rivers System shall entitle the owner thereof to just compensation. Nothing in this Act shall constitute an express or implied claim or denial on the part of the Federal Government as to exemption from State water laws.

(g) Nothing in this Act shall affect the jurisdiction or responsibilities of the States under other provisions of law with respect to fish and wildlife.

(h) Nothing contained in this Act shall be construed to alter, amend, repeal, interpret, modify, or be in conflict with any interstate compact made by any States which contain any portion of the National Wild and Scenic Rivers System.

(i) Nothing in this Act shall affect existing rights of any State, including the right of access, with respect to the beds of navigable streams, tributaries, or rivers (or segments thereof) located in a national wild or scenic river area.

(j) Designation of any stream or portion thereof as a national wild or scenic river area shall not be construed as a reservation of the waters of such streams for purposes other than those specified in this Act, or in quantities greater than necessary to accomplish these purposes.

(k) The jurisdiction of the States over waters of any stream included in a national wild or scenic river area shall be unaffected by this Act to the extent that such jurisdiction may be exercised without impairing the purposes of this Act or its administration.

STATE AND LOCAL WILD AND SCENIC RIVERS

SEC. 7. (a) The Secretary of the Interior is directed to encourage and assist States to consider, in their comprehensive statewide outdoor recreation plans and proposals for financing assistance for State and local projects submitted pursuant to the Land and Water Conservation Fund Act of 1965 (78 Stat. 897), needs an opportunities for establishing State, interstate, and local wild and scenic river areas. He is further directed, in accordance with the authority contained in the Act of May 28, 1963 (77 Stat. 49), to provide technical assistance and advice to, and cooperate with, States, interstate agencies, political subdivisions, and nonprofit private organizations, with respect to establishing such wild or scenic river areas.

(b) The Secretary of Agriculture is directed in accordance with the authority vested in him to assist, advise, and cooperate with State and local agencies and private interests with respect to establishing such wild or scenic river areas.

(c) Upon application of the Governor of the State for the designation of the Allagash Wilderness Waterway in Maine or the segment of the Wolf River in Langlade County, Wisconsin, as part of the National Wild and Scenic Rivers System, the Secretary of the Interior may make such designation if the State or local agency administering the area agrees to manage and protect it in a manner satisfactory to the Secretary.

(d) Upon application of the Governor of a State for the designation of any additional State or local wild or scenic river area as part of the National Wild and Scenic Rivers System, the Secretary may make such designation, after consultation with interested Federal agencies, if the State, interstate, or local agency administering the area agrees to manage and protect it in a manner satisfactory to the Secretary.

SEC. 8. In recognition of the fact that changes may occur in the circumstances of national wild or scenic river areas included in the National Wild and Scenic Rivers System or in the needs for the resources associated with such areas, which will require future Congresses to make changes in the system, and in order to assure that the Congress is kept informed of such changes in circumstances or needs, there is created a National Wild and Scenic Rivers Review Board, to make review and furnish reports to the Congress as hereinafter provided.

The National Wild and Scenic Rivers Review Board shall consist of the Secretary of the Interior, who shall be its Chairman, the Secretary of Agriculture, the Secretary of the Army, the Chairman of the Federal Power Commission, and the Governors of the several States for the purpose of consideration of the status of any national wild or scenic river area included within the National Wild and Scenic Rivers System which lies within their States.

Within sixty days after the convening of a new Congress, commencing with the second Congress after the enactment of this Act, the National Wild and Scenic Rivers Review Board shall file a report and recommendations with the President of the Senate and with the Speaker of the House of Representatives. Such report shall contain a discussion of any significant developments since the date of enactment of the Act, or since the last report, including but not limited to the following subjects: Technology of passage of fish over dams; status and trends of anadromous fish runs; activities by way of construction or otherwise pursuant to international agreements relating to any basin in which national wild or scenic rivers areas are designated; projected national, regional, or local demand for additional electrical generating capacity, particularly as related to existence or possibility of declarations of national emergency; and Federal or State legislative changes which affect the financing of river or reclamation development projects, including basin account authorizations relative to any basin in which national wild or scenic rivers areas are designated. The National Wild and Scenic Rivers Review Board is authorized and directed to conduct continuing comparative studies which would measure the balance of benefits and detriments of each national wild or scenic river area to the State in which it is located, and to report to Congress, as appropriate, recommendations to assure that, wherever it is found that the reclamation of arid land would better serve the public interest of such State, the same shall not be prejudiced by the national wild or scenic rivers status of any stream.

SEC. 9. There are hereby authorized to be appropriated such sums as may be necessary to carry out the provisions of this Act.

Mr. MANSFIELD. Mr. President, there will be no action on this measure tonight, so there will be no further voting tonight.

STATEMENT BY CHAIRMAN OF COMMITTEE ON THE DISTRICT OF COLUMBIA SUPPORTING REORGANIZATION PLAN NO. 3 TO MAKE THE DISTRICT OF COLUMBIA GOVERNMENT MORE EFFICIENT AND EFFECTIVE

Mr. BIBLE. Mr. President, this week the Congress has a great opportunity to serve the Nation and the Nation's Capital by installing a stronger, more efficient and more effective government at the helm of the District of Columbia.

No one needed to live live through the last several weeks to know that every city is facing problems of great magnitude. These problems are testing government at every level, but the greatest of challenges must be met by our city governments.

No city—least of all the Capital of this Nation—can afford less than the best in organizing its government to meet these challenges of the 1970's.

I know, and virtually everyone who has studied the government agrees, that Washington today has far less than the best. It has a weak and divided form of government. No city even half the size of the District still retains commission government.

President Johnson has graphically described the problem:

> The government of our nation's capital must be reorganized. It is high time to move it out of horse-and-buggy days and into the Twentieth Century.
>
> Washington is America's fastest growing metropolitan area. Yet its people are burdened and its progress imperiled by the drag of antiquated government. Today our capital stumbles along, hobbled by wasteful and inefficient practices installed as a temporary solution 93 years ago—just after the Civil War.
>
> This is shameful. It must stop. The people of the District must be allowed to take their proper place in a progressive America.

Almost 60 years ago, President Theodore Roosevelt reached a similar judgment. In submitting a report on District of Columbia affairs to the Congress in 1908, he stated:

> A single executive head would increase efficiency, determine responsibility, and eliminate delays and uncertainties inevitable under the present system . . . (S. Doc. No. 599, 60th Cong., 2nd Sess., p. 16).

The list of those today who share this judgment that the District's commission form of government is weak, inefficient and inadequate is long. Included are the three present Commissioners, Schuyler Lowe, the past director of the Department of General Administration, who labored long to make the District government function, the Board of Trade, the Comptroller General—House Government Operations Committee, Report No. 537, August 3, 1967, page 17, the U.S. Conference of Mayors, Chief John B. Layton of the Metropolitan Police Department, the District of Columbia Committee for Forward Looking Republicans, the League of Women Voters, and many others.

Reorganization Plan No. 3—which will become effective August 11 unless disapproved by one House of the Congress—will meet this universally recognized need for strengthened local government in the Nation's Capital. It will give the District a single strong executive who can lead the city government, and the central hub of the Nation's fastest growing metropolitan area in the drive to control crime, to make our streets safer, to provide for the people better housing, better health and more jobs.

The single executive will replace the outmoded commission form of government with its divided leadership and crossed lines of authority. It will shorten lines of communication and speed up decisionmaking. The Commissioner will be responsible for administration of the District government, for supervision of personnel, for preparation of the budget and for efficient and effective organization of the lower structure of the government.

In accordance with the best traditions

of government in the United States, the plan will separate executive and quasi-legislative functions. Responsibility for the making of rules, pursuant to laws enacted by the Congress, would be lodged in a nine-member council which is to be broadly representative of the community. The council will also review the Commissioner's budget and propose revisions. In keeping with the necessity for strong executive leadership, the ruling making actions and budget proposals of the council will be subject to a veto by the Commissioner. This veto may be overriden by a three-fourths vote of the council.

Through the council, the plan will achieve greater citizen awareness, interest and knowledge about the magnitude of the problems faced by this city's government. Greater citizen participation will prove that good government must be responsive to the people, and that the people must be responsible for good government.

Plan No. 3, however, does not—and cannot—change the constitutionally established form of government here in the District of Columbia. The Constitution states:

> Congress shall have Power . . . To exercise exclusive Legislation in all cases whatsoever over such District.

The plan does not cut away from the Congressional responsibility for legislation for the Nation's Capital. Should Plan No. 3 become effective, Congress will continue to have all the lawmaking, taxing, and appropriation authority it has today. In brief, the plan shifts responsibilities now in the three Commissioners to the new single executive and the nine-member council. Any part of these responsibilities and any step taken pursuant to the reorganization plan can be revised or redirected by the Congress by enactment at any time.

The need for improvement of the District Government and the strength of Plan No. 3 in meeting this need has been fully demonstrated in the extensive hearings held by the Senate Government Operations Committee and the House Government Operations Committee. Acceptance of the plan in the Senate appears unanimous.

In the House, representatives of both parties on the Government Operations Committee joined in an impressive show of support voting 26 to 4 to reject a pending resolution of disapproval.

All Americans share a concern for their Nation's Capital. It is right and proper that both parties join in strengthening its government.

Plan No. 3 is not a home rule measure. It does not provide elected city government which the Senate has sought in legislation adopted in six past Congresses. Plan No. 3 does bring better, more effective government to the District of Columbia and we can afford no less in these times of urban crisis.

I sincerely hope that the Congress will allow this plan to become effective now. No other course holds equal promise.

I have too often traveled the road of legislation in search of District government reform to view it with optimism as a viable alternative. High hopes for legislation have too often withered amid differing prescriptions for the ills of the Capital City.

Washington needs better government now. Let us all join in achieving important improvements now by adopting Plan No. 3. Let those who would do more by legislation show their dedication to better government by supporting Plan No. 3. I for one will not stop work to achieve a still stronger government for the Nation's Capital.

Let us not reject the plan in reliance upon a will-o'-the-wisp which, I fear, may vanish with the casting of a negative vote on the plan.

Based on my experience as chairman of the Senate Committee on the District of Columbia, and my long-time interest in the Nation's Capital, I share the judgment of many that the District today has a weak, divided, and inadequate form of government. I believe Plan No. 3 will make significant improvements in that government. I hope the Congress of the United States will allow these improvements to become effective now.

Full citizenship for residents of the Nation's Capital is important. Those who govern and those who are governed must learn equally about the responsibilities, duties, and benefits of government. This reorganization plan would provide a measure of that full citizenship, delayed too long here in the Capital of the Nation, a Nation we hold out to the world as the beacon of democracy.

Let us heed the words of the President:

> Here in our hands is the long-awaited chance to replace a jerry-built government of the 1870's with a new government for the new problems of the 1970's.
>
> Time and opportunity will not wait. We dare not lose the chance they give us now.

ROLE OF POVERTY WORKERS IN RECENT RIOTS

Mr. CLARK. Mr. President, lest any Member of Congress, in the aftermath of the recent riots, have any doubts about the role of the war on poverty in the 27 cities where civil disturbances have occurred, I enthusiastically commend to the attention of every Member the deeply eloquent statement by Sargent Shriver before the House Committee on Education and Labor last Monday.

The members of that committee could not help, I suspect, being moved by Mr. Shriver's persuasive recountal of the dedicated and often heroic efforts of poverty workers in Detroit, Grand Rapids, Toledo, and Newark to forestall violence, bloodshed, and the destruction of property.

I should like to stress two points in relation to this searching and, yes, profoundly moving picture of the United States in midsummer 1967. The first point is one that Mr. Shriver himself makes but needs to be impressed over and over again on the hearts, the minds, and the souls of all public officials and, indeed, all Americans. Shriver declared:

> But even if there were no riots, even if every impoverished section of America remained quiet and uncomplaining, the conditions are wrong. They are wrong socially, they are wrong politically, and they are wrong morally. And they must be corrected—wherever they exist.

Mr. President, that is the end of the quotation, but I inserted two extra "wrongs" because I feel so strongly about it myself. Mr. Shriver had only one.

The second point is my own, and I direct it at those who today cavil and carp at the antipoverty programs as being somehow, inexplicably, responsible for the civil disturbances.

Mr. President, let me point out here that this is being done today before the Committee on the Judiciary in hearings during the past few days and, indeed, today, where witnesses have been brought from near and far, from high and low, to bring unsubstantiated charges to the effect that poverty workers are responsible, in some obscure and as yet unidentified way, for the riots which have taken place in our big cities.

The allegation is being made that public funds are being spent recklessly to hire agitators to go around the country and cities stimulating riots. In my opinion, those charges are utterly false and those who make them are irresponsible. I would hope that, in due course, witnesses will appear before that committee, including Mr. Shriver, who can establish the falsehood and irresponsibility of those charges.

These poverty programs, and the dedicated people who animate them, so far from being responsible for the rage and turbulence in our streets, are actually responsible for the diminution of violence in many communities, and for the tranquillity and racial brotherhood that prevailed in other cities.

The Nation, in fact, has reason to be proud of thousands and thousands of unsung and unheralded antipoverty workers who have made—and continue to make—the world of our American cities safer, more secure, and more enduringly abundant for all our citizens.

Mr. President, I ask consent to have printed in the RECORD at the end of my remarks, Mr. Shriver's memorable and meaningful statement for our times.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 1.)

Mr. CLARK. Mr. President, before closing, I should like to read just a couple of excerpts from Mr. Shriver's remarks. He says:

> But what about these charges that employees of antipoverty programs have been involved in stimulating, encouraging and participating in acts of violence?
>
> We have canvassed the cities and have found that these allegations are simply not true.
>
> To the contrary. In almost every one of the 1,050 communities where community action exists, there is ample evidence that the CAA is calming fears and frustrations: bridging the communications gap between the poor and the rest of the community; providing the opportunities that put people to work, giving them training and education; and showing them that health and justice exist for them right where they live.

And, another excerpt:

> Let me back up these comments with additional facts.
>
> In the 27 cities that have had riots this summer, there are 12,128 persons who are direct employees of OEO funded agencies. Most of them neighborhood workers, health aides, clerical staff, community organizers,

> live in or near the ghetto neighborhoods in which the riots occurred. In these 27 cities, a total of 6,733 persons were arrested. In the same 27 cities, *six* of the 12,128 paid poverty workers were arrested. To date, none of the six has come to trial and none has been convicted.

Those figures speak for themselves. I continue to quote from Mr. Shriver:

> In 27 cities, the total estimated damage to buildings in the ghettos is $273,652,800. OEO pays the rent on 491 facilities in these 27 cities. Not a single one was burned. Not a single one was looted. And the total damage was confined to a few broken plate glass windows. Why? Because like buildings displaying the Red Cross in time of war, the people recognized that these facilities were among the few places where they could find refuge and aid.
>
> In Detroit alone, 3,783 persons were arrested. There are *1,547* paid anti-poverty workers in that city but *not a single one is under arrest.*

Let me return to a comment by Newark Police Commissioner Dominick A. Spina, who, referring to the poverty workers in Newark at the time of the riots, said, "They were magnificent."

The head of the police riot squad in Grand Rapids, Mich., described the poverty workers as a "group of young Negroes bent on trying to keep Grand Rapids cool." Capt. Francis Pierce, head of the police riot squad, said, "They are doing a beautiful job, and, believe me, we appreciate it."

Quoting Sargent Shriver:

> Who then is responsible for the riots?

Mr. Shriver asks—

> I mean ultimate responsibility, not merely who shot the first gun or looted the first store.

He said:

> All America is responsible. All of us here in this room.

He was talking to a crowded room of the House Labor and Education Committee, where the hearing was being held. I am talking to an absolutely empty Senate Chamber, with three of my friends in the press gallery present. We are like the one on the burning deck—all but he had fled. I am making these comments, hoping that somewhere in the press, somewhere in the media of communication, this statement by Sargent Shriver will get the attention it deserves.

Finally, Mr. Shriver said:

> There must be a total elimination of poverty. Right now, OEO funding in Detroit represents only 14 percent of the need that this city has expressed. In Hartford, we are spending only six percent of that city's need. New York gets 10 percent of its need. Atlanta, 21 percent.
>
> But we cannot use lack of money as an excuse for lack of effort. What we don't have in financial resources we must make up in human resources.
>
> The administration bill calls for a massive effort to create an army of volunteers for the War on Poverty to supplement the 375,000 Americans who, this year alone, joined with us in the battle.

This is the kind of thing we are going to have to do if we are ever to bring peace again to the big cities and a good many of the impoverished rural areas of America.

Mr. Shriver concluded:

> In conclusion, I want to say a word about ghettos. Right away we think of a city slum. But there is another kind of ghetto—an interior ghetto of the mind where we seal off parts of democracy that don't suit us, where we box off our obligations to justice and shut out our commitments to fairness. This ghetto of the mind is no less stinking and rotten than the ghetto of the city.
>
> Right now, all of us have ghettos to get out of. The sooner we begin, the sooner this country can become what its founders meant it to be.

Mr. President, I have resented the criticism made on the floor of this body and the other body across the Hill against that great American, Mr. HUBERT H. HUMPHREY, and against that great mayor of Detroit, Mr. James Cavanagh, for having suggested that perhaps the Congress of the United States has a share of the blame for the situation. The Congress bears a large share of it. If I can do nothing else tonight, I would like to awaken the conscience of those in this body and the other body who are trying to find scapegoats, who are trying to make it appear that those who are trying to help these communities are responsible for the riots.

I hope sanity will prevail, because we are on a sort of watershed of opinion in this Congress. I hope we will come around to the side of decency, and not on the side of the slavery which formerly hung over the unfortunate Negro, who was supposed to have been freed over 100 years ago.

EXHIBIT 1

STATEMENT BY SARGENT SHRIVER, DIRECTOR, OFFICE OF ECONOMIC OPPORTUNITY, BEFORE THE COMMITTEE ON EDUCATION AND LABOR, U.S. HOUSE OF REPRESNTATIVES, JULY 31, 1967

Since you began your hearing, American streets have become American battlegrounds. Instead of guns and butter, it seems now to be guns and guns.

Let me make my position unmistakably clear. When I became Director of OEO, I took an oath—a simple oath to defend this country against all enemies, foreign and domestic. I consider those who would mock our laws, shatter our peace, burn our homes and kill our people to be enemies of our country. To promote, encourage, tolerate or excuse violence is against every intention I have had, against every action I have taken since I came to Washington in 1961.

After the riots began, voices of reason and order swiftly announced: "We will not tolerate violence. We will not permit lawlessness."

And they are right.

But there are voices that say, "We cannot, as a nation, tolerate the conditions that produce violence and lawlessness."

And they are right, too.

The programs of the War on Poverty and the countless people who have volunteered or are employed to carry them out are squarely on the side of law and order.

Yet, we have seen cynical attempts to create doubt and fear about the role of the War on Poverty in the aftermath of violence and disorder.

Such attempts are unworthy of any public official or private citizen. And they cannot be permitted to stay the hand or weaken the resolve of Congress in passing that legislation most needed to eliminate discontent and eradicate the causes of violence and disorder.

Let there be no mistake about it. Riots that barnstorm the country in June, July and August are not just quaint "happenings." Beneath the surface of America's cities is an explosive store of discontent waiting for a random spark to ignite it.

It is discontent with joblessness. Discontent with inhuman housing. Discontent with money-hungry landlords and merchants. Discontent with the raw differences between justice, health, and convenience for the poor and the rest of America. These are the combustibles that fire up a riot.

But even if there were no riots, even if every impoverished section of America remained quiet and uncomplaining, the conditions are wrong. They are wrong socially, politically and morally. And they must be corrected—wherever they exist.

Through the Economic Opportunity legislation, you have provided a variety of mechanisms in the best traditions of America to right these wrongs. The 4,000 pages of testimony accumulated in these hearings provide ample evidence they are working.

But what about these charges that employees of antipoverty programs have been involved in stimulating, encouraging and participating in acts of violence?

We have canvassed the cities and have found that these allegations are simply not true.

To the contrary. In almost every one of the 1,050 communities where community action exists, there is ample evidence that the CAA is calming fears and frustrations: bridging the communications gap between the poor and the rest of the community; providing the opportunities that put people to work, giving them training and education; and showing them that health and justice exist for them right where they live.

These efforts are recognized across the nation.

The Honorable Harold M. Tollefson, Mayor of Tacoma, Washington, and the president of the National League of Cities, said, "We are disturbed at recent charges . . . that the antipoverty program has been responsible for stirring up unrest. The antipoverty program in city after city has been responsible for just the opposite of that."

Because of the riots and the problems they reflect, Cardinal O'Boyle of Washington, yesterday called for the development of a stronger antipoverty program "whatever the cost."

Last Friday, John Lindsay, the Republican Mayor of New York, defended the antipoverty program strongly when asked if the arrest of four young participants reflected the failure of the program. "It is not the failure of the program," he said. "Since July 1, we have recruited 35,000 youngsters . . . in the Neighborhood Youth Corps. If you only recruit youngsters who never had a problem or never will have a problem, then the program is a failure."

Let me back up these comments with additional facts.

In the 27 cities that have had riots this summer, there are 12,128 persons who are direct employees of OEO funded agencies. Most of them neighborhood workers, health aides, clerical staff, community organizers, live in or near the ghetto neighborhoods in which the riots occurred. In these 27 cities, a total of 6,733 persons were arrested. In the same 27 cities, *six* of the 12,128 paid poverty workers were arrested. To date, none of the six has come to trial and none has been convicted.

In 27 cities, the total estimated damage to buildings in the ghettos is $273,652,800. OEO pays the rent on 491 facilities in these 27 cities. Not a single one was burned. Not a single one was looted. And the total damage was confined to a few broken plate glass windows. Why? Because like buildings displaying the Red Cross in time of war, the people recognized that these facilities were among the few places where they could find refuge and aid.

In Detroit alone, 3,783 persons were arrested. There are *1,547* paid anti-poverty workers in that city but *not a single one is under arrest.*

Let me give you a rundown on cities and a handful of the stories of individual and group heroism that surfaced during the riots. These are the stories that largely have yet to make national headlines.

In Detroit, all the Centers on this map continued operations during the entire period of the riot. In the first two nights of the riot, these two Centers, Western and Southeastern, were open all night. All the Centers were open until 8 PM, during the night of the holocaust, and they began closing their doors an hour earlier only when the curfew was established.

This is the sub-station at 8906 12th Street, an area where some of the worst damage was inflicted—that sustained a broken window.

This is a storefront facility used by two Outreach workers. A large plate glass window on the front was broken. The repair cost, as I said earlier, is estimated at $150.

Of a total of 1,547 paid anti-poverty workers in these and other Centers in the city, 1,165 live in or in close proximity to the riot area. In the early stages of the outbursts, these men and women worked continuously, trying to calm the unruly crowds. Toward the end of the riot and even now, neighborhood workers and community organizers circulated through the area and tried to find out what help was needed in the way of food, clothing and shelter for the victims burned out.

These workers were put into action by the CAP Director, Phil Rutledge, who was assigned by the Mayor to head a special committee coordinating the efforts of private and public agencies to aid victims of the riot. The four main Centers have been used as food distribution points.

In Newark, on the first night of the riot, members of the Community Action staff attempted to disperse the crowd in front of a police station, but were unsuccessful. Throughout the riot, many of the CAP staff continued to get people off the streets.

During the worst days and nights, 30 Neighborhood Youth Corps police cadets worked 12-hour shifts. Four were at the 4th Precinct which was rushed three times by rioters. The cadets manned the communication system, took over desk duties and freed patrolmen for anti-riot duties.

"They were magnificent," said Newark Police Commissioner Dominick A. Spina.

Two hundred NYC enrollees working for the Housing Authority aided in everything from emergency food distribution to loading and unloading trucks. To the best of our knowledge none of the 2,560 NYC enrollees is known to have been involved in the rioting or looting.

In Grand Rapids, a week ago today, the Community Action Agency in that city ordered a task force of street workers into the riot area to help police. The task force consisted of 16 summer antipoverty workers. It was expanded the next night to 50. The whites in the group worked in the downtown area and the Negroes moved about the southeast side, telling folks to "cool it." Members of the group received police identification cards and some were issued bullhorns. On the second night of rioting, two of them received shotgun wounds during the performance of their duties.

The Grand Rapids press described them as a "group of young Negroes bent on trying to keep Grand Rapids cool." Captain Francis Pierce, head of the police riot squad, said "They are doing a beautiful job and, believe me, we appreciate it."

The task force of street workers is a $20,000 component of Grand Rapids $49,000 Emergency Summer Program.

In Toledo some 25 neighborhood center Outreach workers maintained the only communication with teenage rioters on Monday and Tuesday nights. In order to cool tempers, neighborhood poverty centers manned all-night telephones to take complaints and grievances, suggesting every time that they should be resolved in conversation rather than in conflict, in mediation rather than with Molotov cocktails.

In city after city, the poverty workers have tried to prevent, not cause, riots. When riots did occur, they were working next to the police and National Guard to bring an end to the lawlessness.

In Elizabeth, N.J., for example, the director of the community action agency, after a night of high tension and some violence, convened a meeting of responsible adult leaders of the Negro community, helped them get up a list of requests, and acted as spokesman for the community in presenting these requests to the mayor. The mayor agreed to most of the requests, which were concerned solely with actions to keep tensions down, including designation of a group of men from the community to tour the streets, talk to youngsters and help keep the area calm. They wore special identifying insignia bearing the legend "Peace Keeper," which had been selected by the mayor. So far, this band of "Peace Keepers," sometimes walking the streets until the early morning hours, has proved effective in sparing Elizabeth the agony of a riot.

Last weekend, I received a telegram which summarizes how effective poverty workers have been. The telegram is from the Mayor of Newark, Hugh J. Addonizio:

"Let there be no mistake about my position in regard to the national anti-poverty program. I support the program and all it has done to bring hope to many including thousands in my own city. Any suggestion or interpretation of remarks attributed to me which suggest I am opposed to anti-poverty programs are wrong . . . There is no mayor anywhere in America who can say he wants the elimination of the anti-poverty program . . . programs such as our Legal Services Project, Head Start, the Neighborhood Youth Corps, our year-round pre-school and our summer recreation programs are all now indispensable parts of our community's life . . . Newark and all our cities would be worse without these programs."

Whenever man-made tragedy strikes, it is popular to look for a scapegoat. But the time has come for action—not recrimination. Let us adopt the position most eloquently stated by Senator Thruston Morton who said last Wednesday: "I deplore the irresponsibility of seeking to place blame for a national tragedy. Our time of troubles will not be remedied by blatant accusations and pious political posturing." It is time also for the sense of urgent priorities which led Senator Morton to his recommendation that funds immediately be put into our cities to give jobs to the jobless and hope to the hopeless.

The facts I have presented prove that OEO offers alternatives to violence; that OEO has taught the poor to build up, not tear down; that once the riots began, OEO smothered, not fanned, the flames.

Who then is responsible for the riots? I mean ultimate responsibility, not merely who shot the first gun or looted the first store.

All America is responsible. All of us here in this room. We are all actors in this American tragedy. We are in trouble because too many Americans prefer not to know each other. Not to care about each other. As Governor Romney said just yesterday, "Most white people do not know any Negroes. Most Negroes do not know any white people." This terrible isolation is what breeds distrust and hatred.

I am not saying Americans must all become friendly with each other or that privacy is evil. I'm just saying that ignorance of our fellow citizen's needs destroys more than it protects.

Our country is destroyed when the man in the suburban house in Chevy Chase does not know about the man in the ghetto house in Cardozo.

Our country is destroyed when the affluent know more about the Beverly Hillbillies than the destitute poor in the Appalachian hollows in Kentucky or West Virginia.

Our country is destroyed when a dog on Park Avenue eats better than a human being a few blocks over on First Avenue.

Our country is destroyed when we are soft-hearted about sending slum kids to summer camp but then soft-headed about job training programs for their unemployed fathers.

Our country is destroyed when the scourge of rat bites on the bodies of poor children is treated as a laughing matter and funds are denied which could put an end to this infestation.

In Chicago, an OEO program has demonstrated that rats can be eradicated on a city-wide basis. Yet, we refuse to extend our knowledge to benefit the poor of every city.

Our country is destroyed in a thousand ways like this.

It is foolish to think the country can go on like this. More and more the poor who are cut off from American life are repeating the sentiment of Churchill when someone tried to ignore Britain: "We will not be dealt with as part of a blob." And we in America cannot treat the poor as a blob. Their needs must be met in the same manner and speed that the appetites of the affluent are satisfied.

The need for jobs. The need for education. The need for decent housing. The need for health. The need for justice.

But we cannot use lack of money as an excuse for lack of effort. What we don't have in financial resources we must make up in human resources.

The Administration bill calls for a massive effort to create an army of volunteers for the War on Poverty to supplement the 375,000 Americans who, this year alone, joined with us in the battle. But, in addition to this citizen volunteer corps, why can't the successful businessmen in our cities devote a few hours a week to working with the struggling businessmen in the slums?

Why can't a Catholic or Protestant parish in a suburban area adopt a church in the inner city?

Why can't our country clubs allow poor children to swim in the pool on Mondays when the clubs are closed?

Why can't architects devote some of their time to working with the poor to build new communities?

In short, why can't all Americans begin to use the alternative of democracy—because without democracy, there is no alternative.

In conclusion, I want to say a word about ghettos. Right away we think of a city slum. But there is another kind of ghetto—an interior ghetto of the mind where we seal off parts of democracy that don't suit us, where we box off our obligations to justice and shut out our commitments to fairness. This ghetto of the mind is no less stinking and rotten than the ghetto of the city.

Right now, all of us have ghettos to get out of. The sooner we begin, the sooner this country can become what its founders meant it to be.

In truth, the War on Poverty is not being fought for the poor. It is for all Americans—because all Americans stand to gain by it. Not just with peace in our cities, but also peace in our hearts.

Five years ago a young and valiant President, speaking on the steps of the Capitol of the United States, spoke these words:

"To those peoples in the huts and villages of half the globe struggling to break the bonds of mass misery, we pledge our best efforts to help them help themselves, for whatever period is required—not because the communists may be doing it, not because we seek their votes, but because it is right.

If a free society cannot help the many who are poor, it cannot save the few who are rich."

What President Kennedy, five years ago, pledged to the poor and destitute beyond the shores of America, we must *now*, both pledge and give to those who live in the ghettos of our cities and the blighted areas of rural America.

We must do it "Not because the Communists may be doing it, not because we seek their votes, but because it is right."

PRIORITIES FOR FEDERAL SPENDING

Mr. MILLER. Mr. President, in today's Wall Street Journal there appears an article entitled "Taxes and the Problem of Financing a War," written by Dr. Harley Lutz, professor emeritus of Princeton University, and one of the Nation's leading economists and public finance thinkers.

Dr. Lutz well points out the deep need for drastic reduction in nondefense spending and the establishment of priorities for our Federal Government's spending budget—matters for which several of us in Congress, and particularly on the Joint Senate-House Economic Committee, have long been arguing.

I believe that, with the recent message from the President requesting an increase in taxes, this article merits the attention of all thoughtful citizens, and I ask unanimous consent that it be printed in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

Taxes and Problem of Financing a War

(By Harley L. Lutz)

No more consideration has been given to financing the war in Vietnam than to any other aspect of this ill-fated venture. The absence of consistency and candor in the explanation and justification of the military action has been paralleled by an absence of comprehensive long-range plans for financing it.

Despite the mounting cost, official policy appears to have been more concerned with fiscal and monetary manipulations against inflation and recession than with basic planning for a long, costly war. As the inflationary threat became more critical in 1966, for example, the New Economists called for a tax increase but not loudly enough, for the only response from Congress was repeal of the 7% investment tax credit. In 1967 both ends were played against the middle: Congress restored the investment tax credit as a stimulus to business and President Johnson recommended a 6% surcharge on corporation and individual income tax liabilities as an inflation curb. And last week this proposed surcharge was raised to 10%.

Because of its urgency, war financing is the general problem of Government support raised to the nth degree. This problem involves the apportionment of available resources between the private and the public sectors and the methods employed to effect the distribution. Whether we are dealing with Great Society programs or the war in Vietnam, the economic issue is the same.

There is a distinction between dollar cost and economic burden that exists with respect to all government but it is particularly appropriate to the present topic. The dollar cost of war can be met by higher taxation or by loans, or by a combination of the two methods. To the extent that the money cost is covered by borrowing, future generations of taxpayers will be deprived of income for payment of interest and such principal payments, if any, as are made. In terms of economic burden, the war generation must carry it. The military effort can be supported only out of current production and, for a short time, whatever surplus there may be from earlier output.

Armies cannot subsist on next year's food production nor can they fight with next year's munitions production. In other words, war requirements involve a diversion of current output, on a top-priority basis, and the civilian population must get along with whatever remains. War demand does stimulate additional output but in large degree the increase will be in military rather than civilian goods.

GETTING A BALANCE

These facts suggests a clue to the proper method of financing a war: The diversion of output for war purposes should be paralleled by a diversion of income to cover military purchases. That is, taxation should be increased sufficiently to maintain a balance between available civilian goods and the available civilian income with which to buy them. Otherwise, the profits and wages earned in defense industries will enter the market in competition for the available supply of civilian goods against income received from the nondefense and Government sectors. Rationing, controls on prices and wages and other restrictions on spending are a weak barrier against the resulting inflationary pressure.

This theoretically correct way to finance a war isn't attainable, however, in practice. It would involve a Spartan-like austerity for which popular support would be reluctant except in a back-to-the-wall struggle for national survival. Despite the devices for speeding up tax payment, there will always be a lag between changes in tax rates or collection procedures and the full flow of receipts into the Treasury. Meantime, war costs tend to rise rapidly from the beginning and some borrowing is inevitable.

For both practical and psychological reasons, therefore, a war cannot be financed entirely on a current payment basis. It is equally obvious that complete financing by public borrowing would be disastrous in another direction. Then how shall the cost be apportioned between the two methods while holding to a minimum both the repressive effects of excessive tax rates and the even more destructive effects of excessive debt increase? The answer is that taxation rather than borrowing should be the major source of funds. A sensible reconstruction of the Federal tax system is a requisite to this end.

Some other steps should be taken, however, to avoid extreme tax measures and at the same time to combat the demand and supply type of inflation.

The first is drastic surgery on nondefense spending, including amputation in some cases and trimming in others. If the war is as important as it is said to be, good reason exists for eliminating, curtailing or postponing expenditures in areas less urgent. The alibi that so much of the spending is now "uncontrollable" won't hold water; every dollar spent is authorized by a Federal law that can be modified or repealed by another law.

Expenditure reduction would require a carefully designed system of priorities. Thus far this has had only scant consideration, and a lunar landing is deemed as important as slum clearance, a supersonic plane has equal ranking with elimination of air and water pollution. And governors, mayors, civil rights leaders and others join in demanding that Great Society, antipoverty and other welfare programs be continued as usual.

The view that out of our great abundance we can support the war and all domestic programs, those now authorized plus others urgently sought by interested groups, is sheer illusion unless we are willing to pay for them as we go. Of course, we can afford any amount of spending by putting over onto future generations the burden of debt issued to finance it, but this would not be evidence of affluence.

The second, and major, step is a reconstruction of the Federal tax system by introducing a broad-based excise or consumption tax. The mistake in the area of excise taxation wasn't in repeal of the earlier excises, which were selective and discriminatory, but in abandonment of the excise principle for general use. This should be re-established by enactment of a consumption tax practically across the board, at a moderate, flat rate, with a minimum of exemptions and exclusions. The stage of final manufacture would be the appropriate point for taxation of commodities. A wide array of services would also be taxable, and the contact of the service agency with the customer would be the obvious place for the levy.

It is always more reasonable and equitable to spread the tax load over income as received and income as spent than to concentrate an excessive share of the load at either point alone. A consumption tax is vastly to be preferred as a method of inflation control over rationing, wage and price controls and other forms of arbitrary interference with individual freedom of action and decision. The stock arguments against consumption taxes are hyrocritical since they are not advanced against the liquor and tobacco excises nor against those collected for support of the Federal highway system.

Two major arguments can be advanced in support of broadening the Federal tax system in this manner: Advoidance of the repressive effects of high income tax rates, and a more effective curb on inflation than income tax alone.

According to recent budget estimates, the present individual income tax rate scale won't suffice to prevent a large deficit in fiscal 1968, even with the proposed surcharge. Any intention to minimize the deficit by relying on income taxes alone would therefore require substantial rate increases, with their subsequent repressive effects on incentive and capital formation.

INEFFECTIVE BARRIER

As it now stands the individual income tax is not an effective barrier against inflation. It does not touch at all a vast pool of individual income created by personal exemptions and standard deductions, the latter now materially higher under the minimum standard deductions. And the bulk of any additional levy sought by tax rate changes would fall on corporation income and the middle to upper ranges where the proportion of income spent for consumption declines as income rises. A broad-based consumption tax would supplement income tax both as a revenue source and as a restraint on inflation by impinging directly on effective market demand.

Any deficit emerging after such serious or negligent attention as may be given to the tax system must be covered by borrowing, and the inflationary effect of debt financing tends to vary with the proportion underwritten by commercial banks. Maximum inflationary restraint would be produced by large purchases by the people out of current income, but popular participation in war loans would depend on the loan terms and on the attitude of the people toward the war.

In both respects the outlook is not good at this time. The Federal Government has always insisted on an artificial level of interest rates for Treasury bonds and has resorted to numerous devices to maintain an abnormal bond price level. The refusal of Congress to eliminate the 4¼% ceiling on the Treasury bond interest rate demonstrates how hardy is the political predilection for cheap money.

The patriotic appeal is a weak reed, made weaker by the myopic policy on debt terms. In theory it should register the attitude of the people toward the war. But it was not conspicuously effective in World War I or II, although in each case the menace to the national interest and security was visible, clearly understood and feared by an overwhelming majority of the people. The circumstances are not so defined today. There has been no consistent, convincing statement of war aims and a consensus is lacking as regards the nature and the imminence of a threat to the national interest or safety.

It is probably expecting too much, therefore, to hope for the sale of large amounts of war bonds. This gives even greater importance to comprehensive tax measures, as inflationary bank financing would be the principal remaining recourse. As in World War II, the Federal Reserve System would no doubt provide the bank reserves necesary for handling debt paper not absorbed by the people. We should recognize, however, that the situation of the Reserve banks is not the same as it was before World War II, when these banks had an ample margin of gold reserves above the percentage requirements against Reserve Bank notes and deposits.

WEAKENED STANCE

By 1945, however, it had become necessary to consolidate the gold reserve against notes and deposits and reduce the requirement to 25%. In 1964 the reserve was suspended as to member bank deposits and proposals have recently been made to extend the suspension to Reserve Bank notes. From the standpoint of national credit and the position of the dollar as a hard currency we are in a weaker stance for another splurge of war debt financing than at the beginning of World War II.

The question of paying for the war is no different from that of paying for everything else in which the Government may involve us: How much do we pay for now and how much do we put on the cuff?

Opponents of tax increase will emphasize the growth of gross national product as evidence of the success of the deficit-tax reduction formula. In one respect a case can be made for this policy. GNP rose from about $100 billion in 1939 to $739 billion in 1966. But the other side of the coin is that the dollar has lost more than half of the value it had in 1939. The loss of value continues—at an average annual rate of 1.8% over the past decade, and at 2.8% from 1965 to 1966. The course we are following leads to a dead end where we shall have a GNP counted in trillions of dollars that have no value at all.

In sum, then, having become involved in a costly military stalemate of indefinite duration, the sensible course for financing it would be to curtail the drain on resources and broaden the Federal revenue system. This would keep in balance as nearly as possible the effective demand for available goods and the money incomes most likely to be spent in acquiring them.

WHITE BLINDNESS

Mr. MILLER. Mr. President, in the Sunday Washington Post for August 6, 1967, there appears a long and very thoughtful article by Daniel P. Moynihan entitled "Liberal Laments White Blindness, Offers Cure."

Mr. President, I do not agree with everything Mr. Moynihan has to say, but there are some very pointed observations in the article which certainly ring true to me.

He well points out, for example, that one of the difficulties which has helped cause some of the riots and other disorders in our country stems from the overoptimism of the so-called liberals with respect to some of the programs the Federal Government has inaugurated in recent years.

Some of us who have supported in some cases and opposed in other cases those programs warned that they would not do what the proponents said they would do—that, if anything, the best they would do would be to scratch the surface, and that probably the cost to the taxpayers of this country would be far out of proportion to the results obtained.

I think that the history of the past 2 or 3 years bears out what we warned; and the article of Mr. Moynihan—a well-acknowledged liberal—substantiates what we had to say.

Mr. Moynihan does not merely criticize; he offers suggestions and recommendations, to some of which I am personally very much opposed, such as a family allowance, which has been used in other countries, apparently with some success.

This does not mean we should not keep trying, as he has suggested, to find other or better solutions. But I do believe that, for the sake of giving a balanced viewpoint from the other side of the aisle, Mr. Moynihan's article merits the reading of all thoughtful citizens who are concerned about the poverty sector of this country; and I ask unanimous consent that the article be printed in the RECORD at this point.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

WHITE BLINDNESS LAMENTED

THE PAST IS PROLOGUE

"Nothing that we could say could add to the impressiveness of the lesson furnished by the events of the past year as to the needs and dangerous conditions of the neglected classes in our city. Those terrible days in July—the sudden appearance, as from the bosom of the earth, of a most infuriated and degraded mob; the helplessness of property owners and the better classes; the boom of cannon and rattle of musketry in our streets; the sky lurid with conflagrations; the inconceivable barbarity and ferocity of the crowd . . . the immense destruction of property were the first dreadful revelations to many of our people of the existence among us of a great, ignorant, irresponsible class, who were growing up without any permanent interest in the welfare of the community, of the success of the government . . . of the gradual formation of this class and the dangers to be feared from it, the agents of this society have incessantly warned the public for the past 11 years."—Draft riots in New York, c. 1863.

(*By Daniel P. Moynihan*)

The description of New York in 1863 could be of Newark or Detroit, or of a dozen other American cities in which violence has raged in the streets this summer. But it describes the aftermath of the great Civil War draft riots in which the Irish masses of the city exploded in blind fury at what they perceived to be the injustices of the society in which they found themselves.

The Nation was then in the midst of the great crisis of slavery. We are now in the midst of another moment of maximum danger that has evolved from our failure fully to resolve that first crisis, and our unwillingness to see that this second one was developing in an urban setting for which the attitudes and to some degree the machinery of American government are desperately ill-suited.

The streets of the Negro slums contain the wreckage of a generation of good intentions on the part of American liberals, and good people generally, who have foreseen this outcome, or at least insisted on the urgency of the problems which we must suppose have led to it. Many of our proudest achievements are a ruin as well.

CONSIDERATION FOR LIBERALS

Liberals, to be sure, are not the only people in America who have been hurt and damaged by the violence of this summer. But they, and the poor themselves, are the only ones who deserve much consideration. The racists and reactionaries and so-called conservatives in Congress, the shrewd careerists in the Administration who have learned so well how to get along with them while keeping up appearances, and the great indifferent American mass that wanted it that way: for them there need be no sympathy.

When one reads Congressman Mahon of Texas, chairman of the House Appropriations Committee, describing Mayor Cavanagh of Detroit as "this arrogant man" for daring to suggest last Sunday, just as he did after the State of the Union message last January, that the Federal Government was not facing up to the needs of our cities, it becomes clear that the leaders of Congress have not only learned nothing from their failure, but that neither do they propose to forgive anyone who warned them against it. They had all but destroyed the legislative program of John F. Kennedy when he was murdered, and only thereafter relented somewhat.

Now that American cities are being assaulted one after another across the land, they appear to have decided against any further display of weakness. These are familiar men in history. They are the ones who lose wars, waste opportunities, squander time and destroy civilizations.

They will commonly do so, while invoking Mahon's principles of "discipline, self respect . . . law and order." Yet it is not ordained that they should prevail, and in the great crisis of the American past they have not. Whether they shall do so now is the issue before the Nation.

The outcome is likely to be determined now by persons of good will—who actively desire to see American society continue to succeed, who accept the fact that it has in ways failed, and realized that only great and costly effort can reverse the course of events.

SOURCES OF FAILURE

We liberals must enquire into the sources of our own failure, for surely we have not succeeded in bringing the Nation along with us. It is not only useless and tasteless to get into a name-calling contest with our presumed opponents; it's also a sure way to avoid facing the possibility that we have some explaining to do about the sources of the present crisis.

We ourselves have lost battles and opportunities, and with time growing short, we would do well to ask "why?"

First, in our concern to protect the good name of the poor, especially perhaps the Negro poor, we have entangled ourselves in positions that have had the effect of preventing effective action to help them.

Second, in our eagerness to see some progress made we have been all too willing to accept the pathetically underfinanced programs which have normally emerged from Congress, and then to oversell them both to ourselves and those they are designed to aid.

Third, in our desire to maintain public confidence in such programs, we have tended to avoid evidence of poor results, and in particular have paid too little heed to the limited capacities of government to bring about social change.

These failings have been accompanied,

moreover, by a formidable capacity for explaining them away.

In the aftermath of the Newark riots one could already detect our self-defense system at work. Newark, we were beginning to say, was after all a backward city, doubtless run by the Mafia. Unemployment was high. The mayor was fighting with the poverty program. The police were brutal and corrupt. Newark, we were almost saying, deserved a riot. But Detroit . . . what have we to say after Detroit?

Detroit had everything the Great Society could wish for a municipality; a splendid mayor and a fine governor. A high paying and, thanks to the fiscal policies of the national government, a booming industry, civilized by and associated with the hands-down leading trade union of the world.

Moreover, it was a city whose Negro residents had every reason to be proud of the position they held in the economy and government of the area. Two able and promising Negro Congressmen are from Detroit. Relations between the Negro community and City Hall could hardly have been better. Detroit Negroes held powerful positions throughout the city administration, and to cap matters, the city was equipped with the very model of a summer task force, with a solid program and a 24-hour watch to avert violence.

URBAN UNDER CLASS

How then could Detroit riot? The answer lies in the question "Who rioted?" The rioting was begun and probably largely continued by young persons sociologists would describe as an urban under class. They happen in this case to be Negro and American, yet their counterparts are to be found in the slums and in the literature of nations throughout the Western world.

Marx despaired of getting any help for his revolution from persons whose main impulses seemed to be so destructive, both to themselves and the society around them.

Most agree that the life of this stratum of society is profoundly different from that of most working people, and certainly most middle class people. As one middle-aged Negro declared on television at the height of the Detroit disturbances, "You don't see a family man out here." He may or may not have been right about that moment, but his understanding was sound: violent, and criminal behavior set this group apart from the rest of society.

Where did this under class come from? How did it form? There does not seem to be any satisfactory answer, save that something like it has always been present in most cities in America, and that there are reasonably good signs by which to detect it. The Children's Aid Society of New York had foreseen the formation of such a class among the Catholic immigrants of the city, and indeed was formed to help the wretched young people—orphans and foundlings—involved. Their first annual report, dated 1854, said:

"It should be remembered that there are no dangers to the value of property or to the permanency of our institutions so great as those from the existence of such a class of vagabond, ignorant, and ungoverned children. This dangerous class has not begun to show itself as it will in 8 or 10 years when these boys and girls are matured. Those who were too negligent or too selfish to notice them as children will be fully aware of them as men. They will poison society. They will perhaps be embittered at the wealth and the luxuries they never share. Then let society beware, when the outcast, vicious, reckless multitude of New York boys, swarming now in every foul alley and low street come to know their power and use it."

A decade or so ago we began to detect the formation of a Negro version of this class, growing up in our northern cities. Just as certain, we did little or nothing about it.

THE DEPRESSION UNENDED

The basic conditions that would appear necessary for the formation of such a class have clearly existed in our cities for a generation now. First, and uppermost, is unemployment. The Depression has never ended for the slum Negro.

To unemployment, add low wages, add miserable housing, add vicious and pervasive forms of racial discrimination, compound it all with an essentially destructive welfare system and a social scientist would have every ground on which to predict violence in this violent country. Moreover, there were many specific warnings.

1. The increase in welfare dependency. Something like six out of every ten Negro youths reaching 18 has at some time been supported by the Federal Aid to Dependent Children program.

2. The increase in certain types of crime. For the crimes of burglary, larceny and auto theft, the Negro crime rate increased 33 per cent between 1960 and 1965. White rates also increased, but not as much.

3. The missing men in the census count. At least three years ago we began to realize that the number of Negro males enumerated in the 1960 census was far fewer than it should have been. We now know that altogether we missed 10 per cent of the Negro population, with a much higher loss rate in young adult males. Something like one male in six had in effect simply dropped out of organized society.

4. Educational failure. For five years or more, we have known that Negro children were doing very badly even in schools that would have to be described as quite good. For some time we have known that the net results, the failure rate on Selective Service examinations, were near horrendous: until recently, something like 56 per cent of Negro youth called up for the draft have been failing the mental test—a sixth grade examination.

5. The steady deterioration of family structure in low-income neighborhoods. Probably not more than a third of the children of low-income Negro families now reach 18 having lived all their life with both their parents.

This last point is often misunderstood. Probably the best available evidence we have of the increase or decrease in the size of lower class populations lies in the statistics about family life. Breakdown in family relations among poor persons is a pretty good clue that an under class is forming. Many persons—the more liberal a person is the more likely he will be to react this way—interpret the statement to mean that the plight of the poor is being blamed on the state of their families. In other words, that the poor are to blame for their troubles. But just the opposite is the truth: the state of the families is the best evidence of what is happening to the poor.

AVAILABLE EVIDENCE

It happens that this evidence was available not only for the Nation, but specifically for Detroit. In 1966 the Detroit Urban League published a special study of "The Detroit Low-Income Negro Family," which summarized these developments in an urban area whose Negro population had grown in that half century from a few thousand to two-thirds of a million. The captions over the bar charts in the Urban League report portray the life of the Negro poor in a typical northern city:

"Nearly one-third of Detroit area non-white under 18 live in broken homes (1960) . . . Almost one Detroit area non-white headed by a woman (1960) . . . About 20 per cent of Detroit area non-white females who were ever married are divorced or live apart from their husbands (1950–1960) . . . One out of seven persons in Detroit area non-white households are not members of the husband-wife-child family (1960) . . ."

In Detroit, the report continued, the non-white illegitimacy ratio rose from 138.0 per thousand live births in 1950 to 156.7 in 1957, to 228.4 in 1964. (In line with national trends, the white illegitimacy ratio during this period rose from 15.0 to 34.5, but for every two white illegitimate children born in the city, there were three non-white.)

In a 1965 study of low-income households in Detroit, Greenleigh Associates reported "24.9 per cent of the Negro households reported out-of-wedlock children and only 4.0 per cent of the white households did so . . . A common pattern found was for older children to be legitimate and younger children to be illegitimate."

It would be outrageous and unforgivable at this moment to pretend to understand more than we do, but we do know that these were signs of trouble coming. The Negro community was splitting: on the one hand, there was a large and growing group for whom progress was real and unmistakable. But, for another group, things were not working.

Relatively they grew worse off, not just than white society, but worse off when compared with other Negroes.

Negro leaders have naturally and properly wished to draw attention to their great achievements and even greater potential. Trapped in their own decencies, liberals have agreed, and so in a hundred ways, great and small, the problem of the burgeoning urban lower class was concealed.

If there was delinquency in the slums, we told ourselves that well-to-do kids in the suburbs were just as unruly but were never brought to law. Which is not true, but which leaves everyone feeling better. If there are fatherless children in the slums, we told ourselves that white middle class fathers are never at home either. Which is true, but has nothing to do with the matter. It also, somehow, leaves those children in the slums, needing help and not getting it.

A CRUCIAL OPPORTUNITY

When the New Frontier began formulating its programs, they were designed for an essentially different class of person: the competent, reasonably well motivated individual who happened to be out of work or out of skills, and who would surely take advantage of opportunities offered him. Our one crucial opportunity came with the major amendments to the welfare system in 1962, but we did nothing then but confirm the conventional wisdom that, for example, portrayed the typical mother requiring aid for dependent children as a West Virginia miner's widow. The system was enlarged somewhat, but not changed.

This summer, with something like one New York City child in five living on welfare, Dr. Mitchell Ginsberg of the Lindsay administration declared the system "bankrupt." It was just as bankrupt five years ago, but somehow we could not, would not see it then.

There has been a massive loss of confidence on the part of Negroes as to white sincerity. Two years ago, during the rioting in Watts comedian Dick Gregory tried to help calm things. He was shot for his troubles, and told the young man who had done it, "All right, you shot me. Now go home." Two months ago at a Black Power rally in Washington Gregory was shouting over and again: "Watts was legal!"

Our programs might have far greater impact if only they had been of sufficient size. The amounts of money going to cities and to the poor increased, but in nothing like the amounts or for the purposes demanded by the situation.

Anyone who was involved with the establishment of the War on Poverty knows that it was put together by fiscal mirrors; scarcely a driblet of new money was involved. Even an element of fraud entered the picture: the Bureau of the Budget began calculating interstate highway funds as part of the financial aid going to cities.

Such money is of considerable aid to General Motors and the United Automobile Workers, and the Association of General Contractors, but as for the poor, the best that can be said for it is that it destroys a lot of bad housing.

Here again it was fear of, and after a point too sophisticated a knowledge of, the fiscal conservatism, as well as social complacency in the Congress that held us back, that even somehow kept us from telling ourselves the truth.

Huge-sounding bills were passed, but mini-appropriations followed, and after a point both ends of Pennsylvania Avenue were cooperating in this process. Instead of taking what we could get, but insisting that it was not enough, liberals both within and without the Administration gave in to an orgy of tub thumping.

It does not follow that we raised hopes out of all proportion to our capacity to deliver on our promises, but if we did, and we *must* have, we have only ourselves to blame.

Ourselves and the Federal bureaucracy. Somehow liberals have been unable to acquire from life what conservatives seem to be endowed with at birth, namely a healthy skepticism of the powers of Government agencies to do good.

The American national Government is a superb instrument for redistributing power and wealth in our society. One person in ten in the United States, for example, now gets a Social Security check every month. But as an instrument for providing services, especially to urban lower class Negroes, it is a highly unreliable device.

THREE RECOMMENDATIONS

The more programs, the less impact. The 1966 White House conference "to fulfill these rights" produced a hundred pages of recommendations, which meant that the conference was a failure and a disaster. If it had produced three recommendations, it might have been a success. I will propose three.

First. The United States Government must become the employer of last resort, so that anyone looking for work and not finding it is automatically *given* a job. Put to work. If this is done stupidly it will turn out to be a WPA, but with just a little administrative energy it can be worked out that such jobs will be distributed throughout the labor market, so that in fact they are not visible as such. The Government must see to it that everyone looking for work finds work, and correspondingly that those without work have no excuse for their situation.

Second. We have got to get more money directly into the hands of the poor. The best way to do this, or at least the best known way, is through a family (or children's) allowance. The United States is the only industrial democracy in the world that does not have such a system of automatic payments for families who are raising minor children. We are also the only industrial democracy whose streets are filled with rioters each year. The connection may not be direct, or may not exist at all, but then it may.

Such a payment would have the advantage that everyone would get it, not just a special segment artificially defined as below a certain income line, or across a certain racial line.

It has worked well all over the world, including Canada, and for $9 billion a year, it would be a sound investment in the future as well as the present.

Third. We must rebuild, or at least clear, the burnt-out neighborhoods. The Federal Government has a dozen ways to do this, and it must. Otherwise the ruins remain a symbol of the injustices that led to them. Accompanying such a clearance and rebuilding program, we simply must enact a form of Federal reinsurance of small business in such areas. Otherwise they will become deserts.

The problem, of course, is that it is unlikely we will do any of these things, or any other things. Never has the national instinct and the national interest appeared more divergent. The mood of the Administration in Washington is one of paralysis. There is no political will for the Executive branch to move in any direction, and nothing but fear as to what direction Congress will take if it should seize the initiative.

SOURCES OF PARALYSIS

This paralysis derives from several sources. The first, understandably, is disappointment, and not a little bitterness at what has happened. This is a mood tinged as well with exhaustion. Many men in Washington have been at their desks for eight years. The first few were exhilarating, but of late an entirely understandable exhaustion seems to have set in.

The second source of paralysis is the conviction within the Administration that the public mood is one of fierce dislike for Negroes and adamant determination that there be "no reward for rioting."

But the third is the decisive one: There is no money. The war has used up all the available income, and taken us beyond that to a massive deficit. Washington does not dare spend another nickel and indeed appeared to be in the process of quietly cutting back many domestic programs when the rioting resumed in June.

The result has been a curious process of backward reasoning. First: "We can't do anything." Second: "We don't do anything." Third: "We shouldn't do anything."

And, above all, not giving ammunition to the Republican enemy by suggesting perhaps there were some deficiencies in our approach to date. Beyond that, we are to pray and to await the report of the presidential commission, which will solemnly reassure us that the FBI has found no evidence of Communist conspiracy, and that the problem of rioting lies in despair and hopelessness in the ghetto.

We might get away with it. Just possibly. Or we might march directly into a political crisis that will spoil the rest of the 20th Century for the American people. Such a disaster would be the election, next year or five years from now, of a determined right-wing President.

The task of American liberals would seem to be clear. We cannot do anything without the President, and the President seems determined to do nothing. Worse, he is denying it. Talk about that rat bill is meaningless. The rat bill was nothing.

The Administration is not unwilling to do what is needed. The matter is more complicated. It would seem to feel that the Congress is not going to do anything and that therefore it will be useless and worse to ask and be refused. Not only will the obstructionist majority say "no," but from elsewhere there will come a chorus of charges that the war in Vietnam is the reason he will not move.

This is true, but also irrelevant. The President dares not and will not scrap the war in order to save the cities. Somehow he must be enabled to scrap other things, and raise new funds, in order to proceed with both. It is a time to ponder his oft-repeated statement, in those sweet days, so soon past, that he is the only President we have.

The experience of the Vietnam protest will hardly encourage the thought that he responds to pressure, much less to name-calling. (And much less to articles such as this.) The only serious option open to us would seem to be that of trying to persuade the public at large that we can do something about the causes of Negro violence that will not only help the rioters but everyone. It is time for this fabulously rich Nation to declare a dividend. A family allowance would be a good beginning, guaranteed full employment a logical accompaniment. But perhaps there are better, more feasible programs that will work in the slums, and yet assert the unity of the Nation. Let us look for them.

The one thing going for us is the apparent fact that however disturbed the Nation might be by events, it is nonetheless trying to understand them. If there is much white hatred abroad, it has been so far hesitant to show itself in public. The fact is that we are not the racist nation we used to be.

We are facing a problem we don't fully understand, and certainly do not know how to solve. But to face such situations with calm and competence is what marks us as the people we are. It is what John F. Kennedy would have expected of us. It is what we have a right to expect of Lyndon B. Johnson. And a responsibility to demand of ourselves.

VIETNAM: THE SIGNS OF STALEMATE

Mr. MILLER. Mr. President, in the New York Times for Monday, August 7, 1967, there appears an article, entitled "Vietnam: The Signs of Stalemate," written by R. W. Apple, Jr.

Writing under a Saigon dateline, Mr. Apple presents a picture of the war in Vietnam which is not particularly promising. He does not disdain criticism of the undue optimism, as he puts it, of some of our top military and political spokesmen with respect to the progress of the war in Vietnam. I do, however, suggest that one area which Mr. Apple completely ignores, and which he should have covered, is the degree to which the problem he analyzes could be diminished if not eliminated, once North Vietnam ceases and desists directing, controlling, and supplying the forces in the south.

The best military and political thinking on this subject holds to the premise that once the direction, control, and supply from the north ceases, the Vietcong in the south will cease and desist by geometric progression from their attempts to win the country by force, violence, and terror.

On the other hand, one thing that this article does do is point out what we are in for if the north does not cease and desist. Those who advocate stopping the bombing, pulling back, setting up a new demilitarized zone, and, for all practical purposes, doing nothing to cause North Vietnam to cease and desist from directing, controlling, and supplying the forces in the south, would be well advised to read this article, to see exactly what kind of a future their suggestions would lead to.

I ask unanimous consent that the article to which I have referred be printed in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

VIETNAM: THE SIGNS OF STALEMATE

(By R. W. Apple, Jr.)

SAIGON, SOUTH VIETNAM, August 6.—A little more than two years ago, on July 28, 1965, President Johnson committed the United States more decisively than ever to the war in Vietnam by announcing the deployment of 50,000 more American troops to this stricken corner of Southeast Asia.

Last Thursday, in response to the urgent entreaties of his commanders, Mr. Johnson disclosed that he would send 45,000 to 50,000 more men, for a total of 525,000, by next June 30.

Between these two bench marks of the most frustrating conflict in American history, the fighting has careered along, week by bloody week, through wet seasons and dry, through two Christmas cease-fires, through peace feelers and escalations.

By this weekend, 12,269 Americans had been listed as killed and 74,818 as injured, millions of artillery shells and billions of rifle bullets had been fired, and 832 airplanes had fallen to enemy gunners.

The war costs the United States more than $2-billion each month.

And yet, in the opinion of most distinterested observers, the war is not going well. Victory is not close at hand. It may be beyond reach. It is clearly unlikely in the next year or even the next two years, and American officers talk somberly about fighting here for decades.

The official statements from Washington and Saigon seem optimistic, as they have been for almost five years. Gen. William C. Westmoreland, the American commander in Vietnam, said recently that his men had made "tremendous progress." Secretary of State Dean Rusk said the enemy was "hurting very badly."

"Stalemate" is a fighting word in Washington. President Johnson rejects it as a description of the situation in Vietnam. But it is the word used by almost all Americans here, except the top officials, to characterize what is happening. They use the word for many reasons, including the following:

The Americans and their allies, having killed by their own count 200,000 enemy troops, now face the largest enemy force they have ever faced: 297,000 men, again by their own count.

The enemy has progressed from captured rifles and skimpy supplies to rockets, artillery, heavy mortors, a family of automatic infantry weapons and flame throwers, most of which has been brought into South Vietnam in the face of American air power.

1.2 million allied troops have been able to secure only a fraction of a country less than one and a half times the size of New York State.

The allies are reaching the bottom of their ready manpower pool, while the North Vietnamese have committed only one-fifth of their regular army.

Above all, if the North Vietnamese and American troops were magically whisked away, the South Vietnamese regime would almost certainly crumble within months, so little have the root problems been touched.

ENEMY'S TENACITY DEFIES AWESOME U.S. EFFORT

It is true, as General Westmoreland has often said, that the United States has built an awesome logistical empire in Vietnam, that the enemy seldom wins a major battle, that more highways are open than before, that American bombers have severely hampered Hanoi's war effort, that the Vietcong are suffering.

But the enemy continues to fight with tenacity, imagination and courage, and no one knows when he will stop.

The goal of American policy, simply stated, is to defeat, together with the other allies, the Vietcong guerrillas and their backers, the North Vietnamese, so that South Vietnam's nationalists can transform their society into something strong and durable.

Originally, American troops were to form a series of dikes, or military shields, around critical areas, so that the South Vietnamese, sheltered from North Vietnam's regulars, could regroup and build.

This is still the role of the gallant marines along the demilitarized zone, facing the North Vietnamese homeland, who have lost 10,000 men killed or wounded since Jan. 1; of the Fourth Infantry Division, along the Cambodian border, and of other divisions that mount search-and-destroy operations in enemy base areas.

It is galling work. Because the enemy can fade into redoubts or across borders where the Americans cannot follow him, the same unit must be smashed again and again. General Westmoreland once conceded that he was unable to hurt any unit so badly that it could not be refitted in 90 days.

FRUSTRATION DRIVES ALLIES TO HEAVIER WEAPONS

Frustrated, the allies have turned increasingly to the use of artillery and airpower to hurt the enemy, substituting F–100 fighter-bombers and 155-mm. howitzers for infantrymen. The natural tendency of a technological society is to spend its steel and its inventiveness rather than its men.

But in Vietnam, technology is no substitute for the man on the ground. Artillery does not keep the Vietcong from moving at night; patrolling does. The artillery, in fact, often hurts more than it helps. When a 155-mm. shell, aimed almost at random into the gloom, crashes onto a sleeping hamlet, potential Vietcong are often created in an instant. The most damaging fact is this: Behind these dikes that have been manned at the cost of so much blood and treasure, almost nothing has improved. The North Vietnamese have been pushed back into their lairs, away from the hamlets and villages, but security in the countryside is as bad as ever.

"I've destroyed the ——— Division three times," a senior American general said the other day. "I've chased main-force units all over the country, and the impact was zilch: It meant nothing to the people."

So now the Americans implicitly admitting that they despair of results from the South Vietnamese themselves, are moving into action against the guerrillas, while trying at the same time to keep the North Vietnamese off balance.

Of the 25 American units of regimental or brigade size deployed in Vietnam, 14 are committed to the grisly business of digging out the mines in roads and defending tiny hamlets.

"We are on the way to a policy of occupation in this country," a Washington official said not long ago. "We have found that unless we put enormous numbers of our own troops into a very small area the thing doesn't go."

WHERE BIG UNITS MANAGE, SMALLER ONES FAIL

Where large units have been committed—for example, the First Cavalry Division (Airmobile) on the Bongson plain and the South Koreans in Phuyen Province—progress has been made.

Where the same tactic has been tried with smaller units, it has not worked. The Marines, stretched thin, have been trying to pacify the area around the Danang air base for two years, but they were unable to prevent the rocket attack July 15 that took a heavy toll in men and machines.

Army units have been engaged for months in Operation Rang Dong, the struggle to secure the approaches to Saigon, but during the last two weeks the guerrillas have mined Route 4, the main road to the Mekong Delta, have struck with mortars at the Nhabe naval complex within sight of the lights of Saigon, and have fired their rockets into key American bases.

In all 53 districts of the III Corps—the sector around Saigon where the earth has been scorched in Operations Junction City, Cedar Falls and Manhattan—there remains a virtually complete guerrilla structure: a 10-man squad for each hamlet, a 30-man platoon for each village, an 80-man company for each district, and at the top a 350-man company for each of 12 provinces.

The Vietcong have the incalculable advantage of the tactical offensive. The allies must defend and build; the Vietcong serve their ends by attacking and falling back.

FOR A COMPLETE SHIELD, EIGHT MILLION TROOPS

To repeat the pattern of Phuyen and Binhdinh in all the populous areas of South Vietnam, one ranking American official has estimated, the allies would require eight million men. Even then, as General Westmoreland has acknowledged, the problem would not immediately be solved because if the Americans pulled back, the enemy would filter down from the hills.

The situation has reminded more than one American in South Vietnam of these lines by Lewis Carroll:

> "If seven maids with seven mops
>   Swept it for half a year,
> Do you suppose," the Walrus said,
>   "That they could get it clear?"
> "I doubt it," said the Carpenter,
>   And shed a bitter tear.

The answer to the seeming impasse is pacification—reestablishing the Government presence in the hamlets so that the peasants will want to defend themselves and will have the means to do so.

To accomplish this, the United States has built schools, pigpens and marketplaces; the South Vietnamese have conducted village and hamlet elections; a total of 315,000 pacification workers, American and South Vietnamese soldiers and civil servants have been committed; the American command structure has been reorganized and enormous sums are being spent this year: $400-million by the Americans, $135-million by the South Vietnamese.

SOME SAY IMMENSE EFFORT GUARANTEES PROGRESS

Some American officials argue that progress is inevitable because of the resources involved, that if enough manpower and money are poured out of Saigon, some of it, somehow, will have an impact on the faraway peasant.

But the ground to be covered is enormous. According to the new system for evaluating hamlets, a total of 1,944 out of 12,537 are controlled by the Government—a figure amounting to fewer than one in six. The rest are contested or, to some degree, controlled by the Vietcong.

Some of the most experienced Americans here consider a hamlet secure when its chief is willing to sleep in it. About 2,000 are thought to meet this criterion.

The modest goal for this year is the pacification of 1,100 hamlets, most of them in 26 priority areas; but even this seems beyond the present state of the art. Of the 44 provinces, 26 are behind schedule. American officials concede that pacification is at best creeping ahead in three-quarters of the country and stopped cold in the northern part.

Competent pacification workers are becoming harder and harder to recruit; the goal of 41,000 by the end of 1967 will not be reached, and those already at work are being killed at a rate near 15 a week. The 53 South Vietnamese Army battalions supposedly protecting the workers are not doing so. Morale is so bad that 13 of every 100 workers are expected to desert during 1967.

A senior American said recently, "There is at least a 2-to-1 chance that we will increase the momentum of pacification over the next 12 or 18 months."

But nothing better than this can be hoped for, in the opinion of many observers, without a thorough overhaul of South Vietnamese society—without a second revolution to counter the revolution, however bogus, that the Vietcong have promised for more than a decade.

PEASANTS CAN BE RALLIED BUT A CAUSE IS LACKING

The peasants, by and large, are apolitical. They stand by and watch as they are buffeted by the war. They want security more than anything else, but they can be rallied to an ideal, as the North Vietnamese and the Vietcong have sometimes shown.

The ideal is nowhere to be found in Saigon.

Unless a theme more positive and more stirring than simple anti-Communism can be found, the war appears likely to go on until someone gets tired and quits, which could take generations.

Unless the central fact of the allied war effort—the critical lack of commitment of South Vietnamese society to work for its own survival—is changed, there can be no real victory because there can be no viable, democratic Vietnamese society, which is what the United States came here to help build.

The Americans responsible for the war effort seem to have given relatively little thought to this problem, perhaps because it drives them up against the reality that the people they are fighting for are none too eager to fight for themselves.

Consider, for example, General Westmoreland's program for improving the South Vietnamese Army. It is contained in a thick booklet stamped "Secret," and it includes 44 subprograms—all of which relate to more equipment, better professional training, more advisers. None relate to what football coaches like to call "the will to win."

Commenting on this preoccupation with the material, The Saigon Post recalled the recent fate of the Egyptian Army, with its magnificent Soviet-made tanks and jets, and suggested that South Vietnam's generals bear in mind Napoleon's dictum: "The moral is to the physical as 3 to 1."

SOUTH VIETNAMESE TROOPS CONSIDERED INEPT

Allowing for such exceptional units as the marines, the rangers and the paratroops, the performance of South Vietnam's forces has been shockingly bad, in the opinion of most advisers.

Commanders only reluctantly commit their units to battle, because they are afraid of losing men. Once in battle, they are often unable to rally their troops. South Vietnamese units broke and ran during the early fighting around Conthien and again during recent fighting in the Mekong Delta.

One recent instance of inaction by Government troops occurred in the middle of May. The Vietcong overran a battalion command post in the delta, killing three American advisers and 29 South Vietnamese. One enemy body was found after the attack. Three South Vietnamese companies sat out the action only 300 yards away.

After years of cajolery by their advisers, Government units still operate ineffectively at night (as, indeed, some American units do). A visitor recently inspected three "night patrols" in three parts of the country. One was walking down a highway with transistor radio blaring, one was asleep in a house and the third was hiding in a cave.

The American advisers—whose superiors, including General Westmoreland, have refused to demand the removal of incompetent leaders—have had little impact. One former adviser described his role as that of "a glorified radio operator, tolerated only because I could call in air strikes."

"NEED FOR REINFORCEMENTS A MEASURE OF OUR FAILURE"

"Every time Westy makes a speech about how good the South Vietnam Army is," another general has said, "I want to ask him why he keeps calling for more Americans. His need for reinforcements is a measure of our failure with the Vietnamese."

At the same time, paradoxically, the Americans have created a dependent psychology in which the South Vietnamese abdicate responsibility in combat only to reassert it later.

An experienced adviser tells of having led a Government battalion in a ferocious all-night battle while its commander hid in a foxhole. The next morning, the commander emerged, shook himself and ordered his men to move out. When the American suggested that a less bunched-up formation might be better, the commander coldly ignored him.

At bottom, American officers say when they know that they will not be quoted by name, the trouble with the South Vietnamese Army is a lack of leadership. The fighting men are tough, willing and courageous, but like soldiers everywhere, they are worthless if badly led and poorly motivated.

The lack of leaders is heartbreaking to those who would reform the army. The best talent in the current generation has long since been lost: Thousands of men who might be leading South Vietnamese troops in combat are serving with the North Vietnamese or the Vietcong, heirs to the country's nationalist revolution against the French. Of all the Government officers serving as lieutenant colonel or higher, only two fought on the side of the Vietminh in the war against the French.

Some potential leaders are languishing in exile as a result of the purges of the last decade. Countless others have been killed in battle.

MANY OFFICERS FOUND WEARY AND CYNICAL

In their place stands a corps of young officers, often incompetent and more often corrupt. Weary of the war and cynical toward it, many of them work a four-and-a-half-day week, leaving their troops at noon Friday and repairing to Cantho or Danang or Saigon in search of diversion. It is not uncommon to see two dozen off-duty army officers taking their ease of a Saturday night in Maxim's, a frightfully expensive Saigon nightclub.

Watching one such group drive through town in a long black car recently, a Vietnamese student commented, "Nguyen Huu Tho doesn't live like that."

Mr. Tho is chairman of the National Liberation Front, political arm of the Vietcong.

Saigon's army hardly seems a likely force to lead a revolution, and whatever can be said of the army can be said of the Government as well, for the army is the Government.

If the villagers resent soldiers who steal their rice and chickens, they resent far more the corrupt district and province officials, nearly all of them military men. They resent, for example, the delta province chief whose waterworks and electrical plant serve his headquarters and his house but not a single peasant hut; and they resent the highlands province chief who sold them diseased pigs, bought with American aid funds, at enormous profit to himself.

TALES OF CORRUPTION ABOUND IN SAIGON

The corruption—the sense of a diseased society—is most pervasive in Saigon. Many of the stories that float through the city's cafes are no doubt false; but in a sense, that does not matter because most of the people believe them.

This belief is a major political fact, contributing to cynicism and noncommitment. Conceivably General X's wife did not buy and sell draft deferments; but everyone said she did. The question has been asked: Is it reasonable to expect young men to volunteer eargerly to fight for their country in this kind of atmosphere?

La Thanh Nghe, a former Cabinet minister, is accused of having sold antibiotics to the Vietcong and, at the same time, of having earned almost a million dollars in kickbacks from American drug suppliers. Policemen on duty at night along Tu Do Street tell a journalist that they will need $3 to be sure his car is not towed away. Clerks on the piers, unable to locate the papers needed to clear a shipment through customs, suddenly find them when $10 passes across the counter.

Added to this is a civil service so weary, so undermanned, so bogged down in antique French techniques—18 seals and signatures are required on one car-ownership document—that the tiniest tasks require weeks.

This is the system through which the pacification campaign must be made to work, through which the army must be reformed, the economy must be managed, the hearts and minds of the people must somehow be won.

WHAT KY AND THIEU SAY, AND WHAT THEY DO

Premier Nguyen Cao Ky and Lieut. Gen. Nguyen Van Thieu, the chief of state, say all the right words, promising social justice, an end to corruption and a liberal revolution that will make the task of the Communists impossible.

But Premier Ky also once advised Western journalists to "watch what I do, not what I say"—and watching is not often encouraging.

After months of American prodding, for instance, the Government issued its proclamation of national reconciliation," supposedly the beginning of a campaign to persuade high-ranking Vietcong to defect. Since then, the subject has been dropped, and only one field-grade enemy officer has turned himself in.

Four men who know Vietnam well have also watched. They recently said the same thing in different ways.

A former Premier commented: "The problem isn't the North Vietnamese Army. It's the South Vietnamese Government."

An American who has worked in the provinces for more than five years: "Nobody considers the Vietcong Robin Hood any more. But the Government and the army are still the Sheriff of Nottingham, and you'll never sell that."

A Saigon editor: "What is needed is someone who can seriously make the same claim on the loyalty of the people as Ho Chi Minh does in the North. Without that, there can be nothing. The Americans will never understand, but it is obvious that the problem is not military but political, not American but Vietnamese. We have more of everything military—more bombing, more troops, more money—yet the situation does not change. This can be explained only in terms of the population's indifference, or even hostility, to Saigon."

A young army officer: "No South Vietnamese whose career or pocketbook isn't involved really looks up to or respects Ky. He could never be our national hero—too young, too flashy, too American, too much the playboy, too much the pilot."

ELECTIONS VIEWED AS A WAY TO TURN THE TIDE—IF—

Confronted with these attitudes, and with open insurrection by militant Buddhists, the Government consented to national elections this fall. They offer an enormous opportunity, everyone here agrees, to rally the people behind Saigon, to give the country a psychological lift, to dash the claims of the Vietcong to legitimacy and possibly even to open the way to peace negotiations.

But the military's old habits persist; it would be unrealistic not to expect them to. At the generals' insistence, the only serious peace candidate, Au Truong Thanh, was ruled off the ballot, and the only nominee even remotely identifiable as a national hero, Maj. Gen. Duong Van Minh, was refused permission to return to the country.

Several left-wing candidates for the Senate were also denied the right to run.

A Saigon newspaper spoke for most of the country's intelligentsia and most civilian politicians when it said: "This may succeed in keeping out [of office] the people dedicated to radical social changes and reforms, and to ridding our people of inequalities and injustices with the perpetuation of which we would not triumph over Communism."

The remaining candidates—a collection of middle-aged and middle-class conservatives—seem to offer no real alternatives. The most prominent of these, Tran Van Huong, is considered an elderly, kindly and thoroughly honest retired teacher whose brief term as Premier in 1964 and 1965 was characterized chiefly by his stubbornness. Even his supporters concede that he is not the vibrant national leader the country needs.

OUTLOOK AFTER THE VOTING: NO BASIC CHANGES

Neither Mr. Huong nor any of the nine other civilian candidates is given more than a slight chance of winning, even if the balloting is scrupulously honest, which few expect it to be. The built-in advantages of incumbents, here as elsewhere, are so great that only a figure of great charisma can overcome them.

So the outlook, four weeks before election day, is for a ratification of the Thieu-Ky regime, with all that would mean: a "legitimized" but essentially unchanged central Government, continuation of heavy-handed police tactics, the same generally corrupt officials in the provinces, the same dispirited army, more war.

The prospect may be agonizing to Americans, but it is far worse for the South Vietnamese.

"What am I to do?" a young businessman asked a friend not long ago. "Vote for Thieu and Ky, and watch my country get torn apart for four more years? Vote for one of the civilians, when you and I both know they can't provide any real leadership? Join the Vietcong? Go to France or America?

"You know I can't do any of those things. I shall just have to wait longer."

LOYALTIES OF THE HAMLETS

SAIGON, SOUTH VIETNAM, August 6.—Following is a table, based on official United States data, breaking down South Vietnam's hamlet population according to degree of loyalty to the Saigon Government or the Vietcong. Added to the hamlet population, the nation's 3,732,500 city dwellers account for the total population, 17,165,300.

	Hamlets	*Population*
Total government control	168	489, 300
Partial government control	1, 776	3, 129, 100
Contested (government-leaning)	3, 245	4, 360, 600
Contested (Vietcong-leaning)	2, 156	1, 976, 100
Partial Vietcong control	528	402, 200
Total Vietcong control	3, 978	2, 923, 200
Unclassified	686	152, 300
Total	12, 537	13, 432, 800

NEW NORTH VIETNAM ARTILLERY

Mr. MILLER. Mr. President, in the August 6, 1967, issue of the New York Times, there appears an article entitled "New Arms Sites Peril 7th Fleet." It describes some of the new implements being erected in North Vietnam near the coast, and intimates that these are either for surface-to-surface missiles, which could be used against our Navy ships, or possibly long-range artillery for the same purpose. It points out that this equipment is being received from the Soviet Union; and I think it would be well for those who are wondering why the war is being prolonged and to read the article and see that a greater variety of weapons to be used against our men and those of our allies is being introduced, how they are traceable to the Soviet Union, and the need for the American people to recognize that the Soviet Union has not as yet, nor is there anything in the evidence to indicate that it will hereafter, changed its mind on the issue of the support of North Vietnam in the war that is now going on.

I have said many times, Mr. President, that the war would be greatly shortened, if not ended almost overnight, were it not for the tremendous amount of military supplies and equipment being furnished by the Soviet Union. There are those who argue that the Soviet Union does not want the war in Vietnam to continue, and that it will serve as a great peacemaking catalyst if we will only persevere and be nice to the Soviet Union.

The recent record does not bear out such optimism at all. The evidence is all on the other side, and the article to which I have referred is just another one of the items of evidence that are mounting to show that the real enemy behind North Vietnam is the Soviet Union. I think our foreign policy and our actions should be gaged accordingly.

Mr. President, I ask unanimous consent that the article to which I have referred be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

NEW ARMS SITES PERIL 7TH FLEET—UNITED STATES FEARS VIETNAM FOE IS SETTING UP MISSILES OR LONG-RANGE ARTILLERY

(By William Beecher)

WASHINGTON, August 5.—Aerial reconnaissance has detected a handful of elaborate new concrete weapons installations along the North Vietnamese coast between Thanhhoa and Donghoi. Defense department analysts are puzzled and somewhat concerned over the possible purpose of the new installations.

Some analysts believe the Russians may be preparing to introduce surface-to-surface guided missiles, and others believe long-range coast artillery is more likely. The latter view seems to predominate.

Most analysts agree that, in either case, the development bodes ill for the ships of the United States Seventh Fleet, which have been delivering heavy air and artillery strikes against North Vietnam with relative impunity.

RUSSIAN PLANS ASSESSED

The naval activity is scheduled to increase with the decision to reactivate the battleship New Jersey. Her nine 16-inch guns are capable of pouring 1,900-pound shells over ranges exceeding 20 miles.

"We can't be sure the Soviets won't provide surface-to-surface missiles to North Vietnam," said one top Pentagon officer. "But we don't think they're anxious to do so. They realize that, beyond attacking the launching sites, we might feel compelled to escalate the war still further. And we don't think the Russians want that."

He said the introduction of advanced new weapons systems would also impose added strains on the supply lines into and in North Vietnam.

But he conceded that if Hanoi were able to sink a destroyer, cruiser or aircraft carrier with a missile, it would gain a major propaganda coup.

He and other officials doubt that surface-to-surface missiles, if introduced, would be fired at specific targets in South Vietnam, such as airfields. "They can do more damage with short-range mortars and rockets," said one official.

The coastal location of installations also bolsters the theory that the targets would be at sea.

DETAILS NOT DISCUSSED

Pentagon officials are reluctant to discuss details of the reconnaissance sightings. The concrete installations, they say, are clearly unlike positions associated with surface-to-air missiles, whether in North Vietnam, the Soviet Union, China or Cuba.

In apparent conjunction with the new sites, they say, "caves," also protected by concrete, are being dug in the highlands along the coast. Most analysts suggest these might be meant for ammunition or weapons storage. A minority believes the caves might be used to house missiles or long-range artillery.

Officials decline to say whether the new positions have been under attack, but presumably they have.

Military and intelligence sources insist there has been no evidence of surface-to-surface missiles in North Vietnam.

POSSIBLE SOVIET MISSILES

If they should appear, likely candidates include the following:

Kennel–8, a short-range antishipping missile designed initially for launching from a bomber. The 28-foot-long turbojet missile has a 16-foot wingspread and resembles a small jet fighter.

Shaddock, a 40-foot missile with a range estimated at over 200 miles. It has been paraded through Moscow and the Soviet press described it as a coastal-defense missile.

Styx, a 20-foot missile resembling the Kennel–8. One version has a 15-mile range and another is believed somewhat longer ranged. The Styx is the standard armament on small Soviet missile boats.

Scud, a land-based 35-foot guided missile. One version is estimated to have a range of 90 miles, and a longer-range version has been developed.

TWO MAIN U.S. FORCES

The Seventh Fleet has two groups of vessels operating in the Gulf of Tonkin against North Vietnam. The principal force centers around three or four aircraft carriers, with planes flying day and night missions against a variety of targets.

The second force, typically made up of about 10 destroyers and one cruiser, operates fairly close to shore, from the 17th parallel north to Thanhhoa.

A half dozen or more ships have been hit, none seriously. But the Defense Department sources are worried about the damage that might be done if larger, longer-range weapons are installed.

The principal Russian coastal-artillery gun is a 130-mm. weapon that fires a 70-pound projectile 17 miles or more. It is reputed to have considerable armor-piercing power.

As the bigger guns are deployed along the coast, the ability of American vessels to move in close to shore to take their targets under effective fire becomes limited. The introduction of missiles would greatly complicate the problem, the Pentagon sources say.

But as one planner puts it: "We can't expect to place warships off the coast of North Vietnam and bombard it for a year or more and not expect weapons to be brought in that can do us some damage in return. While we certainly pray we don't lose any ships, we can't count on it indefinitely."

DOES THE PRESS ENCOURAGE RIOTS?

Mr. MILLER. Mr. President, there are many people who have been expressing increasing concern over the amount of undue publicity being given by some segments of the press to certain individuals who have apparently resorted to publicity seeking in connection with riots and other national disturbances to make headlines for themselves and thus perpetuate their means of livelihood.

It is tragic indeed that individuals such as Stokely Carmichael and others of his ilk, who would receive very little attention if the news were calculated to give attention to those who merit it, and who thrive on publicity, are actually having some segments of the press play into their hands by giving them undue publicity.

This raises a difficult ethical question for the press. An excellent article by Allan C. Brownfeld, appearing in the Washington Sunday Star for August 6, goes into the problem as well as any article I have seen on the subject. The article is entitled "Does Television Help Spread Big City Rioting?"

Mr. Brownfeld indicates that it probably does. There are those will argue that even though it does, the press must continue to be perfectly free to give all the publicity they wish under our doctrine of freedom of speech to these individuals and to these incidents.

Mr. President, I learned a long time ago in law school that freedom of the press is not an absolute right, and that freedom of speech does not permit the abuse of freedom of speech to the extent of causing harm to the general public or to individuals.

I would hope that an ethical standard would be devised by the television industry and by other segments of the press which would result in much less attention being focused on some of these individuals.

I think there are millions of television viewers who are quite unhappy about the fact that when they turn on an evening news program, half of it is taken up in giving attention to some individual who speaks for practically nobody except himself and whose only mission in life seems to be to stir up hatred and trouble and violence in this country.

I think it is about time that some restraint is shown so that this does not happen. As a matter of fact, I personally do not care what Stokely Carmichael has to say.

I am disturbed when I turn on the television screen and find out what he does say, because he represents practically nobody. The only way in which he can pay his way is through the publicity he gets, and he thrives on it.

The press media are helping this type of activity to finance itself.

I know that a careful line must be drawn, but there are matters of restraint and, I think, ethical standards involved here.

I hope that the article to which I have referred will prompt some development which will improve the situation.

Mr. President, I ask unanimous consent that the article to which I have referred be printed at this point in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

DOES TELEVISION HELP SPREAD BIG CITY RIOTING?

(By Allan C. Brownfeld)

"Outside agitators" have been widely blamed for causing recent riots in Newark, Detroit, Cincinnati, and other cities and the House of Representatives has passed a bill making it a crime to cross state lines for the purpose of inciting such disorders. Some evidence, however, suggests that if outside agitators are involved, their names may be ABC, NBC, and CBS.

Toledo Mayor John W. Potter cited television coverage of other riots as a major cause of his city's troubles: "The Detroit situation had much to do with starting it. It was young people who felt they wanted to get into the act. They saw on television how Detroit police just monitored without stopping looting."

In Newark, Donald Malafronte, administrative aide to Mayor Hugh Addonizio, said that a key reason for the riots was the press and television coverage which had given too much attention to the militant demands of black nationalist groups, demands which, he said, the city government "did not give weight to."

RIOTING AS "FEVER"

Television's impact on rioting is not new in this "long, hot summer" of 1967. Mayor Richard Daley of Chicago charged that "In disturbances resulting from protest marches, the television cameras didn't seek the violence, the violence sought the camera."

New York's Mayor John Lindsay referred to the rioting as a "fever" and said that "fever can spread . . . there are aspects of contagion here." Television may be one of the prime carriers of the disease.

This has all been reminiscent of the famed Orson Welles broadcast on Halloween Weekend, 1938. At that time a small company of radio actors broadcast in semi-news style a dramatized version of H. G. Wells' fictional account of a Martian invasion of earth. Though clear announcements that the production was purely fictional punctuated the program many listeners by some mental process simply tuned this qualification out. Thousands literally believed that a mysterious inter-planetary cylinder had landed in New Jersey, disgorging giant machines that soon were wading across the Hudson River and blasting Manhattan with invincible death rays. Widespread panic ensued. People rushed from their homes in tears and prayed in the streets. Several died of heart attacks. Harder souls grabbed shotguns and prepared to fight for their lives, or fled to the woods and hills.

WOULD CURB TV

If radio can convince people the Martians are coming and send them into the streets with shotguns, is it so surprising that television broadcasting the inflammatory speeches of Stokely Carmichael and Rap Brown can convince people that they are being exploited by a "brutal colonial welfare system" and "mad dog president" and "white power structure" and send them into the streets with firebombs to "shoot these honkie cops" and "burn America down?"

Rep. Durward Hall of Missouri stated that "A Stokely Carmichael calling for insurrection on a street corner soapbox is a curiosity—a hippie talking to a few other hippies. But a Stokely Carmichael talking face to face to millions of people (via television) is immediately transformed from an oddball to a national figure." Rep. Hall suggests that the House-passed anti-riot bill might be applied to television networks, "which transmit 'hate messages' over their interstate facilities."

There is, of course, nothing new about psychological epidemics. They have occurred throughout history. But the combination of electronic communication and mass urbanization has loosed some new dynamics totally unprecedented in scale in this history of civilization. The news of the Declaration of Independence required a month to travel from Philadelphia to Georgia. In 1960, however, 70 million people watched the Kennedy-Nixon debate. In addition, television's reach is far greater than that of the printed media for it influences those who either cannot or do not read.

INTEREST IN DISASTER

The world of television news is a great deal different from the world of the printed word. Henry Fairlie, Washington correspondent for the London Express, notes that "not only is the core of television the public and the spectacular, but there is an important sense in which television has a vested interest in disaster. From the point of view of a good story, both newspapers and television prefer covering a major strike to covering negotiations which prevent a strike. But what can television do with negotiations? . . . Violence—movement—is the stuff of television, something it cannot help emphasizing." Yet, "as television cameramen and reporters move into the streets literally looking for trouble, they add an external provocation. The crowds begin to play up to them. Television, merely by its presence, helps to create incidents."

An NBC television newsman tells how the civil rights demonstrators in Cambridge, Md. conferred with the assembled broadcast cameramen and moved their demonstrations back from 8 to 6 p.m. so the cameramen would have time to get their film flown to New York for the 11 p.m. news roundups. Yet the public was given the impression that they were seeing largely "spontaneous crowds of protestors." In many cases, there are more newsmen on the scene than demonstrators, as in a California episode where some 400 reporters and photographers showed up to cover only a handful of Klansmen holding a rally.

Concerning journalism's ethical role, Eugene Methvin, a member of the national board of Sigma Delta Chi, the professional journalistic society, points out that "American journalism has a great tradition that the newsman's role is to 'report the news without fear or favor.' But interpreted too simply this injunction might lead to some evil results in today's complex world. . . . Do the media have a positive peace keeping role? A duty to help preserve parliamentary due process and a climate of democratic decorum essential to compromise and settlement of conflict?" Mr. Methvin answers in the affirmative.

CODE OF ETHICS

Also affirmative is a code of ethics for newsmen prepared by Dr. Kenneth Harwood, chairman of the Department of Telecommunications at the University of Southern California and Dr. Theodore Kruglack, Director of the School of Journalism at the University of Southern California. This code calls for avoiding an emphasis on stories on public tensions while they are developing and urges great care by crews at the site of public disorders. It urges reporters to avoid interviews with obvious "inciters" as well as scare bulletins and headlines. This code was adopted by the Radio and T.V. News Association of Southern California and by many stations elsewhere in the country.

A somewhat different view was expressed in a statement to viewers who criticized the emphasis placed on coverage of extremists by Richard S. Salant, President of C.B.S. News. He stated that "It is our job to follow the news, wherever it is and whoever makes it. We cannot allow ourselves the luxury of deciding that there are some people whom we dislike or with whose views we strongly disagree and then, for news purposes, pretend that they do not exist."

This brings up the important question of what is news? Is it only news when an extremist calls for violence, or is it also news when men of good will seek valid solutions to real problems? Whitney Young, executive director of the Urban League, criticized the stress placed on extremists and said that "The press lacks sophistication. They ought to be covering where Negroes move in and whites don't move out. At CORE's convention in Baltimore there was a tiny number of delegates but almost twice as many reporters. At the Urban League convention in August there were 1,500 delegates and less than 30 reporters.

There is something wrong with news coverage which makes the average American aware of a Rap Brown and not of a Whitney

Young. It creates two wrong impressions. One is that men such as Brown are truly Negro leaders and that responsible spokesmen do not exist. The other is the one fostered among Negroes that the white community views such extremists as being true representatives.

Hearst and Pulitzer may have created the Spanish-American War out of their headline-hunting competition. We cannot afford such a sacrifice to a similar headline hunting crusade by modern television. The stakes are much too high.

ADJOURNMENT UNTIL 10 A.M. TOMORROW

Mr. MILLER. Mr. President, if there is no further business to come before the Senate, I move, in accordance with the previous order, that the Senate stand in adjournment until 10 o'clock tomorrow morning.

The motion was agreed to, and (at 5 o'clock and 52 minutes p.m.) the Senate adjourned until tomorrow, Tuesday, August 8, 1967, at 10 o'clock a.m.

NOMINATIONS

Executive nominations received by the Senate, August 7, 1967:

U.S. TARIFF COMMISSION

Stanley D. Metzger, of the District of Columbia, to be a member of the U.S. Tariff Commission for the term expiring June 16, 1973, vice Paul Kaplowitz.

ASSOCIATE JUDGE, DISTRICT OF COLUMBIA

William C. Gardner, of the District of Columbia, to be associate judge of the District of Columbia court of general sessions for the term of 10 years, vice Catherine B. Kelly, elevated.

WITHDRAWAL

Executive nomination withdrawn from the Senate, August 7, 1967:

POSTMASTER

The nomination sent to the Senate on March 13, 1967, of Howard D. Holland to be postmaster at Hadley, in the State of New York.

EXTENSIONS OF REMARKS

College Work-Study Program Deserves Federal Support

EXTENSION OF REMARKS

OF

HON. DONALD M. FRASER

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Monday, August 7, 1967

Mr. FRASER. Mr. Speaker, as the author of an identical bill, I urge the passage of H.R. 11945, a bill to set the contribution of the Federal Government to the college work-study program until August 21, 1969, at 85 percent.

Since enactment of the Economic Opportunity Act of 1964, the U.S. Government has provided 90 percent of the funds for the college work-study program. The program is an outstanding success. In my State, in fiscal 1967, 4,457 students received $3,144,475 in aid.

Without new legislation the Federal Government's contribution will drop to 75 percent and the success of the program will be seriously threatened.

I think a review of the program at the University of Minnesota reveals the danger now faced. In June 1966, at the University of Minnesota, 494 students were employed by 115 offices and agencies. But this year, with the reduction in the Federal contribution from 90 percent to 75 percent scheduled to take effect in August, the same number of students are placed at 187 offices and agencies.

Two problems are revealed. First, administrative costs are soaring. The average number of students per "job site" decreased from 3.8 to 2.6. For the institution which seriously attempts to supervise work projects, the increase in number of job sites dictates fewer contacts and less time given to student assistance.

The work-study program at the University of Minnesota is beginning to encourage more "low-income" students to enroll. They must receive adequate counseling and require job supervision during the early weeks of employment. It is clear that an increased number of job sites will preclude this close relationship.

Second, the threat of the increase in the employer's share to 25 percent has already resulted in employer's accepting an average of 35 percent fewer students per employer. Thus far, at the University of Minnesota, student-aid officers have succeeded in maintaining the number of students by increasing the number of job sites, but the saturation point is near.

The size of our student bodies is growing—the number of jobs must not remain constant but grow with equal rapidity. Young people who previously found the expense of higher education prohibitive have been told that the opportunities are now here.

We must not frustrate their hopes.

The Steel Bandits

EXTENSION OF REMARKS

OF

HON. JAMES R. GROVER, JR.

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, August 7, 1967

Mr. GROVER. Mr. Speaker, several weeks ago I had the pleasure of listening to seven teenage boys play on musical instruments made from 55-gallon steel oil drums. Although the instruments originated and were developed in Trinidad in the West Indies, these young Americans learned to play them in their hometown of Whitestone, N.Y. What I found to be of great interest is that sophisticated travelers to the West Indies generally feel that this steel band, the Steel Bandits, is the most versatile and musically talented group to be found anywhere.

It fascinated me to learn that it all began as a social worker's attempt to find exciting activities for teenagers who were part of a delinquency prevention program in the Lower East Side of Manhattan, in New York City. Having come in contact with a steel band quite by accident, Murray Narell, a former teacher and now a social worker, became interested enough to start his own steel band program in a settlement house. He saw in this activity the possibility of involving youngsters in a program which not only would occupy their energies in a constructive way, but also give them the opportunity to perform and thus contribute their services to their communities.

Before long Mr. Narell had a number of groups who were delighting audiences of all ages with music miraculously emanating from the converted steel containers. Mr. Narell and his colleagues observed that in the process of preparing themselves for these performances the youngsters had to force themselves to develop discipline and other positive standards of behavior which carried over to other areas of their lives.

Indeed, the praise they received was in most instances the first they had ever experienced. For the most part, these young people had failed in every aspect to make successful adjustments to the problems of everyday living. They were school dropouts, poor athletes, and most had police records. Their general outlook toward life was pessimistic, if not downright hopeless; and as a result they had little or no motivation to do anything about their future. As we have seen, however, the youngsters' participation in the steel band program seems to have catalyzed a major and positive reorientation of their heretofore dismal outlook and behavior.

Parenthetically, it is an interesting and perhaps valuable pedagogical lesson to note that these youngsters adopted these new attitudes and behavior patterns—those in fact generally necessary for even a modicum of success in our society—not because they were told by the powers-that-be, "This is the way; walk ye in it," but rather because they learned at firsthand through their concrete experience with the steel band program that such standards are necessary for success.

Mr. Narell, therefore, came to feel that steel bands should become a part of many educational and recreational programs all over the country, and even the world. These remarkable instruments, fashioned out of oil drums by West Indian tuners, are ideally suited for individuals with little or no musical background and can be taught very quickly. They are inexpensive, virtually indestructible, and many groups can use the same set of instruments. In spite of their primitive appearance, they need not take second place to any conventional set of instruments. They have a full range of musical notes and tone, are accurate in pitch, and have a most pleasing, mellow quality.

Due to his personal interest in the instruments, 5 years ago Mr. Narell's own sons, Andy, then 8, and Jeff, then 13, learned how to play steel drums, and before long formed their own steel band with a few of their friends in the suburb of Whitestone, N.Y. Andy Narell had an unusual talent for the instrument, and in spite of his age became the leading player in the band, carrying the melody to the accompaniment by the other boys. The group called the Steel Bandits played for PTA's, hospitals, and other community organizations and soon were in great demand. One of the vice presidents of Grace Line, Inc., whose ships sail to the West Indies and Latin America, Mr. Frederic P. Sands, happened to hear the Steel Bandits and was so impressed that he had his firm become a sponsor of this youthful musical organization. With his encouragement and support, the Steel Bandits have become the top steel band anywhere. They have appeared on nationwide television, are recording artists, and are in great demand for conventions, concerts, and country club dances. They have, in fact, played for Vice President HUBERT H. HUMPHREY, and have appeared twice before the National Press Club in Washington, where they were received with tremendous enthusiasm.

Perhaps their most important and impressive performance to date came on April 15, 1967, when the Steel Bandits played a full concert on steel drums in New York City's Philharmonic Hall. Among their selections were: Mozart, Von Suppe, Bach, Chopin, and Liszt, in addition to calypso, rock and roll, and Broadway showtunes.

The New York Times music critic, Robert Shelton, reviewed the concert under the headline "Steel Bandits Play Musicianly Concert." He said:

> The steel band . . . has rarely been played with such finesse and musicianship. . . . The set of tuned pans played by the Steel Bandits produces a rather full-ranged, fluttery, gently percussion melody and harmony structure with an amazingly accurate pitch.

It is interesting to note that Mr. Shelton made no reference, nor allowance, for the fact that the musicians in question were all teenagers, ranging in age from 13 to 19.

Wherever the Steel Bandits play, there are numerous comments on their neat appearance, excellent school records, and polite manners, as well as on their fantastic musical ability. The boys are a credit to American youth. They have taken instruments invented by young Trinidadians, popularized them in our country, and have added their own innovations of style and interpretation, making their unique contribution to the music of the Americas.

The unusual success and achievement of the Steel Bandits and the settlement house bands which Mr. Narell organized have so impressed Mr. Frederic P. Sands of Grace Lines that in 1966 the company allocated funds to assist schools and social agencies to develop steel band programs as a community service. Under this new project, Mr. Narell's services have been made available to such institutions as a consultant. Mr. Elliott Mannette, a famous tuner and instrument maker, was brought to New York from Trinidad, and excellent instruments are now available for schools and institutions in this country which desire to start their own steel band programs at a minimum cost. A number of such programs are already underway and have proved to be a rewarding and highly successful activity.

Unfortunately, this worthy project is at present extremely limited. Mr. Narell sees the possibility of expanding the program to all parts of the United States, and especially to the culturally and economically disadvantaged areas.

Freeport Celebrates 75th Anniversary of Incorporation

EXTENSION OF REMARKS

OF

HON. HERBERT TENZER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, August 7, 1967

Mr. TENZER. Mr. Speaker, the village of Freeport, N.Y., was first settled in 1650 when Edward Raynor moved south from Hempstead in search of unused land to farm. Until 1650 Freeport was the home of the Merikokee Indians, who hunted in the forests which have been replaced by the streets and stores of this suburban community.

When the village was founded it was first called Port of the Great South Woods. Later the name was changed to Washburn's Neck, and then to Coe's Neck, to identify the two capes projecting into the waters of Hempstead Bay.

The rapid growth of the community during the 1850's made it necessary to decide on a permanent name. A series of town meetings resulted in the selection of the name of Freeport—perhaps because in colonial times the captains of trading vessels unloaded their cargo there to escape the heavy taxation imposed at larger ports along the Atlantic coastline.

This year Freeport celebrates the 75th anniversary of its incorporation. It has grown from a rural community with a population of 1,821 in the year 1892 to a thriving residential business and industrial community with an estimated population of 42,000.

Freeport is the boating center of Long Island and it has the largest waterfront development of any community in Nassau County, N.Y.

Freeport in the 1960's is facing the problems of an urban center located in the suburbs. It has made great strides in providing housing for its senior citizens, recreational facilities including a public marina for its residents, and a progressive plan for urban renewal to eliminate the pockets of poverty which exist in every area of this size in the Nation.

As the Representative in Congress of the people of Freeport, I have been proud of the public concern and citizenship involvement shown by my Freeport constituents. The clergy, the elected officials, the local businessmen, the educators, and in fact all the people of Freeport are unafraid to speak out and to become involved in community problems and their solutions.

During the week of September 23 to October 1, 1967, Freeport will celebrate the 75th anniversary of its incorporation. Every evening of that week the Freeport Diamond Jubilee Corp. will present a historic extravaganza, featuring 350 citizens, which will depict the history of the village. Plans for the celebration also include a parade with floats and color guards from all branches of the armed services. The culmination of the week's activities will be the grand ball on September 30.

As diamond jubilee week approaches, I praise the people of Freeport for their accomplishments to date, but more important I pay tribute to them for their rejection of complacency and their determination to make Freeport an even better place to live.

President's Reorganization Plan for the District of Columbia

EXTENSION OF REMARKS

OF

HON. CHET HOLIFIELD

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, August 7, 1967

Mr. HOLIFIELD. Mr. Speaker, for the benefit of my colleagues who are giving final consideration to the merits of the President's proposed reorganization plan for the District of Columbia, I have brought together in concise form a summary of this proposal based on the work of the Government Operations Committee in recent weeks. I am very much heartened by the gathering support for this plan in the House of Representatives. It is a modest yet effective step forward. It is the kind of modernization of District government which is long overdue, and which is rightfully the concern of the Congress. And it is a plan which offers a sensible method for improving the communication between citizens of the District and their government.

I earnestly commend this plan to the study and thoughtful consideration of my colleagues:

District of Columbia Government Reorganization—Reorganization Plan No. 3 of 1967

ADMINISTRATION REQUEST

President Johnson on *June 1, 1967*, sent to Congress Reorganization Plan No. 3 which would reorganize the District of Columbia Government, replacing existing three D.C. Commissioners with a *single* commissioner and a *nine-member city council*. He had first announced his intention of doing so in his special message to Congress, on D.C., transmitted Feb. 27.

The Reorganization Plan was referred to both the Senate and the House Government Operations Committees, which have jurisdiction over proposals submitted to Congress under the President's executive reorganization powers.

AUTHORITY FOR THE REORGANIZATION PLAN AND HOW IT BECOMES LAW

A reorganization plan automatically becomes law in *60* calendar days (excluding recesses of more than 3 days) *unless* disapproved by either the House or Senate.

Due to the July 4th 10-day recess, the time for disapproval action has been extended through August 10.

The disapproval resolution (H. Res. 512) is scheduled for consideration by the House on Wednesday, August 9. To support the Reorganization Plan, a "no" vote should be cast on the disapproval resolution.

The authority for such a reorganization is contained in the *Reorganization Act of 1949* (Chapter 9 of Title 5, U.S. Code), which provides expressly for reorganization of the Government of the District of Columbia or part thereof, except the courts. (Note: The District of Columbia Government was reorganized pursuant to this authority in *1952*.)

The reorganization statute was designed by Congress to obtain necessary and desirable changes in Federal and District government organization "more speedily . . . than by the enactment of specific legislation."

HOUSE COMMITTEE ACTION

Following over 60 days of intensive study and 5 days of hearings, the House Government Operations Committee on August 2 voted 26-4 to support the Plan and to recommend that the disapproval resolution be defeated. The Committee vote was bipartisan—Democrats 15 for, 2 against—Republicans 11 for, 2 against.

SENATE ACTION

Senate Government Operations Committee has held hearings. No Senate opposition has appeared and no disapproval resolution has been introduced. No adverse action expected.

SUPPORT

Plan No. 3 has broad support. It has been endorsed by all three present Commissioners, the Chief of Police (better leadership to fight crime), the Committee for Forward-Looking Republicans in the District, the Conference of Mayors, Executive Director of National League of Cities, a large number of District organizations, the Evening Star Broadcasting Station, Washington Post, and others.

PURPOSES OF PLAN

Gives District more effective, more efficient, more representative and more responsive government now.

Replaces outmoded Commissioner form of government with its divided leadership and crossed and clouded lines of authority and responsibility.

Establishes single Commissioner to give the District Government strong, clear and decisive executive leadership.

Provides through the Council official representation for citizens of the District in the making of rules, regulations and budgets of their local government.

Separates executive and quasi-legislative (rule-making) functions between Commissioner and Council so as to allow greater attention to each function.

Allows President to search nationwide for best man to head up District of Columbia Government.

STRENGTHS OF NEW FORM OF GOVERNMENT

Strong executive leadership and new espirit.

Broadened citizen representation through the Council.

Increased capacity of D.C. government to draw top personnel into service.

Stronger representation for District in negotiations with other area governments and Federal agencies.

Unified approach to urban problems, reduction of overlapping and improved coordination of programs through single executive direction.

Training ground for city leaders through Council.

Increased capacity of government to learn of and respond to needs of citizens through nine-member council.

MAJOR PROVISIONS OF REORGANIZATION PLAN NO. 3 OF 1967

1. *Replaces Board of Commissioners* with a *single*, strong executive and *a nine-member council*.

2. Congress retains full power to make all laws as well as the budget for the District.

3. Stipulates that District Council be responsible for *making rules* and *regulations* where Congress has delegated such authority and *reviewing* Commissioner's budget and making revisions.

4. Sets following requirements for the nine council members:

A. To be *appointed* by President, *subject to Senate confirmation*. Appointments to be made with view to achieving council membership *"broadly representative" of community*.

B. To be nonpartisan, with no more than *six* members adherents of same political party.

C. To be residents of District for *three years* preceding appointment.

D. To serve *three-year* staggered terms.

E. To be compensated with following salaries: Chairman and Vice Chairman to receive $10,000 and $9,000, respectively; other seven members to receive $7,500. (Service expected to be part-time).

5. Provides that Commissioner of D.C. (Chief Executive) be responsible for administration, supervision of personnel, preparation of budget and organization of executive branch.

6. States that Commissioner:

A. Be *appointed* by President, *subject to Senate confirmation*.

B. Serve a term of *four years*.

C. May effect reorganization within lower structure of District government (similar to authority possessed by most Cabinet officials).

D. May *veto* any act (rule, regulation or budget revision) of Council. (Council *may override veto* by vote of three-quarters of members present and voting.)

7. Requires *Assistant to Commissioner* to be appointed by President, *subject to Senate confirmation*.

8. *Either* Commissioner *or* Assistant Commissioner *must be a resident of District for three years* prior to appointment. *Both must reside* in District *while in office*.

9. Provides that certain District agencies retain *same* general relationship to District government: Board of Education, Library Trustees, Recreation, Zoning Adjustment, Armory; Public Service and Zoning Commissions; Zoning Advisory Council; and Office of Recorder of Deeds. Does not change relation to District government Federal agencies with municipal functions such as Redevelopment Land Agency (RLA), National Capital Housing Authority (NCHA), and National Capital Planning Commission (NCPC).

10. Specifies that plan takes *full effect* upon appointment of Commissioner and at least six members of Council or later date as President may determine.

SUMMARY

1. The plan *does not provide for home rule*, as President Johnson pointed out in his message of transmittal. The plan does not—and could not—provide for elected city government. This can only be done by legislation.

2. The plan *does not affect the corporate status of the District of Columbia* but changes its top management.

3. If the plan takes effect, *Congress retains full power* to reverse, modify, or otherwise alter the reorganization made under it.

4. The plan does provide for *more effective management* of District affairs through the *consolidation of executive authority and responsibility in a single Commissioner* and more responsiveness to the citizens of the District through the establishment of a *nine-member Council representative of the community*.

ACTION BY DISTRICT COMMITTEE

District Committee opponents of the Plan, after decades of inaction, have hastily devised a bill (H.R. 12065) designed to divert support from *Reorganization Plan No. 3* which *is needed now*. Ultimate fate of District Committee bill is highly doubtful, and it should not be used to prevent or delay the badly needed reorganization of the District Government.

The District Committee bill (H.R. 12065) Makes No Real Changes in the City Government and Cannot Do the Job).

The bill retains the three headed commission form of government with its divided authority.

The bill does not create a strong city executive as does Plan No. 2.

The bill does not eliminate overlapping and complicating assignments of responsibility in the three Commissioners.

The "managing director" set up by the bill does not have the strength or prestige to give this city the leadership it requires. The "managing director" is weakened further by having to check with three independent bosses.

(The single Commissioner set up by Plan No. 3 would have power to establish an office of general manager if desired.)

The District Committee bill does not separate executive and quasi-legislative (rule-making) functions as does Plan No. 3.

The bill fails to give the chief executive authority to modernize the internal organization of the lower levels of D. C. government as does Plan No. 3.

The elected school board in the District Committee bill is an entirely separate matter which can be established by legislation whether or not the Reorganization Plan goes into effect. This legislation should be dealt with separately from the reorganization of city government.

Plan No. 3, if allowed to become effective, will bring *now* important and needed improvements in the structure of District government.

The District Committee bill is a very limited bill. It is subject to amendment in the House and Senate. It would undoubtedly be amended in the Senate to a point where it would become unacceptable in the House. The result would be stalemate and failure.

SENATE

TUESDAY, AUGUST 8, 1967

The Senate met at 10 o'clock a.m., and was called to order by the President pro tempore.

The Chaplain, Rev. Frederick Brown Harris, D.D., offered the following prayer:

Eternal God, Father of all men, Thou hast taught us that in quietness and in confidence shall be our strength. In the midst of these feverish days we pray that Thou wilt breathe through the heats of our desire Thy coolness and Thy balm.

Take from our souls the strain and stress and let our ordered lives confess the beauty of Thy peace.

Strengthen us with Thy might that the anxious pressures of these days may not break our spirits and that no denials of human freedom now loose in the world may intimidate our souls.

Steady our wills and our hands with power and wisdom, that with eager joy we may dedicate the Nation's strength to throw open the gates of a new life for Thy children everywhere.

We ask it in the dear Redeemer's name. Amen.

MESSAGES FROM THE PRESIDENT

Messages in writing from the President of the United States submitting nominations were communicated to the Senate by Mr. Geisler, one of his secretaries.

EXECUTIVE MESSAGES REFERRED

As in executive session,

The PRESIDENT pro tempore laid before the Senate messages from the President of the United States submitting sundry nominations, which were referred to the appropriate committees.

(For nominations this day received, see the end of Senate proceedings.)

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Hackney, one of its reading clerks, announced that the House had passed, without amendment, the following bills and joint resolution of the Senate:

S. 1281. An act to authorize the appropriation of funds to carry out the activities of the Federal Field Committee for Development Planning in Alaska;

S. 1701. An act to declare that the United States holds in trust for the Indians of the Battle Mountain Colony certain lands which are used for cemetery purposes;

S. 1762. An act to amend section 810 of the Housing Act of 1964 to extend for 3 years the fellowship program authorized by such section; and

S.J. Res. 10. Joint resolution to establish the Golden Spike Centennial Celebration Commission.

The message also announced that the House had passed the bill (S. 188) creating a commission to be known as the Commission on Noxious and Obscene Matters and Materials, with amendments, in which it requested the concurrence of the Senate.

The message further announced that the House had passed the following bills, in which it requested the concurrence of the Senate.

H.R. 547. An act to authorize the Secretary of Agriculture to sell the Pleasanton Plant Materials Center in Alameda County, Calif., and to provide for the establishment of a plant materials center at a more suitable location to replace the Pleasanton Plant Materials Center, and for other purposes;

H.R. 2630. An act to provide for the furnishing of a uniform and the presentation of a flag of the United States for deceased members of the National Guard and Ready Reserve; and

H.R. 8629. An act to amend the act of July 4, 1966 (Public Law 89–491).

HOUSE BILLS REFERRED

The following bills were severally read twice by their titles and referred as indicated:

H.R. 547. An act to authorize the Secretary of Agriculture to sell the Pleasanton Plant Materials Center in Alameda County, Calif., and to provide for the establishment of a plant materials center at a more suitable location to replace the Pleasanton Plant Materials Center, and for other purposes; to the Committee on Agriculture and Forestry.

H.R. 2630. An act to provide for the furnishing of a uniform and the presentation of a flag of the United States for deceased members of the National Guard and Ready Reserve; to the Committee on Armed Services.

H.R. 8629. An act to amend the act of July 4, 1966 (Public Law 89–491); to the Committee on the Judiciary.

THE JOURNAL

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the reading of the Journal of the proceedings of Monday, August 7, 1967, be dispensed with.

The PRESIDENT pro tempore. Without objection, it is so ordered.

PROVIDING FOR WITHDRAWAL OF WINE FROM BONDED WINE CELLARS WITHOUT PAYMENT OF TAX WHEN RENDERED UNFIT FOR BEVERAGE USE

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 474, H.R. 1282.

The PRESIDING OFFICER (Mr. BARTLETT in the chair). The bill will be stated by title.

The LEGISLATIVE CLERK. A bill (H.R. 1282) to provide for the withdrawal of wine from bonded wine cellars without payment of tax, when rendered unfit for beverage use.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on Finance with amendments on page 1, line 3, after the word "That" to insert "(a)"; on page 2, after line 10, to insert:

(b) The amendment made by subsection (a) shall become effective on the first day of the first month which begins 90 days or more after the date of the enactment of this Act.

After line 13, to insert a new section, as follows:

SEC. 2. (a) Section 4918(b) of the Internal Revenue Code of 1954 is amended by adding at the end thereof the following new paragraph:

"(3) CERTAIN ACQUISITIONS BY DEALERS.—For purposes of paragraph (1), if the person acquiring the stock or debt obligation is a participating firm acting for its own account and if such participating firm would be entitled to issue a written confirmation referred to in paragraph (1)(B) if it were acting as a broker in effecting such acquisition for the account of a customer, such participating firm shall be treated as having received a written confirmation referred to in paragraph (1)(B) with respect to such acquisition."

(b) Section 4918(e) of such Code is amended—

(1) by striking out so much of the text of such section as precedes paragraph (1) and inserting in lieu thereof "A participating firm selling, or effecting the sale of, stock of a foreign issuer or a debt obligation of a foreign obligor may issue a written comparison or broker-dealer confirmation, which indicates the exemption for prior American ownership and compliance provided in subsection (a) applies to the acquisition of such stock or debt obligation, only if such participating firm (or another participating firm for which the sale is being effected) has in its possession (except in the case of a sale by a participating firm selling for its own account and in the case of a sale for another participating firm or a participating custodian to which paragraph (4) applies) a statement, upon which such participating firm (or such other participating firm) relies in good faith, executed under penalty of perjury by the person making the sale, establishing that such person is a United States person and is the owner of all stock of foreign issuers and debt obligations of foreign obligors carried in the records of such participating firm (or such other participating firm) for the account of such person; and such participating firm (or such other participating firm) either—";

(2) by inserting after "July 14, 1967" in paragraph (2) the following: ", acquired such stock or debt obligation for its own account, if the exemption for prior American ownership and compliance provided in subsection (a) applied to such acquisition by reason of subsection (b)(3), or";

(3) by striking out "or" at the end of paragraph (6), by striking out the period at the end of paragraph (7) and inserting in lieu thereof "; or", and by inserting after paragraph (7) the following new paragraph:

"(8) conditions set forth in regulations prescribed by the Secretary or his delegate are met."; and

(4) by adding at the end of such section the following new sentence: "For purposes of paragraphs (2), (3), (5), and (7), the term 'seller' does not include a participating firm selling for its own account."

(c) Section 4918(h)(2) of such Code is amended by striking out "it has in its possession a statement, upon which it relies" in the matter preceding subparagraph (A) and inserting in lieu thereof "such participating firm or participating custodian (or another participating firm or participating custodian for which the delivery is being effected) has in its possession a statement upon which such participating firm or participating custodian (or such other participating firm or participating custodian) relies".

(d) Section 6681(a) of such Code is amended by inserting "or 4918(h)" after "section 4918(e)".

(e) Section 7241(b) of such Code is amended by inserting "or 4918(h)" after "section 4918(e)".

(f) The amendments made by this section

(other than by subsections (d) and (e) shall apply with respect to acquisitions of stock and debt obligations made after July 14, 1967. The amendments made by subsections (d) and (e) shall take effect on the date of the enactment of this Act.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the amendments be considered en bloc, and that then the distinguished Senator from Delaware [Mr. Williams] be recognized.

The PRESIDING OFFICER. Without objection, the amendments are considered and agreed to en bloc.

The Senator from Delaware is recognized.

Mr. WILLIAMS of Delaware. Mr. President, I shall take but a moment to call attention to the confusion in the Treasury Department.

The amendments to the bill—and I support the amendments—are amendments to the interest equalization tax act, an act which was passed less than a week ago and signed by the President. The interest equalization tax was first passed by Congress about 4 years ago. It took the administration nearly 4 years to find out that the act was shot full of loopholes, and even then they gave it no attention, until the scandal had been exposed in the press. Then they came frantically before our committee, with 16 pages of amendments, to correct the loopholes in the law. They insisted the committee approve the proposed amendments, with less than 24 hours to examine them.

I protested at the time that this was an irresponsible manner in which to try to deal with a subject as delicate as our Revenue Code, and that it would be physically impossible for either the committee or the Treasury Department to know what they were doing. As evidence that I was correct, we now have before us a bill embracing 4 pages of amendments to correct the 16 pages of amendments which they submitted before.

As an example of how irresponsible their earlier stampede for action was, I call attention that in the prior amendments they spelled out what the industry could and could not do, but they failed to include any penalties for anyone who did not comply.

I hope the Treasury Department will take heed that this procedure was highly irresponsible. I hope the next time they have a recommendation to submit to Congress, they will start early enough to examine it, and then submit it to us so that we and our staff will have sufficient time to consider it.

This is an irresponsible way to run a railroad, even in Texas.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the Record an excerpt from the report (No. 489), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the Record, as follows:

I. SUMMARY

The bill as passed by the House provides for the tax-free withdrawal from bonded wine cellars of wine and wine products where they are rendered unfit for beverage use. This tax-free withdrawal privilege is not to be available in the case of wine or wine products containing more than 21 percent alcohol. Your committee has adopted this provision with a minor perfecting amendment moving up the effective date.

In addition, your committee has amended this bill to add some technical perfecting amendments to the interest equalization tax as extended and amended by the recently enacted Interest Equalization Tax Extension Act of 1967. These amendments carry out the purpose of that act.

The Treasury Department has indicated that it has no objection to the enactment of the House-passed provision relating to wine and wine products and strongly endorses the enactment of the perfecting amendments to the interest equalization tax.

II. GENERAL STATEMENT

Present law imposes an excise tax on the withdrawal of wine from a bonded wine cellar at rates varying with the alcoholic content of the wine and based on the natural or artificial carbonation of the wine. However, wine may also be withdrawn from bonded wine cellars free of tax for use in the production of vinegar and for certain other limited purposes.

Present law permits a drawback of all but $1 of tax per gallon in the case of distilled spirits where they are rendered unfit for beverage use, but no comparable provision is provided under present law in the case of wines.

Requests have been made that the tax-free withdrawal of wine from bonded wine cellars be permitted as a means of disposing of an over-supply in cases where there is a fruit surplus. The wines withdrawn in such cases would be used for salted cooking wines, in medicinal preparations or in food flavoring products, in producing agricultural feed and for other purposes.

Your committee sees no reason why a tax-free withdrawal privilege should not be available in the case of wines where they are withdrawn for nonbeverage purposes, since distilled spirits, through operation of the drawback provision in effect are subject to only a tax of $1 per gallon where they are used for nonbeverage purposes. It is important, however, that wines withdrawn in this manner are not used for beverage purposes and thus evade the taxes on alcoholic beverages.

To guard against evasion of the alcoholic beverage taxes, the bill provides that the wines so withdrawn must be rendered unfit for beverage use. "Unfit for beverage use" in this case means the same as when that term is used in the Internal Revenue Code in the case of drawbacks of the tax on distilled spirits used in the production of medicines, flavorings, and food products. However, it is provided in the bill that the wine or wine products before withdrawal may be treated in a manner to render them suitable for their intended use.

The bill excludes from coverage wines containing more than 21 percent alcohol. This is provided in part, because it is believed that the inclusion of wines with a higher alcoholic content might well result in attempted diversion for beverage use. In addition, a tax exemption for these high alcoholic content wines, because of their resemblance to distilled spirits, might place persons now using distilled spirits in nonbeverage products at a competitive disadvantage, since a net tax of $1 a gallon is paid on the distilled spirits used in such a manner.

Your committee has amended this bill to provide that the effective date of this provision is to be the first day of the first month which begins 90 days or more after the date of enactment of the bill rather than the date of enactment. This is to provide time for the preparation of regulations on the new provision.

It is expected that this bill will result in only a negligible revenue loss.

III. AMENDMENTS TO THE INTEREST EQUALIZATION TAX

1. Participating firm acting for its own account (secs. 2(a) and (b)(4) of the bill and secs. 4918(b) and 4918(e)(2) of the code)

The procedures introduced by the Interest Equalization Tax Extension Act of 1967 are directed generally to the manner in which the exemption for prior American ownership and compliance can be established in situations where a participating firm is either acquiring foreign securities for the account of a customer or is selling foreign securities for the account of a customer. A participating firm, however, may acquire foreign securities for its own account or it may sell securities which it owns as a dealer or underwriter. Although the participating firm is, in effect, its own customer in these situations, some of the requirements of the new procedures might not be technically satisfied.

Your committee believes that it is unnecessary to differentiate for this purpose between the situation where the participating firm is acquiring securities for its own account or is selling securities which it owns and the situation where the firm is effecting the acquisition or sale of securities for the account of a customer. Therefore, your committee has added an amendment to the House bill which provides that, under the new procedures for establishing the exemption for prior American ownership and compliance, a participating firm which is acting for its own account will generally be treated in the same manner as if it were a customer for whom it is acting as broker.

This amendment is effective with respect to acquisitions of stock or debt obligations made after July 14, 1967.

2. Participating firm effecting sale for another participating firm (secs. 2(b) (1) and (4) of the bill and sec. 4918(e) of the code)

Under the new procedures introduced by the Interest Equalization Tax Extension Act of 1967, a participating firm effecting the sale of foreign securities may not indicate that the exemption for prior American ownership and compliance applies to the acquisition of the securities, unless certain conditions are satisfied. These conditions generally are directed to insuring that the customer for whom the securities are being sold has met any interest equalization tax obligations he may have had in connection with his acquisition of the securities and is eligible to dispose of the securities as a U.S. person. It has come to the attention of your committee that it is a normal market procedure for securities which are held for the account of a customer by one broker to be sold (when the customer so directs) by that broker through a second broker. It is of course the first broker, and not the broker actually effecting the sale, which possesses evidence that the prescribed conditions are satisfied. Your committee does not believe that it is necessary in transactions of this type to require the broker effecting the sale of the securities to possess the evidence that the prescribed conditions have been satisfied, if both it and the broker for which the sale is being effected are participating firms and if the latter broker possesses the necessary evidence.

For the reasons given above, your committee has added an amendment to the House bill which provides that a participating firm effecting a sale of foreign securities may indicate the exemption for prior American ownership and compliance applies to the acquisition of the securities, if the sale is being effected for another participating firm and that firm possesses evidence that the prescribed conditions have been satisfied.

This amendment is effective with respect to acquisitions of stock or debt obligations made after July 14, 1967.

3. *Requirements for indicating the exemption applies (sec. 2(b)(3) of the bill and sec. 4918(e) of the code)*

Under the procedures introduced by the Interest Equalization Tax Extension Act of 1967, unless certain conditions are satisfied, a participating firm effecting the sale of foreign securities may not indicate that the exemption for prior American ownership and compliance applies to the acquisition of the securities. The attention of your committee was directed to the fact that it may be determined that there are other circumstances under which such sales can be made without impairing the effectiveness of the new procedures. Moreover, the methods by which foreign securities are traded may be modified from time to time, and it is possible that the enumerated requirements might not coincide with a modified form of trading.

Your committee believes it is desirable to provide a method by which the effectiveness of the procedures introduced by the Interest Equalization Tax Extension Act of 1967 can be maintained without, however, impairing normal trading activity if such a determination is made or if trading practices or methods are modified. Accordingly, your committee had added an amendment to the House bill which provides that the Secretary or his delegate may by regulations prescribe other conditions which, if satisfied, will allow a participating firm effecting the sale of foreign securities to indicate that the exemption for prior American ownership and compliance applies to the acquisition of the securities.

This amendment is effective with respect to acquisitions of stock or debt obligations made after July 14, 1967.

4. *Possession of statement of U.S. person status under transfer of custody procedures (sec. 2(c) of the bill and sec. 4918(h)(2) of the code)*

Under the new procedures introduced by the Interest Equalization Tax Extension Act of 1967, a participating firm or participating custodian may not issue a transfer of custody certificate in connection with the transfer of securities which it holds for a person, unless it possesses a statement of U.S. person status and ownership executed by that person. It is, however, a normal practice for a custodian which holds securities for a customer to deposit those securities with another custodian in order to facilitate the trading of the securities. In this case, however, the custodian actually transferring the securities would not possess the statement of U.S. person status and ownership executed by the customer of the depositing custodian. Your committee does not believe it is necessary in transactions of this type for the custodian transferring the securities to possess the statement of U.S. person status and ownership, if both it and the custodian for which the transfer is being effected are participating firms or participating custodians and if the participating firm or participating custodian for which the transfer is being effected possesses the statement.

For the reasons given above, your committee has added an amendment to the House bill which provides that a participating firm or participating custodian effecting a transfer of securities does not have to possess, in order to issue a transfer of custody certificate, a statement of U.S. person status and ownership executed by the person who owns the securities, if the transfer is being effected for another participating firm or participating custodian and that firm or custodian has the required statement in its possession.

This amendment is effective with respect to acquisitions of stock or debt obligations made after July 14, 1967.

5. *Civil penalty for false statement of U.S. person status (sec. 2(d) of the bill and sec. 6681(a) of the code)*

Under amendments made by the Interest Equalization Tax Extension Act of 1967, a civil penalty is provided in the case where a person knowingly executes a false statement as to his status as a U.S. person and his ownership of foreign securities. The penalty only applies, however, in situations where the person executes the statement for the purpose of allowing a participating firm to sell stock or debt obligations owned by the person pursuant to the new procedures for establishing that the exemption for prior American ownership and compliance applies to the acquisition of the securities. A similar statement of status and ownership must also be filed, however, with a participating firm or a participating custodian to enable the firm or custodian to transfer (rather than sell) securities owned by the person to another participating firm or custodian with a transfer of custody certificate.

Your committee believes it was intended that the civil penalty should also apply in cases where a person knowingly executes a false statement as to his status as a U.S. person and his ownership of foreign securities for purposes of the transfer of custody procedures. Accordingly, your committee has added an amendment to the House bill which makes the civil penalty applicable in this situation.

This amendment is effective as of the date of enactment of the bill.

6. *Criminal penalty for fraudulent or false statement of U.S. person status (sec. 2(e) of the bill and sec. 7241(b) of the code)*

The Interest Equalization Tax Extension Act of 1967 provided a criminal penalty in cases where a person willfully executes a false or fraudulent statement as to his status as a U.S. person and his ownership of foreign securities. The penalty only applies, however, when the statement is executed in connection with the new procedures for establishing that the exemption for prior American ownership and compliance applies to an acquisition of foreign securities. It does not apply when the statement is made for purposes of the transfer of custody procedures.

Your committee believes, as in the case of the civil penalty discussed in No. 5 above, that it was intended the criminal penalty should also apply where a person willfully executes a false or fraudulent statement as to his status as a U.S. person and his ownership of foreign securities for purposes of the transfer of custody procedures. Accordingly, your committee has added an amendment to the House bill which makes the criminal penalty applicable in this situation.

This amendment is effective as of the date of enactment of this bill.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill was read the third time, and passed.

The title was amended so as to read: "An act to provide for the withdrawal of wine from bonded wine cellars without payment of tax when rendered unfit for beverage use, and for other purposes."

COMMITTEE MEETINGS DURING SENATE SESSION

Mr. MANSFIELD. Mr. President, I ask unanimous consent that all committees be authorized to meet during the session of the Senate today.

The PRESIDING OFFICER. Without objection, it is so ordered.

RECOGNITION OF SENATOR HRUSKA

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the distinguished Senator from Nebraska [Mr. HRUSKA] may, with several other Senators, be recognized at 12:15 p.m., for a period not to exceed one-half hour.

The PRESIDING OFFICER. Without objection, it is so ordered.

LIMITATION ON STATEMENTS DURING TRANSACTION OF ROUTINE MORNING BUSINESS

Mr. MANSFIELD. Mr. President, I ask unanimous consent that statements in relation to routine morning business be limited to 3 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

REPORT OF ATLANTIC-PACIFIC INTEROCEANIC CANAL STUDY COMMISSION—MESSAGE FROM THE PRESIDENT (H. DOC. NO. 154)

The PRESIDENT pro tempore laid before the Senate the following message from the President of the United States, which, with the accompanying report, was referred to the Committee on Commerce:

To the Congress of the United States:

I am transmitting the Third Annual Report of the Atlantic-Pacific Interoceanic Canal Study Commission. The report covers the period July 1, 1966 to June 30, 1967.

During the past 12 months, the Commission has put its program into full operation. The site survey agreement, signed with Colombia on October 25, 1966, permitted the Commission to start the engineering survey of the alternate sea-level canal route in the northwestern part of that country. In Panama, the Commission completed the first full year of data collection on the routes under consideration. The first modern topographic maps of the potential canal area near the border of Nicaragua and Costa Rica were completed by the Inter-American Geodetic Survey. The Commission's Engineering Agent made a preliminary evaluation of this route on the basis of these maps.

Interagency working groups finished their initial drafts of special studies on the broad national and international implications of a sea-level canal. These studies cover foreign policy, national defense, canal financing, shipping patterns and engineering feasibility.

Because of unavoidable delays in starting the field work in Panama and Colombia, and because the Plowshare nuclear cratering experiments needed to determine the technical feasibility of nuclear excavation have been postponed, the Commission found that it would require additional time and funds to complete the mission assigned to it in Public Law 88–609.

An amendment for this purpose has already been approved by the Senate. I recommend its early approval by the House of Representatives.

There is little doubt that the construction of a sea-level canal is technically feasible. The major questions to be resolved are—

When it will be needed;

Whether it would be financially feasible; and,

Where and how it should be constructed.

While past studies have put the need around the end of this century, recent traffic growth has been more rapid than was earlier foreseen, and the need may develop much sooner. As legislation, planning, and construction could require 15 years from the date a recommendation to proceed is made to the Congress, it is clearly in the national interest for the Commission's comprehensive investigation to proceed as rapidly as possible.

This anniversary finds the canal investigation well advanced on its planned course. I take great pleasure in forwarding the report of progress to date.

LYNDON B. JOHNSON.

THE WHITE HOUSE, *August 8, 1967*.

EXECUTIVE COMMUNICATIONS, ETC.

The PRESIDENT pro tempore laid before the Senate the following letters, which were referred as indicated:

PROHIBITION OF RIOTS AND INCITEMENT TO RIOT IN THE DISTRICT OF COLUMBIA

A letter from the Attorney General, and President, Board of Commissioners, District of Columbia, transmitting a draft of proposed legislation relating to the prohibition of riots and incitement to riot in the District of Columbia (with an accompanying paper); to the Committee on the District of Columbia.

REPORT OF COMPTROLLER GENERAL

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report on need for improving policies and procedures for estimating costs, evaluating bids, and awarding contracts for dredging, Corps of Engineers (Civil Functions), Department of the Army, dated August 1967 (with an accompanying report); to the Committee on Government Operations.

REPORT OF SPECIAL MEETING OF THE JUDICIAL CONFERENCE OF THE UNITED STATES

A letter from the Chief Justice, Supreme Court of the United States, transmitting, pursuant to law, a report of the proceedings of a special meeting of the Judicial Conference of the United States, held at Washington, D.C., March 30 and 31, 1967 (with an accompanying report); to the Committee on the Judiciary.

PETITIONS AND MEMORIALS

Petitions, etc., were laid before the Senate, or presented, and referred as indicated:

By the PRESIDENT pro tempore:

A concurrent resolution of the Legislature of the State of Iowa; to the Joint Committee on Atomic Energy:

"HOUSE CONCURRENT RESOLUTION 30

"Whereas, our great nation is founded upon the principles and concepts of equal opportunity and justice for all its citizens; and

"Whereas, since 1860 the state of Iowa has been a leader among the several states in providing said equal opportunity and justice for all its citizens, and has always demonstrated its great concern for human welfare and dignity by the enactment of progressive anti-discriminatory laws; and

"Whereas, there is now pending before the appropriations committee of the Congress of the United States of America, the proposed budget submitted by the Atomic Energy Commission for the establishment of a three hundred seventy-five million dollar atomic accelerator laboratory to be constructed at Weston, Illinois, and

"Whereas, the legislature of the state of Illinois has neglected, failed and refused to show its concern for the welfare of all the citizens of Illinois by failing to legislate nondiscriminatory laws in the area of fair and open housing; now, therefore,

"Be it resolved by the House, the Senate concurring, That the Congress of the United States of America is hereby strongly urged to instruct the Atomic Energy Commission from proceeding with present plans for awarding the proposed three hundred seventy-five million dollar installation at Weston, Illinois.

"Be it further resolved, That the Congress of the United States of America instruct the Atomic Energy Commission to allow the state of Iowa the opportunity to submit additional specifications outlining Iowa's exceptional and outstanding capabilities and physical resources for said atomic accelerator facility.

"Be it further resolved, That enrolled copies of this Resolution be forwarded to the Secretary of the Senate and to the Clerk of the House of Representatives of the United States of America and to all members of Iowa's congressional delegation to be circulated by them among their fellows."

A petition signed by Climmie Nunley, and sundry other citizens of the State of Oregon, favoring the enactment of legislation to increase social security benefits; to the Committee on Finance.

REPORT OF A COMMITTEE

The following report of a committee was submitted:

By Mr. LONG of Missouri, from the Committee on the Judiciary, without amendment:

S. Res. 130. Resolution to provide additional funds for the Committee on the Judiciary; referred to the Committee on Rules and Administration.

EXECUTIVE REPORTS OF A COMMITTEE

As in executive session,

The following favorable reports of nominations were submitted:

By Mr. RANDOLPH, from the Committee on Public Works:

William Haddon, Jr., of New York, to be Director of the National Highway Safety Bureau, referred to the Committee on Commerce; and

Orren Beaty, Jr., of Arizona, to be Federal Cochairman of the Four Corners Regional Commission.

BILLS INTRODUCED

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. SMATHERS:

S. 2256. A bill for the relief of Dr. Margarita Lorigados; to the Committee on the Judiciary.

By Mr. BIBLE:

S. 2257. A bill to declare that the United States holds in trust for the Washoe Tribe of Indians certain lands in Alpine County, Calif.; to the Committee on Interior and Insular Affairs.

(See the remarks of Mr. BIBLE when he introduced the above bill, which appear under a separate heading.)

By Mr. RIBICOFF (for himself and Mr. PERCY):

S. 2258. A bill to establish an emergency fund to be available to the President to assist locally initiated and neighborhood-oriented programs to improve the quality of urban life and to lessen the incidence of urban disorders and violence; to the Committee on Banking and Currency.

(See the remarks of Mr. RIBICOFF when he introduced the above bill, which appear under a separate heading.)

By Mr. McINTYRE:

S. 2259. A bill for the relief of Filippa Bonarrigo; to the Committee on the Judiciary.

CONCURRENT RESOLUTION RIOT PREVENTIVE MEASURE

Mr. SCOTT. Mr. President, on behalf of myself and Senators MORTON, PERCY, and TOWER, I am submitting today a concurrent resolution calling for the launching of a neighborhood action crusade to ease the tensions now threatening the domestic tranquillity.

We are in a time of national crisis. Violence, rioting, and looting have besieged many of our cities, Newark, Detroit, Milwaukee, and Cambridge are examples of what can happen elsewhere during the remainder of the summer. We must act now to avert further violence.

What I am proposing today is nothing more or less than preventive action. It is a 60- to 90-day program designed, not to cure the ills that breed discontent in our cities, but, rather, to relieve the tensions during the remainder of the summer before more riots erupt.

The neighborhood action crusade, I feel, can help provide this relief.

The overwhelming majority of Americans strongly oppose disorder and violence. These law-abiding citizens should, therefore, become involved in a movement to keep the peace within their own neighborhoods. The neighborhood action crusade is designed to enlist their involvement.

The crusade would consist of local volunteer organizations, working constructively to rally the stabilizing influence that exists in the neighborhoods. In this way, local neighborhood leaders, working within their own areas, can provide understanding, continuing communications and positive direction in this crusade to preserve peace in our cities.

I envision the neighborhood action crusade of citizens working on a block-by-block basis, perhaps on rotating shifts, to patrol their own neighborhoods, disperse crowds, talk to their neighbors and listen to their grievances, and, in general, to keep the smoldering embers from becoming a conflagration.

I believe this can be a low-cost program of short duration carried out with already appropriated funds. Local government would provide administrative services and coordination of the program. The Federal Government would provide the funds and equipment to support the local effort.

The neighborhood action crusade was originally proposed in House Joint Resolution 759 by four Members of the other body as a nonpartisan approach. At the time of its introduction, they called for a 60-day moratorium on partisan politics and simplistic explanations. Since its introduction last Tuesday, the House Joint Resolution 759 has picked up 60 cosponsors from both parties.

It is in that spirit that I offer this concurrent resolution today. I believe it is genuinely in the national interest and can be a most useful approach.

The concept contained in this program has worked on a limited basis in areas across the country. In Tampa the White Hats helped to defuse a riot; in Louisville, the mayor, since last week, has been implementing the neighborhood action crusade. In Milwaukee, a youth, working on his own, prevented a riot from spreading by talking down 200 young people. In many other cities, the cool heads of the community have helped keep the peace.

I ask support of this concurrent resolution and call for the immediate implementation of the neighborhood action crusade on a nationwide basis.

I would welcome cosponsors on this concurrent resolution from both sides of the aisle.

Mr. President, I ask unanimous consent that the text of my concurrent resolution be printed in the Record.

The PRESIDING OFFICER. The concurrent resolution will be received and appropriately referred; and, without objection, the concurrent resolution will be printed in the Record.

The concurrent resolution (S. Con. Res. 39) was referred to the Committee on the Judiciary, as follows:

S. Con. Res. 39

Whereas the overwhelming majority of Americans are law-abiding citizens, strongly opposed to disorder and violence; and

Whereas the involvement of all citizens in cooperative efforts to maintain peace within their own neighborhoods is essential to the amelioration of the current tensions in our cities; and

Whereas such involvement must be voluntary, and organized and directed by citizens at the local level: Now, therefore, be it

Resolved by the Senate (the House of Representatives concurring), That the Congress urges the President to call upon all communities in the United States to initiate a Neighborhood Action Crusade to provide continuing communication among all citizens of each community and their local governments and thereby ease tensions now threatening the domestic tranquillity, such crusade to be developed, organized, and led by local citizens, working within their own neighborhoods and in conjunction with their local governments on a voluntary basis to rally those stabilizing influences within each community necessary to preserve peace; and be it further

Resolved, That the Congress urges the President to place at the disposal of such local governments as may request assistance, such funds and equipment, authorized under existing statutes, as may be necessary to support the Neighborhood Action Crusade.

LANDS TO BE HELD IN TRUST FOR WASHOE INDIAN TRIBE

Mr. BIBLE. Mr. President, I introduce, for appropriate reference, a bill to declare that the United States holds in trust for the Washoe Indian Tribe certain lands in Alpine County, Calif.

Mr. President, the land involved in this legislation embraces some 80 acres of Federal domain adjacent to the Washoe Indian Reservation in Nevada. It is needed to guarantee orderly community development of the reservation. Specifically, the acreage will provide a land base for an Indian housing development.

There were some preliminary problems in reaching agreement on the site, but there was no objection to the merits of the case. The Washoe Tribe, which certainly can lay prior claim to the area long in advance of State and county organization, definitely should have this tribal land.

This legislation now has the full support of the Interior Department, and I am informed there is no opposition in California to protecting Indian rights to this land.

The PRESIDING OFFICER. The bill will be received and appropriately referred.

The bill (S. 2257) to declare that the United States holds in trust for the Washoe Tribe of Indians certain lands in Alpine County, Calif., introduced by Mr. Bible, was received, read twice by its title, and referred to the Committee on Interior and Insular Affairs.

AMENDMENT OF EXPORT-IMPORT BANK ACT OF 1945—AMENDMENT

AMENDMENT NO. 245

Mr. ELLENDER proposed an amendment to the bill (S. 1155) to amend the Export-Import Bank Act of 1945, as amended, to shorten the name of the Bank, to extend for 5 years the period within which the Bank is authorized to exercise its functions, to increase the Bank's lending authority and its authority to issue, against fractional reserves, export credit insurance and guarantees, and for other purposes, which was ordered to be printed.

AMENDMENT NO. 246

Mr. DIRKSEN (for himself, Mr. Murphy, Mr. Mundt, Mr. Hansen, Mr. Thurmond, Mr. Hruska, Mr. Cotton, Mr. Dominick, Mr. Curtis, Mr. Bennett, Mr. Fannin, Mr. Jordan of Idaho, Mr. Williams of Delaware, Mr. Carlson, and Mr. Byrd of Virginia) submitted an amendment, intended to be proposed by him, to S. 1155, supra, which was ordered to lie on the table and to be printed.

ADDITIONAL COSPONSORS OF BILLS

Mr. YARBOROUGH. Mr. President, I ask unanimous consent that, at its next printing, the name of the senior Senator from Oregon [Mr. Morse] be added as a cosponsor of the bill (S. 428) to amend the Elementary and Secondary Education Act of 1965 in order to provide assistance to local educational agencies in establishing bilingual American educational programs, and to provide certain other assistance to promote such programs.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. HRUSKA. Mr. President, I ask unanimous consent that, at its next printing, the names of the Senator from Pennsylvania [Mr. Scott], the Senator from Illinois [Mr. Percy], the Senators from California [Mr. Kuchel and Mr. Murphy], the Senators from South Carolina [Mr. Thurmond and Mr. Hollings], the Senator from Nebraska [Mr. Curtis], the Senator from Arizona [Mr. Fannin], the Senator from Iowa [Mr. Miller], and the Senator from New Hampshire [Mr. Cotton] be added as cosponsors of the bill (S. 2050) to prohibit electronic surveillance by persons other than duly authorized law enforcement officers engaged in the investigation or prevention of specified categories of offenses, and for other purposes.

The PRESIDING OFFICER. Without objection, it is so ordered.

OIL SHALE HEARINGS

Mr. JACKSON. Mr. President, I wish to announce that the Committee on Interior and Insular Affairs has scheduled an open public hearing on the subject of the publicly owned oil shale resources of the United States.

Particular emphasis will be placed on the proposed regulations of the Secretary of the Interior which are intended to govern the development of these public assets.

The hearing will be held on September 14, beginning at 10 o'clock a.m., in room 3110, New Senate Office Building. All persons who are interested in testifying will be welcome to do so.

NOTICE OF HEARINGS BEFORE SUBCOMMITTEE ON POSTAL AFFAIRS

Mr. YARBOROUGH. Mr. President, as chairman of the Subcommittee on Postal Affairs of the Committee on Post Office and Civil Service, I wish to announce that public hearings will be held on S. 274 in room 6202 in the New Senate Office Building at 10 a.m., Tuesday, August 15, 1967.

Persons wishing to testify may arrange to do so by contacting the committee, telephone 225-5451.

NOTICE OF HEARINGS BEFORE SUBCOMMITTEE ON CIVIL SERVICE

Mr. RANDOLPH. Mr. President, as chairman of the Subcommittee on Civil Service of the Committee on Post Office and Civil Service, I wish to announce that public hearings will be held on S. 236 in room 6202 of the New Senate Office Building at 10 a.m., Tuesday, August 22, 1967.

Persons wishing to testify may arrange to do so by contacting the committee, telephone 225-5451.

IMPLEMENTATION OF NEEDED RIOT INSURANCE

Mr. KUCHEL. Mr. President, offered to the demonstration cities bill of 1966 was an amendment I sponsored to give the innocent victims of riot areas an opportunity to obtain loans by which to purchase their own homes. The Senate accepted it, and the House followed suit, and it is now the law.

The amendment was offered in view of the serious home financing situation which had developed in the Watts, Calif., area following the racial disturbances of 1965. It became impossible to obtain loans at any rate of interest for the purchase of homes. Loan companies had formed a wall around these areas and refused to render assistance. The risk was simply too high for a bank or lending agency to assume.

These same conditions are being repeated in riot-torn areas throughout the country. Today, however, the Department of Housing and Urban Development has a new effective tool to help those citizens who want to become homeowners in these areas.

My amendment allows FHA to insure mortgages in areas in which disorders have occurred or are threatened if the properties concerned are an acceptable risk, "giving due consideration to the need for providing adequate housing for families of low and moderate income in such areas."

Mr. President, I am happy to say that FHA is today implementing the legislation I authored. There must be a distinction made between the lawless miscreants and those inhabitants of potential riot areas who have a stake in the social order, who are or who want to be homeowners, and who hold to the same standards of morality and behavior which you and I would approve in any citizen.

Mr. President, I ask unanimous consent that the various letters and releases from HUD implementing my proposal be printed in the RECORD.

There being no objection, the items were ordered to be printed in the RECORD, as follows:

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT, FEDERAL
HOUSING ADMINISTRATION,
July 31, 1967.

Commissioner letter No. 63.

To all assistant Commissioners, Washington division heads, insuring office directors, HUD regional administrators, and the Director, regional support staff.

Subject: Prohibition of arbitrary exclusions of communities and neighborhoods and the waiver of economic soundness in riot or riot-threatened areas.

The purpose of this letter is to call to your attention the fact that FHA will not designate entire communities or areas as ineligible for participation in its mortgage insurance operations. Instead, eligibility is established in response to an application and its compliance with prescribed eligibility standards and criteria. This is done on a case-by-case basis and places major emphasis on the eligibility of the property being examined. This policy permits use of all mortgage insurance programs in any area provided the individual transaction meets the eligibility requirements.

In some instances there has been hesitancy on the part of insuring offices to make FHA programs available in older neighborhoods. An automatic exclusion of a community or neighborhood merely because it is old can result in the shutting off of capital investments in these areas. Likewise, limiting FHA participation to one program, for example, Section 221(d)(2), can mark an area as one in which FHA lacks confidence. Real estate brokers and mortgage lenders, when they have knowledge of arbitrary exclusions by FHA, tend to hold back on conventional financing. The non-availability of mortgage funds accelerates decline and increases the costs and problems of financing real estate. It forces the use of second and third mortgages and other means of financing which increase the home owner's risk and housing expense.

FHA's mortgage insurance activities in older areas must not be confined to urban renewal areas or limited to one or two programs. There are many older neighborhoods and areas where FHA can and should make all of its mortgage insurance programs available on an individual case basis. Your attention and the attention of your staff is again directed to Commissioner Letter No. 38 dated November 8, 1965, and to the general policies and guides set forth therein. Also, your attention is directed to the letter to All Approved Mortgagees, No. 66–62, dated November 9, 1966. That letter announced an amendment to the National Housing Act relaxing the economic soundness requirement for Section 203(b) if the dwelling is located in an area in which rioting or other civil disorders have occurred or are threatened. To be eligible for commitment and for mortgage insurance the transaction must meet all other Section 203(b) eligibility criteria.

The intent of the amendment to Section 203 which substitutes the acceptable risk determination for economic soundness is to offer insured mortgage financing to credit worthy individuals who are the innocent victims of their surroundings: a neighborhood where riots have occurred or are threatened. The amendment makes it possible for responsible citizens to remain in an area and to form a stable nucleus of home owners. It encourages eligible purchasers to move into the area because favorable mortgage terms are available. Denial of section 203 financing in these areas when property and borrower are an acceptable risk is a restrictive financial practice that hinders the free flow of credit for home purchasers.

Waiver of the economic soundness requirement by statute; and the policies and instructions in the two cited letters are a firm basis for using all FHA programs in a community; provided the individual transaction meets the eligibility requirements for that program. This means that if the particular unit meets minimum property standards and the mortgagor qualifies, the mortgage is insurable under 203(b) even though the neighborhood would not permit a finding of economic soundness. A memorandum should be put in the file supporting the finding.

Please see that all members of your staff are familiar with FHA policy concerning the use of all programs in a community or neighborhood. Also any arbitrary and areawide exclusions as to a particular program that are in effect are to be rescinded. The foregoing does not preclude the continued designation of well defined areas as ineligible for mortgage insurance when definite hazards and nuisances exists; for example, areas subject to flooding or subsidence, areas adversely affected by airports, and areas in transition from residential to commercial or industrial usage.

Effective upon receipt of this letter each insuring office will tabulate by case number and property address all Section 203(b) conditional commitments issued on an "acceptable risk" basis by reason of the property's location in an area where rioting or other civil disorders have occurred or are threatened. This listing will be maintained in the evaluation section and will be made when the commitment is released. Each Friday a copy of the listing will be attached to the copies of Weekly Report of Operations, Form 2498, submitted to the Regional Operations Commissioner and to the Research and Statistics Division. In any week in which there are no 203(b) "acceptable risk" commitments, a footnote statement to that effect shall be made on Form 2498.

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT, FEDERAL
HOUSING ADMINISTRATION,
Washington, D.C., July 31, 1967.

To all approved mortgagees.

Subject: Prohibition of arbitrary exclusions of communities and neighborhoods and the waiver of economic soundness in riot or riot-threatened areas.

The purpose of this letter is to call to your attention a letter that I am sending to our insuring offices concerning the utilization of FHA mortgage insurance programs. The FHA does not designate entire communities or areas as ineligible for participation in its mortgage insurance programs. Instead, eligibility is established in response to an application and its complilance with prescribed eligibility standards and criteria. This is done on a case-by-case basis and places major emphasis on the eligibility of the property being examined. This policy permits use of all mortgage insurance programs in any area provided the individual transaction meets the eligibility requirements.

Properties in areas where riots or other civil disorders have occurred or are threatened are also eligible for mortgage insurance. The "economic soundness" requirement for Section 203(b) home mortgages is eliminated for these areas.

Sincerely yours,

PHILIP N. BROWNSTEIN,
Assistant Secretary-Commissioner.

U.S. DEPARTMENT OF HOUSING
AND URBAN DEVELOPMENT,
Washington D.C., August 2, 1967.

Acting under a 1966 amendment to the National Housing Act, the Department of Housing and Urban Development today assured prospective home buyers that no community or neighborhood would be denied home mortgage insurance. The provision relaxed the requirement for economic soundness if the dwelling is located in an area in which rioting or other civil disorder has taken place or is threatened.

P. N. Brownstein, assistant secretary of HUD and Federal Housing Administration Commissioner, said each application for mortgage insurance would be decided on its own merit.

Mr. Brownstein said today FHA policy is to make all of its mortgage insurance programs available in any area as long as the individual transaction meets the eligibility requirements.

He said the intent of the amendment, which calls for an acceptable risk determination instead of economic soundness, was to offer insured mortgage financing to creditworthy individuals who are the innocent victims of their surroundings. "This makes it possible for responsible citizens to remain in an area and to form a stable nucleus of home owners," he said.

Mr. Brownstein, in a letter to FHA field directors throughout the country, also said the mortgage insurance activities in older neighborhoods should not be confined to urban renewal areas or limited to one or two programs.

He said there are many older neighborhoods in which FHA "can and should" make all of its programs available on an individual case basis.

"In some instances," he said, "there has been a hesitancy on the part of insuring offices to make FHA programs available in older neighborhoods. An automatic exclusion of a community or neighborhood merely because it is old can result in the shutting off of capital investments in these areas. The non-availability of mortgage funds accelerates decline and increases the costs and problems of financing real estate."

HOW DELAWARE MAINTAINS LAW AND ORDER

Mr. **WILLIAMS** of Delaware. Mr. President, I take this opportunity to join all Delawareans in congratulating the Governor of our State upon the strong stand that he has taken to maintain law and order.

In the past couple of weeks a series of minor disturbances and threats of riots developed in the northern part of Delaware, and those disturbances were held under control only through the prompt and efficient operations of the Wilmington police supported by elements of the Delaware National Guard, who were standing by.

In the days following these incidents rumors and threats of new outbreaks of civil disturbance were rampant. The Governor, to cope with this problem and to make sure that every citizen understood that he was determined to maintain law and order, called the Delaware Legislature into special session last Friday for the sole purpose of considering the enactment of a strong antiriot law with stringent penalties.

Upon the recommendation of Governor Terry the legislature promptly enacted three measures:

First. An antiriot law, establishing a mandatory 3-year prison sentence without parole for anyone convicted of rioting, encouraging a riot, or looting.

Second. A firebomb law, outlawing the manufacture or possession of molotov cocktails and firebombs.

Third. A state of emergency law, giving the Governor the authority to proclaim a state of emergency, clamp on curfews anywhere in the State, forbid gatherings, close off highways, and forbid sale of any item he deems necessary.

These three measures were promptly approved by the Delaware Legislature and signed by the Governor, thereby serving notice that as far as Delaware is concerned we are determined to maintain law and order. It is the sacred right of every American citizen to feel secure in his home and safe on our streets.

Governor Terry is a member of the opposite political party; nevertheless, I am proud to join all Delawareans, regardless of political affiliation, in paying respect to him and the members of the Delaware Legislature for taking the necessary steps to protect our citizens. At the same time the mayor of Wilmington, the police of that city, the Delaware National Guard, and the Delaware State Police all are to be commended for the effort they have been making to maintain law and order.

There can be no excuse for those who are inciting or participating in these riots. The leaders of these riots and those who are participating therein are outlaws and insurrectionists. The looters are a gang of thieves, and those who deliberately start the fires are arsonists. The snipers are potential murderers; and they should all be dealt with accordingly.

Governor Terry and the Delaware Legislature are to be highly commended for the prompt action which they have taken to protect our citizens.

I am calling this to the attention of the Senate because in my opinion other States and the Federal Government itself would do well to take a lesson from the notebook of Gov. Charles L. Terry, Jr., of Delaware.

Mr. **KUCHEL.** Mr. President, I suggest the absence of a quorum.

The **PRESIDING OFFICER.** The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. **YOUNG** of Ohio. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The **PRESIDING OFFICER.** Without objection, it is so ordered.

NATIONAL RIFLE ASSOCIATION COMPETITION

Mr. **YOUNG** of Ohio. Mr. President, it is a shameful waste of taxpayers' money that the officials of the Defense Department failed and neglected to call off the National Rifle Association target competition at Camp Perry, Ohio, and put an end to this fat cat junket of the NRA. This is the least that Defense Secretary McNamara could do at a time when nearly $3 billion of taxpayers' money is being blown up into smoke and altogether dissipated in our involvement in an ugly civil war in Vietnam.

To date 14,000 young Americans have died in combat in Vietnam. Seventy thousand others have been wounded. From my State of Ohio alone over 700 GI's have been killed in combat in Vietnam, which means that every community in Ohio has suffered from this tragedy. I know of a little village of some 280 people where three young men were recently killed in combat in Vietnam. In addition, approximately 900 men each month become afflicted with malaria, bubonic plague and other serious tropical ailments while serving in Vietnam and Thailand. Many have died. Many will suffer the effects throughout their lives.

It seems a reckless expenditure of public money that the subsidy for the rifle matches at Camp Perry was not eliminated. In World War II and in the Korean conflict our Government called off this waste. Furthermore, nowadays with our M–16 rapid firing rifle spraying bullets with great rapidity, marksmanship is not so essential as it was in World Wars I and II. In the rapidity and swirling changes of closeup jungle fighting, there is little time for aiming and firing, and little firing from the shoulder by GI's handling the M–16 lightweight rifle.

Very definitely, this $3 million extravaganza and the use of Camp Perry should have been called off this year. This fat-cat junket for the NRA and friends who junket to Camp Perry, a beautiful location in northern Ohio fronting on Lake Erie, should be permanently eliminated. It is scandalous to hold it at a time when President Johnson is asking already heavily burdened Americans to accept an additional tax burden of 10 percent.

As an individual example of Defense Department reckless spending of taxpayers' money, here is a typical case. Robert Phillips, of Ohio, is an active Army reservist. He has completed his active duty to his country, but as a member of the Active Reserve he was called last summer to attend Army Reserve camp. Phillips, at a financial loss to himself, absented himself from his employment from June 17 to July 1. He went to Camp Perry with members of his unit. Ostensibly, this was for military training. Did he get any military training? No indeed. He spent the entire 2 weeks obeying orders from high echelon officers to clean and paint the buildings of Camp Perry so that they were bright and clean for junketeers attending the NRA target competition at Camp Perry.

Mr. President, instead of spending approximately $3 million this year, for this shameful expenditure, Camp Perry could have been made available to underprivileged children from Cleveland, Cincinnati, Toledo, and other cities in Ohio and the Middle West. Any number of uses could have been made of it. Over and above everything else, Camp Perry, instead of having these rifle matches, would be an ideal place for those unfortunate GI's who are returned to this country from Vietnam because of tropical illnesses or wounds. They could be sent to Camp Perry for rest and recuperation. It would be one of the finest places in the country for that purpose. Instead these rifle matches are held for the "fat cats" who take the junkets.

PRESIDENT JOHNSON'S 10-PERCENT TAX INCREASE

Mr. YOUNG of Ohio. Mr. President, Americans are already burdened with heavy income taxes. Now, President Johnson asks Congress for a 10-percent tax increase on individual taxpayers and corporations.

A couple with an annual income of $7,500 would pay $183 more. Reason given—to overcome a $24 billion deficit. President Johnson's message asking for this 10-percent surcharge was not convincing to me, and, I am sure to other Senators. The President argued failure to raise taxes would result in a "spiral of ruinous inflation and brutally higher interest rates." Those grim prospects are based on Presidential rhetoric, not fact.

Why this huge deficit in the first place? Obviously, the result of our waging the most unpopular war in American history, involving this Nation in an ugly civil war in Vietnam wasting $3 billion of taxpayers' money every month. The end is not in sight. There is no logic behind this request, particularly in view of the fact that 10 months ago the President requested restoration of the investment tax credit. Congress granted this, which resulted in an $800 million loss in revenue, but benefited some corporations.

If taxes must be increased, then let us first impose an excess profits tax which would secure many billions of dollars from corporations profiteering from defense contracts. For example, Colt Industries on one huge contract to manufacture M–16 rifles for our Armed Forces made 1,400 percent profit. In World War II we had an excess profits tax; also in the Korean conflict. In 1944 this tax brought in more than $10 billion in revenue. Presently, there is no tax against excess profits.

Mr. President, I am unalterably opposed to our Vietnam involvement. This has already cost the lives of 14,000 young Americans killed in combat, including more than 700 Ohio youngsters, and 70,000 others have been wounded. Let us stop this horrible waste of priceless lives and more than $3 billion every month fighting a war in a little country 10,000 miles distant and of no importance to the defense of the United States. Very definitely, this proposed tax increase should be rejected. It is due to this unconscionable waste Americans are now asked to pay more burdensome taxes.

A COMPARISON OF TWO MESSAGE CARRIERS—THE TELEPHONE SYSTEM AND THE POSTAL SYSTEM

Mr. WILLIAMS of Delaware. Mr. President, the Chicago Tribune of today, August 8, 1967, contains a perceptive editorial which calls attention to the vast difference in the results of the operations of the country's telephone system, which is privately owned and of the Post Office Department, which is a Government bureaucracy.

The editorial states that under private ownership the cost of a 3-minute telephone call has dropped from $6.25 in 1933 to $1.80 in 1967, while during the same period the cost of sending a first-class letter has risen from 2 cents to 5 cents.

I ask unanimous consent that the editorial be printed in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

A TALE OF TWO MESSAGE CARRIERS

A strange contrast exists in recent moves of two federal organizations, both ostensibly acting "in the public interest."

One federal agency, the Federal Communications commission, has ordered the American Telephone and Telegraph company to reduce its long distance rates. To the dismay of the more than 3 million A.T. & T. stockholders, the market value of their investment dropped several billion dollars as a result of the FCC action.

At the same time another agency, the post-office department, is asking for a 20 per cent boost in its first class rate on letters.

In less than 35 years the government-operated postal service has increased by 150 per cent the rate on letters—from 2 cents to the present 5 cents—and another increase from 5 cents to 6 cents is in the works. The rate on the old "penny" postcard, which was held at 1 cent for 80 years until 1952, would also be boosted to 6 cents.

In the same 35-year period long distance rates of the privately operated telephone company have been reduced by as much as 70 per cent.

For example, a three-minute day time station-to-station call from Chicago to Los Angeles in 1932 cost $6.25, with an overtime charge of $2 a minute after the first three minutes. Today the same call can be made for $1.80, with an overtime charge of 45 cents a minute.

A comparison of first class mail rates for years when significant changes were made since 1932 and the cost of a typical long distance telephone call [day rate, Chicago to Los Angeles] follows:

[Postage in cents]

	3-minute phone call	1st class mail	
		Letter	Post card
1932	$6.25	2	1
1933	6.25	3	1
1952	2.25	3	2
1958	2.20	4	3
1963	1.95	5	4
1967	1.80	[1] 6	[1] 6

[1] Proposed.

The cost of mailing a letter is the same day or night; but not for making a long distance call. The night rate for a Chicago to Los Angeles call is 90 cents for the first three minutes and 25 cents for each additional minute.

In the light of this record, it hardly seems appropriate for the government to be lecturing a private communications system on the advisability of holding down rates.

CENTRAL ARIZONA PROJECT BILL—REASON FOR VOTE

Mr. HOLLINGS. Mr. President, I voted yesterday against the passage of S. 1004, the central Arizona project bill, because I am opposed to a tax increase this year. The bill authorizes the expenditure of $1.2 billion, and taxes would have to be increased to carry out its provisions.

PAINTING THE IRS

Mr. LONG of Missouri. Mr. President, after a 2-year investigation by the Subcommittee on Administrative Practice and Procedure, after a Presidential order, and after strict written regulations by the Attorney General, the Internal Revenue Service at last seems reluctantly to have abandoned most of its electronic eavesdropping. It would be nice if this could be said for its harassment and intimidation of small taxpayers.

Several Senators have placed in the RECORD all or parts of a long article by Reader's Digest outstanding writer, John Barron, entitled "Tyranny in the Internal Revenue Service," August 1967 issue.

Since the publication of this article, a friend in Ohio has sent me a newspaper item published in the Mechanicsburg Telegram entitled "Court Vindicates Sam in IRS Paint Spraying Hassle."

The article describes the tactics used by one IRS agent. The agent harassed a very small taxpayer—his total earnings for the year were $1,792—to the point where he literally drove the agent from the house by swinging a paint sprayer on him.

Obviously, it is neither proper nor legal to turn a paint sprayer on any agent of the Federal Government. However, if one ever deserved it, this IRS agent did, and the judge suspended the sentence against the taxpayer.

The details of the harassment are spelled out in the article in the Mechanicsburg Telegram. I ask unanimous consent that it be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

COURT VINDICATES SAM IN IRS PAINT SPRAYING HASSLE

Sam Collier, 44-year-old Mechanicsburg house painter who swung his paint sprayer on an Internal Revenue Service collection agent last November, won suspension of a 60-day sentence in U.S. District Court in Dayton Friday before Judge Carl Weinman, who took a slap at IRS collection methods.

The agent, Wayne Vinson of the Sidney IRS office, had been after Collier for an overdue payment of $217 Social Security tax. Collier did not owe income taxes because he had earned only $1,792 the year before.

The judge noted Collier is a decorated World War II veteran who enlisted and got by doctors although he had been classified 4F.

The judge also noted the agent came to Collier's home here as many as 10 times in one month. Once he came at 4 a.m. and waited in his car until Collier came out.

Another time the agent woke up Collier's 85-year-old neighbor at 5:30 a.m. to ask about Collier's financial status.

On Nov. 1 in an effort to attach wages paid to Collier, the agent went to a house Collier was painting. That's when Sam turned and started spraying the agent. Collier chased him and continued to spray him until he ran out of hose.

Collier later pleaded guilty to intimidation of a government officer.

But his attorney argued the methods used by the IRS agent "would make a small loan collector blush."

The attorney said Collier had been unduly harassed for the small amount of money owed the government.

"This court agrees," Judge Weinman said, closing the case file. "Sentence suspended." Collier had been given 60 days.

DOES UNITED STATES AID FOE?

Mr. CURTIS. Mr. President, I ask unanimous consent to have printed in the RECORD an article entitled "Does United States Aid Foe?" and written recently by Bill Henry, of the Los Angeles Times.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

DOES UNITED STATES AID FOE?

(By Bill Henry)

WASHINGTON.—While some people are gurgling with glee over the Soviet's latest diplomatic discomfiture in the United Nations, not so Karl E. Mundt, the senator from South Dakota. Diplomatic setbacks don't mean much in Russia where most of the citizens never heard of the Sinai Desert but economic advances do mean something and the roly-poly man from South Dakota say the Soviet has been doing better than it should, thanks to a lot of misguided help from the United States.

Mundt says that thanks to our own foolish policy in matters of trade, we are increasing the risk to our fighting men on the battlefront. Mundt, a scholarly ex-school teacher, is not one to just make assertions. He digs deep for facts and, as a result of this digging he has introduced legislation to place an embargo on exports of American goods to Communist countries aiding North Vietnam's war effort.

THE SOVIET WAR EFFORT

The 1962 law under which Congress expressly prohibited shipment of goods of economic significance to the Soviet is, Mundt says, being flouted day by day. He cites $482,250 worth of diethylene glycol (used for explosives and liquid rocket propellants) shipped to the Soviet last year. This year $2,387,000 worth of chemical wood pulp (it is made into nitrocellulose for solid rocket fuels) went from the U.S.A. to the U.S.S.R. Also $268,975 worth of polyvinyl butyral (used for bullet-resistant glass) went to the Russians.

The Soviets, Mundt notes, are supplying

virtually all of the petroleum products used in the war by North Vietnam. They are also conducting an oil war, encouraging the Arab nations to cut off shipments to the West and meantime conducting a huge search for oil themselves. Mundt says they have more Soviet prospecting crews out than the combined total of all Western interests. But the Soviets are handicapped because they cannot produce the diamond bits used for deep drilling. These are produced in the United States and just last fall diamond drill bits were removed from export control.

BLAMES WHITE HOUSE

Mundt isn't bashful about placing the blame. He lays it right at the door of the White House, pointing out that some of the orders come directly from the President and the others are largely promulgated by the Commerce Department, which comes under his Administration. It is all part of what Mundt regards as the erroneous, and very foolish, Administration theory that the Soviet are "partners in peace." He says the recent Middle East outbreak shows the utter foolishness of this theory.

Just last month Mundt called attention to the fact that the Commerce Department had authorized shipment of a Worden gravimeter, an instrument that can be used to improve the accuracy of missiles. This authorization was, afterwards, canceled. He charges that all these shipments to the Soviet ease the burden on the Russian economy which is taxed to the limit, as he says, not to supply the needs of the Soviet people but to feed fresh fuel on the fires of crisis in the Middle East and Vietnam.

CIVIL RIGHTS LEADERSHIP TAKES NEGROES DOWN ROAD TO DISASTER

Mr. LAUSCHE. Mr. President, I ask unanimous consent that an article published in a recent issue of the Cincinnati Enquirer be printed in the Record.

It raises a number of points which I believe will interest the readers of the Congressional Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

Put the Blame Where It Belongs: A Long Hard Look at the Long, Hot Summer

(Note.—George S. Schuyler, the Negro conservative, for years has been warning that the "civil rights" leadership of this country was taking the Negroes down the road to disaster. A newspaperman for half a century, he is the author of "Black No More" and "Black But Conservative.")

(By George S. Schuyler)

New York.—Race war is here, perhaps to stay; and while this will be denied, Negro leadership itself—including the so-called "moderates"—must share much of the blame for the smoking cities, the vandalism and the armed attacks by some young Negroes on the forces of law and order.

Passage of an antiriot bill will not much alter the situation because it would seem to be too little and too late. While curbing the subversive activities of some of the itinerant agitators, it will not curb the local incitement by the revolutionary cells already in being in cities large and small across the country.

Nothing seems to have been learned from the warnings through the years by informed observers of the gathering storms which were believed to be brewed by poverty, discrimination and, as they now say, "cultural deprivation." In this connection it is notable that these tragic uprisings rarely occurred anywhere prior to the onset 10 years ago of the campaign of agitation and incitement by Negro activists.

The vandalizing of our cities today is the product of 50 years of brainwashing. Many still refuse to recognize it. But millions of whites have fallen for the line that they are today, in 1967, responsible for the evils of slavery and for the "century of neglect" that followed it. The fact is that the "century of neglect" produced the, most prosperous, civilized and educated Negro community anywhere on the globe in history.

So successful was this line that even relatively recent immigrants from Poland, Italy or Ireland have been duped into feeling guilty for what some slave owners in the American South might have done a hundred years before they were born.

Similarly, Negro intellectuals have been brainwashed into thinking that the only reasons for Negro backwardness in America are those attributable to whites. The successful Negro has been downgraded as a self-seeking opportunist; the jobless, embittered, violence-prone Negro has been idealized as the true voice of his people.

Much as many Americans dislike hearing this, the Communist party has been the most consistent and effective manipulator of this line of thinking. It long ago painted a picture of American society—of greed, brutality, racism—that has been adopted wholeheartedly by many of the Negro leaders who, literally, are "calling the shots" in Detroit, Newark, Rochester and where next.

For several decades, Negro leadership in speeches, news releases, books and other writings have harped interminably on the faults of American society; the mistreatment of Negroes was exaggerated, handicaps were denounced and opportunities minimized. Where the Negro needed hopeful plans for the future and an optimistic strategy to achieve them, there was a continuous campaign of denigration, denunciation and pessimism. This was the last thing uprooted farm migrants of low education needed or wanted, when they flocked to our cities.

This was a challenge to Negro leadership which it has failed to meet in the massive proportions necessary. European immigrants had faced similar handicaps and hardships, and had overcome them in large part by organization and ingenuity, whereas the city Negroes set up their own color and caste lines, and sought to escape their less prepared peers; often not without some logic on their side. Every Negro urban community suffered social indigestion from consuming too many migrants in too short a period, and with not enough help from white neighbors who also fled the influx.

Under the circumstances, it is remarkable that the Negro population acquired so many skills, so much education and such an accumulation of wealth in so sort a time, but mostly through individual rather than community effort.

As of the present there are 320,000 Negro students matriculating in the nation's colleges and universities, with more than twice as many Negro students per 1000 of black population as there are proportionately students in Europe.

There are more than 2.5 million Negro-owned automotive vehicles, excluding automatic farm machinery, and an equal number of Negro-owned homes.

While the number of farmers, colored and white, declines yearly in the face of automation, there were at last counting 127,473 Negro farm owners, and a Negro farmer today without an automobile, truck, tractor, television set, electric refrigerator and, in some cases, cotton-picking machines, is rare. Nearly 100,000 Negro farmers constitute a fifth of all tobacco growers. There are twice as many Negro businesses as there were at the end of World War II.

It would seem to be reason for optimism and hope, but the prophets of doom shout louder than ever and, unfortunately, they have progressively either brainwashed the Negro upper class or have frightened them into silence. They have not really attempted to quarrel with or condemn the local and national Pied Pipers who are leading gangs of dropouts, juvenile delinquents and the criminally inclined "lumpenproletariat" astray.

They have almost uniformly taken up the chant of "police brutality" and screamed for civilian review boards to further handicap the police in using the necessary force to maintain law and order. They have refused to wholeheartedly condemn hoodlumism and those who led the street packs—for fear of being dubbed "Uncle Tom." And one seeks far and wide for a trade school any group of them have set up to teach young Negroes a skill which they can sell in the labor market. A conservative Negro with vision is denounced as an enemy of his people if he speaks up against the criminal trends in his community.

So this has given the agitator-activists full sway and no one has been tearing apart their vicious lies. There is always a holding-back for fear of appearing "anti-Negro."

These people are clever and conscienceless verbalists who would make it appear that the American Negro's future is hopeless whereas it is as hopeful as that of the whites if there are spokesmen to say so.

Every excuse and alibi possible has been made for Negro backwardness, shiftlessness and criminality, instead of facing up to the facts and telling the truth. The reaction of "intellectuals" to the widely-publicized Moynihan Report on the prevalence of the Negro matriarchal family was a case in point. They either condemned it out-of-hand or failed to defend it; yet how are you going to improve a situation unless you admit it exists?

Even so prominent a Negro official as Secretary of Housing and Urban Development Robert C. Weaver tells the Senate Housing subcommittee that riots "are inevitable consequences of scores of decades of neglect, discrimination and deprivation, and well-directed positive action can stop them." This is the now-familiar refrain which actually encourages riots because of the belief it engenders that improvements only come from street action. Certainly those Negroes are not "deprived" whose kitchens are stacked with the loot from neighborhood stores!

The agitators gather crowds by blaming the white man for all the Negroes' ills while the responsible Negro leadership either defends this falsehood, cravenly remains silent, or whimpers "we didn't really mean it" after the cities have burned to ashes.

A DANGEROUS INTRUSION

Mr. CHURCH. Mr. President, one of the most tragic circumstances attending our current discussions of firearms control legislation has been the tendency of some to view Federal action in this area as an important method of dealing with crime. Those of us who object and who question are pictured as condoning or even encouraging criminal and demented elements in our society.

The danger in this approach lies not only in the fact that it can result in harmful legislation, because it also diverts our attention and that of the American people from proposals that can have a legitimate effect on law enforcement problems and on the conditions that cause crime.

In a statement this week to the Subcommittee on Juvenile Delinquency of the Committee on the Judiciary, the Senator from South Dakota [Mr. McGovern] suggests a temperate balancing of the benefits that could be expected from the Dodd bill and the Hruska bill, against the costs they would exact. Through what I consider to be an excellent, point-by-point analysis of what gun control crusaders can really promise, he concludes that it is "only conjecture to assert that S. 1 would have any appreciable effect toward a reduction in firearms misuse and serious crimes."

At the same time Senator McGovern points up the very real and serious damage this legislation would impose upon the millions of people who own and deal in firearms for highly worthwhile and beneficial purposes and upon our Nation as a whole. And he notes the folly of Federal action seeking to accomplish ends that fall within the primary powers of State and local governments, and of superimposing a broad national scheme of regulation over all States, ignoring fundamental differences in their needs and interests.

Senator McGovern has made a highly significant and timely contribution to the debate on firearms control legislation. I believe his statement merits the attention of all Members of the Congress. I ask unanimous consent that it be printed in the Record.

There being no objection, the statement was ordered to be printed in the Record, as follows:

Firearms Control Legislation

(Statement of Senator George McGovern, Democrat of South Dakota, to the Senate Judiciary Subcommittee on Juvenile Delinquency)

Mr. Chairman, I very much appreciate this opportnuity to submit my views on legislation pending before the Subcommittee to tighten Federal regulations on firearms.

In view of a deep national concern over the annual growth in violent crimes, it is certainly natural and commendable that our attention is focused on every potential step the Congress is empowered to take to secure our streets and the homes and business places of the American people. The costs of crime in human suffering and anguish, in fear, and in many billions of dollars, are intolerable to all of us.

But caution in lawmaking is most needed when national concern and clamor for action is most extreme. At such times the temptation is great to arrive at a panacea—to demonstrate that something is being done, even though the cure-all may be inappropriate, ineffectual, or most costly than beneficial.

It seems to me that this principle should apply with special force when we are operating in an atmosphere of intense emotion, aroused by firearms in the hands of the criminal or the demented.

At the outset it is important to recognize the limitations on Federal power to deal directly with the vast majority of the crimes committed in this country.

The Congress can attack the social and economic causes of crime under its powers to tax and spend for the general welfare. The same authority undoubtedly also allows some assistance to local law enforcement, such as research, coordination and records-keeping, technical and financial help, and assistance in the recruitment and training of law enforcement officers. It is well-established that we can define, prohibit and prosecute violations of a limited class of "national crimes" such as those whose commission involves transportation across state lines, and that we can, under the commerce power, prohibit traffic among the states in harmful commodities that may facilitate crime.

But, as President Johnson stated in his message of February 6, 1967, transmitting his recommendations based upon the report of the National Crime Commission, "In our democracy, the principal responsibility for dealing with crime does not lie with the National Government, but with the States and local communities." It is clear that where the direct enforcement of State criminal codes and community ordinances are concerned, Federal power is limited indeed. Our traditions abound with the sound premise that the primary police power resides in the States.

I do not contend that the bills under consideration on firearms control, primarily S. 1, sponsored by Senator Dodd, and S. 1853, by Senator Hruska, violate this premise. I cite it as an illustration of the small result that any legitimate national legislation in this area can have, and of the importance of soundly-conceived and vigorously-enforced State regulation. Those who call for increased protection would do well to concentrate, too, on state legislatures and city councils where the fundamental power to deal with firearms and their misuse resides. As the Subcommittee knows, there is abundant room for improvement at that level. Federal action can only reach the periphery, and I am troubled by an apparent widespread feeling that if Congress will only approve the Administration's recommendations on firearms the whole problem will disappear.

But it seems to me that many more questions remain to be resolved before we can determine the prudence of exercising even the limited power we do have. A considered, temperate balancing of the costs against the beneficial effects that can be expected is required.

On the cost side of the ledger, and speaking specifically to the terms of Senator Dodd's bill, as modified by amendment number 90, we must consider the expense, the restrictions, the interference and the threatened penalties that would be imposed on the some 20 million people in this country who use firearms for lawful, proper, and beneficial purposes. We must consider the hardship and the danger of prosecutions the possibility of denied licenses to do business on vague, as yet undefined grounds, and the practical difficulties that would face thousands of legitimate firearms dealers. We must weigh, too, the potential loss from restricted hunting and sporting use of firearms of substantial contributions to wildlife management programs, financed through the purchase of hunting licenses and through allocated Federal excise taxes paid upon the sales of sporting arms and ammunition.

It cannot be denied that the ownership, control and use of firearms is beneficial. Hunting and shooting provide hundreds of millions of days of healthy recreation each year. Proper schooling in firearms handling and safety is an important means of building the character of American young people, and is a significant asset to prospective military training as well. Thousands of people own firearms for the protection and security of their persons, their families and their property.

The burdens that the Dodd bill would place on these uses admittedly seem insignificant when they are stacked up against the some 86,000 violent crimes it is estimated were committed with firearms in 1965. But it cannot be overemphasized that the proper balance is not between those burdens and an end to or even an extensive reduction in violent crimes. I have carefully examined the evidence compiled on both sides of the gun control issue, and the most prominent impression I have gained is that it is only conjecture to assert that S. 1 would have any appreciable effect toward a reduction in firearms misuse and in serious crimes.

The 1965 edition of the Uniform Crime Reports issued by FBI Director J. Edgar Hoover, for example, indicates that there were approximately 2,800,000 serious crimes reported in that twelve month period. Statistics on the use of firearms are available, however, in only three categories of violent crimes—killings, aggravated assaults and robberies. Of the total of 335,427 crimes in these classes that the FBI estimates were committed in 1965, 85,848 involved the use of firearms—roughtly 25 percent.

If reliable data were available on the total illegal use of firearms, of course, we would undoubtedly find that the percentage for the complete reported serious crime figure of 2,800,000 would be much, much lower. The three categories mentioned obviously involve a more extensive employment of firearms than other crimes.

But the question narrows still further in the present context, because there is an alternative to S. 1. The measure proposed by the Senator from Nebraska, Mr. Hruska, is less extensive than the bill sponsored by Senator Dodd, but it would establish effective procedures to restrict the interstate flow of handguns. Under S. 1853, over-the-counter sales to nonresidents of the State and mail order sales could not be completed until 7 days after the purchasers affidavit of age and qualification had been received or refused by a local law enforcement officer. In considering the relative merits of the two bills, therefore, it is necessary to determine how much would be gained by the further restrictions on rifles and shotguns proposed by S. 1.

Writing to Senator Hruska in regard to the FBI Uniform Crime Reports of 1965, Director Hoover estimated that handguns were used in 70 percent of the 5,634 willful killings in which firearms were employed. The other 4,216 homicides committed in that year did not involve firearms and are thus completely beyond the scope of this discussion. Mr. Hoover advised that there is no available breakdown on the type of firearms used in aggravated assaults and robberies, although he did indicate that "most" of the robberies were committed with handguns. Certainly that is a logical conclusion, since it is the handgun—because of its concealability—which lends itself most readily to crime.

Hence, it is clear that the added restrictions on rifles and shotguns that S. 1 would impose would, as compared to S. 1853, have additional relation to only a small fraction of the 86,000 violent crimes committed with firearms.

But the breakdown of the potential benefit of S. 1 goes even further, because it would clearly not prevent even all of that fraction of firearms misuse.

Many potential criminals would not be dissuaded by the fact that they could not obtain the weapon they might prefer. It seems likely, particularly with premeditated crimes, that they would merely choose another, more easily acquired device.

A number of offenders would have no greater difficulty obtaining firearms through regular channels than legitimate users. This would be particularly true of people with no prior record.

On the other hand, there can be no doubt that the professional criminal element would quickly establish its own underworld source of firearms supply, and would make more efficient use of the weapons already in its possession.

Many lawbreakers undoubtedly own or have access to the many millions of firearms that are already in private hands. Estimates of this figure run between 50 and 200 million, and the most generally-accepted amount is 100 million. These would continue to be replaced and purchased and sold privately.

I certainly cannot conclude that these factors would completely nullify any possible benefit of S. 1. They do, however, establish quite convincingly that Federal firearms legislation along the lines proposed here is experimental. We simply do not know that it would have any appreciable effect on the crime problem which has this Nation so concerned.

Since the bill would have a harmful impact on the millions of people who own and deal in firearms for completely worthwhile purposes, the conjectural nature of any promise of benefit suggests to me that we should at least paint with a narrow brush rather than a broad one.

There are other considerations supporting this conclusion. A reliance on Federal controls, for example, presupposes a uniform national system of regulations, which cannot account for differences among the states in the relationship between proper, beneficial use and misuse of firearms. My own State of South Dakota, for example, would be damaged far more by stringent controls than would New York, because of the heavy recreational use our citizens and visitors make of firearms. We should be extremely cautious about superimposing a single set of requirements over all 50 states when their conditions vary so widely.

It is my firm belief that the proper approach for this time is to begin with a limited program, such as is proposed in S. 1853. That bill focuses its attention on the weapon which is clearly employed in the vast bulk of firearms misuse, the handgun. By limiting purchases to people over 21 years of age, it would also delineate that segment of the population that has the most disproportionate record of criminality involving firearms. By using state law as the standard of legality for mail-order sales of all firearms, it would allow each state to judge its own particular needs and interests, and would operate to supplement, rather than supersede, the primary responsibilities of the states in this area.

I urge the Subcommittee to reject the pervasive scheme of regulations proposed in S. 1 as modified by amendment 90, and to seriously consider the more realistic and justifiable approach encompassed in S. 1853.

At the same time it is my earnest hope that the Congress and the appropriate Committees will expedite consideration of the other means at our command to combat crime and its causes.

We know that environment and living conditions have a major direct bearing on the safety of our streets and on the security of our homes and property—far more than all of the firearms ever manufactured. There are numerous proposals before us to deal with these fundamental causes.

Where enforcement is concerned, President Johnson has transmitted to the Congress an extensive series of important ideas, based upon the recommendations of the National Crime Commission. These proposals deserve careful attention.

Regardless of what the Congress does in the rather narrow area of firearms, I do not believe we will have dealt with the appalling menace of crime in a fashion even approaching the concern it demands until we have moved vigorously in these basic areas.

FIREARMS CONTROL

Mr. **HRUSKA**. Mr. President, during the course of the current hearings before the Subcommittee on Juvenile Delinquency on which I serve, we have had an opportunity to consider many fine statements with regard to the difficult question of proper Federal firearms control legislation. In reviewing this testimony I was particularly impressed with the statement of the senior Senator from Colorado [Mr. Allott], who brings to any discussion of this issue a particular vantage point of familiarity with firearms and an abiding concern for their lawful use and control.

The Senator from Colorado takes the right approach, I believe, when he says:

> I do not believe the sledge hammer approach to Federal firearms control legislation strikes the balance which is so necessary at this crucial period of our national life.

The Senator counsels in the direction of "considerations of balance and suitability" with regard to the solution to the problem of Federal firearms control legislation, and I believe that this is the proper attitude which must permeate our consideration of the issue.

I ask unanimous consent that the remarks of the distinguished Senator from Colorado be printed in the Record.

There being no objection, the statement was ordered to be printed in the Record, as follows:

Firearms Legislation

(Statement by Senator Gordon Allott before Senate Subcommittee to Investigate Juvenile Delinquency, July 11, 1967)

Mr. Chairman, I greatly appreciate this opportunity to offer my comments with regard to the firearms control legislation now pending before this Senate Subcommittee to Investigate Juvenile Delinquency. I hope that my observations and thoughts on this important matter will serve the constructive purpose of casting some new light upon a subject which has been before this distinguished subcommittee for a long time.

At the outset, I would like to express my deep concern that this subject not be acted upon precipitously. The consideration of the Federal firearms control bills before this Subcommittee must, I believe, be governed by common sense with due regard for the exigencies of the criminal problem which confronts this Nation. The question of the relationship of firearms to the problem of crime in this country is a perplexing one. The rise of crime in the United States is a national disgrace. Every day, the problem of crime forcibly intrudes itself upon the national scene. Recently, the Washington Star carried an editorial describing two days of criminal activity in Washington. This editorial stated, in part:

"Monday evening . . . a police officer was forced to shoot two hoodlums who attacked him on a school playground. Around noon yesterday a bank messenger was shot to death in a robbery at 10th and P Streets, N.W. At about the same time, a young woman, Judith K. Robeson, who worked for Senator Carlson . . . was found brutally murdered in her apartment . . . All of this, of course, was over and above the daily 'routine' of crime."

There is great national concern today about the present status of laws—local, state and Federal—regarding the acquisition and possession of firearms, and whether these laws have somehow contributed to the criminal conditions which confront this country. Certainly that kind of concern is fanned to public outrage by editorials such as the one I have just quoted from the *Star*. Crime and guns somehow become synonomous in the public mind. But I think our legislative responsibility transcends this moment in which we find ourselves and seeks a complete examination of legislative avenues which might more effectively control the acquisition of certain firearms. I am pleased that this Subcommittee obviously intends to conduct such a thorough examination of this problem, the solution of which is obviously one of compelling national debate.

In this regard I would like to refer to a front page story in the May 22nd edition of the *Washington Post* concerning the relationship of local firearms control measures to the problem of crime in the District of Columbia. The *Post* points out that the Metropolitan Police Department issued fewer than 30 permits to carry guns in Washington from April of 1966 to April of 1967 despite the fact that during the same period 5,000 guns, most of which had been illegally obtained, had been confiscated by the police. Assistant Chief Howard V. Covell was quoted as saying that the police had confiscated guns during the same period in 934 cases involving persons without permits, and that during the same period of time 477 robberies had occurred in the District, 85% of which involved the use of guns.

It seems to me, therefore, that local laws requiring gun permits have not been entirely adequate to control the acquisition and possession of firearms. They have been equally ineffective in controlling the sources of guns for use in criminal activity. I do not believe we should enter the lists of Federal firearms legislation without due regard for this fact. To do otherwise is to deal in the same fallacious effort of Don Quixote tilting with windmills. Efforts should be made to encourage effective enforcement of local firearms control laws. Our present responsibility, however, is to be exceedingly careful that if new Federal laws are enacted they are reasonable and capable of effective enforcement.

We cannot allow ourselves the luxury of using a sledge hammer to drive a tack in the area of Federal firearms control measures.

This would be the consequence, I believe, of two of the bills now pending before this Subcommittee: S. 1, introduced by the distinguished chairman, and Amendment 90 to S. 1, introduced at the behest of the Administration. Public outcry over the rise of crime or the abuse of the possession of firearms by other than responsible citizens may create the climate for this kind of legislation, but the responsibility of creative legislation transcends the moment of public outrage and seeks honest, workable solutions to difficult problems.

In a recent column on this issue James Kilpatrick made a sound observation, I believe, when he said:

"Politics truly is the art of the possible. In the present state of seething controversy, it probably is not possible—in my own view it is not even desirable—to enact Dodd's sweeping bill. But with crime rates soaring, reasonably minded men should be able to agree upon some measure less drastic, and to write it promptly into law."

I think the better legislative course lies in the direction of S. 1853 and S. 1854, introduced by the distinguished Senator from Nebraska, a member of this Subcommittee.

Frankly, I cannot support legislation which deters ownership of certain firearms by responsible citizens. I feel this is the logical consequence of both S. 1 and Amendment 90 thereto. It is my impression that both of these measures fall short of their stated objectives to avoid imposing "any undue or unnecessary Federal restrictions or burdens on law-abiding citizens with respect to the acquisition, possession, or use of firearms appropriate to the purpose of hunting, trapshooting, target shooting, and personal protection." I am fearful that the legislation embodied in these two bills frustrates and impedes their laudable objectives.

The Administration's Amendment 90 prohibits the interstate mail order sale of all firearms through a ban on shipment and transportation to unlicensed individuals. S. 1 would prohibit the interstate mail order sale of handguns through a ban on shipment and transportation to unlicensed individuals, while regulating the interstate mail order sale of rifles and shotguns to unlicensed individuals. In its present form, Amendment 90 is almost completely unacceptable to me. I frankly find it unduly restrictive when it prohibits the interstate mail order sale of all firearms to unlicensed individuals. I firmly believe that such a bill would create unnecessary burdens for the law-abiding citizens. The safety of our citizens' Constitutional rights may well be endangered by using sledge hammers to drive the tack of providing temporary safety.

I am equally concerned with the provisions of S. 1 which seek to regulate the acquisition of rifles and shotguns. I do not believe the Congress should precipitously enact undue Federal regulations regarding these particular firearms since they are clearly the most appropriate for the purpose of hunting, trapshooting, or target shooting. It seems clear to me, Mr. Chairman, that if there is one area of our national life where the abuse of firearms is not prevalent it is among the 20 million Americans who use rifles and shotguns for these lawful purposes.

May I add that I do not believe any person intent on obtaining a rifle or shotgun for other than lawful purposes is going to be dissuaded from doing so under the regulatory provisions of S. 1. The burden will land squarely on the law-abiding citizen, while the person who wants a rifle or shotgun for unlawful purposes may do so with minor inconvenience.

I am in general accord with the approach taken by the Senator from Nebraska in his bill, S. 1853, which would apply Federal regulations upon the interstate mail order sale of handguns to unlicensed individuals. The thrust of this legislation is directed at the area where there has been the greatest abuse of firearms. Handguns have the unique characteristics of size, weight, compactness, and concealability. These characteristics make handguns ideally adaptable for the commission of crimes and violence. They are difficult to observe, and therefore difficult to control. Statistics bear out these facts of the unlawful and criminal use of handguns in crimes of violence. Many states have already recognized the problem of controlling the acquisition of handguns. A Federal law directed towards this same problem would, I believe, add creative and effective assistance to the states in this area.

Mr. Chairman, S 1853 deals in an area where the problem of the abuse of firearms is most clearly defined and documented. It would, I believe, also cause the least inconvenience to the greatest majority of our law-abiding citizens who desire a handgun for personal use. There is a reasonableness and a workability in the approach of S. 1853 which strikes me as being eminently sound. The problem of controlling the acquisition or possession of a handgun can be nailed down with the proper legislative tools provided by this bill.

Mr. Chairman, in pondering this issue I have always returned to considerations of balance and suitability. We are all aware that the rise of crime in the United States is sapping our national strength and eroding the public confidence. We do not need more statistics or a National Crime Commission to convince us further. The problem needs no further elucidation. But it desperately needs immediate steps toward eradication. I do not believe the sledge hammer approach to Federal firearms control legislation strikes the balance which is so necessary at this crucial period of our national life.

I for one am ready at any time to vote for a reasonable bill with a legitimate contribution to make to the solution of the problem of the abuse of firearms. I am ready to give prompt attention and study to any such measure submitted. The Dodd-Administration bills do not, in my opinion, fall into this category. They are bills which reflect the fear and antagonism of people who have little or no acquaintance with guns and are consequently suspicious of those who do.

Mr. Chairman, firearms are familiar items to me. They are not things which belong to an alien and hostile world. They constitute a part of my life and that of my sons. When I agreed to sponsor S. 14 in 1965. I did so because I wanted to see an end to the irresponsible practices of certain mail order gun dealers. But I was, and remain, stringently opposed to curbs so severe that they place unwarranted burdens on the law-abiding citizens, and go far beyond what is necessary or what, under a true Federal system, is possible.

THE PRESIDENT'S REORGANIZATION PLAN WILL BRING MODERN AND EFFICIENT CITY GOVERNMENT TO THE DISTRICT OF COLUMBIA

Mr. BYRD of West Virginia. Mr. President, this is a week of vital decision for the 800,000 residents of the District of Columbia. For on Wednesday Reorganization Plan No. 3 will be considered by the House.

Normally, I favor positive action by the legislative branch in dealing with legislative matters, and I normally do not favor the reorganization plan approach inasmuch as I view this as a back door method, or legislation by negation. In other words, the reorganization plan approach requires negative action on the part of the Congress in order to prevent a submitted plan from becoming a fait accompli. I do not say this in criticism of the President's Reorganization Plan No. 3 nor do I say it in criticism of any other reorganization plan which the President may submit. I say it in criticism of the legislative branch itself, because I do not believe that the executive branch should be given the authority to legislate and, in effect, this is precisely what it all amounts to. The Chief Executive sends up a reorganization plan and, if one House of the Congress does not veto that plan within a certain period of time, the plan ipso facto becomes law. In my judgment this is the legislative process in reverse. I think that only the Congress should legislate, and I think that this type of legislative procedure is a matter which should be given future serious study and reflection by the legislative branch with a view toward corrective action.

What I have just said, is only expressed incidentally at this point. With regard to Reorganization Plan No. 3, I strongly support this plan because it unifies authority and responsibility for the management of the District of Columbia government in a single strong executive. It offers the city leadership in city hall where leadership is needed and demanded.

I have a great interest in the District of Columbia. As chairman of the District of Columbia Appropriations Subcommittee, I know the frustrations which the commission form of government has placed in the way of the dedicated men who have served in its harness. I believe that Plan No. 3 will remove this hobble now. It should, at least, be tried. In speaking out in support of the plan, however, I wish to state that I do not pretend to state the views of the members of the committee with legislative responsibility for the District. I speak from my own experience and for myself alone.

The President has provided the framework for a modern city government that will surely be more effective in handling the burdens and problems of the District than the present commission form of government has been.

Plan No. 3 establishes clear-cut executive authority and flexible governmental machinery in administering the affairs of the District.

Let me emphasize: This is not home rule. And this is not an alternative to home rule. I am opposed to home rule for the District of Columbia, as I have said many times. Home rule is not at issue here.

The only issue involved in considering this plan is whether or not the 90th Congress will bring modern, efficient government to the District of Columbia.

The President has proposed a single Commissioner to replace the present three-man Board of Commissioners. This Commissioner—to be chosen from outstanding candidates from all over the country—will be responsible for administration of the executive side of the District of Columbia government, supervision of personnel, preparation of the budget and organization of the lower structure to most efficiently carry out the laws of the Congress.

A nine-member Council—similar to city councils in most urban communities—will be responsible for making rules and regulations where Congress has delegated such authority and for revising the Commissioner's budget and proposing revisions.

The Commissioner would be empowered to veto actions of the Council. His veto could in turn be overridden by three-fourths vote of the Council.

Congress necessarily would retain its present responsibilities to make all the laws for the District and to determine the District's budget and appropriations.

I believe this plan spells needed progress for the District. It is long overdue. The need for reorganization of the local government has been recognized by virtually everyone who has studied the issue. The hearings in the Senate and in the House show that the plan has broad support.

The President has rightly noted that the present form of District of Columbia government was designed almost a century ago. It is obvious that the city government cannot meet its responsibilities without an overhaul of its machinery.

The pressing need for strengthening of the municipal government will not, I know, blind the Congress to the necessity to act additionally to provide for District representation in the House of Representatives. Congress is the legislature for the District.

I strongly support legislation to give the District representation in the other body. Its adoption would give the citizens a ready means of communication to the Congress and, in turn, would give the Congress a direct voice to the citizens.

The 90th Congress has a unique opportunity to make a dramatic breakthrough in bringing modern government to the District. We must live up to this opportunity—and make it a reality.

This is an hour of decision for Washington. Let the Congress make it a good hour by supporting Reorganization Plan No. 3.

NATIONAL JAYCEES SAFE-DRIVING PROGRAM

Mr. BIBLE. Mr. President, auto safety is something most of us talk considerably about but few of us actively do very little about. But the U.S. Junior Chamber of Commerce since 1952 has been doing something about it through its nationwide teenage safe driving auto roadeo.

This year marked the 16th year of this program in which 3 million youngsters have participated on local, State, and national levels. For example, in 1967 more than 250,000 teenagers in over 2,000 communities took part in this safe driving competition under the National Jaycees' sponsorship, assisted by the Lincoln-Mercury division of Ford Motor Co.

My State of Nevada has a particularly keen interest in this most commendable effort this year because, for the first time, a Nevada youth, 17-year-old Bill Cobb, the son of a veteran Reno newspaperman, Ty Cobb, won top national honors 1 week ago in competition at the University of Michigan in Anne Arbor, Mich., with 50 other young men from every State of the Union.

This week I had the pleasure of having lunch here in the Capitol with this fine Nevada young man; the national winner of the girls' competition, Miss Anne Kaminski, of Omaha; the distinguished senior Senator from Nebraska [Mr. HRUSKA]; and sponsoring representatives of the competition from the National Jaycees. Each winner receives a $4,000 college scholarship to the school of their choice.

To talk with this young man and this young woman, one gets unmistakably the message that safe driving is more than something just to talk about. They advised me that this competition provided youngsters of driving age an opportunity to demonstrate to themselves and to their communities that they are interested in increasing their knowledge of our traffic laws and in improving their driving skills. They assured me also that the roadeo stimulates community interest in high school driver education programs.

In talking with these young people, I became more aware of the great number of irresponsible drivers as well as the tremendous number of violators of traffic laws present today on our streets and highways. This country's traffic fatalities skyrocketed from 38,000 killed in 1959 to 53,000 in 1966. Injuries last year alone were estimated at almost 2 million persons. The cost in dollars is estimated at almost $10 billion.

Mr. President, I wish to pay high tribute to the U.S. Jaycees and to give deserved recognition to its teenage safe driving program. I wish particularly that the Jaycees National President James B. Antell, of Tulsa, Okla., and Nevada State Jaycee President Bill Waltz, of Elko, could have been with us at lunch here this week. They would know much more graphically than I can hope to portray the impact of his outstanding program on two fine representatives of young America. To every Jaycee member in my State of Nevada and elsewhere around the country, please accept personal congratulations for an outstanding community program for national benefit where results are so outwardly obvious.

Mr. President, I ask unanimous consent that the Jaycees' announcement of the 1967 Safe Driving Roadeo winners, giving a brief description of the leading contestants, be printed in the RECORD.

There being no objection, the announcement was ordered to be printed in the RECORD, as follows:

U.S. JAYCEES TEENAGE SAFE DRIVING ROADEO WINNERS ANNOUNCED

Anne Marie Kaminski, 18 of Omaha, Nebraska and William George Cobb 17 of Reno, Nevada have been named first place winners in the 16th annual United States Jaycees Teenage Safe Driving Roadeo at the University of Michigan in Ann Arbor scene of the national safe driving event co-sponsored by the Lincoln Mercury Division. Each won a $4,000 college scholarship to the school of their choice.

51 Boy finalists and 51 Girl finalists from the 50 States and the District of Columbia had taken part in a series of tough safe driving tests beginning Monday July 31 to determine the best teenage safe drivers in the nation and the chance to share a total of $14,000 in college scholarships.

Sharon Ann Redman of DeBary Florida and Robert Carver, of Yuma Arizona earned second place honors each receiving a $2,000 college scholarship. (Sharon is 17 and Bob 18)

Patrick Webb, 17 of Forest Lake Minnesota and Linda Gail Branstetter of Roanoke, Virginia took third place and were each awarded $1,000 prizes. (Linda is 17.)

1st Place co-winner Anne Kaminski the daughter of Mr. and Mrs. M. N. Kaminski of 91818 Pine street in Omaha graduated in the top third of her class and plans to attend Creighton College in the fall. The treasurer of her local Junior Achievement club, Anne was also active as a debater and participated in a number of sports. She plans to major in chemistry.

Co-1st Place winner Bill Cobb is the son of Mr. and Mrs. Tyrus R. Cobb of 320 Martin ave. in Reno Nevada. He is an all around athlete and a top scholastic student. He is listed in the "Who's Who of High School Students in America". A commencement speaker at his graduation, Cobb has earned a number of prizes for public speaking and has acted in a number of school plays. He is employed by the Nevada Highway Department on a part time basis. He plans to enter the University of Nevada where he will major in business administration.

Co-2nd place winner Sharon Redman is the daughter of Mr. and Mrs. C. E. Redman of 32 Vohusia Drive in DeBary Florida. She plans to major in education in college.

Co-2nd place winner Bob Carver is the son of Mrs. Violet Carver of Yuma Arizona. He plans to become a chemical engineer.

Co-3d Place winner Linda Branstetter is the daughter of Mr. and Mrs. Bruce F. Branstetter of Roanoke Virginia. She will take up law in college.

Co-3d place winner Pat Webb is the son of Mr. and Mrs. Irving N. Webb of Forest Lake Minnesota. He will take up electrical engineering in college.

In addition to their college scholarships the 1st, 2nd and 3d place Roadeo winners will all have the use of 1968 Mercury Cougars for a full year and will act as Teenage Traffic Safety Spokesmen for Lincoln Mercury during the coming year.

During their three days of testing in Ann Arbor, each of the 102 Boy and Girl State Finalists completed a rugged series of exams including a written test on the rules of the road and on attitude; a personal interview; a complex skill test to determine their ability to handle an automobile (parallel parking between narrow barricades, maneuvering their car thru a tight curve between two rows of rubber balls; and making sharp right and left turns in between S-curve lined wooden barricades.) and a road test in Ann Arbor traffic.

The finalists also heard a number of lectures during the week from the University of Michigan Traffic Safety Center.

AMERICA'S MOBILE HOME INDUSTRY—NEW CHALLENGES AND OPPORTUNITIES

Mr. PERCY. Mr. President, one of the important areas for progress in making homeownership available to lower income families is that of improved design and construction to attain lower unit costs.

Among those pioneering new techniques for low-cost housing construction are the many manufacturers of mobile homes in the United States. Today that industry is, according to their estimates, producing 75 percent of all new housing priced below $12,500, and these units are fully furnished, unlike the average new house. I am told that the average price for a 12- by 60-foot mobile home, completely furnished, today runs around $5,700.

The industry is now moving far beyond making what used to be called "trailers." Imaginative new uses of modular unit construction are being devised. These are no longer mobile homes, in the sense of being pulled along a highway. These are modern home units, with great flexibility. They could even be stacked up to resemble the much-discussed Habitat Building featured at the Montreal Exposition.

Mr. Edward L. Wilson, managing director of the Mobile Homes Manufacturers Association in Chicago, recently made some remarks about the advances being made by his industry in providing better housing. I ask unanimous consent that his remarks be printed in the RECORD.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

AMERICA'S MOBILE HOME INDUSTRY—NEW CHALLENGE AND OPPORTUNITIES

(Remarks by Edward L. Wilson, managing director, Mobile Homes Manufacturing Association, Chicago, Ill.)

In reviewing the great need for low-cost housing for low income families, we must necessarily take a long and serious look at the mobile home industry. Following World War Two, this industry moved beyond the so-called trailer field. It developed into a relocatable housing unit which has now virtually taken over the low-cost housing field. Today the industry is providing 75% of all housing under $12,000. These units are fully furnished, not empty buildings. Last year one out of every 5 single family non-farm dwellings was a mobile home.

Mobile homes, as they are currently produced for the market, average from $3,000 to $12,000. The current average retail price is about $5,700 for a completely furnished 12′ by 60′ unit. These homes, however, are adaptable and the industry is increasingly entering the field of sectionalized houses. In other words, the unit may be 12′ by 60′, or two-10 foot wide units locked together forming a house 20 by 60′, or two-12 foot units forming a house 24 by 60′.

They can be stacked as high as three units to form u-shaped components. The mobile home today is not the trailer of years past. In many areas it is a status symbol. It is of modern design, technical construction built to specific standards on a production line. There is a national code for plumbing, heating and electrical equipment and installations. By next January a national code covering performance standards will go into operation, which will be more than many of the nation's building codes.

The advantage of the mobile home type of construction lies in the fact that it can be varied in design, and thus can be very pleasing to the eye. It can move into an urban or rural area and create a social pattern that is superior to many of the low-cost housing patterns which have been designed today. The park concept that has been developed by the mobile home industry lets people live in pleasant park surrounding. This park surrounding might be slightly higher in density than some of the privately owned parks, but a man can still own his own home in a grassy or wooded area or in a townhouse. He can have recreational areas and all at the lowest possible cost. Such a development can greatly benefit the community and more important, it can be most beneficial to the mental attitude of the individual home owner.

The industry currently is experimenting in many new so-called housing systems. For instance, it is very easy to take two 12-foot wide or 10-foot wide by 60′ mobile homes and so construct their walls and roofs that one is placed upon a footing and the second is placed on top of the first. This could be one leg of the u-shaped townhouse. The rear side of the structure could have four such units. These units could be furnished or unfurnished as the buyers might desire.

The industry presently has 40,000 to 50,000 direct employees in mobile home plants in virtually every state of the Union excluding Alaska and Hawaii. There are also hundreds of thousands of employees in the plants supplying component parts to the ultimate assembly plants.

How long will a mobile home last? The industry gives the answer that the mobile home will last just as long as aluminum and steel. The average mobile home has more steel beams in its construction than the average thirty to forty thousand dollar residence. It is usually sheathed in aluminum, although it might be sheathed in some other metal or processed wood. It has been customary to line the walls with plywood, and the mobile home owner seems to desire this.

One of the great advantages the mobile home industry offers in the field of low-cost housing, is not only the price, but the delivery. Today a housewife may wait weeks or months for delivery on a piece of furniture. One can go out and buy a completely decorator designed, furnished mobile home and move in tomorrow if he so wishes. This same well-developed home building technology can be applied in a larger scope to meet many of the Nation's low-cost housing needs.

CIVILIAN EMPLOYMENT IN THE ARMED FORCES

Mrs. SMITH. Mr. President, the editor of the Journal of the Armed Forces has made a very revealing analysis of how the Secretary of Defense has failed to produce resultant economies in civilian employment within the armed services but instead during his tenure has added more than 200,000 civilians to the payroll and has almost tripled the number of "supergrade" positions in the Defense Establishment.

The Defense Department commented on his first article on this subject when it stated to the House Armed Services Committee:

> Rather than increasing the size of the Defense establishment we have already achieved overall manpower savings within the appropriations category, "Operation and Maintenance, Defense Agencies" . . . we have saved several thousand spaces through consolidations as a result of the establishment of Defense Agencies.

The journal editor, Louis R. Stockstill, points out in his second article that even though the Secretary of Defense has shifted about 73,000 civilians from the services to the Defense agencies and related Department of Defense activities, he has produced no resultant economies in civilian employment within the services. Today, all four services have more civilians than they had before the Secretary of Defense initiated the shifts.

We need more journalism like this. It took a little of digging into many, many budget accounts on a body-by-body basis to get at the true and significant facts in this matter.

Because of the great importance of this matter, I invite the attention, study, and consideration by all Members of this body to "The Big DOD Buildup—Part II," written by Louis R. Stockstill, and published in the August 5, 1967, issue of the Journal of the Armed Forces. I ask unanimous consent that it be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

THE BIG DOD BUILDUP—PART II

(By Louis Stockstill)

Top brass civilians within the Defense Department have mushroomed like an atomic cloud during the tenure of Secretary Robert S. McNamara.

In the six and one-half years he has been in office, the powerful Defense chief has added more than 200,000 civilians to the payroll and has almost tripled the number of "super grade"—GS–16, –17 and –18—positions in the defense establishment.

Civilian payroll costs within the Department currently are projected to be about $2.3-billion higher in fiscal '68 than they were in the final Eisenhower budget submitted to Congress when Secretary McNamara took office.

Salaries for the "super grades"—an elite force which has zoomed from 359 in fiscal '62 to 931 in fiscal '68—also have risen sharply. In pay grade GS–18, alone, the increase amounts to as much as $7,400 per year.

In addition to the three "super grades," the Defense Department, like other Government agencies, also has two other categories of top-paying jobs—"executive level" posts and "special positions" created by the Secretary.

Today, in the three categories, the Defense Department has one top-salaried position for each 800 permanent civilian employees.

By contrast, the military forces have approximately 2,600 uniformed personnel for each flag or general officer.

An earlier Journal survey (6 May) spotlighted the growth in the number of civilians who come under the "direct control" of Secretary McNamara. The article pointed out that when the Secretary first entered the Pentagon, he had about 1500 civilian employees in his own office and in DoD activities he controlled (apart from the individual Services), and that he has since expanded this number into a work force of 67,000. In addition, funds to pay some 7,000 other civilians are included in the FY '68 budget for DoD.

These 74,000 civilian employees (chart, page 9) include only those in the "DoD" portion of the budget. Civilian employees in the Army, Navy, Air Force and Marine Corps are budgeted separately.

Data on each group—DoD, Army, Navy, Air Force and Marine Corps—is not collected under these five headings, however, but is spread out in each category over a number of activities.

For example, the Navy civilian personnel budget figures (chart, page 3) are strung across 13 separate budget accounts. Those for DoD are covered in six accounts.

To provide a simplified picture of the civilian payroll throughout the Defense establishment. The Journal has collated the data as it applies to each of the Services and to DoD, proper. No such simplified presentation of the statistics is available to the House and Senate appropriation subcommittees which must approve or disapprove funds requested for the civilian payroll. These funds, for FY '68, add up to more than $8 billion, and cover 1.2 million permanent civilian employees as well as enormous numbers of temporary and part-time workers and foreign nationals employed overseas.

For "overtime and holiday" pay, alone, DoD has budgeted $318 million for its civilian work force in the current fiscal year. The biggest portion of these funds ($165 million) will go to Navy workers. Army employees will get about $96 million of the overtime and holiday pay; $44 million is budgeted for the Air Force; $9.6 million will go to DoD employees and $3.2 million to employees of the Marine Corps.

In the overall Defense Department budget as it applies it civilian "personnel compensation," there are two main categories. One covers employees assigned to "military" activities; the other covers a much smaller number of employees who are assigned to "civil" activities such as administration of the Ryukyus, Panama Canal Zone activities, the Army Civil Engineer program, etc.

The detailed analysis given here is concerned solely with permanent civilian employees assigned to "military" programs in the FY '68 budget. All comparisons of fiscal 1968 data with earlier data are limited to the "civilian personnel compensation—military" budget accounts.

Employees who work in the immediate office of the Secretary of Defense, or in the offices of his Deputy, or the Assistant Secretaries of Defense, the JCS, the Defense Agencies, Defense RDT&E, etc—all of whom are budgeted within the Defense Department, proper—are pulled together in this analysis and in the accompanying charts under the broad category of "DoD civilians."

Similarly, employees in the various Army activities are lumped under the single heading of "Army employees." The same applies to Navy employees, Air Force employees and Marine Corps employees.

Where "Defense-wide" employees are mentioned, all five groupings are covered: DoD, Army, Navy, AF and Marines.

This distinction is essential inasmuch as a high-ranking Defense Department official who was questioned on Capitol Hill about the earlier Journal article on "The Big DoD Build-Up" denied that the report was accurate. He said OSD does not have 67,000 civilian workers. He was correct only in the sense that he confined his disclaimer to OSD. However, OSD is merely the hub of the much larger DoD civilian payroll, which is separate and distinct from the payrolls of the Army, Navy, Air Force and Marine Corps. The Journal article was addressed to "DoD," not just "OSD."

Not only does Secretary McNamara personally control the 67,000 employees who fall within the DoD offices and the Defense Agencies, but as this article already has noted, he controls an additional 7,000 civilian workers in the DoD research program and other DoD budget accounts.

Although vast numbers of the employees assigned to the DoD Agencies originally were transferred to DoD from the Services, overall civilian employment throughout the Defense establishment has been expanded rather than diminished.

When Secretary McNamara took office, he inherited from the Eisenhower Administration a total civilian work force of about 1,008,000 people—Defense-wide. Of these, only 327 were "super grade" employees. Another 359 fell into the "executive level" or "special position" groups at the top of the pay scale.

DEFENSE DEPARTMENT CIVILIAN PAYROLL,[1] FISCAL YEAR 1968

	Total, civilian compensation	Number of permanent civilian positions	Increase in personnel since 1966
Department of Defense	$600,000,000	74,145	5,249
Army	2,900,000,000	429,289	59,071
Navy	2,300,000,000	386,689	49,601
Air Force	2,200,000,000	324,592	23,230
Marine Corps	113,000,000	21,654	3,899
Total	8,100,000,000	1,236,369	141,050

[1] Does not include "civil" activities such as maintenance of cemeteries, administration of the Ryukyus, Panama Canal Zone activities, Army Civil Engineers, Soldier's Home, or wildlife conservation, which account for an additional 50,000 employees earning $382,000,000.

However, DoD employees constituted only a small fragment of the 1,008,000 total. They added up to 1492, plus 95 in the Advance Research Projects Agency and about 200 assigned to the military assistance program. At the time, DoD "super grade" employees numbered 105, plus 9 in ARPA. The other top-level DoD jobs numbered 52, plus 13 in ARPA.

Today, Defense-wide, the civilian work force totals more than 1,200,000, including 931 "super grade" employees and 612 other top-paying positions.

Of this number, 74,000 are assigned to DoD, including 294 in the supergrades and 113 in other executive-level or special-positions.

The figures disclose that DoD today has almost as many super-grade employees as existed Defense-wide when Secretary McNamara took office, and that the total number of civilian employees under his immediate control has mounted astronomically.

In clustering larger and larger numbers of civilians under his own control, Secretary McNamara has, at the same time, added heavier layers of civilian employees in each of the Services. Consolidation of former Service functions into "Defense Agency" functions did not result in reduced forces for the Services. In fact, the Armed Forces ended up with more civilians than they had to start with and with an overall total which is higher than the Defense-wide total on 1962.

Today, the Army, Navy, Air Force and Marine Corps have 1,162,224 permanent civilian employees. In 1962 they had 1,013,680. Numerically, the biggest increase has occurred in the Army; proportionately, the Marines have experienced the largest growth.

In round figures, in 1962, the Army had 353,000 civilians, the Navy 338,000, the Air Force 306,000 and the Marines 16,000. Today, the army total is 429,000, the Navy 386,000, the Air Force 324,000 and the Marines 21,000.

In the super-grades in 1962, the four Services had 215 employees. Today, the number of employees in grades GS-16, -17, -18 adds up to 637 (chart, page 32). In pay grades GS-16, alone, the Navy today has more employees than the number in all super-grades in all four Services six and one-half years ago.

The numbers are even more significant in light of two additional factors: (1) Pay for the super-grades today ranges—in round figures—from a low of $20,000 to a high of $26,000, and (2) the number of employees in the top grade—GS-18—has been almost doubled. Pay for a GS-18 in 1962 was $18,500 and the four Services had only 13 civilians in this grade at the time. Today, the Air Force has 9, the Navy 7 and the Army 6.

Growth in the GS-16 rating has been most marked, however. In 1962, the four Services employed only 150 civilians in this grade. Today, they have 548 GS-16 employees—or almost four times as many. The present pay range for this group is $20,075 to $25,435.

The big build-up of civilian employees within DoD and the Services is paralleled by publication of heftier and heftier Pentagon telephone directories. The earlier JOURNAL article pointed out that the DoD yellow-page section of the directory (which lists mostly executive employees) covered three and one-half pages when Secretary McNamara took office, but had grown to 10½ pages with issuance of the "Spring 1967" telephone book.

The Directory is still growing. The new, "Summer 1967" issue is now off the press and the number of DoD yellow pages has again been expanded—by about 70 listings. Similarly, the total size of the "yellow" section (including all DoD and Service listings) increased from 124 pages in the "spring" 1967 issue to 158 pages in the "summer" 1967 issue.

In the six and one-half years he has been in office, Secretary McNamara has added 200,000 permanent civilian employees to the Defense-wide organization and has brought 74,000 of these employees under his direct control.

He has increased the number of DoD supergrade and executive positions from 179 to 407, and has similarly boosted the number of top-pay civilian posts in the four Services from 529 to more than 1,136.

Payroll costs for the overall civilian work force have mounted by about $2.3-billion.

AT THE TOP OF THE HEAP

More than 1500 employees are assigned to top civilian jobs within the Defense Department and the Departments of the Army, Navy and Air Force in the fiscal '68 budget.

Those occupying the senior civilian positions are employees in the so called "super grades" (GS–16, GS–17 and GS–18); those in Executive Levels I through V; and those in "special" positions created under Public Law 313.

The biggest group of top-salaried civilians is employed by the Navy (See page 8.) Second place goes to civilian employees who are under the "direct control" of the Secretary of Defense.

Among the four Services, the Navy also is well out in front in all but one category of civilian employment, and is far ahead in the number of employees with GS–16 ratings. In the GS–16 group (top salary, $25,435), the Navy has more employees than the Army and Air Force, combined.

The Air Force holds a slight service-lead in the GS–18 category, and outdistances the Army in all but the lowest of the high-paid groups.

The combined total of top civilian positions in DoD and the four Services add up to 1,542 super- and super-super-grade jobs within an overall civilian work force of about 1,200,000. The statistics do not include civilians employed in "civil" DoD functions—such as the administration of the Ryukyus—or the super-grade jobs held by such employees. The latter group are carried in separate accounts in the budget documents from civilian employees charged to the "military" programs of the Defense Department. If included in the overall total, the "civil" function civilians would boost the total DoD employment and the total number of super-grade jobs.

Here is a complete picture of the top-paying civilian jobs budgeted for each of the Services in fiscal '68 (under "personnel compensation—military"), together with those under the "direct control" of Secretary of Defense McNamara:

	GS–16	GS–17	GS–18	Others[1]	Total
Department of Defense	179	78	37	113	407
Army	142	17	6	140	305
Navy	276	25	7	214	522
Air Force	130	23	9	144	306
Marine Corps	0	2	0	1	3
Total	727	145	59	612	1,543

[1] Includes Secretaries, Deputy and Under Secretaries, Assistant Secretaries, all executive level I through V employees and "special" positions created by Public Law 313.

NECESSITY FOR AMERICAN AID TO FOREIGN AGRICULTURE

Mr. LONG of Missouri. Mr. President, to meet the world food crisis there can be no question that immediate and full action is necessary. I am convinced that the key point around which our agricultural aid must be built is a sound and effective technical assistance program. To achieve this goal I believe there must be a step-up in the number of U.S. farm experts sent to help combat starvation in less developed countries.

The recently issued report by the President's Science Advisory Committee on the world food problem points out that between 1965 and 1985 the food needs of the world will increase by 52 percent. The real problem in this steep increase becomes clear when it is seen that the food needs of India, Pakistan, and Brazil will increase by 108 percent, 146 percent, and 104 percent respectively. These are examples of nations where food is already lacking.

With the added burden of the next 20 years the situations in these underdeveloped nations will be highly critical unless some great advance is made in the world food supply. The only way this increase can come about is through the use of expert knowledge.

The United States is today the world's leading agricultural nation primarily because of its great technical and inventive abilities. To be sure, our Nation has been blessed with bounteous resources and a climate suitable for the growing of many different crops. Through the use of research and technology we have been able to improve the agricultural output from these resources by amazing amounts.

Because of our knowledge and capabilities, it is time that the United States took a firm and effective lead in the assault on the world food problem. We must continue to give aid in the form of food when needed. But we must also use the same technological training which was so successful in the United States and apply it to the underdeveloped nations. By this I do not mean that we must supply these nations only with the results of our technical know-how, with such things as modern farm implements, machines, and fertilizers. We must also send experts in great numbers who can apply and adapt our knowledge to the situations in each country. Our experts must go to the countries, study the problems of each, and devise solutions which can cure local food problems. Of course all this will take time. This is the reason a good technical aid program must be instituted now.

A look at the land supplies of underdeveloped nations shows just how critical it is that U.S. technology be applied now. In Asia for example, there is for all intents and purposes no surplus arable land at this time. This means that it is literally impossible to increase Asian food production by means other than that through technology. The only way in which production can be increased is through the development of methods of farming which would increase the yield per acre and alsc would permit an increase in the number of plantings per year.

In other underdeveloped areas, while there often is land available for an expansion of farming acreage, the climates are almost invariably greatly different from that in the United States. Again it is the need for our knowledge as specifically applied to each situation which is required and not just the sending of our products and American methods. Our farm experts have proved they can grapple with the kinds of problems facing less developed countries. Let us set up a program where these experts can do their work best.

The idea of using experts abroad certainly is not new. We now have as part of our food program a plan for sending experts abroad. I am proud to report that in my own State the University of Missouri has long been actively involved in programs of agricultural assistance to India. Since 1957 the university has worked wtih agricultural colleges in northeast India. There are now eight Missouri experts in India as well as 17 Indians presently being trained at the University's College of Agriculture in Columbia.

Under a new program the University of Missouri has placed a five-man team in Orissa. They are beginning a 2-year effort which will strengthen the link between state research facilities and the Orissa Department of Agriculture.

The results of these programs have been dramatic. The programs have been very popular with the Indian people. These projects prove how effective agricultural assistance can be. My desire is to have a great many more experts sent and also to have the entire program of sending experts reviewed and improved.

At this time I have doubts that the United States is able to send a sufficient number of these trained personnel to meet the needs of increased food production. The President's Science Advisory Committee stated that the Agency for International Development has not been able to provide for the current need for experts.

The opinion of the committee was that such departments as Agriculture and Health, Education, and Welfare have been more successful in acquiring experts for the needs of these departments. These departments are involved in our foreign aid programs. Their methods and know-how should be applied to help secure experts.

I regret to report that today France has more experts than the United States serving in developing nations. In 1965 France had 44,529 experts compared to 21,153 for the United States. Of course France is to be commended for doing this work so successfully. However, there is no reason why the United States is not supplying many more experts than we are now sending. The United States is spending more on its food program than is France. The supplying and supporting of experts takes really only a small part of our food program costs. Also the work by U.S. experts is much more consistent and continuous than that of France since our experts work within a total planned program whereas many French experts are really on their own almost as volunteers, thus causing a lack of a totally integrated program such as we have.

It seems quite clear our experts are generally better trained than the French. But still the fact remains that there are many more French people out doing something very constructive toward solving the world food problem than there are Americans.

This is even more significant when viewed against the policies of France and the United States toward the food problem. France's view is fatalistic. France feels that in the long run there just will not be enough food, but that in the meantime France will do what she can to delay this fatal day.

Here in the United States we know that we can conquer the food shortage problem and we are totally committed to doing just that. Still, we are not the leading nation in terms of experts on the scene.

If the United States is to take the lead in helping to solve world food problems we must insure that our experts are effectively sent to the underdeveloped nations of the world. The departments of government which are involved in this problem should work together in gathering experts and in formulating policies.

With the great and rapid increase in food needs predicted for the next two decades, our program of technical assistance must be improved now.

I was pleased to see that the just released report of the National Advisory Commission of Food and Fiber, of which Mr. Fred V. Heinkel, of Columbia, Mo., was a member, supports my position on this food issue.

Mr. President, the statement by the Commission is as follows:

> The main weapon in the war on hunger, then, must be technical and research assistance in agricultural development and population control. The seriousness of the problem has convinced the Commission that the U.S. technical assistance effort must be much larger than it has been in the past.
>
> Direct food aid from the United States and other developed countries has played an important role in alleviating hunger during times of food shortage. Food aid will undoubtedly continue to be necessary and important to assist developing countries with their critical problems of hunger and in situations when food is an indispensable tool in short-range development. However, it should be fully coordinated with long-run technical assistance programs, and administered with a hardheaded insistence on maximum self-help.

I am today asking the Administrator of the Agency for International Development for a full report on how we can improve our program of sending agricultural experts abroad. I am also requesting from the Administrator and the Secretary of Agriculture any suggestions they may have for legislation, if any, which would be necessary for an expanded farm expert program.

I would far rather send American farm experts to less developed countries today than wait until millions starve to death. We have learned through our tremendous extension system that proper conservation and crop programs can greatly increase farm production.

We have also learned that by attacking starvation today, we can stop the conditions in which communism breeds. I would far rather send American farm experts today than American soldiers tomorrow.

TENNESSEE MUNICIPAL LEAGUE PRAISED FOR ENDORSEMENT OF REVENUE SHARING

Mr. BAKER. Mr. President, delegates to the annual conference of the Tennessee Municipal League, convened in Memphis June 11 through 13, endorsed a perceptive policy statement and a series of specific recommendations concerning the relationship between the National Government and the cities.

Because its membership is drawn from the leaders of virtually all the municipalities in Tennessee, the league is one of the most influential organizations in our State. It is especially important that the Senate be aware of the league at a time when several of our Nation's cities have experienced grave internal disorders and when Congress is searching for more imaginative and effective methods of aid for both our large metropolitan areas and smaller cities.

I am especially pleased that the league's first specific recommendation is that Congress enact a plan for sharing Federal revenues with local governments. I have long advocated a system of revenue sharing as the cornerstone of the efforts our Nation must initiate to revitalize our financially pressed State and local governments. Those of us in Congress who are working hard to secure the enactment of such legislation are tremendously encouraged by this new show of support.

I was privileged to be invited to address the league's conference. Unfortunately, I could not attend because the Senate was considering the resolution relative to the censure of Senator DODD. The leadership had instructed us, and I thoroughly agreed, that our first duty during that period was to remain on the Senate floor for all of the debate.

Nevertheless, because of the importance of the league's meeting, I sent my legislative assistant, Lamar Alexander, to represent me personally at the conference and to read the address which I had prepared for delivery.

I ask unanimous consent that the league's general policy statement, its specific recommendation concerning revenue sharing and my address to the league on the subject of revenue sharing be included in the RECORD.

There being no objection, the statement and address was ordered to be printed in the RECORD, as follows:

TENNESSEE MUNICIPAL POLICY—PART I: FEDERAL PROGRAM, 1967

The Tennessee Municipal League, meeting in annual conference in Memphis June 11–13, 1967, expresses its grave concern over the apparent slackening of the federal government commitment to the urgent public service needs of urban communities of all sizes.

This is a particularly disquieting trend in a nation confronted with the task of rebuilding, in effect, all of urban America in the remainder of this century due to population growth and accelerating urbanization.

We reaffirm our support of federal-city partnership programs which meet public needs that are more than local in scope and which are operated with a maximum degree of local self-determination.

A proper division of tax and revenue sources among levels of government is essential to a balanced program of public services.

The federal and state governments, with their superior taxing powers and authority over local governments, must not neglect their obligation to strengthen local financial capabilities through grants-in-aid and shared taxes.

We call for elimination of unnecessary bureaucratic conflicts involving programs affecting municipal government. A strong effort should be made to simplify or consolidate the more than 140 different grant programs affecting municipal governments. We urgently recommend that the federal grant and loan programs affecting urban development be channelled through the local general governments which are directly responsible and accountable to their citizens—regardless of whether this development occurs inside or outside municipal boundaries.

We endorse the National Municipal Policy adopted by the 1966 Congress of Cities, at which our League was represented on all policy-forming Committees.

We make the following specific recommendations on urban legislation now before the Congress of critical importance to Tennessee municipalities:

1. Federal revenue sharing with cities. Congress should enact a plan for sharing directly with municipalities in Tennessee and across the nation at least 40 per cent of the increase in federal revenues at present tax rates. Such federal revenues should be divided among municipalities on a straight per capita formula, using reasonably current population data, while continuing and increasing federal grants-in-aid to support service programs in areas of critical need.

Similar federal tax sharing should be developed for state, county, and other general government units.

The National League of Cities, the National Association of Counties, the U.S. Governors Conference, and other organizations of state and local officials should develop a comprehensive plan and a coordinated effort in order that commitments for such a program can be considered in the Presidential and Congressional elections of 1968.

Tennessee municipalities share fully in the staggering $262 billion gap in municipal income over the next 10 years reported in a study conducted for the National League of Cities. This report finds that such a 40 per cent municipal share of federal revenue *increases* from *present tax rates* would rise from $1 billion the first year to $26 billion in the tenth year, for a 10-year total of $125 billion.

The principal method by which the inescapably limited tax resources of local governments have been reinforced with state funds in Tennessee and other states has been the earmarking and sharing with local governments of a portion of state tax sources. Tennessee municipalities receive shares of the state sales, gasoline, beer, and all income taxes.

A share of federal tax revenues, as well as state, can be safely entrusted to democratically-organized municipal governments without undue bureaucratic controls. The continuance of categorical grant-in-aid programs and the expansion of the concept of the "workable program for community improvement," initiated by the Federal Housing Act of 1954, will insure adequate standards of performance.

Present federal funds for urban needs are pitifully inadequate and suffer from the uncertainties of funding by numerous Congressional Committees with jurisdiction over authorizations and appropriations for more than 140 existing grant-in-aid programs for urban areas. Only a substantial and dependable commitment of federal tax dollars will alleviate the conditions of urban social and physical blight and rapid population expansion and physical growth.

ADDRESS OF SENATOR HOWARD H. BAKER, JR., PREPARED FOR DELIVERY AT THE ANNUAL CONFERENCE OF THE TENNESSEE MUNICIPAL LEAGUE IN MEMPHIS, TENN., JUNE 13, 1967

Perhaps the most rewarding aspect of my two ten-month campaigns for the United States Senate was the opportunity to come to know in a first-hand way so many of the men and the women who wrestle daily with the burgeoning responsibilities of local government. I am therefore particularly delighted today to discuss with the Tennessee Municipal League what I believe is the most urgent domestic problem confronting our republic today. My concern is the growing threat to our traditional system of federalism which has produced the maximum good for the maximum number with maximum responsiveness in government over the entire history of this Nation. The federal system as we know it consists of an effective partnership of governing authority between the central Government on the one hand and the State and local units on the other. The net effect has been a unique recognition and implementation of the problem solving tools and techniques required by the many diverse areas, groups, and interests within our population. I believe that the future welfare of this country to a high degree interrelates with our ability to preserve in its most effective form this system of partnership government.

In the course of the last several years, we have witnessed the increased concentration of effective governing authority in the central Government and a decreasing ability of the States, the counties and the city governments throughout the Nation to cope successfully with the seemingly limitless problems which confront them. The shape and dimensions of this dilemma are not outlined by some vague, sinister plot to destroy the partnership of governing authority, in my judgment. Rather the dilemma has resulted in response to the time-honored axiom that the taxing power is the governing power, and the central Government, since the advent of the graduated Federal income tax, has had most of the taxing power. An increasingly mobile population, a complex economy, and an informed and sensitive public have combined to create demands on government at every level that are manifold and compelling. As the matrix of local governmental units are unable to fulfill the legitimate demands and aspirations of their constituencies because of an inadequate tax base and ineffective fiscal tools, vacuums of service and responsibility are filled by the central Government. This has been the direction of the movement of responsibility in the Federal partnership over the past four decades.

The burden of these remarks is not an appeal to some academic concept or states rights, sovereignty, or independence, nor calculated to be in derogation of the absolute requirement for a vital strong, effective, and imaginative central government, but rather is a plea for the reinvigoration and revitalization of the authority of the state and local governments so that they may undertake and discharge their governing responsibilities at the same time.

There is no easy answer to this problem. In my view there is no single device which will reverse the trend toward absolute concentration of governmental authority in Washington. But there is a concomitant requirement that we make the effort to shift the direction, and at least begin the return to partnership stability.

I believe that the single best device for beginning this new direction in federalism is enactment of legislation by the Congress that would provide for the sharing with State and local governments of a portion of the tax revenues received by the United States. Because of this conviction, I chose Federal revenue sharing as the topic of my maiden address to the United States Senate, and, on that occasion, March 9, 1967, introduced with the co-sponsorship of fifteen of my Republican colleagues, a measure designed to permit an immediate beginning of sharing Federal revenues with the States on a no-strings-attached basis.

Since that time I have continued to use every available forum to encourage acceptance of revenue-sharing, and my political party has taken the initiative in urging its early adoption. Yet I do not, and I think the Republican Party should not, claim credit or partisan advantage for this exciting new approach to more effective and more responsive government. Walter Heller, the chairman of President Kennedy's council of economic advisers, began to popularize the concept in the early 1960's. And if we really want to trace the idea back to its roots, we must credit a famous Tennessee Democrat with initiating the first revenue sharing proposal. The national administration of President Andrew Jackson distributed to each State a share of the Federal budget surplus in excess of five million dollars, with each State's share being based upon its representation in Congress.

Today the concept of revenue sharing is being literally overwhelmed with new support. The National Governors Conference and the National Chamber of Commerce have endorsed the idea. Public opinion polls show that 70 percent of the American people favor it. This public sentiment has been reflected in this session of Congress where more than 80 different revenue-sharing proposals have been introduced from both sides of the aisle. And in our own State of Tennessee, the Hawkins County quarterly court, the Knoxville city council, and the joint caucus of the Republican State legislators, among others, have endorsed our particular proposal.

I am sorry to report that despite such wide bipartisan support from all levels of government and the private sector, the national administration stands as a deliberate and effective roadblock to any consideration of this idea in this session of Congress.

But I do not think that the public will tolerate such negativism for long. And I, for one, intend to continue encouraging the bringing of pressure upon this administration so that we can at least get serious consideration of revenue-sharing.

Despite the fact that there are more than 80 revenue-sharing proposals, I have found that there is virtually no disagreement among the authors about objectives, and very little disagreement about particulars. Therefore, I think it may be useful to briefly outline the major components of my proposal in order to give you a more specific understanding of what Federal revenue-sharing entails.

First, there is the question of how the revenue-sharing program will be financed. My bill provides initially for return of one per cent of the net federal revenues, after first deducting the cost of national debt service and national defense. This formula would have made about $500 million available for distribution in fiscal 1966.

Not only will tax-sharing funds be generated annually by the percentum formula just described, but Congress may also in its discretion make additional appropriations to the fund from time to time. I recognize that no rigid mathematical formula for state and local participation in federal revenue collections can truly reflect the financial needs and be consistent with fiscal policies of every given moment in the continuing process of government.

Secondly, the bill provides for a three-part formula to determine each state's share of available monies from the trust fund. The three elements are: first, population—to express an approximation of the theoretical total need of a given state: second, the average per capita income; a factor which expresses the need of poorer states for a larger ratable share of the funds; and third, the initiative of the state expressed in terms of a ratio of the per capita taxing effort of a given state in relation to the average taxing effort of all other states, to prevent a state from asserting less than its best effort to provide revenues for its own requirements. This would avoid the possibility that the states and cities would in fact become chattel wards of the central government. The net result of the application of this three-part formula to available revenues would provide some premium to the states having greater fiscal need and some slight premium to those states exercising their best efforts to provide for their own requirements. Correspondingly, the formula penalizes those states which do not make conscientious efforts to generate their own tax revenues.

Third, the bill provides for a council on tax sharing to be composed of five governors, two mayors and five representatives of the public at large, who will be charged with the administration of the program. Although the council on tax sharing is charged with the implementation of the provisions of this act, it is without authority to interfere, direct, coerce, or otherwise modify the rights of the States to apply their own best judgments to the solving of their own special problems. The cost of administering the program is virtually nil and the return of Federal revenues will be almost 100 percent.

I recognize and commend the proposition that Federal revenue sharing is a bold new direction in the total governmental concept of this republic. But I feel the urgency of the threat requires the substantial nature of the proposal. Nevertheless, tax sharing does not imply the emasculation of efficient national authority and the destruction of independent national effort. It does not imply the abolition of the existing concepts of the various Federal grant-in-aid and matching fund and other type Federal programs, but rather is calculated to supply a new and different tool to meet the exigencies of the present moment and the challenges of the future. Increasingly, in the years to come, the effect of Federal revenue sharing and the attendant revitalization of local governmental effort will relieve the demands on the national treasury for domestic and administrative intervention. At the same time there will always continue to be matters of national importance which require the direct action and coordination of the central Government to carry out these national purposes. Hence, I view tax sharing as simply another part of the total governing process, working in tandem and in parallel with existing governmental concepts together to produce more economical, more responsive, and more effective government.

SENATOR PERCY ADDRESSES LIEUTENANT GOVERNORS

Mr. BAKER. Mr. President, the junior Senator from Illinois [Mr. PERCY] recently made an impressive contribution to the debate about how our Nation's federal system of government should be structured to meet most effectively the challenges of the 1960's and 1970's.

In an address to the National Conference of Lieutenant Governors in San Francisco on July 15, Senator PERCY eloquently argued for the need for innovative approaches in federalism that will strengthen our State and local governments.

He pointed out that the President's announced aim of quadrupling Federal aid to States and cities—without altering our present maze of strictly defined and strictly regulated grants-in-aid—could "signal the end of our system of Federal, State, and local government as our founders envisioned it, and as we know it."

I am especially pleased that the Senator, who is a cosponsor of Federal revenue-sharing legislation which I introduced in the Senate on March 9, suggests revenue sharing as an important method of revitalizing State and local governments.

Last week I attended hearings on revenue sharing conducted by the Fiscal Policy Subcommittee of the Joint Economic Committee, of which Senator PERCY is a member.

I was impressed by the testimony of Joseph Pechman, director of economic studies at the Brookings Institution, who summed up his support of revenue sharing in this way:

> Revenue sharing expresses the traditional faith most of us have in pluralism and decentralization, diversity, innovation and experimentation. For those who lack that faith—for died-in-the-wool Hamiltonians and those who want the States to wither away—there can be little attraction in revenue-sharing or other instruments relying heavily on State-local discretion and decision.

The debate between the centralists and the federalists is rapidly becoming our society's basic domestic controversy. For the federalism debate is not about what to do, or whether to do it, but rather how to do it most effectively. I believe that the burgeoning social problems of this new generation require a governing partnership that includes State and local governments as vital and healthy partners with a strong national government.

Senator PERCY, I think, is also a firm supporter of this belief, and I ask unanimous consent that his excellent remarks elaborating these ideas be printed in the RECORD.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

ADDRESS BY SENATOR CHARLES H. PERCY TO THE NATIONAL CONFERENCE OF LIEUTENANT GOVERNORS, JULY 15, 1967, SAN FRANCISCO, CALIF.

In recent years, many thoughtful Americans have recognized a change in the flow of power and responsibility in this country. Although our Constitution was carefully drafted to prevent a concentration of power in the national government, that is precisely where most of the power lies today. The tide has been running out on state, local and individual involvement in the decision-making process. This is a regrettable trend, but I think it is also understandable.

For industrialization and the exploding urban population have placed enormous pressures on state and local government. In many instances, states have been unwilling to fulfill their responsibilities, and their citizens have had nowhere to turn but to Washington. But more typically, the financial resources of the states have simply not been adequate to meet all the growing needs of the people.

Certainly you have tried to pay your own way. States and localities have increased their budgets to twice the level of federal domestic expenditures, and still it is not enough. State employees have doubled over the past 13 years so that now they number three times the federal government's civilian employees. And yet the states and the cities continue to face a crisis. Despite property taxes, sales taxes, income taxes, the sad fact is that state and local debts stand at well over $90 billion today.

Increasingly, the states—and more recently, the cities—have looked to the federal government for a way out of this financial quagmire. The federal response has often been dramatic; in fact, it sometimes seems to have overwhelmed state government.

In 1920, the federal grant-in-aid program was only $30 million. In the fiscal year just ended, it climbed to $15 *billion*. And the President now forecasts that in five years it will go to $60 billion.

He has said:

"What we are living through together are the birth pangs of a fundamentally new process in American government—a new kind of a Federalism—Federal-State interaction never contemplated by the Founding Fathers."

What we have to ask ourselves is whether a new federalism is really desirable. To me, "federal-state interaction" sounds like a sugar-coated way of acknowledging that state government will increasingly find itself at the mercy of the federal establishment. If escalating grants-in-aid mean a still greater accumulation of authority in the national bureaucracy, if it means priorities are set through national not local criteria, then I think we should take a long, hard look before abandoning the federalism of our forefathers.

For indeed the President's plan to quadruple the grants-in-aid program *could* signal the end of our system of federal, state and local government as our founders envisioned it and as we know it. The plan would all but establish a governmental monopoly in Washington. State and local governments could be reduced to stepping to the tunes played by federal administrators who dole out the money.

It is not so much that massive federal funds are flowing to state and local governments. It is that those funds are always conditioned upon compliance with federal dictates on what is to be done, and how it is to be done. This categorical federal aid encourages a degree of federal administrative control which I find disturbing, dangerous, and degrading.

I do not suggest that less should be spent on public services. The question is who should make the decisions: government closest to the people or a faceless federal bureaucracy in Washington?

While the flow of federal funds to local governments must be maintained, I believe we should wean ourselves away from the categorical federal grant programs rather than becoming increasingly dependent upon them. Federal funds should be more broadly allocated with the decision as to exact expenditures left to the recipient governments. This of course would impose upon state government still greater responsibility to be both sensitive and sensible in confronting problems of their people. The states cannot afford to lag in such areas as civil rights and poverty.

Another means of reinvigorating state and local government lies in a program of federal revenue sharing.

I see no reason why we shouldn't try to have both the efficiencies of centralized taxation *and* the advantages of decentralized expenditures. Several of us have cosponsored tax-sharing legislation in the present session of Congress, and I hope each of you will urge your Congressional delegations to support this type of legislation this year. This should not be a partisan matter. It deserves the support of everyone interested in progressive and innovative government on the state and local level.

I believe the most progressive thing government can do today is to act as a catalyst on the private sector. An alliance for progress here at home between the public and private sectors could revolutionize problem-solving in this country.

For just as I believe that state government can do many things better than federal government, so I believe the private sector can do many things better than the public sector. I am convinced that there exists in America a pool of talent waiting to be tapped. The superb response of young America to the Peace Corps is merely an indication of what our citizens can do and want to do when given guidance and incentive. The entire private sector of our society is ready and willing to tackle problems that sometimes confound those of us in government, but government must show the way.

It must instruct and it must encourage with tangible incentives. It must emphasize support rather than control. If it will do these things, the private sector in many instances will do the job with less money and more effectively. Our national policy must be reoriented to generate the maximum involvement of the private sector.

Let me give you two specific examples of how I believe the private sector can succeed where government has wholly or partially failed.

Substandard housing is a font from which springs many of our most serious national concerns, including disease and crime. It is in the enlightened self-interest of all Americans to eliminate this shameful condition wherever it exists in this, the world's most affluent nation.

But in recent years housing has not been a sufficiently high priority item on the agenda of government. The federal government has stuck to the tired formula of urban renewal, and the result has been the sorry situation with which so many of you are familiar. Some federal programs in the field of housing, including programs initiated by the Congress, have merit, but I believe the present focus in urban areas is wrong.

I would like to see government promote home ownership for low-income families now deprived of this opportunity because of conditions beyond their control. The ownership of one's own home lends the individual hope, dignity, and a sense of civic responsibility. It gives him the chance to have something and to be somebody. Yet the government programs that have been directed toward this goal have been aimed at those who enjoy middle or upper income status. Those who might well profit most from home ownership have been ignored.

Housing is an area conducive to solution by the private sector encouraged and backed up by government.

This is not a partisan conviction. Meeting in Honolulu last month, the U.S. Conference of Mayors—the overwhelming majority of whom were Democrats—unanimously adopted a resolution calling for increased participation on the part of the private sector in providing home ownership opportunities for poor families.

In the Senate, Abraham Ribicoff, Robert Kennedy, Jacob Javits and I are each introducing legislation to encourage private sector involvement in fields once considered the monopoly of government. In the House, Democratic Congresswoman Leonor Sullivan introduced such legislation—now embodied in law—and Republican Congressman William Widnall has been joined by 110 colleagues in cosponsoring a bill identical to my own legislation in the Senate.

Thirty-nine Senators of both parties have cosponsored this legislaiton to establish a private nonprofit National Home Ownership Foundation. Its purpose would be to mobilize the enormous resources of the nongovernmental sector behind a national effort to expand home ownership opportunities for all Americans. The prime function of government in this program would be to stand behind the Foundation's bonds, just as the federal government today stands behind every FHA and VA insured mortgage, or as it stands behind private investments in low-income housing in Latin America. I hope you will study this bill, not only for whatever merit it may have in the housing field, but for the concept of public-private cooperation which it embodies.

Another urgent challenge which is highly adaptable to solution within the private sector is that of training our unskilled and unemployed. Indeed, I believe that this task can *only* be effectively accomplished in this manner. But again, a necessary ingredient is tangible government encouragement.

If a sense of public spirit is not enough to inspire employers to train the unemployed, their frustration in not being able to find people to fill available jobs is. That these jobs are going begging can be verified by even a casual glance at the help-wanted ads in any newspaper. All that is needed is that employers be provided a way to make job training economically feasible, and, conversely, that they not be penalized for their efforts. I think a program of tax credits, such as that provided by the Human Investment Act now before Congress, would help enormously.

I have mentioned only two of the ways that the private sector can be put to work on some of our most pressing national problems. There are countless other opportunities for action in this area, and not all of them need be initiated by Washington. I would hope that many of you would explore this concept carefully. In fact, Lieutenant Governors are in a unique position to provide leadership along these lines, as has been demonstrated so well by Robert Finch here in California. In every state, there must be projects which the private sector would welcome, given some guidance and assistance by the State House.

What I am calling for will require a change of direction in the American way of meeting its domestic problems, as it has evolved over the past 35 years. But I think it is time we recognized that government—both federal and state—has fallen far short of its goals in many areas, and that the private sector could be doing many things better than we are. It is not our nuclear arsenal that is the envy of the world; it is our free enterprise system. That system has done much to make America great. Now let's put it to work in those areas where America falls far short of greatness.

ADDRESS BY GEORGE MEANY BEFORE RCIA CONVENTION

Mr. NELSON. Mr. President, at the recent convention of the Retail Clerks International Association, George Meany delivered an excellent and provocative address.

Organized labor has been in the forefront in promoting domestic progress during the past decades. George Meany has displayed important leadership on behalf of America's workingman throughout his distinguished career.

The problems facing America and organized labor are just as severe and critical today as they were in the 1930's. The struggle of the Negro for equality of opportunity, the needs of the elderly and the sick, and the crisis of poverty are all pressing issues in the America of the 1960's.

In his speech before the RCIA, Mr. Meany addressed himself to all these important questions.

I ask unanimous consent that Mr. Meany's speech be printed in the Record.

There being no objection, the address was ordered to be printed in the Record, as follows:

Address by AFL–CIO President George Meany, July 17, 1967, Miami Beach, 25th Convention of the Retail Clerks International Association

President Suffridge, delegates to the 25th Convention of the RCIA, and friends of this great organization: I am delighted to come here this morning. I extend to you greetings and congratulations on the continuing progress of your great trade union which has made such an outstanding contribution over the past 80 years to the welfare and interest of the people you represent.

I would like in particular to congratulate you on the continuous progress which is indicated in the officers' reports presented to this convention. The report tells of the progress made since you met four years ago. Better contracts, better wages, better working conditions, progress in the field of collective bargaining and legislative activities and political action, international work, community activities, the organizing of new members are all set forth there. I also note, through the report of your president, that the membership of this organization has reached the highest level in its 80-year history and I would like to say that organizing the unorganized is still a prime responsibility and prime task of those who organize. Samuel Gompers, over his long career, used to wind up practically every address he made to trade unionists by repeating the word "organize, organize, organize." Organize not only to bring benefits to those who have failed to receive the benefits of the trade union instrumentalities by bringing them into the trade union, but organize for benefits in the way of higher standards and better wages. Also, through organizing the achievements and the progress that has been made on behalf of those who are already members of the trade union movement are protected.

It is a fundamental truism that the unorganized worker, the low-paid worker, is a menace to the high standards achieved by those who are organized.

However, progress cannot be measured by new members alone. All the trade unions in this country must remember that we are dedicated to the advancement of the American society as a whole and we must always be conscious of that obligation.

Our purpose is quite simple—to advance the wages and working conditions of those we represent. However, in this great American society we cannot operate in a vacuum—we are a part and parcel of the United States of America and of the Dominion of Canada. We cannot advance as a group apart, at the expense of the rest of society. No one segment can profit very long and advance very long at the expense of the rest of the people. So, in a certain sense, we have a sort of slogan—we say that what is good for America is also good for American labor.

That is why you have a national trade union center. That is what the AFL–CIO is all about. The Retail Clerks can take very good care of themselves, and your organization has proven that it can take care of its problems. In fact, it would be almost silly for me to discuss any of the problems of the Clerks. They are in very good hands, as I am sure you realize after listening to the address of President Suffridge.

However, the central coordinating organization of trade unions, which in this country is the AFL–CIO, must do the over-all job. And I can report to you that the AFL–CIO is doing its job and that it was never better suited to continue to do that job.

Just let me give you a few examples of the type of work that the central organization is called upon to do and has done in the years since you last met.

In the broad field of human welfare we have a medicare bill which attacks problems of old age—sickness, and the need for hospitalization and doctor's care, and it brings these problems under Social Security. This sort of legislation makes sense. It means that the worker, during his working years, makes provisions for the economic effects of catastrophic illnesses that might strike him when he gets old. This law benefits every citizen in this country—the sons and daughters of the old, the nieces and nephews who are here and who have had the economic problem of caring for older relatives when illness strikes, people who are retired, people who have perhaps sufficient means to take care of themselves under normal conditions on their retirement incomes but who cannot possibly cope with the course of a severe illness which too often strikes our older people.

This particular bill would not have been passed without the efforts of the AFL–CIO. Not only did we organize our trade union forces in back of this legislation, but we also made a contribution by playing a very prominent part in organizing the various senior citizens organizations throughout the country so that they could make this a political issue and bring to bear their weight and their influence on the Congress. The passage of medicare by itself would make the last two sessions of the Congress under President Johnson stand out.

However, in addition, as President Suffridge mentioned, we increased the minimum wage. We brought eight million new people under that law last February. This is a law which doesn't directly affect our members—there are no members of the Retail Clerks International Association who received a direct benefit through the raising of the minimum wage. Under our trade union organization our members are well off, well above the legal minimum. But it did bring into the marketplace as consumers millions of people who did not have the purchasing power that they should have and in this way the law brought an advantage to all the people of America. In the final analysis, America's best customer is the American worker, and workers below the subsistence level represent a drag on the economy and, in a sense, represent a drag on all of the citizens.

Therefore, it is in the interest of all of us to bring these millions of people into our economic life in the year 1967.

Then we have the educational bills, which represented a real breakthrough. In my opinion, history will record these as the finest achievements of President Johnson's Administration. Here, for the first time, the federal government accepts the responsibility for the education of all the children of America. We are rapidly approaching the day, and I hope that we will see it soon, when each and every child in America will be able to look forward to a college education, if he or she can assimilate a college education, without regard to the economic circumstances in the home where these children come from. So this is something that benefits all of the people of America and this also has an AFL–CIO label on it.

Then we have the Civil Rights Acts of 1964 and 1965. Of course, I want to make it clear that we still have a long way to go in this field—a long way to go before we bring the Negro into the economy in the way he should be brought in.

I would like to think of American labor's legislative activities, and of the AFL–CIO, as a people's lobby. Labor has a long record of fighting for things that benefit all the people of America—workmen's compensation, unemployment insurance, medicare, Social Security, better housing. All of these things benefit all the people of America, and all of them have the label of the trade union movement upon them.

Now, let's look for a moment to the future. What are we trying to do in the legislative field?

Well, right at the moment, we are trying to bring Social Security benefits up-to-date so that they can keep pace with the rising economy of this country.

We are trying to bring farm labor into a position where they have the same rights as other workers in this great country. There was a time when farmers were exempt from beneficial legislation because we thought of farmers as man and wife and a couple of hired hands—a family farm. Therefore, they were exempt from workmen's compensation and all of the other legislative advances. Farm workers are not under the National Labor Relations Act—they don't have the same right of collective bargaining as you have. But, on the other hand, the family farmer now is gone. We now have something that we might call a farm factory where thousands of people are employed by gigantic corporations supplying the foodstuffs for America. We have got to bring these people into line with the rest of the industrial population. We have to get them their rights so that they can bargain collectively—so that they can organize and have the right to strike.

These are some of the things that we are facing.

I submit that trade unions, through their collective action, have made wonderful contributions over the years to the advancement of the welfare of all the people of the country.

After a seven-year-fight, we passed a bill a couple of days ago known as the Truth-in-Lending Bill. Now, it is a very simple subject, and the fellow who led the fight for this for a good many years in the United States Senate was Paul Douglas.

What is the purpose of the bill? It is very simple—when you buy something on credit, when you borrow some money, when you place a mortgage on our home, when you get credit of any type, the corporation or person extending the credit must tell you exactly how much you are paying for the loan and the lending of the money. You would think that this would be simple, but, honestly, let me tell you that the great corporations of America have opposed this and have fought it tooth and nail. The bill finally passed the Senate the other day and, of course, we now have to go to the House. However, the purpose, as I said, is quite simple—when you borrow money, when you buy something on credit, the piece of paper you sign will show exactly and in plain figures how much interest you are paying. For example, people sometimes think they are paying six percent when in fact they are sometimes paying as high as 17 or 18 percent.

The fight for this bill is being made by labor. Labor is the one organization that is equipped and dedicated to fighting for this type of legislation.

And I want to bring up another subject in which labor has got to take the lead.

The cost of medicine in this country and the cost of medical attention and doctors is getting to the point where it is becoming a national scandal. It is getting to the point where there are very, very few people who can afford to be sick. We are told by the drug manufacturers that there is a hidden cost in all drugs, that it goes into research and so on and so forth.

You go into a drug store and you buy a bottle of pills. Twenty years ago you bought the same thing without a prescription for maybe 15 cents, but now you get 100 pills for $6.00—or something like that. I happen to buy some of those pills, so I know.

But I can tell you that this fight has to be made, that the cost of staying healthy and of buying medicine and getting medical attention must be brought down to reasonable limits, and the only organization, the only organized group in this country with the power and the dedication that can bring this about is the organized trade union movement. If we don't do it, it will not be done, and I predict that we are going to lead this fight and that this particular scandal is going to be eliminated.

Now, I could take a lot more time to talk about our activities, and there are many activities of the AFL–CIO. But I want at this time just to say a few words about your president.

It would be redundant for me to talk about what he has accomplished for retail clerks. But you know, he does a lot of other things.

He is a member of the AFL–CIO Executive Council. Of course, you are all familiar with that, but this is only a small part of it.

He is active in the international field. He is a member of the Executive Board of the International Confederation of Free Trade Unions. He is president of what we call the White Collar Secretariat, the International Federation of Commercial, Clerical and Technical Employees. He is a member of the board of trustees of the American Institute for Free Labor Development, an educational institution which the AFL–CIO founded for the education of trade unionists in Latin America. He is a member of the President's Advisory Committee to AID. But let me digress from Jim Suffridge for a moment and say a word about this international work of the AFL–CIO that he takes part in and a great many of our organizations are active in.

You might say, "Well, why?" As some of our critics have said, "Why? Why is labor interested in what happens in Latin America, what happens in Africa, what happens in Asia, what happens to workers in Europe, and other parts of the world? Why are we interested? Why are the Retail Clerks a member of an international trade secretariat?"

Well, we are interested in, number one, workers all over the world. We are interested in their welfare. We have this, let's say, sentimental interest, but we have a very practical interest in addition.

We are interested in human freedom. We have a stake in human freedom in this world of ours.

The world has become a very, very small place due to the speed of transport and of communications, and when any group of workers lose their freedom in any part of the world this is a menace in the long run to the continuance of our freedom here at home.

We believe in a free society. We have used the trade union instrumentality in a free society in order to advance the welfare and interest of those we represent, and that is why we are interested in workers in other parts of the world because, in the final analysis, the hallmark of a free society is the free trade union.

Where there is a free trade union, there is no dictatorship. And where any dictatorship exists there cannot be any free trade union, because no one can dictate to any country anywhere in the world without controlling the means of production. This is why every dictatorship in history that we know about has controlled the workers. That is why the Soviets destroyed the Soviet trade unions when they took over in October 1917. That is why Hitler destroyed the German trade unions when he took over in 1933. That is why Mussolini destroyed the unions of Italy. This is the story. We are interested in the preservation of free unions all over the world because we are interested in the preservation of free societies. The existence of a slave state, we feel, is a threat to our existence, our continued existence as a free society.

So I congratulate Jim Suffridge on his vision and on the dedication that he brings to the international field. In addition, of course, there are many public and private committees that Jim works on that are too numerous to mention. To all of these assignments he brings the same dedicated devotion and hard labor that he does to the affairs of the Retail Clerks International Association.

So I am delighted to be present to pay tribute to him, to congratulate this great organization on its continued progress with full confidence in its future and full confidence of its continuing contribution to the work of the American trade unions represented by the AFL–CIO.

Thank you very much.

THE UNREAL WORLD OF TELEVISION NEWS

Mr. LAUSCHE. Mr. President, I invite attention to an interesting article entitled "The Unreal World of Television News," written by Henry Fairlie, a condensation of which appeared in the August 1967 issue of the Reader's Digest.

The article examines the distortions in the news that are the result of television reporting.

Television not only creates news, as newspapers have done for generations, contends Mr. Fairlie, television creates its own events. For example:

> There is a vital margin of difference between saying "Did you see the report in the New York Times of the massacres in the Congo?" and saying, "Did you see the massacres in the Congo on television last night?" The first remark implies only that one has seen a report, which may conflict with another report. The second implies that one has seen the event itself. However carefully television is used, it cannot avoid this deception.

Another distortion of television news is due to the fact that although television can report incidents, which can and do happen in isolation, rarely can television report an event, the whole of which may escape even the historian. A newspaper man has some flexibility in his reporting. He can reach where the camera cannot reach. He can go off the record. He can qualify, give perspective. A television reporter, on the other hand, no matter how carefully he chooses his words, can never properly qualify a spectacular picture.

Still another distortion inherent to television news results from the fact that not only is the core of television the public and the spectacular, but there is an important sense in which television has a vested interest in disaster. "Violence—movement—is the stuff of television, something it cannot help emphasizing," Mr. Fairlie reminds us.

Three distinct characteristics of television intensify the special temptations to which it is exposed:

First. Limitation of time. This limitation results in concentration to the point of distortion. And in the reporting of violence it means concentration on the violent incident to the exclusion of the whole event. The police attack on civil rights marchers at the Selma, Ala., bridge in March 1967 is used to illustrate this type of distortion.

Second. Television's tendency to produce self-generating news. Television, merely by its presence, helps to create incidents. This problem has arisen again and again, says Mr. Fairlie, wherever there have been riots and disturbances, as in Watts.

Third. The size of the television screen—the limitations it imposes, the temptations it offers. Last summer, for example, television news showed some alarming pictures of white people in the Chicago suburb of Cicero screaming abuse at some Negro marchers. They looked as if they were a representative sample of a much larger crowd. In reality, however, the crowds themselves were only a small part of the total white population of Cicero.

Finally, news on television can be distorted as a result of the fact that television can create not only events but whole movements out of incidents. The author describes the Meredith march across Mississippi to illustrate this point.

Once the distortions of television news are brought to our attention, we immediately ask if there is any way to correct or minimize them. Mr. Fairlie's reply:

> The only immediate answer to most of the problems of television news lies not in pictures but in words. Most television reporting just describes the pictures, and by doing so reinforces them. But the object should be to correct the pictures, to supply qualifications, to say, "It was not quite so. This was not the whole story."

Further, Mr. Fairlie contends that although television can do some things remarkably well, especially in full-length features and documentaries, and that those people involved in making television programs are conscientious and skillful, these facts do not really touch the main problem. Life is not made up of dramatic incidents—not even the life of a nation.

> Many of our unnecessary anxieties about the way we live, about the fearful things that may happen to us, might be allayed if television news began, now and then, to say: "It has been a dull day. But we have collected some rather interesting pictures for you of no particular significance."

Concludes Mr. Fairlie:

> Television news has a deep responsibility to try to be dull, from time to time, and let the world sleep better.

Mr. President, I ask unanimous consent that Mr. Fairlie's thought-provoking article be printed in the RECORD.

There being no objection the article was ordered to be printed in the RECORD, as follows:

THE UNREAL WORLD OF TELEVISION NEWS

(NOTE.—In its search for action, television news reporting creates the image of an overstimulated world. Incidents begin to look like crises—and then become crises in fact.)

(By Henry Fairlie)

None of us has ever seen Alexander the Great emerging from his tent. If there had been television in his day, and if we could today look at the tape, would we know him any better, as we think we now know Lyndon B. Johnson when we see him on television news emerging, say, from a helicopter?

The answer is far from clear. Of all historical evidence, the public presence of voice or of physical appearance is the most revealing, but it can also be the most misleading. Yet every night, watching television news, millions of people have to decide whether they can believe what they see flickering in front of them. Is it genuine? Can television, by its nature, tell the truth?

"The evidence of one's own eyes?" But that is precisely what is not available. What is available is the evidence of the camera, making its own selection, dictating its own terms.

Television does not merely create news—as newspapers have done for generations. Television creates its own events. Unlike the newspaperman's words, television happens as we watch.

There is a vital margin of difference between saying, "Did you see the report in the New York Times of the massacres in the Congo?" and saying, "Did you see the massacres in the Congo on television last night?" The first remark implies only that one has seen a report, which may conflict with another report. The second implies that one has seen the event itself. However carefully television is used, it cannot avoid this deception.

Television can report incidents; it is the nature of incidents that they can, and do, happen in isolation. But rarely can television report an event. The true meaning of an event depends on all of its known and unknown causes, on all of the known and unknown incidents that contribute to it, on all its repercussions. The whole of an incident can easily be described; the whole of an event may escape even the historian.

If this is the difficulty that confronts the newspaper reporter from day to day, it is one that the television reporter can rarely overcome. For the newspaper reporter has flexibility. He can reach where the camera cannot reach. He can go "off the record." He can qualify, provide perspective. The television reporter, on the other hand, however carefully he chooses his words, can never properly qualify a spectacular picture.

Not only is the core of television the public and the spectacular, but there is an important sense in which television has a vested interest in disaster. From the point of view of a good story, both newspapers and television prefer covering a major strike to covering negotiations which prevent a strike. Yet it is possible for the newspaper reporter to make negotiations almost as exciting as a strike. But what can television do with negotiations? It can only show pictures of people arriving at a building and people leaving it.

Violence—movement—is the stuff of television, something it cannot help emphasizing. Three distinct characteristics of television intensify the special temptations to which it is exposed. There is, first, the limitation of time. A lead news story in a paper may take ten minutes to read. This sort of time is simply not available in handling television news. This means concentration to the point of distortion; and, in the reporting of violence, it means concentration on the violent incident to the exclusion of the whole event.

An example of such distortion was the police attack on civil-rights marchers at the Selma, Ala., bridge in March 1965. Every reliable reporter I know who was present points out that there was first a period during which police and demonstrators faced each other without violence, in an atmosphere of unbearable tension.

Television news broadcasts did not, and could not, show this prelimitary encounter; three minutes of film is an extended sequence in a news program. But without knowledge of the buildup to put the violence in perspective, one begins to think that police brutality is automatic, that the police will always behave in such a manner.

There is, second, television's tendency to produce self-generating news. The problem has arisen, again and again, wherever there have been riots and disturbances, as in Watts. However spontaneous the original outbreak of violence, as television cameramen and reporters move into the streets looking—literally looking—for trouble, they add external provocation. The crowds begin to play up to them. Television, merely by its presence, helps to create incidents.

Finally, there is the size of the television screen—the limitations it imposes, the temptations it offers. Last summer, television news showed some alarming pictures of white men and women in the Chicago suburb of Cicero screaming abuse at some Negro marchers. Their hating faces filled the screen. They looked as if they were a representative example of a much larger crowd. But anyone who was there knows that these particular whites were only a small part of the crowds in the streets, and that the crowds themselves were only a small part of the total white population of Cicero. To this vital extent, television that night distorted badly.

So, people sitting in their homes begin to think that all police are brutal, that all demonstrators are violent, that all disturbances are riots, that all crowds are aggressive. The fact that we ourselves usually go through each day without either meeting or displaying violence becomes less real to us than what we see on the small screen. Much of our feeling of living in a condition of perpetual crisis, and the agitation arising from it stems from this.

Television can create not only events but whole movements out of incidents. The television news coverage of the Meredith march across Mississippi, during the time when I accompanied it, constantly appalled me. The straggling column was made on the small screen to look like an army. When the cameras were rolling, the marchers—few in numbers and anything but impressive in mien—pulled themselves together and played the role expected of them. The leaders strode in line abreast, at the head of their enthusiastic followers.

The real story of the Meredith march was not this unified demonstration at all, but the fact that it brought to light the deeply significant clash between different factions of the civil-rights movement over "black power."

Newspapers felt their way to this story, which for the most part was taking place in private meetings, and by the end they were reporting it fully. But when television at last caught on to the fact of "black power," it inevitably exaggerated and distorted it. Since film is expensive, in reporting any speech the television reporter and cameraman make an automatic, almost involuntary, preselection. They wait for the mention of a phrase like "black power"—then on go the lights, and the film rolls. By constant reiteration on the small screen, the slogan of "black power" was elevated into a movement. It was suddenly there. It had suddenly happened.

The only immediate answer to most of the problems of television news lies not in pictures but in words. Most television reporting just describes the pictures, and by doing so reinforces them. But the object should be to correct the pictures, to supply qualification, to say, "It was not quite so. This was not the whole story." In essence: to remind the viewer that he is seeing not an event, only an impression of one.

That television news can do some things remarkably well, especially in full-length features and documentaries, that those involved in making television programs are conscientious and skillful, does not touch the main problem. Life is not made up of dramatic incidents—not even the life of a nation. Many of our unnecessary anxieties about the way we live, about the fearful things that may happen to us, might be allayed if television news began, now and then, to say: "It has been a dull day. But we have collected some rather interesting pictures for you, of no particular significance." Television news has a deep responsibility to try to be dull, from time to time, and let the world sleep better.

STATEMENT BY ARLEN SPECTER ON HOUSING

Mr. PERCY. Mr. President, yesterday the Subcommittee on Housing of the Committee on Banking and Currency completed more than 2 weeks of hearings on pending bills in the field of housing.

Chairman SPARKMAN brought before the subcommittee a group of interesting and helpful witnesses.

One of the most distinguished witnesses scheduled to appear before the subcommittee was Arlen Specter, district attorney of Philadelphia. Unfortunately, Mr. Specter was called back to Philadelphia before he had an opportunity to personally present his statement. Mr. Specter's statement is an excellent one. It expresses quite eloquently the present state of crisis in our cities. I commend this statement to Senators and ask unanimous consent that it be printed in the RECORD.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

TESTIMONY BY ARLEN SPECTER, DISTRICT ATTORNEY OF PHILADELPHIA, BEFORE THE SUBCOMMITTEE ON HOUSING AND URBAN AFFAIRS, U.S. SENATE COMMITTEE ON BANKING AND CURRENCY, WASHINGTON, D.C., AUGUST 7, 1967

Mr. Chairman, thank you for the invitation to testify before your distinguished committee today.

I am Arlen Specter, District Attorney of Philadelphia. I am appearing in support of Senator Hugh Scott's bill, S. 2219, to provide Federal financial assistance to help local communities develop and carry out intensive programs of rat control and extermination. I would support any other legislation which accomplishes the same end.

It has become almost trite to say that the cities of the United States are in a state of crisis. But this crisis is immediate and pressing on a daily, nightly and hour-by-hour basis. As the chief law enforcement officer of Philadelphia, I carefully weighed whether I should be absent for the forty-five minutes traveling time each way between Philadelphia and Washington, plus an hour's visit to the Nation's Capitol for the purpose of testifying.

I decided to come because I believe it cannot be emphasized too strongly that the problems of the cities are enormous and immediate. As a law enforcement officer, I can tell you that it is totally insufficient to pass criminal laws and send in troops. Legislation like the Rat Control Bill and other measures to improve urban life are indispensable if we are to provide basic social justice, which is a prerequisite for the maintenance of law and order.

The Congress of the United States should be aware of the reaction of the people of a city like Philadelphia to the statement by some members of the House of Representatives who made a joke of the Rat Control Bill. In assessing the situation in Philadelphia, I am in constant contact with the people from all sections of the City, including the ghetto areas. Prior to the House deliberation on the Rat Control Bill, I had thought that the only two courses of congressional action would be: 1. aid to cities or 2. inaction.

Comments by some House Members showed that there was a third course: ridicule. The third course was followed when the House summarily rejected the bill with comments from some members such as: "civil rats bill", "rat bureaucracy", "rat patronage", "high commissioner of rats", and "buy a lot of cats and turn them loose."

I personally heard many indignant responses from people in Philadelphia who face the problems of rats in their daily lives. The problem of rats in the cities is no joke.

It is a very serious problem. It may seem remote and trivial to some Americans, but to millions of others who live in slums it is a continuing nightmare. Finding a rat in a bathtub, or in a kitchen cupboard rummaging for food, or in an infant's crib: these are all too frequent occurrences in the United States and especially in Philadelphia.

And the cost of ignoring the rat problem is high. As the report of the House Committee on Banking and Currency stated, rats cause almost $1 billion damage a year in the U.S. This is more than three times the amount of money the Federal Government spent last year on public housing.

Dollars are by no means the only measure of the cost of rat infestation. Seven major U.S. cities alone have a total of almost 1,000 ratbite cases annually. The House report estimated that Philadelphia has over 50 reported cases each year. The fact is, Mr. Chairman, Philadelphia has from 75 to 100 reported cases annually. These figures are very conservative. Dr. Newell Good, the public health entomologist in Philadelphia, estimates that the number of unreported rat bites might be as high as ten times the number reported.

Almost all the victims are children and infants. It is not uncommon for rats to climb into infants' cribs, lured by the smell of milk from the nursing bottle. And rats represent a serious health menace. They breed in accumulations of trash and garbage and then get into kitchens, looking for food.

This is a problem that calls for prompt action. The local communities do not have the resources to do it alone. The Philadelphia Board of Health estimates it needs three times its present budget to do a first-rate job of rat control.

Senator Scott's bill would authorize Federal grants to cover ⅔ of the cost of local three-year programs approved by the Department of Housing and Urban Development. It would authorize $20 million each for the fiscal years 1968 and 1969. This Federal assistance is essential to enable local governments to effectuate workable, comprehensive programs.

Adoption of Federal Legislation on Rat Control would activate a program to:

1. *Educate* the people on the dangers posed by rats and on basic precautions;

2. Stimulate *code enforcement* by the cities on matters related to garbage and trash storage and collection; and

3. Institute a *comprehensive plan* with research and innovations for rat control.

Education is vitally necessary for many people in the cities to understand the problems posed by rat bites or the spread of disease by rats. The presence of a rat in a slum dwelling has, for many, become an accepted part of the housing problem. The rat is a non-rent paying subtenant who could be evicted, in some situations, by the residents if they had some basic information on the seriousness of the problem and some fundamental procedures for rat control. However, the overall problem goes far beyond the ability of the individual resident to control. However, he could take some steps to protect himself with a better understanding of the problems.

Code enforcement in a city like Philadelphia leaves much to be desired. Vast improvements are necessary in the storage of garbage and trash. In Philadelphia for many weeks, a bitter controversy has been in process between the landlord and tenants in a housing development known as Jefferson Manor.

I personally inspected the situation where trash cans were uncovered, spilled over onto the ground and decaying garbage was lying for protracted periods in the open. Code enforcement by appropriate city officials was obviously lacking in this situation. Federal grants could be conditioned upon effective city code enforcement which would stimulate vigilance by the appropriate city officials.

A COMPREHENSIVE PLAN

The availability of Federal grants would compel cities to adopt "a workable program for community improvement." Such a plan would doubtless lead to many specific improvements.

For example, clean block programs could be initiated and encouraged. Improved methods of containing and collecting refuse could be initiated, and collections in slum areas increased. Accumulations of trash and garbage could be removed from alleyways and vacant lots and buildings, eliminating rat harborages. The infested areas could be kept clean by stricter housing and sanitation code enforcement.

Buildings could be ratproofed, and more extensive extermination carried out. Innovative techniques could be tested, as for example the use of cameras to detect holes in sewers from which rats are burrowing up through the ground.

This bill will not be a total solution, of course. The rat problem cannot be completely solved in three years. It will require continued local effort and vigilance. And it will require effort in other areas, too. I am referring particularly to housing. The greatest obstacle to the elimination of rats is the perpetuation of dilapidated slum housing. In Philadelphia, in those places where slums have been replaced by new housing, the rat problem has been substantially reduced. Unfortunately, slum clearance takes time, and we need action now.

I ask you to look at this bill in its proper perspective. It is not an isolated piece of legislation: It is part of a general assault on the critical problems of our urban slums the need for which has become so tragically apparent recently. This assault requires cooperative action by all levels of government: Federal, state, and local. We can delay no longer. Therefore, I urge you to report this bill favorably.

ELECTRONIC SNOOPERS

Mr. LONG of Missouri. Mr. President, on July 9, 1967, the Courier-Journal of Louisville, Ky., published an excellent editorial entitled "The Grave Our Only Refuge From Electronic Snoopers?"

I ask unanimous consent that the article be printed in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

THE GRAVE OUR ONLY REFUGE FROM ELECTRONIC SNOOPERS?

"The grave's a fine and private place," wrote Andrew Marvell, and from the way things are trending in this country, the grave may be the only haven from snoops in their infinite and unpleasant variety.

Wiretapping is old hat. Electronic bugging devices are the rage now, and their manufacture and sale has become big business. No longer are law enforcement officers the main users of these devices. *The Wall Street Journal* reports:

". . . Today, a majority of the devices are said to be in private hands. Electronic snoops are popular for bedroom bugging in divorce cases and for industrial espionage. And a small Texas maker of bugs confides that employers find the devices handy in spying on workers 'to see if they are loyal and honest.' "

Manufacturers are capitalizing on the popularity of snooping both ways. Some of the same firms that produce bugs are now producing devices to detect the bugs they sell. One might deplore this cynicism but what is really disturbing is that we have a society that provides an eager market for instruments to destroy privacy.

SCANTY EAVESDROPPING LAWS

Those who are concerned about this massive and ingenious invasion of privacy are fighting back, but to no great effect so far. While there are legal restrictions on telephone tappings, there are no federal statutes against electronic eavesdropping. Only a few states have laws forbidding the act of eavesdropping, and they are inadequate to deal with electronic techniques.

The federal government, however, is continuing to restrict eavesdropping by its agents, many of whom set the example the public is now following. Attorney General Ramsey Clark has just issued new regulations forbidding all wiretapping and virtually all eavesdropping by federal agents except where national security is involved. They go beyond the limits placed on eavesdropping by President Johnson in 1965.

The government's new restrictions on snooping by its own people are not entirely the result of a disinterested concern for the constitutional niceties. Eavesdropping by some federal agents has played hob with cases the Justice Department expended a lot of effort and money on building—only to have them knocked down by the courts on constitutional grounds.

The restrictions on government eavesdropping are encouraging. They do not, however, get at the problem of electronic snooping outside the government. Several bills before Congress would. One of them is an administration measure that would curtail the manufacture of electronic bugs and make it illegal to buy them in interstate trade or to advertise them as snooping devices. Congress should pass this bill and additional legislation penalizing those who practice electronic spying.

WEST VIRGINIA GOES DOWN TO THE SEA IN SHIPS

Mr. BYRD of West Virginia. Mr. President, recently I placed into the RECORD a number of chapters from a book entitled "West Virginia Heritage" published by the West Virginia Heritage Foundation in Richwood, W. Va.

The tragic fire aboard the aircraft carrier *Forrestal* and the heroism displayed by her sailors brought to mind another chapter in this book entitled "West Virginia Goes Down to the Sea in Ships."

The chapter chronicles the history of the various U.S. naval vessels that have borne the name U.S.S. *West Virginia*.

The first *West Virginia* was an armored cruiser that was launched in 1903. She saw service during World War I and took part in early experiments utilizing sea-launched aircraft.

Later, this ship was renamed the U.S.S. *Huntington* because the dreadnaught class battleship named U.S.S. *West Virginia* was being built.

The battleship *West Virginia* was launched in 1921, too late to see service in World War I. And, after her launching on November 19, 1921, she was in peacetime service for some 20 years. However, on a quiet Sunday morning in Hawaii this peacetime calm was forever shattered.

For the *West Virginia* found herself under attack by Japanese bombers at Pearl Harbor on December 7, 1941.

The bombs hit their targets and fires spread rapidly throughout the ship. The ship's crew fought them bravely. And I now quote from the book:

> The Captain was wounded seriously, but refused to leave the bridge, his entire thoughts being centered on fighting the fires in the ship and removing the crew to safety if the fires got beyond control. The ship's own batteries were roaring with such intensity the Executive officer could not hear the detonation of enemy bombs and torpedoes, only feel the concussion when they hit the ship. The Japanese attacked in waves and each wave seemed to get a hit on the *West Virginia* on its exposed port side. The ship developed a list of about 25 degrees and the Executive phoned an order for counterflooding to ballast the ship back to an even keel. He did not know whether the order was received or not, but the ballasting was done and the ship did correct her list.
>
> The intense fire amidships had isolated the stern from the bow of the ship, and an order from central control came over the speaker to "abandon ship." The order was obeyed in part but those who did go ashore soon returned to join the crew battling the huge fire which was fed by leaked oil.
>
> Now the heroic Captain of the *West Virginia*, Mervyn S. Bennion, died on his own deck, like Lord Nelson, in the hour of his greatest battle. The surviving officers and crew were absorbed in but one effort, extinguish the fires and prevent the ship from capsizing, in which event salvage might prove impossible.
>
> Counterflooding was carefully done with the result the ship settled on the harbor bottom in fifty feet of water with only a slight list.
>
> The crew doggedly battled the fires in relays for 30 hours and the next afternoon they were out. Captain Bennion was awarded the Congressional Medal of Honor posthumously for "bravery beyond the call of duty."

Following the Pearl Harbor attack, the ship was successfully raised from the harbor floor, repaired and refitted.

She then returned to the war zone and took part in several major battles. During the great naval battle of Leyte Gulf she is credited with sinking the Japanese battleship *Yamishiro*.

Overall, after Pearl Harbor, the *West Virginia* spent 223 days in battle actions and 112 in rear areas. Only four men were killed during this fighting and only 23 wounded. She shot down, or assisted in downing, 20 enemy planes.

After the war the *West Virginia* was retired to inactive status and during the 1950's was dismantled. Her main mast now stands in the Memorial Plaza of West Virginia University at Morgantown and her flagstaff, given to the city of Clarksburg, now stands in the courthouse lawn.

Such stories of heroism as this chapter recounts surely make us all proud to be Americans.

I ask unanimous consent that the chapters entitled "West Virginia Goes Down to the Sea in Ships" and "The Second U.S.S. *West Virginia*," be inserted in the RECORD.

There being no objection, the chapters were ordered to be printed in the RECORD, as follows:

West Virginia Goes Down to the Sea in Ships

(By Louis A. Childress)

The first USS West Virginia was an armored cruiser, authorized by an act of congress March 3, 1899, her keel was laid September 16, 1901, at the yard of the Newport News Shipbuilding and Dry Dock Company, Newport News, Virginia. Theodore Roosevelt, who, as assistant Secretary of the Navy, a few years before, had pushed so hard for the building of the new class of ships, of which she was about the first, had been president only two days when her keel was laid, succeeding the assassinated McKinley.

She was launched April 18th, 1903, sponsored by Miss Katharine V. White, daughter of the Honorable Albert B. White, Governor of West Virginia. The Chesapeake and Ohio Railway ran a special train from Huntington to Newport News carrying hundreds of West Virginians to witness the christening and launching, an impressive ceremony.

For that day and time the West Virginia was a big, powerful, fast fighting ship, able to hold her own with anything afloat in the world.

The State of West Virginia contracted with the Gorham Silver Company to create a handsome bronze tablet containing the coat of arms of the state to be worn by the new cruiser. The Gorham Company commissioned noted sculptor Massey Rhind to design a suitable bas relief, which was accepted, and resulted in a bronze tablet, over six feet long, semicircular, with the coat of arms of the state in the center, the figure of a sailor on one end, and a soldier on the other. This was mounted on the ship's main mast during construction, and after the ship's commissioning was presented with appropriate ceremony in September 1905.

Her dimensions were, Length 503'–11''; Beam 69'–7''; Displacement 13,400 Tons; Draft 24''–1'; Complement 47 officers, 782 enlisted men; Speed 22 Knots.

Her original armament, 4–8 inch 45 caliber rifles; 14–6 inch 50 caliber rifles; 18–3 inch 50 caliber rifles; 12–3 pounders; 2–1 pounders; 6–30 caliber guns; 2–18 inch torpedo tubes submerged; maximum armor thickness 9 inches;

The West Virginia was placed in commission February 23, 1905 under command of Captain C. H. Arnold USN. After a shakedown, and cruise with the New York naval militia, on September 2, 1906 she steamed to Oyster Bay, Long Island Sound, the home of President Theodore Roosevelt, for a Presidential Review before departing for a long absence in Asiatic waters.

On September 4th, 1906 she bade the President adieu, and after coaling at Bradford, R.I., she departed from Newport, R.I., September 8th for the Asiatic Station at Manila, P.I. On September 18th the West Virginia was at Gibraltar 2,990 miles on her way. She called at Naples, Italy, September 27; Piraeus, Greece, Oct. 2; Port Said, to transit the Suez Canal October 8th; October 24th she arrived Bombay, India, 2,941 miles from Port Tewfik, Egypt, November 9th at Singapore Straits Settlements, 2,435 miles from Bombay. On November 18th, 1906 she arrived at Manila, her station, 12,119 miles from Rhode Island in 73 days time.

On January 3, 1907 the West Virginia was a member of the First Squadron, Asiatic Fleet, and at that time or shortly thereafter, was designated Flag Ship of the Squadron, with Rear Admiral W. H. Brownson commanding the Squadron aboard her. Admiral Brownson's name is preserved for posterity in a peculiar second hand way. In later years a Destroyer was named for him, and that ship found the deepest place in the Atlantic Ocean, just north of Puerto Rico, so as the "Brownson Deep" his name will be on the charts of the Atlantic Ocean forever.

Our photograph shows the West Virginia as a Flag Ship, which she was several times, with a Rear Admiral's blue two starred flag flying at the top of her rear mast. The large heavy canvas covered steam or naphtha launch carried amidships may be the "Admiral's Barge" in which he could make comparatively long trips in large harbors or bays to visit other ships, or officials on shore. A smaller craft called the "Captain's Gig" would perform the same function for the ship's captain. The large sign above the enclosed pilot house would be illuminated at night so the location of the Admiral's headquarters might always be known. The four smokestacks, called "funnels," were the height of fashion at the time. When this ship was being built the first of the modern "ocean greyhound" passenger ships were being also launched, and any one that was thought worth considering had four funnels. When the West Virginia was commissioned she could run with, or outrun any of the so called fast liners. Under water her prow which extends forward in the picture, kept on curving forward into what is called a "ram prow," shaped not unlike the end of a football, composed of armor plate, filled with reinforced concrete, the idea being if you got a chance, to ram your adversary at twenty five miles an hour he would most surely be crushed like an egg.

In December 1906 and January 1907 she worked on target practice to keep up to the universally acknowledged high standard of the American Navy. She spent Christmas and New Years holidays that year in Hong Kong, and we can imagine to the great delight of the crew. She then returned to Manila Bay, her station, with more target practice and tactical maneuvering around Corregidor. On March 13, 1907, she arrived at Nanking, China for a ceremonial visit to the Viceroy of that Province. On March 18th she coaled at Woosung, China, and continued to Kobe, Japan, arriving March 25th. On April 1st, 1907, the West Virginia departed on the 1,680 mile run to Olongapo, Subic Bay, Philippine Islands for drydocking.

The month of May found her back to Japan, and June in China.

After two years on the Asiatic Station the West Virginia returned to the United States and was overhauled at the Mare Island Navy Yard, and then assigned to the Pacific Fleet.

On September 20, 1916, the West Virginia sailed for Mexico to protect Americans there during one of the uprisings of that period. While engaged in this work, on November 11, 1916 she was renamed Huntington, since she was an armored cruiser, and the Navy had decided to name all cruisers for cities, and battleships for states, and her old name of West Virginia was needed for a new super battleship then in the planning stage. On February 8, 1917 the Huntington arrived at Mare Island Navy Yard for repairs, and a new catapultic device for launching sea planes was installed on her quarter-deck, while other machinery to accommodate sea planes was installed on her boat ways. She could carry four planes, two on each side, high up by the bottom of her funnels. Ordered to the Naval Aeronautic Station at Pensacola, Florida, she took on coal stores and provisions at San Francisco and arrived at Balboa C. Z. May 22, 1917, where she was detached from the Pacific Fleet. The ship transited the Panama Canal, which had not been built when she entered the Pacific Ocean eleven years before, and arrived at Pensacola May 28, 1917, and for all practical purposes had circumnavigated the globe, which she had missed doing with "the great white fleet" in 1908, because at the time the fleet set out, the West Virginia was already on the other side of the globe on regular assignment.

Now began a most interesting chapter of the ship's history. In 1917 no one know what direction the future of air power would take in a choice between balloons, which were already 150 years old, or aeroplanes, as the spelling then was, which were only 14 years old. The Navy decided to try both together, so experiments were made by the ship with both balloons and seaplanes launched from the ship's deck with the catapult already installed.

Some men to become famous later were engaged on the ship in these experiments, namely, Lieutenant Mark Mitscher, famed combat commander of Carrier Task Forces in the Pacific in World War II, later Commander-in-Chief U.S. Atlantic Fleet. Also Lieut. (jg) Emory Rosendahl who became Vice Admiral Chief Naval Air Training and experimentation, working with the last dirigibles operated by the U.S. Navy. On August 1, 1917, the ship departed for New York, arriving August 6, 1917, at the point from which she had departed August 23, 1906, eleven years before, when there was no Panama Canal.

She became the flagship of Rear Admiral Gleaves, and departed New York, Sept. 8th, as flagship of Convoy Group Number 7, enroute to St. Nazaire, France, escorting six troopships. Enroute several observations were made by balloon ascents. On September 17th, at 9:15 a.m., the balloon was forced down by a violent squall, which entangled the balloonist, in the rigging in the water dragging him under. Patrick McGuinigal, Ships Fitter, dived overboard and at great risk rescued the balloonist, Lieut. (jg) Henry W. Hoyt who was hanging head down under water in the tangled basket. For this heroic action McGuinigal was awarded the first Congressional Medal of Honor of World War I.

In October 1917 at the New York Navy Yard, the balloons, seaplanes and all related equipment were removed from the ship, and we must conclude it had been decided the seaplanes and balloons at this stage of development and technique, were more of a hazard to our own men than to the enemy. History would now prove the hoped for favorable auguries under which the ship had been launched 14 years before, were in full effect. As far as the records show no enemy steel knocked a flake of paint off her, though for the duration of the war she ran convoy and special missions through the submarine zones with the regularity of a liner in peace time. She carried, and had on board the top councilors of the United States and Great Britain at various times. On October 27, 1917 she departed New York ostensibly to search for a German raider, but turned up next day, October 28th, at Halifax,, Nova Scotia, where a secretly assembled list of high officials boarded her for transit to Europe. They included, Colonel E. M. House, Special Envoy for the President; Admiral William S. Benson, Chief Naval Operations; General Tasker H. Bliss, Chief of Staff, U.S. Army; Officials of the War Trade Board; and others. They put to sea the evening of October 28, 1917, and on November 7th arrived at Devonport, England. The group was met on board the ship by Admiral William S. Sims, Commander U.S. Naval Forces Europe, and Admiral John Jellicoe, R.N., First Sea Lord of the Admiralty. A special train pulled onto the pier alongside the ship, and the entire party entrained for London.

By December 1, 1917 the ship was back in New York, whence she continued convoy duty between New York, Hampton Roads and Europe for the rest of the war, and at its conclusion entered Brooklyn Navy Yard to be fitted out for transport duty. She arrived Brest, France, December 29, 1918, and started ferrying troops homeward. After transporting to the U.S. 11,913 troops and passengers the ship was detached from transport duty July 8, 1919, and became flagship of Rear Admiral Newton A. McCully, Commander Flying Squadron One, Cruiser Force, Atlantic Fleet.

On September 1, 1920 the Huntington was placed out of commission in the Portsmouth

Navy Yard, Portsmouth, New Hampshire. Her name was stricken from Navy List on March 12, 1930, in accordance with the London Treaty limiting naval armaments. She was sold August 30, 1930.

The Second U.S.S. West Virginia

The Battleship West Virginia was the second naval ship to bear the state's name, and like the first, which was an armored cruiser of 1905 vintage, was the first of a new series embodying the latest advancements based on recent naval combat. The USS West Virginia was the first battleship laid down after the World War I battle of Jutland, which was the first fought by dreadnaught class ships, and had the advantage of the lessons learned in that battle.

Authorized by act of Congress August 29, 1916, she was built by the Newport News Shipbuilding and Dry Dock Co., Newport News, Virginia, the builders of her predecessor in name. She was launched November 19th, 1921, sponsored by Miss Alice Mann, daughter of Honorable Issac T. Mann of Bramwell, West Virginia, who was named by Governor E. F. Morgan for that honor. There was some question in the press some time ago as to what the USS West Virginia was christened with, since at the time of launching national prohibition was in effect. It would seem from all evidence now available the liquid used was champagne. The ship was the latest super-dreadnaught and last of the fleet of similar vessels, eleven of which, in process of building, were surrendered to destruction at the Conference for Limitation of Armament, "that was the priceless sacrifice our country made in the hope of international peace," so wrote Edwin Denby, then Secretary of the Navy, and a fruitless sacrifice it proved to be.

The ship's vital statistics were: Displacement weight, 32,600 tons; Length, 624 feet; Breadth, 97 feet; Draft, 31 ft., 6 in.

The ship's armament was imposing: 8–16 in. 45 caliber rifles; 16–5 in. 38 caliber rifles; forty 40 millimeter anti-aircraft guns; 64 20 millimeter anti-aircraft guns.

Sixteen gun directors guided these batteries; plus 13 installations of radar fire control gear. Certification that the ship was sufficiently equipped with boats to serve as a flag ship was made by Theodore Roosevelt, Jr., Assistant Secretary of the Navy. Like the old West Virginia, the new battleship served a large part of her active life as an Admiral's flag ship.

Now ensued a period of 18 years and six days of peacetime tedium for the great ship, in which she won pennants, citations, and a cup, for efficiency of performances and marksmanship, keeping honed to a keen edge against that time when her strength and skill would be needed in defense of her country.

So it was until Sunday morning December 7th, 1941, when she was sitting with her sister battleships in Pearl Harbor, Hawaii.

The Senior Surviving Officer of the West Virginia was the Executive Officer of the ship at the time, and we have this report before us, now declassified, and as it is the clearest description of the battle we have yet seen, he will be liberally quoted, and we start with the opening paragraph of his four page report.

"I was in my cabin just commencing to dress, when at 0755 the word was passed 'Away Fire and Rescue Party.' " This was followed about thirty seconds later by "General Quarters"; At the same time, 0755, the marine orderly rushed into the cabin and announced, "The Japanese are attacking us." Also, just at this time two heavy shocks on the hull of the West Virginia were felt. It seemed as if "these shocks were forward on the port side of the ship." Roscoe H. Hillenkoetter, then Executive Officer of the West Virginia survived the battle, and went on to a distinguished career, and as a Vice Admiral retired in 1957. The Executive, learning the Captain had gone to the bridge, busied himself with the crew fighting a huge fire which broke out amidship following a bomb hit there. He was knocked to the deck more than once and received a wound which did not incapacitate him at that time.

The Captain was wounded seriously but refused to leave the bridge, his entire thoughts being centered on fighting the ship, and removing the crew to safety if the fires got beyond control. The ship's own batteries were roaring with such intensity the Executive could not hear the detonation of enemy bombs and torpedoes, only feel the concussion when they hit the ship. The Japanese attacked in waves, and each wave seemed to get a hit on the West Virginia on its exposed port side. The ship developed a list of about 25 degrees, and the Executive phoned an order for counterflooding to ballast the ship back to an even keel. He did not know whether the order was received or not, but the ballasting was done, and the ship did correct her list.

The intense fire amidships had isolated the stern from the bow of the ship, and an order from central control came over the speaker to "abandon ship." The order was obeyed in part, but those who did go ashore soon returned to join the crew battling the huge fire which was fed by leaked oil. Now the heroic Captain of the West Virginia, Mervyn S. Bennion, died on his own deck, like Lord Nelson, in the hour of his greatest battle. The surviving officers and crew were absorbed in but one effort, extinguish the fires and prevent the ship from capsizing, in which event salvage might prove impossible. Counter-flooding was carefully done with the result the ship settled on the harbor bottom in fifty feet of water with only a slight list. The crew doggedly battled the fires in relays for thirty hours, and the next afternoon they were out. Captain Bennion was awarded the Congressional Medal of Honor posthumously for "bravery beyond the call of duty," and here apparently was another parallel with the ship's name predecessor, as the Armored Cruiser West Virginia had a man who earned the first medal of honor in World War I. A destroyer under construction in Boston was named the Bennion, and would have a peculiarly successful association later with the West Virginia in the hour of her greatest triumph.

As a result of the Japanese sneak attack without declaration of war, the West Virginia lost her Captain and 104 men, and sustained serious damage.

To the end she might be raised and repaired, a Salvage Officer was appointed, whose declassified report we use as historical documentation.

Divers reported extensive damage on the port side which took most of the enemy hits, except one which had struck the stern damaging the steering machinery, and blowing off the rudder post.

An immense "coffer dam" patch 61 by 97 feet was applied amidships, and a smaller one forward on the port side, the stern closed off by watertight doors, and the water inside the ship attacked with nine ten-inch deep well pumps. As the ship became buoyant the great danger of capsizing returned, and she was lightened in every way possible. The crew salvaged 800,000 gallons of fuel oil and stored it in a fuel barge. Sixty-six bodies were recovered mostly in the area of their battle emergency stations. Some caught in water tight compartments lived some days and died for lack of oxygen. Emergency stores at these stations had been consumed. Three men in a store room adjacent to fresh water tanks had removed the main hole cover from the water tanks, eaten the emergency rations in the room, and marked a calendar with an X on each day from December 7, 1941 to December 23, inclusive.

Temporary quarters for the crew were built on Ford Island adjacent to the ship, and a walkway on floats greatly expedited the salvage work. As soon as the ship had risen in the water sufficiently to expose the uppermost kitchen it was cleaned and the crew established a mess on their own ship once more, April 27, 1942. The ship floated again May 17, 1942, five months and ten days after she touched bottom. The ship was moved into a dry dock in Pearl Harbor and repaired sufficiently to run under her own power to Bremerton, Washington, though no more weird looking vessel ever took the sea with her grotesque patches covering most of the port side. She spent about a year undergoing a thorough rebuilding, and having the latest armament installed.

The ship was stream lined in appearance, though her beam had been increased to 144 feet by the addition of "torpedo blisters." Comparison of her before and after photographs look like two different ships. She had a re-birth July 4th, 1944 when she left the ways of the shipyard to be soon fitted out and ready for combat again. She started her campaign of vengeance in the Philippines and before the war was over her fire had become so galling and damaging to the Japanese, that Radio Tokyo made a special broadcast to her saying that a class of Japan's best pilots were attending their own funeral services in advance, in a mass ceremony, before taking off for the sole mission of destroying the West Virginia, and many died in the attempt, but never again did they sneak up on the ship in a peacetime berth.

The West Virginia met with other battleships and destroyers to bombard Japanese shore installations on the Leyte Island in the Philippines, to assist the U.S. Army in landing forces to defeat the Japanese occupying the islands. In the destroyer group was the Bennion, named for the deceased heroic captain of the West Virginia. The troops landed successfully, and quickly had an air strip in operation. The Japanese decided to destroy the American forces while in the vulnerable position of unloading supplies and equipment in San Pedro Bay, off Leyte Gulf, with a great concentration of unarmed supply and transport ships that would fall like lambs before wolves, if the Jap fleet could get in range of them. The Japanese committed a powerful fleet to this objective, which split into two elements to attack from both north and south. American scout plans warned of the Jap concentration and the strong U.S. Carrier force went north to meet the enemy without knowing the Jap fleet had split, and found the Japs fleeing in front of them. Behind guarding Leyte and its vulnerable fleet of freighters were the "old" battleships and a squadron of destroyers, unknown to the Japs. The southern Japanese fleet had to approach Leyte Gulf through Surigao Strait, which winds its way across the middle of the Philippine archipelago, affording one of two sea routes east and west across the Philippines, with Leyte Gulf its eastern portal. The Japanese plan was to transit the strait at night, exiting in Leyte Gulf at daybreak, amidst the fleet of freighters and transports destroying everything in sight. The hostile fleet consisted of two battleships, one of which was the Yamashiro, six cruisers, and ten destroyers, all of which had been seen by our air scouts as they coursed for Surigao Strait the evening of October 24, 1944.

The six "old" battleships we had on duty formed a line of battle in Leyte Gulf to meet the Japs as they debouched from Surigao Strait, with the destroyers organized in attacking sections of two or three, and sent to picket stations about 12 miles south of the battle line. The West Virginia, flying the same flag she wore at Pearl Harbor, had the proud honor of leading the battle line. Destroyer Bennion and two others comprised an attacking force operating on the West side of Surigao Strait. From reports of PT scouts down the strait the Americans knew the Japs were coming.

The West Virginia was now over 22 years old, her companions were all "old" too, and several like her had come back from grave damage. The Japs would have all new ships, and should have the latest equipment, and on paper would be a superior force, especially in view of their modern cruisers.

Our attack destroyers were ordered to attack at 3:37 a.m.; "get the big boys," and the battle was on. The U.S. Battle line moved forward, the "open fire" order was given, and the West Virginia was the first battleship to open up. She poured 93 one-ton armor piercing shells into the Japanese formation with the Bennion now between her and the enemy to spot hits. The little destroyer stood back from the Japanese line just far enough for six, eight, fourteen, and sixteen inch shells to arch over her, and her hawk eyed spotters reported back that the shells from our line were hitting. The West Virginia caught the big Yamishiro in her range finders and never let her go. To quote the official report it is highly likely that the Bennion's torpedoes hit the Yamishiro also. This big Japanese ship went down a little later obscured by smoke near Hibuson Island. The waters of Leyte Gulf were thick with Japanese swimmers and debris from sunken smaller ships, the Jap naval elements crept away in the dark, and the Leyte area saw no more of the Japanese navy. The West Virginia is given credit for sinking the Yamishiro. Leyte was "in the bag." The big island half way from Leyte to Manila was Mindoro, and a line was drawn under its name on the map. In December its number came up, and the West Virginia with two other battleships, a division of cruisers, six escort carriers, and a dozen destroyers, entered the Sulu Sea and weathered fierce air attacks as they moved up to bombardment position at the southern end of Mindoro. The Japanese lost numerous planes trying vainly to prevent the Mindoro landing, but did not venture a naval challenge. Standing on Mindoro looking North, the beautiful mountain, plain and waterscape before you, only a few miles away is Luzon, the heart and key of the Philippines.

The island just to the south across Tablas Strait has a name that will ring a bell if you are old enough, Panay, pronounced pun-EYE, it was the little U.S. Gunboat Panay that the Japanese caught in the Yangtze River, China and made a sneak peace time attack on in 1937, that started this whole holocaust of war.

With General MacArthur on Mindoro in sight of Luzon, the West Virginia was given a brief respite, and she departed for a rear area base where she spent Christmas day peacefully. Next day, December 26, 1944, she departed for a rendezvous at sea with the forces bound for the invasion of Luzon. Early in January the many elements of the Luzon invasion fleet were approaching Lingayen Gulf, the inner shores of which are 100 air line miles from Manila, the Capital of the Philippines, and the key to the Orient. The fleet was under continuous attack by the Jap air force for nearly a week, especially the West Virginia, which was in bombardment position ahead of the invasion force, and steadily pounded shore installations. At dawn January 6, 1945 friendly Filipinos watching from the mountains surrounding Lingayen Gulf saw what they had long hoped for, an immense fleet of friendly ships standing in to shore to land a liberating army. Ironically the beach was still strewn with remnants of the Japanese landing barges used by their invasion four years before. Little Bennion fought like a tiger on this move, taking on a much larger Jap destroyer, hitting her at 14,000 yards and running her off the vulnerable mine sweepers in Bennion's charge, while protecting herself from persistent Kamikaze attack. The army went ashore with such little opposition that the towns of Lingayen and Dagupan on the southern shores of the gulf where our army landed, were not destroyed in any way, and were the only ones of scores of Philipino towns seen by your correspondent still lighted by electricity, their main streets intact, with fully dressed windows, an island of normal life in a hurricane of seeming universal destruction. Our bombardment had gone over the coastal towns, and quick landings had prevented the Japs returning and burning them. The West Virginia and other ships remained in the vicinity over a month to prevent another attempt by the Japs at a supply ship attack, on this vital Lingayen Gulf area.

The war was now moving fast, and the West Virginia with her big rifles would soon be needed at the next spot on the map with a line underneath its name, so she departed for a rear area spot for "rest and recreation" and resupply. She reached her operating base on a morning in early February, 1945, and less than 24 hours later the "rest and recreation" ended suddenly, when she received a new assignment. The crew worked all night loading provisions, supplies, and fuel oil. She departed for Iwo Jima at top speed, arriving one hour after the first landing and turned on her fire, which was kept up until her ammunition was exhausted.

For her quick "turn around" and being the only heavy ship from the Lingayen operation ready for and taking part in the Iwo Jima battle, the West Virginia received a well done from Fleet Admiral Chester W. Nimitz.

According to the official chronology the West Virginia had not been struck by a major size enemy projectile up to this time, had suffered nothing more than a superficial damage from attacking aircraft, which is remarkable considering the Surigao battle was ship against ship, in classic naval tradition, the use of aircraft restricted by darkness, the battle occurring between 3:30 and 4:30 a.m. In previous actions at one time a Kamikaze plane evaded the curtain of fire until within one hundred yards of the ship, when the plane was cut in two, one wing sailing entirely over the West Virginia, while the balance hit the water at the ship's side. But the West Virginia would not remain unscarred forever taking part in battles like these. She was soon at Okinawa, and in April was adding herself to the heroic struggle for that last of the island stepping stones to the Japanese homeland. Here she received her only damage from enemy action, the night of the invasion. A Japanese suicide plane evaded a rain of tracer fire and dived steeply into the superstructure on her port side. The same side of all that damage at Pearl Harbor. He killed four of her men and wounded 23 others. Within an hour the West Virginia captain signalled he was fully operative.

The plane battered the splinter shield, a fire room intake, and parts of the signal bridge, broke through one deck and wound up in the galley. It's bomb was a dud, and fortunately did not explode. The engine thrown clear of the plane bounded into the ship's laundry. Fires which broke out were quickly extinguished, the bomb was defused and kept for a souvenir. The only permanent damage was the loss of one 20 MM gun mount. In less than three days the ship's own crew repaired all damage. A strongly fortified ridge position on Okinawa was called Shuri Castle, and its occupants were a thorn in the side of the U.S. Tenth Army fighting for capture of the island. On request the West Virginia sighted her sixteen inch rifles in on Shuri Castle and laid one hundred one-ton high explosive shells into it, destroying it entirely.

Next the West Virginia moved to Ie Shima and laid on a bombard-to aid in the capture of that island. In the battle here Ernie Pyle, widely known war correspondent, met death. In the battles of Okinawa and Ie Shima the West Virginia fired nearly 1,300 rounds of sixteen inch ammunition into enemy defenses of the islands.

Lying in Buckner Bay, Okinawa, named for U.S. General Buckner, son of Confederate General Buckner, defender of Vicksburg, the West Virginia was preparing to depart on a raiding mission that would take her to the China coast, when she received orders to join Admiral Halsey's third fleet as part of the advance occupation force in Japan, she had her last shot in anger.

Now her proudest moment came on August 31, 1945, when she steamed through Urage Channel into Tokyo Bay, the first of the "old" battleships to anchor off the Japanese capital. She was in sight of the Missouri when the surrender of Japan was signed, on board that ship with the scars of Pearl Harbor on her to witness the surrender, a fitting close to her illustrious fighting career.

After Pearl Harbor and rebuilding she had spent 223 days in battle actions, and 112 in rear areas. Lost four killed, and 23 wounded.

She had shot down, and assisted in downing 20 enemy planes.

She had sunk the Japanese battleship Yamashiro, which more than paid for all the money spent on the *West Virginia*, for if that giant had broken into San Pedro Bay the early morning of October 25, 1944, the entire war effort might have been set back a full year in time, with incalculable cost in money, and more important, lives.

She had fired literally a train-load of ammunition into the enemy,

	Rounds
16 inch	2,865
5 inch	23,880
40 MM	11,041
20 MM	21,759

Since Pearl Harbor she had steamed 71,615 miles, over 60,000 in combat area. The decorations of her crew included the Congressional Medal of Honor to her dead Captain, and thirty-eight crosses, medals, and commendations to her men.

The *West Virginia* herself earned five battle stars, plus the Navy Occupational Medal. She had participated in five major invasions, and led the battle line in possibly the last classic naval battle between surface battleships.

The *West Virginia* was retired to inactive status, and dismantled in the nineteen fifties, the main mast going to West Virginia University, where it stands in the Memorial Plaza, the flag staff to Clarksburg where it stands in the Court House lawn.

THE CBS "WARREN REPORT"—PART III

Mr. HARTKE. Mr. President, I have previously had printed in the Record two of the four successive broadcasts entitled "The Warren Report," as produced by CBS in the last week of June. I now ask unanimous consent that part III of that "News Inquiry," as CBS designated it, which appeared on the Nation's television screens on June 27, may also be printed in the Record.

There being no objection, the report was ordered to be printed in the Record, as follows:

CBS News Inquiry, "The Warren Report"—Part III

(Broadcast over the CBS Television Network, June 27, 1967)

With CBS News Correspondents Walter Cronkite, Dan Rather, Mike Wallace, and KRLD–TV News Director Eddie Barker.

Executive producer: Leslie Midgley.

Cronkite. For two nights we have been looking for answers to major questions concerning the assassination of President John F. Kennedy. Sunday night we asked: Did Lee Harvey Oswald take a rifle to the Book Depository Building? Our answer was yes. Where was Oswald on the day President Kennedy was shot? In the building on the sixth floor. Was Oswald's rifle fired from the building? Yes. How many shots were fired? Most likely, three. How fast could Oswald's rifle be fired? Fast enough. What was the time span of the shots? At least as large as the Warren Commission reported? Most likely the assassin had more time, not less.

And so, we concluded Sunday night that Lee Harvey Oswald fired three shots at the motorcade. And then, last night, we began to look into the question of conspiracy. Were there others also firing at the President? We interviewed eyewitnesses. They told conflicting stories. We tested in our own investigation the critical single bullet theory and found one bullet might well have wounded both men. Captain James Humes, who conducted the autopsy on the President, broke a three-and-a-half-year silence to report that he has re-examined the X-rays and photographs and stands firm that the shots came from behind. We heard Governor Connally and heard that his recollections conform with our own reconstruction of the assassination. And we concluded that there was no second gunman.

Tonight, we look further into the question of conspiracy. Was Oswald acting alone, or was he the agent of others? Was the assassination the sole work of a twisted, discontented man, seeking a place in history? Or, were there dark forces behind Oswald?

Continuing to seek an answer to the question of whether Lee Harvey Oswald was involved in a conspiracy leads us to a second murder. Oswald was taken into custody in a movie theatre at 1:50 P.M., 80 minutes after President Kennedy was shot. But he was first charged, not with the murder of the President, but with the murder of Dallas police officer, J. D. Tippit.

Our next question: Could Oswald have made his way to the scene of Officer Tippit's murder?

Rather. To solve the Tippit killing, it is vital to reconstruct Lee Harvey Oswald's actions from the moment of the assassination to the moment of Tippit's death. Yet for three and a half years, all news media have been barred from the Texas School Book Depository where the first critical few moments of Oswald's flight occurred. Depository officials have agreed to lift the ban for these special broadcasts and so, for the first time, we have been able to follow the path of Oswald's movements from his sniper's nest on the sixth floor.

Taking his rifle with him, Oswald went between the stacks of book cartons to the opposite corner of the sixth floor. He tucked the rifle down between stacks, and at this point probably discovered that the elevator could not be brought up, that Charles Givens, eager to see the parade, had forgotten to close the gate. So Oswald turned to the stairs and went down four flights to the second floor and to the lunchroom there, where he was next seen at about 12:31 PM, barely a minute and a half after his third shot.

In front of a coke machine a policeman at gunpoint actually stopped Oswald. But Depository Superintendent Roy Truly told the officer Oswald was an employee, and Oswald was released. Free to go, Oswald apparently crossed the second floor through this office, went down the front stairs, perhaps three minutes after the assassination, and continued out through the glass front door, well before police sealed off the Depository building.

Cronkite. Here is how the Warren Commission reconstructed Oswald's movements after he left the Depository. He walked seven blocks down Elm Street, then took a bus on Murphy, headed for Oak Cliff. But the bus quickly became tangled in the traffic jam caused by the assassination itself. And Oswald got off, walked two blocks to Lamar, then took a cab several blocks past his rooming house on Beckley.

The Commission believes he then walked back to his apartment picked up a revolver and a lightweight jacket, and set off on foot down Beckley.

Police Radio. Attention all squads. Attention all squads. The suspect in the shooting at Elm and Houston is reported to be an unknown white man, approximately 30, slender build, is possibly armed with what is thought to be a 30 calibre rifle. No further description at this time, or information. 12:45. KTB.

Cronkite. During this period, the Dallas police radio broadcast a description of a suspect, and critics have made much of the speed with which it was sent out—just 15 minutes after the shots were fired. It asked officers to be on the lookout for a white man, slender, weighing about 165, standing about 5 feet 10 inches, in his early 30's.

Well, how did police get the description on the air in 15 minutes? Critics have questioned both the source of the description and the speed with which it was sent out. The Warren Commission admitted the source could only be guessed at. Its own guess was that it came from Howard L. Brennan, an eyewitness. The critics doubt Brennan had a good enough view of Oswald in the window to arrive at a good description. They also doubt he passed the information on to a Secret Serviceman within 10 minutes, as he later claimed.

At 1:15 PM, 45 minutes after the assassination, the Commission Report says, Officer Tippit stopped Oswald, whether because of the description or not will never be known, and was shot down. But did Oswald have time to get to Tenth and Patton in time for the fatal encounter with Tippit?

Rather. A CBS newsmen, following the Warren Commission blueprint, found that 45 minutes was ample time.

Cronkite. The answer is yes. He could have made his way there.

Why was Officer Tippit in Oak Cliff off his normal beat? Those who believe there was a conspiracy involving the Dallas police force have maintained that the meeting between Oswald and Tippit was not an accident, that Tippit may have been looking for Oswald or vice versa. They say Tippit should not have been where he was and should not have been alone in the squad car. Eddie Barker talked to police radio dispatcher, Murray Jackson:

Barker. Officer Jackson, a lot of critics of the Warren Report have made quite a thing out of the fact that Officer Tippit was not in his district when he was killed. Could you tell us how he happened to be out of his district?

Murray Jackson. Yes, sir. I have heard this several times since the incident occurred. He was where he was because I had assigned him to be where he was in the central Oak Cliff area. There was the shooting involving the President and we immediately dispatched every available unit to the triple underpass where the shot was reported to have come from.

I realized that we were draining the Oak Cliff area of available police officers, so if there was an emergency such as an armed robbery or a major accident to come up, we wouldn't have anybody there that would be in any close proximity to answer the call. And since J. D. was the outermost unit—actually I had two units: 87, which was Officer Nelson, and 78, which was Officer Tippit.

Barker. Well, now, is—you got down to the time when Officer Tippit met his death. What transpired right prior to that? Did you—were you aware of where he was all the time?

Jackson. No, I asked him once again what his location was sometime after and to determine that he was in the Oak Cliff area, he said he was at Lancaster and Eighth, which is on the east side of Oak Cliff, on the—in the main business district. And I asked him once again, a few minutes later what his—I called him to ask him his location so I could keep track of him, where he was, in my mind, but he didn't answer.

Barker. When did you realize that he was dead?

Jackson. We had received a call from a citizen. They called us on the telephone and the call sheet came—came to me and there was a disturbance in the street in the 400 block of East Tenth. And I had called. I said, "78," and he didn't answer. And almost immediately to this, a citizen came in on the police radio and said, "Send me some help there's been an officer shot out here." And knowing that J. D. was the only one that should have been in Oak Cliff, my reaction was to call 78, and, of course, J. D. didn't answer. So, we asked the citizen to look at the—the number on the side of the car. This was the equipment number that determined which car, which patrol car, was to be on each assigned district, and they said that it was number 10. And since I had worked with J. D. in this particular car, well, I determined to myself that with him not answering, and the equipment number, that this was Officer Tippit.

Cronkite. The answer to this question is that he had been sent to Oak Cliff by the police dispatcher. Opponents of the Warren Report maintain that Officer Tippit was shot, not by Oswald, but by others. Who shot Officer Tippit? Eddie Barker talked to two witnesses who were on the scene of the Tippit murder. First, Domingo Benavides, who was at the wheel of a truck across the street from the scene.

Domingo Benavides. As I was driving down the street I seen this police car, was sitting here, and the officer was getting out of the car and apparently he'd been talking to the man that was standing by the car. The policeman got out of the car and, as he walked past the windshield of the car, where it's kind of lined up over the hood of the car, where this other man shot him. And, of course, he was reaching for his gun.

And so, I was standing there, you know, I mean sitting there in the truck, and not in no big hurry to get out because I was sitting there watching everything. This man turned from the car then, and took a couple of steps and, as he turned to walk away I believe he was unloading his gun, and he took the shells up in his hand and, as he took off, he threw them in the bushes more or less like nothing really, trying to get rid of them. I guess he didn't figure he'd get caught anyway, so he just threw them in the bushes.

But he—as he started to turn to walk away, well, he stopped and looked back at me and I don't know if he figured, well, I'll just let this poor guy go, or he had nothing to do with it, or, you know, I'm not out to kill everybody, just, you know, whoever gets in my way, I guess. I gave him enough time to get around the house. Thinking he might have went in the house, I set there for maybe a second or two and then jumped out of the truck and run over. As I walked by, I didn't even slow down, I seen the officer's dead. So I just walked on—got in the car and I figured that would be the fastest way—in fact, I don't know why I called him on the radio. I just figured now that it was the fastest way to—to get a police officer out.

Police Radio. Hello, police operator (static), go ahead. Hello, we've got a shooting out here. Where's it at? This is the police radio. What location is it at? Between Marsalis and Beckley. It's a police officer. Somebody shot him. What—what—it's in a police car, Number 10. Hello, police operator, did you get that? Police officer, 510 East Jefferson. Thank you. 35, assist the police . . .

Barker. Well, now, did several other people come up later?

Benavides. Immediately afterwards. I mean, it was just—all I had to do was—people I asked a block away like Mr. Callaway, he come up and he says, let's go get him, or something. And then this cab pulled up right afterwards, and so Callaway went over and took the guns—the officer's gun out of his hand.

Barker. Callaway did go after him, did he?

Benavides. Yeah, Callaway took off to go try to catch him.

Ted Callaway. Well, Eddie, I was standing on the front porch of the used car lot that I worked on here, and all of a sudden I heard some shooting.

In fact, I heard five shots coming from the direction behind the lot, out on Tenth Street there. Well, I come running off the side of the porch and out to the sidewalk here, and I looked up the street and I saw this man run through this hedge up here on the corner. And I saw right away that he had a gun in his hand. And he continued across the street coming in this direction. So when he got right across from me over here, just, oh, about 30 yards or less, why, I called to him and just asked him, "Hey, man, what the hell's goin' on, fella?" That's just exactly what I wondered. I didn't know who it was at the time, of course. And he looked in my direction and paused, almost stopped, and said something to me but I couldn't make out what he said. But he had this pistol in his hand, carrying it in what we used to call in the Marine Corps a raised pistol position, and then he slowed down and started walking.

Then, I ran to the corner of Tenth and Patton, and when I got there, I saw this squad car parked near the curb. And then I walked around in front of the squad car and this policeman was lying in front of the squad car.

Barker. Dom, what about those expended shells?

Benavides. Well, they were looking all over the place for evidence, I guess, and taking fingerprints and what have you. So, I guessed they was going to walk off and leave them, you know, not knowing they was there. And seeing that I knew where they was at, I walked over and—and picked up a stick and picked them up and put them in a waistcoat pocket. I think I picked up two and put them in a waistcoat pocket and then, as I was walking up, I picked the other one up by hand, I believe. And I picked them up with a stick, you know, to keep from leaving fingerprints on them, because I figured they might need them.

Cronkite. The cartridges that Benavides picked up were positively identified as being fired in Oswald's revolver. But, only one of the four lead bullets removed from Officer Tippit's body could be positively identified with that revolver by Illinois ballistics identification expert, Joseph Nicol.

Nicol. In the examination of the projectiles, the tests and the—and the evidence projectiles were not easily matched because of a certain mechanical problem with the weapon. The—the barrel was over-sized for the size of the ammunition used, since this was a weapon originally intended for British use and it was reimported into America.

This means that the bullet, instead of touching on all surfaces going down the barrel, actually wobbles a little bit as it goes through the barrel. As a consequence, it is difficult to have it strike the same places every time that it goes through the barrel. So that the—the match on the—on the projectiles was extremely difficult.

I did find, however, that on the driving edge of the lense there were certain groups of lines which I could match on one bullet. I wasn't able to identify the others, although there was nothing to exclude them insofar as the class characteristics. All of them could have been fired in that particular weapon.

Cronkite. One of the bullets that killed Officer Tippit was fired in Oswald's revolver. The other three could have been, according to the ballistics identification expert. Ted Callaway went to the police station that night and made a positive identification of Oswald in a line-up. But Mr. Benavides did not do so. Eddie Barker asked him if he were sure Oswald did the shooting.

Barker. Is there any doubt in your mind that Oswald was the man you had seen shoot Tippit?

Benavides. No, sir, there was no doubt at all. I could even tell you how he combed his hair and the clothes he wore and what have you, all the details. And if he had a scar on his face, I could probably have told you about it, but—you don't forget things like that.

Cronkite. The answer to this question, despite the problem of the ballistic evidence, is that Lee Harvey Oswald shot J. D. Tippit.

What of the theory that Tippit actually knew Oswald? It's not easy to prove that someone did not know someone else. But every attempt to pin down the rumor that the two men knew each other has ended in failure. There is nothing in the circumstances surrounding Tippit's death to suggest any kind of conspiracy. Mrs. Tippit says flatly that neither she nor her husband knew Oswald. Officer Jackson was among Tippit's closest friends and had been for years. Eddie Barker put the question to him.

Barker. Do you have any reason to believe that Office Tippit knew Lee Harvey Oswald.

Jackson. I don't believe there is a possible connection at all. No. I don't think that he knew Oswald.

Barker. Did you know Oswald?

Jackson. No, I didn't either.

Rather. Thirty-five minutes after Officer Tippit's murder Oswald was captured in the Texas Theatre. Johnny Brewer, a shoe clerk, had spotted him in the doorway, and watched while he slipped into the theatre. Brewer spoke to the cashier. She called police.

The next 48 hours were filled with confusion. An army of newsmen jammed into the Dallas Police Building. Oswald was paraded through the halls, to and from questioning sessions.

Police Chief Jesse Curry and District Attorney Henry Wade said repeatedly they expected to prove Oswald guilty, although he maintained to the last he was not.

No record was made of his interrogation.

Sunday, November 24th, the mob scene continues, as Oswald is brought into the basement of the Police Building for transfer to the jail. And then, in full sight of millions of television viewers, a man named Jack Ruby surges through the crowd and shoots Lee Oswald dead.

Cronkite. Why? A fateful meeting of deranged minds? Or some twisted conspiracy? Why did Ruby kill Oswald?

Rather. This is the world of Jack Ruby. A world of neon and female flesh, of bumps and grinds, and watered drinks.

Ruby operated a pair of sleezy nightclubs, The Carousel and The Vegas. In the free and easy atmosphere that seemed to characterize the boom city Ruby was also a hanger-on of the police, entertaining off-duty officers in his strip joints, often carrying sandwiches over to the Police Building for his on-duty friends.

These are some of the people of Jack Ruby's world—his roommate, a competing nightclub owner, and two of Jack Ruby's girls.

Mr. Weinstein, why do you think Jack Ruby shot Lee Harvey Oswald?

Barney Weinstein. I think it was on the spur of the moment, that he really wanted to make himself look like a big man. And he thought that would make him above everybody else, that the people would come up and thank him for it, that people would come around and want to meet him and want to know him, "This is the man that shot the man that shot the President."

Rather. Why do you think Jack shot Oswald?

Alice. Oh, I think that it was mostly an impulsive act. And Jack also, I believe, felt that so many people at the time were saying, "They ought to kill him," and this and that, that he—in my personal opinion, Jack thought this would just bring him a—a sensational amount of business, and he would just really be a hero.

Rather. Diana, why do you think Jack shot Oswald?

Diana. I think that he came down there just to see what was going on, and when he saw that sneer on Oswald's face—that's all it would take to snap Jack, the way Oswald's mouth was curled up, you could even see it in the picture. I think when he saw that look was when he decided to shoot him. Not when he was coming down. And I think he did it because he thought that it was a service to his country, in his way of thinking. That was the way he thought.

George Senator. I don't believe that Jack Ruby ever took any secrets to his grave. I've been—I've been around him too long, and I've lived with him too long. And I'm certain he told the truth right up until his death. And I never can be—and I'll never be convinced otherwise. There is nothing he ever hid. The public knew everything he ever said, or heard.

Cronkite. Jack Ruby was convicted of the murder of Oswald, but the conviction was reversed by an Appeals Court which held that an alleged confession should not have been admitted.

Ruby died six months ago of cancer, maintaining to the last that he was no conspirator, that he had killed Oswald out of anger and a desire to shield Jacqueline Kennedy from the ordeal of a trial at which she would have had to appear as a witness.

Dallas police had alerted the press that Oswald would be moved to the County Jail shortly after 10:00 AM on November 24th. That departure was delayed. Yet a receipt shows that Ruby was sending a money order to one of his strippers from a Western Union office across from the courthouse at 11:17 AM, when anyone premeditating murder in the courthouse basement would already have stationed himself there. In fact, it was probably the activity around the courthouse entrance which caught Jack Ruby's eye as he left the Western Union office. Ruby was carrying a pistol because he was carrying money. He was accustomed to wander in and out of the Police Building at will.

The Oswald murder today still appears to have been not a conspiracy, but an impulse—meaningless violence born of meaningless violence.

But the most recent, most spectacular development in the Oswald case involves the C.I.A. It involves, too, the spectacular District Attorney of New Orleans, a man they call the Jolly Green Giant. It involves an arrest, hypnotism, truth serum, bribery charges, and, for the first time, an outline of a conspiracy. It certainly accounts for the recent national upsurge of suspicion concerning the conclusions of the Warren Report. And it raises a new question: Was the assassination plotted in New Orleans?

Mike Wallace reports.

Wallace. New Orleans District Attorney Jim Garrison quietly began his own investigation of the assassination last fall. In a sense, he picked up where the Warren Commission had left off. Warren investigators questioned a number of people in New Orleans after the assassination, and they failed to implicate any of them. But the more Garrison went back over old ground apparently, the more fascinated he became with the possibility that a plot to kill President Kennedy actually began in New Orleans. By the time the story of his investigation broke four months ago he seemed supremely confident that he could make a case, that he had solved the assassination.

Garrison. Because I certainly wouldn't say with confidence that we would make arrests and have convictions afterwards if I did not know that we had solved the assassination of President Kennedy beyond any shadow of a doubt. I can't imagine that people would think that—that I would guess and say something like that rashly. There's no question about it. We know what cities were involved, we know how it was done in—in the essential respects. We know the key individuals involved. And we're in the process of developing evidence now. I thought I made that clear days ago.

Wallace. He shocked New Orleans four months ago by arresting the socially prominent Clay Shaw, former director of the New Orleans International Trade Mart.

Garrison's charge was that Shaw had conspired with two other men to plot the assassination of President Kennedy. Garrison said Shaw had known David Ferrie, an eccentric former airline pilot who was found dead a week before Garrison had planned to arrest him. Incidentally, the coroner said Ferrie died of natural causes. But Garrison called it suicide.

He said Shaw also knew Lee Harvey Oswald; that Ferrie, Oswald, and Shaw met one night in the summer of 1963 and plotted the President's death. Clay Shaw said it was all fantastic.

Shaw. I am completely innocent of any such charges. I have not conspired with anyone, at any time, or any place, to murder our late and esteemed President John F. Kennedy, or any other individual. I have always had only the highest and utmost respect and admiration for Mr. Kennedy.

The charges filed against me have no foundation in fact or in law. I have not been apprised of the basis of these fantastic charges, and assume that in due course I will be furnished with this information, and will be afforded an opportunity to prove my innocence.

I did not know Harvey Lee Oswald, nor did I ever see or talk with him, or anyone who knew him at any time in my life.

Wallace. A preliminary hearing for Shaw was held two weeks after his arrest. The hearing was complete with a surprise mystery witness, Perry Raymond Russo, twenty-five-year-old insurance salesman, and friend of the late David Ferrie. Through three days of intense cross-examination Russo held doggedly to his story, that he himself had been present when Shaw, Ferrie, and Oswald plotted the Kennedy assassination. Russo admitted at the hearing that he had been hypnotized three times by Garrison men.

A writer for The Saturday Evening Post said he read transcripts of what went on at those sessions. The writer suggested that Russo's entire performance at the hearing was the product of post-hypnotic suggestion. Clay Shaw was ordered held for trial. It could be months before the trial actually takes place.

Meanwhile, various news organizations have reported serious charges against Jim Garrison and his staff, alleging bribery, intimidation, and efforts to plant and/or manufacture evidence against Shaw. Last month Newsweek Magazine said Garrison's office had tried to bribe Alvin Beauboeuf, the twenty-one-year-old former friend of David Ferrie. Beauboeuf, the magazine said, was offered three thousand dollars to supply testimony that would shore up the conspiracy charge against Shaw.

Garrison promptly released an affidavit Beauboeuf had signed. The affidavit said no one working for Garrison had ever asked Beauboeuf to tell anything but the truth.

Subsequently, New Orleans police investigated the Beauboeuf charge and said Garrison's men had been falsely accused. But that was just the beginning. Three more bribery accusations have since come to light, two involving Louisiana prison inmates, one involving a nightclub and Turkish Bath operator. In each of those cases the charges that rewards were offered in return for allegedly false testimony or other help that would implicate Clay Shaw. We will hear Garrison's comment on those charges later in the broadcast.

Meanwhile, Garrison has gone on to include Jack Ruby in the alleged conspiracy involving Shaw and Lee Harvey Oswald. Garrison says Jack Ruby's unlisted telephone number in 1963 appears in code in address books belonging to Shaw and Oswald. He says both books note the Dallas Post Office box number 11906. Ruby's unlisted phone number was WHitehall-1 5601. And Garrison furnished a complicated formula for converting PO 11906 to WH-1 5601.

Louisiana Senator Russell Long, appearing on Face the Nation a few days later, explained how the code works.

Long. So if you take the P and the O, and you use a telephone dial, P gives you seven, O gives you six. You add seven and six together and you get thirteen. Then you take the 19106, and you work on a A B C D E F—the A B C D E basis, so you put A—A falls—comes ahead of E. Then you put D behind C. And you reconstruct the numbers, and that—and then you subtract thirteen hundred, which you got for the P O, and that gives you Ruby's unlisted telephone number.

Wallace. A Dallas businessman named Lee Odom had that Dallas Post Office box for a while in 1966. He said he didn't know how the number got in Oswald's address book, but he could explain how it got in Shaw's. Odom said he met Shaw when he went to New Orleans looking for a place to hold a bloodless bullfight.

Odom. When I got to New Orleans, and I got there—it was late, and so I wanted to see what New Orleans—my first trip to New Orleans. And I went to Pat O'Brien's, and that's where I met Mr. Shaw. I was sitting, drinking at the bar, and he was sitting next to me, and I got to talking to him about the—if he thought a bullfight might go over good in—in New Orleans. And he said that he thought it would, and we introduced each other. He was in the real estate business, and said he might be able to help me. So the next day, why, we had lunch together, and tried to find out about a place to have a bullfight. Made two or three phone calls, and—we didn't find any place. So when I got ready to leave there, I give him my name and my box number, which I saw him write in his little book. And I never heard from him after that. But that's how the number got in the book.

Wallace. The number 19106 does appear in Oswald's address book, although some say the letters in front of it are not P O, but Russian letters. No one knows when Oswald made the entry.

Garrison has expanded the scope of his charges to include not only a Shaw-Oswald-Ruby link, but the C.I.A. as well. Further, Garrison says he knows that five anti-Castro Cuban guerrillas, not Lee Harvey Oswald, killed President Kennedy. He says the C.I.A. is concealing both the names and the whereabouts of the Cubans.

In an interview with Bob Jones of WWL-TV, New Orleans, he discussed proof that the guerrillas were there at Dealey Plaza in Dallas.

Garrison. We have even located photographs in which we can—we have found the—the men behind the grassy knoll, and the—and the stone wall, before they dropped completely out of sight. There were five of them. Three behind the stone wall, and two behind the grassy knoll. And they're not quite out of sight. And they've been located in other photographs, by process of bringing them out. Although they're not distinct enough you can make an identification from their faces.

Wallace. This is one of the photographs Garrison is talking about, shown first with an overlay. Those roughly-drawn figures at the bottom of the page could be the men Garrison believes he sees through the little holes at the top. Now we remove the overlay to see the photograph itself—a hazy blowup of an area from a larger picture. If there are men up there behind the wall, they definitely cannot be seen with the naked eye.

I asked Garrison if he would sort it all out, if he could summarize his investigation, and put it in perspective.

Garrison. About the New Orleans part, I don't like to sound coy, but it is impossible to talk about the New Orleans details without touching somehow on the case. And I'm not going to take any chances about reflecting on Mr. Shaw, or this case. We've worked too hard for me to ruin it by casual comment.

Wallace. Four months ago you said that you had solved the assassination. At that time you didn't even know Perry Russo. And yet Perry Russo, it turns out, is your main witness in the preliminary hearing.

Garrison. Right.

Wallace. Is he still your main witness?

Garrison. No.

Wallace. Are there others?

Garrison. No. There are others, and I would not describe Perry Russo as the main witness. But let me say this, that the major part of our case, up to that time, was circumstantial. Again, I don't want to touch in any way on the case against the defendant, but we knew months before that the key people involved but there was no basis for moving at that time.

Wallace. You say that Lee Harvey Oswald did not kill President Kennedy. Who, then, did kill him?

Garrison. Well, first of all, if I knew the names of the individuals behind the grassy knoll, where we know they were and the stone wall, I certainly would not tell you, and couldn't here. There is no question about the fact they were there. There's no question in our minds what the dominant race of these individuals was. And there's no question about the motive. In the course of time we will have the names of every one of them. The reason for Officer Tippit's murder is simply this: it was necessary for them to get rid of the decoy in the case—Lee Oswald . . . Lee Oswald. Now, in order to get rid of him—so that he would not later describe the people involved in this, they had what I think is a rather clever plan. It's well-known that police officers react violently to the murder of a police officer. All they did was arrange for an officer to be sent out to Tenth Street, and when Officer Tippit arrived there he was murdered, with no other reason than that. Now, after he was murdered, Oswald was pointed to, sitting in the back of the Texas Theatre where he'd been told to wait, obviously.

Now, the idea was, quite apparently, that Oswald would be killed in the Texas Theatre when he arrived, because he'd killed a "bluecoat." That's the way the officers in New Orleans use the phrase. "He killed a bluecoat." But the Dallas police, at least the arresting Dallas police, fooled them because they had, apparently, too much humanity in them, and they did not kill him.

Wallace. All right, there is Lee Harvey Oswald at the back of the Texas Theatre—then what?

Garrison. Well, then notification is gotten to the police of this suspicious man in the back of the theatre, and you know the rest. But the—the Dallas police, apparently, at least the arresting police officers, had more humanity in them than the planners had in mind. And this is the first point at which the plan did not work completely. So Oswald was not killed there. He was arrested. This left a problem, because if Lee Oswald stayed alive long enough, obviously he would name names and talk about this thing that he'd been drawn into. It was necessary to kill him.

Wallace. That's where Jack Ruby comes into the picture.

Garrison. That's right. It was necessary for one of the people involved to kill him.

Wallace. Mr. Garrison, obviously we're not going to try the case of Clay Shaw here on television, but some people, some journalists and others, have charged that you have tried to bribe, to hypnotize, to drug witnesses in order to prove your case against Shaw.

Garrison. That's right. I understand that the latest—latest news by a New York Times writer is that we offered an ounce of heroin and three months' vacation to one—as a matter of fact, this is part of our incentive program for convicts. We also have six weeks in the Bahamas, and we give them some LSD to get there.

This—this—this attitude of skepticism on the part of the press is an astonishing thing to me, and a new thing to me. They have a problem with my office. And one of the problems is that we have no political appointments. Most of our men are selected by recommendations of deans of law schools. They work 9:00 to 5:00, and we have a highly professional office. I think one of the best in the country. So they're reduced to making up these fictions. We have not intimidated a witness since the day I came in office.

Wallace. One question is asked again and again: Why doesn't Jim Garrison give his information, if it is valid information, why doesn't he give it to the Federal Government? Now that everything is out in the open the C.I.A. could hardly stand in your way again, could they? Why don't you take this information that you have and cooperate with the Federal Government?

Garrison. Well, that would be one approach, Mike. Or I could take my files and take them up on the Mississippi River Bridge and throw them in the river. It'd be about the same result.

Wallace. You mean, they just don't want any other solution from that in the Warren Report?

Garrison. Well, isn't that kind of obvious? Where do you think that pressure's coming from that prevents witnesses and defendants from being brought back to our state?

Wallace. Where is that pressure coming from?

Garrison. It's coming from Washington, obviously.

Wallace. For what reason?

Garrison. Because there are individuals in Washington who do not want the truth about the Kennedy murder to come out.

Wallace. Where are those individuals? Are they in the White House? Are they in the C.I.A.? Are they in the F.B.I.? Where are they?

Garrison. I think the probability is that you'll find them in the Justice Department and the Central Intelligence Agency.

Wallace. You're asking a good many questions, but you haven't got the answers to those questions. You have a theory as to why indeed the President might have been assassinated by a group of dissidents. . . .

Garrison. No. Your statement is incorrect. We have more than a theory. We have conversations about the assassination of the President of the United States, and it does not include only the conversation brought out at the preliminary hearing.

We have money passed, with regard to the assassination of the President of the United States. We have individuals involved in the planning. And we can make the case completely. I can't make any more comments about the case, except to say anybody that thinks it's just a theory is going to be awfully surprised when it comes to trial.

Wallace. Garrison says Clay Shaw used the alias Clay Bertrand, or Clem Bertrand. At Shaw's preliminary hearing Perry Russo testified that Shaw used the name Clem Bertrand the night of the alleged meeting to plot the assassination. It was obviously a crucial point in Garrison's presentation at that hearing.

But a week ago NBC said it has discovered that Clay Bertrand is not Clay Shaw. NBC said the man who uses that alias is a New Orleans homosexual, whose real name—not disclosed in the broadcast—has been turned over to the Justice Department.

Cronkite. Garrison's problems multiplied yesterday. His chief aide, William Gurvich, who conferred recently with Senator Robert Kennedy, abruptly resigned.

Gurvich was questioned by Bill Reed, News Director of WWL–TV, New Orleans, and CBS News reporter Edward Rabel.

Rabel. Mr. Gurvich, why did you resign as Mr. Garrison's chief aide in this investigation?

Gurvich. I was very dissatisfied with the way the investigation was being conducted, and I saw no reason for the investigation—and decided that if the job of an investigator is to find the truth, then I was to find it. I found it. And this led to my resignation.

Rabel. Well, what then is the truth?

Gurvich. The truth, as I see it, is that Mr. Shaw should never have been arrested.

Rabel. Why did you decide to see Senator Robert Kennedy?

Gurvich. Ed, I went to Senator Kennedy because he was a brother of the late President Kennedy, to tell him we could shed no light on the death of his brother, and not to be hoping for such. After I told him that, he appeared to be rather disgusted to think that someone was exploiting his brother's death, and—by bringing it up, over and over again, and doing what has been done in this investigation.

Reed. There's been talk of allegations, of wrong-doing, of coercion, of possible bribery on the part of investigators—of certain investigators for the District Attorney. To your knowledge, are these allegations true?

Gurvich. Unquestionably, things have happened in the District Attorney's Office that definitely warrants an investigation by the Parish Grand Jury, as well as the Federal Grand Jury.

Reed. Would you say these methods were illegal?

Gurvich. I would say very illegal, and unethical.

Reed. Can you give us any specifics?

Gurvich. I would rather save that for the Grand Juries, Bill, if I may.

Reed. Is this on the part of just one or two investigators, or does it involve the whole staff, or perhaps Mr. Garrison . . .

Gurvich. It involves more than two people.

Reed. More than two people. Do you believe Mr. Garrison had knowledge of these activities?

Gurvich. Yeah—of course, he did. He ordered it.

Reed. He ordered it?

Gurvich. He ordered it. Yes, sir.

Rabel. Why did he feel it was necessary to order such activities?

Gurvich. That I cannot explain. I am not a psychiatrist.

Reed. Mr. Garrison said the C.I.A. has attempted to block his investigation . . .

Gurvich. His purpose for bringing the C.I.A. in, Bill, is this: As he put it, they can't afford to answer. He can say what he damn well pleases about that agency, and they'll never reply.

Cronkite. Mr. Garrison is the only critic who has been in a position to act on his beliefs. He has brought Clay Shaw before the courts of Louisiana, and until that case is tried we cannot, with propriety, go deep into the details of the evidence, or reach any final conclusions concerning the case or the allegations concerning Clay Shaw.

Mr. Garrison's public statements, however—and there's been no shortage of them—are fair targets. They have consistently promised startling proof, but until the trial Mr. Garrison's promises remain just that, and cannot be tested.

But the whole atmosphere of his investigations, and the charges that have been made by news organizations concerning it, are not such as to inspire confidence. It may be that Garrison will finally show that there was a lunatic fringe in dark and devious conspiracy. But, so far, he has shown us nothing to link the events he alleges to have taken place in New Orleans, and the events we know to have taken place in Dallas.

Those events, events surrounding the assassination itself, we have now examined to the best of our ability. On Sunday night we considered whether Lee Harvey Oswald had shot the President. We concluded that he had. Last night we asked if there was more than one assassin. We concluded there was not, and that Oswald was a sole assassin.

Tonight we've asked if there was a conspiracy involving perhaps Officer Tippit, Jack Ruby, or others. The answer here cannot be as firm as our other answers, partly because of the difficulty, cited in the Warren Report, of proving something did not happen. But partly, too, because there remains a question as to just what Jim Garrison will produce in that New Orleans courtroom.

But on the basis of the evidence now in hand at least, we still can find no convincing indication of such a conspiracy. If we put those three conclusions together, they seem to CBS News to tell just one story—Lee Harvey Oswald, alone, and for reasons all his own, shot and killed President Kennedy. It is too much to expect that the critics of the Warren Report will be satisfied with the conclusion CBS News has reached, any more than they were satisfied with the conclusions the Commission reached.

Mark Lane, for example, the most vocal of all the critics, has a theory of his own.

Bill Stout. If you would give us, briefly, Mr. Lane, your version of what happened there that day.

Lane. Well, I think—if I can use this model, I think the evidence indicates—of course, the car came down Main, up here, and down to Elm Street, and was approximately here when the first shot was fired. The first shot struck the President in the back of the right shoulder, according to the F.B.I. report, and indicates therefore that it came from some place in the rear—which includes the possibility of it coming from the Book Depository Building.

The second bullet struck the President in the throat from the front, came from behind this wooden fence, high up on a grassy knoll. Two more bullets were fired. One struck the Elm—the Main Street curb, and caused some concrete, or lead, to scatter up and strike a spectator named James Tague in the face. Another bullet, fired from the rear, struck Governor Connally in the back. As the limousine moved up to approximately this point, another bullet was fired from the right front, struck the President in the head, drove him—his body, to the left and to the rear, and drove a portion of his skull backward, to the left and to the rear. Five bullets, fired from at least two different directions, the result of a conspiracy.

Cronkite. An even more elaborate account is given by William Turner, a former F.B.I. agent, who has become a warm supporter of District Attorney Garrison.

Turner. Now, what happened there was that the Kennedy motorcade coming down there, the Kennedy limousine—there were shots from the rear, from either the Dallas School Book Depository Building, or the Dell Mart, or the courthouse; and there were shots from the grassy knoll. This is triangulation.

There is no escape from it, if it's properly executed.

I think that the massive head wound, where the President's head was literally blown apart, came from a quartering angle on the grassy knoll. The bullet was a low velocity dum-dum mercury fulminate hollow-nose, which were outlawed by The Hague Convention, but which are used by paramilitary groups. And that the whole reaction is very consistent to this kind of weapon. That he was struck, and his head—doesn't go directly back this way, but it goes back and over this way, which would be consistent with the shot from that direction, and Newton's Law of Motion.

Now, I feel also that the escape was very simple. Number one, using a revolver or a pistol, the shells do not eject, they don't even have to bother to pick up their discharged shells. Number two, they can slip—put the gun under their coat, and when everybody comes surging up there they can just say, "He went that-a-way." Very simple. In fact, it's so simple that it probably happened that way.

Cronkite. In the light of what we have exposed over the past three evenings, it's difficult to take such versions seriously. But unquestionably there are those who will do so, and it is their privilege.

Our own task is not yet over. We must still ask whether the Warren Commission did all that was asked of it, whether other arms of the government acted as they should have acted, whether another commission might cast new light upon the assassination. We must ask also whether there are fundamental and profound human reasons for the aura of disbelief that surrounds the Warren Report. We will deal with all those matters tomorrow night, in the last portion of this inquiry.

But this is a natural moment to pause, and to sum up what we think we have learned.

Dan, you were in Dealey Plaza on the day of the assassination. You've been back there several times since, when we did the first Warren Report, and now in recent days to prepare this report. You've been up in that window. We've looked out that window with you. But, subjectively, what is the Oswald-eye view of the assassination site?

Rather. It was an easy shot. A much easier shot than even it looks in our pictures. The range was such, the angle was such, that it did not take an expert shot, one man, to do what the Warren Commission says was done from there.

Cronkite. Eddie, as News Director of our esteemed affiliate, KRLD–TV in Dallas, you've been right in the vortex of this thing since the moment of the assassination. What about the people of Dallas themselves? Do they agree with the Warren Commission Report?

Barker. Walter, I think that on a cross-section basis, the percentage that had some doubt about it would be about what it would be across the country. Certainly there are people who have some doubts about it. But most of the doubters, I think, are those who come to Dallas, and who come into our newsroom, as a matter of fact. They bring a lot of questions. But so far none of them have brought any answers.

Cronkite. That's the problem we all have, isn't it? And let me ask each of you in turn this question: Are you contented with the basic finding of the Warren Commission?

Rather. I'm contented with the basic finding of the Warren Commission, that the evidence is overwhelming that Oswald fired at the President, and that Oswald probably killed President Kennedy alone. I am not content with the findings on Oswald's possible connections with government agencies. particularly with the C.I.A. I'm not totally convinced that at some earlier time, unconnected with the assassination, that Oswald may have had more connections than we've been told about, or that have been shown. I'm not totally convinced about the single bullet theory. But I don't think it's absolutely necessary to the final conclusion of the Warren Commission Report. I would have liked more questioning, a more thorough going into Marina Oswald's background. But as to the basic conclusion, I agree.

Cronkite. Eddie?

Barker. I agree with it, Walter. It's too bad, of course, that Oswald didn't have his day in court. But I felt the night of November 22nd that he was the one who had shot the President, and nothing has come to light since then to change my opinion a bit.

Cronkite. It is difficult to be totally content. Yet experience teaches all of us that any complex human event that is examined scrupulously and in detail will reveal improbabilities, inconsistencies, awkward gaps in our knowledge. Only in fiction do we find all the loose ends neatly tied. That is one of the ways we identify something as fiction.

Real life is not all that tidy. In 1943 Lieutenant John F. Kennedy came under enemy fire behind Japanese lines in the Pacific. His PT boat was destroyed. His back, already weak, was re-injured. Yet he swam three miles, towing a wounded shipmate, found shelter on an island, escaped Japanese search, encountered natives who carried messages back to American forces, crossed undetected through enemy waters as enemy planes hovered overhead, and survived to become President.

The account of his survival is full of improbabilities, coincidences, unknowns. So is the account of his death. So would be the account of your life, or mine, or the life of any one of us.

Concerning the events of November 22nd, 1963, in Dealey Plaza, the report of the Warren Commission is probably as close as we can ever come now to the truth. And yet if the Warren Commission had acted otherwise three years ago, if other government agencies had done differently then, would we today be even closer to the truth?

Tomorrow we will consider not the assassination, but the work of the Commission that was appointed to study it. For the first time a member of that Commission, John J. McCloy, will publicly discuss its work and its findings. Members of the Commission staff, and one of the Commission's most persuasive critics, Edward J. Epstein, will be heard. And we will ask, although we may not be able to answer, two last questions:

Should America believe the Warren Report?

Could America believe the Warren Report?

This is Walter Cronkite, with Dan Rather and Eddie Barker.

Goodnight.

Announcer. This has been the third of a series, CBS News Inquiry: "The Warren Report." The fourth part will appear tomorrow night at this same time.

NO INSURANCE, NO BUSINESS

Mr. SMATHERS. Mr. President, I ask unanimous consent to have printed in the body of the Record an article entitled "No Insurance, No Business," by Eliot Janeway, and published in the Washington Evening Star of August 7. Mr. Janeway is an excellent economist. All of the arguments which he makes in his article support the need for immediate passage of my bill, S. 1484, which would set up a Small Business Crime Protection Insurance Corporation. I hope Congress will move quickly on this legislation. I commend to the reading of Senators the fine arguments of Mr. Janeway in its favor.

There being no objection, the article was ordered to be printed in the Record, as follows.

No Insurance, No Business

(By Eliot Janeway)

New York.—The disaster in Detroit has uncovered a problem common to all our cities which is threatening them with a blight more cancerous than violence. Even where the volcano of urban disorder merely seethes and does not erupt, the fear that it may has become a clear and present danger to normal neighborhood commerce.

Insurance against fire, casualty, and theft is as rudimentary a cost of doing business as hiring labor, buying merchandise, and burning electricity. Like every other cost of doing business, it is passed through onto the cost of living. The cost of insuring stores and the goods in them is going up—as the cost of insuring cars for youngsters under 25 did several years ago.

But higher costs for insurance companies and store-keepers, and higher prices for their customers, can be the smaller part of the problem. Suppose insurance is not to be had at any price. Suppose insurance companies decide to cut their losses by classifying risks in urban jungle centers as uninsurable. And suppose a trend starts among local merchants to take their beating and close up shop.

The business incentives to do so are obvious, and so are the economic consequences. For years before the outbreak of jungle war in our cities, it was an axiom of investment analysis that fire and casualty companies lost money on their insurance operations, and relied on their investment earnings to make out. But now damage losses are skyrocketing, while investment grade securities are not.

The fire and casualty companies can make money simply by shrinking back their high-risk policies and letting their money work for them—instead of disrupting their investment earnings on making good their underwriting losses.

Although insurance represents just a nominal cost of doing business, no one dares do business without it. Big businesses won't, and small businesses can't. The neighborhood business man has his working capital tied up in his inventory. The small distributor supplying the local retailer has his working capital, in turn, tied up in customer's receivables.

If a small business can't insure its inventory, and its premises and improvements, it can't stay in business. If it can't recover on its losses, without delay or litigation, it's out of business. Every local merchant and dealer and service operator who makes the grade is jealous of his standing with the insurance companies, and knows what it is to struggle to establish and maintain it.

Small business keeps big business going because small business means the avenues along which big business moves its products to the retail public. Big business is free to operate at locations it regards as economic. Small business, for better or worse, must take its chances where the customers are. Big business operates with other people's money. But the local shopkeeper whose windows and shelves are on the firing-line in our cities has to operate with his own money on the line.

At the retail end of the economic process, people who live in cities need to be able to trade where they live. The more underprivileged a family is, the less its members can afford to waste time and transportation traveling to shop. People who live in or around troubled areas, when they rent or own their homes, have learned the hard way that empty store fronts ruin neighborhoods as fast as they drain and strain city treasuries.

Insurance is the arterial link between production as it comes out of the factory gate and moves through the middlemen who store and sell it to the consumer. If violence in the cities cuts this artery, the resultant paralysis could bring on a depression; and the country's business men are running scared that it will.

There is something that can be done. It is simple and, instead of costing the government money, it can actually earn income for the Treasury while it insures the economy. All LBJ need do is copy FDR's anti-depression cure for mortgage foreclosures and apply it to insurance policy cancellations. Mortgage lenders have been using FHA to buy federal reinsurance for mortgages, and insurance underwriters now need a similar facility for buying federal riot reinsurance. This is one presidential proposal Congress would pass quickly.

THE BLACK CANYON OF THE GUNNISON RIVER, COLO.

Mr. **DOMINICK**. Mr. President, our Rocky Mountain West is unexcelled by any other area of the world for its scenic grandeur, the majestic beauty of our mountains, and the breathtaking vistas where nature's marvels remain unmarred by the march of modern civilization.

Among the areas in Colorado of great interest to geologists, botanists and students of the evolutionary process which produced our majestic Rocky Mountains is the 50-mile-long Black Canyon of the Gunnison River. Mr. Wallace R. Hansen eloquently describes the many natural wonders of this western Colorado canyon in an article published in the July issue of National Parks magazine. I ask unanimous consent that Mr. Hansen's article be printed in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

The Lower Black Canyon of the Gunnison

(By Wallace R. Hansen)

(Note.—Mr. Hansen, a geologist with the United States Geological Survey since 1946, is the author of several technical and nontechnical reports on the Black Canyon of the Gunnison.)

Physiographically, botanically, and geologically, the 50-mile-long Black Canyon of the Gunnison River, in west-central Colorado, can be divided along its length into three distinctive sections—upper, middle, and lower. These sections merge gradually with one another, but their differences are well marked. Black Canyon of the Gunnison National Monument, famous for its rugged scenery, embraces about 13 river miles of the middle section of the canyon and its enclosing rims. The upstream part of the middle section, and all of the upper section, were withdrawn from the public domain many years ago as sites for power development now underway. The lower section of the canyon, about 15 miles long and two to three miles wide, is largely undeveloped public land seldom visited and seemingly remote, though only a few miles from Montrose, Delta, and Hotchkiss, Colorado.

Briefly, the tripartite nature of the canyon is dependent chiefly on the form and character of the rims, which in turn depend on the character of the underlying bedrock. Common to all three sections is a precipitous gorge of hard Precambrian rock, renowned in the familiar midle section for its sheer walls and dizzy depths.

In the upper section of the canyon, remnants of a once broader cover of volcanic rocks cap the Precambrian basement and form the uppermost heights of the canyon walls. The rim is uneven and indefinite, merging with higher rolling country back from the rim or, locally on the south, becoming a serrated ridge. But its chief trademark is a near-continuous palisade of resistant volcanic rock forming a line of cliffs, 1000 to 2000 feet above the canyon floor. A thin wedge of sedimentary rocks is preserved locally, but is not well exposed. The canyon has the V-shaped cross-profile of a typical, if exceptionally rugged, mountain stream valley. Its vegetation is identified with the Middle Rocky Mountain transition zone—notably by scrub oak, Douglas fir, blue spruce, aspen, and locally, ponderosa pine.

In the middle section of the canyon, the rim view is dominated by a rather flat skyline formed chiefly of hard Precambrian rocks. The overlying younger sedimentary rocks, being less resistant to erosion, have been stripped back or in places have been removed entirely, as on Vernal Mesa. Where the sedimentary rocks remain, moreover, they are largely concealed by shrubbery and soil. Dense thickets of scrub oak and serviceberry, and local stands of juniper and piñon mantle both canyon rims.

In the lower section of the canyon, flaring walls of bright-colored Mesozoic sedimentary rocks, a thousand feet thick and nearly free of soil, surmount a narrow inner gorge of dark Precambrian granite. The lower section of canyon is eroded into the crest of a broad structural arch or anticline, so that the resistant Dakota Sandstone (Cretaceous), which forms the uppermost canyon rim, slopes away from the canyon in long, barren dip slopes. Other Mesozoic strata, in shades of gray, buff, green, lavender, and red, crop out beneath the Dakota inside the rims, above the inner gorge. Sparse juniper, piñon, yucca, prickly pear, and Mormon tea characterize this section as Upper Sonoran; the over-all aspect of cliffs, rocks, and plants is familiar to visitors acquainted with the arid Colorado Plateau.

Clearly, the middle section in the national monument preserves the most awesome and dramatic reach of the Black Canyon. Few gorges in the world are its equal. The more verdant upper section, however, is impressive in its own right, and is, perhaps, more beautiful in the eyes of some viewers, especially as it is seen from the north along Colorado Highway 92. But the lower section is by far the most colorful, and it best displays the sedimentary capping of the Gunnison uplift, the geologic setting of the canyon, and the regional structural framework.

Though almost totally undeveloped, the lower section of the Black Canyon has great education-recreation potential, and some form of orderly development seems desirable. A single jeep road extends south into the heart of the area from Smith Fork, which joins the Gunnison in a precipitous gorge of its own. Many scenic vistas and interesting geological relationships are reached from this road, or from short hikes nearby.

Two other jeep roads reach the inner gorge of the Black Canyon, one from the south at Olathe Cut and one from the west. The country around Olathe Cut is spectacular, besides being geologically rewarding. Jeep roads also afford access to many impressive overlooks along the outer Dakota Sandstone rims where the viewer gains a feeling of airy spaciousness not experienced elsewhere in the canyon, chiefly because the lower section of the canyon, though not as deep as sections farther upstream, is two to four times as wide. Along the east rim, the summits of Green Mountain, Black Ridge, and Buttermilk Ridge are particularly rewarding vantage points for views into the canyon and west across it toward the Uncompahgre Valley. Along the west rim, many points reached by jeep provide equally good panoramas.

One of the most appealing attractions of the lower Black Canyon is the Gunnison River itself, whose sparkling water contrasts markedly with the muddy alkaline streams that predominate elsewhere on the Colorado Plateau.

A few good foot trails lead to the canyon floor and the river. From Olathe Cut the river can be reached in half an hour of easy hiking along a trail rich in well-exposed geologic phenomena. With a minimum of development and maintenance this area could become a remembered highlight of any Black Canyon visit. Another scenic trail a few miles to the north reportedly was blazed long ago by the Ute Indians as a shortcut across the lower Black Canyon. Subsequently, it was rebuilt by prospectors probing the Ute Indian fault zone for minerals. This trail now gets light use by fishermen. If access were improved, development of sport fishing in this section could compensate for stream fishing already lost upstream by reservoir impoundments. Good catches of German brown and rainbow trout are presently reported by fishermen equal to the task of hiking in. Large suckers and squawfish are abundant, also.

Fast water and splashy rapids in the Gunnison River occasionally attract a few venturesome river runners. Entrance to the lower canyon is easiest at Olathe Cut; exit, at the mouth of the North Fork, three miles downstream from Smith Fork. Float trips through the lower canyon, though arduous, are exciting and memorable. The two-and-a-half mile stretch below Crystal Creek is the most difficult. Below Smith Fork, several scenic miles of canyon are well suited to the gentler sport of canoeing. Optimum river flow for floating in the lower Black Canyon is around 600 to 800 cubic feet of water per second. At lower stages, countless rocks appear, and at higher stages the current increases dangerously in velocity. But in the calm waters near Smith Fork, canoeing should be feasible at any stage of the river.

Perhaps foremost in education-recreation potential, the lower Black Canyon offers a rare opportunity for the canyon visitor to acquaint himself with the fascinating facts of earth history. Dramatically faulted rocks, unusually well exposed in a spectacular physiographic setting, assure an easy grasp of the geologic principles involved. Recreation planners might well take a long look at this undeveloped national asset.

The Black Canyon of the Gunnison owes its existence to entrenchment of the Gunnison River, quite by chance, into the once-buried "core" of the Gunnison uplift. Several independent factors operating through geologic time conspired to make the canyon possible, but the basic concept is simple: The Gunnison River, in eroding downward through a cover of volcanic rocks and gravels in late Tertiary time—perhaps a few million years ago—encountered the buried Precambrian "core" of the uplift, and had no alternative but to erode its canyon downward into the hardest of rocks. In so doing it also exposed to view many long chapters of geologic history. No single section of the canyon retains the whole story, but the chapters that remain are most easily read and understood in the lower part of the canyon, where the stratigraphy is most complete and bedrock exposures are the best.

Aside from the fortunate accident of canyon erosion, the singularly good exposure of stratified Mesozoic rocks in the lower Black Canyon is due to the relative aridity of the climate in that reach of the canyon as compared with areas upstream only a few miles away at higher altitudes. Rainfall probably seldom exceeds 8 inches per year. The soil and vegetation are thin, and an unusual opportunity to examine the rocks is thus presented to the viewer. From the Entrada Sandstone at the base of the sedimentary rock sequence to the Dakota at the top, details of lithology and bedding are remarkably well shown by excellent exposures along the canyon walls. A striking feature here is the great unconformity between the Entrada Sandstone and the Precambrian granite, a thin line along the cliffs representing millions of years of geologic time. The Precambrian itself is equally well exposed in the inner gorge.

WELL-TOLD GEOLOGIC STORY

Good exposures, of course, are commonplace on the Colorado Plateau, and in this sense the lower Black Canyon is not unique. Its chief distinction is its twofold combination of well-exposed and clear-cut relations of Mesozoic stratigraphy to the form and history of the Gunnison uplift, and a very straightforward expression of large faults, their displacements, and their topographic expression.

Structurally and topographically, the lower Black Canyon is dominated by the escarpment of the Ute Indian fault zone, a great north-trending line of crustal fractures along which dark Precambrian granite was thrust hundreds of feet up and over the younger sedimentary rocks. More rapid erosion of the soft sedimentary rocks that have been dropped down along the east side of the fault zone has left the harder Precambrian rocks standing as a line of imposing cliffs above Olathe Cut and Crystal Park.

Laterally, and in part vertically, the faults of the Black Canyon pass into monoclines. In other words, crustal adjustments that took the form of faulting in the brittle Precambrian rocks were taken up and absorbed by plastic flowage and bending in the overlying sedimentary rocks. These trademarks of Black Canyon faulting are best seen along the Ute Indian fault zone at Olathe Cut and Crystal Park, where brittle fracturing in the Precambrian rocks (and also in the overlying Entrada Sandstone) passes upward into severe flowage in the gypsiferous Wanakah Formation and into gentler bending in the still higher Morrison, Burro Canyon, and Dakota Formations. Several individual faults display this habit, and total exposure at critical sites leaves little doubt about these structural relationships, even to the untrained eye. One can even extrapolate to say that flexing or folding expressed at the surface in the Dakota and other strata at such places as Black Ridge or Green Mountain almost certainly indicates faulting at depth in the underlying Precambrian.

Most large fault zones, by their very nature, are concealed in the rubble of their own making—shattered rock is highly susceptible to weathering, and soon becomes the site of erosion. To some extent the Ute Indian fault zone shares this quality, but in many places, and near to well-established foot trails, the detritus has been removed from the fault zone as fast as it has accumulated and the actual fault surface is well exposed to view. Here one can get a good idea of the dip of the fault surface, its relations to the adjacent faulted formations, and the direction of slippage along the fault. It is thus seen that the fault surface dips at an agle of 35°–40°, although its overall geometry suggests steeper dips at depth. Geologic evidence also indicates repeated movements on the Ute Indian fault, beginning in Precambrian time and later offsetting rocks of Jurassic and Cretaceous age. The Precambrian movements apparently were much greater than the subsequent ones.

The Precambrian rocks themselves clearly show many instructive features of rock deformation, metamorphism, and igneous intrusion. In Olathe Cut, along the trail down to the river, two sets of intersecting linear structures (wrinkles or microfolds) in glittery mica schist were formed by stresses acting on the rocks in two different directions at different times. The net result is a peculiar washboard-like surface on the outcrop.

In the same area crosscutting quartz veins have been "stretched" and squeezed by solid-rock flowage into strange lenticular forms called "boudinage"—forms linked together in the enclosing schist like sausages or strings of beads. In quartzitic schist nearby, three sets of intersecting joints (fractures) caused by stress release during deformation lend a geometrical appearance to the outcrop, dividing joint-bounded rock fragments into regular polygons. Finally, large pegmatite dikes ramifying through the canyon walls add a spectacular touch to the total display. All these Precambrian features taken together probably are nowhere else better seen in the Black Canyon—certainly nowhere else with as ready access.

Interesting igneous features are exposed along the length of the inner gorge of the canyon between Pitts Meadow on the south and Smith Fork on the north. This part of the Black Canyon transects a large body of Precambrian granodiorite—a gray intrusive rock similar to granite in general appearance, and often referred to as granite, but different in detail. Some of the best exposures of this rock are on Pitts Meadow, a beautiful, but misnamed rocky mesa, standing aloof and isolated in the southern part of the area. Though a visit to Pitts Meadow is rewarding, it is one of the least accessible places in the Black Canyon, and few people have set foot on it.

Mountain-building was in progress while the granodiorite was being emplaced, and the rock has a conspicuous planar structure or layering caused by earth movements during intrusion. The granodiorite also contains many strongly oriented inclusions of rock derived from the roof and walls of the magma chamber, oriented by flowage of the molten rock, and trapped in place when the magma solidified. Some inclusions have sharp well-defined outlines, but many others have vaguee or hazy boundaries, due, no doubt, to incipient melting or to chemical reaction with the magma.

Some ingenious features disclose a clear order of intrusion—while the granodiorite was still plastic it was cut by countless aplite (fine-grained granite) dikes that shared in its deformation. After the aplite and granodiorite had fully solidified, they were cut by pegmatite dikes in two or three separate episodes of injection. Finally, the pegmatite, aplite, and granodiorite were all cut by fractures filled with vein quartz.

Perhaps the most effective way to realize fully the education-recreation potential of the lower Black Canyon and assure its proper development and protection for future generations of Americans would be simply to extend the boundaries of the existing national monument to include the best parts of the adjacent lower canyon. Such an enlargement would harmonize with the interest of our government in fostering the development and protection of areas that can help accommodate the growing demands of the nation for more outdoor recreation space. Inasmuch as most of the lower Black Canyon is undeveloped wasteland in the public domain, such action should present few problems. Alternately, perhaps, the area could be developed by State, local or private capital. Such development, for example, could provide a desirable addition to a state park system.

EXTENT OF THE AREA

About 19,000 acres of land is within the lower Black Canyon area from the downstream boundary of the existing national monument to the plunge of the Precambrian basement below river grade near Smith Fork and between the Dakota Sandstone rims of the outer canyon. Strips of land should be included along the outer rims wide enough to permit construction or improvement of rim drives and overlooks.

Developments within the canyon itself might include improvement and extension of the existing road from Smith Fork south to a junction with the road along Crystal Creek—a distance of 3 or 4 miles, and improvement to all-weather status of the existing road in Olathe Cut.

Foot trails could be improved or extended to the more outstanding geologic sites and to some of the more accessible parts of the inner gorge. With minimal effort an outstanding nature trail could be developed in Olathe Cut. Camp and picnic sites for back packers could be developed along the floor of the inner gorge, especially below Pitts Meadow and along Crystal Park. Many short nature trails could be built from points along the Smith Fork-Crystal Creek road.

In summary, the visitor to the Black Canyon of the Gunnison would come away with a much better appreciation of the geologic history and grandeur of that magnificent area if he had a chance to see the lower segment of the canyon as well as the part upstream in the present monument. Under existing conditions, this is impossible for most people. Properly and imaginatively developed, the lower Black Canyon could help transform what is now a national monument of good caliber to one of truly outstanding value.

INFLEXIBILITY OF ADMINISTRATION IN VIETNAM WAR

Mr. HARTKE. Mr. President, one of my concerns about the Vietnam war has been and still is the position of inflexibility which the administration seems to take. The apparent policy of continuing escalation until Hanoi announces that she will take the initiative for negotiation is inflexible. The United States, the greatest and most powerful nation of all, cannot become rigid and lose flexibility on Vietnam. Mr. Crosby S. Noyes wrote in a recent issue of the Washington Evening Star:

> Solid as support for the war may be in the country, there is little reason to think that most Americans favor a policy of inexorable and relentless escalation in the north, no matter where it leads and no matter what risk it entails.
>
> What they want is an honorable settlement as soon as may be possible. And they will give their allegiance to the party that seems most likely to achieve it.

I ask unanimous consent that the complete article be printed in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

United States May Be Losing Flexibility on Vietnam

(By Crosby S. Noyes)

Is the administration losing its tactical flexibility in the war in Vietnam?

The charge is one of the more serious ones raised so far by Republican presidential hopefuls. Both George Romney and Charles Percy have accused the administration of having become enmeshed in its own rhetoric. The decisions that have been made and the necessity of justifying these decisions are paralyzing our freedom of maneuver, according to this frankly partisan view.

The charge, of course, is vehemently denied by administration officials.

President Johnson is still apparently as determined as ever to "keep his options open." He is still likely to assure his guests at the White House that if they know of any better way of handling the problem in Vietnam he would be delighted to hear it. Secretary of State Dean Rusk still manages to convey the impression of a man with his bag packed and his ear cocked for that long-awaited telephone call from Hanoi.

But the performance, somehow, is becoming less convincing as time goes by. Behind the appearance of pragmatism and reason, there is an impression of a hardening and a growing unwillingness to consider the options that do still exist.

The current controversy over a new pause in the bombing of North Vietnam is an obvious case in point.

Whether to bomb and what to bomb is perhaps the most important and exclusive option of the U.S. government. The unilateral decision to stop the bombings has been taken twice before when it appeared that there was some reason to think that a pause might result in the opening of negotiations. A good many people believe there is some reason to think this today. But today, quite obviously, the decision is harder to make than it has been in the past.

It is not, of course, just a question of growing inflexibility in the administration. As the American commitment in Vietnam has grown, public attitudes throughout the country, both for and against the war, have grown more rigid.

Today, if a newspaper that wholeheartedly supports our objectives in Vietnam suggests a new bomb pause, it is automatically cheered by the doves and cursed by the hawks with equal lack of reason. Today, it is not a question of what is said, but what it sounds like to people on one side or the other whose minds are firmly made up.

The government admittedly shares this problem. At this stage any change in tactics involves a certain political risk. Anything that looks like change in a fixed policy of maintaining steadily increasing pressure on North Vietnam is certain to provoke howls of indignation from those whose only solution in Vietnam is an unlimited application of military force.

But this has never been—and never should be—the fixed policy of the administration. In fact the major argument being made against a trial suspension of the bombing is simply that it would not work. Hanoi, one is told, is not interested in another bombing pause. There is no reasonable hope that negotiations would result. And there is a lively probability that the Communists would use any respite to improve their military position in the South.

This may be true enough. But the only way to prove it is to try it. The weakness of the argument is that it exaggerates the risk of an experimental suspension of bombing which could be terminated any time, and ignores the risk—and the cost—involved in further escalation.

It also provides an open invitation to Republican critics who will probably have more to say on this matter of flexibility in the months to come. Solid as support for the war may be in the country, there is little reason to think that most Americans favor a policy of inexorable and relentless escalation in the north, no matter where it leads and no matter what risks it entails.

What they want is an honorable settlement as soon as may be possible. And they will give their allegiance to the party that seems most likely to achieve it.

OFFICIAL BIAS

Mr. FANNIN. Mr. President, according to an article published in Barrons' financial weekly, the Newport News Shipbuilding & Dry Dock Co.'s work stoppage was precipitated, in large measure, by the actions of the personnel of the Equal Employment Opportunity Commission. If this report is correct, this agency coerced the company into signing an agreement which, in effect, called for favoring Negroes in its hiring policies. Thus, the company had to draw up a preferred promotion list consisting almost exclusively of Negroes. This policy of favoritism, not based on ability, is inequality—a step backward.

Moreover, according to the account, the company apprenticeship school was pressured into lowering its admission requirements in order to accommodate Negroes.

This article is most disturbing and points up the irreparable damage that can be done by an agency composed of confused "zealots." This is an example of bureaucratic meddling at its worst.

I submit that the record of the Equal Employment Opportunity Commission should be studied with a view to curbing rather than enlarging its powers. Such an abuse of authority as appears here hardly merits the confidence of Congress. We all deplore racial discrimination and want the law enforced but none of us intended to confer upon a Government agency the power to put into effect a policy of "discrimination in reverse."

Mr. President, I ask unanimous consent that the article from Barron's be printed at this point in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

OFFICIAL BIAS: A NOTE ON THE EQUAL EMPLOYMENT OPPORTUNITY COMMISSION

As bureaucrats go these days, the Equal Employment Opportunity Commission has not gone very far. Created in mid-1965 to weed out discrimination in employment based on either race or sex, the agency boasts a budget of only $5.2 million and a staff of 314, smaller respectively than those of the Office of Coal Research and the Federal Crop Insurance Program. Personnel-wise, EEOC has been something of a revolving door: its first chairman, Franklin D. Roosevelt, Jr., quickly resigned to run for Governor; his successor, Stephen N. Shulman, quit after nine months to go into private practice. While the Commission reportedly has received over 15,000 complaints, it has cleared up only a few hundred. "We're out to kill an elephant," Mr. Shulman recently was quoted as saying, "with a fly gun."

In the wrong hands, however, even fly guns can be dangerous. Last Monday Newport News Shipbuilding & Dry Dock Co., the nation's leading builder of naval vesels, suffered the first strike in 81 years of doing business. On the following midnight, a riot, which injured over a score of people and was termed by local police the "worst disorder" in the placid history of Newport News, Va., broke out at the company's main gate. Newspaper accounts of the affair, which interrupted the construction of the world's largest aircraft carrier and led to the personal intervention of the Governor, were scanty at best. The walkout apparently began in protest over relatively minor grievances. However, union officials hinted that "other problems" lurk in the background. A Washington paper reported cryptically that "the issues go deeper."

Somehow nobody has chosen to identify the principal villain of the piece, which is none other than the fly gun-totin' Equal Employment Opportunity Commission. Backed by the firepower of the U.S. Department of Labor, which threatened the shipyard's government contracts, the Commission 18 months ago moved in on management: In particular, the agency coerced Newport News Ship into signing a so-called Conciliation Agreement, which, by pointedly favoring Negroes for future apprentice training and on-the-job promotion, made a new kind of discrimination official policy. "Shipyard in South Induced to Make Up for Past Bias," read the headline. Since then, in the words of an old hand at the yard, EEOC has done its worst to "set black against white, labor against management and disconcert everybody." In the alien world of bureaucracy, size is no measure of virulence.

Labor-management relations at Newport News Ship began to suffer in mid-1965, shortly after the Equal Employment Opportunity Commission set up shop. The company, which does roughly half a billion dollars worth of work per year, largely for the Navy or the subsidized merchant marine, was a logical target. It's also located in the South. The Commission swiftly set about building a case. According to our man in Washington (actually a charming lady named Shirley Scheibla, who was born and raised in Newport News), EEOC that summer began knocking on doors in Negro neighborhoods soliciting complaints of job discrimination. It managed to get 41, which, for one reason or another, ultimately narrowed down to four. Thus armed, EEOC began to negotiate with the company. After months of fruitless discussion, Washington got tough. Pleading a "pattern of discrimination," EEOC took the dispute to the Justice Department. At the same time, Labor Secretary W. Willard Wirtz ordered the newly organized Office of Federal Contract Compliance to crack down on the yard. A week later the company caved in and signed the notorious Conciliation Agreement, which some have called a "landmark in fair employment practices."

That's one way to describe a document which, in barring discrimination, moved to substitute favoritism. Thus, Newport News Shipbuilding agreed to hire an outside "expert in job evaluation . . . who is acceptable to the Commission" to determine whether Negro employes are improperly classified or working at rates set arbitrarily low. To arrive at his findings, the "expert" took a "random sample" of white employment histories, and, if a Negro worker's status lagged behind the resulting profile, he was deemed a victim of discrimination. Presumably to compensate for past sins, the company had to draw up a preferred promotion list consisting solely of Negroes (exceptions had to be cleared with the Commission). As to apprentice training, a company-run school, once the community's pride, was compelled to drastically change its admission practices. Though the number of applicants traditionally has far outstripped the available openings, Newport News Ship undertook to seek recruits in Negro schools and through civil rights groups. It also accepted a quota system under which "the ratio of Negro to white apprentices in any given year should approach the ratio of . . . Negro to white in the labor area."

The first outraged reaction came from the unaffiliated Peninsula Shipbuilders Association, which, though the recognized bargaining agent for most of the 22,000-man work force, was not consulted. Though subsequently made a party to the pact, the union has never overcome its resentment. Two months ago P.S.A., denouncing a Labor Department release on the company's promotion practices as self-serving and false, threatened legal action to set the record straight. The white community—Newport News Ship is far and away the leading local industry—has been equally aggrieved. One graduate of the Apprentice School wrote the local newspaper to protest against the lowering of admission standards to which, he argued, a quota system inevitably would lead. Another reader, the Rev. Richard B. Sisson of Hampton Roads, put the issue squarely in the moral realm. "I am for equal opportunity for all citizens in school, jobs, housing and all other matters. That is why I find the terms dictated by the government to the shipyard odious. The quota system is just as iniquitous as the exclusion of Negroes some have charged the Yard with practicing previously. . . . It will result in very definite de facto discrimination against whites, Indians, Asiatics and all other non-Negroes. Two wrongs do not make a right."

Even the Negroes, in whose behalf the whole exercise presumably was launched, have wound up frustrated and angry. Like all demagogues, the Equal Employment Opportunity Commission promised far more than it has been able to deliver. "You need a militancy in this community," Samuel C. Jackson, former NAACP bigwig and current EEOC Commissioner, told an audience in Hampton Roads. Thanks to official action, he added, 5,000 of the company's 5,800 Negro workers would get "substantial raises." Instead, according to the union, such rewards have gone to precisely 155. While trying to mind somebody else's business, moreover, the Commission has failed to attend to its own; some 78 cases of alleged discrimination brought by the union have dragged on far beyond the statutory 60 days. Linwood Harris, Negro co-manager of the Peninsula Shipbuilders Association, represents the voice of the people: "The good the EEOC has done," he told Barron's prior to the strike, "is minute and not worth it because of the bad they've done."

Newport News is a relatively small place (though the company happens to be the sole remaining builder of U.S. capital ships). Yet what has happened there is a matter of national concern. Emboldened by its "success," EEOC is moving aggressively against other leading corporations. President Johnson has asked Congress to grant the agency power to issue cease-and-desist orders. Instead, to judge by the dismal record, we urge the lawmakers to hand down a stop order of their own.

DISTRICT OF COLUMBIA GOVERNMENT REORGANIZATION

Mr. SPONG. Mr. President, unless one House of Congress passes a disapproval resolution, the President's reorganization plan for the District of Columbia government will go into effect this Friday, August 11.

Washington, D.C., is the ninth largest city in the Nation. It shares in the problems common to all our urban areas. And, it needs new means and help in meeting its problems. The President's proposal is one such means at hand.

The President's proposed reorganization plan would consolidate executive power in a single Commissioner and would authorize a Council to carry out the rule- and regulation-making functions which the Congress over the years has delegated to the three Commissioners. It should be emphasized, I believe, that the reorganization plan will not and cannot change the constitutional authority which the Congress has over the District. Under the reorganization plan, the Congress will continue to have the lawmaking, taxing, appropriations and general oversight authority which it has always had over the District. The single Commissioner and the Council will simply assume the powers which the Congress has delegated to and which the Congress can, at any time, recall from the District government. It is felt that the single Commissioner and the Council will, however, be able to carry out these duties more effectively and more efficiently than the three Commissioners, with their divided executive powers. One Commissioner now is responsible for public safety, another for health and welfare, and a third for public works. The District's problems do not, however, fall neatly into these categories. Instead, they overlap.

I do not believe that the reorganization plan is a panacea for all the District's urban ills, nor do I believe that it is necessarily the only plan which would aid in solving the District's problems. It does, however, present an immediate possibility for improving the operation and effectiveness of the District government. I hope that the Congress will permit the plan to become effective and that the House and Senate District Committees and the House and Senate Appropriations Subcommittees will review the operation of the plan at the end of a 6-month or a year period to determine whether or not it has accomplished its purposes and what modifications might be in order. In light of the fact that almost every major city in the Nation has turned from the commission form of local government, I feel that the Congress should permit the single executive type of government in the District of Columbia. In this way, the District will benefit from having the same type of government which has proved itself in our other urban areas while preserving the special relation which exists between the Congress and the Nation's Capital City. Finally, not only the District itself, but the entire metropolitan area should benefit from a streamlined District government which can work more efficiently with neighboring jurisdictions in solving the problems which overspan political boundaries—problems such as air and water pollution, transportation and communications—all of which require the concerted efforts of various local governmental bodies for solution.

FLEXIBLE POLICY NEEDED FOR NEGOTIATIONS WITH HANOI

Mr. HARTKE. Mr. President, there is a very practical reason for keeping a flexible policy regarding negotiations with Hanoi, for taking the initiative toward negotiation any time we can. That practical reason is the encouragement of those in Hanoi who are more flexible. The debate in Hanoi is the subject of Mr. Joseph Kraft in his Washington Post article of July 16, 1967. He says:

> Even the most marginal expression of interest in negotiation from Hanoi should be taken seriously in a way that encourages Communist advocates of political settlement to push forward toward the compromise that still offers the only prospect for an early exit to the awful war.

I believe that Mr. Kraft makes a very important point for our consideration. I ask unanimous consent that his entire article be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

THE DEBATE IN HANOI: UNITED STATES MUST RESPOND TO ANY OVERTURE IN EFFORT TO ENCOURAGE ADVOCATES OF SETTLEMENT

(By Joseph Kraft)

Recurrent signs indicate that among top leaders in Hanoi, even as in Washington and Saigon, there is an active argument about the Vietnamese war. And while the evidence is fragmentary and the policy implications for this country unclear, two conclusions are suggested by the most recent developments in the Hanoi debate.

First, in order to underline the difference between the two wars, it makes sense for the United States to scale down the bombing of North Vietnam as it intensifies military pressure in South Vietnam. Second, since openings for talks are bound to be marginal, it makes sense for this country to approach them in the spirit of what is called the "Trollope Ploy."

The most recent bit of important evidence in the Hanoi debate is a long article by Lt. Gen. Van Tien Dung, the chief of staff of the North Vietnamese army. As might be expected, Gen. Dung presents the case for the prosecution. He wants the war to go on in the worst kind of way.

As a result of the war, Dung claims, North Vietnam has become "more powerful than ever before"; there has been dealt a "serious blow at the modern U.S. Air Force," and the United States has been "driven into political isolation . . . all over the world."

Apart from this big plug for the war, Dung is at great pains to head off any thought of an approach different from the present slogging war of attrition. He asserts over and over again, as the nub of his argument, that the war in the North "will only end when the U.S. local war of aggression in the South is completely defeated."

He writes off the jet aircraft and missiles which the Soviet Union is supplying as "not omnipotent" and "limited." He scouts American offers to talk as "psychological warfare" designed to "spread the illusion about peaceful negotiations."

The extravagance of Gen. Dung's claim for the war combines with the vehemence of his attacks on any other course—and especially on the "illusion of peaceful negotiations"—to convince most American analysts that his article represents one side of the argument in Hanoi. With one side known, it is possible to reconstruct the other side. The more so as Gen. Dung's contemptuous reference to what the Russians can give suggests that they are using their leverage on behalf of the other side.

The other side in the debate, whoever its spokesman may be, apparently begins with the notion that unification might be achieved by political as well as military means. That is what Gen. Dung calls "illusions of peaceful negotiations."

As bait for the political approach, the anti-Dung faction is also apparently arguing that it would be possible to end the American bombing of the North without compromising the struggle in the South. Indeed, it is probably saying that a firm pledge to begin talks could be traded against a cessation of the bombing of the North. That is why Gen. Dung repeatedly asserts that the two wars are inextricably connected.

If this analysis is correct, the American interest is to strengthen the hands of the anti-Dung faction in Hanoi. One good way to do that is to underline its contention that it is possible to separate the war in the North from the struggle in the South. And the obvious way to do that, since it has been decided to intensify the pressure in the South through additional American troops, anyway, is to scale down the bombing of the North at this time.

Even if the anti-Dung faction does get the upper hand, however, the debate is almost certain to be intense and the decision close. Accordingly, any new approach from Hanoi, like all the old approaches, is apt to be hedged and ambiguous. And that is where the "Trollope Ploy" comes in.

The "Trollope Ploy" is a courting device named after the familiar tactics of the novelist's heroines. As described by former Assistant Secretary of State Roger Hilsman, it means interpreting even the faintest squeeze of the hand as something approaching marriage.

As applied to Vietnam, it means that even the most marginal expression of interest in negotiation from Hanoi should be taken seriously in a way that encourages Communist advocates of political settlement to push forward toward the compromise that still offers the only prospect for an early exit to the awful war.

CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Is there further morning business? If not, morning business is closed.

WILD AND SCENIC RIVERS ACT

Mr. BYRD of West Virginia. Mr. President, I move that the Senate proceed to the consideration of Calendar No. 476, S. 119.

The PRESIDING OFFICER. The bill will be stated by title.

The LEGISLATIVE CLERK. A bill (S. 119) to reserve certain public lands for a National Wild Rivers System, to provide a procedure for adding additional public lands and other lands to the system, and for other purposes.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from West Virginia.

The motion was agreed to; and the Senate proceeded to consider the bill.

Mr. BYRD of West Virginia. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

UNANIMOUS-CONSENT AGREEMENT

Mr. MANSFIELD. Mr. President, after talking to the distinguished acting minority leader, the Senator from California [Mr. KUCHEL], and the distinguished Senators from Idaho [Mr. CHURCH and Mr. JORDAN], I ask unanimous consent that the vote on the pending business take place at 12 o'clock.

The PRESIDING OFFICER. Does the Senator ask for the waiver of rule XII?

Mr. MANSFIELD. Yes; I do.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MANSFIELD. For the information of the Senate, there will be a yea-and-nay vote on the pending business at that time.

Mr. CHURCH. Mr. President, more than 100,000 miles of full-fledged rivers and major tributaries in the contiguous United States pour their waters down to the sea. Much of this streamflow has been harnessed for flood control, navigation, electric power, and reclamation. Along the bank lands we have erected our cities, established factories and located many of our homes—and in many ways we have mindlessly destroyed the beauty and purity of these streams. The affluent society has built well in terms of economic progress, but has neglected the protection of the very water we drink as well as the values of fish and wildlife, scenic, and outdoor recreation resources. Although often measureless in commercial terms, these values must be preserved by a program that will guarantee America some semblance of her great heritage of beautiful rivers.

Fortunately, there are still some of these wonderful rivers which flow wild and free, or meander in purity and splendor, largely unspoiled by man's handiwork. From the sheer natural beauty of such rivers we draw that physical and spiritual refreshment found only where clean water moves majestically in its own natural environment.

Mr. President, the preservation of certain of these unspoiled, unpolluted, free-flowing rivers is the objective of S. 119, the bill we are now considering. It would establish a national wild and scenic rivers system. Nine rivers or segments of them would be included in the initial system, and 27 other rivers or their segments would be studied for possible future inclusion. Procedure is provided for the addition of other rivers.

With 38 cosponsors, I introduced S. 119 early this year. It was actually a reintroduction of the bill, S. 1446, which was the first measure to pass the Senate at the start of the second session of the 89th Congress. It was familiarly known as the wild rivers bill. Although it passed the Senate by a 71-to-1 vote, the 89th Congress adjourned without the House giving it consideration.

Hearings on the original bill, S. 1446, were conducted in Idaho, Wyoming, and here in Washington by the Senate Interior and Insular Affairs Committee in 1965. This year the committee conducted open public hearings on both S. 119, the wild rivers bill, and on S. 1092, a scenic rivers bill submitted by the administration. The committee voted to report S. 119, as amended, because of various objections to the administration bill. The new S. 119, presented as an amendment in the nature of a substitute, does, however, incorporate a scenic category of rivers or river segments, and certain other provisions of the administration proposal. As the Senators know, wild rivers legislation was requested by the President early in 1965. As far back as 1962, the Outdoor Recreation Resources Review Commission, a bipartisan commission established by the Congress to evaluate the outdoor recreation needs of the Nation, recommended that certain rivers be preserved in their free-flowing state and natural setting without manmade alterations.

In 1963, the Secretaries of Interior and Agriculture initiated a wild rivers study. From more than 650 rivers, 67 were selected for preliminary field reconnaissance by special study teams. Based on this reconnaissance study, segments of 17 rivers and a number of their tributary streams were then selected for more detailed investigation. This detailed study was completed in 1964 and served as a basis for the recommendations contained in the initial wild rivers proposal.

The President, in calling for wild rivers preservation, warned that growth and development could "make the beauty of the unspoiled waterway only a memory."

It was on this foundation of study and interest that I introduced the first wild rivers bill, S. 1446, in March of 1965.

The bill which we now consider, S. 119, has the same thrust of that original bill—to preserve certain rivers in their natural and free-flowing state. But there are numerous refinements. One of these is the double category of rivers, "wild" and "scenic." The definition of a wild river area was revised and the definition of a scenic river was added. Recognition of these two types of rivers means that the national system will be made up of both type rivers, and on certain rivers, there will be both wild and scenic areas.

The Eleven Point River in Missouri was considered in last year's bill to be a wild river, but in this measure is classified as a national scenic river. Recommended for immediate inclusion in the new national system is the St. Croix River in Wisconsin and Minnesota. A bill to create the St. Croix National Scenic Riverway passed the Senate in the last session, but because that river contains segments which fit the definitions of both wild and scenic river areas, it was decided to add it to this bill. The Illinois River in Oregon and the Wolf River in Wisconsin are new additions to the group of rivers recommended for immediate inclusion in the national system. Several new rivers are listed for study as to possible inclusion in the national system at a later date.

Provisions for planning new additions to the system were expanded to require local public hearings on any addition to the system and to allow the State legislatures to make their recommendations known if they so desire.

Provisions were added to encourage the development of State and local wild and scenic rivers and to protect the owners of improved property which may be acquired.

Mr. President, a national wild river area, as defined by S. 119, is one located in a sparsely populated, natural, and rugged environment where the river is free flowing and unpolluted, or where the river should be restored to such condition, in order to promote sound water conservation, and promote the public use and enjoyment of the scenic, fish, wildlife, and outdoor recreation values.

Rivers or segments of rivers which would be designated as wild river areas for the initial system are the Middle Fork of the Salmon and the Middle Fork of the Clearwater in Idaho, including portion of the Lochsa and the Selway, the Rogue and Illinois in Oregon, the Rio Grande in New Mexico, the St. Croix in Minnesota and Wisconsin, and the Wolf in Wisconsin.

Some of these same rivers have segments which are also designated as scenic river areas, including the Rogue and Illinois in Oregon, and the St. Croix in Minnesota and Wisconsin. Other national scenic river areas would be on the Eleven Point in Missouri and the Namekagon in Wisconsin.

A national scenic river area, as defined by the bill, is a river area that is unpolluted and which should be left in its pastoral or scenic attractiveness, or that should be restored to such condition, in order to protect, develop, and make accessible its significant national outdoor recreational resources for public use and enjoyment.

Twenty-seven rivers or river segments are listed for study for possible future inclusion in the bill.

Mr. President, the administration of the rivers in this system would be by either the Secretary of Interior or Agriculture, or the Secretaries jointly, based upon their administrative areas; or jointly with the States, or States and local governmental agencies, or by the States or local governmental agencies, exclusively. States would be encouraged to cooperate in the planning and administration of such areas where they include State-owned or county-owned lands. The Secretary of Interior is directed to provide technical assistance and advice and to cooperate with States, interstate agencies, political subdivisions, and nonprofit private organizations with respect to establishing wild and scenic river areas.

The bill has been referred to as an extension or corollary of the Wilderness Act, but its provisions are not nearly as restrictive. A national wild or scenic river area will be administered for its esthetic, scenic, historic, fish and wildlife, archeologic, scientific, and recreational features, based on the special attributes of the area. However, it will not prohibit the construction of roads or bridges, timber harvesting and livestock grazing, and other uses that do not substantially interfere with public use and enjoyment of these values. Mining will be allowed to continue, although claims located after the effective date of the act may be subject to regulation to conform to the system, particularly to prevent pollution.

Subsection 5(d) places a limitation on condemnation, by providing that where 50 percent or more of the acreage within the entire national wild or scenic river area is owned by Federal, State or local governments, neither Secretary can condemn for acquisition of fee title but may condemn for scenic easements. The committee approved this limitation because it believed that rivers flowing through this amount of public land could amply provide bank-land areas for public access and facilities without the need for the fee acquisition of property by condemnation.

Under subsection 5(d), wherever the power of condemnation is conferred, the Secretaries are limited to acquiring a maximum of 100 acres per mile on both sides of the stream, tributary, or river, in fee title. Section 5(a) sets the maximum acreage for boundaries of a national wild and scenic river area at 320 acres per mile on both sides of the stream, tributary, or river.

Subsection 5(f) provides that neither Secretary can condemn lands within any incorporated city, village, or borough as long as such entities have in force a duly adopted valid zoning ordinance that is satisfactory to the appropriate Secretary.

It is the intention of the committee that both Secretaries shall encourage local units of government to adopt zoning ordinances which are consistent with the purposes of this act, and that where such valid zoning ordinances are in effect and where there is no need for further Federal acquisition, the appropriate Secretary will suspend acquisition of scenic easements and fee title.

The language contained in subsection 6(f) is intended by the committee to preserve the status quo with respect to the law of water rights. No change is intended. The first sentence states that established principles of law will determine the Federal and State jurisdiction over the waters of a stream that is included in a wild river area. Those established principles of law are not modified by this bill. The third sentence states that with respect to possible exemption of the Federal Government from State water laws, the act is neither a claim nor a denial of exemption. Any issue relating to exemptions will be determined by established principles of law as provided in the first sentence. The second sentence would apply to this legislation the principle of compensation embraced by section 8 of the Reclamation Act of June 17, 1902—32 Stat. 388, 930, found in 43 U.S.C. 383. This means that the Government must pay just compensation for a water right taken for wild river purposes if the water right is a vested property right under established principles of State or Federal law. See *U.S. v. Gerlach*, 339 U.S. 725.

Mr. President, it is estimated that the initial system of rivers established by this bill will cost $40 million over the next 10 years for acquisition and development. This is a small price to pay for such a wonderful recreational treasure. We have an obligation to move now, while there is still time, to save these remarkable waterways. Once they are gone, they will be lost forever.

I commend S. 119 to the Senate as a method of husbanding, for this generation and those of the future, some of our most magnificent wild and scenic rivers before they vanish from the land.

Mr. JORDAN of Idaho obtained the floor.

Mr. JORDAN of Idaho. Mr. President, I am happy to yield to the distinguished Senator from Texas [Mr. YARBOROUGH], if I may do so without losing my right to the floor.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. YARBOROUGH. Mr. President, I thank the Senator from Idaho for yielding to me, due to the fact that I am chairman of a subcommittee meeting in executive session. Mr. President, I send to the desk a proposed amendment to S. 119, and ask that it be read.

The PRESIDING OFFICER. The amendment will be stated. The legislative clerk read as follows:

> On page 27, between lines 19 and 20, insert the following:
>
> "(28) Rio Grande, Texas—the segment from Presidio to Langtry."

Mr. YARBOROUGH. Mr. President, I commend the Senator from Idaho for his great leadership, through previous sessions and in this session, in bringing this bill to a vote, to try to save for the people of the United States a portion of the natural wildlife habitat of this country. I am grateful to him for having permitted me to be a coauthor, with him, of the pending wild rivers bill.

The amendment I have proposed would add to the list of rivers to be studied as possible national wild river areas the portion of the Rio Grande in Texas from Presidio to Langtry. My intent in wishing the inclusion of this river and in cosponsoring this bill has been so well phrased in a resolution of the Texas Explorers Club enthusiastically supporting this bill, that I would like to quote a part of it. The Texas Explorers Club, a nonprofit conservation group, feels as do I:

> The hasty and inadequately considered damming of our few remaining flowing streams, and the criminal abuse of our few remaining spots of wilderness and natural beauty constitute a stain upon the honor of the United States and must be corrected with all haste.

The amendment that I am proposing, by which a study would be made as to whether a segment of the Rio Grande should be left as a wild river for all to enjoy in its natural unspoiled state, is clearly in accord with the purposes and spirit of Senator Church's bill, S. 119.

That portion of the Rio Grande included in my amendment, from Presidio downstream to Langtry, is west of the Pecos River in Texas, and is bordered half its length by the Big Bend National Park. It traverses the St. Helena and Boquillas Canyons, an area of wild cliffs, bluffs, and canyons.

Justice Douglas has written of these canyons with beauty and feeling in his book published just 2 or 3 months ago, entitled "Farewell to Texas, the Vanishing Wilderness."

Last year, Mrs. Lyndon B. Johnson navigated a portion of one of these canyons with her party on rafts. Even with the assistance of skilled crews, the first lady of the land emerged thoroughly drenched with water, after traversing the beautiful portion of the Rio Grande which runs through one of those wild canyons.

Mr. President, the Rio Grande is the fifth largest river in North America. It is briefly described in the Encyclopaedia Britannica as follows:

> Rio Grande, the fifth longest North American river, has its sources in the snow fields and alpine meadows of the San Juan mountains of southwestern Colorado. It flows southeast and south 175 mi. in Colorado, southerly some 470 mi. across New Mexico, and southeasterly between Texas and the Mexican states of Chihuahua, Coahuila, Nuevo León and Tamaulipas, for about 1,240 mi. to the Gulf of Mexico. The total length (in compromise "river miles") is approximately 1,885 mi.
>
> It starts as a clear Rocky mountain stream, fed by springs at an elevation of more than 12,000 ft., then flows in a canyon through forests of spruce, fir and aspen, into the broad San Luis valley in Colorado, after which it cuts the Rio Grande gorge and White Rock canyon and enters the open terrain of the basin and range and Mexican highland physiographic provinces. There declining elevation, decreasing latitude and increasing aridity and temperature produce a transition from a cold steppe climate with a vegetation of pinion, juniper and sagebrush, to a hot

steppe and desert climate characterized by a vegetation of mesquite, creosote bush, cactus, yucca and other desert plants.

This is the wild rivers part encompassed in my amendment:

The Rio Grande cuts three canyons between 1,500 and 1,700 ft. in depth across the faulted area occupied by the "big bend" where the Texas side of the river is included in the Big Bend National park. In the remainder of its course the river wanders sluggishly across the coastal plain to end in a true delta in the Gulf of Mexico.

This river was formerly called the Rio Grande del Norte. It is officially in the United States the Rio Grande, but it is officially in Mexico the Rio Bravo.

The river, and particularly this section from Presidio to Langtry, is well suited to be designated a scenic or wild river; it has unparalleled natural beauty and recreational activity. Industrial uses of the rivers of our country and of the State of Texas must be balanced with a sensible policy at conserving certain sections of our waterways as unpolluted and undammed sources of pleasure for our citizens. The part of the Rio Grande that would be included in my amendment should probably be left forever as it is. The lovely limestone caverns, the spiraling rapids and whirlpools and the scenic landscape all serve to indicate how vital it is that we keep some of the Rio Grande as a haven for sportsmen and tourists and nature lovers and those who want to see this continent as it was before men carved it up.

This amendment will allow these possibilities to be studied by the Secretary of the Interior and the State government.

Since the Rio Grande forms our southwestern border with Mexico, any comprehensive plan for the conservation of the river such as that offered in this bill would necessitate a Mexican-American agreement on the subject. At present there are no agreements as to development or conservation on this stretch of the river; no change in any plans will be effected by adoption of this amendment. We hope that an agreement on the objectives and means of insuring the natural beauty of the Rio Grande will be easy to achieve after the study contemplated by this bill is completed.

In view of the importance of the Rio Grande both as a border and as a site of naturally beautiful wilderness, I offer this amendment to include it in the list of rivers to be studied for possible addition to the wild and scenic rivers system.

Mr. President, I ask unanimous consent that there be printed at this point in the Record a resolution by the Texas Explorers' Club requesting this action; a letter from Bob Burleson of the law firm of Bowmer, Courtney & Burleson, of Temple, Tex., under date of April 7, 1967, and a letter addressed to the Hon. Frank Church, U.S. Senate, Washington, D.C., by Mr. Davis Bragg, under date of January 21, 1966.

There being no objection, the material was ordered to be printed in the Record, as follows:

A RESOLUTION BY TEXAS EXPLORERS CLUB

Be it resolved by the Texas Explorers Club as follows:

(1) That the Texas Explorers Club, a nonprofit charitable and educational corporation organized under the laws of the State of Texas, does hereby pledge its wholehearted support of two bills now pending before the Senate of the United States of America, to wit: S–119, the Wild Rivers Bill, and S–1092, the Scenic Rivers Act.

(2) That the Texas Explorers Club will make known to our outstanding Senators from the State of Texas, to wit: the Honorable Ralph W. Yarborough and the Honorable John Tower, this organization's sincere belief and deepest conviction that river protective legislation is one of the most pressing needs of our nation today and that the passage of such legislation is absolutely essential to the continued good health, welfare, and moral and spiritual well being of the present and future citizens of these United States of America.

(3) That the hasty and inadequately considered damming of our few remaining flowing streams, the pollution and poisoning of all of our rivers and streams, and the criminal abuse of our few remaining spots of wilderness and natural beauty constitute a stain upon the honor of the United States and must be corrected with all haste.

And be it further resolved by the Texas Explorers Club that the beautiful and unique section of wilderness canyons along the Rio Grande River from the easternmost boundary of Big Bend National Park to the town of Langtry, Texas, should be included within both of the above named bills and any future river protective legislation, and that this area of outstanding natural beauty and remoteness be forever preserved for the use of present and future citizens of the United States as a natural and flowing river, unspoiled by the unnecessary, selfish and destructive works of man.

Unanimously passed and adopted by the members of the Texas Explorers Club at a regular meeting on this the 1st day of April, 1967.

Bob Burleson,
President.

Attest:

Jim D. Bowmer,
Secretary.

Bowmer, Courtney & Burleson,
Temple, Tex., April 7, 1967.

Re: River Protective Legislation, Senate Bills S–119, Wild Rivers, and S–1092, Scenic Rivers.

Senator Ralph Yarborough,
U.S. Senate,
Washington, D.C.

Dear Ralph: The above bills are due to come up for hearing before the Interior and Insular Affairs Committee early this month. A large number of us from Texas are vitally interested in the eventual passage of some really effective river protection legislation, and these bills are at least a start in the right direction.

Those of us who frequently get out and paddle the streams of Texas are becoming genuinely alarmed at the very rapid progress of destruction and pollution that is turning over formerly beautiful and clean-flowing rivers into sewers. Even more alarming is the fact that eventual plans of several governmental agencies, such as the Corps of Engineers, includes making every stream of consequences in the United States a series of impoundments.

With the increasing pressures of population growth and industrialization, the public legacy of free-flowing streams and wilderness areas is due for destruction—unless immediate and effective steps are taken to prevent their destruction. I do not believe that Americans of fifty years from now will have any natural areas of consequence left for their enjoyment and inspiration, unless the Congress acts now to preserve it for them. The present National Parks are inadequate even now, and cannot hope to meet the needs of the future.

As opposed to all the billions we are spending each year to change the face of the earth and mould it to our present desires, it costs almost nothing to simply let a river, forest or natural area alone. To preserve a clean river, a wilderness stream, a stretch of unique forest, or a significant natural area, all that is necessary is to set it aside and protect it—aside from that it takes care of itself, at no public expense.

I know that you are vitally concerned with preventing the rape of our few remaining public and natural resources in the name of blind progress and private profit. We all hope that you will be able to work for these bills and similar bills designed to salvage a bit of our national heritage before it is gone forever.

Enclosed you will find a copy of a Resolution of the Texas Explorers Club regarding the above bills. I would appreciate your making the same a part of the record in the hearings thereon.

Your friend,

Bob Burleson.

Curtis, Duncan & Bragg,
Killeen, Tex., January 21, 1966.

Hon. Frank Church,
U.S. Senate,
Washington, D.C.

Dear Senator Church: The section of the Rio Grande River in Texas from Maravillas Creek (The Black Gap Wildlife Management Area owned by the State of Texas) down to the headwaters of the Amistad Lake now under construction near Del Rio is worthy of consideration under your "Wild Rivers" bill.

A group of us floated a substantial portion thereof during the Christmas holidays. From Sunday afternoon, December 26, until Thursday noon following we did not see a human being. There are many rapids, several waterfalls, and unnamed canyons 1500 feet deep or more and up to 30 miles long.

This part of Texas is virtually uninhabited within 10–30 miles of the river along the entire stretch, and may be the only river within 500 miles thereof of sufficient flow to be adventurous to float and not heavily populated adjoining.

I doubt that more than five groups of people float this in any one year, but expect this number to grow in future years. If you would be interested in any photographs of the particular area, those of us who made the recent trip would be pleased to furnish them to your committee.

A copy of this is being mailed to Senator Yarborough, who is being contacted by others of us who were on the recent trip. A map showing the stretch of river involved is enclosed.

Cordially,

Davis Bragg.

Mr. YARBOROUGH. Mr. President, having lived in El Paso, Tex., for 3½ years and having visited this area, I can personally testify from my own personal knowledge as to the importance of its inclusion in the pending bill.

I thank the senior Senator from Idaho [Mr. Church] for sponsoring the bill. I thank the junior Senator from Idaho [Mr. Jordan] for so graciously yielding to me that I might attend my committee meeting.

Mr. CHURCH. Mr. President, may I say to the distinguished Senator from Texas how much I appreciate the steadfast support he has given the wild rivers bill.

The amendment of the Senator from Texas is certainly acceptable. I think the segment of the Rio Grande that the Senator described belongs in the study category of the bill.

I am willing to accept the amendment. I congratulate the Senator for having offered it.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Texas.

The amendment was agreed to.

Mr. JACKSON. Mr. President, will the Senator yield?

Mr. JORDAN of Idaho. I yield.

Mr. JACKSON. Mr. President, I take this opportunity as the chairman of the committee to compliment and commend the able senior Senator from Idaho [Mr. CHURCH] for the excellent way in which he has handled a very difficult bill.

This legislation affects all areas of the United States, either in the inclusion of certain rivers in the wild and scenic rivers system immediately, or in the study section for future consideration.

When one undertakes such a task, it is obvious that he is bound to run into problems and difficulty.

The able senior Senator from Idaho [Mr. CHURCH], in my judgment, used the best arts of the legislative process in putting the pending bill in the form in which it is now being presented to the Senate.

Mr. President, I likewise compliment the able junior Senator from Idaho [Mr. JORDAN] for the fine way in which he cooperated in making possible the presentation of the pending bill to the Senate on a unanimous basis from the Committee on Interior and Insular Affairs.

A major portion of the legislation, of course, affects the State of Idaho. The junior Senator from Idaho [Mr. JORDAN] has been extremely helpful in working with the senior Senator from Idaho in the ironing out of a lot of the difficult problems.

As a result, we have a very good bill.

In this connection, I call to the attention of the Senate and to the attention of my colleagues, the Senators from Idaho, that part of the report appearing at the top of page 6, entitled "Balanced Development":

> In its selection of rivers to be included in the initial system of wild and scenic rivers, and in the study group of rivers for possible later inclusion in the system—with a 5-year moratorium on the licensing of dams on the latter—the committee is cognizant that there are many other rivers throughout the United States which may qualify for the system. The bill establishes procedures by which these may be added.
>
> The committee did not review all the rivers of the United States in acting upon this bill. However, the committee did give particular attention to the middle Snake River watershed in Idaho and Oregon. The Middle Fork of the Clearwater and the Middle Fork of the Salmon, both part of the watershed, will become initial streams in the National Wild and Scenic Rivers System established by S. 119. The main Salmon River will be studied for possible future inclusion in the system.
>
> The Middle Fork of the Snake, also an area of great beauty, contains the location of the proposed High Mountain Sheep Dam just above the confluence of the Snake and the Salmon. This is the last undeveloped site on the Snake River for a great storage dam. The committee took cognizance of this fact in not considering inclusion of the Middle Fork of the Snake in the National Wild and Scenic Rivers System. The committee believes that exclusion of this portion of the Snake River watershed is in keeping with a balanced natural resource program.

Mr. President, I should like first to ask my good friend, the junior Senator from Idaho [Mr. JORDAN] his interpretation of this language, and I shall then ask the same question of the senior Senator from Idaho.

Mr. JORDAN of Idaho. Mr. President, in reply to my friend, the distinguished junior Senator from Washington, I believe that the language in the report is significant for several reasons.

First, we designated as wild rivers segments of both the Clearwater and the Salmon that are obviously and unmistakably wild rivers.

We deferred for further study the main stem of the Salmon River because it does have potential multipurpose use that we all recognize.

Then, with respect to the paragraph dealing with the middle fork of the Snake River, that area possibly to be developed by the High Mountain Sheep Dam, or its counterpart, reference is made in the report that the committee expresses its approval for dam development on this last remaining undeveloped stretch of the middle Snake River.

I think it is wise to include this language in the report because it is quite apparent to those of us who live in the region and who serve on the Committee on Interior and Insular Affairs under the able chairmanship of the distinguished junior Senator from Washington that there is need for a balance, for both dam development and wild river designation on the middle Snake and the tributaries to the middle Snake.

Mr. JACKSON. I thank the Senator.

I should like to ask now for the comments of the author of the bill, the senior Senator from Idaho.

Mr. CHURCH. First, I should like to express my appreciation to the distinguished chairman of our committee for the remarks he has made concerning both the work I have done on the measure and the work that my colleague, Senator JORDAN, has done on it. I concur heartily in everything the Senator from Washington has said with reference to Senator JORDAN's efforts in committee to bring this bill to the floor in a form that would win the strong, united support of the Senate.

I have always believed that the Senate Committee on Interior and Insular Affairs had a fundamental interest in the balanced development of the resources of the West. Where rivers are concerned, it is obvious that they make a great economic contribution. There are many rivers that must be used for reclamation and for the generation of power. There are many dams which have been built profitably in the past, and new dams to be built profitably in the future, that will confer multipurpose benefits which the growing economy of the West demands. One such river is the Snake. It has long since been a developed river, with numerous dams on it. The Snake River is the artery that really constitutes the lifeblood of the economy of southern Idaho. It is the river that sustains most of the agriculture in the southern part of our State.

As the Senator from Washington knows, the Snake River furnishes approximately one-fourth of the flow of the Columbia, on which there are such large and important public power dams.

So the committee wanted to make it clear that, in the enactment of the wild rivers bill, it did not intend to reach out, or in any way to prejudice, the necessity for further development on the Snake, a river that is already well developed, where there are some remaining sites of great importance that clearly call for dam construction. One of these, the High Mountain Sheep site, is presently in litigation, and this bill in no way compromises or affects the case for the High Mountain Sheep Dam.

Mr. JACKSON. I believe this is a very important point, because, as we know, the High Mountain Sheep damsite is currently involved in litigation.

I believe it is quite clear by the statement in the RECORD and by the colloquy on the floor that the committee identified in Idaho those areas that should be preserved and those areas that should be studied under the provisions of this bill. We have also indicated that the High Mountain Sheep area—that is, the middle fork of the Snake area—should be available for multipurpose development.

Is that not in essence the position taken by the committee?

Mr. CHURCH. The Senator is correct.

Mr. JACKSON. I believe my good friend, the junior Senator from Idaho, also concurs in that statement.

Mr. JORDAN of Idaho. I do concur.

Mr. JACKSON. In other words, we have made a legislative finding in order to clarify what has been a misunderstanding as to the areas that should be set aside now or studied later for conservation and preservation as wild rivers. It is also true, however, that in areas such as the High Mountain Sheep area on the Snake River we will permit power development, and we are not intending to apply this legislation to this area of the river.

Mr. CHURCH. The Senator is correct. That is precisely the intention of the committee, as I understand it.

Mr. JACKSON. Mr. President, I again wish to compliment the able Senators from Idaho for the statesmanlike way in which they have worked this bill out, and I am certain that the measure will receive the unanimous support of the Senate.

Mr. JORDAN of Idaho. Mr. President, I thank our distinguished chairman, the able Senator from our neighboring State of Washington, for his kind remarks. I commend him, also, for his chairmanship of the committee, the most interesting committee on which I am privileged to serve, because he provides a proper climate for compromise and a proper forum for discussion, so that we can work out our differences and come to the floor of the Senate, as a rule, in substantial agreement, as we are today.

I also wish to commend my distinguished colleague, Senator CHURCH, for his leadership in the matter of wild rivers legislation, and for the able presentation he has made on the floor this morning with respect to S. 119.

> steppe and desert climate characterized by a vegetation of mesquite, creosote bush, cactus, yucca and other desert plants.

This is the wild rivers part encompassed in my amendment:

> The Rio Grande cuts three canyons between 1,500 and 1,700 ft. in depth across the faulted area occupied by the "big bend" where the Texas side of the river is included in the Big Bend National park. In the remainder of its course the river wanders sluggishly across the coastal plain to end in a true delta in the Gulf of Mexico.

This river was formerly called the Rio Grande del Norte. It is officially in the United States the Rio Grande, but it is officially in Mexico the Rio Bravo.

The river, and particularly this section from Presidio to Langtry, is well suited to be designated a scenic or wild river; it has unparalleled natural beauty and recreational activity. Industrial uses of the rivers of our country and of the State of Texas must be balanced with a sensible policy at conserving certain sections of our waterways as unpolluted and undammed sources of pleasure for our citizens. The part of the Rio Grande that would be included in my amendment should probably be left forever as it is. The lovely limestone caverns, the spiraling rapids and whirlpools and the scenic landscape all serve to indicate how vital it is that we keep some of the Rio Grande as a haven for sportsmen and tourists and nature lovers and those who want to see this continent as it was before men carved it up.

This amendment will allow these possibilities to be studied by the Secretary of the Interior and the State government.

Since the Rio Grande forms our southwestern border with Mexico, any comprehensive plan for the conservation of the river such as that offered in this bill would necessitate a Mexican-American agreement on the subject. At present there are no agreements as to development or conservation on this stretch of the river; no change in any plans will be effected by adoption of this amendment. We hope that an agreement on the objectives and means of insuring the natural beauty of the Rio Grande will be easy to achieve after the study contemplated by this bill is completed.

In view of the importance of the Rio Grande both as a border and as a site of naturally beautiful wilderness, I offer this amendment to include it in the list of rivers to be studied for possible addition to the wild and scenic rivers system.

Mr. President, I ask unanimous consent that there be printed at this point in the RECORD a resolution by the Texas Explorers' Club requesting this action; a letter from Bob Burleson of the law firm of Bowmer, Courtney & Burleson, of Temple, Tex., under date of April 7, 1967, and a letter addressed to the Hon. FRANK CHURCH, U.S. Senate, Washington, D.C., by Mr. Davis Bragg, under date of January 21, 1966.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

A RESOLUTION BY TEXAS EXPLORERS CLUB

Be it resolved by the Texas Explorers Club as follows:

(1) That the Texas Explorers Club, a nonprofit charitable and educational corporation organized under the laws of the State of Texas, does hereby pledge its wholehearted support of two bills now pending before the Senate of the United States of America, to wit: S–119, the Wild Rivers Bill, and S–1092, the Scenic Rivers Act.

(2) That the Texas Explorers Club will make known to our outstanding Senators from the State of Texas, to wit: the Honorable Ralph W. Yarborough and the Honorable John Tower, this organization's sincere belief and deepest conviction that river protective legislation is one of the most pressing needs of our nation today and that the passage of such legislation is absolutely essential to the continued good health, welfare, and moral and spiritual well being of the present and future citizens of these United States of America.

(3) That the hasty and inadequately considered damming of our few remaining flowing streams, the pollution and poisoning of all of our rivers and streams, and the criminal abuse of our few remaining spots of wilderness and natural beauty constitute a stain upon the honor of the United States and must be corrected with all haste.

And be it further resolved by the Texas Explorers Club that the beautiful and unique section of wilderness canyons along the Rio Grande River from the easternmost boundary of Big Bend National Park to the town of Langtry, Texas, should be included within both of the above named bills and any future river protective legislation, and that this area of outstanding natural beauty and remoteness be forever preserved for the use of present and future citizens of the United States as a natural and flowing river, unspoiled by the unnecessary, selfish and destructive works of man.

Unanimously passed and adopted by the members of the Texas Explorers Club at a regular meeting on this the 1st day of April, 1967.

BOB BURLESON,
President.

Attest:

JIM D. BOWMER,
Secretary.

BOWMER, COURTNEY & BURLESON,
Temple, Tex., April 7, 1967.

Re: River Protective Legislation, Senate Bills S–119, Wild Rivers, and S–1092, Scenic Rivers.

Senator RALPH YARBOROUGH,
U.S. Senate,
Washington, D.C.

DEAR RALPH: The above bills are due to come up for hearing before the Interior and Insular Affairs Committee early this month. A large number of us from Texas are vitally interested in the eventual passage of some really effective river protection legislation, and these bills are at least a start in the right direction.

Those of us who frequently get out and paddle the streams of Texas are becoming genuinely alarmed at the very rapid progress of destruction and pollution that is turning over formerly beautiful and clean-flowing rivers into sewers. Even more alarming is the fact that eventual plans of several governmental agencies, such as the Corps of Engineers, includes making every stream of consequences in the United States a series of impoundments.

With the increasing pressures of population growth and industrialization, the public legacy of free-flowing streams and wilderness areas is due for destruction—unless immediate and effective steps are taken to prevent their destruction. I do not believe that Americans of fifty years from now will have any natural areas of consequence left for their enjoyment and inspiration, unless the Congress acts now to preserve it for them. The present National Parks are inadequate even now, and cannot hope to meet the needs of the future.

As opposed to all the billions we are spending each year to change the face of the earth and mould it to our present desires, it costs almost nothing to simply let a river, forest or natural area alone. To preserve a clean river, a wilderness stream, a stretch of unique forest, or a significant natural area, all that is necessary is to set it aside and protect it—aside from that it takes care of itself, at no public expense.

I know that you are vitally concerned with preventing the rape of our few remaining public and natural resources in the name of blind progress and private profit. We all hope that you will be able to work for these bills and similar bills designed to salvage a bit of our national heritage before it is gone forever.

Enclosed you will find a copy of a Resolution of the Texas Explorers Club regarding the above bills. I would appreciate your making the same a part of the record in the hearings thereon.

Your friend,

BOB BURLESON.

CURTIS, DUNCAN & BRAGG,
Killeen, Tex., January 21, 1966.

Hon. FRANK CHURCH,
U.S. Senate,
Washington, D.C.

DEAR SENATOR CHURCH: The section of the Rio Grande River in Texas from Maravillas Creek (The Black Gap Wildlife Management Area owned by the State of Texas) down to the headwaters of the Amistad Lake now under construction near Del Rio is worthy of consideration under your "Wild Rivers" bill.

A group of us floated a substantial portion thereof during the Christmas holidays. From Sunday afternoon, December 26, until Thursday noon following we did not see a human being. There are many rapids, several waterfalls, and unnamed canyons 1500 feet deep or more and up to 30 miles long.

This part of Texas is virtually uninhabited within 10–30 miles of the river along the entire stretch, and may be the only river within 500 miles thereof of sufficient flow to be adventurous to float and not heavily populated adjoining.

I doubt that more than five groups of people float this in any one year, but expect this number to grow in future years. If you would be interested in any photographs of the particular area, those of us who made the recent trip would be pleased to furnish them to your committee.

A copy of this is being mailed to Senator Yarborough, who is being contacted by others of us who were on the recent trip. A map showing the stretch of river involved is enclosed.

Cordially,

DAVIS BRAGG.

Mr. YARBOROUGH. Mr. President, having lived in El Paso, Tex., for 3½ years and having visited this area, I can personally testify from my own personal knowledge as to the importance of its inclusion in the pending bill.

I thank the senior Senator from Idaho [Mr. CHURCH] for sponsoring the bill. I thank the junior Senator from Idaho [Mr. JORDAN] for so graciously yielding to me that I might attend my committee meeting.

Mr. CHURCH. Mr. President, may I say to the distinguished Senator from Texas how much I appreciate the steadfast support he has given the wild rivers bill.

The amendment of the Senator from Texas is certainly acceptable. I think the segment of the Rio Grande that the Senator described belongs in the study category of the bill.

I am willing to accept the amendment. I congratulate the Senator for having offered it.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Texas.

The amendment was agreed to.

Mr. JACKSON. Mr. President, will the Senator yield?

Mr. JORDAN of Idaho. I yield.

Mr. JACKSON. Mr. President, I take this opportunity as the chairman of the committee to compliment and commend the able senior Senator from Idaho [Mr. CHURCH] for the excellent way in which he has handled a very difficult bill.

This legislation affects all areas of the United States, either in the inclusion of certain rivers in the wild and scenic rivers system immediately, or in the study section for future consideration.

When one undertakes such a task, it is obvious that he is bound to run into problems and difficulty.

The able senior Senator from Idaho [Mr. CHURCH], in my judgment, used the best arts of the legislative process in putting the pending bill in the form in which it is now being presented to the Senate.

Mr. President, I likewise compliment the able junior Senator from Idaho [Mr. JORDAN] for the fine way in which he cooperated in making possible the presentation of the pending bill to the Senate on a unanimous basis from the Committee on Interior and Insular Affairs.

A major portion of the legislation, of course, affects the State of Idaho. The junior Senator from Idaho [Mr. JORDAN] has been extremely helpful in working with the senior Senator from Idaho in the ironing out of a lot of the difficult problems.

As a result, we have a very good bill.

In this connection, I call to the attention of the Senate and to the attention of my colleagues, the Senators from Idaho, that part of the report appearing at the top of page 6, entitled "Balanced Development":

> In its selection of rivers to be included in the initial system of wild and scenic rivers, and in the study group of rivers for possible later inclusion in the system—with a 5-year moratorium on the licensing of dams on the latter—the committee is cognizant that there are many other rivers throughout the United States which may qualify for the system. The bill establishes procedures by which these may be added.
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> The committee did not review all the rivers of the United States in acting upon this bill. However, the committee did give particular attention to the middle Snake River watershed in Idaho and Oregon. The Middle Fork of the Clearwater and the Middle Fork of the Salmon, both part of the watershed, will become initial streams in the National Wild and Scenic Rivers System established by S. 119. The main Salmon River will be studied for possible future inclusion in the system.
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> The Middle Fork of the Snake, also an area of great beauty, contains the location of the proposed High Mountain Sheep Dam just above the confluence of the Snake and the Salmon. This is the last undeveloped site on the Snake River for a great storage dam. The committee took cognizance of this fact in not considering inclusion of the Middle Fork of the Snake in the National Wild and Scenic Rivers System. The committee believes that exclusion of this portion of the Snake River watershed is in keeping with a balanced natural resource program.

Mr. President, I should like first to ask my good friend, the junior Senator from Idaho [Mr. JORDAN] his interpretation of this language, and I shall then ask the same question of the senior Senator from Idaho.

Mr. JORDAN of Idaho. Mr. President, in reply to my friend, the distinguished junior Senator from Washington, I believe that the language in the report is significant for several reasons.

First, we designated as wild rivers segments of both the Clearwater and the Salmon that are obviously and unmistakably wild rivers.

We deferred for further study the main stem of the Salmon River because it does have potential multipurpose use that we all recognize.

Then, with respect to the paragraph dealing with the middle fork of the Snake River, that area possibly to be developed by the High Mountain Sheep Dam, or its counterpart, reference is made in the report that the committee expresses its approval for dam development on this last remaining undeveloped stretch of the middle Snake River.

I think it is wise to include this language in the report because it is quite apparent to those of us who live in the region and who serve on the Committee on Interior and Insular Affairs under the able chairmanship of the distinguished junior Senator from Washington that there is need for a balance, for both dam development and wild river designation on the middle Snake and the tributaries to the middle Snake.

Mr. JACKSON. I thank the Senator.

I should like to ask now for the comments of the author of the bill, the senior Senator from Idaho.

Mr. CHURCH. First, I should like to express my appreciation to the distinguished chairman of our committee for the remarks he has made concerning both the work I have done on the measure and the work that my colleague, Senator JORDAN, has done on it. I concur heartily in everything the Senator from Washington has said with reference to Senator JORDAN's efforts in committee to bring this bill to the floor in a form that would win the strong, united support of the Senate.

I have always believed that the Senate Committee on Interior and Insular Affairs had a fundamental interest in the balanced development of the resources of the West. Where rivers are concerned, it is obvious that they make a great economic contribution. There are many rivers that must be used for reclamation and for the generation of power. There are many dams which have been built profitably in the past, and new dams to be built profitably in the future, that will confer multipurpose benefits which the growing economy of the West demands. One such river is the Snake. It has long since been a developed river, with numerous dams on it. The Snake River is the artery that really constitutes the lifeblood of the economy of southern Idaho. It is the river that sustains most of the agriculture in the southern part of our State.

As the Senator from Washington knows, the Snake River furnishes approximately one-fourth of the flow of the Columbia, on which there are such large and important public power dams.

So the committee wanted to make it clear that, in the enactment of the wild rivers bill, it did not intend to reach out, or in any way to prejudice, the necessity for further development on the Snake, a river that is already well developed, where there are some remaining sites of great importance that clearly call for dam construction. One of these, the High Mountain Sheep site, is presently in litigation, and this bill in no way compromises or affects the case for the High Mountain Sheep Dam.

Mr. JACKSON. I believe this is a very important point, because, as we know, the High Mountain Sheep damsite is currently involved in litigation.

I believe it is quite clear by the statement in the RECORD and by the colloquy on the floor that the committee identified in Idaho those areas that should be preserved and those areas that should be studied under the provisions of this bill. We have also indicated that the High Mountain Sheep area—that is, the middle fork of the Snake area—should be available for multipurpose development.

Is that not in essence the position taken by the committee?

Mr. CHURCH. The Senator is correct.

Mr. JACKSON. I believe my good friend, the junior Senator from Idaho, also concurs in that statement.

Mr. JORDAN of Idaho. I do concur.

Mr. JACKSON. In other words, we have made a legislative finding in order to clarify what has been a misunderstanding as to the areas that should be set aside now or studied later for conservation and preservation as wild rivers. It is also true, however, that in areas such as the High Mountain Sheep area on the Snake River we will permit power development, and we are not intending to apply this legislation to this area of the river.

Mr. CHURCH. The Senator is correct. That is precisely the intention of the committee, as I understand it.

Mr. JACKSON. Mr. President, I again wish to compliment the able Senators from Idaho for the statesmanlike way in which they have worked this bill out, and I am certain that the measure will receive the unanimous support of the Senate.

Mr. JORDAN of Idaho. Mr. President, I thank our distinguished chairman, the able Senator from our neighboring State of Washington, for his kind remarks. I commend him, also, for his chairmanship of the committee, the most interesting committee on which I am privileged to serve, because he provides a proper climate for compromise and a proper forum for discussion, so that we can work out our differences and come to the floor of the Senate, as a rule, in substantial agreement, as we are today.

I also wish to commend my distinguished colleague, Senator CHURCH, for his leadership in the matter of wild rivers legislation, and for the able presentation he has made on the floor this morning with respect to S. 119.

Mr. President, I am very pleased to join Senator Church and Senator Jackson today in expressing my strong support for the wild and scenic rivers bill as reported to the Senate by the Senate Interior and Insular Affairs Committee.

That bill before the Senate is the product of a great deal of hard work, of the best tradition of give and take in committee discussion, of the earnest desire of all members of the committee to present a wild and scenic rivers system proposal which is acceptable to the entire committee.

I believe we made some substantial improvements in the bill by tightening and amending the language in executive session. S. 119 as reported is, to my mind, a better bill than the version of this legislation which the Senate approved last year. It is also a far better proposal, in my view, than S. 1092, the scenic rivers bill, drawn up and advocated this year by the Department of the Interior.

S. 119, as reported, provides important protection for those rivers not immediately included in the national wild or scenic rivers system but selected for study for possible future inclusion. It establishes a moratorium on licensing dams during a 5-year period on the rivers listed for consideration as future additions, so that no damage to the natural, free-flowing characteristics of such streams can occur while studies are going forward.

New provisions have been added to strengthen the voice of localities and States in the process of developing recommendations for additions to the initial system. Local public hearings are required on any proposed addition to the system, and provision is made to allow the State legislatures concerned to make their views known if they so desire.

The committee has taken pains to insure that intent is made absolutely clear in regard to the protection of established water rights. It is intended that the language bearing on water rights permits the Federal Government to reserve only such unappropriated waters as may be required for the purposes of the act.

In addition, S. 119 retains the National Wild and Scenic Rivers Review Board which was eliminated from the Department of the Interior's bill. The Board is the mechanism through which changes in circumstances and needs affecting rivers designated as wild or scenic may be brought to the attention of the Congress, so that long-range planning for water usage in the Nation may remain flexible and not be foreclosed from the consideration of alternative uses which the future may require.

Mr. President, I have always been a strong believer in the wild rivers concept. I have stated on numerous occasions that I hope that every State can contribute a river or a segment of a river to this great system. This is still my hope.

For the initial system which would be established if this legislation were approved, portions of just seven rivers are recommended for designation as wild rivers. There are, of course, also those rivers designated as scenic rivers. But of the seven designated as wild rivers, two segments are wholly within boundaries of our State of Idaho.

To show graphically the contribution to the initial wild rivers system, I ask unanimous consent that a table setting down the mileage selected for such preservation be printed in the Record at this point.

There being no objection, the table was ordered to be printed in the Record, as follows:

Mileage of rivers included in the wild rivers system under S. 119

	Miles
Middle Fork of Salmon River in Idaho	105
Middle Fork of Clearwater River in Idaho	185
Lochsa River	69
Selway	95
Middle Fork Clearwater	21
Total	[1] 290
Rio Grande in New Mexico	50
St Croix in Minnesota and Wisconsin	100
Segment of Nanekegon, a tributary of the St. Croix River in Minnesota and Wisconsin	20
Total	120
Wolf in Wisconsin	25
Illinois in Oregon	25
Rogue in Oregon	35
Total	[2] 255
Total wild rivers	545

[1] Miles in Idaho.

[2] Miles not in Idaho.

Mr. JORDAN of Idaho. Mr. President from the table we observe the initial wild rivers mileage in Idaho totals 290 miles; outside of Idaho it totals 255 miles. Thus, Idaho is furnishing 53 percent of the mileage of the initial system.

I am pleased that Idaho can contribute so substantially to the wild rivers system. We are very proud of our rugged, unspoiled country and believe that the portions of the Salmon and Clearwater drainages put into the system immediately are indeed worthy to be set aside as national natural assets.

In my approach to this legislation, I must say I have had serious reservations that we are trying to move too fast too soon. In this country we are currently engaged in a massive effort to inventory and assess our water resources and to direct planning to the most comprehensive set of considerations about future needs, designations, and uses to assure that we deal wisely with this most precious resource, so that we do not penalize coming generations through the failure to exercise every bit of foresight we can.

The whole emphasis in the water resource field is on using such vision as we possess to plan as comprehensively as possible for the future.

In 1965, Congress enacted the River Basin Planning Act to provide for the optimum development of the Nation's resources through coordinated planning of water and related land resources.

In 1964, Congress enacted the Water Research Act to establish and strengthen competence in water research at the Nation's institutions of higher education.

In that same year, 1964, Congress established a Public Land Law Review Commission to study and make recommendations relating to administration of the public lands, an undertaking which of necessity involves water studies as well.

Just this year, we have approved the establishment of a National Water Commission to conduct a comprehensive review of national water resource programs and uses.

In addition, there is great activity at the State and regional level. Eleven Western States have implemented a Western States Water Council through which they hope to pursue cooperatively long-range planning objectives. The Northwest States have for many years been discussing a Columbia Basin interstate water compact. And this spring a Pacific Northwest River Basins Commission got started in its work pursuant to an Executive order of the President following the mandate of the River Basin Planning Act.

In Idaho, the citizens, through voting an amendment to the State's constitution, have created a State water agency charged with studying and inventorying the state's water and land resources in order that planning may proceed on the most informed basis.

Mr. President, I firmly believe we have a deep responsibility as stewards of our Nation's resources to use them wisely and well and to hand them down to future generations, if possible, in better condition, more wisely used than when we found them. I have been a strong supporter of all the efforts we are directing at every level toward water studies, planning, and research.

With this emphasis in mind, I feel that we should be very careful before committing resources in perpetuity to single purpose use, such as we are doing in wild and scenic rivers legislation. Much of our effort to study our water needs and uses is in progress or just getting started. We do not have all the information we desire in many cases.

Therefore, I have maintained that where wild or scenic rivers legislation might conflict with the thrust of our commitment to planning, the designation of segments of rivers in question should be deferred. Where there is substantial controversy, I have held that we should not put the streams subject to such controversy into the wild and scenic rivers system at this time.

The committee has concurred in this position and in Wyoming and West Virginia where in each case both Senators objected to consideration of certain rivers in their States, the rivers were withdrawn from the bill.

Mr. President, in Idaho there has been a strong feeling regarding the possible effect which wild rivers legislation could have on the State's future development. The Governor of Idaho and the Idaho Water Resources Board have both asked that foreclosure of the use of Idaho waters to single-purpose use be deferred until our land and water inventories are complete. They wish to keep the State's options open.

The magnitude of the issue is suggested by the fact that the Salmon and Clearwater together carry fully 38 percent of the output of Idaho's watersheds, which amounts to an average of 14.5 million acre-feet annually. These two wholly Idaho rivers carry out of the State of Idaho an annual volume of water comparable to the entire annual flow of the Colorado River.

Preliminary investigations carried out by the Idaho Water Resources Board indicate that Idaho has some 6.5 million arid acres to bring into cultivation and irrigate. Considering the growing world food crisis, production from these acres certainly will be ultimately required. However, we lack the water in the Snake River to irrigate all these new acres. Under full development, the Snake River plain will be a water deficient area. Thus, we need to consider how to supplement our water supply. In the not too distant future we shall need to import water into the Snake River basin.

Since Idaho's northern streams are a logical source of supply for supplementing Snake River flows and should be studied in such respect, I have substantially agreed with the State's position on wild rivers. With the concurrence of my distinguished and very reasonable colleague [Mr. Church], therefore, the main stem of the Salmon River in Idaho has been transferred to the study section of the bill, under a moratorium on development, pending completion of Idaho's studies.

Mr. President, I believe that S. 119 in the form presented here today is a thoroughly meritorious piece of legislation and I urge its overwhelming adoption. Further, although Idaho is far and away the largest contributor to the wild rivers system, I hope we will be able to contribute more mileage in the future if our studies indicate that such additions are merited.

Mr. CHURCH. Mr. President, I have listened with much interest and admiration to the statement which the Senator from Idaho [Mr. Jordan] has just made. He is an acknowledged authority on water, its sources and its uses. His life has been in large measure, devoted to water. In his early years, he showed much foresight in the future use and development of the waters of the Snake River. As the Governor of Idaho, his contribution in the matter of the further development of our water resources was marked and significant. As a member of the International Joint Commission, he rendered great service to the country in working out important agreements with Canada, not the least of which was the St. Lawrence Seaway.

I have the deepest personal respect for him as an authority in water matters. And I think his statement in the Senate this morning indicates that he is as interested in preserving wild rivers as any other Senator. I commend him for the way he has sought to work out the problem of preserving Idaho's options for the future, a consideration which has been of great concern to him and to me. If it had not been for his willingness to do so, we could not have brought this legislation to the floor of the Senate in such form as to prevent a bitter partisan fight over the bill.

Had this bill gone to the House of Representatives after such a fight, and the split vote that would have resulted, I am confident that this legislation would have had no chance for favorable consideration in that body. For these reasons, I want to say how grateful I am to my colleague [Mr. Jordan]. I thank him for his contribution in bringing a bill to the floor of the Senate which keeps the hope of a national wild river system alive, and enhances the chances for favorable consideration of this bill by the House of Representatives.

Mr. ALLOTT. Mr. President, will the Senator from Idaho yield?

Mr. CHURCH. I am happy to yield to the Senator from Colorado.

Mr. ALLOTT. I should like to ask a few questions and perhaps make a little legislative history. I am sure that the distinguished Senator from Idaho will be happy to do this. He is aware, of course, of the concern that I have had in this legislation about the priorities of water rights and the power of the Secretary of the Interior. We have discussed this both privately and in committee, so that I do not believe any further explanation to him is in order or is needed for any reason.

I invite the Senator's attention to page 403 of the Record of January 17, 1966—I will read it—in which a letter from the Secretary of the Interior was placed in the Record, the third paragraph of which reads as follows:

> It is settled law that Federal legislation authorizing Federal lands to be used for a particular purpose reserves sufficient unappropriated water flowing through the Federal lands to accomplish that purpose. This reservation does not affect prior valid rights under State law, but it does establish a priority that is good against subsequent appropriators.

Of course, this is a matter which has bothered me for some time. Does the Senator interpret this to mean that under passage of the national wild and scenic rivers bill, as it now is, that it would be impossible for an individual appropriator to perfect rights under the laws and the constitution of the State of Idaho, for example, or Colorado, if Colorado had rivers in this bill, which it does not, against anyone who would wish to perfect the right in the future?

Mr. CHURCH. I would say to the Senator that whatever present law decrees with respect to the priority of rights, among appropriators, that law is left intact by this bill. It is true that the Federal Government can acquire rights by reservation, just as private citizens can acquire rights by appropriation. We sought not to interfere with water law, one way or another. We took great care in committee, as the Senator knows, to work out language that would make it clear that present water law is not altered by the provisions of this bill.

Mr. ALLOTT. As the Senator knows, I submitted an amendment to the present bill which the committee did not accept. The amendment was offered from the viewpoint of a person who has been engaged in water litigation and water matters for the major portion of his life. Following the rejection of the amendment, I submitted report language to the staff, the last sentence of which reads as follows:

> The reservation of unappropriated waters for a National Wild and Scenic Rivers System is not intended to affect any prior valid water right under State law and is paramount only to subsequent appropriators.

The committee has changed this language slightly, but I think perhaps the legislative intent of the language shown at the bottom of page 5 of the committee report and the three paragraphs under the section entitled "Water Rights," might be further clarified. First, I think it should be stated that the appropriate Secretary can only reserve unappropriated waters for the purposes of this act. I am sure the Senator from Idaho is in agreement with that.

Mr. CHURCH. I am in agreement with that.

Mr. ALLOTT. Second, that the reservation is subject to prior water rights vested under State law, and, therefore, that the appropriate Secretary cannot insist upon any greater flow in the river than the amount of unappropriated water. I am sure the Senator would agree with that?

Mr. CHURCH. Yes. I am in agreement with that.

Mr. ALLOTT. Third, the only superior right the appropriate Secretary will have on the river is with regard to subsequent appropriations under State law.

Mr. CHURCH. I find no difficulty with that.

Mr. ALLOTT. I am sure that is true. We do have now in the report on page 5, and I think we should make a record of it, the concept of a reservation only of unappropriated waters, and that this reservation is subject to prior appropriations and paramount only to subsequent appropriations.

Now I shall read the last paragraph.

Mr. CHURCH. May I suggest to the Senator that it might be advisable to include the entire portion of the report dealing with this question.

Mr. ALLOTT. Yes, I shall; not only that, but the subsequent section on page 6.

Mr. CHURCH. Having to do with balanced development.

Mr. ALLOTT. That also has some interest. If the Senator has no objection to having that part printed in the Record, I ask unanimous consent that both items be printed in the Record.

There being no objection, the items were ordered to be printed in the Record, as follows:

Water Rights

The language contained in subsection 6(f) is intended by the committee to preserve the status quo with respect to the law of water rights. No change is intended. The first sentence states that established principles of law will determine the Federal and State jurisdiction over the waters of a stream that is included in a wild river area. Those established principles of law are not modified. The third sentence states that with respect to possible exemption of the Federal Government from State water laws the act is neither a claim nor a denial of exemption. Any issue relating to exemption will be determined by established principles of law as provided in the first sentence. The second sentence would apply to this legislation the principle of compensation embraced by section 8 of the Rec-

> lamation Act of June 17, 1902 (32 Stat. 388, 390, found in 43 U.S.C. 383). This means that the Government must pay just compensation for a water right taken for wild river purposes if the water right is a vested property right under established principles of State or Federal law. See *U.S.* v. *Gerlach* (339 U.S.725).
>
> Subsection 6(j) makes it clear that designation of a stream or its portion thereof is not to be considered a reservation of unappropriated waters other than for the purposes of this act—and in no greater quantities than are necessary for those purposes.
>
> It should be made clear that it is the intention of the committee that the Federal Government may reserve only such unappropriated waters as may be required for the purposes specified in this act. The establishment of a National Wild and Scenic Rivers System is not intended to affect or impair any prior valid water right vested under State or Federal law.
>
> ### BALANCED DEVELOPMENT
>
> In its selection of rivers to be included in the initial system of wild and scenic rivers, and in the study group of rivers for possible later inclusions in the system—with a 5-year moratorium on the licensing of dams on the latter—the committee is cognizant that there are many other rivers throughout the United States which may qualify for the system. The bill establishes procedures by which these may be added.
>
> The committee did not review all the rivers of the United States in acting upon this bill. However, the committee did give particular attention to the middle Snake River watershed in Idaho and Oregon. The Middle Fork of the Clearwater and the Middle Fork of the Salmon, both part of the watershed, will become initial streams in the National Wild and Scenic Rivers System established by S. 119. The main Salmon River will be studied for possible future inclusion in the system.
>
> The Middle Fork of the Snake, also an area of great beauty, contains the location of the proposed High Mountain Sheep Dam just above the confluence of the Snake and the Salmon. This is the last undeveloped site on the Snake River for a great storage dam. The committee took cognizance of this fact in not considering inclusion of the Middle Fork of the Snake in the National Wild and Scenic Rivers System. The committee believes that exclusion of this portion of the Snake River watershed is in keeping with a balance natural resource program.

Mr. ALLOTT. The last paragraph on page 5 reads:

> It should be made clear that it is the intention of the committee that the Federal Government may reserve only such unappropriated waters as may be required for the purposes specified in this act. The establishment of a National Wild and Scenic Rivers System is not intended to affect or impair any prior valid water right vested under State or Federal law.

As I understand, the Senator from Idaho interprets the paragraph I have just read and the other related matter under the general heading of "Water Rights" and "Balanced Development," as they appear in the report, to be within the concept of the three points to which he just agreed.

Mr. CHURCH. I do, indeed. Of course, I think the Senator from Colorado would agree with me that it is open to the Government, in connection with this bill or any other Government project, to acquire a water right, if it be deemed advisable, by the purchase of that right from its owner, just as it is open to the Government to acquire any other property right. But the bill itself does not in any way challenge the validity of water rights that have been acquired under State or Federal law, and are vested at the time the system is established.

Mr. ALLOTT. But the bill does not contain a power of condemnation, does it?

Mr. CHURCH. The bill contains a limited power of condemnation.

Mr. ALLOTT. Will the Senator explain that, and state where that limited power is?

Mr. CHURCH. Yes. Wherever 50 percent or more of the land within any wild river area is publicly owned, no power of condemnation is conferred by the bill, except as to the acquisition of scenic easements.

Mr. ALLOTT. Does the Senator mean where more than 50 percent is publicly owned?

Mr. CHURCH. Yes. Where more than 50 percent is publicly owned, there is no power of condemnation except for a scenic easement. Where less than 50 percent is publicly owned, there is a limited right of condemnation conferred by Section 5(d) of the bill. It is limited to acquiring a maximum of 100 acres per mile on both sides of the stream, tributary, or river.

Section 5(a) of the bill sets the maximum acreage for the boundaries of national wild or scenic areas as 320 acres per mile, on both sides of the stream, tributary, or river.

So the bill does two things: It establishes the maximum area of the boundaries themselves; and, within the boundaries, it limits the condemnation authority to cases where less than half the river bank is in the public domain.

Mr. ALLOTT. The power of condemnation does not apply, then, to any portion outside the portion described in the bill?

Mr. CHURCH. It does not.

Mr. ALLOTT. Does it apply to water rights?

Mr. CHURCH. It applies to property rights, which may include water rights, but only if just compensation is made.

Mr. ALLOTT. Of course, in this whole matter we have the corollary question which has repeatedly come up, and bills were offered to cure this by Senator BARRETT of Wyoming, and subsequently by Senator BIBLE, myself, and others, requiring the Federal Government to comply with State laws in the appropriation of water. This is a problem we will have to solve one of these days, but I do not think it has to come in this bill.

Mr. CHURCH. I agree with the Senator on both counts.

Mr. ALLOTT. I thank the Senator for clearing up the legislative record of this matter.

I am more pleased with the legislation as it now stands. I must say, very frankly, to the Senator from Idaho that, considering the appropriation of waters in Colorado and the fact that I think most of our major rivers are overappropriated, I would feel compelled to have to insist on the amendment I previously offered. Colorado is not affected by this bill. I can see no way the bill would affect Colorado adversely. I have to depend on other Senators to see that their own State rights are protected. As far as this particular section is concerned, I think it is satisfactory, with the reservation that in the event any rivers in Colorado are placed under the provisions of the bill, I would have to insist on further protection.

Mr. TALMADGE. Mr. President, will the distinguished floor manager of the bill yield for a question, to clarify a matter in relation to my State?

Mr. CHURCH. I am happy to yield.

Mr. TALMADGE. Mr. President, the pending bill includes the Suwannee River, which rises in Okefenokee Swamp in Georgia and serves as the boundary between the States of Florida and Georgia in the swampy area from that point until it empties into the Atlantic Ocean. It is a beautiful wilderness area, used by many people of both States for fishing, swimming, camping, and matters of that kind.

Is my understanding correct that this bill only authorizes a study, and does not undertake any action to assume Federal jurisdiction of the Suwannee River, in any way whatever?

Mr. CHURCH. The Senator is correct. The Suwannee is listed in that section of the bill—section 4(a)—which is captioned "Federal-State planning for additions to system," and it is listed there purely for study purposes.

Mr. TALMADGE. Prior to congressional action on any bill that may be submitted by the President or any member of his Cabinet, the various Governors—including the Governor of Georgia and the Governor of Florida—will be consulted to ascertain not only their own views, but those of the people of their respective States?

Mr. CHURCH. Yes, indeed. And the bill contains a further provision that if the legislature of either State desires to express its own position, with respect to the possible inclusion of a State river in the national wild rivers system, it will have a full and fair opportunity to do so.

Mr. TALMADGE. And any proposed legislation bearing on the subject, after the study has been made, must come back to Congress for consideration at that time?

Mr. CHURCH. Yes. No addition can be made to the system without the affirmative action of Congress.

Mr. TALMADGE. So, at that time, the congressional delegations from Florida and Georgia would have an opportunity to express their views on the matter?

Mr. CHURCH. Not only would they have the opportunity to express their views, but I am sure that the views of the congressional delegations from Florida and Georgia would have a definite bearing on any possible future action with respect to the Suwannee River.

Mr. TALMADGE. I thank the Senator. With that understanding, I have no objection to the Suwannee River being included in a study.

Mr. CHURCH. I thank the Senator from Georgia.

Mr. President, I ask for the yeas and nays.

The yeas and nays were ordered.

Mr. LAUSCHE. Mr. President, will the Senator yield?

Mr. CHURCH. I yield.

Mr. LAUSCHE. Mr. President, how much money is involved in the pending bill and over how many years is the money authorized to be expended?

Mr. CHURCH. The best estimate that we have from the executive department is that the system established by the bill would cost approximately $40 million over the next 10 years. The price tag for a system of this importance is relatively low.

Mr. LAUSCHE. Mr. President, we have several rivers in Ohio that still retain their pristine and original state of beauty. The citizens in those communities are greatly concerned about keeping projects of an industrial nature out of those areas. Otherwise such projects would destroy the pristine state of those river bodies.

There are included in the study category of the pending bill, I understand, several Ohio rivers which fall within the category I have just described.

Mr. CHURCH. The Senator is correct. The Little Miami, the Little Beaver, and the Maumee, or segments of those streams, are included in the study category of the bill.

Mr. LAUSCHE. Is it the purpose of the pending bill to try to save certain rivers in our country that have not yet been desecrated or butchered by the works of man?

Mr. CHURCH. The Senator is correct. That is the objective, and unless we take action now, the remaining rivers in this category will rapidly disappear.

Mr. HOLLAND. Mr. President, will the Senator yield?

Mr. CHURCH. I yield.

Mr. HOLLAND. Mr. President, as the Senator knows, we have great concern in the State of Florida—and I am sure this is also true in the State of Georgia, which is also affected—with reference to the inclusion of the Suwannee River in the study category of the pending bill. The Suwannee River is fabled in song and story and much loved by a great many people. It is treasured for economic reasons by other people.

May I ask the distinguished Senator, does the inclusion of the Suwannee River in the study category mean that the States will have a right to be consulted and to be heard before any step beyond that can be taken?

Mr. CHURCH. The Senator is correct. The bill contains provisions to assure that the Governors of both States, the interested State agencies and, indeed, the State legislatures, will have an opportunity to participate fully in any study that takes place looking toward the possible inclusion of the Suwannee River in the national system.

Mr. HOLLAND. What would be the effect, under the pending bill, let us say, on the Governors of the State of Florida and Georgia and on the citizens of the States of Florida and Georgia, prior to the taking of any action that would lead toward the inclusion of the Suwannee River in the category of wild rivers?

Mr. CHURCH. I think I can answer that question best by quoting directly from the bill.

Section 4 (a) on page 24 reads as follows:

> The Secretary of the Interior, and the Secretary of Agriculture where national forest lands are involved, after consultation with interested Federal agencies, are directed to consult with the Governors and officials of the States in which the rivers listed below are located to ascertain whether a joint Federal-State plan is feasible and desirable in the public interest to conserve segments of these rivers. The appropriate Secretary shall submit to the President within five years from the date of enactment of this Act his recommendations for inclusion of any or all of them in the National Wild and Scenic Rivers System, and the President shall submit to the Congress his recommendations for such legislation as he deems appropriate:

I emphasize that after these consultations take place and the positions of the Governors and the interested State agencies have been ascertained, the river may not be included in the system without an affirmative act of Congress. So, it comes back to us after we have had the full benefit of consultation with the States concerned.

As the Senator knows, no river in Florida is likely to be included by Congress without very weighty consideration being given to the position taken by the Senators representing Florida.

Mr. HOLLAND. Mr. President, I thank the distinguished Senator.

Do I correctly understand that this situation applies both to the entire river and to any segment of the river that may be considered for inclusion in the wild rivers project?

Mr. CHURCH. The Senator is correct.

Mr. HOLLAND. Do I correctly understand that there is no power in the President by Executive order to include a river and that, to the contrary, all that the President could do would be to recommend to the Congress for its action a course of action which he thought should be taken.

Mr. CHURCH. The Senator is correct. And Congress would have before it not only the recommendation of the President, but also the positions taken by the Governors of the States concerned, and of the other State agencies, before Congress would act.

Mr. HOLLAND. There is one other thing that I should like to ask. Is there any plan included under the pending bill for an immediate proceeding as to some of the rivers that are classed as wild rivers, so that the rest of the Nation can see what is involved in this project?

Mr. CHURCH. Yes, indeed.

Mr. HOLLAND. I think too little is known about just what is involved and what is proposed to be done.

Mr. CHURCH. The bill does establish an initial system, and there will be an opportunity for the rest of the country to observe the administration of that system, while these other rivers listed in the study category of the bill are being further investigated.

We think that the guidelines in the pending bill are sufficient to achieve the objectives of the legislation and to establish a system that will one day have the same degree of public recognition and support that is now accorded to the national park system.

Mr. HOLLAND. Mr. President, I have one more question, if I may ask it.

Is there any pattern set down by the bill whereby a uniform width of the area to be included is provided, or would that depend in each instance upon the geography of the river as well as upon the wishes of the State and the wishes of Congress as to what would be the particular pattern to be followed in that particular case?

Mr. CHURCH. The bill contains a formula which is designed to accomplish both——

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the time may be extended for 5 minutes before the vote is taken, and I also ask unanimous consent that the application of rule XII be waived.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

Mr. CHURCH. Section 5(a) sets the maximum acreage for boundaries of the national wild and scenic river area at 320 acres per mile on both sides of the stream, tributary, or river. This sets a limitation on the size, but allows enough flexibility to accommodate different geographical conditions.

Mr. HOLLAND. This is a maximum limitation?

Mr. CHURCH. This is a maximum limitation.

Mr. HOLLAND. Meaning that in any particular case where the purposes would not require it to go that far out from the river, that limitation would not apply?

Mr. CHURCH. That is correct.

Mr. HOLLAND. It could be less than that, but never more?

Mr. CHURCH. It could be less than that, but never more.

Mr. HOLLAND. I thank the Senator.

The PRESIDING OFFICER (Mr. Hollings in the chair). The question is on agreeing to the committee amendment in the nature of a substitute.

The committee amendment was agreed to.

The PRESIDING OFFICER. The question is on the engrossment and third reading of the bill.

The bill (S. 119) was ordered to be engrossed for a third reading and was read the third time.

Mr. MONDALE. Mr. President, will the Senator yield?

Mr. CHURCH. I yield.

Mr MONDALE. I thank the distinguished Senator for permitting me to engage in a short colloquy with the distinguished junior Senator from Wisconsin [Mr. Nelson], with respect to the provisions of the scenic Saint Croix bill, which is now incorporated as a part of this broader scenic rivers proposal.

The Senate Interior Committee limited the power of the Secretary of Agriculture or the Secretary of the Interior to acquire land by condemnation under this legislation. Could the Senator describe how that power is limited?

Mr. NELSON. Yes. We limited the boundaries of any scenic river area to not more than 320 acres per mile on both sides of the river, and within those boundaries restricted fee acquisition to only 100 acres per mile. In addition, on rivers where Federal ownership presently exceeds 50 percent of river bank property, no additional acquisition by condemnation is permitted.

Mr. MONDALE. In allowing the Secretaries to acquire up to 100 acres per mile in fee title, was it the committee's intention that they should in fact exercise that authorization to the fullest extent possible?

Mr. NELSON. No. As a matter of fact, the committee's intention was just the opposite. We intended the Secretaries' powers of condemnation to be used to protect scenic and wild rivers from commercial and industrial destruction, not for indiscriminate acquisition. The bill is not a land grab, and the condemnation power is primarily for acquisition of appropriate public access sites.

Mr. MONDALE. Even in areas where industrial or commercial development threatens the river, would the bill require that the Secretary in every case purchase the fee title to the land for protective purposes?

Mr. NELSON. No. We hope that the Secretaries will in every possible case use their power to acquire scenic easements instead of outright purchase. Not only will this be cheaper and less costly, but also, it will provide suitable protection for the scenic and recreational qualities of rivers without unduly disturbing existing patterns of residential ownership.

Mr. MONDALE. I have special concern about the St. Croix River in this connection, as does the Senator from Wisconsin. Has the committee expressed its intent in this regard in the committee report in any way?

Mr. NELSON. Yes. The committee report states specifically that it is the committee's intention that local units of government along scenic and wild rivers will be encouraged to adopt suitable zoning ordinances which will protect the river's qualities. Furthermore, and this is the most important protection, the committee report states at page 5:

> For example, it is intended that in that section of the Saint Croix River described in section 3(b)(1) that acquisition will be limited to less than 1,000 acres to be used as access points and that the remainder of that segment will be primarily controlled by local zoning ordinances.

I believe this establishes the committee's intention that the acquisition power of the Secretaries is to be used judiciously—primarily for public access and facilities. On the lower St. Croix River in particular, protection for the river should be accomplished by zoning and, if necessary, by the purchase of scenic easements.

Mr. MONDALE. I believe the answers to those questions have been most helpful.

It is my understanding that the Department of the Interior has developed a specific plan for the development and use, within the provisions of this act, of the Lower St. Croix. Is my understanding correct?

Mr. NELSON. The Senator's understanding is correct. As the Senator knows, as the coauthor of the St. Croix scenic river bill, last year we went into the question of the development on the lower St. Croix, Taylor Falls, and St. Croix Falls. The provisions of this bill are intended to implement the intent of the bill that we passed the last time—that is, there will be not more than 1,000 acres used for public access points, and that will involve not more than 6 points.

Mr. MONDALE. And those points have been rather well identified already on existing maps and are known to the committee?

Mr. NELSON. That is correct.

Mr. MONDALE. Is it the intention of Congress to permit the acquisition of homes and cottages beyond those points?

Mr. NELSON. No. The only acquisition of homes or property may be within the access points themselves; and, as the Senator from Minnesota has stated, the access points have been carefully delineated already. Even so, the property owner is entitled to maintain his cottage or his home for his lifetime or for 25 years, at his option.

Because of the Senator's insistence on this point, the committee and its staff gave very detailed and thorough consideration to including several of the provisions of S. 368 in the overall bill now before us. But we were faced with the difficulty of drafting one bill of nationwide application to a number of rivers, and found that some of these provisions would not be helpful in rivers elsewhere in the United States. But I believe that the final version of the wild and scenic rivers bill takes care of the concerns the Senator has, even though these are not spelled out in as detailed a fashion as might be possible. But the committee was unable to do this, because we were working with a national bill. But it is not the committee's intent to take any residences away from homeowners except in isolated cases of public access sites.

Mr. MONDALE. I am glad to have this clarified. One of the problems has been that in the last Congress we had a specific St. Croix scenic rivers bill; but now that it is part of a national program, it is not possible to have all the special problems, as we identified them, incorporated in particular terms. I believe this colloquy helps, so that the same intention exists with respect with development of the St. Croix as was embodied essentially in that measure, as we define them.

I express my profound appreciation for the leadership of the chairman of the subcommittee and the floor manager of this most important measure, and for the leadership of the Senator from Wisconsin [Mr. Nelson], who continues to be one of the great leaders of this country in conservation matters. I have found it most fulfilling and valuable to work with him on this proposal, and I believe it will be a wonderful day for the upper Midwest if the bill is passed.

I am glad to see that the committee included the Big Fork River in its study section, because I believe it is a river of great potential for this purpose.

Mr. CHURCH. I thank the Senator. I am grateful for the support he has given to the pending measure, and I wish to associate myself with his remarks with regard to the Senator from Wisconsin [Mr. Nelson].

Mr. SYMINGTON. Mr. President, natural rivers are a part of our national heritage and should be preserved. Many of our remaining free-flowing rivers are under threat of pollution, impoundment and other destructive assault. The Senate Committee on Interior and Insular Affairs has given the matter thorough study and now recommends this bill to establish a national wild and scenic rivers system.

Last year, a similar measure was approved by the Senate by a vote of 71 to 1. This year's bill, S. 119, which I cosponsored, is broadened to provide for two categories of rivers; "wild" for sparsely populated, rugged areas; and "scenic" for more accessible but still pastoral areas.

It is pleasing to note that the entire Eleven Point River, all the way from its headwaters at Thomasville, Mo., to the Black River in Arkansas, has been recommended as a scenic river.

S. 119 would also designate 27 other rivers, including the Gasconade in central Missouri, as candidates for future inclusion in the national system.

I am glad to support this measure, and hope that it will soon be enacted into law.

The PRESIDING OFFICER. Pursuant to the order previously entered, the time to vote on the bill has arrived.

The bill having been read the third time, the question is, Shall it pass?

On this question, the yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk called the roll.

Mr. BYRD of West Virginia. I announce that the Senator from Indiana [Mr. Bayh], the Senator from Virginia [Mr. Byrd], the Senator from Connecticut [Mr. Dodd], the Senator from Oklahoma [Mr. Harris], the Senator from Virginia [Mr. Spong], and the Senator from Maryland [Mr. Tydings] are absent on official business.

I also announce that the Senator from Mississippi [Mr. Eastland], the Senator from Arkansas [Mr. Fulbright], the Senator from Tennessee [Mr. Gore], the Senator from Alaska [Mr. Gruening], the Senator from Wyoming [Mr. McGee], the Senator from Maine [Mr. Muskie], the Senator from Rhode Island [Mr. Pell], the Senator from Georgia [Mr. Russell], and the Senator from Mississippi [Mr. Stennis] are necessarily absent.

I further announce that, if present and voting, the Senator from Indiana [Mr. Bayh], the Senator from Connecticut [Mr. Dodd], the Senator from Arkansas [Mr. Fulbright], the Senator from Tennessee [Mr. Gore], the Senator from Alaska [Mr. Gruening], the Senator from Oklahoma [Mr. Harris], the Senator from Wyoming [Mr. McGee], the Senator from Maine [Mr. Muskie], the Senator from Rhode Island [Mr. Pell], and the Senator from Maryland [Mr. Tydings] would each vote "yea."

Mr. KUCHEL. I announce that the Senator from Pennsylvania [Mr. Scott] is absent on official business and, if present and voting, would vote "yea."

The result was announced—yeas 84, nays 0, as follows:

[No. 208 Leg.]

YEAS—84

Aiken
Allott
Anderson
Baker
Bartlett
Bennett
Bible
Boggs
Brewster
Brooke
Burdick
Byrd, W. Va.
Cannon
Carlson
Case
Church
Clark
Cooper
Cotton
Curtis
Dirksen
Dominick
Ellender
Ervin
Fannin
Fong
Griffin
Hansen
Hart
Hartke
Hatfield
Hayden
Hickenlooper
Hill
Holland
Hollings
Hruska
Inouye
Jackson
Javits
Jordan, N.C.
Jordan, Idaho
Kennedy, Mass.
Kennedy, N.Y.
Kuchel
Lausche
Long, Mo.
Long, La.
Magnuson
Mansfield
McCarthy
McClellan
McGovern
McIntyre
Metcalf
Miller
Mondale
Monroney
Montoya
Morse
Morton
Moss
Mundt
Murphy
Nelson
Pastore
Pearson
Percy
Prouty
Proxmire
Randolph
Ribicoff
Smathers
Smith
Sparkman
Symington
Talmadge
Thurmond
Tower
Williams, N.J.
Williams, Del.
Yarborough
Young, N. Dak.
Young, Ohio

NAYS—0

NOT VOTING—16

Bayh
Byrd, Va.
Dodd
Eastland
Fulbright
Gore
Gruening
Harris
McGee
Muskie
Pell
Russell
Scott
Spong
Stennis
Tydings

So the bill (S. 119) was passed.

The title was amended, so as to read: "A bill to reserve certain public lands for a National Wild and Scenic Rivers System, to provide a procedure for adding additional public lands and other lands to the system, and for other purposes."

Mr. CHURCH. Mr. President, I move to reconsider the vote by which the bill was passed.

Mr. KUCHEL. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. MANSFIELD. Mr. President, the senior Senator from Idaho [Mr. CHURCH] has again successfully handled a measure of vital importance to the Nation insofar as it preserves for all Americans some of the most beautiful natural waterways on this continent. His flawless management of the bill, S. 119, which establishes a system of national wild and scenic rivers, produced its endorsement by all Members.

His long and persistent efforts lead the way for the success of this measure; appropriately, it drew nothing short of unanimous approval—an outstanding achievement for Senator CHURCH and for the preservation of our ever diminishing wilderness areas. The Senate and indeed the Nation are most grateful. If finally enacted, ours and all future generations shall benefit because of his strong efforts.

Joining Senator CHURCH to assure unanimous adoption by the Senate was his colleague from Idaho [Mr. JORDAN]. Like Senator CHURCH, Senator JORDAN has been consistently committed to the preservation and maintenance of the Nation's natural resources, including its magnificent wilderness areas. He too worked long and hard for today's success and deserves the Senate's high commendation.

The junior Senator from Washington [Mr. JACKSON], the able and outstanding chairman of the Committee on the Interior, is similarly to be commended. He contributed immensely to the discussion, offered his clear and convincing views and supported the measure with typically capable advocacy. The senior Senator from Texas [Mr. YARBOROUGH] deserves equally high commendation. His efforts produced the assurance of consideration of another natural waterway for inclusion in the proposed national river system. We are grateful.

Other Senators also joined the discussion. Noteworthy were the views added by the Senator from Ohio [Mr. LAUSCHE], the Senator from Georgia [Mr. TALMADGE] and the Senator from Florida [Mr. HOLLAND]. Their interest is always welcome; their analysis always thoughtful. The Senate may be proud of another fine achievement gained with such generous consideration for the views of all Members that unanimous approval on final passage was a certainty.

Mr. KENNEDY of New York. Mr. President, our action today in approving by a unanimous vote the wild and scenic rivers bill will preserve certain portions of our rivers in their original condition for the benefit and pleasure of present and future generations of Americans. I am pleased to join in support of this important measure. I have personally traveled a number of these rivers and can attest to their great natural beauty and an excitant which must be preserved for future generations of Americans.

As our needs for power generation, navigation, water supply, and irrigation increase—and they will increase at a staggering rate in the remaining years of the 20th century—we will find it necessary to modify many of our rivers and lakes.

This modification will materially change the nature of these rivers, in some cases flooding rivers for navigation purposes, and in other cases artificially lowering rivers during certain periods of the year for irrigation purposes. I am sure that we will support these modifications as they are required. Navigation, creation of reservoirs, additional power generation are important aspects of our daily life and commerce.

However, because of the many pressures for use of our rivers, pressures that are increasing as our population grows and its needs increase, it becomes doubly important that we designate at this time, those rivers that we wish to preserve or return to their original condition.

These rivers can offer to present and future generations recreational, scenic and spiritual value that would not be gained elsewhere.

If these rivers are not so designated at this time, we will not be able to go back and re-create their original state. Once a dam is built, a river is straightened, or water control systems are built for irrigation purposes, we cannot reverse our actions.

This is why it is important to designate portions of the Salmon, the Clearwater, the Rogue, the Rio Grande, the Green, and the Suwannee as parts of a national wild rivers system. The beauty and grandeur of these rivers is eloquent testimony in itself as to why they should be included in this system.

In addition to the rivers listed for initial inclusion in the wild rivers system, certain other rivers are designated for possible inclusion at a later date, should the State and Federal agencies concerned agree that this is desirable and feasible.

One of these rivers is the East Fork of the Susquehanna from Cooperstown, N.Y., to Pittston, Pa. I would like very much to see this river included.

Some of these other rivers are located in more built-up areas where both private and public developments have already somewhat modified the character of the river. In this sense they have already been partially tamed. It may not be possible to include the entire portion of the river within the system. It may also be necessary to modify the provisions of the system for each of these additional rivers so that the best solution for the individual river is reached.

I am sure that New York State and municipal officials will work closely together with the appropriate Federal agencies to determine under what conditions the East Fork of the Susquehanna can be included in the wild rivers system. I know that full consideration will be given to the individual requirements on each of these rivers.

I know also that the people of New York State and the surrounding States are interested in preserving some of our rivers in their wild state—and for those of you from the West that do not think the upper Hudson or the Susquehanna can be wild, I extend an invitation for a personal inspection—for their pleasure and for the pleasure of future generations. They know that the major population growth in the remainder of this century will take place close to existing urban areas. They know that we must act now if we are to conserve these portions of our natural heritage.

Our action today is an important step toward preserving the natural beauty of our rivers. The benefits of this action will be enjoyed by all Americans for generations. These rivers will be enjoyed for their scenic splendor and for their recreational value. By this action, we improve the quality of our environment, and that improvement contributes to a better quality of life for all of us.

A TIME FOR EVALUATION

Mr. HANSEN. Mr. President, I address myself to the problem we face of insuring adequate money to carry out responsibilities for vital domestic programs and the Vietnam war, while keeping the Federal deficit from ballooning to the monstrous size the administration is now unhappily predicting.

In order to fulfill all our responsibilities, some say we must increase taxes; others say there are numerous instances where spending can and should be reduced. At the outset, I am inclined to support the latter course, and I wish to point out an area where nearly 2 billion taxpayer dollars might be freed from a presently wasteful use, where cynical political maneuvering might be eliminated, and where the livelihood of this Nation's second largest industry might be freed from dependence on the Government for its sustaintance.

I refer to our current farm programs and to the funds—nearly $2 billion in 1966—paid directly to wheat and feed grain producers in the form of price supports and diversion payments.

An increasing amount of mail from agricultural constituents and consumers in my State has convinced me we need to take a close look at the inequities and future direction of our farm policy.

I have observed the impact of the wheat and feed grains program, and its influence in my own State on livestock production; and I have attempted to study its complexities and implications.

As I recall, the programs were originally enacted for the purpose of reducing huge post-war surpluses by paying farmers to divert acres from production. While it appeared to provide the answer to a problem many years ago, the wheat and feed grains program is now outmoded, extremely costly, and totally unnecessary in light of the present overall situation.

Although huge Government-held surpluses have largely disappeared, this has been more the result of greatly increased exports than the effectiveness of the program. In fact, production under this program has been higher than before it was initiated. There are numerous instances where diversion payments have gone to producers for land that would not have produced wheat or feed grains without the program. These payments have helped finance yield-increasing practices on the remaining acreage.

ASCS offices in eastern soft-wheat areas currently are purchasing large amounts of wheat to be added to CCC stocks, because overproduction has caused a lack of storage facilities and the prices have fallen below the local loan rate.

Some paradoxes exist which would have been almost amusing, were they not so serious in their effect. Farmers are harder hit than ever by skyrocketing costs and lower prices for their products, largely due to the inequities of the very programs designed to solve their problems.

The Government spends nearly $2 billion in payments to wheat and feed grain producers to reduce yield; while simultaneously spending untold amounts in scientific and technological research to encourage more production on less land.

What do farmers think about Government farm programs? Farm Journal, a nationally known agricultural magazine, conducted polls of its rural readers in 1959, 1962, and 1966. The results, even though limited to the opinions of about 19,000 farmers, came from all the States and represented all the various cross-sections of agriculture.

The final count revealed the following statistics with respect to Government price supports and controls:

In the 1959 poll, 55 percent voted for no supports and no controls;

In 1962, 52 percent rejected supports and controls; and,

In 1966, 63 percent voted to get the Government out of the business of farm price supports and controls, while 27 percent voted for "some supports." Only 10 percent thought programs should be continued as they are.

Several years ago when a producer referendum was held, the majority of wheat and feed grain producers voted overwhelmingly against Government controls. Congress then enacted a voluntary program, and in order to encourage participation, the Government used various means—including the dumping of surplus stocks on the market to depress prices—to induce producers to sign up.

Obviously, the majority of farmers would prefer to produce what they feel they can sell, and take their knocks in the marketplace without having to depend on political manipulations in Washington for a large portion of their income.

If the farmers do not want the program, and if repealing it would save the taxpayers money, then there is no justification for failing to give serious and objective consideration to the merits of a market-oriented system. It is time to reexamine and reevaluate the wheat and feed grains program.

IMPLEMENTATION OF IMMIGRATION REFORM ACT OF 1965

Mr. FONG. Mr. President, section 203 (a) (7) of the Immigration and Nationality Act provides for the conditional entry of refugees into the United States. The language of that provision reads as follows:

> (7) Conditional entries shall next be made available by the Attorney General, pursuant to such regulations as he may prescribe and in a number not to exceed 6 per centum of the number specified in section 201(a)(ii), to aliens who satisfy an Immigration and Naturalization Service officer at an examination in any non-Communist or non-Communist-dominated country, (A) that (i) because of persecution or fear of persecution on account of race, religion, or political opinion they have fled (I) from any Communist or Communist-dominated country or area, or (II) from any country within the general area of the Middle East, and (ii) are unable or unwilling to return to such country or area on account of race, religion, or political opinion, and (iii) are not nationals of the countries or areas in which their application for conditional entry is made; or (B) that they are persons uprooted by catastrophic natural calamity as defined by the President who are unable to return to their usual place of abode. For the purpose of the foregoing the term "general area of the Middle East" means the area between and including (1) Libya on the west, (2) Turkey on the north, (3) Pakistan on the east, and (4) Saudi Arabia and Ethiopia on the south: *Provided*, That immigrant visas in a number not exceeding one-half the number specified in this paragraph may be made available, in lieu of conditional entries of a like number, to such aliens who have been continuously physically present in the United States for a period of at least two years prior to application for adjustment of status.

Mr. President, on July 12, 1967, I sent a letter to Secretary of State Dean Rusk strongly protesting the Department's partial implementation of this section 203(a)(7) of the Immigration Reform Act of 1965.

I pointed out at that time that by establishing refugee offices in six European nations and Lebanon, any political refugee in flight from a Communist country who tries to enter the United States by way of any Asia or Pacific area would be effectively barred from admission to this country, unless he somehow manages to reach one of those seven countries.

This partial implementation of the law, I emphasized, was clearly a violation of the spirit and intent of the Immigration Reform Act of 1965, which the administration had so strongly supported for the very reason that it would eliminate racial discrimination from our basic immigration law.

Mr. President, I ask that the text of my letter of July 12 to the Secretary be printed at this point in the Record.

There being no objection, the letter was ordered to be printed in the Record, as follows:

July 12, 1967.

Hon. Dean Rusk,
Secretary of State,
Department of State,
Washington, D.C.

Dear Mr. Secretary: It is my understanding that political refugees from Communist China escaping into Hong Kong may not enter the United States conditionally, as provided under Section 203(a)(7) of the Immigration and Nationality Act, because as that provision is administered, political refugees from Communist nations must enter on a conditional basis from one of only seven countries—Austria, Belgium, France, West Germany, Greece, Italy and Lebanon. None of these nations, it should be noted, is in the Asia and Pacific areas, and all but Lebanon are in Europe.

This to me is a clear violation of the spirit of the Immigration Reform Act which the Congress passed in 1965, and which the Administration so strongly supported because it would eliminate racial discrimination from our basic immigration law. What we have eliminated by law is being restored by administrative decree. This is most unfortunate and smacks of racism.

I therefore urgently request that Hong Kong and another country in Southeast Asia—perhaps Thailand or Singapore—be added to the list of areas through which political refugees from Communist countries may be granted entry into the United States.

With aloha,

Sincerely yours,

Hiram L. Fong.

Mr. FONG. On July 25, the Department of State replied to my urgent request that refugee offices be established in Hong Kong and Thailand or Singapore. Mr. President, I ask that the full text of this letter be printed in the Record at this point.

There being no objection, the letter was ordered to be printed in the Record, as follows:

Department of State,
Washington, July 25, 1967.

Hon. Hiram L. Fong,
U.S. Senate,
Washington, D.C.

Dear Senator Fong: Secretary Rusk has asked me to thank you for your letter of July 12 in which you request that Hong Kong and another country in Southeast Asia be added to the list of areas through which political refugees from Communist countries may be granted conditional entry into the United States under Section 203(a) (7) of the Immigration and Nationality Act. The Department is glad to give you its views on this matter.

I should like to state at the outset that the Department of State shares your view that there should not be discrimination against refugees from Communist China. Indeed, the Department has consistently supported legislation and programs for help to Chinese refugees, including the Far East Refugee Program, which the Department administers, and the several immigration laws under which Chinese refugees have been and are being admitted to the United States. Under present circumstances, this is one of the few ways by which we can demonstrate that the historic friendship and humanitarian concern of the American people toward the Chinese people continues.

Several thousand Chinese refugees received visas under the Refugee Relief Act of 1953 and over 2,000 more obtained special refugee visas under Section 15 of Public Law 85–316, the Act of September 11, 1957. Following the massive influx of refugees from Communist China in 1962, the President authorized the use of the Attorney General's parole power under Section 212(d) (5) of the Immigration and Nationality Act for the admission of Chinese from Hong Kong. As a result, during the period 1962–65 over 15,000 Chinese, most of them refugees from Communist China, were paroled into the United States. Many of these Chinese benefited from that provision of Section 203(a) (7), which permits the use of up to 5100 numbers annually for the adjustment of the status of refugees already in the United States.

More recently the removal of quota and other restrictions by the Act of October 3, 1965, which amended the Immigration and Nationality Act, has provided substantial relief for Chinese refugees in Hong Kong. In the quota year ending June 30, 1965, before the new Act had modified the national origins system and the discrimination of Asians associated with it, only 2,122 immigrant visas were issued by the Consulate General in Hong Kong. In the year ending June 30, 1966, the number of visas issued had risen to 6,911, and in the year ending June 30, 1967, the number is expected to reach about ten thousand, almost five times the number issued before the new law was enacted. In the last few years the number of Chinese immigrants has increased to the extent that voluntary relief agencies and others have reported that many of the Chinese are having difficulty in finding jobs and housing in the United States except under conditions which are substandard and not on a par with their skills and previous level of living.

With regard to the language of Section 203(a)(7) of the Immigration and Nationality Act, the Department is in full agreement with you that the language of the statute would permit the conditional entry of refugees from Communist China. However, among the considerations involved in the implementation of Section 203(a) (7) was the position of the Congress as noted in the reports of Committees of the Judiciary of both the Senate and the House. These reports stated that the conditional entry of refugees as proposed in this bill was not unlike the parole procedure utilized during the existence of the so-called Fair Share Act and that it was intended that the procedure should remain the same. Public Law 86–648, the Fair Share Act of July 14, 1960, was enacted for the specific purpose of resettling the overflow of refugees in Europe and the Middle East. In accordance with Congressional intent for the implementation of that law, the seven countries mentioned in your letter—Austria, Belgium, France, West Germany, Greece, Italy and Lebanon—were designated as centers for the parole of refugees. With the passage of the new Immigration Act, and in line with the language of the Congressional reports, these same countries have continued to be the only ones from which refugees are being processed for conditional entry.

As you know, Section 203(a) (7) provides that conditional entries shall be made available by the Attorney General to aliens who are examined by Immigration and Naturalization officers. Although this section of the law is administered by the Immigration and Naturalization Service (INS), the Attorney General and the Secretary of State have agreed that the Department of State will designate the countries in which it is considered feasible and in the foreign policy interests of the United States for the Immigration and Naturalization Service to undertake the examination of applicants for conditional entry. Also involved are agreements with the countries of asylum to the arrangements necessary for INS to conduct these operations. These include the right of INS officers to interrogate applicants, the right of access to local government records on the refugees and the right to return refugees to the asylum country within a period of two years if they are found ineligible to remain in the United States.

The Department in consultation with the Immigration and Naturalization Service has given consideration to the possible extension of the benefit of Section 203(a) (7) to other areas. For example, in addition to the two million or so Chinese in Hong Kong who might qualify as refugees, the million and a half Palestine refugees in the Middle East pose a similar problem. However, under the law a maximum of only 10,200 refugees may be granted conditional entry annually and half of this total, or 5,100 numbers, may be made available for the adjustment of status of refugees already in the United States. Therefore, the numbers of Chinese who might enter the United States under these limitations would have relatively little impact on the total refugee situation in Hong Kong. Should Hong Kong (or the Middle East) be opened up for the implementation of conditional entry, the problem of administering the presumed huge number of applications, of making determinations as to the applicant's refugee status, and of trying to assign priorities among potential applicants far in excess of the numbers available would be most difficult. There would be a special problem in Hong Kong where the authorities consider persons entering the Crown Colony without legal documents as "illegal immigrants" rather than "refugees." Whereas in European countries, refugees apply for and receive asylum under definite standards related to the provisions of the United Nations Convention on Refugees, no such determinations are made in Hong Kong.

These are the considerations upon which the Department thus far has withheld designation on Hong Kong as an area for the examination of applicants for conditional entry. You may be assured, however, that the Department will continue to keep the question of enlarging the scope of the refugee program under serious consideration.

I appreciate the opportunity which your letter provides to explain the Department's position in this matter.

If there is any additional information which you believe we can furnish, please let me know.

Sincerely yours,

WILLIAM B. MACOMBER, Jr.,
Assistant Secretary for Congressional Relations.

Mr. FONG. Mr. President, today I have written another letter to the Secretary.

While I appreciated very much the Department's extensive exposition of its views on this situation, and while its support of past efforts to assist refugees escaping from Communist China and other areas of Asia and the Pacific I find to be indeed commendable, I was absolutely not satisfied with the points raised by the Department's letter.

In effect, the Department's letter simply underlines its policy of refusing to accept political refugees from Asia and the Pacific. It is a flat refusal by the Department to reconsider this unfortunate policy, and as such I strongly believe that the Department is guilty of gross discrimination against Asia and the Pacific.

This racial discrimination is being practiced wholly without sanction of the 1965 Immigration Reform Act, but rather by administrative fiat.

The problems which are outlined in the Department's letter have been raised only for the purpose of avoiding the full implementation of a law that has been duly passed by the Congress.

There is no question that the overriding public policy underlying every single aspect of that 1965 law is the complete elimination of race discrimination from our basic immigration statute. This transcendent public policy is made abundantly clear in statements of President Johnson, when he submitted the bill to Congress and when he signed the measure into law, and in all the legislative history of the law.

When that public policy is applied to statutory provisions dealing with political refugees, it is plain to me that such refugees in the Asia and Pacific areas should be placed on exactly the same footing as political refugees in Europe and the Middle East.

Mr. President, the language contained in the reports of the Committees on the Judiciary of both Senate and House regarding the implementation of section 203(a) (7) of the Immigration and Nationality Act of 1965 which was noted in the Department's letter is:

> The conditional entry of refugees as proposed in this bill is not unlike the parole procedure utilized during the existence of the so called Fair Share Act . . . and is intended that the procedure remain the same.

This language of the Senate report clearly indicates that procedurally it follows the Fair Share Act. But nothing in the report says that the refugees should be only those covered by the Fair Share Act.

As the Department itself points out on page 2 of its letter:

> With regard to the language of Section 203(a) (7) of the Immigration and Nationality Act, the Department is in full agreement with you that the language of the statute would permit the conditional entry of refugees from Communist China.

I can well understand the problems outlined in the Department's letter with respect to political refugees in Asia, particularly those in Hong Kong. But I am convinced these problems are exactly what the Department has had and is experiencing in most of the seven nations where it has established refugee offices.

To be sure, there is the problem of administering the huge number of Hong Kong applications—particularly in comparison with the small number of refugees to be admitted annually under the 1965 law.

This again appears, however, to be a problem common to political refugees the world over—whether they may come from Europe, the Middle East, or Asia. The reason for this is the limited number the Congress has seen fit to allow into the United States each year.

The primary relevant criterion for considering their admission to the United States in this context is that all such refugees be given an equal footing, regardless of race, color, or national origins.

As for foreign policy considerations, the establishment by the Department of refugee offices in Asia and the Pacific undoubtedly would greatly enhance America's image in that critical area of the world. By doing this, we would be demonstrating to the hundreds of millions of people in Asia and the Pacific that America does not discriminate against them—in favor of the peoples of Europe and the Middle East.

I am certain that the United States would encounter no difficulty in reaching agreements with the countries of asylum I have proposed to enable INS screening of applicants for conditional entry. The United Kingdom, and the sovereign states of Thailand and Singapore undoubtedly would be more than willing to extend their fullest cooperation to this country in this regard.

There appear to be no insurmountable obstacles, therefore, to establishing refugee offices in the Asia and Pacific areas, and that the problems outlined in the Department's letter are subterfuges under which the Department is openly flouting the intent and spirit of the Immigration Reform Act of 1965.

All that is requested is that at least two refugees offices be established in the Asia-Pacific area. Only when this is done will the Immigration Reform Act of 1965 be fully implemented as to its basic underlying policy of complete eradication of race discrimination.

In view of the language of the law and its overriding intent, the Asia-Pacific area has been grossly discriminated against—not by law, but by administrative fiat. It has not been placed on the same footing as Europe and the Middle East.

It is imperative that the language and spirit of the law be fully implemented. This could be done by designating Hong Kong and another nation—Thailand or Singapore—as points through which refugees might be processed at the earliest possible date.

I am very hopeful that the Secretary will give this urgent matter his personal attention and that he will take the steps I have suggested to right an obvious wrong in the Department's policies respecting political refugees in Asia and the Pacific.

Mr. President, I ask unanimous consent that the full text of my letter of today to the Secretary of State be printed in the Record at this point.

There being no objection, the letter was ordered to be printed in the Record, as follows:

August 8, 1967.

Hon. Dean Rusk,
Department of State,
Washington, D.C.

Dear Mr. Secretary: This will acknowledge receipt of the response of the Department of State, dated July 25, to my letter concerning political refugees from Communist countries in Asia and the Pacific. I appreciate very much the extensive exposition of the Department's views on the matter.

I am well aware of the past efforts on the part of this country to assist refugees escaping communism from Communist China and other areas of Asia and the Pacific. The Department's support of these efforts is indeed commendable. But this should not excuse the full implementation of the spirit and intent of the law.

I am also fully aware of the language contained in the Reports of the Committees on the Judiciary of both Senate and House regarding the implementation of Section 203 (a) (7) of the Immigration and Nationality Act of 1965 which was noted in the Department's letter. It is quite true that the Senate Report, for example, contains the following language: "The conditional entry of refugees as proposed in this bill is not unlike the parole procedure utilized during the existence of the so-called Fair Share Act . . . and is intended that the procedure remain the same."

This language of the Senate Report clearly indicates that procedurally it follows the Fair Share Act. But nothing in the Report says that the refugees should be only those covered by the Fair Share Act.

As you point out yourself on page 2 of your letter: "With regard to the language of Section 203(a) (7) of the Immigration and Nationality Act, the Department is in full agreement with you that the language of the statute would permit the conditional entry of refugees from Communist China."

There is no question that the overriding public policy underlying every single aspect of the 1965 Law is the complete elimination of race discrimination from our basic immigration statute. This transcendent public policy is made abundantly clear in statements of President Johnson, when he submitted the bill to Congress and when he signed the measure into law, and in all the legislative history of the Law.

When that public policy is applied to statutory provisions dealing with political refugees, and fortified by what we all agree to be the meaning of Sections 203(a) (7), it is plain to me that such refugees in the Asia and Pacific areas should be placed on exactly the same footing as political refugees in Europe and in the Middle East.

I can understand the problems outlined in the Department's letter with respect to political refugees in Asia, particularly those in Hong Kong. But I am convinced these problems are exactly what you have had and are experiencing in most of the seven nations where you have established refugee offices.

To be sure, there is the "problem of administering the huge number of (Hong Kong) applications"—particularly in comparison with the small number of refugees to be admitted annually under the 1965 Law.

This again appears, however, to be a problem common to political refugees the world over—whether they may come from Europe, the Middle East, or Asia. The reason for this is the limited number the Congress has seen fit to allow into the United States each year.

The primary relevant criterion for considering their admission to the United States in this context is that all such refugees, although limited in number, be given an equal footing, regardless of race, color, or national origins.

As for foreign policy considerations, the establishment by the Department of refugee offices in Asia and the Pacific undoubtedly would greatly enhance America's image in that critical area of the world. By doing this, we would be demonstrating to the hundreds of millions of people in Asia and the Pacific that America does not discriminate against them—in favor of the peoples of Europe and the Middle East.

I am certain that the United States would encounter no difficulty in reaching agreements with the countries of asylum I have proposed to enable INS screening of applicants for conditional entry. The United Kingdom, and the sovereign states of Thailand and Singapore undoubtedly would be more than willing to extend their fullest cooperation to this country in this regard.

There appear to be no insurmountable obstacles to establishing refugee offices in the Asia and Pacific areas. It is therefore evident to me that the problems which are outlined in the Department's letter have been raised to avoid the full implementation of a law duly passed by the Congress.

All that is requested is that at least two refugee offices be established in the Asia-Pacific area. Only when this is done will the Immigration Reform Act of 1965 be fully implemented as to its basic underlying policy of complete eradication of race discrimination. Only then will America not be accused of reverting to the ill-advised policies of the past.

In view of the language of the Law and its overriding intent, the Asia-Pacific area has been grossly discriminated against—not by law, but by administrative fiat. It has not been placed on the same footing as Europe and the Middle East.

It is imperative that the language and spirit of the Law be fully implemented. This could be done by designating Hong Kong and another nation—Thailand or Singapore—as points through which refugees might be processed at the earliest possible date.

I look forward to your favorable reply.

Sincerely yours,

Hiram L. Fong.

Mr. FONG. I also ask unanimous consent to have printed in the Record two editorials, one entitled "Refugees and Race," published in the Honolulu Advertiser of July 16, 1967, and the other entitled "Lingering Discrimination," published in the Honolulu Star-Bulletin of July 27, 1967.

There being no objection, the editorials were ordered to be printed in the Record, as follows:

Refugees and Race

U.S. Senator Hiram Fong has pointed up what seems to be a glaring racial gap in this country's treatment of refugees seeking political asylum.

Under a State Department determination, refugees from Communist nations can seek conditional entry into the U.S. only from certain countries in Europe and the Mediterranean region—not from anywhere in the Asia-Pacific area.

Senator Fong wants Hong Kong, Thailand and Singapore included as points where persons can seek to come to the U.S. under the refugee category.

China's cultural revolution, Hong Kong's rioting and Indonesia's actions against overseas Chinese would all seem to add even more humanitarian reasons for making it possible for refugees to come here from Asia.

Yet the present State Department no-door-for-Asia policy is described by some as a reversal of a previous program that brought some 14,000 refugees from Hong Kong to the U.S. between 1962–66. That was hardly a number that would flood the country, but it at least reflected an interest.

The irony of this policy on refugees is that it comes at a time when the regular immigration channels are bringing an increasing number of Asians to the U.S.

Under the Immigration Reform Act of 1965 this figure has almost doubled, to some 40,000. Chinese and Filipinos have shown the biggest increases.

This far-reaching act, which puts added flexibility and democracy into our immigration standards, has been rightly hailed. Senator Fong was a co-author with Senator Edward Kennedy.

Now Senator Fong is right in citing the

contrast between this law and our treatment by administrative decision of legitimate Asian refugees who have fled communism or other oppression.

The State Department may have its reasons, but they are invisible, and unviable. We should obviously not discriminate on a racial basis. It is also important that we should not seem to do so.

Lingering Discrimination

Political refugees from Communist China seeking asylum in the United States have to go all the way to Europe—or to Lebanon—before they can qualify for entry.

There is nothing in the law that sets up this limitation; it is so because of an administrative order.

Sen. Hiram L. Fong is pushing to get the order changed to include Hong Kong and either Thailand or Singapore as additional clearing points for refugees from political persecution.

The order now permits conditional entry of refugees from Communist countries to enter the United States only from Austria, Belgium, France, West Germany, Greece, Italy and Lebanon. Sen. Fong notes that all but one of these are in Europe, none in the Asia-Pacific area.

The Immigration Reform Act of 1965 sought to eliminate racial discrimination from our basic immigration law. "What we have eliminated by law in 1965 is being restored by administrative decree," Sen. Fong protests.

His request that Hong Kong and either Thailand or Singapore be added to the list of refugee way stations is reasonable. It would help remove the lingering discrimination against the Pacific-Asia triangle that Hawaii's spokesmen in Washington have tried for years to end.

EXPORT-IMPORT BANK ACT AMENDMENTS OF 1967

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 478, S. 1155.

The PRESIDING OFFICER. The bill will be stated by title.

The **Legislative Clerk.** A bill (S. 1155) to amend the Export-Import Bank Act of 1945, as amended, to shorten the name of the bank, to extend for 5 years the period within which the bank is authorized to exercise its functions, to increase the bank's lending authority and its authority to issue, against fractional reserves, export credit insurance and guarantees, and for other purposes.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill which had been reported from the Committee on Banking and Currency, with an amendment, to strike out all after the enacting clause and insert:

That (a) the Export-Import Bank Act of 1945, as amended (12 U.S.C. 635–635i), is amended by changing "Export-Import Bank of Washington", wherever that name refers to the legal entity created by the Export-Import Bank Act of 1945, to "Export-Import Bank of the United States".

(b) Section 2(b) of such Act is amended by inserting "(1)" after "(b)", and by adding at the end thereof a new paragraph as follows:

"(2) It is further the policy of the Congress that the Bank in the exercise of its functions should not guarantee, insure, or extend credit, or participate in an extension of credit (A) in connection with the purchase of any product by a Communist country (as defined in section 620(f) of the Foreign Assistance Act of 1961, as amended), or agency or national thereof, or (B) in connection with the purchase of any product by any other foreign country, or agency, or national thereof, if the product to be purchased by such other country, agency, or national is, to the knowledge of the Bank, principally for use in, or sale to, a Communist country (as so defined): *Provided*, That whenever the President determines that such guarantees, insurance, extension of credits, or participation in credits, would be in the national interest and reports such determination (within thirty days after making the same) to the Senate and House of Representatives, such guarantees, insurance, or extension of credits may be made, or participated in, by the Bank notwithstanding the policy herein stated."

"(3) It is further the policy of the Congress that the Bank in the exercise of its functions shall not guarantee, insure, or extend credit, or participate in an extension of credit in connection with any credit sale of defense articles and defense services by the Government of the United States under the Foreign Assistance Act of 1961, as amended, or by United States exporters, the repayment of which is guaranteed under section 503(e) and section 509(b) of said Foreign Assistance Act: *Provided*, That whenever the President determines that such guarantees, insurance, extension of credits, or participation in credits, would be in the national interest and reports such determination (within thirty days after making the same) to the Senate and House of Representatives, such guarantees, insurance, or extension of credits may be made, or participated in, by the Bank notwithstanding the policy herein stated: *Provided further*, That in no event shall the Bank have outstanding at any time, military export credits guaranteed under section 503(e) and section 509(b) of the Foreign Assistance Act of 1961, as amended, in excess of 7½ per centum of limitation imposed by section 7 of this Act."

(c) Section 2(c) of such Act is amended by striking out "$2,000,000,000" and inserting in lieu thereof "$3,500,000,000".

(d) Section 3(d) of such Act is amended by striking out the last sentence and inserting in lieu thereof the following: "Members, not otherwise in the regular full-time employ of the United States, may be compensated at rates not exceeding the per diem equivalent of the rate for grade 18 of the General Schedule (5 U.S.C. 5332) for each day spent in travel or attendance at meetings of the Committee, and while so serving away from their homes or regular places of business, they may be allowed travel expenses, including per diem in lieu of subsistence, as authorized by section 5703 of title 5, United States Code, for individuals in the Government service employed intermittently."

(e) Section 7 of such Act is amended by striking out "$9,000,000,000" and inserting in lieu thereof "$13,500,000,000".

(f) Section 8 of such Act is amended by striking out "June 30, 1968" and inserting in lieu thereof "June 30, 1973".

ORDER OF BUSINESS

The PRESIDING OFFICER. Under the previous order, the Chair recognizes the Senator from Nebraska [Mr. Hruska].

ELECTRONIC SURVEILLANCE BY AUTHORIZED LAW ENFORCEMENT OFFICERS

Mr. HRUSKA. Mr. President, I ask unanimous consent that at the next printing of S. 2050, a bill to prohibit electronic surveillance by persons other than duly authorized law enforcement officers, and for other purposes, the names of the Senator from Pennsylvania [Mr. Scott], the Senator from Illinois [Mr. Percy], the Senator from California [Mr. Kuchel], the Senator from South Carolina [Mr. Thurmond], my colleague from Nebraska [Mr. Curtis], the Senator from Arizona [Mr. Fannin], the Senator from Iowa [Mr. Miller], the Senator from California [Mr. Murphy], the Senator from New Hampshire [Mr. Cotton], and the Senator from South Carolina [Mr. Hollings] be added as cosponsors to S. 2050.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. HRUSKA. Mr. President, S. 2050 would provide congressional authorization for Federal-State law-enforcement authority to use modern electronic technology in combating crime in this country, particularly organized crime.

The Senators who join me have been convinced that the mounting evidence justifies the extremely limited and carefully controlled authority to engage in wiretapping and bugging to fight these most serious threats to our national security. They have studied among other papers, the persuasive arguments advanced by respected law enforcement officials such as Frank S. Hogan, district attorney of New York County, N.Y. Mr. Hogan has described wiretapping as "the single most valuable and effective weapon in the arsenal of law enforcement, particularly in the battle against organized crime." He has found it to be "an irreplaceable tool."

These Senators have also reacted to informed comment by respected columnists such as Marquis Childs and the editorial writers of the Christian Science Monitor.

They have joined in a call that is not limited to the Federal Government. Just last weekend Governor Rockefeller of New York requested a State constitutional amendment to equip law enforcement officials in his State with the capacity to deal effectively with the control of crime and to preserve law and order. Mr. Rockefeller contends:

> It is essential that we make maximum use of modern science and technology for the protection of society against crime.

These decisions by the distinguished Senators to which I have referred have not been made lightly. No men in the Senate are more jealous of the constitutional rights of the individual. These decisions have been made only after a careful weighing of all arguments and much reflection.

Mr. President, it appears that permissive electronic surveillance, if authorized by Congress, would be a vital tool in helping to head off the rash of riots which have erupted across the Nation. The evidence now being accumulated by the Senate Judiciary Committee in its current hearings indicates as much. We have heard, for example, from Capt. John A. Sarace, of the Nashville Police Department, who testified that had electronic surveillance been authorized for this purpose, it would have been of great value. While not specifically provided for in S. 2050 at present, such authorization seems to have merit.

Mr. President, I ask unanimous consent that an article from the New York Times be inserted in the RECORD, and also a series of articles on the wiretapping controversy written by the prize-winning columnist, Edward J. Mowery.

There being no objection, the articles were ordered to be printed in the RECORD, as follows:

[From the New York Times, Aug. 6, 1967]

ROCKEFELLER ASKS WIRETAP POWERS IN CONSTITUTION—URGES CONVENTION DELEGATES TO GIVE GENERAL AUTHORITY FOR LEGISLATURE TO ACT—WANTS TO GUARD RIGHTS—CAREFULLY CONTROLLED USE IS SOUGHT—PRESENT LAW IS TERMED OBSOLETE

(By Thomas P. Ronan)

Governor Rockefeller announced yesterday that he would seek a state constitutional provision authorizing "the carefully controlled use of wiretapping and electronic surveillance" in fighting crime.

He specified that this use must be "under judicial supervision with adequate safeguards for the protection of individual liberties."

The Governor's office here made public a message he will send to the Constitutional Convention in Albany tomorrow. In it, he urges the delegates to include in their proposals "general authority" for the Legislature to provide for the use of wiretapping and electronic surveillance.

Convention proposals for a new or revised Constitution must be approved by the voters in a statewide referendum before they can become effective.

The Governor said that the present state constitutional provision authorizing wiretapping and the state law covering this and electronic surveillance had been "rendered obsolete" by a ruling of the United States Supreme Court.

THE TOOLS FOR BATTLE

"The capacity of our modern society to deal effectively with the control of crime and to preserve law and order is challenged as never before," Mr. Rockefeller declared in his message.

"Our ability to meet this challenge is significantly strengthened by the tools of science and technology now available to society.

"In a period of spiraling crime rates and at a time when organized crime is flourishing in narcotics traffic, gambling, loan sharking and the corruption of legitimate businesses, it is essential that we make maximum use of modern science and technology for the protection of society against crime."

After outlining his proposal, Mr. Rockefeller said that wiretapping and electronic surveillance of criminals were "perhaps the single most effective weapons available today to society in the fight against organized crime."

The Governor notea that Section 12, Article 1, of the present State Constitution had provided general authority for court-authorized wiretaps where there was reasonable ground to believe that evidence of crime might be obtained.

NOTES RECENT RULING

"This provision, however, and the statutory law of the state which covers electronic surveillance as well as wiretaps have been rendered obsolete by the recent decision of the Supreme Court in the case of Berger v. New York," he continued.

In this 5-to-4 ruling on June 12, the Court held that the New York State law permitting court-approved eavesdropping by the police was unconstitutional. But it did not impose a total ban on the use of electronic devices in fighting crime.

The ruling was interpreted as leaving the door open for a statute that would give law-enforcement officials the required authority without affecting the rights of individual privacy guaranteed by the Fourth Amendment.

The Supreme Court threw out the bribery conviction of Ralph Berger, a Chicago public-relations man. He had been found guilty in November, 1964. of having plotted with the owners of Playboy Clubs International and Playboy magazine to give a $50,000 bribe to Martin C. Epstein, then chairman of the State Liquor Authority.

District Attorney Frank S. Hogan's office conceded that he would not have been convicted without the evidence collected by bugging two New York offices.

The whole question of wiretapping and bugging by law-enforcement agents has caused heated controversy in recent years.

The Johnson Administration has proposed outlawing wiretapping and other electronic eavesdropping except in national security investigations.

In June, Attorney General Ramsey Clark took a long step toward implementing this proposal for Federal agents when he issued regulations forbidding wiretapping and virtually all eavesdropping by them except in national security cases.

This and similar moves in Federal and state circles have been severely criticized by some law enforcement officials and members of Congress on the ground that some police eavesdropping must be permitted if organized crime is to be controlled.

In urging the convention delegates to provide authority for police eavesdropping, Mr. Rockefeller said that if they did so and the voters approved, it would "facilitate" legislation he intended to propose at the next legislative session "which meet the criteria set forth by the United States Supreme Court."

This legislation, he said, "will carefully safeguard individual liberty and at the same time recognize the right of society to protect itself through the use of this valuable device for effective law enforcement."

[From the Jackson Citizen Patriot, Jackson, Mich., Apr. 13, 1967]

THE GREAT WIRETAPPING CONTROVERSY—HOBBLES ADD TO GRAVITY OF CRIME SITUATION

(EDITOR'S NOTE.—Pulitzer Prize-winning columnist Edward J. Mowery unveils the "other side of the coin"—law enforcement's crucial need of listening devices in combatting unprecedented crime—in this three-part series.)

(By Edward J. Mowery)

NEW YORK.—The United States is reeling under the blows of a crime explosion of staggering immensity, perhaps unmatched in the annals of history. It is easily the most crucial issue crying for solution on the domestic front.

Yet, a determined effort is under way to hobble law enforcement by denying it the tools needed to crush the underworld. One of those tools is the listening device.

The gravity of the crime situation has caused deep concern in the White House. Weighing the 1966 breathtaking tally of 2,780,000 major offenses scarring the image of urban and rural America—where citizens fear to venture even in broad daylight—President Johnson has called for a no-holds-barred assault on the nation's criminal scum.

But realists know there can be no equitable solution until: 1) the courts treat felons like felons and enemies of society, and 2) law enforcement is given every known aid to take them into custody. Thanks to the "soft on criminals" thesis gaining momentum throughout the land, society's rights to protection are vanishing by attrition.

A series of United States Supreme Court decisions, anchored to the "constitutional" rights of criminals, has upgraded their status and simultaneously submerged the rights of law-abiding citizens—their victims. Policemen must virtually apologize to a thug emerging from a robbery scene with smoking pistol. By judicial decree the thug's rights are paramount.

In New Haven, Conn., and other cities, officers must carry printed cards and read their contents to a suspected criminal before he can be questioned. He's told of his right to remain silent, to engage counsel, etc.

Sweeping court decisions in the same vein seek to restrain the press in its coverage of crime news, tacitly endangering the sacred constitutional prerogative of the people's "right to know." The combination of criminal-coddling and repressive measures against the press hasn't been lost on the underworld.

Criminal combines are chuckling. Crime incidence is hitting a peak. By judicial edict . . . society is unable to protect itself!

You have only to consult your daily newspaper to glimpse the crumbling of safeguards against exploding criminality. Between the time you arose this morning and until you retire tonight, this deadly tally will have been inscribed on the nation's police blotters: 27 murders, 566 muggings and assaults, 3,200 burglaries, 326 robberies, and 2,900 larcenies.

In the same span, vicious criminals will have committed 62 statutory assaults on women and girls, spreading tragedy in their respective communities. And these are only the major crimes. All this adds up to unbridled terror stalking every corner of the nation.

And from the vortex of this crime upheaval has emerged an explosive, myopic campaign to further cripple law enforcement by depriving it of still another vital weapon in battling crime.

This is the listening device, popularly known as either a wiretap or electronic "bug," used successfully for years to penetrate the inner sanctums of criminal and subversive combines.

The major issue submerged in the current wiretap storm, and in the spate of corrective bills descending on Congress, is how the devices are used . . . and by whom. Valid wiretap usage by law enforcement has long been conducted on a controlled, restrictive basis under written authorization of a court or a superior.

This type of eavesdropping under official sanction often thwarts consummation of the criminal conspiracy—in and out of government—for the protection of the general public.

Electronic "snooping" in the private sector, however, is another matter. The indiscriminate usage and sale of "bugs," taps, parabolic sound, reflectors and "black light" beams which clandestinely invade a citizen's privacy, should be banned by law. So-called "industrial espionage," which dulls the competitive aspects of interstate commerce, should also fall within the ban.

But there is little evidence that the average citizen has been harassed by "buggers." And success of suggested laws to curtail the sale of such devices is admittedly doubtful.

It is ironical that the assertedly "horrendous" aspects of electronic eavesdropping triggered no furor through the years of their successful employment by various federal agencies to trap extortionists, tax thieves, kidnapers, narcotic mobsters, spies and crooks in government.

These were expendable crooks, chorused the press and public, and good riddance! But in 1963, electronic surveillance became synonymous with "invasion of privacy" when FBI agents "bugged" the Washington hotel room of Fred B. Black Jr. in an investigation wholly unrelated to Black's income tax problems.

Black, a lobbyist and associate of Robert G. (Bobby) Baker, erstwhile secretary to the Senate majority, was convicted the following year of tax evasion. The howls over "invasion" of Black's privacy—involving recorded conversations between Black and Baker—had deafening, political overtones.

The FBI "bug" allegedly not only "tainted" Black's trial but cast a shadow over the full-blown investigation of Baker, then under way. On Jan. 29, a federal jury convicted Baker on seven counts of fraud, larcency, tax evasion and conspiracy. Black will be retried. Baker will appeal.

So the "bugging" controversy, starting as a zephyr, progressed into a raging storm which culminated in a series of noisy 1965 hearings by the Senate Administrative Practice-Procedure Subcommittee under the chairmanship of Sen. Edward V. Long (D.-Mo.). The long "side-show," in turn, unveiled some interesting reactions.

When special agents of the FBI and Internal Revenue Service (IRS) testified frankly concerning their use of electronic devices in the battle against hoodums and racketeers, some IRS officers ran for cover.

Amazingly, they pleaded innocence and ignorance in their agents' employment of "bugs." Recrimination set in. And such outstanding, dedicated IRS investigators as A. Robert Manzi, H. Alan Long, O. Burke Yung and Joseph R. Harmon faced transfer and-or demotion.

FBI Director J. Edgar Hoover said his men used such devices upon the specific, written authorization of succeeding attorneys-general. He defended both the investigative techniques of his agents and the "bugs" as vital tools in the crime war.

Sen. Robert F. Kennedy said he wasn't "aware" of the FBI "bugging" during his 1961–64 tenure as attorney general. Hoover termed the statement "inconceivable," adding that Kennedy authorizations were "fully documented" including the monitoring, by Kennedy, of "microphone surveillance."

Hoover needs no apologist for his agency's zeal in trapping—by any legal means possible—the hoards of criminals now stalking society!

The "bugging" dispute still rages. Long threatens more hearings on "snooping" devices. The issue has reached the White House, and a plethora of bills will soon explode in both houses.

Stripped of its politics and hysteria, the basic issue remains the same: Society's rights and protection are paramount, not the rights of criminals!

Effective law enforcement not only requires legalization of carefully controlled taps and "bugs," but an immunity bill to aid cooperative witnesses.

Such a bill has been passed by the Senate and awaits House action.

Criminals are spreading wholesale terror in the United States. You won't catch them with butterfly-nets!

WIRETAP BAN WOULD LEAVE LAW DEAF IN WAR ON CRIME

(By Edward J. Mowery)

NEW YORK.—Since June 30, 1965, all federal departments and agencies have been prohibited from using wiretaps or electronic devices to penetrate the conspiratorial activities of the nation's criminal syndicates. The ban came from the White House.

And while the edict directly effects only federal investigative agencies, it has had a stultifying effect on wiretap usage by state and local officials. And it is currently bobbing on a crest of anti-wiretap hysteria which may burst forth momentarily in a series of sensational but anemic "hearings" in Congress.

None will ever know the full effects of the wiretap ban on law enforcement's frantic efforts to blunt the spiraling crime wave or keep abreast of plots hatched by organized mobs, symbolized by the so-called Cosa Nostra.

In one instance, a wiretap or electronic device could have possibly saved the life of a Cosa Nostra victim thought "unreliable." He was kidnapped, hung on a butcher's hook for three days and tortured until he died. Kidnapers, forgers, arsonists, extortionists and gambling combines have been spared listening-device penetration for 18 months.

Those who condemn law enforcement's use of wiretaps and microphones against criminals and subversives follow a static "line." It's a "lazy" way of gathering data which should be readily available through "approved" investigative techniques.

Electronic devices allegedly invade a citizen's privacy, scar personal rights and shred the constitutional structure. Law enforcement, in such criticism, becomes the scapegoat—the perpetrator of serious ethical misconduct.

These accusations may be bona fide when listening devices are used without restraint, rigid control or specific official authorization. They are generally valid when such devices are authorized by a prosecutor or court in the fields of internal security or organized crime.

In the case of the Federal Bureau of Investigation and law enforcement as a whole, the protection of individual rights and those of society is a sacred trust. The balance cannot be shifted too far either way. Certainly it can't be weighed in favor of the law-breaker.

Because of its grand-scale jurisdictional scope, the FBI has long made use of electronic devices on a limited, restricted basis as an essential weapon in protecting both individuals and the community against criminal and subversive depredations. Without this tool, the FBI is admittedly under a severe handicap.

The FBI in the past has successfully used "bugs" in certain types of criminal cases—such as kidnapping—when a human life was at stake. It has electronically penetrated the inner sanctums of the Communist party.

FBI "mikes" have repeatedly unearthed the inner workings of the Cosa Nostra.

There's nothing mysterious about why the FBI considers limited, controlled use of listening devices a crucial technique in battling criminals and subversives. And an analysis of FBI "taps" through the years produces some compelling arguments.

In facing today's extra-legal empires, the FBI uses many investigative methods to gain information, all of which have their limitations. A "key" source of information is informants who, in the guise of loyal members, penetrate criminal combines (Cosa Nostra) and subversive nests (Communist party) and feed back information.

The FBI also welcomes information from defectors from the conspiracy, and private citizens alert to potentially dangerous situations. Physical surveillances and meticulous review of documentary records are other peripheral techniques. Each is a valuable method of penetration. But together . . . they are not enough.

The records disclose that the FBI—which symbolizes all large-scale law enforcement in its needs and goals—must have instantaneous, foolproof means of penetrating the inner "inner sanctums" of criminal conspiracies to identify their salient elements.

And while electronic devices do not represent a final or ultimate panacea, they covertly unmask the mob's leadership and plots and provide the exact words, moods and identity of the plotters.

The FBI considers "taps" and "mikes" a vital entree into conspiracies against the common good, a penetrative technique rarely available through other means.

The primary purpose of such devices is intelligence—reliable, immediate and reasonably accurate guidelines. Information derived is not admissible in federal courts.

However, FBI records disclose that intelligence data pouring from listening devices has repeatedly alerted officials to violations in the making or crimes that have occurred, permitting immediate all-out investigation leading to legally admissable evidence.

Devices have proved a boon in probing the inner-workings of loan sharking, gambling, extortion and mob "wars." They have uncovered the operation of "front" companies and spotlighted the corruption of public officials.

Electronic coverage has enabled the FBI to protect the lives of undercover agents or informants inside both criminal and subversive nests. It has also provided an accurate check on the integrity of the undercover informant, pinpointing not only the accuracy of his information but identifying him as a possible "double-agent."

A prime source of Cosa Nostra strength, the record reveals, lies in the combine's ability to corrupt public officials, including some in law enforcement. The FBI disseminates nearly 200,000 items of information yearly to other federal, state and local enforcement agencies. The items deal with FBI-obtained information relative to possible violations in other basic jurisdictions.

Electronic devices quickly enable the FBI to detect a "feedback" or "leak" of this information to Cosa Nostra through venal officers or hoodlum "plants" inside local police departments. "Bugs" also identify conspirators at the community level—in business, unions and government—who are taking bribes or graft from the organization.

The intelligence-gathering potential of listening devices in combatting espionage and internal subversion, the records amply reveal, is unmatched.

Gainers in the federal ban on such devices are the legions of criminals smugly aware that their conspiratorial inner sanctums are immune from effective interference or disruption. Who is protecting America's non-criminals?

As for the outpouring of tears for "individual rights," no law-abiding citizen fears electronic intrusion . . . because he is rarely a target and has nothing to hide.

Venal politicians rightfully fear official wiretap penetration. So do criminals.

Perhaps an enlightened Congress will act in favor of . . . the common good.

THE GREAT WIRETAPPING CONTROVERSY—ISSUE PITS PROTECTION, PRIVACY

(By Edward J. Mowery)

NEW YORK.—Congress soon will consider an avalanche of proposed bills designed to outlaw clandestine eavesdropping and insure a citizen's right to privacy.

The suggested measures will have a vast scope. They will seek to ban interstate shipment and sales of wiretapping and electronic bugging devices, control their use by police at all levels and end electronic snooping by private detectives and so-called industrial spies.

On what grounds? That use of such devices contravenes the constitutional ban on "unreasonable searches and seizures."

The bills now coming to the floor in both houses are all-enveloping in their proposed target areas: The barring of oral eavesdropping via electric, mechanical or electronic technological devices involving sonic, ultrasonic, heat or electric waves, laser or other beams, waves of visible or invisible light and recording relays to capture the dialogue "outside the conversational ambit."

Congress, under tremendous pressure to enact some type of anti-wiretap legislation, undoubtedly will approve legal restraints on "invasion of privacy" during this session. The White House will go along.

Neither the Federal Bureau of Investigation nor law enforcement as a whole opposes such legislation. But, as national coordinator of anti-crime efforts, repository of mountainous crime data and custodian of world-renowned crime laboratories, the FBI knows that any new anti-wiretap law which denies use of this intelligence tool to crime fighters will undermine the battle to reduce run-away crime.

One bill now before the Senate fully recognizes law enforcement's crucial need of listening devices under rigidly controlled, authorized conditions. Other realistic bills undoubtdley will be considered by both houses. But the proposal of Sen. James O. Eastland, D-Miss., incorporates sweeping protective features.

The measure (S. 634) would bolster U.S. security and afford right-of-privacy protection to citizens by prohibiting eavesdropping, with certain exceptions. It would ban use of wiretaps, "bugs," parabolic sound reflectors, "black light" beams or "any other method" of eavesdropping.

It would permit use of such devices in national security cases when authorized and supervised by the attorney general.

In organized crimes cases: "A federal judge could issue a warrant based upon proper showing of probable cause—by affidavit authorizing maintenance of specified surveillance for six months."

The bill stipulates that in other crime cases, warrants valid for 72 hours could be renewed upon proper showing of continuing probable cause.

Eastland, chairman of both the Senate Judiciary Committee and its internal security subcommittee, believes his proposal to be judicially airtight on the "due process" issue. Exhaustive study preceded introduction of the bill on Jan. 24.

But a wiretap law designed to protect both citizens and the nation's crime fighters isn't the only current need in the overall protection of society. Prompt legislative action also is needed to compel a witness to testify in key criminal cases and grant him immunity from prosecution as a result of his revelation.

Immunity by statute isn't new. Some 55 federal laws now authorize immunity grants to witnesses. But the lack of immunity in "specific" areas has driven the government to obliquely utilize immunity provisions of non-germane statutes, such as the 1956 Narcotics Control Act and the Federal Communications Act.

Law enforcement officials contend there are four critical areas where the lack of immunity guaranteed to witnesses actually hobbles efforts to crush organized crime.

The areas in which mobsters refuse to testify, invoking the Fifth Amendment, are: (1) interestate travel in aid of racketeering, (2) obstruction of justice by injury or threat to a witness or juror, (3) bankruptcy frauds, and (4) bribery, graft and conflict of interest.

These are sensitive areas of organized underworld activities under which present federal statutes offer no immunity to cooperative (or antagonistic) witnesses. But another bill (S. 2190) passed last year by the Senate incorporates all four of the needed immunity areas. The measure now awaits action by the House Judiciary Committee. Crime experts say it should be aired in the House without delay.

In emphasizing the need for immunity legislation as a companion weapon to authorized wiretaps in battling criminal syndicates, an official said:

"Organized crime combines, such as Cosa Nostra, are centralized, highly disciplined groups with totalitarian control by a few big shots who use murder, assault, blackmail and torture to discourage 'squealing' by members.

"Realistic immunity legislation would provide underlings and knowledgeable, potential informants within the mobs a chance to reveal the secret workings of criminal conspiracies without fear of self-incrimination or punishment. Such a law would strip a witness of his 'criminal straitjacket' and break the almost-total ring of silence."

The FBI and other agencies have amassed a wealth of information on organized crime operations and planted informants in the crime cartels. But when an informant is exposed as a witness, his anonymity and value are destroyed.

Immunity grants to lesser but informed members of the syndicates, enforcement officials stress, could open vast gaps in underworld operations.

So . . . law enforcement, in attempting to fulfill its responsibility in blunting an unprecedented wave of crime for the protection of society, is pleading for the tools to do the job. Two of these tools are controlled, minimal use of listening devices, and immunity legislation to smoke out underworld witnesses.

Judicial edicts, anti-wiretap hysteria and political venality have swung the balance in favor of the criminal.

But society—the tragic victim of unfettered criminality—must be protected at all costs. Society's rights, realists in Congress are convinced, supersede those of any individual citizen.

That was the thesis of one of the greatest jurists of all time—Oliver Wendell Holmes.

UNANIMOUS-CONSENT AGREEMENT

Mr. **MANSFIELD**. Mr. President, I want to make a unanimous-consent request outside of the colloquy which will result from the speech just made.

I ask unanimous consent that at the conclusion of the remarks under the control of the Senator from Nebraska [Mr. Hruska], the Senator from Connecticut [Mr. Ribicoff], and the Senator from Illinois [Mr. Percy] be recognized for 10 minutes.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Montana? The Chair hears none, and it is so ordered.

Mr. PERCY. Mr. President, will the Senator from Nebraska yield?

Mr. HRUSKA. I am happy to yield to the Senator from Illinois.

Mr. PERCY. Mr. President, at the time of the introduction of the Federal Criminal Procedure Revision Act of 1967 on June 29, I called attention to the necessity to escalate the war on organized crime. I joined the distinguished Senator from Nebraska [Mr. Hruska] in urging that more was needed than the President's grant-in-aid proposals in order successfully to meet the challenge of crime in our society. Today, I am adding my name to that of Senators Hruska, Dirksen, Ervin, Curtis, Hansen, Scott, and Kuchel in sponsoring the Electronic Surveillance Control Act of 1967.

Mr. President, there is hardly a force within our Nation which runs at such cross purposes to our national ideals as organized crime which, as the President's Crime Commission after exhaustive study has pronounced as "dedicated to subverting not only American institutions but the very decency and integrity that are the most cherished attributes of a free society."

This well organized, highly developed, secret organization operates as an independent government within our country. It has its own codes and laws, by which it controls enterprises ranging from gambling, loansharking, and narcotics trade to legitimate businesses and labor unions. Its methods are everywhere the same—monopolization, terror, extortion, tax evasion, and fraud. I call particular attention to the following excerpt from the Task Force Report on Organized Crime:

> All available data indicate that organized crime flourishes only where it has corrupted local officials. As the scope and variety of organized crime's activities have expanded, its need to involve public officials at every level of local government has grown. And as government regulation expands into more and more areas of private and business activity, the power to corrupt likewise affords the corruptor more control over matters affecting the everyday life of each citizen.

As the able Senator from Pennsylvania [Mr. Scott] pointed out in his incisive remarks on the floor last Friday, organized crime presents unique problems in its detection and in compiling the evidence necessary to successful prosecution. The Electronic Surveillance Control Act is responsive to this special need.

On the other hand, Mr. President, there is hardly a practice in our society which runs so counter to our notions of individual rights and liberties as eavesdropping, either by wiretapping or by secret electronic transmission devices, employment of which is commonly known as "bugging."

Electronic surveillance—both governmental and private—has become alarmingly widespread throughout the country, with the advent of microminiturized technology that allows concealment of a powerful transmitting device in an ordinary pencil or pen, behind a picture on a wall, or hidden in the center of a flower. I am sure that all Members of this body are aware of the growing crisis to individual liberties if this widespread, pernicious practice is permitted to grow, unchecked, and unlimited. In part, the Electronic Surveillance Control Act is directed to the outlawing of this insidious practice.

In this objective, it tracks the administration's Right of Privacy Act which also seeks to ban private, random eavesdropping. To this extent there is little controversy: there are few who would argue seriously that Congress can or should continue to withhold regulation in sensitive areas of our civil liberties.

It is the legislative process which must make these evaluations, based—as they must be—on the broadest, most practical view of the competing interests at hand. I am confident that the distinguished Subcommittee on Criminal Laws and Procedures, chaired by the distinguished gentleman from Arkansas [Mr. McClellan] and of which my able colleague from Nebraska [Mr. Hruska] is ranking minority member will do exactly that.

My sponsorship of the Electronic Surveillance Control Act of 1967 is not lightly undertaken. I do not find it easy to advance legislation which suggests interference with individual rights on occasion. It is well to set a high premium on privacy, and with the quickening threat of rapid urbanization and mass communications, even the slightest present threat of Government intrusion may be magnified in coming years.

But I am constrained to believe that every practical, constitutional device must be put to use—and quickly—if the insidious cancer of organized crime is to be rooted from our society. The judicially controlled warrant procedures of the bill can be made consistent with constitutional protection of basic fourth amendment rights.

It is important in this regard to consider the victims of organized crime.

Who contributes the estimated $8 to $9 billion in gambling revenues each year, the staple income of the Mafia?

Who are the victims of preying narcotics peddlers whose sordid wares return staggering profits to the organization while enslaving the underprivileged?

Who in our society are most easily lured—or driven—to the loan sharks, whose usurious exactions carry the threat of violence and ruin?

And who bears the cost of the protection racket in our urban slums where monopoly enforced by extortion has replaced free competition, and the higher prices are passed along to the consumer?

Mr. President, you will find the immediate and direct costs of organized crime are borne by our urban poor, borne by those who monetarily and spiritually can least afford it. They, who have least privacy and the least share in the advantages of our society, are the immediate victims. We all share the indirect costs, and are subject to the very real dangers of this "secret government." I emphasize again the threat and the actuality of the political corruption depicted by the President's Crime Commission.

The Electronic Surveillance Control Act of 1967 will continue, in the case of the States, and vastly improve, for Federal enforcement agencies, a valuable weapon in the war on organized crime. I urge the subcommittee's best efforts to perfect it, and thus pave the way for its consideration by Congress.

The present controversy over the permissive use of electronic surveillance in law enforcement is thoroughly justified by the strength of the interests involved. It is gratifying, indeed, for one who is concerned for the precious constitutional rights of every citizen to be free from official interference, and equally concerned for effective law enforcement to have had the opportunity which I have taken since I came to the Senate to evaluate these seemingly competing interests. For definition of the proper constitutional balance between individual privacy on the one hand, and the necessity for society to protect itself from lawless elements on the other has fueled the debate over official electronic surveillance that only recently has appeared to near a definitive resolution. Until the Supreme Court handed down its decision in Berger against United States, No. 615, decided June 12, 1967, neither those who favored strictest protection for civil liberties nor those who believed in the need for more official intercept authority could assert with confidence the Constitution favored their side of the argument.

In my mind, Berger has done much to clear the air. The majority of the Court has said that the fourth amendment does not make the "precincts of the home or office * * * sanctuaries where the law can never reach." The practical effects of Berger which are of greatest importance, are twofold.

First, by ending the controversy over whether controlled electronic surveillance could be squared with the Constitution, the Supreme Court has shifted to more definite terms a dialog that has continued for a number of years. Those who have argued a right of privacy under the Constitution must be absolute and inviolate will no longer be tempted to confuse the basic public policy question with constitutional issues. On the other side, those who have felt that a great elasticity of the constitution could be freely assumed where law enforcement was at stake will be held to more precise definitions of proofs of necessity and methods of procedure. And the enrichment of the dialog, Mr. President, can only mean enhancement for both the right of privacy and good law enforcement, if the present trend continues.

Second, and most important, the Berger decision has underscored the responsibility of the Congress to act. I am not suggesting that since the Supreme Court has drawn up a formula, the Congress is left only to fill in the blanks. Far from it: the Berger opinion suggests the greater suitability of the legislative process over the judicial process in balancing the effectiveness of and need for electronic surveillance against the dangers of overreaching and abuse inherent in broad grants of authority.

For instance, the opinion flatly states that no empirical statistics are available on the use of electronic devices in the war on professional criminal activity, and undertakes to analyze other proofs of effectiveness. The disagreement of the experts over proof afforded by the logs of intercepted communications now in the possession of the Justice Department—highlighted in an article I will append to these remarks—strongly suggests that other, compelling empirical evidence—unconsidered by the Court—may indeed be close at hand.

The opinion's unsupported assertion that law enforcement will not suffer if electronic surveillance is eliminated appears to be freighted on representations of Federal Government officials to that effect—opinion, page 20. A consensus of State officials could hardly be polled in a meaningful way in the limited confines of a court case. And the contrary opinions of an unbroken line of Attorney Generals preceding the present incumbent appear—in the limited space of the opinion—to have been overlooked.

Mr. President, at this point, I ask unanimous consent to have printed in the RECORD a penetrating review of this issue written by Marquis Childs; also several particularly pertinent editorials and articles on this subject which I commend to my colleagues in both Houses of Congress.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From the Washington Post, July 21, 1967]

JUSTICE OR PRIVACY OR A BIT OF BOTH?

(By Marquis Childs)

The snoop, the spy, the professional eavesdropper, using advanced electronic techniques, is so detestable to most Americans that any attempt to legalize bugging runs up against automatic resistance. Yet, at the same time, deep concern over the hold the crime syndicate exercises, together with the growing lawlessness in the streets, persuades many Americans that law enforcement must use modern tools. It is between these poles of opinion that two Senate subcommittees are working on bugging proposals that will mean a head-on collision, first in the Judiciary Committee and then in all probability on the Senate floor.

Sen. Edward V. Long is backing the Administration measure that would outlaw all electronic snooping except where national security is involved. Attorney General Ramsey Clark, in a memorandum, puts all bugging out of bounds other than in the handful of cases touching espionage or subversion.

Chairman of a second subcommittee is stern, Draconian Sen. John McClellan. McClellan is backing a permissive wire-tapping bill patterned more or less after the New York State law that the Supreme Court held questionable in a recent decision. That same fate would befall any permissive measure, in the view of the specialists on Long's committee who have directed a series of hearings into the evils of wiretapping.

But the other day a witness who established his good faith as a civil libertarian—he is a member of the American Civil Liberties Union—made a powerful case for electronic surveillance under certain carefully restricted conditions. Prof. G. Robert Blakey of the Notre Dame Law School, conceding the difficult problem of striking a balance between privacy and justice, nevertheless argued that the hold of organized crime is so pervasive it can be reached only by intercepting the orders given by the overlords of Cosa Nostra.

Blakey described for the committee the activities of Raymond Patriarca, head of the New England "family" of Cosa Nostra. He analyzed a series of what are called airtels—records based in this instance on a listening device installed in a vending machine corporation in Providence, R.I., between March, 1962, and July 1965. The airtels were made public in a hearing in a tax charge against Louis (The Fox) Taglianetti, one of Patriarca's lieutenants.

As reviewed by Blakey, the records show the extraordinary power exercised by an overlord like Patriarca through Cosa Nostra. He orders summary executions. He can declare "martial law" in his "family." He grants or withholds permission to operate illegal businesses. He settles the division of profits. And as he consolidates his power, he insulates himself from possible criminal investigation.

Blakey puts the revenue of the nationwide organization of Cosa Nostra at $9 billion a year. This is a levy not on the middle class, nor even the lower-middle class, but on the poor in the big cities. It comes from gambling, chiefly the numbers racket, loan-sharking, drugs and prostitution. The victims are shut up in the ghettos of the Newarks and the Watts across the country. The tribute they pay to the syndicate far outweighs the benefits of the antipoverty program.

It is Blakey's conviction, based on his work with the President's Crime Commission and earlier with the Department of Justice, that Cosa Nostra is so powerful it can block any inquiry jeopardizing what is in effect its political immunity in city after city.

The sinister nature of this conspiracy was underscored by the President's Crime Commission, with documentation to show "it is dedicated to subverting not only American institutions but the very decency and integrity that are the most cherished attributes of a free society."

For the overlords who fight their way to power in this organized jungle, the end is wealth and even a kind of outward repectability. Thomas (Three Finger Brown) Luchese of the New York Mafia died the other day in his $100,000 home on Long Island and got a two-column obituary in the New York *Times* detailing how, apart from an early prison sentence for car theft, he directed with impunity a web of drugs, gambling, murder.

Blakey, as well as other witnesses, is convinced it is possible to strike a reasonable balance between privacy and justice. The Supreme Court's decision in the New York case, in this view, does not rule out permissive wire tapping under careful judiciary scrutiny.

Only through electronic surveillance can the crime syndicate be tracked down, and, in this same view, if it is not checked, the best efforts to free the victims of the ghettos from poverty will go for nothing.

[From the Wall Street Journal, Aug. 8, 1965]

The Citizen and His Privacy

Disclosure that eager-beaver Internal Revenue Service agents have been illegally tapping private citizens' telephones has again focused attention on a muddled legal area. Surely it's time to clear up the confusion.

As things stand now, it is a Federal crime to wiretap and use the information for such purposes as providing evidence in court or aiding in crime detection. Yet several states permit wiretapping, under certain conditions, and allow the information to be used in court.

In such states local law enforcement officers regularly violate Federal law, though no one thinks of prosecuting them. As a matter of fact, even wiretappers who have nothing to do with law enforcement hardly need worry about Federal prosecution, since it's necessary not only to prove that they've done the tapping but also that they in some way have divulged the information so gathered.

The situation is especially chaotic in Washington, as the Senate Judiciary subcommittee's hearings have shown. IRS agents testified that the agency's Washington headquarters has been running a school to teach wiretap techniques. According to other testimony, IRS agents in Pennsylvania tapped the telephone of suspected racketeers, in this case violating not just Federal law but state law.

President Johnson pointed up the absurdity of the situation when he recently restated his ban on wiretaps by Federal agencies in other than national security cases. What he was saying again was, in effect, that Federal agencies should obey Federal law—except in security matters.

By now it should be clear that something more than a Presidential directive is called for. What is needed, it seems to us, is a careful rewriting of the 31-year-old Federal wiretapping law; no nation should put up with a statute that not only is unenforced but as a practical matter appears to be unenforceable.

Such a legal overhaul would, of course, take Congress into a controversial area which the lawmakers often have seemed anxious to avoid. Many law enforcement officials want wide leeway for wiretapping, while a number of civil liberties groups, legal authorities and others would like to outlaw telephone-tapping altogether.

Proponents of a complete ban have well-founded reasons for concern. Government in this country has grown so large and so all-pervasive that it's possible to picture agents, equipped with the miraculous gadgets of modern electronics, prying into the innermost secrets of our private lives.

On the other hand, there's a good deal to be said for the stand of the enforcement agencies. When organized crime often uses electronics for its nefarious ends, should we deny the same equipment to the police? Should we, in any and all cases, allow criminals their telephones as privileged sanctuaries?

Nonetheless, if it were necessary to choose either a complete ban or wide-open wiretapping, prohibition would be preferable. However useful the electronic equipment may be in law enforcement, it easily could become the tool of tyranny. But no such black-or-white choice is actually necessary.

It ought to be possible, for instance, to stipulate that wiretapping could be done only in sharply limited areas, such as investigations of national security matters and specified major crimes. Even in these areas, both the wiretapping and the use of the information obtained usually should be strictly controlled by the courts. In addition, practical procedures should be set up to firmly enforce the law.

As the Senate hearings have demonstrated once again, the nation needs to be vigilant to protect the privacy of the private citizen. But in its vigilance it need not tie the hands of those who protect the citizen himself.

[From the Christian Science Monitor, Apr. 24, 1967]

U.S. Challenged To Back Wiretap Proposals With Evidence

(By Robert Cahn)

WASHINGTON.—Attorney General Ramsey Clark has been challenged at a congressional hearing, to show why Congress should override the wiretap and bugging laws of New York and four other states.

An expert consultant to the President's Crime Commission asked Mr. Clark to produce evidence. He is Prof. Robert Blakey of Notre Dame University, who testified before Rep. Emanuel Celler's House subcommittee on the judiciary, holding hearings on President Johnson's "right-of-privacy" bill.

Professor Blakey also divulged for the first time the details of the antisurveillance bill he had prepared for the National Crime Commission and which is sharply at odds with President Johnson's proposal.

Attorney General Clark had previously testified before the subcommittee that abolition of the legal use of wiretaps and bugs by law-enforcement officials would not impair law-enforcement effectiveness. The Attorney General is a strong backer of the President's bill which would outlaw all private or government wiretapping except when authorized by the President in the interests of national security.

If this bill is passed, it would supplant state statutes which allow court-authorized wiretapping and bugging in certain specific situations, mainly to fight organized crime.

ARGUMENT PURSUED

Professor Blakey, who worked for four years in the organized-crime division of the Department of Justice, said it should not be up to witnesses on his side of the issue to show why the use of electronic surveillance in combating crimes in states is not necessary, as the Attorney General had contended.

He also argued that the Attorney General cannot logically say electronic surveillance is not useful in fighting organized crime but is useful for the President in maintaining the national security.

"Congress has the right to find out if there is a need for law-enforcement officials to use wiretapping and bugging," Professor Blakey said.

One way might be to request from the Federal Bureau of Investigation the logs in cases where bugging has admittedly been used, and to study them in executive session.

Attorney General Clark had testified that he had studied these logs and found that the government use of electronic eavesdropping had been mostly wasteful and had produced little of value. It was ostensibly used for intelligence purposes, as it cannot be used in evidence.

The Blakey bill prepared for the President's Crime Commission follows President Johnson's bill in that it generally outlaws the interception and disclosure of wire or oral communications, and the manufacture of use of communication-intercepting devices.

AUTHORIZATIONS PROPOSED

Contrary to the administration bill, however, it has specific authorizations for law-enforcement use of electronic surveillance in specified serious crimes and under strict safeguards.

For federal use, the attorney general or any assistant attorney general can apply to a federal judge and show probable cause that crime or conspiracy exists in the serious crime areas. State law-enforcement officers must apply to state-court judges through the state attorney general or prosecuting attorneys of political subdivisions (police cannot apply themselves).

Two key areas of the Blakey draft bill, never yet brought into proposed legislation, are:

Inventory. Not later than a year after the termination of the surveillance order, the issuing judge shall have notice served on the persons named in the court order with the fact and date of the period of authorized interception.

Civil damages. Persons whose wire or oral communications are intercepted can recover civil damages from those who do the intercepting if such interception exceeds the provisions of the court order.

POWER LIMITATION URGED

Professor Blakey also would sharply limit the power of the President to authorize wiretapping or bugging.

President Johnson's proposed bill allows the President to take such measures as he deems necessary to protect the nation against actual or potential attack or other hostile acts of a foreign power, "or any other serious threat to the security of the United States. . . ."

The proposed statute, says Professor Blakey, "authorizes the wholesale, unlimited, unreviewed, unilateral use" of surveillance techniques in cases involving United States citizens.

"What does 'national security' mean?" he asked.

"There is no good reason why the use of these techniques in the domestic national-security area cannot be brought under a court-order system," he said, and not left to the President or the attorney general to determine without any checks.

The President's bill, which was introduced in the House by Mr. Celler, was "the worst one I have ever seen," Professor Blakey said. The witness said he had reveiwed every wiretap and bugging statute ever proposed.

Subcommittee Chairman Celler, who had been critical of the witness at the start of the hearing, by the end of the morning was admitting that Professor Blakey's ideas had merit.

The congressman even said he might accept limited court-authorized surveillance (which the President so strongly opposes). Mr. Celler recalled, however, that in previous years he had been unable to sell court-authorized wiretapping to the rest of the committee.

By their questioning, the four Republican members of Mr. Celler's subcommittee who were present appeared favorable to the ideas of Professor Blakey.

[From the Christian Science Monitor, July 10, 1967]

Reconsider the Wiretap Ban

In issuing new regulations banning all wiretapping and practically all eavesdropping by federal agents, except in national security investigations, Attorney General Ramsey Clark has gone too far.

His purpose—to protect individual privacy in accord with the Fourth Amendment provision against unreasonable searches—is commendable. But constitutional rights are not absolute. Government errs when it interprets them so broadly that their enforcement would substantially endanger the public safety.

The individual's right to privacy, especially now that developments in technology makes invasion of that right increasingly easy, deserves adequate protection. But this right must always be weighed against the public's right to safety—its right to receive adequate protection against the ruthless and well-organized forces of the national crime syndicate.

The Attorney General's rulings mean that federal agents have been stripped of some of their most effective weapons in the warfare against organized crime. And at the very time when there exists the overwhelming need to escalate that warfare.

Mounting public pressure is building for a tough crackdown on crime, regardless of individual liberty. The Attorney General's regulations could well have the unintended effect of adding to that pressure, and thereby ultimately hurt more than help the cause he espouses.

The public as a whole have "certain unalienable Rights," among which are "Life, Liberty and the pursuit of Happiness." The government errs when it interprets the Fourth Amendment so liberally that it seriously impairs the ability of its own agents to protect these rights of all the people.

The Constitution was established not only to "secure the blessings of liberty" and "provide for the common defense" but to "insure domestic tranquility" and "promote the general welfare." Mr. Clark's regulations, going well beyond President Johnson's 1965 statement on the subject, fail to strike the needed balance.

He may have been anticipating that the Supreme Court will ban the use of eavesdropping devices which do not demand a physical trespass. In our judgment, he should not have so anticipated. And the court should not so decide. We also find unduly restrictive the decision not to permit wiretapping by federal agents where information gleaned will not be publicly divulged or introduced as evidence.

Without at least these uses of electronic surveillance—coupled, to be sure, with adequate administrative controls—we seriously doubt whether the government can mount an offensive capable of protecting the public from the insidious machinations of Mafia-type operations. We hope that the Attorney General will reconsider his extreme and rigid regulations in light of the pressing national need to root organized crime from the American scene.

Mr. PERCY. Again, Mr. President, I commend the Senator from Nebraska for his leadership in this very difficult field.

Mr. HRUSKA. I thank the Senator from Illinois for his support and his very useful and beneficial suggestions.

Mr. HANSEN. Mr. President, will the Senator from Nebraska yield?

Mr. HRUSKA. I am happy to yield to the Senator from Wyoming.

ORGANIZED CRIME—A CLEAR AND PRESENT DANGER TODAY IN OUR SOCIETY

Mr. HANSEN. Mr. President, last month the Congress of Racial Equality met in Oakland, Calif., and advised its members to take control of organized vice in the Negro community.

There is a terrible irony in this advice.

In the first place the advice comes from a group which was originally founded to bring equal opportunity, equal justice, and equal respect to its members. There has been a monsterous perversion if this group now feels it must embrace organized crime in order to achieve its ends.

It is true that organized crime is not a product of socioeconomic conditions. Organized crime will prosper wherever it is tolerated. But it is equally true that the chief victims of organized crime today are this Nation's poor. In addition to the havoc which the Cosa Nostra and the Mafia play with organized labor, with our big city political machines, and increasingly with legitimate business, the dealers in vice have come to prey most heavily on the ghetto dwellers of today.

Perhaps the leaders of CORE recognized something which the Attorney General of the United States has refused to recognize—that organized crime is a power which, in some places in this country, has already put to rout the workings of a lawful society. Perhaps organized crime has become such a dominant factor in the ghetto that the more frantic Negro leaders of today advise their people to get "their fair cut" of the massive fruits of organized vice.

"If you can't beat 'em, join 'em."

This cliche, which admits to both cynicism and helplessness, may apply here.

It is distressing to me that the administration has stubbornly refused to admit that organized crime is a clear and present danger today in our society. But the Nation is becoming aroused.

Therefore, it is most timely that my colleagues here in the Senate are discussing legislation to provide but one of many tools which our law-enforcement agencies may use in their fight against organized crime. S. 2050, which I was privileged to cosponsor when it was originally introduced, would allow for the electronic surveillance of organized crime figures through strict procedures supervised by the courts of our land. I am indeed pleased to see additional Members of the Senate speaking out in favor of this legislation, and I can assure them that we welcome their support.

I ask unanimous consent, Mr. President, that the remainder of my remarks be printed at this point in the RECORD.

There being no objection, the additional remarks were ordered to be printed in the RECORD, as follows:

Mr. President, on a number of other occasions I have spoken out on the Senate floor on what I consider to be our Nation's No. 1 domestic crisis—crime.

A great number of other Senators—from both sides of the aisle—have brought to this body their own thoughts on this threat which is steadily eroding away the basic foundation of our Nation—a strong system of law and order.

I see the problem of crime as being of two basic and very distinct parts. I see the problem that we face in seeking a solution to crime as rising out of two quite different areas. I wish now to discuss those areas.

The first concerns itself with the crimes of violence upon our Nation's streets, in our suburban communities and throughout America's teeming metropolitan areas. Of concern here are the day-by-day robberies, aggravated assaults, burglaries, rapes, and other such crimes which have increased by over 6 percent in the past year. It is in this area that the average criminal is 15 years of age. It is in this area that arrests of persons under 21 amounted to 31 percent of all arrests in 1965. It is also in this area that many of the causes for crimes are deeply embedded in the socioeconomic situations and in the alienation that is suffered by underprivileged youth.

I am afraid that, as far as this area is concerned, the cures that we have found most workable for crime have been but haltingly and inefficiently applied.

J. Edgar Hoover, Director of the FBI, has stated that the three major deterrents to crime are quick apprehension, speedy trial, and just, but strict, punishment. Mr. President, I feel that we have failed in all three areas.

Our law-enforcement officers are, in a great many cases, underpaid and ill-equipped. Their spirit is poor and their status, in the eyes of the public, is low.

Our Nation's court system is presently suffering from overloaded dockets and an inadequate number of court officials to handle the increasing loads. A speedy trial leading to prompt execution of sentence seems to be a thing of the past.

Just in passing I would add, Mr. President, that we need a complete overhaul of our penal system. I think that the fact that a great deal of our Nation's crime is committed by chronic offenders is a disturbing indictment of our system of justice.

We need to reexamine our attitudes toward certain crimes and adjust the penalties to be in keeping with the severity of the offenses. We need to make rehabilitation an integral part of the first offender's imprisonment, while separating him from the hardened criminal. We need further, a tightening up of our parole procedures so that we may release those individuals who can become self-supporting members of our society, while insuring safety on our Nation's streets. Further, I would suggest that each of our 50 States take a very careful look at their prison system. Perhaps given some basic reform it will be possible to reduce the danger upon our streets.

But yet, Mr. President, there is another chapter to the story of crime in America. There is another element in the equation that has increased crime since 1960 by 46 percent while the U.S. population has gone up but 8 percent.

The second half of the story of crime is for the most part an untold story. The decomposed bodies discovered on that New Jersey chicken farm could not tell their story. The victims of the almost weekly gangland slayings in many of our larger cities cannot reveal the intricate details behind that other element—organized crime.

Mr. President, this is the other half of crime in America. Unlike the half I have already discussed, it is not linked to the socioeconomic conditions of our Nation's poor. It is carefully hidden behind legal businesses, and well-established fronts. It is well entrenched in many areas of the economy which, on the surface, appear innocent. Barber shops, brokerage houses, real estate, restaurants, construction, house wrecking, garbage removal, garment manufacturing, vending and coin machine operation, entertainment, and sports have all been infected by organized crime, as have organized unions and big city political machines.

Further, organized crime has most recently moved into illegal traffic in stimulants and depressants—including LSD and other such hallucination-producing drugs. Mr. John Finlator, Director of the Bureau of Drug Abuse Control Agency of the Food and Drug Administration, stated before a House Committee on June 27, 1967:

"And we do find elements of these (Cosa Nostra and Mafia type) hoodlum organizations in the illicit traffic in depressant and stimulant drugs.

"We know there is an extremely well-organized traffic in LSD functioning now . . . We have investigative intelligence that this organization is affiliating with hard-core, Cosa Nostra-type criminal figures."

The problems which present themselves to our law agencies with regard to organized crime are not problems of unemployment, poverty, mental illness, inadequate housing, poor race relations, or too little food in the icebox. Organized crime is not involved in two-bit grocery store robberies, stealing cars, slashing tires, assaulting citizens, or raping young women. Organized crime is busily involved in gambling, narcotics, shylocking, prostitution, extortion, and other activities accumulating takes estimated to be many billions of dollars a year.

I might add as an aside, Mr. President, that while these two areas are separate and the causes for each are entirely different, nevertheless there is a definite relationship between the two. The example that the young mobster offers to the children of the ghettos is far from a good one. To the youth in the ghetto it appears that the sure path to money and prestige is that of a "soldier" in a Cosa Nostra family.

The new Attorney General has apparently forgotten this side of crime. He has apparently decided to ignore one-half of the equation. And as any young person will tell you, Mr. President, you cannot solve any problem until you know all the elements of the equation.

Ramsey Clark never speaks of organized crime. He speaks always of the poor. But the cold hard facts are that organized crime preys most heavily upon the poor. We need only to read the words of Mr. Anthony Francis Gonzales, chairman of the American Spanish Committee, when he wrote in a letter to the New York Times, "The dictates of sound legal reasoning command that law and order must be maintained to assure the safety of the inhabitants of the state. And unreasonable burdens upon the law-enforcement agencies, which the recent judicial decisions imposed, smack contrary to legal precedent and leave in their wake our present increases in criminal behavior." To the law-abiding lower classes the greatest danger, the greatest source of evil, is the ever present fear of crime—and especially organized crime.

Mr. Clark tells us that "we do ourselves a great disservice with statistics." He feels that there is no crime wave in this country. Yet the President's Crime Commission has found that the statistics on crime in this country is many time larger than is indicated by the FBI figures.

But not only has the Attorney General denied the existence of crime to the extent that most admit it to be, he has declared that our law-enforcement agencies greatest weapon against that crime is "neither effective nor highly productive." Thus he has become the first Attorney General in the history of electronic surveillance devices to voice disapproval of wiretapping. Our Nation's head policeman since early this year, Mr. Clark has further declared that organized crime is a "tiny part" of the entire crime picture. A multibillion-dollar business is certainly not so "tiny" that it could dance on the head of a pin. Mr. Clark seems aware of neither the tremendous scope of organized crime nor the effectiveness of wiretapping in combatting it. I will not discuss the former. I feel that a reading of the morning paper or an examination of the President's Crime Commission report are sufficient in revealing organized crime's fantastic scope.

But I would like to discuss for a few moments the Attorney General's contention that electronic surveillance is "neither effective nor highly productive."

Eliot Lumbard, Gov. Nelson Rockefeller's special assistant counsel for law enforcement has been quoted as saying, "If wiretapping is lost, we will lose the most important and effective source of information—that we wouldn't get otherwise—in the most difficult kinds of cases. Without that source, we practically give an immunity bath to the really sophisticated operators." I would like to emphasize two portions of this statement: "that we wouldn't get otherwise" and "the really sophisticated operators." Mr. President, according to Mr. Lumbard, without wiretapping our Nation's law-enforcement officers would be without an effective weapon against organized crime.

New York District Attorney Frank Hogan believes that wiretapping is his "single most valuable and effective weapon . . . particularly against organized crime." In the 10 years prior to 1958, Mr. Hogan's office made 733 legal wiretap installations which resulted in 465 arrests and 364 convictions.

If my calculations are correct, Mr. Hogan was able to obtain indictments in 63 percent of the cases where wiretap installations were made. Seventy-eight percent of these indictments then resulted in conviction.

According to Tom Wicker of the New York Times, "Most of these convictions were in the areas of organized crime and racketeering, and Hogan contended that the particular nature of these activities—highly organized, highly secret, highly efficient—made wiretap evidence the only effective weapon against them."

Mr. President, between 1961 and 1966 the Justice Department with the assistance of the FBI and the Internal Revenue Service, and with a yearly expenditure of $20 million on the organized crime level, succeeded in identifying approximately 5,000 members of the Cosa Nostra. Yet, the Department was only able to obtain indictments on approximately 200 of these individuals, resulting in but 100 convictions. That gives them about a 2 percent batting average against the hard core in organized crime.

I think that a comparison of the relative success of Mr. Frank Hogan, the district attorney of New York County, and the Justice Department of the United States indicates the vital necessity of providing all of our law-enforcement agencies—both State and local—with the essential weapon in combatting crime—electronic surveillance devices.

But the voices in favor of a limited use of wiretapping come not only from the State and local level. The Task Force on Organized Crime made the positive black-letter recommendation that, "Congress should enact legislation dealing specifically with wiretapping and bugging." The task force report said, "All members of the Commission believe that if authority to employ these techniques is granted it must be granted only with stringent limitation . . . A majority of the members of the Commission believe that legislation should be enacted granting carefully circumscribed authority for electronic surveillance to law-enforcement officers to the extent it may be consistent with the decision of the Supreme Court in Berger against New York and, further that the availability of such specific authority would significantly reduce the incentive for, and the incidence of, improper electronic surveillance."

Lest any doubt exist concerning the effectiveness of wiretapping, let me quote from the public record. From March 1962 until July 1965 the Boston office of the FBI maintained an electronic device in the office of the National Cigarette Service, a vending machine corporation, located at 168 Atwell Avenue in Providence, R.I., in order to obtain strategic intelligence concerning the activities of Raymond Patriarca, the head of the New Engalnd "family" of La Cosa Nostra. The information contained in the airtels or summaries of daily logs kept by Bureau agents, which were later printed in the Providence Journal is astounding. Prof. G. Robert Blakey, professor of criminal law and procedure at Notre Dame Law School, a special prosecutor in the Organized Crime and Racketeering Section of the Department of Justice for 4 years, made a statement before the Subcommittee on Criminal Laws and Procedures concerning these airtels in which he said in part:

"What I find so terribly convincing about these airtels is that here it is from the peoples' mouths, no question about an informant being paid—this is it. And what did those ten airtels give you? I have outlined it in great detail in my statement and I don't want to repeat all of that here. But just from those ten documents it established the existence of the Cosa Nostra, it established in structure, it establishes its functions of the various members, it indicates its powers of the various members—for example the boss, it gives you the size of various families, it can give you the geographical extent of the operation and I say that this indicates that Cosa Nostra was actively operating in such states as Rhode Island, Illinois, Maryland, Washington, New Jersey, Massachusetts, Florida, and Pennsylvania. It gives you an indication that it was operating on an international scale, apparently a group in Canada. It gives you an indication of some of the activities that the Cosa Nostra is in, including murder, kidnapping, extortion, fraud, bribery, loan sharking, gambling. It gives you some indication of some of the legal activities that they are in—the infiltration of business including legitimate legalized gambling, labor unions, race tracks, vending machines, liquor. It shows the associates of this one boss, who were of every major hood in the country who has graduated from the Drug Store Cowboy stage, was contacted at one time or another by Raymond Patriarca. The only description that I can give capsulized of just both airtels is that you imagine yourself, if you could have put an electronic device in on an Italian duke in the 16th century, who was disbursing largesse, ordering killings and this sort of thing. That is exactly what you got when you went in on Raymond Patriarca, and it wasn't Italy, it was in the United States today."

Mr. President, it is astounding to me that Ramsey Clark would make such a sweeping statement as he has, declaring all wiretapping to be neither effective nor highly productive. I find it especially shocking and disturbing that he would make such a statement in the light of the position of so many of our Nation's law-enforcement officers. From the President's Crime Commission to a representative of the academic community to the district attorney of New York the general feeling is that the Nation's law-enforcement officers need the legal ability to wiretap in order to effectively combat organized crime.

The *Berger* decision allows for the strictly regulated use of wiretapping—why should it not, therefore, be used. Its effectiveness has already been indicated and indeed highly documented.

And, inded, if wiretapping were so ineffective why would it be used at all as apparently it will be since its use is now reserved by the Justice Department and the President exclusively for national security cases.

Mr. President, we need clear, concise, legal restrictions on wiretapping. The power to decide when and where it should be used is too great to be entrusted to one man alone—regardless of who he may be. Let me quote Professor Blakey once again in this regard.

"I personally am very deeply concerned because I see in this a bill a grant, in effect, or ratification, in effect, of authority to the executive department unilaterally to wiretap or bug whatever it deems fit . . . The constructive suggestion I would make is that the traditional American way of putting a check on the definition that an Executive might give (be maintained)."

Mr. President, there is a feeling throughout this country that crime has been allowed to go too far. There is a feeling that it is time that the Congress of the United States took some positive action against the ever-increasing crime rate. This legislation is a vital part of such action.

Mr. HRUSKA. Mr. President, I am very grateful for the remarks and support of the Senator from Wyoming. I should like to ask him, inasmuch as he has spoken out at great length recently concerning the use of LSD and other hallucination-causing drugs, whether there is a possibility that organized crime could be involved in this area as well as in the many others to which he has referred.

Mr. HANSEN. Mr. President, I shall be glad to respond to the distinguished Senator who is the sponsor of the bill.

Organized crime has most recently moved into illegal traffic in stimulants and depressants—including LSD and other such hallucination-producing drugs. Mr. John Finlator, Director of the Bureau of Drug Abuse Control Agency of the Food and Drug Administration, stated before a House committee on June 27, 1967:

> And we do find elements of these (Cosa Nostra and Mafia type) hoodlum organizations in the illicit traffic in depressant and stimulant drugs . . .
>
> We know there is an extremely well-organized traffic in LSD functioning now . . . We have investigative intelligence that this organization is affiliating with hard-core, Cosa Nostra-type criminal figures.

This bears out precisely the concern we have raised.

Mr. HRUSKA. On another point, the Attorney General, Mr. Clark, has often asserted that wiretapping is neither effective nor highly productive. Does the Senator know of any evidence that would effectively refute that statement?

Mr. HANSEN. New York County district attorney, Frank Hogan, believes that wiretapping is his "single most valuable and effective weapon—particularly against organized crime." In the 10 years prior to 1958, Mr. Hogan's office made 733 legal wiretap installations which resulted in 465 arrests and 364 convictions. According to Tom Wicker of the New York Times:

> Most of these convictions were in the areas of organized crime and racketeering, and Hogan contended that the particular nature of these activities—highly organized, highly secret, highly efficient—made wiretap evidence the only effective weapon against them.

Mr. President, between 1961 and 1966 the Justice Department, with the assistance of the FBI and the Internal Revenue Service, and with a yearly expenditure of $20 million on the organized crime level, succeeded in identifying approximately 5,000 members of the Cosa Nostra. Yet, the Department was only able to obtain indictments on approximately 200 of these individuals, resulting in but 100 convictions. That gives them about a 2 percent batting average against the hard core in organized crime.

I think that a comparison of the relative success of Mr. Frank Hogan, the district attorney of New York County, and the Justice Department of the United States indicates the vital necessity of providing all of our law-enforcement agencies—both State and local—with the essential weapon in combatting crime—electronic surveillance devices.

Mr. JAVITS. Mr. President, will the Senator yield?

Mr. HANSEN. I yield.

Mr. JAVITS. I noticed with great interest that the Senator referred to Frank Hogan, the district attorney of my county, and to Governor Rockefeller of my State, in aid of the bill. As the Senator knows, I was attorney general of New York in the years of 1955 and 1956. As attorney general, I had the power the district attorney has to institute proceedings which could result in electronic surveillance, as it is euphemistically called.

I would say to the Senator that it is by no means an open-and-shut case. The Senator knows I am very proud of my record on civil rights and civil liberties. I think it would be most unfair to the Senator and his colleagues to proceed on the theory that it is unthinkable for us to engage in crime detection with some form of electronic surveillance. So I will say to the Senator that I will study his bill very carefully and do my utmost to see if there is some way my own experience can be helpful to him. If I think his bill is worthy, I may well ask to have my name added to it.

Mr. HRUSKA. The sponsorship of the Senator from New York would be most welcome. S. 2050 was introduced following the decision on June 12, 1967, by Justice Clark in the case of Berger against New York. There, several standards were set forth almost by way of guidelines. Those items have been scrupulously considered in the bill, as against the day when there may be final passage and later a court test, so we may adhere to them as nearly as possible.

Mr. JAVITS. It should be interesting to the Senator for me to observe that when I was attorney general I had a set of guidelines and an office directive that all my people should prepare applications to comply with the rules that were made as well as the rules which were incorporated in the statute.

I am grateful to the Senator for yielding.

Mr. PERCY. Mr. President, will the Senator yield?

Mr. HRUSKA. I yield to the Senator from Illinois.

Mr. PERCY. The Attorney General has said that organized crime is but a tiny part of the total crime picture. Is the Senator privy to information of the organized crime picture as being different?

Mr. HANSEN. Lest any doubt exist concerning the effectiveness of wiretapping, let me quote from the public record. From March 1962 until July 1965 the Boston office of the FBI maintained an electronic device in the office of the National Cigarette Service, a vending machine corporation, located at 168 Atwell Avenue in Providence, R.I., in order to obtain strategic intelligence concerning the activities of Raymond Patriarca, the head of the New England "family" of La Cosa Nostra. The information contained in the airtels or summaries of daily logs kept by Bureau agents, which were later printed in the Providence Journal is astounding. Prof. G. Robert Blakey, professor of criminal law and procedure at Notre Dame Law School a special prosecutor in the Organized Crime and Racketeering Section of the Department of Justice for 4 years, made a statement before the Subcommittee on Criminal Laws and Procedures concerning these airtels in which he said in part:

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That concludes, Mr. President, a very graphic and to me shocking description of but some of the activities of organized crime.

Mr. President, I ask unanimous consent that the complete statement of Prof. G. Robert Blakey before the Subcommittee on Criminal Laws and Procedures of the Committee on the Judiciary on June 11, 1967, be printed in the RECORD at this point; and also the following items:

A Washington Star editorial of July 16, 1967, entitled "Our Real Need: A Meaningful War on Crime."

An article from the New York Times of July 11, 1967, by Tom Wicker, "In the Nation: Is Wiretapping Worth It?"

An article from the New York Times of July 13, 1967, by Charles Grutzner on "Crime in Westchester: The Roots of Organized Crime Run Deep in Suburban Life and Stress."

A Life magazine editorial of April 21, 1967, entitled "Ways To Control Snooping."

An editorial from the Washington Star of July 12, 1967, entitled "The Phony War on Crime."

A Washington Star editorial of July 4, 1967, concerning statements made by William O. Bittman concerning wiretapping.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

STATEMENT OF PROF. G. ROBERT BLAKEY, TO THE SUBCOMMITTEE ON CRIMINAL LAWS AND PROCEDURES, OF THE COMMITTEE ON THE JUDICIARY, U.S. SENATE

Mr. Chairman, members of the Committee: My name is G. Robert Blakey. I am a professor of law at the Notre Dame Law School. My subjects include Criminal Law and Procedure and a special seminar on organized crime. My appearance here today is personal. My views are my own. They should not be attributed to any group or organization with which I am now or have been associated in the past.

I deeply appreciate this opportunity to appear before you and discuss the problems associated with the use and abuse of electronic surveillance. There can be no question that these problems are some of the most vexing that this Body has ever faced. Striking the proper balance between privacy and justice in a free society is always difficult. All too often controversies in this area tend to become arid debates between contending ideologies. Too often aspects of the problem are identified as the whole problem. Here, as elsewhere, we must view things in context. "For that which take singly and viewed by itself may appear to be wrong when considered with relation to other things may be," as Burke says, "perfectly right—or at least such as ought to be patiently endured as the means of preventing something that is worse." (Stanlis, *Edmund Burke: Selected Writings and Speeches* 318 (1963))

I have on other occasions taken up some of the problems associated with electronic surveillance. In the June issue of *Current History* (Blakey, "Organized Crime in the United States" 52 *Current History* 327 (1967)), I discussed the scope and challenge of organized crime in the United States today. As a special consultant to the President's Commission on Crime and the Administration of Justice, I prepared a detailed legal analysis of the evidence gathering process in organized crime investigations, which included a proposed statutory scheme for court controlled electronic surveillance. (Blakey, "Aspects of the Evidence Gathering Process in Organized Crime Cases" *Task Force Report: Organized Crime* 80, 91–113 (1967)) I do not want today to repeat what I said on those occasions. Instead, I would like to discuss two questions with you: the implications of the Supreme Court's recent decision in *Berger* v. *New York* No. 615, decided June 12, 1967 and the assertion made by some that electronic eavesdropping is "neither effective nor highly productive." (Statement attributed to the Honorable Ramsey Clark, Attorney General of the United States, *New York Times* May 19, 1967 p. 23, col. 1)

I

Berger v. *New York*, of course, reversed by a vote of 6 to 3 the conviction secured through a court ordered eavesdrop of a New York public relations man for conspiracy to bribe the chairman of the New York State Liquor Authority. Mr. Justice Clark delivered an opinion for the Court in which the Chief Justice and Justices Brennan, Fortas and Douglas joined. Justices Douglas and Stewart each concurred in the reversal for special reasons of their own. Dissents were filed by Justices Harlan, Black and White.

Broadly, the majority reversed because the New York statute which authorized the eavesdrop on its face failed to meet certain standards the Justices felt constitutionally mandatory; they did not undertake to examine the administration of the statute. Significantly, they indicated that a statute meeting those standards would pass constitutional muster. The dissenters, on the other hand, would have upheld the statute as administered without addressing the broad questions found by the majority to be presented by the face of the statute. In a very real sense, the majority and the minority did not disagree so much on the answers to be given but on the questions to be asked. Indeed, if a different case were presented to them tomorrow involving a new statute constructed on the blueprint laid down in the majority opinion and administered according to the criteria of the dissenters, I would fully expect to find the Court by a substantial majority upholding the statute and affirming the conviction if it were secured through the careful use of electronic surveillance techniques. In short, I read *Berger* as an invitation by the Court to the Congress to get down to the difficult business of drafting a fair, effective and comprehensive electronic surveillance statute. All that remains now is the question of legislative will.

II

Mr. Justice Clark began his opinion with a careful delineation of the issues which he felt faced the Court. He noted that Berger essentially challenged the New York statute on three grounds: 1) the statute on its face set up an unconstitutional system of trespassory intrusions into constitutionally protected areas, 2) it authorized searches for "mere evidence," and 3) electronic surveillance constituted a violation of the privilege against self incrimination.

Mr. Justice Clark immediately relegated to a footnote Berger's contention that the statute could not stand because of the evidence per se rule. This contention was, he said, settled adversely to Berger by the Court's recent decision in *Warden* v. *Hayden*, No. 480 decided May 29, 1967, which overturned the old rule. Justices Harlan and White explicitly agreed with the majority on this score. Only Mr. Justice Douglas lamented the passing of the rule. He would have employed it to strike down all electronic surveillance however authorized or limited. Until the Court's decision in *Berger*, the evidence per se rule represented an implacable foe. Its demise was a significant victory for those who advocate carefully controlled court order electronic surveillance.

Mr. Justice Clark next announced the holding of the majority: ". . . the language of New York's statute is too broad in its scope resulting in a trespassory intrusion in a constitutionally protected area and is, therefore, violative of the Fourth and Fourteenth Amendments." He then noted that this disposition obviated the necessity of a discussion of the other issues raised.

The recognition by a majority of the Court that the constitutionality of electronic surveillance was properly handled solely in terms of the search and seizure standards of the Fourth Amendment was of enormous importance. The American Civil Liberties Union of New York as amicus strenuously pressed on the Court First Amendment objections to the New York statute. They presented an extraordinarily able brief arguing that all electronic surveillance—court order or otherwise—had an unconstitutionally inhibiting effect on free speech. As I just noted, the Court found it unnecessary to discuss this point. I think we may therefore infer that the Court has rejected it on the level of a principle which would render a court order system per se unreasonable. Indeed, Mr. Justice Harlan in dissent explicitly makes the point that the First Amendment would only have a case by case impact in this area. This, too, is a significant victory for those who advocate carefully controlled court order electronic surveillance.

The majority's similar treatment of Berger's Fifth Amendment self incrimination claim carries with it an identical inference. We may safely conclude that there is no danger now of the Court expanding the traditional scope of the privilege against compulsory self-incrimination into an insuperable barrier to court order electronic surveillance. This conclusion is buttressed by the treatment the dissenters accorded this claim. Both Harlan and White dismissed the claim with cryptic cites to recent opinions of the Court such as *Hoffa* v. *United States*, 385 U.S. 293 (1967), which hold that a finding of compulsion is a necessary predicate to the application of the privilege. Again, we have a significant victory for the advocates of carefully controlled electronic surveillance.

III

Having thus announced the holding of the majority, Mr. Justice Clark moved to an analysis of the case. He first set out a short description of the facts of the case, which, I might add, constituted a truly frightening example of the danger governmental corruption poses in a society which today finds so many aspects of its business and private life regulated by government. Next he gave a short review of the legal and factual history of eavesdropping covering the ground from the old fashioned practice of listening outside windows to modern techniques of wiretapping and bugging. I only wish he had also traced the growth and development of organized crime and shown the threat it presents to so many sectors of our national life. Curiously, too, he attributed to California a court order bugging statute. Finally, he reviewed the history of the Court's own cases dealing with the constitutional principles involved in electronic surveillance.

Mr. Justice Clark's review for the majority of the history of the Court's own cases is especially important. Traditionally, the Court has drawn a distinction between wiretapping and bugging. Wiretapping has never been treated as a violation of the Fourth Amendment, since it does not involve an actual entry into a constitutionally protected area. Instead, the Court has treated it as a violation of Section 605 of the Federal Communications Act of 1934 (48 Stat. 1103). Bugging, on the other hand, has been rejected as a law enforcement technique only where it was accomplished through a physical invasion without warrant into a constitutionally protected area. Otherwise, it has been upheld. Many people fully expected the Court to overturn this distinction and hold unconstitutional the unconsented or unwarranted overhearing of conversations which took place within a constitutionally protected area or which were projected over constitutionally protected means. Surprisingly, the Court did not disturb its precedents. (Mr. Justice Douglas in his concurring opinion observes that *Olmstead* v. *United States*, 277 U.S. 438 (1928), which held on two grounds—no trespass and no tangible seizure—that wiretapping did not violate the Fourth Amendment, was overruled, but I think he is right in this only on the second ground, and that this result had been obtained anyway in other cases.) Instead, Mr. Justice Clark chose for the majority to handle the case within the rather narrow confines of the Court's old precedents. This means, of course, that wiretapping remains—at least for now—purely a policy question for Congress, and non-trespassory bugging poses—as yet—no constitutional questions. This result will probably not withstand the pressure of further appeals in the area—the Court has a non-trespassory bugging case on its docket for next term—but it does give the Congress and the states considerable room for legislative activity now. If a comprehensive scheme of regulation were now adopted, moreover, this might obviate the necessity for further Court action in this area on the constitutional level. In the long run, this course of action would be preferable, since legislative solutions are more amenable—at least in theory—to reform in light of experience.

IV

After noting that the standard was the same for federal and state authorities—and that the standard was the "reasonableness" of the search under the Fourth Amendment and the opinions of the Court applying that Amendment—Mr. Justice Clark subjected the face of the New York statute to a detailed analysis. First, he noted with approval that the statute employed the court order technique with its "neutral and detached magistrate." He then raised, but did not press, an objection going to the difference in terminology employed by the Fourth Amendment and the statute on the question of pre-search justification. The Fourth Amendment says "probable cause," while the statute said "reasonable ground." Mr. Justice Harlan rightly pointed out in dissent that the distinction was without difference. I suppose, on the other hand, that legislators would be prudent to employ the right terminology in the future. In any event, he then moved to what the majority found to be the central objection to the statute: its "blanket grant of permission to eavesdrop . . . without adequate judicial supervision or protective procedures."

Mr. Justice Clark first noted with disapproval that the statute was not limited to particular offenses and that the statute did not require a description of the type of conversations to be overheard. Absent this sort of particularization, the statute gave, he said, the officer executing the order "a roving commission." In contrast, Mr. Justice Clark held up for a model the procedures used to approve the tactical use of electronic surveillance techniques given approbation by the Court in *Osborn* v. *United States*, 385 U.S. 323 (1966). There, federal officers sought judicial authorization for the overhearing of bribery conversations which the agents had probable cause to believe were going to take place at a meeting in a lawyer's office on a particular afternoon. For Mr. Justice Clark, the face of the statute did not contemplate that sort of discriminating use of electronic surveillance techniques. Its authorization was blanket in all cases.

Mr. Justice Clark pointed out next that the face of the statute apparently automatically authorized a two-month period of continuous surveillance. This, he said, was the equivalent of authorizing a series of intrusions even though a single limited showing of probable cause might have been made. In contrast, *Osborn* had upheld a surveillance carefully tailored to intrude only to the extent required to meet the limited objective established as reasonable by the showing of probable cause. In *Osborn*, the constitutional standard of reasonableness was met, for "no greater invasion of privacy was permitted than was necessary under the circumstances." The *Osborn* authorization, too, envisioned a quick termination of surveillance once the officer's limited objective was achieved. In contrast, the New York statute apparently permitted the surveillance to continue for the statutory period even though the objective for which the order had been sought may have been realized. Extensions could also be obtained on the mere showing that it was in the "public interest." No new showing of probable cause was apparently required. The New York statute, in short, failed to draw a careful distinction between tactical and strategic surveillance and failed to require a showing proportionate to the two distinctly different uses of electronic surveillance. Permitting what amounted to strategic surveillance on a tactical showing was, Mr. Justice Clark observed, "a blanket grant." As Mr. Justice Stewart observed in his concurring opinion: "The standard of reasonableness embodied in the Fourth Amendment demands that the showing of justification match the degree of intrusion." Legislators contemplating new legislation in this area would do well, therefore, to draw a sharp distinction between the showings required and the authorizations granted depending on the contemplated use of the surveillance techniques. Provision, too, should be made for quick termination when the objective is reached and for close periodic supervision during an extended duration of surveillance.

Finally, Mr. Justice Clark recognized the distinct difference between the conventional warrant and the electronic surveillance warrant: the electronic surveillance warrant depends for its success on the absence of notice. Yet Mr. Justice Clark observed the New York statute required no showing of "special facts" or "exigent circumstances" to overcome the normal requirement of pre-search notice. Here, of course, Mr. Justice Clark was undoubtedly referring to the sort of analogous situation sustained by the Court in *Ker* v. *California*, 374 U.S. 23 (1963), a case in which he authored the majority opinion sustaining unannounced entry to arrest and search where there was reasonable fear that announcement might result in the destruction of evidence otherwise lawfully subject to seizure. Such a showing of "special facts" or "exigent circumstances" would unquestionably be met by a legislative requirement that judicial authorization for the use of electronic surveillance techniques be conditioned on a showing that "normal investigative procedures have been tried and have failed or reasonably appear to be unlikely to succeed if tried." This is the English standard now for the use of wiretapping on the Home Secretary's warrant. (Devlin, *The Criminal Prosecution in England* 65–69 (1958)). Mr. Justice Clark observed, too, that there was no requirement of post-search notice. No inventory or return was required to be filed. This requirement, of course, presents no legislative difficulty. Indeed, it is already a requirement on conventional warrants. (Cf. Fed. R. Crim. Proc. 41(d))

V

Having thus finished articulating the majority's blueprint for constitutional electronic surveillance, Mr. Justice Clark took up the question of need. First, he noted the opinion of the majority of knowledgeable law enforcement officials that the use of these techniques is indispensable. He then noted that this opinion is today not supported by empirical statistics. I only wish he had also explained why empirical statistics are needed. Much of our modern understanding of human psychology, for example, rests on clinical not empirical data. Yet the law has rightly not demanded empirical proof before it has updated its techniques in that area. Here, of course, informed law enforcement opinion is the comparable clinical data. Hopefully when new legislation is passed in this area, it will provide for the gathering of this data.

Mr. Justice Clark did, however, refer to some statistics collected in the early 1950's, which, according to him, seemed to show that wiretapping was not needed in organized crime cases. Curiously, he classified extortion as not involving organized crime, and seemed to feel that a quantified judgment, that is, a percentage judgment, could be made of the importance of the cases. The English Privy Councilors who studied wiretapping in England over a twenty year period—concluding that both the interests of privacy and justice could be well-served in a system of controlled electronic surveillance—answered Mr. Justice Clark's mistaken notion in these terms:

"We cannot think it to be wise or prudent or necessary to take away from the Police any weapon or to weaken any power they now possess in their fight against organized crime. * * * If it be said that the number of cases where methods of interceptions are used is small and that an objectionable method could therefore well be abolished, we feel that . . . this is not a reason why criminals in the particular class of crime should be encouraged by the knowledge that they have nothing to fear from methods of interception. * * * This, in our opinion, so far from strengthening the liberty of the ordinary citizen, might very well have the opposite effect."

(*Report of the Committee of Privy Councillors Appointed to Inquire* into the Interception of Communication (1957), reprinted in *Wiretapping, Eavesdropping and the Bill of Rights*, Hearings before the Subcommittee on Constitutional Rights of the Committee on the Judiciary, United States Senate, 85th Cong., 2nd Sess. Pt., 460–99 at 489 (1958)).

Mr. Justice Clark also referred to the recent confessions of the Department of Justice in certain bugging cases. He noted that the Department has stated that it presently no longer plans to use the techniques in organized crime cases. Interestingly, he did not note the Department's announcement that it would continue to use them in the future without judicial supervision of any type albeit in a more serious class of cases. Here I cannot help but speculate with Mr. Justice White how the federal government can constitutionally use these techniques in "security cases" on the national level but state governments cannot use these techniques even under judicial supervision in "security cases" on the local level.

Mr. Justice Clark, also Mr. Justice White in dissent rightly observes, "incredibly suggests" that there has been no breakdown of federal law enforcement in the area of organized crime. Here, of course, he simply ignores, as Mr. Justice White points out, the findings of the President's Crime Commission, which were brought to the Court's attention in the briefs of the parties. Nothing in the briefs or the record suggests that these findings are not in accord with the true situation. I cannot but feel with Mr. Justice White that on this score the Court is not dealing with the "facts of the real world."

"In any event," and this is important, Mr. Justice Clark for the majority found the question of need not determinative. For the majority, their blueprint for constitutional electronic surveillance was compelled by the interest of privacy independent of the interests of justice. Their standard was no mere "formality". Yet it was not, Mr. Justice Clark said, "inflexible, or obtusely unyielding to the legitimate needs of law enforcement." Instead, it was merely the "basic command of the Fourth Amendment."

Finally, Mr. Justice Clark indirectly referred to the opinions of the dissenters and the suggestions there made that no warrant or statute could be drawn to meet the majority's requirements. He then conceded if that were true the fruits of eavesdropping had to be banned under the Fourth Amendment. But he followed his concession quickly with the reminder that the Court had approved the careful use of electronic surveillance techniques in the past and suggested that the majority was not willing to make the "precincts of the home or office . . . sanctuaries where the law can never reach." The Court, he said, only wanted the use of these techniques to meet "a constitutional standard." The New York statute for them did not meet that standard. Had it been drafted differently, it would have been sustained. Because it was not, it had to be struck down. But he left the clear impression that if the statute were redrafted along the lines suggested by the majority it would be upheld.

VI

The Court has thus given this Body the blueprint for a constitutional system of authorized electronic surveillance. Only the question of legislative will remains. One obstacle to that will is the strange position of the present Attorney General. As I noted at the beginning of this statement, it is apparently the position of Mr. Clark and others that electronic eavesdropping is "neither effective nor highly productive." Testifying before Subcommittee No. 5 of the House Judiciary Committee, he suggested that this opinion was based on an examination of the logs kept by the Federal Bureau of Investigation in selected organized crime cases in which under previous Departmental direction the Bureau had employed electronic surveillance techniques. These logs have neither been made public nor made available to this Body. At present we have only Mr. Clark's word.

What I have just suggested, of course, remains generally true. Summaries of some of these logs, however, have become public during the course of litigation in which the Department is now engaged. Attached as an appendix to this statement is a story which appeared in the *Providence Journal* of Providence, Rhode Island, on May 20, 1967. That article reprints verbatim nine "airtels" of the Federal Bureau of Investigation summarizing for the Washington office of the Bureau information electronically obtained by the Boston office of the Bureau.

To the uninformed reader these airtels seem relatively meaningless. To make them pregnant with significance, it takes only a little familiarity with the nature of organized crime. (See generally the *Task Force Report; Organized Crime* (1967) and *Organized Crime and Illicit Traffic in Narcotics*, S. Rep. No. 72, 89th Cong., 1st Sess. (1965) (hereinafter cited *Rep.*) along with the relevant supporting hearings (hereinafter cited *H.*)) When you have this familiarity, the impact of these few airtels is staggering.

What I would like to do now is to outline in general terms what these airtels mean and to place them in a context from which the indispensable character of electronic surveillance techniques to any serious attack on organized crime will emerge.

VII

These airtels were disclosed during a post-trial hearing in a tax case involving Louis "The Fox" Taglianetti, a member of La Cosa Nostra. (*Rep.* 44) His criminal activities include gambling, robbery and burglary. (H. 551) The airtels are summaries of daily logs kept by Bureau agents of conversation picked up on an electronic device used for the purpose of obtaining strategic intelligence placed by the Bureau in the office of the National Cigarette Service, a vending machine corporation, located at 168 Atwells Ave., in Providence, Rhode Island. The device was placed there to obtain accurate coverage of the activities of Raymond Patriarca, the head of the New England "family" of La Cosa Nostra and a member of its national ruling board, the "Commission." (H. 567). Patriarca's criminal record includes convictions—during his younger years before he obtained the immunity which goes with success in organized crime—for such crimes as armed robbery, arson and the White Slave Act. The decision to place Patriarca under surveillance, in short, was not without justification. His associates—as the airtels show—include nearly every hood in the country who has graduated from the drugstore cowboy stage, and his criminal activities—again confirmed by the airtels—run the full gamut.

The device was in operation from March 1962 to July 1965. The ten airtels made public are the airtels from this period in which Taglianetti was mentioned. The other airtels were kept confidential by the District Court. What is contained in them can only be inferred from those made public.

VIII

What then in broad outline does a careful analysis of these ten airtels establish—out of the mouths of the men themselves—in a context in which there was no reason to lie?

1. That there is an organization called La Cosa Nostra (10–20–64 ¶5; 10–22–64 ¶7);
2. That it is headed by a body called "the Commission" (10–20–64 ¶4; 10–27–64 ¶¶3, 7 & 9);
3. That it is broken up into groups called "families" (9–13–63 ¶¶4 & 10; 10–27–64 ¶6);
4. That families are headed by "bosses" (9–13–63 ¶10; 10–27–64 ¶3);
5. That families are staffed by "underbosses" (9–13–63 ¶10);
6. That families are staffed by "caporegine", i.e., lieutenants (1–25–65 ¶25);
7. That families are composed of members called "soldiers" (10–27–64 ¶9);
8. That the Commission can rule families in the absence of a boss (9–13–63 ¶10);
9. That the Commission makes the boss (9–13–63 ¶10; 10–27–64 ¶¶3 & 7);
10. That the Commission must approve new members (9–13–63 ¶¶4 & 7);
11. That the Commission settles disputes (10–27–64 ¶¶3 & 7);
12. That the Commission holds hearings (10–27–64 ¶7);
13. That the Commission acts by voting (10–27–64 ¶7);
14. That the boss of a family engages in the following activities:
    A. he intercedes for members in other groups (10–27–64 ¶6);
    B. he orders members to live up to personal obligations (10–27–64 ¶11);
    C. he orders members to live up to illegal business obligations (3–7–63 ¶4);
    D. he grants or withholds permission to operate illegal businesses (1–26–65 ¶22);
    E. he settles the division of the profits of illegal businesses (1–26–65 ¶23);
    F. he declares when necessary "martial law" (1–26–65 ¶41);
    G. he is kept informed of the illegal activities of his associates (3–14–63 ¶5 (Kidnapping); 10–20–64 ¶1 (murder));
    H. he arranges bail (4–16–63 ¶¶ 2 & 3);
    I. he arranges to hold illegal business during incarceration (10–31–63 ¶ 8);
    J. He can delay a death order for convenience of others (10–20–64 ¶ 7);
    K. He worries about his image with upcoming members (10–31–63 ¶ 2);
    L. he has contacts with the legitimate world which permit his influence in:
        a. affecting the decisions of state attorneys general (1–26–65 ¶ 2);
        b. affecting the decision of high ranking state police officials (10–31–63 ¶ 10);
        c. affecting the granting of legitimate licenses (1–26–65 ¶ 12);
        d. affecting parole decisions (4–16–63 ¶ 5);
        e. affecting probation decisions (1–28–65 ¶ 5);
        f. affecting sentences (10–31–63 ¶ 2);
15. That the boss insulates himself from possible criminal investigation:
    A. Shows concern for scientific investigation (4–16–65 ¶ 6);
    B. uses public phones (10–31–63 ¶ 1) under special arrangements (1–26–65 ¶ 14);
    C. appointments are required to see him (1–26–65 ¶ 14);
16. That members are referred to as "a friend of ours" (1–26–65 ¶ 30);
17. That members are brought into the organization by a ritual (9–13–63 ¶ 4);
18. That members transfer from family to family (9–13–63 ¶ 2; 10–20–64 ¶ 28);
19. That members are ordered to kill (10–27–64 ¶10);
20. That some families have in excess of 150 members (10–20–64 ¶24);
21. That a family of 120 is "small" (10–20–64 ¶25);
22. That the organization is nation-wide:
    A. Providence, Rhode Island;
    B. Chicago, Illinois (9–13–63 ¶7);
    C. New York, New York (9–13–63 ¶10);
    D. Baltimore, Maryland (10–31–63 ¶8);
    E. Washington, D.C. (10–31–63 ¶8);
    F. New Jersey (10–20–64 ¶11);
    G. Boston, Massachusetts (1–26–65 ¶5);
    H. Miami, Florida (1–26–65 ¶17);
    I. Philadelphia, Pennsylvania (1–26–65 ¶19);
23. That the organization is international;
    A. Canada (10–20–64 ¶ 24):
24. That members are involved in the following illegal activities:
    A. murder (10–20–64 ¶1; 1–28–65 ¶¶5, 6, 7, & 9; 10–27–64 ¶ 10; 1–26–65 ¶¶ 38–41):
    B. kidnapping (3–14–63 ¶5);
    C. extortion (1–26–65 ¶30–37);
    D. fraud (10–20–64 ¶3);
    E. bribery (1–28–65 ¶2; 10–27–64 ¶10);
    F. perjury (1–26–65 ¶10);
    G. loan sharking (10–20–64 ¶27; 1–28–65 ¶7; 1–26–65 ¶3);
    H. gambling (4–16–63 ¶4; 10–31–63 ¶8; 1–26–65 ¶5; 1–26–65 ¶¶20–23); and
25. That members are involved in the following legal activities:
    A. gambling (9–13–63 ¶2);
    B. labor unions (1–28–65 ¶12; 2–12–65 ¶¶2–3);
    C. race tracks (10–20–64 ¶7; 10–27–64 ¶¶12–13; 1–26–65 ¶3);
    D. vending machine (10–20–64 ¶3; 1–26–65 ¶¶18–19); and
    E. liquor (3–7–66 ¶2).

Among those with whom Patriarca had direct or indirect dealing are the following:

1. *Jerry Angiulo*—underboss in the Patriarca family (H. 568)
2. *John Biele*—a caporegima in the Vito Genovese family in New York City (H. 248)
3. *Joseph Bonanno*—head of a family in New York City (Rep. 30)
4. *Anthony Corallo*—a caporegima in the Thomas Lucchese family in New York City (Rep. 24)
5. *Eddie Coco*—a caporegima in the Thomas Lucchese family in New York City (H. 274)
6. *Thomas Eboli*—acting boss in the Vito Genovese family in New York City (Rep. 20)
7. *Patsy Erra*—"enforcer" for Mike Coppola, a caporegima in the Vito Genovese family in New York City (H. 248)
8. *Carlo Gambino*—head of family in New York City (Rep. 26) successor to Albert Anastasia
9. *Vito Genovese*—head of family in New York City (Rep. 20) successor to Frank Costello and Charles Luciano.
10. *Thomas Lucchese*—head of family New York City (Rep. 24)
11. *Salvatore Mussachio*—underboss in the Joseph Profaci family, New York City (Rep. 28)
12. *Sam Rizzo*—caporegima in Steve Magaddino family, Buffalo, New York (H. 580)
13. *Henry Tamelo*—"messenger" in the Patriarca family (H. 568)

IX

From August 1960 until June 1964, I was a special prosecutor in the Organized Crime and Racketeering Section of the Department of Justice. Nothing in the routine reports that I read from any federal agency contained data of this quantity or quality. Apparently, the Federal Bureau of Investigation was not then making electronically obtained data directly available to Departmental attorneys. I read, of course, general intelligence reports, but these seldom were on the concrete level of these airtels, and they could not be used for prosecution or investigation purposes. The investigation reports I read were the product of the use of normal investigative methods. There is just simply no comparison in the two kinds of reports. In light of this, I find it nothing short of incredible that Mr. Clark and others would seriously suggest that the use of electronic surveillance techniques is "neither effective nor highly productive."

X

Mr. Clark also suggested that organized crime, though important, is a "tiny part" of the entire crime picture. I would also like to register my disagreement with this suggestion.

Mr. Justice Brandeis in his classic dissent in *Olmstead* v. *United States* 277 U.S. 438, 485 (1928) rightly remarked: "Our government is the potent, the omnipresent teacher. For good or for ill, it teaches the whole people by its example." Mr. Justice Brandeis then spoke in the context of lawless law enforcement. There is, however, another way in which government teaches by example. Its failures, too, do not go unnoticed especially among the young, who watch what we do but seldom listen to what we say. Unlike other successful criminals who operate outside of an organization who require anonymity for success, the top men in organized crime—like Raymond Patriarca—are well known both to law enforcement agencies and to the public. Like Patriarca, in the earlier stages of their careers, they may have been touched by the law, but once they attain a top position in the rackets they acquire a high degree of immunity from legal accountability. The statement of a leading worker with gang boys long ago pointed out the effect of this process:

"When a noted criminal is caught, the fact is the principal topic of conversation among my boys. They and others lay wagers as to how long it will be before the criminal is free again, how long it will be before his pull gets him away from the law. The youngsters soon learn who are the politicians who can be depended upon to get offenders out of trouble, who are the dive-keepers who are protected. The increasing contempt for law is due to the corrupt alliance between crime and politics, protected vice, pull in the administration of justice, unemployment, and a general soreness against the world produced by these conditions."

(Quoted in Thrasher, *The Gang* 455 (1927))

As part of organized crime, an ambitious young man knows that he can rise from body guard to a power in the community. Roy French, the horse trainer who got word to Patriarca to help him get a license as a horsetrainer at the Rhode Island tracks knows something about our society today that Mr. Clark does not (1–26–65 ¶¶ 12–13). The man who contacted Patriarca about his labor troubles at his construction sites in Maine, Connecticut and Rhode Island knows something about our society today that Mr. Clark does not (1–28–65 ¶ 12). Nick, the young man who got Patriarca to get him membership in La Cosa Nostra knows something about our society today that Mr. Clark does not (9–13–63 ¶¶ 4–7).

No civilized society can long permit the operation within it of an underworld organization as powerful and as immune from accountability as La Cosa Nostra. The success story of this group is symbolic of the breakdown of law and order increasingly characteristic of many sectors of our society. To hold the allegiance of the law-abiding, society must show each man that no man is above the law. The President's Commission on Law Enforcement and the Administration of Justice summed it up in these terms:

"In many ways organized crime is the most sinister kind of crime in America. The men who control it have become rich and powerful by encouraging the needy to gamble, by luring the troubled to destroy themselves with drugs, by extorting the profits of honest and hardworking businessmen, by collecting usury from those in financial plight, by maiming or murdering those who oppose them, by bribing those who are sworn to destroy them. Organized crime is not merely a few preying upon a few. In a very real sense it is dedicated to subverting not only American institutions, but the very decency and integrity that are the most cherished attributes of a free society. As the leaders of Cosa Nostra and their racketeering allies pursue their conspiracy unmolested in open and continual defiance of the law, they preach a sermon that all too many Americans heed: the government is for sale; lawlessness is the road to wealth; honesty is a pitfall and morality a trap for suckers."

(*The Challenge of Crime in a Free Society:* A Report by the President's Commission on Law Enforcement and the Administration of Justice 209 (1967))

This is what I wish Mr. Clark understood.

XI

The Supreme Court has now handed down the blueprint for constitutional electronic surveillance. The President's Crime Commission has called for legislative action. If there is any doubt in this Body's mind of need for this legislation, I suggest that the doubt be resolved by this Body calling for the other airtels in the possession of the Department of Justice. It is a fair inference if Patriarca was under surveillance that the other members of the Commission—9 to 12 in number (H.)—were as well. The Department has found it in the public interest to disclose various airtels to District Courts to insure that fair trials have been given to the worse sort of hoodlums. I suggest it would be equally in the public interest to disclose all of these airtels to this Body. Examine them for yourself. Make your own judgment on the clear and present character of the threat to free institutions in our society posed by organized crime. See for yourself if electronic surveillance techniques are the indispensable tools knowledgeable law enforcement officials say they are. When this is done I have no question that the problem of legislative will have been overcome.

Thank you.

[From the Washington Sunday Star, July 16, 1967]

Our Real Need—A Meaningful War on Crime

The misguided effort by Attorney General Ramsey Clark, with the support of the President, to discredit and outlaw the use of wiretaps and electronic devices as law-enforcement weapons is collapsing under the weight of its own absurdity.

The attorney general has painted himself into a corner. For he contends on the one hand that electronic devices, and the same necessarily goes for wiretaps, are neither necessary for the public safety nor effective investigative techniques. On the other hand he argues that these techniques should be used only in the national security field, "where there is a direct threat to the welfare of the country."

This leaves him in an impossible position. For, in effect, he is saying one of two things, neither of which makes sense. One is that these techniques, for some inexplicable reason, are necessary and effective in the investigation of national security cases, but are useless in dealing with other serious criminal activities. Or, if he is not saying this, then he must be contending that organized crime, for example, is not "a direct threat to the welfare of the country." We doubt that he would seriously try to defend either position, and we suspect his problem is that he has permitted his judgment to be overwhelmed by an emotional bias against wiretaps and bugs.

Fortunately, this irrational attitude by the leaders of the administration's "war on crime" is meeting with strong opposition.

In the House, an administration proposal which would have the effect of repealing all state laws authorizing court-approved electronic surveillance by law-enforcement agencies appears to have no chance of passage. This is good. Even better, is the emergence of a "Republican Task Force on Crime" which is pushing hard for a bill of its own that would prohibit wiretapping and electronic bugging "except by court-authorized federal, state and local law enforcement officers engaged in the investigation and prevention of organized crime and certain other specified crimes."

This group, headed by Virginia's Representative Poff, says that its bill, backed by the Republican leadership and some 20 other Republicans, "represents a realistic balancing of the protection of individual privacy with the needs of law enforcement to combat organized crime." We think the bill, introduced by Ohio's Representative McCulloch, would do precisely that. We also agree with this comment by Representative Poff: "A free society must have powers to identify, arrest, search, indict, prosecute and punish the criminal. When these powers are properly and wisely exercised, they serve in themselves to maintain and to protect the freedoms we cherish."

We realize, of course, that the Republicans in the House are short on votes. But we hope and believe that the McCulloch bill, or something akin to it, will attract the necessary Democratic support.

Things are also stirring over on the Senate side.

Senator McClellan, Democrat of Arkansas, opened hearings last week on a bill of his own which would permit court-authorized wiretaps, and also on a measure sponsored by Republican Senator Hruska of Nebraska which would deal in similar fashion with electronic listening devices.

Not surprisingly, the principal witness was Frank S. Hogan, district attorney in New York County.

Hogan was conducting his own war on crime (with remarkable success) when Ramsey Clark was wearing short pants and when Lyndon Johnson, as a new congressman from Texas, was still trying to find his way around the Capitol.

If there is any man in this country who knows what is required to conduct a meaningful "war on crime," especially organized crime, it is Hogan. The long, documented statement which he submitted to the McClellan subcommittee made mincemeat out of Clark's arguments concerning wiretaps and listening devices. It would be a great thing if the attorney general and the President would take time to read the statement. It might be an experience which would serve to pry open closed minds. Assuming, however, that the statement will not be widely read, here is its central theme: "I have served in the office of the district attorney of New York County for 32 years. On the basis of that experience, I believe, as repeatedly I have stated, that telephonic interception, pursuant to court order and under proper safeguards, is the single most valuable and effective weapon in the arsenal of law enforcement, particularly in the battle against organized crime."

Organized crime in all of its manifestations is a sinister and rising threat to the welfare of this country. Quite possibly the threat which it poses is graver and more imminent than any threat in the national security area. For organized crime tends to destroy the whole fabric of our society.

Let's take one case discussed by Hogan—a case involving the narcotics racket. It is pertinent because it has a special relevance to the President's war on crime.

In 1960 Hogan's office broke a case involving a possession and sale of heroin worth half a million dollars. It was wiretaps, and wiretaps alone, which made this possible. Without this weapon it would have been impossible to reach the people at the top. In this instance, only one of the eight men arrested went to jail. He was caught with the heroin in his possession. The indictments against the seven others had to be dropped because the wiretap evidence which would have convicted them could not be used under a Supreme Court decision.

This was bad enough. But what about the miserable wretches, the people often condemned to a slow death, who are hooked on narcotics by the men at the higher echelons who operate too often with impunity? It is these people, the addicts, who commit a great many of this country's crimes of violence. To satisfy their desperate craving for drugs, they rob, yoke, steal and burglarize. These addicts can be caught—and the President advocates spending large sums of money to improve police methods of catching them. But how much better it would be, how much more sense it would make, if Messrs. Johnson and Clark would throw their support behind the weapons, wiretaps for one, that are needed to take out of circulation, not the victims of the dope racket, but the vultures who operate it!

Hogan wound up his testimony by saying that he thinks it is possible to draft legislation to deal with organized crime, legislation authorizing controlled wiretaps and bugging, which would survive a challenge in the Supreme Court. This may be wishful thinking. But as long as there is any chance, Congress most certainly should make the effort. And the time to make it is now—not after the untouchable criminals have made life intolerable in these United States.

[From the New York Times, July 11, 1967]

In the Nation: Is Wiretrapping Worth It?

(By Tom Wicker)

WASHINGTON, July 10.—Attorney General Ramsey Clark, by administrative action, has forbidden all wiretrapping and virtually all bugging by Federal agents, except in national security cases. Clark does not believe these are effective tools of law enforcement, but some who do are scheduled to make their case in hearings before Senator McClellan's subcommittee this week.

Clark and President Johnson have proposed legislation that would outlaw all wiretapping and bugging by anybody except Federal agents in national security cases. Another bill, drafted by G. R. Blakey of the Notre Dame Law School and tomorrow's first witness, would set up procedures for authorized eavesdropping by Federal and state agents as a weapon against serious crime.

CURBS IN PROSPECT

No one seriously defends wiretapping or bugging by private parties or by unauthorized policemen, and it is likely that these practices, the divulging of anything learned by them, and the manufacture and distribution of the equipment that makes them possible, will be entirely prohibited.

The real question is the extent to which the police and Federal agents should be authorized to use either practice in criminal law enforcement. An answer requires a determination whether these practices are good law-enforcement tools, and whether they can be administered without abuse.

THE MOST VALUABLE WEAPON

District Attorney Frank Hogan of New York is convinced that they are and they can. He told the New York State Constitutional Convention on June 7 that wiretrapping was his "single most valuable and effective weapon . . . particularly against organized crime." He denied, however, wholesale use of this weapon.

In New York County in 1966, Hogan said, about 65,000 criminal matters had arisen, but only 73 wiretap orders were obtained (and 36 renewals of such orders). As for effectiveness, he said that in the ten years before the Supreme Court ruled in 1958 that wiretap evidence was inadmissible, his office had legally made 733 wiretap installations, caused 465 arrests on the evidence obtained, and secured 364 convictions.

Most of these convictions were in the areas of organized crime and racketeering, and Hogan contended that the peculiar nature of these activities—highly organized, highly secret, highly efficient—made wiretap evidence the only effective weapon against them.

He also made the telling point that not even Ramsey Clark wants to outlaw wiretapping in national security cases; this, Hogan contended, was "tantamount to a concession that wire interception and eavesdropping are essential weapons of detection against elaborate, organized criminal conspiracies."

Hogan also said investigating committees had found no abuses of eavesdropping practices by his office and that the rights of individuals had never been invaded or abused.

SOME ABUSES

Yet, only a week after this testimony the Supreme Court found that what he had called New York's "model" eavesdropping law authorized "general" rather than specific search warrants, did not require the police to specify the crime being investigated, and did not require the "bug" to be removed once the evidence sought had been found.

The Court made it doubtful that bugging could ever square with its interpretation of the Fourth Amendment, which limits police searches; it apparently required, for instance, that the criminal to be bugged would have to be notified of the auditory "search" of his premises.

UNLAWFUL BUGGING

As for wiretapping, whatever Hogan's experience, Federal agents have been accused of tapping and bugging without authorization, cases have been thrown out of court because of it, and not long ago J. Edgar Hoover and former Attorney General Robert Kennedy disputed publicly as to whether Hoover's G-men had eavesdropped without even Kennedy's knowledge.

Frank Hogan and others may be right that effective law enforcement needs authorized eavesdropping, Ramsey Clark to the contrary. But they have yet to show, in the McClellan hearings or elsewhere, that any set of controls can guarantee that eavesdropping will not be abused by zealous or careless law agencies; and that this practice is so essential to the public safety that the risk has to be taken anyway.

[From the New York Times, July 13, 1967]

Crime in Westchester—The Roots of Organized Racketeering Run Deep in Suburban Life and Stress

(By Charles Grutzner)

To New Yorkers accustomed to thinking of the suburbs in terms of tranquil, green-carpeted homes occupied by executives and their well-groomed wives and advantaged children, recent disclosures of deep underworld penetration in Westchester County come as an image-wrenching surprise. How could organized crime gain such a foothold in an area supposed to be free of the ills of the cities? the fact is that many of these ills—blight, congestion, poverty, ghettoization and corruption—have moved to the suburbs on the crest of the vast waves of migrants who fled the cities in the last two decades.

Organized crime has moved with them. The transplanted horse player looked for a new bookie; the newly arrived numbers player sought out the nearest store to drop his bet. Bookies, numbers operators, narcotics peddlers and loansharks all flourished in the service of their new clients, and as the illegal take and the suburbs both swelled, big-time racketeers began moving into the areas outside the city and its highly organized law enforcement system.

Once the gamblers, narcotics sellers and loansharks gain a place in a community, the course of organized crime is set: It moves to take over, wholly or in partnership by investment, muscle or overt terror, whatever illegitimate business it can reach. Then it reaches for legitimate business.

AN INDUSTRY TAKEOVER

This was illustrated when Federal investigators disclosed recently that 90 per cent of the private garbage and trade waste disposal in Westchester was in the grip of members of the powerful Genovese and Gambino families of the Mafia.

The capture of the waste carting industry in Westchester by Mafia forces was no overnight phenomenon. It was a process that had gone on for 15 years and was accompanied by such acts of terrorism as the burning of trucks and the dumping of varnish into the gas tanks of trucks owned by those who resisted. Today, there are only about a half-dozen truly independent cartage companies left in Westchester.

To a lesser degree than in the waste disposal industry, Mafia gangsters have muscled their way into established bars, restaurants and nightclubs and drained off their profits.

There is nothing unusual in the way that organized crime has taken root in Westchester. The same kind of operations has been, and, in some cases, still is carried on in Nassau and Suffolk Counties, in Northern New Jersey, and in a few of the urbanized areas of Connecticut—directed in many cases by the same Mafia families who are involved in Westchester crime.

AN IMPORTANT OUTCRY

In some suburbs, however, the racket operations are neither as open nor as blatant as in parts of Westchester, largely because local law enforcement has been more vigorous and effective in some communities than in others.

Attention was first focused in Westchester principally because an important outcry against criminal influence in the suburbs was made in the Westchester city of Mount Vernon.

The outcry took the form of a dramatic gesture by Prof. Bert E. Swanson, a Sarah Lawrence College political sociologist, who had been meeting every two weeks for more than two years with residents interested in finding remedies for some of the county's community problems. On June 19 Professor Swanson, called off further meetings and charged that projects for betterment of that city had been torpedoed by the forces of organized crime.

Asked about Professor Swanson's charges, United States Attorney Robert K. Morgenthau, whose area of responsibility for investigating and prosecuting violations of Federal law includes Westchester, said that the county was "one of the major problem areas" for effective law enforcement. He also declared that conditions in Westchester were symptomatic of the way in which the underworld had established itself in force in suburban areas.

REACTIONS ARE MIXED

At the same time, the Department of Justice let it be known that it was investigating organized crime in the suburbs of metropolitan areas across the nation and had been doing so for some time.

In Westchester, there were mixed reactions to the disclosures of organized crime. Some local officials, who had been complacent about the open gambling, were critical of Professor Swanson, Mr. Morgenthau and the press for their public disclosures. A chain of Westchester newspapers and a New Rochelle radio station launched attacks upon the sources of information.

Said Edwin G. Michaelian, the County Executive:

"I think we have a clean county. If there is any evidence of organized crime Mr. Morgenthau should present it to the proper law enforcement officials."

Westchester District Attorney Leonard Rubenfeld conceded that bookmaking and policy gambling were problems in the county, "but no more so than anywhere else."

A short time later, however, Mr. Rubenfeld's investigators arrested an officer of a Mamaroneck and New Rochelle garbage collection company on charges of threatening and intimidating a competitor. They also seized five men on charges of running a million-dollar-a-year gambling operation out of a Mount Vernon gasoline station.

Mr. Rubenfeld said the garbage company official was a member of a family with high underworld connections and described the men arrested in the gambling raid as having strong Mafia ties.

BABY-CARRIAGE SLEUTHING

Although some community leaders resented the disclosures of crime in Westchester, two ministers—one in Mount Vernon and another in New Rochelle applauded the publicity. Members of their flocks—including housewives who said they had snapped photographs of gambling transactions with cameras hidden under the bonnets of their baby carriages—provided Mr. Morgenthau with evidence of crime in their area.

The hostility by some toward the disclosures of criminal influence and the apathy by many more provide a significant clue to the success of the underworld in the suburbs.

Many public officials prefer to close their eyes to any disturbing problem that might "rock the boat" of suburban life. And many suburbanites prefer to ignore such problems as long as they do not intrude on their own comfortable neighborhoods.

"They don't care how much gambling goes on around Mount Vernon's Third Street as long as their own street is kept free of muggers, drunks and housebreakers," said one churchman.

APATHY IS SCORED

A similar view was expressed strongly by Jacob J. Grumet, a member of the State Investigation Commission. The commission, after a long investigation of local law enforcement in Westchester, reported in 1964 that gambling was wide open and that there was laxity and police corruption in many of the 39 separate police forces in the county.

Publication of the commission's report forced the ouster of some policemen and led to the defeat of a few administrations in local elections. But some of the suspected police officers have since been promoted, some repudiated politicians have since been returned to office, gambling is as wide open as before and inroads have been made in other areas of criminal activity.

"If the public keeps electing the same kind of corrupt officials it can't expect good law enforcement," Mr. Grumet declared.

The principal recommendation of the commission's 1964 report was for the creation of a county police department. Nothing came of it. Westchester still has 39 separate police forces, most free of corruption and some alert to the menace of organized racketeering.

[From Life magazine, Apr. 21, 1967]

WAYS TO CONTROL SNOOPING

The President's Crime Commission, eying the gray, unmarked terrain of legislation regulating the use of eavesdropping devices, was outraged. "The status of the law with respect to wiretapping and bugging," said the commission's report, "is intolerable. It serves the interests neither of privacy nor of law enforcement. One way or the other, the present controversy must be resolved."

Indeed it must. We have edged into the electronic age without firm guidelines on snooping—either in regard to wiretapping, which involves overhearing telephone calls, or bugging, the use of planted listening devices. Except for an ambiguous law passed 33 years ago, when gimmicks common today were still in the back of some prodigy's mind, Congress has enacted no legislation in the field. Except for a few rulings on tangential questions skirting the central issue of whether, or when, eavesdropping is permissible, the Supreme Court hasn't been much help. The result is a moral and legal vacuum, within which the partisans of stiff law enforcement and those who fear our liberties are being ignored snipe away at each other.

Most of the nation's lawmen believe eavesdropping techniques are vital tools in their constant combat against organized crime. "If wiretapping is lost," says Eliot Lumbart, Governor Nelson Rockefeller's special assistant counsel for law enforcement, "we will lose the most important and effective source of information—that we wouldn't get otherwise—in the most difficult kinds of cases. Without that source, we practically give an immunity bath to the really sophisticated operators." New York District Attorney Frank Hogan, who has been more successful than most in nailing big-time hoods, has called electronic surveillance "the single most valuable weapon" against organized crime.

But if lawmen have the power to tap wires and bug rooms of people they believe guilty, what is to prevent them from overhearing the private words of the innocent? Who has the right to overhear, and for what purpose? And if such eavesdropping is permitted, how should it be limited or controlled? "We act differently if we believe we are being observed," Vice President Humphrey has written. "If we can never be sure whether or not we are being watched and listened to, all our actions will be altered and our very character will change." Associate Justice William Brennan has limned another threat: "Electronic aids add a wholly new dimension to eavesdropping. They make it more penetrating, more indiscriminate, more truly obnoxious to a free society. Electronic surveillance, in fact, makes the police omniscient; and police omniscience is one of the most effective tools of tyranny."

A majority of the Crime Commission members favored a law granting "carefully circumscribed" surveillance authority to law officers. President Johnson is backing a bill making all surveillance illegal except cases involving national security or where one party to a conversation consents to the intrusion. The Supreme Court is also due to weigh in soon with a decision on a New York statute permitting eavesdropping by court order.

Professor Alan Westin of Columbia University, a widely recognized expert on the subject, has another plan. It permits specified state and federal authorities to use surveillance techniques in narrowly limited circumstances. At the same time Westin's proposal would make it a crime for any private individual or organization, from a detective working on a divorce case to a corporation spying on its competitors, to use snooping devices.

Westin would give the authority to eavesdrop only to prosecutors, attorneys general and a limited number of federal agencies, including the FBI. Before a court could grant such authority, specific cause to believe that snooping would provide evidence of a major crime—either a crime already committed or one being planned—would have to be presented. Federal authorities could tap or bug only in cases of kidnaping, specified crimes involving national security and "when directly necessary to prevent the taking of a life by criminal violence"—leaving determination to the courts. Evidence obtained by snooping on privileged conversations, such as husband-wife or lawyer-client, would be inadmissible. And violation of any of the restrictions could be punished by a prison term of one to three years.

Westin's proposal is a solid and carefully thought-out approach. It may be a little tough on lawmen; the list of crimes, for example, might be expanded to include other felonies, particularly those involving organized crime. And some provision might be made to permit listening in on the tribunals of organized crime where there is cause to believe major crimes are being discussed or planned.

Stringent insistence on prior court approval is necessary, however, and Westin offers the basis for controls which would prevent wanton assaults on privacy without (hopefully) hamstringing lawmen.

[From the Washington Evening Star, July 12, 1967]

PHONY WAR ON CRIME

There comes a time when a spade should be called a spade, and there also comes a times when a phony war should be called a phony war. That time has been reached in Lyndon Johnson's much-touted and loudly-heralded "war on crime."

The sweeping—and they are sweeping—regulations just put out by Attorney General Ramsey Clark restricting the use of wiretaps and electronic listening devices are the last straw. The attorney general surely would not have sounded this call for retreat without the approval of the President. So one is driven to the conclusion that the war on crime is a phony war, and that all of the President's high-flown speeches, not to mention the attorney general's rhetorical contributions, have been nothing more than wordy exercises designed to conceal the fact that this administration's heart is not in its so-called war.

The attorney general's new regulations go well beyond the restrictions on wiretaps and bugging imposed two years ago by the President. They forbid law-enforcement practices which the Supreme Court has not yet outlawed. A suspicious soul might think that they are an invitation to the court to go farther than it has up to this time—and this may not be lost upon the "liberal" judicial majority.

Ramsey Clark obviously has a thing about wiretaps and bugging. He thinks they are a waste of manpower. He has testified that they are "abhorrent" devices. He says that all of his experience shows that electronic surveillance (he has had very little experience in criminal law enforcement) is not necessary for the public safety, is not a desirable or effective investigative technique, and that these abhorrent devices should be used only in the national security field. He has never explained why wiretaps and bugs are essential in national security cases but useless against organized crime. Of course he cannot come up with any rational explanation.

Let's turn to another witness. Frank S. Hogan, New York County district attorney, has been in the front line of the war on crime for 27 years. He told the President's Crime Commission: Electronic surveillance is the single most valuable weapon in law enforcement's fight against organized crime. . . . It has permitted us to undertake major investigations of organized crime. Without it, and I confine myself to top figures in the underworld, my own office could not have convicted Charles "Lucky" Luciano, Jimmy Hines, Louis "Lepke" Buchalter, Jacob "Gurrah" Shapiro, Joseph "Socks" Lanza, George Scalise, Frank Erickson, John "Dio" Dioguardi, and Frank Carbo.

Well, there it is. Take your choice. Frank S. Hogan, who has sent scores of vicious hoodlums to jail, is quite willing to use the "abhorrent" eavesdropping weapon in his war on crime. He thinks it is an essential weapon. Ramsey Clark and Lyndon Johnson are not willing. They would prefer to conduct their war with speeches at twenty paces. And, in consequence, this war is one which organized crime will surely win and which the American people, the ultimate victims, will surely lose.

[From the Washington Evening Star, July 4, 1967]

CRIME: JUSTICE DEPARTMENT

William O. Bittman, who successfully prosecuted Jimmy Hoffa and Bobby Baker for the Department of Justice, is in a position to speak with authority on techniques which are effective in law-enforcement efforts. And now that he has left the department . . . he has had some interesting things to say about the use of electronic devices in dealing with crime . . .

Bittman is in fundamental disagreement with Attorney General Ramsey Clark, who has said that eavesdropping by the federal government is both ineffective and a waste of manpower. Bittman says there is no question in his mind that "the use of certain electrical devices would be of great help in fighting organized crime in this country if the information obtained could be used as evidence." He also says we are losing the battle against organized crime, "and I don't think we should deny reputable law enforcement any legitimate tool."

Clark Says Rise in Crime Is Small—Attorney General Declares "There Is No Wave"

(By Sidney E. Zion)

Attorney General Ramsey Clark said yesterday that he did not believe there was a crime wave in the nation.

"The level of crime has risen a little bit," Mr. Clark said, "but there is no wave of crime in the country."

Mr. Clark gave this assessment in an interview here after addressing a luncheon meeting of the N.A.A.C.P. Legal Defense and Educational Fund, Inc., at the Americana Hotel.

Asked about official statistics that indicate substantial increases in the crime rate yearly, the Attorney General said: "We do ourselves a great disservice with statistics."

Thus, he said, it is "quite clear," despite impressions to the contrary, "that the murder rate has declined steadily since the 1930's," from 7.8 slayings per 100,000 population to 5.4 last year.

MOST ACCURATELY REPORTED

"The fact is," Mr. Clark said, "that murder is the crime most accurately reported, so we can make comparisons with the past."

The Attorney General said he met with police chiefs from 14 major cities on Wednesday and that they generally reported a slight increase in crime.

"One city was up 1 per cent from last year, but last year they had been down 1 per cent from the year before," he said.

Mr. Clark said that despite President Johnson's nearly total ban on wiretapping and bugging imposed in July, 1965, the Department of Justice's prosecutions against organized crime were now "at an all-time high."

He said that in the fiscal year following the President's order, which banned all electronic eavesdropping in Federal cases except where the national security was directly endangered, organized-crime prosecutions went up 30 per cent.

"With the rarest exceptions," Mr. Clark said, "we have found that electronic surveillance was unnecessary, either in obtaining direct evidence of crime or in developing leads."

He has concluded, he said, that electronic eavesdropping is "neither effective nor highly productive."

The Attorney General said that organized crime was a "tiny part" of the entire crime picture, though an important one.

In his speech to the Legal Defense Fund luncheon, which was in honor of the 13th anniversary of the Supreme Court's desegregation decision, Mr. Clark noted that as a result of that ruling nearly half a million Negro students were enrolled in schools with white students in the 11 Southern states.

"What greater transformation effected by the rule of law does history reveal?" he said.

OUTLOOK ON RIGHTS

In a panel discussion at the luncheon meeting, the prospects for the civil rights movement were reviewed by Saul D. Alinsky, executive director of the Industrial Areas Foundation; Mr. Kenneth B. Clark, president of the Metropolitan Applied Research Center, and Bayard Rus——, executive director of the — Philip Randolph Institute.

"We are fine at demonstrating and protesting," Mr. Alinsky said. "But we don't yet have the organization to compel the power structure to follow through on the concessions they make. It's as though a labor union won a contract, then dissolved and expected the employer to live up to the agreement."

[From the Providence (R.I.) Journal, May 20, 1967]

The Taglianetti Case: What the "Bug" Told at 168 Atwells Avenue

Chief Judge Edward W. Day of U.S. District Court has reserved decision as to whether evidence in the income tax evasion conviction of Louis "The Fox" Taglianetti in April, 1966, was tainted by Federal Bureau of Investigation "bugging" of the office of a "close associate."

In seven days of court hearings which ended last Thursday, evidence was adduced that the electronic surveillance was maintained by the FBI on a daily basis from March, 1962, to July, 1965, and that the microphone was planted at 168 Atwells Ave. to monitor conversations in the office of National Cigarette Service.

It was further testified during the hearing that Raymond L. S. Patriarca and Philip Carrozza are the "principals" in National Cigarette Service.

During Taglianetti's trial 13 months ago, Patriarca, summoned by the government, had testified that he was a "partner" with Carrozza in National Cigarette Service and that Taglianetti was a "good will" man who got the firm many "locations" for its cigarette vending machines.

Taglianetti was found guilty by a jury of evading income taxes in the years 1956 through 1958. Last September, Judge Day sentenced him to seven months and a $3,000 fine. Taglianetti appealed, which stayed the sentence.

While the appeal was pending before the Circuit Court at Boston, the Justice Department came forward last December and volunteered that the FBI had "bugged" the place of business of a close associate" of Taglianetti. The Justice Department said no fruits of the microphone surveillance had tainted the income tax case, but asked the court to decide.

The Circuit Court rejected a defense motion for a new trial, remanded the case to Judge Day on the narrow issue of whether the evidence had been tainted and said that if he could not determine this issue after a hearing, he could order a new trial.

Judge Day began hearings on May 9. When they were concluded last Thursday after seven court days, he gave defense counsel until June 15 to file a brief and the government until July 15 to file an answering brief.

At the outset of the proceedings, defense counsel asked production of the records of the FBI surveillance. Under the Jencks Act, Judge Day examined the entire record in chambers and ordered the government to give defense counsel all FBI records of conversations in which Taglianetti had participated.

The Jencks Act provides that in any federal criminal prosecution a defendant shall be entitled to examine and use any government statement or report relating to the testimony of a government witness, and if it contains matter which does not relate to the testimony of the witness the government shall deliver the statement or report to the judge, who shall examine it privately and excise the material not relating to the witness's testimony before directing the government to deliver it to the defendant.

The defense was given only a fraction of the complete FBI record. The remainder is locked in Judge Day's office. The hearing began after defense counsel had time to examine the FBI material turned over to them.

Through a series of Internal Revenue and FBI witnesses, Charles J. Alexander, Justice Department attorney from Washington who was assisted by U.S. Dist. Atty. Edward P. Gallogly, undertook to demonstrate that no information from the FBI bugging had been communicated to Internal Revenue and that, with two exceptions not relating to Taglianetti, none of the information had been disseminated outside FBI channels.

By intensive cross-examination of government witnesses, Bruce M. Selya, defense counsel with John A. Varone, undertook to undermine this government claim by showing a wide distribution of multiple copies of the surveillance data to FBI headquarters in Washington and to branch FBI offices in several cities, beyond the knowledge of witnesses here as to what happened to the information elsewhere.

The defense also claimed that the FBI bugging of a conversation between Taglianetti and Robert G. Crouchley, Providence attorney, while Mr. Varone was incapacitated after an automobile accident in 1965, was an invasion of a lawyer-client relationship.

Repeatedly in cross-examination Mr. Selya drew acknowledgments from government witnesses that Taglianetti was not the "subject" of the electronic surveillance at 168 Atwells Ave.

John F. Kehoe, special agent in the Boston FBI office who was coordinator of the surveillance for the Justice Department organized crime and racketeering division, described how the FBI data was recorded.

The agent operating the tape recorder at Providence kept "logs" in which he made note of individuals speaking and the subject matter discussed.

The tapes and logs were delivered daily to Mr. Kehoe. Listening to the tapes, and checking what he heard with what the logs said, he made memorandum notes. From the memorandums he later dictated "airtels," the FBI term for air mail messages sent through FBI channels, which went to Washington FBI headquarters and other FBI offices as subject matter indicated. At the bottom of each "airtel" the numerals and cities named show how copies were sent to which FBI offices.

The tapes later were erased and used over and over at Providence.

Mr. Selya introduced a series of these airtels, furnished the defense by the government, as a defense exhibit last Wednesday afternoon.

The defense exhibit on record in the case follows:

April 18, 1963.

To: Director, FBI, (92–2961).
From: SAC, BOSTON (92–118).
Subject: Raymond L. S. Patriarca, akaAR.

Re Boston airtel 4/16/63.

BS 837–C advised on 4/16/63 that Patriarca took his wife to the New England Baptist Hospital, Boston, Mass., for an operation.

On 4/17/63 Rudolph Sciara, who was recently acquitted in State Court on a charge of murder, was told by Patriarca that he is doing too many favors for people and that he should discontinue doing same as it will lead him into trouble. Sciara had mentioned that he had arranged the bail for three individuals, not identified.

Patriarca instructed him that, when arranging bail for any individual, he should make sure that the bondsman does not know his (Sciara's) identity as he believes that all bondsmen are stool pigeons.

He then was very critical of an individual be believed to be a dentist, who had just visited him and said that this dentist is a stool pigeon for the FBI. (This statement not true.) He pointed out that when he had taken his wife to the hospital in Boston, the dentist, whom he had not seen for several months had dropped in and inquired about her health. When Raymond told him that his wife was in the hospital in Boston, he apparently notified the FBI because they surveilled the hospital and observed Patriarca meeting with various individuals, including (name blanked out).

(Blanked out) Patriarca said that he was contacting (blanked out) in an effort to obtain the parole of Leo Santaniello and Lawrence Baiona.

He also told Sciara that today the criminals are fighting scientific crime detection and, therefore, have to be very careful.

3—Bureau
1—New York (Info)
2—Boston (92–118) (1)–92–118 Sub 4
JFK (6).

March 12, 1963.

Re Boston Airtel to Bureau dated 3/7/63.
To: Director, FBI (92-2961) SAC, Philadelphia.
From: SAC, Boston (92-118)
Subject: Raymond L. S. Patriarca, aka AR.

On 3/9/63, BS 837-C advised that two Unmen discussed Taglianetti's tax case in which he has recently been indicted. Raymond thought that if they obtained the proper attorney, and that he pointed out to the judge that Taglianetti has a young family, no criminal record, and has a good employment record, that he might get a suspended sentence. Raymond suggested that Taglianetti ought to attempt in some way to have the USA recommend a light sentence because of the above facts. If the USA does recommend a light sentence, Patriarca believes that the judge would go along with the recommendation.

On 3/11/63, Johnny (LNU) (not John Williams) and another Unman told Patriarca that they intend to get some whiskey from the warehouse but do not intend to go through the kid who works in the place. He pointed out that this source of supply of whiskey has not been available to them in the recent past which necessitated that they purchase their own whiskey. The location of this warehouse was not mentioned.

On the same date, another Unman told Raymond that one gang is competing against the other but did not describe either gang. He said that Pete (LNU) is all done as he is going to the (can). Pete wanted to take a couple of banks alone and there was mention of Philadelphia but the informant was unable to ascertain the details of same. Immediately thereafter Patriarca said "We can't send him to someone down there as there is too much heat around." Efforts are being made to identify a Peter who was probably recently arrested in this area.

On the same date, Eddie (LNU) told Patriarca that he grabbed the kid yesterday, not further identified. This concerned a bet which a woman had placed and Eddie, was of the opinion that the woman past-posted the bookie. The woman threatened to call Johnny Barborian of Providence, Rhode Island and it was not clear to the informant whether she did contact Barborian. At the end of the conversation Patriarca told Eddie to pay the hit.

The sensitive nature of the informant's position necessitates that every effort be exercised to maintain his security.

Subject should be considered armed and dangerous.

3—Bureau (92-2961).
1—Philadelphia (Info).
2—Boston (92-118) (1)—92-118 Sub 4).
JFK: Atl (6).

March 19, 1963.

To: Director, FBI
(91,2961)
From: (91,2961) SAC, Boston
(92-118)
Subject: Raymond L. S. Patriarcia, aka AR
Re Boston airtel 3/14/63

BS 837-C advised on 3/14/63 that Raymond Patriarca was contacted by Louis Taglianetti relative to his pending IRS case. They discussed his IRS case somewhat in detail but mentioned nothing of significant value.

Raymond discussed with Unman regarding R.I. registration RL490 which allegedly was observed in a parking lot when Raymond had a meet sometime ago. This plate was checked out and found not significant to this investigation.

On 3/15/63 Raymond accepted some checks from an unidentified individual who owed Raymond money. This individual said that he would pay Raymond $85.00 thereafter to fulfill his obligation.

Another unidentified individual told Raymond that Nicholas Parlato of Newport, Rhode Island, was interviewed for two hours relative to the job not specified. Raymond said he hopes that he gets the job.

John Barborian discussed with Raymond the kidnaping of an individual in Miami, Florida, last July. This information is set out in a separate letter.

Another Unman tells Raymond that the fellow from Chicago wants $2.00 a case for 25,000 cases of shoe polish. Second Unman said it was only worth $1.50 per case. They decided that Sam Lnu should go to Chicago relative to this matter but Raymond said it was not worth it.

On 3/16/63 Patriarca reminded Frank Forti that he had a meet with (Tony Pussy) Russo at the hotel at 5:00 that day.

On 3/18/63 Unman tells Raymond that the girl who was suppose to go to the track with the money lost her pocketbook and billfold with the money in it and that they lost the bank roll. This apparently concerns a gambler, not identified and that this individual went to New York to get another bank roll.

Another Unman asked Raymond how he could get a hold of Mickey the Wise Guy (Michael Rocco) and he directed this individual to Frank Rossetti of Providence, Rhode Island. Said that Rossetti would know the phone number of Mickey the Wise Guy.

The sensitive nature of this informant's position necessitates that every effort be exercised to maintain his security.

Subject should be considered armed and dangerous.

3—Bureau
1—Chicago
2—Boston
1—92118
1—92-118 Sub

JFK: pd
(5)

September 17, 1963.

To: Director, FBI (92-2961) SAC, New York
From: SAC, Boston (92-118) (P)
Subject: Raymond L. S. Patriarca, aka AR
Rebestel, 9/13/63.

BS 837-C advised on 9/13/63 that Patriarca was in NYC on 9/9/63. While Patriarca was waiting at the Edison Hotel for some unknown person he met Pogey (believed to be Pogey Torriello). Pogey was with Hymie (LNU). Pogey indicated to Patriarca that his money is all tied up with Frankie (LNU) and, in order to get some capital, he, Pogey, will have to sell his stock.

Mike (LNU) ascertained from Joe Lindsey, noted Boston Philanthropist, that he, Lindsey, was not interested in obtaining the points. Informant was of the opinion that the points were worth $10,000 but was unable to determine what corporation the points were being sold for. Lindsey was of the opinion that the points were not worth $10,000 and, therefore, declined to purchase same.

Patriarca told Henry Tameleo of Providence, R.I. that he is going to NYC, probably on Monday, September 23rd. It should be noted that the informant was not positive about this date but did learn the following:

Patriarca is going to New York with Henry Tameleo and that they are going to make Nick or Chick a member of the "family" Wednesday night, 9/23/63, at the Roma. The reason they are going to make Nick on Wednesday night is "in case they want to make peace Thursday." If they did, he indicated that he (Patriarca) would be tied up trying to effect the peace. Patriarca has obtained permission from the Commission to make Nick because it was an emergency and pointed out that if it were not an emergency, the Commission would not recognize him as a member. He obtained the permission from Tony (LNU) to make Nick a member and the ceremony is to take place at 4:00 p.m. on 9/25/63.

Ray indicated he talked to Pogey only for a short time because Pogey's kid was coming down and Pogey did not want to permit the boy to see Patriarca. Patriarca does not like to hang around New York when he is conducting business there but only stay a sufficient amount of time to allow him to conduct his business.

Raymond was unable to understand Pogey completely "as he juggles his words all the time." Pogey did tell him, however, that some guys are coming tomorrow, meaning 9/14/63, and Joey (LNU), Dana and another individual (not known) went there on 9/12/63. Informant was unable to ascertain the significance of this but was of the opinion that it concerned the selling of points in some gambling casino. The sale is a legitimate sale and the person investing would obtain at least 6 per cent on his investment legitimately.

Patriarca instructed Tameleo to go to Boston and tell Jerry Angiulo what is going on and the Commission has OK'd the making of this kid (Nick). Patriarca is going to turn Nick over to an individual, whose name the informant could not ascertain, or "whoever they put in Chicago."

Patriarca advised that the other kid, Moe (LNU), called Doc (LNU) and he, Moe, is going to string him out. Informant was unable to ascertain the significance of this.

Raymond said that the other 24 guys are not made, but the informant did not ascertain the significance of this.

Patriarca then told Tameleo to tell Joe (possibly Joseph Lombardo of Boston) that the boss and underboss in New York are out; that right now that "family" is under the Commission. Patriarca did not know who they were going to make as boss of this "family" as they have not picked the person as yet. He specifically warned Tameleo to give this information to Joe and Joe alone; if he wants to tell it to anyone else that is his business. He also told Tameleo to tell Joe that the kid will be made at 4 o'clock on September 25th.

On 9/16/63, Frank Davis, Providence, R.I., has been summonsed to appear before IRS for a formal interview inasmuch as he has not reported correct income. Consideration is being given to possible criminal action.

The sensitive nature of the informant's position necessitates that every effort be exercised to maintain his security.

Subject should be considered armed and dangerous.

3—Bureau.
1—Chicago (Info).
2—New York.
3—Boston (92-118), (92-446), (92-130).
JFK: po'b (9).

November 5, 1963.

To: Director, FBI (92-2961) SAC, Baltimore
From: SAC, Boston (92-118) (P) (Raymond L. S. Patriarca aka AR
Rebossirtel 10/31/63.

The following information was furnished by BS 837-C.

On 10/31/63, Unman told Patriarca that he had a mysterious telephone call. As a result of this call he was of the opinion that his phone had been tapped. Unman was involved in bookmaking but the informant did not have details concerning this. Patriarca uses a public telephone booth when it is necessary to make important calls.

Another Unman requested Patriarca's help in a case involving an unknown individual who is facing a jail sentence for a crime committed by him. The defendant still has $18,000 from the result of the crime. Patriarca will assist this individual, providing he gets half of the money or $9,000. He did not indicate in what way he would help the defendant, Unman would contact him later when he discussed the details with the defendant.

On 11/1/63, no pertinent information was developed.

On 11/4/63, Louis Taglianetti, Providence, R.I., discussed his Internal Revenue case with Patriarca. No pertinent information was developed.

Frank Davis, Providence, R.I., still owes the Cranston Loan Co. a substantial amount of money. Davis' former partner Harrington is afraid that he will lose his collateral on a loan that Davis has outstanding.

Patriarca was not sympathetic and told Davis not to worry about Harrington but let him lose his money.

Davis requested Raymond to speak to Dario, president of the Lincoln Downs Race Track, Lincoln, R.I., about the loan with the Cranston Loan Co.; however, Patriarca advised he could not do this under the present circumstances. Raymond stated that he has not made any money in legitimate businesses in the past.

Joseph Krikorian (aka Joe Kirk) contacted Patriarca. Krikorian was not too enthused about taking over Julius Salisbury's gambling business in Baltimore, Md., while Salisbury was in prison. According to the informant, Kirk did not believe that there would be sufficient money in the enterprise; and further, that he did not like the idea of giving up the business when Salisbury is released from prison. He did mention that the number play in Baltimore is extremely good, as in Washington, D.C. Informant was unable to ascertain all details concerning this operation in Baltimore.

Kirk and Patriarca are disgusted with the operation of the Berkshire Downs Race Track, Hancock, Mass. It appeared that the Berkshire Downs Race Track is going into bankruptcy.

Unman, who formerly ran the fights in Providence, R.I., had previously contacted Col. Walter E. Stone prior to his testimony before the Senate Crime Commission in Washington, D.C. He warned Stone not to go out on a limb and to be very general in his statements before this Crime Committee.

Stone apparently did not take this man's advice and, consequently, made a fool out of himself with his testimony concerning Patriarca. Patriarca, however, cleared himself to a great extent at the State Grand Jury, Providence, R.I., on 10/24, 25/63.

Patriarca claims that 99% of Stone's testimony was untrue. Patriarca denied ever being dishonest with his friends and thought that probably Stone when he testified concerning Patriarca's dishonesty among his friends, was trying to get him, Patriarca, knocked off.

Patriarca is aware of the possibility that some of the young punks coming up might figure Patriarca at one time was a stool pigeon and therefore, kill him.

Patriarca does not intend to testify before the Federal Grand Jury at Providence, R.I., which is to be held in the near future. He intends to force Usa Pettine to prove everything. Patriarca believes that Col. Walter E. Stone must have been brain-washed by the AG, Robert Kennedy, to have testified in the manner that he did for the Senate Crime Commission.

The sensitive nature of the informant's position necessitates that every effort be exercised to maintain his security.

Subject should be considered armed and dangerous.

3—Bureau.
2—Baltimore.
1—Washington Field (Info).
2—Boston (92–118) (92–118 sub).
JFK: po'b (8).

——.

OCTOBER 22, 1964.

To: Director, FBI (92–2961) SACS, Newark, New York.

From: SAC, Boston (92–118) (P) Raymond L. S. Patriarca, aka AR (OO: Boston).

Rebosairiel, 10/20/64.

BS 837–C advised on 10/19/64 that Unman explained to Raymond that he (Unman) was trying to line up some man for a hit and the difficulties which have arisen concerning this. (This possibly deals with the attempted killing of Willie Marfeo, Providence, R.I., which information has previously been disseminated. Nothing additional was obtained concerning this as set out in previous airtels.)

Louis Taglianetti, Providence, R.I., discussed in detail his IRS trial which is in progress.

Patriarca has been subpoenaed to testify in this case inasmuch as Taglianetti claims that he received a salary from the National Cigarette Vending Machine Co. which is owned by Patriarco.

USA Raymond J. Pettine, Providence, R.I., is attempting to force Taglianetti to plead to an income tax violation.

Patriarca was extremely angry in that all his witnesses in the libel case between the Boston Herald Traveler and Patriarca were held in contempt for taking the 5th Amendment. They were also ordered to pay all lawyers fees in connection with this hearing. In the event he is questioned about the Mafia or La Cosa Nostra he is going to reply that the only Mafia he ever heard of is the Irish Mafia that the Kennedys are in charge of. Patriarca will deny knowing of Cosa Nostra until Valachi mentioned it at recent hearings.

Taglianetti is considering feigning a heart attack in order to postpone his tax case.

On 10/20/64, Joe Modica advised that Sam (LNU) is in bad shape financially. Joe inquired of Patsy Capaldo (apparently in connection with the Berkshire Downs Race Track). Patsy appeared before the Crime Commission sometime ago. Joe then discussed the racing dates for the Berkshire Downs Race Track and both he and Patriarca were very disturbed that Lou Smith, who owns Green Mountain, might ask for the same racing dates as Berkshire Downs. Patriarca stated that the track lost $185,000 this year.

Modica was concerned that Patriarca might be of the opinion that he (Modica) was trying to "horn in" on the Hancock Race Track. He explained how Sam Rizzo borrowed the $5,000 to assist him in purchasing the Hancock Raceway at auction. He stated that Rizzo is not off the hook for the $5,000 and that he is still trying to obtain same.

Patriarca told Modica that the word had come down that no one was to do any business with any of Bonanno's group because of the fact that he (Bonanno) failed to show up at a commission hearing when ordered to do so.

Nick Bianco, Brooklyn, N.Y., told Raymond that concerning "that thing" in Jersey he left Tuesday and did not expect to return until Thursday. He met Johnny Coco (Lardiere) and Coco and Nick looked around "for that guy." Nick was of the opinion that he was going to live with them (probably meaning Coco and his group) for a few days. He (Lardiere) showed us where the guy lived and told Nick to go back to Brooklyn and wait for his call.

Patriarca mentioned that Coco helped a lot of the individuals in New Jersey.

Nick stated that Coco called him yesterday and said that he was talking to Tommy (LNU). He told Tommy that he was "pretty successful" and told him (Tommy) "what had to be told." Nick said that it was a telephone conversation and he was not able to fully comprehend the message but was of the opinion that everything was going along satisfactorily. Coco told him to wait for a call from him.

Patriarca mentioned that Rudolph (possibly Sciarra) was in Jersey and he (possibly referring to the victim) "hides in the joints."

Nick left and returned later the same day and continued the conversation relative to the Jersey thing. He stated that he was with Johnny Coco for four or five hours. Nick explained to Coco who the guy was and they searched all the joints.

He told Raymond the guy had a light blue car, registration CL 591. He then added that the 591 was possibly a combination of the numbers 591 and further added that the initials of the guy were backwards, and then added, "RC."

Nick stated that he (victim) hung around with Sonny Diorio's kid whom Patriarca described as a redhead or blond kid. Sonny is a couple of years older than Nick, but the informant had no further description of either the victim or those associated with him.

Patriarca mentioned that the kids were on the junk but the informant was not sure whether he was referring to Sonny Diorio's kid or "the fat kid" that hangs around with him.

Nick was thinking of approaching the "fat kid" but was afraid of scaring him.

Nick further advised of a situation that occurred a short time ago. It appeared that the Feds left and the cops came in—"right into the house." They told Joey that "if you run, we'll put you in for a material witness" and demanded a $200 payoff, which Joey gave them. They ordered Joey to stay in the house. A short time thereafter Rocky (LNU), who is very close to Joey, came walking down the street. He apparently was confronted by the police with shotguns and, after being observed by Joey, the cops were convinced that he was "OK."

Nick stated that those guys have 20 guys who "write for them" and they (meaning the police and Feds) have very good information. They figured out that the information is coming from somebody who is very close to Frank (LNU).

They keep knocking the Carlo and Joey thing.

Ray stated that Joey, whom he described as the guy with Carlo, called him a few weeks ago and said that Carlo wanted to see Patriarca on Thursday, but Patriarca was unable to make the trip. He told Joey to call Friday if Carlo (Gambino) wanted to see him on Friday or thereafter. He has not received a call from Joey since that time.

Nick stated that he met Carlo's brother Joe on the street the other day and Joe told them that Bonanno's group was pulling away from him (Bonanno).

He stated that Mike Zepella (PH), who is with Bonanno, "turned in the other thing" with 63 or 65 guys and they expect more.

Vito, the one in jail, was described as the muscle man for Lelow (PH). It appeared to the informant that Lelow is the top guy of the Bonanno group in Canada. Lelow, according to Nick, took his side (probably Bonanno's) and "does not want to know anything." Everyone else is coming along and the number is now up to approximately 150 (who have apparently defected from Bonanno).

Nick made the statement that Profaci had the smallest group; namely, 120. According to Patriarca, Bonanno has a lot of old people on account of his (Bonanno's) father. The individual who started the ball rolling in connection with the defection from Bonanno was Gasper. He went to Joe Bonanno and said to him "Why don't you straighten this out?" and when Bonanno did not comply with the orders, apparently from the commission, he was the first to defect and they all followed.

Patriarca asked whether the Sheik had straightened that thing out and Nick replied in the affirmative. Nick stated that he is going to move into a hotel in Joey's neighborhood until he can get an apartment.

Nick stated that he has two kids shylocking, one of whom is pretty good. He described one of these kids as the Casale kid who lost his brother and is considered by Nick to be a good worker.

Patriarca mentioned that Johnny Williams is Coco's compare and further that he (Patriarca) made Coco and turned him over to the Jersey group. According to Nick, Coco hangs around at the bowling alley on Bloomfield Ave. The guy that owns the joint (probably meaning the bowling alley) was recently arrested for counterfeiting and all the guys that hang in there are bank robbers.

The sensitive nature of the informant's position necessitates that every effort be exercised to maintain his security.

Subject should be considered armed and dangerous.

3—Bureau (RM).
2—Newark (RM).
4—New York (1-92-3407) (1-92-2600) (RM).
2—Boston (5-92-118) (92-118 sub 4) (92-118 sub 3).
JFK:po'b (16).

FEBRUARY 2, 1965.

To: Director, FBI (92-2961) SACs, New York, Newark
From: SAC, Boston (92-118) (P)
Subject: Raymond L. S. Patriarca, aka AR (OO—Boston)

Re Boston Airtel January 28, 1965.

BS 837-C advised that Louis Taglianetti and Bob (LNU) contacted Patriarca. They intend to contact Bernie Ezhaya in order to resolve the Union situation. Informant did not know the details of same.

Henry Tameleo advised he contacted George Kattar and reiterated to Kattar that in order to operate he "must have the State". Kattar told him that he has arranged to payoff the State Police and that he would furnish to Tameleo the identities and the amounts paid to individual members of the State Police. This apparently refers to a gambling operation that Kattar will open in Biddeford, Maine, which was previously reported. The Boston Office is conducting an investigation relative to this matter. It appeared that "Blackie" (LNU) who owns the club had been tipped off by members of the State Police that a game was to be held. In view of this, the opening of the operation has been temporarily discontinued.

Peter Kattar is also attempting to swindle some doctor or dentist of $30,000.

Jack Tripoli has inquired of Kattar whether this deal was actually a swindle and suggested to Kattar if it was, he desired a piece of it. Kattar is of the opinion that Tripoli was only feeling him out to ascertain if same was actually a swindle.

Tameleo stated that Joe Barbosa of East Boston, Massachusetts, was the person who killed Joseph Francione in Revere, Massachusetts, recently. Tameleo also advised that he had contacted Jimmy D. (Deangelis) and requested his assistance to help Louis Grieco. Jimmy was going to contact Probation Officer Hildredge in order to assist Grieco.

Tameleo told Patriarca that he ordered "Big Benny" Teresa to get rid of Barney Villani. Villani, according to Tameleo is a stool pigeon and has testified in court against an unknown individual involving an arson deal.

Tameleo advised that Jerry Angiulo had requested that he, Tameleo, find out who was responsible for the murder of Henry Reddington recently. Angiulo had received inquiry from New York concerning this. Tameleo ascertained from Joseph Modica that Samuel Linden had been asked by some unknown individual whether he desired the killing of Reddington to be postponed inasmuch as Linden was owed $8,000 by Reddington. Linden told this individual that he did not care about the $8,000 and did not desire to hear any further information concerning the proposed killing of Reddington. Patriarca instructed Tameleo to ascertain the identity of the individual who approached Linden.

There was also talk of Frank Smith who was a close associate of Linden, Patriarca was of the opinion that Smith, a local hoodlum, was the individual who probably asked Linden the above.

On 1/20/65, Edward "Whimpy" Bennett and Stephen Flemmi contacted . . . who was responsible for the Reddington murder. Bennett and Flemmi did not know but did discuss various murders in Boston and the reasons therefor. The Informant was unable to ascertain the details of this information.

There was also talk about the McLaughlin-McLean feud but the Informant was unable to ascertain the details of same. There was mention of a meeting in connection with this but the Informant could not ascertain the details of same.

Unman contacted Patriarca and indicated that he has construction jobs in Maine, Connecticut and Rhode Island. Unman claimed that the Union Hall was not sending men to his jobs and that he was suffering because of this, laborwise. Patriarca indicated that he would assist him in this regard. Details were not known to the Informant.

On 1/30/65, Informant advised that Patriarca was leaving Providence. Patriarca was surveilled to New York City by Boston Agents where the surveillance was taken up by New York Agents.

The sensitive nature of the informant's position necessitates that every effort be exercised to maintain his security.

Subject should be considered armed and dangerous.

3—Bureau (RM).
2—New York (RM).
1—Newark (RM).
7—Boston (5-92-118) (02-118 Sub 4) (02-118 Sub 3).
JFK: ds.
(13).

FEBRUARY 18, 1965.

To: Director, FBI (92-2961)
From: SAC, Boston (92-118) (P)
Subject: Raymond L. S. Patriarca, aka AR (Co: Boston)

Rebosairtel, 2/13/65.

BS 837-C advised on 2/16/65 that no pertinent information was developed, with the exception that Patriarca's wife was feeling extremely bad that day and indications are that she will probably have to go back to the hospital.

On 2/17/65 three UNMEN (one of whom is possibly Arthur (LNU) discussed a union problem involving the Gilbano Construction Co. One of the UNMEN is seeking a position in this union and another UNMAN says that the unions is the "lousiest in New England" and is the second largest.

The union representative in Hartford, Conn. is Mike Bolozano (PH) who apparently hires only members with criminal records. One of the UNMEN is attempting to obtain a pension from the union inasmuch as he is physically incapable of being employed.

Louis Taglianetti was complaining about additional IRS inquiries concerning him and the fact that he thinks his telephone is tapped.

He complained to William Adams of the New England Telephone & Telegraph Co. concerning this possible tap . . .

No further information was developed.

The sensitive nature of the informant's position necessitates that every effort be exercised to maintain his security.

Subject should be considered armed and dangerous.

3—Bureau (RM).
1—New Haven (Info) (RM).
Seven—Boston (5-92-118) (92-118 Sub 4) (92-118 Sub 3).
JFK:po'b.
(11).

OCTOBER 29, 1964.

To: Director, FBI (92-2961) SAC, New York.
From: SAC, Boston (92-118) (P)
Subject: Raymond L. S. Patriarca, aka AR (00: Boston).

Rebosairtel, 10/27/64.

BS 837-C advised on 10/26/64 that John Biele, aka John Foto contacted Patriarca. Foto stated he saw Pogey Tauriello in Florida last year and also saw Patsy Erra but did not indicate the circumstances under which he met them. Foto is carrying a .32-caliber Derringer gun. General conversation took place between Patriarca and Foto which was not pertinent.

Louis Taglianetti of Providence, R.I., discussed his IRS income tax trial in detail with Patriarca, none of which is pertinent to this investigation.

An individual believed to be Danny Raimondi's father contacted Patriarca. Raimonda questioned Patriarca about the fate of Bonanno, Raymond explained that he was called to New York three weeks ago, during which time the fate of Bonanno was discussed. They decided that Bonanno was no longer a Boss or Commission Member. They also put out the word that nobody is to have any business dealings or association with any members of the Bonanno group.

A week later, Patriarca received another call from New York to attend another meeting. However, prior to the time he left Providence, this meeting was cancelled for some unknown reason. It was Patriarca's opinion that Bonanno was not killed by any member of the opposing faction. He pointed out that, if the opposing faction wanted him killed, they would have done so at the time they grabbed him on Park Avenue, as is the case in most killings of this type, particularly when there are witnesses, such as the lawyer, around.

He pointed out that they were taking a chance in kidnapping Bonanno and killing him later and could not see why it would serve any purpose to kidnap him first. Because of this, he believes that Bonanno is still alive and that he, Bonanno, engineered the alleged kidnapping. He pointed out that he is not sure of this, but it is only his opinion.

Raymond stated that he spoke to the group in New York in behalf of Raimondi and told them that, because his son is "with him," meaning Patriarca, they should not cause him, Raimondi, any harm. Raimondi pointed out that Gus Marino (ph) was thrown out, apparently by the Bonanno group. Raimondi is a member of the Bonanno family.

Patriarca further pointed out that, when Bonanno did not appear before the Commission when requested on eight or nine different occasions, he was given one additional chance. Instead of Bonanno himself appearing, his son appeared, but they told him that they did not want to talk to the son, but the father. Raymond explained that about one-half of Bonanno's group have turned themselves in to the Commission. He pointed out that even Bonanno's relation by marriage who was on the Commission voted to throw Bonanno out of Cosa Nostra. This Commission Member was described as being from Detroit.

Raimondi mentioned the name of Caruso and stated that Larry (probably Gallo) was going "there" Thursday again. Informant did not know the significance of this statement.

Raymond pointed out that the Soldiers of Bonanno are regarded as being with Bonanno until they declare themselves otherwise to the Commission. Raymond pointed out that he wanted no fighting among this group and stated that Bonanno was the cause of his own downfall, because he was so greedy.

Raimondi then mentioned that he at one time was very wealthy and, because of his habit of helping friends financially, he has lost most of his money. He pointed out that at one time an individual name not mentioned, was given an order to kill somebody. While completing the murder, he was observed by a witness. Later, on another job, probably murder, he was picked up and identified by the witness in the first murder. A payoff of $5,000.00 was necessary to "square the rap away." $3,000.00 was furnished to a Lt. Dunn (ph) for this purpose and the charge was dropped. The individual was released and the following day he was also murdered. This resulted in the loss of $5,000.00 to Raimondi.

The main purpose of Raimondi's visit to Patriarca was to force his son, Danny Raimondi, of Providence, R.I., to call his mother twice a week and send her $10.00 a week, as she is very sick. Patriarca said that he would make Raimondi telephone the mother twice and visit her at least once every two weeks and send her $10.00 per week.

On 10/27/64 John Baborian and Patriarca discussed the Berkshire Downs Race Track. This track lost $140,000.00 last year and Baborian requested Patriarca's intervention with Lou Smith, owner of Rockingham Race Track, Salem, N.H., and the Green Mountain Race Track in Vermont. The reason was to make sure that Smith would not request the same racing dates at Green Mountain Race Track as those requested by Berkshire Downs Race Track.

According to Baborian, Doc (probably Sagansky, who has a financial interest in Berkshire Downs Race Track) does not desire to sell his interest. The Berkshire Downs Race Track now owes $12,000.00 to various horse men and $5,400.00 to someone else. They have reduced the mortgage by $50,000.00; $11,000 of the money in Berkshire Downs belongs to Campanella & Cardi Construction Company. Patriarca advised that he would have Smith contacted in order to eliminate any conflict in racing dates.

The files of the Boston Office reflect that Daniel Raimondi, aka Daniel Lytwyn, is the son of Nellie Raimondi, nee Lytwyn, who in 1939 resided with Danny's step-father, (FNU) Raimondi, with a married daughter, Mrs. Walter Mates, 2037 West Fifth Street, Brooklyn, New York.

The sensitive nature of the informant's position necessitates that every effort be exercised to maintain his security.

Subject should be considered armed and dangerous.

3—Bureau (RM).

4—New York (1 92–2600) (RM) (1 92–Raimondi) (RM).

7—Boston (5 92–118) (92–118 sub 4) (92–118 sub 3).

JFK/ncr (14).

JANUARY 28, 1965.

To: Director, FBI (92–2961), SACS Miami, New York, Philadelphia
From: SAC, Boston (92–118) (P)
Subject: Raymond L. S. Patriarca AR (00: Boston)
Rebosairtel, 1/26/65.

PS 837–C* advised on 1/25/65 that Joe Modica, Boston, Mass., contacted Patriarca specifically concerning the Berkshire Downs Race Track in which Raymond Patriarca allegedly has a financial interest.

Patriarca told Modica to contact his friend who is allegedly extremely close to Attorney General Edward W. Brooke of Massachusetts and have him arrange to release the $100,000 bond that is being held by the Massachusetts Court in connection with civil suits that have been heard in Massachusetts courts.

Patriarca told Modica that it was necessary for "Doc" (possibly "Doc" Sagansky of Boston, Mass.) to put an additional $300,000 in to the track in order for it to open for the 1955 season. In the event the $100,000 bond mentioned above is released by the courts to Salvatore Rizzo, Patriarca assured Modica that he would get his $5,000 back, which he loaned to Rizzo, plus an additional $5,000 interest.

Patriarca explained that Johnny Wilson's uncle in NYC had indicated that he had a prospective buyer for the track for $900,000, but the deal fell through.

Modica mentioned Abe Barese (PH) located in East Boston and his connection with some crap game located there. (Informant was unable to ascertain details concerning same.)

Gennaro J. Angiulo and Peter Limone contacted Patriarca. Angiulo discussed in detail his pending case involving the assault of a federal officer in the North End section of Boston.

It will be recalled that an Internal Revenue Service undercover man was questioned by Angiulo and his associates, Peter Limone and William Cresta, concerning his true identity and was told to get out of the North End section of Boston.

Angiulo stated that he had contacted Attorney Francis Di Mento, a former Assistant United States Attorney, and requested him to defend him. Di Mento asked for $25,000, plus an additional $5,000 in the event it went to the Supreme Court. Angiulo refused but subsequently did agree on a fee of $10,000, plus $5,000 in the event the case went to the Supreme Court.

Their plan of defense is to attack the words noted in the indictment, "wilfully and forcefully assaulted," and point out that they did not know the identity of the individual, nor did they actually forcefully eject him from the location in which they talked to him.

Their alibi is to contact Eddie Griffin who is a "90% blind man" and request him to testify that he asked Angiulo to question a sailor who lived in his house concerning the rape of a girl in the North End.

It is to be noted that the undercover man was posing as a sailor and resided in the North End section.

They intend to get another stand-up witness who will testify that he overheard Griffin ask Angiulo the above, but that he did nothing about it and just walked away. In this way they feel that Griffin's testimony will be substantiated.

Roy French, a horse trainer, contacted Angiulo through an intermediary requesting assistance to obtain a license as a horse trainer at the Rhode Island tracks.

Patriarca indicated he would assist in this.

Jimmy O'Toole, close associate of Top 10 Fugitive George Patrick McLaughlin, contacted Peter Limone and requested that arrangements be made for him to see Patriarca. The reason for the request was to make arrangements that George McLaughlin could contact Patriarca telephonically. A lengthy discussion took place as to the best procedure and the tentative arrangements were that O'Toole was to call Peter Limone. He, in turn, would give a number of a public phone. Fifteen minutes later O'Toole would call the public phone number, during which time Limone would attempt to contact Patriarca and make arrangements for him to go to another public telephone. The telephone number would be relayed to McLaughlin as to the phone number Patriarca could receive a phone call and, thereafter, he would call Patriarca. (The reason for this contact is not known to the informant.)

During the conversation concerning McLaughlin, Patriarca asked Angiulo whether he heard that George "wanted to get in with Bernie McGarry." (This apparently occurred some time ago when Harold Hannon was involved in efforts to arrange George's "getting in with Bernie McGarry.) There was also a comment that Bennett, according to Hannon, was trying to frame the McLaughlins and the McLaughlins were very apprehensive of Bennett.

According to Angiulo, Hy Gordon bought the diamonds from the kids (no further description) for $29,000. (This probably occurred in Miami, Fla., as Johnny Foto, who allegedly is presently in Florida, was the individual who brought the kids to Hy.)

Angiulo stated that when he was recently in Miami, Santo (Trafficante) introduced a lawyer for Hoffa to Patsy Erra. He described Erra to the lawyer as the owner of the Dream Bar. Erra denied same emphatically in front of the lawyer.

"Keystone" Lepore of Providence, R.I., presently vacationing in Miami, Fla., received a franchise for juke box machines with a small television attached thereto, whereby an individual can actually see the recording artist singing and dancing, for Massachusetts, Rhode Island and Michigan.

Angelo Bruno of Philadelphia, Pa., is one of the individuals issuing the franchises for various states in the country.

Angiulo stated that the crap game in Boston has a bank of $15,200, and they decided to cut up $6,000 of the above.

An individual named Bandes, whose first name is possibly Danny, was the original owner of this crap game which was taken over by Patriarca and his group.

Larry Baione, recent release from Massachusetts State Prison, requested permission to open another crap game, and Patriarca refused same inasmuch as Bandes did request permission from Angiulo to give a certain percentage of the crap game to Baione when he was in prison and renewed the offer when he was released.

Patriarca agreed to Bandes' furnishing 5% of his take of the crap game directly to Larry Baione but warned that Baione's piece was not to come off the top.

Raymond also advised that during his recent visit to NYC he was to meet Tommy Brown and Tommy Ryan. However, when Mike walked in to the restaurant he told them that there was "a 24-hour watch" on both Brown and Ryan.

"Pony, the Sheik" was mentioned as being scheduled to attend the meeting and it was not clear to the informant if he actually did attend same. One of the individuals probably who did attend, named Tony was recently made a "cape regime." Sam Cufari of Springfield, Mass. also attended. Because of the warning by Mike of the 24-hour surveillance of Brown and Ryan, they became particularly alert to any surveillance.

They did observe an individual wearing a hearing aid, and all suspected him of being "a Fed."

Patriarca warned Angiulo to be cognizant of any individual wearing a hearing aid and instructed Angiulo to warn the individual around Boston.

On 1/26/65, Louis Taglianetti of Providence, R.I., advised Patriarca that he was worried about the FBI inquiries made concerning him in Brooklyn, N.Y. He believes that his troubles with IRS created an FBI interest in him.

Patriarca, in the discussion, stated that Carlo (possibly Gambino) was related to the man in Springfield (possibly referring to Sam Cufari).

Taglianetti told Patriarca about a scheme that he has been working on for approximately two years. It appears there are two associations—one in Brooklyn, N.Y. and one in New York, N.Y., consisting of 100 and 300 members, respectively. The president of one of these associations is married to the daughter of "a boss." Taglianetti could not recall his name. The president of the other association knows a "friend of ours."

Taglianetti and Frankie (LNU) attempted to bring them together as the New York association has "a little weight" and is hurting the Doctors in Brooklyn.

Arrangements were made for the two Doctors to meet with Taglianetti and Frankie; however, the Doctor in New York kept postponing a meeting, the last time his excuse being that he was going to Michigan.

Taglianetti intends to cause dissension and then has threatened one of the doctors by having someone else make threatening calls to him.

When Taglianetti met one of the Doctors he (the doctor) "knew who we were and what it was all about." Taglianetti apparently intends to shake down the Doctors in these associations and made the comment that "We'll get in there somehow."

Patriarca cautioned him to be very careful as he could not trust the Doctors involved.

Taglianetti stated that one Doctor called him and agreed to make Louis' Doctor friend from Brooklyn president of the association, but arrangements have not been finalized in this direction. Louis desires that Frankie get someone to threaten the Doctors, as "You can't get money from nothing," and further points out that the Doctors scare easily.

Bobby (LNU) called Louis the previous night and stated that one Doctor had changed his mind. Louis made mention of the fact that the associations cost the Doctors $100 to join the organization. (Possibly Chiropractors Association).

Frankie (LNU) from Boston, Mass., contacted Patriarca and discussed the recent underworld killings in Boston.

Raymond tells Frankie to keep off the street as much as they can because of the recent roundups of criminals in Boston by the local police.

Frankie stated that all the people are getting scared of Jimmy (apparently referring to James Flemmi) and asked Raymond to talk to Jimmy and impress upon him that there should be no more killings in Boston.

Raymond agrees to talk to Flemmi and made a statement that "If the killings don't stop I'll declare martial law."

Patriarca indicated that he thought very highly of James Flemmi.

The sensitive nature of the informant's position necessitates that every effort be exercised to maintain his security.

Subject should be considered armed and dangerous.

3—Bureau (RM).
2—New York (RM).
4—New York (RM).
2—Philadelphia (RM).
7—Boston (5-92-118) (92-118 sub 4) (92-118 sub 3).
JFK: po'b.
(18).

How FBI Abbreviates

FBI initials and terminology appearing in the hearing transcripts have these definitions:

"SAC"—"special agent in charge."
"UNMAN"—"unknown male."
"LNU"—"last name unknown."
"FNU"—"full name unknown."
"(PH)"—"phonetic."
"BS 837-C"—the identification of an FBI agent.
"aka"—"also known as."

Mr. HRUSKA. I might add to that that in the study made by the President's Crime Commission this observation was made. While no one knows the total take, from illicit gambling alone, without reference to any of these other organized crime activities, the best estimates available to the Commission indicated an annual profit of between $6 and $7 billion a year.

This illegal, nontaxed income is greater than the combined net profiit last year of A.T. & T., General Motors, and Standard Oil of New Jersey, the three largest corporations in this country.

So anyone who seeks to maintain that organized crime constitutes only a tiny part of the criminal activities in America certainly would have to swallow very hard, taking into consideration, just this one segment of organized crime alone, the tremendous profit, mostly in cash, that seems to be realized.

Mr. HART. Mr. President, will the Senator yield?

Mr. HRUSKA. I yield to the Senator from Michigan.

Mr. HART. Mr. President, I came to the floor about the time the able Senator from Nebraska was commenting on the Berger case and indicating that this bill was drafted in the light of the Berger decision.

May I inquire whether the Senator from Nebraska regards the Berger case as requiring that notice shall be given, even though it is pursuant to a court order, that a tap is going on?

Mr. HRUSKA. The terms of the bill would require a notice served in due time, and there is also a requirement for a return on the order, just as there is a return on a search warrant for the seizure of any evidence.

Mr. HART. I think this is important. The Senator from Nebraska and I have been privileged to sit with the Senator from Arkansas on the special Subcommittee on Criminal Laws and Procedures, hearing much testimony in this area.

The analogy is often suggested between the historically approved search warrant and an order obtained from a court to permit taps. The thing that bothers me is that in the case of a search warrant, you are talking about tangible physical property, and there is public recognition and knowledge of the fact that somebody is opening the door.

There is no way, as I see it, that anybody will ever know when the tap goes on—and this, in my judgment, makes a very different case.

I think that the requirement of notice is one that may respond to this kind of concern. I certainly shall read the Senator's bill with interest.

Mr. McCLELLAN. Mr. President, will the Senator yield?

Mr. HRUSKA. I yield to the Senator from Arkansas.

Mr. McCLELLAN. I did not quite understand what kind of notice is proposed in the Senator's bill as has been discussed here this afternoon.

Mr. HRUSKA. The opinion in the Berger case is not very specific nor detailed on the subject of notice. It does name it as one of the elements that would obviously be required, at least in the mind of retired Justice Clark.

The bill as written would provide for the notice to be served not later than 10 days before a trial which would seek to use the evidence which has been gathered.

Mr. McCLELLAN. Is the notice to be served on the one whom it is sought to get information about, to listen in on?

Mr. HRUSKA. No; it is served on the defendant in a case that is prosecuted, in which evidence gathered by this tap would be used. The preceding subsection, incidentally, has an outside limitation of 1 year, in any event.

Mr. McCLELLAN. Let me see if I understand about the notice. After the testimony has been procured, after the tap or the surveillance has been made the evidence obtained then before it can be used in the trial of a case, 10 days before the trial the defendant is to be given notice that the Government possess such evidence, is that correct, and that it proposes to use such testimony against him?

Mr. HRUSKA. That is correct. The provisions, which are a part of section 3(a) of the bill, read as follows:

(i) Within a reasonable time but not later than one year after the termination of the period of the order or extensions thereof, the issuing judge shall cause to be served, on the persons named in the order, an inventory which shall include notice of—

(1) the fact of the entry of the order;

(2) the date of the entry and the period of authorized or approved interception; and

(3) the fact that during the period wire or oral communications were or were not intercepted and recorded:

On an ex parte showing of good cause to a judge of competent jurisdiction the serving of the inventory required by this subsection may be postponed.

(j) The contents of any intercepted wire or oral communication or evidence derived therefrom shall not be received in evidence or otherwise disclosed in any criminal proceeding in a Federal or State court unless each defendant, not less than ten days before the trial, has been furnished with a copy of the court order under which the interception was authorized or approved. This ten-day period may be waived by the judge if he finds that it was not possible to furnish the defendant with the above information ten days before the trial and that the defendant will not be prejudiced by the delay in receiving such information.

Mr. McCLELLAN. I do not find, as of now, that I would have any objection, after the evidence had been received and before trial, for the defendant be given notice of it, and also being advised—as far as I can see now—of the nature of that evidence, so that he may judge whether the evidence is persuasive or substantial enough to secure or help secure a conviction. A defendant might feel persuaded, under such circumstances, to enter a plea of guilty and not burden the court with a trial.

But if there is any contemplation or thought on the part of those who are opposed to this method of securing evidence that a notice should be given to whomever it is sought to apply the surveillance or a tap to ascertain what might be discussed or talked about in furtherance of a crime, it seems to me that would be an exercise in futility.

Mr. HRUSKA. Yes, indeed it would.

Mr. McCLELLAN. Suppose you serve a Cosa Nostra leader or a hoodlum with a notice that you are going to tap his wire. It would be just as well——

Mr. HRUSKA. That criticism would lie well, and it would be well based if the notice were given contemporaneously with the issuance of the order or close in time thereto.

Mr. McCLELLAN. Certainly it would.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. McCLELLAN. Mr. President, I ask unanimous consent that the Senator may have an additional 15 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. McCLELLAN. I see no objection whenever a court order has been obtained in this fashion.

I agree that a return should be made on the order to the court issuing the order. The return should state what has occurred, and the evidence procured should be filed with the court and be in the court's custody before the trial. And the defendant should be given notice of it or be informed or advised as to the nature of the testimony against him.

I am sure that I would not object to his having a transcript of the testimony. I think he ought to be put on notice. However, any argument or proposal that we should notify the thief that we are going to be there watching for him before he gets there is absurd in my point of view.

If we are undertaking to pursue a vigorous course of law enforcement, then to notify somebody that we are going to provide surveillance over his telephone, the giving of notice to him would be a warning that he should not act, or talk on that phone but that he should go some place else and do his telephoning. It would simply amount to that.

We would be aiding the criminal instead of apprehending the criminal.

Mr. HRUSKA. The Senator is correct. I call to the attention of the Senator from Arkansas the fact that the bill which he authored and introduced—and which I was most happy to cosponsor—S. 675, was introduced before the Berger decision on June 12. There is a similar provision for notice to which the Senator refers in section 8(f) of his bill.

Mr. McCLELLAND. Mr. President, I wanted to get the record straight. When we talk about notice, we are not talking about giving somebody notice before the act has taken place, but after the surveillance has occurred, so that they can be confronted with the evidence of their own criminal act.

Mr. HRUSKA. The Senator is correct. And it is not anticipatory notice to the wiretap, but only to the trial that will be later held.

Mr. HART. Mr. President, I ask a question to get the record straight also.

Some of us think that the knock on the door is very good discipline in a free society. And let us not forget this tradition that we so eloquently speak to, of notice for the individual, and the suggestion that sometimes is made that the difference between a police state and a free society is the knock on the door.

There are plenty of us here, I hope, who want to make sure when we are dealing with the more esoteric devices that science has put in our hands with which to spy on each other that there is some kind of assurance, if we are going to use them at all, that there be an opportunity early in the game to blow the whistle against abuse. And 10 days before trial, 1 year after the tap has been put on, may or may not be sufficient notice.

I think this is the kind of question that the committee should give attention to.

Mr. HRUSKA. Mr. President, the Senator from Michigan should be informed that the Supreme Court has already upheld the constitutionality of a no-knock statute from, I believe, the State of Illinois. So, they have considered this with reference to the creation of any hardship on any individuals or the deprivation of their constitutional liberty.

With reference to the claim that there would be the creation of a police state, let me say that the first duty of any civilized society is to survive. That is its first duty. The way organized crime is marching down the highway of criminal activity and the momentum has gained and the wide scope of its efforts have been such that we wonder whether that could be considered as a threat to national security and whether we are not engaged in an effort to survive.

So, there must be that balance between the constitutional rights of the individual, which are largely theoretical and many times practical, and the ability of the group and society to actually live in peace, security, and safety.

Mr. McCLELLAN. Mr. President, will the Senator yield?

Mr. HRUSKA. I yield.

Mr. McCLELLAN. Mr. President, I did not hear the speech of the Senator. But I certainly commend him for the position he has taken with respect not only to the bill he has introduced, but also to the other measures that that are now pending in Congress which measures are designed and intended to strengthen the law enforcement agencies of this Nation.

These agencies need strengthening. Law enforcement is today, I think, in the weakest status it has ever been in the history of our Nation. And the time for action is here and now. The sentence that we used to type in our practice on the typewriter: "Now is the time for all good men to come to the aid of the party," can very well be paraphrased by saying: "Now is the time for law-abiding citizens of this Nation to come to the aid of their country and their Government." Otherwise, we are heading for a chaotic condition. We have symptoms of it every day. The time is here to quit being timid about it and to quit arguing over little frivolous things concerning this technicality and that technicality.

It is time for positive action, and if Congress has not the courage to enact such laws as may be necessary, it will be contributing to a condition that may well to bring disaster to our Nation.

I thank the Senator.

Mr. LAUSCHE. Mr. President, will the Senator yield?

Mr. HRUSKA. I yield.

Mr. LAUSCHE. Mr. President, the discussion has been as to whether we have organized crime in the United States.

Throughout my whole life, I have always viewed with deep compassion the individual who commits a wrong that brings him to the criminal court and, frequently, to jail.

I have always looked with the firmest aversion upon those engaged in organized criminal activities.

Do we have organized crime? Are we dealing with organized crime in an effective manner to protect the innocent people of our Nation?

I want to discuss briefly what happened yesterday in the House of Representatives, under the dome of the Capitol of the United States.

Sometime yesterday morning, a group of 75 persons—I suppose by coincidence—assembled in New York. They arrived in Washington, in buses, about 2:20 p.m. They arrived here in a group; they arrived by organization. After they reached Washington, they invaded the Capitol of the United States. They were led by, among others, a man named Gray, who is a known participant in riots, demonstrations, and similar activities in New York City.

The group went to the House of Representatives, rode down the policemen who were there as guards, and asserted their domination over the Chamber of the House of Representatives. I quote from this morning's News:

> SEVENTY-FIVE INVADE CAPITOL HILL FOR RAT BILL
>
> About 75 demonstrators forced their way into the House of Representatives gallery yesterday, shortly after the House had adjourned, and chanted "Rats cause riots."

I complain not about their disagreement with what the House did. I express no opinion about the merits of what the House did, but in our system of democracy, there is an orderly and a disorderly way of doing things. There is a lawful and an unlawful way of doing things. The 75 persons who assembled in New York, boarded a bus, and came to Washington, did so with the avowed purpose of invading the Capitol of the United States to conduct their activities.

> Private Earl Gasset, a Capitol policeman who fought with the demonstrators, was admitted to Bethesda Naval Hospital.
>
> * * * * *
>
> Lt. George Reid, of the Capitol Police Force, suffered a black eye, but refused to be hospitalized.

The demonstrators rode down the guards. I suppose the charge will be made: "Police brutality."

What happened when the demonstrators were brought to court? They were released on personal bond of $10. They went back to their buses and returned to New York. Gray and the others who committed assault and battery were told by the court that their actions were merely disorderly conduct. Disorderly conduct is the practice of an individual who becomes disturbing in his environment. It is not the conduct of 75 persons who assemble in New York City, board a bus, travel more than 200 miles to Washington, and then invade the Capitol.

Mr. TALMADGE. Mr. President, will the Senator from Ohio yield at this point?

Mr. LAUSCHE. In just a moment.

We hear talk about the nonorganization of crime. God spare our country from what the ultimate destiny will be by the expounding of that kind of philosophy. God spare our country from what will happen when we tolerate the daily condemnation of the police for alleged brutality, the failure to condemn those who are to blame, and the constant inclination to blame those who are innocent.

Organized crime—this is organization. And yet the courts, true to their form, forget the dignity of our Government, forget the rights of the private policemen, the lieutenant policemen, and think only of the criminal. Tragically this philosophy has started from the highest court down to the lowest court, where the innocent are forgotten and the criminals are defended and protected.

I yield to the Senator from Georgia.

The PRESIDING OFFICER. The Senator from Nebraska has the floor. The time of the Senator from Nebraska has expired.

Mr. HRUSKA. I ask unanimous consent that I may proceed for 3 additional minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. HRUSKA. I yield to the Senator from Georgia.

Mr. LAUSCHE. The judge who fixed the bonds at $10 is completely lacking in the effective and just performance of his duty. He has no concept of what is serious to our country.

Mr. TALMADGE. The able Senator from Ohio has just made the point that I desired to make. The Senator mentioned the $10 bond. I read the article in this morning's newspaper, and I, too, was shocked that a person charged with an offense of such gravity would be released on $10 bond.

Is it not true that for most traffic offenses, a bond greater than $10 is required?

Mr. LAUSCHE. Yes, surely, it is true. That is undoubtedly true.

Mr. TALMADGE. I thank the able Senator for yielding.

Mr. LAUSCHE. Here is an invasion of the Capitol of the United States and the running down of policemen, and the courts describe it as disorderly conduct and release those charged on a $10 bond, to go back to New York, singing and glorying in the fact that they accomplished their objective. How are you ever going to get anywhere in maintaining democracy, with that type of conduct by law-enforcement officials?

I thank the Senator from Nebraska for yielding.

Mr. HRUSKA. I yield the floor.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Hackney, one of its reading clerks, announced that the House had passed the following bills, in which it requested the concurrence of the Senate:

H.R. 839. An act to amend title 10, United States Code, to provide that members of the Armed Forces shall be retired in the highest grade satisfactorily held in any armed force, and for other purposes;

H.R. 2834. An act to amend the act of June 10, 1938, relating to the participation of the United States in the International Criminal Police Organization;

H.R. 5645. An act to revise the provisions of title 10, United States Code, relating to the recoupment of disability severance pay under certain conditions;

H.R. 5784. An act to authorize the disposal of molybdenum from the national stockpile;

H.R. 5787. An act to authorize the disposal of rare-earth materials from the national stockpile and the supplemental stockpile;

H.R. 5788. An act to authorize the disposal of bismuth from the national stockpile and the supplemental stockpile;

H.R. 8009. An act to amend title 10, United States Code, to remove the restriction on the use of certain private institutions under the dependents' medical care program;

H.R. 8375. An act to amend title 37, United States Code, to authorize a dislocation allowance under certain circumstances, certain reimbursements, transportation for dependents, and travel and transportation allowances under certain circumstances, and for other purposes;

H.R. 10242. An act to amend title 10, United States Code, relating to the authorized strengths by grade for medical and dental officers on active duty in the Army, Navy, and Air Force; and

H.R. 11144. An act to authorize an increase in the number of Marine Corps Reserve officers who may serve in an active status in the combined grades of brigadier and major general.

The message also announced that the House had agreed to a concurrent resolution (H. Con. Res. 413), World Farm Center, in which it requested the concurrence of the Senate.

ENROLLED BILLS SIGNED

The message further announced that the Speaker had affixed his signature to the following enrolled bills:

H.R. 4496. An act for the relief of the village of Brooklyn Center, Minn.;

H.R. 4833. An act to provide for the conveyance of certain real property of the United States situated in the State of Pennsylvania;

H.R. 7043. An act to authorize and direct the Secretary of the Department under which the U.S. Coast Guard is operating to cause the vessel *Northwind*, owned by Wallace P. Smith, Jr., of Centreville, Md., to be documented as a vessel of the United States with coastwise privileges; and

H.R. 8485. An act for the relief of Eddie Garman.

HOUSE BILLS REFERRED

The following bills were severally read twice by their titles and referred, as indicated:

H.R. 839. An act to amend title 10, United States Code, to provide that members of the armed forces shall be retired in the highest grade satisfactorily held in any armed force, and for other purposes;

H.R. 5645. An act to revise the provisions of title 10, United States Code, relating to the recoupment of disability severance pay under certain conditions;

H.R. 5784. An act to authorize the disposal of molybdenum from the national stockpile;

H.R. 5787. An act to authorize the disposal of rare-earth materials from the national stockpile and the supplemental stockpile;

H.R. 5788. An act to authorize the disposal of bismuth from the national stockpile and the supplemental stockpile;

H.R. 8009. An act to amend title 10, United States Code, to remove the restriction on the use of certain private institutions under the dependents' medical care program;

H.R. 8375. An act to amend title 37, United States Code, to authorize a dislocation allowance under certain circumstances, certain reimbursements, transportation for dependents, and travel and transportation allowances under certain circumstances, and for other purposes;

H.R. 10242. An act to amend title 10, United States Code, relating to the authorized strengths by grade for medical and dental officers on active duty in the Army, Navy, and Air Force; and

H.R. 11144. An act to authorize an increase in the number of Marine Corps Reserve officers who may serve in an active status in the combined grades of brigadier and major general; to the Committee on Armed Services.

H.R. 2834. An act to amend the act of June 10, 1938, relating to the participation of the United States in the International Criminal Police Organization; to the Committee on the Judiciary.

HOUSE CONCURRENT RESOLUTION REFERRED

The concurrent resolution (H. Con. Res. 413), World Farm Center, was referred to the Committee on Agriculture and Forestry, as follows:

H. Con. Res. 413

Whereas the business of agriculture is a basic industry vital to the economy and sustenance of the United States of America and the entire world; and

Whereas the development of techniques, research, and procedures for the improvement of the agricultural industry is necessary to the well-being of the farmers and consumers of farm products; and

Whereas World Farm Center advocates from all segments of the agribusiness industry are cooperating in the founding of a World Farm Center at Ontario, San Bernardino County, California, as a service organization which is designed to—

(1) serve as an agricultural "clearinghouse" and marketing information center;

(2) encourage, assist, and cooperate in agricultural research programs with universities, governmental agricultural agencies, and private agencies;

(3) develop the site of World Farm Center as a manufacturing and/or demonstration and display center for all types of agricultural machinery and equipment;

(4) establish prototype agricultural enterprises for display and production;

(5) establish a convention center for agricultural organization meetings;

(6) engage in other service and educational functions which will advance the agricultural industry;

(7) establish a center for offices or companies, associations, governmental and others; and

(8) improve public relations between agriculture and the general public: Now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That the concept of World Farm Center be endorsed as a means of furthering the advance of national and international agriculture without any cost or obligation on the part of the United States.

NEIGHBORHOOD EMERGENCY FUND ACT OF 1967

Mr. RIBICOFF. Mr. President, on behalf of myself and the junior Senator from Illinois [Mr. Percy], I introduce for appropriate reference a bill entitled "The Neighborhood Emergency Fund Act of 1967." I ask unanimous consent that the text of the bill be printed immediately following the statement that I shall make.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the Record.

Mr. RIBICOFF. Mr. President, for myself and on behalf of the Senator from Illinois [Mr. Percy], I make the following statement in explanation of the bill:

Four facts rise above the tumult surrounding the crisis in our cities:

First, the problems we seek to solve have already been studied repeatedly. Although we must continue to expand our knowledge, we have enough information with which to establish priorities and act today.

Second, the executive branch lacks the budgetary and programmatic flexibility it needs to respond swiftly and effectively to urban emergencies. At present, the President can call only on a $1 million contingency fund and $6 million in unobligated disaster relief funds in the Office of Emergency Planning.

Third, the Congress has a responsibility to provide the President with the authority to render assistance to local governments and community groups—allowing them the freedom to direct their energies and resources to local situations with local leadership and initiative.

Fourth, though a national commitment must be initiated in Washington, the final resolution of the acute problems of our cities will be achieved only through local leadership and through the fullest use of private resources.

Accordingly, we are introducing today in the Senate the Neighborhood Emergency Fund Act of 1967.

The act, which is based in part on the imaginative concept advanced last week by the Senator from Kentucky [Mr. MORTON] gives the President the authority to transfer up to 2 percent of the Federal nondefense budget into an urban emergency fund. In the fiscal 1968 budget request, nondefense spending totals approximately $55 billion. Thus, the act would authorize a fund of up to $1.1 billion.

The bill authorizes the President to make "community grants" to assist public and nonprofit organizations to carry out locally initiated and neighborhood-oriented programs in urban areas. The authority will end on December 31, 1968, and the President is required to make semiannual reports to the Congress on the administration of the act.

We have drafted the legislation in a way that would impose a minimum of Federal restrictions on local initiatives. Rather than establishing strict Federal guidelines and regulations, the bill aims at stimulating local ideas and local action.

This is not a new Federal program. Nor does it require new Federal spending. The bill would give impetus to voluntary efforts at the neighborhood level through programs that are initiated, organized, developed, and directed by local citizens, local groups, and local governments. It would focus attention on the great potential of resources that can be mobilized on a neighborhood-to-neighborhood basis to counter the growing crisis in our Nation's urban centers.

We have avoided the establishment of strict programmatic guidelines. But we believe that priorities can and should be set.

The bill gives priority to the creation of more jobs, better housing and improved law enforcement. We believe that employment opportunities are especially important. The statistical portrait of the cities of America shows that job opportunities are the greatest need in the central cities. Under this legislation, jobs could be provided in the private sector—through training and insurance programs—or through a program of public service employment, in schools, hospitals, or municipal services, and through creation of better housing.

The overwhelming majority of Americans is united in opposition to civil disorders and violence—and is dedicated to achieving our national goals within the framework of our democratic institutions.

The urban crisis will be resolved at the neighborhood level. But the stimulus must come from the Nation's Capital. The Presidency is potentially our most effective source of action in a national emergency. However, the President should be able to cut through the time-consuming and rigid guidelines and procedures—now so often required before Federal help can be given. And Congress should provide him with this authority.

The bill (S. 2258) to establish an emergency fund to be available to the President to assist locally initiated and neighborhood-oriented programs to improve the quality of urban life and to lessen the incidence of urban disorders and violence, introduced by Mr. RIBICOFF (for himself and Mr. PERCY), was received, read twice by its title, referred to the Committee on Banking and Currency, and ordered to be printed in the RECORD, as follows:

S. 2258

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Neighborhood Emergency Fund Act of 1967".

POLICY DECLARATION

SEC. 2. The Congress finds that the overwhelming majority of Americans are strongly opposed to civil disorder and violence, are dedicated to the conviction that progress toward the achievement of national goals be made within the framework of democratic processes and are willing to undertake constructive action at the local and neighborhood level.

To this end, and to provide a greater flexibility in the national effort to prevent and combat disorders in urban areas, the Congress determines that local initiative and neighborhood responsibility should form the basis for an emergency effort to focus governmental and private resources on the creation of (1) increased employment opportunities, (2) adequate housing, and (3) improved law enforcement and related community services.

COMMUNITY GRANTS

SEC. 3. (a) In furtherance of the policy set forth above, the President is authorized to make grants to qualified applicants to carry out in urban areas locally initiated and neighborhood-oriented programs to—

(1) increase employment opportunities;

(2) provide improved housing for lower income families; and

(3) improve law enforcement and related community services.

(b) In approving a program for assistance under this Act, the President shall consider whether—

(1) in the implementation of the program, there will be the fullest possible utilization of private initiative and enterprise;

(2) local resources will, to the extent available and practicable, be utilized in carrying out this program;

(3) maximum coordination exists between the program and other activities or projects undertaken or to be undertaken by the locality; and

(4) the program will be promptly implemented, and can reasonably be expected to make a substantial contribution to the objectives sought to be achieved.

(c) Grants under this section shall be made on such terms and conditions, consistent with the provisions of this Act, as the President may prescribe.

(d) In making any grant under this section, the President may require such reports and fiscal controls as he deems necessary to assure the proper disbursement of and accounting for Federal funds.

(e) For the purpose of this section, a "qualified applicant" may be a State, municipality or other political subdivision of a State, a duly authorized agency or instrumentality of a State, municipality or other political subdivision of a State, or a nonprofit organization determined by the President to be qualified to carry out an approved program.

NEIGHBORHOOD EMERGENCY FUND

SEC. 3. There is hereby established in the Treasury of the United States a Neighborhood Emergency Fund. To provide capital for such fund, the President is authorized to allocate to such fund not to exceed 2 per centum of any unobligated funds, appropriated for the fiscal year ending June 30, 1968, which are determined by the Director of the Bureau of the Budget to be available to carry out Federal programs which are not directly and primarily related to the national defense. Sums so allocated to such fund shall be available to the President to carry out the purposes of this Act.

REPORTS

SEC. 4. The President shall make semiannual reports to the Congress on the administration of this Act.

TERMINATION

SEC. 5. The authority conferred by this Act shall terminate on December 31, 1968, but such termination shall not affect the disbursement of funds under, or the carrying out of, any contract or commitment entered into prior to the date of such termination, or the taking of any action necessary to preserve or protect the interests of the United States in any amounts paid out under the provisions of this Act.

Mr. RIBICOFF. Mr. President, the measure we introduce today builds on the concept proposed in the Senate last week by the distinguished Senator from Kentucky [Mr. MORTON]. The bill would free $1 billion of Federal nondefense spending to create an emergency fund for more jobs, better housing, and improved law enforcement in American cities and is designed to give the President the ability to act quickly and with flexibility in response to local initiatives.

The bill—called the Neighborhood Emergency Fund Act of 1967—would require no new appropriations or additional spending.

It would authorize the President to transfer up to 2 percent of nondefense moneys from the current budget into a neighborhood emergency fund.

The bill specifies that the President should use the fund for "community grants" to States, communities, and nonprofit organizations.

The grants—allocated directly from the White House—would go to locally initiated and locally directed efforts to ease urban tensions and promote orderly community progress.

Under the legislation, a mayor, for example, could apply directly to the White House for financial aid in carrying out a community plan to resolve a problem requiring immediate action.

First consideration would be given to proposals that showed a full effort to mobilize the community's available resources.

These available resources would include private industry and capital, civic groups, and existing Federal, State, and local government programs.

Mr. President, when the distinguished Senator from Illinois spoke to me last week about a bipartisan approach to the problems plaguing our cities today, I reacted with great enthusiasm. I told him I was deeply impressed with the colloquy that I had last week on the floor with the distinguished Senator from Kentucky [Mr. MORTON] and by the proposal of the Senator from Kentucky, and that I thought we could go on from there to develop a constructive program.

The time has definitely come for action. Yet, in all candor, we recognize the budgetary problems that prevail in this Nation. We would be less than realistic not to recognize the attitude of Congress toward new and additional appropriations. We have all had much experience in government. There is no question in my mind that it would not be too difficult for the President to take 2 percent from current nondefense spending and allocate it for matters that have the most urgent priority in the cities of America, such as the problems of jobs, housing, and law enforcement. We have in this bill an opportunity for the Congress and the executive branch to act quickly, and not to wait for the results of additional and further study.

We look forward to the results of the Kerner Commission, but that Commission will not report until next March. Its proposals will probably require legislative action and additional time.

We must recognize that large amounts of money alone will not solve the problem. To do the job really well will take a decade of hard work, but there are certain programs in certain areas where we can move and move in fast.

The Senator from Illinois and I believe this bill sets out a rational and responsible way for the Congress and the executive to move rapidly in facing the emergency in America at the present time.

Mr. PERCY. Mr. President, will the Senator yield?

Mr. RIBICOFF. I yield to the Senator from Illinois.

Mr. PERCY. Mr. President, I am very pleased to join with the distinguished Senator from Connecticut in the sponsorship of the Neighborhood Emergency Fund Act of 1967. I believe that the distinguished Senator from Connecticut is uniquely qualified, with his distinguished background as a Governor, Cabinet officer, and now as a Senator, to have thought through some of the problems we face in our cities.

We have both been inspired by the imaginative concept advanced last week by the distinguished Senator from Kentucky [Mr. MORTON], and our bill is a means of trying to implement the urgency he expressed in his message.

By joining together we also are symbolizing that it is our deep feeling and conviction that there is no place for partisanship in the solution of some problems we face in this country; that we can work together cooperatively on both sides of the aisle; and that there can be cooperation between the legislative branch and the executive branch of Government to move swiftly and respond to needs we recognize must be met.

It is important that the legislative body take the initiative when we have these situations. In this bill, we have tried to recognize the importance of placing the responsibility in local initiative. The President would be authorized to support programs initiated in the community and programs initiated in the neighborhoods. Far too frequently in government, we find program imposed from Washington upon people in a community when they have not been a part of the process of deliberation and a part of the process of decisionmaking, and where there is found deep resentment on the part of the people in a community with respect to programs in which they have not participated at the time they were announced. That is why we have placed the emphasis on local initiative.

I am not at all of the frame of mind to feel that every time we have a problem we should appropriate another billion dollars and feel that we have solved the problem. I do not think it would be responsible, in light of the President's message with respect to a $28 billion deficit, for us to seek new funds, but I do think it is in the essence of responsibility and responsiveness to a situation that we give the President authority to adjust priorities.

In the last month the order of magnitude of priorities in this country has changed. We recognize first things must be done first. We have urgent urban needs that are now being met. It is for this reason that we wish this authority to go to the President, although we requested that reports be made twice a year to the Congress, and there is a limitation of authority, in that the authority would end on December 31, 1968.

I think it is up to the Congress to determine, demonstrate, and prove that we can respond affirmatively when there is a need. The Senate has responded with great dispatch in times past and in times of national emergency. We have such an emergency now.

When we see that the President has available $1 million in contingency funds and $6 million in unobligated disaster relief funds, these funds are not adequate to deal with the present situation.

By no means do we wish to imply that we want to reward rioters. We state unequivocally that these criminal acts of looting, arson, and murder must be dealt with effectively by law. We wish to provide a part of these funds to strengthen law enforcement in the communities.

There have been tens of thousands of innocent people victimized by the acts of the past week. There have been great disruptions in large urban areas in this country. It is to deal with this critical situation and in that particular spirit that we introduce this legislation.

Mr. President, I commend the Senator from Connecticut for the inspiration he has provided to us and I am proud to join him in this connection.

Mr. MORTON. Mr. President, will the Senator yield?

Mr. RIBICOFF. I yield.

Mr. MORTON. Mr. President, I wish to say to the distinguished Senator from Connecticut and the distinguished Senator from Illinois that I appreciate their kind references to my humble efforts in trying to come forward with some idea and some program to meet the immediate problem we face. I believe we must remember that there are several weeks of summer remaining and that next summer will be here all too soon.

There is a three-stage solution to this problem. First, as has been pointed out, we must have law and order. We are a country of laws. We are a system of laws. We must have law and order.

Then comes a short-range solution which the Senator from Connecticut and the Senator from Illinois suggested in their proposal. I introduced a bill last week which varies slightly. I proposed 10 percent of those funds that had been allocated for urban problems. This proposal is for 2 percent of all nondefense funds. I have no pride of authorship and I can support this proposal. It may be a more logical approach for, indeed, there might be differences as to what are urban-oriented funds. That is the second step.

Then, there are the long-rang solutions to the basic problems that have caused this crisis that we face in our country.

I was glad to hear the Senator from Connecticut and the Senator from Illinois comment in the Chamber that this had to be done with minimum of restriction, and with a minimum of rules because it had to be done speedily. If we wait for a program to go through all the layers of bureaucracy in subcommittees and committees of both Houses of Congress, and get action, and then, finally send legislation to the President for his signature, I am afraid that it will be too late.

I would trust that a bill such as the proposal which has just been introduced, or the one which I introduced, or some other approach would go to the President quickly to provide for the funds which he can use in working with the mayors of our cities, the chief administrative officers of our counties, and in certain instances the Governors of our States, so that those who are potential leaders in these disorders can be drawn in and made a part of society by getting jobs. Perhaps they may be given white hats, as were given in Tampa, Fla., or Sam Brown belts.

In Louisville, Ky., where we all see that we need more firemen, bring them in and pay them, but not at the expense of the fire department's budget. Place two of these young men who are leaders in their communities in each firehouse. Let them take the night-shift turn, sleep and live there.

The PRESIDING OFFICER. The time of the Senator from Connecticut has expired.

Mr. RIBICOFF. Mr. President, I ask unanimous consent to proceed for 5 additional minutes.

The PRESIDING OFFICER. The Senator from Connecticut is recognized for 5 additional minutes.

Mr. MORTON. Then, if trouble should break out in my hometown, I am sure that they could go into their communities and help stop such things as developed in so many of our cities in the past 5 or 6 weeks. They are a part of society. I would not give them an FBI test. I would not say they must take some sort of security test before they can become a part of this program. Indeed, that young adult or that late teenager who could do more to stop this thing probably has been in a reform school or has been indicted and convicted of some offense—even stealing an automobile.

That is the man we have got to get to, and get to quickly, in order to put out the fire. The only way we can do it is by means of the plan such as the Senator from Connecticut has proposed—and I commend him for it—and the one I have proposed. We are all seeking the same objective. As I have said, I have no pride of authorship. But, we can act quickly and by joint resolution.

As a Republican, why am I suggesting that we give the President this fund? Because that is the only place we can do it and get it administered. Some of it may be misspent in certain cities, yes; but there are some 80 cities which have been involved in this difficulty. There are scores of cities that are still not involved which potentially might be. This, I regard, as the second step, the fire brigade—if you will—to prevent this from happening.

First should be law enforcement when it happens. Second should be a quick program to prevent it happening. Third should be the long-range solutions.

The distinguished Senator from Connecticut has had great experience in this area as a Member of the House, as a Governor of Connecticut, and also as Secretary of Health, Education, and Welfare which deals with many of these problems. He has said that some of these things will take 10 years to accomplish. I am afraid they may take longer than that. We have had public housing on the books for, I suppose, some 20 years or more; and yet we have not really begun to solve the housing problem. Thus, we have a long-range problem ahead of us, but in this way, in the conception the Senator has proposed, we can get the second stage going, and going quickly, although I expect he would be criticized for his proposal, and I for mine—why are we going to take that money away from the Headstart program? I was not too enthusiastic about that program at its inception, but I think it has turned out to be a very good program on the whole. Congress has plenty of time to sit in Washington and look at the programs and replenish them with funds if money is taken away from them for this purpose. Congress can reappraise and reexamine the efficacy of the many programs that we now have working in this area. In my opinion, we have far too many. It would have that extra desirable effect, I believe.

I commend the distinguished Senator from Connecticut and his associate, the Senator from Illinois [Mr. PERCY] in this effort, and I assure them both that I will do all I can—although I am not on any committee concerned with this problem—but I will certainly do all that I can to expedite the matter during the coming days.

Mr. RIBICOFF. I thank the Senator from Kentucky and the Senator from Illinois for their contributions.

I do not think it would be difficult to find 2 percent of "water" in the budget of the Federal Government. I do not believe that a 2-percent deduction basically in our domestic spending would cripple any program now on the books.

May I say, too, concerning the comments of the Senator from Kentucky, that we have been talking in America for more than 4 years about "hot summers."

I am not so sure, as I read the events of this past year, in their tragic overtones, that we are not entering into a period which will go beyond just the summer.

I believe it will be a great mistake if we in this country—the people, Congress, the executive branch—were to wait for Labor Day to come around and figure that we would not have any more problems until the next Fourth of July. Such a notion would render a great disservice to our Nation.

We are in the midst of a revolutionary crisis. We should recognize the symptoms and the signs.

There is no question that rebuilding the cities of America will be the job of a generation—a job which will cost about $1,300,000,000,000.

To rebuild the slums of America will take 10 years no matter how efficient we are. There are 4.5 million substandard housing units scattered in urban areas throughout this country. It will take $50 billion to eliminate the slums and rebuild decent housing. It would be foolhardy to state on the floor of the Senate that we can appropriate the money and do it this year, next year, or the year after. But, there should be a national commitment by the people of this country, through the Government of this Nation, that we intend to rebuild the slums of America, and then private enterprise, our communities, and our people can start planning.

The PRESIDING OFFICER. The time of the Senator from Connecticut has expired.

Mr. RIBICOFF. Mr. President, I ask unanimous consent to proceed for 5 additional minutes.

The PRESIDING OFFICER. The Senator from Connecticut is recognized for 5 additional minutes.

Mr. RIBICOFF. Mr. President, the Subcommittee on Executive Reorganization conducted hearings for 1 year on the Federal role in urban affairs. We took over 4,000 pages of testimony from 110 witnesses who came from all sectors of American life—sociologists, psychologists, financiers, businessmen, professional men, psychiatrists, labor leaders, and civil rights leaders.

It soon became obvious that there were certain basic pressure points in our society and that is where the leverage had to be applied. It also became clear that we have not yet taken a systematic approach to the problem of our cities. We were trying to handle each problem on a programmatic basis. We have accumulated program after program.

The mayor of the city of Oakland, Calif., came in with his director of redevelopment. They stated that they had taken inventory in Oakland and had 140 separate and distinct Federal programs—not including welfare programs—on which they were trying to get guidance and trying to make work. It does not work. There is too much paper work involved, too much bureaucracy, and too much inertia when we try to make the Government work with such a large mass of programs.

We have come to a crisis situation. We have to apply leverage where it counts the most.

The legislation we are introducing today points out the three key leverage points where we believe pressure must be brought.

The field of law enforcement is sine qua non for any society. Above everything else, we must have law and order if the democratic process is going to work to its complete fruition.

Second was the element of jobs. We found above all else that jobs were necessary. One does not have to be an expert. In reading the newspapers and watching television, one sees that the greater number of rioters are youths in the age group between 16 and 21. These are youngsters without a job. They have nothing else to do but hang around street corners. They become the local heroes by throwing the rock or lighting the torch. We now know that 25 percent of the Negro youths in our cities are unemployed. One out of four waits around with nothing to do. The situation becomes a tinderbox. All it needs is an incident, or a Rap Brown or a Stokely Carmichael to light the fuse, and it all goes up in smoke and tragedy.

Our bill establishes a $1 billion fund. I have read estimates that the damage in Detroit alone was $1 billion. A few days, and a billion dollars worth of damage to property and assets is done in one city alone in America. In Newark there was damage of $300 million to $400 million. Cities across the Nation, small and large, have experienced the troubles. They are with us. They are not going away.

In introducing this legislation we are saying that recognizing the problem that Government does not have enough money—and Government does not; we do not have a bottomless purse—then it is our duty, as responsible legislators, to mark the priorities that society must address itself to. If we do not have funds adequate to meet all our needs, then priority must be given to the basic and most serious needs.

Who in America can say today that the most serious domestic problem facing us is not the crises in the cities of America?

In the legislation which has been proposed by the Senator from Kentucky, and in the bill introduced by the Senator from Illinois and myself, we are saying to the President, "You are responsible for the appropriations we have voted you and your department heads. Examine all those and determine where the 2 percent should come from." Some departments may find they can afford 5 percent; other departments not a penny, because of basic needs. But in a budget of $55 billion in the domestic field, I am sure we can find $1.1 billion that can be transferred and used immediately—not next month or next summer, but now—to help solve the crisis that sweeps across our Nation.

Mr. MORTON. Mr. President, will the Senator yield?

Mr. RIBICOFF. I yield.

Mr. MORTON. And there is precedent for this, for, indeed, in the foreign aid bill—whatever it was called 15 years ago—we always wrote into that bill what we call transferability. We appropriated title by title. One might deal with southern Asia. One might deal with the continent of Africa. One might deal with this hemisphere. But we wrote in transferability. We gave the President, whoever the President might be, the power to transfer 10 percent out of one title to any other title or to any purpose which he felt, in the national interest, would be served by transfering those funds. He did not have to come back to Congress. He had that power. So we do have precedent for legislation of the kind which the Senator has introduced today. I merely wanted to point that out.

Mr. RIBICOFF. I thank the Senator for his comment. May I point out that in 1962—and the distinguished Senator from Kentucky was in this body then—we gave authority to the President to overcome a substantial unemployment situation through an accelerated public works program. There is precedent in the foreign aid program bills and an analogous action in our own domestic legislation. But even if there were not, these are times that cry out for different solutions and different approaches.

I would hope the executive branch would give careful consideration to these proposals. I think we have to recognize that ideas do not come from only one end of Pennsylvania Avenue. There are, indeed, two ends of Pennsylvania Avenue, the White House and Capitol Hill.

I have the highest respect for the men and women who are in both bodies of Congress. They have ideas, and their ideas should be considered.

But we in the Congress are often at fault. I have been amazed, both as a member of the Cabinet and as a Member of Congress, to see our obeisance to the executive branch. Constantly we cry, "What does the President think about it?" or "What does the White House think about it?" or, "What does this agency or that agency think about it? What does the Budget Bureau want?"

I do not think the way to solve problems is always to ask what the President wants. I think the time has come to ask what Congress wants.

All of us have been voted here by the people of our States. We have been voted here and have come to Washington not only to reflect the President's ideas, but to have ideas of our own. If we think those ideas have merit and value, it is our duty and our obligation to fight for them in committee and through the amendment process on the floor of this body. It is only when Congress will recognize its capacity and its obligation, and not merely ask the question as to what the President wants, that it will fulfill its responsible function under the Constitution of our great Nation.

Mr. President, I yield the floor.

PRIVILEGE OF FLOOR TO COMMITTEE STAFF MEMBERS DURING CONSIDERATION OF EXPORT-IMPORT BANK ACT AMENDMENTS OF 1967

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that during the consideration of S. 1155, the Export-Import Bank Act Amendments of 1967, the chairman of the Committee on Banking and Currency may designate certain members of the staff of that committee to be given the privilege of the floor.

The PRESIDING OFFICER. Without objection, it is so ordered.

ADDRESS OF SENATOR BYRD OF WEST VIRGINIA AT ANNUAL GOVERNOR'S DAY REVIEW

Mr. BYRD of West Virginia. Mr. President, last Saturday I addressed the West Virginia National Guard at the annual Governor's Day Review at Camp Pickett, Va. I ask unanimous consent that my remarks at that time be included in the Record.

There being no objection, the address was ordered to be printed in the Record, as follows:

Remarks by U.S. Senator Robert C. Byrd at the Annual Governor's Day Review, Camp Pickett, Va., August 5, 1967

I am extremely grateful to have the opportunity to appear here this morning and to actively participate in your traditional Governor's Day Review.

Today, when our country is in a time of greater testing than ever before, it is imperative that the caliber of our forces, both active and reserve, be the best available. I am proud to see before me the tremendous capability you possess. In doing so, I cannot help but swell with additional pride in our state. Those of you in the 150th Armored Cavalry, the 3664th Ordnance Company and the 249th Army Band have brought great credit to West Virginia through your military excellence.

I am not mindful that the 2d Battalion, 174th Artillery of the Ohio National Guard is also on the field today, and I am confident that your Senators are impressed with you as much as I am with the West Virginia National Guard.

Being on the Armed Services Committee of the United States Senate, I know firsthand just how important the National Guard is in our defense plans. I am equally cognizant of the invaluable role played by the National Guard in the many military conflicts in which our nation has taken part. Only a cursory examination of military history is required to attest that the National Guard has truly been our first line of defense. However, the 1960's have seen a departure from the traditional use of the National Guard.

Just six years ago, a serious confrontation occurred between our President and the leader of the USSR affecting the freedom of East Berlin, Germany. This confrontation placed the world-wide prestige of the United States in jeopardy. President Kennedy acted swiftly and surely in calling the bluff. Actions he took left no doubt in our adversary's mind that our nation not only had the capability to cope with the consequences of his threat but we also had the resolve to use it. These were and remain our trump cards . . . the military capability and the national resolve to use it. Many of you vividly remember the Berlin crisis about which I speak . . . because you were a vital part of it. The 150th armored Cavalry and the 3664th Ordnance Company were called into federal service for over 10 months and, along with other units involved in the call-up, amply and ably demonstrated that our position on East Berlin was no bluff. Those of you who served during that period are to be strongly commended for the performance you rendered and the sacrifices you made in doing so. Your country is indeed indebted to you for this.

The role of the National Guard in the Berlin crisis was the first departure from traditional employment. The activation was not to fight a war . . . the activation was to prevent a war. The National Guard become an instrument of foreign policy, and the confrontation was settled without a bullet being fired or a bomb being dropped on a battlefield. This was a most successful change from your historical combat employment as our nation's first line of defense.

So, I wish today to pay tribute to a man who has been much in the news over the past weeks of turmoil and trial in our cities.

This man is the American citizen-soldier of the Army and the Air National Guard. For over 300 years he has fought in the forefront of this nations' wars; over these three centuries he has mustered wherever and whenever life and property have been threatened by fire, flood, or civil disorder.

Of all his duties and responsibilities, this last is the most onerous, the most demanding, and the most thankless. It is performed in the atmosphere of unrestrained violence, provocation, and physical danger. The terror is compounded by the mass of the innocent trapped and exploited by the relatively few criminal perpetrators of the violence.

In these most trying of circumstances the Guardsman must serve under the direct and critical eye of his fellow citizens who are sometimes prone to magnify disaster and to blame.

This has been the story in Newark and in Detroit. Much has been said and written of the Guardsman's service in these two stricken cities. Little of this commentary has attempted to put it into the perspective of the performance of a relatively few citizen-soldiers called late into a situation already out of control.

Much of the reporting—after the fact—has dwelt on the citizen-soldier's errors of omission and commission; none that I have seen has ventured into what would have been the result had the Guardsman not been there to oppose violence running amok in the streets.

It is my opinion—after the fact—that the Guard performed in the highest tradition of the citizen-soldier—he did his best with what he had in the situation into which he was ordered. If he needs more training to meet a new type of civil disorder, it is the responsibility of the active services to provide him with the time and resources to accomplish it.

I reject a report that his performance has been "appalling." His performance even under conditions of too little and too late, has been heartening to me as an American.

In speaking of Guardsmen, my thoughts turn naturally to those of my own state. The citizen-soldier of West Virginia have not been called upon to face riot and disorder in the streets. I hope and pray that they do not have occasion to do so. But I have no fear that they would face it with courage, the fortitude and devotion to duty that constitute the heritage of the military service of our state.

In West Virginia's Army Guard we are authorized approximately 3,500 officers and men—a small number in comparison with the responsibility that they carry. But this small number also carries battle honors that date back to the Revolution; they carry the pride of their forefathers who set out from Shepherdstown in Berkeley County, West Virginia, on July 17, 1775, for Boston, six hundred miles away. Twenty-six days later, on August 11, they arrived at the scene of action. General Washington shook the hand of every man, remarking, "Leave me but a banner to plant in West Augusta (now West Virginia) and I will rally around me the men who will lift our bleeding country from the dust and set her free."

To the officers and men of the 1092nd Engineer Battalion of the Selected Reserve

Force, the 150th Armored Cavalry Regiment, the 201 Field Artillery, the 19th Special Forces Group, the 3664th Ordnance Company, and the 249 Band of the West Virginia Army National Guard, I express my pride, my appreciation and trust in their ability and devotion to duty.

While the nature of present events has focused attention on the role of the Army Guardsman, the Air Guardsman continues a performance that may be routine in regularity, but which is spectacular in range and importance.

For West Virginia, the Air Guard is the 167th Military Airlift Group, and the 130th Air Commando Group with their supporting units. The total strength is 1,793. These few officers and men airlift tons of important military cargo to our bases around the world, they train in the highly technical skills of the Air Commando in the jungles of Central America as well as in the mountains of our state. They represent global air power that is nonetheless at the call of the Governor of our state for protection of the life and property of our citizens.

In parting, let me say this day is occasioned with sadness. The 105th Armored Cavalry can trace its history to 1778 when the Greenbrier Long Rifles were formed. Thereafter, it became the 2d Virginia Regiment . . . then in 1863, the 2d Division, West Virginia Militia . . . in 1898, the 1st Regiment . . . in 1917, the 150th Infantry Regiment . . . and its present designation in the 1950's. Thus, it can count 189 years of regimental service to our country. In its history are many deeds of valor . . . unit and individual heroism . . . and unquestioned faithful, dedicated and professional service to our state and our nation . . . It is one of our country's oldest units and is steeped in tradition. Soon, it may be no more. Reserve component reorganization is a certainty and current plans may not call for the survival of this glorious unit. We may all question change, but change there must be! There is no magic in the status quo, and, as new technology unfolds, military reorganization is a necessity. Military units have to be adjusted to the times because time does not stop in favor of the status quo. Changes end traditions, but new traditions can be developed. However distasteful the loss of the 150th Armored Cavalry may be, I have no doubt that your same pride and dedication will inure to the benefit of your new units so that if technology again dictates their elimination, you will again feel the same type of personal loss. Truly, you have done yourselves proud and you have earned the respect and admiration of those who have been associated with you. Your personal motivation to keep West Virginia's military tradition as outstanding as it has always been will assure continued progress for the West Virginia National Guard. No one could expect you to do more; I am highly confident that you will not be satisfied with less.

In the silence that surrounds the achievements of the Guardsman—both Army and Air—I am proud to raise a voice in his praise. He is an American who stands on his own feet—a man I am prone to admire. To the extent that Americans depend upon the Guardsman for the safety of their families and their property, to that extent we should support him, morally and physically. I urge that we do so.

Mr. BYRD of West Virginia. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

ORDER OF BUSINESS

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the distinguished Senator from Minnesota [Mr. McCARTHY] be recognized for not to exceed 15 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MANSFIELD. And that at the conclusion of his remarks, the distinguished Senator from Maine [Mr. MUSKIE] may be recognized and obtain the floor.

The PRESIDING OFFICER. Without objection, it is so ordered. The Chair recognizes the Senator from Minnesota.

THE 1967 RIOTS—THEIR CAUSES AND CURE

Mr. McCARTHY. Mr. President, in this summer of 1967, we have witnessed unprecedented violence and cruelty in cities across the country.

The destruction and chaos of riot-torn cities come as a shock to those who through the years had looked away from the scandal of poverty in this land of affluence, who had ignored frustration in a land of achievement, and who had refused to acknowledge that there might be despair in a land of promise and hope.

This is, as Dickens said of another time, "the best of times," and "the worst of times"; it is "the age of wisdom"; it is "the age of foolishness"; it is "the epoch of belief"; it is "the epoch of incredulity"; it is "the season of light"; it is "the season of darkness"; it is "the spring of hope"; it is "the winter of despair"; we have "everything before us"; we have "nothing before us."

Both the widespread incidence and the intensity of violence this summer demonstrate that this is a special kind of insurrection and these are a special kind of demonstrations by the poor and the exploited—those who have been denied their part in the American dream.

Most of the persons involved in the riots have been Negroes who suffer not only from the degradation of institutionalized poverty but also from the humiliation and frustration of discrimination and segregation. It is a mistake, however, to regard the riots as being racial disorders, and to ignore the bitter truth that many people in the United States live each day on the edge of despair.

We are suffering through days of shock and disbelief. These days are marked by a false hope that the riots just happened and that they will go away with a change of weather, or that further riots will be prevented if some persons or organizations can be held immediately accountable.

We are now in the period of angry challenges, charges, and countercharges. These charges have gone almost full circle. Executive officials and mayors have blamed the Congress. Members of Congress blame Federal officials and the mayors. Liberals blame conservatives, and conservatives blame liberals. The search is on for a scapegoat; for a conspiracy to be outlawed by a congressional report or resolution.

We have now reached a point where we are blaming those who have blamed others. It is a kind of erasing process.

The response to this insurrection by the Congress, by Federal, State and local governments, and by business, labor, civic and religious leaders must be wholly honest. We must reflect on the causes of this national crisis and on the measure of commitment necessary to alleviate and eventually to eradicate its causes.

The alienation and isolation of the poor today is not the work of a brutal few but of the indifference of many. Everyone has some share in the guilt—all who have exploited the poor, all who have stood aside or looked the other way, all who have responded in anger or cynicism.

No society can stand lawlessness, and every government is committed to maintaining the public order. We do need careful and thorough study of the immediate causes and patterns of the riots. We need to know about the means used to prevent or contain rioting and also about means which were not used. We need to establish better procedures for coordinating Federal, State, and local efforts so as to prevent or at least reduce the violence of riots in the future.

Our attention, however, must not be confined to procedures alone or to the statistics of deaths, injuries, and property loss or to the often trivial incidents which erupted into violence. The Congress and the Nation must concentrate their attention on the more difficult questions, on the whole range of problems and injustices which are the basic source of violence.

Riots may be inspired by leaders who view themselves as patriots or by self-seeking men stirring up the people for unscrupulous purposes. But it is clear from history that the leaders—regardless of their personal motives—do not receive a hearing unless there are large numbers of citizens who are frustrated and aggrieved, who have long been oppressed or deprived of decent jobs, homes, and food; people who have been subject not only to serious injustice but also to needless and daily irritations in minor matters; and finally, people who have lost hope in the traditional and ordinary legal means of securing improvement in the conditions of life or work.

The poor, of whatever color, are themselves a minority in the United States today. The indifference of an insensitive majority heightens the frustration of the minority poor. Even the discovery of poverty in recent years by civil rights leaders, Government officials, and reform groups has contributed a measure of false hope.

The historical record shows riots for trivial or foolish reasons and riots for the highest purposes of justice and liberty. There have been riots by racial and nationality groups, by rural peasants and urban workers, by students, by religious minorities and against religious minorities. There have been riots in prisons and out. There have been riots under the most despotic and tyrannical governments, despite the penalty of death and reprisal on families, and riots in free democratic societies.

Americans have rioted for causes worthy and unworthy, as Samuel Morison points out in "The Oxford History of the American People." There were protests against the Stamp Act in nearly every American colony, and Morison describes the events in New York as follows:

> On the very day (1 November 1765) that the Stamp Act came into operation, a howling New York mob led by a shipmaster, Isaac Sears, forced Lieutenant Governor Colden to take refuge on board a British Warship. It then attacked the fort at the Battery, broke into the governor's coach house, destroyed his carriages, and forced the officer in charge of the stamped paper to burn it. The rabble then marched up Broadway to a country estate on the Hudson (between the present Chambers and Warren streets), then occupied by an officer of the garrison, who had threatend "to cram the Stamp Act down the people's throats." They gutted his house, destroyed furniture, books and china, drank up the liquor, uprooted the garden, and departed carrying the regimental colors as a trophy (p. 186).

The War of 1812 was very unpopular in some quarters, especially with the federalists, Morison wrote:

> Although New England was the most solid section against the war, merchant-shipowners everywhere disliked it. At Baltimore the plant of a Federalist newspaper which came out for peace was demolished by a mob. The friends of Alexander C. Hanson, the editor, lodged for safety in the city jail, were dragged out of it by a waterfront mob led by a Frenchman, and beaten to a pulp. Hanson and General Henry Lee were badly injured, and General J. M. Lingan was killed. Federalists throughout the country shuddered over this episode, recalling as it did the cowardly massacres of prisoners in the French Revolution; and it turned Maryland Federalist for the duration (p. 383).

The violence against the abolitionists in the period before the Civil War was extreme:

> Elijab Lovejoy, who persisted in printing an abolitionist paper at Alton, Illinois, had his press twice thrown into the river, and he was murdered by a mob in 1837. Philadelphia abolitionists held a protest meeting in Pennsylvania Hall, which they and their reformer friends had just built; but a mob burned it down. All that summer there were outbursts of mob violence against Negroes in the City of Brotherly Love; in 1842 a particularly bad one, when many homes of colored residents were burned. Philadelphia was far from unique in violence (p. 518).

There have been riots against religious groups, such as the Mormons, and frequently between religious groups, as in Philadelphia in 1844.

> In the spring municipal election of 1844, "American Republican" voters were assaulted and driven from the polls in Irish Catholic districts. This and other incidents aroused the "Americans" who around 1 May provocatively held mass meetings in the heart of Kensington, the principal Irish district. They were driven out with clubs, stones and shots, one of which killed a Protestant boy. The "Americans" rallied, advanced armed into Kensington, and burned down about thirty houses, together with St. Michael's and St. Augustine's churches. Some 200 Irish families were rendered homeless, militia had to be called out to restore order, and rioting again flared when the "Americans" staged an anti-Catholic parade. A third Catholic church was then attacked, and bluejackets from the U.S.S. *Princeton* helped the militia to defend the church and disperse the rioters. Order finally was restored, but casualties in the two sets of riots amounted to 30 killed and 150 wounded (p. 482).

Over the last century there have been numerous riots involving labor, organized and unorganized, and against laborers of a particular nationality such as those against Chinese and Japanese immigrants:

> The year 1877 was very rough. When the four Eastern trunk lines (the through railroads) jauntily announced a wage cut of 10 percent, second since the panic of 1873, the unorganized railroad employees struck and were supported by a huge army of hungry and desperate unemployed. During one week in July, traffic was suspended on the trunk lines, and every industrial center was in a turmoil. In Pittsburgh, Martinsburg, and Chicago there were pitched battles between militia and the mob; order had to be restored by federal troops. Unfortunately the reported presence of German and French socialists led the public to the easy conclusion that imported agitators were alone responsible. (Compare the South's conviction that abolitionists and outsiders have been responsible for Negro unrest.) Few Americans realized that their country had reached a stage of industrial development which created a labor problem, or that the "Great Strike of "77" would the first of a long series of battles between labor and capital (p. 769).

Major conflicts over the right to organize and the rights of labor arose in the 1930's:

> Others, notably General Motors and Republic Steel, challenged the legality of the sit-down and called upon the courts to rescue their property. The courts responded with injunctions, and when workers resisted the court orders, things erupted. The intervention of Governor Murphy of Michigan prevented widespread violence in the automobile industries of that state, but in June 1937 there was open warfare in South Chicago where police, defending the property of Republic Steel, killed ten people (p. 979).

And there have been racial riots. Morison records those during and at the end of World War I:

> Another source of trouble, which the peddlers of hate whipped up, was the northward move of many Southern Negroes to work in war industries and better their conditions. This, as usual, was resented by white workers, especially recent immigrants, and led to bloody riots. In one at East St. Louis, Illinois, in 1917 forty-seven people, mostly Negroes, were killed and hundreds wounded. In July of 1919, the month that President Wilson returned from Paris and submitted the Treaty to the Senate, there occurred in the capital city the most serious race riots in its history between whites and Negroes, not quelled until thousands of troops had been brought in to help the police, and six people killed. In the same month there was a three-day riot in Chicago in which thirty-six people were killed. There were also major racial disorders that year in New York and Omaha, at least seven in the South, mostly occasioned by Negro veterans of the war having the "impudence" to demand their rights as citizens (p. 885).

Every riot is a protest against real or assumed mistreatment or injustice.

When riots occur in the scope and depth of some of these occurring in the United States, we must go behind the immediate incidents and causes and ask what were the basic reasons and issues which caused a group to participate in, or at least acquiesce in, violence of this kind. We must seek out the source of the bitterness, of the deep resentment that causes people to move so quickly from protest to violence.

Beyond the details and incidents of the riots, beyond the agitators, lie problems of housing, education, unemployment, lack of recreational opportunities, and the many other depressing conditions of life in the urban slums of America. To these have been added the limitations and restrictions which have been imposed on racial minorities—particularly upon the Negro in the United States.

According to a consensus of psychiatrists and psychologists who have studied the problem, including Dr. John P. Spiegel, the psychiatrist who directs the Lemberg Center for the Study of Violence at Brandeis University, the psychological and social problems have been intensified in the last generation since more than 4 million Negroes migrated from the South into the North and West. Twenty-five years ago more than three-quarters of the Nation's Negroes lived in the South; only half live there today.

> If the mass migration had come from outside the country it would have been considered a Federal problem and emergency measures would have been taken to smooth the problem or resettlement—

One psychiatrist said.

> None were.
>
> The Negroes who moved North discovered that they were confined to working at menial jobs and living in slums and that the promises of the North politicians were only made to "keep the Negro quiet"—

A psychologist said—or, so they thought.

> The Negro has come to realize that the North and the South are not so different after all—they are equally humiliating.

Among other factors cited by the psychiatrists and psychologists as contributing to the mood of unrest were:

The tapping of a reservoir of hatred that had been suppressed for 200 years because it could not be expressed in the South, coupled with the attempt to settle old scores with the whites.

A loss of conscience and self-imposed controls because of mass hysteria.

The contagiousness of violence once it starts because of an attitude of "we want to be in on it too."

The accentuation of violence by television, films, newspapers and magazines, and particularly the impression this makes on children.

The disrespect of Negroes for law and order stemming from lynchings and slavery.

The lack of effective and impartial law enforcement in Negro neighborhoods and the tendency of the police to veer between harsh and lenient attitudes.

The exposure of the Negro, even more than the white, to the big city sickness; congested, polluted living conditions that dull the senses and made city dwellers less humane toward themselves and others.

The discovery of the falsehood of the big dream that the streets of northern cities are paved with gold.

The difficulty of the young Negro male in developing a feeling of self-esteem because he is the product of a matriarchial society.

Self-destructive or suicidal impulses

generated by the attitude of "what have we got to lose?"

Our response must be neither to retaliate in anger nor to support improvements as though they were a bribe to prevent further riots nor, as some have stated, as though to reward those who rioted.

We must be careful not to deceive ourselves or the poor. We must aim at steady improvement, since we cannot solve all the problems in 1 year or 5 years. It is not possible to provide decent housing for every citizen at once. It is not possible to provide model schools or model cities for everyone at once. It is not possible to take the educationally deprived and unskilled adults and in a single training program turn all of them into responsible workmen capable of holding skilled jobs. It is not possible to remove all the psychological and cultural barriers between those who discriminate and those who suffer from discrimination. It is neither fiscally or technologically possible to remake the slums of the inner cities overnight.

We must continue the great effort to put an end to legal segregation and discrimination both through court decisions and by the Civil Rights Acts of 1964 and 1965—the enforcement of it and the execution of it. The Federal Government must remain clearly on the side of equal rights for all citizens.

We must define and advance the new civil rights of America; not civil rights in the limited sense of the right to vote and protection of the courts, but basic rights which we now hold belong to every American.

Civil rights are not given to us by revelation. They do not arise from law, nor can they be identified and defined and carefully circumscribed for all times. They grow and change as society changes. As different forces come to bear upon the lives of people and upon their organizations—science and technology, new forms of communication and new forms of business organization, urbanization, the great increase in the mobility of our society—all of these have bearing upon civil rights, on what they mean and how they can be realized.

The right to work, not just to job equality but to job opportunity, is a civil right in America today. Every American has a right to say, "I have a right to a job and a decent income and need not be poor or unemployed." In 1946, the Full Employment Act, declaring it a policy for this country that every man who was willing and able to work should be given the opportunity to do so, was passed. This was not meant to be merely a right defined in the abstract and unrelated to reality, but a right which was to be made a reality—the reality of job opportunity.

In the period of the depression, economists talked about our economy having matured, about how we were going to have technological unemployment, that there were going to be too many people, too many workers in America. We realize now that we had not even approached the potential of our economy to produce goods and services to meet the needs of our people.

The old excuse, the old way of escape, is no longer open to us. We have seen now that our economy can provide work for all people and an adequate return to farmers, workers, businessmen, professional men, government employees, but we have moved beyond that to say that the nature of work itself must receive some attention. Man is not designed simply to work and produce, but he has a need and, therefore, a claim to working conditions which are suited to his human nature. He is intelligent; therefore, work should challenge his intelligence. He is morally responsible; therefore, he should have some control over the conditions and the nature of the work which he performs. Man is creative, and his work should challenge his creative talents and his creative ability.

An adequate program of public works should be advanced.

Education must be adjusted to meet the special problems arising from advanced technology and automation, in consequence of which the traditional gradual climb up the employment ladder has been interrupted largely by the elimination of the middle rungs. There remains room at the bottom and also at the top. The problem is to bridge the middle gap. We need not only "headstarts," "late starts," "better starts," but also new starts in this middle area.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. McCARTHY. Mr. President, I ask unanimous consent that I may proceed for 10 additional minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. McCARTHY. Mr. President, our tax laws should be changed so as to make wages for personal services deductible, thus giving status and prestige to such employment as well as a basis for better pay.

Apprentice programs sponsored by labor and industry must be liberalized and expanded.

Our basic education program must be improved and extended, for education has become a citizen's right in America: not just for elementary school students and high school students but across the board, seeking to provide the fullest possible intellectual development of the most talented people in our country, because we need all of their talents and all of their knowledge; of the average person also, and reaching out in an attempt to provide education to those who are least talented and most denied—the retarded and mentally ill in our society, for each of them has a civil right to develop to the fullest possibility, to the fullest potential of his personality. Education alone will not solve all problems.

If we begin new programs and expand some existing programs, we can achieve much in a relatively short time. This Nation was built in large part by unskilled and usually impoverished immigrants. There was usually a span of a generation or two between the new immigrants, working at the bottom of the ladder, and the achievement of position in the professions, business, and politics by their descendants.

This time schedule can be shortened. As Joseph Alsop suggested in his article in the New Republic, "No More Nonsense About Ghetto Education," education is the key to the whole problem. While we cannot reduce the problem to a simple formula—such as education leads to jobs; jobs lead to achievement; and achievement reduces discrimination—adequate education can be a significant factor in incorporating minorities into American society.

A good example of the possibilities of an adequate public education system comes from my own State of Minnesota.

Seventy-five miles north of Duluth lies a group of low hills, extending about 50 miles east and west, known as the Mesabi Range. Along the southern slopes of these hills 60 years ago there was clustered a group of villages in the heart of the greatest iron ore deposits in the United States. Between 1900 and 1915, these mining locations were transformed, internally at least, into cities. The two largest of these were Virginia and Hibbing. They had been villages of 2,000 or 3,000 in 1900, and by 1915 each had an estimated population of 15,000. They had experienced many of the social evils of the city which are still with us today: high unemployment, high cost of living, insufficient housing, and poverty.

One of the principal causes for the high unemployment was the large number of immigrants who lived on the range. In 1915, it was estimated that half of the residents of these mining towns came from Europe and that another 40 percent were the sons and daughters of immigrants. Of these, 35 percent were from Scandinavia, Germany, and Great Britain, and the remaining 65 percent from Russia, Italy, Austria, and the Balkan countries. The problems of incorporating their varied languages and cultures into an American way of life seemed insurmountable.

The school census for district No. 22 in Virginia, Minn., in 1917–18 is particularly revealing. The census listed 4,971 children of 29 different nationalities. There were over a hundred each of Slavonian, German, English, French, Irish, Italian, Austrian, Norwegian, Polish, Swedish, Finnish, and American backgrounds—and this was not unusual for the iron range at this time.

Fortunately the State had realized early that a most important factor in American life was education.

The act of Congress that authorized a Territorial government for Minnesota on March 3, 1849, among other things provided that when the lands in the territory should be surveyed sections 16 and 36, or one-sixth of each township, would be reserved for the purpose of schools in the State to follow.

At the Minnesota Constitutional Convention in 1857, it was finally decided that the school lands should be sold at public sale, the principal to be forever preserved inviolate and undiminished as a perpetual school fund of the State, and that the income arising from such fund should be distributed to the townships in proportion to the number of scholars between the ages of 5 and 21 years.

While at that time, the U.S. Government under its cash entry and preemption laws was selling the public domain at the fixed price of $1.25 per acre, Minnesota set the minimum at $7 per acre.

Later when iron ore was discovered around Duluth and then the Mesabi Range, all minerals on State lands were reserved for the exclusive use and benefit of the school and other trust funds to which the lands belonged. The Hill Iron Mine, one small section of school land, insured that the Minnesota school fund received more money than the combined funds that Michigan, Wisconsin, and Iowa received from the lands granted them by Congress. Thus in 1915, the Minnesota school fund amounted to $21,500,000 in actual interest bearing securities, with more than a million acres of school land still unsold.

I have taken the time to present the situation in the iron range in detail because I wanted to illustrate that while these towns had serious unemployment and immigration problems, with sufficient capital they were able to meet the challenge and established an extraordinary public school system. By 1919, Virginia had two high schools, one academic and the other vocational, and it also had plans for an $800,000 addition to the vacational school—all this in a mining town where over 90 percent of the population were foreign born or first-generation Americans. The schools not only held classes for the children in the day, they also conducted extensive adult education courses at night. Thus with sufficient funds and an imaginative program, the iron range area was able to create a completely homogeneous poulation within a generation.

The relevance of this example to the present situation in the cities should be clear.

Medical care, and a chance at good health, is a civil right. We need an expanded public health service.

Another civil right is the right to a house in a community. This involves both personal and social need, not just for a house but for a house in a community. The housing and community needs of the country are great. They can be satisfied only with massive and varied efforts and programs. There is no magic solution to our housing problem—not in sweat equities or rent subsidies or public housing or cooperative projects. All of these devices and means, as well as other forms, processes and programs, have relevance and must be perfected.

We must set some priorities, even though the Secretary of Defense recently was quoted as saying we are capable of fighting another war of the magnitude of the war in Vietnam. We can put off our pursuit of the supersonic transport and slow down our efforts to reach the moon if need be. It will not go away, and we now know what it is made of and what is there.

For the sake of urban transportation, we might divert materials and manpower now going into the interstate highway and other highway programs and, if need be, might even divert highway funds—now treated as the sacred money of the temple was treated in times past.

American citizens have a civil right to a wholesome environment, free from discrimination, free of physical poisons, offering reasonable safety and security of person, and at least a gesture of defense against ugliness. To achieve any or all of these, of course, requires a continuing intellectual commitment and judgment to develop programs.

Finally, the ultimate test of American citizens and also a democracy must be in the moral field for ultimately we ask that each person demonstrate the right and proper attitude toward the poor, toward those who have been deprived and denied, and toward those who cause us trouble and uneasiness. Our responsibility is not just to humanity in the abstract or to the nice and beautiful persons, but to everyone in our society.

We have more knowledge, more power, and greater capability to solve these problems. I believe the testimony of this century is that the United States, if it has the will, need not fail in this great effort.

Mr. MANSFIELD. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

ORDER FOR ADJOURNMENT UNTIL 11 O'CLOCK A.M. TOMORROW

Mr. MANSFIELD. Mr. President, I ask unanimous consent that when the Senate completes its business today, it stand in adjournment until 11 o'clock a.m. tomorrow.

The PRESIDING OFFICER. Without objection, it is so ordered.

RECOGNITION OF SENATOR HANSEN TOMORROW

Mr. MANSFIELD. Mr. President, I ask unanimous consent that after approval of the Journal tomorrow morning, the distinguished Senator from Wyoming [Mr. HANSEN] be recognized for not to exceed 1 hour.

The PRESIDING OFFICER. Without objection, it is so ordered.

EXPORT-IMPORT BANK ACT AMENDMENTS OF 1967

The Senate resumed the consideration of the bill (S. 1155) to shorten the name of the Export-Import Bank of Washington, to extend for 5 years the period within which the Bank is authorized to exercise its functions, to increase the Bank's lending authority and its authority to issue, against fractional reserves, export credit insurance and guarantees, and for other purposes.

Mr. TOWER. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MUSKIE. Mr. President, the pending business, S. 1155, would accomplish the following purposes:

First. Extend the life of the Export-Import Bank of Washington for 5 years—to June 30, 1973;

Second. Increase the limitation on the amount of loans, guarantees, and insurance permitted to be outstanding at any one time from $9 to $13.5 billion;

Third. Increase the Bank's authority to issue export credit insurance and guarantees from $2 to $3.5 billion;

Fourth. Express as the policy of the Congress that the Bank should not assist exports to Communist countries, or exports which the Bank knows are principally for use in or sale to a Communist country, except when the President determines that such assistance would be in the national interest and so reports to the Senate and House of Representatives;

Fifth. Express as the policy of the Congress that the Bank should not assist military equipment exports under Department of Defense guarantees provided by the Foreign Assistance Act of 1961, as amended, to less developed countries unless the President determines that such exports are in the national interest and reports the same to the Senate and House of Representatives;

Sixth. Change the name of the Bank from the "Export-Import Bank of Washington" to "Export-Import Bank of the United States"; and

Seventh. Permit the Bank to pay allowances to its Advisory Committee members comparable to that paid other consultants.

Mr. President, the most critical issue in S. 1155 is the question of the Export-Import Bank's participation in the sale of arms overseas. This has been a matter of concern to members of the Committee on Banking and Currency as it has been to other Members of the Senate.

The committee, after careful consideration, concluded that the Export-Import Bank is the proper Government instrumentality for financing military exports from American manufacturers to developing countries when the President determines that such exports clearly are in the national interest. At the same time, such financing must not become disproportionate to other programs of the Bank to assist in financing the commercial export trade of the United States. Therefore, the committee recommends that Bank funds involved in the Department of Defense guarantee program for less developed countries be limited to 7½ percent of the Bank's lending authority as established under section 7 of the act.

Under the ceiling imposed by the committee, the level of Eximbank participation in the DOD guarantee program will be sharply curtailed.

For these reasons, I have first chosen to talk about the two amendments dealing with the Export-Import Bank participations in the financing of exports of defensive arms to our free friends throughout the world.

Now, Mr. President, let us look at the record. Many of us in this Senate have played a part in the record since 1955, and many more have been a part of it since 1962. Both dates are milestones in the history of the issue.

The record first shows that the Congress indicated, in the Foreign Assistance Act and by other means, that it was not pleased with the giveaway arms program that had prevailed since the end of World War II and the Korean war.

The Export-Import Bank's assistance in connection with the sale of military and defense articles is not new. While even before 1962 Bank facilities had been involved in arranging for the financing of military sales to other countries, the current program began primarily in 1962. This was at the time that, as I have said, our Government began to shift its emphasis from a grant program to a loan program. And so it was that the facilities and the authority of the Export-Import Bank naturally came into play.

In 1962 the Export-Import Bank began, on its own, to finance arms sales to the industrialized and stronger friendly countries. This was easily accomplished through the Bank's right to determine financing of exports to countries where the ability to repay appeared reasonably assured.

Less developed countries, for the most part, could not meet the same qualifications.

Faced with the need of financing arms assistance to the less-developed nations, the Congress, in 1964, authorized DOD to guarantee financing provided by other institutions for military export sales and to charge a fee for such guarantee.

Then the Congress in 1965, again through amendment of the Foreign Assistance Act sections 503 and 509, removed the guarantee fee requirement for Export-Import Bank and other Government agencies.

Then the Eximbank and DOD worked out an agreement whereby the less-developed countries—now commonly called the X countries—would receive assistance from the Eximbank in the financing of arms exports.

Under the Eximbank-DOD arrangement, the Bank would not deal with the buyer, but only with DOD.

I might add this point for benefit of Members of the Senate: The Comptroller General took note of this arrangement in his audit of the Bank for 1966.

At the time of the Bank arrangement with DOD to help less-developed countries to defend themselves against communism, the Bank officials had hoped to put at least some of the financing with private banks. However, the Bank found the money market at that time to be in such condition as to make it unwise to try to get private financing for the sales.

Mr. President, the record shows clearly that the DOD arms sales program was at that time under constant congressional review.

From 1962 to the present time, the Eximbank has authorized $1.9 billion in financial assistance on military exports.

Of this amount, $1,326,000,000 has been made directly by the Bank to industrialized nations of Europe and Oceania without any DOD guarantees. This was accomplished, then, on the Bank's reasonable repayment policy which corresponds with the Bank's policy on commercial exports.

Up to the present time—since 1962—the Bank has participated in arms financing, with DOD guarantees, to the total of $604 million. This financing would be largely to the countries where direct financing by the Bank would not be feasible. The interest rates recently have been 5½ percent with maturities generally at 5 to 7 years.

Additional information will be shown with respect to the anticipated financing experience of the Bank in its commercial activities, but let it be said at this point that the total $13.5 billion limit in Bank commitments requested in this bill is expected to be met by the Bank before the June 30, 1973, termination date of the Bank, also requested in this bill. That is without regard to military loans.

But to return now to the military sales program, we find that since changing from grants of military equipment to a sales program, 60 percent of all military exports are now being paid for by the recipients—our friends who are with us in the fight for freedom.

Such a program reduces our dollar cost to the contribution of world peace.

It has also been helpful in the free world defense program that the Congress, in the Foreign Assistance Act, provided that arms exports could be on a cash or credit basis. With the industrialized nations in a position, for the most part, to pay cash for our shipments, the less-developed nations can acquire defensive equipment by the credit arrangements between the Eximbank and DOD.

Mr. TOWER. Mr. President, will the Senator yield?

Mr. MUSKIE. I yield.

Mr. TOWER. Does the Defense Department estimate that in the next 5 years that ratio will go still more to loans than grants, to the tune of about 3 to 1?

Mr. MUSKIE. The Senator is correct. That is the trend. We expect it to continue in that direction, as the Senator has indicated.

Of our total arms sales, 90 percent go to the more industrialized nations and 10 percent to the less-developed nations. It is a part of the program of assistance that less-developed countries be discouraged from participating in arms purchases beyond their economic means, or beyond their legitimate needs to meet internal or external threats to their security. In some of these latter cases security is a real problem.

The record shows clearly, Mr. President, that the United States has made every effort to bring about a reduction in the world arms race, but to date we have not achieved our goal. We cannot achieve it unilaterally, and until there is a general agreement on arms, our help will be needed for the defense of friendly nations.

The committee has been assured by administration witnesses that our Government carefully weighs all factors in every application for arms made by a less-developed nation, hopeful that in this way we can contribute to a peaceful balance of world power.

Alternatives to the system of arms financing have been heard from various sources. Some members recommended private bank financing, but we found the amounts involved were often too large and that private banks are not willing to participate in such transactions.

We have reviewed the history leading to the Eximbank's participation in the arms sales program in 1962; now let us go back a bit in history for the record that made Eximbank participation possible and logical.

In 1955, Congress supported a shift from grants to loans in our economic and military assistance programs. This led to a 1955 act clarifying the meaning of the Eximbank's possible participation in other than commercial loans.

Mr. ELLENDER. Mr. President, will the Senator yield?

Mr. MUSKIE. I yield.

Mr. ELLENDER. The Senator referred to a 1955 act. It is really a 1954 act; and the monies that were used, as I understand, were not Export-Import Bank funds. On the contrary they were appropriated by Congress, and the facilities of the Export-Import Bank were merely used to carry out the transaction.

As I will show later, the Bank at no time used its own funds until just lately. I think the first loan was made by the Bank in 1963. Since then loans have been made to England, and other countries; and, as the Senator stated a while ago, such loans were made without any guarantees whatever from DOD. Of course, the reason for this was that the loans were made to hard currency countries. In other words, the loans were made to developed nations.

Mr. MUSKIE. It was not my intention to make the point any broader than the Senator makes it. I make the point that in 1955—it may have been 1954, I have not checked that out, but the Senator's recollection is probably accurate—the Eximbank's facilities were used.

Mr. ELLENDER. But not its money.

Mr. MUSKIE. I am not quarreling with that. The question that has arisen, may I say to the Senator, in the public press and elsewhere, is whether or not, among other things, Eximbank ought to be associated with this kind of export.

It was associated, though not in the way that it now is, in 1955, under the authorization of Congress, in the export of arms. That is the only point I make, and the Senator's comment does not destroy that point. He has qualified it in a perfectly proper way, and what the Senator has said is accurate.

Mr. ELLENDER. I wish the Senator would specifically point out the law that was involved and show us what arms were sold. As I recall, Congress authorized the use of the facilities of the Export-Import Bank to administer loans for economic development. I do not recall that it authorized the Bank to administer loans made for purchase of military equipment.

Mr. MUSKIE. If the Senator has the actual language of the act, he can assist me in answering his question. My impression is otherwise.

Here is the report from the Committee on Foreign Relations on the Mutual Security Act of 1955. I read the actual language.

Mr. ELLENDER. The 1954 act.

Mr. MUSKIE. It was called the Mutual Security Act of 1955. But in any case, the language, which is the pertinent point in response to the Senator's question, begins as follows:

> The present bill, in section 2(b), would authorize the furnishing of military assistance on terms of repayment up to ten years, and without regard to sections 105, 141, and 142. Military assistance appropriations would be used to finance these transactions, and repayments would go into the Treasury as miscellaneous receipts. The committee does not anticipate a large volume of aid to be furnished under this new provision, but believes that it may be useful in a few instances for the Defense Department to have this authority.

As I pointed out, the facilities of the Eximbank were used to assist the Department of Defense in discharging that authority.

(At this point, the Senator from New York [Mr. KENNEDY] assumed the chair.)

MESSAGE FROM THE HOUSE

A message from the House of Representatives by Mr. Hackney, one of its reading clerks, announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 1296) to authorize appropriations to the National Aeronautics and Space Administration for research and development, construction of facilities, and administrative operations, and for other purposes.

POEM OF A VIETNAM VICTIM

Mr. JAVITS. Mr. President, on March 18, 1967, a youthful soldier from New York was killed by enemy gunfire near the village of An Loc, Republic of Vietnam. From among the personal papers of Cpl. Thomas M. Whitman, age 21, a poem written by him has been forwarded to me by his grieving parents, Mr. and Mrs. Frank Whitman, of Brooklyn. The poem entitled "Wondering," written before Corporal Whitman undertook his assignment in Vietnam, symbolizes the questioning, idealistic spirit of young Americans and reminds us solemnly of the price we are paying as a people to keep our world commitments.

Mr. President, I ask unanimous consent that the poem be printed in the RECORD as a part of my remarks as a memorial to this fine young man who sacrificed his all so that freedom might live.

There being no objection, the poem was ordered to be printed in the RECORD, as follows:

WONDERING

I wonder why
The clouds roll by
And drop their rain
In wet abundance;
Why roses grow
And rivers flow
And mountains rise
To touch the sky;
Why man exists
With the power
To rule or ruin.

Someday I'll know
But when I do
There'll be no reason
To want to.

FEBRUARY 1964.

EXPORT-IMPORT BANK ACT AMENDMENTS OF 1967

The Senate resumed the consideration of the bill (S. 1155) to shorten the name of the Export-Import Bank of Washington, to extend for 5 years the period within which the Bank is authorized to exercise its functions, to increase the Bank's lending authority and its authority to issue, against fractional reserves, export credit insurance and guarantees, and for other purposes.

Mr. MUSKIE. In addition, I have the following language from the Mutual Security Act of 1954, as amended. Section 102 contains this language:

> Military assistance may be furnished under this chapter on a grant or loan basis and upon such other appropriate terms as may be agreed upon, by the procurement from any source and the transfer to eligible nations and international organizations of equipment, materials, and services or by the provision of any service, including assignment or detail of members of the Armed Forces and other personnel of the Department of Defense solely to assist in an advisory capacity or to perform other duties of a noncombatant nature, including military training or advice.

Mr. ELLENDER. Mr. President, will the Senator yield?

Mr. MUSKIE. I yield.

Mr. ELLENDER. That was to be done by the Department of Defense. In no place in the act was it stated that the Export-Import Bank would finance the sale of military hardware. The Congress did encourage a change in our assistance from a grant to a loan basis; there is no doubt about that. But the facilities of the Export-Import Bank were made available to administer economic loans.

Mr. MUSKIE. May I fill out the record for the benefit of the Senator from Louisiana? The 1955 act added the word "sales" to "grants and loans," and then added this language:

> Funds for the purpose of furnishing assistance on terms of repayment may be allocated to the Export-Import Bank of Washington, which may, notwithstanding the provisions of the Export-Import Bank Act of 1945, as amended, make and administer the credit on such terms.

Mr. ELLENDER. That is correct; but, as I said awhile ago, it never used its own funds for that purpose; and if the record is looked into the Export-Import Bank did not begin to finance the sale of military hardware until 1962.

Mr. MUSKIE. That is the only point I have made; I have not attempted to do any more than that. I am not arguing that pursuant to the 1955 act the Export-Import Bank used its funds. I said the Export-Import Bank used its facilities, facilities which presumably were supported by its funds, the circumstances of which were supported by its funds to administer the military arms export program. That is the only point I made in my prepared statement; I have not enlarged upon it.

I am grateful to the Senator from Louisiana for clarifying the issue.

In 1957, Congress gave authority for a revolving fund to be used in arms credit sales. The fund grew from 1958 to 1967 to a current level of $383 million in obligation authority.

In 1964, Congress authorized use of these funds to guarantee loans by financial institutions. Hence, the beginning of the Exim-DOD program. Early in 1966 the shift from grants to sales took form in response to Presidential recommendation.

Mr. ELLENDER. Mr. President, will the Senator yield?

Mr. MUSKIE. I yield.

Mr. ELLENDER. Did the Senator say "the beginning"?

Mr. MUSKIE. "The beginning" with respect to what?

Mr. ELLENDER. Of Export-Import Bank sales in, say, 1962.

Mr. MUSKIE. Yes. I said that on the third page of my statement this afternoon.

Mr. ELLENDER. I thought the Senator had stated that under the 1954 legislation this had been authorized.

Mr. MUSKIE. No. I think I have made it clear that the 1955 or 1954 act—I am confused, because the act is referred to as the Mutual Security Act of 1955, in the case of the piece of legislation we are talking about—authorized the use of Export-Import Bank facilities; never money. I have never made the argument that money was used, and I do not make that argument now. The facilities of the Export-Import Bank were used to handle credit sales of arms and the export of arms. The use of the Export-Import Bank money borrowed in connection with banking functions began in 1962.

I disagree with the Senator on one other point. I think the authority was there right along, but it was used in 1962.

Mr. ELLENDER. The Senator continues to use the word "arms." It was in order to facilitate loans and economic assistance.

Mr. MUSKIE. The language of the act in its final form was "sales, grants, and loans." The use of credit to expedite the program was specifically authorized.

This is the language—and I repeat it, because I read it before: "funds for the purpose of furnishing assistance and terms of repayments." That is clearly present.

All of this background, Mr. President, is necessary, I believe, to understand the meaning of two amendments the committee added to S. 1155 dealing with the Eximbank's participation in financing arms exports.

First, the committee voted a conditional prohibition against participation of Eximbank in the financing of arms exports under the existing arrangement with DOD. This prohibition would affect, primarily, the exports to less-developed countries. The industrialized countries are largely in a position to pay cash or qualify for direct Eximbank loans. Under the committee amendment the President may waive the prohibition by reporting to the two Houses of Congress that he finds it to be in the national interest to permit the Bank's participation in the country X program.

Mr. TOWER. Mr. President, will the Senator yield?

Mr. MUSKIE. I yield.

Mr. TOWER. Mr. President, the President must report in 30 days. It is exactly the same proviso that applies to third-party beneficiary restrictions.

Mr. MUSKIE. The Senator is correct.

Mr. TOWER. And is the President obligated to designate X countries or, in other words, the names of the countries?

Mr. MUSKIE. On a classified basis it is not necessary. But he is directed to furnish all information, including the identity of X countries.

Mr. TOWER. That information, in other words, will then be available to Congress?

Mr. MUSKIE. As it has been. It will be under this amendment.

Mr. TOWER. We did not, of course, know that it existed before. But we can then determine what countries precisely these guarantees are going to?

Mr. MUSKIE. The Senator is correct. And the Senate committee report, I think, spells that out.

I am happy that the Senator has made that clear here.

The committee also approved another amendment designed to limit the participation of the Bank in the financing of arms exports under the DOD guarantee program regardless of a Presidential waiver.

Under this amendment the Eximbank's country X arms export financing would be limited to 7½ percent of the total Bank authorizations for loans, guarantees, and insurance.

What this last amendment means is this: Should the $13.5 billion authorization provided in the pending bill become law, the Bank's ceiling on outstanding authorization for country X arms export financing would be $1,012,500,000.

I mentioned earlier, Mr. President, the committee felt that the Bank's anticipated activities warranted approval of the Bank request for an increase of $4.5 billion in its authorization for loans, guarantees, and insurance.

The Bank reports that at the end of fiscal year 1967 there were outstanding commitments of $7.4 billion against the Bank's present authority limit of $9 billion. This would leave $1.6 billion in lending authority, less than 1 year's anticipated needs.

The additional commercial activity anticipated by the Bank is drawn from the 1967 fiscal report showing that $3 billion, 600 million in authorizations was used for loans, guarantees, and insurance. This was an increase of $1 billion, 450 million more than in 1966.

The Bank's commercial activities in fiscal 1966 and 1967 rose in those years from $1 billion, 650 million to a total of $2 billion, 700 million. And more increases are anticipated.

The future outlook for expanded use of the Bank's operations include an estimated $2.5 to $3.5 billion in commercial aircraft exports which are expected to total about $6 billion in export values in the next 5 years.

Nuclear power exports are expected to run to $1 billion in 5 years.

Kennedy round trade results are expected to increase the Bank's authorization needs over the 5-year extension of the Bank charter, which is asked in the bill.

The future activities of the Bank in financing of exports would be changed by another amendment the committee approved for inclusion in S. 1155.

This amendment would prohibit the Bank from participating in any export financing of any commercial product which, in the knowledge of the Bank, would be intended for transshipment to a Communist country by a non-Communist recipient of Bank credit on the export.

Some concern has been expressed about the purported transaction which would aid in the building of a Fiat automobile plant in Russia. The Fiat plan called for purchase of automobile manufacturing tooling by IMI, an Italian finance organization, which is a non-Communist qualified buyer. The machinery then would be transshipped to Russia. The committee's amendment would prevent such a transaction.

Recognizing the necessary Presidential prerogatives in foreign affairs, the committee provided that the President could waive the prohibition in any case where he found the best interests of the United States would be served by transshipment to a Communist country of any product purchased by a non-Communist country.

Mr. President, the extension of the termination date of the Bank from June 30, 1968, to June 30, 1973, is a major consideration in early congressional action on this bill.

Assurance of continuation of the Bank's activity in the financing of our export trade is of dire importance in the negotiating of contracts. Our businessmen and the businessman abroad need this assurance in order to plan long-range purchases and sales.

The five-year extension would be consistent with the action of Congress since 1947.

Since the Congress approved the last five-year extension four years ago, the Bank's loans and authorizations have been increased by about $4 billion. Loan disbursements went up $2.2 billion. The difference between these figures represent cancellations, transfers, sales of loans and the undisbursed balance of outstanding commitments.

Loan payments for the four-year period were $1.7 billion, and $700 million was received in fees and interest. There was a net income of $461 million, of which $200 million was paid in dividends to the Treasury and $261 million added to the Bank's reserve.

Thus, this is a profitable operation, returning a profit to the Treasury of the United States.

That was 4 years of business, Mr. President, and leaves the Bank today with $6 billion in commitments on direct loans, $4 billion of which are outstanding, and the present level of guarantees and insurance is $1.6 billion.

In last fiscal year alone, the Bank's volume of authorizations were close to $3.6 billion, of which about $2.7 billion would be charged against the statutory limitation since guarantees and insurance are only charged at 25 percent.

One can readily see from the figures of the Bank's business activity in the past few years the great benefits to our export trade—and the great importance to our balance-of-trade problem.

There is, of course, a loss side of the ledger, and here we find that the old China and Cuba defaulted credits total $53 million. Also, there were delinquencies of about $8 million due from Indonesia on a debt of $80.7 million. Other delinquencies total $9 million, but are considered temporary.

The Bank's reserves, which have been growing at a rate of about $60 million per year, now total $1,080 billion, an amount about equal to the Bank's paid-in capital.

What the Bank expects in the future will be discussed in connection with another major amendment approved by the committee, that of increasing the total lending authority of the Bank from $9 billion, the present limit, to $13.5 billion.

At this point, however, I should like to have printed in the RECORD a summary of the Bank's operations during the period just discussed—1962–66.

There being no objection, the summary was ordered to be printed in the RECORD, as follows:

SUMMARY OF OPERATIONS, 1962–66

	Cumulative to Dec. 31, 1962	Cumulative to Dec. 31, 1966	Increase over 4-year period
Loan program (billions):			
Loan authorizations	[1] $13.4	[1] $17.4	[1] $4.0
Loan disbursements	[1] 9.2	[1] 11.4	[1] 2.2
Loan repayments	5.2	6.9	1.7
Interest and fees received	1.5	2.2	.7
Income, dividends, and reserves (millions):			
Net income	1,110	1,571	461
Dividends to U.S. Treasury	306	506	200
Accumulated reserves for contingencies and defaults	804	1,065	261

[1] The differences between amounts authorized and the amounts disbursed represent cancellations, transfers to others, sales of loans, and undisbursed balances of outstanding commitments.

REVISED ADVISORY COMMITTEE PER DIEM

Mr. MUSKIE. Another of the committee's amendments to S. 1155, a comparatively minor one—except, perhaps, to the nine members of the Eximbank's advisory committee—would permit the Bank's board of directors to bring the per diem allowances for the members into line with allowances being paid elsewhere in the Federal Government for the same duties.

In 1954, Congress approved a daily rate for each member of $50 and travel allowance of $10 per day. This rate was higher than the prevailing rate for similar consultant activities, which was $45 per day and $9 travel allowance.

But the consultant per diem rates have increased greatly since 1954, and it has become a penalty rather than a premium to be on the Bank's consultant committee. For example, in fiscal 1967, fees for ordinary consultants ran $88 per day and travel allowances of $16.

As of today, the rate of the Bank's advisory committee members would be $100 per day with a travel allowance of $16 per day.

And to convince the Members of the Senate that the Eximbank's advisory committee is not made up of ordinary consultants, I ask unanimous consent, with pride, the right to have printed in the RECORD at this time the names of these esteemed gentlemen who serve the Bank so well.

There being no objection, the names were ordered to be printed in the RECORD, as follows:

Howard C. Petersen, Chairman and Chief Executive Officer, Fidelity Bank, Philadelphia, Pa. (Chairman of our committee.)

Alfred W. Barth, Executive Vice President, Chase Manhattan Bank, New York City.

Nat Goldfinger, Director of the department of research, AFL–CIO, Washington, D.C.

Joseph A. Grazier, President, American Radiator & Standard Sanitary Corp., New York City.

J. Victor Herd, Chairman of the Boards, The Continental Insurance Companies, New York City.

Dr. James A. McCain, President, Kansas State University, Manhattan, Kans.

Philip W. Pillsbury, Co-Chairman of the Board, The Pillsbury Company, Minneapolis.

William F. Ray, Manager, Brown Brothers Harriman & Co., Boston, and President of the Bankers Association for Foreign Trade. I might add that the chairman of that Association is, ex officio, always asked to join our Advisory Committee.

Eric Ridder, Publisher, The Journal of Commerce, New York City.

CHANGE OF NAME

Mr. MUSKIE. One of the minor changes made in the bill by the committee provides for changing the name of the Bank from the "Export-Import Bank of Washington" to the "Export-Import Bank of the United States."

The present name of the Bank has existed since its founding in 1933, but the committee felt that the name should reflect its Federal character.

Mr. President, that completes the presentation of the bill, and I yield the floor.

Mr. TOWER. Mr. President, I commend the distinguished Senator from Maine for his able handling of the bill in committee. I concur with most of his remarks in support of the measure, and I intend to support it in its present form.

I am hopeful that the Senate will leave the bill intact. It has been considered thoroughly. In the controversial matter of the arms purchase, the full committee has been satisfied for the most part, that this is a legitimate way of financing these arms sales and is in the national interest.

I hope the bill will remain intact, and I will support it fully.

Mr. ELLENDER. Mr. President, I send to the desk an amendment and ask that it be stated.

The PRESIDING OFFICER. The amendment will be stated.

The ASSISTANT LEGISLATIVE CLERK. On page 4, strike out lines 1 through 21 and insert in lieu thereof the following:

> (3) It is further the policy of the Congress that the Bank shall not, in the exercise of its functions under this Act or any other law, issue guarantees, insurance, coinsurance, or reinsurance, make loans, or in any other way extend or participate in an extension of credit, in connection with the purchase of any defense article (as defined in section 644(d) of the Foreign Assistance Act of 1961, as amended) by any less developed country, or agency or national thereof.

Mr. CLARK. Mr. President, I should like to ask the Senator from Louisiana [Mr. ELLENDER] a question. I have been reading his amendment with great interest. I shall certainly support it. I wonder whether he would be willing to modify it by striking the following words which appear after the No. 3 in parentheses:

> It is further the policy of the Congress that . . .

Strike those words so that the amendment would read:

> The bank shall not, in the exercise of its functions under this act . . .

I believe that this change would make the direction from Congress more explicit and mandatory and make it impossible for the Bank to ignore what has been previously stated as the policy of Congress.

Mr. ELLENDER. As I read the amendment originally I thought it did just that. The purpose of my amendment is certainly to prevent the Bank from using its facilities and monies to provide credit for the sale of military hardware to less-developed countries.

I have no objection, Mr. President, I modify my amendment by striking from it the words indicated by my good friend from Pennsylvania.

The PRESIDING OFFICER. The amendment is so modified.

Mr. CLARK. I thank the Senator from Louisiana for his kindness in accepting this modification of his amendment.

I should like to ask him one more question, if I may. Why does the Senator limit the prohibition on the Bank in his amendment to less developed countries or agencies or nationals thereof? It is my understanding that much of the money in the loans the Bank has made has gone into developed countries, such as West Germany which, in turn, have resold the military hardware to underdeveloped countries. I am wondering why the Senator did not include all countries in his amendment?

Mr. ELLENDER. As I will explain later in my presentation to the Senate, I proposed three amendments before the Committee on Banking and Currency.

The first amendment prevented the Export-Import Bank from using any of its funds to finance the sale of military hardware to any country. Later I discussed that amendment with Mr. Linder, the president of the Export-Import Bank, and was told of the large number of contracts already made.

I then prepared a second amendment similar to the first but which would not effect the fulfilling of contracts and sales which had been previously consummated. Then I presented a third amendment, which is the one we are now considering, and which I hope will be adopted.

To be frank with the Senator from Pennsylvania, it is my belief that this third amendment will have a better chance of winning approval.

Mr. CLARK. I appreciate the pragmatic reasoning of the Senator from Louisiana, one of the ablest parliamentarians and experienced legislators the Senate has ever had. I would be happy to support either his first or second amendment. I share his high regard for Mr. Linder. I think he is a splendid public servant. But, if the Senator does not have the votes for the first or second amendment, perhaps he is wise in reverting to a fallback position by proposing the third amendment with the modification which he has kindly agreed to. I want to assure him that he has my support in that effort.

Mr. President, I yield the floor.

Mr. TOWER. Mr. President, will the Senator from Pennsylvania yield for a comment on the matter of Germany?

Mr. CLARK. I am happy to yield to the Senator from Texas.

Mr. TOWER. Mr. President, according to information provided me by the Department of Defense, I think that we can clarify this business of what happens relative to transshipment of arms from Germany.

Material provided to the Federal Republic of Germany was originally grant in aid. In May 1962, the United States sold its reversionary rights to grant items but with certain major exceptions for $75 million. The exceptions were M–41 tanks, 105, and 155mm Howitzers, and F–84 aircraft; these items if excess to the Federal Republic of Germany needs must first be offered to the United States for possible reacquisition.

Where the reversionary rights were sold, the items can be disposed of to other NATO countries for NATO use without further U.S. approval. Sale by the Federal Republic of Germany of this equipment to non-NATO areas, however, requires item-by-item U.S. approval.

All requests from the Federal Republic of Germany for equipment transfers are considered by both the Department of State and the Department of Defense who are provided with the views of the U.S. Country Team in the proposed recipient country. Instances of alleged violations of procedures have occurred generally when the recipient nation to which the Federal Republic of Germany provided U.S.-origin equipment has not honored its agreement to the Federal Republic of Germany not to transship.

The F–86 Sabre VI aircraft which reportedly turned up in Pakistan were not of U.S. production. They were purchased by Germany from Canada and were sold by the Federal Republic of Germany to Iran for Iran's own use, and Germany had official assurances of this from Iran.

With respect to tanks, there have been no recent movements of U.S.-origin tanks from Germany and there will be none unless the United States first approves such movement. This is a frequent complaint of arms dealers.

In 1965, Germany, with U.S. approval, did transfer some M–48 tanks to Turkey, a NATO ally.

Mr. CLARK. I thank the Senator for his explanation. I have no doubt that the sale of American equipment by Germany to other countries was not financed by the Export-Import Bank. Nevertheless, Germany did sell American materiel, I understand, to other countries for which it was not intended.

Mr. TOWER. Let me point out that acquisition of the F–86 Sabre jets was from Canada and not from the United States.

Mr. CLARK. Mr. President, I yield the floor.

Mr. ELLENDER. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. ELLENDER. Mr. President, I ask for the yeas and nays.

The yeas and nays were ordered.

Mr. ELLENDER. Mr. President, as I stated a while ago in answer to questions of the distinguished Senator from Pennsylvania, I originally intended to propose an amendment that would prevent the Export-Import Bank from financing the sale of any military hardware to any country, the reason being that the Export-Import Bank was not created for such purpose, nor was it the intent of Congress that it be authorized to engage in such transactions.

After it became known that I intended to offer such an amendment, I was visited by several persons from the Export-Import Bank, including its president, Mr. Linder. After he stated to me that there were quite a number of large loans made and about to be made for such purposes to industrialized countries, I told him I would give the matter further consideration.

Later I was visited by several other prominent people in Government, and I discussed with them my original intention of entirely prohibiting the use of the facilities of the Export-Import Bank, or its monies, to finance the sale of military hardware. I was informed that hundreds of millions of dollars had already been thus committed and it would probably be harmful to our country if we did not carry out the propsals that had been agreed upon directly between the Export-Import Bank and certain developed countries.

As Senators know, before the Export-Import Bank may loan money to any country, it must make sure that the loan will be repaid. The officials of the bank stated that they were satisfied that as to sales to England, Italy, and other countries of Western Europe, the transactions made between the Bank and the host country were sound.

Because of what I thus learned, Mr. President, I modified my amendment to bring it into its present form. I would much prefer that the Export-Import Bank limit its transactions to the original purpose for which it was organized, which was to foster exports from our country, particularly, to the countries to the south of us. My good friend, the Senator from Maine, stated that the Mutual Security Act of 1955 gave the Export-Import Bank authority to finance sales of military hardware. But, Mr. President, in section 505 of that act—the only section wherein the Export-Import Bank is mentioned—there is no reference to military hardware. All of the emphasis is on the making of economic loans. The only reason why the Export-Import Bank's facilities were used by the Government was because it had agencies throughout the world and had dealt with many of the countries in question; and instead of creating a separate agency to carry on the loan program for economic development, the facilities of the Export-Import Bank were used.

Mr. President, it is not only in that case that the facilities of the Export-Import Bank have been used. They were also used to facilitate the so-called Cooley loans, which, as we know, consisted of an amount equal to 5 percent of the sales of agricultural commodities abroad. The money was to be used in the host country to develop the econmoy of that country, so as to help make it self-sustaining as soon as possible. There was no mention, Mr. President, of the sales of arms or anything of the kind. The purpose was purely and solely economic.

HISTORY OF THE EXPORT-IMPORT BANK OF WASHINGTON

I

Mr. President, the Export-Import Bank was organized by President Roosevelt through Executive order on September 2, 1934. The authority for this action was the National Industrial Recovery Act of 1933, the Reconstruction Finance Corporation Act of 1932, and the Bank Conservation Act of 1933—all measures aimed at the economic recovery of the United States.

The Executive order stated that the purpose of the Bank was to "remove obstacles to the free flow of interstate and foreign commerce."

A further purpose of organizing this Bank at this time was to assist in facilitating trade with the newly recognized Soviet Russia.

II

Later in 1934, a second Bank was created to deal with nations other than Russia, again by Executive order. It was the purpose of the second Bank to "remove obstacles to free flow of interstate and foreign commerce, to provide for the general welfare, and to facilitate exports and imports and the exchange of commodities between the United States and other nations or the nationals thereof." The authority for the creation of the second Bank was the same as the first, although the Agricultural Adjustment Act of 1933 was also included.

III

In January 1935, the first Export-Import Bank was given legislative sanction by the Congress. Under the law, the Bank was instructed "to aid in the financing and facilitating of exports and imports and the exchange of commodities between the United States and any of its territories and its possessions and any foreign country and the nationals thereof."

The Senate and House reports on this legislation—section 9 of Public Law 74-1—make no mention of military transactions and make it clear that the Bank was to assist in the international movement of domestic commodities.

IV

In March 1939, Congress extended the life of the Bank to 1941. For the first time a limitation—$100 million—was put on all loans and obligations which the Bank could have outstanding at any one time. A history of the Export-Import Bank prepared by the Department of State points out that it was thought that such a limitation on the volume of business would be a wise precaution at a time when some feared that the Bank's credit might be used indirectly to help belligerents in carrying on the war.

V

Early in 1940, Congress was concerned that the Export-Import Bank might become involved in financing shipments of war materiel because of the war in Europe. This led to the adoption of the following proviso—and remember that I am speaking of the Export-Import Bank of Washington:

> *Provided further,* That the Export-Import Bank of Washington shall not make any loan to any government . . . for the purchase of any articles, except aircraft for commercial purposes, listed as arms, ammunition, or implements of war by the President of the United States in accordance with the Neutrality Act of 1939. From the Congressional debates it is clear that Congress did not intend to let the Bank get involved in military transactions. (54 Stat. 38)

Mr. President, I ask unanimous consent that the Executive orders to which I have referred be printed at this point in the RECORD.

There being no objection, the Executive orders were ordered to be printed in the RECORD, as follows:

[6581]

EXECUTIVE ORDER AUTHORIZING THE FORMATION OF A BANKING CORPORATION TO BE KNOWN AS EXPORT-IMPORT BANK OF WASHINGTON

Whereas the Congress of the United States has declared that a national emergency exists by reason of widespread unemployment and disorganization of industry; and has declared it to be the policy of Congress to remove obstacles to the free flow of interstate and foreign commerce which tend to diminish the amount thereof, to provide for the general welfare, by promoting the fullest possible utilization of the present productive capacities of industries, to reduce and relieve unemployment, to improve standards of labor, and otherwise to rehabilitate industry; and

Whereas in order to meet said emergency and to provide the relief necessary to protect the general welfare of the people the Congress has enacted, *inter alia,* the following acts:

1. National Industrial Recovery Act, approved June 16, 1933;
2. Reconstruction Finance Corporation Act approved January 22, 1932;
3. Bank Conservation Act, approved March 9, 1933; and

Whereas in order effectively and efficiently to carry out the provisions of said acts it is expedient and necessary that a banking corporation be organized with power to aid in financing and to facilitate exports and imports and the exchange of commodities between the United States and other nations or the agencies or nationals thereof;

Now, therefore, under and by virtue of the authority vested in me by the National Industrial Recovery Act of June 16, 1933, it is hereby declared that an agency, to wit: a banking corporation, be created pursuant to title 5, chapter 9, section 261 of the Code of the District of Columbia, under the name of Export-Import Bank of Washington.

The governing body of said corporation shall consist of a board of trustees composed of five members, and the following persons, who have been invited and who have given their consent to serve, shall act as incorporators and shall handle the concerns of the corporation for the first year:

Daniel C. Roper, Secretary of Commerce.

Robert F. Kelley, Chief of the Division of Eastern European Affairs, Department of State.

Chester C. Davis, Administrator, Agricultural Adjustment Administration.

Stanley Reed, General Counsel, Reconstruction Finance Corporation.

Lynn P. Talley, Executive Assistant to the Directors of the Reconstruction Finance Corporation.

The operations of the corporation shall be carried on in the District of Columbia, and the main office of the corporation shall be at 1825 H Street NW., Washington, District of Columbia.

The amount of capital stock of the corporation shall be $11,000,000, divided into classes and shares as follows:

(*a*) $1,000,000 par value of common stock, divided into 10,000 shares of the par value of $100 each; and

(*b*) $10,000,000 par value of preferred stock, divided into 10,000 shares of the par value of $1,000 each.

The Secretary of State and the Secretary of Commerce are hereby authorized and directed to cause said corporation to be formed, with such certificate of incorporation, and bylaws, as they shall deem requisite and necessary to define the methods by which the corporation shall conduct its business.

The persons above named are authorized and directed to subscribe for all of the common capital stock for the use and benefit of the United States, of which amount five shares may be held in the respective names of the initial trustees and their successors if required by the law under which said banking corporation is incorporated.

There is hereby set aside for the purpose of subscribing for the common capital stock of said corporation the sum of $1,000,000 out of the appropriation of $3,300,000,000 authorized by section 220 of the National Industrial Recovery Act and made by the Fourth Deficiency Act, fiscal year 1933, approved June 16, 1933 (Public, No. 77, 73d Cong.).

It is hereby further directed that any common stock in said corporation standing in the name of the United States shall be voted by such person or persons as they—the Secretary of State and the Secretary of Commerce—shall appoint as their joint agent or agents for that purpose. Any vacancies occurring in the initial board of trustees shall be filled by the board of trustees, subject to the approval of the President of the United States.

FRANKLIN D. ROOSEVELT.

THE WHITE HOUSE, *February 2, 1934.*

EXECUTIVE ORDER AUTHORIZING THE FORMATION OF A BANKING CORPORATION TO BE KNOWN AS SECOND EXPORT-IMPORT BANK OF WASHINGTON, D.C.

Whereas The Congress of the United States has declared that a national emergency exists by reason of widespread unemployment and disorganization of industry; and has declared it to be the policy of Congress to remove obstructions to the free flow of interstate and foreign commerce which tend to diminish the amount thereof; to provide for the general welfare by promoting the fullest possible utilization of the present productive capacity of industries, to reduce and relieve unemployment, to improve standards of labor and otherwise to rehabilitate industry and to conserve national resources; and

Whereas in order to meet said emergency and to provide the relief necessary to protect the general welfare of the people, the Congress of the United States has enacted, *inter alia*, the following acts:

1. National Industrial Recovery Act, approved June 16, 1933;
2. Agricultural Adjustment Act, approved May 12, 1933;
3. Reconstruction Finance Corporation Act, approved January 22, 1932;
4. Bank Conservation Act, approved March 9, 1933; and

Whereas in order effectively and efficiently to carry out the provisions of said acts it is expedient and necessary that a banking corporation be organized with power to aid in financing and to facilitate exports and imports and the exchange of commodities between the United States and other nations or the agencies or nationals thereof;

Now, therefore, under and by virtue of the authority vested in me by the National Industrial Recovery Act of June 16, 1933, it is hereby declared that an agency, to wit: a banking corporation, be created pursuant to title 5, chapter 9, section 261 of the Code of the District of Columbia (1929), under the name of Second Export-Import Bank of Washington, D.C.

The governing board of said corporation shall consist of a board of trustees composed of nine members, and the following persons, who have been invited and who have given their consent to serve, shall constitute the initial board of trustees and shall handle the concerns of the corporation for the first year:

Daniel C. Roper, Secretary of Commerce.

R. Walton Moore, Assistant Secretary of State.

George N. Peek, Special Adviser to the President on Foreign Trade.

Robert F. Kelley, Chief of the Division of Eastern European Affairs, Department of State.

Chester C. Davis, Administrator, Agricultural Adjustment Administration.

Tom K. Smith, Assistant to the Secretary of the Treasury.

Stanley Reed, General Counsel, Reconstruction Finance Corporation.

Lynn P. Talley, Executive Assistant to the Directors of the Reconstruction Finance Corporation.

Harold H. Neff, Assistant Chief, Securities Division, Federal Trade Commission.

The operations of the corporation shall be carried on in the District of Columbia, and the main office of the corporation shall be at 1825 H Street NW., Washington, District of Columbia, or at such other place as may be determined by the board of trustees.

The amount of capital stock of the corporation shall be $2,750,000 divided into classes and shares as follows:

(*a*) $250,000 par value of common stock, divided into 2,500 shares of the par value of $100 each; and

(*b*) $2,500,000 par value of preferred stock, divided into 2,500 shares of the par value of $1,000 each.

The Secretary of State and the Secretary of Commerce are hereby authorized and directed to cause said corporation to be formed with such certificate of incorporation, and bylaws, as they shall deem requisite and necessary to define the methods by which the corporation shall conduct its business.

The Secretary of State and the Secretary of Commerce are authorized and directed to subscribe for all of the common capital stock of said corporation for the use and benefit of the United States, and shall provide that one share thereof shall be issued to each of the initial trustees and their successors in order to qualify them to hold the office of trustee in said banking corporation.

There is hereby set aside for the purpose of subscribing for the common capital stock of said corporation, the sum of $250,000 out of the appropriation of $3,300,000,000 authorized by section 220 of the National Industrial Recovery Act and made by the Fourth Deficiency Act, fiscal year 1933, approved June 16, 1933 (Public, No. 77, 73d Cong.).

It is hereby further directed that any common stock in said corporation standing in the name of the Secretary of State and the Secretary of Commerce, for the use and benefit of the United States, shall be voted by such person or persons as they, the Secretary of State and the Secretary of Commerce, shall appoint as their joint agent or agents for that purpose. Any vacancies occurring in the initial board of trustees shall be filled by the remaining members, subject to the approval of the President of the United States.

FRANKLIN D. ROOSEVELT.

THE WHITE HOUSE, *March 9, 1934.*

Mr. ELLENDER. Mr. President, in 1964 the Foreign Assistance Authorization Act was amended to provide for a 25-percent revolving fund.

It will be recalled that under the Mutual Security Act, there was general authority for the Department of Defense to make direct cash sales to various countries. As I recall, we sold under that program in excess of $8 billion worth of material, primarily to the countries of Western Europe. And those were cash sales.

In 1964 when this revolving fund was presented as a part of the Foreign Aid Act, I questioned Mr. McNamara as to the reason for desiring this revolving fund. I ask unanimous consent that this testimony be printed in full at this point in the RECORD.

There being no objection, the testimony was ordered to be printed in the RECORD, as follows:

HEARINGS ON H.R. 11812, 88TH CONGRESS, SECOND SESSION, FOREIGN ASSISTANCE APPROPRIATIONS, 1965

CREDIT SALES GUARANTEE

Senator **ELLENDER**. There is only one more item I would like to ask about, Mr. Chairman. I notice in the authorization bill where there is some language that would guarantee any organization or any company that would sell military hardware abroad. That appears under section 503(e) shown on page 32 of the report from the Foreign Relations Committee. Did you ask for that language?

Secretary **McNAMARA**. We did, indeed, because it is through such action as that that with very little risk in this country we can substantially increase our foreign exchange receipts.

Senator **ELLENDER**. Now, Mr. Secretary, as you know, we have limited military aid to Latin America.

Secretary **McNAMARA**. A total of $69.1 million, of which some $52.2 million is what are called defense articles with relation to which there is a ceiling in the act of $55 million.

Senator **ELLENDER**. What I proposed to point out, though, was this limitation.

Secretary **McNAMARA**. That is quite correct.

LIMITATION FOR AFRICA

Senator **ELLENDER**. We have a limitation for Africa at $25 million which I put in the authorization bill last year. I notice it has not been changed in this authorization bill. There was a purpose for the Congress to limit these amounts. Is it your understanding of this new language that a country in Africa could increase its military hardware over and above what they get from us by way of grants and we in turn would guarantee the repayment to whoever sold that military equipment to any country who desired it in Africa or Asia or South America or Central America?

Secretary **McNAMARA**. We would apply the credit guarantee terms to sales only where we believed it in our interest to have the sale made, which means that a country that was diverting funds from necessary economic expansion to procurement of unnecessary military equipment would not receive such credit guarantees. Let me illustrate the point by this. [Deleted.]

I cite this as an illustration of the policy we follow. We will not allow a nation to divert funds from needed economic expansion to unneeded military weapons.

REASONS FOR LIMITATIONS

Senator **ELLENDER**. I know, but the limitations that Congress placed on Africa and

Latin America were put in there because we didn't want them to obtain too much equipment, because they might use this equipment against each other. The fact that we say, in effect, that you can come to us and buy from us and that we will guarantee the sellers of that material to you is something that I just can't quite understand.

Secretary McNamara. May I explain why it is necessary? I have explained where we would not use it. We would not use credit guarantees to foster procurement of equipment from us when it meant that a developing nation, such as most of those in Africa and Latin America, would be diverting needed funds from economic development to military procurement. We would provide such guarantees to nations such as [deleted] which wishes to procure equipment from us on credit but which cannot obtain commercial bank credit without some form of governmental guarantee from us.

Senator Ellender. Would you object to an amendment to your amendment here that this would not apply to countries in which we already have a limitation?

Secretary McNamara. Yes, sir, I would. I don't see any reason in the world why Argentina, for example, should not be allowed to procure military equipment from us if they are willing to do so. I think they are wealthy enough to undertake limited purchases of military equipment. They are going to do so any how. They will either buy it from us or from other nations. I see no reason why we should prohibit them from buying from us. There may be other countries in the same situation. I would suggest to you, however, that there is no evidence that I know of that this Government encourages a nation to divert needed resources from economic to military procurement.

Senator Ellender. Except for the fact that Congress put these limitations, there is no telling what the Defense Department would have done.

STATUS OF PROGRAMS

Secretary McNamara. I believe there is, Senator Ellender, by the very fact that we are not up to either one of the limitations in the program we are presenting to Congress.

Senator Ellender. Personally, I don't believe this a a very good amendment, particularly as it affects Africa and Latin America where we have already placed limitations on military aid as I have just indicated.

Secretary McNamara. My policy has been a very clear one, and I think the record will support this. I am absolutely opposed to unnecessary expansion of military organizations in any country in the world, including our own. We have acted, as I have suggested to you, to prevent [deleted] from increasing the military structure to the degree it wished to. [Deleted.]

In the case of Iran we did exactly the same thing as a prerequisite to the negotiation of a 5-year military assistance program, subject of course, to congressional authorization of that. In about 1962, we suggested that the Shah of Iran reduce the military forces of his country [deleted]. I cite this only to indicate that our policy is not to build military forces up at the cost of necessary economic development and expansion.

FOUNDATION OF MILITARY AID PROGRAM

It is true by accelerating economic development of these nations that we will obtain political security and stability. We realize that in Defense. That is the foundation of our military aid program.

Senator Ellender. I simply fear that will be giving an open invitation to them to purchase more military hardware than I would like them to have. Much of the military hardware that we made available to many countries, such as Iraq, as one example, has been used against us. I was in hopes that the committee would consider this and either strike it out or modify it so as to conform to what Congress tried to do in the past in limiting the amount of military equipment to be made available by way of grants by the countries in Latin America and Africa.

Thank you, Mr. Chairman.

MECHANICS IN GUARANTEE OF MILITARY CREDIT RISKS

Senator Pastore. What will be the mechanics involved in the guarantee of military credit risks? Will you pass upon these contracts in the Defense Department?

Secretary McNamara. We will pass on them. We will wish to have a downpayment, a reasonable rate of interest, and some form of reserve set up to take care of possible defaults.

Senator Pastore. As a matter of fact, you will go into the political or military credit much before anything happens?

Secretary McNamara. Yes. We are already doing this because we are working with the Export-Import Bank on matters such as this and with certain commercial institutions today. In certain cases we have found that governments that were financially solvent to the extent that they could obtain and would justify credit from this Government could not accept it from our Government. Frankly [deleted] was in that category because of its relationship with East and West. It couldn't tolerate politicaly credit extended by the U.S. Government. It couldn't obtain credit from commercial banks in this country for procurement of military weapons even though there was every reason to believe that its credit rating was such that it could be expected to repay that credit. What we hope to do is to let them obtain commercial bank credit. In the case of [deleted] we actually eventually worked out an agreement with the Export-Import Bank that was satisfactory. Again that Bank is not chartered for the purpose of extending credit for procurement of military weapons.

GUARANTEES BY GERMANY AND GREAT BRITAIN

Senator Pastore. The reason why I raise the question is I was wondering what the operation would be. This is a kind of new subject. I understand that many of the countries, Germany, Great Britain, in order to accelerate their export business do give guarantees as against political risks of potential or prospective purchasers of articles, even beyond the defense spectrum. There has been some discussion even before our commercial committee in how far our Government should go in giving the same kind of assistance to our manufacturers. This is in goods apart from defense. I was wondering here whether or not we could be assured that the procedures that will be adopted, that the Government is pretty much a part of this. There won't be any reckless contracts or any reckless purchasers. In every instance of buying defense equipment that the Defense Department is going to be in the picture somehow.

Secretary McNamara. Yes. Not only will we be in the picture but I intend that any such contract will come to either my deputy or me for approval. We will want assurance that (A) the military equipment is required in the country at hand and is not excess to its requirements and will not be used in a way to reduce the stability of relations between that country and its neighbors or reduce the political stability of that particular government; (B) we will wish to be assured that the country can afford the diversion of resources from economic expansion to the procurement of military items; (C) we will wish to insure that they have cash flows that will permit repayment on the terms that we agree upon. Those will be the three standards we will apply to each of these loans. Essentially those are the standards we apply to the loans. We are in the loan business today on a very substantial scale to foreign governments.

FINANCING CREDIT SALES TO FOREIGN GOVERNMENT

As you know, the military assistance authorization and appropriation allows us to divert from the grant-aid programs whatever funds we believe necessary to finance credit sales to foreign governments. In the last 3 years, in order to increase our foreign exchange receipts we have diverted very substantial sums. We have raised the total amount of credit sales from something on the order of a few million a year to something approximating $150 million at the present time. All of this is by extension of credit. We believe it is unwise for the Government to be that primary source of credit. Most of these credits could be handled by commercial banks with this type of Government guarantee, and we propose to transfer that credit to the banking system under this guarantee.

Senator Pastore. In the case of a default, let us assume there is an overthrow of a government, and that government cannot pay an American manufacturer, let us say, a million dollars for some military equipment that was ordered, what do you do? Do you come in and ask for an appropriation to pay that?

Secretary McNamara. It will have to come out of the credit assistance portion of the military aid program. The $1,055 million that we are requested in new obligational authority, for example—if we wish to we could shift away from grant aid and extend that entire $1,055 million in the form of credit and we do each year use a portion of it.

GUARANTEE CONFINED TO MILITARY ASSISTANCE

Senator Pastore. This goes beyond the aid in this bill, doesn't it? This guarantee is confined to military assistance.

Secretary McNamara. The credit guarantee which we are asking is for military assistance alone.

Senator Pastore. It does not go beyond that?

Secretary McNamara. It does not.

Senator Pastore. In other words, then you misunderstood me when I asked the question. I considered this to go beyond military assistance. In other words, if Germany ordered it.

Secretary McNamara. Military equipment, I should say, not military assistance. It goes beyond military assistance, but it is limited to military equipment.

Senator Pastore. I realize that.

Secretary McNamara. But defaults on that would be charged against the military assistance program. As the proposed language indicates, we would propose to set up reserves.

REPORTS TO COMMITTEES OF CONGRESS

Senator Pastore. Would you see any objection in having a quarterly report made to committees of Congress?

Secretary McNamara. No. I would be delighted to.

Senator Pastore. I think maybe that would more or less make it more amenable.

Secretary McNamara. Surely I would be delighted to.

Secretary Pastore. Some language in there to the effect that in these instances a quarterly report would be made as to the country and the amount and what was being guaranteed?

Secretary McNamara. Surely.

Mr. ELLENDER. Mr. President, there is no question that if Senators read this testimony they will find that Mr. McNamara stated that the Export-Import Bank was not authorized or organized for the purpose of financing the sale of military hardware. There was no doubt about it. And his idea of the revolving fund of 25 percent, as he pointed out in his testimony before the Senate Appro-

priations Committee in 1964, was to use the commercial banks in the military credit sale transactions.

Here is what he said, as it appears at the top of page 229 of the hearings on H.R. 11812 in August 1964:

> We have raised the total amount of credit sales from something on the order of a few million a year to something approximately $150 million at the present time. All of this is by extension of credit. We believe it is unwise for the Government to be that primary source of credit. Most of these credits could be handled by commercial banks with this type of Government guarantee, and we propose to transfer that credit to the banking system under this guarantee.

That was Mr. McNamara speaking in answer to a question in respect to the bank. Senator Pastore questioned him about this, as appears at page 228 of the hearings. He said:

> In the case of * * *—

The name of the country was deleted, because it was secret—

> we actually eventually worked out an agreement with the Export-Import Bank that was satisfactory.

That was for the sale, on credit, of military hardware to the countries able to pay and which could qualify under the Bank's rules and regulations. I quote Mr. McNamara:

> Again that Bank—

Meaning the Export-Import Bank—

> is not chartered for the purpose of extending credit for the procurement of military weapons.

That was Mr. McNamara talking in August of 1964, when he himself stated that the bank was not chartered or organized for that purpose. But what did we find later? Apparently, when it became evident that the commercial banks would not handle these transactions, Mr. McNamara turned to the Export-Import Bank, and that was done very quietly. I serve on the Committee on Appropriations, and I keep as close as I can to what the committee does. At no time was there brought to our attention the action by which the revolving fund was to be used in connection with the Export-Import Bank.

Mr. CHURCH. Mr. President, will the Senator yield?

Mr. ELLENDER. I yield for a question.

Mr. CHURCH. I wonder if the Senator knows—I am sure he must—that the Committee on Foreign Relations voted, 12 to 6, to liquidate the revolving fund, partly on account of the abusive use of the fund to underwrite sales of military hardware to underdeveloped countries through the Export-Import Bank.

Mr. ELLENDER. Yes; I am familiar with that. I am proud that the committee took that action. As the Senator from Idaho will remember, in 1964, when the guarantee provisions were first placed in a foreign aid bill, I offered an amendment to strike the guarantee provisions from the bill. And the Senate voted unanimously for it. Then, in conference, somehow the House won out, and the guarantee provisions remained in the Foreign Aid Act.

As I have said, I am glad that the Committee on Foreign Relations is doing this on its own now. I am confident that the Senate will adopt such an amendment, and I hope we will be able to persuade the House to agree to the elimination of the revolving fund, and also the guaranty provisions that were added to the Foreign Assistance Act in 1964.

As I have said, my purpose in offering the amendment is not to destroy the great institution known as the Export-Import Bank. It has done a good job. If ever we permit it to become deeply involved—and it will, unless we check it now—in the financing of military hardware for foreign governments, there is no doubt that the time will not be far off when some——

Mr. CHURCH. Mr. President, will the Senator yield?

Mr. ELLENDER. I yield.

Mr. CHURCH. I am interested in what the Senator has said about blindfolds, because it seems to me that blindfolds run through the entire consideration of the matter now before the Senate.

I have in my hand a list of all the loans that have been made by the Export-Import Bank to extend credit for military sales to foreign governments. Public money has been used, but the summary of the loans made is presented to us in a classified form, so that it is not permissible—or at least it would be very bad form—for me to disclose on the floor of the Senate what the public money has been used for.

The first page lists the developed countries to which loans have been made. The Export-Import Bank knows, in the case of developed countries, what countries are getting the money. But on the second and third pages——

Mr. ELLENDER. The reason for that, may I say to the Senator, is that the contract is made directly between the Export-Import Bank and the importing countries, because the countries are supposed to be able to repay any loans made under the rules and regulations set out for making loans by the Export-Import Bank.

Mr. CHURCH. The Senator is correct.

Mr. ELLENDER. That is the reason for it.

Mr. CHURCH. And with respect to these loans, the bank itself proceeds with its eyes open.

Mr. ELLENDER. That is correct.

Mr. CHURCH. But with respect to the loans that appear on pages 2 and 3 of the report, neither the bank nor the public are made aware of the facts. Now the bank itself is blindfolded. All that appears here—indeed, all the information that the bank itself receives—is the designation of the loan. These have been described as "country X loans," but on this listing they appear as follows: "66 EXIM—A, B, C, D, E, F, G, H, I, J, K, L, M, N, O, P, Q, R, S," then "67 EXIM—A, B, C, D, E, F, G, H, I, J, K, L, M, N, O, P," and so forth.

Mr. TOWER. Mr. President will the Senator yield?

Mr. CHURCH. Not at this time.

Mr. ELLENDER. I will yield to the Senator from Texas shortly.

Mr. CHURCH. With respect to these loans, the Export-Import Bank does not know to what countries the money is going, but simply deals blindly through the Defense Department.

I believe it is very enlightening that in the hearings before the Committee on Banking and Currency which have been held recently, Mr. Harold F. Linder, the president and chairman of the Export-Import Bank of Washington, testified with respect to the latter loans as follows:

> An arrangement was worked out between Eximbank and the Department of Defense whereby the Bank would acquire from the Department of Defense obligations, guaranteed by the Department of Defense, arising from sales negotiated by it with certain countries to which the Bank was otherwise not prepared to extend credit for military goods. Under this arrangement Eximbank provides financing, but does not deal with the buyer and is not informed of the buyer's identity.

That is an extraordinary statement for the president of any bank to make. It is an extraordinary way for any bank to do business. It is the second aspect of this case which I would characterize with the blindfold.

Mr. President, with the Senator's permission, I ask unanimous consent to have printed in the Record a staff memorandum detailing the way that the Export-Import Bank negotiates these loans in connection with Department of Defense guarantees.

There being no objection, the memorandum was ordered to be printed in the Record, as follows:

Procedure for Eximbank Military Loans Guaranteed by the Defense Department

The Department of Defense (DOD) is the agency responsible for negotiating the sale of military equipment to foreign governments. In the case of sales to countries to which the Export-Import Bank is not prepared to extend credit for military sales without a DOD guaranty, the financing of such sales by the Bank is governed by Letter Agreements between Eximbank and DOD.

Once DOD has negotiated an arrangement for the purchase of U.S. defense items by a foreign government, DOD sends Eximbank a Letter Agreement, with attachments, setting forth certain information about the financial arrangements. The information specified in the Letter Agreement and attachments includes (a) the principal amount of funds to be provided by Eximbank, (b) an estimated disbursement schedule for those funds, (c) a fixed repayment schedule for the principal amount, and (d) the rate of interest to be paid to Eximbank. In consideration of the funds to be provided by Eximbank, DOD assigns to Eximbank its rights to the payment from the foreign purchaser under the DOD credit sales arrangement. DOD guarantees to Eximbank the payment of principal and interest due the Bank and obligates out of funds authorized and appropriated for this purpose a reserve of 25% of the amount due Eximbank, as authorized by sections 503 and 509 of the Foreign Assistance Act. Under the Letter Agreement the Bank may sell to a U.S. commercial bank a participation in all or a portion of the rights assigned to it.

On the basis of Eximbank's undertaking to provide financing, DOD enters into a credit sales arrangement with the purchaser. Eximbank is not a party to this arrangement, and any financial instruments such as notes arising under the sales arrangement are held by DOD. DOD's credit sales arrangement does not specify the source of funds (e.g., Eximbank) from which the credit will be provided.

Mr. ELLENDER. I think that the statement the Senator read for the RECORD by Mr. Linder is correct. I had occasion to discuss the matter with him, not only in the United States, but I met him also in some countries in South America. We discussed loans, and it was then I learned that these blindfold loans, to which the Senator referred, were made. I wondered how it was that he was able to get around the requirements in the rules and regulations of the Bank that the Bank must be satisfied that the country which gets the loan would be able to repay it. Of course, the answer was: We do not care, because the U.S. Government guarantees it.

Here we have an instance of a corporation in which the stock is totally owned by the Government; the money is put up by the Government; and we have our great Government guaranteeing its own corporation on the sale of military hardware to underdeveloped countries.

Mr. CHURCH and Mr. TOWER addressed the Chair.

Mr. ELLENDER. I shall yield in a moment.

It strikes me that that is a poor way to do business, and my feeling is that if this is permitted to continue it is going to do untold harm to this great bank we know as the Export-Import Bank. Personally, I would like to have a prohibition in the bill now to prevent the use of the Export Bank facilities to carry any loans which finance the sale of military hardware to any country.

But as I said in the beginning, I am a realist, and it is my hope that the Senate will at least adopt my very simple amendment. At least, this will afford me partial satisfaction.

Mr. CHURCH. Mr. President, will the Senator yield once again?

Mr. ELLENDER. I yield.

Mr. CHURCH. Mr. President, I commend the Senator for the amendment he has offered.

We have spoken of two ways in which the blindfold has been applied. The public is blindfolded by the confidential nature of loans. The bank is blindfolded because it does not know to what countries the so-called "county x" loans are being made. But there is a third way the blindfold is being applied, and that is to the Congress itself.

The Senator pointed out that it was never the intention of Congress that the Export-Import Bank should become a vehicle for underwriting military sales. It came as a surprise, indeed, a shock, to the Congress to discover suddenly that in excess of $600 million worth of Export-Import Bank credit had been extended to finance these sales of military hardware to underdeveloped countries.

Mr. TOWER and Mr. MUSKIE addressed the Chair.

Mr. ELLENDER. Mr. President, I have the floor. I shall yield in a moment.

Mr. CHURCH. I think the Senator in his speech heretofore has underlined what had been the general congressional understanding; and I think that the hearings in both the Senate and the House underscored the fact that this revelation came as a considerable shock to most Members of Congress.

Mr. President, in that connection, I wish to read into the RECORD at this point an editorial that appeared in the Washington Post in general support of the position being taken by the distinguished Senator from Louisiana. I think it is an extremely cogent criticism of the action taken by the committee:

PROMOTING ARMS EXPORTS

> Instead of acting to take the Export-Import Bank out of the business of financing exports of armaments, the Senate Banking Committee reported out a bill that will actually deepen the bank's involvement in that dangerous traffic.
>
> Several of the Committee's amendments to the authorization bill, which would raise the bank's lending authority to $13.5 billion, purport to limit the financing of arms for the less-developed countries, the so-called "country-x" loans. Loans to the less-developed countries would be made at the request of the bank's lending authority and would have to be reported to the House and Senate within 30 days.
>
> The only advance achieved by these provisions is to make Congress privy to the secret loans *after* they are made.

Mr. President, as an aside at this point, here we have first the public blindfold, then the Bank blindfold, and finally, the congressional blindfold, and the only thing Congress proposes to do about it is to say, "Please take the blindfold off and tell us what you have done, after you have done it, so we will not be submitted to the indignity of being led blindly down the primrose path."

Mr. President, I continue to read the editorial:

> In setting the limit at 7.5 per cent of the Eximbank's authorization, the Committee would permit the "country-x" loans to rise from the present level of $604 million to more than $1.1 billion. And as outstanding loans are repaid, fresh credits would be extended. Moreover, since the Committee failed to provide a tight definition of a less-developed country, there is nothing to prevent the bank from regarding some poverty stricken state in South America or Africa as "developed" in order to finance its arms purchases.
>
> The financing of arms exports, where necessary to advance this country's interests, should be accomplished within the framework of treaty organizations, not surreptitiously by an agency that was established for promotion of commercial exports. Congressmen on both sides of the political aisle believe that Eximbank's activities are incompatible with the maintenance of world peace.
>
> Sen. Allen J. Ellender has raised a strong voice in opposition and it is to be hoped that he and others will insist on a genuine arms-financing prohibition when the bill reaches the Senate floor.

Mr. President, I think that is what the Senator has done with his amendment. I commend him strongly for it. The case he makes for it is quite irrefutable on the facts. The Senator will have my support.

Mr. ELLENDER. I thank the Senator. I yield to the Senator from Texas.

Mr. TOWER. Mr. President, I wish to point out that from the standpoint of sound banking practice this is one of the soundest things the Bank could do because the loan is guaranteed. I do not know how many of the other transactions are guaranteed, but these are.

Mr. ELLENDER. By whom?

Mr. TOWER. The Department of Defense. From the standpoint of the operation of the Bank that is not an unsound banking practice.

Now, beyond that, as the Senator from Idaho has already pointed out, we have removed this so-called blindfold on the Congress by requiring a report; further, we placed a ceiling amount on what can be loaned in this matter; and we have imposed additional restrictions.

Mr. ELLENDER. However, all of this will be done after the loans are made, as the Senator pointed out. It would not be submitted to us. We will not have anything to say about it.

As I expect to point out later, the Department of Defense can make loans now if they desire, but they have to come to Congress for the money. It will be possible, if the revolving fund goes through, for the moneys we are now appropriating for the Export-Import Bank to be used to finance over $1 billion without it showing in the public debt at all. It is backdoor financing and backdoor financing of the rankest kind.

Mr. President, I plead not only for this amendment but, I say also, unless we take steps now to curb the sale of military hardware through the use of Export-Import Bank facilities, eventually we are going to destroy this great Bank.

Mr. TOWER. I do not see what this contributes to the destruction of the Bank when it is guaranteed by the Department of Defense——

Mr. ELLENDER. Who is the Department of Defense? It is all Government. The Government is guaranteeing its own debts. That is what is happening.

Mr. TOWER. It guarantees insurance to the Bank against bad debts, so the Bank is in no jeopardy.

Mr. ELLENDER. As I pointed out a while ago, the guarantee provisions have been put in the Foreign Assistance Act so that Mr. Linder can sit back and say, "Well, I am satisfied now that the rules and regulations under which we are to make the loans have been satisfied."

In my opinion, this provision was put in the Foreign Assistance Act merely to make it possible for the Export-Import Bank administrator to say that this is a good loan and is in accordance with our rules and regulations.

Mr. TOWER. But the Export-Import Bank has nothing to do with the decision to make the loan. It is not an executive decision.

Mr. ELLENDER. Insofar as loans being made to developed countries are concerned the Bank does have a say; the loans are made directly by the Export-Import Bank. But as I said, it is only since the guarantee provisions were put in the law in 1964—when Mr. McNamara told me in committee that this guarantee fund was going to be used in order to induce commercial banks to get into the business of furnishing capital to sell to the less-developed countries—that the Bank became indirectly involved since 1964, only $62 million has been financed by private banks. On the other hand, the Export-Import Bank has financed sales of military hardware to the less-developed countries totaling $604 million.

Mr. TOWER. To what extent do commercial banks want these loans?

Mr. ELLENDER. I do not know, but Mr. McNamara represented to us that the sales would be made through commercial banks in this country and not the Export-Import Bank.

Mr. MUSKIE. Mr. President, will the Senator from Louisiana yield?

Mr. ELLENDER. I am happy to yield to the Senator from Maine for a question.

Mr. MUSKIE. I was interested in the colloquy between the distinguished Senator from Louisiana and the distinguished Senator from Idaho. I am not a member of the Foreign Relations Committee. I am not a member of the Appropriations Committee. I am a Senator who undertakes an interest in what is being done in these areas over the years. Looking at the legislation which was enacted in 1964 by a Congress, of which I was a Member, legislation which certainly came to the attention of the Foreign Relations Committee, we authorized the guarantee of loans for the sale of arms to less-developed countries.

More than that, it is quite clear that in 1964, it was with the knowledge of Congress as a whole, at least constructive knowledge, and I assume of the Foreign Relations Committee, that the amendment to the act of 1965 was designed specifically to relate the program to the Export-Import Bank.

I read from the report of the Committee on Foreign Affairs of the House in 1965:

> Section 201(f) amends section 509(b) of the act which relates to the administration of guarantees issued in conjunction with the military sales to exempt guarantees issued to agencies of the U.S. Government from the requirement of fees, and premiums to be charged in connection with the issuance of guaranteed contracts.
>
> This exemption is primarily designed to apply to the Export-Import Bank which at present is the only U.S. Government agency expected to be affected by it.

Mr. ELLENDER. In 1965?

Mr. MUSKIE. This is the 1965 act. The Department of Defense guaranteed loans according to the record which I have here. Beginning in fiscal 1966, they amounted to $237.7 million. In 1967, $353.1 million. In 1968, through July 28, 1967, $13.5 million—for a total of the $604 million which we have been discussing.

So that here in the 1964 and 1965 acts, as I read them, Congress knew about it, authorized it, and knew that the Export-Import Bank was involved. It was subsequent to the enactment of that legislation that these transactions took place; yet today I am told, that this was done completely without our knowledge, that it was done, somehow, behind our backs, without our knowledge, without our approval, and without our authorization. I am puzzled. I certainly would like to have an explanation from the two gentlemen more closely associated with the committee than I am.

Mr. ELLENDER. As I pointed out a while ago, I did not become suspicious of what was happening, particularly when Mr. McNamara told us in committee that the Export-Import Bank fund was chartered for the purpose of extending credit for the procurement of military weapons——

Mr. MUSKIE. I must say to the Senator that the act is certainly more authoritative than anything from Mr. McNamara.

Mr. ELLENDER. Knowing the history of the Export-Import Bank and what it did in the past, I was not suspicious until we found it out during the past year.

Mr. MUSKIE. If the Senator will yield. Part of the history of the legislation to which I have referred, the Senator has ignored.

Mr. ELLENDER. That was from the House report.

Mr. MUSKIE. I am referring to 201(f) of the act in the House committee report which I assume must be part of the conference discussion on such an important policy matter.

Mr. CHURCH. Mr. President, will the Senator from Louisiana yield?

Mr. ELLENDER. I yield.

Mr. CHURCH. I do not know if anything I said gave the impression that I thought the arms transactions of the Export-Import Bank have been illegal.

Mr. MUSKIE. I am not suggesting that the Senator said that.

Mr. CHURCH. We know how our system works. Our system works on the basis of what we are told, to a very large degree. Our Government is the largest and most complicated in all of history. We have executive departments involved in detailed transactions of every description all over the world. We in Congress act on the inofrmation they supply. To a large extent, we must depend upon the executive departments to inform us.

Everyone who has had an insurance policy knows the difference between the large and the small print, and has encountered the problem, when the time came to collect, of discovering that something in the small print negated the coverage.

Mr. MUSKIE. Will the Senator from Idaho yield at that point?

Mr. CHURCH. I want to make my point first. The Senate operates within the same kind of framework. We depend, for our information, upon the major spokesmen of the executive branch. When they come to us to explain what they want, what their programs and objective are, we must rely upon their representations. It is true, of course, that what was done was legal, but it does not follow that Congress had any reason whatever, on the basis of testimony presented to our committees, to anticipate that $604 million would be financed through the Export-Import Bank to assist in the disbursement of arms to the less developed countries of the world. That is why there was such a ruckus in both Houses when these facts came to light.

This is the real argument that is being made by the Senator from Louisiana. We were misled, not on the basis of the fine print of the law, but, rather, on the basis of the representations which were made, and on which we relied in good faith.

In that connection, I would say we were misled in still another way. That has to do with the way interest rates on these sales are actually being subsidized by the Department of Defense, in order to further promote their consumation through the Export-Import Bank.

I ask unanimous consent to include in the RECORD an excellent article by Mr. Neil Sheehan, which appeared in the New York Times on Monday, August 31, which explains the way the interest rate subsidy has been arranged.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

UNITED STATES SUBSIDIZES INTEREST RATES ON ARMS SALE LOANS

(By Neil Sheehan)

WASHINGTON, July 30.—The Defense Department has apparently been subsidizing the interest rates on its arms sale loans to underdeveloped countries by charging the recipients lower rates than it pays to the Export-Import Bank for money it borrows.

In the fiscal years 1966 and 1967, the Defense Department made $591-million in so-called country-X loans to 14 developing countries on a five-to-seven-year repayment basis.

An analysis of these loans shows that in a number of cases the recipients are paying interest rates two or more percentage points below what it has cost the United States Treasury to borrow money for comparable lengths of time in recent years.

Under the country-X procedure, the Export-Import Bank opens a line of credit to the Defense Department that the Pentagon's arms salesman, Henry J. Kuss, Jr., then uses to finance the sale of American arms.

The Defense Department guarantees the loans with its $383-million revolving arms sales credit fund under a law that states that only 25 per cent of the full value of the loan need be covered by money from the fund.

"NORMAL" INTEREST CITED

In testimony before the Senate Banking and Currency Committee last Tuesday, Deputy Secretary of Defense Paul H. Nitze said the "normal" interest rate for such loans was 5½ per cent.

Data obtained from reliable sources disclose that only four of the 14 recipients are paying interest rates of 5½ per cent, although these four borrowers—Saudi Arabia, Iran, Argentina and Brazil—account for the major portion of the $591-million in loans—$417 million.

In those four instances, however, the interest rates are mixed, apparently on different slices of credit, and vary from 3½ to 5½ per cent.

Iran, which received the largest credits, $210-million, is paying the Pentagon 4 to 5½ per cent interest, while the Pentagon is paying the Export-Import Bank 4⅞ to 5½ per cent.

Saudi Arabia, which received the second largest credits, $143-million, is paying the Defense Department 5⅒ to 5½ percent interest, while the Pentagon is paying the bank a straight 5½ per cent interest rate.

Five of the recipients—Jordan, Morocco, Pakistan, India and Venezuela—are paying the Defense Department straight interest rates of 3 per cent on a total of $53-million in loans. In these five cases the Pentagon is paying the Export-Import Bank interest rates from 4⅞ to 5½ per cent.

In one instance, where a small loan of $1-million was made to Chile, the Pentagon is apparently making a little money by charging Chile a 5 per cent interest rate while paying the bank 4⅞.

Israel has apparently been another special case. It received loans of $88-million over both fiscal years at interest rates from 3½ to 5 per cent, while the Pentagon paid the bank interest varying from 3½ to 5½ per cent.

The Israeli case was the only instance in which the Export-Import Bank lent the Pentagon any money at interest as low as 3½ per cent.

The remaining three borrowers—Malaysia, Taiwan and Peru—obtained a total of $25-million in loans at interest varying from a low of 3 to 4 per cent for Malaysia, which received $11-million, to a straight 5 per cent for Peru, which obtained $4-million.

In these three cases the Pentagon paid the bank interest varying from 4⅞ to 5½ per cent.

During the current fiscal year, the Defense Department intends to make $256-million more in country-X loans from the Export-Import Bank to underdeveloped countries for the purchase of American armaments.

No breakdown by individual country is available. But a regional breakdown shows that the majority of the loans, $181-million, will be made to countries in the Middle East, India and Pakistan, apparently because of the intense competition between the United States and the Soviet Union for political influence in these regions.

OTHER LOANS PLANNED

In addition, the Pentagon plans to loan $25-million to African countries for arms purchases, $32-million to Latin-American nations and $18-million to Far Eastern countries.

Besides the $591-million in country-X loans over the last two fiscal years, the Defense Department has made direct arms loans to 12 underdeveloped countries.

These countries were also recipients of country-X loans over the last several years from the Pentagon's revolving arms sales credit fund. The loans were made at interest rates similar to those for country-X loans from the Export-Import Bank.

Israel received the largest credits, $54-million, and Iran the second largest, $41-million. The other 10 recipients were Morocco, $3-million; Jordan, $6-million; Pakistan, $3-million; India, $41-million; Taiwan, $2-million; Malaysia, $5-million; Argentina, $1-million; Brazil, $10-million; Venezuela, $19-million, and Peru, $1-million.

The following is a table of the 14 recipients of country-X loans in the fiscal years 1966 and 1967, the approximate amounts in each case and the rates of interest paid by the borrowers and by the Pentagon to the Export-Import Bank:

[Amount in millions]

Recipient	Amount[1]	Interest paid by recipient	Interest paid by United States to bank
Iran	$210	4-5½	4⅞-5½
Saudi Arabia	143	5 1/10-5½	5½
Israel	88	3½-5	3½-5½
India	18	3	5½
Malaysia	11	3-4	4⅞-5½
Taiwan	10	4⅞-4 9/10	4⅞-5½
Brazil	43	3½-5½	4⅞-5½
Venezuela	29	3	4⅞
Argentina	21	4⅞-5½	4⅞-5½
Peru	4	5	4⅞-5½
Chile	1	5	4⅞
Jordan	9	3	4⅞
Morocco	4	3	4⅞
Pakistan	3	3	5½

[1] The total loans do not add to exactly $591,000,000 because figures have been rounded off.

Mr. MUSKIE. Mr. President, will the Senator yield?

Mr. ELLENDER. I yield.

Mr. MUSKIE. Again, with all respect to the distinguished Senator from Idaho, whom I highly respect, he has not satisfied the Senator from Maine, who has not become involved in this matter through his committee responsibilities. The Senator is talking about something being done, not illegally, but without our knowledge. The small print to which the Senator referred was not issued by the administration, but by the Foreign Affairs Committee of the House.

The Senator from Louisiana has described his experience in fighting this amendment. The House insisted on it. So this must have been an issue which was thoroughly discussed in conference. The House's view was that this extension is primarily intended to apply to the Export-Import Bank, which at the present time is the only U.S. Government agency expected to be affected by it. I submit that is the congressional record; that congressional small print is a clear indication that we knew what we were doing; that we authorized the guarantee program; that we knew the Export-Import Bank was involved.

I hold in my hand another confidential document, which I am told—and if I am wrong I want to know it—is an example of the kind of detail which was given to the Appropriations Committee and to the Foreign Relations Committee on the identity of the X countries, on the terms of the loans, the amounts, and the description of the equipment sold.

Mr. ELLENDER. When was that?

Mr. MUSKIE. This is an illustration of the kind of information; this is not it directly, because it is classified and is in the files of the committees, I presume. But President Linder testified to us that this information was given to the Foreign Relations Committee of the Senate, to the Foreign Affairs Committee of the House, and to the Appropriations Committees of both Houses. If he was not telling the facts to our committee, which was not privy to that information, but if in fact that information and detail was given to these committees, then I cannot understand the argument being made this afternoon that the committees were kept uninformed. It may be that members of the committees did not have specific information which was kept in their files, but that is different from saying that the information had not been provided to them.

Mr. CHURCH. Mr. President, I think the Senator from Maine lets the executive branch off too easily regarding its responsibility to the Congress of the United States. If Congress had been informed as to what this was all about, what was the occasion for the sudden uproar in both Houses, which has filled the newspapers? It is not enough to slip the information to us in small print. The obligation is on the executive branch to properly inform the Congress.

I have yet to see any previous testimony disclosing the extent to which the Export-Import Bank was being used to finance the large-scale distribution of arms to the underdeveloped countries of the world. As a matter of fact, it was not until the staff of the Foreign Relations Committee began to look into this question in early January that we began to get some idea of the rapid growth and startling dimension of the program. It was then we commenced the course of inquiry which led both the Foreign Relations Committee and the Banking and Currency Committee and committees of the House of Representatives to look into the whole question. I think the uproar the disclosures caused in Congress is sufficient evidence to validate our argument that Congress was never adequately informed. We were, in truth, kept blindfolded.

It is the responsibility of the executive branch to keep Congress informed, and I find nothing in the record of this case that amounts to an adequate discharge of that responsibility.

Mr. MUSKIE. Will the Senator from Louisiana yield me 30 seconds?

Mr. ELLENDER. I yield.

Mr. MUSKIE. Of course, I cannot possibly judge what may satisfy any Senator on any question of fact as to the adequacy of information that would satisfy him, but again reading the title of this document, which I say is a pretty accurate identification as to the kinds and uses, it says:

> Summary, Fiscal Year 1967, FMS Credit Programs by Country, Export-Import Bank and Private Bank Transactions, and Status of FMS Available Resources.

Mr. ELLENDER. Was that in 1967?

Mr. MUSKIE. In 1967; and I am told similar information was supplied with respect to 1966; 1966 was the year when these Department of Defense guaranteed loans were made.

Mr. ELLENDER. But it was not until 1966 that I found out about it.

Mr. MUSKIE. The information was available, if our information is correct, in 1966, and the authorization by statute was made by Congress in 1965.

Mr. ELLENDER. As the Senator from Idaho pointed out, I do not know of any Senator who was not surprised when he learned that the facilities of the Export-Import Bank were being used to finance the sale of arms to less-developed countries.

Mr. MUSKIE. I do not know whether that reflects on Senators or the administration.

Mr. ELLENDER. I know they were all surprised. I know the Members of the House were surprised. New hearings were suddenly called. As I said, I was aware of loans being made directly by the Export-Import Bank to countries like England and Italy, but in respect to the less-developed countries, I only found it out last year. I seized the first opportunity to offer the amendment which is pending.

As I said a while ago, if left to me, I would exclude any loans made by the Export-Import Bank to finance any sales abroad. Let it be done directly by the Department of Defense, and let the Department come before Congress each year and get the money in order to go into these transactions.

Mr. MUSKIE. May I ask the Senator one question?

Mr. ELLENDER. Yes.

Mr. MUSKIE. The Senator described the battle he waged in 1964 to strike this provision from the bill.

Mr. ELLENDER. There was no mention made about Export-Import Bank, because it was never intended that the Export-Import Bank be used.

Mr. MUSKIE. I understand, but may I finish my statement? The Senator has described his battle to defeat the very legislation which is the basis for the bank's activities. At that time there was no specific reference in the language to Export-Import Bank. I agree.

But the next year the amendment to

which I have referred was written, which identified Eximbank's activities, according to the House committee report, which must have been considered in conference. So I am curious as to why the Senator, who took such a vigorous interest in it in the first instance and must thus have had a motivation to follow the experience under it to a greater degree than any other Senator, should have been so surprised, in 1967, that Eximbank had become involved during that 3-year period.

Mr. ELLENDER. Mr. President, I do not wish to repeat what I said a while ago, but in the testimony given to the committee by Mr. McNamara, he indicated in no uncertain terms that commercial banks were to be used, not the Export-Import Bank. I quote again:

> That bank—

Meaning the Export-Import Bank—

> is not chartered for the purpose of extending credit for the purpose of procurement of military weapons.

That is Mr. McNamara speaking. That is what he said, and that stuck in my cranium. I discussed this with Mr. McNamara last year when hearings on the Foreign Aid bill were held by the Appropriations Committee and later in the year, during December of 1966 when I was in Santiago, Chile, I met the President of the Bank there, Mr. Linder, and I discussed the matter with him.

He told me about how these things were being done, and I took strong issue with his position. You could probably have heard us talk across the street, because, in my opinion, it was a violation of Mr. McNamara's stated intentions, and of the will of Congress.

In the congressional debates, in 1964, there was no mention of the Export-Import Bank, because we had been told that commercial banks would be used. The Eximbank never came into the picture at all.

Several Senators addressed the Chair.

Mr. ELLENDER. I yield to the Senator from Kansas.

Mr. CARLSON. Mr. President, I had not intended to get into this discussion, but for those who might read the RECORD in the future, it might be interesting to place in the RECORD certain information regarding the congressional authorization. This is taken from a Department of Defense publication entitled "Military Assistance and Foreign Military Sales Facts" of May 1967, published by the Office of the Assistant Secretary of Defense for Internal Security Affairs, and is not classified.

I shall read just one section, concerning the historical background of foreign military sales, found on page 25 of the brochure. I ask unanimous consent that the excerpts I have designated in the brochure be printed in the RECORD as a part of my remarks.

There being no objection, the excerpts were ordered to be printed in the RECORD, as follows:

CONGRESSIONAL AUTHORIZATION

The basic legislation authorizing foreign military sales was the Mutual Defense Assistance Act of 1949, which followed U.S. ratification of the NATO Treaty of July 25, 1949. It provided for "reimbursable aid" and as such was the forerunner of the present Foreign Military Sales Program. Canada, Korea, Brazil, and the Netherlands were among the recipients in the first year of operation, FY 1950, with total sales of $13.1 million. Additional and amended authorizations were provided by the Mutual Securities Acts of 1951, 1954 and 1957 and by the Foreign Assistance Act of 1961 with its Amendments in 1962, 1964, 1965 and 1966. This series of legislation:

Authorized the sale of materiel from stock on payment after delivery.

Authorized procurements for sale pursuant to "dependable undertaking" arrangements.

Provided for the use of MAP funds for credit sales financing to countries eligible for grant aid.

Capitalized the Foreign Military Sales Fund, initially authorizing $175 million, with subsequent additions bringing the Fund to its present level (through FY 1967) of $383 million; authorized the reuse of payments received from foreign countries for further credit sale.

Authorized DoD to guarantee repayment to exporters, insurance companies, financial institutions or others who extend credit to foreign governments for the purchase of military materiel, the DoD establishing at the same time a 25% guaranty reserve.

Authorized the establishment of fixed prices to be paid by the purchaser when such is determined to be in the national interest.

Authorized the acquisition and disposition of evidences of indebtedness or ownership.

Provided that sales and exchange programs shall be administered so as to encourage regional arms control and disarmament agreements and to discourage arms races; in 1966 a ceiling of $85 million was set for the total amount of grant aid and sales to the American Republics.

Executive Branch policy has been consistent with the intent and objectives expressed in the Congressional legislation on this subject.

On May 9, 1963, the President indicated that ". . . it is essential that we make every effort to prosecute the program of selling U.S. equipment to our allies. Not only will this decrease the net outflow of gold from this country, but it also ties in our military aid to foreign policy."

On February 1, 1966, the President reported to Congress that "We will shift our military aid programs from grant aid to sales whenever possible—and without jeopardizing our security interests or progress of economic development. Military sales now exceed the dollar volume of the normal grant aid program. This not only makes a substantial favorable impact on the balance of payments, but it also demonstrates the willingness of our allies to carry an increasing share of their own defense costs."

CREDIT FINANCING

As shown on page 33, about 72% of the $11.1 billion in orders and commitments for FYs 1962–1966 was on a cash basis; the other 28% was financed by credit provided by private banks, the Export-Import Bank or by the Department of Defense. About three-fourths of such credit was provided to the developed industrial countries.

When a buying country cannot meet the requirements of private banks or the Export-Import Bank, the purchases can be financed by the Foreign Military Sales Account. This Account was capitalized by the Congress in the amount of $175 million in FY 58—and expanded since then to reach its present level (through FY 67) of $383 million. The Account is restored by country repayments; hence its informal name: FMS Revolving Fund.

As noted above, the Congress has authorized the Department of Defense to "guarantee" loans made by other private or public financing sources. Such a guarantee requires that 25% of the contractual liability be reserved for the payment of claims under such contracts. Congress also authorized the Department of Defense to make sales of evidences of indebtedness and to guarantee payment against any such instrument. As shown on page 36, total credit extended through this account during FY 1962–1966 was $756 million. An additional $384 million is expected to be extended during FY 1967.

Mr. CARLSON. It reads as follows:

> The basic legislation authorizing foreign military sales was the Mutual Defense Assistance Act of 1949, which followed U.S. ratification of the NATO Treaty of July 25, 1949. It provided for "reimbursable aid" and as such was the the forerunner of the present Foreign Military Sales Program. Canada, Korea, Brazil, and the Netherlands were among the recipients in the first year of operation, FY 1950, with total sales of $13.1 million.
>
> Additional and amended authorizations were provided by the Mutual Securities Acts of 1951, 1954 and 1957 and by the Foreign Assistance Act of 1961 with its Amendments in 1962, 1964, 1965 and 1966.

Mr. ELLENDER. That was dealing with Department of Defense authority.

Mr. CARLSON. Yes. Then, as to credit financing, the brochure states:

> As shown on page 33, about 72% of the $11.1 billion in orders and commitments for FYs 1962–1966 was on a cash basis; the other 28% was financed by credit provided by private banks, the Export-Import Bank or by the Department of Defense. About three-fourths of such credit was provided to the developed industrial countries.
>
> When a buying country cannot meet the requirements of private banks or the Export-Import Bank, the purchases can be financed by the Foreign Military Sales Account—

That is the revolving fund we are talking about today, and about which we have heard so much discussion in the Committee on Foreign Relations.

> This Account was capitalized by the Congress in the amount of $175 million in FY 58—and expanded since then to reach its present level (through FY 67) of $383 million. The Account is restored by country repayments; hence its informal name: FMS Revolving Fund.

I mention that because this amount of $383 million is the figure they use when they make these 25-percent guaranteed loans on sales. That figure could easily reach $1 billion, as the distinguished Senator from Louisiana has stated. That is one of the problems that concerns us.

I support the Senator from Louisiana, after hearing much of the testimony and discussion in executive sessions on these sales. I think we ought to draw a line somewhere. The colloquy which has taken place today has indicated that Congress may not have been advised.

Perhaps that is true. I do not think they have been too anxious to divulge some of the operations that have taken place. As the Senator from Idaho has stated, much of the information is classified. We will not get into that.

Mr. TOWER. Mr. President, will the Senator yield?

Mr. ELLENDER. I yield to the Senator from Texas.

Mr. TOWER. Mr. President, this does appear on page 76 of the appendix of the budget for the impending fiscal year, 1968.

Mr. ELLENDER. For 1968?

Mr. TOWER. Yes.

Mr. ELLENDER. I thank the Senator.

Mr. CHURCH. Mr. President, will the Senator yield?

Mr. ELLENDER. I yield.

Mr. CHURCH. Mr. President, I think it is fair to say that half of the Members of Congress had never heard of a "country X loan" until just a few weeks ago, when the press called attention to the matter. If the authority for doing it was somewhere in the small print, it was never presented to Congress in such form that most Senators and Representatives knew anything about it—including the members of the committees most closely concerned, the Banking and Currency Committee and the Committee on Foreign Relations. I believe this is unquestionably betrayed by the fact that now the Banking and Currency Committee itself has imposed a requirement that hereafter Congress shall be informed about these loans.

If there were no validity to our argument, why on earth should the committee impose that requirement? It is contained in the pending bill, for which the Senator from Maine now seeks our ratification. I think this is the best proof that what the Senator from Louisiana has argued about and what I have tried to argue is the hard, plain truth.

But I must go on to say that it does not reflect admirably upon Congress that, in these circumstances, all we should ask is that the blindfold be taken off, after we have been led down the path, so that if we cannot see where we are going, we will at least be shown where we have been. "Allow us to look backward," says the committee. "Tell us afterward what you have done, and we will be satisfied."

This is certainly a shocking abdication of congressional responsibility, it seems to me.

Mr. ELLENDER. Mr. President, I point out further that through these loans, the Department of Defense has been able to bypass the limitation that we in Congress have placed on providing military hardware for countries abroad.

When the foreign aid bill was before the Senate some years ago, I was instrumental in getting a limitation of $55 million placed on the amount of military assistance that may be made available to the countries of Latin America.

But now, through back-door financing the use of Export-Import Bank loans has thwarted the intent of Congress and made a shambles of the $55 million limitation.

The material I am about to read from is confidential. I will not mention the names of the countries, but I am permitted to give total amounts.

In fiscal year 1966, although there was a limitation of $55 million on grants of military assistance to the countries of Latin America, what did the Department of Defense do? It did not limit the aid to $55 million, but on the contrary made $77.2 million available, or $22 million more than the restriction put on by Congress.

I asked about this figure, was told that the amendment I introduced pertained to hardware and not to training. That is the excuse I got.

Mr. President, during that same year, 1966, when we gave grants aggregating $77.2 million, the total sales to the countries in Latin America were $38.1 million, and of that amount $24 million was financed through the Export-Import Bank.

Mr. President, that, in my opinion, violates the prohibition that Congress placed in the law to limit the amount of military hardware that we could make available to the countries in Latin America.

Let us see what happened in 1967. In 1967, the military grants for Latin America was $72 million, which was $17 million above the amount fixed in the law.

The sales of military hardware amounted to $29.6 million, and of that sum, $25.6 million was financed by the Export-Import Bank.

Mr. President, in my humble judgment this kind of financing simply is a violation of what Congress did when it limited the amount of military assistance to the countries of South and Central America. And I think the debates will show that the reason the limitation was placed in the law was to prevent an arms buildup.

However, by permitting the Export-Import Bank to finance the sales of arms to less developed countries we are doing something that may develop into an arms race between and among the countries of South and Central America.

Mr. President, when I was in South America last year, there were rumors that we had made available a certain number of airplanes to Argentina. What happened? Chile used its own funds—when we were giving them economic aid—and bought planes from England to counteract what we had done in Argentina.

Mr. President, if we continue this process of military grants and loans, it will no doubt, in my opinion, lead to an arms race which we will regret in the course of time.

Mr. President, when the Foreign Assistance Act was passed to provide for assistance to Africa, I had an amendment included in the bill to limit the grants of military assistance to that area of the world.

I note here that in 1966 the Defense Department lived within the limitation, and the amount of military grants for 1966 was $23.9 million. However, the figures show that in 1967 the military grant aid was $31.8 million, which was $6,800,000 above the $25 million limitation that was included in the law. In addition to these grants, the total sales amounted to $16.5 million, $14.2 million of which was financed by the Export-Import Bank.

There has been mention, I think on two or three occasions, concerning the sales made to the Middle Eastern countries. There was no limitation imposed on sales to Asia or the Middle Eastern countries, but the grants we made to the countries of the Middle East in 1966 amounted to $334,900,000. The amount of the total sales to the countries of the Middle East was $254.5 million, of which $160.7 million was financed by the Export-Import Bank.

In 1967 the amount of grants to the countries of the Middle East and Asia was $240,600,000—and of course that excludes South Vietnam, Cambodia, Laos, and South Korea.

The amount of sales was $269 million. In other words, the sales exceeded the amount of grants. And, of that $269 million, $233.7 million was financed by the Export-Import Bank.

There is no doubt in my own mind that if we permit these sales to continue, sooner or later those countries will get in trouble, and they will be fighting with each other. Uncle Sam will be asked to go there and give assistance and spend as we are now spending in South Vietnam.

Mr. President, I yield to the distinguished Senator from Missouri.

Mr. SYMINGTON. Mr. President, in support of the position being taken with respect to the amendment having to do with the financing of military equipment by the Export-Import Bank, I would read to the Senate from an editorial entitled "How Willing a Handmaiden?" published in the Journal of Commerce of Thursday, August 3.

It is a long editorial, so I will read only a part, as follows:

HOW WILLING A HANDMAIDEN?

* * * * *

The issue is best looked at in perspective. When the Export-Import Bank was established in 1934, its one primary purpose, as established by Congress, was to promote American exports via the extension of short-term credits.

It was not then viewed as a potential economic arm of American foreign policy, much less a political arm. Its sole function was to assist commercial exporters who required some kind of assistance if they were to secure footholds in certain foreign markets, most of them initially in Latin America, where credit and purchasing power had been badly battered during the early years of the depression. Whatever aid the architects of Washington's international economic policy could count upon via this institution would be incidental in some cases and indirect in all others.

For 30 years the Export-Import Bank functioned as a prudent and even profitable institution. At times since World War II it has found itself called upon to undertake some ventures it found risky on economic grounds but which Washington wanted for political reasons.

After Congress voted to expand its field in 1945, Eximbank began undertaking longer term project credits and, in effect, became a sort of government-backed investment banker. However, it did not compete with private capital and limited its activities to commercially sound projects in all instances where it was free to do so.

Until the Senate Foreign Relations Committee hinted at the end of this past January that some screening of Eximbank's role in U.S. arms sales was in order, little occurred to cloud the bank's image as a discrete, nonpolitical banking institution devoted to the encouragement of American exports under strictly businesslike procedures.

As it happened, little attention was paid earlier in the year to the Foreign Relations Committee's suggestion. Only within the past few weeks has it become generally known that many American arms sales have been handled via the Eximbank under guarantees from the Defense Department, or that the Defense Department has been issuing these

> guarantees at higher rates of interest than the bank gets from its foreign clients.
>
> In all fairness it must be admitted that this does not in itself constitute any outrageous act of deception on the part of the administration. This country has given away so much, bartered so much and sold so much for blocked foreign currencies under Public Law 480 and other devices that a shading of interest rates on foreign arms purchases adds up to pretty small potatoes. Or it would if the Export-Import Bank hadn't been caught in the middle.
>
> This is the whole point. Why, to begin with, was it considered necessary to drag the Export-Import Bank into a series of politico-military deals which, if discovered, would inevitably compromise the bank's stature as a purely business affair?
>
> Why could not the Department of Defense have handled the entire financing on its own? After all, it has the funds or has access to them; otherwise it couldn't guarantee repayment. Or why couldn't it have been handled through the Treasury? Or perhaps by a totally new (and quite unpublicized) entity responsible to both? Costs would not necessarily have been appreciably higher and if and when the whole mechanism was exposed to public view, an institution as useful and respected as the Export-Import Bank would not suddenly find itself the target of those who disapprove of the whole business.
>
> As matters stand, the Export-Import Bank is now likely to find itself on a rather hot Congressional griddle. Its requests are being questioned and its whole purpose in life is being questioned, too. It will be some time yet before its non-political status can be restored in the eyes of foreigners as well as Americans. The more the pity because the whole thing—no matter how convenient for the Pentagon—was unnecessary.

This editorial was called to my attention by one deeply interested in the Export-Import Bank, but no longer with either the Government or the Bank.

For the reasons so well expressed in said editorial, and because of my very deep interest in the security and well-being of the country, I intend to support the amendment of the distinguished senior Senator from Louisiana.

I thank the Senator for yielding.

Mr. ELLENDER. Mr. President, I am deeply indebted to my good friend, the Senator from Missouri, for reading the editorial. It summarizes what I was about to say in conclusion.

My interest in limiting the authority of the Export-Import Bank to engage in the financing of military equipment and armaments is based upon a belief that this economic institution should not become perverted from its original objectives.

Today we see the Export-Import Bank engaged in the financing of military exports, which is a perversion and a contradiction of its efforts to further the economic development of those less-developed nations with which we trade.

This perversion has been accomplished supposedly as a means of assisting our balance-of-payments position but, in reality, these transactions are of very minor importance. It has also been justified on the grounds that we must send arms abroad because of the activities of Russia and Red China. If this is true, and if a valid foreign policy objective can be met by the export of arms to less-developed nations, the Department of Defense has ample authority on hand to accomplish this end without involving the Export-Import Bank in this program.

Of course, this will mean that DOD would have to come to Congress each year for an appropriation. This would insure an annual review by Congress and would permit it to be fully informed about contemplated sales. Surely this is far better than the back-door approach of financing military sales through the Export-Import Bank. And of finding out about sales 30 days after they have been consummated.

Mr. PROXMIRE. Mr. President, I support the Ellender amendment because it corrects a principal error in S. 1155 which error permits funds of the Export-Import Bank to be used to finance the sale of expensive military hardware to underdeveloped countries. I find it disturbing that the Bank's funds have been used for this purpose for the last 2 years under a heavy shroud of secrecy. The committee report includes a statement of individual views on this subject by Senator WILLIAMS of New Jersey and myself. In addition, Senator SPONG has written individual views expressing a similar criticism.

I will not take the time of the Senate to list all of the reasons why I feel the Export-Import Bank should not be in the business of financing arms to underdeveloped countries, but I will briefly state a few reasons.

First of all, I believe the Bank's participation in the country X loan program is a flagrant abuse of its back-door spending authority. I am not arguing that all back-door spending should be abolished. But certainly a program as controversial and sensitive as the country X program should be subject to the closest possible scrutiny and control by the Congress. I see no reason why the entire program cannot be financed through direct appropriations so that the Foreign Relations and Appropriations Committees can exercise better control. Economic development loans under the Alliance for Progress program must submit to the rigors of the annual appropriations process. But loans for fancy military jets can be financed through back-door spending. To me, this makes little sense.

Second, the Bank should be prohibited from financing arms to undeveloped countries because such loans are incompatible with its basic purpose. The Bank was set up as an independent agency to further international trade and finance U.S. exports. The country X program can only be justified, if at all, on foreign policy grounds. The Bank was not set up by the Congress to carry out foreign policy or to become a minor adjunct of the State Department. It was not set up as an agent of the Pentagon to sell arms. However, considering the fact that 36 percent of the Bank's loans go to finance military equipment sales, it is clear the Bank has strayed from the original purpose. I think it is time to put the Bank back in the business for which it was originally intended.

Third, continuing the Bank in the country X program is contrary to the action recently taken by the Foreign Relations Committee which recently voted 12 to 6 to abolish the program. The Export-Import Bank can only extend military credit to undeveloped countries if the loans are guaranteed by the Pentagon. Otherwise, the risk would be too great. Thus, by abolishing the guarantee authority of the Pentagon, the Foreign Relations Committee's action would effectively preclude the Bank's funds from being used for country X loans. However, in voting to continue the Bank's participation in the country X program, the Banking and Currency Committee seems to be saying that it has a better grasp of foreign policy than the Foreign Relations Committee.

Mr. President, I am not arguing here that the Senate should end all arms shipments to underdeveloped nations. I am saying, however, that there are ample procedural grounds for prohibiting the Export-Import Bank from being used as an instrument to carry out such a policy. The traditional independence and mission of the Bank should not be perverted out of fiscal expediency. The charter of the Bank should not be bent to further the aims of the Pentagon.

Mr. President, I understand the distinguished and able gentleman from Louisiana later intends to offer an amendment restoring the Bank to its originally intended purpose. I would be happy to support such an amendment and hope that it would be adopted by the Senate.

Mr. ELLENDER. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

ORDER OF BUSINESS: PROGRAM—UNANIMOUS-CONSENT AGREEMENT

Mr. MANSFIELD. Mr. President, under the order entered previously, the Senate will convene tomorrow at 11 a.m. After consultation with the interested Senators and the leadership on the other side, I ask unanimous consent that at the conclusion of the remarks of the distinguished Senator from Wyoming [Mr. HANSEN], who has already received permission of the Senate to speak for not more than 1 hour after the approval of the Journal, there be a brief period for the transaction of routine morning business, to extend up to 12:15 p.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that beginning at 12:15 debate on the pending bill be limited to 2 hours on the Ellender amendment, and 2 hours on the Dirksen amendment, the time to be equally divided between the sponsors of the amendments and the distinguished manager of the bill, the Senator from Maine [Mr. MUSKIE], and that in addition 4 hours of debate be allowed on the bill. Mr. President, the agreement will be under the usual stipulation covering rule XII.

The yeas and nays have been ordered on the Ellender amendment and unless additional time is requested—and if it is, it will be granted—the Senate should be on notice that there will be a rollcall vote around 2:15 p.m.

Mr. HOLLAND. Mr. President, will the Senator yield?

Mr. MANSFIELD. I yield.

Mr. HOLLAND. Mr. President, I wish to ask the majority leader if his request precludes the offering of other amendments.

Mr. MANSFIELD. No, not at all. We only know of these two amendments.

Mr. HOLLAND. I have an amendment I am thinking of offering. I am not asking for a time limitation at this time, but I wanted to be sure that I am not precluded from offering the amendment.

Mr. MANSFIELD. Not all all. If the Senator is considering offering an amendment he will find the leadership most agreeable.

The PRESIDING OFFICER. Is there objection to the unanimous-consent request? The Chair hears none, and it is so ordered.

The unanimous-consent agreement, subsequently reduced to writing, is as follows:

Unanimous-Consent Agreement

Ordered, That on Wednesday, August 9, 1967, after the approval of the Journal, the Senator from Wyoming [Mr. Hansen] be recognized for not to exceed one hour, to be followed by a period for the transaction of routine morning business with the usual three-minute limitation not to exceed 12:15 p.m.

Ordered further, That during the further consideration of S. 1155, a bill to amend the Export-Import Bank Act of 1945, as amended, etc., debate on the pending amendment (by Mr. Ellender), No. 245, and an amendment to be offered by the Senator from Illinois [Mr. Dirksen], No. 246, be limited to 2 hours each, to be equally divided and controlled by the authors of the amendments and the Senator from Maine [Mr. Muskie], respectively.

Ordered further, That, on the question of final passage of the said bill, debate shall be limited to 4 hours, to be equally divided and controlled, respectively, by the majority and minority leaders.

ADJOURNMENT UNTIL 11 A.M. TOMORROW

Mr. MANSFIELD. Mr. President, if there is no further business to come before the Senate, I move, in accordance with the previous order, that the Senate stand in adjournment until 11 o'clock tomorrow morning.

The motion was agreed to; and (at 5 o'clock and 16 minutes p.m.) the Senate adjourned until tomorrow, Wednesday, August 9, 1967, at 11 a.m.

NOMINATIONS

Executive nominations received by the Senate August 8, 1967:

U.S. Advisory Commission on International Educational and Cultural Affairs

The following-named persons to be members of the U.S. Advisory Commission on International Educational and Cultural Affairs for terms expiring May 11, 1970, and until their successors are appointed and have qualified:

Dr. Homer Daniels Babbidge, Jr., of Connecticut.

Dr. Abram L. Sachar, of Massachusetts.

Dr. Robert A. Scalapino, of California.

Public Health Service

The following-named persons to be members of the Board of Regents, National Library of Medicine, Public Health Service, for terms expiring August 8, 1971:

Frederick Herbert Wagman, of Michigan, vice William Neill Hubbard.

Robert Higgins Ebert, of Massachusetts, vice Herman Howe Fussler.

Mississippi River Commission

Brig. Gen. Willard Roper, U.S. Army, to be a member of the Mississippi River Commission, under the provisions of section 2 of an act of Congress approved June 28, 1879 (21 Stat. 37) (33 U.S.C. 642), vice Maj. Gen. George H. Walker, reassigned.

In the Marine Corps

The following-named officers of the Marine Corps for temporary appointment to the grade of brigadier general, subject to qualification therefor as provided by law:

Edward J. Doyle
Leo J. Dulacki
Harry C. Olson
Carl W. Hoffman
William G. Johnson
Henry W. Hise
Edwin H. Simmons
Robert B. Carney, Jr.
Herman Poggemeyer, Jr.
William C. Chip
Ralph H. Spanjer

HOUSE OF REPRESENTATIVES

Tuesday, August 8, 1967

The House met at 12 o'clock noon.

Rabbi Louis Gorod, Congregation Beth Shalom, Clearwater, Fla., offered the following prayer:

Our Heavenly Father, we thank Thee that through Thy precious heritage of freedom, we enjoy our lives. We seek Thy guidance and inspiration for Thy servants who have been chosen to direct the affairs of our Nation. Give, we pray, special wisdom, guidance, and strength to our President, the Members of Congress, and all our national leaders. Grant them, we pray Thee, continued courage and wisdom in their daily deliberations. May they be inspired with Thy divine presence so that they can feel equal to their great responsibilities to lead all nations great and small in the struggle and striving for peace with justice and integrity.

Inspire us daily to open the windows of our souls toward Thee, and may our whole life be filled with the splendor of Thy presence and a sense of Thy divine grace and glory. Under Thy guiding spirit, may the world which, through the advance of technology has become a close neighborhood, now through spiritual and moral forces, become a true brotherhood.

We pray Thee, O Lord, make our Nation an instrument of compassion and a force for righteousness among the nations of the world. Move our hearts and direct our minds to the fulfillment of Thy glorious purpose, so that the sound of battle and the terror of war for all mankind the world over may soon cease. May this land, under Thy providence, be an influence for good throughout the world, uniting men in peace and freedom, and helping to fulfill the vision of Thine inspired seer:

Nation shall not lift up sword against nation, neither shall men learn war any more.

Amen.

THE JOURNAL

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Mr. Geisler, one of his secretaries, who also informed the House that on August 4, 1967, the President approved and signed bills of the House of the following titles:

H.R. 1532. An act for the relief of Dr. Alfredo A. Navarro;

H.R. 1612. An act for the relief of John Joseph Shea;

H.R. 1814. An act for the relief of Giovanni Francesco Urga-Ferraro;

H.R. 3522. An act for the relief of Dr. Rafael F. Suarez;

H.R. 5224. An act for the relief of Dr. Guillermo Fresco De Jongh;

H.R. 5862. An act for the relief of Dr. Juan F. Chaves;

H.R. 5996. An act for the relief of Dr. Bernardino D. Marcelo; and

H.R. 9080. An act for the relief of Federico de la Cruz-Munoz.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Arrington, one of its clerks, announced that the Senate had passed bills of the following titles, in which the concurrence of the House is requested:

S. 922. An act for the relief of Euphemia King Hartley, James Hartley, and James Holmes Hartley; and

S. 1004. An act to authorize the construction, operation, and maintenance of the central Arizona project, Arizona-New Mexico, and for other purposes.

DISTURBANCE IN THE VISITORS' GALLERY

Mr. SIKES. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. SIKES. Mr. Speaker, yesterday the visitors' gallery of the House of Representatives was invaded by a strange assortment of characters on an expense-paid lark. They were led by professional agitator types most of whom undoubtedly are organized, trained, and paid to foment unrest and promote disturbances which lead to riots.

It was necessary that they be dealt with firmly, otherwise their next invasion might well have been the floor of the House or the Senate floor, or the White House.

Fortunately, we have a Capitol Police Force which accepts its responsibility to maintain order and to uphold the law. This they did yesterday and for this they should have the applause and appreciation of the membership of the Congress.

There is no greater need today than for a determination at all levels of government that there shall be law and order throughout the United States. There is unfortunately a belief in the land that there is a reluctance by officialdom to face up to and to deal with violence. This has been encouraged by the failure of the Department of Justice to cope forcefully with crime problems in those areas where it has jurisdiction, and to encourage the efforts of State and local authorities in other areas.

America is sick of violence. There must be stronger steps taken to cope with what is happening today and what is threatened for tomorrow. There is no substitute for firmness in enforcing the law.

PERMISSION FOR COMMITTEE ON PUBLIC WORKS TO FILE REPORT ON S. 602

Mr. HOWARD. Mr. Speaker, I ask unanimous consent that the Committee on Public Works may have until midnight tonight to file a report on the bill, S. 602.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

VIOLENCE IN THE HOUSE CHAMBER

Mr. JACOBS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Indiana.

There was no objection.

Mr. JACOBS. Mr. Speaker, when will it be? A year from now? Next week? Later this afternoon? Does anyone doubt that it is only a matter of time before the odds catch up with this Chamber and violence visits here again?

Could we not prove, just for once, that something can be learned from history other than that nothing is learned from history?

Transparent plastic could easily be used as a virtually invisible shield between this Chamber and its gallery.

The public has a right to witness the proceedings here, but obviously 435 congressional offices hardly constitute an effective security clearance system to avoid admitting the few in our Nation capable of raining violence down upon this House.

And the public would be able to witness these proceedings even better behind the transparent plastic with suitable sound systems in the gallery's consequently improved acoustics.

Surely no one could contend that this arrangement would detract from the dignity of the House, or represent a confession of fear of the American people whose Government this is. There is dignity in commonsense. And nearly every American wants his Government secure from the handful who would do it harm.

Mr. Speaker, I further suggest we pay for the plastic by selling the fountains and frills recently placed on top of the new garage and declare that park a place to park for the people who pay for it, our visiting constituents. We might also send back the bizarre, ludicrous, awkward, and nonmatching stone now being used to replace the apparently perfectly good railing around the top of the Cannon Building.

Thus, we would not only be providing protection against violence for this Chamber, but for the Cannon Building as well.

INTELLIGENCE SOURCES

Mr. RIVERS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from South Carolina?

There was no objection.

Mr. RIVERS. Mr. Speaker, further commenting on that strange collection of whatever they were yesterday who forced their way through the doors in the Gallery, the thing that disturbs me is, Where was our police intelligence? Why did not someone, some police department somewhere in the land, know that this strange collection of buzzards, bums, kooks, name it and you have it, was headed for Washington? Why did not the Metropolitan Police know that this crowd rendezvoused here? Why was not our police in the Capitol notified? Where was our intelligence?

Mr. Speaker, are we going to wake up when some of these maniacs drop a Molotov cocktail into this Chamber? We must have better criminal intelligence for our own protection. The House of Representatives is not protected. We must do something about it.

SUBCOMMITTEE INVESTIGATING THE M-16 RIFLE

Mr. ICHORD. Mr. Speaker, I ask unanimous consent that the subcommittee investigating the M-16 rifle, consisting of three members, be permitted to sit this afternoon during general debate.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

Mr. ARENDS. Mr. Speaker, reserving the right to object—and I have no desire to object—I wish the gentleman would withdraw his request for the important reason that we would hope no committees would be sitting this afternoon while this extremely important bill is before the House in the amendment stage. General debate is over. Amendments are now in order, immediately. I would hope that the gentleman will withdraw his request.

Mr. ICHORD. Do I correctly understand that the gentleman would not object to a request that the committee meet tomorrow? What I am trying to do is conclude the M-16 investigation this week. The gentleman would not object to the committee meeting tomorrow?

Mr. ARENDS. So far as I now know, I would have no objection to the committee meeting tomorrow, but certainly not today.

Mr. ICHORD. I withdraw my request.

The SPEAKER. Does the gentleman from Missouri renew his request in relation to tomorrow?

Mr. ICHORD. Mr. Speaker, I ask unanimous consent for permission for the committee to sit tomorrow.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

Mr. GROSS. Mr. Speaker, reserving the right to object, it seems to me that request can properly be made tomorrow, and in consideration of the legislation that is programed for tomorrow. I hope the gentleman will withdraw that request today.

Mr. ICHORD. I withdraw the request. I shall renew my request tomorrow.

BALANCING THE BUDGET

Mr. DICKINSON. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Alabama?

There was no objection.

Mr. DICKINSON. Mr. Speaker, some kids learn early in elementary school that there are two ways to balance the budget: One is to raise income, and the other is to reduce spending. It would seem some of the sophisticated economists in this administration have overlooked the obvious. For 2 years I have been urging reduction of expenditures of nonessential spending, but with little success. Time and again it has been pointed out that we are spending ourselves into bankruptcy, but every year we spend more than we take in, and every year we run more into the red.

President Johnson has consistently underestimated the budget deficit. For instance, he estimated the fiscal 1967 budget at $111 billion. The President then predicted that the deficit would be only $8 billion, but already we are approaching a $30-billion deficit.

Many of us in Congress are dismayed at the President's attitude toward this increasing problem. He wants to have his cake and eat it too. He says we can have guns and butter. We cannot, Mr. Speaker.

The President now wants a 10-percent surtax. Why cannot the President level with the taxpayers? Why can we not get the truth on what the war in Vietnam is costing us and what the domestic expenditures are costing us? Why can we not establish a system of priorities and adhere to that?

Mr. Speaker, I have just returned from my district, the Second District in Alabama. I believe the people of my State as a whole will not support any tax increase until there are substantial reductions in the expenditures at home and abroad and until we learn the truth about what our efforts are costing us in Southeast Asia.

RAT CONTROL UNDER EXISTING LAW

Mr. LATTA. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. LATTA. Mr. Speaker, scant publicity, if any, has been given by the Nation's press to the efforts being made by the people of the United States through the Federal Government and its departments and agencies to exterminating rats.

As most Members of Congress are aware, funds have been and are being expended toward this end by the Department of Agriculture, Department of Interior, Department of Health, Education, and Welfare, Department of Labor, and the General Services Administration, to list but a few.

In view of the dearth of publicity relative to these existing programs and expenditures, I am pleased that the news reporters in the Washington area are presently giving publicity to the rat-control program just funded by the Department of Labor for the District of Columbia. I am informed that this cleanup program calls for a Federal expenditure of $300,000 and is being funded under existing legislation and authority. I have reference to the program called Pride, Inc.

This sudden glimmer of publicity differs from the absence of the same on other Federal grants for rat control. I have in mind, for example, the $2,373,671 grant to the city of Chicago from the Office of Economic Opportunity which was clearly set forth in the committee report on the President's requested bill to give this grant authority to still another department. I have read absolutely nothing of late of the expenditures of HEW in this field nor have I seen any reference to the possible availability of grants to the States for rat control under the comprehensive health service program in the Public Health Service passed by the Congress only last October 17, 1966. In requesting this program, the President said:

> Our purpose must be to help redirect and reform fragmented programs which encourage inefficiency and confusion and fail to meet the total health needs of our citizens.

I think our news media could render an invaluable public service by shedding a little light on these existing programs.

ANTIRIOT LEGISLATION FOR THE DISTRICT OF COLUMBIA INCLUDED IN H.R. 421, CRAMER ANTIRIOT BILL

Mr. CRAMER. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. CRAMER. Mr. Speaker, yesterday, as has been alluded to, a band of marauders on a planned basis invaded this Capitol of the United States. To me, this shows further a complete lack of respect for the law, a complete disrespect for law, and a downgrading of the lawmaking body, the Congress of the United States by such people on an organized basis. It is part of a long-range planned program of teaching and preaching by professional agitators such as Carmichael and Brown that no one has the duty to respect or to abide by the laws which we in this Congress legislate or other lawmakers enact.

I should like to say that the Attorney General thereafter sent to the Congress a message calling for an antiriot bill for the District of Columbia. I would hope he will be a little bit interested in the problems of riots in the 50 States of America as well as in the District of Columbia, and will finally support my antiriot bill, H.R. 421, concerning which evidence on the Senate side is coming in day after day as to its need. Certainly this invasion yesterday should prove its need in the District of Columbia.

Let me say this: It is unfortunate that the Attorney General did not even bother to read my bill and the action taken on the floor of this House in its passage. Had he done so, he would have realized pursuant to the MacGregor amendment, with which I agreed wholeheartedly and which was adopted on the recommendation, also, of the gentleman from Virginia [Mr. Broyhill], that the District of Columbia is included in the antiriot bill. A riot in the District of Columbia without travel in interstate commerce is covered in the antiriot bill, and I would hope that the Attorney General would support my bill and get the job done in the District and nationwide. I challenge him to so testify before the Senate Committee on the Judiciary in favor of my bill.

The MacGregor amendment to H.R. 421 made the title 18 definition of interstate commerce applicable to H.R. 421 and like many other title 18 crimes they apply as crimes within the District without need to prove activities outside the District or the use of interstate commerce.

ONE SOLDIER'S VIEW OF McNAMARA

Mr. ASHBROOK. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. ASHBROOK. Mr. Speaker, one of the dangerous problems facing our troops in Vietnam today is the demoralizing way in which the war is being fought. The morale of the men in Vietnam is of great importance if we are to successfully defend the liberty of South Vietnam. A letter which I recently received from a GI in Vietnam pointedly questions whether the efforts of the administration are conducive to winning the war. It shows the definite morale problem and indicates that is is a problem which Secretary McNamara is apparently doing little to remedy. Excerpts from the letter follow:

> I just really started noticing it today. Everyone here has the "I don't give a damn attitude." By everyone here I mean the people I see, mostly combat support groups, not the fighters. I think the problems are: The guys don't really know what they're fighting for. There is no definite tangible goal. We're just passing time here, getting killed and killing without accomplishing anything. We don't use many of the weapons that are available because we're afraid we may hurt someone. Bologna! We don't fight to our potential best and hit the targets when and where they should be hit. McNamara doesn't know how the hell to fight a war. He's worried about politics, not winning a war. He's a backseat driver with untimely and gainless decisions. It's one thing to play politics, but it's another thing altogether to play with 500,000 American lives.

RATS

Mr. GROSS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Iowa?

There was no objection.

Mr. GROSS. Mr. Speaker, I am sure it will make not the slightest impression on the characters who screamed, cursed, and otherwise disposted themselves yesterday in the visitors' gallery of this Chamber, but perhaps some of my colleagues will be interested in a letter I received this morning from a resident of Detroit. Let me read briefly from the letter:

> Sir, I am not from your district, but I think you are right.
>
> I live just a few blocks from Twelfth Street in Detroit. We live in an older building, yet we have no rats; not even mice. None of the other buildings have rats, roaches or bedbugs. Why? Because we take care of this problem ourselves.

I repeat:

> We take care of this problem ourselves.

Of course, the rabble-rousing Jesse Gray and his followers would not want to initiate a similar self-help project in Harlem. After all, they would then have to find something else to demonstrate about.

Mr. WILLIAM D. FORD. Mr. Speaker, will the gentleman yield?

Mr. GROSS. I yield.

Mr. WILLIAM D. FORD. Mr. Speaker, I would just like to remind the gentleman in the well that if he will refer back to the committee report on the rat eradication bill, he will discover that the committee called the attention of this Congress to the fact that the city of Detroit had expended public funds for rat eradication and had carried on the best rat eradication program that was in process at the time that the House considered the rule on that bill. Perhaps some small credit might be given to the officials of that city in their darkest hours for their foresight in a start on that program ahead of the Congress.

Mr. GROSS. I compliment the city of Detroit for having moved in this direction as well as any subdivision of government in any other State that displayed the same self-sufficiency.

PERMISSION FOR COMMITTEE ON RULES TO FILE PRIVILEGED REPORTS

Mr. SISK. Mr. Speaker, I ask unanimous consent that the Committee on Rules may have until midnight tonight to file certain privileged reports.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

DISTRICT REORGANIZATION

Mr. SISK. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. SISK. Mr. Speaker, on tomorrow the House will have before it the matter of the reorganization of the District. Also, as an alternate proposal, there is a plan from the District Committee which some of my good friends and colleagues feel would be advantageous over the President's proposal. I am supporting the President's reorganization proposal and will expect to oppose the bill coming from the District Committee. I simply want to call the attention of my colleagues to some of the pitfalls involved in this.

As one who has had a little experience with the question of home rule and with some of the problems in connection with home rule, and remembering the fact that during the 89th Congress, both this body and the other body passed home rule bills, but bills of a substantially different nature.

Mr. Speaker, I well recall the problems we had with reference to getting this matter to conference.

So, I would like to alert all of my colleagues as to some of the pitfalls that could develop if the House of Representatives should pass the proposal from the Committee on the District of Columbia and if it should find its way to the other body, with substantial amendents, as to what might happen in conference.

Mr. Speaker, I do not question the motives of anyone, and I recognize the interest and concern of the members of the House Committee on the District of Columbia in their support of their proposal. However, I do not feel that this is the best approach to the problem at this time.

TEN-DOLLAR BOND INSUFFICIENT FOR GALLERY INVADERS

Mr. PUCINSKI. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. PUCINSKI. Mr. Speaker, I believe it should be a source of great concern to all of us in this Chamber that the people who were arrested yesterday for illegally invading the galleries of this Chamber and causing the disturbance were released on a simple $10 bond. It seems to me the judiciary of this country had better start recognizing the gravity of the situation. The people who came in here, such as the woman who shoved our doorkeeper aside and told him to "get the hell out of her way," and then 75 of them rushed in here, jumped over the hand rails and sat themselves down in the galleries and began chanting and violating all of the rules of the House of Representatives, have no respect for the laws of our country, and should be severely punished instead of getting just a slap on the wrist.

It appears to me that the judge who set the $10 bond on these people ought to really seriously reconsider his action and recognize the severity of their offense.

I call attention of the House to a great American judge in the city of Chicago, Judge James Gerulis, who had the courage to sentence some of these rioters and looters to a term of 8 to 15 years. They got the message from that judge and they realized that he for one will not tolerate lawlessnes. I believe it is high time the judiciary in this country began treating these "incidents" as serious crimes instead of slapping them on the wrist and letting them go. We are faced with insurrection in America and the situation will get worse unless our judges start handing out severe sentences to those who riot, loot, and otherwise tear up our cities. They must be taught that this Nation will not tolerate lawlessness and violence. And the only way to do this is to send them to jail and throw away the key for these crimes.

Mr. KORNEGAY. Mr. Speaker, will the gentleman yield?

Mr. PUCINSKI. I yield to the gentleman from North Carolina.

Mr. KORNEGAY. Mr. Speaker, I want to commend the gentleman. I believe he has put his finger on one of the soft spots and shortcomings in law enforcement. A $10 bond in most law-abiding jurisdictions is for crimes such as spitting on the sidewalk. Yet when a gang of anarchists come here and invade the Capitol of the United States in force and numbers, and in a heavy-handed fashion, certainly it should justify a greater bond than $10.

The purpose of a bond, of course, is to insure the appearance of the defendant in the court, but at the same time one of the elements to be considered in the setting of a bond is that it bear some relationship between the amount of the bond and the severity of the crime which is alleged to have been committed. The amount of bond in these cases does neither. It is a farce.

Mr. Speaker, it seems to me this is a great reflection on the judiciary of the District of Columbia.

Mr. PUCINSKI. I thank the gentleman.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. PUCINSKI. I yield to the gentleman from Iowa.

Mr. GROSS. Mr. Speaker, it is utterly incredible that a judge would fix a $10 bond for the despicable character who allegedly pulled a straight-edge razor on one of our policemen, and another of these characters of yesterday who sent a policeman to the hospital. That is incredible, unthinkable, and a sad commentary on the conduct of the courts.

Mr. PUCINSKI. But that is the story we are seeing all over the country. The police have been doing a magnificent job in trying to apprehend those who would start these riots, and tear our cities up, but when these people go into the court, all they receive there is a slap across their wrist with a $10 bond.

I say, Mr. Speaker, the time is long overdue when the judiciary ought to recognize their responsibilities in this great crisis that is sweeping America.

REVISION OF THE DISTRICT OF COLUMBIA CODE CALLED FOR

Mr. O'HARA of Michigan. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. O'HARA of Michigan. Mr. Speaker, I thoroughly agree with the gentleman from Illinois with respect to the handling of disorderly conduct cases in the District of Columbia. I seem to recall that we had a problem of this sort a while back when one of George Lincoln Rockwell's adherents invaded the floor of the House during our opening session. That person also was released on a $10 bond. He forfeited the bond, and never appeared for trial.

It is my recollection that the papers reported at the time, that the reason for this was that the judge had no choice; that the District of Columbia Code so provided, and that it was not a matter within the discretion of the judiciary.

I believe the gentleman from Illinois has made a good point, but I would like to suggest that before we start blaming the judiciary for abuse of discretion we ought to find out just what discretion the judiciary has in these matters, and if a change in the District of Columbia Code is required we ought to look to our own responsibility in the matter.

Mr. PUCINSKI. Mr. Speaker, will the gentleman yield?

Mr. O'HARA of Michigan. I yield to the gentleman from Illinois.

Mr. PUCINSKI. Mr. Speaker, I could agree with the gentleman. The conduct of Lincoln Rockwell is just as despicable as was the situation yesterday, and neither should be given any different treatment. In that the gentleman is correct.

If the present laws in the District of Columbia are insufficient, perhaps the appropriate committee of Congress ought to address itself to that problem forthwith.

Mr. O'HARA of Michigan. That was my point.

Mr. ADAMS. Mr. Speaker, will the gentleman yield?

Mr. O'HARA of Michigan. I yield to the gentleman.

Mr. ADAMS. I might say that several of us have suggested in the Committee on the District of Columbia that a complete revision of the District of Columbia Code be carried out. In the President's proposal that came up, this was suggested, and therefore I hope that Members who have spoken today and who have heard this will go forward and help with the District of Columbia Commission bill when it comes up.

Mr. O'HARA of Michigan. I thank the gentleman.

THIRD ANNUAL REPORT OF THE ATLANTIC-PACIFIC INTEROCEANIC CANAL STUDY COMMISSION—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 154)

The SPEAKER laid before the House the following message from the President of the United States; which was read and, together with the accompanying papers, referred to the Committee on Merchant Marine and Fisheries and ordered to be printed with illustrations:

To the Congress of the United States:

I am transmitting the Third Annual Report of the Atlantic-Pacific Interoceanic Canal Study Commission. The report covers the period July 1, 1966, to June 30, 1967.

During the past 12 months, the Commission has put its program into full operation. The site survey agreement, signed with Colombia on October 25, 1966, permitted the Commission to start the engineering survey of the alternate sea-level canal route in the northwestern part of that country. In Panama, the Commission completed the first full year of data collection on the routes under consideration. The first modern topographic maps of the potential canal area near the border of Nicaragua and Costa Rica were completed by the Inter-American Geodetic Survey. The Commission's engineering agent made a preliminary evaluation of this route on the basis of these maps.

Interagency working groups finished their initial drafts of special studies on the broad national and international implications of a sea-level canal. These studies cover foreign policy, national defense, canal financing, shipping patterns, and engineering feasibility.

Because of unavoidable delays in starting the field work in Panama and Colombia, and because the Plowshare nuclear cratering experiments needed to determine the technical feasibility of nuclear excavation have been postponed, the Commission found that it would require additional time and funds to complete the mission assigned to it in Public Law 88–609.

An amendment for this purpose has already been approved by the Senate. I recommend its early approval by the House of Representatives.

There is little doubt that the construction of a sea-level canal is technically feasible. The major questions to be resolved are—

When it will be needed;

Whether it would be financially feasible; and

Where and how it should be constructed.

While past studies have put the need around the end of this century, recent traffic growth has been more rapid than was earlier foreseen, and the need may develop much sooner. As legislation, planning, and construction could require 15 years from the date a recommendation to proceed is made to the Congress, it is clearly in the national interest for the Commission's comprehensive investigation to proceed as rapidly as possible.

This anniversary finds the canal investigation well advanced on its planned course. I take great pleasure in forwarding the report of progress to date.

LYNDON B. JOHNSON.

THE WHITE HOUSE, *August 8, 1967*.

CONFERENCE REPORT ON NASA AUTHORIZATION FOR FISCAL YEAR 1968

Mr. MILLER of California. Mr. Speaker, I call up the conference report on the bill (S. 1296) to authorize appropriations to the National Aeronautics and Space Administration for research and development, construction of facilities, and administrative operations, and for other purposes, and ask unanimous consent that the statement of the managers on the part of the House be read in lieu of the report.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

The Clerk read the statement.

Mr. MILLER of California (during the reading of the statement). Mr. Speaker, I ask unanimous consent that the further reading of the statement be dispensed with.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

The conference report and statement are as follows:

CONFERENCE REPORT (H. REPT. NO. 535)

The committee of conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 1296) to authorize appropriations to the National Aeronautics and Space Administration for research and development, construction of facilities, and administrative operations, and for other purposes, having met, after full and free conference, have agreed to recommend and do recommend to their respective House as follows:

That the Senate recede from its disagreement to the amendment of the House and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the House amendment insert the following:

"That there is hereby authorized to be appropriated to the National Aeronautics and Space Administration the sum of $4,865,751,000, as follows:

"(a) For 'Research and development,' for the following programs:

"(1) Apollo, $2,521,500,000;

"(2) Apollo applications, $347,700,000;

"(3) Advanced missions, $2,500,000;

"(4) Physics and astronomy, $145,500,000;

"(5) Lunar and planetary exploration, $131,900,000;

"(6) Voyager, $42,000,000;

"(7) Bioscience, $41,800,000;

"(8) Space applications, $99,500,000;

"(9) Launch vehicle procurement, $157,700,000;

"(10) Space vehicle systems, $36,000,000;

"(11) Electronics systems, $39,200,000;

"(12) Human factor systems, $21,000,000;

"(13) Basic research, $21,465,000;

"(14) Space power and electric propulsion systems, $44,000,000;

"(15) Nuclear rockets, $73,000,000;

"(16) Chemical propulsion, $41,000,000, of which $3,000,000 is to be used only for the large solid motor project;

"(17) Aeronautics, $68,800,000;

"(18) Tracking and data acquisition, $290,000,000;

"(19) Sustaining university program, $20,000,000;

"(20) Technology utilization, $5,000,000.

"(b) For 'Construction of facilities,' including land acquisitions, as follows:

"(1) Ames Research Center, Moffet Field, California, $5,365,000;

"(2) Goddard Space Flight Center, Greenbelt, Maryland, $565,000;

"(3) Jet Propulsion Laboratory, Pasadena, California, $3,125,000;

"(4) John F. Kennedy Space Center, National Aeronautics and Space Administration, Kennedy Space Center, Florida, $24,885,000;

"(5) Lewis Research Center, Cleveland and Sandusky, Ohio, $2,115,000;

"(6) Manned Spacecraft Center, Houston, Texas, $2,425,000;

"(7) George C. Marshall Space Flight Center, Huntsville, Alabama, $870,000;

"(8) Michoud Assembly Facility, New Orleans and Slidell, Louisiana, $2,010,000;

"(9) Nuclear Rocket Development Station, Nevada, $19,500,000;

"(10) Wallops Station, Wallops Island, Virginia, $740,000;

"(11) Various locations, $2,880,000;

"(12) Facility planning and design not otherwise provided for, $5,500,000.

"(c) For 'Administrative operations', $648,206,000.

"(d) Appropriations for 'Research and development' may be used (1) for any items of a capital nature (other than acquisition of land) which may be required for the performance of research and development contracts and (2) for grants to nonprofit institutions of higher education, or to nonprofit organizations whose primary purpose is the conduct of scientific research, for purchase or construction of additional research facilities; and title to such facilities shall be vested in the United States unless the Administrator determines that the national program of aeronautical and space activities will best be served by vesting title in any such grantee institution or organization. Each such grant shall be made under such conditions as the Administrator shall determine to be required to insure that the United States will receive therefrom benefit adequate to justify the making of that grant. None of the funds appropriated for 'Research and development' pursuant to this Act may be used for construction of any major facility, the estimated cost of which, including collateral equipment, exceeds $250,000, unless the Administrator or his designee has notified the Speaker of the House of Representatives and the President of the Senate and the Committee on Science and Astronautics of the House of Representatives and the Committee on Aeronautical and Space Sciences of the Senate of the nature, location, and estimated cost of such facility.

"(e) When so specified in an appropriation Act, (1) any amount appropriated for 'Research and development' or for 'Construction of facilities' may remain available without fiscal year limitation, and (2) maintenance and operation of facilities, and support services contracts may be entered into under the 'Administrative operations' appropriation for periods not in excess of twelve months beginning at any time during the fiscal year.

"(f) Appropriations made pursuant to subsection 1(c) may be used, but not to exceed $35,000, for scientific consultations or extraordinary expenses upon the approval or authority of the Administrator and his determination shall be final and conclusive upon the accounting officers of the Government.

"(g) No part of the funds appropriated pursuant to subsection 1(c) for maintenance, repairs, alterations, and minor construction shall be used for the construction of any new facility the estimated cost of which, including collateral equipment, exceeds $100,000.

"Sec. 2. Authorization is hereby granted whereby any of the amounts prescribed in paragraphs (1), (2), (3), (4), (5), (6), (7), (8), (9), (10), and (11) of subsection 1(b) may, in the discretion of the Administrator of the National Aeronautics and Space Administration, be varied upward 5 per centum to meet unusual cost variations, but the total cost of all work authorized under such paragraphs shall not exceed the total of the amounts specified in such paragraphs.

"Sec. 3. Not to exceed one-half of 1 per centum of the funds appropriated pursuant to subsection 1(a) hereof may be transferred to the 'Construction of facilities' appropriation, and, when so transferred, together with $10,000,000 of the funds appropriated pursuant to subsection 1(b) hereof (other than funds appropriated pursuant to paragraph (12) of such subsection) shall be available for expenditure to construct, expand, or modify laboratories and other installations at any location (including locations specified in subsection 1(b), if (1) the Administrator determines such action to be necessary because of changes in the national program of aeronautical and space activities or new scientific or engineering developments, and (2) he determines that deferral of such action until the enactment of the next authorization Act would be inconsistent with the interest of the Nation in aeronautical and space activities. The funds so made available may be expended to acquire, construct, convert, rehabilitate, or install permanent or temporary public works, including land acquisition, site preparation, appurtenances, utilities, and equipment. No portion of such sums may be obligated for expenditure or expended to construct, expand, or modify laboratories and other installations unless (A) a period of thirty days has passed after the Administrator or his designee has transmitted to the Speaker of the House of Representatives and to the President of the Senate and to the Committee on Science and Astronautics of the House of Representatives and to the Committee on Aeronautical and Space Sciences of the Senate a written report containing a full and complete statement concerning (1) the nature of such construction, expansion, or modification, (2) the cost thereof including the cost of any real estate action pertaining thereto, and (3) the reason why such construction, expansion, or modification is necessary in the national interest, or (B) each such committee before the expiration of such period has transmitted to the Administrator written notice to the effect that such committee has no objection to the proposed action.

"Sec. 4. Notwithstanding any other provision of this Act—

"(1) no amount appropriated pursuant to this Act may be used for any program deleted by the Congress from requests as originally made to either the House Committee on Science and Astronautics or the Senate Committee on Aeronautical and Space Sciences,

"(2) no amount appropriated pursuant to this Act may be used for any program in excess of the amount actually authorized for that particular program by sections 1(a) and 1(c), and

"(3) no amount appropriated pursuant to this Act may be used for any program which has not been presented to or requested of either such committee.

unless (A) a period of thirty days has passed after the receipt by the Speaker of the House of Representatives and the President of the Senate and each such committee of notice given by the Administrator or his designee containing a full and complete statement of the action proposed to be taken and the facts and circumstances relied upon in support of such proposed action, or (B) each such committee before the expiration of such period has transmitted to the Administrator written notice to the effect that such committee has no objection to the proposed action.

"Sec. 5. It is the sense of Congress that it is in the national interest that consideration be given to geographical distribution of Federal research funds whenever feasible, and that the National Aeronautics and Space Administration should explore ways and means of distributing its research and development funds whenever feasible.

"Sec. 6. There is hereby established an Aerospace Safety Advisory Panel consisting of a maximum of nine members who shall be appointed by the Administrator for terms of six years each. The Panel shall review safety studies and operations plans referred to it and shall make reports thereon, shall advise the Administrator with respect to the hazards of proposed or existing facilities and proposed operations and with respect to the adequacy of proposed or existing safety standards and shall perform such other duties as the Administrator may request. One member shall be designated by the Panel as its Chairman. Members of the Panel who are officers or employees of the Federal Government shall receive no compensation for their services as such, but shall be allowed necessary travel expenses (or in the alternative, mileage for use of privately owned vehicles and a per diem in lieu of subsistence not to exceed the rates prescribed in 5 U.S.C. 5702, 5704), and other necessary expenses incurred by them in the performance of duties vested in the Panel, without regard to the provisions of subchapter I, chapter 57 of title 5 of the United States Code, the Standardized Government Travel Regulations, or 5 U.S.C. 5731. Members of the Panel appointed from outside the Federal Government shall each receive compensation at the rate of $100 for each day such member is engaged in the actual performance of duties vested in the Panel in addition to reimbursement for travel, subsistence, and other necessary expenses in accordance with the provisions of the foregoing sentence. Not more than four such members shall be chosen from among the officers and employees of the National Aeronautics and Space Administration.

"Sec. 7. This Act may be cited as the 'National Aeronautics and Space Administration Authorization Act, 1968.'"

And the House agree to the same.

George P. Miller,
Olin E. Teague,
Joseph E. Karth,
Ken Hechler,
Emilio Q. Daddario,
James G. Fulton,
Charles A. Mosher,
Richard L. Roudebush,
Alphonzo Bell,
Managers on the Part of the House.

Clinton P. Anderson,
Stuart Symington,
John Stennis,
Margaret Chase Smith,
Bourke B. Hickenlooper,
Managers on the Part of the Senate.

Statement

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 1296) to authorize appropriations to the National Aeronautics and Space Administration for research and development, construction of facilities, and administrative operations, and for other purposes, submit the following statement in explanation of the effect of the action agreed upon by the conferees and recommended in the accompanying conference report:

The amendment of the House struck out all after the enacting clause in the Senate bill and substituted new language. The committee of conference agreed to accept the House amendment with certain amendments proposed by the managers on the part of the Senate.

The differences are explained as follows:

For fiscal year 1968, the National Aeronautics and Space Administration requested authorization in the amount of $5,100,000,000. The Senate reduced this request to $4,851,006,000.

The total appropriations authorized by the House amendment were $4,927,182,000. This represented an increase over the Senate bill of $76,176,000. As a result of the conference, the total amount of appropriations to be authorized was adjusted to $4,865,751,000. To this sum, the managers on the part of the House agreed.

(1) For *Research and development*, the National Aeronautics and Space Administration requested $4,352,000,000. The Senate decreased the amount to be authorized to $4,135,700,000. The House action on the bill resulted in an authorization of $4,075,596,000. The conferees agreed to a total to be authorized for research and development of $4,147,565,000 by effecting adjustments to the House amendment as follows:

(*a*) NASA requested a total of $2,546,500,000 for the Apollo program. The House committee reduced this amount by $25,000,000 noting improvements in costs through incentive contracts. The Senate approved the full amount of the NASA request. The Senate receded and agreed to the House reduction of $25,000,000 in the Apollo program, bringing the total authorized to $2,521,500,000.

(*b*) NASA requested a total of $454,700,000 for the Apollo applications program. The House committee reduced this request by $10,000,000. An additional $65,000,000 reduction was made in floor action in the House for a total reduction of $75,000,000 by the House from the NASA request. The Senate decreased the NASA request by $120,000,000. The conferees on the part of the House and Senate agreed to a reduction of $107,000,000 in the NASA request for Apollo applications bringing the total authorized to $347,700,000.

(*c*) NASA requested a total of $8,000,000 for the advanced missions program. The House committee reduced this request by $1,800,000 and subsequently the program was deleted on the floor of the House. The Senate reduced the advanced missions program by $3,000,000. Based on NASA's ability to obligate funds for the program the House and Senate conferees agreed to a reduction of $5,500,000 in the NASA request for the advanced missions program bringing the total authorized to $2,500,000.

(*d*) NASA requested a total of $147,500,000 for the physics and astronomy program. The Senate reduced this amount by $2,000,000 in declining to authorize the Sunblazer project for budgetary reasons. The House approved the Sunblazer project and restored the full amount of the Senate reduction.

While funds were not specifically restored by the committee of conference for support of the Sunblazer project, the Senate conferees receded and agreed that NASA should be authorized to undertake the Sunblazer project during fiscal year 1968 in the event that a sufficiently high priority is given to this project by the Administrator and he elects to utilize appropriated funds available to the agency for this purpose.

The House further reduced the NASA request for the physics and astronomy program by $15,869,000, representing specific reductions of $8,946,000 in the Orbiting Astronomical Observatory project, and $6,923,000 in the Orbiting Geophysical Observatory project. The funds not authorized by the House had been requested to support development of the last spacecraft in each series; i.e., the fourth OAO and the sixth OGO. Both reductions were made on the basis that these complex and expensive projects had encountered management and/or technical difficulties which had raised serious doubts as to whether the entire series should be completed.

The managers on the part of the House receded and agreed to restoration of the full $15,869,000 in view of the fact that substantial expenditures had already been made in these projects for development of spacecraft and experiments, and significant portions of these funds would be unrecoverable in the event of cancellation. Therefore, the managers on the part of the House agreed to an authorization of $145,500,000 for the physics and astronomy program.

(*e*) NASA requested a total of $142,000,000 for the lunar and planetary exploration program. The Senate reduced the request by $10,100,000, the amount requested for support of the 1971 Mars Mariner project, a new project to be undertaken in fiscal year 1968. The Senate took the position that the data to be obtained from such a project would not justify such a substantial expenditure of funds, estimated at over $200,000,000 during the next four years. The House approved the 1971 Mars Mariner project, and restored the Senate reduction.

The managers on the part of the House receded and agreed to cancellation of the 1971 Mars Mariner project inasmuch as the more ambitious Voyager project, which is designed to get much more detailed information regarding the planet Mars in 1973 and subsequent opportunities, has been authorized by the committee of conference, and development of the Voyager system will go forward during fiscal year 1968.

(*f*) NASA requested $71,500,000 for the Voyager project. The Senate declined to authorize any funds to initiate development of Voyager during fiscal year 1968 on grounds that this project will require large-scale expenditures during the next few years, and in view of the increasing demands on Federal resources, such an expensive program should be deferred. The House restored $50,000,000 to support the Voyager project inasmuch as the exploration of the nearby planets of our solar system is generally regarded as one of the most significant objectives of the U.S. space program. In response to the reasoning of the House, the Senate conferees receded and agreed to an authorization of $42,000,000 to support the Voyager project during fiscal year 1968. The committee of conference agreed that every effort should be made by NASA to carry out the Voyager development for the 1973 mission exactly as it was proposed to the Congress, including the scientific experimental package designed to be soft-landed on the surface of Mars.

(*g*) NASA requested a total of $44,300,000 for the bioscience program. The Senate approved the full amount of the request. The House reduced the NASA request by $2,500,000 representing one-half the amount requested to support further development of the two 21-day biosatellites scheduled for launch toward the end of this decade. The House reduction was made on the basis that technical difficulties have been encountered in the development of these satellites, particularly with regard to the integration of experiments into the spacecraft, and these difficulties have resulted in increased costs and launch schedule delays.

Since there is no urgency associated with these general biological experiments, the House took the position that the reduced funding would provide an opportunity to concentrate on the technical problems involved in this project during fiscal year 1968, and that further delay in the launch schedule could be accommodated without harm to the space program. The Senate conferees receded and agreed to the House reduction. Accordingly, $41,800,000 is authorized for the bioscience program.

(*h*) NASA requested a total of $104,200,000 for space applications. The Senate reduced this request by $2,300,000, the amount earmarked for initiation of a voice broadcast satellite project. The House agreed to this reduction, and, in addition, declined authorization for the follow-on Nimbus and Geos projects for which $5,000,000 and $2,400,000 were requested, respectively.

The Senate conferees agreed to a reduction of $2,400,000 to be applied to both projects, and the managers on the part of the House agreed that this reduced funding for fiscal year 1968 could be utilized by NASA for initiation of both the follow-on Nimbus and the follow-on Geos projects. Accordingly, a total of $99,500,000 is authorized for space applications.

(*i*) NASA requested $165,100,000 launch vehicle procurement. The Senate reduced this amount to $157,700,000 representing a reduction of $5,900,000 for sustaining engineering and maintenance of the various launch vehicles, plus $1,500,000 for procurement of a Scout launch vehicle needed for the Sunblazer project.

The House amendment provided for an overall reduction of $93,100,000 in the launch vehicle procurement program.

The managers on the part of the House receded and agreed to the Senate figure of $157,700,000 for launch vehicle procurement, with the agreement of the Senate conferees that NASA is authorized to purchase a Scout launch vehicle in the event the Administrator elects to go forward with the Sunblazer project.

(*j*) For space vehicle systems, the Senate receded to the House which had reduced the NASA request by $1 million. The amount authorized is $36 million.

(*k*) For electronics systems, the Senate receded to the House which had reduced the NASA request by $1 million. The amount authorized is $39.2 million.

(*l*) For basic research, the Senate receded to the House which had reduced the NASA request by $2.035 million. The amount authorized is $21,465,000.

(*m*) For space power and electric propulsion systems, the Senate receded to the House which had reduced the NASA request by $1 million. The amount authorized is $44 million.

(*n*) The Senate approved the full budget request of $74 million for the nuclear rockets program. The House floor action reduced the amount to $50 million. The committee of conference endorsed the need for a vigorous research and development program in the nuclear propulsion field and an authorization figure of $73 million was agreed upon.

(*o*) In the chemical propulsion program the House had authorized $49 million, of which $12 million was specifically designated for use on the large solid motor project. The conferees are convinced of the necessity for pursuing the development of large solid propellant boosters, and feel that NASA's failure to continue this work is an obvious shortcoming in their program. The conferees agreed to a compromise figure of $3 million to continue the large solid motor project and they further agreed to specific language in the bill to restrict the use of these funds for the project. The total amount authorized for the chemical propulsion program is, therefore, $41 million.

(*p*) For tracking and data acquisition, the House reduced the NASA request by $7.7 million. The Senate approved the full NASA request, but in conference the managers on the part of the Senate receded and accepted the House figure. The amount authorized for this program is, therefore, $290.0 million.

(2) For *Construction of facilities* the National Aeronautics and Space Administration requested $76,700,000 for fiscal year 1968. The House approved $66,980,000. The Senate approved $67,100,00. In conference the Senate receded on one project deleted by that body and the House receded on another project reduced by the House. In conference a total of $69,980,000 was recommended to be authorized. Adjustments to the House amendment were as follows:

(*a*) NASA requested the $19.5 million for the actual construction of rocket test stands at the nuclear rocket development station. The House reduced this amount by $3 million. The managers on the part of the House receded on this item and agreed to the full amount of the request, since these facilities are the pacing item in the nuclear rocket development program.

(*b*) Under the various locations item, NASA had requested $2.88 million for the construction of an antenna for the Sunblazer project. The Senate deferred the Sunblazer project, obviating the need for this construction work. The managers on the part of the Senate receded on the Sunblazer project and agreed to the authorization of this construction.

(3) The House-approved amendment to S. 1296 contained a provision which would restrict the use of support service contracts in excess of $100,000 unless the Administrator has made a written determination in each instance that the cost of obtaining the services by contract is not greater than the cost of obtaining such services through direct-hire employees or that the service contract is required for the success of the NASA program. The Senate-passed bill contained no comparable provision. The managers on the part of the House receded on this item and the provision was deleted. This action was predicated on the fact the House Committee on Government Operations is studying this matter with a view toward general legislation which would be applicable to all Government agencies, and that specific legislation at this time, directed at only one agency, is premature.

(4) The House had approved an amendment which called for the establishment by NASA of a 15-member Aerospace Safety Advisory Panel, each member of which would serve a term of 6 years and would assist and advise NASA in matters regarding safety in NASA operations. The House amendment also stipulated that no such member could be an officer or employee of NASA.

The Senate version did not contain any provision for the proposed Aerospace Safety Advisory Panel.

During conference, the Senate initially accepted the amendment subject to the following changes: members be appointed for a term of 2 years; one stipulated function of the Panel be eliminated, the Panel consist of not more than nine members; and that not more than four members of the Panel could be officers or employees of NASA.

The House and Senate agreed that: the Panel would retain all of the functions originally stipulated by the House; the Panel would consist of not more than nine members; not more than four members could be officers or employees of NASA; and that the Panel members would serve for terms of 6 years each.

It was agreed by both the Senate and House conference managers that the establishment of the Aerospace Safety Advisory Panel would in no way minimize or dilute the final responsibility of NASA in conducting its operations under proper safety standards and procedures.

It also was agreed that the proviso that not more than four of the members of the proposed Panel could be officers or employees of NASA was not to be construed to mean that such NASA members would constitute a majority of the composition of the Panel at any given time.

Finally, it is the sense of the managers of the House that the appointment of the Panel members should be such that the terms of office of the members first taking office after the date of enactment of the act shall expire at the end of 2, 4, or 6 years as may be designated by the Administrator to provide continuity of membership.

(5) The bill as passed by the House included a requirement that the Administrator of NASA keep the House and Senate committees fully and currently informed with respect to all activities of NASA. An identical amendment was proposed on the Senate floor and rejected by record vote, on the grounds that the requirement is implicit in section 303 of the National Aeronautics and Space Act of 1958 which prohibits the withholding of information.

The committee of conference, considering the legislative history of the NASA authorization process, agreed that in practical effect the Administrator of NASA henceforth will regard it as his positive duty to keep the committees fully and currently informed, in recognition of the intent of the Congress. Accordingly, the section of the House bill containing the information requirement was eliminated in conference.

George P. Miller,
Olin E. Teague,
Joseph E. Karth,
Ken Hechler,
Emilio Q. Daddario,
James G. Fulton,
Charles A. Mosher,
Richard L. Roudebush,
Alphonzo Bell,
Managers on the Part of the House.

Mr. MILLER of California. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, the conference report before the House at this time represents the results of three conference sessions with the Senate on S. 1296 to authorize appropriations to NASA for this fiscal year.

The House version of the authorization bill was $76,200,000 higher than the Senate figure. Now, that amount is what we had to consider in conference; about 1¼ percent of the total authorization.

However, we did have in dispute several major programs of research and development about which the House felt very strongly. I am happy to report that the managers were successful in retaining these very important programs.

In the interests of austerity, the managers on the part of the Senate and the House agreed to a total authorization of $4,865,751,000, or $61,431,000 less than the proposed House total. This reduction from the House total was on the order of about 80 percent of the total difference of $76.2 million between the two figures.

There were 18 separate line items in conference where the House and the Senate versions differed. Of these, the Senate receded on eight line items, the House on four, and the two sides compromised on the remaining six line items.

The statement of the managers on the part of the House sums up the action of the conference, but I would particularly like to comment on three programs and one amendment which the House was successful in keeping in the bill.

As you recall, the House provided in its version $50 million for the Voyager program. This program, destined to fly an Orbiter and unmanned Lander mission to Mars in 1973 and in 1975, is the most important program the Nation has ever had in the unmanned exploration of the planets.

The first flight is scheduled for 1973 because the opportunity to launch in that year is the most desirable from the standpoint of economy of launch and probability of success.

In fact, the elimination in conference of the Mars-Mariner combination flyby and probe, which had been scheduled for 1971 and had been approved by the House, leaves this country with no significant planetary exploration in the 1970's except for this very critical Voyager program. Therefore, the House conferees felt that this program was essential in our bargaining position.

After considerable debate on the merits of continuing our planetary exploration program, which has been extremely successful up to this time, and so as not to cede this very important area of space effort to the Soviet Union by default, the Senate managers agreed to a compromise figure of $42 million.

Although this figure is considerably lower than the $71.5 million originally requested by NASA, and $8 million less than the House approved, we believe that NASA can mount a significant effort toward launching an Orbiter and Lander to Mars in 1973.

Another program which has received consistent support in the House over the past years, and which has been just as consistently resisted in the Senate, is the question of developing a large solid rocket motor.

We in the House have continued to maintain, and properly so, that the Nation needs a capability in the solid propulsion field. Such capability, it is hoped, will someday provide us with a relatively inexpensive booster to augment our existing capability in liquid-fueled boosters.

At a relatively small cost, the House proposes to continue the development of the 260-inch solid rocket motor. We must have available alternative means of propulsion and be in a position to utilize the most cost-effective booster vehicle in any particular mission.

The House approved the inclusion of $12 million with the specific proviso that such funds could not be used for any other purpose. As in past years, the Senate omitted any provisions for funds for solid rocket development.

However, I am happy to report that the Senate receded from its position and that a compromise figure of $3 million for the continuation of the solid rocket project was agreed to by both sides.

Although the compromise is $9 million less than we had hoped to get, this amount can be combined with funds authorized in prior years to maintain the research and development effort at a minimum level and still practice austerity.

The agreed position included the House requirement that the bill contain language which would prohibit NASA from using these funds for any other purpose. Thus, an additional $3 million will be saved if this project is not continued.

Additionally, there were seven other items on which the Senate receded and agreed to the House figures. These are six research and development items and one construction item.

The net savings resulting from our ability to hold to the House figures is approximately $12.3 million. The action by the House was an economy measure recommended by the Committee on Science and Astronautics. We feel sure that NASA can absorb these reductions without materially affecting major programs.

On the nuclear rocket program we were forced to give some ground. The Senate felt strongly on this item because it represents a major new approach to space propulsion and will provide a very versatile thrust capability for many years in the future.

As my colleagues may recall, the committee had recommended this item as being a necessary program for our future space capability. The managers on the part of the House agreed to an increase in research and development and construction for the nuclear rockets program. The total for nuclear rocket development is $73 million.

On the last item I wish to discuss, the House had proposed an amendment to the NASA bill which would authorize an aerospace safety advisory panel. Without going into the many details of the proposed amendment, it did provide for a 15-member panel to consist of individuals from outside of NASA who would serve for periods of 6 years.

The Senate version did not include any such provision. The Senate managers resisted the amendment on the grounds that the real experts on safety could be found only within NASA. They maintained that the establishment of any advisory panel on safety would tend to minimize or abrogate the responsibility of NASA for safety procedures and practices.

The managers on both sides finally agreed to include a panel of nine members who would serve terms of 6 years and of which not more than four could be officers of NASA.

The House agreed to this proposal since it would insure that NASA representatives would never be in the majority on any such panel and the larger panel proposed might be cumbersome.

In addition, both sides agreed to include language in their report that the establishment of such an advisory panel on safety was not to be construed in any fashion by NASA as minimizing the final responsibility of NASA in this very important area.

I would like to conclude by stating that the House insured that the authorization bill contained a prior year proviso that it is in the national interest for consideration to be given to the geographic distribution of research and development funds, and that NASA should explore ways and means of distributing its research and development funds to achieve this end.

Mr. Speaker, I yield 15 minutes to

the gentleman from Pennsylvania [Mr. FULTON].

Mr. FULTON of Pennsylvania. Mr. Speaker, the question before us is the authorization of funds for the National Aeronautics and Space Administration for fiscal year 1968. The House voted overwhelmingly to amend the NASA authorization bill on my motion to recommit on June 28, 1967, and cut a total of $201.4 million from the bill on its line items. The ruling by the Parliamentarian that the total in a bill can be amended only once gave the House conferees on the NASA authorization a false total of $4,927,182,000. Therefore, the Senate authorization of $4.851 billion became the lower figure in the conference. The net result of the conference is a figure $75 million above the will of the House as expressed in my motion to recommit, a total of $4,865,751,000.

This includes not only the astronautics program; it is also the aeronautics program. We should not forget that in this bill is $66,800,000 for research on aeronautics.

Likewise, the sustaining university program in the amount of $20 million for fiscal year 1968 will provide to graduate students doctorate degrees in space and allied sciences. This program is essential to help replenish the highly trained manpower pool drawn upon by NASA programs. This part of the NASA program also provides grants to institutions for research programs and facilities to support the research effort.

Chairman MILLER has adequately stated the figures and the conditions. I would like to point out that the House, on my motion to recommit, came up with a line item total figure of $4,790,000,000. We were unable to change the grand total figure in the House because it had been ruled by the Parliamentarian that once changed, it could not be amended again.

The point I would like to make is this. The real question concerning NASA is: What is the proper approach to this research and development agency? I think that we are giving them adequate funds. As a matter of fact, funds authorized have been so adequate that authorizations are now being canceled because funds have not been appropriated to take up the slack in the authorization. A total of $326 million in unfunded authorization had been rescinded as of June 30, 1967. Another $97.8 million in unfunded authorization remains on the books. NASA, therefore, so far as the Committee on Science and Astronautics is concerned, has been adequately financed.

Likewise, as to the Apollo program, which is the three-man moon program, the committee has felt that NASA was adequately financed. The committee cut $25 million from that particular budget, which I think NASA can stand.

I would like to point out that I feel—and I have said this time after time—that NASA is making a mistake in policies regarding program direction. NASA should not store away the tremendous number of surplus boosters that are now on order for use in the years 1971, 1972, 1973, 1974, and 1975. Once NASA lays up excess hardware, then we are bound by it. NASA itself within the last 10 days has again ordered two more Saturn 5 boosters.

Under the present circumstances, NASA has on order 15 boosters for the Apollo program, with the intention of landing on the moon using Saturn booster No. 7, No. 8, or No. 9. It is quite apparent that No. 6 will be surplus. My point is that if we lose a crew of three men on either No. 7, No. 8, or No. 9 of the Saturn boosters, I would not vote, and I hope the House would not vote, to send this type of equipment on any other missions to the moon.

It appears that the Saturn V booster will either be successful or obsolete by flight No. 9. Under no circumstances should this Nation support a man-rated vehicle if it is not adequate for the purpose, and adequate for the safety of our astronauts as well as efficiency.

If NASA again orders two more boosters, when there are in all probability six of the 15 in surplus already, that will increase the number to eight Saturn V's.

Another point I would like to make is that there are 12 uprated Saturn I, boosters in the current program for Apollo. Of those 12 NASA expects to use eight on the Apollo program, leaving four in surplus. NASA is nevertheless ordering seven more which will create an even greater surplus.

In my judgment, since specific missions have not been defined for the Apollo Applications program, there appears insufficient justification for so much hardwar. The Apollo Applications program which is the follow-on project for the Apollo program—that is, the program after the moon landings—should be cut. You say to me, "JIM FULTON, why should it be cut?" NASA asked for $454,700,000 in fiscal year 1968 for the follow-on program. I realize we are discussing technical problems, but we are talking in billions of dollars. We are talking of commitments ahead that may cost another $10 billion in Apollo Applications over a period of about 5 years succeeding the Lunar landing.

The NASA request for fiscal year 1968 shows an increase of $408.7 million over that requested in fiscal year 1967. In fiscal year 1967, NASA requested $46 million. For fiscal year 1968 the request was $454.7 million. The conferees' figure is $347,700,000. The figure shown in the NASA budget plan for fiscal year 1967 was $88 million, which was reduced by $8 million by the President, by withholding funds, to $80 million in fiscal year 1967. Thus, we find the conference figure of $347 million is over four times more for fiscal year 1968 than Apollo Applications had for fiscal year 1967. If we look at the figure of $46 million authorized by the House and Senate for fiscal year 1967, it is seven times more.

Does Congress want peacetime programs, following the lunar landing, without definite missions, increased by seven times what we authorized last year and nearly four times what NASA decided to use in the current fiscal year?

Ninety-five percent of NASA funds are going toward programs that are basically engineering and construction, and only 5 percent constitutes pure research and development. NASA is moving in the wrong direction. Research and development should be emphasized, and the heavy purchase of hardware to keep construction lines going should be stopped.

Likewise, safety should be emphasized. For example, on the floor of the House of Representatives, in my motion to recommit, was included an amendment by the gentleman from Illinois, regarding the independent safety panel. I am glad to say that this has been retained in conference. Congress should go further on safety and have in NASA an Inspector General, as they do in the Army, the Navy, the Air Force, the Marine Corps, the Coast Guard, the Atomic Energy Commission, the Agriculture Department, and even in the field of diplomacy, where we have an Inspector General, in AID under the U.S. Department of State.

I feel that it is necessary for safety, to have such an independent safety inspection group, to whom the astronauts or any other person involved in the program could complain. It would be composed of neither program directors nor contractor personnel to whom all complaints must go now.

I should like to emphasize particularly to those who are interested in research and development that if NASA buys these Saturn V boosters and stores them away for future years, then research and development improvements cannot be incorporated into these boosters. For example, they will not be able to use solid fuels. They will not be able to use high-energy liquid fuels. They will not be able to utilize either nuclear or electric engine developments, nor will they take advantage of the space storable fuels. They will not be able to put into operation reusable booster capsules or payloads.

These are technical programs, and they involve tremendous figures. While they may seem to be dry statistics, nevertheless they represent large commitments for the future of the United States of America, the U.S. Treasury and U.S. taxpayers. Therefore, we must be careful when considering them.

I would emphasize research and development. I would keep the options open for the use of new components in the various systems; reusable booster capsules and payloads, higher energy liquid fuels, nuclear and ion propulsion, and solar power.

We must strive for completely automated countdown and test procedures. Overlapping programs in the NASA peacetime space agency and the Department of Defense must be eliminated.

In my judgment, the manned orbiting laboratory of the Department of Defense and the manned orbiting workshop of NASA should be combined. It is useless waste to have two programs of the same type going forward at the same time.

I favor the conference report, and I have signed it.

I believe, however, that the Appropriations Committee should look more carefully into the programing and scheduling by NASA.

I, as well as three of the professional staff of the committee, who are very prominent people and very competent on our committee staff, and also Mr. Richard Beeman, a recent graduate of Yale, on my staff, have found after extensive checking that NASA scheduling is wasteful at this particular point in time.

Let me give one example and then I shall be through. If we buy six Saturn V's a year they will cost $163 million apiece. If they are produced at a rate of four a year, they will cost $193 million apiece. NASA currently plans to order in certain years, only two of these Saturn V boosters per year. If that is done, they will cost $230 million apiece instead of $163 million if made at the rate of six in a particular fiscal year. Producing these boosters at the lower rate of two rather than the higher rate of six will cause the waste of more than $400 million, if NASA is permitted to continue with their proposed scheduling.

Somebody on this floor, a good friend of mine, asked, "Why let Fulton do the scheduling for NASA?" The answer to that is that I have had experience. I have been on the Committee on Science and Astronautics since its start. I was on the Select Committee appointed by Speaker Sam Rayburn under the leadership of the present Speaker, Mr. McCormack. I have worked hard on these programs. Likewise, in World War II, I was one of the Navy representatives on the aircraft scheduling unit which scheduled planes for the U.S. Army Air Force then, the U.S. Navy and the British. So I have had scheduling experience in the military, which I believe is helpful on space booster production.

The total figure in the conference report is higher than the $4,790,000,000 recommended by the House. The $4,865,751,000 recommended in the conference report is the best compromise that could be achieved. Consequently, I have signed the report. However, further cuts could be made. I will speak further in the record as to which specific programs can be reduced further, without impeding basic research in the national space effort.

Mr. TEAGUE of Texas. Mr. Speaker, it seems important to me today to set the record straight with respect to NASA's management of its Apollo and Apollo Applications program. Because of NASA's foresight and good management, the agency has looked ahead in planning its purchases of launch vehicles and spacecraft. The flight plan being used now by NASA for its Apollo lunar missions was developed in 1963. Fortunately, these space planners have looked ahead so that if, in fact, complete success is obtained on the remaining Apollo flights it will be possible to divert vehicles that would be used to assure a lunar landing to a program aimed at ascertaining the capability of man to survey the earth and its resources and to expand man's scientific horizons through the use of orbital telescopes. Both of these goals are encompassed in the Apollo Applications program and will assure early payoff on the large investment that this country has made in the Apollo program.

The question of buying vehicles has been repeatedly raised by the gentleman from Pennsylvania on the floor of this House. I must point out that definite primary and alternate assignments have been made for all uprated Saturn IB and Saturn V vehicles. By utilizing the forward looking concept of making a primary assignment to the Apollo program and an alternate assignment to Apollo Applications if early successes are achieved in the Apollo program, NASA has assured the most economical allocation of flight hardware that can be made. These vehicles will be the work horses of our space program through the early 1970's. Contrary to the view that they would be obsolete these vehicles provide a high degree of flexibility that will allow the time needed for development of future vehicles that in the latter part of the next decade and into the more distant future will be capable of performing the tasks that we may choose in space.

The words "surplus boosters" have been used. Fortunately, the foresight of NASA has been sufficient to assure efficient and valuable use of boosters on hand, in production, and planned. For example, the leadtime necessary for some components of the Saturn I and V vehicles is of the order of 36 months. What the gentleman from Pennsylvania refers to as the purchase of two more Saturn V's is really the foresight to purchase those long leadtime items which will assure proper scheduling and minimize costs.

The Apollo program with its goal of a manned lunar landing in this decade provides a focal point for development and extension of the capabilities needed for assuring the Nation's preeminence in space. The Apollo mission requires a versatile spacecraft, a powerful launch vehicle, advanced checkout and launch operation facilities, and a worldwide tracking and mission network. Two series of flight missions to establish the Apollo mission capability have been implemented. These flight missions involve the uprated Saturn I—including the earlier Saturn I vehicle—the Saturn V launch vehicles and the Command Module, Service Module, and Lunar Module spacecraft.

The current flight test plan for Saturn-Apollo, which was instituted in 1963, specified 22 Saturn I launches—including uprated Saturn I vehicles—to prove out the spacecraft, ground environment, and design concepts. This same plan called for 15 Saturn V launches for lunar vehicle development, extended spacecraft development, lunar operations simulation, and lunar operations. This plan was presented to Congress by the NASA and authorized by Congress.

APOLLO-SATURN I MISSIONS

The first Saturn I was launched on October 27, 1961. A total of 13 launches have been made completing the highly successful first phase of the development of the Apollo mission capability. The Apollo-Saturn I program is now ready to commence manned flights with the uprated Saturn I. The major accomplishments to date of the Apollo-Saturn I missions are:

Proving the aerodynamics of Apollo spacecraft;

First extensive use of multiengines and liquid hydrogen in the upper stages;

Successful clustering of several large rocket engines;

Advancement of guidance and instrumentation technology;

Advancement of handling and storing technology of large quantities of cryogenic fuel;

Development of transportation techniques for large rockets;

Development of new fabrication techniques;

Proof of ground test philosophy;

The space vehicle was verified for manned flights;

The "All-up" concept was proved;

The ground operational support system was exercised;

The semiautomatic prelaunch checkout concept was demonstrated; and

Apollo-Saturn V elements were demonstrated—that is, Command Module Subsystems, Instrument Unit Operation, Service Module multiple restarts, and the S–IVB J–2 engine restart capability.

These unmanned flights were of major significance because the Apollo/uprated Saturn I space vehicle represents a hard core configuration upon which much of our launch vehicle and spacecraft development and operational techniques are based.

The remaining nine Apollo-uprated Saturn I missions are programed for verification of the development of the Lunar Module, manned Command and Service Module long duration operation and finally, manned Command and Service Module—Lunar Module operations which will be in phase with the early Lunar mission simulation flights of the Apollo-Saturn V.

In the event that the Saturn V launch vehicle is considered man-rated by the time of the Command Module, Service Module, Lunar Module are ready for the operations phase, it is planned to move the mainline Apollo effort directly over from the uprated Saturn I to the Saturn V. This would have the benefit of developing experience with the total flight system designed for the lunar landing at the earliest time possible. On the other hand, if the availability of the Saturn V is delayed for any reason, these Command Service Module-Lunar Module operations missions will be carried out on dual uprated Saturn I flights, with one vehicle placing the unmanned Lunar Module and the other the manned Command Service Module into orbit.

As mentioned before, a total of 22 Saturn I and 15 Saturn V launch vehicles were approved for the current flight test plan. This same plan called for a total of 36 spacecraft (21 Command and Service Modules and 15 Lunar Modules). The missions remain fixed while the allocation of flight hardware can be flexible. Flight hardware used in the early missions must be as nearly like the final lunar mission configuration as possible. For each major phase of flight activity, there must be the maximum flexibility in terms of flight hardware availability and alternate mission modes in order to compensate for difficulties and to capitalize on success.

APOLLO-SATURN V MISSIONS

In parallel with the Apollo-uprated Saturn I, the Apollo-Saturn V launch vehicle is being developed. This launch vehicle is designed for the lunar mission. The first and second stages of the vehicle are as yet untested in flight. The third stage and the instrument unit for the

Saturn V benefit from the experience being gained in the Apollo-uprated Saturn I program. Fifteen Saturn V launch vehicles are now being manufactured, tested, and delivered.

The Apollo-Saturn V missions are planned in four phases:

First. Launch vehicle and spacecraft development—unmanned.

Second. Command Service module—Lunar Module operations—manned.

Third. Lunar mission simulation—manned.

Fourth. Lunar mission—manned.

The Apollo-Saturn V program is laid out on the basis of a success schedule. In line with NASA schedule philosophy under the all-up flight concept, scheduling has also been planned to capitalize on early success. Thus, there are two routes that can be followed, one termed nominal success would lead to lunar mission operations beginning on about the eighth Saturn V vehicle, the other termed early success would lead to lunar mission operations beginning on perhaps as early as the fifth Saturn V vehicle. The nominal success schedule plan provides for at least five Saturn V launches for the vehicle development before manned operations are attempted. The early success plan assumes that the first Saturn V launches are both successful. In either case, two successive successful unmanned launch vehicle and spacecraft development missions are required before operations are moved to the manned phase.

APOLLO APPLICATIONS MISSIONS

Again, in line with our policy of capitalizing on success and planning to utilize the Apollo capability for applications at the earliest practicable date, we have proceeded with the Apollo Applications program payloads for follow-on to the basic Apollo lunar landing program.

If the next two flights of the Apollo-uprated Saturn I program are successful, the remaining seven space vehicles will be utilized for:

First. Apollo Applications experiments.

Second. A dual launch for Apollo Applications utilizing a Command and Service module and the orbital workshop for up to 28 days operation and experiments.

Third. A dual AAP launch utilizing the Command Service module and the orbital workshop for up to 56 days operation. The orbital workshop will be reactivated and the Apollo telescope mount will be placed in operation. Experiments will be performed.

Fourth. Apollo Applications—reactivation of the orbital workshop and Apollo telescope mount.

Fifth. Apollo Applications—reactivation and experiments.

All of the Apollo-uprated Saturn I flights are limited to earth orbital operations.

Command and service module—lunar module operations, lunar mission simulation and the lunar mission could all be accomplished under the nominal success schedule such that the first Apollo applications mission using the Saturn V launch vehicle could begin with the 10th Saturn V.

Thus, six Saturn V launch vehicles could be available for Apollo applications operations as follows:

First. Lunar mapping and survey, approximately 8-day lunar orbit.

Second. Lunar surface exploration, approximately 3 days on the surface.

Third. Communications and tracking relay experiments, communications and meteorology experiments, resupply and reuse of the orbital workshop, and stellar astronomy.

Fourth. Operate lunar shelter with drill and lunar surface survey module. Perform lunar survey from lunar orbit, and deliver two men to shelter on the lunar surface for 14 days utilizing follow-on Saturn V launch vehicles.

In conclusion, the Congress should remind itself that NASA is following the flight test plan for Saturn-Apollo which was instituted in 1963. This plan specified 22 Saturn I launches—including uprated Saturn I vehicles—to prove out the spacecraft, ground environment, and design concepts. This same plan called for 15 Saturn V launches for lunar vehicle development, extended spacecraft development, lunar operations simulation, and lunar operations. In addition, the plan allows maximum flexibility in terms of flight harware availability and alternate mission operations in order to compensate for difficulties and to capitalize on success. There are no surplus launch vehicles or spacecraft. Before we commit a manned system to a lunar mission, we must reach a point in hardware development and human experience that provides the highest possible confidence level in the safety and success of that attempt. The 1963 Saturn-Apollo mission plan is designed to provide the confidence and assurance of the safety and success of the lunar mission. This plan was presented to the Congress by NASA and was authorized by Congress. This plan should not be altered. If it is altered, or if launch vehicles or spacecraft were eliminated we would jeopardize the success and safety of the lunar mission and jeopardize a well ordered space program for the future benefit of our country.

Mr. RYAN. Mr. Speaker, today we are asked to consider the conference report which accompanies S. 1296—the NASA authorization for fiscal year 1968. The House recommendation which went to conference was $4,927,182,000—$76,176,000 above the Senate recommendation of $4,851,006,000. The total conference recommendation was for $4,865,751,000—$61,431,000 below the House recommendation and $14,745,000 above the Senate-approved figure.

It was wise that the conference decision came closer to the lower recommended figure. In my own opinion, the total authorization could have been lower than the Senate figure without in any way harming the progress and future of the space program. In view of the serious imbalance in our national priorities and the increased financial hardship facing so many Americans from the proposed 10-percent surcharge on income taxes, a greater reduction is amply justified. Even the remaining $14.745 million which the conference committee had the option to eliminate would, for example, nearly fund for 1 year the rat-control bill which the Congress on July 20, in its current budgetary zeal, voted down.

Of course, a great hue and cry has been raised by NASA about cutting as much as the conference recommendation of $234,249,000. This may seem a considerable cut when seen separately and, of course, when viewed by the concerned agency. But in reality, it represents a cut of only 4.5 percent to 4.6 percent from NASA's actual request—a harsh action in light of NASA's recent history, but an accomplishment that would be gladly accepted by almost any other agency of the U.S. Government.

However, my main concern is not to take issue with the remaining expendable $14.745 million in itself. In fact, I think it was wise that $42 million was restored in conference for the Voyager program. I think it is sound at this time in our space history to promote the importance of the unmanned aspects of our space program, and to recommend that more emphasis be placed on instrumented experiments in space, even at the expense if necessary, of some of the understandably more glamorous, but often less scientifically rewarding aspects, of our manned space program. In fact, the unanswered questions concerning manned space flight and the constant danger to human life suggest that further unmanned investigation could serve us well as a prelude to more ambitious manned space efforts rather than as postlude to still slightly hysterical deadline racing which may lead to new disasters and further national trauma. Promoting unmanned space flight would as truly, perhaps in the long run more truly, bring us to a real and beneficial leadership in space.

I am particularly concerned, as I have been in earlier considerations of NASA's fiscal year 1968 budget request, about the Nerva program. I do not think it is necessary today to repeat in detail the arguments that I presented when we debated the authorization bill. In capsule, in the last year or two NASA initiated a new phase of the nuclear rocket program by converting it from technology studies for nuclear rocket propulsion to the development of flight hardware. This was done on NASA's own initiative without consulting Congress about the implied followthrough or justification. Justification involves two things. One is an actual mission requirement or use to justify the undertaking itself. The other is a consideration of the implications of that potential mission requirement in terms of its value or interest to the American public and its long-range cost. This latter consideration is commonly known as "cost/benefit"—a term that is becoming increasingly familiar in industry and certain Government agencies, and one with which Congress might well become more acutely concerned if it wishes to get the American economy in hand without sacrificing those programs which are indeed of great benefit and necessity to our society.

In the case of the Nerva program, the primary requirements for "cost/benefit" have not been met. In the first place, there is yet no admitted mission requirement for this development.

It is argued that we have already spent

nearly $2 billion on the requisite technology studies, and that failure to pursue this immediately would render meaningless the past expense; that nuclear propulsion is a thing of the future and that we must have it if it is to be had; that the Russians may do it; that the Government-industrial team may disintegrate if we do not do it right away; and that eventually, after vast expense of development, a third stage use of nuclear rocket propulsion may decrease the cost of various missions. This latter argument is not yet clearly proven by adequate comparison with alternative methods to the satisfaction of various experts, but it is averred with such certainty that laymen cannot say nay. Nor does it speak to the serious dangers that have barred consideration of nuclear propulsion for use in first and second stages and the possible existence of such dangers in the third stage. We are simply confronted with the assertion of the prime importance of this project.

The second consideration relates to the national interest—whether this program is beneficial or important enough to justify its development and cost. The financial implications of the Nerva nuclear rocket engine development program are staggering. The obvious requirement for this engine is a manned Mars mission conservatively estimated to cost upwards of $200 billion in the next 18 years. Indeed, although this mission is not officially admitted—probably because a nation that is seriously questioning the cost and value of a manned Moon mission might well balk at such an unprecedented expense—the manned Mars mission is the actual planned use for the Nerva engine. At the same time, a great deal of NASA's public relations funds goes toward trying to implant this mission into the national consciousness until such time as it will be taken for granted and additional funds authorized without question.

Even within NASA, opinion is not unanimous as to the value of pursuing the Nerva development program at this time, but such differences are submerged when the space agency comes to Congress with its request. This does not mean, however, that Congress in a vague fear of "missing something" should authorize a commitment of vast public funds to a development of uncertain value which may even prove obsolete or unnecessary if and when a mission such as a manned Mars landing does prove to be in the national interest. In fact, it is an affront to the American people, who are confronted with tax increases, with a reduction of proposed and advertised programs such as social security increases and medicaid benefits, with civil disorder on an unprecedented scale suggesting that unanticipated resources, both spiritual and financial, are going to have to be devoted to major efforts to heal the wounds and the scars of the cities. When some $70 billion in a year are being spent on defense—nearly $30 billion on a war that remains undeclared—it is an affront to commit the American public, unasked, to a program to spend $200 billion and more for the debatable pride of landing a man on the planet Mars.

There is no doubt that many benefits could accrue from such an effort, as would accrue from all major efforts that are seriously undertaken and zealously pursued. But it is becoming clear that we cannot fight all wars on all fronts and conquer all problems at the same time. We cannot reap all possible benefits at once. Choices must be made. Approval of the nuclear rocket flight hardware program is, in fact, a choice against other programs of immediate importance. Will our resources also support the necessary expenditure to combat air pollution which is one of our most serious dangers? Will our cities be torn apart because there are people whose basic human needs are still unmet, while unprecedented sums are devoted to an esoteric manned deep-space mission which perhaps will have even less of the highly touted "technical spinoff" for the benefit of the more fortunate people in our country than other space missions?

The Senate, to be sure, authorized the full $74 million request for the Nerva engine development program, despite the manner in which it was submitted some time after the regular budget request by a discreet budget amendment designed to support quietly the costly changeover from technology study to flight hardware development. But the House, on June 28, reduced the requested amount for nuclear rockets from $74 million to $50 million, and the accompanying request for test stands at the Nuclear Rocket Development Station in Nevada from $22.5 million to $16.5 million. Although this reduction would not have prevented the new stage of the program from going forward, it was at least a brake on the pace with which this flight hardware development might be pursued—a signal that Congress did not give full and unqualified support to this request. But now the conferees have agreed to restore all but $1 million of the $74 million requested for Nerva and, as the Senate committee had recommended, have agreed to supply $19.5 million of the requested $22.5 million for the NRDS test stands.

Disregarding the mandate of the House, the conferees increased the Nerva program by $23 million and approved a new departure which has been estimated to cost $2 billion by 1975. It is disappointing that the conferees did not insist upon the position of the House. It is unfortunate that the parliamentary situation will not permit a motion to recommit the conference report with instructions to insist upon the position of the House.

I have other serious reservations about the conference report, such as the level of funding for Apollo applications which involves the purchase of hardware far in excess of present mission requirements.

I hope my colleagues listened to the remarks of the gentleman from Pennsylvania [Mr. FULTON] on this subject. He pointed out that this program entails $20 billion in the next 5 years for missions of which many are not yet defined.

Mr. Speaker, I am particularly distressed that the conferees deleted from the bill, as reported by the House Committee on Science and Astronautics and approved by the House, a provision requiring that the Administrator of NASA keep the House and Senate committees fully; and currently informed with respect to all of the activities of NASA.

The conference report reasons that this requirement is implicit in section 303 of the National Aeronautics and Space Act of 1958 which prohibits the withholding of information and goes on to say:

> The committee of conference, considering the legislative history of the NASA authorization process, agreed that in practical effect the Administrator of NASA henceforth will regard it as his positive duty to keep the committees fully and currently informed, in recognition of the intent of the Congress.

I take great exception to this reasoning which attempts to reverse conventional wisdom by semantic manipulation.

First, the very reason that the House committee felt it necessary to include this provision is that the Administrator has in no way felt bound by section 303 of the National Aeronautics and Space Act of 1958, which provides that nothing in the NASA Act "shall authorize the withholding of information by the Administrator from the duly authorized committees of the Congress."

Certainly the language of section 303 does not impose a positive duty on the Administrator to keep Congress fully and currently informed. It is intended to insure the right of Congress to know and to prohibit the withholding of information. However, past experience with the Administrator shows that he has violated that provision. During the Apollo hearings he refused to make vital information available to the committee. If the Phillips report had not come into my possession, NASA would still be denying its existence.

Generous criticism of NASA during the Apollo hearings attests to the fact that the Administrator feels he can dispense and withhold information at will without regard to the needs and desires of Congress in respect to its serious responsibility for overseeing the space agency. The additional views of eight Members in the House committee report on authorizing appropriations for NASA's fiscal year 1968 budget give further evidence of the dissatisfaction that exists in this area of our dealings with NASA.

Legislative history is indeed being made by the action of the conference committee in deleting this provision from the bill. Regardless of the concern of a great many members of both House and Senate committees, NASA will interpret this deliberate deletion of the provision that states clearly and directly that the committees should be kept fully and currently informed about NASA's operations as permission to continue to withhold full and current reports. A clear statement of reasonable and necessary procedure is being removed so that pressure for adherence to this stricture may be diminished.

How many more Phillips reports must we uncover in order to prove the importance of this problem? The action of the conferees in retreating on this necessary provision will only serve to encourage NASA's predilection for secrecy.

Mr. Speaker, I share the hope and the intention of all members of the committee that we will have a vigorous and successful space program which will reap great benefits for the people of this Nation while advancing our role of world leadership in the realm of science and technology. But I do not for a moment believe that we can achieve this goal without a serious attempt to uncover the problems and difficulties that exist in our space program and to address our best energies to solving them, while at the same time learning to apply intelligent, selective reasoning to the programs that we fund so that NASA's skills and abilities may be well-channeled and applied to programs that are not broader than reality, costlier than our budget, and so beset with internal problems that they threaten the success of our best efforts.

Mr. MILLER of California. Mr. Speaker, I have no further requests for time.

Mr. RYAN. Mr. Speaker, will the gentleman yield?

Mr. MILLER of California. The gentleman does not yield.

Mr. RYAN. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. RYAN. Mr. Speaker, is a motion to recommit with instructions in order at this point?

The SPEAKER. The Chair will state such a motion is not in order under the present parliamentary situation.

Mr. MILLER of California. Mr. Speaker, I move the previous question on the conference report.

The previous question was ordered.

The conference report was agreed to.

A motion to reconsider was laid on the table.

GENERAL LEAVE TO EXTEND

Mr. MILLER of California. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks in connection with this conference report.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

CALL OF THE HOUSE

Mr. PELLY. Mr. Speaker, I make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

Mr. EDMONDSON. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 199]

Abernethy
Ashley
Blackburn
Brademas
Burton, Utah
Casey
Clark
Colmer
Dent
Derwinski
Dulski
Fulton, Tenn.
Gallagher
Gurney
Hanna
Hansen, Wash.
Jonas
Kirwan
Kyros
Landrum
McEwen
Mathias, Md.
Matsunaga
Mayne
Mink
Montgomery
Murphy, N.Y.
Olsen
Pollock
Resnick
Rooney, N.Y.
Shipley
Tiernan
Utt
Williams, Miss.
Willis
Wilson, Charles H.
Wydler

The SPEAKER. On this rollcall 394 Members have answered to their names, a quorum.

By unanimous consent, further proceedings under the call were dispensed with.

LAW ENFORCEMENT AND CRIMINAL JUSTICE ASSISTANCE ACT OF 1967

Mr. CELLER. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the further consideration of the bill (H.R. 5037) to assist State and local governments in reducing the incidence of crime, to increase the effectiveness, fairness, and coordination of law enforcement and criminal justice systems at all levels of government, and for other purposes.

The SPEAKER. The question is on the motion offered by the gentleman from New York.

The motion was agreed to.

IN THE COMMITTEE OF THE WHOLE

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the further consideration of the bill H.R. 5037, with Mr. ROSTENKOWSKI in the chair.

The Clerk read the title of the bill.

The CHAIRMAN. When the Committee rose on August 3, 1967, the Clerk had read through title I of the committee substitute, ending on page 17, line 18.

Are there any amendments to be proposed to title I?

Mr. CELLER. Mr. Chairman, I ask unanimous consent that the bill be considered as read, printed in the RECORD, and open to amendment at any point.

The CHAIRMAN. Is there objection to the request of the gentleman from New York?

There was no objection.

The remainder of the bill is as follows:

TITLE II—GRANTS FOR LAW ENFORCEMENT AND CRIMINAL JUSTICE PURPOSES

SEC. 201. It is the purpose of this title to authorize grants to States and units of general local government for new approaches and improvements in law enforcement and criminal justice. The purposes for which grants may be made may include but shall not be limited to—

(a) public protection, including the development, demonstration, evaluation, and implementation of methods, devices, and equipment designed to increase safety in public and private places.

(b) equipment, including the development and acquisition of equipment designed to increase the effectiveness and improve the deployment of law enforcement and criminal justice personnel.

(c) recruitment, education, and training of all types of law enforcement and criminal justice personnel.

(d) management and organization, including the organization, administration, and coordination of law enforcement and criminal justice agencies and functions.

(e) operations and facilities for increasing the capability and fairness of law enforcement and criminal justice, including the processing, disposition, and rehabilitation of offenders.

(f) community relations, including public understanding of and cooperation with law enforcement and criminal justice agencies.

(g) public education relating to crime prevention and encouraging respect for law and order, including education programs in schools and community agencies.

SEC. 202. (a) (1) Except as provided in paragraph (2), a grant may be made under section 201 only if the Attorney General determines that the application for such grant contains or is supported by adequate assurances that Federal funds made available under the application will be so used as to supplement, and to the extent practical, increase the amount of funds that the applicant (or applicants jointly in the case of a combination of States or units of general local government) would, in the absence of such Federal funds, make available for law enforcement and criminal justice purposes.

(2) If the expenditures of an applicant for a grant under section 201 for law enforcement and criminal justice purposes include substantial and extraordinary amounts and the Attorney General is of the opinion that the requirements of paragraph (1) of this subsection constitute an unreasonable restriction on the applicant's eligibility for a grant under section 201, the Attorney General may reduce such requirements to the extent he deems appropriate.

(b) (1) No grant may be made under section 201—

(A) before January 1, 1968, or

(B) for construction of any building or any other physical facility.

(2) The amount of any grant made under section 201 may not exceed 60 per centum of the cost of the project specified in the application for such grant. No grant made under section 201 may be expended for the compensation of personnel, except that this limitation shall not apply to—

(A) the compensation of personnel for time engaged in conducting or undergoing training programs, and

(B) specialized personnel performing innovative functions.

SEC. 203. (a) The Attorney General is authorized to make grants to States, units of general local government, or combinations of such States or units for the construction of buildings or other physical facilities which fulfill a significant, innovative function. The amount of any such grant shall not exceed 50 per centum of the cost of such construction.

(2) An applicant shall be eligible for a grant under this section only if such applicant would also be eligible for a grant under section 202.

SEC. 204. (a) The Attorney General is authorized to make grants to an applicant under this title only if such applicant has on file with the Attorney General a current law enforcement and criminal justice plan which conforms with the purpose and requirements of this Act. Each such plan shall—

(1) unless it is not practicable to do so, encompass a State, unit of general local government, or combination of such States or units;

(2) incorporate innovations, advanced techniques, and improved uses of proven techniques, and contain a comprehensive outline of priorities for the improvement and coordination of all aspects of law enforcement and criminal justice dealt with in the plan, including descriptions of (A) general needs and problems; (B) existing systems; (C) available resources; (D) purposes for which Federal funds are sought (with specific reference to their sequence, timing, and costs); (E) systems and administrative machinery for implementing the plan; (F) the direction, scope, and types of improvements to be made in the future; and (G) to the extent appropriate, the relationship of the plan to other relevant State or local law enforcement and criminal justice plans and systems.

(b) In implementing this section, the Attorney General shall—

(1) encourage State and local initiative in developing comprehensive law enforcement and criminal justice plans;

(2) encourage plans which encompass the entire metropolitan area, if any, of which the applicant is a part;

(3) encourage plans which are related to and coordinate with other relevant State or local law enforcement and criminal justice plans and systems;

(4) encourage plans which deal with the problems and provide for the improvement of all law enforcement and criminal justice agencies in the area encompassed by the plans;

(5) encourage plans which provide for research and development;

(6) encourage plans which provide for an appropriate balance between fund allocations for the several parts of the law enforcement and criminal justice systems covered by the plans;

(7) encourage plans which demonstrate the willingness of the applicant to assume the costs of improvements funded under this title after a reasonable period of Federal assistance; and

(8) encourage plans which explore the costs and benefits of alternative courses of action and promote efficiency and economy in management and operations.

TITLE III—RESEARCH, DEMONSTRATION, AND SPECIAL PROJECT GRANTS

SEC. 301. It is the purpose of this title to encourage research, development, and training for the purpose of improving law enforcement and criminal justice and developing new methods for the prevention and reduction of crime and increasing respect for law and order.

SEC. 302. The Attorney General is authorized to make grants to, or enter into contracts with, institutions of higher education and other public agencies or private organizations to conduct research, demonstrations, or special projects pertaining to the purposes described in this Act and which will be of regional or national importance or will make a significant contribution to the achieving of those purposes.

SEC. 303. The Attorney General is authorized to make grants to institutions of higher education and other public agencies or private nonprofit organizations to establish national or regional institutes for research, education, and training pertinent to the purposes of this Act.

SEC. 304. A Federal grant authorized under section 302 or 303 may be up to 100 per centum of the total cost of each project or institute for which such grant is made. The Attorney General shall require, whenever feasible, as a condition of approval of a grant under this title, that the recipient contribute money, facilities, or services to carry out the purpose for which the grant is sought.

SEC. 305. The Law Enforcement Assistance Act of 1965 (79 Stat. 828) is repealed and superseded by this title: *Provided, however,* That—

(a) the Attorney General may award new grants, enter into new contracts, or obligate funds for the continuation of projects in accordance with the provisions of the Law Enforcement Assistance Act of 1965, based upon applications received under that Act prior to the effective date of this Act;

(b) the Attorney General is authorized to obligate funds for the continuation of projects approved under the Law Enforcement Assistance Act of 1965 prior to the effective date of this Act, to the extent that such approval provided for continuation; and

(c) any awarding of grants, entering into contracts, or obligation of funds under subsection (a) or (b) of this section and all activities necessary or appropriate for the review, inspection, audit, final disposition, and dissemination of project accomplishments with respect to projects which are approved in accordance with the provisions of the Law Enforcement Assistance Act of 1965 and which continue in operation beyond the effective date of this Act may be carried on with funds appropriated under this Act.

TITLE IV—ADMINISTRATION

SEC. 401. (a) There shall be in the Department of Justice a Director of Law Enforcement and Criminal Justice Assistance who shall be appointed by the President, by and with the advice and consent of the Senate, whose function shall be to assist the Attorney General in the performance of his duties under this Act.

(b) Section 5315 of title 5 of the United States Code is amended by the addition of the following at the end thereof:

"(73) Director of Law Enforcement and Criminal Justice Assistance."

SEC. 402. The Attorney General is authorized to appoint such technical or other advisory committees to advise him in connection with the administration of this Act as he deems necessary. Members of such committees not otherwise in the employ of the United States, while attending meetings of the committees, shall be entitled to receive compensation at a rate to be fixed by the Attorney General, but not exceeding $100 per diem, and while away from home or regular place of business they may be allowed travel expenses, including per diem in lieu of subsistence, as authorized by section 5703(b) of title 5, United States Code, for persons in the Government service employed intermittently.

SEC. 403. (a) To insure that all Federal assistance to State and local programs for law enforcement and criminal justice is carried out in a coordinated manner, the Attorney General is authorized to request any Federal department or agency to supply such statistics, data, program reports, and other materials as he deems necessary to carry out his functions under this Act. Each such department or agency is authorized to cooperate with the Attorney General and, to the extent permitted by law, to furnish such materials to the Attorney General. Any Federal department or agency engaged in administering programs related to law enforcement and criminal justice shall, to the maximum extent practicable, consult with and seek advice from the Attorney General to insure fully coordinated efforts.

(b) The Attorney General is authorized to make grants under title I and title II of this Act to a unit of general local government or combination of such units only if—

(1) The applicant certifies that it has submitted a copy of its application to the chief executive of the State in which such unit or combination of such units is located; and

(2) such chief executive shall be given not more than sixty days from the date of receipt of the application to submit to the Attorney General in writing his evaluation of the project set forth in the application. Such evaluation shall include comments on the relationship of the application to other applications then pending, and to existing or proposed plans in the State for the development of new approaches to and improvements in law enforcement and criminal justice. If an application is submitted by a combination of units of general local government which is located in more than one State, such application must be submitted to the chief executive of each State in which the combination of such units is located.

SEC. 404. The Attorney General may arrange with and reimburse the heads of other Federal departments and agencies for the performance of any of his functions under this Act, and, as necessary or appropriate, delegate any of his powers under this Act other than his power to make and adopt regulations to implement the purposes of this Act, and authorize the redelegation of such powers.

SEC. 405. The Attorney General is authorized—

(a) to conduct research and evaluation studies with respect to matters related to this Act; and

(b) to collect, evaluate, publish, and disseminate statistics and other information on the condition and progress of law enforcement and criminal justice in the several States.

SEC. 406. Payments under this Act may be made in installments, and in advance or by way of reimbursement, as may be determined by the Attorney General.

SEC. 407. (a) Whenever the Attorney General, after reasonable notice and opportunity for hearing to a grantee under this Act, finds that, with respect to any payments made under this Act, there is a substantial failure to comply with—

(1) the provisions of this Act;

(2) regulations promulgated by the Attorney General under this Act; or

(3) the law enforcement and criminal justice plan submitted in accordance with the provisions of this Act; the Attorney General shall notify such grantee that further payments shall not be made (or in his discretion that further payments shall not be made for activities in which there is such failure), until there is no longer such failure.

(b) In the case of action taken by the Attorney General under subsection (a) terminating or refusing to continue financial assistance to a grantee, such grantee may obtain judicial review of such action in accordance with chapter 7, Judicial Review, of title 5 of the United States Code.

SEC. 408. Nothing contained in this Act shall be construed to authorize any department, agency, officer, or employee of the United States to exercise any direction, supervision, or control over any police force or other agency of any State or local law enforcement and criminal justice system.

SEC. 409. Unless otherwise specified in this Act, the Attorney General shall carry out the programs provided for in this Act during the fiscal year ending June 30, 1968, and the four succeeding fiscal years.

SEC. 410. Not more than 15 per centum of the sums appropriated or allocated for any fiscal year to carry out the purpose of this Act shall be used within any one State.

SEC. 411. The Attorney General, after appropriate consultation with representatives of State and local governments, is authorized to prescribe such regulations as may be necessary to implement the purposes of this Act, including regulations which—

(a) provide that a grantee will from time to time, but not less often than annually, submit a report evaluating accomplishments and cost-effectiveness of activities funded under this Act;

(b) provide for fiscal control, sound accounting procedures, and periodic reports to the Attorney General regarding the application of funds paid under this Act; and

(c) establish criteria to achieve an equitable distribution among the States of assistance under this Act.

The Attorney General shall prescribe regulations under this section in accordance with the requirements for notice and hearing which are prescribed in subsections (b) and (c) of section 553 of title 5, United States Code.

SEC. 412. Except as provided in section 204, the Attorney General may disapprove an application for a grant for which funds are available under title I, II, or III of this Act only if he determines that the program or project for which a grant is sought will not fulfill the aims of this Act or that such aims will not be fulfilled in an economical and efficient manner.

SEC. 413. On or before August 31, 1968, and each year thereafter, the Attorney General shall report to the President and to the Congress on activities pursuant to the provisions of this Act during the preceding fiscal year.

Each such report shall include a full description of any data storage and retrieval system or systems employed for the storage of criminal intelligence data by the Department of Justice, or any agency, bureau, or division thereof, and by any recipient of funds under this Act who uses such funds, or any part thereof, for the acquisition, development, operation, or improvement of any such system or systems. Each such report shall describe fully the scope and uses of such data, the methods of disseminating such data, a list of all having any access to such data, safeguards employed to protect individual privacy, and future plans and uses to be made of the system or systems.

SEC. 414. For the purpose of carrying out this Act, there is hereby authorized to be appropriated the sum of $50,000,000 for the fiscal year ending June 30, 1968: *Provided, however*, That, of this amount, the sum of $22,500,000 shall be for the purposes of title I, the sum of $9,000,000 for the purposes of title II, the sum of $13,500,000 for the purposes of title III, and the balance may be used for the purposes of title I, title II, or title III as the Attorney General may determine. For the fiscal year ending June 30, 1969, and the succeeding fiscal years, only such sums may be appropriated as the Congress hereafter may authorize by law.

TITLE V—DEFINITIONS

SEC. 501. As used in this Act—

(a) "Law enforcement and criminal justice" means all activities pertaining to crime prevention or the enforcement and administration of the criminal law, including, but not limited to, activities involving police, prosecution of criminal cases, courts, probation, corrections, and parole.

(b) "State" means any State of the United States, the District of Columbia, the Commonwealth of Puerto Rico, the Virgin Islands, Guam, the Canal Zone, American Samoa, and the Trust Territory of the Pacific Islands.

(c) "Unit of general local government" means any city, county, township, town, borough, parish, village, or other general purpose political subdivision of a State.

(d) "Combination" as applied to States or units of general local government means any grouping or joining together of such States or units, including a grouping or joining together for purposes only of preparing, developing, and implementing a law enforcement and criminal justice plan.

(e) "Metropolitan area" means a standard metropolitan statistical area as established by the Bureau of the Budget, subject, however, to such modifications and extensions as the Attorney General may determine to be appropriate.

(f) "Public agency" means any State, unit of general local government, combination of such States or units, or any agency or instrumentality of any of the foregoing.

(g) "Constitution" means the erection, acquisition, expansion, or repair (but not including minor remodeling or minor repairs) of new or existing buildings or other physical facilities, and the acquisition or installation of initial equipment therefor.

(h) "Innovative function" means a function which will serve a new or improved purpose within the particular law enforcement and criminal justice system into which it is introduced.

COMMITTEE AMENDMENT OFFERED BY MR. CELLER

Mr. CELLER. Mr. Chairman, I offer a committee amendment.

The Clerk read the committee amendment, as follows:

Committee Amendment Offered by Mr. CELLER: On page 20, line 15, strike "(2)" and insert in lieu thereof "(b)"

Mr. CELLER. Mr. Chairman, this amendment is merely to correct a typographical error and needs no debate or elaboration.

The CHAIRMAN. The question is on the committee amendment offered by the gentleman from New York.

The committee amendment was agreed to.

AMENDMENTS OFFERED BY MR. CELLER

Mr. CELLER. Mr. Chairman, on behalf of Mr. HUNGATE, who would have offered these amendments, I offer amendments to title I and to title II.

The Clerk read as follows:

Amendments offered by Mr. CELLER: On page 17 strike the second sentence in section 101, and insert in lieu thereof the following:

"It is the purpose of this title to encourage States and units of general local government to prepare and adopt comprehensive plans, which were appropriate or feasible shall include plans for prevention and control of riots, based on their evaluation of State and local problems of law enforcement and criminal justice."

On page 18, after line 2, amend section 201 by inserting the following new subsection:

"(a) prevention and control of riots."

And redesignate appropriately the remaining sections.

Mr. CELLER. Mr. Chairman, while in the opinion of the gentleman speaking, the previous bill as drafted would embrace riot control techniques, it was thought best to include the matter of riot control and specifically spell it out both in title I with reference to planning grants and title II with reference to action grants.

The particular wording of the draft has been the result of a conference between myself and the gentleman from Missouri [Mr. HUNGATE], and the gentleman from Minnesota [Mr. MACGREGOR]. I understand it has the approval of the ranking Republican member of the committee and the gentleman from Minnesota [Mr. MACGREGOR].

Mr. MACGREGOR. Mr. Chairman, will the distinguished gentleman yield?

Mr. CELLER. I yield to the gentleman from Minnesota.

Mr. MACGREGOR. In the interest of accuracy, I am sure the chairman of the committee will agree with me that I did not attend any conference with the chairman and with the gentleman from Missouri [Mr. HUNGATE]. In response to a telephone call from the chairman to me yesterday afternoon I did go to the chairman's office. The two of us did sit down with the staff counsel for the committee and discuss language which the chairman is now offering. I made one suggestion or two with respect to the language, and the gracious chairman of the Judiciary Committee accepted my suggestions.

Mr. CELLER. The gentleman is correct. I am sorry that because of a lapse of memory I did not state the situation correctly.

Mr. McCULLOCH. Mr. Chairman, will the gentleman yield?

Mr. CELLER. I yield to the gentleman from Ohio.

Mr. McCULLOCH. I am pleased to say I agree with the amendment and hope it will be adopted.

Mr. CRAMER. Mr. Chairman, will the distinguished gentleman yield?

Mr. CELLER. I yield to the gentleman from Florida.

Mr. CRAMER. I, too, obviously am glad to see this antiriot amendment added to the legislation. I should like to ask a couple of questions for legislative history and for the RECORD, as to what exactly the amendment intends.

Obviously, I wholeheartedly support the objectives under title I and title II of including antiriot prevention and control in this anticrime bill. Obviously we cannot have safe streets, so called, unless the streets are safe from riots as well as from other crimes.

However, in the wording of the amendment there is a clause added to section 101 which says, "where appropriate and feasible" this shall include plans for prevention and control of riots. Could the distinguished chairman of the committee indicate who is to make that determination? Will that be the local authorities or the Attorney General?

Mr. CELLER. The local agency would make that determination. That language is the language, I believe I am correct in saying—and I will ask the gentleman from Minnesota—of the gentleman from Minnesota. I believe that was his phraseology.

Mr. MACGREGOR. Mr. Chairman, if the gentleman will yield, the phrase "where appropriate or feasible" includes one or two words I suggested, and some words suggested by staff counsel.

The question raised in the chairman's office yesterday afternoon was whether or not the rural areas would feel that they were precluded from participation in this program, since an urban riot problem would not be appropriate or feasible to any plan or program they might have to improve law enforcement and criminal justice, so a discussion was held on that particular subject.

The gentleman from Florida is quite properly calling attention to another issue; that is, who shall determine whether it is appropriate or feasible? We did not discuss that question, I may say to the gentleman from Florida, when I talked with the chairman of the Judiciary Committee yesterday. We merely addressed ourselves to the question of whether or not a rural area would be precluded. In order to assure the rural area would be precluded. In order to assure the rural areas that they would not be precluded, this language "where appropriate or feasible" was adopted at the joint suggestion of the staff and myself.

Mr. CELLER. My answer to the gentleman is that the amendment provides the following words:

> Based on their evaluation of State and local problems of law enforcement and criminal justice.

The local enforcement agencies determine the appropriateness.

Mr. CRAMER. That was the second question I was going to ask. I am glad to have that in the RECORD. The word "their" in "based on their evaluation of

State and local problems of law enforcement and criminal justice" relates to the local law enforcement authorities or the State authorities?

Mr. CELLER. The local law enforcement agencies.

Mr. CRAMER. Mr. Chairman, I move to strike the requisite number of words for the purpose of asking an additional question.

On the amendment to title II—and I understand that both of these amendments are being offered en bloc to titles I and II. Is that correct?

Mr. CELLER. Yes.

Mr. CRAMER. You are adding a subsection (a) which includes the prevention and control of riots and that relates to a plan of law enforcement and criminal justice under the title II grants as compared to the planning grants under title I. This would clearly bring in the prevention and control of riots in the grants under title II. Is that correct?

Mr. CELLER. That is correct.

Mr. CRAMER. Why was not detection of riots covered in as well as prevention and control? Why not include detection?

Mr. CELLER. Would not the word "prevention" more or less involve and include the word "detection"?

Mr. CRAMER. In my opinion, it would not. That is why I was asking the question.

Mr. CELLER. This colloquy we are now having would be an admonishment to those who would enforce the act that "detection" would be embraced.

Mr. CRAMER. I say to the distinguished chairman I appreciate that observation. However, we had a recent experience on the antiriot legislation the other day in which the MacGregor amendment was passed. Which might indicate such legislative records of intent are ignored. The express and clear intent and purpose of that amendment in the antiriot bill, which was passed a few weeks ago by this House 347 to 70, was to the effect of redefining "interstate commerce," to conform it to the title 18 definition which would make it a crime within the District of Columbia to incite a riot. This was for the express purpose of making certain that the District of Columbia would be included and interstate activity as such between the District and other States was not necessary but the prohibited acts within the District is sufficient.

Those who incite a riot in the District or who aid and abet others in inciting a riot in the District or in committing an act of violence relating to a riot within the District would be committing a Federal crime within the District under the Cramer antiriot bill, (H.R. 42). I had hoped that the Attorney General had read that debate and the purposes of that amendment and if he had, he would have understood that the antiriot bill included the District of Columbia, but I understand yesterday after we had these problems here relating to an invasion of our Nation's Capitol, the Attorney General came up with a message asking for a specific antiriot incitement statute for the District of Columbia. So, if it were not for my experience, I say to the distinguished chairman, I would be willing to stand on what the record shows, but this is clearly evidence that the people who have the job of enforcing these things do not adequately acquaint themselves with the record.

I thank the distinguished chairman for this colloquy.

The CHAIRMAN. The question is on the amendments offered by the gentleman from New York.

The amendments were agreed to.

AMENDMENT OFFERED BY MR. CAHILL

Mr. CAHILL. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. CAHILL: Beginning on page 17, strike out lines 5 and all that follows down through and including line 22 on page 22, and insert in lieu thereof the following:

"TITLE I—PLANNING GRANTS

SEC. 101. The Attorney General shall make grants to the States for the establishment and operation of State law enforcement and criminal justice planning agencies (hereinafter referred to as "State planning agencies") for the preparation, development, and revision of the State plans required under section 203 of this Act. States may make application to the Attorney General for such grants within three months of the effective date of this Act.

SEC. 102. (a) A grant made under this title to a State shall be utilized by the State to establish and maintain a State planning agency. Such agency shall be created by and under the direction of the chief executive of the State. The State planning agency shall be representative of law enforcement and criminal justice agencies of the State and of the units of general local government in the State.

"(b) The State planning agency shall—

"(1) develop, in accordance with title II, a comprehensive statewide plan to carry out new and innovative approaches for the improvement of law enforcement and criminal justice throughout the State;

"(2) define, develop, and correlate programs and projects for the State and the units of general local government in the State or combinations of States or units for improvement in law enforcement and criminal justice; and

"(3) establish priorities for the improvement in law enforcement and criminal justice throughout the State.

"(c) The State planning agency may make grants to units of general local government, and combinations of such units, to enable them to participate in formulation of comprehensive State plans.

"SEC. 103. A Federal grant authorized under this title shall not exceed 90 per centum of the expenses of the establishment and operation of the State planning agency, including the preparation, development, and revision of the plans required by title II. Where Federal grants under this title are made directly to units of general local government as authorized by section 205, the grant shall not exceed 90 per centum of the expenses of local planning, including the preparation, development, and revision of plans required by title II.

"SEC. 104. Funds appropriated to make grants under this title for a fiscal year shall be allocated by the Attorney General among the States for use therein by the State planning agency or units of general local government, as the case may be. In allocating funds under this section the Attorney General shall reserve such amount, but not in excess of 3 per centum of the amount being allocated, as he may determine and shall allocate such amount among the Commonwealth of Puerto Rico, the Virgin Islands, Guam, the Canal Zone, American Samoa, and the Trust Territory of the Pacific Islands according to their respective needs. The Attorney General shall allocate $100,000 to each of the fifty States and the District of Columbia; and he shall then allocate the remainder of such funds available among the States and the District of Columbia according to their relative populations.

"TITLE II—GRANTS FOR LAW ENFORCEMENT AND CRIMINAL JUSTICE PURPOSES

"SEC. 201. (a) The Attorney General shall make grants to the States for the development of new approaches to, and improvements in, law enforcement and criminal justice by the States, units of general local government, and combinations of such States or units. The purposes for which grants may be made include:

"(1) public protection, including the development, demonstration, and evaluation of methods, devices, equipment, and designs to increase safety from crime in streets, homes, and other public and private places;

"(2) equipment, including the development and acquisition of equipment designed to increase the effectiveness and improve the deployment of law enforcement and criminal justice personnel;

"(3) the recruitment, education, and training of all types of law enforcement and criminal justice personnel;

"(4) management and organization, including the organization, administration, and coordination of law enforcement and criminal justice agencies and functions;

"(5) operations and facilities for increasing the capability and fairness of law enforcement and criminal justice, including the processing, disposition, and rehabilitation of offenders;

"(6) community relations, including public understanding of and cooperation with law enforcement and criminal justice agencies;

"(7) public education relating to crime prevention, including education programs in schools and community agencies; and

"(8) construction of buildings or other physical facilities which fulfill a significant innovative function.

"(b) The amount of any Federal grant made under this title may be up to 60 per centum of the cost of the program or project specified in the application for such grant. No Federal grant made under this title for the purpose of construction of buildings or other physical facilities shall exceed 50 per centum of the cost of construction of buildings or other physical facilities.

"SEC. 202. Any State desiring to participate in the grant program under section 201 shall establish a State planning agency as described in title I of this Act and shall within six months after approval of a planning grant under title I submit to the Attorney General through such State planning agency a comprehensive State plan formulated pursuant to title I of this Act.

"SEC. 203. The Attorney General shall make grants under this title to a State planning agency if the State planning agency has on file with the Attorney General a current comprehensive State plan (not more than three years in age) which conforms with the purposes and requirements of this Act. Each such plan shall—

"(1) provide for the administration of such grants by the State planning agency;

"(2) provide that at least 50 per centum of all Federal funds granted to the State planning agency under this title for any fiscal year will be available to units of general local government or combinations of such units for the development and implementation of programs and projects for the improvement of law enforcement and criminal justice.

"(3) adequately take into account the needs and requests of the units of general local government in the State and encourage local initiative in the development of programs and projects for improvements in law enforcement and criminal justice, and provide for an appropriately balanced allocation of funds between the State and the units of general local government in the State and among such units;

"(4) incorporate innovations and advanced techniques and contain a comprehensive outline of priorities for the improvement and coordination of all aspects of law enforcement and criminal justice dealt with in the plan, including descriptions of: (A) general needs and problems; (B) existing systems; (C) available resources; (D) organizational systems and administrative machinery for implementing the plan; (E) the direction, scope, and general types of improvements to be made in the future; and (F) to the extent appropriate, the relationship of the plan to other relevant State or local law inforcement and criminal justice plans and systems;

"(5) provide for effective utilization of existing facilities and permit and encourage units of general local government to group or provide for cooperative arrangements with respect to services, facilities, and equipment;

"(6) provide for research and development;

"(7) provide for appropriate review procedures of actions taken by the State planning agency disapproving an application for which funds are available or terminating or refusing to continue financial assistance to units of general local government or combinations of such units;

"(8) demonstrate the willingness of the State and units of general local government to assume the costs of improvements funded under this title after a reasonable period of Federal assistance;

"(9) demonstrate the willingness of the State to contribute technical assistance or services for programs and projects contemplated by the Statewide comprehensive plan and the programs and projects contemplated by units of general local government;

"(10) set forth policies and procedures designed to assure that Federal funds made available under this title will be so used as not to supplant State or local funds, but to increase the amounts of such funds that would in the absence of such Federal funds be made available for law enforcement and criminal justice;

"(11) provide for such fiscal control and fund accounting procedures as may be necessary to assure proper disbursement of and accounting of funds received under this title; and

"(12) provide for the submission of such reports in such form and containing such information as the Attorney General may reasonably require.

"Sec. 204. State planning agencies shall receive applications for financial assistance from units of general local government and combinations of such units.

When a State planning agency determines that such an application is in accordance with the purposes stated in section 201 and is in conformance with the Statewide comprehensive plan, the State planning agency is authorized to disburse funds to the applicant.

"Sec. 205. Where a State fails to make application for a grant to establish a State planning agency pursuant to title I of this Act within three months after the effective date of this Act, or where a State fails to file a comprehensive plan pursuant to section 202 within six months after approval of a planning grant to establish a State planning agency, the Attorney General may make grants under title I and title II of this Act to units of general local government or combinations of such units: *Provided, however,* That any such unit or combination of such units must certify that it has submitted a copy of its application to the chief executive of the State in which such unit or combination of such units is located. The chief executive shall be given not more than 60 days from date of receipt of the application to submit to the Attorney General in writing an evaluation of the project set forth in the application. Such evaluation shall include comments on the relationship of the application to other applications then pending, and to existing or proposed plans in the State for the development of new approaches to and improvements in law enforcement and criminal justice. If an application is submitted by a combination of units of general local government which is located in more than one State, such application must be submitted to the chief executive of each State in which the combination of such units is located. No grant under this section to a local unit of general government shall be for an amount in excess of 60 per centum of the cost of the project or program with respect to which it was made.

"Sec. 206. (a) Funds appropriated to make grants under this title for a fiscal year shall be allocated by the Attorney General among the States for use therein by the State planning agency or units of general local government, as the case may be. In allocating funds appropriated for the Fiscal years ending June 30, 1968, June 30, 1969, and June 30, 1970, the Attorney General shall reserve such amount, but not in excess of 3 per centum of the amount being allocated, as he may determine and shall allocate such amount among the Commonwealth of Puerto Rico, the Virgin Islands, American Samoa, and the Trust Territory of the Pacific Islands according to their respective needs. Of the remaining funds, 75 per centum shall be allocated among the fifty States and the District of Columbia according to their respective populations and 25 per centum thereof shall be allocated as the Attorney General shall determine.

"(b) On or before January 1, 1970, the Attorney General shall report to Congress his recommendations with respect to a nondiscretionary formula for apportionment of funds authorized to carry out this section for the fiscal year ending June 30, 1971, and fiscal years thereafter."

RELATED AMENDMENTS TO H.R. 5037 OFFERED BY MR. CAHILL

On page 26, line 4, strike out "(a)".

Beginning with line 18 on page 26, strike out everything down through line 13 on page 27.

On page 28, strike out lines 14 and 15 and insert the following:

"(3) any plan or application required as a prerequisite to the receipt of a grant under this Act;".

On page 29, strike out lines 10, 11, and 12 and renumber the succeeding sections accordingly.

On page 29, at the end of line 21, insert "and", and at the end of line 24 strike out the semicolon and "and" in line 25, and insert in lieu thereof a period.

On page 30, in line 7, strike out "Except as provided in section 204, the" and insert in lieu thereof "The", and beginning in line 12 strike out "or that such aims will not be fulfilled in an economical and efficient manner".

On page 31, strike out lines 6 through 16.

On page 32, strike out lines 13 through 16 and redesignate the following subsections accordingly.

Mr. POFF (interrupting the reading of the amendment). Mr. Chairman, in the light of the fact that there is a general acquaintance with the language of the amendment and in order to expedite the movement of this debate, I ask unanimous consent that the amendment be considered as read and that it be printed at this point in the Record.

The CHAIRMAN. Is there objection to the request of the gentleman from Virginia?

Mr. CELLER. Mr. Chairman, reserving the right to object—and I shall not object—I would like to ask the mover of the amendment whether or not the amendment we are now considering is the one that was printed in the Record.

The CHAIRMAN. Does the gentleman from New Jersey [Mr. Cahill] care to respond to the gentleman from New York?

Mr. CAHILL. Yes; I shall be happy to respond to the gentleman.

Mr. Chairman, the amendment is the same as that amendment which was printed in the Record with the exception, I think, of one or two typographical errors, and then there are added to it two paragraphs which were submitted to the counsel of the committee, and two conforming amendments which in substance are identical——

Mr. CELLER. The gentleman, of course, will explain the amendment in detail?

Mr. CAHILL. Yes.

The CHAIRMAN. Is there objection to the request of the gentleman from Virginia?

There was no objection.

Mr. MacGREGOR. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman from Minnesota will state his parliamentary inquiry.

Mr. MacGREGOR. Mr. Chairman, I have at the Clerk's desk two amendments to the Cahill amendment, and at the appropriate time I shall ask unanimous consent that they be considered en bloc. They pertain to riots and violence, civil disorders, and organized crime.

My parliamentary inquiry, Mr. Chairman, is simply this: When will it be appropriate for me as a member of the subcommittee and as a member of the full Committee on the Judiciary to be recognized for the purpose of offering those two amendments to the Cahill amendment?

The CHAIRMAN. The Chair will state to the gentleman from Minnesota that he will be recognized at the appropriate time at which the Chair recognizes the gentleman.

Mr. MacGREGOR. Then, I shall stay on my feet, Mr. Chairman.

The CHAIRMAN. The gentleman from New Jersey is recognized for 5 minutes.

Mr. CAHILL. Mr. Chairman, I ask unanimous consent to proceed for an additional 5 minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from New Jersey?

Mr. HALL. Mr. Chairman, reserving the right to object, would the gentleman make that request at the end of his first 5 minutes, in accordance with the accustomed procedure on the floor of the House?

The CHAIRMAN. Does the gentleman from New Jersey withdraw his unanimous-consent request?

Mr. CAHILL. I do not, Mr. Chairman.

The CHAIRMAN. Is there objection

to the request of the gentleman from New Jersey?

Mr. HALL. Mr. Speaker, I object.

The CHAIRMAN. Objection is heard.

Mr. CAHILL. Mr. Chairman, I would say to the Committee, before proceeding with the explanation of the amendment, I think a few comments might be relevant and helpful.

I would first like to point out that the bill which we are discussing, H.R. 5037, is not the original work product of any Member of the Congress of the United States. I would point out that the bill was handed up to the Speaker of the House by an executive communication from the Attorney General on February 8, 1967, and was introduced the same day by the chairman of the Judiciary Committee; and, that February 8 was, incidentally, 10 days prior to the release date of the report of the President's Commission on Crime which brought about, I think, a shocking impact upon all America, as to the enormity of the criminal problem facing the United States. In other words, this bill anticipated what the President's report on crime would disclose.

The author of the bill is anonymous. The facts indicate, however, that he, or they, are definitely employees of the Department of Justice.

Now, why do I make these two observations? First of all to draw your attention to the fact that this is essentially legislation by the executive branch of the Government and, second, to explain why this bill insists upon the discretionary powers being given to the Attorney General.

And, second, I must comment on the committee action. The Judiciary Committee of the House of Representatives had three choices to make: We could accept the bill in its original form, which in my judgment would have been unwise; we could have amended the bill which would have been most desirable, or we could have rejected the bill altogether, which in the prevailing atmosphere, particularly the days immediately following the disclosures by the President's Commission on Crime, would certainly have not been in keeping with the best public interests.

So many of us chose the route of amendment.

Just to illustrate dramatically the form this bill was in when it was handed up by the executive department, 20 amendments, all substantive in nature, were agreed upon and adopted by the Committee on the Judiciary.

The thing I would like to bring to your attention specifically was the growing interest in committee that was generated by many of the members for more active State participation, and for more emphasis upon State planning. When this interest was generated and became obvious then and only then did the Attorney General agree to what is referred to as a compromise amendment which was introduced in the committee and approved at the request of my very able and good friend, the gentleman from Maryland [Mr. MATHIAS].

I would recommend the Members read this so-called compromise and they will observe with me that while the local units of government must submit their applications to the Governor of the State, the only thing that the Governor of the State can do is to comment upon them. There is no veto power. There is no right of the executive to substitute. There is no opportunity to modify or to change in any way.

And what occurs if the executive disapproves of the plan is not made clear.

So there were those of us in the committee, especially the gentleman from Illinois [Mr. RAILSBACK], the gentleman from Pennsylvania [Mr. BIESTER], and the gentleman in the well——

The CHAIRMAN. The time of the gentleman from New Jersey has expired.

(On request of Mr. MACGREGOR, and by unanimous consent, Mr. CAHILL was allowed to proceed for 5 additional minutes.)

Mr. CAHILL. These gentlemen attempted without success to present to the committee an amendment substantially the same as the one that is now being presented to the committee which would carry out the purposes that I have just mentioned. In other words, an amendment that would develop a comprehensive plan with greater State participation.

I would like to say that that amendment failed. As a result I am proposing a like amendment to the Committee of the Whole at this time and will briefly outline its main provisions.

The amendment is really a substitute of title I and title II. Under title I, in accordance with the amendment, there would be planning money on a 90-10 basis, the same as there is in the administration bill, to State planning agencies. These agencies would create a comprehensive plan. They would be made up of representative citizens, knowledgeable people in all fields of law enforcement. They would take into consideration all facets of the life of their State with emphasis, of course, on any large cities that might be located within their State.

Under this amendment there would be an allocation formula which, I say to you, is not in the bill which you are considering. The allocation formula under the amendment would provide a basic grant to every State in the Union, and to the District of Columbia in the sum of $100,000. Thereafter, the money would be disbursed according to the population of each State.

I would say to you under the terms of the allocation formula five of those States—as I recall, Pennsylvania, Illinois, California, Texas, and Ohio—would receive in excess of $1 million under title I of this bill.

The balance of the funds would go according to population, with the more populous States, of course, receiving the more money. If the State does not act, if the State does not make an application, then under the amendment the local municipalities or local units of government can.

Title II, which is the granting section, provides first of all that the State must establish an agency within 3 months of the signing of the bill; that the State must submit a plan to the Attorney General of the United States within 6 months of the approval of the planning grant.

I would point out respectfully to the committee that the purposes for the expenditure of funds under the amendment are exactly the same as they are under the administration's bill. If the State fails to apply for grants again under the amendment, the local units of government can.

Under this amendment, there is also a formula which is missing in the administration bill. The formula here for grants would be: 75 percent based upon population of the State; and 25 percent within the discretion of the Attorney General.

Now why do we say that that should exist? For the simple reason that this bill seeks to produce new and innovative functions for the purpose of combating crime in our country. We recognize that one plan may be superior to another and while we think basically that all States should participate and should get funds, we also agree that if some are better than others—if they meet the national pattern and if they meet the national plan that the Attorney General should have this discretion. So that is in the amendment.

The formula for money is basically the same as it is in the administration bill. If this bill is amended by the amendment which the gentleman from Illinois [Mr. RAILSBACK] and I propose, there would be two basic differences. One is that there would be established a formula and this would insure that every State and the District of Columbia would get a minimal sum of money—not less than $100,000. The top figure, I believe, is $1,750,000.

Second, this would require a comprehensive plan so that each State would be able to take care of its own particular needs. Each State would recognize what the problems are as far as that section of the country is concerned.

Certainly what the crime problem is in New York State is not the same crime problem that may exist in the State of New Mexico. Of course, this is not to say that New Mexico does not have problems. But this is to say that the knowledgeable people of a State under the direction of the chief executive of their State should analyze their problem and determine what they need and come up with innovative plans and prepare those plans and submit them to the Attorney General.

Let me point this out to anyone who has any concern about any State not participating properly. The final decision as to whether a State shall or shall not qualify is left to the Attorney General of the United States. I find it difficult to understand why he opposes the bill.

The CHAIRMAN. The time of the gentleman from New Jersey has expired.

Mr. CAHILL. Mr. Chairman, I ask unanimous consent to proceed for 3 additional minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. CAHILL. Mr. Chairman, it seems to those of us who support this amendment that instead of hurting the administration's desire to effectively fight crime in the United States that this amendment will insure its success.

May I say in conclusion that those of us who support this amendment recognize immediately that we cannot cure crime by money alone. We cannot cure it by providing new buildings or sophisticated and more deadly weaponry. I feel that we are almost akin to Dr. Walter Reed when he was sent to fight yellow fever. Certainly, while more beds and nurses were necessary, they were not in of themselves the answer to the problem. Neither is it the answer to the problem of crime. We have to find the cause of crime. We have to find the mosquito—the thing in human nature that propels people into crime.

After we determine that, we must eliminate the breeding ground of crime.

It seems to me, therefore, that the concept of this bill is constructive and if we can work out an implementation on the basis suggested, I think we will be making a very positive, progressive, and constructive step forward.

Therefore, I would say to you this is a fundamental question, for you, the Members of the Congress of the United States, to answer. The question is put simply: Shall we give the States of this Union an opportunity to do the job they say they can do? Shall we give them an opportunity to try to solve the problem on their own level? Shall we give them an opportunity to carry out the functions for which State governments were really established and created?

I would say to you—and I know that my Governor is one of the men who says he is opposed to the amendment and is in favor of the administration bill—I would say to you that any Governor of any State who opposes this amendment and supports the bill as presently written either does not understand what is in the bill and what the amendment proposes, or—and I hope this never happens—but the other alternative has to be that he and his administration have lost confidence in the ability of the individual State to cope with crime within its borders and to make a forceful and constructive and progressive and innovative contribution to the elimination of crime in the United States of America.

I recommend this amendment to the Members and enlist your support.

Mr. Chairman, I urge the adoption of this amendment.

Mr. CELLER. Mr. Chairman, I rise in opposition to the amendment offered by the distinguished gentleman from New Jersey. When the gentleman says that the bill is an anonymous bill, that is beyond my comprehension. That bill on its masthead bears my name, and I am very proud to have my name attached to it.

I want to say here and now that the gentleman from New Jersey must realize that the Judiciary Committee wears nobody's collar, that the Judiciary Committee has not about its neck the albatross of partisanship. The Judiciary Committee, of all committees of this House, acts with fairness and objectivity. I am sure the Members of the House who know something about the work of the Judiciary Committee will bear me out in that regard.

I think it is a bit unfair for the gentleman from New Jersey to befoul his own nest—he is a member of the Judiciary Committee—as he does when he casts these aspersions on the work of the distinguished Judiciary Committee.

Mr. CAHILL. Mr. Chairman, will the gentleman yield?

Mr. CELLER. I yield to the gentleman from New Jersey, but I hope that he will not interfere with the train of my thought.

Mr. CAHILL. I merely wish to say, in all sincerity and with the greatest emphasis I possess, that was not my intention, and I hope the chairman will believe me. I meant to point out merely that the bill came to the House through an executive communication, that the Judiciary Committee worked its will on it, but that it was the original product of someone in the Justice Department. I have the greatest respect for the Judiciary Committee, its members, and particularly its chairman.

Mr. CELLER. I am glad to receive the information that the enthusiasm so recently expressed has been misguided.

I want to say with reference to this bill there were many executive sessions. There were many executive sessions before the subcommittee. There were many executive sessions before the full committee. It is interesting to note, in the interest of bipartisanship, that some 25 amendments were adopted in the committee changing the character of the original bill. Whose amendments were they? They came from the Republican side of my committee, of which side the distinguished gentleman from New Jersey is a member, which clearly indicates that we did not take this as it was handed to us by someone from above.

This bill has been substantially changed from the type of bill it was when we first received it.

The amendment offered by the gentleman from New Jersey would change the entire character of the bill. We did not get the terms of the amendment of the gentleman from New Jersey until a few days ago, after the bill had been reported by the committee to the House, and we were about to consider the bill in the House last week.

The amendment provides for block grants to the States under the supervision of what is called in the amendment a State planning agency. The members of the planning agency would be appointed by the Governor. The Governor would have absolute control, because he would control the appointees. He would own them lock, stock, and barrel. The Governor would have veto control. He would have approval control.

In my humble opinion, that kind of program would dump the whole situation into a political cockpit. The State planning agency would become an instrumentality of tremendous power.

We were told by the Attorney General that the first year the cost of the program might run to $30 or $50 million. In the second year it might run to $300 million, and at the end of the fourth year it might run to $1 billion. That is a tremendous nest egg for these State planning agencies of the Governors to have under their control.

The CHAIRMAN. The time of the gentleman from New York has expired.

(By unanimous consent, Mr. CELLER was allowed to proceed for 5 additional minutes.)

Mr. CELLER. Mr. Chairman, they would have a direct pipeline to the Treasury of the United States. There is no restriction on the types of persons who could be appointed to these advisory boards or commissions. They could be of one party. They could be old or young. They could be ignorant or erudite. It is all left to the Governors of the various States. All they need be would be representative of law enforcement agencies in the State. That is the term used. I do not know exactly what that means. They would not have to be law enforcement agencies, only representative of law enforcement agencies.

Provision is made that the allocations would be granted to the States according to population. That is a rather unusual criteria to offer, in view of what is happening throughout the length and breadth of the country. It is in the cities where there is the greatest amount of crime, so the criteria should be related to the cities, not necessarily to population.

The figures show, for example, that with reference to the crime of burglary, which is a city crime and not necessarily a rural crime, in 1960 the rate was per 100,000 of population, 465.5. In 1965, 5 years after that, the rate rose to 605.3. For larceny of $50 or over, it was 271.4 in 1960, and 393.3 in 1965. For motor vehicle theft, it was 179.2 in 1960. and 251 in 1965.

OFFENSES KNOWN TO THE POLICE, 1960–65

[Rates per 100,000 population]

Offense	1960	1961	1962	1963	1964	1965
Willful homicide	5.0	4.7	4.5	4.5	4.8	5.1
Forcible rape	9.2	9.0	9.1	9.0	10.7	11.6
Robbery	51.6	50.0	51.1	53.0	58.4	61.4
Aggravated assault	82.5	82.2	84.9	88.6	101.8	106.6
Burglary	465.5	474.9	489.7	527.4	580.4	605.3
Larceny $50 and over	271.4	277.9	296.6	330.9	368.2	393.3
Motor vehicle theft	179.2	179.9	193.4	212.1	242.0	251.0
Total crimes against persons	148.3	145.9	149.6	155.1	175.7	184.7
Total property crimes	916.1	932.7	979.7	1,070.4	1,190.6	1,249.6

Sources: FBI, Uniform Crime Reports Section, unpublished data.
"The Challenge of Crime in a Free Society," a report by the President's Commission on Law Enforcement and Administration of Justice, p. 24.

Beyond that, we are told, through the President's Commission on Crime and from other sources, that the Governors and State authorities rarely, if ever, gave much attention to local law enforcement. The Governors usually display little or no interest. Now suddenly they are to be the top dogs in the dispensing of these huge funds for local law enforcement.

When we look at State governments and look at their involvement in local law enforcement, we will see that it has been almost nil. These are the words of the Attorney General, repeating the words of the President's Commission on Crime:

> Mr. CLARK. When you look at State governments and look at their involvement in local law enforcement, you will see that it is almost nil. New York State does not contribute to the $380 million annual budget for criminal justice of New York City. They don't give money and they don't have the potential. They have just established an office, in fact with two or three people in it, to try to correlate criminal justice information for smaller jurisdictions. But the State doesn't have the experience, it doesn't have the people, it does not make the investment in law enforcement and police that the local governments make. So they could not contribute.

And so it is with almost every State in the Union. Only a comparatively few States had any kind of law enforcement agency, the so-called State police. I believe there are of those only a few.

Then, what were the duties of the State police? It is traffic and highway control. They have nothing to do with local law enforcement. Now they suddenly are to be given these vast sums of money for local law enforcement. They have no expertise. They have no personnel. They have no knowledge whatsoever with reference to coping with these tremendous problems that now beset us.

The Attorney General said:

> As of 1965, approximately 308,000 law enforcement personnel were employed full-time at the local level—viz., city, suburb and county. Approximately two-thirds of this total were employed in cities. The remainder were employed by counties and suburbs.
>
> As of 1965, approximately 40,000 police and highway patrolmen were employed full-time at the State level. Even this figure, however, gives a misleading impression. Only thirteen of the States have State police agencies with general law enforcement powers; the authority of the remainder is limited to highway and traffic duties. Using a very rough approximation, roughly one quarter of the 40,000 or 10,000 have any legal authority to do anything more than highway patrol. Moreover, even these 10,000 in practically all states devote a small proportion of their time relatively, to non-traffic law enforcement.

Even this figure, however, gives a misleading impression. Only 13 of the States have State police agencies with general law enforcement powers. The authority of the remainder is limited to highway and traffic duty. Using a very rough approximation, roughly one-fourth of the 40,000 as shown by the following table:

TABLE 1.—A PROFILE OF FEDERAL, STATE, AND LOCAL LAW ENFORCEMENT AGENCIES

	Agencies	Full-time personnel				Dollars spent					
	Number in 1965	Number in 1955	Number in 1965	Percent of total in 1965	Percent average annual increase, 1955–65	Total in millions, 1955	Total in millions, 1965	Per capita expenditure, 1955	Per capita expenditure, 1965	Percent of dollars, 1965	Percent average annual increase, 1955–65
Federal	50	22,000	23,000	6.2	0.5	129	220	$0.78	$1.26	8.5	7.7
State	200	22,000	40,000	10.8	8.2	139	315	.84	1.79	12.2	12.7
Local	39,750	229,000	308,000	83.0	3.4	1,091	2,051	6.60	11.25	79.3	8.8
Total	40,000	273,000	371,000	100.0	3.6	1,359	2,586	8.22	14.20	100.0	9.0
Percent increase			35.9				90.3		72.7		

Source: Memorandum from Michael S. March, Assistant Chief of Education, Manpower and Science Division. U.S. Bureau of the Budget, May 11, 1966.

The CHAIRMAN. The time of the gentleman from New York has expired.

Mr. CELLER. Mr. Chairman, I ask unanimous consent that I may proceed for 5 additional minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from New York?

Mr. ARENDS. Mr. Chairman, reserving the right to object—and I trust I will not have to object—I suggest to the chairman of the Judiciary Committee that there is some hope among the membership that we can finish consideration of this bill today. If the Members continue to now discuss this measure at great length, as we did for 2 days the previous week, we will not be able to finish it today. We should try to expedite the business before us and not find ourselves at the end of this day that we will have to go over until another day.

Mr. CELLER. Mr. Chairman, if the gentleman will yield, I say to the gentleman that I will do all in my power to expedite the consideration of the bill. This is an amendment which has not been read, which I believe requires explanation. I assure the gentleman that I have no desire to prolong unduly the session this afternoon. I shall do my best to carry out expeditious consideration of the bill.

Mr. ARENDS. The gentleman will recall what happened last week, when we then might have stayed in session a little longer and might have finished consideration of the bill during that week, but it was put over until now. We might well find ourselves in that same peculiar situation again, unless we all cooperate and make every effort to finish consideration of this bill this very day.

Mr. Chairman, I withdraw my reservation of objection.

The CHAIRMAN. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. CELLER. Mr. Chairman, I shall put these figures into the RECORD, to clearly indicate that there has been an utter lack of interest on the part of State authorities with respect to law enforcement.

With this Cahill amendment, to put the Governors and the States into a position of endeavoring to control law enforcement, this is something they have not done all these years. For more than 100 years they have not shown any real interest or responsibility for law enforcement.

The cost of law enforcement is borne by local taxation, not by the State. Law enforcement is purely a local matter and not a State matter.

Within that principle, the bill was drafted.

In addition thereto, I want to state that I have received scores and scores of telegrams, which I will place in the RECORD, which clearly indicate the feeling on this bill. They come from police officers, from sheriffs, and from cities in South Carolina, North Carolina, Massachusetts, Illinois, Colorado, New York, Kansas, Connecticut, Texas, Indiana, Arizona, Missouri, Pennsylvania, New Jersey, Michigan—from almost every State in the Union.

I have received communications from police departments and from chiefs of police and from mayors of cities. I have received any number of letters from mayors of cities, from the Council of Mayors and from the Council of Sheriffs, all saying that they want this bill intact and they do not want State interference in this matter with reference particularly to lump sum awards granted to the States.

Beyond that, there is nothing in this bill which would prevent a State from submitting a plan so that the State might participate.

Let me read briefly what the distinguished gentleman from Ohio [Mr. MCCULLOCH] and the distinguished gentleman from Maryland [Mr. MATHIAS] said with reference to State participation. Members will find this at page 26 of the report:

> The bill was amended (by Mr. Mathias) to insure that the Governors of the States would be kept fully informed on local applications and that the Governor would have a voice in establishing the priorities for fighting crime within his State, by requiring that the Governors be furnished with all applications submitted.

In addition, if the Members will read the bill, on page 20, section 203, they will find it specifically mentioned that the States or combinations of States can submit plans to the Attorney General and would receive funds for those plans.

On page 21, at line 20, we have the words: "encourage State and local initiative in developing comprehensive law enforcement and criminal justice plans."

On page 22, it is said: "encourage plans which are related to and coordinate with other relevant State or local law enforcement and criminal justice plans and systems."

Throughout this bill we have arrangements whereby the States can come in and participate either separately or individually or in combination, or in metropolitan areas, and share in the funds that are appropriated by Congress for this wonderful purpose of law enforcement. So when it is said that the States are not in this picture, that is not true.

The States are vitally in this picture. The States have a vital concern in and play a vital part in this entire program. For that reason, the bill is sufficient in that regard, and I do hope that the amendment of the gentleman from New Jersey will be voted down.

AMENDMENTS OFFERED BY MR. MAC GREGOR TO THE AMENDMENT OFFERED BY MR. CAHILL

Mr. MACGREGOR. Mr. Chairman, I have two amendments at the Clerk's desk and ask unanimous consent that they both be read and considered en bloc.

The CHAIRMAN. Are they to the pending amendment of the gentleman from New Jersey?

Mr. MACGREGOR. They are, Mr. Chairman.

The CHAIRMAN. Then, there is no unanimous consent required.

The Clerk will report the amendments.

The Clerk read as follows:

Amendments offered by Mr. MACGREGOR to the amendment offered by Mr. CAHILL: On page 2 of the Cahill amendment, at the end of section 102, insert a new section 103 reading:

"In the development of all plans under this title the highest priority shall be given to the detection, prevention, and control of riots and violent civil disorders, and of organized crime."

And renumber the remaining sections of title I of the Cahill amendment accordingly.

At the top of page 11 of the Cahill amendment, insert a new section 206 reading:

"No grant shall be made under this title unless both grantor and grantee shall have given the highest priority, where appropriate or feasible, to programs and projects dealing with riots and violent civil disorders, and organized crime."

And renumber the remaining section as section 207.

Mr. MACGREGOR. Mr. Chairman, as you have just heard from the Clerk's reading, these amendments go to title I pertaining to plans and title II pertaining to action grants, as set forth in the amendment offered by our colleague, the gentleman from New Jersey [Mr. CAHILL]. The language of my amendments differs to some extent from the language of the amendments offered at the opening of the amendment process today by the distinguished chairman of the Committee on the Judiciary, the gentleman from New York [Mr. CELLER]. They differ in that they direct that in carrying out this legislation the highest priority be given to the problems of riots and violent civil disorders and to the problem of organized crime.

Twelve of the fifteen minority members of the Committee on the Judiciary filed general minority views, which I am sure the members of the Committee have read. In those minority views we emphasize the fact that the administration bill was lacking in an assessment and a fixation of priorities. I am sure I speak for each of us in this Chamber and indeed for all Americans in saying that Americans believe that in law enforcement and in criminal justice today a high priority and indeed the highest priority should be given to the problems of riots and violent civil disorders and, yes, of organized crime.

Mr. CAHILL. Mr. Chairman, will the gentleman yield?

Mr. MACGREGOR. I yield to the gentleman from New Jersey.

Mr. CAHILL. So that the committee will understand the situation, is my understanding correct that since the Hungate amendment was adopted first and since my amendment is basically a substitute to title I and title II and therefore might conceivably remove the Hungate amendment—am I correct in saying that if my amendment—and the amendment of the gentleman from Illinois [Mr. RAILSBACK]—is adopted in the Committee and if your amendment, which is an amendment to that amendment, is adopted, we will have effectively taken care of the priorities given riots the same as the amendment of the gentleman from Missouri [Mr. HUNGATE]?

Mr. MACGREGOR. The gentleman is absolutely correct.

In referring to the Hungate amendment, I am sure he means the amendment which we thought was to be introduced by the gentleman fom Missouri [Mr. HUNGATE] and which bears his name, but which was actually offered earlier today by the chairman of the committee, the gentleman from New York [Mr. CELLER].

Mr. CAHILL. The gentleman is correct.

Mr. MACGREGOR. I would say to the gentleman from New Jersey that it would do not only that, but it goes beyond that. It specifies the highest priorities for which the funds provided for under this bill shall be allocated, the priority problem that is most on the minds of the American people today.

Secondly, it directs emphasis upon the problem of organized crime. The reason for that is very simple, and not just because the President's Crime Commission report stressed the problem of organized crime, but it emphasized the fact that this problem is national in scope.

We are proposing for the first time a program of Federal Government funds to support local law enforcement and criminal justice. It seems entirely appropriate, therefore, that we give priority to Federal, or speaking more precisely, to national problems with reference to crime. Organized crime is a national problem during all 12 months of the year and not just during the riot-torn summer months.

Mr. Chairman, we are talking about high-powered operations, the rackets, the loan sharks, the gamblers who operate with sophisticated electronics equipment.

Mr. Chairman, the adoption of these amendments to the Cahill amendment will direct that Federal funds be given the highest priority in helping to advance local and State government programs dealing with riot control and the detection, prevention, and control of violent civil disorders.

Secondly, we direct and focus attention upon the problems of organized crime.

Mr. CRAMER. Mr. Chairman, will the gentleman yield?

Mr. MACGREGOR. I yield to the gentleman from Florida.

Mr. CRAMER. Mr. Chairman, in order to get it in focus, as the gentleman from Minnesota suggested—and pursuant to the colloquy which I had with the chairman of the Judiciary Committee, the gentleman's amendments are substantially stronger than the chairman's amendment to titles I and II of the bill, in that your amendment includes detection as well as prevention and control which in my opinion cannot be overlooked or excluded. Is not the problem of detection one of the primary problems?

The CHAIRMAN. The time of the gentleman from Minnesota has expired.

Mr. CRAMER. Mr. Chairman, I move to strike the requisite number of words.

Therefore, the gentleman's amendments are much stronger are they not; I ask the gentleman if that is correct?

Mr. MACGREGOR. The gentleman from Florida [Mr. CRAMER] is entirely correct.

Mr. CRAMER. Mr. Chairman, another question: Is the gentleman's amendment and the chairman's amendment to title II, which is applicable to grant money, is in the list of objectives but without priorities—but the gentleman's intent is to give it top priority; is that the case?

Mr. MACGREGOR. Mr. Chairman, if the gentleman will yield further, I must say to the gentleman from Florida that yesterday afternoon I suggested certain changes.

The chairman of the Judiciary Committee agreed with me that at least it should be moved to the top instead of being at the bottom of the list of priorities as enumerated in the administration bill. However, there is a list of eight or nine general areas where effort could be directed in law enforcement and criminal justice assistance. But the amendment I have offered spells out the priority. It makes it mandatory.

Mr. CRAMER. It makes it mandatory. Yes.

One other question with relation to riots, which is the substantial problem, and that is what can be done between the States in cooperation between States in determining what the future riot situations may be coming into the State, and communications between the States such as extradition between the States, relating to people who come in and have to be extradited back? The gentleman's amendment takes care of that problem does it not, not only as it applies to riots but to general organized crimes and organized criminal law enforcement?

The gentleman's amendment takes care of that problem, does it not, not only as it relates to riots, but organized crime as well, while the bill before us in titles I and II is completely silent on that subject?

Mr. MACGREGOR. The gentleman from Florida is eminently correct. One of the reasons why I so strongly support the Cahill substitute to titles I and II to the bill H.R. 5037 is because I can envision the Cahill substitute in operation. You have the Governors meeting constantly.

You have the western Governors and you have the eastern Governors, you have the Republican Governors and you have the Democratic Governors meeting, and they can and do readily cooperate. They can work together in connection with this problem of organized crime across State boundaries, and also involving metropolitan areas which involve more than one State.

Mr. CRAMER. The gentleman has touched upon a subject that I had hoped would be clarified in debate in regard to the importance of strengthening the antiriot amendment to titles I and II of the gentleman from New York [Mr. CELLER], as it relates to the States, but not only that, the substitute as proposed by the gentleman from New Jersey is to provide for the States doing precisely what the gentleman suggests. Their law enforcement planning can be that of State with State, as well as within the State, and thus between the States. There is no machinery whatsoever in the bill before us of allowing, or even permitting, such a thing to happen, be it relating to riots, be it relating to organized crime.

I say to the gentleman I am sure, as the gentleman knows, that if there is a problem in America today of any equal significance to that of riots, it is that of organized crime, and the bill before us does not even touch on that subject matter as such, but the gentleman's amendment does.

I would hope the gentleman's amendment will be adopted, it being substantially stronger and it can get to the roots of the problem, and permit the States to work between themselves as well as the local law enforcement within the States. And at the same time, by adopting the Cahill amendment as amended by the gentleman's amendment, we will then have an effective tool with the Governors having something to say about it.

I would like to say this: When we were drafting the bill on safety, which is now the 1966 act on safety, that was precisely the approach that was taken by the Congress—that the Chief Executive, the Governor, should be the one to get together with all law enforcement agencies, in this instance as well as it relates to highway safety, to come up with some comprehensive plan to have one person or group in the State who is responsible for doing this job, to give the States some say-so in it, and to make certain there is the proper allocation formula that every State would get some money.

There is nothing in the bill before us in title I or II to assure that the States will get any money. They can make their plans, but the only thing in it is that no State will get more than 15 percent, and there is no guarantee that even if the States go about making their plans that they will get 5 cents.

Mr. MACGREGOR. That is absolutely correct, and that is one of the strong features of the Cahill substitute.

Mr. RODINO. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I rise in opposition to the Cahill amendment.

Mr. Chairman, it is rather an unpleasant task for me to find myself in disagreement with my very good friend, the distinguished gentleman from New Jersey. I know he is sincerely motivated in the hope that his amendment would strengthen the bill, and if I thought that would be the case I would heartily endorse his amendment. But we have to look to experience and we have to inquire whether or not the planning agencies or the State planning committees have done their job.

Mr. Chairman, for recent experience with State planning committees under the Law Enforcement Assistance Act of 1965 provides several concrete examples of the range of problems that may be faced if the State planning agency amendment is adopted.

In spite of strenuous efforts by the Office of Law Enforcement Assistance to promote its grant program for "Governor's Planning Committees in Criminal Administration," the response of the States has been relatively apathetic. The concept of these committees originated with the National Crime Commission, whose chairman was the then Attorney General Nicholas deB. Katzenbach. Announcement of the program, which offers to pay 50 percent of the cost of the committees—up to a limit of $25,000—was made in a letter from the Attorney General to all Governors of March 10, 1966. The announcement transmitted program guidelines and a simplified application form. As of this date, only 14 grants have been approved in the program. Three grants are presently awaiting approval by the Attorney General, and six additional applications are now being processed in the LEA office. In no case has a grant application been denied.

Let me briefly discuss a few of the other problems that have arisen in this area:

In one case, the State attorney general is challenging the Governor's constitutional authority as chief executive to accept LEA funds. The Governor has obtained the assistance of State constitutional law experts, and has stated that he is prepared, if necessary, to carry the battle to the courts.

In another case, the executive director of a State planning committee resigned in the face of political pressure from some members of the committee to use it as a traveling investigative unit throughout the State.

In a third State, after the LEA grant was awarded, implementation of the project was delayed because the legislature failed to act on the State budget, which included funds for the State's matching share of the program cost.

In still another State, a specific legislative appropriation was necessary before the committee could begin its work.

In a fifth State, the planning committee was established pursuant to legislative enactment. However, the legislation provided a life of only 1 year for the committee, and specifically required that of the 15 members on the committee, five members each were to be appointed by the Governor and the two party leaders in the legislature.

Mr. Chairman, I firmly believe that this House will fall into serious error if it amends this bill to require State planning as the means of participation by local governments in this grant program. I urge that the amendment be defeated.

Mr. Chairman, I firmly believe that this House will fall into serious error if we were to adopt the amendment offered by the gentleman from New Jersey and that we would not be able to do the things that are necessary to be done under this bill and we would be waiting on the State planning agencies from now until doom's day to get their house in order before their work would be begun. For this reason, Mr. Chairman, I oppose the amendment.

Mr. CAHILL. Mr. Chairman, will the gentleman yield?

Mr. RODINO. I yield to the gentleman.

Mr. CAHILL. Does not the gentleman agree with me that grants under the Law Enforcement Assistance Act of 1965 amounted to $25,000 on a matching basis?

Mr. RODINO. That is correct.

Mr. CAHILL. And does not the gentleman agree that 22 States have filed plans and that 16 of those have already been funded.

Mr. RODINO. My information is that there were only 14 grants approved under this program thus far.

Mr. CAHILL. My information is that there have been 22 applications from 22 States that have filed plans.

Mr. RODINO. I previously cited five examples where they were not able to get going.

The CHAIRMAN. The time of the gentleman from New Jersey has expired.

Mr. RAILSBACK. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I would like to try to set the record straight, as to some of the remarks that have been made by our distinguished chairman which I feel may result from the fact that he did not have a chance to study carefully the amendment which we now have before us.

The distinguished chairman referred to a veto power on behalf of the States in the event that the amendment offered by the gentleman from New Jersey is adopted.

I would like to say, Mr. Chairman, there is no veto power under the proposed amendment. I would further say in addition there are four safeguards that are part of the amendment offered by the gentleman from New Jersey which I think provide absolute protection from any kind of arbitrary exercise of anything like a veto power by a Governor.

First, under title II of the proposed amendment, before any funds at all will be allocated to a State to carry out the innovative programs that are set forth in the proposed amendment, the Attorney General himself must approve a statewide comprehensive plan offered by the State.

Second, if a State should arbitrarily refuse to submit an application for either a planning grant or, in the event that they should apply and obtain a planning grant, and then do not produce a statewide comprehensive plan, under the proposed amendment that we are considering there is a provision which would permit a local unit of government to apply directly to the Attorney General. In other words, there is a provision for a bypass where the States act arbitrarily.

Third, there are two additional features to the proposed amendment, and I would like to quote one of them. On page 8 of the proposed amendment it is provided that every State plan submitted shall—"provide for appropriate review procedures of actions taken by the State planning agency disapproving an application for which funds are available, or terminating or refusing to continue financial assistance to units of general local government or combinations of such units."

In addition, there is another feature which would actually require that 50 percent of the action funds go to the local units of government. In other words, a firm guarantee that 50 percent of all funds allocated to a State can be and will be used by the local units of government.

Mr. Chairman, in reference to the administration bill, without this amendment what would it do and what would be its practical effect? I submit to you that there are more than 18,000 cities in this country. There are more than 3,000 counties. There are something like 19,000 separate governmental tax units, tax districts. What will be the practical effect if we have the U.S. Attorney General, without any kind of meaningful State participation, doing all of the screening and all of the approving? Can you imagine the tremendous number of applications that would be submitted in the very first year of operation under this bill if it was enacted?

Mr. Chairman, I submit that there is good cause to provide for the States to act as the screening authority in the allocation of funds after they have shown their good faith by producing a statewide comprehensive crime program.

The Attorney General himself, when he appeared before our committee, testified that it is time that we do something to get the States moving. If we are going to do something, we have an opportunity to do it right now by adopting the amendment offered by the gentleman from New Jersey.

Mr. MacGREGOR. Mr. Chairman, will the gentleman yield?

Mr. RAILSBACK. I yield to the gentleman from Minnesota.

Mr. MacGREGOR. I am delighted that the gentleman from Illinois referred to that aspect of the Attorney General's testimony. I asked Mr. Clark in the hearings whether he would give priority to State plans or to city plans. His response—and I think I can quote it almost verbatim—was this:

> We would hope, as a first step, to get each and every State going with a comprehensive law-enforcement and criminal justice plan, and that will be our first concern.

So this amendment, on which the gentleman from Illinois [Mr. Railsback] has done so much work for so long and so constructively, will accomplish the Attorney General's objectives, and we will write it into law instead of relying on the discretionary authority of the Attorney General.

Mr. ASHMORE. Mr. Chairman, I rise in support of the amendment. I always dislike to disagree with my fine chairman, the distinguished gentleman from New York, chairman of the Judiciary Committee, but on this occasion I find myself in disagreement, certainly in part.

Mr. Chairman, this is a potentially dangerous bill in its present form. We amended it in several particulars in the House Judiciary Committee, but we were not successful in striking out the unneeded, unnecessary, and unreasonable powers granted the Attorney General of the United States. Passage of the pending amendment will remove one of the worst pitfalls from the bill.

If this amendment, or a similar one, is not passed, then all the State and local law enforcement agencies in this country will come under the subjugation and control of the U.S. Attorney General, or else such local law enforcement agencies will not receive the benefit of the Federal funds herein provided. If this power is not removed from the bill it simply means that within a few years the Federal Government will be in a position to control the law enforcement authorities of every city, county, and State within this Nation. The local agencies can avoid this surrendering of authority, to be sure, because it is not compulsory, but in order to avoid it they must refuse to participate in the programs provided for in the bill. And if they refuse to participate, then the Attorney General will naturally refuse to permit them to share in the Federal money. Therefore, a great majority will participate and, thereby, trade their controlling power for Federal funds.

This bill is simply a rehash of the Federal aid to education program. Surely, everyone understands now how that plan operates. The U.S. Commissioner of Education just writes the guidelines for the participating schools and those who abide by the orders and regulations of the Commissioner receive the Federal money, and those school officials who fail to comply get no Federal money. As a result most school districts comply, sooner or later, and the U.S. Commissioner of Education accumulates more and more power through the use of Federal money.

It was a sad day in America when State and local education authorities succumbed to the influence and domination of Federal money and control, but the consequences will be even more detrimental to our democracy if and when a Federal police force begins patrolling our streets, highways, and byways.

This bill contains the seed for social reform in our local law enforcement agencies. And mark my words, when the guidelines are written their primary purpose will be the furtherance of modern day social reform. This sort of program will deter law enforcement rather than stop crime and adequately punish the guilty. In the hearings on this bill before the Senate and House Judiciary Committees it was clearly shown that this proposed legislation puts unprecedented power in the hands of the Attorney General of the United States. I am sure that he has no ulterior motive in mind in asking for such broad authority, but if he doesn't intend to use it there is no reason for him to have it. Moreover, who knows who will be the next Attorney General. We have had three different men fill that office since January 1961. The next one might be a bad man, or a weak man, or one hell-bent for power. So the only safeguard against the improper use of this unnecessary power is to pass the pending amendment and thereby give the Governor of each State the authority to determine the type and plan of law enforcement he wishes for his State.

This change will improve the bill, but even then it falls far short of meeting the immediate needs of the country. I believe in research, training of personnel, new and improved equipment and modern methods of crime detection, but the primary benefits from all of these will be in the future—and the far distant future in most cases.

I find nothing in the bill to stop crime in the streets today. I deplore the fact that the laws we have are not being enforced. The only way to stop the kind of riots we are having in our cities is to overcome force with force. Rioters who throw fire bombs and snipe at firemen and policemen in the performance of their duties are potential killers and should be treated as such.

People who are guilty of arson, sniping, looting, and indiscriminate stealing have no respect for the rights, safety, or lives of others and it is foolish to mollycoddle them. They become even worse outlaws when they have reason to believe police officers, troops, and the courts are going to be lax in enforcing the laws and meeting out just punishment. In every case of rioting that has come to my attention, where the troops and policemen were given orders to shoot to kill, the riot was quelled in short order.

A few days ago the great Evangelist Billy Graham said:

> Looting and crime in America this summer has reached the point of anarchy.

This is true and every Member of Congress knows it. And the only way to control anarchy is by the strict enforcement of tough laws. Pampering criminals, appeasing criminals, and promises of more "pie in the sky" creates disrespect and contempt for law. Those who would destroy the law would destroy the Nation. And such destruction must cease.

Any one who thinks that H.R. 5037, amended or unamended, is going to stop riots, or even control lesser crime in our streets, in the foreseeable future, is facing a great disappointment.

This bill is not the answer to our most pressing and most dangerous domestic problem today—namely, riots in our cities and crime running rampant in the streets. But strict law enforcement, including certain and just punishment to the guilty, is the remedy. And that is what the citizens of this country demand, without delay.

Waiting for this bill (H.R. 5037) to bring the outlaws and anarchists under control would be tantamount to "sleeping while Rome burns." If the cities, and the States, and the Nation will only make full use of the statutes and powers now available to them, law and order will again prevail in this land.

The most effective deterrent to crime yet developed by man is just and certain punishment for the guilty.

Mr. ROGERS of Colorado. Mr. Chairman, I move to strike the requisite number of words.

May I point out that it has not been clarified for me, and certainly the amendment itself leaves much in doubt, what it means in section 102, when it says:

> A grant made under this title to a State shall be utilized by the State to establish and maintain a State planning agency. Such agency shall be created by and under the direction of the chief executive of the State.

Does that mean that a chief executive of a State could do as the Governor in my State did under an Executive order issued by the President on July 23, 1965? In trying to carry out the terms and conditions of the Executive order, the Governor of the State of Colorado himself issued an executive order and tried to carry out the provisions of the President's Commission on Law Enforcement and Administration of Justice.

May I inquire if that act by the Governor created an agency within the terms and conditions of section 102 of this proposal?

Mr. CAHILL. Mr. Chairman, will the gentleman yield?

Mr. ROGERS of Colorado. I yield to the gentleman from New Jersey.

Mr. CAHILL. Obviously not.

Mr. ROGERS of Colorado. If he did not, then may I inquire whether the respective States must, if they do not have an agency in existence, call the legislature into session to enact legislation which will set up a State agency under the direction of the Chief Executive in order to receive funds?

Mr. CAHILL. No; I do not concede that that is required.

It is my thought that the Governor of a State would create the agency. I would assume that there would be, within the State, authority for the Governor to do such. If there is not he could obtain it, of course, through the necessary legislative acts. The amendment, of course, confers this right on the Governor.

This certainly means, I say to the gentleman, the existence of an agency which is representative of all facets of law enforcement within the State.

Mr. ROGERS of Colorado. Does it require an enactment by a State legislature in order to create the agency? If it does not, then say so. Then my State could get in under it.

Mr. MacGREGOR. Mr. Chairman, will the gentleman yield?

Mr. ROGERS of Colorado. I yield to the gentleman from Minnesota.

Mr. MacGREGOR. Might I call the gentleman's attention to the next sentence of the proposed Cahill amendment. The next sentence, after the sentence to which the gentleman from Colorado referred, reads as follows:

> Such agency shall be created by and under the direction of the Chief Executive of the State.

The language of the Cahill amendment specifically says that the agency shall be created by the executive authority of the State; namely, the Chief Executive, and not by the legislature.

Mr. ROGERS of Colorado. That is exactly the opposite of what the gentleman from New Jersey responded. I read this particular sentence the gentleman has referred to, and was told that that agency was not authorized to get the money.

Mr. MacGREGOR. I was present when the gentleman from Colorado propounded that inquiry to the gentleman from New Jersey. The gentleman cited a specific illustration. The gentleman and I have been talking about whether generally the legislature or the chief executive is to create the planning agency. The language of the Cahill amendment clearly specifies on its face that it is to be the Chief Executive.

Mr. ROGERS of Colorado. Then I understand the gentleman to mean that any one of the 50 Governors of the States could say, "I create a crime agency for my State," and pursuant thereto he could come to the Attorney General and under the terms and conditions of the Cahill amendment get $100,000.

Not only could they get $100,000 but also, if I read section 104 of the proposal by the gentleman from New Jersey correctly, in addition to getting the $100,000, all of the money which was available under title I of this proposal would then be divided among the States in proportion to population.

May I say that under title I of the act, if we will look at section 414 of the bill before us, we find that title I is to get $22.5 million. Under the Cahill amendment this $22.5 million would be allocated to the States without any strings attached to it whatsoever.

Mr. RAILSBACK. Mr. Chairman, will the gentleman yield?

Mr. ROGERS of Colorado. I yield to the gentleman from Illinois.

Mr. RAILSBACK. I should like to respond to the gentleman with respect to the title the gentleman mentioned.

The CHAIRMAN. The time of the gentleman from Colorado has expired.

(By unanimous consent, Mr. ROGERS of Colorado was allowed to proceed for 5 additional minutes.)

Mr. ROGERS of Colorado. Mr. Chairman, I yield to the gentleman from Illinois.

Mr. RAILBACK. I believe the gentleman from Colorado is correct in saying all that is necessary to get the States started is for the State to have a person appointed or an agency appointed by the Chief Executive, who would have to submit an application to the Attorney General. They then would be given funds, a minimum of $100,000, and the proportionate funds depending upon the population of a particular State, for the purpose of providing and formulating a statewide comprehensive crime program, which would then be submitted, after its formulation and development, to entitle the State to a title II grant, which would be the action grant phase. But before any action money could come to a particular State the Attorney General himself would have to approve the statewide comprehensive crime program submitted to him by the particular person from the State.

Mr. ROGERS of Colorado. Mr. Chairman, if the gentleman will bear with me for just a moment, as you and I know, under section 414 of the bill before us there is an allocation under title I of $22.5 million. I understand it is the intention of the sponsors of the Cahill amendment that that $22.5 million should remain as title I money. Under the provisions of the Cahill amendment in section 104, there is no requirement that they proceed with the plan in order to get the $22.5 million. In regard to the title II money in which there is an allocation under section 414, which appears on page 31 of the bill, there is an allocation of $9 million. So what the gentleman is saying is in order to get some part of that $9 million, he must have a plan after he has had the benefit of his portion of the $22.5 million. Is that what you are saying?

Mr. RAILSBACK. I think the gentleman is correct, but in order to be clear I want to say that the title II funds will become substantial after the first year of operation and the planning funds will decline. The gentleman is correct. He is correct that certain funds will go to every State, and in my opinion it is good, because we are trying to get the States moving as long as they are formulating a State plan.

Mr. ROGERS of Colorado. Let me propound this proposal to you. Under title I, when you have $22.5 million, what assurance do you have in the Cahill amendment but what the Governor could take this portion of it and put it in the State treasury or in his own pocket?

Mr. RAILSBACK. Well, we have the same assurance in this case that we have in so many other instances when we fund programs in many cases with much more substantial sums of money involved where we are trying to help local units of government and States. The only requirement is that the money be used in response to an application to provide and formulate a State plan.

Mr. ROGERS of Colorado. The point I want to make and I want to emphasize is that if the Cahill amendment is adopted, under the terms and conditions thereof the State automatically gets $100,000. Then, if the Governor wants to come in and get his proportionate share as provided in section 104, it says there:

> Funds appropriated to make grants under this title for a fiscal year shall be allocated by the Attorney General among the States for use therein by the State planning agency or units of general local government, as the case may be.

Mr. RAILSBACK. Will the gentleman yield for just a moment?

Mr. ROGERS of Colorado. May I continue to make this point? With this kind of an allocation, and with this right of the Governor to submit his planning needs, what can we in Congress, or what can anyone else do to see it is spent properly?

Mr. RAILSBACK. I call the attention of the gentleman to section 411 of the proposed legislation.

Mr. ROGERS of Colorado. Wait a minute. Whenever you get into that——

Mr. RAILSBACK. I would remind the gentleman from Colorado that I am undertaking to answer the gentleman. The gentleman from Colorado asked me a question and I am undertaking to respond to it.

The CHAIRMAN. The time of the gentleman from Colorado has expired.

Mr. ROGERS of Colorado. Mr. Chairman, I ask unanimous consent to proceed for 5 additional minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Colorado?

Mr. HALLECK. Mr. Chairman, reserving the right to object, we have been talking about this for 5 hours of general debate. It looks to me like, perhaps, we ought to get to the point where we can vote on it. If there is anyone who does not understand this problem, I would be quite surprised. Therefore, Mr. Chairman, I object.

The CHAIRMAN. Objection is heard.

Mr. CELLER. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I wish to state that under the Federal Law Enforcement Assistance Act of 1965 we have a situation wherein the Attorney General makes all the grants. There were no complaints offered to the work done by the Attorney General under that Federal Law Enforcement Assistance Act.

Mr. Chairman, more than 900 applications were filed by law enforcement agencies throughout the length and breadth of this land. Out of those more than 900 applications which were filed, 166 projects were approved at a cost of a little over $10 million for the period of 2 years. There were no complaints. No one registered any objection to the actions of the Attorney General in the bestowal of these grants to local agencies and to States, when they made the applications.

Now, Mr. Chairman, this bill pending before us, as originally drafted by the Judiciary Committee, is an extension of the Federal Law Enforcement Act. Beyond that we have had a great deal of experience with Federal control of the bestowal of grants and to date we have not had too many complaints. For instance, there are farm subsidies which have long been bestowed upon the States. They are bestowed upon entities or individuals within the States. The question of flood control is similar; the poverty program is another one. The grants are made to local entities and not to the States.

Mr. Chairman, the question of hospitals, under the Hill-Burton Act, the grants are made to local units and not to the States. Under the Airport Construction Act, the same is true as well as under the slum grants and under school construction grants. In each of those instances we have Federal control over the grant of funds. I have heard no complaints under those actions and situations. Why should there be complaints about this procedure?

It is inconceivable, therefore, why there should be complaints under an extension of the Law Enforcement Assistance Act of 1965, which is what this bill now pending before us accomplishes.

Since there was no complaint under that act, I anticipate no complaint under this act, which I hope will prevail.

Mr. ROGERS of Colorado. Mr. Chairman, will the gentleman yield?

Mr. CELLER. I yield to the gentleman from Colorado.

Mr. ROGERS of Colorado. Following through with what the gentleman from New York has just said, there is no inhibition or any direction to the respective Governors under title I as to what is to be done with the money. When the gentleman from Illinois started to go to title II, you find something else. Title II makes an allocation of $9 million for certain things. So, why make the claim that $22.5 million which is allocated under title I goes free to the States according to the allocation formula?

Mr. ADAMS. Mr. Chairman, will the gentleman yield?

Mr. CELLER. I yield to the gentleman from Washington.

Mr. ADAMS. Mr. Chairman, I might further state in opposition to the amendment from practical experience, having had jurisdiction over one-half of a State as a U.S. district attorney, you will by this amendment, if adopted, have to redo the entire law-enforcement structure of the United States. I have the statistics with reference to my particular State and I shall give you the statistics on the other States in just a moment.

In the State of Washington the chief executive does not have the power to enforce local law enforcement. The Attorney General cannot have that power. That power is reserved to the local prosecutors and to the local municipalities. Therefore, they are going to have to go to the legislature, and the Washington State Legislature meets on a biennial basis.

Mr. GERALD R. FORD. Mr. Chairman, a point of order.

The CHAIRMAN. The gentleman will state his point of order.

Mr. GERALD R. FORD. Mr. Chairman, it was my impression the gentleman from New York had the floor.

Mr. CELLER. Mr. Chairman, I yielded to the gentleman from Washington.

Mr. GERALD R. FORD. I had noticed the gentleman from New York was not on his feet.

Mr. ADAMS. Mr. Chairman, I would like to point out at this time that in checking with the International Association of Chiefs of Police to determine how many other States are in the same position as, for example, the State of Washington, I find that only 22 of the States have any sort of general criminal jurisdiction at the State level.

Therefore those States that do not have that are going to have to create an entirely new system. In most of the States they have a State patrol which has jurisdiction over the highways, highway traffic, and such things as that. When you get down into the enforcement of the law against murder, arson, rape, robbery, burglary, and all of the other crimes, they are under the jurisdiction of the local sheriffs, the local prosecutors, or in the metropolitan areas under the local area.

The CHAIRMAN. The time of the gentleman from New York has expired.

Mr. SANDMAN. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I rise in support of the Cahill amendment.

I can realize why my colleague from New Jersey feels so strongly about this amendment as he does. In New Jersey we have an unusual State. It is a corridor State located between two of the largest cities in the world. It is an extremely difficult State within which to battle crime, and keep it free of crime.

I would like to call to the attention of the House that there exists in the State of New Jersey at this very moment a condition that which proves beyond a reasonable doubt that the Cahill amendment should be adopted. It happens to be another one of these programs that is supposed to be the answer to everybody's problem. This is not the first time this has happened in the State of New Jersey, it is the second time to my memory. Only about 3 weeks ago we were informed in our State that the OEO is going to get into the control of narcotic addiction, and that they have available some $12 million. From this $12 million New Jersey was given slightly over $1 million.

Mr. Chairman, it is certain that we need money for this kind of control, but in New Jersey we have had existing since 1963 a very effective working Narcotic Drug Study Commission of which I have been the chairman for 5 years, and of which I am still the chairman.

In addition to that, the Governor has had advisory council on the control of narcotic addiction. Without anybody in the State of New Jersey knowing what happened, the OEO was given $1 million, approximately a month ago. I am sure that no one in this House knew when they were voting on that particular budget that $12 million was going to be handled by the OEO for this purpose, but it is.

Because the OEO funds are under Federal control and not under State control, the Federal moneys are being handled by a citizens' group in a method which was not advised by the advisory council to the Governor. In short, we now have two programs in New Jersey.

Now to get to the real point in this particular example, may I cite the largest county in the State, where 80 percent of the narcotic cases exist is the county of Essex. We had tried for years to establish a clinic there for the treatment of addicts and the handling of them. In 1963 we adopted a law whereby the addict had the right of either receiving treatment or being incarcerated. This was held out as being one of the best systems in the country. In this particular case every member of the Drug Study Commission, to a man, recommended in annual reports that money should best be spent in Essex County toward having a system of specialized parole and probation that would establish a good system of aftercare treatment and supervision, something that is sorely needed throughout the State.

But contrary to our wishes and contrary to what the Governor may think, there is nothing under the present act, nor even an act of the New Jersey Legislature, whereby this money can be used for any other purpose in narcotic addiction and control in New Jersey. There is nothing we can do about it, because it is promulgated under Federal rules, and it is going to be handled the way they want it handled contrary to the wishes of the people in New Jersey who are appointed by the Governor and confirmed by the senate of the State to handle the problem.

This I can see is happening all over again in this particular kind of program.

We had another such incident in New Jersey which happened in early 1963, and this is another thing that makes me afraid of this kind of legislation. To me, the most you are going to get out of this, and I do not think this is the answer, is simply that the administration wants people to believe that they are doing something about riots and doing something about the great growth of crime throughout the country, this can be their excuse. But is it the answer? I do not think so.

One of the reasons I fear it, is because there is no allocation of funds. There is not anything definite in the bill which says that New Jersey is going to get anything—or any other State. It just says that you cannot get more than 15 percent of the funds.

But let me tell you about another fund that this Congress created and made effective in early 1963. That was the year that New Jersey adopted a Narcotics Control Act that I spoke of.

The CHAIRMAN. The time of the gentleman from New Jersey has expired.

Mr. SANDMAN. Mr. Chairman, I ask unanimous consent to proceed for 2 additional minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. SANDMAN. Mr. Chairman, we appropriated a small fund in that particular year in New Jersey which would have given any municipality or any county a 75-percent State grant to set up an aftercare clinic, if they did not have one, provided that it was approved by the director of institutions.

In the same year the Congress of the United States created a small fund which was 100-percent grant money and New Jersey did not get one dime of that money in 1963. As a result of it, the city of Newark that needs a clinic more than any other place in New Jersey did not even apply for the 75-percent State grant because they were interested in the 100-percent money, which was going to give them a lot for nothing—as they thought. Up to this very day, they have not established that particular clinic.

I believe that particular Federal program was a setback insofar as New Jersey is concerned and this program in the long run would be the same, I would predict. I think it has to be under State control. We can say—sure, the Governor has all kinds of rights. But one right that he does not have is to try to veto a program that the U.S. Attorney General says should be the program for that State. This is exactly the case in New Jersey with reference to the narcotics funds that I have just talked about. I think this is wrong. There is no man in this world who can make me believe that the U.S. Attorney General knows more about crime in New Jersey or in any other State than the attorney general in that State who is a part of the Governor's cabinet. I feel it has to be handled at the local level if we are going to get any effective treatment at all.

Mr. CELLER. Mr. Chairman, I ask unanimous consent that debate on the pending so-called Cahill amendment, and all amendments thereto, close at 3:30 o'clock.

The CHAIRMAN. Is there objection to the request of the gentleman from New York?

There was no objection.

The CHAIRMAN. The Chair recognizes the gentleman from New York [Mr. Smith].

Mr. SMITH of New York. Mr. Chairman, we have heard talk during this debate about the possibility of a Federal police force. None of us want to see this. I do not think we are going to see it. But I would call your attention to an editorial appearing in this morning's newspaper entitled "Svetlana's Memoirs":

> Svetlana Alliluyeva's memoirs furnish the world a chilling glimpse of life in a country which permitted absolute power to devolve into the hands of one man.

The editorial ends up with the statement:

> As a human story, the Svetlana Alliluyeva memoirs have the quality of a tale out of King Lear. As a political document it carries instructions to every human society against the lodgment of arbitrary power in a single person.

The CHAIRMAN. The Chair recognizes the gentleman from Pennsylvania [Mr. Eilberg].

Mr. EILBERG. Mr. Chairman, a careful reading of the Cahill amendment indicates that there is a mandate on the part of the States to contribute toward the money which is required. I suggest to the members of the Committee that if your State is anything like mine, Pennsylvania, at this moment the legislature and the Governor are hopelessly bogged down as far as our government is concerned. Pennsylvania is unable at this moment to contribute one dime toward this program. And yet the city from which I come, Philadelphia, is ready, able, and willing to participate.

I say that by adopting this amendment, you would prevent the cities and municipalities throughout the country from participating when their own State administrations cannot. I am aware that there is a way out of this, and that is through section 205, but I say that we cannot wait for the States to fail before the cities can be permitted to act.

The CHAIRMAN. The Chair recognizes the gentleman from Pennsylvania [Mr. Biester].

Mr. BIESTER. Mr. Chairman, I wish to make a couple of observations concerning the necessity of having the States participate in this program. I think we have been talking about this crime bill as though we were only engaged in the process of detecting criminals. We are also engaged in the process of punishing criminals, and we must realize the reasons people commit crimes are not always clear to us. The greatest way to prevent crime from occurring is to start making decent, law-abiding citizens from criminals. This is done in large part through probation, rehabilitation, adult reform, and juvenile reform. These are all systems controlled in large part by State governments and require State participation.

The CHAIRMAN. The Chair recognizes the gentleman from Missouri [Mr. Hungate].

Mr. HUNGATE. Mr. Chairman, I dislike to oppose the amendment because I think the $100,000 that would be devoted to this endeavor would include rural areas, and this appeals to me. But I think on balance it should be defeated for the following reasons: The amendment would dictate to a State. The State must create a planning commission. Many States do not need a planning commission to determine what they need in the way of law enforcement.

It will not take the discretion about which you complain from the Attorney General. Under title II, he would retain 25 percent of the funds to allocate and under title I, if the States cannot act in time, he has that discretion in the allocation of those funds. I think it would necessitate unnecessary multiplicity of applications in the cities, because under the Uniform Law Enforcement Assistance Act many of them have their plans already. They need not submit them to a State authority. Instead of a multiplicity of applications, you would have 50 places to file such applications.

The CHAIRMAN. The chair recognizes the gentleman from Georgia [Mr. Thompson].

Mr. THOMPSON of Georgia. Mr. Chairman, I rise in support of this amendment, because I have had practical experience in Georgia in the senate in probing auto thefts. I served on a committee investigating auto thefts.

Mr. Chairman, I know for a fact it is absolutely essential that we bring the State authorities into the planning, and have statewide planning. Those who read the Washington Post this morning may have noticed a picture of an automobile of a solicitor general for northeast Georgia, which was blown up, and in which the solicitor general was killed. It is believed that the bomb was planted by auto thieves. The solicitor was reported to be investigating auto thievery.

If we permit only the large cities to take part in this program, we will not achieve what we want to achieve. We must bring in the State authorities and have statewide planning. I believe we owe it to the people of this Nation in our various States to adopt this amendment.

The CHAIRMAN. The Chair recognizes the gentleman from New York [Mr. Ryan].

Mr. RYAN. Mr. Chairman, I oppose the Cahill amendment which would require that the State planning agency approach be used as the sole method by which local governments could participate in this new major Federal grant program. I believe flexibility is needed, and that the present bill will provide that flexibility. The amendment would hamstring in many ways the intent and purpose of this bill.

In almost none of the States is there an adequate level of experience and training to develop the broad plans that will be required by this amendment.

Unlike the field of education, for example, where State-level agencies have had experience in planning, most State governments have neither the experience nor the administrative machinery, let alone the jurisdictional authority, to deal with local plans for law enforcement.

The problems and costs of establishing potentially 50 separate grantmaking programs on the State level are enormous. Consider the cost of developing a comprehensive state agency for every state to a point where it would be competent to deal adequately with the entire scope of local law enforcement. Moreover, it is doubtful that State-level officials could keep themselves routinely informed of the difficult and complex problems confronting local law enforcement.

H.R. 5037 recognizes that law enforcement is primarily a local function. To require local participation solely through the State planning agency mechanism would weaken this function.

Under section 204 of H.R. 5037 the Attorney General is authorized to make grants to State or local government units which have filed a current law enforcement and criminal justice plan. This flexible approach accepts State planning where it is feasible and necessary, without requiring it in every instance.

Mr. Chairman, I urge the House to preserve the flexible approach taken by H.R. 5037 to the question of the need and feasibility of State planning. Let us encourage comprehensive planning wherever possible. But let us not make the mistake of adopting State planning as the sole approach in this program.

The CHAIRMAN. The Chair recognizes the gentleman from Florida [Mr. Cramer].

Mr. CRAMER. Mr. Chairman, I rise in support of the MacGregor amendent to the Cahill amendment, and in support of the Cahill amendment as I hope it will be amended by the MacGregor amendment, for the reason that the MacGregor amendment provides a much more effective antiriot mechanism than does the bill before us. Also, it clearly includes organized crime, which is absolutely essential. This the bill before us does not do. Third, the Cahill amendment provides an allocation formula. It guarantees every State some money. There is no allocation formula in the committee bill. I suppose the reason it was not so provided is that the committee is just not in the business of writing grant-in-aid programs. Had they been in that business, they would have known that making certain that certain money goes to every State is important and essential, particularly where the State and local governments are to come up with plans.

I hope the amendment to the amendment is adopted.

The CHAIRMAN. The chair recognizes the gentleman from North Carolina [Mr. Whitener].

Mr. WHITENER. Mr. Chairman, the MacGregor amendment to the Cahill amendment in my opinion will do just the opposite of what some of my colleagues have suggested they would like to do. For that reason, I shall vote against both the MacGregor amendment, and the Cahill amendment which the MacGregor amendment would amend.

The CHAIRMAN. The chair recognizes the gentleman from Massachusetts [Mr. Conte].

Mr. CONTE. Mr. Chairman, I support the Cahill amendment. This morning I received a telegram from the attorney general of my State, Elliot L. Richardson, which said:

Boston, Mass.,
August 7, 1967.

Hon. Silvio O. Conte,
House Office Building,
Washington, D.C.:

I urge your support for a most important amendment to H.R. 5037. This amendment proposed by Representative Thomas C. Cahill of New Jersey, would avoid the chaos which would result if the bill were passed in its present form it would accomplish this by giving to State planning agencies the function of making sure that the local applications for the Federal funds made available under this act conform to State plans for the improvement of the criminal justice system and giving to these State planning agencies the authority to disburse these funds such an amendment is essential if the States are to develop the capacity to provide local agencies with initiative and leadership in the formulation of overall programs in all areas of law enforcement to establish the efficiency of these programs and to develop a system of priorities for their implementation such an amendment is also essential if the States are to follow the recommendations of the President's Commission on Law Enforcement and the administration of justice and initiate State level planning for the improvement of the criminal justice system. Our own Commonwealth already has such a State level planning agency in the Governor's Committee on Law Enforcement and Criminal Justice and many other States are following suit with the formation of similar groups. In order to facilitate the work of our own and similar agencies and in order to give the States the ability to carry out the high level of planning essential to the modernization of our law enforcement system, I urge your favorable action on the Cahill Amendment to H.R. 5037 when it comes up for action in the House tomorrow.

Elliot L. Richardson,
Attorney General.

The CHAIRMAN. The Chair recognizes the gentleman from Michigan [Mr. Brown].

Mr. BROWN of Michigan. Mr. Chairman, I rise in support of the Cahill amendment, but I speak primarily in rebuttal.

The gentleman from Colorado [Mr. Rogers] has indicated he is concerned about the use of funds by the Governor for uses other than those contemplated by the act. This administration of those funds could be done irresponsibly by every city mayor and every village head and every township supervisor. I would prefer the authority of the Chief Executive over that of every executive in the small communities, of which there are thousands in this Nation.

I am concerned about those who served in State governments and who, once they come to Washington, decide they have obtained greater knowledge and achieved much better understanding in running the affair of Government than they had when they were back in their States.

The CHAIRMAN. The Chair recognizes the gentleman from California [Mr. Corman].

Mr. CORMAN. Mr. Chairman, there seems to be some little confusion about what the Cahill amendment will do among its supporters.

The gentleman from Minnesota [Mr. MacGregor], a number of times chastised those of us who mentioned it had a Governor's veto in it. The gentleman from New Jersey [Mr. Sandman] spoke in support of it for that very reason.

The fact of the matter is it is not precisely a veto power. It is just that one cannot get a plan submitted to Washington at all unless it has the approval of the Governor. It would completely frustrate the efforts of the police departments of our cities to move forward in law enforcement.

As an example, in the county of Los Angeles, the sheriff submitted a plan to try out a suburban police patrol by helicopter. It holds great promise for improving law enforcement in the suburbs. That is the kind of program applicable only in large metropolitan areas. Obviously, the Governor would have no interest in it and it would not be included in a State plan, if we insist that the sheriff's plan be approved by the State.

The States do have some policing responsibilities, primarily in the area of highway patrol, and that is where the money would go. The Cahill amendment will be a death blow to a program which has been of substantial help to police agencies across the country and which would be of broader usefulness if it is allowed to continue.

The CHAIRMAN. The Chair recognizes the gentleman from Pennsylvania [Mr. Vigorito].

Mr. VIGORITO. Mr. Chairman, I ask unanimous consent that I may yield my time to the chairman of the committee [Mr. Celler].

The CHAIRMAN. Is there objection to the request of the gentleman from Pennsylvania?

Mr. TALCOTT. Mr. Chairman, I object.

The CHAIRMAN. Objection is heard.

The Chair recognizes the gentleman from Virginia [Mr. Poff].

Mr. POFF. Mr. Chairman, I support the Cahill amendment and the MacGregor amendment to the Cahill amendment.

Titles I and II of the bill authorize planning grants and action grants, respectively. The same is true of the Cahill amendment. As between the bill and the amendment, language which defines the purposes and objectives is the same; the Federal-State cost-sharing formulas are the same; the difference is in approach and emphasis. Without altering the essential character or basic thrust of the bill, the amendment expands, strengthens, and enhances the utility of the legislation. It provides more Federal funds with less Federal control.

A comparison of title I illustrates the difference in approach. Title I of the committee bill authorizes Federal planning grants to a State, or to a locality or to some combination of States and localities as the Attorney General may decide. Title I of the Cahill amendment authorizes Federal grants to a State for the establishment of a statewide planning agency and for the expense of preparing a statewide plan. In turn, the State agency is authorized to make subgrants to localities to finance local and regional plans to be incorporated in the statewide plan. The bill leaves it to the Attorney General to decide how much, if any, planning money is to go to which of the 50 States and the 40,000 local police jurisdictions. The amendment fixes a formula which guarantees each State and the District of Columbia a minimum of $100,000, plus an additional allocation based upon population.

Under title II of the bill, the Attorney General can pick and choose as he pleases among the States and the 40,000 local governments in awarding action grants, provided only that he give no State no more than 15 percent of the total. Title II of the amendment again fixes a definite formula for action grants which guarantees each State its population pro rata share, plus whatever additional allocation the Attorney General may approve. In turn, the State agency is authorized to make subgrants to the localities or combination of localities in keeping with the criteria and purposes of the statewide plan, and for this purpose the State agency is required to use at least 50 percent of its total Federal grant. Moreover, a local government is guaranteed a right of review if the State agency denies its application for a subgrant.

The Cahill amendment makes provision for extraordinary circumstances. If any State fails to make application for a planning grant within 3 months or fails to file a plan within 6 months after approval of a planning grant, the Attorney General may make both planning grants and action grants out of his reserve discretionary fund directly to a local government.

Federal aid to local law enforcement agencies is fully justifiable only when Federal funds increase the total effort. The Cahill amendment contains language which guarantees that Federal funds will be a supplement to and not a substitute for funds normally spent by States and localities for law enforcement and criminal justice. On the other hand, the counterpart in the bill limits the guarantee "to the extent practical" and empowers the Attorney General to reduce the requirement "to the extent he deems appropriate." If the objective of this legislation is truly to promote innovation and modernization, and that is what I conceive it to be, then there is no room for language which permits Federal grants to simply supplant and not increase State and local spending for law enforcement.

If you believe that crime is a problem in every State; if you believe that every State needs financial assistance to fight crime; if you believe that each State, in partnership with its own local governments, knows best how to plan the fight and conduct the fight; if you fear centralized supervision of the police apparatus of this country, whether the danger is immediate or remote; then, you will support the Cahill amendment.

The CHAIRMAN. The Chair recognizes the gentleman from Washington [Mr. Adams].

Mr. ADAMS. Mr. Chairman, I spoke before on the problems involved in creating a new State enforcement structure if we are going to carry out the Cahill amendment.

I should like to mention that I agree with my friend and colleague, the gentleman from North Carolina [Mr. Whitener]. We have recently been working on local law enforcement for the District of Columbia. The law enforcement problems there are multiple, but experience shows these problems are best solved by officials in a particular area by direct local application of new techniques.

We find that law enforcement in America today is run on a local basis, not on a State basis. If at some time in the future we could create sufficient State agencies so that they could handle this type of problem, then so be it, but let us work on the law enforcement problem now. To have action today we have to go to the local level, because that is where the law enforcement is. We need help now.

I hope that later today the gentleman from Michigan [Mr. O'Hara] will offer an amendment, and I shall support that amendment also.

Mr. Chairman, I rise in opposition to the amendment of the gentleman of New Jersey to change this program to make block grants to State agencies.

Many of us have spent many years of our lives in dealing with problems of law enforcement, and from this background we want to be certain that the Members know that a pattern of State grants will require a massive change in the structure of national law enforcement.

Recently many of us on the District of Columbia Committee have spent weeks working on a bill to strengthen local law enforcement in this area and I am including a copy of my remarks to the heads of the intelligence units of the metropolitan police departments of America with these remarks so the members can examine in detail the recommendations which many of us have worked upon during the last several years.

Speaking from direct experience as the U.S. district attorney having jurisdiction over all criminal enforcement of the Federal Government in the western half of the State of Washington, I want to indicate how ineffectual block grants would be in the State of Washington and the great changes that would be required to make them effective.

In the State of Washington there is no statewide law enforcement body with general criminal jurisdiction. By that I mean all enforcement of the State law for crimes such as murder, arson, rape, burglary, robbery, and so forth, rests with the local elected county prosecutor and sheriff. The only exception to this occurs in the incorporated cities where the local police department has jurisdiction over criminal enforcement, but even there the local elected county prosecutor is in direct charge of all prosecution.

The attorney general of the State of Washington has no statewide criminal jurisdiction. Any money given as in block grants to the State would probably have to be allocated by the State legislature, and even if not, there would have to be a new executive department created to do something and probably its sole function would be to allocate funds among the 39 counties and the metropolitan cities. If this is possible at all, it will take a great deal of time.

I have been working closely with the National Association of Chiefs of Police on the Washington, D.C., problems and I have asked the Department of Justice and representatives of the IACP to give me some general statistics on the other States. I find that 28 of the States have a situation similar to the State of Washington with no statewide crime jurisdiction. Twenty-two States have some type of general criminal jurisdiction, but even in those States jurisdiction is limited by various means, such as exclusion from metropolitan centers.

Most States have statewide jurisdiction only through a State patrol over highway safety and a few more allow the State patrol to enforce general criminal jurisdiction on the highways, but this according to my figures is limited to eight States.

I hope my colleagues will defeat this amendment and that we will continue with the present structure outlined in this bill which is to provide Federal assistance directly to the law enforcement units having the general criminal jurisdiction necessary to protect our citizens on the streets and in their homes.

Combating Crime in the Streets

(Address of Congressman Brock Adams to the Intelligence Units of the Metropolitan Police Departments of the United States)

It is a rare opportunity to have the heads of the intelligence units of most of our major police departments as a captive audience.

First let me say what I am not going to say. This speech is not going to be a regurgitation of tired cliches, damning the Supreme Court or damning the policeman. I have spent a great portion of the last ten years of my life working at various levels of our criminal law system. Today those of us on the District of Columbia Committee are drafting a comprehensive anticrime bill incorporating many of the suggestions I will make on local law enforcement. We are here today to attack America's most awesome domestic malady—violent crime in the homes and streets of our major cities.

I have made these recommendations available to you in shortened form as an appendix to this speech. I hope you will take this with you and pass it along to your Mayor, Chief of Police, or any other official who might find it helpful. If you want to leave the mailing address of any of these officials, I will be happy to mail them copies.

Before getting into the specifics of this attack on crime, I should put the recommendations which will follow into perspective. We cannot yet identify that crucial element which transforms the law-abiding man into a violent criminal in our central cities. We know the criminal statistically.

We can put a profile on his age, his family background, and his economic status. We can in fact pile up a portfolio of data on the chronic offender. But we cannot identify that catalytic agent which turned him to crime in the first place.

We know that the violent criminal in the cities is younger than he used to be. We also know that violent crimes occur in our city ghettos more often than elsewhere and that a great percentage of our violent offenders come from ghettos. But, for example, it would not be true if we simply inferred that crime is *caused* by poverty. That answer is as simple as it is untrue.

It is imperative that we abandon the cliches of old and, instead, focus the research and development skills of America on the question of how to prevent crime. I am hopeful that concentrated study will turn up new ways to deter criminal activity. The youthful offender begins criminal activity, probably, because of a number of reasons made more complex by modern society:

A set of hopes and expectations are spread before him at a very young age, brought on by ever-improving communications, and especially television.

He finds out as he grows into adolescence that his ability to meet these expectations are severely limited by his family background, his inability to gain a good education, and, often, the color of his skin.

He becomes increasingly aware of the better lives his fellow citizens in the suburbs have. He is surrounded by wealth but does not share in it.

Whatever deters a man from commiting a crime decreases as he begins to realize how little he has to lose if caught. If he does not have a job, owns no home, and has no stable family background, he will take a chance the more middle class citizen will not risk.

This may not be absolutely accurate but it indicates the necessity for learning what is truly happening in our central cities so we can provide true long-range solutions which will reduce the production of offenders in our central cities.

This is not, however, the topic of my speech today because we must first stop violent crime in the streets and homes of our major cities if our cities are to survive at all. Crime itself is the greatest problem in the debilitated central areas of our cities. We must roll back violent street crime so that permanent solutions can be pursued. If we do not stop crime in our streets and homes in our central cities, other improvements will be useless because these areas will become walled off from the rest of our society. Citizens are afraid to venture forth or invest their future in these areas of violent crime. Crime creates a wall as high and unsurmountable as one made of bricks and mortar. For example, in New York City last week a woman cab driver summed it up for me very well when she said, "I don't go into Harlem anymore—two robberies on two trips are enough for me."

I. HOW TO ESCALATE THE WAR ON CRIME

The criminal law system in America's free society has four critical points: (1) police department; (2) courts; (3) institutions for incarceration; and (4) probation and parole back into the community.

Attached to this speech is an appendix containing a simple set of test questions which can be directed toward any city's criminal law system to see if it is really functioning. I would suggest you take this test and apply it to your city. Make it available to your public officials and local media so that they can make their own applications of this test.

It is vital to stress that the criminal law system must be whole and complete from beginning to end like an electric light cord. If the cord is frayed and does not conduct at any one place, the entire system breaks down.

More than anything else I would like to emphasize to you today that praising or damning the police department and praising or damning the Supreme Court will not solve the crime problem. As you will see in my suggestions, the police department must be modernized. In turn, the Supreme Court must gain new faith in the procedures of a modernized police department so that police departments are not defensive and ossified in their criminal prevention techniques. Likewise, the courts should stop acting as administrators for the police departments. We need more—not less—contact between the courts and the police departments so that instead of competing they each realize they are parts of a great system: even-handed apprehension—fair determination of truth as to violation—enlightened disposition of the offender. All of this is done by the public in the public interest so that society can survive. When it breaks down, civilization falls and we have a jungle.

II. SPECIFIC STEPS

A. Police-street operations

The department must make a real effort to be involved in the community. It must adopt the new special techniques in community relations, in handling street crowds, in utilizing special tactical units to operate in hardcore neighborhoods, in improving radio communications between all units, from mobile units to the beat patrolman through store front police offices. Police must make their presence felt in these neighborhoods through the new techniques in apprehension, such as the use of nonlethal weapons and adoption of modern FBI interrogation techniques.

There should be better utilization of officer time by eliminating many of the social babysitting functions that presently burden the police, such as processing chronic drunks, nonsupport cases and other nonviolent social offenses. These sap a department's strength. If appearances in court are necessary they should be court scheduled to avoid tying up large numbers of officers for long periods of time. In Washington, D.C. a program is now developing for handling chronic drunks that can remove 40,000 cases a year from the police and court operations.

B. Police administrative operation and techniques

Hand in hand with the improvements on the street must come improvements in the office and in the supervisory ranks and central offices. Central dispatching and central communications must be improved. Traditional "kingdoms" in local precincts must be eliminated. The departments must use attorneys and administrative personnel on a day-to-day basis to communicate changes in the law and new techniques to the men in the field. Above all, there must be a change in the recruiting and promotional policies of the departments to bring in the best possible men at higher pay and with assurance of rapid promotion. In Washington, D.C. we have advocated a starting pay to policemen of $7,500 instead of $6,700. (The present starting pay is $300 less than for a bus driver.) We are advocating quicker promotions and large increases in total number of personnel. This does not require that anyone be fired but it provides an opportunity for the excellent professional lawman to be recruited and advanced and modernizes the department. Better contact with the community is gained by establishing new positions and by recruiting local boys. These men will work better in an area they know, and where they are known. They produce fairness, knowledge and feeling—particularly if minority groups are involved.

C. Juvenile courts

Each of us knows, and national statistics confirm, that the white hot point of violent crime is now beginning to center in the 13- to 25-year-old group, and the heavy emphasis there is on those between 13 and 18. The recent Supreme Court decision in *Gault* v. *Arizona* holds that juveniles who face incarceration must be accorded the same criminal law protections granted to adult offenders. This decision has two effects: (1) juveniles now have all the basic criminal law protections that adults have; and (2) chronic juvenile offenders should now suffer penalties heretofore reserved for adults. They should continue to be separated from the adult process, and protection from an early criminal record can be preserved, but simple-minded leniency because he is under 21 should be stopped. The juvenile courts, because of their secrecy and parental approach, have acted like swinging doors for chronic offenders. This must end. We should be lenient on the first offense, but we are doing society an injustice by excusing repeaters. For example, in a recent visit to the juvenile facilities at Laurel, Maryland, I found that of the eight girls being processed that day, all had been through the juvenile court at least twice, and all except two had been through the juvenile court between four and six times. The chronic juvenile offender must be treated as the chronic adult offender and removed from his environment in the interest of neighborhood survival.

D. Federal, State, or local prosecutors

Prosecutors are overloaded, have difficulty recruiting experienced help, are often isolated from the law enforcement groups they work with, and are required to try many cases in which no factual issue is involved. For example, in the office of the chief prosecutor in Washington, D.C., trial attorneys are presently carrying a daily caseload of 90 triable felony cases. The backlog in the office has now reached 900 pending felony cases, and each month this backlog grows by 40 cases. As a result, chronic offenders who have been released on money or personal recognizance bond are returned to their neighborhoods for five to seven months before trial. Another result of the backlog is that prosecutors reduce felony charges to misdemeanors so that the cases can be disposed. Some of these offenders should clearly be tried on felony charges, but they escape imprisonment because they are not considered as "dangerous" as others with pending court cases. On visiting the arraignment calendar in Washington a month ago, I personally observed one offender who had a prior record, was indicted for armed robbery, assault with a deadly weapon and burglary, leave the courtroom under a personal recognizance bond with a statement that "a trial date would be set later."

The results of this can be dramatically shown in the statistics of what happened in Washington, D.C. for fiscal year 1965: 25,000 felonies were reported; 6,000 arrests occurred; 3,800—no paper; 1,526—indicted; 981—convicted; 716—plea; 265—by trial—90% appeal—20% reversed.

E. Defense of the chronically accused and nonwealthy

Modern criminal law requires representation of every defendant. When this is left to the tiny numbers of available local criminal lawyers, or to the hastily-recruited, inexperienced, court-appointed noncriminal lawyers, the result is appalling. In some cases, lawyers drag cases on to trial because they'll get a higher fee. In others, green civil lawyers will demand an unnecessary trial because they feel guilt-bound to provide the offender, though guilty as sin, with a defense. The answer is a public defender system of experienced criminal trial lawyers for the indigent. This can produce more rational decisions as to whether a factual "issue" exists which must be tried.

F. The criminal courts

Criminal courts have long been the stepchild of the American judicial system. As a result they are understaffed and overloaded. The most common cliche about the courts, however, is not true—and that is that they are all overworked.

Cleveland has one of the worst big city criminal backlogs in the country with 1,049 criminal cases pending as of March 27. The accused in jail wait eight to ten months to go to trial, and defendants out on bail can wait longer. Yet Cleveland closes down its courts for the entire month of August. Pittsburgh judges take two months off during the summer. Chicago, which has the biggest backlog in the country, has 114 new courtrooms, but on a typical day less than half of these courtrooms are in use. On my recent visit to the District Court in Washington, D.C., on a Friday, I found that the courts worked a four-day week. Fridays are reserved by most judges for motions, which take a couple morning hours at most.

Court administrators and the white light of publicity are needed so we will know what the true situation is in each court and can deal with it forthrightly.

G. Incarceration facilities

In this country, the term "correctional institution" is a misnomer. For the most part, American incarceration facilities are not designed to rehabilitate. Rather, they are holding-tanks where amateurs become professional criminals. The lack of correctional facilities is a glaring example of our neglect and misunderstanding of the problem. The Lorton, Maryland, men's reformatory is a classic example. Here the prisoner is under too much security for most and not enough for some. In such a restrictive atmosphere no rehabilitative process can take place. In contrast, the youth corrections center has a very adequate outer double fence arrangement but the men inside all move freely about except those who are a real security risk. As a result, maximum security people are under true restraint and others are under sufficient restraint so that escape is difficult while rehabilitation is possible.

We have not even scratched the surface in correctional programming. What can be done to remove offenders from the central core city into variable type restraint where the individual will be treated according to his risk to the community? We know it is absolutely necessary to remove convicted felons from their neighborhood environments for long periods of time; otherwise their repeated and unpunished crimes would have a cancerous effect on their community. This does not mean, however, that maximum security incarceration is the proper punishment. Punishment should be dealt out according to the crime and the relative possibility of rehabilitating the criminal. Punishments should run the gamut from work release programs, to minimum security camps, to medium security institutions, to maximum security institutions—these for hardened felons only.

H. Probation and parole

Probation and parole are also misnomers. In most of the country, probation and parole are really less expensive methods for handling offenders than maintaining them in institutions, and parole has become like a department store escalator which can only hold so many people. When somebody comes in at the bottom, somebody must get out at the top. This results in releasing many offenders who do not in fact belong back in the community. In addition, when parolees return to the community they receive little or no parole officer guidance. For example, the parole officers in the Washington, D.C., area carry as many as 300 cases and are unable to do more than interview each man once a month. This system has simply broken down. It will take time, money, and dedicated people to repair it.

I. Day-to-day prevention

The day-to-day prevention of crime translates into a heavy emphasis on police contact with the community. The officers in daily contact should be drawn from the community in which they will work. Community support is given in most areas because the community has a stake in good law enforcement. Community support is withdrawn in other areas because the community has no stake in bad law enforcement. Community support is obtained by deeds, not words, and a community, as we all know, must help police itself.

In Washington, D.C., the 14th Precinct is in a "hard" area but its relationship with the community is very good. Its roll room is used for community meetings. Its grounds have athletic facilities open to the public. It maintains reserves who are men living in the area. All of this is the work of a fine captain who made up his mind ten years ago that the police would be part of this community.

J. Long-range solutions

As I mentioned in my opening remarks, I believe an exhaustive study must be undertaken to determine the root causes of violent crime in our cities. As Henry David Thoreau once said:

> "For the thousands who are hacking at the branches of evil, there is only one going to the roots."

We need to know motivations for crime because only if we know these will we know the deterrents to crime. And only then can we formulate techniques for breaking the criminal pattern once established. The first step, however, is to let everyone know that crime will not be tolerated in any part of our cities, rich or poor. The low-income neighborhood is a part of our civilized society, and we will not abandon it.

K. Conclusion

We in the federal government are not advocating a national police force. We realize that you are the vanguard, that the attack on crime must be carried out by you in your local departments. It is necessary, however, that the federal government provide national institutes for you where you can meet to exchange new ideas on law enforcement. It is also necessary that the federal government provide a clearinghouse for the promulgation of knowledge about criminal activity. It is also necessary, in my opinion, that we provide grants-in-aid to local police departments, as we do for other city agencies, and that we make available scholarships and money for those who want to pursue their profession of law enforcement. To this end I have introduced H.R. 9369, "Safe Streets and Crime Control Act of 1967,"—to assist local government by grants for law enforcement; H.R. 9368—to establish a National Institute of Criminal Justice; H.R. 9366—to provide assistance to students pursuing programs of higher education in law enforcement. On the local level in the District of Columbia, we are now finishing what I hope will be a good overall law enforcement bill.

I am one of a growing number of public officials who want you to know that we support you. All we ask in return is that you police your own departments and destroy the sacred cows of so-called traditional old-time law enforcement. In this day of vaulting crime rates, we cannot afford to use cliches, to protect old-time law enforcement, or to spend our time damning the Supreme Court. Everything else is going modern and our criminal law system must also.

Our greatest domestic challenge—yours as law officers and mine as a legislator—is to solve the grave crime problem within the boundaries acceptable to a free society. We can no longer afford the luxury of sitting idly by. We must act now to bring our police methods, our courts, our probation and parole system, and our prison systems into the 1970's so that our cities will achieve their goal of becoming a cultural, aesthetic and social haven for our citizens. The full flowering of the achievements of our free society and our industrial genius can then reach its fruition in the great cities of our country.

APPENDIX—CONGRESSMAN BROCK ADAMS' ANTICRIME TEST

(There are ten major areas within the criminal law system which have a direct and causal relationship to crime rates. If any of these areas breaks down, the rest of the system must compensate, and if enough weakening occurs the crime rate will increase accordingly. If you can answer "yes" to each question below, your community is coming to grips with the crime problem. Negative answers indicate major areas which are allowing crime to grow in your community.)

I. POLICE-STREET OPERATIONS

Does your Metropolitan Police Department have an effective relationship with the hard-core, central city areas utilizing local area recruitment, specially trained men for crowd control, individual street-to-headquarters communications, and utilization of new pacification techniques such as nonlethal weapons?

II. POLICE ADMINISTRATIVE OPERATION AND TECHNIQUES

Does your Metropolitan Police Department pay adequate salaries to fill authorized vacancies and thereafter provide an opportunity for advanced education and rapid promotion to attract young men to the profession of police work from all strata of the community? Does your police system provide for access by the public to make complaints and does it provide day-to-day legal and administrative advice for the men in the department? Do department heads in your police force readily accept change when change means improvement?

III. JUVENILE COURTS

Is your court calendar current and does the court remove chronic juvenile offenders from the community for substantial periods of time?

IV. PROSECUTORS—DISTRICT ATTORNEYS

Are your prosecuting officials current and do they resist breaking down felonies to lesser charges? Do they spend time working closely with the Police Department to give help and advice on a day-to-day basis?

V. DEFENSE OF THE CHRONICALLY ACCUSED AND NONWEALTHY

Do you have a public defender system to defend indigents with adequately prepared and experienced criminal trial lawyers as opposed to an inadequately prepared criminal lawyer or drafted and inexperienced civil lawyer? (The unprepared or inexperienced lawyer will badly clog the criminal trial system and often produce an improper result.)

VI. THE CRIMINAL COURTS

Is your municipal and trial court calendar current and are dangerous felony suspects moved from apprehension to trial within 30 days? Are adequate sentences being given to chronic violent offenders?

VII. INCARCERATION FACILITIES

Are your institutions modern, providing both maximum and minimum security sections for a division of offenders? Do they provide an opportunity for rehabilitation programs, work release systems, and other alternatives which can separate offenders from society without placing them for long periods in maximum security?

VIII. PROBATION AND PAROLE

Are offenders being released at a proper time and when paroled, is proper supervision given them so the community is protected? Are prisoners paroled because they deserve it, not because of inadequate institutional space or because of a mechanical time formula which returns unsupervised felons to the central city prematurely?

IX. DAY-TO-DAY PREVENTION

Do you have a broadly-based citizens committee working with the police on central city problems, such as securing jobs for young people, publicizing shortcomings within the system, aiding parole officers, and forming block clubs to improve slum neighborhoods?

X. LONG-RANGE SOLUTIONS

Do you have a statewide planning group to update your criminal code, to study, and thereafter to advocate adequate police training programs and to work with the state and national governments in determining the root causes of crime in your specific crime "hot spots"?

The CHAIRMAN. The Chair recognizes the gentleman from New Jersey [Mr. Hunt].

Mr. HUNT. Mr. Chairman, I rise in support of the Cahill amendment.

I have been listening rather intently to some of the Members who have purported to know so much about law enforcement. Some say we should put this off because their States, where they were officials at one time and should have been proposing a good sound State legislative program for criminal suppression, say, "Do away with it now because we have been dilatory." This leads us back to the medieval times, when people talk about what they should have done but never did.

Why should we have money expended on 19,000 plans when each State should have had their own plan many, many years ago? This is something we talk about but never do. The gentleman from New Jersey's [Mr. Cahill] plan is an excellent amendment and should be supported.

I am opposed to the present bill in parts, one of which is the tremendous power that would be vested with the U.S. Attorney General. To date, our Attorney General has not even expended an iota of energy in carrying out the application of existing laws. So many daring weak-kneed examples are in evidence that I shudder to think of future years needed to correct them.

The CHAIRMAN. The Chair recognizes the gentleman from Minnesota [Mr. MacGregor].

Mr. MacGREGOR. Mr. Chairman, I would like to say to the gentleman from Colorado [Mr. Rogers], that if he will please look at title IV of the bill, he will see the Attorney General under the Cahill amendment as well as in the administration bill has the authority to issue regulations under which the program would be administered.

It seems to me many people are posing the question as to whom we should trust. Will we trust the chief executives of our States, or would you rather bypass them and place your primary reliance on the Attorney General of the United States? I do not know who will be Attorney General of the United States in the future. I hope whoever it may be, he will be a more responsive law enforcer than the Attorney General we have today.

When you vote on the Railsback-Cahill amendment, I ask you to consider what treatment this Attorney General has given to the bipartisan unanimous recommendation of almost 6 months ago of the Celler select committee asking the Attorney General to take action against Adam Clayton Powell. The answer is he has ignored our request. Apparently he is not interested in law enforcement in this matter.

The CHAIRMAN. The Chair recognizes the gentleman from New York [Mr. Tenzer].

Mr. TENZER. Mr. Chairman, leaving aside the basic policy questions raised by the State planning agency amendment, offered by the gentleman from New Jersey [Mr. Cahill], I would like to raise a fundamental question as to the feasibility of this amendment. I believe that in many States it will be impossible to establish State planning agencies within the time periods required by the proposed amendment.

In some States, the Governors will be unable to act without specific authorization of their State legislatures. Many State legislatures will have to be called into special session to enact appropriate enabling legislation, including a funding of the State's 10-percent matching share for the planning grants and the 40-percent share for the action grants. In other States, it is likely that an authorizing amendment to the State constitution will be required. Yet, section 205 of the proposed amendment allows a State to be bypassed if it fails to apply for a planning grant under title I within 3 months after the effective date of the act or if the State fails to file a completed comprehensive plan within 6 months after approval of its planning grant.

We are all concerned with the growth of crime in our land. While law enforcement is a local responsibility, the resources of the Federal Government should be made available to the States and units of general local government to help improve their local law enforcement responsibilities.

During the debate some mention was made that, under the committee bill States are not eligible to apply for grants. This is not so. Members are respectfully referred to the language of sections 102, 201, and 203, which each contain specific language providing for "grants to States" and to section 501(d) "Definitions" which reads as follows:

> (d) "Combination" as applied to States or units of general local government means any grouping or joining together of such States or units, including a grouping or joining together for purposes only of preparing, developing, and implementing a law enforcement and criminal justice plan.

We should not be obligated to create in each State another plateau of bureaucracy of units of general local government to go to and apply for funds under this law.

Such newly created agencies will have had no prior experience in law enforcement matters. The expertise of county, city, and village local law-enforcement units will be frustrated before such bodies.

Under the bill the Attorney General may deal directly with the State, or combination of States, as well as with units of local government. Each applicant, whether State or local, may avail itself of the Federal assistance provided in the act in accordance with its own individual needs. The bill promotes maximum freedom at the local unit level. At the same time combinations of States and local units are encouraged where appropriate or possible, and the States are enabled to coordinate planning on a statewide basis.

The various State control amendments that were rejected by the Judiciary Committee were defeated because they would tend to shift responsibility away from municipal and county levels. Law enforcement primarily is a local responsibility. An increase in State control directly reduces county or municipal freedom of action.

I cannot understand why so many of our colleagues persist in overlooking the fact that rioting and inciting to riot are crimes under State laws and are punishabe as such, under existing State laws. The bill before us is addressed to fighting all crime.

Mr. Chairman, I greatly prefer the approach taken in the present version of H.R. 5037, which gives maximum flexibility to the States to establish planning agencies through whatever procedures may be appropriate, but which also imposes no penalty on direct participation by local governments where the State agency proposal is simply not feasible.

The CHAIRMAN. The Chair recognizes the gentleman from Michigan [Mr. Gerald R. Ford].

Mr. GERALD R. FORD. Mr. Chairman, in most States we have three divisions of law enforcement. We have a State agency, we have a county or parish agency, as they have in one State, and maybe in more, and we have local community law-enforcing agencies. It seems to me that in the multitude of problems we face in every State with these different units it is far better for all to get together and have a single State plan approved by the Governor or his representative rather than having the local law enforcing agencies in the respective States coming one by one by one down to the Attorney General with their respective proposals. In every one of our 50 States we have serious law enforcement problems. The best way to start to attack that nationwide problem is through a State plan where the individual State and local agencies are coordinated into one program. Subsequently that statewide program will be submitted to the Attorney General for his final approval. If you want State plans, vote for the Cahill amendment. If you want Federal control, vote against it.

The CHAIRMAN. The Chair recognizes the gentleman from Ohio [Mr. McCulloch].

Mr. McCULLOCH. Mr. Chairman, I regret that I find it necessary to oppose the amendment of two of my colleagues on the minority side, who did such a grand job in helping amend this bill, in some 24 places.

However, I think that the gentleman from Washington [Mr. Adams] made a telling point when the gentleman spoke first on this matter. The gentleman said that of all the 50 States of the Union there were only 13 which were active pursuant to law in State and local law enforcement activities. As a matter of fact, the great State of Ohio has no State police force as such. It has a highway patrol. And, so, in all of the States of the Union, except 13, there is no real expertise in laying out plans designed to combat crime at either the State or the local level.

The bill that is now pending before us,

without the Cahill amendment, contains the approach that can make the legislation immediately effective. Otherwise, it can be from 3 to 12 months before a plan is underway.

Mr. Chairman, I expect to vote "no" on the Cahill amendment.

The CHAIRMAN. The Chair recognizes the gentleman from New York [Mr. CELLER] to close the debate on the amendment and all amendments thereto.

Mr. CELLER. Mr. Chairman, there should be no fear of any Federal police control. It is ridiculous to say that the Attorney General could in any way control some 40,000 local law enforcement agencies and the members thereof.

We have a strong tradition in this country directed toward independent local law enforcement agencies. If we tried to control those agencies, federally, there would be such public opinion to arise and wrath against us that it could not be done.

Beyond that, Congress would have control over the situation in the future because it has control over the purse strings.

And, finally, I would say that the members of the Committee should not be swayed by the argument of the so-called apparent need for State control. I am of the firm conviction that under the Cahill amendment, the political powers upon whom the Governors might have to rely for support in their next election, would devour a major portion of the Federal grant to the States. Thereby it would be a case of Federal wealth becoming political health.

For those reasons, Mr. Chairman, I hope the amendment and the MacGregor amendment to the Cahill amendment will not prevail.

Mr. McCLURE. Mr. Chairman, I ask unanimous consent to extend my remarks at this point in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Idaho?

There was no objection.

Mr. McCLURE. Mr. Chairman, before this summer became long, hot, and riot prone, crime legislation lacked a sense of urgency.

The new Attorney General—whose tenure in office I hope will be brief—was saying, "There is no wave of crime in the country."

Only in the face of FBI statistics reflecting a sharp increase in crime and polls showing a genuine consensus that something be done about it, was the President prodded into taking any action.

Predictably, he established a Commission. And just as predictably, the National Crime Commission's report discussed sociological problems and seemed more determined to punish society than to deter the criminal. When it did get down to specific recommendations, the Commission fell back on depression-day, New Deal thinking and suggested that the whole matter could be cleared up with a lot of Federal money and even more Federal direction.

I never cease to wonder at the gall which inspires members of the other party to characterize conservative Republicans as living in the past, when they have not had an original thought since 1933.

The proponents of this bill claim to subscribe to the premise that "crime is essentially a local problem that must be dealt with by State and local governments." Are we to believe that giving the Attorney General maximum discretion in promulgating regulations and the authority to terminate payments at will does not constitute Federal intervention?

The bill authorizes the expenditure of $50 million in the coming fiscal year. Are we to believe that this is all it takes to combat crime when property losses from this problem amount to $3 billion annually?

The committee report says that one of the purposes of the bill is to increase respect for law and order. Are we to believe that more Federal money than had already gone into Detroit via the poverty program would have prevented the looting, arson, and murder that occurred there?

In the period between 1960 and 1965 the rate of violent crimes went up 25 percent and property crimes rose 35 percent. Are we now to believe that such things as behavioral research and the building of fancy new police stations will slow crime down?

This bill is just a token gesture on our part to those demanding that something be done about crime. What does the bill do? It enlarges the Federal bureaucracy and paves the way for Federal control of local law enforcement. What is it the bill does not do? It does not deter crime.

There are other ways that Congress could effectively meet the problem.

The committee report recognizes "that adequate compensation for law enforcement personnel is one of the most vexing problems in the fight against crime." Well, we give a special tax exemption to servicemen in combat areas who protect American freedom. It would seem to be a logical extension of this principal to give police officers, who protect us on the homefront, the same sort of tax break. If there is a lack of funds for the payment of adequate salaries and to attract qualified young men on a career basis, what better way to raise their take-home pay than by lowering their taxes? I introduced a bill to that effect last spring, exempting the first $300 of every policeman's monthly salary.

All of the planning grants in the world are not going to alter the fact that it is the courts who have made it nearly impossible for the policeman to effectively carry out his duties—to gather evidence and question suspects. The McClellan bill, which I have cosponsored on the House side, provides that confessions, voluntarily given, cannot be thrown out of a subsequent trial.

A great deal has been said about firearms control, and the Judiciary Committee has a gun control bill up its sleeve to pop at us next. But I see no reason why sportsmen of this country should be penalized for the misuse of firearms occurring in the cities. Nor does it seem to me that we deter crime by disarming the law-abiding citizen.

If firearms statutes already on the books were enforced, there would be no talk of gun control legislation today, and the outdoorsman could continue his pursuits in peace.

There is an area, however, in which Congress could act, and that would be to add stiff penalties for use of any deadly weapon in the commission of a Federal crime. And I have introduced a bill that would accomplish this.

Before long, we are certain to have to face up to wiretapping legislation. Reading about it in the papers, one gets the impression that the only alternative to the present system is to eliminate wiretapping altogether. A number of us have introduced bills that would eliminate it except when authorized by a court order, similar to a search warrant, to a law enforcement officer.

I would be the first to admit that something must be done about the rising crime spiral, but to say that the bill before us is the only solution merely begs the question.

Although this bill is imperfect and falls short, it may have some positive contribution to make. This is particularly so if the pending amendment is adopted. I received a telegram from the Governor of my State which is as follows:

> Strongly favor H.R. 5037 Law Enforcement and Criminal Justice Act. Idaho has Crime Control Commission ready to be appointed if law is amended to require State agency participation. State agency route seems to be preferable rather than direct grants to local governments signed Don Samuelson Governor of Idaho.

I urge the adoption of the amendment and approval of the bill as so amended.

Mr. SKUBITZ. Mr. Chairman, I ask unanimous consent to extend my remarks at this point in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Kansas?

There was no objection.

Mr. SKUBITZ. Mr. Chairman, many of the failures of other "categorical grant-in-aid" programs have been laid at the door of insufficient study and analysis of the problem prior to the legislation aimed to remedy the problem. This does not or should not hold true as applied to the legislation before us today. The President's Commission on Crime has submitted a long and detailed report on the problem, not the least of which is their documentation of the sociological factors leading to crime. What we do today in enacting this legislation results from our recognition of the magnitude of the "crime" problem, recognition of the inability of our law enforcement agencies to meet or to curb the growth and spread of crime, and finally our recognition of the necessity of our recognition of the problem.

First, this legislation was titled the "Safe Streets and Crime Control Act,"—a title which was dropped apparently from feeling that the title offered "false" promises. Titles used to be merely a point of reference for a piece of legislation—not any more—legislative titles have become the gift wrapping of legislative efforts. I would be less than honest not to point out that the wrapping of this legislation—the Law Enforcement and Crime Control Act as it is called makes our refusal of the package unthinkable when the call for law enforcement and crime control is so strong as it is in this society today.

Looking at this bill, we see a rendition of all the other "categorical aid" programs which are a part of President Johnson's view of "Federal-State" partnership. I do not doubt the sincerity of the effort of committee members who present this legislation to us. They have devoted many long hours. But the approach is wrong and no matter how far you go, you have to be headed in the right direction. The categorical "grant-in-aid" program opens another Pandora's box to disappointment. Civic leaders, law enforcement agencies and officers, and the American public will get their hopes up until they become discouraged by the endless directives and redtape, the lack of coordination and comprehension the dozens of different interpretations of what should and can be done through this legislation. Unless effective coordination of local efforts on the State level is realized and unless Washington control of the money is put to a minimum, we could be scattering these moneys to the sea. I sincerely hope that I shall be proven a skeptic in making these observations. I hope the urgent need for the effective control of crime will overrule the bureaucratic desire to monopolize solutions. The bill states as its premise that "Crime is essentially a local problem that must be dealt with by State and local governments." I hope this statement of fact is kept close in mind when the Attorney General and his assistants pass judgment on communities when they apply for funds.

We all know that the State and local communities need funds to meet the rising demands being placed on those levels of governments. At the same time, we realize that the Federal Government has usurped nearly every conceivable source of funds from which the State and local governments might derive necessary revenue. Federal financial assistance is a must.

Like many of my colleagues in the House, I have supported a program of revenue sharing whereby the Federal Government would allot to State and local governments a portion of the revenues collected therein. The strings of control would be effectively cut, long-run planning would be facilitated which is now impossible due to congressional review and appropriation procedure, and finally the citizens of State and local governments could exercise the responsibility and the right of citizenship which is being denied them. We hear a lot about the incompetence of local and State officials and I cannot agree with that complaint. When have they been given a chance to prove their capability—certainly not in the last 5 years when they have watched their responsibilities go out the door headed for Washington. The strength of this country cannot be measured by the strength of Washington bureaucracy. It must be measured by the strength, capability, and active citizenship of each individual in our society. This applies to law enforcement, it applies to social change and adjustment, to education, to virtually every area of community relations and growth in which problems exist today.

A general complaint by law-enforcement agencies is that they need better trained men. But how are some of our small communities in the districts like the Fifth of Kansas going to get training facilities and teaching personnel for the few persons of their police force? No cooperation is provided for in this bill and certainly the Attorney General is not going to set up a training institute in every small community of this Nation. Only by State comprehensive and community cooperation can training be offered and research be carried on which will benefit the enforcement officers of all communities regardless of population.

When we pass this legislation—we should include a provision for counseling services for community leaders who wish to apply for Federal funds. They have come to know through experience that making application for Federal money is a competitive, dog-eat-dog race when they must use all their imaginative and perceptive powers in an attempt to outwit the next town or community of another State. The race is on—and there will be little time for thoughtful planning—the time must be used to write those applications and to send them in before the "funds run out" and before other towns of other States have beaten them to the draw. But if all this frustration brings some hope for crime control and initiative for the upgrading of law-enforcement agencies and procedures, then I shall be one of the most grateful.

I shall support H.R. 5037, the Law Enforcement and Criminal Justice Assistance Act of 1967. I speak now to urge my colleagues to accept the Cahill and the McClory amendments being offered here today. These amendments offer significant improvements to the legislation. Though the amendments cannot alter the grant-in-aid characteristic of the bill, they contribute to the possibility that this legislation will be effective by putting more emphasis on priorities, on comprehensive planning, on research and training activities which can aid all law enforcement agencies.

Mr. MONTGOMERY. Mr. Chairman, I ask unanimous consent that the gentleman from South Carolina [Mr. RIVERS] may extend his remarks at this point in the RECORD and include extraneous matter.

The CHAIRMAN. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

Mr. RIVERS. Mr. Chairman, I rise in support of the Cahill amendment to H.R. 5037, the Law Enforcement and Criminal Justice Assistance Act of 1967. I do this because I am losing confidence in the Department of Justice. I would support almost any legislation to combat crime in the United States. In recent weeks anarchy has prevailed in the cities across America. Today we cannot be confident that tranquility will exist anywhere in these United States, including the floor or the gallery of this very House. And we certainly have no idea of what tomorrow will bring. Bigots, hate mongers, racial agitators are advocating open insurrection. Crime is rampant. Right here in the District of Columbia criminal actions have risen at an alarming rate. People are afraid and with due cause.

Personally, I do not have a great deal of hope that this legislation will go very far to correct the ridiculous position in which we find ourselves, but anything is better than nothing if it is a step toward correcting the crime spree in America. Frankly, I wish we were considering bills to give additional powers to the police departments in our various communities overriding some of the recent sociological decision written by starry-eyed idealists sitting on our courts. This bill does nothing to override the effects of these decisions but provides grants to local communities to develop new techniques and facilities to deal with problems relating to crime.

I am going to support this measure because I believe there is no quick and easy cure or no one cure to this vast problem. But I do know that our courts and our national leadership has placed too much emphasis on minority rights without regard to the fact that society collectively also has rights. Too much emphasis has been placed on society's responsibility to the individual without regard to the individual's responsibility to society. What we need most is leadership at all levels of the Government, from the White House to the courthouse. Leadership commands confidence and respect—for there can never be respect for law and order unless there is respect for those who make the law or those who enforce the law, interpret it, administer it, and without favor.

My concern today is the lack of leadership, beginning right at the top of the Department of Justice and permeating all the way through.

Mind you I am not charging any one in the Justice Department with disloyalty but I am charging those responsible for the administration of justice with timidity and irresponsibility. I am charging the decisionmaking officials at Justice with ignoring their responsibility to society and to the American people in order not to offend certain minority groups.

I was very much impressed recently with a speech delivered on Law Day at Notre Dame University by its law school dean, Joseph O'Meara, who stated:

> I profoundly believe that no man should be discriminated against because of his color. I am equally convinced that no man should be protected by his color.

As Al Smith used to say, "Let's look at the record." During our recent hearings on the Universal Military Training and Selective Service Act, Fred M. Vinson Jr., Assistant Attorney General, Criminal Division, Department of Justice, appeared before our committee. Most of you knew Mr. Vinson's father who not only served among us as a Congressman but also was Chief Justice of the Supreme Court. We had notified Mr. Vinson in advance that we were going to discuss with him certain matters relating to the apparent "reluctance on the part of public officials to effectively prosecute individuals who contrived to escape the privileges and responsibility of military service to their country by evading the draft by illegal means." Prior to Mr. Vinson's appearance the Department of Justice had sent to us a letter which in part stated:

> In the administration of the Act, the Department of Justice conducts inquiries and hearings with respect to the character and good faith of registrants who claim to be conscientiously opposed to participation in war in any form, and is responsible for the prosecution of persons alleged to have violated the criminal provisions of the Act. The Department has adequate authority to identify, apprehend, and prosecute alleged violators of the Act.

Now, note that the Department of Justice states that they have "adequate authority to identify, apprehend, and prosecute alleged violators of the act." During the hearings we read to the Assistant Attorney General section 12 of the act which provides in part—

> Any person . . . who knowingly counsels, aids or abets another to refuse or evade registration or service in the armed forces or any other requirements of this title . . . shall, upon conviction in any district court of the United States of competent jurisdiction, be punished by imprisonment for not more than five years or a fine of not more than $10,000 or both such fine and imprisonment.

I asked Mr. Vinson specifically:

> Has anybody been charged under this provision of the Act for knowingly counseling, aiding or abetting another to refuse registration for services in the armed forces. You know of anybody who has been prosecuted under that?

His answer was, "Not within my experience, Mr. Chairman."

But is it not interesting to note that the Supreme Court on February 6, 1950, a court which in part was comprised of Chief Justice Vinson, the father of the present Assistant Attorney General, and Justice Tom Clark, father of the present Attorney General, affirmed a judgment in Warren against the United States, a case which upheld the conviction of an individual who counseled, aided, and abetted another to refuse to report for induction into the armed services. It is also interesting to note that on October 23, 1950, in Gara against the United States, the Court refused to overrule a conviction of one who counseled, aided, and abetted another. In fairness, however, I must say that this case was upheld by an equally divided Court with Justice Clark not participating in this decision. Nevertheless, the principle was once again upheld by the Supreme Court. As late as 1956, this same principle was upheld in the case of the United States against Miller, one decided by the Second Circuit Court where a Lucille Miller was convicted on all 18 counts of an indictment charging her with knowingly counseling nine named persons who refused to comply with certain provisions of the Universal Military Training and Service Act.

Yet, when I asked Mr. Vinson if he were familiar with the statements of one Stokely Carmichael, Mr. Vinson replied:

> This is probably the most difficult area of the entire law. You are dealing with utterances. You are dealing with speech. And the Supreme Court has held as long ago as the *Schenck* case—I believe Chief Justice Holmes wrote that—he said that you must proceed with caution where you evoke criminal sanctions to punish speech, because of the first amendment.
>
> He posed what is known as the "clear and present danger" test. In the words of the Court he said the test was—and I quote—"whether the words used are used in such circumstances and are such in nature as to create a clear and present danger that they will actually bring about the substantive ills that Congress has a right to prevent."
>
> It is a question of proximity and degree.
>
> Some years after that enunciation the Court enunciated in 1950, in the case of *American Communications Association* v. *Dowds* the balancing of interest test, which is really just another way of saying what Holmes had said.

The Court said—and I quote—

> When particular conduct is regulated in the interest of public order, and the regulation results in an indirect, conditional partial abridgment of speech, the duty of the Courts is to determine which of these two conflicting interests demands the greater protection under the particular circumstances presented.

Now I think the remarks of Chief Justice Vinson in the American Communications Association against Dowds is so important that we should call a larger portion of the decision than the Assistant Attorney General called to the attention of the Committee. And I quote:

> The real test then of governmental power over First Amendment situations appears to be whether the prescribed acts or conduct are sufficiently injurious to the peace, health, safety and welfare of society generally so as to counterbalance the infringement on personal liberties inherent in every interference by government with free speech. The side toward which the scales will tip depends upon speculation as to the probable damage which is likely to result to society by the forbidden acts. If the guarantees of the First Amendment were to become absolute, social anarchy would reign; if they could be lightly brushed aside, our civil liberties might well be brushed aside with them.

But then the interesting proposition is that the Assistant Attorney General told the committee:

> Because of that, Mr. Chairman, we have taken the position that general statements made to a general audience would be exceedingly difficult to prosecute.

Let me repeat. Without a court decision and based on a judgment factor alone, the man who is charged with the responsibility for the enforcement of the criminal statutes of the United States refuses to prosecute someone who in a speech utters general statements to a general audience because of inherent difficulty in obtaining a conviction.

But he did not stop at that point and I quote again when he referred to this type of utterance, "that in my judgment," so says Mr. Vinson, "is protected speech."

I was shocked. So I attempted to pin Mr. Vinson down a little more and I asked him this question:

> What you are telling us, under the decisions of the Supreme Court now, there is no way you can indict any individual who counsels against registering for service to his country under the provisions of this or any other law on the statute books of the United States? Is that what you are telling us?

The Assistant Attorney General replied—

> Well, basically I suppose what I am saying is that no legislation can override the first amendment. The first amendment rights, however, are not absolute. This again gets back to the idea expressed by Holmes in the area of proximity.

Yet when we asked Mr. Vinson if he had any recommendations to make for changes in the law to enable him to make prosecution easier, he offered no suggestions and apparently was perfectly content with the substantive law as it now exists. I conclude, therefore, that the Department of Justice would rather second guess the Supreme Court than fulfill its responsibility to the Nation.

Mr. Chairman, at this point in the RECORD I would like to insert the speech delivered by Dean O'Meara at the law honors banquet of the Notre Dame Law School on May 1, 1967, and letters from Dean O'Meara dated May 18 and June 28, 1967 which point out the fallacy of the position of the Justice Department.

I would also like to insert in the RECORD a memorandum prepared by a member of my staff of the House Armed Services Committee which I think amply refutes the position taken by the current Assistant Attorney General.

Today we are witnessing the fruits of their policies. We are watching open insurrection with destruction of private property. Civil liberties have been curtailed in riot-torn cities. Surely this is the very proposition that Chief Justice Vinson called attention to in the Communications case.

I could go on and on on this subject as it is one which I have received hundreds of letters. But I shall not do so in the interest of time. Nevertheless, I felt it was important to bring this matter in some detail to your attention because until such time as we have leaders in the Department of Justice who will follow a rule of law—yes—even a rule of law established by their own fathers—and stop substituting politically motivated judgments for that rule of law, we will never have proper crime enforcement in the United States. This bill we are considering today or any bill is merely a poor substitute for lack of leadership at our national level.

Until responsibility is assumed from the White House to the Court House, we will be plagued with the cry, "Burn, baby, burn" as we watch our cities go up in flames of destruction.

The material follows:

REMARKS OF DEAN O'MEARA AT THE LAW HONORS BANQUET OF THE NOTRE DAME LAW SCHOOL ON MAY 1, 1967

What I have to say seems to me relevant in view of the theme of this year's Law Day: "No man is above the law and no man is below it"—Theodore Roosevelt's magnificent capsule statement of the Rule of Law. Far more eloquent, however, is John Courtney Murray's expression of the meaning, the intent and the effect of the Rule of Law. "Western man," Father Murray says, "has sought in the idea of law a manifold redemption—from the arbitrary despotism of uncontrolled power; from the threat or fact of injustice to his person or his property, from dispossession of his human and his civil rights; from the degradation that ensues upon social inequalities destructive of his personal significance and worth; from disruption of his life by the irrational forces of passion, caprice, and chance."

What would happen to these values, so highly prized by us, if Communist aggressors should carry the day? We are locked in mortal combat with them at this moment—in Viet Nam. There, in that hot and distant land, we are waging an escalating war, a war that is horrible and tragic as, indeed, all wars always have been.

Why are we fighting a war in that far-away corner of the earth? First of all, because we have made commitments, which have been and are being relied on; and because we are not, and cannot afford to become welshers.

We are fighting that war, moreover, to preserve the Rule of Law and the values it protects.

We are fighting that war, finally, as a matter of self preservation. If we do not stop Communist aggression in Viet Nam, where shall we stop it? After the Reds have engulfed or neutralized Indonesia? Overwhelmed the Philippines? Reduced or isolated Japan? Established a beachhead in Hawaii? Or shall we wait until they have landed in Central America or Mexico?

To stop the Communist aggressors *now*, while they are still far from our own shores, American men are dying in Viet Nam; American women are losing their sons, husbands and sweethearts. At the same time there are many in this Country who are fighting another and different war, a war against what is called our "involvement" in Viet Nam. Some of these are motivated by strongly held moral principles. They are entitled to respect, and nothing I shall say is directed against them.

For the most part, however, I am persuaded, the objectors are either Communists, or traitors or cowards. Or they are persons of large good will but little insight who have been euchred into being stooges, or persons who are seeking some end of their own (ambition, revenge or whatever) at the expense of their Country. To be specific I am referring to Martin Luther King, Stokely Carmichael and others like them. Such persons are doing irreparable harm to the cause of civil rights by seeking to link the Civil Rights movement with their own criminal attempts to persuade young men to avoid military service. Like other malefactors they should be prosecuted. And that goes for anyone else—white or black—who is urging young men to "become" conscientious objectors—a vicious absurdity, which is nothing less than urging them to become perjurors and hypocrites. They should be prosecuted, I repeat, and there is no excuse for not doing so. As the record shows, I profoundly believe that no man should be discriminated against because of his color. I am equally convinced that no man should be protected by his color.

What I have said may be denied indignantly. But the persons I have named, and others like them, let the cat out of the bag, they give themselves away. For never once do they condemn the terrorist tactics of the North Vietnamese; never once do they condemn Hanoi's rejection of all peace proposals, not only those put forward by the Administration but also those advanced by neutral powers, by the Secretary General of the United Nations and by the Vatican; never once do they lament the suffering and death borne by our forces in Viet Nam. These persons weep only for the enemy.

Let them criticize to their heart's content. To do so is their right under the First Amendment. But let it be understood that the Constitution gives no right to obstruct the war effort, as by attempting to persuade young men to refuse to bear arms for their Country. Such attempts are forbidden by Federal statutes. Those who defy this statutory prohibition are giving aid and comfort to the enemy, and should pay the penalty which the law appoints. "No man is above the law and no man is below it"—no man is below the law and no man is above it.

Notre Dame Law School,
Notre Dame, Ind., June 28, 1967.

Hon. Richard B. Russell,
Chairman, Committee on Armed Services, U.S. Senate, Washington, D.C.

Dear Senator Russell: Thank you for your letter of June 9. I am unimpressed by the letter to you, dated June 2, from my friend, Walter Yeagley. He takes the position that there is no basis for prosecuting Martin Luther King and Stokely Carmichael. In support of that position he cites, first, *Abrams* v. *United States*, 250 U.S. 616 (1919), *Schaefer* v. *United States*, 251 U.S. 466 (1920) and *Pierce* v. *United States*, 252 U.S. 239 (1920) (all prosecutions under the Espionage Act of 1917) without making clear that the cases resulted in convictions and that the convictions were *affirmed* by the Supreme Court except in respect of two individuals in *Abrams*, as to whom the Court found no incriminating evidence. What Mr. Yeagley relies on, apparently, is the fact that Justices Holmes and Brandeis dissented.

They did not dissent, however, in *Frohwerk* v. *United States*, 249 U.S. 204 (1919) and in *Debs* v. *United States*, 249 U.S. 211 (1919). Like *Schenck* these were prosecutions under the Espionage Act of 1917. In *Frohwerk* the defendants were found guilty on the basis of articles in a newspaper they published. In *Debs* the basis of the conviction was a speech the defendant had made. In both cases the convictions were affirmed by the Supreme Court and in both Mr. Justice Holmes wrote for a unanimous Court. In his opinion in *Frohwerk* Mr. Justice Holmes makes a point of saying (at p. 206) "that the First Amendment while prohibiting legislation against free speech as such cannot have been, and obviously was not, intended to give immunity for every possible use of language."

The singling out of the three cases cited by Mr. Yeagley and the omission of any reference to *Frohwerk* and *Debs* I consider misleading.

In the cases Mr. Yeagley does cite, that is, *Abrams, Schaefer* and *Pierce*, Justices Holmes and Brandeis dissented, as already noted. The tacit assumption seems to me to be that these dissents destroyed *Schenck*. If that be the purpose of citing *Abrams, Schaefer* and *Pierce* (and I can perceive no other reason for doing so), it seems to me odd that he does not cite *Gitlow* v. *New York*, 268 U.S. 652 (1925) and *Whitney* v. *California*, 274 U.S. 357 (1929). In *Gitlow* Justices Holmes and Brandeis dissented, as in *Abrams, Schaefer* and *Pierce*, cited by Mr. Yeagley. In *Whitney* the same Justices concurred in the Court's judgment, which affirmed a conviction under the California Criminal Syndicalism Act, this time in an opinion by Mr. Justice Brandeis. In both cases, however, they cited and relied on *Schenck*. Indeed, in *Abrams*, the first case cited by Mr. Yeagley, Mr. Justice Holmes, speaking for Mr. Justice Brandeis as well as himself, affirmed his faith in *Schenck* as follows (p. 627):

"I have never seen any reason to doubt that the questions of law that alone were before this Court in . . . *Schenck* . . . were correctly decided. . . ."

Mr Yeagley's final argument follows:

"[T]he judicial decisions interpreting the Universal Military Training and Service Act, Title 50, U.S.C., Section 462 [sic] indicate that counseling evasion of a required duty means attempting to persuade specific persons to evade such a duty, and we know of no decisions indicating that counseling evasion encompasses expressions of views and opinions made to groups of nonspecific persons. . . ."

What judicial decisions? There are only a few involving Title 50, U.S.C. App. § 462 (a), *e.g., Gara* v. *United States*, 178 F. 2d 38 (6th Cir., 1949), and *United States* v. *Miller*, 233 F. 2d 171 (2d Cir., 1956). Each involved the proscribed "counseling and aiding and abetting" in respect of specified individuals. But I find nothing in the opinion in either case suggesting the decision turned on that fact. In *Gara* the contrary is explicitly stated. This is demonstrated by the following excerpts from the opinion. At pages 39–40 a letter written by the defendant to the United States Attorney in Toledo is quoted, which contained the following:

"We have openly urged young men to take this position and shall do all in our power to further the cause of civil disobedience to conscription in this country. . . ."

* * * * *

"Appellant also signed a pledge in 1948, stating, 'I shall in every way possible assist and support non-registrants.' Evidence was presented to the effect that at a meeting held in Reading, Pennsylvania on August 25, 1948, he advocated that men of draft age refuse to register under the Selective Service Act of 1948, and later stated, 'In making this speech I intended to violate the Selective Service Act.'"

* * * * *

"Here appellant admits that he agreed in every way possible to assist and support non-registrants. At an open meeting he advocated refusal to register. His repeated letters state that he counseled men of draft age to refuse registration. Such actions, if carried out extensively, might well nullify the law. Appellant may attack the Selective Service Act of 1948 from every platform in America with impunity, but he cannot, under the guise of free speech, nullify it by disobedience to its express provisions."

The underscored portion of what I have already quoted from the third page of Mr. Yeagley's letter, namely:

"[T]he judicial decisions interpreting the Universal Military Training and Service Act, Title 50, U.S.C., Section 462 indicate that counseling evasion of a required duty means attempting to persuade specific persons to evade such a duty, and *we know of no decisions indicating that counseling evasion encompasses expressions of views and opinions made to groups of nonspecific person. . . .*" interests me greatly. What are *nonspecific persons?* I'd really like to know.

Suppose we take up, for the time being, just the case of Stokely Carmichael and compare what he has said with what was said by the defendants in *Schenck* v. *United States*, 249 U.S. 47 (1919) and in *United States* v. *Miller*, 233 F. 2d 171 (2nd Cir. 1956). In *Schenck* the language for which the defendant was convicted is described by Mr. Justice Holmes as follows (p. 51):

"[I]n impassioned language it [i.e., a circular distributed by the accused] intimated that conscription was despotism in its worst form and a monstrous wrong against humanity in the interest of Wall Street's chosen few. It said 'Do not submit to intimidation,' but in form at least confined itself to peaceful measures such as a petition for the repeal of the act. The other and later printed side of the sheet was headed 'Assert Your Rights.' It stated reasons for alleging that any one violated the Constitution when he refused to recognize 'your right to assert your opposition to the draft,' and went on 'If you do not assert and support your rights, you are helping to deny or disparage rights which it is the solemn duty of all citizens and residents of the United States to retain.' It described the arguments on the other side as coming from cunning politicians and a mercenary capitalist press, and even silent consent to the conscription law as helping to support an infamous conspiracy. It denied the power to send our citizens away to foreign shores, to shores to shoot up the people of other lands, and added that words could not express the condemnation such cold-blooded ruthlessness deserves, &c., &c., winding up 'You must do your share to maintain, support and uphold the rights of the people of this country.' Of course the document would not have been sent unless it had been intended to have some effect, and we do not see what effect it could be expected to have upon persons subject to the draft except to influence them to obstruct the carrying of it out."

Writing for the Court, which included Mr. Justice Brandeis, Holmes said that (p. 52):

"The most stringent protection of free speech would not protect a man in falsely shouting fire in a theatre and causing a panic. It does not even protect a man from an injunction against uttering words that may have all the effect of force. . . . The question in every case is whether the words used are used in such circumstances and are of such a nature as to create a clear and present danger that they will bring about the substantive evils that Congress has a right to prevent. It is a question of proximity and degree. When a nation is at war many things that might be said in time of peace are such a hindrance to its effort that their utterance will not be endured so long as men fight and that no Court could regard them as protected by any constitutional right."

In the *Miller* case the language for which the defendant was convicted is described in the Court's *per curiam* opinion as follows (p. 172):

"Defendant, Lucille S. Miller, was convicted in July, 1955, on all eighteen counts of an indictment charging her with knowingly counseling nine named persons to refuse to comply with certain provisions of the Universal Military Training and Service Act, in violation of 50 U.S.C. App. § 462(a)."

The Court said (at p. 172) that Mrs. Miller's

"[C]onstitutional objections have been met by the overwhelming weight of well-settled and unanimous authority. . . . Congress in fulfillment of its constitutional duty has enacted this legislation to provide for the national security; that defendant disapproves the Congressional action and has frequently and vehemently stated her position on this and other matters of public importance lends no weight to the validity of her arguments, which are without legal merit. Like the conviction of her husband this day affirmed, . . . this is a sad case where self-delusion has carried defendant to the point where she apparently believes her own warped ideas of patriotism, interlarded with distressing racial, religious, and political biases, can justify her in the crudest of law violations."

It is time now to consider statements made by Carmichael, which Mr. Yeagley seems to believe are innocuous. What has Stokely Carmichael said? He is quoted in the April 22, 1967, issue of *The National Guardian* (published by Weekly Guardian Associates, 197 East Fourth Street, New York, New York. Editor: James Aronson) as follows:

"The Student Nonviolent Coordinating Committee took a stand against [the Vietnam] war in 1965 because it is a brutal and racist war. We took our stand because we oppose the drafting of young Afro-Americans to defend a so-called democracy which they do not find at home. We took that stand because this war forms part and parcel of an American foreign policy which has repeatedly sought to impose the status quo, by force, on colored peoples struggling for liberation from tyranny and poverty. Only the white powers of the West will deny that this is a racist war. When the colored peoples of the world look at that war, they see just one thing. For them, the U.S. military in Vietnam represents international white supremacy.

* * * * *

"We have not only a right to speak out—we have an obligation. We must be involved, we must fight racism in all its manifestations. There is another America, and it is an ugly one. It is an America whose basic policy at home and abroad can only be called genocide.

* * * * *

"We must speak out more strongly against the draft. Our position on the draft is very simple: Hell no, we ain't going. The draft takes the enslaved black youth of this society and uses them to support enslavement abroad. The draft is white people sending black people to make war on yellow people in order to defend the land they stole from red people."

Mr. Justice Holmes pointed out in *Gitlow* (Brandeis concurring), as he had in *Schenck* that

"The question in every case is whether the words used are used in such circumstances and are of such a nature as to create a clear and present danger that they will bring about the substantive evils that Congress has a right to prevent. It is a question of proximity and degree. . . ."

And in *Schaefer* (cited by Mr. Yeagley) Mr. Justice Brandeis (Holmes concurring) quoted exactly the same language from *Schenck* which Holmes had quoted in *Gitlow*.

So the question is: What are the circumstances, that is to say, in what conditions did Carmichael speak, since it is essential to consider his fiery utterances in context. Stokely Carmichael is a firebrand, a militant, a violent character. He seems to breed riots; they follow in his train. This is understandable in view of the inflammatory nature of his speeches as reported on the radio and in the press. Thus in Louisville (according to the *Courier-Journal* for June 20, 1967, at page A–11) he proclaimed:

"It's not a question of law and order. We have to build a revolution."

The South Bend Tribune of June 22, 1967 (p. 17) carries the following UPI dispatch from Atlanta:

"Atlanta's racial troubles began Monday night following a speech by Carmichael in which he:

"Urged Negroes to join a 'revolution' against whites;

"Told the audience not to clap . . . to save their energy for 'beating heads'."

And, according to both ABC and CBS radio broadcasts on June 26, 1967, Carmichael, in Boston, suggested bombing stores owned by white merchants as a means of acquiring them for Negroes. An AP dispatch from the scene, (according to *The South Bend Tribune* of June 26, 1967, at page 7) reads, in part, as follows:

"Stokely Carmichael led a march through the streets of Boston's heavily Negro Roxbury section Sunday and told Negroes they must take control of the land and stores in their areas.

" 'We will control things in our communities by any means necessary,' he told a rally in Franklin Park.

" 'If hunky (the white man) gets his store bombed out every Friday or Saturday,' Carmichael said, 'he's going to have to sell it to us.'

"He also told the crowd that the only way to stop 'racist aggression' by police 'is by armed resistance.' . . ."

If you have heard him on radio, you know that his language is so impassioned that he sometimes becomes almost incoherent. And he speaks to restless young Negroes, many, if not most, of draft age, who idolize him. The remarks I have quoted above from the National Guardian must be judged in this context. And their effectiveness, at least according to a column in the April 23, 1967, *The Daily Worker* (p. 9) is obvious:

"Led by Stokely Carmichael and marching behind the banner of the Black United Action Front, coordinating committee for the peace marchers in Harlem, the parade evoked sympathetic comments from many onlookers.

"Carmichael was besieged particularly by young Harlemites who eargerly shook his hand. A number asked for his autograph.

THEME

"The theme of the marchers, 'Hell, no; we won't go!', won the greatest response along the line of march, especially from draft-age youth. And it was evident from the determined expression on many faces that for many it was not just a march slogan.

"A rhythmic chant taken up repeatedly by the marchers seemed to express the mood of large numbers of onlookers.

"It was:

" 'We'll fight in Mississippi, in Watts, in Birmingham, in Harlem, but not in Vietnam.' "

Mr. Yeagley's citation of *Hartzel* v. *United States*, 322 U.S. 680 (1944) raises an intriguing question. As he notes, the opinion contains the following at page 686:

"[The] requirement of a specific intent springs from the statutory use of the word 'willfully.' That word, when viewed in the context of a highly penal statute restricting freedom of expression, must be taken to mean deliberately and with a specific purpose to do the acts proscribed by Congress. . . . "

Is he suggesting that Stokely Carmichael's provocative utterances were unintentional, that he didn't mean what he has been saying, that it is not really his purpose to incite young Negroes to refuse to be drafted? If that is what Mr. Yeagley meant to convey, perhaps he will try to tell us what Carmichael is up to, what his purpose is. If he is not trying to sabotage the draft, what *is* he doing?

I want no misunderstanding of my position. "As the record shows," I said in my Law Day remarks, "I profoundly believe that no man should be discriminated against because of his color. I am equally convinced that no man should be protected by his color." As I see it, Carmichael *is* being protected by his color. This immunity, tacitly granted for *that* reason to a demagogue who is giving aid and comfort to the enemy, seems to me intolerable.

In light of what I have said I respectfully suggest that Mr. Yeagley (and Mr. Vinson, too, since he has expressed similar views) should be requested to appear before the Committee and required to answer this question: What is there about Carmichael's inflammatory utterances which is so different from the language punished in *Schenck* and *Miller* that it gives Carmichael an immunity which was denied to the defendants in those cases?

With all best wishes,
Sincerely,
Joseph O'Meara,
Dean.

P.S.—The Supreme Court's affirmance of Martin Luther King's contempt-of-court conviction may improve the psychological situation as regards prosecution.

The CHAIRMAN. All time has expired. The question is on the amendments offered by the gentleman from Minnesota [Mr. MacGregor] to the amendment offered by the gentleman from New Jersey [Mr. Cahill].

The question was taken; and on a division (demanded by Mr. Celler) there were—ayes 143, noes 69.

Mr. CELLER. Mr. Chairman, I demand tellers.

Tellers were ordered, and the Chairman appointed as tellers Mr. MacGregor and Mr. Celler.

The Committee again divided, and the tellers reported that there were—ayes 189, noes 96.

So the amendments to the amendment were agreed to.

The CHAIRMAN. The question is on the amendment offered by the gentleman from New Jersey [Mr. Cahill], as amended.

Mr. GERALD R. FORD. Mr. Chairman, on that I demand tellers.

Tellers were ordered, and the Chairman appointed as tellers Mr. Cahill and Mr. Celler.

The Committee divided, and the tellers reported that there were—ayes 188, noes 86.

So the amendment, as amended, was agreed to.

AMENDMENT OFFERED BY MR. M'CLORY

Mr. McCLORY. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. McClory: On page 23, strike out line 1 and all that follows down through and including line 4 on page 24 and insert in lieu thereof the following:

"TITLE III—ESTABLISHMENT OF A NATIONAL INSTITUTE OF LAW ENFORCEMENT AND CRIMINAL JUSTICE

"Sec. 301. It is the purpose of this title to establish a National Institute of Law Enforcement and Criminal Justice to encourage research, development, and training for improving law enforcement and criminal justice, to develop new or improved approaches, methods, techniques, equipment, and devices for the prevention and reduction of crime, and to establish and operate regional institutes for the training of State and local law enforcement personnel and for other purposes.

"Sec. 302. (a) There is established within the Department of Justice a National Institute of Law Enforcement and Criminal Justice (hereafter in this title referred to as the 'Institute') which shall be administered by a Director, appointed by the President, by and with the advice and consent of the Senate. The Director shall be under the supervision and direction of the Attorney General.

"(b) Section 5315 of title 5 of the United States Code is amended by the addition of the following at the end thereof:

"'(78) Director of the National Institute of Law Enforcement and Criminal Justice.'

"Sec. 303. The functions of the Institute shall be—

"(1) to establish regional institutes serving one or more States to provide such programs of training, education, research, demonstration or special projects, and other activities the Director (with the approval of the regional advisory board established by section 306 of this title) may deem appropriate for the purpose of improving State and local law enforcement and criminal justice personnel or persons preparing for employment in law enforcement and criminal justice, or for the purpose of developing new or improved approaches, methods, techniques, equipment, or devices for the prevention or reduction of crime. Such regional institutes may be established by grants to, or contract with, any public or private nonprofit agency, organization, or institution;

"(2) to make continuing studies and undertake programs of research with respect to matters relating to law enforcement organization, techniques, equipment, systems, devices, and practices, the prevention and control of crime, and correctional rehabilitation, including, but not limited to, the effectiveness of projects or programs carried out under this title;

"(3) to carry out a program of behavioral research designed to provide more accurate information on the causes of crime and the effectiveness of various means of preventing crime, and to evaluate the relationship between correctional procedures and the successful rehabilitation of convicted offenders into society;

"(4) to make recommendations for action which can be taken (by the Federal, State, and local governments, and by private persons and organizations) to prevent, reduce, and control crime and improve law enforcement and criminal justice, and increase respect for law and order;

"(5) to carry out a program of instructional assistance consisting of—

"(A) research and training fellowships to the institutes provided for in paragraph (1) of this section, and

"(B) special workshops for the presentation and dissemination of information and knowledge resulting from research authorized by this title. Such instructional assistance shall be subject to such terms, and with such stipends and allowances for travel and dependents, as the Director may prescribe;

"(6) to carry out a program of collection and dissemination of information obtained by the Institute, Federal agencies, and other public or private institutions engaged in projects under this title, including those which relate to approaches, methods, techniques, equipment, and devices which may be useful in the prevention and control of crime, the administration of justice, and the rehabilitation of offenders.

"Sec. 304. The Institute shall establish such laboratories and research facilities as may be necessary to carry out the programs described in Section 303.

"Sec. 305. The Institute shall make available, for the benefit of the States and local law enforcement agencies and the public, information and publications concerning the results of programs conducted under this title and innovative or advanced approaches, methods, techniques, equipment, and devices for the prevention and control of crime, the administration of justice, and the rehabilitation of offenders.

"Sec. 306. There is hereby established for each regional institute established under section 303(1) an advisory board to be made up of two members appointed by the Director and two members appointed by the Governor of each State served by such regional institute.

"Sec. 307. (a) A Federal grant authorized under section 303(1) may be up to 100 per centum of the total cost of each institute for which such grant is made. The Director shall require, wherever feasible, as a condition of approval of a grant under this title, that the recipient contribute substantially in the form of money, facilities, or services to carry out the purpose for which the grant is made.

"(b) Payments under this title to individual trainees at any regional institute established under section 303(1) may be made in installments, and in advance or by way of reimbursements, as may be determined by the Director, and shall be made on such conditions as he finds necessary to carry out the provisions of this title.

"(c) The Director shall prescribe such rules and regulations as he may deem necessary to carry out the provisions of this title in accordance with the requirements of subsections (b) and (c) of section 553 of title 5, United States Code.

"(d) In addition to appointments to the regional advisory board established pursuant to section 306 of this title, the Director is authorized to appoint such technical or other advisory committees as he deems necessary to advise him in connection with the administration of this title. Members of any such committee appointed under this subsection who are not otherwise employed by the United States shall be entitled, while attending meetings of their committee, to receive compensation at a rate to be fixed by the Director, but not to exceed $100 per diem, including travel time, and while away from their homes or regular places of business they may be allowed travel expenses, including per diem in lieu of subsistence, as authorized by law for persons in the Government service employed intermittently.

"Sec. 308. (a) The Director may arrange with and reimburse the heads of other Federal departments or agencies for the performance of any of his functions under this title and, as necessary or appropriate, delegate to the heads of such departments or agencies any of his functions under this title with respect to any program or activity or part thereof and authorize the redelegation of such delegated functions.

"(b) The Director is authorized to secure directly from any department, bureau, agency, board, commission, office, independent establishment, or instrumentality in the executive branch of the Government, information, suggestions, estimates, and statistics for the purposes of this title; and each such department, bureau, agency, board, commission, office, establishment, or instrumentality is authorized and directed to furnish such information, suggestions, estimates, and statistics to the Director upon his request.

"Sec. 309. On or before April 1, 1968, and each year thereafter, the Director shall report to the President and to the Congress on his activities pursuant to the provisions of this title, together with such recommendations as the Director may deem appropriate, and shall within two years of the effective date of this Act submit to the President and the Congress a report of all laws of the United States and programs of the Federal government which, in his opinion, are directly related to or affect the performance of his functions under this title, together with such recommendations with respect thereto as he may deem appropriate."

On page 24, line 5, strike out "Sec. 305" and insert in lieu thereof: Sec. 311

On page 25, lines 6 and 7, strike out "a Director of Law Enforcement and Criminal Justice" and insert in lieu thereof: an Assistant Attorney General

On page 25, line 10, after "under" insert: titles I and II of

On page 25, strike out line 11 and all that follows down through and including line 15 and insert in lieu thereof the following:

(b) Section 5315(19) of title 5 of the United States Code is amended by striking out "(9)" after "General" and inserting in lieu thereof "(10)"

Mr. McCLORY (interrupting the reading). Mr. Chairman, I ask unanimous consent that the amendment be considered as read and printed in the Record at this point.

The CHAIRMAN. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. McCLORY. Mr. Chairman, this amendment to title III would substitute a new title III for the title III that is in the existing bill. Title III of the bill provides for programs of research and training. The present bill is very sketchy and very uncertain with regard to these programs. As a matter of fact, the word "training" was not even included in the original bill, but it was put in my amendment in the committee and accepted reluctantly.

The amendment which I have offered and which I discussed in general debate would establish a National Institute of Law Enforcement and Criminal Justice in the Department of Justice and put it under the direction of a director of this division. The director would have charge of the two programs of training and research.

I know that we recognize the greatest needs which our State and local law enforcement officers have, for better training and for the benefits of modern research.

I might say that the amendment I have introduced here, and which I am proposing, embodies within it the proposals of other Members, including the gentleman from Florida [Mr. CRAMER] who has sponsored legislation with respect to the establishment of regional training institutes in the same form as provided in this amendment, and the proposal of the gentleman from New York [Mr. SCHEUER], and a number of other colleagues on both sides of the aisle who have proposed programs of research under a national institute under a director.

We know that the question of training of our law enforcement officers is a role which the Federal Government can assume. We know that the research which we are able to provide for our local and State law enforcement officers can be coordinated and promoted by the Federal Government in order for them to make their law enforcement programs much better.

Let me refer to the record, because the record bears out this amendment—both the record of the committee and the record of the President's Commission on Crime.

First I should like to read a few lines from the testimony of Police Commissioner Girardin of the city of Detroit, who stated:

> Now, we have in Detroit many innovations in our police department. I think we have a very modern and well-trained police department, but we cannot get enough training. We need help for this desperately.
>
> We are in the midst of a social revolution. This poses problems that a man in a police department without training just cannot cope with. The result of this, in many instances, is the great civil disorders we have throughout the country.

He also said:

> I do not believe that a police officer can get enough training supplied by the local community. This is where the Government could help.

And he said, as shown on page 437:

> With federal assistance Detroit could make a two-pronged attack on the personnel shortage: (1) present personnel could be trained to perform their duties more effectively; and (2) recruiting efforts could be intensified and new recruiting techniques developed.
>
> We need—all police departments need—training, training and more training.

That is the record, so far as the commissioner of police of the city of Detroit is concerned.

The record, insofar as the President's Commission is concerned, is replete with recommendations that we should have better and more modern training programs, which should be coordinated.

With regard to research, we know there are a great many new and modern devices, techniques, and systems which it is possible for the police departments to employ and which a national institute on criminal law enforcement can recommend, develop, and coordinate.

This can be carried out largely through grants and through private institutions assisting in this program, but it will carry out two most important functions, it seems to me, which the Federal Government can undertake.

Mr. LATTA. Mr. Chairman, will the gentleman yield?

Mr. McCLORY. I yield to the gentleman from Ohio.

Mr. LATTA. I should like to ask the gentleman in the well a question concerning his amendment.

As the gentleman knows, the Federal Bureau of Investigation has carried on a program very successfully for many years for training local law enforcement officers. As one Member, I commend the FBI for its success in this program. I have not heard a single complaint about it. All has been good. I would prefer to see the House expand this very successful program rather than go to the expense and delay of setting up another training program which might not be so successful.

The CHAIRMAN. The time of the gentleman from Illinois has expired.

(By unanimous consent, Mr. MCCLORY was allowed to proceed for 3 additional minutes.)

Mr. LATTA. I should like to ask the gentleman whether or not his amendment proposes to expand this particular FBI training school?

Mr. McCLORY. I say to the gentleman that it would propose to pattern a program after the FBI program but on a much larger scale. As I understand the FBI program, insofar as the training at Quantico, Va., is concerned, in 1966 they trained only 200 officers. They do expect to expand to 1,200 officers in 1969.

They do carry on a regional school program. However, according to the President's Commission on Law Enforcement in 1965 the FBI personnel provided 42,224 hours of instruction to over 149,000 persons.

The program I would expect the National Institute to undertake would be a program of perhaps 10 or 12 weeks or something like that in the various regions of the country, in the States, and in combinations of States.

I might say that these would be organized with the cooperation of advisory committees within the States appointed by the Governors of the States who would cooperate with the National Institute in setting up these training agencies.

Let me say further that we have right here in Washington, D.C., an International Police Academy supported by Federal AID funds at which we train more than 1,000 law enforcement officers for service overseas. It seems to me we certainly ought to fulfill the function of training our own law enforcement officers for service here at home.

Mr. LATTA. I should like to ask the gentleman another question.

Mr. McCLORY. I yield to the gentleman.

Mr. LATTA. If this program were set up, would it raid the FBI training school for instructors? If not, where would they get their instructors?

Mr. McCLORY. The FBI in its own academy utilizes the services of professors from universities, sociologists and a great many different types of people. I would assume that in the regional training institutes established under this amendment we would use the best of the FBI personnel and also we would use some of the excellent people we have in the city police departments and the State police departments. A number of States have training institutes at the present time, but I believe that 26 States do not have anything at the present time.

The record shows—and this comes from the Association of Chiefs of Police—that 85 percent of our law enforcement officers are placed in the field now without any recruit training. In other words they are put in uniform, with a star and a gun in their holsters without the necessary preliminary training.

Mr. LATTA. Will the gentleman yield for one further question?

Mr. McCLORY. I yield to the gentleman from Ohio.

Mr. LATTA. Your proposed amendment would not terminate this FBI training program?

Mr. McCLORY. No, it would not.

Mr. LATTA. It would attempt to pattern another program after it?

Mr. McCLORY. That is correct.

Mr. CRAMER. Mr. Chairman, will the gentleman yield?

Mr. McCLORY. I yield to the gentleman from Florida.

Mr. CRAMER. That is the statement I wanted to make. It would not interfere with or terminate or duplicate the function of the FBI school which relates to specific FBI techniques. It would be a national institute of crime similar to the National Institutes of Health and have regional training centers set up.

Mr. McCLORY. That is correct.

Mr. CELLER. Mr. Chairman, I rise in opposition to the amendment.

AMENDMENT OFFERED BY MR. CRAMER TO THE AMENDMENT OFFERED BY MR. M'CLORY

Mr. CRAMER. Mr. Chairman, I offer an amendment.

The CHAIRMAN. Is this an amendment to the McClory amendment?

Mr. CRAMER. That is correct.

The CHAIRMAN. The clerk will report the amendment.

The Clerk read as follows:

> Amendment offered by Mr. CRAMER to the amendment offered by Mr. MCCLORY: On page 4, after line 3, add a new section to read as follows:
>
> "SEC. 311. For the purpose of this title the terms 'prevention' and/or 'reduction' and/or 'control of crime' shall include but not be limited to the prevention and/or reduction and/or control of riots and violent civil disturbances, and of organized crime."
>
> And renumber the following sections accordingly.

Mr. CRAMER. Mr. Chairman, I do not intend to take a lengthy period of time to discuss my amendment. What it does is in title III, relating to this National Institute of Law Enforcement and Criminal Justice, which I think is essential, it conforms this title III to what has been done just now with regard to titles I and II so that there is no question that this training and planning program and use of techniques developed by this institute and regional training centers will also include but not be limited to the prevention and/or reduction and/or control of riots, violent civil disturbances, and organized crime.

These are the same things included in and similar to the amendment offered by the gentleman from Minnesota [Mr. MacGregor] relating to titles I and II. I think it is an essential aspect to title III equally in that it is a long-range training program which is necessary not only to get at riots and violent civil disturbances but also organized criminal activities that are not clearly covered in title III which is before us and title III of the committee bill which says nothing with regard to riots, violent civil disturbances, and organized crime. Therefore, I presume it is excluded. If we are going to do the job, we should include it in title III as well.

Mr. MacGREGOR. Mr. Chairman, will the gentleman yield?

Mr. CRAMER. I yield to the gentleman from Minnesota.

Mr. MacGREGOR. I commend the gentleman from Florida for offering the amendment he now offers to the amendment offered by the gentleman from Illinois [Mr. McClory] so that we may in this research and training title give proper emphasis to these criminal activities which are national in scope; namely, riots, violent civil disturbances, and organized crime.

Mr. Chairman, I support the amendment offered by the gentleman from Florida.

Mr. CRAMER. I thank the gentleman very much and trust that the amendment will be adopted without too much difficulty, but I do want to take just a minute to discuss the plan as it relates to the National Institute of Crime.

The bill that is before us in title III is such that you do not know what they are planning on doing or what the Attorney General can do. I have read it three or four times, and I cannot see it. There is nothing set out in the bill that indicates exactly what is being intended. The broad, general language is for research in the prevention of crime by private organizations and such for research demonstrations and special projects.

What does that mean? No one knows. This institute substitute specifically spells it out.

I say to you that if we can expend hundreds of millions of dollars upon a national institute of physical health, we should be able to spend adequate funds in meeting the expenses for the establishment of an institute of morality in the United States of America.

Mr. Chairman, this is exactly what this amendment proposes to do. This is not a recent interest of mine. This theory was introduced by myself in 1961, as a part of an antiorganized crime package. At that time we were not able to get it through the Congress of the United States. But, the evidence clearly showed then, and the evidence clearly shows now, that one of the fundamentals that is lacking in law enforcement in the United States is bringing law enforcement officers to the status of professional crime fighters and able to fight organized crime. This involves the question of the approach to the operations of organized crime on an interstate basis, and the same thing applies with reference to violence, riots, and public disturbances. We should make available to local authorities and local officials the knowledge of technological advancements that have been made with respect to the combating of crime. This information is not today studied and made available to the local enforcement authorities but which would be made available to them if this national institute were established—information and knowledge as to techniques, and as to new scientific approaches and new scientific equipment that is available, and how to work with it from one community to another community and from one State to another State.

Mr. Chairman, it is absolutely essential, if organized crime is to be stamped out, and if this serious cancer is to be treated and stopped and is to be rooted out, that this amendment be adopted.

Mr. Chairman, I commend the gentleman from Illinois for his offering of this amendment similar to my bill H.R. 6052 and I trust that it will be passed.

Mr. PUCINSKI. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I have taken this time to ask the author of the amendment some questions.

If I understand his amendment properly, I think there is much to be said for his proposal.

Do I understand the substitute to mean that we are providing for a single institute, a sort of umbrella under which all of this research and these new techniques and the various other things provided for in title III, would be contained in one place by one agency?

Mr. McCLORY. Mr. Chairman, will the gentleman yield?

Mr. PUCINSKI. I yield to the gentleman from Illinois.

Mr. McCLORY. I am very happy that the gentleman has raised that question. I would say that I would not expect it to be all conducted by one institute or, as the gentleman has said, under one umbrella, by the Federal Government in its own research laboratories. But I would expect it to be done, in part, in the manner which has been previously employed, at our various universities.

Mr. PUCINSKI. Under contracts with these universities?

Mr. McCLORY. Mr. Chairman, if the gentleman will yield further, to some extent under such contracts.

Mr. PUCINSKI. Under contracts to the various institutes?

Mr. McCLORY. That is right. And, perhaps, through contracts with private industry particularly with reference to research on new techniques and devices which they have developed.

Mr. PUCINSKI. How would this differ from the FBI school?

Mr. McCLORY. Mr. Chairman, if the gentleman will yield further, the FBI school, primarily, is the academy that is operated at Quantico, Va., that trained in 1966 some 200 men. We are talking here about a much larger operation insofar as regional training institutes are concerned. But, they would be developed in the individual States, if the State is large enough, or in a combination of States, and these institutes could be conducted on university campuses under conditions established by the National Institute on Law Enforcement after being approved by the advisory committees appointed by the Governors.

Mr. PUCINSKI. I would be persuaded by the gentleman's proposal, if, in fact, it were to be operated by one institute.

One of the things that disturbs me about the present title III—and I was going to offer an amendment in case the gentleman's amendment is defeated—to strike out this provision of sections 302 and 303, the provisions for the Federal Government making contracts to private organizations for this research. We know of the problems that we personally have in the operations of the poverty program. With that experience in mind and this business of the Federal Government giving private organizations contracts, which go into communities without the knowledge of the elected officials—and granting this money has been in the opinion of many a mistake. Therefore, I was going to offer an amendment to eliminate such contracts.

But, do I understand that under the amendment which has been offered by the gentleman from Illinois [Mr. McClory] this type of operation would be excluded?

Would this institute have the power to go ahead and make a lot of private contracts all over the country?

Mr. McCLORY. I would expect that primarily educational institutions which have facilities for advanced work in police work would be the principal ones with which the National Institute might contract. There are, I believe, 134 such universities in the Nation today, but only about 30 universities which have 4-year courses in police science.

Mr. PUCINSKI. I have no quarrel on that, but what about the business of making contracts with private, not-for-profit organizations?

Mr. SCHEUER. Mr. Chairman, will the gentleman yield?

Mr. PUCINSKI. I yield to the gentleman from New York.

Mr. SCHEUER. Perhaps corporations that have done such remarkable work in developing the products, equipment and the systems for our space age technology and our military technology, the extraordinary sophisticated communication devices, for example; corporations like these would get the contracts to conduct the research on how to apply our scientific technology to crime on the streets. I think the private sector has a great contribution to make.

Mr. PUCINSKI. Are these defined in the substitute bill?

Mr. SCHEUER. I am not familiar with the substitute bill, but that is the kind of research grant it would be designed for.

Mr. PUCINSKI. I think it is important for the House to know what kind of contracts this institute could enter into, and if we are going to seriously consider this matter, perhaps, what we should do now is ask unanimous consent to have the amendment read, so we will know what we are talking about.

Mr. McCLORY. Mr. Chairman, will the gentleman yield further?

Mr. PUCINSKI. I yield to the gentleman from Illinois.

Mr. McCLORY. Under the Law Enforcement Assistance Act of 1965, which is replaced by title III of this bill, there have been a number of research grants made. However, in my opinion, such grants will be more coordinated and much more beneficial to the Nation's law enforcement agencies under the amended title III which I am offering.

The CHAIRMAN. The time of the gentleman has expired.

Mr. GROSS. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I would like the attention of the gentleman from Illinois [Mr. PUCINSKI], because I, too, have been disturbed by the expenditures under the present law known as the Law Enforcement Assistance Act of 1965, and the dishing out of contracts and grants all over this country for research.

We are now on title III of this bill, which is devoted almost exclusively to research, and apparently expenditures for this purpose are to be duplicated all over again.

Mr. Chairman, I have read these hearings with particular reference to the Law Enforcement Assistance Act of 1965. It is my understanding that under that act some $11 million has been expended in less than 2 years—if I am wrong I want someone to correct me—some $11 million has been spent on research and grants of one kind and another. But the hearings are strangely silent about what has been accomplished with the expenditure of these millions of dollars.

The gentleman from New York suggested a few minutes ago that there ought to be grants—at least, that is the way I understood him—to corporations that have sophisticated electronic devices. It seems to me, Mr. Chairman, if corporations have acceptable equipment to sell they should spend their own money to demonstrate it. I can think of no reason why we should loot the pockets of the taxpayers of this country to pay them to demonstrate electronic equipment they have to sell.

Mr. SCHEUER. Mr. Chairman, will the gentleman yield?

Mr. GROSS. I will yield to the gentleman briefly.

Mr. SCHEUER. This is not to demonstrate products and equipment that are in existence. This is to get the sophisticated, private sector capability involved in producing the kind of things we need but do not have.

For example, we do not have a police vehicle. We have a passenger car which has been converted to police use, but we do not have a multipurpose police vehicle. We ought to have one.

Mr. GROSS. Let me say to the gentleman that if money is to be spent in the amounts which are provided in this bill, then let it be to provide well-trained law enforcement officers. The $11 million which has been spent in a short 2 years ought to provide all the research material that is needed to get this program under way.

Mr. SCHEUER. We need them, too.

Mr. GROSS. We certainly do, and if that is not the purpose of this legislation we might as well stick this bill in our pockets and go home.

Here are just a few examples of how the money has been spent in the past. The National Opinion Research Center received $180,000 in research grants; the Institute for Defense Analysis got $498,000.

The Illinois Institute of Technology was handed $23,400.

Then there is the Arthur D. Little "brain trust" which has a multiplicity of contracts under the 1965 act, but in this instance got $99,500.

Another is the Advertising Council Inc., which got $75,000, but for what reason is not explained.

Mr. PUCINSKI. Mr. Chairman, will the gentleman yield?

Mr. GROSS. I yield to the gentleman.

Mr. PUCINSKI. I can appreciate the suggestion for a national institute which would conduct research and conduct training and look into new methods and techniques. I think it is an excellent idea. That is why I want to know if this research was going to be done under one umbrella or whether it was going to be farmed out as the gentleman has just described.

Mr. GROSS. I do not know of any reason why we should here establish an institute as proposed by the gentleman from Illinois. I am not at all sold on that idea. What I am trying to say is that $11 million has already been spent principally for research. Surely, enough research has already been done on this subject. Let us get the trained personnel to enforce the laws and above all else let us have courts and judges who will properly support those officers who seek to do their duty.

Mr. McCLORY. Mr. Chairman, will the gentleman yield?

Mr. GROSS. I yield to the gentleman.

Mr. McCLORY. The purpose of my amendment is not to change the bill so far as the expenditure of money is concerned except that it puts it under professional control and coordinates it within a single institute and under the control of a responsible director. Without my amendment, the Attorney General would have free rein to distribute the money wherever he wants to—and if so—when.

Mr. GROSS. Where have we gotten up to this point? What has been accomplished with the $11 million expended under the Law Enforcement Act of late 1965?

There seems to be a conspiracy of silence and that for the reason the money spent has produced no tangible, acceptable results.

Mr. SMITH of California. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, I hesitate somewhat in rising in opposition to an amendment offered by two very able Members on my side of the aisle. But in all seriousness, I do not think this amendment has been thought out.

No hearings were held on it by the Committee on the Judiciary.

I know that back on February 16 of this year, a separate bill was introduced to create a crime institute. I did some checking on that particular provision. I talked with some law enforcement officers and others at that time and I wrote a memorandum relative thereto on March 7 which I have been carrying around in my pocket since that time, and I would like to read one paragraph from it which contains conclusions of information I received in talking to some of my law enforcement friends:

> It is stated that the purpose of the institute would be to assist the state and local law enforcement agencies as well as courts and correctional institutions in the prevention and control of crime.
>
> This proposal fails to take into account the very extensive guidance and direction being given by the FBI in the whole area of law enforcement.

During the 1966 fiscal year, for example, the FBI conducted well over 5,000 training schools which were attended by some 163,000 officers—and not 200 as the gentleman from Illinois talks about at Quantico, that is a separate unit. The school at Quantico is a separate school.

In law enforcement and in other schools, agents who are qualified are placed on the instruction program in any schools of any police department or law enforcement agency that requests the same.

We started—that is the FBI—the program back in 1937. Thirteen of us were brought back to Washington for several weeks. Then they called us instructors. We started out. I have held schools in I think probably 20 percent of the districts of Members of this House.

In schools in the State of California, every law enforcement agency at one time or another had either a 3-day or a 1-week or a 13-week or 26-week school under my personal supervision.

In many States it may be true, they may not have appropriate training, but all they have to do is ask the local office of the FBI and tell them what kind of information they want—whether they want instruction in note taking, or report writing, homicide, or moulage, or robbery or kidnaping or whatever subjects they wanted to be instructed on. The FBI will send instructors there and give the schooling.

Additionally, last year they held 227 special conferences with a total attendance of over 18,000. In the same area, the National Academy, that is the National Police Academy which started back in 1935 is being expanded and soon will be able to accommodate 1,200 officers yearly—a sixfold increase over the present number that the FBI can accommodate.

The current bill, as with that proposed last year, is very broad, general, and fails to deal with specific problems. For example, it calls for a Federal survey in the area of crime prevention which completely ignores the President's Crime Commission report. In my opinion it proposes a vaguely worded research program and Federal subsidies and it would not take into account the Law Enforcement Assistance Act.

The amendment was offered and unanimous consent not to read it was requested. This amendment is three and one-half pages long. It goes into great,

great detail as to what this director, on the appointment of the Attorney General, an Assistant Attorney General, can do. It would involve all kinds of technical data. Information could be received that could be used for all kinds of purposes which would be adverse to the citizens unless it is determined what the purpose of the Institute would be.

In my opinion, the only way we could do that would be to have adequate hearings by the appropriate committee. We ought to have the testimony of the district attorneys in the various States, some appropriate law enforcement officers, and people experienced in the field to tell us what they can do and what they hope to accomplish under this Institute. I think it is absolutely wrong to offer a three and one-half page amendment which we have not had an opportunity to read and study, to a bill as important as the bill we are considering today. I saw it, for I went up to the desk and read it. It is a very detailed, complicated amendment to the bill before the House.

I think we would be wrong in adopting it without appropriate study and by simply adding here today into a large program like the one proposed.

Mr. Chairman, I oppose this amendment.

Mr. CELLER. Mr. Chairman, I ask unanimous consent that all debate on the amendment offered by the gentleman from Illinois [Mr. McCLORY], cease at 4:30 p.m.

The CHAIRMAN. Is there objection to the request of the gentleman from New York?

There was no objection.

The CHAIRMAN. The Chair recognizes the gentleman from New York [Mr. TENZER].

Mr. TENZER. Mr. Chairman, in its consideration of H.R. 5037, both in subcommittee and in full committee, careful attention was given to the necessity to inaugurate substantial research efforts at both the State and regional levels to provide programs of education, training, or other instructional activities for State and local law enforcement and criminal justice personnel. There have been a number of bills introduced in the House to establish research institutes, commonly referred to as a National Institute of Criminal Justice or a National Foundation for Criminal Research, in an independent agency.

H.R. 5652, introduced by Mr. SCHEUER, is typical. More than 16 similar bills have been introduced in the House.

Mr. McCLORY offered an amendment to title III that would have incorporated the provisions of the crime research institute bills. This amendment would have created in the Department of Justice a separate division to administer a crime research institute program. The effect of the McClory amendment would have been to create two new offices in the Department of Justice. One for grants under titles I and II, and one for the national institutes grants. This would have caused confusion, and would have diluted the force of the Federal program.

The President's Commission on Law Enforcement and Administration of Justice recommended, as a long-term goal, that a National Foundation for Criminal Research should be established as an independent agency.

The President's Crime Commission, however, recognized that the establishment of such an independent agency at this time would disrupt and confuse the grant program that is provided in H.R. 5037. In its report the President's Commission stated:

> The Commission recognizes that to establish a National Foundation for Criminal Research at the same time that the new aid programs proposed in chapter 11 is being developed, would present a serious risk of confusion and competition for already scarce research personnel. It is essential that the new Justice Department program embody a major research component, if it is not simply to perpetuate present failures in many areas. This is particularly important at the outset when difficult decisions must be made about what meets the standards justifying Federal aid. There is too little research now being done in this field and very few skilled researchers to do it. Furthermore, the establishment of a National Foundation for Criminal Research presents organization and funding problems which the Commission has not fully explored. Therefore, it may be desirable to defer the establishment of such a foundation until the proposed new Justice Department agency is established. In that event, one of the early responsibilities of this agency should be to develop detailed plans for an independent foundation and to work toward its establishment.

The Judiciary Committee concurred in this conclusion and rejected amendments that would create a separate and independent research institute.

Title III of H.R. 5037, as reported, authorizes, in section 303, the establishment of "national or regional institutes for research, education, and training." This authority is broad and will permit the Attorney General to undertake every type of research program that is able to be undertaken at this time. The committee's report, in its analysis of section 309—page 12—expounds upon the scope of the authority granted to the Attorney General to make grants for national or regional institutes. In its report, the committee says, in this regard:

> In the establishment of such institutes, the committee believes it would be appropriate for the institutes to (1) establish such laboratories and research, education, and training facilities as may be necessary to carry out the programs described in this act, and (2) conduct programs of behavioral research designed to provide more accurate information on the causes of crime and the effectiveness of various means of preventing it and to evaluate the relationship between correctional procedures and the successful rehabilitation of convicted offenders into society. The institute may conduct programs authorized by this act by grant or contract with individuals or with other institutes or institutions of higher education or with public or private agencies or organizations.

I urge defeat of the amendment and give the Judiciary Committee an opportunity to conduct a public hearing on the bills now pending and an opportunity to consider every detail and aspect of the bill.

In the meantime let the FBI send out to every law enforcement agency in the country any and all available information on new techniques in law enforcement. The FBI should disseminate all information on availability of new equipment. This service will greatly assist local units.

The CHAIRMAN. The Chair recognizes the gentleman from Florida [Mr. CRAMER].

Mr. CRAMER. Mr. Chairman, I take this time for the purpose of answering some of the questions that have been raised. I will say to the gentleman from California [Mr. SMITH], for whom I obviously have the highest regard and respect, that the problem with which we are faced today is that, if title III passes without some modification, without clarification, proper channeling of authority, proper establishment of Federal as well as State and local authority, and the proper setting up of regional training institutes and what-have-you then we are stuck with title III as is.

The substitute sets out criteria. It specifically spells out what is intended to be done. But the language we have before us in the bill in title III does not do any such thing. We are going to be stuck with title III if we do not accept the amendment as a substitute which the gentleman from Illinois [Mr. McCLORY] has offered spelling out what is intended to be done.

Second, I do not see any conflict whatsoever. There is no interference with FBI authority. There is no duplication of their respective responsibilities. What the FBI is doing now will continue under their jurisdiction. But if we can spend millions of dollars for a National Institute of Physical Health, we can certainly have a National Institute for Moral Health as I have proposed before and as the McClory amendment provides.

The CHAIRMAN. The Chair recognizes the gentleman from New York [Mr. SCHEUER].

Mr. SCHEUER. Mr. Chairman, a major research effort conducted by the Justice Department is long, long overdue. Let me read just one sentence from the President's Crime Commission report:

> It is essential that the new Justice Department program embody a major research component if it is not simply to perpetuate present failures in many areas.

One area in which the Justice Department has failed—and it hopefully will reverse this pattern of failure—is in research, in using the enormous technological capability demonstrated in our space science and military science programs, and in applying that to the desperate problems of crime in the streets. If the events of the past several years of crime on the streets have not convinced us, then the last few weeks of crime on the streets should have convinced us. We need to know how to use force, we need to know to what extent to use force, and at what time.

I might add that both the president of the International Association of Police Chiefs, Mr. Quinn Tamm, and the president of the International Association of Police Professors, Dean Robert Sheehan support this measure.

Mr. Chairman, today there is a crisis in law enforcement, not only in large-scale disturbances and riots, but in providing for the everyday safety on our streets. Had we started on a thorough innovative research program 10 years ago, our police might be better equipped to handle the enormous problems of crime today. In the past we in the House have had the vision to establish research organizations that have yielded tremendous, long-range benefits such as the National Institutes of Health. Today we are reaping the rewards for this vision.

Unfortunately, there was no such vision concerning law enforcement 10 years ago. Today, there is no provision in our entire Federal structure to undertake the anticrime research we need so desperately.

With this amendment we in the House can help our police to do more than simply react to immediate pressures.

We can meet this responsibility by setting up a National Institute of Law Enforcement and Criminal Justice in the Department of Justice, led by a top-level scientist at the rank of Assistant Attorney General.

Titles I and II help to take care of immediate problems, but without this amendment there is no guarantee that title III will not merely duplicate the immediate aid provided for in the rest of the bill.

If we had started on this type of research 10 years ago, then today we might know how to:

Select and train police officers who will "keep their cool" and remain calm under the wide variety of present urban crises ranging from: The apprehension of the youth in a "borrowed car"; dealing with the dangerous criminal holed up in a hideout—perhaps with one or more hostages—and rioting bands or mobs; how cars and places of businesses and residences alike—public housing projects, for example—can be designed to make crime less likely by reducing opportunity and increasing the risk of apprehension; how we can make police patrol more crime-inhibiting; how we can identify likely delinquents in time to alter their behavior; how we can best allocate scarce police resources; how citizens can be encouraged to report crimes to the police; and, how we can reduce our high rate of recidivism.

If we had made a concerted effort 10 years ago, today our police might have devices to give patrolmen vastly improved night vision; odor-sensory devices to detect the presence of explosives, narcotics, or humans, where their presence was suggestive of illegal activity; a gun that stuns or otherwise temporarily disables but does not kill; secrecy in police radio communication; a police lapel radio or wrist radio for two-way instantaneous communication; a multipurpose specially designed standard police vehicle.

It is high time we made available to our dedicated and competent police professionals the sophisticated know-how of our universities and our private corporations. We can and must apply our enormously effective technology to producing the new systems, equipment, tools and approaches—vital to bringing security and peace to the streets of America.

The CHAIRMAN. The Chair recognizes the gentleman from Massachusetts [Mr. BOLAND].

Mr. BOLAND. Mr. Chairman, it appears to me the gentleman from California [Mr. SMITH], has made the soundest, and in my opinion the best argument. He speaks from vast knowledge of what the FBI is doing, and has done, in its training institute. It seems sensible, when there are some 17 bills now pending before the Committee on the Judiciary to do precisely what the gentleman from Illinois and the gentleman from New York seek to do under this particular amendment, on the basis of commonsense there ought to be hearings on these bills. The Appropriations Committee is constantly being belabored and criticized by Members of the House, because it appropriates for a vast number of agencies where there is great proliferation of programs. This is an area that ought to be looked at separately by the Judiciary Committee, and I join the gentleman from California in asking for the defeat of this amendment.

The CHAIRMAN. The Chair recognizes the gentleman from Louisiana [Mr. WAGGONNER].

Mr. WAGGONNER. Mr. Chairman, I think we all recognize the need for well-trained law enforcement officials. I think that some consideration should be given to the amendment, but I have some particular questions I would like to ask of the author of the amendment.

Among the functions of the Institute, it is said that regional institutes may be established by grants to or contract with any public or private nonprofit agency, organization, or institute. Would the gentleman tell me what the limits will be in making grants to establish such institutes?

Mr. McCLORY. Mr. Chairman, if the gentleman will yield, as the gentleman knows, the law enforcement assistance agencies have made grants in the past. A grant for $404,000 was made to the FBI, and a number of other grants were made to educational institutions. It is my feeling and intent—and I am sure the intent of all those who support this legislation—that it is to assist educational institutions primarily.

The CHAIRMAN. The Chair recognizes the gentleman from Illinois [Mr. McCLORY].

Mr. McCLORY. Mr. Chairman, I circulated additional views in support of this position. Last week I put this amendment in the RECORD so that every Member would have an opportunity to become acquainted with it. I have circulated letters to my colleagues explaining the amendment to title III.

I might say further that the FBI training schools I want to commend for the work they do, but in 1965, which is the last full year of statistics I have, in these 4,200 schools they had at that time, they trained 149,000 persons in classes lasting from a few hours up to several weeks. That is not what I am talking about. I am talking about training 40,000 to 50,000 new law enforcement officers every year at regional training schools lasting up to 15 weeks. It is a massive job to be undertaken by a coordinated agency established by this Congress.

I might say the International Association of Chiefs of Police, who in my opinion speak for the local law enforcement officers of this Nation, is heartily in favor of the establishment of a law enforcement institute. We are seeking, by this amendment, to vest authority in an institute instead of leaving it to the whim and the sole arbitrary discretion of the Attorney General. If we do not make this change now, I do not think we will ever have another opportunity. That is why I say we should establish this institute now by adoption of my amendment.

The CHAIRMAN. The Chair recognizes the gentleman from Pennsylvania [Mr. EILBERG].

Mr. EILBERG. Mr. Chairman, I should like to read briefly from the report of the President's Commission on this subject, in opposition to the amendment:

> The Commission recognizes that to establish a National Foundation for Criminal Research at the same time that the new aid program proposed in chapter 13 is being developed, would present a serious risk of confusion and competition for already scarce research personnel. It is essential that the new Justice Department program embody a major research component, if it is not simply to perpetuate present failures in many areas. This is particularly important at the outset when difficult decisions must be made about what meets the standards justifying Federal aid. There is too little research now being done in this field and very few skilled researchers to do it. Furthermore, the establishment of a National Foundation for Criminal Research presents organization and funding problems which the Commission has not fully explored. Therefore, it may be desirable to defer the establishment of such a foundation until the proposed new Justice Department agency is established. In that event, one of the early responsibilities of this agency should be to develop detailed plans for an independent foundation and to work toward its establishment.

The CHAIRMAN. The Chair recognizes the gentleman from Minnesota [Mr. MACGREGOR].

Mr. MACGREGOR. Mr. Chairman, I rise in support of the Cramer amendment to the McClory amendment, as well as to the McClory amendment itself. I feel they will substantially improve this bill.

The law enforcement people in my area say, "We can afford to send the police chief to Washington, D.C., for training but we cannot afford to send the lesser officers, the men on the beat or the fellows in the patrol car."

I am interested in this amendment because I see it as a vehicle by which we can decentralize the training of law enforcement personnel throughout the country. I believe it will strengthen the bill.

Mr. McCLORY. Mr. Chairman, will the gentleman yield?

Mr. MACGREGOR. I yield to the gentleman from Illinois.

Mr. McCLORY. I thank the gentleman for yielding.

I wish to concur in what the gentleman says and to state that the hearings we have had on this legislation have been comprehensive hearings.

While the Attorney General admitted it reluctantly, he did admit, as shown on pages 68 and 69, that he wanted research administered within a separate division. What we want to do is to have this separate division as a National Institute under a professional career director.

Mr. CRAMER. Mr. Chairman, will the gentleman yield?

Mr. MacGREGOR. I yield to the gentleman from Florida.

Mr. CRAMER. On these regional training centers and so forth, under the bill before us, there is to be no participation by the States or anyone else. It is to be the Attorney General directing it. This McClory amendment provides regional advisory boards with State representation on them.

The CHAIRMAN. The Chair recognizes the gentleman from Ohio [Mr. McCulloch].

Mr. McCULLOCH. Mr. Chairman, I yield back my time.

The CHAIRMAN. The Chair recognizes the gentleman from New York [Mr. Celler], to close debate.

Mr. CELLER. Mr. Chairman, the only hearings we had on this particular proposition were tangential. The hearings were not directly on the bill or the amendment which the gentleman from Illinois has offered for a national crime institute.

I believe the gentleman from California was correct when he said that we are more or less legislating in the dark with reference to this proposal.

The President's Commission on Crime went thoroughly into this matter, and they recommended that if there were to be an institute set up it should be set up as a separate agency. I do not know whether that is sound or whether it is unsound. Only a hearing of some length would determine that.

The Judiciary Committee did not have hearings. I pledged to the gentleman from New York [Mr. Scheuer], and I did also to the gentleman from Illinois [Mr. McClory], that we would have hearings on their bills, but they were rather impatient and wanted to embody their bills into the bill which is now before us. I believe this would create considerable confusion.

It may be that the setting up of these institutes would be worthwhile. I do not know. Because I do not know, and because there is a doubt, I would rather not have the amendment pass, together with the amendment of the gentleman from Florida to the amendment.

Mr. MONTGOMERY. Mr. Chairman, I ask unanimous consent that the gentleman from California [Mr. Cohelan] may extend his remarks at this point in the Record.

The CHAIRMAN. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

Mr. COHELAN. Mr. Chairman, one of the oldest and unwisest of aphorisms is the one that goes: "What you don't know can't hurt you." I would like to take a look at that in light of the bill before the House of Representatives, the safe streets bill of the administration.

Just what is it we know? And what is it we do not know?

We know that crime is bad. We know that we need police forces, local and State, that are as efficient as man and money can make them. We know that we deplore violence and lawlessness. We know that crime is on the rise.

But what we do not know is just as overwhelming.

What makes a person turn to crime? When does he become a criminal? Is it at age 8, 9, or 16, or when? How many patrolmen do we need to patrol a suburban community? How many do we need for a ghetto? What kind of training should our police receive? What are the latest findings of science that could be directed to the war against crime?

We do not know the answers to those questions, and our ignorance is hurting us.

Research is the answer. We have made important and impressive strides in the prevention of disease and the development of agricultural products. Much of this progress has been made possible because of intensive research and demonstration programs in these areas. And these weapons can aid us in our battle for safe streets.

To be meaningful, research must be coordinated, large scale, nonduplicative, and run by the best minds in the Nation. Unless we accept the amendment to title III of the administration bill, which would require the Attorney General to set up a national institute for research into crime, we will see our research funds, our research efforts frittered away in a proliferation of small-scale, redundant, and ineffective operations.

I rise in support of the amendment, and I urge my colleagues to join me.

Mr. ROTH. Mr. Chairman, I ask unanimous consent to extend my remarks at this point in the Record.

The CHAIRMAN. Is there objection to the request of the gentleman from Delaware?

There was no objection.

Mr. ROTH. Mr. Chairman, I hope the amendment offered by the distinguished gentleman from Illinois [Mr. McClory] will be adopted by the House, for it proposes changes I consider basic to the achievement of the goals of the bill we are considering today.

Title III of the Law Enforcement and Criminal Justice Act as reported by the committee goes only part way toward providing for the necessary research and demonstration projects designed to give us a fuller understanding of crime, its causes and effects. Mr. Chairman, the collection and analysis of data on crime is but half the job; it is imperative, also, that the knowledge thus developed be made available in usable form to those charged with the responsibility for safeguarding law and order on a day-to-day basis.

If we are to be successful in our efforts to eradicate the blight of crime from our society, the task of developing highly qualified and motivated police is second only to the task of instilling in every American a deep and abiding respect for law and order. For this reason, the proposal to establish a National Institute of Law Enforcement and Criminal Justice to administer the myriad research and demonstration projects to be initiated under title III and to give them guidance and direction, is worthy of particular note. The precedents for such an institute are ample, and have operated with success in the past: witness, for instance, the National Institutes of Health and the National Academy of Sciences.

Training of law enforcement officials at all levels of government is essential. The regional centers which would function under the Institute would provide invaluable services to State and local officials in training police and making available to them the latest information on law enforcement techniques and technology. The experts on crime, now few in number, necessary for the education of our police could, I am convinced, be more effectively utilized in this manner than by any means envisioned by the provisions of the present bill.

Mr. Chairman, this is not a regional bill, it will not benefit only the urban centers of this Nation, it will bear fruit for every single citizen of the United States. Nor is it a partisan issue, for crime strikes without regard to political affiliation. Crime strikes at every member of our society. If a man is attacked in California or in Maryland, a resident of Delaware suffers to some degree.

I firmly support the McClory amendment, because I believe it will provide one of the principal foundations on which we can base our efforts to reverse the rising tide of crime and violence which presents such a threat to the very fiber of this country, and I urge my colleagues to give it their support, as well.

The CHAIRMAN. All time has expired.

The question is on the amendment offered by the gentleman from Florida [Mr. Cramer] to the amendment offered by the gentleman from Illinois [Mr. McClory].

The question was taken; and the Chairman being in doubt, the Committee divided, and there were—ayes 57, noes 60.

Mr. CRAMER. Mr. Chairman, I demand tellers.

Tellers were ordered, and the Chairman appointed as tellers Mr. Cramer and Mr. Rodino.

The Committee again divided, and the tellers reported that there were—ayes 107, noes 96.

So the amendment to the amendment was agreed to.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Illinois [Mr. McClory], as amended.

The question was taken and the Chairman announced that the ayes appeared to have it.

Mr. RODINO. Mr. Chairman, I demand tellers.

Tellers were ordered, and the Chairman appointed as tellers Mr. McClory and Mr. Rodino.

The Committee divided, and the tellers reported that there were—ayes 101, noes 85.

So the amendment, as amended, was agreed to.

AMENDMENT OFFERED BY MR. O'HARA OF MICHIGAN

The CHAIRMAN. For what purpose does the gentleman from Michigan rise?

Mr. O'HARA of Michigan. Mr. Chairman, I offer an amendment.

Mr. MacGREGOR. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state his parliamentary inquiry.

Mr. MacGREGOR. Mr. Chairman, is it not customary when two Members rise at approximately the same time that the Chairman recognizes a member of the committee first?

The CHAIRMAN. The Chair will state that the gentleman from Michigan was on his feet, and the Chair recognized the gentleman from Michigan.

Mr. MacGREGOR. Mr. Chairman, the gentleman from Minnesota was on his feet, and had asked for recognition before the teller vote was taken.

The CHAIRMAN. The Chair will state that the Chair saw the gentleman from Michigan on his feet first, and the Chair recognized the gentleman from Michigan.

The Clerk read as follows:

Amendment offered by Mr. O'Hara of Michigan: On page 31, line 8, strike out "$50,000,000" and insert in lieu thereof "$75,000,000".

On page 31, beginning in line 10, strike out "the sum of $9,000,000 for the purposes of title II," and insert in lieu thereof "the sum of $39,000,000 for the purposes of title II, of which not less than $30,000,000 shall be used only for programs designed to increase the capability of law enforcement agencies to prevent and control riots and civil disorders,".

Mr. O'HARA of Michigan. Mr. Chairman, as of this moment in the amending stage of this bill we have already adopted three amendments dealing with riot prevention and control, each of the three of them making it clear that one of the purposes of each of the operative titles of this bill is to deal with that problem both in terms of research and operations, and training.

However, Mr. Chairman, to date we have made no provision for any funds whatsoever to be used for this purpose.

My amendment makes that provision—not in an adequate amount—and I would like to think perhaps that we could obtain consideration of the bill that more than 40 Members, both Democrats and Republicans, including myself have introduced which makes a more adequate provision of funds for this purpose.

But, Mr. Chairman, this amendment provides something in the nature of a small down payment on what it is going to cost to bring up the strength and capability of law enforcement agencies in this country to deal with the most serious domestic crisis that we have suffered since the Civil War.

Mr. Chairman, certainly we learned in Detroit, if we learned nothing else, that once a riot or civil disorder has gotten out of hand, it can be brought under control only at very great expense both in terms of property and in terms of human life.

What we propose to do by adding the $25 million to the total authorization in this bill, and taking out the $5 million already authorized but not earmarked in the bill, is to provide some funds for the local law enforcement agencies that are on the scene and can do something about preventing riots and do something about suppressing riots and to strengthen their capabilities in these exact fields in which they are the weakest.

Mr. Chairman, I certainly hope that this amendment will meet with general agreement on both sides of the aisle.

Mr. CELLER. Mr. Chairman, will the gentleman yield?

Mr. O'HARA of Michigan. I yield to the gentleman.

Mr. CELLER. Just for the purposes of clarification, the gentleman's amendment increases the amount from $50 million to $75 million?

Mr. O'HARA of Michigan. That is correct.

Mr. CELLER. And you leave title I alone and leave that at $22,500,000, which has to do with planning?

Mr. O'HARA of Michigan. That is correct.

Mr. CELLER. And as to title III which has to do with research, that is left at $13,500,000?

Mr. O'HARA of Michigan. That is correct.

Mr. CELLER. Then instead of having a revolving fund of $5,000,000, you eliminate that and you provide for $30,000,000 for riot control?

Mr. O'HARA of Michigan. That is correct.

Mr. BOLAND. Mr. Chairman, will the gentleman yield?

Mr. O'HARA of Michigan. I yield to the gentleman.

Mr. BOLAND. Is it not true that if your amendment were not adopted, there would be no money in this bill for the control of riots?

Mr. O'HARA of Michigan. Except to the extent perhaps that some of the money might be used for that purpose—but not specifically, no.

Mr. BOLAND. And there would be no way to train the local police with respect to control of riots?

Mr. O'HARA of Michigan. That is correct.

Mr. BOLAND. Mr. Chairman, I join the gentleman in support of his amendment.

Mr. CAREY. Mr. Chairman, will the gentleman yield?

Mr. O'HARA of Michigan. I yield to the gentleman.

Mr. CAREY. Mr. Chairman, I wish to associate myself with the remarks of the gentleman now in the well and commend him for offering this amendment. It puts more than teeth into the provision. It puts weaponry into the bill—the kind of weapons we need and that the cities need to meet this seige in America today.

I would point out that this is a most serious matter that we have to cope with in meeting this siege against the law enforcement agencies in our cities.

I would point out that this amendment is needed to cope with the declining numbers of eligibles coming to our police forces. In the city of New York where we used to attract 20,000 new applicants a year for civil service police positions, last year the number dwindled to 2,000.

Just picture what can happen if we do not equip in every way and prepare people to deal with the rising crime rate and riots in our cities.

If we can support the movement to send 45,000 young Americans over to fight in a foreign land, then we can support this amendment, this modest amendment, to prepare our home forces to cope with our problems.

SUBSTITUTE AMENDMENT OFFERED BY MR. MAC GREGOR

Mr. MacGREGOR. Mr. Chairman, I offer an amendment as a substitute for the amendment offered by the gentleman from Michigan [Mr. O'Hara].

The Clerk read as follows:

Amendment offered by Mr. MacGregor as a substitute for the amendment offered by Mr. O'Hara of Michigan: On page 31 strike all of line 6 through 16 and insert in lieu thereof the following new section:

"Sec. 413. For the purpose of carrying out this Act, there is hereby authorized to be appropriated the sum of $90,000,000 for the fiscal year ending June 30, 1968: *Provided, however,* That, of this amount, the sum of $30,000,000 shall be for the purposes of title I, the sum of $20,000,000 for the purposes of title II, the sum of $30,000,000 for the purposes of title III, and the balance may be used for the purposes of title I, title II, or title III as the Attorney General may determine. For the fiscal year ending June 30, 1969, and the succeeding fiscal years, only such sums may be appropriated as the Congress hereafter may authorize by law."

Mr. MacGREGOR. Mr. Chairman, this substitute amendment provides a closed-end authorization of funds for the fiscal year 1968 only. No funds are authorized beyond that point.

This amendment, may I say to the members of the Committee, was prepared some time ago and I had hoped to present it, if recognized, immediately after the favorable vote on the McClory amendment.

This amendment differs from the O'Hara amendment not only in the total amount—and, may I say, I commend the gentleman from Michigan for seeking to come in at this point and put additional funds into riot and violent civil disorder problems—but my substitute covers all crime areas. We have in the process of our deliberation in the Committee of the Whole House on the State of the Union substantially recast this bill. It is necessary, in view of the new direction which we have given to this legislation by adoption of the Cahill amendment and the amendment offered by the gentleman from Illinois [Mr. McClory] to adequately fund each of the titles so as to carry out the intent of this House as voiced here this afternoon.

To take care of the new responsibilities that we have for planning funds under title I, my amendment would increase the amount of the administration bill from $22.5 million to $30 million. My amendment would practically double the grant money which we have authorized under title II of the Cahill amendment. A substantially new thrust has been given to law enforcement and criminal justice assistance grants under title II justifying a virtual doubling of the amount.

Under title III, I would provide, instead of $13,500,000, the sum of $30 million. I think this is necessary in order to carry out the decentralization and the regionalization of research and training envisioned by the McClory amendment.

My amendment would further provide that $10 million would be available at the Attorney General's discretion to use between and among the three titles as the Attorney General saw fit.

Mr. Chairman, while I commend the gentleman from Michigan [Mr. O'HARA] I do believe that this proposal more adequately conforms the monetary authorization to the new direction and to the new content that we have written into the bill by adopting the substantive amendments offered earlier by the gentleman from New Jersey [Mr. CAHILL], the gentleman from Illinois [Mr. McCLORY], and the gentleman from Florida [Mr. CRAMER].

Mr. CRAMER. Mr. Chairman, will the gentleman yield?

Mr. MACGREGOR. I yield to the gentleman from Florida.

Mr. CRAMER. I certainly want to see adequate funds provided for the antiriot program, particularly in view of the amendments adopted by this Committee to all three titles of the bill, my antiriot amendment being adopted to the substitute title III by the gentleman from Illinois [Mr. McCLORY].

I think the weakness of the amendment of the gentleman from Michigan, and the reason I prefer the substitute, is that the gentleman in the well would add funds as needed pursuant to these amendments relating to antiriot and organized crime in all three titles. I commend the gentleman for his reference to title II, which has to do with grants for law enforcement. But the first step is for planning—planning how this money will be spent, how these agencies will be coordinated on the State level—and he does not provide any additional funds for that, let alone title III, which was just amended for that purpose. I think the gentleman's amendment would do the job, that is, the amendment of the gentleman from Minnesota [Mr. MACGREGOR], while the amendment of the gentleman from Michigan [Mr. O'HARA] would do only one-third of the job. If we want to do the whole job, we will adopt the amendment of the gentleman from Minnesota.

Mr. MACGREGOR. I thank the gentleman from Florida. I remind all of you that this afternoon we have written into title I, we have written into title II, and we have written into title III directions to give priority attention to the problems of organized crime and the analysis, detection, prevention, and control of riots and violent civil disorders.

The gentleman from Michigan [Mr. O'HARA] would increase the funds earmarked for only one specific purpose and only one part of this bill. I think if we consider the content of my substitute and realize that we have already by amendment highlighted the problem that the gentleman from Michigan wishes to emphasize, we will realize that my substitute provides a better balanced authorization for the Attorney General and our State chief executives and local law-enforcement people working together in partnership.

Mr. HUNGATE. Mr. Chairman, I move to strike the requisite number of words.

Will the gentleman from Minnesota answer a question or two, please?

Mr. MACGREGOR. I will be happy to try to respond to any question the gentleman has.

Mr. HUNGATE. After we have reworked this matter, let me say, as I understand it, what is in here. There would be approximately $6 billion which would go out in grants to each State and territory, at $100,000 per grant.

Mr. MACGREGOR. That is my understanding of the Cahill amendment.

Mr. HUNGATE. That would be approximately $5,100,000 out of each title. That would be out of one title.

Mr. MACGREGOR. That would be title I. I do not have the Cahill amendment before me, but it is not my recollection that title II has this provision for $100,000 per grant.

Mr. HUNGATE. Is it my understanding of the Cahill amendment, as amended by the MacGregor amendment, that under that $24 million of title I would be subject to discretion of the Attorney General?

Mr. MACGREGOR. That is correct.

Mr. HUNGATE. And under title II we would have approximately $20 million, and about 25 percent of that would be subject to the discretion of the Attorney General?

Mr. MACGREGOR. That is correct.

Mr. HUNGATE. And the same procedure with respect to title III, except here we would have $30 million?

Mr. MACGREGOR. Under this amendment, as in the previous amendment, the Attorney General is given wide latitude and discretionary authority.

Mr. HUNGATE. In the original bill, he had $5 million to spray among the three titles, but here he would have $10 million.

Mr. MACGREGOR. The gentleman from Missouri is absolutely correct. The adoption of my proposal would mean $10 million would be given to the Attorney General to use as his experience dictated under title I or title II or title III.

Mr. HUNGATE. In the terms of this amendment, if adopted, it would cost a total of $90 million at that point, and he would have discretion as to $28.5 million approximately, whereas in the original bill his discretion was as to some $50 million.

Mr. MACGREGOR. I trust the gentleman's mathematics. I believe his figures are correct.

Mr. ROGERS of Colorado. Mr. Chairman, will the gentleman yield?

Mr. HUNGATE. I yield to the gentleman from Colorado.

Mr. ROGERS of Colorado. Mr. Chairman, I point out that under title I of the Cahill amendment there is no discretion in the Attorney General in that regard. Title I, even with the MacGregor amendment, in section 104 says that each State is going to get $100,000, period. That is No. 1.

No. 2, the Attorney General shall allocate $100,000 to each of the 50 States and the District of Columbia, and he shall then allocate the remainder of such funds available among the States and the District of Columbia according to their relative population. So he has no discretion.

Mr. HUNGATE. Is that not for 75 percent of the funds?

Mr. ROGERS of Colorado. That is 90 percent. That is, the State has to put up 10 percent and the Federal Government puts up the 90 percent. He must allocate it, if we are to follow section 104 of the Cahill amendment.

Mr. HUNGATE. Mr. Chairman, if the gentleman will allow me for a moment, I would like to clarify this problem. I want to know, if there is a remainder after the $100,000 grants have been made under title I, whether the other 75 percent goes under the discretion of the Attorney General?

Mr. POFF. Mr. Chairman, will the gentleman yield?

Mr. HUNGATE. I yield to the gentleman from Virginia.

Mr. POFF. I thank the gentleman from Missouri.

Under title I, a minimum of $100,000 is granted to each of the 50 States and the District of Columbia, making a total of $5,100,000. All in excess of that up to the $30 million contemplated in the MacGregor substitute will be apportioned among those same units according to population.

In title II the formula is different. In title II 75 percent is allocated among the 50 States and the District of Columbia, and thereafter the Attorney General may use his discretion in allocating the balance.

Mr. HUNGATE. I thank the gentleman. In other words, the 75–25 formula applies only to titles II and III and not to title I?

Mr. POFF. It would not be applicable to title III.

Mr. O'HARA of Michigan. Mr. Chairman, I rise in opposition to the substitute amendment.

Mr. Chairman, I believe it is very important to understand the difference between the amendment I offered and the substitute offered by the gentleman from Minnesota.

I propose to add $25 million to the total authorization. The gentleman from Minnesota proposes to add $40 million to the total authorization of the bill, but he has proposed to distribute the additional amounts in his substitute among the three titles.

In spite of the changes that were made in the titles, they retain their essential characteristics; that is, title I is for planning, title II is for law enforcement and criminal justice purposes, and title III is for research.

I happen to believe—and for this reason I oppose the substitute—that the crying need in America today in the field of law enforcement is not for more funds for research nor more funds for planning. The immediate need is a need to beef up the ability of local law-enforcement agencies to deal with situations of riot and civil disorder. That is the immediate need.

Under my amendment, every nickel of the additional amount that would be authorized would go for that exact purpose. That is why I certainly hope the substitute, which would spread $40 million among the three titles, will not be agreed to, and that my amendment, which would provide $25 million—directed solely to law-enforcement purposes connected with the ability of local law-enforcement agencies to deal with riots and civil disorder, will be adopted.

That is the immediate need—not the other things, good as they are.

Mr. ECKHARDT. Mr. Chairman, will the gentleman yield?

Mr. O'HARA of Michigan. I yield to the gentleman from Texas.

Mr. ECKHARDT. Would not the amendment offered by the gentleman from Michigan provide a total amount of approximately $39 million to beef up local law enforcement, whereas the substitute would afford only, at an absolute maximum, $30 million?

Mr. O'HARA of Michigan. That is correct. In other words, if the Members want to get the punch into local law enforcement, with emphasis on riot control and the prevention aspects of it, my amendment would be more appropriate for that purpose.

The CHAIRMAN. The question is on the substitute amendment offered by the gentleman from Minnesota [Mr. MACGREGOR] for the amendment offered by the gentleman from Michigan [Mr. O'HARA].

The question was taken; and on a division (demanded by Mr. MACGREGOR) there were—ayes 74, noes 70.

Mr. O'HARA of Michigan. Mr. Chairman, I demand tellers.

Tellers were ordered, and the Chairman appointed as tellers Mr. O'HARA of Michigan and Mr. MACGREGOR.

The Committee again divided, and the tellers reported that there were—ayes 109, noes 111.

So the substitute amendment was rejected.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Michigan [Mr. O'HARA].

The amendment was agreed to.

AMENDMENT OFFERED BY MR. MINSHALL

Mr. MINSHALL. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. MINSHALL: On page 25, strike out lines 5 through 15, and insert the following:

"SEC. 401. (a) There is hereby established as an independent agency of Government an Office of Justice which shall be headed by an Attorney General who shall be appointed for a term of 15 years by the President by and with the advice and consent of the Senate. The Attorney General, in the performance of his duties, shall not be subject to the direction or supervision of the President, nor shall he be a member of his Cabinet.

"(b) There are hereby transferred to the Attorney General of the Office of Justice all functions exercised by the Department of Justice on the date of enactment of this Act, including all functions provided for in this Act. Such personnel, property, and unexpended balances of appropriations as the Director of the Bureau of the Budget determines relate primarily to functions transferred by this Act shall be transferred to the Office of Justice.

"(c) The Department of Justice, the office of Attorney General in such Department, and all other offices provided for by law in such Department are hereby abolished.

"(d) Effective date of this section will be March 1, 1969."

Mr. CELLER. Mr. Chairman, I make the point of order that the amendment is not germane to the bill that is now under consideration.

The CHAIRMAN. Does the gentleman from Ohio [Mr. MINSHALL] wish to be heard on the point of order?

Mr. MINSHALL. Mr. Chairman, I hold the present occupant of the chair in the highest esteem, and knowing which way the parliamentary winds might blow and the decisions might follow, I do not wish to protest the point of order.

The CHAIRMAN (Mr. ROSTENKOWSKI). The Chair is now prepared to rule.

The amendment offered by the gentleman from Ohio [Mr. MINSHALL] proposes the abolishment of the Department of Justice and the transfer of its functions to a newly created Office of Justice. This new office would exist as an independent agency, outside the Cabinet, and would be headed by the Attorney General, appointed by the President and confirmed by the Senate.

The gentleman from New York [Mr. CELLER] has raised the point of order that the amendment is not germane to the bill under consideration.

The bill now before the Committee of the Whole bestows certain new functions, authority, and responsibilities on the Attorney General. It creates, within the Department of Justice, a new Office of Law Enforcement and Criminal Justice. It does not reorganize the existing structure of the Department.

The amendment offered by the gentleman from Ohio is, in effect, a plan for governmental reorganization, and as such would not be within the jurisdiction of the Committee on the Judiciary, which reported this bill. This is one argument against considering the amendment germane.

The Chair feels that the situation presented by this amendment is analogous to that presented when a bill amendatory of existing law in one particular is sought to be amended by a repeal of the law. In those cases, decisions are uniform to the effect that the amendments are not considered germane—volume (cp) VIII, sections 2948–2949.

The Chair does not feel that the amendment is within the scope of the bill before the Committee of the Whole. It relates to a subject not under consideration at this time. The Chair therefore sustains the point of order.

Mr. MINSHALL. Mr. Chairman, I move to strike the last word.

Mr. Chairman, my amendment—the intent and language of which will be offered as a bill at the conclusion of my remarks—would transfer the Department of Justice to a status similar to that of the General Accounting Office. It would create an Office of Justice, effective March 1, 1969, which would be held accountable to the U.S. Congress for its activities.

The Attorney General of the Office of Justice would be appointed, as is the Comptroller General of the United States, to a 15-year term. Appointment would be made by the President with the advice and consent of the Senate. In the performance of his duties, however, the Attorney General would not be subject to the direction or supervision of the President nor would he be a member of the President's Cabinet.

All functions of the present Department would be transferred to the new Office, including the Federal Bureau of Investigation, which for the past few years has been used as a political tool by the Attorney General and the White House to the detriment of its hard-earned and brilliant reputation as the world's most effective and unimpeachable law enforcement agency under the direction of Mr. J. Edgar Hoover. I would not and do not presume to speak for the FBI, but as one of its stanchest supporters I have been angered and distressed by the manner in which the Department of Justice has downgraded this agency in the past several years.

The Justice Department is presently under the heavy hand of White House discipline. This should not be.

Criminal statutes already on the books have been buried alive by the Justice Department. What hope do we have that any new anticrime laws will be enforced?

The Attorney General, apparently under orders from the President, continues to ignore appeals from Congress to enforce statutes in the United States Code which are clearly applicable to Stokely Carmichael, H. Rap Brown, Floyd McKissick, and scores of others, even including some members of the clergy, who are openly inciting rebellion and insurrection, advocating the overthrow of the Government, threatening the life of the President, interfering with and influencing the loyalty, morale, and discipline of our military forces, and encouraging and abetting evasion of the Selective Service Act.

Justice in this country no longer is blind. It winks openly at these criminals and seditionists.

The deciding factor as to whether or not the Justice Department prosecutes a criminal seems to be the political potency of the cases involved. During the past 7 years we have watched the White House use the Department to wage vendettas on its political enemies and to act as a shield for criminals in "politically sensitive areas."

The time has come for the White House and the Department of Justice to part company. Americans of all races want law and order in this Nation.

Gentlemen, we are the representatives of a people who are suffering from a torment of riots and other major crime. We are in a state of national emergency.

The FBI reports that serious crime in this Nation has risen by 62 percent since 1960. During the first 3 months of this year, according to the FBI, crime rose 20 percent over the same period in 1966, the greatest 3-month leap in crime in our entire history.

Yet Ramsey Clark, the Attorney General, assures us we do not have a "crime wave" in this country.

Witness after witness has testified that the Carmichaels, Browns, McKissicks, and other agitators have instigated the riots, the draft dodging, and other civil and military disobediences which are tearing our Nation apart. Indeed, the most indicting evidence is provided by the insurrectionists and seditionists themselves—by their inflammatory words and unlawful actions. Out of their own mouths and by their own actions they convict themselves.

The Attorney General, Ramsey Clark, carries on the Justice Department's tradition of coddling the Carmichaels, the Browns, and others of their ilk by refusing to apprehend and prosecute them under statutes now on the books. I referred to some of these laws yesterday and call your attention to my remarks on page 21539 of the Monday, August 7, Record. Later I plan to insert in the Record a chronology documenting the statements and actions of these rabblerousers.

To suggest that apprehension and indictment of these criminals would cause further racial violence is a gross insult to the loyalty and patriotism of our Negro citizens. The vast majority of these people abhor the rabblerousers and live in a state of terror and oppression because of them. They ask for and deserve equal justice as American citizens and equal justice under law includes protection from the criminal element which is preying on them, killing and wounding them, destroying their neighborhoods, and corrupting their youth.

Yet a Justice Department "source" August 3, 1967, in a leak to the Washington Daily News, pointed out, and I quote directly from the article by Thomas Talburt of Scripps Howard:

> Because of Mr. Carmichael's status among some Negroes and the sensitive situation in may U.S. cities today, an order for his arrest almost certainly would have to be cleared by the White House.

In other words, for purely political reasons, the Justice Department will write off crime and insurrection in a certain segment of our society.

The bill I will shortly introduce, I am convinced, contains the solution—by divorcing the Justice Department from its domination by the Executive Office.

AMENDMENT OFFERED BY MR. BINGHAM

Mr. BINGHAM. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. Bingham: On page 33, after line 4, insert the following:

"TITLE VI—FIREARMS CONTROL

"Sec. 601. This title may be cited as the 'State Firearms Control Assistance Act of 1967.'

"Sec. 602. (a) The Congress hereby finds and declares—

"(1) that in order effectively to assist State and local governments in reducing the incidence of crime, adequate Federal control over interstate and foreign commerce in firearms, and over all persons engaging in the business of importing, manufacturing, or dealing in firearms, is essential;

"(2) that there is a widespread traffic in firearms moving in or otherwise affecting interstate or foreign commerce, and that the existing Federal controls over such traffic do not adequately enable the States to control the firearms within their own borders through the exercise of their police power;

"(3) that State and local governments require a national program to effectively regulate the interstate traffic in firearms in order for State and local governments (a) to formulate reliable comprehensive plans for crime prevention, (b) to translate those plans into adequate and useful programs for such crime prevention, and (c) to fully train State and local law enforcement officials to handle the manifold duties involved in crime detection, prevention, and law enforcement;

"(4) that the ease with which any person can acquire firearms (including criminals, juveniles without the knowledge or consent of their parents or guardians, narcotics addicts, mental defectives, armed groups who would supplant the functions of duly constituted public authorities, and others whose possession of firearms is similarly contrary to the public interest) is a significant factor in the prevalence of lawlessness and violent crime in the United States;

"(5) that there is a clear causal relationship between the occurrence of massive civil disorders and the uncontrolled and unsupervised possession of firearms;

"(6) that the acquisition on a mail-order basis of firearms by nonlicensed individuals, from a place other than their State of residence, has materially tended to thwart the effectiveness of State laws and regulations, and local ordinances;

"(7) that the sale or other disposition of concealable weapons by importers, manufacturers, and dealers holding Federal licenses, to nonresidents of the State in which the licensees' places of business are located, has tended to make ineffective the laws, regulations, and ordinances in the several States and local jurisdictions with respect to the control crime;

"(8) that there is a causal relationship between the easy availability of firearms and juvenile and youthful criminal behavior, and that firearms have been widely sold by federally licensed importers and dealers to emotionally immature, or thrill-bent juveniles and minors prone to criminal behavior;

"(9) that the United States has become the dumping ground of the castoff surplus military weapons of other nations, and that such weapons, and the large volume of relatively inexpensive pistols and revolvers (largely worthless for sporting purposes), imported into the United States in recent years, has contributed greatly to lawlessness and to the Nation's law enforcement problems;

"(10) that the lack of adequate Federal control over interstate and foreign commerce in highly destructive weapons (such as bazookas, mortars, antitank guns, and so forth, and destructive devices such as explosives or incendiary grenades, bombs, missiles, and so forth) has allowed such weapons and devices to fall into the hands of lawless persons, including armed groups who would supplant lawful authority, thus creating a problem of national concern;

"(11) that the existing licensing system under the Federal Firearms Act does not provide adequate license fees or proper standards for the granting or denial of licenses, and that this has led to licenses being issued to persons not reasonably entitled thereto, thus distorting the purposes of the licensing system.

"(b) The Congress further hereby declares that the purpose of this title is to cope with the conditions referred to in the foregoing subsection, and that it is not the purpose of this title to place any undue or unnecessary Federal restrictions or burdens on law-abiding citizens with respect to the acquisition, possession, or use of firearms appropriate to the purpose of hunting, trapshooting, target shooting, personal protection, or any other lawful activity, and that this title is not intended to discourage or eliminate the private ownership or use of firearms by law-abiding citizens for lawful purposes, or provide for the imposition by Federal regulations of any procedures or requirements other than those reasonably necessary to implement and effectuate the provisions of this title.

"Sec. 603. Title 18, United States Code, is amended by inserting after section 917 thereof the following new chapter:

" 'CHAPTER 44. FIREARMS

" 'Sec.
" '921. Definitions.
" '922. Unlawful acts.
" '923. Licensing.
" '924. Penalties.
" '925. Exceptions: Relief from disabilities.
" '926. Rules and regulations.
" '927. Effect on State law.
" '928. Separability clause.

" '§ 921. Definitions

" '(a) As used in this chapter—

" '(1) The term "person" and the term "whoever" includes any individual, corporation, company, association, firm, partnership, society, or joint stock company.

" '(2) The term "interstate or foreign commerce" includes commerce between any State or possession (not including the Canal Zone) and any place outside thereof; or between points within the same State or possession (not including the Canal Zone), but through any place outside thereof; or within any possession or the District of Columbia. The term "State" shall include the Commonwealth of Puerto Rico, the Virgin Islands, and the District of Columbia.

" '(3) The term "firearm" means any weapon (including a starter gun) which will or is designed to or may readily be converted to expel a projectile by the action of an explosive; the frame or receiver of any such weapon; or any firearm muffler or firearm silencer; or any destructive device.

" '(4) The term "destructive device" means any explosive, incendiary, or poison gas bomb, grenade, mine, rocket, missile, or similar device; and includes any type of weapon which will or is designed to or may readily be converted to expel a projectile by the action of any explosive and having any barrel with a bore of one-half inch or more in diameter.

" '(5) The term "shotgun" means a weapon designed or redesigned, made or remade, and intended to be fired from the shoulder and designed or redesigned and made or remade to use the energy of the explosive in a fixed shotgun shell to fire through a smooth bore either a number of ball shot or a single projectile for each single pull of the trigger.

" '(6) The term "short-barreled shotgun" means a shotgun having one or more barrels less than eighteen inches in length and any weapon made from a shotgun (whether by alteration, modification, or otherwise) if such weapon as modified has an overall length of less than twenty-six inches.

" '(7) The term "rifle" means a weapon designed or redesigned, made or remade, and intended to be fired from the shoulder and designed or redesigned and made or remade to use the energy of the explosive in a fixed metallic cartridge to fire only a single projectile through a rifled bore for each single pull of the trigger.

" '(8) The term "short-barreled rifle" means a rifle having one or more barrels less than sixteen inches in length and any weapon made from a rifle (whether by alteration, modification, or otherwise) if such weapon as modified has an overall length of less than twenty-six inches.

" '(9) The term "importer" means any person engaged in the business of importing or bringing firearms or ammunition into the United States for purposes of sale or distribution; and the term "licensed importer" means any such person licensed under the provisions of this chapter.

" '(10) The term "manufacturer" means any person engaged in the manufacture of firearms or ammunition for purposes of sale or distribution; and the term "licensed manufacturer" means any such person licensed under the provisions of this chapter.

" '(11) The term "dealer" means (A) any person engaged in the business of selling firearms or ammunition at wholesale or retail, (B) any person engaged in the business of repairing such firearms or of making or fitting special barrels, stocks, or trigger mechanisms to firearms or (C) any person who is a pawnbroker. The term "licensed dealer" means any dealer who is licensed under the provisions of this chapter.

"'(12) The term "pawnbroker" means any person whose business or occupation includes the taking or receiving, by way of pledge or pawn, of any firearm or ammunition as security for the payment or repayment of money.

"'(13) The term "indictment" includes an indictment or an information in any court under which a crime punishable by imprisonment for a term exceeding one year may be prosecuted.

"'(14) The term "fugitive from justice" means any person who has fled from any State or possession to avoid prosecution for a crime punishable by imprisonment for a term exceeding one year or to avoid giving testimony in any criminal proceeding.

"'(15) The term "antique firearm" means any firearm of a design used before the year 1870 (including any matchlock, flintlock, percussion cap, or similar early type of ignition system) or replica thereof, whether actually manufactured before or after the year 1870; but not including any weapon designed for use with smokeless powder or using rimfire of conventional center-fire ignition with fixed ammunition.

"'(16) The term "ammunition" means ammuntion for a destructive device; it shall not include shotgun shells or any other ammunition designed for use in a firearm other than a destructive device.

"'(17) The term "Secretary" or "Secretary of the Treasury" means the Secretary of the Treasury or his delegate.

"'(b) As used in this chapter—

"'(1) The term "firearm" shall not include an antique firearm.

"'(2) The term "destructive device" shall not include—

"'(A) a device which is not designed or redesigned or used or intended for use as a weapon; or

"'(B) any device, although originally designed as a weapon, which is redesigned so that it may be used solely as a signaling, line-throwing, safety or similar device; or

"'(C) any shotgun other than a short-barreled shotgun; or

"'(D) any nonautomatic rifle (other than a short-barreled rifle) generally recognized or particularly suitable for use for the hunting of big game; or

"'(E) surplus obsolete ordnance sold, loaned, or given by the Secretary of the Army pursuant to the provision of 10 U.S.C., sections 4684(2), 4685, or 4686; or

"'(F) any other device which the Secretary finds is not likely to be used as a weapon.

"'(3) The term "crime punishable by imprisonment for a term exceeding one year" shall not include any Federal or State offenses pertaining to antitrust violations, unfair trade practices, restraints of trade, or other similar offenses relating to the regulation of business practices as the Secretary may by regulation designate.

"'§ 922. Unlawful acts.

"'(a) It shall be unlawful—

"'(1) for any person, except a licensed importer, licensed manufacturer, or licensed dealer, to engage in the business of importing, manufacturing, or dealing in firearms or ammunition, or in the course of such business to ship, transport, or receive any firearm or ammunition in interstate or foreign commerce;

"'(2) for any importer, manufacturer, or dealer licensed under the provisions of this chapter to ship or transport in interstate or foreign commerce, any firearm or ammunition to any person other than a licensed importer, licensed manufacturer, or licensed dealer, except that—

"'(A) this paragraph shall not be held to preclude a licensed importer, licensed manufacturer, or licensed dealer from returning a firearm or replacement firearm of the same kind and type to a person from whom it was received;

"'(B) this pargaraph shall not be held to preclude a licensed importer, licensed manufacturer, or licensed dealer from depositing a firearm for conveyance in the mails to any officer, employee, agent, or watchman who, pursuant to the provisions of section 1715 of title 18 of the United States Code, is eligible to receive through the mails, pistols, revolvers, and other firearms capable of being concealed on the person, for use in connection with his official duty;

"'(C) this paragraph shall not be held to preclude a licensed importer, licensed manufacturer, or licensed dealer from shipping a rifle or shotgun to an individual who in person upon the licensee's business premises purchased such rifle or shotgun, provided that such sale or shipment is not otherwise prohibited by the provisions of this chapter;

"'(D) nothing in this paragraph shall be construed as applying in any manner in the District of Columbia, the Commonwealth of Puerto Rico, or any possession of the United States differently than it would apply if the District of Columbia, the Commonwealth of Puerto Rico, or the possession were in fact a State of the United States;

"'(3) for any person other than a licensed importer, licensed manufacturer, or licensed dealer to transport into or receive in the State where he resides (or if the person is a corporation or other business entity, in which he maintains a place of business)—

"'(A) any firearm, other than a shotgun or rifle, purchased or otherwise obtained by him outside that State;

"'(B) any firearm, purchased or otherwise obtained by him outside that State, which it would be unlawful for him to purchase or possess in the State or political subdivision thereof wherein he resides (or if the person is a corporation or other business entity, in which he maintains a place of business);

"'(4) for any person, other than a licensed importer, licensed manufacturer, or licensed dealer, to transport in interstate or foreign commerce any destructive device, machine gun (as defined in section 5848 of the Internal Revenue Code of 1954), short-barreled shotgun, or short-barreled rifle, except as specifically authorized by the Secretary;

"'(5) for any person to transfer, sell, trade, give, transport, or deliver to any person (other than a licensed importer, licensed manufacturer, or licensed dealer) who resides in any State other than that in which the transferor resides (or in which his place of business is located if the transferor is a corporation or other business entity)—

"'(A) any firearm, other than a shotgun or rifle;

"'(B) any firearm which the transferee could not lawfully purchase or possess in accord with applicable laws, regulations, or ordinances of the State or political subdivision thereof in which the transferee resides (or in which his place of business is located if the transferee is a corporation or other business entity).

This paragraph shall not apply to transactions between licensed importers, licensed manufacturers, and licensed dealers; or

"'(5) for any person in connection with the acquisition or attempted acquisition of any firearm from a licensed importer, licensed manufacturer, or licensed dealer, knowingly to make any false or fictitious oral or written statement or to furnish or exhibit any false or fictitious or misrepresented identification, intended or likely to deceive such importer, manufacturer, or dealer with respect to any fact material to the lawfulness of the sale or other disposition of such firearm under the provisions of this chapter.

"'(b) It shall be unlawful for any licensed importer, licensed manufacturer, or licensed dealer to sell or deliver—

"'(1) any firearm to any individual who the licensee knows or has reasonable cause to believe is less than twenty-one years of age, if the firearm is other than a shotgun or rifle; or to any indivdual who the licensee knows or has reasonable cause to believe is less than eighteen years of age, if the firearm is a shotgun or rifle;

"'(2) any firearm to any person who the licensee knows or has reasonable cause to believe is not lawfully entitled to receive or possess such firearm by reason of any State or local law, regulation, or ordinance applicable at the place of sale, delivery, or other disposition of the firearm;

"'(3) any firearm to any person who the licensee knows or has reasonable cause to believe does not reside in (or if the person is a corporation or other business entity, does not maintain a place of business in) the State in which the licensee's place of business is located; except that this paragraph shall not apply in the case of a shotgun or rifle;

"'(4) to any person any destructive device, machinegun (as defined in section 5846 of the Internal Revenue Code of 1954), short-barreled shotgun, or short-barreled rifle, unless he has in his possession a sworn statement executed by the principal law enforcement officer of the locality wherein the purchaser or person to whom it is otherwise disposed of resides, attesting that there is no provision of law, regulation, or ordinance which would be violated by such person's receipt or possession thereof, and that he is satisfied that it is intended by such person for lawful purposes; and such sworn statement shall be retained by the licensee as a part of the records required to be kept under the provisions of this chapter;

"'(5) any firearm to any person unless the licensee notes in his records required to be kept pursuant to section 923 of this chapter, the name, age, and place of residence of such person if the person is an indivdual, or the identity and principal and local places of business of such person if the person is a corporation or other business entity.

Paragraphs (1), (2), (3) and (4) of this subsection shall not apply to transactions between licensed importers, licensed manufacturers, and licensed dealers.

"'(c) It shall be unlawful for any licensed importer, licensed manufacturer, or licensed dealer to sell or otherwise dispose of any firearm or ammunition to any person, knowing or having reasonable cause to believe that such person is a fugitive from justice or is under indictment or has been convicted in any court of a crime punishable by imprisonment for a term exceeding one year. This subsection shall not apply with respect to sale or disposition of a firearm to a licensed importer, licensed manufacturer, or licensed dealer who pursuant to subsection (b) of section 925 of this chapter is not precluded from dealing in firearms, or to a person who has been granted relief from disabilities pursuant to subsection (c) of section 925 of this chapter.

"'(d) It shall be unlawful for any common or contract carrier to transport or deliver in interstate or foreign commerce any firearm with knowledge or reasonable cause to believe that the shipment, transportation, or receipt thereof would be in violation of the provisions of this chapter.

"'(e) It shall be unlawful for any person who is under indictment or who has been convicted in any court of a crime punishable by imprisonment for a term exceeding one year, or who is a fugitive from justice, to ship or transport any firearm or ammunition in interstate or foreign commerce.

"'(f) It shall be unlawful for any person who is under indictment or who has been convicted in any court of a crime punishable by imprisonment for a term exceeding one year, or is a fugitive from justice, to receive any firearm or ammunition which has been shipped or transported in interstate or foreign commerce.

"'(g) It shall be unlawful for any person to transport or ship in interstate or foreign commerce, any stolen firearm or stolen ammunition, knowing or having reasonable cause to believe the same to have been stolen.

"'(h) It shall be unlawful for any person to receive, conceal, store, barter, sell, or dispose of any stolen firearm or stolen ammunition, or pledge or accept as security for a loan any stolen firearm or stolen ammunition, moving as or which is a part of or which constitutes interstate or foreign commerce, knowing or having reasonable cause to believe the same to have been stolen.

"'(i) It shall be unlawful for any person knowingly to transport, ship, or receive, in interstate or foreign commerce, any firearm the importer's or manufacturer's serial number of which has been removed, obliterated, or altered.

"'(j) It shall be unlawful for any person knowingly to import or bring into the United States or any possession thereof any firearm or ammunition, except as provided in subsection (d) of section 925 of this chapter; and it shall be unlawful for any person knowingly to receive any firearm or ammunition which has been imported or brought into the United States or any possession thereof in violation of the provisions of this chapter.

"'(k) It shall be unlawful for any licensed importer, licensed manufacturer, or licensed dealer knowingly to make any false entry in, or to fail to make appropriate entry in or fail to properly maintain, any record which he is required to keep pursuant to section 923 of this chapter or regulations promulgated thereunder.

"'§ 923. Licensing

"'(a) No person shall engage in business as a firearms or ammunition importer, manufacturer, or dealer until he has filed an application with, and received a license to do so from, the Secretary. The application shall be in such form and contain such information as the Secretary shall by regulation prescribe. Each applicant shall be required to pay a fee for obtaining such a license, a separate fee being required for each place in which the applicant is to do business, as follows:

"'(1) If a manufacturer—

"'(A) of destructive devices and/or ammunition a fee of $1,000 per year;

"'(B) of firearms other than destructive devices a fee of $500 per year.

"'(2) If an importer—

"'(A) of destructive devices and/or ammunition a fee of $1,000 per year;

"'(B) of firearms other than destructive devices a fee of $500 per year.

"'(3) If a dealer—

"'(A) in destructive devices and/or ammunition a fee of $1,000 per year;

"'(B) who is a pawnbroker dealing in firearms other than destructive devices a fee of $250 per year;

"'(C) who is not a dealer in destructive devices or a pawnbroker, a fee of $10 per year; except that for the first renewal following the effective date of the State Firearms Control Assistance Act of 1967 or for the first year he is engaged in business as a dealer such dealer will pay a fee of $25.

"'(b) Upon the filing of a proper application and payment of the prescribed fee, the Secretary may issue to the applicant the appropriate license which, subject to the provisions of this chapter and other applicable provision of law, shall entitle the licensee to transport, ship, and receive firearms and ammunition covered by such license in interstate or foreign commerce during the period stated in the license.

"'(c) Any application submitted under subsections (a) and (b) of this section shall be disapproved and the license denied and the fee returned to the applicant if the Secretary, after notice and opportunity for hearing, finds that—

"'(1) the applicant is under twenty-one years of age; or

"'(2) the applicant (including in the case of a corporation, partnership, or association, any individual possessing directly or indirectly, the power to direct or cause the direction of the management and policies of the corporation, partnership, or association) is prohibited from transporting, shipping, or receiving firearms or ammunition in interstate or foreign commerce under the provisions of this chapter; or is, by reason of his business experience, financial standing, or trade connections, not likely to commence business operations during the term of the annual license applied for or to maintain operations in compliance with this chapter; or

"'(3) the applicant has willfully violated any of the provisions of this chapter or regulations issued thereunder; or

"'(4) the applicant has willfully failed to disclose any material information required, or has made any false statement as to any material fact, in connection with his application; or

"'(5) the applicant does not have, or does not intend to have or to maintain, in a State or possession, business premises for the conduct of the business.

"'(d) Each licensed importer, licensed manufacturer, and licensed dealer shall maintain such records of importation, production, shipment, receipt, and sale or other disposition, of firearms and ammunition at such place, for such period and in such form as the Secretary may by regulations prescribe. Such importers, manufacturers, and dealers shall make such records available for inspection at all reasonable times, and shall submit to the Secretary such reports and information with respect to such records and the contents thereof as he shall by regulations prescribe. The Secretary or his delegate may enter during business hours the premises (including places of storage) of any firearms or ammunition importer, manufacturer, or dealer for the purpose of inspecting or examining any records or documents required to be kept by such importer or manufacturer or dealer under the provisions of this chapter or regulations issued pursuant thereto, and any firearms or ammunition kept or stored by such importer, manufacturer, or dealer at such premises. Upon the request of any State, or possession, or any political subdivision thereof, the Secretary of the Treasury may make available to such State, or possession, or any political subdivision thereof, any information which he may obtain by reason of the provisions of this chapter with respect to the identification of persons within such State, or possession, or political subdivision thereof, who have purchased or received firearms or ammunition, together with a description of such firearms or ammunition.

"'(e) Licenses issued under the provisions of subsection (b) of this section shall be kept posted and kept available for inspection on the business premises covered by the license.

"'(f) Licensed importers and licensed manufacturers shall identify, in such manner as the Secretary shall by regulations prescribe, each firearm imported or manufactured by such importer or manufacturer.

"'§ 924. Penalties

"'(a) Whoever violates any provision of this chapter or any rule or regulation promulgated thereunder, or knowingly makes any false statement or representation with respect to the information required by the provisions of this chapter to be kept in the records of a person licensed under this chapter, or in applying for any license or exemption or relief from disability under the provisions of this chapter, shall be fined not more than $5,000 or imprisoned not more than five years, or both.

"'(b) Whoever, with intent to commit therewith an offense punishable by imprisonment for a term exceeding one year, or with knowledge or reasonable cause to believe that an offense punishable by imprisonment for a term exceeding one year is to be committed therewith, ships, transports, or receives a firearm in interstate or foreign commerce shall be fined not more than $10,000 or imprisoned not more than ten years, or both.

"'(c) Any firearm or ammunition involved in, or used or intended to be used in, any violation of the provisions of this chapter, or a rule or regulation promulgated thereunder, or violation of any other criminal law of the United States, shall be subject to seizure and forfeiture and all provisions of the Internal Revenue Code of 1954 relating to the seizure, forfeiture, and disposition of firearms, as defined in section 5848(1) of said Code, shall, so far as applicable, extend to seizures and forfeitures under the provisions of this chapter.

"'§ 925. Exceptons: Relief from disabilities

"'(a) The provisions of this chapter shall not apply with respect to the transportation, shipment, receipt, or importation of any firearm or ammunition imported for, or sold or shipped to, or issued for the use of the United States or any department, or agency thereof; or any State or possession, or any department, agency, or political subdivision thereof.

"'(b) A licensed importer, licensed manufacturer, or licensed dealer who is indicted for a crime punishable by imprisonment for a term exceeding one year, may, notwithstanding any other provisions of this chapter, continue operations pursuant to his existing license (provided that prior to the expiration of the term of the existing license timely application is made for a new license) during the term of such indictment and until any conviction pursuant to the indictment becomes final.

"'(c) A person who has been convicted of a crime punishable by imprisonment for a term exceeding one year (other than a crime involving the use of a firearm or other weapon or a violation of this chapter or of the National Firearms Act) may make application to the Secretary for relief from the disabilities under this chapter incurred by reason of such conviction, and the Secretary may grant such relief if it is established to his satisfaction that the circumstances regarding the conviction, and the applicant's record and reputation, are such that the applicant will not be likely to conduct his operations in an unlawful manner, and that the granting of the relief would not be contrary to the public interest. A licensee conducting operations under this chapter, who makes application for relief from the disabilities incurred under this chapter by reason of such a conviction, shall not be barred by such conviction from further operations under his license pending final action on an application for relief filed pursuant to this section. Whenever the Secretary grants relief to any person pursuant to this section, he shall promptly publish in the Federal Register notice of such action, together with the reasons therefor.

"'(d) The Secretary may authorize a firearm to be imported or brought into the United States or any possession thereof if the person importing or bringing in the firearm establishes to the satisfaction of the Secretary that the firearm—

"'(1) is being imported or brought in for scientific or research purposes, or is for use in connection with competition or training pursuant to chapter 401 of title 10 of the United States Code; or

"'(2) is an unserviceable firearm, other than a machine gun as defined by 5848(2) of the Internal Revenue Code of 1954 (not readily restorable to firing condition), imported or brought in as a curio or museum piece; or

"'(3) is of a type that does not fall within the definition of a firearm as defined in section 5848(1) of the Internal Revenue Code of 1954 and is generally recognized as particularly suitable for or readily adaptable to sporting purposes, and in the case of surplus military firearms is a rifle or shotgun; or

"'(4) was previously taken out of the United States or a possession by the person who is bringing in the firearm.

***Provided,* That the Secretary may permit the conditional importation or bringing in of a firearm for examination and testing in connection with the making of a determination as to whether the importation or bringing in of such firearm will be allowed under this subsection.**

"'§ 926. Rules and regulations

"'The Secretary may prescribe such rules and regulations as he deems reasonably necessary to carry out the provisions of this chapter. The Secretary shall give reasonable public notice, and afford to interested parties opportunity for hearing, prior to prescribing such rules and regulations.

"'§ 927. Effect on State law

"'No provision of this chapter shall be construed as indicating an intent on the part of the Congress to occupy the field in which such provision operates to the exclusion of the law of any State or possession on the same subject matter, unless there is a direct and positive conflict between such provision and the law of the State or possession so that the two cannot be reconciled or consistently stand together.

"'§ 928. Separability

"'If any provision of this chapter or the application thereof to any person or circumstance is held invalid, the remainder of the chapter and the application of such provision to other persons not similarly situated or to other circumstances shall not be affected thereby.'

"SEC. 604. The administration and enforcement of this Act shall be vested in the Secretary of the Treasury.

"SEC. 605. Nothing in this title shall be construed as modifying or affecting any provision of—

"(a) the National Firearms Act (chapter 53 of the Internal Revenue Code of 1954); or

"(b) section 414 of the Mutual Security Act of 1954 (22 U.S.C. 1934), as amended, relating to munitions control; or

"(c) section 1715 of title 18, United States Code, relating to nonmailable firearms.

"SEC. 606. The table of contents to 'Part I.—Crimes' of title 18, United States Code, is amended by inserting after

"'43. False personation................ 911'

a new chapter reference as follows:

"'44. Firearms........................ 921'

"SEC. 607. The Federal Firearms Act (52 Stat. 1250; 15 U.S.C. 901–910), as amended, is repealed.

"SEC. 608. The amendments made by this title shall become effective one hundred and eighty days after the date of its enactment; except that repeal of the Federal Firearms Act shall not in itself terminate any valid license issued pursuant to that Act and any such license shall be deemed valid until it shall expire according to its terms unless it be sooner revoked or terminated pursuant to applicable provisions of law."

Mr. CELLER (during the reading of the amendment). Mr. Chairman, I ask unanimous consent that the further reading of the amendment be dispensed with, since we know what the amendment provides, and that the amendment be printed in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. CELLER. Mr. Chairman, I make a point of order against the amendment on the ground that the amendment is not germane to the bill.

Mr. Chairman, the text of the bill before the Committee of the Whole provides for Federal assistance to States and localities and improvement of law enforcement.

There is no language in the bill dealing with any Federal crime, particularly with crime involving the control of firearms.

The amendment offered by the gentleman from New York would also amend title 18 of the United States Code and create a new Federal crime relative to the interstate shipment of firearms.

Mr. Chairman, while I personally am in sympathy with the purposes of the amendment and, of course, have the highest respect for my colleague, the gentleman from New York, I am constrained to make the point of order that the amendment is not germane to the purposes of the bill now before us.

The CHAIRMAN. Does the gentleman from New York [Mr. BINGHAM] wish to be heard on the point of order?

Mr. BINGHAM. Yes, Mr. Chairman, I do.

The CHAIRMAN. The gentleman is recognized.

Mr. BINGHAM. Mr. Chairman, the very first purpose of the bill before us, the bill, H.R. 5037, is stated in its title as follows: "To assist State and local governments in reducing the incidence of crime."

There follow in the bill before us three titles providing for different means in pursuing that purpose.

My amendment proposes an additional means for carrying out the same purpose.

In the statement of findings, as proposed in my amendment, it is recited that State control of crime cannot be carried out without effective control of interstate transactions and traffic in firearms.

Mr. Chairman, I would respectfully refer the chairman to the precedent recited in 5 Hinds Precedents at sections 5838, 5839, and 5840 to the effect that it is in order and it is germane to add an additional proposition of the same class under the same general subject.

It is interesting to note that an additional precedent is found in 5 Hinds 5910 which governs a bill to reorganize the Army. An amendment was offered to provide that the Army establish a system of competition in marksmanship and make awards for proficiency. This was upheld against a point of order.

I realize that an amendment similar to but not identical with mine was proposed the other day by my colleague, the gentleman from New York [Mr. MCCARTHY], to H.R. 421, the so-called antiriot bill, and it was ruled nongermane by the Chairman of the Committee of the Whole on that occasion. I submit, however, that there is a clear distinction between the two cases, since the antiriot bill dealt with one specific proposal only, whereas H.R. 5037, the bill before us, is an omnibus bill for the purpose of assisting State and local governments in reducing the incidence of crime and carrying a number of propositions to that end.

My proposal would add an additional subject to the same class. I submit, therefore, very respectfully, Mr. Chairman, that the amendment is germane.

The CHAIRMAN (Mr. ROSTENKOWSKI). The Chair is ready to rule.

The bill before the Committee of the Whole provides a program, within the Department of Justice, for Federal assistance in stimulating improvements in law enforcement and developing new methods for the prevention and reduction of crime. The Attorney General would be authorized to make grants to States and units of local government, educational institutions, and public or private agencies for a variety of purposes associated with the improvement of law-enforcement procedures and practices.

The amendment offered by the gentleman from New York [Mr. BINGHAM] deals with the sale and transmission of firearms and ammunition in interstate commerce. It amends title 18 of the United States Code—provisions of law not amended by the present bill.

The gentleman from New York [Mr. BINGHAM] urges that the purpose of his amendment is the same as that of the bill—to assist State and local governments in reducing the incidence of crime. But it is a well-established principle of the germaneness rule that a common purpose or objective is not conclusive when judging the germaneness of an amendment.

A decision rendered in the 77th Congress, by Chairman Cannon, of Missouri, seems to the Chair to state the proposition very well. Mr. Cannon there stated:

> The fact that an amendment and the provision in the bill to which the amendment is offered have a common purpose and are directed toward the same objective is not conclusive. The amendment * * * deals with a subject to which there is no reference in the text to which offered, and is, therefore, not germane to the bill. (77th Cong., 1st session; Feb. 10, 1941; RECORD, pp. 875–78.)

The gentleman from New York also urges that his amendment is germane since it simply adds another proposition of the same class to the several propositions now included in the bill. The Chair feels that the principle of the germaneness rule upon which the gentleman relies is not applicable here. He does not feel that the regulation of gun traffic in interstate commerce is a matter of the "same class" as a program for research grants into the subject and control of crime.

The Chair concludes that the amendment offered by the gentleman from New York [Mr. BINGHAM] is on a subject not now before this Committee and therefore sustains the point of order.

Mr. PUCINSKI. Mr. Chairman, I move to strike the last word.

I rise in support of this legislation. I think it is a good bill. I think President Johnson should be commended for bringing it to the Congress, and I think the committee should be commended for bringing it to the floor of the House.

There is one question I would like to clear up with the Chairman. I wonder if I may have the attention of the Chairman so we may have some legislative history on the floor.

We have all had our problems with guidelines. We have seen what guidelines have done to the highway beautification bill. We have seen what guidelines have done to the poverty bill. We have seen what guidelines have done to other legislation, and the growing tendency of bureaucracy to write guidelines which take on the color of law, as witness the Fifth Circuit Court decision which recently held guidelines have the same meaning as law. What, in effect, happens in guidelines is bureaucracy in effect writing law instead of the legislative branch of the Government.

I gather from reading this bill that the committee has, in effect, barred guidelines and, instead, insists that the Attorney General must publish regulations instead of guidelines.

If I understand the provision correctly, I would like to commend the Chairman of this Committee and the Committee for putting in the section on page 30, line 3. That language reads:

> The Attorney General shall prescribe regulations under this section in accordance with the requirements for notice and hearing which are prescribed in subsections (b) and (c) of section 553 of title 5, United States Code.

If I understand this language correctly, it means that the Attorney General cannot issue blanket guidelines. What he has to do is follow the Administrative Procedures Act. He has to follow those rules, he has to publish the rules and regulations that he intends to implement for this act in the Federal Register. The 30-day notice applies. There is provision made for objections and public hearings if necessary.

I am bothered by the word "section." I wonder if the gentleman would be good enough to respond whether the language on page 30, line 3, where it says "The Attorney General shall prescribe regulations under this section," means the entire bill, or just this one section 411? I hope it means the entire bill.

Perhaps I can rephrase my question to the chairman. Do I understand that the language on page 30, line 3, ending on line 6, means that the Attorney General shall follow the Administrative Procedures Act and publish all rules and regulations in the Register and follow the other safeguards against arbitrary regulations rather than just hand down guidelines which nobody has seen?

Mr. CELLER. Mr. Chairman, he has to follow the procedures the gentleman outlined a moment ago, the procedures in the Administrative Procedures Act.

Mr. PUCINSKI. It applies to all the bill before us, not just the one section?

Mr. CELLER. That is correct.

Mr. PUCINSKI. Mr. Chairman, I would say this: If the answer from the Chairman of this Committee is correct —and I believe it is—if the Administrative Procedures Act applies to all the rules and regulations of this bill, then I think every one of us can safely vote for this bill. I know some of us have some reservations about this section or that section of the bill. If the Attorney General indeed does have to publish his intentions in the Federal Register, and if we have 30 days in which to make our objections, and if public hearings can be held, I think whatever reservations we have can be corrected through the regular procedures.

Mr. ROGERS of Colorado. Mr. Chairman, what the gentleman has said is correct as to the rules the Attorney General can apply. That is as the gentleman outlined.

I want to point out to the gentleman, titles I and II have been rewritten under the Cahill amendment, and under that Cahill amendment he must allocate title I money according to title I as set forth on page 114, and he must give $100,000 to each State.

Mr. PUCINSKI. That is all fine. What I want to know is this: I know we have had a lot of problems with guidelines, so I want to know whether any rules the Attorney General promulgates for the implementation of this act must be published in the Federal Register and the rest of the procedures as spelled out in the Administrative Procedures Act, or can he go ahead and hand down arbitrary guidelines as we have seen in other legislation?

The Chairman has already stated his answer is "Yes."

Mr. CELLER. Yes.

Mr. PUCINSKI. The Attorney General must publish these regulations in the Federal Register. He cannot arbitrarily set down guidelines for the implementation of the act. If that is correct, I can support this legislation.

Mr. HARSHA. Mr. Chairman, I ask unanimous consent to revise and extend my remarks at this point in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. HARSHA. Mr. Chairman, I rise in support of this legislation and urge my colleagues to enact it. One of the most pressing domestic problems facing this Nation today is the problem of crime. The existence of rampant crime on our streets has had an eroding effect upon the life of many of our citizens. The tremendous increase in crime over the last 10 years is nothing short of a national disgrace. This Congress must put forth every last effort to meet its responsibility to help combat this national disgrace. I had fully intended to support the legislation as it came from the committee because the crime situation was so critical, although I felt it needed amending in several instances. Now those amendments are contained in the measure, and as it now stands, I believe it is a measure we can all support and be proud of.

Essentially, crime and law enforcement is a local problem that should be dealt with at the local level by State and local communities. This bill does not change that responsibility. Rather, it encourages and assists the States and local communities in meeting this responsibility. I firmly believe that this bill will go a long way in restoring not only proper and effective law enforcement, but it will throw the weight of the Federal Government behind the principle that this country must have law and order. It will help restore respect for law and order, and prove to all that this Nation intends to remain a government of laws, and that those laws shall be maintained and enforced.

Mr. Chairman, I urge my colleagues to approve this bill and to retain the amendments in it.

Mr. HALL. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I rise not to offer any amendments to the pending legislation at this late hour, for this is a field in which I claim little expertise. However, I do pose several queries in order that I may fully understand this legislation and in order that I may cast a more intelligent and informed vote. The amendments and the colloquy have not answered these questions, nor has the general debate answered these questions.

First, should not the law enforcement jurisdiction of the Federal Government remain in the areas of national security, interstate and foreign commerce, and other purely Federal investigative matters?

Second, will this legislation pervert our traditional concept of State and local police power through the "handsoutsmanship" of the Attorney General?

Third, would not the Nation benefit more by the use of Federal resources in the combating of organized crime, which is a threat to national security?

Fourth, is any power reserved for the State and local government in the implementation of this act? Would it have been so, as presented by the executive branch and before the Cahill amendment was adopted?

Fifth, does the legislation vest excessive power and discretion in the Attorney General, since he controls the purse strings?

Sixth, is this legislation an expansion and change in nomenclature of the Law Enforcement Assistance Act of 1965, as included in title III of the bill?

Seventh, is a law enforcement, research, and training institute not a salve in lieu of a cure, since as in the case of the National Institutes of Health, and others, the need is for a breakthrough in techniques, as here we need one in judicial support, and not just more directed moneys and personnel?

Eighth, is there a need to establish more advisory committees, since we have already had so many committees and commissions study this problem?

Ninth, since the Federal level law enforcement is a function of the executive branch, why does it persist in not prosecuting to the letter of the law, alleged offenders?

Finally, Mr. Chairman, why does the executive branch continue to appoint men to all levels of the Federal judiciary who are soft on law enforcement and soft on law and order, all rationalized on the basis of their perverted interpretation of the Constitution and its Bill of Rights?

Mr. DANIELS. Mr. Chairman, I rise in support of H.R. 5037. As a representative of one of the most highly urbanized areas in the United States, I am well aware of the rapid increase in crime. This increase is not a local phenomenon; it is as much a part of life in one section of the United States as it is in another.

Mr. Chairman, while the 14th Congressional District of New Jersey has been spared the awful riots which took place in our neighboring city of Newark, we have had sporadic violence in my native Jersey City. The credit for the fact that there was no repetition of the Jersey City riots of 1964 must go to the splendid efforts of the Jersey City Police Department.

These dedicated police officers have shown that they possess those qualities which will enable them to enforce the law impartially and effectively if, and this is so vital, they are given the tools which which to work. It is for this reason that I fully support this bill which will assist our local law enforcement agencies in combating crime without in any way establishing a national police force which none of us wants.

H.R. 5037 provides for Federal grants to carry out the recommendations of the President's Commission on Law Enforcement and the Administration of Justice.

Under title I of this measure, grants are made available for the development of law enforcement plans. Planning grants under title I shall not exceed 90 percent of the total cost of preparation, development, or revision of a plan.

Under title II of the bill, $9 million is earmarked for grants to develop new techniques and to improve the training of personnel. Funds are also available under this title for the construction of new buildings and physical facilities.

Under title III, $13.5 million is available for research development and training which would include national and regional institutes.

Mr. Chairman, I shall not take the valuable time of this House to support the specific provisions of this bill which have been outlined so well by the very distinguished gentleman from New York, the chairman of the House Judiciary Committee [Mr. CELLER] and the other able members of the Judiciary Committee. And I think all Members of the House will heed the impressive statements made yesterday by the dean of the New Jersey delegation [Mr. RODINO] and the very able gentleman from New Jersey [Mr. MINISH] who argued in support of this measure. These two distinguished Representatives from the riot-torn city of Newark speak with firsthand knowledge of the problems faced by law enforcement officials throughout this Nation and their words ought to be heeded by all of those who have the best interests of this Nation at heart.

Mr. Chairman, in conclusion I might point out that what is most needed is a respect for law and order, and respect for those who are sworn to uphold law and order. It is time that every citizen dedicated himself to assist in the Nation's war on crime. If we are to make our streets safe, it is up to every American to do his part. Law enforcement is not just a job for the police. Mr. Chairman, I might add that as a former member of the judiciary, I feel that it is time that the courts gave some consideration to the law-abiding citizen and a little less to the lawbreakers.

It is time that all Americans harken to the words of Abraham Lincoln who said:

> Let reverence for the law become the political religion of the nation.

Mr. MACHEN. Mr. Chairman, what I am about to say today is pertinent not just to the consideration of this bill, but to the current deep-felt concern on the part of all responsible Americans for the lamentable decline in our society of the most basic attitudes of citizenship and adherence to the law. I say "lamentable," because crime rates have risen so far out of hand, and civic unrest has been so widespread, as to have approached the point of a general breakdown of the rules and order of civilized living. It is a disgrace that we can no longer say that we are "shocked," but it is a sad fact of recent years that the increases in crime and a blatant disregard for the law have become commonplace.

The administration's Law Enforcement and Criminal Justice Assistance Act of 1967 is designed to help State and local law enforcement agencies help themselves. It will help sharpen the tools of justice. Surely, it would seem that such a measure would be beyond reproach, that the underlying principle of Federal assistance to our law enforcement bodies would be well enough founded to assure safe passage of the bill.

There are a few people, however, who decry the measure as "Federal interference" into the affairs of State and local government while they simultaneously wring their hands in dismay at the seeming inability of our police and other law enforcement agencies to meet the challenge of keeping the peace. Frankly, these agencies are in dire need of help and if the aid is not forthcoming, this year's crime statistics and civil disorders will pale by comparison to the chaos which seems sure to follow.

Crime has, of course, been a matter of grave concern to the people of the Washington, D.C., area. Both within the District limits and in the metropolitan area, we find a disconcerting rise in different categories of crime. As the Representative of hundreds of thousands of Washington-area residents, I cannot, in good conscience, hesitate in speaking out and lending my strongest support to the passage of this bill.

I might add that this legislation was not hastily drawn, the Committee on the Judiciary has carefully considered and amended it and has seen fit to favorably report it.

The programs proposed in H.R. 5037 carefully limit the role of the Federal Government to providing the tools with which the States and the units of local government can undertake remediation of the problem. Both the planning grants and the action program grants encourage State and local initiative, and only the minimum involvement necessary on the part of the Federal Government.

Certainly, we all understand that crime and its causes know no geographic or political boundaries, and very wisely, this measure directs attention to entire metropolitan areas rather than restricting it to places within the cities' limits, in the counties, or inside any other particular geopolitical unit. Similarly, the bill recognizes the need to consider all phases of law enforcement and criminal justice at all levels.

Worthy attention is given to first-rate academic study of the long-range needs of this subject as well as to the phases of it that require immediate alleviation. Hopefully, the use of research, demonstration, and special project grants will lead to elimination of emergency tactics.

Perhaps most important of all, this legislation will set up an administrative structure to eliminate the conflicting diffusion of law enforcement agencies which now inhibits swift solution of the crime problem. The appointment of a Director of Law Enforcement and Criminal Justice Assistance within the Department of Justice, as well as other such technical or advisory committees as the Attorney General deems necessary will provide a system to coordinate all efforts toward improved law enforcement.

Of interest to all of us is the application of the bill to the Washington metropolitan area. Crime and law enforcement is not a problem confined to the city limits of Washington and this legislation will provide invaluable help to the law enforcement agencies of the Maryland and Virginia suburbs as well.

As the Metropolitan Council of Governments has taken substantial steps toward the integration of necessary governmental and police functions in the area, this bill will provide aid on a basis consistent with their policy and goals. It suitably provides a next step in the coordination of metropolitan activities.

In the interest of the people of my particular community, the people of my congressional district, and all of us here, I urge passage of this bill. We must consider very carefully that crime will not go away merely because we "tell it to." Law enforcement needs a determined effort on our part and the proper tools for implementation. The approach of H.R. 5037 is the only means for the State and local governments to coordinate and administer their programs.

It offers hope to the beleaguered people of the cities and suburbs, and provides a rational step towards the olive branch of civic peace. Who among the overwhelming majority of this House who supported the antiriot bill can now deny the law enforcement agencies and the people of the United States the tools to do the job? Who among the dissenters on that bill can deny that this is a sound approach, and not a mere decree for crime to go away? I will cast my vote in solid support of this measure. I sincerely hope that all of you will too.

Mr. BRAY. Mr. Chairman, there may be something to be said for the theory that overly sensational or exaggerated coverage of crime or riots has an unwanted inflammatory effect. But we would do well to remember certain instances in the past where more extensive coverage of what would-be revolutionaries were doing and saying might have changed the course of world history.

A strutting, swaggering Italian Socialist, at one time a leader of the pacifist movement within the party, found himself expelled from his own party organization and cut off from all support. He accepted foreign money, established his own newspaper, and embarked on an unprincipled career that received relatively little attention. Little attention, that is, until Benito Mussolino led his Black Shirts into Rome.

An obscure Austrian, whose first 25 years of life were made up of one failure after another, and had sunk to the levels of social derelict, was nothing more in 1920 but a rabid anti-Semite, leader of a minority political party. By 1930 his party still had no real growth, and no support except from a lunatic fringe. No one paid any real attention until he became Chancellor and, by August 1934, Adolf Hitler's Nazi Party had reached its goal of totalitarian rule in Germany.

In 1914, Vladimir Ilich Ulyanov was only a leader of a radical group of violent dissident Russian Socialists. He frequently and loudly expressed his views during World War I, but his support was microscopic and the attention given him was nil. The world knew little about the embittered revolutionary, living in exile in Switzerland, until the German High Command sent him back to Russia on a sealed train. In April 1917 he arrived at the Finland Station, in St. Petersburg; the city today bears his name. In November 1917, Vladimir Ilich Ulyanov, now known as Nikolai Lenin, came to power as leader of the Russian Communist regime.

I do not believe the hate-filled statements of a Rap Brown or Stokely Carmichael will mobilize an entire nation. Yet, those who seek any means at hand to turn discontent and social unrest into revolutionary violence cannot be underestimated. "Tolerance," said Catullus, "is the weakness of the strong," and it can be a potentially fatal weakness if indulged in to the point of ignoring latent treason, sedition, or subversion.

Mrs. KELLY. Mr. Chairman, today I rise in support of H.R. 5037, as amended. This bill, if enacted, will assist State and local governments in reducing the incidence of crime, and will seek to increase the effectiveness, fairness, and coordination of law enforcement and criminal justice systems at all levels of government. This bill, which is cited as the "Law Enforcement and Criminal Justice Assistance Act of 1967," was formerly known as the "Safe Streets and Crime Control Act of 1967," and is the heart of President Johnson's national campaign against crime.

Statistics have shown an alarming increase in the commission of crimes in the United States, and my State of New York is no exception. In the year 1966 the rate of crime increased nationwide by 11 percent.

In July 1965 President Johnson, viewing crime as a "major social problem that directly or indirectly affects every American life," appointed a Commission on Law Enforcement and Administration of Justice, to make the most comprehensive study of crime in the history of our country. This they did and their reports and recommendations are contained in the Commission's report entitled "The Challenge of Crime in a Free Society."

Crime is essentially a local problem that must be dealt with by State and local governments. Lawlessness, however, has been shown by the President's Commission to be a national phenomenon that reaches into every section of the country.

Therefore, national assistance is needed to support and encourage greater effort by State and local governments to find new answers to the threats presented.

On March 15, 1967, I introduced H.R. 7214, a safe streets and crime control bill and at that time I pointed out that:

> It is necessary to better equip our police in their fight against crime. They must be furnished with every modern means available. They must have better training, better equipment and better communications between police departments.

The tragic riots of the past month have made it even more obvious that we must find better methods to deal with the immediate problem of riot control and the long-range approach to better law enforcement.

Present events have demonstrated that the police do not have the type of equipment they need to control riots. The many unnecessary deaths and injuries of police and innocent persons caused by the riots clearly points to the necessity of developing more effective and humane riot control equipment. It is most unfortunate that law-enforcement personnel and innocent people risked and lost their lives because the proper weapons were unavailable. We need nonlethal weapons which will stun a lawbreaker but not kill him. Research in the development of such weapons has started and must be stepped up to meet the urgent needs of law-enforcement agencies throughout the United States.

Subsequently on March 22, 1967, I testified before the House Committee on the Judiciary in support of my bill.

In my statement before the committee in support of the need for this legislation, I called it a "sad day because with the many advances in our way of life, we at the same time have found an ever-increasing rate in crime." Therefore, Mr. Chairman, it would seem that we have lost something along the road to progress.

While the bill before us today, H.R. 5037, is the committee bill, it contains the principal objectives, functions, and structure of my bill. I, therefore, add my support to the "Law Enforcement and Criminal Justice Assistance Act of 1967" which provides Federal support to supplement the expenditures of States and units of general local government in their efforts to cope with lawlessness by improvement of law enforcement and the administration of criminal justice. The bill provides a program in the Department of Justice of Federal grant assistance, first, to encourage States and local governments to prepare and adopt comprehensive law enforcement plans; second, to stimulate allocation of new resources and the development of technological innovations, improved training, and significant new facilities for crime prevention and control; and third, to encourage research, development, and training to improve law enforcement and to increase respect for law and order.

By passing H.R. 5037 today, the House will be taking an important step toward correcting and curtailing the rapidly rising crime rate by implementing some of the recommendations of the President and the National Crime Commission.

Crime in the United States will not be stopped by this bill alone. It does not pretend to make inroads on poverty, slums, unemployment, and the breakdown in family life which in the last analysis are the greatest causes of crime. These problems must be attacked by the Congress through legislation dealing with housing, poverty, civil rights and all of the areas which will guarantee equal opportunity, in fact, to every American.

Mrs. REID of Illinois. Mr. Chairman, today, we continue our deliberations of the Law Enforcement and Criminal Justice Assistance Act of 1967 which calls for planning grants—grants for law enforcement and criminal justice purposes—and research, demonstration, and special project grants. The purported purpose of this bill is to assist State and local governments in reducing the incidence of crime and to increase the effectiveness, fairness, and coordination of law enforcement and criminal justice systems at all levels of government. Certainly, there is no question in my mind but that immediate action is desperately needed to restore law and order and to help local law enforcement officials in their efforts to curb criminal activity so that once more law-abiding citizens can, indeed, feel safe and secure in their own homes and on the streets. Now—in many cities—this task of our local law enforcement officials is made even more difficult because of lawless rioting, burning, and looting.

As I have said many times, however, it will take more than money to restore law and order in our land. It will require the strict enforcement of all laws—Federal, State, and local. I have today written the following letter to the Attorney General of the United States urging that he use his full authority to enforce Federal laws:

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, D.C., August 8, 1967.

HON. RAMSEY CLARK,
The Attorney General,
Washington, D.C.

DEAR SIR: Last Thursday I presented a statement to my colleagues in the Congress, calling for all loyal American citizens to join together to bring an end to the divisiveness, lawlessness, and subversiveness and stating that "we must take a strong stand against criminal activities of all types so that the responsible citizens of all races—who are the overwhelming majority—can continue . . . free from fear." I called upon those in public life at all levels to set an example for all to follow "to bring a rebirth of morality and respect for law and order."

I hope that you, as Attorney General of the United States, will exercise your full authority to enforce all Federal laws to the fullest on an equal basis without regard to the race, color, creed, or position of anyone who does not abide by the law. I believe in equal rights under the law—but I do not believe in preferential rights under the law.

The news media reports that Stokely Carmichael—while attending a Communist-sponsored Latin American Solidarity Conference in Cuba—has called for guerrilla war in the cities of our Nation, hand to hand combat, the destruction of our regime and our system, and has threatened the very lives of our President and Members of the Cabinet. These reports are shocking and frightening, but I am equally disturbed by other news reports which indicate your Department has no definite plans to take strong action other than to seize Stokely Carmichael's passport and that "because of Mr. Carmichael's status among some Negroes and the sensitive situation in many U.S. cities today, an order for his arrest almost certainly would have to be cleared by the White House."

I would express my strong hope that if, as appears evident on the basis of available information, Stokely Carmichael has violated the Smith Act or any other Federal law, he should be imediately taken into custody and prosecuted if and when he returns to the United States. At the same time, I would urge that all others who may be violating Federal law through inciting rebellion or insurrection be brought to justice.

Prompt and firm action on your part in enforcing the Federal laws will, I know, be applauded by law-abiding and loyal citizens of all races and will offer desperately needed help to our local law enforcement officials who are working so hard to bring order out of chaos in city after city. We need such firm action if we are to assure the continuance of a government of laws rather than of men.

Very truly yours,
CHARLOTTE T. REID,
Member of Congress.

Mr. MILLER of Ohio. Mr. Chairman, we must stem the burgeoning crime problem this Nation faces. We must be ready with whatever assistance necessary when State and local agencies have reached their limits. The Law Enforcement and Criminal Justice Assistance Act of 1967 (H.R. 5037), with amendments is a step in the right direction.

One thing that plagues most Federal assistance programs is the heavy control that the Federal Government retains on the operation of the program. All too often it leads a workable program down a thorny path that rips it to pieces before it has a chance to be effective.

We, the Congress of the United States must, as the bill states, be ready to assist and encourage States and local governments to prepare and adopt comprehensive law-enforcement plans—to stimulate allocation of new resources and the development of technological innovations, improved training and significant new facilities for crime prevention and control—and to encourage research development, and training to improve law enforcement and to increase respect for law and order.

I concur with the minority views concerning H.R. 5037, and have gone on record supporting the amendments which would eliminate the deficiencies in the committee-approved bill. We must clearly define the Federal Government's role in the fight against crime through decentralized research, education, and instruction. We must not allow the United States to be led down the road to a federally controlled police system.

Title II fixes no priorities, contains no formula to guarantee equitable allocation and vests absolute discretionary authority in the Justice Department. These deficiencies must be changed. The Justice Department, in all its wisdom, cannot hope to be chief to every police department in the Nation. And, there must also be a guarantee of equitable allocation of funds to every community that needs help.

No one is naive enough to believe that H.R. 5037 will solve the crime problem in the United States. But it can be molded into an extremely effective tool to stem the increasing crime problem. Let us unite into one solid front to defeat this cancerous growth on our society.

Mr. HOLLAND. Mr. Chairman, the debate on H.R. 5037 has thus far been another chapter in the undistinguished history of the 90th Congress. Once again, we have spent several days trying, not to develop a workable solution to a problem, but seeking instead to find out how we can enact the most resounding and least expensive slogans against whatever it is we happen to be against at the moment.

H.R. 5037 is, basically, a pretty good bill. It seeks to make Federal assistance available to help meet the crime problem. There is, let there be no doubt, a crime problem. Lawlessness of all kinds is, and continues to be, a serious matter for this Nation to face up to.

But I certainly cannot agree with some of my colleagues as to its nature or its root causes. We have been told, for example, that "the Supreme Court is responsible for crime" because it has insisted upon adherence to the fundamental law of the land, even on the part of local officials. I suggest to those who make such accusations that the most shocking lawlessness in this country in my lifetime has been, not the lawlessness of ordinary criminals, but the lawlessness of public officials who have believed and acted upon the assumption that the Constitution and the laws do not apply with equal vigor to the poor, to the Negro, to the labor union organizer and to the well to do, the "solid citizen" or the employer.

For years, Mr. Chairman, the Constitution and the statutes relating to Negro suffrage were treated as a bad joke by State and local officials, and the most transparent devices were utilized to render these constitutional and legal provisions powerless. It is still happening in some places today. For many years, the constitutional rights of persons accused of crime—especially the poor or those without influence—were ignored by "law enforcement" agencies. This, too, still happens in some places today.

For many years, in spite of legislation clearly recognizing the right of labor to organize and bargain collectively, the full force of State and local government was used, and in some particularly shocking cases, simply loaned to private industry, to harass and intimidate Americans seeking to exercise that right. Mr. Chairman, I have immediate personal knowledge of that happening many years ago in my own community. And that, too, still goes on in many places today.

For a long time, the influential, the well to do, the powerful have thought, quite sincerely, that the whole panoply of individual rights that has been built up by suffering and struggle and blood over nearly a thousand years of the history of our legal system, applied to them, but were not seriously meant to apply to the "lower levels of society." I do not accuse these carefree beneficiaries of the double standard of hypocrisy. They really were confident that they were entitled to special privilege, that it was part of the order of nature, and that nothing could upset it.

But in recent years, our courts and our legislative chambers have been put to work to carry out the idea that equality before the law does not carry with it the implication that "some are more equal than others." In recent years, the words of the Constitution and the laws have been given their full attention, and we are discovering that rights which some of us have taken for granted all our lives were really meant, not just for "good people" but for all of us.

This explains, at least to my satisfaction, why so many of those who have been most strident in their demands for "action against crime" are also among those who have been the noisiest in trying to discredit the law enforcement agencies, including the courts and the Attorney General. Some people want crime punished, all right, but what they want most is more punishment for crimes by Negroes, by the poor, and considerably less attention to the crimes against Negroes or against the poor. And what is amazing, Mr. Chairman, is that these people want this without any conscious malice on their part. They really think there is something more reprehensible about crime committed by the "great unwashed," by those who should "know their place" than by the respected and the influential.

I intend to support this bill, Mr. Chairman, and I certainly intend to support it against amendments which would deprive the Attorney General of the right to set some decent standards as to who shall receive these grants. I would hate to see, for example, grants going to private police forces which some right-wing Governor might set up to capture headlines or suppress legitimate civil rights workers in the name of "fighting crime." I would hate to see money going to someone like "Bull" Connor to buy bigger and more powerful cattle prods with which to intimidate those who protest against lawlessness cloaked as law.

In short, Mr. Chairman, I share the predominant view of the House that crime is a bad thing, and that Federal assistance is needed to help our law enforcement agencies combat it. My support is based on the assumption, however, that this assistance will go to even-handed law enforcement, to further the universal applicability of the concept of "equal justice under the law."

Mr. JONES of Missouri. Mr. Chairman, I expect to vote against this bill, for two principal reasons: First, I do not see how any Member who believes in States rights can vote to give the Attorney General of the United States the authority that he has under this bill to assist in local law enforcement. Second, I cannot see how any person who believes in economy in government, or who says he is opposed to an increase in Federal taxes, can support a program which promises to add a billion dollars a year to the Federal budget. Furthermore, there is no program which can be operated at the direction of the Federal Government with the same efficiency and economy that is possible through local supervision. During the years I have served in this Congress I have witnessed the deterioration of law enforcement in the District of Columbia; have witnessed the Federal courts upholding the actions of and protecting the criminal while forsaking the rights of the innocent, and I want no part of any legislation which gives the Attorney General of the United States, whomever he might be, any more influence in the destruction of justice in the courts of my State.

Mr. BROWN of California. Mr. Chairman, I wish to express my continued support for H.R. 5037, the Law Enforcement and Criminal Justice Assistance Act of 1967, despite amendments from the floor which I feel have lessened the efficacy of this bill. We must take action against the serious problem of crime in the United States.

The President's Crime Commission found that 43 percent of a sampling of urban residents say they stay off the streets at night because of their fear of crime. Thirty-five percent say they do not speak to strangers any more because of their fear of crime. Twenty-one percent say they use cabs and cars at night because of their fear of crime. Twenty percent say they would like to move to another neighborhood because of their fear of crime.

Between 1960 and 1965, population increased by 8 percent in this country, yet, according to the FBI, crime went up 46 percent. Last year the net national loss due to property crimes alone was over a billion dollars, and only a quarter of the crimes reported were solved. Justice is not prevailing when crime is this profitable for criminals.

Of course, no amount of anticrime legislation is going to eliminate crime without a change in the attitudes which cause people to violate the law. If the inability to find jobs leads people to crime for a living, we must help them find jobs. If the few corrupt policemen serve to counteract the efforts of many times their number of honest officers, we must take more care in hiring. If too much idle time encourages crime, we must provide more recreational programs. If rat-infested tenements are accepted by Congress, and if anger at this acceptance engenders crime, we must try to eliminate the rats. Improve law enforcement and criminal justice will help to suppress crime, but we must cure the grave social ills of our society before we can except complete success.

Despite its limitations, H.R. 5037 is a realistic attempt to improve law enforcement and criminal justice. It is not a symbolic, emotional measure which duplicates existing legislation and accomplishes nothing new. This bill authorizes the appropriation of $75 million to be spent before June 30, 1968. The appropriations are divided under three titles.

Title I of this bill will allow the Attorney General to award grants to States upon his approval of comprehensive plans for the coordination and integration of existing programs of law enforcement and criminal justice.

Title II will authorize grants to States for innovations in the following areas:

First. Public protection, including the development, demonstration, and evaluation of methods, devices, equipment, and designs to increase safety from crime in streets, homes, and other public and private places;

Second. Equipment, including the development and acquisition of equipment designed to increase the effectiveness and improve the deployment of law enforcement and criminal justice personnel;

Third. The recruitment, education, and training of all types of law enforcement and criminal justice personnel;

Fourth. Management and organization, including the organization, administration, and coordination of law enforcement and criminal justice agencies and functions;

Fifth. Operations and facilities for increasing the capability and fairness of law enforcement and criminal justice, including the processing, disposition, and rehabilitation of offenders;

Sixth. Community relations, including public understanding of and cooperation with law enforcement and criminal justice agencies;

Seventh. Public education relating to crime prevention, including education programs in schools and community agencies; and

Eighth. Construction of buildings or other physical facilities which fulfill a significant innovative function.

Title III will "establish a National Institute of Law Enforcement and Criminal Justice to encourage research, development, and training for improving law enforcement and criminal justice, to develop new or improved approaches, methods, techniques, equipment, and devices for the prevention and reduction of crime, and to establish and operate regional institutes for the training of State and local law enforcement personnel and for other purposes."

Planning is essential for efficient law enforcement—as it is for any complex undertaking. Often raw information exists on many facets of crime, yet it is not used by the police for achieving the maximum possible protection for the public. Patrolmen in cities should be distributed where and when they are most likely to be needed. Criminals must not be driven out of one municipality, only to take refuge in an adjoining jurisdiction. State, county, and city police must avoid duplication of efforts and facilities. Title I grants will be used for such planning to better protect our citizens.

I am sorry, however, that my colleagues have chosen to have title I and II grants channeled through State planning agencies rather than awarded directly to the local agencies involved. Most States are incapable of optimum coordination of law enforcement efforts because of their limited experience in the field. Criminal enforcement has traditionally been within the domain of local government.

For instance, $380 million is spent annually for criminal justice in New York City, yet none of this comes from the State government. The bill originally reported, which allowed direct grants from the Attorney General, was explicitly endorsed by a number of experts, including a unanimous resolution of the National Sheriff's Association, the National League of Cities, and the International Conference of Police Associations. The statement from the latter reads in part:

> The International Conference of Police Associations representing over 200,000 local, county, and State law enforcement officers respectfully request that you oppose this amendment and let the police department make application and receive the moneys direct from the Federal Government.

Even perfect planning, however, will not overcome the fact that most of our policemen are using essentially the same tools and practices to fight crime as they were 50 years ago. Revolvers, billyclubs, and patrol wagons have generally been supplemented by very few innovations. This is the case despite a significant change in the problems faced by police today in an urban, mobile, sometimes rebellious society. This bill, however, follows up on the recommendation of the President's Crime Commission:

> It is essential that the new Justice Department program embody a major research component if it is not simply to perpetuate present failures in many areas.

Mr. Chairman, recently my colleagues and I attended an exhibit in the Rayburn Building which hinted at the potential uses of science by law enforcement agencies. We saw closed circuit televisions for surveillance to supplement officers on the beat. We learned of new developments in infrared technology and fingerprinting which might aid the identification of objects and persons. There were many varieties of communications systems, computers, alarm systems, and devices which detect illegal telephone tapping. We even learned about research with nonlethal weapons—such as a dart gun which injects a fast-acting knockout dose of drugs into a suspect while causing no permanent damage. The further development and widespread use of these and other as yet unimagined aids to crime control will be greatly facilitated by the appropriations this bill authorizes.

But this bill will do far more than give police new hardware: the regional institutes it establishes will improve the quality of the police themselves through education and training. In almost every field we recognize the growing importance of education. College degrees are usually demanded for policymaking and many administrative positions in both business and government. In most other fields some type of technical training is requisite. Even barbers must undergo several months of special instruction. Yet our policemen, who literally carry the power of life and death on their belts and who often serve as the very symbol of government, seldom have college experience and more often than not begin their police service with no law enforcement training at all. More than good intentions are necessary for excellence in any field of endeavor. Our policemen need more and better schooling. More training in the sensitive area of community relations should be undertaken. Officers must go through intensive training in the difficult field of crowd control. They must learn when to act, how to act, and when not to act.

The broad nature of this bill will allow funds to be spent on the rehabilitation of a prisoner as well as on his rapid apprehension. By sending a criminal to prison we aim to protect society. Yet our system of criminal justice often hardens what would otherwise often be a repentant single offender into a professional criminal. More research in this field must be done, and more of what is already known in the universities must be applied in the prisons. This bill will allow funds to be used for such purposes.

So, Mr. Chairman, by passing this bill, the Law Enforcement and Criminal Justice Assistance Act of 1967, we will be taking a significant and realistic step toward reducing common crime—a problem which existed before and will exist after the present era of riots. This bill, if enacted, will help bring law enforcement into the atomic age by applying modern technology, sociology, and psychiatry to problems of law enforcement, criminal justice, and crime prevention. But I would still remind my colleagues that this act will not be fully effective unless it is followed up by an expanded program of legislation which seeks to eliminate the root causes of crime.

Mr. CELLER. Mr. Chairman, I wish to include various telegrams, letters, and communications which I have referred to earlier, for the information of the Members:

U.S. Conference of Mayors,
Washington, D.C., August 7, 1967.

Hon. Emanuel Celler,
Chairman, Judiciary Committee,
U.S. House of Representatives,
Washington, D.C.

Dear Mr. Chairman: With reference to the Law Enforcement and Criminal Justice Assistance Act of 1967, I want to take this opportunity to express our appreciation to you and the committee for your efforts in developing a workable bill.

As President of the U.S. Conference of Mayors, I want you to be aware of our support for the Committee bill, and our opposition to the amendment introduced last week which would require grants pursuant to this Act to be made to the states. The states would then distribute the money to localities, if they saw fit to do so.

While there is merit in encouraging states to become more active participants in urban affairs, we must realistically appreciate the state of their capabilities. Though there are variations among the states in the field of law enforcement, inter-city traffic control has been their major concern. Urban law enforcement is substantially different. It requires expertise, resources and experienced personnel, which are not available at the state level. The problems are of such a nature that we simply cannot afford the delay in awaiting state capabilities. We must begin immediately in solving these urban problems, and the immediate capability rests solely within the cities.

It is for these reasons, we sincerely appreciate your support.

Sincerely,

Joseph M. Barr,
Mayor of Pittsburgh.

Columbia, S.C.
August 3, 1967.

Hon. Emanuel Celler,
Congressional Building,
Washington, D.C.:

We urge the passage of H.R. 5037. Your consideration and support will be appreciated.

J. P. Strom,
Chief, S.C. Law Enforcement Division.

Columbia, S.C.
August 3, 1967.

Hon. Emanuel Celler,
Member of Congress,
Rayburn Building,
Washington, D.C.:

I endorse your support of H.R. 5037 providing for grants of assistance to aid in the reduction of crime. This bill is of great importance to the Nation and its benefits will be long lasting. Your continuing support is greatly appreciated.

Daniel R. McLeod,
Attorney General,
State of South Carolina.

Boston, Mass.
August 3, 1967.

Hon. Emanuel Celler,
Chairman, House Judiciary Committee,
Washington, D.C.:

I wish to record my full support on behalf of House bill H.R. 5037 known as the Law Enforcement and Criminal Justice Assistance Act. The passage of this bill will increase immeasurable for capability justice systems by providing the practical means to initiate new and broader programs for the control of crime and maintenance of public order.

Edmund L. McNamara,
Police Commissioner for the
City of Boston.

Washington, D.C.,
August 3, 1967.

Hon. Emanuel Celler,
U.S. House of Representatives,
Washington, D.C.:

Safe Streets Act reported by House Judiciary Committee is a careful melding of the original bill and constructive committee modification which has produced an excellent bill. We urge its approval without further amendment. Cities especially oppose alteration of section 403(b). As recommended that section provides all governors an opportunity to review local plans and identify potential State and local conflicts without building in delay or potential arbitrary State action which could thwart essential local police improvement efforts. The National League of Cities representing 14,300 cities urges House approval of H.R. 5037 as recommended by the Judiciary Committee.

Allen E. Pritchard, Jr.,
Assistant Executive Director, NLC.

Peoria, Ill.,
August 2, 1967.

Emanuel Celler,
Chairman, House Judiciary Committee,
House of Representatives,
Washington, D.C.:

There is need for adoption of H.R. 5037. Strongly indorse administrations program as outlined and amended.

Bernard J. Kennedy,
Director of Public Safety, City of Peoria.

Decatur, Ill.,
August 2, 1967.

Emanuel Celler,
Chairman, House Judiciary Committee,
Washington, D.C.:

Be advised that I am in full support of House bill H.R. 837, entitled Crime Control Act. Central Illinois enforcement agencies are in need of assistance and direction from the benefits of this bill.

James H. May,
Chief of Police, Decatur, Ill.

Denver, Colo,
August 2, 1967.

Congressman Emanuel Celler,
House Judiciary Committee,
House of Representatives,
Washington, D.C.:

I would like to advise you of the unqualified support of the Denver law enforcement officials, including in that both the chief of the Denver police department and Mayor Currigan, for the passage of H.R. 5037 and the continued and increased support of the Justice Department's law enforcement and assistance organizations.

Hugh J. McClearn,
Manager of Safety and Excise.

Albany, N.Y.,
August 3, 1967.

Hon. Emanuel Celler,
Chairman, Judiciary Committee,
House of Representatives,
Washington, D.C.:

The American Correctional Association is the oldest correctional association in the United States having been active for 97 years. Its members represent all states and all types of correctional service. Recently H.R. 5037 was discussed at the annual meeting of the Board of Directors and it was recommended that the members strongly support this important bill.

Over 500 letters were sent by members of the American Correctional Association to Members of Congress urging the passage of H.R. 5037. This type of legislation is long overdue and we strongly urge favorable action.

E. Preston Sharp,
General Secretary,
American Correctional Association.

Kansas City, Kans.,
August 2, 1967.

Emanuel Celler,
Chairman, Judiciary Committee,
House of Representatives,
Washington, D.C.:

We are highly in favor of House bill 5037 and would appreciate all the support you could give us.

J. F. Steach,
Chief of Police.

New Haven, Conn.,
August 2, 1967.

Representative Emanuel Celler,
Chairman, Judiciary Committee,
U.S. Capitol Offices, Washington, D.C.

Dear Sir: I am the president of the Connecticut State Police Association which represent 5000 local and state police in this state. I understand that H.R. 5037 is presently being debated. There is a great need for this type of legislation and I and my organization strongly support H.R. 5037 as now before the House.

Very truly yours,

Francis V. McManus,
Chief, Department of Police Service.

Washington, D.C.

Hon. Emanuel Celler,
House of Representatives,
Washington, D.C.:

The National Sheriffs' Association on behalf of its 22,000 members at its annual informative conference in Las Vegas, Nevada, June 21, 1967, unanimously adopted the following resolution in support of H.R. 5037.

"Whereas, in the United States law enforcement and the presentation of the peace is traditionally the responsibility of local government, and

"Whereas, local law enforcement today faces unprecedented demands on its personnel and facilities arising from a mounting increase in crime, and

"Whereas, local law enforcement is in desperate need of additional financial resources to maintain and improve its services to its citizens, and

"Whereas, legislation has been introduced in the current Congress of the United States to assist local enforcement in meeting this need;

"Be it therefore resolved by the National Sheriffs' Association that the association support Federal legislation which

"(1) will provide for research and development to improve law enforcement;

"(2) give immediate, direct financial support to local law enforcement;

"(3) contain no provision which will route such funds through State government or permit any State official to veto any proposed assistance to a local unit of government;

"Be it further resolved that the executive director of the association be directed to transmit a copy of this resolution to the U.S. Attorney General and to both Houses of Congress.

"FERRIS E. LUCAS,
"Executive Director, National Sheriffs Association."

BEAUMONT, TEX.,
August 2, 1967.

Representative EMANUEL CELLER,
Chairman, House Judiciary Committee,
House Office Building,
Washington, D.C.:

Urge every possible support of H.R. 5037. Imperative to law enforcement.

WILLIE BAUER,
Chief of Police.

GARY, IND.,
August 2, 1967.

Hon. EMANUEL CELLER,
Judiciary Committee,
House of Representatives,
Washington, D.C.:

Would very much like to express my desire and need for your support for House bill H.R. 5037. Support endorsement as amended.

CONWAY C. MULLINS,
Chief of Police, Gary, Ind.

OAKLAND, CALIF.,
August 3, 1967.

Congressman EMANUEL CELLER,
House of Representatives Office Building,
Washington, D.C.:

The California Council on Crime and Delinquency statewide unit of National Council on Crime and Delinquency strongly urges adoption of HR 5037 on August Third. We urge adoption of bill as approved by committee with continued emphasis upon entire field of criminal justice.

JOE E. LEVITT,
Chairman.

LEXINGTON, KY.,
August 2, 1967.

Hon. EMANUEL CELLER,
Chairman, House Judiciary Committee,
Washington, D.C.:

Sincerely request the assured passage of H.R. 5037 in order to assure effective control of crime in these United States.

E. C. HALE,
Chief of Police, Lexington, Ky.

PHOENIX, ARIZ.,
August 2, 1967.

EMANUEL CELLER,
Chairman, House Judiciary Committee,
U.S. House of Representatives,
Washington, D.C.:

The city of Phoenix strongly supports the law enforcement and criminal justice assistance act of 1967 as reported out by House Judiciary Committee. We feel there is an urgent need for this legislation.

Mayor MILTON GRAHAM.

LANSING, MICH.,
August 2, 1967.

Congressman EMANUEL CELLER,
Chairman, House Judiciary Committee,
House of Representatives,
Washington, D.C.

As director of the School of Police Administration in public safety, Michigan State University and former president International Association of Police Professors I strongly endorse the purposes enbodied in HR5037 Law Enforcement and Criminal Justice Act of 1967.

A. S. BRANDSTATTER.

ST. LOUIS, MO.,
August 4, 1967.

Hon. EMANUEL CELLER,
Chairman, House Judiciary Committee,
U.S. House of Representatives,
Washington, D.C.:

We strongly urge passage of H.R. bill #5037, Law Enforcement and Criminal Justice Assistance Act as it would be extremely helpful in the national fight against crime.

CURTIS BROSTRON,
Chief of Police.

KANSAS CITY, MO.

Representative EMANUEL CELLER,
Chairman, House Judiciary Committee,
Washington, D.C.:

The Kansas City Missouri Police Department is hopeful favorable action is taken on HR 5037. Local law enforcement faces myriad problems today and needs help in its attempt to furnish adequate protection and enforcement. We feel this legislation will assist us to do the job we sincerely want to do.

CLARENCE M. KELLEY,
Chief of Police.

CHARLOTTE, N.C.,
August 3, 1967.

EMANUEL CELLER,
Chairman, House Judiciary,
U.S. House of Representatives,
Washington, D.C.:

Strongly urge passage of legislation now under consideration that is intended to aid in developing local law enforcement resources and programs. Such assistance is greatly needed to turn the tide of rising crime. Local resources alone are too restricted to do the job.

JOHN E. INGERSOLL,
Chief of Police.

PITTSBURGH, PA.,
August 3, 1967.

Hon. EMANUEL CELLER,
Chairman, Judiciary Committee, U.S. House of Representatives, Washington, D.C.

We urge early passage of H.R. 5037 Safe Streets Bill which is essential for the further professionalization of urban police forces. The earnest efforts of the Pittsburgh police to reorganize and modernize require Federal assistance.

DAVID W. CRAIG,
Director, Department of Public Safety, City of Pittsburgh, Pa.

CHICAGO, ILL.

Hon. EMANUEL H. CELLER,
House Judiciary Committee, House of Representatives, Washington, D.C.

House bill 5037 is vital to the cause of justice in the United States. Our association of 3 thousand district attorneys sincerely hope that H. 503 will become the law in its present form. It has our unqualified support. We shall be glad to testify if necessary. Keep up your good work.

LEO E. MAKI,
Executive Director, National District Attorneys Association.

NORTH AMERICAN JUDGES ASSOCIATION,
Washington, D.C., August 3, 1967.

Re H.R. 5037 Crime Control Act.

Hon. EMANUEL CELLER,
Chairman, Committee on the Judiciary,
House of Representatives,
Washington, D.C.

DEAR MR. CHAIRMAN: Incorporation of additional provisions applicable to any one of hundreds of possible criminal acts into the Bill as introduced would make this Act less effective as a basic instrument for dealing with the crime problem.

North American Judges Association, representing the largest segment of the judicial system involved in criminal law, the nation's lower courts, has supported H.R. 5037 and pledged cooperation of its members in expediting its provisions and objectives. If members of the House dilute, confuse, or lessen the effectivenes of this legislation, they will have to face the consequences that opinion-molding judges in their districts could influence.

Many of the presently proposed amendments and additions to the Bill have merit. These can be made subjects of separate enactments.

Judges who bear the burden of administering procedures in the criminal process are actutely aware of the urgent need for the uniform and workable framework for criminal law administration provided in H.R. 5037.

If the judgment of the working arbiters of criminal justice is deserving of consideration, we urge that you endeavor to persuade your colleagues to enact H.R. 5037 without any complicating or confusing additions or modifications.

Your dedication to the cause of more effective administration of justice is sincerely appreciated.

Cordially yours,

ALBERT B. LOGAN,
Executive Director.

PROSECUTING ATTORNEYS
ASSOCIATION OF MICHIGAN,
Lansing, Mich., August 4, 1967.

Re House Bill 5037 (Safe Streets and Crime Control).

Hon. EMANUEL CELLER,
Chairman, Judiciary Committee,
U.S. House of Representatives,
Washington, D.C.

DEAR REPRESENTATIVE CELLER: Well recognizing the many compelling new problems facing the House Judiciary Committee as a result of the "riot" situations throughout the country, the Prosecuting Attorneys Association of Michigan strongly urges adoption of House Bill 5037 in its original form. The basic problems of crime in our society and the availability of local resources to deal with these problems have confronted us for years. To at this time allow the current crisis within our urban ghettos, and all of the concomitant problems of mob violence and retaliation, to divert our attention from the basic objective of the "Safe Streets" Bill, would have the tendency to not only compound existing problems, but to also infer that there is a direct correlation between the continuously spiraling crime rate and incidents of civil unrest.

The Prosecuting Attorney Association of Michigan lends its support to the passage of House Bill 5037, and is prepared to offer to you, your Committee, and the Congress of the United States any assistance requested. We are prepared to furnish any necessary data and to appear at any committee hearings.

Thank you for your attention to this matter.

Sincerely yours,

DONALD L. REISIG,
President, Prosecuting Attorneys Association of Michigan.

NATIONAL LEAGUE OF CITIES,
Washington, D.C., August 4, 1967.

Hon. EMANUEL CELLER,
U.S. House of Representatives,
Washington, D.C.

DEAR CONGRESSMAN CELLER: The National League of Cities urges approval of H.R. 5037, the Law Enforcement and Criminal Justice Assistance Act, without further amendment. We believe that the bill, as reported by the House Judiciary Committee, will make a significant contribution to local efforts to reduce the incidence of crime.

Primary responsibility for the control of crime rests upon local governments, and we believe that H.R. 5037 will improve the capability of local governments to meet this responsibility. The standards of the bill must remain flexible so that each local government can devise solutions to deal with its particular problems without imposition of strict state regulation or legislative standards.

Any alternative to the governor's comment provision (Sec. 403(b)) which would channel money through the states to be distributed according to state plans or would require state approval of local applications will, seriously limit the effectiveness of the program in reducing urban crime because of the lack of state experience in urban law enforcement.

Few states are acquainted with urban law enforcement problems. A survey by the International Association of Chiefs of Police, published early this year, reveals that 24,715 of a total of 29,967 state law enforcement officers are assigned to traffic control work, and in 14 states more than 90% of state law enforcement personnel are assigned to traffic duty. Most of those are assigned to rural, not urban areas. Before states will be able to develop comprehensive state plans or judge local plans accurately, many states will need to develop a first exposure to urban law enforcement. Local law enforcement agencies with long experience and urgent needs for improvement programs will face inordinate delay if comprehensive state plans are required before local governments can get aid under this Act.

State planning agencies may also require legislative approval in some states before they can be established. This will present further delays to implementation of the program. Many state legislatures have adjourned until 1969. If a state planning agency cannot be established and funded without legislative authorization even initial planning for programs for local governments will be delayed until then.

The language currently contained in Sec. 403(b) assures both the Governor of any state and the Department of Justice that local plans and applications will be reviewed by the state for consistency with state plans. We do not believe that local plans would be submitted by local jurisdictions or approved by the Department of Justice if serious inconsistencies or conflicts with truly comprehensive state plans existed. On the other hand, the provision does not build into the procedure state delay or veto of local efforts because of state inactivity, inexperience or disinterest. The National Municipal Policy of the National League of Cities adopted on August 2, 1967 at its annual Congress of Cities states:

"Local government should not be restricted or excluded from participating in Federal programs because of inaction by their state government."

Therefore, the National League of Cities urges that you support H.R. 5037 as reported by the House Judiciary Committee as the best means to insure immediate steps to improve local law enforcement and reduce the incidence of crime.

Sincerely,

ALLEN E. PRITCHARD, Jr.,
Assistant Executive Director.

BOSTON, MASS.,
August 7, 1967.

EMANUEL CELLER,
Chairman, Judiciary Committee,
House of Representatives, Washington, D.C.:

The 25,000 member American Trial Lawyers Assoc. with its 70 affiliates and State chairmen strongly endorses the present H.R. 5037 (Law Enforcement and Criminal Justice Systems Act of 1967) as it is now before the House because of the nature of the crime problem now exploding throughout the Nation the maximum impact on this problem must be on a national level the Government must be prepared to plan and aid to States, cities and local communities by direct assistance to each with funds manpower and thorough advice this overall national planning and assistance is vital to solve the pressing problem.

SAMUEL LANGERMAN,
National President, Phoenix, Ariz., American Trial Lawyers Association.
THEODORE KOSKOFF,
Bridgeport, Conn., National Legislative Chairman.

MONTPELIER, VT.,
August 8, 1967.

EMANUEL CELLER,
U.S. House of Representatives,
Washington, D.C.:

Please note support of House H.R. 5037.

Sheriff HAROLD POTTER,
Vermont Director of National Sheriff Association and Legislative Chairman of Vermont Sheriff Association, Montpelier, Vt.

LEWISTON, IDAHO,
August 7, 1967.

Hon. EMANUEL CELLER,
U.S. House of Representatives,
Washington, D.C.:

Please be advised that I recommend the passage of bill H.R. 5037 as reported out by the House Judiciary Committee.

L. A. HUDDLESTON,
Sheriff, Nez Perce County, Idaho State Director, National Sheriffs Association.

MARENGO, IOWA,
August 7, 1967.

Hon. EMANUEL CELLER,
U.S. House of Representatives,
Washington, D.C.:

I earnestly solicit your support for and vote for H.R. 5037 as reported out by House Judiciary Committee the passage of this bill is of utmost importance to law enforcement.

WILLIAM SPURRIER,
Sheriff, Iowa County, Marengo, Iowa First Vice President National Sheriffs Association.

MUSKOGEE, OKLA.,
August 8, 1967.

Hon. EMANUEL CELLER,
House Office Building,
Washington, D.C.:

Urgently request your support and influence on H.R. 5037 as reported out of the House Judiciary Committee.

BILL VINZANT,
Sheriff, Muskogee County, Muskogee, Okla.; State Director for Oklahoma of National Sheriffs Association.

STOCKTON, CALIF.,
August 7, 1967.

Hon. EMANUEL CELLER,
U.S. House of Representatives,
Washington, D.C.:

Strongly support H.R. 5037 as reported out by the House Judiciary Committee.

MICHAEL N. CANLIS,
Sheriff Coroner, San Joaquin County, Stockton, Calif., Fourth Vice President, National Sheriffs Association.

ARKANSAS CITY, ARK.,
August 7, 1967.

Congressman EMANUEL CELLER,
House Judiciary Committee,
Washington, D.C.:

Urge favorable vote on crime control legislation bill No. 5037. It is time to show support for law enforcement in our Nation.

ROBERT S. MOORE,
Sheriff, Desha County, Ark., Past President, National Sheriffs Association.

OREGON CITY, OREG.,
August 8, 1967.

Hon. EMANUEL CELLER,
U.S. House of Representatives,
Washington, D.C.:

We would like to give support to H.R. 5037. It is badly needed by all police stations.

JOE SHOBE,
Sheriff, Clackamas County, Oregon, State Director National Sheriffs Association.

NEWPORT, R.I.,
August 7, 1967.

Hon. EMANUEL CELLER,
U.S. House of Representatives,
Washington, D.C.:

I support the passage of H.R. 5037.

JOSEPH G. SILVIA,
Sheriff, Newport County, State Director of N.S.A., State of Rhode Island.

BEATRICE, NEBR.,
August 7, 1967.

Hon. EMANUEL CELLER,
U.S. House of Representatives,
Washington, D.C.:

Regarding H.R. 5037 which is due for a vote tomorrow, I wish to express my support in favor of this bill thanking you for your interest.

FRED STEINKAMP, Jr.,
Sheriff Gage County, Nebr., State Director NSA.

TUCSON, ARIZ.,
August 7, 1967.

Hon. EMANUEL CELLER,
U.S. House of Representatives,
Washington, D.C.:

We heartily support the crime control bill, H.R. 5037.

WALDON V. BURR,
Sheriff, Pima County, Vice President, National Sheriffs Association, Tucson, Ariz.

REIDSVILLE, N.C.,
August 7, 1967.

Hon. EMANUEL CELLER,
U.S. House of Representatives, Washington, D.C.:

I wholeheartedly endorse and support bill H.R. 5037. I think it would be very helpful to sheriffs and all law enforcement officers in our State.

CARL H. AXSOM,
Sheriff, Rockingham County, N.C., National Sheriffs Association, State Director.

PHOENIX, ARIZ.,
August 7, 1967.

Hon. EMANUEL CELLER,
U.S. House of Representatives, Washington, D.C.:

We express our support for H.R. 5037 as reported out by the House Judiciary Committee.

L. C. "CAL" BOIES,
Sheriff of Maricopa County, Phoenix, Ariz., State Director, National Sheriffs Association.

CASSVILLE, MO.,
August 7, 1967.

Hon. EMANUEL CELLER,
U.S. House of Representatives, Washington, D.C.:

The National Sheriffs Association strongly support H.R. 5037 as reported out of the House Judiciary Committee. The assistance which this bill will provide is greatly needed to combat our increasing crime problems of today.

BILL HEMPHILL,
Sheriff of Barry County, Mo., President of the National Sheriffs Association.

OAKLAND, CALIF.,
August 7, 1967.
Hon. EMANUEL CELLER,
U.S. House of Representatives,
Washington, D.C.:

Urgently solicit your support of H.R. 5037.

FRANK I. MADIGAN,
Sheriff, Alameda City, State Director, National Sheriffs' Association.

REDWING, MINN.,
August 8, 1967.
Hon. EMANUEL CELLER,
U.S. House of Representatives,
Washington, D.C.:

I solicit your support on crime control bill for State and local law enforcement H.R. 5037 as reported out of the House Judiciary Committee, said bill endorsed by National Sheriffs' Association at their conference in June.

Sheriff PAUL M. ZILLGITT,
Goodhue County, Minn., Fourth Vice President, National Sheriffs' Association.

KEENE, N.H.,
August 7, 1967.
Hon. EMANUEL CELLER,
U.S. House of Representatives,
Washington, D.C.

I would like to be registered in support of H.R. 5037.

FRANK W. WALKER, Sr.,
Defender of Cheshire County, Keene, N.H.

GREAT FALLS, MONT.,
August 8, 1967.
Hon. EMANUEL CELLER,
U.S. House of Representatives,
Washington, D.C.

We support H.R. 5037 reported by the House Judiciary Committee.

JOHN C. KRSUL,
State Director National Sheriffs Association, Cascade County Sheriff, Great Falls, Mont.

DEADWOOD, S. DAK.,
August 7, 1967.
Hon. EMANUEL CELLER,
U.S. House of Representatives,
Washington, D.C.:

We are sheriffs of South Dakota and are in favor of the most needed assistance provided in the crime control bill H.R. 5037. We strongly urge your support of this bill.

RICHARD T. MCGRATH,
Sheriff of Lawrence County, State Director of the National Sheriffs' Association.

SALISBURY, MD.,
August 8, 1967.
Hon. EMANUEL CELLER,
U.S. House of Representatives,
Washington, D.C.

Expressing support for H.R. 5037 as reported out by the House Judiciary Committee.

SAMUEL A. GRAHAM,
Sheriff, Wicomico County, State Director of National Sheriffs Association, Salisbury, Md.

BEAUFORT, S.C.,
August 8, 1967.
Hon. EMANUEL CELLER,
U.S. House of Representatives,
Washington, D.C.:

Would greatly appreciate your support and efforts for H.R. 5037 as reported out by the House Judiciary Committee.

L. W. WALLACE,
Sheriff, Beaufort County, and State Director, National Sheriffs Association.

IRONTON, OHIO,
August 8, 1967.
Hon. EMANUEL CELLER,
U.S. House of Representatives,
Washington, D.C.:

Request you give full support to bill H.R. 5037.

CARL E. ROSE,
Sheriff, Lawrence County, Ohio, Executive Secretary, Buckeye Sheriff Association, State Director, National Sheriffs Association.

FORT COLLINS, COLO.,
August 8, 1967.
Hon. EMANUEL CELLER,
U.S. House of Representatives,
Washington, D.C.:

I am in support of H.R. 5037 as reported out by the House Judiciary Committee. Any consideration will be appreciated for the passage of said bill.

RAY K. SCHEERER,
Sheriff, Larimer County, Colo., and State Director of NSA and Second Vice President, Colorado Sheriffs and Peace Officers Association.

BUFFALO, N.Y.,
August 8, 1967.
Hon. EMANUEL CELLER,
U.S. House of Representatives,
Washington, D.C.:

I am in favor of the crime control bill, H.R. 5037, which provides assistance to State and local law enforcement as reported out by the House Judiciary Committee. I strongly urge its passage.

B. JOHN TUTUSKA,
Sheriff, Erie County, Member Board of Directors, National Sheriffs Association.

The CHAIRMAN. The question is on the committee amendment, as amended.

The committee amendment, as amended, was agreed to.

The CHAIRMAN. Under the rule, the Committee rises.

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. ROSTENKOWSKI, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 5037) to assist State and local governments in reducing the incidence of crime, to increase the effectiveness, fairness, and coordination of law enforcement and criminal justice systems at all levels of government, and for other purposes, pursuant to House Resolution 825, he reported the bill back to the House with an amendment adopted by the Committee of the Whole.

The SPEAKER. Under the rule, the previous question is ordered.

Is a separate vote demanded on any amendment to the committee amendment?

Mr. PICKLE. Mr. Speaker, I demand a separate vote on the so-called O'Hara of Michigan amendment, page 31.

The SPEAKER. Is a separate vote demanded on any other amendment to the committee amendment?

Mr. GERALD R. FORD. Mr. Speaker, I demand a separate vote on the so-called Cahill amendment, as amended.

The SPEAKER. The Clerk will report the so-called Cahill amendment, as amended, on which a separate vote has been demanded.

The Clerk read as follows:

Beginning on page 17, strike out lines 5 and all that follows down through and including line 22 on page 22, and insert in lieu thereof the following:

TITLE I—PLANNING GRANTS

"SEC. 101. The Attorney General shall make grants to the States for the establishment and operation of State law enforcement and criminal justice planning agencies (hereinafter referred to as "State planning agencies") for the preparation, development, and revision of the State plans required under section 203 of this Act. States may make application to the Attorney General for such grants within three months of the effective date of this Act.

"SEC. 102. (a) A grant made under this title to a State shall be utilized by the State to establish and maintain a State planning agency. Such agency shall be created by and under the direction of the chief executive of the State. The State planning agency shall be representative of law enforcement and criminal justice agencies of the State and of the units of general local government in the State.

"(b) The State planning agency shall—

"(1) develop, in accordance with title II, a comprehensive statewide plan to carry out new and innovative approaches for the improvement of law enforcement and criminal justice throughout the State;

"(2) define, develop, and correlate programs and projects for the State and the units of general local government in the State or combinations of States or units for improvement in law enforcement and criminal justice; and

"(3) establish priorities for the improvement in law enforcement and criminal justice throughout the State.

"(c) The State planning agency may make grants to units of general local government, and combinations of such units, to enable them to participate in formulation of comprehensive State plans.

"SEC. 103. In the development of all plans under this title the highest priority shall be given to the detection, prevention, and control of riots and violent civil disorders, and of organized crime.

"SEC. 104. A Federal grant authorized under this title shall not exceed 90 per centum of the expenses of the establishment and operation of the State planning agency, including the preparation, development, and revision of the plans required by title II. Where Federal grants under this title are made directly to units of general local government as authorized by section 205, the grant shall not exceed 90 per centum of the expenses of local planning, including the preparation, development, and revision of plans required by title II.

"SEC. 105. Funds appropriated to make grants under this title for a fiscal year shall be allocated by the Attorney General among the States for use therein by the State planning agency or units of general local government, as the case may be. In allocating funds under this section the Attorney General shall reserve such amount, but not in excess of 3 per centum of the amount being allocated, as he may determine and shall allocate such amount among the Commonwealth of Puerto Rico, the Virgin Islands, Guam, the Canal Zone, American Samoa, and the Trust Territory of the Pacific Islands according to their respective needs. The Attorney General shall allocate $100,000 to each of the fifty States and the District of Columbia; and he shall then allocate the remainder of such funds available among the States and the District of Columbia according to their relative populations.

"TITLE II—GRANTS FOR LAW ENFORCEMENT AND CRIMINAL JUSTICE PURPOSES

"SEC. 201. (a) The Attorney General shall make grants to the States for the development of new approaches to, and improvements in, law enforcement and criminal justice by the States, units of general local government, and combinations of such States or units. The purposes for which grants may be made include:

"(1) public protection, including the development, demonstration, and evaluation of methods, devices, equipment, and designs to increase safety from crime in streets, homes, and other public and private places;

"(2) equipment, including the development and acquisition of equipment designed to increase the effectiveness and improve the deployment of law enforcement and criminal justice personnel;

"(3) the recruitment, education, and training of all types of law enforcement and criminal justice personnel;

"(4) management and organization, including the organization, administration, and coordination of law enforcement and criminal justice agencies and functions;

"(5) operations and facilities for increasing the capability and fairness of law enforcement and criminal justice, including the processing, disposition, and rehabilitation of offenders;

"(6) community relations, including public understanding of and cooperation with law enforcement and criminal justice agencies;

"(7) public education relating to crime prevention, including education programs in schools and community agencies; and

"(8) construction of buildings or other physical facilities which fulfill a significant innovative function.

"(b) The amount of any Federal grant made under this title may be up to 60 per centum of the cost of the program or project specified in the application for such grant. No Federal grant made under this title for the purpose of construction of buildings or other physical facilities shall exceed 60 per centum of the cost of construction of buildings or other physical facilities.

"Sec. 202. Any State desiring to participate in the grant program under section 201 shall establish a State planning agency as described in title I of this Act and shall within six months after approval of a planning grant under title I submit to the Attorney General through such State planning agency a comprehensive State plan formulated pursuant to title I of this Act.

"Sec. 203. The Attorney General shall make grants under this title to a State planning agency if the State planning agency has on file with the Attorney General a current comprehensive State plan (not more than three years in age) which conforms with the purposes and requirements of this Act. Each such plan shall—

"(1) provide for the administration of such grants by the State planning agency;

"(2) provide that at least 50 per centum of all Federal funds granted to the State planning agency under this title for any fiscal year will be available to units of general local government or combinations of such units for the development and implementation of programs and projects for the improvement of law enforcement and criminal justice;

"(3) adequately take into account the needs and requests of the units of general local government in the State and encourage local initiative in the development of programs and projects for improvements in law enforcement and criminal justice, and provide for an appropriately balanced allocation of funds between the State and the units of general local government in the State and among such units;

"(4) incorporate innovations and advanced techniques and contain a comprehensive outline of priorities for the improvement and coordination of all aspects of law enforcement and criminal justice dealt with in the plan, including descriptions of: (A) general needs and problems; (B) existing systems; (C) available resources; (D) organizational systems and administrative machinery for implementing the plan; (E) the direction, scope, and general types of improvements to be made in the future; and (F) to the extent appropriate, the relationship of the plan to other relevant State or local enforcement and criminal justice plans and systems;

"(5) provide for effective utilization of existing facilities and permit and encourage units of general local government to group or provide for cooperative arrangements with respect to services, facilities, and equipment;

"(6) provide for research and development;

"(7) provide for appropriate review procedures of actions taken by the State planning agency disapproving an application for which funds are available or terminating or refusing to continue financial assistance to units of general local government or combinations of such units.

"(8) demonstrate the willingness of the State and units of general local government to assume the costs of improvements funded under this title after a reasonable period of Federal assistance;

"(9) demonstrate the willingness of the State to contribute technical assistance or services for programs and projects contemplated by the Statewide comprehensive plan and the programs and projects contemplated by units of general local government;

"(10) set forth policies and procedures designed to assure that Federal funds made available under this title will be so used as not to supplant State or local funds, but to increase the amounts of such funds that would in the absence of such Federal funds be made available for law enforcement and criminal justice;

"(11) provide for such fiscal control and fund accounting procedures as may be necessary to assure proper disbursement of and accounting of funds received under this title; and

"(12) provide for the submission of such reports in such form and containing such information as the Attorney General may reasonably require.

"Sec. 204. State planning agencies shall receive applications for financial assistance from units of general local government and combinations of such units. When a State planning agency determines that such an application is in accordance with the purposes stated in section 201 and is in conformance with the statewide comprehensive plan, the State planning agency is authorized to disburse funds to the applicant.

"Sec. 205. Where a State fails to make application for a grant to establish a State planning agency pursuant to title I of this Act within three months after the effective date of this Act, or where a State fails to file a comprehensive plan pursuant to section 202 within six months after approval of a planning grant to establish a State planning agency, the Attorney General may make grants under title I and title II of this Act to units of general local government or combinations of such units: *Provided, however,* That any such unit or combination of such units must certify that it has submitted a copy of its application to the chief executive of the State in which such unit or combination of such units is located. The chief executive shall be given not more than 60 days from date of receipt of the application to submit to the Attorney General in writing an evaluation of the project set forth in the application. Such evaluation shall include comments on the relationship of the application to other applications then pending, and to existing or proposed plans to the State for the development of new approaches to and improvements in law enforcement and criminal justice. If an application is submitted by a combination of units of general local government which is located in more than one State, such application must be submitted to the chief executive of each State in which the combination of such units is located. No grant under this section to a local unit of general government shall be for an amount in excess of 60 per centum of the cost of the project or program with respect to which it was made.

Sec. 206. No grant shall be made under this title unless both grantor and grantee shall have given the highest priority, where appropriate or feasible, to programs and projects dealing with riots and violent civil disorders, and organized crime.

"Sec. 207. (a) Funds appropriated to make grants under this title for a fiscal year shall be allocated by the Attorney General among the States for use therein by the State planning agency or units of general local government, as the case may be. In allocating funds appropriated for the fiscal years ending June 30, 1968, June 30, 1968, and June 30, 1970, the Attorney General shall reserve such amount, but not in excess of 3 per centum of the amount being allocated, as he may determine and shall allocate such amount among the Commonwealth of Puerto Rico, the Virgin Islands, American Samoa, and the Trust Territory of the Pacific Islands according to their respective needs. Of the remaining funds, 75 per centum shall be allocated among the fifty States and the District of Columbia according to their respective populations and 25 per centum thereof shall be allocated as the Attorney General shall determine.

"(b) On or before January 1, 1970, the Attorney General shall report to Congress his recommendations with respect to a nondiscretionary formula for apportionment of funds authorized to carry out this section for the fiscal year ending June 30, 1971, and fiscal years thereafter."

Mr. POFF (interrupting the reading). Mr. Speaker, I ask unanimous consent that the so-called Cahill amendment, as amended, be considered as read and printed in the Record at this point.

The SPEAKER. Is there objection to the request of the gentleman from Virginia?

There was no objection.

The SPEAKER. The question is on the so-called Cahill amendment, as amended.

Mr. GERALD R. FORD. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 256, nays 147, not voting 29, as follows:

[Roll No. 200]

YEAS—256

Abbitt
Adair
Anderson, Ill.
Andrews, Ala.
Andrews, N. Dak.
Arends
Ashbrook
Ashmore
Ayres
Baring
Bates
Battin
Belcher
Bell
Bennett
Berry
Betts
Bevill
Biester
Blackburn
Blanton
Boland
Bolton
Bow
Bray
Brinkley
Brock
Broomfield
Brotzman
Brown, Ohio
Broyhill, N.C.
Broyhill, Va.
Buchanan
Burke, Fla.
Burke, Mass.
Burleson
Bush
Button
Byrnes, Wis.
Cabell
Cahill
Carter
Casey
Cederberg
Chamberlain
Clancy
Clausen, Don H.
Clawson, Del
Cleveland
Collier
Conable
Conte
Corbett
Cowger
Cramer
Cunningham
Curtis
Davis, Ga.
Davis, Wis.
de la Garza
Dellenback
Denney
Devine
Dickinson
Dole
Dorn
Dowdy
Downing
Duncan
Dwyer
Edmondson
Edwards, Ala.
Edwards, La.
Erlenborn
Esch
Eshleman
Evans, Colo.
Everett
Evins, Tenn.
Findley
Fino
Fisher
Flynt
Ford, Gerald R.
Fountain

Frelinghuysen
Fulton, Pa.
Fulton, Tenn.
Fuqua
Galifianakis
Gardner
Gathings
Gettys
Goodell
Goodling
Green, Oreg.
Gross
Grover
Gubser
Gude
Hagan
Haley
Hall
Halleck
Hamilton
Hammerschmidt
Hansen, Idaho
Hardy
Harrison
Harsha
Harvey
Heckler, Mass.
Henderson
Herlong
Horton
Hosmer
Hull
Hunt
Hutchinson
Ichord
Jarman
Johnson, Pa.
Jonas
Jones, Ala.
Jones, Mo.
Jones, N.C.
Keith
King, N.Y.
Kleppe
Kornegay
Kuykendall
Kyl
Laird
Langen
Latta
Lennon
Lipscomb
Lloyd
Long, La.
Lukens
McClory
McClure
McDade
McDonald, Mich.
McEwen
McMillan
MacGregor
Mahon
Mailliard
Marsh
Martin
Mathias, Calif.
May
Meskill
Michel
Miller, Ohio
Mills
Minshall
Mize
Moore
Morris, N. Mex.
Morse, Mass.
Morton
Mosher
Myers
Nacher
Nelsen
Nichols
O'Konski
O'Neal, Ga.
Pelly
Pettis
Pickle
Pirnie
Poage
Poff
Pool
Price, Tex.
Pryor
Purcell
Quie
Quillen
Railsback
Randall
Rarick
Reid, Ill.
Reifel
Rhodes, Ariz.
Riegle
Rivers
Roberts
Robison
Rogers, Fla.
Roth
Roudebush
Rumsfeld
Ruppe
St Germain
Sandman
Satterfield
Saylor
Schadeberg
Scherle
Schneebeli
Schweiker
Schwengel
Scott
Selden
Shriver
Sikes
Skubitz
Slack
Smith, Calif.
Smith, N.Y.
Smith, Okla.
Snyder
Springer
Stafford
Stanton
Steed
Steiger, Ariz.
Steiger, Wis.
Stephens
Stubblefield
Stuckey
Taft
Talcott
Taylor
Teague, Calif.
Teague, Tex.
Thompson, Ga.
Thomson, Wis.
Tuck
Ullman
Vander Jagt
Waggonner
Walker
Wampler
Watkins
Watson
Watts
Whalen
Whalley
White
Widnall
Wiggins
Williams, Pa.
Wilson, Bob
Winn
Wright
Wyatt
Wylie
Wyman
Zablocki
Zion
Zwach

NAYS—147

Adams
Addabbo
Albert
Anderson, Tenn.
Annunzio
Ashley
Aspinall
Barrett
Bingham
Blatnik
Boggs
Bolling
Brasco
Brooks
Brown, Calif.
Burton, Calif.
Byrne, Pa.
Carey
Celler
Cohelan
Conyers
Corman
Culver
Daddario
Daniels
Dawson
Delaney
Dent
Diggs
Dingell
Donohue
Dow
Dulski
Eckhardt
Edwards, Calif.
Eilberg
Fallon
Farbstein
Fascell
Feighan
Flood
Foley
Ford, William D.
Fraser
Friedel
Garmatz
Giaimo
Gibbons
Gilbert
Gonzalez
Gray
Green, Pa.
Griffiths
Halpern
Hanley
Hanna
Hansen, Wash.
Hathaway
Hawkins
Hays
Hechler, W. Va.
Helstoski
Hicks
Holifield
Holland
Howard
Hungate
Irwin
Jacobs
Joelson
Johnson, Calif.
Karsten
Karth
Kastenmeier
Kazen
Kee
Kelly
King, Calif.
Kluczynski
Kupferman
Leggett
Long, Md.
McCarthy
McCulloch
McFall
Macdonald, Mass.
Machen
Madden
Meeds
Miller, Calif.
Minish
Monagan
Moorhead
Morgan
Moss
Multer
Murphy, Ill.
Murphy, N.Y.
Nedzi
Nix
O'Hara, Ill.
O'Hara, Mich.
Olsen
O'Neill, Mass.
Ottinger
Patman
Patten
Pepper
Perkins
Philbin
Pike
Price, Ill.
Pucinski
Rees
Reid, N.Y.
Resnick
Reuss
Rhodes, Pa.
Rodino
Rogers, Colo.
Ronan
Rooney, Pa.
Rosenthal
Rostenkowski
Roush
Roybal
Ryan
St. Onge
Scheuer
Shipley
Sisk
Smith, Iowa
Staggers
Stratton
Sullivan
Tenzer
Thompson, N.J.
Tunney
Udall
Van Deerlin
Vanik
Vigorito
Waldie
Whitener
Wolff
Yates
Young

NOT VOTING—29

Abernethy
Brademas
Brown, Mich.
Burton, Utah
Clark
Colmer
Derwinski
Gallagher
Gurney
Hébert
Kirwan
Kyros
Landrum
Mathias, Md.
Matsunaga
Mayne
Mink
Montgomery
Passman
Pollock
Reinecke
Rooney, N.Y.
Tiernan
Utt
Whitten
Williams, Miss.
Willis
Wilson, Charles H.
Wydler

So the amendment, as amended, was agreed to.

The Clerk announced the following pairs:

On this vote:

Mr. Hébert for, with Mr. Kyros against.

Mr. Montgomery for, with Mr. Kirwan against.

Mr. Abernethy for, with Mr. Tunney against.

Mr. Willis for, with Mr. Rooney of New York against.

Mr. Reinecke for, with Mr. Matsunaga against.

Mr. Passman for, with Mrs. Mink against.

Mr. Whitten for, with Mr. Clark against.

Mr. Utt for, with Mr. Charles H. Wilson against.

Mr. Burton of Utah for, with Mr. Gallagher against.

Mr. Derwinski for, with Mr. Brademas against.

Until further notice:

Mr. Colmer with Mr. Pollock.

Mr. Williams of Mississippi with Mr. Gurney.

Mr. Landrum with Mr. Mathias of Maryland.

Mr. Wydler with Mr. Brown of Michigan.

The result of the vote was announced as above recorded.

The SPEAKER. The Clerk will now report the so-called O'Hara of Michigan amendment, on which a separate vote has been demanded.

The Clerk read as follows:

On page 31, line 8, strike out "$50,000,000" and insert in lieu thereof "$75,000,000".

On page 31, beginning in line 10, strike out "the sum of $9,000,000 for the purposes of title II" and insert in lieu thereof "the sum of $39,000,000 for the purposes of title II, of which not less than $30,000,000 shall be used only for programs designed to increase the capability of law enforcement agencies to prevent and control riots and civil disorders."

The SPEAKER. The question is on the amendment.

Mr. PICKLE. A parliamentary inquiry, Mr. Speaker.

The SPEAKER. The gentleman will state it.

Mr. PICKLE. Mr. Speaker, as the Clerk read the amendment, I understood it was to increase the amount by $30 million?

The SPEAKER. The Chair will advise the gentleman from Texas, that is not a parliamentary inquiry.

The question is on the amendment.

The question was taken, and the Speaker announced that the ayes appeared to have it.

Mr. PICKLE. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were refused.

The amendment was agreed to.

The SPEAKER. The question is on the committee amendment, as amended, adopted by the Committee of the Whole.

The committee amendment, as amended, was agreed to.

The SPEAKER. The question is on engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

The SPEAKER. The question is on the passage of the bill.

Mr. RODINO. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 378, nays 23, not voting 31, as follows:

[Roll No. 201]

YEAS—378

Abbitt
Adair
Adams
Addabbo
Albert
Anderson, Ill.
Anderson, Tenn.
Andrews, N. Dak.
Annunzio
Arends
Ashbrook
Ashley
Ayres
Baring
Barrett
Bates
Battin
Belcher
Bell
Bennett
Berry
Betts
Bevill
Biester
Bingham
Blackburn
Blanton
Blatnik
Boggs
Boland
Bolling
Bolton
Bow
Brasco
Bray
Brinkley
Brock
Brooks
Broomfield
Brotzman
Brown, Calif.
Brown, Ohio
Broyhill, N.C.
Broyhill, Va.
Buchanan
Burke, Fla.
Burke, Mass.
Burton, Calif.
Bush
Button
Byrne, Pa.
Byrnes, Wis.
Cabell
Cahill
Carey
Carter
Casey
Cederberg
Celler
Chamberlain
Clancy
Clausen, Don H.
Clawson, Del
Cleveland
Cohelan
Collier
Conable
Conte
Conyers
Corbett
Corman
Cowger
Cramer
Culver
Cunningham
Daddario
Daniels
Davis, Ga.
Davis, Wis.
Dawson
de la Garza
Delaney
Dellenback
Denney
Dent
Devine
Dickinson
Diggs
Dingell
Dole
Donohue
Dow
Dowdy
Downing
Dulski
Duncan
Dwyer
Eckhardt
Edmondson
Edwards, Ala.
Edwards, Calif.
Edwards, La.
Eilberg
Erlenborn
Esch
Eshleman
Evans, Colo.
Everett
Evins, Tenn.
Fallon
Farbstein
Fascell
Feighan
Findley
Fino
Fisher
Flood
Foley
Ford, Gerald R.
Ford, William D.
Fountain
Fraser
Frelinghuysen
Friedel
Fulton, Pa.
Fulton, Tenn.
Fuqua
Galifianakis
Gardner
Garmatz
Giaimo
Gibbons
Gilbert
Gonzalez
Goodell
Goodling
Gray
Green, Oreg.
Green, Pa.
Griffiths
Gross
Grover
Gubser
Gude
Haley
Hall
Halleck
Hamilton
Hammerschmidt
Hanley
Hanna
Hansen, Idaho
Hansen, Wash.
Hardy
Harrison
Harsha
Harvey
Hathaway
Hawkins
Hays
Hechler, W. Va.
Heckler, Mass.
Helstoski
Henderson
Herlong
Hicks
Holifield
Holland
Horton
Hosmer
Howard
Hull
Hungate
Hunt
Hutchinson
Ichord
Irwin
Jacobs
Jarman
Joelson
Johnson, Calif.
Johnson, Pa.
Jonas
Jones, Ala.
Karsten
Karth
Kastenmeier
Kazen
Kee
Keith
Kelly
King, Calif.
King, N.Y.
Kleppe
Kluczynski
Kornegay
Kupferman
Kuykendall
Kyl
Laird
Langen
Latta
Leggett
Lipscomb
Lloyd
Long, Md.
Lukens
McCarthy
McClory
McClure
McCulloch
McDade
McDonald, Mich.
McEwen
McFall
Macdonald, Mass.
MacGregor
Machen
Madden
Mahon
Mailliard
Marsh
Martin
Mathias, Calif.

May
Meeds
Meskill
Michel
Miller, Calif.
Miller, Ohio
Mills
Minish
Minshall
Mize
Monagan
Moore
Moorhead
Morgan
Morris, N. Mex.
Morse, Mass.
Morton
Mosher
Moss
Multer
Murphy, Ill.
Murphy, N.Y.
Myers
Natcher
Nedzi
Nelsen
Nichols
Nix
O'Hara, Ill.
O'Hara, Mich.
O'Konski
Olsen
O'Neill, Mass.
Ottinger
Patman
Patten
Pelly
Pepper
Perkins
Pettis
Philbin
Pickle
Pike
Pirnie
Poff
Pool
Price, Ill.
Price, Tex.
Pryor
Pucinski
Purcell
Quie
Quillen
Railsback
Randall
Rees
Reid, Ill.
Reid, N.Y.
Reifel
Reuss
Rhodes, Ariz.
Rhodes, Pa.
Riegle
Roberts
Robison
Rodino
Rogers, Colo.
Rogers, Fla.
Ronan
Rooney, Pa.
Rosenthal
Rostenkowski
Roth
Roudebush
Roush
Roybal
Rumsfeld
Ruppe
Ryan
St Germain
St. Onge
Sandman
Saylor
Schadeberg
Scherle
Scheuer
Schneebeli
Schweiker
Schwengel
Scott
Selden
Shipley
Shriver
Sikes
Sisk
Skubitz
Slack
Smith, Calif.
Smith, Iowa
Smith, N.Y.
Smith, Okla.
Snyder
Springer
Stafford
Staggers
Stanton
Steed
Steiger, Ariz.
Steiger, Wis.
Stephens
Stratton
Stubblefield
Stuckey
Sullivan
Taft
Talcott
Taylor
Teague, Calif.
Tenzer
Thompson, Ga.
Thompson, N.J.
Thomson, Wis.
Tunney
Udall
Ullman
Van Deerlin
Vander Jagt
Vanik
Vigorito
Waldie
Walker
Wampler
Watkins
Watson
Watts
Whalen
Whalley
White
Whitener
Widnall
Wiggins
Williams, Pa.
Wilson, Bob
Winn
Wolff
Wright
Wyatt
Wylie
Wyman
Yates
Young
Zablocki
Zion
Zwach

NAYS—23

Andrews, Ala.
Ashmore
Aspinall
Burleson
Curtis
Dorn
Flynt
Gathings
Gettys
Hagan
Jones, Mo.
Jones, N.C.
Lennon
Long, La.
McMillan
O'Neal, Ga.
Poage
Rarick
Rivers
Satterfield
Teague, Tex.
Tuck
Waggonner

NOT VOTING—31

Abernethy
Brademas
Brown, Mich.
Burton, Utah
Clark
Colmer
Derwinski
Gallagher
Gurney
Halpern
Hébert
Kirwan
Kyros
Landrum
Mathias, Md.
Matsunaga
Mayne
Mink
Montgomery
Passman
Pollock
Reinecke
Resnick
Rooney, N.Y.
Tiernan
Utt
Whitten
Williams, Miss.
Willis
Wilson, Charles H.
Wydler

So this bill was passed.

The Clerk announced the following pairs:

On this vote:

Mr. Kyros for, with Mr. Hébert against.

Mr. Kirwan for, with Mr. Montgomery against.

Mr. Rooney of New York for, with Mr. Abernethy against.

Mr. Matsunaga for, with Mr. Passman against.

Until further notice:

Mr. Brown of Michigan with Mrs. Mink.

Mr. Reinecke with Mr. Brademas.

Mr. Clark with Mr. Pollock.

Mr. Gallagher with Mr. Mathias of Maryland.

Mr. Resnick with Mr. Halpern.

Mr. Charles H. Wilson with Mr. Utt.

Mr. Willis with Mr. Burton of Utah.

Mr. Tiernan with Mr. Wydler.

Mr. Whitten with Mr. Gurney.

Mr. Landrum with Mr. Derwinski.

Mr. Williams of Mississippi with Mr. Mayne.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

GENERAL LEAVE TO EXTEND

Mr. CELLER. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to extend their remarks, and include extraneous matter, on the bill just passed.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

PERSONAL EXPLANATION

Mr. HALPERN. Mr. Speaker, I would like to ask unanimous consent to have my name included in the rollcall that was just completed. I was in the back of the Chamber trying to get attention as the result of the vote was being handed to the Speaker.

The SPEAKER. The Chair will state the gentleman does not qualify.

Mr. HALPERN. Mr. Speaker, I was in the Chamber. I was called out, and I rushed back in, but I was in the Chamber all during the first and second time around, and rushed to get into the Chamber.

The SPEAKER. Was the gentleman present when his name was initially called?

Mr. HALPERN. I was present, Mr. Speaker.

The SPEAKER. Did the gentleman listen when his name was called?

Mr. HALPERN. Yes, Mr. Speaker, but I waited until I was to go into the well so I could record my vote at that time.

The SPEAKER. The Chair is sorry to state that the gentleman does not qualify. The Chair will recognize the gentleman if the gentleman desires to state how he would have voted.

Mr. HALPERN. Mr. Speaker, on the rollcall just completed, unfortunately my vote was not recorded, but had my vote been recorded I would have voted in the affirmative.

PERSONAL ANNOUNCEMENT

Mr. MONTGOMERY. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

Mr. MONTGOMERY. Mr. Speaker, I was in Mississippi on other business voting in a State election.

If I had been here, I would have voted "no," against the anticrime bill.

THE AVIATION DAILY FORMALLY APOLOGIZES TO CONGRESSMAN STRATTON FOR PERSONAL ATTACK IN CONNECTION WITH MOHAWK BAC-111 CRASH

Mr. STRATTON. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. STRATTON. Mr. Speaker, on July 18 I brought to the attention of the House two unwarranted personal attacks directed against me in connection with certain comments of mine on the recent crash of a Mohawk Airlines BAC-111 aircraft. These attacks were made by the president of Mohawk Airlines, Mr. Robert Peach, and by Aviation Daily in their issue of July 3.

I am very happy to inform the House that Aviation Daily has now apologized to me for their unwarranted attack. This apology came, in fact, in a letter to me dated July 18 and signed by William V. Henzey, executive vice president of American Aviation Publications, which publishes Aviation Daily.

In addition, Aviation Daily published an apology and retraction in their regular issue of July 31.

I accept their apology and the prompt action they took to correct their error. This action represents in my opinion a clear reaffirmation of the right of Members of Congress to speak out on vital matters of aviation safety.

Under leave to extend my remarks I include both the personal letter of apology from Mr. Henzey and the text of their retraction as published on July 31.

AMERICAN AVIATION PUBLICATIONS,
Washington, D.C., July 18, 1967.

Hon. SAMUEL S. STRATTON,
The House of Representatives,
House Office Building, Washington, D.C.

DEAR MR. STRATTON: The report in Aviation Daily, July 3, which provoked your cable to Mr. Parrish in Iceland is receiving direct attention of the editorial staff on orders of Mr. Parrish. Perhaps by the time you receive this, the editors will have contacted you personally.

Quite aside from that, however, I extend the sincere apologies of our company for both a poor and unfair reporting job. It is not our policy to conduct personal attacks in any of our publications. We have an obligation, of course, to challenge objectively as well as commend actions of individuals in our sphere of editorial coverage. But to personalize and editorialize as we did in the item in question is an in-house violation of our policies.

This does not excuse the July 3 article, because we must bear responsibility for the articles written by our reporters. But I hope to convince you of the sincerity of this apology. Meanwhile, if you do not feel that the follow-up resulting from our editors contacting you is satisfactory, please don't hesitate to call on me.

Sincerely,

WILLIAM V. HENZEY,
Executive Vice President.

[From Aviation Daily, July 31, 1967]

AN APOLOGY TO A U.S. REPRESENTATIVE—AND A REAFFIRMATION OF EDITORIAL POLICY

In The Daily, July 3, a commentary was published which, among other things, indicated that Rep. Samuel S. Stratton (D-N.Y.) was hampering the investigation of an airline accident. In addition, the item included language of a personal nature, inconsistent with the editorial policies of The Daily.

Accordingly, and without implications as to the basic news involved in the item, The

Daily expresses its regrets to Stratton both for the charge of hampering the investigation and the personal tone of the commentary. Neither was justified. The Daily, of course, will continue to adhere to an objective and critical editorial policy at all times, while honoring the right of all to express their opinions.

DISTRICT OF COLUMBIA

Mr. McMILLAN. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from South Carolina?

There was no objection.

Mr. McMILLAN. Mr. Speaker, recently certain segments of the local press have accused me and my colleagues on the House Committee on the District of Columbia of having taken little interest over the years in the welfare of the citizens and the government of the District of Columbia. Such absurd and vicious statements have no foundation in truth whatever, and in fairness I wish to point very briefly to just a few of the facts which expose the utter fallacy of such charges.

When I first became chairman of the House District Committee, the contribution of the Federal Government toward the operation of the District of Columbia government was $9 million per year. Since that time, I have sponsored every one of the increases in this annual contribution, including the presently pending authorization of $70 million for fiscal year 1968.

In 1946, as chairman of the House District Committee, I conceived the plan and initiated the public hearings on the legislation which became the Washington Hospital Center Act. This resulted in the construction of the ultramodern Washington Hospital Center at a cost of $23.4 million, half of which was paid by the Federal Government. By means of later amendments extending the terms of this act, new plants or substantial additions have been constructed for seven other hospitals in the District, including the fine new Cafritz Memorial Hospital, costing a total of $17.6 million. And in addition, $2.5 million was authorized in 1962 by separate legislation on a matching basis for additional facilities for the George Washington University Hospital.

Thus, over the past 20 years, largely through the efforts of the House District Committee, the District of Columbia has obtained new hospital facilities at a total cost of approximately $43.5 million of appropriated funds of which the District's share was only slightly over $18 million.

As for the total effort devoted by the House District Committee to the solution of District of Columbia problems, the record shows that in the 88th Congress our committee reported 64 bills which were approved by the House. Of this number, 43 were enacted into law, and the remaining 21 were not acted upon by the Senate. In the 89th Congress, 69 of our bills were passed by the House, and 20 of these failed of action in the other body. During the first 7 months of the current Congress, our committee has reported and the House has approved 24 House bills, only one of which has thus far received action by the Senate. In addition, we have reported two Senate-passed bills, which have been approved by the House and signed into law.

This record of legislative accomplishment has been achieved only by diligent and dedicated effort on the part of the members of this committee, with little support from the local press and certainly with no expectation of political or other reward. I submit, however, that while we expect no gratitude or appreciation from certain elements of the local press, we hardly deserve their scurrilous and untrue accusations.

SUMMARY OF BILLS REPORTED TO THE HOUSE BY THE HOUSE DISTRICT COMMITTEE DURING THE 88TH AND 89TH CONGRESSES, AND DURING THE FIRST 7 MONTHS OF THE 90TH CONGRESS

EIGHTY-EIGHTH CONGRESS

H.R. 1982: Accidents, Traffic Reports.

H.R. 8920: Alcoholic Beverage Control Act, amend.

H.R. 39: Armory Board, increase membership.

S. 1227 (H.R. 5342): Association of Universalist Women, amend act incorporating (Public Law 88–19).

H.R. 4277: Borrowing Authority of D.C., increase (Public Law 88–104).

H.R. 4330: Business Corporation Act of 1954, amend (Public Law 88–111).

H.R. 1935: Canine Corps of Metropolitan Police Department, authorize expansion.

S. 646 (H.R. 5882): Chancery Locations, regulate (Public Law 88–659).

H.R. 5990: Charitable Solicitations Act, amend.

H.R. 9774: Columbia Plaza Urban Renewal Project, terminate.

S. 1082 (H.R. 6454): Correctional Industries Fund, establish (Public Law 88–622).

H.R. 8313: Credit Unions, repeal act (Public Law 88–395).

H.R. 7525: Crime and Criminal Procedures.

H.R. 7441: Dangerous and Unsafe Buildings, amend act (Public Law 88–486).

S. 1533: D.C. Transit System Franchise Act, amend (Public Law 88–212).

H.R. 682: Deeds of Trust.

H.R. 6350: Dental Hygienists, provide waiver of written examination for licensure under certain conditions (Public Law 88–460).

H.R. 4333: Discharge of Parolees.

H.R. 2485: Communicable Diseases, prevent the spread of (Public Law 88–137).

H.R. 7440: D.C. Training School, provide for voluntary admissions to.

H.R. 10777: Divorce, amend present act pertaining to.

H.R. 5337: Educational Employees on Leave, increase partial pay for (Public Law 88–472).

H.R. 7882: Exemptions of Wages from Attachment, amend act.

H.R. 6177: Federal Payment to D.C., increase authorization (Public Law 88–104).

H.R. 5044: Fire Protection, amend act (Public Law 88–473).

H.R. 4276: Horizontal Property Regimes (Public Law 88–218).

H.R. 11222: Horizontal Property Regimes, amend P.L. 88–218 (Public Law 88–475).

H.R. 8407: Income and Franchise Tax Amendments.

H.R. 5871: Judges' Retirement, liberalize (Public Law 88–644).

H.R. 12198: Judges' Retirement, Increase Annuities.

S. 1964: Learners' License Fees (Public Law 88–287).

H.R. 8355: Life Insurance Act of 1934, amend (Public Law 88–556).

H.R. 7497: Life Insurance Act of 1934, amend (Public Law 88–193).

H.R. 1937: Life Insurance Act of 1934, amend (Public Law 88–57).

H.R. 6128: Life Insurance Act of 1934, amend (Public Law 88–458).

H.R. 3191: Life Insurance Companies (Public Law 88–191).

H.R. 11302: Marriages, Premarital Examinations.

S. 935: Mentally Ill, constitutional rights of (Public Law 88–597).

H.R. 6413: Milk and Ice Cream Containers, amend act regulating (Public Law 88–405).

S. 490 (H.R. 6348): Motor Vehicles Liens Fee, amend act pertaining to (Public Law 88–89).

H.R. 3537: Municipal Court, increase jurisdiction of (Public Law 88–60).

H.R. 7399: Municipal Theaters, authorize planning for.

H.R. 1933: Nurses Licensing Act, amend (Public Law 88–81).

H.R. 9962: Podiatrists, amend act for licensing of.

H.R. 10683: Police and Firemen, repeal restrictions on residence of (Public Law 88–517).

H.R. 10215: Police and Firemen, amend act regarding annual and sick leave (Public Law 88–471).

H.R. 12196: Police and Firemen's pay, increase (Public Law 88–575).

H.R. 3190: Pour-over Trusts (Public Law 88–192).

S. 933 (H.R. 5097): Practical Nurses Licensing Act, amend.

H.R. 4274: Pupils, Disciplining of.

H.R. 4273: Pupils, Dismissal of.

S. 628: Redevelopment Act Amendments of 1964.

S. 1024 (H.R. 6351): Relocation Costs, provide for (Public Law 88–629).

H.R. 5081: Right of Way over D.C. Training School Grounds, provide (Private Law 88–67).

H.R. 10487: Salary Increases, D.C. Commissioners and others (Public Law 88–426).

H.R. 8451: D.C. Sales Tax Act, amend (Public Law 88–564).

H.R. 12371: Sales Tax, exempt majority and minority rooms of House.

H.R. 11652: Scottish Rite of Freemasonry, United Supreme Council, exempt property from real estate tax (private Law 88–296).

H.R. 9995: Secret Service, amend act regarding retirement of (Public Law 88–476).

H.R. 9419: Security Dealers, regulation of (Public Law 88–503).

H.J. Res. 888: Shrine Convention, promulgate special regulations for (Public Law 88–386).

S. 489 (H.R. 2696): Small Claims Act, amend (Public Law 88–85).

S. 2944: Southeast Community Hospital, exempt from real estate tax (Private Law 88–299).

H.R. 12042: Teachers' salaries, increase (Public Law 88–575).

H.R. 8929: Transit Development Program, authorize subway.

S. 2054 (H.R. 8377): Unclaimed Moneys in Trust, amend act pertaining to (Public Law 88–211).

H.R. 6353: Unemployment Compensation Act, amend (Public Law 88–514).

H.R. 5338: Uniform Commercial Code, provide (Public Law 88–243).

H.R. 9975: Woodrow Wilson house, exempt from real estate tax (Public Law 88–470).

EIGHTY-NINTH CONGRESS

H.R. 7067: Administrative Procedure Act.

H.R. 10744: Alcoholic Beverage Control Act, amend.

H.J. Res. 195: American Legion Convention, promulgate special regulations for (Public Law 89–25).

S. 1321: Attachment Before Judgment (Public Law 89–113).

H.R. 15860: Bail Agency (Public Law 89-519).

H.R. 12119: 14th Street Bridge Authorization (Public Law 89-627).

H.R. 1064: Canine Corps of the Metropolitan Police Force, authorize increase of.

H.R. 13556: Certified Public Accountancy Act, repeal old law and enact new standards (Public Law 89-578).

H.R. 10274: Chancery Locations, amend act regarding.

H.R. 16340: Picketing of Churches, prohibit.

H.R. 1776: Condemnation of Insanitary Buildings, amend act regarding (Public Law 89-326).

S. 1611: Court Functions, Transfer of (Public Law 89-493).

S. 1715: Criminal Assaults, amend law regarding assaults on police officers (Public Law 89-277).

S. 1320: Criminal Laws, amend (Public Law 89-347).

H.R. 10497: Criminal Penalties for Certain Telephone Calls.

H.R. 5688: Crime and Criminal Procedures (Vetoed Nov. 13, 1966).

H.R. 6905: Daughters of the American Revolution, exempt property from real estate tax.

H.R. 13703: Decedents' Estates, amend law pertaining to (Public Law 89-567).

H.R. 15706: Decedents' Estates, authorize D.C. to settle claims regarding.

H.R. 647: Deeds of Trust, appointment of trustees in (Public Law 89-706).

S. 1317: Dishonored Checks, increase penalties for (Public Law 89-208).

H.R. 1700: D.C. Training School, provide for voluntary admission to.

H.R. 948: Divorce, liberalize law pertaining to (Public Law 89-217).

H.R. 16958: Public College and Vocational-Technical Institute, authorize (Public Law 89-791).

H.R. 959: Fire and Casualty Act of 1940, amend (Public Law 89-399).

H.R. 8466: Fire and Casualty Act of 1940, amend (Public Law 89-403).

H.R. 11087: Foreign Corporations, tax-exempt income (Public Law 89-591).

H.J. Res. 230: Francis Case Memorial Bridge, name (Public Law 89-203).

H.R. 14205: Georgetown Market, authorize (Public Law 89-600).

H.R. 16863: Georgetown University, amend charter act (Public Law 89-631).

H.R. 10115 (S. 1118): Home Rule.

H.R. 11664: Domestic Stock Insurance Companies, regulation of (Public Law 89-402).

H.R. 9824: Insurance Companies' Financial Condition, amend act pertaining to announcing of (Public Law 89-559).

S. 2263: Judges, D.C. Court of General Sessions, increase number of (Public Law 89-598).

H.R. 1066: Judges' Retirement, increase pensions (Public Law 89-587).

H.R. 17798: Liens (Public Law 89-745).

H.R. 5426: Common-law Marriages, prohibit.

H.R. 3314: Premarital Examinations (Public Law 89-682).

H.R. 3864: Merchant Marine War Veterans Association, incorporate.

H.R. 8126: Minimum Wage Act, amend (Public Law 89-684).

H.R. 947: Motor Vehicle Collision Reports.

H.R. 9918: Motor Vehicle Insurance.

H.R. 66: Discharge of Parolees (Public Law 89-24).

H.R. 5597: Physicians in Good Samaritan Cases (Public Law 89-341).

H.R. 9985: Physicans Reporting Injuries (Public Law 89-776).

H.R. 10304: Physical Abuse of Children, reporting of (Public Law 89-775).

H.R. 1699: Podiatrists, waive requirement of written examination for licensing under certain conditions.

S. 1719: Police and Firemen, overtime compensation for (Public Law 89-282).

H.R. 15857: Police and Firemen's Salaries, increase (Public Law 89-810).

H.R. 8205: Police Band, expand membership in.

H. Res. 931: Police Department Reorganization.

H.R. 8337: Practical Nurses Licensing Act, amend (Public Law 89-518).

H.R. 6143: Presidential Inauguration Ceremonies Act, amend.

S. 1319: Prisoner Work Release (Public Law 89-803).

H.R. 4822: Rail Rapid Transit (Public Law 89-173).

H.J. Res. 397: Redevelopment Land Agency, authorize transfer of title to certain lands (Public Law 89-317).

H.R. 11487: D.C. Revenues, increase (Public Law 89-610).

H.R. 1065: D.C. Sales Tax, exempt certain operations of House majority and minority rooms.

H.R. 15858: Shaw School site, provide (Public Law 89-569).

H.J. Res. 1178: Shrine Convention, promulgate special regulations for (Public Law 89-514).

H.R. 16608: Southeastern University, amend charter act (Public Law 89-639).

H.R. 10823: Student Loans, authorize increase in credit life insurance for (Public Law 89-594).

H.R. 8058: Foreign Corporations, taxation of (Public Law 89-585).

H.R. 16337: Teachers' Salaries, increase (Public Law 89-810).

H.R. 11439: Teachers' Retirement Pensions, increase (Public Law 89-494).

H.R. 16940: Trinity College, amend charter act (Public Law 89-628).

H.R. 4338: Veterans of Foreign Wars, authorize rent of property (Private Law 89-1).

H.R. 1007: Wages, exempt from Attachment.

H.R. 8418: Washington Gallery of Modern Art, exempt from real estate tax.

H.R. 11428: Waterfront Priority Holders.

H.R. 3329: Youth Council on Civic Affairs, incorporate (Vetoed Sep. 13, 1965).

NINETIETH CONGRESS

H.R. 827: Presidential Inaugural Ceremonies Act, amend.

H.R. 829: D.C. Sales Tax Act, amend to exempt certain operations of the House majority and minority rooms.

H.R. 831: Police Band, expand membership.

H.R. 834: Settlement of Claims in Escheat Cases (Public Law 90-33).

H.R. 836: Attachment of Wages.

H.R. 1437: Motor Vehicle Collision Reports.

H.R. 1944: Merchant Marine War Veterans Association, incorporate.

H.R. 2529: Waterfront Priority Holders.

H.R. 3370: Podiatrists, waive written examination for licensing under certain conditions.

H.R. 3371: D.C. Training School, provide for voluntary admissions to.

H.R. 6638: Chanceries Enclave, provide for.

H.R. 824: Canine Corps of the Metropolitan Police Department, authorize expansion of.

H.R. 828: Obscene Telephone Calls, increase penalty for.

H.R. 2824: D.C. Police and Firemen's Widows, increase pensions for.

H.R. 3973: Exempt physicians and dentists from obtaining D.C. license when employed by D.C. Department of Public Health.

H.R. 3931: Corporation of State Societies, amend charter act.

H.R. 2897: Police and Firemen, increase pensions for certain retirees.

H.R. 7417: Administrative Procedures Act.

H.R. 8718: D.C. Revenues, increase.

S. 763 (H.R. 6645): Registration of Motor Vehicles, add name of spouse (Public Law 90-43).

S. 1226 (H.R. 6645): Waiver of Provisions for Marriage Licenses (Public Law 90-53).

H.R. 5799: Gifts to Minors Act, amend.

H.R. 7831: Motor Vehicle Safety Responsibility Act, amend.

H.R. 8582: D.C. Court of Appeals, increase number of judges.

H.R. 10783: Omnibus Crime and Criminal Procedures.

H.R. 10964: Medicaid.

SELDEN URGES ACTION ON BILL TO PUNISH THOSE WHO VIOLATE PASSPORT REGULATIONS

Mr. SELDEN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Alabama?

There was no objection.

Mr. SELDEN. Mr. Speaker, on Monday of last week I introduced H.R. 11952, which is designed to amend the Immigration and Nationality Act to allow the Secretary of State to compile and publish a list of areas under foreign jurisdiction into which American nationals may travel only with authorization from the Secretary. This measure I have introduced is identical to legislation I sponsored during the 88th Congress and represents the sixth passport bill I have introduced since 1958.

Mr. Speaker, it is evident to me, and, I believe, to other Members of the House, that there exist from time to time world conditions which make it contrary to the national interest and a serious impediment to the realization of the foreign policy objectives of the United States for U.S. nationals to enter certain foreign lands. The presence of a well-known American troublemaker—heretofore suspected but not identified as a Communist—at the Latin American Solidarity Organization meeting in Havana, Cuba, reinforces my belief that this legislation is necessary.

Up until 1958 the Secretary of State, acting under existing regulations, was able to deny passports to supporters of the world Communist movement. However, on June 16, 1958, the Supreme Court in *Kent* v. *Dulles*, 357 U.S. 116, ruled that the Immigration and Nationality Act of 1926, as amended, did not grant to the Secretary of State such authority. It was in that decision that the Court stated:

> The right to travel is a part of the "liberty" of which the citizen cannot be deprived without due process of law under the Fifth Amendment.

As a direct result of the Kent decision, the House of Representatives gave its approval in 1958 and again in 1959 to legislation I introduced to give the Secretary of State the authority he requested in this area. Unfortunately, the Senate took no action on the measures, but the failure of Congress to legislate did not greatly concern the American people until it was obvious that Fidel Castro and his 26th of July movement were turning the Republic of Cuba into a Communist camp in the Caribbean.

After Castro had exposed his well-guarded secret that he was a Communist and relations between the United States and Cuba were terminated, the Department of State issued regulations stating that travel to Cuba was prohibited unless specific authorization from the State Department was obtained.

Our first experience with mass violation of the State Department's regulations came in 1963 when a group of 58 fellow travelers, calling themselves students, journeyed to Cuba via other Communist countries. The presence of these so-called students in Havana was used for the issuance of inflammatory and damaging anti-American statements.

Criminal proceedings were instituted against the organizers of the student trip and several convictions were obtained. However, the Supreme Court ruled that the Secretary of State did not possess the necessary authority, under existing law, to impose criminal penalties on those who violated the regulations. In effect, the Court said in United States against Laub—1967—that there was a void in this area in which the Congress had not acted and the convictions were reversed.

The net effect of this decision, Mr. Speaker, is that the Secretary of State is limited to suspension of an individual's passport when that person violates the State Department's regulations. The authority of the Secretary to impose these regulations was upheld by the Court in *Zemel* v. *Rusk,* 381 U.S. 1 (1965). Mr. Chief Justice Warren, expressing the opinion of the Court, said:

> We think, particularly in view of the President's statutory obligation to "use such means, not amounting to acts of war, as he may think necessary and proper" to secure the release of an American citizen unjustly deprived of his liberty by a foreign government, that the Secretary has justifiably concluded that travel to Cuba by American citizens might involve the Nation in dangerous international incidents, and that the Constitution does not require him to validate passports for such travel.

Therefore, Mr. Speaker, we find ourselves confronted by this situation: the Secretary of State can issue regulations and can properly refuse to validate passports for travel to Cuba without violating the constitutional rights of an American citizen. However, if a U.S. national violates State Department regulations and does, indeed, go to Cuba, the only recourse available to the Secretary of State is the suspension of that person's passport. The legislation I have introduced is designed to put some teeth into existing law by imposing a fine of $10,000, imprisonment for 2 years, or both, on those who violate the law.

The right of free travel is basic to the citizens in a free society. As the noted English jurist Blackstone wrote:

> By the common law, every man may go out of the realm for whatever cause he pleaseth, without obtaining the king's leave; provided he is under no injunction of staying home.

However, Mr. Speaker, the right of free travel, like all our other basic rights, is not absolute. As Blackstone said:

> But, because that every man ought of right to defend the king and his realm, therefore the king at his pleasure may command him by his writ that he go not beyond the seas, or out of the realm, without license; and, if he do the contrary, he shall be punished for disobeying the king's command.

Mr. Speaker, the presence of a well-known troublemaker in Havana—who, like his predecessors, is using his visit there as a forum for issuing anti-American hate doctrine—should be the final evidence we need to proceed to enact H.R. 11952. I, therefore, urge the Judiciary Committee to consider this legislation expeditiously and favorably and to give the House of Representatives an opportunity to act on it.

PREVENTING FEDERAL REGULATORY AGENCIES FROM THWARTING INTENT OF CONGRESS ON TAX DEPRECIATION PROVISIONS

Mr. WATTS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Kentucky?

There was no objection.

Mr. WATTS. Mr. Speaker, I am introducing a bill—identical to S. 887 introduced by Senator LONG of Louisiana—which is designed to prevent Federal regulatory agencies from thwarting what I believe was clearly the intent of Congress with respect to the tax depreciation provisions of present law.

Some 13 years ago, when the so-called rapid depreciation provisions were adopted in the Internal Revenue Code of 1954, I believe it is clear from both the committee reports and the floor discussions what Congress intended. The purpose of the 1954 depreciation revision was, by providing liberalized depreciation methods, to offer incentives to all segments of the American economy to encourage modernization and expansion of industrial capacity.

Unfortunately, some Federal regulatory agencies have tried to deny the investors in the industries, with which they are concerned, the benefit of the tax depreciation methods enacted by Congress. In addition apparently some of the regulatory agencies treat a company which was not elected the rapid depreciation methods as if they had for ratemaking purposes. This is despite the fact that the new depreciation methods in the statute are clearly optional.

These agencies have attempted to justify what I believe are departures from congressional intent on the ground that their action will enable the regulated company to lower its prices to purchasers. These agencies argue that lower prices will accomplish the congressional objective of stimulating investment because lower prices mean more purchases; more purchases mean more sales, and more sales are a most wonderful stimulant to more investment. In many of the regulated industries it is not clear that the price elasticity is sufficient to increase the demand for the products anywhere near as much as this presupposes.

In the final analysis, we are all purchasers and we would all like to purchase more goods and services at lower prices. But a slash in prices does not necessarily mean that volume will increase enough to offset the loss due to the price reduction. If it does not, and this process is repeated, soon there will be no sellers and no products to buy.

Over the last decade and a half in the tax laws balance has been the key to the measures Congress has adopted. There has been a balance of the measures intended to stimulate consumption, and other measures, such as the rapid depreciation provisions intended to stimulate investment. Through these balanced actions it has been hoped that a sound and growing economy would be encouraged. But if all of the regulatory commissions are allowed to weigh the consumption side, the balance so earnestly desired by Congress will be upset.

I doubt whether it is generally recognized what a serious effect on the Government's revenues these actions being taken by the regulatory commissions may have if Federal and State regulatory agencies flow through deferred Federal income taxes resulting from use of accelerated depreciation and in effect require regulated taxpayers claiming straight line depreciation to change to accelerated depreciation, the revenue loss to the Treasury may initially be as high as a billion a year with still larger losses in later years. More specific data on this revenue loss is being developed.

The basic principle underlying the provision of tax depreciation choices and incentives to all business, including federally regulated business has been reaffirmed by Congress in a provision of the Revenue Act of 1964 dealing with regulatory treatment of investment tax credit. While apparently the Federal regulatory agencies initially recognized and followed the congressional intent with respect to accelerated depreciation, later some agencies prohibited the retention of the investment for the benefit of the investors or required the immediate "flow through" to customers of the temporary capital funds generated by the use of investment credit instead of spreading this over the life of the asset. Congress in the 1964 act specifically directed the regulatory agencies to change their policies with respect to the investment credit and it now appears we will have to do the same thing with regard to the fast depreciation provisions.

This bill should be enacted in order, first, to follow congressional intent; second, to preserve the balanced approach which has been the objective of fiscal policy of recent years; third, to prevent large revenue losses to the U.S. Treasury; fourth, to affirm recognized accounting and long-term business practices; fifth, to encourage vigorous transportation and communications industries; and sixth, to deal equitably with generations of rate payers.

The bill I have introduced would, in general, provide that Congress does not intend regulatory agencies or other Government agencies, without consent of the taxpayer, to:

First, require taxpayers to use any of the accelerated depreciation methods in determining their taxable income on their tax returns;

Second, use any depreciation charge other than that shown on the taxpayer's return in establishing the taxpayer's current income tax expense for cost of service purposes;

Third, exclude deferred tax expense—where deferred tax accounting is consistently followed—in determining current costs of service even though accelerated depreciation methods are used by a taxpayer;

Fourth, in any manner treat as income any difference between straight line and accelerated depreciation if the latter is not used on the tax return or if a deferred tax expense account is set up on the taxpayer's books of account for such amount; and

Fifth, accomplish a similar result in any other way.

ORGANIZATIONAL SUPPORT OF REORGANIZATION PLAN NO. 3

Mr. **HOLIFIELD**. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The **SPEAKER**. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. **HOLIFIELD**. Mr. Speaker, yesterday I placed in the Record an analysis of the President's Reorganization Plan No. 3 and the District Committee bill. It can be found on page 21705 of the Record for August 7. I trust that Members who are interested in this subject will have an opportunity to look at that analysis.

Mr. Speaker, at the conclusion of my remarks, pursuant to permission heretofore granted, I shall place in the Record a list of 49 organizations, eight important newspapers, and three radio-television stations which support the President's reorganization plan, and the names of the three existing Commissioners of the District of Columbia, and the Chief of the Metropolitan Police Department of the District of Columbia, all of whom support the President's reorganization plan. That will be in today's Record and available for all Members to read tomorrow morning.

Tomorrow we have scheduled for consideration the President's Reorganization Plan No. 3. It is a modest plan. It is a modest step forward. I hope that the Members of the House will consider the analysis of the bills that will be mentioned tomorrow. I look upon this as an opportunity for the Congress to create a better image than it seems to have at the present time.

I do not condone the event that happened yesterday in this Chamber. I consider this to be despicable and dangerous, to be the forerunner of dangerous and more dangerous events. If this Congress will step forward and assume its responsibilities and do those things which it can do, I believe we can give some relief to the frustration and tension which exists at this time and at the same time maintain law and order in this country.

Mr. Speaker, tomorrow the House will debate and vote on the President's Reorganization Plan for the District of Columbia. Today I wish to take a minute to stress what I consider to be the most important aspects of this plan. And I wish to call to the attention of my colleagues the broad and gathering support for this solid and forward-looking piece of legislation.

The real issue we face in the District of Columbia is the question of public participation in government. The constitutional mandate given to the Congress to exercise exclusive legislation authority over the District arose from the necessity to establish and maintain a national seat of Government. That was in the year 1800. That was 167 years ago. Today the District of Columbia is a large and complex municipality made up of over 800,000 citizens, hundreds of businesses, large and small, schools, churches, parks and playgrounds. The President is not asking the Congress to relinquish its essential control of the District. He is asking us, however, to make the District government more responsive to the needs of the year 1967, and the decades which lie ahead, rather than to the needs of 1800.

The reorganization plan is a modest step forward. To defeat it would be a backward step toward the kind of frustration which all of us fear could lead to a real breakdown of communication in this city, our National Capital. I support this plan because it gives increased access of the average man to his municipal government. In calling for creation of a 9-man council, the plan will set up much-needed links of discussion and communication. I call this only common sense. To do less for the District and its 800,000 citizens at this hour would not be worthy of the responsibility which Congress has in the affairs of our seat of Government.

I am also gratified and impressed with the wide community support which this plan has received. The list which appears below is the same kind of list which you and I know as civic-spirited organizations in our own cities and towns around the Nation. This list is a good indication of the real community which we have in Washington, and which comes together to support civic progress for the people of this great city. I see here churches, educational groups, neighborhood councils, labor and masonic groups, Democrats and Republicans, and others known for their devotion to truly nonpartisan progress. I am especially pleased to know of the support given this plan by the League of Women Voters of the District of Columbia. And the excellent public spirit exhibited by several newspapers and other media has been instrumental in building bipartisan support for this plan in the Congress.

In sum, I ask my colleagues to vote tomorrow to resoundingly reject the motion of disapproval which has been filed against this plan for progress. The responsibility of the Congress to improve the government of this National Capital could not be greater at this time.

Community Organizations in the District of Columbia Which Support the Reorganization Plan

American Federation of Government Employees, Local 12.
American Federation of Teachers, Washington Local.
American Jewish Congress.
American Veterans Committee.
Baptist Ministerial Alliance.
Bibleway Church.
B'nai B'rith.
Capitol Hill Community Council.
Catholic Archdiocese.
College Alumnae Club.
Committee of Forward Looking Republicans.
Council of Churches of Greater Washington.
Democratic Central Committee.
Democrats for the District.
D. C. Business League.
D. C. Chamber of Commerce.
D. C. Citizens for Better Education.
D. C. Education Association.
D. C. Federation of Civic Associations.
Episcopal Diocese of Washington.
Far Northeast Democratic Organization.
Greater Washington Central Labor Council, AFL–CIO.
Health and Welfare Council of the National Capital Area.
Home Rule Assembly.
Hospitality House.
Housing Development Corporation.
Jewish War Veterans.
League of Women Voters of the District of Columbia.
Lutheran Churches Task Force on Self-Government for the District.
Metropolitan Community Aid Council.
National Alliance of Postal and Federal Employees.
National Association for the Advancement of Colored People.
National Baptist Conference of Washington.
National Capital Area Civil Liberties Union.
National Capital Voters Association.
National Council of Jewish Women, D.C. Section.
Northeast Neighborhood Council.
Peoples Congregational Church.
Presbyterian Washington Synod.
Prince Hall Masons.
Southern Christian Leadership Conference.
United States Conference of Mayors.
Virginia White Speel Republican Club.
Washington Home Rule Committee.
Washington Independent Tavern Owners Association.
Washington Planning and Housing Association.
Washington Urban League.
Washington and Vicinity Federation of Women's Clubs.
Young Democratic Club of Washington.

Officials Who Support the President's Reorganization Plan

Hon. Walter Tobriner, President, Board of Commissioners.
Hon. John Duncan, Commissioner, District of Columbia.
General Robert E. Mathe, Commissioner, District of Columbia.
John Layton, Chief, Metropolitan Police Department, District of Columbia.

Newspapers and Radio-Television Stations Which Support the President's Reorganization Plan

Catholic Standard.
Christian Science Monitor.
Louisville Courier-Journal.
New York Times.
Washington Informer.
Washington Observer.
Washington Post.

Wichita Eagle.
WMAL.
WTOP.
WWDC.

NEGRO ANALYZES TRUE CONDITION OF HIS RACE IN AMERICA

Mr. WAGGONNER. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

Mr. WAGGONNER. Mr. Speaker, the number and quantity of "analyses" of the racial guerrilla warfare being conducted against decent society today would scarcely need adding to except for the fact that one singular truth has been consistently omitted from them all, one that was treated with restraint and authority by author and columnist George S. Schuyler in a recent edition of the Shreveport Times. I refer to the true stature of the Negro race in the United States today.

One gets the impression that no people on the face of the earth has ever been treated in so degrading a manner as the Negro claims he has been. The implication is that the Negro is denied all opportunities, owns nothing, cannot find a job or support his family, is attacked and beaten with daily regularity by a brutal American police force, is responsible for no ill or condition in which he finds himself, but is the exploited tool of a vicious capitalist system.

So ridiculous is this concept it would not seem, at first, to deserve denying, but, perhaps it does, if for no other reason than to set the record straight. George Schuyler, Negro, has done the denying better than any man of any other race could do. He writes with authority, simplicity and with a calmness this situation cries out for. I urge every Member to read his analysis:

NEGRO ANALYZES TRUE CONDITION OF HIS RACE IN AMERICA

(NOTE.—George S. Schuyler, Negro conservative, for years has been warning that the "civil rights" leadership of this country was taking the Negroes down the road to disaster. A newpaperman for half a century, he is the author of "Black No More" and "Black But Conservative.")

(By George S. Schuyler)

NEW YORK.—Race war is here, perhaps to stay; and while this will be denied, Negro leadership itself—including the so-called "moderates"—must share much of the blame for the smoking cities, the vandalism and the armed attacks by some young Negroes on the forces of law and order.

Passage of an anti-riot bill will not much alter the situation because it would seem to be too little and too late. While curbing the subversive activities of some of the itinerant agitators, it will not curb the local incitement by the revolutionary cells already in being in cities large and small across the country.

Nothing seems to have been learned from the warnings through the years by informed observers of the gathering storms which were believed to be brewed by poverty, discrimination and as they now say, "cultural deprivation." In this connection it is notable that these tragic uprisings rarely occurred anywhere prior to the onset 10 years ago of the campaign of agitation and incitement by Negro activists.

The vandalizing of our cities today is the product of 50 years of brainwashing. Many still refuse to recognize it. But millions of whites have fallen for the line that they are today, in 1967, responsible for the evils of slavery and for the "Century of Neglect" that followed it.

The fact is that the "Century of Neglect" produced the most prosperous, civilized and educated Negro community anywhere on the globe in history.

So successful was this line that even relatively recent immigrants from Poland, Italy or Ireland have been duped into feeling guilty for what some slave owners in the American South might have done a hundred years before they were born.

Similarly, Negro intellectuals have been brainwashed into thinking that the only reasons for Negro backwardness in America are those attributable to whites. The successful Negro has been downgraded as a self-seeking opportunist; the jobless, embittered violence-prone Negro has been idealized as the true voice of his people.

Much as many Americans dislike hearing this, the Communist Party has been the most consistent and effective manipulator of this line of thinking. It long ago painted a picture of American society—of greed, brutality, racism—that has been adopted wholeheartedly by many of the Negro leaders who, literally, are "calling the shots" in Detroit, Newark, Rochester, and where next?

For several decades, Negro leadership in speeches, news releases, books and other writings has harped interminably on the faults of American society; the mistreatment of Negroes was exaggerated, handicaps were denounced and opportunities minimized. Where the Negro needed hopeful plans for the future and an optimistic strategy to achieve them, there was a continuous campaign of denigration, denunciation and pessimism. This was the last thing uprooted farm migrants of low education needed or wanted, when they flocked to our cities.

This was a challenge to Negro leadership which it has failed to meet in the massive proportions necessary. European immigrants had faced similar handicaps and hardships, and had overcome them in large part by organization and ingenuity, whereas the city Negroes set up their own color and caste lines, and sought to escape their less prepared peers; often not without some logic on their side. Every Negro urban community suffered social indigestion from consuming too many migrants in too short a period, and with not enough help from white neighbors who also fled the influx.

Under the circumstances, it is remarkable that the Negro population acquired so many skills, so much education and such an accumulation of wealth in so short a time, but mostly through individual rather than community effort.

As of the present there are 320,000 Negro students matriculating in the nation's colleges and universities, with more than twice as many Negro students per 1,000 of black population as there are proportionately students in Europe.

There are more than 2,500,000 Negro-owned automotive vehicles, excluding automatic farm machinery, and an equal number of Negro-owned homes.

While the number of farmers, colored and white, declines yearly in the face of automation, there were at last counting 127,473 Negro farm owners, and a Negro farmer today without an automobile, truck, tractor, television set and electric refrigerator, in some cases cotton picking machines, is rare. Nearly 100,000 Negro farmers constitute a fifth of all tobacco growers. There are twice as many Negro businesses as there were at the end of World War II.

It would seem to be reason for optimism and hope, but the prophets of doom shout louder than ever and, unfortunately, they have progressively either brainwashed the Negro upper class or have frightened them into silence.

They have not really attempted to quarrel with or condemn the local and national pied pipers who are leading gangs of drop-outs, juvenile delinquents and the criminally-inclined "Lumperproletariat" astray.

They have almost uniformly taken up the chant of "police brutality" and screamed for civilian review boards to further handicap the police in using the necessary force to maintain law and order.

They have refused wholeheartedly to condemn hoodlumism and those who led the street pack—for fear of being dubbed "Uncle Tom."

And one seeks far and wide for a trade school any group of them have set up to teach young Negroes a skill which they can sell in the labor market. A conservative Negro with vision is denounced as an enemy of his people if he speaks up against the criminal trends in his community.

So this has given the agitator-activists full sway and no one has been tearing apart their vicious lies. There is always a holding-back for fear of appearing "anti-Negro."

These people are clever and conscienceless verbalists who would make it appear that the American Negro's future is hopeless whereas it is as hopeful as that of the whites if there are spokesmen to say so.

Every excuse and alibi possible has been made for Negro backwardness, shiftlessness and criminality, instead of facing up to the facts and telling the truth. The reaction of "intellectuals" to the widely-publicized Moynihan Report on the prevalence of the Negro matriarchal family is a case in point. They either condemned it out-of-hand or failed to defend it; yet how are you going to improve a situation unless you admit it exists?

Even so prominent a Negro official as Secretary of Housing and Urban Development, Robert C. Weaver, tells the Senate Housing Subcommittee that riots "are inevitable consequences of scores of decades of neglect, discrimination, and deprivation, and well-directed positive action can stop them." This is the now familiar refrain which actually encourages riots because of the belief it engenders that improvements only come from street action.

The agitators gather crowds by blaming the white man for all the Negroes' ills while the responsible Negro leadership either defends this falsehood, cravenly remains silent, or whimpers "We didn't really mean it" after the cities have burned to ashes.

THE 4-H CLOVERETTES OF ESSEXVILLE, MICH.

Mr. CEDERBERG. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. CEDERBERG. Mr. Speaker, the youth of any country can and should be among its top-ranking ambassadors and I would like to invite my colleagues to see such a group on the steps of the House side of the Capitol when the 4-H Cloverettes of Essexville, Mich., present a program at 11 o'clock tomorrow morning.

Famed as the Nation's only 4-H club group of its kind the Cloverettes come to Washington as part of an itinerary which included performances at Expo 67 and in a number of cities in eastern Canada. Kilted lassies comprising the group range in age from 12 to 20 years and feature dances and music of the Scotch highlands.

Mrs. Virgil Sharp, executive director of the group, says:

> The 4-H group chose the culture and heritage of Scotland because of the wonderful international legacy of patriotism that the Scots have bequeathed to people everywhere.

An hour prior to the appearance of the Cloverettes on the House steps, the Musical Youth International will sing on the steps of the Senate side of the Capitol. This group is the second of three that make up the good-will contingent participating in the "people-to-people" program. I might add that the Musical Youth International is composed of 100 boys and girls from cities in Michigan and Ohio. The third group is the Wiesloch Choir from Germany. The latter will join the Cloverettes in the program on the House steps.

In participating in the "people-to-people" program, the Cloverettes give real meaning to their stated purposes:

> To promote patriotism; pride in . . . and loyalty to the community . . . to inspire civic betterment and cultural growth.

The efforts of these young people at home reflect the genuine concern of most of our youth for promoting the best of American ideals. This trip, on behalf of what former President Dwight D. Eisenhower has called advancing the cause of international friendship, gives expression to the desire of these youth to show forth America and to contribute to the growth of world understanding.

The efforts of such groups as Musical Youth International, the Wiesloch choir, and our own Cloverettes ought to be recognized publicly and highly praised as an effective statement of all youth, in America and the world, for a future which holds the promise of peace through understanding and good will.

We of the 10th Congressional District of Michigan take special pride in the national award-winning Cloverettes and in the Musical Youth International, with which several of our 10th District young people sing.

MASS TREASON NO CRIME ACCORDING TO JUSTICE DEPARTMENT

Mr. **KUYKENDALL**. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The **SPEAKER**. Is there objection to the request of the gentleman from Tennessee?

There was no objection.

Mr. **KUYKENDALL**. Mr. Speaker, the American people well may ask how long is treason and incitement to insurrection going to be tolerated by supposedly responsible officials of our Government? American cities are burning, American citizens are being murdered, the property of peace-loving Americans is being looted and destroyed and the only counteraction on the part of the executive branch is to set up another commission to find out why.

The administration ignores the boasts of Stokely Carmichael and Hubert "Rap" Brown, and other professional agitators who claim full credit for the riots and promise more to come as they move the country into complete revolution. Are we going to wait until the entire Nation is aflame before we move to put down these traitors?

The seriousness of the present situation is surely underlined when even the Washington morning newspaper, in its lead editorial today, warns about how fine is the line bordering on treason now being walked by Carmichael and Brown. Perhaps someone in authority should have a little talk with the Attorney General and remind him that his office is supposed to preserve the rights of all the people and is not set up to excuse and justify the actions of those who preach and teach sedition.

In an amazing letter from the Justice Department we learn that it is felt Stokely Carmichael cannot be prosecuted for exhorting Americans to evade the draft because he has not tried to corrupt a single individual, but has only tried to induce mass evasion. Let me read to you from the letter:

> This will refer to your letter . . . which has been referred to the Criminal Division for consideration, as we are responsible for the administration of the criminal provisions of Section 12(a) of the Universal Military Training and Service Act.
>
> As far as the merits of prosecution of Stokely Carmichael under Section 12(a) are concerned, that statute like other statutes proscribing the use of written or spoken words, must be read in the light of the First Amendment protection against the abridgment of freedom of speech. The judicial decisions under Section 12 indicate that counseling evasion of a required duty means attempting to persuade a specific person or persons to evade such a duty. They do not cover expression of opinions direction to general groups. So far, Carmichael's statements appear to fall in the latter category. . . .

Mr. Speaker, is that not an astounding doctrine, that mass treason is no crime?

For goodness sake, let us stop pussyfooting and demand a return to a government by law, that treason be recognized as treason, traitors punished, and criminals taken off the streets instead of being cast in the role of heroes for the purpose of political expediency. Let us act to restore law and order before it is too late, and the cherished freedoms of all the people are crushed by open rebellion led by the worst element in our society.

The editorial follows:

Fomenting Insurrection

> It may be great sport to travel around the world calling for a "revolution" or to trudge through the big cities proclaiming that riots are the "dress rehearsals for rebellion." But those who engage in such a sport carry a heavy burden. If they mean what their words say, they are walking close to the narrow line that separates loyal citizens from traitors. If they do not mean it, they are stirring up passions that will do them and others of their race no good.
>
> It is the right of all Americans, written into the Constitution 175 years ago, to engage in the wildest kind of debate and to make the most foolish statements. The country's tradition provides a platform for all who may care to voice views disputing the policy of the Government or the conduct of the people. It even provides the opportunity to speak in favor of another form of government or against the Constitution that has served us well for almost 200 years. It does so in the deeply held belief that the majority of the people should have the kind of government they wish and that, if the people are freely exposed to all ideas, they will be able to separate the good from the bad and the wise from the foolish.
>
> Because of this tradition, a Carmichael or a Brown is entitled to denounce the Government and the people in the vilest words. His thoughts and his language may be repulsive to all but a tiny handful of citizens. But he can say what he thinks without fear of prosecution and with only a moral responsibility for what he says. If his words stir up hatred against all members of his race, he must bear the moral responsibility. If his words mislead those to whom they are addressed, he must bear the responsibility for having abused the right to speak.
>
> But there are limits on what a citizen can say and still claim his right to free speech. One such limit bars a man from inciting others to violence. It is hard to say precisely when that limit is reached. Much depends on the climate in which things are said and the tools available to those who listen. It is clear that a man could be prosecuted successfully for urging an already angry audience to pick up the rifles he had brought with him and go into the streets to shoot and kill. But it is not clear that he could be prosecuted successfully for telling a passive audience that they ought to go home and get their guns. Generally speaking, we like the rule of thumb that a man is free to say what he wants as long as the situation is such that there is time for other ideas to be heard and for reason to prevail over emotion.
>
> Thus, those who are crying for the Government to prosecute Stokely Carmichael for his speeches in Cuba are missing the point of what free speech is all about. There is little chance that his advice, sent from afar by modern communications, presents a clear and present danger to the peace and order of the Nation. Carmichael may be a traitor in so far as he has gone abroad to consort with this country's enemies but he has not committed treason unless he organizes or conspires with others to launch an armed invasion or insurrection. We can only hope that he has forfeited whatever following and respect he once had through his open advocacy of communism.
>
> The recent speeches of Rap Brown present a more difficult problem. He is already charged with inciting to violence in Maryland and some of his talk elsewhere has invited public officials to levy similar charges. It is inappropriate to express an opinion on his statement in Maryland since that case is before the courts. But it is not inappropriate to remind him and others who join him that a man must bear the responsibility for what he says. Those who incite to violence must not expect the Nation to sit quietly and let that violence erupt.
>
> The Constitution does provide protection for those who talk of making trouble and of mounting an insurrection. But it provides no protection for those who carry their words through into action. Men who call for and organize rebellions must expect to be dealt with as traitors. Words sometimes carry all the effect of force and it is on that narrow line between free speech and incitement to rebellion that Mr. Carmichael and Mr. Brown are walking.

LEGISLATION INTRODUCED BY REPRESENTATIVE BURKE OF MASSACHUSETTS TO AUTHORIZE THE DEPARTMENT OF INTERIOR TO PROVIDE YOUNG PEOPLE FROM SLUM AREAS WITH FREE TICKETS TO SPORTING EVENTS

Mr. RYAN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. RYAN. Mr. Speaker, I wish to commend our esteemed colleague, the distinguished gentleman from Massachusetts [Mr. BURKE], upon a bill which he has introduced which, if adopted, would authorize the Department of the Interior to provide young people, particularly from slum areas, with free tickets to sporting events, events which these youngsters would not otherwise have an opportunity to enjoy. The tickets would be distributed by the local police and fire departments.

As described by the gentleman from Massachusetts, the bill would permit the sending of "kids out into the fresh air and let them see wholesome games which they can imitate in their parks and playgrounds and would encourage a better understanding of their police and firemen."

Mr. Speaker, the tragic events of the past few weeks have made it clear that there are many people who feel that they have been forgotten by our affluent society. They have obviously not been forgotten by the gentleman from Massachusetts.

Although this bill will not eliminate the social and economic ills pervading our slums, it will reach many youngsters who will profit from the example of our great athletes. Hopefully, it will help to increase communication and understanding between local officials and the young people in the ghettos of our cities.

I am glad to support this proposal and today have introduced a companion bill.

Mr. BURKE of Massachusetts. Mr. Speaker, will the gentleman yield?

Mr. RYAN. I yield to the gentleman from Massachusetts.

Mr. BURKE of Massachusetts. Mr. Speaker, I wish to thank the gentleman from New York [Mr. RYAN] for his support of my legislation providing for the giving out of free tickets to our most disadvantaged youngsters throughout the Nation.

For instance, Mr. Speaker, during the past few weeks, as during the series of games which was played between Minnesota and the Boston Red Sox, the Minnesota team gave out 4,000 tickets to disadvantaged youngsters. Also, just a few weeks ago the Washington Senators gave out 2,000 tickets to disadvantaged children in the Washington, D.C., area.

Mr. Speaker, this legislation which I have introduced embodies one of the most simple plans that could be put into operation. It merely calls for the expenditure of 25 cents per youngster in order to allow them to get in to see a free baseball game, a free football game, a free basketball game, a soccer game or a hockey game. This would give these youngsters an incentive to move in the right direction; it will get them interested in good healthy sports.

I, Mr. Speaker, for the life of me, cannot understand why this bill has not progressed through the legislative channels of this body. I have written to Sargent Shriver and I was told that it was up to the local officials to initiate the action on their part.

Yesterday, I placed a speech in the RECORD calling for my colleagues here to write to their mayors and other local officials asking them to interest themselves in this program.

Mr. Speaker, many years ago in the city of Boston we had the old "knothole gang," and the kids used to wait all year, kids from the poorer neighborhoods of Boston, to get those free tickets.

Mr. Speaker, let us get behind something that the youngsters can understand so they will realize that there are people in this country who care about them.

I want to thank the gentleman from New York [Mr. RYAN] for his support and I welcome support in behalf of this legislation from both sides of the aisle.

CENSUS BUREAU CONFIRMS SLOWDOWN IN POPULATION MIGRATION TREND TO CITIES AS SMALL TOWN, RURAL AREAS PROGRESS

Mr. EVINS of Tennessee. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Tennessee?

There was no objection.

Mr. EVINS of Tennessee. Mr. Speaker, for many years I have emphasized the need and necessity for broad-based economic development in our Nation to achieve broad-based population distribution.

Two years ago on July 27, 1965, I wrote President Johnson a comprehensive letter on this subject, setting out in detail the relationship between our problems in cities in our large metropolitan areas and our cities and towns throughout America.

At that time I pointed out:

> Large metropolitan complexes are becoming unmanageable, unwieldy and ungovernable . . . they breed slums, poverty, violence . . . Cities have simply outgrown their original concept and their governments. They have exceeded in population and size the quantitative areas that can be governed effectively.

I emphasized to President Johnson the need for a concentrated, two-pronged effort to solve our national problems—one effort aimed at attacking directly the problems in our central cities and the other at strengthening "smalltown" America to divert population from the metropolitan areas.

President Johnson in a major policy speech in Dallastown, Pa., on September 3, 1966, adopted as his thesis the need for the improvement of opportunity in smalltown and rural America as part of our overall solution to national problems.

This is, of course, a long-range effort but it is encouraging to note reports of a slowdown in the trend of comparative population growth in big cities and metropolitan areas, as our small towns progress economically. Business Week in its issue of June 24, 1967, published a report outlining this change in population growth trends.

I asked the U.S. Department of Commerce for its comment on this article in this national magazine and have been provided with a report by the Honorable A. Ross Eckler, Director, Bureau of the Census, which generally agrees with the conclusions reached by Business Week.

Because of the tremendous interest in this subject by my colleagues and the American people, I ask unanimous consent that the article from Business Week, the letter from Director Eckler, and my letter to President Johnson of July 27, 1965, be reprinted in the RECORD.

The article and letters follow:

BUREAU OF THE CENSUS,
Washington, D.C., August 4, 1967.

HON. JOE L. EVINS,
House of Representatives,
Washington, D.C.

DEAR MR. EVINS: This is in further reply to your letter of July 18 concerning recent population changes in metropolitan areas.

We agree in general with the implications of the article in Business Week, that there has been a slowdown in the rate of population growth of metropolitan areas. According to recent statistics available from our Current Population Survey, the population in metropolitan areas continues to grow at a much faster rate than the population of nonmetropolitan areas but at a somewhat reduced pace in the 1960's as compared with the 1950's. This relative slowdown in metropolitan growth is occurring in central cities of metropolitan areas as well as in the suburban areas throughout the country. It also appears to be true for both the white and nonwhite populations.

Part of the slowdown in population growth in metropolitan areas in recent years is due to the decline in birth rates that the country has been experiencing since the late 1950's. A major portion of the reduction, however, is due to a reduction in the net shifts of population from rural to urban areas through net migration. Between 1960 and 1965 metropolitan areas added about 2½ million people through net migration (including net immigration from abroad). In the same period, nonmetropolitan portions of the country lost somewhat over a half million people through net out migration. In contrast, in the 1950–60 period, about 8.6 million net migrants were added to the metropolitan population at the same time that the nonmetropolitan portion of the country was losing about 6 million persons through net out migration. This decline of net migration into SMSA's since 1960 has contributed considerably to the slowing down in the rate of growth of metropolitan areas relative to that of nonmetropolitan areas.

I am enclosing for your information a copy of *Current Population Reports,* Series P–20, No. 163, "Population of the United States by Metropolitan and Nonmetropolitan Areas: April 1966 and 1960." This report provides much of the evidence concerning the recent population growth patterns for metropolitan and nonmetropolitan areas. If there is any additional information I can provide you with on this subject, please let me know.

Sincerely yours,

A. Ross Eckler,
Director, Bureau of the Census.

RUSH TO THE CITIES EASES OFF

It appears that the really rapid rise in metropolitan population growth is over. Big urban areas—long the delight of marketing men—will still pick up new consumers faster than rural America, but the speedy metropolitan growth of the fifties won't be matched in the years ahead. The money will still be there, however—the upward pace of urban personal income will increase despite the population slowdown.

What this means is that marketers will have to figure out how to keep their city sales growing even though population growth rates are turning down. For one thing, they can shift their sights to the growth frontiers like the Southeast and Mountain States. And with personal incomes on the move, they can count on new quality markets everywhere.

These are the principal implications of a new three-volume study—Economic and Demographic Projections for 224 Metropolitan Areas—just released by the National Planning Assn., a private economic research organization in Washington, D.C. The study, which projects population, income, and employment through 1975, is the fourth in a continuing NPA series on metropolitan areas.

In the 12 years after 1950, population in the nation's 224 metropolitan areas averaged 3.1% growth a year. But between 1962 and 1975, NPA says, the rate will fall to 2.2%. This means that in 1975, there will be 164-million potential consumers living in U.S. cities and suburbs. That's 73% of the population—up from 66% in 1962.

Growth shift. Clearly, the shift from farm to city isn't over. But, says economist Sidney Sonenblum, who conducted the study, the "overall process is close to completion. There aren't many people left in rural areas to migrate."

In fact, today's least urbanized areas are where the fastest urban growth will come. Southeast metropolitan areas, for instance, which held less than half the Southeast's population in 1962, will grow at a fast 3.2% annual rate through 1975. In the Mountain States—only a little more than half urbanized now—the rate will also be 3.2%.

Sonenblum estimates that the slowdown in rural-urban migration will account for about 80% of the decline in metropolitan growth through 1975. The rest of the decline, he says, will parallel that projected for the U.S. birth rate, which will slow population growth from 1.7% a year during the fifties to the 1.5% from 1962 to 1975.

Income. By the yardstick of money, however, the metropolitan areas aren't slowing down at all, according to the study. Not surprisingly, personal income in 1975 will be at new highs throughout urban America—and rising faster, too, than it has in the past. By 1975, average per-capita urban income will be $3,555, or one-third above 1962 and almost two-thirds above 1950. This means an annual income growth rate of 2.4%—a full percentage point above the 1950 to 1962 rate.

Meanwhile per capita income in the countryside will continue to rise slightly faster than in the cities—but the difference in growth rates is narrowing. Over-all per-capita income will grow 2.6% per year between 1962 and 1975 compared to the 2.4% rise in the cities. And in total personal income, the countryside is losing the race.

One reason for the urban income burst, according to NPA, is that more people will be working. NPA expects the annual unemployment rate to fall from 5.5% in 1962 to 4% in 1975. This will result from the national commitment to full employment and to policies like the training of unskilled labor by the Job Corps. A continuing trend, too, will be the employment of women: In 1950, one-third of all women over 14 worked; by 1975, the study estimates, 40% will be working.

Moreover, productivity increases will pick up. Between 1955 and 1960, output per man-hour—which economists use to measure productivity—grew by 1.8% per year. Between 1960 and 1965, the rate was 2.9%. Between 1962 and 1975, NPA estimates, average productivity increases will be 3% per year, with continuing growth at full employment.

Closing the gap. It also looks as if income differences between regions will be reduced. In 1950, for instance, the per-capita income spread between the highest and lowest regions was 34%. In 1975, it will drop a bit as rural areas, where income is lower, get more citified and job opportunities and incomes rise faster.

This is a controversial point. A recent Commerce Dept. projection of metropolitan growth said that regional differences would not narrow by 1975. The disagreement between the Commerce Dept. and NPA boils down to how each defines metropolitan areas. Both agree that a metropolitan area includes the central city and suburbs within commuting distance, but boundaries change as metropolitan areas grow and the Commerce Dept. and NPA treat them differently.

Rich vs. poor. Both studies agree, however, that there won't be any significant reduction in the income differences between the richest and poorest metropolitan areas by 1975. Rather, the spread will continue to be big. Stamford, Conn., will top the list with $5,874 per capita. McAllen, Tex., will be on the bottom with $1,615. Two other areas in Texas—Brownsville and Laredo—will join McAllen as the only urban centers in 1975 with per-capita incomes under $2,000. Even to reach this low, the Texas areas will have to mark a per-capita income growth that is more than double the 1.6% a year expected for Stamford.

A city's per-capita income depends on its industry mix, the percent of its residents at work, and their productivity. NPA thinks that, in general, today's high-income cities will maintain their lead by out-doing the poorer metropolitan areas on all three fronts. In the wealthy Middle Atlantic region, for instance, an above-average share of the people in urban areas will still be at work in 1975, and per-capita income will continue above average. In the Southeast, both the work-participation rate and per capita income will continue below national averages.

City vs. suburb. Although neither study looks at growth within metropolitan areas, the most dramatic post-World War II population trend has been the rapid growth of suburbs and the relatively slow growth of central cities. From 1960 to 1965, for instance, cities grew 3.2% while their suburbs grew 17.7%.

Sonenblum thinks that this trend also will turn down. He expects the difference between the rates of city and suburban growth to narrow by 1975. "The differential will be reduced," he says, "by families who will move to the city for convenience after their children are in college, a substantial improvement in city public services and housing, and nonwhites with higher fertility rates who must stay in the city until the suburbs are open to them."

JULY 27, 1965.

Hon. LYNDON B. JOHNSON,
The President,
The White House,
Washington, D.C.

DEAR MR. PRESIDENT: I read with great interest recently a speech given by Richard N. Goodwin, one of your special assistants, to visiting foreign students. Mr. Goodwin observed at one point in the speech that "we have cleared the boards of most of the old ideas." He suggested a need for new ideas, new departures to meet the massive problems of our age.

I would like to propose a new concept which, if accepted and implemented, would attack many of our social and economic problems from a new direction in a new dimension. My suggestion basically is that rather than continuing to encourage urban growth we shift emphasis and encourage a national small town improvement and development campaign.

The proposal is this:

1. Large metropolitan complexes are becoming unmanageable, unwieldy and ungovernable. They have far exceeded the cities' ability to provide adequate services. They are not single entities; they are conglomerations of unrelated communities that have grown like Topsy. They breed slums, poverty, violence, suicide, discord, unhappiness. Cities have simply outgrown their original concept and their governments. They have exceeded in population and size the quantitative areas that can be governed effectively.

2. The community concept with all of its corollaries is basic to our American system. It is an effective unit. It embraces the psychological dimension that is missing in cities—the dimension of belonging, of being a part of a community, of being neighborly, of identifying with local government, of feeling significant.

3. This concept has been eroded as populations have migrated to our urban areas. Urban populations have been called "the lonely crowd." There is no identification, no feeling of belonging. There is distrust, lack of concern and compassion, lack of identification. Basic human values erode.

As you said in a speech on February 22 last, Mr. President, "The old, tried values of family and neighborhood and community are imperiled or eroded."

4. There are efforts to build whole new communities to retain the community concept and respect inherent in our forefathers philosophy. But these are isolated efforts. *What is needed is a concentrated effort to strengthen the small town base of America, to bring industry and business to small towns, to create towns that embody the best of the new technology and the best of the old philosophy.*

5. I believe that people move to cities basically because that is where the greatest economic opportunities are found. You can see departures from this trend in small towns with progressive industry. The children think of staying, rather than leaving. And families who have lived in rural and small town areas prefer to move to a similar environment—but with greater opportunity to live the good life.

Your magnificent effort to build the Great Society is developing the nation in urban areas, rural areas and smaller communities. The new thrust that is needed—the new concept I suggest is a concentrated effort to develop the small town to its peak of perfection and to wage a national campaign to "sell" the small town to our new generation. This would ease urban problems by shifting growth to manageable divisions away from urban complexes.

The true values of our society are strongest in our small towns. We need to strengthen our society by inducing our younger people to live within the strong town structure and concept.

I will be glad to discuss this matter with you at your convenience.

With highest esteem and best regards, I am,

Sincerely your friend,

JOE L. EVINS,
Member of Congress.

GREECE

Mr. RYAN. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. RYAN. Mr. Speaker, Maurice J. Goldbloom, who is no stranger to Greece, having served in that country as labor information officer of the U.S. economic mission to Greece in 1950–51, has written a perceptive article published in the Christian Century of July 19, 1967. I recommend that my colleagues read his observations on the current situation in Greece. The article follows:

GREECE: OLDEST DEMOCRACY, NEWEST POLICE STATE

DECEPTIVE CALM

The visitor to a country under a dictatorship is inclined to expect an immediate, visible and tangible difference—people looking furtively over their shoulders as they hurry along in silence, the ubiquitous presence of the iron heel. Perhaps sometimes this is in fact the case. But the first impression is more likely to be one of overwhelming surface normality. It was that way in Germany in 1939, and it is so in Greece today. And for most people most of the time, life under a dictatorship is indeed fairly normal. For few men are political animals except by fits and starts; they work, eat, love and quarrel with little thought of the form of government or, indeed, of government at all—unless in one way or another it directly impinges on their activities.

But surface normality is deceptive. True, the new Greek dictatorship does not yet have the satanic aspect which characterized nazism from the first. Yet in some ways its impact is even greater. Proportionately, about twice as many opponents of the regime are being held in prisons and concentration camps in Greece today as Hitler was holding in the year before World War II broke out, and the number is rising daily. No exact figure on the number of prisoners is available to anyone outside—or perhaps inside—the Greek government; the best estimate is 12,000-15,000. Official figures have been partial, inconsistent and unreliable. Thus on April 28 the government announced that 6,509 persons had been arrested and that 1,328 of those had already been released. But on May 10 it announced that 6,138 were being held on Yaros island; and large numbers are known to be held elsewhere in Greece as well. Since then arrests have been taking place—usually between 2 A.M. and 4 A.M., in the best police-state tradition—at a rate of 100 to 200 a day. Releases, if one accepts the government's figures, have averaged about 300 a week. Many of those released, however, are still held under more or less stringent house arrest. For example, former George Papandreou is allowed to read only Greek newspapers; only his physicians and his nonpolitical son George are allowed to see him, and even they are searched to make sure they do not bring any papers in with them. Officially, however, he is "free."

THE NEED TO HIDE

In addition to those in prisons and concentration camps or under house arrest, numerous others are in hiding because they have reason to believe that the government wants to arrest them. In most cases they are people, whose associates have already been imprisoned. Thus when a number of Center Union deputies were seized not long ago, other deputies who were their close political allies heard the news via grapevine and disappeared. "Disappearances" were particularly numerous in the initial period after the coup; for every one arrested, there may have been two or three who felt it inadvisable to sleep at home for the first few nights. Most of these temporary fugitives resumed their normal activities and returned to their homes after the first wave of mass arrests subsided. But others learned that their fears had been justified, that the security forces were indeed looking for them. Some have since been arrested, and those in whose homes they had hidden have been arrested for not reporting them to the police. Thus Greece's leading newspaper publisher, Christos Lambrakis, was found in the home of the country's outstanding dancer, Dora Stratou; both are now in prison. A few men, such as Nicolas Nicolaidis, a leader of the Center Union's youth movement, have escaped from the country and are trying to organize opposition to the regime from outside; others are simply waiting until circumstances make it safe for them to return home.

One who tried to leave was Nicephoros Mandilaras, who had made himself a particular object of hatred in reactionary military circles by serving as defense counsel in the Aspida case, in which a number of army officers were charged with trying to organize secretly for the defense of Greek democracy. His body was found on the coast of the island of Rhodes. The government claims that the crew of his escape boat dumped him overboard in a life preserver when they were challenged by the coast guard, and that he hit his head on the side of the ship and drowned. Not all Greeks accept this explanation.

Many people are still sought by the police. One who has so far succeeded in evading capture is Mikos Theodorakis, Greece's leading composer (he wrote the music for *Zorba the Greek*), a United Democratic Left (E.D.A.) deputy and a leader of its youth organization. Unable to catch him, the government has consoled itself by issuing a decree over the signature of the new army chief of staff making it a penal offense, punishable by court martial, to play Theodorakis' music even in one's home. In some cases the government has held relatives as hostages; sometimes they have been given third-degree treatment in an effort to secure information on the whereabouts of the fugitives. Meanwhile, each new batch of arrests sends more people into hiding. Most seem to be concealing themselves in the cities; but some are almost certainly fleeing to the hills. If a substantial number should congregate in the hills, the stage might be set for a new guerrilla war.

REPRESSIVE DEVICES

The regime also uses other methods of repression. Many individuals remain free only because they have signed statements promising to refrain from activity directed against the regime. One man who had no political affiliations but was regarded as a potential rebel told a foreign diplomat: "After 12 hours in the headquarters of the security police they began telling me what might happen to my family if I didn't sign, so I decided to let them have their piece of paper." An elderly man told the police: I haven't been active in anything since 1950, and you know it. But my children are grown up and I have no dependents, so I'm not going to sign. Let me go home and pack my suitcase, and you can lock me up." They let him go without signing.

Others, particularly young people, have been taken to the police stations, badly beaten and then turned loose with a warning. Similar treatment was meted out to some of those who, arrested in the initial raids, were later freed without being sent to Yaros. There were also numerous instances of brutality in connection with the arrests themselves. Such brutality was so widespread that many Greeks have personal knowledge of instances; I received information on it from a number of independent sources. Its existence was officially admitted by the commandant of the gendarmerie, Gen. Nicolas Panagopoulos, in an order of June 2 in which he declared: "It has been found that certain gendarmes, fortunately few in number, have not understood the spirit of my orders: severity and firmness do not mean brutality or cruelty. Such acts are against the law and constitute abuses of power which harm the work of the government."

Indeed, it is quite possible that the lower-level security forces gave their own interpretation to government policy; the situation was made to order for the settlement of old grudges and the gratification of sadistic impulses. But it is difficult to believe that those higher up did not know of and sanction what was being done, in general if not in all particular instances, or even that it took Gen. Panagopoulos six weeks to find out what was going on. In any case, one must wonder what interpretation he expected his subordinates to put on the word "severity."

PRIVATION IN YAROS

The treatment of those held on Yaros and in the various prisons and other places of detention throughout Greece may or may not be marked by brutality. But there has certainly been callousness. Greek prisons have never been among the world's best, and overcrowding has now been added to their other faults. Greek concentration camps have sometimes been places of horror, particularly during the civil war of the '40s; at their best, they are rather inferior in amenities to Sachsenhausen in the '30s.

Yaros, a waterless island without vegetation, accommodates women in an old prison and men in tents. Sanitation facilities are primitive. "They bathe in the sea," Interior Minister Styliano Patakos told me. (Patakos, incredibly naive politically, appears to be basically decent if extremely insensitive.) On June 3, more than a month after the deportees were sent to Yaros, the government announced its intention to construct a new reservoir on the island so that each detainee would have 15 liters (about four gallons) of water a day—approximately one-thirtieth of what the average urban American uses. This allotment probably presupposes a reduction in the number of detainees to 2,000 or less, which the government keeps predicting for the near future. But even if the new allocation is based on the number of prisoners as of June 3, which according to the government was approximately 4,900, it is clear that the water situation is at present just short of catastrophic. It will still be far from good when—and if—the announced improvement takes place.

The food has reportedly been both inadequate and bad; here too the government has promised improvements. At first, sending of parcels to prisoners was forbidden, on the ground that they had everything they needed. When I interviewed Interior Minister Patakos recently, he said that parcels could now be sent but were subject to "censorship." It is hard to say what this means in practice. Earlier he had reportedly refused to permit medicine to be sent to one seriously ill prisoner on the ground that if detainees were allowed to receive parcels of medicine, "one half of them would poison the other half." There are two military doctors on the island; some prisoners are themselves physicians, but they can of course do little for their fellow detainees without medicine or equipment.

The only independent observer who has been permitted to visit the island is the president of the international committee of the Red Cross, whose report is confidential. This secrecy is part of a deliberate government policy of keeping the prisoners isolated from the outside world in the hope of breaking their spirits. Gen. Patakos told me: "I believe that if they understand that they will not receive any support from any other country, they will start to think in the correct way. So no foreigner is going to be permitted to see them." Neither are foreigners permitted to see those (among them the recently arrested deputies) who are held in various other places of confinement, the whereabouts of which have not for the most part been officially announced. Neither can they see those in the prisons. But the latter are at least better off than the detainees—against whom no charges have been preferred—since they are allowed to consult their lawyers and receive visits from their families.

WHO WAS ARRESTED

Those arrested fall into several categories. The initial mass arrests were based largely on army "subversive" lists compiled about 1950; the conspirators were afraid to use more recent lists made by security authorities for fear of tipping their hand. Hence their lists included many people who had in recent years been completely nonpolitical. In many instances individuals were also listed at addresses from which they had moved; visits to the wrong addresses warned the intended victims, and they promptly went into hiding. In addition, among those arrested initially were a large number of currently prominent politicians and individuals who might in one way or another have obstructed the coup, such as deputies and other leading members of the United Democratic Left, leaders of the Center Union, members of the right-wing government of Premier Panayotis Kanellopoulos, journalists, youth leaders, the president of the Athens bar association and active and retired generals who were either guilty of democratic sympathies or were simply not in on the plans and might have obstructed them. The list was apparently compiled in haste and was extremely haphazard; many individuals who had reason to expect that they would be among the first victims of a coup were undisturbed, while other less important persons were taken. Many of those arrested simply because of their positions, such as Premier Kanellopoulos and some of his ministers, or who had been picked up by accident were quickly released. This accounts for the large number of releases announced in the first few days.

Aside from removing individuals who might have stood in the way of the coup's success, the first mass arrests seem to have been intended to produce an atmosphere of terror. In this the colonels succeeded—almost, it would seem, in inverse proportion to the political activity of the individual concerned. Thus while some key political figures who had not been picked up continued to see and talk to people with a minimum of caution (though at least two such men with whom I talked have since been arrested), others who had not been politically active at all were either too terrified to see a foreigner whom they had known for many years or showed obvious signs of fear when they did.

CONFUSING RATIONALE

Later the government began to be more selective. Some of those arrested are people whose names were on the lists compiled by security authorities during recent years when, as several friends told me, Greeks have talked more freely than ever before. The conspirators acquired these lists when they seized power. In addition, individuals have been arrested either because they have performed major or minor overt acts of opposition, or because they were regarded as potential rallying points for opponents of the regime. Explaining the arrest of one batch of deputies, drawn mainly from the Center Union, Patakos said they had been planning to go abroad and establish a front against the government. Possibly this was true of some; it was certainly not true of all. Patakos also said that some of the right-wing deputies seized had been telling peasants not to obey the new government because it was going to be in power for only a short time.

The number of imprisoned deputies has been increasing rapidly and now includes such well-known figures as John Zigdis, political leader of the Dodecanese—where the Center Union has the support of an overwhelming majority of the population—and minister of industry under Papandreou, and Evangelos Averoff, a one-time liberal who served as foreign minister in the right-wing governments of Papagos and Karamanlis and as a member of the Kanellopoulos cabinet. In the case of Averoff, who thought to have close ties with the American embassy, the arrest may be due to the suspicion that he was involved in negotiations for the creation of a "transitional" government or generals and conservative politicians to replace the present regime of colonels and civilian nonentities. There is reason to believe that such a solution would not displease the Americans.

Political leaders, usually held without charges, form a relatively minor though significant part of the daily total of arrests. Most victims are charged with such offenses as writing slogans on walls, passing out leaflets, spreading disturbing reports or slandering the king or the government. The authorities announced the arrest of one man for slandering the king in a telephone conversation with his sister—doubtless an arrest designed to warn people that Big Brother was listening. Many arrests have been made for "offenses" committed *before* the coup, including acts which were perfectly legal at the time, such as making financial contributions to left-wing organizations. A foreign diplomat told me of one Center Union friend who had gone into hiding because in his absence his wife had received a summons directing him to appear in court on a charge of having attended a meeting several weeks earlier at which someone had spoken critically of the king; all those present at the meeting were now to face trial.

Most arrests are not announced; on the other hand, not all the arrests that have been announced have actually taken place. In one case the newspapers were ordered to print the announcement of an individual's arrest; but when a friend called to offer sympathy to a relative of the "arrested" man, the latter answered the phone. He gave retroactive validity to the government's announcement, however, by going to the police and asking for an explanation of the story; at that point he *was* taken into custody.

PURGED ORGANIZATIONS

Purges have been instituted in the government service and in private organizations as well. The tenure of civil servants has been abolished and many have been removed, to be replaced by army officers or their relatives and friends. There is some question as to the effect of this on the functioning of government machinery. One source reports an unaccustomed courtesy on the part of civil servants who fear that a complaint will bring dismissal; another says that much of the machinery of government is paralyzed because nobody dares make a decision. It is quite likely that both statements are true. The system of nonpolitical nomarchs, or district administrators, which was the special pride of the American experts in Greece some years ago, has been completely gutted; half of the nomarchs have been dismissed and in most cases replaced by army officers. The government has announced its intention to decentralize authority and strengthen local government. And it has begun to implement its decision by dismissing large numbers of elected mayors and local councils and replacing them with its own appointees.

In private organizations the elected officials have also been removed and replaced by government appointees; among the groups affected are bar associations in Athens and elsewhere and numerous agricultural cooperatives. Sometimes the government has simply acted without offering any explanation; in other cases individuals have been removed for such offenses as failure to vote in the elections of 1946, which were boycotted by the left and left-center. In still other cases government officials or newspapers carrying officially inspired stories have suggested that financial irregularities were responsible for the dismissals. No evidence in support of such charges has, however, as yet been presented to any court—not even to a rigged one.

UNITED DEMOCRATIC LEFT

A large majority of those originally imprisoned were members of E.D.A., but the proportion of E.D.A. members in subsequent arrests is almost certainly considerably smaller. E.D.A. is widely, but not altogether accurately, regarded as communist. In fact, it bears a strong resemblance in its structure and support to the Progressive party of Henry Wallace, in which the Communist party certainly played a key role but which derived most of its votes from noncommunists. Like the Progressive party, whose leaders included such obviously noncommunist figures as Wallace himself and Rexford Guy Tugwell, E.D.A. had many noncommunists in leading positions. Its nominal chairman, the octogenarian John Passalides—who has not been imprisoned—is a refugee from the Soviet Union who took part in the Menshevik government of Georgia which Trotsky's troops smashed. The chairman of the parliamentary group, Ilias Illiou, is a lawyer described by both Greeks and foreign diplomats in Athens as being a moderate social democrat. Iliou, who is seriously ill with diabetes, is one of the prisoners on Yaros; only after the reported intervention of the Swiss ambassador did he receive urgently needed medical attention. Another E.D.A. deputy, Dimitrios Stratis, a life-long democratic socialist and trade unionist, is perhaps the best trade union leader Greece has ever produced. At 78, Stratis is now on Yaros.

Many noncommunists joined E.D.A. during the '50s, when the center had splintered into a number of groups without coherent programs and was held together only by loyalty to particular factional leaders. E.D.A. at least had a program—essentially one of immediate reform. Hence in the election of 1958 it attracted approximately a quarter of the total vote and became the official opposition. In that election candidates elected on its ticket included Gen. Stamatis Mercouris, who had been interior minister in the government which suppressed the communist revolt of 1944–45 and deputy premier in the right-wing government of Marshal Alexander Papagos in 1952, and Elias Tsirimokos, who later joined the Center Union and then broke away from it to support the king against Premier Papandreou. Some noncommunists elected as E.D.A. candidates in 1958 remained with E.D.A. after such leaders as Tsirimokos had left it. So did about half the voters who had supported it in 1958, although the dynamic leadership of the Central Union by George Papandreou and even more by his son Andreas was drastically cutting into E.D.A.'s support. Indeed, many informed observers believe that if the scheduled elections had been held, E.D.A. would have been almost wiped out because most of its supporters would have gone over to the Center. Certainly the "communist threat" with which the colonels sought to justify their coup was nonexistent.

LITTLE HOPE

There seems little reason to hope that the regime will relax its repression of its own accord. True, a commission of jurists has been appointed to draw up a new constitution. But statements of coup leaders make it quite clear that they intend to hold on to power for a long time to come. The constituiton may be devised to make this possible behind a façade of legality, or its implementation may simply be postponed indefinitely. More rather than less repression is likely, as opponents begin to recover from their initial shock and to organize resistance, and as the government finds itself faced with the economic crisis expected to arrive about the end of the year.

To be sure, commissions are examining lists of the names of those on Yaros with a view to releasing the aged, the sick and the harmless. But even these are required to sign declarations pledging to refrain from any activity "against the nation and against the government." (This is Gen. Patakos' summary of the four points in the declaration; I was unable to get a copy of the exact wording.) And many will not sign because they do not consider it compatible with their honor to do so. Indeed, Patakos complains that many of the prisoners are "becoming more hardened instead of reforming" and says that they have organized themselves on Yaros with a leader for each tent, a group leader for every eight or ten tents, a president for each of the three camps into which the island is divided and a commander for the whole island.

Meanwhile, the United States continues not only to recognize the regime but to supply military aid worth about $70 million a year and to encourage American firms to invest in Greece. And the newspaper widely regarded as the voice of the junta is called *Eleftheros Kosmos*—"Free World"!

MAURICE J. GOLDBLOOM.

BROOKLYN, N.Y., *June 10.*

ADDRESS BY GOV. GEORGE ROMNEY, OF MICHIGAN

Mr. EDWARDS of Alabama. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. GOODELL] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Alabama?

There was no objection.

Mr. GOODELL. Mr. Speaker, on August 4, 1967, Governor Romney gave a lecture at Chautauqua Institution in which he outlined in a thought-provoking manner the long-range problems of foreign affairs. Governor Romney is a prominent national spokesman for the Republican Party and one of the possible candidates for the Presidency and I believe that the membership of this body should have an opportunity to review this significant study and statement by him. Although in lecture form, it should be noted that Governor Romney's address received an enthusiastic response from an audience of 10,000 at Chautauqua Institution including 22 interruptions by applause.

I want to talk with you tonight about American leadership in the world.

I want to share with you some of my thoughts about the principles we need to apply to American foreign relations to deal effectively with the threats and opportunities we face.

Neither foreign nor domestic policy stands alone. They are intimately and delicately intertwined.

As we set our national priorities and goals, we must not forget that the tasks we undertake abroad limit the tasks we are able to undertake at home.

The tragic events of these last weeks—the looting, burning, and near warfare in major cities across the country—can leave no doubt that the moral, social, and economic progress of our own people must be our basic national objective.

We cannot hope for progress, peace and order among the nations of the world if we cannot bring progress, peace and order to the cities of America. We cannot inspire others if we degrade ourselves.

Success in meeting our challenges at home is indispensable to restoring America's moral leadership abroad. Our future in the world depends on matching our actions to our ideals.

In every field of activity, fundamental principles and consistent policy are of primary importance. They shape the character of specific programs and actions.

We need to develop policy consistent with our fundamental principles. Without this we cannot have the kind of leadership, practical and idealistic, of which this country is capable and which America and people from other lands expect from us.

I believe America lacks a cohesive world strategy for the long run. I believe we are in danger of "hip-pocketing" crucial international decisions. I believe we have placed more emphasis on the problem of today than on the purpose of tomorrow.

Vietnam is an example. Our preoccupation with Vietnam has infected many important relationships in other areas of the world. In terms of overall American interests, the Vietnam tail is wagging the global dog.

But tonight I am not focusing on Vietnam.

Nor am I suggesting that the task is easy—far from it. The international environment in this last third of the twentieth century is immensely complex and troublesome.

But we as a nation must squarely face and searchingly examine the nature of the problems and requirements that confront mankind across the globe over the next several years.

We must consider American actions in the global arena within a sound conceptual framework of American interests, resources and objectives.

And we must shape a realistic foreign policy that will fit the world as it is today and help build the world we want tomorrow.

What are the basic goals of U.S. foreign relations? What are the principal characteristics of the world environment? What is our current posture internationally? What should be America's global role in the years ahead? What should be the concentration of U.S. effort abroad?

These are vital questions to which America must address herself, and which I want to discuss with you tonight—along with the principles which must be used to answer them. In the months ahead, I will discuss some specific proposals consistent with these principles.

I

First, what are the basic goals of U.S. foreign relations?

In practice, the United States has done a better job of emphasizing the negative—what we don't like, than of spelling out the positive—what we as a nation believe in, and what kind of world we would like.

For example, we have made it clear that we are *against* Communism, and the whole world knows it. But too often we have failed to convince peoples abroad that we share their hopes *for* an elevation of the dignity and quality of human life and *for* social justice. We are not succeeding in translating our traditional beliefs into leadership which is meaningful to the vast majority of the world's people.

We must convince the citizens of other nations that our American tradition is that of a republic which emerged from a successful revolution; that our ideals encompass the aspirations of all men everywhere; that America's greatness is not the greatness of its government but the greatness of its people; that Americans believe in the integrity and worth of each individual and oppose any degradation or exploitation.

The essential purpose of U.S. foreign policy should be to help bring about a world which is free, dynamic, prosperous and interdependent—an open world of peace and order in which our own open society can survive and thrive.

We seek a pluralistic world allowing each nation to determine its own destiny for itself in mutual respect and security. This is the only kind of world that is consistent with our own national interests, our own principles, and our own well-being.

II

What are the principal characterstics of the world environment?

International politics is still in transition from a more simple, bi-polar, primarily ideological period into a more complicated, multi-polar and pragmatic period.

The world grows increasingly smaller and tighter, thanks to huge technological advances; but great progress in science, technology, and industry has not been matched by moral, social and political—by genuine human—progress.

Across the globe we face widespread social revolution, huge divergencies in living standards, and infinitely greater and more varied chances for conflict.

About 70 new nations have come into existence in the last 20 years. Decolonization is virtually complete, but it has left vacuums which are not yet filled.

Nationalism is on the increase, and national arrogance is not limited to the newer states—as witness the impudent intervention of France's DeGaulle in the affairs of our great neighbor to the North.

Five nations possess the nuclear bomb, and the number could double within the next ten years.

International communism is no longer a monolith. At present, communist unity has been shattered by the differences between Moscow's "peaceful coexistence" and Peking's "violent revolution". Communist ideology has been compromised by failures, nationalistic interests, and the pressures of reality. Soviet society is less dogmatic. Eastern Europe shows signs of economic nationalism and certain barriers are down.

There is some hope for greater accommodation between East and West. But we cannot afford to hold illusions about such developments, real or imagined. The Soviet Union still seeks to extend its power and influence wherever and whenever possible, as the continuing Middle East crisis clearly shows. Moscow is still out to undermine NATO and force the United States out of Europe, to keep Germany divided, and to seize opportunities to encourage wars of national liberation.

Because it serves Russia's own interest to avoid a nuclear confrontation with the United States, political offensives are more likely than military offensives. But there are strict limits on the improvement of relationships—particularly as long as the Vietnam war continues. We delude ourselves if we count on any real change in the near future in Soviet behavior or intentions.

Power itself is changing, taking on new forms. Power in the international community can no longer be measured simply by physical assets. This is due to many factors, from the massive destructive force of nuclear weaponry on the one hand to the tenacity and skill of guerrilla operations on the other. The great powers today are frustrated by their inability to use their great military or economic strength to achieve their political objectives.

A predominant element of our world environment in the last third of the twentieth century is the enormity of the development gap—the huge differences in living standards between the rich, industrialized northern nations and the poor, underdeveloped southern peoples. These peoples make up two-thirds of the world's population, but they have only one-sixth of the world's income. Most of today's world is wracked by exploding population, inadequate food production, low labor productivity, a lack of institutional development, illiteracy, and poor health.

And it promises to get worse. The world's population will more than double in the forty years from 1960 to 2000, jumping to well over six billion, with nearly five billion people living in the world's impoverished regions. Projected statistics indicate that in a short period food imports required by the developing countries will exceed food exports available from the rest of the world.

It is estimated that by the end of the century, the per capita income of Americans will have risen by thirty times as much as the per capita income increase in most underdeveloped countries.

The flow of long-term capital from the "have" governments to the "have-not" nations has remained about the same since 1961 despite a rise in national income of the richer nations.

And the interest and repayment of past loans already consumes over ten percent of the foreign exchange earnings of the poorer countries.

We Americans—along with a few others, principally some Europeans—are an affluent island in a sea of abject poverty, hunger, disease, and human misery. In this situation we can't begin to understand either the grinding needs or the revolutionary expectation of the have-not peoples.

The underdeveloped areas of the world hold a menacing potential for violence even anarchy. They are a vacuum which can encourage both external aggression and internal adventurism.

And turmoil defeats progress—abroad, as well as at home. Violence can perpetuate human misery by preventing the systematic mobilization of resources needed to raise living standards.

This is not to say that the fear of instability should be an excuse to maintain an intolerable status quo. This is not to say that the revolution of rising expectations can or should be suppressed because of the danger of disorder.

But when stability is assured, efforts can be feasibly undertaken to build a viable nation. Then comes the chance for real economic growth, real increase in living standards—which is essential, in turn, if violence and turmoil are to diminish over the long run.

It is said that "the name of peace is development." But it can also be said that the name of development is peace.

Clearly, we are living in an insecure, unstable world.

We face the threat of Soviet aggression.

We face China—the giant of the starving, bitter, desperately unhappy underdeveloped world—armed with nuclear weapons.

We face the likelihood of all sorts of small-power conflicts in the years ahead. The combination of small power conflict and nuclear proliferation would be particularly dangerous.

Although conflict is more likely among small powers than among large ones, we have no assurance that big powers will not be pulled into small-power disputes. There is the chance of small wars escalating to include the major nuclear states. During the Middle East crisis, for example, certain Arab spokesmen were furiously critical of Russia for putting peace ahead of abetting violence.

This hardly indicates that we can count on the small nations to keep their wars to themselves. Only self-restraint by the great powers can keep small conflicts from blowing up into large ones, but this requires advance refusal by the great powers to allow their prestige to become overly engaged to begin with. Once commitments are made, it can become extremely difficult to refrain from intervention when trouble develops.

The world will see much more political and social change. It will come—the forces are there. It must come—justice demands it. The United States must ally itself with progress, not against it.

The great challenge of the age is to bring about change peacefully. Some disorder and strife—some violence—is inevitable. How limited that violence will be remains the question before us.

III

What is America's current posture internationally?

Two facts stand out: we are the strongest nation in the world, and we are firmly tied to that world.

Our gross national product is equal to the rest of the NATO states and Japan combined. It is twice the size of Russia's.

Our military might is now superior to that of any other nation—and must remain so.

Despite our country's great wealth and power, the United States is dependent on the rest of the world. And our fundamental convictions about the dignity of man and his behavior keep us deeply "involved in mankind".

We need raw materials from abroad to provide essential services for our people. We need markets abroad to keep our economy expanding and our balance of payments favorable—and those markets won't exist unless other parts of the world are economically prosperous.

Conflict abroad threatens our security and tends to destroy our unity at home—and we cannot forget that enemy ballistic missiles are aimed at us all the time.

Both our resources and our tradition give the United States not only the opportunity to provide world leadership but the obligation to behave as a leader should. Because we are the most powerful nation in all history, we must learn to bear the burdens of power with humility, patience and self-restraint.

We are too powerful to act in anger. We are too powerful to worry about petty insult to our pride from smaller states not out of adolescence. We are too powerful to be apprehensive about superficial or fabricated threats to our interests.

Likewise, we are too powerful, and our responsibilities too great, for us to be blind to genuine challenges to our own safety and survival—and fail to use our resources and exert our power effectively.

After the Second World War, America hoped for a lessening of international problems requiring her involvement—but this was not to be.

First came the Truman Doctrine, then the Marshall Plan, later Korea, skirmishes in the Formosa Strait, subversion in Lebanon—and finally, Vietnam.

For 20 years, the United States has attempted to apply its strength overseas in the name of freedom, self-determination, and the containment of aggression.

The policy of "containment" was originally a limited policy, and was successful. It has become more loosely defined. Instead of countering the specific threat of Soviet expansionism, it now appears that it could be applied to almost any situation of international discord.

The United States should oppose communist expansion. The United States should do what is practical and honorable to champion freedom in the world.

But I do believe that containment is in danger of being pursued as an end in itself—and by itself it is not sufficient. Containment by itself is a policy of mere reaction, which surrenders the initiative to others.

Because of our proper concern with the danger of aggression and the inability of existing international institutions to insure stability and peace, the United States has attempted to act as a badly-needed deterrent to international discord—as a vital force for world stability.

But I believe we are slipping too far into the role of trying to solve all problems; we are tending to pre-empt responsibility of other nations more directly involved, and we are in danger of spreading our resources too thin. If carried too far, this could actually contribute to greater instability in the world we are trying to make more stable. We must learn to cut our suit to the size of our cloth.

IV

What should be America's global role in the years ahead?

In order to develop a cohesive and positive concept to guide U.S. foreign policy over the long term, what suggestions can we offer to avoid the dangerous extremes of global policing on the one hand and withdrawal or isolation on the other?

This is a massively difficult problem that the U.S. has been confronting—with both resolve and frustration—for some time. Specific policies will depend on specific cases and new sets of circumstances. But let me suggest certain guidelines for consideration.

First, our conduct internationally should emphasize the long-term approach. We should attack the causes of problems through basic social and economic effort, rather than rely primarily on short-term reaction to the symptoms of political and military crises.

We must not spend our time and consume our energies running around on a bucket brigade trying to put out every fire that comes along. We must contribute what we can to the building of durable structures—nationally, regionally, internationally—which provide the institutional framework necessary for progress. These structures will have their own dynamism and differences, just like elements within our own society—this is part of the pluralistic world in which they will exist.

A second guideline should be to place more priority on the use of multilateral undertakings in our relationships with the rest of the world. We should not abandon the avenues of unilateral or bilateral action, because in many instances larger cooperation will not serve the need at hand. But a shift of emphasis is needed, both because of the liabilities and limitations of individual action and because of the need to strengthen multilateral institutions—such as the United Nations, NATO, and the Organization of American States—by putting them to effective use.

Third, we must act to encourage other nations to do the job themselves, rather than to feel that we will do it for them. We must help other states to develop self-competence, self-reliance, and a sense of responsibility. For they will not play their part unless they themselves feel responsible.

If you really want to help a friend, you approach him as a brother. You respect his character and worth. You don't dogmatically assume that you know what's best for him. You try to understand him, to identify his need and aspirations. You don't make him dependent. You help him stand on his own two feet.

Too often today, the American presence in other nations has become an overpresence. American presence sometimes disrupts orderly self-development, smothers local initiative, and engenders dislike and suspicion in the very people that we wish to help. We must not forget that it is the primary right and responsibility of every man and every nation to work out his own destiny in his own way. We must not forget that American wealth and power are no substitute for the independent initiative of other nations.

And the fourth guideline should be to demonstrate greater wisdom both in perceiving our own interests and in committing our prestige in foreign involvements.

The United States cannot withdraw its stabilizing influence. Let there be no mistake about that. We must continue to guard against disruptions in the global power equilibrium.

Insecurity and instability will continue to endanger the world in the years ahead—and the United States is the only nation which has the ideals, the will and the power to perform this function.

The integrity of our commitments is basic to the maintenance of peace and world order. Giving way to aggression is not the right path toward a durable peace. We do not prove that we want peace by abandoning those whom we are pledged to help defend.

And since development is impossible where turmoil and violence prevail, we must do our part to provide the security and stability which can make social and economic progress possible.

We are the leading power for peace.

But we cannot go it alone. We must be truly discriminating in our approach. We must not be nervous. We must not be impetuous about jumping off to tomorrow's trouble spots. For our resources are not unlimited.

Conceivably, two or three situations similar to Vietnam could develop simultaneously. We must not spread ourselves so thin that we become impotent—that is what the communists want.

In my opinion, military intervention on behalf of peace and stability cannot be justified unless two conditions exist: first, a genuine threat to the balance of world power and world peace; and second, an absence of local resources to meet that threat. The United States must examine these factors with great discernment and discipline.

And two additional criteria should be included in our examination: First, do we really have the resources to do the job, particularly in the light of the potential for escalation which is present in most such involvements? And second, is there a feasible role which can be undertaken with realistic expectations of success?

V

Now, what should be the concentration of U.S. effort abroad?

I believe there are four priority tools which must be utilized, four component actions which must be undertaken, four immediate objectives which must be pursued—if we are to conduct our foreign relations in a purposeful, consistent and effective manner.

First, we must maintain a defense establishment which provides an assured strategic retaliatory capability to deter a nuclear attack against the United States. At the same time, we must also maintain sufficient power to handle conventional and brush-fire situations. We cannot relax our guard.

Arms control measures—such as a nuclear proliferation agreement, or an agreement to control the development of offensive and defensive missile systems—should be sought in spite of past frustrations, as an essential part of the world's long-term willingness and ability to reduce the threat of war and live together in mutual peace and harmony.

But we must keep up our immensely diverse, flexible and mobile military power—the best in the world. And we must avoid any sudden or disadvantageous changes in the strategic equation.

Second, we must concentrate on working with others to improve international institutions—both global and regional—dedicated to advancing stability, progress and peace, to the eventual point where their peace-keeping and peace-building competence is real and reliable.

In terms of making the kind of commitment of our own energies and resources which is less dangerous and more productive in the long run, political-economic groupings and arrangements clearly provide a better long-term opportunity than purely military alliances. The principle of collective undertakings must be reborn and nurtured in a new and broader sense.

The United Nation's peace-keeping and financing problems must be resolved. Multilateral institutions now making a useful contribution in Europe, Latin America, and Asia should be improved—and with more help from other nations with their own stake in peace and security. Regional approaches can be buttressed, particularly where they face the challenge of evolving from the purely economic to the political sphere.

For the world cannot live indefinitely in an environment plagued by the selfishness and unpredictability of the forces of chauvinistic nationalism.

Third, we must concentrate our energies on the most overwhelming world challenge of our time—to find new and better ways to use the tremendous wealth and technological expertise of the affluent northern nations to develop the poverty-stricken southern nations. We must share the genius of our system.

We and the other industrialized nations—and I am including our traditional European allies, as well as Japan, and even Russia—must find a way to narrow the tragic, critical, and now widening development gap. This is the greatest potential source of disaster in the world over the long run.

I believe that America must undertake an effort in international development sufficient to overcome the inertia, suspicions and hostility of the other peoples of the earth. They must be helped to help themselves in developing their human and natural resources. They must be helped to realize their expectations without sacrificing freedom and independence.

We must show much greater ingenuity and drive in getting the immense resources of the private sector committed to this task—both by private resolve and public policy. Private economic institutions have a vital and much larger role to play in international economic development, just as government has an important role to play. Most of the economic development aid which flows from this country to the needy nations of the world should be private rather than governmental. Government programs should encourage private investment through devices like investment guarantees and tax incentives.

Our foreign aid, trade, and development policies must be re-examined and overhauled to cut down waste and improve efficiency. These programs must place stress on:

(1) self-help;

(2) selective assistance for those nations most able and willing to make progress;

(3) food and agricultural output, and population control;

(4) basic and technical education on an intensive basis—so that capital development must not dominate human resources development;

(5) political development—so that economic development will lead to political growth rather than political instability;

(6) mobilization and coordination of private effort, including, voluntary associations such as "people-to-people" programs; and

(7) cooperative effort through multilateral devices.

The fourth area of concentrated effort is this: we must more effectively integrate our foreign affairs activities within the executive branch consulting closely with Congress. Congress is needed and must not be bypassed in the shaping of American foreign policy.

We must be capable of measuring the complex of international threats and opportunities against a valid definition of our national interest and a true inventory of our national resources. Enough coordination does not now exist among the various agencies of the Federal Government charged with international duties—and without it, the United States cannot provide the leadership which the huge international problems of the age so urgently demand.

VI

Let me make this fundamental point absolutely clear.

No matter how carefully we analyze the world environment and our posture internationally—no matter how clearly we define our global role and how scrupulously we order our international priorities—no matter how consistent, cohesive, and positive our foreign relations strategy may be—American foreign policy cannot succeed unless we take the first, most vital step.

We must use every means at our command to strengthen our own nation by becoming a better example of our own principles—an example that other nations will see as clearly superior to any alternatives.

We cannot expect others to accept our goals and principles at face value if we fail to provide equal dignity and equal opportunity for every American citizen regardless of race, color or creed. Abysmal poverty amidst affluence, rising crime rates, increasing drunkenness, drug addiction, immorality, deterioration of family life, pollution of air and water, urban decay, crass materialism, declining faith and brotherhood, riots and race hatred—all these can make us seem to be what our enemies say we are, rather than what we really are and what our principles demand.

We cannot command the respect and confidence of others until we put our own house in better order.

Let me summarize.

As we attempt to define an overall, cohesive framework for the conduct of U.S. foreign affairs in a changing and diverse world, I believe we should:

Define our goals in positive rather than negative terms, declaring clearly the kind of world we want—free, dynamic, prosperous, interdependent.

Continue to be a force and an influence for security and stability in the world—with the wisdom and restraint needed to avoid wasting our own resources in unrealistic involvements abroad.

Together with other industrialized states, apply the enormous wealth and technology of our societies in helping poverty-stricken peoples, thus narrowing the enormous development gap.

Build strong institutional structures—private and governmental, national and multilateral.

Command the respect and confidence of others by putting our own house in order.

So doing, U.S. foreign policy can relate our own fundamental national principles to the hopes of mankind.

It can oppose the exploitation of individual human beings and the denial of human dignity.

It can help elevate the quality of human life, seeking out the mutual benefit and aspiration of mankind—without demanding that all adhere to the same mold.

It can help to re-establish America's moral leadership in the world.

CONGRESSMAN CONTE ON VIETNAM

Mr. EDWARDS of Alabama. Mr. Speaker, I ask unanimous consent that the gentleman from Massachusetts [Mr. MORSE] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Alabama?

There was no objection.

Mr. MORSE of Massachusetts. Mr. Speaker, on Saturday, August 5, my distinguished colleague from Massachusetts [Mr. Conte] delivered the address at Vietnam Day in Dalton, Mass.

Mr. Conte gave a thoughtful analysis of the situation in Vietnam and made two specific suggestions: a cessation of the bombing in North Vietnam and the construction of a barrier zone beginning at the South China Sea and extending 175 miles to the city of Thakhet on the Thai border.

The Congressman's suggestions are a welcome contribution to the dialog that must continue both within the Halls of the Congress and from every public platform.

So that all of our colleagues may have access to Mr. Conte's important contribution to the debate, I am including the text in the Record:

Speech by the Honorable Silvio O. Conte, Republican of Massachusetts, at Vietnam Day, Dalton, Mass., August 5, 1967

Aside from the seriousness of events that are taking place both here and abroad, this is a very pleasant occasion for me to return to the Berkshires and be with my old friends here in Dalton.

This is an inspiring and meaningful tribute that you have arranged today for the brave men and women, both living and dead, who have done, and are doing, so much in the cause of freedom and justice.

As a member of both the American Legion and the Veterans of Foreign Wars I am proud to be with you. Since 1899 the Veterans of Foreign Wars and the American Legion for nearly 50 years have been first in war and first in peace. And may God grant that they so continue.

Like every thoughtful citizen, I have spent the last few months in considerable soul-searching in regards to our foreign policy. This is what I would like to talk with you about today.

Let me say at the outset that all of us, in discussing our foreign policy, are under one enormous handicap—and that is the lack of information being furnished us by the Johnson Administration. From the very beginning, the President, the Secretary of State, and the Secretary of Defense have been less than candid in keeping us informed as to what events and occurrences are shaping our course of action.

For instance, it makes little sense to me for our government to furnish military hardware and muscle to nations which threaten world peace by turning on their neighbors and challenging their freedom and independence.

As a member of the Foreign Operations Sub-Committee, I have consistently fought against military appropriations for South American countries. It isn't very intelligent to give a destroyer to Chile or guns to South American rulers to use against their neighbors. The armies of these countries should be for internal defense only. Do away with the means to make war, and you will do away with war!

Or let us take Ethiopia as another example on another continent. Here is one of the oldest Christian nations with the highest illiteracy rate in the world and yet a major portion of her national budget goes for armaments.

The Administration is certainly not pursuing the cause of peace when it attempts to justify the shipment of arms to the Arab nations as well as the African and South American countries.

I strongly advocate that there be a strict curtailment of all military assistance and sales of military equipment to these areas, and to all countries that threaten the peace and security of the world. I am also opposed to the use of the Export-Import Bank to finance arms purchases by these countries. The shoddy record of the Defense Department in these under-handed dealings is now unfolding in testimonies before a Congressional Committee. I pledge to you that I will support legislation in the Congress to stop this type of aid everywhere.

My main remarks this afternoon are primarily directed to the paramount problem of our day—the war in Vietnam! Here the Administration has never really presented us with consistent facts.

On January 24, 1964, when we had only 15,000 troops in South Vietnam, the Secretary of Defense told us that he hoped to pull out all of our soldiers by the end of 1965. Of course he made that statement during an election year!

Repeatedly, through all of 1965 and 1966 we were told that the situation was improving, that the war would be over, that South Vietnam would be free. But now no one seems to be sure about any of these things. And this is after adding over 500,000 American troops to our commitment!

Only the other day, the Secretary of Defense said that he is neither optimistic nor pessimistic. Frankly I am pessimistic, particularly if things are permitted to go on as they are. One of the first requisites for peace is a closing of this credibility gap.

We must have an end now to the glittering generalities, the glib cliches, and the empty statements that this Administration puts out. To intelligently approach the question of world peace we must restate our national aims and goals in regard to Vietnam. In doing this we must re-examine our foreign policy in respect to an ever-changing world situation and in the light of the ever-evolving nature of Communism.

The present session of the Congress has accomplished very little. Its leadership has been less than distinguished. I am not exaggerating when I tell you that this, the greatest government on earth, is actually paralyzed—it is unable to act at home and unable to bring peace abroad.

The war in Vietnam dominates our thinking and inhibits our actions. America will never move forward until we are successful in bringing about peace in Southeast Asia. We must devote all our energy to these efforts and work unceasingly to accomplish this task.

Against some of the best military advice and judgment of history, we now find ourselves bogged down and committed—committed with major military forces to a seemingly endless war on the Asiatic continent.

It is certainly not my purpose to go over the history and background of the reasons for our participation in the war in Vietnam. Too much has already been said and too much has already been written. It is not my desire or intent to add appreciably to the record of those sad and tragic events which now go to make up a considerable body of our literature.

The plain fact that we must all face is that we are in South Vietnam. We have a very large military commitment and we are morally obligated to bring peace and order to this strife-torn land. I want you to know that I support this effort with all my heart.

During the course of recent months, however, I have become disturbed at the polarization of views on Vietnam which have given rise to two rigidly opposing sides. One group which urges a rapid escalation of the war in the hope of quick victory. The other which urges complete or almost complete withdrawal. I am unalterably opposed to both of these courses.

One thing we must all remember, and there is little doubt of this, the war in Vietnam is impeding our domestic progress and tranquility. It is impossible to carry on a war and at the same time properly implement all of the domestic and foreign programs which are necessary if our government is to be a true servant of the people.

I cannot help but stop to reflect that we as a people might have done, with proper planning and proper programs, to have prevented the calamitous rioting of recent weeks if we had not permitted ourselves to become enmeshed in this ever accelerating war on the Asian Continent. This is a part of our national tragedy!

This is the longest war that we, the American people, have ever engaged in; now nearly covering a decade of our national life.

If we consider this war in terms of humanity—it is one of the most costly in history. We have flagrantly neglected the pressing problems of our citizens here at home while at the same time nearly 13,000 of our bravest and finest young men have been lost on the field of battle. In addition, 68,000 have been wounded. Directly or indirectly, millions of other people have suffered—and are suffering, many have died.

I would like to pause at this point to say I have seen these soldiers first hand on my trips to Vietnam. I have talked with them. I have seen them in action. These are the greatest fighting men in the world. This is a dirty war and yet, their country having called, they are performing magnificently. They are superbly equipped, and their morale is beyond question. I salute them for their courage and bravery in this time of national crisis.

And because I believe that they should have every bit of support we can give them, I have consistently voted for those appropriations which will further their cause. And I assure you, that I will continue to do so.

However, in the total picture of the war we cannot overlook the price we have had to pay—financially. It has been and continues to be staggering! At this moment it is costing us over $38,000 a second—$2,280,000 an hour—$54,720,000 a day—or over $20 billion a year. And these figures are on the conservative side as the Administration escalates the war.

The stark tragedy of Vietnam is compounded, I remind you again, by what could have been done with this vast amount of money if we had been able to put it to work for the betterment of mankind. Let us never forget, that in the final analysis, the best way of combating Communism is to end human misery, suffering, degradation, and poverty wherever it may exist.

In addressing you today, it is my primary purpose to outline for you a plan which would contain, limit, define, and end the war. This plan would be consistent with our stated goal of a free and independent South Vietnam. To achieve this we must bring Hanoi to the peace table. Once this is done we can better attend to the pressing national problems that beset us. This should also be the purpose of the present Administration. I hope that it is!

We are too great a nation not to take bold and imaginative steps toward seeking a just and lasting peace in Vietnam. As the foremost power in the world we should take the initiative in pursuing peace, and yet we have repeatedly failed to take advantage of this position. Let us now begin to pursue peace relentlessly. Let us tell the world, in no uncertain terms, that in the cause of peace we will travel to all lands and meet with men of good will everywhere.

As a first step toward peace I believe that we should unconditionally end the bombing of North Vietnam. We should limit our bombing to the infiltration routes that are near the border zone.

It has been reported that for the two-year period ending in February of this year, we dropped over 800,000 tons of bombs over North Vietnam. This is the most concentrated bombing in the history of mankind, over 3 tons for each Communist fighter. In all of World War II but 641,000 tons fell on Germany and only 650,000 tons on North Korea during that War. Is it any wonder that I advocate the unconditional end of the bombing as an important step toward peace?

I have considerable reason to believe, and a number of well-informed people share my opinion, that, if we ended the bombing, the Hanoi government would agree to negotiate a political settlement of the war. In any event, this would be an important step forward in limiting this war, and yet the Secretary of State still holds out for the pledge of a reciprocal move on the part of Hanoi. As I have said, we as the greatest nation on earth should take the initiative here in a bold and imaginative step. We cannot risk any further escalation without chancing the entry of Russia and China into the conflict—and may God forbid this ever happening!

To further contain, limit, and end this war and help move us to a political solution, I advocate the construction of a barrier zone beginning at the South China Sea and extending for about 175 miles to the city of Thakhet on the Thai border. It is well to remember that the destiny of Laos is closely related to the success of our mission in Vietnam. There is every reason to believe that the Laotian government would permit us to cross Laos with this barrier for it would create a condition of genuine neutrality for them by closing out the Ho Chi Minh Trail. This road running through Laos is a major artery for the supply of the Viet Cong by the North Vietnamese.

Considerable sentiment for this barrier zone has already developed in responsible circles, and I think we should move to implement its construction at once. This should be undertaken on a major scale—on what I would describe as a "crash program".

The barrier zone will be approximately one mile wide, and we will equip it with the most sophisticated electronic detection devices as well as the latest military equipment. Troops would be placed at strategic points. It would be virtually impenetrable! The only effective way of passing through this barrier would be by a massive frontal assault which we could easily see coming and be ready for. And I ask you what army in the world is better prepared to handle this type of war, should it come, than ours?

The cost of the construction of this barrier zone would be no more than what we have spent, and are planning to spend, on more conventional approaches. Army studies indicate that it would cost us about $1 million a mile to construct this zone and even at twice this figure it would be considerably less, than say, the amount of money we have lost in planes shot down over North Vietnam—600 planes at $2 million apiece!

The barrier zone would limit, define, and contain the war and above all I believe that it would bring peace. It would bring the message to the North Vietnamese and people everywhere that we are determined to remain in South Vietnam until the Hanoi government is willing to work out with us a political solution to the war at the conference table.

In addition, there are other enormous advantages which will accrue to us through the construction of the barrier.

It will, for all practical purposes, cut off the Ho Chi Minh Trail, and this will in turn stop the infiltration of men and supplies into South Vietnam. With the end of supplies from the north, the military capabilities of the National Liberation Front (the Viet Cong) will be severely limited.

With the effectiveness of the Viet Cong eliminated, we can end all "seek and destroy" missions along with their unhappy consequences of internal destruction and civilian casualties. Through the use of the barrier zone and its sophisticated military defenses we can begin to more effectively deploy the South Vietnamese army in defense of their own country as they take up positions along the barrier.

At the same time we could also make more effective use of our own troops which I seriously question that we are doing at the moment. It would also stop the seemingly endless requests, of recent years, for additional troops which only serve to escalate the war. I am opposed to escalating this war, and I am opposed to sending any more troops to Vietnam!

I feel that by displaying our determination to remain, the North Vietnamese will realize the futility of their position and would be willing to meet with us at the peace table.

I am convinced that the ultimate decisions concerning Southeast Asia must be made at the conference table and not on the battlefield!

The barrier would also make it easier for us to pacify and reconstruct this war ravaged land. Without our successfully doing this, our fighting would all have been in vain. We must bring a modicum of normalcy to South Vietnam as early as we can, and this the barrier would make possible. We now have 10,000 of our soldiers assigned to the task of pacification. But with the present military situation being what it is—they find it impossible to accomplish what we might hope for.

With the cause of pacification and reconstruction being advanced we can safely begin to use large numbers of trained civilian personnel. This in turn will bring about more quickly a prosperous, independent, democratic South Vietnam, a nation that will be able to stand on its own two feet and face the challenge of the future.

In the final analysis, the enactment of this plan will save lives without in any way giving the enemy a military advatage, or at the same time, in any way impairing ours.

With the ending of the bombing and with the construction of the barrier zone, I look forward to the restoration of peace in South Vietnam. These acts will allow us to move rapidly to take advantage of the "Spirit of Glassboro." There is every indication since this meeting that the Russians desire peace, not war. We must do everything in our power to bring this peace about as the chance may not soon come again. Whether there be peace or war, we live in a hostile world! A world that is going to remain that way for as long as one can see into the future. Vigilance in our struggle for survival must continue to be eternal!

Fellow veterans, no one likes war, but at times it is upon us—quite before we realize what has happened. We know the horrors and consequences of war from our own personal experiences. Essentially though, we are men of peace! We rededicate ourselves to this cause today.

GOP DEESCALATION PROPOSAL

Mr. EDWARDS of Alabama. Mr. Speaker, I ask unanimous consent that the gentleman from Massachusetts [Mr. Morse] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Alabama?

There was no objection.

Mr. MORSE of Massachusetts. Mr. Speaker, together with my seven Republican colleagues who proposed a mutual, gradual deescalation of the war in Vietnam on July 10, I continue to be gratified by the heartening response we have received from the editorial pages of the Nation's press.

Today I include for the Record four editorials which have appeared in Massachusetts in the past few weeks in the Andover Townsman, the Merrimack Valley Advertiser, the Berkshire Eagle, and the Holyoke Daily Transcript:

[From the Andover (Mass.) Townsman]

WORTH EXPLORING

The war in Vietnam has been escalated piecemeal until now the United States is more deeply involved than it intended and more irrevocably committed than any but the closest and most perceptive observers could have predicted when it all began.

It is a "limited" war, but all the same, it is killing American youths at a steadily accelerating rate, it is siphoning the cream off the U.S. economy and it is absorbing funds and energies that the country desperately needs to invest in solutions for problems closer home.

Still the enemy fights on and the disagreements over how to end it and at the same time protect both the right of the Vietnamese to self-determination and the political interests of the Western world in Southeast Asia become more heated.

To fill the vacuum between the Hawks and the Doves, there came last week a formula for peace overtures which was inspired by Congressman F. Bradford Morse of this state's Fifth Essex District and supported by eight of his colleagues.

What the GOP House members propose is step-by-step de-escalation of the conflict on a time table that would encourage, hopefully, "a spirit of confidence." They suggest a compromise between the uncompromising position of those who feel the North Vietnamese should be brought to their knees militarily and those who argue that the United States should, by withdrawing its troops, admit its involvement in Vietnam was a mistake. The United States would take the diplomatic initiative, assuming "minimum military risk."

In their statement of last week, the proponents described the nature of a "limited" war in a way that points up the validity of seeking something other than the present approach to terminating the action in Vietnam.

Listing arguments to support their views, presented as "essential truths about limited war," the Congressmen stated first that a limited war, with limited objectives cannot be ended and cannot remain limited if one side insists on the unconditional surrender of the other. The weapons and level of force necessary to obtain an unconditional surrender, would they contend, turn the war from limited to total.

And they drew the conclusion that it is not possible for one side to fight a limited war and the other a total war. The escalation of one side, they state, will inevitably be matched by the other.

So far, history is on their side.

Congressman Morse and his colleagues do not claim that their de-escalation plan is a panacea. They do not even claim that it will succeed. They claim only that it seems to offer more promise than present policy or the alternatives offered by its major critics.

Though time might prove this to be an exaggerated claim, the United States should fully explore the possibility of using the Morse technique, or something like it, to bring the North Vietnamese to the peace table.

Surely we are willing to risk losing face when so many human lives are at stake.

[From the Merrimac Valley (Mass.) Advertiser, July 13, 1967]

"A" FOR EFFORT

Massachusetts Congressman F. Bradford Morse this week led a group of his Republican colleagues in the House of Representatives in proposing a "diplomatic initiative by the United States for the staged de-escalation of the war in Vietnam."

Morse called the new proposal a "dramatic new initiative for peace involving minimum military risk to U.S. forces in the field."

The congressman urged that careful diplomacy precede his proposal which would involve a U.S. halt in bombing in North Vietnam north of the 21st parallel for 60 days. This area includes the city of Hanoi but not Haiphong.

If the North Vietnamese responded with a similar de-escalatory step within the 60 day period, the U.S. would then end bombing north of the 20th parallel for a 60 day period.

Assuming that both sides would respond in turn to this de-escalatory process, both the U.S. bombing of the North and the North Vietnamese infiltration into the South could come to an end.

While the Advertiser applauds the congressman's effort, which is undoubtedly motivated by a sincere desire to break this frustrating stalemate and bring about an end to the bloodshed, we have serious doubts that the plan would produce the desired result.

For President Johnson, Secretary of State Dean Rusk and Secretary of Defense McNamara have made it crystal clear over the past many months, through all the mass media of the world, as well as through direct diplomatic channels to the Viet Cong, that the U.S. is ready to begin peace talks anywhere, anytime, and is prepared to take any measure to de-escalate the war at any time that the Viet Cong is prepared to reciprocate with similar actions of their own.

However, Congressman Morse's proposal is not a call to halt all the bombing and under the plan the Viet Cong could not depend upon free access to the supply routes to the south as they had in previous halts.

We realize that the Viet Cong has had ample opportunity to end the fighting in the past yet we cannot afford to miss any reasonable opportunity to end the conflict.

We don't share Congressman Morse's optimism for the success of the plan we do say, let's give it a try.

[From the Berkshire Eagle, July 14, 1967]

PEACE PLANS APLENTY

About the silliest charge leveled against critics of the Vietnam war is that they have no positive ideas of their own.

"It's all very well to complain about the war but these chronic gripers have a responsibility to come up with an alternative. Until they do, I agree with the President that we have a commitment we've got to fulfill . . ." It is a familiar refrain.

It is also poppycock. The fact is that there are so many schemes floating about for ending the war that a man has to work hard to keep them sorted out. Anyone who thinks the United States either has to "win" the war or scuttle-and-run hasn't been paying attention.

This week, for example, eight liberal House Republicans led by Representative F. Bradford Morse of Massachusetts proposed that the United States initiate a five-phase reduction of its bombing campaign conditioned upon a parallel de-escalation by North Vietnam. The plan calls for ending the bombing in stages starting at the 21st parallel and moving south to the 17th parallel at the border of South Vietnam, with the North Vietnamese taking equivalent steps in the ground war. The idea is to end the shooting gradually by building up the combatants' trust in each other's peaceseeking intentions.

Before the eight Republicans came out with this idea, there was retired General James A. Gavin's plan for limiting U.S. military operations to South Vietnam's coastal "enclaves," a plan endorsed by General Matthew B. Ridgway and columnist Walter Lippmann among others. An elaboration of that proposal, enlarging the defended military enclaves into "the limited but populous areas that we control" in South Vietnam, was put forth by Professor John Kenneth Galbraith last month. Another suggestion, made about the same time, was that fighting might be abated by establishing an electronic detection system to warn against infiltration between North and South Vietnam. And there have been a number of peace proposals involving the United Nations.

All of these ideas may not be feasible. The electronic-detection scheme poses technical problems. The mutual de-escalation plan proposed by Congressman Morse depends upon North Vietnam's willingness to cooperate, which is far from certain. No one can say that any of the proposals are foolproof.

But no one, either, can dismiss them out of hand till they are tried. The point is that there are reasonable alternatives to the administration's policy of just sending over more troops and dropping more bombs.

It is not the critics of the war who are out of ideas. It is the people in Washington and Saigon who are conducting it.

[From the Holyoke (Mass.) Daily Transcript, July 14, 1967]

GOP PROPOSAL HAS MERIT

As was expected, Democrats aligned with the Johnson administration took a very dim view of a Republican proposal to bring about a de-escalation in Vietnam. But this does not mean the idea is without merit. In fact, it is a fairly imaginative and responsible alternative to the multitude of solutions already offered for the current messy situation.

Eight House Republicans led by F. Bradford Morse of Lowell, have proposed that the United States take the initiative in a step-by-step disengagement by both sides in Vietnam. However, unlike the doves who would pull the rug out from underneath our troops and the people of Vietnam, these congressmen would use the carrot and stick process.

The proposal calls for a 60-day halt in bombing north of the 21st parallel in North Vietnam which would provide a pause over Hanoi, but would not affect raids over the port of Haiphong. Should the north make any reciprocal de-escalation moves, then we would follow by lowering our sights to the 20th parallel, and so forth in a five-stage program ultimately resulting in a cessation of all bombing of North Vietnam.

Because our de-escalation would be accompanied by similar action by the enemy, the plan lacks the inherent danger of a total unilateral halt to the bombings as proposed by many in this country and abroad. Moreover, our troops would not have to face the prospect of the enemy's taking advantage of a bombing halt to enhance his position in the south. We would still be striking at the supply lines, and would continue to do so until the north showed its willingness to meet our peace efforts.

It is becoming rather evident even to the hawks, that the bombing of the north is having little or no effect on the war, although it does ease the pressure on our troops. Thus an offer to gradually stop the useless destruction would not greatly harm our efforts to maintain an independent and free south.

Should, however, the north refuse to acknowledge our desire for a peaceful settlement on honorable terms for both sides, the Republican proposal would permit resumption of full scale bombing. This would be most unfortunate, but necessary for the support of our armed forces. It would also show the world that the north has no real desire for peace but seeks, rather, the destruction of an independent nation.

This country could do worse than to give serious consideration to the Massachusetts congressman and his colleagues. They may not have come up with the answer, but they certainly are proposing something that sounds a great deal better than most of the hogwash being offered as a means for peace.

NEWS MEDIA'S RESPONSE ON RIOTS

Mr. EDWARDS of Alabama. Mr. Speaker, I ask unanimous consent that the gentleman from Missouri [Mr. HALL] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Alabama?

There was no objection.

Mr. HALL. Mr. Speaker, among the many letters I have received in response to my remarks on the floor of the House about national news media's responsibility, many of the broadcasting media, themselves, have recognized the problems of distinguishing between legitimate news and incitement to riot. I believe this is most encouraging because no one, least of all myself, wishes to advocate Government censorship. To demonstrate the concern of many individual stations I ask unanimous consent to insert, at this point in the RECORD, the following communications: An editorial broadcast by radio station KGBX, of Springfield, Mo.; an editorial broadcast by radio station WIBW, of Topeka, Kans.; a letter from the president and general manager of WCKB, of Dunn, N.C.; a commentary by Mr. Joseph McCaffrey, carried by WMAL–TV, Washington, D.C.; a letter from the general manager of radio station WPRS, of Paris, Ill.; and an editorial entitled "Who Is Accountable?" which appeared in the Lawrence County Record, Mount Vernon, Mo.

[A KGBX editorial, Springfield, Mo., Aug. 7, 1967]

A DISORDERLY SOCIETY

Former United States Supreme Court Justice Charles E. Whittaker, writing in a current magazine, raises the question: "Can a disorderly society survive?"

Justice Whittaker answers his own question this way: "In all recorded history, none ever has. On the contrary," he says, "history shows that the *first* evidence of each society's decay appeared in the toleration of disobedience of laws."

Whittaker then relates this fact of history to certain groups in this country which hold that it is proper, indeed that they have the *right*, to violate those laws with which they do not agree.

Of this, the former justice says: "The great pity here is that these minority groups are actually eroding and destroying the legal processes which alone can ever assure to them, or permanently maintain for them, due process and equal protection of the laws, and that can, thus, protect them from discrimination and abuses by majorities."

Without the rule of law there can be no freedom! Any man has the right to protest any law and urge its repeal or change. But *no* man has the right to violate *any* law simply because he does not agree with it.

KGBX expresses deep chagrin that many Americans seem to have developed a high tolerance for crime and mob violence. To a degree we, along with most of the news media of the Nation, are partially guilty for the terrible quandry we are all in today.

For several years now the major news media have followed every step and reported every word said by people like Stokely Carmichael. None of us should now be surprised to learn that there is rioting in many of our cities. When you preach day after day and year after year that people can violate any law with which they don't agree or would like to test, sooner or later some are going to believe you!

Truly our days are numbered unless we remember and heed the words of President Theodore Roosevelt spoken some 60 years ago, when he said:

"No man is above the law and no man is below it; nor do we ask any man's permission when we require him to obey it."

WIBW Editorial No. 138, Topeka, Kans., July 30, 1967

This will be a summer that the United States of America will never forget. The riots in Detroit and Newark . . . as well as countless other cities across the nation point to a festering sore in America. Whether the newly formed Presidential Commission or the Congressional investigators can come up with any answers remains to be seen. At this point, we find it a little hard to believe that the riots, at least initially, didn't result from some sort of advance planning. And there are clear indications that the Communist nations are smiling. Who is to say for sure they were not in some way involved?

At this point, we've had about enough of the H. Rap Browns and Stokely Carmichaels, and wonder why the nation's press and network newscasters give them a free national platform from which to voice their views.

We are sure that Brown is not speaking for a majority, or even a sizeable minority of the negroes of this nation when he says, "We'll show them that we're worse than the Viet Cong" . . . and threatens to burn down America in the name of the black people of this country.

And we've listened long enough to Carmichael when he says that "work is not for me" and if it weren't for the current movement, he'd be a gangster.

The fact is that Carmichael and Brown are rabble rousers. And the fact is that Americans of any color, race or creed have more, and have more opportunity in this nation than anywhere else in the world. The fact is that any American can go just as high up the ladder of success as he is willing to try to take himself.

The alarming developments across America this summer cause us again to voice support for the Topeka Plan for Law Enforcement. The Topeka City Commission, after weighing the evidence and listening to the arguments, voted for a token implementation of the program for 1968 . . . calling for hiring of 15 more policemen instead of 50 . . . and a 7½ percent pay boost . . . two and one half percent more than allocated to all other city employees.

It is crystal clear that the number one problem in America today is that of maintaining respect for Law and Order. To do this job, we need more policemen. And if they are to be asked to lay their lives on the line five days a week, not to mention court duty and special training . . . it is worth more than other less dangerous city jobs.

Topeka is not Detroit or Newark. But crime is increasing here as it is all over America. The City Commission seems to have backed down from its initial promises of support for the Police Program in face of opposition from other City employees who want as much as the policemen.

But policemen do hazardous duty *every day* they work. They work 22 days a month. Yet City Firemen report for work only ten days a month. A policemen is on duty for eight full hours . . . and he doesn't sleep while on duty.

It is clear that the major problem in America today is maintenance of law and order. Let's put first things first. The City Budget hearing is scheduled August 15. If Topekans want better law enforcement . . . more policemen . . . and better paid policemen, that is the time for the citizens to be heard.

WCKB Radio,
Dunn, N.C., August 4, 1967.

Hon. Durward G. Hall,
House Office Building,
Washington, D.C.

Dear Congressman Hall: As a broadcaster, I wish to commend you on your concern in reference to responsible restraint by news media in these troublesome times. For years I have been concerned with the *difference between responsibility and censorship.* I would be first to admit among many broadcasters, both in radio and television, personal bias has often been quite evident and objectivity and responsibility have been lacking.

Where else but in America is a ready-made audience of millions provided free for those who would destroy our institutions, forment strife, and incite violence and even insurrection? It is a crying shame that men like Brown and Carmichael are provided free radio and television exposure to promote their dastardly work. I believe the media has done just about as much to encourage this widespread confusion as the leaders themselves, if not more. Such irresponsible reporting and exposure simply invites censorship or dictatorial control. It is my humble opinion that much of the violence could have been averted if the news media had been more responsible.

I do not have the answers to the problem, but I do feel the government should act more swiftly in what amounts to insurrection. There is quite a difference between a peaceful demonstration or march than the carting off of stock and property belonging to others. The strong arm of force is necessary now for restraint in areas of news and demonstrations.

Sincerely yours,
A. Lincoln Faulk,
President and General Manager.

Commentary of Joseph McCaffrey, WMAL-TV, August 2, 1967

How much has the news media contributed to the riot fires which have been sweeping the country? Some members, including Congressman Durward Hall of Missouri, and Senator Hugh Scott of Pennsylvania believe much of the gasoline hitting the flames have been thrown, indirectly, by the handling of the stories.

Congressman Hall, for example, feels that if Stokely Carmichael had been left on his soap box out in the park, he'd still be there. But television put him in the big leagues. He has been transformed by TV, says Hall from an oddball to a national figure—albeit still an oddball.

Senator Scott is worried because the news media doesn't have what he calls a code of emergency procedure that would insure civil disturbances being reported in ways that are not inflammatory.

The Senator's worry is probably justified. However, there is such a code. It is, or at least it should be, a reporters sense of responsibility.

It is, or should be, present in the way he handles every story, and not just stories dealing with riots.

Unfortunately, perhaps, it hasn't always worked out that way. Recently a local radio station gave some prominence to a racial disturbance which set off the phones here at this station. The report turned out to be a mistake. There had been no disturbance.

If basic reportorial responsibility had been the rule, the story would have been checked out first, the way any story is supposed to be checked out.

The warnings from both the Senator and the Congressman won't do any harm, although and unfortunately, neither radio nor television started the riots, and even if they kept silent about them, there would still probably be other riots. But it might be that the media has to plead guilty for transmitting the fever from one city to another by reporting on each one as it occurs. Yet, certainly, no one would say that these happenings should be ignored and not reported.

Paris Broadcasting Corp.,
Paris, Ill., July 28, 1967.

Hon. Durwood Hall,
House Office Building,
Washington, D.C.

Dear Congressman Hall: I just read the A.P. news release on your statement about the release of news statements, etc. about and by such people, in the news, as Stokely Carmichael. Although our radio station is in a small market and will not do too much to influence people nationally, I have given considerable thought to just what you are advocating . . . less exposure of the ugly side of the news and less availability of the media to those who are causing so much trouble on the American scene. I am torn between two lines of reasoning . . . from one side (as one who is in the media) I believe that all news should be reported regardless of its source (checked out first, of course) letting the chips fall where they may, and depending on the "thinking" and loyal Americans to sift out that which should be taken seriously. From another line of reasoning I wonder if it wouldn't be better to disregard some of the uglier facets of the news and those people who are causing trouble to this country.

In the final analysis, perhaps it is best for the Stokely Carmichaels to be exposed for what they are and let the negro realize the extreme radical position that some of their members are taking and thereby, cause a responsible negro leader to come forth and lead them out of their frustrations. Of course, I do not believe that a leader for the negro is all that he needs. I believe it will take the thinking of all responsible people and legislators like yoursef to make it possible for the negro and white people to live in the same country, on a peaceful basis.

Mr. Hall, probably this letter will solve nothing, but I just wanted you to know that what you said (and stated very well) is on the minds of other people besides yourself.

Best regards,
Sincerely yours,
Adlai C. Ferguson, Jr.,
General Manager.

[From the Lawrence County (Mount Vernon, Mo.) Record]

Who Is Accountable?

We agree 50% with Congressman Durward Hall's gutty denunciation of the press, radio and television in a speech last week in which he laid responsibility for the current round of Negro riots at the feet of these media.

It isn't that we disagree with him 50%. It is simply that we think he only went half way in pinpointing that responsibility.

Absolutely and without question the Congressman is correct when he says that the giant television and radio networks, plus the national news services and a number of liberal newspapers, have aided in the planting of the bad seed which the nation is now harvesting. This both by their obviously biased reporting and editorializing and by their overplaying of the scene.

Certainly their undue attention to the blatherings of such ilk as the Stokely Carmichaels and the Martin Luther Kings, far beyond the realm of good reporting, has given these men a podium from which to attract followers.

But equally accountable are the "humanizers", either left-leaning or simply misguided, who have helped to foster the current Negro attitude which has led to the violence. Starting with the well-known public official who, a few years ago, proclaimed loudly that illegal acts done in good conscience were to be applauded.

Include in the group those do-gooders—among them some big-time theologians—who have encouraged defiance of the law as an appropriate means of obtaining redress of grievances. The bleeding hearts who, in the belief they were striking a blow for justice, participated in and encouraged unlawful acts of "civil disobedience."

Such encouragement has led the Negro to assume he could do as he pleased with impunity and has seeded the clouds for the current rain of destruction. Far from helping the Negro to find his rightful place in the national community, it has set him back decades in the search.

Just a few years ago the nation was shocked into indignation at brutal treatment of Negroes in the South. People the country over were revolted by the accounts of slaying and bombings carried out against colored people.

Today more Negroes are being slain in the cities of the North as violence breeds more violence. Again there is shock and dismay, but now the indignation is directed against the Negro who, apparently unable to turn loose of a "good thing," is no longer the victim.

There undoubtedly are still those among the press, the clergy and other such groups who will rationalize the situation and contend that the Negro cause is still being served to good advantage by the continued violence. If so, they have to believe that the end justifies the means, and that is communist philosophy.

In the final analysis the only basis for a lasting society is law. When we are all allowed to set our own law or to obey only those laws with which we agree then we are back to survival of the fittest, anarchy, every man for himself.

The reign of terror unleashed this summer in Detroit, and Newark, and other cities over the nation represents a step in that direction. It has leaped the fence separating the civil rights movement from criminality. And those of the liberal press, the liberal clergy and the humanistic self-anointed must share together accountability for what they have helped to create.

NATIONAL ISSUES QUESTIONNAIRE SUBMITTED TO KANSAS FIRST DISTRICT RESIDENTS

Mr. EDWARDS of Alabama. Mr. Speaker, I ask unanimous consent that the gentleman from Kansas [Mr. DOLE] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Alabama?

There was no objection.

Mr. DOLE. Mr. Speaker I have often stated my feeling that communication between a Member of Congress and the people he represents is of utmost importance. In the interests of furthering this communication, I will soon mail a newsletter to my constituents of the First District of Kansas. Communication is a two-way street. In order that I might find out how they feel on today's issues, including the performance of the 90th Congress and of the President of the United States, a questionnaire will be a part of that newsletter. I insert at this point in the RECORD the contents of this questionnaire:

1. Which of the following do you favor? (Circle *one* letter.)

A. Continuation of the present U.S. policy in Vietnam.

B. Increased military steps by the U.S. in Vietnam.

C. Decreased military involvement by the U.S. in Vietnam.

2. Do you favor the increase of 10% in federal income taxes to fund the Vietnam War and the "Great Society" programs requested by the President? Yes —. No —.

3. Do you believe that big city racial riots can best be prevented by: (Circle *one* letter.)

A. Additional welfare programs.

B. More vigorous police action.

C. Both.

D. Neither.

4. Do you believe that the War on Poverty has been successful in reducing poverty? Yes —. No —.

5. Would you favor providing tax credits for part of the expenses in hiring and training unskilled workers? Yes —. No —.

6. Do you favor the creation of an all volunteer army to replace the current Selective Service System? Yes —. No —.

7. How do you rate the performance of the present Congress? (Circle *one* letter.)

A. Good.

B. Fair.

C. Poor.

8. Do you approve of the way President Johnson is doing his job? Yes —. No —.

TRIBUTE TO GEORGE B. GALLOWAY

Mr. EDWARDS of Alabama. Mr. Speaker, I ask unanimous consent that the gentleman from Illinois [Mr. McCLORY] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Alabama?

There was no objection.

Mr. McCLORY. Mr. Speaker, it was with genuine sadness that I learned of the passing of the beloved, former senior specialist in American Government at the Library of Congress, Dr. George B. Galloway.

George Galloway was a man of great intellect. His careful studies, and illuminating writings displayed his profound understanding of the Congress as an institution, particularly the U.S. House of Representatives. He recognized the U.S. House as the world's most important forum for articulating accurately the views of the people under our republican form of government. George Galloway described with clarity and penetrating accuracy the history and operation of our U.S. House of Representatives. As author and historian on this subject Dr. Galloway was without peer.

Mr. Speaker, I came to know George Galloway intimately by reason of my service as a member of the U.S. delegation to various Inter-Parliamentary Union conferences. Dr. Galloway served as the executive secretary of our U.S. group and assisted Members of the House and Senate in the preparation and presentation of our statements of the American position on the great issues debated and decided by the delegates to this great international organization. George Galloway served as a close adviser to many Members of the Congress in the performance of their parliamentary duties, at home and in their capacities as delegates to the Inter-Parliamentary Union abroad.

Mr. Speaker, I also came to know Dr. Galloway's family including his wife, Eileen, who is a learned and accomplished researcher and author in her own right, particularly in subjects relating to outer space. Dr. Galloway's son, Jonathan, is a teacher of government at Lake Forest College, Lake Forest, Ill., which is in my congressional district. I do not know their other son, David, personally.

Mr. Speaker, the learning and information that Dr. George Galloway conveyed was exceeded only by the love and compassion which radiated from within his heart, mind, and spirit. These immortal qualities were sensed by all who came to know George Galloway during his life on earth.

George Galloway was not only a towering man in the Nation's Capital, he was a figure of national and international renown. His life and his work, as well as the spiritual greatness with which he abounded, are living memorials to his greatness. Both Mrs. McClory and I, who knew George Galloway well, join at this time in paying tribute to his eternal memory and to express sympathy to Mrs. Eileen Galloway, David, and Jonathan.

REPUBLICAN TASK FORCE ON CRIME

Mr. EDWARDS of Alabama. Mr. Speaker, I ask unanimous consent that the gentleman from Michigan [Mr. GERALD R. FORD] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Alabama?

There was no objection.

Mr. GERALD R. FORD. Mr. Speaker, at a time when law and order are of prime concern to all Americans, I think it is incumbent on all of us to contribute what we can to improving our criminal laws and procedures. To this end, Republicans have created a task force on crime to study problems in this complex area and to propose legislation to improve law enforcement. The task force is not concerned with any partisan advantage. Rather, it hopes to act as a catalyst in the legislative process to produce more effective tools to fight our Nation's grave crime problem.

For this reason, I believe it might be of interest to Members to read the policy statements issued to date by the task force on crime.

Under leave to extend my remarks, I include the statements of May 11, May 22, May 31, and June 5, 1967:

FIRST INTERIM REPORT OF THE REPUBLICAN TASK FORCE ON CRIME, MAY 11, 1967

The Republican Task Force on Crime believes that one small, yet positive and significant step in enhancing the status of local police officials would be the passage of a federal survivorship and disability compensation bill. This law would benefit officers totally disabled or the survivors of officers killed in action taken by them to assist in the enforcement of federal laws.

The President's Commission on Law Enforcement and Administration of Justice in its comprehensive survey of crime in the United States, gave considerable attention to the problems of the police. In a special report on the police the Commission reached the conclusion, that "widespread improvement in the strength and caliber of police manpower, supported by radical revision of personnel practices, is the basic essential for achieving more effective and fairer law enforcement."

The foundation for a successful attack upon the problem of crime is better law enforcement. Better law enforcement requires the best police officers. Many police are not provided with a salary level and the fringe benefits that are now prevalent in our society among most occupational groups.

The Commission reports that in 1967 alone there will be 50,000 vacancies in police departments throughout the Nation. The Commission also reports that the average starting salary for a patrolman in small cities is $4,600. In large cities the average is $5,300. Moreover, typical maximum pay is less than $1000 over the starting salary.

Nor is this the only problem. The fringe benefits customary to most jobs today—life insurance and survivors benefits—are frequently not available to local law officers. Moreover, because police work is considered a hazardous occupation, insurance premiums are high and difficult to meet with a low salary.

At this time there are no comprehensive statistics on the existing state and local compensation programs established for police officers injured or disabled in the line of duty. Recent testimony before the House Judiciary Committee revealed, however, that the survivors of an officer killed in Richmond, Virginia, would receive the sum of $75.00 per month for one year from the Police Benevolent Association. Other testimony revealed that in many states not even this pittance was provided.

The policeman, just as the soldier, frequently lays his life on the line in carrying out his duties. The Congress has provided generous fringe benefits to the military in recognition of hazards associated with military life. There is a need for similar recognition of the hazards faced by local law enforcement officers.

However, it is obvious that the federal government cannot inject itself directly into the correction of this manifestly unjust situation confronting the local policeman. But the Congress can and often has stimulated local and state authorities by example. The Congress can provide compensation to the local police officer who is killed or injured in enforcing federal law.

There are between 16,000 and 20,000 federal law enforcement officials in the United States. These officers rely daily upon the more than 420,000 local and state officials for support. For example, local police may accompany postmasters to banks with large sums of money. FBI, Secret Service, Postal Inspectors, Immigration officials and many others use the assistance of local departments in carrying out their duties. Local officers swear in their oaths of office to uphold the United States Constitution and all Federal laws. The responsibility should be reciprocal.

A well-written law of disability and survivorship compensation could stimulate state and local governments to develop state laws for analogous local circumstances.

Under existing law, federal officers are provided for in a number of compensatory programs, including the Federal Employees Compensation Act which is administered by the Department of Labor for the benefit of disabled officers and their surviving spouses and dependent children. The Republican Task Force on Crime believes that we should guarantee equal treatment to local police who risk their lives to assist federal officers protected by this program in such activities as apprehension of bank robbers, kidnappers, and "AWOL" military personnel.

Although the details as to how this program would operate vary to some degree among proponents, all evidence suggests that the cost to the federal government would not be substantial. However, the dividends to the Nation from such a program would be significant.

This proposal is a beginning of recognition of the debt that society owes those officers who daily risk their lives for cur safety. It is a way of showing public support of these men while reducing the concern they experience for the future well-being of their wives and children. The proposal would be a first step in improving the financial situation of the police officer and provide a precedent. The Republican Task Force on Crime believes that this measure would make a true contribution to police morale and serve as an inducement to others to consider police work as a profession.

REPUBLICAN TASK FORCE ON CRIME PRESS RELEASE, MAY 22, 1967

Congressman Richard H. Poff, Chairman of the House Republican Task Force on Crime, deplored the attempt to create a conflict between the FBI and the President's Crime Commission on the proper treatment of criminals.

Congressman Poff told the House of Representatives today, "Those trying to conjure up a conflict between the FBI and the President's Crime Commission ill serve the cause of law and order. The FBI says that the right way to fight crime is to strengthen deterrence. The Commission says that the right way to fight crime is to strengthen rehabilitation. Neither disputes the other. Both are right.

"Recidivism statistics reported by the FBI illuminates a tragic truth. Most of the crime in this country is committed by repeaters. Some 57% of those released from Federal custody in 1963 had been arrested again before June 1966. For those paroled, the figure was 82%.

"These statistics do not prove that rehabilitation is unworkable. Nor do they prove that deterrence is obsolete. All they prove is that both are inadequate in their present form.

"While we must not 'coddle criminals,' we must not be afraid to experiment with new techniques of criminal rehabilitation. While we must not impose cruel or unusual punishment, we must not be timid in fixing penalties commensurate with the offense. Successful rehabilitation saves society the burden of a second offense and serves a humane function as well. Proper punishment not only attacks the problem of recidivism; if it is swift and certain, it helps to spare society the burden of the first offense by others."

REPUBLICAN TASK FORCE ON CRIME PRESS RELEASE, MAY 31, 1967

Congressman Richard H. Poff, Chairman of the House Republican Task Force on Crime, took issue today with Attorney General Clark's effort to minimize the national crime problem.

"The Attorney General says 'there is no wave of crime in the country,'" Mr. Poff reported. He went on to say, "That he should say so is part of the crime problem in this country. The Attorney General of the United States is the chief law enforcement officer of the nation. If he thinks, as he is quoted as saying, that 'the level of crime has risen a little bit', then he is either misinformed about the statistics or badly mistaken about the size of a 'bit.'"

Mr. Poff pointed out, "Webster says that a 'bit' is a 'mite' or a 'whit.' Those who contend that the level of crime has risen only a mite are more than a little bit wrong. In the decade of the sixties, the growth rate of crime has outpaced the growth rate of the population by more than 6 times. To me, that sounds more like a wave than a whit."

Congressman Poff said, "The Attorney General was also quoted as saying that organized crime is only a 'tiny part' of the picture. President Johnson last year, following a meeting with former Attorney General Katzenbach, said that organized crime 'constitutes nothing less than a guerrilla war against society.' The Katzenbach Crime Commission said that the estimates of illegal gambling profits alone, not counting profits from narcotics, prostitution and racketeering, run as high as $50 billion a year. That may sound tiny to some; it sounds titanic to me."

Congressman Poff concluded: "The crime problem in America will never be solved by miniaturizing it with timid little words. The chief law enforcement officer must acknowledge it in its full dimensions and thereby set the atmosphere of urgency essential to its solution."

[Republican Task Force on Crime press release, June 5, 1967]

STATEMENT ON ORGANIZED CRIME

The House Republican Task Force on Crime strongly recommends that the Congress establish a Joint Committee on Organized Crime and urges enactment of H.R. 6054 introduced by Congressman William C. Cramer (R.–Fla.) to carry out this recommendation. The Task Force is particularly gratified that the President's Crime Commission has also endorsed the Cramer proposal.

It is astonishing that although the United States has had a serious problem with organized crime since the 1920's, knowledge of its structure and its economics remains relatively limited. Donald R. Cressey, in a paper prepared for the Crime Commission's Organized Crime Report, states that "Our knowledge of the structure which makes 'organized crime' organized is somewhat comparable to the knowledge of Standard Oil which could be gleaned from interviews with gasoline station attendants." He suggests that such detailed knowledge "would represent one of the greatest criminological advances ever made."[1] The President's Commission Special Report pointedly comments that little study and research have been done in the field of organized criminal activity.

But the effects of organized criminal activity are well known. The President's Crime Commission summarized the effects thusly:

"In many ways organized crime is the most sinister kind of crime in America. The men who control it have become rich and powerful by encouraging the needy to gamble, by luring the troubled to destroy themselves with drugs, by extorting the profits of honest and hard-working businessmen, by collecting usury from those in financial plight, by maiming or murdering those who oppose them, by bribing those who are sworn to destroy them. Organized crime is not merely a few preying upon a few. In a very real sense it is dedicated to subverting not only American institutions, but the very decency and integrity that are the most cherished attributes of a free society."

Organized criminal activity is no longer confined to providing illicit goods and services to the public. Today the grave danger from organized criminal activity flows from the enormous profits from gambling, loan sharking, narcotics, labor racketeering, prostitution, and bootlegging. This in turn permits investment in legitimate enterprises as well as such illicit activities as stock market manipulations, bank takeovers for looting assets, price rigging, and monopolistic practices. This enormous economic power of organized crime is also used to advantage in manipulating many levels of government through the corruption of police and elected officials.

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[1] "The Functions and Structure of Criminal Syndicates"—Consultant's Paper. Task Force Report: Organized Crime, President's Commission on Law Enforcement and Administration of Justice. 1967, p. 30.

There are no firm figures on the funds available to organized crime—only educated guesses. The Commission Report on Organized Crime estimates the annual income from gambling alone ranges from $7 billion to $50 billion. The disparity between these figures is indicative of the paucity of real knowledge about organized crime. Income from loan sharking, second in amount only to gambling, is unknown but thought to be in the multibillion dollar range. Revenue from other activities is of a significant but lesser magnitude. Moreover, little if any tax is paid on these funds. It is worth noting that, if the higher estimate is correct, income from organized crime exceeded the *combined gross annual sales* of the four largest corporations in the United States: General Motors, Ford, Standard Oil (N.J.) and General Electric in 1965.[2]

It seems clear that the diversion of $50 billion from the productive economy, under any other circumstances, would long since have had the attention of the Congress. Similarly, if any other industry or economic activity avoided taxes on such a scale, the Congress would long since have taken action. It is "when criminal syndicates start to undermine basic economic and political traditions and institutions that the real trouble has begun in the United States."[3]

Therefore, it is time that the Congress recognize that organized crime is a national problem of the highest priority and as such deserve the attention of a Committee devoting full time to the development of information and legislative proposals to control its effects and impact. The creation of such a Committee would serve notice on the leaders of organized crime and those they have corrupted that the U.S. government means business. Such a Committee is called for under legislation introduced by Mr. Cramer (H.R. 6054).

The creation of a Joint Committee provides a number of advantages. First and foremost, it would provide a permanent professional staff to concentrate on the organized crime. Moreover, staffing such activity on all levels of government has been minuscule at best, although these are currently efforts by numerous state and local governments to attack the problem of organized crime. Although the Federal efforts, such as those of the FBI, have been continuing, coordination and cooperation among many law enforcement and intelligence units have been poor. As the Commission Report makes clear, investigation and prosecution of organized criminal activity—on all levels of government has seldom proceeded on a continuous, institutionalized basis. Therefore, a Joint Committee could remedy this deficiency.

A Joint Committee would also provide concentration on organized crime per se. Through its subpoena powers, comprehensive investigation and study can be made, and specific legislation can be developed to provide law enforcement officials and prosecutors with up-to-date tools for the control of organized crime. It would also provide oversight to assure a vigorous, consistent and sustained attack on organized criminals.

Finally, a Joint Committee of the Congress would alert the American people to the dangers to our institutions and political traditions presented by organized crime. Often the apathy of the public is blamed for the success of organized crime in the United States. It is said, for example, that the public "wants" the illicit goods and services provided by organized crime and that it sees little harm in playing the numbers or placing a $2 off-track wager on the races. As individual acts, these do seem trivial, but few members of the public realize the income that accrues to the crime bosses who provide these services. Few realize that in one small city the gross income from numbers alone amounted to more than $100,000 each month or more than $1 million each year. Nor is the public aware that in order to operate, organized crime must have the cooperation of local, state and federal officials. Nor are most aware of the necessity of secrecy for successful operations. The Congress can make people aware of how the "system" works. Through its committees, the Congress can and often has carried out an educational function through public hearings. A Joint Committee could focus the attention of the American people on the dangers to our nation from organized criminal activity and destroy its vital anonymity—a necessary step in enlisting public cooperation in support of legislation to combat the activities of criminal syndicates.

For these reasons, the House Republican Task Force on Crime urges early and affirmative action on the proposal to create a Joint Committee on Organized Crime.

A DANGEROUS SITUATION OUT OF CONTROL

Mr. EDWARDS of Alabama. Mr. Speaker, I ask unanimous consent that the gentleman from North Carolina [Mr. GARDNER] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Alabama?

There was no objection.

Mr. GARDNER. Mr. Speaker, for some time I have been deeply concerned about the activities of various projects funded by the Office of Economic Opportunity. Recent events have proven conclusively that the Office of Economic Opportunity has lost control of some of the community action programs that they are funding throughout the United States. As an example, I cite a situation brought to the attention of a Senate committee last week concerning a school funded by OEO in Nashville, Tenn. The police chief of Nashville, Tenn., shocked the members of the committee when he disclosed that this school was teaching young Negroes to hate the white race.

The following newspaper acounts report activities of a poverty leader in Newark, N.J., and a meeting held in Woodland, N.C., which was sponsored by the North Carolina fund, a privately endowed poverty organization also receiving funds from the Office of Economic Opportunity:

NEWARK NEGRO PATROL ALERT FOR POLICE BRUTALITY

NEWARK, N.J. (AP).—A band of Negro volunteers, led by an antipoverty agency official who has been urging Newark slum dwellers to arm themselves, is prowling the city streets at night, looking for evidence of police brutality.

The volunteers are members of the Community Black Patrol, an outgrowth of the rioting that took 27 lives and destroyed millions of dollars worth of property two weeks ago.

Their leader is Willie Wright, national president of the United Afro-American Association. He also is a member of the board of directors of the United Community Corporation. The corporation, funded by the U.S. Office of Economic Opportunity, is the official antipoverty agency in Newark.

PURPOSE

The 35-year-old Wright, who lives with his wife and five children in the riot area, has been calling upon Negroes to prepare "for the next time."

Wright said in an interview: "This is what I am advocating around my town: Get yourself a piece of gun and put it in the bottom drawer or something and have it fully loaded and then if some joker breaks into your house like they broke in Plainfield let him have it."

At Plainfield, just west of Newark, state police cordoned off the Negro neighborhood and searched houses for a cache of 36 stolen rifles. They didn't find the guns.

"The next time them cats come into our community with that kind of stuff, we're going to be well prepared," said Wright.

"The next time the white man walks into the black community he had better damn sure be right."

He was referring to city and state policemen and to the National Guard troops who reinforced civil authorities in the five-day battle with rioters.

Wright, who claims a membership of 2,000 for his Afro-American Association, says more than 30 young men have enlisted in the Community Black Patrol and "more are joining every day."

They are observers, Wright said, and do not carry arms.

"Not yet," he said. "But I would not rule it out. Unless conditions change in a very few weeks I plan to test the law in all kinds of ways as far as arms are concerned."

ARREST

Wright said he informed the Police Department of the patrols, and told authorities his men would not interfere with arrests. He said patrol members could be identified by their dress: white shirt, black tie, and pith helmets with "CBP" stenciled on the front, "UAAA" on the sides." Wright said he received no reply from the department.

Police Director Dominick Spina confirmed that he had received a telegram from Wright, and said he hadn't answered it yet. He refused to comment on the patrols.

Wright said there is a deepseated belief among the Negro community that police and troops fabricated most reports of sniping during the riot as an excuse to shoot up the slums.

Asked for comment on Wright's accusation, a police spokesman said the department still is compiling incidents and doesn't know how many persons were arrested as snipers. He suggested the prosecuting attorney's office might know.

"It is very hard to say, since sniping is not a legal term," said Prosecutor Brendan Byrne. "We had people arrested for carrying weapons and assault with a deadly weapon, but not very many."

"WHITE POWER," NATIONAL GUARD CATCH CRITICISM FROM PPOP'S SPEAKERS

(By Randolph Thomas)

WOODLAND.—Celebrating their first year of existence, 500 Negro members of the People's Program on Poverty were told Saturday at a meeting in Woodland that "black power will save the nation—not white power."

Speakers for the organization, "a grass

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[2] 1965 Annual sales were as follows: GM $22.7 billion; Ford $11.5 billion; Standard Oil (N.J.) $11.5 billion; GE $6.7 billion. Fortune Magazine July 15, 1966.

[3] Cressey, Donald R. *Op. cit.*, p. 25.

roots anti-poverty program funded by the N. C. Fund," boasted of their accomplishments during their year in existence.

They also heaped criticism upon officials of the N. C. National Guard at Woodland, Windsor and Ahoskie for denying them use of their armories for the meeting.

The Negroes, who said they were forced to meet outdoors at Jerusalem Baptist Church near Woodland because they couldn't get the armory, were told, "You're not sitting out here in the hot sun because you're controversial—you're sitting here because you're black."

National Guard officials first had refused the organization permission to use the armory because they "might be controversial," according to the Rev. C. Melvin Creecy, executive vice president of the group.

Creecy added, however, that they later were told the denial to use the armory stemmed from the fact that it had been rented previously.

"If we are denied use of the armory next year," one speaker said, "we ought to do like the children of Jericho—march around it till the walls come tumbling down."

Featured speaker during the meeting was Randy Blackwell, director, Southern Rural Projects of Citizens Crusade Against Poverty, Atlanta, Ga.

Blackwell, seemingly a moderate, told PPOP'ers that "the responsibility for soberizing America has fallen on the shoulders of the Negro."

He told the Negroes they cannot endorse actions of militants in Newark and Detroit. "We need 150 Rich Squares," he said, "healthy, progressive cities with hospitals, schools, etc."

Blackwell said the Negro needs to share in the economic development of the country. "We need pride of possession," he told the audience.

Blackwell said, "We need jobs—not next year or six months from now—but now."

COOPERATIVES

He told of Negroes making their own jobs, by sub-contracting work for industry. He added he had assisted in organizing 20 such cooperatives in parts of Georgia.

Speaking of recent riots and turmoil in the nation's larger cities, Blackwell said there will always be a Harlem and a southside Chicago so long as these cities continue to "receive a population that doesn't want to be there in the first place."

He said he was talking about displaced farm families from the South who flock to the big cities each year in search of work.

Asked to "define" blackpower, Blackwell explained the term "originated in Alabama and is often misunderstood by blacks and whites."

He said, "Black power means black people united to better their economical standing in the community, black people united to get better education for their children and improved streets and sanitary facilities."

WHITE POWER

Jim McDonald, associate director of New Careers Training Laboratory of New York, said he was told not to speak on black power—"so I'll speak on white power instead."

He explained, "White power is a congressman voting against funds for controlling rats which attack Negro children and voting for more money so white policemen can shoot black people.

"White power is that which keeps us on dusty roads," he said, "and keeps us in the kitchen where we cook for white people, yet can't cook for our own black children.

"If the United States of America is to be saved—it will not be saved by white power, but black power," he said.

This speech was interrupted by a hysterical woman who rose, dancing in the aisle and singing: "Glory Jesus, hallelujah!"

The dancing continued and the crowd responded as PPOP'ers clapped their hands in rhythm and sang freedom songs.

The woman, after about 10 minutes, fell exhausted into the arms of friends, still ranting, "Glory Jesus, help us Lord."

One of the more fiery speeches of the day came from Willie Riddick, director of Craven Operation Progress in New Bern.

Riddick said the main problem with Negroes is that they're "ashamed of being black."

You can't share in the "decision making process because you've been told: Nigger, you don't belong up here."

Riddick, after condemning the white "power structure," said he is "surprised fire bombs haven't been thrown in eastern North Carolina."

Frederick Ford, who was introduced as an observer from Charlotte, said he had only one thing to say.

Urged on by the crowd when he hesitated, Ford shouted: "Beep Beep—Bang Bang—Um Gowa—Black Power!"

The cheer brought applause from the crowd and cries of "Tell it, man, tell it. That's 'soul talking.' "

The Rev. John Scott, chairman of PPOP's board of directors, cited accomplishments of PPOP during the organization's first year in existence.

He claimed that PPOP had made great progress in the field of recreation and pointed out that recreational equipment has been placed in communities throughout the four-county PPOP area as a result of the program.

He said more progress has been made in Roanoke-Chowan for the Negro in the year of PPOP's existence than any other 20 years in the area's history.

Scott said PPOP was "indirectly responsible" for establishment of an industrial education center in the R–C area.

JOIN THE UNDERGROUND

The rally seemed to be a showplace for buttons and lapel pins, some proclaiming "I Support The Free Bertie Movement," others depicting a black, clinched fist, urged: "Join The Underground."

James Boone, executive director of PPOP, was one of those wearing the "Join The Underground" button.

Asked what it meant, he replied he wasn't sure. "You have to join to find out," he told a reporter.

Prodded further, he added, "It means what it says, I guess."

The Free Bertie Movement is a civil rights movement in Bertie County headed by Golden Frinks, who led several demonstrations in the area during the past years.

Frinks told newsmen at the meeting his activities have been aimed at Pitt County in recent weeks.

Mr. Speaker, there is no one in the House of Representatives who is not aware of the tremendous problems now facing the country. It is my hope that the Congress of the United States will assume its role of leadership, and that you, Mr. Speaker, will be able to appoint a committee of this House to immediately investigate the causes of the recent riots throughout our Nation. I have introduced a resolution (H. Res. 833) for the appointment of such a committee, and I hope that this Congress will move swiftly to see that this resolution is passed in order that future Newarks and Durhams will not develop.

It is also my hope that the Congress will act to insure that poverty workers will cease to become involved in inflammatory actions which might in any way help to incite a riot.

EXPO 67

Mr. EDWARDS of Alabama. Mr. Speaker, I ask unanimous consent that the gentleman from Ohio [Mr. ASHBROOK] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Alabama?

There was no objection.

Mr. ASHBROOK. Mr. Speaker, I have received a most discouraging letter on the topic of the U.S. pavilion at Expo 67. I say discouraging because the writer, Mr. J. S. Sawvel, states that "as a 'red-blooded American,' I must state that I am ashamed of the U.S. exhibit."

While I have not had a chance to visit Expo, I can say frankly that all of the knowledgeable people who I have discussed this matter with seem to echo these same comments.

Mr. Sawvel is a resident of Findley, Ohio, and formerly from Mount Vernon. He has taken the time and effort to present his views and I include them in the CONGRESSIONAL RECORD, as follows:

I just returned from a visit to Montreal, attending Expo 67. As a "red blooded" American, I must state that I am ashamed of the U.S. exhibit. The pavilion structure itself is fine from an engineering and architectural point of view. However, this is of only secondary importance. Of primary importance is what the pavilion contains in the way of exhibits and the image of the U.S.A. that is projected to the observer. Our exhibit is deplorable and it certainly downgrades the U.S.A.

The purpose of a world exposition is to enable a country to display its achievements of its people with respect to government, freedom and rights of its citizens and the accomplishments of its statesmen, scientists, inventors, industry, agriculture, the arts, etc. and the extent that same have benefited man from an economic and well being point of view. Thus, a World Exhibition gives each country a chance to "toot his horn" and "put his best foot forward". This is in keeping with the general theme of the Exposition, which centers on "Man and His Progress".

At Expo 67 we have failed miserably in even partially achieving the foregoing basic and elementary objectives—even to the slightest degree. Our only noteworthy Exhibit as to achievement, pertains to exploration of space. Other than this one item, it appears that the direction and planning of the U.S. exhibits must have been done by a so called "Artist Colony", administered and directed by a bunch of "Beatniks".

Our other Exhibits makes it appear as though there was a deliberate planned attempt to downgrade and minimize the accomplishments that this country has made towards the betterment of mankind, here and throughout the world. It is quite easy to arrive at this conclusion when our exhibits and presentation is compared with the exhibits of other countries such as Russia, France and England. For example, part of the U.S. exhibit includes quilted bed comforts such as would be found at any county fair. An exhibit of trinkets and jewelry made by Indians was also shown. This is fine but such exhibits are certainly not more important than our bill of rights, our statesmen and others that have made our country what it is and which have been ignored.

There are no references or displays whatever of our statesmen, scientists, inventors, writers, artists, etc. which have played so important a part in making this country what it is. On the other hand, the exhibits of other major countries shows the achievements of its famous men. In place of Washington, Jefferson, Franklin, Patrick Henry, Jackson, Lincoln, T. R. Roosevelt and others, we exhibit larger than life size photos of movie actors such as Humphrey Bogart, Clark Gable and others. In addition, literally hundreds of smaller individual pictures of actors and actresses are displayed. These may be of interest as far as the movie industry is concerned but certainly they have not made important and tangible contributions that has made this country what it is.

To further illustrate how ridiculous we can be, instead of exhibits depicting inventions and developments that have played an important part in the progress of this nation and other nations as well—such as the cotton gin, automobile, etc.—we show as exhibits some of the silliest items that have had absolutely zero influence or played no important part in making our country what it is. A good example is one exhibit which consists of a horse manure cart and broom used by Charlie Chaplin as a streetsweeper in a movie scene about 40 years ago. Another exhibit of absolutely no merit whatever, is a brass bed which is supposed to have been occupied by Debbie Reynolds in one of the movie sets for "The Unsinkable Molly Brown." Such photos and exhibits might be of interest at a Hollywood museum of the movie industry but certainly no one can state that such trivia has even the slightest significance in the development, background and tradition of this country.

Because so much of our exhibits relate to the movie picture industry and contains, as stated previously, literally hundreds of photos of actors and actresses, would cause one to conclude that these exhibits must have been planned and directed by a bunch of "beatnik artists" as that is the way their thinking usually runs.

The exhibits of other countries, in addition to depicting their achievements in science, industry, government, etc., have played up the economic help they are giving to other countries. We say nothing about our economic help yet in the case of England, France, Italy and others, if it were not for our belief in liberty and at the cost of hundreds of thousands of American lives and billions of American dollars, it is extremely doubtful if these countries would even be in existence today or would be able to present an independent exhibit. Our exhibit makes no reference whatever to the billions of dollars we have spent under the Marshall and other plans for foreign aid which has saved many thousands from starvation and has enabled these countries to prosper.

Statements are often made as to the need of improving our image in the eyes of other countries. Expo 67 presented a golden opportunity to do this but the administration certainly "missed the boat". Other than space exploration, the impression to be gained from our exhibits is that this country is dedicated primarily to the making of movies, quilted bed comforts and Indian trinkets. No reference whatever is made to the liberty and freedoms enjoyed by our citizens, the bill of rights, etc. Should we be ashamed to make reference to our statesmen and others who have made this country what it is and instead substitute movie actors as we have done at Expo 67?

We have certainly missed a wonderful opportunity to present a true image of our country, what it stands for and the monetary and economic aid we have extended throughout the world. The Committee in charge of the planning, etc., of the U.S. Pavilion is certainly subject to severe censure and criticism as to the subject matter used and the image that is created by the U.S. exhibit. The U.S.A. has certainly been downgraded because of its exhibit. I feel sure that a review of the background of the Committee and its Members, responsible for the U.S. display, will make it quite understandable as to why our exhibit is "at the bottom of the totem pole" when compared to those of other countries.

It must also be remembered that our exhibit is in a foreign country in an area that is predominately French and closely associated with France. In view of the "downgrading" we have been receiving from De Gaulle we have certainly missed a golden opportunity to go all out and present a true image of the United States, its achievements and what it stands for. Every time that I think of our exhibit, it almost makes my blood boil. There should certainly be more publicity to properly inform the American public as to how our bureaucrats and beatniks have failed "to tell our story" at Expo 67 and how the taxpayers money has been wasted. There must be some explanation as to the reasoning (or lack of reasoning) that went through the minds (however small) of the Committee that planned the U.S. exhibits.

As to the background of the U.S. Pavilion, I would appreciate it if you would please furnish me the following:

(a) The approximate cost of the U.S. Pavilion. (Total including exhibits, etc.)

(b) The names of the Members of the Committee who planned and directed the exhibit, who selected the Committee and the background and experience of the Committee.

If you should happen to visit Expo 67, I am sure that you will concur in my observations as to the U.S.A. exhibit when compared to the exhibits of Russia, Great Britain, France and other large countries. Parenthetically inasmuch as these other countries still owe us money, it can be stated that in effect we have paid for these other exhibits as well as our own. I have talked to many other Americans who have seen our exhibit and their reaction is the same as mine. There will be many more Americans to view our exhibit than have already seen same. It would seem that some apology is in order by the individuals responsible for this mess and that an appropriate report be made to the public, placing the blame where it belongs.

In conclusion it is self evident that our exhibit at Expo 67 does not represent the best efforts and views of true Americans who are proud of American tradition, heritage and achievements for the betterment of mankind and who want to tell the world about it. Do you concur in this view?

Sincerely,

J. S. SAWVEL.

These are strong statements but, as I think the letter indicates, they are not the statements of a crackpot but rather those of a concerned citizen. One must assume that Mr. Sawvel, as a professional engineer, has the ability to see things as they are and is not prone to figments of the imagination.

After asking Mr. Sawvel's permission to insert his letter in the RECORD, he furnished more information concerning Expo which is also revealing:

If you have not already read it, I call to your attention the article that appeared in (the June 16) issue of Life, written by Frank Kappler, Associate Editor, on page 13 entitled "Heigh Ho! Soft Sell at the Fair." Among his many comments are:

"The sole nod to the consumer is a massive collection of Raggedy Ann and Raggedy Andy dolls (the most popular doll ever sold in the U.S.)—all made in Hong Kong.

"This is a huge rectangle in two parts, one brilliant cerise and one flame pink, with a sign identifying the paint manufacturer and the colors."

From my view, it is certainly going pretty far afield to use the taxpayers money to advertise a paint manufacturer's product.

One of the persons Kappler interviewed stated that he "hated it and thought it was a plot to make the U.S. look silly."

The article also states that Governor Rommey of Michigan said, "It was pretty on the outside but full of trivia on the inside. I was bitterly disappointed."

Kappler further states, "It is disconcerting to see that America's answer to the world's 'what have you done for me lately?' is Andy Warhol." (I understand Warhol is a so-called abstract artist.)

I also call to your attention the May 5 article in Time, commencing on page 48. This article sums up the U.S. exhibit by stating:

"U.S. display sweeps from campy photos of Hollywood idols and Indian headdresses . . . to huge pop art paintings." "The U.S. exhibit (which cost $9,300,000) focuses on a soft-sell kind of pop-camp happening that plays off the works of Jasper Johns, Andy Warhol and Helen Frankenthaler against 20-ft. posters of Hollywood stars."

In answer to the questions concerning the persons in charge of our pavilion, the architect and the persons responsible for the interior, here is information provided by the USIA.

Early 1964, Donald M. Wilson, then Deputy Director of USIA, now Vice President International Division of Time-Life, Inc., consulted with Mr. William Walton, Chairman of the National Fine Arts Commission and Mr. John Carl Warnecke, a Fellow of American Institute of Architects. Mr. Walton recommended that Mr. Wilson consult with Mr. Karel H. Yasco, Assistant Commissioner, Design and Construction, General Services Administration and look through his extensive files on architects. Mr. Wilson then decided that a list of outstanding architects should be made up and samples of their work viewed. He then visited Mr. Yasco's office, where he was shown samples of work of a number of outstanding architects from the files of the General Services Administration.

Designers for the interior were interviewed and chosen on the basis of the Agency's experience. All those interviewed at one time or another had participated in Agency international exhibitions.

In November of 1964, Mr. Wilson interviewed several architects and designers. On the basis of these interviews he selected Buckminister Fuller as the architect of the U.S. Pavilion and the Cambridge Seven as Exhibit Architects and coordinating exhibit designers. His selections were subsequently endorsed by Mr. William Walton, Karel Yasco and Thomas A. Pope of the Department's office of foreign buildings.

Cambridge Seven Associates is further identified in another statement provided by USIA. It follows:

CAMBRIDGE SEVEN ASSOCIATES, EXHIBIT ARCHITECTS AND DESIGNERS OF THE U.S. EXHIBITION

The exhibit architects and designers of the United States exhibits in Montreal are Cambridge Seven Associates, Inc., of Cambridge and New York, a young, highly diversified group combining a broad range of experience and ability.

The group works in such diverse areas as advertising, promotion, book design, packaging, exhibitions, catalogues, trademark and corporate design, architectural graphics, architecture and subway design.

It won considerable acclaim for its work in designing the "Graphic Acts: USA" exhibit presented by the United States Information Agency in the Soviet Union in 1963. Critics hailed the exhibit as an "art show of high quality and excellence" especially for the ingenious structures used and the selection and arrangement of materials exhibited.

Cambridge Seven also has attracted attention for its work on the New England

Aquarium for the New England Acquarium Corporation on a wharf site in Boston's downtown waterfront.

The group includes:

Louis Bakanowsky, an associate Professor of Architecture at Harvard University Graduate School of Design, winner of sculpture prizes at the Boston Arts Festival and Rhode Island Arts Festival, and 1964 recipient of a Milton Fund grant to investigate the use of new materials and assemblies in portable housing units.

Ivan Chermayeff, president of the American Institute of Graphic Arts, currently teaching advertising design in the School of Visual Arts in New York, and winner of numerous awards from the American Institute of Graphic Arts, the Art Directors Club of New York, and the Type Directors Club.

Peter Chermayeff, a graduate of Harvard University and its Graduate School of Design who has won attention for his work in the field of book design and in film production. His film "Orange and Blue", a 15-minute color short subject, was selected by the U.S. Selection Committee for the Venice and Edinburgh Film Festivals in 1962.

Alden Christie, a painter among other things, whose work was purchased for the Harvard Collection in 1957 and who was featured in the "Newest Talent" issue of "Architectural Forum" in 1961. He has been an assistant in graphics at the Harvard Graduate School of Design and an instructor in the school's Design Workshop.

Paul Dietrich, a registered architect in Massachusetts and a member of the American Institute of Architects, with long experience in design studies for exhibit pavilions and display methods. He is an assistant in Visual Studies at Harvard University's Carpenter Center for the Visual Arts.

Thomas Geismar, an experienced designer, exhibit designer, and graphic designer, who with Ivan Chermayeff won numerous awards from the American Institute of Graphic Arts, the Art Directors Club of New York, and the Type Directors Club.

Terry Rankine, a graduate of Edinburgh University, an associate of the Royal Institute of British Architects, and a registered architect in the United Kingdom and Massachusetts. He is an assistant professor of architecture at Harvard University's Graduate School of Design.

The final analysis of the U.S. pavilion at Expo will be made by each individual visiting the pavilion. But if Mr. Sawvel is correct in his definition of purpose—"the purpose of a world exposition is to enable a country to display its achievements of its people with respect to government, freedom and rights of its citizens and the accomplishments of its statesmen, scientists, inventors, industry, agriculture, the arts, etc. and the extent that same have benefited man from an economic and well being point of view"—then it would appear that the interior of the pavilion has failed.

One would think that in place of children playing, a similar film clip of Hal Holbrook's "Mark Twain" presentation might also show off the American way. And keeping to the "soft-seil" lighthearted vein, one need not go too far to win an argument that the works of Walt Disney will long overshadow anything that Marilyn Monroe and Charlie Chaplin even hoped to do.

The question, of course, is whether the designers were trying to exhibit the things Americans love and laugh at, or what they thought these things were and are.

FAIRPLAY FOR TSHOMBE

Mr. EDWARDS of Alabama. Mr. Speaker, I ask unanimous consent that the gentleman from Ohio [Mr. ASHBROOK] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Alabama?

There was no objection.

Mr. ASHBROOK. Mr. Speaker, the recent kidnaping of Moise Tshombe, former Premier of the Congo, and the Algerian decision to extradite him to the Congo where he is under the sentence of death has aroused those of both liberal and conservative persuasions to protest this highhanded disregard for the rule of law. For instance, the Washington Post and New York Times in addition to Senator ROBERT KENNEDY of New York, have deplored the violation of international law so flagrantly perpetrated in this case. Authors and columnists William F. Buckley, Jr., John Chamberlain, John Dos Passos, Eugene Lyons, William A. Rusher, George S. Schuyler, Ralph de Toledano, and Max Yergan are also listed as protesting the kidnaping.

An appeal to intercede in Tshombe's behalf was also sent to U.N. Secretary General U Thant and President Johnson by a group of distinguished international lawyers including Arthur H. Dean, chief U.S. delegate to various international disarmament conferences; Profs. Myres S. McDougal and Harold Laswell, of Yale University; Prof. Richard A. Falk of Princeton University; Herman Phleger, former U.S. member of the Permanent International Court of Arbitration under The Hague Treaties.

The Tshombe Emergency Committee, located at 79 Madison Avenue, New York City, has collected the names of Congressmen, clergymen, educators, military men, and others who are joining the protest.

As in the case of those who have already placed themselves on record calling for fair play for Tshombe, it is imperative that others who oppose this unlawful treatment of Tshombe make their sentiments known.

For background on the Tshombe affair, I include the Washington Report of July 31 of the American Security Council, a highly respected organization which reports on national and international developments affecting the Nation's security for its over 3,500 member companies and institutions, in the RECORD at this point:

TSHOMBE AND THE CONGO STORY

(By Dr. Anthony T. Bouscaren)

(EDITOR'S NOTE.—Guest Editor Dr. Anthony T. Bouscaren is Professor of Political Science at Le Moyne College. He has just completed a biography of Moise Tshombe.)

The life of Moise Tshombe hangs in the balance. Kidnapped by an agent of Congolese dictator Mobutu and handed over to Mobutu by fellow dictator Boumedienne of Algeria, Tshombe, who has been in many tight situations before, faces his gravest hour. It was reported that President Johnson, whose recent airlift in support of the Mobutu Government was cited by Congolese officials as "one of the principal reasons" why the pro-Tshombe uprisings in Kisangani and Bukavu were put down, had decided to intercede privately with Mobutu to save Tshombe's life. It was understood that the appeal to Mobutu will not be made unless the execution appears imminent. But the latter, upon learning of the decision of the Algerian Government to extradite Tshombe (even though there is no extradition treaty between the two countries—not even diplomatic relations) declared that "for us (Tshombe) is a dead man."

Moise Tshombe is an unusual African. He is a man of the West, even though the West has, on several occasions, betrayed him. He realizes that the Congo can never make progress without an interregnum of assistance from Europeans because there are so few trained Congolese administrators. David Halberstam described Tshombe as "first and foremost a conservative,"[1] having in mind, I suppose, Tshombe's Christian faith, natural caution, and anti-Communist convictions. Yet this same Tshombe took risks and exhibited extraordinary courage when confronted with almost impossible odds. He is above all an enlightened African who understands the shortcomings of his own people and is willing to learn from the West.

During a short visit to the United States in 1959, under a State Department leadership exchange program, Alan P. Merriam described Tshombe as a "pleasant, soft-spoken, and highly reasonable and intelligent person whose outlook is basically cautious and whose actions are taken only after deliberation. It seems clear that he relies heavily on Belgian advisers, but that at the same time probably makes his own decisions."[2]

Tshombe became Premier of the Congo on July 10, 1964; he was in the midst of preparations for national elections when, on October 13, 1965, he was ousted from office, first by President Kasavubu, and then by the coup of General Mobutu.

Under the leadership of General Mobutu, the Congo has steadily declined. After the palace revolution which forced Moise Tshombe out of office, Parliament was dissolved and a dictatorship established. There was not a word of protest from the United States which meantime claimed that the Government of Rhodesia constituted a threat to world peace. In July 1966, on the sixth anniversary of Congolese "independence," General Mobutu described the late Patrice Lumumba as a "national hero" and declared: "I have taken up the mantle of Lumumba." He also declared war on the "money powers" and promised to rid the Congo of "economic colonialism." The General has been as good as his word. His Government has moved to reestablish diplomatic relations with the Soviet bloc; it has closed down Western consulates throughout the interior, and severed ties with Portugal. Most inflammatory of all, it has allowed the Congo to serve as a staging area for destructive Communist-inspired terrorist raids against Portuguese Angola.

On March 13, 1967, Moise Tshombe was sentenced to death in absentia by a three-man special military court appointed by Mobutu. He was charged with high treason, subversive propaganda, inciting and organizing rebellion and recruiting foreign mercenaries for use against Mobutu.

The "trial" was adjourned after four hours. There was no defense and the public prosecutor had his summmation ready immediately after the tribunal had completed its cross examination. It took 15 minutes for the tribunal to reach its verdict. That night, in Madrid, Tshombe said of the death sentence passed on him: "A verdict arrived at in ten minutes can hardly be considered a just one."

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[1] David Halberstam, "Mystery and Tragedy of Tshombe," *New York Times Magazine*, August 12, 1962, p. 7.

[2] Alan P. Merriam, *Congo: Background of Conflict* (Evanston: Northwestern University Press, 1961), p. 136.

On Friday, June 30th, Moise Tshombe left his Madrid apartment for the airport. He left Madrid aboard a chartered British twin-jet plane bound for the Spanish island of Ibiza (of the Balearic group). The pilot and co-pilot were British, and there were seven passengers: Tshombe, two Spanish policemen assigned as his bodyguard, three Belgians—Marcel Humbersin, Tshombe's longtime close friend and adviser; Charles Sigal, a disbarred lawyer who was promoting a real estate deal, and Sigal's wife Ivonne,—and a Frenchman, Francis Bodenan of Paris.

After touching down briefly at Ibiza, the plane took off for Palma de Majorca, 75 miles away. Ten minutes after take-off the British pilot Captain David Taylor, radioed the Ibiza tower that he was being forced at gunpoint to fly the plane to Algeria. When the hijackers struck, several shots were fired, but only one aboard was wounded. According to informed sources, the kidnappers surprised and overwhelmed Tshombe, the two bodyguards and the two pilots. The pilot was forced at gunpoint to ask authorization to land at the Maison Blanche airport of Algiers. He was directed, instead, to Boufarik Air Base, 25 miles southwest of the Algerian capital. Upon landing, the crew and passengers were held incommunicado by Algerian security officers.

The government-controlled newspaper *El Moujahid* said the Frenchman on board the plane, Francis Bodenan, engineered the kidnapping. It said one of the Belgians on board, Marcel Humbersin, was wounded trying to disarm Bodenan. Bodenan was remembered in Paris for his involvement in the murders of two French businessmen.

The kidnappers presumably expected that the leftist government of Algeria, posing as the vanguard of Africa's struggle against "imperialism," could not very well reject the demand of the Congolese Government for Tshombe's extradition. Shortly after the Algerian Government confirmed Spanish charges of the Tshombe kidnapping and arrival in Algeria, General Mobutu ordered a national rejoicing and dispatched a delegation headed by Attorney General Alidor Kabeya to Algeria to seek Tshombe's extradition.

If Mobutu thought the kidnapping could be pulled off without international consequences, he was seriously mistaken. On July 5th, Congolese army units sympathetic to Tshombe rebelled in Kisangani and Bukavu. The Kisangani rebels, led by French Colonel Robert Denard, were joined by paratroops from outside the country, according to Mobutu's Congolese radio. Whether true or not, the main effort was made by dissident forces already stationed in both cities.

By July 8th, Government forces regained control of Bukavu, but the Tshombe forces for a time retained control of parts of Kisangani, including the airport. Diplomatic and Red Cross officials at the border town of Kamembe (Rwanda) reported atrocities in Bukavu by Congolese Government troops, as revenge for the uprising. According to refugee sources, many Europeans were attacked, as were Congolese suspected of pro-Tshombe sympathies.

The same day that a Congolese protest was made to the UN (about an alleged "mercenary" invasion), an American group of writers, called the Tshombe Emergency Committee, (and including Dr. Sidney Hook, Eugene Lyons and John Dos Passos) sent the following telegram to Algerian Premier Boumedienne:

"All people who believe that observance of international law is one means of achieving world peace and security are greatly concerned over the abduction of Moise Tshombe and his detention by Algerian authorities. The abduction itself is an act of piracy which must be considered illegal under all civilized systems of law. The detention of Mr. Tshombe, who has broken no Algerian law and has been brought into your country against his will, is both contrary to accepted precepts of international law and the right of asylum. For the Government of Algeria to participate in or condone an act of piracy and kidnapping is to set a dangerous precedent in international behavior and to lower Algeria's standing in the community of nations. We earnestly believe that the undersigned American citizens represent the thinking of the American people and people throughout the world when we urgently request the Government of Algeria to immediately release Moise Tshombe from custody and permit him to leave your country for whatever destination he may voluntarily choose. At the same time we urge your Government to insure the safety of Mr. Tshombe so long as he remains on Algerian territory and until that moment when he leaves. By so doing, the Government of Algeria will prove that it continues to respect international law and human decency."

But the Algerian Government on July 21 announced it would send Tshombe to an almost certain death in Kinshasa.

The United States has a long standing interest in the Congo and in its leaders. The first atomic bomb was constructed with uranium from the Congo. We have intervened three times in support of the central government—in 1961–1963 to support the neutralist regime of Adoula against the Katangan separatist movement; in 1964 to support the Tshombe Government against Communist-led terrorists who murdered hundreds of Europeans and Americans in the Stanleyville (now Kisangani) area, and with the airlift of July 1967 in support of Mobutu to crush the pro-Tshombe uprising led by Colonel Robert Denard and Major Jean Schramme (mercenaries in the employ of Mobutu who were outraged at the Tshombe kidnapping and rebelled to demonstrate their solidarity with the former Premier).

We have a stake in the Congo, whose central position in Africa makes it a prize in the global struggle. Neutralist regimes in surrounding Sudan, Congo (the former French colony), Uganda and Tanzania (facing the Congo across Lake Tanganyika), with Soviet support, are determined to revenge the defeat of the Lumumbist forces in 1960. Unfortunately, from the point of view of the Free World, General Mobutu appears to be following the Lumumbist line.

Tshombe was the one Congolese leader who provided stability, leadership against the neutralist-Communist coalition, preparation for constitutionalism, and friendship for the West. There are few such men in Africa. We owe it to him, to the Congolese people and to ourselves and the long-term interest of the Free World to do whatever can be done to save his life.

OUR IMMIGRATION SYSTEM

Mr. EDWARDS of Alabama. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. BUTTON] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Alabama?

There was no objection.

Mr. BUTTON. Mr. Speaker, recently I have grown increasingly alarmed, as have many of my distinguished colleagues, over an apparently inadvertent injustice of our present immigration system. I call to attention specifically section 212(a) (14) of the Immigration and Nationality Act of 1965. I remember the high expectations I shared with those who eagerly watched the 89th Congress correct inequities which had been perpetrated for so long by the old law. There is no question that the Immigration and Nationality Act of 1965 did represent a major reevaluation of thinking and constituted a substantial advancement toward a facilitation of immigration to this country. But in its implementation appeared a great disappointment.

Under the old law aliens who wished to become citizens of the United States and entered our skilled and unskilled labor force could do so if they were within the quota assigned to their nationality, unless the Secretary of Labor certified to both the Attorney General and the Secretary of State that "there are available in the United States at the alien's proposed destination sufficient workers able, willing and qualified at the time of application for a visa and for admission to the United States, to perform such skilled or unskilled labor, or (B) the employment of such aliens will adversely affect the wages and working conditions of workers in the United States similarly employed."

Under the new section 212(a) (14), however, this burden of proof was shifted to the alien who was to be informed that, unless he could obtain entry permission in the form of a labor certification from the Secretary of Labor, a long and arduous bureaucratic process, he would not be welcome in America.

To my mind, this regrettable provision is contrary to the very principles upon which our free democracy was founded. At the base of the Statue of Liberty is inscribed: "Give me your tired, your poor, your huddled masses yearning to breathe free." Our greatness is built upon the free choice of immigrants who came to America to apply their own free choosing and thereby help build our great Nation. Section 212(a) (14) constitutes as unnecessary harassment to many of those who would choose to make America their home. The protection to American workers that section 212(a) (14) allegedly offers is superfluous in light of the admittedly small impact which immigrants have on the national work force.

Mr. Speaker, this shift of labor certification responsibility is not a mere technicality of wording, but in actual practice has created a dire inequity in the immigration process. All aliens who seek admission to the United States to perform skilled and unskilled labor must contend with section 212(a) (14), but it has adversely affected Irish immigration the most.

Quite naturally this discriminatory result has raised much concern among our Irish American community. In May of this year the American Board Convention of the Gaelic Athletic Association joined with the American Irish Immigration Committee of New York and the growing list of Irish organizations protesting the inequity of the present immigration law, by submitting to me the following resolution:

Whereas: The American Board of the Gaelic Athletic recognizes that the former Immigration Law was biased against certain foreign nationalities and the legislation to correct the imbalance was justifiable.

Whereas: The new immigration law, now in effect, discriminates against certain nationalities most notably the Irish whose per capita contribution to the development of the United States is without parallel in its history.

Whereas: Despite the fact that immigration into the United States increased by 23,677 in 1966 over 1965, the monthly average from Ireland decreased by 78%, which means that the Irish are virtually banned from permanent residence in the United States.

Whereas: From the lips of Washington and Lincoln the Irish drew praise for their heroic valor and sacrifices against the enemy from within, so too have the Irish of America contributed to the cause of freedom against the enemy from without, as personified in the person of the most illustrious Irishman of all John F. Kennedy.

Resolved: That the American Board of the Gaelic Athletic Association representing all clubs in twenty four cities from coast to coast in the United States call upon all Senators and Congressmen to modify the present Immigration Law as it pertains to Ireland, so that the contribution of the Irish may continue to be available to meet the New Frontiers of the future as effectively as they established the beach heads of freedom in the past.

Irish immigrants to this country have indeed contributed to America far out of proportion to their numbers. In the words of John F. Kennedy, "they have been among the best citizens." When our late President visited Ireland, his ancestral home in 1963, he stated with pride that:

> The Speaker of the House is of Irish descent. The leader of the Senate is of Irish descent. . . . In Ireland I think you see something of what is so great about the United States; and I must say that in United States, through millions of your sons and daughters and cousins—25 million, in fact, you see something of what is so great about Ireland.

But today, Mr. Speaker, we sadly sustain a policy which drastically discriminates against a people who have been an integral part of our national heritage. The facts are so clear that we can no longer ignore the inequity.

In a study dated April 7, 1967, and addressed to the distinguished gentleman from New York [Mr. Ryan], Robert P. Chalker, Chargé d'Affaires ad Interim in our Embassy in Dublin, confirmed that the number of immigrant visas granted to Irishmen declined from 4,617 in 1964 and 4,004 in 1965 to 1,741 in 1966, Mr. Chalker stated:

> There is no doubt that Section 212(a)(14) of the act has caused a decrease in Irish immigration to the United States. As many Irish visa applications are unskilled or semiskilled workers, they are unable to qualify under Section 212(a)(14) as amended.

The American Embassy in Ireland anticipated the negative effects of the new section. The study points out:

> In November, 1965, there was an artificial inflation of immigration visa issuance due to an all-out effort by this office to issue as many visas as possible before December 1, 1965, since many applications would not qualify under section 213(a)(14) after this date.

The concentrated efforts of our Embassy staff in Dublin are highly commendable. But now that those anticipated results have been verified, it is incumbent upon us to rectify this situation.

I, therefore, now join with several of my colleagues and introduce an amendment to the present Immigration and Nationality Act striking from it section 212(a)(14) and returning the responsibility of labor certification to the Secretary of Labor.

This bill will not only be fairer to immigrants of all nationalities, but will also restore more flexibility to the existing law's definition of skilled labor.

Mr. Speaker, if we fail to correct the inequity which section 212(a)(14) has established, we will fail to serve in the best interests of the United States. We must act now to improve this law where improvement is sorely needed.

COOPERATION AND RESPONSIBLE ACTION BY AUTHORITIES IN DELAWARE

Mr. EDWARDS of Alabama. Mr. Speaker, I ask unanimous consent that the gentleman from Delaware [Mr. Roth] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Alabama?

There was no objection.

Mr. ROTH. Mr. Speaker, in these days of increasing rioting and violence, with individuals and groups pointing an accusing finger at each other, I point with pride and call our colleagues' attention to the manner in which public officials, law enforcement authorities and a responsible citizenry have acted in unison and with responsible cooperation in the First State of Delaware.

In recent weeks, Wilmington, like other great cities, has been threatened with outbursts of violence. Law and order have, however, been maintained by the prompt, firm action and by the solid cooperation of State and local authorities. I congratulate the Governor of Delaware, Charles L. Terry, who last week, before a special session of the Delaware General Assembly, made it clear that a breakdown of law and order in the State would not be tolerated.

The general assembly, with its able leadership and membership, acted swiftly in granting the Governor authority to deal with any civil emergency. The emergency laws it passed included an Anti-riot Act, Antifirebomb Act, and State of Emergency Act—the latter providing the Governor with power to declare a state of emergency and impose a curfew on the entire State or any part of it.

I would also like to point out the efforts of the elected officials, public safety officials and law enforcement authorities in the city of Wilmington and surrounding New Castle County, as well as the commendable efforts of the State attorney general, Delaware National Guard, State and city police, and responsible citizens' organizations.

Mr. Speaker, many of the elected officials of Delaware are of a different political party from myself and from each other. But rather than wait to point an accusing finger, they have acted promptly and responsibly in the face of this emergency.

Perhaps the reason accusing fingers are so often pointed after calamitous rioting is that there is not enough cooperative effort to cause prideful pointing before.

I am happy to say that responsible Delawareans of all races have cooperated with State and local authorities to insure that law and order is maintained. Every citizen has an obligation to seek the maintenance of peace, and the right to expect it. Any who would violate the law must be dealt with firmly under the law. The maintenance of order and peace is only one step, but it is a most important step, for without it progress is not possible in making our cities and communities better places in which all citizens can live and work.

As Americans, we have cast the framework of our society in the idea that no free government can survive that is not based on the supremacy of law; that where law ends tyranny begins; and that law alone can give us freedom.

CRISIS IN MINK INDUSTRY

Mr. EDWARDS of Alabama. Mr. Speaker, I ask unanimous consent that the gentleman from Wisconsin [Mr. Schadeberg] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Alabama?

There was no objection.

Mr. SCHADEBERG. Mr. Speaker, as each day passes, the mink industry draws closer and closer to the point of collapse. In May of this year, I urged my colleagues to not only recognize the plight of the mink rancher, but to also note that this industry has never asked for—or received—financial assistance from the Federal Government. They have developed their own markets without any Federal price support assistance at all. The mink ranchers are among the most self-reliant farmers or ranchers in the United States.

All that I ask for this industrious group of mink ranchers is merely protection for their industry from duty-free mink imports, which are crippling their markets. Last May, I stated that immediate action on the part of President Johnson was urgently needed. August is here, nothing has been done on the executive level, and the situation is more critical than ever before.

Mr. William M. Roth, the President's special representative for trade negotiations, has claimed that the U.S. mink industry has had extraordinary protection for more than 15 years due to the embargo of mink from the Soviet Union. Mr. Roth's claim that the mink industry is being given maximum protection of its markets, however, has proven to be unacceptable. I include Mr. Roth's letter to me, and an outstanding reply to its content by Mr. Melvin R. Hansche, executive secretary of the Emba Mink Breeders Association, in the Record.

I have today written to the President

urging that he peruse the additional material Mr. Hansche has sent to me.

The material referred to follows:

Office of the Special Representative for Trade Negotiations,
Executive Office of the President,
Washington, June 22, 1967.

Hon. Henry C. Schadeberg,
House of Representatives,
Washington, D.C.

Dear Congressman Schadeberg: Thank you for your letter of June 12 with further reference to the matter of mink imports.

I assure you that my letter of June 8 should not be construed as indicating a lack of concern for the mink industry. However, without more information the Administration does not have a basis for a decision on the imposition of additional import restrictions. As I pointed out in my earlier letter, under section 332(g) of the Tariff Act of 1930, the Ways and Means Committee of the House of Representatives may ask the Tariff Commission to make a study of the problem.

Any decision as to administrative relief for the mink industry would have to be made by the President himself on the basis of the best possible information. It has been suggested to us, for example, that the President use his authority under section 204 of the Agricultural Act of 1956, as amended, to negotiate agreements with foreign countries to limit their mink exports to the United States. We have carefully considered this suggestion and have concluded that more information would be needed in order to evaluate the advisability of using this procedure. It seems clear that other countries could not reasonably be expected to give serious consideration to agreeing to limit their mink exports to the United States in the absence of data demonstrating convincingly that it was necessary to curtail shipments of mink from foreign countries because of the situation in the domestic mink industry. For this reason, I believe the President would not be inclined to ask other countries to enter into negotiations unless there had been a showing, as a result of a careful investigation, that such agreement was necessary.

As to the extraordinary protection which the mink industry has had since 1951, I can only point out that the provision which prohibits the importation of mink from the Soviet Union applies only to six other specified types of furs and to no other products whatsoever. For this reason, the protection which the mink industry has had for more than 15 years must be regarded as extraordinary.

Since I wrote you earlier this month, we have learned from the American Embassy in Copenhagen that mink breeders in Denmark, Sweden, Norway, and Finland, like their counterparts in the United States, are disturbed over the declining prices for their mink pelts and have decided to take drastic steps to counteract the downward trend. At a recent meeting in Stockholm, the association of mink breeders in the four Scandinavian countries agreed to reduce mink production by 30 percent.

The Embassy reports that for Denmark alone this will mean that between 600,000 and 700,000 newborn mink cubs of the standard type will be killed during the coming months. It is planned that the destruction of mink cubs will continue until prices have been brought back to what the breeders regard as the normal level. According to the Embassy, the Scandinavian fur breeders consider that the present low price level is due to oversupply and, therefore, consider it reasonable to respond by reducing the supplies of mink pelts.

The four Scandinavian countries are the major source of United States imports of mink. The 30-percent reduction in their mink production should therefore help relieve the downward pressure on mink prices in this country to the benefit of United States mink breeders.

Sincerely yours,
William M. Roth,
Special Representative.

Emba Mink Breeders Association,
Racine, Wisc., July 25, 1967.

Hon. Henry C. Schadeberg,
House of Representatives,
Washington, D.C.

Dear Congressman Schadeberg: With reference to your request of July 13, 1967 for further evidence to support our contention that the mink farmers of the United States are in desperate straits and need help immediately, we give you the following information:

Because of economic conditions in our industry, the Emba Mink Breeders Association membership has dropped from a peak of 5,623 in 1958 to a low of 3,460 at the end of 1966. A large percentage of this number quit because they could not survive financially.

Following is a graph showing comparisons by the month of our 1966–67 selling seasons:

	1966		
	Offered	Percent sold	Average
December 1965	136,325	83	$18.20
January 1966	814,997	93	22.45
February 1966	1,131,688	93	21.25
April 1966	925,579	94	18.06
May 1966	736,402	88	17.86
June 1966	275,265	78	13.80

	1967		Average	Percent of drop
	Offered	Percent sold		
December 1966	145,000	48	$15.99	12
January 1967	718,807	66	16.75	25
February 1967	1,206,564	77	17.39	18
April 1967	1,051,480	68	13.74	24
May 1967	1,014,921	77	12.84	28
June 1967	885,300	66	10.32	25

The Emba average to date this year, is $14.63 gross to the mink farmer.

The following selling costs are incurred before the farmer receives his check:

1967 average gross to date	$14.63
Dressing	1.50
Auction company commission (5¼% of $14.63)	.77
Association assessment for advertising and promotion	.26
Total	2.53
Balance	12.10

This net average receipt of $12.10 is considerably below the average cost of production.

In many cases, the auction companies inform us that the net sales of the farmers' pelts will not cover the advances they have made against the pelts. It would seem obvious to any interested person to assume that those ranchers in this financial bind cannot get financing for this years' crop of pelts.

As we had predicted, reports are now coming in where farmers are offering their present kit crop for sale as low as $1.00 per kit. What alternative do they have, when they cannot get the money to buy feed?

The June 1967 average gross sales price of $10.30 is the first time in our history when any month's average has fallen below $12.00.

Never before has the association had such a large quantity of unsold pelts at this time of the year. Usually we are 99% sold out by now. This year we still have between 300,000 and 400,000 unsold pelts, all of which have been offered at least once at auction and have been bought back because of low bids, or no bids at all.

This quantity of unsold pelts obviously adds to our problems, in that it is highly probable that we will face the 1967 pelting season with a carry-over of unsold goods from the 1966 crop.

In Mr. Roth's letter to you he mentions the extraordinary protection the mink ranchers of the United States are receiving thru the embargo of Russian mink. It might be well to remind all concerned that even with the embargo, there is a steady stream of Russian mink coming into this country, via other countries. This is an admitted fact, even by our customs officials in New York City with whom I discussed this problem personally.

Referring again to Mr. Roth's letter where he states that the four Scandinavian countries are reducing their kit crop by 30%—reports of intentions compared with final actions many times are vastly different. Even if their intentions were, or are being carried out, if you start out with an increase of about 25% females held over from last year, and assuming normal production, and 25% of the kits are destroyed, you still end up with the same disastrous quantities of last year. What progress has been made?

Therefore Mr. Roth's argument that this should relieve the pressure sufficiently so that we do not need the help of import quotas is not a sound deduction. It only shows that prospects for the next season will be no better than the disastrous one through which we are trying to struggle.

From past experience, we must conclude that since the Scandinavian countries have an outlet to dump their excess pelts for free, and that since their cost of production is lower than ours, there is no real incentive for them to cut their production until they have eliminated their competition in the United States.

We all recognize who has the ability to help us in our plight. But ability alone is worthless without a willingness to help. A combination of the two will shed a ray of hope on an industry about to go under.

Thank you again for your efforts in behalf of the mink rancher.

Cordially,
Melvin R. Hansche,
Executive Secretary.

DON'T BLAME CRIME ON POLICE

Mr. EDWARDS of Alabama. Mr. Speaker, I ask unanimous consent that the gentleman from Ohio [Mr. Devine] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Alabama?

There was no objection.

Mr. DEVINE. Mr. Speaker, during the debate in the House on the bill designed to assist in the serious business of finding solutions to reduce crime, it is important to pay attention to the words of the most respected law enforcement officer in the world, J. Edgar Hoover.

The following message from Director Hoover appears in the August 1, 1967, FBI Law Enforcement Bulletin, and should be studied by all persons interested in solving the most serious of all domestic problems.

The message follows:

Often we hear the charge that law enforcement lives in a world of its own, out of touch with reality and the mainstream of our society. This is a baseless charge and should be refuted each time it is heard.

The truth is that law enforcement, by the very nature of its responsibilities, is in much closer touch with the public than are most other professions. The officer on the beat, the patrolman in the cruiser, and the sergeant at the desk know far more about people and what they are thinking than do the sophisticated theorists who issue "authoritative" appraisals of criminality from within ivory-tower offices.

It has also been suggested that law enforcement remains dormant while other professions forge ahead to new realms of achievement and growth. Some critics say that law enforcement is satisfied to mark time, insulate itself from change, and turn its back on progress. They imply that law enforcement is largely responsible for the Nation's crime problem. This may be an easy hypothesis to accept if a person is looking for a scapegoat. However, it is an erroneous conclusion, and it reflects the shallow reasoning of some who have little, if any, practical experience in or knowledge of enforcing the law.

For years, responsible law enforcement leaders have been waging a relentless, although often futile, battle to modernize and professionalize law enforcement. Their pleas, warnings, and exhortations for the most part have fallen on deaf ears. Only recently has the voice of law enforcement received any appreciable recognition—and this has come about mainly because crime has reached such proportions that it can no longer be ignored if our Nation is to survive.

The annals of law enforcement are replete with examples of achievements which show that progressive, effective enforcement, keyed to human relations, has been a continuing goal of career officials. While struggling without adequate funds and without public support, law enforcement has always been receptive to, and where possible has applied, all scientific developments and technological breakthroughs which would enable it to do a better job and to improve its standards.

Police officials know from experience that crime prevention and enforcement of the law are a bit more complicated than the supervision of a church picnic. Sociological dreamers notwithstanding, crime cannot be explained away. It can be given aliases, but by any other name it is still crime—violations of the laws of our land. And it is still increasing.

It is not surprising, therefore, to note that many who in the past chose to minimize the danger of crime and to ignore police pleas for help now quite charitably choose to place much of the blame for soaring criminality at the door of law enforcement. While law enforcement has its shortcomings, to charge that it is by choice out of step with progress is an admission of ignorance.

John Edgar Hoover, *Director*.

DETROIT RIOTS

Mr. EDWARDS of Alabama. Mr. Speaker, I ask unanimous consent that the gentleman from Utah [Mr. Lloyd] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Alabama?

There was no objection.

Mr. LLOYD. Mr. Speaker, much has been said about politics being played in connection with the Detroit riot. Certainly newsmen who were on the scene are well equipped to comment on the extent to which politics may have entered into the actions of various individuals involved. I believe, therefore, that all Members of the House will be interested in a Detroit News editorial of July 30. I urge that all House Members read this editorial statement, which follows:

L. B. J. on Urban Riots—Still Playing Politics

There was much more to commend in President Johnson's message to the nation Thursday night on the recent wave of riots than in his TV speech announcing his decision to send Army units into riot-torn Detroit. Yet the political overtones that had marked his first speech still echoed in the second.

In effect, Mr. Johnson sought to pin at least part of the blame for the riots in Detroit and other American cities on those members of Congress who opposed social legislation to combat the conditions that breed despair and violence in our big cities. This effort, in this newspaper's opinion, was unfair.

It is true that in the long run the model cities program, new housing legislation, a boadened Head Start program to aid underprivileged school children and other social legislation should alleviate the conditions that cause trouble in the big cities of America. But they won't do much overnight. The job simply is too big. And so it is nonsense to blame today's rioting on yesterday's failure to act on such legislation.

While we think the President misread the national mood in trying to assess the blame for the rioting at this time, we support several of his proposals for action.

In the first place, we endorse the President's action in appointing a blue-ribbon national advisory commission to investigate the origins of the urban disorders, even though Mr. Johnson seemed to be somewhat inconsistent. He appeared to be asking for the investigation after having himself outlined the causes of the trouble. It was almost as if he said to the commission, "Here's my view about the causes of the rioting. Now you come up with the corroborative evidence to back me up."

Yet we cannot fault the President for the calibre of the commission named. It is heavily oriented toward politics, but it contains excellent representatives of the cities and states as well as of civil rights organizations. And if many of the members are in public life, the fact is that political decisions will be required to achieve the goals of peace and tranquility that all of us seek in our big cities.

It might have been possible for the President to have found a more prestigious chairman than Gov. Otto Kerner, of Illinois, but he is a fair-minded man whose background as a prosecuting attorney, judge and state official will assure the commission of an able and informed leader.

The other members who are familiar to the public also appear to be excellent choices. Mayor John V. Lindsay, the progressive Republican mayor of New York, represents an enlightened view of a mayor's responsibility. Roy Wilkins, executive director of the National Association for the Advancement of Colored People, is a respected Negro spokesman. Rep. William M. McCullough, Ohio Republican, is the man whose redrafting efforts assured the passage of the 1964 civil rights bill. Senator Edward W. Brooke, Massachusetts Republican, will bring excellent credentials to bear on the problem. So will Senator Fred R. Harris, Oklahoma Democrat, and Herbert Jenkins, Atlanta police chief.

Mr. Johnson's recommendation that the National Guard be trained as a more effective antiriot force also merits study—but only if the National Guard is to be reorganized. Because of the inexperience of many of its officers and men—and the brief periods of training to which they're subjected—the National Guard is seldom fully prepared for its military responsibility when war comes. To expect the Guard to be able to add a worthwhile program of riot training on its limited service basis is to expect the impossible, in this newspaper's view.

In setting aside a national day of prayer for reconciliation, Mr. Johnson bowed to convention and political practice, but it is doubtful that prayers alone will reform those responsible for the violence in the streets any more than they will improve the motives of those who share the blame for the conditions that arise in our cities.

Mr. Johnson sought to steer a middle course between those who want to crack down and those who seek answers only in improvement of social and economic conditions. We applaud his emphasis on the fact that the violence was caused only by a few and that it is "law-abiding Negro families who have really suffered most at the hands of the rioters." And we endorse his added expression of concern:

"It is responsible Negro citizens who hope most fervently—and need most urgently—to share in America's growth and in America's prosperity. This is no time to turn away from that goal. To reach it will require more than laws and much more than dollars. It will take dedication and better understanding in the heart of every citizen."

Whether the President's prescriptions will succeed in achieving peace in our cities nobody knows. But we can hope that with the help of the public—Negro and white—the nation will move in the direction of that goal.

OUR COUNTRY'S 200TH BIRTHDAY

Mr. EDWARDS of Alabama. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. Pirnie] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Alabama?

There was no objection.

Mr. PIRNIE. Mr. Speaker, in this complex, fast-moving world, there is a tendency to concentrate so much on the future that we ignore the past. This should not be, for there is much to be learned from the events that have transpired in days gone by. Especially, is this the case when those events are associated with an undertaking of such unequalled importance as the fight for independence.

Monday, we affirmed our desire to profit from the past by enacting H.R. 8629 and providing funds for the work which will bring about the celebration of our country's 200th birthday. It will doubtless be a marvelous celebration, but it should be more than a mere commemoration. It should remind us that our countrymen of yesteryear fought and died so that we might be free. We should recall that they sought a government of laws instead of one dictated by men. We must remember that the heritage which is ours was not gained without sacrifice and dedication to ideals and that it is not ours to keep just for the asking.

Our land is dotted with shrines and historic places which will play a significant role in the bicentennal. These areas, monuments, and buildings which were so prominent in our past are more than forgotten graves. They are living memorials to our proud and ancient heritage. However, all our pride will be but vanity if at the same time we do not dedicate our thought and action to the preservation of the ideas and ideals which these events and places represent. We must be ever mindful of them as we move into the coming decades, facing new problems and confronting new challenges. The dawn of a new era is upon us and we can face it more successfully if we truly appreciate our revered past.

CONGRESSMAN HORTON INTRODUCES BILL TO EXCLUDE SUGGESTION AWARDS FROM GROSS INCOME

Mr. EDWARDS of Alabama. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. HORTON] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Alabama?

There was no objection.

Mr. HORTON. Mr. Speaker, I am today introducing an amendment to the Internal Revenue Code which will exclude from taxable income all suggestion awards paid to employees under a formalized suggestion award plan which complies with such regulations as the Secretary of the Treasury may prescribe.

This bill will further stimulate the imaginative employee to offer to his employer valuable suggestions to speed production, reduce costs, and promote safety. The improved business and manufacturing processes that result from employee suggestions benefit all American consumers by making available better products at lower cost.

I believe that the men and women who contribute their ideas to the American economy are making a contribution that is essentially similar to that made by the investor who commits his capital to the growth of our economy. Both groups are facilitating the expansion of the basic productive capacity of our Nation. The investor provides the resources necessary to employ additional labor and construct additional physical facilities while the suggestor points out how existing resources can be more productively employed or how new products and processes are better suited to the needs of our ever changing economy. Also like the investor, the man offering his ideas in the marketplace takes a substantial risk. Despite the many hours of thought and research that he may have devoted to the development and perfection of his idea, he has no guarantee of any return on his investment of time. Further, both the suggestor and the investor risk the loss of their "assets" once they have committed them to the marketplace.

I, therefore, believe it is only equitable that the Federal Government provide tax incentives to the suggestor as we now do for the investor. I feel that, just as our Government has long used the preferential capital gains tax rate to stimulate investment, the bill I am introducing today should be adopted in order to stimulate the development of this Nation's most valuable resource—the ingenuity of its people.

Enactment of this bill will stimulate more employees to offer to management their ideas for increasing efficiency, and thus will contribute to further increases in employee productivity.

I urge my colleagues to carefully consider the bill I have introduced and to accord it early favorable action. This proposal will stimulate economic growth and make the tax structure of our Nation more equitable.

SESQUICENTENNIAL OF FELICIANA LODGE NO. 31, F. & A.M., ST. FRANCISVILLE, LA.

Mr. RARICK. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

Mr. RARICK. Mr. Speaker, August 27, 1967, marks the 150th anniversary of the Feliciana Lodge No. 31, F. & A.M., of St. Francisville, La., situated in what was once a part of West Florida and even today affectionately called "The West Florida Parishes."

Its 150 years have seen the success and failure of men and government, yet it lives on. Its community has been blessed and enriched by the lives and deeds of good men become better. Wisdom, strength, and charity it has bestowed upon mankind, yet it has asked only that each as an individual do his duty as the Master directs. A cherished shrine of truth and courage enduring time and the elements to share with us this great day of commemoration.

Feliciana means "happy land" in Spanish. All within hail who desire are respectfully invited to attend in fraternal fellowship.

From the sesquicentennial bulletin we read:

> As H.L. Haywood wrote in Well-Springs of American Freemasonry, "To any full-time student of Masonic history, Louisiana has in it more satisfactions for the intellect than most of the forty-nine American Grand Jurisdictions. From 1791 until the present it has been a laboratory to which the questions which a Masonic historian is compelled to study have been submitted to all manner of tests. There he can see them actually at work, and how they work out; elsewhere he must study them more or less as abstractions."
>
> Exactly when Freemasons first arrived in Louisiana is difficult to discover. The population, especially at New Orleans, was largely French during the Spanish domination from 1769 to 1800, and even later. Freemasonry, however was rigidly prescribed by the Spanish authorities and by the ecclesiastical hierachy which even today is a powerful arm of the government of Spain. The masons in New Orleans in the late 1700's had to be very careful in their words and their actions to avoid the penalties prescribed against them by law. The Lodges were forbidden to meet within the walls of the Old City, consequently the first lodge had to be built outside the City Limits. And there they stand today as a beacon light in testimony of the daring and courage of the Masons of that day.
>
> Freemasons were hated by the Spanish churchmen because of their liberal and independent views concerning government and religion. Of the growing number of American immigrants to New Orleans, one Bishop, Don Luis de Pentalverty Cardenas, wrote: "A gang of adventurers, have made much worse the morals of our people. They have formed a Lodge of Freemasons in one of the City's suburbs and count among their members some officers of the garrison. Their secret meetings—behind closed doors . . . give this association a suspicious as well as a criminal appearance."
>
> Spanish rule in New Orleans, however, came to an unexpected end in 1800 when Spain gave back to France the Territory of Louisiana. At this time Secretary of State Madison instructed the American minister in Paris to try to prevent the transfer of Louisiana to France, or to buy the Floridas and, if possible, New Orleans. That minister was Robert R. Livingston, the first Grand Master of the Grand Lodge of New York. In the surprising negotiations which followed, by which the United States acquired the whole vast territory of the Mississippi Valley from Napoleon for approximately four cents an acre, Livingston was ably assisted by another Master Mason, James Monroe, who later became President of the United States and author of Monroe Doctrine. Thus Spain was removed bag and baggage from the Western Hemisphere.
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> The West Florida Parishes, however, remained under Spanish control. The administrative center of this area was located at Baton Rouge. Many of the planters and landholders in this territory were Americans who had come down from the Carolinas, Kaintuck, Virginia and the seaboard, and their dissatisfaction with the status quo can readily be imagined. To the south a large number of French and Spanish Americans were beginning to enjoy the rights of free men; in West Florida they were still under the heel of a monarchial and heirarchial despotism. As one might expect, having learned the lessons of the War of Revolution, some of them decided to take matters into their own hands, and to fight for independence.
>
> The West Florida Rebellion erupted for reasons similar to those which inspired the Masons of Boston to have a tea party. Greedy Spanish authorities continually meddled in land and timber sales, using the protection of their offices to intimidate their victims. Advocates of union with the territory of Orleans were harassed and persecuted. Contempt for the ill-managed West Florida government encouraged brawling adventurers like the Kemper Brothers to flout the Spanish governor openly.
>
> More moderate men tried conference and reason, but they soon found that their motives were misunderstood and treated with contempt. It became treasonable to talk about self-government, so the movement had to go underground. Absolute secrecy was essential to develop any plan of action. The planters—British, Irish, Scottish and American—soon discovered that there was only one bond which could preserve unity and maintain secrecy, their membership in an old and secret society known as Freemasons. As a consequence, their meetings were held "on the square" and the "five points of fellowship" in spite of the fact that throughout Spanish West Florida such meetings were strictly forbidden.
>
> The area seethed with discontent. Secret meetings were held at various plantations and in the town of St. Francisville. Capable leaders were elected. The Declaration of Independence of West Florida was composed. After a final fruitless parley with the Spanish official in 1810, a bold stroke was decided upon. Before dawn on September 23 a small but determined band of armed men quietly entered Fort Baton Rouge through a neglected opening in the brick fortifications; and after a few fierce hand-to-hand struggles, the defenders surrendered. Two of the

defenders were killed; several wounded. The attackers suffered only some scratches and bloody noses.

An hour after sunrise that morning a new flag flew from the staff of Fort Baton Rouge, the lone star flag of the newly created Republic of West Florida. The Silver star on a field of blue is said to have represented the "five points of fellowship" under which the ring-leaders of the rebellion held their meetings. For seventy-four days the first lone star flag in the history of America waved proudly over the free and independent State of West Florida, until it was taken down by Governor Claiborne of Louisiana on December 6. The United States through its President had declared the West Florida parishes a part of the Louisiana Purchase, and when Louisiana was admitted to statehood, that area was annexed to it.

General historians have paid little attention to the shortlived independent Republic of West Florida and its Masonically inspired lone star flag. Perhaps it was too small and bloodless an event; perhaps the republic's absorption into the State of Louisiana dimmed its significance. Whatever the reason, it never enjoyed the fame and the glory which its successor lone star flag enjoyed in our neighboring state to the west.

But even a lone-star flag-waving historian must acknowledge that the birthplace of Texas liberty is to be found here in New Orleans, Louisiana. At 829–833 Ursulines Street in the Old City there stands even today a cottage which deserves to be preserved as a shrine of American liberty. In that cottage, in the fall of 1835, Stephen Fuller Austin met with thirty-five prominent members of a local lodge of Freemasons and planned the campaign which, after much bloodshed, liberated Texas from Mexican rule. The formation of volunteer forces to fight for Texas freedom was there decided on; A committee was authorized to recruit volunteers and to raise funds for the struggle.

The cottage in the Ursulines Street of necessity became the cradle of Texas independence.

An interesting story of the Florida parishes of Louisiana is found in John Bach McMasters' "A History of the People of the United States," volume 3, commencing at page 369.

In West Florida the first district to feel the influence of the revolutionary spirit was New Feliciana, which lay along the Mississippi river just across the American boundary line of thirty-one degrees. Into it, since the purchase of Louisiana, had come hundreds of Englishmen, Spaniards, and renegade Americans, chiefly land speculators, deserters from the army, and men fleeing from debt. Seeing in the confusion spreading through all the Spanish provinces a fine opportunity to free themselves from the arbitrary rule of Spain, they began to agitate for what they called a settled government, which meant a government of their own making, issued a call for a convention, and chose four delegates. Baton Rouge, St. Helena, and Tanchipaho responded to the call. The Governor, Don Carlos Dehault Delassus, gave his consent, and late in July the delegates met at St. John's Plains.[1] They sat with closed doors,[2] and, after deliberating two days, informed the Governor that they had chosen a committee to frame a plan of government and had adjourned to the second Monday in August.[3] From such information as can now be gathered, it seems that the people were of three minds. Some wanted an independent government. These were the men of New Feliciana. Some were for standing by Ferdinand Seventh. But the great mass of the people were for annexation to the United States.[4] In this they were heartily supported by the press of Kentucky and Tennessee, which clamored loudly for meetings to express the sentiments of the people. If, said the news writers, the United States does not take West Florida, Great Britain will. And if Great Britain takes it, will the people of these States, of Mississippi Territory, of the Territories of Louisiana and Indiana, stand tamely by and see themselves again cut off from access to the Gulf and from trade on the Atlantic? Those who wished for a separate government drew up and circulated a plan. It was a curious mixture of the Declaration of Independence and the Constitution of the United States, and was intended to be temporary. No laws, no contracts then in force, no officers of the militia, were to be disturbed. But a government, consisting of a governor, a secretary of state, and three councillors of state, chosen by the people, was to be established. All executive power was to be vested in the Governor; all legislative powers in the three councillors, and within three years a convention was to meet at Baton Rouge and frame a constitution.

Mild as this was, it was much too radical, and when the convention reassembled in August the delegates were content to suggest a few reforms, which Delassus approved and promised to put into execution. They recommended a provisional government in the name of Spain; courts of justice as much like those of the United States as Spanish law would allow, a militia, land offices, naturalization of aliens, and a printing press under the control of the Supreme Court.

To such a government the men who wished for independence and the men who wished for annexation to the United States vowed they would never submit, and soon had a declaration of independence, a standing army of one hundred and four men, a lone-star flag, a State, a constitution, and a president of their own.

Delassus having failed to carry out the promised reforms, the convention on the twenty-second of September, under pressure from the malcontents, commanded Philemon Thomas to take the Spanish fort at Baton Rouge. Hastily collecting a crowd of boatmen, Thomas hurried to the fort, then defended by twenty half-sick and worthless men under the command of Louis Grandpré. Grandpré refusing to surrender, the Americans stormed the works, and, finding him standing, sword in hand, the solitary defender of his flag, they basely cut him down at the foot of the staff.[5] Among the prisoners was Governor Delassus. On hearing of the success of their general, the convention declared West Florida a free and independent State,[6] and bade John Rhea, its president, offer terms of annexation to the United States. The terms he named were that West Florida should be admitted into the Union as a State, or as a Territory, with leave to govern itself, or at least as part of Orleans; that it should be left in full possession of its public lands, and that one hundred thousand dollars should be loaned to it by the United States.[7]

The reply of Madison to the offer of annexation was a proclamation taking possession of the territory in the name of the United States and annexing it to Orleans, and an order to the Governor of Orleans to see to it that the proclamation was carried out. Claiborne was then at Washington. But he was sent at once in the utmost haste by the shortest route to Washington, Mississippi Territory. There he was to consult with the Governor of Mississippi and with the commander of the troops, and go on without delay to West Florida and take possession as far as the Perdido in the name of the United States. Once in possession, he was to mark out the bounds of parishes, set up parish courts, organize the militia, and secure to the people the peaceful enjoyment of their lives, their property, and their religion.

Claiborne, thus instructed, rode southward with all the speed he could, and by the end of November was scattering copies of the proclamation through the towns and hamlets of West Florida. The new State had by that time been organized, and for governor had chosen Fulwar Skipwith. To him the action of Claiborne was most offensive. His dignity was insulted. In place of scattering the proclamation broadcast among the people, a copy should first have been brought to him. He accordingly shut himself up in the fort at Baton Rouge, recalled Philemon Thomas, whom he had sent to attack Mobile, and defied Claiborne to do his worst. Having despatched Colonel Pike to Mobile by land and ordered the commander of the gunboats at New Orleans to go round by sea, Claiborne set off for the seat of disorder. Landing at the mouth of Bayou Sara, he hurried to St. Francisville, raised the flag of the United States, and made a speech to the people. The moment he finished, Thomas, the general of the new State, replied. The Government of the United States, he told the people, had refused protection when protection was needed, and now, when it was not wanted, was seeking to force it upon them. He then denied the claim of the United States to West Florida, declared the proclamation of Madison was a declaration of war, and announced his intention of going to the fort at Baton Rouge and, if need be, perishing in the ruins. Mounting his horse, he then rode away. The challenge thus publicly given was promptly accepted. A messenger was sent to recall the troops marching toward Mobile. Gun-boats were ordered up from New Orleans, and in two days Claiborne entered Baton Rouge. There he at once raised the stars and stripes. But the malcontents gathered in force, tore it down, and ran up the lone-star flag instead. For a while it seemed not unlikely that force would be needed to restore order. But when the troops and gunboats appeared, even the fort was quietly surrendered. Elsewhere along the Mississippi the people made no opposition to the new order of things, and when the year closed the flag of the United States was flying in the districts of Baton Rouge, New Feliciana, St. Helena, St. Ferdinand, and Tanchipaho.

Beyond the Pearl all was confusion. There no law had ever been enforced, no order had ever been preserved. The country had therefore long been the resort of deserters from the army, fugitives from justice, and men driven from the States by debt. By these men the rising of the people of Bayou Sara and the founding of the State of West Florida was hailed as the opportunity of a lifetime. Visions of laws of their own making, of plantations of their own choosing, of States of their own founding, rose before them, and, under the lead of Reuben Kemper, they marched against Mobile. The Spaniards drove them back. But the inroad, added to the outbreak at Baton Rouge and to the neglect of his own Government, so disgusted Vincente Folch, the Governor, that, in a letter to the Secretary of State, he offered, if succor did not come from Havana or Vera Cruz before the first day of January, 1811, to give up both Floridas to the United States.[8] A month was required for the letter to reach Washington. But the moment it came, Madison sent it to Congress, with a secret message in which he made two requests.[9] He asked for a declaration that the United States could not, unconcerned, see the Floridas pass from the hands of Spain to those of any other foreign power. And he asked for authority to take possession of the province with the leave of the Spanish officials.

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[1] Democratic Clarion and Tennessee Gazette, August 3, 1810.

[2] Democratic Clarion, August 7, 1810.

[3] Democratic Clarion, August 24, 1810.

[4] Democratic Clarion, August 3, 1810.

[5] September 23, 1810.

[6] American State Papers, Foreign Affairs, vol. iii, p. 396.

[7] American State Papers, Foreign Affairs, vol. iii, p. 395.

[8] Governor Folch to Robert Smith, Secretary of State, Mobile, December 2, 1810.

[9] January 3, 1811.

When the messenger bearing the confidential message reached the Senate chamber he found the doors shut and the Senate in secret session. The business of the session was the consideration of a bill concerning West Florida. So much of the annual message as related to the occupation of that territory had been referred to a committee, and from the committee had come the bill the Senate were debating. One section declared that all the region south of Mississippi Territory, east of the Mississippi river, and west of the Perdido was part of the Territory of Orleans. Another spread over it all the laws then in force in Orleans. Two more sections related to claims and titles to land. The debate which sprang up was long and animated. Speakers on the one side denounced the proclamation as unconstitutional and illegal, as a declaration of war and an act of legislation. A declaration of war because it directed the occupation of the country by a military force. An act of legislation because it joined the country to a territory of the United States, and gave to Claiborne the same authority in West Florida that he had in Orleans. Speakers on the other side defended the occupation of West Florida as an act of prudence, of necessity, of self-preservation. Federalists raised the cry of French influence, compared the respectful treatment of Spain when an ally of France and an enemy to England with the high-handed treatment of her now she was the enemy of France and the ally of England, and pronounced the occupation a piece of robbery. Republicans denied that the proclamation was an act of legislation, denied that the President had assumed the war power, denied that West Florida was not rightfully ours, and taunted the Federalists with having always been under the influence of his Britannic Majesty.

In the midst of the debate came the confidential message, with the letter of Governor Folch. What then took place can never be fully known. Debates in secret session were not always reported. It is enough, however, to know that two weeks later Madison signed a joint resolution and a bill. The resolution set forth that, considering the situation of Spain and of her American colonies, and considering the influence which Florida must always exert on the peace, the tranquillity, the commerce of the United States, it was impossible without alarm to see any part of it pass into the hands of any foreign power; that a due regard for safety made it necessary to occupy the territory; but that the occupation should be temporary and subject to negotiation in the future.

The bill, based on the letter of Folch, authorized the President to take and hold Florida east of the Perdido under either of two conditions. If the local authorities were willing to give it up, or if any foreign power attempted to occupy it, he was to seize it; use, if necessary, the army and navy; expend, if necessary, one hundred thousand dollars; set up a temporary government, and vest the civil, military, and judicial powers in such persons as he thought fit. Madison appointed General George Matthews and Colonel John McKee commissioners to carry out the law, and ordered their instructions to be made ready immediately.

From Henry E. Chambers' "A History of Louisiana" at page 483, we find the events thusly:

The Independent State of West Florida

The year 1803 which saw Louisiana and the Island of New Orleans transferred to the United States, saw also the Spanish Governor Folch at Pensacola exercising jurisdiction over all Florida, East and West. De Grand Pré was the military commandant at Baton Rouge, serving as such up to 1807 when he was replaced by Don Carlos Duhault de Lassus.

It had been a great disappointment to a number of the English-speaking inhabitants of the Baton Rouge district that the region in which they had taken up their abode, had not been included in the transfer of the province of Louisiana to the United States. To the north of them was Mississippi Territory, organized in 1798, in which a more stable and less-restraining form of government stood in contrast to the one under which they were governed.

The rich lands about Baton Rouge and the Felicianas had, as we have seen, attracted a number of "American" settlers. During the time the older inhabitants of New Orleans and the remainder of the province of Louisiana were fostering a feeling of discontent at American rule, the new-comers of West Florida were developing a like spirit of dissatisfaction with their Spanish rulers. For government in West Florida seemed to go very much by favor. The laws were loosely administered; at times, the only law seemed to be the whim or arbitrary ruling of the local commandant or the magistrates. Antagonism between those favored and those not favored by the ruling powers were inevitable. Complications in regard to smuggling and runaway slaves also arose as they did at the other or Georgia end of the Florida boundary line and these led to friction and inspired insubordination.

The policy of DeLassus was vacillating; his character, weak. Causes of dissatisfaction were afforded almost daily because of the corruption of officials and the lax methods of suppressing crime. Spain being far away and engrossed with her own affairs at that particular time, it was out of the question to refer any grievances to other than local officials and tribunals. These, of course, were prejudiced against all complaints concerning their own actions and activities. In the midst of the general discontent a wild rumor spread that Napoleon Bonaparte was about to claim West Florida and that the French would soon appear and take possession.

The West Floridians, although they preferred the jurisdiction of the United States, were tolerant of Spanish rule when that rule was based upon any semblance of right or upon a due regard for the people's interests. The idea of being dominated by France, however, was repugnant to them. They therefore endeavored to abort a change of jurisdiction to France, by giving formal assurance of their fealty to Spain. But a better organized, more effective local government was the need of the hour. How to provide this and still maintain their attitude of loyalty was a problem which they believed solvable.

A convention to consider the situation was proposed by the citizens of Feliciana and agreed to by the other districts. Delegates from each were elected and the convention met at Buhler's Plains, July 17, 1810. John Mills presided; Dr. Steele acted as secretary. The convention first put itself on record by declaring in a formal set of resolutions unswerving allegiance to Spain as against any effort France might make to take possession.

"We, therefore, the people of West Florida," the resolutions declared, "exercising the rights which incontestably devolve upon us, declare that we owe no allegiance to the present ruler of the French Nation, or to any King, prince or sovereign who may be placed by him on the throne of Spain."[1]

The Convention's next procedure was to nominate officers for a provisional government. Charles Duhault de Lassus, the Spanish military commandant, was confirmed to that office and in addition, was made "1st judge" with Messers. Shepard Brown, Robert Percy and Fulwar Skipwith as associate judges. Joseph Johnson was named high sheriff; Bryan McDermott, civil commandant at Bayou Sara; Gilbert Leonard at Baton Rouge, and Daniel Raynor at St. Helena.

A committee waited upon commandant DeLassus to convey to him the results of the Convention's deliberations and to present him a memorial explaining the necessity existing for the reorganization of the West Florida government. The committee assured him that it was not intended to jeopardize the sovereignty of Ferdinand VII over the province, and they pledged him the governorship under the new organization.

DeLassus appeared complaisant and acquiesced to the proposed reforms. Subsequent events showed that he was merely abiding his time. A second Convention was called to meet August 25. John Rhea presided. The sub-districts represented were New Feliciana, St. Helena, Baton Rouge and St. Ferdinand. The organization of the new government with its judges, civil commandants, high sheriff, etc., was confirmed. Philemon Thomas was made colonel commanding all militia of the district. Proclamation was made in the name of DeLassus and of the people of Baton Rouge District announcing the organization of the new government.[2]

Everything appeared to be serene and harmonious. But a month had hardly elapsed before it was discovered that the acquiescence of DeLassus was a pretended one, that he was laying treacherous plans to suppress what he had been considering all along to be a rebellious up-rising. A letter of his to Governor Folch of Pensacola was accidentally intercepted by General Thomas. It revealed the governor's duplicity. In this letter DeLassus urged upon Folch the necessity of sending to Baton Rouge a large force to quell an insurrection of his Catholic Majesty's subjects then in progress. He urged that Folch march to the scene in person and that he summon assistance from Cuba as the insurgents were "desperate and determined."

The discovery of the governor's treachery struck the leaders of the movement for better government with consternation. They were not of the quality, however, to sit tamely and await the fate that Spain was accustomed to visit upon rebellious subjects. General Thomas called the leaders together. Grimly and determinedly they assembled.[3] Promptly they decided to raise the banner of outright revolt against the rule of Spain and establish independence. The precedents of the revolt of the thirteen colonies against England were followed very closely. A formal Declaration of Independence with reasons therefor, was drawn up and promulgated [4] Fulwater Skipwith was selected to head the new government as governor or president. General Philemon Thomas was given command of the military and put in charge of the defenses. The president of the Convention, John Rhea, was instructed to open negotiations with the United States Government with a view to annexation, stipulating, however, that title to all public lands should be vested in the new West Florida State.[5] A loan of $100,000.00 was also to be solicited to aid in defending West Florida from Spanish attack.

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[1] Publications of the Louisiana Historical Society, Vol. I, Part II, p. 42.

[2] *"To the Inhabitants of the Jurisdiction of Baton Rouge:*

"His Excellency, Carlos Dehault DeLassus, Colonel of the Royal Armies and Governor, Civil and Military, of the Place and Jurisdiction of Baton Rogue, with the representatives of the people of the said jurisdiction, in convention assembled, announce:

"That the measures proposed to be adopted for the public safety and for the better administration of justice within the said jurisdiction, are sanctioned and established as ordinances, to have the force and authority of law, within the several districts of this jurisdiction, until the same be submitted to the Captain-General of the island of Cuba, and until his decision thereon shall be known. The said ordinances will be made known in each district with all possible dispatch; and in the meantime all the good people of this jurisdiction are required to preserve good order and avoid every movement which may disturb the public tranquility—it being the only object of both the Governor and the representatives to consult the best interests of the inhabitants. And although it is not intended to mark with severity the authors of the disorder which has appeared in several parts of the country for some time past, yet all such persons as may be found offending in that manner, after this date, will be punished with the severity which the law prescribes and which their offences may deserve.

"Baton Rouge, August 22, 1810."

(Louisiana Historical Society Papers, Part II, pp. 44–45.)

Meanwhile General Thomas and his militia were engaged in taking forcible possession of the Spanish military defenses. According to some accounts DeLassus had absented himself from the post of Baton Rouge and left in command young Louis de Grand Pré, grandson of Carlos de Grand Pré the former governor of Baton Rouge. In reality DeLassus was in hiding within the fort and it was because of his cowardice, that his young lieutenant assumed charge of the defenses. Grand Pré was besieged in Baton Rouge and after a gallant and stubborn resistance during which he lost his life, the post was surrendered to the revolutionists.

Thus was the birth of a new American state proclaimed and thus did another English-speaking people on the continent of America wrest from a foreign potentate their liberty, independence and right to self-determination. It was the better to assure these acquired privileges, that application was made for admission to the Union. A copy of West Florida's Declaration of Independence was forwarded to the President of the United States through Governor Holmes of the Mississippi Territory, and Rhea, writing under date of October 10, 1810, opened communication with the secretary of state at Washington with a view to admission or annexation.

Madison, once secretary of state, now President of the United States, peremptorily refused the petition of the West Florida Revolutionists. Annex West Florida! Why West Florida was already the property of the United States,—had been so since the Louisiana Purchase Treaty of 1803. Such was Madison's position. He considered the time opportune to proclaim United States ownership. His proclamation was issued October 27, 1810. Governor Claiborne of Orleans was ordered to confer with Governor Holmes of Mississippi Territory upon ways and means to carry out the President's proclamation. His specific instructions were that he was to enter the revolted territory, take possession in the name of the United States, as far as the Perdido River, establish courts, organize the militia and take all necessary steps to secure to the people the "peaceful enjoyment of their lives, property and religion."

By the 1st of December, Claiborne was scattering broadcast through West Florida copies of the President's proclamation much to the indignation of the newly-chosen governor, Fulwar Skipwith, who, clothed in a little brief authority, felt some recognition was due him, that he should have been officially apprised of the proclamation before it was indiscriminately circulated. He repaired to Baton Rouge and for a time took under consideration the idea of opposing Claiborne by force.

Claiborne marched from Natchez to St. Francisville, where he found a crowd assembled. He delivered to them a conciliatory address following which the American flag was raised and the jurisdiction of the United States proclaimed. General Thomas was present and he followed Claiborne with a passionate appeal in opposition. "The United States," he declared "had refused either assistance or protection when it was needed; and now when it was unnecessary, sought to force it on them. The claim of the United States to West Florida was bad in law and in morals and Madison's proclamation was a virtual declaration of war." He then announced his determination to hasten to Baton Rouge, defend the fort, and, if need be to surrender his life in defense of his cause and country [West Florida] [6].

Claiborne sent for reinforcements and ordered some new gunboats up the river from New Orleans. He, himself, proceeded with his original force to Baton Rouge. He raised the American flag over the fort; it was torn down and replaced by the lone star flag of the West Florida Republic. About that time the reinforcements and gunboats arrived. Better counsel prevailed. Those who had been disposed to give trouble sobered down. The post quietly surrendered. No one had been required to sacrifice his life on the altar of his country. With the surrender of the fort the five West Florida districts of Baton Rouge, New Feliciana, St. Helena, St. Ferdinand and "Tauchipaho" (Tangipahoa) became possessions of the United States.

The beginning of the "Free and Independent State of West Florida" dates with the assembling of the convention, September 23, 1810; and its career terminates with the raising of the flag of the United States at St. Francisville, December 6, of the same year. Yet brief as was this career, it was nevertheless active. When the Spanish authorities of Baton Rouge were deposed, it was anticipated that Governor Folch would attempt to interfere with the organization of the little republic. So the convention posted a line of sentinels along the banks of the Pearl River, the eastern boundary of the part of West Florida in revolt. The maintenance of this line was found to be an uncertain and expensive means of safety against attack. It was determined to settle the matter at once by a resort to arms. War was declared against Mobile. An expedition under the command of Colonel Reuben Kemper[7] made its way to the shores of Mobile bay; but, being poorly equipped, was compelled to defer its attack until a supply of arms and munitions could be procured. An agent of Kemper managed to purchase of Henri de la Francia, a citizen of Baton Rouge, a lot of arms,[8] and the convention bought a flatboat load of Western produce, transferred it to a keelboat and sent it to the relief of Kemper.

Governor Folch was completely demoralized at the display of force made by Kemper; he wrote, December 3, to President Madison, imploring the Government of the United States to send the garrison of Fort Stoddard to help him "drive Reuben Kemper back to Baton Rouge," and to send commissioners with power to treat for the transfer of Mobile and the rest of the province of West Florida to the United States. Three days later, Claiborne reached St. Francisville. Kemper and his men, being without governmental authority to sustain them in their undertaking made their way back.

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[3] September 26, 1810.

[4] "By the Representatives of the people of West Florida, in convention assembled:

"A DECLARATION.

"It is known to the world with how much fidelity the good people of this Territory have professed and maintained allegiance to their legitimate sovereign, while any hope remained of receiving from him protection for their property and their lives.

"Without making any unnecessary innovation in the established principles of the government, we had voluntarily adopted certain regulations, in concert with our First Magistrate, for the express purpose of preserving this Territory, and showing our attachment to the government which had heretofore protected us. This compact which was entered into with good faith on our part, will forever remain an honorable testimony of our upright intentions and inviolable fidelity to our king and parent country, while so much as a shadow of legitimate authority remained to be exercised over us. We sought only a speedy remedy for such evils as seemed to endanger our existence and prosperity, and were encouraged by our Governor with solemn promises of assistance and co-operation. But those measures, which were intended for our preservation, he has endeavored to pervert into an engine of destruction, by encouraging in the most perfidious manner, the violation of ordinances sanctioned and established by himself as the law of the land.

"Being thus left without any hope of protection from the mother country, betrayed by the magistrate whose duty it was to have provided for the safety and tranquility of the people and government committed to his charge, and exposed to all the evils of a state of anarchy, which we have so long endeavored to avert, it becomes our duty to provide for our own security, as a free and independent state, absolved from all allegiance to a government which no longer protects us.

"We, therefore, the representatives aforesaid, appealing to the Supreme Ruler of the world for the rectitude of our intentions, do solemnly publish and declare the several districts composing this Territory of West Florida to be a free and independent State; and that they have a right to institute for themselves such form of government as they may think conducive to their safety and happiness; to form treaties; to establish commerce; to provide for their common defense; and to do all acts which may, of right, be done by a sovereign and independent nation; at the same time declaring all acts, within the said Territory of West Florida, after this date, by any tribunals or authorities not deriving their powers from the people, agreeably to the provisions established by this Convention, to be null and void; and calling upon all foreign nations to respect this declaration, acknowledging our independence, and giving us such aid as may be consistent with the laws and usages of nations."

Gayarré: History of Louisiana, Vol. 2, pp. 231–233.)

Gayarré finds it strange that in this document of the revolters, allusion is made to the "fidelity with which they had professed and maintained allegiance to their legitimate sovereign," and to their solicitude to proclaim that "they had not taken arms against the king." (History of Louisiana, Vol. 4, p. 231.) He seems not to have had access to data concerning the previous uprising of the West Floridians, in which they declared their continued allegiance to the king, and had in view only the bettering of the local government and stricter administration of justice, while continuing the Spanish governor, DeLassus, in office. This is what the declarers meant in alluding to their past loyalty—that their former movement had not been insurrectionary. With their present movement they did not couple their expressions of loyalty.

[5] American State Papers, Vol. III, p. [illegible].

[6] Hubert Brace Fuller: The Purchase of Florida, p. 185.

[7] Kemper was one of three gigantic brothers, living in the neighboring Mississippi Territory, all of whom has previously incurred the displeasure of the Spanish authorities. One of them had been imprisoned, since which time the Spaniards had no foe more relentless than the Kempers.

[8] It is interesting to note that these same arms formed a part of the much-needed equipment which General Jackson, five years later, with difficulty collected for the defense of New Orleans against the British.

The annexation of West Florida called forth protests from Spain and Great Britain.[9] Indeed, such was the attitude of the latter that Congress passed secret acts authorizing the President to take temporary possesion of East Florida (January 15 and March 3, 1811) should England, persisting in the idea that there was a territorial grab game going on without her participation, endeavor herself to seize East Florida.[10] Indeed, in 1814, General Jackson, commanding the military defenses of the South in the War of 1812 was under the necessity of invading the Spanish province to drive British forces from Pensacola.

January 22, 1812, by act of Congress, Louisiana was admitted to the American Union as a state as we shall soon see. April 14 following, an act adding that part of West Florida lying between the Pearl and Mississippi rivers to Louisiana as constituted, was approved by the President. Thus, after many cruises in various jurisdictional seas, the West Florida ship of state finally came to permanent anchorage in undisturbed waters, its memory still preserved in every allusion to the "Florida Parishes" of Louisiana.

PROFILE OF A FALSE ISSUE

Mr. EDWARDS of Alabama. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. GOODELL] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Alabama?

There was no objection.

Mr. GOODELL. Mr. Speaker, I am getting a little bit tired of all the foolishness being passed around about rat eradication. Rats are a serious problem and no laughing matter.

There has been a great deal of discussion about the refusal of the House on July 20 to consider a rat eradication bill providing $20 million a year to housing and urban development for 2 years. We already have on the books at least three Federal laws under which urban rat extermination can be funded. They are:

First, under the Department of the Interior, technical assistance for rat extermination in urban areas. A Department spokesman indicates that they are meeting all applications for funds.

Second, under the Office of Economic Opportunity, the community action portion of the poverty law provided approximately $323 million of unearmarked money last year that could be used for, among other things, rat eradication. In the coming year, there is a proposal that this be boosted to $420 million. Chicago alone has received $2.9 million of Federal poverty money for rat eradication in the past 3 years.

Third, under Health, Education, and Welfare, the Comprehensive Health Services Act of 1966 authorized $125 million last year to States for a variety of public health programs, including rat extermination. A number of States and communities are in the process of applying for Federal funds to eradicate rats under this program.

I am sure there are other Federal programs from which money can be received to eliminate the menace of rats. The President has designated the demonstration cities law as another source of funds to exterminate rats.

Programs for plague and other disease control qualify for rat money. In addition, General Services Administration runs a major rat-control program for its facilities, as do most agencies. The Department of Agriculture has $250 million available for pest control, including rats, in rural areas. The three programs listed above, however, are clearly available as a source of Federal funds to aid in rat control in urban areas.

It seems to me that it is about time we stopped talking nonsense on this important issue. With at least three existing Federal programs, for urban rat eradication, is the real solution to add a fourth? That is one of the troubles with Great Society solutions. You see a problem that is not being solved by existing programs so you put a label on a new bill and give it the big public relations treatment. When the new law does not solve the problem, we have simply succeeded in compounding the frustrations of those who thought they had found a Great Society solution.

With three laws already on the books, it seems to me that it would be a better solution to eliminate rat money in two of them and put enough Federal money in a single program to do the job. Every time we set up an additional program, we leak off that much more money in redtape and unnecessary administrative waste. Interior, OEO, and HEW are already in the rat eradication business. When Congress balks at adding HUD to the three other Federal agencies already competing to spend rat money, those who criticize our refusal are raising a totally false and specious issue.

Perhaps this point was made most effectively by our colleague, Representative HENRY REUSS, of Wisconsin, who serves on the subcommittee that approved the bill adding the fourth Federal rat eradication program:

> I am all for exterminating rats, but just last year the Congress was at great pains to take some 10 or a dozen public health programs, including programs in the environmental field, and to put them together in one program so as to move toward greater flexibility in Federal-State-local relations. It was a remarkable piece of legislation in the Public Health Service. The President signed it last October. Under the act, which gives localities freedom to choose the things they want to concentrate on, at least seven States are now coming in with excellent vector rat control programs. But here, having done all that, what do we do but come in with another tiny specific program, very costly to administer. It gets HUD into the health business, it confuses the local health departments who have been dealing uniformly with the Public Health Service of HEW, it is going to result in shopping around, whether you get rat-control money from HEW or whether you get it from HUD.
>
> Worse, it is terribly inflexible. Take the Milwaukee health commissioner, with whom I discussed this matter. He has programs going on all sort of vectors, mosquito control, pigeons, rats, cockroaches, and several other things. Here we are picking out one of those and saying, this is it, and if you have to starve the rest of your program, that is too bad. So, because I do not offer this in a destructive spirit, I am asking, why do you not in the administration forthwith go before the House Interstate Commerce Committee, which is taking up amendments to the Public Health Act next week, and add another $20 million to their $62.5 million annual authorization, and you do not even have to have a rat-control measure there because it is already there?

Mr. Speaker, in the past year, three existing Federal programs alone provided a total of $448,025,000 from which urban rat eradication, among other things, could be funded on application from local governments.

RATS MUST GO

Mr. EDWARDS of Alabama. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. KUPFERMAN] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Alabama?

There was no objection.

Mr. KUPFERMAN. Mr. Speaker, I am today introducing legislation incorporating the Rat Extermination Act of 1967,[1] which was denied consideration on July 20,[2] with an additional feature that authorizes funds for the reimbursement of those States or localities which have initiated rat extermination programs in the wake of the refusal of the House of Representatives to act.

The new provision authorizes the Secretary of Housing and Urban Development, in carrying out the authority under the act, to make grants to offset costs incurred in establishing rat extermination programs after July 20, 1967. Additionally, the legislation provides for reimbursement to any State that makes payments to units of general local government for developing and carrying out rat extermination programs before funds become available under this act. After the States have been reimbursed, the balance of the rat extermination programs will be financed by Federal funds directed to the local governments, pursuant to section 2 of the act.

This reimbursement section will permit other States to follow the example of Gov. Nelson A. Rockefeller, of New

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[9] "I deem it incumbent upon me," said Mr. Morier, Great Britain's representative at Washington, to the Secretary of the State, on the 15th of December, "considering the strict and close alliance which subsists between His Majesty's Government and that of Spain, to express to the Government of the United States, through you, the deep regret with which I have seen that part of the President's message to Congress, in which the determination of this government to take possession of West Florida is avowed." (Gayarré: History of Louisiana, Vol. 4, p. 241.)

[10] See Winsor: Nar. and Crit. Hist. of America, Vol. 7, p. 546.

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[1] H.R. 11000 introduced by Congressman Wright Patman of Texas.

[2] See Congressional Record of Thursday, July 20, 1967, at page 19584, et seq.

York, by instituting their own programs without the fear of becoming ineligible for Federal funds by starting too early. The provision will also give the States the incentive to start their programs immediately, thus providing for a more rapid cure for rat-infested ghettos.

Governor Rockefeller, on August 1, announced that New York was going to authorize $4.5 million to exterminate rats. As reported in the New York Times, the Governor said he was "spurred to action by the rejection of President Johnson's $40 million rat control program, by the House of Representatives." He said that "the rejection was symbolic of the lack of concern over human values."

In the wake of the July 20 debacle, the need for a Federal rat extermination program has become more critical. Since July 20 we have witnessed a phenomena never expected. Newspapers, radio, and television have been carrying the cries from people throughout the country expressing the need for such legislation.

While I do not think it is necessary to review all of the evidence and statistics, I feel it is sufficient today merely to reiterate the fact that in 1966, New York, Baltimore, St. Louis, and Washington reported a combined total of 750 cases of rat bites. Philadelphia and Cleveland each usually record 60 to 100 rat bites per year. Secretary Weaver's estimate of the number of rats in the United States is 90 million, with each of them causing an average of $10 damage per year.[3]

Mr. Speaker, in terms of finances, the rat extermination legislation authorizes $40 million over a 2-year period to help solve a $900 million problem. Simple mathematics demonstrates the necessity for reconsidering this measure. In this cost-conscious period of a nation's affairs a $40 million investment to help solve a $900 million problem seems a very reasonable course to follow.

In the last several weeks the Congress has come under a barrage of criticism. The executive branch, the States, and the local governments have made us the scapegoat for our Nation's failures. I hope the criticism of this body has been somewhat exaggerated. We cannot believe that the vote on July 20 was a product of disregard for the problems which confront our Nation's urban population. I would rather believe that the adequate facts and figures necessary to support passage of the act were not before us.

Mr. Speaker, the phenomena of public outcry, which I previously mentioned, compels us to reconsider this legislation, and in so doing to reflect and deliberate upon the facts:

The New York Health Department estimates that there are 8 million rats in New York City, a number almost equal to the City's population;[4]

The Bureau of Disease Prevention and Environment Control of the Department of Health, Education, and Welfare has made known that they have documented accounts of infants who have died of rat bites;[5]

The World Health Organization has reported cases where adults have been killed by rats;[6]

Secretary Weaver, in a statement issued after the July 20th defeat, stated that, in Chicago where the agency had processed over 2,500 complaints in slums, over 40% of these complaints were concerned with the tenant's fear of the rats, roaches and other things that infest the cities and towns;

The day after the Rat Bill was defeated President Johnson, in expressing his shock and disappointment, pointed out the fact that this country spends large sums of money on protecting its domestic livestock from rodents and predatory animals, while denying the same advantage to the children of our nation.[7]

In addition to Governor Rockefeller's proposal, I have received a letter from the State Senator from the 48th District of Florida (Richard Stone) who informs me that he is introducing a rat control act in his state legislature.

The States, however, must have Federal assistance so that a speedy nationwide solution to this problem can be assured. Secretary Weaver, testifying before the Subcommittee on Housing of the House Committee on Banking and Currency, expressed the purposes of Federal intervention when he stated:

> The principal difficulty in controlling and exterminating rats has been due primarily to the failure to allocate sufficient technical and financial resources to the problem. The conditions which breed rats as well as the techniques for removing these conditions are now well-known.
>
> Rat control and extermination programs undertaken under the provisions of the bill will emphasize control measures to eliminate places that shelter rats and their food supplies, as well as systematic extermination, as needed. Cities will be helped in carrying out public education campaigns. Appropriate training and information needed to secure the cooperation of the inhabitants of rat-infested areas will be supported . . . The program which would be authorized under this legislation will emphasize intensive action All its resources will be directed to the problem of rat control and extermination . . . Building on the existing experience, we can help communities to eliminate the threat that rats constitute to health and safety of their citizens.[8]

Lawlessness, unemployment, low income, rats, substandard housing, race and class prejudice each form an integral part of the current urban crisis that is presently threatening our Nation's concept of liberty. Rats, as pointed out in a task force report done under the auspices of the Bureau of Disease Prevention and Environmental Control, "in addition to being symptomatic, further aggravate the situation and themselves contribute to a deterioration of the human environment." [9]

The task force report goes on to say that the success of a rat extermination program depends on an all-out, collective effort on a continuing basis. Control, they emphasize, no matter how effective, and additional research, no matter what the results, will prove inadequate until the basic causes for rats being present are removed.

Mr. Speaker, this project cannot be handled on a piecemeal basis; it requires Federal coordination and direction as a necessary condition for its success. As pointed out in the committee testimony, rats attacked in one area quickly move on to another area.[10] There must be an authority capable of mastering all phases of the operation. Presently, no single Federal agency has the responsibility to deal directly and specifically with every phase of the problem.

I urge my colleagues to reconsider this problem and the attempt at its elimination that this worthwhile and very necessary legislation proposes.

SAVINGS AND LOAN HOLDING COMPANY ACT HEARINGS SCHEDULED AUGUST 21, 22, AND 23

Mr. MONTGOMERY. Mr. Speaker, I ask unanimous consent that the gentleman from Texas [Mr. PATMAN] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

Mr. PATMAN. Mr. Speaker, on August 21, 22, and 23, the Domestic Finance Subcommittee of the Committee on Banking and Currency will receive testimony on bills to provide additional regulation of savings and loan holding companies. These are my bill H.R. 8696 and S. 1542 which recently passed the other body, and related measures.

Persons who have not already requested an opportunity to testify should write or call the committee office at 225-4247 or 225-7057.

The first witness to be heard will be the Honorable John E. Horne, Chairman of the Federal Home Loan Bank Board.

EXPORT LICENSE ISSUANCES INFLUENCED BY WHITE HOUSE PRESSURE

The SPEAKER pro tempore (Mr. ECKHARDT). Under previous order of the House, the gentleman from California [Mr. LIPSCOMB] is recognized for 30 minutes.

Mr. LIPSCOMB. Mr. Speaker, administration policies are resulting in unilateral concessions to the Communist bloc in the area of trade which could be a detriment to our national welfare.

Under the banner of so-called bridge building, it appears to be almost a fetish among certain administration spokesmen to push for making more and more equipment, supplies, and technical data available to Communist-bloc nations.

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[3] Statement of Robert C. Weaver, Secretary of Housing and Urban Development, before the Subcommittee on Housing of the House Committee on Banking and Currency on Housing and Urban Development Legislation, April 18, 1967, p. 7.

[4] The *New York Times*, August 1, 1967 p. 18, col. 5 by Martin Tolchin.

[5] The *New York Times*, July 29, 1967, p. 9, col. 4 by Harold M. Schmeck, Jr.

[6] *Ibid.*

[7] The *Washington Post*, July 20, 1967, p. 1, col. 3.

[8] *Supra* note 3 at p. 8, 9.

[9] Task Force Report, *Plan For a Nationwide Urban Rat Control Program.*

For information contact the Bureau of Disease Prevention.

[10] See Hearings before the Subcommittee on Housing of the Committee on Banking and Currency, House of Representatives, 90th Cong., 1st Sess., on H.R. 8068, p. 77.

One of the means being resorted to is to apply pressure from the White House to obtain quick clearances on export licenses. Such action not only disrupts the orderly procedures in evaluating export license applications but tends to render export control procedures a hollow sham.

The major purpose of the Export Control Act is to provide for a system of controls on proposed shipments overseas from the point of view of their significance to our national security. There are sound reasons why this law exists and why it should be vigorously enforced.

In Southeast Asia, in the Middle East, in Africa, and elsewhere throughout the world products from the scientific and research laboratories and the industrial bases of the Communist regimes of Eastern Europe are creating turmoil, havoc, death, and destruction.

In Southeast Asia, Americans and our allies are fighting and dying to eliminate Communist aggression which is encouraged, nutured, and supplied by the Communist regimes of Eastern Europe.

Clearly the Export Control Act should be administered in such a way as to provide for thorough and objective evaluations of all applications for export licenses. Applications should not be rubber-stamped because of White House pressure. Yet there is evidence that this is exactly what is happening with regard to license applications relating to equipment destined for the Communist bloc bearing on a vitally important area—scientific research.

This evidence is contained in a memorandum from Director Rauer H. Meyer, Office of Export Control, to all personnel of that office. This is the text of the memorandum:

U.S. DEPARTMENT OF COMMERCE,
BUREAU OF INTERNATIONAL COMMERCE, OFFICE OF EXPORT CONTROL,
Washington, D.C., April 28, 1967.

AN No. 413.

MEMORANDUM

To: All OEC personnel.
From: Rauer H. Meyer.
Subject: Licensing of scientific laboratory equipment to Eastern Europe.

The President's Scientific Advisor, Dr. Hornig, is concerned over reported delays in our licensing of research instruments for scientific laboratories in Eastern Europe. He is especially desirous of expanding personal contacts between scientists in the United States and those in Eastern Europe, and he believes that expeditious handling of export license applications for scientific instruments to Eastern Europe will assist materially in attaining this objective.

As you know, OEC's over-all record of processing cases is one that we all can be proud of, and I deeply appreciate the efforts of everyone concerned. Nevertheless, from time to time, a case does get sidetracked because of some intricate technical issue or misunderstanding of a particular policy directive, and involvement of the "front office" becomes necessary to get the case moving forward. Because of the White House interest in this special group of applications, I want each of you to be especially watchful for them and to advise Mr. Abrahamson or Mr. Sweeney whenever you receive one for processing. In this way the front office will be in a better position to keep the difficult cases moving steadily forward.

A question immediately arises on reading the memorandum advising of the White House interest in hurrying up action on requests to ship scientific instrumentation to Communist-bloc nations: What is the effect of this type of pressure?

I regret to say that it appears to have had quite an effect, judging by the flow of licenses for such exports since the word came down, as the memorandum states, "to keep the difficult cases moving steadily forward."

Licenses have been issued authorizing shipments of a variety of scientific instruments to such countries as the Soviet Union, Czechoslovakia, Poland, Hungary, East Germany, Bulgaria, and Rumania. As we shall see, from all appearances this fits right into overall planning goals of the Soviet bloc being formulated at this time.

On May 10 a license was issued authorizing shipment to Hungary of a liquid scintillation spectrometer system for use in measuring radioisotopes.

Also on that day a license was issued to ship to Hungary a charge reader and 10 pocket chambers for measuring nuclear radiation and a license to ship to Hungary an external standardization accessory, for calibrating the liquid scintillation spectrometer. These instruments can be used to detect and measure radiation from radioisotopes in industrial research programs.

It is interesting to note that two of the applications for these export licenses were submitted to the Department on April 20, 1967, which, of course, was shortly before the April 28 memorandum, and the other on March 27, 1967.

On May 10, a license was also issued by the Commerce Department to ship to Czechoslovakia a $1,090 typewriter to be used as an accessory for a liquid scintillation system. Another license was issued that day to ship radiation measuring instruments to Czechoslovakia. These applications had been received on March 27 and April 20, 1967.

Several days later, on May 16, 1967, more licenses were issued to authorize shipment to the U.S.S.R. and Hungary of scientific and professional instruments and parts and chemical analysis equipment.

One license, for the U.S.S.R., covers two gas chromatographs with accessories valued at $19,479 to be used for research and analysis. The application for the license was received by the Department on April 12, 1967.

Four licenses were issued May 16, 1967, authorizing shipment to Hungary of research and analysis equipment. This included licenses for 10 pocket chambers, which it has been stated are used primarily in the medical-biological field for radiation detection; two photometers which I understand are normally used for studies involving such matters as the efficiency of lighting materials and light scattering effect of matter suspended in liquids; and a gas chromatograph, which is used for chemical analysis, particularly of organic compounds.

A license was issued May 26, 1967, authorizing the shipment to Poland of electron tubes, which are described as two small klystrons intended, I am advised, for use as replacement parts in a signal source in a telecommunications laboratory. Such tubes are normally used as oscillators in signal generators. The application for this license had been pending before the Department of Commerce since way back on January 4, 1967.

It would appear that this may have been not only a particularly so-called difficult case, as alluded to in the April 28 memorandum calling for dispatch in getting out licenses on shipment of scientific instruments to Eastern European countries, but also that the memorandum may have had the desired effect in jarring it loose.

On June 15, 1967, a group of seven licenses relating to scientific research were issued. One is to authorize shipment to East Germany of chemical analysis equipment and parts, comprised of two gas chromatographs and accessories which are designed for general research application involving analysis of organic compounds. Another license issued that date is to ship chemical analysis equipment to Hungary, used for determining the oil content of various products.

One of the licenses issued June 15, 1967, authorizes shipment to Czechoslovakia of calibration kits for use with gas chromatographs for various research purposes. A license was issued authorizing shipment to East Germany of a calorimeter for research and testing products. Another license issued June 15, 1967, is to clear for shipment to Hungary a fermentor drive assembly to be used for research on cells in the study of microbiological processes. Still another license issued that date authorizes shipping to Hungary of amplifier system parts to be used for research work, to amplify the output of transducers for recording purposes.

Other instruments and related items authorized for shipment to Soviet bloc countries for scientific research recently include:

May 17: Chemical analysis equipment—U.S.S.R.

May 18: Physical properties testing equipment and parts—Hungary.

May 29: Electronic instruments—Poland.

May 31: Oscillators—Poland.

June 5: Laboratory instruments—U.S.S.R.

June 5: Laboratory instruments—Poland.

June 12: Homogenizer—East Germany.

June 16: Microferm benchtop fermentor drive assembly and parts—Czechoslovakia.

June 19: Power supply—Hungary.

June 19: Waveform measuring instruments—Yugoslavia.

June 19: Spectrum measuring instruments—Bulgaria.

June 23: Analytical meters and parts—U.S.S.R.

June 26: Optical measuring instrument—Hungary.

June 29: Electric measuring instruments—Hungary.

June 29: Electric indicating measuring and testing instruments—East Germany.

July 6: Voltmeter—Rumania.

It must be mentioned also that the description of instruments cleared for shipment to the Soviet bloc and the information as to their purpose and intended use are based on data and information supplied by the Department of Commerce.

This in itself indicates that caution is called for in accepting at face value the information supplied. As an example of the reason I say this, the Department on February 1, 1967, issued a license to authorize shipment of a gravity meter and parts to Poland and it was listed as being for geological research. But it turned out that this instrument is used also to improve the trajectory of missiles and that an instrument such as this with its accuracy is not available outside of the United States. Because of the concern expressed over this proposed export, by Senator KARL MUNDT and others, the license was recalled by the Office of Export Control "for further consideration." After a time, the Office of Export Control announced that the licensee has terminated his interest in selling the gravity meter and that the license has been canceled.

In view of the fact that the memorandum calling for fast action on licensing scientific laboratory equipment to Eastern Europe emphasizes the need to "keep the difficult cases moving steadily forward," it seems we can assume that the instruments cleared and their use as in the case of the gravity meter, are described in terms as innocuous appearing as possible.

It seems highly significant too that what is occurring in this area—the pressure being exerted to speed exports of scientific instruments to Eastern European nations—appears to dovetail very neatly with a campaign the Soviet-bloc nations have underway to cooperate on and improve scientific information within the bloc.

Several weeks ago, from July 5 to 7, 1967, the 30th session of the Executive Committee of the Communist Council of Mutual Economic Assistance—Comecon—with the participation of Yugoslavia and North Vietnam, was held in Moscow. One of the main tasks of the session was to work toward improving planning, coordination, and exchange of scientific and technical information.

The long-range economic planning law for East Germany, promulgated May 26, 1967, typifies the great interest in scientific-technical cooperation which now guides the Communists throughout Eastern Europe. This law was published in six installments between May 28 and June 6 in the East Berlin newspaper, Berliner Zeitung. The following excerpts are from that source:

> The leading economic organs and scientific institutions of the GDR (East German regime) must properly use all possibilities to insure a higher level of international scientific-technical cooperation, particularly with (Comecon) countries. The facilities for direct cooperation with the USSR in accordance with the relevant government treaty must be fully exhausted.
>
> * * * * *
>
> Cooperation with the Soviet Union and the other (Comecon) members must be increased. Close scientific-technical and economic cooperation with the socialist countries will enable a concentration of forces and accelerated development of key research and production . . .

Radio Prague has reported on a plan of direct cooperation between the Soviet State Committee for Science and Technology and the Czechoslovakia State Commission for Technology which was signed in Moscow on July 12, 1967. The plan calls for specific cooperation of both sides, and aims at the expansion and intensification of scientific-technical cooperation between the Soviet Union and Czechoslovakia.

Since a major effort is underway in the Eastern European countries to move ahead in the scientific-technical field, it is not hard to understand that they would be attempting to obtain equipment in support and furtherance of that effort.

What is exceedingly difficult to understand and highly disturbing however is that a White House spokesman has seen fit to apply pressure to see that licenses are issued to authorize shipments of scientific instruments to the Communist bloc. The results of such pressure it appears will help allow them to achieve their goals.

Can it possibly be believed that we can in effect ignore the seriousness of the Communist campaign which seeks to extend its tentacles over more and more areas of the world? Do we ignore the great amount of military and economic support Moscow is continuing to give to Hanoi? Incidentally, according to a recent press report the Soviet Union has renewed its pledge to help North Vietnamese aggression.

Other Eastern European nations are also continuing their aid to Hanoi. This fact is emphasized in a news report out of Berlin, dated July 24, which says:

> Soviet-bloc nations are supplying North Vietnam through the port of Haiphong despite American bombing raids, the East German news service A.D.N. said today. A correspondent for the agency who visited Haiphong reported that ships had brought goods from Czechoslovakia, East Germany, Poland, the Soviet Union and other countries.

These are, of course, the same Communist countries who wish to acquire American scientific instruments. Why the rush on issuance of licenses to these countries? What benefit will be realized in terms of our welfare and the interests of world peace? Where is the quid pro quo?

What I have discussed here in some detail today related only to scientific instruments. This is but part of the total picture. Over recent years what in my opinion are questionable policies in carrying out the export control program have resulted in the clearance of literally hundreds of products, equipment, and technical data for shipment to the Communist bloc which cannot but help to have a significant impact on the economic and military potential of Communist nations.

If White House pressure can be applied in the case of scientific instruments, certainly similar tactics can be employed with regard to clearing other types of goods, equipment, machinery, and data for shipment to Communist bloc nations.

Can there be any doubt that the way the Export Control Act is being administered is a matter of great concern to the Congress and the American people?

On August 2, 1967, I joined with 91 other Members of the House of Representatives in introducing legislation to create a House select committee to study the impact of East-West trade and assistance to nations which support aggression, directly or indirectly.

The resolution in which I joined is House Resolution 847. Other identical resolutions introduced at that time are House Resolution 846, House Resolution 848, House Resolution 850, House Resolution 851, and House Resolution 852.

One of the most significant steps the House could take at this time is to create a select committee as called for in these resolutions to conduct a thorough inquiry of this entire problem. Such an investigation is vital to our national security and I respectfully request House support for this proposal.

For the information of the House, I include the text of the resolution:

RESOLUTION

Whereas Americans are being killed in Southeast Asia and the peace of all free nations is threatened by the Communist war of aggression in Vietnam, by the explosive division of world interests in the Middle East, and by the activation of cold war fronts in Latin America; and

Whereas the United States has no territorial ambitions and seeks only to remain free and strengthen oppressed peoples in their determination to work out their own destinies within the whole family of man; and

Whereas there is a need to determine the impact that East-West trade has on the national interest and international commitments of the United States: Now, therefore, be it

Resolved, That there is hereby created a select committee to be composed of nine Members of the House of Representatives to be appointed by the Speaker, one of whom he shall designate as chairman. Any vacancy occurring in the membership of the committee shall be filled in the same manner in which the original appointment was made.

SEC. 2. The committee is authorized and directed to conduct a full, complete study and investigation of:

The impact of East-West trade on the productivity and capability of nations which directly or indirectly supply North Vietnam, North Korea, the Middle East, Cuba, or any Communist faction within any nation in Latin America, or elsewhere with military, technical, economic, or financial assistance;

The extent of the participation of international organizations, institutions, groups, or financial arrangements such as guaranteed credits, with which the United States is associated, in aiding nations that supply North Vietnam, North Korea, the Middle East, Cuba, or any Communist faction within any nation in Latin America, or elsewhere with military, technical, economic, or financial assistance;

The effectiveness of United States Laws, regulations, commitments, and policies governing trade with and aid to nations which directly or indirectly supply North Vietnam, North Korea, the Middle East, Cuba, or any Communist faction within any nation in Latin America, or elsewhere with military, technical, economic, or financial assistance.

SEC. 3. For the purpose of carrying out this resolution the committee or any subcommittee thereof is authorized to sit and act during the present Congress at such times and places within the United States, including any territory, Commonwealth, or possession thereof, or elsewhere, whether the House is in session, has recessed, or has adjourned, to hold such hearings, and to require, by subpena or otherwise, the attendance and testimony of such witnesses and the production of such books, records, correspondence, memorandums, papers, and documents as it deems necessary; except that neither the committee nor any subcommittee thereof may sit while the House is meeting unless special leave to sit shall have been obtained from the House. Subpenas may be issued under the signature of the chairman of the committee or any member of the committee designated by him, and may be served by any person designated by such chairman or member.

The committee shall report to the House as soon as practicable during the present Congress the results of its investigation and study, together with such recommendations as it deems advisable. Any such report which is made when the House is not in session shall be filed with the Clerk of the House.

VIETNAM

The SPEAKER pro tempore (Mr. ECKHARDT). Under previous order of the House, the gentleman from Michigan [Mr. GERALD R. FORD] is recognized for 60 minutes.

Mr. GERALD R. FORD. Mr. Speaker, I rise after much reflection to express my grave misgivings, which have been growing for many months, about the way the war in Vietnam is going. I believe my concern is shared by many millions of my countrymen, and I know it is shared by those responsible for fighting the war in Vietnam.

My troubled thoughts were brought into sharper focus last Thursday by the President's message asking for a 10-percent Federal income tax surcharge. Most of the comment on this floor and in the press centered initially on his tax increase proposals. For my part I reiterated that President Johnson still has not made a convincing case for higher taxes.

But with his tax message, as an additional and emotionally compelling argument, the President announced his decision to "authorize an increase of at least 45,000 in the number of men to be sent to Vietnam this fiscal year."

This will swell the total to 525,000 Americans, not counting those in adjacent areas, surpassing our peak manpower commitment to the Korean war. Vietnam is a major war, and has become an American war.

At the end of 1963, when President Johnson succeeded to the Presidency, the United States had approximately 16,000 men in Vietnam. Only 109 had been killed in action and about 500 wounded.

By grim coincidence, the Pentagon released the latest casualty figures on the same day we received the President's tax increase message. The toll of Americans—as of July 29—now stands at 87,000—12,000 dead and 75,000 wounded. Figures rounded.

Mr. Speaker, I blame nobody but the Communist enemy for these sad statistics. I have supported the President and our country from the outset and to this hour. I have heard myself branded a hawk, and worse, for counseling firmness against Communist aggression and using America's awesome arsenal of conventional arms to compel a swift and sure peace.

But I am troubled, as I think most Americans are troubled. Recent surveys show that more than half of our people are not satisfied with the way the war in Vietnam is being conducted.

Mr. Speaker, why are we talking about money when we should be talking about men? The essential element in President Johnson's tax increase message, I submit, is not higher revenues but human lives—not whether every American should live better but whether hundreds and thousands of Americans are going to live at all.

This is not an academic exercise with computers. This involves the finest of our future leaders. This is a question crying for bold leadership and political courage of the highest order—even the courage to admit past policies have been woefully wrong.

I believe everyone in this House would willingly vote any level of taxes and the American people would willingly pay them if they were convinced it would bring the Vietnam war to an end. But as I do not believe the grave challenges we face at home can be countered simply by pouring out more and more money, neither do I believe the graver challenge in Southeast Asia can be met merely by pouring in more and more men and by these brave men pouring out more and more blood.

I am troubled, Mr. Speaker, that the President's ordering 45,000 more Americans to Vietnam is almost taken for granted, so hardened have we become to these creeping commitments. I am troubled that the only apparent result of General Taylor's and Mr. Clifford's circuit of our Pacific allies, besides arranging another Asian summit show, was a promise of some 3,000 to 15,000 South Korean reservists "to release American troops for combat duty" in Vietnam. Should it not be the other way around?

President Johnson himself set the groundrules for a great debate about our Nation's priorities and goals. I accept them. I hope others will join. In his tax increase message, Mr. Johnson said:

> This nation has taken a solemn pledge that its sons and brothers engaged in the conflict (in Vietnam) shall never lack all the help, all the arms, and all the equipment essential for their mission and for their very lives. America must and will honor that pledge. It is for this reason that expenditures for Vietnam—subject as they are to the variable demands of military operations—may now exceed our earlier estimates.

After outlining his higher tax plans, the President added:

> The inconveniences this demand poses are small when measured against the contribution of a Marine on patrol in a sweltering jungle, or an airman flying through perilous skies, or a soldier 10,000 miles from home waiting to join his outfit on the line.

Who can question such a comparison?

But the question we may ask—the question I must ask—is this: Why, and how long, must U.S. Marines patrol that sweltering jungle? Why, and how long, must U.S. Navy and Air Force pilots brave increasingly deadly skies because the flow of sophisticated Soviet weapons has not been stopped? Why, and how long, must American soldiers—now nearly half a million—wait 10,000 miles from home to meet and match Asian enemies man to man, body for body?

Mr. Speaker, we must ask another question: Why are we pulling our best punches in Vietnam?

Is there no end, no other answer except more men, more men, more men?

Of course we will give our fighting men all they need to defend their lives and carry out their mission. But what is their mission?

Is there any clear, coherent, and credible military plan for bringing this bloody business to a conclusion?

Certainly there are such plans. Our ablest military leaders would be unbelievably derelict not to have developed a variety of alternative strategies based on the situation and sound military experience. But up to now they have not been allowed to put their plans to a real test; or worse, their plans have been tried piecemeal, in the same senseless way Americans have been fed piecemeal from 16,000 to 525,000 into this peninsular war, under such high-level restrictions as to void their validity.

General Eisenhower recently stated pointedly that a "war of gradualism" cannot be won. The result of our "war of gradualism" against North Vietnam has been the equivalent buildup of the enemy forces on the ground and the accelerated hardening of his defenses.

Mr. Speaker, when you have to change a tire, you tighten every lug as hard as you can. If you only tighten one, or tighten them unevenly, your car will go on wobbling down the road and wind up in a ditch.

What is especially dishonest is secretly to forbid effective strategic action and publicly portray it as an honest try. Then, when expected results are not forthcoming, to belittle the effort and its backers. This is worse than dishonest—for meanwhile brave men have died in vain.

I point no accusing finger. I do not want to be partisan or personal. This is not a Democratic war nor a Republican war but an American war, as all our wars have been once we were in them. My party has, in fact, stated its support of the war in Vietnam more explicitly and muted its public criticism and dissent more successfully than the President's party.

Republican policy on Vietnam generally has been based on a very precise and wholly nonpartisan statement which I helped to draft and to which I have consistently subscribed for the past 20 months. It was issued December 13, 1965, by the National Republican Coordinating Committee and its main points were these:

> 1. Our purpose is . . . . to repel Communist aggression, to *minimize American* and Vietnamese *casualties*, and to bring about a *swift* and secure *peace*. (Emphasis mine.)
>
> 2. There is a growing danger that the United States is becoming involved in an endless . . . . land war in Southeast Asia (which) would be to the advantage of the Communists.

> 3. Our *first objective* should be to impose a Kennedy-type (sea) quarantine on North Vietnam.
>
> 4. To accomplish our objectives we also recommend the *maximum* use of American *conventional air and sea power* against *significant* military targets.

Mr. Speaker, when these reasoned, responsible, and limited military measures were urged by the leaders of the loyal opposition party some 20 months ago, American casualties in Vietnam stood at less than 1,500 dead and 6,500 wounded; a total of 8,000 as compared to 87,000 today.

Now we are told, and we scarcely question, the President's decision to dispatch another 10-percent reinforcement of our ground troops—45,000 more men to Vietnam—hardly enough to be noticed except by those called and their loved ones. Surely this is what a nationally respected Washington columnist has branded "Horror on the Installment Plan," by Reston, on May 14, 1967, in the New York Times.

Reviewing our December 1965 policy statement I am compelled to some tragic and troubling conclusions.

First, under policies which the President has just pledged to continue substantially unchanged, our purpose of minimizing American casualties has failed. Our purpose of securing a swift peace has failed, because it was never tried. And our purpose of repelling Communist aggression remains, at best, a dubious stalemate and deadly duel of attrition.

Second, our warning against involvement in a disadvantageous land war in Asia has gone unheeded. It now is academic. Half a million Americans are deeply involved, more than 10,000 have lost their lives in the intervening 20 months, and the only answer present leadership has to offer is to order 45,000 more into battle.

Third, our primary recommendation for a quarantine, or any meaningful form of seapower sanction against Haiphong harbor, has been rejected. The enemy meanwhile has had time to develop and defend alternative overland and air supply routes bristling with imported Soviet weapons. After many months the refitting of the battleship U.S.S. *New Jersey* has just been authorized, and will take almost a year to finish. Meanwhile the enemy has installed in heavy concrete emplacements along the North Vietnamese coast what may well be Soviet surface-to-surface missiles capable of sinking a warship at 100-mile ranges.

Fourth, only one small portion of one of our recommendations, the use of conventional American air and sea power against military targets, has been even belatedly tried. On June 29, 1966, President Johnson permitted air attacks on some, but not all, of North Vietnam's petroleum storage depots. As Secretary of Defense McNamara admitted at the time, the enemy already was well advanced on a major dispersion plan. But to this day, 13 months later, only about one-fourth of the known oil storage targets in North Vietnam have been hit by American air strikes and a significant percentage remain officially forbidden.

Yes, Mr. Speaker, I am deeply troubled. Is this any way to run a war while casualties increase tenfold? Is it really necessary, will it do any real good, to send another 45,000 men to Vietnam?

Before leaving our 20-month-old recommendations, largely rejected, let me stress two other key words in that Republican statement. Nobody was or is urging escalation. It was specific about conventional weapons—the kind we have been dropping on jungles and individual trucks in prodigious tonnages—and about military targets, not indiscriminate bombing of civilians or cities. But the Communists, as they proved in Korea and other wars, are quite capable of shielding their most strategic targets with their own women and children. It is horrible, but effective.

The very word "escalation" has become a bugaboo and its military meaning abused. The scope of American involvement in Vietnam was really escalated or enlarged in February 1965 when President Johnson approved the bombing of North Vietnam. I accept the President's own definition—August 29, 1964—during the 1964 election campaign when he told Americans:

> I have had advice to load our planes with bombs and to drop them on certain areas that I think would enlarge the war, and result in our committing a good many American boys to fighting a war that I think ought to be fought by the boys of Asia to help protect their own land. And for that reason I haven't chosen to enlarge the war.

Mr. Speaker, I supported the President when he reversed this decision 6 months later. I again supported him when he removed his earlier restraints on bombing some enemy oil storage depots in June 1966. Neither of these steps brought Russian or Red Chinese intervention. What they did bring was a loud Communist clamor for unconditional U.S. cessation of all bombing of North Vietnam, and much propaganda about civilian casualties.

Thus we already have accepted whatever real risks or propaganda punishment might be incurred in maximum use of American conventional sea and air power against significant military targets in North Vietnam. The whole world thinks that is what we are doing. The American people have been and still are being led to believe that is what we are doing. Most Americans wonder why North Vietnam has not been totally destroyed. They remember what conventional bombing did to Tokyo and Berlin, to London and Warsaw. They wonder what can be left in North Vietnam worth bombing.

Over this past weekend, Mr. Speaker, there have been successive reports of massive American airstrikes against North Vietnam. On Saturday we read: "197 Missions Set Record for Raids on North Vietnam." On Sunday it was "U.S. Carrier Jets Meet Heavy Fire in Hanoi Region," and on Monday, "U.S. Raids North 178 Times in Day." It also was announced we have lost 636 U.S. planes over North Vietnam.

But when one reads the official spokesmen's account of what was accomplished on these airstrikes, nothing has changed. Strategic bombers from Guam dropped their bombs on North Vietnamese weapons positions, base camps, storage areas, and trails. U.S. pilots attacked troop concentrations, three artillery pieces, one bunker, two armored vehicles, one tank, five trucks. Other strikes hit an oil storage depot, 28 trucks, 10 undescribed buildings, one warehouse area, one bridge. These are all the details given for what is touted as the biggest American air assault of the Vietnam war.

Mr. Speaker, we are still pulling our best punch in North Vietnam.

The distinguished first Secretary of the Air Force, Senator SYMINGTON, recently expressed his exasperation over accounts of U.S. bombing of North Vietnamese targets by saying "Somebody is making available to the press a vast amount of misinformation."

I believe it is high time the American people knew the truth.

Would the American people believe that in mid-1967, after 2½ years of U.S. bombing of North Vietnam—an area about the size of Michigan—only three out of every 10 significant military targets had ever been struck by U.S. airpower?

Why are we still pulling our airpower punch?

Would the American people believe that when Secretary McNamara made his ninth visit to Vietnam last month, public opining that U.S. forces there might be used more effectively, nearly half the identified top priority targets in North Vietnam were officially off limits to air attack under high-level orders from Washington?

Why are we still pulling our airpower punch?

Would the American people believe that more than a hundred vital fixed enemy positions in North Vietnam, including most of the air defense control centers that have accounted for more than 600 U.S. planes, most of his major airfields and all of his naval facilities, could not be attacked under Washington orders?

Why are we still pulling our airpower punch?

Would the American people believe that despite the much-publicized and prayerful Presidential decision to allow bombing of some oil depots a year ago, about three-fourths of the enemy's petroleum storage targets had not yet come under attack? Or that despite frequent news reports of raids on powerplants, roughly one-third of North Vietnam's total power targets and all enemy hydroelectric generating facilities were still forbidden targets by orders from on high.

Why are we still pulling our airpower punch?

Would the American people believe that 60 percent of the key targets that make up North Vietnam's transportation network were immune from our air attack? That only about one-fourth of these priority transport targets, one-third of his railroad facilities and bridges had ever been attacked? That all seaport targets and canal locks were off limits? That most of the enemy's repair shops could not be hit?

Why are we still pulling our airpower punch?

Would the American people believe that high-level directives for more than 2 years prevented American airmen from hitting five out of six of North Vietnam's key industrial targets? That however primitive, nearly 90 percent of the targets in the enemy's warmaking industrial base remained unscathed?

Would Americans believe that even in the category of purely military facilities, North Vietnamese Army, Navy, Air Force and defense installations, more than two-thirds of the total targets never had been attacked? That only ammunition dumps have been significantly hit? That almost half of these military targets remained officially forbidden by high-level policy restraints?

Mr. Speaker, why are we pulling our airpower punch?

Contrary to the calculated public impression, the real argument at the highest levels of our Government which took Mr. McNamara to Saigon last month and twice brought General Westmoreland to Washington has not been whether to send 250,000 men, or 100,000 men, or 45,000 men, or 20,000 men to Vietnam. It is high time the American people knew what the real issue was.

The real issue, Mr. Speaker, was whether we really have any hope of winning the Vietnam war, in the sense of meaningful and concerted military pressure that could force the enemy to the negotiating table, or not. If not, I can see no justification for sending one more American over there, let alone 45,000.

Perhaps we all have been diverted in recent weeks, by the Middle East crisis and the violence in our cities, from the moment of truth that is confronting this Nation on our future course in Vietnam. But the straws have been in the wind.

On July 24, at the height of the Detroit riots, the New York Times reported from obviously authoritative Washington sources that "United States Won't Modify Vietnam Bombing." Predictably, it reported President Johnson as firmly rejecting both pleas for expanding air stikes by approving new targets and counter-proposals to restrict bombing to the southern zone of North Vietnam.

On August 1 one of our own colleagues from California, one of the administration's sharpest war critics on the other side of the aisle [Mr. BROWN], said in Los Angeles that the latest "agonizing reappraisal" in the White House had been resolved.

> Temporarily at least the President will follow his customary practice of going down the middle, making no change in the bombing policy, probably until after the September 3 election in Vietnam.

The gentleman forecast.

On the same day Columnist Joseph Kraft in the Washington Post complained that—

> Nowhere is the assertion that a specified effort continued over a particular time ought to yield a defined result. The Defense Secretary talks of progress, but does not say progress toward *what*. As a result there is no good measure for asserting what the United States is doing in Vietnam.
>
> Maybe the President has some scheme for getting the country out of the war as invisibly as he got it into the war—

This columnist continued.

> Maybe there is a program for applying military pressure until the other side breaks. Maybe there is a plan for negotiations after the elections in South Vietnam next month.
>
> But none of us can know that. On the contrary, all we can see is a shell game.

Mr. Speaker, I have quoted others who, while not always in agreement with me, voice the same gnawing doubts I feel. Yet in his tax increase message last week, President Johnson only confirmed our worst fears. He revealed no recent change in his policies or his plans. On the contrary, he took pains to stress that his words about the Vietnam war last January "are even more true today."

The President repeated his bleak estimate that "we face more cost, more loss, and more agony." He reiterated that nearly half a million Americans "have deprived the Communist enemy of victory" and that the enemy "can no longer succeed on the battlefield." He did not say our pressure on the enemy would be intensified or increased, only this:

> I must say to you that our pressure must be *sustained*—and will be sustained—until he realizes that the war he started is costing him more than he can ever gain. I know *of no strategy* more likely to attain that end than the strategy of "accumulating slowly, but inexorably, every kind of material resource"—"of laboriously teaching troops the very element of their trade." That, and patience—and I mean a great deal of patience.

Again I ask: why are we pulling our airpower punch?

Our Navy and Air Force have clear superiority in the air over North Vietnam and its coastal areas. They have the weapons and resources they need. They know "the very elements of their trades" superbly. Must we accept as inevitable that the only way to fight this war is within the territory of South Vietnam, matching the enemy body for body, bayonet for bayonet, grenade for grenade?

It is one thing to deprive the enemy of victory. It is one thing to say he can no longer succeed. It is one thing to increase his cost of continuing the war. Cannot Ho Chi Minh claim he has done the same to us?

Can we match the Asian Communists even in patience?

I for one am running short of patience, Mr. Speaker. I would like to believe that the President has been misled or misinformed, that with all his aides and advisors he has been unable to obtain the evidence which I know is available to him as it is to me.

In his tax increase message President Johnson concluded that—

> The test before us as people is . . . whether we have the will and the courage to match our commitments.

Mr. James Reston, commenting in Sunday's New York Times, says this:

> The unsolved problem, obvious for a very long time, which Lyndon Johnson will not face and which the people intuitively understand or seem to understand, is the problem of *priority*.

I believe the test of will and courage is not the people's, but the President's. I believe that ending the war in Vietnam must have the very highest of national priorities, now.

Without this, we shall continue to wallow and weave and wobble in what General Eisenhower called "as nasty a mess as we have ever been in." Neither more men, nor more money, nor more material will do any good unless there is more will and more courage at the top.

Who knows better than General Eisenhower that there can be only one course when a nation resorts to force of arms: to give the war first priority among national aims; to wage it efficiently and with minimum bloodshed and brutalization of one's own people; to hit hard enough and convincingly enough to bring it to an early end. The tiny nation of Israel just reaffirmed this axiom of war. Have we abandoned it? Why are we pulling our airpower punch?

Mr. Speaker, I hope that the apparent step-up in air attacks over North Vietnam over the past few days signals a reversal of past mistakes, that targets of real strategic significance will shortly be struck, and that before the weather turns bad for another long season this will really cripple the enemy's warmaking capability. I hope this, but the President has only promised to sustain the same inadequate level of pressure permitted in the past.

Would Americans believe, Mr. Speaker, that during all of 1966, handcuffed by such secret restraints, brave American airmen flew more than 100,000 combat missions over North Vietnam without attacking one of these significant strategic targets? Would they believe that under this policy, apparently unchanged, only about 1,000 strikes were directed against top priority pressure points during 1966, while 279 U.S. planes were lost?

Can military morale be sustained under such circumstances? Can peace ever be won this way?

I am not a military expert, but I have full confidence in many dedicated Americans who are, and in the facts that support their deep and patriotic concern. I believe the American people deserve to be told the truth about Vietnam. There is no need to conceal such information from the enemy, unless it be to deceive one's own countrymen.

The enemy in North Vietnam knows where his vital targets are. He knows which have been attacked and which enjoy privileged sanctuary. He knows many of his most vital and vulnerable strategic assets have been spared. Ho Chi Minh probably asks himself: Why are the Americans pulling their airpower punch?

Mr. Speaker, I do not know the answer. I doubt that Ho Chi Minh knows the answer. I hope he does not interpret it as proof of America's lack of will and courage. I hope it does not encourage him psychologically to prolong the slaughter as it surely enables him to continue militarily. It is inhuman even to an enemy to hack him to death by inches.

I do not want to wait until the September 1967 elections in South Vietnam to start ending this war.

I do not want to wait until the 1968 elections in the United States to bring this war to an end.

If bringing peace to Vietnam and bringing half a million Americans home alive would ensure President Johnson's reelection by a landslide, I would gladly pay that price.

I do not think the President has made a convincing case for a tax increase. Let us debate that another day. Even less, in view of the evidence I have, has the Commander in Chief made a convincing case for sending 45,000 more troops to fight a ground war in Vietnam.

It is my earnest plea that he will reconsider.

Mr. PUCINSKI. Mr. Speaker, will the gentleman yield?

Mr. GERALD R. FORD. I am glad to yield to the gentleman from Illinois.

Mr. PUCINSKI. The distinguished minority leader has made a very important statement here this afternoon. Certainly he has raised some very important questions, questions that I think ought to be answered and should be answered and must be answered. I think the distinguished minority leader has epitomized the highest tradition of checks and balances in our two-party system, and I think it is important that he raise these questions.

It is my hope that the appropriate agencies of Government will indeed prepare answers to some of the very legitimate and valid questions which the gentleman raised.

But I wonder if my colleague, who has supported the effort in Vietnam, as most of us have, would not agree that 2½ years ago, when we began extensive assistance to the people of Vietnam, he would have believed that on September 2, 1967, in this wartorn country there would be an institution of free elections? The gentleman realizes, and I am sure recalls very well, that when President Eisenhower first permitted this country to assist the people of Vietnam, we did not anticipate, I am sure, the magnitude of involvement that we find ourselves in, and I think the gentleman is correct, and I think that no one knows this better than the President of the United States, how deeply the American people yearn for peace, how deeply the American people yearn for that day when indeed we can pull those 500,000 boys out of Vietnam and bring them home.

The fact of the matter is that when we went in to help the South Vietnamese, the Communists were just on the verge of taking that country over, and there was despair and there was no hope. There was grave danger that shortly after Vietnam fell to the Communists, Laos and Cambodia and Burma and Thailand and all the other countries of Southeast Asia would quickly follow.

The gentleman has said, why are we holding our punch? I would not even presume to try to answer that question. I must confess I have asked that question too, so I share in the validity of his question.

Mr. GERALD R. FORD. May I say one thing to the gentleman?

Mr. PUCINSKI. Mr. Speaker, I might say I have a special order coming right after this, and I will be happy to yield time to the gentleman.

Mr. GERALD R. FORD. Let me say this in response to the gentleman's statement. There are committees on this side of the Capitol, and there are committees on the other side of the Capitol, composed of knowledgeable and well-informed and serious individuals. They have in the past tried—and I believe they will in the future try—to find out the answers to the questions I have raised, because the American people deserve an answer.

Mr. PUCINSKI. I think the questions the gentleman raised here today, as I said before, are perfectly valid. I am sure the gentleman will agree with me that the subcommittee appointed by the chairman of the Committee on Armed Services [Mr. RIVERS] has been instructed to get into some of these questions, and it has also been instructed to ascertain whether or not this country has a policy to win in Vietnam, and what the policy is. But I wonder if the gentleman will agree with me that during the period from our involvement until today, we have first of all had an election in Vietnam of a constitutional convention, and then we have had a constitutional convention convened, despite fantastic Communist sabotage and harassment, which did indeed meet and did write a constitution in the war-torn country. Then we also held elections in some 2,000 communities of South Vietnam to elect local officials, again despite the fantastic harassment of the Communists.

Finally, now we are coming to what I believe is the culmination of the fantastic sacrifice being made by those American soldiers down there, the day on September 2, when the Vietnamese people are going to go to the polls and are going indeed to elect a constitutional government.

I wonder if my colleague will agree with me on some point, that those who have made such a strong effort to undermine those elections are really playing into the hands of the Communists?

I do not know what plans the President has for the war effort after these elections. My own feeling is we would be perfectly proper and wise to say we have fulfilled our mission in Vietnam, we have brought these people to a point where they have elected their own government, where they have trained an army of 650,000 well-trained and well-equipped soldiers, and it would be up to them to solve their own problems.

But, as I say, I cannot speak for the President. I can only speak for myself. I say to my friend in the well, if he will allow me, that when our boys have fought through those jungles and fought this war as hard as they have, the least we can do now is abstain from undermining the very progress of what our kids have carved out, to attain to their present position, and let those people go to the polls and elect their government, and let the President of the United States see where he wants to go from then. I wonder if we can agree on this point.

Mr. GERALD R. FORD. Mr. Speaker, I applaud this process which, as the gentleman points out, has been developed and will be concluded, I believe, on September 2 or September 3. This is evidence that South Vietnam is achieving political stability that is absolutely essential for its future survival as an independent nation. I deplore those any place in the world who are seeking to undermine the faith of the South Vietnamese people or the faith of the American people in this process.

I hesitate at this point to make any commitment beyond the election. There must be answers to the questions I have raised, regardless. Therefore, I would limit my comment, other than what I have said in answer to the gentleman's question, to what I said in my prepared text.

Mr. PUCINSKI. Can we agree on one thing; it is reasonable, at least, to hope?

I do not want to mislead anyone. I do not want to create any false hopes in this country. The effort in Vietnam is much too serious for that. Our boys are dying over there, so I do not want to raise any false hopes, but I believe it is reasonable to expect that if the election can go off on the 2d of September in a reasonably democratic fashion there may be some changes. We have to understand we are in a whole new part of the world, where elections are not a day to day occurence. We are in a nation torn by war. There is no question that the Communists are going to exert every human effort to upset these elections, because this is indeed the great culmination of American assistance.

Would my colleague agree that we can expect some changes after this election comes off on the 2d?

Mr. GERALD R. FORD. I hope they will be successful. I trust that a stable, honest government will be approved by the South Vietnamese people. But I would hesitate to tell anyone that this is a panacea.

Mr. PUCINSKI. I agree with the gentleman.

Mr. GERALD R. FORD. I believe there are some other questions which must be answered, including those I have asked myself.

Mr. PUCINSKI. I fully agree with the gentleman.

Mr. LIPSCOMB. Mr. Speaker, will the gentleman yield?

Mr. GERALD R. FORD. I yield to the gentleman from California.

Mr. LIPSCOMB. I thank the gentleman.

I should like to commend the distinguished minority leader for his very thoughtful, important, and serious speech. The gentleman has asked questions here today which have been on the minds of many of us, not only in the Congress but throughout the United States. It is my sincere hope that we will have some clarification for the important questions the gentleman has brought up. We need it.

The American people are concerned. We want to bring our country to peace. We want to accomplish what our objective was in the Southeast Asia area.

I believe, from where I stand, that we have not been given the facts.

By taking the leadership and bringing this out on the floor of the House, I believe the gentleman has performed a real service.

It is my hope that the President—and,

yes, the Secretary of Defense, Mr. McNamara—will take the opportunity now to give the facts to the people and to relieve our minds and to give us some hope, so that we can go ahead and bring to our Nation and to the free world the peace which we are all seeking.

I commend the gentleman on his presentation.

Mr. GERALD R. FORD. I thank the gentleman from California.

Mr. HALL. Mr. Speaker, will the gentleman yield?

Mr. GERALD R. FORD. I yield to the gentleman from Missouri.

Mr. HALL. I appreciate the distinguished minority leader's yielding. I certainly want to associate myself with his remarks and with those of our distinguished colleague from California.

I hope the Record will not show any defusing process has accentuated relatively unimportant points, compared with the questions which the gentleman has been asking, because the questions the distinguished minority leader has asked involve the question of whether or not the war is an issue with the people and whether or not the increased debt load related to those we are going to keep free is going to mount up and up.

The war is an issue. The people have made it an issue. It will continue so.

I believe it is particularly unique, the way the minority leader has brought out the question of the credibility gap among the people in the Department of Defense, who have claimed the right to lie in the pursuit of war, and the fact that the overwhelming majority has lost public trust.

These are the great issues before the people today; along with crime in the streets, as we have acted on it today in an attempt to render a solution; with the failure of the judiciary to back up the constabulary; and the unsoundness of the dollar and its decreasing purchasing power.

These five great issues are before us. We must face them.

I believe the questions asked by the distinguished minority leader today should bring resounding answers.

I hope they can be answered promptly, because probably the quickest way to peace is by unleashing our forces, where we have superiority, as there is no substitute for victory.

I thank the gentleman for yielding.

Mr. HANSEN of Idaho. Mr. Speaker, will the gentleman yield?

Mr. GERALD R. FORD. I yield to the gentleman from Idaho.

Mr. HANSEN of Idaho. I, too, would like to join in saluting the distinguished minority leader for what I believe to be a very revealing and very timely speech this afternoon on the floor of the House.

I think that he has brought forth a good number of questions that need to be answered, which have been building in the minds of the American people for a long time.

On June 21 of this year I delivered a speech before this body which included the contents of a letter I had sent to the President on August 6, 1965, containing the following:

My Dear Mr. President: I believe, and I am sure you will agree, that there is no matter of more concern to Americans than the current situation in Vietnam; and I am also sure that millions of our citizens join me in the desire that we push through to victory and the peace we seek in Vietnam, but with emphasis on weaponry, not on manpower.

I sincerely hope and trust you will accept this letter in the spirit intended. Often constructively intended suggestions become misinterpreted and distorted because of political considerations which certainly have no part in an issue of such grave consequences.

It is important that national unity be maintained in these perilous times, and I assure you that I stand firmly behind your efforts to stop Communist aggression and maintain world peace. However, rather than sacrificing thousands of America's fine young men, let us not hesitate to use the power that has made us great rather than allow our strength to be dissipated through a long-term program of slow slaughter—inevitable if we fight the Communists by letting them choose the weapons and the terrain.

In an alley fight between two different sized individuals, the smaller of the two needs an equalizer. The Reds in Asia outnumber us by the millions and we need an equalizer—which we have in our superior weaponry, faster planes, and technical productive facilities. It would be wrong to engage in an unnecessary massive swamp war over 8,000 miles from home where the terrain and conditions favor the Viet Cong and not use this equalizer to the very greatest extent possible.

The cannon fodder concept is wrong for us, and the United States should concentrate on the type warfare best suited to its ability and weapons. It would be cruel and immoral to send thousands of U.S. troops to engage in ground warfare without first exhausting every other means of defeating the enemy.

Let's not fight the wrong war at the wrong time in the wrong place.

I believe further effort should be made to exploit the possibility that the Communists can be starved out of their power and their will to fight, and that peace can be more readily achieved by placing proper stress on those means which we can most conveniently employ, such as cutting off supplies through intensive bombing, an inflexible sea blockade, and harassment of staging areas.

I understand, Mr. President, the need for the use of infantry, but we must not allow the Communists to force us to spread our armed forces too thin. We have 700,000 armed men scattered throughout the world today. We cannot be the policeman for humanity unless we use our assets efficiently and get a lot of "deputies" from other freedom-loving countries to help us maintain the peace.

We must continue to develop and use devastating weaponry because the Communists, like the arsonist, have developed a policy of starting "brushfire" wars in various parts of the world, hoping to keep heavy numbers of our troops engaged in the role of firemen and thus making it costly in money and suffering for the United States. But we can win decisively—we can achieve peace without ten years of mud and blood in Vietnam. We can use the firepower we have available and back it up with a flood of production to keep our arsenal stocked and available.

The United States is now heavily involved in its second major undeclared war in a generation and I would hope, Mr. President, that since the power to declare war and appropriate money for the national defense rests with the Congress, that you will make every effort to afford Members of Congress the opportunity to be informed and exercise their constitutional responsibilities in the overall course of action and decisions that face us.

No man should have to bear this burden alone.

In an extension of remarks in the House of Representatives on April 28 of this year our esteemed colleague from Texas, the Honorable Olin E. Teague, made the following observations:

We are sick of war. We have had enough of it and we are a peaceful people. The rest of the world is sick of war. Every day we continue to fight in Vietnam gives our enemies, even in friendly nations, the opportunity to attack us and misinterpret our intentions. The faster we put an end to the whole depressing—but necessary—business the better, not only for us, but for both the North and the South Vietnamese, and for the rest of the free world.

The one thing we must not do, in my opinion, is to continue to fight the Communists in Vietnam on a man to man basis.

The one thing the Communists have in abundance is manpower. Their leaders have no respect for the individual. They use men like shells. Every soldier is simply an expendable weapon.

To us, every soldier is a precious human commodity who must be protected and preserved as much as possible even under the grimmest circumstances of war.

The Communists think this attitude is sentimental nonsense. They are perfectly willing to swap us two, three, five or ten dead soldiers for one dead American soldier. They will keep doing this until they wear us down.

Every day the radio and television commentators read off a kind of grisly box score of Americans killed versus Communists killed. On the average day the score is in our favor, by about three to one. This makes everyone feel encouraged—but it is really nonsense. We are not going to make any significant headway in Vietnam until we exploit to the full our technological advantages—our air power—our naval striking power and destroy the enemy's capability of making war.

Mr. Speaker, no one abhors war and violence more than I; and this terrible conflict in Southeast Asia, where "progress" is reported by comparing the death totals at the end of each day's action, is repulsive to me.

I have great confidence in the American people as being fundamentally peace-loving and moralistic. I believe we would all like to enjoy the luxury of being "doves," living at peace as one of the great family of nations that make up this earth. But, can we?

The hard facts of life sternly remind us that we are living in a world plagued by greed and desire for conquest. History demonstrates the Russian Communist leaders' single-minded foreign policy—to communize the world by backing wars, guerrilla uprisings and subversion. Their principal target has been, and remains, the world's strongest non-Communist nation, the United States. Again, as in 1776, we are confronted with the situation: "Is life so dear, or peace so sweet, as to be purchased at the price of chains and slavery?" The feeling of most Americans now, as it was then, in this choice between liberty and death is a resounding "No!"

However, there is by no means a consensus as to the methods we should use to resist aggression and meet international challenges. And rightfully so. A healthy dialog and difference of opinion in exploring the options open to us in securing a peaceful climate is in keeping with our great heritage.

My studies of the situation in Vietnam reveal that the first American to die due to hostile action was in 1961. In 1963 our poorly-calculated and ill-timed political maneuvering helped in the overthrow of the existing government of South Vietnam causing chaos throughout the land and in the military establishment and creating a power vacuum to be inherited by the new President, Lyndon Johnson, which he finally sought to fill with what has become a massive commitment of American troops. This action, contrary to repeated warnings against getting involved in a land war in Asia, so altered the circumstances that the war soon became an "American war."

Since then, it has been one commitment after another in continual escalation, marked by intermittent lulls and pauses in hopeful anticipation of peace possibilities. The circumstances by which we became heavily involved are regretable, and the administration promise of 10 more years of war is unthinkable.

The question, then, around which the current dialog revolves is: "What course of action should we take?"

Unilateral withdrawal would present serious problems, disillusioning our friends and consequently jeopardizing our own security.

Withholding certain military activities, such as bombing, in hopes of negotiating can also create serious difficulties—as those familiar with the Korean peace talks can attest. It was during those talks at Panmunjom that 20,000 of the 54,000 American killed in Korea lost their lives. We must be exceedingly careful that the price we pay—not for cessation of hostilities—but just for the "privilege" of talking to the Communists is not too high in Vietnam.

In fact, many wonder why there is so much talk of negotiations—when the war would virtually cease should Ho Chi Minh and the Communist bloc withdraw their military activities from South Vietnam.

Our continued deepening involvement in Southeast Asia can cause us to appear overly committed and vulnerable and could tempt Russia or China to dangerously gamble there or elsewhere, thus enhancing the possibility of precipitating a third world war. This threat grows with our increasing massive expenditures of men and money at a time when Russia is achieving marked expansion in her military inventory and when China is developing nuclear and industrial capabilities.

This war must be ended with dispatch and finality. It is utterly immoral that our men be asked to fight and die when we refuse to make every effort to give them the best possible chance of early success and of returning home alive.

Why must we continue to meet the Communists on their terms? I believe it is time to seriously consider other alternatives. Ho should be told—much as General Eisenhower told the Reds in Korea—that unless he stops his aggression we will use whatever means are necessary to defeat him. Here it is important to note that there are some who assert that "nothing short of nuclear attack can accomplish the total defeat of North Vietnam." They are woefully uninformed.

One distinct and realistic possibility is to shift the emphasis from escalation to isolation and employ every effort to completely cut off the malignant communism of North Vietnam by closing all harbors and supply routes. Since most of the weapons and supporting supplies used by the Communists are imported, such action could quickly and drastically curtail enemy military action as well as "squeeze" much of the will to fight from the civilian population. This "isolation" approach properly implemented could also draw us away from world war, rather than toward it.

There are many other alternatives to our present course that deserve serious consideration. The situation demands that we stop bickering and name-calling and unite in an honest search for realistic answers to getting this war over with as humanely and rapidly as possible while accomplishing that which must be done.

Mr. GERALD R. FORD. Mr. Speaker, I now yield to the gentleman from Illinois [Mr. COLLIER].

Mr. COLLIER. Mr. Speaker, I recognize, as I am sure everyone here does, that situations arise with the type of conflict which we find ourselves engaged in in Vietnam, which are punctuated with unpredictables. At the same time, it would be my hope, as a result of the mess in which we now find ourselves, that we would review some of the commitments that we as a nation have today made, committed as we are to the common defense of some 41 nations around the world with seven international treaties.

I think as these situations change it becomes necessary to reevaluate and to review, as I think is essential in the case of the conflict in Vietnam. It is necessary to pause and see where we have been and just where we are going. Unless this Congress and the American people have some answers to the questions which have been posed by the distinguished gentleman from Michigan in the well of this House today, then we do not have any way of knowing where we are going. This we must do. In the process, it seems to me—and I repeat this—we must review our commitments around the world and determine from our experience in Vietnam whether we can afford in the future to retain these commitments on a military basis.

I would hope, Mr. Speaker, this Congress during this session and the administration would bend its efforts toward reviewing some of these commitments lest we find ourselves in another Vietnam in the years ahead.

Mr. PUCINSKI. Mr. Speaker, will the gentleman yield?

Mr. GERALD R. FORD. I yield very briefly to the gentleman from Illinois [Mr. PUCINSKI].

Mr. PUCINSKI. Mr. Speaker, I agree with the statement my colleague from Illinois [Mr. COLLIER] just made. It is a balanced statement. I have raised the question myself as to whether or not it is not good for this country to see whether or not we are overcommitted. In this colloquy here today it demonstrates that reasonable men, not as Democrats and Republicans, but as reasonable Americans, can discuss this problem.

I have already said that the minority leader has a right to ask these questions but the minority party supported the President in this Vietnam effort. There is no question in my mind that we could not have made the gains we did in Vietnam if it had not been for the support of the distinguished minority leader, the gentleman in the well now, and the other members of his party in this Congress. It has been a joint bipartisan effort.

We recognize the danger in the Middle East.

I would like to ask my colleague from Michigan one question. My colleague says that the gentleman from Missouri talked about a credibility gap. The gentleman in the well talks about or gives the impression that there are secret things going on. I am under the impression that the President has really gone out of his way to try to consult with both the minority leader of the other body and the minority leader of this Chamber in the major moves that have been made in this war effort.

I am under the impression, at least, based upon what I have seen in the press and various television appearances and press conferences, that the distinguished minority leader now in the well and the minority leader of the other body have indeed sat in and have been consulted with and by the President of the United States on the progress of the war in Vietnam; is this correct?

Mr. GERALD R. FORD. I have never been informed or consulted on the questions that I have raised today, the specific questions that I have raised today in the text that I think you have before you. I have never been informed or consulted.

Mr. PUCINSKI. In other words, am I to understand——

Mr. GERALD R. FORD. Now, the discussions we have had have been a very much broader issue.

Mr. PUCINSKI. What about, for instance, the bombing of strategic targets as the gentleman suggested in his text? Has the gentleman ever conveyed to the President his belief that we ought to just level Hanoi and level Haiphong as well as other strategic military areas?

Mr. GERALD R. FORD. No; I have never said that and I have not said that today.

Mr. PUCINSKI. Well, I read that——

Mr. GERALD R. FORD. No; you have not listened because I have never said that and I have not said that today.

Mr. PUCINSKI. The gentleman stated:

> Would Americans believe, Mr. Speaker, that during all of 1966, handcuffed by such secret restraints, brave American airmen flew more than 100,000 combat missions over North Vietnam without attacking one of these significant strategic targets. Would they believe that under this policy, apparently unchanged, only about 1,000 strikes were directed against top priority pressure points during 1966, while 279 U.S. planes were lost?

I presume that the gentleman as the responsible minority leader of this Chamber has conveyed his concern on this subject to the President of the United States; am I correct in this assumption?

Mr. GERALD R. FORD. I have repeatedly said, publicly and otherwise, that we ought to strike strategic targets with air power and other weapons at our disposal. I have said that repeatedly.

Mr. PUCINSKI. Has that been done?

Mr. GERALD R. FORD. In my opinion that has not been done.

Mr. PUCINSKI. Would the gentleman delineate the targets for this bombing?

Mr. GERALD R. FORD. I have been advised as to specific information on such targets that should be, and that fall within that category, and this information I might add, is not available to the people at the White House any more than it is to me. So I am only saying that in my opinion the recommendations of these individuals who have produced these documents——

Mr. PUCINSKI. I have said, and I have said it before, that the gentleman has performed an honorable service here today by raising these questions. And, since he has supported the administration in its efforts in Vietnam, I believe he is entitled to give us these answers and that his party is entitled to give these answers to the American people.

Mr. GERALD R. FORD. I am glad that the gentleman added that it is important to give these answers to the American people. It is much more important to give these answers to the American people than it is to the Republican Party. What we are seeking to do is to get these answers to all of the people all over the country.

Mr. PUCINSKI. I agree with the gentleman, but I am wondering, if inadvertently, the gentleman is not really doing a disservice to this country and to the war effort by raising these questions, but not identifying the targets upon which bombs should be dropped?

Mr. Speaker, I think the people ought to know that on July 4 we passed the Public Disclosure Act. I think that democracy should be like a goldfish bowl. So, if there is some information which should be placed before the American people, I think the gentleman from Michigan ought to lay the cards on the table.

Mr. GERALD R. FORD. Let me say in answer to the gentleman that the specific information is available; but it is highly classified.

Mr. PUCINSKI. And, it was available to the gentleman from Michigan?

Mr. GERALD R. FORD. No; it was not made available to me.

Mr. PUCINSKI. I presume it was "top secret" and privy only to the President of the United States?

Mr. GERALD R. FORD. This information is available, but such information you do not lay out on the table. Of course, the gentleman well knows that I have the information.

Mr. PUCINSKI. You have had it? The President has given this information out to the responsible minority leader?

Mr. GERALD R. FORD. No, no; the President did not give it to me.

Mr. PUCINSKI. Someone has given it to you, as the responsible minority leader of this Congress of the United States, because unless the gentleman were privy to the conduct of this war at this time, the gentleman would not have had this information available to him now.

Have you, as the responsible minority leader, ever gone to the President of the United States and said that in your judgment and opinion suggested on behalf of your party that "these are the targets that we ought to bomb"?

Mr. GERALD R. FORD. By inference as well as directives.

Mr. PUCINSKI. You have?

Mr. GERALD R. FORD. I have said this over a period of time.

Mr. PUCINSKI. And I assume that this information which the gentleman has received——

Mr. GERALD R. FORD. And at any given time and place I will give it to the gentleman.

Mr. PUCINSKI. No, I trust the gentleman. I have complete confidence in the gentleman.

Mr. GERALD R. FORD. Some time ago I said we ought to destroy the SAM sites before they were made operational. Secretary McNamara said this was not the right thing to do, so we did not attack them before they were built. Now those SAM sites are knocking down U.S. military aircraft.

So I said this to other people in the administration, but they seemed to have consistently disregarded my advice. I guess we just have to keep on giving it to them. Maybe they will finally connect it up and accept it.

Mr. PUCINSKI. I want to thank the gentleman for his courtesy in this discussion.

The SPEAKER pro tempore [Mr. ECKHARDT]. The time of the gentleman from Michigan has expired.

BOROUGH OF BLAKELY CELEBRATES 100TH ANNIVERSARY

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Pennsylvania [Mr. McDADE], is recognized for 10 minutes.

Mr. McDADE. Mr. Speaker, it is with great pleasure that I inform you and my distinguished colleagues here in the House that one of the outstanding communities in my district is celebrating its 100th anniversary this week.

The community is the borough of Blakely.

I do not have to tell you, Mr. Speaker, that this will be a happy week in Blakely Borough. And if it is a very successful week, a great debt of thanks exists toward the people who have worked so hard to organize the centennial celebration. It is headed by the Centennial Committee's Corporation Officers: Gion J. Merli, president; Edward Perucki, vice president; Verna Musser, secretary; Walter Bloes, treasurer; Gertrude Meneely, headquarters; and Attorney James J. Ligi, solicitor.

Working also with this group as members of the board of directors are Harold Barthold, Gene Gasparini, John Hodovance, John B. Kingsley, and Dr. E. R. Simpson.

Notable also is the work of the executive committee, comprising, in addition to those already mentioned: Robert Mellow and Edward Perucki as cochairmen with Gino Merli; Michael Homich as special assistant; and Alice Wilding, Dorothy McCabe, Austin Hines, Peter Novitsky, Lulu Branning, Josephine Caterina, Gertrude McNeeley, Dominick York, Jr., Joseph Pastular, Frank Couglin, Nan Hudson, Frank Parry, Tom Revels, Karl Robinson, Art Williams, Frank Lesnefsky, and Doc Kobylash.

I hope you will permit me, Mr. Speaker, to discuss the history of this fine community, brief though the discussion must be.

Blakely Borough was created on August 27, 1867. The borough represents a small part of what was once Blakely Township which included most of the Lackawanna Valley north of Scranton. The township was named after Capt. Jonathan Blakely who commanded the American sloop *Wasp* in the Lake Erie battle with the British sloop *Avon* in 1814.

Early settlers such as Timothy Stevens, Nicholas Leuchens, and Capt. John Vaughn came soon after the War of Independence. As they cleared the timber and started to farm they could hardly have realized that beneath them lay some of the richest anthracite deposits in the world. In later years, mines in Blakely started to produce high grade coal in large quantities, and mining has now been carried out in the old township for a full hundred years.

But the hardy pioneers were too busy to think about coal. Strong enclosures were needed to protect sheep and cattle from marauding wolves. There were no schools, churches or mills, and no bridge over the Lackawanna River.

Gradually the land was tamed. The Luzerne and Wayne County Road was authorized in 1826. At the same time, work began on the D. & H. gravity railroad. A post office, with weekly mail deliveries, was opened in 1824, and in 1843 the First Baptist Church was formed. But by 1845, the population was only 570, and only one mine had been opened.

However, by the time of the founding of Blakely Borough in 1867, mining had increased and population had grown. 1868 also marked the founding date of the Blakely School District. Early teachers like Daddy Elijah Weston and Henry Fisher had taught in a one-room schoolbuilding. In 1876, the four-room Central School was built on Academy Street, the site of the present high school. The names of early principals like Prof. Henry E. Barnes and Miss Carrie A. Kenyon are still remembered in Blakely. In this century, Prof. Harry B. Anthony and Richard T. Carvolth served as superintendents of schools with a total of 64 years of service between them.

Not only have educational standards been high, but the football teams have compiled an outstanding record under the highly successful coaching of John Henzes, Sr. Only once in the past 30 years has a Blakely football team lost more than one game in a season. The same period has seen 16 undefeated seasons and numerous area championships.

Many of the citizens of Blakely have distinguished themselves in its long history, but I must take time here to pay special tribute to two. Capt. Richard Carvolth was, unfortunately, killed in 1954 in an airplane crash. His loss was not only a loss to his family and to Blakely Borough, it was a loss sustained by the entire Nation. He had been one of the three highest ranking graduates in the history of West Point. Had he lived, he might well have become one of the most distinguished military men of this generation. He is buried at West Point, and his name is commemorated each year at the Air Force Academy, where an award named after him is given at graduation.

And I must, of course, pay special tribute to the man who is acting as president of the Centennial Corporation, as a member of its board of directors, and as cochairman of the executive committee, Mr. Gino Merli. Gino received the Congressional Medal of Honor. He was awarded this highest award for valor while fighting on the front in World War II. And upon his return to Blakely with this most distinguished of all decorations, he became the finest, most unassuming gentleman I have ever met. He has given a large part of his life in promoting good works and patriotism among the young of our county. We are all fortunate to have such a notable patriot, such a distinguished gentleman, as the leader of the Blakely centennial.

I am certain that you, Mr. Speaker, and all of my colleagues here will join with me in celebrating the centennial of Blakely Borough. I am sure you will join with me in congratulating the office holders in Blakely Borough today: J. Gilbert Brong, Robert Burns, Richard Hall, Leo Marzani, Joseph Merli, Alfred Rodway, and John Kwalek, of the school board; Paul Mazzoni, solicitor for the school board. I wish also to commend the auditors for the centennial celebration; Lando Prechutti, William Gilvary, and Alfred Zarnosky.

Finally, but certainly not least, I wish to commend the work of Peter Novitsky, mayor of Blakely, and the members of council: R. J. Couglin, Arthur Williams, Ausin Hines, Gene Geeza, Mariano Volpi, Watkin Phillips, John McVickar, William Maggs, the Solicitor Attorney James Ligi, Secretary John W. Howells, and Treasurer Minnie Telford.

This is indeed a great week in Blakely Borough. We are not only looking back at the distinction of Blakely over the past hundred years, but we are looking forward to a century of even greater distinction. I am certain that the sons, the grandsons, and the great grandsons of this generation will be as outstanding as their forebears were before them.

HELPING HOMEOWNERS IN THE GHETTO AREAS

The **SPEAKER** pro tempore. Under a previous order of the House, the gentleman from Illinois [Mr. PUCINSKI] is recognized for 10 minutes.

Mr. PUCINSKI. Mr. Speaker, I ask unanimous consent to revise and extend my remarks, and include two articles from the Chicago Sun-Times.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. PUCINSKI. Mr. Speaker, Miss Ruth Moore, one of the most distinguished correspondents in this country, who has for many years been writing articles for the Chicago Sun-Times on the various housing problems of that city, has written two fine articles which appeared on Sunday, August 6, and Monday, August 7, which give us insight into the problems and some of the root causes which are creating many of the problems in our large cities today.

Miss Moore points out—and this should be of interest to those who think of the ghettos as a hopeless slum occupied totally by so-called slum lords—that the figures compiled by the Chicago Department of Buildings disclose that 51.2 percent of the 8,552 buildings in Lawndale are owned by their occupants.

In West Garfield Park the percentage is 45.7 of the 4,831 buildings. In East Garfield Park, 48.8 percent of the 6,166 buildings.

These buildings have been bought by people in the ghetto area. They are owned by them. They are bought on contract. What is developing is that these people want to improve these properties, but because so many of those buildings have been bought on contract, they cannot get FHA total financing.

I would like the administrators of the FHA program and the administrators of the National Housing Act to read these two articles very carefully, because in my judgment by understanding the effort of the owners of these buildings to improve these properties, and to remove some of the causes that have created some of the turmoil in America by helping these people get these loans to do this, we would indeed be making a great contribution. There are those who want to set up a specified program to help the cities of our country. There are those who want to set up new housing programs. The junior Senator from Illinois has submitted a proposal for a private holding corporation to issue long-term loans. All of these are worthy of study, but the fact remains, Mr. Speaker, that we have now on the books programs that are funded that could be helpful immediately to alleviate some of the problems of these slum areas, but because of the redtape, because of the administrators of these agencies playing everything close to their vest, because of the tremendous long delays in getting these loans—these home improvement loans approved and moving—much of this work is not being done.

Miss Moore points out in her article that in 1965 Congress amended the National Housing Act to permit the Department of Housing and Urban Development to make outright gifts or grants of up to $1,500 to help low-income owners of one- or two-unit buildings make repairs necessary to bring their buildings up to code standards.

So far 15 grants have been issued under this amendment.

The 1956 amendments also provide for 3-percent loans—private ones could cost more than 8 percent if they were available—to help owners improve their buildings.

> Up to $14,500 can be borrowed for each apartment. Owner-occupants of buildings with four units or less were authorized to refinance their existing mortgages along with the improvement loan at the same 3 percent, below-market, rate.
>
> Chicago in 1967 began opening neighborhood service centers, in effect little city halls, to provide assistance in obtaining the new so-called No. 312 loans and grants, and to give other services.
>
> Some of the West Side homeowners who have received the building department notices have begun visiting the centers. Through June, 163 applications for a total of $682,000 were processed at the city's nine centers. On the West Side the first loan was approved by HUD on July 14.
>
> Federal regulations have made obtaining the loans an exceedingly slow process.

And this is where I point out that these agencies and the people administering these agencies can make a substantial contribution toward alleviating much of the causes of this unrest.

Here are the homeowners who want to improve the properties in the slums. They want to get rid of the rats. They want to get rid of the firetraps. They want to get rid of the hazards. They are the people who have invested money in these buildings in the slums. They live there. They are the resident owners. They want to move forward and remove some of these causes. Here we have this vast bureaucracy sitting back and insisting on crossing every "t" and dotting every "i" before these programs can get moving.

So I say, Mr. Speaker, we can do much with the existing programs and I welcome the efforts of the Congress to legislate new programs. I have submitted some new legislation myself. But I do think the bureaucracy in these existing agencies are closing their eyes to the fact that they have the tools at their fingertips right now to come in with massive help without the need of any new legislation and without the need of any new financing. These people who have invested their money in these slum areas, we all hope that some day they can clean those areas up and they should be helped on a crash basis.

It is my hope that the administrators of these agencies will read Miss Moore's timely and penetrating articles and then move with a force never before seen in this Federal Government.

Because I think here we can do something now and we can show these people that indeed there is effective help on the books and in the laws of the land today.

Mr. Speaker, the articles which I have referred to previously are as follows:

[From the Chicago Sun-Times, Aug. 6, 1967]

HOME BUYING SOARS INTO NEW SLUM PROBLEM

(By Ruth Moore)

The two-story cottage with the basement apartment could be bought for $150 a month, the salesman told his house-hungry prospects.

If they found tenants for the apartment who would pay $85 a month rent, Mr. and Mrs. Jack would have to pay only $65 a month out of their own pockets. The price of the house was $18,000. They could have it on a contract for a $1,000 down payment.

Thus the Jacks, like thousands of others in this decade, became the "owners" of a rundown, illegally converted house on Chicago's West Side, and helped change the pattern of Chicago's slum or near-slum areas.

Talk persists about slumlords, but now almost half the buildings—and most of the small buildings—in the West Side Negro areas have been bought by the people who live in them.

Figures compiled by the Chicago Department of Buildings disclosed that 51.2 per cent of the 8,552 buildings in Lawndale are owned by their occupants. In West Garfield Park the percentage is 45.7 of the 4,831 buildings, in East Garfield Park, 48.8 of the 6,166 buildings.

NEW CRISIS IN SLUM AREAS

The changeover and the shift of small housing into the hands of Negro families with modest or low incomes is producing a new crisis in the slum areas. Ironically, the stepped-up 1966 drive on slums and the war on poverty created part of the crisis.

As part of the effort to eliminate dangerous and unhealthy living conditions, the city began door-to-door inspections of buildings in the three West Side communities. Previously, in those and all other areas not under urban renewal, inspections of small buildings were made only on complaint.

The inspections revealed 7,183 seriously defective buildings in the three areas. Nearly half were owned by the people living in them.

The Jacks, and other homeowners living in Lawndale, received formal notices from the city building department directing them to make major repairs and changes.

The cost of the ordered repairs was estimated at $3,500. The Jacks had no such sum of money. Nor did they have any way to borrow it privately.

"In the whole East Garfield area (Madison to the Eisenhower Expressway, Sacramento to Homan)," said Leonard N. Foster, a project co-ordinator for the Chicago Neighborhood Service Centers, "there is not a single bank or a savings and loan company.

"The National Bank of Commerce merged with a downtown bank and moved to the Loop, taking some $50,000,000 out of this area. The Apollo Savings and Loan Assn. moved with its $60,000,000 business to N. Michigan Av."

No other financial institutions are willing to make risky or even non-risky loans in Lawndale. Almost no money for rehabilitation or new construction has gone into East or West Garfield Park or Lawndale in the last decade.

FEW INSURED BY FHA

The Federal Housing Administration, the records show, has insured few West Side loans, even when social agencies, such as the Community Renewal Foundation, have fought for loans with all the financial skills open to them.

The growing seriousness of demanding expensive repairs when there is no money to make them was apparent to the federal government and to the City of Chicago. In 1965 Congress amended the National Housing Act to permit the Department of Housing and Urban Development (HUD) to make outright gifts or grants of up to $1,500 to help low-income owners of one- or two-unit buildings make repairs necessary to bring their buildings up to code. Low income was defined as under $3,000.

So far, 15 grants totalling $21,475 have been made in Chicago urban renewal areas. None has been made elsewhere in the city.

The 1965 amendments also provided for 3 per cent loans (private ones would cost more than 2 per cent if they were available) to help owners improve their buildings. Up to $14,500 can be borrowed for each apartment. Owner-occupants of buildings with four units or less were authorized to refinance their existing mortgages along with the improvement loan at the same 3 per cent, below-market, rate.

LITTLE CITY HALLS OPENED

Chicago in 1967 began opening neighborhood service centers, in effect little city halls, to provide assistance in obtaining the new so-called No. 312 loans and grants, and to give other services.

Some of the West Side homeowners who have received the building department notices have begun visiting the centers. Through June, 163 applications for a total of $682,000 were processed at the city's nine centers. On the West Side the first loan was approved by HUD on July 14.

Federal regulations have made obtaining the loans an exceedingly slow process. The regulations state: "The main requirement of the 312 loan is that the borrower have the ability to repay the loan." To establish that ability, applicants must present a title to their property, income tax returns for several years, and a record of employment.

Few have such records. In the first place, most Lawndale owners whose buildings are in a state of disrepair do not have titles. They are overwhelmingly contract buyers. They cannot qualify for conventional mortgages which would give them title to their buildings.

REFINANCING IS NECESSARY

Generally a contract buyer does not receive a title to his property until he has paid off at least half the debt on his building, and often not then.

"We have to try to refinance the contract to get the buyer a title," said D. E. Mackelmann, director of the neighborhood service program.

Negotiations have produced a few titles and a few dramatic reductions in pending debts. One contract buyer of a house in East Garfield Park, a man with seven children, had agreed to pay $16,500 for a one-story brick with attic and basement. He made a $1,000 down payment and committed himself for $135 a month. When the building department inspection disclosed the need for extensive repairs, he went to the neighborhood service office for help. A city appraisal set the value of the house at $3,150.

The holders of the contract, who already had collected several thousand dollars, were told that the house would be put in receivership unless it was brought up to code. Confronted with that ultimatum, the contract holders agreed to squeeze out the $13,000 in "water" in the contract, and accept a $3,000 cash payment to turn the title over to the buyer.

A 20-YEAR $8,000 LOAN SOUGHT

Application was filed for a 20-year, 3 per cent loan of $8,000. If it is approved by HUD, $3,000 would be used to refinance the house and $5,000 for rehabilitation. The family's monthly payments for the whole would be reduced to $44.12.

Such negotiations require months. There is more delay as potential borrowers search for missing income tax and employment records. Under the intricate processing, years would be required to make any appreciable change in the housing of the West Side.

[Chicago Sun-Times, Au. 7, 1967]

Countering Blight: Help for Homeowners' Repairs

(By Ruth Moore)

City officials, deeply troubled by a new threat of neighborhood decay, are seeking ways to provide rehabilitation cash with blight-beating speed.

Confronting the officials is a paradoxical crisis in slum and near-slum areas stemming from innumerable purchases of small old homes by Negro families with modest or low incomes.

The war on poverty helped make the purchases innumerable, but the city's stepped-up 1966 drive on slums sent city building inspectors to small homes for the first time. Formerly these dwellings had been inspected only in response to complaints.

Now thousands of buyers with only a tiny equity in houses painfully below city structural and health standards face demands to bring their homes up to code. In most instances the families haven't got the money to make repairs.

Such families, already beleaguered by sizable monthly mortgage or contract—usually contract—payments, can apply to the U.S. Department of Housing and Urban Development for loans to make repairs. Or if the family income is below $3,000 a year, outright gifts or grants up to $1,500 are available.

DRAWN-OUT NEGOTIATIONS

But months of negotiation are required. As noted Sunday in this series of articles, years would be required to make any appreciable change in the housing of the West Side, where the small-house, no-cash problem is acute.

The City of Chicago has no home-repair money to give or lend. Its present approach to the crisis is to summon to compliance board hearings or to court owners who will not or who cannot correct slum conditions.

From March 1, 1966, through May 10, 2,874 buildings inspected in a door-to-door survey in Lawndale, West Garfield Park and East Garfield Park were submitted for compliance board hearings. Court action was instituted against 1,355 structures.

Since 1966 the courts have been appointing the Chicago Dwellings Assn. and a few private not-for-profit organizations, such as the Community Renewal Foundation, as receivers to put buildings into decent and livable condition. Primarily that resort has been used for larger buildings instead of small owner-occupied houses.

CDA then makes the essential repairs. Generally the court, in receivership cases, will permit the receiver to spend only enough to bring a building up to code. That might mean repairing the plaster, but not painting the walls. Or putting in a boiler and doing nothing about the paintless front porch and the hard-packed-mud front yard. It also adds legal and administrative fees to the cost of doing what the owner should have done himself.

The system is economic nonsense, city officials say, and is perilously slow in bringing about rehabilitation of huge areas where housing is decaying.

James C. Downs, chairman of CDA, and Charles R. Swibel, chairman of the Chicago Housing Authority and a member of the executive committee of CDA, have called for a basic change in the approach to rehabilitation. Study is being given to new methods that might quickly supply the money needed for improving thousands of substandard buildings.

PAINTING, LANDSCAPING SOUGHT

A way also is being sought to finance the painting and landscaping that would make a building an asset to the neighborhood. Safety and protection of the occupants' health are required under city law and would come first, but a neat, trim appearance would be deemed essential, too. Other city programs would work with tenants on housekeeping and proper maintenance.

"We must help homeowners as well as slug them," declared Abel D. Swirsky, deputy commissioner of buildings, referring to inspections and the compliance required by law. "Our recent area inspections made many people realize for the first time that they were living in substandard conditions that they themselves must correct.

"Many are willing to correct those conditions, but are without the funds. That is the obstacle that has to be overcome, for these are good buildings, and many of the streets with their trees and big yards hardly could be improved upon in a city. The owners of these buildings can form the sound nucleus for a fine community."

DOING IT THE HARD WAY

Swirsky agrees with Downs and Swibel that to go to court and have a receiver appointed to repair the plaster, to put in new wiring and to clean up a house is "doing it the hard way."

If the financing could be supplied, the Neighborhood Service Centers have the architectural and other technical services to help the homeowner in doing a job in which he has little experience and easily can be victimized.

Also, the city's mortgage brokers are concerning themselves with the complexities and inquities of home purchasing and rehabilitation on the West Side and in other rundown areas. A committee headed by Charles Barrett of Continental Illinois Bank & Trust Co. of Chicago has been at work for a year and a half and soon will be ready to test some new methods of supplying loans and mortgages to the areas now largely deprived of them.

MANY COMPLAINTS ON INSPECTIONS

The West Side Federation, an organization of many groups, has demanded more and better financing for the homeowners of the area. Many complaints have been made about inspections, "Why are they picking on me?" is heard over and over again. "My house was this way before I bought it."

Nearly all the owners bought without obtaining a city certificate showing the condition of the building and all existing violations. The first area-wide inspections were their first official notice that much is wrong with their buildings. The explanation does not ease the problem.

The clash of the law and building owners ill equipped or unable to comply with it thus has produced a growing and still unsolved crisis on the big West Side of the city. Despite the drive on slum housing, most West Side housing continues to be an undeniable slum.

CONGRESS MUST SUPPORT THE PRESIDENT'S DISTRICT OF COLUMBIA GOVERNMENT REORGANIZATION PLAN

Mr. MONTGOMERY. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. Bingham] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

Mr. BINGHAM. Mr. Speaker, the 90th Congress has an opportunity to right a very old wrong. We have a chance to provide sound, modern government to the citizens who live in the District of Columbia. The Government Operations Committee—by a large majority representing both parties—has given the plan an overwhelming vote of support.

The proposal to reorganize the District of Columbia government is the best way to create new rights for 800,000 Washington residents who have been the victims of a creaking, inadequate system of city administration and would now be able to vote for nine city councilmen to directly represent their interests.

Washington is America's fastest growing urban community. As such, it needs a form of government that can be responsive to the needs of the people and to the complexities of a rapidly expanding and dynamic community.

The President's plan provides the means to streamline the District's government—to replace a three-man Board of Commissioners with a single Commissioner who will function largely as mayor, and to install a nine-man council that will operate largely as a city council does in most of our big cities.

This is not home rule—it is not elected local government. It will, however, bring better, more efficient government to the District of Columbia now—and action is needed now.

I urge the 90th Congress to follow the wisdom of the overwhelming majority of the Government Operations Committee and support Reorganization Plan No. 3 for a better, stronger District government.

CHAIRMAN PATMAN RECEIVES DISTINGUISHED PUBLIC SERVICE AWARD FROM NATIONAL COUNCIL OF SALESMEN'S ORGANIZATIONS

Mr. MONTGOMERY. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. Multer] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

Mr. MULTER. Mr. Speaker, as a previous recipient of the Distinguished Public Service Award in 1962 given by the National Council of Salesmen's Organizations, I take particular pleasure in announcing to the House that our distinguished chairman of the Banking and Currency Committee, the gentleman from Texas, the Honorable Wright Patman, received this award August 1, 1967.

We are all aware of the historic legislative accomplishments of our colleague from Texas, and I particularly am pleased to see the National Council of Salesmen's Organizations recognize the endeavors of Wright Patman. The president of NCSO, Mr. Lawrence Davis, well states the devotion of the gentleman from Texas to the small businessman:

> In your role as a leader of Congress, you have always exemplified the true friend of salesmen of America. Further, you have represented the causes of all Americans without regard to their political persuasion, economic station or religious affiliation and for this, we salute you.

Mr. Speaker, at this point I include in the Record the statement concerning Chairman Patman's award that appeared in the National Voice of Salesmen:

Patman To Receive 1966 DPS Award

Congressman Wright Patman whose 38 years in the Congress have been devoted to the protection of the small businessman will receive this year's NCSO Distinguished Public Service Award, it was announced by President Lawrence S. Davis following the September meeting of the Board of Directors.

Each year, Council consults with many legislators and administrators at State and Federal levels thus giving the Directors ample opportunity to observe the efforts being made by these representatives of the people. While Council is primarily interested in legislation and other programs which affect wholesale salesmen, many of its undertakings are designed to benefit the community at large. From time to time, Council encounters public officials who are unusually dedicated and who, in its opinion, render distinguished public service.

Too often, such unusual services goes unheralded. For this reason NSCO instituted these awards. Its initial award was presented in 1961 to Senator Jacob K. Javits. In 1962, two awards were given, one going to then Commissioner of Internal Revenue, Mortimer M. Caplin and the other to Congressman Abraham J. Multer. In 1963, the awards went to then Secretary of Commerce Luther H. Hodges and Congressman Eugene J. Keogh. In 1964 only one award was made. It was presented to President Lyndon B. Johnson. The two awards given in 1965 went to Governor of Michigan George W. Romney and Mayor John V. Lindsav of New York.

COUNCIL'S TRIBUTE TO CONGRESSMAN PATMAN

In notifying Congressman Patman of his selection for the 1966 award, Mr. Davis said:

"In your role as a leader of Congress, you have always exemplified the true friend of the salesmen of America. Further, you have represented the causes of all Americans without regard to their political persuasion, economic station or religious affiliation and for this, we salute you."

At present, Congressman Patman is Chairman of the powerful Committee on Banking and Currency of the House. He also is a ranking member of the House Committee on Small Business, Chairman of the Joint Economic Committee, and vice-chairman of the Joint Committee on Defense Production.

One of the landmark achievements for which the Congressman is best known was his sponsorship, together with Congressman Robinson, of the Robinson-Patman Act which became the law of the land in 1936. Today, thirty years after its enactment, the Robinson-Patman Act remains a bulwark against unfair competitive tactics. Its implementation is under the jurisdiction of the Federal Trade Commission and its ramifications so widespread that it has frequently been the subject of United States Supreme Court decisions.

The trend has been toward stricter enforcement of the Robinson-Patman Act which is appropriately known as the "golden rule in business." It forces equality of opportunity, protects the small businessman, and restrains those who would use unfair methods that are harmful to the producers, distributors and consumers.

OTHER NOTABLE ACCOMPLISHMENTS

If this Act had been the Congressman's sole legislative achievement, he still would have merited the secure place he holds in American legislative history, but it has been but only one of his many outstanding achievements. In 1941, for example, Congressman Patman was the author of the House resolution which created the Committee on Small Business. Until the 88th Congress he has served as its chairman in all but the 80th and 83rd Congresses when the Republicans were in power.

Among his other legislative "home-runs" was his co-authorship of the Full Employment Act of 1946 and his co-sponsorship of the Small Business Investment Act, generally referred to as the Johnson-Patman Act, which became law in 1958. It helped small business concerns to obtain, for the first time, the kind of financing they needed most—equity and long-term capital.

In addition to his many legislative activities, Congressman Patman found time to author a book on "Our American Government" which contains answers to a thousand and one questions about how our government works. The book has been used by students, teachers, study clubs and many other groups. It has been printed in many languages and is sold throughout the world.

Perhaps one of the finest tributes to Congressman Patman and one which effectively summarizes his career came several years ago when he received an award from the National Congress of Petroleum Retailers bearing the following inscription:

"To Congressman Wright Patman, whose heroic leadership and steadfast devotion to the cause of economic independence and opportunity for small business, whose gifts of advocacy and greatness of soul have raised the spirit of small businessmen across the nation and guided the progress of legislation in behalf of American ideals of economic freedom and opportunity, we express our heartfelt appreciation."

National Council will be proud to make its presentation to Congressman Patman either at its annual dinner-convention on Dec. 5 or at a later date in Washington.

CONGRESS SHOULD PASS THE RAT EXTERMINATION BILL

Mr. MONTGOMERY. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. Gilbert] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

Mr. GILBERT. Mr. Speaker, the defeat of the rat extermination bill in the House was a bitter disappointment to me. I voted for this proposal which would have provided Federal funds for a program urgently needed by our cities.

Rats, the deadly diseases they carry to humans and food, and their damage to property, is a serious matter to me. Our cities lack the money and the means to adequately control and exterminate rats. I am concerned about my city, Mr. Speaker, and about the health and welfare of its inhabitants. I received many letters from residents of my 22d District clearly pointing out the need for this program. The reported cases of rat bites to infants and young children is alarming and a disgrace.

The New York City Health Department statistics tell us there are about eight million rats in our city—equal to the city's human population. The department reports that the number of investigated rat bites increased from 497 in 1965 to 562 in 1966; and 300 bites were reported in the first 6 months of 1967. The projected figure for 1967 is 600. These are the reported cases; I am sure there are many which are not reported. Other cities have this same problem. I am told that last year seven cities in the United States reported approximately 1,000 cases of rat bites.

Mr. Speaker, I share the President's concern and I support his request that Congress still pass this legislation. I urge my colleagues in the House to join me in support of the Senate bill should it pass that body of Congress and come to the House for a vote.

THE SMALL BUSINESS ADMINISTRATION IS PERFORMING A VITAL FUNCTION

Mr. MONTGOMERY. Mr. Speaker, I ask unanimous consent that the gentleman from Maine [Mr. Hathaway] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

Mr. HATHAWAY. Mr. Speaker, the forests of this country are one of our most valuable natural resources. They provide unexcelled recreational areas and are the natural habitat of many wild animals and game.

They also provide the basic materials for some of our most important industries. Pulp for our paper mills. Lumber for construction and for use by our manufacturers in making products without number.

The forests of Maine are an outstanding example of this great national resource which is unique in that it is constantly being restored, even as it is being used. Minerals and metallic ores once taken from the ground are forever gone. The wealth provided by our forests is constantly being renewed.

Because of their enduring quality, our forests provide a stable base for much of our industry. Nowhere is this more apparent than in the State of Maine. Here we have a host of industries, large and small, engaged in logging and producing lumber and other products that contribute to our welfare in thousands of ways.

Maine residents take pride in their great forests and the timber they produce. In my own congressional district, there are many communities whose prosperity is dependent upon the forests which surround them.

The community of Strong, Maine, is well situated in the heart of the White Mountains of western Maine. Its prosperity stems in a large degree from a lumber mill which has been operated by the Starbird family for more than half a century.

I should like to recount briefly the story of the Starbird Lumber Co., Inc., of Strong, Maine, and the assistance it received from the Small Business Administration.

This small business enterprise was organized in 1915 by R. A. Starbird. He personally directed its operations for nearly 40 years. Upon the founder's death in 1954, the enterprise was carried on by his widow, Elizabeth M. Starbird, and two sons, Clinton and Harrison.

Like many family-owned businesses, Starbird Lumber Co. owes its success and continued growth to the industry and integrity of its founder. The members of the family are continuing the business in the same tradition. They are proud of the reputation their firm has built up over the years and they are proud of the community in which they operate.

But no business, no matter how soundly it is operated, can resist the pressures of change. A small business must be competitive or it will soon cease to exist.

In 1959 the owners of the Starbird Lumber Co. realized that to keep up with their competitors they would have to purchase new machinery and equipment and construct additional facilities.

Heavy equipment needed in a modern sawmill—cranes, automatic carriages, trailers, trucks, and the like—are expensive. The Starbirds figured that to carry their modernization plans to completion, they would need a long-term loan of about $80,000.

They applied to their bank for help and the bank agreed that a long-term loan was what the firm needed, but it could not make a loan of that size by itself. So the banker asked SBA's office in Augusta to participate. The bank would take 20 percent of the loan, if SBA would provide the remaining 80 percent. SBA agreed, and the loan—to mature in 10 years—was quickly approved.

The SBA approved this loan because the owners of the business were capable managers, had excellent reputations, and because the funds were to be used to improve the business, help it grow, and be of greater value to the community.

What has happened to this firm since this loan was approved?

The firm's sales have increased nearly 50 percent and its net profit has more than doubled. Because of the nature of the business, employment varies, and it ranges from a low of 45 to a maximum of 65. The firm's payroll helps make Strong a prosperous community.

The loan provided by the bank in cooperation with SBA has helped Starbird Lumber Co. to expand. Its operations now include the cutting and hauling of logs, sawing, planing, and processing lumber for shipment; the manufacture of boxes and allied items; and the manufacture of ready-built cabins. A small amount of pulpwood is cut and sold to surrounding mills.

The firm also retails building supplies of all kinds and maintains a garage for the care and repair of its equipment.

The loan is being repaid with interest.

When one considers that this is typical of the help that SBA provides to thousands of small firms every year, it becomes significant indeed.

Since its inception in 1953, SBA has provided financial help to about 600 small firms in Maine, providing them with more than $28 million in long-term loans.

These loans have gone to many diverse small businesses. But they all had one thing in common: they required a long-term loan to provide them with new machinery, new equipment, new buildings, or with working capital that would make expansion possible.

This is the important role SBA plays in the lives of so many small businesses.

It is no happenstance that the Small Business Administration exists to provide this essential help to small business. President Johnson has long been a strong supporter of the Small Business Administration because he understands the importance of small business to the economy. The President knows that small business provides a means for Americans to put their energies and talents to work for themselves.

He knows also that no matter how much talent a person has, no matter how determined he is to get ahead, he has to have sufficient capital or he can't progress very far.

Small business is truly the seedbed of the American economy. It is a testing ground for new ideas, new products, and new services.

The Small Business Administration is performing a vital function. It deserves our full support.

J. S. ABERCROMBIE: A MAN WHO MAKES HOUSTON GREAT

Mr. MONTGOMERY. Mr. Speaker, I ask unanimous consent that the gentleman from Texas [Mr. CASEY] may extend his remarks at this point in the RECORD and include extraneous matter.

The **SPEAKER** pro tempore. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

Mr. CASEY. Mr. Speaker, some measure the wealth of a city by its bank deposits, its tons of bricks and mortar reaching for the sky.

But we in Houston count our most precious assets in men—men like James S. Abercrombie, oilman, rancher, industrialist. For years, he has been a guiding force in shaping the destiny of our great and booming area, and the deep debt of gratitude our whole community owes him can never be repaid.

He has used his great wealth wisely, and many may never know the extent of his philanthropies. But through his strong backing, we have in Houston the finest hospital to treat our stricken youngsters—Texas Children's Hospital. He is chairman of the hospital's board, and also general chairman of the campaign to raise $15 million for the expansion of St. Luke's Episcopal and Texas Children's Hospital.

Here is a man whose great career reads like a fiction novel. And here is a man, who through the hard years of earning great wealth, has not forgotten his fellow man. His warmth, his generosity, have been a sustaining force to our whole community, and we in Houston are indeed proud of Jim Abercrombie.

Mr. Speaker, because so many of my colleagues know this great man personally, I take great pride in bringing to their attention the accompanying article on this great American, who I am proud to call my friend:

[From the Houston (Tex.) Chronicle, July 30, 1967]

OILMAN J. S. ABERCROMBIE GIVES HEART, WEALTH TO HELP ILL CHILDREN

(By Tommy Thompson)

"Who is the man with the cigar, mommy?"

The mother looked up from her magazine, glanced at the portrait that hangs on the south wall of the lobby in the Texas Children's Hospital and answered:

"I don't know, honey, maybe it is the head doctor here."

The man with the cigar, J. S. Abercrombie, doesn't have a license to practice medicine, but he has played a vital role in the treatment of thousands of children from all over the world at the famous hospital.

"Without him, there might not have been a Texas Children's Hospital," says Leopold Meyer, president of the board.

BOX A DAY

The man with the cigar (he has smoked a box a day for 30 years) is chairman of the board for Texas Children's.

He also is general chairman of the campaign to raise $15 million for expansion of St. Luke's Episcopal and Texas Children's hospitals.

It is Abercrombie's theory that "to produce healthy men, we must develop good, strong bodies in children," and he became involved in Texas Children's "to indulge a grateful heart" for his good fortune, health and strength.

Across town is another creation of this man, who, is oil man, rancher and inventor.

This is Cameron Iron Works, Inc., which from its beginning in a small plant at 711 Milby, has developed into a manufacturing and engineering firm with 5100 employees.

GREAT INVENTION

Abercrombie purchased the shop from Harry Cameron in 1920 as a repair shop for his drilling rigs. Later, one of Abercrombie's inventions alone, a blowout preventer, was to make the company great.

His Scottish ancestry shows in Abercrombie's speech mannerisms. His sometimes gruff-sounding replies cover a shyness seldom encountered in a man who has accomplished so much.

Let the subject be bird dogs and hunting—his favorite recreation—or raising cattle and the words flow. They come even more freely if the subject is the Pin Oak Charity Horse Show.

But his role in channeling $1.75 million from the horse show to Texas Children's is not discussed.

ONE OF 13

Jamie Smither Abercrombie was born in Huntsville on July 7, 1891, one of 13 children of James Buford and Lina Abercrombie.

The family moved to Houston in 1905 and for about three years, young Jamie drove a milk truck. At 18, he went into the oilfields for the first time.

His first job was with his cousin, C. A. Abercrombie, in 1909. He roughnecked on a wildcat at Cypress and continued to work for his cousin for about two years.

By 1918 he was field superintendent at the Goose Creek Field, where he worked for R. L. Young, president of Crown Oil Co., later Crown Central, and the Atlantic Oil Co.

Later, with borrowed money, he bought a rig, quit his job with Crown Central, and went into the contracting business full time.

He added more rigs and was drilling in the Humble Field in 1920 when he bought Cameron's machine shop, which had a couple of lathes, a drill press, a few hack saws and other assorted hand tools.

"Harry Cameron was a great machine-tool man," Abercrombie said recently. "You could give him a piece of iron and he could make just about anything you wanted from it."

He recalled a rainy day in Hull Field when he turned disaster into the first piece of equipment to control high pressure gas.

He was some distance from the well in Hull Field when it blew out with a tremendous explosion. The derrick evaporated into a sea of flames. As the black smoke boiled up from the wrecked well, Abercrombie thought about other blowouts he had seen, and how badly the industry needed some means of controlling these disasters.

He drove back through the rain to the shop on Milby, where he took a stick and sketched a design on the dirt floor.

Cameron and Ed Lorehn made his equipment from this crude drawing, the first successful device to control pressures during drilling.

This was the ram-type preventer which could close off the hole, just like closing a valve. The preventer has undergone many improvements and modifications, but it still is basically the same.

Abercrombie had been drilling for several years before he obtained his first production. It was in 1926 in the North Dayton Field at the Harrison No. 1. He went on from there to become one of the largest independent oil operators in the United States.

In 1934 he and Dan Harrison Sr. brought in the old Ocean Field in Brazoria County. Oil historians agree that Old Ocean and Abercrombie were made for each other.

Old Ocean's great hydrocarbon supply was guarded by extremely high pressure gas and only the inventive mind of Abercrombie could conquer this dangerous factor.

Old Ocean was the nation's deepest producing field when it was discovered, the first to go below 10,000 feet. At Old Ocean Abercrombie quit flaring gas, as was common in those days, put in a big compressor and recycled the gas to maintain pressure.

Abercrombie drilled his first injection wells at Old Ocean, where his technical accomplishments made him one of the pioneers in the use of natural gas as an energy source.

It was a bout with illness in 1947, his first serious setback, that led to his interest in the Texas Children's Hospital and subsequently to his backing of the annual Pin Oak Charity Show which has since become the nation's outstanding horse show.

And behind him in all his enterprises is his wife Lillie whom he married 42 years ago and who works with the Ladies Auxiliary at the children's hospital.

The Abercrombies have a daughter, Josephine Averlina, now the wife of Anthony J. A. Bryan of St. Louis. The Bryans have two children, Jamie 10, and George 8.

The millions of dollars donated to various charities by Mr. and Mrs. Abercrombie through the years have been inestimable to Houstonians, but more important, they have given part of their hearts to the city.

OILMAN GIVES $100,000 TO SCIENCE MUSEUM

J. S. Abercrombie has donated $100,000 to the Houston Museum of Natural Science, Charles Alcorn, president of the board of trustees, announced Saturday.

The contribution will be used for construction of the museum's $1.5 million building in Hermann Park.

Abercrombie's interest in and support of the museum resulted earlier in the building's foyer being named for him.

THE GOOD OLD DAYS

Mr. MONTGOMERY. Mr. Speaker, I ask unanimous consent that the gentleman from Oklahoma [Mr. STEED] may extend his remarks at this point in the RECORD and include extraneous matter.

The **SPEAKER** pro tempore. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

Mr. STEED. Mr. Speaker, somewhat with tongue in cheek but very seriously nonetheless, Mr. Wallace Kidd, editor of the Anadarko, Okla., Daily News, recently quoted some statistics and made some comparisons about wages and the cost of living which I think will interest us all.

Carpers, critics, and faultfinders of today never make these comparisons, without which the current figures can be made to sound worse than they are.

One thing that has not changed through the years is the fact that an hour is still an hour. Since most of us have only our services, usually measured by time, for sale, it seems to me that only by reference to the value of our hourly incomes and costs can we hope to maintain true comparisons between the "good old days" and today. Mr. Kidd's comment and citations are as follows:

> I wasn't around, but I've heard tell about those good old days. They're bound to have been good, else there wouldn't have been so much bragging once they were out of the way.
>
> Now there's a bit of disillusionment, coupled with a brighter side on today's living. It's all found in the "Handbook of Labor Statistics," published by the U.S. Department of Labor; price, $2 based on current value.
>
> What makes the good old days look different is the fact that the average factory worker in the United States earned in three hours last year enough to pay for a market basket of food for which he would have worked 11 hours in 1909. Proof comes from the following 10-item basket of food:

	1909	*1966*
Flour, 10 lbs.	$ .29	$1.19
Round steak, lb.	.16	1.11
Rib roast, lb.	.16	.93
Pork chops, lb.	.17	1.06
Bacon, sliced, lb.	.22	.95
Milk, qt.	.08	.28
Butter, lb.	.35	.82
Potatoes, 10 lbs.	.29	1.12
Sugar, lb.	.06	.12
Eggs, doz.	.32	.60
Total cost	2.10	8.18

> "How come," you say, "things are better now when in 1909 you bought a basket of groceries for $2.10 and in 1966 it cost $8.18?" Well, the answer is simple, once you've read the Bureau of Labor Statistics handbook.
>
> It says that in 1909, average weekly factory earnings were $9.74 for an average 51-hour workweek. That made the average hourly factory earnings 19 cents. In 1966 average weekly factory earnings were $111.92 for a 41-hour average workweek. That figures up to an average hourly factory earning of $2.71.
>
> The conclusion—thus in 1909, at 19 cents an hour, it took a little longer than 11 hours to earn the $2.10 while in 1966 at $2.71, it took a little over three hours to earn the $8.18. One factor not solved is how many hours it takes to meet payments on today's boat and trailer, the second car, color television and to repay the loan on last summer's vacation trip to Disneyland.

TRIBUTE TO BRIG. GEN. WILLIAM J. GLASGOW

Mr. MONTGOMERY. Mr. Speaker, I ask unanimous consent that the gentleman from Texas [Mr. WHITE] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

Mr. WHITE. Mr. Speaker, on May 18, 1966, it was my honor to advise the House that the oldest living graduate of the U.S. Military Academy, Brig. Gen. William J. Glasgow, was observing his 100th birthday at his home in El Paso, Tex. Today, it is my sad duty to inform my distinguished colleagues of the death of General Glasgow in El Paso last Friday at the age of 101.

In my home city the name of General Glasgow rings proudly through our history. His father, Edward J. Glasgow, was a pioneer in establishing the trade routes of the old Southwest. Seventy years ago, as a dashing young Army officer, William J. Glasgow married Josephine Magoffin, granddaughter of James Wiley Magoffin, a pioneer of the Santa Fe Trail and a special envoy of President Polk in the Mexican War. On the old Magoffin ranch in El Paso, a small military post had been established and was christened Fort Bliss in 1854. At the modern Fort Bliss, a leading training center of this electronic and missile age, funeral services were held yesterday for General Glasgow.

The career of William Jefferson Glasgow spans a major part of our Nation's history. Born May 18, 1866, only a year after the Civil War, he graduated from West Point in 1891, early enough to participate in the last Indian skirmishes in the Territory of New Mexico. He saw service in the Spanish-American War, and as a major he served under Gen. John J. Pershing during the Mexican border troubles of 1916. It was his expressed wish to follow Pershing to France in World War I, but his special skills were needed for the urgent task of training new officers for the conflict. During the war and the ensuing decade, he rendered distinguished service in training the men who would become the backbone of our Nation's career Army. In 1927, as a brigadier general, he was retired for physical disability at the age of 61.

Since his retirement, he has lived in El Paso in the historic old Magoffin homestead, a proud representative of America's finest military traditions, a distinguished scholar and historian of the Old West, and a vital link with our storied past.

To his gracious life's companion, Josephine Magoffin Glasgow, our hearts go out in sympathy. To all who cherish the proud traditions of the U.S. Military Academy and the highest ideals of our armed services, the name of Brig. Gen. William Jefferson Glasgow will live in honored memory.

WORLD TRADE OUTLOOK

Mr. MONTGOMERY. Mr. Speaker, I ask unanimous consent that the gentleman from Pennsylvania [Mr. DENT] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

Mr. DENT. Mr. Speaker, on July 26 and 27, the President's special representative for trade negotiations, the Honorable William Roth, appeared before my Labor Subcommittee to discuss the recently concluded Kennedy round agreements. He was invited to comment specifically on pending legislation which would establish a procedure whereby employees, employers, or other interested or affected parties could appeal for relief if they felt foreign imports were adversely affecting them.

Although Mr. Roth and his colleagues were most cordial and cooperative, I was distressed to find the insignificant attention given our industries and workers during the Kennedy round negotiations. Subsequent to that agreement, I stated my belief that the United States had been severely shortchanged. After our 2-day exchange with Mr. Roth, I was positive of it.

Even more saddening was the realization that we had cut tariffs on those items in industries now in a life-or-death struggle against low-wage inspired foreign competition. Our actions at Geneva defy reason, and I fear our economic future with our primary defense now down.

Mr. Speaker, these views are my own but they are not peculiar to me. A very competent journalist, Lloyd M. "Mike" Hampton, sat in on our 2 days of hearings with the Kennedy round team, and came away with some very astute observations. He recorded them in his "Washington: Inside Out" column in the August 5 edition of Leather and Shoes magazine. Mr. Hampton has been an observer of the Washington scene for many years and the analysis he presents in the column is a stimulating one which all Members should read. I am entering it in the RECORD for that purpose:

WORLD TRADE OUTLOOK EXTOLS EXPORT DREAMS, OMITS IMPORTS THREAT

(By Lloyd M. Hampton)

> When our top trade negotiator, William Roth, rhapsodizes about the yet-to-be-realized great export potential in store for us as a result of the Kennedy Round agreement, it would appear that we emerged from the torturous, protracted Geneva talks with nothing but plusses. However, there are many, both in and out of Government, who strongly feel otherwise. Minuses of a serious nature affecting our industry and labor are also wrapped up in the GATT pact, they say.
>
> For instance, in a recent statement to Congress, on what the global trade accord holds for the U.S., Mr. Roth chose to emphasize in glowing terms one side of the coin, while curiously omitting mention of the other. According to the Department of Labor, he crowed, every billion dollars worth of goods that we export supports 100,000 U.S. workers. A nice sounding phrase in and by itself, but oddly enough, what he glaringly, completely failed to point out for comparison's sake is the already disquieting if not alarming import situation . . . what it has to date and now more so (under the GATT deal) portends to cost us in job losses and outright plant displacements.
>
> This is not to infer that the importance of Mr. Roth's Labor-based statistics are to be minimized nor their validity questioned. They are fine as far as they go. What is important, is that for some reason he elected to limit his remarks to those which were obviously aimed to please, not open to criticism.
>
> In so handling himself on Capitol Hill, Mr. Roth appears to have failed to convince probing lawmakers that before the Geneva trade pact was signed there had been given thorough, serious consideration by him to the grave imports matter as it relates to a number of U.S.-domestic industries, including the footwear and leathergoods sector. Over the last decade, footwear imports to this country have climbed an incredible 1500 percent. Shipments of leather goods and luggage during 1966 have escalated more than 33⅓ percent over 1964, and the figure is rising even further. Result? More people in the leather, shoes and allied trade areas are losing their jobs. If imports of the articles aren't curbed—and quickly—unemployment in the industry is expected to further rise. Last year, imports cost 39,000 job opportunties in the footwear industry . . . job loss

is expected to reach 59,000 by 1970 if imports clampdown isn't forthcoming, says NFMA.

Imports of handbags, luggage and personal leather goods—if allowed to soar unimpeded at present pace—are seen by trade spokesmen as bringing catastrophe to the industry. In addition, they maintain, many leather goods' employees displaced by imports will wind up in the ranks of the permanently unemployed. Why? A high percentage of leather goods' workers are middle-aged. For them, alternative job opportunities are extremely slim, retraining possibilities few.

GATT Agreement And Labor—Mr. Roth's high hopes for stepping up our exports as a result of the Kennedy Round trade agreement, are buttressed elsewhere in government. In the view of James J. Reynolds, U.S. Under Secretary of Labor, both of the European trading blocs (EEC, EFTA) maintain tariff and non-tariff barriers against U.S. exports, which in tandem with productivity improvements to be expected from economic development and integration, could have serious implications for the expansion of American exports and the degree and nature of import competition in our markets.

To Reynolds, it seems reasonable to assume that the tariff and non-tariff barriers negotiated in Geneva, and the dynamic impetus created for the elimination of remaining tariff and non-tariff barriers in the future, will prevent both export restriction and trade diversion from occurring.

In attempting to identify labor's stake in the Kennedy Round "within a dynamic world of changing political and economic conditions," the USDL official holds that we cannot afford to be complacent since, he believes, the U.S. stands to benefit significantly by participating in and shaping the changes that take place.

In answer to frequent assertions that imports often cause unemployment by the dislocation of labor in the importing country, Reynolds is convinced that the benefits of the GATT agreement outweigh the cost of such "temporary" dislocations as, he admits, "may occur when competition increases."

If we cut off or sharply reduce imports of a competitive product, would employment and output in the domestic industry involved automatically increase? Would overall employment increase? In a complex and dynamic economy such as ours, Reynolds offers, we do not operate that simply. There may be particular cases where such a simple relationship might apply, but in an environment in which national policies are geared to achieve and maintain full employment and economic stability, such generalizations cannot be sustained, he observes.

Trade flows from country to country in the free world are reciprocal in nature. A restrictive act taken by one nation tends to be matched by a restrictive response by other countries. The net effect of such acts is most often a tightening in world trade. The economic effects of such a contraction would ultimately be a reduction, relative or actual, in exports from the United States, Reynolds claims, explaining further: While we think it reasonable to assume that imports, as a competitive factor, may contribute towards displacements of labor and capital, the analytical arts have not advanced sufficiently to permit us to measure with any precision the impact of imports.

In a sense Congress recognized this when it included the adjustment assistance provisions in the Trade Expansion Act. These provisions are based on the premise that no single group should bear the burden of injury that might result from an international policy that benefits the nation as a whole, and that the determination of possible injury due to imports can best be made after close examination of particular cases. Since its inception, the TEA assistance provisions' test of eligibility to apply for the aid has proved too strict . . . "valueless," says many import hurt firms who unsuccessfully sought help through the 1962 Act.

THE AMERICAN JEWISH CONGRESS SUPPORTS END TO MOB VIOLENCE

Mr. MONTGOMERY. Mr. Speaker, I ask unanimous consent that the gentleman from Florida [Mr. Pepper] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

Mr. PEPPER. Mr. Speaker, our great Nation has been witness to a period of violence and civil unrest which must not be allowed to continue. Americans have always taken a stand when they thought their civil liberties were being questioned—that is the spirit which gave birth to our country—but when this spirit leads to violent and wanton destruction, looting and burning, murder and arson, it is time for the American people to stop and reappraise what they are doing.

There has been evidence of the desire to change their course of action on the part of the responsible Negro leaders in this country; now it is time for Congress to review its position.

On July 27, the American Jewish Congress joined with Negro leaders in a plea to stop the violence which is torturing our country. This plea is but another demonstration of the farsightedness of the American Jewish Congress.

Mr. Speaker, at this point I would like to insert in the Record a press release from the American Jewish Congress which states their policy on this whole issue:

Statement by American Jewish Congress

The American Jewish Congress welcomes the forthright statement by the responsible leaders of the American civil rights movement urging the Negro community to reject mob violence. We endorse their call for Congressional action to end racial discrimination and economic injustice against the Negro people.

Clearly, the wanton lawlessness must be stopped and the criminal acts of those who carry out and incite violence must be punished. Those victims who have suffered physical injury and economic loss must be compensated.

But the senseless destruction to which our country is now bearing witness will not end with the imprisonment of those found guilty. The despair and desperation which grip so many black Americans today are a sign of our nation's failure to meet the promises made to every citizen of every color. We can continue to deny these rights only at our own peril as a nation.

Our country has the intellectual resources and the economic capacity to build decent housing, to provide decent jobs and to offer decent schooling to every American. It is the spiritual commitment which we lack and a want of compassion from which we suffer—a suspension of understanding and a collapse of will that are perhaps the most serious affliction with which our society is plagued today.

Most serious is the risk of inaction—the danger that we will investigate, study, scold, promise, procrastinate and finally do nothing. This cannot be permitted to happen. The hour is too late; the threat to our institutions too grave; the warnings too shrill.

The American Jewish Congress joins the Negro leaders in their plea for an end to the killing, the looting and the burning. We support the effort to restore law and order in our cities. And we extend our hand in friendship and brotherhood to all men of good will working side by side toward the goal of full equality in a free society for all Americans.

REINTRODUCING NEIGHBORHOOD ASSISTANCE BILL

Mr. MONTGOMERY. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. Farbstein] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

Mr. FARBSTEIN. Mr. Speaker, I am reintroducing today my neighborhood assistance bill aimed at eliminating pockets of poverty within our major cities. This bill revises my earlier bill, H.R. 3048, by making neighborhoods of 50,000 as compared to 150,000 eligible for assistance under the Public Works and Economic Development Act of 1965.

I estimate that this bill would make 91 poverty areas within our major cities eligible for loans and grants.

Mr. Speaker, I believe recent riots, among other reasons, result from poverty and clearly demonstrate that this legislation is now more than ever necessary.

I have made known to the chairman of the Committee on Public Works, the distinguished gentleman from Maryland, George H. Fallon, my interest in seeing early passage of this measure. Mr. Speaker, as a point of information to my colleagues, I wish to insert into the Record the text of that letter:

Congress of the United States,
House of Representatives,
Washington, D.C., August 8, 1967.

Hon. George H. Fallon,
Chairman, Committee on Public Works,
House of Representatives.

Dear Mr. Chairman: On January 19, 1967, I introduced H.R. 3048, a bill to amend the Public Works and Economic Development Act of 1965, to make certain that pockets of poverty within major cities and counties are eligible as Federal redevelopment areas. Under the 1965 Act as it presently exists, eligibility is limited basically to cities and counties having a population of at least 250,000.

H.R. 3048 would have eliminated the requirement that an entire city be in a state of economic distress before any Federal help can be granted. It allowed areas composed of compact contiguous census tracts containing at least 150,000 within these jurisdictions, to be considered under the standards now reserved for entire cities and counties. Approximately 34 additional poverty areas within metropolitan areas would have been eligible for EDA assistance under this amendment.

I am introducing today, a revised version of H.R. 3048, to cover compact poverty areas of at least 50,000. At the time that I first introduced this bill, I stated, "The major problem of our age is in the ghettos, surrounded and forgotten by the affluent of the cities or counties as a whole. This will direct the money precisely where it is needed." I believe that the recent riots, among other reasons, result from poverty in areas within our major cities and demand reassessment of existing legislation in order to meet, head on, this national crisis. Approximately 91 additional poverty areas would be eligible under this revised amendment.

My original proposal, which was introduced in the 89th Congress, was ordered reported by the House Committee on Public Works on October 11, 1966, as an amendment to the Public Works and Economic Development Act. Unfortunately, the Congress adjourned before any floor action could be taken. In my opinion, the psychology of recent events in our urban areas require that we recognize the importance of assistance to pockets of poverty by the institution of Public Works and related private efforts.

I believe this amendment is necessary legislation. I can foresee important economic progress being made, if the Congress enacts this amendment into law. I can foresee a renaissance in neighborhoods throughout the country in which there has been only economic crisis and social turmoil. I can foresee growth where in the past, there has been only a drying up of human and economic resources. But, most of all, I can foresee a new recognition on the part of slum dwellers that the nation cares about them and wants to help them.

I know you are quite aware of the pressing problems facing our urban areas. I ask for your help as Chairman of the Committee on Public Works, to assure early consideration for this measure. I firmly believe that this amendment can become a vital force in the war against urban poverty.

With kind regards, I am,

Sincerely yours,

LEONARD FARBSTEIN,
Member of Congress.

OLDER AMERICANS COMMUNITY SERVICE PROGRAM

Mr. MONTGOMERY. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. ROSENTHAL] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

Mr. ROSENTHAL. Mr. Speaker, I am today introducing a bill to establish an older Americans community service program for Americans over 60. I have chosen to do so at this time because, confronted as we are by a wave of crises, domestic and foreign, we have failed to focus clearly on the problems of the aged. These problems, it will be readily conceded, are not likely to cause riots. Few elections will hinge upon their solution. It is undoubtedly convenient for us, therefore, to treat the needs of our senior citizens in a cursory fashion. If we are to act appropriately, it will not be because of impending disaster, but because decency compels such action.

Superficially, this admonition may appear gratuitous. We have, after all, continually, even enthusiastically, provided for increases in social security benefits, and we are currently doing more of the same. We passed the Older Americans Act in 1965, the most comprehensive program ever enacted on behalf of our senior citizens; and in the process was established the Administration on Aging, which for the first time afforded the aged explicit representation in our governmental structure. I am of course not oblivious of these measures; I strongly supported them.

Yet all too many older Americans are still beset by the Four Horsemen of poverty, illness, loneliness, and purposelessness. We have made progress in attacking the first two; we have yet to effectively contest the others.

How are we to meet the needs of the working man who has been arbitrarily retired into oppressive inactivity? The average worker may expect 14 years of retirement, the equivalent in hours of an entire working life. Somehow, he must be made to feel useful again. The programs that we have now just will not do the job.

Nor will these programs meet the needs of the widow who, after a lifetime of companionship, suddenly finds herself alone. According to the Administration on Aging, the preponderance of older women are, in fact, widowed. For many, time has become an enemy. Some way must be found to fill the vacuum in their lives.

We must therefore be considered derelict in our responsibilities to our older constituents until we become cognizant of the full range of their difficulties—and resolve to meet them. An older Americans community service program would confront these problems. For many, it would solve them.

Today, the elderly and our youth are the two groups whose skills can be substantially tapped for community service. Others are already preoccupied with families and regular jobs. We have utilized our young people to a considerable degree, yet all but overlooked our senior citizens. Americans under 25, of course, are endowed with vigor and enthusiasm. But those over 60 can offer the experience of their years, with an ample degree of enthusiasm as well.

And the concept behind the older Americans community service program is enticingly simple. The principle was concisely stated by Senator HARRISON WILLIAMS, the primary sponsor of the Senate version:

> The program proposed in this bill would match a desire to serve with an opportunity to serve.

It is to be locally based; the Federal Government, through the AOA would merely furnish funds for projects that were initiated by local organizations and approved by the appropriate State agencies, provided that such projects meet the rather explicit requirements of the bill.

For example, the service rendered would have to be noncommercial in the public interest, and not otherwise provided for the community. This program is not intended to be a handout.

The State agency would be expected to administer or supervise the service project, which in turn must avail itself of the resources of various relevant State and Federal programs. The benefits to both the elderly and the community in general would thus be maximized.

The cost of the program is $9,000,000 the first fiscal year, and $15,000,000 the second. In view of the purposes of the measure, this is a modest price to pay. We can certainly afford such sums; much more readily, at least, than we can afford to be indifferent to our older citizens.

I urge that we give weight to our oft-expressed good intentions by taking action on this bill and making the older Americans community service program a reality.

JOHNSON AIDE TO HEAD RIGHTS AGENCY

Mr. MONTGOMERY. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. SCHEUER] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

Mr. SCHEUER. Mr. Speaker, I am happy to note that the Senate has confirmed the appointment of Clifford Alexander, Jr. as Chairman of the Equal Opportunity Commission.

Mr. Alexander has compiled an outstanding record in government and community service.

I believe my colleagues will be interested in his biographical statement which indicates an unusual breadth and depth of background and experience, as well as a brief article from the Washington Star:

BIOGRAPHY OF CLIFFORD L. ALEXANDER, JR.

On June 27, 1967, President Johnson announced his intention to nominate Mr. Clifford L. Alexander, Jr., to be Chairman of the Equal Employment Opportunity Commission succeeding Stephen N. Shulman, whose term expired July 1, 1967.

Background information on Mr. Alexander follows:

PRESENT POSITION

Deputy Special Counsel to the President, the White House.

EDUCATION

1955, A.B., Harvard University, Cum Laude.

1958, LL.B., Yale Law School.

PREVIOUS EXPERIENCE

1964 to present: Successively Deputy Special Assistant, Associate Special Counsel, and Deputy Special Counsel to the President.

1963–1964: Foreign Affairs Officer, National Security Council.

1963: Private Law Practice, New York City.

1962–1963: Program and Executive Director, Harlem Youth Opportunities Unlimited.

1961–1962: Executive Director of the Manhattanville Hamilton Grange Neighborhood Conservation Project.

1959–1961: Assistant District Attorney for New York County.

Born September 21, 1933, New York City. Married in 1959 to Adele Logan. Two children. Home: 247 G. Street, S.W., Washington, D.C.

ALSO

First Marshal of class, Harvard University;

President, local chapter, Phi Delta Phi, International legal fraternity while at Yale Law School;

Contributor, *The Newcomers—Negroes and Puerto Ricans in a Changing Metropolis* (by Oscar Handlin).

MILITARY DATA

1958–1959, United States Army.

[From the Washington Star, June 28, 1967]

JOHNSON AIDE TO HEAD RIGHTS AGENCY

White House aide Clifford L. Alexander Jr., who once urged his fellow Negro attorneys to quit high-paying government positions and seek private employment outside the civil rights field, is about to take a new job.

It's a high-paying ($27,000 a year) government post dealing almost exclusively with civil rights problems.

President Johnson announced yesterday his intention to nominate Alexander to be chairman of the Equal Employment Opportunity Commission, succeeding Stephen M. Shulman, whose term expires July 1.

Alexander, 33, has been a member of the White House staff since 1964 and currently holds the title of deputy special counsel to the President.

IN PAST 10 MONTHS

He is the highest ranking Negro on Johnson's staff and is expected to continue to maintain liaison with other White House personnel dealing with civil rights matters.

Shulman, a "boy wonder" who was executive assistant to the secretary of labor at the age of 23 and general counsel to the Air Force by the time he reached 32, has held the EEOC chairmanship less than 10 months.

He was nominated by Johnson last Aug. 30, at the age of 33. The understanding at the time was that he would serve only during the unexpired portion of the term of Franklin D. Roosevelt Jr., who resigned to seek the New York Democratic gubernatorial nomination but failed in that political bid.

Roosevelt's term expires next month, and Shulman is expected to enter private law practice at that time.

Alexander's advice to other Negro lawyers came during a November 1966 panel discussion in which he said the attorneys should de-emphasize civil rights work if they remained in government and seek experience in agencies such as the Interior Department, Federal Power Commission and National Aeronautics and Space Administration.

TO ENFORCE JOB-RIGHTS LAW

In his new post, Alexander will be in charge of enforcing provisions of the Civil Rights Act of 1964 which bar employment discrimination on the basis of race, religion, national origin or sex.

A native of New York, Alexander received his undergraduate degree from Harvard University in 1955 and his law degree from the Yale Law School in 1958.

He was assistant district attorney in New York County from 1959 to 1961, and in the succeeding two years held a variety of positions, both in private practice and with public organizations.

He joined the staff of the National Security Council in 1963 and moved to the White House in the following year, successively holding the posts of deputy special assistant, associate special counsel aid deputy special counsel to the President.

Alexander and his wife, the former Adele Logan, live at 247 G St. SW. They have two children.

THE UNITED NATIONS RESPONSIBILITY IN THE VIETNAM SITUATION

Mr. MONTGOMERY. Mr. Speaker, I ask unanimous consent that the gentleman from New Jersey [Mr. JOELSON] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

Mr. JOELSON. Mr. Speaker, because I am of the firm opinion that the United Nations has not faced its responsibility with regard to the Vietnam problem, I have sent the following letter to Secretary of State Dean Rusk:

AUGUST 8, 1967.

Hon. DEAN RUSK,
Secretary of State,
Department of State,
Washington, D.C.

DEAR MR. SECRETARY: Knowing of your deep desire to resolve the terrible problem of Vietnam through peaceful means, I am adding my voice to those regrettably few who have been urging that the United Nations Security Council concern itself actively about the matter.

I am aware that as long ago as January 1966 the United States offered a resolution to have the Security Council take up the question, but it is obvious that no serious action on the resolution has been taken or is pending. This may very well be ascribed to a lack of energy on the part of the United States in pushing the resolution.

It is ironic that the United Nations, which was established for the purpose of maintaining world peace, has looked the other way with regard to the most explosive situation confronting the world today. It is true that the Secretary General has made an attempt through personal diplomacy, but he may have impeded rather than helped a peaceful solution in so doing.

There is a procedure established whereby the machinery of the United Nations can be switched on, and we need not and should not depend on the personal intervention of one man alone.

I urge you to have our ambassador to the United Nations take the strong initiative in having the subject of Vietnam brought before the Security Council so that a suitable forum might be established for bringing the horrible conflict to an end through negotiations.

I would appreciate hearing from you about this matter.

Sincerely,

CHARLES S. JOELSON,
Member of Congress.

A LESSON OF THE PAST—EQUAL BUT SEPARATE OR RIOTS

Mr. MONTGOMERY. Mr. Speaker, I ask unanimous consent that the gentleman from Louisiana [Mr. RARICK] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

Mr. RARICK. Mr. Speaker, few Americans take time to study the lessons taught by history which produced our laws and the unwritten customs of society.

Barely 100 years ago, Dixieland lay in stark devastation, her leaders and patrons were either dead or political prisoners of the Union Army. Confederate servicemen and participants in the "cause" were denied voting rights by Federal occupational decree.

Louisianians, like citizens of other Southern States, found themselves at the guided mercy of a "new society" composed of collaborators, moderators, and the newly freed black vengeance. Such a coalition of forces sat down to organize a biracial State government, with the express intent of creating a "State ordered under the law" to remove forever the racial barriers between white and black.

The efforts of the new biracial experiment of government in Louisiana is to be found in the Louisiana Constitution of 1868. Its forceful laws and regulations far exceeded the race-mixing provisions of the Federal Civil Rights Act of 1964. Yet there—just over one lifetime ago—native southerners were by their own act establishing laws for permanent extinction of racial distinction. And for 11 years, Louisianians, under their constitution calling for "forced equality," tried to solve the color problem.

Consider that the Louisiana Constitution of 1868 provided, article I:

> All men are created equal, and have certain inalienable rights; among these are life, liberty, and the pursuit of happiness. . . .

Article 13, public accommodation:

> All persons shall enjoy equal rights and privileges upon any conveyance of a public character; and all places of business or of public resort or for which a license is required . . . and shall be open to the accommodation and patronage of all persons, without distinction or discrimination on account of race or color.

Article 98, voting rights:

> Every male person of the age of twenty-one years . . . resident of this state one year . . . ten days in the parish . . . shall be deemed an elector . . . except those disfranchised . . . (Constitution provided that those disfranchised were all who held office, civil, or military for one year or more in the Confederacy, those who registered themselves as enemies of the U.S., those who were leaders of guerrilla bands, and those who in the advocacy of treason, wrote or published newspaper articles or preached sermons, etc.)

Article 100, oath of equality:

> Members of the General Assembly and all other officers . . . shall take the following oath. "I, (John Doe) do solemnly swear that I accept the civil and political equality of all men, and agree not to deprive any person or persons, on account of race, color or previous condition, of any political or civil right, or immunity enjoyed by any other class of men . . ."

Article 113, biracial adoption:

> The General Assembly may enact general laws regulating the adoption of children, and emancipation of minors . . . but no special law shall be passed relating to particular or individual cases.

Article 135, integrated schools:

> The General Assembly shall establish at least one free public school in every parish throughout the state . . . All children of this state between the ages of 6 and 21 to the public schools, or other institutions of learning . . . without distinction of race, color, or previous condition. There shall be no separate schools or institutions of learning established exclusively for any race by the State of Louisiana.

Louisiana Statutes of 1868, section 2177, biracial marriage:

> The said right of making private or religious marriages legal, valid and binding . . . shall apply to all marriages of all persons of whatever race or color, as well as to marriages formerly prohibited by Article 99 of the Civil Code . . .

Think—a mere 100 years ago by Louisiana law, our ancestors were subjected to a public accommodation law, universal voting rights for all without educational qualifications, all elected State officials were forced to take an oath of belief in equality, all public schools were integrated, and racially mixed marriages were legalized. All in hope of a lasting peace by abolition of the colored problem. A removal of discrimination and white supremacy forever.

Was it successful? Read the pages of history, not burned, for yourself. Ask your preacher, your lawyer, or elected official why such a wondrous government of equality ordered by law was not preserved and passed down to this generation.

Why, if the racial problem had been solved a mere 100 years ago, are we and our institutions again under cultural attack under the purported guise of resolving the racial problem?

The Louisiana Constitution of 1868 suffered trial until 1879. Its 11 years were beset with a record of blood, violence, and suffering by all Louisiana citizens.

Race riots, strife, and lawlessness became the rule of the day, not the exception.

The ordinary citizen came to realize that social laws, when enforced, compel honest men to rebel and become social law violators if for no other reason than personal conviction and pride. Oppression can but breed contempt and disrespect for law and order. The racial problem worsened rather than becoming solved.

Eventually, good men, of all colors, were by reason compelled to agree that the theory of an ordered equality of men was for the classroom and theoretician, but that peace of mind, and security of person and property was a far more desired role of government—even if it called for a society separated by color.

The new constitution of 1879, prepared by men who socially experimented for 11 years to make biracial government a reality, contained at article I a restatement of the role of government:

> All government of right originates with the people, is founded on their will alone, and is instituted solely for the good of the whole, deriving its just powers from the consent of the governed. Its only legitimate end is to protect the citizen in the enjoyment of life, liberty, and property. When it assumes other functions it is usurpation and oppression.

What a dynamic lesson from history by the trials and errors of those who preceded us. Yet, the intellectual heretic and the social experimenter refuse to profit from history. In fact, they would conceal these lessons and sufferings from our children.

History, when honestly studied, and clearly appreciated, reveals for all times that the race-mixers but create the problem and offer no solution.

Just average people who must live day by day and look to peace of mind and the protection of their homes and loved ones have many times in history solved the racial problem. Their answer to us, "equal but separate facilities."

Mr. Speaker, I include a page from the past—the Amite City Times of Amite, La., for August 31, 1867—at this point in my remarks:

(A page from the Amite City (La.) Times of Saturday, Aug. 31, 1867.)

Vol. 1, No. 8; M. J. Scott, editor and proprietor.

We labor for the benefit of all.

Terms, $2 a year, in advance.

REGISTRY FRAUDS IN WASHINGTON PARISH, LA.

The vast minority of whites registered in the South is attributed to indifference and apathy on the part of the white citizens.

This impression is erroneous. The result attained in the registry flows from the fraudulent rejection of vast numbers of whites qualified, and the illegal registry of vast numbers of blacks who have no qualification. The military bill was conceived in sin, and by those acts of parturition was brought forth in iniquity.

A faithful execution of it, however, foul as it is, in letter and spirit, would have shown not a great difference in the registration of the whites and blacks. To show the discrimination which has been made against the whites and in favor of the negroes, we intend, so far as we can ascertain them, to give the facts. The elective franchise is a sacred right. To see it taken away by the irresponsible agents of despotic power in violation of the Constitution of the United States and against the wishes of a vast majority of the people of the Union, is a serious matter, and thinking men may well look on and wonder, as they think, how can these things be? We charge, that as a general rule, the registration has been unfairly conducted and that by it the right of voting has been taken away from thousands of duly qualified white electors under the Act of Congress, (so called.) The revision will sweep the balance, as witness 2500 names of voters struck from the registry lists in one day in N.O.

We begin with Washington Parish, where we have been favored with some facts which we now present. When the registry list was first opened, Jacob Lester, an old and respected citizen, applied for registry. In early childhood he came with his parents to America, from Germany. We believe, for services in the late war with Britain, he became a voter, and he always voted, and was always a patriot, (we don't say loyal,) and true to the Union. He was rejected by the board, because he couldn't show his papers. On the same day, an old negro man presented himself. He was born among the jungles of Africa and stolen by some loyal Massachusetts slaver and sold into slavery, when about 20 years of age. He formerly was owned by Hon. Jacob Magee.

He still speaks in the gibberish of his African tongue, and by some miracle of propriety and fitness his name is Odor. The Registrars were reminded that Odor, like Jacob Lester, was of "furrin" birth. Mr. Lester from cultivated Germany. Odor from the land of the Gorilla and the Ape. Odor admitted, in the simplicity of his nature, his African origin.

Here was a seeming knot, but the President of the Board, "cut" the aforesaid knot, by declaring that the United States naturalization law did not apply to the foreign born of that "furrin" land.

And the odor-iferous gem'man, from Africa, was furnished with the certificate of registration, and now is duly and truly prepared for voting, jury duty, and all the inestimable, &c., &c., of American citizenship.

Corollary 1. A white man of foreign birth, without papers, can not be registered.

Corollary 2. A black man of foreign birth, without papers, can register.

Only a slight difference and scent. In this, knock down game clubs are trumps, and the black spot wins.

White men of the Union, "look on that picture, then on this."

Case No. 2.—Messrs. Wm. H. Ard and Wm. Corkern presented themselves together for registration. Both are men of respectability and standing. Both were guiltless of the war, both had held the office of Assessor; both were, by every rule of fair construction, entitled to register. Two black-eyed peas could not have been more similar than the cases of these two gentlemen. There, standing together with not a point of difference, Mr. Ard was registered and Mr. Corkern was rejected!!! Readers, we will check your rising wonder, by explaining that there is a radical club at Mt. Hermon Church. Mr. Ard had attended one of its meetings and it came to the registry ears. It was, hence, supposed that some of the "dews of Hermon" were upon Mr. Ard's garments. Mr. Corkern had never gone up to the sanctuary, but had stood "afar off." No dew had descended on him.

Corollary 1st. If two white men have same record, and one is a radical he shall register, but in no wise shall he, that is not a radical, be registered.

Corollary 2nd. Should it prove that both are not radicals, the Reviser shall adjust the matter.

Scholium.—Mr. Ard is not a radical. Reviser, "do your duty."

Now for a few individual cases. Alanson Parks, formerly mail contractor, etc. in 1861, voted "secesh," and in 1862, as Lieut. in Rebel Militia, made unto himself a sword at "Mas Jim Roberts' shop," to kill Yankees. He was one of the Registrars.

Parson English, in 1862, ran for 2nd Lieutenant in Capt. Turner's Artillery Company. Same year he canvassed the Parish for Rebel Volunteers, afterwards he wanted a chaplaincy at Camp Moore in a Louisiana Regiment. He belongs to Mt. Hermon, and of course is registered.

Jesse Saunders, Esq., before the war, was a magistrate. He was an unswerving opponent of secession. However, he belonged to a Rebel Cavalry Company. He was registered. Mr. Saunders has been accused of being a radical, but we do not believe the report.

The report accounts, however, for his registry. W. H. Jones, S. E. Slocum, J. M. Burris, R. Babington, J. E. Morris, H. T. Buckhalter, J. Wadsworth, K. McLain, David Magee, Stephen Adams and many others have records similar to Mr. Saunders' record, most of their cases being more favorable, and yet each and every one of them was rejected. The same reasons that rejected H. Richardson, A. C. Bickham, N. S. Edwards, C. P. Bailey and John J. Slocum should have applied to Mr. Saunders' case. They were all rejected. We respect Mr. Saunders, and only speak of his case to show up the dealings in registration. The rejection of N. Graves, Esq., was a most flagrant usurpation of power by the Registrars.

Rev. Stephen Ellis, and Hezekiel Magee Sr. and Caniel Saunders, Esqs., are names of honored citizens of Washington Parish. They were Union men from principle. They are each past 70 years of age, but they are white men, and "can't see the point," when radicals talk of Sambo's superior qualifications for sovereignty.

They were rejected. Alfred Richardson, Esq., was a magistrate before the war. Like the others, last above mentioned, he was too old for service, and he never aided, &c., He was rejected. The case of David Magee, Esq., excepting age, is parallel.

Every negro was registered; some without age of residence, one at least of foreign birth and not naturalized.

Road overseers, school directors, returning election officers, and commissions of elections, were all rejected, with or without the subsequent overt act of sympathy. Sympathy was inquired after in all cases, and in all cases caused rejection.

A Deputy is not an officer. He is a mere employee of the officer. The officer acts through a deputy. The officer and not the deputy is responsible. This is clear, but yet, no deputy, unless a good radical, can register—and thus the law is bent and distorted, and thus are the free white men of the South degraded; thus is the Constitution of our Union trampled upon. But, courage, fellow-citizens, a better day is coming.

We often hear the question asked: "What building is that on Mulberry street, and what do they do there?" so we will inform all that it's a builders' shop, and conducted by that experienced and well known mechanic, George W. Mitchell. The artistic beauty of the shop attracts the passer-by and instinctively makes him feel that a master hand has charge there, for everything is in ship-shape order. We called on Mr. Mitchell a few days ago, and by his gentlemanly kindness, were shown throughout his labyrinth of work; we were astonished at the vast amount completed, and stowed away; all the inside work of the Ponchatoula, Summit and Tickfaw depots, contracted for by Dr. B. F. Taylor, is there; the openings, sash, panel doors, inside railings and fringe work are completed—all done by hand. The depots are to be framed here and shipped to destination to be erected; such an undertaking alone, speaks volumes for the mechanical capacities of the builder. Besides the depots, Mr. Mitchell informs us that he has seven buildings to erect in and around Amite City; the materials for the openings are neatly stacked on the front of his workshop, awaiting to be moulded in the various shapes required. We hinted that he had sufficient work to employ him the remainder of the year; he smiled, and blandly informed us that if we or any of our friends desired a dwelling house or any other kind of carpenter work done, for the new year, or earlier, to call on him. That beautiful dwelling occupied by Mrs. Ridgely, on Duncan Avenue, is an object of admiration to every one who travels that road; our friend Mitchell built it. We advise all who need any work done in his line to call on him before closing a contract elsewhere.

A Radical Darkey

Deputy Sheriff Evans a few days ago arrested freedman Harrison Brister, charged with threatening to shoot Henry Lawson, colored. Harrison says he is persecuted by the darkies, and has his dander up. He shows a letter signed by E. Hiestand of New Orleans.

This is to keep friction between the whites and blacks, and get darkey sholders up here. On this suggestion of Hiestand, Harrison has two complaints—made by two colored females—setting forth to the committee their wrongs—both written by same hand, in same style; both represent that darkies can get no justice from either the Bureau or the magistrate. This is a rich morceau. It shows where all the trouble and all the armed night meetings of negroes come from—the Radical Club in New Orleans. But the thieves have fallen out. It is a nice expose on the part of Mr. Assistant City Attorney Hiestand. Fine work for the law officer of a great city.

Harrison is in jail and is not very radical just now.

Chambermaid Wanted

A good chambermaid (colored preferred), by coming well recommended, will find a pleasant and permanent situation, and good wages.

Apply to W. A. Hathorn.

Notice

We are now prepared to sell bricks at the following prices:—$10, $12.50 and $15 per thousand, according to quality. Also some half and three-quarter bricks, all hard; suitable for paving and walling wells; at $5 per thousand, giving two to count a brick.

Hooten & Johnson.

What About the Midnight Meetings of Armed Negroes?

Are the horrors of St. Domingo to be reenacted in the South? We propound this question to sober reason and sense of our people. We give no false note of alarm, and speak only the truth, when we say that, unless things change, we are in the verge of a civil war—a war of the races. Why do we say so? Because throughout our country, the black population are organizing military associations. In every neighborhood in this county the negroes meet habitually with arms, in the night time, and picket the roads with armed men. At the negro church, near Amite City, within its corporate limits, they hold their meetings in the dead hours of the night, every week, at which hundreds of negroes congregate with their fire arms—and no person can approach or pass the roads picketed by their sentinels.

In the neighborhood in the south western portion of this parish, a citizen passing heard their proceedings, of a political character, and when halted by a sentinel, and the alarm was given, the whole proceedings changed into the character of a religious worship, singing, praying, etc. Now here is food for reflection. Why do the negroes arm? why do armed negro sentinels picket the roads? Political organization in this country need not be supported by force of arms. Political clubs need not take the form of military movements in the field. Political discussion need not be carried on in the dead of night, by armed sentinels. Above all, there is no use of packing firearms to religious meetings.

Radical emissaries are at the bottom of all these things. A pamphlet, printed at the office of Forney's Chronicle, has been sent to us. It is one that was circulated broadcast in the Parish of Washington, by the Radical Registrars of that parish. It is a conversation between a radical and a negro—and in the familiar language of conversation, aims to excite all the prejudices of the negro against the whites—to fill them with discontent and insubordination. It says: "You want to be organized that you will act as one man, lest your enemy gain the victory. You should organize Union Leagues," etc. It then gives the constitution for such leagues.

We have also seen the platform of the Radical Republican party, with a similar constitution for radical clubs; among the planks of this platform we see the declaration that all the white manhood of the South should be disfranchised. It is signed by H. C. Warmouth, who is the commander-in-chief of the Grand Army of the Republic.

Such documents as these and others, that are a virtual invitation to bloodshed and insurrection, are circulated among the ignorant negroes of the land.

Is the government powerless to check these things? General Sheridan, last year, crushed a hospital association for disabled Confederate and Union soldiers. He also disbanded organizations for removing to grave yards the bones of the Confederate slain, and for the erection of a monument to ex-Gov. Allen, by his friends.

These were organizations to alleviate human suffering, in the interest of piety and humanity. They were crushed. We ask, will as much be done with the dark lantern associations of negroes and radicals that are plotting, arms in hand, against the peace of the country?

If these things are not checked by the Government, what will result?

The whites cannot and will not sit idle and see their families butchered by barbarians. Self defence is God's gift—a deduction from the gift of existence itself.

Let the people everywhere look to these midnight meetings, and give the Governor of the State, and the President, full knowledge of them. The white men of the North, the President, and the gallant men and officers of the army, will not permit these things.

For our immediate vicinity, we feel less alarm. Major Guffey and the officers and men around him, we know will deal justly and firmly if necessary. We wish every Southern community was in the hands of such men.

Our people should be watchful; too much vigilance cannot be exercised.

Ho! For a Fire Company

Amite City is growing. In population, houses and business it has doubled itself in two years. Amite is large enough, has interests and houses enough, and boys "bully" enough to organize a Fire Company. It has citizens public-spirited enough and with money enough to buy a good hand Engine, and dig a large public well, with trough, pump and all. Summit has one already under the lead of that veteran fireman Col. Jim Wingfield. Why is it that Amite cannot do as well? We do have fires occasionally, and as the houses are all of wood, a fire in the center would consume the whole town. Who will take the lead in this matter. A nobler association does not exist in this world than the volunteer fire brigade of New Orleans. A week or two since the train arrived one night from New Orleans, and as its rumbling ceased at the depot, sweet strains of music filled the midnight air from a brass band, and it was Pelican Hook and Ladder No. 4, under those gallant firemen, Foreman A. Allinet, and First Assistant Paul Lacourt, on their way to Summit to visit the company there. The papers teemed with accounts of their reception and welcome by the noble boys of Summit. With a good company here we too could have "reunions" of this character, and cultivate more intimate relationship with the great heart of the State—the city of New Orleans. Study about it, boys. Appoint a day, meet, organize and let our beautiful and growing little city boast its Fire Company, also.

A Big Rattlesnake

Our devil Joe, a few days ago killed a large rattlesnake in the back swamp, about half a mile from town. The snake measured five feet two inches in length, and had seven rattles. Bully for Joe!

Dunbarton Academy

Will re-open on the 16th of September. For terms apply to

Mrs. C. E. Dunbar,
Principal.

Stilly's Variety Store

On Mulberry, between First street and Railroad Avenue; in the house formerly occupied by Mrs. Jackson. The undersigned takes pleasure in informing the citizens of Amite City and surrounding country, that he keeps constantly on hand a general assortment of Dry Goods, Groceries, Fancy Articles, Pins, Needles, Pocket-knives, Pickles, Preserved fruits, etc., etc. In fact everything kept in a retail variety store, which will be disposed of on very moderate terms, for cash only.

J. W. Stilly.

E. John Ellis

Attorney and Counselor at Law, Amite City, will practice in the 6th Judicial District and in the Supreme Court.

Notice

I would respectfully inform my friends and the public generally, that I am prepared to have all kinds of brick-work done in the best manner. Such as setting boilers, building cisterns etc. I refer to those for whom I have done work.

J. A. Hooten.

FEDERAL SUPPORT AND HIGHER EDUCATION

Mr. MONTGOMERY. Mr. Speaker, I ask unanimous consent that the gentleman from Rhode Island [Mr. Tiernan] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

Mr. TIERNAN. Mr. Speaker, on July 17, Mr. Juan T. Trippe, chairman and chief executive officer of Pan American World Airways, was the chief speaker before the National Association of College and University Business Officers

Conference in New Orleans, La. His subject, of great concern to all of us, was "Federal Support and Higher Education."

Mr. Trippe makes special mention of the enormous contribution made on behalf of American medical research by the late John E. Fogarty, my much renowned predecessor. Congressman Fogarty's efforts were well known to all of his colleagues in the House, as are those of the Honorable Emilio Q. Daddario with whom I serve on the Science and Astronautics Committee. Mr. Daddario was also a participant in this conference.

Mr. Trippe states in his address that their efforts have made the Federal educational program workable, supportable, and acceptable to the Congress and even to that worthy watchdog of the Public Treasury, the Comptroller General of the United States.

I take pleasure in including the entire context of Mr. Trippe's speech in the Record, and it is my hope that every Member will find an opportunity to read this excellent speech:

Federal Support and Higher Education

(By Juan T. Trippe)

Members of the National Association of College and University Business officers: One fact this audience need not be told is that higher education is a good thing. One hundred million Americans today are aware that higher education is not only a good thing, but also a necessity. Our technological society can't run without it. The hope of humanity for a peaceful and rewarding civilization would be illusory, if our universities and colleges did not keep "enlarging our lives."

This audience, in fact all college and university business officers throughout the land, knows that higher education in the United States, today, is a necessity—and a, costly, necessity. Also that it costs some twenty billion dollars a year. This figure of twenty billion dollars is no doubt engraved on your collective mind.

The general public, however, has no concept that higher education in the United States is costly, and that it now costs as much as twenty billion dollars.

The public does not know also that half of this sum comes from private sources. Endowment income, tuition payments, alumni contributions, as well as corporate gifts and foundation grants, today, have reached annually the staggering sum of ten billion dollars. Neither does the public know, that funds contributed each year by state legislatures, have increased to a total of five billion dollars.

Even more important, the general public does not know that funds voted, last year, by the Federal Government, to support higher education, amounted to a new high of five billion dollars. In comparison, only twenty years ago, and just after World War II, when Federal financial support for higher education started, the amount was but two hundred million dollars—in twenty years, Federal support has increased twenty-five fold.

Today's twenty billion dollar a year program, for higher education in the United States, is a colossal achievement—a true partnership between private giving, the historical contributions of the several states and, during the last twenty years, the Federal Government also.

Today, six million men and women are enrolled in institutions of higher education in the United States, twice as many as ten years ago, and nearly three times as many as twenty years ago.

The public truly does not appreciate the magnitude of this great American achievement. In England, for example, there are but two hundred thousand men and women enrolled in institutions of higher learning. The British cost of higher education is but seven hundred million dollars. And of this small sum, the private sector contributes less than 20 per cent. Higher education in America has thirty times the enrollment, and costs nearly thirty times as much.

The great explosion, in American higher education, has occurred in our lifetime—in the last twenty years, after the end of World War II. We Americans can well be proud of that tremendous achievement. And we can be proud, too, of what American higher education has accomplished in those twenty years. This explosion, this great accomplishment, would not have been possible without a new partner—the Federal Government—in what is now the "triple partnership" of higher education.

How did the new partner—the Federal Government—become a member?

Before World War II, no one could claim the Federal Government was a real partner—at least not an effective partner.

The famous Ordinance of 1787, for instance, reserved portions of the public lands for "educational purposes." It provided that "the means of education shall be forever encouraged." But this promise to encourage was not a promise to support. The land-grant legislation of the last century, as well, provided for land grants to encourage the applied sciences, particularly agriculture. But this Federal assistance ended, also, with the gift of land. There was no promise to go on supporting a college, even a land-grant college.

During World War II, the Federal Government, for the first time, began making research grants to colleges and universities. Although numerous and large, they were but wartime grants, made for national defense.

No one, in or out of Washington, supposed that Federal support for the Los Alamos Laboratory in California or the Argonne Laboratory in Chicago, contemplated future Federal support of either institution. These were only wartime appropriations for national defense.

The real beginning of Federal support for higher education therefore occurred at the end of World War II, with the G. I. Bill of Rights. Congress, in the bill, appropriated nineteen billion dollars in education benefits for returning servicemen. This G. I. Bill altered irrevocably the whole concept of the role of the Federal Government in higher education. These were returning servicemen. The war was over. The huge expense would not be justified for the defense of the Republic. It became law, of course, to permit millions of young Americans, the opportunity to become better educated.

Nevertheless, the concept of joining Federal educational appropriations to national defense was, to some extent, continued as recently as ten years ago, when Congress enacted the so-called National Defense Education Act of 1958.

In the interim years, not only the Pentagon, but the Atomic Energy Commission, the National Science Foundation and the National Institutes of Health, were allocating enormous sums to the universities for research. And when Sputnik was launched and the success of Russian science revealed, expenditures for scientific research and development doubled and tripled. Our great universities immediately received many hundred millions in new Federal research grants.

Federal money was also appropriated in matching funds for new construction in universities and colleges: a billion and a half in all. A new Federal program of undergraduate scholarships was authorized. Even libraries in the country's colleges and universities were helped. More recently, college and university departments, in the humanities and social sciences, have received token Government grants and promises for major support in the future.

Let us consider some of the specific accomplishments of this great surge in the field of American higher education.

From wartime research, our nation developed the proximity fuse, a major contributor to naval victory in the Pacific and later to victory in Europe at the Battle of the Bulge, when the proximity fuse was first used on land. From wartime research, also, came the first atomic bomb, which spared many hundred thousand lives, that would have been lost, had the Japanese not surrendered without invasion. America also developed atomic energy. Atomic energy will soon provide cheaper and abundant power for people everywhere.

Research in higher education produced the computer. The computer is already one of man's greatest servants. It is revolutionizing industry—and, in a very real sense, also, the field of education which concerns us here today.

In the medical field, higher education has brought about even more startling developments. The deadly scourges of the past have been virtually eliminated from the American scene—diphtheria, typhoid fever, and infantile paralysis, to name a few. As a result, during the twenty years since World War II, there has been a dramatic increase of more than three full years in American life expectancy. Victory over disease, and longer life expectancy, are priceless contributions to the nation and, in due course, to the whole world.

How has this vast twenty billion dollar program for higher education been financed?

Half, amounting to ten billion dollars, as I have pointed out, is entirely the contribution of the private sector,—both individuals and organizations. Large individual gifts and bequests led the way. Endowment income came next. Contributions by foundations and business corporations followed. Annual alumni giving, another private source of income, is becoming more important every year.

A New England institution, with which I am familiar, last year, received, in the annual alumni fund drive, four million dollars from 37,000 alumni—an all-time record for all institutions. This year, ten days hence, announcement will be made that this record has, again, been broken.

Voluntary organizations, such as the Council for Financial Aid to Education, the National Fund for Medical Education, and the Committee for Corporate Support of American Universities, have led the way in educating American industry and the professions in the importance of private giving—that the private sector be effectively maintained in the new triple partnership of higher education.

All of these organizations, and especially loyal alumni everywhere, deserve congratulations for this outstanding contribution of ten billion dollars, on the part of the private sector.

While the private sector, today, is the major partner, the states historically have also been important contributors to higher education. State legislators have acted wisely and well. Their contributions in recent years have doubled to a new overall total of five billions dollars.

And, finally, let us consider the newest member in the triple partnership of higher education—the Federal Government—and its current contribution of five billion dollars.

The impact of its contribution is set forth in a report recently issued by Editorial Projects for Education, a non-profit group associated with the American Alumni Council. According to the report, Federal withdrawal from higher education would have the following consequences, and here I quote:

"Eight hundred thousand scholarships, loans and work-study grants, worth over three hundred million dollars, would terminate.

"Colleges and universities would lose some two billion dollars, which now support research. . . . Consequently some 50 per cent of America's science faculty members would be without support for their research.

"The big Government-owned research laboratories, which several universities operate under contract, would be closed, 'depriving' thousands of scientists and engineers of employment, and the institutions of several million dollars in overhead reimbursement and fees.

"Planned or partially constructed college and university buildings, costing roughly two and a half billion dollars, would be delayed or abandoned altogether.

"Many of our most eminent universities and medical schools would find their annual budgets sharply reduced—in some cases by more than 50 per cent.

"Clearly . . . any significant decline in Federal support would disrupt the whole enterprise of American higher education."

Of course, Federal withdrawal is impossible. The new Federal commitment to higher education is irreversible. Federal participation in the partnership of higher education is providing immeasurable benefits to the welfare and security of the American people. Both the Executive and Legislative branches properly share credit for this new Federal participation in the partnership of higher education.

Take, for instance, President Kennedy's special message to Congress—recommending removal of the then burdensome and discriminatory overhead ceiling on research grants. Also, President Johnson's budget message again recommending removal of the overhead ceiling, which Congress accepted the year following. Consider the outstanding administrative job turned in by Marion Folsom some years ago and, today, by John Gardner, both able Secretaries of Health, Education and Welfare.

In Congress, I would, of course, give high credit to John Fogarty, the dedicated legislator, who unfortunately passed away some months ago. John Fogarty will be remembered always as a great leader in the cause of American medical research. We give credit, also, to Melvin Laird, John Fogarty's close ally and co-leader in the medical research field. We would include also Senators Lister Hill and Norris Cotton, both staunch supporters of the Federal program for higher education—and, of course, our good friend Congressman Emilio Daddario, who is with us on this platform today. Their efforts have made the Federal Educational program workable, supportable and acceptable to the Congress and even to that worthy watchdog of the public treasury, the Comptroller General of the United States.

The millions of Americans who support and contribute to the private sector; the state legislators; and both the Executive and Legislative branches of the Federal Government—all are entitled to thanks and appreciation for a superb job in recent years. A job well done, that has truly become indispensible to the nation.

Now, what of the future of American "tomorrow," when higher education in the United States doubles—premised on its present rate of growth?

"Tomorrow" is but seven years off—certainly not more than ten, even if Government military expenditures were to continue high for three more years.

Everyone in this room—and, I believe, the vast majority of Americans everywhere—would agree that this doubling in seven years of higher education in the United States must not—except for national emergencies—be delayed. The welfare, the standard of living, the health of the American people, as well as their safety and national security require the "on time" doubling of higher education.

The hopes and ambitions of millions of Americans—fathers and mothers, as well as their student sons and daughters—are at stake. This doubling must come, and, on time, seven years hence, unless delayed by continued high national defense expenditures.

What will it cost to double higher education in the United States over the next seven years? You, the business officers of American higher education, will again agree with me when I say it will cost, annually, not less than forty billion dollars—and I am talking about dollars of today's value.

What part of that forty billion dollars a year cost can the private sector contribute? What part can state legislators supply? And, finally, what share will the Federal Government have to contribute annually to this vital program if American higher education is to double?

Today, leaders of our great American corporation—our bankers, executives of our transportation and communications companies, leaders in the professions—all have become conscious of their civic responsibility to the public welfare. They can be counted on, in my opinion, to continue supporting even greater contributions to higher education. Loyal alumni everywhere, in ever increasing numbers, will carry on. The foundations will help. Endowment income will expand.

However, no university trustee that I know, even the most optimistic, believes that private sector revenue, including new tuition charges, could increase in seven years by more than 50 per cent. This in itself, would be a new and formidable plateau of fifteen billion dollars for the private sector.

Neither can we expect the state legislators, confronted by many new high priority claims for appropriations, to increase their contribution by more than 50 per cent. This would be, nevertheless, for the several states, a new high plateau of seven and one-half billion dollars a year.

This will require, if doubling higher education is to be accomplished, the third partner in higher education, the Federal Government, to contribute, seven years hence, at the rate of seventeen and one-half billion dollars a year.

The issue is: Will the Federal Government increase its annual appropriation for higher education from today's five billion dollars a year to seventeen and one-half billion dollars—an increase of three hundred and fifty per cent?

The Federal Government could and in my opinion should contribute the necessary seventeen and one-half billion dollars—but only if the Federal Program in higher education, is steered on a sound and prudent course—a course to avoid the two rocky shoals that lie ahead. These two rocky shoals—as clearly visible, as were Scylla and Charybdis to Ulysses in the ancient myth—are the risk that:

first, Government funds, research grants in particular, be allocated on a regional or geographical basis; and,

second, the allocation of research grants be allocated by any standard other than the competence and distinction of the research scholar or scientist concerned, and the adequacy or facilities available to him and his coworkers for a proposed project—all weighed, solely, in relation to the potential benefit of the research to the American people.

The fatal defect, of course, with any plan of allocation based on region or geography, is that exceptional scholars and exceptional scientists tend to attract one another and to work in groups. They do not, and never will, obey the laws of equal distribution. No democratic government could, or should, dictate to scholars and scientists where they will live where they will work.

The suggestion, that research grants be allocated on a regional or geographical basis, arises because some believe that an excessive proportion of research grants is concentrated in New England, the Chicago area, and the Pacific Coast. There is even suspicion that such concentration has been encouraged, because a number of the more affluent institutions in those sections of the country are able to make proportionately greater contributions to the cost of research projects, in faculty salaries or otherwise, than smaller and less affluent institutions in other areas.

Government agencies concerned have appointed distinguished scholars and scientists on award juries to review grant applications and to recommend the best qualified. The award juries are not advised by the agency as to the percentage of the total cost of the research grant which the institution affiliated with the researcher has offered to assume.

This matter should be reviewed. If there is the slightest risk that superior financial resources and larger contributions to total direct and indirect costs influence the award of research grants, then the percentage of cost sharing, by a researcher and his institution, should be limited to a reasonable fixed percentage, determined by the Government.

No research grant should be awarded because of a greater financial contribution on the part of the institution to which the researcher is accredited. The criteria for the award of a research grant should be solely the distinction and competence of the researcher and the adequacy of facilities available for the project—all weighed in relation to potential benefit for the nation.

Let me be clear that I am talking about research grants and not about Federal funds appropriated and conscientiously allocated specifically for the purpose of supporting new and promising institutions wherever located. Such assistance could enable such institutions to pull an oar in the higher educational boat—ultimately, perhaps, with high competence and distinction.

To award Federal research grants on a regional or geographical basis or to award research grants on a standard other than the distinction and competence of the researcher and the adequacy of facilities available to him weighed solely in terms of long-range benefits to the nation, would be the Scylla and Charybdis of higher education.

If the program for increased Federal support of higher education should end up on the shoals of either Scylla or Charybdis—scientists, scholars, educators and trustees as well as state legislators and members of the Congress—in fact, people everywhere—would lose confidence. The program would be out of step and incompatible with the accepted standards of higher education. Without continued public support, the Federal program would soon founder. The "on time" doubling of higher education would fail.

If Congress and the Executive steer the Federal program to avoid Scylla and Charybdis, golden years are ahead for American higher education—not only in science and technology, but in the humanities and social sciences as well.

These would be golden years, too, for the whole American people—golden years, in intellectual and spiritual accomplishment. Golden years in better health and longer life expectancy. Golden years with a still higher standard of living. Above all, golden years because of greater safety and security for the nation in a troubled world.

STATE PLANNING AGENCY—NEED FOR FLEXIBILITY

Mr. MONTGOMERY. Mr. Speaker, I ask unanimous consent that the gentleman from Pennsylvania [Mr. EILBERG] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

Mr. EILBERG. Mr. Speaker, I believe that the present bill will fall into serious error if it is amended to require the framework of a State planning agency as the means of participation by a local government in the Federal program. Whatever the resolution of the present controversy over the decentralized structure of law enforcement in the United States, it would be extremely unwise to impose an arbitrary requirement of State-dominated planning on local governments at the present time.

Law enforcement methods vary too widely from State to State and from locality to locality to survive the straitjacket that would be imposed by the State planning agency amendment.

The elaborate studies by the National Crime Commission have barely scratched the surface of the complex problems involved in programs for coordination and consolidation of police services.

For example, auxiliary services—such as records and communications systems, detention facilities, and laboratory services—may lend themselves especially well to State or areawide planning.

On the other hand, staff services—such as recruitment, selection, and training of personnel, planning purchasing, and internal investigation—may be best suited to a combination of State and local planning.

And, field services—such as criminal investigation, delinquency control, special task force operations, and vice control—may be best suited to local planning.

H.R. 5037 is carefully tailored to allow the maximum flexibility and experimentation by State and local governments in meeting each of these problems. Unlike the State Planning Agency amendment, the present bill adopts no a priori solution to these complex problems. A major portion of H.R. 5037 is heavily oriented toward comprehensive planning at the State level. Several significant grant programs under the Law Enforcement Assistance Act of 1965 have stimulated the establishment of State planning committees charged with developing and coordinating comprehensive plans covering all aspects of crime control. Such grants will clearly continue to be available under H.R. 5037.

Equally important, however, is the fact that the bill also gives adequate recognition to the need for local planning. I support the present version of H.R. 5037 because it clearly recognizes the vital function that local law enforcement must play in our coordinated effort to win the war against crime.

PRESIDENT'S REORGANIZATION PLAN IS BEST HOPE FOR DISTRICT OF COLUMBIA

Mr. MONTGOMERY. Mr. Speaker, I ask unanimous consent that the gentleman from Minnesota [Mr. FRASER] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

Mr. FRASER. Mr. Speaker, tomorrow the House will vote on the President's plan to reorganize the District of Columbia government. There is much concern in the House over whether the President's plan or the McMillan bill, H.R. 12065, represents the best method to improve District of Columbia government.

Some members of the House District of Committee strongly believe the President's plan is the best hope. In order to explain more fully our position, I would like included in the RECORD the views contained in the House District of Columbia report which were submitted by Representatives ABRAHAM MULTER, CHARLES C. DIGGS, BROCK ADAMS, ANDREW JACOBS, and myself.

The D.C. Government needs improvement. The signers of this minority report believe that such improvement is most likely to occur if the President's proposal for reorganization is accepted. We fear that if the President's plan, Reorganization Plan No. 3, is defeated, the hope of improving the District Government will end.

The bill reported by the House D.C. Committee, H.R. 12065, has been pushed through hurriedly after years of inaction only after the President proposed his reorganization plan. If the President's plan is defeated, the mainspring for improvement will have been removed.

Thus we have voted "no" on the attached bill. We acknowledge that there are desirable features in it, such as the elected school board. We believe, however, that the President's reorganization plan should be permitted to become effective. Then modifications can be made, if necessary, in that plan, including the elected school board.

The conclusion that this bill was developed in an attempt to head off the President's reorganization proposal is incontestable. Because it was introduced so late (less than a week before final approval by the committee), no witnesses testified on the bill reported out. Amendments were considered under such strict time limitation that they were not even read. We sought to cooperate as far as possible, but the fact remains that this measure has been acted upon in unseemly haste and with inadequate deliberation.

H.R. 12065 and Reorganization Plan No. 3 both address themselves to important organizational shortcomings of the District of Columbia government. It seems clear to us that the reorganization plan is clearly superior to H.R. 12065 in achieving good government for the District of Columbia.

First, the reorganization plan concentrates executive authority in a single Commissioner and specifies the rule making and ordinance making authorities of the Council. H.R. 12065 obscures these distinctions and poses a great potential for confusion between the "policy" functions of the Commissioners and the responsibilities of the Managing Director.

Secondly, H.R. 12065 does not provide the immediate authority needed to reorganize the agencies of the District Government to meet the urgent needs of the city. The bill only authorizes a study to be made during the next year. In contrast, the Reorganization plan gives the single Commissioner authority to create new offices and transfer functions between agencies of the district. In effect, it would provide the new Commissioner with the same authority the Congress normally gives to Cabinet officers to organize their departments for maximum effectiveness. This will enable the District to begin at once to make headway against the urgent problems confronting it.

More details on the disadvantages of H.R. 12065 are outlined below.

COMPARISON OF H.R. 12065 AND REORGANIZATION PLAN NO. 3

We feel that, whatever may be the merits of H.R. 12065, Reorganization Plan No. 3 provides a more effective answer to meeting the organization needs of the D.C. government.

Let us examine these organizational needs. The D.C. government must be reorganized so as to:

1. Strengthen executive leadership by unifying executive and administrative authority in a single official; separate responsibility for the performance of executive and ordinance-making functions.

2. Provide the flexibility to modernize its internal organization structure and adapt it to current and future needs.

Taking point number 1, H.R. 12065 unifies executive authority in a Managing Director under the policy direction of the Board of Commissioners. Reorganization Plan No. 3 provides a single Commissioner whose authorities are explicitly clear and distinct from that of the legislative body, a nine-member council.

While the Managing Director, under H.R. 12065, appears to have full responsibility for administering the D.C. Government, it is not at all clear how far "policy" direction authorized for the Board of Commissioners extends. If the ordinance-making responsibilities of the Board were enough to occupy it full-time, perhaps the Managing Director would indeed be able to exercise full administrative responsibility. However, these ordinance making functions of the Board are not full time. Presently, such activities consume less than a quarter of their time. As a practical matter, then, we can expect the Commissioners—perhaps to justify their handsome salaries—to get more and more involved in the administration and day-to-day operation of the District Government. This will inevitably mean a gradual erosion of the Managing Director's effectiveness.

Reorganization Plan No. 3 clearly achieves the goal of a separation of executive functions from the performance of ordinance and rule making activities. Under the plan a nine-member Council is created which is given authority in specifically enumerated ordinance and rule making powers. The single Commissioner under the plan is clearly charged with executive responsibilities and there is no overlapping or confusion between the two types of duties. The single Commissioner would not be subordinate to the Council in executive responsibilites but could clearly carry out his administrative duties within the broad framework of ultimate responsibility to the President and the Congress. Moreover, inasmuch as service on the Council is specifically a part-time job (as in almost all American cities of either mayor or manager type), and salaries are commensurate, the ordinance-making body will have little opportunity to interfere in day-to-day operations and management.

As point 2 indicates, another need of the D.C. government is flexibility to modernize its internal structure in order to adapt it to current and future needs. The Reorganization plan provides a clear-cut means of doing this by authorizing the single Commissioner to establish needed new offices and agencies and to transfer functions between agencies of the District government, similar to the authority Congress has given Cabinet officers. This authority would enable the new Commissioner to quickly make changes necessary to organize the District government in an effective manner to make significant headway in meeting the city's urgent problems.

H.R. 12065 provides no comparable authority for the new position of Managing Director. Neither he nor the Board could make any immediate move to reorganize vital functions of the District such as housing, health, or other key elements. Indeed, any action is postponed for a year while a study is made. The study as proposed in H.R. 12065 is inappropriate since it is intended to cover independent federal agencies operating in the District and regional governmental agencies. In effect, the District is asked to study other Federal agencies over which it has no direct authority. This function should be performed by the President, not the D.C. government. In the case of regional agencies, with the exception of NCPC, all are creatures of state and local government, and it seems doubtful that the Board or the President should make the types of studies that are proposed. The bill postpones the immediate improvement possible under Reorganization Plan No. 3 for other reorganizations which have to be debated and considered far in the future, and which may never be enacted.

SAMUEL L. GRAVELY—A NAVY MAN OF DISTINCTION

Mr. MONTGOMERY. Mr. Speaker, I ask unanimous consent that the gentleman from California [Mr. VAN DEERLIN] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

Mr. VAN DEERLIN. Mr. Speaker, I am pleased to have this opportunity to advise our colleagues of the accomplishments of one of my constituents, Navy Capt. Samuel L. Gravely, Jr.

Except for one fact—that he is a Negro—Captain Gravely is typical of the able and energetic men who achieve the upper ranks in our sea service.

Captain Gravely has scored a number of impressive firsts during a distinguished 25-year career in the Navy.

He was the first member of his race to be graduated from a midshipmen's school and the first to command a U.S. warship. Now he has become the first to wear the four stripes of a line captain, just as previously he was the original Negro line commander.

Captain Gravely's excellent record of service to the Nation speaks for itself, requiring no elaboration on my part.

I would, however, take this opportunity to express the hope that the Navy will see fit to promote other nonwhites to positions of comparable responsibility.

It is a rather sad commentary that all these years had to elapse before Captain Gravely broke through the color barrier to four-stripe status as a line officer eligible for command at sea.

I suspect that there are many younger minority group officers who would be willing and able to follow Captain Gravely up the command ladder if given the chance.

At this point, I will supplement my remarks with an article about Captain Gravely's promotion which appeared in the San Diego Union on August 4, 1967:

FIRST NEGRO LINE CAPTAIN IS A NAVY MAN OF NOTE

A San Diego man who can claim a number of firsts yesterday became the Navy's first Negro line captain.

Samuel Lee Gravely Jr., 45, of 5058 Reynolds St., also was the first Negro to be graduated from a midshipmen's school and the first to command a U.S. warship.

Gravely, a veteran of World War II, the Korean War and the war in Vietnam, said he no longer keeps track of his firsts, although he recalls that he also was the Navy's first Negro line commander. A line officer is eligible for command at sea.

His promotion was announced yesterday in Washington.

He is now skipper of the San Diego-based destroyer Taussig which returned from Vietnam in November. He said he probably will remain in command of the ship until his current tour is up in January.

Gravely enlisted in the Navy in 1942 and was sent to the University of California at Los Angeles and then to Columbia University as a student in a program that was a forerunner to the Navy Reserve Officer Training Corps.

After commissioning, he served aboard a submarine chaser in World War II, then left the Navy in 1946 to return to school.

He enrolled at Virginia Union University, married the former Alma Bernice Clark of Christiansburg, Va., and worked as a railway postal clerk in the Richmond office.

The Navy asked him to return to the service in 1949 to aid in Negro recruiting and he decided he "liked it well enough to stay."

Since then, he served aboard the battleship Iowa and the cruiser Toledo during the Korean War, attended Navy War College and commanded the radar picket destroyer escort Falgout.

A native of Richmond, Va., Gravely has lived in San Diego since 1959 and considers the city home. He and his wife have three children, Robert, David and Tracey.

A 25-year Navy veteran, Gravely said he "wouldn't mind" returning to Vietnam and added that by this time his family is "used to it."

In spite of the notice taken of his promotion, Gravely considers himself just one of many commanders selected to wear four gold stripes.

SOME MEDICARE RECIPIENTS ARE BEING SHORTCHANGED

Mr. MONTGOMERY. Mr. Speaker, I ask unanimous consent that the gentleman from California [Mr. VAN DEERLIN] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

Mr. VAN DEERLIN. Mr. Speaker, because of a loophole in the Social Security Act and the obstinacy of a hospital administrator, a number of my constituents are being denied medicare benefits to which they are entitled by law.

There are at least five cases in my files involving persons who through no fault of their own were refused compensation for emergency treatment at College Park Hospital in San Diego. This particular hospital, I might add, is the only one of 11 in the San Diego area that has refused to participate in the medicare program.

Nevertheless, section 1814(d) of title XVIII of the Social Security Act provides that medicare-covered patients may be reimbursed for emergency care in nonparticipating hospitals that otherwise meet the standards established for the medicare program. The section recognizes that persons in need of immediate medical attention cannot always pick their hospital.

Unfortunately, the officials of such hospitals are not required to bill the Government. The patient, then, is at the mercy of the hospital. If the administrator feel like it, he can file a claim. But he does not have to.

At College Park, the management has chosen not to cooperate by filing the claims, and thus forced elderly patients to make full payment from their own limited resources.

These people or their spouses had contributed through most of their working lives to the social security fund. That they can new be denied the benefits they have so clearly earned is a national disgrace, as well as a personal tragedy for each of the individuals concerned.

In an attempt to eliminate this glaring injustice, I have today introduced legislation to permit emergency patients to file for their own benefits when the hospital refuses to do so.

The bill would be retroactive to July 1, 1966, when medicare took effect, so that all those who were shortchanged in the past might yet be compensated.

The legislation would authorize a payment of 75 percent "of the amount of actual and reasonable charges" for emergency treatment. This limitation admittedly is a compromise, intended to provide relief for the elderly without detracting from the existing incentives for hospitals to participate in the program.

I concede that my proposal is not perfect. But it would, I feel, go a long way toward correcting a serious inequity in the administration of the medicare system.

Surely, we in Congress can do no less than keep the promises we made to our senior citizens when we enacted the historic medicare amendments.

FOMENTING INSURRECTION

Mr. MONTGOMERY. Mr. Speaker, I ask unanimous consent that the gentleman from California [Mr. EDWARDS] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

Mr. EDWARDS of California. Mr. Speaker, one of the hardest questions past, is the definition of that delicate our Nation has before it today, as in the and nebulous line between the citizen's right to free speech and his responsibility for his words. This morning's Washington Post editorialized in the most rational and wise terms on this very problem in relation to the current crisis in our cities. I highly recommend this editorial to the Congress and the Nation and I ask unanimous consent that it be placed in the CONGRESSIONAL RECORD at this point.

The editorial follows:

FOMENTING INSURRECTION

It may be great sport to travel around the world calling for a "revolution" or to trudge through the big cities proclaiming that riots are the "dress rehearsals for rebellion." But those who engage in such a sport carry a heavy burden. If they mean what their words say, they are walking close to the narrow line that separates loyal citizens from traitors. If they do not mean it, they are stirring up passions that will do them and others of their race no good.

It is the right of all Americans, written into the Constitution 175 years ago, to engage in the wildest kind of debate and to make the most foolish statements. The country's tradition provides a platform for all who may care to voice views disputing the policy of the Government or the conduct of the people. It even provides the opportunity to speak in favor of another form of government or against the Constitution that has served us well for almost 200 years. It does so in the deeply held belief that the majority of the people should have the kind of government they wish and that, if the people are freely exposed to all ideas, they will be able to separate the good from the bad and the wise from the foolish.

Because of this tradition, a Carmichael or a Brown is entitled to denounce the Government and the people in the vilest words. His thoughts and his language may be repulsive to all but a tiny handful of citizens. But he can say what he thinks without fear of prosecution and with only a moral responsibility for what he says. If his words stir up hatred against all members of his race, he must bear the moral responsibility. If his words mislead those to whom they are addressed, he must bear the responsibility for having abused the right to speak.

But there are limits on what a citizen can say and still claim his right to free speech. One such limit bars a man from inciting others to violence. It is hard to say precisely when that limit is reached. Much depends on the climate in which things are said and the tools available to those who listen. It is clear that a man could be prosecuted successfully for urging an already angry audience to pick up the rifles he had brought with him and go into the streets to shoot and kill. But it is not clear that he could be prosecuted successfully for telling a passive audience that they ought to go home and get their guns. Generally speaking, we like the rule of thumb that a man is free to say what he wants as long as the situation is such that there is time for other ideas to be heard and for reason to prevail over emotion.

Thus, those who are crying for the Government to prosecute Stokely Carmichael for his speeches in Cuba are missing the point of what free speech is all about. There is little chance that his advice, sent from afar by modern communications, presents a clear and present danger to the peace and order of the Nation. Carmichael may be a traitor in so far as he has gone abroad to consort with this country's enemies but he has not committed treason unless he organizes or conspires with others to launch an armed invasion or insurrection. We can only hope that he has forfeited whatever following and respect he once had through his open advocacy of communism.

The recent speeches of Rap Brown present a more difficult problem. He is already charged with inciting to violence in Maryland and some of his talk elsewhere has invited public officials to levy similar charges. It is inappropriate to express an opinion on his statement in Maryland since that case is before the courts. But it is not inappropriate to remind him and others who join him that a man must bear the responsibility for what he says. Those who incite to violence must not expect the Nation to sit quietly and let that violence erupt.

The Constitution does provide protection for those who talk of making trouble and of mounting an insurrection. But it provides no protection for those who carry their words through into action. Men who call for and organize rebellions must expect to be dealt with as traitors. Words sometimes carry all the effect of force and it is on that narrow line between free speech and incitement to rebellion that Mr. Carmichael and Mr. Brown are walking.

JOB CORPS HAS PROMISE

Mr. MONTGOMERY. Mr. Speaker, I ask unanimous consent that the gentleman from California [Mr. Waldie] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

Mr. WALDIE. Mr. Speaker, I recently received a letter from a constituent of mine who indicated to me that he had had considerable personal experience with the Job Corps in our area in California. His comments in his initial letter were most brief and I was sufficiently interested that I requested of him that he further elaborate to me, as frankly as he could, whether or not he believed the Job Corps was worthy of continual support. I enclose his reply letter in the Record for your information.

You will note, Mr. Speaker, that his approach is an extremely realistic one and that he criticizes attitudes and efforts of the Corps where he believes them to have been defective. All in all though, Mr. Speaker, my constituent concludes that this program does have considerable promise and that its promise should be given greater opportunity to be fulfilled.

Walnut Creek, Calif.,
July 24, 1967.

Hon. Jerome R. Waldie,
Longworth House Office Building,
Washington, D.C.

Dear Mr. Waldie: In reply to your letter of July 7th, I believe that in order to evaluate the Job Corps it is necessary to analyze the criticism of the Job Corps, review its goals and rate the progress towards these goals.

Most of the criticism I have heard has been based on the deportment of a small minority of Corpsmen. The actions of this small minority can be traced to overselling the program to prospective members and the lack of/or continual change of rules and regulations in Job Corps units and failure to enforce rules.

When the first Corpsmen arrived at our camp, a great many had been sold on the idea that they were going to enjoy a paid vacation in a country club atmosphere. This was endorsed at the bases where the Instructors were of the "Permissive Discipline" group. Counselors had also been enrolled from this school of thought. There are still some experimental programs being tried at Government expense that will need to be eliminated or at least re-evaluated.

It soon became evident that such a policy was not going to work. However, the transition from the "luxury ride" to the down to work attitude has been a long and difficult road with Instructors still trying to obtain guide lines for action.

With at least eighty per cent of the Corpsmen desirous of obtaining a training and the balance of the Corpsmen willing to accept training disciplines if properly applied, I know it is possible to fill the Job Corp quotas with Corpsmen who will repond to all aids and rules and complete their training to become useful citizens.

There is still a lot of work to be done in eliminating the beginning mistakes of the Job Corps. During such a period the statistics may look bad and this seems to be one of the objections held out against doing the things necessary. The Corpsmen themselves will welcome the rules and regulations required and they will abide by them carefully when they realize that they are permanent. These policies will in turn help to eliminate the waste that is still a part of the program.

Fundamentally the Job Corps is a wonderful program, serving humanity and the United States and should be continued if it can make use of its progress to date to continue to increase its efficiency and service. To change its political management at this time could jeopardize the chances of using its organizational mistakes for corrections and progress.

There are discouraging days in the Job Corps when the number of dropouts or necessary terminations seem excessive. However, dropouts and terminations must be expected when we consider the fact that we are working with those that usually have a quitters record. Such days are more than offset by the sight of Corpsmen arriving with long hair, beards and shoulder chips which they gradually replace with an honest desire to develop a skill and a true pride in their accomplishments. I have watched hundreds so develop.

Yes, let's give the Job Corps more time to mature into a program of training for jobs and citizenship. I fully believe that if it can be done on the above basis, it can become a truly important link in the War on Poverty.

Sincerely yours,

William A. March.

RAT EXTERMINATION

Mr. MONTGOMERY. Mr. Speaker, I ask unanimous consent that the gentleman from New Jersey [Mr. Daniels] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

Mr. DANIELS. Mr. Speaker, once again I rise in this House to appeal to the consciences of all Members of this House. Last month, many Members engaged in a punning attack upon one of the most vitally needed measures brought before this House, the Rat Extermination Act of 1967. Many of those who participated in this performance did so because they were honestly unfamiliar with conditions in our urban centers and others have been brought up in an environment far remote from the rat-infested tenements of our city ghettos.

Only rarely are rats visible in the exclusive country clubs of this Nation, and one can excuse those who are really unaware that there is another America where life is a grim struggle for existence.

It is for this reason that I have continually kept this issue alive. I think that all Members of this House have a conscience and having seen the evidence those who erred last month, and realizing now that rats are a legitimate problem and not a source of merriment will come to the aid of those Americans, deprived of most of the good things in this life, who would like to eliminate these filthy creatures.

Mr. Speaker, I ask unanimous consent to insert at this point in the Record a most perceptive article which appeared in Newsweek in the edition of August 14, 1967.

The article follows:

SYMBOL OF DESPAIR

Rats are indiscriminate scavengers. They will sink their teeth into anything: paper, garbage, wood, wire insulation, books, babies. Rats are also notorious carriers of disease. Biting, brushing human food with filth accumulated from their travels through sewers, shedding parasitic fleas, they can transmit leptospirosis, rabies, salmonella, rat-bite fever, amoebic dysentery, tularemia, trichinosis, typhus fever and the plague.

Since the rat's arrival in North America as a stowaway in the eighteenth century, it has reproduced prolifically; if the habitat is favorable, one female can drop a litter of 22 as often as once every month. There are now 90 million to 100 million rats in the U.S.—8 million in New York City alone (about one for each human). Each year, the rodents inflict a billion dollars' worth of damage to food and goods in America. "The rat," says Charles Johnson, assistant health commissioner of New York City, "is a useless animal, perhaps the most useless animal we know." But more than anything else today, the rat—with his free run of the ghetto—is the symbol of urban despair.

A RIDER

When President Johnson's $40 million rat-control bill was presented to the U.S. House of Representatives last month, the House laughed it off the floor. But the bill may not be dead. Last week Sen. Jacob Javits announced that he would ask that it be attached as a rider to the riot bill passed by the House and now in committee in the Senate. If the Senate passes the bill-with-rider, back it will go to the House—and this time the anti-rat faction plans to be mobilized.

As a response to the setback in Congress, New York's Gov. Nelson Rockefeller announced last week that he was declaring a total war on rats and asked for $4.5 million a year for their "elimination and eradication." Rockefeller was assured support by legislative leaders, who agreed to make $1.5 million available even before the legislature reconvenes next January. Details of the Rockefeller program were not released. But New York City will receive $2.5 million—perhaps double the amount it would have got through the Federal bill.

Ironically, the nation's model for effective municipal rat-fighting is Detroit. The city has one of the lowest annual rates of rat bites in the urban U.S., down from 123 in 1951, to 28 last year, to six in the first half of 1967 (as compared with an average of 500 bites reported yearly in New York City). None of the six recent rat bites resulted in any serious side effects, although one put a scare into quite a few people. A 6-year-old boy picked up a rat; it bit him. The rat was later observed wobbling, looking weak and sick. As it turned out, the rat was not rabid—as onlookers had feared—but full of fumarin poison, a victim of the Detroit extermination program.

Detroit follows a four-pronged battle plan: build-out, kill-out, clean-out, starve-out. To control rats, as Detroit has done, all programs must be in operation at once. Merely starving rats or tearing down their nesting places will only force them to migrate to other buildings. In Detroit, extermination teams brew their own fumarin poison, an anticoagulant mixed with dry oats, corn oil and powdered sugar—and colored charcoal to warn off humans. If a rat eats the bait over a five-day period, it causes internal hemorrhaging and eventually death. In rare circumstances, calcium cyanide gas may be used.

RAT WALLS

Sanitation and building inspectors meanwhile concentrate on preventive measures. The Detroit building code requires "rat walls" in all buildings that could harbor rats. Concrete must be sunk 2 feet into the ground, extend 6 inches above the ground, and be at least 4 inches thick. Some rodent watchers, however, contend that rats have been known to gnaw through concrete walls much thicker.

The vigor and size of the rat is perhaps more mythical than real. Of the two species most prevalent in the U.S.—*Rattus rattus*, the black rat, and *Rattus norvegicus*, the brown rat generally found in Northern cities—the latter is the larger and averages 18 inches in length, half of which is tail. A few grow larger. "We got some down here that look like cats they're so big," said one girl in the Brownsville section of Brooklyn last week.

Rats have regular runs, are aware of any changes, such as traps, imposed upon their habitat, and are able to warn one another through bodily contact. Rarely straying more than 40 feet from their nests, they will attack any rodent alien to their pack.

Last year Detroit spent $385,000 for rat control, aside from the city's $18 million budget for garbage collection. But the battle against the rat is never-ending. "Even with our own program we still have rats," said Harry Boyle, director of Detroit's Bureau of Sanitary Engineering. "We could really double our efforts. You have to keep at it. Once you let the pressure off, they bounce right back." Detroit's program is so good that even though many rats were burned out of their nests in the recent riots, city ratfighters were able to contain them by doubling their extermination and prevention efforts.

The success in Detroit and the hope inspired by Rockefeller's New York program cause some in Congress to conclude that rats are a problem to be solved locally. But as Hawaii's Spark Matsunaga, the congressman who led the House's unsuccessful campaign for the rat bill, said last week: "For states which can support such programs, the local efforts are a good thing. But for many cities there is always the excuse that there are insufficient funds at both the state and city levels." By passing the bill, argued Matsunaga "we'll be getting to one of the root causes of riots."

ADVERTISEMENT URGES HOUSE SUPPORT OF REORGANIZATION PLAN NO. 3

Mr. MONTGOMERY. Mr. Speaker, I ask unanimous consent that the gentleman from Wisconsin [Mr. REUSS] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

Mr. REUSS. Mr. Speaker, a number of organizations and private individuals in the Washington area today placed an advertisement in the Washington Evening Star urging Members of this body to support Reorganization Plan No. 3.

The signers listed six reasons for their support of the plan, and urged that Members support it by voting against resolutions to disapprove it.

In order to make sure that this excellent advertisement is brought to the attention of all Members of this body, I include herewith the text of the advertisement:

To the Members of the House of Representatives:

We urge you to support Plan No. 3 to Reorganize the Government of the District of Columbia.

The three-headed government established for the Nation's Capital in 1878, when it had a population of approximately 168,000, does not meet the complex demands of a city in 1967 with 800,000 people.

One commissioner with executive responsibility for all of the District government's activities will be more efficient than three commissioners with divided powers.

A city council with nine citizens "broadly representative of the community" will be more responsive to the needs of the city than three commissioners.

The assignment of executive powers to the commissioner and rule-making powers to the council will prevent abuse of authority and will apply to the government of the Nation's Capital the same principle of checks and balances which is the basis for all government in the United States.

The adoption of the Reorganization Plan will mean progress toward solving the District's problems. The rejection of the Plan will mean a continuing and creeping paralysis throughout the District's government.

Whatever merits there may be to other legislative proposals, they face many hurdles in Congress. The Reorganization Plan permits necessary changes in the District's government on August 11, not at some distant and unknown date in the future.

We respectfully request your support of the Plan by voting against the McMillan-Broyhill Resolutions to Disapprove Reorganization Plan No. 3.

The advertisement was signed by the following organizations:

American Federation of Government Employees, Local 12.
American Federation of Teachers, Washington Local.
American Jewish Congress.
American Jewish Committee.
American Veterans Committee.
Anacostia Business and Professional Assn.
Baptist Ministerial Conference.
Bibleway Church.
B'nai B'rith Women's Council of Metropolitan Washington.
Capitol Hill Community Council.
Cardinal's Committee on Community Relations, Archdiocese of Washington.
College Alumnae Association.
Committee of Forward Looking Republicans.
Council of Churches of Greater Washington.
Democratic Central Committee.
Democrats for the District.
D.C. Association of Class Room Teachers.
D.C. Business League.
D.C. Chamber of Commerce.
D.C. Education Association Patriots.
D.C. Federation of Civic Associations.
Episcopal Society for Cultural and Racial Unity.
Far Northeast Democratic Organization.
Greater Washington Central Labor Council, AFL–CIO.
Health and Welfare Council of the National Capital Area.
Home Rule Assembly.
Hospitality House.
Jewish Community Council of Greater Washington.
Jewish War Veterans, Washington Posts.
League of Women Voters of the District of Columbia.
Lincoln Republican Club.
Lutheran Churches Task Force on Self-Government for the District.
Metropolitan Community Aid Council.
National Alliance of Postal and Federal Employees, Washington Lodge.
National Association for the Advancement of Colored People.
National Baptist Conference of Washington.
National Capital Area Civil Liberties Union.
National Capital Association of B'nai B'rith Lodges.
National Capital Voters Association.

National Council of Jewish Women, D.C. Section.

Northeast Neighborhood Council.

Peoples Congregational Church.

Prince Hall Masons.

Shepherd Park Citizens' Assn.

Southern Christian Leadership Conference.

United Licensees Beverage Association.

Virginia White Speel Republican Club.

Washington Home Rule Committee.

Washington Independent Tavern Owners Association.

Washington Urban League.

Washington and Vicinity Federation of Women's Clubs.

Young Democratic Club of Washington.

The citizens signing the advertisement, all of whom did so as individuals only, are listed below:

David C. Acheson, lawyer. Formerly U.S. Attorney for the District of Columbia.

Floyd Agostinelli, social worker.

Stephen Ailes, lawyer. Formerly Secretary of the Army.

Rev. Andrew J. Allen, chairman, Baptist Ministerial Alliance. Vice President, Southern Christian Leadership Conference.

Edwin J. Applewhite, government official. Board Member, Washington Gallery of Modern Art.

Albert E. Arent, lawyer. Past President, Jewish Community Council of Greater Washington.

James G. Banks, Government official. Formerly Executive Director, United Planning Organization.

Rev. Geno Baroni, chairman, Cardinal's Committee on Community Relations, Archdiocese of Washington.

Berl I. Bernhard, lawyer. Formerly Staff Director, Civil Rights Commission. Trustee, D. C. Community College.

Francis Biddle, lawyer. Formerly Attorney General of the United States.

Henry H. Brylawski, chairman, Washington Chapter, American Jewish Committee.

B. Bernei Burgunder, Jr., businessman.

Edward Burling, Jr., lawyer. Member, Republican D.C. State Committee.

Edmund D. Campbell, lawyer. Past President, Bar Association of the District of Columbia.

Mortimer Caplin, lawyer. Formerly Commissioner of Internal Revenue.

David Carliner, lawyer. President, Washington Home Rule Committee.

Reuben Clark, lawyer. Chairman of Board, Housing Development Corporation.

The Rt. Rev. William Creighton, Bishop of the Diocese of Washington.

Philip J. Daugherty, labor official.

Tilford E. Dudley, chairman, Democratic Central Committee. Chairman, Citizens Council for the District of Columbia.

Julian Dugas, lawyer, director, Neighborhood Services Legal Program. Member, D.C. Board of Education.

Mrs. Todd Duncan, vice chairman, Democratic Central Committee.

Rev. Walter E. Fauntroy, legislative representative, Southern Christian Leadership Conference. Member, Advisory Committee of the Model School Division of the D.C. Public Schools.

Mrs. Clarence E. Fisher, president, Northwest Settlement House.

Mrs. Robert Fleming, board member, Washington Home Rule Committee.

Dr. Isaac Franck, executive vice president, Jewish Community Council of Greater Washington.

Louis M. Frankel, businessman.

Gerhard A. Gesell, lawyer. Formerly Chairman, President's Committee on Equal Opportunity in the Armed Forces. Chairman, Committee on Administration of Justice of the Judicial Council for the District of Columbia Circuit.

Msgr. George L. Gingras, pastor, SS Paul and Augustine Church.

Aaron Goldman, businessman.

Constance McLaughlin Green, author.

Alexander B. Hawes, lawyer. Chairman of Subcommittee on Juvenile Delinquency, Committee on Administration of Justice of the Judicial Council for the District of Columbia Circuit.

Ellis Haworth, chairman, Legislation Committee, D. C. Congress of Parents and Teachers.

George E. C. Hayes, lawyer. Member, Republican D. C. State Committee. Trustee, Howard University. Formerly chairman, Public Service Commission of the District of Columbia.

Patrick Hayes, managing director, Washington Performing Arts Society.

Dumond Peck Hill, lawyer. Board member, Foreign Student Service Council.

Mrs. Marshall Hornblower, past president, Washington Home Rule Committee.

Rev. Duncan Howlett, pastor, All Souls Unitarian Church.

Peter Barton Hutt, lawyer. Chairman, D. C. Commission on Alcoholism.

Rev. E. Franklin Jackson, Democratic National Committeeman for the District of Columbia.

Elizabeth S. Johnson, president, League of Women Voters of the District of Columbia.

David Lloyd Kreeger, businessman.

Samuel J. Lanahan, lawyer. Past President Family and Children Services of Washington, D. C.

Mrs. Cazenove Lee, member of the Arts Advisory Committee of the District of Columbia Recreation Board.

Frederick B. Lee, businessman. Chairman of Board, United Planning Organization.

Mrs. Herman W. Lewis, vice president, League of Women Voters of the District of Columbia.

Rabbi Eugene J. Lipman, rabbi, Temple Sinai. Member, Interreligious Committee on Race Relations.

The Rev. John Wesley Lord, Bishop of Washington.

Dr. Virgil E. Lowder, formerly executive director, Council of Churches of Greater Washington.

Richard K. Lyon, lawyer. Past president, Washington Home Rule Committee.

Paul F. McArdle, lawyer. Past president, Bar Association of the District of Columbia.

J. Noel Macy, Georgetown community leader.

The Rt. Rev. Paul Moore, Jr., Suffragen Bishop of the Diocese of Washington.

Mrs. John A. Morrison, Jr., member of the Republican D.C. State Committee.

John A. Nevius, lawyer. Vice chairman, Community Organizations for the Improvement of Neighborhoods, Inc. (COIN).

Rev. Philip R. Newell, Jr., urban minister-at-large for the Presbytery of Washington City, the Episcopal Diocese of Washington and the Central Atlantic Conference of the United Church of Christ.

Barrington D. Parker, lawyer. Member, Committee of Forward Looking Republicans.

Rev. Channing E. Phillips, pastor, Lincoln Temple Memorial Church. President, Ministerial Association of the National Capital Area. President, Housing Development Corporation.

Rev. Daniel Pierotti, director, Cooperative Lutheran Parish.

Flaxie M. Pinkett, businesswoman. President, Health and Welfare Council of the District of Columbia.

S. Franklin Posey, president, Lincoln Republican Club.

Theodore Prahinski, lawyer. President, Shepherd Park Citizens Association.

Charles E. Qualls, businessman. President, Anacostia Chamber of Commerce.

Rabbi Stanley Rabinowitz, vice president, Rabbinical Assembly of the Greater Washington Area.

Nelson C. Roots, District of Columbia Federation of Civic Associations.

William Warfield Ross, lawyer. President, Civil Liberties Union of the National Capital Area.

Sidney S. Sachs, lawyer, past president, Bar Association of the District of Columbia.

Edith Ray Saul, program chairman for libraries, League of Women Voters of the District of Columbia.

Rabbi Samuel Scolnic, past president, Washington Board of Rabbis.

John J. Sexton, lawyer.

Polly Shackleton, Democratic National Committeewoman for the District of Columbia.

William H. Simons, president, Washington Teachers Union.

Mrs. Peter Soyster, president, Visiting Nurses Association of Washington, D.C.

Mrs. Hobart Spalding, chairman, D.C. Public Welfare Advisory Council.

James S. Stanback, past president, D.C. Chamber of Commerce.

Mrs. Ezekiel G. Stoddard, president, Family and Child Services of Washington, D.C.

Lloyd Symington, lawyer. Vice president, National Symphony Orchestra Association of Washington, D.C.

John M. Thornton, president, National Capital Voters Association.

Sterling Tucker, executive director, Washington Urban League, Inc.

J. C. Turner, president, Central Labor Council of Greater Washington.

Gerhard Van Arkel, lawyer. Member of Board, D. C. Citizens for Better Public Education, Inc.

James A. Washington, professor of law, Howard University Law School. Formerly chairman, Public Service Commission of the District of Columbia.

Glenn E. Watts, president, Health and Welfare Council of the National Capital Area.

Philip H. Watts, stockbroker-member, Committee of Forward Looking Republicans.

Frank Weil, chairman, D.C. Chapter of American Veterans Committee.

Bishop Smallwood E. Williams, pastor, The Bibleway Church.

Wesley S. Williams, past president, D.C. Board of Education.

Eugene M. Zuckert, lawyer. Formerly Secretary of the Air Force.

THE U.S. ARMY RESERVE—TODAY

Mr. MONTGOMERY. Mr. Speaker, I ask unanimous consent that the gentleman from Florida [Mr. SIKES] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

Mr. SIKES. Mr. Speaker, Maj. Gen. W. J. Sutton is one of the best informed individuals in America today on the complex problem of maintaining a strong and effective Army Reserve force. His services have been invaluable in helping to insure capable Reserves during a period of several years of great uncertainty when the very future of the Reserves was threatened. Respect for his knowledge and ability is such that he has been able to perform an outstanding service and enjoy the confidence of both the Congress and the Pentagon through this difficult period. The situation is brighter now in that a new plan has been formulated by Army Secretary Resor for Reserve component reorganization which has found general acceptance and which offers promise of a healthy picture for future years.

In a recent speech at Fort Belvoir,

General Sutton commented in detail on the U.S. Army Reserve—today. His speech provides much useful information on the Army Reserve and I feel that it merits reprinting in the CONGRESSIONAL RECORD.

THE U.S. ARMY RESERVE—TODAY

I am indeed pleased to be here. It is always a distinct pleasure for me when I am given an opportunity to speak to members of the United States Army Reserve. This is especially true today since so much has taken place during the past several years affecting the U.S. Army Reserve.

In deliberating on a topic for my remarks, shortly after accepting the invitation to be here, I found that several thoughts came to mind. My initial idea was to title these remarks: "What's Happening in the U.S. Army Reserve?" Then, another question followed: "What's New With the U.S. Army Reserve?" A final one, "What's in the U.S. Army Reserve Future?", led me to entitle this speech: "The United States Army Reserve—Today", with emphasis on the word, today.

I decided to take this approach because too much has happened in the past—both the remote and recent—to convey to you the impression that sudden and precipitate changes have emerged. Quite the contrary is true. The United States Army Reserve today has evolved through the years from a small Medical Reserve Corps—established on 23 April 1908—to a potent military force of more than one million officers and enlisted men and women. Its legislated age of nearly 60 years, however, was preceded by the tradition of the U.S. Army Reserve and its citizen-soldiers whose service took root in the earliest days of our nation's history. From this beginning, the U.S. Army Reserve has grown to be a formidable organization comprised of a Ready Reserve of 262,000 officers and enlisted men and women serving in 3,571 units, and 452,000 in the Mobilization Reinforcement Pool. Another 294,000 make up the Standby Reserve.

The essential purpose of the U.S. Army Reserve has been emphasized repeatedly by American military leaders through two World Wars, the Korean War, the Berlin Crisis of 1961, and today. Following the first World War, General of the Armies John J. Pershing said:

"Of special importance is a stimulus in the reorganization of Reserve units throughout the nation. Before the war, there was no conception of such security. But the war brought home to us in a striking manner the advisability of precaution. The experience has awakened the country so that a resolve has gone forth that never again shall our untrained boys be compelled to serve their country in the battlefield under leadership of new officers with practically no concept of their duties and responsibilities."

Because of the manner in which the U.S. Army Reserve is organized in units and the constant training of its members, General Pershing's pronouncement is being observed. For, in the event of any emergency, the United States Army Reserve would be ready to fulfill its assigned mission which is to furnish, for national security, units effectively organized, trained, and equipped in time of peace for rapid mobilization, expansion, and deployment. Our objective is to bring these units and individuals to the highest state of readiness attainable—a state of readiness that will insure a minimum requirement of post-mobilization training.

Our U.S. Army Reserve units everywhere are conducting their training activities with this objective constantly in mind. Wherever I visit, the deeds of our men and women in the U.S. Army Reserve continue to fill me with pride. Their teamwork and training standards have never been higher—their diligent attitude and military proficiency never more meaningful. The threats to world peace which confront our nation and its allies in freedom have made it imperative that our U.S. Army Reserve units remain ready for any emergency.

Another great American military leader, General of the Army George C. Marshall, re-affirmed the significant role of the U.S. Army Reserve when, after World War II, he said:

"The second type of military institution through which the national manpower can be developed is based upon the conception of a professional peacetime establishment to be reinforced in time of emergency by organized units drawn from a citizen U.S. Army Reserve, effectively organized for this purpose in time of peace."

In consonance with the thoughts of Generals Pershing and Marshall, our U.S. Army Reserve enables competent citizen-soldiers to acquire considerable military experience through training assemblies at home stations and during annual active duty for training at summer camps.

U.S. Army Reserve units are diversified—from Judge Advocate General detachments to infantry brigades. Our 3,571 units include combat, combat support and service units, some of which are highly specialized and found only in the U.S. Army Reserve. Others are identical to active Army units. All of them undergo training constantly to achieve and maintain the levels of military proficiency that make a unit combat ready.

To bring you up to date completely on the U.S. Army Reserve today, it is important that I review the events which emanated from the proposed reorganization of the Reserve Components announced by the Secretary of Defense in December 1964. At that time, it was announced that because the Reserve Components were out of balance between manpower, equipment, and the requirements of contingency plans, the Secretary of Defense had directed the Department of the Army to prepare detailed plans for a major realignment of the U.S. Army Reserve and the National Guard. Upon completion of that reorganization, it was proposed that the unit structure of the Reserve Components of the Army consist of 8 divisions and 16 brigades, with a total paid drill strength of 550,000.

Since the announcement about two and a half years ago, that proposed reorganization has been under almost continuous review by Congress and the press. In March 1965, the Senate Preparedness Investigating Committee began hearings on the proposal—which included a merger of the U.S. Army Reserve and the National Guard—and shortly thereafter Subcommittee No. 2 of the House Armed Services Committee initiated a detailed review of the reorganization. When the FY 66 Appropriations Act was passed, however, the Congress had included a provision requiring that the U.S. Army Reserve be programmed to attain an end strength of 270,000 and by that action blocked the execution of the proposed reorganization that fiscal year.

The Department of Defense again attempted to persuade the Congress that the realignment should be effected, when it presented its FY 67 budget to the Congress. Once again, however, Congress did not support it and the FY Appropriations Act included a provision that the U.S. Army Reserve would be programmed to attain an average strength of not less than 260,000.

The House in September last year passed the Reserve Bill of Rights which would require as a matter of permanent legislation that the U.S. Army Reserve maintain an annual average strength in units of not less than 260,000. However, it was not acted on by the Senate last year. This same bill, with minor modification, was reintroduced this year as H.R. 2 and was passed by the House on 20 February by a vote of 324 to 13. It is now in the Senate where action is expected this summer.

You are quite aware, I am certain, of the proposed reorganization announced by the Deputy Secretary of Defense at a news conference on 2 June 1967. This newly proposed reorganization, according to the Deputy Secretary of Defense, was based on an assessment by the Joint Chiefs of Staff of what Reserve Forces are needed. In outlining details of the new plan, the Secretary of the Army said the U.S. Army Reserve would have a total paid drill strength of 240,000 and would include 13 training divisions, 2 maneuver area commands, the U.S. Army Reserve schools, and service support units. He also explained that the National Guard would have a paid drill strength of 400,000 with 8 combat divisions and 18 combat brigades, plus the necessary service support units to provide essential maintenance. This would mean, of course, that all combat units become part of the National Guard.

However, once again, Congressional opposition to the reorganization was manifested. The Chairman of the Senate Armed Services Committee stated that he thought some combat and combat support structure should be maintained in both the National Guard and the U.S. Army Reserve. Other members of Congress voiced the same opinion. Thus, on 12 July, in a letter to Senator Richard B. Russell, Chairman of the Senate Armed Services Committee, the Secretary of the Army wrote:

"DEAR MR. CHAIRMAN: At the hearings June 27th on the Army Plan for reorganization of its Reserve Components, you asked that consideration be given to retaining some combat and combat support elements in the United States Army Reserve. Other members of the Congress have made similar suggestions. Additionally, the House of Representatives in passing the Department of Defense Appropriation Bill for FY 1968 and H.R. 2 has called for a minimum strength of 260,000 in the U.S. Army Reserve rather than the 240,000 contemplated in the Army Plan.

"It is in the light of the foregoing that the Chief of Staff and I have subjected the Army Plan to further analysis. While we continue to believe that it is the best plan to meet Department of the Army objectives, altering it so that combat and combat support units would remain in the U.S. Army Reserve is feasible. This alteration could be accomplished by adopting a reorganization which we have characterized as the Three Brigade Plan, so called because the U.S. Army Reserve would have three brigades rather than none as in the Army Plan.

"Under the Three Brigade Plan, the U.S. Army Reserve paid drill strength is increased from 240,000 to 260,000 and the paid drill strength of the National Guard would be 400,000. The total structure provided in the Army Plan is retained. The number of combat maneuver battalions is the same as in the force structure recommended by the Joint Chiefs of Staff. The proportion of combat, combat support and service support within each component would be approximately the same as exists today.

"The major unit changes from the Army Plan in the Three Brigade Plan are:

"a. Retain in the U.S. Army Reserve structure the following units which the Army Plan would have included in the National Guard: 3 brigade bases (each consisting of a brigade headquarters company, a support battalion, an aviation company, an armored cavalry troop, an engineer company and 105mm field artillery battalion), 10 infantry battalions, 15 separate artillery battalions, 16 combat engineer battalions.

"b. Retain or form in the National Guard structure the following units which the Army Plan would have included in the U.S. Army Reserve: 2 military police brigades, 1 Transportation Corps brigade, 6 engineer construction battalions, 1 support brigade, 3 signal battalions, 13 hospitals, 52 composite service companies, 21 truck companies, 8 ordnance companies.

"The Three Brigade Plan accommodates the major objections which have been raised to our original proposal. It provides the U.S. Army Reserve with approximately 41,000 paid drill strength in combat and combat support units and a total paid drill strength of 260,000. The National Guard would have 8 divisions and 18 brigades. We have eliminated all cases of activating in one component a unit comparable to one inactivated in the other component. This maximizes the use of existing assets in both components. It minimizes organizational turbulence. At the same time, our basic reorganization objectives are met."

Concluding his statement before the Department of Defense Subcommittee, of the Senate Committee on Appropriations, Secretary Resor said it is important to get on with the reorganization after summer training. He concluded by saying:

"There perhaps can be differences in judgment on details, but not on the basic point that the force structure in our reserves should conform to military requirements stated by the Joint Chiefs of Staff. This means we must drop the unneeded units, and we must add the units we need but do not now have. Only in this manner can we achieve the readiness which we require for an effective national defense."

Thus, a significant chapter in the history of the U.S. Army Reserve, which opened its pages two and one half years ago, has come to a close—and a new one is just beginning. But, in this beginning I see clearly many challenges facing the U.S. Army Reserve as we continue to meet our readiness responsibilities. That we will is certain.

The constant training of U.S. Army Reserve members is no better exemplified than our Research and Development units, which are represented here today. We have 70 R & D units in the U.S. Army Reserve, located in as many places throughout the country. Their 1,200 members are qualified by education and experience to perform professional scientific and engineering work in specified fields. Their skills are borne out by the fact that every applicant for assignment to these units must receive Department of the Army approval.

Many of their training assemblies consist of reports by members who have taken part in a research project or who have recently returned from a tour of active duty training at a service or corporately owned installation. Field trips to military and industrial plants by the units are common. Review and editing of scientific papers form the backbone of many assemblies. But, perhaps the most interesting phase of the R & D training consists of the special projects that many units conduct. I am certain that some of these projects will be introduced in your discussions here.

Although the Research and Development training program represents only a small portion of the total U.S. Army Reserve program, its value to the nation in this age of advancing technology for outweighs its size.

This seminar epitomizes the diligent attitude of U.S. Army Reservists associated with R & D units. You have accepted challenges which demand much of your time and energy, knowing there are yet more challenges in Research and Development to which you can address yourselves in the best interests of the U.S. Army and the U.S. Army Reserve.

Much has been taking place in the U.S. Army Reserve during the past months. Consequently, I would like to bring you up to date on various matters affecting our activities.

In the area of personnel, we are currently implementing Department of the Army Circular 135-10, entitled: "Policies and Procedures Governing Satisfactory Participation." This circular resulted from an executive order signed by the President authorizing a call-up of U.S. Army Reservists who have not satisfactorily fulfilled their unit Reserve obligations. The President was given this authority by Congress when an amendment sponsored by Senator Richard B. Russell, Chairman of the Senate Armed Services Committee, was added to the FY 67 Department of Defense Appropriations Act. Thus, this matter is often referred to as the Russell Amendment.

The new circular prescribes policies, procedures, and responsibilities pertaining to satisfactory completion of the Ready Reserves service obligation, and enforcement procedures affecting certain enlisted male personnel who enlisted under the Reserve Enlistment Program. It became effective the first of July. The authority ensures that nonprior service personnel previously enlisted in units of the Reserve Components and those who enlist in the future are expected to participate satisfactorily in troop program units for the full period of their Ready Reserve obligation.

Those who fail to attend unit training without proper authority or who, because of change in residence, job interference or other reasons are unable to continue serving in a unit, will be ordered to active duty for 24 months, less any period of active duty, active duty for training, or annual field training which they may have served previously. Of course, certain exceptions to this policy are outlined in the DA Circular. As of 30 June approximately 18,000 REP personnel were available for re-call under this procedure.

In logistics, it is heartening to see that we are about to get some relief from the construction moratorium that has existed for two years. Eight projects for new construction are pending approval, amounting to $4.6 million in six states and Puerto Rico. In addition to this new construction, we have been successful in acquiring more outdoor and home station training sites and additional acreage as well as other facilities to improve the logistics picture. Also, numerous military parking areas at constructed centers have been enlarged. These circumstances, combined with a program of consolidation of activities at various sites, have enabled U.S. Army Reserve units to train more effectively. We intend to pursue this program of obtaining additional facilities for U.S. Army Reserve use to the maximum extent possible.

The trend that had existed during the past two years which saw materiel being withdrawn from the U.S. Army Reserve has now been completely reversed. We are receiving supplies at an increased rate. By the end of FY 67 we had received major items valued at more than $21 million—which is four times the value of items received during the previous fiscal year.

These items are almost exclusively all standard equipment and much of it is brand new. An example of the new material is an allocation of 4,300 ¼-ton M151A1 jeeps and 3,200 trailers. Nearly half of this allocation has been received. The $21 million worth of equipment does not include five training ships and two tugs we have obtained for training use. I will have more to say about these ships in a few minutes.

One of our light amphibian companies will be receiving a fleet of LARC V's and our BBARC platoons will get some of the mammoth-size LARC LX (60) vehicles. By the end of 1st Quarter, this fiscal year, an initial allocation of 13 Command Post Carriers is also scheduled for issue to U.S. Army Reserve units.

Much of the equipment used by U.S. Army Reserve units is of Korean War vintage. However, we have undertaken a major rebuild program to rehabilitate it for years of additional service. Begun in the spring of 1966, this Equipment Rehabilitation Program, which is administered by Army depots, utilizes commercial contractors located as close as possible to the home stations of the equipment. The total program covered 1,600 vehicles, 600 of which have already been re-built and returned to U.S. Army Reserve units. Another 600 heavy vehicles and support equipment are in the hands of contractors and the remaining 400 will be shipped to contractors after ANACDUTRA. A similar program for FY 68 is planned. This program is proving to be highly efficient in keeping U.S. Army Reserve equipment in the best possible condition.

A few minutes ago I mentioned that the U.S. Army Reserve now has five ships for training use. These are sea-going cargo vessels taken out of World War II mothballs and turned over to us for the training of our port operation units. Two are 338-ft ships taken from the Maritime Service fleet at Wilmington, North Carolina. They have been renamed "Reliance" and "Resolve", the former having been received first and christened in an impressive ceremony at the Curtis Bay U.S. Army Reserve Center in Baltimore, Maryland on 4 June 1967. The "Reliance" has been assigned to the 949th Floating Craft Company of the 1176th U.S. Army Terminal at Curtis Bay for training by the terminal service and floating craft units there.

Although it was given a major external overhaul at the Norfolk Shipyards, before being towed to Curtis Bay, the "Reliance" needed a great deal of refurbishing on the inside to be completely usable for training. This was done by the 1,500 members of the 1176th, who worked weekend after weekend for three months removing twenty years of encrusted rust, and re-painting throughout. They did a splendid job, and in so doing reaffirmed the marvelous spirit of U.S. Army Reservists who continually apply themselves energetically and eagerly to the tasks at hand.

The second of the two large vessels, the "Resolve", has been turned over to the 1184th U.S. Army Terminal in Mobile, Alabama. It, too, will be used by U.S. Army Reserve units for training in port operations. The other three vessels being added to U.S. Army Reserve terminal facilities are classified as freight supply ships. These are smaller than the cargo vessels and will be used to support training of terminal service units in Philadelphia, the Carolinas, and Florida.

In the U.S. Army Reserve we have 19 U.S. Army Terminals and 23 terminal service units—all of which would perform port operations if mobilized for active service. Adding vessels of this kind to our U.S. Army Reserve facilities enhances immeasurably the training activities of these units.

I know you realize that much more than I have described here has been and is taking place in the United States Army Reserve today. But, time does not allow me the opportunity for a comprehensive description of the myriad activities in which the U.S. Army Reserve is involved. And yet, I can summarize the essence of these activities in one word—training. Our by-word is constant training. It is the training carried out by 3,571 troop program units year-round, by 532 Reinforcement Training Units, by 5,131 Mobilization Designees fulfilling active duty requirements, and thousands of other U.S. Army Reservists of the Mobilization Reinforcement Pool, that makes the U.S. Army Reserve a dynamic organization. Add to all this the ANACDUTRA activities that are conducted at military installations all over America, and you become immediately aware of the significance of the key word—training.

What is it all for? General Matthew B. Ridgway, former Chief of Staff best explained the "why" of it when he said:

"Today, Army Forces hold worldwide outposts in support of national obligations and to insure our national security. It is my conviction that adequate active Army Forces in being, supported by truly ready U.S. Army Reserve and National Guard Forces, will enable us to protect these outposts with assurance that the security of our nation shall not be jeopardized."

Those words were spoken in 1955. They are just as meaningful and ring just as true today when world events challenge the very fiber of our democracy. Your service and that of every U.S. Army Reservist gives strength to the military power which the United States must maintain for the perservation of freedom.

GRAHAM VERSUS RIOTING

Mr. MONTGOMERY. Mr. Speaker, I ask unanimous consent that the gentleman from Alabama [Mr. ANDREWS] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

Mr. ANDREWS of Alabama. Mr. Speaker, believing that all of us are concerned over the riots that are taking place throughout the United States I commend to my colleagues the following editorial which appeared in the Dothan Eagle, of Dothan, Ala., on the fourth of this month, entitled "Graham Versus Rioting." In my opinion, the present wave of lawlessness will get worse until we make punishment certain.

The editorial follows:

GRAHAM VERSUS RIOTING

Those in position of power who say they want to know the real reasons for rioting that has swept this country could profitably pay attention to Billy Graham, the evangelist. He has spoken out in a fashion that many did not expect, truly laying it on the line.

The racial violence in America's cities, he said, is destined to be a major issue in next year's election and it is not a poverty problem.

In a recent broadcast, Dr. Graham said:

"With an election year coming up next year, unless there are some drastic changes the American people are going to speak their voice by the ballots they cast. The majority of the American people want law, order and security in our society . . .

"There is no doubt that the rioting, looting and crime in America this summer has reached the point of anarchy. A nation within reach of the moon cannot guarantee its citizens the safety of their streets."

The evangelist, whose influence is tremendous, acknowledged that poverty could be a contributing factor to what has happened, but pointedly observed: "We have been told over and over again by some of our leaders in Washington that poverty is the cause of crime. This just is not true." He took notice of the fact that there was no such rioting, looting or killing of police officers in depression days when people were much poorer. This prompted him to remark:

"No amount of money is going to change the present situation." He called for a commitment to Christ plus "tough laws against the subversive elements that are openly seeking the overthrow of the American government. As for the causes of crime these days, he placed the responsibility on indifferent family life, recent U.S. Supreme Court decisions, an increasingly tolerant nation and centuries old problems of greed, hate and lust.

Well, there it is. Proferred rather than officially sought advice. But it makes sense. And it can't be brushed aside, particularly when the source is considered.

Lending substance to Dr. Graham's comment that poverty isn't the cause of rioting is the condition of the American Indians. If any American had the right to riot—provided that, somewhere, there is such a right—it would be the Indians. Not only was land taken from their ancestors, they were herded by the government into reservations, where they are the government's responsibility, where their condition—good or bad—can properly be attributed to the government. But, the Indians haven't rioted, looted, pillaged and murdered.

And which is their condition? Describing it as "America's shame," The Catholic Digest says:

"Seventy-nine per cent of reservation Indians still haul water from outside wells for household use, 75% obtain this water from potentially contaminated sources, and 77% have inadequate waste-disposal facilities or none at all. Nearly 90% of all reservation housing is substandard. Nearly 50% of all employable adults living on reservations are unemployed."

HOUSING IN PHILADELPHIA

The SPEAKER pro tempore. Under previous order of the House, the gentleman from Pennsylvania [Mr. BYRNE] is recognized for 30 minutes.

Mr. BYRNE of Pennsylvania. Mr. Speaker, it has been brought to my attention that I had been extensively quoted from my remarks as set forth in the CONGRESSIONAL RECORD of last August on the crucial topic "Philadelphia's Great Opportunity To Solve the Crisis of the Cities." Various news media aside from many individuals, have endorsed the recommendations I made and, as recently as May 10, 1967, a delegate to the AFL–CIO Labor Council of Philadelphia expounded at length on this same subject. I am honored and inspired that my friends in the labor movement have endorsed my proposals and are so concerned about adequate housing for Philadelphia's middle- and low-income citizens.

In light of the great interest in the vital and critical subject of providing adequate and proper middle- and low-cost housing in Philadelphia, which appears to suffer grievously from depressing and deplorable nonfeasance, I am impelled to make the following remarks:

Every city in our Nation has a housing problem, and many cities have requested funds from the Department of Housing and Urban Redevelopment under the auspices of the Model Cities Act to correct the ills that fester in our major cities.

Edward J. Logue, administrator of redevelopment, city of Boston, has stated:

> Presidents and pundits, bankers and civil rights workers join other public minded citizens in expressing their alarm about the state of America's cities. They are right. In our society of rising affluence too much of the inner city is sinking into pervasive decay.

Philadelphia has been blessed with fine center city renewal. But the renewal is mainly commercial, except for the luxury and high income housing units of Society Hill and Park Town. Philadelphia has been heralded as a symbol of enlightened leadership in the relatively new field of Urban Renewal and redevelopment; however, the brightness of the glow now grows dim when it is brought to the attention of all that "housing" for the poor and the low economic strata of our society has been so sadly neglected. Official statistics confirm the need for immediate mobilization of all governmental agencies to apply every means to solve the housing crisis. Condemning slum areas and homes of the poor and middle class without supplying substitute housing of adequate standards, which these people can afford, only compounds the problem and causes new slum areas and ghettos to be born.

Seventy thousand housing units are required by 1970 in the city of Philadelphia and still the redevelopment process concerns itself with every other type development—institutional, commercial, and industrial. All redevelopment is important, but human beings are most important.

We must retain present and create new neighborhoods in which there exists a solid base where good and decent citizens can live a decent life. To destroy an area which has cultural institutions, churches of every denomination, in which all races are represented and living harmoniously, is a crime.

My district contains established neighborhoods which are vital to our city. The Franklin Square, Northern Liberties, Kensington, and Strawberry Mansion neighborhoods all have rich cultural traditions. Many thousands of our best citizens were raised in homes, schools, and churches located in these sections. I intend to speak about each of them and extol their virtues and see to their continued existence for the betterment of our city and all its citizens.

I refer specifically to the Franklin Square-Northern Liberties area which is located in center city Philadelphia, in my own congressional district. This area contains all the attributes necessary to provide the citizens presently there and the citizens to come with the finest environment possible anywhere in this Nation.

The area which I mention is steeped in history—it is old Philadelphia where our great Nation began and took shape. It is Market Street, the Betsy Ross House, Elfreth's Alley, Benjamin Franklin's grave, Christ Church, and so forth, that the planners wish now to destroy by placing industrial development around these shrines.

Is there nothing left of our national pride? Let our citizens enjoy our history. Do not build a wall of factories around our shrines and fence out those who ought to be reminded of the beginnings of this Nation and what it stands for. The Franklin Square area is the heart of our tradition and the heart of Philadelphia. It should be occupied by resident citizens, not factories.

Again, I repeat, the northeast center city quadrant must be reserved for residential development. The planners cannot turn their backs on the low- and middle-income groups.

For the last 15 years the planners have provided luxury apartments in center city. It is now time to get down to serious business and provide housing for those who have the greatest need, those for whom the housing funds were primarily intended.

The Evening Bulletin of Philadelphia, in an editorial dated November 8, 1966, pointed out that the zoning of Franklin Square-Northern Liberties area should be reconsidered:

> A zeal to attract light industry or to relocate it should not obscure the part that many people who cannot afford town houses or luxury apartments in Society Hill would still like to live in the City and near their work.
>
> It is a point worth serious consideration. A gap seems to be developing between expensive housing and public housing, leaving a large number of Philadelphians with nowhere to go except to the suburbs, if they hope to buy or rent within their budgets.
>
> . . . it is possible to kill a city by neglecting the human elements which make it live.

This subject is now of even greater importance because of the turbulence in various cities. Much of this dissatisfaction has been caused by the failure to deliver standard and decent housing for those whose hopes for such were generated years ago.

The Franklin Square area is the last area in center city where the opportunity to provide housing for those in need can be fulfilled. This would vitalize the city's core with the repopulation, the lifeblood of our community.

Failure by the planners to recognize this need now will create the chaos and crisis that Mr. Logue speaks about. Further deterioration must be checked.

Failure now will cause low- and middle-class income groups to believe that a hoax has been perpetrated on them.

We must not lose the opportunity to demonstrate proven citizen participation in our city.

We must prevent further citizen dispersion with its ruthless dislocation of homeowners and tenants from established neighborhoods, making for concomitant congestion in other sections with increased spread of blight. The importance of pride in one's home is a basic ingredient for good citizens. Let us build more homes for the low- and middle-income citizens at prices they can afford.

Maximum return for the funds invested for housing must be realized. We can have an ideal model city for all people of every race, creed, and color, Americans all, with standard, decent housing with a related system of open spaces and recreation areas to give the community green and open spaces for all people to live healthier, happier, contented lives.

Our priceless heritage and stable neighborhoods are irreplaceable. Let us avoid such social loss. To ignore this opportunity to solve the crisis of the cities is a despairing crime for which someone must answer and future citizens shall deplore. Let us not lose this incomparable opportunity to meet the challenge of the times for the sake of the future of our city and all its citizens.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. Reinecke (at the request of Mr. Gerald R. Ford), on account of illness in his family.

Mr. Mathias of Maryland (at the request of Mr. Gerald R. Ford), for the balance of week, on account of death in family.

Mr. Clark (at the request of Mr. Boggs), indefinitely, on account of illness in the family.

Mr. Kyros (at the request of Mr. Thompson of New Jersey), for Tuesday, August 8, and Wednesday, August 9, on account of official business.

Mr. Kirwan (at the request of Mr. Thompson of New Jersey), for Tuesday, August 8, and Wednesday, August 9, on account of official business.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

Mr. Patman, tomorrow, August 10, for 30 minutes; to revise and extend his remarks and to include extraneous matter.

Mr. Gerald R. Ford (at the request of Mr. Arends), for 60 minutes, today; to revise and extend his remarks and to include extraneous matter.

Mr. McDade (at the request of Mr. Edwards of Alabama), for 10 minutes, today; and to revise and extend his remarks and include extraneous matter.

Mr. Pucinski for 10 minutes, today.

Mr. Byrne of Pennsylvania (at the request of Mr. Montgomery), for 30 minutes, today; and to revise and extend his remarks and include extraneous matter.

Mr. Farbstein (at the request of Mr. Montgomery), for 60 minutes, on August 10, 1967; and to revise and extend his remarks and include extraneous matter.

EXTENSION OF REMARKS

By unanimous consent, permission to extend remarks in the Congressional Record, or to revise and extend remarks was granted to:

Mr. Evins of Tennessee.

(The following Members (at the request of Mr. Edwards of Alabama) and to include extraneous matter:)

Mr. Brown of Michigan.
Mr. Bray.
Mr. Saylor.
Mr. Arends.
Mrs. May.

(The following Members (at the request of Mr. Montgomery) and to include extraneous matter:)

Mr. Daddario.
Mr. Cohelan.
Mr. Rarick.
Mrs. Sullivan.

SENATE BILLS REFERRED

Bills of the Senate of the following titles were taken from the Speaker's table and, under the rule, referred as follows:

S. 922. An act for the relief of Euphemia King Hartley, James Hartley, and James Holmes Hartley; to the Committee on the Judiciary.

S. 1004. An act to authorize the construction, operation, and maintenance of the central Arizona project, Arizona-New Mexico, and for other purposes; to the Committee on Interior and Insular Affairs.

SENATE ENROLLED BILLS AND JOINT RESOLUTION SIGNED

The SPEAKER announced his signature to enrolled bills and a Joint Resolution of the Senate of the following titles:

S. 1281. An act to authorize the appropriation of funds to carry out the activities of the Federal Field Committee for Development Planning in Alaska;

S. 1701. An act to declare that the United States holds in trust for the Indians of the Battle Mountain Colony certain lands which are used for cemetery purposes;

S. 1762. An act to amend section 810 of the Housing Act of 1964 to extend for 3 years the fellowship program authorized by such section; and

S. J. Res. 10. Joint resolution to establish the Golden Spike Centennial Celebration Commission.

ENROLLED BILLS SIGNED

Mr. BURLESON, from the Committee on House Administration, reported that that committee had examined and found truly enrolled bills of the House of the following titles, which were thereupon signed by the Speaker:

H.R. 4496. An act for the relief of the village of Brooklyn Center, Minn.;

H.R. 4833. An act to provide for the conveyance of certain real property of the United States situated in the State of Pennsylvania;

H.R.7043. An act to authorize and direct the Secretary of the Department under which the U.S. Coast Guard is operating to cause the vessel *Northwind*, owned by Wallace P. Smith, Jr., of Centreville, Md., to be documented as a vessel of the United States with coastwise privileges; and

H.R. 8485. An act for the relief of Eddie Garman.

ADJOURNMENT

Mr. MONTGOMERY. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 7 o'clock and 46 minutes p.m.), the House adjourned until tomorrow, Wednesday, August 9, 1967, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

985. A letter from the Attorney General and President, Board of Commissioners, District of Columbia, transmitting a draft of proposed legislation relating to the prohibition of riots and incitement to riot in the District of Columbia; to the Committee on the District of Columbia.

986. A letter from the Chief Justice, Supreme Court of the United States, transmitting the report of the proceedings of a special meeting of the Judicial Conference of the United States, held in Washington, D.C., March 30 and 31, 1967, pursuant to the provisions of 28 U.S.C. 331 (H. Doc. No. 153); to the Committee on the Judiciary and ordered to be printed.

987. A letter from the Comptroller General of the United States, transmitting a report of need for improving policies and procedures for estimating costs, evaluating bids, and

awarding contracts for dredging, Corps of Engineers (civil functions), Department of the Army; to the Committee on Government Operations.

988. A letter from the Chairman, United States Commission on Civil Rights, transmitting the report of the Commission on Civil Rights, pursuant to the provisions of Public Law 85-315, as amended; to the Committee on the Judiciary.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. SISK: Committee on Rules. House Resolution 860. Resolution for the consideration of H.R. 43, a bill to authorize the Secretary of the Interior to construct, operate, and maintain the San Felipe division, Central Valley project, California, and for other purposes (Rept. No. 545). Referred to the House Calendar.

Mr. SISK: Committee on Rules. House Resolution 861. Resolution for the consideration of H.R. 845, a bill to authorize the Secretary of the Interior to construct, operate, and maintain the Nebraska midstate division, Missouri River Basin project, and for other purposes (Rept. No. 546). Referred to the House Calendar.

Mr. PEPPER: Committee on Rules. House Resolution 862. Resolution for the consideration of H.R. 6279, a bill to provide for the collection, compilation, critical evaluation, publication, and sale of standard reference data (Rept. No. 547). Referred to the House Calendar.

Mr. FALLON: Committee on Public Works. S. 602. An act to revise and extend the Appalachian Regional Development Act of 1965, and to amend title V of the Public Works and Economic Development Act of 1965; with amendment (Rept. No. 548). Referred to the Committee of the Whole House on the State of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. ADAMS:

H.R. 12152. A bill to amend the Public Health Service Act to establish the position of Chief Veterinary Officer of the Service and provide for the rank of Assistant Surgeon General for said position; to the Committee on Interstate and Foreign Commerce.

By Mr. BYRNE of Pennsylvania:

H.R. 12153. A bill to accelerate the construction and rehabilitation of low- and moderate-income housing in the United States in order to fulfill the national goal declared in the Housing Act of 1949 of "a decent home and a suitable living environment for every American family"; to the Committee on Banking and Currency.

By Mr. EDWARDS of Louisiana:

H.R. 12154. A bill to provide that a Federal tax lien shall not be valid against a purchaser of civil aircraft unless notice of such lien has been recorded under the Federal Aviation Act of 1958; to the Committee on Ways and Means.

By Mr. FARBSTEIN:

H.R. 12155. A bill to amend the Public Works and Economic Development Act of 1965 to make certain metropolitan areas eligible as redevelopment areas; to the Committee on Public Works.

By Mr. FASCELL:

H.R. 12156. A bill to provide that the nuclear accelerator to be constructed at Weston, Ill., shall be named the Enrico Fermi Nuclear Accelerator in memory of the late Dr. Enrico Fermi; to the Joint Committee on Atomic Energy.

By Mr. FISHER:

H.R. 12157. A bill to amend the act entitled "An act to provide for the recognition of the services of the civilian officials and employees, citizens of the United States, engaged in or about the construction of the Panama Canal," approved May 29, 1944, as amended, so as to provide benefits for certain persons not now covered by such act; to the Committee on Post Office and Civil Service.

By Mr. MONTGOMERY:

H.R. 12158. A bill to provide for the issuance of a special postage stamp in February 1968, to commemorate American Heart Month and the national fight against the cardiovascular diseases; to the Committee on Post Office and Civil Service.

By Mr. MULTER:

H.R. 12159. A bill to amend title 38 of the United States Code to provide that monthly social security benefit payments shall not be considered as income in determining eligibility for pensions under that title; to the Committee on Veterans' Affairs.

By Mr. NIX:

H.R. 12160. A bill to accelerate the construction and rehabilitation of low- and moderate-income housing in the United States in order to fulfill the national goal declared in the Housing Act of 1949 of "a decent home and suitable living environment for every American family"; to the Committee on Banking and Currency.

By Mr. REIFEL:

H.R. 12161. A bill to provide for orderly trade in textile articles; to the Committee on Ways and Means.

By Mr. RONAN:

H.R. 12162. A bill to provide that the nuclear accelerator to be constructed at Weston, Ill., shall be named the Enrico Fermi Nuclear Accelerator in memory of the late Dr. Enrico Fermi; to the Joint Committee on Atomic Energy.

H.R. 12163. A bill to reclassify certain positions in the postal field service, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. ROSENTHAL:

H.R. 12164. A bill to amend the Older Americans Act of 1965 to provide for an older Americans community service program; to the Committee on Education and Labor.

By Mr. RYAN:

H.R. 12165. A bill to provide for the establishment of a program under which tickets to professional, semiprofessional, and amateur baseball, football, basketball, hockey, and soccer games will be furnished at no cost by local police officers and firemen to individuals under the age of 19, particularly such individuals who are economically underprivileged; to the Committee on Interior and Insular Affairs.

By Mr. STEED:

H.R. 12166. A bill to provide for the establishment and maintenance by the Commodity Credit Corporation of reserve stocks of agricultural commodities for national security, public protection, meeting international commitments, and for other purposes; to the Committee on Agriculture.

By Mr. CONTE:

H.R. 12167. A bill to amend title IV of the Housing Act of 1950 to authorize annual grants to reduce the cost of private borrowing by educational institutions as an alternative form of assistance to the direct college housing loans presently provided for; to the Committee on Banking and Currency.

By Mr. GILBERT:

H.R. 12168. A bill to assist courts, correctional systems, and community agencies to prevent, treat, and control juvenile delinquency; to support research and training efforts in the prevention, treatment, and control of juvenile delinquency; and for other purposes; to the Committee on Education and Labor.

By Mr. GUBSER:

H.R. 12169. A bill to create the Freedom Commission and the Freedom Academy, to conduct research to develop an integrated body of operational knowledge in the political, psychological, economic, technological, and organizational areas to increase the nonmilitary capabilities of the United States and other nations in the global struggle between freedom and communism, to educate and train Government personnel and private citizens to understand and implement this body of knowledge; to the Committee on Un-American Activities.

By Mr. HARSHA:

H.R. 12170. A bill to revise and extend the Appalachian Regional Development Act of 1965 and to amend title V of the Public Works and Economic Development Act of 1965; to the Committee on Public Works.

By Mr. LONG of Louisiana:

H.R. 12171. A bill to amend the Public Health Service Act to provide for the payment of a rehabilitation pension to certain persons released from Public Health Service hospitals after treatment for leprosy, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. NICHOLS:

H.R. 12172. A bill to control unfair trade practices affecting producers of agricultural products and associations of such producers, and for other purposes; to the Committee on Agriculture.

By Mr. POOL:

H.R. 12173. A bill to provide for the training and equipping of the National Guard in riot control; to the Committee on Armed Services.

By Mr. TEAGUE of Texas:

H.R. 12174. A bill to authorize the Secretary of the Army to make certain changes in the roads located in Navarro Mills Reservoir, Tex.; to the Committee on Public Works.

By Mr. WATTS:

H.R. 12175. A bill to prevent Federal regulatory agencies from directly or indirectly denying regulated industries the right to exercise business judgment in selecting their method of depreciation or to account for depreciation on a deferred tax accounting basis; to the Committee on Ways and Means.

By Mr. BOLAND:

H.R. 12176. A bill to accelerate the construction and rehabilitation of low- and moderate-income housing in the United States in order to fulfill the national goal declared in the Housing Act of 1949 of "a decent home and a suitable living environment for every American family"; to the Committee on Banking and Currency.

By Mr. BRASCO:

H.R. 12177. A bill to provide Federal financial assistance to help cities and communities of the Nation develop and carry out intensive local programs of rat control and extermination; to the Committee on Banking and Currency.

By Mr. BUTTON:

H.R. 12178. A bill to amend section 212(a) (14) of the Immigration and Nationality Act, and for other purposes; to the Committee on the Judiciary.

By Mr. DEL CLAWSON (by request):

H.R. 12179. A bill to amend the National Housing Act to eliminate the adjusted premium charge presently imposed in cases where an insured multifamily housing mortgage is prepaid, and to provide for a refund of current unearned premium charges in such cases; to the Committee on Banking and Currency.

By Mr. FOLEY:

H.R. 12180. A bill to assist public and private nonprofit hospitals to carry out needed modernization and improvement projects by providing Federal guarantees of loans made for such purpose and by providing for Federal payment of part of the interest on such loans, and to encourage the development of new technology systems and concepts in the provision of health services; to the Committee on Interstate and Foreign Commerce.

H.R. 12181. A bill to amend the organic act of the National Bureau of Standards to authorize a fire research and safety program, and for other purposes; to the Committee on Science and Astronautics.

By Mr. HORTON:

H.R. 12182. A bill to amend the Internal Revenue Code of 1954 to provide an exclusion from gross income for suggestion awards; to the Committee on Ways and Means.

By Mrs. MAY:

H.R. 12183. A bill to authorize the naming of the reservoir to be created by the Little Goose lock and dam, Snake River, Wash., in honor of the late Dr. Enoch A. Bryan; to the Committee on Public Works.

H.R. 12184. A bill to provide for orderly trade in textile articles; to the Committee on Ways and Means.

By Mr. MURPHY of New York:

H.R. 12185. A bill to amend the Public Health Service Act to provide for the protection of the public health from radiation emissions from electronic products; to the Committee on Interstate and Foreign Commerce.

By Mr. PETTIS:

H.R. 12186. A bill to amend title 5, United States Code, to provide a period of 2 years within which a Government employee transferring to a new official station may claim reimbursement for expenses of the sale of his residence at his former official station and the purchase of a residence at his new official station; to the Committee on Government Operations.

By Mr. REUSS (for himself, Mr. MOORHEAD and Mr. ASHLEY):

H.R. 12187. A bill to provide meaningful employment opportunities in public service and other activities which will relieve severe unemployment in urban and rural areas and contribute to the national interest by fulfilling unmet needs; to the Committee on Education and Labor.

By Mr. SCHWENGEL:

H.R. 12188. A bill to create an independent school board in the District of Columbia; to the Committee on the District of Columbia.

By Mr. VAN DEERLIN:

H.R. 12189. A bill to amend title XVIII of the Social Security Act and related provisions or other acts to permit individuals insured for benefits under part A of such title to receive certain payments with respect to emergency hospital services furnished to them by certain hospitals which are licensed under State law; to the Committee on Ways and Means.

By Mr. WYATT:

H.R. 12190. A bill to provide for orderly trade in textile articles; to the Committee on Ways and Means.

By Mr. BEVILL:

H.R. 12191. A bill to provide for the training and equipping of the National Guard in riot control; to the Committee on Armed Services.

By Mr. KUPFERMAN:

H.R. 12192. A bill to provide Federal financial assistance to help cities and communities of the Nation develop and carry out intensive local programs of rat control and extermination; to the Committee on Banking and Currency.

By Mr. LLOYD:

H.R. 12193. A bill to provide for orderly trade in textile articles; to the Committee on Ways and Means.

By Mr. MINSHALL:

H.R. 12194. A bill to create an Office of Justice; to the Committee on Government Operations.

By Mr. O'KONSKI:

H.R. 12195. A bill to amend the tariff schedules of the United States with respect to the rate of duty on whole skins of mink, whether or not dressed; to the Committee on Ways and Means.

By Mr. VIGORITO:

H.R. 12196. A bill to provide that the nuclear accelerator to be constructed at Weston, Ill., shall be named the Enrico Fermi Nuclear Accelerator in memory of the late Dr. Enrico Fermi; to the Joint Committee on Atomic Energy.

By Mr. DULSKI:

H.R. 12197. A bill to make several changes in the passport laws presently in force; to the Committee on Foreign Affairs.

By Mr. BRAY:

H.J. Res. 774. Joint resolution proposing an amendment to the Constitution of the United States relative to equal rights for men and women; to the Committee on the Judiciary.

By Mr. TEAGUE of Texas:

H.J. Res. 775. Joint resolution proposing an amendment to the Constitution of the United States providing that citizens of the United States who are 18 years of age or older and are members of the Armed Forces of the United States shall not be prevented from voting in certain elections on grounds of their age; to the Committee on the Judiciary.

By Mr. WALKER:

H.J. Res. 776. Joint resolution to establish a national housing goal; to the Committee on Banking and Currency.

By Mr. PETTIS:

H.J. Res. 777. Joint resolution creating a Joint Committee To Investigate Crime; to the Committee on Rules.

By Mr. MOORE:

H. Con. Res. 484. Concurrent resolution relative to Citizens Radio Service; to the Committee on Interstate and Foreign Commerce.

By Mr. GATHINGS:

H. Con. Res. 485. Concurrent resolution to protect the sovereign rights of the United States in the Panama Canal Zone; to the Committee on Foreign Affairs.

By Mr. MOSHER:

H. Con. Res. 486. Concurrent resolution relative to Citizens Radio Service; to the Committee on Interstate and Foreign Commerce.

By Mr. BUCHANAN:

H. Res. 863. Resolution to amend the Rules of the House of Representatives to create a standing committee to be known as the Committee on Urban Affairs; to the Committee on Rules.

By Mr. FOLEY:

H. Res. 864. Resolution to establish a select committee to study financing of higher education in the United States; to the Committee on Rules.

By Mr. RANDALL:

H. Res. 865. Resolution to express the sense of the House of Representatives on the importance of continuation of U.S. operation of the Panama Canal; to the Committee on Foreign Affairs.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. GRAY:

H.R. 12198. A bill for the relief of Dr. Shu-Hsien Liu; to the Committee on the Judiciary.

By Mr. HAMILTON:

H.R. 12199. A bill for the relief of Robert E. Hendershot; to the Committee on the Judiciary.

By Mr. MORSE:

H.R. 12200. A bill for the relief of Francisco Verzi; to the Committee on the Judiciary.

By Mr. O'NEILL of Massachusetts:

H.R. 12201. A bill for the relief of Julia B. Bernardo; to the Committee on the Judiciary.

H.R. 12202. A bill for the relief of Firminio Antonio De Borba; to the Committee on the Judiciary.

By Mr. OTTINGER:

H.R. 12203. A bill for the relief of Giuseppe Martinetti; to the Committee on the Judiciary.

By Mr. SCHEUER:

H.R. 12204. A bill for the relief of Rupert Rodney; to the Committee on the Judiciary.

By Mr. VAN DEERLIN:

H.R. 12205. A bill for the relief of Aristo Rodriguez R.; to the Committee on the Judiciary.

By Mr. WRIGHT:

H.R. 12206. A bill for the relief of William F. McClelland; to the Committee on the Judiciary.

H.R. 12207. A bill for the relief of Gilma del Carmen Montoya; to the Committee on the Judiciary.

EXTENSIONS OF REMARKS

Wilson Wright Receives Good Government Award

EXTENSION OF REMARKS
OF
HON. DON FUQUA
OF FLORIDA
IN THE HOUSE OF REPRESENTATIVES
Tuesday, August 8, 1967

Mr. FUQUA. Mr. Speaker, the U.S. Jaycees have an outstanding program entitled the "Good Government Award." Through this medium, this great organization calls attention to public servants who exemplify the highest ideals of government service.

Recently, the Tallahassee, Fla., Jaycees presented their award to a close friend of mine, Wilson W. Wright, assistant attorney general of Florida.

This is a singular honor, for Tallahassee is the seat of our State government and the award could go to one of the 17,900 persons connected with State, county, city, or Federal Government.

Wilson Wright is one of those public officials who excells in public service and in his contributions to his State and Nation.

His energy and enthusiasm mark every job he has undertaken, and I might add that he has been exceptional at all of them. One wonders how he finds the time to do as many tasks as he sets for himself, and to do them so well.

The Florida Jaycees recognized him in 1961 as one of the five outstanding young men in Florida. In 1959 he received the Distinguished Service Award from the Tallahassee Jaycees.

He served as president of the Tallahassee Jaycees, and served as State secretary and national director of the Florida Jaycees. He is a past State president of the Young Democrats.

These are but a few of the highlights of the contributions of this young man. I want to join with his many friends and associates in paying tribute to that service, and particularly having been selected to receive the Good Government Award of the Tallahassee Jaycees.

It was well deserved.

One Step Forward in Support of U.S. Servicemen

EXTENSION OF REMARKS

OF

HON. JOHN P. SAYLOR

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, August 8, 1967

Mr. SAYLOR. Mr. Speaker, members of the Johnstown, Pa., Junior Chamber of Commerce, Inc., wanted to get a message to American men and boys serving in Vietnam. They thought it time for the folks at home to speak out in appreciation of our valiant fighting forces and to reassure them of our deep appreciation for their devotion and courage.

The Jaycees wanted everyone over there to know that everyone in the Johnstown area stands solidly behind our soldiers, sailors, marines, and flyers. So they provided space for signatures under this plain but profound communication:

ONE STEP FORWARD

We, the undersigned, take one step forward to sign this resolution as a pledge of our support for our valiant servicemen in Vietnam and around the world.

Their courage and sacrifices shall not be in vain, let all who behold our signatures on this document know that we accept our full responsibilities as American citizens and hereby pledge our devotion to the principles on which this country was founded.

Last Thursday, I had the good fortune to be at the Pentagon when 32 representatives of the Jaycees delivered petitions bearing this word with signatures of more than 62,000 residents of the Johnstown area. The presentation was made to Lt. Gen. L. W. Walt, U.S. Marine Corps, as representative of the Secretary of Defense. General Walt, who formerly commanded the Marine force at Da Nang, South Vietnam, said he would forward the petitions to General Westmoreland for wide dissemination at the fighting fronts so that there will be no doubt about the loyalty and support of the great majority of Americans.

The Johnstown Jaycees, under the capable leadership of its president, James Edwards, and "One Step Forward" chairman, Charles Murtha, are to be commended for this outstanding demonstration. I salute them and the following named Jaycees who came to Washington for the ceremony. I am proud of them and of all who signed this tribute to those who serve our country:

Fred Sax, 1624 Linwood Avenue.
Frank Hull, 614 Railroad Street.
Frank Albacite, Jr., 816 Tener Street.
Calvin George Sellers, 1363 Frankstown Road.
Richard Yernaux, 2308 Franklin Street.
Fran Kelly, 305 Tioga Street.
Dave Hinton, 217 Mifflin Street.
Jack Leffler, 2280 Sunshine Avenue.
Robert P. Puricelli, 146 Coal Street.
Glenn Jeffries, 127 Lulay Avenue.
Fred Moyer, 925 Lina Street.
Robert Gardill, 453 Bantell Street.
Robert Ondick, 714 East Oakmont Boulevard.
Rev. Charles Densevich, 916 Broad Street.
Richard Koestler, 1821 Ruby Street.
I. Samuel Kaminsky, 2066 Dundee Lane.
Fred H. Smith, 422 Colgate Avenue.
Louis G. Galliker, 922 Luzerne Street.
Leroy Schilling, 890 Leisure Avenue.
Angelo D. Manolas, 701 Edwards Hill Apartments.
George Nassif, R.D. 2, Box 482.
Donald Schweitzer, YMCA.
Raymond Clites, in care of WJAC-TV, Hickory Lane.
James Widman, 517 Indiana Street.
John Ungar, 1620 Shelbourne Drive.
Robert A. Gleason, Jr., 92 Thoburn Street.
Charles Murtha, 340 Tioga Street.
John Deibert, 201 Diamond Boulevard.
James Edwards, 1201 Norwood Street.
M. Wayne Sherbine, 115 Keppler Drive.
W. Paul Hunter, 189 Lunen Street.
Eli Cvanjanovich, 121 Locust Street.

It is my hope that the project will take root in every State, in every community and hamlet throughout this Nation. Now as at no other time in our history, are expressions of moral backing and gratitude desirable and necessary as a true indication of how we feel about our unselfish patriots facing the common enemy.

Plight of the U.S. Woolen Industry

EXTENSION OF REMARKS

OF

HON. CATHERINE MAY

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Tuesday, August 8, 1967

Mrs. MAY. Mr. Speaker, I am today introducing legislation designed to limit imports of foreign textiles into the United States, and to put foreign access to U.S. textile markets on an orderly and fair basis.

My decision to introduce this bill is a result of my concern over the plight of the U.S. woolen industry. Woolgrowers and manufacturers have been faced with a steady annual increase of wool imports. For example, in 1964, wool textile imports equalled 22 percent of our domestic production, and by last year the ratio had increased to 27 percent.

Displacement of domestic markets and loss of grower income are the results of this continuing trend. I urge the Congress to take prompt action on this proposal to reduce wool imports to reasonable levels.

Under this bill, the President would be authorized to negotiate agreements providing orderly and equitable trade in textile articles, and including quantitative limitations on U.S. imports.

When a significant portion of U.S. textile imports are covered by agreements, the President would limit imports from any country not participating in such agreements.

The measure also provides that if the administration is unable to conclude negotiations on agreements within 6 months after the enactment of the bill, textile imports would automatically be limited to their average annual quantity for the period 1961–66.

Federal Appropriations for Urban Areas Mount—Congress Responds to Needs and Problems of Our Cities

EXTENSION OF REMARKS

OF

HON. JOE L. EVINS

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Tuesday, August 8, 1967

Mr. EVINS of Tennessee. Mr. Speaker, there are those who are blaming Congress for the recent riots and violence in some of our major cities—charging that Congress has shirked its responsibility to our cities.

In this connection, and because of the interest of my colleagues and the American people in the record of the Congress, I include my recent newsletter, Capitol Comments, in the CONGRESSIONAL RECORD, as follows:

FEDERAL APPROPRIATIONS FOR URBAN AREAS MOUNT—CONGRESS RESPONDS TO THE NEEDS OF CITY PROBLEMS

(By JOE L. EVINS, Fourth District, Tennessee)

There are always those who blame Congress for the problems of the moment. Currently some officials are attempting to lay the cause of the recent riots and violence in some of our cities at the doorstep of Congress, contending that Congress has failed to adequately respond to the problems of our cities.

The fact that Federal appropriations for programs in metropolitan areas, including major cities, have increased 165 percent in less than a decade fails to deter these critics.

The facts are that Congress, within the past decade, has moved decisively to pass legislation and appropriations to combat urban problems in our large and small cities. Congress has funded many urban programs at increasingly higher levels each year.

President Johnson in his budget message for Fiscal 1968 pointed out that appropriations for programs in metropolitan areas have increased from $3.9 billion in 1960 to an estimated $10.3 billion in Fiscal 1968. This reflects an increase of more than $6 billion in seven years.

Our staff of the Subcommittee on Appropriations for Independent Offices and Department of Housing and Urban Development has prepared a list of appropriations for the past five years for some selected major housing and urban development programs (Fiscal 1964–68), as follows:

Urban renewal	$3, 684, 245, 000
Low-rent public housing	1, 176, 917, 000
Housing for the elderly and handicapped	275, 000, 000

Neighborhood facilities and college housing	$1,556,000,000
Urban planning grants	134,662,000
Open space land programs	209,475,000
Grants for basic water and sewer facilities	365,000,000
Public facility loans	600,000,000
Urban mass transportation grants	620,000,000
Model cities program (1 year)	248,000,000
Total	8,867,299,000

These figures do not include approximately $2 billion authorized to finance the several housing loan programs of the Federal National Mortgage Association, more than $2 billion provided for anti-poverty programs of the Office of Economic Opportunity, and other billions appropriated for highways, education, pollution control and many other programs—an estimated total of $23.8 billion in Fiscal 1968.

Certainly the Federal assistance programs for our cities, large and small, have played an important part in effecting major growth and progress. However, this assistance is not a substitute for local initiative and local leadership. This assistance is a financial incentive to assist local leadership in planning and carrying out various needed local municipal programs of growth and progress.

There are those who want Congress to do everything.

There are those who want Congress to do nothing.

And so traditionally the Congress has chosen a middleground—a mid-course between these extremes. As our population has has increased and shifted to major metropolitan areas, creating unprecedented problems in housing, health, blight, slums, crime and other areas, the Congress has passed measures to assist in the solution of these problems.

Congress continues to measure up to its responsibilities in providing assistance for urban areas. Congress this week is addressing itself to requests for further needed appropriations while also continuing its consideration of the Law Enforcement and Criminal Justice Assistance Act. This Act is designed to assist cities in strengthening their local law enforcement agencies and police departments.

There is no substitute for local leadership, local initiative and local responsibility. Congress can help—but the thrust for solution of municipal problems must come from the local level.

The Sixth District Speaks Out

EXTENSION OF REMARKS

OF

HON. WILLIAM G. BRAY

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, August 8, 1967

Mr. BRAY. Mr. Speaker, again this year, as is my custom, I conducted a public opinion poll among my constituents. The response was overwhelming and unprecedented. Thousands of poll cards, and hundreds of letters came in a steady stream of mail that lasted for nearly 2 months. I wish to submit the results of the poll at this time.

IN VIETNAM—WIN

Seventy-nine percent favored doing whatever necessary to win in Vietnam; 9 percent want to hold present positions and try to negotiate; 8 percent say we should withdraw, and only 3 percent favor the present course of action. Only 1 percent did not answer this question.

Eighty-three percent were against increased trade with European Communist countries; only 12 percent were in favor of this part of the administration's bridge-building policy; 5 percent had no opinion.

Ninety percent are against recognition of, or trade with, Communist China; only 8 percent approved. Two percent did not answer.

Frequently there were comments that we should adopt a get-tough policy toward communism. There was practically no support of the administration's policy of committing hundreds of thousands of men, and billions of dollars, to fight the Communists in Vietnam, and at the same time seeking to expand trade with and "building bridges" to the very countries that enable Hanoi to carry on the war.

CUT DOMESTIC SPENDING—DON'T INCREASE TAXES

Eighty-seven percent said the Government should cut domestic spending to meet its expenses. Only 5 percent favored a Federal tax increase; only 5 percent favored deficit financing. Three percent did not respond.

Sixty-two percent favored Federal tax sharing with the States; 29 percent were opposed. Nine percent had no opinion.

Sixty-three percent approved individual income tax credits for higher education expenses; 32 percent did not. Five percent did not reply.

I received many comments on the subject of taxes in general. Practically everyone felt taxes were already far too high. Many persons feel the time is long past for a complete overhaul of the tax laws. For instance the $600 exemption was frequently denounced as totally unrealistic and out-of-date with today's high cost of living.

BUILD AN ANTIMISSILE DEFENSE SYSTEM

Seventy-four percent favor a nationwide antimissile defense system, and only 18 percent oppose it. Eight percent had no opinion. "We must be ready for anything," was a typical comment.

BUT SLOW DOWN ON THE MOON RACE

I asked if we should continue our space program, aimed at landing a man on the moon by 1970. Fifty-eight percent said no; 35 percent said yes. Those opposed frequently cited the tragic and disastrous space capsule fire earlier this year. Seven percent did not answer.

THE MIDDLE EAST—NO DIRECT INVOLVEMENT

The poll went out at the time of the Arab-Israel war. Thirty-six percent said our actions in the Middle East should be economic and political measures only. Twenty-nine percent said we should stay completely out, with a strict hands off policy, and 27 percent thought the United Nations should handle it. Only 5 percent felt military intervention on our part would be sound, and 3 percent had no opinion.

OUR MAJOR PROBLEM TODAY

I asked the individual's opinion as to what our major problem today was. Thirty-four percent said Vietnam; 25 percent said inflation; 21 percent said crime. The remaining 16 percent cited such things as communism in general, overall moral decline, increasing power of the Federal Government over the lives of all citizens, and a weak, confused foreign policy. Four percent did not make a choice.

GENERAL CONCLUSIONS

Based on the tabulated returns, as well as on the many hundreds of detailed, precise letters, it is possible to draw some general conclusions as to what the people want.

First, if we start something, or get involved in it, we should go all out to finish it—win in Vietnam—and we should not attempt to do business as usual with the enemy—no trade with the Communists, no recognition of Red China.

Much of what the Government tries doing at home is unnecessary or unwanted—cut domestic spending—and, besides, the Federal Government cannot do it all—share Federal taxes with the States, and grant individual income tax credits for higher education expenses.

Keep our defenses strong, and be prepared—build the antimissile defense system—but be careful about giving too high a priority to prestige projects—go slow on the moon race. And, as was evident by the replies on the Middle East situation, we should be very careful about future foreign involvements.

Our people are willing to do whatever is necessary to keep our country strong and safe, and to honor our commitments both at home and abroad. But they do feel there is a limit to what we can do, or what we should attempt. There are many instances, to be sure, when the average person does not have access to all sources of information, but based on the comments that accompanied the poll returns, I find my district exceptionally knowledgeable and well informed.

This poll has supplemented the many other contacts I have with my constituents. It has encouraged many of them to let me know what they are thinking. I find it extremely valuable and helpful, and I am happy to bring the results to the attention of my colleagues.

Legislative Questionnaire, 1967, Seventh District of California

EXTENSION OF REMARKS

OF

HON. JEFFERY COHELAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, August 8, 1967

Mr. COHELAN. Mr. Speaker, earlier this year I mailed legislative questionnaires to all postal patrons in the Seventh District of California. Over 15,000 residents responded. The returned questionnaires were tabulated by the statistical firm of Data Management, Inc., and the results have been widely reported in the press.

There has been considerable interest in the results of the survey, and in order to share them with my colleagues, I would like to insert in the RECORD the press release which summarizes the returns:

More than 33 percent of those responding to Congressman Jeffery Cohelan's 1967 legislative questionnaire favor intensified diplomatic efforts, including a unilateral bombing halt, to end the war in Vietnam.

Immediate withdrawal of U.S. troops from South Vietnam was supported by 28.4 percent; greater use of military pressures, including unrestricted bombing of North Vietnam, was backed by 24.8 percent, while 13.8 percent favored the present balance of military and diplomatic efforts; (2.4 percent indicated no choice of policy).

In a separate poll conducted at the request of the Berkeley City Council, Rep. Cohelan's questionnaire showed 38.9 percent of the responding Berkeley residents supporting intensified diplomatic efforts; 32.1 percent favoring immediate withdrawal; 17.4 percent backing increased military pressures; and 12 percent agreeing with the present level of military and diplomatic efforts; (2.2 percent expressed no choice).

(Note to editors: the totals of slightly over 100 percent result from some respondents checking more than one option.)

The responses of over 15,000 residents of Cohelan's 7th Congressional District make up the results released by his Washington office today. The questionnaire has been mailed to all homes in the 7th District in late March. The 13 percent return, which Cohelan noted was one of the highest yet to his annual legislative poll, was tabulated by the independent Washington statistical firm of Data Management, Inc.

Other Cohelan questionnaire results show support for new civil rights legislation, including "open housing," and for restrictions on the sale of firearms.

Increased trade between the United States and the Communist countries of Eastern Europe was favored by over 75 percent, while nearly 60 percent would approve of increased congressional surveillance over the CIA and other intelligence agencies.

Appropriately half of those responding expressed support for increased funding of education, war on poverty, manpower training, housing and mass transit programs. More than half favored decreasing or holding at present levels highway construction, farm subsidies and the space program.

Only air and water pollution control drew overwhelming support (81.3 percent) for increased federal funding.

Following are the results of Congressman Jeffery Cohelan's 1967 questionnaire poll sent to residents of the 7th Congressional District:

1. Vietnam: Which one of the following policies do you most favor regarding the war in Vietnam?

[In percent]

(*a*) Maintain our present level of military and diplomatic efforts	13.8
(*b*) Intensify our military efforts, including unrestricted bombing of North Vietnam	24.8
(*c*) Intensify our diplomatic efforts, including a unilateral halt to the bombing of North Vietnam	33.4
(*d*) Withdraw our troops from South Vietnam immediately	28.4
Blank	2.4

CITY OF BERKELEY ONLY

(*a*) Maintain our present level of military and diplomatic efforts	12.0
(*b*) Intensify our military efforts, including unrestricted bombing of North Vietnam	17.4
(*c*) Intensify our diplomatic efforts, including a unilateral halt to the bombing of North Vietnam	38.9
(*d*) Withdraw our troops from South Vietnam immediately	32.1
Blank	2.2

2. Civil rights: Major civil rights proposals are before Congress. Do you favor legislation to:

(*a*) Guard against discrimination in the selection of Federal and State juries and insure they are drawn from a cross section of the community?

[In percent]

Yes	79.8
No	10.2
Undecided	5.0
Blank	5.0

(*b*) Strengthen the enforcement powers of the Federal Equal Employment Opportunity Commission?

Yes	60.0
No	22.8
Undecided	10.4
Blank	6.8

(*c*) Prevent discrimination in the sale or rental of housing?

Yes	57.3
No	30.1
Undecided	7.2
Blank	5.4

3. Social security increase: Proposed amendments to the Social Security Act include an average increase in retirement benefits of 20 percent. Minimum monthly benefits would rise from $44 to $70 for individuals and to $105 for married couples. These benefits would be financed in part by an increase in the Social Security payroll tax. Would you favor this proposal?

Yes	67.4
No	20.8
Undecided	8.8
Blank	3.0

4. Missile defense: One of the most expensive and controversial defense issues before Congress is whether or not to appropriate funds to begin construction of an antiballistic missile (ABM) defense system. Although the Russians have begun a limited system, Secretary of Defense McNamara has argued that we do not need one at the present time. Several military leaders and Members of Congress, however, have argued in favor of it. Would you support:

(*a*) Intensive efforts to secure an agreement with the Soviet Union to halt construction of an ABM system by both sides?

Yes	78.5
No	7.8
Undecided	3.1
Blank	10.6

(*b*) Construction of our own ABM system if no agreement can be reached?

Yes	30.6
No	35.2
Undecided	15.4
Blank	18.8

(*c*) Construction of our own ABM system immediately without waiting to see if an agreement can be reached?

Yes	15.6
No	59.3
Undecided	6.4
Blank	18.7

5. East-West trade: Do you favor the Administration's efforts to "build bridges" to the Communist countries of Eastern Europe, such as Poland, Rumania and Yugoslavia, by increasing trade in non-strategic goods?

Yes	77.3
No	16.1
Undecided	4.1
Blank	2.5

6. Central Intelligence Agency: At the present time, the operations of the CIA and other intelligence agencies are, for security reasons, reviewed by only a few members of the House and Senate Armed Services and Appropriations Committees. Do you favor enlarging Congressional "oversight" of intelligence agencies by creating a permanent Joint Congressional Committee on Foreign Information and Intelligence?

[In percent]

Yes	59.4
No	27.8
Undecided	9.3
Blank	3.5

7. The Draft: Congress is presently considering a number of changes in the existing draft law, which expires at the end of June. Do you favor:

(*a*) Continuing the present selective service system?

Yes	14.9
No	54.9
Undecided	8.4
Blank	21.8

(*b*) Replacing the present "selective" system with a random lottery from among those eligible for service?

Yes	22.1
No	44.1
Undecided	10.4
Blank	23.4

(*c*) Reversing the present "oldest first" order of call and beginning the draft with 19-year-olds?

Yes	30.9
No	34.0
Undecided	12.2
Blank	22.9

(*d*) Establishing uniform national standards for classification, exemptions and deferments?

Yes	63.2
No	13.4
Undecided	4.6
Blank	18.8

(e) Granting no further student or occupational deferments, except in the case of well defined "hardship"?

Yes	30.4
No	41.6
Undecided	8.1
Blank	19.9

(*f*) Eliminating the draft and paying whatever salaries are necessary to recruit a professional, all-volunteer military?

Yes	42.0
No	34.5
Undecided	9.1
Blank	14.4

8. Gun control: Several legislative proposals to restrict the sale of firearms are before Congress. Would you favor:

(*a*) Prohibiting the mail-order sale of all firearms?

Yes	74.5
No	15.8
Undecided	3.9
Blank	5.8

(*b*) Prohibiting the mail-order sale of handguns only?

Yes	23.8
No	40.3
Undecided	5.2
Blank	30.7

(*c*) Prohibiting the sale of handguns to out-of-state residents?

Yes	53.3
No	19.1
Undecided	6.9
Blank	20.7

(*d*) Prohibiting the sale of firearms to anyone under 18?

Yes	72.8
No	11.5
Undecided	4.1
Blank	11.6

9. Revenue and taxation: Although the Federal budget is out of balance this year

because of the costs of the Vietnam war, business activity also seems to be slackening. Under these circumstances, would you support:

(a) A surtax on individual and corporate income taxes to help balance the budget?

[In percent]

Yes	21.5
No	46.7
Undecided	16.1
Blank	15.7

(b) Restoration of the seven percent investment tax credit to stimulate business activity?

Yes	46.1
No	20.2
Undecided	20.1
Blank	13.6

10. Appropriations: The appropriation of funds for a number of major domestic Federal programs is determined each year by Congress. In general, do you favor increasing, decreasing or holding at present levels the following programs?

(a) Aid to elementary and secondary schools.

Yes	55.3
No	10.3
Undecided	29.1
Blank	5.3

(b) Aid to colleges and universities.

Yes	51.2
No	13.1
Undecided	30.0
Blank	5.7

(c) War on poverty programs.

Yes	48.1
No	26.9
Undecided	19.1
Blank	5.9

(d) School milk and lunch.

Yes	45.1
No	12.3
Undecided	36.1
Blank	6.5

(e) Manpower development and training.

Yes	58.0
No	12.7
Undecided	21.8
Blank	7.5

(f) Housing and aid to cities.

Yes	48.8
No	20.5
Undecided	23.5
Blank	7.2

(g) Mass transportation.

Yes	50.7
No	16.1
Undecided	24.9
Blank	8.3

(h) Farm subsidies.

Yes	13.7
No	48.4
Undecided	27.8
Blank	10.1

(i) Highway construction.

Yes	26.3
No	23.2
Undecided	42.9
Blank	7.6

(j) Space program.

Yes	15.1
No	47.5
Undecided	30.9
Blank	6.5

(k) Air and water pollution control.

Yes	81.3
No	3.6
Undecided	11.2
Blank	3.9

Efforts To Combat Child Malnutrition

EXTENSION OF REMARKS

OF

HON. LESLIE C. ARENDS

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, August 8, 1967

Mr. ARENDS. Mr. Speaker, I would like to point out one area of the foreign assistance program and food aid program in which we can all take pride. I refer to our efforts to combat child malnutrition.

Concern over child malnutrition is not a new development. But only recently have nations recognized the degree to which hunger and malnutrition can adversely affect sound economic development. Today new emphasis is being placed on this factor and increased energies devoted to tackling the problem.

There is increasing evidence of a working together by Government and private enterprise to utilize knowledge and technology to combat the devastating toll of child malnutrition. A unique war—the war against child malnutrition—can provide only more and better lives, as we wage it with greater vigor. If we retire from this war, casualties result. The war against child malnutrition is an effective use of a partnership between the U.S. free enterprise system and the Government. The Government called for the expertise of the private enterprise system to join in the conquest of child malnutrition. Out of this request, and the finest of Government-industry cooperation, there was developed a new produce called CSM.

What is this CSM which the Secretary of Agriculture described on July 26, 1967, as "a new, more efficient, more economical protein concentrate." CSM is being distributed by UNICEF, Church World Services, CARE, Catholic Relief, and many other voluntary agencies.

In a recent article in Today's Health, published by the American Medical Association, we find the following:

> CSM-Mix is one of the newest weapons in the Food for Peace Program's efforts to combat malnutrition. It was developed primarily for the infant (after weaning) and the school-age child.
>
> Maternal and child welfare programs, along with school lunch programs, are to have priority in receiving this food supplement through voluntary agencies. In view of the limited supplies of U.S. nonfat dry milk and other foods available for donation programs, it is hoped that CSM, along with a similar product called Ceplapro, will help in supplying protein and other much-needed nutrients.
>
> The mix, as the initials CSM would imply, is composed of corn meal (gelatinized), soy flour, and nonfat dry milk. It was estimated by the U.S. Department of Agriculture that three and one-half ounces would furnish a one-to-three-year-old child with 60 percent of his daily protein requirement, 62 percent of the calcium needed, and between 30 percent and 142 percent of the various minerals and vitamins, excluding vitamin C. The mix itself would supply one-fourth of the calories needed daily and costs about nine cents a pound.
>
> CSM is a powder which, since it has been precooked, can be prepared for consumption by merely adding it to boiling water for one minute. Ceplapro is much the same formula, although its shape is that of tiny, oval noodles. Yellow corn and wheat flour are used in Ceplapro instead of the gelatinized corn.
>
> In India and many other countries, CSM has been tried in such dishes as porridge, pancakes, and breads."

This great new product, is being universally applauded by the recipients in reports by the voluntary agencies distributing it. Those in Government, and those in private enterprise who have cooperated in bringing this new product to the world's malnourished, deserve the compliments of this body and of all our people. It is foreign aid at its best.

Michigan National Guard Commended

EXTENSION OF REMARKS

OF

HON. GARRY BROWN

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, August 8, 1967

Mr. BROWN of Michigan. Mr. Speaker, I would like to take a moment today to salute the Michigan National Guard for its handling of the recent Detroit riot.

Since the ashes in Detroit's riot ravaged West Side have settled, there have been some allegations and criticisms regarding the conduct of the Guard. Some say they were too hard. Some say they were too slow. Some say they were too fast. Some say they made mistakes. And, maybe they did. But a lot of mistakes were made. Not just by the guardsmen. By many people.

But it must be recognized that the National Guard was moved in without time to prepare for its actions in the riot, and was immediately involved around the clock in subduing serious outbreaks of arson, looting, and sniping. An example of the type of constant action required of the Guard, which has been related to me, was a call from a police precinct station several blocks away from where the Guard units were deployed. The call requested troops immediately "if the precinct station was to be saved." At one point, the sniping was so intense that the police were also pulled out in the west end of the city and control left to the guardsmen.

Furthermore, it is my understanding that only about half these troops were actively training at Camp Grayling at the time of the riot—the rest were with their families at home when they responded to the call.

Contrast this with reports that Federal troops were deployed first to Selfridge Air Force Base and then to the Michigan State Fairgrounds fully 12 hours before they were moved into action.

Obviously, they had time for "staging" and a greater opportunity to contemplate their moves and better organize themselves for action.

It is also my understanding that the highly trained regular Army troops were put on patrol or standby duty mainly east of Woodward Avenue where there was far less action than the burning, looting, and sniping that took place in the 12th Street and Grand River Boulevard area on the West Side of Detroit.

In view of all this, I should think that some well-deserved thanks are in order for those gallant guardsmen who stood up to a ravaging mob for countless hours, would grab a cup of coffee, a cold sandwich, and a couple of hours nap—and then go out and do it all over again.

They had "what it takes" when it was needed. I, for one, am proud of all of them—and grateful. I shudder to think what the results might have been if the National Guard had not been there.

In particular, I would also like to congratulate Brig. Gen. Noble O. Moore, of Albion, who was to have ended his active military career at 12:01 a.m. Sunday, July 23, 1967. His last active duty was to have been the 2-week field training of the Michigan National Guard's 46th Infantry Division at Camp Grayling. The encampment ended Sunday. But, instead of spending his final hours receiving the congratulations and plaudits of his associates and in the quiet routine of administrative work, General Moore's last assignment was one which will be part of history.

Until Sunday, July 23, General Moore was the assistant division commander. But later that day he was in Detroit conferring with the Detroit mayor to discuss a riot-control operation in conjunction with the Detroit police department.

With the callup of guardsmen completed, General Moore took command of the task force which assisted Detroit police during the worst of the rioting that Sunday and the following day. When the National Guard was federalized and Regular Army forces brought in, General Moore's contingent came under Federal authority, but he retained command of his brigade.

While General Moore and his men deserve our heartfelt gratitude and thanks for the service they rendered, it must be emphasized that special attention should be given to the training of National Guard troops specifically in riot control techniques, and they should be furnished the necessary equipment so as to more effectively deal with riots and other violent disturbances. I would, therefore, hope that a program would be undertaken immediately to accomplish this. The hour is at hand, and we must act to preserve law and order.

Sanctuary in Cuba

EXTENSION OF REMARKS

OF

HON. JOHN R. RARICK

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, August 8, 1967

Mr. RARICK. Mr. Speaker, Cuba, now that the Monroe Doctrine has become passé, is but a refuge for hordes of international Communists, protected by our secretive "hip pocket" diplomacy. Just 90 miles off our shore they enjoy a sanctuary to plot when, how, and where to bury the United States.

With representatives of most nations of the world present, including the U.S. civil rights leader, Stokely Carmichael, a sort of United Nations international image is projected to instill fear in the heart of all freemen. Not fear of the Bolshevik, but fear from the soft policies and indecision of our directionless leaders.

How can any thinking American justify the inescapable conclusion that the might of the United States guarantees the godless Communists not only a military base of operation but an international command post in our hemisphere—our backyard.

Mr. Speaker, I include my resolution, House Joint Resolution 496, filed April 11, 1967, and pending before the Committee on Foreign Affairs, following my remarks, followed by the Washington Evening Star articles of August 2 and 3, and Dr. George Benson's column of July 29, 1967:

H.J. RES. 496

Joint resolution to prevent the subversion of the United States and the American continents as proposed by the Communist government of Cuba under Castro, and for other purposes

Whereas there have been many suggestions and several resolutions as to the procedure necessary to stop Cuba's Fidel Castro from subverting the American continents; and

Whereas Fidel Castro's Communist regime has, by its actions, merited the condemnation of the Organization of American States as an aggressor nation; and

Whereas the Castro government at the Tri-Continental Conference declared, openly for all to know, its intent to overthrow every legally constituted government on the American continent, including that of these United States; and whereas, it has already put into practice the revolutionary plans of the Tri-Continental Conference of Havana in Bolivia, Venezuela, and Guatemala; and

Whereas the citizens people of Cuba, terrorized by huge arms buildup and foreign mercenary troops, cannot regain control of their government without outside help from the nearly one million fellow countrymen in exile; and

Whereas it is to the best interest of these United States not to have an aggressive dictatorship, supported by foreign arms and troops, menacing our people with atomic missiles pointed at our cities; and

Whereas it is in the peaceful interest of the United States Government, as well as a moral obligation to all Americans, to prevent Latin America and the United States from becoming a battlefield for guerrilla warfare, as planned by Castro at the Tri-Continental Conference of Havana; and

Whereas it would be a waste of the American taxpayers' dollars to donate funds for the Alliance for Progress in Latin America while Castro is at liberty to organize, finance, and direct guerrilla bands to attack and overthrow these same governments we are trying to help financially: Therefore be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the United States Government withdraw political recognition of Cuba's Communist government and thus encourage all Latin American countries to do likewise; and

That all governments who wish to participate in the Alliance for Progress must first withdraw political recognition of any Communist government in Cuba; and

That the United States State Department policy be clearly defined as no longer recognizing the Communist regime of Castro at Havana and that no reprisals will be taken against any Cuban in restoring freedom and constitutional government in their homeland Cuba; and

That any nation doing business with Cuba's Communist aggressor government of Fidel Castro will be subjected to an embargo by the United States in equal amounts to that country's imports to the United States; and

That the United States Government will recognize no government in Cuba until a truly constitutional government is established by free elections participated in by all Cubans.

[From the Washington (D.C.) Evening Star, Aug. 2, 1967]

CUBA EXPECTING CARMICHAEL FOR CONFERENCE ON REVOLTS

MIAMI, FLA.—Stokely Carmichael, American black power advocate, plans to attend next week's Havana conference aimed at brewing revolutions, the Cuban radio said today.

"We are going to be reunited with you in Havana because we think the Cuban victory is our victory and the courage of the Cuban people inspires our fight," the radio quoted Carmichael as saying in London.

Leftists and revolutionaries from throughout Latin America have begun arriving in Communist Cuba for the conference sponsored by the Latin American Solidarity Organization which starts July 31, the radio said.

Carmichael left Britain yesterday for Prague amid reports he was on his way to North Vietnam. For more than a week in Britain, he spoke at meetings in the Negro sections of London.

With an eye on racial violence in the United States, British Home Secretary Roy Jenkins ordered Scotland Yard to submit a full report on Carmichael's activities.

[From the Washington (D.C.) Evening Star, Aug. 3, 1967]

"GO TO HELL," CARMICHAEL TELLS STATE

MIAMI.—Stokely Carmichael today told the State Department to "go to hell."

In a post-midnight interview on Havana Radio, monitored here, Carmichael spoke contemptuously of possible State Department revocation of his passport because he went to Cuba without permission.

The Cuban interviewer referred to a statement attributed to Robert McCloskey, State Department spokesman, and to reports that U.S. customs offices were alerted for Carmichael's return.

The interviewer asked for Carmichael's position on "these threats against you personally."

"McCloskey is not my father, nor is he my mother," Carmichael replied. "I do not ask him for permission to go where I want to go. I go where I want, when I want, and I speak to whom I please. McCloskey and the State Department can go to hell."

The government forbids travel by U.S. citizens to certain Communist nations including Cuba unless an exception is approved in advance. Carmichael did not seek such approval.

Carmichael was interviewed on Havana Radio's English-language service beamed to North America via short wave. On Tuesday he had barred U.S. reporters from his news conference.

In today's interview he repeated his prediction of "urban guerrilla warfare" by Negroes against the U.S. Government. "Our only answer," he said, "is to destroy that government or to be destroyed while trying to destroy the government. At any rate, we are going to start with guns to get our liberation."

The interview was a further manifestation of the VIP treatment being accorded the militant American Negro by Cuban officials. U.S. racial turmoil is being mentioned often by speakers at the Havana conference of the organization of Latin American Solidarity, which Carmichael is attending.

Havana Radio said the conference would be in committee work today, after a round of speeches by delegates at yesterday's plenary session. Carmichael, an honorary delegate, got a standing ovation after his speech. He pledged Negro support for Latin American revolutions.

The declared goal of the meeting is to create more Vietnams for the United States in Latin America. The closing session is scheduled for next Tuesday.

CALLS FOR CHANGE

"We seek with you to change bases of the world," Carmichael said in addressing the conference yesterday, the Associated Press reported.

"Our destiny cannot be separated from the Spanish-speaking peoples," he declared.

Carmichael said young Negroes are carrying the racial revolution in the United States today.

"It is the young blood that contains the hatred mentioned by Che," said Carmichael, referring to a recent message purportedly from Ernesto (Che) Guevara, the missing Castro lieutenant.

[From the Summit Sun, July 27, 1967]

The Great Deception

(By George S. Benson)

> "People always have been and they always will be stupid victims of deceit and self-deception in politics . . ."
>
> —Nikolai Lenin.

Published reports on Soviet Premier Alexei Kosygin's visit with Fidel Castro in Havana, Cuba, give dramatic evidence of the incredible success of Russia's propaganda conquest of U.S. policy-makers and a large part of the American press. One of the biggest-circulation news weeklies in America, recognized in the past for its cold-eyed appraisal of the duplicity of World Communism, pictured the Soviet boss as a "dove" wanting to halt Cuba's exporting of guerrilla warfare and revolution into Latin America, and Castro as refusing.

"Most reports indicate that the Russians and Cubans found virtually no common ground," said this influential news magazine. Then this astonishing remark was made: "The Russians are described as being wary of violence in Latin America. They prefer helping Communist parties become respectable." This reporting is in character with much of the journalism being published throughout America. It is a true echo of what our Government leaders are saying today. This "good, respectable" image for Soviet Communism is the image on which our foreign policy is based. Is it a true or a false image? And what are the dangers involved if it is false?

DANGEROUS IMAGE

I believe the image of a changed, trustworthy Soviet Communism as the basis for our foreign policy is dangerous and could be disastrous. For the next several weeks we shall devote ourselves to reporting results of considerable reportorial research into the facts of the "Great Deception" through which our Government leaders, the American wire services, the TV networks, and other important news outlets seem to have been bewitched.

We intend to use Kosygin's visit to Cuba and Cuba's threat to the free world (under Soviet control) as the focal point of our examination of the deception. The titles of some of our forthcoming columns will be: "The Russians in Cuba" . . . "The Missiles in Cuba" . . . "Castro's Biggest Export: Revolution" . . . "We Are Protecting Red Cuba."

GUERRILLA TRAINING HEADQUARTERS

The American press generally is reporting some facts on Castro's exporting of subversion and guerrilla warfare, but even these reports are inadequate, frequently buried on newspaper back pages and ignored by the big TV network news programs. Almost invariably, in such relatively meager reportage, the observation is made that the Russian Red leaders deplore the "erratic" Castro's training of guerrilla bands for subverting, fomenting violence, and leading revolts against the Latin American nations.

I have the sworn word of one of the most respected men in international life that the U.S. State Department does not want Communist Cuba mentioned adversely—because it riles up the American people, and any overt action against Cuba would be contrary to U.S. commitments and would disturb our "good" relationship with the Soviet bosses. Our National Education Program staff has gathered voluminous sworn testimony from recognized authorities convincing any logical mind that Cuba is in fact not a harmless Castro-controlled and deteriorating island in the peaceful Caribbean but a constantly expanding fortress of World Communism, bristling with Soviet armaments, submarine bases, subterranean missile complexes, and operated as a Soviet outpost, under rigid Russian control, decisively strategic in Soviet plans for conquering the Western hemisphere.

FACTS EXAMINED

We have eye-witness testimony (which will be reported in subsequent columns) describing "Russian cities" in Cuba, vast underground missile establishments (built and operated today by Russians), a network of subterranean arsenals with huge tunnels and rail transport running sometime 60 miles and some containing under-mountain runways over which medium-size bombers and Mig 21's (made in Russia) roar, to take flight literally "out of the mouth" of caves like monstrous bats.

There is testimony (of authentic character) describing Russian missiles now in Cuba which measure 60-feet, the size of the IRBM 1500-mile missiles which Russia installed in Cuba in 1962 (then, reportedly, removed) and new missiles approximately 150 feet long—possibly the biggest Soviet ICBM's on which Russia has been developing multiple heads capable of instantaneous deployment, through cluster firings, all over a nation. The truth about Cuba constitutes a dramatic denial of the fiction on which much of our foreign policy is based. It spotlights the great deception which seems to have victimized our leaders and now is endangering our survival.

The Technical Aspects of Pollution Abatement

EXTENSION OF REMARKS

OF

HON. EMILIO Q. DADDARIO

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Tuesday, August 8, 1967

Mr. DADDARIO. Mr. Speaker, during the second session of the 89th Congress, I had the honor to chair the Subcommittee on Science, Research and Development during extensive hearings into the technical aspects of pollution abatement. As a result of these hearings, the subcommittee prepared a report which helped define the role of science and technology in pollution abatement. As I said in my letter transmitting the report to the Honorable George P. Miller, chairman of the Committee on Science and Astronautics, the report "describes where the country now stands technologically with regard to pollution abatement and what it must do to improve its position."

The report said:

> The overall goal of pollution abatement is to restore and maintain the quality of the environment without disrupting the economy and the culture. This goal is ambitious and carries some aspects of both eating and having the cake. The very large price to be paid by each citizen for pollution abatement has not been fully realized as yet. Important means of obtaining the goal are the necessary facts and know-how to measure the qualities to be preserved. and, to segregate contaminants (from the reusable resources) so they are not a disadvantage to us. More knowledge of the living world and of the result of man's actions is what is needed to achieve this two-part goal of waste management.

The need to approach our pollution problems with this goal in mind is well expressed in an article in the July 1967 issue of Public Relations Journal. In this article, Mr. Kerryn King, who is vice president, Employee and Public Relations Department of Texaco Inc., New York, and who is a member of the board of directors of the American Petroleum Institute, describes how the petroleum industry is working with the Federal Government and various other groups to solve our air and water pollution problems.

Under unanimous consent, I include the full text of Mr. King's article in the Record:

Crisis of Concern: Air and Water Pollution

(By Kerryn King)

The current "crisis of concern" over air and water pollution presents a classic example of the need for effective public relations—to keep open all channels of communication, to define common interests, and to establish an area of mutual understanding between everyone concerned, including business and industry, government, conservationists and the general public.

It was with this view of the situation that the oil industry undertook a public relations program to communicate its efforts to preserve and improve the quality of our environment. Its goal was to maintain an atmosphere conducive to the adoption of abatement or control measures that are technically sound, economically practical and socially feasible in order to prevent precipitous action that could do lasting harm to the public interest.

In the absence of such an atmosphere, positions tend to become polarized, to the benefit only of the demagogues and the self-interested, and to the cost of the public good, including the interests of business and industry and the cause of air and water conservation.

One of the basic facts of the pollution and pollution control problem was well expressed by Joseph L. Fisher, an outstanding conservationist and president of Resources for the Future, Inc. In the introduction to the RFF annual report for 1966, he said, "ideas about natural resources and their conservation cannot be expressed apart from people and their values, capacities, needs and culture."

The goal of the oil industry's approach to the problem, which is based on a recognition of "people and their values . . ." is thus the same as that stated in "Environmental Pollution," prepared by the Congressional Subcommittee on Science, Research and Development under the chairmanship of Representative Emilio Q. Daddario of Connecticut. Congressman Daddario said:

"The overall goal is to restore and maintain the quality of the environment without disrupting the economy and the culture. This goal is ambitious and carries some aspects of both eating and having the cake. The very large price to be paid by each citizen for pollution abatement has not been realized as yet. Important means of obtaining the goal are the necessary facts and know-how to measure the qualities to be preserved and, to segregate contaminants (from the reusable resources) so they are not a disadvantage to us. More knowledge of the living world and of the result of man's actions is what is needed to achieve this two-part goal of waste management."

In the same vein, Secretary of Transportation, Alan S. Boyd said, "let us not become so determined on ends that we grow indiscriminate in our means." And as a warning to those who might ignore the need for reason and reasonableness as expressed by Resources for the Future and the Daddario Report, he said: "We should never forget that some of the cleanest air in the United States can be found in ghost towns. . . . Air pollution beyond a certain level is injurious to the family. But so, in its own way, is unemployment."

Unfortunately, however, not everyone is approaching the problem with this same understanding, including some whose reactions are based solely on demagoguery or self-interest, but also those who are reacting in what they consider to be good faith. Among the latter are people calling for drastic action without regard to its consequences because of panic or a naive view of the problem. There are also those who do not want to do anything because they cannot recognize the urgency of the problem or accept any responsibility for contributing to its solution.

The extremists on this, as on almost any problem of public concern, are in the minority, but they represent a danger to sensible solutions because by polarizing points of view they make effective communications difficult. Thus, we find instances of some who might simply say that we must stop polluting our air and water being called soft-headed and against business, industry and progress, and instances of some who would simply warn that we should be careful not to harm our economy with excessive and unnecessary restrictions being accused of saying that we will have to put up with pollution as the price of progress. Secretary Boyd, for example, was editorially criticized as having "sold out" because he reminded us of the truism that ends cannot always justify means.

The oil industry does recognize the problems of air pollution, as they actually exist and as the public tends to believe they exist, and it has accepted the challenge they present. It has responded as individual companies and through its major trade and service association, the American Petroleum Institute. It spent some $250,000,000 on just air pollution control equipment and research during the last ten years, including an estimated $43,000,000 in 1966 alone. It is confident that through its own efforts and through the work of government agencies, and the automotive and other industries, the various pollution problems can be brought under control. And it is confident this can be done with solutions that are practical and economical as well as effective. It also knows that all such solutions do not now exist and cannot be developed without more research, money and time. It is putting major research and financial resources into its efforts; it must also be permitted enough time—time for research and time for the technology to develop so the results of research can be implemented.

Consequently, a major public relations problem facing the oil industry, along with everyone else concerned with air and water conservation, is the fact that public and official concern and demands for action are increasing more rapidly than the actual growth of the problem and more rapidly than the ability of all levels of government and industry to deal with it.

Surveys of public opinion make it clear that public awareness and concern are increasing rapidly—that air and water pollution now rank high in the public's listing of community problems. The paradox is that public concern has increased during the last few years when much more was done to reduce pollution than in any preceding period. The explanation has two parts: First, the public has been subjected to a massive campaign to "alert" it to the dangers of pollution, a campaign that is supported by many but that is carried on mainly by the Federal Government to generate support for specific legislative authorizations and increased appropriations. Second, actions taken to reduce pollution also serve to focus public attention on the problems being solved.

Much more serious is the behavior of some official agencies. There is not always an honest and frank meeting of minds to establish meaningful and reachable standards, and a recognition of the efforts of industry to meet them. Instead, there often is a pattern of some agencies using agreed-upon standards only as a basis for stricter standards, without any apparent regard to whether or not they are necessary, while ignoring or disparaging consideration of the problems of meeting them. The changing standards for sulfur control in New York City provide an example.

In 1965, a study by the New York City Council recommended a program to reduce sulfur content in fuels to 1.0 per cent by steps over nine years. In May of 1966, the Council enacted legislation calling for the reduction to that level in less than five years. Then, in January 1967, the Conference on Abatement of Interstate Air Pollution in the New York-Northern New Jersey Metropolitan Area recommended that by October 1, 1969, the sulfur content of fuels used in existing power plants be reduced to 1.0 per cent and that all other coal and oil used in the area be reduced to 0.2 per cent and 0.3 per cent respectively.

This practice is like raising the bar higher even before you are sure the jumper can clear it as it stands. It is done without consulting with industry in good faith, and without apparent regard for the enormous capital investments that often must be made to meet new standards and the enormous costs that the public ultimately must bear. It is estimated, for example, that meeting the sulfur standards proposed for the New York City area will cost the consumers over $150,000,000 a year. The rush to impose such standards, instead of a rational search for the most effective way to achieve the desired air quality, would seem to be lacking in a real concern for "people and their values."

The problems that can be caused by such overreacting—the loss of perspective and concern for the realities of the world in which pollution must be dealt with—is illustrated by the fantasy of the electric automobile. To give the matter some perspective, one of the most optimistic studies of the future of electric automobiles, that was prepared by the Federal Power Commission, indicates that they would account for only about two per cent of the vehicles in use in the United States by 1975. In other words, if nothing else were done to reduce vehicle emissions they would reduce vehicle-caused pollution by two per cent. Meanwhile, the technology is now available and steps are being taken to reduce gasoline-powered vehicle emissions by over 80 per cent—and work is underway that should lead to further reductions well before 1975.

Similar precipitous action is illustrated by the problem New York City has with apartment house incinerators. Beginning on October, 1951, New York City required all new apartment buildings of four or more stories or 12 or more dwelling units to have incinerators for burning garbage. This action helped solve part of the city's solid wastes disposal problem, but it aggravated its air pollution problem. When the City later awoke to the fact of how much incinerators were polluting the air, it established rigid emissions standards and required that garbage be carted away from apartments that could not meet the standards. The owners of such apartments are obligated to pay for such garbage removal services—except those who installed incinerators during the period when they were required. In those cases, the City has had to accept the responsibility for providing garbage removal services without charge.

The public relations problem illustrated by these two examples is that you get a better audience if you promise a panacea. And since there are no panaceas for air and water pollution, the oil industry has to demonstrate to the public in general and government in particular that while it is dealing with the problem with a sense of urgency, and with respect for its obligations to the public interest, it needs time for studies, research and development so that it can properly serve the many public interests involved.

Consequently, the oil industry has fully integrated its public relations efforts with its programs for air and water conservation. This reflects the simple fact that, in the long run, the only thing that will allay public and official concern and possible criticism of the industry is progress in reducing the problem. It reflects also that while the problem is primarily technological, any possible solutions will have many social and political ramifications. Integration is achieved overall through a special committee of the American Petroleum Institute's Board of Directors which is responsible for the several API committees and staff groups working in such general areas as research, and laws and regulations, and in more specific areas such as low-sulfur content fuel supplies and sulfur removal, refinery operations and tanker operations. That alone would be coordination not integration. In fact, however, there is day-by-day working together—many of the faces seen at a meeting to review a research project can be seen again at a meeting to review a script for a motion picture or testimony for a legislative hearing, for example.

A further consequence of the social-political-technological nature of the problems is the importance of the oil industry itself as a primary "audience," along with government and the general public. There is a continuing need for the industry to be kept informed—on pollution problems as they actually exist, on progress in reducing them, on public and official opinion, on the actions of legislative bodies and government agencies, on the work being done by related industries. The various committees of API and other industry working groups provide a clearing house for such information, but beyond that the API has a formal information program directed toward its member companies. It includes the preparation and distribution of a special "Air and Water Conservation News" newsletter, bibliographies on technical and popular articles, papers, reports and books, background papers on major aspects of the subject, and legislative reports; and the distribution of testimony and major speeches by industry and government officials; and, the distribution of publications and other material produced by its member companies.

The oil industry's relations with government are directed toward helping to develop solutions to the problems of air and water pollution and toward demonstrating the industry's concern and good faith. Aside from its formal participation in public legislative hearings, its relations are mainly that of offering technical assistance and collaborating on research projects and studies. The industry, for example, is sponsoring research at government facilities and cooperatively sponsoring research projects with government agencies, and nearly all 30 of the current API research projects have been reviewed in advance with government officials. Beyond this, it is working with all levels of government and has actively supported State and local air and water conservation measures.

The industry's program is definitely low-keyed as far as it is directed toward the general public. It has not mounted any general effort to convince the public of anything, only to assure it that the problem is recognized and that something is being done about it. It is concerned primarily that what is presented to the public be accurate, and in being accurate thus be fair. The API, for example, has developed information and material so that it and its member companies can service all media, and it is developing additional materials for educators, conservationists and other interested individuals. It has not, however, broadly distributed unsolicited material.

The oil industry, in brief, is not trying to "sell" any solution to the pollution problem; there is as yet no simple solution to be sold. Instead, it is trying to maintain communication and understanding so that all concerned can work to develop solutions that do recognize people and their values and that will serve all of their interests.

Former Senator Paul H. Douglas Endorses Credit Disclosure Features of H.R. 11601, Tightening Senate Truth-in-Lending Bill

EXTENSION OF REMARKS

OF

HON. LEONOR K. SULLIVAN

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Tuesday, August 8, 1967

Mrs. SULLIVAN. Mr. Speaker, this morning it was the privilege of the members of the Subcommittee on Consumer Affairs of the House Committee on Banking and Currency to hear former U.S. Senator Paul H. Douglas, of Illinois, testify on legislation dealing with consumer credit, including the concept of truth in lending which he originated in legislative form 7 years ago and which he has fought valiantly to write into law ever since.

As I told the subcommittee and our audience in introducing Senator Douglas at the start of our hearing this morning:

Statement by Chairman Leonor K. Sullivan, of the Subcommittee on Consumer Affairs, House Committee on Banking and Currency, August 8, 1967, in Opening Second Day of Subcommittee Hearings on H.R. 11601, the Consumer Credit Protection Act, and H.R. 11602, Truth in Lending as Passed by the Senate

I was very pleased with the thoroughness and interest with which our witnesses yesterday opened this series of hearings into consumer credit legislation. From the line-up of witnesses today, I am confident we will learn a good deal more about this important subject. Every Member of this Subcommittee has sponsored one or the other of two major bills before us, which indicates that we *start* with the Senate-passed bill *as a minimum* on which every Member here can agree. How much more we can succeed in writing into the legislation will depend upon the information we can develop in these hearings, for I am sure there is, on the part of all of us, a willingness to look at the facts and not foreclose any idea without a hearing.

In seeking information on the subject of consumer credit, there is no better teacher in the country, and, I suspect, in the civilized world, than our First witness this morning—the economist who *invented* the Truth-in-Lending legislation, and who spent six long, hard, dedicated and remarkable years instructing the Senate Banking Committee, and the entire country, in the need for an effective law on credit disclosure. I think he succeeded finally in convincing everyone of that.

Former Senator Paul H. Douglas is a patient teacher as well as a brilliant economist, and we are about to enjoy a master class in a subject which can be made to sound incomprehensible when the purpose is to convince us that the problem is too complex to solve through legislation. We are counting on you, Senator, to pierce the fog for us and advise us, out of your great wisdom in this field, how we can truly protect the American consumer in his use of credit. We welcome you to the House Committee on Banking and Currency and are grateful to you for agreeing to come here this morning, for we are carrying on a work you started and we want your guidance.

Senator Douglas is still serving the people of the United States through official office as Chairman of the Commission on Urban Problems created by the Banking and Currency Committee of the House, and I might add, in the Housing Act of 1965. I am sure, Senator, that you see a very close connection between the problems of our cities and the problems which this legislation intends to solve.

H.R. 11601, CONSUMER CREDIT PROTECTION ACT, GOES BEYOND TRUTH IN LENDING

Mr. Speaker, we were not disappointed in Senator Douglas' testimony. He certainly did not endorse every detail of every provision of H.R. 11601, the Consumer Credit Protection Act, which I have introduced as chairman on behalf of half of the members of the subcommittee and which numerous other Members of Congress have cosponsored in companion bills.

H.R. 11601 contains such provisions as an interest rate ceiling, a ban on garnishment, standby credit controls, creation of a National Commission on Consumer Finance, a ban on "confession of judgment" notes, standby authority to regulate margins in commodity futures trading, and a provision dealing with the truth in advertising of credit terms.

None of these things I have mentioned was ever included by Senator Douglas in any of the truth-in-lending bills he introduced from the spring of 1960 until he left the Senate following the completion of his third term this past January.

Nevertheless, as our witness this morning, Senator Douglas candidly discussed all of these issues with us, expressing reservations on some features, opposition to some, and support for others. His testimony was extremely helpful, and under unanimous consent, I submit it for inclusion in the CONGRESSIONAL RECORD:

Testimony of Paul H. Douglas Before the House Subcommittee on Consumer Affairs, Banking and Currency, August 8, 1967

Madame Chairman and members of the Committee, I appreciate your inviting me to testify before your Committee. I had some hesitancy about accepting. I have always believed that ex-senators should fade away from Capitol Hill and not linger on as empty political ghosts. And, there is an added reason why a former denizen of the north side of the Capitol should not come over to the south side.

But Congresswoman Sullivan was so generous and hearty in her invitation that I swallowed my scruples and agreed to come. And, I hope you will not hold it against me that I am here.

I

I am of course tremendously pleased that the Senate passed a relatively good truth-in-lending bill on July 11, 1967, by the suprising vote of 92 to 0. It may have marked the beginning of the end of a long, long struggle and it was a great victory for Senator Proxmire and its supporters. For I introduced the first truth-in-lending bill as long ago as the Spring of 1960. But, despite six years of hearings and study, we were never able to get it out of the basement of the subcommittee except for one brief day when the full committee under the able generalship of its then chairman proceeded to knock it on the head and send it back to the dark cellar.

But times have changed. Public opinion has become informed. People are more and more coming to the conclusion that consumers should not be gulled by trickery but are entitled to the truth, and that this applies to borrowers as well as buyers. Caveat emptor has gone out of vogue. Perhaps also the realization that the people could be helped in this way without cost to the treasury was especially appealing when the need for improving American life was coming up against the budget restraints created by the war in Vietnam.

That we were stymied for so long was due primarily to the unrelenting opposition of most of the private lending and selling agencies. From the very beginning, we were fought by the personal finance companies, the dealers in durable consumers goods sold on credit, mail order houses, the department stores and retailers of soft goods, the Chamber of Commerce, the banks and the American Banking Association, the American Bar Association, and virtually all of the so-called financial and mercantile establishment. This was powerful opposition and it is no wonder that despite increasing popular interest and support we were never able to get a favorable vote.

It is being said by some of the former opponents of the bill that if I had been willing to compromise, the bill could have passed long ago and that only my stubbornness prevented the opponents from joining the happy throng of supporters.

While I do not care about either praise or blame as long as a good bill is enacted into law, I must object to this remark. I was perfectly willing to compromise on less important features if I could only establish the essential point—namely to have the financial charges stated to buyers and borrowers as *an annual rate on the amounts actually owed*. But it was precisely this feature that my opponents were never willing to concede until now. They tried to argue that no one could compute the annual rate; that 3 percent a month was not 36 percent a year; and that 1½ percent a month did not equal 18 percent a year. They wanted to retain the growing practice of concealing both the price and interest rate on many durable goods such as automobiles, television sets, furniture and washing machines by the device of only quoting so much down and so much a month—only that and nothing more. They were reluctant to abandon the practice in the case of personal loans of the banks charging interest on the original amount borrowed rather than on the declining balance of the amounts actually owed. By this method they concealed the fact that the real rate of interest was approximately twice that which they actually quoted, and they were not averse to adding special charges such as finders fees, filing fees, credit life insurance at high rates, etc, etc.

During those six years of struggle, I was never once able to get our opponents to agree on the basic principle of the annual rate of the amounts actually owed.

It is a tribute to the merits of the democratic process, however, that gradually the public became convinced of the essential soundness of this simple principle. The abuses were becoming more important as the amount of consumer debt rose from 56 billion dollars in 1960 to 93 billion in the spring of this year, while mortgage debt on single family and those of less than 5 family units increased from 141 to 227 billion dollars. With the total personal debt rising to 320 billions—only 11 billion or 4 percent less than the national public debt of 331 billions—people slowly concluded that it was time to stop, look and listen. Support came from a number of public minded groups such as the credit unions, the mutual savings banks of the Northeast, the industrial unions and various consumers groups. Bless all of them and the hundreds of devoted men and women who rallied to the cause. Finally after our sub-committee held hearings in Boston and after a scandal involving the personal credit industry had besmirched leaders in the Massachusetts legislature, the public spirited citizens of that state got the legislature to pass a series of good truth-in-lending bills. These are now in effect and are apparently working well.

The opposition began to weaken. Senator Proxmire took up the battle after my defeat of last fall, gave able and devoted leadership, and finally got a bill through both the Committee and the Senate.

In order to get anything passed, against heavy odds, he had to agree to several compromises. The most important of these was the virtual exemption of most of the so-called revolving credit from the requirement of stating the annual rather than the monthly rates. Here the mail order companies, the department stores and the merchants who are now extending about $5 billions of such credit were simply too strong. It was impossible for Senator Proxmire to get his bill through unless he accepted the exemption. Having been voted down in Committee on revolving credit, it was a case of yielding on that point or else. He should not be blamed in the slightest. In a similar situation I would have done the same thing.

In order to reduce the danger that a larger and larger proportion of credit would be channeled through the revolving credit loophole, Senator Proxmire however was able to limit this exemption by providing:

(1) That it would not prevail where the seller had the right to re-possess the goods upon default in the schedule of payments. This barred the door to exemption for most of the sales of durable goods such as autos, television and radio sets, furniture, washing machines, refrigerators, etc. and tended to limit the exemption primarily to soft goods and credit cards;

(2) That where less than 60 percent of the initial price was to be repaid in the first year, this exemption was not to apply, or to state the matter in another way, when 60 percent of the purchase price is to be repaid within the year, exemption would be granted.

In practice these provisions will exempt Sears Roebuck but will include Montgomery Ward and Spiegels, the latter now owned by Beneficial Finance.

In order to smooth the way for his bill, Senator Proxmire also felt compelled to exempt first mortgage credit on homes as well as in those cases where the total finance charges came to less than $10.

II

It is fortunate however that we have two legislative chambers whereby one body can correct the errors and omissions of the other. Mrs. Sullivan and her associates have produced an able bill in H.R. 11601 which corrects some of the weaknesses which Senator Proxmire was unwillingly forced to accept, and they have added certain additional features of their own. To my eyes, the most important improvement in the Sullivan bill over the Senate bill is that it completely eliminates the exemption for revolving credit. It also omits the exemptions on first mortgage credit and on finance charges of less than $10 and includes both.

While the Sullivan bill, like that of the Senate, also gives the administrative jurisdiction over the measure to the Federal Reserve Board with its penalty of double damages for knowing violations, it also provides the additional power of issuing cease and desist orders. Then in addition H.R. 11601 requires truth in the advertising of credit and sets up a commission to study consumer credit. These are features which were never included in any Senate bill.

The Sullivan bill (H.R. 11601) also sets a maximum legal rate ceiling of 18 percent on consumer and personal loans; gives authority for the Reserve Board to regulate credit used in trading in commodity futures; and gives the President power to regulate other terms of consumer credit in periods of national emergency.

Finally in Title II, the Sullivan bill prohibits the garnishment of the wages or salary of an employee to collect an otherwise unpaid debt.

It is obvious that you have been giving this matter deep study for a long period of time. On the whole the Sullivan bill is extremely good and, except on a few doubtful points, it is intrinsically superior, as I hope to show, to the Senate bill.

We have all seen many funny things happen to good measures on their way to and through the forum. But as seasoned veterans well trained in parliamentary maneuvers, I am sure that you will not be led down the garden path by the honeyed words of crafty seducers to ultimate obfuscation. And, I also know that you are even more aware than I am of the dangers of stirring up added and otherwise non-existent opposition to the main principles by loading the ship with more burdens than it can carry into port. Thus I am sure we all have our eyes on the ball, namely the effective requirement of an annual rate on the outstanding unpaid balance of as large a proportion of consumer debt and personal loans as possible. With that as a guide, we cannot go wrong.

III

I am of course happy that most of the Republican members of your committee under the leadership of my long-time friend Bill Widnall have adopted the Senate bill (S. 5) lock, stock and barrel in their H.R. 11602. I only wish I had enjoyed the companionship of these genial and fair-minded gentlemen on our Senate Committee during the six frustrating years which we spent trying to get the simple basic principles agreed upon. Unless there are aces up their sleeves, which in our innocence we do not see nor even suspect, the Widnall bill should narrow the differences between us and make the issue not whether we can get any decent bill at all, but whether we cannot improve on Senate bill S. 5 and still get it adopted.

We should—and I hope we can—improve on the Senate bill, and I congratulate Mrs. Sullivan and her gallant co-sponsors for trying.

IV

1. The most important improvement which you have made over the Senate bill in your H.R. 11601 is to include revolving and open-end credit. There is every reason to do so. Revolving credit is increasing in importance, having apparently risen from 3½ to 5 billion dollars while the Proxmire bill was under consideration. The spreading use of credit cards is increasing this still further, and there is every prospect that this trend will persist. The rate now charged is 1½ percent a month on the amount due at the beginning of a monthly billing period. In spite of all the hair-splitting this is the equivalent of 18 percent a year, and there is no legitimate reason for not quoting this rate alongside and with the monthly rate. The same amount of free-riding on credit purchases within the previous billing month which is now granted under revolving credit would still be accorded the buyers—but no more and no less. If this practice is proper now, it would be proper then, and industry opponents cannot condemn this feature of the Sullivan bill without condemning their present practices. As is now true, credit would be measured from the date the service charge begins and not from the date of purchase. The existing free loading of credit up to the time that the service charge is made is probably reflected in a higher price. It would be wrong to charge customers twice, in interest as well as price, for the same service.

Therefore let the nonsense cease. There are twelve months in the year and a monthly rate of 1½ percent is an approximate 18 percent yearly rate and an approximate yearly rate is all the Sullivan bill requires. There is no point in attempting to refine the percentage to a thousandth of one percent or even to a hundredth of a percent. A tenth of a percent would be enough and even the nearest quarter of a percent.

A further powerful objection to the exemption given certain forms of revolving credit is that it would favor some mercantile establishments at the expense of others. Thus Sears Roebuck would be exempted, but Montgomery Ward and Spiegels included. The furniture industry would be covered, but department stores would not.

I think you will find many business and financial groups favor including all forms of consumers credit rather than merely including some types and excluding others.[1]

V

I should like to present a further brief summary if I may of twelve reasons why I believe revolving or open credit should be included without any exemption.

(1) A monthly rate is inherently misleading. It tends to minimize the cost of credit. A rate of 1½ percent a month sounds a lot cheaper than 18 percent a year.

(2) A monthly rate for revolving credit prevents a consumer from comparing the cost of revolving credit with alternative sources of credit which would be quoted on an annual basis. Why shouldn't a housewife know that her credit is costing her 18 percent a year? Perhaps she could borrow somewhere else at a cheaper rate.

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[1] See the views stated in Revolving Credit Provisions of Truth in Lending. Hearing Before Committee on Banking and Currency, U.S. Senate, 90th Congress, 1st Session, on S. 5. June 23, 1967, 65 pp.

(3) A monthly rate on revolving credit prevents a direct comparison with the interest earned on savings accounts. It might be more profitable to use savings which are only earning 4 percent a year rather than using the stores credit at 18 percent. A monthly rate obscures these comparisons.

(4) A monthly rate for revolving credit gives department stores an unfair competitive advantage over small stores which cannot afford revolving credit and which, therefore, must disclose an annual rate. A furniture store might be required to quote 14 percent a year on its installment contracts, while a large department store down the street, selling the same furniture, could quote 1½ percent a month. The furniture dealer's credit sounds higher, but it is actualy cheaper.

(5) The distinction between ordinary revolving credit and installment type revolving credit is essentially arbitrary and gives some revolving credit plans an unfair competitive advantage over other revolving credit plans. For example, Sears can quote 1½ percent a month, but Montgomery Ward must quote 18 percent a year. So must Spiegels.

(6) There are no valid reasons why an annual rate cannot be disclosed. It requires no extra computation or bookkeeping on the part of the store. Monthly statements would simply have 18 percent per year printed on them as well as 1½ percent per month.

(7) The claim that 18 percent a year is inaccurate is not true from the viewpoint of the consumer. The consumer must make up his mind to incur or avoid the service charge, not when he makes the purchase, but 30 to 60 days thereafter when the service charge is about to begin. This is the relevant decision time for the consumer to compare credit alternatives. When the rate is measured from this point in time, it will always work out to be 18 percent. This is the most meaningful rate for the consumer. If he can borrow elsewhere for less than 18 percent, it might pay him to do so and discharge his debt to the store.

(8) The Massachusetts Truth-in-Lending Law requires the annual rate on all revolving credit. There have been no difficulties. The credit manager of a Massachusetts store testified his firm had absolutely no trouble with disclosing the annual rate on revolving credit and believed such disclosure to be fair and accurate.

(9) Other knowledgeable groups support the annual rate disclosure for all revolving credit including the influential National Conference of Commissioners on Uniform State Laws. They have been working on a State consumer credit code for three years and have recommended S. 5 be amended to repeal the special exemption for revolving credit.

(10) Academic experts support the disclosure of an annual rate for all revolving credit. In fact, the retailers' star witness against the Douglas bill (Professor Richard Vancil of the Harvard Business School) has endorsed the revolving credit provisions of the original Proxmire bill. Professor Vancil is a leading expert on the mathematics of finance.

(11) Labor and consumer groups, including the AFL-CIO and the National Consumers League, support the annual rate for all revolving credit.

(12) Revolving credit is one of the fastest growing forms of consumer credit. Some have predicted that 50 percent of consumer credit will be revolving type credit within 5 years. Thus, the exemption, though small today, could grow into an enormous loophole.

VI

2. A second improvement in the Sullivan bill is to extend the requirement of truth to the advertisements of credit instead of confining them to the terms of the credit contract. As a matter of fact, advertising is a more important factor in leading people to sign up for credit than are the written terms of the contract or the guarded verbal statements of the salesman. A man's mind is commonly made up by the time he goes to the secondhand car dealer, the furniture store, or the finance company. By that time he is commonly "hooked."

The abuses in the advertising of credit are widespread. The emphasis is commonly laid on low down payments and on so much a month in dollars without stating the cash price of the article or the actual interest rate. Sometimes a monthly but not a yearly rate is given. Often the rate is advertised on the original amount borrowed or owed but not on the unpaid declining balance. It may be remembered that it was on this latter ground that the Federal Trade Commission years ago compelled General Motors to revise its advertising and that the Federal Circuit Court upheld the legality and constitutionality of this ruling. Incidentally, General Motors did not appeal to the Supreme Court.

Some years ago I had newspapers all over the country clipped on this very point of credit advertising and I assembled a chamber of horrors which I presented at a public hearing.

But I confess I never dared to include advertising in any of my bills because I was afraid that if I did so it would cause the newspapers to come out in active opposition to the bill and thus kill any chance of passage. Perhaps I was too fearful and was not sufficiently appreciative of the sterling idealism of the American press. You are far better judges. We certainly need a clean up in the advertising of credit as well as in the formal terms of sale and if you think it is safe to proceed, I would defer to your judgment.

3. I also like the way you include under your rules those credit charges which are under $10 as well as those over that amount. The $10 limit may still conceal a very high interest rate and by its very nature, this will weigh most heavily on the poor and the very poor, who necessarily must buy in small quantities at high prices and on usurious credit terms.

The relative abuses perpetrated upon these poor folks are far greater than on any other class and you will have to weigh these considerations against the extra trouble caused to small businessmen on small amounts and also with the harsh political realities in the country and here in the House and Senate.

4. I always included in my bills first mortgage credit on homes. I did not do so because of the annual rate, since the financial groups in real estate had always followed the correct policy of quoting it on a yearly basis on the unpaid balance. I did include home mortgage credit, however, so that the prospective house buyer could know the total amount which he was to pay for interest over the life of the mortgage. I was pleased that the real estate industry did not seem to be alarmed by this provision and that the Housing and Home Finance Agency adopted it at my suggestion in much of their literature. This did not seem to hurt the purchase of homes or the real estate business.

I will frankly admit, however, that somewhere along the route I fully expected to run into a roadblock on this issue and I was ready to throw this provision overboard if it because necessary to ensure passage.

The case for including home mortgages, however, has been greatly strengthened by the current practice of discounting these mortgages at given rates. If one agrees to pay 6 percent on a $10,000 mortgage for 30 years, but with a discount of 5 percent, and hence receives $9,500 in cash, the real interest rate which he is to pay is not 6 percent, but 6½ percent over the full life of the mortgage and 6⅔ percent if he pays out in 12 years. If discounts could be eliminated by letting the stated rate become the market rate, the case for including real estate mortgages would revert to the original purpose of knowing the total paid out in interest over the life of the mortgage. Until this is done, however, there will be a double advantage in knowing the annual rate as well as the total amount.

5. I think Mrs. Sullivan's idea of a public commission on consumer credit is excellent, and I am sure also that none of us want this to be used as a substitute for a good bill. It should instead be supplementary and a means of exploring new ground.

6. In theory I approve of Title II of H.R. 11601 which prohibits the garnishment of wages. A century and a half ago, as John B. McMaster shows in this *History of the United States*, there were tens of thousands of men put in jail up and down the Atlantic Coast for the non-payment of debts. They were frequently jailed for incredibly small amounts such as a dollar or less. The movement of Jacksonian democracy in the 1830's and 40's abolished this practice.

Garnisheeing wages has destructive results very similar to imprisonment. It often causes men to lose their jobs and shuts off needed income to their family.

But whether this prohibition should be put into effect now, and on the national rather than the state level, is another matter which I must leave to you. I am informed that only three states have such a provision at present.

7. The next important provision is the imposition of an 18 percent ceiling on consumers' loans.

I am compelled to say that I do not favor this provision for a variety of reasons. First, it has been my belief that if the borrowers and buyers could only be informed of the real cost of credit that the measure would then largely become self-policing, while the abuses would also be largely self-correcting. Publicity and complete comparability of rates and amounts would drive down usurious charges. And it would only need a minority of the buyers and borrowers to become credit and interest conscious for firms to compete for business by lowering the rates.

I tend also to be wary of direct price regulation by the government except in grave national emergencies such as war, since the rates would be inflexible and require a lot of red tape and policing to administer. In addition, there is a general tendency for the legal maximum charge to become the prevailing rate. This is seen in the fixation by the states of maximum interest rates on small loans. Here the ceiling has virtually become the floor.

I do not want to see this happen in the whole field of personal finance. Much and probably most of the credit could be extended profitably at far less than 18 percent.

8. By adding cease and desist procedures to the punitive damages provision of S. 5, the Sullivan bill strengthens the enforcement weapons which are at the disposal of the Reserve Board.

This may be needed and I see no substantive objection to it. You are the best judge as to political maneuverability.

On other subjects which I have not discussed, such as the regulation of commodity exchanges, and emergency credit controls, I do not regard myself as qualified to speak.

May I thank the committee again for inviting me to appear and to express my hope that Congress may pass a strong and meaningful bill. And on the basis of past experience I believe that in any eyeball to eyeball confrontation with members of the Senate the representatives of the House will more than hold their own in both resolution and astuteness.

HOUSE OF REPRESENTATIVES

WEDNESDAY, AUGUST 9, 1967

The House met at 12 o'clock noon.

The Chaplain, Rev. Edward G. Latch, D.D., offered the following prayer:

Do not be overcome by evil, but overcome evil with good.—Romans 12: 21.

Father of our spirits, open to us the gates of the morning and reveal to us the glory of a new day as we pause a minute at the altar of prayer. We are facing difficult days and living through troubled times. For this we need courage and strength and an inner stability of spirit. Grant unto us now the grace of a quiet mind, a steady faith, and a strong will which will make us more than a match for the mood of this moving moment.

Help us to stand up for the rights of man, for obedience to the laws of our land, and for the principles of good government believing that Thy spirit will guide us, Thy power will strengthen us, Thy presence will bless us as we do what we firmly believe to be right. We pray also that the people of our country may seek to do what is right and good for all that we may learn to live together in peace and good will. In the Master's name we pray. Amen.

THE JOURNAL

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Arrington, one of its clerks, announced that the Senate had passed with amendments in which the concurrence of the House is requested, a bill of the House of the following title:

H.R. 1282. An act to provide for the withdrawal of wine from bonded wine cellars without payment of tax, when rendered unfit for beverage use.

The message also announced that the Senate had passed a bill of the following title, in which the concurrence of the House is requested:

S. 119. An act to reserve certain public lands for a national wild and scenic rivers system, to provide a procedure for adding additional public lands and other lands to the system, and for other purposes.

THE SUCCESS OF NASA'S LUNAR ORBITER PROGRAM

Mr. MILLER of California. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The **SPEAKER**. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. MILLER of California. Mr. Speaker, I wish to call attention to the fact that the last of the highly successful Lunar Orbiters—Lunar Orbiter V—is now in orbit about the moon and transmitting excellent pictures of the lunar surface. One of the most spectacular and satisfying of NASA's programs is coming to its end—with mission accomplished.

In the short span of just under 1 year, all five Lunar Orbiters have been launched and have provided the world with more information about the moon than has been obtained in all previous history. Lunar Orbiter photography has certified four potential landing sites for our Apollo astronauts, and has provided detailed photographs for 99 percent of the front side of the moon and 60 percent of the back side.

Successful completion of the present mission will provide supplementary data for the certification of five more Apollo landing sites, detailed photography of virtually the entire moon's surface, front and back, and very close views of 36 areas of great scientific interest on the front face of the moon.

I wish to compliment the NASA team that has made the Lunar Orbiter program one of the most successful in the 9-year history of that agency. This program is under Dr. Homer Newell, NASA's Associate Administrator for Space Science and Applications. The program manager is Capt. Lee R. Scherer. The project is managed by NASA's Langley Research Center at Hampton, Va., and the prime contractor is the Boeing Aircraft Co. They deserve our thanks and congratulations.

Mr. Speaker, a picture taken from the Lunar Orbiter, with your permission, is now on display in the lobby.

DANGER OF A POLICE STATE

Mr. DOW. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The **SPEAKER**. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. DOW. Mr. Speaker, it is not too early to recognize that currents of force are running today that could turn our great country into a police state. There are those who think that interstate travel laws to curb Rap Brown and Stokely Carmichael will solve our racial problems. There are some who believe the bill to punish flag burners will light brighter fires of patriotism.

Such illusions are mistaken, Mr. Speaker, for the legislation in question is punitive and will, while aimed at the antics of a few irresponsibles, only reduce the freedoms of the many.

The danger of becoming a police state is made greater by the role of world policemen which we are imperceptibly assuming. We cannot serve in this world role without sacrificing in many ways, and perhaps permanently, our precious liberties on the home front.

I have just sent a message of warning about this police state danger to all news media in my district. I ask unanimous consent, Mr. Speaker, that my message be printed in the Extension of Remarks of the RECORD.

The **SPEAKER**. Is there objection to the request of the gentleman from New York?

There was no objection.

NEED TO RECONSIDER SOME DEFENSE SPENDING

Mr. PIKE. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The **SPEAKER**. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. PIKE. Mr. Speaker, as we consider the need for a tax increase, I hope we will reconsider the need for some of our defense spending.

As an example, to save money we have a Defense Supply Agency, to buy for all the services. Among the miracles which they have accomplished are these:

There is a gear which the manufacturer listed in his catalog as worth $3.43. As a result of quantity buying, the Defense Construction Supply Center, a branch of the Defense Supply Agency, got nine of them for only $194.30—each.

Here, Mr. Speaker, is a $194.30 gear. It is not platinum. It is stainless steel.

Here, Mr. Speaker, is a rod which the manufacturer listed at 50 cents. Through prudent quantity buying the Government got 20 of them for only $25.55—each.

In the manufacturer's catalog this rod is described as "precision shafting."

For once the American taxpayer got precisely what he paid for.

TRIBUTE TO THE NATIONAL GUARD

Mr. MONTGOMERY. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The **SPEAKER**. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

Mr. MONTGOMERY. Mr. Speaker, on August 1, I appeared on the floor of this House and quoted headlines of the Washington Post which said "National Guardsmen Accused of Three Murders in a Detroit Motel." I said then the article was based on hearsay and general charges, but it was read as an indictment of the National Guard.

Yesterday in the headlines of the Washington Post it stated, "Two Policemen Arrested for Murders in Detroit Motel." In other words guardsmen were falsely accused of at least two of these deaths.

Mr. Speaker, this is another example of just plain careless and irresponsible coverage and I have seen no news story clearing the guardsmen of the charges for the two murders.

There are three things I have learned from talking and gathering information about the riots.

First. You have to have one person in charge of the police and military forces, and not a dual command.

Second. Rioters must be firmly dealt with. Guardsmen must move with fixed bayonets, guns loaded, and be given orders to use whatever force is necessary.

Third. Civilian police and military forces when on riot duty should be relieved periodically. Tired policemen and guardsmen oftentimes exercise poor judgment and people are hurt unnecessarily.

Mr. Speaker, I am told that after a few days in Detroit you could go from the Regular Airborne Patrolled Sector to the National Guard Sector and you could not tell the difference between the Regular Airborne and the weekend guardsmen doing his duty. This certainly speaks highly of the Michigan National Guard.

ENCLOSING THE GALLERIES AND SECURITY OF THE HOUSE OF REPRESENTATIVES

Mr. HECHLER of West Virginia. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from West Virginia?

There was no objection.

Mr. HECHLER of West Virginia. Mr. Speaker, as a member of the Joint Committee on the Organization of Congress, I offered supplemental views to the committee report which now have greater relevance in the light of the obnoxious disturbance and demonstration in the House Gallery on Monday.

In my supplemental views, I stated as follows on page 80 of the joint committee report:

> The galleries should be enclosed with soundproofed, transparent covering, with the floor debates piped into the galleries. The floor proceedings would then be clearly audible to visitors, and gallery noises would not disturb floor proceedings.

I was pleased to note that the gentleman from Indiana [Mr. JACOBS] made this suggestion also in a 1 minute speech on the floor. From the standpoint of security of the House of Representatives, as well as to provide the visitors to our Nation's Capital a meaningful experience in viewing the House in session, I hope that action will be taken to enclose the galleriers and install the proper loudspeakers so visitors might hear what is going on.

PERMISSION FOR THE SPECIAL SUBCOMMITTEE ON THE M-16 RIFLE TO SIT TODAY DURING GENERAL DEBATE

Mr. ICHORD. Mr. Speaker, I ask unanimous consent that the Special Subcommittee on the M-16 rifle be permitted to sit this afternoon during general debate.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

PERMISSION FOR THE SUBCOMMITTEE ON CONSUMER AFFAIRS OF THE COMMITTEE ON BANKING AND CURRENCY TO SIT TODAY DURING GENERAL DEBATE

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the Subcommittee on Consumer Affairs of the Committee on Banking and Currency be permitted to sit this afternoon during general debate.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

ADEQUATE LEGISLATION AIMED AT PREVENTING RIOTS IN THE NATION'S CAPITAL SHOULD BE SPEEDILY ENACTED

Mr. ALBERT. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. ALBERT. Mr. Speaker, I wish to congratulate the Attorney General of the United States, the Honorable Ramsey Clark and the Honorable Walter N. Tobriner, President of the Board of Commissioners of the city of Washington, in regard to their recent action requesting adequate antiriot legislation for the Nation's Capital. It is such advanced planning and precaution which should be emulated by our metropolitan officials and national leaders throughout the land. The scourge of rioting and civic disorder created by a vicious criminal minority in our cities must not be allowed to pervade our great Capital City—the center of the Nation's Federal Government. Law and order must be maintained, and the beautiful environs of this magnificent metropolis must be made safe against the destruction of property public and private, looting, arson and other crimes which accompany the actions of the wolves of faction, discord and crime engaged in wild and uncontrolled rioting in the streets of our cities.

HOUSE ACTION ON ANTICRIME BILL SAYS "NO CONFIDENCE" IN ADMINISTRATION

Mr. BRAY. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend his remarks.

The SPEAKER. Is there objection to the request of the gentleman from Indiana?

There was no objection.

Mr. BRAY. Mr. Speaker, the question asked during debate yesterday on the President's anticrime measure was simple and to the point: "Who do you trust: the chief executives of the several States or the Attorney General?" The answer came loud and clear: when the bill passed by the overwhelming margin of 377 to 23, it had been almost completely rewritten. Primary responsibility for running the anticrime program was taken from the Attorney General and given to the States, and major stress is to be put on projects aimed at curbing riots and organized crime.

The American people, speaking through their elected Representatives, have registered what amounts to a vote of "No confidence" in the administration's plans and abilities to cope with riots and crime.

"No confidence" in an Attorney General who said he saw no crime wave in the United States.

"No confidence" in a Department of Justice that temporizes and delays, and spends more time telling Congress why proposed legislation is unworkable than it does in enforcing laws already on the books.

"No confidence" in an administration that did not even mention riots in its proposed anticrime legislation, and made no attempt to include them later.

"No confidence" in any plan that might have allowed the Attorney General to set up guidelines for States to follow, as has been done in education and other fields where Federal funds are involved.

"No confidence" in an administration whose major reaction to the nightmares of Newark and Detroit and a score of smaller cities was to appoint a commission to study the matter—and take a year to do it.

"No confidence" in past methods that have been long on research and appraisal, but woefully short on results and action.

The time for turning everything over to the Federal Government has passed. This is not the first vote indicating this trend, nor will it be the last. Duties and responsibilities are being returned to the States, where they belong.

POLITICS BY HOUSE OFFICERS

Mr. CEDERBERG. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. CEDERBERG. Mr. Speaker, I have had the honor of serving in the House of Representatives for 15 years. I cannot recall in the past 15 years where an officer of the House of Representatives has gone around the country making political speeches.

The Michigan delegation had decided not to discuss this matter in public at all because we felt that this was a matter that could be handled by the minority leader talking to the Speaker, and I understand that this has taken place.

But yet I find now, on the wires, and I read a UPI report that the Clerk of the House, W. Pat Jennings, said today he sympathized with angry Republicans in the Michigan House delegation:

> "If I had a Governor like George Romney, I'd be mad, too," he said in an interview. "But they shouldn't be mad at me."

Mr. Speaker, we are not mad, we are not mad at anyone, but I do not believe it is appropriate for an officer of the House to make these political speeches, and I hope Mr. Jennings will be advised that this should not be done.

I might say further, Mr. Speaker, that Michigan citizens, Democrats and Republicans, are not mad at anybody, but we do have some disappointments. And as far as my defending our Governor's actions I can only say that we are perfectly willing to let the record of the chronological events of the disaster in Detroit speak for themselves.

We hope, Mr. Speaker, that some action will be taken to prevent this kind of political oratory coming from an officer of the House.

AMERICAN AUTOMOTIVE INDUSTRY

Mr. SCHADEBERG. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

Mr. SCHADEBERG. Mr. Speaker, I am today joining with my friend and colleague from Wisconsin, the Honorable HENRY S. REUSS, in sponsoring a bill of vital interest to the continuation of a healthy and competitive automotive industry in this Nation during these times of war.

The American Motors Corp., which is the backbone of the economy of Kenosha, Wis., would be the principal beneficiary of congressional approval of the bill. Kenosha's healthy existence depends on the jobs held by the thousands of skilled craftsmen and laborers who earn their livelihood at the American Motors plant.

I wish to make it perfectly clear, Mr. Speaker, that I cosponsor this bill because I feel a deep obligation to see to it that the men and women employed by American Motors and the 70,000 additional people who are employed as subcontractors, suppliers, dealers, and distributors do not find themselves suddenly totally insolvent and with no place to look for steady employment. It would be tragic, indeed, if a manufacturer such as this were forced out of competition at a time that we need to keep our industrial potential at a high level in order to: win a victory in Vietnam; hold down unemployment; maintain our gross national product at a maximum; and keep a balanced local economy for the health and well-being of State and county. I feel that this bill is necessary in order to accomplish these purposes.

It is far better to assure ourselves now that this industry can continue to operate than to have to alleviate a city's economic ills with an emergency Federal program which could cost the taxpayers of this country somewhere in the millions of dollars.

ATTORNEY GENERAL SHOULD INDICT CARMICHAEL

Mr. WYMAN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from New Hampshire?

There was no objection.

Mr. WYMAN. Mr. Speaker, there are sufficient applicable criminal statutes presently on the books in this country to enable the Attorney General to proceed immediately to indict the Stokely Carmichaels and the H. Rap Browns and the like. Why does the Attorney General persist in refusing to do his duty? I cannot understand it.

Stokely Carmichael, in Cuba, showing his true colors and his basic motivations, is siding with the Communists, giving aid and comfort to the enemy, and manifesting beyond reasonable doubt the seditious and illegal nature of his activity in the United States that has helped to create havoc and anarchy in many places across the country. He has publicly threatened further violence to the extent of guerrilla uprisings in U.S. cities and made personal threats toward President Johnson and other high U.S. officials.

The Attorney General should proceed at once to indict Stokely Carmichael under the sedition laws set forth in title 18 of the United States Code. This indictment can be obtained while Carmichael is still in Cuba, and public announcement made that upon his return he faces arrest, arraignment, and eventual conviction. Applicable penalties are up to 20 years in the Federal penitentiary.

If Carmichael wants to return to face such an indictment—fine. If he wants to stay outside of the United States indefinitely—better.

Mr. Speaker, the country waits. Let the Attorney General act now to protect the people of this country and give to us the firm law enforcement that we need.

LOW FARM PRICES

Mr. ARENDS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. ARENDS. Mr. Speaker, I would like to ask one question this morning: What is the Secretary of Agriculture Freeman and the Johnson administration trying to do to the farmers of the United States and I mean doing to the farmer, not for him.

I hold in my hand a sheet from the U.S. Department of Agriculture, Division of Agricultural Statistics, going back to the date of 1945. I quote from this sheet various prices received by farmers for feed grain and corn in particular.

In August 1960, corn was $1.09.

In August 1961, corn was $1.04.

In August 1962, corn was $1.01.

And, Mr. Speaker, again today we are down to that approximate low figure in corn prices that farmers now receive regardless of the tremendous increase in their cost of operations, their heavy increase in taxes, plus not taking into consideration the effects on ever-spiraling inflation which hits them every day.

We are once more witnessing economic pressures on the American farmer, the result of low prices for the commodities he has to sell. Yes, the squeeze is on the farmer today and the Secretary of Agriculture seems to think it is fine.

I feel the American farmer ought to understand exactly why this is happening again today. Corn in August of last year, an election year, was over $1.39 per bushel to the farmer. Today it is less than $1.10 per bushel. This of course is not an election year.

Mr. Speaker, we can no longer afford Secretary Freeman and the Johnson administration's attitude toward the American farmer.

JACKSONVILLE: FLORIDA'S LARGEST CITY

Mr. BENNETT. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. BENNETT. Mr. Speaker, it was with great pleasure that I read in this morning's Washington Post the following article which reports that Jacksonville is now Florida's largest city. Naturally, as the Congressman from the area I am proud of that fact. I am also very proud that Jacksonville voters have had the progressive spirit which was needed to secure endorsement there of a new form of government which I expect to be more democratic, more efficient, and more economical than the former government. The article reads as follows:

JACKSONVILLE: FLORIDA'S LARGEST CITY

JACKSONVILLE, FLA., August 8.—Voters of Jacksonville and Duval County junked their old systems of government today and approved a new consolidated government making Jacksonville the largest city in Florida, ahead of Miami and Tampa.

The margin of the vote amazed even avid supporters of consolidation. There were 52,585 "yes" and 28,872 "no" votes.

Past efforts to annex the fast-growing suburbs into the city's 200,000 population were soundly defeated.

The new combined City of Jacksonville, with a population of more than 455,000, will get its official government Oct. 1, 1968. This fall, elections will be held to name a mayor, 19 councilmen, sheriff, tax assessor, tax collector and elections supervisor.

Elected officials will work side-by-side with the present heads of City and county government between March 1 and Oct. 1, 1968, to complete the transition.

RATS FOR REPUBLICANS

Mr. SMITH of Iowa. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Iowa?

There was no objection.

Mr. SMITH of Iowa. Mr. Speaker, I have a letter here announcing the formation of a new organization that I thought would be of general interest.

It says:

DEAR CONGRESSMAN: I thought you would like to know that we have formed a new organization called "Rats for Republicans." To become a member in good standing, anyone who has to live among the rats must send at least one dead rat per year to one of the 150 Republicans who voted with the rat lobby. It is a sort of self-help program. It will help to get rid of both the rats and the Republicans. Since the elephant has traditionally been afraid of mice, we are surprised that they are so friendly toward rats. They had just as well change their symbol from the elephant to the rat.

We are warning the members that before mailing the rat, they should sprinkle it conservatively with salt and pepper and wrap it in either the Reader's Digest, the Chicago Tribune or Time magazine.

Since some of the members may mail their rats live, those Republicans better hope the mail service is as slow as they say it is so the rat will be dead by the time it gets there. So that they can prove that they really believe you shouldn't get something for nothing, we will not use enough postage so there will be postage due.

We are also offering a prize to the Republican who receives the largest rat. He will receive a weekend vacation in the rat-infested ghetto of his choice.

CALL OF THE HOUSE

Mr. ASHBROOK. Mr. Speaker, I make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

Mr. ALBERT. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 202]

Ashley
Baring
Brademas
Burton, Utah
Celler
Clark
Collier
Colmer
Conyers
Corman
Dulski
Flood
Gallagher
Halleck
Hanna
Jones, Ala.
Kyros
Landrum
Leggett
Long, La.
McCulloch
Mathias, Md.
Matsunaga
Mayne
Pollock
Pool
Resnick
Rooney, N.Y.
Ruppe
Smith, N.Y.
Teague, Tex.
Tiernan
Utt
Watts
Williams, Miss.
Wilson, Charles H.
Wydler

The SPEAKER. On this rollcall 394 Members have answered to their names, a quorum.

By unanimous consent, further proceedings under the call were dispensed with.

HOUSE RESOLUTION 512—DISAPPROVING REORGANIZATION PLAN NO. 3 OF 1967

Mr. BLATNIK. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of House Resolution 512 disapproving Reorganization Plan No. 3 of 1967.

The SPEAKER. The question is on the motion offered by the gentleman from Minnesota.

The motion was agreed to.

IN THE COMMITTEE OF THE WHOLE

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of House Resolution 512 expressing the disapproval of the House of Representatives of Reorganization Plan No. 3, with Mr. HUNGATE in the chair.

The CHAIRMAN. The House is in the Committee of the Whole House on the State of the Union for the consideration of House Resolution 512, which the Clerk will report by title.

The Clerk read the title of the resolution.

The CHAIRMAN. Without objection, the first reading of the resolution will be dispensed with.

There was no objection.

The CHAIRMAN. Under the unanimous-consent agreement of Thursday, August 3, 1967, general debate on the resolution will continue for not to exceed 4 hours, to be equally divided and controlled by the gentleman from Minnesota [Mr. BLATNIK] and the gentlewoman from New Jersey [Mrs. DWYER].

The Chair recognizes the gentleman from Minnesota.

PARLIAMENTARY INQUIRY

Mr. NELSEN. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. Does the gentleman from Minnesota yield to the gentleman from Minnesota for that purpose?

Mr. BLATNIK. Mr. Chairman, I will be pleased to yield to the gentleman from Minnesota.

Mr. NELSEN. I thank the gentleman for yielding.

Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state his parliamentary inquiry.

Mr. NELSEN. Mr. Chairman, I notice the Chair stated that the time was to be equally between the gentleman from Minnesota [Mr. BLATNIK], did I understand it, and the gentlewoman from New Jersey [Mrs. DWYER]?

The CHAIRMAN. The Chair will state that the gentleman from Minnesota [Mr. BLATNIK] is in charge of one-half of the time under the unanimous-consent agreement, and the gentlewoman from New Jersey [Mrs. DWYER] controls the other half of the time.

Mr. NELSEN. I wanted to understand the procedure, and as I understand the procedure on a reorganization plan, half of the time is to be assigned to the proponents and half of the time to the opponents. I want to have the record very clear as to what our procedure will be. Having in mind the unanimous-consent request, it did put the question as the Chair has stated it. However, that is not in keeping with the reorganization procedure, and I ask for a clarification of the situation as we now face it.

The CHAIRMAN. The Chair understands that those in charge of the time will so dispose of it.

Mr. NELSEN. I thank the Chairman.

Mr. HARDY. Mr. Chairman, will the gentleman yield?

Mr. BLATNIK. I yield to the gentleman.

Mr. HARDY. I wonder if we could have an understanding now so that there will not be any confusion as to how the time will be divided. I am sure the gentleman from Minnesota has already indicated what he plans to do, but I think it might be well if we had that cleared up now, if the gentleman would not mind?

Mr. BLATNIK. I will be pleased to do so and I think the gentleman has made a very proper request.

What we have done by agreement of the leadership on both sides of the House, and by agreement with the majority and minority leadership of the House Committee on Government Operations and of the Committee on the District of Columbia is that we have agreed to divide the time equally between the proponents and the opponents as follows:

The minority will divide their time with 1 hour allocated to the opponents and 1 hour for the proponents.

The majority on our side have done the same thing, to allocate 1 hour to the proponents and 1 hour to the opponents.

The time for the opponents on the majority side will be handled by the gentleman from Virginia [Mr. HARDY], and I shall handle the time for the proponents.

I understand the gentleman from Illinois [Mr. ERLENBORN] will handle the time on the minority side for the proponents on their side and the gentleman from Minnesota [Mr. NELSEN] will handle the time for the opponents.

Does that answer the gentleman's question?

Mr. HARDY. I thank the gentleman.

Mrs. DWYER. Mr. Chairman, will the gentleman yield?

Mr. BLATNIK. I am delighted to yield to the distinguished gentlewoman from New Jersey.

Mrs. DWYER. Mr. Chairman, I ask that the gentleman from Illinois [Mr. ERLENBORN] be recognized for the 2 hours on this side as he is the floor manager on this bill for this side of the aisle.

The CHAIRMAN. The Chair will recognize the gentleman from Illinois [Mr. ERLENBORN] to control the time.

Mr. BLATNIK. Mr. Chairman, we will try to make our remarks brief, that is so far as the oral presentation is concerned.

We do have what we feel is an excellent case in behalf of Reorganization Plan No. 3 of 1967. On our side, because of the limitations of time, we will ask Members to extend their remarks as much as they possibly can and confine their oral statements to particular issues that may arise or that may be of specific or particular interest and concern at the moment to Members on the floor.

Mr. Chairman, Reorganization Plan No. 3 of 1967 was submitted to the Congress by President Johnson on June 1 under authority granted by the Reorganization Act of 1949, which provides that proposals to reorganize the executive departments and agencies may be made by the President and will become law unless the Congress acts affirmatively by resolution to veto the reorganization. This is the reverse of the normal legislative process and applies only to structural changes and not to programs or policies.

In brief, the plan will abolish the present three-man Board of Commissioners of the District of Columbia and create a single Commissioner and an Assistant Commissioner in its place. It puts in the Commissioner, the executive and administrative responsibilities now exercised by the Board of Commissioners, including the authority to organize and manage the District government, to administer its programs, and to prepare its budget. The plan also creates a nine-member District of Columbia Council which will exercise certain ordinance-making and regulatory powers now in the hands of the Commissioners but subject to the veto of the Commissioner. Either the Commissioner or the Assistant Commissioner must have been a resident of the District for 3 years prior to appointment. All members of the Council must be such residents. The Commissioner, Assistant Commissioner, and the members of the Council will be appointed by the President and confirmed by the Senate.

The plan adds no new functions or powers to the District of Columbia government not already granted by the Congress, nor does it alter the relationship between the District government and the Congress. It does create new offices and abolish old ones, and gives to the new Commissioner the authority to establish subordinate agencies and offices and to effect transfers of funds between agencies as he may deem necessary to carry out the provisions of the plan.

In his message transmitting the plan, the President said its purpose is to "provide a better government for the citizens of the Nation's Capital." The present commission form of government produces neither effective nor efficient government and has been abandoned by the Nation's larger cities, he said. The President stated:

> The government of the District of Columbia must be able to respond promptly and effectively to new demands and new conditions. This requires clearcut executive authority and flexible government machinery—not divided authority which too often results in prolonged negotiations and inaction.

Under House rule XI, the Committee on Government Operations has jurisdiction over reorganization plans and disapproval resolutions filed thereon. Accordingly, plan 3, and disapproved resolutions, House Resolution 512, filed by the gentleman from South Carolina, and House Resolution 515, filed by the gentleman from Virginia, were referred to our committee. The Subcommittee on Executive and Legislative Reorganization, of which I have the honor to be chairman, held 5 days of intensive hearings at which time the authors of the disapproval resolutions, other Members of Congress, representatives of the administration, the Commissioners of the District of Columbia, experts in municipal administration, citizens of the District, and others testified or filed statements for the record. The hearings have been printed and made available for the information of all Members.

We were aware, of course, that the District Committee, following its own responsibilities, had a deep interest and legislative authority in these matters, so with the objective of preserving the comity between committees that should always exist we pursued our study of the plan in a calm and deliberate manner. The decision made by our committee reflects, I believe, the thorough treatment the matter was given.

By a vote of 26 to 4, the committee agreed to support the plan and to propose that the House reject the disapproval resolution. This was not a partisan decision. The merits of the plan were equally clear to Republicans and Democrats. We hope the Committee may see the plan in the same light.

I want to especially commend the 11 minority members who added their views supporting the plan to our report. I hope that every Member of this body will read them.

MAGNIFYING EFFECTS OF PLAN

As so often happens, some opponents of this plan have attempted to magnify out of all reason the effects of this reorganization. This plan adds no new powers to the District of Columbia government over those the Congress has already given to it. In other words, there is nothing more that the Commissioner and Council can do that the Board can do at this time. Congress holds the legislative power of the District. Congress holds the purse strings. All of this remains the same.

The President is given no power by this plan that he does not already have. He presently appoints the three Commissioners. He will appoint the new Commissioner, Assistant Commissioner, and the nine members of the Council under the plan. He now approves the budget and will continue to do so. How his influence would necessarily be enhanced, I am unable to see.

NOT HOME RULE

I want to emphasize that this is not home rule. Although the nine-member Council will admittedly be more representative than the present three-man Board, these men will be appointed, not elected. The citizens of the District are given no more control over their own affairs, except numerically, then they now have through the Board of Commissioners. In order to get the best talent available, the President is even permitted by this plan to go outside of the District for either the Commissioner or Assistant Commissioner. Home rule would hardly include such discretion. No one, therefore, should oppose this plan because they also oppose home rule. As much as I favor extending democracy to the taxpayers of the District, this must be done by legislation and must come from the District Committee. Home rule is not an issue here.

WHY DO WE NEED IT?

This is a reorganization designed to achieve administrative efficiency. We need it because the District Government has a completely unsound organizational structure. This is a distillation of the uncontradicted testimony at our hearings.

The commission form of government has become obsolete. The major cities of our country have abandoned it in favor of the mayor-council system. The divided authority and built-in conflicts of such a system of administration are completely unworkable.

Listen to President Tobriner of the District of Columbia Board of Commissioner after 6 years of experience:

> Under the current system, decisions must be made in a collective fashion which is often slow and cumbersome and sometimes precludes clear resolution of the issues.
>
> The effort involved in getting together the three Commissioners, all of whom have heavy schedules, for a special meeting or to meet an emergency situation, is in itself defeative of efficiency. Today the necessary activities of the District government, like the governments of all cities, have become so diversified that three coequal Commissioners have inadequate control over many of them.

President Tobriner concluded that the commission form of government is not geared to meet the problems of the District and that by its very nature the multiheaded executive is inefficient and time-consuming.

Merrill J. Collett, a management consultant, said:

> Administratively, the District of Columbia is a "district of chaos". Under the ground rules affecting his term of office any civilian Commissioner deserves public commendation, as an "uncommon man," for willingness to accept this kind of load in the public interest, and any Engineer Commissioner a commendation for hazardous service. If businessmen had to run their organizations under the conditions the District of Columbia is run, they would declare bankruptcy early.

Schuyler Lowe, who recently resigned after 15 years as Director of General Administration for the District of Columbia government, advised us:

> To look at the benefits, I think you need to bear in mind that there is a constantly increasing complexity in State and local government administration. Even if our present commission form of government was completely adequate today, I don't think it would be tomorrow, because of these increasing complexities, the social action programs and the interrelationship of things that used to be susceptible of being neatly packaged, and each District department proceeding on its own course of action without having to worry about coordination too much. Those days are gone, and I think that they are definitely gone forever.

Police Chief John B. Layton, who has the tremendous responsibility of fighting crime in the District, supports this plan. He wrote:

> In this area, the key element in the President's plan, it seems to me, is the proposal for a single Commissioner with strong executive powers which would provide the consolidated authority which should aid especially the long-range crime prevention programs.
>
> Each criminal act is of concern to a number of departments and agencies in the District government. Under the present system, the operating departments and agencies are divided among the three Commissioners for administrative supervision. For example, the Police Department is under the immediate supervision of the president of the Board of Commissioners; the Department of Corrections is supervised by the other civilian Commissioners; the Engineer Commissioner has immediate supervision over the Department of Motor Vehicles, and the Office of the Corporation Counsel reports to the full Board of Commissioners.
>
> It seems appropriate that such closely linked activities as those of the police force, the prison system, motor vehicle supervision, and the legal office, should be coordinated under a single, clear line of authority.

Dr. Royce Hanson, president of the Washington Center for Metropolitan Studies, stated:

> The present government of the District of Columbia is disorganized, and it is politically and legally inferior as a municipal corporation. It tends to be undirected and is divided against itself in executive affairs. Coordination and management are impaired by the very structure of the government.

John J. Gunther, the executive director of the U.S. Conference of Mayors, advised:

> The plan proposed by the President and now before your committee would establish clear lines of authority and responsibility within the District government. The administrative and executive powers of the government would be vested in a single individual while the legislative or policy determination functions would be vested in a council separate and apart from the executive. This is in keeping with the best principles of public administration we have developed at the National, State, and local levels of government in the United States.
>
> It is for this reason that I have been authorized by the officers of the Conference of Mayors to urge your committee and your colleagues in the House and Senate to permit this plan to become operative.

Mr. Joseph E. Dillon—former mayor of St. Paul under the commission form of government and my friend of many years—testified as follows:

> However, there is a better way of governing large metropolitan cities. The way is the strong executive-legislative council method. The District is the last remaining major U.S. city to preserve a form of the commission type of municipal government. Adoption of this plan would provide the District with an office, a man, who would have, under law, the fullest executive authority possible over the governmental affairs of this city. He would be the one to speak for the community.

These and many others detailed to us the weaknesses of the commission form of government in the District and urged adoption of the plan. We saw how divided authority among the Commissioners could slow or even halt the machinery of administration. Coordination and swift action, so badly needed in the many new programs being adopted or crises being faced, have proved most difficult to achieve under the commission form. Experience has shown that a single Commissioner who will have the administrative authority now split between the three members of the Board will be able to eliminate these difficulties in administration and greatly improve the operation of the complex mechanism of government in the District. If ever there was a time when clear lines of authority and the ability to make quick decisions was needed, that time is now.

By delegating to the Council the Commissioners' quasi-legislative functions we cure a defect in the District government that we have often complained of in executive agencies. That is, the combination in the same body of both executive and legislative powers. The same hand that makes the law should not itself enforce the law. Our Constitution dictates that our Federal Government should be checked and balanced through the separation of powers. Should our District government not be the same?

As we point out in our report, the only change made in the budget procedure for the District is that the Council will have an opportunity to modify the proposals made by the Commissioner. The Commissioner then provides the appropriation requests to the Bureau of the Budget. The Bureau of the Budget will make such changes as the President concurs in. The President forwards them to the Congress and the Congress works its will as at present.

THIS PLAN ONLY ONE STEP

The District government has problems other than those of internal structure and the proper distribution of functions. Of great importance is the relationship that must be maintained with other agencies of the Federal Government which maintain important jurisdictional interests here. It is not easy to execute local programs for needed physical changes in the city, for example, unless the Department of the Interior concurs in those programs. Land redevelopment in Washington is in the hands of an independent Federal agency, to a great extent completely unresponsive to the District government. These types of problems will not be affected by this plan or by any other proposal likely to come to a vote in this Congress. But should this plan be rejected because it does not solve every problem affecting the District government? As practical men, we know how difficult and how unlikely it is to do things in one fell swoop. Plan No. 3 is a step forward, a move in the right direction, that will prove of great advantage in what it does. Let us take this first step and other improvements may follow.

JOB SECURITY OF DISTRICT EMPLOYEES

It will probably be said on this floor that this plan puts the jobs of employees of the District government in jeopardy inasmuch as sections 303 and 304 give power to the Commissioner to create new offices and transfer personnel. There is absolutely no reason to believe that this would happen and only yesterday I received in the mail a copy of a letter addressed to my colleague from Minnesota in which local 1 of the State, County, and Municipal Workers, AFL–CIO, which represents the largest group of District government workers, supported the plan and said it would not adversely affect District employees. We point out in our report that there is no indication that any subsequent reorganization would dispense with the services of very many employees. We were informed by the U.S. Civil Service Commission that most District employees affected by this reorganization plan are covered by regulations that give them virtually the same protection held by Federal classified employees.

PLAN AND DISTRICT OF COLUMBIA COMMITTEE BILL NOT INCOMPATIBLE

Some, no doubt, will make an effort to put the House in a position where it should "choose between" this plan and the bill reported by the District Committee. We do not see it that way at all. A great portion of H.R. 12065 is not at all incompatible with this plan and, after this plan is adopted, the House may well accept those portions. We certainly have no objection to an elected school board, if the District Committee recommends it. We have no basic objection to the idea of a managing director. It is quite possible that the concept can be worked into the new organizational structure. We certainly have no objection to the studies which the bill proposes to have made. We consider H.R. 12065 as complimenting the plan rather than being antagonistic to it. The tenor of our hearings and committee consideration of the plan will bear this out.

I urge the members of the Committee to give overwhelming support to this forward step toward administrative efficiency in the District of Columbia by voting "no" on the disapproval resolution and thereby permitting Reorganization Plan No. 3 of 1967 to go into effect.

That is a summary of what the reorganization plan would do. It will be explained in further detail, as we proceed with the debate. The proponents will be glad to answer any and all questions that Members may wish to propound. But for the time being, this will conclude the presentation of the highlights, and in general terms, of what the plan will do and what it will not do.

At this time I want to pay tribute to all of the members of the House Government Operations Committee for their earnest participation, and to our venerable, respected, and distinguished chairman the gentleman from Illinois [Mr. DAWSON] for his leadership and inspiration and strong "go-ahead" signals which he gave us. To the gentleman from California [Mr. HOLIFIELD] particularly, an experienced man and the old father of the Reorganization Act itself in 1949, whose vast storehouse of knowledge and experience was of tremendous value in obtaining such strong committee support. I want also to commend the younger members who participated, not only with great enthusiasm and energy, but with knowledge and insight that made them most persuasive and effective. Particularly do I want to commend and express my appreciation as the chairman of the subcommittee, and for all members, both the majority and the minority on the full committee, to the gentlewoman from New Jersey [Mrs. DWYER], who has been extremely helpful, and who, I believe, did more than any member of the committee to help reduce what at that time was threatening to become a diversionary and distracting and certainly not pertinent element, the possibility of a jurisdictional conflict between our committee and the District of Columbia Committee.

I want also to commend the gentleman from Illinois [Mr. ERLENBORN] for the effective leadership he and his colleagues gave not only in helping us get to the bedrock facts of the issue before us, but for being largely responsible for making possible a truly bipartisan effort.

So we came up with an impressive and truly bipartisan vote of 26 to 4 in our committee, in support of Reorganization Plan No. 3.

Now I want to give one illustration—and more will be given later on—of the cumbersome and almost impossible machinery with which the current three-headed commission form of government operates. We actually have in the Board of Commissioners three heads who are sort of one-third mayors. This worked quite well on a smaller scale for smaller city governments in years past. For the District, this was instituted a little more than 92 years ago, about 1874, at the time when the population of the District of Columbia was about 150,000. We are now more than five and a half times that, or approximately 800,000 population.

But more than the increase in size is a complexity of functions that have to be served and problems that have to be dealt with.

In fact, Schuyler Lowe, who has served longer than anyone else as administrative head, as Director of General Administration for the District of Columbia government, says that only in recent years has it become clearly apparent that there is a crying need for reorganization of this form of government.

Let me give an illustration of what happens when we divide the functions between the present three Commissioners who combine the executive as well as the legislative functions. [Pointing to chart.] Here is one example of how complicated and involved one matter may become. The Commissioner for Public Works has under him the Motor Vehicles Department, and also a Licenses and Inspections Department. I pick this out because those of us who are on the highway program have some familiarity with it, we have led the fight for highway safety and for registration of vehicles, for inspections, for driver training, and so on. We know the awful rate of fatality accidents on our streets.

We have one Commissioner in charge of licenses and inspections of motor vehicles. Another Commissioner of Public Safety is in charge of traffic police. An accident occurs. There are injuries. A vehicle may not have been properly inspected, a driver may not have been properly licensed, there may have been no training. Someone is killed or injured. So the third Commissioner, in charge of Health and Welfare comes into play, as the Coroner is under his jurisdiction.

So we have the several departments or agencies under three separate Commissioners involved and we get an overlapping and interacting which makes it difficult to resolve this one rather simple but serious problem.

Then we have the General Counsel [pointing to chart] who does not counsel any one of these three, but only the full Board when they meet as a whole, the three parts put together.

One other quick example—and these were not selected because these were extraordinary, but they were selected because they clearly show the conflicting and overlapping nature of the present machinery. Here we have a situation dealing with community welfare or neighborhood programs, and up comes the matter of licensing of a business in which they sell beer of hard liquor.

Here the function of Licenses and Inspection Department [pointing to chart] again comes under the Commissioner of Public Works, these establishments will be policed by the Police Department under the Commissioner of Public Safety. If there is a violation and there is punishment, then the third Commissioner of Health and Welfare enters in, because he will have the Parole Board and the Corrections Department under his jurisdiction.

Here we have the functions divided among three well-meaning, able, hardworking Commissioners. It is a problem for them to get together, and it is a problem for them to follow through or coordinate fully.

The Commissioner will be a chief executive or "strong mayor" type, with his Assistant Commissioner or "Managing Director" who would be in charge of all administrative and executive municipal functions.

Here they are listed, straight down the line. [Pointing to chart.]

The council would be a legislative body. It would hold public hearings, promulgate ordinances, make analyses of problems, review budget proposals, and so forth. These are listed on the chart.

No one has suggested—not the President, and not the supporters of the plan in the Congress—that the replacement of the Board of three Commissioners with one Executive Commissioner and a nine-member rulemaking Council, is the final answer to the proper organization of the District's government. All that we say is that it is the first step. It is a step as to which there can be no controversy. It is based upon the doctrine of the separation of powers which is the keystone of all of our governments.

Here, then, Mr. Chairman, is the issue which divides us. Should the first step be a step which we know will put our foot on the ground firmly? Or, should the first step be left dangling for months, for a year, perhaps indefinitely?

If you reject the resolution before us, the reorganization plan will go into effect on Friday. It will be the law of the land. It will enable the President to turn resolutely to the selection of the best person in the entire country to serve as the chief executive for the government of the Nation's Capital. It will enable that executive, immediately thereafter to streamline the substructure of the District government, to accomplish the very objectives which my colleague seeks. This first step will permit the Committee on the District of Columbia to consider further what second and third and fourth steps are necessary to make of our Nation's Capital a shining city. What will be the effect of rejecting the reorganization plan and thereafter adopting the District Committee bill? If that is to be the first step toward the solution of the problem of the District government, our foot will be in the air until the Senate acts upon our bill, until any differences between the House and the Senate bills are resolved, until the measure is signed into law. Our first step will be no step at all.

Mr. Chairman, the issue is not whether there should be an L. B. J. plan or a District Committee plan to rule the District. The issue today is whether there will be any action to lay the groundwork for an efficient government for the Nation's Capital.

If you accept the reorganization plan, the groundwork is there for further improvements. If you reject the plan, you are merely writing a prescription for a legislative wrangle between the House and the other body for the next year.

Mr. Chairman, the people of the United States have their eyes upon the Nation's Capital. They cannot afford and they will not tolerate a city which cannot govern itself properly. I urge you to act today to permit a beginning of the reorganization of the Government of this city. I urge you to reject the resolutions of disapproval.

Mr. ERLENBORN. Mr. Chairman, I yield 5 minutes to the gentleman from Illinois [Mr. SPRINGER].

Mr. SPRINGER. Mr. Chairman, for the benefit of some of my colleagues who may not have been here until the last, let us say, 2 to 4 years, I would like to say that I have served on the Committee on the District of Columbia since 1958. I have had a chance to watch this government at work. I think the thing that bothers me most about the President's reorganization plan—and I am talking about those who are selling the reorganization plan to my colleagues—is that they are trying to make out that this is some kind of outdated government in the District of Columbia; that somewhere along the line it is failing in its duty; that somehow it is not measuring up to its responsibilities; that since it was created in the 1870's it is no longer fit for the 1960's.

This, in my opinion, is the most fallacious argument that those who have been trying to sell this plan have made. Let me say to you that because I have visited nearly all of the major cities I think I know their great problems. The commission government of the District has coped with the District's problems better and more efficiently than any other large city that I am acquainted with.

May I say to my colleagues that the city of Washington has the finest government and is the best run large city in this country. Some of you may come from New York, from Pittsburgh, from St. Louis, from Chicago, from Los Angeles, from San Francisco, from New Orleans, or from Miami. These are all large cities. The finest city government we have in the United States in cities of that size is in Washington, D.C.

You can visit all of these other cities and talk with their mayors and find out what their problems are. Nearly to a man each is faced with corruption all the way down the line. In talking about corruption with one of the mayors in one of the largest cities in the United States, he told me, "I have to ride herd on everybody to be sure that somebody is not taking something off the bottom." It is not true in just that one city but in nearly every large city in the Nation; all because you have a certain amount of politics involved. All of us have had enough experience in elected government to know that you run into these problems when you become obligated to certain people who, we will say, are in government. City government is the worst of all of them. I defy anyone to point to a single shadow of suspicion of any kind of corruption in the District of Columbia. Why is that? It is because in every administration—and I came here during Harry Truman's administration, served through the Eisenhower administration, the Kennedy administration, and the Johnson administration—the President of the United States appointed the very highest type of people they could find to be the Commissioners of the District of Columbia. These men have all done an outstanding job. I defy anyone to name any Commissioner who has not been of the very highest quality that you could find.

May I say they have done a splendid and selfless job. Take the freeways or the highways. Do you want to talk about schools? Just go and compare the schools here with the schools in Boston, New York, Chicago, or Los Angeles. Compare the school system here with the school systems there. You had an unfortunate hassle here recently where a superintendent of schools resigned. Now, I do not know anything about the intricacies and the background of that except to say that I talked to one of the outstanding educators in the country, and he said:

> You have as the Superintendent of Schools in the District of Columbia one of the six ablest men, I consider, in the entire country.

He said further:

> If you want to reduce that number, he is one of the three ablest men.

Well, he is gone, and I suppose we are going to get the same high caliber of man to replace him. Hopefully, we will get another one that is just as good. However, what I am trying to say is the commission government we have in the District of Columbia is the very highest type and seeks out the most able public servants.

Most of the Commissioners I have been personally acquainted with, both under Democratic and Republican administrations, have been able men. And, Mr. Chairman, to say that the government of the District of Columbia as it is presently constituted is old fashioned and not in tune with the times, simply is not stating the truth. I think the Commissioners are measuring up to every responsibility which has been imposed upon them.

Now, Mr. Chairman, let us talk about the concentration of power for a moment.

No. 1, under the President's plan we are going to have a Commissioner, along with the nine members of the Council. The President says he seeks to concentrate decisionmaking power to make the District of Columbia government more efficient and responsive. This plan, however, does just the opposite by diffusing responsibility between two bodies—the Commissioner, and the nine-member Council. Specifically, the Council would have the right to overrule or veto anything which the Commissioner does. Is this responsiveness and efficiency? The present commission government currently operates without this encumbering operating machinery.

The CHAIRMAN. The time of the gentleman from Illinois has expired.

Mr. ERLENBORN. Mr. Chairman, I yield the gentleman 1 additional minute.

Mr. HARDY. Mr. Chairman, I also yield the gentleman from Illinois 1 additional minute.

Mr. SPRINGER. Mr. Chairman, let me say to my colleagues, you talk about concentrating power. Just turn to page 7 of the Government Operations Committee report, down in the middle of the page, and you will find that section 402 has been deleted because of its great length and to avoid duplication and will be found along with an explanation of its 432 transfers of functions in the appendix of this report.

To whom, Mr. Chairman, are these functions transferred? To the Council. Four hundred and thirty-two functions. Not to the Commissioner in order to concentrate power in him. Instead, this enormous list of responsibilities is delegated to the nine-man Council. Is this concentration?

Permit me, Mr. Chairman, to refer to some of these matters. If the members of the Committee will turn to the appendix they will find that there are about 20 pages of power transfers to the Council. For instance, public welfare and assistance, the fire department, vehicular registration, the relocation of people, urban renewal, health and safety, and so forth.

Mr. Chairman, is this the kind of plan that is going to concentrate power? Can a District government conceivably be efficient and responsive with such an enormous diffusion of power and authority?

Mr. Chairman, when I met with them down at the White House, and when they explained this plan to me, I thought they were talking about real concentration of power in one person. I said, "I will go along with you, if you are going to concentrate all of the power in one person who is responsible. That is something that needs to be done."

But here you are diffusing the responsibility among nine people—among 10, counting the Commissioner—instead of among three Commissioners under the present government.

Mr. Chairman, one of the present Commissioners must be from the Corps of Army Engineers. And, may I say that whoever that man has been, either under Democrat or Republican administrations, he has really performed an outstanding job for the District of Columbia. That fellow has been active and competent in every way.

Mr. Chairman, whereas the framers of the Organic Act when they included the Engineer Commissioner 80 years ago did a farsighted job. They did so because they wanted someone who had this kind of expert qualification. And, every Commissioner I have known who has been from the Corps of Engineers has performed an outstanding job.

Mr. Chairman, I hope the members of the Committee will not sell short the District of Columbia government as it exists now, because in my opinion it is the finest city government in the entire country.

Mr. ERLENBORN. Mr. Chairman, I yield 5 minutes to the gentleman from Iowa [Mr. SCHWENGEL].

Mr. SCHWENGEL. Mr. Chairman and my colleagues, I rise in support of the President's plan for the District of Columbia. After careful study and consideration I have decided to cast my vote against the resolution to disapprove the President's plan to reorganize the government of the District of Columbia.

This is a difficult vote for me, because I find myself in apparent opposition to a good friend and some other good friends and colleagues, such as the distinguished gentleman from Minnesota [Mr. NELSEN], with whom I served on the committee for several years, and with whom I worked for many propositions that are and were for the good of the District.

The record of Mr. NELSEN in this respect speaks for itself and needs no elaboration on my part. Suffice it to say that Mr. NELSEN is a real good friend of the people of the District, and I commend him for the great work he has done.

Now, as to the plan itself, I do not believe that the plan offered by the President is perfect, but realistically almost anything is better, I believe, than what we have now. I would prefer to see some changes in the President's plan. No doubt many of the supporters of the President's plan would like to see some change or another.

I for instance have long favored an elected school board as one step toward home rule, and I do not believe you can separate home rule from the issue that is before us, as some have tried to do.

So, Mr. Chairman, I say that whatever we do today, it should be that which would ease the road to home rule, and not be one of throwing roadblocks in the way of home rule.

As can be seen, I am one who believes that our great document, the Constitution, was meant for everyone, and I believe the Founding Fathers in the Declaration of Independence meant to include every person in the United States of America when they wrote the Declaration of Independence declaring for equality and the other great values of our system.

Mr. Chairman, if the resolution to disapprove the President's plan is defeated today—and I sincerely hope it is—then I would urge that the Committee on the District of Columbia begin hearings on a bill to provide for an elected school board. The bill now offered by the committee contains such a provision, but it is wholly inadequate because the school board needs additional powers to fulfill its responsibilities. The bill I introduced yesterday would go a long ways toward giving an elected school board the tools which are needed to provide adequate education for the children of the District.

Mr. Chairman, I believe I can argue a little bit with the distinguished gentleman from Illinois who raised the question of government, declaring that we have a good system of government here. I am one person who has visited over 40 different schools in the District of Columbia, and I have spent at least an hour and a half in over 20 of these schools, and I can say to the Members that the school system here is not a model system. The Commisioners, as we now have them, do have some control over the school system. Some words of praise have been offered about the Superintendent of Schools. I agree that Mr. Hansen was a good Superintendent of Schools. He worked hard. Perhaps he was not perfect in every respect, but he did his best under more or less impossible circumstances to build a good school system here. I would remind the Members that the situation which prevails caused him to resign. To the extent that we have not acted appropriately, nor adequately as we should, to strengthen his hand to improve the opportunities for a better school system, everybody is responsible in part for the cause of his resignation.

Mr. Chairman, I want to say that I

believe the President's plan is superior to the one formulated by the Committee on the District of Columbia, and therefore, I, today will support the Reorganization Plan No. 3.

Mr. Chairman, there is one word I would like to say—and again I respect Mr. NELSEN, and I appreciate the fact that he has in his bill a proposition for an elected school board—but I want to point out that his proposition does not really change the school board very much because it does not give it any additional power.

Therefore, Mr. Chairman, I have introduced a bill, and with this I will introduce a description of that bill for the Members' perusal and consideration, with the thought that hopefully the Committee on the District of Columbia will take it up and consider it.

Mr. Chairman, the following is an explanation of H.R. 12188, a bill to create an independent school board in the District of Columbia:

EXPLANATION OF H.R. 12188

TITLE I—DEFINITIONS

Section 101 defines terms used in the bill: "School Board" means the District of Columbia Independent School Board created by Title II of this Bill. "Board of Education" means the District's Board of Education proprovided for by existing law. "District" is the equivalent of District of Columbia, and "Commissioner" means the Commissioner of the District of Columbia. Other definitions of the section are as follows:

The term "school election" means any election or any referendum held under section 324 or Part B of Title IV of the bill.

The term "school electoral district" means one of the ten districts created by the District Election Board pursuant to section 5(a)(7) of the District Election Law. (See this section under section 412 of this bill.)

The term "school elector" means a person entitled to vote in a school election according to section 7(f) of the District Election Law. (See this section under section 413 of this bill.)

Section 102: The Act of August 12, 1955, currently regulating the election of the District, is given the short title "District Election Law."

TITLE II—INITIAL REFERENDUM AND ELECTION

Section 201 authorizes the existing Election Board of the District of Columbia to hold a referendum at which eligible residents are to vote to accept or reject the proposed District of Columbia Independent School Board. Eligibility for voting in the referendum is governed by the current District Election Law. Registration for the referendum is to be opened a week after this bill is enacted and to stay open until one week before the date of the referendum. The Election Board is to prescribe the form of the referendum ballot, and mail to each registered voter a sample of the ballot and information on the time and place of voting. The referendum is scheduled for the third Monday in the first month of July which begins more than sixty days after the enactment of this bill. The Election Board will certify the results of the referendum to the President of the United States, the Speaker of the House, and the Board of Education.

Section 202: (a) With the approval of the majority of valid ballots in the referendum, the Election Board is to announce the initial election of members of the School Board, which will be held on the second Monday in the month of September following the referendum. The Election Board is also directed to divide the District into ten compact and contiguous school electoral districts of approximately equal population. Each of the ten will elect a member to the School Board. Before the initial election is held, the Speaker of the House is to name five members to the School Board to serve as appointed members. Members of the existing Board of Education are eligible for appointment or election to the School Board.

(b) Staggered terms of one, two and three years, are provided for the members first elected or appointed to the School Board. (Regular terms after the initial term are for three years. See sec. 403.) Those for the elected members are to be designated by the Election Board after selection by lot among the ten school electoral districts. The terms of the members are to begin in September in the year following the initial election, on the fourth Monday of the month. The staggered terms for the initial School Board are as follows:

(1) One year for two of the appointed members, and for three of the elected members.

(2) Two years for one of the appointed members, and for four of the elected members; and

(3) Three years for two of the appointed members and for three of the elected members.

Section 203: The initial members of the School Board are to take the oath of office at a time and place designated by the Speaker of the House, and after at least eight of the fifteen members are sworn, to proceed with the first meeting of the Board, as described in section 315.

TITLE III—INDEPENDENT SCHOOL BOARD

Part A. Transfer and succession

Section 301: On the effective date of this title (when the eighth member of the first School Board takes his oath of office), the control of the District school system and the functions of the existing Board of Education are transferred to the School Board. The Board of Education is abolished. Additional functions of the School Board are set out in Part B of this title (sections 311–315), and the limitations of power set out in that Part are to govern when there is a conflict with the functions transferred from the Board of Education.

Section 302 transfers the personnel necessary to administer the transferred functions of section 301, and also the property, records, and funds which relate primarily to a function so transferred. The Director of the Bureau of the Budget is to decide any question arising out of such transfers.

Section 303: (a) lawfully commenced judicial and administrative proceedings are not to be abated by reason of the provisions of this bill. The proceedings are to be continued with a substitution of parties as the court or agency deems appropriate.

(b) The transfer of functions is also not to affect statutes concerning or administrative actions taken or concerning an officer or agency from which a function is transferred. References in such statutes or administrative actions are to be considered as references to the officer or agency to which the function is transferred.

(c) The term "administrative action" as used in (b) is defined to include any rule, regulation, order, contract, policy, determination, directive, grant, authorization, permit, requirement, or designation.

Section 304 repeals two laws relating to the establishment and authority of the existing Board of Education, thus coinciding with the abolition of the Board of Education and the transfer of its functions.

Section 305: The Act authorizing the acquisition of land in the District by agencies of the Federal government through judicial condemnation proceedings is amended to include the School Board.

Part B. Functions of the School Board

Section 311: The School Board is to manage and control the school system of the District. It will be an independent agency of the District Government. The Board is authorized to contract, sue, and be sued in its own name, but no member is to be personally liable for any action taken in good faith by the Board or himself in his official capacity. The Board may tax, issue bonds (see Title V) and expend all revenues accruing to it for any educational purpose related to the needs of the District school system (see sections 321 and 322).

Section 312 specifies, as follows, powers of the School Board:

(1) To reorganize the school system.

(2) To establish standards of academic achievement for school pupils.

(3) To assign pupils to schools in the school system.

(4) To make rules for the use of school buildings and school grounds (see 321(4)).

(5) To fix the number and location of schools.

(6) To fix the length and dates of the school year.

(7) To fill vacant memberships on the School Board under section 404(b).

(8) To assess the value of real property in the District and belonging to the United States and the District under section 566.

(9) To take private property for public use (see section 305).[1]

(10) To act upon any question which has been or may be put to referendum under section 321.

(11) To call a referendum, under the provisions of section 323(a) and (b), on any subject on which it is empowered to act or on which it is required to submit to referendum before acting.

Section 313: The School Board is given the duty to (1) examine the books, accounts, and financial statements of the school system, and (2) to visit or delegate one of its members to visit each school during the school year.

Section 314 governs the powers of the School Board in relation to the employees of the school system.

(a) Subject to the other provisions of this section, the School Board is empowered to (1) appoint, promote and dismiss all employees of the school system, and to employ a superintendent who will be the chief executive of the Board, (2) establish classes of teaching and supervisory positions, (3) set salaries and other terms of employment for its employees, (4) make rules for the conduct of teachers and its other employees, and (5) establish standards of professional ability for teachers and its other employees.

(b) Until the School Board by its resolution adopts a personnel system similar or comparable in coverage to the Federal Civil Service system, employees of the School Board are to remain under the personnel laws and regulations applicable to them before their transfer to the Board. The Board may provide for continued participation in the Federal Civil Service system. The system to be adopted must be put into effect not earlier than nine months or later than five years after the functions of the Board of Education are transferred to the School Board.

(c) Persons covered by the retirement system for District teachers are given the option to continue that coverage.

(d) The School Board is to contract in writing with its teachers for a term not exceeding one year, and for payment by the school or calendar year. The contract is to state the length of time the school is to be taught, the rate of compensation and other matters as agreed. The contract is to be signed by the teacher and an officer of the School Board, and filed with the Board's secretary (see sec. 315) before the teacher begins work. The contract is automatically renewed each year, except as modified by mutual agreement.

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[1] Draft says "to take private property . . . *in accordance with section 305 of this Act.*" Should read, ". . . in accordance with the Act of March 1, 1929 (D.C Code . . .) as amended by section 305 of this Act," or similar language.

The contract may be terminated by the teacher, by filing a written resignation with the School Board on or before April 15 of each year. The School Board can terminate the contract, by a majority vote of the Board, with a written notification sent to the teacher by registered mail not later than April 10. The termination, under either method, becomes effective at the close of the school year. The teacher is given the right to protest a termination initiated by the Board in a public hearing at a regular or specially called meeting of the Board. At the conclusion of the hearing, the Board is to decide the question of terminating the contract by a recorded roll call vote. The action of the School Board is final.

(e) Without regard to the procedure provided for in subsection (d) the School Board may discharge a teacher, by a majority vote, for incompetence, inattention to duty, partiality, or any good cause. The School Board must first, however, make a full and fair investigation at a meeting of the Board held for that purpose. The Board is to permit the teacher to be present at this meeting and allow the teacher a reasonable time to make a defense.

Section 315: The Board is required to hold an annual meeting on the fourth of September at which new members take the oath of office and officers are elected. The president and the secretary of the Board are chosen from members of the Board, and a treasurer is to be chosen under section 551. The Board is also required to meet each month on a date set at the previous meeting. Special meetings may be called at any time, if the president, secretary, or treasurer notifies each of the members by a registered letter mailed at least five days before the meeting.

All meetings are to be public.

A quorum is set at eight members. With a quorum present, a majority of the members may decide any question—except those requiring a special referendum under section 322,[2] or the removal of the treasurer under section 551.

All members of the Board will serve without compensation.

Part C. Referendum

Section 321: By the approval of a referendum initiated[3] under section 323(c),[4] the school electors may direct the School Board—

(1) to set the school curriculum;

(2) to choose textbooks;

(3) to sell the property of the school system;

(4) to permit public meetings in school buildings;

(5) to establish a junior college;

(6) to levy the tax provided for in section 563;

(7) to make rules for the conduct of pupils; and

(8) to transfer funds from the Capital Construction Account to the General Account (subject to the limitations as to amount in section 562(d)(2)).

Section 322 prohibits the School Board from (1) issuing bonds or (2) transferring funds from the Capital Construction Account to the General Account as provided in section 562(d)(1) unless the school electors approve in the referenda required by sections 511 and 562, respectively.

Section 323: (a) The School Board may, by resolution, initiate a referendum to be held at the next regular school election, by sending a certificate to the Election Board setting forth the resolution directing the referendum and the question to be presented to the school electors. The certificate must be received by the Election Board at least thirty days before the next school election, pursuant to the time limitations of section 15(a)(3)[5] of the District Election Law. (See this section under section 324 of this bill.)

(b) To initiate a referendum to be held at other than the school election requires no less than ten members to sign and send a certificate to the Election Board favoring the resolution directing the referendum and setting out the resolution and the question to be presented to the school electors. Such a referendum is to be held by the Election Board not less than forty, nor more than fifty days after receipt of the certificate pursuant to section 15(a)(2)[6] of the District Election Law. (See this section under section 324 of this bill.)

(c) For the subject matter authorized in section 321 of this bill, fifty school electors may initiate a referendum to be held at the next school election by signing a petition in a form prescribed by the Election Board. The petition must be received by the Election Board at least thirty days before the next school election under section 15(a)(3)[7] of the District Election Law. (See this section under section 324 of this bill.)

(d) Propositions submitted to referendum under this bill are to be decided by a majority of the valid votes cast. The referenda are to be conducted under the provisions of the District Election Law, and by regulations of the Election Board.

Section 324, as noted above, amends the District Election Law to provide for the Election Board's conduct of the referenda authorized by section 201 and 323 of this bill. The Election Board must publish a notice of the referendum to be held once a week, for four weeks, in a District newspaper of general circulation. The notice must state the proposition to be voted upon, and the time and places for voting.[8] Within seven days of the referendum the Election Board is to certify the results to the School Board,[9] and have them published in a District newspaper of general circulation. Other provisions of the District Election Law (including that for a recount) are to apply to the referenda insofar as they are applicable. The Election Board is to adopt regulations that are necessary for the conduct of the referenda.

TITLE IV—SELECTION AND REMOVAL OF MEMBERS OF THE SCHOOL BOARD

Part A. Selection of members

Section 401: The School Board is to consist of fifteen members, five appointed by the Speaker of the House, and ten elected under sections 8(h) and 10(a)(3) of the District Election Law. (See these sections under sections 414 and 415 of this bill.)

Section 402 requires both appointed and elected members of the School Board to be school electors and residents of the District for five consecutive years. An elected member must also be a school elector in the school electoral district from which he seeks election.

Section 403: Except for members of the first School Board (see section 202(b)) and interim appointed members (see section 404), each member's term is for three years. The term expires on the fourth Monday in September, though a member may serve until his successor has taken the oath of office. A member may serve more than one term.

Section 404: (a) When an appointive membership is vacated before the expiration of the regular term, the Speaker is to make an interim appointment to fill the unexpired portion.

(b) When an elective membership is vacated before the expiration of the regular term, the unexpired portion of the term is to be filled by an election as provided for in section 10(a)(3)(B) of the District Election Law. (See this section under section 415 of the bill.) The Board may designate a person to fill the vacancy pending the election, but the person must have the qualifications required of the last incumbent member.

Part B. Duties of election board—Amendments of District election law

Section 411 amends the District Election Law to include the elective members of the School Board as persons to be elected in the District of Columbia.

Section 412 amends the District Election Law by adding to the functions of the Board of Elections (1) the division of the District into ten compact and contiguous school electoral districts of approximately equal population, (2) the maintenance of a permanent registry in each school electoral[10] district, and (3) reapportionment of the districts according to population after each decennial census.

Section 413 amends the District Election Law to provide that a person is eligible to vote in any election of a member of the School Board, or in any referendum provided for in this bill if, in addition to meeting the qualifications already required to vote under the District Election Law, he files an affidavit that he resides in the school electoral district in which he wishes to vote. The affidavit is to be filed with the Election Board not less than seven days before the election. Provision is made to treat persons moving from one school electoral district to another. An absentee is authorized to vote in the district in which he last resided.

Section 414 amends the District Election Law to specify the qualifications required of a candidate for membership on the School

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[2] Draft says in section 315 (p. 14), ". . . a majority of members may decide any question (except those *requesting* a special referendum under section *323*. . . ." The word "requesting" should probably be "requiring," and the section referenced should probably be *322* where special questions are *required* to be submitted to referendum. The analysis follows these changes.

[3] Section 321 (p. 14) of the Draft says, "The school electors may direct the School Board— . . . *by initiating* a referendum. . . ." This is probably intended to read, ". . . *by the approval of a referendum initiated*. . . ." The analysis follows this change.

[4] The Draft refers to ". . . a referendum in accordance with section *321(c)*. . . ." This is aparently a typographical error since there is no 321(c). The analysis substitutes *323(c)*.

[5] References to the subsections of section 15 of the District Election Law appear to be incorrect throughout section 323 of the Draft bill (pp. 15, 16). Reference in 323(a) should apparently be a reference to 15(a)(3); in 323(b) to 15(a)(2); and in 323(c) to 15(a)(3). The analysis adopts these changes.

[6] See note 5, above.

[7] See note 5, above.

[8] At this point in the Draft (sec. 15(b) of District Election Law, p. 17) words are repeated—typographical error.

[9] This section of Draft requires certification of the results to the School Board only. Section 201 requires the same certification to be made to the President, the Board of Education, and the Speaker.

[10] In subsection "(7)" at p. 18 of Draft, "school *election* district" should probably be "school *electoral* district" in order to be consistent with term used in same subsection, and defined in section 101(6) of the Draft bill. The analysis adopts the change.

Board. The person must (1) meet the qualifications specified in section 402 of this bill for elected members and (2) file with the Election Board a nomination petition signed by fifty persons eligible to vote in a school election in the district from which he seeks election. The petition must be filed with the Election Board at least thirty days before the election in a form prescribed by the Board.

Section 415 amends the District Election Law by adding a new paragraph to section 10(a) requiring elections of members of the School Board to be held on the second Monday in September in each year in any school electoral district[11] in which the regular term of its member expires during the calendar year, or in which the membership has been vacated before the expiration of the regular term and before the second Monday in July of the same year.

Section 416 amends the District Election Law to exclude vacated memberships of the School Board from that law's treatment of unexpired terms for other elected officials[12] in the District.

Part C. Removal of members and treasurer of School Board

Section 421: A petition for removal of a member of the School Board, or its treasurer, may be presented to the United States District Court for the District by the Attorney General of the United States, the District's Corporation Counsel, or five school electors for any of the following reasons:

(1) willful or habitual neglect or refusal to perform the duties of his office;

(2) disability preventing a proper discharge of his official duties;

(3) failure to produce and fully account for all public funds and property in his hands at an inspection or settlement;

(4) ineligibility to hold the office by reason of section 422 of this bill; or

(5) corruption, extortion, oppression, gross partiality, intoxication, conviction, of a felony, mal-administration in office or willful misconduct.

Section 422: If a member fails to maintain the qualifications required for appointment or election to the School Board (see sections 401–404), he becomes ineligible to continue to hold office.

Section 423: The removal petition must be filed in the form of a complaint in a civil action, with the accused Board member named as defendant. Unless filed by the Attorney General, it must be verified. The Federal Rules of Civil Procedures are to govern the action.

Section 424: The judge may suspend the accused member from office if, in his judgment, sufficient cause appears from the petition and affidavits supporting it. The order of suspension is to be served upon the accused, who may not then exercise any functions of his office until the suspension is revoked.

Section 425: Judgment of removal shall be rendered and recorded if the allegations of the petition are sufficient and true. The vacancy is then to be filled as provided under Part A of this title (sections 401–404).

Section 426: When the petition of removal is brought by school electors they are required to file a bond to cover costs taxable under section 427.

Section 427: (a) When the petition has been brought by the Attorney General or the Corporation Counsel and is dismissed on the merits, judgment is to be entered against the United States or the District, respectively, for the reasonable and necessary expenses incurred by the accused in making his defense, including a reasonable attorney's fee fixed by the court.

(b) In an action brought by the electors, if it appears to the court that there was no reasonable cause for filing the petition, the expenses described in (a) may be taxed as costs against the electors.

TITLE V—FINANCIAL ADMINISTRATION

Part A. Budget

Section 501 sets the School Board's fiscal year to begin on October 1 and end September 30 of the succeeding year.

Section 502: By July 1 of each year, the treasurer is directed to prepare and submit an annual budget for the school system containing separate accounting classifications for expenditures from the General Account and from the Capital Expenditure Account. The Board must, by resolution, adopt a budget for each fiscal year by August 15 of the preceding fiscal year.

Part B. Borrowing

Subpart 1. Borrowing for Capital Improvements

Section 511: (a) The School Board is authorized to incur indebtedness by issuing bonds in either coupon or registered form. Funds so obtained are to be included in the Capital Construction Account. Without the approval of a referendum under section 323 of this bill, the Board may not issue bonds in an amount which will cause its aggregate indebtedness to exceed one and one-quarter percent of the assessed value of District property. In no case may the Board issue bonds causing its aggregate indebtedness to exceed five percent of the assessed[13] value of District property.

(b) The term "indebtedness"—as used in (a) above—includes principal and unpaid accrued interest on the bonds issued, but excludes any portion of the bonded indebtedness for which funds are set aside and irrevocably dedicated to the repayment of the bonds.

(c) The term "assessed value of District property"—as used in (a) above—means the average of the assessed value of the real property in the District that is subject to taxation by the School Board under section 563 of this bill or by the District, or both, for the ten most recent fiscal years for which such data is available.

Section 512 specifies provisions which must be included in the School Board's resolution authorizing the issue of a series of bonds. These are (1) the denomination and serial number of bonds, (2) the maximum amount of the principal of the indebtedness to be incurred in the series, (3) the maximum rate of interest to be paid, and (4) where the question of issuing bonds is to be submitted to referendum (whether required by section 511 or voluntarily put by the Board in its discretion), information on the date and procedures of the referendum.

Section 513: Within five days of passing the resolution for issuance of the bonds, the treasurer is to publish it in a District newspaper of general circulation, together with a notice that suits questioning the validity of the resolution must be filed within the period provided in section 514 or be forever barred.

Section 514 limits the period for a suit or proceeding contesting the validity of the authorizing resolution to the twenty days after (1) the newspaper notice of the passage of the resolution, or (2) the promulgation of the results of the referendum.

Section 515: After the twenty-day limitation period of section 514, the Board may, by resolution, issue the bonds. The bonds of any authorized series may be issued all at one time or periodically, as deemed advisable by the School Board. The bonds of each series are to be payable in annual installments, beginning within three years of date of issue, and ending within twenty years of that date. The resolution issuing the bonds is to fix the date of issue, and prescribe the form of the bonds and interest coupons, the manner in which the bonds and coupons are to be executed and registered, and the place where they are payable.

Section 516: The School Board is directed to publish a notice of the sale of the bonds at least once, and not less than ten days prior to the sale of the bonds. The notice is to appear in a District newspaper and a New York City daily financial newspaper that carries municipal bond notices. The notice is to include a requirement that proposals of purchase will be considered only if they are accompanied by a down payment equivalent to at least two percent of the par amount of the bonds. The bonds may then be sold publicly based upon the sealed proposals at such price or prices as the Board approves. The School Board is to reserve the right to reject any proposal.

Subpart 2. Short-Term Borrowing

Section 521: By resolution, the School Board may authorize the borrowing of money up to twenty-five percent of the total revenue anticipated during the fiscal year through the execution and issuance of negotiable notes. The notes are renewable during that fiscal year but must mature and be repaid before the close of the fiscal year.

Section 522: (a) The notes issued under section 521 are not to be payable on demand, but may be redeemable prior to maturity as provided for in the notes.

(b) The notes may be sold at private sales without advertising but must be sold for an amount no less than their par value plus accrued interest.

Subpart 3. Credit of United States Not Pledged

Section 531: The bonds and notes to be issued under this bill are not obligations of the United States or the District (except as to their non-taxability under section 103(a) of the Internal Revenue Code), nor is the full faith and credit of the United States pledged in payment of them.

Part C. The office and duties of the School Board treasurer

Section 551: The School Board is directed to annually elect a treasurer on the fourth Monday of September, and to fix the amount of his salary. The treasurer may be removed at any time by two-thirds vote of the Board, or by the Court on a petition for removal under Part C of Title IV of this bill.

Section 552: As the officer of the School Board in charge of the administration of the school system's financial affairs the treasurer is assigned the following duties:

(1) prepare and submit the annual budget estimates under section 502;

(2) supervise and be responsible for all financial transactions to insure adequate control of revenue and resources and to insure that budgetary authorizations are not exceeded;

(3) maintain systems of accounting and internal control to provide (a) full disclosure of the financial results of the Board's activities, (b) adequate financial information needed by the Board for management, and (c) effective control and accountability of all assets;

(4) submit a monthly financial statement to the Board;

(5) prepare a complete financial statement and report for each fiscal year;

(6) receive all money to be paid to the

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[11] In subsection "(3)" under sec. 415 of Draft bill, at p. 19, "school *election* district" should probably be "school *electoral* district" to be consistent with definition of section 101(6) of the Draft bill.

[12] Section 416 (at p. 20) says to insert the amendment after the word "officer." The word does not appear in the referenced section—it is probably intended to be "official."

[13] Last sentence, see 511(a), at p. 26: ". . . of such average assessed value" should probably be changed to be consistent with the defined term of sec. 511(c).

Board by the Federal Government or the District;

(7) have custody of all public funds belonging to or under the control of the Board, and deposit such funds as directed by the Board; and

(8) have custody of all investments of the Board, and have the safekeeping of its bonds and notes.

Section 533: The treasurer (and other officers and employees of the School Board as directed by the Board) are to be bonded, in amounts and with sureties as prescribed by the Board. The premiums for the bonds are to be paid from funds of the School Board.

Section 554 [14] provides the treasurer with additional duties of accounting supervision and control. He, or his designate, shall—

(1) prescribe the forms of receipts, vouchers, bills, and claims to be used by the School Board;

(2) examine and approve documents evidencing financial obligations of the Board, having ascertained that funds are allotted and available for them when due;

(3) audit and approve all evidences of claims, demands, or charges against the Board before their payment, and with the advice of the Board's legal officials determine the regularity, legality and correctness of such claims; and

(4) perform internal audits of accounts and records of the School Board.

Section 555: (a) The School Board's financial transactions are to be separately audited by the General Accounting Office, utilizing audit procedures with due regard to generally accepted principles of auditing. The audit is to be performed at the place where the accounts of the Board are normally kept, and the General Accounting Office is to be given complete access to the records and property belonging to or in use by the School Board.

(b) The Comptroller General is to submit audit reports as he may deem necessary to Congress, and the School Board. The reports must set forth the scope of the audits, and include information needed to inform the Board of the operations studied, together with the Comptroller General's recommendations on such operations. The report must specifically show any financial transaction or undertaking which in the Comptroller General's opinion has been made or carried on without authority of law. The School Board is to make the report and other pertinent material available for public inspection.

Section 556 amends the Budget and Accounting Act to exclude the School Board from its coverage.

Part D. Revenues and budgetary limitations

Section 561: The School Board's General Account is to consist of all of the Board's funds except those in the Capital Construction Account. The revenue accruing to the General Account in any fiscal year (except revenue diverted to the General Account under section 562(d)) must not exceed an amount equal to $200 times the number of pupils enrolled in the District school system at the end of the previous school year.

Section 562: (a) The Capital Construction Account is to consist of all revenues described in (b) and not expended under (c).

(b) The revenues accruing to the Capital Construction Account are to consist of (1) five-sevenths of the tax levied under section 563, (2) the proceeds of bonds sold by the School Board (see sections 511–516), and (3) funds transferred by resolution of the School Board from the Capital Construction Account to the General Account.

(c) The funds of the Capital Construction Account may be expended (1) for acquisition of land, construction of buildings and improvements, and purchase of school equipment, (2) for the payment of principal and interest on bonds issued by the Board (see sections 511–516), and (3) if transferred to the General Account under (d), for other purposes.

(d) (1): If approved in a referendum held under section 323 [15], the School Board may transfer funds from the Capital Construction Account to the General Account. The amount of the funds transferred in any fiscal year may not exceed the amount by which the Capital Construction Account exceeds the sums due in that fiscal year for principal and interest on the Board's outstanding bonds.

(d) (2): Without the approval of a referendum the School Board may still transfer funds to the General Account but the amount is not to exceed either (A) the amount transferable with approval of the referendum, or (B) the percent of the revenue accruing to the Capital Construction Account in that fiscal year.

Section 563 authorizes the School Board to levy an ad valorem real property tax on the taxable real property of the District. By August 15 of each year the Board must certify to the Commissioners of the District the amount proposed to be raised by the tax in the next fiscal year. The Commissioners are then to levy the tax in the same manner as they levy the existing real property tax of the District, and pay the amounts raised to the account of the Board. The amount so certified or paid must not in any case exceed fourteen mills when divided by the assessed value of District property (defined in section 511(c)).[16] Subject to that limitation, however, the amount so certified and paid must not be less than amounts due in that fiscal year for principal and interest on the board's outstanding bonds (see sections 511–516).

Section 564: The School Board is authorized to levy a sales tax and a personal income tax. For both taxes the amount to be levied may not exceed one-half of the amount levied by the District under the District of Columbia Sales and Income Tax Acts. The Commissioners are to collect the respective taxes in the same manner as the District taxes upon receipt of the School Board's certification showing the amount to be raised. The District must diminish the amount raised by these taxes for its own account so that the total of the amount raised for its own account plus the amount raised for the School Board does not exceed the amount which the District is authorized by law—other than this section—to levy and collect for its own account.

Section 565: (a) Annual appropriations for the School Board are authorized in an amount equal to one and one-half percent of the assessed value of all tax-exempt real property of the United States and the District located in the District (except streets and navigable waterways).

(b) The School Board is directed to determine the assessed value of such property and to annually submit a request to Congress (without review by the Bureau of the Budget) for an appropriation in an amount equal to one and one-half percent of the determined value.

(c) the term "assessed value" [17] as used in this section means sixty percent of the original cost of the real property, and includes all costs of site acquisition, of construction and major renovation or extension of buildings, and of purchase of equipment.

TITLE VI—EFFECTIVE DATES

Section 601: (a) (1) Title I and section 201 of this bill become effective at its enactment.

(2) Title IV and sections 202 and 203 are effective on the day the President receives a certificate from the Election Board declaring the proposed School Board was approved by the referendum held under section 201.

(3) The remainder of the bill becomes effective on the day on which the eighth member of the initial School Board takes the oath of office.

(b) The bill as enacted becomes ineffective if the proposed School Board is rejected by the referendum of section 201.

ANDREW J. SHEA.

Mr. HARDY. Mr. Chairman, I yield 10 minutes to the gentleman from North Carolina [Mr. WHITENER].

Mr. WHITENER. Mr. Chairman, the reorganization plan which we have before us is one which has been heralded as the miracle of 1967 in municipal affairs.

From the study we have made of this proposal and of the history of government in the District of Columbia, some of us wind up with very serious reservations as to the validity of the statements made in support of this so-called reorganization.

Back in 1871 the Congress established a local government in the District of Columbia which was not unlike that proposed here. In that government the authority and responsibility was concentrated in the executive branch of our Government notwithstanding the provision of the Constitution to the effect Congress shall have exclusive legislative authority in the District.

Under that 1871 government, the chief executive was appointed by the President and there was a Board of Public Works appointed by the President. They had an 11-member Council which was appointed by the President and a 22-member House of Delegates which was elected by the people in the District of Columbia.

In this present plan it is provided again, as in 1871, for the appointment of the chief executive of the local government by the President.

It provides, as was done with the then 11-member Council for the appointment of a nine-man Council by the President.

So the net effect is that you again have the government of the District of Columbia, if this plan is adopted, as a more direct branch of the executive than it is now, but more as it was in 1871.

The record will show that the District of Columbia government of 1871 probably collapsed more quickly and more disastrously financially than other city government in the history of the United States.

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[14] Section "554(a)" in Draft bill at p. 35 should probably be "554" since there is no other division of the section.

[15] The reference in subsection 562(d)(1) of Draft bill (at p. 39) to section 322 (2) should probably be a reference to section 323, since the latter-cited section sets out the procedures for the referendum. The analysis adopts this change.

[16] Section 563(2) of the Draft bill (at p. 41) refers to ". . . the assessed value of taxable real property in the District. . . ." It is not clear whether this was intended to be understood as the same as the term ". . . assessed value of District property . . ." defined in section 511(c) of the Draft bill. Since the term of section 563(2) is not otherwise defined there, the analysis adopts that interpretation, but it does not reflect a technical change required in the referenced section 511(c) to apply its definition to section 563.

[17] Section 565(c) of the Draft bill, at p. 48, defines the term "assessed *valuation*" for purposes of the other parts of the section. But the term used in sections 565(a) and (b) is "assessed *value*."

When that government was established in 1871 the District of Columbia had one of the lowest per capita debts of any city in the Nation. Within 4 years it was bankrupt and had the highest per capita debt of any city in the United States.

It was at that time that the Congress returned to constitutional principle and undertook to exercise exclusive legislation in all cases whatsoever in the District of Columbia.

Now, I am not here to tell you that the reorganization plan that you have before you will bring the same results that we had in 1871. But I have heard on many occasions many of you gentlemen quote the motto or the adage that appears on the Archives Building, that "What is past is prologue." Should we today disregard this maxim?

Time will not permit a detailed discussion of what is provided in the so-called reorganization plan. But if you will look at the proposed plan, you will find that it would, in effect, transfer to the executive branch of the Government vast areas of authority belonging to the Congress. It is all listed there in fine print in the report for several pages.

I repeat, the plan does not get at the heart of the trouble here in the District of Columbia.

One of the things that I have undertaken to urge in the press and elsewhere is that the Commissioners of the District of Columbia be permitted to govern the District of Columbia under legislation enacted by the Congress.

They have not been able to do that, and I can point out some reasons why.

In the first place, back in 1961 there was created an office which is called Presidential Assistant for District of Columbia Affairs, or something of the sort. I am not critical of the two gentlemen who have occupied that position. They are both fine gentleman. But I say this to you, that no Commissioner can run a government if every disgruntled citizen can write a letter or telephone to the White House and have some supernumerary sitting down there questioning everything the Commissioners do.

You have another situation in the District that is a great problem. Public works projects—subways or anything you want to do here—cannot be accomplished by the local government authorities unless they get the approval of the National Capital Planning Commission, and, in many cases, the Secretary of the Interior or the Director of the Park Service or any number of others. I am not criticizing those departments. I am saying you should not blame the Commissioners and you should not blame the basic system of government in the District of Columbia when the Congress and the executive department have created a multiplicity of roadblocks which prevent the effective management of the District of Columbia government. You are not going to make it more efficient by the appointment of a bunch of so-called councilmen who are part-time people, but who no doubt will be full-time troublemakers because they will be trying to assert authority that they do not have.

I can say this to you, my friends, that right today you have two members of the Board of Commissioners of the District of Columbia who would like nothing better than to be relieved of the positions they have because of the frustrations that are brought about by these obstructions that have been created by the Congress and by the executive department to them in the performance of their duties. Why do they not resign? They do not resign because the White House cannot get qualified people to take their places, and they are staying because of a sense of duty to the Nation's Capital.

Much has been said here about improving the District government, but there has not been a great deal done. I say we should vote for this resolution, voting down the reorganization plan, and then take up the legislation which has been reported out by the Committee on the District of Columbia. At that time you will not be walking around here with a blinder on your eyes or a yoke on your neck, because you will have an opportunity to offer any amendments you would like to that legislative proposal.

Under this so-called reorganization plan you have no such right.

It seems to me that as legislators interested in our Nation's Capital, we should have the right to express our will. We cannot do it under the procedures here. We can do it when legislation is brought out on the floor from our committee in the form that has been reported out.

I urge you to vote for the resolution of disapproval, and later on to vote for the legislation—which will come out of the Committee on the District of Columbia. You will have an opportunity to amend the committee bill as you feel proper. That right is denied under the procedure now before us.

I yield back the balance of my time.

The CHAIRMAN. The Chair recognizes the gentleman from Illinois [Mr. ERLENBORN].

Mr. ERLENBORN. Mr. Chairman, I yield 10 minutes to the gentleman from New York [Mr. HORTON].

The CHAIRMAN. The gentleman from New York [Mr. HORTON] is recognized for 10 minutes.

Mr. HORTON. Mr. Chairman, I rise in support of Reorganization Plan No. 3. As a member of both the Committees on Government Operations and the District of Columbia I have a particular interest in this reorganization effort aimed at improving the effectiveness and efficiency of the government of the District of Columbia.

As a member of the Committee on the District of Columbia for the past 5 years, I am intimately acquainted with the organization and operation of the present District government. I have had the pleasure of working closely with members of the three-man Board of Commissioners, the Corporation Counsel, the Chief of Police, and the other highly dedicated and competent District officials.

Let me say at the outset that in these 5 years the performance of these officials and of my fellow members of the District Committee has been of the highest order of public service and public concern.

Both as a member of the District Committee and a former member of the Rochester, N.Y., City Council, that city's legislative body, I am troubled by the structural barriers that exist in the District government, which hamper effective and efficient local decisions and action.

The present District government is headed by a three-man Board of Commissioners, including a Health and Welfare Commissioner, a Safety Commissioner, and an Engineer Commissioner. As an example of the difficulties this structure creates in the fostering of programs, let us examine for instance, programs involving alcoholism and juvenile delinquency.

Both of these programs cut across all jurisdictional lines separating the functions of the three District Commissioners. Combating juvenile delinquency involves the creation of rehabilitation and welfare programs which are the bailiwick of the Health and Welfare Commissioner. It also involves the Police Department, which is responsible to the Safety Commissioner. Further, youth recreation and education facilites are needed in any comprehensive delinquency rehabilitation program, and these facilities fall under the jurisdiction of the Engineer Commissioner, who supervises all public buildings. Further, the cooperation of the prosecutor is needed. In the District of Columbia, the prosecutor is the Corporation Counsel, who is responsible to all three Commissioners.

A similar picture can be drawn to illustrate complex jurisdictional problems of an alcoholism rehabilitation program. Quite obviously, under the present structure these line crossings involve considerable duplication of approval, planning, and executive procedures. I might also add that it would involve cooperation of the Commissioners.

Under the reorganization plan, which I am supporting, the executive power in the District of Columbia would be lodged in a single Commissioner, thus creating a central source of authority which is both flexible and efficient, an executive with power to direct comprehensive planning of programs designed to solve the extremely complex socioeconomic problems facing American cities today.

In addition, this plan provides Washington residents, who now number more than 800,000, with a degree of representation in their government. Today they are afforded no voice in their local government. Creation of a nonpartisan Council from among the District residents would provide this representation.

This need to improve the structure of our local government is not unique to the District. It has been stressed by many individuals and groups who are keenly interested in the problems of modern America. I recently noted a report of the U.S. Chamber of Commerce entitled "Modernizing Local Government." In this report, the chamber of commerce pointed out:

> It is increasingly evident that a major obstacle to solving today's problems is insufficient action at the community level. And a prime reason for this is local government that lacks the kind of structure which permits flexibility to meet public needs. Many communities have failed to adapt their local governments to the population, technological and urban changes of this century.
>
> Outmoded local government structures straitjacket public flexibility and stifle private initiative * * * Unless local government is revitalized, our political and economic systems, as we now know them will have little chance to solve public problems effectively. Governments of yesteryear must be remodeled to fit not only today's but also tomorrow's needs.

I endorse these views. The plan now before the House meets the tests set by the chamber of commerce. It is drawn to afford the District government the flexibility necessary to meet public needs.

Under the present form of organization the District cannot obtain the executive leadership and direction needed to meet today's urban problems. Among large American cities comparable in size to Washington, none today operates under a system of divided executive authority. Some have in the past experimented with the commission form of government and have abandoned it as unworkable and unresponsive for today's conditions. Only Washington, D.C., among large American cities remains hobbled with this antiquated structure. It is past time for a change, it is time to give the District a single executive that the President, the Congress, and the citizens and public servants of the District can look to for municipal leadership and hold accountable for its success. I see no other institutions capable of fulfilling this need.

I might point out at this juncture, Mr. Chairman, that the Commissioners testified before the Committee on Government Operations. I believe it is important to hear what they had to say at this point, because we probably will during this debate hear what some of the past Commissioners have said with regard to this proposed reorganization plan.

Mr. Tobriner, who is President of the Board of Commissioners and who has served for 6 years, said before the Committee on Government Operations:

> I appreciate the opportunity to appear today to express my support for Reorganization Plan No. 3. This support represents my considered judgment based on my service of over 6 years as a Commissioner of the District. In all candor, the task of the Board over the past 6 years has not been an easy one. I know that the chief executive of any large American city has not had an easy time in recent years.

Commissioner Tobriner also said:

> However, I believe that the Commissioners of the District have been handicapped to an extra degree by an archaic and cumbersome form of government. This has been over and above the problems of chief executives of most American cities.

He continued by saying:

> I am sure that I do not have to detail to Members of the Congress the host of issues which we face in Washington— a rising crime rate, unmet educational needs, unemployment, and housing shortages. I believe the Board of Commissioners has been diligently and conscientiously seeking answers to these and similar public problems. I think we have been doing a good job.

I agree with that statement. Commissioner Tobriner continued:

> Yet I must say that the results are not good enough. A major reason for this, I think, is due to the fact that the governmental framework in which we work is not adequate. For a city of the size and complexity of Washington, the concept of a Board of Commissioners is an outdated remnant of a bygone era. It does not meet the needs of today's world.
>
> Many individuals, including Members of Congress, have asked the questions "What is wrong with a three-man Board of Commissioners? Why should we change? Clear answers to these kinds of doubts are necessary if the plan is to be supported.

Then he said:

> My answer to these questions is that, based on my experience, a three-man Board cannot provide the kind of executive and administrative leadership which is required. As you know, the District Commissioners have divided their jurisdiction over the various agencies of the District among the Board Members. Thus we have (1) a Commissioner of Public Health and Welfare, (2) a Commissioner of Public Safety, and (3) a Commissioner of Public Works. Each supervises the agencies assigned to him.

He went on to detail in substance why he believes that a three-man Board cannot provide the leadership required.

I should like also to read what Commissioner Mathe, the Engineer Commissioner, had to say on this very vital subject:

> In the 93 years officers of the Corps of Engineers have served the city, I think they have done a good job.

I again agree with that statement. Commissioner Mathe said:

> I believe they have served the city well. Naturally, I'm proud of the part the corps has played in building the Nation's Capital, and I'm also proud to participate in that effort.

He continued:

> But the problems of the city today are vastly different from those of 93, or even 20 or 10 years ago. Urban problems are becoming increasingly more difficult and more complex, particularly in metropolitan areas. As you are well aware, all large cities are experiencing what is often termed an "urban crisis." In consequence, urban programs are also becoming more complex, more involved, and more difficult to administer. One cannot help but wonder, then, if this is an appropriate job for a military officer—an assignment that calls for decisions which will have an impact on the welfare, social progress, and economic livelihood of more than 800,000 civilians.

He also said:

> As an Army officer, I am happy to serve Washington, D.C. In my opinion, however—and I consider this to be an overriding factor—an Army officer should not be involved in the continuing political problems of this great city, as he now must be while serving as one of the Commissioners. I, therefore, endorse the President's reorganization plan for the District of Columbia government.

Because there may be some question with regard to crime, I believe we ought to hear what the Chief of the Metropolitan Police Department had to say.

The CHAIRMAN. The time of the gentleman from New York has expired.

Mr. ERLENBORN. Mr. Chairman, I yield the gentleman 2 additional minutes.

Mr. HORTON. Mr. Chairman, Police Chief Layton said:

> The key element in the President's plan, it seems to me, is the proposal for a single Commissioner with strong executive powers which would provide the consolidated authority which should aid especially the long-range crime prevention programs.
>
> Each criminal act is of concern to a number of departments and agencies in the District government. Under the present system, the operating departments and agencies are divided among the three Commissioners for administrative supervision. For example, the Police Department is under the immediate supervision of the president of the Board of Commissioners; the Department of Corrections is supervised by the other civilian Commissioner; the Engineer Commissioner has immediate supervision over the Department of Motor Vehicles, and the Office of the Corporation Counsel reports to the full Board of Commissioners.

Then he said:

> It seems appropriate that such closely linked activities as those of the police force, the prison system, motor vehicle supervision, and the legal office, should be coordinated under a single, clear line of authority.
>
> The job of the police force is, of course, primarily to control crime through prevention and arrest of offenders. Many other factors must be taken into account, however, to achieve lasting progress in reducing crime. Long-range programs in such fields as education, employment, and housing are important in this effort. More efficient governmental machinery such as offered by the President's reorganization plan would give the community hope of swifter progress toward these goals.

Mr. Chairman, I feel that this plan, which vests the legislative or rulemaking authority in a council and the executive authority in a single commissioner, is in itself a good plan. Additionally, I feel that it provides a good basis or framework which we in the Congress and in the committees on the District of Columbia of the House and the Senate can further perfect to give the District of Columbia a streamlined and more effective government. We should bear in mind as we consider this reorganization plan that the Commissioners today have both the executive and the rulemaking and legislative authority. Under any other plan that has been proposed this executive and rulemaking authority is still vested in the three Commissioners. I think it is very important for us to change this setup at the top level of government so that we can have a more streamlined and more effective structure.

Therefore, Mr. Chairman, I ask our colleagues to support the plan and vote down the disapproval resolution.

Mr. ERLENBORN. Mr. Chairman, I yield 10 minutes to the gentleman from Ohio [Mr. BROWN].

Mr. BROWN of Ohio. Mr. Chairman, I rise to express my support of the resolution of disapproval and to oppose the President's plan. I have introduced, as the Members of this body know, a plan of my own toward which I hope we will have the opportunity to move by taking up the plan which has been proposed by the Committee on the District of Columbia.

I should like to outline briefly, if I may, some of the problems involved with the President's plan. As has been mentioned, this plan provides for a single Commissioner and an assistant in the hope of getting single-minded leadership of the District of Columbia. Under the President's proposal one or the other, and not necessarily both, of these people is to be a resident of the District of Columbia. It does leave one of the positions open to the appointment of anybody who may or may not have some kind of experience in administration in cities of 800,000 population. Possibly an unemployed mayor from some other city. Both of these posts would be filled by the President.

However, there is no provision under the President's plan for the removal of the assistant. So this puts the White House-named Commissioner in the rather strange position of having his assistant selected by the White House, but the Commissioner does not have the possibility of removing his assistant should the two not be compatible.

Much has been made of the fact that there has been support of the President's reorganization plan expressed by people now associated or recently associated with the government of the District of Columbia. Of course, the possibility occurs to me that some of these gentlemen may be enthusiastic about this plan with reference to the employment to which they may have recently been assigned or which they may have in mind. I hasten to make no conclusions in this regard other than to say that the ability of the President to appoint people to other jobs may have some significance relating to the support which has been expressed for this plan.

Under the President's plan there is proposed a nine-member Commission. Now, this has been cited as one of the home-rule aspects in this legislation. I feel it is significant that all of these members of the proposed Commission are appointed by the President. Theoretically, they are to be representatives of the people of the District of Columbia. But if they are not in agreement with the Commissioner—the Commissioner also being appointed by the President—it requires seven to overrule the Commissioner. And, should they be too obstreperous, they are subject, of course, to Presidential refusal to reappoint.

What kind of home rule representation is that?

Once again the administration may be promising, as it has in the past several years so often more than it can deliver—this time to the people of the District of Columbia.

One of the problems that has been faced, but not met effectively, by the present government of the District of Columbia, is the lording over of the three-member Commission system of municipal government the National Capital Planning Commission, the Redevelopment Land Agency, the Zoning Commission, and the many other independent agencies which are now dominated by Presidential appointment.

Does the President's plan cure this problem? No, it does not. It merely leaves these independent agencies to operate in conflict or in concert, as the case may be, with the Presidentially appointed Commissioner and Presidentially appointed City Council. This should assure expression of the White House view, one way or the other.

The reorganizational authority for the details of the government of the District of Columbia is given to the single Commissioner.

I ask you, Mr. Chairman, what are the home rule aspects of this plan?

Well, unless you consider that the Presidentially appointed Commissioner, or the Presidentially appointed Council, at some future date, will be elected by the people of the city of Washington, then I submit that there are no home rule aspects of this plan.

If you presume that this Congress will have these councilmen or the Commissioner elected, Mr. Chairman, then what do we do about the tripartite interest in the District of Columbia? The three parts are the interest of the people of the United States, whose National Capital this is; and the interest of the people of the city whose home it is to balance the interest of the White House, which is the executive responsibility for the administrative branch of Government, maintained here.

This tripartite interest which must be maintained can be done through a system which includes the system of three Commissioners.

And it can do it under a plan which provides for a single-minded manager in a city manager type of government. Such a plan has been proposed by the District Committee and it has also been proposed under legislation which I have submitted myself. The legislation I have submitted provides for the election by the residents of the city of one of the Commissioners, and the naming of the other two by the President, with the concurrence of the Senate.

In the committee plan, we have the only aspect of true home rule which has been proposed during the entire consideration of this question. This is the provision for an 11-member School Board. If the people in the District of Columbia should not have the right to elect their own School Board, then what areas are we going to give them for exercising their own local governmental authority?

Under the committee plan these 11 School Board members will be elected from wards. No such provision exists in the President's reorganization plan with reference to local schools or local elections.

Mr. Chairman, I submit that in spite of the erudite comments which have appeared in the press of the city of Washington, the District Committee plan is somewhat more liberal than the President's highly conservative all-White House self-appointed plan.

Through the Reorganization Act procedure by which this plan came to this Congress, the President does have the authority to legislate—or, rather, the executive branch of the Government has the authority because, obviously, the President did not take time to draw up this plan himself. This reverse legislative procedure which is now pending before this Congress today obviates the action taken in previous Congresses establishing a specific committee to give consideration to the special problems of the District. This organization rule of the Congress has been avoided and ignored.

Because all we can do to this plan today is disapprove it, or not disapprove it and let it become law. We cannot amend it.

This, Mr. Chairman, is an abdication of the prerogatives of the U.S. Congress in this very delicate and important area.

One of the great problems of our time is how to govern cities the size of Washington. If we are going to turn this over to a single executive official who is resident in the White House, then I think we have abdicated our responsibility to find a solution to these problems that we face in the city of Washington.

Mr. Chairman, I do not suggest for one minute that the President of the United States will be ex officio mayor of Washington because the President is too busy making the decisive judgments that are needed on Vietnam and the problems of riots in our cities, the kind of judgments we have come to expect of the President of the United States. I do suggest that the White House decisions issuing to the government of the District of Columbia will be made by some anonymous White House assistant who will be in constant communication with the Commissioner and the members of the Council appointed by the President.

I should like to see us, Mr. Chairman, maintain the interest of Congress in the District of Columbia. I should like to see us, Mr. Chairman, add to that interest a voice for the residents of the District of Columbia. And I should like to see us balance the present White House control of the District of Columbia, a control which has been growing in recent years. This growing influence may be the basis of some of the problems we now have with the government of this city in which we are all so vitally concerned.

Mr. Chairman, I submit that the question today is whether or not to accept the President's plan, and terminate for the time being the Congress' consideration of the operation of the District, or whether we reassert our interest in the problems of this Federal City. Mr. Chairman, I fear we may face, if we adopt the President's plan, a continuing conflict between this Congress as represented by the District Committee, and the White House as represented by the anonymous special assistant to which I have made reference.

Mr. HARDY. Mr. Chairman, I yield 5 minutes to the distinguished chairman of the Committee on the District of Columbia, the gentleman from South Carolina [Mr. McMILLAN].

Mr. McMILLAN. Mr. Chairman, I first want to thank the members of the House Committee on Government Operations for the courtesy they have extended to the members of my committee, we have worked well together, and they have given us all the opportunity we wanted to appear before their committee during the hearings.

I have no quarrel with any member of their committee. In fact, the chairman of the committee is one of my best friends, and serves as a member of my committee. However, I realize he has a job to do, and I suppose the person who has created this Reorganization Plan No. 3 had the President send it to the Capitol.

While I know that it was the duty of this committee to hold hearings and present it to the floor of the House, I find it rather difficult to understand how any Member of the Congress would want to abandon his constitutional authority over the affairs of the District of Columbia.

Mr. Chairman, I should be the last person to stand in the well here trying to protect anything for the District of Columbia, because I have taken smear tactics from the news media, and there have been intentional misrepresentations by the press in Washington over the 20 years I have been chairman of this committee, in fact, in practically all of the 30 years I have been a member of the House Committee on the District of Columbia. The only reason I did not get off the committee was because I did not want the Washington Post to think they could run me off. That is the reason I am out here today: to see that the Members of Congress are protected as prescribed by the Constitution. There are not many Members of Congress here of the old school whom I have not helped somewhere along the line since I have been serving as the chairman of this committee.

I imagine that from now on if this plan is adopted, Members of Congress will be required to get District of Columbia automobile tags, as you will no longer have the kind of reciprocity that you have now as a Member of Congress from every State in the Union. I was successful in having the Governor of the State of Virginia grant you the reciprocal privilege of using your own State license tags during the time you are here as a Member of Congress.

Those are a few things that I have done for all Members of the Congress by trying to keep this a safe place to live. I just cannot see how the Congress can agree to have the executive department of the Government handle all the affairs of the District of Columbia when the Constitution specifically states that the Congress of the United States has complete jurisdiction at the legislative level and all legislation so far as the District of Columbia is concerned.

I understand that this new plan, or whatever you want to call it, council, or whatever it is, will have authority to make the laws and if the Congress does not object, then they will go into effect. Well, who is going to have the time here on Capitol Hill to keep up with all this council will be doing downtown when we can hardly keep up with the three Commissioners?

My committee held extensive hearings for the past 2 months in an effort to find out why this plan was created. We had all the available possible District Commissioners in the District of Columbia up here before our committee in an effort to find out if there were any flaws in the District government that should be corrected. Not one Commissioner has stated that he was unable to effectively perform the duties of the Commission except the three Commissioners who are in office at the present time, I think you all know why they could not say otherwise. I am sure that if one or three of the employees in my office would testify against me, they would not have a job tonight.

I hope that every Member of the House of Representatives will realize that this really affects them just as much as it does any member of the Committee on the District of Columbia. This is your baby and if you want to vote for it, I am not going to lose any sleep about it. I feel I have done my duty serving on this District Committee as long as I have and I believe that we in the House District Committee have done a wonderful job. Almost every year we have from 20 to 25 bills left in the committee in the other body with no action taken on them. Do you ever hear the press criticize that committee? No—they are too busy criticizing the House Committee on the District of Columbia all the time. So you can see who wants this Reorganization Plan No. 3.

If I, for once, thought that the President of the United States really wanted this Reorganization Plan No. 3 so that he could more effectively handle the affairs of the District of Columbia, I would not be here opposing it today. But I do not think the President created this plan. I do not think the President has time to know anything much about it because any man who is serving as President, with two wars going on, I am certain he does not have the time to think much about the District of Columbia affairs.

Mr. NELSEN. Mr. Chairman, will the gentleman yield for a question?

Mr. McMILLAN. I yield to the gentleman.

Mr. NELSEN. I would like to suggest the chairman make some observation relative to the bill that we have reported from the District of Columbia Committee. Statements have been made repeatedly in our Republican Conference, in the press and elsewhere that the chairman of the committee probably would not support the bill that has been reported. I wonder if the gentleman would comment on that.

Mr. McMILLAN. Let me say to the distinguished gentleman from Minnesota who has done such a wonderful job as a member of the House Committee on the District of Columbia, our committee has prepared a bill that I think will be of some improvement to the District of Columbia government because the only sore thorn here in the District of Columbia government at the present is in connection with the School Board. I have had at least three of the judges call me and say that they wish Congress would take these appointments out of their hands. We have that provision in this pending bill. The gentleman from Minnesota has done more for the District of Columbia than any man that I know of who has ever served in the Congress of the United States. He spends more time studying the conditions here in the District of Columbia and he is the author of practically every version or every item in the pending bill reported out of the District Committee which will come up next Monday should this plan be voted down.

Mr. NELSEN. Mr. Chairman, will the gentleman yield further?

Mr. McMILLAN. I yield to the gentleman from Minnesota.

Mr. NELSEN. It is my understanding from our conversation yesterday that it is the intention of the chairman to go all the way with me in support of that bill. Is that true?

Mr. McMILLAN. That is true, all the way; yes.

Mr. NELSEN. I thank the gentleman.

Mr. McMILLAN. I am 100 percent for the bill, unless the Senate tacks onto it an extraordinary amendment. I will support it with any ordinary amendment that they might tack onto it over there.

Mr. MULTER. Mr. Chairman, will the gentleman yield?

Mr. McMILLAN. I yield to the gentleman from New York.

Mr. MULTER. The gentleman said a moment ago that if this plan should be rejected, he would bring the Nelsen bill to the floor next Monday.

Mr. McMILLAN. That is correct.

Mr. MULTER. Why should not the gentleman bring the bill to the floor next Monday or some other time in the future even if the reorganization plan prevails? After all, why should not the Congress try to work its will on this subject, no matter what happens to the reorganization plan?

Mr. McMILLAN. I do not think the other body would take any action on the committee bill if the reorganization plan is adopted.

Mr. MULTER. Why should we not run the risk that they would not take action if the bill is a good one and has in it legislation that the plan could not accomplish? Why should we not bring that bill before the House and let the House work its will on it?

Mr. McMILLAN. If a majority of the Congress thinks that the President should handle the affairs of the District of Columbia, I am willing to let him do it.

Mr. MULTER. Even though we approve this plan, we can still approve other legislation pertaining to the District of Columbia. Why not bring that bill to the floor of the House and let the House act on it?

Mr. BROWN of Ohio. Mr. Chairman, will the gentleman yield?

Mr. McMILLAN. I yield to the gentleman from Ohio.

Mr. BROWN of Ohio. How long does the gentleman feel we should give the President's plan before we start correcting it? One week, or would you prefer to wait for a time and see if the President's plan would work?

The CHAIRMAN. The time of the gentleman from South Carolina has expired.

The Chair recognizes the gentleman from Minnesota.

Mr. BLATNIK. Mr. Chairman, I yield 5 minutes to the gentleman from Wisconsin [Mr. REUSS], a member of the committee.

The CHAIRMAN. The gentleman from Wisconsin is recognized for 5 minutes.

Mr. REUSS. Mr Chairman, I rise in vigorous support of the reorganization plan because of the central thing which it does, which is to replace an unworkable troika, an administrative animal with three heads, a tripartite monstrosity, with an efficient and effective single Commissioner.

All the large cities of the United States have long since abandoned the commission form of government; 93 cities, large and small, have abandoned it in the last 10 years alone.

A commission form of government violates every modern principle of good government. It has been condemned by organizations ranging from the Hoover Commission 20 years ago to the U.S. Chamber of Commerce just very recently.

Let us look at one specific case of why it does not work, and here there is no reflection intended on the fine gentlemen who are presently the three District of Columbia Commissioners.

Take the recent findings of the District of Columbia Crime Commission that alcoholism simply cannot be successfully controlled under the present system. If you will look at the chart here, you will find that the responsibility for alcoholism is divided between the three Commissioners. One Commissioner has the Health Department, another has the Police Department, another has the Department of Buildings and Grounds. They cannot possibly develop a unified program.

Similarly, Police Chief Layton testified very recently that a program of controlling juvenile delinquency is almost impossible of effectuation because one Commissioner controls the police, another controls motor vehicles, and the legal office is in still a third place.

What the plan would do is to substitute one responsible executive commissioner for the three, and in so doing it would clearly separate the rulemaking from the executive function. It would provide strong leadership. It would speed decisions, and it would give Washington a unified approach to urban problems.

The specter has been conjured up here on the floor just a moment ago that if we let this reorganization plan go into effect, Congressmen will have to obtain District of Columbia license plates.

I thought I heard a sharp intake of breath throughout the Chamber when this "horrible" was exposed to us. Let me say that Congress today—or Congress tomorrow, if a reorganization plan goes into effect—can very readily, by a quickly passed law, undo anything that the District of Columbia government does. So let us not worry about the horrible possibility of having to buy District of Columbia plates.

Mr. HOLIFIELD. Mr. Chairman, will the gentleman yield?

Mr. REUSS. I yield to the gentleman from California.

Mr. HOLIFIELD. Mr. Chairman, is it not true that all of the laws and powers that now apply to the three Commissioners will still apply to the Commissioner and the nine-man Council?

Mr. REUSS. The gentleman is entirely correct. I do not represent that this is a perfect plan. If we let it go into effect, I do not anticipate that bells will ring out throughout the District of Columbia tomorrow night; or that this will introduce a new utopia; and it certainly is not home rule. But I do believe it will bring efficient and effective government to the District of Columbia.

I am full of admiration for the minority members of our House Government Operations Committee, who by overwhelming majority voted in favor of the reorganization plan. They listened to the evidence, they asked for witnesses of their own, they analyzed the data, and they decided with an open mind that one Commissioner can do a better job than three.

One final word. There is a smaller group of Members who throughout this session have on almost every measure brought before us voted "No." I do not quarrel with their votes. But today I ask them, I beg them, to display consistency, to keep on doing as they have done before, and to give us a resounding "No," which happens to be the right vote on this District of Columbia reorganization plan. The people of the District, all 800,000 of them, will be very grateful.

Mr. NELSEN. Mr. Chairman, will the gentleman yield?

Mr. REUSS. I yield to the gentleman from Minnesota.

Mr. NELSEN. Mr. Chairman, the gentleman cites the various Commissioners as having no authority, for example, in the area of alcoholism. Under the Reorganization Plan No. 5 of 1952, the present Commissioners have broad authority to straighten out any internal problems of the present government. They have not exercised their authority. There is no evidence the White House has asked them to. I want to point out that they could have corrected it had they so desired.

Mr. REUSS. Mr. Chairman, I do not believe it is within the power of the District Commissioners to make that alteration, since the reorganization authority was removed from them by the Congress in 1954. I cite the finding of the responsible District of Columbia Crime Commission that this splitting of jurisdiction over alcoholism is indeed a force for bad government today in the District of Columbia.

The CHAIRMAN. The time of the gentleman has expired.

Mr. ERLENBORN. Mr. Chairman, I yield 1 minute to the gentleman from Minnesota [Mr. Nelsen].

Mr. NELSEN. Mr. Chairman, for the gentleman's information I cite section 3 of the Reorganization Plan No. 5 of 1952, which says:

> Sec. 3. Performance of Functions of Board.—(a) Except as otherwise provided in this section, the Board of Commissioners is hereby authorized to make from time to time such provisions as it deems appropriate to authorize the performance of any of its functions, including any function transferred to or otherwise vested in the Board of Commissioners by this reorganization plan, by any member of the Board of Commissioners, or by any other officer, employee, or agency of the government of the District of Columbia, except the courts thereof.
>
> (b) The Board of Commissioners shall not provide for the performance by any member of the Board of Commissioners, or by any other officer, employee, or agency of: (1) any function vested in the said Board by Act of Congress with respect to making and adopting regulations except those pertaining to the administration of or procedure before any agency of the government of the District of Columbia, (2) the function of approving any contract in excess of $25,000; (3) the function of appointing or removing the head of any agency responsible directly to the Board of Commissioners; or (4) the function of approving the budget for the District of Columbia.

Mr. REUSS. Mr. Chairman, will the gentleman yield?

Mr. NELSEN. Mr. Chairman, I yield to the gentleman from Wisconsin [Mr. Reuss].

Mr. REUSS. Mr. Chairman, I would just say without having an opportunity to examine the language the gentleman from Minnesota has just cited, if the Commissioners of the District of Columbia have for 13 years failed to do that which they ought to have done, it is high time that the Congress stepped in and effected a necessary reorganization. That is a short answer.

Mr. ERLENBORN. Mr. Chairman, I yield 10 minutes to the gentlewoman from New Jersey [Mrs. Dwyer].

Mrs. DWYER. Mr. Chairman, I rise in support of Reorganization Plan No. 3, and in opposition to the pending resolution of disapproval.

We in Congress owe it to the people of the Nation and to the citizens of the Nation's Capital to establish the most beautiful, progressive, dynamic, prosperous, and safe Capital City possible.

Congress has done much to improve the District of Columbia. Businessmen, labor unions, civic associations, and the citizens themselves have accomplished much. Without question, they will continue to work for the best interests of the District. But, this alone will not be sufficient if we, in Congress, fail to establish the most efficient and effective form of government possible.

Congress can provide all the money reasonably needed by the District and it can develop the most advanced programs for urban development, mass transportation, crime control, education, health, and welfare. Yet, unless Congress establishes a modern and streamlined structure of governmental organization, all the money in the world and all the sophisticated programs conceivable will produce but limited result.

Reorganization Plan No. 3 does, in my opinion, provide for a more efficient and effective form of government in the District by centering executive authority in the hands of a single chief executive and conferring quasi-legislative power in a deliberative council, both of which would be appointed by the President and confirmed by the Senate. Under the present Board of Commissioners, authority is divided among three individuals each of whom exercises responsibility over a number of departments and offices. The effect of this splintered authority is to prevent the District of Columbia government from bringing a unified effort to bear upon such major problems as slums, crime, juvenile delinquency, health, welfare, transportation, and pollution.

The reorganization plan is by no

means a complete solution to the problems that face the District. In fact, it is limited in nature. Many important agencies, essential to urban planning and development, such as the National Capital Planning Commission, the Redevelopment Land Agency, and the Recreation Board, retain their independent status outside the jurisdiction and control of the new Commissioner. Similarly, the plan cannot be considered a home rule provision since the Commissioner and Council are to be appointed rather than elected.

But, despite these inadequacies, the plan represents the best presently available means for developing a more efficient and effective government. It also gives to the citizens of the District a greater degree of representative government through the establishment of the nine-man Council whose membership is to be broadly representative of the District of Columbia community.

There has recently been reported out of the District of Columbia Committee a bill to reorganize certain aspects of the District government. The bill contains provisions which are worthy of consideration—especially the one providing an elected school board. The gentleman from Minnesota, Congressman NELSON, who is the coauthor of the bill, is to be commended for his nonpartisan and dedicated service in the cause of District of Columbia reorganization as he should be for his many other services to the citizens of the District. I do believe, however, that we can serve the interests of the District best by approving the plan before us. Approval of this plan will in no way preclude Congress in the future from considering or adopting legislation to improve the plan or change it in any way.

Mr. Chairman, the people of the District of Columbia have waited long for improvement in the government of the District. Such improvement, it may be noted, will not only benefit the residents of the District, but will also benefit all Americans whose Capital the District is. If we turn down this plan in the expectation that the McMillan-Nelson bill will offer a better alternative, we may well wind up with no improvement at all. For as all of us know from past experience, any bill that passes the House will probably be materially amended in the other body. Under such circumstances, a stalemate could occur, as it has in the past, with the result that we will wind up with nothing again.

Mr. Chairman, we have the opportunity here today to take a step forward. Let us not once again permit this opportunity to slip from our hands. I urge approval of Reorganization Plan No. 3, and defeat of the resolution of disapproval.

Mr. ERLENBORN. Mr. Chairman, I yield 5 minutes to the gentleman from California [Mr. BELL].

Mr. BELL. Mr. Chairman, I rise in support of the reorganization plan.

I do not consider the plan, as has been said here before, a perfect instrument for managing the civic affairs of the 800,000 people who live in the District.

I do not believe that it provides anything approaching home rule for Washington residents.

But it is a step forward.

It is attainable.

And it suggests a congressional attitude of reasonableness on an issue and at a time when reasonableness is most assuredly needed.

In recent weeks we in Congress have had occasion to be aware of the great importance of vitality, creative, and managerial thrust at lesser levels of government.

We have seen that our jobs are easier when these qualities are present in our cities—and we know as political scientists that such leadership needs concentration of responsibility and authority.

The District of Columbia's three-man Board of Commissioners has been in existence since 1878, when the population here numbered only 117,000.

Sixty years ago, President Theodore Roosevelt, a Republican, called for "a single head in place of three Commissioners" in order to "eliminate delays and uncertainties inevitable under the present system."

Twenty years ago, the chairman of our House District Committee characterized the present system as "a crazy-quilt pattern poorly suited to the requirements of modern municipal government."

Washington, with a single chief executive—no matter how chosen—will be more in control of itself than Washington managed by three Commissioners.

Washington, with a nine-member, nonpartisan Council providing area representation—no matter how chosen—will be more efficiently served than Washington with no area Council at all.

We are all familiar in the United States with a Constitution that provides for an executive branch of Government, a legislative branch, and a judicial branch. We already have the latter, the judicial branch. We do not have this executive and legislative branch in the District of Columbia today. This plan provides for this in effect. What is wrong with that? Perhaps at a later time we can come to the process of electing these particular branches.

I am convinced that this plan will not detract from any authority of the District Committee or the Congress.

Washington has been forced to tolerate archaic government for nearly 90 years.

The reorganization plan is a step forward.

We should recognize it as such.

We should take the step.

Mr. Chairman, I urge passage of the reorganization plan and defeat of the disapproval resolution.

Mr. ERLENBORN. Mr. Chairman, I yield 10 minutes to the gentleman from Virginia [Mr. BROYHILL].

Mr. BROYHILL of Virginia. Mr. Chairman, let us put the problem which we have before us in proper perspective.

The question is not whether or not we are for a change in the District of Columbia. The question is, In what way should we effect that change and, even more important, what change do we want to make? Can any of us be certain as to what is the best change or what is the best formula to adopt in making that change?

By the same token, there is no question as to whether or not an improvement can be made in the District of Columbia government. There is room for improvement in any organizational structure, whether business or government. In fact, we have acknowledged that there is room for improvement in the organization of the Congress, but we have not been able as yet to agree as to what improvements should be made. Certainly this does not mean that the organization of the Congress is falling apart or that there is a state of chaos or confusion existing at this time. Therefore, by acknowledging that there is room for improvement in the District of Columbia government, we cannot assume nor does our acknowledgment mean, that a state of chaos and confusion exists.

In other words, there is no emergency existing which demands hasty action on the part of the Congress. In fact, no one in the White House or in the executive branch of the Government had expressed any interest or concern whatsoever about the need for changing the governmental structure of the District of Columbia until this so-called reorganization plan emerged from its hiding place.

Ostensibly, Mr. Chairman, we have two plans before us today, even though technically only one of them is before us for a vote.

The one we must act upon today cannot be amended. We have got to take it or leave it as it is. It was written downtown by Federal bureaucrats, after they had their own debate, and amending process, and final vote. We do not have that privilege in the legislative branch of the Government to act on that particular plan.

The other plan on which we will have an opportunity to act next Monday, if the first plan is voted down, came from the duly constituted legislative committee which has jurisdiction over the District of Columbia, that is, the Committee on the District of Columbia. The committee bill, generally known as the McMillan-Nelsen bill, will accomplish every objective which it is claimed that the reorganization plan would obtain, but it would actually be more far reaching insofar as giving the people of the District of Columbia a greater voice in the management of their own affairs is concerned.

I realize, Mr. Chairman, that the argument has been made and will be made again that the Reorganization Act itself makes the procedure being employed on Reorganization Plan No. 3 legal and proper. I think it is questionable at best whether or not the Reorganization Act was ever intended to include such a far-reaching step as that of reorganizing the government of the District of Columbia. But, be that as it may, this certainly is not the best way for the legislative duties of this Congress to be conducted.

The other argument, or charge if you prefer, is that the District Committee bill would never become law and was not approved by that committee with sincere intentions. This is quite an indictment, and if the charge is true, then we should abolish the District Committee and let all legislation pertaining to the District be conducted in the manner proposed in Reorganization Plan No. 3.

I am also aware of threats coming from the other body that the legislation reported by the District Committee would never become law because they would amend it in the other body to such an extent that it would never be acceptable to the House and agreement could not be reached in conference. If we are going to be intimidated by threats from the other body, Mr. Chairman, then we should pack up our bags and go home.

Now, Mr. Chairman, let us go a little further into the actual merits of the two plans which we have before us today.

First, the Reorganization Plan No. 3 substantially provides for the abolishment of the present three-man Board of Commissioners, and transfers its authority to a nine-man part-time appointed city council, with a single Commissioner and Assistant Commissioner carrying out the administrative responsibilities. Now, is this not positively amazing that such a simple change as this can cause so much excitement and capture the imagination of so many people to the extent that they feel a millennium will be obtained in the Nation's Capital?

According to the proponents of this reorganization plan, the principal accomplishment would be the separation of the administrative and policymaking authority of the present three-man Board of Commissioners, and providing a greater voice for the citizens of the District of Columbia in the operation of the District of Columbia.

Now, contrast that proposal with the substance of the McMillan-Nelsen bill, which provides for an executive director or city manager if you prefer, operating under the present three-man Board of Commissioners and having full authority and responsibility for carrying out the administrative duties of the District government. This bill obtains the so-called separation of powers the proponents of the reorganization plan think is so important without a radical change in the existing structure of government.

Insofar as giving the citizens of the District a greater voice in their government, the McMillan-Nelsen bill permits the election and complete control of their school board by the District citizens. As you know, Mr. Chairman, the operation of the school system in most communities of the Nation constitutes at least 50 percent of the communities' interest and financial responsibilities. Further, this is a delegation of authority to the people of the District of Columbia which would have no conflict with the Federal interest and responsibility in the District.

The main danger of the so-called reorganization plan before us today, however, lies beneath the surface as a portion of an iceberg lies beneath the sea. I am referring to sections 303 and 304 of the reorganization plan, and I urge every member of this Committee to read them and read them thoroughly before making a final decision on this proposal. This, in fact, is the reorganization part of the reorganization plan. We are, in effect, delegating the powers to reorganize the District Government to an individual who has yet to be appointed and who is yet unknown to us. He will have the authority to abolish any and all agencies and departments of the District government, abolish all jobs, create any new jobs he so desires, and transfer any or all funds, properties, and records to any other agency or department he chooses to create. I know of no individual in our Federal Government to whom the Congress has delegated such far-reaching powers. A similar delegation of power did slip through the Congress through a reorganization plan in 1953, but the House Appropriations Committee discovered the error in 1954 and rescinded this authority by a rider on an appropriations bill. Now the bureaucrats who have written Reorganization Plan No. 3 are attempting again to slip this broad grant of authority through the Congress. I call your attention again to the fact that you cannot amend this plan in order to take this authority out of the bill.

There is no protection at all contained in this plan for the 30,000 employees who are now working for the District of Columbia government. Only 15 percent of them come under the Civil Service System, but even these people will have no protection once their positions are abolished and are created somewhere else in some other agency.

Another dangerous part of the iceberg which lies beneath the surface appears in section 201(c), and I suggest that each Member read that section. In section 201(c) we are exempting all of the members of the part-time city council who will be receiving a salary ranging from $7,000 to $10,000 per year, from all restrictions of Federal retirement programs. To put it another way, the Civil Service Retirement Act; the Veterans Pension Acts; the Dual Compensation Act; over which other committees of this Congress have jurisdiction, are being amended by permitting the members of the part-time city council of the District of Columbia to be the only American citizens who can draw full benefits of their retirement while receiving salaries provided by the Federal Government.

On the other hand, the McMillan-Nelsen bill not only provides for the reorganization of the District government but also demands a thorough and complete study be made and recommendations in detail be presented to the Congress within a year. The Congress will then have an opportunity to review these proposals; make any corrections, changes, and amendments they so desire; and then get on with the business of completing the reorganization of the District in a proper and orderly legislative manner.

Mr. Chairman, there are many, many other problems with which we are confronted in the Nation's Capital that are left untouched by this so-called reorganization plan. The problems of crime, housing, schools, urban renewal, cannot be solved by this reorganization plan because other agencies of Government with which there is constant conflict prevent an orderly and proper solution. The report of the Government Operations Committee admits that this is true to an extent. We should therefore not be led into a false sense of security that the major problems with which the District is confronted are being solved in any manner by this reorganization plan.

On the contrary, the McMillan-Nelsen bill directs that this whole area be studied and a recommendation be made to eliminate the conflict which now exists between the District of Columbia and these many other agencies of Government.

We heard a great deal about adopting a structure of government similar to that which now exists in the 27 largest cities in this Nation. My answer to that, Mr. Chairman, is what is it that is so good about the government of these 27 other cities. Representatives of these cities, their mayors, and members of their councils, are coming to the Congress daily asking for assistance in solving the many problems which they admit they are unable to solve within their own organizational structure. And, Mr. Chairman, regardless of what problem you may name, the Congress, has been asked for Federal help in the solution by representatives of these cities.

However, this is a Federal City, Mr. Chairman. It is different than any other city in this Nation, and in this world as well, but it has a system of government that has been free from malfeasance and corruption for as many years as it has been in operation. Yet, there are some among us here who want to abandon it and buy a "pig in the poke" in its place.

I say to you, Mr. Chairman, this problem needs far more study than has been given to it. I ask again, What is the hurry, what is the emergency?

I strongly feel that we should proceed with great caution in this matter, because we have no assurance whatsoever that Reorganization Plan No. 3, which we have before us, will be of any help whatsoever. On the contrary, we have every reason to believe that it will cause chaos and utter confusion.

This is no time to risk a breakdown of the organizational structure of the District of Columbia government, Mr. Chairman.

I urge the members of the Committee to vote down Reorganization Plan No. 3 by voting to approve the disapproval resolution.

Mr. BLATNIK. Mr. Chairman, I yield 5 minutes to the gentleman from New York [Mr. ROSENTHAL].

Mr. ROSENTHAL. Mr. Chairman, there is a time, as we all know, when partisan discipline is important. But today, let us commit ourselves first to a badly needed improvement of our Nation's Capital.

Our constituents care little for how the District of Columbia is governed. This will remain a beautiful Capital City for its visitors no matter what our action today.

This plan is not, therefore, an important party issue nor a national one.

Let us use wisely these rare minutes when Congress looks collectively and closely at District of Columbia problems to consider this city as the home of over 800,000 citizens. These people know Washington more intimately than any tourist or any Congressman can. They know its schools, its streets, its police, its government.

Four-fifths of a million Americans call this city their home. Let us today consider their interests, their needs, and their aspirations for a more efficient and responsive local government.

Mr. Chairman, no elections will be won or lost next year by our votes today. But we can leave this Chamber knowing we have met our responsibility for a city which deserves better than we have yet given it.

We can give support to this plan without harm to our permanent responsibilities for Washington and without affront to those colleagues who, unlike most of us, work regularly and conscientiously on its problems.

We can, by supporting this reorganization, both improve with a simple stroke this city's government and continue to support the progressive measures which the District Committee proposes.

Let us do both. As a member of the Government Operations Subcommittee which studied this plan carefully, I can assure my colleagues on the District Committee that I will support their efforts to improve this plan by new legislation.

But today, we are all members of the District of Columbia Committee. I believe our support for this plan will ultimately aid not only Chairman McMILLAN's committee, but will make each of us prouder for having chosen, in this brief moment when we had the chance, the fairer and wiser course for this city and its citizens.

Mr. Chairman, I strongly endorse President Johnson's reorganization plan, because Washington has long been burdened with an archaic, stagnating government. No city has adopted the commission form of government since 1913. The District of Columbia is the only remaining city of more than 500,000 population that retains a Board of Commissioners.

Diffusion of power permeates the District government. It precludes prompt and decisive action necessary to meet the complex and growing problems of a burgeoning city. It results in a high turnover of top governmental personnel—officials who are frustrated with the delays inherent in the operation of creaking governmental machinery. The need for restructuring Washington's government is all the more urgent because of its unique role as the Nation's Capital.

The fragmentation of power and responsibility evident throughout Washington's committees and commission is symbolized by the Board of Commissioners. Replacing the three-man Board with a single Commissioner would streamline and strengthen the District government. Establishing a nine-member Council, even though not elected, would give city neighborhoods genuine representation in the District government.

FOUR BASIC FLAWS

What are the basic flaws in the District government? How will the President's plan—by providing for a single Commissioner and Council—result in a more dynamic and progressive government?

First, under the present system, there are no clear lines of executive authority. Executive authority is vested in the Board as a whole but divided among the Commissioners, with each assuming direction of a certain loose grouping of agencies.

Many key programs involve agencies under the supervision of different Commissioners and no official is responsible for an overview of these programs. This division of authority is unrealistic; the urban problems of today cannot be rigidly departmentalized.

Problems arising from divided responsibility—such as duplication and overlapping—are particularly acute in the areas of alcoholism and juvenile delinquency. As Dr. Royce Hanson, president of the Washington Center for Metropolitan Studies, has pointed out, the Commissioner under the President's plan, would be able to establish a Commission on Youth Services and thereby pull together many city departments without worrying about dealing with departments headed by another Commissioner.

Divided jurisdiction over the agencies that serve the vital interests of Washington citizens has led to lack of initiative, ineffectual operational leadership, and poor morale down the line. A single Commissioner, by contrast, would provide a single source of policy direction. He would be able to resolve disputes and inject dynamic leadership into the government. All agency heads would be accountable to him; he would appoint and remove them and set the limits of their authority and responsibility.

COORDINATION DIFFICULT

Second, under the three-man Board of Commissioners, coordination is difficult and sometimes impossible to achieve. Whereas each Commissioner supervises only the agencies assigned to him, many municipal problems require for their solution the concerted action of District agencies under two or more Commissioners as well as outside agencies on which the District government may or may not have representation. With its divided executive responsibility, the Board is a poor instrument for bringing these diverse agencies together into coordinated action. Walter N. Tobriner, President of the Board of Commissioners has pointed out:

> The effort involved in getting together the three Commissioners, all of whom have heavy schedules, for a special meeting or to meet in an emergency situation, is in itself defeative of efficiency.

The present Board does not have the capacity to reach prompt decisions or to effectively develop and administer programs. A single Commissioner, on the other hand, would provide the sorely needed focal point for coordination.

AN AMERICAN TRADITION

Third, the present organization combines quasi-legislative, policymaking, and administrative functions in one body. This results not only in the fragmentation of executive responsibility, but of policy and regulatory functions as well.

Responsibility in each of these spheres is hopelessly clouded. The reorganization plan is designed to insure that such responsibility is clearly defined. The plan follows the American doctrine of separation of powers. Executive power is to be gathered in one office; the Commissioner is the sole seat of executive authority. The nine-member Council is to be responsible for rules and regulations affecting the public interest.

Fourth, the present Board of Commissioners is not representative of the community. The Board is too small to provide the breadth and diversity necessary to adequately represent the community. The appointed nine-member Council will permit a more widespread representation of the various interests and segments of the community. Greater sensitivity and responsiveness to the public will also be achieved by the consolidation of the rulemaking power in the Council.

Criticism of the reorganization plan centers on both its content and presentation. Some Congressmen have objected to sections 303 and 304 of the plan—provisions which permit the city's new Commissioner to abolish, create, and consolidate agencies in the city government and transfer funds from one agency to another. This grant of power is not illegal, as opponents claim by pointing to a 1954 budget bill that explicitly denied the Commissioners authority to reorganize their departments. The prohibition in the 1954 Appropriation Act specifically applied only to the exercise of this authority under the 1952 plan by the Board of Commissioners. Thus, it has no application to organizational arrangements contemplated under the 1967 plan.

This provision does not grant an inordinate amount of power to one man. The Commissioner's power to reorganize the substructure of government is not unusual. When Congress creates new cabinet departments, it routinely gives the Secretary the same authority. Congress retains the power to terminate this authority in whole or to reverse individual actions by the Commissioner. The Commissioner cannot create new agencies or departments with new powers. He is able only to reorganize the existing powers of those agencies. Congress still maintains the authority over appropriations and may at any time pass laws to limit the Commissioner.

Another objection to the plan is that it will deprive the city of the unique skills of the Engineer Commissioner. In fact, the President's plan should be praised rather than criticized for bringing an end to the use of military officers to govern a large civilian population. In so doing, it will bring Washington's government in line with the American tradition: The social policy of a large American city ought not to be made by Army officers.

Some have criticized the plan for its focus on the "superstructure" rather than the substructure of the District government. Actually, this plan gives the Commissioner the power necessary to change the substructure. As a modest effort at modernizing the District's form of government, it would establish a framework for further improvements. For example, former Administrative Director of the City Government Lowe's recommendation for centralizing the city government's planning, coordinating, and program review in a new office of Managing Director can be implemented under the President's plan.

Criticism has been unfairly directed against the presentation as well as the substance of the plan. Some opponents have questioned the legality of executive reorganization powers in this area. The President is not encroaching on powers reserved to Congress. To improve the District government, he is using the authority Congress itself has granted to him under the Federal Reorganization Act of 1949.

TAKING THE RIGHT STEP

The submission of this reorganization plan in no way reduces the responsibilities of Congress in District affairs. In fact, the beneficial effects of the submission in stimulating congressional action on this subject are self-evident. Once hearings on the President's plan had begun, proposal after proposal for updating the District's government were introduced. One calls for an elected school board. Another provides for an elected, nonvoting delegate to Congress. Still another is aimed at consolidating the operating powers scattered among independent agencies involved in the city's government. All of these proposals can be considered by the District Committee.

In short, the President's plan has encouraged us to carefully review the District government and offer promising and constructive suggestions for its improvement. It is certainly a step in the right direction. The plethora of proposals sparked by the plan shows our commitment as Congressmen to improving the District government. This plan marks the beginning, not the end, of change in the District government. We must continually strive to insure the best District government.

This method of reform—by reorganization plan rather than substantive legislation—offers certain advantages. It will strengthen and modernize the District government further and faster than the House District Committee's bill. Efforts to legislate congressional reforms for Washington have consistently met with failure.

NEW GOVERNMENT THIS FRIDAY

If the President's plan becomes law, the District could have a single Commissioner, capable of providing strong executive and administrative leadership. On this Friday, the District could have a nine-member City Council offering District citizens a forum to channel their concern for city problems. On this Friday, the District could have a more effective, efficient, and flexible government.

The substance of the plan itself does not reduce congressional authority in the District government. The thrust of the plan is in redistributing existing powers, not in redefining the powers delegated by Congress to District officials. Under the plan, the reorganized city government would not take away any powers from Congress. Congress would continue to write the city's major laws, fix most of its tax rates, and review its budget. The Commissioner, his assistant, and the nine members of the City Council would be subject to Senate confirmation.

The President's plan is the first, not the last, word in improvement of the District government. The overriding advantage of the plan is the speed with which the reforms can be achieved. The obsolete commission form of government offers District residents a power vacuum instead of leadership. Certain defects in the present system will remain under the President's plan—but machinery will have been introduced for developing and implementing coherent policy in key areas of urban change.

This should not be a partisan issue. We as representatives invested with the responsibility to legislate for an efficient and effective District government have an opportunity to move toward these ends now. As Reuben Clark, Chairman of the Housing Development Corporation has said:

> The plan certainly is not an ultimate panacea for the ills of our city, nor does it pretend to be . . . but it is a significant step forward.

Mr. ERLENBORN. Mr. Chairman, I yield 5 minutes to the gentleman from Maryland [Mr. GUDE].

Mr. GUDE. Mr. Chairman, extensive hearings and careful evaluation has been the order of business for the House Government Operations Committee in the past weeks. Reorganization Plan No. 3 has been thoroughly gone over and the result was overwhelming bipartisan support for the plan by the Government Operations Committee.

A major reason for bipartisan support for this plan is that it embodies a very Republican idea. We Republicans have stressed progress as a major part of our philosophy. We have consistently opposed inefficiency in government, overlapping of functions, divided authority, and needless waste. Now we are faced with an opportunity to correct some of these ills in the government of the District of Columbia. The President in drawing up this plan, conferred with Republicans in the House and incorporated some of their ideas into the plan to provide for a more efficient and representative District government.

It is a plan which will improve the quality of government for the District of Columbia. It is obvious that the quality of the government needs improvement. There is no reason for the Nation's Capital not keeping abreast with the times. It has been laboring under an antiquated system of government for nearly a century; progress is clearly in order.

When a major governmental system has too many heads, the buck tends to be passed in an unending circle. There has to be a place where the buck passing can end. A single authority provides such a place which is lacking in the present system. Reorganization Plan No. 3 by providing a single executive is in keeping with our entire governmental philosophy, it is based on a system of checks and balances that works intricately to insure an equitable system.

Fortunately, as in the past, the present District government has good Commissioners. General Mathe, for example, is a military man who wants to get things done efficiently and quickly. He is a man that many of us admire, and he as well as the other two Commissioners, has endorsed reorganization Plan No. 3. It is significant that these men who are working in the present system and grappling with large city problems such as crime, transportation, housing and others, feel that the Reorganization Plan No. 3 should be adopted. They are doing a good job in spite of the system not because of it. The present system propagates an amazing labyrinth of redtape and approvals necessary for any action. This type of system almost inevitably is going to create financial waste. As the Republicans have often pointed out, overlapping functions, redtape and similar methods are not only useless but expensive.

We know this plan is not a panacea. The members of the Government Operations Committee do not claim this is going to be a cure-all for the ills in our present system. It is a beginning but a necessary and very fundamental one. Much more needs to be done.

The Republican leadership of the District Committee has been working on legislation and is continuing to push for legislation that will improve the District of Columbia. An elected school board—a nonvoting Delegate, and an improved planning process are all being proposed and pushed by Republicans. I hope the administration will continue the spirit of bipartisanship and work to help enact such Republican recommendations into law.

But this is a separate matter for another day. Today, I would like to urge that Reorganization Plan No. 3 not be disapproved. It is a necessary step toward effective management of District affairs that will eliminate needless waste.

Particularly, I appeal to my Republican colleagues to give the District that which the Republican philosophy demands—efficiency and progress.

Mr. ERLENBORN. Mr. Chairman, I yield 3 minutes to the gentleman from Arizona [Mr. STEIGER].

Mr. STEIGER of Arizona. Mr. Chairman, from the discussion here this morning, from the hearings in the last few weeks, I think two facts emerge that we can probably all agree on. There are two problems inherent in the District government. One is the labyrinth of Federal agencies that the District government must overcome in order to accomplish its purpose. This is unique among all the cities in the Nation, because this is indeed a Federal city. This mitigates in my view the comparing of a mayor-council city form of government in traditional cities with this Federal City.

We have the National Capital Planning Commission, the District of Columbia Redevelopment Land Agency, the National Capital Housing Authority, and the Fine Arts Commission. All of these must be dealt with before virtually any action can be accomplished in this city.

The other problem, as I view it, that will probably not be agreed with so readily but which was heard in testimony after testimony, is that a major problem in the function of this city government is interference from the White House or the necessity to consult with the White House. I submit that the President's plan is but a scab over these two problems, and it does nothing to solve them. The President's plan compounds the role of the White House in involvement with District of Columbia government. It ignores the problem of these Federal agencies and the manner of dealing with them.

The Nelsen-McMillan plan obviously deals directly with both of these in weakening the White House influence and in directing the new District government to cope specifically within a 12-month period with the Federal agency problem.

It is important, I think, to note that those on the Government Operations Committee who listened to Government witnesses of great expertise must be aware that every one of these witnesses was currently employed by the Federal Government, many of them serving at the direct will of the President of the United States.

I submit that the President's plan has some real merit. As a result of the introduction of the President's plan, a plan was produced in the District of Columbia Committee which is both progressive and constructive; so in that sense the President's plan has already served its purpose.

I urge the Members to approve the resolution today, so that we may proceed with the District of Columbia Committee Nelsen-McMillan bill at some future time.

Mr. ERLENBORN. Mr. Chairman, I yield 4 minutes to the gentleman from Kentucky [Mr. COWGER].

Mr. COWGER. Mr. Chairman, I speak in favor of the President's reorganization plan for the District of Columbia.

For 4 years I served as mayor for one of the largest metropolitan communities in America. As president of the Inter-American Municipal Organization, president of the Kentucky Municipal League, and member of the executive committee of the National League of Cities, I have had an opportunity to discuss with my colleagues in municipal government the problems relating to the large cities of America.

In addition to this experience, 3 years ago I made an in-depth study of municipal government as part of my graduate work at the University of Louisville, which took almost a year and resulted in a rather lengthy thesis. I have surveyed all of our large cities with a population of a quarter million and more, and find that there are only four in the United States with a commission form of government, the District of Columbia being one of them.

The commission type of local government had its beginning in 1900 and its popularity lasted until only about 1918. It is the most ineffective, antiquated, and inefficient form of local government in existence. No one who has had municipal experience, and no one who knows local government, could possibly recommend the continuation of the commission form of government for our Capital City.

The President's plan for a strong mayor and council form of government is well conceived and can be the basis for further improvement. Congress should not relinquish its present responsibility for the District, but it should support the establishment of a single administrator, with a nine-man Council.

Today we are faced with the alternatives of letting the present system continue or of considering an amendment that would further complicate the centralization of responsibility in the District. The amendment would include a city manager who would act as yet another division of responsibility.

The charge has been made that this Congress does not understand the problems of the cities of America. If we fail to recognize the advantages of one municipal system over another, how can we intelligently legislate for our cities? Again I repeat, that no one having experience in, or with, municipal government could possibly recommend the continuation of the commission form of government.

I sincerely hope that there will be strong, bipartisan support for the President's reorganization plan. I do not care who was the author of this plan, or whether the sponsors are Democrats or Republicans—it is a good plan, based on sound and proven municipal experience, and should be adopted by this body.

Mr. ERLENBORN. Mr. Chairman, I yield 2 minutes to the gentleman from Kansas [Mr. WINN].

Mr. WINN. Mr. Chairman, I thank the gentleman.

I rise in opposition to the President's reorganization bill, and I should like to take this opportunity to commend the minority leader on the District of Columbia Committee, the gentleman from Minnesota [Mr. ANCHER NELSEN]. He has done a tremendous job and spent many, many hours working on the problem that faces this committee and the House today. I hope that because of his many hours of effort and his real understanding of the problems that face us, we will support our colleague from Minnesota. Give him a chance to put his thinking into action. The many weeks of hearings we did hold in the District of Columbia Committee did not prove to me or to the majority of the District Committee that the reorganization plan was any better than what we have at the present time. The President's bill is certainly not a panacea and will not solve the crime problem as the proponents, or the press for that matter, insinuate. I do not believe in change for change's sake. The Nelsen bill or the District of Columbia Committee bill has much more depth in it and will go further to solve the real problems of the District.

Mr. Chairman, I thank the gentleman for yielding this time to me.

Mr. ERLENBORN. Mr. Chairman, I yield 5 minutes to the gentleman from Alabama [Mr. EDWARDS].

Mr. EDWARDS of Alabama. Mr. Chairman, I suppose I have never come to the well of the House with any more mixed emotions than I have right now. This is partly because of the comments I guess I have received as a result of my vote in favor of this plan in committee. I suppose that the comments or many of them that have come to me have been because the plan has been equated in people's minds with home rule. The reorganization plan is not a Home Rule plan. This to me is not the issue today. Neither is the President of the United States the issue, because those of you who know my voting record would probably understand that if the President were the issue, the chances are I would not be supporting the plan. Neither is the issue the chairman of the House District Committee, the gentleman from South Carolina [Mr. McMILLAN], because he knows and you know I have stood with him time after time. Neither is the issue the gentleman from Minnesota [Mr. NELSEN], because he knows and you know that I have walked down the aisle many a time with him. The issue is really not the District of Columbia per se. Rather the issue, as I see it, is this Nation of ours, because the District of Columbia is this Nation's Capital. I think it is incumbent upon us in Congress to provide the very best form of government possible for the District of Columbia within the constitutional limitations that are set out in that wonderful document which guides us from day to day.

No, Mr. Chairman; this is not home rule. I have cautioned witnesses in the hearings and I caution my colleagues here today and those members of the press who, if this bill passes, will go out and spread it on the front pages. This is not home rule. I think the big problem we are having across the country today with the riots in many of the cities is brought about in great part because legislation has been passed in this body and then has been oversold to the people in the cities and across this country. So I do not want to oversell what this plan does. It simply sets up what I believe to be a better form of government for a city the size of the District of Columbia. If we oversell it, if we go out and claim more for it than is here, then we are going to be doing the citizens of the District of Columbia and the Nation a great disservice.

Mr. HOLIFIELD. Mr. Chairman, will the gentleman yield?

Mr. EDWARDS of Alabama. I am glad to yield.

Mr. HOLIFIELD. Mr. Chairman, I wish to associate myself with the remarks of the gentleman from Alabama in saying that this should not be considered by the press or by the Congress as a bill for home rule. I think the gentleman has spoken my thoughts on that matter.

Mr. EDWARDS of Alabama. I thank the gentleman.

Obviously this Reorganization Plan No. 3 does not contain all that everybody would like in a piece of legislation of this type. It is certainly not perfect. If it passes—and I hope it does—then the District Committee, in my opinion, has its work cut out for it to tie up the loose ends to bring in the elected school board, if that is the desire of the Congress, and to do other things that the District Committee and the Congress feel are necessary in order to make this a more perfect approach to government.

And, I would remind my colleagues that in spite of all that has been said here today about the District of Columbia, the Congress does not lose control of the District of Columbia, nor does not lose control over legislation concerning the District of Columbia. The District Committee can always come in with any appropriate piece of legislation and the Congress can consider that legislation. If any such proposed legislation is in the best interest of the Nation I would hope that it would pass.

Mr. Chairman, I see in this city, the Nation's Capital, one of the worst crime rates of any city in the country, and when I see that circumstance, and when I consider the question as to whether or not I ought to even bring my family up here from down in Alabama, then I start looking for some better way to remove the criminal off the streets, for some better way to give the visitors to their Nation's Capital a safer feeling, those who come into the District of Columbia, for some better form of government to cope with the problem.

Mr. Chairman, it has been said that this Reorganization Plan, if adopted, would give the President greater authority over the District of Columbia government.

I have searched my heart on that question and I just cannot see it. I say that if the enactment of this Reorganization Plan would give to the President greater control, he has got it now.

The District Commissioners who testified before our committee——

The CHAIRMAN. The time of the gentleman from Alabama has expired.

Mr. ERLENBORN. Mr. Chairman, I yield 2 additional minutes to the gentleman from Alabama [Mr. EDWARDS].

Mr. BLATNIK. Mr. Chairman, I yield 2 additional minutes to the gentleman from Alabama [Mr. EDWARDS].

Mr. EDWARDS of Alabama. Mr. Chairman, the District Commissioners who testified before our committee made it very clear that while they have been selected for a specified term of office, that if the President said to them tomorrow, "I do not believe I want you to be a District Commissioner any more," they would resign.

So, Mr. Chairman, the President does have, really, whatever control he desires to exercise over the individuals who run this city government of the District of Columbia.

Mr. Chairman, the reorganization route, as opposed to the legislative route, has been discussed. Certainly, my record of service in this Congress would indicate that I am in favor of the legislative route, because I cherish the institutions of this Congress. Yet, what has been done by the President, in my opinion, is perfectly legitimate under the Reorganization Act of 1949. Therefore, I would suggest to those who differ, that if you do not like this procedure, we ought to repeal the Reorganization Act of 1949.

Mr. Chairman, one of the key issues that has been raised, and one upon which I dwelt at great length in the committee, was the subject of sections 303 and 304. It has been said that these sections will open the door to all sorts of problems even to the extent of doing away with jobs and destroying plans in the making and agencies and their operations and whatnot.

Well, after a lot of consideration, I came to the conclusion that, perhaps, what the city really needs are sections 303 and 304, and what we really need is someone to get into the guts of the city government and find where we have failed and then to ascertain what can be done to streamline the government itself.

So, Mr. Chairman, after a lot of consideration, I have come to the conclusion that sections 303 and 304 do have merit.

Mr. McMILLAN. Mr. Chairman, will the gentleman yield?

Mr. EDWARDS of Alabama. Yes, I am delighted to yield to the distinguished chairman of the Committee on the District of Columbia, the gentleman from South Carolina [Mr. McMILLAN].

Mr. McMILLAN. There have been several remarks made on the floor of the House today about this plan helping to solve the problem of crime on the streets in the District of Columbia.

If there is anything in this proposal then I fail to see it where there would be any assistance in solving crime. At the present time we feel this plan has been in the making for several years. I do not know anything that has been done to solve crime in the District of Columbia other than the appointment of a crime commission. On the contrary, in my opinion they have tried to make it look as bad as possible in order to get this plan into effect.

This House has passed four crime bills in the past 4 years. We have only had one of them passed in the other body and the President vetoed it. It seems to me we have had a lot of difficulty on this subject, and we may have more before we get it solved.

Mr. EDWARDS of Alabama. I cannot agree with the distinguished chairman that the present Commissioners have not been doing all they can as far as solving crime is concerned. I do believe the fact that crime is on the increase under the present form of government. I think the present system is unable to cope with the problem.

I also believe that the nine councilmen, although appointed by the President, presumably—and we have been assured—will come from geographical areas of the city, and will come from various segments of the city, and they will have, I hope and pray, some communication and contact with the people of the District of Columbia so that they can do the job that is necessary to find these problem areas and do something about them.

Mr. Chairman, I believe that a lot of the problems of the District of Columbia can best be solved with a Commissioner-Council, or Mayor-Council type of government in a city the size of Washington. This is what I sincerely believe, Mr. Chairman. I believe I am right, and if I am wrong, so be it, but at least I have taken the position that I honestly believe is the best one for the country and for the District of Columbia.

I thank the Members for their attention.

Mr. HARDY. Mr. Chairman, I yield 5 minutes to the gentleman from Mississippi [Mr. ABERNETHY].

Mr. ABERNETHY. Mr. Chairman, when this subject arose Mr. McMILLAN, my distinguished chairman, called on and asked if I would chair a subcommittee to conduct hearings on the subject matter. I was glad to do so.

I would like to say to the House that the hearings were well attended. The members as a whole were quite loyal. They participated quite freely.

Although the hearings were good, my views are not altogether in keeping with the findings of the committee on the legislation that it reported. But I believe it reported a much better proposal than that which has been submitted by the President.

We heard every person who asked to be heard. There was not a single witness turned away.

Now, the purpose of the hearings was not just to report a bill. In fact, we had no idea when the matter began that a bill would be reported. The principle purpose of the hearings was to find out what is wrong with the District government, and, on finding out, what should we do about it, what method of reorganization should there be to improve, what should be added, or what should be taken from it.

I have been listening to speeches here this afternoon from some very able and very distinguished Members of this House.

I have not heard a single Member come into the well and specifically state what was wrong with the system, if anything. They have not been specific. They just state that they think the President's plan is better than what we have. Or that they think one strong executive and nine councilmen can run the District better than three commissioners. Well, maybe they can—but I do not think so. They cite no proof at all. That has been the substance, if you can call it substance, of the speeches of those who have endorsed this plan. There is no proof and no evidence, just an expression of opinion.

I want to repeat what the gentleman from Illinois [Mr. SPRINGER] had to say to you. If as he inquired, there is a finer run city in America than Washington—where is it?

I have been in this House of Representatives for 25 years. I have been reasonably diligent in my service. I yet have to hear of the first piece of scandal come out of this city government. They have the finest police force, or equally as fine a force, as you will find anywhere in America. I agree there are many things rotten about this town; but its government has been clean and void of scandal.

The problem here is not with the government nor is it with the police system or with any particular system within the District government itself.

Of course, they do have some problems, many of them. These problems are primarily vested in conflicts with powerful bureaus, boards and commissions that exist within this city over which the District Commissioners have no jurisdiction whatsoever—no power to veto their acts—no power to overrule their orders. The adoption of the President's reorganization plan does not change that one iota.

This strong commissioner under the President's plan and his nine-member, part-time Council will continue to be dominated by these particular boards, bureaus and commissions—and in some instances they should be because these bodies deal specifically in many instances with Federal problems, directly associated with the Federal Government and with this Capitol. They are responsible only to the Congress or to the President and not the city government. That is the way most of them should be. They should not be responsible to the subordinate government of the District of Columbia.

But in any event the President's plan does not change that in the slightest.

I heard the gentleman from New York [Mr. HORTON] say that this would be a bipartisan board. Well, with all deference—I wonder if he is kidding himself. They have not had a bipartisan commission running this town for years. Everyone knows that. We had one up through President Harry Truman's administration but not since.

In the midfifties—and I am not being political—this became a partisan commission. It is still partisan. It is partisan today and it will be partisan tomorrow. The President of the United States who appointed the present partisan commission will appoint a partisan commissioner and a partisan council. I am not being critical. I am just stating the facts of life and we all know it.

Then they say that under the President's plan they will reach out into the country and bring the best qualified man here to run the District as its Commissioner.

Yet I hear other people say that this plan is designed to give the people of the community a larger voice in their affairs. How in the name of heaven can you give the people of the District a greater voice in their affairs when their strong Commissioner may come from California, Maine, Alabama, Minnesota, or any one of the 50 States? He will not necessarily be a resident of the District, because they specifically exempt that requirement and make the argument, "We are going out in the 50 States and get the best men."

All who believe that statement stand on your head.

Mr. HOLIFIELD. Mr. Chairman, will the gentleman yield?

Mr. ABERNETHY. I yield to the gentleman from California.

Mr. HOLIFIELD. I think the record should show that the nine members of the Council must have resided in the District for 3 years, and that one, either the Commissioner or the Assistant Commissioner——

Mr. ABERNETHY. The gentleman is partly correct. The gentleman misunderstood me. I said the Commissioner, the strong man, the boss man, could come from any State. Everyone knows what that means—the boss man, the man who runs the town, the man on whose door you knock, the person to whom you ask, "Can you give us some help?" The Council cannot do anything for you. The boss man, the Commissioner, the one-man rule—that is what they seek.

Mr. BROWN of Ohio. Mr. Chairman, will the gentleman yield?

Mr. ABERNETHY. I yield to the gentleman from Ohio.

Mr. BROWN of Ohio. I think the record should show that no one stood on his head in the Chamber.

Mr. ABERNETHY. That is quite true, they did not.

Mr. MULTER. Mr. Chairman, will the gentleman yield on that subject?

Mr. ABERNETHY. I yield to the gentleman from New York.

Mr. MULTER. I am sure the gentleman will recall that when this plan was in draft form, and was sent around to Members of Congress—I know every member of the District Committee got a copy of it—the original draft called for the Commissioner to be a resident of the District, and that provision was taken out because most of the Members of Congress indicated to the President that it would be much better to have it the way it is now in the reorganization plan.

Mr. ABERNETHY. I do not know what was sent around, because I had a hard time getting anything to see. Mr. McMILLAN tried to get them to send the plan to us early in the year. The gentleman knows they did not do it.

Mr. Pollock, who is supposed to be the White House adviser on the District of Columbia, is from the Midwest somewhere——

The CHAIRMAN. The time of the gentleman has expired.

Mr. HARDY. Mr. Chairman, I yield the gentleman 2 additional minutes.

Mr. ABERNETHY. They sent him down to see us. He laid a memorandum of something on reorganization on my desk but he would not leave it. He picked it up and carried it back to his office. The gentleman knows that.

Mr. MULTER. Mr. Chairman, will the gentleman yield further?

Mr. ABERNETHY. I cannot yield further.

The CHAIRMAN. The gentleman refuses to yield further.

Mr. ABERNETHY. This reorganization plan provides for one-man, boss man rule. That is all it is.

I would like to go back and agree with what my chairman said. The President has all the burdens that a man could possibly bear at this time. This country is being burned to the ground in many cities. We are in war in Vietnam. We have trouble spots all over the world. He has a huge budget deficit. He has troubles. So do we. How much time do you think he spent on this plan? I do not think he really knows what is in it. He is too loaded with other heavier and more important burdens.

This plan was assembled by two people who call themselves experts on the District of Columbia, men who act as advisers to the White House under the present and the past President. These advisers erected a wall between the District Commissioners and the White House. Therein lies the trouble, if any exists in this city today—the so-called advisers to the President on District affairs.

Now, who advises the President on the Department of Defense? The Secretary of Defense, of course. Who should advise the President on the Department of Commerce? It should be the Secretary of Commerce, of course, and so on through the Government.

Who should advise the President on the District of Columbia? It should be the Commissioners of the District, who are charged with the responsibility of running the District of Columbia.

I am firmly convinced that the past and present so-called advisers to the White House on District affairs are responsible for this recommendation. I am just as convinced that the present Commissioners do not like it. But what can they say?

The people who know more about the District government than any other citizens of the District are those who have served on the Board of Commissioners, Mr. Donohue, Mr. Spencer, Mr. Camilier, General Lane, and the others. Everyone of them recommended that this plan be turned down. Everyone said the present system was the best. Who knows best about the problems of the District, these former Commissioners, who worked and lived with them for so long, or two Presidential advisers, neither of whom ever lived a day in the District of Columbia?

Every time we have an election and new Members come to the Congress from around the periphery of the District, they all ask to be assigned to this committee, and I can understand such. Evidently, they love the District of Columbia or they would not want to be on this committee.

Virginia took back its part of the District. I live in Northwest Washington. I am a taxpayer of this city. I am interested in it. There is absolutely no reason in the world why Northwest, north central, and Northeast Washington should be a part of the District of Columbia. Let us cede it to Maryland, if they will take it. I am sure they would like to have it, or else Mr. GUDE and Mr. MATHIAS and the other gentlemen from Maryland would not be so anxious to serve on the District Committee.

I really think this is the best solution, that we just leave the Federal Triangle for the Federal Government, and let the Federal Government run it as you and I know it ought to be run. The remainder should be ceded to Maryland from whence it came. Then these District citizens will have the privilege of voting for and supporting Federal Government, State government, county government, and city government. Indeed, they will then have full home rule. And why not? This, indeed, is the best solution to the situation.

I urge the House to vote for the resolution before it and vote down Reorganization Plan No. 3.

Mr. BLATNIK. Mr. Chairman, I yield 5

minutes to our distinguished and beloved majority leader, the gentleman from Oklahoma.

Mr. ALBERT. Mr. Chairman, I rise in support of the reorganization plan that the President has submitted and in opposition to the pending resolution. We have here an opportunity to perform a very important and much needed service to the District of Columbia. All we seek to do here is to give the Nation's Capital City an efficient, effective, and modern municipal government. This plan does not provide for home rule. It does not change in any manner or degree the authority and responsibility of the Congress regarding the government of the District of Columbia.

Mr. Chairman, I certainly go along with those who say that this is no panacea, no substitute for some of the things which the Committee on the District of Columbia has been working on. I believe this plan should be no hindrance to the District of Columbia Committee in its effort to pursue the problems of the District and to bring in legislation that is needed and not covered by this reorganization plan. I feel sure the committee's recommendations when submitted will have the overwhelming support of most of the Members of the House and of the Congress.

Mr. Chairman, the resolution before the House is not a substitute nor yet a revolutionary scheme for the District. We will in the words of the President seize "the chance to replace a jerry-built government of the 1870's with a new government of the new problems of the 1960's."

This plan comes with high endorsement to the Members of the House. Seldom do we have a bill or resolution reported with greater unanimity than that in which the pending resolution has been reported, with an overwhelming majority of Members on both sides of the committee aisle supporting the reorganization plan and opposing the resolution. This is completely a nonpartisan measure. There is nothing in the bill that could give either party a partisan advantage.

In addition it has the support of people whose interest in the District of Columbia cannot be questioned. This measure has been supported by the Commissioners of the District of Columbia, by the Police Chief of the District of Columbia and by most of the leading clergymen of the District of Columbia, by the U.S. Conference of Mayors, and concerned citizens from all walks of life. We have just heard a very fine address from a former president. I believe, of the conference of mayors, the distinguished gentleman from Kentucky. Surely, approval of the plan by such eminent authorities is persuasive to the Members of Congress.

Mr. Chairman, the office of the Attorney General has informed the committee that the plan is constitutional. It conforms to a cardinal principle of American Government recognized since the beginning of this Nation, and that is executive authority should be concentrated. The Chief Executive must be able to make decisions, and in these times to make them swiftly. I have been told that under the existing plan of District government wherein authority is divided between three Commissioners that the Commissioners themselves in many instances must confer with legal advisers to determine the boundaries of their respective authority. This sadly delays needed and immediate action on many important problems. No other city in this Republic suffers such handicap in municipal operations. Surely, the Members want the government of the Nation's Capital to be as efficient as that of other metropolitan areas where authority centers in one responsible executive. We need to give the job of administering the laws passed by Congress to one competent individual. And in this respect, I quote the President's words: "I will try to secure the best city executive in this Nation for this great responsibility." The President has also promised that he will make his selection of the Commissioner on an absolutely nonpartisan basis. He will welcome the suggestions of members of the Committee on the District of Columbia or of any other Member of Congress regardless of his political persuasion.

Whether the District government is harassed by Federal commissions or agencies or bureaus begs the question of what kind of government the District of Columbia should have in order to administer the functions of the District of Columbia.

Further, it seems to me that we cannot dissociate this matter from the growing crime rate in the District of Columbia.

The District of Columbia faces the same serious problems which haunt other large cities of the Nation. Every Member of this House is familiar with the District crime rate. As the President eloquently stated:

> The crime rate in the District is rising. Its streets and shops are in danger. And the conditions which breed crime worsen each passing day. These problems will not yield to archaic and obsolete government installed as a temporary solution just after the Civil War. They cry out for a strong and decisive leadership. They demand efficient and responsive authority.

One of the administration's top priorities will be the control of crime.

Mr. Chairman, the President is trying to bring to the District direct, swift, and responsive authority of the same kind that exists in practically every municipality in the country.

It seems to me that a good case has been made that the resolution should be voted down and this reorganization plan should be adopted.

Mr. BLATNIK. Mr. Chairman, I yield such time as he may consume to the gentleman from Illinois [Mr. GRAY].

Mr. GRAY. Mr. Chairman, I rise in support of Reorganization Plan No. 3 submitted to the Congress on June 1 by President Johnson and in opposition to House Resolution 512 which would disapprove the President's plan. I am indeed hopeful that all of my colleagues will vote "No" when general debate ends and the roll is called on the pending resolution.

Mr. Chairman, we have heard some high-level debate so far this afternoon on both sides of the aisle. In my short time I would like to put in proper perspective this argument by propounding two questions:

First. Are we satisfied with the present government in the District of Columbia?

Second. Is it not our responsibility along with the President's to look for ways and means of making the Nation's Capital a shining example for the world to see?

If the answer to the first question is "no" and we are not satisfied with the present triple headed government in Washington, then we must, in all good conscience, vote "no" on the pending resolution which will automatically allow the President's plan to go into effect day after tomorrow.

Mr. Chairman, I ask you, who is in a better position to know of the cumbersome administrative setup in the District of Columbia than the present District Commissioners? They are all for the President's reorganization plan. Who is in a better position to know municipal government than the mayors who head our large metropolitan cities? The National Mayors' Conference supports the President's reorganization proposal for a single Commissioner and Council form of government.

Our Constitution provides for one President. My hometown of West Frankfort, Ill., has but one mayor. The great city of Chicago has but one mayor. All of our major metropolitan cities have but one mayor. Why, then, do we not find our large metropolitan cities adopting the three-Commissioner form of government, if it is working so well as our friends advocate who are against the President's proposal? No, Mr. Chairman, the answer is very simple. Too many people are for "status quo."

I am reminded of a newspaper article concerning the action of a city council in my home district a few years ago. When asked by the citizens to pave the courthouse square, the council voted it down on the grounds, "It might hurt the horses' hooves." This is our problem with the District of Columbia government. We are running a "horse and buggy" operation in a "jet" age.

With all due respect to the members of the House Committee on the District of Columbia, you know, Mr. Chairman, and I know that the District of Columbia will not get any change in government by legislation in the foreseeable future because of the strong feelings of the other body who want home rule or nothing at all. During my seven terms in Congress, I have supported Home Rule for the District because I believe the people of Washington are entitled to have a voice in their affairs. However, the President has recognized that we cannot wait forever in making progress for a better government and has offered this modest but forthright plan. I think it certainly is a good compromise of the many divergent views presented on this subject over the past several years. I compliment the President for submitting the proposal and I commend it to all of my colleagues as the beginning for better government for our Nation's Capital. A journey of a thousand miles starts with the first step. Let us take it today by voting "no" on the pending resolution and supporting the President's Reorganization Plan No. 3.

Thank you.

Mr. BLATNIK. Mr. Chairman, I yield such time as he may consume to the gentleman from Minnesota [Mr. FRASER].

Mr. FRASER. Mr. Chairman, I rise in support of the President's reorganization plan and in opposition to the pending resolution.

I will vote today to support the President's plan. I think it offers the most meaningful hope to improve the District of Columbia government. It would go into effect this week, without having to be subject to all the delays and chances for complete defeat that legislation from the District of Columbia committees would have to face.

I recognize there is merit in the bill which passed the House District of Columbia Committee last week, although I do not agree with all of its provisions. I think it is particularly important that Washington citizens get a chance to elect their school board. I am on the subcommittee which worked on the bill. I developed several amendments to the section which dealt with the elected school board, and was pleased to have these amendments accepted in the subcommittee.

After this battle over the President's reorganization plan is over, I hope to join with the author of the bill, the gentleman from Minnesota, Congressman NELSEN, in perfecting it. Congressman NELSEN has performed great service for the District in the past, and I expect him to continue his sincere hard work toward his goal—that our Nation's Capital will become its model city.

Mr. BLATNIK. Mr. Chairman, I yield such time as he may consume to the gentleman from Indiana [Mr. JACOBS].

Mr. JACOBS. Mr. Chairman, I rise in support of the reorganization plan. I wish to say that I attended every one of the hearings held by the District of Columbia Subcommittee. I want to commend the chairman of that subcommittee for his fairness, and I want to commend the gentleman from Minnesota [Mr. NELSEN], for his sincerity.

I simply point out that the proposal brought forth by my committee does not stand the chance of a snowball in the middle of summer to become law, because the other body is not going to agree with it.

This reorganization plan is our only real chance to bring order to the District of Columbia government. Even if the committee bill could become law—and it cannot—it would still leave an oldtime three-headed executive system.

One might say that a bird in the hand is worth more than three in the bush.

Mr. Chairman, a friend of mine has a plaque on the wall that shows two people slouching in chairs in the midst of stacks of dirty dishes and other household disorder. The caption of the plaque says, "Next week we've got to get organized."

To organize is to put things into their proper places. And, so far as the legislative and executive functions of the District of Columbia government are concerned, I believe that the Reorganization Plan No. 3 of 1967 is a long stride toward putting things into their proper places.

The plan does not alter the denial of self-government in the city of Washington. But it does, at least, assure that the appointed government will not trip over its own heads.

The three-commissioner system of scrambled executive and legislative responsibility has been a pretty good arrangement in America for small towns and uncomplicated counties. Such units need so little time and effort to be spent on community problems that three people can divide their attention between legislative and executive problems, reach slow and comprised executive decisions, and still have time to go out and farm. Such situations do not require full-time government.

But big cities require not just full, but overtime government.

Executive action for big cities, just as for big countries and corporations, must be dynamic and, in many instances, swift, in order to keep abreast of the teeming agenda of executive responsibility.

Legislative action must be deliberate, but also deliberative. By its more far-reaching nature, legislative action must and can involve more delay than executive action.

For the same person to attempt both functions at the same time in the huge enterprise of big-city government is to divide his efforts so as to give each function less than full devotion.

"All that you do," my mother used to say, "do with your might, for things done by half are never done right."

We all believe in the separation of powers even though those powers flow from the same source. And this means that, though the three logical branches of government may overlap for the purpose of cooperation, no one branch should run the whole show. This has a lot to do with liberty.

There has never been much of a problem along these lines in the small town or country, because the affairs of government are close enough to, and uncomplicated enough for, the governed to keep close tabs and control.

But this is not so with huge enterprise.

Once you accept the principle of separation of powers in the District of Columbia government, there is still the question of whether to have one or three executives.

That a three-member executive in a large enterprise represents weak and indecisive action can hardly be doubted. Indeed, when it was the wish of some to emasculate the United Nations Secretariat, they proposed that the Secretariat be divided into such an arrangement.

The answer of the large business corporation to the question of whether to have a one- or three-headed executive is invariably to choose the individual executive in order to accomplish the daily decisive action indispensable to meeting executive responsibility.

The answer of 50 States is one individual executive.

The answer of most big cities is one individual executive.

In fact, the answer of America is one individual executive, the Chief Executive.

And one of our former Chief Executives is said to have placed a plaque on his desk displaying the words, "This is where the buck stops."

Mr. Chairman, no three mortals can act in concert as one. And the only supernatural aspect to such an arrangement, where a torrent of big-city executive decisions must be made daily, is an eternal triangle around which the buck forever orbits.

Mr. BLATNIK. Mr. Chairman, I yield such time as he may consume to the gentleman from Washington [Mr. ADAMS].

Mr. ADAMS. Mr. Chairman, as a member of the District of Columbia Committee, I, too, want to state that we have a great deal of respect for the gentleman from Minnesota [Mr. NELSEN], and the things which have been suggested in his plan. I believe we previously indicated publicly—a number of us on the committee—and we want to indicate today to the Members on the floor that we would support portions of the plan, such as an elected school board, if it should be brought forth.

I hope that after this plan has been adopted today—and I hope it will be, I believe it will be—we can proceed further to make further improvements in the District of Columbia government.

Particularly, I want to pay my compliments to a number of Members on the other side of the aisle who have spoken out today for effective city and local government. I believe that is the issue today.

That is why those of us on the District of Columbia Committee on this side of the aisle want to join in a broad bipartisan approach of support to the plan of the President, Reorganization Plan No. 3, to improve this city government. We believe in local government.

Particularly, I want to compliment both the gentleman from Alabama and the gentleman who is the former mayor of Louisville, for excellent presentations of the problems involved in local government, and I should like to associate myself with their remarks.

As a member of the House District of Columbia Committee, I support the plan which the President has proposed—and the Government Operations Committee has approved—that will reorganize the government of the District of Columbia.

I was surprised some Members questioned that Washington needs more effective management of its affairs. Most persons believe there should be an improvement. Deeply aware of this need, the President has met his responsibility under the Reorganization Act and has formulated a plan for improvement. It is his finding after examining the municipal government of the District, that more effective management will result from a mayor-council form of government. This will mean a single executive in tandem with a quasi-legislative body of nine members. The effect is an executive-legislative arrangement which follows the doctrines of separation of powers on which the Federal, State, and most municipal governments are based.

The Council will consist of residents of the Washington community. It will be responsible for formulating rules and regulations affecting the public interests and will relieve the Commissioner for the important tasks of the executive. At present all of these functions are combined in a single Board of Commissioners. This not only fragments executive responsibility but clouds and obscures policy and regulatory functions as well.

I want to commend, in particular, Mr. Horton, Mr. Mathias, and Mr. Gude for their spirit of bipartisan governmental cooperation on the District of Columbia Committee, which has helped to make this improvement in local government a possibility.

The Congress should signify its approval of the President's reorganization plan by acceptance of the committee recommendation to vote "no" on the disapproval resolution.

Mr. BLATNIK. Mr. Chairman, I want to thank the gentleman for his fine and certainly pertinent comments. I also wish to thank the previous speakers for their valuable assistance, given over a period of many weeks, in laying the groundwork for this involved, technical, and legal matter dealing with a matter affecting and involving the lives of hundreds of thousands of citizens of our Nation's Capital. These men have helped to clear away diversionary issues such as committee jurisdiction, narrow partisanship and kept the discussion confined to the main issue which was to help improve in some measure at least, this long overdue improvement of the District's municipal government.

Mr. Chairman, I wish to commend them for having made an outstanding contribution.

Now, Mr. Chairman, I yield such time as he may require to the gentleman from Connecticut [Mr. Giaimo].

Mr. GIAIMO. Mr. Chairman, I rise in support of the President's reorganization plan and against the pending resolution. I think this reorganization plan is a small but effective step forward toward better government here in the District of Columbia. Many of the arguments which have been raised against it can only be resolved by true home rule which is called for in legislation which I and many others have initiated during this session. Nevertheless, it seems this body is not yet ready to act on these home rule measures. Therefore, I urge that you accept the President's plan as an interim method of achieving a measure of better, now effective government for our Capital.

I have a great deal of respect and admiration for the present Commissioners. They have given much of their time and talents in the service of the residents of the District and the many millions who visit our Capital City. But they work against impossible handicaps, among which is an inefficient dispersion of authority and responsibility which is inherent in the governmental structure now existing. They themselves acknowledge this and ask for the remedy which the President's plan offers.

We cannot fail the people of the District; we cannot fail the Nation. For these reasons, I urge the defeat of this resolution.

Mr. ERLENBORN. Mr. Chairman, I yield such time as he may desire to the gentleman from California [Mr. Don H. Clausen].

Mr. DON H. CLAUSEN. Mr. Chairman, once again we are asked to vote on a matter that is of vital importance to the people of the Nation and the people residing in the District of Columbia.

Every Member of Congress shares the common desire to do the right thing. I have sat here today listening intently to the presentation by my colleagues serving on their respective committees. Everyone agrees that something must be done to improve the system and organizational structure of the District of Columbia government. I say that it is mandatory that something be done.

The question then arises, How do you vote on the proposal before us? How can you cast your vote so that it reflects exactly how you feel on this important matter? I have concluded like many of you have expressed, that this reorganization proposal is not the answer to the problem. It is suggested that it will be an improvement over what we have. Believe me, I sincerely hope it will be. Frankly, it had better be an improvement. However, I am also convinced the only way to vote accurately to express one's views would be to vote maybe.

Now, I do not mean to be facetious about this serious question but, wherever possible, I try to cast my votes in such a manner that the end product of my voting pattern will utilize the legislative process to help people, permit maximum participation of the electorate in matters that affect them and hopefully strike a blow for freedom. Oftentimes a vote for a bill will result in a bit more restriction on the liberties of our people.

Therefore, I want the Congress to be permitted to work its will. We are legislators; we were sent here to legislate. The so-called reorganization proposal could well turn out to be the best thing for all concerned and I shall do everything within my power to help it work, should that position prevail.

But, after listening carefully, I have concluded that the only way the Congress is permitted to work its will and offer amendments for improvement is to vote "Yes" on this resolution and urge the earliest consideration of the committee bill.

The objective of my actions is to permit the residents of the District of Columbia to have home rule; the opportunity to participate in the elective democratic process; the opportunity to have elected officials that will be responsive to the people's wishes and at the same time assume the responsibilities of self-government.

In talking to many of you, my colleagues, you agree with me that the appropriate approach was contained in the home rule bill we passed during the 89th Congress.

I vigorously supported home rule then and I am of the same opinion now.

Having stated my beliefs, I then ask myself the question, Do I vote to adopt a package that will be forced upon the people whether they like it or not, or do I cast my vote in the direction that permits the maximum amount of self-determination and home rule to prevail?

Quite obviously there is only one real choice—by voting "Yes" on the resolution, the Congress can work its will on a bill that contains the most home rule provisions—the opportunity to elect a school board and the opportunity to improve the administrative organizational structure of the District of Columbia government. While it still does not satisfy me, at least I would be consistent in advancing the concept of home rule.

One final thought—with the President, in effect being the "czar" over the appointments, under the reorganization proposal submitted, and with the District of Columbia residents now able to vote in the presidential elections, it seems to me, he would control the entire political machinery without giving the people the necessary checks and balances or opportunity to express their approval or disapproval on city matters at a city election. He, in effect, will control three electoral votes. There is inadequate separation of powers and the Congress would turn over the city to appointed officials subservient to the President.

Does the President not have enough to worry about without assuming the duties of mayor of Washington, D.C.?

Again, I am a strong advocate of the "equal rights begets equal responsibilities" doctrine. How can you hold people responsible if you do not give them the rights?

The proper approach, in my judgment, is to continue to press for passage of the home rule bill we passed before which gives the people of the District a chance to elect a board of free holders, who in turn draft a local government charter, or call it a local constitution, if you will. Once the charter is drafted, it again is presented to the people for acceptance and ratification or rejection, if the proposal is unsatisfactory.

In other words, the people have two opportunities to express themselves and work their will through the regular elective process when advancing this approach.

The necessary protection and safeguards for congressional and Federal City prerogatives can be incorporated into the language of the charter.

This is home rule; this is democracy at work. Once finalized and adopted, the people can still amend the charter, should progress or change demand it—by a vote of the people.

Once this is accomplished we are then in a position to hold the people of the District of Columbia responsible for their actions of the future—because we have not deprived them of their rights.

This is the way I expect to exercise my vote today. I beg your indulgence for this dissertation but my conscience is clear for having expressed myself—at least my remarks are recorded permanently.

Mr. ERLENBORN. Mr. Chairman, I yield 3 minutes to the gentleman from New York [Mr. Reid].

Mr. REID of New York. Mr. Chairman, I rise in support of Reorganization Plan

No. 3 and in opposition to the resolution. There can be, I believe, little doubt in the minds of those of us who live and serve in the District of Columbia that reorganization of the District's form of government is an urgent necessity. The critical problems of urban existence which have debilitated and demoralized the residents of so many of our urban centers abound in our Nation's Capital. Their resolution demands a local system of government which is both efficient and coordinated and responsive as well to the needs and aspirations of its constituents.

Unfortunately, as Members well know, this is not a new state of affairs. On February 24, 1906, President Theodore Roosevelt, in a letter to James Bronson Reynolds, Esq., of New York, stated that the National Government has control of the District of Columbia and it should see to it that the city of Washington is made a model city in all respects. As Members know, Mr. Bronson subsequently headed a review to determine what should be done with regard to government in the District. In a letter of transmittal dated December 17, 1908, that accompanied his special report to the Congress, Theodore Roosevelt said:

> I cordially approve the recommendations in the report for the substitution of a single head or governor in place of three commissioners . . . A single executive head would increase efficiency, determine responsibility, and eliminate delays and uncertainties inevitable under the present system.

The report to the Congress said explicitly:

> The present administration of affairs of the District of Columbia by three commissioners has the advantage of the intimate association and frequent conference of three executives of equal rank, but it has the inevitable defects of divided responsibility, confusion of authority, and of administration by a board instead of by a single responsible executive.

Mr. Chairman, the existing commission system of government in the District in antiquated, inefficient, and has demonstrated its structural inability to meet the problems of the future.

The CHAIRMAN. The time of the gentleman from New York has expired.

Mr. ERLENBORN. Mr. Chairman, I yield the gentleman 1 additional minute.

Mr. REID of New York. Mr. Chairman, as my distinguished colleague, the former mayor of Louisville, Ky. [Mr. COWGER], pointed out, there are only four cities in the United States still operating with this form of commission government.

I believe that Reorganization Plan No. 3, while it is not home rule—which I hope the House will act on—represents, nonetheless, a step forward.

The Committee on Government Operations has worked hard on the study of this matter. Its bipartisan judgment is clear, and I very much hope and believe that the House will confirm that judgment and uphold Reorganization Plan No. 3.

Mr. BLATNIK. Mr. Chairman, I yield 5 minutes to the gentleman from New York [Mr. MULTER].

Mr. MULTER. Mr. Chairman, I think it would be well to take a moment or two to try to put into exact focus what we are doing or what we have been trying to do thus far in the consideration of this matter.

I want to recall to the Members of Congress the fact that on February 27 of this year the President of the United States sent up to the Congress a message indicating that he was going to send up to us a plan for the reorganization of the District of Columbia government. That plan did come up to us on June 1.

However, within hours after the message was received here on February 27, word went out from the District of Columbia Committee of the House that there would be a meeting to disaffirm and disavow the proposed plan, which we had not even yet seen.

At that meeting I suggested that there could be nothing in the plan which could prevent the committee from bringing before the Congress any proposed legislation on the subject that was the will of the committee. And, nothing more was done in the House Committee on the District of Columbia, until after the plan came here except that discussions ensued between the President, his representatives, and the committee members about the proposed plan. I know of no reorganization plan that has been sent to the Congress in the almost 20 years I have served here—12 of which were on the District of Columbia Committee—in which any President has tried harder to get the consensus and opinion of Members of the Congress as to what should be contained in a plan and what should not be contained in such a plan. The President set up meetings with the Members of Congress and those meetings were held primarily with members of the District of Columbia Committee. Proposed plans were given to us in draft form and discussed with us. We were asked to give to the President our suggestions about this reorganization plan. The members of our District Committee and others met with the President at the White House to discuss with him the proposed plan and what changes, if any, were recommended for the plan before he sent the plan up.

The President full well realized that the plan he sent up would not be subject to amendment. We did make suggestions to the President, and he listened attentatively to all of us. He did make some changes as recommended to him by Members of Congress.

Mr. Chairman, on June 1 he sent this plan to the Congress. Then for the first time a bill was introduced, H.R. 10521. That bill was introduced avowedly for the purpose of bringing before the committee the same matters that were contained in the plan. That bill, H.R. 10521, encompassed the plan sent up by the President, word for word.

After other bills were introduced the District of Columbia Committee conducted hearings on H.R. 10521, which was the President's plan in bill form, and three other bills. Finally and on August 2, 1967, the District Committee reported out H.R. 12065. That bill was never considered in any public hearings of the District of Columbia Committee.

Now, we are asked to disapprove this plan so that we can act on a bill to come up here next Monday, but there is a hitch to it. If the plan prevails—and I feel it should, that is if we approve this plan as I hope we will do today—they may very well not bring that bill before the Congress for consideration on next Monday.

The fact of the matter is that if there is anything wrong in this plan, long before it can be implemented and put into effect—because it cannot take effect until the Commissioner is appointed, and the Assistant Commissioner is appointed—not appointed, but nominated, and the Senate then approves those nominations—then for the first time the new Commissioners can come in and take over in place of the Board of Commissioners that is now acting, we will have ample time to cure any deficiencies that there may be in this plan before it becomes effective—if that is the will of the Congress.

Most of the things we have been told about the plan being bad are just fantasies. Everybody agrees—and I say "everybody" advisedly, because no one can in good faith seek to bring before us a proposed bill to reorganize the District government unless it is admitted that there is something wrong with the present District government. All those who argue we have not proved that there is anything wrong with the present form of government at the same time urge we must change it. I say no one can argue in good faith that there are not things that require correction in the District government. The plan offered here today, and which I beg the Members to approve by voting against the resolution before us, will be the first step to correct some of the things that are wrong in the District government. Then we can go from there and consider any and all bills as they come before us for further improvement.

I want to emphasize as vigorously as I can that the approval of the President's reorganization plan does not take any legislative authority away from the U.S. Congress.

The plan does not attempt to do that and even if it sought to do that it could not.

After the plan becomes effective and in fact even before it becomes effective the Congress continues to exercise full legislative authority over the District of Columbia. At any time the Congress so wills it, further different or additional legislation may be enacted on any and every facet of the District government.

Mr. HARDY. Mr. Chairman, may I inquire as to how much time we have remaining?

The CHAIRMAN. The Chair will state the gentleman from Virginia has 25 minutes remaining.

Mr. HARDY. Mr. Chairman, may I inquire as to the remainder of the time left for the other side?

The CHAIRMAN. The Chair will state the gentleman from Minnesota [Mr. BLATNIK] has 11 minutes remaining, the gentleman from Illinois [Mr. ERLENBORN] has 28 minutes remaining in the one instance, and 14 minutes remaining in the other.

Mr. HARDY. I thank the Chairman.

CALL OF THE HOUSE

Mr. EDWARDS of Alabama. Mr. Chairman, I make the point of order that a quorum is not present.

The CHAIRMAN. The Chair will count. [After counting.] Sixty Members are present, not a quorum.

The Clerk will call the roll.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 203]

Ashley
Baring
Brademas
Burton, Utah
Clark
Collier
Colmer
Corman
Dulski
Everett
Flood
Fulton, Tenn.
Gallagher
Halleck
Holland
Jones, Ala.
Kyros
Landrum
McCulloch
Mathias, Md.
Matsunaga
Mayne
Pollock
Pool
Rooney, N.Y.
Teague, Tex.
Tiernan
Utt
Watts
Williams, Miss.
Willis
Wilson, Charles H.
Wydler

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. HUNGATE, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee having had under consideration the resolution (H. Res. 512) and finding itself without a quorum, he had directed the roll to be called, when 399 Members responded to their names, a quorum, and he submitted herewith the names of the absentees to be spread upon the Journal.

The Committee resumed its sitting.

Mr. ERLENBORN. Mr. Chairman, I yield myself 10 minutes.

Mr. Chairman, I support Reorganization Plan No. 3.

At the time this plan was filed with the Congress on June 1 this year, I had an open mind; if anything, I may have been somewhat disposed against this plan.

But, we did have full and complete hearings in the subcommittee of the Committee on Government Operations. After hearing the evidence in favor of this plan, I decided I would support it.

Mr. Chairman, the gentleman from Alabama [Mr. EDWARDS], who also serves on that subcommittee, has already spoken on the floor of the House this afternoon. He is also supporting this plan; not because of who drafted the plan, not because of the fact that the President filed the plan, and not in opposition to the Committee on the District of Columbia, or not in opposition to any other plan that may be put forward by the Committee on the District of Columbia, including the bill that has now been passed out by that committee, sponsored by the gentleman from South Carolina [Mr. MCMILLAN] and the gentleman from Minnesota [Mr. NELSEN].

Mr. Chairman, if any city in this country should be a model city, it should be our Capital City. If we are going to try to make a model city out of this area and we certainly have not done this to any extent so far, we can only do it under a modern form of city government.

In my opinion a commission-form of government is outmoded and not modern and not responsive to the needs of this or any other major city.

Mr. Chairman, many witnesses appeared before our subcommittee, some of whom were the people who are most directly involved in government in this city.

The chief of police, Mr. Layton, testified in favor of this plan. Schuyler Lowe who himself had set forth the so-called Schuyler Lowe plan for the reorganization of the substructure of the District of Columbia government, testified in favor of the plan, recommended its adoption, and stated that it would not interfere with the implementation of the recommendations which he had made.

Mr. Chairman, the present Commissioners of the District testified in favor of the plan, and enumerated the deficiencies of the form of government under which we are presently operating, deficiencies that can be corrected by the adoption of this plan.

Mr. Chairman, at the present time we have both legislative and administrative authority combined in the three Commissioners. There is no single person who has the authority to administer the government of this District. This plan, if adopted, will separate the legislative and rulemaking authority from the administrative authority, and will allow the one Commissioner to exercise the administrative authority.

It will allow the nine-member Commission appointed by the President and confirmed by the Senate to exercise the legislative and rulemaking authority. It will allow, in my opinion, the people of the District more meaningful participation with their government by allowing them to attend the hearings held by the nine-member council; to attend subcommittee hearings, as people can do here in Congress in our subcommittees, to have a voice in their government even though they do not elect their officials.

Mr. Chairman, I want to emphasize that we are not here today to determine whether we choose one plan or another. This implication has been made that we have either the President's plan or the McMillan-Nelsen plan. I do not believe that that is the choice that is before us today.

Every provision of the McMillan-Nelsen plan except one is fully compatible with the Reorganization Plan No. 3 that we are considering. The one point that is incompatible, and the only point, is whether we will have a three-man commission or a commissioner-council form of government. The other very good features of the McMillan-Nelsen bill can be adopted by this Congress, can be implemented even though Reorganization Plan No. 3 is allowed to go into effect.

Many people have made the point that this will give the President more authority, and more control over the District government. At the present time the President appoints the three Commissioners. If he wanted to exercise authority over and influence over the District, he can do this through the appointment of these three Commissioners. If this reorganization plan goes into effect he will be appointing 11 people. It seems to me that this would make it more difficult for him to control the District government.

This plan very clearly is not home rule, and I hope that the residents of the District of Columbia are not led to believe that it is home rule. It is only a reorganization of the structure of government, one that may give them a little more opportunity to participate in their government, but it is not in any way a home rule bill.

Mr. Chairman, I support the Reorganization Plan No. 3. I hope that this House will allow it to go into effect by voting down the resolution of disapproval.

Mr. RIEGLE. Mr. Chairman, will the gentleman yield?

Mr. ERLENBORN. I yield to the gentleman from Michigan.

Mr. RIEGLE. Mr. Chairman, I wish to associate myself with the remarks of the gentleman from Illinois, and I thank the gentleman for yielding.

Mr. Chairman, I wish to express my support of Reorganization Plan No. 3 for reorganizing the government of the District of Columbia. In supporting this plan, I nurse no illusions about its ability to quickly solve the numerous critical problems facing the District.

Clearly it is not a fully adequate expression of the need for governmental reform within the District—at best it is a meager improvement—at best it accomplishes less than it leaves to be accomplished—it is at best, the longest step in the right direction that can be taken at this time.

So let us be realistic in noting that this plan is little more than a long overdue beginning toward creating a more responsive District government.

Clearly it is an inadequate substitute for home rule—which is the step we ought to be taking today. But we are unable to enact home rule at this time, and the President's plan remains as the only viable alternative which is available to effect an immediate change in the District government. And I support it on that basis—as the most progressive step that can be taken at this time.

Should the President's plan pass, it is my hope that the District of Columbia Committee will continue to work toward the enactment of additional reforms to the District government which are badly needed.

While we must not deceive ourselves into believing that any "imposed government" is a satisfactory resting place on the way to self-government—we must, at the same time, always stand ready to take any reasonable step that moves our people toward the fresh free air of self-government.

Some argue that the President's sponsorship should somehow influence one's vote on this issue—that a vote on this issue should be considered as a vote "for" or "against" the President, and cast on that basis. I refuse to consider any issue on that basis. My concern is what is best for the country—and that is my only concern—and that is the basis on which I support this plan.

Mr. FINDLEY. Mr. Chairman, will the gentleman yield?

Mr. ERLENBORN. I yield to the gentleman from Illinois.

Mr. FINDLEY. Mr. Chairman, I too would like to associate myself with the remarks of the gentleman from Illinois, and to take this opportunity to compliment my colleague [Mr. ERLENBORN] upon the very effective leadership he has provided in this debate.

Mr. ERLENBORN. I thank the gentleman.

Mr. Chairman, I yield back the balance of my time.

The CHAIRMAN. The gentleman yields back 2 minutes.

Mr. ERLENBORN. Mr. Chairman, I yield such time as he may consume to the gentleman from Minnesota [Mr. NELSEN].

Mr. NELSEN. Mr. Chairman, I am not sure that I know how to cope with the kind of a machine that has been operating in this particular campaign. I have been moving around the Chamber, and most people want to shake with their left hand, their right arm hurts today.

I am reminded a little bit about the issue before us. Here we have two committees—the Committee on Government Operations and the Committee on the District of Columbia. Many years ago when JOHN BLATNIK and I were members of the State senate back home, we had a president pro tempore of the senate by the name of Bill Richardson who told the story about Pat and Mike. Pat had a little education and Mike was well educated. Pat wanted to work on the railroad and Mike was superintendent of the division. So he went to Mike to get a job. Mike said, "I will tell you, Pat. We have a crossing right outside of town and there is a train coming from the south going north at exactly 12 o'clock. And we have another train coming from the west going east at 5 minutes after 12 o'clock. Suppose that train from the south was 5 minutes late? What would you do?"

Pat scratched his head and came to the conclusion that the trains would reach the crossing at the same time so he said, "I tell you what I would do. I would get Mrs. Murphy and set her here in the park along side the tracks and I would tell her to wait until 12 o'clock to witness the goldarndest train wreck you ever saw in your life."

Of course, somebody is going to win this battle here today. But I hope that my side will prevail.

I have been reading the papers and I read something about this being a Dixiecrat bill. I think the quote was from one of my Republican colleagues. But you know I had the advantage of being with the REA and I traveled everywhere—I was in Dallas, Lubbock, Mobile, and Atlanta and all over the United States. I found nice people all over the United States. They elected a Representative to the Congress of the United States. I want to tell you gentlemen over on the other side that I am not going to discriminate against you at all. Just vote for the best bill, the Nelsen bill, and I do not care where you come from—I invite your support.

Now then, criticism of the present government in the District of Columbia has been extensive referring to the Troika government, the independent agencies, and the budget procedure. Now we have before us the President's plan. The President's plan is another of many slogan operations. We have for a long, long time been putting many things under the heading of a slogan. But that does not make it work—that does not make it work.

Now what does the President's plan propose? A nine-man council. But that does not make it any more a council than to say that because an ostrich has two legs that a man is an ostrich.

Calling it a nine-man council does not make it a council, because they are all appointed by the President of the United States.

So far as the structure is concerned, it sets up a Commissioner and an Assistant Commissioner. I am advised that the Assistant Commissioner in the absence of the Commissioner is not authorized to move up and take authority in the absence of the Commissioner.

I would like to point out that every witness we had before our District Committee called attention to the fact that the independent agencies is where the real problem is in the government of the District of Columbia. The President's plan refers to this problem but it is not met.

I discussed this with a representative of the White House. And what was the answer? The answer was, "It is controversial. We did not touch it."

It is controversial. Now is that not a fine way to legislate when everybody admits that the real problem is the independent agencies having to do with the areas of housing, highways, and in the area of schools, and they are untouched under the President's plan. The real bottleneck has been in the independent agencies in the government of the District of Columbia.

It has been mentioned that former Commissioners appeared before the Committee on Government Operations. But show me one witness, except Jiggs Donohue, who was in a position to really speak his mind. One Commissioner who spoke was in line for another job. Another already has one. The other one is an appointee of the President. But who appeared before our committee—four former Commissioners—two Democrats and two Republicans.

May I say in every case every one of them said that the commissioner form of government could work, but it had been interfered with from the White House by the White House representatives.

Mr. Spencer, who appeared, said:

> In my opinion, the position of White House staff advisor for District of Columbia Affairs, which was set up a few years ago, has tended seriously to undermine the Commissioners and should be abolished.

Mr. Donohue, a Democrat, said:

> The Commission form of government has provided successful, intelligent, competent, secure government for the District for more than ninety years. Unfortunately, the appointment of a special assistant to the President on National Capital Affairs has, in my judgment, destroyed the commission form of government.

The other two Commissioners made like statements on interrogation before our District Committee.

Mr. Chairman, are we going to suggest that by reshuffling there will be any less interference? I think not.

How about the proposal that I have advanced and the gentleman from South Carolina [Mr. McMILLAN] has advanced? I think we need to have in mind the purpose of the District Government of the United States.

You know, it has almost become old fashioned even to look at the Constitution. Sometimes I think some of the interpretation of it is warped considerably. But may I point out that in the Constitution it provides—

> The Congress shall have power to exercise exclusive legislation, in all cases whatsoever, over such District.

In 1909, William Howard Taft made a speech. I took a little excerpt from it. He said:

> Washington intended that this be a Federal City and it is a Federal City, and it tingles down to the feet of every man, whether he comes from Washington State, Los Angeles or Texas, when he comes and walks the city streets and starts to feel, that "This city is my city. I own a part of the Capital, and I envy for the time being those who are able to spend their time here."

He further states—

> And this was done because it was intended to have the Representatives of all the people in this country control this city and to prevent its being controlled by a parochial spirit that would necessarily govern those who did not look beyond the city to the grandeur of the nation itself, and this as a representative of that Nation.

Turning to the bill that we have proposed, the charge of "troika" that we have been hearing in the debate today in relation to the existing government does not state what our bill would do. The commission form would be retained in this bill. The President would name all the Commissioners and would name the Chairman of the Commission. The Chairman of the Commission, after a quorum has been established, would have the right to make a decision in the event of a deadlock. Never could there be a deadlock on the Commission under the plan we have proposed.

Under the Commissioners would be a City Manager who would administer the affairs of the city government in keeping with policies set up for the Commissioners to exercise, and all of these agencies downtown that are under the authority of the Commissioners could be reorganized to meet all of these arguments that we have heard here today. The Commissioners would have the authority. The City Manager would then administer the various agencies accordingly.

Then we get to the independent agencies that we have heard so much talk about. Under our bill, the Commissioners would be required to—it is not "may," but it is "shall"—bring to the Congress of the United States a reorganization plan which would tie these agencies in with the Commissioners. Recall what has happened in the area of housing. The Congress of the United States attempted to go ahead with some low-rent housing for some of the lower salaried people. The low-rent housing became high-rent housing because somebody downtown ran with the ball.

We will find, for example, the Shaw

School issue that was in the papers all over the country. Over 3 years ago we authorized it. They have not been able to decide where to put the school. That is not our fault. That is because of the independent agencies. They have been unable to make up their minds. Under this bill it is mandatory that something be done about it.

Under the President's plan, of course, they can bring in a recommendation, but there is no mandate from the Congress and there is nothing in it as far as language is concerned that suggests they do it.

I would like to say we have heard some talk from the minority members on the Government Operations Committee relative to this plan, and I would say the greatest indictment against the plan that has been proposed has been written in the minority report. They pointed out there that we have these various downtown agencies, and they point out that these agency functions are not touched in the provisions of this bill. They go on further in their report to point out, for example, that under the council form of government as set up in this bill, a maze of new problems may arise. They further state in their report it is hoped—it is hoped—that the Commissioner can do something about it. They do not even feel that there is any sure answer in the President's plan.

We talk about streamlining the procedure of government, and one of the criticisms of the present system is about budget making. Let us take a look at what this bill would do. The Commissioner for the District submits his budget to the Council. They send it back to the Commissioner if they approve. If the Council approves the request so submitted without revision, then the Commissioner will submit it to the Bureau of the Budget. If the Council revises the request so submitted to the Council, it shall return that with the revisions to the Commissioner, and if the Commissioner concurs in the revisions he shall submit the revised request to the Bureau of the Budget. If the Commissioner does not concur in any one or more of the revisions of the Council, he shall return the request to the Council.

I am reminded of the story about the two robins. Daddy Robin came back South a little bit late, with his feathers all beat up. Mama Robin looked at him rather severely and she did not say anything. But Papa Robin anticipated a scolding and said, "Now, wait a minute. It is not what you think. I was flying low and got caught in a badminton game."

This budget procedure is about as complicated as could be written on purpose. It does not streamline anything. Surely we can find a better system than this—and our bill would prove it.

Let us get down to one of the very important features of our bill. We have heard a lot about home rule. We have gone up the hill and down the hill on that. We need to remember always that this is a Federal city, but in every way we can meet the needs of the people we should. Where better can we start than with an elected school board? Where better can we help the people here, than to help their children in the District of Columbia schools? If damage is done to the children, it is irreparable. If good is done, they are the beneficiaries. This bill will provide an elected school board. I think this is a very important step. I may say it is my intention to support a nonvoting delegate, and it is my intention also to support an elected school board.

Mr. GIBBONS. Mr. Chairman, will the gentleman yield?

Mr. NELSEN. I yield to the gentleman from Florida.

Mr. GIBBONS. Mr. Chairman, I am for an elected school board, but we are not here voting on an elected school board today, are we?

Mr. NELSEN. Mr. Chairman, I am outlining to the gentleman what is in our proposed bill, and I think it is absolutely essential that we discuss it at this time.

Mr. GIBBONS. I do not object to discussing it.

Mr. NELSEN. I am certainly glad to get the gentleman's endorsement. I am very pleased. I thank the gentleman for his support.

Mr. GIBBONS. I remember what happened last year.

Mr. NELSEN. Insofar as I am concerned I support both a nonvoting delegate and eventual voting delegate for the District of Columbia.

I should like to point out that there has been much criticism leveled at the District of Columbia Committee. I heard no criticism when we came out with a good revenue bill. This was done by working together, the majority and the minority.

I heard no criticism of the school bill, the vocational school, and the liberal arts college. This was worked out, with the minority and the majority.

I have heard no criticism over the fact that we got together on a transit system.

I point out that under present mass transit legislation two of the Commissioners serve on the Board. What will happen under this plan I do not know, but there are billions of dollars involved. I would feel rather more comfortable with three responsible men at the top, in charge of the destiny of the transit system I helped to install.

In another area, we have seen Federal buildings triple in cost where proper supervision has been inadequate. I certainly would be disappointed were I to be a party to a plan which got out of hand because we could not keep proper supervision. I believe that under our bill, better supervision would prevail than would be the case with the proposal we are now considering.

Mr. Chairman, we have heard a lot of recitation by Members, as to how they have served on various city councils and in various governmental capacities. I have served on the school board, on the town board, in the State legislature. I was Lieutenant Governor, and I was Administrator of the REA handling millions and millions of dollars. I know a little bit about government, and I know a little bit about administration.

I want to say that when one compares this city with any other city it cannot be done, because this is not just any other city. This is the Federal City. This is the Nation's city.

I agree with William Howard Taft, who said in 1909, "Every man owns a piece of it."

But we should always look to the welfare of the people here. We should always do everything we can do and make our contribution to the welfare of the people of the District of Columbia.

I am convinced that the bill we have produced in our committee will go a long way.

I must say I can well understand that perhaps the Government Operations Committee was not sure we would bring out a bill, so that may be the reason why they move as they did.

There may be others who doubt that our bill will go anywhere. I want to say that Chairman McMILLAN has pledged his support, and I find no one on the minority side who quarrels with the provisions of our bill.

Mr. MULTER. Mr. Chairman, will the gentleman yield?

Mr. NELSEN. I yield to the gentleman from New York.

Mr. MULTER. I am happy the gentleman yielded. I wish to say it is quite correct that there has been a lot of criticism about what the District of Columbia Committee has done and has not done, and not enough has been said about the good things done, much of it under the leadership of the gentleman in the well. I want to compliment the gentleman for the fine work he has done on the committee and for the many good bills he has helped to bring out. If it were not for his efforts in the committee many of these bills would not have come to the floor.

At the same time, I believe the gentleman should know that many of us on this side of the aisle will vote to approve the President's plan and will vote against the resolution, but will support much the gentleman is urging and much the gentleman will bring out in his bill. There is no reason why we cannot approve this plan, turn down the resolution, and then bring the gentleman's bill before the House on Monday or at any other time and discuss it and approve it.

I believe the gentleman will agree that all the witnesses who testified before the committees, the Committee on Government Operations and the Committee on the District of Columbia, agreed that the District government needs improvement. Let us take it step by step. We can approve this plan now and then consider the gentleman's bill on Monday.

Mr. NELSEN. In response to that, I may say that if my bill passes the House and goes to the Senate, a certain gentleman—a very recent addition to the population of New York—said they would load the bill down to kill it and implied there would not be much hope that my bill, which includes a school board and some of the proper streamlining of city government, would ever go anywhere. I have had assurances that this would not happen.

Mr. BROWN of Ohio. Mr. Chairman, will the gentleman yield?

Mr. NELSEN. I yield to the gentleman from Ohio.

Mr. BROWN of Ohio. Mr. Chairman, I understand under the President's plan that the police regulations for the District will be made by the nine-member Council. Can you advise as to whether or not that is correct?

Mr. NELSEN. That is right.

Mr. BROWN of Ohio. They would have the authority to make police regulations?

Mr. NELSEN. That is my understanding.

Mr. BROWN of Ohio. The Commissioner, however, would have executive authority over the Police Department?

Mr. NELSEN. That is my understanding. Yes.

Mr. BROWN of Ohio. Much has been made of the prospect of improvement in various aspects of the government and various sociological improvements in the District of Columbia when the President's plan takes effect. Could you give me any estimate as to how soon we can expect the crime rate in the District of Columbia to start dropping when we adopt the President's plan, or is there anyone on the other side who might give us that information?

Mr. NELSEN. I would say in answer to the question that this reference to crime and to the city government in many respects is not pertinent. Every one of the witnesses we had before our committee will tell you and they tell us that one of the problems the Police Department has to contend with is the decisions of the courts. We tried to enact legislation here in the District of Columbia, but somehow or other it always gets vetoed. I suggest that a little attention needs to be given in that direction.

Mr. BROWN of Ohio. There are some other problems in the District of Columbia with reference to the city schools. Can the gentleman advise me as to what provisions are made with reference to the city schools in the President's plan? Is there any provision at all made for that?

Mr. NELSEN. I know of nothing in the President's bill that changes the situation in the least. As far as the schools are concerned, our plan would actually do more than the President's plan.

Mr. GERALD R. FORD. Mr. Chairman, will the gentleman yield?

Mr. NELSEN. I yield to the gentleman from Michigan.

Mr. GERALD R. FORD. Mr. Chairman, I have done a lot of soul-searching on what my own personal decision would be on this issue. I assume that everybody is acting in total good faith here. I do not challenge the good faith of the President in submitting this reorganization plan to us in the Congress. I certainly do not challenge the good faith of anybody on this side or anybody on that side of the aisle. I believe all are conscientiously trying to find a solution for a better approach to government in the District of Columbia. I have tried to be analytical in looking at what the President submitted. I have read with care the committee bill that has been endorsed by the gentleman from Minnesota. I have a very deep conviction, an overriding conviction, that our principal responsibility is to legislate. Our constituents sent each of us here to work our will in the legislative process. It seems to me that with that responsibility the better approach for us to take is to take the committee bill and work our will when that bill comes to the floor of the House.

I have always had some reservations, I must confess, about the reorganization procedure. Upon many occasions I have felt that when we were through approving a reorganization plan, that if we had exercised our legislative responsibility, we would have come up with a better solution to the pending problem.

In this particular case I am certain that by using the vehicle of a committee bill, we can achieve a superior result.

I will not concede that if the House does work its will the other body will not in good faith undertake a similar approach.

There are many assets in the committee bill, including the elected school board.

If there is any area in local government where you need citizen participation, it is in the selection of the people to run an educational system. This would be a great step forward insofar as government for the District of Columbia is concerned.

I am told that the gentleman from South Carolina [Mr. McMILLAN] has asked the Committee on Rules for a rule. I assume that a hearing will be held. It could be held this week. It certainly could be held next week. And, within a relatively short period of time the Committee on Rules could grant a rule, and on the succeeding District Day it could be presented to us for consideration on the floor of the House.

When I analyze the reason I am here, and why 434 other people are here, I believe that this is the better procedure for the improvement of the District of Columbia government.

For that reason, I feel that the reorganization resolution should be—it is a resolution of disapproval—voted up so that all of us can exercise the responsibility that we have to find a better solution to the problems which confront the government of the District of Columbia.

Mr. NELSEN. I thank the distinguished minority leader for his contribution.

Mr. PELLY. Mr. Chairman, will the gentleman yield?

Mr. NELSEN. I yield to the gentleman from Washington.

Mr. PELLY. Mr. Chairman, I would like to compliment the gentleman from Minnesota upon a very fine statement and especially to express my admiration for his dedicated service as a member of the Committee on the District of Columbia.

Mr. Chairman, I had not intended to engage in the debate on the resolution disapproving of reorganization plan No. 3 to reorganize the government of the District of Columbia. However, Mr. Chairman, after having sat in this Chamber and listened to the arguments on both sides, I am impelled to ask why it is that no one has explained what is wrong with the present government? I have yet to hear anyone spell out the answer to that simple question.

Members of the House for whom I have a high regard have discussed the merits of the present as well as the proposed new structure of government. But I have heard no one say what is so wrong with the existing three-Commissioner plan.

Mr. Chairman, I live in the District. I own a house here and pay taxes here. And I can only say my neighbors prefer the existing system. That is what they tell me. They say they are fearful of the President's plan of a mayor and city council appointed by the President.

My wife and I have many friends here. She was born and raised here and so were her father and mother. So, as I say, beyond the fact that we have lived here during my 15 years in Congress, our ties go way back. Yet not one of our old friends has indicated support for a change. I have had several telephone calls and conversation wherein I have been urged to vote to reject the reorganization.

Mr. Chairman, again I say, no one spells out wherein the existing three-commissioner system is wrong. Wherein would the mayor and city council plan improve it?

Instead I am fearful of more Presidential control and more partisan politics.

The President says he would avoid politics. Maybe he would. Maybe he would not. But how about the next President if not this one. Or the one after that.

My theory generally is that when in doubt do nothing. That is the policy I must follow now. I will vote to reject Reorganization Plan No. 3 because no one has shown me what is wrong with the present government.

Mr. ARENDS. Mr. Chairman, will the gentleman yield?

Mr. NELSEN. I yield to the distinguished minority whip, the gentleman from Illinois [Mr. ARENDS].

Mr. ARENDS. Mr. Chairman, I want to state to the members of the Committee of the Whole House that I heartily endorse the District of Columbia bill as presented by the gentleman from Minnesota [Mr. NELSEN]. I likewise endorse and support the position just taken by the minority leader, the distinguished gentleman from Michigan [Mr. FORD].

Mr. Chairman, those of us who have been here for a number of years have always found ourselves somewhat disturbed about the administration of the District, since such administration involves many, many problems.

Mr. Chairman, many of us who have so served in this body are aware of these unsolved problems. I feel certain that many new Members of this body are not too well acquainted with this District problem on which we have been working for many years.

Mr. Chairman, I understand that four of the former District Commissioners, on both sides of the political aisle—have testified as to their experience as District Commissioners and that unanimously they have decided that the District of Columbia Committee bill is the best bill for the benefit of the District of Columbia.

It is my best judgment that the District of Columbia bill as reported by the

District of Columbia Committee should be brought to the floor of the House and thoroughly debated. This would permit the House of Representatives to work its will in the whole matter.

Mr. NELSEN. That is exactly right.

The CHAIRMAN. The time of the gentleman from Minnesota has expired.

Mr. BLATNIK. Mr. Chairman, I yield 6 minutes to the esteemed, able, and beloved Speaker of the House of Representatives, the gentleman from Massachusetts [Mr. McCormack].

Mr. McCORMACK. Mr. Chairman, in a letter which I received from the President of the United States yesterday, the President set forth convincing arguments as to why this reorganization plan should be adopted by the House of Representatives today.

He called attention to the fact that the present machinery has bred confusion; it has produced tangled and uncertain lines of authority; it has hobbled our Capital by wasteful and inefficient practices. He also well refers to the fact that at the turn of the century in a small and serene community these defects may have been tolerable, but today amidst the complexities of America's fastest-growing metropolitan area, they are inexcusable.

In his letter the President says:

> I ask bipartisan support of this reorganization plan. What is at stake is good local government in the Capital that belongs to all of us.

Mr. Chairman, when we get back into the House I will ask consent that the entire letter be inserted into the Record.

Mr. Chairman, I was a little bit surprised to hear my friend from Michigan, the distinguished minority leader, indicate a cloudy feeling toward reorganization plans because the reorganization law, as I remember it, came out of the Hoover Commission. That was one of the primary recommendations of the Hoover Commission. Those of us who were here in those days will remember the Hoover Commission was put through by a bipartisan leadership, and by bipartisan cooperation on both sides of the House.

One of the outstanding leaders for the Hoover Commission was the late beloved father of our distinguished friend from Ohio [Mr. Brown]. I can well remember the late beloved father of my friend from Ohio and I, shoulder to shoulder, he on the Republican side and I on the Democratic side, fighting together for the passage of the Hoover Commission, and also fighting together for the passage of the main recommendations and practically all of the recommendations made by the Hoover Commission.

My friend from Minnesota seems to fear one single executive. The Constitution provides for one executive of our country. Every State has one executive in the person of a Governor. I know of no city over 500,000 population that does not have a chief executive. Most of the cities under 500,000 population have a chief executive elected as the mayor of the city.

The three Commissioners have operated to the best of their ability, but in a city the size of Washington they have not been able to bring about that coordinated action so necessary to give leadership and to bring about efficiency in government and economy in government that is so necessary, not only in all cities, but particularly in a city the size of Washington.

I was rather interested to listen to what my friend from Minnesota [Mr. Nelsen] said—and I admire the gentleman very much, and I join with what the gentleman from New York [Mr. Multer] said about the gentleman—when he said that he doubts if his bill would become law.

Well, we are all practical legislators, and I believe the gentleman was very frank in his statement, a statement that all of us recognize that there is probably a strong probability for the gentleman making, and that means that if that probability should arise the only legislative action that this Congress will take is the present reorganization plan.

Now let me say to my friends from all sections of the country that this is simply a reorganization plan. It in no way involves the broad question of home rule for Washington. The sensitive problems involved in that question in some sections of the country are not involved in the proposal that is before the House today.

I agree with my friend, the gentleman from Minnesota [Mr. Nelsen] when he says that this is a Federal city—his city—yes—my city—and our city. We have to consider it from that angle. We have a responsibility. This city and the government of this city is the responsibility of the Congress. We made it and we are going to continue to make it.

The question is whether or not the adoption of this reorganization plan will be conducive to making the city of Washington a better city—not only from the angle of efficiency but from the angle of economy—and a model city for the capitals of all the world.

So I urge, in order to vote affirmatively to achieve that goal of a better city and a model city that we have to vote "no" on the pending resolution. So I urge that the resolution be defeated so that the reorganization plan of the President will go into effect.

Mr. Chairman, I include the letter from the President, which I have referred to, at this point in the Record:

THE WHITE HOUSE,
Washington, D.C., August 8, 1967.
Hon. John W. McCormack,
Speaker of the House of Representatives,
Washington, D.C.

Dear Mr. Speaker: Tomorrow, the House of Representatives can strike the antiquated shackles from the government of the District of Columbia.

For a hundred years, the Nation's Capital has been run by a three-man board of commissioners. That system has never worked well. No matter how able, diligent or energetic the Commissioners, they have never been able to overcome the defects of the machinery they inherited.

That machinery has bred confusion; it has produced tangled and uncertain lines of authority; it has hobbled our Capital by wasteful and inefficient practices.

At the turn of the century—in a small and serene community—those defects may have been tolerable.

Today—amidst the complexities of America's fastest growing metropolitan area—they are inexcusable.

The crime rate in the District is rising. Its streets and shops are in danger. And the conditions which breed crime worsen each passing day. These problems will not yield to archaic and obsolete government installed as a temporary solution just after the Civil War. They cry out for strong and decisive leadership. They demand efficient and responsive authority.

That is the clear purpose of the reorganization plan I submitted to the Congress some two months ago.

This plan has received the strong endorsement of the present Commissioners, the Chief of Police, the city's leading clergy, the U.S. Conference of Mayors and concerned citizens from all walks of life.

The plan calls for a single Commissioner to replace the three commissioners. He will be the Chief Executive of the entire District Government in our Nation's Capital and I will try to secure the best City Executive in this Nation for this great responsibility. One of his top priorities will be to control crime.

The plan would also create a bipartisan City Council to work with the Commissioner.

The Government Operations Committee of the House of Representatives approved this plan last Wednesday by a vote of 26 to 4, with 15 Democrats voting for approval and only 2 against, with 11 Republicans voting for approval and only 2 against. These men and women, who must make judgments about these problems after hearing and considering all the evidence, voted better than 6 to 1 for the plan. I urge the House to follow the bipartisan course set by that Committee and bring Twentieth Century government to the Nation's Capital.

In the hands of the House is the long-awaited chance to replace a jerry-built government of the 1870's with a new government for the new problems of the 1960's.

I ask for bipartisan support of this reorganization plan. What is at stake is good local government in the Capital that belongs to all of us.

Time and opportunity will not wait. We just must not lose the chance we have now.

Sincerely,

Lyndon B. Johnson.

Mr. BLATNIK. Mr. Chairman, I yield to the distinguished senior member of our committee, the gentleman from California [Mr. Holifield] the balance of my time, 5 minutes.

Mr. ERLENBORN. Mr. Chairman, I yield 6 minutes to the gentleman from California [Mr. Holifield].

The CHAIRMAN. The gentleman from California [Mr. Holifield] is recognized.

Mr. MACHEN. Mr. Chairman, will the gentleman yield?

Mr. HOLIFIELD. I yield to the gentleman.

Mr. MACHEN. Mr. Chairman, I beg the indulgence of the Committee for a few minutes.

Surely, there are many among us who would have preferred another method of adopting changes in the District of Columbia's government, but it is my deepest concern that the members of this Committee consider the plan on the merits of its particular features and not on the manner in which it was proposed.

The District of Columbia now labors under an antiquated and inefficient form of government modeled after a governmental form which has been overwhelmingly rejected by American cities of comparable size. Only Washington, among the Nation's major cities, still retains the commission form of government.

The system is notorious for its divided leadership, clouded lines of authority, and inability to cope with the everyday problems of governance of a city of major import. I might add that this is not the fault of the dedicated men who have served under the present governmental structure. What I am saying is, however, that they have achieved and produced leadership in spite of the conditions under which they have been forced to work. The President's plan will change that framework, and structure a situation conducive to strong leadership for the people of the District—leadership which will be more responsive to their needs.

The plan will consist of a chief executive—Commissioner—appointed by the President, and subject to Senate confirmation, and a nine-member District Council appointed on the same basis. The former will act as the executive branch, and the latter as the representative Council for the community. Since the Council will be appointed, there is a provision that its membership be nonpartisan with no more than six of its members from the same political party.

This is merely a brief summary of some of its major provisions and I am sure that all the members of this body are familiar with the proposal in much more detail, but by recognizing the basic outline of the plan's structure, it becomes clear, I think, that the proposed form of reorganization for the District of Columbia government is wholly within the context of the American tradition for dealing with non-self-governing territories.

There are also guarantees that certain District agencies retain the same general relationship to the District of Columbia government, and although the Commissioner will have executive authority over personnel, there seems negligible danger that there will be a reduction in the work force of the District of Columbia. The reorganization plan presents no threat to those who now hold jobs. In addition, the issue does not fall along liberal-conservative lines. The plan has been offered vigorous support from a wide-ranging and impressive group in the Congress and has received the approval of the House Committee on Government Operations.

Though, as the President has pointed out, this plan offers no substitute for home rule, it would make the transition to home rule smoother, should the Congress favor such a move. Yet, it does not disturb, in any way, the present status of the Federal District.

Lastly, there are many laudable proposals which have been made as to how the handling of the public affairs of the District might be improved. Not the least of these has been the proposal set forth by a number of my distinguished colleagues that the people of Washington elect their own school board.

If I may, with all due respect, let me urge that these matters be taken up by the House at the first opportunity but that the present reorganization plan be allowed to take effect without delay. For these are complementary matters to the question of giving Washington a single Commissioner and Council form of government, and should be considered extraneous to this debate.

Mr. Chairman, the President's reorganization plan does not change the District of Columbia's relationship to the Congress. This body will continue to have the same legislative functions and responsibilities for the city as it has had in the past. It does, however, offer functional reorganization of the District of Columbia government for the sake of efficiency.

Many of my constitutents are former residents of the District of Columbia and the greatest number earn their living there. Certainly, they, too, have a vital interest in the manner in which the Federal City is governed. What we are discussing today is whether or not we accept this resolution to reject the President's plan for a reorganized government for the Federal City. A vote of "nay" will assure that plan's adoption. This is one time that a negative vote will guarantee positive action. I urge all of you to join me in assuring this plan's swift implementation.

GENERAL LEAVE TO EXTEND

Mr. HOLIFIELD. Mr. Chairman, I ask unanimous consent that all Members may extend their remarks at this point in the RECORD.

The CHAIRMAN. Without objection, it is so ordered.

There was no objection.

Mr. HOLIFIELD. Mr. Chairman, in a few minutes the vote will occur on the resolution. If you are in favor of the President's plan the vote on the resolution before us is "no."

The debate has been conducted on a high plane.

The real issue is whether we take a firm but modest step forward, or whether we stand still.

The McMillan-Nelsen bill does not offer a practical alternative in my opinion.

I do not question the motives of its proponents.

I do question the probability of its survival in the legislative jungle.

On six occasions the Senate has passed a home-rule bill. The House in 1965 passed the Sisk bill. It never could get to conference.

The McMillan-Nelsen bill will be subject to all the hazards of amendment in the House and, even more important, in the Senate.

We know that the reorganization plan is not home rule—but we know that the McMillan-Nelsen bill can, and probably will be amended into a home-rule bill.

The provision for an elected school board in the McMillan bill ironically opens the door for amendments to elect the mayor—to elect the city council.

My friends, do not be fooled—the home-rule Members of the other body have stated that they will walk through that door, and when they do the bill will fall into the same old pit of legislative oblivion. It will suffer the same fate as the Sisk bill.

The House can defeat this resolution within the hour and the plan will be authorized as of tomorrow at midnight. It does not have to face the hazards of the legislative jungle.

The President's plan is a modest step forward. It can establish communication between frustrated citizens and their public servants. This is important. In every case where violence has occurred—communication had failed.

The three present Commissioners simply do not have the time to run the affairs of this great city with its 800,000 people—and at the same time give adequate hearing to the requests and complaints of its citizens. Therefore, there is little or no communication today between the frustrated citizen and the three Commissioners.

The plan provides for nine District Councilmen who must have resided 3 years in the District. They must be broadly representative of the citizens of the District. They will provide nine listening posts for the people.

If a citizen can tell his troubles to a public servant it relieves his frustration and it may inform the listener.

Here is the only safety valve I know of in the District—it is called The Action Line. It voices a few of the justifiable complaints of the District's people and through publicity gets some corrections.

Access to nine city councilmen would be more satisfactory to the citizen. It would release more tension and frustration than writing a letter to a local newspaper. Such access on a person-to-person basis with city councilmen occurs in your city—it occurs in mine. It is a time-proven process—it is dignified.

It is a right which every citizen taxpayer should have—and every citizen of the District of Columbia is a direct or indirect taxpayer, whether he is a property owner or not—whether his color is black or white.

Why should we as Members of the House of Representatives support Reorganization Plan No. 3?

Your Committee on Government Operations believes that we should support it on its merits. But, there are other reasons.

Every member of this committee knows that almost every large city in the United States is or may be in trouble.

There is no need for me to describe recent events and I shall not.

We know that our cities have concentrations of hopeless and frustrated people.

Some of these people are bitter. In their bitterness they readily fall prey to false prophets—to demagogs who advocate criminal action which results in arson, looting, destruction of property that runs into many millions, and most important of all, loss of human life.

In plan No. 3 we have an opportunity to move from an obsolete three-headed form of government to a modern type of city administration patterned after the mayor and city council plan which is used in every important sized city in the United States.

I know that each Member will search his own conscience and assess his own responsibility before he votes to stand still or move forward.

In the wake of recent events in city after city—events that have shocked your people and mine—I plead with you to vote "no" on the pending resolution.

This is a very important vote for the citizens of the District.

It could be a very important vote for the image of this Congress.

Mr. BENNETT. Mr. Chairman, the bill before us is not home rule for the District of Columbia. It retains for the Congress all of the responsibility which the Constitution directs for Congress to hold. What the measure does do, is to put the local government of the District of Columbia into the 20th century. It modernizes the government in such a way that responsibility for administrative action can be pinpointed. It should be not only more efficient but also more economical. Moreover, the appointment of council members in each area will make the government more democratic and responsive to the needs of the citizens who live here. All of these improvements should assist our efforts to provide the best possible government here at the least possible expense; and in a way that should protect against the probability of riots and other negative experiences such as have been recently experienced elsewhere in our country.

Mr. LLOYD. Mr. Chairman, the overriding issue concerning Reorganization Plan No. 3, is whether it represents an improvement of city government. I believe it does.

The present three-man Commission of the District of Columbia represents a committee form of government in which Commissioners are called upon to perform both executive and legislative duties. The change proposed by the reorganization plan establishes an executive officer with appropriate staff and a part-time nine-member legislative body. By clearly establishing central executive and legislative responsibility, it follows the system of government which has worked best in America at all levels of government. This parallels the so-called "strong mayor" type of city government. This form of city government now proposed should not be confused with the city manager form of government, which it is not.

Only a few major cities of the United States retain the commission form of government. My home city of Salt Lake City is one of them. Some years ago while a member of the Utah Legislature, I authored a local option sales tax tied in to a change in type of government for Salt Lake City from the commission form to the strong mayor form. This proposal was passed by the Utah Senate, but the House, which retained the sales tax, voted against the change in government. I have long felt this was a mistake. A modern city cannot be most effectively run by a hydraheaded committee which also has the duties of a legislature.

Political considerations, and deep respect for the character and judgment of such men as ANCHER NELSEN aside, the central issue remains whether we should vote for this change if we feel it is an improvement and can give the citizens both better government and more effective use of tax money. I support the resolution because I believe the form of government it proposes does both.

Mr. HOLLAND. Mr. Chairman, I intend to support the President's reorganization plan for the District of Columbia. This plan does not provide—and I am sorry it could not—for direct, full home rule, of the kind that more fortunate Americans in every other city of our land enjoy. It is no substitute for home rule, and no one should fool himself into thinking that it is. But the "substitutes" that have been offered for the President's plan hold open even less hope for bringing either governmental efficiency or any small glimmering of democracy to the people of this great city.

We are told, with complete accuracy, that the reorganization plan does not completely solve the problems facing the District of Columbia. We are further told that if we will reject it today, another bill will be brought up which does a better job. I am not always, Mr. Chairman, a fan of the bird-in-the-bush theory of legislation. Often it is wise to reject a good bill to clear the way for a better one. But let us look at the opportunities this House has had to enact better bills—and let us look at the fact that we have blown it every time.

No, Mr. Chairman, I cannot believe that it is in the best interests of the people of the District to prevent the imminent effectiveness of the reorganization plan, on the flimsy hope that this House and the other body will, someday, enact something, that is vaguely better.

But, Mr. Chairman, we cannot rest on our laurels if we defeat the resolution and allow the reorganization plan to go into effect. The mere improvement of the undemocratic government of the District of Columbia is hardly something to which we can point with pride. The best, most efficient unfree government possible is much worse than an inefficient, even irresponsible free government. If efficiency is our only standard, Mr. Chairman, then we should seek to abolish all forms of self-government. Junk the States, abolish the Congress, wipe out the elected governments that run each of our cities, hire a lifetime public manager and put our destinies in his hands—that is efficiency carried to its height. But such efficiency is repugnant to most Americans. The men and women who send us to the Congress, and who elect the mayors and city councils and the Governors and State legislatures that manage their public affairs, may not in every case be satisfied with what the democratic process produces. But at least that process exists, so that they can remedy their mistakes, and so they can remedy the mistakes of those they elect.

If we were to judge the fitness of democracy by the results of each election, there have been many occasions which would justify the abolition of elections altogether. But the point of free elections, the point of government being responsible to the governed is that there resides in the mass of the people a certain wisdom about what they want and need that no mere expert or civil servant or dedicated employee can hope to match.

I support this reorganization plan because I think it will improve the government of the District of Columbia. But I also reemphasize my dedication to true home rule, to full and free and responsible self-government, not in the name of efficiency, but in the name of justice and freedom.

Mr. DOLE. Mr. Chairman, I feel that one of the most unfortunate aspects of the discussion and debate that has occurred on the reorganization of the government of the District of Columbia is that it has been marked with such misunderstanding and confusion.

From the beginning, the President's plan has been labeled by its proponents, and by the press, as a progressive measure. From its inception, the alternative plan proposed by my distinguished colleague from Minnesota, and supported by a majority of the members of the District Committee, has somehow been labeled regressive.

I fail to understand why a plan which proposes a cumbersome nine-man City Council, all appointed by the President and possessing no mandate from any voters, is considered a progressive measure. I fail to see why a plan which proposes a professional city manager, a single executive more than comparable to the one advocated by the President, is considered to be less than progressive. I fail to see why the plan put forward by the gentleman from Minnesota [Mr. NELSEN], which would establish an elected school board, which would be truly responsive to one of the most pressing needs of the people of the District, has not been hailed far and wide as the most progressive proposal advanced in the entire discussion.

Mr. Chairman, at the time the House Committee on Government Operations voted on the Presidential plan, I was unable to attend the meeting due to other official business. Had I been able to attend, I would have voted against the President's proposal.

I would urge you today to cut through the muddled rhetoric that has clouded the debate on this subject from the beginning and vote in favor of the motion to reject the President's reorganization plan so that we may in the very near future act favorably on the Nelsen bill.

Mr. GILBERT. Mr. Chairman, I am going to vote "No" on the disapproval resolution. I support the President's Reorganization Plan No. 3 for the District of Columbia. This proposal, which will create a single Commissioner and a nine-member Council, all appointed by the President, has broad support. It has been endorsed by the present Commissioners, the Chief of Police, and bipartisan groups and organizations. I believe it will provide a more effective and efficient government for the Nation's Capital.

Under Plan No. 3 the Commissioner would have the executive and budget preparation functions, and the Council would have ordinance-making and regulatory functions, now carried out by the Board. The present structure with divided leadership is archaic. We should provide the District with a more coordinated and unified form of government to adequately attack its many complicated urban problems.

I am confident we shall see a more effective management of District affairs through the consolidation of authority and responsibility in a single Commissioner. And a Council responsible for making rules and regulations, with Congress retaining full power to delegate such authority, will give the people of the city stronger and broader representation. They will have more responsibility and more voice in the rulemaking and budget planning of their local government.

Mr. Chairman, Reorganization Plan No. 3 will provide needed improvements which the District Committee bill could not provide. I, therefore, intend to vote "No" on the disapproval resolution, and I urge my colleagues to join with me in rejecting this resolution.

Mr. BUCHANAN. Mr. Chairman, every American has reason to be concerned about the efficiency of the government of the District of Columbia. This is in fact a unique city. It belongs uniquely to the people, including those who live in the District of Columbia, but also including Americans who live in California or Ohio or New York or Alabama. No one who has watched the stream of visitors to the Capitol during the summer months could challenge the fact that this Capital City of a great Republic fills a unique place in the life of our country and in the hearts of the American people.

Washington, D.C., ought to be the showcase among American cities. Yet it cannot be denied that this city faces problems as severe as any other, that it has needs which must be met, that its people have rights which must be fulfilled.

In my judgment, nothing could be more fitting than that there should come out of this debate a revival of concern by this Congress for the District of Columbia and a legislative redetermination to solve through legislative means its severe and complex problems.

The Congress, like this city, belongs uniquely to the people. It is, especially in the case of this House, the people's branch of the Government. Why, therefore, should not the people's branch of the Government, representing all Americans from coast to coast, assume its proper responsibility toward this city which belongs uniquely to the people.

I believe the best course to follow toward this end would be to reject the President's reorganization plan and to work our legislative will through the adoption of the Nelsen plan or the reorganization plan of the gentleman from Ohio [Mr. BROWN] which I joined in proposing. This plan calls for action which would provide an attack upon the central problems of this city together with an elected school board and a nonvoting delegate to Congress.

In recognition of the right of the citizens of the District of Columbia, like all other Americans, for full representation in this body, I have also joined with many of my colleagues in the introduction of a constitutional amendment to provide such voting representation.

On yesterday I introduced House Resolution 863 which would provide for the establishment of a standing Committee on Urban Affairs to deal specifically with the problems of Washington and other urban areas. This, too, could be a step forward for the District of Columbia.

Mr. Chairman, I accept and applaud the desires of the Members of this body on both sides of the issue to fulfill their responsibilities to their own constituents, to our country, and to the people of the District of Columbia. According to my best judgment, a vote against the President's reorganization plan and for the aforementioned proposals would be a right step in this direction.

Mr. BLATNIK. Mr. Chairman, I want to call to the attention of my colleagues an ad which appeared last night in the Evening Star, supporting President Johnson's reorganization plan for the District of Columbia.

This ad was signed by more than 50 civic, labor, religious, business, and political organizations active in our community. In addition, this ad was signed and endorsed by more than 100 business, religious, and civic leaders who have long championed the cause of progress for Washington.

The ad declares:

> The adoption of the Reorganization Plan will mean progress toward solving the District's problems. The rejection of the plan will mean a continuing and creeping paralysis throughout the District's government.

And it concludes:

> Whatever merits there may be to other legislative proposals, they face many hurdles in Congress. The Reorganization Plan permits necessary changes in the District's government on August 11, not at some distant and unknown date in the future.

These leaders of the Washington community have invested their time and energy to make this city a better place in which to live and raise our families. They seek no special favors or rewards for their efforts—but only a chance to do the things that must be done for the people of this area.

This road to progress begins with the reorganization plan to provide modern, efficient and effective municipal government in the District of Columbia.

The 90th Congress must support this vital step and vote "No" on the McMillan-Broyhill resolutions to disapprove Reorganization Plan No. 3.

I insert the advertisement from the Washington Evening Star in the RECORD at this point:

[From the Washington (D.C.) Evening Star, Aug. 8, 1967]

To the Members of the House of Representatives:

We urge you to support Plan No. 3 to Reorganize the Government of the District of Columbia.

The three-headed government established for the Nation's Capital in 1878, when it had a population of approximately 168,000, does not meet the complex demands of a city in 1967 with 800,000 people.

One commissioner with executive responsibility for all of the District government's activities will be more efficient than three commissioners with divided powers.

A city council with nine citizens "broadly representative of the community" will be more responsive to the needs of the city than three commissioners.

The assignment of executive powers to the commissioner and rule-making powers to the council will prevent abuse of authority and will apply to the government of the Nation's Capital the same principle of checks and balances which is the basis for all government in the United States.

The adoption of the Reorganization Plan will mean progress toward solving the District's problems. The rejection of the Plan will mean a continuing and creeping paralysis throughout the District's government.

Whatever merits there my be to other legislative proposals, they face many hurdles in Congress. The Reorganization Plan permits necessary changes in the District's government on August 11, not at some distant and unknown date in the future.

We respectfully request your support of the Plan by voting against the McMillan-Broyhill Resolutions to Disapprove Reorganization Plan No. 3.

ORGANIZATIONS

American Federation of Government Employees, Local 12.
American Federation of Teachers, Washington Local.
American Jewish Congress.
American Jewish Committee.
American Veterans Committee.
Anacostia Business and Professional Assn.
Baptist Ministerial Conference.
Bibleway Church.
B'nai B'rith Women's Council of Metropolitan Washington.
Capitol Hill Community Council.
Cardinal's Committee on Community Relations, Archdiocese of Washington.
College Alumnae Association.
Committee of Forward Looking Republicans.
Council of Churches of Greater Washington.
Democratic Central Committee.
Democrats for the District.
D.C. Association of Class Room Teachers.
D.C. Business League.
D.C. Chamber of Commerce.
D.C. Education Association Patriots.
D.C. Federation of Civic Associations.
Episcopal Society for Cultural and Racial Unity.
Far Northeast Democratic Organization.
Greater Washington Central Labor Council, AFL-CIO.
Health and Welfare Council of the National Capital Area.
Home Rule Assembly.
Hospitality House.
Jewish Community Council of Greater Washington.
Jewish War Veterans, Washington Posts.
League of Women Voters of the District of Columbia.
Lincoln Republican Club.
Lutheran Churches Task Force on Self-Government for the District.
Metropolitan Community Aid Council.
National Alliance of Postal and Federal Employees, Washington Lodge.
National Association for the Advancement of Colored People.
National Baptist Conference of Washington.
National Capital Area Civil Liberties Union.
National Capital Association of B'nai B'rith Lodges.
National Capital Voters Association.
National Council of Jewish Women, D.C. Section.
Northeast Neighborhood Council.
Peoples Congregational Church.
Prince Hall Masons.
Shepherd Park Citizens' Assn.
Southern Christian Leadership Conference.
United Licensees Beverage Association.
Virginia White Speel Republican Club.
Washington Home Rule Committee.
Washington Independent Tavern Owners Association.
Washington Urban League.
Washington and Vicinity Federation of Women's Clubs.
Young Democratic Club of Washington.

INDIVIDUALS

David C. Acheson.
Floyd Agostinelli.
Stephen Ailes.
Rev. Andrew J. Allen.
Edwin J. Applewhite.
Albert E. Arent.
James G. Banks.
Rev. Geno Baroni.
Berl I. Bernhard.
Francis Biddle.
Henry H. Brylawski.
B. Bernei Burgunder, Jr.
Edward Burling, Jr.
Edmund D. Campbell.
Mortimer Caplin.
David Carliner.
Reuben Clark.
Philip J. Daugherty.
Tilford E. Dudley.
Julian Dugas.
Mrs Todd Duncan.
Rev. Walter E. Fauntroy.
Mrs. Clarence E. Fisher.
Mrs. Robert Fleming.
Dr. Isaac Franck.
Louis M. Frankel.
Gerhard A. Gesell.
Msgr. George Gingras.
Aaron Goldman.
Constance McLaughlin Green.
Alexander B. Hawes.
Ellis Haworth.
George E. C. Hayes.
Patrick Hayes.
Dumond Peck Hill.
Mrs. Marshall Hornblower.
Rev. Duncan Howlett.
Peter Barton Hutt.
Rev. E. Franklin Jackson.
Elizabeth S. Johnson.
David Lloyd Kreeger.
Samuel J. Lanahan.
Mrs. Cazenove Lee.
Frederick B. Lee.
Mrs. Herman W. Lewis.
Rabbi Eugene J. Lipman.
Dr. Virgil E. Lowder.
Richard K. Lyon.
J. Noel Macy.
Paul F. McArdle.
The Rt. Rev. Paul Moore, Jr.
Mrs. John A. Morrison, Jr.
John A. Nevius.
Rev. Philip R. Newell, Jr.
Barrington D. Parker.
Rev. Channing E. Phillips.
Rev. Daniel Pierotti.
Flaxie M. Pinkett.
S. Franklin Posey.
Theodore Prahinski.
Charles E. Qualls.
Rabbi Stanley Rabinowitz.
Nelson C. Roots.
William Warfield Ross.
Sidney S. Sachs.
Edith Ray Saul.
Rabbi Samuel Scolnic.
John J. Sexton.
Polly Shackleton.
William H. Simons.
Mrs. Peter Soyster.
Mrs. Hobart Spalding.
James S. Stanback.
Mrs. Ezekiel G. Stoddard.
Lloyd Symington.
John M. Thornton.
Sterling Tucker.
J. C. Turner.
Gerhard Van Arkel.
James A. Washington.
Glenn E. Watts.
Philip H. Watts.
Frank Weil.
Bishop Smallwood E. Williams.
Wesley S. Williams.
Eugene M. Zuckert.

Each of the individuals who joined in this ad urging support for plan No. 3 has contributed significant service to the District of Columbia community. For the assistance of those who are not familiar with these names, I include below a brief identification of some of the positions each person has held in private or public life:

David C. Acheson: Lawyer; formerly U.S. attorney for the District of Columbia.

Floyd Agostinelli: Social worker.

Stephen Ailes: Lawyer; formerly Secretary of the Army.

Rev. Andrew J. Allen: Chairman, Baptist Ministerial Alliance; vice president, Southern Christian Leadership Conference.

Edgar J. Applewhite: Government official; board member, Washington Gallery of Modern Art.

Albert E. Arent: Lawyer; past president, Jewish Community Council of Greater Washington.

James G. Banks: Government official; formerly executive director, United Planning Organization.

Rev. Geno Baroni: Chairman, Cardinal's Committee on Community Relations, Archdiocese of Washington.

Berl I. Bernhard: Lawyer; formerly staff director, Civil Rights Commission; trustee, District of Columbia Community College.

Francis Biddle: lawyer; formerly Attorney General of the United States.

Henry H. Brylawski: Chairman, Washington chapter, American Jewish Committee.

B. Bernei Burgunder, Jr.; Businessman.

Edward Burling, Jr.: lawyer; member, Republican District of Columbia State Committee.

Edmund D. Campbell: lawyer; past president, Bar Association of the District of Columbia.

Mortimer Caplin: lawyer; formerly Commissioner of Internal Revenue.

David Carlinger: lawyer; president, Washington Home Rule Committee.

Reuben Clark: lawyer; chairman of board, Housing Development Corp.

Philip J. Daughterty: labor official.

Tilford E. Dudley: Chairman, Democratic Central Committee; Chirman, Citizens Council for the District of Columbia.

Julian Dugas: Lawyer; director, Neighborhood Services Legal Program; member, District of Columbia Board of Education.

Mrs. Todd Duncan: Vice chairman, Democratic Central Committee.

Rev. Walter E. Fauntroy: Legislative representative, Southern Christian Leadership Conference; member, Advisory Committee of the Model School Division of the District of Columbia Public Schools.

Mrs. Clarence E. Fisher: President, Northwest Settlement House.

Mrs. Robert Fleming: Board member, Washington Home Rule Committee.

Dr. Isaac Franck: Executive vice president, Jewish Community Council of Greater Washington.

Louis M. Frankel: Businessman.

Gerhard A. Gesell: Lawyer; formerly Chairman, President's Committee on Equal Opportunity in the Armed Forces; chairman, Committee on Administration of Justice of the Judicial Council for the District of Columbia Circuit.

Msgr. George L. Gingras: Pastor, SS Paul and Augustine Church.

Aaron Goldman: Businessman.

Constance McLaughlin Green: Author.

Alexander B. Hawes: Lawyer, chairman of Subcommittee on Juvenile Delinquency, Committee on Administration of Justice of the Judicial Council for the District of Columbia Circuit.

Ellis Haworth: Chairman, legislation committee, District of Columbia Congress of Parents and Teachers.

George E. C. Hayes: Lawyer; member, Republican District of Columbia State Committee; trustee, Howard University; formerly chairman, Public Service Commission of the District of Columbia.

Patrick Hayes: Managing director, Washington Performing Arts Society.

Dumond Peck Hill: Lawyer; board member, Foreign Student Service Council.

Mrs. Marshall Hornblower: Past president, Washington Home Rule Committee.

Rev. Duncan Howlett: Pastor, All Souls Unitarian Church.

Peter Barton Hutt: Lawyer; Chairman, District of Columbia Commission on Alcoholism.

Rev. E. Franklin Jackson: Democratic national committeeman for the District of Columbia.

Elizabeth S. Johnson: President, League of Women Voters of the District of Columbia.

David Lloyd Kreeger: Businessman.

Samuel J. Lanahan: Lawyer; past president, Family and Child Services of Washington, D.C.

Mrs. Cazenove Lee: Member of the Arts Advisory Committee of the District of Columbia Recreation Board.

Frederick B. Lee: Businessman; chairman of board, United Planning Organization.

Mrs. Herman W. Lewis: Vice president, League of Women Voters of the District of Columbia.

Rabbi Eugene J. Lipman: Rabbi, Temple Sinai; member, Interreligious Committee on Race Relations.

Dr. Virgil E. Lowder: Formerly executive director, Council of Churches of Greater Washington.

Richard K. Lyon: Lawyer; past president, Washington Home Rule Committee.

Paul F. McArdle, Lawyer; past president, Bar Association of the District of Columbia.

J. Noel Macy: Georgetown Community leader.

The Right Reverend Paul Moore, Jr.: Suffragan Bishop of the Diocese of Washington.

Mrs. John A. Morrison, Jr.: Member of the District of Columbia Republican State Committee.

John A. Nevius: Lawyer; vice chairman, Community Organizations for the Improvement of Neighborhoods, Inc. (COIN).

Rev. Philip R. Newell, Jr.: Urban minister-at-large for the Presbytery of Washington City, the Episcopal Diocese of Washington, and the Central Atlantic Conference of the United Church of Christ.

Barrington D. Parker: Lawyer; member, Committee of Forward Looking Republicans.

Rev. Channing E. Phillips: Pastor, Lincoln Temple Memorial Church; president, Ministerial Association of the National Capital Area; president, Housing Development Corporation.

Rev. Daniel Pierotti: Director, Cooperative Lutheran Parish.

Flaxie M. Pinkett: Businesswoman; president, Health and Welfare Council of the District of Columbia.

S. Franklin Posey: President, Lincoln Republican Club.

Theodore Prahinski: Lawyer; president, Shepherd Park Citizens Association.

Charles E. Qualls: Businessman; president, Anacostia Chamber of Commerce.

Rabbi Stanley Rabinowitz: Vice president, Rabbinical Assembly of the Greater Washington Area.

Nelson C. Roots: District of Columbia Federation of Civic Associations.

William Warfield Ross: Lawyer, president, Civil Liberties Union of the National Capital Area.

Sidney S. Sachs: Lawyer; past president, Bar Association of the District of Columbia.

Edith Ray Saul: Program chairman for libraries, League of Women Voters of the District of Columbia.

Rabbi Samuel Scolnic: Past president, Washington Board of Rabbis.

John J. Sexton: Lawyer.

Polly Shackleton: Democratic national committeewoman for the District of Columbia.

William H. Simons: President, Washington Teachers Union.

Mrs. Peter Soyster: President, Visiting Nurses Association of Washington, D.C.

Mrs. Hobart Spalding: Chairman, District of Columbia Public Welfare Advisory Council.

James S. Stanback: Past president, District of Columbia Chamber of Commerce.

Mrs. Ezekiel G. Stoddard: President, Family and Child Services of Washington, D.C.

Lloyd Symington: Lawyer; vice president, National Symphony Orchestra Association of Washington, D.C.

John M. Thornton: President, National Capital Voters Association.

Sterling Tucker: Executive director, Washington Urban League, Inc.

J. C. Turner: President, Central Labor Council of Greater Washington.

Gerhard Van Arkel: Lawyer; member of board, District of Columbia Citizens for Better Public Education, Inc.

James A. Washington: Professor of law, Howard University Law School; formerly chairman, Public Service Commission of the District of Columbia.

Glenn E. Watts: President, Health and Welfare Council of the National Capital Area.

Philip H. Watts: Stockbroker; member, Committee of Forward Looking Republicans.

Frank Weil: Chairman, District of Columbia chapter of American Veterans Committee.

Bishop Smallwood E. Williams: Pastor, the Bibleway Church.

Wesley S. Williams: Past president, District of Columbia Board of Education.

Eugene M. Zuckert: Lawyer; formerly Secretary of the Air Force.

Mr. Chairman, I have received further word that the following list of distinguished religious leaders in Washington also support the reorganization plan as individuals and in the following manner:

Bishop John Wesley Lord: Methodist Bishop of Washington; chairman, Interreligious Committee on Race Relations.

Bishop William F. Creighton: bishop of the Episcopal Diocese of Washington; past chairman of Interreligious Committee on Race Relations.

His Eminence Patrick Cardinal O'Boyle: Archbishop of the Archdiocese of Washington; past chairman of Interreligious Committee on Race Relations.

Bishop John S. Spence: Auxiliary bishop of the Archdiocese of Washington; co-chairman of the Interreligious Committee on Race Relations.

Mr. HARDY. Mr. Chairman, I have no further requests for time.

The CHAIRMAN. The Clerk will report the resolution.

The Clerk read as follows:

H. RES. 512

Resolved, That the House of Representatives does not favor the Reorganization Plan Numbered 3 transmitted to Congress by the President on June 1, 1967.

Mr. BLATNIK. Mr. Chairman, I move that the Committee do now rise and report the resolution back to the House with the recommendation that the resolution be not agreed to.

The motion was agreed to.

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. HUNGATE, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration House Resolution 512, expressing the disapproval of the House of Representatives of Reorganization Plan No. 3, had directed him to report the bill back to the House with the recommendation that the resolution be not agreed to.

The Clerk reported the resolution.

Mr. GERALD R. FORD. Mr. Speaker, a parliamentary inquiry.

The SPEAKER (Mr. MCCORMACK). The gentleman will state his parliamentary inquiry.

Mr. GERALD R. FORD. Mr. Speaker, for the information of the Members of the House, is it true that a vote "aye" on the resolution is a vote against the Reorganization Plan No. 3, and a vote of "no" is a vote to approve the President's reorganization plan?

The SPEAKER. In response to the parliamentary inquiry, the Chair will state that a vote of "aye" on the pending resolution is a vote against the Reorganization Plan No. 3. However, on the other hand, a vote of "no" is a vote in favor of the reorganization plan.

Mr. GERALD R. FORD. I thank the Speaker.

The SPEAKER. The question is on the resolution.

Mr. ERLENBORN. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 160, nays 244, not voting 28, as follows:

[Roll No. 204]

YEAS—160

Abbitt
Abernethy
Adair
Andrews, Ala.
Arends
Ashbrook
Ashmore
Ayres
Bates
Battin
Belcher
Berry
Betts
Bevill
Blackburn
Bolton
Bow
Bray
Brinkley
Broomfield
Brown, Mich.
Brown, Ohio
Broyhill, N.C.
Broyhill, Va.
Buchanan
Burke, Fla.
Byrnes, Wis.
Carter
Cederberg
Chamberlain
Clancy
Clausen,
Don H.
Clawson, Del
Cramer
Cunningham
Curtis
Davis, Ga.
Davis, Wis.
Denney
Derwinski
Devine
Dole
Dorn
Dowdy
Downing
Duncan
Everett
Fisher
Flynt
Ford, Gerald R.
Fountain
Fuqua
Galifianakis
Gardner
Gathings
Gettys
Goodling
Gross
Gubser
Gurney
Hagan
Haley
Hall
Hansen, Idaho
Hardy
Harsha
Harvey
Hébert
Henderson
Herlong
Hull
Hunt
Hutchinson
Johnson, Pa.
Jonas
Jones, Mo.
Jones, N.C.
King, N.Y.
Kleppe
Kornegay
Kyl
Laird
Langen
Latta
Lennon
Lipscomb
Long, La.
Lukens
McClure
McMillan
MacGregor
Marsh
Martin
Mathias, Calif.
May
Michel
Miller, Ohio
Minshall
Mize
Montgomery
Moore
Myers
Nelsen
Nichols
O'Neal, Ga.
Passman
Pelly
Pettis
Pirnie
Poff
Price, Tex.
Quie
Quillen
Railsback
Rarick
Reid, Ill.
Reifel
Reinecke
Rhodes, Ariz.
Rivers
Robison
Rogers, Fla.
Roudebush
Satterfield
Schadeberg
Scherle
Schneebeli
Scott
Selden
Shriver
Skubitz
Smith, Calif.
Smith, Okla.
Snyder
Springer
Steiger, Ariz.
Stephens
Stuckey
Talcott
Taylor
Teague, Calif.
Teague, Tex.
Thomson, Wis.
Tuck
Waggonner
Walker
Wampler
Watkins
Watson
Whalley
Whitener
Whitten
Wiggins
Williams, Pa.
Wilson, Bob
Winn
Wylie
Wyman
Zion
Zwach

NAYS—244

Adams
Addabbo
Albert
Anderson, Ill.
Anderson,
Tenn.
Andrews,
N. Dak.
Annunzio
Ashley
Aspinall
Baring
Barrett
Bell
Bennett
Biester
Bingham
Blanton
Blatnik
Boggs
Boland
Bolling
Brasco
Brooks
Brotzman
Brown, Calif.
Burke, Mass.
Burleson
Burton, Calif.
Bush
Button
Byrne, Pa.
Cabell
Cahill
Carey
Casey
Celler
Cleveland
Cohelan
Conable
Conte
Corbett
Cowger
Culver
Daddario
Daniels
Dawson
de la Garza
Delaney
Dellenback
Dent
Diggs
Dingell
Donohue
Dow
Dwyer
Eckhardt
Edmondson
Edwards, Ala.
Edwards, Calif.
Edwards, La.
Eilberg
Erlenborn
Esch
Eshleman
Evans, Colo.
Evins, Tenn.
Fallon
Farbstein
Fascell
Feighan
Findley
Fino
Flood
Foley
Ford,
William D.
Fraser
Frelinghuysen
Friedel
Fulton, Pa.
Fulton, Tenn.
Garmatz
Giaimo
Gibbons
Gilbert
Gonzalez
Goodell
Gray
Green, Oreg.
Green, Pa.
Griffiths
Grover
Gude
Halpern
Hamilton
Hammer-
schmidt
Hanley
Hanna
Hansen, Wash.
Harrison
Hathaway
Hawkins
Hays
Hechler, W. Va.
Heckler, Mass.
Helstoski
Hicks
Holifield
Holland
Horton
Hosmer
Howard
Hungate
Ichord
Irwin
Jacobs
Jarman
Joelson
Johnson, Calif.
Karsten
Karth
Kastenmeier
Kazen
Kee
Keith
Kelly
King, Calif.
Kirwan
Kluczynski
Kupferman
Kuykendall
Leggett
Lloyd
Long, Md.
McCarthy
McClory
McDade
McDonald,
Mich.
McEwen
McFall
Macdonald,
Mass.
Machen
Madden
Mahon
Mailliard
Meeds
Meskill
Miller, Calif.
Mills
Minish
Mink
Monagan
Moorhead
Morgan
Morris, N. Mex.
Morse, Mass.
Morton
Mosher
Moss
Multer
Murphy, Ill.
Murphy, N.Y.
Natcher
Nedzi
Nix
O'Hara, Ill.
O'Hara, Mich.
O'Konski
Olsen
O'Neill, Mass.
Ottinger
Patman
Patten
Pepper
Perkins
Philbin
Pickle
Pike
Poage
Pool
Price, Ill.
Pryor
Pucinski
Purcell
Randall
Rees
Reid, N.Y.
Resnick
Reuss
Rhodes, Pa.
Riegle
Roberts
Rodino
Rogers, Colo.
Ronan
Rooney, Pa.
Rosenthal
Rostenkowski
Roth
Roush
Roybal
Rumsfeld
Ruppe
Ryan
St Germain
St. Onge
Sandman
Scheuer
Schweiker
Schwengel
Shipley
Sikes
Sisk
Slack
Smith, Iowa
Smith, N.Y.
Stafford
Staggers
Stanton
Steed
Steiger, Wis.
Stratton
Stubblefield
Sullivan
Taft
Tenzer
Thompson, Ga.
Thompson, N.J.
Tunney
Udall
Ullman
Van Deerlin
Vander Jagt
Vanik
Vigorito
Waldie
Whalen
White
Widnall
Willis
Wolff
Wright
Wyatt
Yates
Young
Zablocki

NOT VOTING—28

Brademas
Brock
Burton, Utah
Clark
Collier
Colmer
Conyers
Corman
Dickinson
Dulski
Gallagher
Halleck
Jones, Ala.
Kyros
Landrum
McCulloch
Mathias, Md.
Matsunaga
Mayne
Pollock
Rooney, N.Y.
Saylor
Tiernan
Utt
Watts
Williams, Miss.
Wilson,
Charles H.
Wydler

So the resolution was rejected.

The Clerk announced the following pairs:

On this vote:

Mr. Utt for, with Mr. Kyros against.

Mr. Colmer for, with Mr. Collier against.

Until further notice:

Mr. Rooney of New York with Mr. Saylor.
Mr. Brademas with Mr. Mathias.
Mr. Matsunaga with Mr. Pollock.
Mr. Tiernan with Mr. Wydler.
Mr. Williams of Mississippi with Mr. Dickinson.
Mr. Charles H. Wilson with Mr. Mayne.
Mr. Corman with Mr. McCulloch.
Mr. Watts with Mr. Brock.
Mr. Gallagher with Mr. Halleck.
Mr. Clark with Mr. Burton of Utah.
Mr. Dulski with Mr. Conyers.
Mr. Jones of Alabama with Mr. Landrum.

The result of the vote was announced as above recorded.

GENERAL LEAVE TO EXTEND

Mr. BLATNIK. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to extend their remarks on House Resolution 512.

The SPEAKER. Is there objection to the request of the gentleman from Minnesota?

There was no objection.

LEGISLATIVE PROGRAM FOR TOMORROW AND THE BALANCE OF THIS WEEK

Mr. ALBERT. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. ALBERT. Mr. Speaker, I take this time to announce an addition to the program. I discussed this with the distinguished minority leader. We will add to the program tomorrow H.R. 11945, amending the college work-study program in title I of the Economic Opportunity Act. The reason we are adding this bill to the program is that the act expires on August 20, and the bill must be signed by the President prior to that time.

Mr. GERALD R. FORD. Mr. Speaker, will the distinguished majority leader yield?

Mr. ALBERT. I am happy to yield to the gentleman from Michigan.

Mr. GERALD R. FORD. Is it my understanding that it is the intention of the leadership, to the greatest degree possible, to conclude the legislative program which was announced in the whip notice for the work of this week?

Mr. ALBERT. We hope to do so.

Mr. GERALD R. FORD. Which would include the mid-decade census and the two bills from the Committee on Interior and Insular Affairs?

Mr. ALBERT. And the bill which I have just announced.

Mr. GERALD R. FORD. That is correct.

Mr. ALBERT. The one I have just announced has more urgency timewise about it than the others.

Mr. GERALD R. FORD. I thank the gentleman from Oklahoma.

PROBLEMS OF THE CITY—PART I

Mr. VANIK. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. VANIK. Mr. Speaker, from all sides of the Chamber, we hear discussion today about the factors which caused the riots in the major cities of America. Unemployment and underemployment are prime factors, along with the crying need for decent, safe housing for low-income and no-income residents of our large central cities.

On this point, it is shocking to note that four-fifths of the money provided for the construction of federally financed public housing in the United States has been spent in communities of less than 25,000 population. The elementary arithmetic of this statistic clearly provides some explanation of the urban unrest in our large central cities.

This proves that the Federal public housing program is, in effect, a small-city program. The dilution of limited Federal resources for housing betterment to areas of lesser need completely disregarded the great urgency of our large cities. If this direction of the Federal housing program was a result of political expediency to enact the program, it came at too great a price—Detroit, Watts, Hough, and Newark.

Following is the statement on public housing provided in the latest manual of the U.S. Department of Housing and Urban Development entitled, "HUD at a Glance," which at page 12 says:

> PUBLIC HOUSING
>
> For almost thirty years, Federally-aided public housing for low-income families has provided decent housing for millions of low-income people. By mid-1966:
>
> More than 9 million people had lived in low-rent public housing.
>
> More than 2 million people were living in low-rent public housing.
>
> 830,000 units had reached reservation or later stages of development.
>
> All 50 states, the District of Columbia, Puerto Rico, and the Virgin Islands had approved low-rent public housing projects.
>
> 2,539 communities, served by 1,883 local housing authorities, were participating.
>
> More than half the communities had populations of less than 5,000 and four-fifths of the aid served communities of less than 25,000 population.
>
> The median income for public-housing families at the end of March, 1966 was $2,600.
>
> 617,000 units were available at the end of June, 1966. Of these, about 30 per cent were occupied by the elderly.

By the admission of the Department of Housing and Urban Development in this factbook:

> More than half the communities had populations of less than 5,000 and four-fifths of the aid served communities of less than 25,000 population.

If this manual is factually correct, of the 617,000 public housing units, 80 percent or 514,000 are located in communities of less than 25,000 in population. This in some way explains why these smaller communities may have been spared public protest and disturbance, while major communities crumbled.

DISGRACEFUL DEMONSTRATION IN HOUSE GALLERY

Mr. ABBITT. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Virginia?

There was no objection.

Mr. ABBITT. Mr. Speaker, on Monday, a disgraceful demonstration occurred in the gallery of this House. A group from New York conducted themselves in a disorderly manner, violated both the rules of the House and the rules of decent conduct, and abused police officers who tried to remove them from the gallery. From their remarks, it is evident that these people are not only afflicted with gross ignorance, but also are filled with hate for their fellow citizens, for this Congress, and for the United States.

We have seen this type of person at work in fomenting and carrying out the riot activity in our major cities. I think any decent American will recognize them as I have just described them. I just want to be certain that decent Americans also have the opportunity to recognize them as something more—that is, as being in league with international communism, which is dedicated to the overthrow of this country and all that it stands for.

I would particularly call attention to one of the group—an infamous character named Jesse Gray. There is no doubt in my mind that he was one of the instigators of the movement to bring these agitators down here from New York. Jesse Gray is a dedicated Communist who has been active in subversive, anti-American work for a long time. Back in the mid-1950's, Jesse Gray was working actively under the direction of the notorious Communist, Benjamin Davis. Under Davis' orders, he directed efforts to start Communist youth organizations in Harlem among Negroes and also among Puerto Ricans. He worked openly for the candidacy of Benjamin Davis when he sought a seat in the New York State Assembly as delegate from the 11th Assembly District.

Even as far back as 1950, Jesse Gray had devoted himself to communism. In that year, he was associated with the left-wing Harlem Trade Union Council, went as a delegate to the World Peace Congress held in Warsaw, Poland, and attended the World Federation of Trade Unions, also held in Poland shortly after the World Peace Congress.

When Young Albert Gaillard testified before the House Un-American Activities Committee in 1960, he identified Jesse Gray as one who, along with known Communist Hunter Pitts O'Dell, directed his activities in organizing Harlem youths for communism. Gaillard also testified at that time that—

> The Communist Party want[s] to see the things really keep on happening to the Negro people so they can use this as a weapon to try to rally the masses of the Negro people around the Communist Party.

I think the Negro people of this Nation have resisted the enticements of communism commendably, and I want to point out that the resistance to communism by southern Negroes has probably been stronger than in any other part of the Nation. There are those who have expressed doubts that riots are caused and executed under any plan. There are those who have scoffed at the idea that communism is in any way connected with the agitation and disorders of the past years. I hope that in view of the testimony being given to the contrary before committees of Congress and in view of the face-to-face encounter with Jesse Gray on Monday, these scoffers will wake up in time to help us curb the despicable vermin who have brought destruction to our cities and discontent across our countryside.

Another thought also occurs to me. It was reported in the newspapers that the few who were arrested were released on $10 bond. If this is the type treatment we give to people of this type, no wonder they commit such outrages. Ten dollars is a cheap price for Communist agitators to insult the House of Representatives. I think an example should be made of them as a discouragement to any such future disorders.

PRESIDENT BANDA REPORTS TO PARLIAMENT OF MALAWI ON HIS VISIT TO WASHINGTON

Mr. O'HARA of Illinois. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. O'HARA of Illinois. Mr. Speaker, as chairman of the African Subcommittee of the Committee on Foreign Affairs, I am pleased and privileged to convey to the House the report to the Parliament of Malawi of the distinguished President of the Republic of Malawi, Dr. M. Kamuzu Banda, on his visit to Washington in June of this year.

President Banda, educated at the University of Chicago in the district I am honored to represent, always has been the stanch and true friend of the United States. I welcome the clear and firm expression of friendship for and understanding of the United States in his remarks to the Parliament of his own country that follow:

The Minister of Natural Resources (Mr. Kumtumanji): Mr. Speaker, I beg to move that this House do welcome and approve the strengthening of the bonds of friendship between the Republic of Malawi and her friends overseas, in particular the United States of America, which has resulted from the recent visit of His Excellency the President to the United States and Britain and that the House do congratulate His Excellency the President on the success of that visit. (*Applause.*)

H.E. The President (Dr. Banda): Mr. Speaker, Sir, I am very happy to hear the Minister of Natural Resources, who is now Leader of the House, propose what he has proposed. This morning, as some of the Honourable Members may know, since the House last met, a number of important and significant events have taken place. To mention some of them; my own visit to the United States and the United Kingdom; the outbreak of the war in the Middle East and a reported statement by one of the leaders in a neighbouring State.

As the House is aware, I left the country on the 29th May for a trip overseas. This trip overseas was occasioned by the invitation I received from the University of Massachusetts to receive its Honorary Degree. When the City of Independence, Missouri, learned that I was going to the University of Massachusetts, to receive an Honorary Degree there, it also, when I say it also I mean the city of Independence in the State of Missouri, decided to invite me. It extended an invitation to me to visit it while I was in the United States. As you know, the City of Independence in Missouri is a sister city to Blantyre.

The invitation from the University of Massachusetts and the City of Independence to visit the United States naturally gave me an opportunity to renew my contacts with the President of the United States, the Right Honourable Lyndon Johnson, whom I had met in 1964 when I went there on the occasion of Malawi's admission to the United Nations.

Full reports of the trip have already appeared in the newspapers and have been relayed on the radio. It is not therefore necessary for me to go into details here. All I need say is that at the University of Massachusetts, in Independence, Missouri, and even more in Washington, the capital of the United States, my party and I were enthusiastically received . . . . (*Applause*) . . . . with great honour and kindness.

In particular, I was deeply touched and greatly impressed by the way in which the President of the United States of America, the Right Honourable Lyndon Johnson, received and treated me. At the time I arrived in Washington the President was deeply engaged—and I mean just that—deeply and gravely engaged. The crisis created by the outbreak of war in the Middle East, between Egypt and Israel, was at its height. The President of the United States, at that time had every reason not to see me or, if he did see me, to see me only for a few minutes because he was truly and literally very, very busy. And what was even more, my visit was a private one—not a State or Official one. I would like to emphasize this, Mr. Speaker and Honourable Members. Yet busy as he was, pressed for time as he was, the President took the trouble not only to see me and discuss international problems with me, but also to arrange and give a reception and a Luncheon in my honour. (*Applause.*)

Not only that, Mr. Speaker, he also saw to it that the streets in the City of Washington—at least in that part of the City where I was to pass and to stay from the Airport to the house where I stayed—was gaily decorated with Malawi and American flags. (*Applause.*) And although my visit was a private one, President Johnson accommodated me in his official Guest House, Blair House. It is not necessary for me to tell the House in detail what President Johnson and I discussed. Naturally we touched on the present and pressing international problems, in particular the war in the Middle East, and as you would expect, we also discussed Malawi's economic or financial needs.

On the war in the Middle East, I was very glad to note and see that the President and I more or less have the same views or share the same views. (*Applause.*) We have identical views on the problems, not only on the present conflict between the Arabs and Israelis, but on the problems in the Middle East in general. I was greatly impressed with the President's knowledge, understanding and interpretation of everything that we discussed.

Coming to the war in the Middle East, the war which broke out two weeks ago between Israel and the Arabs or the Arabs and Israel, let me say here something about the lying propaganda that is being spread throughout the world from Cairo and elsewhere. You know me, Mr. Speaker, I do not beat about the bush. Lying propaganda is being spread from Cairo and elsewhere. This lying propaganda is to the effect that Israel is the aggressor and that in her aggression against the Arab States, Israel is supported and backed by the United States of America and the United Kingdom, and that the Arabs, particularly the Egyptians, were defeated because the American Air Force, and the British Air Force supported the Israeli Air Force in its attack on Egyptian, Jordanian and Syrian air bases. This is the lying propaganda that emanates from Cairo and her sister capital cities elsewhere in the East. I will not mention them, but everybody knows. (*Laughter.*) There is absolutely no truth whatsoever to this kind of propaganda.

In the war between the Arabs and Israel two weeks ago, it is absolutely untrue that Israel is the aggressor. I repeat, it is absolutely untrue to say that Israel is the aggressor. Why do I say this? I happen to know something about the history, about the trouble between Israel and the Arab States, particularly Egypt. Just about everyone or anyone with a knowledge of the affairs of the Middle East knows that, since 1948, (because Israel became a State in 1947) since 1948 the Arab countries, led by Egypt, have vowed—v-o-w-e-d—to wipe out Israel as a State from the face of the Middle East and from the face of the earth. That is a vow the Arab States, led by Egypt, made in 1948.

Before the recent events, the Arab States had twice gone to war with or against Israel. First in 1948/49 and then in 1956. Both in 1948/49 and in 1956, Israel defeated the Arab States. That was why in 1952, after the defeat of the Arabs in 1948/49, General Naguib and Colonel Nasser overthrew the then Government of King Farouk. I was in London, practicing medicine. I read all about it because General Naguib—particularly Colonel Nasser—told the Arabs that they had lost the war because King Farouk and his Ministers were corrupt. But if they, the soldiers, took over the Government then they would defeat Israel. (*Laughter.*) That was the story and so they went to war again in 1956. But they lost. (*Laughter.*) It was the soldiers in 1956—it was not King Farouk then. (*Laughter.*) He was in Italy, having a good time. Those of you who know something about it . . . (*Loud applause.*)

Still, even when they were defeated in 1956, the Arabs or the Arab States, led by Egypt, never gave up the idea of obliterating Israel from the face of the earth. After the time of the outbreak of the recent war two weeks ago, the Arabs, led by Syria, and strongly supported by Egypt, told the world that they were determined to wipe out Israel completely as a State. Therefore, Mr. Speaker, as I said at the airport, to say now after the vicious campaign of threats of obliteration of Israel as a State by Syria, Egypt and other Arab States, for the same Arab States to say now—particularly Egypt and Syria—that Israel is the aggressor, is not only a distortion or travesty, but also and even more, a prostitution of the truth. (*Applause.*)

So too is the propaganda that Israel won the war because the Americans and the British come to her aid. There is absolutely no truth whatsoever in the propaganda emanating from Cario and elsewhere that Israel won the war against the Arabs, particularly against Egypt, Jordon and Syria, because the Americans and the British, or America and Britain, came to her aid. The United States of America and Britain took no part in the war whatsoever. Not a single American soldier went; not a single British soldier went there; certainly not a single American plane, not a single British plane, took part.

What America and Britain did in fact was to try to stop the war from breaking out because I was in London when Mr. Wilson went to Washington for this very purpose to see

Mr. Johnson in a joint effort to prevent the outbreak of the war in the war in the Middle East, and once it had broken out, to stop it from continuing. This I know to be a fact. This I know to be the truth and nothing but the whole truth, Mr. Speaker. (*Applause.*) Anything to the contrary is a falsification of the truth and nothing but a naked falsification of the truth.

Mr. Speaker, Honourable Members, I want the truth to be known so far as you and my people in this country are concerned. (*Applause.*) Israel won the war two weeks ago, not because she was assisted by America and Britain but because of her determination, the quality, character and calibre of her political leaders at the top and her soldiers. (*Applause.*) In war, Mr. Speaker, it is not always numbers, either of men or of guns important though these be, that count. It is the quality, character, and calibre of the statesmen at the top and the soldiers in the field that count. (*Applause.*) Israel won the war against overwhelming odds in numbers because of the superior quality, character and courage of her statesmen, and her Chancellery, and her soldiers in the field. The truth is this, Mr. Speaker, that Israel won the war because she out plannned, out-generalled, outmanoeuvred and out-fought her adversaries. (*Applause.*) That is the whole truth. No use blaming the United States of America and the United Kingdom for a defeat by a small country—2 million people whipping 100 million people.

As regards my discussion with the President of the United States on Malawi, I was greatly impressed by the knowledge which the President had on our needs, and the interest he takes in these needs personally. I would rather not say very much on this subject just now, but all I would like to tell the House is this—that President Johnson is a true friend of Malawi. (*Applause.*) Here again, I do not want to interfere in domestic or American domestic politics or local politics, and I hope anyone who hears me here now will not think that I am trying to interfere in the local politics of America, but what I would like the House to know is what I said at the airport. President Johnson is a very good man, indeed a great man; a very good man and a great man who is often misunderstood or mis-interpreted; a very good man and a great man who is not always given credit for the good he is doing in America. As you know, Mr. Speaker, I was educated in America. I was there for many, many years. I went to High School there, and to a College of Medicine. I know something about American life, about the racial situation there. But no one can deny that as regards racial problems or race relations, things have vastly changed since I was there as a student, beginning with Roosevelt, and then Truman, and then Eisenhower, Kennedy, and now Johnson himself. Every time things are definitely changing for the better.

Talking to Americans themselves, privately—not on the platforms, and not about what they shout on the platforms, and Americans that should know—in Massachusetts, in Missouri and in Washington itself, I came to the conclusion that President Johnson is misunderstood, mis-interpreted and very often not given credit for the good work he is doing. He is doing more for the American negro than some of the American negroes realize. I can tell you that (*Applause.*) You have probably seen in the papers that quite recently he has nominated an American negro Judge as Justice of the Supreme Court of the United States. No other President before has ever done that. This gives me great encouragement in what I am trying to do here. As you know, Mr. Speaker, ever since I came to Zomba I have done my best to preach the gospel of reconciliation between the Europeans and the Africans in this country, and now I am trying to extend that gospel beyond our borders—to Rhodesia, South Africa, Mozambique.

MELANCHOLY CONCLUSIONS ON THE VIETNAM WAR

Mr. ANDREWS of Alabama. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Alabama?

There was no objection.

Mr. ANDREWS of Alabama. Mr. Speaker, in last night's issue of the Star, Mr. James J. Kilpatrick had a very fine column entitled "Melancholy Conclusions on the Vietnam War." I include the column at this point:

Melancholy Conclusions on the Vietnam War

(By James J. Kilpatrick)

Pearl Harbor, Hawaii.—So long as the present ground rules obtain in Vietnam, this war will drag along its indecisive way. Militarily speaking, it could go on forever. For all the encouraging words of Gen. William C. Westmoreland a few weeks ago, the condition is stalemate. Until some major change occurs, either in the ground rules or in the balance of forces, the United States will have to regard this miserable war as a permanent fact of life, like urban poverty or death on the highways.

These melancholy conclusions emerge from two weeks spent with officers and men who are intimately involved, at the highest levels of command, with the war in Vietnam. One is impressed first with their utter professionalism; second, with their utter frustration.

Doubtless there are some duds within the higher echelons of the U.S. Pacific command. No military organization is without them. But visiting correspondents have not encountered them here. Without exception, the officers have impressed us as men of total dedication to the service—strong men, keenly intelligent, well-informed. They answered our questions—most of them—candidly and responsively.

But we kept raising questions that drew evasive answers, unhappy answers, no answers at all. "Sorry, sir, that's a political matter." "I wish I could go into that, but it's out of my area." Thus, as to targets in North Vietnam, "We have great freedom to strike." Pause. "Within a carefully selected list."

The question of surface-to-surface missiles came up. Why wouldn't it be possible, we inquired, to provide offshore missile platforms that could lob high explosives far inland, at small cost and no risk? Uncomfortable silence. The question caromed around the green felt table. Well, ah, the use of such missiles is now prohibited; that is, it is not authorized; we have never, ah, asked for such authorization. And besides, such missiles are not very accurate; they have little penetration power; and, uh, we just do not know much about their capability. Long pause. And could we have the next slide, please.

Inevitably, the question came up of Haiphong. Somewhere between 60 to 90 percent of the enemy's vital supplies, including all petroleum, flow through the port. In any conventional war, Haiphong would be a target of top priority. This would come first. But Haiphong is untouched and apparently untouchable. Yes, it could be destroyed by bombs; yes, it could be rendered unusable by mines; yes, it would be feasible—though tricky—to block the channel by sinking ships across it. But we are a little behind schedule in our briefings, gentlemen, and perhaps we could move along to other questions.

The enemy is making a travesty of our interdiction efforts in North Vietnam by running supplies and troops through Laos. On a handsome map board, 10 by 10 feet, the trails are marked with route numbers in the American fashion, as if they were primary highways. U.S. planes have not touched these trails since April.

How effective is the total allied effort in persuading North Vietnam that it cannot win? Oh, sir, one is told, the effort is bound to be effective. Current figures flash on viewing screens; the displays are abbreviated, computerized, couched in tidy ciphers—so many KIA, so many WIA, so many bridges hit in June, so many locomotives damaged in July. Eighty percent of the electric power capacity of North Vietnam has been knocked out. Over the last 21 months, the enemy has lost 189,000 men.

But in this same period, the enemy has increased its force in South Vietnam, by infiltration and in-country recruitment, by 254,000 men. Net gain—65,000 men. And this despite the enormous exertion of 731,000 South Vietnamese, 460,000 Americans, 47,000 Korean troops, and 8,000 others. There has been a "great increase" in the enemy's artillery capability. Anti-aircraft fire is "many times as severe as the ack-ack of World War II."

Yes, there are bright spots. The U.S. build-up of ports, roads, airfields, staggers the imagination. The ineffectual French, prior to Dien Bien Phu, had nothing like this. More South Vietnamese villages are secure. Problems of logistics and supply are diminishing. But as for winning? Really winning? Pause. Silence. Shifting of chairs. Clearing of throats. And next slide, please!

Mr. Speaker, I have advocated for a long time that if we are not going to fight this war to win, we ought to get out, and I say the sooner we get out, the better.

EVANS-NOVAK AND D. LAWRENCE COLUMNS

Mr. SELDEN. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Alabama?

There was no objection.

Mr. SELDEN. Mr. Speaker, last week on the floor of the House I suggested that any investigation into the cause of riots and insurrection taking place throughout our Nation should include consideration of evidence that foreign influences are operating to foment and exploit riot situations in our cities. I pointed out that the presence of Stokely Carmichael in Havana and his guerrilla warfare threats raised the question of whether Fidel Castro is supplying aid and assistance to the criminal rioters who are terrorizing American communities in recent weeks and months.

Two syndicated columns in last Thursday's newspapers—"Inside Report," by Rowland Evans and Robert Novak, in the Washington Post and David Lawrence's column in the Evening Star—concur in my contention that this matter should be looked into very carefully by any group investigating riots in American cities—whether it be a congressional committee or the special Commission appointed by the President.

Mr. Speaker, the columns of both David Lawrence and Evans-Novak follow:

SNCC IN HAVANA

(By Rowland Evans and Robert Novak)

The sudden appearance of Stokely Carmichael in Havana, rubbing elbows with Fidel Castro and the hemisphere's Communist guerrilla leaders, is an inevitable development in the Student Nonviolent Coordinating Committee's long evolution.

Sentimental white liberals who have consistently blinked away the worst about SNCC now attribute its alliance with Castro to deep disillusionment over Vietnam and civil rights. In fact, however, covert links between SNCC and Havana stretch back at least to 1964.

The flamboyant Carmichael is merely the outward manifestation of the SNCC Cuban alliance, not its cause. The principal responsibility for moving SNCC violently to the left must go to two men who, unlike Carmichael, seldom appear on television or the front page.

One is James Forman, who today holds no formal office in SNCC but is still believed to be its most important internal force. When SNCC was spawned in the Southern sit-in movement in February, 1960, by idealistic Negro college students, Forman was already a hardened radical and an associate of Negro terrorist Robert Williams (who fled to Cuba to escape Federal prosecution).

The other man is even less familiar to the public than Forman. He is Jack Minnis, a white intellectual radical who, as an instructor at Tulane University in 1961, was a leader in pro-Castro activities in the New Orleans area. With Forman in absolute control of the SNCC apparatus. Minnis was named to its central committee and given command of its research operation. Despite SNCC's current blacks-only policy, Minnis still wields backstage influence.

By the time of the Mississippi Summer Project in 1964, SNCC's admiration for Castroism was apparent. SNCC workers were distributing Castroite propaganda and material printed in Cuba by exile Williams advocating guerrilla warfare by American Negroes and describing how Molotov cocktails could be used in American cities.

The clearest revelation of SNCC's link with Havana, however, did not come until 1966 when SNCC leader Julian Bond was barred from his seat in the Georgia Legislature. His case was being ably handled by white lawyer Charles Morgan of the Atlanta office of the American Civil Liberties Union (ACLU). Morgan is a civil libertarian but no radical.

Suddenly a new face appeared: Victor Rabinowitz, a Manhattan lawyer long associated with far left causes and a leader in the National Lawyers Guild and the Emergency Civil Liberties Committee, organizations specializing in defending Communists. Rabinowitz served as legal counsel in the United States for the Castro government and had intimate contacts in Havana.

Forman insisted that Rabinowitz supplant Morgan as Bond's attorney. In accordance with standard ACLU practice of deferring to other attorneys, Morgan stepped aside.

At about the same time, SNCC's treasury—empty since the disaffection of white liberal contributors—suddenly began to fill again. It is believed by many close to SNCC that the new money came from Cuba.

Although there is no documentary evidence to support this suspicion, it makes sense. At precisely this time in 1966, Castro abandoned his Moscow-ordered policy of cooperating only with the regular Communist parties throughout the Hemisphere. He declared he would support, with arms and money, *any* revolutionary movements Communist or not. In the United States, SNCC would qualify for such help.

Nor has there been much doubt lately about SNCC's revolutionary nature. After this year's Negro riots at Jackson (Miss.) State College, Mississippi SNCC leaders met secretly to discuss plans for more effective "guerrilla warfare" in the future. In recent weeks, there has been serious discussion inside SNCC about how to limit destruction to white property in future rioting and avoid destroying Negro property.

Outsiders who know SNCC best disagree in assessing the seriousness of such plans. Some believe SNCC has played a part in most of the major riots; others believe SNCC is far too disorganized for that. But effective or not, there is no longer any doubt that SNCC today is Fidel Castro's arm in the United States.

PREARRANGED PLAN IN CITY RIOTS?

(By David Lawrence)

Gov. Otto Kerner of Illinois, chairman of the President's newly appointed commission on civil disorders, in his fragmentary report about the testimony given by J. Edgar Hoover, director of the FBI, has raised a question as to what actually has been done to date to ascertain whether the riots throughout the country have been organized according to a prearranged plan. The governor made this comment:

"Mr. Hoover said he had no intelligence on which to base a conclusion of conspiracy. I make no conclusions, and I want to make that clear."

The use of the word "intelligence" is unusual, and has led to some speculation that perhaps the FBI chief was referring to information gathered outside this country, which is the function of the Central Intelligence Agency.

Just after the announcement from Washington by Kerner, news dispatches told of a press conference in Havana at which Stokley Carmichael, former chairman of the Student Nonviolent Coordinating Committee in this country, was quoted as saying:

"We are organizing urban guerrillas in the United States according to the tactics inspired by (Che) Guevara of creating two or three more Vietnams to bring the collapse of capitalism and imperialism."

The mere presence of Carmichael in Cuba as an "honorary delegate" at the Latin American solidarity conference, which is sponsored by the Communists, has given emphasis to what has often been charged—that there have been subversive elements in the civil-rights movement. In a speech yesterday to the conference in Havana, Carmichael declared:

"As we develop our revolutionary conscience, we must begin to develop urban guerrilla warfare. We are ready to meet the savagery of the white United States with arms."

Rep. Edwin E. Willis, D-La., chairman of the House Committee on Un-American Activities, said yesterday that investigations by the committee staff "clearly indicated that certain subversive elements have been involved in some of these riots and in the creation of racial unrest generally."

The latest expression on the subject has come from David Ginsburg, executive director of the presidential commission, who said that there has been a continuing investigation of the riots. He added: "That there were some outside agitators is a fact."

When asked if these "agitators" could be called subversive, Ginsburg responded that there were "characterizations" of this nature, but that these had not been emphasized by the FBI director. Hoover, in an appearance before a House committee last February, said that "Communists and other subversives and extremists . . . were active in exploiting and aggravating the riots in Harlem, Watts, Cleveland and Chicago."

The FBI carries on, of course, a continuing investigation of internal subversion by the Communist party, but recently there have been conflicting reports as to the exact nature of the FBI's authority to investigate riots. A New York Times dispatch from Washington last week quoted a Justice Department spokesman as follows:

"There is no federal law specifying riots that would authorize the FBI to investigate such. However there are ample laws to give power to investigate such as interstate conspiracy to violate state laws and interstate commerce violations."

The belief is growing that the series of riots across the country are part of a well-organized plan to take advantage of local incidents and fan them into disorders with the expectation that the gathering mobs would inevitably indulge in violence and vandalism.

It looks as if only congressional committees by their penetrating investigations will be able to reveal to the American people just what was the nature of the outside influences brought to bear in producing damaging riots such as occurred in Newark and Detroit.

THE FOOD STAMP PROGRAM

Mr. FEIGHAN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The **SPEAKER.** Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. FEIGHAN. Mr. Speaker, the bill to authorize appropriations to continue operation of the food stamp program passed the House 2 months ago. Several days later the Senate took favorable action on the bill. The House bill provides for a 1-year extension of the program, whereas the Senate version is for 3 years. The discrepancy is being resolved in conference. The bill has been in conference since June 16.

The future of this program is in great danger. The continuing appropriation expires August 31.

The Food Stamp Act has proved to be one of the most effective weapons of the war on poverty. It has contributed greatly to our Nation's welfare by utilizing our abundance of food in a cooperative effort by the State, Federal, and local governments. Approximately 2 million persons now participate in the food stamp program. Forty-two States and the District of Columbia take part.

On the basis of a 1963 study, conducted before the city of Cleveland and all of Cuyahoga County joined the pilot test of the food stamp program, the diets of 70 percent of aid to dependent children families and 91.5 percent of the general public assistance families in Cleveland were substandard. As for the children included in the sample, 72.5 percent were on substandard diets. Presently, there are about 63,000 people in Cleveland receiving adequate food under this program. Limited and low-income people forced to manage on substandard diets are more subject to the whole gamut of health problems—infant diseases, infant mortality, dental disorders, communicable diseases, underweight, and underdevelopment. These facts about Cleveland are typical of our Nation's large cities.

The food stamp program serves three primary purposes: First, it increases the food-purchasing ability of the low-income family; second, it results in more nutrional diets for low-income families; and, third, it enables the recipient some freedom and dignity in providing for his family.

If Congress does not act affirmatively by August 31, this most worthwhile program will terminate. The House and the Senate only differ as to the duration of the appropriations. It seems to me, in light of the tremendous success of the food stamp program and the great number of persons dependent upon the food so provided, that whether the extention is for 1, 2, or 3 years is of secondary importance. I would be in favor of the compromise 2-year extension since it would give the State and local governments a reasonable period in which they could coordinate their budgets and personnel with the Federal program.

I urge the conferees to reach agreement and report an extension of the food stamp program. The well-being of many Americans depends on their action.

A BAD PRESCRIPTION FOR DRUGS

Mr. HALL. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mr. HALL. Mr. Speaker, for several months now, the other body's Monopoly Subcommittee of the Committee on Small Business, has been holding hearings on the drug industry, with special attention focused on the issue of so-called "generic" prescriptions.

My testimony before the committee was published in the May 17 issue of the CONGRESSIONAL RECORD on page 13072.

I have new evidence that a recently published, highly advertised book—one of the most expensive paperback books of its size ever marketed—contains seriously misleading information. Specifically, the book contains a list of recommended drug companies who the author claims can be relied upon to supply good drugs at cheap prices.

The book is entitled "The Handbook of Prescription Drugs" by Richard Burack. It contains a list of drug companies which, the author contends, are "responsible prospective contractors" to the Department of Defense, the largest drug-buying agency in the world. As a member of the Armed Services Committee, as a physician, and a former senior officer in the Office of the Surgeon General of the Army, I decided to make inquiries about this list.

The Department of Defense has informed me that the list of drug companies contained in the book amounts to nothing but a mailing list; virtually any drug company may have its name put on the mailing list to receive bid solicitations, but as the Department of Defense makes plain, the fact that a company is on that list "does not constitute eligibility to receive a contract award."

On further inquiry with the Department, Mr. Speaker, I have learned that in fact a large number of the companies listed in the Burack book have failed to produce satisfactory drugs, by Armed Forces standards. In the past 2 years, 58 of the companies Dr. Burack recommends were rejected by the Department a staggering total of 143 times. Is this the kind of record one should admire? Are these the kinds of firms we want physicians and patients to trust, for maximum quality effect on human patients, as Dr. Burack apparently suggests?

Mr. Speaker, one of the companies Dr. Burack recommends, even to the point of giving its full address and even the telephone number, was the worst offender the Defense people encountered in the past 2 years; its drugs were rejected on 19 separate occasions. That company failed over and over again to demonstrate ordinary quality control, and even housekeeping standards. It appears that often it submitted substandard samples, even though it knew in advance that the samples would be tested.

I do not mean to dwell on one firm, for it is nothing more than an example. Another of Dr. Burack's firms had the second-worse record: 13 rejections. Others were rejected one, three, and as many as eight times.

Understandably, the Department of Defense has asked me to avoid making the names of these companies public. To do so, they point out, could give a commercial advantage to competitors. I respect the Department's concern, and shall observe their request. It is not necessary at this juncture to publish the offenders names, though perhaps in a suitable situation it would serve a purpose.

The point is that Dr. Burack has published a list that is not only misleading, but is potentially a source of injury to patients. I suspect that Dr. Burack knows nothing of the firms he so casually endorses.

Mr. Speaker, it is precisely this sort of error around which the current controversy on how drugs are prescribed revolves. Many people err in the belief that if they see it in print, it must necessarily be so.

Are physicians to prescribe drugs from firms they do not know? Dr. Burack's list demonstrates the ultra folly of such action. Mr. Speaker, of the 58 companies whose drugs were rejected by our military people, every single one is on the Burack list. It is time we rejected subterfuge and havens of technical ignorance, and continued with minimum harassment the tried and true prescription by physicians of drugs by whatever means lead to quality effect and best reaction in people—their patients.

THE VICE PRESIDENT REPLIES

Mr. WYMAN. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from New Hampshire?

There was no objection.

Mr. WYMAN. Mr. Speaker, on August 1, in response to wire service reports, television accounts, and numerous news stories reporting the Vice President in a speech in Boston, Mass., in which he blamed the Congress for aiding and abetting riots in the country, I said on the floor of this House that the Vice President should apologize to Congress for an unwarranted slur. It was and is my feeling that little is to be gained and much harm to be done by attempting to place the blame on Congress for the unfortunate breakdowns in law enforcement that the Nation has witnessed in recent months.

Such criticism might better be extended to decisions of the U.S. Supreme Court too numerous to mention that for years have materially contributed to a tragic breakdown in America in morale, law enforcement, morals, national security, and even surveillance of crime.

Wherever the responsibility lies, the Nation faces real crises. Anarchy, riot, and outright guerrilla warfare has occurred in dozens of American cities. More is threatened, yet the U.S. Attorney General fails even to indict notoriously flaunted criminal extremism such as that of Carmichael and H. Rap Brown.

In foreign affairs, the quicksand of Vietnam threatens to absorb all that we can deliver without true military success.

In such an atmosphere of crisis, both foreign and domestic, cooperation between the legislative and executive branches of the Government across party lines seems to me to be sorely needed. The Vice President replied to my remarks of August 1 by letter of August 4, and I, in turn, responded to his reply today.

Inasmuch as the Vice President's reply had reference to the Congress generally, I am inserting this correspondence in the RECORD at this point.

THE VICE PRESIDENT,
Washington, D.C., August 4, 1967.

Hon. LOUIS C. WYMAN,
U.S. House of Representatives,
Washington, D.C.

DEAR CONGRESSMAN WYMAN: I want to express to you my deep regret if my remarks in Boston were at all offensive to you or seemed to indicate any lack of respect for the Congress. There was nothing said by me that should in any way have provoked such a response.

Congressman Fraser has properly interpreted the purport and thrust of what I had to say, and I am enclosing his Record insertion of the transcript of my remarks. The headlines were misleading, but the text of the speech speaks for itself. I have taken the liberty of marking those paragraphs which relate to the Congress.

I am sure you would expect me to support the Administration's program. We believe these proposals are sound and, if enacted and properly funded, can be helpful in building a more just and better America. These proposals are not related to riots or riot control. They are related to the needs of our people and our country. I believe my speech makes that crystal clear.

Sincerely,

HUBERT H. HUMPHREY.

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, D.C., August 9, 1967.

Hon. HUBERT H. HUMPHREY,
The Vice President,
Senate Office Building,
Washington, D.C.

DEAR MR. VICE PRESIDENT: Thank you for your letter with reference to your Boston speech. I appreciate your enclosing the full text of that address.

I am sure no Member of Congress would

expect you to do other than support your Administration's programs.

Yet most, if not all, Members of Congress are equally and deeply concerned by the situation of crisis proportions now facing our nation at home and abroad. Your speech saying that you "feel that a sense of urgency is lacking on Capitol Hill" implied either Congressional unawareness or indifference to urgent national problems.

This was followed by the suggestion that "we ought to get as excited about the curse and the evil of slumism as we do about Communism, then we are going to start to make progress", again implying that Congress was disproportionately concerned about Communism at the expense of solutions to the causes of riots. This was then followed by the famous or infamous (depending on how you view it) reference to the House refusal to grant a rule on the proposal to authorize forty million dollars to HUD for a federal rat control program, with the suggestion that in some way this involved Congressional indifference to rats biting little children.

Undoubtedly the temptation to sensationalize differences between leaders of the executive and legislative branches of our governments accounts in part for possible over-attribution to you of blaming Congress for responsibility for riots. Yet the implication was there and perhaps this was unavoidable in the nature of the political process.

In any event, I believe the present occasion is one that demands the fullest cooperation between the legislative and executive branches of our government, across partisan political lines, both with respect to solving law enforcement problems and ending the war in Vietnam. In this sense your letter to a junior Member of Congress is sincerely appreciated in the spirit in which it was written.

Respectfully,

LOUIS C. WYMAN,
Member of Congress.

A NOTE OF SYMPATHY

Mr. **ASHBROOK**. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The **SPEAKER**. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. **ASHBROOK**. Mr. Speaker, the Chicago Tribune editorial of Sunday, August 6, 1967, seems to hit a very responsive chord. It is entitled "Note of Sympathy" and very pointedly hits the glaring inconsistencies of our State Department action with regards to the friendly, independent nation of Rhodesia.

I would suggest that the State Department reconsider its unwise policy and compare Salisbury with Detroit any day of the week.

The editorial follows:

NOTE OF SYMPATHY

Last December the United Nations called upon all member nations to join in mandatory sanctions against Rhodesia, which declared its independence of Britain in November, 1965, and refused to submit forthwith to black majority government. The December resolution for total economic sanctions succeeded U. N. resolution embargoing oil shipments to Rhodesia and authorizing a British naval blockade.

These actions were based on a fictitious appeal to article 39 of the U. N. charter, representing that Rhodesia constituted "a threat to peace." Prime Minister Wilson of Britain and Secretary General U Thant of the U. N. subscribed to this fantasy, professing to see a "threat to peace" emerging from a country which had not fired a single shot at anyone and in which internal peace and order conspicuously prevail.

The United States joined in this folly, for, as Ambassador Goldberg stated before the U. N. security council, "The international community will not tolerate the existence of a discriminatory system based on minority rule and in defiance of the United Nations and its principles."

On July 18, a week before race riots erupted in Detroit and 13 days before Milwaukee was hit by similar disorders, but after riots in Newark and other cities, R. B. Pakenham of the Rhodesian ministry of information sent a letter to Dr. R. F. A. J. Chapman of Milwaukee. He said:

"We have been watching with a lot of sympathy the unfolding of 'the long, hot summer' and have been reading of the violence in Newark and elsewhere. Realizing the exaggeration of the press, we are not too sure what has been hapepning but we do know that if the same sort of riots had taken place in South Africa or Rhodesia all the liberals, Socialists, etc., in the United States and Britain would have been screaming their heads off calling for sanctions and force to overthrow the 'racists regimes.'

"We feel it better to restrict a handful of thugs so that scores of thousands of decent-living blacks can enjoy a peaceful life. We have fairly stringent overcrowding and health regulations to prevent the black townships degenerating into slums. Our method is residential segregation and it seems to work better than integration in your big cities.

"I hope that our friends in America will take the opportunity to point out that there is far less threat to peace in Rhodesia than there is in the United States today and that it would be as well to look at South Africa and Rhodesia to see how harmonious living between black and white can be achieved. The blacks who cause the trouble do not want integration or equality but [seek] to dominate the whites. . .

"I heard that Milwaukee was listed for race trouble and sincerely hope that you may be spared it."

Now if the Afro-Asian bloc and the Communists in the U. N. will only take up the suggestion that the United States is "a threat to peace," some interesting results may be anticipated. How would it be if Rhodesia were to join in sanctions against us?

AVIATION SAFETY HEARINGS

Mr. **STAGGERS**. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The **SPEAKER**. Is there objection to the request of the gentleman from West Virginia?

There was no objection.

Mr. **STAGGERS**. Mr. Speaker, recently the Interstate and Foreign Commerce Committee conducted brief preliminary hearings on aircraft safety. Following the tragedy in North Carolina, representatives of the National Transportation Safety Board and the Administrator and Deputy Administrator of the Federal Aviation Agency were asked to appear and present any statements which would assure the public and the Congress that the accident was being investigated fully, and that all possible precautions were being taken to guard against similar accidents.

At the conclusion of these preliminary hearings, I announced that they would be reopened as soon as the schedule of the committee permitted. It is our intention to give all concerned an opportunity to express their views. The investigating board will release information as soon as it is available, and its report will clarify the action being taken to prevent air accidents. The hearings of our committee will be resumed as soon as possible.

I now repeat this announcement, and assure the Congress that notice of additional hearings will be given as soon as time is available. Meanwhile I hope the public will await with what patience is possible the findings of the investigating board.

RIOTS LAID TO OLD HATES

Mr. **COHELAN**. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The **SPEAKER**. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. **COHELAN**. Mr. Speaker, the recent riots which have plagued many of our major cities demonstrate beyond all question the need for congressional action. There are many people in this country who now recognize the desperate need for solutions to the problems of our poor. The Senate investigation of poverty in the Mississippi Delta graphically demonstrates the plight of the rural poor. The riots, I believe, do the same thing with respect to the urban slum dwellers.

Mr. Richard Lyons, writing in the New York Times recently, points out the complexities of the problem we face in our cities. One can see the riots as a sudden outburst of hatreds and hard feelings brought about by many past injustices and frustrations.

I firmly believe that the cavalier attitude displayed by many of our colleagues in rejecting the Rat Extermination Act cannot but add to this accumulation of bad feeling. The bill cannot prevent future riots; by itself it cannot change the feelings of many Negroes that they are being treated unfairly and unjustly. The rat bill is just one step, but it is an important one. Yet this program was virtually laughed out of Congress. How can we expect the people living in ghettos to believe us as we say that help is on the way when such measures are not even considered? How can we cry for patience and yet provide nothing to wait for? It should not be surprising that the psychologists interviewed by Mr. Lyons noted that the Negroes accuse the white man of failing to keep his promises.

There was no laughter following the report of the six doctors describing the horrendous conditions in the delta area of Mississippi. Why is it that people can be so indignant over riots and yet refuse even to debate a measure which would begin to deal with the hardships, frustrations, and injuctices, which the Negro is rebelling against? Does this not seem to bear out the case of the rioter? The vigorous surge of activity which followed close upon the indignation engendered by the riots was consumed with an effort to pass the antiriot bill. With this out of the way, Congress could safely relax and enjoy a good laugh over a measure to exterminate rats.

An editorial in the San Francisco Chronicle could find no humor in the offhanded manner with which the Rat Extermination Act was rejected. It is a matter of deep personal concern to me that we can so distort the priority of legislation as to refuse to consider a bill which would provide better living conditions for millions of Americans. Under unanimous consent, I ask that the editorial in the San Francisco Chronicle be printed in the Record and the article by Richard Lyons in the Sunday, August 6, New York Times, as well as a thoughtful and constructive editorial appealing to men of good will which appeared in the July 26 issue of the Post, as follows:

[From the San Francisco Chronicle]

Rats and Laughs on Capitol Hill

In one of its most oafish and least creditable performances of the current season, the House of Representatives has merrily rejected a modest program for protecting the life and health of children in the nation's urban slums.

A coalition of 158 Republicans and 59 Southern Democrats refused even to debate an administration bill that would provide $40 million over a two-year period for exterminating the rats that infest most city slum districts. As it did so, the house "rocked with laughter" at the misplaced japery with which speakers sought to ridicule the measure.

We, like Robert Weaver, Secretary of Housing, can discover no humor in the situation nor understand those who ridicule a proposal to protect children from rats. We do understand Congresman Kupferman, the New York Republican whose district adjoins Harlem. Standing before his fellow members to express shame at their vote, he noted their inconsistency in passing anti-riot legislation one day and then promoting riots by refusing to ameliorate the conditions that cause them.

President Johnson was most eloquent in regretting the House action, saying: "Every year thousands of children, many of them babies, are bitten by rats in their homes and tenements. Some are killed; many are disfigured for life . . . We are spending Federal funds to protect our livestock from rodents and predatory animals. The least we can do is give our children the same protection we give our livestock."

The President indicated he will seek House reconsideration of the vote which he called "a cruel blow to the poor children of America." But his chances are deemed slim in the face of such cynicism as was displayed, for example, by Representative Latta, Republican of Ohio. That voluble opponent of the bill admitted, amid loud guffaws, that he had warmly spoken out for an appropriation to control blackbirds. But blackbirds, he said, damage crops and "not one single dime" of the rat control appropriation would go to help the farmers.

He and other distinguished members of Congress who were unimpressed by humane considerations in voting down the rat control measure, apparently overlooked the economic statistics of the House Banking committee which approved the bill. They indicated that the estimated 90 million rats now thriving in the United States cause $900 million worth of damage a year.

[From the New York Times, Aug. 6, 1967]

Riots Laid to Old Hates

(By Richard D. Lyons)

Rioting in the northern Negro ghettos feeds on a common tinder of psychological and social troubles set aflame by a local incendiary incident, according to a consensus of psychiatrists and psychologists who have studied the problem.

These doctors agreed that there was no simple solution to the causes of the rioting because the factors were interwoven, complex and deep seated, extending over generations.

Some specialists who were surveyed predicted not only that the troubles that have occurred mainly in Northern cities were for from over but also that disturbances would become more widespread in Southern communities.

"The old fear of and obedience to Southern law is breaking down," said one Northern psychiatrist who was touring the South. "The Negroes I have met are much angrier than they were three years ago."

According to the specialists, the psychological and social problems intensified in the last generation when more than four million Negroes migrated north and west out of the South. A quarter of a century ago the South was the home of more than three-quarters of the nation's Negroes, while only half live there today.

"If the mass migration had come from outside the country it would have been considered a Federal problem and emergency measures would have been taken to smooth the problem or resettlement," said another psychiatrist. "None were."

The specialists agreed that the migration was a flight from the South, its authoritarianism and poverty, to what the Negroes believed would be a better life in the North.

"In the rural South the Negro knew exactly where he stood, even though he may not have liked it," another psychiatrist said. "But at least there was a social structure with rules and emotional supports. In Northern cities these were missing."

The doctors also contended that the migrating Negroes soon found that, while the North was supposed to be egalitarian, Northern society actually was "two-faced" and equivocating toward the newcomers.

WORK AT MENIAL JOBS

"The Negroes who moved North discovered that they were confined to working at menial jobs and living in slums and that the promises of the Northern politicians were only made to "keep the Negro quiet," a psychologist said.

A psychiatrist agreed, adding that because of this "hypocritical, fork-tongued attitude" the Negro became disillusioned and disenchanted with the Northern white, who soon was viewed as being "as mean as the Southern white."

"In the past 10 to 15 years," said another psychiatrist, "the Negro has come to realize that the North and the South are not so different after all—they are equally humiliating."

Among the other factors cited by the psychiatrist and psychologist, "the Negro has come to realize that the North and the South are not so different after all—they are equally humiliating."

Among the other factors cited by the psychiatrists and psychologists as contributing to the mood of unrest were:

The tapping of a reservoir of hatred that had been suppressed for 200 years because it could not be expressed in the South, coupled with the attempt to settle old scores with the whites.

A loss of conscience and self-imposed controls because of mass hysteria.

The contagiousness of violence once it starts because of an attitude of "we want to be in on it too."

The accentuation of violence by television, films, newspapers and magazines, and particularly the impression this makes on children.

The disrespect of Negroes for law and order stemming from lynchings and slavery.

The lack of effective and impartial law enforcement in Negro neighborhoods and the tendency of the police to veer between harsh and lenient attitudes.

The exposure of the Negro, even more than the white, to the Big City Sickness; congested, polluted living conditions that dull the senses and make city dwellers less humane toward themselves and others.

The discovery of the falsehood of the Big Dream that the streets of Northern cities are paved with gold.

The difficulty of the young Negro male in developing a feeling of self-esteem because he is the product of a matriarchal society.

Self-destructive or suicidal impulses generated by the attitude of "what have we got to lose?"

Many of these factors were cited by Dr. John P. Spiegel, the psychiatrist who directs the Lemberg Center for the Study of Violence at Brandeis University, Waltham, Mass.

Dr. Spiegel based his impressions on interviews with 135 Negroes living in slums in six Northern cities, three of which have been swept by rioting. The Lemberg Center has been studying ghetto problems for the last year under a $170,000 grant from the Ford Foundation.

Dr. Spiegel said in a telephone interview that the psychological factors behind the riots could be traced back to "the culture in which most Negroes grew up; a Southern culture having an authoritarian structure with the white man as boss and the Negro as servant."

"Then the Negro headed North where the official culture said that he was to be treated as an equal, rather than a servant, and this meant showing his true feelings," he said. "But this strained the Negro's internal controls over his suppressed hostility."

The next-to-last step, Dr. Spiegel said, "was the recent conclusion by the Negro that the white man does not mean to keep his promises; that they were only meant to keep the Negro quiet and that the Northern white was as mean as the Southern white."

THE LAST STRAWS

Minor incidents such as the arrest of the cab driver in Newark and the raid on the speakeasy in Detroit were, Dr. Spiegel said, "the last straws toward keeping internal control and containing the Negro's long stored up demand for revenge."

As for solutions to the ghetto unrest, Dr. Spiegel said one thing that must be done immediately was for city officials "to make a much stronger effort to get in touch with ghetto street leaders before their attitudes become so dominated by suppressed hostility that they no longer want to discuss problems with whites."

"Different police strategy also is needed," he said. "The police tend to veer between extreme suppression and doing nothing to escape charges of police brutality. Yet if they do nothing they encourage the rioters and looters. The police should, from the beginning, warn that arrests will be made if called for, but that they will be made without cruelty."

Dr. Alvin Poussaint, assistant professor of psychiatry at Tufts Medical School, Boston, said solutions would come only through massive efforts to correct long-standing ghetto problems.

Dr. Poussaint said in a telephone interview that "there is going to have to be some breaking up of the ghettos because solutions to Negro unrest can't work as long as white society denies open housing to Negroes."

NEED FOR JOBS CITED

Dr. Poussaint, a Negro who grew up in East Harlem, said "jobs have to be made available to unemployed Negroes because this is the best way of making them feel like men."

"There also has to be an attempt to make Negroes take over as much responsibility as possible by giving them municipal support and financing," he added. "Negro governing boards for ghettos might be tried."

Dr. Poussaint also foresaw that the Negro rioting that has been mainly confined to Northern cities "is going to spread to the South."

Dr. M. Robert Coles, a research psychiatrist to the Harvard University Health Services, agreed.

Dr. Coles, who is on a tour of the South, said in a telephone interview that "Southern Negroes are aware of what is going on elsewhere in the country and they have a shared sense of frustration with Northern Negroes."

"The Negroes who moved North after World War II did quite well until the economic recession of the 1950s," he said. "Then the civil rights movement breathed life and hope into Negro aspirations. But their surge of hope has dropped again as the movement became stalemated. Cynicism and disillusionment then set in among Negroes."

Dr. Kenneth B. Clark, professor of psychology at City University, who is a Negro, was equally pessimistic.

"The appointment of committees can almost tell you how seriously the Federal Government is taking the situation.

"I find myself becoming more and more extremist because of governmental inaction—I am becoming less moderate and less balanced."

[From the Post, July 26, 1967]

WHO RIOTS IN AMERICA

The recent riots of Newark and Detroit place a responsibility upon men of good will everywhere to speak out in an effort to keep America from breaking loose at its seams.

It is difficult to place the absolute blame for what is happening in America on the civil rights movement, for it is clear that this action on the part of Negro and white looters who participate in the vandalism and looting in Detroit are not a part of the long struggling civil rights movement headed by responsible Negroes and participated in and sympathized by the general public, both black and white.

The looting and vandalism that is taking place in the American Eastern cities are wanton and criminal acts on the part of the participants and 95% of the Negro and white communities are amazed at what they see and hear and are in total disagreement with people who take the law in their hands and hide behind the civil rights movement to burn and pillage the Negro communities in the central cities of America.

WHO IS TO BLAME?

If an effort was made to place the blame, it is clear that the starting point would be in the capitol of our country. Pre-occupied as the White House is with Viet Nam and the obsession of policing the entire world, it is no wonder that the internal problems of America are going unnoticed and unattended.

The economic ruin throughout the land, widespread labor disputes, political unrest, social upheaval, to say nothing of racial tension and educational turmoil should be enough to make the White House re-examine its foreign commitments in light of its ever-present duty to husband its own country for the good of its own people. Herein lies the great fault, and here too must, in the final analysis, rest the blame for our present state of affairs.

VOICE OF REASON

The voice of reason has called to the attention of the men running this country that their course in international affairs is faulty, that our economic ability and capacity is limited and that the tax burden of the American people is excessive. It has been pointed out, also, that the poverty program is a failure; that the educational system of the country is in decay and that the time has long passed when America should look to its own soil where it is necessary to make a conscientious effort to correct evils found within its own borders.

It is difficult for men of good judgment and reason to understand why this voice has not been heeded, and it is no wonder that all are asking how far must evidence of internal decay be evidenced before substantial changes are made in our attitude towards the ultimate ability of this country to save its soul.

All America should at this point and time be able to see that we stand at the brink of losing our position of importance in the world if we continue our present way. Some are saying the master rioters of them all can now be found in the nation's capitol as they plunge this country deeper and deeper in the undeclared war in Viet Nam and at the same time ran the country into a $10 billion deficit in our last fiscal year.

PERMISSION FOR COMMITTEE ON RULES TO FILE CERTAIN REPORTS

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the Committee on Rules may have until midnight tonight to file certain reports.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

TAXES: THE PROMISE OF FAILURE

Mr. SCHADEBERG. Mr. Speaker, I ask unanimous consent that the gentleman from Maryland [Mr. MORTON] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

Mr. MORTON. Mr. Speaker, ever since the President proposed an additional surtax to fiscal and corporate income in his state of the Union message in January, I have been endeavoring to point out to the administration that it is dealing with a very serious problem involving great risks when it simply tries to cover the failures in the management of our national fiscal affairs with arbitrary tax increases.

After the President's message of August 3 asking for an even greater increase in taxes, a prominent newspaper said:

TAXES: THE PROMISE OF FAILURE

The President's tax message yesterday is a confession of failure past and a promise of failure to come.

The proposed increase—a whopping 10% on individuals and corporations, instead of the 6% talked of earlier—testifies to the Administration's inability to get Federal finances under control. Vietnam is offered as the main excuse, but in fact spending on all kinds of domestic programs has been rapidly rising as well; the Administration, has adamantly refused to set the spending priorities obviously required by war.

In the process it has generated fresh inflation, itself a vicious form of taxation. It is producing prospective budget deficits of unacceptable proportions. Now, unwilling to restrain its own extravagance, it wants to grab still more of the people's hard-earned money.

Assuming Congress goes along (and it may not go all the way), will the tax boost work—that is, contain the deficits and curb the inflation?

There is no pretense at all that it will erase the red ink! Mr. Johnson himself calculates that this fiscal year's deficit would still be in the range of $15 billion to $18 billion. Such an enormous sum, coupled with the Government's easy-money policy, means that the prospects for inflation are good, even if business activity declines as a result of the tax increase.

Moreover, as these columns have previously observed, the Federal planners would almost certainly view higher taxes as a mandate for even higher spending. What they urgently need is discipline; what they would be getting is a license for a new binge.

The recommended "surcharges" are supposed to expire not quite two years hence, unless the Administration says it still needs the revenue. Unhappily, that is a likely upshot.

For just one consideration, but a big one, it seems most probable that defense spending will go up in the years ahead, even if Vietnam outlays decrease. Already the talk is of major increases for strategic weapons, lest Russia overtake us in that area; some officials also believe the U.S. will have to deploy an extremely costly anti-ballistic missile system.

If the Administration will not cut less essential spending in the face of such possible demands, the question is raised: How much more taxation can the people and industry stand without significantly interfering with their ability and willingness to produce?

We think Congress should finally assert some courage and insist on substantial spending reductions—and only then decide whether this tax is really necessary.

This editorial in very clear language spells out the challenge before the Congress.

Mr. Speaker, the leadership of this great body must provide every opportunity for us to face courageously the tax issue as it is without political partisanism or hurried acquiescence to the President's request. The stakes are high.

REPUBLICAN TASK FORCE ON CRIME CALLS FOR APPEALS AUTHORITY

Mr. SCHADEBERG. Mr. Speaker, I ask unanimous consent that the gentleman from Michigan [Mr. GERALD R. FORD] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

Mr. GERALD R. FORD. Mr. Speaker, under leave to extend my remarks I include policy statements of the Republican Task Force on Crime dated June 7, 1967:

TASK FORCE CALLS FOR APPEALS AUTHORITY

The House Republican Task Force on Crime today called for early passage of a bill granting Government prosecutors general authority to appeal a court ruling to suppress evidence.

Task Force Chairman Richard H. Poff (R-Va.) urged positive action on the bill introduced by Rep. Tom Railsback (R-Ill.) which would permit Federal prosecutors to appeal an adverse ruling on a defendant's motion to suppress evidence collected by law enforcement officials. "When some traditional methods of police work are restricted by court decisions, new tools must be developed to ensure that violations of the law are met with swift and sure punishment," commented Poff. *"But to remain consistent with the Supreme Court's interpretation of the Constitution, and to assure fairness to all defendants, any action to provide additional grounds for appeal by the Government in criminal trials must be carefully drawn."*

The Task Force notes that while no one condones unreasonable and illegal searches, there is confusion as to what is unreasonable and illegal. Recent court rulings emphasize the right of the accused to raise this issue but the prosecution has no such privilege. The President's Crime Commission called for legislation in this area. Its Committee on Organized Crime argued that the right of the prosecution to appeal is particularly important. *The Department of Justice and the Judicial Conference of the United States had recommended legislation of this nature.*

"Assistant Attorney General Fred M. Vinson, Jr., sums up the argument for this legislation by stating that it 'would be most helpful to the Government since an adverse ruling at the preliminary stage of the proceedings may effectively halt the Government's ability to go forward with the prosecution when materials suppresed are a substantial portion of the Government's case'," concluded Rep. Poff.

Statement on Bill To Allow Appeals of Motions To Suppress Evidence

The Republican Task Force on Crime asks for early passage of legislation currently before the House of Representatives to grant Federal prosecutors general authority to appeal a court ruling to suppress evidence.

The Task Force believes that effective law enforcement demands effective tools. When some traditional methods of police work are restricted by court decisions, new tools must be developed to ensure that violations of the law are met with swift and sure punishment.

One such tool which can expedite the task of prosecuting law breakers has been introduced by Congressman Tom Railsback (R.-Ill.). This bill (H.R. 8654) would permit Federal prosecutors to appeal an adverse ruling on a defendant's motion to suppress evidence collected by law enforcement officials.

No one condones unreasonable and illegal searches. But there is confusion as to what is an unreasonable and illegal search. Recent court rulings emphasize the right of the accused to raise this issue and to test whether evidence used against him has been illegally acquired. The accused may move to suppress evidence which he believes has been unreasonably or illegally acquired. But the prosecution has no privilege to test any adverse court ruling regarding unreasonable search and seizure.

After thorough study of this problem in the 85th Congress, the Senate Subcommittee on Improvements in the Federal Criminal Code of the Committee on the Judiciary concluded that authorization of the Government to appeal motions to suppress evidence was badly needed:

"The subcommittee is convinced that the district courts are entitled to appellate guidance in the admittedly difficult field of search and seizure. If they cannot obtain such guidance, the result will be an increasingly chaotic condition, with some judges in a single district consistently adhering to one view of the law, and others to another, incompatible view." [1]

The Subcommittee in 1956 had successfully recommended that this authority be granted in crimes involving narcotics, and after two years experience with this enactment (Title 18, U.S. Code, Sec. 1404) it was concluded that there was no reason to limit this authority to narcotics. The Subcommittee noted that the Department of Justice and the Judicial Conference of the United States had recommended legislation of this nature.

The President's Crime Commission, in calling for the same authority, points out an additional reason for such authority. The Commission found that officials, in reviewing existing situations, can deal with conflicting rulings in two ways, both undesirable. Faced with an adverse ruling law enforcement officials believe to be unfair, they can abandon the form of search or examination attacked in the motion to suppress. Of course, this has the effect of denying their use of what many judges as well as law enforcement officials may consider to be legitimate, proper techniques. The alternative is that they can continue the practice, hoping that in some future case a trial judge will sustain the practice, and a defendant by objecting and appealing will give a higher court an opportunity to rule upon it. The first course of action results in the denial of use of proper police methods simply because an appellate test is unavailable. The alternative places law enforcement officials" . . . in the position of deciding which lower court decisions they will accept and which they will not." (The President's Commission on Law Enforcement and Administration of Justice"; Task Force Report: The Courts. p. 40)

The Commission's Organized Crime Task Force states the case even more strongly. The report argues that the right of the prosecution to appeal is particularly important in organized crime cases, where so much investigative and prosecuting time has been expended, and where evidence gathering is extremely difficult. The report further notes that:

"Allowing appeals would also help overcome corrupt judicial actions. In gambling cases, particularly, arbitrary rejection of evidence uncovered in a search is one method by which corrupt judges perform their services for organized crime." (p. 19)

The Commission Report on the Courts discusses the need for appellate authority in more detail and points out that in many cases the prosecution is stymied by a pretrial order suppressing seized evidence or a statement by the accused. As stated by the Commission's Report on the Courts:

"In many cases the prosecution cannot proceed to trial without the suppressed evidence. And even where it has other evidence for trial, the chances of obtaining a conviction may be severely weakened by the suppression order." (p. 47)

A letter from Mr. Fred M. Vinson, Jr., Assistant Attorney General, addressed to the author of H.R. 8654, Mr. Railsback, sums up the argument for this legislation by stating simply that:

"(This bill) would be most helpful to the Government since an adverse ruling at the preliminary stage of the proceedings may effectively halt the Government's ability to go forward with the prosecution when the materials suppressed are a substantial portion of the Government's case." (Letter of May 10, 1967)

This legislation is not without precedent. Section 3731 of Title 18, United States Code, originally enacted as the Criminal Appeals Act of 1907, authorized appeal by the prosecution in certain specified procedural instances. This authority was expanded in 1942, and, as mentioned above the Narcotic Control Act of 1956 gave the United States the right to appeal in narcotics cases from motions to suppress evidence. This is directly analogous to those circumstances described more generally in the bill (H.R. 8654) now before the House.

The Supreme Court recognized that Congress has the power to authorize such appeals, provided that they are limited by the Sixth Amendment provisions of right to a speedy trial and the Fifth Amendment protection against double jeopardy.

The Supreme Court has stated:

"If there is serious need for appeals by the Government from suppression orders, or unfairness to the interests of effective criminal law enforcement . . . it is the function of the Congress to decide whether to initiate a departure from the historical pattern of restricted appellate jurisdiction in criminal cases." [2]

Obviously, to remain consistent with the Court's interpretation of the Constitution, and to assure fairness to all defendants, any action by the Congress to provide additional grounds for appeal by the Government in criminal trials must be carefully drawn.

The necessity to give government prosecutors the authority to appeal motions to suppress is widely recognized and supported. The House Republican Task Force on Crime concurs with these views and urges the Congress to give early and favorable attention to this request for new legislation in this vital area.

FEDERAL LAW OF 1948 CITED ON RIOTS

Mr. SCHADEBERG. Mr. Speaker, I ask unanimous consent that the gentleman from Ohio [Mr. MINSHALL] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

Mr. MINSHALL. Mr. Speaker, the distinguished columnist and editor of U.S. News & World Report, Mr. David Lawrence, has few peers as a thoughtful and articulate analyst of government.

He is often uncomfortably accurate in predicting the chaos in our cities and the decay of personal freedom as power becomes more and more centralized in Washington, particularly in the executive branch of the Federal Establishment.

Yesterday I introduced H.R. 12194 to create on Office of Justice. My remarks in this connection appear on page 21845. of the August 8 RECORD.

To underscore those remarks, I wish at this point to insert a column by Mr. Lawrence which appeared in the August 1 Washington Evening Star:

Federal Law of 1948 Cited on Riots

The 11-member commission appointed by President Johnson—which is to complete a year hence its report on the causes of the recent rioting—cannot solve the immediate problem before the country today. Congress alone can do it and only by specifically passing a law covering conspiracies designed to stir up disorder.

The Federal Bureau of Investigation is reported to be powerless to bring about the arrest of persons primarily responsible for the planning and organization of the incidents that have for the last three years led to rioting and damage to life and property across the country.

Former President Eisenhower was quoted the other day as having been told in Washington that there is no federal law "on the books" which could be used to thwart the plotters of the rioting, as this is supposed to be the function of state or city authorities. But there happens to be a federal statute which reads as follows:

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[1] Senate Report No. 1478, 85th Congress, 2nd Session, p. 16.

[2] *DeBella* v. *U.S.*, 369 U.S. 121 (1961), and *Carroll* v. *U.S.* 354 U.S. 394, 407.

"If two or more persons conspire to injure, oppress, threaten, or intimidate any citizen in the free exercise or enjoyment of any right or privilege secured to him by the Constitution or laws of the United States, or because of his having so exercised the same . . . they shall be fined not more than $5,000 or imprisoned not more than ten years, or both."

This particular law became effective Sept. 1, 1948, and is Section 241 of Title 18, known as the U.S. Criminal Code.

Doesn't this give the FBI the right to make arrests if it learns of anyone engaged in a plot to create a disorder or if anyone makes an incendiary speech to a crowd which results in violence? Isn't it a federal responsibility to forestall any attempt to stir up violence which could result in loss of life? If plotters instigate riots across state lines, aren't they as much subject to discipline under federal law as restaurant owners who refuse to serve food to Negro customers?

Such questions are being asked as several members of the Senate continue to study means of strengthening the anti-riot bill passed recently by the House of Representatives. In fact, hearings are being conducted on the subject this very week by the Senate Judiciary Committee.

One is confronted in official circles here with the oft-repeated comment that new laws will be as useless as the ones now on the statute books because the Department of Justice simply will not prosecute cases arising from "demonstrations" or "marches" involving "civil rights," no matter how disorderly they become. It is insisted that these are a responsibility of the states and cities and that the Johnson administration has told the FBI to stay within those limits and merely relay its information to local officials.

Plainly, there is a reluctance to let the Department of Justice step in where political questions are involved unless the evidence is "clear." What this means, of course, is that the FBI has to limit the scope of its inquiries to conform to instructions given by the attorney general or by the President.

Johnson spoke in his TV speech to the nation last week about the FBI's functions as follows:

"In their work, the commission members will have access to the facts that are gathered by Director Edgar Hoover and the Federal Bureau of Investigation. The FBI will continue to exercise its full authority to investigate these riots, in accordance with my standing instructions, and continue to search for evidence of conspiracy."

But of what avail are such data if the FBI cannot bring about the immediate arrest of the plotters of riots, and has to turn the information over to state authorities and wait until the violence erupts?

For many years it has been apparent that, as long as the Department of Justice is under the disciplinary influence of a president, there cannot always be an avoidance of political considerations. Some day a law will have to be passed making the attorney general responsible to Congress—as is the comptroller general—and establishing the Department of Justice as an independent agency. Otherwise, there will continue to be fears of alienating the blocs of voters whose leaders are attempting by demonstrators, "marches," rallies and inflammatory speeches to stir up trouble throughout the country.

USDA FARM PARITY STUDY

Mr. SCHADEBERG. Mr. Speaker, I ask unanimous consent that the gentleman from Minnesota [Mr. Langen] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

Mr. LANGEN. Mr. Speaker, the U.S. Department of Agriculture's study on farm parity, released to Congress last month, is further evidence that the Department is having difficulty coping with farm problems.

The absurdity of many computations in this study is indicated by an explanation relative to parity rates of return to farm operator labor and management and unpaid labor. Pages 55 and 56 contain the following attempt to clarify the Department analysis:

> The details of these calculations and their underlying assumptions are discussed below.
>
> (1) The multiple regression equation was calculated showing income as a quadratic function of age, education, and sex. Observations were obtained from 1960 Population Census data for central cities of urbanized areas. The income observations (Y) were the 1959 median incomes of persons in the various age-education-sex cells tabulated in the Census report. The age (X_1) and education (X_2) observations were taken as the mid-range of the age class or education interval, respectively. Sex (X_3) was coded as 1.0 for males and 0 for females. This allowed a literal interpretation of this variable in the equation as the proportion of males in each group, as shown in table 3. A total of 148 observations were obtained in this way from the tabulated Census data. The resulting equation is as follows:
>
> $$Y = -3471.3235 + 226.60418^{**}X_1 - 51.64458^{*}X_2 + 2.094.5807^{**}X_3 - 2.44571^{**}X_1^2 + 14.94676^{**}X_2^2$$
>
> The multiple R^2 for this equation is 0.89. All the coefficients were statistically significant at an acceptable level of probability. Other equations were also evaluated, including some equations having interaction terms. These interaction terms were not significantly different from zero, and the R^2 was not materially increased. Consequently, these alternative equations were rejected in favor of the one shown above.

With such a confusing formula and analytical mumbo-jumbo guiding the Department, it is no wonder that farm income has not been what it ought to be.

A drop of $1.6 billion in annual net farm income from 1947 to the projected 1967 rate is easily comprehended in light of the Department's use of these dizzy computations.

Moreover, there is no need for such a monstrous formula in order to recognize the fact that, while annual national income is up 223 percent in the last 20 years, net farm income is down 9 percent.

So, if USDA attempts to find increasing use of this formula, as included in its parity study, then it obviously will be difficult for the Department to understand and become concerned about lost income to the American farmer.

NEIGHBORHOOD ACTION CRUSADE CONCEPT WORKS

Mr. SCHADEBERG. Mr. Speaker, I ask unanimous consent that the gentleman from Wisconsin [Mr. Steiger] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

Mr. STEIGER of Wisconsin. Mr. Speaker, last week three of my colleagues and I introduced the Neighborhood Action Crusade. I am pleased to say that the proposal has picked up considerable support. Fifty-nine of my colleagues in this body from both sides of the aisle have joined in introducing the Neighborhood Action Crusade, and four members of the other body introduced it yesterday.

An article in the Washington Evening Star, of August 8, points to what the sponsors of the Neighborhood Action Crusade are calling for—citizen involvement in the neighborhoods. The Star describes the situation in Wichita and I quote:

> Youthful Negro volunteers patrolled previously troubled streets last night after Mayor Clarence Vollmer lifted a 10 p.m. to 4 a.m. curfew.
>
> The curfew was lifted on recommendation of Police Chief Eugene Pond, who drove in from Minnesota, where he had been resting after a heart attack June 22.
>
> Pond and Col. Charles Prowse, who had been acting chief, met with Negro leaders and youths twice yesterday. Pond said the youths suggested that continued violence was pointless and that they would help control disorder.
>
> The chief said 14 youths volunteered to patrol the troubled area on foot, and were issued blue caps for identification.
>
> Pond said, however, that the volunteers were not obligated to the police and acted mostly on their own.

Mr. Speaker, what is described here is exactly what we are aiming at in the Neighborhood Action Crusade. In Wichita, responsible Negroes worked to ease the tensions and prevent further rioting. They needed no attachment to the police force but worked on their own using their own good sense and ability to get along with those in their own neighborhoods. A major step forward in preventing further violence in our major cities lies in just this type of local involvement by the vast majority of Negro Americans to whom violence is repugnant.

For the information of my colleagues, I include as part of my remarks an article from the Christian Science Monitor entitled "People Hold Key to Riot End." This article also points up a part of the philosophy behind the Neighborhood Action Crusade. I commend the article to my colleagues' attention and again urge members of both parties to join in sponsoring the joint resolution calling for the establishment of the Neighborhood Action Crusade—not as a cure-all, but as preventive action aimed at helping to defuse tensions in our major cities.

People Hold Key to Riot End

(By Josephine Ripley)

Washington.—People can start a riot, but people also can prevent one from starting.

A dedicated leader of a growing band of such people mobilized to prevent riots in the national capital is Mrs. Ruth Bates Harris, executive director of the Commissioners' Council on Human Relations for the District of Columbia.

She admits that "we have the ingredients of a riot here, to be sure, but we also have the ingredients to prevent a riot, too."

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*The coefficient is significantly different from zero at the 0.80 level of probability.

**The coeffecient is significantly different from zero at the 0.999 level of probability.

Washington is particularly in the limelight today.

"Because of the riots in other cities," she says, "people have focused on Washington to be the next. So if there is any rockthrowing, any disturbance, people assume this is 'it.' "

She referred in particular to the Aug. 1 incident of rock throwing and window breaking which she says was "highly exaggerated" in the out-of-town press. It was "by no means a riot," she says.

ADVICE: "DON'T PANIC"

When asked what the average citizen can do to help prevent riots, she replied in an interview:

"The best thing people can do is not to panic."

Most needed, in her opinion, is "the exercise of restraint on the part of each person—people of all races, religions, organizations, businessmen, housewives."

It is a time "to examine our attitudes, to be understanding of the causes of this unrest, the tensions in our community . . . not to be aloof, to set the blame, but to see what we can do to help."

She suggests that this, of all times, is the time "to understand each other and be more tolerant."

She says she knows it is hard for many to realize the generations of frustration which have built up this bitterness in the ghetto.

"Many of these people have been born in poverty and privation. They raise their children under the same conditions because they have not been corrected."

RESPONSIBILITY NEEDED

Mrs. Harris feels it is society's responsibility to make these people civic-minded.

"But you have to have a job and a certain amount of security to feel a sense of responsibility.

"People who have nothing don't have responsibility. You cannot expect parents to instill a sense of responsibility in their children when they themselves don't feel it because they have been denied and deprived."

Mrs. Harris, a Negro herself, is in communication with the people. "Sometimes this communication is not pleasant," she confides. "It is hard to listen to.

"The people are bitter and frustrated. Somebody has to listen. So you try to understand and do what you can to correct the conditions which have existed for so long."

One of the things she thinks the people of Washington can do to help "is to make Congress aware of our concerns. Make Congress know that the community wants better schools, better housing, more employment opportunities in government and private industry."

A SMILE CAN HELP

It is going to take "the total mobilization of the community to correct conditions," as Mrs. Harris sees it.

Everyone can participate, she says, even the housewife as she goes about her daily routine.

"Just a smile, a friendly word, can build bridges."

On the other hand "an improper attitude voice in the community right now can create more problems. A letter to the editor, written in anger, can do harm.

"But a letter to the editor which encourages understanding and faith in God and in solving the problem of the ghettos can help to build goodwill and prevent riots."

She stresses again and again the importance of "spreading understanding," on both sides.

While many of the ills of today in the Negro community "go back generations," Mrs. Harris says "this is no time to start blaming people for what has happened. It is what we can do from here on. We must take a forward look."

MAJORITY OPPOSES VIOLENCE

The majority, the average person, in Washington doesn't want violence, she says positively.

Washington does not have a Watts or a Harlem, but it does have substandard housing in many areas, overcrowding, unemployment especially among the young.

These young people "have the bitterness, the frustration the ghetto breeds, and in that sense we have the ingredient here for serious tensions."

But she is hopeful that Washington's unique community-relations organization, with people all over the city and in all walks of life ready to go at once to the scene of any disturbance to cool it down, will keep the nation's capital calm in this summer of violence.

At least there are many people working hard and selflessly toward this end—and Mrs. Harris is one of them.

Mrs. Harris, who is a native of Washington, D.C., is the first and only Negro woman to head a District government agency.

She is an honor graduate of Florida A&M University and received a master's degree, with honors, from New York University, majoring in personnel management.

She is the wife of Bryant G. Harris, an electrical contracting engineer, and "an understanding husband," says the woman who is on call night and day in these times of tension.

PREVENTIVE MEDICINE IN THE CITIES

Mr. SCHADEBERG. Mr. Speaker, I ask unanimous consent that the gentleman from Ohio [Mr. Taft] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

Mr. TAFT. Mr. Speaker, last week a number of my colleagues joined in issuing a statement on the violence and civil disorder that has occurred nationwide. The statement calls for establishment of a special White House Crisis Center, which would utilize existing authority to avoid the imminent development of civil disorder in the cities. For the information of those who have not seen our statement, I direct your attention to the following and include the names of those who signed the original statement:

Signers of Statement

MEMBERS OF CONGRESS

John B. Anderson of Illinois, **F. Bradford Morse** of Massachusetts, **Albert H. Quie** of Minnesota, **Robert T. Stafford** of Vermont, **Robert Taft, Jr.** of Ohio, **William B. Widnall** of New Jersey.

E. Y. Berry of South Dakota, **Clarence J. Brown, Jr.** of Ohio, **George Bush** of Texas, **William T. Cahill** of New Jersey, **Silvio O. Conte** of Massachusetts, **William O. Cowger** of Kentucky, **John R. Dellenback** of Oregon, **Florence P. Dwyer** of New Jersey, **John N. Erlenborn** of Illinois, **Marvin L. Esch** of Michigan, **Peter H. B. Frelinghuysen** of New Jersey, **Charles E. Goodell** of New York, **Gilbert Gude** of Maryland, **Seymour Halpern** of New York, **Frank Horton** of New York.

Craig Hosmer of California, **Melvin R. Laird** of Wisconsin, **Clark MacGregor** of Minnesota, **Charles McC. Mathias, Jr.** of Maryland, **Joseph M. McDade** of Pennsylvania, **Charles A. Mosher** of Ohio, **Howard W. Pollock** of Alaska, **Ogden R. Reid** of New York, **Howard W. Robison** of New York, **Donald Rumsfeld** of Illinois, **Herman T. Schneebeli** of Pennsylvania, **Richard S. Schweiker** of Pennsylvania, **J. William Stanton** of Ohio, **William A. Steiger** of Wisconsin.

SENATORS

Clifford Case of New Jersey, **John Sherman Cooper** of Kentucky, **Jacob K. Javits** of New York, **Thruston B. Morton** of Kentucky, **Hugh Scott** of Pennsylvania.

Preventive Medicine in the Cities

A nation torn by strife and violence cannot afford more bitterness, recrimination, retaliation or politics-as-usual.

America's response to rioting and disorder must, we believe, be both firm and affirmative, preventive and corrective.

Civil liberties depend upon the rule of law. When men take the law into their own hands the rule of law breaks down—and civil rights and liberties become meaningless. Shooting, looting and violence cannot be tolerated. All responsible men know that stern measures must be taken to assure that law and order will prevail.

But we should not make the mistake of weakening or abandoning the Nation's commitment to equal opportunity and equal justice for all.

While we must find means of preventing and controlling the spread of violence in the country's urban areas, we must at the same time mobilize our efforts to deal with both the immediate and long-range social, economic and psychological factors which account for the unrest and grievance so easily exploited by extremists.

To halt or falter in our determination to do justice to our Negro fellow citizens would simply—and tragically—play into the hands of those who seek and thrive on unrest and violence. The extremist agitator preaches hate based on his assertion that white America will never yield to Negro demands for justice. But he has not reached and must not reach the great body of Negro Americans who continue to look to the law and the national conscience for the redressing of grievance.

To respond to the riots either in terms of repression of the entire Negro community or reward for the relatively few who have resorted to violence will confirm the agitator's charge and swell his ranks.

To redouble our efforts to do justice, to expand opportunity, to improve life in urban ghettos will expose the agitator's extremism and strengthen Negro America's hope and trust in the law and in orderly processes.

We welcome the President's appointment of an Advisory Commission on Civil Disorders. We hope it will seek fundamental and long-range answers. It is necessary.

We welcome the proposal for a Joint Congressional Committee on Civil Disorders. It should seek fundamental and long-range answers. It is necessary.

But the crisis is not just long range. It is here and now, today. What can be done *now* to assure that the tragedies of Newark, Detroit and many other communities will not be repeated again and again this very summer?

There is an immediate need for a special White House Center whose fundamental job is to push energetically each and every federal agency to redirect programs and funds to meet immediate community needs. Its purpose would be to deal effectively with crisis conditions as and before they arise.

We need to build new bridges of understanding—but we need, too, to deal emphatically with trouble spots.

We need a "blue ribbon" commission to investigate, study and recommend long-range improvements—but we also need a "red button" crisis center in the White House to help get us through this summer.

We recommend, therefore, creation of a White House Center designed to force the national bureaucracy to use its existing authority to avoid the imminent development of civil disorder in the cities. With the enthusiastic backing, support and authority of the President, himself, the White House Center could mobilize the manifold Departments and Agencies of the federal government to use their existing authority to head off urban disasters.

For example:

1) The White House Center could insist that the Civil Rights Commission hold summer hearings now in the cities to hear and recommend action on the grievances of those urban Negroes who feel increasingly alienated from their society—partly because they believe no one is listening.

2) The White House Center could assure that the Community Relations Service would establish local offices in our troubled cities to maintain a constant dialogue between local public officials and the local Negro community—so that the level of Negro impatience is not a matter of speculation and the intention of city officials is not a matter of doubt.

3) The White House Center could assure maximum effort by the Department of Health, Education and Welfare to convince local school officials of the need for the expanded use of school and recreation facilities in full-time summer programs—so that the energies of urban youth are engaged constructively and are not available to be tapped by the agitators of violence.

4) The White House Center could instruct the Department of Interior to utilize its authority under the Land and Water Conservation Act to increase swimming pool facilities in the tension-ridden urban areas—so that the heat of the summer is not allowed to contribute to the heat of racial tensions.

5) The White House Center could impress local officials and social work groups of the value of programs to encourage city families to use available public beaches and camping and recreation facilities in the area and assure that the prestige of the Transportation Department can be available to encourage local public and private transportation companies to support these programs—so that the urban poor can find new outlets for their energies and are not condemned day-in and day-out to the oppressive surroundings of core-city life.

6) The White House Center could encourage a broad effort in the private entertainment industry to coordinate the scheduling in urban centers of major sports events, jazz concerts, and outdoor movies showings during the long summer nights—so that the outbreak of violence is not the only distraction in the urban Negro's tedious and hot summer despair.

7) The White House Center could activate the President's Physical Fitness Program to create and schedule personal demonstrations by national sports figures, local contests for physical achievement, and a continuing calendar of core-city sporting events—so that a spirit of excitement and enthusiasm can help counteract the boredom of the summer months.

8) The White House Center could encourage the national television networks and local stations to provide for the programming of locally or nationally significant sporting events in those cities where violent disorder seems imminent—so that in times of trouble urban Americans have a reason to spend their idle hours at home and not in the streets.

9) The White House Center could assure that the Department of Justice, if necessary through funds appropriated under the Law Enforcement Assistance Act, encourage the creation in the heavily populated urban centers of auxiliary citizen police groups—so that when disorder comes, local law enforcement officials have an organized means of calling upon the responsible Negro Community to help maintain law and order.

10) The White House Center could require the Department of Housing and Urban Development, the Office of Economic Opportunity, the Bureau of Public Roads, and other Federal departments and agencies, consistent with orderly planning, to encourage acceleration during the summer months of those local public and private projects whose ratio of labor intensity could provide summer jobs for unemployed Negro youth—so that some efforts are made to minimize the legitimate Negro grievances in the field of job opportunity during the summer months when violence seems most likely.

We stress that these programs, individually and collectively, do not represent a long-range cure to the disease that afflicts America's cities. They are, instead, short-range measures of preventive medicine. Necessary as they are, they are not a substitute for a long-range answer.

Both the Congress and the Executive Branch have a pressing responsibility to seek and find long-range answers. In the short-run, in the days and weeks ahead, each of the Executive Departments and agencies of the United States government must find a way it can, through existing authority, contribute to the maintenance of law, order, and tranquility in our cities.

But governmental action can never replace or displace private initiative. Government can never solve the problems of urban unrest alone. The efforts, imagination, talent and resources of private business, private organizations of all kinds, and private individuals are essential. It will take the commitment of citizens in both the Negro and white communities of our cities to assure that reason, law and order will prevail. It is an obligation which all men share equally, for we are all inescapably involved.

INTERNATIONAL EDUCATION ACT

Mr. SCHADEBERG. Mr. Speaker, I ask unanimous consent that the gentleman from Illinois [Mr. McCLORY] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

Mr. McCLORY. Mr. Speaker, I am introducing today a bill to amend the International Education Act of 1966. It will be recalled that I discussed in some detail the bill passed last year. At that time I pointed out that the main impact of the bill would seem to provide a minimum of understanding and appreciation of foreign languages, history, culture, habits, and other aspects of the peoples of other nations. I also pointed out that the legislation appeared to give primary support to low-priority subjects of international education and greater world understanding.

The bill which I am introducing today would serve to encourage greatly increased foreign study by American citizens, including students and teachers as well as those engaged in business, the professions and other pursuits. Emphasis would be placed on foreign education experiences by American students including particularly those at the secondary school level, where the student is best able to assimilate the benefits of the foreign environment and develop his language fluency.

Mr. Speaker, another purpose of this amendment which I have introduced would enable augmented U.S. participation in multinational and international organizational activities, including the work of UNESCO, where our American participation is so meager at the present.

My amendment would also encourage education of American students in foreign public schools and provide for the utilization of foreign currencies (or counterpart funds) where these are available.

Mr. Speaker, I realize that the Congress has been unwilling to provide funds to implement the International Education Act of 1966. I can understand the basis for this reluctance to fund this program at this time. However, it is my feeling that the amendments which I am now offering shift the International Education Act from a low-priority to a high-priority item and are on the schedule of our national interests and international responsibilities. In addition my amendment, if enacted into law, would provide countless opportunities for service by Americans and benefits to Americans which may be measured in the long-term goals of universal understanding and world peace.

AN UNWISE VETO

Mr. SCHADEBERG. Mr. Speaker, I ask unanimous consent that the gentleman from Illinois [Mr. McCLORY] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

Mr. McCLORY. Mr. Speaker, in the face of the continuing battle to reduce crime in our country it is most disturbing to note that Illinois Gov. Otto Kerner, recently named as Chairman of the President's Commission on Civil Disorders, has seen fit to veto a law passed by an overwhelming majority of the Illinois General Assembly popularly named the "stop and frisk bill."

The measure passed by the Illinois Legislature was recommended by the Chicago Crime Commission, Cook County Board President Richard Ogilvie, who as former Special Assistant U.S. Attorney General prosecuted the notorious Tony Accardo, and others in behalf of better law enforcement.

The measure was worded precisely to meet earlier objections of Governor Kerner.

The State of Illinois and the whole Nation should abhor this unwise veto by Governor Kerner. A timely and illuminating editorial appeared in yesterday's—Tuesday, August 8, 1967—Chicago Tribune, which follows:

AN UNWISE VETO

One thing made clear by the recent rioting is that stronger laws are needed to take guns out of the hand of criminals, revolutionaries, and persons crazed by mob spirit. The Illinois legislature, at its recent session, passed two important pieces of legislation to aid police in this direction. One was a measure requiring owners of firearms to obtain licenses. The other was a "stop and frisk" bill which would have clarified the rights of peace officers to stop persons for questioning and to search them for weapons.

Last week Gov. Kerner signed the legislation to license gun owners, but he vetoed the "stop and frisk" bill. His excuse for the veto was the same one he gave for rejecting a similar bill passed by the 1965 General Assembly.

The veto message indicates that the governor and his advisers gave the bill scant consideration; possibly they did not even read it. The veto message says the bill would permit a police officer to stop any person in a public place who the officer reasonably suspects is committing, has committed, or is about to commit a felony or "a violation of the article of the criminal code dealing with gambling and related offenses."

The bill says nothing about gambling and related offenses. It refers instead to article 24 of the criminal code, which deals with unlawful use of weapons. The governor's reference to "gambling and related offenses" is mystifying.

The veto message also refers to a "relatively minor" change made in the bill since it was first passed by the legislature in 1965. Under the 1965 bill an officer frisking a suspect could have seized weapons and other objects which the policeman reasonably suspected had been used in the commission of a crime or might be used in the commission of a crime. The 1967 bill limited the power of seizure to weapons and permitted an officer to search for weapons only if he believed he was in danger of attack.

The change in the two bills therefore was hardly "minor." Indeed, the chief aim of the 1967 bill was only to help police get convictions of persons carrying concealed weapons in violation of the law.

It is now lawful for the police to stop persons acting suspiciously in public places and to question them. It is also lawful for a policeman to frisk a suspect, if the policeman believes he is in danger of attack. The courts here generally hold, however, that if the policeman finds a pistol in the search, the weapon cannot be used as evidence against the suspect. The "stop and frisk" bill would have permitted police to prosecute such gun toters successfully.

Most of Gov. Kerner's veto message is a repetition of his 1965 veto message, which raised questions about the constitutionality of police detention and searches. These questions have been dealt with by the New York Court of Appeals, which has upheld that state's "stop and frisk" law. The United States Supreme court has consented to hear an appeal involving the New York law and a similar Louisiana statute. Illinois police officers will be without the protection of a "stop and frisk" law, at least until the 1969 session of the legislature. Gov. Kerner's veto was a mistake.

DEPLOYMENT OF ANTIBALLISTIC MISSILE SYSTEM

Mr. SCHADEBERG. Mr. Speaker, I ask unanimous consent that the gentleman from Arizona [Mr. Rhodes] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

Mr. RHODES of Arizona. Mr. Speaker, the House Republican policy committee urges the Johnson-Humphrey administration to provide the American people with an effective antiballistic missile system. The Soviets have been building and deploying their ABM system for some time. The Joint Chiefs of Staff unanimously support the position that this country should now proceed to deploy. Congress has appropriated sufficient funds for this purpose. The Joint Committee on Atomic Energy has warned:

> A low order of magnitude attack could possibly be launched by the Chinese Communists against the United States by the early 1970's. At present we do not have an effective anti-ballistic missile system which could repel such a suicidal (for the Chinese) but nevertheless possible strike.

Time and the rush of events demand action.

As early as 1963 there were rumors that the Russians were developing an ABM defense. However, Secretary McNamara when questioned about this, engaged in a dialog of evasion that appeared to deny that the Soviets had such a system. It was not until November 10, 1966, 2 days after the 1966 election, that McNamara announced there was considerable evidence of the existence of a Soviet ABM system. Moreover, information from the intelligence community now indicates that the Soviets are indeed deploying one and possibly two ABM systems. Also, the Soviets probably will extend and improve their defenses over the coming year and they have accelerated the deployment of hardened offensive intercontinental ballistic missiles.

It is significant that in response to a news conference question about the Soviet antiballistic missile system, Gen. Paul G. Kurochin, head of the Soviet Frunze Military Academy, stated that missiles fired at the Soviet Union would not hit their targets. He also stated:

> Detecting missiles in time and destroying them in flight is no problem.

Under the circumstances, it is little wonder that Soviet Premier Kosygin has given no encouragement to hopes for a moratorium on antiballistic missile defense development as a means of limiting the arms race between the great powers.

There is a continuing split between Secretary McNamara and the entire Joint Chiefs of Staff on the antiballistic missile defense question. For years the Joint Chiefs of Staff have unanimously supported the position that this country should deploy Nike X. The Chairman of the Joint Chiefs of Staff, General Wheeler, testified that he had gone to President Johnson on his own initiative to present the Joint Chiefs' case. According to General Wheeler:

> The Soviets will undoutedly improve the Moscow system as time goes on and extend ABM defense to other high priority areas of the Soviet Union.

In his opinion, the Soviet objective is "to achieve an exploitable capability, permitting them freedom to pursue their national aims at conflict levels less than general nuclear war."

On March 10, 1967, Gen. Harold Johnson, the Chief of Staff of the U.S. Army, in his testimony before the House Appropriations Committee, clearly expressed the position of the professional military leaders when he stated:

> When do we stop discussing and when do we reach a decision point?"

With the shock of the recent Chinese thermonuclear explosion on June 17, 1967, efforts to downgrade the potential menace of Communist China have disappeared. It took the United States 8 years to move from the atomic bomb to the hydrogen bomb. It took the Soviet Union 4 years to accomplish the same result. In just 2 years and 8 months, Red China has joined the H-bomb club. In a recent report on the Red Chinese threat, the Joint Committee on Atomic Energy stated:

> We believe that the Chinese will continue to place a high priority on thermonuclear weapon development. With continued testing, we believe they will be able to develop a thermonuclear warhead in the ICBM weight class with a yield in the megaton range by about 1970. We believe that the Chinese can have an ICBM system ready for deployment in the early 1970's. On the basis of our present knowledge, we believe that the Chinese probably will achieve an operational ICBM capability before 1972. Conceivably, it could be ready as early as 1970–71.

It has been estimated that from 5 to 7 years, from the time the go-ahead is given, would be needed to deploy even a thin U.S. antiballistic missile defense. Any lingering doubt over whether or not such a system should be developed has been dispelled by China's amazing progress with nuclear weapons. In a report dated August 4, 1967, the Senate Committee on Appropriations noted that during fiscal year 1968, there will be approximately $970 million available for an ABM defense system. The committee also stated:

> The Congress has met its constitutional responsibilities in this matter, and the responsibility for further delaying this system clearly rests with the executive branch of the government.

These funds must be put to use without further delay. The secret of mass destruction is now in the hands of those who may be tempted to use it. Our defenses must be prepared to meet this challenge.

CONTE'S PLAN FOR VIETNAM

Mr. SCHADEBERG. Mr. Speaker, I ask unanimous consent that the gentleman from Massachusetts [Mr. Morse] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

Mr. MORSE of Massachusetts. Mr. Speaker, yesterday I called the attention of the House to the thoughtful address on Vietnam of our distinguished colleague, the gentleman from Massachusetts [Mr. Conte], last Saturday in Dalton, Mass.

On Monday, August 7, one of the leading newspapers in Massachusetts, the Berkshire Eagle, commented favorably on Mr. Conte's remarks, commending him for his courage and thoughtfulness in proposing alternatives to the present course of action in Vietnam. I include the text of the editorial in the Record:

Conte's Plan for Vietnam

A lot of people were probably surprised that Congressman Conte chose Saturday's "Back the Boys" rally in Dalton as the occasion for proposing an end to bombing of North Vietnam. Certainly it would have been a lot easier—and politically safer—for him to have wrapped himself up in the flag with a ringing endorsement of our present policies.

But in point of fact there was nothing inconsistent between the speech and the occasion. The best thing that we can do for the boys in Vietnam is to bring the slaughter to an early and honorable end. What Congressman Conte has put forward is a possible means of achieving this.

His proposal is in two parts: first, an unconditional bombing moratorium and, second, the construction of a 175-mile wide military barrier across South Vietnam and Laos to block infiltration from the north. It is not a wholly new idea, but it is one that deserves more top-level consideration that it has ever received.

It is a plan based upon a fact which the Johnson administration has been unwilling to acknowledge: namely, that the bombing of North Vietnam has signally failed to do what it was supposed to do. It was supposed to halt the movement of troops from North to South Vietnam and to pressure the Hanoi regime into agreeing to negotiate.

Since the bombing began, there has been a five-fold increase in infiltration from North to South Vietnam. And far from bringing Hanoi to the bargaining table, the bombing has become an insuperable obstacle to the initiation of negotiations. If there is one thing that has been made crystal clear by now it is that the Communists have no intention of talking until the bombing has ended.

No doubt there are formidable military and diplomatic obstacles to the barrier plan which Congressman Conte proposes as an alternative to continued bombing. But insofar as cost is an objection, he has answered this effectively by pointing out that it would involve a far smaller outlay than is represented by the more than 600 U.S. planes that have already been lost over North Vietnam. And this doesn't even take into account the immeasurable cost of the bombing policy in terms of diminishing U.S. prestige throughout the world.

But the specifics of the Conte plan are of secondary importance. The primary significance of his Dalton speech was in driving home the point that there *are* alternatives to the Johnson policy of endless escalation in pursuit of a phantom military "victory."

"In the final analysis," he said, "the best way of combatting communism is to end human misery, suffering, degradation and poverty wherever it may exist." We are not going to do this by pouring more American boys and more billions of dollars into the bottomless pit of Vietnam, and Congressman Conte deserves the gratitude of his constituents for having the courage to say so.

MUTUAL DEESCALATION

Mr. **SCHADEBERG**. Mr. Speaker, I ask unanimous consent that the gentleman from Massachusetts [Mr. MORSE] may extend his remarks at this point in the RECORD and include extraneous matter.

The **SPEAKER**. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

Mr. **MORSE** of Massachusetts. Mr. Speaker, I call the attention of the House to additional expressions of editorial interest and support for the proposal for a gradual, mutual deescalation of the war in Vietnam put forward by eight Republican Members on July 10. I include editorials from the Pueblo, Colo., Star Journal; the Waterbury, Conn., Republican; the Des Moines, Iowa, Tribune; the Iowa City Press Citizen; the Wichita Eagle, and the Idaho Falls Post Register:

[From the Pueblo (Colo.) Star-Journal, July 14, 1967]

TO ESCALATE OR DEESCALATE?

"We are winning the war—but . . .," was the message given to Secretary Robert McNamara by field commanders during the ninth visit by the secretary of defense to Vietnam.

The "but" translates into a call for still more troops to be added to the 466,000 there at present. McNamara and Gen. Westmoreland conferred with the President and all agreed that more troops are needed but no figure was set. It may approximate 50,000 to 60,000.

This number, we are told, is the minimum needed to complete the job begun by a relative handful of American advisors only a few short years ago.

Yet behind the now somewhat guarded and muted predictions of eventual victory for the cause of democracy lies the sobering belief of the generals that this many troops will be required solely to keep us on top of the Viet Cong and North Vietnamese during the coming months.

For the fact is that escalation has been met by escalation since the beginning. Communist troop strength is higher than it has ever been, despite the bombing of North Vietnam and ever-increasing battle losses.

McNamara described more than the immediate situation when he said at Da Nang: "Our casualties are high but we have also inflicted high casualties on North Vietnamese army units."

What he describes was the situation as it was in 1965 and 1966 and as it is likely to be in 1968. Only the numbers have been changed—for the higher.

It is often forgotten that escalation is not the prerogative only of this country. Options open to the Communists include a step-up of terrorist bombings in Saigon and other South Vietnamese cities; the infiltration in even greater numbers of the large North Vietnamese standing army; the use of Communist "volunteers" from other countries; the opening of diversionary action in Korea.

This was emphasized by eight Republican congressmen the other day as they introduced a scheme for a de-escalation of the war that would steer a middle course between "those who would bomb more and those who would bomb less."

Representatives Morse of Massachusetts, Dellenback of Oregon, Esch of Michigan, Horton of New York, Mathias of Maryland, Mosher of Ohio, Schweiker of Pennsylvania and Stafford of Vermont propose a halt to all bombing in North Vietnam north of the 21st parallel for 60 days. This would exempt the city of Hanoi but not the port of Haiphong.

If the North Vietnamese respond with a similar de-escalatory step, such as dismantling major supply depots along the Ho Chi Minh Trail, the United States would then end all bombing north of the 20th parallel for a like 60-day period—and so on down in five steps until the 17th parallel dividing North and South Vietnam was reached.

The staged de-escalation plan would produce a growing atmosphere of mutual confidence, think the congressmen. Its virtue is that most military targets are in southern North Vietnam.

Thus, should the North Vietnamese fail to respond to the first bombing limitation, bombing could be resumed north of the 21st parallel without having caused the military effort in South Vietnam any disadvantage, they believe.

Would such a plan work? The congressmen honestly don't know. Their proposal is put forth not as a panacea for Vietnam but in the belief that the best chance for peace lies in small steps, taken quietly, that make the position of each side credible to the other.

That we are willing to invest another 50,000 or more men in Vietnam is probably quite credible—and acceptable—to Hanoi. That we are ready to de-escalate by small steps, however, is something that does not seem to have been made as credible to them as it might be.

[From the Waterbury (Conn.) Republican, July 11, 1967]

STEP BY STEP

The proposal by a group of Republican congressmen that the United States take the initiative in a step-by-step slowing down of the Vietnam war merits serious consideration.

The group, whose spokesman is Massachusetts' Rep. F. Bradford Morse, suggests that the United States halt all bombing in North Vietnam north of the 21st Parallel for 60 days. This area includes Hanoi but not the port city of Haiphong.

If North Vietnam responded with a similar conciliatory move of its own within that period, the United States would proceed to Step Two: It would halt bombing north of the 20th Parallel for 60 days. And so on through three more limited steps designed to lead to peace neogtiations, through corresponding de-escalation moves by both sides.

Rep. Morse doesn't offer the plan as the ultimate in Vietnam solutions. But he and the seven other congressmen who share his views believe it offers more promise than the present war policy of the Administration. In its insistence that the first step toward de-escalation be taken by North Vietnam the Adminisration is following a policy that is inflexible and dangerous, they believe.

There is much to be said for the viewpoint that peace lies not in giant power or giant concessions.

Rep. Morse claims that by halting the bombing in stages, by tying each successive stage to an equivalent response by North Vietnam, the military risks taken by the United States would be minimized.

Rep. Morse submitted the plan to the Administration some time ago but drew no reaction.

It is to be hoped that more members of both House and Senate will take up the plan. It certainly offers more, on the face of it, than the totally rigid stand of the Administration or anything proposed to date by either hawks or doves.

[From the Des Moines (Iowa) Tribune, July 12, 1967]

STAGED CUTBACKS IN THE WAR

Republicans have been split three ways on Vietnam policy. Some support the Johnson Administration, some attack it for keeping the war limited, some attack it for getting the country in so deep in a quagmire.

The eight Republican congressmen who proposed a plan for "staged de-escalation" Monday, however, did it in the spirit neither of supporting or attacking the Administration, but of being helpful to it and to their country.

Representative F. Bradford Morse (Rep., Mass.) and seven others called for a series of small steps taken one at a time, with a pause after each for the other side to respond. They take seriously the Administration's claim that the war is still a limited war for limited objectives. They would like to make sure this remains true, and move it toward the eventual peace table sooner rather than later, in an atmosphere of decreasing violence rather than increasing violence.

At the same time they recognize the military and political obstacles to an immediate, complete halt in the bombing of North Vietnam, the "first step" urged by so many would-be de-escalators, including United

Nations Secretary General U Thant. So they suggest instead as a first step a 60-day announced pause in bombing North Vietnam north of the 21st parallel of latitude. This would halt bombing of Hanoi, but not of Haiphong. It would leave open for continued bombing all the routes from North Vietnam into South Vietnam via Laos or otherwise.

If during this 60-day period, North Vietnam undertook a similar step of de-escalation, the Republican congressmen suggest, the United States would immediately take a second step. It would halt bombing in North Vietnam north of the 20th parallel for 60 days. And so on.

Thus it would take five steps to reach the 17th parallel, and four steps in response by North Vietnam. Acceptable steps by North Vietnam, the congressman suggest, might be such things as cessation of shipments to and from specific military supply depots in the southern part of North Vietnam; nonuse of specific supply routes along the Ho Chi Minh trail; withdrawal of all MIG fighter planes to far northern North Vietnam; release of U.S. prisoners of war, etc.

All these suggested steps are just "for instance." The point the Republican congressmen want to get across is reciprocal de-escalation by means of steps small enough not to risk a big change in the military balance. Each side would be judge of whether the other's steps were adequate response.

It's a sound idea, one which President Johnson cautiously experimented with in his past bombing pauses and which both have approximated in their holiday truces (each announced separately by the two sides, without formal agreement). A "limited" war in which the limits go up and up by large increments cannot stay very limited. This war is getting out of hand.

[From the Iowa City (Iowa) Press Citizen, July 15, 1967]

CONTINUED ESCALATION OR RENEWED PEACE EFFORT?

That escalation of the Vietnamese War is a game two can play is often forgotten in this country. It shouldn't [be as the] U.S. increases its involvement in the conflict by sending additional troops to Vietnam.

The North Vietnamese, the Viet Cong and their allies have most of the options open to this country, and some others as well. They can step up bombing by terrorists in cities of the south, they can send in more troops, they can use "volunteers" from other Communist countries, they could initiate a diversionary attack in Korea.

It's even conceivable that high officials have come back to Hanoi from the battlefront in South Vietnam bearing a message from field commanders that while their forces "are winning the war slowly but steadily," more Communist troops are needed to increase the pressure. And it's even possible that skeptics in Hanoi are noting that similar comments were made in 1964 and 1965 and appear to be likely in 1968, that escalation of the conflict has been met, not by victory, but by continued escalation. Hence, the impasse remains, but at a higher and more costly level.

While possible, this is unlikely—at this time anyway. However, it does illustrate that two can run on the escalation treadmill. It demonstrates, too, that a more searching reexamination of strategy is in order.

It is against this background that eight Republican congressmen advanced this week a plan for de-escalation of the war which would offer a middle course between "those who would bomb more and those who would bomb less." The sponsors, led by F. Bradford Morse of Massachusetts believe the "small step" de-escalation might enable both sides to edge toward the conference table, each able to claim credit for reducing the scale of the war.

Morse and his colleagues, none of them from Iowa, propose that the U.S. first agree to halt bombing north of the 21st parallel for 60 days, a cutoff point affecting Hanoi, but not the port of Haiphong. If the North Vietnamese respond with some reduction in the scale of the conflict, a second step would halt bombing north of the 20th parallel, again to be matched by Hanoi before any further action is taken by this country.

The steps, it's emphasized, would be taken without fanfare and with due regard for maintaining a balance of forces. It would be, in short, a reversal of the step-by-step escalation which has taken place to date and which threatens to go completely out of control. Also, Morse believes this might build some confidence on each side in the willingness of the other to limit the conflict and eventually to negotiate.

The plan avoids the possible trap of halting all bombing without conditions, leaving it up to Hanoi to decide when is "permanent," and hence when it might begin peace talks. It might also remove, or at least limit, the objection that the U.S. position is being eroded by leaving North Vietnam free to send men and supplies south without harassment.

No one can know whether the plan would work, certainly not the congressmen. The idea is put forward as an approach to peace in the belief that a chance may lie in small steps, taken quietly, making the position of each side credible to the other.

That the U.S. is willing to commit another 25,000 or 70,000 men, or whatever number is under discussion, doubtless is credible to Hanoi, just as we are willing to believe that North Vietnam is willing to commit additional resources to its effort. That either side is willing to de-escalate, however, appears to be something that is not as credible as it should be made.

In making this credible lies the advantages of small steps toward reducing the scale and intensity of the conflict without incurring too great risks, certainly not the risks—and costs—of a continued step-by-step escalation.

[From the Wichita (Kans.) Eagle, July 12, 1967]

GRADUAL DEESCALATION?

A group of Republican Congressmen has suggested a step-by-step deescalation of the Vietnam War, beginning with a reduction of the bombing area in the north.

The group is made up mostly of lesser-known legislators, but perhaps the idea will spark further discussion—goodness knows; some initiative should be taken.

The pattern the past year has been a gradual buildup of men and materials and an ever-expanding area of North Vietnam in the bombing pattern. The result so far has been a corresponding increase in the efforts of the North Vietnamese.

U.S. military leaders in Vietnam have requested more troops and chances are good that they will get them. This can only mean a stepup in the war.

The Republicans suggest that as the first move the U.S. halt all bombings in North Vietnam north of the 21st parallel for 60 days. This area would include Hanoi but not the strategic harbor area of Haiphong.

If the north responded with a deescalation of its own, the administration would end all bombing north of the 20th parallel for 60 days and await another Communist slowdown.

By stopping the bombing in stages and by tying each stage of de-escalation to equivalent North Vietnamese reductions of its support operations in the south, military risks to the United States would be minimized.

Criticism of the administration's policies in Vietnam is abundant, but nearly everyone agrees the United States cannot simply pull out.

It is also clear that continued escalation will only result in increased pressure from the enemy. Many military observers feel this course could prolong the conflict another 15 years.

Gradual de-escalation appears to be a sensible alternative. At least it merits further discussion.

[From the Idaho Falls (Idaho) Post-Register July 19, 1967]

FOR VIETNAM, A DEESCALATE CLAUSE

"We are winning the war—but . . ." was the message given to Robert McNamara by field commanders during the ninth visit by the secretary of defense to Vietnam.

The "but" translates into a call for still more troops—perhaps 100,000—to be added to the 466,000 there at present.

This number, we are told, is the minimum needed to complete the job begun by a relative handful of American advisors only a few short years ago.

Yet behind the now somewhat guarded and muted predictions of eventual victory for the cause of democracy lies the sobering belief of the generals that this many troops will be required solely to keep us on top of the Viet Cong and North Vietnamese during the coming months.

For the fact is that escalation has been met by escalation since the beginning. Communist troop strength is higher than it has ever been, despite the bombing of North Vietnam and ever-increasing battle losses.

McNamara described more than the immediate situation when he said at Da Nang: "Our casualties are high but we have also inflicted high casualties on North Vietnamese army units."

What he described was the situation as it was in 1965 and 1966 and as it is likely to be in 1968. Only the numbers have been changed—for the higher.

It is often forgotten that escalation is not the prerogative only of this country. Options open to the Communists include a step-up of terrorist bombings in Saigon and other South Vietnamese cities; the infiltration in even greater numbers of the large North Vietnamese standing army; the use of Communist "volunteers" from other countries; the opening of diversionary action in Korea.

This was emphasized by eight Republican congressmen the other day as they introduced a scheme for a de-escalation of the war that would steer a middle course between "those who would bomb more and those who would bomb less."

Representatives Morse of Massachusetts, Dellenback of Oregon, Esch of Michigan, Horton of New York, Mathias of Maryland, Mosher of Ohio, Schweiker of Pennsylvania and Stafford of Vermont propose a halt to all bombing in North Vietnam north of the 21st parallel for 60 days. This would exempt the city of Hanoi but not the port of Haiphong.

If the North Vietnamese responded with a similar de-escalatory step, such as dismantling major supply depots along the Ho Chi Minh Trail, the United States would then end all bombing north of the 20th parallel for a like 60-day period—and so on down in five steps until the 17th parallel dividing North and South Vietnam was reached.

The staged de-escalation plan would produce a growing atmosphere of mutual confidence, think the congressmen. Its virtue is that most military targets are in southern North Vietnam.

Thus, should the North Vietnamese fail to respond to the first bombing limitation, bombing could be resumed north of the 21st parallel without having caused the military effort in South Vietnam any disadvantage.

Would such a plan work? The congressmen honestly don't know. Their proposal is put forth not as a panacea for Vietnam but in the belief that the best chance for peace lies in small steps, taken quietly, that make the position of each side credible to the other.

That we are willing to invest another 100,000 men in Vietnam is probably quite credible—and acceptable—to Hanoi. That we are ready to de-escalate by small steps, however, is something that does not seem to have been made as credible to them as it might be.

INSTEAD OF A TAX INCREASE

Mr. SCHADEBERG. Mr. Speaker, I ask unanimous consent that the gentleman from Minnesota [Mr. Zwach] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

Mr. ZWACH. Mr. Speaker, Congress will soon be considering placing an additional surtax on the income tax of our people. I submit that in many instances that income tax now is about as high as the traffic will bear, especially in the rural area which I represent where employment opportunities are limited and a good share of the population works for minimum wages.

Mr. Speaker, under leave to extend my remarks, I would like to have inserted in the Record the following editorial which appeared recently in the St. Cloud Daily Times:

Instead of a Tax Increase

There are growing indications the federal government will increase its income tax rates, perhaps later this fall, and almost certainly by the first of the coming year.

The first reason given is that people have too much money to spend, causing inflation. We wonder what people the government is talking about. The average American today is having a tough time trying to make financial ends meet, what with high living costs and taxes that already take a full 20 cents out of every earned dollar.

A single person at the minimum pay rate of $1.40 an hour has a gross pay check of $56 for 40 hours of work. From that is withheld $7.70 for the federal income tax, $1.20 or thereabouts for social security, and $2.46 for the Minnesota income withholding tax. The total withheld thus amounts to $11.36 out of the original $56 paycheck, leaving a spendable balance of $44.64.

We submit that total taxes on paychecks amounting to 20 per cent is about all the traffic will bear, and to impose another 8 or 10 per cent on top of that is close to the point of no return.

There would be less complaint about these levies if we had any assurance at all that federal and state governments were making honest efforts to economize, to cut their spending, to eliminate a lot of useless programs and projects, but there is not only any promise of that, but we are told that these programs must be extended so that more money can be spent and more political leeches attached to public payrolls.

Each year our federal government fails to balance its books. Our public debt is more now than can be paid off in the lifetime of our children, or our grandchildren, and still goes up despite what is called one of our greatest eras of employment and prosperity.

The question we must soberly consider is where this sort of thing is going to end. Every person knows it cannot go on indefinitely. Sooner or later, and the time may be closer than we think, the nation's credit will be exhausted and there will be no more tired geese to lay golden eggs.

Instead of a tax increase, what a tremendous shot in the arm it would be for the American people to be told that we are going to live within our national income, that we are going to forgo the luxury of ventures to the moon, that we are going to quit being Santa Claus to the rest of the world with senseless and unappreciated handouts.

A POSTAGE STAMP TO COMMEMORATE AMERICAN HEART MONTH

Mr. SCHADEBERG. Mr. Speaker, I ask unanimous consent that the gentleman from Texas [Mr. Bush] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

Mr. BUSH. Mr. Speaker, heart and related cardiovascular diseases account for the death of almost 1 million Americans each year—more deaths than from all other causes combined.

You and I—and I would probably say everyone on the floor and in the gallery today—have lost a relative or a friend to heart diseases.

In addition to these startling figures, approximately 20 million Americans suffer currently from one of these diseases.

Much long and tedious research and work is being done by modern medical science to attack this national health problem. Public contributions through the American Heart Association and Federal support through the National Heart Institute provide the funds necessary to carry out such a program.

As the 1967 campaign chairman for the Texas Heart Association, I have seen firsthand what progress can be made when funds and facilities are provided.

With this in mind and remembering my late and distinguished colleague, Representative John E. Fogarty, of Rhode Island, who was felled on the opening day of this 90th Congress by a heart attack, I have today introduced a bill to provide for the issuance of a special U.S. postage stamp in February 1968, to commemorate American Heart Month and the national fight against cardiovascular diseases.

John Fogarty, at the time of his death, was working with the American Heart Association on the feasibility of the issuance of such a stamp to draw public attention to American Heart Month.

I urge my colleagues to support this legislation to accomplish what he began.

HOW FAR IS THIS ADMINISTRATION GOING BEFORE IT GETS TOUGH WITH RIOT ORGANIZERS AND LEADERS?

Mr. SCHADEBERG. Mr. Speaker, I ask unanimous consent that the gentleman from South Carolina [Mr. Watson] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

Mr. WATSON. Mr. Speaker, Americans everywhere are asking the same question: How far is this administration going before it gets tough with the riot organizers and leaders? While Americans wait for our criminal-coddling Attorney General to exert a minimum effort to prosecute these anarchists, cities continue to go up in smoke. The riots this summer have become somewhat like a game of chess, and we can only speculate as to where the riot leaders will concentrate their activities next.

While our soft-spoken man of no action, Ramsey Clark, continues to speak of the sociological factors underlying the riots, the Carmichaels and Rap Browns continue to make a mockery of our criminal statutes regarding sedition, rebellion, insurrection, and outright advocation of the overthrow of the Government.

As far as I am concerned, this administration and its Attorney General are on trial, and the American people are the jurors. Ramsey Clark should personally greet Carmichael at the dock, if and when he returns from Cuba, and promptly haul him off to jail. If Stokely Carmichael is allowed to return to this country and continue to spew his Communist venom and threats to kill our national leaders, the fault will lie with the administration and its Department of Justice.

Carmichael belongs behind bars. In my opinion, he is the most dangerous criminal holding American citizenship today. Any man that talks seriously of killing the President of the United States and active guerrilla warfare to overthrow the Government is a menace to this country, and he is all the more dangerous because a large segment of the people believe him and are willing to carry out his orders.

A nation is waiting to see what happens, and the hot potato is right in the administration's lap. If the Attorney General fails to arrest Carmichael in the event this Castro-type revolutionary returns to this country, then there will be no stopping the rioting, looting, and murder which is engulfing our cities. The only way to stop this criminal activity is to get the leaders and we should start with Carmichael and his crony, Rap Brown. If this administration wants to be truly responsive to the will of the American people, it will begin right now to dispatch the Attorney General to do just that.

THE PRAYER AMENDMENT

Mr. SCHADEBERG. Mr. Speaker, I ask unanimous consent that the gentlewoman from Illinois [Mrs. Reid] may extend her remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

Mrs. REID of Illinois. Mr. Speaker, during these past few days I have presented several statements here in the House of Representatives, expressing my deep concern over the crime, rioting, burning, and looting which are raging throughout our land, including Elgin, Ill., in my own congressional district. In those remarks, I called all Americans to join together as never before to put an end to divisiveness, lawlessness, and subversiveness—and I called upon the Attorney General of the United States to use his full authority in enforcing all Federal laws. Everyone is asking "Why is this happening here? Where have we failed? What are the causes of this decline in morality and respect for law and order?" There are some who seem to still think the answer lies solely in spending more and more money. Certainly, efforts must be continued to be made to help the underprivileged help themselves—but we must remember that "Man doth not live by bread alone"—Dueteronomy viii, 3.

Today I want to remind you also that many of those involved in criminal activities and rioting, looting, and destruction of other people's property are the very young and ask you to ponder whether it is mere coincidence that the criminal activities of these young people—even though admittedly a minority—have risen so greatly since the Supreme Court decisions which to all effects and purposes have banned prayer and Bible reading or any reference to a deity in our schools. I just wonder how many of these young people who have resorted to criminal activities have even read these words from the Ten Commandments contained in the Holy Bible:

> Thou shalt not kill; Thou shalt not steal; Thou shalt not covet thy neighbor's house . . . nor anything that is thy neighbor's.

Ours is a nation founded under God—and has grown to greatness under God—and our history shows that prayers are an integral part of our heritage, beginning as early as November of 1620 when the Mayflower Compact was started with a prayer:

> In the name of God . . . We . . . having undertaken, for the glory of God . . do by these present solemnly and mutually in the presence of God, and of one another, covenant and combine ourselves together into a civil body politie.

From then until the present time, our leaders have constantly called upon the help of God and every session of the Congress is opened with a prayer.

On July 27, President Johnson spoke to the Nation over television and radio on "Law and Order in America"—ending such statement with these words:

> Let us pray for the day when "mercy and truth are met together; righteousness and peace have kissed each other." Let us pray . . . Let us then act in the Congress, in the city halls, and in every community, so that this great land of ours, may truly be "one Nation under God . . . with liberty and justice for all."

On that same day, July 27, our President issued a proclamation calling for a National Day of Prayer for Reconciliation—including these words:

> We pray to Almighty God, the Author of our liberty, for hearts free from hate, so that our Nation can be free from bitterness. We pray for strength to build together so that disorder may cease, progress steadily continue, and justice prosper.

It is incongruous to me that on that very same day—July 27—when our President was calling upon the help of God and urging our citizens to pray for guidance, that a U.S. court of appeals tribunal—by a 2-to-1 decision—should overrule a previous court decision and decide that kindergarten students in De Kalb Community Unit School District 428, which is in my congressional district, would no longer be allowed to recite the following verse:

> We thank you for the flowers so sweet.
> We thank you for the food we eat.
> We thank you for the birds that sing.
> We thank you for everything.

The kindergarten teacher told the court that she used the verse to teach good citizenship and thankfulness. The two justices who ruled against recitation of this verse held, however, that:

> The secular purposes of the verse were merely adjunctive and supplemental to its basic and primary purpose, which was a religious act of praising and thanking the diety.

Obviously they felt they had to make this decision because of the Supreme Court rulings which overturned the historical practices of permitting voluntary prayer and reference to God in our public schools since the founding of our Nation, even though they apparently recognized the purpose of the verse was to make children become more grateful for the things they receive and to help them in becoming better citizens. I would also like to point out that this court battle involving this verse has been going on since 1965 upon the complaint of the parents of one child who has long since left kindergarten.

The first amendment to the Constitution states that:

> Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof.

I remain convinced that the Supreme Court prayer and Bible reading decisions of 1962 and 1963 represent serious misinterpretations of that first amendment. I agree wholeheartedly with Senator STROM THURMOND's statement that:

> Since the Supreme Court has ruled . . . freedom is a one way street. The children in the public schools are free *not* to pray, but they are not free *to* pray even if they want to. This is freedom *from* religion, and not freedom *of* religion.

In the 88th Congress, the 89th Congress, and again in this present 90th Congress, I have introduced resolutions calling for a constitutional amendment which would restore the freedom of voluntary prayer to our students in our schools. To my regret, however, I—and others who have introduced identical or similar resolutions—have been unsuccessful in our efforts to secure final and favorable congressional action.

My present resolution, House Joint Resolution 128, is identical to Senate Joint Resolution 1 introduced in the Senate by Senator DIRKSEN, for himself and 43 other Senators from both parties, and simply states:

> Nothing contained in this Constitution shall abridge the right of persons lawfully assembled, in any public building which is supported in whole or in part through the expenditure of public funds, to participate in nondenominational prayer.

When I testified in support of such a prayer amendment in 1964, I stated my feeling that:

> To deny our youth, their teachers, and their counsellors the privilege of a communal exercise of their allegiance to God as well as to Country is a rejection of our most constant source of power and strength.

I also pointed out that we live in a season of increasing immorality and warned that:

> Any diminution of emphasis on individual, moral, and spiritual responsibilities can only further reduce our level of integrity and increase our rate of crime.

Today, I respectfully call upon the honorable chairman of the House Committee on the Judiciary to take prompt action in earnest consideration of reporting the prayer amendment. I also express my sincere hope that our President will take the lead in calling for prompt passage of the prayer amendment since he has indicated on numerous occasions that he believes in the power of prayer, faith in the Almighty God, and that ours is really "one Nation under God."

MR. SARNOFF, OF RCA, ON COMMUNICATIONS

Mr. SCHADEBERG. Mr. Speaker, I ask unanimous consent that the gentleman from New Jersey [Mr. CAHILL] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

Mr. CAHILL. Mr. Speaker, recognizing the dependence of our Government and our economy on the world of modern communications and believing that the Congress of the United States responsible as it is for the enactment of laws in the field of communications has a special interest in the subject, I am pleased to bring to the attention of the House of Representatives an informative, comprehensive, and challenging address delivered by Mr. Robert W. Sarnoff, president of the Radio Corp. of America, to the International Communications Association, in Minneapolis, Minn.

Mr. Sarnoff and the company he heads, RCA, are unquestionably knowledgeable and experienced in this field and the message should prove of great interest to all America. The address follows:

ADDRESS BY MR. ROBERT W. SARNOFF

Thank you for inviting me to join you. It is a special treat for me to meet a group of business leaders who are completely at home in the world of modern communications—and so alert to its potential.

Not all our colleagues in business, however, seem to have the same understanding. Recently, in preparing to address a meeting of my financial executives, I made a study of their terminology. As a result, I drew up a short glossary, which I would like to share with you.

Under the letter "A," for example, I noted the word "assignment," of which there are two kinds—"rewarding" or "challenging." A "rewarding" assignment is one which they are loath to undertake themselves but wisely delegate to others. A "challenging" assignment is one that is not necessarily unpleasant but is, to all intents and purposes, impossible. An assignment that is both "rewarding" and "challenging" is usually turned over to an outside firm.

Then there are more technical terms:

"Random-access memory," for instance, means the technique of writing an expense account three weeks after the event.

"Business simulation" is the sudden flurry of activity that occurs when one's superior pays a surprise visit.

And "information retrieval" is the swift pursuit and recovery of a memo hastily written after a two-martini lunch.

The list was longer—but this is enough to indicate that we have a communications problem in that particular quarter.

It happens that I have come here today to discuss communications problems—but not such minor ones. Those I have in mind are much greater—but so, happily, are the advantages we gain from their solution.

This is a time of sweeping change in all the techniques we use to originate, communicate, and receive information. It summons us to fresh thought and imaginative action at all levels. For modern technology is raising issues that are public and private, local and national, regional and global. Solutions will hinge upon cooperation between government and business, among industries and, ultimately, among the nations of the world. As prime users of communications, we will be called upon to participate in finding the best solutions—and we will feel the impact of their results.

How rapidly can we create a world climate in which the new communications technology will thrive?

First, we need to recognize that our technology is exploding into an Information Revolution, as far-reaching and profound in its effect as the Industrial Revolution of two centuries ago. Perhaps the most remarkable feature of this new revolution is the speed of its progress. Innovations we hailed only a few years ago are soon outmoded and discarded. Indeed, it sometimes seems that only we who are in this business carry the burden of age.

Does it seem possible that we have had microwave services for only 20 years? Or that computers have been in commercial use only 15 years? Or that the first communications satellite was launched only five years ago—and experimentally, at that?

Now these, and all of our older services, are being woven together in a radically new pattern. The most dramatic agent of change is poised far overhead—22,300 miles above the earth.

The term "satellite" once meant a passive follower. In today's context it is a leader, heralding a new age. Its unique value in communications is its ability to bridge oceans and continents with equal facility at low cost, carrying all forms of electronic information in vast quantity—voice or image, message or data.

In a single bound, we have multiplied the channels available for all communications—and added a capability for wholly new wideband services. The present international satellites provide 240 or more voice/data channels, or a television channel, over both Atlantic and Pacific. Next year, the Intelsat III system will multiply this capacity by five times. Within a decade, we can expect satellites accommodating 42,000 voice/data channels or two dozen television channels, in any desired combination.

We are also maintaining this tempo of progress on earth. As the satellite generates new capacity, we are gaining new efficiency at the terminals. Computerized message processing and switching has added new speed and reliability.

Transistorized cables will soon multiply circuits under the ocean. Experiments with laser communications may carry us over all remaining barriers to unlimited transmission capacity in the future. Thus, new dimensions of economy and flexibility are being added to our international communications services.

The revolution also gains momentum from the new role of computers at the management level—absorbing, processing, and comparing data for decision-makers. Computer centers are shared simultaneously by many users, and they are now forming the nucleus of an information utility. Computers talk increasingly to computers. Data traffic promises to become the largest segment of business among the carriers.

This has another revolutionary implication. We may at last realize man's ancient dream of a universal language to bridge the linguistic gap between nations. Actually, we were closer to that ideal many centuries ago, when the Greek and Roman empires reigned over large parts of the earth and carried a common tongue to far reaches of the planet. Today, there are still 40 different languages spoken in Europe alone.

For more than 300 years, linguistic inventions such as Esperanto, Interlingua, and Romanal have failed to achieve our age-old quest. But the advent of the computer, with its unique ability to make itself understood by other computers in any part of the world, may now offer us a priceless gift—the ability of man to speak to man with universal comprehension.

The new technology is breeding novel methods of interchanging print, picture, and sound. Electronic eyes read written or printed characters and transmit their substance over microwave channels or into computer circuits. Pictures are transmitted in digital form and reconstructed by computers. Signals from a teleprinter are converted into an artificial voice a thousand miles away.

All of these advances are converging into a single great information complex. We shall be able to obtain the maximum amount of information in any desired form, from any source, at the moment of maximum need.

Information will become a basic commodity equivalent to energy in the world economy. It will function as a form of currency in world trade, convertible into goods and services everywhere.

This will dramatically alter the concept and conduct of your multi-national businesses. Information and instructions will flow back and forth in growing volume over the new superhighways of communication—through space and beneath oceans. Communicating with all parts of a global enterprise will become as easy as communicating within a local business.

With such immense potential, who would dare to stint on prophecy?

A sales manager in New York or Chicago will have on constant call, via leased circuits, a full synopsis of current conditions affecting his local markets anywhere in the world. His company can maintain or share computer centers wherever it has important sales or production activities. These will store and summarize data on tariffs, pricing trends, and anything else affecting the competitive situation. For international business, this will be a vital tool of trade in the common markets growing in Europe, Latin America, and elsewhere.

A purchasing director in the home office will summon through a desktop viewing screen the latest analyses of material costs and availabilities around the world. He will be able to match the data against current and continuing reports of inventory and rates of consumption on the company production lines.

An engineering manager will be supplied in sight, sound, and print with a steady flow of data on conditions that affect construction or production operations overseas. On difficult projects, he will be able to summon the help to expert consultants in many countries simultaneously by television through conference circuits.

A personnel director will have a worldwide closed-circuit television complex for orientation and job training throughout the company. He will be able to train and upgrade skilled workers and managerial talent in great numbers from the local population in any country.

I have saved for last, one of the most attractive prospects ahead of you. As our technology moves ahead, the economics become more favorable. Capacity and flexibility continue to rise, while costs per unit of information continue to fall.

By the early 1970s, our industry should be able to provide you with several times more international communications capability than today for every dollar you spend. And there is no reason to expect a slowing or reversal of the trend.

Does all this sound too good to be true? No—but it is too good to be easy.

First, we must run an obstacle course littered with problems of diplomacy, law, and human relations.

Consider the matter of standards. For more than a century, nations have worked together to establish and maintain universal standards for international communications. They have not always succeeded, as we can see in the area of broadcasting—and especially color television.

In the realm of international two-way communications, however, the record has been more heartening. Logic, aided by national self-interest, has largely prevailed so far.

Such two-way services as teleprinter operations enjoy compatibility of equipment in all countries. Other services, such as Datel and telephone, have sufficient compatibility to avoid any serious problems of conversion from one national system to another.

Now, computers have entered the scene, and the issue of standards is with us again. The impending growth of computer-to-computer communications makes it vital that the machines be able to talk to one another in a common language or in easily translatable terms. I have mentioned the bright promise of these machines as a means to achieve a universal language. They have that ability—but first of all we must agree on what language they are to use.

This is a problem that has not been completely solved even on the domestic front, for we still use a variety of computer languages here at home. But if we are to realize the full potential of the Information Revolution, an American computer must be able to converse with a British or a French or a Japanese system.

We are making progress. Discussions are now under way at the technical-committee level in the International Telecommunications Union to reach agreement on language symbols in computer service. I earnestly hope they succeed. If the global dialogue between machines should falter as badly as it sometimes does between people, the outlook would be dim indeed.

Computer standards, like other technical problems, lend themselves to reasonable solution—given time and mutual determination. There are other problem areas that seem at first glance to be far more complicated, for they raise basic issues of freedom of communications.

The question goes beyond preserving freedom where it now exists—although it is vital that we do so. We must extend it to new systems and services as they come into use—starting today with the new technology of satellite communications.

This was the purpose behind American leadership in establishing the International Telecommunications Satellite Consortium (Intelsat). Fifty-six nations now share in the ownership and operation of the consortium satellites, and more are expected to join.

The interim agreement governing the venture will expire in 1969. Hopefully, it will be succeeded by long-term arrangements based on the same principle of cooperation.

But the immediate challenge is more far-reaching—for we confront a radical change in the worldwide pattern of satellites.

So far, only the United States has built and launched satellites for international communications. But this is a swiftly moving technology, and we can certainly expect other nations to orbit systems of their own in the near future.

Russian satellites already handle domestic traffic between Moscow, Vladivostok, and other Soviet cities. Is there any reason why the Russians cannot extend services beyond their own borders?

And other nations—notably Britain, France, Germany, and Japan—also have space capabilities. They are likely to develop communications satellites either individually or in regional groups.

There is lively interest elsewhere in domestic and regional systems, especially in the developing countries that now lack adequate overland networks. A regional satellite facility for Latin America has been discussed. On the opposite side of the world, a satellite link has been proposed to bridge the gap between East and West Pakistan.

There is a compelling need now to seek international agreement on principles that will assure the orderly introduction and use of all future regional and global communications satellites.

This agreement must meet at least two key objectives. One is to establish basic compatibility among all systems, so that they can interconnect with all other worldwide facilities. The other is to assure equitable access to all systems on a nondiscriminatory basis for international two-way communications. Agreement on these two objectives will mean that any satellite serving India or Brazil or Western Europe—or any region—will be accessible and usable for all carriers who need it in order to give the best service to their customers.

The United States is now considering its position on future international arrangements for the global, domestic, and regional services. A five-man government panel is exploring the issue, and it will receive the full cooperation of all who supply and use international communications.

Whatever the final policy may be, one thing is clear. In the world pattern we hope to achieve, there will be no room for isolated communications satellite systems. All of them must be able to serve either as links or as adjuncts to a global network.

At the heart of this issue is another question of vital national importance: Should American carriers make use of foreign communications satellites? If so, under what conditions?

These are vital questions which call for early decisions.

I believe the American carriers should not only be permitted but encouraged to use foreign satellites whenever they can provide the best service at the lowest cost. It is entirely conceivable that at certain times the customer could be better served through a French or Russian or British satellite rather than through a multi-national or American-owned one. Unless there were a significant difference in cost or an overriding national policy consideration, it would be a clear disservice to do otherwise.

From your standpoint as users, the issue seems academic. You are interested in an accurate message, a clear voice, or a bright picture. You are unlikely to care very much whether it has traveled by cable, shortwave radio, or satellite of a given nationality.

But if we intend to use foreign satellites, we must also make sure that foreign carriers have access for the same purpose to any regional satellite system we might establish ourselves. We must do so not just to obtain reciprocal rights, but to be consistent in upholding the principle of freedom of communications.

In approaching these issues, our country's position would be greatly enhanced if the American international voice and record carriers could deal directly on equal terms with foreign government monopolies. It has been the consistent view of my own company that this can be done by uniting the facilities and operations of these carriers into a single privately owned enterprise. Subject to proper government regulation, this new enterprise should be endowed with independence in operations and policy.

The enterprise also could take better advantage of new technology and turn it to the public benefit. Above all, it would give us a posture of strength in negotiation that is more in keeping with our leadership position in world communications.

Yet, even if we continue with the present arrangement, we must start preparing now for the international order we hope to achieve in future world communications.

Detailed technical and diplomatic efforts must smooth the way for the logical introduction of new national and multi-national satellite systems. Freedom of access must be assured, and ground rules agreed upon for negotiations to establish the new international services.

I am confident that our government can count on the communications industry and its business customers for full support. We all have a stake in the free and orderly flow of communications throughout the world. To achieve it, we must be dedicated to growth, accept change as a challenge, and believe the future to be more significant than the past.

The most profound influence upon human progress may well be the advance of communications to full capability in the Information Revolution. When so much else divides us, this exerts a potent force to unite us. It has been said that revolutions have a way of consuming their progenitors and turning upon themselves. If this is a general truth, we now have a magnificent opportunity to prove an exception.

The Information Revolution does not constitute a break with the past—it is a bridge to the future. It is not an instrument for imposing authority, but for sharing knowledge.

The new technology can never by itself determine the kind of world in which we live. But its potential does impel us to consider anew the kind of world we really want. It holds forth promise only if we decide in favor of unity among men and harmony among nations.

To that end, let us dedicate ourselves to the achievement of a truly global system of communications—and let us determine that its use shall be of benefit to all mankind.

FEDERAL PERSONNEL DISCIPLINARY STATISTICS LACKING

Mr. SCHADEBERG. Mr. Speaker, I ask unanimous consent that the gentleman from Ohio [Mr. BETTS] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

Mr. BETTS. Mr. Speaker, to function with full effectiveness Congress must have data readily accessible concerning personnel involved in disciplinary actions and demotions throughout the Federal service. This information should include the major types of disciplinary actions such as probationers separated, resignations while charges pending, removals of nonprobationary employees, suspensions, and demotions. Statistics for all Departments, their agencies, divisions or bureaus, and independent agencies and commissions must be available.

In addition to knowing the exact number of Federal employees disciplined, their principal job classification, GS level, length of service and substantive nature of the offense involved should be included in the tabulations. The dollar value of the loss incurred as well as remedial action to prevent a repetition of such problems might also be identified.

To ascertain whether these statistics are at present prepared and evaluated by the Civil Service Commission and available to Members of Congress, I recently wrote to Commission Chairman John W. Macy, Jr. It is apparent from the response I received that this information is not regularly compiled. As a matter of fact the answers he provided were based only on an extrapolation of a 10-percent sampling conducted by the Commission and did not include other basic elements such as employee grade and length of service.

The Comptroller General has reported that $600 million in measurable savings have accrued over the past 3 years due to the General Accounting Office's campaign against waste and inefficiency in Government. Without the alert action of the GAO this $600 million plus millions more of taxpayers' dollars would have been lost—largely because of unsound management, accounting procedures, and the irresponsibility and incompetence of individual Federal employees.

This waste has been a concern of mine and led me to introduce H.R. 9164, a bill attacking both accounting system inadequacies and individual incompetence. This legislation would require all executive agencies to comply with GAO-prescribed accounting procedures within a reasonable length of time or have their funds suspended. The identification of individuals who violate the law, ignore sound management practices, or fail to exercise plain common sense is a second important provision. In order to show the dimensions of this problem it is essential that such detailed information on personnel deficiencies be prepared by the chief personnel-administrative agency of the Federal Government, the Civil Service Commission. Unfortunately, a report containing these facts is not available.

Certainly the statistical compilation might require considerable research, but it is not an impossible assignment. A perusal of the detailed, judiciously-prepared pamphlet on the incentive awards program verifies that minute data from every agency and bureau of Government can be effectively collected and collated. While I commend the Commission on the incentive awards program which has proved an effective means of encouraging employees to advance constructive suggestions that lead to the efficient administration of programs, the point remains that the miniscule detail incorporated in the report heralding the positive side of Government operations exists without comparable enumeration available for the negative side of the ledger.

To illustrate the scope of this program I have prepared a chart comparing both the suggestion awards program and superior performance program for 1964, 1965, and 1966. This chart demonstrates that intricate detail can be amassed by the Civil Service Commission when it is called upon to undertake a project such as that of the incentive awards program.

FEDERAL INCENTIVE AWARDS PROGRAM

	1964	1965	1966	Percent increase over previous year (1965)
Suggestion awards program:				
Suggestions adopted	118, 564	133, 449	140, 779	5. 5
Measurable benefit	$76, 101, 526	$95, 897, 470	$123, 395, 573	28. 7
Awards	$3, 354, 272	$3, 995, 506	$4, 267, 111	6. 8
Superior performance program:				
Superior performance	67, 731	67, 099	80, 513	19. 9
Measurable benefit	$42, 584, 184	$150, 329, 968	$158, 027, 335	5. 1
Awards	$9, 239, 665	$8, 756, 342	$10, 344, 979	15. 9

Mr. Speaker, the apparent unavailability of consolidated reports on disciplinary actions in the executive branch disturbs me for two major reasons. If, in fact, such data is not collected and correlated by the Civil Service Commission, it follows that the Commission does not assess what patterns may exist and methods to be employed to lessen the number and type of disciplinary problems. Second, how can Congress, particularly through the Appropriations Committees and Government Operations Committees, develop corrective legislation if such information is not prepared and presented in an usable form? These are basic questions which I believe must be answered. This is supposedly the age of great technology, automation, and computerization. These new systems for collecting information, it appears, are utilized for incentive and superior performance, not to learn problem areas of personnel failures.

For the benefit of my colleagues and the purpose of highlighting the sharp contrast in available information, I am including two pages from the Civil Service Commission's "Federal Incentive Awards Program for Fiscal 1966" and the letter of Commissioner Macy concerning the disciplinary measures taken by the Federal Government:

FEDERAL INCENTIVE AWARDS PROGRAM—FISCAL YEAR 1966

U.S. CIVIL SERVICE COMMISSION

Improvements Through Suggestions

Agency	Number suggestions adopted	Number adopted per 100 employees	Value of measurable benefits	Average cash award	Agency	Number suggestions adopted	Number adopted per 100 employees	Value of measurable benefits	Average cash award
Defense	(73, 443)	(6. 9)	($106, 151, 697)	($49)	Labor	166	1. 8	$33, 275	$37
Air Force	23, 237	7. 9	57, 390, 465	48	AEC	97	1. 4	4, 085	46
Army	23, 064	6. 1	25, 021, 498	51	GPO	205	3. 0	73, 955	37
Navy	24, 889	7. 4	20, 788, 932	48	Selective Service	272	4. 3	10, 185	26
Defense Supply	2, 035	4. 5	2, 660, 663	51	GAO	3	. 1	480	33
Post Office	42, 736	7. 7	8, 268, 645	25	Small Business	30	. 7	5, 000	40
VA	8, 179	5. 4	663, 995	22	CSC	89	2. 4	20, 699	44
HEW	1, 045	1. 1	245, 318	49	Library of Congress	1	. 1	0	50
Agriculture	3, 021	3. 3	1, 324, 845	49	ICC	16	. 7	12, 663	60
Treasury	4, 696	5. 2	1, 455, 024	38	NLRB	3	. 1	0	27
Interior	1, 408	2. 2	590, 428	47	Smithsonian	33	1. 6	22, 760	44
FAA	754	1. 7	474, 970	56	Railroad Retirement	113	6. 7	32, 516	32
GSA	1, 191	3. 3	474, 561	35	FCC	2	. 1	1, 000	33
NASA	844	2. 5	2, 449, 034	159	SEC	8	. 6	250	17
Commerce	687	2. 0	224, 733	31	FTC	3	. 3	0	30
Justice	779	2. 4	82, 022	33	FPC	5	. 4	1, 000	22
District of Columbia Government	68	. 2	33, 942	45	NSF	6	. 7	3, 600	36
State	289	1. 2	106, 780	41	Federal Mediation Board	2	. 5	1, 075	150
HUD	148	1. 1	160, 270	49	FMC	22	. 9	400	20
Panama Canal Company	166	1. 4	176, 051	42					
USIA	104	. 9	81, 545	35	Government-wide	140, 779	5. 7	123, 395, 573	42
AID	26	. 2	14, 500	37					

FEDERAL INCENTIVE AWARDS PROGRAM—FISCAL YEAR 1966

U.S. CIVIL SERVICE COMMISSION

Top Results Through Superior Performance [1]

Agency	Number superior performance awards	Superior performance recognized per 100 employees	Value of measurable benefits	Average cash award	Agency	Number superior performance awards	Superior performance recognized per 100 employees	Value of measurable benefits	Average cash award
Defense	(42, 658)	(4. 0)	($106, 077, 226)	($135)	Labor	188	2. 1	$4, 136	$155
Air Force	11, 179	3. 8	1, 570, 785	145	AEC	208	2. 9	18, 922	317
Army	20, 916	5. 6	89, 347, 289	117	GPO	259	3. 8	0	186
Navy	8, 724	2. 6	14, 223, 832	158	Selective Service	623	9. 8	5, 500	80
Defense Supply	1, 073	2. 4	814, 044	139	GAO	152	3. 7	0	195
Post Office	7, 861	1. 4	4, 381, 324	98	Small Business	83	2. 1	0	223
VA	5, 603	3. 7	224, 234	135	CSC	136	3. 6	52, 169	70
HEW	1, 411	1. 5	2, 469, 182	201	Library of Congress	6	. 2	5, 200	200
Agriculture	2, 809	3. 1	26, 005, 835	218	ICC	1	. 1	0	435
Treasury	4, 022	4. 5	5, 593, 465	182	NLRB	28	1. 3	0	232
Interior	2, 534	4. 0	1, 365, 012	255	Smithsonian	46	2. 2	0	169
FAA	2, 149	4. 9	2, 044, 748	193	Railroad Retirement	42	2. 5	19, 523	206
GSA	925	2. 6	282, 489	160	OEO	6	. 4	0	217
NASA	1, 171	3. 5	960, 996	245	FCC	23	1. 5	0	192
Commerce	3, 518	10. 4	1, 022, 933	144	SEC	70	5. 2	0	219
Justice	1, 815	5. 6	43, 122	207	FTC	77	6. 9	28, 950	219
District of Columbia Government	221	. 8	0	126	FPC	108	9. 9	0	0
State	290	1. 2	7, 028	123	NSF	38	4. 1	4, 392	314
HUD	585	4. 3	0	154	Federal Mediation Board	4	1. 0	0	381
Panama Canal Company	307	2. 6	2, 715, 000	203	FMC	60	2. 4	0	175
USIA	107	. 9	0	147					
AID	61	. 6	4, 695, 849	231	Government-wide	80, 513	3. 3	158, 027, 335	146

[1] Includes awards for special acts or achievements.

U.S. CIVIL SERVICE COMMISSION,
Washington, D.C., July 27, 1967.
Hon. JACKSON E. BETTS,
House of Representatives,
Washington, D.C.

DEAR MR. BETTS: This is in further reply to your letter of June 13, 1967.

Our data on disciplinary actions throughout the Federal service comes from a ten percent sample of the personnel action forms processed by the agencies. (A few agencies such as NSA and CIA are exempt from this reporting requirement.) Because reprimands do not require the issuance of a personnel action form, they would not be included in the samples.

The best processed data now available are the sample figures for four broad categories of actions that are disciplinary or arise out of disciplinary situations. We also have similar figures for demotion actions (while the great majority of demotion actions are not really disciplinary, they may interest you because they result from classification surveys where analysis shows positions to be classified too high). The attached tabulations for fiscal years 1964 (incomplete), 1965, and 1966 are projections from these sample figures. They give a valid picture of the scale of disciplinary actions throughout the Federal service.

I regret that the information we have readily available does not include length of service and grade. I hope what we have furnished will be sufficient for your purposes.

Sincerely yours,

JOHN W. MACY, Jr.,
Chairman.

DISCIPLINARY ACTIONS AND DEMOTIONS THROUGHOUT THE FEDERAL SERVICE

	Fiscal year 1964	Fiscal year 1965	Fiscal year 1966
Probationers separated	2,460	4,570	4,610
Resignations while charges are pending	3,230	[1] 4,470	[1] 4,470
Removals of nonprobationary employees	(2)	5,970	9,670
Suspensions	6,990	11,180	8,610
Demotions	24,860	13,340	8,960

[1] These figures are identical, but this is not an error.

[2] Total not available.

COMMITTEE ON URBAN AFFAIRS

Mr. SCHADEBERG. Mr. Speaker, I ask unanimous consent that the gentleman from Alabama [Mr. BUCHANAN] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

Mr. BUCHANAN. Mr. Speaker, the tragic events of recent months in various urban areas of our Nation have underlined not only the need for a revival of respect for law and order and for firm action against lawbreakers, but also the need for a concerted attack upon the complex and growing problems of America's cities.

This century has witnessed the evolution of our Republic from a predominantly rural and agrarian society into an urban-industrial giant among nations. The progress inherent in this transformation has not, however, been an unmixed blessing—for with greater and greater concentration of the Nation's population in urban areas there have developed in our cities a multiplicity of new problems, massive in scope.

There is a need, therefore, for a committee of the House of Representatives to deal specifically with the needs and the problems of urban America. In my judgment, that need is urgent.

Consequently, yesterday I introduced House Resolution 863 to provide for a standing Committee on Urban Affairs, charged with the legislative responsibility for measures relating to urban areas, generally, and specially including housing, urban renewal and slum clearance, economic stability, crime prevention, air and water pollution, water supplies and sewage facilities, and transportation.

The introduction of such legislation does not by any means imply a reversal of my steadfast belief in decentralization of the powers of government and in the maximum possible degree of local self-government. It is rather an attempt to face up to our responsibility to coordinate intelligently whatever efforts we make at the Federal level toward assisting local governments to fulfill their responsibilities to the 75 percent of the American people who now live, or within the foreseeable future, will live in urban America.

Mr. Speaker, it is my profound hope that the Rules Committee and the House at large will look with favor upon this proposal.

MID-MONONGAHELA VALLEY MOBILIZING RESOURCES

The SPEAKER pro tempore (Mr. OTTINGER). Under a previous order of the House, the gentleman from Pennsylvania [Mr. MORGAN], is recognized for 30 minutes.

Mr. MORGAN. Mr. Speaker, may I call attention to what is occurring in the mid-Monongahela Valley of my State where the people have mobilized their resources in a unique way to meet the challenges of our new technology and our changing economy.

For years this area prospered because of its rich coal fields and splendid river transportation. Steel mills lined the Monongahela River, turning out a great deal of the hardware for our Armed Forces in several wars.

But this heavy industrialization was not without price. Towns grew up overnight at the turn of the century with little or no planning. The once scenic hillsides were scarred with grime and dirt. The fish-laden Monongahela River was polluted into a giant ditch. The economy of the region soared and sagged with the volatile fortunes of basic industry.

As could be expected, the mid-Monongahela Valley fell into a steady economic decline as technology changed methods for mining coal and making steel. Employment dropped. With no place to work, young people moved elsewhere. Small businesses were hard hit and many were forced to close. Compounding the problem were the poorly planned towns and the totally inadequate network of highways. New industries were not inclined to locate in a region which appeared headed nowhere but down. There was, in all candor, cause for gloom.

But the people of the valley—whose character has been toughened in the coal mines and tempered in the steel mills—do not give up easily. They have embarked on an ambitious program to rehabilitate the area and, while there is yet much to do, they have made a gallant beginning. I am happy to say that the Federal and State Governments are both playing a role, but mostly the effort is being generated by the people themselves.

And it is a united effort, with industry and labor and small businessmen and professional people and educators and persons from all walks of life pooling their resources to make the valley once more a vibrant and thriving community.

The task has not been easy. For one thing, it has meant submerging provincialism in the interest of the total valley community. The two dozen municipalities which comprise this area now recognize that only a united effort will reverse the trend of economic decline.

For another thing, it has meant that industry and labor had to cast away long-held suspicions. The fortunes of each were so intertwined that traditional views had to be changed for the good of each.

And it has meant a lot of hard work and personal sacrifice by the 90,000 persons who live and work in this valley.

I am pleased to report that all elements of the community have responded magnificently and real progress is being made. It is important for the valley and the Nation that this impetus be maintained and strengthened.

I have been dealing so far in generalities. Permit me to describe some of the specifics which have occurred.

Perhaps the start of the valley's rebirth occurred in October 1964 when Allison R. Maxwell, Jr., president of Pittsburgh Steel Co.—the valley's largest employer—suggested creating an organization to consider the "problems which pervade the entire valley with little regard to municipal boundaries." Mr. Maxwell called on business and industrial leaders "to consider formally and collectively" the possibility of organizing what he called the Mon Valley Progress Council.

The reaction was quick and positive. Within 6 months, 37 business and industrial enterprises in the area had chartered the Mon Valley Progress Council.

Since then, the progress council has worked in the areas of industrial development, transportation, education, governmental relations, health and welfare, cultural, and recreational development and urban renewal.

The progress council has carefully imposed some limitation on its functions. The agency's charter states that:

> In no way will the council supplant existing civic, community or municipal organizations, . . . nor will it usurp functions of organizations already charged with responsibility for municipal and area matters.

In practice, the progress council has become a sort of catalyst to make things happen.

Industrial development, of course, has been the prime concern. The valley's eroding industrial base had to be restored if the area was to prosper.

In this connection, the progress council has formed the Middle Monongahela Industrial Development Association—MIDA.

With strong support and guidance from the State, MIDA has acquired a 722-acre industrial tract vacated by U.S. Steel Corp. in Donora. One large tenant, Hercules, Inc., of Wilmington, Del., has already been secured and is in the process of building a multimillion-dollar chemical plant.

However, MIDA's real test—indeed, the real test for the valley—came when the agency announced plans for a fund-raising campaign to raise seed money for the area's industrial rebirth. A goal of $450,000 was established.

I am happy and proud to report that the goal was not only reached, but surpassed. More than $500,000 has been raised to date. Industry has contributed generously but so has labor, storekeepers, and all of the people of the valley.

While raising money, MIDA and the progress council have also amassed an impressive treasury of human resources. People from all walks of life are giving not only their money, but perhaps more importantly, their time and talent in the effort to reestablish the valley's economy.

This effort has not gone unnoticed—either by the State or Federal Governments. The State has already started detailed planning for a much-needed bridge across the Monongahela River to serve the industrial park. And initial planning is underway for the Mon Valley Expressway—a high-speed traffic link with Pittsburgh.

Additionally, the State is actively promoting the industrial tract in Donora to prospective tenants.

The Federal Government, through the Economic Development Administration, is currently sponsoring a site-development study of the Donora industrial park. Moreover, a $14 million improvement to U.S. lock 4, Monessen, is nearing completion to insure adequate river transportation on the Monongahela.

Federal money is also reaching the mid-Mon Valley through urban renewal, public housing, and code enforcement programs. The investment, it seems to me, is a very wise one.

These, and other programs, are literally changing the valley's face. Dirt and grime, accumulated over more than a half century, are being scrubbed away; wornout sections of communities are being rebuilt; large-scale parks are already in use; and the Monongahela River is being cleansed by a system of municipal sewage treatment plants and industrial water quality control programs.

While both the State and Federal Governments have played impressive roles in this rebirth of a region, the key force has been—as it ought to be—local initiative. The people of the valley are pulling themselves out of their economic doldrums—not by magic formulas, not by government handouts, and not by bemoaning their fate. They are doing it by work and sacrifice.

It is this spirit which, in my opinion, government at all levels should encourage and support. Because it is this spirit which made our Nation what it is today and which promises a brighter future tomorrow.

Mr. Speaker, I ask unanimous consent that the gentleman from Pennsylvania [Mr. DENT] may extend his remarks at this point in the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. DENT. Mr. Speaker, it is a pleasure for me to join my distinguished colleague from Pennsylvania, Congressman MORGAN, in his praise of the people in the Middle Monongahela Valley. I, too, commend their spirit, their accomplishments, their dedication to improving the economic climate in which they live and work. A large part of the middle Monongahela Valley is in my constituency and I therefore have watched this achievement from its inception. Having spent time in the state house in Harrisburg, and having spent a few years around here, I can personally testify to the wonderful bipartisan spirit which has shown itself at all levels of government.

To me this is in keeping with the highest purposes of government. It seems strange for me to be giving credit to those on the other side of the aisle but, in all fairness, I feel that in this case I must, but at the same time I commend those public servants from my party who have helped and who will continue to help in this great achievement or rebuilding a most important segment of a vital industrial complex. Again I commend Congressman MORGAN for his interest and I thank him for bringing this inspiring story to the attention of the House.

THE GROWING CRISIS OF THE LACK OF AIRPORTS

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from California [Mr. DON H. CLAUSEN], is recognized for 60 minutes.

Mr. DON H. CLAUSEN. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

GENERAL LEAVE

Mr. DON H. CLAUSEN. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to extend their remarks on the subject of my special order.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. DON H. CLAUSEN. Mr. Speaker, today I have taken a special order for the purpose of focusing on one of America's most pressing, and as yet, unpublicized, problems—the growing crisis of airports, or lack of airports—in the Nation.

I do so at a time when others might say there are more pressing and serious problems needing attention.

I do so because of my earnest conviction that unless something is done, air tragedies will increase in the Nation. This need not happen.

The country was shocked by the recent midair collision that claimed the lives of Navy Secretary McNaughton, his family, and 79 others. While the investigation is not complete, many of us who are familiar with the incident know it could have been avoided.

Regrettably, there is a tendency to react to an accident, rather than develop a positive action program of prevention. What I am recommending today is intended to be an accident prevention program.

The aviation and airport problems of the Nation are reaching crisis proportions. The voice of professional aviation and airport people is like a "cry in the wilderness" because elected officials, who are the "implementers" in our system of government, are too busy or too occupied with other problems to give aviation the attention it needs.

Mr. Speaker, the United States is facing an airport crisis of immense proportions. It is becoming increasingly obvious that a whole new approach to the problem is needed. It is time to start planning a national airport system that can ably cope with the future, not just barely keep up with the present.

Every aspect of aviation is growing at a fantastic rate. Passenger traffic on the scheduled airlines has been increasing by 15 percent a year and can be expected to triple during the next 8 to 10 years. We all have become familiar with the crowds at our airports—imagine what it will be like when there are three times as many people to contend with.

But, as we all know, getting on the plane is often only half the battle. At many airports, our plane has to wait its turn in line in order to get off the ground. Last year, there were almost 104,000 business and general aviation aircraft waiting in line with 2,300 air carrier planes. In 1976, there should be about 180,000 of these nonsked planes and 3,500 airliners.

The airlines are embarked on a program that will bring 1,180 new aircraft worth $7.7 billion into service by 1970. Equipment purchases for the 1971–75 period are expected to be even greater. And many of these new planes will be capable of carrying many more people than our planes of today. Recently, I inserted the very timely and forthright speech of AOPA's Doc Hartranft before the American Association of Airport Executives that relates an unbridled expansion of general aviation plane usage in the next few years.

All this means more people, more planes, and more delays. The FAA estimates that in 1965, close to 3,000 hours of delays at San Francisco International Airport alone, which serves many of my constituents, cost the airlines and general aviation nearly $800,000. The cost of delays at airports with FAA towers totaled about $60 million, which is not too much less than what the Congress appropriates each year for airport development.

Stuart G. Tipton, president of the Air Transportation Association, summed up the situation well when he told the U.S. Conference of Mayors this June:

> You can only put so many wheels down on a given stretch of concrete in a given period of time and we are rapidly running out of concrete—and time.

There have been suggestions that general aviation planes should be banned at some air carrier airports. I reject this suggestion as not only infeasible but unfair as well. Both segments of aviation are vital to our economy and both must be accommodated. The only way in which this can be done is by providing more facilities for everyone.

We are going to require a great increase in airport facilities in order to handle three times as many passengers as we are handling today. The uncomfortable fact, however, is that there are only five new trunk airports and three new local service airports under construction today. The major problem, however, is the extreme lack of general and business aviation type airports in metropolitan areas. Considering the leadtime of 7 to 10 years needed to plan and build a new air carrier airport, we are behind schedule already.

Air carrier airports can be equipped to handle general aviation traffic without tying up transport traffic with the installation of small runways suitable for light planes. But, in addition, metropolitan areas should have systems of small general aviation airports. These satellite airports would help relieve congestion at the large airports and would be a convenience to the private flyer by bringing him closer to his destination in the city or suburbs and by sparing him the crowds and traffic of the big airport. These smaller airports are also much cheaper to build than the air carrier airports. But despite this great need, the number of general aviation airports in 10 major cities showed a net loss between 1950 and 1960. This trend must be reversed.

The time has come for Members of Congress to speak out on this vitally important question.

About 3 years ago, some of you may recall the FAA directive to close 42 flight service stations. This action stirred up a hornet's nest in the Congress, the likes of which is rarely seen on Capitol Hill. A number of you Members of Congress joined Oren Harris, John Bell Williams, Sam Devine, and myself in fighting this directive, and we demanded congressional hearings that lead to the suspension of this directive.

As proof of how right we were at that time, I will briefly relate two factors. First, one of the flight service stations scheduled for closure was Arcata, Calif., in my district. Like many of you, I protested because of my personal knowledge and convictions that this facility was desperately needed in the public interest and aviation safety.

During the winter months of 1964, torrential rains brought devastating floods to the north coast of California. Roads, all of the bridges and railroads were washed out, the harbors were filled with debris restricting navigation for shipping. Air travel was our only contact with the outside world.

The Arcata, Crescent City, and Ukiah flight service stations were hubs of activity as they coordinated the general aviation, commercial, and military fixed-wing and helicopter operations needed to keep these communities alive during this disaster period. The Arcata flight service station and the airport operations were among the busiest in the Nation; without these facilities, the communities would have been totally isolated.

Second, a recent item in the Aircraft Owners & Pilots Association newsletter spells out very well what I term to be a successful conclusion to the "communication system crisis" that motivated Congress into action. I will include it at this point in the Record in the hope that it will encourage some of you to again "rally to the cause" to tackle the great and growing airport crisis in the country, realizing, of course, that improved communication and airport systems in the country are an absolute essential if we are to continue orderly development of the institutions in our great country. I will insert the excerpt from AOPA's newsletter at this point in the Record:

> Flight Service Station program just *completed and accepted* by all general aviation segments, with FAA participation soon to go to FAA Executive Committee for formal acceptance, is expected to be adopted by Government. Final program almost identical to that proposed by AOPA, is predicated on general aviation requirement for convenient access to basic safety information (weather at airports and enroute, Notam availability, flight plan services, etc.) throughout U.S. Among proposals in newly-accepted program:
>
> Minimum flight service availability at all airports with IFR approach.
>
> Basic network of full-time stations throughout country, such as presently-operating Flight Service Stations, handle all enroute communications.
>
> Manned stations (full- or part-time) at all U.S. airports with control tower, having 15,000 or more itinerant general aviation operations per year, and which have instrument approach procedure. These stations would have no air-ground communications, would be manned for flight briefings, flight-plan filing, etc.
>
> Another category of station identical to one above, except that it would be for airports without control towers. This station would have limited air-ground communications, only for airport advisory services.
>
> All above facilities would be staffed full- or part-time, depending on volume traffic at each, are expected to greatly enhance safety of general aviation throughout country. When new program adopted it will increase total available facilities, relocate some existing facilities, eliminate some of country's least active. New program result of efforts of working group that included National Business Aircraft Association, National Aviation Trades Association, National Association of State Aviation Officials, National Association of Air Traffic Specialists (Flight Service Station personnel) as well as APOA and FAA.

With this in mind, I have decided the time has come to once again stimulate interest in the Congress on aviation matters. As a former professional pilot and now president of the Congressional Flying Club, I feel obligated to take this initiative and have been pleased to see the interest of so many Members of Congress who have spoken to me indicating their concern and displeasure with the lack of attention and priority given to the needs of aviation.

At the outset, I should like to enunciate a few of the impressions I have on this matter.

First. The United States is facing an airport crisis of immense proportions.

Second. There is no concentrated and coordinated comprehensive program of airport improvement in this country.

Third. It is my strong and carefully considered opinion that the present national airport plan is out of date even before it is completed.

Fourth. The economic growth of this country can never reach its full potential unless and until we update our airport and transportation systems.

Fifth. The political leadership of this country must immediately embark on a program to establish a coordinated national plan of integrated airport systems.

In referring to political leadership, I mean every elected official in the country—every city, county, State, and national officeholder.

We must all realize that we are the implementers—the American people are looking to all of us to give proper attention to this mounting problem and recommend a solution. The various governmental departments and agencies cannot move forward fast enough unless we give them the green light.

Two basic requirements are needed—consideration and recommendation for adoption of a national airport system plan and a recommended method of financing this plan.

With the large costs involved, coordination between all levels of government in our Federal system must be maximized and unnecessary duplication of facilities must be minimized.

With land values escalating and available airport sites diminishing, particularly in the metropolitan urban areas, the problem of guaranteeing aviation access for general and business aviation type aircraft is crucial and a solution must be found immediately.

The problems of air safety and air space planning cannot be resolved or even considered until such time as the airport and heliport sites are specifically located on the ground.

As a member of the Roads Subcommittee of the House, I can tell you the United States of America has an enviable position of leadership in the world for having developed one of the finest road systems known to man—why not start today by committing ourselves to work toward developing the finest and safest airport system in the world.

With the congestion on the ground and in the air increasing, it becomes mandatory that we maximize the coordination between surface and air transportation program recommendations.

For many years, I have advocated locating air strips contiguous to highways. Lands for these strips should be acquired at the same time lands are acquired for highway purposes. All that is required is coordinated planning and financing.

Quite frankly, it might be helpful to have the Roads Subcommittee and the Aeronautics and Transportation Subcommittee meet in joint session for the purpose of considering these possibilities.

In any event, the history of our road construction program, which built the Interstate Highway System and has assisted the States in building their primary and secondary road systems, may well serve as a basic guide for programing an airport system. With the rapidly changing world situation, I have concluded in my own thinking, that the U.S. airport needs of the immediate future will require:

First. A system of international airports to accommodate airborne traffic flying the world's airways, strategically planned and located in select sites throughout the United States.

Second. An interstate system of airports for handling interstate flights.

Third. Each State and county should develop an intrastate system of airports for aircraft flying principally between cities within a given State.

Fourth. Every metropolitan area should develop an integrated system of airports designed to guarantee expeditious access and maximum safety for general aviation, commercial, military, and rotary-wing type aircraft.

Fifth. Every incorporated community in America should have at least one airport with plans for expansion and adding airports.

Obviously, many of the airports will serve dual and possibly triple purposes until increased traffic would necessarily restrict them to a single purpose. As examples, in the Washington-Baltimore area, Dulles and Friendship now serve international, interstate, and intrastate air traffic requirements. Washington National serves principally the interstate and intrastate categories.

At this point, I should like to list what I believe to be immediate requirements to improve aviation safety and efficiency in high density areas, such as Washington, D.C.

First. Establish integrated airport systems—air carrier, general and business aviation, helicopter airports—with proper administrative and policymaking authority. Commission, port authority, joint exercise of powers agreement.

Second. Provide general aviation reliever airports in metropolitan areas, with maximum consideration given to building airstrips contiguous to circumferential highways.

Third. Establish air space zoning, with specified climb and descent quadrants and/or corridors—reserving separate quadrants for air carrier and certain quadrants for general aviation and military based on number of operations.

Fourth. Accelerate efforts to provide terminal area radar, instrument-landing systems, high-intensity approach light systems, terminal VOR, communication and tower facilities.

Fifth. Expand on basic radar system by adding secondary radar equipment designed to allow computers in high density areas to decode transmissions from aircraft, display the result on a scope, and assist the air traffic controller, establish safe separation, and sustain a smooth flow of aircraft in the controlled areas.

Sixth. Complete airline collision avoidance systems at earliest possible date and intensify efforts to develop low-cost collision avoidance device and low-cost radar beacon for general aviation use.

Seventh. Designate "practice areas" including flight strips, for general aviation VFR student activities.

Eighth. Require minimum communications and navigation equipment in high density areas.

Ninth. Improve pilot education programs through broader use of flight simulators to be acquired by flight schools, high schools, colleges, and universities—establish trend toward professionalism in pilot training.

And, I further submit for consideration by my colleagues: A program for more efficient development of general aviation.

WITHIN THE NATION'S AIR TRAFFIC CONTROL-AIRPORT SYSTEM

First. Create and develop general aviation airports that will be suitably located in metropolitan areas that will provide all required airport facilities, including communications and terminal VOR's, to attract a maximum volume of general aviation activities away from air carrier airports so as to achieve maximum airspace and airport capacity at air carrier airports. Such reliever airports to adequately serve general aviation should have:

Convenient ground transportation to business areas;

Convenient transportation to air carrier airports;

Adequate navigational and landing aids, et cetera;

Adequate aircraft servicing facilities; and

Adequate passenger and crew facilities and services.

Second. Encourage the Federal Aviation Administration to establish Federal regulations which will require that all aircraft operating within the terminal air space at major airports meet uniform standards for instrumentation, communications and navigational equipment. This objective is necessary to achieve optimum compatibility with the air traffic system and efficient utilization of all airport facilities created as an integral part of the national air transportation network.

Third. Encourage the full development and utilization of reliever general aviation airports and other facilities that have been developed and financed for specific use by different segments of aviation.

Fourth. Encourage and assist the Federal Aviation Administration to develop adequate air traffic control procedures for V/STOL aircraft which will permit maximum advantage to be taken of the unique characteristics of both V/STOL and fixed wing aircraft with a minimum of mutual interference. The greatly expanded use of V/STOL can provide substantial relief and alternatives for the growing problem of public ground access to airports.

Fifth. Encourage the Federal Aviation Administration and the Civil Aeronautics Board to study the increasing volume of air taxi type operations at air carrier hub airports. Such operations should complement air carrier services at major airports without disrupting airline service.

Sixth. Require Federal Aviation Administration to change criteria for placing towers, instrument landing systems, high intensity approach lights, radar surveillance and approach facilities, on smaller community airports outside of high density areas. With adequate facilities, many communities would then be in a position to attract industry for industrial airpark developments, provide relief from high density traffic areas, establish a constructive trend toward decentralization of business and government, and provide more stable and balanced economic development in entire country.

Seventh. Encourage wider use of helicopter service. Link the major air carrier airports together through the establishment of helicopter shuttles.

Eighth. Escalate plans for developing surface transportation—improved access roads, monorails, and so forth—systems to serve airports of area. Coordinated planning and development of air and surface transportation systems is mandatory.

In order to better illustrate and define the suggested integrated airport system, I herewith submit a plan that could be applicable to the Washington, D.C., metropolitan area and other similar expanding urban areas of the country. Properly implemented, this plan could serve as a model for adoption elsewhere. This being the Nation's Capital, we should provide the example for others to follow:

METROPOLITAN AREA INTEGRATED AIRPORT PLAN

INTRODUCTION

One of the most critical problems facing the growth of the National Air Transportation System is the need for responsible overall planning in metropolitan areas.

It therefore appears appropriate for the Administration to develop and adopt an air transportation integrated airport philosophy to meet the growing demands of the public.

The following plan, already proven successful in application, will serve as the basis for developing this philosophy.

OBJECTIVES AND PURPOSES OF AN AIRPORT INTEGRATED SYSTEM

To serve the public interests; promote air navigation and transportation; develop and increase air commerce; promote efficient, safe and economical handling of air commerce; to develop facilities for all segments of aviation. (General Aviation and Scheduled Air Carriers Aviation).

SYSTEMS REQUIREMENTS

The development of an efficient, economical and safe integrated system of airports conveniently located in and around a metropolitan area should consider as essential three basic assumptions:

1. Create an independent metropolitan airport authority, by state legislation, with a clearly defined geographic area of jurisdiction. This authority, to be effective, must have the responsibility for all activities related to the planning, development, operation, maintenance and use of the system of airports. Further, the responsibilities must extend beyond the airport boundaries as critical considerations lie in the preservation and protection of the entire airspace overlying the area of jurisdiction. Control over the construction of tall towers and other high structures is essential to maintain air

traffic capacity of the system along with the need for adequate clear zones and buffer areas. The authority must anticipate the requirements for and make acquisition of sufficient land for these purposes.

It is noted that this basic plan does not oppose private ownership of airports within the jurisdictional boundaries, but rather, encourages such within the integrated airport systems concept.

2. Accessibility to the airport by the public will directly determine the extent to which people will use air transportation. Each airport within the integrated-airport system, therefore, should be no further than 30 minutes from the potential user by a convenient highway system. Future airport development should consider high speed freeways and access roads already in use along with those under construction or planned.

3. Aircraft with widely differing performance characteristics and runway load bearing requirements should be segregated. The capital and operating expenses required to provide facilities, at each airport, for such a broad range of aircraft is economically unrealistic. However, small aircraft should not be regulated off of publicly owned and operated large airports. By providing readily accessible facilities for General Aviation aircraft at satellite airports, General Aviation can be enticed to the smaller airports and in doing so, preserve the large air carrier type airports for expansion in air carrier operations. The value of scheduled air transportation has long been recognized, however, the impact of the General Aviation segment of the air transportation industry upon the metropolitan economy has never been fully understood or appreciated by the general public. As General Aviation continues to grow and serve as an ever increasing tool to business and industry, it is evident that the economy of metropolitan areas will be materially influenced by the availability of General Aviation airports.

REQUIREMENTS FOR ACTION

Legislative action at the state level may be required to provide a fully independent airport authority. Such legislation may also provide the foundation at the local level for public support and reduce costly rivalry by uniting the total metropolitan area within a single plan for economic growth. Legislation may further provide the framework for needed financial cooperation at the three government levels: federal, state and local.

The development stage of this legislation is the appropriate place for a thorough examination of both the current and forecast air transportation needs for the metropolitan area. Further, it is the proper time for numerous public hearings that will assure the maximum display of public participation in the development of the integrated airports system.

The result of the legislation should be a plan of operation that will identify the airports and their role within the metropolitan integrated airport system.

SYSTEM OPERATION

The layout of the individual airports should, in consideration of long range needs, provide for expansion. An example of this can be found in planning runway configuration. Two parallel runways into the prevailing wind will provide the greatest return for each dollar spent in both the area of greater utilization as well as land purchased for clear zones and buffer areas. Additionally, provisions should be made for at least one cross-wind runway.

Clear zones and buffer areas must be considered at the very beginning in order to permit the installations of all weather landing systems and to minimize noise problems.

The geographical location of each airport must be such that it does not conflict with the flow of traffic of any other field in the metropolitan area.

The problem associated with flights over populated areas and the intrusion of aeronautical hazards into the lower airspace cannot be solved by simply moving airports further from population centers. In order to attain the maximum capacity for air traffic, aircraft must be separated vertically as well as horizontally. With the authority to preserve and protect the lower altitudes, this integrated airport will provide space for a greater flow of VFR traffic without interfering with aircraft operating under positive control.

The ultimate goal of this plan should be the condition in which the only limiting factor for the volume of traffic is the capacity of each airport ground handling and servicing abilities.

ECONOMICS

The economic considerations in the development of the plan described herein are borne out by the experience gained in one metropolitan area over a period of 25 years. It has been recorded in metropolitan areas that over 90 percent of their aviation budget has been spent at airports maintained for aircraft having performance characteristics and runway loads bearing requirements equal or similar to those in scheduled air transportation. These aircraft comprise 25 percent or less of the total aircraft movements. On the other hand, 75 percent of the total aircraft movements (General Aviation) are accommodated at those facilities where less than 10 percent of the total capital investment has been made.

CONCLUSIONS

1. A good statute clearly setting forth the objectives and providing complete independence for the airport authority from the cross currents of local pressures, with general agreement and support of the citizens is the first prerequisite for the development of an integrated airport system.

2. The safety of operation in the accommodation of air transportation in a metropolitan area dictates the separation of the smaller General Aviation aircraft from the larger, high performance aircraft used by the scheduled air carriers. This separation should not be attained by regulations.

3. In order to attain the maximum capacity for air traffic in a metropolitan area, aircraft must be separated horizontally as well as vertically. With the protecting of the lower altitude for VFR flights this greater volume of air traffic can be safely accommodated without positive IFR control. The integrated system of airports strategically located throughout the metropolitan area further permits the safe dispersing of air traffic throughout the entire metropolitan area.

4. The ultimate success of a metropolitan integrated airport complex is dependent upon the preservation of the lower altitudes for air traffic.

5. The problems inherent with the flight of aircraft over populated areas are not solved by moving of airports farther from the population center. Accessibility to the airport and thus the airplane directly determines the extent to which people will use air transportation. Convenience and accessibility can most logically be accomplished by a system of airports readily available to the populated area they serve, and accessible over high speed highways.

6. The separation of General Aviation aircraft from the scheduled air carrier aircraft is dictated by economics of airport development and operation. The relative capital and operating costs of providing facilities at scheduled air carrier airports is so great as to make it economically unfeasible to provide for the large volume of General Aviation aircraft on scheduled air carrier airports.

7. The value of scheduled air transportation is readily recognized, however, the impact of General Aviation upon the economy of a metropolitan area has never been fully understood or appreciated by the majority of the citizenry. As General Aviation aircraft will continue to serve as an increasingly vital tool to business and industry, it follows that the economy of metropolitan areas will be materially influenced by the availability of General Aviation airports to accommodate such air traffic.

RECOMMENDATION

The National Air Transportation philosophy should recognize that a need exists to develop an integrated system of airports in the metropolitan areas which will serve all users and yet preserve the capacity of the major airports for those who have the need for its specialized services.

Also, I think it would be helpful if I inserted into the RECORD statements presented by the Aircraft Owners & Pilots Association to the Civil Aeronautics Board hearings on the Washington National Airport congestion problem, and a detailed explanation of progress on the development of a collision avoidance system:

AOPA STATEMENT TO CAB ON GENERAL AVIATION USE OF WASHINGTON NATIONAL AIRPORT

AOPA's efforts to improve the airport situation in the Washington metropolitan area date back a number of years. The AOPA staff expended a considerable amount of time and effort in the drive to provide a suitable general aviation airport for Montgomery County. This culminated in establishment of the Montgomery County Airpark.

In 1964 and 1965, we put forth a strenuous effort to save Bolling Field and have it converted to a general aviation facility.

When the problem of congestion of airline facilities at Washington National was first raised early in 1966, AOPA and other organizations met with the FAA in an effort to assist them in solving this problem. AOPA made a number of recommendations to the FAA even though it was obvious that the problems at Washington National Airport were generated by the tremendous increase in airline passenger traffic and schedules associated with the advent of air carrier jets into the airport without restriction as to the number of schedules. The resultant overcrowding of ramps, ticket counters, auto parking and other associated airline passenger facilities was and is strictly a problem between the FAA and the airlines.

The Air Transport Association has requested that general aviation operations at WNA be restricted despite the obvious fact that general aviation aircraft do not use the airline passenger facilities. We have made it clear from the beginning that we will cooperate with the FAA in attempting to solve the airlines' problems at WNA but that general aviation must continue to be served at this public WNA airport. General aviation currently is operating at WNA under voluntary restrictions to not use the airport unless necessary and has certain other restrictions imposed upon it with regard to parking, ramp space, tie-downs, fees and generally inadequate facilities. We do not accept the concept that general aviation must be restricted because the airlines have been allowed to congest their facilities with unrealistic scheduling. In other words, if restrictions are necessary, they should be applied to the users who are causing the trouble.

We have made the following recommendations to the FAA with regard to actions that might be taken to lighten the load of air traffic at WNA:

1. Take immediate action with the military to open either Bolling Field or Anacostia Naval Air Station for general aviation use. This would immediately drain off a number

of general aviation flights that do not necessarily have to use WNA, but must have quick access to downtown Washington. It also could be used jointly by the military for helicopter and fixed-wing operations of a type compatible with the general aviation operations. Our testimony before the House Subcommittee on Transportation and Aeronautics (April 1965) covered this in detail and a copy is attached for your ready reference. Please note that we do not agree with the Agency position that air traffic control considerations would preclude use of either Bolling or Anacostia. This would immediately relieve the congestion of arrivals and departures at WNA, thus eliminating many delays suffered by both the air carriers and general aviation.

2. The Washington control tower inaugurated Phase II of the FAA radar program at WNA on May 28, 1966. This is essentially the same program that proved to be so contentious at Atlanta and resulted in intolerable delays. The present program at WNA is not having difficulties of the same magnitude as Atlanta, primarily because of the higher proficency of the Washington controllers. However, the program is causing additional delays and confusion and is showing traffic below the VFR capacity of the airport. We recommend that it be discontinued in the interest of expediting traffic. Radar should be continued as an aid to the controllers, but not in the inflexible manner of the Phase II procedures.

3. Some traffic delays are being generated by application of noise abatement procedures to light aircraft instead of only to heavy aircraft as defined in the Federal Aviation Regulations. This should be corrected.

4. Government aircraft operations at WNA should be moved out. Dulles and Andrews should be used for government operations. This not only will cut down the number of flight operations, but also will release much needed ramp and hangar space for civilian users.

5. Take immediate steps to authorize helicopter shuttle operations between the various airports in the area, thus enhancing use of Dulles and Friendship. If Bolling can be opened up for general aviation use, the operation of air-cushion vehicles may provide a fast shuttle between WNA and Bolling.

6. Make Dulles more attractive to both the airlines and general aviation with lower fees, better facilities and high speed ground transportation. As it now stands, fees at Dulles are too high to encourage greater use, the general aviation facilities are saturated and ground transportation is too slow for both the air carriers and general aviation. Many European cities are going to high speed monorail for ground transportation and this could be applied to Dulles, using the Dulles access road right-of-way.

7. Take immediate action within the Agency for reliever airports on an area basis. This should include conversion of the Beltsville Airport to a public use facility, a change in the present airline-oriented priorities for allocation of FAAP funds so as to permit better development of general aviation airports, an aggressive effort by the FAA Washington Area Office for a good airport plan in the Washington area, including navigation and instrument landing facilities, encouragement to outlying counties to sponsor airport development and a public relations campaign to ease public opposition such as that recently encountered in Fairfax.

8. Consideration also should be given to some easement with regard to the prohibited areas around downtown Washington and the Naval Observatory. The latter should be rescinded and the former probably could be reduced to a small circle over the White House. These prohibited areas were established during World War II and have hung on ever since. This will allow ATC more flexibility in handling traffic in the vicinity of the airport.

9. Start action to remove government offices from the Gravelly Point temporary buildings and make this space available for badly needed auto parking and other ancillary services. This will relieve congestion on the access roads, in addition to providing much needed parking and other service space.

10. Authorize tower controllers at WNA to suggest intersection takeoffs for general aviation aircraft in order to expedite traffic.

It is interesting to note that under the voluntary restrictions self-imposed by general aviation, general aviation traffic at Washington National in December 1966 was down 14.4% over the same month in 1965. This decrease was accomplished in the face of a nationwide increase in general aviation operations at FAA tower-controlled airports of 21%. During the same period, airline operations at WNA decreased only 1% in the face of a national increase of only 1%.

To complete the picture with respect to the alleged congestion of the runways at WNA, we note that the airport had 312,835 operations in 1966 as compared to 316,597 operations in its peak year of 1960. It also is interesting to note that both Bolling Field and Anacostia Naval Air Station were operating in 1960 and that their traffic was in addition to the volume handled by WNA. In other words, the traffic in the air in the vicinity of the airport has decreased considerably since 1960 and the annual volume of landings and takeoffs at Washington National has decreased by approximately 4,000 operations in the 7-year period despite a heavy nationwide increase in the same period. This certainly does not indicate any great congestion with respect to runways and taxiways since this same relative volume of traffic has been handled successfully for a number of years. This points up the fact that the capacity of the runways is not being fully utilized at the present volume of landings and takeoffs. It again further emphasizes the fact that the congestion problem is related in its entirety to the matter of airline passenger-handling facilities at the airport.

The FAA puts out a national airport plan in which it lists its recommendations for new airports and improvements to existing ones. For the city of Eureka, in my district, it recommends improvements to two general aviation airports and one air carrier airport and, as a pilot, I know how much those improvements are needed. Unfortunately, the national airport plan has a major drawback: it has no guarantee that the funds are or will be available for its implementation.

The FAA estimates that $6 billion is going to be needed in the next 8 to 10 years for airports just to keep up with the traffic. So far, Federal aid-to-airport funds have been coming forth at the rate of about $75 million a year; only a brief perusal of the national airport plan is needed to see how totally inadequate this is.

It would seem reasonable to assume that we must find for public and/or private sources the required $1 billion per year for the next 6 years, in order to bring the airport construction program up to the current schedule being demanded by an expanding aircraft usage. The first 3 years' fund commitment should be toward developing the general aviation airport system and improving the airline terminal and airport parking requirements. With most general aviation airports in the crowded metropolitan areas, immediate relief to air carrier airports can be anticipated. This would automatically permit air carriers to expand their operations in direct proportion to the amount of general aviation air traffic relief.

The distinguished Senator MAGNUSON has proposed a Federal-aid program for airports that would make the necessary financing available to airport planners. This program would take the form of a Government-owned corporation that would be empowered to perform three major functions: make loans for airport construction or improvement and land acquisition, guarantee local bonds for airport projects, and advance money for land to be used in the future for airports and for any urgent airport need.

Preliminary research has indicated that not everyone familiar with airport financing is in sympathy with the "airport task force recommendation," as announced by Senator MAGNUSON. The adverse comments I have heard are that most of the airports that are aware of the details are against it for a number of reasons: interest rates would be higher than on conventional general obligation bonds; local debt limitations; inability to generate enough revenue to repay the loan; Federal controls which would be coupled with acceptance of a loan are too severe.

Most of my comments today have been directed toward explaining the airport problems as they exist, with a few broad recommendations for a national airport plan. It is my hope to bring these recommendations before interested aviation groups and also to the attention of aviation oriented Members of Congress. Finally, it will be my intention to organize a bipartisan airport development action committee, made up solely of Members of the House and Senate, to work in cooperation with the respective aviation subcommittees. Many of you have already expressed a willingness to participate. For too long, the Federal Aviation Administration has been the "whipping boy" on aviation. They can only administer that which the Congress offers them through the legislative process. The prime responsibility for leadership lies with the Congress—we must stimulate interest and action.

In the not-too-distant future, it is my plan to again take a special order here on the floor of the House to discuss what I believe to be constructive, alternate methods of financing for the ultimate implementation of this bold airport construction program.

Public policy can encourage airport development in other ways also. Local airport bonds could be made exempt from taxation to make them attractive to investors. Private general aviation airports have a higher attrition rate than public ones. If they had relief from property taxes, they perhaps would have a better chance of survival. Of course, this would apply only to those airports that serve the general public on an unrestricted basis.

Therefore, I am suggesting the Congress take immediate steps to hold hearings on the rapidly increasing airport crisis facing the Nation. The Interstate and Foreign Commerce Committee should set an early date and invite the many knowledgeable aviation-oriented

Members of Congress familiar with the airport problems in their respective districts—city and county officials, Governors, pilots, and members of the many fine aviation associations, aviation directors, and airport managers from throughout the country.

In order to accomplish this, it may be necessary to send the Aeronautics and Transportation Subcommittee to select communities in various sections of the country for hearings in order to permit small and large communities an opportunity to express the aviation problems they face in their areas.

Full hearings would no doubt disclose a number of financial possibilities. The important thing for the Congress to realize is the simple fact of life—this cannot be postponed.

Certainly, the private and public sector can cooperate to devise a fair and equitable formula for financing.

For years, we have sold defense bonds for wartime needs—maybe the time has come to devise a program to sell "offense" bonds for the purpose of financing public facilities that will enhance the private sector's ability to expand the economy. I am convinced the increased tax receipts from this growth alone would help retire the bonds.

I urge my colleagues to give this situation their serious consideration. If this Congress does not take action right now, the United States is going to be faced with a tragic paradox—a booming aviation industry that is served by a totally inadequate airport system.

The inserts, which I have referred to earlier are inserted at this point:

THE AIRLINE SEARCH FOR A COLLISION AVOIDANCE SYSTEM

What is a collision avoidance system?

A collision avoidance system, commonly called CAS, is a device that can be carried aboard an aircraft to assess the probability of collision with other aircraft in flight. This device analyzes collision threats to determine potential collision hazards, calls the pilot's attention to them, tells him what evasive action to take, and when, to avoid the hazard.

Why do the airlines want CAS?

The airlines want a system that will function independently of any visual assessment of collision risk by the pilot. Since the system is intended to supplement the ground-based air traffic control (ATC) system, CAS should be independent of the ATC system.

Why don't we have CAS now?

An active airline industry search for a suitable CAS has been underway for 12 years. Ten of these years were marked by disappointment and a few false hopes. Then two years ago, pessimism gave way to optimism. Three things happened: (1) Collins Radio completed FAA-funded simulation studies of various possible techniques to use for CAS; (2) McDonnell Aircraft displayed hardware built to use the technique found best by Collins' studies, and (3) solid state electronic technology developed to the point where a practical CAS could be built. When CAS equipment enters airline service, it will be the first equipment aboard an airliner using integrated solid state (wafer-thin printed circuits) construction.

When will operational equipment be available?

This is difficult to say because there are so many unknowns. We can expect three to five years will be needed for completion of the evaluation, for FAA to prepare a U.S. common system standard, and to secure agreement in ICAO to an international standard.

It is possible that some airlines may begin fitting CAS to the aircraft once the outlines of probable international agreement are clear. So some time between 1970 and 1974 you can expect to begin seeing CAS in routine operation.

Will CAS be included in new aircraft now on order?

The production line of the U.S. SST will be the first to incorporate CAS from the very beginning. Other production line aircraft now on order will require some degree of retrofit because the point where production line decisions must be made firm will be reached before firm orders for CAS can be made.

Will CAS be retrofitted to existing airline aircraft?

Yes, if they are intended to be kept in the fleet long enough to justify their installation.

What will the equipment include?

An airborne digital computer, transmitting and receiving equipment, enough antennae to provide spherical coverage, and a timekeeping device.

How much will it cost?

Present estimates range from $30,000 to $50,000 per unit.

Is CAS the only answer to preventing mid-air collisions?

Definitely not, the CAS is only one of many avenues that the airlines are exploring, all at the same time, to reduce the risk of mid-air collisions. The other avenues involve changes in air traffic control procedures and better, more widespread use of new air traffic control facilities.

Will CAS replace air traffic control?

No, the airlines look upon an airborne collision avoidance system as a supplement to ground-based air traffic control. The role that CAS is destined to play is to offer an extra margin of safety in the event that air traffic control fails, for any reason whatever, to provide total collision avoidance service.

Will CAS upset the operation of air traffic control?

Probably not, because the avoidance maneuvers commanded by the CAS consume only modest amounts of airspace—generally less than the amount used by ATC to separate aircraft. So a collision avoidance maneuver will seldom infringe on the protection envelope around a flight at an adjacent assigned altitude. All experts who have worked on CAS project believe, therefore, that CAS will not upset the air traffic control system. However, to get an independent analysis of this vital point, the airlines have asked FAA to run the CAS system described by the Technical Working Group through air traffic control simulation at NAFEC.

What is involved in getting CAS for airline use?

Three steps are necessary to turn the promise of current technology into an airline order for production line CAS equipment:

Step One: Spell out what the airlines want a CAS to do, what it shouldn't do, how it should perform, and other functional details.

This step was completed October 15, 1966 with the publication of the ATA paper "Airline Policy and Requirements for Airborne Collision Avoidance System." (The most recent revision is included in ATA's Airborne Collision Avoidance System document and bears a June 30, 1967 date.)

Step Two: Define a system suitable for airline use in enough detail to insure that equipment built by different manufacturers will be compatible—i.e., that it will perform in a cooperative environment.

There are essentially three areas where agreement on technical details is needed:

1. What electronic engineers call "the signal in space" has to be defined. What are the characteristics of the signal? What do the individual pulses look like? How are they arranged in the transmission, how often do they occur, and how many of them are there?

2. To what precision must these signals be held, both in transmission and in reception?

3. What information is transferred by these signals; how is it processed, and what happens as a result of this processing?

This difficult, but essential, task was completed by the ATA CAS Technical Working Group during a marathon six-month effort. The results are set forth in a "Technical Description of the System" in ATA's Airborne Collision Avoidance System document dated June 30, 1967.

Step Three: Build and evaluate prototype hardware.

The best estimate available says that 18 months from the date Step Two is completed (i.e., early in 1969), prototype hardware from at least a couple of manufacturers will be ready for in-flight evaluation.

How does it work?

Basically, the system operates as an automatic count-off by CAS-equipped aircraft. One aircraft transmits at a time, while all others listen. The time to complete one count-off is called an epoch. In the system described by ATA, an epoch lasts three seconds—long enough for as many as 2,000 aircraft, within line of sight communication range, to count off.

Transmission times, or time slots, are fixed and known. The time it takes from beginning of reception is used by the receiving aircraft to compute range between the two aircraft. A known frequency is used, so the Doppler shift in electromagnetic frequency observed at the receiving aircraft is used to compute range rate. Altitude, and other information, is included in the aircraft transmission.

Since the system is based on the measurement of small changes from a known time and frequency, it is vital that all aircraft be able to adhere to the specified time and frequencies. Timekeeping, especially, offers many alternative design concepts. The agreed system uses a single time standard and has all aircraft resynchronize their clocks to this standard.

The master, or "world time," will be kept by ground stations, with very accurate clocks carefully synchronized to the most accurate time standard of observatories. Aircraft with simple clocks of limited accuracy (using, for example, a simple crystal oscillator) will have to be resynchronized frequently by the ground stations, or by other aircraft.

Aircraft that will be away from a ground station for a long time—either parked on the ground, or in flight—will carry a more accurate clock, probably an atomic clock, so that resynchronization with master time is needed at less frequent intervals. All aircraft will be operating in a "time heirarchy", with some having more accurate time than others. Since each aircraft transmission includes a "tag" showing the relative accuracy of its clock, one airborne clock can be resynchronized from another, more accurate airborne clock when both are out of range of a ground station. By this method, the system combines the best features of ground to air, and air to air, resynchronization.

Will the CAS be suitable for nonairline aircraft?

The airlines seek a common system—and that means a system satisfying all users, both civil and military. Because it is a cooperative system, many design details have to be standardized. This is why the work of the industry, government and airline experts in the ATA CAS Technical Working Group is so vital to the early development of a CAS for airline use.

The Working Group has had the best

brains in the airlines, government and industry working at full speed with one common objective: to get a CAS that all can agree will meet airline requirements and can serve as the foundation for a national common system.

For military aircraft?

Representatives of FAA and DOD have been sitting in the CAS Technical Working Group so they could watch and understand the design choices the airlines have to make, and especially to help avoid making design choices that could inadvertently rule out military use of the system. There is a great risk of making such an unfortunate design choice because the military are already heavy users of time-frequency techniques for purposes other than CAS.

For general aviation aircraft?

It is recognized that a system of the type now being worked on will be initially beyond the reach of most of general aviation. A great deal of effort has been devoted to studies of ways to simplify the system, reduce equipment cost and thereby make the advantages of CAS more widely available. The CAS Technical Working Group has given constant, detailed consideration to the research for ways that would make it possible for general aviation to fit into the CAS program. On several significant occasions, decisions were made to increase the complexity of the full system so that the general aviation system's complexity could be reduced. Just how soon it will be practical for the minimum station to become a part of the CAS program depends on developments in electronic equipment—primarily a reduction in the cost of solid state technology.

For Foreign Aircraft?

The normal procedure is for a nation to develop a draft standard or proposal and then take it to the International Civil Aviation Organization (ICAO) as a candidate for an international standard. Airlines look to the FAA to provide the national leadership needed to transform a system description, developed in response to airline requirements, into a national and international common system. Working with FAA, the ATA has tried to keep international airlines and their governments up to date on work of the CAS Technical Working Group.

Airline efforts have been focused on developing a piece of paper that can be used as a starting point. It is not perfect, and the airlines fully expect to receive suggestions that will make it a better system. However, the airlines believe the fastest way to make progress in CAS is to produce something that people can shoot at, invite them to shoot, make any needed revisions, and get on with the show.

AIRCRAFT OWNERS AND PILOTS ASSOCIATION,
Washington, D.C., August 4, 1967.

Mr. ROSS NEWMAN,
Hearing Examiner,
Civil Aeronautics Board,
Washington, D.C.

DEAR MR. NEWMAN: Reference is made to CAB Docket No. 18712 with respect to the use of Washington National Airport.

The congestion of airline passenger-handling facilities at Washington National Airport has been publicized to a great extent in the Washington newspapers and trade magazines. It also has been the subject of numerous meetings called by the Federal Aviation Administration. AOPA has participated in many of the FAA meetings on this subject and currently is a party to an informal agreement with the FAA with respect to voluntarily discouraging the use of WNA by general aviation flights that can conveniently operate to other airports in the Washington metropolitan area.

The congestion of the airline terminal, its gates and ticket counters, its parking and other facilities, is well documented and a matter of record. Further, general aviation does not use the gates, ramps, terminal building and other passenger facilities wherein the airline congestion is occurring. General aviation uses a separate ramp and terminal building, and its transient passengers normally use taxicabs or private transportation that does not utilize the public parking areas to any appreciable extent.

Under the voluntary restrictions self-imposed by general aviation, our traffic at WNA in December 1966 was down 14.4% over the same month in 1965. This decrease was accomplished in the face of nationwide increase in general aviation operations at FAA tower-controlled airports of 21%. During the same period, airline operations at WNA decreased only 1% in the face of a national increase of only 1%. This illustrates the extent of our cooperation with the FAA and refutes the statements made by spokesmen for the Air Transport Association with respect to general aviation "filling the void" or "using more than their fair share."

We consider that the statements made by the spokesmen for the airlines are in the nature of a red herring and are not pertinent to the real problem at hand, which is inconvenience to the public caused by the airlines' overscheduling the passenger-handling facilities at WNA.

Washington National Airport is handling considerably fewer landings and takeoffs now than it did in 1960, which refutes any allegations with respect to congestion of the runways. Further, the volume of traffic in the surrounding airspace is approximately one half of that in 1960 due to the closing of Bolling Field and the Anacostia Naval Air Station. Safety is not a problem and this was emphasized by FAA testimony before Congressman Harley Staggers' committee about two weeks ago.

The record of general aviation cooperation to help solve the problem generated by the airlines is quite clear. For your information and study, I have enclosed a summary statement with respect to our views on this matter, together with a complete file of correspondence and reference material pertinent to your examination of the facts under this Docket.

We believe that general aviation has been more than cooperative in entering into the voluntary agreement with the FAA concerning reduction of traffic at WNA. The ten recommendations that are contained in our enclosed paper are indicative of our efforts to assist the FAA in a problem which was not of our making. The stark facts are that the airport is operating well below capacity with respect to use of the runways and the surrounding airspace, safety is not a problem, and the only problem is that of overscheduling the capacity of the passenger-handling facilities by the airlines. CAB jurisdiction is concerned with the matter of public convenience and necessity and it is obvious that if any government action is required, it should be in the matter of solving the problem of overscheduling of the airline facilities.

Sincerely,

VICTOR J. KAYNE,
Vice President,
Policy and Technical Planning.

Mr. PICKLE. Mr. Speaker, will the gentleman yield?

Mr. DON H. CLAUSEN. I yield to the distinguished gentleman from Texas.

Mr. PICKLE. Mr. Speaker, I wish to commend the gentleman from California for asking for this time during which to discuss this important subject.

I know that since the gentleman has been in Congress he has been an avid enthusiast of general aviation, commercial aviation, and in the subject in general.

Mr. Speaker, the gentleman from California has made many contributions of great value to this subject.

I was privileged last year to go, or the first part of this year in April, to Las Vegas to the International Air Exposition to which the gentleman in the well extended an invitation to those of us in Congress and I had a very enjoyable time at that general aviation meeting.

At that meeting I gained a new insight with reference to aviation and aviation congestion at the various airports throughout the country as well as with reference to some of the problems involved.

Mr. Speaker, I want to add my voice to what the gentleman from California has been saying and that is, that we have a great national crisis in the field of airport congestion. Many of us have offered different plans and different suggestions. However, this problem is not subject to a singular approach. It has to be approached on a five- or 10-pronged basis. This approach would include new airports for both commercial and general aviation. It would include new access roads to and from the airports involved. It probably would include monorail and, certainly, I hope it would include helicopters, a subject on which I have expressed myself many times on this floor, such as helicopter service between the metropolitan area of Washington to the Dulles International Airport and to the Friendship Airport which is located in Maryland. Perhaps, it would include a new rail system just to get us to and from the airports. However, once the people get there they have got to take care of the baggage and we have got to get started toward the solution of the problem.

It will take an awful lot of money, and all of us recognize this. However, we do not seem to be able to get things moving because of the amount of money involved. I hope the report which the special blue-ribbon commission has made to the President; that is, the chairman, Mr. Murphy with the CAB, and Mr. Boyd of the Department of Transportation—will make this problem known and in my opinion it will shock the American people to realize how much this is going to cost. But, there is nothing any more important. The problem can only get worse. If we continue to do business as usual, we will not only have one crash and tragic accident in North Carolina, but we will have many others right over the cities of Washington, Philadelphia, and Chicago. And, believe me, we just cannot wait for that, and we might as well know what it is going to cost and then start measuring up to meet that responsibility.

Mr. DON H. CLAUSEN. I thank the gentleman from Texas for his contribution. I feel it is appropriate for me to acknowledge the gentleman's contribution during the International Exposition of Flight that Mr. Arthur Godfrey and I had the privilege of cochairing. I hope that the gentleman will listen to the balance of my speech, because many of the points which he makes, and as he knows, were brought out during the general aviation conference as we discussed the problems of general aviation and all forms of general aviation during that important conference.

I certainly appreciate his comments, because the gentleman is a very valuable member of the Committee on Interstate and Foreign Commerce.

Mr. KUPFERMAN. Mr. Speaker, will the gentleman yield?

Mr. DON H. CLAUSEN. I am glad to yield to the gentleman from New York.

Mr. KUPFERMAN. Mr. Speaker, all of us know of the special expertise of the gentleman from California [Mr. DON H. CLAUSEN] in this field, as demonstrated, among other things, by the fact that the gentleman is president of the Congressional Flying Club. I, for one, appreciate the time which the gentleman from California has given to this subject and the interest which he has displayed therein.

Mr. DON H. CLAUSEN. I thank the gentleman.

Mr. GUDE. Mr. Speaker, will the gentleman yield?

Mr. DON H. CLAUSEN. I am pleased to yield to the gentleman from Maryland [Mr. GUDE].

Mr. GUDE. I thank the gentleman very much. I certainly appreciate the remarks of the gentleman from California. I know that he has had long interest in air travel.

What particularly interested me was the possibility that if such a plan had been in effect here in the Washington area at the time Dulles Airport had been planned and constructed, thought would have been given to proper ground transportation and access to Dulles Airport so that we would not find ourselves in our current situation with a desperately overcrowded, congested National Airport, and at the same time close at hand two other excellent air facilities in Dulles and Friendship, not operating at near efficient capacity.

I wonder if the gentleman would agree that the situation would be much better today if an orderly system had been followed in planning Dulles Airport, and such a plan would have been the one that he has suggested in his remarks?

Mr. DON H. CLAUSEN. I fully agree with what the gentleman has said. In fact, that is the reason for suggesting that we develop the integrated airport system in metropolitan areas concept. The question of coordinating surface-to-air transportation facilities is absolutely essential. One cannot go forward without the other. But the principal problem we face is the fact that the area here has sort of grown like Topsy. Not enough consideration has been given to an orderly plan of development, with both surface and air transportation systems included in the plan.

Mr. GUDE. Mr. Speaker, I certainly want to commend the gentleman for his interest in this very, very important problem. I know that the metropolitan area integrated airport plan promising greater safety and service will be well received by those in the District of Columbia-Virginia-Maryland metropolitan complex. I hope my colleague from California receives the full support of the House for his proposal. He certainly is doing a service here in suggesting that we have more planning in this area. I appreciate it very much.

Mr. DON H. CLAUSEN. I appreciate very much, Mr. Speaker, the gentleman's comments. I might reciprocate by suggesting that I am very pleased with the Members of Congress who live in or represent districts immediately surrounding the Nation's Capital. I know they have held meetings in their areas asking for opinions and recommendations. I have been privileged to have been invited to attend these meetings so as to familiarize myself with the problems and hopefully to cooperate in finding some of the answers.

Mr. Speaker, I yield now to another gentleman from Maryland who has expertise in the field, being a very accomplished pilot in his own right, and more specifically, representing an important district in Maryland. I am hopeful we may call on him to assist us as we advance this idea through the Congress. I yield now to the gentleman from Maryland [Mr. MORTON].

Mr. MORTON. Mr. Speaker, I thank the gentleman very much. I appreciate his confidence in my competence as a pilot.

There are two things I want to bring out. First, let me say I think the approach the gentleman has taken of the development of a total aviation system is the only approach that can be used.

There are two specific areas, however, that I think should be examined more closely. The first area is the possible conflict of interest between general aviation and commercial aviation, or the scheduled airline aviation. Although I have never found anyone in the FAA who was not always ready to help, I have always felt, particularly in flying into any metropolitan terminals, that there was a sense of conflict between general aviation and scheduled airline aviation. I know the gentleman is aiming at the heart of this conflict in an effort to resolve it. Is this not correct?

Mr. DON H. CLAUSEN. The gentleman is eminently correct. The question has always been: This airport or that airport. The existing law prohibits exclusion from public airports. No matter what type of aircraft it is, because of Federal assistance, it was incorporated into the Federal Airport Act that no airplane could be excluded from a public airport. But the fact of the matter is that the general aviation fleet has expanded so rapidly over the years, to the point where we now have approximately 104,000 airplanes, that each one of them represents an operation when coming into the control area. Each one also takes up the same amount of time while on the runway itself.

With this in mind, it is my humble opinion that we have to provide aviation access for the general aviation type of airport before we exclude general aviation from airports in the metropolitan area.

It should be this airport and that airport, not this airport or that airport.

Mr. MORTON. Mr. Speaker, I certainly agree with that. The other area on which the gentleman touched is the airspace itself, the airways. If I understood the gentleman correctly, he advocated a system of airway management as well as airport management, which would result in further separation of aircraft of different types, which would be subject to accident and collision unless the separation were greater than it is today. Is that not correct?

Mr. DON H. CLAUSEN. The gentleman is correct. I would amplify his comments just briefly. There is ample opportunity for both horizontal and vertical separation. But our concentration of effort as of today is in the high density areas. This is the principal need. As an example, we can establish air space zoning by quadrants. Anyone familiar with the old navigation systems is familiar with the fact that the original communications and navigation aids system was based upon quadrants. I think right in the metropolitan areas we could establish certain quadrants for commercial aviation, certain for general aviation, and certain for military aviation, giving consideration to different types of approach such as instrument type traffic, and we could have the separation necessary. But the key to this is to provide airports on the ground prior to being able to set up an airspace program.

Mr. MORTON. The gentleman would not agree with a program which contemplated a separation of airway use where certain airways would be used by general aviation or aircraft with limited speeds and other airways would be used by commercial scheduled transport aircraft? Would the gentleman object to a separation of that kind?

Mr. DON H. CLAUSEN. I believe this is one of the things which has to be considered. I believe that the opportunity for vertical clearances is more than ample.

Mr. MORTON. That may be true, but two collisions we have recently had, which have precipitated a great deal of discussion, both have been collisions of an airway nature rather than of an airport nature, is that not true?

Mr. DON H. CLAUSEN. Actually, the one in North Carolina was in and around an airport.

Mr. MORTON. Does the gentleman believe we have adequate standards for our smaller airports around the smaller cities and smaller communities? Having flown into some 100 or more airports, particularly in the East, where space more generally is limited than in the West, I feel we are not equipping the airport planners with the proper sets of standards. I feel there are a lot of airports which do not have safety standards built into them that I believe are required for general aviation planes of today. I just wonder whether the gentleman feels we have the mechanism, legally or otherwise, to upgrade the standards of airports throughout the country.

Mr. DON H. CLAUSEN. Of course, the Federal Aviation Administration does have the capability of establishing standards. However, it is my humble opinion that all levels of government who are going to be sponsors of these various airports, including private airports, must be involved. Many of the private airports in the country serve the public sector and the public interest need. Each one of those particular units of government, in my judgment, should be invited to come before the appropriate committees of the House and Senate actually to tell their story. This has been one of the problems. We do not seem to recognize every level of government in our federal system must cooperate if we are to have the whole story told.

Mr. MORTON. Let us be more specific. Does the gentleman believe that legislation is required to upgrade the standards of safety which now exist on the present pattern of the airports we have?

Mr. DON H. CLAUSEN. I would not want to go on record at this point as saying it is absolutely essential. However, I should like to have the committee hold hearings in depth on this and let everyone in aviation come in to express the pros and cons.

While the gentleman and I may have some familiarity with this, I believe there is an opportunity today to establish standards. The States themselves, if we develop an intra-State system of airports, could be doing the job in this regard.

Mr. MORTON. I thank the gentleman. With his leadership and his deep interest and technical qualifications in this area, I believe this colloquy has been of great importance to the development of aviation. I hope that every Member of the House will take the opportunity to read the remarks he has so ably put in the Record.

I thank the gentleman for yielding.

Mr. DON H. CLAUSEN. I certainly thank the gentleman from Maryland for his contribution.

Mr. BROWN of Ohio. Mr. Speaker, I welcome the opportunity to associate myself with the expressed concern of my colleague from California, the Honorable Don H. Clausen, that there is a serious need for investigation and review of air safety practices, tools and technology. Safety factors surrounding our airways and ground facilities affect many Americans today. In the future, literally every member of our society will be affected to some degree.

It makes good sense to plan for the future; to discuss and debate the needs and challenges of the air industry, for today and for tomorrow. I have, in recent months, endeavored to point out some of the problems that face the industry in hopes that a full congressional review would be undertaken.

Twice this year, in the aftermath of two different major midair collisions, I have urged the House Interstate and Foreign Commerce Committee to conduct hearings. A total of three days of hearings on the subject of air safety have been held by that committee. This was a beginning; a meager beginning, if you will, because only a select few of the interested parties within the industry and related to it have had an opportunity to expound their views and to share their experience with the committee.

An article by Robert L. Parrish, printed in the July 1967 issue of AOPA Pilot, provides a background and details of the Urbana midair collision which claimed the lives of 26 persons on March 9.

It is apparent that the AOPA, representing the interests of general aviation, feels that the 3-day hearing conducted in Dayton, Ohio, by the National Transportation Safety Board—NTSB—early in June reflects a "less than well-rounded view" of the circumstances involved in that disaster since "general aviation interests were not represented among active participants."

Mr. Speaker, I make no attempt to defend the position of the AOPA in this matter. Rather, I feel an obligation to help inform and impress my colleagues that there are those who have not been heard. Here is yet another valid reason that full hearings on all aspects of air safety must be conducted by the Interstate and Foreign Commerce Committee if we sincerely hope to make a responsible contribution to the study and implementation of bona fide air safety procedures and technologies.

I urge my colleagues to read the article, and judge for themselves the merits of the statements and arguments contained therein:

That Urbana Midair Collision

A midair collision in which general aviation appears to have been a blameless victim may ironically be used in Federal Government efforts to impose more restrictive flight regulations on light aircraft.

The first public hearing scheduled by the newly created National Transportation Safety Board was held in Dayton, O., June 6–8. It concerned the March 9 midair collision near Urbana, O., of a Trans World Airlines DC–9 and a corporate-owned Beechcraft *Baron*. Announced as a fact-finding hearing, the most significant feature of the three-day affair was that general aviation interests were not represented among active participants. Facts elicited, therefore, were slanted to reflect most favorably on airline interests and to cast doubt on the validity of the "see and be seen" concept of collision avoidance under which the vast majority of civil aviation operates.

If the attitude of general aviation representatives attending the hearing was one of grim frustration, there was good reason for it. Barred from questioning evidence and witnesses—reportedly because they had not taken part in the on-scene investigation—AOPA staff members John S. Yodice and Roys C. Jones could only sit silently while contentions were made that the *Baron* pilot should have seen and avoided the jet, but that it would have been virtually impossible for the airline crew to see the lighter plane. Those claims were later partially refuted, but the implications left did general aviation little good.

Briefly, the facts evolved immediately following the accident were these: Shortly before noon on March 9, under VFR weather conditions, a TWA DC–9 jetliner inbound from Pittsburgh, Pa., to Dayton, O., overtook a corporate-owned Beechcraft *Baron*, en route from Detroit, Mich., to Springfield, O. They collided at an altitude of about 4,400 feet near Urbana. The mishap cost the lives of all 25 people aboard the DC–9 and the lone occupant of the *Baron*.

Reaction of some elements of the press—and apparently some public officials as well—was that the fault obviously lay with the general aviation pilot, C. H. Burgstahler (AOPA 94683), because he was flying without a flight plan under visual flight rules. The resultant clamor brought immediate pressure to revise the basic "see and be seen" rules of all aeronautical operations.

Into this scene, AOPA and other general aviation interests sought to inject arguments based on logic and reason. But the recently concluded public hearing did more to heighten than to still the growing incitement for a more rigidly controlled airspace environment, because general aviation's side of the story was not fully heard.

Shortly after the Urbana mishap, when it was disclosed that a public fact-finding hearing would be held within 90 days, AOPA tried to gird itself and the whole of general aviation for the onslaught of criticism that was sure to come. In fact, it already had arrived in the form of press clippings sent in from worried AOPA members from throughout the country. Those clippings, of stories written by reporters who obviously were not familiar with aviation and the air traffic control system, almost uniformly conveyed the impression that the *Baron* had run over the hapless jet, knocking it from the sky.

In a letter (dated March 24) to Bobbie R. Allen, director of CAB's Bureau of Safety (which on April 1 was absorbed by the National Transportation Safety Board, a subelement of the Department of Transportation), AOPA Washington Counsel John S. Yodice said:

"Our Association has a deep concern in the investigation of the accident which occurred near Urbana, O., on March 9, 1967. Inasmuch as this accident involved a general aviation aircraft, we would like to put the resources and expertise of our Association at the disposal of the Board to assist . . . in the investigation of this accident.

"We note that under Section 320.25 of the Safety Investigation Regulations . . . you are empowered to order an investigation, to order the taking of depositions, and to order a public hearing. We wish to indicate to you our desire to participate in the investigation . . . in the taking of any depositions and in any public hearing you may order."

A reply to that letter was a long time in coming. On May 23, Joseph J. O'Connell, Jr., chairman of the NTSB responded:

"This is in reference to your letter . . . in which you requested that AOPA be designated a party to the investigation if a public hearing were to be held relative to the collision accident . . . A hearing has now been ordered . . . It is scheduled to convene at . . . Dayton, O., beginning at 9 a.m. on June 6. It is expected to last approximately three days.

"Your request to be designated a party has been carefully considered. Under Section 303.16 of our Rules of Practice, persons, government agencies, companies and associations may be designated as parties if they had employees, functions, activities or products involved in the accident of if they participated in the investigation. In this instance, AOPA did not participate in the investigation, presumably because in its judgment it could not contribute measurably to it.

"On several prior occasions, parties have been designated on the basis of the Board's need for special expertise. In this case, however, the expertise already available from NTSB personnel and representatives of those groups that participated in the on-scene phase of the investigation would appear to satisfy the needs of the Board. All in all, it would not appear that you have shown good cause for formal intervention at this stage. Accordingly, we have concluded that the requested designation is not required by the Board and is therefore denied.

"The Board has, however, instructed the Hearing Officer, designated for the hearing to provide you with a set of exhibits and a table at the hearing. The table will be suitably located to enable you to be fully aware of the facts developed during the course of the investigation."

If the Board did possess sufficient expertise in the realm of general aviation, it was not overly apparent in either the conduct or the disclosures of the Dayton fact-finding excursion. As chairman of the board of inquiry, NTSB member Francis H. McAdams displayed a conscientious attempt at impartiality. In his role as hearing officer for the first such major hearing to be conducted under NTSB aegis, Robert L. Allard probably did a fair job of seeing to it that predetermined ground rules were not flagrantly violated. These individuals as well as the six-man technical panel, however, appeared not to be aware of how damaging some of the unchallenged testimony was to general aviation.

Although stipulated to be a fact-finding rather than an adversary hearing, the Dayton affair reflected an obvious attempt on the part of attorneys for the participating parties to lay the framework for later legal proceedings. And from the outset it was apparent that general aviation would receive little direct representation and even less favorable consideration.

Parties to the hearing, with the right to question witnesses and bring out those facts which they felt were most relevant, were the NTSB technical panel, the Air Line Pilots Association, Trans World Airlines, FAA, and the Tann Corporation, which owned the Beechcraft *Baron*. Attending as observers, without the right to pose questions or to bring out additional facts which might be helpful were representatives of AOPA, the Air Transport Association and the Air Traffic Control Association.

The hearing convened on Tuesday, June 6, with about 150 interested or curious people in attendance, some 75 exhibits to be introduced and 22 witnesses to be heard. During the slow movement of proceedings on the opening day (one witness, George Heffinger, a TWA training officer, spent more than four hours on the stand) a major effort was displayed to discredit the "see and be seen" concept, to bring about maximum isolation of VFR from IFR traffic, and to foster stricter regulatory control of general aviation activities, even to the extent of requiring installation of transponders in virtually everything that flies.

The tenor of the day's testimony was reflected in local newspapers, which carried a headline: "Pilots Say Small Planes Almost Impossible To See." Similar testimony subsequently given brought forth a second-day local headline proclaiming "Small Plane Pilot Should Have Seen Airliner." Testifying late in the hearing as an expert witness, Dr. Siegfried J. Geratewohl of FAA's Office of Aviation Medicine declared that the pilots of both planes could have seen one another if they had looked outside the cockpit in the appropriate direction.

While the hearing, in AOPA's opinion, was unduly weighted by exclusion of general aviation interests from participation, it did pretty firmly establish as fact some earlier known information that previously had been largely unsubstantiated.

From reports of investigation submitted as exhibits by NTSB-appointed investigation teams and from witness testimony, the following reconstruction of events leading up to the accident was brought out:

The TWA DC–9, identified as Flight 553, was en route from New York to Chicago, via Harrisburg, Pittsburgh and Dayton. Piloted by Karl B. Kohlsaat of Chicago, the 70-place twin-jet was descending from cruise altitude for a landing at Dayton Municipal Airport on a heading of 240°. It had just been handed off by Indianapolis ARTCC to Dayton Radar Approach Control. Dayton RAP CON cleared the airliner from 6,000 feet to a 3,000-foot approach altitude, vectored it to a 230° heading, and issued a traffic advisory on a slow moving aircraft one mile away and just to the right of the DC–9 centerline. Four seconds later, a DC–9 crewmember (the captain or first officer) acknowledged with "Roger" and 14 seconds later both targets merged, then disappeared from the radar scope.

At 11 a.m. the same day, the Beechcraft *Baron*, flown by a private, instrument-rated pilot, took off from Detroit City Airport on a flight to Springfield, O. Because weather was below VFR minimums, the pilot took off on a special VFR clearance. About two minutes later he radioed Detroit Tower that he was on top, flying VFR to the Dayton area, and the special VFR clearance was terminated. Nothing further was heard from the Beechcraft *Baron* until shortly before noon when the pilot contacted Springfield Aviation, Inc., on Unicom to ask if the courtesy car were available.

As NTSB investigators recreated the chain of events preceding the instant of impact, the *Baron* was flying straight and level at the proper VFR altitude, on a heading of 183° and at a true airspeed of 176 knots. As derived from its flight recorder, the DC–9 was in the process of making a slight left turn to a heading of 230°. Its rate of bank was calculated at about 7° while its rate of descent was about 4,000 f.p.m. Its forward airspeed was recorded at 323 knots, well in excess of the 250-knot applicable speed limit.

From the DC–9 cockpit voice recorder investigators traced the final 2½ minutes of flight. A transcript of that recording contained the sound of the plane's high speed warning "clacker," the sound of the landing gear warning horn and the handoff from Indianapolis Center to Dayton Approach Control. Then, at 36 seconds past 1:52 a.m.:

TW 553: Dayton Approach, TWA 553 descending.

DAY APC: TWA 553 Dayton Approach Control; radar contact. Maintain 5,000, fly heading 240, vectors to the final approach course and, uh, report leaving 6,000.

TW 553: TWA 553 steer heading 240, vectors to final approach course, report out of six.

DAY APC: TWA 553 roger and, uh, do you have information Lima?

TW 553: Uh, yeah, I couldn't make out the handle though, but we got it.

DAY APC: Couldn't make out what?

TW 553: The name Lima was kind of garbled but we have it.

CAM (cockpit area microphone channel): Heading 240.

TW 553 (at 153:16): Uh, TWA 553 vacating 6,000.

DAY APC: TWA, roger, turn left heading 230, descend and maintain 3,000.

TW 553: TWA 553 steer 230, descend to 3,000.

DAY APC (at 1153:29.5): TWA 553, roger (1153:31), traffic at, uh, twelve thirty, one mile, southbound slow moving (1153:35).

TW 553: Roger.

CAM: Okay (unintelligible—voices coming through cockpit speaker from next APC transmission).

CAM: Ready on the checklist, Cap'n (1153:46).

DAY APC: Twin Comanche 78 Yankee, say your airspeed.

N78Y: Ah, uh, 180 knots.

1153:50: End of recording.

It was determined from the appearance of recoverable wreckage that the DC–9 overtook the *Baron* from above and at about a 103° angle from the *Baron's* direct course of flight. Calculations indicated a horizontal collision angle of about 47° and a vertical angle of about 10°. Initial contact is believed to have been between the lower right forward fuselage of the DC–9 and the left wing of the *Baron*. The *Baron* apparently literally disintegrated as the jet's movement continued on into the lighter plane's fuselage. The DC–9 continued its forward flight momentarily, then entered a turn to the left, and crashed into a clump of woods about 2½ miles and on a course of 157° from the point of midair impact.

No eyewitnesses to the actual midair collision were located. However, several who had observed either the *Baron*, the DC–9 or both immediately preceding or following the instant of collision, offered testimony.

Weather at the time and site of the disaster was reported both by nearby weather facilities and by airborne and surface witnesses to have been VFR, with visibility of four to five miles in ground haze, and 10 miles or better above the haze layer, which was reported as thinning with greater altitude, described variously as topping of 3,500 to 5,000 feet above the ground.

In addition to facts brought out at the hearing, a host of interesting—if sometimes disturbing, from general aviation's viewpoint—hypotheses and opinions were expressed. In a comparatively fixed line of questioning, George R. Baker, chief investigator of the Urbana mishap and head of the technical panel, asked several of the witnesses what, in their opinions, was the value of the rotating beacon, and what recommendations they would make to eliminate midair collisions. Invariably the attitude expressed was that the rotating beacon was of little value during daylight hours, particularly under VFR conditions, because a pilot usually saw the other plane before he observed its beacon.

With regard to the value of traffic advisories from air traffic control, virtually everyone agreed that they were vitally necessary. But several airline pilots disclosed that they make visual contact less than 30% of the time when advised of other traffic in their vicinity.

Anticollision recommendations advanced ranged from requiring all aircraft to report in to an air traffic control facility when passing through a nondefined "high density terminal area" to the requirement for transponder equipment in all aircraft, to the classification of airports and airways into low, medium or high density categories. Under the latter recommendation, aircraft not equipped with two-way communications would be allowed to operate only in low density areas; and only radio and transponder-equipped aircraft would be allowed into high density areas. It was also recommended by several airline pilots that the placement of Vortac equipment on airports rather than at some nearby remote location would facilitate descents and the maintenance of lawful maximum airspeeds within 30-mile terminal areas.

An underlying current to the testimony given by airline representatives—and fostered by implication on the part of some of the technical panel members—was that the human eyeball may not be competent to cope with the speed and complexities of today's air transportation system. This was the testimony that appeared to achieve the greatest local press play as newspapers reported at length on claims that small planes are almost impossible to see.

Particularly in the case of the Urbana incident, in which the DC–9 crew presumably was attempting to locate a white plane with red wings, through a haze and against a background of snow patches, it would be virtually impossible to find the target, two TWA captains testified. But at the same time, they voiced the opinion that it was reasonable to believe the *Baron* pilot should have observed the DC–9 closing in from above and behind his left shoulder.

Questions designed to elicit those responses also hinted at complete separation of IFR and VFR traffic, both en route and in terminal areas.

It was not the "see and be seen" concept alone that appeared to draw direct fire during the hearing. The matter of air traffic control equipment and procedures also took its licks from ALPA and TWA participants. Questions cast doubt on the serviceability of radar scopes in use at the time of the accident;

criticized by inference the handoff and traffic watch procedures followed in ATC facilities; and intimated that perhaps the provision of traffic advisory information was not as timely or as adequate as it could be.

While in itself the Dayton hearing brought no conclusions, it did apparently provide data on which NTSB officials expect to base a causal determination, which may be released within the next six months to a year.

According to Yodice, it will take a concerted effort on the part of the entire general aviation industry to insure that needlessly rigid restrictions are not imposed on use of the airspace as a by-product of the Urbana case.

Yodice said: "We are relatively confident that the Board, in reaching its determination of probable cause, will cut through the general propaganda and the smoke screen created by the airline interests. The basic facts are indisputable and the conclusions to be drawn from these facts are inescapable.

"We are hopeful, too, that the Board will not make any recommendations derogating the 'see and be seen' concept based upon the slanted and unchallenged statements of many of the witnesses. Had the Board afforded AOPA the opportunity, we would have attempted to develop facts to support the conclusion that had the flight rules been observed, this accident would not have happened.

"This is a new Board, and while we are unhappy about the lack of general aviation input into the hearing, we must not prejudge its actions. We must wait and see."

A seriously concerned general aviation industry awaits verification that justice will be done.

Mr. BROTZMAN. Mr. Speaker, we are living in a golden age of science and technology, in which it is difficult for the scientist and engineer—let alone the layman—to keep up with the times.

Many businesses, I know, have at one time or another found themselves with a "management gap," which means simply that the expertise made available by science and technology has grown faster than the ability of management to utilize it.

In many industries—and I believe this is true particularly in the aerospace and electronics industries—management has been able to keep up only through herculean efforts. It has been necessary, at times, to develop new management techniques to assure that technology is fully utilized.

It seems clear to me, Mr. Speaker, that we are facing something of a "management gap" in the area of airport, airline, and general aviation safety.

Aircraft technology has grown at a fantastic rate—much faster, unfortunately, than the fields of safety and airport design.

Does this mean, then, that the technologies of airspace and airport safety are lagging? Apparently not.

Existing technology could have produced foolproof collision avoidance systems for all of the Nation's airliners, and yet we do not today have such a system.

Our radar technology is superb. It is able to track missiles and spacecraft with fantastic accuracy. And yet many of our airports do not have even minimal radar equipment which, conceivably, could have prevented several of our recent air tragedies.

Statistics show that fatal accidents during airline training flights occur at six times the frequency of fatal accidents in airline operations as a whole, and yet we have no firm regulations concerning training exercises at airports located in areas of heavy industrial and residential buildup.

Mr. Speaker, I cite the "management gap" in airline safety, not as an indictment of any individual or group of individuals in government or industry. Rather, I think there is a cumulative "management gap," beginning with the level of understanding of the problems at hand—and the technology available to solve these problems—in Congress and the Federal Government.

As a matter of fact, I consider our human resources in the field of aviation to be first rate, and if we can give these people assistance in accelerating the process of turning our technology into reality, then I believe we can achieve some dramatic breakthroughs in the field of safety.

Rather than attack these problems piecemeal, I believe that Congress should initiate a comprehensive investigation into all facets of airline, airspace, and airport safety, and I have so recommended to my committee—Interstate and Foreign Commerce. Such an investigation can help us precisely define the problems, the available technological resources, and hopefully, direction in closing the "management gap."

Mr. RUMSFELD. Mr. Speaker, I wish to commend our colleague, the gentleman from California [Mr. DON H. CLAUSEN], for bringing this urgent national problem to the attention of the House today. Although the situation will unfortunately become worse in the near future, the airport crisis is upon us now. Many of our Nation's most important airports are already strained beyond what had been regarded as their peak capacity. O'Hare, the world's busiest single airport, handled 78,000 passengers in one record day last year. During the busiest hour, there was one flight arriving or departing every 21 seconds. O'Hare cannot safely handle many more flights or passengers each day, yet the demand is increasing. The trend at O'Hare is characteristic of all of the Nation's hub airports. At Kennedy Airport last year, 104 planes circled at one time, waiting for clearance to land. In New York, the most optimistic prediction is that by 1970, the average airliner delay will be 2 hours. Already delays are experienced by one out of three flights out of Kennedy and two out of three out of Newark. Clearly, facilities on the ground are not keeping pace with advances in flight technology. A New York-to-Philadelphia flight once taking 45 minutes now takes 53 minutes on a faster plane.

In 1965, the alleged cost of delays at the 23 hub airports was more than $28 million to the airlines alone and many millions more to an inconvenienced public; 7 million man-hours were lost through passenger delays.

It has been predicted that by 1975, passenger traffic will increase to three times its present level. Freight, air cargo, and mail volume will increase four times. Not only must existing facilities be expanded, but many new airports will be needed by 1975. Yet only nine new airports are scheduled to be opened in the United States by 1975. Commercial airlines are serving fewer communities today than they did 5 years ago. The economic growth of many communities has been seriously impeded by lack of airport facilities. The Federal Aviation Agency predicts that $2.6 billion may be needed by 1970 for airport development. Last year's appropriation for runway improvements from the FAAP was less than $75 million, representing no more than the equivalent of 50 miles of Federal highways. The matter deserves the careful attention of every Member of Congress.

We must confront the problems posed by increased air traffic today. Only long-range planning can yield solutions which will adequately coordinate the many diverse factors involved. The land needed for the construction of new airports and runways is becoming increasingly difficult to obtain. Each new jetport eats up 10,000 acres, an area equal to four fifths of Manhattan Island. One answer may lie in the expansion of satellite suburban airports linked to the major hubs by air taxis.

One of the most stubborn obstacles to progress in transportation will be what has been referred to as "the ground barrier." Will time savings made possible by faster aircraft be eaten up by traffic congestion on the ground? Most passengers reach the airport by car or cab, since the major airports usually lack connections with the mass ground transportation systems. The failure of our cities to develop adequate rapid transit facilities to all parts of the metropolitan complexes is becoming more serious each year.

We must stress our conviction that the increasing "sound pollution" which is being experienced as one result of the increase in air traffic cannot be tolerated. All efforts must be made to curb this and other urban noises which threaten to turn technological advance against the needs of men.

Mayor Lindsay's task force on air pollution reportedly identified the burning of jet fuel in the air as one of the sources of the pollution falling on New York. Solutions to technical problems like this will not come easily. Clearly Congress has a role both in research and development in this area as well as in establishing incentives which will lead the airlines and airplane manufacturers to devote sufficient energies to finding the solutions. Recognizing that Congress is exploring ways to improve regulations for airport administrators, airlines, manufacturers, private aviators, and other competing interests, we should also urge increased voluntary self-regulation among these groups.

Not only must more thought be devoted to these issues, but positive and comprehensive action must be taken now if this Nation's air transportation facilities are to be rescued from chaos.

Mr. PICKLE. Mr. Speaker, the nature and dimensions of America's airport congestion problem in metropolitan areas is as frustrating as it is dangerous.

Congested airports not only squander

the traveler's time but contribute to an unsafe aviation climate.

I have addressed this body on several occasions on the topic of airport congestion, and I am grateful for the opportunity to take part in this timely and vital discussion today.

While it is fashionable to dramatize the airport problem by pointing a finger at the ill will engendered with literally millions of passengers who are inconvenienced because of lack of gate space or long lines on the taxiways waiting for runways or stacked upstairs waiting to land, it is a problem that will not be solved by finger pointing.

The problem is a public problem simply because the airlines serve millions of people, both directly or indirectly. Last year, for example, U.S. airlines served more than 110 million customers, or more than 50 percent of the national population.

It can be expected that this figure will double in the next 10 years and may even reach as high as 600 million by the year 1985.

In this respect, the problem of airport congestion is one that can only be solved by the airlines, the Government, and those who use this mode of transportation.

A partial solution to the congestion problem lies in the coordination of transportation efforts, particularly in ground-related fields and airport access by helicopter or short-range aircraft.

Given the growth of general aviation, added to the growth of the industry, there is sufficient reason to believe that additional airports will be needed to handle air traffic in future years.

These expansions, however, must be directly related to improvements at existing facilities or they will not fit into the overall aviation picture.

The Federal Aviation Administration has estimated that some $6.2 billion will be needed to expand the airport system by 1970 just to meet pressing and current demands. Perhaps it is because this figure is so large that it tends to overshadow the need for year-to-year improvements.

Continual and genuine improvements on a year-to-year basis can do much in reducing the dimensions of this problem. Whether a tremendous expenditure as suggested by the FAA will solve the problem is a matter of some conjecture. The Government cannot do it all.

It is apparent, however, that there is a definite need to establish a working relationship between the airports, the users, the airlines, and the Government.

We must have imaginative plans and we must have action to insure that our airports are safe, productive, and the most efficiently operated in the world.

TRIBUTE TO THE HONORABLE WAYNE FREDERICKS

The SPEAKER pro tempore (Mr. OTTINGER). Under previous order of the House the gentleman from Illinois [Mr. O'HARA] is recognized for 30 minutes.

Mr. O'HARA of Illinois. Mr. Speaker, next week there will be lost to our Government one of the State Department's most able officials and certainly one of Africa's greatest friends, when Wayne Fredericks, Deputy Assistant Secretary of State for Africa, departs the Washington circle to take a position with the Ford Foundation.

Engineer, soldier, businessman, politician, civic leader, and diplomat, this remarkable personality leaves the halls of State with the Department's most coveted honor, the Distinguished Honor Award. No man ever deserved it more. He will be sorely missed.

The career of Wayne Fredericks spans a wide range of interests and in all fields his has been the hand of a master. After graduating from Purdue University, an engineering degree with distinction, he worked in that field with the Kellogg Co. until war broke out. He served his country in both conflicts—as a B–17 pilot in Europe in World War II and as operations officer for General LeMay in the Korean action. His war decorations include the Legion of Merit, Distinguished Flying Cross, the Bronze Star, Order of the British Empire, and Croix de Guerre.

Back with the Kellogg Co. after the war, after being active in local and State political and civil affairs and participating in civil rights activities, he took a post in Africa. From that time forward, Wayne Fredericks became one of Africa's greatest champions. It has been my rare privilege and rich pleasure to have worked closely with him in the area of our common interest and at times to have dreamed together with him of the African nations of the tomorrow wielding their tremendous influence.

With his charming wife he traveled extensively through West and Central Africa in 1954 and wrote articles and delivered speeches based on these and other travels. Back in the United States in 1956 he joined the Ford Foundation and devoted his brilliant mind and tireless energy developing programs in youth and delinquency criminology, public administration and national defense studies.

In 1961, at the request of President Kennedy, he joined the State Department, becoming Deputy Assistant Secretary of State for African Affairs. While Mennen Williams worked laboriously and with his unequalled political skill in the development of African policy of wisdom and vision, Wayne Fredericks quietly and efficiently set about to establish good relations with the African leaders—this at a time when American policies in the Congo, East Africa, and elsewhere were being widely criticized.

Wayne Fredericks has never ceased to work for an improved African policy. Once before when he was thinking of resigning, he was at least partly dissuaded by a distinguished British public servant who called him from England in the middle of the night to say, "You must not go. A lot of us here and in Africa are depending on you."

Mr. Speaker, I have said on many occasions that in Africa is the chant of the tomorrow. Here and in Latin America is the area of our national interest. In the young virile nations of Africa are the commencements of great powers with whom our own United States will be working through the years and the centuries in the building ever stronger of a world without poverty or ignorance or crippling ailments, a world of contentment, dignity, and peace.

Among the American ambassadors of good will who have labored with dedication to bring the governments and the peoples of Africa into ever closer understanding of the American image have been Joseph Satherwaite, now retired after a career of great distinction, the towering Mennen Williams, the tireless, able, and dedicated Joseph Palmer, and Wayne Fredericks. Each I think I am correct in saying is enthroned in the heart of Africa and each has in his own heart an abiding love for Africa, its peoples, and its dreams. Our country cannot afford to lose men of such caliber, nor can the new nations of Africa.

Mr. Speaker, I close this humble tribute to a great and noble American, Wayne Fredericks, combat pilot, a hero decorated by both War and State Departments, Wayne Fredericks, faithful friend and tireless champion of Africa, with the hope and the prayer that the hours may not be long until he has returned to serve as America's roving ambassador to Africa, a post where his talents and his ability and the yearnings of his heart could find full range for their wise and useful exercise.

We in the Congress salute you, Wayne Fredericks, and wish you Godspeed and a quick return.

Mr. Speaker, I am extending my remarks to include the following data:

WAYNE FREDERICKS

Born: Wakarusa, Indiana, February 26, 1917.

Education: Wakarusa, Indiana High School. Purdue University, B.S. in Engineering (with distinction).

Honors at Purdue: Tau Kappa Alpha (engineering honorary society). Winner of Hanley Public Speaking Award 1938. Member, Purdue Debating Team.

Experience:

1938–1940: Engineer and foreman, Kellogg Company, Battle Creek, Michigan.

1941–1946: U.S. Air Force. B–17 pilot in air operations over Germany, Eighth, Air Force. Served as operations officer for General LeMay, 3d Air Division, England. Participated in Strategic Bombing Survey in Germany and Japan. Attained rank of Lt. Colonel, a rank still maintained in U.S.A.F. Reserve. Decorations include: Legion of Merit, Distinguished Flying Cross, Bronze Star. Air Medals, Order of the British Empire, Croix de Guerre (France).

1951–1954: Served in Washington during Korean War.

1946–1951: Kellogg Company.

1954–1956: Battle Creek, Michigan (Assistant Manager, Foreign Manufacturing Division).

Long periods of residence in Africa, Mexico, Australia, England. Shorter periods of residence throughout a large part of the African continent, Canada, Ireland, France, Latin America, and other countries.

During residence in Michigan, active in local and state political and civic affairs. Participated in civil rights and minority affairs. Also commanded Air Force Reserve activities based at Kellogg Field, Battle Creek.

With Mrs. Fredericks, traveled extensively through West and Central Africa in 1954 and wrote a number of articles and delivered a number of speeches on these and other travels.

Lectured widely on foreign affairs.

1956–1961: Ford Foundation, New York.

Spent two years in Public Affairs program in U.S. Developed programs in youth and delinquency, criminology, public administration, and national defense studies.

Appointed Associate Director of Overseas Development Program for South and Southeast Asia. Traveled extensively throughout South and Southeast Asia.

(Active privately in African Affairs during residence in New York.)

(Director, Air Force Association, 1958–9.)

(Member Security Resources Panel [Gaither Committee—1957].)

(Trustee, Lincoln University 1959 to date.)

1961–1967: Deputy Assistant Secretary of State for African Affairs, Washington. Frequent travel to Africa, Europe, Canada.

Frequent lectures in all parts of the country at request of civic groups, business organizations, universities, etc.

Trustee: Phelps-Stokes Fund 1966.

Trustee: Museum of African Art, Washington.

Member: Council on Foreign Relations, African Studies Association.

Awards—Department of State: Superior Honor Award—June 9, 1965, Distinguished Honor Award—July 27, 1967.

Special assignments: Special representative of President Kennedy to dedication of Haile Selassie I University in December 1931.

U.S. Delegate to UNESCO meeting of African ministers of education—1962.

Chairman U.S. delegation to meeting of ECA in Addis Ababa in February 1964.

Mr. MORGAN. Mr. Speaker, will the gentleman yield?

Mr. O'HARA of Illinois. I yield to the distinguished chairman of the Committee on Foreign Affairs, the gentleman from Pennsylvania [Mr. MORGAN].

Mr. MORGAN. Mr. Speaker, my cordial good wishes go to Wayne Fredericks on his departure, as he takes leave from the affairs of state to join David Bell, former head of the Agency for International Development, at the Ford Foundation. Both men earned the respect of all the members of the Committee on Foreign Affairs for their competence and fairness.

The written commendation which Secretary of State Dean Rusk made in presenting Wayne Fredericks, on July 27, with the highest honor the State Department can bestow, sums up very well his qualities and his successes. It reads:

> As Deputy Assistant Secretary for African Affairs from May 1961 to August 1967, he has played a vital role in the formulation and implementation of United States policy toward that continent.
>
> Representing the highest principles for which this country stands, J. Wayne Fredericks has worked unremittingly to support human dignity, national advancement, and continental cooperation within Africa, and to strengthen the bonds of friendship and mutual interest between the United States and Africa.

I echo fully those sentiments.

Mr. ADAIR. Mr. Speaker, will the gentleman yield?

Mr. O'HARA of Illinois. I yield to the distinguished gentleman from Indiana who represents the congressional district where Mr. Fredericks was born, and who is a member of the Committee on Foreign Affairs.

Mr. ADAIR. Mr. Speaker, I certainly want to join those who have spoken so highly of Wayne Fredericks as he leaves the Department of State to return to the Ford Foundation. Mr. Fredericks was born in a community, Wakarusa, Ind., which I now represent in the Congress.

As has been pointed out, he was graduated from Purdue University and then went into private industry where he acquired practical experience in many parts of the world. This experience later stood him in good stead during his service with the Department of State from 1961 to the present.

Rarely has anyone brought to the Department such a rich background of training and experience—including distinguished service in the United States Air Force.

In this case it is certainly true that the State Department's loss is the Ford Foundation's gain.

Wayne Fredericks carries with him my highest esteem and best wishes.

Mr. O'HARA of Illinois. I thank the distinguished gentleman from Indiana.

Mr. Speaker, I ask unanimous consent that the gentleman from Illinois [Mr. MURPHY] may extend his remarks at this point in the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. MURPHY of Illinois. Mr. Speaker, on this occasion, I wish to pay tribute to the Honorable Wayne Fredericks, who is retiring as Deputy Assistant Secretary of State for African Affairs.

Mr. Fredericks was born in Wakarusa, Ind., on February 26, 1917. He graduated with a bachelor of science in engineering with honors from Purdue University in 1938 and joined the Kellogg Co., in Battle Creek, Mich., where he remained until joining the U.S. Army Air Corps in 1941 where he served as a lieutenant colonel. His record in the military service is an outstanding one. He has been decorated with the Legion of Merit, the Distinguished Flying Cross, Bronze Star, Order of British Empire, and Croix de Guerre from France.

Mr. Fredericks came to the State Department in 1961 and is serving as Deputy Assistant Secretary of State for African Affairs. It is rare, indeed, to find a person with such a vast knowledge of Africa as Mr. Fredericks has. His trips to the African Continent have been many and frequent.

Many African leaders have spoken words of praise for the untiring efforts of Mr. Fredericks in cementing the friendly and cooperative spirit prevailing between our Government and most of the African nations. The Department of State in recognition for his ability and outstanding work in African affairs has awarded him the Superior Honor Award.

His service to our Government will be missed but his contribution to African affairs will always be remembered.

I wish him continued success with the Ford Foundation.

Mr. O'HARA of Illinois. Mr. Speaker, I ask unanimous consent that the gentleman from Wisconsin [Mr. REUSS] may extend his remarks at this point in the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. REUSS. Mr. Speaker, I take pleasure in joining in expressions of appreciation to J. Wayne Fredericks for his dedicated and distinguished service over the last 6 years as Deputy Assistant Secretary of State for African Affairs.

Secretary Fredericks tenure spanned a difficult and demanding period which saw the emergence of a dozen new nations on the African continent. His deep knowledge of Africa and his extensive personal relations with the leaders of the new African states have been of crucial importance in the making and execution of American policy.

His achievements have received well-deserved recognition through the award of the State Department's 1967 Honor Award. It is fitting that Congress also should take note of them today.

I wish him well in his return to the Ford Foundation where, hopefully, he will be able to continue his positive contribution to the development of Africa.

Mrs. BOLTON. Mr. Speaker, for years I have been following the outstanding work of Wayne Fredericks, Deputy Assistant Secretary of State for Africa. His rare knowledge of Africa is equaled by few officials in our Government. He will be greatly missed as he leaves to take a position with the Ford Foundation.

During these times of turmoil and constant struggle in every part of Africa, we have great need for men to establish good and effective relations with the African leaders. Wayne Fredericks has demonstrated such ability.

A most unusual demonstration of respect and affection made itself dramatically felt at a recent reception given by the Ambassadors of all the African countries. The Embassy of Tunisia furnished the background and the rain held off until many friends had spoken and the lovely silver tray with its etched signatures presented and accepted so very feelingly by Mr. Fredericks. Seldom have I been so privileged nor so moved. We have lost the services of a very dedicated public servant, but we wish him all that is good in his new work.

The Secretary of State has presented Wayne Fredericks with the highest honor the State Department can bestow. He will be difficult to replace. Mr. Speaker, it is a pleasure to join my colleagues in wishing this distinguished public servant well in his new endeavors with the Ford Foundation.

Mr. MORSE of Massachusetts. Mr. Speaker, it is with mixed emotions that I join with my distinguished colleague from Illinois [Mr. O'HARA] in paying tribute to the retiring Deputy Assistant Secretary of State for African Affairs, Wayne Fredericks. Mixed because my congratulations and best wishes to Wayne on his return to the Ford Foundation are tempered with regret that we will no longer have at close range here in Washington the remarkable talents of this hard-working, well-informed African expert.

Throughout my service on the House Foreign Affairs Committee in the 88th, 89th, and now the 90th Congresses, I have enjoyed the counsel and friendship of Wayne Fredericks. No matter how pressing the crisis, how urgent the demands on his time, he was always ready to sit down with the Congress to brief, advise and inform to the fullest extent possible.

I am particularly grateful to Wayne for his encouragement and active participation in the Anglo-American Parliamentary Group on Africa. He has played a large role in the success of our efforts to date and saw to it that the U.S. participants were sufficiently informed to make an effective presentation at the annual meetings with our British counterparts.

It was appropriate, Mr. Speaker, that the Department of State conferred its highest award on Wayne Fredericks on the occasion of his leaving the Government. I think it is safe to say that regardless of his everyday responsibilities he will continue to take a lively interest in our relations with the African States. The officials of the African governments, no less than the Congress, knew that they had a friend in the Department of State. For all of these services we owe him a profound debt of gratitude.

Mr. CULVER. Mr. Speaker, I am pleased to join the gentleman from Illinois, who chairs the Subcommittee on Africa of which I am a member, in paying tribute to the invaluable service of Wayne Fredericks during his 5 years as Deputy Assistant Secretary of State for African Affairs.

At a time when American attention has necessarily been diverted by crises in other areas of the world, he has contributed his enlightened and persistent efforts to the unique problems of African development, with a knowledge and understanding of the continent which is unsurpassed in public and private circles alike.

As the New York Times stated in an editorial of May 9:

> In five years of hard work he has done much to persuade [the State Department] that Africa exists and will not go away.

Whether the nations of Africa emerge as stable and free societies, or instead become the scene of other Vietnams, will very directly depend upon the success of efforts to develop the human and natural resources of the continent, to establish sound institutions molded to unique environmental realities, and to eliminate the root economic and social causes of discontentment which serve as the breeding ground for subversion and aggression.

Those efforts require the kind of imagination, compassion, and courageous leadership which Wayne Fredericks has provided.

For the past 3 years, I have had the opportunity to work closely with him, as a member of the African Subcommittee and as a coparticipant in the Anglo-American Parliamentary Conference on Africa. I have the greatest respect and admiration for him, as a public servant and a friend, and join the House of Representatives in expressing appreciation for his service and best wishes for his future success.

Mr. BINGHAM. Mr. Speaker, I wish to commend the distinguished gentleman from Illinois for taking this time and I wish to associate myself with his remarks about Mr. Wayne Fredericks.

It is a great pity that Mr. Fredericks feels compelled to leave the State Department at the present time. He will be sorely missed, not only by his associates in the Department, not only by the hundreds of official representatives of the free African nations who appreciate his work during the past 6 years, but also by those of us in the legislative branch who have learned so much from him and who have felt secure in the knowledge that he would be constantly battling for enlightened policies with regard to Africa.

Rarely has any State Department official won the admiration and affection of his regional "clients" so completely as has Wayne Fredericks. Yet he has accomplished this without ever sacrificing, or losing sight of, the best interests of the United States. He has been a truly great public servant and it is a sad commentary on our society that the public service could not hold him.

Nevertheless, we know that he will be continuing to serve good causes at the Ford Foundation and we look forward to working with him on matters of common interest in the future, as in the past.

Mr. FRASER. Mr. Speaker, I want to join with my good friend, the gentleman from Illinois [Mr. O'Hara], in expressing my own deep appreciation for the distinguished service which Wayne Fredericks gave to our Nation as Deputy Assistant Secretary of State for African Affairs. His service was remarkable in a number of ways. His keen interest in the people of Africa was exhibited again and again. He saw their problems with a sympathetic understanding. He believed that our national interest was best served by understanding as fully as possible African aspirations and viewpoints.

He demonstrated tireless energy in visiting and revisiting the continent of Africa. He values his friendship with many of the leaders of African nations. I personally participated in several country visits with him. His balanced perspective, keen insights, and warm personal interest brought reciprocal responses from the leadership of these nations. They talked freely and frankly with him about their problems and obviously demonstrated confidence in his capacity to understand their points of view.

Perhaps most remarkable of all, however, was Wayne Fredericks' capacity to interest others in Africa. Especially within the Congress, he helped stimulate interest and understanding of Africa among many Members where such interest and understanding was earlier in short supply. In part he succeeded in this effort because of his obvious dedication to his work, and his own candor and openness of approach.

Africa is not central to American strategic interests. In many ways this is fortunate for Africa. It means that we can be more relaxed about events there, and attempt to maintain relationships with African nations which emphasize their national interests, rather than ours. In many respects, this kind of low-keyed, constructive, and wholesome relationship might well serve as a pattern for other parts of the world, where we too often believe that U.S. interests should be uppermost in the minds of the citizens of other countries.

For these constructive relationships with Africa Wayne Fredericks deserves considerable credit, along with the other members of the African Bureau. I believe that he leaves in the Bureau many who share his outlook, among them the present Assistant Secretary of State, Joseph Palmer.

With his departure to the Ford Foundation, Wayne Fredericks gains new opportunities for service. We who have worked with Wayne look forward to continuing our association with him. There are many tasks still to be performed toward a world of peace and justice. Wayne Fredericks will be in the forefront in working at these tasks, and his many friends will want to continue to work with him in these efforts.

Mr. FRELINGHUYSEN. Mr. Speaker, I should like to join my colleagues in paying tribute to Wayne Fredericks, and in expressing my regret that he is leaving Government service.

Those of us who have come to know Mr. Fredericks recognize him as a man of unusual qualifications for the job which he has been handling so well. He is acknowledged to be one of this country's experts in that great, but still somewhat mysterious, continent of Africa. Perhaps even more important, he has had the ability to share that knowledge with others, in an unpretentious but stimulating manner. As Assistant Secretary of State for African Affairs, he has made many friends, and in the process he has aroused real interest in Africa, an area which promises to become increasingly important in the years ahead.

It is, therefore, with regret that many of us on Capitol Hill see Wayne Fredericks leave Washington. His shoes will be hard to fill. We wish him all good luck in the new job with the Ford Foundation.

GENERAL LEAVE TO EXTEND

Mr. O'HARA of Illinois. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to extend their comments in tribute to the Honorable Wayne Fredericks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Illinois?

There was no objection.

CAPTIVE NATIONS WEEK, 1967, UNDERSCORES NEED FOR SPECIAL COMMITTEE ON CAPTIVE NATIONS

Mr. ADAIR. Mr. Speaker, I ask unanimous consent that the gentleman from Illinois [Mr. Derwinski] may extend his remarks at this point in the Record, and include extraneous matter following the special order of Mr. O'Hara of Illinois.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Indiana?

There was no objection.

Mr. DERWINSKI. Mr. Speaker, in many sections of the country the observance of the 1967 Captive Nations Week was the best on record. The same can be said for the observance overseas, particularly in the Republic of China and Australia. Among the many themes stressed this year, that of creating a Special House Committee on Captive Nations was again in the forefront.

ACTION FOR A SPECIAL COMMITTEE

Over the past few years all sorts of maneuvers have been resorted to in order to prevent the measure from being placed on the agenda of the Committee on Rules. A move to do so this year was met with the excuse that hearings on the measure be postponed until after the reorganization bill was considered by the committee. That was 2 months ago. The time has arrived to honor this promise by placing the measure on the committee's agenda. In all fairness a hearing is in order, and a vote by the committee should determine the fate of this measure.

As part of my remarks, I include the following to be printed in the RECORD: six items on the week as reported in the July 27 issue of America; the proclamation of Gov. James Rhodes, of Ohio; the release of the New England Committee for Captive Nations and the proclamations of Mayor John F. Collins, of Boston, and Gov. John A. Volpe, of Massachusetts; the releases of the Assembly of Captive European Nations and the Department of Public Events in the City of New York; seven items pertaining to the observance in Dayton and Cincinnati, Ohio; and a resolution adopted by the Ukrainian Congress Committee of America, Inc., Detroit, Mich.

[From the Philadelphia (Pa.) America, July 27, 1967]

CONNECTICUT MARKS CAPTIVE NATIONS WEEK

HARTFORD, CONN.—The right of self determination and independence for all peoples is a principle firmly engraved in the American character; and, it is in pursuit of these principles that the United States has guided her actions. Yet to more than 25 nations in the Modern World, these principles of freedom and justice mean only memories and hope. These are the captive nations of Eastern Europe, Asia and the Caribbean.

It is in sympathy with the unfulfilled aspirations of these gallant people that Governor Dempsey has issued a proclamation that the third week in July will be designated as Captive Nations Week. On June 29, 1967, Governor Dempsey signed this Captive Nations Proclamation at the presence of delegates from: Polish, Ukrainian, Estonian, Latvian and Lithuanian National Committees.

The ninth annual response to the unanimous resolution of the 86th Congress, Captive Nations Week is dedicated to the exhibition of the United States determination that the staus quo of communist domination should not be recognized as a permanent situation. By strengthening the weapons of truth and fact throughout the United States, the ceremonies and activities of Captive Nations Week will thus contribute to overall American support of the gallant cause of freedom.

[From the Philadelphia (Pa.) America, July 27, 1967]

CAPTIVE NATIONS AUTHOR LAUDS ISRAELIS FOR PREVENTING MORE CAPTIVE NATIONS IN MIDDLE EAST

WASHINGTON, D.C.—Supporting Arab interests a well as Israel's, the author of the Captive Nations Week Resolution (Public Law 86–90) stated, "All free men, including the vast majority of the Arab world, should laud the Israelis for preventing the emergence of captive nations under Russian domination in the Middle East." In a speech commemorating the Ninth Observance of Captive Nations Week at the Statue of Liberty, Dr. Lev E. Dobriansky, a professor of Georgetown University and chairman of the National Captive Nations Committee in Washington, told his audience, "If Israel were vanquished, the entire Middle East would have come under the imperio-colonialist control of Moscow. Israel's victory was a victory for national freedom generally and for free Arab opportunity in particular."

Captive Nations Week is being observed during this period in all sections of the country and also abroad. Congress, which legislated the resolution in 1959, celebrated the event last Wednesday. President Johnson proclaimed the Week on July 12.

The Georgetown professor urged the Administration to initiate debate in the U.N. on Soviet Russian imperio-colonialism, as called for by President Kennedy in September 1961 and in part prepared by Adlai Stevenson's memo on the subject in November of that year. "Such a debate," he said, "would impress upon Arab leaders the scope of Russian colonialist exploitation of some 40 million Muslim brothers in the USSR. Nasser, Arif and others are playing with fire in their dependence on the Red Empire to advance their insular goals."

Relating Vietnam, the Red Empire, and the Middle East adventure together, Dr. Dobriansky also urged Congressional hearings on U.S. policy toward the USSR. He pointed out, "Such hearings would be unprecedented because we've never had any since the USSR was founded in 1922–23." Resolutions to this effect have recently been submitted in the House of Representatives.

This year's observance has highlighted the exposure of the fraudulent 50th anniversary of the Russian Bolshevik revolution, which takes place this November. The theme was underscored at the rally here by the advertised publication this October of Dobriansky's book *The Vulnerable Russians*, as an "American answer to the '50th'."

[From the (Philadelphia, Pa.) America, July 27, 1967]

CONFERENCE HIGHLIGHTS CAPTIVE NATIONS WEEK IN WASHINGTON

WASHINGTON, D.C.—Representatives of Captive Nations Committees from Washington, Baltimore, Philadelphia, New York and Detroit, members of various American organizations and labor unions, and over 100 guests attended the Captive Nations Conference which was held in connection with national Captive Nations Week observances throughout the land. The Conference, organized by the National Captive Nations Week Committee under the chairmanship of Dr. Lev. E. Dobriansky, was held at the Mayflower Hotel here on Saturday, July 15. Its main purpose was to analyze U.S. foreign policy in relation to the Soviet Union, and, specifically the U.S. attitude on the Captive Nations.

The list of distinguished speakers included: Dr. L. Dobriansky, Donald Miller, Executive Director of the NCNC, Congressman Edward Derwinski, Dimitri Danelopol, a representative of the Copley News Service, Dr. Peter Liegens, President of the American-Latvian Society, Dr. Roman Smal-Stocki, and Mrs. Clara Lee Shenol, journalist and authority on China.

Following the Conference, a banquet was held in the evening, attended by over 250 persons. The speakers included Congressmen J. Buchanan, E. Derwinski, and M. Feighan, and Henry Krish, personal representative of AFL–CIO President George Meaney.

Both the Conference and banquet were attended by UCCA Executive Board representatives: Mr. I. Billinsky, Dr. W. Dushnyck, Dr. E. Zharsky, Dr. R. Smal-Stocki, and Dr. M. Kushnir, and representatives of the local UCCA Branch: Messrs. W. Andriuk, T. Caryk, and W. Mayewsky.

[From the (Philadelphia, Pa.) America, July 27, 1967]

CHICAGO AND PITTSBURGH MARK CAPTIVE NATIONS WEEK

CHICAGO, ILL.—The local Ukrainian-American community marked Captive Nations Week on Saturday, July 15, with impressive ceremonies highlighted by a protest march down Chicago's main street. Twenty-two other national groups joined the Ukrainians in the annual observance whose main purpose is to remind the Free World of the countless nations still held captive by Red Russia. Following the manifestation, all the participants assembled for luncheon at the Conrad Hilton Hotel where they heard a number of distinguished speakers representing the U.S. Government on the Federal, state, and local levels.

Governor Otto Kerner and Mayor Richard J. Daley of Chicago issued separate Captive Nations Week proclamations. Both the local press and television covered the observance in great detail.

The celebrations were directed by Mr. Victor Kiksnis and Mrs. Ulana Celevych, chairman and secretary, respectfully, of the local Captive Nations Committee.

PITTSBURGH, PA.—Hon. Robert W. Duggan, District Attorney of Allegheny County, Vincent Murovych, special assistant to the state district attorney, and Wolodymyr Mazur, Supreme President of the Ukrainian National Aid Association, were the principal speakers of the Captive Nations Week observance sponsored by the local UCCA Branch on Sunday, July 16. Close to one thousand persons, mostly Ukrainian-Americans from Pittsburgh, McKees Rock, Carnegie, Ambridge, and other localities took part in the ceremonies.

The Captive Nations Week proclamation issued by Hon. R. P. Shafer, Governor of Pennsylvania, was read by Sheriff Peter Sulyk. Following the official part of the program Jaroslaw and Oksana Rudakevych, the noted stage duo from Philadelphia presented a highly entertaining variety program.

This was the ninth annual Captive Nations Week arranged by the local Captive Nations Committee.

[From the (Philadelphia, Pa.) America, July 27, 1967]

CAPTIVE NATIONS WEEK IN HARTFORD

HARTFORD, CONN.—The week of July 16 to 22 was proclaimed Captive Nations Week by the Governor of the State of Connecticut, Hon. John Dempsey, and the state's ethnic minorities whose homelands are occupied by the Russian Communists observed the Week accordingly.

Captive Nations Week observances in Hartford began on Sunday, July 16, with a joint Divine Liturgy for all participating groups. Two addresses, the reading of the Governor's and Mayor Kinsella's proclamations, and the adoption of appropriate resolutions marked the official program. Statements on the threat posed by the Soviet Union and the need to heed the call for help of the Captive Nations were dispatched to President Lyndon B. Johnson, the U.S. Department of State, Connecticut Senators and Representatives, and the local press.

The Captive Nations Committee for the state of Connecticut was headed for the second straight year by Mr. Alexander Pryshliak, who also serves as President of the local Branch of the UCCA.

[From the (Philadelphia, Pa.) America, July 27, 1967]

CAPTIVE NATIONS WEEK 1967—"CO-EXISTENCE" AND "SELF-DETERMINATION"

(By O. Szczudluk)

An assertion appearing in a speech delivered (June 20, 1967) by President Johnson serves to bring to the public attention not only a disturbing dichotomy in the foreign policy of the present administration, but reveals what may very well be an ominous flaw in the political morality which has given rise to what appears to be basic in Department of State thinking—the almost dogged insistence that our nation seek "co-existence bridges" with the sole remaining vestige of archaic colonialism existent in the world today, the Soviet Russian imperium.

Speaking before the Junior Chamber of Commerce in Baltimore, the President is quoted as describing America's commitments to South Vietnam as predicated on the traditional American posture of "offering help to a small country seeking the right of self-determination."

PRACTICES AND DECLARATIONS

If "co-existence" is a lintel of administrative policy, so too is "self-determination for all peoples;" and we are again on the threshold of still another gesture by the administration reaffirming the "self-determination" continues a basic entity of foreign policy, as stated by the President in his "Captive Nations Week Proclamation" called for by a Public Law. The 1967 Proclamation sets aside the week of July 16–22 as "Captive Nations Week" and enjoins Americans to subscribe "to the principles of national independence and human liberty."

The conflict here is that "co-existence" tends precisely to run head on against the principles of "national independence and human liberty" (which are tautological terms for "self-determination") in terms of official thinking relating to the 27 once free nations which today comprise the Captive Nations of the Russian and Chinese Communist empires.

RIGHT TO ASK

Americans have a right to ask: has the traditionally American principle of self-determination been now redefined to exclude those nations which have either been annexed outright by the Soviet Union, or else have been converted into Soviet Russian satellites? On the record, the answers seem to be a foreboding "yes."

This suspicion is heightened by the fact (and the reader may inquire his Congressman on this) that the administration has taken measures to discourage action on a series of identical bills calling for the establishment of a Special Committee on Captive Nations in Congress, which have been bottled up in the House Rules Committee since 1960.

On the other hand, while administration spokesmen occasionally reassert the principle of "self-determination," as the President did in Baltimore, more often and more forcibly they propound the "virtues" of "co-existence," most recently costumed in "bridge-building" proposals.

CONCERN FOR CAPTIVE NATIONS URGED

World peace can best be served by the establishment of universal freedom in this world, and we think that the occasion of 1967 Captive Nations Week should be the vehicle for a public remonstrance asking that Washington extend its concern for small nations to all such countries which today continue to suffer the bonds or menace of Russian and Chinese Communist colonialism: Ukraine, Armenia, Lithuania, Latvia, Estonia, Azerbaijan, Georgia, Idel-Ural, North Caucasia, Crossackia, Byelorussia, Turkestan, Hungary, Poland, Bulgaria, Czecho-Slovakia, Rumania, East Germany, mainland China, North Korea, Tibet, North Vietnam, Cuba.

As President Kennedy said: "This country must never recognize the situation behind the Iron Curtain as a permanent one, but must, by all peaceful means, keep alive the hopes of freedom of the captive nations."

PROCLAMATION—CAPTIVE NATIONS WEEK, JULY 17–23, 1967

Whereas, the republican form of government—based upon "the consent of the governed"—which has existed in the United States of America for 190 years, has resulted in the development of a warm understanding and sympathy for the aspirations for freedom of peoples everywhere and in the recognition of the natural interdependency of the peoples and nations of the world; and

Whereas, the enslavement of a substantial part of the world's population by Communist imperialism makes a mockery of the idea of peaceful co-existence between nations and constitutes an impediment to the natural bonds of understanding between the people of the United States and other peoples; and

Whereas, since 1918 the imperialistic and aggressive policies of vast military despotisms of International Communism have resulted in the creation of a constant threat to the security of the United States and of all the free peoples of the world; and

Whereas, the imperialistic policies of the Communist regimes have led, through direct and indirect aggression, to the subjugation of the national independence of Poland, Hungary, Lithuania, Ukraine, Czechoslovakia, Latvia, Estonia, White Ruthenia, Rumania, East Germany, Bulgaria, Mainland China, Armenia, Azerbaijan, Georgia, North Korea, Albania, Idel-Ural, Tibet, Cossackia, Turkestan, North Vietnam, Serbia, Croatia, Slovenia, Cuba and others; and

Whereas, it is vital to the national security of the United States and the other free nations of the world that the desire for liberty and independence on the part of the peoples of these conquered nations should be steadfastly kept alive:

Now, therefore, I, James A. Rhodes, Governor of the State of Ohio, do hereby designate the week of July 17–23, 1967, as Captive Nations Week, and urge that all citizens support this annual recognition of the intent and purpose of the Communist dominated and oppressed peoples of the world to regain their freedom.

In witness whereof, I have hereunto subscribed my name and caused the Great Seal of the State of Ohio to be affixed at Columbus, this 21st day of June, in the year of Our Lord, One Thousand Nine Hundred and Sixty-Seven.

JAMES A. RHODES,
Governor.

NEW ENGLAND COMMITTEE FOR CAPTIVE NATIONS PRESS RELEASE

BOSTON, MASS.—The week of July 16–22 is Captive Nations Week in this country. Governor Volpe and Mayor Collins have issued proclamations, urging citizens to pay tribute to the captive nations under Communist domination, according to a spokesman of the New England Committee for Captive Nations.

Observed nation-wide for the ninth consecutive year, the purpose of Captive Nations Week is to manifest that we share with those nations held in bondage their aspirations for the recovery of their freedom and their independence.

The observances have been vituperatively attacked by the Communists, because they spread the truth about Russian and Chinese colonialism.

Stated Governor Volpe, "It is vital to the interests and the national security of the United States that the desire to be free on the part of the people of these people should be steadfastly kept alive, especially since this desire for liberty and independence constitutes a powerful deterrent to war and one of the best hopes for a just and lasting peace."

These are the captive nations: Poland, Hungary, Lithuania, Ukraine, Czechoslovakia, Latvia, Estonia, White Ruthenia, Rumania, East Germany, Bulgaria, Mainland China, Armenia, Azerbaijan, Georgia, North Korea, Albania, Idel-Ural, Tibet, Cossackia, Turkestan, North Vietnam, Cuba and other nations.

DECLARATION BY MAYOR JOHN F. COLLINS

Whereas, by Public Law passed by the 86th Congress of the United States of America the third week of each July is set aside as Captive Nations Week in order to allow all thinking Americans to manifest their devotion to the cause of freedom, and to assure the peoples of the Captive Nations that America remains the beacon of light and of hope for the restoration of their national freedoms and liberties; and

Whereas, there dwell in our city large numbers of Americans who proudly own to ancestry deriving from those once-free nations now held under Communist domination: Armenia, Ukraine, Latvia, Lithuania, Estonia, Hungary, Poland, Rumania, Bulgaria, East Germany, Czechoslovakia, Serbia-Croatia-Slovenia (in Yugoslavia), Byelorussia, Azerbaijan, Georgia, Idel-Ural, North Caucasus, Far Eastern Republic, Turkestan, Mongolia, Albania, North Korea, North Vietnam, Mainland China, Tibet and finally, Cuba; and

Whereas, the harmonious unification of the diverse elements of our free society has led the people of the United States to possess a warm understanding and sympathy for the aspirations of peoples everywhere and to recognize the natural interdependency of the peoples and the nations of the world

Now, therefore, I, John F. Collins, Mayor of Boston, do hereby declare the week of July 17 through July 23, as Captive Nations Week in Boston, and urge all citizens to take notice of this special observance.

JOHN F. COLLINS,
Mayor.

PROCLAMATION BY GOV. JOHN A. VOLPE

Whereas, A large number of the citizens of our State are Americans who proudly claim ancestry to those once free nations now held under Communist domination: Armenia, Ukraine, Latvia, Lithuania, Estonia, Hungary, Poland, Rumania, Bulgaria, East Germany, Czechoslovakia, Serbia-Croatia-Slovenia, Byelorussia, Azerbaijan, Georgia, Idel-Ural, North Caucasus, Far Eastern Republic, Turkestan, Mongolia, Albania, North Korea, North Vietnam, Mainland China, Tibet and Cuba, and

Whereas, These submerged nations look to the United States as the citadel of human freedom, for leadership in bringing about their own independence, and

Whereas, It is vital to the interests and the national security of the United States that the desire to be free on the part of the people of these peoples should be steadfastly kept alive, especially since this desire for liberty and independence constitutes a powerful deterrent to war and one of the best hopes for a just and lasting peace, and

Whereas, During the annual celebration of Captive Nations Week, Americans of all extractions throughout our nation have the opportunity to manifest that we share with those nations held in bondage their aspirations for the recovery of their freedom and their independence;

Now, therefore, I, John A. Volpe, Governor of the Commonwealth of Massachusetts, do hereby proclaim the week of July 16–22, 1967 as Captive Nations Week and urge all citizens of the Commonwealth to take cognizance of this event, and to participate appropriately in its observance.

Given at the Executive Chamber in Boston, this eleventh day of July, in the year of our Lord, one thousand nine hundred and sixty-seven, and of the Independence of the United States of America, the one hundred and ninety-second.

JOHN A. VOLPE.

By His Excellency the Governor:

KEVIN H. WHITE,
Secretary of the Commonwealth.

CAPTIVE NATIONS WEEK CEREMONY AT NEW YORK CITY HALL

The third week of July was selected for the annual observance of Captive Nations Week to demonstrate the sympathy and support of New York for the millions of subjugated people of East-Central Europe aspiring to regain national independence and freedom.

At New York City Hall on Wednesday, July 19, 1967, at 9:30 a.m., Mayor *John V. Lindsay* received the national delegations of ACEN representing Albania, Bulgaria, Czechoslovakia, Estonia, Hungary, Latvia, Lithuania, Poland, and Rumania, and leaders of the Ukrainian community at a ceremony in the Board of Estimates Chambers.

The Mayor officially issued his Proclamation which in part stated:

"Whereas the People of Eastern and Central Europe as well as those in other parts of the world, are being denied fundamental human rights in pursuing their own destiny . . . now, therefore, I, John V. Lindsay, Mayor of the City of New York, do hereby proclaim the week of July 16–22, 1967, as 'Captive Nations Week' in New York City and call upon our citizens to observe this week by offering prayers and dedicating their efforts to the peaceful liberation of oppressed and subjugated people all over the world."

The Mayor presented his official Proclamation to *Stefan Korbonski,* Chairman of the Assembly of Captive European Nations. *Feliks Gadomski,* Acting Secretary General of the Assembly, Msgr. *John Balkunas,* President of the Conference of Americans of Central and Eastern European Descent, and Christopher Emmet, Chairman of the American Friends of the Captive Nations also assisted at the ceremony.

Women and youth in native costume and with flags showed their association with the captive nations of Eastern Europe.

CAPTIVE NATIONS WEEK CEREMONY AT CITY HALL—MAYOR LINDSAY RECEIVES COMMITTEE, PRESENTS PROCLAMATION

Captive Nations Week, inaugurated in 1959 by a Joint Resolution of the United States Congress, (Public Law 86–90) will be observed this year between July 16 and 22. The third week of July has been selected for this annual observance to demonstrate the sympathy and support of American citizens for the millions of subjugated people of East-Central Europe who are aspiring to regain national independence and freedom. Albania, Bulgaria, Czechoslovakia, Estonia, Hungary, Latvia, Lithuania, Poland and Rumania are designated the Captive European Nations.

At City Hall on Wednesday, July 19, at 9:30 A.M., Mayor John V. Lindsay will receive representatives of the organizations concerned at a ceremony to be held in the Board of Estimate Chamber. This was announced today by Commissioner John S. Palmer of the Department of Public Events.

The Mayor will present his official proclamation to Mr. Stefan Korbonski, Chairman of the Assembly of Captive European Nations. Mr. Feliks Gadomski, Acting Secretary General of the Assembly, Msgr. John Palkunas, President of the Conference of Americans of Central and Eastern European Descent, and Mr. Christopher Emmet, Chairman of the American Friends of the Captive Nations will participate in the ceremony. The members and alternates of the Assembly of Captive European Nations representing national delegates will also take part in the event.

PROCLAMATION BY MAYOR JOHN V. LINDSAY

Whereas: The Congress of the United States by unanimous vote passed Public Law 86–90 establishing the 3rd week of July of each year as Captive Nations Week and inviting the people of the United States to observe this week with appropriate prayers, ceremonies and activities expressing their sympathy with and support for the just aspirations of captive peoples for freedom and independence; and

Whereas: The people of eastern and central Europe as well as those in other parts of the world, are being denied fundamental human rights in pursuing their own destiny; and

Whereas: The desire for liberty and independence by the overwhelming majority of peoples in these conquered nations constitutes a powerful deterrent to tyranny and aggression; and

Whereas: The freedom-loving peoples of the captive nations look to the people of the United States for leadership in attaining their freedom and independence,

Now, therefore, I, John V. Lindsay, mayor of the city of New York do hereby proclaim the week of July 16–22, 1967, as "Captive Nations Week" in New York City and call upon our citizens to observe this week by offering prayers and dedicating their efforts for the peaceful liberation of oppressed and subjugated peoples all over the world.

In witness whereof I have hereunto set my hand and caused the seal of the city of New York to be affixed.

[Editorial of WHIO Radio and Television, Dayton, Ohio, July 18, 1967]

CAPTIVE NATIONS WEEK

Eight years ago Congress, by joint resolution, designated the third week of July as Captive Nations Week, and instructed the President to so declare by proclamation. Unfortunately, the majority of Americans know little about the meaning of Captive Nations Week.

Those who best know about this week are those who have been fortunate enough to escape from captive nations to enjoy the opportunity of living in this country, and those who have relatives and friends still in these countries. The loss of freedom and self-determination in many countries started in 1917 when the Russian government fell victim to the communists. Following World War II many countries, such as Bulgaria, Czechoslovakia, Hungary, Poland and others, came under communist domination. Little by little since then, people of other countries and parts of countries have lost their right of government. This loss has not resulted from the free election that we take for granted, but by deception and force. An example is the communist action in central China during the past year, and in Hong Kong during the past week.

The vast majority of the people in this country take our form of government and the freedoms it guarantees for granted. We give little thought to almost total lack of human dignity in the Iron Curtain countries. We attend the Church or Synagog of our choice, we express our thoughts openly, we criticize our government when we think it is wrong. We are accustomed to watching unbiased and complete news on television, listening to it on radio and reading uncensored newspapers and magazines. We automatically expect collective bargaining between unions and management. We travel from state to state and country to country as we wish. We believe every human being should be able to do all these things. But the millions of people in the captive nations have none of these freedoms. Too many people these days are advocating peaceful coexistence, but there can be no peaceful coexistence as long as captive nations exist.

Probably the greatest appreciation appreciation for our form of government that many people experience is their first on-the-spot view of the Berlin wall. This certainly is a very real symbol of life in captive nations.

As we observe Captive Nations Week we should each resolve that we, as one contribution to our form of government, will never forget our obligations to keep it free. We do not maintain a "government of the people" by saying "I just don't want to get involved". The people in the captive nations would very much like to get involved, but for them it is too late.

DAYTON, OHIO'S CAPTIVE NATIONS WEEK 1967

The real highlight was WHIO's wonderful cooperation—Community Service Director Paul J. Price started off the week with a marvelous editorial that was heard Monday (7/17/67) night and at the regular times on Tuesday on TV and AM and FM radio and sent to many interested citizens! Then on Thursday (7/20/67) Conversation Piece had Dr. Lev E. Dobriansky, the Chairman of the National Captive Nations Committee, speaking and answering interesting questions from his home in Alexandria, Va. with Mr. Em as the perfect host!

Fortunately the flags were flying up and down Main St. from Thursday through Sunday and both the Dayton library and the Oakwood (Wright) library had copies of Mayor Hall's and Governor Rhodes' Proclamations as well as appropriate books on display the entire week.

On Thursday (7/20/67) t00 WAVI (radio) had two Latvian Captive Nations men on Dayton Place (a little after ten a.m. to eleven) explaining the importance of this week and answering questions and Wing's Man On the Street had Janet Veigel, the young girl of Lithuanian descent, explaining the reason for the flags flying and reminding of the service at The Shrine of Three Crosses.

The Kettering Oakwood Times made notice of the week, as did the Dayton Shopping News, The NCR Noon Headlines, The Journal Herald carried David Lawrence's mention of it on Monday (17th) and the Dayton Daily News had headlines about the Governor's proclamation on Wednesday (19th), an editorial that was trying to prod some action from the Captive Nations people themselves on Thursday (20th) and an excellent headlined letter Sunday (23rd) which was the day for the ceremonies at the Monument of the Three Crosses which WLW TV carried briefly (one minute!) on the early and late news. Hear they also carried spot announcements during the week! (The Journal has not received one letter about the importance of this week and The News guarantees they will publish the lone other one they received in a day or two! ! ! Know the reliable letter writer has been busy requesting Proclamations, flags, etc. so we strongly feel this proves how most people will complain but not act! Copies of Gov. Rhodes Proclamation were also on display in the YMCA, the YWCA, Junior Achievement, Senior Citizens' Center and Page Manor! Know Congressman Whalen sent a congratulatory wire to Father Narbutas too! ! !

[From the Cincinnati (Ohio) Enquirer, July 17, 1964]

CAPTIVE NATIONS WEEK

Hundreds of thousands of others—Chinese, Albanians, Bulgarians, Estonians, Poles, Yugoslavs, Hungarians—have been more fortunate than Peter Fechter (who died in the shadow of the Berlin wall while attempting to flee to freedom in 1962). But each of them left behind a homeland deep in despair.

It was in 1959 that the congress of the United States set aside the third week of each July as Captive Nations week. The congressional intent was to reaffirm the determination of the American people that the peoples of the Soviet empire should one day know the real meaning of self-determination, for which, we are apt to forget, World War II was fought.

It has become fashionable in recent years to play down Captive Nations week and the cause it seeks to dramatize. To speak of Soviet satellite states, it is argued, is to imperil good East-West relations.

But so long as there are Peter Fechters in the world, the conscience of the West can know no rest.

[From the Dayton (Ohio) Shopping News, July 19, 1967]

Captive Nations Week

You are invited to participate in the ceremonies on the occasion of Captive Nations Week celebration which will take place at the Monument of the Three Crosses, Leo and Rita Sts., 1922 Leo St., July 23 at 11 a.m.

[From the Dayton (Ohio) Daily News, July 19, 1967]

Captive Nations Week Proclaimed in State

The week of July 17 to 23 is Captive Nations week, according to a proclamation issued in Columbus by Gov. James A. Rhodes.

Purpose of the week, the proclamation indicated, is to take note of "the imperialistic and aggressive policies of vast military despotism of international communism as a constant threat to the security of the United States and of all the free peoples of the world."

Captive nations listed include Poland, Hungary, Lithuania, the Ukraine, Czechoslovakia, Latvia, Estonia, Romania, East Germany, Bulgaria, mainland China, Armenia, North Korea, Albania, Tibet, North Vietnam and Cuba.

"It is vital to the national security of the United States and the other free nations of the world that the desire for liberty and independence on the part of the people of these conquered nations should be steadfastly kept alive," Gov. Rhodes' proclamation stated.

[From the Dayton (Ohio) Daily News, July 15, 1964]

Proclamation: Rhodes Marks Captive Week

Gov. James A. Rhodes has signed a proclamation, which is on display at the Montgomery County library, announcing this week as Captive Nations week.

The proclamation is similar to the one signed in Washington by President Lyndon Johnson.

The public observance of Captive Nation week began six years ago.

The Rhodes proclamation states that "Communist enslavement makes a mockery of the idea of peaceful coexistence between nations." It describes the spread of communism as a "vast empire which poses a threat to the security of the United States and all free peoples of the world."

The proclamation further calls for the support of all citizens in this "annual recognition of the plight of oppressed people of eastern Europe."

Librarian Mildred Stibitz said that to her knowledge this statewide proclamation is the first of its kind to be put on display in the public library.

Captive Nations Week Observed

On display at the Dayton Public library this week is the original copy of Gov. James H. Rhodes' proclamation designating this as Captive Nations week.

In 1959 the U.S. congress set aside the third week of each July as a memorial to the nations losing their independence behind the Iron Curtain.

Captive Nations week also is intended to reaffirm American determination that the peoples of the Soviet countries one day shall be given self-determination.

Captive Nations Week Resolution

Whereas the third week of July, the American people mark the annual observance of Captive Nations Week as provided by Public Law 86–90 of 1959; and

Whereas every year since 1959, the President of the United States of America issues the Captive Nations Week Proclamation inviting the American people to mark the occasion with appropriate manifestations; and

Whereas as stated clearly in the Public Law of 1959 the Soviet Russian imperio-colonialism contributed to the subjugation of the national independence of Poland, Hungary, Lithuania, Ukraine, Czechoslovakia, Latvia, Estonia, White Ruthenia, Rumania, East Germany, Bulgaria, mainland China, Armenia, Azerbaijan, Georgia, North Korea, Albania, Idel-Ural, Tibet, Cossackia, Turkestan, North Vietnam, and others; and

Whereas many non-Russian nations are still suffering in the Soviet Russian dungeon, the largest colonial structure built on conquered territories; and

Whereas many captive nations, including 45 million Ukrainian people, endure hardship, political, religious and national persecution, and enormous economic exploitation; and

Whereas the goal of Soviet Communist Moscow is directed to worldwide conquest endangering free nations of the world and particularly the United States of America; and

Whereas Soviet leaders are continuously condemning "American imperialism" and supporting the "wars of national liberation" of all colonial peoples; and

Whereas Soviet Russian Bolsheviks are continuing to supply the Red regime of North Vietnam with modern armaments for the purpose of defeating the American defenders of independent South Vietnam, inspiring war in the Middle East, and ever increasing guerrilla warfare throughout the continent of South America;

Now, therefore, we Americans of Ukrainian descent, gathered here today, July 23, 1967, at the Ukrainian Estate "Kiev" to commemorate the 9th annual observance of Captive Nations Week, urge our Government in Washington to review our policy of accommodation toward the Soviet Union and its Communist empire which is contradictory to the tradition of freedom-loving Americans. We appeal to the United States Government to abolish the policy of containment and "building bridges of understanding" with the Communist empire and to adopt a policy which would be with the spirit of the Captive Nations Week resolution in support of national independence and self-determination of all captive nations.

We wholeheartedly support H. Res. 666 introduced in the House of Representatives by Hon. Edward J. Derwinski, Congressman from Illinois, calling for a congressional review of U.S. policy toward the Soviet Union.

We appeal to all our Senators and Congressmen to support H. Res. 666 and thus assure its passage in the United States Congress.

July 23, 1967.

ADDRESS BY CONGRESSMAN JOHN BRADEMAS, NATIONAL INSTITUTE FOR AUDIO-VISUAL SELLING OF THE NATIONAL AUDIO-VISUAL ASSOCIATION, JULY 9, 1967, INDIANA UNIVERSITY, BLOOMINGTON, IND.

Mr. PRYOR. Mr. Speaker, I ask unanimous consent that the gentleman from Indiana [Mr. BRADEMAS] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

Mr. BRADEMAS. Mr. Speaker, on July 9, 1967, I had the privilege of delivering the keynote address at the National Institute for Audio-Visual Selling of the National Audio-Visual Association, which was held in my home State on the campus of Indiana University at Bloomington.

I include the text of my remarks on that occasion:

I am here today as a member of the Committee on Education and Labor and as one who shares your commitment to bring to bear the best that the audio-visual field can produce on the achievement of first-rate education for all Americans.

In a time when audio-visual equipment and materials are becoming increasingly important in education at all levels, I am especially pleased to see that you, members of the audio-visual industry, are making it a point to improve your knowledge in order to be of more use and to give better service to your customers.

Let me say at the outset that I envy the challenge and excitement of your task in the audio-visual field. You hardly need to be reminded that yours is a revolutionary industry, pulsating with new and dramatic developments. As *Fortune* magazine has put it, "technology is knocking at the schoolhouse door" and what we have seen so far in the new educational media is only a trickle compared with what is likely to come in the future. The industrial revolution is just getting underway in American education.

In stock market jargon, the audiovisual field is operating in a decidedly bull market. The amount spent in this country on audiovisual materials has increased 30-fold in the past 20 years, and in recent years especially American business has been entering the field on a broad scale. With some $50 billion being spent annually on our schools and colleges, the lure of the education market has been a powerful force pushing education and business together.

The buoyant conditions in the education market stem partly, of course, from the growth of Federal aid to education. As you know, the past several Congresses with the leadership of President Kennedy and President Johnson, have compiled an unprecedented record in education. That records is remarkable in its breadth and scope: the Higher Education Acts of 1963 and 1965; the Vocational Education Act; the Health Professions Educational Assistance Act; the Manpower Development and Training Act; the Library Services and Construction Act; the State Technical Services Act; the National Defense Education Act and subsequent amendments; the Arts and Humanities Foundation Act, the historic Elementary and Secondary Education Act; the International Education Act; and all the programs embraced within the War on Poverty. I should here also be sure to take note of another major bill which represents a significant contribution to American education and which was passed only last week by Congress. I speak of the Education Professions Development Act of 1967, which brings together many of the existing programs for teacher education at every level, from pre-school through graduate school, and also provides for a three-year extension of the Teacher Corps.

Under a number of provisions in all these acts, Federal dollars are being used to help create a sizable market for new educational materials and technologies. The Federal government is currently investing about one-half billion dollars annually in educational technology, and this is not to mention the millions spent by the Defense Department as part of its $4 billion annual budget for education and training.

STIMULUS TO AUDIO-VISUAL INDUSTRY

This infusion of Federal resources has greatly stimulated the audio-visual industry, as I am sure you are well aware. Under Title I of ESEA, for example, which authorized nearly $1 billion for educationally deprived children during its first year of operation, audio-visual aids have frequently been key elements in the design of local school district projects.

The Title II program under ESEA offers grants for school library resources including books, periodicals, and audiovisual materials. A substantial share, 19 percent, of the Title II appropriation in fiscal year 1966 was used for audiovisuals. I might add that this state, Indiana, has spent considerably above the national average—30% of its $2.5 million allocation—for audio-visual equipment.

Title III, providing funds to local districts for supplementary and innovative educational services, has also been a means for expanding audio-visual facilities in the schools.

Previous to ESEA, the main Federal support in this field was Title III of the National Defense Education Act, designed to strengthen instruction in critical subjects. Schools across the country still benefit under this program, and an estimated 38 percent of the funds for acquisition projects are spent on audio-visual materials.

In the Higher Education Act of 1965, the Congress sought to strengthen the educational resources of our colleges and universities, authorizing grants to enable them to purchase teaching equipment and undertake minor remodeling of undergraduate facilities. Classrooms, libraries, and audio-visual centers in our colleges have been able to acquire projectors, screens, recorders, sound systems, films, and tape and disk recordings.

Title I of the Higher Education Act, authorizing community service and continuing educational activities, and Titles I and II of the Economic Opportunity Act are among a number of other programs which have spurred the growth of the audio-visual industry.

Only a few years ago, your industry would have turned handsprings if someone had offered to provide for programs to train elementary, secondary and college faculty personnel in the use of audio-visual materials and equipment. Yet this year two such programs are in operation in the educational media institute program under Title XI of NDEA, under which 1250 media specialists are being trained this year at a cost of $1.9 million and the faculty development program under Title VI of the Higher Education Act, by means of which 2200 college teachers are being trained to use your materials and equipment, at a cost of $2.5 million. Thus a total of $4.4 million in Federal funds is being spent this year on media training.

While it may be true that these training programs do not put money in your pockets this year, there is no doubt that in the long run they will be major factors in assuring the proper utilization of your new media and thus in expanding your market.

RESPONSIBILITIES OF AUDIO-VISUAL INDUSTRY

From this partial catalog of Federal aids, it is clear that the Congress has made a commitment to the promise of the new educational technology. But I hasten to add that we expect that you, as professionals in this revolutionary sector of eductaion, will carry out certain responsibilites in return.

As I have said, you bear a responsibility to serve and advise your customers as well as to sell. For one thing, if you familiarize yourselves with the provisions of the various Federal programs that I have mentioned, you can be of great service in helping the schools to take advantage of the Federal financial assistance that is available to them. Many local school officials are insufficiently aware of the range of possibilities in Federal aid to education.

Moreover, schools in the market for audio-visual equipment need careful counselling in order to fit the product to their particular needs. By having thorough knowledge of the hardware and software that you are marketing, you can help the schools to make wise purchases and to use the audio-visual materials effectively once they have been acquired. For those of us in Congress who recognize the importance of the new audio-visual tools and are seeking to appropriate more money for their use, our job is made much easier when we hear satisfied testimony from users, rather than reports that the new equipment is ineffective, is falling apart, or is too complicated to use.

Commissioner of Education Harold Howe has warned that in the new educational technology we are confronted with an unfortunate combination of sophisticated machinery and unsophisticated buyers. If there are some companies impatient to sell, Howe says, there are some consumers equally impatient to purchase what is new, conspicuous, or prestigious. Fast-buck salesmanship combined with a schoolman's eagerness to latch on to the latest ideas can lead to disappointed hopes and a great waste of resources.

Your mission should be to bridge the gap between the schoolman's lack of technological sophistication and the staggering complexity of some of the new educational media. Your job should be to simplify and explain and thus to give guidance to the schools in their use of audio-visual materials and technologies.

As members of a profession which has such enormous potential for public service, in my estimation you also have a responsibility to direct your attention to some of the major issues in education today. It was that eloquent philosopher of education, Alfred North Whitehead, who said ". . . a great society is a society in which its men of business think greatly of their functions." The functions of this exciting young industry are of the most profound importance to education, and I look to the industry to think of them greatly.

Although research findings are more fragmentary than comprehensive, more suggestive than conclusive, it seems clear that the new educational technology can mean radical, indeed dramatic, improvements in the learning process itself. The new technology has the potential to release both student and teacher from the bonds of a pedagogy which often has little connection with the problems of mass society or the promise of mass communications. The best of the new technology, it seems to me, is capable of enhancing the development of all students along their own individualized "track" and the performance of teachers as transmitters not simply of facts, but of thought and experience. In more specific terms, what precisely do we expect of the new technology and what can we do to increase the return on our investment in the new technology?

NEED TO APPLY NEW TECHNOLOGY TO TOUGHEST PROBLEMS IN AMERICAN EDUCATION

As a strong advocate of the growing Congressional role in the development of educational technology, I have been thinking about these questions. I submit to you that the new technology should be addressed not only to the question of educational reform in the broad sense of reorienting the learning process, but also to the tough problems that weigh most heavily upon us right now—educational deprivation and under-achievement, adult illiteracy, and school integration.

We must greatly sharpen our thinking about the potential impact of the new technology on these critical issues, about the hardware and software most appropriate to a given task, and about the manpower required to direct and program it effectively.

It is largely up to people like you, leaders in the field of technology to insure that your industry directs the equipment and material you produce far more effectively than you have done so far towards solving the toughest problems in American education today—such as quality schooling in big city slum areas and coping with school segregation.

I realize there is a lucrative market for audio-visual educational aids in affluent suburban school districts. But producers and sellers of these aids will serve the national interest as well as find another major market if they seek imaginatively to bring the new technology to the slum areas of our great cities where educational deprivation is most severe.

Much of the new technology has already been put to work in this problem-oriented fashion. Certain of the Job Corps contractors, for example, have employed a systems approach to the literacy and skills training of their enrollees with heavy emphasis on audio-visual materials. In a number of cases young people who previously had been written off by the schools as chronic "slow learners" and "underachievers" have shown progress never expected of them. Many Job Corpsmen who previously could not pass the mental portion of the Army entrance examination have, with the help of new methods of instruction and new materials, now succeeded in passing it.

Similar results have been observed in a number of adult literacy projects under Title II–B of the Economic Opportunity Act and other legislation. Much more, however, needs to be done in the application of the new media to the problems of adult literacy.

Under ESEA programs during the past two years there have been further examples of the new media at work, being applied in some cases to the problems of the specially handicapped. For example, in Waterville, Maine, a community largely populated by French Canadians, in which many students are disadvantaged because they come from homes where only French is spoken, a model library and audio-visual center have been created in the local high school with funds from Titles II and III of ESEA. The project has radically changed curriculum development at the school and has greatly facilitated the learning process for the French-speaking students. Their reading and writing levels are slowly beginning to rise through the use of the audio-visual equipment.

LARGEST MARKET IN BIG CITY SLUMS

The largest market potential for your products, however, is likely to be in the racial slums of our cities, where educational deprivation is most severe. Here lie the greatest challenges to the new educational media. Here is where individualized education and special attention are imperative if we are to reach particularly the Negro children who, because of the schools' past failures, tend to perform below the level of white students. The widely acclaimed "talking typewriter" device and other innovations in your industry may hold the best hope for quality education of these children.

Much more imaginative research and bold experimentation must be undertaken in all these areas. We have scarcely made a beginning. These are problems that are not going to disappear by themselves, and you in the audio-visual field must harness your equipment, your skills, and your imagination to solve them.

Let me focus your attention briefly on one of the most overriding challenges facing American education today—school desegregation. We need more evidence than we have seen to date of creative efforts to use the new technology to find ways of eliminating de facto segregation in our nation's schools.

Integrating the schools is not a dilemma about which only school superintendents, school board officials, mayors, and parent-teacher associations should be concerned.

You in educational technology must also apply your extraordinary talents and revolutionary teaching devices to finding answers to this crucial problem. I am a firm believer in equipment for improving reading skills, but I would like to know what equipment you have designed for accelerating integration. I would like to know what the innovative drive of your industry has produced in this field.

Commissioner Howe has suggested that school superintendents be prepared to take more heat from the kitchen. I submit that you too must feel more of the heat; that you must become concerned about it; and that you must use your skill and ingenuity to help cool things off.

NEED FOR EVALUATION OF AUDIO-VISUAL MEDIA

I should like in the final part of my remarks to consider with you the critically important function of evaluation and assessment in your industry. The payoff we are looking for in the new media depends not only on determined application of the technology to our toughest problems; it depends on *effective* application, and this in turn depends on adequate evaluation systems—far more adequate, I might add, than have been developed to date. Of the hundreds of products, both hardware and software, that the industry has manufactured to meet the demand stimulated by recent legislation, some will be highly worthwhile, and others simply will not.

To maximize the return on our public investment, it is imperative to learn as quickly as possible which systems are the most effective, and to disseminate these findings to all current and future users. I want to make it clear that you in the audio-visual industry should not fear but rather should welcome such tough-minded evaluation of the effectiveness of your products, for such evaluation can be an important guide in making your own investment decisions. Moreover, many tax dollars are being invested in your products and the public has a right to know if this investment is paying off in terms of improved education. Effective evaluation will help us all, in government, industry and the schools, to avoid costly duplication of systems and to learn what are the most effective audio-visual equipment and materials and techniques.

One important source of media evaluation and dissemination of product information was established recently by an Office of Education grant to the Institute for Educational Development, which is inaugurating a program designed to help school administrators make more efficient use of local, state, and Federal funds in the purchase of learning materials and equipment. Initially, the project will concentrate on developing a system for collecting reports of the experience of schools with various products and for making summaries of these reports available to other schools and to manufacturers of educational products. The system is to be known as the Educational Products Information Exchange.

The process of evaluation is being advanced still further by the network of regional research laboratories set up under Title IV of the Elementary and Secondary Education Act. These expert laboratories are helping local school districts to assess their educational resources and practices, and to develop and then implement worthwhile strategies for improvement. The laboratories, designed to subject the new media to cost effectiveness and other studies, stand to make an important contribution in working toward effective utilization of first-rate audio-visual techniques and materials.

I have suggested to you this evening that you who are pushing back the frontiers of this dynamic field must face up to important responsibilities. It is up to you to provide the moving force for continued innovation and change as well as effective utilization of the new communications devices in our schools and universities. You will meet with resistance and change will be slow, but it will in large measure be your efforts that will determine whether we are to realize the full potential for American education of the new technology. We in Congress have weighed the issues and made a firm commitment to the possibilities of the new media. It is your job to justify that commitment.

I have also asked you to harness your equipment to meet the most urgent issues of our time. These issues, from poverty to integration, demand your skills and your concern. Today we can permit no one who works in education—teacher superintendent, politician or businessman—the luxury of standing on the sidelines. You in the field of educational technology are in the vanguard of what Francis Keppel calls the "necessary revolution in American education." You have a special contribution to make, and therefore a special obligation to perform. I wish you well in your exciting task.

ADDRESS BY SENATOR ROBERT F. KENNEDY

Mr. PRYOR. Mr. Speaker, I ask unanimous consent that the gentleman from California [Mr. BURTON] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

Mr. BURTON of California. Mr. Speaker, recently my constituency was favored by an enlightening speech by Senator ROBERT F. KENNEDY.

In these troubled times I found it encouraging and inspiring to hear the distinguished Senator from New York articulate what I believe should be our national priorities.

We must move decisively to attach the ills of our cities and our indigent citizens. In Senator KENNEDY's words:

> We cannot allow involvement in the name of independence and democracy in Viet Nam to interfer with the extension of freedom for our own people.

I commend this speech to my colleagues. It is short, well reasoned, and to the point.

ADDRESS BY SENATOR ROBERT F. KENNEDY, DEMOCRATIC LEGISLATIVE DINNER, HOTEL FAIRMONT, SAN FRANCISCO, AUGUST 4, 1967

We meet tonight as Democrats.

But we meet always as Americans.

And therefore I would speak with you, not about politics or election prospects, but about what is rapidly becoming the most terrible and urgent domestic crisis to face this nation since the War Between the States.

I speak of course, of the violence that has exploded in our cities, spreading across the country, sending fear and anger before it, leaving death and devastation behind. It would have seemed fantastic, only a short time ago, if we had been told that the summer of 1967 would see tanks and helicopters patrolling our streets, armed battalions enforcing the peace of our cities, and thousands of our fellow citizens loosed on an aimless orgy of violence, robbery and death.

The strife is not the failure of a single Administration or single institution of government. It does not rest with particular Mayors or Governors, with civil rights leaders or federal officials. It is embedded in the history of modern America; it reflects an inadequacy of understanding, will and resolve by an entire nation.

This is not the time for futile accusation and recrimination; for shifting blame and apportioning fault. Nothing we now say about any person's mistakes will give us one more moment of future peace, nor will it safeguard or enrich the life of a single American citizen.

So let us reject narrow views and struggles for political advantage; and let us find instead that spacious and resolute national purpose which alone can end the revolution in our cities, and build us cities that do not breed revolution.

For our party, the Democratic Party, has not spent its energies finding guilt in the past but in finding direction for the future. And that is what the Democratic Party must and will continue to do. At the outset we must make it unequivocally clear by word *and* deed that this wanton killing and burning cannot and will not be tolerated.

A violent few cannot be permitted to threaten the lives and well-being of the many, nor lawless gangs to disrupt the peace of our cities and the hopes of their fellows for progress. Those who lead others to burn and kill must feel the full force of the law.

That, however, is just the beginning. Punishment is not prevention. History offers cold comfort to those who think grievance and despair can be subdued by force. To understand is not to permit. But to fail to understand is the surest guarantee of a mounting strife which will assault the well-being of every citizen. The riots may have passed their peak—let us hope so—but now we enter a period of equal danger. It is the danger of a deepening division between white and black America. It is the danger that fear will breed resentment, and resentment will bring hostility, and increasing hostility feed mounting fear.

This is the danger that comes from those who refer to their fellow Americans as "honkies" or "mad dogs". This division represents not a failure of compassion, or of the American sense of justice; rather it is a failure of understanding and communication. We live in different worlds and gaze out over a different landscape. Through the eyes of the white majority, the man of decent impulse and moral purpose, the Negro world is one of steady and continuous progress. In a few years, he has seen the entire structure of discriminatory legislation torn down. He has heard Presidents become spokesmen for racial justice, while Negro Americans enter the Cabinet and the Supreme Court. The white American has paid taxes for poverty and education programs, and watched his children risk their lives to register voters in Alabama. Seeing this, he asks, what cause can there be for violent insurrection, or dissatisfaction with present progress?

But if we try to look through the eyes of the young slum-dweller—the Negro, and the Puerto Rican, and the Mexican-American—the world is a dark and hopeless place indeed.

Let us look for a moment.

The chances are that he was born into a family without a father—often as a result of welfare laws which require a broken home as a condition of help; for the Negro his chance to live to 20 is the same as a white man has of living to 40. I have seen, in my State of New York, these children crowded with adults into one or two rooms, without adequate plumbing or heat, each night trying to defend against marauding rats.

The growing child goes to a school which teaches little that helps him in an alien world. The chances are 7 out of 10 that he will not graduate from high school—and even when he does, he has a 50–50 chance of acquiring only as much as the equivalent of an 8th-grade education. A young college graduate who taught in a ghetto school sums it up this way: "The books are junk, the paint peels, the cellar stinks, the teachers call you nigger, the window falls in on your head."

For the rest of life also there are statistics: 43% of ghetto housing substandard and overcrowded; 14,000 people treated for rat bites every year; a quarter of a million Puerto Rican schoolchildren in New York City, of whom only 37 went on to college last year. And the people of the ghetto live today with an unemployment rate far worse than the rest of the nation knew during the depth of the Great Depression.

That was a national emergency. Our cities, therefore, envelop dozens of even greater emergencies. In the typical big-city ghetto, only two out of five adult men have jobs which pay $60 a week or more—enough for each member of a family of four to eat 70 cents worth of food a day. Only half the adult men have full-time jobs at any rate of pay. Less than three out of five have any work at all.

Across the bay in Oakland, there was a "Job Fair". Fifteen thousand people came to ask for work. Jobs were found for two hundred and fifty. And the other fourteen thousand who wanted to work, but for whom there was none—where are they tonight? Many of them are in fact not even recorded in our statistics. The Census Bureau, the Labor Department, the draft boards—the whole apparatus of government cannot even find from one-fifth to one-third of the adult men we know live in the ghetto. They drift about the cities, separated from society, as if they were of no greater concern to us than so many sparrows or spent matches.

Twenty thousand or more in Los Angeles, perhaps twice that in my own city of New York—where are they and what are they doing. When—and how—will they next remind us of their existence? And let us be clear that all this is true despite the laws, despite the programs, despite all the speeches and promises of the last seven years.

It must be for us a cruel and humbling fact—but it is a fact nonetheless—that our efforts have not even maintained the problem as it was: economic and social conditions in these areas, says the Department of Labor, are growing worse, not better."

But this is not all that the young man of the ghetto can see. Everyday, as the years pass, and he becomes aware that there is nothing at the end of the road, he watches the rest of us go from peak to new peak of comfort. A few blocks away or on his television set, the young Negro of the slums sees the multiplying marvels of white America: more new cars and more summer vacations, more air-conditioned homes and neatly-kept lawns.

Everyday he is told, by the television commercials we broadcast, that life is impossible without the latest products of our consumer society. But he cannot buy them. He is told that Negroes are making progress. But what can that mean to him? He cannot experience the progress of others, nor should we seriously expect him to feel grateful because he is no longer a slave, or because he can vote, or eat at some lunch counters.

He sees only the misery of his present and the darkening years ahead. Others tell him to work his way up as other minorities have done; and so he must. For he knows, and we know, that only by his own efforts and his own labor will the Negro come to full equality. But how is he to work? The jobs have fled to the suburbs, or been replaced by machines, or have flown beyond the reach of those with limited education and skills. He is powerless to change his place, or to make a better one for his children.

Thus he is denied the most fundamental of human needs; the need for identity; for recognition as a citizen and as a man. Here, and not in the pitiful charade of revolutionary oratory, is the breeding ground of black nationalism and "reverse racism," and of aimless hostility and violence. The violent youth of the ghetto is not simply protesting his condition, but making a destructive and self-defeating attempt to assert his worth and dignity as a human being—to tell us that though we may scorn his contribution, we must still respect his power.

Does all this give us direction for the future? I think it does.

For the fact is that Americans are not cruel or unjust or indifferent to suffering. The whole chronicle of our nation records the ultimate triumph of compassion and the spread of opportunity. Those are, and they remain, the basic instincts of the American people. What we must do is to build new bridges of trust and cooperation in a mutual commitment to justice. We can begin with a dialogue between the two Americas, which in turn will require that we look into ourselves. We have spent hundreds of millions of dollars trying to learn to speak to other peoples. Now we must learn to speak to each other. If the churches will affirm their involvement with the least among us, by working in the ghetto, and carrying the moral imperative into every suburban pulpit; if labor, with the fervor and drive of the 30's, will organize and fight for those who still languish in depression; if political parties see these problems as a chance, not to seize office, but to serve the nation; if we do these things, all of us—you and I—then we can engage in a dialogue between black and white which will reveal the misery of the one and liberate the fundamental decency of the other.

But dialogue requires more than words, and more than sentiments of brotherhood. We must demonstrate good faith with forceful action. The tasks before us—the opportunities to improve the lot of the poor and the life of the nation—are almost endless: we need to learn to build an educational system, far different in quality and kind, able to meet the special needs of educational poverty; a national system of hospital clinics and insurance, to guarantee that all American children have the chance to grow straight and strong; the development of basic housing at costs within the budgets of all; a police system with the confidence of all the people of the community because it protects and defends them all with firm efficiency and respect. And there are other new ideas, to be assessed and debated and tested. And there are things we can—and must do—immediately.

The first is an impact project designed to put men to work and to restore hope to the young and to give the unemployed resident of the city slum some sense of dignity and promise. We should begin immediate programs of needed public tasks and works—providing jobs to build schools and roads, to restore parks and erect clinics, and to staff the schools and clinics and neighborhood centers when they are built. Our communities need these jobs done, and the men of the ghetto need jobs. By matching the two we can return hope while meeting the most urgent needs of the nation.

This will cost money, although—in the long run—the cost will be less than if we do not act. But—in any case—we cannot allow involvement in the name of independence and democracy in Viet Nam to interfere with the extension of freedom for our own people.

We must also turn the power and resources of our private enterprise system to the underdeveloped nation within our midst. This should be done by bringing into the ghettos themselves productive and profitable private industry—creating dignified jobs, not welfare handouts, for the men and youth who now languish in idleness. To do this, private enterprise will require incentives—credits, accelerated depreciation, and extra deductions—as effective and comprehensive as those we now offer for the production of oil or the building of grain storage facilities or the supersonic transport.

What we have done to enhance the interests of the powerful—we can and must do to preserve the power of the nation.

Jess Unruh, the Speaker of the Assembly, has given important leadership in this field here in California. Other parts of the country, and the Federal government should follow the direction he has set.

And to do this is not to reward the thousands who have rioted—it is to extend the hand of good faith toward the millions who have not.

There is, after all, no alternative. History has placed us all, black and white, within a common border and under a common law. All of us, from the wealthiest to the young children I have seen in this country bloated by starvation—we all share one precious possession: the name "American."

It is not easy to know what that means. But in part to be an American means to have been an outcast and a stranger, to have come to the exile's country, and to know that he who denies the outcast and stranger still among us, at that moment also denies America.

But I do not believe we will deny this nation. I believe we will make the necessary commitment of national will and resolution.

For us as Democrats the responsibility is clear. We must reject the counsel of those willing to pass laws against violence, while refusing to help eliminate rats—and to ignore the monstrous disproportions of any willing to spend billions for the freedom of others—while denying our own people. We must offer that leadership—in every legislature and school board and city hall—which dares to speak out *before* it tests the shifting wind of popular anger and confusion; that leadership which prefers facts to illusions, action to sullen withdrawal, sacrifice and effort to indulgence and ease. For when the enemy is at the gates, who will reward the messenger that comforts the people?

As for those who find repression more congenial than justice, and anger more popular than compassion—let them go their way. It is not ours. For our party and our tradition has always called on the best in our people to perform our duty with courage and conviction, to enrich the lives of all of our citizens. We shall do so again, because it is right. And—to that kind of commitment—we know the American people will respond.

TESTIMONY OF HON. ABRAHAM J. MULTER BEFORE COMMITTEE OF GOVERNMENT OPERATIONS SUPPORTING LICENSING OF MOTORBOAT OPERATORS

Mr. PRYOR. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. MULTER] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

Mr. MULTER. Mr. Speaker, it was my privilege to present to the Subcommittee on Special Studies of the Committee on Government Operations a statement in support of the provisions of my bill, H.R. 951, requiring the licensing of motorboat operators on the navigable waters of the United States.

Following is the text of my testimony:

Mr. Chairman, I appreciate this opportunity to present to you my views in support of my bill, H.R. 951, requiring the licensing of motorboat operators on the navigable waters of the United States. I am certain this committee understands the important need for this legislation.

I speak to you today as one who has lived all of his life in a Congressional District and a city with almost as much navigable waters as any other city in the country. I talk from personal knowledge and experience gained from civilian observation and participation as well as from service in the U.S. Coast Guard Reserve and auxiliary, both in war time and peace time.

Since 1962 the number of personal injuries in boating has risen nearly 60 percent, property damage has increased by 82.1 percent, and fatalities have gone up nearly 25 percent. Last year 1,318 persons died in boat accidents and another 1,555 were injured. The figures go hand in hand, of course, with the increasing popularity of boating. Not only has the number of pleasure craft swelled from 4,333,000 in 1965 to more than 8 million, but outboard motors are steadily increasing in size. Fifteen years ago the average motor was rated under nine horsepower; today's boats average more than triple that power. More and faster boats plus more people on and in the waters unfortunately add up to more boating accidents.

Capsizings, as in past years, still remain the largest type of casualty in the recorded deaths. In 1965, capsizings took 40 percent of the total number of lives lost in boating accidents. Most capsizings are attributed to the fault of the operator in his handling of the vessel.

Lack of training and experience may lead him into waters which exceed the limits of his craft, lure him into unexpected currents, cause him to ignore weather warnings, or to exercise poor judgment in loading his boat. Even alleged good swimmers attempting to swim into safety have succumbed within a short distance from shore.

For safety, all open boats should have positive buoyancy sufficient to support the passenger capacity when swamped or capsized. Life vests or preservers should be worn when boating conditions are hazardous, and by non-swimmers whenever out in open boats. In the vast majority of cases, cushions, vests, or preservers were in the boat but were not readily accessible, or were not used. Seventy-eight percent of last year's drowning victims did not use the life saving devices which were carried on board.

Failure to keep a forward lookout stands out as the principal cause of collisions between vessels and collisions with fixed as well as floating objects. Failure to know or apply the Rules of the Road is also involved in many collisions. Also, there is no measure of effectiveness of rear view mirrors or of observers in water ski boats.

It is clear, however, that training should stress the importance of the operator watching where he is going, of reducing speed in restricted and congested areas, of observing local traffic patterns, and of taking early and positive course and speed changes to pass well clear of other vessels.

It is obvious to anyone familiar with boating nowadays that some pilots of these fast-moving craft are landlubbers with little experience and less common sense who ignore speed limits in restricted channels, cruise dangerously close to swimmers, and jeopardize fishermen and sailboats with their wake.

Also, there is the fact that a 10-year-old may have to be held by the hand before he crosses a street, but in some states he can operate a motorboat. Youths in the 12 to 18 year old group constitute approximately 5.28 percent of the total active motor boating population, but this same age group was involved in 13 percent of all motor boating accidents. Statistically speaking, youths are involved in more than twice as many accidents as should be expected of them based on the amount of boating they actually do.

The United States Coast Guard has been very active in patrolling the navigable waters of our country and in the education of the boating public as to safe boating practices. Using the mobile boarding detachments, the Coast Guard has an on-the-move safety patrol which makes unadvertised stops at every possible navigable lake, river or other water front where boating activities are conducted. These units are effective because of their mobility, thus preserving flexibility so that a broader impact is obtained.

The primary mission of these units is to minimize unsafe practices such as speed, overloading, improper loading, operating while under the influence of liquor, operating in swimming areas, operating in posted dangerous waters, and heading out into stormy conditions when they should be heading for shelter.

The effectiveness of the Mobile units is not to be measured by the number of boardings reported. The measurement of their effectiveness is whether or not our waterways are safer; whether the boating public is better educated in safe boating procedures; and finally whether the accident rate decreases.

I commend the Coast Guard for the outstanding job they have done and continue to do in safeguarding America's waterways. It is my belief, however, that safety education and patrols are not enough.

It is necessary to insure that a motorboat operator knows the rules of the road before he goes upon public water and not after he has broken a law or ignored a cautionary measure.

Safe boating is an enormously big project when we consider there will be over 40 million Americans in more than 8 million boats of all kinds plying the waters from the far reaches of Guam in the Pacific to the Virgin Islands in the Atlantic, and from Alaska across the continent to Puerto Rico.

Every river, lake, and bay that constitutes the navigable waters of the United States will note the presence of the American boatman. Looking at the statistics before us, I feel that our supervising of boating has been inadequate and that we can no longer tolerate a rising death toll from misuse of our waterways. It is necessary to set a standard of requirements and to educate and test those who will operate motorboats. We would not for one minute allow people to operate automobiles without a license. With the tremendous growth in the boating industry, I find it unfathomable that we should allow untrained and unlicensed individuals to drive through our waterways.

Therefore, I recommend to you the provisions of my bill, H.R. 951, which would require this so necessary licensing. H.R. 951 is pending before the Committee on Merchant Marine and Fisheries. It is my hope that that committee and this Congress will act favorably on it this session.

If your committee reports legislation on recreational boating safety I hope that the provisions of H.R. 951 will be included in it. Thank you.

MOORHEAD INTRODUCES MONDAY HOLIDAY BILL

Mr. PRYOR. Mr. Speaker, I ask unanimous consent that the gentleman from Pennsylvania [Mr. MOORHEAD] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

Mr. MOORHEAD. Mr. Speaker, I am today introducing a bill designed to end the disruption and confusion stemming from the arbitrarily assigned dates on which we celebrate certain of our national holidays. My bill provides for the scheduling of all legal public holidays except Christmas and New Year's Day on Mondays.

My bill combines the best features of similar proposals introduced earlier this year by the gentleman from New York [Mr. STRATTON] and the gentleman from Illinois [Mr. MCCLORY], and adds an important holiday omitted from their measures.

The earlier bills deal with well-established holidays, including Washington's Birthday—which would become Presidents' Day in my bill—Memorial Day, Independence Day, and Veterans' Day, and establishes appropriate Monday dates for their observance.

But none of those proposals includes a holiday to celebrate the great explorer and discover, Christopher Columbus, whose astonishing achievements make him worthy of an annual national observance. My bill designates the second Monday in October of each year as Columbus Day, a legal public holiday.

I have chosen the second Monday in October as Columbus Day because it corresponds most closely to October 12, the Julian Calendar date on which Columbus is said to have discovered the continent of North America.

I might point out, however, that had I chosen to accommodate the Gregorian Calendar adopted after Columbus' great voyage, the holiday would have been observed on a Monday closer to October 23.

As is the case with Columbus Day, the dates on which we now observe many of our public legal holidays have little or no connection with the events they commemorate.

For example, we celebrate George Washington's birthday on February 22, when he was actually born on February 11. The reason for this is that the British introduced the Gregorian Calendar to their American Colonies during George Washington's early years, advancing all dates by 11 days.

The day on which we now celebrate our assertion of independence from Britain, July 4, also is historically inaccurate. It was on July 2, 1776, that the Continental Congress actually adopted the resolution of independence advanced by Richard Henry Lee and John Adams.

The above facts suggest that there is little reason other than habit and obscure tradition to continue to celebrate many of our national holidays on the dates we now assign them.

More important, there are numerous sound reasons to change the observances to specifically designated Mondays each year.

First, as we have seen in three instances so far this year, the observance of holidays on arbitrarily assigned dates causes widespread inconvenience and inefficiency in business and government. George Washington's birthday, Memorial Day, and Independence Day all fell in midweek this year, and widespread absenteeism was reported in both business and government as employees sought extended weekends or minivacations built around the 1-day holidays.

My bill would eliminate the frequent abuses of sick leave that such 1-day holidays promote, and would allow all employes to plan a series of 3-day weekends spread throughout the year without inconveniencing their employers.

Second, there is strong evidence that an increase in the number of 3-day weekends, along with a corresponding drop in the number of 1-day holidays, would result in a decrease in the number of fatalities on our highways.

Statistics compiled by the National Safety Council demonstrate that the traffic fatality count for single-day holidays falling in the middle of the week is far higher than for any single day of a 3-day weekend. The reason for this is that many families try to take a long trip even over a 1-day holiday. The resulting pressure and fatigue increase the accident rate. With the planning and preparation possible for the 3-day weekends guaranteed by my bill, families will be able to drive at a more leisurely pace and the accident rate will decline.

Third, there is widespread and growing support for the idea of Monday holidays among the public, in business circles, and, naturally, among travel organizations. A recent questionnaire in This Week, the popular Sunday newspaper supplement, revealed that 18 out of every 19 Americans favor the scheduling of holidays to provide 3-day weekends.

The influential U.S. Chamber of Commerce early this year, polled its members on the question of Monday holidays, and 85 percent of the 10,000 members responding favored the proposal.

Finally, and this is important, the commemorative purposes of the holidays would not only be preserved by scheduling them on Mondays, they would also be enhanced. People will have time to organize and participate in appropriate celebrations and observances and to reflect on the reasons for their 3 days of enjoyment.

It has been argued that a bill to change the dates of traditional holidays to Mondays constitutes an infringement on States' rights. I wish to point out that the holidays enumerated in my bill are not national holidays as such, but "legal public holidays" as designated in section 6103 of title 5 of the United States Code.

The President and the Congress can designate them as holidays only for the District of Columbia and for Federal workers around the Nation. The States have jurisdiction over the holidays they choose to observe, and these are set aside either by legislative enactment or by executive proclamation.

In the hope that many of my colleagues may see fit to sponsor this worthwhile legislation, I append its text to my remarks:

H.R. 12213

A bill to provide for uniform annual observances of certain legal public holidays on Mondays, and for other purposes

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) section 6103(a) of title 5, United States Code, is amended to read as follows:

"(a) The following are legal public holidays:

"New Year's Day, January 1.

"Presidents Day, the third Monday in February.

"Memorial Day, the last Monday in May.

"Independence Day, the first Monday in July.

"Labor Day, the first Monday in September.

"Columbus Day, the second Monday in October.

"Veterans Day, the second Monday in November.

"Thanksgiving Day, the fourth Monday in November.

"Christmas Day, December 25."

(b) Any reference in a law of the United States in effect on the effective date of the amendment made by subsection (a) of this section to the observance of a legal public holiday on a day other than the day prescribed for the observance of such holiday by section 6103(a) of title 5, United States Code, as amended by subsection (a), shall on and after such effective date be considered a reference to the day for the observance of such holiday prescribed in such amended section 6103(a). Any reference in a law of the United States (in effect on such effective date) to the observance of the birthday of George Washington as a legal public holiday shall on and after such effective date be considered a reference to the observance of Presidents Day as a legal public holiday.

SEC. 2. The amendment made by subsection (a) of the first section of this Act shall take effect on January 1 of the year following the date of the enactment of this Act.

VIETNAMESE ELECTIONS

Mr. PRYOR. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. WOLFF] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

Mr. WOLFF. Mr. Speaker, I have taken the floor numerous times to urge that the United States do all it can to assure that the September 3 Vietnamese elections are completely free. I have spoken on this subject several times because I believe the elections offer the greatest possible hopes for ultimate peace in Vietnam. The importance of the elections to the world community cannot be overstated.

The freedom of the elections—the degree to which the people of South Vietnam can honestly work their will—may well determine whether or not negotiations can be begun with North Vietnam as a first step toward ending the war there.

On Saturday, August 5, Newsday printed an excellent editorial on the importance of the elections and the need for the United States to help assure the freedom of the voting. I commend this editorial to my colleagues' attention, and include it in the RECORD at this point.

THE VIETNAMESE ELECTIONS

Only the same day that President Johnson proposed higher taxes for the American people the presidential election campaign opened in South Vietnam. The higher taxes being asked by the President are largely made necessary by our military effort in Vietnam. We are there to resist a Communist takeover and to defend the right of the South Vietnamese people to determine their own form of government. If there is to be self-determination, if our effort in Vietnam is to be successful, honesty in this election is of the utmost importance.

There are candidates running on 11 different tickets, including the powerful slate representing the nation's military establishment. The military of course has vast political leverage. If this is to be a fair election, the military candidates—Lt. Gen. Nguyen Van Thieu and Marshal Nguyen Cao Ky—are going to have to exercise restraint in the use of their power. The outcome must represent the choice of the people. Ky has said he would not give way to a regime that he did not consider a good one. This will distress many Americans who support our involvement in Vietnam. It will be tragic for South Vietnam and the U.S., if anyone thwarts the attempt to give the people of that country a government they can trust.

GEORGE B. GALLOWAY

Mr. PRYOR. Mr. Speaker, I ask unanimous consent that the gentleman from Connecticut [Mr. MONAGAN] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

Mr. MONAGAN. Mr. Speaker, at the memorial service for Dr. George B. Galloway, which was held on August 2, 1967, at the Cosmos Club, our colleague, the gentleman from Connecticut [Mr. DADDARIO], delivered a noteworthy eulogy of our departed friend.

Although it was relatively brief, it was so gracious and touched so sensitively the attributes and achievements and the personality of George Galloway, that it should have further circulation.

I am, therefore, proud and happy to include Representative DADDARIO's eulogy following these introductory remarks:

At Wesleyan University—which is George Galloway's school and mine—a favorite song, "Tella Mystica", closes with these lines:

"So may we live, that when our lives shall end some memory of us, with that web may blend and so may we die."

George's gentle hand has now been stilled. Yet the pen it held has indelibly etched his thinking with emphatic permanence on our society. As an author his works are classical in proportion and they will continue to have an effect whenever an attempt is made to restructure our government, and especially the Congress, to the developing needs of our society. His interest was that the United States Congress be a vital force in shaping our destiny—both domestic and foreign—and he brought to that task a tempered, constructive, and scholarly attitude.

Brought up in the academic atmosphere of Middletown, Connecticut, which for many years was his home, as it was mine, he developed, because it was inherently in his nature to, a warm and penetrating intellect. How wisely he applied himself is attested to—not only by what he has written, but also by the individual members of Congress, officials from other countries, students and civil groups—who came to him to savor of his vast knowledge and experience.

He was consumed by the idea that the Congress shall play an important part in the development of our foreign policy. As Secretary to the United States Delegation to the Interparliamentary Union, he served a unique purpose. His advice to his delegation was sound at the core and yet somehow sprinkled with the kind of imagination that made it palatable to others. His presence, however, served a greater than an advisory purpose. He was our traveling academician—the one to whom delegates from other countries came to learn of our political structure—and why he believed it worked as well as it did.

George Galloway has woven his thoughts into the fiber of our society.

We who are his friends will remember him because of his character and his goodness. Others will remember him because a touch of his genius remains behind him.

ADDRESS BY RONALD B. LEE, DIRECTOR, OFFICE OF PLANNING AND SYSTEMS ANALYSIS, U.S. POST OFFICE DEPARTMENT

Mr. PRYOR. Mr. Speaker, I ask unanimous consent that the gentleman from New Jersey [Mr. DANIELS] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

Mr. DANIELS. Mr. Speaker, recently I had the great privilege of hearing a most outstanding address by Ronald B. Lee, Director of the Office of Planning and Systems Analysis of the U.S. Post Office, which was given at the New Jersey convention of postal supervisors.

I think all Members of the House should be given an opportunity to read Mr. Lee's outstanding statement. Therefore, Mr. Speaker, under unanimous consent I insert it at this point in the RECORD.

The speech follows:

ADDRESS BY RONALD B. LEE, DIRECTOR, OFFICE OF PLANNING AND SYSTEMS ANALYSIS, U.S. POST OFFICE DEPARTMENT, AT THE NEW JERSEY STATE CONVENTION OF THE NATIONAL ASSOCIATION OF POSTAL SUPERVISORS, JUNE 3, 1967

Mr. Chairman, Congressman Daniels—a distinguished member of our Board of Governors and a true friend of all postal employees, from the Postmaster General to the newest PFS-1—your esteemed Regional Director, Mr. Doherty, others at the head table, and ladies and gentlemen.

I feel I should apologize for the wonderful introduction Bill just gave me. It took almost as long to read it as it did to live it! But I promise you my remarks will not be relatively as long. When I asked Bill Grimm, your Chairman, if I should give a short speech, he said, "Oh no! Speak as long as you like and don't pay any attention to us when we all get up and walk out in about twenty minutes."

Seriously, it is a rare treat to be able to exchange ideas with you in a relaxed atmosphere instead of the crowded workroom floors on which I met some of you for the first time.

During the business session this afternoon and during some of the small group conversations in which I have taken part, it has become increasingly evident that you recognize the partnership that exists between you and national postal management. It is gratifying to discover that your discussions have centered around problems of a servicewide nature and, while you have not neglected your own interests, you have not restricted yourselves to these interests.

You have asked me to discuss the corporation proposal, and I'll gladly do so.

Mr. O'Brien has recommended to the President and to the Congress that the Postal Service:

1. Should cease to be a part of the President's Cabinet.

2. Should become a non-profit government corporation, rendering essential public service. I stress the word "public." Mr. O'Brien has not recommended that the the Postal Service be run by a private enterprise. The Service must always provide equitable service at equitable costs as prescribed by the American people. You can see how "public" the organization is by attention to these next few aspects.

3. Should provide postal services authorized by *Congress*.

4. Should be operated by a Board of Directors appointed by the President and confirmed by the *Congress*.

5. Should be managed by a professional executive appointed by the Board.

6. Should be given a clear mandate on the percentage of cost coverage for postal services, so that further revisions in rates—should they be necessary—would be on a fixed formula basis.

It is obvious that Congress would write the charter for the public corporation and could change it at any time.

In addition, Mr. O'Brien has said that management and employees alike should be paid according to standards of comparable industries. Employees should be offered more incentive and scope, as well as a wider area for collective bargaining.

These are far-reaching and provocative proposals.

The President and members of Congress consider them worthy of intensive study, and President Johnson has appointed a blue-ribbon commission to make such a study.

The Commission was directed by the President to report back to him by next April. Meanwhile, the President and the Postmaster General have made it clear service must not suffer.

While we await with interest the detailed findings of the President's Commission, there is one aspect we want to emphasize: Postmaster General O'Brien feels strongly that our present employees must retain the benefits that have accrued to them under the postal system—annual leave, sick leave, insurance benefits, retirement benefits—all of the rights our employees have fought so hard for and gained through the years.

It is vital—should such a reorganization occur—that it be based upon a foundation of an existing service of highest quality. We must be in a position to turn over a plant, a staff and an operation that would provide any reorganized system with the finest possible chances of success.

This cannot be achieved by Washington or regional management alone, or even by the postmasters.

You are the front line managers—our first team at the point. The buck must stop with you on many of our daily operational problems.

Because you have this responsibility, you also have a major personal stake in the proposed reorganization. Any improvement in the system generally means better conditions for you—more flexibility, more room for the exercise of personal initiative and independent judgment, and better administrative tools to meet your day-to-day problems.

The Postmaster General is keenly aware that you face a difficult task in the months ahead in helping to maintain the quality of service.

He asked me to convey to you his sincere personal appreciation for the fine work performed by supervisors over past months as we have surmounted many serious problems that could have been met only with your dedicated help. But much remains to be done.

I would like to deal with a couple of these problems very briefly and to urge you to consider how we can best meet them.

As supervisors, you will have a daily confrontation with these problems.

Until such time as a postal reorganization may provide us with better means of meeting the daily dilemmas, we must continue to handle a great deal of work—nearly 83 billion pieces in fiscal 1968—with no control over workload, with "unlimited no-controls" as the Postmaster General has described it.

For example, we must manage to do this big job with relatively little money.

Many of you must do so in crowded, outmoded post offices, with no prospects at this time for adequate quarters.

"No control" extends in large measure to many of the conditions of service which crowd in on us daily. Demands for new routes increase daily, mail trains are pulled off, business moves to suburban locations, and we must do our job without adequate tools.

No control also applies largely to the proper scheduling of your manpower.

It applies with equal importance to the most efficient use of your overtime.

In many areas of special significance to our supervisors, this Administration is endeavoring to provide the best encouragement and assistance.

For example, the President recommended the pay increase which goes a considerable way towards providing more equitable pay for supervisors. It is based on a percentage ratio of 4½ percent rather than a flat dollars and cents raise, which we feel would be more equitable at supervisory levels.

Supervisors have been asking themselves for some time where they are headed in terms of compensation, as pay increases have raised traditionally lower salaries higher and moved traditionally higher salaries to comparatively low levels.

This "compression" effect—squeezing supervisory and management wage levels while boosting rank-and-file pay—could mean relatively little difference between the two. It tends to water down the vitally important elements of supervisory responsibility and compensation based on responsibility.

I should caution you, however, do not make a hard and fast declaration of your collective position on pay legislation until all of the facts are in and the various alternatives have been discussed.

I am reminded of an example. A fellow brought a baby orangutan back from Africa and taught him to play golf. As the ape grew in strength, he could really drive a golf ball beyond human belief. The fellow decided to match him against the club professional and a $500 bet was to go to the winner of the round. Off the tee, the pro hit a 300 yard drive to the opening of the dogleg on the 557 yard par 5 first hole. The ape, however, slapped the ball over the trees, sand, water and rough and it trickled up to within three feet of the pin 556 yards away.

The flabbergasted pro, who could see his whole afternoon being wasted in humiliation and losing $500, as a kicker, decided to pay off then and look for some lesser players to recoup what he could of his loss. As he was paying off, he said, "Not that it matters, if he can drive like that, but how is he with a putter?" The fellow replied, "He putts the same way—556 yards every time."

So you see, while there is some benefit to having a position stated early in the game, there is also some danger in making the decision to rapidly.

While I have attempted here to deal with some of the developments that will have important effects—direct and indirect—upon your work, I have no allusions that I have come with all the answers to your problems. Nor would you, as supervisors, expect me to have all the pat answers.

However, I hope that I have given you an understandable picture of why you as supervisors must expect even heavier demands, even greater dedication, even more ingenuity. We in the Department have a deep respect for your role in coping with the vast problems of growing service and mail volume increases.

We do not expect miracles. We know, though, that we can count on you to help us move ahead little by little until a time when, hopefully, we may be able to take greater strides. I recall a thought expressed by Benjamin Franklin, our first Postmaster General, who said:

"Human felicity is produced not so much by great pieces of good fortune that seldom happen, as by little advantages that occur every day."

I look upon my visit here as an advantage that has accrued to me today. I am sincerely delighted to have been invited. And a most happy 50th birthday to your Association.

Thank you.

BASEBALL, A TONIC FOR AMERICANS

Mr. PRYOR. Mr. Speaker, I ask unanimous consent that the gentleman from Arkansas [Mr. Burke] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

Mr. BURKE of Massachusetts. Mr. Speaker, during the past few weeks I have been trying to interest Sargent Shriver and other people in the administration in a program that would provide free tickets to our disadvantaged youngsters living in the impoverished areas of our country, particularly in the ghettos, to sporting events. I have been trying to get across a very simple plan that would help get our youngsters out of their dissident atmosphere.

Today an excellent article appeared in the Washington Star and written by Carl T. Rowan entitled "Baseball: A Tonic for Americans."

The article explains the therapeutic, tranquilizing effect of a return to the world of peanuts and popcorn and crackerjack.

All I am trying to do is get the Federal, State, and local governments into a program that would cost the taxpayers approximately 25 cents an admission for the poor kids of this Nation and provide the kind of tonic that Carl T. Rowan refers to.

Every youngster adopts some hero in his early life—every youngster imitates those he admires. Let us get back to some of the old-fashion ways by making it possible for these young people to see our top athletes not only at the baseball games but also at football, hockey, basketball games, soccer, and at track meets. My bill now resting before the Interior Committee would provide for 80 million admissions for the next 2 years. It would be a sound and solid investment in our youngsters in the teeming tenement district. It would help make worthwhile citizens out of the youngsters in the years to come.

I commend the article for all Members to read:

Baseball: A Tonic for Americans

I didn't think it possible to go six hours without anybody bringing up Vietnam, rioting, tax increases or Charles de Gaulle.

But it happened! And in a Shangri-la that I had almost forgotten.

For a solid afternoon I just sat there stuffing myself, yielding to an infectious cry of "go, go, go, go," and relishing a delightful world where grown men act like boys and boys dream great dreams of manhood.

Encouraged by the two boys, I just went to my first baseball game in almost two years—a doubleheader.

It was like discovering a cheap psychiatrist.

Oh, the buns were a trifle soggy and the hotdogs not so hot, but how good they tasted—all eight of them. The crack of bat against ball and the roar of the kids in the bleachers added a spice that nobody has been able to put in a jar.

It was worth the trip just to learn anew that senators can be fun—a fact rather quickly lost sight of if one goes a year dealing only with the Capitol Hill variety.

But the baseballing Senators struck me as the kind of tonic Americans need in this time of tensions, hostilities and anxieties.

Drawn to the stadium was a melting-pot sample of the happy, harmonious, fun-loving America that we used to talk about and believe in before the headlines turned grim and ugly.

Oh, it was obvious that a fellow can get killed at a baseball game—if he's foolish enough to contest those 10-year-olds who scrap vigorously to haul in foul ball souvenirs.

But the cry, "play ball," seemed to drain all that poison out of the atmosphere (except for the crowd's ritualized pretense of occasionally wanting to kill the umpire). Here were 25,000 people united by a sudden, inexplicable love for their once-hapless Senators.

Suddenly, helping Gil Hodges decide whether Ken McMullen should bunt becomes the most crucial issue in the world. Let Lyndon Johnson and the generals have their decisions about whether to go on bombing places.

The screams and shouts of approval are deafening when an ebony-hued, Spanish-speaking lad named Casanova clouts a grand-slam homer over the 381-foot mark in left field. And you know that, for at least that moment, Newark, Detroit and Cambridge are of another world.

The therapeutic, tranquilizing effects of a return to the world of peanuts and popcorn and crackerjack are many. You watch two teen-age boys eat, incessantly through two long games and you aren't soon likely to demand explanations from the little woman as to why the grocery bill is so high.

Unhappily, there are no permanent residences in this Shangri-la. One must come back to the real world where the headaches and heartaches are bigger than those created by a visiting team that pours across nine runs in one inning.

But it was nice rediscovering an escape.

Maybe it would help if all the politicians, social reformers, self-proclaimed patriots and would-be kingmakers would pause occasionally and say, "Take me out to the ball game."

TO GUIDE OR MISGUIDE—ARCHIE MOORE POINTS THE WAY TOWARD RACIAL HARMONY

Mr. PRYOR. Mr. Speaker, I ask unanimous consent that the gentleman from California [Mr. Van Deerlin] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

Mr. VAN DEERLIN. Mr. Speaker, the San Diego Union yesterday carried, on page 1, a remarkable statement on interracial relations by a most remarkable San Diegan, former light heavyweight boxing champion Archie Moore.

Mr. Moore pulls no punches. His recommendations deserve close study at the highest levels of government, for he knows whereof he speaks.

This great champion is no "Uncle Tom," but neither, on the other hand, does he harbor any sympathy for the racial extremists who seek to divide the Nation.

Mr. Moore's message is crystal clear: lawlessness and violence will not help the Negro achieve equality with the white man.

He calls, in words of great eloquence, for a new era of understanding, for a "meeting of qualified men of both races." He offers, as a starting point for interracial cooperation, "ABC—Any Boy Can," his own highly successful program for curbing juvenile delinquency.

> If some bigot can misguide, then I can guide—

Says Mr. Moore, adding—

> I've spent too much of my life building what I've got to put it to torch just to satisfy some ancient hatred . . . .

I am indebted to my friend, Capt. E. Robert Anderson, vice president of the Union-Tribune Publishing Co., for having airmailed Mr. Moore's article to me so that I could place it in the Record for all our colleagues to read:

Guide or Misguide—Archie Moore Points Way

(Editor's Note.—Archie Moore, internationally known San Diegan and retired light heavyweight boxing champion of the world, told friends yesterday he feels that "everybody must take a stand in this time of internal crisis. A man who stands neutral stands for nothing." He then wrote the following statement and submitted it to The San Diego Union, which is printing it verbatim.)

(By Archie Moore)

The devil is at work in America, and it is up to us to drive him out. Snipers and looters, white or black, deserve no mercy. Those who would profit from their brother's misfortunes deserve no mercy, and those who would set fellow Americans upon each other deserve no mercy.

I'll fight the man who calls me an "Uncle Tom." I have broken bread with heads of state, chatted with presidents and traveled all over the world. I was born in a ghetto, but I refused to stay there. I am a Negro, and proud to be one. I am also an American, and I'm proud of that.

The young people of today think they have a hard lot. They should have been around in the '30s when I was coming up in St. Louis. We had no way to go, but a lot of us made it. I became light heavyweight champion of the world. A neighbor kid down the block, Clark Terry, became one of the most famous jazz musicians in the world. There were doctors, lawyers and chiefs who came out of that ghetto. One of the top policemen in St. Louis came from our neighborhood.

We made it because we had a goal, and we were willing to work for it. Don't talk to me of your "guaranteed national income." Any fool knows that this is insanity. Do we bring those who worked to get ahead down to the level of those who never gave a damn? The world owes nobody—black or white—a living. God helps the man who helps himself!

Now then, don't get the idea that I didn't grow up hating the injustices of this world. I am a staunch advocate of the Negro revolution for the good of mankind. I've seen almost unbelievable progress made in the last handful of years. Do we want to become wild beasts bent only on revenge, looting and killing and laying America bare? Hate is bait, bait for the simpleminded.

Sure, I despised the whites who cheated me, but I used that feeling to make me push on. If you listen to the professional rabblerousers, adhere to this idea of giving up everything you've gained in order to revenge yourself for the wrongs that were done to you in the past—then you'd better watch your neighbor, because he'll be looting your house next. Law and order is the only edge we have. No man is an island.

Granted, the Negro still has a long way to go to gain a fair shake with the white man in this country. But believe this: if we resort to lawlessness, the only thing we can hope for is civil war, untold bloodshed, and the end of our dreams.

We have to have a meeting of qualified men of both races. Mind you, I said qualified men, not some punk kid, ranting the catch phrases put in his mouth by some paid hatemonger. There are forces in the world today, forces bent upon the destruction of America, your America and mine. And while we're on the subject, do you doubt for a minute that communism, world communism, isn't waiting with bated breath for the black and white Americans to turn on each other full force? Do you want a chance for life, liberty and the pursuit of happiness in the land of your birth, or do you want no chance at all under the Red heel?

AFRICA'S A GREAT PLACE TO VISIT

There are members of the black community who call for a separate nation within America. Well, I do not intend to give up one square inch of America. I'm not going to be told I must live in a restricted area. Isn't that what we've all been fighting to overcome? And then there is the element that calls for a return to Africa.

For my part, Africa is a great place to visit, but I wouldn't want to live there. If the Irishmen want to go back to the Emerald Isle, let them. If the Slavs want to return to the Iron Curtain area, OK by me. But I'm not going to go to any part of Africa to live. I'm proud of ancestry, and of the country that spawned my forefathers, but I'm not giving up my country. I fought all my life to give my children what I'm able to give them today; a chance for development as citizens in the greatest country in the world.

I do not for a moment think that any truly responsible Negro wants anarchy. I don't think you'll find intelligent—no, let's rephrase that—mature Negroes running wild in the streets or sniping at total strangers. God made the white man as well as the black. True, we haven't acted as brothers in the past, but we are brothers. If we're to be so many Cains and Abels, that's our choice. We can't blame God for it.

TEACH THAT ANY BOY CAN

Something must be done to reach the Negroes and the whites in the ghettos of this country, and I propose to do something.

As a matter of plain fact, I have been doing something for the past several years. I have been running a program which I call the ABC–Any Boy Can. By teaching our youth, black, white, yellow and red, what dignity is, what self-respect is, what honor is, I have been able to obliterate juvenile delinquency in several areas.

I would now expand my program, change scope. If any boy can, surely any man can. I want to take teams of qualified people, top men in their fields, to the troubled areas of our cities. I know that the people who participated in the recent riots, who are participating and who will participate, are misguided rather than mad.

If some bigot can misguide, then I can guide. I've spent too much of my life building what I've got to put it to torch just to satisfy some ancient hatred of a man who beat my grandfather. Those men are long dead. Do we have to choke what could be a beautiful garden with weeds of hate? I say NO! And I stand ready to start "Operation Gardener." I invite the respected Negro leaders of our country to join me.

THE AMERICAN LEGION MAGAZINE

Mr. PRYOR. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. BRASCO] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

Mr. BRASCO. Mr. Speaker, as we all know, the American Legion publishes an excellent periodical: the American Legion magazine. There is no doubt that this magazine has continually contributed to wider understanding of major national and international issues. One of the magazine's most effective features is the pro and con article in which experts of differing persuasions express their views on specific problems.

The August pro and con article concerned our postal service, which is currently undergoing vast changes under the leadership of Postmaster General Lawrence F. O'Brien. Two of our most distinguished colleagues, Chairman TOM STEED of the Subcommittee on Treasury, Post Office, and Executive Office, and Chairman KEN HECHLER of the Subcommittee on Advanced Research and Technology expressed opposing views on the question, "Should the Post Office be made a private corporation?" Readers, convinced one way or the other by the excellence of the arguments propounded by my good friends Congressman HECHLER and Congressman STEED, were accorded the opportunity of conveying their views to the Congress by means of a "ballot" which could be cut out of the magazine and sent through the mail.

The quality of the argumentation by my two colleagues was so excellent, the idea of a public forum on major issues so well conceived, that it is unfortunate that the topic itself did not, as one would have expected and hoped, address itself to the proposal made by the Postmaster General in a historymaking speech last April. At that time Larry O'Brien asked that the Post Office be turned into a Government corporation. This proposal is so imaginative, so controversial, so thought-provoking, and so unique, that it deserves from every citizen the same kind of careful scrutiny it is now receiving from a special Commission appointed by President Johnson. But, since the American Legion article for some reason focused on the pros and cons of a private corporation, not a public corporation, the ballots you receive will not advance consideration of the Postmaster General's courageous plan. In view of the confusion that may result from the magazine's having raised a question not advocated by the Postmaster General, I am including herewith for the information of all concerned a copy of Mr. O'Brien's letter of clarification to the editor of the American Legion magazine.

THE POSTMASTER GENERAL,
Washington, D.C., August 4, 1967.

Mr. ROBERT B. PITKIN,
Editor, The American Legion magazine,
New York, N.Y.

DEAR MR. PITKIN: Your Pro and Con article "Should the Post Office Be Made a Private Corporation?" produced some interesting arguments on both sides of the question.

Unfortunately, I think some of your readers might gain the impression that this topic related in some way to the proposal I made last April, and now under study by a special Presidential commission, to provide better service by removing the Post Office from the Cabinet and recasting it as a corporation. My proposal clearly called for a *public*, government-owned corporation, responsive to national policy and the will of the people, a corporation perhaps designed along the lines of the Tennessee Valley Authority.

The postal service is, in my view, a major national resource. Mail, as a form of cheap communication is vital to commerce; mail as a channel of inviolate communication is vital to the maintenance of a free society; mail, as a nationwide network, is vital to the feeling of identity of all our people, rural and urban. A private corporation, interested in maximizing private profit, might well compromise an institution that has served the American people well since the time of Benjamin Franklin. My concern is to maximize the public profit. That's why I proposed a corporation owned by *all* the people, not a corporation that might ignore public need in favor of private gain.

Sincerely yours,
LAWRENCE F. O'BRIEN.

LAW ENFORCEMENT BOGGED DOWN

Mr. PRYOR. Mr. Speaker, I ask unanimous consent that the gentleman from Georgia [Mr. HAGAN] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

Mr. HAGAN. Mr. Speaker, I am today introducing a bill aimed at helping to remedy the serious predicament which is bogging down law enforcement in this country.

A major problem is the serious decline in recruitment to fill long-standing vacancies, which has resulted in a shortage of approximately 50,000 officers in various police and law enforcement agencies across this Nation.

This ridiculous state of affairs has carried us to the plateau of a national crisis—a situation terrifyingly underscored by the recent riots throughout this land.

We cannot hope to halt the ever-increasing crime rate and lawlessness until our police forces are adequately staffed by efficient, qualified men. In other words, we cannot hope to fill even half of these vacancies until we establish some realistic salary incentives. And these incentives must also extend to those dedicated officers who form the nucleus of law enforcement agencies today. This public servant holds what is probably the most thankless job in our society today.

My bill would boost the income of our country's sadly underpaid law enforcement officers. It calls for a total Federal tax exemption for all full-time law enforcement personnel on the State and local levels, the District of Columbia, and U.S. possessions, who earn at the rate of $6,000 a year or less, and $200 per month exemption for officers who earn more than $6,000 per year.

These are harsh and perilous times, Mr. Speaker, that call for drastic measures. I sincerely hope that my colleagues will join in elevating the law enforcement officer to his rightful place of honor and equity.

PRESIDENT JOHNSON'S TAX PROPOSAL REPRESENTS FISCAL RESPONSIBILITY

Mr. PRYOR. Mr. Speaker, I ask unanimous consent that the gentleman from Louisiana [Mr. Boggs] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

Mr. BOGGS. Mr. Speaker, the Cleveland Plain Dealer in its editorial of August 4 strongly supports President Johnson's tax increase proposal by stating that America must pay its bills, and "a Federal tax increase will share the load among those best able to bear it."

This seems to be the growing consensus among businessmen, labor, economists, and many Members of this body.

There is wealth in the American economy, the Plain Dealer points out.

There is our commitment in Vietnam, and Federal programs to reduce crime, to fight poverty, to raise educational quality. These programs and commitments must be paid for.

I would point out that President Johnson's surtax proposal is not a 10-percent tax on total income, but a 10-percent tax on tax liability—which ultimately represents only about 1 percent of the total personal income in the country.

The Plain Dealer asked this rhetorical question:

> If Americans can afford to buy tons of personalized gadgets, oceans of alcohol, carloads of beauty aids, plushy furniture, and fun cars, then they can afford to pay Uncle Sam's bills.

I am not against these luxuries. More power to the people who can buy them.

But I do feel we have an obligation to pay for American national security and our investment in its own people—without high interest rates, without inflation, and by equitably sharing the burden among all the people.

For those reasons I support the President's tax proposals.

Under unanimous consent I insert in the Record the August 4 editorial from the Cleveland Plain Dealer, entitled "America Must Pay Its Bills":

America Must Pay Its Bills

All over America, taxpayers winced when they heard that President Johnson wants them to pay a 10% surtax.

But they knew it was coming.

They heard President Johnson asking for an estimated 6% surtax when he addressed the 90th Congress at its opening.

Since then they have seen mounting costs in life and money over in Vietnam, and mounting costs in misery and money within the cities.

Meanwhile personal income has gone up. Production has gone up. Employment has gone up. The stock market has been bursting its old ceilings. Prosperity is continuing to grow—but so are the federal government's burdens.

Someone has to pay for those government undertakings, and the one who pays should not be only the American fighting man in the jungle and the people in poverty in American slums.

A federal tax increase will share the load among those best able to bear it.

Only a minority of Americans oppose the Vietnam war. That war has turned out to be a more serious engagement than was once thought. The President's decision to increase troop strength there was reached after long study and careful assessment by his advisers.

Only a minority of Americans oppose federal programs to reduce crime, to fight poverty, to raise education quality, to feed, clothe and house all citizens, to prevent future chaos by keeping all Americans in the economic swim.

So we believe the country as a whole will accept the need for taxes adequate for those federal tasks. At the same time, the country has the right to expect the tax money will be used as wisely as possible.

Bank economists are among those who have advocated a surtax. They think a surtax is a straightforward way to avoid an unmanageable federal deficit. They think, as President Johnson does, that a deficit allowed to run up astronomically would ignite inflationary bonfires that would burn everybody.

There is room to debate the size of the surtax needed, as well as its probable effect. Had the economy not shown such vigor after a short lull in the first quarter, a surtax could have been too depressing and might have begun or deepened a recession.

But the economy now is full of upward snap. There is wealth enough. If Americans can afford to buy tons of personalized gadgets, oceans of alcohol, carloads of beauty aids, plushy furniture and fun cars, then they can afford to pay Uncle Sam's bills.

TO EXTEND AND EXPAND THE HILL-BURTON PROGRAM

Mr. PRYOR. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. Ottinger] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

Mr. OTTINGER. Mr. Speaker, I am honored to introduce in the House legislation prepared by Senator Lister Hill, of Alabama, which would extend and expand the Hill-Burton program of Federal aid for the construction of hospitals and authorize a new program of direct loans at low interest rates for the modernization of nonprofit hospitals.

This bill would extend for 4 years at the present level authorization for the construction of long-term care facilities, diagnostic and treatment centers, and rehabilitation facilities.

Under the bill, the authorization for the construction of hospitals and public health centers and for grants for the modernization of hospitals and other health facilities would also be extended for 4 additional years, through June 30, 1973, and expanded as follows:

APPROPRIATION AUTHORIZATION

[In millions of dollars]

Year	New construction [1]	Modernization
Existing law:		
1968	130	50
1969	125	55
Proposed:		
1969	140	70
1970	160	80
1971	180	90
1972	200	100
1973	200	100

[1] These funds are also available for alterations, renovation, and modernization at facilities with approved projects for additional beds. No change is proposed in the provision under existing law that authorizes a State to transfer funds for the new construction of hospitals and public health centers to modernization if such transfer will "better carry out the purposes of this title." In 1966 a total of $7,600,000 out of a possible $140,000,000 was transferred to modernization under this authority; in 1967 $2,900,000 out of a possible $135,000,000 was transferred.

The more than 20 years of success with the Hill-Burton program clearly justify these actions.

The most exciting aspect of this legislation is a new program of direct loans for the modernization of hospitals and other medical care facilities. These loans would be authorized to cover 90 percent of the construction costs—covered by the loan project—at 3 percent interest repayable over a 25-year period. Funds would be allocated among the States on the basis of population, financial need, and the need for modernization of health facilities.

The loan program would provide for the following maximum levels of principal outstanding on a cumulative basis:

[In millions]

1968	$200
1970	400
1971	600
1972	800
1973	1,000

The new direct loan program would be closely coordinated with the existing grant program under the Hill-Burton program. A favorable recommendation by the State Hill-Burton agency would be required as a condition for approval of a loan application.

The financing provisions for the new loan program are similar to those provided for under existing law in the case of loans for the construction of academic facilities under the Higher Education Act.

I know of no stronger endorsement for this measure than the simple statement that it was authored by the gentleman whose name is now synonymous with health and hospital legislation, the Honorable Lister Hill of Alabama.

The number of people in our country today who owe their lives to facilities that would not have existed but for the Hill-Burton program runs easily into the millions. Communities that never knew the meaning of local medical treatment, who could not hold onto doctors because there were inadequate, or even no medical facilities available, can now boast of well-staffed hospitals because the concept forged by the distinguished gentleman from Alabama.

Indeed, there is hardly a nonprofit hospital, public or private, in the United States today which was not at least partly built or enlarged with funds allocated under the Hill-Burton program.

As an interim measure, the House Interstate and Foreign Commerce Committee has favorably reported the hospital emergency assistance program as a part of the partnership for health amendments of 1967. We must enact this legislation to meet the serious problem of the critical hospitals, those institutions which, because of unexpected and unpredictable economic changes and population shifts, have been unable to meet the health needs of the communities they serve with existing programs for aid.

If 3 years ago the administration had supported the program advanced by Senator HILL, we would not have faced this situation. If Congress will enact Senator HILL's proposal now, then we will not be called upon to enact emergency legislation in the future.

"TO ESTABLISH A REPUBLICAN FORM OF GOVERNMENT OF THE PEOPLE, BY THE PEOPLE, AND FOR THE PEOPLE" (SOUTH VIETNAM CONSTITUTION, MARCH 18, 1967)

Mr. RYAN. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. RYAN. Mr. Speaker, the role of the United States in Vietnam has been, and in view of our present course will continue to be, one of much controversy. My purpose here today is not to examine the many subtle implications of that role. Rather I should like to focus attention upon the forthcoming elections, the preceding political campaign and the milieu in which they are being conducted.

Mr. Speaker, one reason, among the many, given by those advocating our involvement in South Vietnam is the desire, indeed the necessity, to permit the evolution of a democratic government. It is unclear that the people of South Vietnam desire a "democratic government" and that such a government will evolve in light of the needs of the Vietnamese. The question remains whether such a "democratic government" is needed and will evolve simply because the United States says it is needed and will evolve.

If government is defined as one "of the people, by the people and for the people," it is clear that the present and recent past governments of South Vietnam do not meet the requirements. In their report to the Senate Committee on Foreign Relations in 1963 a group of Senators found:

> It is most disturbing to find that after 7 years of the Republic, South Vietnam appears less, not more, stable than it was at the outset, that it appears more removed from, rather than closer to, the achievement of popularly responsible and responsive government. The pressures of the Vietcong guerrillas do not entirely explain this situation. In retrospect the Government of Vietnam and our policies . . . must bear a substantial, a very substantial, share of the responsibility. (*Vietnam and Southeast Asia, Report of Senators Mansfield, Boggs, Pell and Smith, to the Committee on Foreign Relations, United States Senate,* Committee Print, 88th Congress, 1st Session, page 8 [1963]).

On June 12, 1965, Dr. Pham Huy Quat resigned as Premier, and on June 21, 1965, South Vietnamese Vice Air Marshal, Nguyen Cao Ky acceded to that position.

In late 1965 Senators MANSFIELD, AIKEN, BOGGS, INOUYE, and MUSKIE reported, after a factfinding mission, that:

> In short, a total collapse of the Saigon Government's authority appeared imminent in the early months of 1965 . . . and that the ". . . arrival in Vietnam of American combat troops in large numbers has had an immediate positive psychological effect on Government-held areas. Not only has there been an improvement of morale in the Government and the Armed Forces, there has been a return of confidence among Vietnamese civilians. This is especially true in Saigon where the increased American presence is taken as insurance against an imminent collapse of the existing structure."

In reference to the Ky regime, the report stated:

> "The new leadership in government which is drawn largely from military circles, is young and hopeful, but with little knowledge of politics." (*The Vietnam Conflict: The Substance and the Shadow,* Report by Senators Mansfield, Muskie, Inouye, Aiken, and Boggs to the Committee on Foreign Relations of the U.S. Senate, Committee Print, 89th Congress, 2d session, January 6, 1966).
>
> "These people have been tampered with so long," said Barker, "with no contacts with the South Vietnamese government, they don't know which side to be on. Whoever dominates they'll follow." (U.S. Marine in South Vietnam interviewed by Richard Critchfield, *The Sunday Star,* August 6, 1967, page A8).

Apparently the Vietnamese with whom Corporal Barker is acquainted are not apprised of the fact that democracy is on the way. Apparently they do not know that, as of February 8, 1966, one of the purposes of the Government of Vietnam was:

> To formulate a democratic constitution . . . to take that constitution to our people . . . to create, on the basis of elections rooted in that constitution, an elected government.

Unaware also must these Vietnamese be that:

> The United States is pledged to the (principle) . . . of government by the consent of the governed. It therefore gives its full support to the purpose of free elections, proclaimed by the Government of South Vietnam . . . (*Declaration of Honolulu,* February 8, 1966).

Assuming that the people of South Vietnam want "an elected government" based on "a democratic constitution," what is the probability that this pledge will be carried out, and to what extent does the U.S. Government support this pledge?

Mr. Speaker, recent events indicate that the realities belie the facade of pious declarations, of both United States and South Vietnam leaders, concerning this democratic government about to descend upon the South Vietnamese people.

But as was said by the signers of our Declaration of Independence, "To prove this, let facts be submitted to a candid world."

On January 15, 1966, Premier Ky announced that a committee to draft a constitution would be appointed. Ky had previously stated:

> People ask me who my heroes are. I have only one—Hitler . . . I admire Hitler because he pulled his country together . . . We need four or five Hitlers in Vietnam. (*New York Post,* July 18, 1965).

Premier Ky convened a national political congress in Saigon, April 12–14, 1966, due to political agitation by the militant Buddhists. This congress suggested that the constitution be drawn up by an elected rather than an appointed body. On April 14, 1966, Chief of State General Thieu issued a decree at the congress specifying that free, universal, and direct elections for a constituent assembly would be held.

On May 5, 1966, the Government convened an election law drafting committee to prepare an election law for electing the constituent assembly.

General Thieu, on June 19, 1966, issued the final decree laws promulgating the election laws and the rules concerning the organization and functions of the constituent assembly. Article 10, section 9 of the election law precluded "Those who have directly or indirectly worked for the Communists and pro-Communist neutralists, or neutralists, whose actions are advantageous to the Communists" from running as candidates.

Prior to this, Ky, on May 7, 1966, announced that he intended to stay in power for at least another year. Secretary of State Rusk stated, on May 8, 1966, that news reports had misconstrued Ky's remarks. In a television interview, Secretary Rusk said he did not expect that Ky was "going to try to stand in the way of the constitutional and electoral process which he, himself, initiated last January 15." Apparently Ky's sense of timing is somewhat more accurate than that of Secretary Rusk. But perhaps the Secretary has forgotten that Premier Ky once advised Western journalists to:

> Watch what I do, not what I say.

As R. W. Apple, Jr., pointed out:

> Watching is not often encouraging. (R. W. Apple, Jr., *The New York Times,* August 7, 1967, page 14.)

The Constituent Assembly approved the South Vietnam Constitution on March 18, 1967; it was promulgated on April 1, 1967, by the Vietnam Armed Forces Council and signed by Chief of State Thieu.

President Johnson had previously expressed his views on the progress towards the formation of a democratic government. Referring to the Guam Conference, he said:

> The outstanding fact of that conference, I think, was Premier Ky's presentation to me yesterday of a Constitution that is really in being.

It was at that same news conference that former Ambassador Lodge stated:

> This is a Constitution that is worthy of respect . . . This is a step toward really pop-

ular government. To me that is very impressive. (Press conference, March 21, 1967).

Apparently Premier Ky places a different interpretation on the meaning of that Constitution, for in May he stated that:

> If (a winner of an election) . . . is a Communist or if he is a neutralist I'm going to fight him militarily . . . In any democratic country you have the right to disagree with the views of others. (*New York Post*, May 13, 1967).

Well said by one whose hero is Hitler. It is interesting, however, to note that one, among the many indictments against the King in our Declaration of Independence, reads:

> He has refused his assent to laws, the most wholesome and necessary for the public good.

President Johnson in his State of the Union Message on January 12, 1967, stated:

> The people of South Vietnam should be able to choose their own course, choose it in free elections without violence, without terror, and without fear.

Although presumably referring to terror due to the Vietcong, it would appear that the President might well have included certain members of the incumbent South Vietnamese Government.

Nor do events subsequent to the promulgation of the Constitution give one a basis for thinking that the elections slated for September 3, 1967, will be a model worth fighting for:

> Although American officials have expressed concern about Air Vice Marshal Nguyen Cao Ky's electioneering six weeks before the official opening of the campaign, the Premier said yesterday that he was under "no pressure at all" from the United States Embassy to refrain from seeking votes for the presidency *before the campaign is permitted by law to begin.* (emphasis added).
>
> "The Americans come to see me," the 36-year-old Premier said in an interview in his helicopter, "and they tell me that they want a free election. I promise that I'll give them one, and they smile. They say they believe me, and then I smile." (R. W. Apple, Jr., The New York Times, June 19, 1967, page 18.)

According to Jonathan Randal, Premier Ky and American officials are not the only ones smiling. "South Vietnamese Get Primer on Election Fraud," by Jonathan Randal, The New York Times, June 20, 1967:

South Vietnamese Get Primer on Election Fraud—Magazine of Ky's Rival Lists Means Diem Regime Used for Its Victories at Polls

(By Jonathan Randal)

Saigon, South Vietnam, June 19.—South Vietnamese, hardened to political campaign manipulations and electoral fraud over the years, are chuckling over a mimeographed opposition magazine listing 36 ways for the Government to cheat in the September elections.

Written by civil servants who witnessed previous examples of electoral fraud during the regime of the late President Ngo Dinh Dim, the article appeared in a recent issue of Defense of Freedom, published by opposition politicians.

The issue began circulating well before civilian Presidential candidates started complaining that Premier Nguyen Cao Ky was electioneering before the opening of the official one-month campaign for the elections scheduled for Sept. 3.

CENSORSHIP IS NOTED

One abuse listed in the article was failure to apply the constitution, a charge the opposition has made by pointing to continued press censorship, which the Premier has defended in public.

Another item on the list concerned use of the Government-controlled television and radio for Government electoral propaganda. Since the article appeared, the Vietnamese radio and television have been broadcasting spot messages proclaiming that "The Government of Nguyen Cao Ky is the Government of the poor."

Posters and signs bearing the same message have appeared in Saigon and along principal highways in many parts of South Vietnam.

Another electoral stratagem noted in the article was the use of pay increases to win votes. The Premier recently announced cash bonus for all civil servants and servicemen of about 15 per cent of the basic salary.

DIEM FRAUDS RECALLED

Most of the other items on the list concerned frauds that were common during the Diem regime but absent from last September's election, which chose a constituent assembly.

Some of the Diem subterfuges mentioned were:

Giving members of the armed forces and their families two or more voting cards and moving them from district to district on election day.

Substituting stuffed ballot boxes for the authentic ones during transport to district headquarters for counting.

Also, the leaflet said election reports favorable to the Dien. government had been substituted for authentic ones while on the way from district to provincial headquarters.

According to a New York Times news dispatch:

> ". . . Although the new electoral laws limit the period of campaigning for office to one month before the September 3d elections, Premier Ky has plastered Saigon with posters and is making many public appearances regarded by observers as political. (*The New York Times*, June 26, 1967, page 9).

The election law provides:

> "Article 23. (1) The electoral campaign will begin August 3, 1967, at the earliest and will end at 12 noon on September 2, 1967.
>
> (2) Any candidate or representative noting a violation of the provisions of Article 20 or of this article has the right to request the campaign committee to inform local authorities so as to immediately put an end to the violation." [Presidential Election Law, Law No. 001/67, June 15, 1967].

Not only has Ky promised to oppose by military force certain kinds of persons if they are chosen by the people; not only has he flouted the election laws; his respect for the new Constitution is indicated by his policy on censorship:

> Premier Ky also said that he would continue censorship during the election campaign. No candidate or newspaper, he said, would be permitted to "attack the Government or members of the Government."
>
> The Vietnam Guardian, an English-language daily newspaper that has been suspended since December, will be reinstated after the election, the Premier said. The paper was known to favor the election of one of the Premier's civilian opponents.
>
> Asked how he reconciled these policies with the abolition of censorship in the Constitution adopted on April 1, Premier Ky replied:
>
> "There are parts of a Constitution that can be respected right away and there are others that take time." (R. W. Apple, Jr., *The New York Times*, June 19, 1967, page 18.)

Article 10, section 2 of the South Vietnam Constitution states, "censorship will be abolished except for motion pictures and plays."

Apparently Premier Ky misjudged, to some extent, exactly how far he could push his luck. Although the Americans "were leaning on him harder than we ever have before"—R. W. Apple, Jr., the New York Times, June 19, 1967, page 18—certain members of the ruling military junta took action, and on June 30, 1967, Ky renounced his candidacy for the Presidency, in favor of Chief of State Nguyen Van Thieu, and resigned himself to the slot for Vice President on the ticket with Thieu. Prior to this, Thieu had been an independent candidate in opposition to Ky.

According to Lee Lescaze, writing for the Washington Post, this shuffle was not the result of a concern to preserve for the South Vietnamese electorate a chance to exercise their ballot with freedom:

> Ky's own active politicking in the past month appears to have contributed to his defeat today.
>
> "Had Ky not put up his campaign posters and continued to censor Thieu out of the local press," one highly-placed source said, "Thieu might not have turned on the heat, or might not have been able to."
>
> Corps and division commanders were angered by the activities of Ky emissaries who have been circulating in the provinces trying to line up support from army leaders and province and district chiefs almost all of whom are military officers. [*The Washington Post*, July 1, 1967, page 1].

It does not appear that Thieu is any more favorably disposed toward negotiations than Ky. According to Richard Critchfield:

> Thieu is regarded by key officials in the U.S. mission as strongly opposed to any form of negotiations, although for political purposes, he included the "restoration of peace" in his campaign platform. (*The Washington Evening Star*, July 1, 1967, page 1).

The role and position of the U.S. Government is ambiguous. Despite the fact that:

> The State Department emphasized that the United States "neither supports nor opposes any candidates," and that it had had (sic) no hand in Premier Ky's decision to withdraw as a presidential candidate . . . said Robert J. McCloskey, department spokesman, in a prepared statement. "The United States has consistently taken the position that selection of candidates and the final choice for high office must be made by the South Vietnamese people themselves." (*The New York Times*, July 11, 1967, page 3).

An editorial in the New York Times stated that:

> It is also unfortunately, not incompatible with the undisguised preference of the American Embassy for continued military rule in Saigon. Former Ambassador Henry Cabot Lodge voiced this preference openly. The present Ambassador, Ellsworth Bunker, has been more discreet, but the feeling in Saigon is that Mr. Bunker is "neutral" in favor of the military state. He is believed to have played an important behind-the-scenes role in ending the military split that threatened to give civilian candidates a fighting chance. (*The New York Times*, August 3, 1967, page 30).

A UPI dispatch noted:

> The sources said that Bunker told the two generals [Ky and Thieu] that the United States was seriously concerned about the possible factional splits developing in the Vietnamese armed forces because of the political rivalry that might impair their fighting capability." (*The Washington Post*, June 21, 1967, page A18).

Lee Lescaze reported that:

> The Thieu-Ky ticket, if it holds together, is considered a virtual shoo-in. In addition to consolidating the military behind one ticket, today's development seriously damaged the chances of the leading civilian candidate Tran Van Huong. . . .
>
> Although the result took the American establishment by surprise, it was by no means unwelcome. The principal desire of Ambassador Ellsworth Bunker has been to avoid a military split. (*The Washington Post*, July 1, 1967, page 1).

> Theirs [Thieu and Ky] will be the only military slate in the race and will probably win a large majority of the 600,00 votes that soldiers will cast. (R. W. Apple, Jr., *The New York Times*, July 1, 1967, page 1).

The relationship of the military to, and power exercised within, South Vietnamese society is described in a perceptive article by Richard Harwood writing for the Washington Post, July 1, 1967.

GENERALS SHOW THEIR POWERS

(By Richard Harwood)

SAIGON, July 1 (Saturday)—In squashing Premier Nguyen Cao Ky's immediate political ambitions yesterday, the generals of Saigon showed again how thoroughly they dominate the society of South Vietnam.

Until 72 hours ago, Ky appeared to be the most powerful man in the country. He was the darling of the Americans. His election to the presidency in September was accepted as a foregone conclusion, and his government manipulated the press, the radio and television networks. He commanded the civilian bureaucracy, dictated the price of food, and flew around the country in his efforts to consolidate this power.

But power in South Vietnam, in Mao Tse-tung's phrase, grows out of the barrel of a gun—as Ky's reluctant withdrawal as a presidential candidate demonstrated. He was put in his place, an American civilian official said, because the interests of the army demanded it.

On the surface, South Vietnam has a pseudo-civilian government. There are civilian ministers in charge of various branches of the bureaucracy and there are civilian members of the Directorate which runs the country. But the army is in command.

PICKED BY ARMY

The army appoints the political chiefs of the 44 provinces of South Vietnam. They are equivalent in rank and function to the governors of the 50 states in the United States.

The army appoints the hundreds of district chiefs of South Vietnam. They are the equivalent of big-city mayors, county judges and county commissioners. The district chiefs determine who is to be the chief of a village or a hamlet.

At the national level, every minister, every deputy minister and every principal functionary of the government is chosen by the army. The army dictates the budget. It has first call on all the manpower in South Vietnam and is able to draft any public officials—from schoolteachers to argicultural experts—into the military service.

The government of South Vietnam, in short, is run by the military junta of Saigon, the men who command the armies.

U.S. officials here are solidly behind the junta. They regard the army, with its 700,000 men, as the only effective political force in South Vietnamese life and as the only social institution able to give South Vietnam a measure of stability.

GENERALS WILL WIN

They expect that the new ticket of Gen. Nguyen Van Thieu and Ky will win the presidential election in September. But, should they lose, the universal assumption is that the army will remain in command.

"You should not expect," one of the highest officials in the American Mission said yesterday, "that any civilian president would be permitted to decide who will run the military."

That was tantamount to saying that the army will retain political, economic and social control of South Vietnam, whoever becomes president. And no one here, in or out of government, doubts that judgment, because the army has too often shown its strength.

It was the army and not the Buddhists of South Vietnam that overthrew the regime of Ngo Dinh Diem in 1963. When the Buddhists attempted uprisings in 1965 and 1966, they were crushed by the army. Today, when newspapers overstep the prescribed boundaries, they are censored or shut down by the army.

MILITARY DECIDES

The army defines the limits of political dissent and jails those who exceed those limits. The army decides who should run for the presidency, as Ky discovered yesterday and as Gen. Duong Can Minh discovered the day before. "Big Minh," now living in Thailand, announced his candidacy only to be informed that he would not be permitted to return to South Vietnam until after the election.

That was purely a military decision, based on the desire of the generals to prevent disunity within the army. Minh presumably would have drained off votes that otherwise would go to the Thieu-Ky ticket.

Ambassador Ellsworth Bunker and his principal aides have been fearful for weeks that the rivalry between Ky, Thieu, General Minh and others would cause a split within the army. That is exactly what Bunker and his associates wanted to avoid, because of their feeling that only the army can give stability to South Vietnam.

Yesterday's subtle coup, which victimized Premier Ky, satisfied this American objective and probably guaranteed that the Saigon generals will remain in command of South Vietnamese society, however the election turns out in September.

Although elections have been held for some hamlet and village governmental posts earlier this year, the district and Province chiefs are still appointed. Dr. Pham Quang Dan running as vice presidential candidate with Pham Khac Suu, on ticket No. 1, pointed out, before the Thieu-Ky ticket was formed, that:

> Premier Ky, and to a lesser extent his only military rival for the Presidency, the Chief of State, Lieut. Gen. Nguyen Van Thieu, would be able to use their supporters in the Saigon bureaucracy, the armed forces and the police and in provincial and district headquarters to work for them, and will have substantial funds. (*The New York Times*, June 26, 1967, page 9.)

Dr. Dan's fears appear not to be unfounded:

> Brigadier General Nguyen Ngoc Loan, Chief of the civilian and military police and a close associate of the Premier, is reported to have told provincial police chiefs at a recent gathering that he expected them to produce 20,000 votes for the Ky ticket. There are 45 provinces in South Vietnam. (*The New York Times*, June 15, 1967.)

In a recent article concerning the current presidential election, Richard Critchfield pointed out that the Province chief of Quang Tri Province is Lt. Col. Nguyen Am:

> The mayor of Da Nang, like the province chief of Quang Tri, a military officer appointed by Premier Ky, did not arrive at Da Nang airport until the campaign planes were in the air. (Richard Critchfield, *The Evening Star*, August 7, 1967, page A6.)

The exact number of people who will exercise their vote to choose among the 11 official presidential slates—The New York Times, August 9, 1967, page 1—and the 48 official senatorial states—The New York Times, July 22, 1967, page 3—is unknown. Tentative voting lists for the September 3 election contain some 5.4 million names of a total population of voting age estimated at 8 million. The New York Times, July 22, 1967, page 3. That one is registered need not necessarily mean he will have a chance to exercise his vote, if the pattern of the local elections earlier this year can be used as an example. In April and May, "voting was held only in what was thought to be the most secure of the country's 2,535 villages." Elections were held for only 988 village councils. The same applied to hamlet elections held at a later date. Of the 13,805 hamlets, elections were held in only 4,476. Villages in Vietnam are administrative groupings of several hamlets. President Diem canceled the elections of village and hamlet officials in 1956 and appointed them instead. District and province chiefs are still appointed by the central government. The New York Times, June 25, 1967, page 3.

The events surrounding the choosing and approving the official presidential and senatorial slates did nothing to relieve one's doubts concerning the manner in which the election process is being conducted.

The Saigon junta made it clear that it would not permit the return of exiled Maj. Gen. Duong Van Minh to South Vietnam even were he to qualify as a presidential candidate. The New York Times, June 29, 1967, page 12.

According to Lee Lescaze:

> The reasoning . . . is that his presence might provoke civil disorder and his admittance would set a dangerous precedent—South Vietnam has many exiled generals. (*The Washington Post*, July 5, 1967, page A11).

This article indicated that General Minh was extremely popular among South Vietnamese and that he would receive some support from the army.

General Minh was later excluded from the slate of presidential candidates because his running mate, Tran Ngoc Lieng, was a French citizen from 1950 to 1955 and, therefore, did not meet the requirement of Article 53, section 1, of the Constitution which stipulates that presidential and vice-presidential candidates must have "* * * Vietnamese citizenship from day of birth * * *." The Washington Post, July 19, 1967, page A16.

Before this defect was discovered, the Constituent Assembly approved General Minh as a candidate by a vote of 72 to 13. The New York Times, July 2, 1967, page 1. He received 10 more votes than did the Thieu-Ky slate. As reported by a news dispatch:

> The Assembly is supervising the elections and could allow Minh's name on the ballot, but it appeared that the junta would not approve his visa to return for the campaign . . .
>
> Minh is expected to be the strongest candidate after General Thieu . . .
>
> Minh's candidacy poses a serious political problem for the present military leaders." (*The Washington Post*, July 2, 1957, page A21).

After preliminary approval by the Constituent Assembly, the 17 slates were screened by a Central Electoral Council.

Au Truong Thanh, a peace candidate, called for elimination of the Thieu-Ky slate on the grounds that:

> Government employees and military men are required to take leave without pay when they run in elections. (*The New York Times*, July 4, 1967, page 3).

The election law provides:

> *Article 13.* Candidates' applications will be submitted to the office of the National Assembly at the latest on midnight June 30, 1967, and must be accompanied by the following documents:
>
> (5) In the case of military personnel and civil servants, a document indicating permission to go on leave without pay.
>
> *Article 17.* (1) Civil servants and military personnel wishing to be candidates must request leave without pay from the day they have completed their applications for candidacy through election day.
>
> (2) This article does not apply to persons holding popularily elected positions. [Presidential Election Law, Law No. 001/67, June 15, 1967.]

The Electoral Council eliminated several candidates, including Mr. Thanh, and voted 8 to 4 against approving the Thieu-Ky ticket. Final power was vested in the full Constituent Assembly to which the Electoral Council reported back its decisions. In order to insure that the Assembly would not make the grave mistake of eliminating them from the presidential race and thereby usurp the desires of the people, the Ky-Thieu controlled junta called an emergency meeting and put the national police and military units on alert.

The junta's attitude was nicely summed up by an irate military officer who stated that the military had offered the members of the assembly "a choice between our documents and our guns."

The events surrounding the final votes of the Assembly on the presidential candidates is well described by R. W. Apple, Jr., in an article in the New York Times, July 19, 1967:

> ### SEVEN TICKETS EXCLUDED FROM SAIGON BALLOT
>
> (By R. W. Apple, Jr.)
>
> SAIGON, SOUTH VIETNAM, July 19.—The Constituent Assembly eliminated seven tickets from the presidential race last night, including slates headed by the retired general Duong Van Minh and the economist Au Truong Thanh, who had filed as a peace candidate.
>
> But the assembly voted final approval early this morning for the military ticket—Lieut. Gen Nguyen Van Thieu, the present Chief of State for President, and Air Vice Marshal Nguyen Cao Ky, the Premier, for Vice President. The military men are heavily favored.
>
> Three leading civilian candidates—Tran Van Huong, Ha Thuc Ky and Phan Khac Suu—were also approved.
>
> The voting, which reduced the field for the Sept. 3 election to 11 slates, lasted more than nine hours, ending half an hour after the midnight curfew. A third of the 116 members of the assembly were absent during most of the session.
>
> #### REBUFF TO MILITARY SLATE
>
> A touch of suspense was added by the assembly's election committee, which refused at a meeting Monday night, to recommend approval of the slate.
>
> Irked by the failure of General Thieu and Premier Ky to appear and defend their right to run, the committee voted 8 to 4 against listing their names on the ballot—a calculated rebuff to the military, but more symbolic than politically decisive.
>
> Although confident that the full assembly would back them, as it ultimately did, the generals called an emergency meeting, put the national police and some military units on alert and began a daylong effort to line up votes.
>
> #### BODYGUARDS LOOK ON
>
> One irate officer denounced the assembly and said the military men had offered the members "a choice between our documents and our guns." The remark passed from legislator to legislator on the floor.
>
> Premier Ky called a group of prominent deputies together for lunch and urged that they vote with the junta. As the assembly debated the Thieu-Ky ticket, Brig. Gen. Nguyen Ngoc Loan, the security chief, arrived in the gallery, accompanied by two bodyguards with pistols jammed into their hip pockets.
>
> Some assemblymen said privately that they feared the Government would dissolve the assembly if it rejected the general's ticket. But none said they had been threatened by anyone professing to speak for the Government.
>
> The challenge to the general's slate was made on the ground that they had violated a constitutional requirement that "all military personnel and civil servants" must take leaves of absence without pay before seeking office.
>
> #### MISUSE OF POWER FEARED
>
> General Thieu and Marshal Ky have taken such leaves from the armed forces, but they have continued as Chief of State and Premier.
>
> Supporting the generals, Nguyen Ba Lung, the oldest member of the assembly, argued that the phrase "civil servants" clearly did not apply to the nation's leaders. Other deputies recalled that during the constitutional debates, the assembly had made it plain that General Thieu and Premier Ky would be permitted to remain in office during the campaign.
>
> Nguyen Van Nghia, one of four members who spoke against the generals, said
>
> "These two men hold the most important jobs in the country. If they don't resign, we are all very afraid that they will take advantage of their power to make sure they are elected."
>
> On the final vote, by a show of hands, 56 of the 75 deputies present backed the generals.
>
> In addition to General Minh and Mr. Thani, the presidential candidates dropped from the list were Ly Dai Nguyen, Tran Thuong Nhon, Hoang Chu Ngoc, Nguyen Dinh Luyen and Luu Quong Hong. None had any substantial following.
>
> Mr. Nhon had been eliminated in a previous vote, but had been granted reconsideration.
>
> Mr. Thanh was barred as a result of charges, encouraged by the Government, that he was "pro-Communist and neutralist," although he served until last fall as Economics Minister in the Ky Cabinet.
>
> A member of the Assembly who defended the former minister made that point repeatedly, shouting that "if he really were a Communist and that were not a phony charge, there would have been no reason for this Government to keep him in his job."
>
> But a majority accepted the verdict of Diep Vah Huong, the pro-Government member who had brought the complaint against Mr. Thanh. Waving a cherry-red folder over his head, Mr. Diep said he had "proof from the police" of his charges, and offered to let any assembly member examine the documents. None of them came forward to do so.
>
> Mr. Thanh said afterward that his ouster from the race had been "well managed" by Government supporters. He said he would discuss the situation fully on Thursday.
>
> General Minh, a leader of the coup d'etat against President Ngo Dinh Diem in November, 1963, and later Chief of State, has been in exile in Thailand for more than two years. The Government, describing him as "a security risk," refused him permission to return to campaign for the presidency.

Au Truong Thanh was rejected by the Assembly. As noted by Lee Lescaze:

> His elimination as a candidate is also certain to please the military government. His peace slogans are anathema to Thieu and Ky, and the Generals have made no secret of their belief that he is a neutralist or Communist sympathizer whe seeks to sabotage the war effort . . .
>
> American officials who worked with him say he was an able minister [of Finance and Economics under the Ky-Thieu Government until last October]. American intelligence officials say they have no evidence he is procommunist. (*The Washington Post*, July 19, 1967, page A16).
>
> There are disturbing signs, however, that the voting on September 3 may not live up to Saigon's promises and Washington's proclaimed expectations. Among these are:
>
> Narrow interpretation by the junta of a provision in the election law which bars as candidates "persons working directly or indirectly for Communism . . . and pro-Communist neutralism." The junta has attempted to brand as a Communist and thus to disqualify Au Truong Thanh, a former Economics Minister who has been highly regarded by Americans who have worked with him. Thanh has called for peace negotiations. (*The New York Times*, editorial, July 15, 1967, page 24.)

The election law provides:

> *Article 11.* The following persons will not be allowed to be candidates:
>
> (9) Those who have directly or indirectly worked for communism or pro-communist neutralism or worked in the interests of communism. [Presidential Election Law, Law No. 001/67, June 15, 1967].

R. W. Apple Jr., writing for the New York Times summarizes the outcome of the "nomination" process as follows:

> But the military's old habits persist; it would be unrealistic not to expect them to. At the general's insistence, the only serious peace candidate, Au Truong Thanh, was ruled off the ballot, and the only nominee even remotely identifiable as a national hero, Maj. Gen. Duong Van Minh, was refused permission to return to the country.
>
> Several left-wing candidates for the Senate were also denied the right to run.
>
> A Saigon newspaper spoke for most of the country's intelligentsia and most civilian politicians when it said: "This may succeed in keeping out [of office] the people dedicated to radical social changes and reforms, and to ridding our people of inequalities and injustices with the perpetuation of which we would not triumph over Communism."
>
> The remaining candidates—a collection of middle-aged and middle-class conservatives—seem to offer no real alternatives. The most prominent of these, Tran Van Huong, is considered an elderly, kindly and thoroughly honest retired teacher whose brief term as Premier in 1964 and 1965 was characterized chiefly by his stubbornness. Even his supporters concede that he is not the vibrant national leader the country needs.—(R. W.

Apple Jr., *The New York Times*, August 7, 1967, page 14).

A similar pattern was followed by the Assembly concerning the senatorial candidates:

The elimination of the tickets with Tri Quang, who led an anti-Government dissident movement in the spring of 1966, followed the precedent set by the Constituent Assembly, which earlier this week barred the presidential ticket of Au Truong Thanh, a self-described peace candidate.

Tri Quang and his followers have repeatedly declared for negotiations with the Vietcong or with Vietnam or both.

One slate running with his support was headed by Ho Huu Tuong, a writer often accused of pro-neutralism and pro-Communism who was sentenced to death during the regime of Ngo Dinh Diem in 1962.

LEFT-LEANING NEUTRALIST

Mr. Tuong was ruled out today as "a left-leaning neutralist."

A second ticket, including Mr. Tuong's son and Nguyen Duy Tai, a doctor who runs the maternity clinic where Tri Quang was held under house arrest for some weeks last year, was disqualified for similar reasons by the committee.

Most of the other eliminated slates were composed of political unknowns. An exception was the ticket of the trade unions which had been expected to run strongly. It was ruled out because "one candidate lacked certification of his legal status." No further explanation was available.

Tickets associated with the presidential candidates of Lieut. Gen. Nguyen Van Thieu, the chief of state, and at Tran Van Huong, Ha Thuc Ky, Phan Khac Suu and other civilian candidates, were approved.—(R. W. Apple, Jr., *The New York Times*, July 22, 1967, page 3).

Nor does it appear that a government headed by Thieu-Ky, assuming they win, will be polluted with officials favoring negotiations. Premier Ky was reported as saying "that Tran Van Huong would not be picked as Premier if the military ticket wins the election"—the Washington Post, August 4, 1967, page A16.

Mr. Huong, former Premier, and who is generally considered the leading civilian presidential candidate, has advocated negotiations under certain conditions.

As Ky candidly put it before he became a candidate:

Everybody talks about negotiations. So to be in fashion I have to talk about negotiations. (The *New York Times*, February 16, 1967).

Perhaps the best explanation of what appears to be at best only a game, named, for convenience's sake, "The Democratic Process" is found in the statement of a Vietnamese general:

We think democracy is coming too soon to Vietnam . . . There's a war to fight. The army must remain powerful. We are willing to go along with the voting, but things must come out right. (R. W. Apple, Jr., *The New York Times*, August 2, 1967, page 1).

According to R. W. Apple, Jr.:

The Generals who rule South Vietnam are at work on a plan that would perpetuate collective government by the junta despite the election of a President, Vice President and Congress.

Informed sources said that senior officers in the army had taken the first steps toward the formation of a "military affairs committee," which would formulate national policy in much the same way as the armed forces leadership has done for more than two years. (*The New York Times*, August 2, 1967, page 1).

It would be well to recall a statement by those who were serious about launching an experiment in democratic government. "He has affected to render the military independent of and superior to the civil power"—Declaration of Independence.

The New York Post, in an editorial dated August 8, 1967, page 3, indicated that, were democracy to emerge in Vietnam, more than the miracles, apparently expected by Secretary Rusk, would be needed: "It would be a sign of divine intervention in the affairs of men."

[A "Miraculous Performance," editorial, *New York Post*, August 8, 1967, page 32.]

A "MIRACULOUS PERFORMANCE"

Although his latest appearance on CBS-TV's "Face the Nation" was dominated by the same stolid, sterile statements about Vietnam that have become his trademark, Secretary of State Rusk seemed perceptibly more earnest as he discussed the approaching elections there.

"So why," he asked a critical questioner, "don't we let these South Vietnamese do their best to bring off what would be a miraculous performance, that is, to have free elections in the midst of a guerrilla war . . . They are trying it I think sincerely."

In the light of the latest news from Saigon, it would not only be miraculous if democracy emerged in Vietnam; it would be a sign of divine intervention in the affairs of men. The situation is summed up in the observation of a junta general to an American friend:

"We think democracy is coming too soon to Vietnam. There's a war to fight. The army must remain powerful. We are willing to go along with the voting, but things must come out right."

This brutally candid pronouncement faithfully reflects the attitudes of the Ky junta which has, in secret meetings, reportedly resolved to insure that things "come out right"—for them. The directory generals have no intention of relinquishing power. They are plotting to exercise it through a President from their own ranks, if one is "elected," or through civilians whom they intend to dominate.

There seem only two explanations for Rusk's expressions and Washington's official optimism about rising "democracy" in Vietnam. One is that this nation's leaders are hopelessly deluded. The other is that they are cynically concealing, and thereby acting as accessories to, sickening fraud that renders meaningless the sacrifices of thousands of brave men.

VIET CAMPAIGNING BEGINS WITH A FIASCO

(By Lee Lescaze)

QUANGTRI, SOUTH VIETNAM, August 6.—South Vietnam's government-organized presidential campaign tour of the provinces began today with a fiasco.

The day left civilian candidates angrily demanding a meeting with the miltary government to protest their treatment. It threatened to disrupt the 22-province schedule of campaign appearances.

As about 1000 people waited in the hot sun around a highschool basketball court at this northernmost provincial capital, the candidates landed five miles away at the Dongha U.S. Marine base. No one was on hand to meet them and after milling about on the windy airstrip for 45 minutes the candidates decided to fly back to Danang.

From Danang, where they landed just before noon, Dai Viet Party candidate Ha Thuc Ky, who is expected to carry Quangtri province, telephoned the government's senior representative in the area, I Corps commander Maj. Gen. Hoang Xuan Lam.

Lam told the candidates that there was nothing he could do to help them reach Quangtri because he had received no instructions from Saigon.

The military government had not sent any representative of its ticket—Chief of State Nguyen Cao Ky—on the campaign flight. It was the only ticket not represented, although the other candidates delayed their departure more than 90 minutes this morning waiting for a government representative to show up.

"This proves that the government does not want to participate in this election," presidential candidate Nguyen Dinh Quat said.

In Danang, the candidates voted to return to Saigon. The vote to return was six to three with one abstention. One member of each ticket voted.

Doctor Phan Quang Dan, who is running for vice president on the ticket of Phan Khac Suu, argued for staying in Danang. "It would be disastrous for the candidates to give up now," he said. "The prestige of Vietnam depends on this election and so does the American support of the war."

No one met the candidates in Saigon, either. They asked to meet with government leaders Monday and some said they would not attempt to get to Hue then for the second stop of the campaign tour.

[Dai Viet candidate Ky, who is no relation to the country's premier, said in Saigon, "Ky and Thieu agreed in advance to play this trick on us." Vu Hong Khanh, another civilian candidate, called the incident "sabotage of the election," United Press International reported.]

The candidates and informed independent sources maintained it had been made clear that the party would arrive in Dongha, where the longer runways can accommodate DC-3s, and need ground or helicopter transport to Quangtri.

After the candidates had been at Dongha about 20 minutes, Marine Lt. Gary Loveridge telephoned the Quangtri province chief, Lt. Col. Nguyen Am, with word of their arrival.

Am dispatched a convoy of trucks but it arrived about 15 minutes after the politicians—urged by their pilots, who disliked sitting on Dongha's oft-shelled airstrip—had departed.

At the Quangtri schoolyard many people had been waiting since 8 a.m. First they were told the candidates would appear at 9; then 11, then 2 p.m. and finally "in a few minutes."

Most of the people assembled were government servants or elders from surrounding hamlets and villages.

One hamlet leader, dressed in the black tunic worn on official occasions, got up at 6 a.m. to walk six miles to the ceremony. He said his district chief had told him to lead a delegation of Quangtri to hear the candidates' speeches.

Police and soldiers at the schoolyard's entrance maintained the government presence. A coil of barbed wire was strung around the speakers' platform.

Most people in the crowd refused to say whom they favor in the presidential race. A few said they would vote for the Dai Viet leader but the others agreed with one elderly man who said "It is not wise to speak about such things."

When province officials finally announced at 4 p.m. that the candidates were not coming, the crowd dispersed quietly with laughter, bitterness and resignation.

"I'm a Vietnamese," one man said. "What can I do about this? I hope that there's still a bus to my village at this hour."

"These people are not elected yet," another said. "And as a future chief of state they should keep their promises. If they are elected they will probably be worse than what we have had."

Before the final announcement one old man holding a black umbrella against the sun said gently: "If they don't come we will have spoiled one day for nothing." (Lee

Lescaze, *The Washington Post,* August 8, 1967, page 1.)

According to Lee Lescaze, reporting for the Washington Post, the government-organized presidential campaign is off to a "flying start." Its direction and transportation appear to be controlled by the Saigon junta; all other aspects of the campaign appear to be likewise controlled.

According to the New York Times:

The province chief, who was appointed to his job by Marshall Ky, insisted that he had no intention of slighting the politicians. He said no one had told him when the planes would arrive and he had assumed that they would land at the smaller Quangtri Airport. (*The New York Times,* August 7, 1967, page 15).

Apparently Premier Ky realizes that voters are not to be found at empty airfields:

Premier Ky spent a politically profitable afternoon at an athletic meet.

The 39-year-old Premier, accompanied by his wife dressed in traditional Vietnamese garb, went to Conghoa Stadium in the Cholon District. There some 10,000 shirtsleeved Vietnamese turned out to see the opening of the annual city sports festival.

Except for an occasional distant thud of allied artillery, it was hard to believe that a war was on. The stadium crowd, relaxed and friendly, applauded the winners and laughed at the more inept losers in the early events, a 1000-meter run and a fiercely contested motorcycle race.

The Premier, crisp and cool in a pearl gray suit and suede shoes, watched as Saigon's colorfully uniformed sports clubs, school teams and university athletes marched past with their banners to sound of band music. When he walked out on the field, he got a warm round of applause.

Aside from declaring the sports festival officially open, Premier Ky said nothing to the crowd. But, as several Vietnamese politicians noted, he was seen by far more voters today than were his opponents.

The elections are scheduled for Sept. 3. (*The New York Times,* Aug. 7, 1967, page 1.)

According to R. W. Apple, Jr., Premier Ky suggested, in response to questions, that the civilian politicians had behaved childishly in returning to the capital.

"We will have a campaign even if we have only one-half a candidate."

Thieu Bids Civilian Nominees Resume Campaign—Saigon Chief of State Offers Compromise and Denies Attempt to Stifle Rally

(By R. W. Apple Jr.)

Saigon, South Vietnam, August 8.—Lieut. Gen. Nguyen Van Thieu, chief of state and military candidate for President, said tonight that he was ready to make any compromise to bring about a resumption of the suspended presidential campaign.

At a joint news conference with his vice-presidential nominee, Premier Nguyen Cao Ky, General Thieu blamed "an inadvertent technical error" for the mixup that prompted the civilian nominees to leave the northern provinces on Sunday and return to Saigon.

"We can help arrange another tour," the chief of state said. "We are ready to show again our goodwill."

General Thieu, sitting beside Premier Ky in a gold brocade armchair in their first joint appearance in several weeks, appeared ready to do anything possible to smooth over the incidents of the weekend. The candidates were angered when a South Vietnamese military transport plane landed them at Dongha rather than at Quangtri, where a crowd of voters had gathered for a rally.

KY REMAINS BITTER

Today despite General Thieu's conciliatory words, Premier Ky seemed hostile toward the 10 civilian candidates opposing the military slate in the election scheduled for Sept. 3. He suggested, in response to question, that the civilian politicians had behaved childishly in returning to the capital.

"We will have a campaign even if we have only one-half a candidate," he said.

"What everyone is mad about is that there was no one at Dongha to meet these people. You all know that we have only one civilian car there. If anyone knows where I can find a Mercedes in Dongha, I'd like for him to tell me."

Nine of the ten civilian candidates met this morning to discuss their grievances against the Government. They demanded that the junta accept responsibility for the events at Dongha and that the Government give assurances that future campaign trips would be more adequately prepared.

SIX CAMPAIGN DAYS LOST

Informed sources said that the civilian nominees would meet on Thursday morning to decide their next step. Even if they decide to leave Saigon on Friday or Saturday, 6 days of the 22-day tour—the entire period assigned to the northern provinces—will have been lost.

The news conference today was the first for the military ticket, which is overwhelmingly favored in the election.

General Thieu—dressed, like Marshall Ky, in a pale blue summerweight cord suit—responded to questions in a calm and seemingly studied manner. The Premier was far more impetuous.

Discussing the prospects for peace, General Thieu said his Government would propose negotiations with North Vietnam within weeks after the balloting if he was elected.

But he argued against talks with the National Liberation Front, the political arm of the Vietcong, asserting that conversations with the front would lend weight to what he termed the false claim that the war in Vietnam was a civil war between the front and his Government.

If Hanoi were to give any indication of receptiveness to such overtures, the general said, he would be prepared to ask the United States to cease the bombing of North Vietnam at once. (R. W. Apple Jr., *The New York Times,* August 9, page 3.)

An insight as to the attitude of some South Vietnamese concerning this "election" is provided by R. W. Apple, Jr.:

Outlook After the Voting: No Basic Changes

Neither Mr. Huong nor any of the nine other civilian candidates is given more than a slight chance of winning, even if the balloting is scrupulously honest, which few expect it to be. The built-in advantages of incumbents, here as elsewhere, are so great that only a figure of great charisma can overcome them.

So the outlook, four weeks before election day, is for a ratification of the Thieu-Ky regime, with all that would mean: a "legitimized" but essentially unchanged central Government, continuation of heavy-handed police tactics, the same generally corrupt officials in the provinces, the same dispirited army, more war.

The prospect may be agonizing to Americans, but it is far worse for the South Vietnamese.

"What am I to do?" a young businessman asked a friend not long ago. "Vote for Thieu and Ky, and watch my country get torn apart for four more years? Vote for one of the civilians, when you and I both know they can't provide any real leadership? Join the Vietcong? Go to France or America?

"You know I can't do any of those things, I shall just have to wait longer." (R. W. Apple Jr., *The New York Times,* August 7, 1967, page 14.)

President Johnson, in his speech to the Tennessee State Legislature, on March 15, 1967, said:

This generation of Americans is making its imprint on history. It is making it in the fierce hills and the sweltering jungles of Vietnam.

Future generations of American may well question the imprint on history made by the charade that is taking place in South Vietnam in the name of democracy.

EXCERPTS FROM STATEMENT OF J. EDGAR HOOVER BEFORE HOUSE APPROPRIATIONS SUBCOMMITTEE, FEBRUARY 16, 1967

Mr. **ASHBROOK.** Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the Record and include extraneous matter.

The **SPEAKER** pro tempore. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. **ASHBROOK.** Mr. Speaker, I truly wish that every American citizen could read and digest the testimony given by Mr. J. Edgar Hoover, the Director of the Federal Bureau of Investigation, before a subcommittee of the Committee on Appropriations of the House of Representatives each year. The information contained in his statement never fails to be diversified, instructive, and extremely important. This year, during a period of severe domestic strife, the Director's testimony is very timely and noteworthy. As we search for the causes of the riots which have stricken our cities and try to contend with the forces of protest and dissension which have plagued our country, it would be well for us to read the statements submitted by Mr. Hoover concerning the subversive organizations in the United States.

To disseminate more widely the views of Mr. Hoover on the many areas in his jurisdiction which are pertinent to contemporary problems, I include the following excerpts from his testimony in the Record:

Investigative Accomplishments

Mr. Hoover. I am pleased to advise the committee that substantial investigative accomplishments continued to be recorded in connection with FBI cases during the fiscal year 1966. The chart which I submit to the committee graphically shows several types of investigative accomplishments for 1966 as well as for the preceding 2 years.

Mr. Rooney. We shall insert this chart with regard to FBI accomplishments and appropriations in those fiscal years that you mentioned at this point in the record.

(The information follows:)

FINES, SAVINGS AND RECOVERIES

Mr. Hoover. The $253,634,881 in fines, savings and recoveries recorded in FBI-investigated cases during 1966 is an increase of nearly $18 million and a half over the 1965 total. The 1966 total averaged out to $1.50 for each dollar of direct funds appropriated to the FBI during that year.

FUGITIVES LOCATED

The total of 14,323 fugitives located during 1966 was up 832 from the 13,491 during the preceding year.

CONVICTIONS

With regard to the 13,023 convictions in 1966, there were sentences imposed totaling 38,009 years. These convictions represented 96.7 percent of the persons brought to trial in FBI cases, and 88.8 percent of those resulted from pleas of guilty.

AUTOMOBILES RECOVERED

For the 11th consecutive year a new peak was reached with the location of 21,164 stolen automobiles in FBI cases.

CONFIDENTIAL INFORMANTS

Over the years the FBI has received splendid assistance from confidential informants in its investigative work, ranging from those matters growing out of the efforts of those individuals and groups which seek to undermine the security of our Nation to investigations in the criminal field.

In matters under the FBI's jurisdiction in the criminal field, for example, informants supplied information leading to the arrest of 3,741 fugitives and other subjects and the location of 1,543 other persons such as Selective Service and other violators being sought for questioning as subjects in connection with FBI investigations. The informants' assistance also resulted in the recovery of stolen merchandise and contraband valued at $10,884,142.

Information received from our informants concerning matters under the jurisdiction of other Federal, State and local agencies is relayed promptly to these agencies. The extent and tremendous value of this information to these agenices are evident when it is considered that such information in 1966 led to the arrest by these other agencies of 5,031 persons and a recovery of merchandise valued at $5,963,070.

CRIMINAL REPEATERS

An analysis of the criminal and prosecutive histories of known offenders was commenced by the FBI in January 1963. This statistical program uses criminal identification records to measure not only criminal careers, but in addition, recidivism and mobility and eventually the success or failure of specific court action or correctional treatment.

At the close of the calendar year 1965, an examination of the 135,000 individual records which had been entered in this program disclosed that three of every four were repeaters in that they had a prior arrest on some criminal charge. Over one-half of these criminals had been the recipients of leniency in the form of parole, probation, suspended sentence, or conditional release on one or more occasions in their criminal careers.

This careers in crime program suggests the extent to which the serious criminal repeater contributes to our crime counts year in and year out.

Proposals have been made to divert first Federal offenders or the criminal who shows a high probability of rehabilitation for handling under local criminal process, the theory advanced being that by retaining the offender in his home community there is a higher possibility of successful rehabilitation. The Dyer Act offender, which involves the interstate transportation of stolen autos, is a frequently cited offense in connection with this theory.

Actually, our studies show that a high percentage of these offenders are repeaters. A study involving 13,824 persons charged with violating the Dyer Act from 1963 to 1965 shows that 76 percent had a prior criminal record. In fact, 59 percent had three or more arrests. Seventeen percent of these Dyer Act offenders had a previous arrest under that act and an additional 26 percent had a prior local arrest for auto theft. Sixty-five percent of the 13,824 offenders were arrested in two or more States during their criminal career.

These figures document the fact that the Federal auto thief is by and large a serious offender and, according to our own information and to other data coming to us, he does not appear to respond to leniency in the form of probation or parole.

POLICE OFFICERS

Since 1960, when we began obtaining detailed information concerning law enforcement officers killed in the line of duty, there have been 278 police officers murdered by criminals, 53 of them having been killed during 1965. There were an additional 30 deaths in 1965 resulting from accidents which occurred while the officers were engaged in their official duties.

Thirty percent of the 278 brutal murders took place when officers were attempting to arrest offenders or were transporting prisoners. In 21 percent of the murders officers were answering disturbance-type calls such as family quarrels and the like. Twenty percent were slain by armed robbers during the commission of their crime or when intercepted by police as they fled the scene and 12 percent were killed by burglars under similar circumstances. Stopping suspicious persons on foot or in automobiles accounted for 11 percent of the murders and 17 officers or 6 percent were victims of berserk or mentally deranged persons.

There were prior histories of criminal arrests for 76 percent of the 362 persons involved in murdering law enforcement officers. Significantly, over one-half of this group had prior arrests for assaultive-type crimes such as rape, robbery, assault with deadly weapons, and assault with intent to kill. As a matter of fact, the records disclose nine of the police killers had been charged on a prior occasion with an offense of murder and seven of these had been paroled on this charge. More than one of every four of the murderers was on parole or probation when he killed a policeman. Nationally, 11 out of each 100 police officers were assaulted while carrying out their duties in 1965. I think in this regard that previous statements I have made certainly prove the existence of turnstile justice upon the part of our courts, parole, and probation officers.

YOUTHFUL CRIMINALITY

During the period of 1960 to 1965, arrests of persons of all ages increased 10 percent, but during this span of years there was a sharp 54 percent jump in police arrests of persons under 18 years of age for all criminal acts except traffic violations. During the same period the population of the 10- to 17-year age group rose 17 percent. For the Nation as a whole in 1965, persons under 18 years of age comprised 21 percent of all police arrests. When limited to the serious crimes of criminal homicide, forcible rape, robbery, aggravated assault, burglary, larceny, and automobile theft, it is found that 49 percent of the persons arrested were under 18 years of age. The young age group under 18 is heavily represented in arrests for property crimes with 62 percent of the auto thefts, 55 percent of the larcenies, and 52 percent of the burglaries falling within that age bracket.

In the suburban areas the involvement of persons under 18 in criminal apprehensions is considerably higher than the national figure with the under 18 age group making up 32 percent of all police arrests. In the rural areas the figure drops to 19 percent.

POLICE EFFECTIVENESS

One of the measures of police effectiveness is their success in solving crimes. In 1965 law enforcement agencies cleared the great majority of crimes against the person by arresting the perpetrators. Ninety-one percent of the murders, 85 percent of the negligent manslaughters, 64 percent of the forcible rapes, and 73 percent of the aggravated assaults were cleared by arrest. Robberies were cleared 38 percent of the time. The heavy volume of crimes against property, as well as a lack of witnesses to the criminal act are factors which lower the solution rate of these offenses. In 1965 police cleared by arrest 25 percent of the burglaries, 20 percent of the larcenies, and 25 percent of the auto thefts.

Police effectiveness in solving crimes is often directly related to and dependent on the degree of cooperation received from the general public. Citizen apathy can hamper the efforts of law enforcement agencies and, in addition, other elements, such as restrictive court decisions on local law enforcement interrogation and investigative practices, may well be contributing factors to the 8-percent decrease in clearances since 1961.

PAROLE, PROBATION AND CLEMENCY ABUSES

Reports reaching our Bureau from seriously concerned law-abiding citizens throughout the country emphasize the great apprehension felt by many members of the public over what they consider to be excessive preoccupation with the rights of repeating criminal offenders. In recent months so many flagrant examples of unwarranted leniency have been brought shockingly home to the American public through communications media that it is apparent that many of our people have had their confidence in the entire judicial system badly shaken. Use of the flimsiest legal technicalities to evade responsibility for criminal acts has tended to destroy public faith in U.S. justice.

Since the vast majority of Americans are basically fairminded people, they expect and deserve fair treatment and become quickly incensed when subjected to inequitable treatment. It is, therefore, not difficult to understand why some citizens, seeing notorious offenders "get away with it" assume they too have justification for a bit of lawbreaking or cheating here and there. Such unhealthy and unwholesome civic attitudes, which can begin with relatively minor matters can ultimately lead to the complete breakdown of law and order.

A Philadelphia newspaper, for example, reported in September 1965, that 70 percent of Philadelphia crime was being committed by repeaters. They specified that seven out of 10 criminals arrested there for the violent crimes of murder, rape, robbery, burglary, aggravated assault or carrying deadly weapons, had previous arrest records. Another Pennsylvania paper during the same month reported the unsettling news that because of a court decision dealing with the right to legal counsel, 132 long-term inmates were released from Pennsylvania prisons. All of these men, incidentally, had pleaded guilty to the charges against them.

A New York paper in the summer of 1965, reported another case of the release on bond of a man with a 5-year police record, who shot it out with New York City detectives when he and confederates were trapped in the midst of a jewelry store holdup. Despite a long record of violent crimes, this man was quickly set free on bond.

We have gone so far in catering to the welfare of individuals charged with crimes that a Washington, D.C., newspaper reported in May 1966, that it would probably not be long before pretrial jailing of suspects would end and an officer arresting a person in the midst of a crime would be permitted to release the subject on the spot after phoning police headquarters for approval. And, in September 1966, a news wire service reported that two Ohio burglary suspects, who voluntarily confessed to 274 crimes, were freed due to a recent court ruling because one of the two ex-convicts was not advised of his right to counsel when he confessed and implicated the other man.

The Federal Bail Reform Act of 1966 has occasioned strong controversy as a result of the release while awaiting trial of repeating offenders whom many Federal judges consider serious threats to society. One Federal judge, in fact, in November 1966, exclaimed in exasperation as he released 11 defendants on personal bond that "the good citizens of the District (of Columbia) had better take cover."

This judge and other concerned jurists feel there was a serious oversight in passage of the bail reform legislation in not making provisions for District of Columbia courts, where all felonies are handled in contrast to the situation in other sections of the country where most crimes of violence are handled in State courts not covered by the Federal Bail Act provisions.

The provisions of the Bail Reform Act, which went into effect on September 22, 1966, greatly liberalized the conditions under which persons arrested can be released on bail and became the subject of controversy.

The Bail Reform Act was only 9 days old when a defendant being tried in the District of Columbia for robbery-assault, who had been released on personal bond, failed to appear for the second day of his trial after being present the first day. A mistrial was declared and the prosecutor pointed out that the Bail Reform Act can be further exploited by criminal defendants, released on personal bond, who appear for the beginning of their trial and then flee when it looks as if the case is going against them.

There have been, of course, strong statements of rebuttal from congressional supporters of the Bail Reform Act but the long-suffering law-abiding public continues to wonder when something is going to be done to help them.

The dramatic upsurge in crime in our streets should not, therefore, come as any great surprise. It does, however, cause one to ponder what can be said to innocent victims such as a young lady who came to work for the FBI in Washington in late 1965 and was the victim of a pickpocket on a city bus 2 months later. Noticing the theft, the young lady cried out and an alert off-duty policeman overtook the suspect and found the victim's wallet in his possession.

Despite her identification of the suspect as the thief and the fact that he had her wallet in his possession, the case was dismissed on the grounds the suspect was illegally detained and the apprehending officer did not have sufficient cause to believe the suspect was the thief. Such outrageous handling of criminals by the courts can only serve to encourage similar depredations.

It can be readily understood why some of our good citizens lose heart in the deterrent aspects of our judicial system of reflecting on a 1966 Ohio case where, after many months of painstaking work, police arrested a man who had plagued a woman and her 14-year-old daughter with obscene telephone messages, night and day, for almost 2 years. The maximum sentence for conviction of this offense in Ohio is a $500 fine and a 6-month prison term. Although the courageous victim willingly underwent embarrassing testimony to see justice achieved and, despite the fact that the charges were not contested by the subject who was convicted, he was sentenced to but 30 days in jail and a $100 fine. More astonishingly, the sentence and fine were suspended and the subject was required to only pay court costs of $17. In commenting on this remarkable decision, one newspaper observed "a $17 fine almost is encouragement."

Law enforcement does not quarrel with the high courts over legal decisions which everyone realizes protect the rights of all citizens. Nor does law enforcement oppose the gargantuan steps that have been taken to insure that future interrogations, searches, seizures, and arrests are within the legally approved guidelines.

What is asked, though, is a realistic and commonsense approach in the sentencing, parole, and probation treatment of repeating criminals who have demonstrated time after time their contempt for society and who can reasonably be expected to once again victimize the public when prematurely set free. It is imperative that all with responsibility, the courts, juries, and law enforcement alike, face squarely and intelligently the deadly threat of unwarranted leniency if we hope to retain law and order in America.

COMMUNIST PARTY—U.S.A.

The Communist Party—U.S.A. is riding the crest of a wave of optimism. The party's 18th national convention, which was held in New York City, June 22–26, 1966, constituted a significant landmark in the history of the Communist movement in the United States. The very fact that the convention was held—the first one since 1959—reflected the feeling of Communists that the time has come to operate openly and boldly. The dominant mood of those who attended the convention was one of optimism based on the belief that the political climate of this country is ripe for "radicalism" and, consequently, the party can reap substantial benefits from the changing times.

The convention marked the emergence of the Communist Party—U.S.A. from its political isolation and ended the masquerade of top party leaders as "Communist spokesmen." In addition, the party plans to have leaders in various districts openly identified and aims to reestablish public headquarters in a number of cities rather than operate from homes of officials or from party bookstores.

The effect of the convention on the Communist Party—U.S.A. was important in a number of ways. It assured a continuing leadership dedicated to serving Soviet interests; it tightened the framework of party organization; it established greater unity of purpose in regard to objectives; it gave birth to a youthful cadre insisting on a greater voice in party affairs and advocating a more militant role for the party; and it formulated numerous programs designed to increase the party's membership, activity, and influence.

The Vietnam issue became the focal point around which the convention was oriented. The importance of the "peace struggle" and the relationship of the Vietnam issue to all others was emphasized repeatedly in statements by Gus Hall and other party leaders. The United States continues to be described by the party as an "imperialistic aggressor," while the Soviet Union and the international Communist movement were lauded as the major bulwarks of the forces of liberation and peace.

PARTY PROGRAM

In connection with its arrangements for its 18th national convention, the Communist Party—U.S.A. engaged in a massive public campaign to promote the sale and distribution of the party's new program which was prepared for preconvention discussion among the party membership. The program was published in mid-February 1966, in a 128-page paperback entitled "New Program of the Communist Party, U.S.A. (a draft)." The party's program seeks to unite the dissident elements in our society to the "Red Banner" to change our current form of government. It seeks to convince the unwary that socialism is the only solution to our current social, political, and economic problems.

Although the party in this country protests that it is independent of the Soviet Union, the unending stream of party functionaries and delegations traveling to Moscow shows that the party remains—as it always has been—an obedient slave to its Soviet masters.

The determination of the Soviet Union to maintain the Communist Party—U.S.A. and to strengthen and direct it in such a way as to make it a continuing danger to this Nation is clearly evidenced by the fact that for the past 47 years Soviet Russia has in one way or another directed and controlled the Communist Party—U.S.A. and helped to finance it.

For example, in April and May 1966, a group of 10 party functionaries visited the Soviet Union to celebrate the 1966 May Day activities and to pay homage to the Soviets. While in the Soviet Union the delegation met with the Moscow representative of the South Vietnamese National Liberation Front (Viet Cong), who welcomed the delegation warmly and spoke to them concerning Vietnam. The National Liberation Front representative told the Communist Party—U.S.A. delegation that the Vietnam war would end "tomorrow" if the United States would take the following action: (1) Look in the direction of the "democratic elements" and not the military generals who have no large base of support, and (2) withdraw all U.S. troops from Vietnam. He claimed that the majority of the Vietnamese people support the National Liberation Front.

Gus Hall, General Secretary, Communist Party—U.S.A., returned to the United States in late October 1966, from a 77-day propaganda tour of over 35,000 miles covering 13 Communist and non-Communist countries in Latin America, Europe, and Asia. This was the longest single tour by a party functionary in recent years.

While in the Soviet Union, Hall was given the red-carpet treatment generally reserved for a visiting head of state. During his entire stay abroad, Hall was wined and dined in impressive style. The Communist propaganda media in every country he visited afforded him extensive and glowing coverage. In all his public appearances abroad, Hall viciously and insistently excoriated U.S. foreign policy, particularly regarding Vietnam. Hall also utilized his trip to reaffirm and strengthen the party's strong and long-standing bond with the Soviet Union. It is even more evident since Hall's return that he can be counted on to see to it that the Communist Party—U.S.A. remains, as it has been since its founding 47 years ago, a willing tool of the Soviet Union.

CONTINUING PROPAGANDA BARRAGE

The Communist Party—U.S.A. continued its propaganda barrage against U.S. foreign policy during 1966. The party's chief foreign policy objective is to bring about the withdrawal of U.S. military forces from South Vietnam.

The party has charged that the purpose of U.S. presence there is not to defend democracy and freedom but to maintain military domination in Southeast Asia and to increase profits for Wall Street. According to the party, the crimes of aggression against Vietnam today were committed against the Dominican Republic yesterday and against Cuba the day before.

The party asserts that it seeks to change U.S. foreign policy and direct it toward peaceful coexistence. The fight for peaceful coexistence, the party says, entails the fight for the recognition of Communist China, its admission to the United Nations, and an end to the embargo on trade. The party warns that the United States is under strong misapprehensions if it assumes that China will not receive aid from the "socialist" countries in the event the United States exploits the ideological differences within the international Communist movement to provoke war with China.

Most of our Nation's problems, real or imaginary, are attributed by the Communists directly to the war in Vietnam and/or to our social system. As always, the party claims that the ultimate solution to the many problems that beset this country is "socialism." It is predicted that socialism will come when the majority of the American people are convinced that there is no other solution.

The Communist Party—U.S.A. follows up its propaganda with action. It has, for example, fully supported and participated in every major demonstration in recent months protesting U.S. action in Vietnam. Various groups which have sponsored and initiated these demonstrations have proved to be extremely susceptible to Communist propaganda which characterizes the United States as the "Imperialist Aggressor" in the Vietnam War, and portrays the Communist Party as a legitimate organization sincerely interested in promoting peace.

DEMONSTRATIONS PROTESTING UNITED STATES INTERVENTION IN VIETNAM

Since U.S. aircraft attacked selected targets in North Vietnam following torpedo boat assaults against American destroyers in the Gulf of Tonkin in early August 1964, there have been in the United States almost daily demonstrations in the form of sit-ins, teach-ins, parades, rallies, marches, or meetings to protest U.S. intervention in Vietnam. Several of the demonstrations have reached major proportions.

The Communist Party and other subversive groups such as the W. E. B. DuBois Clubs of America, a Communist-inspired Marxist-oriented youth group; the Socialist Workers Party, which has been designated as subversive by the Attorney General pursuant to Executive Order 10450, and its youth affiliate, the Young Socialist Alliance; the Workers World Party, a Communist splinter group, and its youth group, Youth Against War and Fascism; and the Progressive Labor Party, a pro-Chinese Marxist group, have actively supported and participated in demonstrations along with the Students for a Democratic Society, which has been described by Gus Hall, general secretary, Communist Party—U.S.A., as a group which the Communist Party has "going for us" and such pacifist groups as Women Strike for Peace, Women's International League for Peace and Freedom, the Committee for Non-Violent Action, the National Committee for a Sane Nuclear Policy, the America Friends Service Committee, and the War Resisters League.

These activities have been highlighted by the following demonstrations:

International Days of Protest—March 25–26, 1966

The National Coordinating Committee to End the War in Vietnam, Madison, Wis., sponsored International Days of Protest, March 25–26, 1966. The committee is chaired by Frank Emspak, who has attended meetings of the W. E. B. DuBois Clubs of America, and who is the son of a deceased Communist Party member. Its steering committee includes representatives from many subversive organizations including Arnold Johnson, the public relations director of the Communist Party—U.S.A. During the above period, demonstrations were held in cities throughout the United States at the call of the committee.

The highlight of the demonstrations was a demonstration in New York City on March 26 which was sponsored by the Fifth Avenue Peace Parade Committee. This committee's steering committee includes members of the Socialist Workers Party, the Progressive Labor Party, and the Communist Party. Included in the more than 20,000 demonstrators were over 50 Communist Party—U.S.A. members and members of the Socialist Workers Party, the Progressive Labor Party, the Workers World Party, and Youth Against War and Fascism.

In Chicago, 2,600 demonstrators were led by a unit of the Veterans for Peace, which was organized by Communist Party member Leroy Wolins. Herbert Aptheker, a member of the Communist Party—U.S.A. National Committee, spoke at the University of Wisconsin and compared the use of napalm by the United States to the cremation of Jews by the Nazis. Dorothy Healey, chairman of the Communist Party—U.S.A.'s Southern California district, was the featured speaker at a teach-in at Los Angeles on March 25 which was attended by 3,000 people.

Voters' pledge campaign, convention, and march—May 14–15, 1966

The National Committee for a Sane Nuclear Policy, in conjunction with the American Friends Service Committee, Women Strike for Peace, and the Women's International League for Peace and Freedom, initiated a voters' pledge campaign. This campaign was designed to obtain 1 million signatures of people pledging to vote for peace candidates in the 1966 elections. The climax of the campaign was a convention and march held in Washington, D.C., on May 14 and 15, 1966.

At the convention on May 14, disappointment was expressed when it was announced that only 73,000 signatures had been obtained on pledge cards distributed throughout the United States. The convention was attended by numerous members of subversive groups including James Jackson, a member of the Communist Party—U.S.A. National Committee, and Aaron Wool, a member of the Trade Union Commission of the party's New York district. Issues of "The Worker," an east coast Communist newspaper, "The Militant," a publication of the Socialist Workers Party, and "Progressive Labor," a publication of the Progressive Labor Party, were distributed at the convention.

On May 15, 8,000 individuals participated in a march from the White House to the Sylvan Theater. Particularly noted among the marchers were members of the Communist Party and the Young Socialist Alliance, including Arnold Johnson.

International days of protest—August 6–9, 1966

The Fifth Avenue Peace Parade Committee, New York City, sponsored demonstrations throughout the United States August 6–9, 1966, to memorialize the victims of atomic bombs exploded in Japan and to protest against U.S. policy toward Vietnam. Once again demonstrations occurred in cities across the United States.

In New York City on August 6, 5,000 demonstrators converged on Times Square and marched to 48th Street for a rally. Some of the marchers carried Viet Cong flags and others carried American flags with dollar signs and skulls substituted for the stars. Demonstrators included members of the Communist Party, the W. E. B. DuBois Clubs of America, the Workers World Party, the Socialist Workers Party, and the Progressive Labor Party. Herbert Aptheker and two Progressive Labor Party members were introduced as "peace candidates" at the rally.

At a demonstration in Cleveland, Ohio, Stokely Carmichael, the leader of the Student Non-Violent Coordinating Committee, a militant civil rights group, was the featured speaker. Carmichael was introduced by a former Communist Party member. Numerous members of the Communist Party and the Socialist Workers Party were in the audience.

In Washington, D.C., Pat Cawood, the local Young Socialist Alliance leader, led a rally at Dupont Circle which was attended by 200 people. At the request of the committee, demonstrations were held in several foreign countries during the same period.

Demonstrations against the Committee on Un-American Activities, August 1966

The Committee on Un-American Activities, United States House of Representatives (HCUA), scheduled hearings beginning on August 16 and subpenaed several individuals who have been active in protests against United States policy toward Vietnam. Soon thereafter, the National Committee to Defend the Civil Liberties of the Antiwar Group was formed in Washington, D.C., to organize demonstrations against the hearings. Among the organizations sponsoring this committee were the Socialist Workers Party, the Young Socialist Alliance, the Progressive Labor Party, the W. E. B. DuBois Clubs of America, Students for a Democratic Society, and Women Strike for Peace. The committee was headed by William Higgs, a former attorney for the Student Non-Violent Coordinating Committee.

During the hearings which ran from August 16–19, 1966, many demonstrators were arrested for causing disturbances. Among them were numerous members of the Progressive Labor Party, the Workers World Party, and Youth Against War and Fascism. Arthur Kinoy, vice president of the National Lawyers Guild, which has been described by the HCUA as a Communist front, was arrested on August 16 when he refused to sit down at the hearing. Kinoy was representing some of the individuals subpenaed by the committee.

During the above period, demonstrations in opposition to the hearings were held in various cities throughout the United States.

March on Washington, August 27–28, 1966

The W. E. B. DuBois Clubs of America sponsored a national youth conference at Washington, D.C., on August 27–28, 1966, for "jobs, peace, and freedom." DuBois Clubs leaders had announced that 1,000 to 1,500 participants were expected and that other organizations, including the Student Non-Violent Coordinating Committee; the International Warehousemen's and Longshoremen's Union, which was expelled from the Congress of Industrial Organizations in 1950 as a Communist-dominated union; and the National Coordinating Committee to End the War in Vietnam, were cosponsors of the conference.

On August 27, 1966, workshops and speeches were held at the Sylvan Theater. The 100 individuals participating in this activity included such prominent Communist Party members as Michael Zagarell, national youth director of the party; George Meyers, chairman of the Maryland, District of Columbia, and Virginia District of the party; Bettina Aptheker, a member of the party's National Committee; and Franklin Alexander, national chairman of the W. E. B. DuBois Clubs of America and a member of the Communist Party. The workshops were led by members of the Communist Party and the DuBois Clubs.

On August 28, approximately 125 individuals attended a mass meeting at the Sylvan Theater to hear speeches and the results of the workshops. One DuBois Club member was arrested by the United States Secret Service for having made remarks of a threatening nature against the President during a workshop on August 27, 1966. Upon conclusion of the meeting the group, which had increased to nearly 190 individuals, marched to the White House where they picketed for a short period. The group carried placards protesting police brutality, poverty, and the war in Vietnam.

The November 8 Mobilization Committee

The November 8 Mobilization Committee was formed at Cleveland, Ohio, for the purpose of planning a mass mobilization for peace throughout the United States November 5–8, 1966. A. J. Muste, a well-known pacifist, was chairman of the committee. Among the sponsors of the committee were members of the Communist Party and the Socialist Workers Party and the Communist Party—U.S.A. National Board agreed to give full cooperation to the committee.

During this period, demonstrations were held in cities throughout the United States. Eight thousand individuals participated in a rally at New York City on November 5, 1966. At the rally, Judy White, the Socialist Workers Party candidate for Governor of New York, and Herbert Aptheker, a candidate for the United States Congress, were introduced to the crowd. Signs carried by the participants included "Defeat the U.S. Imperialists—Victory for NLF" and "Free the Fort Hood Three." The Fort Hood Three refers to three members of the United States

Army who were court-martialed for refusing to serve in Vietnam. Numerous members of the Communist Party, the Socialist Workers Party, and the Workers World Party were among the participants in the rally.

On November 7, Students for a Democratic Society sponsored a demonstration at Harvard University during a visit to the University by Secretary of Defense McNamara. The Secretary's car was blocked by the demonstrators and the demonstrators attempted to shout down his answers to questions asked him at the scene. On November 5, at the urging of a Young Socialist Alliance member, 250 demonstrators formed a picket line at the Washington, D.C., residence of Secretary McNamara.

Members of the Communist Party and other subversive groups were active in demonstrations throughout the United States during this period.

Spring mobilization committee to end the war in Vietnam

The November 8 Mobilization Committee met at Cleveland, Ohio, on November 26–27, 1966, to discuss the demonstrations sponsored during November 5–8, 1966. One hundred seventeen individuals registered for the conference. Seventy-five of those who registered were members of the Socialist Workers Party or its youth group, the Young Socialist Alliance. The Communist Party was represented by Arnold Johnson and James West, both of whom are members of the Communist Party—U.S.A. National Committee. Hugh Fowler, Executive Secretary of the W. E. B. DuBois Clubs of America, represented the DuBois Clubs at the conference.

Delegates to the conference decided to continue the committee under the name Spring Mobilization Committee to End the War in Vietnam. It was further decided that it would sponsor demonstrations throughout the United States on April 8–15, 1967. The high point of the demonstrations will be on April 15, 1967, when massive demonstrations will occur at New York and San Francisco, California. An office has been set up in New York City to coordinate the planning for these demonstrations. The Reverend James Bevel, an official of the Southern Christian Leadership Conference, has been named executive director of the committee. The Reverend Mr. Bevel has called on all civil rights groups to support the April 8–15, 1967, demonstrations.

PROPAGANDA AND YOUTH ACTIVITIES OF PARTY

Propaganda

In keeping with its constant efforts to attract young people to its ranks, the Communist Party—U.S.A. in May 1966 launched a new youth publication entitled "Young Communist," which is self-described as the bulletin of the party's National Youth Commission. Plans called for the bulletin to be issued as frequently as possible prior to the 18th national convention and on a bimonthly basis thereafter.

The party pushed the sale and distribution of party functionary Herbert Aptheker's book "Mission to Hanoi," which was hailed as an "important peace book." The book was published by International Publishers, the party's book-publishing firm. Aptheker's book was his story of an unauthorized 10-day trip he made to North Vietnam in December 1965.

The leading newspapers and magazines currently being published under the aegis of the party are the following:

"The Worker," semiweekly east coast Communist newspaper; "People's World," weekly west coast Communist newspaper; "Political Affairs," monthly CPUSA theoretical journal; "Freedomways," quarterly Marxist Negro review; "Labor Today," bimonthly trade union magazine; "Jewish Currents," monthly Jewish magazine; "American Dialog," bimonthly Communist cultural magazine.

The party-sponsored Spanish-language newspaper "La Neuva Voz" ceased publication early in 1966 because of financial difficulties. To replace it, the party decided to publish a Spanish-language paper entitled "el Trabajador" which is the Spanish word for "The Worker," in the midweek edition of "The Worker." The new page made its first appearance in the May 17, 1966, issue.

In presenting the report of the panel on party organization at the 18th national convention, Mortimer Daniel Rubin, national organizational secretary, cited the Marxist press as the single most important instrument in building the party. He called for a restoration of a daily Marxist paper.

Numerous Communist bookstores function throughout the United States under the management of loyal, longtime party members. The principal bookstores are: Jefferson Bookshop, New York City; New World Book Fair, Philadelphia; New Era Book Shop, Baltimore; The Book Mark, Cleveland; Global Books, Detroit; Modern Book Store, Chicago; Mary's Bookshop, Milwaukee; Co-op Books, Seattle; International Books, San Francisco; and Progressive Book Shop, Los Angeles.

Youth

Completely aware of the fact that it must attract youth in order to survive, the party has continued its efforts to ensnare young Americans concerned with the problems facing our Nation.

The year 1966 has been designated by party leaders as the "year of the breakthrough" and, as in 1965, an ambitious summer youth project, designed to recruit members of minority groups, was instituted. This project represents the means for the party to carry out the mandate of its national convention to double the youth membership by the summer of 1967 and, in doing so, quadruple Negro and Puerto Rican membership.

Mike Zagarell, the party's youth director, has emphasized that the alliance of youth and labor is most essential to the working class, second only to the alliance of Negroes and labor, and has scheduled a special program for selected party youth to undergo training in the trade union field. After completing this training the youth are to go into plants, preferably defense plants, join the union, and attempt to influence the union to adopt positions favorable to Communist causes.

The party leadership is extremely pleased that the Communist Party—U.S.A. is becoming a "young party." At least a third of the new national committee can be classified as "party youth" and many are under 25 years of age. However, youth carries such negative features as a militancy bordering on anarchism. The brief party history of some of the youth members means they have had insufficient exposure to the party's brand of Marxism-Leninism, hence they are not completely indoctrinated in democratic centralism, or dictation from the top. This was demonstrated at the national convention when the youth held separate caucuses and demanded a stronger voice in party affairs.

Public appearances of party leaders

The party's most aggressive programs in its ceaseless campaign to gain legitimacy as just another political party on the American scene are aimed toward young people. Five years ago the party instituted a program of sending its speakers to college campuses. From the party's point of view this program has achieved a measure of respect and authority unmatched in the past two decades. In view of the fact that students constitute a primary Communist target group, the Communist Party—U.S.A. has continued to concentrate on having party spokesmen appear on college and university campuses across the country.

During the academic years from 1961 to 1965, party speakers averaged 50 campus appearances each year, but during the 1965–66 academic year party speakers made a record-breaking 69 appearances.

COMMUNIST PARTY U.S.A. PUBLIC APPEARANCES OF PARTY LEADERS, SCHOOL YEAR 1965–66

School	Speaker	Date
1. Ohio State University, Columbus, Ohio	Herbert Aptheker	10–18–65
2. University of Bridgeport, Bridgeport, Conn	do	10–27–65
3. Ventura College, Ventura, Calif	Dorothy Healey	11– 3–65
4. City College of New York, New York, N.Y	Gil Green	11– 4–65
5. City College of New York, New York, N.Y	Herbert Aptheker	11– 5–65
6. University of Utah, Salt Lake City, Utah	Mortimer Daniel Rubin	11– 9–65
7. University of Pennsylvania, Philadelphia, Pa	Herbert Aptheker	11–13–65
8. San Fernando Valley State College, Northridge, Calif	do	11–15–65
9. University of California at Santa Barbara, Goleta, Calif	do	11–16–65
10. Princeton University, Princeton, N.J	James Jackson	11–16–65
11. California State College, Goleta, Calif	Herbert Aptheker	11–16–65
12. California State College, Los Angeles, Calif	do	11–17–65
13. University of Southern California, Los Angeles, Calif	do	11–17–65
14. University of Minnesota, Duluth, Minn	Arnold Johnson	11–18–65
15. University of California, Berkeley, Calif	Herbert Aptheker	11–19–65
16. Baldwin-Wallace College, Berea, Ohio	Anthony Krchmarek	11–20–65
17. City College of New York, New York, N.Y	Herbert Aptheker	12– 3–65
18. Fairleigh-Dickinson University, Rutherford, N.J	Gus Hall	12–13–65
19. Columbia University, New York, N.Y	do	12–15–65
20. Michigan State University, East Lansing, Mich	Hyman Lumer	1– 7–66
21. Great Neck Senior High School, Great Neck, N.Y	Herbert Aptheker	1–27–66
22. University of Michigan, Ann Arbor, Mich	do	2–10–66
23. Tuskegee Institute, Tuskegee, Ala	Gus Hall	2–11–66
24. Wayne State University, Detroit, Mich	Herbert Aptheker	2–11–66
25. Michigan State University, East Lansing, Mich	do	2–11–66
26. Brooklyn College, Brooklyn, N.Y	do	2–16–66
27. *University of Texas, Austin, Tex. (off campus)*	*John Stanford*	2–21–66
28. Hunter College, New York, N.Y	Herbert Aptheker	3– 2–66
29. Rutgers University, New Brunswick, N.J	do	3– 5–66
30. Duke University, Durham, N.C	do	3– 8–66
31. University of North Carolina, Chapel Hill, N.C. (off campus).	Herbert Aptheker	3– 9–66
32. Queens College, New York, N.Y	do	3–11–66
33. Boston University, Boston, Mass	do	3–13–66
34. Brandeis University, Waltham, Mass	do	3–13–66
35. St. Francis College, Biddeford, Maine	do	3–16–66
36. St. Andrews Presbyterian College, Laurinburg, N.C	Arnold Johnson	3–18–66 (a.m.)
37. St. Andrews Presbyterian College, Laurinburg, N.C	do	3–18–66 (p.m.)
38. Bryn Mawr College, Bryn Mawr, Pa	Herbert Aptheker	3–21–66
39. Central Michigan University, Mount Pleasant, Mich	Thomas Dennis	3–24–66
40. University of Wisconsin, Madison, Wis	Herbert Aptheker	3–24–66
41. University of California, Los Angeles, Calif	Dorothy Healey	3–25–66
42. Mundelein College, Chicago, Ill	Louis Diskin	3–29–66
43. Harpur College, Binghamton, N.Y	Herbert Aptheker	3–30–66
44. Hunter College, New York, N.Y	do	3–31–66
45. New York University, New York, N.Y	do	4– 6–66
46. Syracuse University, Syracuse, N.Y	Claude Lightfoot	4–18–66
47. University of Miami, Coral Gables, Fla	Herbert Aptheker	4–20–66
48. Harvard University, Cambridge, Mass	do	4–21–66
49. Rutgers University, New Brunswick, N.J	do	4–23–66
50. De Paul University, Chicago, Ill	Louis Diskin	4–24–66
51. University of California, Los Angeles, Calif	Dorothy Healey	4–29–66
52. Northwestern University, Evanston, Ill	Herbert Aptheker	4–30–66
53. University of Chicago, Chicago, Ill	do	5– 2–66
54. *Loyola University, Chicago, Ill*	*do*	5– 2–66
55. Hampton Institute, Hampton, Va	George Meyers	5– 3–66
56. Indiana University, Bloomington, Ind	Herbert Aptheker	5– 3–66

COMMUNIST PARTY U.S.A. PUBLIC APPEARANCES OF PARTY LEADERS, SCHOOL YEAR 1965-66—Continued

School	Speaker	Date
57. Indiana University, Bloomington, Ind	Herbert Aptheker	(a.m.) 5- 3-66
58. University of Wisconsin, Madison, Wis	Claude Lightfoot	(p.m.) 5- 3-66
59. University of Pittsburgh, Pittsburgh, Pa	Herbert Aptheker	5- 4-66
60. Fairleigh-Dickinson University, Rutherford, N.J	Gil Green	5- 5-66
61. Albion College, Albion, Mich	Gus Hall	5- 5-66
62. Briar Cliff College, Sioux City, Iowa	Herbert Aptheker	5-10-66
63. California State College, Los Angeles, Calif	Dorothy Healey	5-11-66
64. University of Maryland, College Park, Md	George Meyers, Arnold Johnson.	(p.m.) 5-16-66
65. Harvard University, Cambridge, Mass	Gil Green	5-17-66
66. Temple University, Philadelphia, Pa	Herbert Aptheker	5-17-66
67. Kent State University, Kent, Ohio	do	5-19-66
68. San Fernando Valley State College, Northridge, Calif	Dorothy Healey	5-25-66
69. University of California, Irvine, Calif	do	5-27-66

Mr. HOOVER. In all their public appearances, especially before draft-age college students, Communist speakers hit hard at the United States for its role in the Vietnam war. The party feels that our Nation is witnessing a new upsurge of leftist thinking among young pepole which makes the Communist message more palatable. The party, of course, is exploiting this trend.

Communist speakers enjoy the controversy their scheduled appearances on college campuses frequently provoke because it enables them to assume completely the undeserved role of a persecuted defender of free speech. Much publicity attended the banning of a speech by Herbert Aptheker scheduled at the University of North Carolina on March 9, 1966. University trustees invoked a 1963 North Carolina law prohibiting Communists from speaking at State-supported institutions. When Aptheker appeared on the campus and the police prevented him from speaking, he retreated to a sidewalk adjoining the campus and spoke to some 2,000 students. Aptheker sanctimoniously protested that the ban was a deprivation of his rights as an American citizen and charged that University officials and the police had violated the Bill of Rights.

Communist speakers have stock answers for questions asked of them during their public appearances. For example, they blandly state that the Communist Party—U.S.A. has no organizational ties with the Communist Party of the Soviet Union; that the Hungarian Government specifically requested the aid of Soviet troops during the Hungarian uprising of 1956; and that the Communists, if they ever attain power in this country, will allow a free press to exist because this is the American tradition.

Communist Party—U.S.A. Public Relations Director Arnold Johnson mailed letters enclosing a copy of the party's new program to some 700 editors of college newspapers and periodicals. These editors were asked to comment editorially on the program and to arrange for students, especially those writing term papers on communism or debating Communist viewpoints, to obtain copies of the program at college bookstores or by direct order. In addition, these editors were informed that the party was prepared to provide "authoritative and capable" speakers for campus functions of students and faculty members. They were also asked to have their publication or some other campus institution or organization sponsor such an appearance.

There are those who say that it is proper and fitting for the Communists to present their views before student groups. We all believe in academic freedom but this does not grant license to deliberately present distortions or falsehoods. Communists are not obligated morally or otherwise to seek for or to tell the truth. Some young people are capable of recognizing and exposing propaganda and propagandists. Others are not. This is the dangerous thing, particularly when it is recognized that the Communists in this country are conducting an energetic propaganda campaign to recruit young people to the Communist banner.

DU BOIS CLUBS AND STUDENTS FOR A DEMOCRATIC SOCIETY

One of the most effective means utilized by the Communist Party to reach the hearts, minds, and souls of young people is through its 2-year-old youth front, the W. E. B. DuBois Clubs of America. This group, together with other so-called "new left" organizations such as the Students for a Democratic Society work constantly in furtherance of the aims and objectives of the Communist Party throughout the Nation.

During the past year these groups have seized upon every opportunity to encourage agitation and foment discord among the youth of our Nation and at times have completely disrupted the normal operation of some of our large universities for extended periods of time. In an article which recently appeared in an official publication of the Students for a Democratic Society, a national officer of that organization proposed the formation of a student movement which would "radically transform" the university community and provide for complete control of schools by students. He urged students to demand the right to decide for themselves what rules should govern their actions, or whether they need rules at all, and indicated that if student demands are not met they should stage mass demonstrations, sit-ins, boycotts, and strikes.

Communist Party officials are elated over these developments and Communist Party—U.S.A. General Secretary Gus Hall has described these groups as a part of the "responsible left" that the party has "going for us."

EDUCATIONAL ACTIVITIES

The education of party members in Marxist-Leninist philosophy continues to occupy much of the energy of the Communist Party—U.S.A. leaders. The most significant training school held during 1966 was a secret leadership training school under the joint soonsorship of the party in this country and the Communist Party of Canada. The school, known as the "Institute of Social Science" was designed to take the place of training normally given in the Soviet Union to potential Communist leaders. It was held in the Macedonian-Bulgarian Hall in Toronto, Canada. The classes convened on January 3, 1966, and were to continue until March 28, 1966. However, the school was terminated in mid-February 1966 because of action taken by Canadian immigration authorities who requested the Communist Party—U.S.A. students and instructor to return to the United States. The 12 students from the United States, who represented party districts in New York, Massachusetts, Ohio, Michigan, Illinois, California, and Oregon, finished their training in New York City.

NATIONAL YOUTH EDUCATIONAL ENCAMPMENT

Last year I advised that the party held a national youth leadership school for approximately 80 students under what was to be maximum security conditions at Camp Midvale, N.J.

This year the party changed the format and held a 2-week national "youth educational encampment" followed by a 3-day national youth conference at Camp Webatuck, Wingdale, N.Y., from August 29 through September 14, 1966. Camp Webatuck has been known as Camp Calumet, Camp Unity, Wingdale on the Lake, and Wingdale Lodge, Inc. It is located in Dutchess County, N.Y. Since its inception in 1929, it has been under the control of the Communist Party—U.S.A.

Both the encampment and the conference, which served the dual purposes of indoctrinating potential recruits and training young leaders, were considered most successful operations by the party. Approximately 200 young people, including some noncommunists, from all areas of the United States attended these affairs.

The importance attached by the party to the encampment was evidenced by the active participation of many of the party's national leaders. The encampment was administered by the party's national organizational secretary, Mortimer Daniel Rubin, and national office factotum Helen Winter. In addition to these two, party luminaries serving as lecturers included National Chairman Henry Winston, chairman of the National Negro Commission Claude Lightfoot, National Youth Director Michael Zagarell, National Educational Secretary Hyman Lumer, and at least nine members of the party's national committee.

Students at the encampment were divided into five classes, one for high school students, two for courses in basic Marxist-Leninism, and two for advanced Marxist-Leninists. Assigned reading included selected chapters from "Fundamentals of Marxism-Leninism," the textbook written and published in the Soviet Union.

During the encampment, the youth were told by Claude Lightfoot that it was correct to seek black unity through the slogan of "Black Power" in order to develop black dignity and political power. Henry Winston outlined objectives of the party, which among other things, called for them to push forward the struggle for Negro freedom and "Black Power," to win labor to the cause of communism, and to build the party.

The primary purpose of the national youth conference which followed the encampment was to outline a program for party work among young people for the next 6 months. The 40 young Communists attending this conference were told the crucial issue facing the party was the war in Vietnam. The youth were urged to support outspoken antiwar candidates in the 1966 election campaigns.

Michael Zagarell, the party's youth leader, called for the organization of a Communist-inspired national student strike to oppose the draft, protest the high cost of education, and to promote student freedom. Since the proposed student strike had originated with Bettina Aptheker, self-described party member who is a student on the Berkeley campus of the University of California, it was only natural that she advise the conference of the future plans for this strike. She stated the planning meeting for the strike would be held in Chicago, Ill., during the 1966 Christmas recess, that international support would be obtained so that simultaneous strikes would occur in several countries, and that faculties on American college campuses would be asked for their support. Aptheker set the numerical number for the student strike at a half million participants.

The National Student Strike Conference was held at Chicago, Ill., December 28–30, 1966. Some 257 individuals, including members of the Communist Party; the Socialist Workers Party and its youth group, the Young Socialist Alliance; the W. E. B. DuBois Clubs of America, a Communist-inspired, Marxist-oriented youth group; and Youth Against War and Fascism, a Communist splinter group, registered for the conference. Bettina Aptheker was the dominant force at the conference. The conference set April 8–15, 1967, as "Vietnam Week" and urged that student action during that week focus on bringing U.S. troops home, supporting the right of students to refuse induction into the Armed Forces, and ending university cooperation with the war effort.

INTERNATIONAL LENIN SCHOOL

The Communist Party of the Soviet Union is again operating in Moscow an institute known as the International Lenin School. There are hundreds of students enrolled in this school from numerous countries throughout the world, including some from Latin America and Canada.

There is heavy emphasis on propaganda and agitation work at the school and the school's well-stocked library maintains newspapers and periodicals from all of the capitalist countries abroad. There are complete print shops where students learn to build and set up presses for both legal and clandestine use when they go back to their own countries. There are courses which deal with all phases of radio and television broadcasts.

POLITICAL ACTIVITIES OF THE PARTY

To get back into the mainstream of American life, the party hopes to become the catalyst to unite the dissident elements in our society into a new "Peoples Party"; to run an independent candidate for President of the United States in 1968; and to develop a grassroots movement to end the war in Vietnam on terms favorable to the international Communist movement. The party leadership feels that now is the time to run Communist candidates for public office. It sees the pendulum swinging to the left, creating a favorable climate for radicalism.

To put these words into action, Dorothy Healey, the party's chairman for the Southern California district, put on a spirited campaign in an unsuccessful bid for the office of tax assessor of Los Angeles County. Her platform called for increased taxes on businesses which, if carried out, would have resulted in a severe economic depression according to reputable economists. The platform also carried strenuous opposition to the war in Vietnam.

Healey's connection with the party was well known to the voters in Los Angeles County. In fact, she even distributed campaign buttons with her picture and the words "Vote Communist" thereon. Yet she polled more than 86,000 votes. Although this was less than 6 percent of the total votes cast, it was the highest number of votes received by a Communist in a public election in the United States in 16 years.

In November 1966, Herbert Aptheker, the party's leading theoretician, made an unsuccessful bid for election to the U.S. Congress from the 12th Congressional District in Brooklyn, N.Y. Aptheker ran on a "peace and freedom" ticket, but made no secret of his Communist connections. Although he received only 2,876 votes or 2.4 percent of the total votes cast. Aptheker was congratulated by party leader Gus Hall on his campaign. Hall declared that Aptheker's campaign had laid the groundwork for future Communist campaigns and political work. Hall, in the past, has made it clear that the Communist Party does not expect to win the election to any political office, but views political campaigns as excellent vehicles to spread propaganda and to force other candidates to adopt positions favorable to Communist causes.

COMMUNIST INFLUENCE IN RACIAL MATTERS

With the continuing increase of racial unrest and activities relating to the civil rights movement in this country during the past year, there has been a pronounced increase of activities by the Communist Party—U.S.A. concerning the Negro question and the racial movement generally.

The emphasis given to the Negro question at the Communist Party's 18th national convention held in June 1966, at New York City, illustrates the party's increased involvement in the racial movement. Claude Lightfoot, the party's vice-chairman, presented the resolution on the Negro question to the convention calling for the broadest linking of the civil rights struggle with the struggle for peace. He emphasized that the Communist Party must be known as the "best fighter" for Negro rights in the United States.

Although the Communist Party has always been active in the field of civil rights, it has done very little in its own name. Based on the action taken at the convention, the keynote now is that the Party will boldly step forward and lead its own movement for civil rights as well as for infiltrating into all civil rights struggles and joining with more militant elements.

For the most part, legitimate civil rights organizations have rejected the Communists' efforts to penetrate them. However, there have been some segments of these groups that covertly seek Communist advice and direction and in some instances accept Communists within their organizations.

STUDENT NONVIOLENT COORDINATING COMMITTEE (SNCC)

The SNCC is a nonmembership organization which has extensively engaged in voter registration work in the South, utilizing field workers who are paid nominal salaries.

Stokely Carmichael, chairman of SNCC, was the moving force behind establishing the Lowndes County Freedom Organization, Lowndes County, Ala., which is an all-Negro, highly militant political party utilizing the black panther as its symbol. The use of this symbol has given rise to the term "Black Panther Party." Carmichael utilized "Black Power," with its exclusion of persons of the white race, as a rallying cry to establish this party. It was on this platform he was chosen chairman of SNCC in May 1966 when the organization adopted Carmichael's philosophy of "Black Power."

Carmichael was born June 29, 1941, at Trinidad, West Indies. He became an American citizen in 1953 by derivation after both parents had been naturalized. A college graduate from Howard University, Washington, D.C., in 1964, Carmichael has been active in SNCC since its beginning in 1960. He has been arrested a number of times during civil rights demonstrations in the South and was charged with inciting to riot for his participation in the racial disturbance in Atlanta on September 6, 1966. This case is pending. Since assuming chairmanship of SNCC, Carmichael is generally considered the chief architect of "Black Power." Indicative of his philosophy concerning racial matters are the following public statements made by him.

"This non-violence bit is just a philanthropic hang-up. I don't see why people keep thinking about that. The violence is inevitable.

"When you talk of Black Power, you talk of bringing this country to its knees. When you talk of Black Power, you talk of building a movement that will smash everything western civilization has created. When you talk of Black Power, you talk of the black man doing whatever is necessary to get what he needs. We are fighting for our lives."

SNCC has taken an active stand in opposition to U.S. participation in Vietnam, and in this regard, Carmichael has stated—

"When Johnson calls, let's stand together and say no, I'm not going. Any black man who fights in this country's Army is a black mercenary."

In espousing his philosophy of "Black Power," Carmichael has been in frequent contact with Max Stanford, field chairman of the Revolutionary Action Movement (RAM), a highly secret all-Negro, Marxist-Leninist, Chinese-Communist-oriented organization which advocates guerrilla warfare to obtain its goals, and has afforded Stanford assistance and guidance in forming a Black Panther Party in New York City.

RIOTS AND DISTURBANCES

No area of the country has escaped unrest and turbulence based on racial and ethnic considerations. Outbreaks ranging from minor disturbances to major violence and actual riots accompanied by looting, arson, and attacks on law enforcement and constituted authority have occurred in several localities.

Unfortunately, some civil rights leaders in the past have condoned what they describe as civil disobedience in civil rights demonstrations. Martin Luther King, Jr., for example, after arriving in Chicago, Ill., early in 1966 in connection with the civil rights drive there, commented about the use of so-called civil disobedience in civil rights demonstrations and said:

"It may be necessary to engage in such acts . . . . Often an individual has to break a particular law in order to obey a higher law."

Such a course of action is fraught with danger for if everyone took it upon himself to break any law that he believed was morally unjust, it is readily apparent there would soon be complete chaos in this country. Respect for law and order cannot be a part-time thing. Under such conditions, there only tends to be a growing disregard of the law and its enforcement.

OUTSIDE INFLUENCE IN RIOTS AND DISTURBANCES

For the most part, the riots and disorders that have occurred in this country since the summer of 1964 were sparked by a single incident, generally following an arrest of a Negro by local police for some minor infraction of the law. Although most of the riots and disturbances have been characterized by spontaneous outbursts of mob violence dominated by young hoodlums, the involvement of other violent, lawless, subversive, and extremist elements became readily apparent as the rioting grew and spread.

EXPLOITATION BY COMMUNISTS AND OTHERS

Communists and other subversives and extremists strive and labor ceaselessly to precipitate racial trouble and to take advantage of racial discord in this country. Such elements were active in exploiting and aggravating the riots, for example, in Harlem, Watts, Cleveland, and Chicago.

The riots and disturbances of recent years have given Communists a golden opportunity to emphasize the Marxist concept of the "class struggle" by identifying the Negro and other minority group problems with it. Communists seek to advance the cause of communism by injecting themselves into racial situations and in exploiting them (1) to intensify the frictions between Negroes and whites to "prove" that the discrimination against minorities is an inherent defect of the capitalist system, (2) to foster domestic disunity by dividing Negroes and whites into antagonistic, warring factions, (3) to undermine and destroy established authority, (4) to incite Negro hostility toward law and order, (5) to encourage and foment further racial strife and riotous activity, and (6) to portray the Communist movement as the "champion" of social protest and the only force capable of ameliorating the conditions of the Negroes and the oppressed.

The cumulative effect of almost 50 years of Communist Party activity in the United States cannot be minimized, for it has contributed to disrupting race relations in this country and has exerted an insidious influence on the life and times of our Nation.

As a prime example, for years it has been Communist policy to charge "police brutality" in a calculated campaign to discredit law enforcement and to accentuate racial issues. The riots and disorders of the past 3 years clearly highlight the success of this Communist smear campaign in popularizing the cry of "police brutality" to the point where it has been accepted by many individuals having no affiliation with or sympathy for the Communist movement.

The net result of agitation and propaganda by Communist and other subversive and extremist elements has been to create a climate of conflict between the races in this country and to poison the atmosphere.

STATUS OF PROSECUTIVE ACTION AGAINST PARTY

When I was before you last year, the party had under appeal its conviction on 23 counts growing out of charges that the party failed to register with the Attorney General under the Internal Security Act of 1950 and to file the registration statement. There was a question raised as to the status of the prosecutive action.

A 12-count indictment in December 1961 charged the party with failure to register as a Communist-action organization under the provisions of the Internal Security Act of 1950. A verdict of guilty was returned in December 1962, but this was overturned by the court of appeals in December 1963. The Government filed a petition with that court and later with the Supreme Court. These were denied.

In February 1965 a second indictment was returned. On November 19, 1965, a verdict of guilty on all 23 counts of two indictments was returned charging the party with failure to register with the Attorney General under the Internal Security Act of 1950 and to file the registration statement. A total fine of $230,000 was imposed, comprised of a $10,000 fine on each count, the maximum penalty. The party appeal is pending.

Other prosecutive action was undertaken in the past, such as that under the Smith Act of 1940 and under the membership provision of the Internal Security Act of 1950. During the period from 1949 to 1956, 104 leaders of the party were convicted under the Smith Act of 1940 on charges of conspiring to organize as the Communist Party—U.S.A. a group a persons who teach and advocate violent overthrow of the U.S. Government and of conspiring to teach and advocate such violent overthrow. Five additional party leaders were convicted under the membership provisions of this Act.

Decisions of the Supreme Court and various circuit courts of appeal have resulted in the reversal of convictions or outright acquittals of most of the convicted defendants as well as in the dismissal of numerous indicments under the Smith Act of 1940. The Supreme Court also set aside orders of the Subversive Activities Control Board for party members to register under the provisions of the Internal Security Act of 1950.

COVERAGE OF OTHER GROUPS AND ORGANIZATIONS

Many other groups and organizations have designs upon America's future which closely parallel those of the Communist Party—U.S.A.

Other organizations of the extremist type pose a threat to the internal security of the Nation, deny other citizens their constitutional rights by force or violence, or advocate violent overthrow of the Government.

PROGRESSIVE LABOR PARTY

Created in 1962 by individuals who had been expelled by the Communist Party—U.S.A., the splinter group now known as the Progressive Labor Party is one of the more recently organized Communist splinter groups and is one of the most militant of the organizations whose activities we follow.

Its membership consists of basically relatively youthful, dedicated revolutionists who do not hesitate to go forth into the streets to further its programs. It is an organization which aggressively and militantly strives to develop followers for its goal, a socialist United States based on Marxist-Leninist principles.

Like the Communist Party—U.S.A., the Progressive Labor Party has sponsored a number of front organizations to further its objectives, one of the best known being the Student Committee for Travel to Cuba. This group organized and sponsored successful trips to Cuba of 59 persons in 1963 and of 84 persons in 1964 in defiance of the State Department ban on such travel. Four persons were indicted in connection with the 1963 trip. They were tried in Federal Court at New York in October 1965 without a jury. On April 15, 1966, the chief justice, Eastern District of New York, held that the persons indicted for organizing the 1963 trip were not guilty, stating that the statute, section 1185 (b), title 8, United States Code, as supplemented by State Department regulations, under which they were indicted was not sufficient to make travel to Cuba a crime, and that if the Government wanted to prosecute such cases, the remedy lies in legislation and not in regulations of the State Department.

Nine persons were indicted for organizing the 1964 trip to Cuba; however, on April 29, 1966, the chief justice, Eastern District of New York, dismissed these indictments because of his decision relative to the 1963 trip. The Department of Justice appealed the dismissal of these indictments to the U.S. Supreme Court and that Court on January 10, 1967, affirmed the judgment of the District Court.

PUERTO RICAN NATIONALIST GROUPS

The establishment of the commonwealth form of government in Puerto Rico was surrounded by acts of extreme violence in the early 1950's by fanatical nationalists. There is mounting evidence that the renewed interest in the question of the status of the island aroused by the United States-Puerto Rican Commission on the Status of Puerto Rico will trigger a new wave of violence. This Commission submitted its final report in August 1966 recommending the holding of a plebiscite through which Puerto Ricans may indicate their choice as to the island's future status; that is, statehood, continued commonwealth status, or independence. Acting on this recommendation, the Puerto Rican Government has enacted a law calling for a plebiscite to be held on July 23, 1967. The organizations seeking independence for Puerto Rico have indicated they will go to any lengths to frustrate the holding of this plebiscite.

The primary internal security problem of the FBI in Puerto Rico is the violent revolutionary minority among the Puerto Rican nationalists primarily affiliated with four pro-independence organizations, all under active investigation by the FBI. These organizations are: Movimiento Pro Independencia de Puerto Rico (Movement for Independence of Puerto Rico); Nationalist Party of Puerto Rico; Federation de Universitarios Pro Independencia (Federation of University Students for Independence); Liga Socialista Puertorriquena (Puerto Rican Socialist League).

The Puerto Rican Socialist League is a small militant Marxist-oriented group advocating independence for Puerto Rico. It is closely alined to the Progressive Labor Party in New York.

The potential for violence in Puerto Rico has changed radically in the past decade. No longer dominant is the Nationalist Party of Puerto Rico which staged the uprising in Puerto Rico and attempted to assassinate President Truman in 1950 and "shot up" the House of Representatives in 1954. The modern independentists are well-educated and sophisticated. They have been propagandized and indoctrinated by Cuba, the Soviet Union, and Communist China. Their leaders have traveled widely in Communist countries. The youth particularly are stimulated by the acts of revolutionary leftist youths throughout the world and are demanding action. They are inspired by the success of Fidel Castro in Cuba and believe they can be equally successful in Puerto Rico.

Fidel Castro's rise to power by revolution in Cuba has encouraged Puerto Rican revolutionists and there has been a definite turning of these independence advocates to Cuba and international communism for leadership and the promise of funds and arms with which to mount an armed insurrection in Puerto Rico.

The Movement for Independence of Puerto Rico is the largest and most influential of the proindependence groups in Puerto Rico. It was founded by Puerto Rican Attorney Juan Mari Bras. Mari Bras and his organization have consistently supported the Government of Fidel Castro in Cuba and have taken the lead in fighting compulsory military service for Puerto Ricans. Four individuals representing this organization were in attendance at the Tri-Continental Conference, which was held in Havana, Cuba, from January 3 to January 14, 1966, with 83 African, Asian, and Latin American countries represented. At this conference, plans were formulated for the establishment of a committee with headquarters in Havana to coordinate "national liberation" movements on the three continents. A permanent secretariat was established by this conference and is located in Havana. One of the four delegates representing the Movement for Independence of Puerto Rico at the conference was made a member of the secretariat and expects to reside permanently in Havana, representing his Puerto Rican group. This individual formerly was stationed as a representative of the Federation of University Students for Independence, a Marxist-oriented organization on the campus of the University of Puerto Rico, at the headquarters of the International Union of Students in Prague, Czechoslovakia. The International Union of Students is an international Communist student organization.

Because of the proven predilection toward violence on the part of many of the "independentists," the activities of these groups are followed very closely so that the Federal Government may continue to be in a position to thwart their future plans for violence and revolution.

BLACK NATIONALIST, HATE-TYPE AND EXTREMIST ORGANIZATIONS

Nation of Islam (NOI)

The Nation of Islam is an all-Negro, violently antigovernment and antiwhite organization. It has an active membership of about 5,500. Its strength lies predominantly in the northern urban areas where large numbers of low income, poorly educated Negroes living in ghetto conditions are targets of the intense NOI membership drives.

The NOI membership strength parallels the tense racial situation in these areas. Its highly disciplined membership, coupled with intense hatred of the white race, Government, law, and law enforcement, constitutes a very real threat to the internal security of the Nation. The overall impact of the NOI in racial matters becomes increasingly apparent with the current shift toward black nationalism by some of the more militant civil rights leaders.

Revolutionary Action Movement (RAM)

RAM, a Negro organization, is dedicated to the overthrow of the capitalist system in the United States, by violence if necessary, and its replacement by a socialist system oriented toward the Chinese Communist interpretation of Marxism-Leninism. Its total membership is estimated at less than 50.

RAM has organized units or membership in several of the larger cities and is attempting to recruit new members and expand its sphere of influence. Various leaders of the organization have participated in activities organized by the more militant civil rights leaders in order to expand its influence in racially tense areas.

Klan-type organizations

Currently, there are 14 Klan-type organizations in the United States with an estimated total membership of over 14,000 hard-core Klansmen, and there are thousands of sympathizers. There has been increasing Klan membership activity in several Northern States.

The FBI's intelligence operation in regard to the Klan not only assists in the investigation of violations of laws within the Bureau's jurisdiction, but it has also enabled us to disseminate a vast amount of information regarding Klan activities to other interested Federal agencies.

In addition, we regularly furnish State and local authorities with information pertaining to violations over which they have primary jurisdiction and constantly keep the local authorities advised of activities such as rallies and demonstrations since these could lead to violence or other civil disturbances.

A vital part of any investigation of the Klan groups is the constant development of racial informants, and we have continued our intensified program to thoroughly infiltrate the Klan at all levels.

Hate-type and extremist groups

Hate-type and extremist organizations generally exist under the mask of patriotism, anticommunism and concern for the destiny of the country. They apply their own definition of the direction in which the Nation should proceed and any deviation from this course is blamed on the influence of minority groups. They frequently resort to threats and violence to intimidate those who are not in agreement with them and in this way deny citizens their constitutional rights.

There are 14 of the hate-type and extremist groups, with a total membership of under 600, which are under investigation by the FBI. Included are such organizations as the Amercan Nazi Party, the National States Rights Party, and the Deacons of Defense and Justice, Inc.

The American Nazi Party, now also known as the Nationalist Socialist White People's Party, operating out of Arlington, Va., and whose self-styled leader is George Lincoln Rockwell, has a membership of less than 200.

The National States Rights Party, whose National Director is Dr. Edward R. Fields, operates out of Augusta, Ga., and has a membership of about 75.

The Deacons of Defense and Justice, Inc., an organization evolving out of the racial unrest, has a membership estimated at less than 200.

This all-Negro organization was organized in Jonesboro, La., in 1964 for the stated purpose of affording Negroes armed protection against Klan violence not available from local law enforcement officers. Recently, leaders of the organization have attempted to form chapters outside Louisiana in the racially tense large northern urban areas, such as Chicago, Ill. The organization has adopted an increasingly antiwhite militant posture, preaching hatred and violence in an attempt to attract a national following among dissident Negroes. The doctrine of distrust of legitimate law enforcement and advocacy of an armed organization to interpose itself between Negro groups and civic government resembles too closely a vigilante operation—the self-determination of right and wrong as opposed to the due process of law and order.

MINUTEMEN

In prior appearances before you, I have gone into some detail regarding the Minutemen organization which is headquartered at Norborne, Mo., and is headed by Robert DePugh. This is an organization of about 500 members. DePugh is the leader and acts as their sole spokesman.

This is the organization which claims its primary purpose is to prepare its members to overthrow the Government of the United States in the event the Government is taken over by Communists. The danger of this position, of course, is DePugh will decide when the Communist takeover has occurred.

DePugh has said that the Minutemen as an organization does not buy or store arms but individual members maintain whatever arms and ammunition they purchase with their own funds. Despite DePugh's beguiling statement, our investigation has disclosed an obsession with armaments including machineguns, rocket launchers, explosives and the like. Possession of such equipment hardly fits within DePugh's statement.

We have closely followed the activities of this group. We have penetrated the organization so as to be aware of its activities. We disseminate the results of our investigations on a continuing basis to pertinent agencies, including the Secret Service. This has enabled action of various types to be taken against the organization. In June 1965, for example, as a result of information furnished by the FBI, local authorities located 36 sticks of dynamite and other blasting equipment in Prince William County, Va., which had been stored by a local Minutemen group using the area for a training site.

More recently, we received information that DePugh had buried a cache of automatic weapons and explosives in Missouri. This information was immediately made available to the Treasury Department enabling representatives of the agency to locate the arms. This led to the subsequent indictment and arrest of DePugh and four cohorts on August 20, 1966, at Kansas City, Mo., on charges of conspiracy to violate the National Firearms Act, which is under the jurisdiction of the Treasury Department.

The source of our information concerning the cache of arms was an individual named Raithby B. Husted. He had become associated with the Minutemen organization and subsequently came to us voluntarily to tell us of their activities and their arms.

Prior to testifying before a Federal grand jury on the matter, Husted furnished DePugh a fabricated story about Husted's relationship with the FBI. He told DePugh the FBI had drugged and coerced him to get him to cooperate. This, of course, was an outright lie. Husted subsequently furnished the FBI a signed statement in which he said the statement he gave DePugh was totally false. He explained that he had done so in an effort to obtain additional information from DePugh.

DePugh, utilizing the letterhead of the Patriotic Party, the political arm of the Minutemen, then began circulating Husted's fabricated statement in an effort to obtain funds for his defense, to destroy Husted's credibility as a witness and to discredit the FBI. DePugh gave the lying statement the widest possible circulation. This placed the FBI in a most embarrassing and difficult position because we were unable to take immediate steps to refute these lies. We were prevented from doing so because Husted was to be a witness the prosecution planned to use at DePugh's trial. The Department of Justice instructed us to take no action which would jeopardize the case. As a result, even though it was not even an FBI case, we bore the brunt of the slanderous attack in silence until the trial could be held.

On November 14, 1966, DePugh and two others of those arrested earlier in connection with the National Firearms Act charges were found guilty in Federal Court. They were sentenced on January 17, 1967. DePugh was sentenced to 4 years' imprisonment to be followed by 5 years on probation. One of his cohorts was sentenced to 2 years in prison and 3 years on probation, while another was sentenced to 3 years in prison. All remain free on bond pending an appeal. The charges remain outstanding as to the other two individuals.

DePugh publicly announced on January 23, 1967, that he is resigning as leader of the Minutemen and that the group will go underground and be run by a secret executive council. DePugh said he has been answerable to the "executive council" since the founding of the organization in 1960. In this regard, he has never offered any tangible evidence to show that such a council actually existed, but we are following this closely.

On October 30, 1966, New York police officers arrested 24 persons who were allegedly Minutemen en route to "assault left-wing camps in a three state area." Our New York office had furnished local authorities information that Minutemen groups in that area were planning military-type maneuvers on that date.

On November 1, 1966, the caretaker of Camp Webatuck, Wingdale, N.Y., reported to local authorities he had located incendiary devices on the premises. A subsequent search located nine such devices. All had been activated; however, none functioned. Whether these devices were placed by extremists prior to the intended maneuvers and subsequent arrests of the Minutemen, or by subversives for publicity purposes has not been determined by local authorities.

On December 14, 1966, the Queens County, N.Y., grand jury returned indictments against 16 individuals and failed to return indictments against four of the alleged Minutemen. Of the original 24 persons arrested, four were arrested as material witnesses and therefore were not charged by the grand jury. No Federal violation existed in this incident; however, we are following this matter very closely with local authorities.

The obsession with violence and expressed intent to make the determination as to the occurrence of a Communist takeover are indicative of the dangerous nature of such extremist groups as the Minutemen. They would act as vigilantes, a law unto themselves.

NUMERICAL STRENGTH, COMMUNIST PARTY—U.S.A.

Last February, party leader Gus Hall told a press conference that party membership had risen from "10,000 to perhaps 12,000 members since November 15, 1965," and to quote his own language it was "again the largest and most decisive influence on the left."

Hall, in the past in commenting on the 10,000 figure, has declared that there are at least 100,000 "state-of-mind" members whom he defined as persons sympathetic to the party line and objectives.

HEARINGS ON FLOOD INSURANCE LEGISLATION

Mr. PRYOR. Mr. Speaker, I ask unanimous consent that the gentleman from Pennsylvania [Mr. BARRETT] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

Mr. BARRETT. Mr. Speaker, the Subcommittee on Housing of the Committee on Banking and Currency will hold 1 day of hearings on H.R. 11197, the national flood insurance bill on Tuesday, August 15. On that day, we will hear from our distinguished majority whip, the Honorable HALE BOGGS, of Louisiana, and take testimony from Under Secretary Robert C. Wood of the Department of Housing and Urban Development. This hearing will begin at 10 a.m. in room 2222 of the Rayburn Building.

Additional witnesses on this vital legislation will be scheduled at a later date.

DAY CARE CENTERS NEEDED

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from California [Mr. Cohelan] for 10 minutes.

Mr. COHELAN. Mr. Speaker, in cosponsoring the Day Care Act of 1967 I wish to call again to the attention of the House some of the important features of this bill, first outlined in the Senate bill. First of all, the goal of freeing mothers to get jobs will be reinforced by requiring that a preference be given to children whose parents or relatives choose to enter job training or employment. It is hoped that parents who are freed from the need to care for children during the day can and will use the time to gain employment, or the skills necessary for employment.

In many cases this will be the first time that mothers have had a viable alternative to welfare. The amount of money the government will no doubt save in this process, however great, will be insignificant compared with the gain in self-respect which the mothers will achieve.

This leads me to a second feature, related to the first: The day care centers will provide jobs for some of the mothers as sub-professional employees of the centers. This will provide some opportunity for the mothers to participate in the operation of the centers, and to share the responsibilities for caring for their own children.

A third feature is that the participants pay according to their means, so that mothers will not be penalized by exclusion because they are not "poor" enough, nor will the program be inaccessible to those who simply cannot afford to pay anything.

Finally, it provides for coordination at the Federal, State, and local levels as well as a built-in evaluation system. This will reduce the animosity generated by programs dictated from above, or from outside.

It will also enable the program to correct its faults as it progresses, without a constant prodding by Congress.

The $60,000,000 which would be authorized for the first year is a good beginning, but only a beginning. The need in this area is far greater than the authorization could possibly handle. The Children's Bureau of the Department of Health, Education, and Welfare estimates that there are roughly 2.7 million children who need day care services, above and beyond those already in one program or another. The initial authorization for this bill, if fully appropriated, would be able to provide day care services for only 50,000 of the 2.7 million persons who need it.

There is no question that those to be benefited by this program are receptive to the idea; the initial response to the program has been overwhelmingly favorable. Such a response reflects the desires of those who are on welfare to have an alternative to it. I strongly feel that it is in the best interest of Congress, and in the best interest of all concerned that individuals be given a chance to return to active, productive participation in society.

THE PRESIDENT'S CRITICS HAVE THEIR SAY, AND IT IS NOTHING VERY USEFUL

Mr. ALBERT. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the Record.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. ALBERT. Mr. Speaker, this difficult summer proves an old proverb: "Trouble breeds troublemakers."

It is clear that the doubters in our midst are trying to capitalize politically on the racial turmoil in our cities to exploiting hatred and mistrust.

These are the people who would have us believe that more than a tiny fraction of the Negro community was involved in the rioting.

These are the people who are trying to implicate the Office of Economic Opportunity in civil disorders while ignoring the fact that only six OEO workers have been arrested from a total of nearly 4,000 rioters jailed thus far. Of course no OEO workers should be involved in riots and those who have should suffer the consequences. But this thing should be kept in perspective.

These are the people who shout indignantly about civil disorder and demean with snide humor a modest program to help eliminate rats in slum ghettos.

These are the people who try to inject the issue of Vietnam into the ill will created by the summertime riots, in a blatant attempt to play politics with American security and war and peace.

I do not have to identify these opportunists. We all know who they are. We hear from them every day because they have a talent for making bold headlines with their wild charges and accusations.

I will only say that this administration, under the leadership of Lyndon Johnson, will not be deterred or whiplashed from meeting its commitments at home and abroad.

President Johnson has compiled an unprecedented record of achievement in education, civil rights, help for the poor, and aid to our cities. And he is meeting our commitments abroad with courage, determination and responsibility.

If the President's critics have offered any meaningful alternatives to any of his policies—foreign or domestic—I have not heard of any.

America faces serious problems—yes. But we have not yet failed to meet them squarely. And the record shows that the doubters and haters have never been in the front ranks of those confronting the burdens and opportunities of the 1960's.

This place—and this role—is reserved for President Johnson and those who believe with him in the Nation's greatness and the people's future.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. McCulloch (at the request of Mr. Gerald R. Ford), for today, August 9, 1967, on account of official business.

Mr. Morris of New Mexico, for August 10, on account of official business.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

Mr. Ryan, for 30 minutes, tomorrow; and to revise and extend his remarks and include extraneous matter.

Mr. Biester (at the request of Mr. Schadeberg), for 60 minutes, on August 14, 1967; to revise and extend his remarks and include extraneous matter.

Mr. Cohelan (at the request of Mr. Pryor), for 10 minutes, today; to revise and extend his remarks and include extraneous matter.

EXTENSION OF REMARKS

By unanimous consent, permission to extend remarks in the Congressional Record, or to revise and extend remarks was granted to:

Mr. Blatnik to include extraneous matter in remarks during general debate.

Mr. McCormack (at the request of Mr. Albert) to include a letter from the President in connection with his remarks made during general debate today.

Mr. Dow.

(The following Members (at the request of Mr. Pryor) and to include extraneous matter.)

Mr. Abbitt.
Mr. Wolff.
Mr. Kee.

SENATE BILL REFERRED

A bill of the Senate of the following title was taken from the Speaker's table and, under the rule, referred as follows:

S. 119. An act to reserve certain public lands for a National Wild and Scenic Rivers System, to provide a procedure for adding additional public lands and other lands to the system, and for other purposes; to the Committee on Interior and Insular Affairs.

SENATE ENROLLED BILL SIGNED

The SPEAKER announced his signature to an enrolled bill of the Senate of the following title:

S.1296. An act to authorize appropriations to the National Aeronautics and Space Administration for research and development, construction of facilities, and administrative operations, and for other purposes.

BILLS PRESENTED TO THE PRESIDENT

Mr. BURLESON, from the Committee on House Administration, reported that that committee did on this day present to the President, for his approval, bills of the House of the following titles:

H.R. 4496. An act for the relief of the village of Brooklyn Center, Minn.;

H.R. 4833. An act to provide for the conveyance of certain real property of the United States situated in the State of Pennsylvania;

H.R. 7043. An act to authorize and direct the Secretary of the Department under which the U.S. Coast Guard is operating to cause the vessel *Northwind*, owned by Wallace P. Smith, Jr., of Centreville, Md., to be documented as a vessel of the United States with coastwise privileges; and

H.R. 8485. An act for the relief of Eddie Garman.

ADJOURNMENT

Mr. PRYOR. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 6 o'clock and 47 minutes p.m.) the House adjourned until tomorrow, Thursday, August 10, 1967, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

989. A letter from the Acting Secretary of the Army, transmitting a draft of proposed legislation to authorize the commandant of the U.S. Army Command and General Staff College to award the degree of master of military art and science; to the Committee on Armed Services.

990. A letter from the Secretary of the Air Force transmitting the semiannual experimental, development, test, and research procurement action report, for the period January 1, 1967, through June 30, 1967, pursuant to the provisions of 10 U.S.C. 2357; to the Committee on Armed Services.

991. A letter from the Administrator, Foreign Agricultural Service, U.S. Department of Agriculture, transmitting a report of agreements signed under Public Law 480 in June and July 1967 for the use of foreign currencies, pursuant to the provisions of Public Law 85-128; to the Committee on Agriculture.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. THOMPSON of New Jersey: Joint Committee on the Disposition of Executive Papers. House Report No. 549. Report on the disposition of certain papers of sundry executive departments. Ordered to be printed.

Mr. O'NEILL of Massachusetts: Committee on Rules. House Resolution 867. Resolution for the consideration of H.R. 11945, a bill to amend the college work-study program with respect to institutional matching and permissible hours of work (Rept. No. 550). Referred to the House Calendar.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. EDWARDS of Alabama:

H.R. 12208. A bill to provide for orderly trade in textile articles; to the Committee on Ways and Means.

H.R. 12209. A bill to amend title XIX of the Social Security Act to permit payment to the recipient of medical assistance, for physician services furnished under the program; to the Committee on Ways and Means.

By Mr. HELSTOSKI:

H.R. 12210. A bill providing for full disclosure of corporate equity ownership of securities under the Securities Exchange Act of 1934; to the Committee on Interstate and Foreign Commerce.

By Mr. JONAS:

H.R. 12211. A bill for the establishment of the Commission on the Organization of the Executive Branch of the Government; to the Committee on Government Operations.

By Mr. McCLORY:

H.R. 12212. A bill to amend the International Education Act of 1966 to encourage the more economical and efficient use of Federal funds by providing education and training under such act outside the United States; to the Committee on Education and Labor.

By Mr. MOORHEAD:

H.R. 12213. A bill to provide for uniform annual observances of certain legal public holidays on Mondays, and for other purposes; to the Committee on the Judiciary.

By Mr. MURPHY of Illinois (for himself, Mr. HANNA, Mr. SHIPLEY, Mr. MICHEL, Mr. LEGGETT, Mr. MILLER of California, and Mr. DENT):

H.R. 12214. A bill to provide that the nuclear accelerator to be constructed at Weston, Ill., shall be named the Enrico Fermi Nuclear Accelerator in memory of the late Dr. Enrico Fermi; to the Joint Committee on Atomic Energy.

By Mr. NELSEN:

H.R. 12215. A bill to extend for 3 years the special milk programs for the Armed Forces and veterans hospitals; to the Committee on Agriculture.

By Mr. PRICE of Texas:

H.R. 12216. A bill to amend the Internal Revenue Code of 1954 to allow teachers to deduct from gross income the expenses incurred in pursuing courses for academic credit and degrees at institutions of higher education and including certain travel; to the Committee on Ways and Means.

By Mr. QUIE:

H.R. 12217. A bill to extend for 3 years the special milk programs for the Armed Forces and veterans hospitals; to the Committee on Agriculture.

By Mr. REUSS (for himself, Mr. SCHADEBERG and Mr. ZABLOCKI):

H.R. 12218. A bill to amend section 172 of the Internal Revenue Code of 1954; to the Committee on Ways and Means.

By Mr. ST. ONGE:

H.R. 12219. A bill to amend title 5, United States Code, to provide certain retention preference and annual leave benefits in Government civilian employment for retired members of the uniformed services; to the Committee on Post Office and Civil Service.

By Mr. TEAGUE of California:

H.R. 12220. A bill to amend title 5, United States Code, to provide that the civil service retirement coverage may be waived by employees covered by retirement policies or plans of private insurers; to the Committee on Post Office and Civil Service.

By Mr. BUCHANAN:

H.R. 12221. A bill to provide for orderly trade in textile articles; to the Committee on Ways and Means.

H.R. 12222. A bill to amend the Internal Revenue Code of 1954 to increase from $600 to $1,000 the personal income exemptions of a taxpayer (including the exemption of a spouse, the exemptions for a dependent, and the additional exemptions for old age and blindness); to the Committee on Ways and Means.

By Mr. MONTGOMERY:

H.R. 12223. A bill to control unfair trade practices affecting producers of agricultural products and associations of such producers, and for other purposes; to the Committee on Agriculture.

By Mr. ROYBAL:

H.R. 12224. A bill to provide for the establishment of a national cemetery in Los Angeles County in the State of California; to the Committee on Interior and Insular Affairs.

By Mr. VANDER JAGT:

H.R. 12225. A bill to amend title II of the Social Security Act to provide for the establishment of special procedures designed to avoid undue delay in the payment of monthly insurance benefits to which individuals are entitled thereunder; to the Committee on Ways and Means.

H.R. 12226. A bill to control unfair trade practices affecting producers of agricultural products and associations of such producers, and for other purposes; to the Committee on Agriculture.

By Mr. ABERNETHY:

H.R. 12227. A bill to amend section 303(b) of the Interstate Commerce Act to modernize certain restrictions upon the application and scope of the exemption provided therein; to the Committee on Interstate and Foreign Commerce.

By Mr. BUSH:

H.R. 12228. A bill to provide for the issuance of a special postage stamp in February 1968, to commemorate American Heart Month and the national fight against the cardiovascular diseases; to the Committee on Post Office and Civil Service.

By Mr. COHELAN:

H.R. 12229. A bill to amend the Economic Opportunity Act of 1964 to provide day care for children of low-income families in order to enable their parents or relatives to undertake vocational training, basic education, or employment; to the Committee on Education and Labor.

By Mr. DUNCAN (for himself and Mr. SNYDER):

H.R. 12230. A bill to revise and extend the Appalachian Regional Development Act of 1965 and to amend title V of the Public Works and Economic Development Act of 1965; to the Committee on Public Works.

By Mr. HAGAN:

H.R. 12231. A bill to amend the Internal Revenue Code of 1954 to provide an exclusion from gross income for State and local law enforcement officers; to the Committee on Ways and Means.

By Mr. MULTER:

H.R. 12232. A bill to provide for the prevention, abatement, and control of air pollution in the District of Columbia; to the Committee on the District of Columbia.

By Mr. OTTINGER:

H.R. 12233. A bill to amend title VI of the Public Health Service Act to improve the existing program for assistance for construction and modernization of hospitals and other medical facilities and to provide for the making of loans for such modernization; to the Committee on Interstate and Foreign Commerce.

By Mr. WRIGHT:

H.R. 12234. A bill to amend the Communications Act of 1934 to abolish the renewal requirement for licenses in the safety and special radio services, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. MURPHY of New York:

H.R. 12235. A bill to revise section 4400 of the revised statutes as amended (46 U.S.C. 362) to notify passengers of safety standards on foreign and domestic passenger vessels; to the Committee on Merchant Marine and Fisheries.

By Mr. ROYBAL:

H.R. 12236. A bill to amend the Clean Air Act to improve and expand the authority to conduct or assist research relating to air pollutants, to assist in the establishment of regional air quality commissions, to authorize establishment of standards applicable to emissions from establishments engaged in certain types of industry, to assist in establishment and maintenance of State programs for annual inspections of automobile emission control devices, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. BUCHANAN:

H.J. Res. 778. Joint resolution to amend the Constitution to provide for representation of the District of Columbia in the Congress; to the Committee on the Judiciary.

By Mr. PERKINS:

H. Con. Res. 487. Concurrent resolution providing for printing as a House document the study entitled "Study of the U.S. Office of Education"; to the Committee on House Administration.

By Mr. ROBISON:

H. Con. Res. 488. Concurrent resolution relative to Citizens Radio Service; to the Committee on Interstate and Foreign Commerce.

By Mr. WILLIS:

H. Con. Res. 489. Concurrent resolution expressing the sense of the Congress that Stokely Carmichael should be prosecuted for sedition if he returns to the United States; to the Committee on the Judiciary.

By Mr. FARBSTEIN:

H. Res. 866. Resolution concerning Rhodesia; to the Committee on Foreign Affairs.

MEMORIALS

Under clause 4 of rule XXII,

273. The SPEAKER presented a memorial of the Legislature of the State of California, relative to providing an adequate troop structure for the State of California, which was referred to the Committee on Armed Services.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. ADDABBO:

H.R. 12237. A bill for the relief of Tse Chi Fong, also known as Chez Chu Fong; to the Committee on the Judiciary.

H.R. 12238. A bill for the relief of Mr. and Mrs. Anastase Katsonis and their minor child, Panayota Katsonis; to the Committee on the Judiciary.

H.R. 12239. A bill for the relief of Raffaele Mazza; to the Committee on the Judiciary.

By Mr. BROYHILL of Virginia:

H.R. 12240. A bill for the relief of Santiago Peith Castellanos; to the Committee on the Judiciary.

By Mr. BUCHANAN:

H.R. 12241. A bill for the relief of Dr. Hugo Vicente Cartaya and Mrs. Maria Luisa R. Cartaya; to the Committee on the Judiciary.

By Mr. BURKE of Massachusetts:

H.R. 12242. A bill for the relief of Constantinos and Anna Kritikos; to the Committee on the Judiciary.

H.R. 12243. A bill for the relief of Hiristo Naci; to the Committee on the Judiciary.

By Mr. CAHILL:

H.R. 12244. A bill for the relief of Charles D. Dodelin and others; to the Committee on the Judiciary.

By Mr. DOWNING:

H.R. 12245. A bill for the relief of Dr. Alberto Hernandez; to the Committee on the Judiciary.

By Mr. RODINO:

H.R. 12246. A bill for the relief of Mario Santos Gomes; to the Committee on the Judiciary.

By Mr. ROSENTHAL:

H.R. 12247. A bill for the relief of Mr. and Mrs. J. Licari; to the Committee on the Judiciary.

H.R. 12248. A bill for the relief of Mr. and Mrs. Leonard Musso; to the Committee on the Judiciary.

H.R. 12249. A bill for the relief of Mr. and Mrs. Stephen Paskor; to the Committee on the Judiciary.

PETITIONS, ETC.

Under clause 1 of rule XXII,

140. The SPEAKER presented a petition of B. F. Morrell, Orlando, Fla., and others, relative to aid to our Communist enemies, which was referred to the Committee on Foreign Affairs.

SENATE

WEDNESDAY, AUGUST 9, 1967

The Senate met at 11 o'clock a.m., and was called to order by the President pro tempore.

The Chaplain, Rev. Frederick Brown Harris, D.D., offered the following prayer:

O Lord our God, Thy goodness is ever before us and Thy mercy has followed us all our days.

Speak to us and through us, that we may be the channels of healing good will for this tangled and tragic time.

Into Thy hands we commit ourselves and our cause.

Give us a part in bringing in a redeemed world delivered from ruthless aggression which threatens the human gains of a thousand years.

We pledge our hopes, our faith, our lives, that freedom shall not die, we pray Thy guidance, strength, and grace:

Almighty God on high. Amen.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Hackney, one of its reading clerks, announced that the House had passed a bill (H.R. 5037) to assist State and local governments in reducing the incidence of crime, to increase the effectiveness, fairness, and coordination of law enforcement and criminal justice systems at all levels of government, and for other purposes, in which it requested the concurrence of the Senate.

ENROLLED BILLS AND JOINT RESOLUTION SIGNED

The message also announced that the Speaker had affixed his signature to the following enrolled bills and joint resolution, and they were signed by the Vice President:

S. 1281. An act to authorize the appropriation of funds to carry out the activities of the Federal Field Committee for Development Planning in Alaska;

S. 1296. An act to authorize appropriations to the National Aeronautics and Space Administration for research and development, construction of facilities, and administrative operations, and for other purposes;

S. 1701. An act to declare that the United States holds in trust for the Indians of the Battle Mountain Colony certain lands which are used for cemetery purposes;

S. 1762. An act to amend section 810 of the Housing Act of 1964 to extend for 3 years the fellowship program authorized by such section; and

S.J. Res. 10. Joint resolution to establish the Golden Spike Centennial Celebration Commission.

HOUSE BILL REFERRED

The bill (H.R. 5037) to assist State and local governments in reducing the incidence of crime, to increase the effectiveness, fairness, and coordination of law enforcement and criminal justice systems at all levels of government, and for other purposes; was read twice by its title and referred to the Committee on the Judiciary.

THE JOURNAL

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the reading of the Journal of the proceedings of Tuesday, August 8, 1967, be dispensed with.

The PRESIDENT pro tempore. Without objection, it is so ordered.

LIMITATION ON STATEMENTS DURING TRANSACTION OF ROUTINE MORNING BUSINESS

Mr. MANSFIELD. Mr. President, I ask unanimous consent that statements in relation to the transaction of routine morning business be limited to 3 minutes, after the distinguished Senator from Wyoming [Mr. HANSEN] has concluded his remarks, the time to expire at 12:15 p.m., under the previous order.

The PRESIDENT pro tempore. Without objection, it is so ordered.

COMMITTEE MEETINGS DURING SENATE SESSION

Mr. MANSFIELD. Mr. President, I ask unanimous consent that all committees be authorized to meet during the session of the Senate today.

The PRESIDENT pro tempore. Without objection, it is so ordered.

EXECUTIVE SESSION

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate go into executive session to consider a nomination on the Executive Calendar.

The PRESIDENT pro tempore. Without objection, it is so ordered.

If there be no reports of committees, the nomination on the Executive Calendar will be stated.

FOUR CORNERS REGIONAL COMMISSION

The legislative clerk read the nomination of Orren Beaty, Jr., of Arizona, to be Federal Cochairman of the Four Corners Regional Commission.

The PRESIDING OFFICER (Mr. LAUSCHE in the chair). Without objection, the nomination is considered and confirmed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the President be immediately notified of the confirmation of the nomination.

The PRESIDING OFFICER. Without objection, it is so ordered.

LEGISLATIVE SESSION

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate resume the consideration of legislative business.

There being no objection, the Senate resumed the consideration of legislative business.

RECOGNITION OF SENATOR HANSEN

The PRESIDING OFFICER. Under the order previously entered, the Senator from Wyoming [Mr. HANSEN] is recognized for 1 hour.

COMPENSATION FOR AMERICAN PRISONERS OF WAR AND CIVILIAN INTERNEES TAKEN PRISONER DURING THE VIETNAM WAR

Mr. HANSEN. Mr. President, on behalf of myself and Senators DIRKSEN, MORTON, BENNETT, MUNDT, YOUNG of North Dakota, HRUSKA, BROOKE, PERCY, ALLOTT, THURMOND, JORDAN of Idaho, DOMINICK, SCOTT, TOWER, CURTIS, HOLLINGS, INOUYE, LAUSCHE, BAKER, and CARLSON, I introduce for appropriate reference a bill to provide compensation for civilian Americans and prisoners of war captured during the Vietnam conflict.

The war in Vietnam, in dollar terms, could well become America's most costly conflict. In terms of the most irreplaceable ingredient—human lives—it already ranks fourth among all foreign wars in which the American Nation has been committed.

Like all of our past wars, this conflict also involves those who will be returned to their homes or their fighting units after having been captives of the enemy.

As many as 700 Americans could be held prisoner in North or South Vietnam. It is about these men that I would address the Senate.

In the past two wars involving American fighting men and civilians, Congress has seen fit to compensate those held prisoner and in some instances, to compensate their families.

Following World War II, the 80th and 82d Congresses, through two separate bills, provided payments totaling a possible $2.50 per day to military prisoners and a possible high payment of $60 per month for certain civilian internees.

Through a single law, the 83d Congress, in 1954, provided an identical payment structure for prisoners held during the Korean war.

Mr. President, the Pentagon can confirm at this date the captured or interned status of 194 American military men in Vietnam. Four hundred ninety-two others are listed as missing. These figures cover the period from January 1, 1961, through July 29, 1967.

Nine American civilians are thought to be held by the enemy in South Vietnam. One of these, of course, is AID official Gustav Hertz.

Irrespective of an individual's attitude toward the philosophy of the war in Vietnam, we have an obligation to our military and civilian people who, in the course of their duties, become prisoners in a war-torn land. We can never fully discharge this obligation, but we can make an effort to do so through financial compensation.

Three Congresses have affirmed and reaffirmed this principle. The bill I propose would create a financial compensation structure similar to that which followed World War II and Korea.

It would provide a more liberal compensation. And it alludes to the 1949 Geneva Conventions on Prisoners of War, rather than to the 1929 conventions.

After Congress passed the 1954 compensation bill, the Senate ratified the New Geneva Conventions, which took force for this country on February 2, 1956.

To summarize the bill briefly, Mr. President, the measure would establish for members of the Armed Forces, a system of payments amounting to $1.50 per day for each day the claimant was held as a prisoner of war, and on which he did not receive adequate rations. Added to this would be $1.50 for each day he was subjected to uncompensated, forced labor, or inhumane treatment.

In the case of civilian internees, payments would be made at the rate of $75 per month for each calendar month the internees were held captive during which they were 18 years of age or over; and $30 per calendar month during which any civilian internee was less than 18 years of age.

These figures and those for the military take into account the relative value of the 1954 and 1967 dollar.

Settlement of the claims authorized by the bill would be made by the Foreign Claims Settlement Commission. Claimants would have 3 years either from the date of enactment of this legislation, or following their release, to file claims. As many as 15 claims could be filed today, were a law such as this in force.

Like its predecessor legislation, the bill establishes payments for survivors of prisoners when a determination of death can be made. The bill recognizes the term "Vietnam conflict" as relating to the period beginning on December 1, 1961—the month in which the first American was taken prisoner—and ending on such a date as shall thereafter be determined by Presidential proclamation or concurrent resolution of the Congress.

Mr. President, three Congresses have agreed that some form of compensation above accrued salary is owed Americans who become prisoners of war.

In Senate testimony on the original War Claims Act of 1948, George E. Ijams, the then director of the National Rehabilitation Service, speaking of prisoners of war who have suffered at the hands of Asian captors, said:

> We felt that the indignities and the tortures suffered by these men entitled them to something over and above the meager compensation they were getting.

Congress agreed.

Hanoi is a signatory to the 1949 Geneva Conventions for the Protection of War Victims.

But we have seen in our Nation's press and official pronouncements the startling evidence of the attitude of Hanoi toward her international obligations.

A photo in a recent issue of the Washington Post showed a bloody and bandaged American officer being led by North Vietnamese guards down a street in Hanoi. The photo and the caption material came from Communist sources.

From the May 24, 1967, Washington Post came this description of the execution of an American prisoner—an Army sergeant from Concord, Calif. When found in a courtyard, according to the press account:

> He lay on his back, his arms outstretched. In each palm there was a half-moon shaped hole like that a sharp piece of bamboo would make. His back was covered with knife cuts, he had been stabbed in the throat, his legs were burned and one calf muscle had almost been severed from the bone.

This American prisoner of war had been tortured to death by soldiers of the nation which, in 1957, solemnly agreed to abide by the provisions of the Geneva Convention.

Some weeks ago, I queried the Department of Defense as to the number and nature of war crimes committed during the current hostilities. In a detailed reply, Mr. Paul C. Warnke, the General Counsel of the Department of Defense, informed me that evidence exists to suggest that North Vietnam may be responsible for—

> Willful killing of a wounded prisoner of war . . .
>
> Torture, inhumane treatment and willfully causing great suffering or serious injury to the body or health of a POW . . .
>
> Pillage of the wounded or dead . . .
>
> Maltreatment of dead bodies . . .
>
> Violation of Article 13 of the Third Geneva Convention: "Prisoners of war must at all times be protected, particularly against acts of violence or intimidation and against insults or public curiosity."

Mr. Warnke lists other offenses and goes into detail with respect to the 1949 Geneva Conventions. I ask unanimous consent that at the conclusion of my remarks the full text of his letter be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 1.)

Mr. HANSEN. Mr. President, the White House, on July 17, took official and public notice of the plight of our prisoners.

Noting that the claims of the National Liberation Front and the North Vietnamese that our prisoners are treated humanely cannot be verified, the White House, through its press officer, asserts that—

> We are greatly concerned that some of these prisoners may not be treated humanely.

The statement continues:

> The United States calls on the National Liberation Front and North Vietnam to permit impartial inspection of all prisoners, and urges them to repatriate those sick and wounded prisoners who qualify for repatriation under the (Geneva) convention.

I request, Mr. President, that at the conclusion of my remarks, the full text of the White House statement to which I have referred, be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 2.)

Mr. HANSEN. Mr. President, it should be made clear that the Red Cross does have access to prisoners held by American and South Vietnamese units in South Vietnam. It is only in the north, and for reasons that are becoming shockingly clear—that inspection of prisoners is not permitted.

In my judgment, Mr. President, apart from taking steps to compensate Americans, when they are released from captivity or compensating their families in the event of their deaths, this administration ought to take additional strong steps to bring humanity-inducing pressures to bear on Hanoi.

As Mr. Warnke asserted in his letter with respect to the Geneva Conventions:

> The law of war is based upon the fundamental premise that barbaric acts are not in the interests of any party to the conflict, and that each party, consequently, has an obligation to punish them, regardless of the nationality of the offender.

But in Hanoi, Mr. President, we know that barbaric acts—far from being punished—are condoned, encouraged, and continuous.

While it is impossible to fully repay those American military and civilian personnel subjected to this barbarism, it is possible to offer at least partial compensation. The precedents are clear. Congress, in all justice, chose to provide compensation in World War II and Korea. Surely we can do no less now. Let us follow these precedents and establish the framework of law so that when prisoners are eventually released, they will have financial assistance in their readjustment to a normal and productive livelihood.

Mr. President, I introduce, for reference to the appropriate committee, an act to amend the War Claims Act of 1948 to confer benefits on certain American citizens interned or held prisoner of war during the hostilities in Vietnam.

Mr. President, I ask unanimous consent that the bill be printed at the conclusion of my remarks, together with papers prepared at my request by Roger F. Swanson of the Library of Congress. Mr. Swanson's memorandums summarize the 1948, 1952, and 1954 precedents and compare the 1929 and 1949 Geneva Conventions, to which I have alluded.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the bill and memorandums will be printed in the RECORD.

The bill (S. 2260) to provide compensation for civilian American citizens and prisoners of war captured during the Vietnam conflict, introduced by Mr. HANSEN (for himself and other Senators), was received, read twice by its title, referred to the Committee on the Judiciary, and ordered to be printed in the RECORD, as follows:

S. 2260

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 5 of the War Claims Act of 1948 (50 U.S.C. App. 2004), is amended—

(1) by striking out in subsection (e) "subsection (9)" and inserting in lieu thereof "subsections (g) and (i)"; and

(2) by adding at the end thereof the following new subsection:

"(i) (1) As used in this subsection—

"(A) The term 'Vietnam conflict' relates to the period beginning on December 1, 1961, and ending on such date as shall thereafter be determined by Presidential proclamation or concurrent resolution of Congress.

"(B) The term 'civilian American citizen' means any person who, being then a citizen of the United States, was captured in North Vietnam or South Vietnam during the Vietnam conflict by any force hostile to the United States, or who went into hiding in North Vietnam or South Vietnam in order to avoid capture or internment by any such hostile force, except (i) a person who voluntarily, knowingly, and without duress, gave aid to or collaborated with or in any manner served any such hostile force, or (ii) a regularly appointed, enrolled, enlisted or inducted member of the Armed Forces of the United States.

"(2) The Commission is authorized to receive and to determine, according to law, the amount and validity, and provide for the payment of any claim filed by, or on behalf of, any civilian American citizen for detention benefits for any period of time subsequent to November 31, 1961, during which he was held by any such hostile force as a prisoner, internee, hostage, or in any other capacity, or remained in hiding to avoid capture or internment by any such hostile force.

"(3) The detention benefits allowed under paragraph (2) of this subsection shall be at the rate of $75 for each calendar month during which a civilian American citizen was at least eighteen years of age and at the rate of $30 per month for each calendar month during which such citizen was under eighteen years of age.

"(4) The detention benefits allowed under paragraph (2) of this subsection shall be allowed to the civilian American citizen entitled thereto, or, in the event of his death, only to the following persons:

"(A) the widow or husband if there is no child or children of the deceased;

"(B) the widow or dependent husband and child or children of the deceased, one-half to the widow or dependent husband and the other half to the child or children in equal shares; and

"(C) the child or children of the deceased in equal shares if there is no widow or dependent husband.

"(5) Any claim allowed by the Commission under this subsection shall be certified to the Secretary of the Treasury for payment out of funds appropriated pursuant to the authorization of this subsection, and shall be paid to the person entitled thereto, except that if a person entitled to payment under this section is under any legal disability, payment shall be made in accordance with the provisions of subsection (e) of this section.

"(6) Each claim filed under this section must be filed not later than three years from whichever of the following dates last occurs:

"(A) The date of enactment of this subsection;

"(B) The date the civilian American citizen by whom the claim is filed returned to the jurisdiction of the United States; or

"(C) The date upon which the Commission, at the request of a potentially eligible survivor, makes a determination that the civilian American citizen has actually died or may be presumed to be dead, in the case of any civilian American citizen who has not returned to the jurisdiction of the United States.

The Commission shall complete its determinations for each claim filed under this subsection at the earlier practicable date, but not later than one year after the date on which such claim was filed.

"(7) (A) There are authorized to be appropriated such amounts as may be necessary to carry out the purposes of this subsection, including necessary admiinstrative expenses.

"(B) The Commission shall determine, from time to time, the share of its administrative expenses attributable to the performance of its functions under this subsection and make the appropriate adjustments in its accounts, and determinations and adjustments made pursuant to this subparagraph shall be final and conclusive."

SEC. 2. Section 6 of the War Claims Act of 1948 (50 U.S.C. App. 2005) is amended as follows:

(1) by redesignating subsection (f) as subsection (g); and

(2) by inserting immediately after subsection (e) the following new subsection:

"(f) (1) As used in this subsection—

"(A) the term 'Vietnam conflict' relates to the period beginning December 1, 1961, and ending on such date as shall thereafter be determined by Presidential proclamation or concurrent resolution of the Congress.

"(B) The term 'prisoner of war' means any regularly appointed, enrolled, enlisted, or inducted member of the Armed Forces of the United States who was held as a prisoner of war for any period of time during the Vietnam conflict by any force hostile to the United States, except any such members who, at any time, voluntarily, knowingly, and without duress, gave aid to or collaborated with, or in any manner served, such hostile force.

"(2) The Commission is authorized to receive and to determine, according to law, the amount and validity, and provide for the payment of any claim filed by any prisoner of war for compensation for the failure of the hostile force by which he was held as a prisoner of war, or its agents, to furnish him the quantity or quality of food prescribed for prisoners of war under the terms of the Geneva Convention of August 12, 1949. The compensation allowed to any prisoner of war under the provisions of this paragraph shall be at the rate of $1.50 for each day on which he was held as a prisoner of war and on which such hostile force, or its agents, failed to furnish him such quantity or quality of food.

"(3) The Commission is authorized to receive and to determine, according to law, the amount and validity and provide for the payment of any claim filed by any prisoner of war for compensation—

"(A) for the failure of the hostile force by which he was held as a prisoner of war, or its agents, to meet the conditions and requirements prescribed under Chapter VIII, section III, of the Geneva Convention of August 12, 1949, relating to labor of prisoners of war; or

"(B) for inhumane treatment by the hostile force by which he was held, or its agents. The term 'inhumane treatment' as used herein shall include, but not be limited to, failure of such hostile force, or its agents, to meet the conditions and requirements of one or more of the provisions of articles 12, 13, 14, 19, 25, 27, 28, 29, 43, 44, 89, 90, 97, 98 of the Geneva Convention of August 12, 1949. Compensation shall be allowed to any prisoner of war under this paragraph at the rate of $1.50 per day for each day on which he was held as a prisoner of war and with respect to which he alleges and proves in a manner acceptable to the Commission the failure to meet the conditions and requirements described in subparagraph (A) of this paragraph or the inhumane treatment described in subparagraph (B) of this paragraph. In no event shall the compensation allowed to any prisoner of war under this paragraph exceed the sum of $1.50 with respect to any one day.

"(4) Any claim allowed by the Commission under this subsection shall be certified to the Secretary of the Treasury for payment out of funds appropriated pursuant to this subsection and shall be paid by the Secretary of the Treasury to the person entitled thereto, and shall, in the case of death or determination of death of the persons who are entitled, be paid only to or for the benefit of the persons specified, and in the order established, by subsection (d)(4) of this section.

"(5) Each claim filed under this subsection must be filed not later than three years from whichever of the following dates last occurs:

"(A) The date of enactment of this subsection;

"(B) The date the prisoner of war by whom the claim is filed returned to the jurisdiction of the Armed Forces of the United States; or

"(C) The date upon which the Department of Defense makes a determination that the prisoner of war has actually died or is presumed to be dead, in the case of any prisoner of war who has not returned to the jurisdiction of the Armed Forces of the United States.

The Commission shall complete its determinations with respect to each claim filed under this subsection at the earliest practicable date, but in no event later than one year after the date on which such claim was filed.

"(6) Any claim allowed under the provisions of this subsection shall be paid from funds appropriated pursuant to paragraph (7) of this subsection.

"(7)(A) There are authorized to be appropriated such amounts as may be necessary to carry out the purposes of this subsection, including necessary administrative expenses.

"(B) The Commission shall determine, from time to time, the share of its administrative expenses attributable to the performance of its functions under this subsection and make the appropriate adjustments in its accounts, and determinations and adjustments made pursuant to this subparagraph shall be final and conclusive."

The memorandums presented by Mr. HANSEN are as follows:

[From the Library of Congress, Legislative Reference Service, July 7, 1967]

To Hon. CLIFFORD P. HANSEN.
Attn: Mr. Doug Baldwin.
From Foreign Affairs Division.
Subject 1948, 1952 and 1954 precedents and rationale concerning legislation on payments to American prisoners of war and civilian internees during World War II and Korea; American prisoners of war in North Vietnam and the Geneva Conventions of 1949 and 1929.

This memo is submitted in response to your inquiry of June 29, 1967, for the following information relevant to Senator Hansen's proposed legislation concerning aid to prisoners of war in Vietnam: (1) 1948, 1952 and 1954 precedents and rationale concerning legislation on payments to American prisoners of war and civilian internees during World War II and Korea; (2) American prisoners of war in North Vietnam and the Geneva Conventions of 1929 and 1949.

I. 1948, 1952 and 1954 precedents and rationale concerning legislation on payments to American prisoners of war and civilian internees during World War II and Korea

Part I of this memo is divided into three sections corresponding to the 1948, 1952 and 1954 legislation. In each section we: (1) summarize the legislation concerning payments to prisoners of war and civilian internees; (2) list attached *Congressional Record* excerpts, Committee Hearings and Reports which contain the rationale for that legislation.

The 1954 legislation concerning payments to prisoners of war and civilian internees in the Korean hostilities should prove to be most applicable to proposed Vietnam legislation in terms of: (1) sections of the law to be amended; (2) wording of the law.

(1) *Public Law 896 (62. Stat. 1240) (H.R. 4044), approved by the 80th Congress on July 3, 1948 known as the War Claims Act of 1948:*

Section 6 (a) through (c) of this Act: Provides for the compensation of claims of members of the Armed Forces of the U.S. who, as prisoners of war, were not provided the quality or quantity of food required by the terms of the Geneva Convention of July 27, 1929. The rate of compensation is $1.00 per day for each day the detaining power or its agents failed to provide the prisoners of war with the ration required by the Convention.[1]

Section 5 (b) through (c) of this Act states:

(b) The Commission is authorized to receive, adjudicate according to law, and provide for the payment of any claim filed by, or on behalf of, any civilian American citizen for detention benefits for any period of time subsequent to December 6, 1941, during which he was held by the Imperial Japanese Government as a prisoner, internee, hostage, or in any capacity, or remained in hiding to avoid being captured or interned by such Imperial Japanese Government.

(c) The detention benefit allowed to any person under the provisions of subsection (b) shall be at the rate of $60 for each calendar month during which such person was at least eighteen years of age at the rate of $25 per month during which such person was less than eighteen years of age.[2]

We are attaching the following:

(a) Public Law 896, Chapter 826, (H.R. 4044), July 3, 1948, An act to amend the Trading with the Enemy Act, as amended, to create a commission to make an inquiry and report with respect to war claims, and to provide for relief for internees in certain cases, (known as the "War Claims Act of 1948"), from *US Statutes At Large.*

(b) Excerpts from the *Congresional Record.*

(c) Amending the Trading With the Enemy Act; Creating a commission to make inquiry and report with respect to war claims; and providing relief for internees in certain cases, Report to accompany H.R. 4044, from the Committee on Interstate and Foreign Commerce, House of Representatives, 80th Congress, 1st Session, Report No. 976, July 17, 1947.

(d) War Claims Act of 1948, Conference Report to accompany H.R. 4044, House of Representatives, 80th Congress, 2nd Session, Report No. 2439, June 19, 1948.

(e) War Claims Commission, Hearings before a Subcommittee of the Committee on the Judiciary, U.S. Senate, 80th Congress, 2nd Session on H.R. 4044, An act to amend the Trading With the Enemy Act, as amended; to create a commission to make an inquiry and report with respect to war claims, and to provide for relief for internees in certain cases, February 17, 19, March 9, May 11, 1948.

(2) *Pursuant to Section 1 of Public Law 303 (66 Stat. 47) (S. 1415), approved by the 82nd Congress on April 9, 1952, amended Section 6 of the War Claims Act by adding a new subsection (d):*

The Commission is authorized to administer claims of members of the Armed Forces of the U.S. who, as prisoners of war during W.W. II, were subjected to inhumane treatment or forced to perform uncompensated labor in violation of the Geneva Convention. Compensation under Section 6 (d) is allowed at the rate of $1.50 per day for each day on which the claimant was held as prisoner of war and for which he alleges and proves in a manner acceptable to the Commission violations of certain provisions of the Geneva Convention of July 27, 1929. This $1.50 per day payment is in addition to the $1.00 per day food allowance authorized by Section 6 (a) through (c) of the War Claims Act.[3]

This Act does not affect the payment to civilian internees.

We are attaching the following:

(a) Public Law 303, Chapter 167, (S. 1415), April 9, 1952, AN ACT to amend Sections 6 and 7 of the War Claims Act of 1948, from *US Statutes At Large.*

(b) Excerpts from the *Congressional Record.*

(3) *Public Law 615 (65 Stat. 759) (H.R. 9390), approved by the 83rd Congress on August 21, 1954, provided benefits to Americans held prisoners of war in North Korea:*

Administration of the law was assigned to the Foreign Claims Commission. However, unlike previous payments, these awards were paid from appropriated funds from the U.S. Treasury rather than from the War Claims Fund. According to this law:

The benefits consisted of $1.00 per day on which a prisoner of war did not receive proper food and $1.50 on each day he was otherwise mistreated in violation of the Geneva Convention of 1929. Benefits were not to be paid to anyone who, at any time, voluntarily, knowingly, and without duress, gave aid to or collaborated with or in any manner served such hostile force.[4]

The amount of the payment to civilian internees is the same as in the War Claims Act of 1948.

We are attaching the following:

(a) Public Law 615, Chapter 784, (H.R. 9390), August 21, 1954, AN ACT to extend certain civilian-internee and prisoner-of-war benefits under the War Claims Act of 1948, as amended, to civilian internees and American prisoners of war captured and held during the hostilities in Korea, from *US Statutes At Large.*

(b) Excerpts from the *Congressional Record.*

(c) Amending the War Claims Act to confer benefits on certain American citizens interned or held prisoners of war during the hostilities in Korea, Report to accompany H.R. 9390, from the Committee on the Judiciary, Senate, 83rd Congress, 2nd Session, Report No. 2248, August 5, 1954.

(d) Extending certain civilian-internee and prisoner-of-war benefits under the War Claims Act of 1948, as amended, to civilian internees and American prisoners of war captured and held during the hostilities in Korea. Report to accompany H.R. 9390, from the Committee on Interstate and Foreign Commerce, House of Representatives, 83rd Congress, 2nd Session, Report No. 2180, July 12, 1954.

(e) War Claims Act Amendments of 1954, Hearings before a Subcommittee of the Committee on Interstate and Foreign Commerce, House of Representatives, 83rd Congress, 2nd Session on Bills to amend the War Claims Act of 1948, June 7, 9–11, and 16, 1954.

II. American prisoners of war in North Vietnam and the Geneva Convention of 1949 and 1929

On July 7 we contacted the Legislative Liaison Office, Department of Defense (Miss

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[1] *War Claims Commission,* 8th Semiannual Report to the Congress, for the Period Ending September 13, 1953, p. 3.

[2] Public Law 896, Chapter 826, "War Claims Act of 1948," July 3, 1948, *US Statutes At Large,* p. 1240.

[3] *War Claims Commission,* 8th Semiannual Report, *op. cit.,* p. 5.

[4] *War Claims and Return of Enemy Assets.* Hearings before a Subcommittee of the Committee on Interstate and Foreign Commerce, House of Representatives, 84th Congress, 2nd Session, April 30, 1956, p. 219.

June Legate, Col. Johnson's Office, Code: 11–57456) and were informed that 185 American military personnel are listed as "captured or interned," and 489 are listed as "missing." (These figures cover January 1, 1961 to June 24, 1967).

We contacted Congressional Relations, Department of State (Miss Cahill, Code: 182–5395) and were informed that there are no known civilian prisoners currently being held in North Vietnam. There are however, 9 American civilians believed to be held by the Viet Cong in South Vietnam.

According to the *Evening Star:*

"North Vietnam, South Vietnam and the United States are all bound by the Geneva Convention on prisoners of war, since all are parties to it.

"It was adopted at a Geneva diplomatic conference (August 12, 1949) and South Vietnam became a party in 1954, the United States in 1956, and North Vietnam in 1957."[5]

The *Washington Post* stated:

"It is true that in 1957, when the DRV ratified the convention, it did so with the following reservation: 'The Democratic Republic of Vietnam declares that prisoners of war prosecuted for and convicted of war crimes or crimes against humanity, in accordance with the principles established by the Nuremberg Tribunal, will not enjoy the benefits of the provisions of the present convention as provided in article 85' ".[6]

We are attaching:

(a) Convention concerning the Treatment of Prisoners of War, Opened for signature at Geneva, Jul 27, 1929. (In *International Legislation*, Vol. V 1929–1931, (Ed. by Manley O. Hudson with collaboration of Ruth E. Bacon), Washington: Carnegie Endowment for International Peace, 1936), pp. 20–63. (We have charged out this book in your name).

(b) Geneva Convention Relative to the Treatment of Prisoners of War, of August 12, 1949, (From: *Congressional Record—Senate*, July 18, 1966, pp. 15311–15334).

We hope you will find this information helpful. If we can be of further assistance, please do not hesitate to call us.

ROGER F. SWANSON.

[From the Library of Congress, Legislative Reference Service, July 29, 1967]

To: Hon. CLIFFORD HANSEN.
Attention: Mr. Doug Baldwin.
From: Foreign Affairs Division.
Subject: The relationship between the July 27, 1929 Geneva Convention on Prisoners of War and the August 12, 1949 Geneva Convention on Prisoners of War concerning those articles referred to in the legislation on compensation to American prisoners of war in Korea (Public Law 615, August 21, 1954).

This memo is submitted in response to your inquiry of July 26, 1967 requesting that we relate the July 27, 1929 Geneva Convention and the August 12, 1949, Geneva Convention concerning those articles which are referred to in the legislation on compensation to American prisoners of war in Korea (Public Law 615, August 21, 1954).

We have divided this memo into four sections: (1) The applicability of the August 12, 1949 Geneva Convention to your proposed legislation on compensation to American prisoners of war in Vietnam; (2) The first citation in Public Law 615 referring to the July 27, 1929 Geneva Convention; (3) The second citation in Public Law 615 referring to the July 27, 1929 Geneva Convention; (4) The third citation in Public Law 615 referring to the July 27, 1929 Geneva Convention.

(1) *The applicability of the August 12, 1949 Geneva Convention to your proposed legislation on compensation to American prisoners of war in Vietnam.*

There seems to be no doubt but that the August 12, 1949 Convention is applicable concerning your proposed legislation. We contacted Mr. Raymond Yingling (Legal Advisor, Department of State, Code: 182–5632) and were informed that the 1949 Convention supersedes the 1929 Convention as far as the United States is concerned. Indeed, according to Article 134 of the August 12, 1949 Geneva Convention on Protection of War Victims—Prisoners of War:

"Article 134 (TS846. 47 Stat. 2021).

"The present Convention replaces the Convention of July 27, 1929, in relations between the High Contracting Parties."

(2) *The first citation in Public Law 615 referring to the July 27, 1929 Geneva Convention.*

The first citation in Public Law 615 (August 21, 1954) referring to the July 27, 1929 Geneva Convention is as follows:

"(2) The Commission is authorized to receive and to determine, according to law, the amount and validity, and provide for the payment of any claim filed by any prisoner of war for compensation for the failure of the hostile forces by which he was held as a prisoner of war, or its agents, to furnish him the quantity or quality of food prescribed for prisoners of war under the *terms of the Geneva Convention of July 27, 1929.*" (Italics added)

In that there is no reference to specific titles or articles, alterations of the 1954 legislation in this case would consist of replacing the reference to the 1929 Convention with the August 12, 1949 Convention.

(3) *The second citation in Public Law 615 referring to the July 27, 1929 Geneva Convention.*

The second citation in Public Law 615 (August 21, 1954) referring to the July 27, 1929 Geneva Convention is as follows:

"(3) (a) for the failure of the hostile force by which he was held as a prisoner of war, or its agents, to meet the conditions and requirements *prescribed under title III, section III, of the Geneva Convention of July 27, 1929* relating to labor of prisoners of war; or . . ." (Italic added.)

Title III ("Captivity"), Section III ("Work of Prisoners of War") of the July 27, 1929 Convention corresponds to Part III ("Captivity"), Section III ("Labor of Prisoners of War") of the August 12, 1949 Convention. There would therefore be no alteration concerning this reference in the proposed 1967 legislation, except to add the corresponding reference to 1949.[1]

We felt that the following comparison between the 1929 and 1949 Conventions concerning the labor of prisoners of war might prove helpful:

"LABOR OF PRISONERS OF WAR (SECTION III)—
1949

"This section governing the labor of prisoners of war corresponds with Section III, Title III of the 1929 convention.

"The general provisions of Article 49 add to the rules set forth in the 1929 convention by requiring also that account shall be taken of the age and sex of prisoners of war, and that they should be maintained in a good state of physical and mental health.

"The 1929 convention stipulated that the work of prisoners of war should have no direct relation to operations of war. In Article 50 of the new convention this principle has been maintained and is clarified by a limitative enumeration of the categories of work which prisoners may be required to do.

"Article 52 confirms the principle already laid down in the 1929 convention whereby prisoners of war may not be detailed for unhealthy or dangerous labor. A new provision has been included, however, stating that the removal of mines or similar devices shall be considered as dangerous labor.

"Articles 53, 54, 55, 56, and 57 which deal with duration of labor, working pay and working accidents, medical supervision, labor detachments, and prisoners of war detailed to private employers, reproduce in greater detail the 1929 stipulations with the exception of the article dealing with the compensation of prisoners who are victims of working accidents. In the new convention, the Detaining Power must provide these prisoners with all necessary care, but, as opposed to the 1929 provision, the power on which the prisoner depends is now solely responsible for paying such compensation. It is worthy of note also that the Detaining Power is obliged to give a daily rest of one hour in the middle of the day, and, as far as the weekly rest of prisoners is concerned, to take into account the day of rest observed in the prisoner's home country."[2]

(4) *The third citation in Public Law 615 referring to the July 27, 1929 Geneva Convention.*

The third citation in Public Law 615 (August 21, 1954) referring to the July 29, 1929 Geneva Convention is as follows:

"(3) (B) for inhumane treatment by the hostile force by which he was held, or its agents. The term 'inhumane treatment' as used herein shall include, but not be limited to, failure of such hostile force, or its agents, to meet the conditions and requirements of one or more of the provisions of *articles 2, 3, 7, 10, 12, 13, 21, 22, 54, 56, or 57 of the Geneva Convention of July 27, 1929.*" (Italic added)

On the basis of our comparison of the 1929 and the 1949 Conventions, the only alteration would be one of reference to the 1949 Convention. They could be either substituted or added in parentheses. The 1929 Articles as cited in the 1954 legislation would be altered as follows:

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[5] "Legal Status of Captured Airman Creates Knotty Issue," *The Evening Star*, July 20, 1966. (Note: That the United States and North Vietnam are both parties to the 1949 Geneva Convention is further substantiated by Virginia W. Brewer in a June 20, 1966 LRS Memo).

[6] Cohen, Jerome Allen. "POW Crisis Pays Bonus," *Washington Post*, August 7, 1966.

[1] While the 1954 legislation refers to "Title III," the book, *International Legislation: A Collection of the Texts of Multipartite International Instruments of General Interest* (Hudson, Manley O., (Ed.), Vol. I, 1929–1931, Washington: Carnegie Endowment for International Peace, 1936) lists both the English and French texts of the 1929 Convention. The English text refers to "Part" while the French text refers to "Titre." (The same distinction is made in the references to the August 12, 1949 Convention as contained in *U.S. Treaties and Other International Agreements*, Volume 6, Part 3, 1955, U.S. Government Printing Office.) It is therefore somewhat confusing as to whether you would use "Title III" (as in the 1954 legislation's reference to the 1929 Convention) or "Part III." Perhaps there is a stronger case for using the term as it appears in the official text of the U.S. Document ("Part III").

[2] *Geneva Conventions For the Protection of War Victims [1949]*. Message From The President of the United States Transmitting Copies of the Geneva Conventions for the Protection of War Victims. U.S. Senate, 82d Congress, 1st Session (Executives D, E, F, and G), April 26, 1951—Referred to the Committee on Foreign Affairs and ordered to be printed for the use of the Senate, p. A16.

"*Articles in the July 27, 1929, Geneva Convention*	"*Articles in the August 12, 1949, Geneva Convention*	
2	12, 13	(Article 2 has been divided into Article 12 POW's are in hands of Enemy Power) and Article 13 (POW's must be humanely Treated).[3]
3	14	
7	19	
10	25	
12	27, 28	(Article 12 has been divided into Article 27 (clothing and footwear) and Article 28 (canteens)).
13	29	
21	43	
22	44	
54	89, 90	(Article 89 provides a basic safeguard to the effect that punishments shall neither be inhuman, brutal or dangerous.)
56	97	
57	98"	

We are attaching two excerpts from materials on the August 12, 1949 Geneva Convention. While these excerpts are brief, they should prove to be most helpful in that they discuss the differences between the 1929 and the 1949 Conventions. These excerpts are as follows:

"*The Geneva Conventions of August 12, 1949.* International Committee of the Red Cross. Geneva, 1949, pp. 12–17.

"*Geneva Conventions for the Protection of War Victims.* Message from the President of the United States Transmitting Copies of the Geneva Conventions for the Protection of War Victims, Senate, 82d Congress, 1st Session, Executives D, E, F, and G, April 26, 1951, pp. A14–A20."

The enclosed consists of our comparison of the wording of the relevant articles from the 1929 and the 1949 Conventions.[4]

We hope you will find this information helpful. If we can be of further assistance, please do not hesitate to call us.

ROGER F. SWANSON.

RELEVANT ARTICLES FROM THE JULY 27, 1929 GENEVA CONVENTION ON PRISONERS OF WAR	RELEVANT ARTICLES FROM THE AUGUST 12, 1949 GENEVA CONVENTION ON PRISONERS OF WAR
Art. 2. Prisoners of war are in the power of the hostile Government, but not of the individuals or formation which captured them. They shall at all times be humanely treated and protected particularly against acts of violence, from insults and from public curiosity. Measures of reprisal against them are forbidden.	*Article 12* Prisoners of war are in the hands of the enemy Power, but not of the individuals or military units who have captured them. Irrespective of the individual responsibilities that may exist, the Detaining Power is responsible for the treatment given them. Prisoners of war may only be transferred by the Detaining Power to a Power which is a party to the Convention and after the Detaining Power has satisfied itself of the willingness and ability of such transferee Power to apply the Convention. When prisoners of war are transferred under such circumstances, responsibility for the application of the Convention rests on the Power accepting them while they are in its custody. Nevertheless, if that Power fails to carry out the provisions of the Convention in any important respect, the Power by whom the prisoners of war were transferred shall, upon being notified by the Protecting Power, take effective measures to correct the situation or shall request the return of the prisoners of war. Such requests must be complied with. *Article 13* Prisoners of war must at all times be humanely treated. Any unlawful act or omission by the Detaining Power causing death or seriously endangering the health of a prisoner of war in its custody is prohibited, and will be regarded as a serious breach of the present Convention. In particular, no prisoner of war may be subjected to physical mutilation or to medical or scientific experiments of any kind which are not justified by the medical, dental or hospital treatment of the prisoner concerned and carried out in his interest. Likewise, prisoners of war must at all times be protected, particularly against acts of violence or intimidation and against insults and public curiosity. Measures of reprisal against prisoners of war are prohibited.
Art. 3. Prisoners of war are entitled to respect for their persons and honour. Women shall be treated with all consideration due to their sex. Prisoners retain their full civil capacity.	*Article 14* Prisoners of war are entitled in all circumstances to respect for their persons and their honour. Women shall be treated with all the regard due to their sex and shall in all cases benefit by treatment as favourable as that granted to men. Prisoners of war shall retain the full civil capacity which they enjoyed at the time of their capture. The Detaining Power may not restrict the exercise, either within or without its own territory, of the rights such capacity confers except in so far as the captivity requires.
Art. 7. As soon as possible after their capture, prisoners of war shall be evacuated to depots sufficiently removed from the fighting zone for them to be out of danger. Only prisoners who, by reason of their wounds or maladies, would run greater risks by being evacuated than by remaining may be kept temporarily in a dangerous zone. Prisoners shall not be unnecessarily exposed to danger while awaiting evacuation from a fighting zone. The evacuation of prisoners on foot shall in normal circumstances be effected by stages of not more than 20 kilometres per day, unless the necessity for reaching water and food depots requires longer stages.	*Article 19* Prisoners of war shall be evacuated, as soon as possible after their capture, to camps situated in an area far enough from the combat zone for them to be out of danger. Only those prisoners of war who, owing to wounds or sickness, would run greater risks by being evacuated than by remaining where they are, may be temporarily kept back in a danger zone. Prisoners of war shall not be unnecessarily exposed to danger while awaiting evacuation from a fighting zone.

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[4] The July 27, 1929 citations are quoted from: Hudson, Manley O. (Ed.) *International Legislation: A Collection of the Texts of Multipartite International Instrument of General Interest*, Vol. V, 1929–1931. Washington, D.C.: Carnegie Endowment for International Peace, 1936.

The August 12, 1949 citations are quoted from: *United States Treaties and Other International Agreements.* Department of State, Volume 6, Part 3, 1955. Washington, D.C.: Government Printing Office, 1956.

[3] According to the comparison in the 1951 President's Message Transmitting Copies of the Geneva Conventions (Bibliographic entry p. 6 of this memo): "Article 13 is a more complete version of Article 3 of the 1929 Convention." (p. A14) On closer analysis, however, it would seem that Article 13 is an extension of Article 2 of the 1929 Convention rather than Article 3. Perhaps this distinction is needlessly academic, for generally speaking, Articles 12, 13, 14 (1949 Convention) cover Articles 2, 3 ('29 Convention).

RELEVANT ARTICLES FROM THE JULY 27, 1929 GENEVA CONVENTION ON PRISONERS OF WAR—continued	RELEVANT ARTICLES FROM THE AUGUST 12, 1949 GENEVA CONVENTION ON PRISONERS OF WAR—continued
Art. 10. Prisoners of war shall be lodged in buildings or huts which afford all possible safeguards as regards hygiene and salubrity. The premises must be entirely free from damp, and adequately heated and lighted. All precautions shall be taken against the danger of fire. As regards dormitories, their total area, minimum cubic air space, fittings and bedding materal, the conditions shall be the same as for depot troops of the detaining Power.	*Article 25* Prisoners of war shall be quartered under conditions as favourable as those for the forces of the Detaining Power who are billeted in the same area. The said conditions shall make allowance for the habits and customs of the prisoners and shall in no case be prejudicial to their health. The foregoing provisions shall apply in particular to the dormitories of prisoners of war as regards both total surface and minimum cubic space, and the general installations, bedding and blankets. The premises provided for the use of prisoners of war individually or collectively, shall be entirely protected from dampness and adequately heated and lighted, in particular between dusk and lights out. All precautions must be taken against the danger of fire. In any camps in which women prisoners of war, as well as men, are accommodated, separate dormitories shall be provided for them.
Art. 12. Clothing, underwear and footwear shall be supplied to prisoners of war by the detaining Power. The regular replacement and repair of such articles shall be assured. Workers shall also receive working kit wherever the nature of the work requires it. In all camps, canteens shall be installed at which prisoners shall be able to procure, at the local market price, food commodities and ordinary articles. The profits accruing to the administrations of the camps from the canteens shall be utilised for the benefit of the prisoners.	*Article 27* Clothing, underwear and footwear shall be supplied to prisoners of war in sufficient quantities by the Detaining Power, which shall make allowance for the climate of the region where the prisoners are detained. Uniforms of enemy armed forces captured by the Detaining Power should, if suitable for the climate, be made available to clothe prisoners of war. The regular replacement and repair of the above articles shall be assured by the Detaining Power. In addition, prisoners of war who work shall receive appropriate clothing, wherever the nature of the work demands. *Article 28* Canteens shall be installed in all camps, where prisoners of war may procure foodstuffs, soap and tobacco and ordinary articles in daily use. The tariff shall never be in excess of local market prices. The profits made by camp canteens shall be used for the benefit of the prisoners; a special fund shall be created for this purpose. The prsoners representative shall have the right to collaborate in the management of the canteen and of this fund. When a camp is closed down, the credit balance of the special fund shall be handed to an international welfare organization, to be employed for the benefit of prisoners of war of the same nationality as those who have contributed to the fund. In case of a general repatriation, such profits shall be kept by the Detaining Power, subject to any agreement to the contrary between the Powers concerned.
Art. 13. Belligerents shall be required to take all necessary hygienic measures to ensure the cleanliness and salubrity of camps and to prevent epidemics. Prisoners of war shall have for their use, day and night, conveniences which conform to the rules of hygiene and are maintained in a constant state of cleanliness. In addition and without prejudice to the provision as far as possible of baths and shower-baths in the camps, the prisoners shall be provided with a sufficient quantity of water for their bodily cleanliness.	*Article 29* The Detaining Power shall be bound to take all sanitary measures necessary to ensure the cleanliness and healthfulness of camps and to prevent epidemics. Prisoners of war shall have for their use, day and night, conveniences which conform to the rules of hygiene and are maintained in a constant state of cleanliness. In any camps in which women prisoners of war are accommodated, separate conveniences shall be provided for them. Also, apart from the baths and showers with which the camps shall be furnished, prisoners of war shall be provided with sufficient water and soap for their personal toilet and for washing their personal laundry; the necessary installations, facilities and time shall be granted them for that purpose.
Art. 21. At the commencement of hostilities, belligerents shall be required reciprocally to inform each other of the titles and ranks in use in their respective armed forces, with the view of ensuring equality of treatment between the corresponding ranks of officers and persons of equivalent status. Officers and persons of equivalent status who are prisoners of war shall be treated with due regard to their rank and age.	*Article 43* Upon the outbreak of hostilities, the Parties to the conflict shall communicate to one another the titles and ranks of all the persons mentioned in Article 4 of the present Convention, in order to ensure equality of treatment between prisoners of equivalent rank. Titles and ranks which are subsequently created shall form the subject of similar communications. The Detaining Power shall recognize promotions in rank which have been accorded to prisoners of war and which have been duly notified by the Power on which these prisoners depend.
Art. 22. In order to ensure the service of officers' camps, soldier prisoners of war of the same armed forces, and as far as possible speaking the same language, shall be detached for service therein in sufficient numbers, having regard to the rank of the officers and persons of equivalent status. Officers and persons of equivalent status shall procure their food and clothing from the pay to be paid to them by the detaining Power. The management of a mess by officers themselves shall be facilitated in every way.	*Article 44* Officers and prisoners of equivalent status shall be treated with the regard due to their rank and age. In order to ensure service in officers' camps, other ranks of the same armed forces who, as far as possible, speak the same language, shall be assigned in sufficient numbers, account being taken of the rank of officers and prisoners of equivalent status. Such orderlies shall not be required to perform any other work. Supervision of the mess by the officers themselves shall be facilitated in every way.
Art. 54. Imprisonment is the most severe disciplinary punishment which may be inflicted on a prisoner of war. The duration of any single punishment shall not exceed thirty days. The maximum of thirty days shall, moreover, not be exceeded in the event of their being several acts for which the prisoner is answerable to discipline at the time when his case is disposed of, whether such acts are connected or not.	*Article 89* The disciplinary punishments applicable to prisoners of war are the following: (1) A fine which shall not exceed 50 per cent of the advances of pay and working pay which the prisoner of war would otherwise receive under the provisions of Articles 60 and 62 during a period of not more than thirty days.

RELEVANT ARTICLES FROM THE JULY 27, 1929 GENEVA CONVENTION ON PRISONERS OF WAR—continued	RELEVANT ARTICLES FROM THE AUGUST 12, 1949 GENEVA CONVENTION ON PRISONERS OF WAR—continued
Where, during the course or after the termination of a period of imprisonment, a prisoner is sentenced to a fresh disciplinary penalty, a period of at least three days shall intervene between each of the periods of imprisonment, if one of such periods is of ten days or over.	(2) Discontinuance of privileges granted over and above the treatment provided for by the present Convention. (3) Fatigue duties not exceeding two hours daily. (4) Confinement. The punishment referred to under (3) shall not be applied to officers. In no case shall disciplinary punishments be inhuman, brutal or dangerous to the health of prisoners of war. *Article 90* The duration of any single punishment shall in no case exceed thirty days. Any period of confinement awaiting the hearing of a disciplinary offence or the award of disciplinary punishment shall be deducted from an award pronounced against a prisoner of war. The maximum of thirty days provided above may not be exceeded, even if the prisoner of war is answerable for several acts at the same time when he is awarded punishment, whether such acts are related or not. The period between the pronouncing of an award of disciplinary punishment and its execution shall not exceed one month. When a prisoner of war is awarded a further disciplinary punishment, a period of at least three days shall elapse between the execution of any two of the punishments, if the duration of one of these is ten days or more.
Art. 56. In no case shall prisoners of war be transferred to penitentiary establishments (prisons, penitentiaries, convict establishments, &c.) in order to undergo disciplinary sentence there. Establishments in which disciplinary sentences are undergone shall conform to the requirements of hygiene. Facilities shall be afforded to prisoners undergoing sentence to keep themselves in a state of cleanliness. Every day, such prisoners shall have facilities for taking exercise or for remaining out of doors for at least two hours.	*Article 97* Prisoners of war shall not in any case be transferred to penitentiary establishments (prisons, penitentiaries, convict prisons, etc.) to undergo disciplinary punishment therein. All premises in which disciplinary punishments are undergone shall conform to the sanitary requirements set forth in Article 25. A prisoner of war undergoing punishment shall be enabled to keep himself in a state of cleanliness, in conformity with Article 29. Officers and persons of equivalent status shall not be lodged in the same quarters as non-commissioned officers or men. Women prisoners of war undergoing disciplinary punishment shall be confined in separate quarters from male prisoners of war and shall be under the immediate supervision of women.
Art. 57. Prisoners of war undergoing disciplinary punishment shall be permitted to read and write and to send and receive letters. On the other hand, it shall be permissible not to deliver parcels and remittances of money to the addressees until the expiration of the sentence. If the underdeveloped parcels contain perishable foodstuffs, these shall be handed over to the infirmary or to the camp kitchen.	*Article 98* A prisoner of war undergoing confinement as a disciplinary punishment, shall continue to enjoy the benefits of the provisions of this Convention except insofar as these are necessarily rendered inapplicable by the mere fact that he is confined. In no case may he be deprived of the benefits of the provisions of Articles 78 and 126. A prisoner of war awarded disciplinary punishment may not be deprived of the prerogatives attached to his rank. Prisoners of war awarded disciplinary punishment shall be allowed to exercise and to stay in the open air at least two hours daily. They shall be allowed, on their request, to be present at the daily medical inspections. They shall receive the attention which their state of health requires and, if necessary, shall be removed to the camp infirmary or to a hospital. They shall have permission to read and write, likewise to send and receive letters. Parcels and remittances of money however, may be withheld from them until the completion of the punishment; they shall meanwhile be entrusted to the prisoners' representative, who will hand over to the infirmary the perishable goods contained in such parcels.

EXHIBIT 1

GENERAL COUNSEL OF THE DEPARTMENT OF DEFENSE,
Washington, D.C., April 1, 1967.
Hon. CLIFFORD P. HANSEN,
U.S. Senate,
Washington, D.C.

DEAR SENATOR HANSEN: I refer to your letter to me, dated February 24, 1967, requesting information as to the number and nature of war crimes committed in Vietnam during the current hostilities. The delay in replying to your letter has been occasioned by the necessity for the exchange of several messages with General Westmoreland's Headquarters in Saigon and the assembly of material from other sources.

Your letter suggests that the American Embassy in Saigon or the appropriate office within the Department of Defense begin the compilation of statistical evidence as to violations of the laws of war. On this subject of war crimes committed by or against U.S. military or civilian personnel in Vietnam, I am enclosing MACV Directive 20-4, 25 March, 1966, which establishes procedures and assigns responsibilities for investigating alleged war crimes and collecting evidence thereof. The American Embassy in Saigon is responsible for statistical reporting of war crimes committed against Vietnamese civilians by the Viet Cong and North Vietnamese regular forces.

You asked about the kinds of acts which have been considered to be war crimes. Such a list is contained in paragraph 3 of the above-mentioned Directive. Examples of war crimes which have been committed or of which there is some evidence to suggest that they may have been committed are:

Willful killing of a wounded POW; this is a grave breach of the First and Third Geneva Conventions of 1949.

Torture, inhuman treatment, and willfully causing great suffering or serious injury to body or health of a POW; these are grave breaches of the Third Geneva Convention of 1949.

Pillage of the wounded or dead.

Maltreatment of dead bodies.

Violation of Article 13 of the Third Geneva Convention: "Prisoners of war must at all times be protected, particularly against acts of violence or intimidation and against insults and public curiosity."

Violation of Article 47 of the Third Geneva Convention: "If the combat zone draws closer to a camp, the prisoners of war in the said camp shall not be transferred unless their transfer can be carried out in adequate conditions of safety, or unless they are exposed to greater risks by remaining on the spot than by being transferred." It is, of course, a war crime to kill prisoners rather than turn them over to the enemy.

As you know, during most extended periods of active hostility, there are rumors and other unverified reports of the commission of war crimes and other atrocities which sometimes form the basis of allegations and protests by both sides of the conflict. All reports of alleged war crimes committed by our military personnel are investigated. If the allegation seems well-founded, the charges are referred to a court-martial under the Uniform Code of Military Justice. The law of war is based upon the fundamental premise that barbaric acts are not in the interests of any party to the conflict and that each party consequently has an obligation to punish them regardless of the nationality of the offender. In this connection, an article of each of the 1949 Geneva Conventions (common article 49/50/129/146) provides:

"The High Contracting Parties undertake to enact any legislation necessary to provide effective penal sanctions for persons committing, or ordering to be committed, any of the grave breaches of the present Convention defined in the following article.

"Each High Contracting Party shall be under the obligation to search for persons alleged to have committed, or to have ordered to be committed, such grave breaches, and shall bring such persons, regardless of their nationality, before its own courts. It may also, if it prefers, and in accordance with the provisions of its own legislation, hand such persons over for trial to another High Contracting Party concerned, provided such High Contracting Party has made out a *prima facie* case.

"Each Contracting Party shall take measures necessary for the suppression of all acts contrary to the provisions of the present Convention other than the grave breaches defined in the following Article.

"In all circumstances, the accused persons shall benefit by safeguards of proper trial and defence, which shall not be less favourable than those provided by Article 105 and those following of the present Convention."

It is not known what steps, if any, North Vietnamese and Viet Cong authorities have taken to comply with the above-quoted Article in order to prevent and punish the commission by their personnel of grave breaches or other war crimes.

No analysis of acts prohibited by the law of war would be complete without noting that, inasmuch as the law of war had its origins in the basic distinction between belligerent and civilian persons and that its continued viability is dependent upon the maintenance of that distinction, belligerent acts deliberately committed against the civilian population are unlawful. For example, your attention is invited to the following Articles of the Fourth Geneva Convention of 1949 (entitled "Geneva Convention Relative to the Protection of Civilian Persons in Time of War, of August 12, 1949"), which provides that "protected persons" are those who find themselves in the hands of a party to the conflict of which they are not nationals but who are not entitled to prisoner-of-war status or the protections afforded by any of the first three 1949 Geneva Conventions.

"ARTICLE 27

"Protected persons are entitled, in all circumstances, to respect for their persons, their honour, their family rights, their religious convictions and practices, and their manners and customs. They shall at all times be humanely treated, and shall be protected especially against all acts of violence or threats thereof and against insults and public curiosity.

"Women shall be especially protected against any attack on their honour, in particular against rape, enforced prostitution, or any form of indecent assault.

"Without prejudice to the provisions relating to their state of health, age and sex, all protected persons shall be treated with the same consideration by the party to the conflict in whose power they are, without any adverse distinction based, in particular, on race, religion or political opinion.

"However, the Parties to the conflict may take such measures of control and security in regard to protected persons as may be necessary as a result of the war.

"ARTICLE 28

"The presence of a protected person may not be used to render certain points or areas immune from military operations.

"ARTICLE 29

"The Party to the conflict in whose hands protected persons may be, is responsible for the treatment accorded to them by its agents, irrespective of any individual responsibility which may be incurred.

"ARTICLE 31

"No physical or moral coercion shall be exercised against protected persons, in particular to obtain information from them or from third parties.

"ARTICLE 32

"The High Contracting Parties specifically agree that each of them is prohibited from taking any measure of such a character as to cause the physical suffering or extermination of protected persons in their hands. This prohibition applies not only to murder, torture, corporal punishment, mutilation and medical or scientific experiments not necessitated by the medical treatment of a protected person, but also to any other measures of brutality whether applied by civilian or military agents.

"ARTICLE 33

"No protected person may be punished for an offence he or she has not personally committed. Collective penalties and likewise all measures of intimidation or of terrorism are prohibited.

"Pillage is prohibited.

"Reprisals against protected persons and their property are prohibited.

"ARTICLE 34

"The taking of hostages is prohibited.

"ARTICLE 147

"Grave breaches to which the preceding articles relates shall be those involving any of the following acts, if committed against persons or property protected by the present Convention: willful killing, torture or inhuman treatment, including biological experiments, wilfully causing great suffering or serious injury to body or health, unlawful deportation or transfer or unlawful confinement of a protected person, compelling a protected person to serve in the forces of a hostile Power, or wilfully depriving a protected person of the rights of fair and regular trial prescribed in the present Convention, taking of hostages and extensive destruction and appropriation of property, not justified by military necessity and carried out unlawfully and wantonly."

With respect to Viet Cong compliance with the humanitarian principles of the law of war upon which the above-quoted Articles are based, the enclosed booklet entitled, "A Study—Viet Cong Use of Terror," published by the United States Mission in Vietnam in May of last year, lists the figures by year for assassinations and kidnappings of Vietnamese civilians on Page 8 of the booklet (Vietnamese *officials* only). The precise figures can never be known. The figures do, however, present a rough estimate of the order of magnitude of the terrorism. In the period of October-December 1957, it has been estimated that the combined total of Vietnamese civilian victims of assassination and kidnapping were less than 100. The following table presents the figures for the succeeding years:

Year	Assassinated	Kidnaped	Combined total
1958	200	250	450
1959	200	300	500
1960	1,500	700	2,200
1961	500	1,000	1,500
1962	1,700	9,500	11,200
1963	2,000	7,000	9,000
1964	1,800	9,500	11,300
1965	1,800	8,500	10,300
1966[1]	1,500	3,000	4,500
Total	11,200	39,750	50,950

[1] Through Oct. 25, 1966.

Note that these figures include victims who were not officials and who merely tried to survive in a land of war and failed because of the actions of the Viet Cong.

I trust that these comments and the attached material will be of assistance to you in your study of war crimes.

Sincerely yours,

PAUL C. WARNKE.

EXHIBIT 2

[From the Office of the White House Press Secretary]

The United States Government has been greatly concerned at the plight of Americans held prisoner by the National Liberation Front and North Viet-Nam. More than 20 American soldiers and several American civilians are believed held by the National Liberation Front. We know that more than 160 American military personnel are confined in North Viet-Nam. Several hundred more are considered missing because the National Liberation Front and North Viet-Nam withhold the names of prisoners and generally prohibit most prisoners from sending letters. We are gravely concerned that some of these prisoners may not be treated humanely. The claims of the National Liberation Front and the North Vietnamese that they are treated humanely cannot be verified because neutral observers or organizations such as the International Committee of the Red Cross have not been allowed to visit the prisoners, and inspect their places of detention.

Viet Cong and North Vietnamese prisoners held by the Government of Viet-Nam are confined in camps inspected regularly by the ICRC. These prisoners include many captured by U.S. Forces and turned over to the Government of Viet-Nam for safekeeping under the provisions of the Geneva Convention. Their treatment and the conditions of their confinement have been humane and in accord with the Convention as verified by these neutral observers.

On several occasions prisoners including seriously sick and wounded have been released by the Government of Viet-Nam within South Viet-Nam and to North Viet-Nam. Additional seriously sick and wounded prisoners who may be captured in the future and who wish to be repatriated will be given the same opportunity, as required by the Geneva Convention.

The United States calls on the National Liberation Front and North Viet-Nam to permit impartial inspection of all prisoners. and urges them to repatriate those sick and wounded prisoners who qualify for repatriation under the Convention.

The Governments of the United States and Viet-Nam have repeatedly made clear both publicly and privately through many channels their desire to bring about an exchange of prisoners. The Government of the United States reiterates this desire and its willingness to discuss such exchanges at any time and in any appropriate way, using intermediaries or directly, by public means or privately.

Mr. HANSEN. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. MONTOYA. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. without objection, it is so ordered.

TRANSACTION OF ROUTINE BUSINESS

The PRESIDING OFFICER. Pursuant to the previous order, the Senate will now have a period for the transaction of routine morning business, with statements therein limited to 3 minutes.

EXECUTIVE COMMUNICATIONS, ETC.

The PRESIDENT pro tempore laid before the Senate the following letters, which were referred as indicated:

Report on Title I Agreements Under Agricultural Trade Development and Assistance Act of 1954

A letter from the Administrator, Foreign Agricultural Service, Department of Agriculture, transmitting, pursuant to law, a report on title I agreements under the Agricultural Trade Development and Assistance Act of 1954, for the months of June and July, 1967 (with an accompanying report); to the Committee on Agriculture and Forestry.

Authorization for Commandant of the U.S. Army Command and General Staff College To Award the Degree of Master of Military Art and Science

A letter from the Acting Secretary of the Army, transmitting a draft of proposed legislation to authorize the Commandant of the U.S. Army Command and General Staff College to award the degree of master of military art and science (with an accompanying paper); to the Committee on Armed Services.

Report of Cultural Presentations Program, Department of State

A letter from the Chairman, the Advisory Committee on the Arts, Department of State, transmitting, pursuant to law, a report of the cultural presentations program, for the year ended June 30, 1966 (with an accompanying report); to the Committee on Foreign Relations.

ENROLLED BILLS SIGNED

The PRESIDING OFFICER announced that on today, August 9, 1967, the Vice President signed the following enrolled bills, which had previously been signed by the Speaker of the House of Representatives:

H.R. 4496. An act for the relief of the village of Brooklyn Center, Minn.;

H.R. 4833. An act to provide for the conveyance of certain real property of the United States situated in the State of Pennsylvania;

H.R. 7043. An act to authorize and direct the Secretary of the Department under which the U.S. Coast Guard is operating to cause the vessel *Northwind*, owned by Wallace P. Smith, Jr., of Centreville, Md., to be documented as a vessel of the United States with coastwise privileges; and

H.R. 8485. An act for the relief of Eddie Garman.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. JACKSON, from the Committee on Interior and Insular Affairs, without amendment:

S. Res. 142. Resolution relating to the Bonneville Power Administration, Department of the Interior (Rept. No. 495).

By Mr. JORDAN of North Carolina, from the Committee on Rules and Administration, without amendment:

S. Res. 130. Resolution to provide additional funds for the Committee on the Judiciary (Rept. No. 497); and

S. Res. 149. Resolution to provide additional funds for the Committee on the Judiciary (Rept. No. 496).

By Mr. JORDAN of North Carolina, from the Committee on Rules and Administration, with amendments:

S. Res. 147. Resolution granting authority for the printing of a report by the Department of Agriculture, entitled "Parity Returns Positions of Farms," as a Senate document (Rept. No. 498).

FOREIGN ASSISTANCE ACT OF 1967—REPORT OF A COMMITTEE—SUPPLEMENTAL VIEWS (S. REPT. NO. 499)

Mr. MANSFIELD. Mr. President, on behalf of the Senator from Arkansas [Mr. Fulbright] from the Committee on Foreign Relations, I report favorably, with an amendment, the bill (S. 1872) to amend further the Foreign Assistance Act of 1961, as amended, and for other purposes. I ask unanimous consent that the report be printed, together with individual and supplemental views. I do so at the specific request of the distinguished chairman of the Foreign Relations Committee [Mr. Fulbright], who is necessarily absent today.

The PRESIDING OFFICER. The report will be received and the bill will be placed on the calendar; and, without objection, the report will be printed, as requested by the Senator from Montana.

REPORT ON DISPOSITION OF EXECUTIVE PAPERS

Mr. MONRONEY, from the Joint Select Committee on the Disposition of Papers in the Executive Departments, to which was referred for examination and recommendation a list of records transmitted to the Senate by the Archivist of the United States, dated July 28, 1967, that appeared to have no permanent value or historical interest, submitted a report thereon, pursuant to law.

PRINTING OF REVIEW OF REPORT ON PARK RIVER BASIN, CONN. (S. DOC. NO. 43

Mr. RANDOLPH. Mr. President, I present a letter from the Acting Secretary of the Army, transmitting a report dated February 7, 1967, from the Chief of Engineers, Department of the Army, together with accompanying papers and illustrations, on a review of the report on Park River Basin, Conn., requested by a resolution of the Committee on Public Works, U.S. Senate. I ask unanimous consent that the report be printed as a Senate document, with illustrations, and referred to the Committee on Public Works.

The PRESIDING OFFICER. Without objection, it is so ordered.

BILLS INTRODUCED

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. HANSEN (for himself, Mr. Dirksen, Mr. Morton, Mr. Bennett, Mr. Mundt, Mr. Young of North Dakota, Mr. Hruska, Mr. Brooke, Mr. Allott, Mr. Thurmond, Mr. Jordan of Idaho, Mr. Dominick, Mr. Scott, Mr. Curtis, Mr. Hollings, Mr. Inouye, Mr. Lausche, Mr. Baker, Mr. Carlson, Mr. Percy, and Mr. Tower):

S. 2260. A bill to provide compensation for civilian American citizens and prisoners of war captured during the Vietnam conflict; to the Committee on the Judiciary.

(See the remarks of Mr. Hansen when he introduced the above bill, which appear under a separate heading.)

By Mr. DIRKSEN:

S. 2261. A bill relating to the appointment of the Director of the Federal Bureau of Investigation; to the Committee on the Judiciary.

By Mr. NELSON (for himself and Mr. Proxmire):

S. 2262. A bill to amend section 172 of the Internal Revenue Code of 1954; to the Committee on Finance.

(See the remarks of Mr. Nelson when he introduced the above bill, which appear under a separate heading.)

By Mr. MONTOYA (for himself, Mr. Bennett, Mr. Burdick, Mr. Byrd of West Virginia, Mr. Cooper, Mr. Eastland, Mr. Gruening, Mr. Hart, Mr. Hartke, Mr. Inouye, Mr. Long of Missouri, Mr. McCarthy, Mr. McGee, Mr. McGovern, Mr. Morse, Mr. Moss, Mr. Randolph, Mrs. Smith, and Mr. Yarborough):

S. 2263. A bill to authorize the Secretary of Agriculture to cooperate with and furnish financial and other assistance to States and other public bodies and organizations in establishing a system for the prevention, control, and suppression of fires in rural areas, and for other purposes; to the Committee on Agriculture and Forestry.

(See the remarks of Mr. Montoya when he introduced the above bill, which appear under a separate heading.)

By Mr. SCOTT:

S. 2264. A bill for the relief of Chi Jen Feng; to the Committee on the Judiciary.

By Mr. MILLER:

S. 2265. A bill for the relief of Christopher Nicholas Rushton; to the Committee on the Judiciary.

By Mr. TALMADGE:

S. 2266. A bill for the relief of Joseph L. Watson; to the Committee on Post Office and Civil Service.

By Mr. CARLSON:

S. 2267. A bill to provide for the issuance of a special postage stamp commemorating the 50th anniversary of the close of World War I; to the Committee on Post Office and Civil Service.

(See the remarks of Mr. Carlson when he introduced the above bill, which appear under a separate heading.)

AMENDMENT OF SECTION 172 OF INTERNAL REVENUE CODE

Mr. NELSON. Mr. President, on behalf of Senator Proxmire and myself, I am introducing legislation to aid American Motors, which has suffered substantial losses in the recent past yet has continued to make heavy investment in plant and equipment. The bill will give American Motors the help needed to continue as a substantial, independent competitive force in the automotive industry.

The legislation would amend the Internal Revenue Code to permit American Motors to apply losses from current operations more effectively against income on which the company paid taxes in prior years. It would do so by extending the present 3-year period over which business losses can be carried back to 5 years while reducing the loss carryforward period from 5 years to 3 years. Thus the total loss carryback-carryforward period would remain the same as at present—8 years.

Although the bill would result in a $20-000,000 tax refund for American Motors, it would not cost the American taxpayer a nickel.

If the bill is not passed and American Motors operates profitably for the next 2 years without it, the firm would be able to claim the full $20,000,000 as an offset to its income taxes due in any or all of the ensuing 5 years.

In the event of the acquisition of American Motors, the acquiring company could write off the full American Motors losses against its own tax liability, and thereby pick up the full $20,000,000.

In any event, whether the bill passes or fails to pass, the Federal Government would give up $20,000,000.

The bill significantly increases the chances of American Motors survival by providing that $20,000,000 will be refunded at once, at the precise time when it needs the funds most urgently, and when the refund can do the most to insure the survival of American Motors.

This proposal is entirely consistent with the established congressional policy of permitting taxpayers to carry back losses to balance out losses and profits of separate years. Congress on several other occasions has amended the loss carryback and carryforward provisions of the Internal Revenue Code when existing law has proved inadequate in meeting a particular problem.

Furthermore, a healthy American Motors generates very substantial Federal, State, and local tax revenues. Over the past 5 years the company has paid more than $400 million in Federal tax revenues, while contributing $2 billion to the gross national product and $150 million to a favorable balance of trade.

The company directly employed more than 27,000 people, most of them in Wisconsin, in 1966, and also contributed to the earnings of as many as 70,000 other taxpayers employed by AMC dealers, supplies, and subcontractors. Passage of the bill would stimulate the vitality of an American Motors that is making impressive progress under aggressive and able management.

Passage of this bill is vitally important to American Motors, the State of Wisconsin, and the entire Nation. Early passage will be of immense help.

Mr. President, I ask unanimous consent that the text of the bill be printed in the Record at this point in my remarks.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the Record.

The bill (S. 2262) to amend section 172 of the Internal Revenue Code of 1954, introduced by Mr. Nelson (for himself and Mr. Proxmire), was received, read twice by its title, referred to the Committee on Finance, and ordered to be printed in the Record, as follows:

S. 2262

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, (a) section 172(b)(A)(i) of the Internal Revenue Code of 1954 (relating to the deduction of net operating losses) is amended by striking out "and in subparagraph (D)", and inserting "and in subparagraphs (D) and (E)", after "clause (ii)".

(b) Section 172(b)(1)(B) of such Code is amended by striking out "in subparagraphs (C) and (D)," and inserting "in subparagraphs (C), (D), and (E)", after "provided".

(c) Section 172(b)(1) of such Code is amended by inserting the following new subparagraph (E) after subparagraph (D):

"(E) In the case of a taxpayer which is a domestic corporation qualifying under paragraph (3)(E), a net operating loss for any taxable year ending after December 31, 1966, and prior to January 1, 1969, shall be a net operating loss carryback to each of the 5 taxable years preceding the taxable year of such loss and shall be a net operating loss carryover to each of the 3 taxable years following the taxable year of such loss."

(d) Section 172(b)(3) of such Code is amended by inserting after subparagraph (D) the following new subparagraphs (E) and (F):

"(E) Paragraph (1)(E) shall apply only if—

(i) the amount of such taxpayer's net operating loss for the taxable year exceeds the sum of the taxable income (computed as provided in paragraph (2)) for each of the 3 preceeding taxable years of such taxpayer.

(ii) the amount of such taxpayer's net operating loss for the taxable year, increased by the amount of such taxpayer's net operating loss for the preceding taxable year or decreased by the amount of such taxpayer's taxable income for such preceding year, exceeds 15 percent of the sum of the money and other property (in an amount equal to its adjusted basis for determining gain) of such taxpayer, determined as of the close of the taxable year of such loss without regard to any refund or credit of any overpayment of tax to which the taxpayer may be entitled under paragraph (1)(E),

(iii) the aggregate unadjusted basis of property described in section 1231(b)(1) (without regard to any holding period therein provided), the basis for which was determined under section 1012, which was acquired by such taxpayer during the period beginning with the first day of its fifth taxable year preceding the taxable year of such loss and ending with the last day of the taxable year of such loss, equals or exceeds the aggregate adjusted basis of property of such description of such taxpayer on, and determined as of, the first day of fifth preceding taxable year, and

(iv) such taxpayer derived 50 percent or more of its gross receipts, for the taxable year of such loss and for each of its 5 preceding taxable years, from the manufacture and production of units within the same single class of products, and 3 or fewer United States persons (including as one person an affiliated group as defined in section 1504(a)) other than the taxpayer manufactured and produced in the United States, in the calendar year ending in or with the taxable year of such loss, 85 percent or more of the total number of all units within such class of products manufactured and produced in the United States in such calendar year."

"(F) For purposes of subparagraph (E)(iv)—

(i) the term "class of products" shall mean any of the categories designated and numbered as a "class of products" in the 1963 Census of Manufacturers compiled and published by the Secretary of Commerce under Title 13 of the United States Code, and

(ii) information compiled or published by the Secretary of Commerce, as part of or in connection with the Statistical Abstract of the United States or the Census of Manufacturers, regarding the number of units of a class of products manufactured and produced in the United States during a calendar year, or, if such information should not be available, information so compiled or published regarding the number of such units shipped or sold by such manufacturers during a calendar year shall constitute prima facie evidence of the total number of all units of such class of products manufactured and produced in the United States in such calendar year."

(e) No interest shall be paid or allowed with respect to any overpayment of tax resulting from the application of the amendments made by subsections (a), (b), (c) and (d).

(f) The amendments made by subparagraphs (a), (b), (c), (d) and (e) shall be effective as of January 1, 1967.

A COOPERATIVE RURAL FIRE PROTECTION PROGRAM

Mr. MONTOYA. Mr. President, I introduce today, for proper reference, the Cooperative Rural Fire Protection Act on behalf of myself and Senator Bennett, Senator Burdick, Senator Byrd of West Virginia, Senator Cooper, Senator Eastland, Senator Gruening, Senator Hart, Senator Hartke, Senator Inouye, Senator Long of Missouri, Senator McCarthy, Senator McGee, Senator McGovern, Senator Morse, Senator Moss, Senator Randolph, Senator Smith, and Senator Yarborough.

The United States has always been a Nation ready to defend its citizens. We are proud of that tradition. In these times, however, the people of the rural areas in many States are either defenseless or inadequately protected against a common enemy—fire. Firefighting forces either have not been organized or are inadequate to protect the lives, property, or businesses of rural people. Local self-help has not been sufficient to do the job. In these areas, where there are substantial property, scenic, and resource values, we need a national program to provide leadership and to bring adequate fire protection within the reach of these people.

This legislation I am introducing would provide for such a program. If enacted, it will give more adequate fire protection for rural people and their resources.

This program would be essentially a State-local effort financed through cooperative cost-sharing arrangements. It would provide for the organization, training, and equipping of local and State fire control forces to suppress both structural fires and wildfires in rural areas now under no organized protection, or having only limited protection. A major emphasis of the program will be on the creation of a strong peacetime protection force that will, in turn, create effective civil defense capability for rural areas.

The above objectives can be attained through the cooperative action of local, State, and Federal groups and agencies.

I propose that program direction at the local level will be provided by the State forester or other appropriate State official designated by the Governor under provisions of agreements with the Secretary of Agriculture. The Forest Service and the State foresters are well qualified to administer this program. Together, they now administer the cooperative forest fire control program on State and privately owned forest and watershed lands as authorized by section 2 of the Clarke-

McNary Act. The Forest Service has an active fire research program underway.

The area needing protection is vast. There are 420 million acres of crops, pastureland, farmsteads, and other farmland. This also includes nonmountainous rangelands and rural communities below 3,000 population. Practically all of these acres are without adequate protection at the present time. Less than 1 percent of these lands are in public ownership. They are almost entirely a mixture of farms and ranches and small communities.

Available information shows that the program would protect investments approaching $195 billion, exclusive of land. Fires, especially repeated fires, damage land values as well. These values are extremely difficult to estimate accurately, but they would be substantial.

Insurance rates are seriously affected by this lack of protection. Mutual fire insurance in force on farms has averaged in excess of $36 billion per year in recent years at a cost of $2.66 per thousand dollars of coverage, and this presupposes a nearby water supply and a firefighting organization usually as a minimum requirement. On unprotected farm property, a typical rate would be $15 per thousand dollars insured, a rate nearly six times as costly.

There are other costs. Approximately 1,000 rural people lose their lives each year as a result of fires.

An estimated 20,000 wildfires burn about 2 percent of the proposed program area annually.

In 1965, rural fire losses on farms, in structures and equipment only, reached about $327 million. Loss and damage to farm resources other than buildings and equipment probably exceeds $21 million annually.

And there is a potential disastrous loss in event of major fire emergencies. A fire protection gap exists over large rural areas where most of our rural residents now live. They lack the capability for coping with large fires. They have neither the equipment nor the trained personnel. Rural America does not have sufficient strength to meet even minimum requirements for normal protection. The rural fire organization visualized under the program is designed to fill this gap.

Some solid studies support this information. At the request of the Office of Civil Defense, the Forest Service completed a 2-year study of the potential nuclear fire problem as it might affect the United States in both rural and urban areas. This analysis, known as the National Fire Coordination Study, clearly shows weaknesses, many of which can be eliminated or greatly lessened by the proposed rural fire protection program.

In May of 1967, the Office of Emergency Planning also recommended establishment of a rural fire protection program in its report to Congress after an investigative study of forest and grass fires.

The program, as proposed, is clearly attainable.

Its specific goals are:

First, to reduce the annual loss of life due to fires in rural areas, and second, to reduce the annual area burned, and materially lessen property damage loss from farm fires.

Apparatus—one fire engine-pumper—and supporting equipment at an average investment of $30,000 per district would be provided on a cost-share basis.

The technical assistance measure would provide Federal funds to help finance a small staff and field organization of fire specialists at State level to orient and train firefighting groups. Here, too, cooperative Federal-State financing would be provided.

Firefighting personnel—largely volunteer—and shelter for the equipment would be provided locally.

All States would benefit from the program, but those who would benefit most lie in the Nation's midriff—the States east of the Sierras and Cascades and west of the Mississippi. More than half of the acreage needing protection occurs in this area.

An estimated three-fifths of the target population lives in the central midriff and nearly three-fourths of the farm building values occur there. The central region as a whole also accounts for one-third of all U.S. crop values and half of the livestock values of the Nation.

From a fire protection standpoint, it is a grass-brush region of high fire hazard and low rainfall. During the growing season, it is frequently subject to prolonged drying winds and droughty conditions.

The State of New Mexico would profit greatly from this program. Effective fire protection could be provided for the millions of rural acres in the State which have little or no organized protection from wildfires at this time.

I have no doubt about the effectiveness of this program, but I will recommend that appropriate measurements be taken and data collected which will permit analysis of program effectiveness as the program moves ahead.

But even now we can see the potential. One indication of effectiveness exists already in the experience gained with five pilot rural fire defense projects. These training projects were financed by the Office of Civil Defense and administered by the Forest Service through State foresters for the period February 1964 through June 1966. Total Federal cost amounted to $384,500. Although no State funds were required, considerable time and effort was contributed by State employees, and the States contributed the use of State facilities and equipment. These pilot projects were located in Colorado, Florida, Kentucky, Missouri, and Oregon.

Cooperation and acceptance by local officials and the public was excellent. Nearly 7,000 individuals participated and received over 50,000 man-hours of training. These figures become even more impressive when it is considered that most of the trainees were volunteers and practically all participated on their own time.

A total of 613 organized groups were represented by the trainees. Many of these were organized as a direct result of the program.

Although firefighting equipment was not furnished as a part of the pilot projects, many communities were and are being outfitted by the State forester under a mutual aid agreement in connection with the regular forest fire control program.

Reports of fire protection successes continue to be received from the test areas. These, combined with applications requesting expansion into new areas, emphasize the need for peacetime as well as emergency fire control capability in similar areas throughout the Nation.

I believe that this protection for our rural citizens is long overdue. I believe just as strongly that it is within our reach. Therefore, I am introducing legislation that will provide additional Federal authorization for the Secretary of Agriculture to cooperate with the States to prevent and suppress wildfires and structural fires in rural areas. This is authority beyond the scope of the Clarke-McNary Act or other existing legislation. It is authority within the reasonable expectations of our people.

I urge speedy enactment of this legislation.

I ask unanimous consent that the bill be printed in the Record.

The **PRESIDING OFFICER**. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the Record.

The bill (S. 2263) to authorize the Secretary of Agriculture to cooperate with and furnish financial and other assistance to States and other public bodies and organizations in establishing a system for the prevention, control, and suppression of fires in rural areas, and for other purposes, introduced by Mr. Montoya (for himself and other Senators), was received, read twice by its title, referred to the Committee on Agriculture and Forestry, and ordered to be printed in the Record, as follows:

S. 2263

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in order to reduce the economic loss to the Nation from fires in rural areas there is a need for the combined efforts of Federal, State, and local governments and nonprofit organizations to facilitate the establishment of adequate systems for the protection, control and suppression of fires of woodlands, rangelands, orchards, pastures, crops, farmsteads, and other structures in rural areas, including those of a population of 5,550 or less not included in a metropolitan area. To this end, the Secretary of Agriculture is authorized and directed to cooperate with State Foresters or other appropriate officials of the several States for the development by States, other public bodies, and nonprofit organizations of effective organizations and systems and to provide financial and other assistance in organizing, training, and equipping forces for the prevention, control, and suppression of fires in rural areas and rural communities.

Sec. 2. The Secretary shall carry out this Act in accordance with cooperative agreements with appropriate State officials. Such agreements shall contain such conditions as the Secretary deems appropriate for the purposes of this Act. No such agreement shall provide for financial assistance by the Secretary under this Act in any State during any fiscal year in excess of 75 percent of the total budgeted expenditures or the actual expenditures, whichever is less, of the undertakings of such agreement for such year, including expenditures of local public and private nonprofit organizations. Payments by the Secretary under such agreements may be made on the certificate of the appropriate State official that expenditures as provided for under such agreements have been made and funds may be made available, as determined by the Secretary, without regard to the provisions of the Act of July 31, 1823 (3 Stat. 723, U.S.C. 529), concerning the advance of public moneys.

SEC. 3. There is authorized to be appropriated to carry out the provisions of this Act $3,500,000 for the fiscal year ending June 30, 1968; $4,500,000 for the fiscal year ending June 30, 1969; $6,000,000 for the fiscal year ending June 30, 1970; and thereafter such amounts as may be necessary.

COMMEMORATIVE STAMP TO RECOGNIZE 50TH ANNIVERSARY OF SIGNING OF ARMISTICE OF WORLD WAR I

Mr. CARLSON. Mr. President, the World War of 1914–18 took by surprise Americans who considered Sarajevo and its immediate consequences just another European war scare. There seemed to be a feeling that surely the war would be short lived. The immediate action, however, was travelers were repatriated under difficulty; stock markets crashed and exchanges were closed. Foreign markets were disrupted, and we soon found ourselves in the midst of a business depression.

America tried the neutrality plan but soon was caught in a net of diplomatic issues arising from neutral trade and blockades.

Then followed the brutal and vicious German submarine warfare in which neutrality was ignored. The sinking of the *Lusitania* with the loss of 124 Americans, followed by the sinking of the *Arabic* in 1915, and the *Sussex* case in 1916, caused America to prepare for war against submarine warfare and to cast our allegiance with the Allies.

In April 1917, war was declared against Germany. A token force of American boys was sent to France to help the Allies who were in a desperate situation caused by the German advances. But a token force was not enough, and by July 1918, 1 million American fighting men had reached France; and by November, 2 million American men were there with that many more preparing to follow.

These were the American men and women who fought—and many died—to stop a supposedly short-lived war which had developed into the first great World War. At Chateau-Thierry, Belleau Wood, St. Mihiel, the Argonne, and in other battles they helped to stop the German onslaught, with the result the Germans asked for an armistice which was signed November 11, 1918.

So World War I closed with the United States suffering total casualties of 364,000 of which 126,000 were killed, 243,300 wounded and 4,500 prisoners and missing.

Mr. President, 1968 will be the 50th or golden anniversary of the signing of the armistice. According to a 1967 report of the Veterans' Administration, there is a World War I veterans population of approximately 1,888,000.

To honor these brave men and women and to commemorate this historical world event, I am today introducing a bill which calls for the issuance of a commemorative stamp recognizing the 50th anniversary of the signing of the armistice.

Mr. President, I ask that the bill be appropriately referred.

The PRESIDING OFFICER. The bill will be received and appropriately referred.

The bill (S. 2267) to provide for the issuance of a special postage stamp commemorating the 50th anniversary of the close of World War I, introduced by Mr. CARLSON, was received, read twice by its title, and referred to the Committee on Post Office and Civil Service.

AMENDMENT OF EXPORT-IMPORT BANK ACT OF 1945—AMENDMENTS

AMENDMENT NO. 247

Mr. BYRD of Virginia submitted amendments, intended to be proposed by him, to the bill (S. 1155) to amend the Export-Import Bank Act of 1945, as amended, to shorten the name of the bank, to extend for 5 years the period within which the bank is authorized to exercise its functions, to increase the bank's lending authority and its authority to issue, against fractional reserves, export credit insurance and guarantees, and for other purposes, which were ordered to lie on the table and to be printed.

AMENDMENT NO. 248

Mr. MUNDT (for himself and Mr. BYRD of Virginia) submitted amendments, intended to be proposed by them jointly, to Senate bill 1155, supra, which were ordered to lie on the table and to be printed.

AMENDMENT NO. 249

Mr. CLARK submitted an amendment, intended to be proposed by him, to Senate bill 1155, supra, which was ordered to lie on the table and to be printed.

The PRESIDING OFFICER. Without objection, it is so ordered.

ADDITIONAL COSPONSORS FOR THE WHOLESOME MEAT ACT OF 1967

Mr. MONTOYA. Mr. President, on July 21, 1967, I introduced the Wholesome Meat Act of 1967, S. 2147. This measure would provide much needed assistance to States in instituting meat inspection programs to insure our Nation's consumers of wholesome meat products.

Since that date I have been contacted by a number of my colleagues who wish to join in cosponsoring this measure. I, therefore, ask unanimous consent that the names of the following Senators be added as cosponsors at the next printing of the bill: Senators BARTLETT, BENNETT, BREWSTER, BROOKE, CLARK, HART, KENNEDY of Massachusetts, LONG of Missouri, MCGEE, MONRONEY, and MORSE.

You will recall, Mr. President, that S. 2147 formally designates those provisions relating to meat inspection as the Federal Meat Inspection Act. It organizes the amended act into four titles.

Title I embodies those sections of the appropriations act for fiscal year 1908, as amended, which are referred to as the present act. Titles II, III, and IV are new amendments.

The features of the proposed act would—

First. Broaden the present act to authorize cooperative arrangements with State and local authorities, through which the Federal Government could provide manpower and financial assistance for developing effective State meat inspection programs under State administration. This cooperative assistance would include help in planning and developing a State program, technical and laboratory assistance, training of State inspection personnel, and Federal financing of up to 50 percent of the total cost of the cooperative program. The only restriction would be that States would have to enact a meat inspection law imposing mandatory inspection and sanitation requirements for intrastate operators consistent with Federal requirements. These provisions do not authorize USDA to establish inspection of intrastate operators by Federal inspectors. The bill does provide for the creation of advisory committees of State personnel to consult with the Secretary of Agriculture on meat inspection and other programs within the scope of the act. These advisory committees would help provide the necessary coordination between States and Federal Government.

Second. Regulate the storage or other handling of meat and meat products capable of use as human food, including the destruction and positive identification of products not intended for such use. This would clarify and broaden authority over meat and meat products capable of use as human food, to replace vaguely defined, implied authority which hinders effective administration of the present act.

Third. Clarify and strengthen present authority over labeling, shipment of uninspected or mislabeled products, and counterfeiting or other unauthorized use of inspection marks and marking equipment.

Fourth. Provide tools of enforcement not presently authorized with which to prevent the distribution of unwholesome and adulterated meat products. This includes temporary detention and seizure of products not in compliance with the Meat Inspection Act or other acts dealing with the wholesomeness of the meat supply, as well as injunctions under court order. Coordination between the USDA and the Food and Drug Administration would be assured, so that each could make full use of their respective resources to protect consumers without duplication of efforts.

Fifth. Provide for registration and recordkeeping by meat processors and related industries, such as renderers, animal food manufacturers, warehousemen, and others who process, handle, transport, store, or sell meat products.

Sixth. Make additional "housekeeping" changes that are necessary to renovate a 60-year-old statute, clarify codification, and consolidate several related statutes into one.

ADDITIONAL COSPONSORS OF BILLS

Mr. PROXMIRE. Mr. President, I ask unanimous consent that, at its next printing, the name of my colleague from Wisconsin [Mr. NELSON] be added as a cosponsor of the bill (S. 2229) to amend the National Housing Act to provide mortgage insurance for the development of land for recreational uses, and for other purposes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BYRD of West Virginia. Mr. President, on behalf of the Senator from Indiana [Mr. HARTKE], I ask unanimous consent that, at its next printing, the name of the junior Senator from North Carolina [Mr. JORDAN] be added as a cosponsor of the bill (S. 1726) to amend the Antidumping Act, 1921.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. YARBOROUGH. Mr. President, I ask unanimous consent that, at its next printing, the names of the junior Senator from Arizona [Mr. FANNIN] and the senior Senator from Massachusetts [Mr. KENNEDY] be added as cosponsors of the bill (S. 428) to amend the Elementary and Secondary Education Act of 1965 in order to provide assistance to local educational agencies in establishing bilingual American education programs, and to provide certain other assistance to promote such programs.

I am grateful to note that with the addition of Senator FANNIN as a cosponsor of the bill, the list of cosponsors now includes the entire membership of the Special Subcommittee on Bilingual Education.

The PRESIDING OFFICER. Without objection, it is so ordered.

CHANGE OF REFERENCE

Mr. SPARKMAN. Mr. President, some time ago, a bill on the reporting of agricultural trade statistics was introduced, numbered S. 1940, and referred to the Committee on Agriculture and Forestry.

The Parliamentarian exercised sound judgment in this matter in that the bill does provide for the collection and presentation by the Secretary of Agriculture of an annual report on the exports and imports of agriculture commodities, and a balance sheet showing the net monetary impact of this trade on our balance of payments.

It is pertinent, however, that the Committee on Finance, in connection with its responsibilities for trade and tariff policies, is also actively concerned with this subject. Its studies advanced to the stage of public hearings of 1966, and during these sessions the predecessor of S. 1940 (S. 3522) was among the measures on trade statistics before the committee. Testimony was taken and there was deliberation on the issues by the members of that committee.

The Finance Committee has announced it would hold similar hearings to further consider this area during 1967.

In view of these circumstances, it would seem appropriate to have S. 1940 before the Finance Committee in the 90th Congress as it was in the 89th. I have consulted with the distinguished chairman on Agriculture and Forestry, the Senator from Louisiana [Mr. ELLENDER], and he advised me that his committee would have no objection to such an action in this situation, since the jurisdiction of the Committee on Agriculture is fully recognized and the particular facts surrounding this bill could not be regarded as establishing a precedent. Accordingly, I ask unanimous consent that the necessary parliamentary action be taken to allow the Committee on Finance to proceed with its consideration on this bill.

The PRESIDING OFFICER. Without objection, the Committee on Agriculture and Forestry will be discharged from the further consideration of the bill and it will be referred to the Committee on Finance.

ENROLLED BILLS AND JOINT RESOLUTION PRESENTED

The Secretary of the Senate reported that on today, August 9, 1967, he presented to the President of the United States the following enrolled bills and joint resolution:

S. 1281. An act to authorize the appropriation of funds to carry out the activities of the Federal Field Committee for Development Planning in Alaska;

S. 1296. An act to authorize appropriations to the National Aeronautics and Space Administration for research and development, construction of facilities, and administrative operations, and for other purposes;

S. 1701. An act to declare that the United States holds in trust for the Indians of the Battle Mountain Colony certain lands which are used for cemetery purposes;

S. 1762. An act to amend section 810 of the Housing Act of 1964 to extend for 3 years the fellowship program authorized by such section; and

S.J. Res. 10. Joint resolution to establish the Golden Spike Centennial Celebration Commission.

NOTICE OF HEARINGS ON NOMINATIONS BEFORE COMMITTEE ON THE JUDICIARY

Mr. McCLELLAN. Mr. President, on behalf of the Committee on the Judiciary, I desire to give notice that public hearings have been scheduled for Wednesday August 16, 1967, at 10:30 a.m., in room 2228 New Senate Office Building, on the following nominations:

Richard B. Kellam, of Virginia, to be U.S. district judge, eastern district of Virginia, to fill a new position created by Public Law 89–372, approved March 18, 1966.

John A. MacKenzie, of Virginia, to be U.S. district judge, eastern district of Virginia, to fill a new position created by Public Law 89–372, approved March 18, 1966.

Robert R. Merhige, Jr., of Virginia, to be U.S. district judge, eastern district of Virginia, vice John D. Butzner, Jr., elevated.

At the indicated time and place persons interested in the above nominations may make such representations as may be pertinent.

The subcommittee consists of the Senator from Mississippi [Mr. EASTLAND], chairman, the Senator from Arkansas [Mr. McCLELLAN], and the Senator from Nebraska [Mr. HRUSKA].

LOW MORALE AND SHORTAGES IN ACCOUNTS IN THE POST OFFICE DEPARTMENT

Mr. WILLIAMS of Delaware. Mr. President, in recent years, much criticism has been directed at the slowdown in our mail service.

Several months ago, I received a report to the effect that some of the slowdown in our mail service can be accounted for by the fact that in many of the post offices in our larger cities morale was at a very low level. Allegedly this was primarily due to the fact that a few politically sponsored employees who were either too lazy or too incompetent to fulfill their duties were being favored with special treatment.

To determine the accuracy of this report, I asked the Post Office Department to cooperate in a spot check of the Washington office, and I am presenting the results of that study here today.

It appears there has been a letdown in the qualification standards of employees in the post offices as the result of too much emphasis being placed on patronage. This statement is definitely not an indictment against the overwhelming percentage of the employees who are well qualified and who are trying to do a good job. In fact, not only should we not criticize the majority of such employees but we should sympathize with the fact that their jobs are made harder when the political drones or incompetents are continued on the payrolls, working beside them—ofttimes drawing the same or even higher salaries.

As a glaring example of how the Department coddles incompetent employees, I review the situation at the Washington Post Office. An examination of this office disclosed that there were 80 employees in whose accounts shortages have been discovered.

After replacing the shortages, some of the employees were reassigned to other duties; others continued in the same position. A few were continuing to work with deductions being taken from their salaries in order to reimburse the Government for shortages in their accounts.

It is recognized that accidentally errors will happen with anyone, and the Department regulations have established tolerances within which shortages or overages are not required to be adjusted immediately when it has been established that such discrepancies are due only to errors.

The tolerances as outlined in the regulations are as follows:

Amount of accountability:	*Tolerance*
$1 to $300	$1
$300.01 to $1,000	5
$1,000.01 to $5,000	10
$5,000.01 and above	20

As an example of how this tolerance has been ignored, I call attention to the fact that the accounts of four employees in the Washington office showed shortages of over $500 each. Their shortages were as follows: $790.65; $899.40; $752.08; and $848.27. One had an overage of

$518.87. Eight employees had shortages in their accounts of between $200 and $500. In examining the accounts of 27 employees, shortages of between $100 and $200 were found.

At this point, I ask unanimous consent to have printed in the RECORD a list of the shortages of these 80 employees along with the Department's comments on each case. In compliance with the request of the Department, all names have been deleted.

There being no objection, the list was ordered to be printed in the RECORD, as follows:

Date shortage discovered	Amount of shortage	Roster designation	Administrative action	Adjustment
Jan. 10, 1966	$61.06	Assistant superintendant.		Adjusted from overages.
Jan. 12, 1966	66.76	Clerk		Shortage replaced.
Jan. 13, 1966	71.28	do	Reassigned	Do.
Jan. 18, 1966	790.65	do	do	Do.
Jan. 21, 1966	57.46	do	do	Do.
Do	81.47	do		Do.
Jan. 25, 1966	63.26	do		Adjusted from overages in trust fund.
Do	106.80	do		Adjusted from overages.
Jan. 22, 1966	899.40	Stamp clerk	Reassigned	Shortage replaced by installments.
Jan. 28, 1966	198.95	Assistant superintendent.		Adjusted from overages.
Feb. 8, 1966	100.00	Money order clerk		Shortage replaced.
Feb. 9, 1966	67.09	Clerk		Do.
Do	158.52	do		Do.
Feb. 10, 1966	74.42	Superintendent		Adjusted from overages.
Feb. 14, 1966	96.51	Clerk in charge, contract station.		Shortage replaced.
Feb. 17, 1966	194.24	Clerk		Adjusted from overages in trust fund.
Feb. 21, 1966	350.65	do	Reassigned	Shortage replaced.
Do	70.87	do		Investigation pending.
Mar. 7, 1966	62.37	do		Do.
Mar. 16, 1966	70.05	do		Adjusted from overages.
Do	222.00	Clerk in charge, contract station.		Shortage replaced.
Mar. 17, 1966	59.07	Clerk		Shortage replaced.
Mar. 18, 1966	62.97	do		Adjusted from overages.
Mar. 30, 1966	50.06	Assistant superintendent.		Shortage replaced.
Apr. 4, 1966	50.57	Clerk	Cautioned	Do.
Apr. 7, 1966	60.82	do		Do.
Do	317.46	Superintendent		Shortage replaced by installments.
Apr. 15, 1966	98.68	do		Adjusted when a discrepancy came to light.
Apr. 28, 1966	[1]518.87	Operations officer		Adjusted to shortage of clerk.
May 5, 1966	55.06	Clerk		Shortage replaced.
Do	752.08	do	Reassigned	Adjusted from overages and replaced $233.21.
Do	58.04	Clerk		Shortage replaced.
May 12, 1966	109.39	Assistant superintendent.		Investigation pending.
May 13, 1966	174.73	Clerk	Cautioned and reassigned.	Shortage replaced.
May 16, 1966	69.02	do		Do.
May 19, 1966	184.48	do		Shortage replaced by installment.
May 19, 1966	$68.05	Clerk		Shortage replaced.
Do	112.63	do		Adjusted from overages.
Do	120.41	do	Cautioned	Do.
May 27, 1966	124.02	do	Reassigned	Shortage replaced.
May 31, 1966	90.63	do		Do.
Do	50.10	Substitute clerk		Adjusted with patron.
June 2, 1966	224.66	Clerk in charge, contract station.		Shortage replaced.
July 18, 1966	848.27	Clerk		Investigation pending.
July 25, 1966	50.06	do		Shortage replaced.
Aug. 4, 1966	119.58	Superintendent		Investigation pending.
Aug. 10, 1966	83.85	Clerk		Shortage replaced.
Aug. 15, 1966	60.30	do	Reassigned	Do.
Do	68.12	do	do	Do.
Do	276.30	Assistant superintendent.		Do.
Aug. 16, 1966	100.04	Foreman		Adjusted from overages.
Do	126.83	Clerk		Reduced $41.01 from overages; balance replaced.
Aug. 17, 1966	78.26	do		Adjusted from overages in trust fund.
Do	57.93	do		Shortage replaced.
Do	136.53	do		Adjusted from overages.
Aug. 18, 1966	121.27	Acting superintendent.		Shortage replaced.
Aug. 23, 1966	182.60	Clerk	Reassigned	Investigation pending.
Aug. 29, 1966	134.51	do		Do.
Aug. 31, 1966	214.14	do		Do.
Do	82.81	do		Do.
Do	76.56	do		Shortage replaced.
Sept. 1, 1966	68.86	Clerk		Investigation pending.
Do	57.25	Foreman	Reassigned	Shortage replaced.
Sept. 6, 1966	100.00	Money order clerk		Adjusted from overages.
Sept. 7, 1966	121.93	Clerk		Do.
Sept. 8, 1966	79.63	do		Shortage replaced.
Do	167.25	Foreman		Adjusted from overages.
Do	77.39	Clerk		Shortage replaced.
Sept. 15, 1966	70.65	do		Do.
Sept. 23, 1966	107.56	do		Investigation pending.
Sept. 27, 1956	97.45	do		Do.
Sept. 29, 1966	106.63	do		Do.
Do	138.74	Foreman		Do.
Do	263.92	do		Do.
Sept. 30, 1966	127.73	Clerk		Do.
Do	175.83	do		Do.
Oct. 24, 1966	56.04	do		Replaced $5.94 and balance adjusted from overages.
Do	194.90	do		Adjusted from overages in trust fund.
Do	63.52	do		Investigation pending.
Oct. 26, 1966	293.87	do		Do.

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[1] Overage.

Mr. WILLIAMS of Delaware. Mr. President, I next ask unanimous consent that the Department's letter of December 1, 1966, explaining these shortages, as well as the steps taken toward correction be printed in the RECORD.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

POST OFFICE DEPARTMENT,
Washington, D.C., December 1, 1966.

Hon. JOHN J. WILLIAMS,
U.S. Senate,
Washington, D.C.

DEAR SENATOR: This has reference to your letter of October 26, 1966, in which you request a report of the Department's experience in connection with shortages in post office employee's accounts, and Postmaster General O'Brien's reply of October 31, 1966. The Postmaster General directed that we provide you with the information you desire.

The term shortage as used in the Postal Service is the failure of a postal employee to account for the full amount of the funds and/or postage stock assigned to or received by him in the performance of his official duties. On the other hand, an "overage" is any excess over and above accountability existing in the funds and/or stock officially in possession of an employee.

The Post Office Department has established tolerances within which shortages or overages are not required to be adjusted immediately where such discrepancies are due only to errors. The tolerances are as follows:

Amount of accountability:	*Tolerance*
$1 to $300	$1
$300.01 to $1,000	5
$1,000.01 to $5,000	10
$5,000.01 and above	20

Postmasters and employees are required by law (Title 39, U.S. Code, Sections 2208 and 2209) to account for all public funds that may come into their possession or into custody of their office. In keeping with this requirement, specific control and protective regulations have been established by the Department in an endeavor to protect the interest of the Government as well as the accountable employee.

Control is accomplished principally by means of assigning fixed accountabilities of stamped paper and funds, and obtaining a receipt from the accountable employee or contractor.

Postmasters are required to establish controls within their respective offices to assure proper accounting. As a means of assuring that controls are maintained, regulations have been issued prescribing that postmasters, finance examiners, or other designated employees, are to examine all fixed credits at least once in each six-month cycle. Examinations may be made more frequently where conditions indicate such action is needed or advisable.

Where no criminality is indicated in connection with shortages or overages disclosed, postmasters take corrective action by requiring that the employees replace the shortages or show some extenuating circumstance that would warrant submission and consideration of a claim for remission of liability. In such circumstances, consideration may be given to having the adjustment made by installment payments. Overages are immediately collected, but an overage may be used to offset a related shortage in the accountability of the same or another employee. In all these cases, postmasters also consider whether other administrative corrective action is in order.

If a financial examination discloses a serious loss of Government funds or embezzlement is indicated or suspected, the postmaster is required to report to the appropriate Postal Inspector in Charge by telephone or telegraph and make no further investigation or inquiry. Moreover, all shortages or overages of $50.00 or more in the official accountability of an employee or contractor handling Government funds or accountable paper are reported to appropriate Postal Inspectors in Charge, but postmasters go ahead with adjustments where criminality is not indicated.

The Departmental policy is to recommend to the General Accounting Office that employees not be held personally liable for any loss or deficiency resulting from circumstances beyond their control. It is necessary in these instances that it be clearly established that the employee had, in fact, complied with regulations.

In addition to shortages reported to the Inspectors in Charge by postmasters, inspectors find shortages when conducting their regular inspections of post offices. During the current calendar year through October 31 there have been 2,625 investigations by postal inspectors initiated on shortages reported by postmasters or disclosed by inspections, 81 of them at Washington, D.C. There were 97 arrests and 85 convictions for embezzlements by postmasters, postal employees, and contractors, but none of these was in the Washington, D.C. Post Office. In all these cases, inspectors also give attention to the need for any corrective administrative action. Where such need is clearly in evidence, inspectors prepare and present letters of proposed adverse action to offending employees. Generally, where there is an arrest and/or embezzlement is proven, the employee is removed from the Service.

Regardless of the existence or non-existence of criminality and the necessity for consideration of initiating appropriate disciplinary proceedings, inspectors are required to make demand on the employees for replacements of the amounts of shortages in those cases investigated by them. Where there is no criminality on the part of the employee, if the amount exceeds that which the employee can replace at the time and he requests permission to make restitution by paying by installments, the postal inspector submits a written report for administrative review and decision at the regional or departmental level as to approval of the arrangement. If criminality is involved, however, and the employee cannot, or will not, replace the shortage immediately, all funds due him, including retirement deductions to the extent of the indebtedness, are subject to being withheld and applied to the amount due. Any balance remaining due the United States is then collected from the employee's surety company.

By concentrating our attention on the one post office, Washington, D.C., it is possible to provide the particulars of the shortage situation in that post office thereby giving you a meaningful presentation. In order to furnish similar information on all offices, it would be necessary to request reports from all postmasters, because, except for the cases reported to Inspectors in Charge mentioned earlier herein, the records are maintained at the individual post offices.

With regard to the Washington, D.C., Post Office, it is the present policy to consider a transfer from financial assignment of any employee who is found short in his fixed credit in the amount of $100.00 or more. If an employee is short less than $100.00 but has been found short in his fixed credit in the amount of $100.00 or more as the result of two or more examinations, consideration will also be given to such a transfer.

During the 4th postal accounting period from September 10 through October 7, 1966, the accountability of the post office at Washington, D.C. for stock and funds on hand, including receipts and disbursements, totalled $67,733,664.37. The Shortages, pending adjustment and shown in the suspense account of that post office on October 7, 1966, totalled $9,010.40, representing .00013 of the total accountability of the office for the period. During the period January 1 through October 12, 1966, total shortages disclosed in the Washington, D.C. Post Office were $13,399.40. In that same period, total overages were about $7,900.00.

Enclosed for your confidential information is a listing of the 81 shortages in the post office at Washington, D.C. that were reported to the Postal Inspection Service, during the current calendar year through October 31. This listing shows any administrative and/or adjustment action taken in each case, and where investigation has not yet been completed that is indicated. We ask that this be kept confidential as there is no evidence of deliberate wrongdoing in these cases, and, therefore, no reason to make them part of a public record.

We trust that this will adequately answer any questions you may have on this problem, but, if further particulars are desired, please let me know.

Sincerely,

H. B. Montague,
Chief Inspector.

Mr. WILLIAMS of Delaware. Mr. President, the Department has minimized the seriousness of these shortages on the basis that they represent a very small percentage of the overall receipts of the Washington office. I disagree completely with that line of reasoning. The real loss to the American taxpayers and to the mail service in general results not from the shortages as measured in the dollar volume but rather as these shortages raise a question as to the competence or eligibility of the employees to fulfill the duties of their jobs. What is most disturbing is the apparent laxity on the part of the superiors who have condoned such loose practices and who even now seem to defend the situation.

I strongly recommend that the Senate Committee on Post Office and Civil Service extend this examination to other large offices to see if this same pattern prevails.

ORDER OF BUSINESS

Mr. BYRD of West Virginia. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

RACE RIOT DISCUSSION

Mr. BYRD of West Virginia. Mr. President, the International Platform Association recently held its 65th annual convention at the Sheraton Park Hotel here in Washington, D.C. At that convention there was a discussion between Dr. Martin Luther King, Mayor Ivan Allen, Mr. Roy Wilkins, and Mr. Dick Gregory on the subject of race riots. The discussion was moderated by Mr. Mark Evans, and Mr. Drew Pearson was a special guest. The discussion took place on WTTG 5, Metromedia Television.

I ask unanimous consent that the transcript of the entire discussion be inserted in the Record.

There being no objection, the transcript was ordered to be printed in the Record, as follows:

Special Edition of Face to Face

(A discussion between Dr. Martin Luther King, Mayor Ivan Allen, Mr. Roy Wilkins, Mr. Dick Gregory; moderated by Mark Evans; special guest, Mr. Drew Pearson)

Dr. King. I am Martin Luther King, President of the Southern Christian Leadership Conference.

Mr. Allen. I am Ivan Allen, Jr., Mayor of the City of Atlanta, Georgia.

Mr. Wilkins. My name is Roy Wilkins, and I'm Executive Director of the National Association for the Advancement of Colored People.

Mr. Gregory. I am Dick Gregory, and I feel that I'm a passive revolutionist.

Mr. Evans. My name is Mark Evans. The gentlemen you have just met, and you, are about to meet Face to Face.

Welcome to a special edition of Face to Face. The long, hot summer has been marked by race riots of such violence and unprecedented number that every citizen among us must consider the cause and the cure his personal concern. Thanks to the cooperation of the International Platform Association, meeting here in convention in the Sheraton Park Hotel in Washington, D.C., Face to Face is bringing you an exploration of this explosive problem.

Drew Pearson, nationally syndicated columnist, is responsible for bringing to this platform the distinguished men you've just met. Now, let's meet Drew Pearson.

Drew, would you give us a little bit of the background of the Association? First, I understand you've been its President, you are now its Program Chairman. Just a word about its history and its purpose.

Mr. Pearson. Well, the International Platform Association was founded approximately 75 years ago by my father, William Jennings Bryan, and other speakers of that era.

Mr. Evans. I thought you said your father was William Jennings Bryan there for a few moments.

Mr. Pearson. No, they were friends.

Mr. Evans. Oh, I see.

Mr. Pearson. This was in a day before the microphone, before television, when platform was the symbol of free discussion, and the members—it was a trade association, still is to some extent. The members believe in free discussion. They used the platform for speaking, for music, entertainment, and this is still the case, and we believe in discussion of all kinds.

Mr. Evans. The audience here primarily is made up of professional lecturers, amateur lecturers, and those who appear on platforms all over the nation.

Mr. Pearson. For the most part.

Mr. Evans. Thank you very much, Mr. Drew Pearson.

We're going to have some discussion now between some of these members of the panel, and each will make a brief summation of that which they have said in a short talk prior to our having gone on the air, and we'll have that right after I share this message with you.

Mr. Evans. At a most appropriate time this distinguished panel are appearing before a large gathering here at the Sheraton Park Hotel in Washington. All America, and all the world, is concerned about the riots that have taken place in our cities. As has been stated previously, these gentlemen have made some brief talks prior to our having gone on the air, and we're going to ask them in summation to point out the major points they wish to emphasize, and I'll turn first to Dr. King.

Dr. King. The problems of our cities today are very great, and the problems of Negroes living in these cities are equally great and extensive. Some 92% of the Negroes of the United States find themselves living in cities, and they find themselves living in a triple ghetto in these cities on the whole: a ghetto of race, a ghetto of poverty, and a ghetto of human misery, and by the thousands and even millions Negroes find themselves unemployed and underemployed. The young people find themselves attending segregated schools that are so often devoid of quality and thousands and thousands of Negroes in these cities are forced to live in rat infested, vermin filled slums. All of these conditions have made for great despair and so many of the people who find themselves caught up in the agony of their daily lives end up with the view that life is a long and desolate corridor with no exit sign, and these are the people who in moments of desperation find themselves engaging in riots that we have seen taking place in our country, and even though most of the people who are in these hopeless situations do not riot, it is now necessary for all to see that a destructive minority can poison the well springs from which the majority must drink, and so it is necessary for the nation as a whole to rise up now and find answers to the deep social problem. They must be answers that are real and honest, and they must be answers that will lead to positive and massive action programs, programs that will spend the necessary money, the billions of dollars to get rid of the blight of our cities, to get rid of the slums, to eradicate the poverty, to make integrated quality education a reality, and I believe that with this kind of commitment we can solve the problem. There can be no gainsaying of the fact that we're in a moment of crisis, but every crisis has not only its danger points, but it has its opportunities and it is my great hope that America at this hour will see the opportunities and meet them head on and stand up and make the American dream a reality.

Mr. EVANS. Thank you, Dr. King. Now, Mayor Ivan Allen of Atlanta, Georgia.

Mayor ALLEN. I support the position of the President of the United States, as stated last evening, that in a Democratic society law and order must be maintained at all costs. Locally, I will attempt to do this through the protective forces of the City of Atlanta. Lacking the capabilities I'll have no hesitation to call for the National Guard or in a rare instance to ask for—if necessary for Federal troops and intervention.

I will not, however, hide behind just a facade of law and order. We must recognize that the deep problems that have created these unlawful acts must be solved. I would propose that in order to solve them that we mount a massive attack on the slums of America, that we provide the necessary funds over a three to five year period to build the necessary number of low income housing units that would eliminate the slums. I would qualify that by saying that incorporated in the program we should provide for hiring people that now are unemployed in the slums in this building program. The unit should be widely dispersed and we should provide a decent place for people in this country to live on a minimum standard that would make it possible to qualify them for good jobs and to receive the opportunities of education.

Mr. EVANS. Thank you very much. Now Mr. Roy Wilkins.

Mr. WILKINS. The primary necessity, as I see it, is for us to resurrect a phrase from the report on the Watts riot of 1965, a phrase that unfortunately has been ignored. The Commission there recommended that the problems be attacked with a revolutionary attitude. That meant, if I understand the language, that our approach to the problems of the slums and of the minorities must not be business as usual, must not be routine, must not be bound by tradition, must take into account the cost only in the light of the results to be obtained. If we can spend $20 billion for war, if we can revive a whole continent of Europe, underwrite the economies of Germany, France, Italy, England, and see that these people recover their equilibrium, then we can underwrite the cost of recovering the equilibrium of our own native black people now.

[Applause.]

This is not easy, and it will not yield to impatience or tantrums or foot stamping or accusations, but it must yield to a revolutionary attitude in schools, in housing, as Mayor Allen has suggested, and in employment. We have got to recognize that we have 20 million black deprived people here, we have several more millions of white deprived people, poor people, and if the richest nation in the history of the world cannot solve the problem of living for its own people, then we deserve to go down the drain. We won't, of course, because we will solve it.

Mr. EVANS. Thank you, Dr. Wilkins. Now Dick Gregory please.

[Applause.]

Mr. GREGORY. I'm going to have to talk very fast because I have to fly out of here shortly to Kansas City, Missouri, to help out a friend of mine, a white cat that just moved into an all colored neighborhood.

[General laughter.]

And some colored bigot burned a watermelon on his front lawn.

[General laughter.]

You know, when you look at the amount of humor some times this gets very frightening. When you stop and think that I said it and Congress did not pass an anti rat bill, but they passed an anti riot bill, which means that our Senate and Congress might be more anti Negro than anti rat. I'm sitting here with some gentlemen that I've met in very strange position, Mr. Drew Pearson, who helped me feed people in Mississippi with $150,000 worth of turkeys on Christmas, and I would say—and I say this with qualified authority because I've spent over $300,000 doing research of this problem, and I would say that offset violence in this country six months. Dr. Martin Luther King and I met in jail under strange circumstances. It's funny the night we got arrested on Good Friday morning and when I checked the cell block Easter Sunday, he was gone.

[General laughter. Applause.]

I had the good fortune of being in Mayor Allen's jails in Atlanta, and I say this in all sincerity, that I'm very thrilled when I heard that they picked brother Jenkins to serve on the board with you because out of all the jails I've been in, this was the only jail, through his police commissioner there, that you didn't feel like fighting when you come out, and I'm glad that he's on the board.

[Applause.]

Mr. Wilkins here, we met. We was trying to feed some people in Mississippi, and in one day's time, my introduction to him, is he helped me sell $16,000 worth of records in one day's time, and I am very nervous sitting here for the first time in my life because you are sitting here looking at two men that are the most powerful people in this country today, because what they will come up on this commission will decide if America will survive or not, and this is how important this is. Our faith and destiny of this country surviving lies in these two gentlemen's hands. This is how important this commission is, and if they do not do the job, this country is in trouble. I listened to the President's speech last night. I felt that we should have had a Negro cochairman because I know what's going on out there, and I know what—how that ghetto brother feels. We have Roy Wilkins sitting here who has one of the most brilliant minds, one of the most ethical, moral men in the world. Mayor Allen, to me, is not a politician. He is a statesman. I feel we should have had——

[Applause.]

I feel we should have had a militant Negro on there, whether you like it or not, because we're fighting for survival now. I also feel that we have too many politicians on there, that we're in a time of crisis—and I don't say this to belittle—and we need more statesmen. Statesmen flex their minds, and politicians flex their muscles, and I feel that we should have had more psychiatrists, more philosophers, more sociologists because we are in trouble in this country. Believe me.

[Applause.]

And in summing up what I want to say, that the first thing this commission should do—the first thing—is to get a national document, signed by the President, to apologize for the South, that we in this country blame the South for this filthy race problem for 100 years, and now the whole world know it was America's problem, and as the South was blamed wrongly they reacted by lynchings and bombing. The Negro have been blamed wrongly. We've been blamed for all of the ignorance, all of the wrong doings, and we're acting just like the Southerner. We're tearing up buildings and doing everything. Follow the parallel please. The South needs to be apologized because this is a national problem, and I hope you will see to it that they will do that. If we treat this problem the way we treat a slum building that burns down—when the fire commissioner shows up, the first thing he says, "We're going to check into it and see what caused it." If we check into these explosions and see what caused them instead of talking about looters and hoodlums, check and find out what caused it, because you're aware of a theory called spontaneous combustion. When you put dirty, oily, greasy rags in a closet, you close the door so air can't circulate, nature's going to take care of the rest. You can call those rags ignorant. You can call them nigger, you can call them fool. If you don't have enough wisdom to open up that door, it's spontaneous combustion. The black ghettos in America today is America's oily, dirty, greasy rags, and——

Mr. EVANS. I think we'll have to call a halt there. Thanks very much, Dick Gregory.

[Applause.]

We'll have plenty of opportunity as the program progresses. We hope that the audience will participate later in this program as we're going to ask them to do, and we hope that they will be abrasive with their questions because I think that's the best way to get information from these talented people.

From the convention of the International Platform Association, met in convention here in Washington, D.C., at the Sheraton Park Hotel, we have distinguished panel from whom you've already heard in their summation statements. I'd like very much to throw this question out for you. I find that you agree more than you disagree, and I would like to ask this question, inasmuch as you have placed much of the blame on poverty in the nation, and I'd like to quote a man—I haven't got permission from the copyright owners, but he's within my arm's length here, and I'm going to ask a question which he proposed in a column recently, where he said, "No one thought it could have happened in America because we are directing our thoughts to what caused the race riots, but it did happen in a city completely integrated, in a city where Negroes had lucrative jobs in the auto plants, the only city in the United States sending two Negroes to Congress; in Detroit Negroes and whites for many years have lived side by side. Most of them owned their own homes. Walter Reuther years ago had welcomed Negroes into the United Auto Workers, making it one of the most completely integrated unions in the nation. The state of Michigan has probably—is the leader in the civil rights movement as far as legislation is concerned." So the question now comes up, why the riots? Here it seems a city has taken the lead in the Model City situation, poverty programs, name it. Would you care to answer that, anyone of you?

Mr. GREGORY. I think riots are—again we just can't say why in one city. I think Abraham Lincoln told us in 1857, when he made speech and said, when you have succeeded in dehumanizing the Negro, when you have put him down and placed him where the ray of hope is blown out as in the darkness of the damned, when you have extinguished his soul in this world and placed him where the ray of hope is blown out, are you quite sure the demon you have aroused will not turn and rend you? We was warned in 12——

Mr. Evans. Well, my question is: the arguments that you have used as a reason for the race riots seemingly were on their way to being taken care of or had been taken care of in Detroit, and yet this has been probably the worst example of a riot in our American history.

Mr. Gregory. Well, when we say——

Mr. Evans. Doctor King?

Dr. King. Well, I was about to say I would question whether the problem has been taken care of in Detroit in a thorough, massive sense. Now certainly, Detroit has made some significant progress, and I would be the first to say that some of the conditions that I've seen in some other cities are not as great or in as intensified form as in Detroit, but I think we would have to admit that Detroit has the same problems that we find in other cities; in other words, there is still a great gulf between Negro income and white income. That's true in Detroit; it's true in all of our major cities. The unemployment rate, as I said, is twice as high. Now, that's true in Detroit; I didn't know the figures on it, but it's about the same as we find across the nation. Negroes are twice—there are more Negroes unemployed than whites. Now these conditions—even though the gulf may not be as wide in Detroit as in some other cities, the gulf is there.

Mr. Evans. Why should the violence be so much greater then in a city that's made more progress than any other?

Dr. King. Well, this is always one of the facts of history that we must face. Progress whets the appetite for greater progress, and the nearer you get to the goal, often, the more determined you are to get there. And I think we must recognize this as a sociological fact; that often progress itself whets the appetite for greater progress, and if it isn't fast enough, then the despair sets in and this can lead to the kind of violence that we've seen there.

Mr. Evans. May I ask this question: anybody else want to handle that? Doctor Wilkins?

Dr. Wilkins. I think that's what this Commission was appointed to find out—why it happened in Detroit, and I'd rather display my ignorance before a smaller audience than a large one.

[Laughter—applause.]

Mr. Evans. Because this year has been such a dramatic year, and because it was predicted to be such a dramatic year, is there, in your opinion, any outside influence that has whetted this?

Dr. Wilkins. I think, on that question, I, for one, will have to accept the judgment of the Attorney General of the United States. He has more investigators than I have, and he has a bigger payroll than I have, and he has access to more information than I have. And he says there is no evidence of a conspiracy, so that it seems to me we have to proceed on the assumption that the causes lie within the cities themselves, and that nobody from outside came in, nobody underwrote it, nobody conspired to do it. Now, if the Attorney General isn't telling us the truth, then we'll find that out sooner or later and then we can decide what to do about the Attorney General.

Mr. Evans. Mayor Allen?

Mayor Allen. I do not think that these are outside forces, except within the United States itself; I do not think that they're communistic inspired, or that there's a plot on the part of Russia to create a revolution in this country. I don't think so at all. From the limited experience that I have seen of minor incidents in the city of Atlanta, they usually come about from some act of provocation where there's a difference of opinion between someone who's probably had a little too much to drink and a police officer who may not handle the thing judiciously all the way through, and then with a few of the normal agitators that have come out of SNCC, they can build these things up into a fire, and this apparently got started in Detroit. Perhaps certain forces did not move rapidly enough; perhaps it was not met strongly enough, but by the time it builds up and gets going, why then it takes massive forces. I do not feel that these are outside influences that have come into America to create these situations.

Mr. Evans. Do you find any significance in the fact that one of the most militant has now shown up at Castro's right elbow? Or maybe I should say his left elbow?

[General laughter.]

Mayor Allen. Well, he's now gone to Cuba; that's all right.

Mr. Gregory. Well, I think that there is an outside influence, and I think in America we'd better see it, and that outside influence is the Declaration of Independence, which says: "We hold these truths to be self-evident; that all men are created equal, and endowed by the Creator with certain inalienable rights" and when these rights are destroyed over long periods of time it is your duty to destroy or abolish that government, and if people follow that to the letter, then that could be the influence.

Mr. Evans. Are you satisfied with this question? Do you have any comment on Mr. Carmichael's action, in connection with the previous question?

Doctor Wilkins—Mr. Wilkins?

Dr. Wilkins. No.

Mr. Evins. Mr. King?

Dr. King. No.

Mr. Evans. May I ask this further question? It's interesting to me, and Dick Gregory may have answered it; it's interesting to me that the violence in the North has been far in excess to the violence in the South, and yet we have always been told that the Southerner has been the most antipathetic towards the Negro. To what do you attribute this? Mayor Allen?

Mayor Allen. I think that, basically, there are two causes for that. Perhaps one is that there's more of an inhibitory respect or force of the police department in the South, that this is still an inherited quality that's come down through the years, and the second thing is that probably the most dissatisfied and the most misused citizens, or half-citizens of the rural areas have moved into the East, and this has been more of a transient population, the South has had Negro citizens for years, many of whom have acquired good homes and own them themselves. Atlanta has a major Negro business community; we have a certain stability that perhaps does not exist in the East in these ghettos that have developed over the past twenty years.

Mr. Evans. Any further comments? Dr. King?

Dr. King. Yes. I think there is another important point to be added to that, and that is in the realm of explaining the legislative and judicial advances that we've seen over the last few years, from the Supreme Court's decision of '54 right on through the Civil Rights Bill of '64 and the Voting Rights Bill. Now these legislative and judicial developments gave a great deal of hope to the Negro, and it is very important to see that they rectified long-standing evils of the South but they did very little to improve conditions for the millions of Negroes in the teeming ghettos of the North. In other words, it did very little to penetrate the lower depths of Negro deprivation, and I think that we must see that the North finds itself in that position now, of seeing retrogress and not progress. At least in the South, the Negro can see pockets of progress, but this isn't true of the Negro in the Northern ghetto. He sees retrogress in the sense that the masses of Negroes find themselves in a worse economic situation now, and the progress that we've made economically has been mainly on the professional level, middle class Negroes, so I think we have to see that these things did not apply in the Northern ghetto, and this makes for a great deal of despair.

Mr. Evans. Mr. Wilkins? You have something to add?

Dr. Wilkins. I think the reason we've had—one of the reasons that's not frequently cited, and perhaps I'll get in trouble by citing this, because it goes to a very touchy subject that arose last year—in the South we still have a great deal of Negro family stability and control, and community control of families, and the imposition of standards of conduct. In the North, with its great anonymous cities, Negro families come there, sometimes they're disintegrated—but even where they're not, they are lost in a huge population, the minister doesn't keep tabs on them like the minister did in the small town back home; they don't know the police chief, and they don't care, and they don't know the judge and they don't know the things and the controls that operated in their home community. And when they come to Harlem, they're just "John Smith," and they can do as they please. They don't have to pay any attention to Mom and Pop, and the minister and the neighbor, or anybody who knows about them and helps to control them. So they run wild, some of them; others busy themselves going to night-school and doing all the things that other people do. I think this is one of the reasons we haven't had as much—whatever trouble we've had in the South has been in the struggle to get the rights; in the North, it's been the struggle to—to make the North give us what they say we're supposed to have, you see.

[General applause.]

Mr. Evans. Dick Gregory would like to add a comment, but Dick, before you—you understand this language better than the rest of them.

Ladies and gentlemen, we're now going to turn to the audience. We're not on the air right now, but may I urge you to be orderly as you come forward, and we will designate either side to ask questions. However, Mr. Gregory has one final comment on the previous question.

Again, if you have compliments you want to pay by way of applause, don't hesitate, and don't be afraid to make your questions as abrasive as you want, because I think that's the way we make for more enlightenment.

All right, we're ready. Name, the state from which you come, and again, we urge you, no speeches, just questions. And short questions. And if you'll listen carefully to the previous question, we won't have any repetitions. Thank you.

If "Face to Face," the program to which you are now listening and viewing has one purpose, it is to stimulate your thought, to excite your curiosity. This distinguished panel meeting here before the International Platform Association at the Sheraton Park in Washington, are about now to ask questions of our panel. However, in courtesy to Mr. Gregory, he had a final comment on the last question.

Mr. Gregory. Yes, I think the last question will be the most important question the Commission will deal with. With all of the Southern white man's viciousness, he was always honest with the Negro, which has affected me physically in the knowledge he was never honest with me, which affected me mentally. And a man that has been affected mentally will tear up a town, that is the answer.

Mr. Evans. Fine. Thanks very much.

Now, to our audience. We turn to the gentleman to my left, please. Your name and the state from which you come, sir?

Mr. Allen. I'm Henry G. Allen from the

State of Mississippi, by way of Louisiana and I hope I'm potato patch kin to the mayor up there. He sounded good. My question is to Mr. Wilkins. He's been an honest man through Louisiana, and got LSU integrated. And he came to Jackson last year, and they wouldn't let him march because he rode in a car, that's what Jackson Davis said, and he said we were here before the parade and we'll be here after.

Mr. Evans. We remind you, no speeches sir, just the question.

Mr. Allen. Yes, the question is, have you got back to Mississippi yet? You were doing a good job.

Mr. Wilkins. Yes, sir, I've been back to Mississippi and I'm going back there very shortly.

Mr. Evans. Thank you, very much. Now to the right, the lady?

Miss Aulich. Joan Aulich, from New York State. And my question is directed to Mr. Wilkins. Earlier you said that Negro children require special teachers. What kind of teachers do you think can effectively teach them, maintain order in the classroom, and where do you get those teachers?

Mr. Evans. Are you a teacher?

Miss Aulich. I have done some teaching, yes.

Mr. Evans. I suspected as much. Thank you.

Mr. Wilkins. In Harlem we have a school which is a rather an exhibit school. It wasn't designed that way. These teachers have a simple requirement, and that is to believe that the children they are teaching are educable. We find throughout the United States, and this is not confined to Harlem, that so many teachers do not believe their Negro children can learn, so they give up trying to teach them. They also ought to learn that they can't teach them out of Time and the Saturday Review of Literature which they never heard of, and which they can't subscribe to in their homes. They have to explore ways of reaching them, arousing their interests. And I'm not a teacher and I'm not an educator or professional. We need to explore new methods with a revolutionary attitude. Get rid of all the old cobwebs.

Mr. Evans. Thank you, very much. The gentleman on my left?

[Applause.]

Mr. Manus. My name is Arthur Tate Manus, and I am the senior minister of the First Community Church, Columbus, Ohio. My question is to Dr. Martin Luther King. We are church men and concerned with the institution especially, and so I ask the question, what are the few important steps that the church should be taking now to prevent racial conflict?

Dr. King. Well, I think there are two or three things that the church should be doing. First, we must recognize all over that this issue that we are dealing with is basically a moral issue. It's a question of the dignity of man and the church being the chief moral guardian of the community should be in the forefront, taking a stand.

Number one, the church should make it crystal clear that segregation and discrimination are morally wrong. Secondly, the church through its channels of religious education can do a great deal to remove the fears and the half-truths that are disseminated concerning Negroes. The fact is that a lot of people are prejudiced because of these basic fears and because they've heard so many half-truths and outright lies concerning Negroes. And I think the church has failed to do a job through its channels of religious education in getting rid, or seeking to get rid, of these fears that people have about housing and all of the other things. The third thing is the church must support meaningful legislation. Just as we got a number of churchmen to support the Civil Rights Bill in '64, we must continue to do that. There's a civil rights bill before Congress right now, and we're all afraid that it won't get through. Churchmen ought to be here in Washington, lobbying creatively for that kind of thing.

And the tragedy is that the church has too often been a taillight rather than a headlight, and it's time for the church to be a headlight on all these problems that we face.

Mr. Evans. Thank you, very much. The gentleman on my right.

[Applause.]

You, sir, are who?

Mr. McCray. I'm Vance McCray, from Mesa, Arizona. I have one son back from Vietnam and another son in the Army, and we have more sons to send over, and I want to ask Dr. King, he says that the Negroes in Vietnam who are fighting and who are being killed are double that of the white man. I want to ask him, is that not true because the Negro re-enlists. Neither one of my boys would care to re-enlist, but I understand that the Negroes do, and I believe that's because they like it better there than they do at home.

Mr. Evans. Thank you. Dr. King?

Dr. King. Well, let me answer that by saying I don't think Negro soldiers like it being in Vietnam better than they like being at home, if home is all right. Now, I would say that you are right in saying we have reenlistments, and this probably doubles the number, but the fact is the Negroes are in combat in disproportionate numbers because they don't have the adequate education so often. In many instances they re-enlist because of a lack of economic opportunities at home, because of the life they have to live as a result of not having a job or nice home. So Negroes do end up going in the Army so often to get away from the terrible conditions that they face at home.

Mr. Evans. All right.

Dr. King. And it seems to me that this is the tragedy of it, and it's a great tragedy that Negroes have to go in the Army because they face these terrible conditions at home. And this is why I take a stand against the conditions at home and against the war situation which they are forced to get is as a result of that.

Mr. Evans. Do we have some other questions for Mayor Allen or Dick Gregory so we can spread it out?

Would you step up a little closer then? Young lady, you go first.

Voice. from Connecticut. I'm addressing my question to Dr. King. I'd like to ask him why he is spending more time today speaking out against the war in Vietnam than raising funds for job training and scholarships for Negroes which they so desperately need?

[Applause.]

Dr. King. Well, I think you have one or two misconceptions. I don't spend that much of my time on the peace question or on Vietnam. Because 95 percent of my time is still spent in the civil rights struggle. So that on the time question you have a misconception there.

On the other hand, I'm a clergyman, I was a clergyman before I was a civil rights leader, and when I was ordained to the Christian ministry, I accepted that as a commission to constantly and forever bring the ethical insights of our Judeo-Christian heritage to bear on the social evils of our day. And I happen to think war is one of the major evils facing mankind.

Secondly——

[Applause.]

Secondly, it would be foolhardy for me to work for integrated schools or integrated lunch counters and not be concerned about the survival of the world in which to be integrated.

Third, I have worked too long——

[Applause.]

Third, I have worked too long now, and too hard to get rid of segregation in public accommodations to turn back to the point of segregating my moral concern. Justice is indivisible. Injustice anywhere is a threat to justice everywhere. And wherever I seen injustice, I'm going to take a stand against it whether it's in Mississippi or whether it's in Vietnam.

Mr. Evans. Thank you, very much.

[Applause.]

We have other distinguished people who would like to ask questions and there's another party from whom we'd like to hear and he also has priority.

We continue now, as the ladies and gentlemen of the International Platform Association gathered here in convention at the Sheraton Park Hotel in Washington are meeting "Face to Face" men who have answers, and they have questions.

The gentleman to my right has such a question.

Mr. Polk. My name is Roy E. Polk, Junior, from Nashville, Tennessee. I would like to ask a question of Dr. King, who has proposed a guaranteed annual wage. I would like to know what yardstick Dr. King would propose for this guaranteed wage, and to ask if that will not tend to deprive the recipients of the human dignity that he seeks to give them?

Mr. Evans. Thank you, very much, Doctor King?

[Applause.]

Dr. King. Let me say this: that I'm not guaranteeing—I mean calling for a guaranteed annual wage as a substitute for a guaranteed job. I think that ought to be the first thing, that we guarantee every person capable of working a job. And this can be done in many, many ways. There are many things that we need to be done that could be done that's not being done now. And this could provide the jobs.

I'm speaking of a guaranteed annual wage as a minimum income for every American family, so that there is an economic floor, and nobody falls beneath that. And of course, there are definitely going to be people all along, people who are unemployable, as a result of age, as a result of lack of something that failed to develop here or there, and as a result of physical disability. Now these are the people who just couldn't work. Certainly they have a right to have an income. If one has a right to life, liberty and the pursuit of happiness, then he has a right to have an income.

Now, this may mean a radical, in a sense, redefinition of work. Maybe we've got to come to see that a mother who's at home as a housekeeper or as a housewife is working. Maybe we've got to see now that the fellow who drops out of school and later needs to go back to school is working when he's studying and he couldn't get back to school, maybe, if he didn't get some money. So maybe we need to redefine work.

Mr. Evans. I think his question, Doctor King, was will this rob him of his dignity, which you made reference to earlier.

Dr. King. Yes, all right; that's the thing. I think it will give him more dignity and I think the problem, I think the question you're asking is whether I'm advocating that you just give people money and not seek to have a situation develop where everybody can work if they're capable of working.

I feel first that we ought to talk about guranteed jobs; then guaranteed annual income would be the minimum wage, which ought to be beyond the poverty level, that everybody would get in this country.

Mr. Evans. Thank you, very much. The lady here now, a very lovely lady in the front row.

Miss Pancoes. I'm Wilma Pancoes, from Maryland. My question is addressed to Mayor Allen. Do we have the administrative structure, the business planning and structure to enable us to undertake and to carry out the massive house building program which you propose in from three to five years? Have we got the economic know-how and speed to do it, and to use the untrained, unskilled workers which it's been proposed should be hired for that purpose?

Mayor Allen. Obviously, an economy that can supply a war effort like we did in World War II, and has the vigor of the American economy today, certainly has the capabilities in three or five year period of time to build the necessary number of low income housing units in this country that would eliminate the slums. The problem of using the unskilled worker out of the slums is a more difficult one, but I personally feel that with a minimum of job training this could be accomplished and they could be taken off of the unemployment rolls and put into gainful employment. Yes, ma'am, we do have the capabilities and at the present time we have the timing to do it. It's merely a matter of the appropriation of dollars.

Mr. Evans. Thank you, Mayor. Now the gentleman on my right.

Dr. Shriver. I am Dr. Ed Shriver from Alexandria, Virginia. I have a question about revolution. We know the old forms of revolution, of violence. That's the oldest one. The Mayor of Atlanta has described modified revolutionary form of unprecedented massive effort on housing. I'm curious about anyone on the panel saying what they might about what are the new forms of revolution.

Mr. Evans. Alright, Dick, you handle that.

Mr. Gregory. I think revolution follows the form of evolution, which is a naturalistic, gradualistic change that after long periods of time leads into revolution, which is quick change. When a pregnant woman goes through nine months gestation period, that's evolution; and when the water bag breaks, that's revolution, and all the soldiers on the face of this earth couldn't cross one woman's leg after that water bag break and keep the baby in, and I think we have moved this country's personal shame from evolution to revolution, and this again is why I say this commission is so important, and our faith and destiny depends on these gentlemen.

Mr. Evans. Any other comments from the panel? Alright, the lady on my left.

Mrs. Bailey. I am Mrs. George R. Bailey, Jr., from Roxbury, Massachusetts, President of the Roxbury-Dorchester Community Beautification Program. I would like to direct my question to Mayor Allen. What can be done about planning massive type programs? We are now working on this type program from a local level on community beautification program, a program that is working——

Mr. Evans. We'd like you not to make a speech. Just a question.

Mrs. Bailey. People on a local level, we have to have a medium to meet all people. Gardening is one of the answers. What can we do to bring this to our nation?

Mayor Allen. Well, obviously there are major programs being advocated with Federal help for urban beautification, and I think if your local officials will cooperate with the Federal prog[illegible] that they can develop a program and [illegible] for the necessary funds that will certainly help beautify the town in which you live.

Mr. Evans. Thank you very much. The gentleman on my right now.

Mr. Zed. My name is D. E. Zed from Baltimore, Maryland. All the talk so far about urban renewal will take three to five years. Is there any way of a stop-gap measure where a fast remodeling job can be done. For instance, they tried in New York; they built an apartment, a completely new apartment in four days. The United States Gypsum Corporation did that. Can anything be done now where it can be worked faster until real urban renewal can take over.

Mr. Evans. Are you directing that to any specific panelist?

Mr. Zed. To Mr. Wilkins.

Mr. Wilkins. I think we can do certain things that we've done in New York with prefabricated and arranged furniture and a concentrated crew to get it all in in ten or twelve hours, but of course this depends, and on a great scale, on the cooperation of many, many areas, and you'd have to get the cooperation of the building trades and the politicians and the budget makers and the people who live there and all that sort of thing. I think it's the kind of thinking we need if we're going to do something and not wait five years for it.

Mrs. Evans. Alright, one more question here.

Mr. Poland. Blanken N. Poland of West Virginia. I think that Mr. Wilkins touched on this question, but I'd like to ask Reverend King. In relation to the irrationality—or the question of irrationality of why Detroit, is it possible that the important point of social suicide is being neglected? It is known that when individuals are freed of destructive influences that they will suicide. Is Detroit an example of social community suicide because destructive forces have been relieved?

Mr. Evans. We have time for a short answer, Dr. Wilkins—or Dr. King, if you can.

Dr. King. Well, I think there is no doubt about it from a psychological point of view that there can be a suicidal tendency in all riots. When one commits suicide, often he's trying to get attention or to communicate a message that has not been communicated, and I do see in some of the riots a kind of saying, "I would be rather dead than ignored." It's this final mad quest for attention, trying to find voice for the voiceless, so that from that point of view, I think there may be a suicidal quality, but it's a purely psychological explanation.

Mr. Evans. Thank you very much. We have a few more questions. I think we stopped on this gentleman to my left. You, sir. Your name and from whence you come.

Mr. Bessamara. My name is Auriel Bessamara. I'm from Columbia, South Carolina, and I would like to ask Mayor Allen of Atlanta if he doesn't think that in making a massive attack on this problem that the nation faces we also must make a massive attack on education.

Mr. Evans. Alright, is that your question?

Mayor Allen. Well, I heartily agree with you. We have a three-fold problem in simple terms, and that's housing, jobs, and education, and—but what I say is, if you correct the housing problem, at the same time that gives you the capabilities of better educating people. I don't think that you can give quality education while people are living in slums.

Mr. Evans. Alright, thank you. We have so many questions, my friend, that we'll have to ask somebody——

Voice. I wanted to ask, if we do not need to make a massive attack on the problem of educating the people how to live in these new apartments and housing units. This is most important because——

[Applause.]

Voice. I have seen units put up and turned to slums; these very brand new units are put up and the people moved in and four months later they have turned them into slums because their consciousness has not been raised to the right level.

[Applause.]

Mr. Evans. Thank you. Are any of you eager to answer that question?

Mayor Allen. Well, I'm delighted to come in on it. I heartily agree with you.

Mr. Evans. I'd rather—I think I'd rather have the answer from one of the other fellows.

Voice. I have not had my question answered.

Mr. Evans. Alright.

Mr. Gregory. I think when you stop and look at the housing projects, I think that's the education. They build these skyscrapers for poor people, and they don't put doorbells in them. Dogs bark. People ring. You have eighty percent of the people living in the projects are little kids. They got nineteen floors to go. They got a play yard downstairs. When they have to go to the washroom, they have to go eighteen floors. You would tear up a building too if you had to live under the same conditions that they build—they build the buildings for poor people, and that's why they get so tore up.

[Boos.]

Mr. Evans. Mr. Wilkins.

Mr. Wilkins. Obviously we have a lot of landlords here.

[General laughter.]

I went to visit a friend of mine who lives in a brand new apartment house in the Riverdale section of the Bronx, and the rental is about $500 a month, and when my wife and I got on the elevator we saw words scrawled on the walls, and I said, "I didn't know Harlem lived up here." And I spoke to my friends, and they said, "Oh, the kids in the building are most like the kids in Harlem; they write over everything, even in a $500 a month apartment." But of course, we always hear about Negroes creating slums, but we don't hear about what white people do to slums.

[Applause.]

Mr. Evans. Obviously time is our worst enemy, and time has run out. Face to Face has attempted to explore and explain the terrifying phenomenon of summer, 1967. We're grateful to the International Platform Association, very grateful to you, Drew Pearson, for making this program possible, and we most sincerely thank our distinguished guests for their effective participation: Dr. Martin Luther King, of the Southern Christian Leadership Conference; Mayor Ivan Allen of Atlanta, Georgia; Mr. Roy Wilkins, of the National Association for the Advancement of Colored People; and Mr. Dick Gregory, citizen.

This is Mark Evans. Thank you for joining us on Face to Face.

[Applause.]

RECESS UNTIL 12 O'CLOCK NOON TODAY

Mr. BYRD of West Virginia. Mr. President, I move that the Senate stand in recess until 12 o'clock noon today.

The motion was agreed to; and (at 11 o'clock and 43 minutes a.m.) the Senate took a recess until 12 o'clock noon.

At 12 o'clock meridian, the Senate reassembled, when called to order by the Presiding Officer (Mr. Lausche in the chair).

J. BROOKS COTTLE, NEWSPAPERMAN

Mr. BYRD of West Virginia. Mr. President, I have been saddened to read in the Fairmont, W. Va., Times of August 8, news of the death of the editor of the Morgantown Post, Mr. J. Brooks Cottle. The death of this veteran editor came as a great shock to the newspaper fraternity in West Virginia and to the host of friends who knew Mr. Cottle.

Mr. Cottle devoted his life to the newspaper profession in Morgantown. He was affiliated with the Morgantown newspapers for 49 years. He started his newspaper career in 1918. He joined the staff of the Morgantown Post in 1919, and served as associate editor of the Dominion-News in Morgantown from 1926 to 1929, after which he returned to the Morgantown Post as editor.

During his long newspaper career, he served as president of the West Virginia Newspaper Council, and was a member of the Editorial Newspaper Publishers Association. For many years he was a member of the American Society of Newspaper Editors.

He served a 4-year term as a member of the State board of education, from 1947 to 1951, and previously was a member of the Governor's advisory committee on education.

Mr. Cottle was active in Morgantown community affairs. He was a past president of the chamber of commerce and of the community council.

In the death of Mr. Cottle, the community has lost a great citizen, the State has lost a great newspaperman, and the country has lost a great American.

My sympathy goes out to his wife, his two daughters, and his several grandchildren.

TAX INCREASE WOULD SLOW U.S. ECONOMY; RUSSIAN ECONOMY GROWING TWICE AS FAST

Mr. PROXMIRE. Mr. President, the crux of my opposition to the President's 10-percent surtax proposal is that it is dead certain to retard this Nation's economic growth. And economic growth to meet the enormous domestic and international challenges before us is something we need.

Senators concerned about the tax increase proposal should consider the economic growth of our great competitor in the world: the Soviet Union. Our one great advantage is the marvelous productivity and the great power of America's economic system.

But, Mr. President, the staff of the Joint Economic Committee, of which I am chairman, informs me that this year the Russian economy will grow twice as fast as the American economy. And I want to add that the joint economic staff has established its expertise with regard to the Soviet economy. This committee has made what many regard as the most expert analysis available of the economy of the U.S.S.R.

According to an article that appeared in the Milwaukee Journal on Sunday, August 6, the total output for Soviet industrial plants for the first half of this year is up 10 percent over the same period last year. This is the best record since the 1950's in Russia.

As I have said, the Joint Economic Committee has done a number of studies of the Russian economy. We feel that we have learned a good deal about it. Of course, we know that industrial production is only one segment of the Russian gross national product, and it is usually the most dynamic.

However, there have been reports of improvements in agricultural production last year and the prospects for the current year seem fairly good according to reports. Taking this into account, it would probably mean an overall growth rate of 8 percent, as measured by the Soviet economists.

We do not accept this figure at face value. Our experience at the Joint Economic Committee in analyzing Russian statistics has taught us that the Russians are apt to utilize both the weighing of their data and the price element to maximize the growth figures.

Generally, we have found it necessary to reduce these figures in order to get a more realistic computation of growth. The result is usually a 25-percent reduction, which, if applied to the 8 percent, would still leave a growth rate of 6 percent—a substantial figure.

This substantial growth rate is disturbing when compared with our own prospects for the current year. According to an article by reporter Ed Dale that appeared in the New York Times on Monday, August 7, our GNP is expected to amount to $28 billion, if we take the midpoint in the range used by Mr. Dale, for the last two quarters of the year. I might say that this estimate by the New York Times is supported by Government economists. This does not seem unreasonable in view of the increases in Government expenditures at all levels and an expected rise in residential construction. Business investment and inventory change would be the weak factors, according to Mr. Dale's analysis, and I certainly agree with this.

It should be noted also that Mr. Dale's analysis, which he indicates comes from some top Government economists, is based on the assumption that the President's tax proposals are enacted by October 1.

If we were to assume that the tax proposal is not enacted this year, then it would be necessary to add about $2 billion more to GNP for the fourth quarter, but this would not have an appreciable effect on the total figure for the year.

If we take the figure of $784 billion as a likely projection of GNP for the entire calendar year, it would mean a growth in GNP of $41 billion for the year, which comes to 5½ percent. However, we must assume a minimum price increase of 2½ percent, and I, personally, will not be surprised if it comes out higher than this. The result is that our real rate of growth will be 3 percent or less, about half the Russian rate of growth.

Mr. President, a tax increase will further slow our rate of growth, as I have warned before. Coming on top of a stagnant private sector, it could slow down our economy and increase unemployment.

I cannot understand how the administration can remain so complacent about the decline in our growth rate. I believe we have to place first on the list of objectives restoration of a favorable rate of growth and a reduction—not an increase—in unemployment. Anything less should be unacceptable to Congress.

Mr. President, I ask unanimous consent to have printed at this point in the RECORD an article from the Milwaukee Journal of August 6, 1967, entitled "Red Economy Grows at Swifter Rate Again," and an article from the New York Times of August 7, 1967, entitled "Economy Growth Called Assured."

There being no objection, the articles were ordered to be printed in the RECORD, as follows:

[From the Milwaukee Journal, Aug. 6, 1967]

RED ECONOMY GROWS AT SWIFTER RATE AGAIN

(By Mark W. Hopkins)

The Soviet economy is growing this year at a pace unmatched since the fast moving 1950s.

Although many Soviet industrial plants are in the turmoil of management and planning reforms, their total output for the first half of this year was up 10.6% over the same period last year.

Soviet industries have not performed this well since 1959, a watershed year in Soviet postwar recovery. After that the growth rate slowed and finally went to 7% in 1964.

The pattern taking shape now suggests that Soviet leaders have not merely stopped the process of decline, but are nudging the industrial economy back to the high growth rates of an era when western specialists warned of a Soviet economic challenge.

OTHERS DO LIKEWISE

Significantly, a similar pattern is appearing in most east European Communist countries. The recession that struck Soviet industry in 1964 was recorded in Poland, Czechoslovakia, East Germany, Hungary and Bulgaria that same year or a year earlier.

But as Moscow's central statistical administration reported first half performance of Soviet industry, an article in the Soviet economics journal Voprosy Ekonomika surveyed the revival of industrial production in eastern Europe.

According to this report, Polish industry increased output 7.4% last year over that of 1965. In 1963, the increase over 1962 had been only 5.5%. The comparable figures for East Germany were 6.5% and 4.3%.

Czechoslovakia recorded the most dramatic recovery. In 1963, industrial production was less than the year before, but 1966 showed a 7.4% gain over 1965. Bulgaria and Hungary have not rebounded as impressively, although they have evidently halted a general decline of growth rates.

REFORMS PUT IN

The economic pattern in the Soviet Union and eastern Europe is partly explained by the economic reforms that have been introduced gradually in the last few years. Particularly in the Soviet Union, the connection between reform and industrial performance seems clear.

As of July 1, more than 4,300 Soviet factories producing about 30% of industrial goods had switched over to the new system of planning and plant management.

In general, the applied reform sharply reduces the production targets determined in Moscow; it increases bonuses for workers and relies much on profits as a measure of efficiency and a source of plant investment, bonus payments and national income.

Suggesting the impact of the reform, Soviet industries working under the system produced 12% more in the first half of 1967 than a year ago, compared with an average of 10.6%.

Still, the reform is far from completed, and there is no certainty that it will guarantee high growth rates when it is. Soviet economists continue to debate the shape that the economic system should take, within the broad framework of a state owned industry.

Much of the discussion focuses on the extent and type of planning necessary—whether the economy can be mathematically analyzed and guided with computers, for example, or whether the central government should use just the levers of prices and bank credits to direct industry.

According to a report of the recent Moscow conference, one economist asserted, "To the extent that price is determined, there is no need for a plan. Each factory, guided by the optimum prices and trying to maximize profits, can decide what to produce."

OWN CAPITAL SUGGESTED

In the same vein, another economist has proposed creation of small industrial cooperatives that would supply the giant combines. They would have their own capital and exist on their own profits.

There is no evidence yet that Soviet political authorities are prepared to relinquish this much autonomy to Soviet factory managers. But such proposals suggest the relatively swift movement of the Soviet economy away from extraordinary detailed planning and control.

Along with unmistakable successes in reviving the economy, the Soviet leadership has not resolved all of the problems inherited from the Khrushchev area.

A major one is the disruption caused throughout the economy by the unscheduled movement of people from Soviet farms to cities, and effective use of the remaining farm labor force. Apartment construction in cities cannot keep up with population growth, nor is there a large demand in factories for the unskilled peasant youth who come in from the countryside.

MORE PAY PLANNED

Soviet planners are working on several remedies all of them designed to hold youths on the farms. Along with increased pay, they emphasize that distribution of consumer goods in Soviet villages must be vastly improved. The average collective farm wage—about $55 a month—is half of the factory worker's.

The agriculture crisis still grips the Soviet Union, though not as tightly as in the lean year of 1963. An agricultural reform—based on a much larger investment in machinery, wages and buildings—is making progress and this year's harvest should be average, after a record breaking crop in 1966.

But it will be several more years before anyone in or outside of the Soviet Union can judge whether a collective farm system injected with incentives, machinery and fertilizer can be a reliable and abundant producer.

This year, at least, the Soviet economy casts an optimistic glow. It is precisely what the Soviet leadership would like as the country moves to the fall celebration of its 50th year.

[From the New York Times, Aug. 7, 1967]

ECONOMY GROWTH CALLED ASSURED—$12-TO-$16-BILLION ADVANCE IS PROJECTED FOR EACH OF THIRD AND FOURTH QUARTERS—FEDERAL SURVEY TAKEN—ANNUAL RATE OF $807 BILLION SEEN FOR GROSS NATIONAL PRODUCT BY YEAREND

(By Edwin L. Dale, Jr.)

WASHINGTON, August 6.—Top Government economists now consider a growth of the total economy by $12 to $16-billion in each of the third and fourth quarters of this year as all but in the bag.

The latest Government analysis has been made known to reporters. It projects a continuation of the strong growth trend into 1968, but without the same precision as for the two immediate quarters ahead.

The analysis is based on the probable change in all the main sectors of demand between the second quarter—whose figures are already known—and the fourth quarter.

The result is a range for growth in the gross national product between the second and fourth quarters of a low of $24-billion and a high of $32-billion.

ANALYSIS BY SECTORS

The top figure would give a G.N.P. of about $807-billion, at annual rates, in the final quarter. The following is the current Government analysis by sectors, all changes from second quarter to fourth quarter:

State and local government spending—up $4.5-billion.

Federal purchases of goods and services, including defense—up $3.5-billion.

Residential construction—up $3.5-billion.

Net exports—up $0.5-billion.

Business investment in plant and equipment—A range of —(minus) $0.5-billion to + $0.5-billion.

Personal consumption—A range of + $15-billion to + $17-billion, assuming what is termed a "modest" reduction in the current high rate of savings.

Inventory change—A range of —$2-billion to + $2-billion.

INVENTORY ACCUMULATIONS

For 1968, the economists are convinced that inventory accumulations will resume, adding a further plus to total output.

The analysis assumes the enactment of the President's proposed tax program by October 1. Without the tax bill—or if it is delayed—personal consumption expenditures may exceed the assumed range in the fourth quarter, resulting in an even larger growth in the G.N.P.

The big change between the last half of this year and the first half, officials emphasize, is in inventories.

The sharp drop in inventory accumulation cut $16.4-billion from total production between the last quarter of 1966 and the second quarter of 1967.

HUMAN RIGHTS CONVENTIONS HAVE RECEIVED WIDE ACCEPTANCE—EXCEPT IN THE UNITED STATES—CXVI

Mr. PROXMIRE. Mr. President, the Human Rights Conventions on Forced Labor, Freedom of Association, Genocide, Political Rights of Women, and Slavery are special covenants dealing with specific human rights problems.

These conventions have received wide acceptance in the international community; several states have ratified all of them; many states have ratified two or three of them. But there is a small, not particularly select group of countries, including Spain, South Africa, and Yemen, which have failed to ratify even one of these conventions. Sadly, the United States has qualified for membership in this latter group. The United States has failed to ratify a single one of these five Human Rights Conventions.

Here is the rundown of the United States disgraceful record compared to the rest of the international community.

Forced Labor Convention: This convention was adopted by the International Labor Organization in 1957, largely through American advocacy and by United Nations request. This convention has already been ratified by more than 70 states. President Kennedy submitted this convention to the Senate in 1963.

Freedom of Association Convention: This convention was adopted by the International Labor Organization in 1948 with strong American urging and the support of the United Nations. This convention has been ratified by more than 70 states. President Truman submitted this convention to the Senate in 1949. The Senate has taken no action whatsoever for 18 years.

Genocide Convention: This convention was adopted by the General Assembly of the United Nations, with strong U.S. initiative and insistence. President Truman submitted this convention to the Senate in 1949. Already 70 states have ratified the Genocide Convention. The only action taken by the Senate was hearings before a special subcommittee in 1950. No further action has taken place for 17 years.

Convention of Political Rights of Women: This convention was adopted by the General Assembly of the United Nations in 1952. It has already been ratified by 50 states. President Kennedy submitted this convention to the Senate in 1963.

Slavery Convention: This convention was adopted by a special conference convened at Geneva by the United Nations Economic and Social Council in 1956. It has already been ratified by more than 60 states. President Kennedy submitted this convention to the Senate in 1963. This convention is supplementary to the League of Nations Slavery Convention signed by the United States in 1926 and ratified by the United States in 1929.

Mr. President, that is the box score. Our record is shameful. Our failure to ratify a single one of the Human Rights Conventions constitutes a national disgrace.

The Senate, and the Senate alone, can right this wrong. The Senate should act without any more foot dragging or lame excuses. I once again urge the Senate to ratify all five Human Rights Conventions immediately.

MONSIGNOR MEADE: NEVER THE SAME AGAIN

Mr. MANSFIELD. Mr. President, a few days ago, Msgr. Denis P. Meade, of St. Anthony's Parish, in Missoula, Mont., our family pastor for a good many years, passed away. He was a man who made a deep imprint upon the community and the State. He was a man of wit and tolerance, understanding and deep piety, a man of great humanity, and a man whom we all will miss deeply.

Mr. President, I ask unanimous consent to have printed in the RECORD an editorial entitled "Monsignor Meade: Never the Same Again," published in the Missoulian of August 3, 1967.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

MONSIGNOR MEADE: NEVER THE SAME AGAIN

When a man makes a deep, prolonged imprint on a community, his death is more than the removal of someone past and present. It is the removal of a part of the community's body and soul itself. Never again can the community be quite like it was. It will exist and prosper, but never will it be the same again.

For 44 years Msgr. Denis P. Meade was a part of Missoula, giving it his unique talents and presence. For 44 years the community and he lived in warm and mutually appreciative accord.

He was eloquent and forceful, gentle and humorous. To meet him was to remember him and to realize quickly that such a man is rare among men.

He died this week, and the sorrow at his passing spreads far beyond the parishioners of St. Anthony's Catholic Church, who knew him best, or the Catholic community as a whole.

The sorrow is general. A dear presence is gone. Missoula will exist and prosper, but never will it be the same again.

VIETNAM

Mr. MANSFIELD. Mr. President, under date of August 1, I received a communication from the Reverend George Harper, minister of St. Paul's Methodist Church, in Helena, which was addressed to the entire Montana delegation, setting forth his views on Vietnam, asking for advice and counsel, and giving the delegation the benefit of the views of the Methodists of Montana. I was tremendously impressed with the letter, which was most understanding, but which illustrated a sense of unease, frustration, and disquiet.

I ask unanimous consent that the letter of the Reverend Harper and my reply to him, under date of August 8, be printed at this point in the RECORD.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

ST. PAUL'S METHODIST CHURCH,
Helena, Mont., August 1, 1967.

Senator MIKE MANSFIELD,
Senator LEE METCALF,
Representative ARNOLD OLSEN,
Representative JAMES BATTIN.

DEAR FRIENDS: What can a Christian do about the war in Vietnam?

We in the churches of Montana do not want to burn a flag or stick pins in an LBJ doll or do anything ridiculous. But what can we do to let the Congress and the Administration know that we do not believe that the tragic, brutal war in Vietnam should be escalated?

Any honest appraisal of how we got involved in Vietnam in the first place; any realistic appraisal of what we are accomplishing by such abandonment of our Christian principles against killing civilian populations; any up to date appraisal of our methods of counteracting Communism and giving real aid to a world facing starvation, overpopulation, etc.; and any serious attempt to get the appraisal of the God who is the Heavenly Father of all His human children, seems to say to us: Stop It!

Somebody is going to have to take the initiative toward negotiation now. We are praying that the present sane movements in the United States under the banner of "Negotiation Now!" will persuade our leaders that the American people will support statesmanship in this hour.

The Montana Annual Conference of The Methodist Church, meeting in Missoula at the end of June, expressed this statement of concern:

"The present impasse can be broken and a halt put to the increasingly horrible slaughter and destruction of the Vietnam war only if one side or the other shows the wisdom and the courage and the compassion for humanity to take the initiative on a first step."

"A cessation of the bombing of North Vietnam is an imperative necessity to create conditions for peaceful talks."—U Thant, Secretary-General of the United Nations, March 28, 1967.

"We support the call by U Thant for new initiatives to bring about negotiations among all parties to the conflict, leading to a political settlement of the Vietnam War.

"We call upon the United States, the most powerful nation in the world, to take the first step and end the bombing of North Vietnam now and without conditions. We ask our government to take further initiatives leading to a standstill truce.

"We call upon North Vietnam and the National Liberation Front to respond affirmatively to any new United States initiatives and to join with the U.S. in a standstill cease-fire.

"We call upon South Vietnam to respect and join in these steps.

"This course of action presents to the United States a moral alternative to our stated policy of bringing about negotiations by force, or to the devastation of all-out war, and a more realistic alternative than unilateral withdrawal.

"We believe that such initiatives now can break the impasse and lend to negotiations and a political settlement providing for the removal of all foreign troops and for genuinely democratic elections in which all South Vietnamese can participate freely."

This is the statement of "Negotiation Now!" emphasis in which our church and many other responsible organizations at work for peace have joined.

Locally, I have presented this to our congregation. Our people are reading and studying the issue. And many of them have signed this petition along with me.

I will be glad to go into detail about our thinking on the issue, but you do not need a sermon as much as backing to do something we know we ought to do.

Now you tell me what I can do, and what our people here can do to help our nation take responsible Christian leadership in meeting the problems of our world, and I will appreciate it. I will be more than glad to pass any of your ideas or suggestions along to the Methodists of Montana.

Sincerely yours,
REV. GEORGE HARPER.

AUGUST 8, 1967.

REV. GEORGE HARPER,
St. Paul's Methodist Church,
Helena, Mont.

DEAR REVEREND HARPER: This will acknowledge receipt of your letter of August 1 concerning the situation in Viet Nam. It has been read with much interest. The sincerity and depth of the concern which you express for yourself and for other members of the Methodist Church in Montana prompts me to make a comment on some of your observations.

I concur fully with you in your rejection of protests of the war by way of desecrations of the flag or resorting to some other such vindictive ritualism. By contrast, the expression of critical views on the war on the basis of the rational discernment which was contained in your letter cannot help but have a constructive effect. Certainly, such expression tends to promote the sort of serious public discussion which is an essential element in the effective conduct of all of the nation's affairs, domestic and foreign. In the last analysis, the resolution of the conflict in Viet Nam will depend heavily on the understanding and desires of the people of the United States.

Referring to the statement of concern formulated in June by the Montana Annual Conference of the Methodist Church, I believe it well to keep in mind that there is no certainty with respect to what type of "first step" might break the present impasse. But it is clearly of the utmost importance that any initiative offering promise of bringing about negotiations be considered by the government. As the Methodist statement recognizes, there can be negotiations only if the parties on both sides are willing to agree to talk. The statement rightly emphasizes, too, in my opinion, that the ultimate goal should be a political settlement encompassing the removal of foreign troops and protection of the rights of the South Viet Namese.

Enclosed are copies of several statements I have made recently in the Senate in which there are advanced several suggestions as to possible steps which might be taken to bring the war to an honorable close.

I appreciate very much receiving your letter. It is a thoughtful commentary which has been most helpful to me. I am going to take the liberty of sharing it with my Senate colleagues by inserting your letter in the Congressional Record, along with my response.

Please be assured that I shall continue to do whatever I can to contribute to a peaceful settlement of the Viet Namese conflict in which we are involved.

Must close now, but with best personal wishes, I am,

Sincerely yours,
——— ———.

A BROKEN PLEDGE TO AMERICA'S WAR DEAD

Mr. KUCHEL. Mr. President, more than a century ago, at the close of the Civil War, the American people solemnly recognized that the men and women of our Armed Forces had earned the right to a decent burial. Today that earnest commitment is being breached and broken.

For well over 6 years, the administration has opposed further expansion of the depleting national cemetery system. It has opposed further enlargement of the present facilities or the establishment of new ones. In past sessions I have introduced a number of proposals to provide for additional national cemeteries in the State of California, but the administration has opposed and continues to oppose each proposal.

As things stand, more than 40 million American veterans are eligible for burial in fewer than 1 million gravesites. And the situation is getting worse. Since the beginning of World War II, the number of eligible veterans has been increasing at a rate of almost 1 million a year.

Over 22 States now are without a national cemetery or without one containing available grave space. In a recent editorial, Mr. David M. Sacks, vice president and general manager of station KGO–TV in San Francisco, described the depressing California situation:

> For the first time in nearly three generations, California is without an available national cemetery for its war veterans.
>
> The National Cemetery at the Presidio was declared full in 1962. Last September Fort Rosecranz at San Diego ran out of space. And now Golden Gate National Cemetery at San Bruno is fully alloted.

The administration and the Congress have a responsibility to fulfill the pledge made over a century ago and to provide for a realistic national cemetery system. At the same time, however, it is equally important to provide for an increasing number of veterans who must be buried elsewhere.

On May 17 of this year, I introduced legislation—S. 1799—to increase the veterans burial allowance from $250 to $400. It is imperative that this needed legislation be enacted now. In its report on my proposal, the Veterans Administration recommends withholding action on the bill until a Presidentially directed study on veterans' benefits is completed in January of 1968. I do not believe our veterans should have to wait so long. It is America's responsibility to see that her "fallen heroes" are not forgotten in Potter's Field" but are given the dignity of a decent burial. To do otherwise would be a national disgrace.

Mr. President, I ask unanimous consent that there be printed in the RECORD a copy of a letter from the Veterans' Administration dated June 27, 1967, to the Honorable RUSSELL B. LONG, chairman, Committee on Finance, signed by W. J. Driver, Administrator; a copy of the television editorial of station KGO–TV; a letter addressed to me from the widow of a veteran; another letter addressed to station KGO–TV; and an editorial by the distinguished national commander of the American Legion, John E. Davis. The names of the writers of the letters have been deleted.

There being no objection, the material was ordered to be printed in the Record, as follows:

Veterans' Administration, Office of the Administrator of Veterans Affairs,
Washington, D.C., June 27, 1967.

Hon. Russell B. Long,
Chairman, Committee on Finance,
U.S. Senate, Washington, D.C.

Dear Mr. Chairman: This refers to your request for a report by the Veterans Administration on S. 1799, 90th Congress, a bill "To amend chapter 23 of title 38, United States Code, to increase the amount authorized for funeral and burial expenses of certain veterans, and for other purposes."

The subject bill would amend section 902(a) of title 38 of the United States Code by striking out "$250" and inserting in lieu thereof "$300". It would further insert a provision in that section authorizing the Administrator to expend an additional amount, not more than $100, to help meet the expense of providing a suitable burial site. It would also amend section 903 of title 38 of the United States Code by striking out "(not to exceed $250)" and inserting in lieu thereof "(not to exceed $400)" in cases where the veteran dies in a Veterans Administration facility under certain circumstances.

The burial allowance now authorized by section 902 as well as section 903 of title 38, initially $100, has been increased over the years to $250, the last increase being accomplished in 1958 by the enactment of Public Law 85-674. The original intent of Congress in providing these benefits, was to assure a respectable and proper burial, and to preclude a pauper's burial for eligible veterans.

As you know, on January 31, 1967 the President submitted to the Congress a message relating to "America's Servicemen and Veterans". In addition to his specific recommendations, he stated that he was directing the Administrator of Veterans Affairs, in consultation with leading veterans' groups, to conduct a comprehensive study of the compensation, pension and benefits system for veterans, their families and survivors and to recommend to him, by January 1968, proposals "to assure that our tax dollars are being utilized most wisely and that our Government is meeting fully its responsibilities to all those to whom we owe so much." One of the segments of that study will deal with the adequacy of the presently authorized burial allowance, when viewed in conjunction with other Government death benefit contributions. Under the circumstances, you will appreciate that I am not in a position to make specific recommendations with respect to the merits of the subject proposal at this time and I therefore urge that your Committee withhold action on the bill until the Presidentially-directed study is completed.

The estimated cost to the Government of the amendment to section 902 as proposed in S. 1799, 90th Congress, if enacted into law, would be as follows:

Fiscal year	Estimated number of—		Estimated annual costs (thousands)		
	Burial awards	Burial sites	Burial awards	Burial sites	Total[1]
1968	244,000	183,000	$12,200	$18,300	$30,500
1969	254,000	190,500	12,700	19,050	31,750
1970	265,000	198,800	13,250	19,880	33,130
1971	279,000	209,300	13,950	20,930	34,880
1972	300,000	225,000	15,000	22,500	37,500

[1] Estimated additional costs of sec. 903 not included.

For purposes of this estimate it has been been assumed that in 25% of the cases in which a burial award is approved, the additional amount for a burial site will not be payable because such site will be in federal cemeteries or will have been provided by prior family purchases, etc.

In a report to the Committee on Veterans' Affairs of the House of Representatives on similar purpose bills we were advised by the Bureau of the Budget that there was no objection from the standpoint of the Administration's program to the presentation of that report.

Sincerely,

W. J. Driver,
Administrator.

"Short Memory?"

For the first time in nearly three generations, California is wtihout an available national cemetery for its war veterans.

The National Cemetery at the Presidio was declared full in 1962. Last September Fort Rosecranz at San Diego ran out of space. And now Golden Gate National Cemetery at San Bruno is fully alloted.

There are more war veterans in California than in any other state. So, obviously, the need here is greatest.

Senator Thomas Kuchel has taken cognizance of this need and has introduced a bill in Congress that would increase the private burial allowance for veterans from $250 to $400. The bill should be supported by California's congressional delegation as a temporary alternative.

But Californians should appeal to the administration for a realistic national cemetery system for the future. Military cemeteries, like national shrines, offer a quiet dignity that adds perspective to the grief of survivors of America's servicemen.

June 1, 1967.

Hon. Thomas Kuchel,
Washington, D.C.

My Dear Senator: I agree with your *bill to increase burial allowance* from $250.00 to $400.00 for a deceased veteran.

There was no openings for my husband any closer than San Francisco in January when my husband, a 100% disabled Veteran of World War I expired and right after that I understand the nearest to here is Portland, Oregon now.

They should allow this and make it possible for the wife of the deceased to be buried at the same sight.

Just one week before my husband expired I bought a lot and was very lucky I did as I was very ill at the time he passed away thus making an extra hardship on one.

No one is more deserving these rights than a Veterans who has fought and is still fighting for our freedom.

Very sincerely yours,

———— ————.

July 12, 1967.

David M. Sacks,
Vice President, ABC Channel 7
San Francisco, Calif.

Dear Mr. Sacks: I was one of your T.V. audience when you broadcast editorial 7 Subject Veterans Cemeteries—This hit home to me for I am a Veteran of World War I—one Hundred & Eight Engineers—33rd Division—Honorable Discharge and would be eligible to be buried in a Veterans Cemetery—in fact I have no living relatives to take care of my Burial—No Grave plot or funds for a proper burial except in a veterans cemetery—I am 79 years of age—my finances have been exhausted because of a long period of illness but I felt sure I would have a final resting place provided by Uncle Sam.

You Know Mr. Sacks you are the only one of the news media who has shown any out standing interest in the shameful plight of many thousands of older Veterans who are in the same sad state I find myself in—I am enclosing an interesting copy from the American Legion magazine—For your perusal.

Yours sincerely,

———— ————.

National Commander Davis Asks Nation "Have We Run Out of Hallowed Ground?"

(Note.—Your California Legionnaire editor is pleased to report that he has received permission from Mr. Arthur Motley, President, Parade Publications, Inc., New York, to reprint this copyrighted story by National Commander Davis, which appeared in the 13-million circulation issue of Parade Magazine, July 2, 1967.)

(By John E. Davis, National Commander)

More than a century ago, at the close of the Civil War, the American people made what they believed to be an eternal pledge to the men and women of their armed forces: Rich or poor, famed or unheralded, you have earned the right to be buried in a national cemetery, where your memory and your service will be forever enshrined.

Today, the pledge has been broken by the Department of Defense, the powers in the Pentagon have quietly decreed in typical governmentese that the burial right of our veterans and servicemen must be "phased out through a nonexpansion policy" because there is no more room in the rich earth of America for the men and women who have served her so well.

In a series of communications to the American Legion over the past year, the Defense Department has stated that our military cemeteries are rapidly overcrowding and that it has no intention of expanding the area made available.

As things stand, more than 40 million Americans are eligible for burial in fewer than 1 million grave sites. And the situation is getting worse, because, since the beginning of World War II, the number of eligible veterans has been increasing at a rate of almost 1 million a year.

The "no room for veterans" policy was announced by Army Secretary Stanley R. Resor more than a year ago. And as national commander of the American Legion I have received many hundreds of angry letters on the subject from aging veterans who had expected that Arlington or another military cemetery would be their last resting place.

These are no longer young men—almost 2 million of U.S. veterans are over 70. They are men who fought in World War I and the Spanish-American War—and there are even three hardy survivors of the Indian wars. How can we explain or justify to such men—who served in their youth—that their service has been downgraded, that they are no longer fit to be buried beside their comrades?

That the right of burial in a national cemetery for both servicemen and veterans has been clearly established by law is without question. And the refusal of our government to honor this right, this sacred pledge of our forebears, is a rank and undeserved injustice to all who bear arms for this country today and to every veteran who has borne them in the past.

THE LAND IS THERE!

We are told that there is no more room for our veterans, no more hallowed ground in which to bury our honored dead. But the truth is that there are millions and millions of acres of available land, owned by the government and scattered throughout the 50 states, which apparently has not even been considered by the Department of Defense.

When we have arrived at the point where our existing cemeteries can no longer be enlarged, why should we not set aside some of these lands as appropriate sites for veterans' cemeteries? They could be located fairly close to our major population centers, where friends and relatives could conveniently visit them. I believe the upkeep could be kept to a minimum by enlisting the aid of local veterans' groups.

My second proposal is that responsibility for our national cemeteries—now scattered among the Defense and Interior Departments, the Veterans Administration, and the

American Battle Monuments Commission—be combined under the single authority of the Veterans Administration. Traditionally, the Veterans Administration has been more sympathetic to, and more understanding of, the needs of our former servicemen and women. Most important, the Veterans Administration can and will give full time and attention to this deeply human problem.

Surely, on this, the 191st anniversary of our Declaration of Independence, it is not too much to ask that Americans who have served their country be served upon their return, that they be granted their final rest in hallowed ground.

T. SGT. ANTHONY J. CORSO, U.S. AIR FORCE (RETIRED)

The PRESIDING OFFICER laid before the Senate the amendment of the House of Representatives to the bill (S. 650) for the relief of T. Sgt. Anthony J. Corso, U.S. Air Force (retired) which was, on page 2, line 8, after "Act." insert:

> No part of the amount appropriated in this Act shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

Mr. BYRD of West Virginia. Mr. President, I move that the Senate concur in the amendment of the House of Representatives.

The motion was agreed to.

CENTRAL ARIZONA PROJECT

Mr. BIBLE. Mr. President, the minority views contained in the report of the Senate Interior and Insular Affairs Committee on the central Arizona project contained two paragraphs that have given me some concern.

These are entitled "Arizona Would Avoid Ad Valorem Taxes Through Subsidy by California," and "Nevada Penalized Also."

During the first day of debate, I stated on the floor, and this appears at page 21355 of the Record of August 3, 1967:

> So there will be no doubt, I intend to support and vote for S. 1004, as reported. Despite statements in the minority views in the report on S. 1004, I am satisfied that the interests of my State of Nevada are protected in the measure, and that the enactment of this bill will be of immeasurable benefit to the economy of Southern Nevada and the entire Southwest.

However, because of certain statements made during the discussion of the proposal concerning this matter. I requested the Secretary of the Interior by letter dated August 4 to comment on the statements.

The response to my letter from Assistant Secretary of the Interior Kenneth Holum completely justifies my statement.

Mr. President, so that the record will be complete, I ask unanimous consent to have printed in the Record the text of my letter to the Secretary and the response thereto.

There being no objection, the letters were ordered to be printed in the Record, as follows:

AUGUST 4, 1967.

Hon. STEWART L. UDALL,
Secretary of the Interior,
Department of the Interior,
Washington, D.C.

DEAR MR. SECRETARY: The minority report on S. 1004 (the Central Arizona legislation) contains certain statements with respect to the impact of S. 1004 upon Nevada. I should appreciate the comments of your Department concerning these statements.

The first statement is found at page 95 of Senate Report No. 408. At that point, the minority report suggests that under S. 1004, the priorities afforded existing users of mainstream water in Arizona will jeopardize repayment of the Federal investment in the Southern Nevada Water Supply Project and would prefer the water requirements of the Central Arizona Project ahead of mainstream water users in Nevada.

The other references in the minority report upon which I should like your Department's views relate to the development fund concept and to Hoover dam power rates. At pages 119 and 120 the minority report states that the cost of pumping power from Hoover dam to serve the Southern Nevada Water Supply Project will be raised by reason of the assistance to the Central Arizona Project from basin fund revenues. At that point the minority report also implies that although it is similar to the Central Arizona Project, the Southern Nevada Water Supply Project is being denied basin fund assistance.

Inasmuch as S. 1004 is now being debated on the Senate floor, I would appreciate an early response.

Cordially,

ALAN BIBLE.

U.S. DEPARTMENT OF THE INTERIOR,
Washington, D.C.

Hon. ALAN BIBLE,
U.S. Senate,
Washington, D.C.

DEAR SENATOR BIBLE: I am glad to respond to your letter of August 4 in which you ask our views regarding certain comments relating to Nevada in the minority report on S. 1004.

Your first inquiry concerns a statement which appears at page 95 in the minority report of Senate Report No. 408 regarding the effect upon Nevada's Colorado River water entitlement of the intrastate priority of existing Arizona uses against diversions for the Central Arizona Project.

Section 2(e) of S. 1004 requires that contracts for the Central Arizona Project shall be subordinate to the satisfaction of existing contracts between the Secretary of the Interior and users in Arizona for the delivery of mainstream Colorado River water. The priority thus afforded is strictly intrastate; that is to say, it relates only to the relative priorities as against each other of users of Arizona's Colorado River water entitlement. It has no effect upon the entitlements of either California or Nevada. The only effect which S. 1004 has on existing interstate water apportionments is to afford California a priority of 4,400,000 acre-feet per annum of consumptive use over diversions of mainstream water for the Central Arizona Project. This in no way affects priorities in the event of shortage of mainstream water as between Nevada and California or Nevada and Arizona.

The other points made in the minority report, to which your letter refers, both relate to the possible effect upon the Southern Nevada Water Supply Project of basin fund assistance for the Central Arizona Project.

Concerning the fact that the Southern Nevada Water Supply Project will not receive basin fund assistance, whereas under S. 1004 such assistance may be afforded the Central Arizona Project, it should be pointed out that the Southern Nevada Water Supply Project is entirely a municipal and industrial water supply development. No water will be made available for irrigation. Under longstanding reclamation policy, only irrigation is eligible for basin fund or other financial assistance from power revenues. This is the reason why, in authorizing the Southern Nevada Water Supply Project, no assistance from a basin fund was considered or provided. The only basin fund assistance that would be made available to the Central Arizona Project under S. 1004 as reported is for the purpose of returning that portion of the costs allocated to irrigation which are beyond the ability of the water users to repay. The municipal and industrial water supply features of the Central Arizona Project will stand on their own financial feet. Not only will they not receive financial assistance from the basin fund but, on the other hand, they will make a substantial contribution to the basin fund which will be available to assist in the return of the cost of whatever future projects Congress may determine should be assisted from the basin fund to be established under S. 1004.

The other statement made by the minority report with respect to the Southern Nevada Water Supply Project is that an increase in Hoover power rates will affect the cost of pumping power to that project. The fact of the matter is that substantially all of the pumping power for the Southern Nevada Water Supply Project will be provided by purchases from the Nevada Power Company whose source of supply for this purpose will be entirely thermal. The pumping power costs for the Southern Nevada Water Supply Project will, therefore, be unrelated to Hoover Dam power rates. The reason that Hoover Dam power will not be used for pumping water for the Southern Nevada Water Supply Project is that the entire Hoover power supply is committed under contracts entered into at the time Hoover Dam was constructed.

A further comment regarding the relationship of possible basin fund assistance for the Central Arizona Project to Hoover power rates is in order. The limited assistance that may be provided the irrigation features of the Central Arizona Project from the basin fund established under S. 1004 as reported will not affect Hoover power rates. All Lower Colorado River legislation that has been before Congress in recent years, including the legislation proposed by the authors of the minority report, contemplates increases in Hoover power rates following the expiration of the current Hoover power contracts in 1987. The contemplated increase envisioned in the studies underlying all these bills would occur whether or not the Central Arizona Project is assisted from the basin fund.

Sincerely yours,

KENNETH HOLUM,
Assistant Secretary of the Interior.

LIABILITY FOR PROSECUTION OF PERSONS WHO SEEK TO INCITE VIOLENCE

Mr. WILLIAMS of Delaware. Mr. President, I ask unanimous consent to have printed in the Record a letter dated August 7, 1967, addressed to the Attorney General of the United States. The letter is self-explanatory.

There being no objection, the letter was ordered to be printed in the Record, as follows:

U.S. SENATE,
Washington, D.C., August 7, 1967.

Hon. RAMSEY CLARK,
Attorney General of the United States, Department of Justice, Washington, D.C.

MY DEAR MR. ATTORNEY GENERAL: Many Americans are becoming increasingly concerned about the violent and intemperate speeches which have been made by one Hubert Geroid ("Rap") Brown and one Stokely Carmichael, and a few other individuals, calling on citizens to arm themselves to perform acts of violence, to burn property, both private and public, and to cause riots and civil disturbances in order to harm or destroy lives and property and I am being asked repeatedly by constituents what action the Federal Government is taking to enforce laws against such conduct.

I am sure these inflammatory speeches have come to your attention since they have been given considerable coverage as news both in newspapers and on radio and television.

It occurred to me that the aforementioned individuals must be liable for prosecution under one or more of existing Federal laws. Accordingly, I asked the Legislative Counsel to compile a list of the various sections of the U.S. Code under which prosecution may be considered.

These sections of Title 18, U.S.C. are as follows:

Section 2, prescribing the criminal responsibility as a principal of an individual who counsels, commands, induces, or procures the commission of a criminal offense against the United States.

Section 241, relating to conspiracy to impair the rights of citizens.

Section 371, relating to conspiracy to commit offenses against the United States.

Section 2383, relating to rebellion or insurrection.

Section 2384, relating to seditious conspiracy.

Section 2385, relating to advocacy of the overthrow of the Government.

Section 2386, requiring the registration of certain organizations engaged in civilian military activity.

Section 2387, relating to certain activities affecting the armed forces.

Section 1951, relating to interference with commerce.

Sections 1701 and 1705, relating to obstruction of the United States mails.

Sections 1073 and 1074, relating to flight to avoid prosecution.

I would appreciate having your comments as to whether or not legal action can be taken against the aforementioned individuals under one of more of these sections.

On the other hand if present laws are considered inadequate, what recommendations does the Administration have to cope with this lawless element?

Yours sincerely,

JOHN J. WILLIAMS.

TESTIMONIAL TO ADULT VOCATIONAL TRAINING

Mr. MONDALE. Mr. President, I ask unanimous consent to have printed in the RECORD a letter from Mrs. Karen Wallace Ridgeway, a Chippewa Indian from the Fond-du-lac Reservation in Minnesota. Mrs. Ridgeway's letter is a poignant testimonial to the program of adult vocational training offered through the Bureau of Indian Affairs.

She is only one among 100,000 Indian men and women who, during the past 8 or 9 years, have received substantial personal help in becoming established as successful, wage-earning, tax-paying, fully participating citizens of off-reservation communities. The program which is helping them provide all costs of occupational training and all costs of living for trainees and families during their skill-learning period, which may range from several weeks to a year or two.

Add to the number trained and placed in jobs the number of their dependents who also enjoy the benefits, and the total number of Indians reached through the BIA's adult vocational training program exceeds 200,000—about one-third of the total Indian population of the United States.

The program started in 1958 with a congressional authorization of $3 million annually. The Indian demand has been so great for the program's services that the authorization has been increased several times since. Currently there is a proposal before Congress to authorize $25 million each year for Indian adult vocational training and employment assistance. These are bargain rates compared with expenditures for other self-help programs of the Federal Government which have been enacted in the past few years.

Mrs. Ridgeway's letter tells more eloquently than I can just how much this program has meant to her—and, reading between the lines, it is easy to see how much it contributes to the amelioration of Indian poverty in general.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

RIDGEWAY ROOFING CO.,
Hastings, Minn., April 1, 1967.

BUREAU OF INDIAN AFFAIRS,
Bemidji, Minn.

DEAR SIRS: This letter is an expression of gratitude from a successful mother, wife and business woman. I can say successful with complete confidence in the word and full knowledge of what it means.

My fullest gratitude and thanks are extended to the Bureau of Indian Affairs.

Up until I was seventeen I lived at home with my mother and seven other children. As far back as I can recall we had always been on welfare.

Upon reaching 18 I felt I had to make a decision with my life. I applied to the BIA for an educational loan. Since I was a high school dropout I didn't have much of a choice of vocations. Beauty school seemed to be the answer. It was a fairly short course that required nothing in mathematics, history, etc.

My request was granted. I entered Robinson's Beauty School in Minneapolis. I did not have an easy time as your records will verify. As I look back now I realize this stemmed from my environment and family situation.

We children grew up without a father in the house. My mother did her best to bring us up properly but that was not enough since the father is always the controlling factor in a family.

Not having the discipline or guidance in my formative years I found it quite difficult to adjust to rules and regulations.

There were at least three times I was resigned to the fact I wasn't going to finish. I'm sure the school instructors, my housemother, and perhaps even the BIA felt likewise. At the time Miss Kohl was with the Minneapolis Bureau. She and I had many long talks during these trying times.

I would like to commend this fine person for her straight talking and confidence in me. Her encouragement and perseverance came through.

I finished school with good recommendations.

Being surprisingly adept at this particular skill I had several job offers. I accepted and worked for 2 years in a salon in the suburb of Edina. This area being the *elite* of Minneapolis.

Living and social standards were quite different to me. This was to be my turning ground for usage of correct English language, tact, and the art of dealing with people and the public. I left there not as I came, but, a much better person for it.

I then secured a job in Hastings, Minnesota. A year later I opened my own shop. It was quite small, but, a big step for me. In December of 1966 I purchased my second salon which is quite large. I now have nine beauticians and myself employed.

In addition to this I am employed by Clairol Company, Inc. as a platform artist. I have traveled to many states for this company, teaching my profession. The job is interesting, rewarding and ridiculously high paying. My fee being $50 a day plus transportation and expenses. This being base pay is only the beginning.

Today I addressed a crowd of 300 hair dressers in Minneapolis. Tonight I feel I have reached a plateau in my life. From here I can see the top because it's not that far away. I am pausing here to look back and see the long way I have come.

In my classes I tell my audience, "I'm going to show you many things today. If you absorb just one thing it will be worthwhile and rewarding to me."

I realize there are several Indian children that do take advantage of this program. Unfortunately most of them do not finish. I'm sure those that have share my same thanks and gratitude even if it's only one.

My family is no longer on Welfare. My mother works as an aid for the poverty program in Cloquet. My sister has completed beauty school and is working.

I feel my entire family has bettered from this fine program.

I only wish I knew a way to express my thoughts, experiences and viewpoints to future students of this program and the entire staff of BIA and taxpayers of the country.

I have many people to thank for my present status, but, I want to extend special thanks to your office and our government.

I hope this letter will inspire you and your staff to continue your efforts. I cannot repay this opportunity you have given me, but I do hope this letter serves as a small reward.

Sincerely yours,

KAREN WALLACE RIDGEWAY.

SOMBER PICTURE OF U.S. EFFORTS IN VIETNAM

Mr. KENNEDY of New York. Mr. President, an important appraisal of U.S. efforts in Vietnam was published on August 7 by the New York Times. In an exhaustive account of military, political, and economic developments, correspondent R. W. Apple, Jr., paints a somber picture which should give pause to those who see greater military effort as the solution to our dilemma. He writes:

> In the opinion of most disinterested observers, victory is not close at hand. It may be beyond reach. It is clearly unlikely in the next year, or even the next two years. And American officers talk somberly about fighting here for decades.

In my judgment, the article dramatically illustrates the need for new American initiatives to bring about a negotiated settlement of the war. I ask unanimous consent to have it printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

VIETNAM: THE SIGNS OF STALEMATE

(By R. W. Apple Jr.)

SAIGON, SOUTH VIETNAM, August 6.—A little more than two years ago, on July 28, 1965, President Johnson committed the United

States more decisively than ever to the war in Vietnam by announcing the deployment of 50,000 more American troops to this stricken corner of Southeast Asia.

Last Thursday, in response to the urgent entreaties of his commanders, Mr. Johnson disclosed that he would send 45,000 to 50,000 more men, for a total of 525,000, by next June 30.

Between these two bench marks of the most frustrating conflict in American history the fighting has careened along, week by bloody week, through wet seasons and dry, through two Christmas cease-fires, through peace feelers and escalations.

By this weekend, 12,269 Americans had been listed as killed and 74,818 as injured, millions of artillery shells and billions of rifle bullets had been fired, and 833 airplanes had fallen to enemy gunners.

The war costs the United States more than $2-billion each month.

And yet, in the opinion of most disinterested observers, the war is not going well. Victory is not close at hand. It may be beyond reach. It is clearly unlikely in the next year or even the next two years, and American officers talk somberly about fighting here for decades.

The official statements from Washington and Saigon seem optimistic, as they have been for almost five years. Gen. William C. Westmoreland, the American commander in Vietnam, said recently that his men had made "tremendous progress." Secretary of State Dean Rusk said the enemy was "hurting very badly."

"Stalemate" is a fighting word in Washington. President Johnson rejects it as a description of the situation in Vietnam. But it is the word used by almost all Americans here, except the top officials, to characterize what is happening. They use the word for many reasons, including the following:

¶The Americans and their allies, having killed by their own count 200,000 enemy troops, now face the largest enemy force they have ever faced; 297,000 men, again by their own count.

¶The enemy has progressed from captured rifles and skimpy supplies to rockets, artillery, heavy mortars, a family of automatic infantry weapons and flame throwers, most of which has been brought into South Vietnam in the face of American air power.

¶1.2 million allied troops have been able to secure only a fraction of a country less than one and a half times the size of New York State.

¶The allies are reaching the bottom of their ready manpower pool, while the North Vietnamese have committed only one-fifth of their regular army.

¶Above all, if the North Vietnamese and Americans troops were magically whisked away, the South Vietnamese regime would almost certainly crumble within months, so little have the root problems have touched.

ENEMY'S TENACITY DEFIES AWESOME U.S. EFFORT

It is true, as General Westmoreland has often said, that the United States has built an awesome logistical empire in Vietnam, that the enemy seldom wins a major battle, that more highways are open than before, that American bombers have severely hampered Hanoi's war effort, that the Vietcong are suffering.

But the enemy continues to fight with tenacity, imagination and courage, and no one knows when he will stop.

The goal of American policy, simply stated, is to defeat, together with the other allies, the Vietcong guerrillas and their backers, the North Vietnamese, so that South Vietnam's nationalists can transform their society into something strong and durable.

Originally, American troops were to form a series of dikes, or military shields, around critical areas, so that the South Vietnamese sheltered from North Vietnam's regulars, could regroup and build.

This is still the role of the gallant marines along the demilitarized zone, facing the North Vietnamese homeland, who have lost 10,000 men killed or wounded since Jan. 1; of the Fourth Infantry Division, along the Cambodian border, and of other divisions that mount search-and-destroy operations in enemy base areas.

AMERICANS FRUSTRATED BY HIT-AND-RUN ASSAULTS

It is galling work. Because the enemy can fade into redoubts or across borders where the Americans cannot follow him, the same unit must be smashed again and again. General Westmoreland once conceded that he was unable to hurt any unit so badly that it could not be refitted in 90 days.

Frustrated, the allies have turned increasingly to the use of artillery and airpower to hurt the enemy, substituting F–100 fighter-bombers and 155-mm. howitzers for infantrymen. The natural tendency of a technological society is to spend its steel and its inventiveness rather than its men.

But in Vietnam, technology is no substitute for the man on the ground. Artillery does not keep the Vietcong from moving at night; patrolling does. The artillery, in fact, often hurts more than it helps. When a 155-mm. shell, aimed almost at random into the gloom, crashes onto a sleeping hamlet, potential Vietcong are often created in an instant.

The most damaging fact is this: Behind these dikes that have been manned at the cost of so much blood and treasure, almost nothing has improved. The North Vietnamese have been pushed back into their lairs, away from the hamlets and villages, but security in the countryside is as bad as ever.

"I've destroyed the ——— Division three times," a senior American general said the other day. "I've chased main-force units all over the country, and the impact was zilch: It meant nothing to the people."

So now the Americans, implicitly admitting that they despair of results from the South Vietnamese themselves, are moving into action against the guerrillas, while trying at the same time to keep the North Vietnamese off balance.

Of the 25 American units of regimental or brigade size deployed in Vietnam, 14 are committed to the grisly business of digging out the mines in roads and defending tiny hamlets.

"We are on the way to a policy of occupation in this country," a Washington official said not long ago. "We have found that unless we put enormous numbers of our own troops into a very small area the thing doesn't go."

WHERE BIG UNITS MANAGE, SMALLER ONES FAIL

Where large units have been committed—for example, the First Cavalry Division (Airmobile) on the Bongson plain and the South Koreans in Phuyen Province—progress has been made.

Where the same tactic has been tried with smaller units, it has not worked. The Marines, stretched thin, have been trying to pacify the area around the Danang air base for two years, but they were unable to prevent the rocket attack July 15 that took a heavy toll in men and machines.

Army units have been engaged for months in Operation Rang Dong, the struggle to secure the approaches to Saigon, but during the last two weeks the guerrillas have mined Route 4, the main road to the Mekong Delta, have struck with mortars at the Nhabe naval complex within sight of the lights of Saigon, and have fired their rockets into key American bases.

In all 53 districts of the III Corps—the sector around Saigon where the earth has been scorched in Operations Junction City, Cedar Falls and Manhattan—there remains a virtually complete guerrilla structure: a 10-man squad for each hamlet, a 30-man platoon for each village, an 80-man company for each district, and at the top a 350-man company for each of 12 provinces.

The Vietcong have the incalculable advantage of the tactical offensive. The allies must defend and build; the Vietcong serve their ends by attacking and falling back.

FOR A COMPLETE SHIELD, 8 MILLION TROOPS

To repeat the pattern of Phuyen and Binhdinh in all the populous areas of South Vietnam, one ranking American official has estimated, the allies would require eight million men. Even then, as General Westmoreland has acknowledged, the problem would not immediately be solved because if the Americans pulled back, the enemy would filter down from the hills.

The situation has reminded more than one American in South Vietnam of these lines by Lewis Carroll:

> "If seven maids with seven mops.
> Swept it for half a year,
> Do you suppose," the Walrus said,
> "That they could get it clear?"
> "I doubt it," said the Carpenter,
> And shed a bitter tear.

The answer to the seeming impasse is pacification—reestablishing the Government presence in the hamlets so that the peasants will want to defend themselves and will have the means to do so.

To accomplish this, the United States has built schools, pigpens and marketplaces; the South Vietnamese have conducted village and hamlet elections; a total of 315,000 pacification workers, American and South Vietnamese soldiers and civil servants have been committed; the American command structure has been reorganized and enormous sums are being spent this year; $400-million by the Americans, $135-million by the South Vietnamese.

Some American officials argue that progress is inevitable because of the resources involved, that if enough manpower and money are poured out of Saigon, some of it, somehow, will have an impact on the faraway peasant.

But the ground to be covered is enormous. According to the new system for evaluating hamlets, a total of 1,944 out of 12,537 are controlled by the Government—a figure amounting to fewer than one in six. The rest are contested or, to some degree, controlled by the Vietcong.

Some of the most experienced Americans here consider a hamlet secure when its chief is willing to sleep in it. About 2,000 are thought to meet this criterion.

PACIFICATION RUNS BEHIND SCHEDULE IN 26 AREAS

The modest goal for this year is the pacification of 1,100 hamlets, most of them in 26 priority areas; but even this seems beyond the present state of the art. Of the 44 provinces, 26 are behind schedule. American officials concede that pacification is at best creeping ahead in three-quarters of the country and stopped cold in the northern part.

Competent pacification workers are becoming harder and harder to recruit; the goal of 41,000 by the end of 1967 will not be reached, and those already at work are being killed at a rate near 15 a week. The 53 South Vietnamese Army battalions supposedly protecting the workers are not doing so. Morale is so bad that 13 of every 100 workers are expected to desert during 1967.

A senior American said recently, "There is at least a 2-to-1 chance that we will increase the momentum of pacification over the next 12 or 18 months."

But nothing better than this can be hoped for, in the opinion of many observers, without a thorough overhaul of South Vietnamese society—without a second revolution to counter the revolution, however bogus, that the

Vietcong have promised for more than a decade.

The peasants, by and large, are apolitical. They stand by and watch as they are buffered by the war. They want security more than anything else, but they can be rallied to an ideal, as the North Vietnamese and the Vietcong have sometimes shown.

The ideal is nowhere to be found in Saigon.

Unless a theme more positive and more stirring than simple anti-Communism can be found, the war appears likely to go on until someone gets tired and quits, which could take generations.

CENTRAL FACT IN SOUTH: LACK OF COMMITMENT

Unless the central fact of the allied war effort—the critical lack of commitment of South Vietnamese society to work for its own survival—is changed, there can be no real victory because there can be no viable, democratic Vietnamese society, which is what the United States came here to help build.

The Americans responsible for the war effort seem to have given relatively little thought to this problem, perhaps because it drives them up against the reality that the people they are fighting for are none too eager to fight for themselves.

Consider, for example, General Westmoreland's program for improving the South Vietnamese Army. It is contained in a thick booklet stamped "Secret," and it includes 44 subprograms—all of which relate to more equipment, better professional training, more advisers. None relate to what football coaches like to call "the will to win."

Commenting on this preoccupation with the material, The Saigon Post recalled the recent fate of the Egyptian Army, with its magnificent Soviet-made tanks and jets, and suggested that South Vietnam's generals bear in mind Napoleon's dictum: "The moral is to the physical as 3 to 1."

SOUTH VIETNAMESE TROOPS CONSIDERED INEPT

Allowing for such exceptional units as the marines, the rangers and the paratroops, the performance of South Vietnam's forces has been shockingly bad, in the opinion of most advisers.

Commanders only reluctantly commit their units to battle, because they are afraid of losing men. Once in battle, they are often unable to rally their troops. South Vietnamese units broke and ran during the early fighting around Conthien and again during recent fighting in the Mekong Delta.

One recent instance of inaction by Government troops occurred in the middle of May. The Vietcong overran a battalion command post in the delta, killing three American advisers and 29 South Vietnamese. One enemy body was found after the attack. Three South Vietnamese companies sat out the action only 300 yards away.

After years of cajolery by their advisers, Government units still operate ineffectively at night (as, indeed, some American units do). A visitor recently inspected three "night patrols" in three parts of the country. One was walking down a highway with transistor radios blaring, one was asleep in a house and the third was hidding in a cave.

The American advisers—whose superiors, including General Westmoreland, have refused to demand the removal of incompetent leaders—have had little impact. One former adviser described his role as that of "a glorified radio operator, tolerated only because I could call in air strikes."

"NEED FOR REINFORCEMENTS A MEASURE OF OUR FAILURE"

"Every time Westy makes a speech about how good the South Vietnam Army is," another general has said, "I want to ask him why he keeps calling for more Americans. His need for reinforcements is a measure of our failure with the Vietnamese."

At the same time, paradoxically, the Americans have created a dependent psychology in which the South Vietnamese abdicate responsibility in combat only to reassert it later.

An experienced adviser tells of having led a Government battalion in a ferocious all-night battle while its commander hid in a foxhole. The next morning, the commander emerged, shook himself and ordered his men to move out. When the American suggested that a less bunched-up formation might be better, the commander coldly ignored him.

At bottom, American officers say when they know that they will not be quoted by name, the trouble with the South Vietnamese Army is a lack of leadership. The fighting men are tough, willing and courageous, but like soldiers everywhere, they are worthless if badly led and poorly motivated.

MOST TALENTED MEN ARE LOST TO THE CAUSE

The lack of leaders is heartbreaking to those who would reform the army. The best talent in the current generation has long since been lost: Thousands of men who might be leading South Vietnamese troops in combat are serving with the North Vietnamese or the Vietcong, heirs to the country's nationalist revolution against the French. Of all the Government officers serving as lieutenant colonel or higher, only two fought on the side of the Vietminh in the war against the French.

Some potential leaders are languishing in exile as a result of the purges of the last decade. Countless others have been killed in battle.

In their place stands a corps of young officers, often incompetent and more often corrupt. Weary of the war and cynical toward it, many of them work a four-and-a-half-day week, leaving their troops at noon Friday and repairing to Cantho or Danang or Saigon in search of diversion. It is not uncommon to see two dozen off-duty army officers taking their ease of a Saturday night in Maxim's, a frightfully expensive Saigon nightclub.

Watching one such group drive through town in a long black car recently, a Vietnamese student commented, "Nguyen Huu Tho doesn't live like that."

Mr. Tho is chairman of the National Liberation Front, political arm of the Vietcong.

Saigon's army hardly seems a likely force to lead a revolution, and whatever can be said of the army can be said of the Government as well, for the army is the Government.

If the villagers resent soldiers who steal their rice and chickens, they resent far more the corrupt district and province officials, nearly all of them military men. They resent, for example, the delta province chief whose waterworks and electrical plant serve his headquarters and his house but not a single peasant hut; and they resent the highlands province chief who sold them diseased pigs, bought with American aid funds, at enormous profit to himself.

TALES OF CORRUPTION ABOUND IN SAIGON

The corruption—the sense of a diseased society—is most pervasive in Saigon. Many of the stories that float through the city's cafes are no doubt false; but in a sense, that does not matter because most of the people believe them.

This belief is a major political fact, contributing to cynicism and noncommitment. Conceivably General X's wife did not buy and sell draft deferments; but everyone said she did. The question has been asked: Is it reasonable to expect young men to volunteer eagerly to fight for their country in this kind of atmosphere?

La Thanh Nghe, a former Cabinet minister, is accused of having sold antibiotics to the Vietcong and, at the same time, of having earned almost a million dollars in kickbacks from American drug suppliers. Policemen on duty at night along Tu Do Street tell a journalist that they will need $3 to be sure his car is not towed away. Clerks on the piers, unable to locate the papers needed to clear a shipment through customs, suddenly find them when $10 passes across the counter.

Added to this is a civil service so weary, so undermanned, so bogged down in antique French techniques—18 seals and signatures are required on one car-ownership document—that the tiniest tasks require weeks.

This is the system through which the pacification campaign must be made to work, through which the army must be reformed, the economy must be managed, the hearts and minds of the people must somehow be won.

WHAT KY AND THIEU SAY, AND WHAT THEY DO

Premier Nguyen Coa Ky and Lieut. Gen. Nguyen Van Thieu, the chief of state, say all the right words, promising social justice, an end to corruption and a liberal revolution that will make the task of the Communists impossible.

But Premier Ky also once advised Western journalists to "watch what I do, not what I say"—and watching is not often encouraging.

After months of American prodding, for instance, the Government issued its "proclamation of national reconciliation", supposedly the beginning of a campaign to persuade high-ranking Vietcong to defect. Since then, the subject has been dropped, and only one field-grade enemy officer has turned himself in.

Four men who know Vietnam well have also watched. They recently said the same thing in different ways.

A former Premier commented: "The problem isn't the North Vietnamese Army. It's the South Vietnamese Government."

An American who has worked in the provinces for more than five years: "Nobody considers the Vietcong Robin Hood any more. But the Government and the army are still the Sheriff of Nottingham, and you'll never sell that."

A Saigon editor: "What is needed is someone who can seriously make the same claim on the loyalty of the people as Ho Chi Minh does in the North. Without that, there can be nothing. The Americans will never understand, but it is obvious that the problem is not military but political, not American but Vietnamese. We have more of everything military—more bombing, more troops, more money—yet the situation does not change. This can be explained only in terms of the population's indifference, or even hostility, to Saigon."

A young army officer: "No South Vietnamese whose career or pocketbook isn't involved really looks up to or respects Ky. He could never be our national hero—too young, too flashy, too American, too much the playboy, too much the pilot."

Confronted with these attitudes, and with open insurrection by militant Buddhists, the Government consented to national elections this fall. They offer an enormous opportunity, everyone here agrees, to rally the people behind Saigon, to give the country a psychological lift, to dash the claims of the Vietcong to legitimacy and possibly even to open the way to peace negotiations.

HABITS OF DOMINANCE PERSIST IN MILITARY

But the military's old habits persist; it would be unrealistic not to expect them to. At the generals' insistence, the only serious peace candidate, Au Truong Thanh, was ruled off the ballot, and the only nominee even remotely identifiable as a national hero, Maj. Gen. Duong Van Minh, was refused permission to return to the country.

Several left-wing candidates for the Senate were also denied the right to run.

A Saigon newspaper spoke for most of the country's intelligentsia and most civilian politicians when it said: "This may succeed in keeping out [of office] the people dedicated to radical social changes and reforms, and to ridding our people of inequalities and injustices with the perpetuation of which we would not triumph over Communism."

The remaining candidates—a collection of middle-aged and middle-class conservatives—seem to offer no real alternatives. The most prominent of these, Tran Van Huong, is considered an elderly, kindly and thoroughly honest retired teacher whose brief term as Premier in 1964 and 1965 was characterized chiefly by his stubbornness. Even his supporters concede that he is not the vibrant national leader the country needs.

OUTLOOK AFTER THE VOTING: NO BASIC CHANGES

Neither Mr. Huong nor any of the nine other civilian candidates is given more than a slight chance of winning, even if the balloting is scrupulously honest, which few expect it to be. The built-in advantages of incumbents, here as elsewhere, are so great that only a figure of great charisma can overcome them.

So the outlook, four weeks before election day, is for a ratification of the Thieu-Ky regime, with all that would mean: a "legitimized" but essentially unchanged central Government, continuation of heavy-handed police tactics, the same generally corrupt officials in the provinces, the same dispirited army, more war.

The prospect may be agonizing to Americans, but it is far worse for the South Vietnamese.

"What am I to do?" a young businessman asked a friend not long ago. "Vote for Thieu and Ky, and watch my country get torn apart for four more years? Vote for one of the civilians, when you and I both know they can't provide any real leadership? Join the Vietcong? Go to France or America?

"You know I can't do any of those things. I shall just have to wait longer."

Loyalties of the Hamlets

Saigon, South Vietnam, August 6.—Following is a table, based on official United States data, breaking down South Vietnam's hamlet population according to degree of loyalty to the Saigon Government or the Vietcong. Added to the hamlet population, the nation's 3,732,500 city dwellers account for the total population, 17,165,300.

	Hamlets	Population
Total Government control	168	489, 300
Partial Government control	1, 776	3, 129, 100
Contested (Government-leaning)	3, 245	4, 360, 600
Contested (Vietcong-leaning)	2, 156	1, 976, 100
Partial Vietcong control	528	402, 200
Total Vietcong control	3, 978	2, 923, 200
Unclassified	686	152, 300
Total	12, 537	13, 432, 800

THE CBS "WARREN REPORT"—PART IV

Mr. HARTKE. Mr. President, at my request there have previously appeared in the Congressional Record the first three of the four 1-hour television broadcasts presented by CBS on successive evenings from June 25 through June 28. The extensive in-depth journalism involving these broadcasts was termed a "news inquiry" whose subject was the "Warren Report." The three portions previously appearing in the Record may be found in the issues of July 18, August 4, and August 8.

I ask unanimous consent that the fourth and final portion of this inquiry, dealing with a question of great public interest, may appear in the Record also.

There being no objection, the report was ordered to be printed in the Record, as follows:

CBS News Inquiry: "The Warren Report"—Part IV

(As broadcast over the CBS Television Network, Wednesday, June 28, 1967)

With CBS News Correspondents Walter Cronkite, Dan Rather, Eric Sevareid, and KRLD-TV News Director Eddie Barker.

Executive producer: Leslie Midgley.

Walter Cronkite. Good evening. For the past three nights we have been examining the circumstances of the assassination of President John F. Kennedy. On Sunday, we returned to Dealey Plaza to re-create that fatal motorcade ride beneath the windows of the Texas School Book Depository.

Believing that rifle tests conducted by the Warren Commission were less than adequate, we conducted new tests, more closely simulating the conditions of the actual murder. We found hitherto undiscovered evidence in film of the murder itself, that the killer had more time than the minimal 5.6 seconds indicated in the Warren Report to get the shots off. And we concluded that beyond reasonable doubt, Oswald was indeed at least one of the killers.

But was there more than one? On Monday night, we interviewed eyewitnesses who said all the shots came from the School Book Depository. And others equally insistent that there were shots from the grassy knoll overlooking the motorcade itself.

We tested more exhaustively than did the Warren Commission the extremely controversial single bullet theory, found that one bullet could, indeed, have wounded both the President and Governor Connally. We heard autopsy surgeon, James Humes, break three and a half years of silence to report that he has re-examined the X-rays and photographs of the President's body, and still has no doubt that all the shots struck from behind.

We concluded that in the absence of solid evidence that there were other assassins, and with the indications that one killer could account for all the shots, there was no second gunman. But, even as the only gunman, was Oswald, as the Warren Report suggests, a lone madman? Or was he the trigger-man for a conspiracy to kill the President?

On Tuesday, we considered such frequently mentioned indications of conspiracy as the murder of Officer J. D. Tippit, found that he was legitimately ordered from his normal patrol area as part of a redeployment of police forces to cope with the assassination. Found too, that a partial description of the assassin, broadcast on police radio, could account for Tippit's stopping Oswald.

We found the nightclub owner, Jack Ruby, the man who killed Oswald, was a strange, mercurial creature given to hitting first and asking questions afterward. And none of his closest associates would credit Ruby with the ability to keep a secret very long.

We presented the conspiracy theories of New Orleans District Attorney Jim Garrison, theories which Garrison says he will present in a court of law, but which today remain a series of largely unsupported statements. And we concluded that, for now at least, no conspiracy theory of the assassination has been proved.

Tonight, we turn from the assassination to the Warren Commission itself. Having found that the Commission's conclusions, in the main, still stand up almost three years after published, we now ask our fourth and last fundamental question: Why doesn't America believe the Warren Report?

Tonight, as in our preceding reports, my colleague Dan Rather and I are going to break this fundamental question into subsidiary questions. For the first part of the broadcast, we will ask: Should America believe the Warren Report? We will explore just how well and honestly the Warren Commission operated, to what extent it deserves belief.

The second question will be: Could America believe the Warren Report? And we'll try to determine whether there are elements in the way people, and particularly Americans, think about great events, which would prevent their accepting the Warren Report, however trustworthy it might be.

But this final broadcast will be different. The questions we will ask tonight, we can only ask. Tonight's answers will be not ours, but yours.

Rather. As we take up whether or not America should believe the Warren Report, we'll hear first from the man who perhaps more than any other is responsible for the question being asked. Mark Lane, lawyer and former New York State Assemblyman, was the gadfly of the Warren Commission. He demanded the right to appear before it as a defense counsel for the dead Lee Harvey Oswald. Refused, he began his own investigation of the President's death, a study that produced first the best selling attack on the Warren Commission, "Rush To Judgment," and now a movie of the same name.

Mark Lane has lectured all over the world on his own theories of the assassination, theories which he spelled out for Bill Stout.

Mark Lane. There was one conclusion, one basic conclusion that the Commission reached, I think, which can be supported by the facts, and that was the Commission's conclusion that Ruby killed Oswald. But, of course, that took place on television. It would have been very difficult to deny that. But, outside of that, there's not an important conclusion which can be supported by the facts and—and this is the problem.

And what the Commission was thinking and what they were doing is still hidden from us, of course. The minutes of the Commission meetings are locked up in the National Archives and no one can see them. A vast amount of the evidence, F.B.I. reports, C.I.A. reports, which may be directly related to the information we should have, are also locked up in the Archives. No one can see that.

The photographs and X-rays of the President's body, taken at the autopsy in Bethesda, Maryland, taken just before the autopsy was begun, taken by Naval technicians, which in and of themselves might resolve the whole question as to whether or not there was a conspiracy, cannot be seen by anyone today and, in fact, not one member of the Warren Commission ever saw the most important documents in the case, the photographs and the X-rays. And not one lawyer for the Commission ever saw—was curious enough to examine the most important evidence.

I think the villain was the desire of government officials to be nice, to see to it that nothing would upset the American people, that the apathy which has seized us for all of these years be permitted to remain uninterrupted by a factual presentation of what happened. The American people would have been upset surely if they were told there was a conspiracy which took the life of your President.

Cronkite. But Mr. Lane, who accuses the Commission of playing fast and loose with the evidence, does not always allow facts to get in the way of his own theories. In "Rush To Judgment," for example, he writes: "The statements of eyewitnesses close to the President tended to confirm the likelihood that the shot came from the right and not from the rear." Lane then quotes Associated Press photographer James Altgens, and another eyewitness, Charles Brehm, as giving testimony that would support the idea of a killer on the grassy knoll. Yet Mr. Altgens, as we saw Monday night, is entirely certain that all of the shots came from behind, a fact that Mr. Lane does not mention.

As for Mr. Brehm, Eddie Barker discovered that he holds no brief either for the grassy knoll theory or for the use of his words by Mark Lane.

Eddie Barker. Well now, some critics of the Warren Report have taken your testimony, or interviews with you, to indicate that you thought the shots came from behind the fence over there. What about that?

Charles Brehm. Well, as I say, it was not a number of critics. It was one critic, Mark Lane, who takes very great liberties with adding to my quotation. I never said that the—any shot came from here like I was quoted by Mr. Lane. Mr. Lane would like me to have positively identified the—what I saw fly over here—his skull—although I told him I could not—I did not—I thought it was but I could not. So, he has added his interpretations to what I said, and consequently that's where the story comes from that—that I said that the shots come from up there. No shot came from up there at any time during the whole fiasco that afternoon.

Cronkite. Nor are these the only examples of Mr. Lane lifting remarks out of context to support his theories. Perhaps the most charitable explanation is that Mark Lane still considers himself a defense attorney for Lee Harvey Oswald—and a defense attorney's primary duty is not to abstract truth, but to his client.

There exists, however, a less partisan, and therefore perhaps more disturbing critique of the Warren Commission Report.

Rather. One of the most influential attacks on the work of the Commission is the book, "Inquest," by a young scholar named Edward J. Epstein. It began as a thesis in political science, Mr. Epstein deciding to find out just how the Warren Commission had gone about solving this crime of the century.

He studied the 26 volumes of hearings, then interviewed five of the seven Commission members, General Counsel J. Lee Rankin and some of the Commission's top investigators. And the pattern that began to emerge disturbed him.

Epstein. Well, there were three, I think, levels of complaint. The first one was the institutional, you might say: the general problem that a government has when it searches for truth. The problem of trying to have an autonomous investigation, free from political interference and at the same time, it's dealing by its very nature with a political problem.

The second level might be called the organizational level of—was the Warren Commission organized in a way that prevented it from finding facts. And here my findings were that by using a part time staff and by the Commission's detaching themselves from the investigation—in other words, not actively partaking in the investigation—it raised some problems as to whether the Warren Commission's investigation went deep enough, so that if there was evidence of a conspiracy, they would have in fact found it.

The third level of my criticism concerned the evidence itself, and this concerned the problem of when the Warren Commission was come—confronted with a very complex problem. For example, the contradiction between the F.B.I. summary report on the autopsy and the autopsy report they had in hand—how they solved this problem, whether they simply glossed over it or whether they called witnesses and—and this—this, of course, brought up the questions of—of a second assassin.

Rather. One of the men Mr. Epstein interviewed for his "Inquest" is Arlen Specter, now District Attorney of Philadelphia, but in 1964, one of the principal investigators for the Warren Commission, charged with establishing the basic facts of the assassination. Mr. Specter thinks the Commission did its job well and came up with the right answers.

Specter. I would say after having prosecuted a great many cases that seldom would you ever find a case which was as persuasive that Oswald was the assassin and, in fact, the lone assassin, and we convict people in the criminal courts every day right here in City Hall, Philadelphia. And the times the death penalties are imposed or life imprisonment—so that—so that the case does fit together.

Rather. In separate interviews we asked critic Epstein and investigator Specter to discuss some of the central issues that must determine how well or how badly the Warren Commission did its work.

Epstein. Part of the job of the Warren Commission was restoring confidence in the American government. And for this he had to pick seven very respectable men, men who would lend their name and lend probity to the report. And so that the problem was, in any seven men he picked of this sort, they would have very little time for the investigation.

They would also have two purposes. One purpose would be to find the truth, all the facts. The other purpose would be to allay rumors, to dispel conspiracy theories and material of that sort.

Specter. My view is that there is absolutely no foundation for that type of a charge. When the President selected the Commissioners, he chose men of unblemished reputation and very high standing. The Chief Justice of the Supreme Court of the United States would have no reason whatsoever to be expedient or to search for political truths. Nor would Allen W. Dulles, the former head of the C.I.A., nor would John McCloy, with his distinguished service in government, nor would the Congressional or Senatorial representatives.

Now, the same thing was true of the staff members. When it came time to select the individuals to serve as assistant counsel and general counsel, men were chosen from various parts of the United States who had no connection with government.

Epstein: For example, there were rumors concerning the F.B.I. or various intelligence agencies. I noticed that there were a number of memorandums where the—where—from Warren to the Secretary of the Treasury, who was in charge of the Secret Service, assuring that their findings wouldn't impair the efficiency or the morale of the Secret Service. And the same thing again with the F.B.I., a question of whether there was ever any possible connection between Oswald—and by connection I don't mean anything sinister, I simply meant that he was furnishing information and there were some rumors to this effect—and they, rather than investigating these rumors, they preferred to give it to the F.B.I. to investigate the rumors themselves. As J. Lee Rankin, their General Counsel, said, they would rather that agency clear its own skirts. Well, what this meant, of course, is that if the F.B.I. would have discretion if it did find a connection between Oswald and itself, the discretion of either reporting it or not reporting it.

Specter: In the main, the F.B.I. conducted the basic line of investigation. But the Commission used its independent judgment wherever, say, the F.B.I. or the Secret Service was involved itself so that they would not investigate themselves on the subjects where they were directly involved, and I think the Commission showed its independence in that regard by criticizing the Federal Bureau of Investigation and by criticizing the Secret Service where the facts warranted such criticism.

On every subject where the Federal Bureau of Investigation had contact with the area of investigation with which I was intimately connected, I was fully satisfied with their thoroughness and with their competency and with their integrity.

Cronkite. Despite Mr. Specter's defense, it is the opinion of CBS News that the role of the F.B.I. as well as the Secret Service, both in the assassination and its aftermath, has been less than glorious. And, to some extent, the performance of these agencies weakens the credibility of the Warren Report. As to what the F.B.I. and the Secret Service did wrong before the assassination, we need look no further than the Report itself.

It notes the Secret Service agents assigned to protect the President had been drinking beer and liquor into the early hours of the morning, that no search was made of buildings along the route, and that, quote: "The procedures of the Secret Service, designed to identify and protect against persons considered serious threats to the President, were not adequate prior to the assassination," end of quote. That is, the Secret Service should have known about Lee Harvey Oswald.

But the Report goes on to point out that if the Secret Service did not know about him, the F.B.I. did, and did not see fit to mention his existence to the Secret Service. The report issues a mildly phrased yet devastating rebuke to the F.B.I., charging that it took an unduly restrictive view of its responsibilities. Knowing what the F.B.I. knew about Oswald, the Report says, an alert agency should have listed him as a potential menace to the President. Yet, after the assassination, the Commission itself relied heavily on these two agencies as its investigative arms.

Did their performance improve? We know that some of the tests conducted by them for the Warren Commission were unsatisfactory. In the first of these broadcasts we pointed out that to simulate Oswald's problem of hitting a moving target from a sixty foot high perch, the F.B.I. conducted its firing tests on a fixed target, from a 30-foot height. Certainly, if CBS News could duplicate the conditions of the actual assassination for a firing test, the feat's not beyond the capability of the F.B.I.

Rather. There is also the case of the famous exhibit 399, the bullet which the Commission thought wounded both the President and Governor Connally, winding up on the Governor's stretcher in Parkland Hospital. Critics of the Report, you will remember, insist it couldn't have hit both men, but must have been found on the President's stretcher. Yet, part of the now permanent confusion surrounding the bullet and where it was found, must be charged to the cavalier attitude of agents of both the F.B.I. and the Secret Service at Parkland Hospital.

On Monday night, hospital attendant Darrell Tomlinson described how, in shoving a stretcher into place, he dislodged a spent rifle bullet. Mr. Tomlinson quite properly sent at once for the hospital's chief of security, O. P. Wright. Mr. Wright describes what happened then:

Wright. I told him to withhold and not let anyone remove the bullet, and I would get hold of either the Secret Service or the F.B.I., and turn it over to them. Thereby, it wouldn't have come through my hands at all. I contacted the F.B.I. and they said they were not interested because it wasn't their responsibility to make investigations. So, I got a hold of a Secret Serviceman and they didn't seem to be interested in coming and looking at the bullet in the position it was then in.

So I went back to the area where Mr. Tomlinson was and picked up the bullet and put it in my pocket, and I carried it some 30 or 40 minutes. And I gave it to a Secret Serviceman that was guarding the main door into the emergency area.

Barker. Mr. Wright, when you gave this bullet to the Secret Service agent, did he mark it in any way?

Wright. No, sir.

Barker. What did he do with it?

Wright. Put it in his lefthand coat pocket.

Barker. Well now, did he ask your name

or who you were or any question at all about the bullet?

WRIGHT. No, sir.

BARKER. How did the conversation go? Do you remember?

WRIGHT. I just told him this was a bullet that was picked up on a stretcher that had come off the emergency elevator that might be involved in the moving of Governor Connally. And I handed him the bullet, and he took it and looked at it and said, "O.K.," and put it in his pocket.

CRONKITE. There is little to praise in such treatment by the F.B.I. and the Secret Service of perhaps the most important single piece of evidence in the assassination case. Moreover, the Warren Commission seriously compromised itself by allowing the Secret Service, the F.B.I. and the C.I.A. to investigate questions involving their own actions.

RATHER: The Commission had before it the hard fact that Oswald's notebook contained the name, phone number and license plate number of Dallas F.B.I. agent, James Hosty. The F.B.I.'s explanation was that Hosty had asked Ruth Paine, with whom Marina Oswald was living, to let him know where Oswald was staying, that he jotted down his phone number and that Marina under prior instructions from her husband, also copied down Hosty's license plate.

CRONKITE: The question of a link between the killer and the F.B.I. was indeed a legitimate part of the investigation. The Commission's handling of that question is scarcely justifiable. What it did was to accept as conclusive sworn affidavits from J. Edgar Hoover, and other F.B.I. officials, that Oswald was never employed in any capacity by the F.B.I.

The Commission says it also checked the F.B.I.'s own files, but mentions no other investigation. It followed the same curious procedure with the C.I.A., taking the word of top C.I.A. officials that Oswald had no connection with that agency either. The Commission then came to the sweeping conclusion that there was absolutely no type of informant or undercover relationship between an agency of the U.S. Government and Lee Harvey Oswald at any time.

Now, elsewhere, the Warren Report argues persuasively the difficulty of proving a negative, of proving in that case that Oswald was not a member of a conspiracy. You will remember that it hedged its conclusion, saying only that there was no evidence of a conspiracy.

Yet the Commission had no hesitation in asserting another far reaching negative: that Oswald was not involved with any agency of the U.S. Government ever. Oswald's mother, Marguerite, has always maintained that her son was a government agent—she favors the C.I.A.—and that he was innocent of the assassination.

BARKER. Mrs. Oswald, what sort of proof do you have that your son was an agent of this government?

MARGUERITE C. OSWALD. Now, proof, Eddie—that's a very strong question. I think the Warren Commission members themselves gave Marguerite Oswald the proof. They want us to believe that Lee Harvey Oswald went to Russia as a defector. And yet he got out of the Marine Corps three years before his hitch was up on a Dire Need discharge. Now, this is documented. This is what they tell the American people. They go into great details, that Lee Harvey Oswald got out of the Marine Corps three months ahead of time because his mother had an accident—which was the truth, and it all went through the Red Cross legitimately.

And when he came home, he stayed with his mother three days. We sort of know that story. And then he left for Russia. And, so, this is supposed to be all cut and dried. But when you read the Warren Report, and when you know the case—and this is my case, and my son's—so I know it, then you see a little part where the Warren Commission says, the documentation says, that Lee Harvey Oswald was given a passport by the State Department to travel to Russia, the Dominican Republic, Cuba, and et cetera; and at that time these countries were not restricted.

Now, how can Lee Harvey Oswald get out of the Marine Corps three months ahead of time on a Dire Need discharge, and at the same time be issued a passport to travel?

CRONKITE. The evidence is overwhelming that Mrs. Oswald is wrong as to whether her son did assassinate the President. Yet, there remains disturbing indications that she may not be quite so wrong about some kind of link between Oswald and various intelligence agencies of the United States. The question of whether Oswald had any relationship with the F.B.I. or the C.I.A. is not frivolous. The agencies, of course, are silent.

Although the Warren Commission had full power to conduct its own independent investigation, it permitted the F.B.I. and the C.I.A. to investigate themselves—and so cast a permanent shadow on the answers.

RATHER. More than one critic of the Warren Report has attacked it over the question of witnesses: which ones it heard, and which of those it decided to believe.

Once again Edward Jay Epstein:

EPSTEIN. I'm not sure that the Commission went below the surface, but then no one could be sure of whether they did or not because from what's visible, what we can see, the Commission did seem to bring forth most of the testimony, most of the relevant witnesses. Whether these witnesses were saying all they knew, or whether there were other witnesses they should have called is another. I think there are. You can show examples of other witnesses the Commission didn't call.

There was a witness, Mrs. Eric Walther.

Mrs. CAROLYN WALTHER. When I saw this man in the window with a gun, and there was another man beside him, and he was holding the gun down. His arms were resting on the window.

EPSTEIN. Well, they never called her, nor did a Commission lawyer ever investigate her, or go down and ask her any questions.

RATHER. The Warren Commission and its staff interviewed 552 witnesses. Their testimony takes up these 26 thick volumes. Yet the question of whether it interviewed the right witnesses, and how it evaluated the testimony it did hear, are basic to any decision on how well it did its job.

For instance, what about Mrs. Carolyn Walther, who saw two men and a gun in a different window of the School Book Depository, and who never got to tell her story to the Commission?

CRONKITE. David Belin, an attorney for the Commission staff, who had a hand in the decision not to call Mrs. Walther after her interviews with the F.B.I., has said that the Commission simply could not hear every single person who had been in the plaza that day. He pointed out that Mrs. Walther's woman companion, standing next to her, told investigators Mrs. Walther had never mentioned seeing any men. Nevertheless, among those 552 witnesses who were called by the Commission were many whose testimony was considerably less relevant than Mrs. Walther's.

Perhaps the Commission should have had the chance to decide whether or not she saw what she says she did.

RATHER. Right now, long after the fact of the Commission Report being out, right now, what bothers you most about the Report? Are there any—is there a central question, or central questions that bother you most?

EPSTEIN. There is one central question that does bother me, and that is—involves the autopsy that was performed on President Kennedy. And there was a conflict—really, a contradiction, between the F.B.I. report on the autopsy, which the F.B.I. says they received from the autopsy doctors—at least they said in these reports, and the autopsy report published by the Warren Commission. And I don't think we have to get into the exact details, but it wasn't absolute—if one was true, the other couldn't be true. It concerned the path of the bullet through President Kennedy's body. The F.B.I. said it didn't go through, it only went in a short distance. The Warren Report said it went—or the autopsy in the Warren Report said it went clean through and exited.

There was evidence, evidence that I think any lawyer or law court would have demanded, and that is the actual photographs of the autopsy and the X-rays.

CRONKITE. Almost from the day the Warren Commission published its report, its decision to omit those vital X-rays and photographs have been under attack. Only that physical evidence, say the critics, can finally resolve the debate over how many bullets struck the President, where they came from, and where they went—the central questions in the argument over how many assassins opened fire in Dealey Plaza.

More than one critic has charged that the autopsy record in the Warren Report is not the original autopsy, but has been changed to conform with the Commission's theories. You will remember that after a silence of three and a half years the doctor who headed the autopsy team at Bethesda Naval Hospital agreed to re-examine those disputed photographs and X-rays, and review his findings for these broadcasts. And here is what Captain James Humes told Dan Rather.

HUMES. The Report, as I stated, is exactly the way it was delievered, and the way it was written.

CRONKITE. Yet it seems to CBS News that one of the most serious errors made by the Warren Commission was its decision not to look at those photographs and X-rays, an error now compounded. For the Kennedy family, which had possession of the autopsy pictures, agreed last year to donate them to the National Archives, but only with the stipulation that the pictures be locked away for five years—with only certain authorized government personnel allowed to see them.

Now, no one would propose that those grim and tragic relics be made generally available, to be flashed across television screens and newspaper pages. But in view of their crucial bearing on the entire assassination we believe that those films should now be made available for independent examination by expert pathologists, with the high qualification of Captain Humes—but without his status as a principal in the case.

There is one further piece of evidence which we feel must now be made available to the entire public: Abraham Zapruder's film of the actual assassination. The original is now the private property of Life Magazine. A Life executive refused CBS News permission to show you that film at any price, on the ground that it is, quote, "an invaluable asset of Time, Inc." unquote. And that, even though these broadcasts have demonstrated that the film may contain vital undiscovered clues to the assassination.

Life's decision means you cannot see the Zapruder film in its proper form, as motion picture film. We believe that the Zapruder film is an invaluable asset, not of Time, Inc.—but of the people of the United States.

CRONKITE. Until now we have heard a great deal about the Warren Commission from its friends and its foes. But what of the Warren Commission itself? Where do its seven members stand amidst this torrent of controversy over their performance?

Chief Justice Warren, who headed the Commission, has refused to discuss the Warren Report publicly, with CBS News, or indeed with anyone. But one Commissioner has agreed to participate in this broadcast. He is John McCloy, internationally known lawyer, Presidential adviser, and former High Commissioner for Germany.

Mr. McCloy, however objectively the Commission may have set about its work, the Report itself—it seems to us—may have just as well have been entitled "The Case Against Lee Harvey Oswald."

Now, are you satisfied that as much effort was put into challenging that case, as into establishing it? In other words, did the accused man get a fair trial?

McCloy. I'll answer that in just a moment. If I may just say one thing, I—which I'd like to say. In the first place, I had some question as to the propriety of my appearing here as a former member of the Commission, to comment on the evidence of the Commission—seems to be some question, and I think there is some question about the advisability of doing that. But I'm quite prepared to talk about the procedures and the attitudes of the Commission. And I'm—the scope of its conclusions, and so forth. But I will now try to answer your question by pointing out that this was an investigation, and not a trial.

We didn't have any plaintiff and defendant. This wasn't what is known as an adversary proceeding. We were all called upon to come down there to—I believe the wording was—the directive from the President, "to satisfy yourself," that is the Commission, "what were the relevant facts in relation to this assassination." And that's the base from which we started.

There've been a number of suggestions that the Commission, for example, was only motivated by a desire to put—to make things quiet, so as to give comfort to the Administration, or give comfort to the people of the country, that there was nothing vicious about this. Well, that wasn't the attitude that we had at all.

I know what my attitude, when I first went down, I was convinced that there was something phony between the Ruby and the Oswald affair, that 48 hours after the assassination, here's this man shot in the police station. I was pretty skeptical about that. But as time went on and we heard witnesses and weighed the witnesses—but just think how silly this charge is.

Here we were seven men, I think five of us were Republicans. We weren't beholden to any Administration. Besides that, we—we had our own integrity to think of. A lot of people have said that you can rely upon the distinguished character of the Commission. You don't need to rely on the distinguished character of the Commission. Maybe it was distinguished, and maybe it wasn't. But you can rely on common sense. And you know that seven men aren't going to get together, of that character, and concoct a conspiracy, with all of the members of the staff we had, with all of the investigative agencies—it would have been a conspiracy of a character so mammoth and so vast that it transcends any—even some of the distorted charges of conspiracy on the part of Oswald.

Cronkite. What did you do on those visits to Dallas?

McCloy. Well, we went there and walked over the Dealey Plaza, almost—it seems to me—foot by foot. We went into the School Book Depository. We talked to all of the police officers there—that were there, a number of the witnesses. Visited the boarding house—the boarding houses that Oswald had lived in. Retraced, step by step, his—his movements from the School Book Depository to the point at which he was apprehended in the theatre. We chased ourselves up and down the stairs, and timed ourselves. I sat in the window and held the very rifle, with a four power scope on it, and sighted down across it—seeing—must have been at the exact spot that whoever the assassin was sat, with the carton of boxes as a headrest; snapped the trigger many times; saw the—we had a car moving at the alleged rate—well, I can go on.

But I'm just trying to give you the—the impression of what was the fact that we did, assiduously, follow this evidence, and work out as best we could our own judgments in relation to it.

Cronkite. Mr. McCloy, the Commission came into being late in 1963, went through to September '64—when you were dissolved.

Could you have used more time? There is the charge that it was your conclusions were rushed, that there was some stringent time scale imposed.

McCloy. The conclusions weren't rushed at all. If there's any charge that can be made—and maybe this is an unjust charge, because I wasn't in charge of it—I'm inclined to think that we perhaps rushed to print a little too soon. But the conclusions we arrived at in our own good time.

I think that if there's one thing that I would do over again, I would insist on those photographs and the X-rays having been produced before us. In the one respect, and only one respect there, I think we were perhaps a little over-sensitive to what we understood was the sensitivities of the Kennedy family against the production of colored photographs of the body, and so forth.

But those exist. They're there. We had the best evidence in regard to that—the pathology in respect to the President's wounds. It was our own choice that we didn't subpoena these photographs, which were then in the hands of the Kennedy family. I say, I wish—I don't think we'd have subpoenaed them. We could have gotten—Mr. Justice Warren was talking to the Kennedy family about that at that time. I thought that he was really going to see them, but it turned out that he hadn't.

Cronkite. It's not surprising that there should be some skeptics, quite obviously, to any such report. But how do you account for the fact that the disbelievers outnumber the believers by such a wide margin?

McCloy. I think that—if you want me to speculate on it, first place there's the credulity of people generally. This is pretty spicy, pretty scandalous. Bear in mind that there have been an enormous amount of books written now, a large number of books written, pamphlets written—with the most shocking and distorted statements in regard to the evidence; with all of the blurbs and all of the propaganda. You know the business that goes with selling books.

Many more thousands of those have been distributed and read than the rather limited distribution of the Report, with the rather prosaic accounts. So, that I suppose this tends to build the thing up. There are other—there are other things that I suppose you can talk about. Strange attitudes. The people associate their politics with their belief, or their disbelief, in the Report.

I've gone to a number of campuses, for example. I'm astounded to find that they—the professors, as well as students—in many of the cases, I don't say the majority, think that it's illiberal to come to the conclusion that a Communist inclined defector could have been the assassin of the President. It's liberal to feel that it was the result of a right-wing conspiracy in the hostile atmosphere of Texas. And nothing that you can say or do seems to be able to dispel their viewpoint.

Maybe there's a general distrust of government and government agencies. I don't know. You can speculate, Mr. Cronkite, as much as I can about it. I—I—what I do resist, in a way—it irritates me, is any suggestion that the Commission were motivated other than by—and I'll leave myself out, there were competent people in that Commission, people who—who were experienced in investigation, like the Senators and the Congressmen, have been through many types of investigation; Dulles, who was—people who were used to dealing with F.B.I. reports, appraising them, weighing them taking many of them for something less than their face value.

They went at this thing, and they came to this conclusion—and there was nothing fraudulent about it, there was nothing sinister about it—either conscious or subconscious, in my judgment. And I think that, as I say, that common sense would tell you that this must be the case. We may have erred somewhere along the line, but so far I haven't seen any credible evidence which dispels the soundness of the fundamental conclusions that we came to.

Cronkite. In a way, we have come to the end of this report on the Warren Report. For some three and a half hours now we have presented what seemed to us the most significant new evidence concerning the assassination itself, and the President's Commission to investigate the assassination.

Yet over these months, as we prepared this report, we began to realize that there is one more question to be answered. That question does not really involve the assassination, or the Warren Commission—except indirectly. It involves the people of the United States. We began to wonder how it is possible that so many more Americans disbelieve the Warren Report than have ever read it.

Why, for instance, when fewer than two million copies of the Report have been sold, a Gallup Poll indicates that six Americans out of every ten think they know enough about it to mistrust it? Or why, by a considerable margin, more people have bought copies of books attacking the Report than have bought the Report itself?

Such indications begin to suggest that, completely apart from the merits of the Warren Report itself, there may be something abroad in the land that wants not to believe the Report's conclusion, that President Kennedy was the victim of a lone madman, and not of a conspiracy.

Our final question then: Could America believe the Warren Report?

Dr. Seymour Lipset of Harvard is a distinguished sociologist whose special field of interest is American behavior. And Dan Rather asked him about this national reaction of disbelief to the Warren Report.

Lipset. Sort of thing, you know, we're terribly bothered by murders. You know, when you get the kind of Jack the Ripper thing, or this fellow in Texas who shot down—if someone's killed because—for his money, if someone's kidnapped for money, if—this is OK. I mean, not that you—we don't want it. But at least you can understand what happened. If it—and, therefore, an assassination which is a consequence of a plot is like a murder in the context of a crime for more money by a gang. But if somebody's just shot down in the street by some fellow who just picked up a gun and shot him, well, if it happened to him it can happen to you.

If the President is assassinated, not because of a rational plot, but because of just a nut who has a gun, then any—not only any President can be assassinated this way—which he can be—but anybody else can. It becomes a much less controlled world.

Cronkite. A man who looks into the American spirit from another viewpoint, but with equally keen interest, is historian Henry Steele Commager, whose book "Seach for a Usable Past" is considered a major insight into what we are and how we got that way.

Commager. But I do think that there has come up in recent years, particularly since the coming of the Cold War, something that might be called a conspiracy psychology. A feeling that great events can't be explained by ordinary processes, that if anything goes wrong—whether it's a great thing, like the so-called loss of China, or a minor—a particular thing, like a discovery of espionage somewhere, or the terrible fact of the assassination—is not to be explained as other historical events, but by some special standard of explanation, to be applied to the United States. And the point is that the ordinary rules for the rest of the world don't hold for us.

And so with a great number of the things that are ordinarily explained by the normal processes of history are not to be explained by this, because they don't apply to the United States. We are expected always to be victorious, and always to triumph, and so forth and so forth.

And to this came the—added to this came the McCarthy era, with the miasma of suspicion, with the ceaseless insistence on conspiracy, and dirty work at the crossroads, everywhere. And we were—I think we have been persuaded very largely since the beginnings of the Cold War to be more receptive to conspiracy theories. I don't think we'd become paranoid. But we were on the road to a paranoid explanation of things.

Morley Safer. Do you think that a second investigation, an independent investigation, into the assassination of the President is any more likely to be believed than the Warren Commission?

Commager. No. I see no reason to suppose that anyone who doesn't believe the first will believe a second, or a third, or a fourth. The conspiracy theory, the conspiracy mentality, will not accept ordinary evidence, any more than the conspiracy mentality accepts the ordinary explanation of the assassination of Lincoln, and the death of Booth. It has—there's some psychological requirement that forces them to reject the ordinary, and find refuge in the extraordinary. And if another investigation were to be held, and came up—came to the same conclusion, as I'm inclined to think it would, who knows—I think it would be found just as unsatisfactory, and the critics would say, "Well, of course, this too is part of the Establishment. The Establishment appointed this; they want this kind of an explanation, and we don't believe any of it, because we know there's dirty work at the crossroads somewhere. They're covering things up." So I see no value, really, in another investigation.

Cronkite. In Washington, Eric Sevareid has been watching these four programs with you, and we turn to him now for his thoughts on the Warren Commission and its work.

Sevareid. When this reporter returned home after the first year of World War II in Europe, I made a few speeches to American groups. Intelligent, middle-class, Town Hall kind of audience. But almost invariably some man, or group of men, would get me aside after the speech and say, in effect, "Now tell us the real low-down."

This was my first adult encounter with that strain of permanent skepticism about what they read or hear that runs through so much of the American people. This distrust governs peoples' feelings toward government and public events more than their feelings toward one another in their daily life. Part of the impulse is simply that traditional Yankee horse trader desire not to be taken in. Part is the wish to be personally "in the know," one up on the other fellow.

But this automatic reaction that there must be conspiracy somewhere, the prevalence of this devil theory of politics, this probably has increased among us, as Professor Commager suggests, as a result of World War II and the Cold War that followed.

Roosevelt must have sold out East Europe at Yalta, so many people thought; obscure Reds in the State Department, teachers and writers here and there must have delivered vast China to Communist hands. Indeed, one or two otherwise reputable personages argued that Roosevelt conspired with the Japanese to bring about the Pearl Harbor attack.

What fed the conspiracy notion about the Kennedy assassination among many Americans was the sheer incongruity of the affair. All that power and majesty wiped out in an instant by one skinny, weak-chinned, little character. It was like believing that the Queen Mary had sunk without a trace, because of a log floating somewhere in the Atlantic, or that A.T. & T.'s stock had fallen to zero because a drunk somewhere tore out his telephone wires.

But this almost unbelievable incongruity has characterized nearly every one of the assassinations and attempted assassinations of American Presidents. Deranged little men killed Lincoln, Garfield, McKinley, tried to kill President Theodore and Franklin Roosevelt. Only the Puerto Rican attempt on President Truman represented a real conspiracy.

There are still people who think Adolph Hitler is alive, people who think the so-called learned Elders of Zion are engaged in a Jewish plot to control the world. The passage of years, the failure of anybody anywhere to come up with respectable evidence does not shake the people who cling to these illusions.

And so, three and a half years later, there are people who still think some group of men are living somewhere, carrying in their breasts the most explosive secret conceivable, knowledge of a plot to kill Mr. Kennedy. These imagined men supposedly go about their lives under iron self-discipline, never falling out with each other never giving out a hint of suspicion to anyone else.

And nearly three years after the Warren inquiry finished its painful and onerous work, there are not only the serious critics who point to the various mistakes of commission or omission, mistakes of a consequence one can only guess at, and of a kind that has probably plagued every lengthy, voluminous official investigation ever staged; there are also people who think the Commission itself was a conspiracy to cover up something.

In the first place, it would be utterly impossible in the American arena of a fierce and free press and politics to conceal a conspiracy among so many individuals who live in the public eye. In the second place, the deepest allegiance of men like Chief Justice Warren, or of John McCloy, does not lie with any President, political party, or current cause—it lies with history, their name and place in history. That is all they live for in their later years. If they knowingly suppressed or distorted decisive evidence about such an event as a Presidential murder, their descendants would bear accursed names forever. The notion that they would do such a thing is idiotic.

This is Eric Sevareid in Washington.

Cronkite. Three years ago, after we had studied for the first time the Report of the Warren Commission, we summed up our feelings about it. In the end, we find confronting each other, we said, the liar, the misfit, the defector, on the one hand, and seven distinguished Americans on the other. And yet, exactly here we must be careful that we do not say too much. Oswald was never tried for any crime and perhaps, therefore, there will forever be questions of substance and detail, raised by amateur detectives, professional skeptics and serious students as well.

For the Warren Commission could not give Lee Harvey Oswald his day in court and the protection of our laws. Suspects are not tried by seven distinguished Americans. Their cases are heard under law by 12 ordinary citizens. If it had not been for Jack Ruby's revolver in the basement of the Dallas police station, 12 such citizens would have heard the evidence, would have heard Oswald, if he had chosen to speak.

That jury would have represented our judgment, our conscience, and in the end would have spoken for us. Now, we do not have that reliance. We must depend on our own judgments and look into our own consciences. The Warren Commission cannot do that for us. We are the jury, all of us, in America and throughout the world.

We found no reason to withdraw what we said then. But, now we have studied the report again, this time with the benefit of three years of controversy, of all of these books, of our own investigations. We have found that wherever you look at the Report closely and without preconceptions, you come away convinced that the story it tells is the best account we are ever likely to have of what happened that day in Dallas.

We have found that most objections to the Report—and certainly all objections that go to the heart of the Report—vanish when they are exposed to the light of honest inquiry. It is a strange kind of tribute to the Warren Report that every objection that can be raised against it is to be found in the Report itself. It is true that the answers to some questions leave us restless. The theory that a single bullet struck down both the President and the Governor, for example, has too much of the long arm of coincidence about it for us to be entirely comfortable. But would we be more comfortable believing that a shot was fired by a second assassin who materialized out of thin air for the purpose, fired a shot, and then vanished again into thin air, leaving behind no trace of himself, his rifle, his bullet, or any other sign of existence.

Measured against the alternatives, the Warren Commission Report is the easiest to believe and that is all the Report claims. But, we have found that there has been a loss of morale, a loss of confidence among the American people toward their own government and the men who serve it. And that is perhaps more wounding than the assassination itself. The damage that Lee Harvey Oswald did the United States of America, the country he first denounced and then appeared to re-embrace, did not end when the shots were fired from the Texas School Book Depository. The most grievous wounds persist and there is little reason to believe that they will soon be healed.

This is Walter Cronkite. Good night.

FIVE MILLION AMERICANS STUDY BY CORRESPONDENCE

Mr. HARTKE. Mr. President, today it was my privilege to testify before the Education Subcommittee in favor of my bill proposing improvements in the Adult Education Act of 1966, which grew out of proposals made last year in the bill I offered then as S. 3012. In speaking of the need for improved public school adult education facilities, I noted that there is a vast unsatisfied demand, as evidence by the response to adult education courses offered in the public schools in those places where they are available.

Recently there came to my attention another evidence of the eagerness of Americans to pursue various kinds of adult education even though they must do so without a live instructor, without a set time for classes or study, and entirely on their own initiative through their own persistence. That evidence lies in a survey by the National Home Study Council, the accrediting body which examines and approves home study course curricula extending over a wide range of topics.

According to the survey, more than 5 million students were enrolled in correspondence education programs last year. While we do not usually think of these individuals as part of the adult education movement, their quest for self-improvement further indicates the desirability of making improvements, with Federal assistance, in the general use of our public schools for service to dropouts and other adults who desire to further their often belatedly realized educational needs.

Mr. President, I ask unanimous consent that the material to which I have referred may appear in the Congressional Record.

There being no objection, the release was ordered to be printed in the Record, as follows:

Five Million Enrolled in Correspondence Schools

Washington, D.C.—More than five million students (5,270,913) were enrolled in correspondence education programs during 1966 according to a National Home Study Council survey released today (July 13, 1967). The survey was conducted among private home study schools, Federal Government and military establishments, religious organizations, colleges, and universities, and business and industrial firms and associations.

The 292 schools responding to the survey reported a total 1966 student body of 4,926,067. However, making allowances for the schools who did not report (700 were surveyed), the NHSC estimates that the total number of students engaged in home study last year exceeded 5,270.913. This is an all-time high and represents an 8.2% increase over 1965.

The largest number of students—2,197,700—were enrolled in 26 Federal Government and armed forces correspondence instruction programs. Most of these students were servicemen. Almost as many students—1,992,620—were enrolled in 184 private home study schools. An additional 189,282 were students of 69 college and university correspondence education programs, and 517,055 were enrolled in nine religious home study schools.

Only four business and industrial firms with their own home study programs responded to the survey, reporting a student body of 26,410. However, such organizations do have in effect over 10,000 training contracts with accredited private home study schools.

The NHSC also survey major free world correspondence schools. Forty schools in 21 countries reported a total student body of 1,422,352 during 1966.

The Accrediting Commission of the NHSC establishes educational, ethical and business standards; examines and evaluates private home study schools in terms of these standards, and accredits those which qualify. The Commission has been approved by the U.S. Office of Education as a "nationally recognized accrediting agency." The Commission publishes a free Directory of Accredited Private Home Study Schools. Write to: NHSC, 1601 18th Street, N.W., Washington, D.C. 20009.

SAFETY CONTEST AWARD TO PILOT CLUB OF KANNAPOLIS, N.C.

Mr. JORDAN of North Carolina. Mr. President, I invite the attention of the Senate to an outstanding achievement of a civic organization in my home State of North Carolina—the Pilot Club of Kannapolis.

It has been given the top award in Pilot International's safety contest for 1966, with a prize of $500 and a plaque signifying the distinction.

In my view, the program for which the club was honored exemplifies the highest type of service and civic responsibility to which an organization of this nature should aspire and is very worthy of commendation.

An account of the award presentation during Pilot International's 46th annual convention in New Orleans, La., was published in the Kannapolis Daily Independent, of July 31, 1967. I ask unanimous consent that it be printed in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

At New Orleans Convention: Kannapolis Pilot Club Wins Highest Award for Safety

The Pilot Club of Kannapolis won the Pilot International's highest award in safety at the 46th annual convention held last week in New Orleans, La.

The local club received the top award of $500 and a plaque presented by Allstate Insurance Co. which sponsored Pilot International's safety contest.

Mrs. R. E. Cronan, cochairman of the Safety Committee of the Kannapolis Club, received the award from Judson B. Branch, chairman of the board of Allstate Insurance Co. Mrs. Sue Osborne is chairman of the committee. The award also included an all-expense paid trip to the convention for the chairman or co-chairman of the safety committee.

The Kannapolis club's outstanding work in safety during the past year included special emphasis on safety in schools. Safety poster and essay contests were held in the schools and prizes were awarded the winners. Safety material was given to teachers and parents and reflector tapes were placed on the children's bicycles at school. School Safety Patrol members were also honored.

Other projects of the Safety Committee were a fire safety program and fire drill at Cannon Memorial YMCA; a "Fashion Designers for Safety" program featuring talks by State Highway Patrolmen and local law enforcement officers; a program on instruction in home nursing care; spot radio announcements for safety over holidays; plans completed for "Safetytown" to be held in August; and the annual "Policemen of the Year" award. Some of the members also took a first aid course.

Local Pilot members who attended the Pilot International convention were Mrs. Edwin Boone, president; Mrs. Claude Goodnight, first vice president; Mrs. Randolph Hancock, second vice president; Mrs. R. E. Cronan, Miss Minnie Walker, Mrs. Fred Keever, Mrs. Ben Isenhour, Mrs. Nestor Ritchie, Mrs. B. B. Black, Mrs. Harold Mills, and Miss Irene Rumple, Non-Pilots attending with the Kannapolis group were Mrs. B. H. Phillips, Mrs. Helen Noah, and Mr. and Mrs. Paul Hildreth.

INDIGESTION REAL CIVIL RIGHTS AILMENT

Mr. BYRD of West Virginia. Mr. President: A recent editorial entitled "Indigestion Real Civil Rights Ailment," published in the Wheeling Intelligencer, is one that should be read by every thoughtful American.

The editorial, written by Mr. Tom Flynn, debunks the theory that it is the so-called white power structure which is to blame for the recent riots that have shaken our cities.

The editorial states:

> In spite of all that has been done to improve racial relations in the Country, they are at an all-time low, not, we repeat, because too little has been done for the Negro, but because he has been led to expect too much. Even if it were possible to wave a wand and convert every ghetto in the land into a model city, conditions would soon deteriorate to their present level without corresponding improvements in the conduct of the inhabitants. For it is people and their slovenliness, not buildings, that create slums. As for actual want and privation, we doubt very much that a great deal exists. But to the degree that it does exist, it should be noted that people have been idle and deprived before without resorting to arson and looting and insurrection.

These are points which I do not feel can be stressed too often.

I ask unanimous consent that the editorial be printed in the Record.

There being no objection, the editorial was ordered to be printed in the Record, as follows:

Personal Viewpoint: Indigestion Real Civil Rights Ailment

(By Tom Flynn)

Running like a strong undercurrent through most of the commentary inspired by the latest upsurge of racial disorder in the United States is the implication that while the rioting, the looting, the arson and the sniping are to be deplored, they are no more than the white community has invited by its abuse of the Negro.

In the joint statement they issued at the time the Detroit affair was at its peak the four major Negro leaders—A. Philip Randolph, Roy Wilkins, Whitney M. Young, Jr., and Dr. Martin Luther King—while agreeing that "criminal acts should be dealt with as such," added that those committing the acts "have grave grievances of long standing," and emphasized that "it is the Negroes who pay and pay and pay, whether or not they are individually involved in the rioting."

Not a word of sympathy did they utter, so far as press dispatches indicate, for those non-Negroes who lost their property, some of them their lives, in the course of the disturbance.

Some others who aspire to Negro leadership, such as H. Rapp Brown, Stokeley Carmichael and others of that ilk have taken advantage of the situation to urge non-whites to even greater extremes of violence.

Nor are the voices of extenuation confined to Negroes. The same disposition to explain, if not indeed to justify, this lawless conduct is revealed in the expressions of many men who hold high offices of public responsibility.

Governor George Romney, of Michigan, for example, says that the Detroit and other riots of like nature occurred "because too many do not really believe and practice the belief that each American is endowed by his Creator with the same inalienable rights."

And Mayor Cavenaugh, of Detroit, predicting like visitations for other Communities unless and until "Congress begins to deal realistically with the problems of the City," says the alleged indifference of that body is one of the basic causes of the "national malady of riots in the streets."

What rights, it would be enlightening to know, is Governor Romney talking about? Whatever the belief or attitude of the individual in his personal relations, so far as the law is concerned there isn't a single right this newspaper is aware of that is reserved for white men in this Country. And a common right is all anybody, whatever his race or condition, is entitled to as a citizen.

As for the "indifference" of Congress to which Mayor Cavenaugh refers, the truth is that never before in the history of this or any other Country, has as much been done in so short a period of time in the way of social action to implement civil rights so far as Negro citizens are concerned.

Indeed, the real root of the trouble, this newspaper is convinced, is found in the fact that too much rather than too little has been tried in the way of legislation and judicial decree to improve the lot of the Negro, and that all too many people of both races take the position that still more must be done.

It is unnecessary here to recount all of the steps taken in the cause of what we call the advancement of civil rights. Suffice it to say that, beginning with the Supreme Court's school integration decision—a declaration with which, this newspaper believes, every right thinking citizen must agree—there has been an almost steady procession of laws and judicial edicts designed to smooth the social and economic path of the Negro. And much of this, also in this newspaper's opinion, has gone beyond the area of implementing rights into the realm of special privilege.

For example, it was exclusively for the Negro that laws have been enacted in some jurisdictions denying the right of the owner of residential property to reject a prospective tenant or to choose, for whatever reason, among available purchasers. Never before in this Country has it been proclaimed the right of any man to acquire or occupy another's property.

Only in the case of Negroes has it been asserted that a man is entitled to a job because of his color, or to have the pattern of an entire school district disrupted for the sole purpose of accomplishing a uniform racial mix as between whites and nonwhites in the public schools.

All of this—and much more to the same effect—as has been stated heretofore in this newspaper, is an invasion rather than an implementation of individual rights, and a denial rather than an assertion of the sound doctrine of racial equality on which the whole civil rights movement rests.

We hasten to add that not all of the Negro Community is involved in this ferment. We doubt very much that the Carmichaels, the Browns and the Gregorys are taken seriously by more than a small segment of the Negro population. But the influence of more respected leaders of the race has not always been constructive. While Dr. King, for one, preaches non-violence, the sinister fact is that violence follows like a pestilence in his wake. I would like to believe that, as has been said by so many, only a very small percentage of the Negro Community has been infected. It is suspected, however, that the contagion is more widespread than generally believed.

The unfortunate fact is that, in spite of all that has been done to improve racial relations in this Country, they are at an all-time low, not, we repeat, because too little has been done for the Negro, but because he has been led to expect too much. Even if it were possible to wave a wand and convert every ghetto in the land into a model City, conditions soon would deteriorate to their present level without corresponding improvement in the conduct of the inhabitants. For it is people and their slovenliness, not buildings, that create slums. As for actual want and privation, we doubt very much that a great deal exists. But to the degree that it does exist, it should be noted that people have been idle and deprived before without resorting to arson and looting and insurrection.

It is not here asserted that there is no frustration among the inhabitants of our congested Cities. But this is not confined to Negroes, and to the degree that it imposes limitations on the pursuit of happiness this is primarily the consequence or inadequacy rather than denial, a condition which can be overcome only by time and the process of education.

The spoiled child soon learns that if he cries loud enough and long enough weak-kneed parents will yield to his whims however extreme. It is only when and if he acquires a sense of personal responsibility, self-discipline and respect for authority that the child gives promise of developing into a useful citizen. Like the incorrigible child, the composite Negro has been led to believe that he only needs to kick up a fuss of sufficient magnitude to have his way. As with the child, the situation, I think, calls for disciplinary action rather than for more indulgence.

ORGANIZED CRIME AND LSD

Mr. HANSEN. Mr. President, yesterday on the floor of the Senate, I delivered a lengthy address on the nature of organized crime in America. I am sure that Members of the Senate are as shocked as I am at the great extent that organized crime is involved in legal and illegal enterprises throughout the United States accumulating takes of between $6 and $7 billion a year—an amount larger than the combined net profit of the three largest corporations in this country.

At one point yesterday in response to a query by the distinguished Senator from Nebraska, I made reference to recently uncovered information that organized crime is involved in illegal traffic in LSD and other such hallucination-producing drugs. In this morning's press I noted further proof of this fact.

In an article entitled "Hippies Complain of Drug Takeover by Mob," the Washington Post took note of the recent murder of two known narcotics dealers in the Haight-Ashbury area of San Francisco and the allegation currently being made "that organized crime is muscling in on the flourishing drug trade in the area."

I ask unanimous consent that this article from the Washington Post be placed in the RECORD along with my remarks.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

HIPPIES COMPLAIN OF DRUG TAKEOVER BY MOB

SAN FRANCISCO.—Habitues of the hippy district around Haight and Ashbury sts., complained yesterday that organized crime is muscling in on the flourishing drug trade in the area.

The land of love has been shocked by two grisly murders. Both victims, John Kent Carter, 25, and William E. Thomas, 26, were known narcotics dealers. Acquaintances of Thomas said he was recently told to join "the organization" or else.

On Haight st., the hippies said a crime syndicate, possibly Cosa Nostra, was trying to take over the traffic in pills and LSD. Shortages in the drugs have been frequent this summer, and one underground newspaper said some of the hippy group were moving away.

LOG EXPORTS FROM THE PACIFIC NORTHWEST

Mr. MORSE. Mr. President, the problem of increased log exports from the Pacific Northwest is one which has commanded my attention for several years. It has been the subject of an increasing volume of correspondence from mill operators in my State who are apprehensive that the competition of those who buy logs for export to Japan, particularly the Douglas fir variety, will make it impossible for small mill and logging operations in Oregon and the Pacific Northwest to obtain enough timber from Federal forests to carry on their operations. Over the years, I have continued to inform various Federal agencies, including the Forest Service, the Bureau of Land Management, the Department of State, and the Department of Commerce—as have other Pacific Northwest Senators and Representatives—with respect to expressions of concern from constituents in the lumber industry.

Most recently, under date of July 22, I wrote to Secretary of Commerce Trowbridge outlining a number of current aspects of the log export problem and suggesting an in-depth survey to determine accurate figures on log sources, log use and export and the views of various companies in the industry with respect to this problem. I ask unanimous consent that the text of my letter of July 22 to Secretary Trowbridge be set forth at this point in my remarks.

On August 7, Acting Assistant Secretary McQuade provided me with a report on this general problem. Because of its interest to those in the logging and lumber industries of my State, I ask unanimous consent that the text of Mr. McQuade's letter of August 7 be printed in the RECORD.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

THE ASSISTANT SECRETARY OF COMMERCE,
Washington, D.C., August 7, 1967.

HON. WAYNE MORSE,
U.S. Senate,
Washington, D.C.

DEAR SENATOR MORSE: The Secretary has asked me to thank you for your letter of July 22 relative to exports of softwood logs from the Pacific Northwest. You enclosed an industry report entitled, "Log Exports, the Case for a New Approach." You also recommended that the Department conduct a survey among timber companies in Western Oregon to develop data on the purchase, use, and export of softwood logs.

The progressive increase in softwood log exports and the resulting impact on the domestic industry and the economy of Oregon and other Pacific Coast states have received special attention by this Department. You will recall that the Department organized an interdepartmental Task Force to evaluate the prevailing and prospective log export situation. The results of the study were presented in a letter of December 9, 1965, from Secretary Connor to Senator Magnuson. The range of questions considered by the Task Force included the feasibility of official negotiations with Japan with a view to establishing a practicable balance between procurement of logs and processed wood material. The Task Force concluded that economic and other factors weighed against restricting log exports to Japan. By letter of August 8, 1966, to Senator Magnuson, Secretary Connor stated the Department's position not to impose export control on softwood logs under the Export Control Act.

Recent statistics show an accelerated rate of softwood log exports to Japan during the early part of this year. Exports through Oregon Customs Districts for January-May reached nearly 185 million board feet, a gain of 25 percent over the comparable 1966 volume (148 million board feet). Shipments through the Washington Customs Districts amounted to 346 million board feet during the first 5 months of 1967, an increase of about 46 percent over the comparable volume (236 million board feet) exported last year. The combined Oregon-Washington total to Japan so far this year is 531 million board feet, up about 38 percent from the 384 million board feet exported during January-May of last year. However, in 1966 exports to all countries from Oregon and Washington represented approximately 6 percent of the total estimated softwood sawtimber cut in those states and approximately 3 percent of total United States estimated softwood sawtimber production.

In view of the continuing upward trend in log exports, a meeting was held in June, attended by representatives from the Departments of Commerce, Agriculture, the Interior, State, and Treasury and the Council of Economic Advisers, to consider measures to reduce the impact of such exports and the possibility of discussions with Japan. As a follow-up to that meeting, further consideration is being given to: spreading of Japanese procurement over a wider geographic area, particularly into the Rocky Mountain region; expanded use of Small Business Administration timber set-asides; potential for export of logs from Alaska; technological research to increase the utilization of timber resources; and evaluation of Japan's future timber requirements.

The industry report "Log Exports, the Case for a New Approach" and your suggestion regarding a survey of the purchase, use, and export of softwood logs will be given our careful consideration and will be brought to the attention of the above interdepartmental group at its next meeting.

We appreciate your interest in this matter and offer of assistance in obtaining funds for the proposed survey. We shall keep you informed of the progress and results of the deliberations.

Yours sincerely,

LAWRENCE C. MCQUADE,
Acting Assistant Secretary for Domestic and International Business.

JULY 22, 1967.

Hon. ALEXANDER B. TROWBRIDGE,
Secretary of Commerce,
Washington, D.C.

DEAR MR. SECRETARY: Enclosed for your consideration is a brochure prepared by the National Forest Products Association entitled *"Log Exports, the Case for a New Approach."* Also enclosed is a copy of the letter of June 15, 1967 transmitting this brochure for my consideration.

Log exports from the Pacific Northwest to Japan have continued to grow in volume since 1961, when the proportions were exceedingly modest, to a much more substantial volume which now has achieved a rate of one billion board feet per year.

In 1962 when the level of log exports began to rise, Senators from the Pacific Northwest asked Secretary Freeman to prepare quarterly reports, which, since that time, have been publicized as Forest Service bulletins.

Last summer the Forest Service and the Bureau of Land Management prepared a review of the situation in Oregon, with special reference to public timber, at my request. Last fall a special report was prepared in Oregon for Senator Hatfield, then Governor of Oregon.

There are mixed views on the question of log exports within industry and governmental circles. Concern is heightened by forecasts of increased Japanese demands for Pacific Northwest logs. Some spokesmen have urged that log export controls be placed on Federal timber. In 1965, however, your predecessor decided that the Log Export Control Act should not be applied, and earlier Secretary Freeman concluded that he should not invoke his authority to create a Northwest Sustained Yield Unit under the authority he has in the 1944 McNary Act.

This most recent brochure explores the old questions and raises new points. Specifically, it discusses the following points with respect to log exports:

1. The importance of a policy to be formulated in government-to-government negotiations with Japan.
2. Regulation of log exports.
3. The suggestion that the industry be given an opportunity to confer with and offer advice to government negotiators.
4. The importance of considering the policies of other governments.
5. The possibility that regulation can be achieved under present Forest Service powers.
6. The idea that there should be a quota system limiting log exports while creating a better export climate for finished products.

I believe these points deserve appropriate exploration.

My principal concern is for Oregon from which, in 1966, 294 million board feet of logs were exported, some 4.4% of a total West side production of 6,702 million board feet (Tab. 4, page 3).

Oregon log exports account for 26½% of the 1.109 million board feet exported.

Three Oregon ports are usually cited as the source of exports. These are the figures taken from the Forest Service publication for the first quarter of 1967, entitled, "Production, Prices, Employment, and Trade in Pacific Northwest Forest Industries":

Port	Volume, million board feet	Percent of Oregon exports
Astoria	204.6	56
Coos Bay	49.8	17
Portland	39.9	27
Total	294.3	100

In view of the conflicting reports on this subject I urge that your Department, which has an obligation to commerce and industry, conduct a Western Oregon company-by-company survey to produce definitive figures on log source, use and export, along with the views of the various companies. I believe that an in-depth survey covering all firms that consume or handle over 10 million board feet of logs a year, plus a sample of those consuming or handling less, would produce authoritative information. Among the data that should be developed are the following:

1. Timber sources by species, price and source of supply.
2. Timber sold or traded, by species, price and destination.
3. Timber consumed by species and price.
4. Products produced by species and value.
5. Timber inventory, both in forest stands and logs on hand, by species.

In addition, the data should develop facts which clearly show the flow of logs, the role of exports and the precise views of those engaged in routing part of their logs into the export trade. A properly developed survey could elicit the views of the industry in an objective manner, at the producers level, on how they view the issue and the various suggestions for treating it.

In addition, in view of the material in part 7 of this brochure, I think that definitive information should be obtained and used to determine, first, the extent to which our finished wood products are marketable in Japan and, second, the willingness and ability of our producers to serve this market.

I recognize that a survey of the dimensions outlined in this letter will be costly. Should your present budget be insufficient to undertake and complete such a study in this fiscal year, I would appreciate your advice and counsel as to how to secure both consent to an Administrative budget request and the necessary approval by the 90th Congress before it adjourns.

Sincerely yours,

WAYNE MORSE.

THE VIETNAM WAR AS A FIGHT FOR U.S. HOME

Mr. PEARSON. Mr. President, James Schnieders, a Navy medic with the 1st Marine Division in Vietnam, recently wrote his parents, Mr. and Mrs. H. A. Schnieders, of Shawnee, Kans. Subsequently his letter was published in the Kansas City Star. On reading the letter, I was impressed by the calm eloquence with which James wrote of his experiences in Vietnam and his attitudes, as well as of the attitudes of his fellow soldiers, about the war.

Mr. President, I ask unanimous consent that this letter as it appeared in the Kansas City Star, of August 2, 1967, be printed in the RECORD.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

VIET WAR AS FIGHT FOR U.S. HOME

DEAR MOM AND DAD: Perhaps I shouldn't write tonight but when I write I talk. In my letter I let myself say what I feel. I very seldom mail these letters and this one may be another one that ends up in the trash but at least I am here thinking of my treasure for which I and thousands of other Jims are over here fighting for.

Today I received about the best mail call in a long time and it made me feel extremely good just to be alive for today. I received not one letter from home but three. One from Mom and Dad, one from Tex and Doris and one from Bill and Mary Ann. Tex and Doris sent me pictures which I have in front of me now. Pictures of the new generation, the one I am here for. We are not here for the sign carriers, the card burners, or even for ourselves. We are here for our children and their children.

From all I have seen and heard in the past year, this "war" being fought so close is real. The American serviceman here has much on his mind, ranging from some painfully frustrating comments on how the war is being fought to some gripes about various situations encountered. Those in combat are the first to realize there's a war on, but they don't believe everyone who should know realizes this fact. It is said that this is a game for politicians, if this is true I only wish they could spend one day on our helo (helicopter) pad which accepts the battle casualties first hand.

Most of the fellows are sold on the need of the war perhaps more than some of the leaders in Washington. The man in the field, or at least a great many of them, have been convinced that this war should be fought at a 100 per cent pace. He sees his friends and comrades die. He can't be condemned for wondering about a war conducted on what he feels is only a 75 per cent pace. He says to himself, "I'm dying, giving arms, legs, eyes, but my government doesn't seem to be really committed to this." They do not mind giving if they feel it would end here, but they wonder if their children will also be here. When we get them here they have only to be shot at a matter of maybe 30 minutes, but already they have already started to question themselves if it is right. They all ask the same questions whether only scratched or whether dying, "Doc, am I going to make it home?" That's it, home. That's what these guys are fighting for and dying for, home.

I wish that those who protest, those who burn cards, could spend a time here at first Med. I feel that if they could be here they would know and feel the impact of the experience I and so many others are having and they reason why we are here.

In the early morning on a clear day the sun rise is beautiful, helos and planes flying around, mountains in the distance, trucks and troops to and fro. Everyone waiting for when they will go home, that's what this place is all about.

I still ask myself if war is just the noise in the night, the tossings and turnings of the booms and bangs, the waiting, the endless opening of sea rats (rations) and never really getting you full, the writing of letters to folks at home, the cleaning of your weapon in case you need to use it, the look on the faces of the worn, the sick and hurt hopping around, the long line at the PX when supplies come in, the disappointment when 15 minutes after supplies come in they are out of a favorite pop or snack, the smiling faces of the newly-arrived, the cheering voices of those going home.

They cheer not because they are going home alone, but because they did their part and are about to make it out whole. But this morning there were no cheers, no smiling face for this morning I got up at 0530 to take a critical patient down to the plane, the plane that was taking him home. He was not cheering or smiling because he was going home without his legs. We talked on the long trip, one of many I've had to make since coming to Da Nang, but this one was a little different, for Joe Marine was no longer a hard fighting man, he was a lost boy who needed someone to talk to and I happened to be the only one around.

He knew he would be seeing his wife that day, for he was to be sent to a hospital in his home town. He needed someone to ask what to say and how to say it. We talked and he asked me how long I had left and I told him 30 days. He smiled a little and said he had four more months to do. After we put him on the plane I said to myself, there's a man who will make it. Many times I've gone down this 45 minute ride and just watched the patient and knew it would be a long time before he would accept life again.

Some of the more fortunate ones will be back when they get some of their home life, the feeling of doing their part alone won't satisfy them because they had the thrill of the booms, the hitting back at Charlie, and the act of giving him a savage blow, the getting even for young friends gone.

The recklessness that drives these fellows will bring some back again, but the reality of graves won't go unnoticed, when black men, white men, tall men and short men are lifeless; are tagged and stamped and sent home to the ones that loved them dearly.

One gets sick at times and wonders when it will all end, the booms, the bullets, the pain, the blood, the dying. . . .

As I sit here looking over my pictures I count the days left and I know that though the days will pass and I'll be home, I'll even get old, but the experiences of all this will live as long as I.

I've only been back from my country R & R rest and relaxation for three days and already it seems like I never left. Out patients come and go but we never seem to get ahead of them. They seem to go out one door and come in another. Oh well, 29 more days and a flight date.

Tell everyone many thanks for the letters and I hope to be writing them soon. May God bless, keep, and protect all.

Your loving son,

JIMMY.

OUR PERSEVERANCE IS FOUNDED IN BLINDNESS

Mr. HARTKE. Mr. President, many of the questions about the Vietnam situation focus on the issue of our basic objective. If a military victory over the North could be achieved, what would this mean for South Vietnam? Is our basic objective a viable, independent South Vietnam? If it is, are our present policies leading to this objective? Mr. Arthur W. Arundel said in his WAVA radio editorial on June 27, 1967:

> On our present course in Vietnam, we are developing in the sheer hugeness of our commitment a paternalism which says, though we have been 14 years on the job, that the Vietnamese still cannot stand up without us.

He also says:

> If we lose in Vietnam, and on our present course we will, it will be because we failed at the end in our paternalism and haste to get the job done our way or to have faith in the South Vietnamese to assume the burden of responsibility for their own destiny.

Since Mr. Arundel makes several other interesting points in his editorial and since he has recently visited in South Vietnam, I ask unanimous consent to have the complete text printed in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

A JOURNALIST'S NEW LOOK AT VIETNAM—WAVA EDITORIAL

(By Arthur W. Arundel)

It is an easy temptation to the journalist to draw simplified conclusions on such hugely complicated problems as the Vietnam war. Upon return from another trip through this wartorn land, I find it is still not so simple at all.

It is easy to find, as one roams Vietnam today, things that are wrong. It is quite a different matter at the end to try to put yourself into the heavy chair of decision making, given things as they are. Not as we wish they were, and stake yourself in practical terms on what you would do exactly to end the Vietnam war with honor to our commitment. So at the risk of generalization, which for the journalist is at least preferable to saying nothing, I will try.

There are, before us now, two questions—why can't we win a lightning full military victory, such as that on the Sinai Desert? Or if that is not possible, how then can we get Ho Chi Minh to the conference table?

The answer to both lie in today's measure there of hard, sobering facts—of Vietnam's roadless jungle, marshes and mountains; of the enemy's 30-years proven will to fight the Japanese, the French and now the Americans; of his also now proven capacity to increase his troops and firepower in direct proportion to our increases; of oriental patience and disregard for human life; of proven Soviet determination to provide arms to keep the U.S. tied down in Vietnam or force us to quit; and of Ho Chi Minh's sworn pledge, if hit hard enough, to return to the jungle and keep fighting.

These essential characteristics from the long road of experience indicate in chilling truth that whatever we do, whatever crushing muscle we apply against North Vietnam there will never be a surrender table; and that whatever wisdom or pressure we level against Ho Chi Minh, there will never be a conference table to end this war.

Let's face it, our perseverance is founded in blindness by continuing to dream such dreams. This is not an American Civil War, nor a Korea, nor does it possess the open field fighting characteristics of the Sinai Peninsula. We have hit the enemy in Vietnam now with more firepower than we used in all of World War II in Europe. But the effect is something like using aerosol spray cans in a swamp to kill mosquitoes. We have assembled the most formidable fighting force in the world, but it has not been equal to half naked natives, and our wisdom unequal to bridging the huge gulf separating the cultures of East and West. It is enough to break your heart if you care about the Vietnamese, and we do, and we want to succeed. Meanwhile, Americans are dying for it and so what road now do we take out of the wilderness?

Many things are being considered by top Defense and civilian leaders. But within the crucial framework of timing, the opportunity I think exists this year in South Vietnam for what is patently the most important and promising change in our direction of all—in short, gradual sector by sector transfer of total military and civic action responsibility to self-determination by the South Vietnamese.

Vietnam has now adopted its own constitution, elected local government officials, and will in September elect its first president. But at this time, it is not the Vietnamese who are running Vietnam, it is the American who is in effective command of Vietnam's decision making process. On paper it does not work this way, and no one wants it to work this way, but in practice to get the job done, we have now abrogated Vietnamese responsibility.

A beginning this September to a final phase in Vietnam could come with Ambassador Bunker and the new Vietnamese President agreeing upon transfer of full military and civic action responsibility in each of Vietnam's four corps' provincial areas, one at a time, to the best available Vietnamese combat and civilian units. Simultaneously American military and civilian people should be withdrawn from corps in turn—leaving only such American technical people with the Vietnamese as are necessary for tactical air support, supply, and so on.

Many of our top people doubt that the Vietnamese are ready or able now to handle such a responsibility. This doubt, however, is itself based on an American yardstick.

It is necessary here to ask ourselves honestly—Can we build a nation by Americans, of Americans and for the Vietnamese people? The answer is obvious, but I fear we are rerefusing to face its meaning.

On our present course in Vietnam, we are developing in the sheer hugeness of our commitment a paternalism which says, though we have been 14 years on the job, that the Vietnamese still cannot stand up without us. And thus, as surely as each dusk now falls across the rice marshes of South Vietnam, we do more and the Vietnamese do less. It is not our fault, nor theirs. But no farm boy ever grew to manhood who was not given the chance to take the horses out to plow alone.

And even though we may be willing to persevere with lives and dollars for another 10 or 15 years, time works not for our side but for the Vietcong. Our combat sweeps of Vietcong areas are like sweeping water with a broom—the water comes rushing right back as soon as the broom is removed. We use money, machines and Western compassion by day—the Vietcong terrorize and behead those who collaborate with us by night.

This is the understood oriental way. A Korean army company I met had one of its men horribly mutilated by the Vietcong. Angry, they captured two V.C. troops, one man they hung up by his heels and skinned alive, as his buddy watched. His buddy was then set free back into the jungle to tell his friends. The Korean unit could not make contact with the Vietcong for a month afterwards. Oriental civic responsibility? Another Korean, convicted of raping a Vietnamese woman, was shot dead at the inquiry by his own commanding officer. This cultural gap of thousands of years is not going to be bridged by one or a hundred years of well-meant American intentions in Vietnam.

I think Uncle Ho underestimates our determination and maturity, and the success of our villages security and revolutionary development efforts. But these things will not lead to the negotiating table, and sooner or later the tides of world problems are going to force us against all of our determination in Vietnam, to shift our strength somewhere else. It could have started at the Gulf of Aqaba—and even as we spend our strength half way around the world, reports sift in that some 20,000 tons of new Russian arms have recently been delivered to Cuba for military operations closer to home.

Like the old Statue of Liberty play, the

Soviets are trapping us into a grinding long term involvement on the mainland of Asia. This is the sort of historic mistake from which nations never fully recover—the kind Napoleon made when he entered Russia, that Hitler made when he attempted the same thing—the kind the Athenians made when they went to war against Syracuse. Regardless of motives and pride, there are in the strategy of conflict some wars which must be avoided because they are fatal. We cannot avoid this end by leaning on hamlet development while this enemy can launch main force military operations over the roadless mountains and jungle trails from North Vietnam.

We cannot persevere and win in our present course because, out of the vast gulf between our linguistics and culture, a people of Christianity, hot dogs and computers can simply not effectively communicate with a land of Buddhism, rice bowls and panji sticks. We tell ourselves we can, but to do it we are building awesome little Americas all over South Vietnam, complete with air conditioning, swimming pools and soon I learned with bowling alleys. Those few Americans who stay long enough in Vietnam to gain understanding of the complex essential political base of the land, brilliant men such as General Edward Lansdale, their lives are an endless succession of efforts to teach the book in rice bowls and panji sticks to constantly changing American leaders in the country.

For all of these reasons, the shift of total responsibility to the Vietnamese must be compressed roughly into a three year time span of this current team of experienced Americans. This course we should take in Vietnam, regardless of our fear of the risks. If the time is not right now, it never will be. With it we can probably wrap up our combat job in Vietnam safely within three years.

If we lose in Vietnam, and on our present course we will, it will be because we failed at the end in our paternalism and haste to get the job done our way or to have faith in the South Vietnamese to assume the burden of responsibility for their own destiny.

—ARTHUR W. ARUNDEL.

AMERICAN INSURANCE ASSOCIATION ENDORSES HARTKE RIOT INSURANCE STUDY

Mr. HARTKE. Mr. President, on August 4, I introduced Senate Joint Resolution 102, which calls for a study by the Commerce Department of insurance protection and availability in areas struck by riots.

I noted in my statement upon its introduction that I had been assured of cooperation in such a study by the three associations of insurance companies who write such coverage. I have now received a formal offer of assistance and cooperation in such a study in the form of a letter from the American Insurance Association.

I ask unanimous consent that this letter may be printed in the RECORD.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

AMERICAN INSURANCE ASSOCIATION,
Washington, D.C., August 8, 1967.

Re S.J. Res. 102—Study of insurance protection and availability arising from civil disorders.

Hon. VANCE HARTKE,
U.S. Senate,
Washington, D.C.

DEAR SENATOR HARTKE: We have noted with interest your sponsorship of the captioned Resolution. The American Insurance Association has a membership of 168 capital stock companies, doing business through independent insurance agents. The large majority of our membership writes property insurance throughout the Country.

We offer our assistance and cooperation to you and to the Secretary of Commerce in the conduct of the study you have suggested.

We believe that a responsible and objective approach will indeed be in the public interest.

Cordially,

MELVIN L. STARK,
Manager.

TIME FOR RELIEF ON DRUG PRICING FOR THE CONSUMER

Mr. GRUENING. Mr. President, as a doctor of medicine, I have long been concerned about the high cost of drugs and how this affects consumers, particularly those on fixed incomes. Further, markups in pricing at the wholesaling level hurt the small druggists who cannot purchase in large lots. Because we are all consumers, we are aware of the drug price traps yet we do not escape them. Therefore, I commend the distinguished Senator from Wisconsin [Mr. NELSON] for the hearings which his investigative Subcommittee on Monopoly of the Select Committee on Small Business is holding concerning the state of the pharmaceutical industry in this country. The able Senator is continuing the work in this area opened up several years ago by our late, selfless colleague from Tennessee, Mr. Kefauver.

After reading the testimony which has thus far been presented at the present hearings, I have discovered that they are in fact accomplishing the goals which Senator NELSON outlined in his opening statement of May 15. He said:

> Today the Monopoly Subcommittee of the Senate Small Business Committee begins public hearings on the present status of competition in the pharmaceutical industry. The subcommittee is interested in such matters as restraint of trade, drug pricing, scientific and technological progress in the industry, the comparative cost and effectiveness of generic and trade name drugs, the welfare of the consumer and of small business, and other factors which should be considered in the formation of public policy.
>
> We are interested in developing an objective and useful record that will serve as a source of information to Congress in the event legislation is indicated.

Let me comment on some of the valuable information which the hearings have uncovered.

The subcommittee is investigating the present state of confusion, or as Dr. Richard Burack, author of the recently published book "The Handbook of Prescription Drugs" testified, the admitted chaos in drug prescribing in this country. Dr. Burack said:

> I believe that most teachers of pharmacology and medicine today recognize that therapeutic practice of physicians in this country, by which I mean their habits of drug prescribing, is in a state of chaos. Let it be understood that this is not meant as a direct criticism of physicians themselves. They are busy people. And it is difficult if not impossible for the average individual practicing physician to maintain a proper perspective on pharmacology and therapeutics, for reasons which I shall outline shortly.
>
> There is no reason why this state of chaos should exist.

Why does this confusion exist?

The confusion has its roots in the present chaotic and unsystematic profusion of different and complicated names for similar drugs. Much of this confusion would be cured by a simple and appropriate system of generic names. A generic name is simply a single official name for a drug.

As Dr. Solomon Garb of the Department of Pharmacology, University of Missouri, testified:

> Our older drugs have simple, clear and useful generic names. These include: morphine, codeine, insulin, barbital, and reserpine. Most of our existing drugs, however, have long, complicated, almost unpronounceable names.

Dr. Garb cited as such examples sulfamethoxypyridazine, bendroflumethiazide, and triacetyloleandomycin. He added:

> These names are difficult because of two considerations. First, most of them were invented by the drug manufacturers, who found it financially rewarding to make generic names hard to remember, pronounce or write, so that physicians would be more likely to prescribe by private product name. Until 1962, the F.D.A. did not have authority to specify simple, meaningful generic names. It now has that authority.
>
> The second reason is that the F.D.A. has been slow about using its authority to simplify generic names.

Such confusion has serious adverse effects on the health of the American patient. Several examples were given in the hearings. Dr. Burack testified concerning thalidomide, the drug which has caused such ghastly deformities in newborn infants. He said:

> Tablets and capsules containing thalidomide—a very effective sedative drug, incidentally—were marketed throughout many countries under at least fifty different names. Very often, because the brand name gave no indication as to the contents of the pill (which was likely to contain a combination of two or more drugs anyway), it was impossible for the patient or the doctor to tell whether a woman had taken thalidomide. Imagine the cruel uncertainties and anxieties which were involved here.

Dr. Burack also cited as an example the patient who changes doctors:

> It is the patient's prerogative to change physicians. However, the patient more often than not arrives in the doctor's office with a large number of containers of tablets or capsules. In nearly every case that I personally have encountered, the pharmacist's label on the container only gives directions—e.g. "take one 3 times a day." Practically never does the label show the identity of the product, either brand name or generic name. Now, if doctors would only adopt the custom, suggested to them in most instances in medical school, of instructing the pharmacist to label prescriptions with the name of the drug, much confusion and attendant loss of time would be avoided and danger to the patient might be obviated. As it is now, one often does not know if a patient's symptoms are due to the disease itself or to the medication he is taking, and there ensues an often fruitless search through twenty pages of color photographs of tablets and capsules trying to find those most closely resembling the ones the patient has been taking. I am very serious when I say that this situation is fraught with danger as well as inconvenience, because for proper interpretation of symptoms and signs it is absolutely essential to know what drugs a patient has been taking.

> This is so obvious that I think it requires no elaboration.

Dr. Garb quoted from an article by Drs. Azarnoff, Hunninghake, and Wortman entitled "Prescription Writing by Generic Names and Drug Cost," which appeared in the Journal of Chronic Disease, 1966.

According to Dr. Garb:

> These doctors say: "On too numerous occasions, we have seen patients simultaneously receiving a similar drug in two preparations of different brand name." They go on, "We have noticed a similar difficulty particularly when antibiotics have been prescribed by brand name. Following an inadequate therapeutic effect, the patient may be given another brand name antibiotic without the physician realizing the same antibiotic is being given. Although such errors are not frequent, prescribing by generic name would do much to stop these instances of poor therapy."

But, as I pointed out in my speech before the Senate more than 4 years ago, July 18, 1963:

> The point I wish to make is that the consumers of this Nation, the doctors, and the Congress must be alert to the fact that drugs are not only matters of health; they are also matters of big business.
>
> Let me make it clear that I am not questioning the proprietary right of the pharmaceutical industry to its trade name products, and to profits from those products. I believe in the American private enterprise system and in the system of patients.

As Dr. Garb testified, confusion and profusion of brand names "prevents the operation of a free competitive market in drugs. Few if any physicians can keep up with all these names, let alone the prices of each product."

The astounding evidence that a free competitive market does not exist in the drug industry has come out in the present hearings.

Dr. Donald F. Magee, chairman of the department of physiology and pharmacology at Creighton University Medical School in Omaha, Nebr., said in his testimony:

> The drug market is truly fantastic. In which other segment of the economy does the high price seller have a larger share of the market than the company that sells the same product for less? This happens because the purchaser is captive, because the physician lacks appropriate knowledge or is prejudiced and because the advertising is effective.

The price difference of big, brand name drugs and generic drugs is fantastic. Dr. Harry L. Williams, professor of pharmacology, Emory University of Medicine, testified concerning the experiences of Grady Memorial Hospital, Atlanta, Ga. After documenting the immense savings to a hospital after buying generically, Dr. Williams concluded:

> Those of us who had been vaguely aware that trade named items were more expensive than non-trade named items, were nonetheless appalled when trade name items were found as shown by the examples above to be in many cases 20 to 30 times as expensive as their generic equivalents. Not 2, 5 or 10% more as might be expected in other areas of commerce, but 2000 to 3000% more.

Spokesmen for major drug companies explained that their higher prices are a result of the cost of their extensive research programs which have brought and continue to bring many new drugs onto the market. But, as Dr. Magee pointed out:

> It is common knowledge that one primary producer often supplies the drug to both the low priced generic marketer and the high priced trade name seller. Indeed the primary producer is the expensive trade name seller on many occasions; prednisolone, thiopantal and chloramphenical are examples of this. We are asked to believe by the trade name companies that they pay for their research and development from the high prices charged the individual patient and that they sell in bulk at a loss to the low price generic purveyor who is underselling them.

Second, the big brand firms spend three to four times as much annually on advertising as on research. Mr. John L. S. Holloman, Jr., president of the National Medical Association, testified:

> The drug companies spend $600 million a year on advertising and promotion. That's $3000 per doctor.

What is the purpose and effect of this advertising? I quote again from Dr. Magee's testimony:

> My judgment of advertising material is that its purpose is to make a name known or to develop in the mind of the reader an enduring relationship between a name and a certain symptom, complex, or disease. It is not intended as a basis on which the practicing physician can form an assessment of a product. This is so of all advertising but in my opinion one cannot advertise drugs the way chewing gum is advertised.

Does pricing vary? Also brought forth at the hearings were the large and arbitrary price differences existing both nationally and internationally. For example, Dr. Holloman, in reporting on a study done in New York State, cited facts showing that the Nation's urban ghetto residents pay from 20 to 30 percent more than their prosperous suburbanite neighbors for the same medication. At the hearings of July 24 witnesses cite further statistics which show extraordinary price variations, both nationally and internationally. I ask that a July 24, 1967, Washington Post article, written by Jean M. White, and three charts mentioned in the article be included at the end of my remarks as exhibits 1, 2, 3, and 4.

The PRESIDING OFFICER. Without objection it is so ordered.

(See exhibits 1, 2, 3, and 4.)

Mr. GRUENING. Mr. President, what should be done? We should consider positively these suggestions.

First. Doctors need to be educated in generic name prescribing. Witnesses from medical schools testified that this is now being done. However, when a physician begins to practice, he is reeducated to brand names by the large drug companies.

Second. Large private agencies and government units can and should make the studies which help them to purchase wisely. It is estimated that if all those under medicare were prescribed for generically, the program would save $40 to $50 million annually. As the program grows, so would the savings.

Third. But an individual cannot make such studies; prices must be within reach of the consumer. As Mr. Crangle said:

> For a large family with limited means, for older people with a fixed income—for all of us with limited means, drug prices hit us where we are most vulnerable. Who would hesitate to pay whatever the cost for a drug for a sick child? And pay, and pay, and pay, if necessary.

Articles in the January 1, 1967, issue of Forbes magazine and the June 15, 1967, issue of Fortune magazine cite figures that show brand name drug firms to be consistently among the highest profitmakers in this country. They do a multibillion-dollar annual business. Clearly these companies could, without undue sacrifice, take the steps necessary to end the disparities I have described. I call on them to do so.

EXHIBIT 1

[From the Washington Post, July 25, 1967]

RESEARCH COST CITED AT HILL HEARING ON WIDE VARIANCE IN PRICES OF DRUG

(By Jean M. White)

The corner-drug-store customer may have to pay up to 20 times as much as a Government hospital for the same drug to treat arthritis, a Senate subcommittee was told yesterday.

And the American customer pays four times more for the drug than the Swiss customer in Bern.

Exhibits on price figures for prednisone, a drug used to treat rheumatoid arthritis, were introduced yesterday at a hearing of the Senate Small Business Subcommittee on Monopoly.

The data showed:

The Schering Corp. offered to sell the Government its prednisone product, sold under the brand name of Meticorten, for $8.20 for 1000 tablets of 5 mg. The price to the retail druggist is $170 or 2073 per cent more. The Defense Supply Agency, which buys for Government hospitals, actually made its purchase for $4.72 from another company.

The price for 100 tablets of Schering's brand-name prednisone is $17.90 to the retail druggist in the United States. In Bern, Switzerland, it is $4.37, In Rio, $5.30, and in Rome, $12.20.

The "Medical Letter," published by an independent group of physicians and scientists who evaluate drugs, printed a list of 22 prednisone products that it found acceptable with no therapeutic difference. The prices range from 61 cents per hundred to the $17.90 of Schering and $17.88 by Parke, Davis & Co.

W. H. Conzen, Schering president, vigorously defended the price that his company has set for Meticorten tablets.

RESEARCH CITED

He emphasized that Meticorten costs more than its generic counterparts partly because Schering is a research-oriented company that works to discover and develop new drugs.

As for the generic drug distributors, Conzen told the Senators that "their entire business is built on the pioneering work of others." Without Schering's research and development, he concluded, "there would not be today any generic prednisone at all."

Conzen said drug companies sell pharmaceutical products in large quantities to Government agencies on the basis of competitive bids and orders are sought on the theory that "widespread use of a branded product in a Government hospital has significant promotional value and that doctors who use products in Government institutions or military practice will carry over their experience to private practice."

SEES SUBSIDY ROLE

After hearing the testimony, Sen. Gaylord Nelson (D-Wis.), subcommittee chairman, charged that American consumers are helping subsidize low drug prices in foreign countries, where competition is tougher than at home.

Nelson also took issue with Schering's claim of its contributions as the discoverer and developer of prednisone. He cited figures that the National Institutes of Health has spent some $60 million in development and research grants on the drug.

EXHIBIT 2

SUBCOMMITTEE CHART

[Prednisone tablets (5 mg. 1/12 gr.) 1000's unit: Bottle]

Contract No.	Date	Method	Successful bidder	Unit price	Total price	Other bidders	Prices bid	Price to druggist	Percentage difference
1	Dec. 8, 1966	Adv.	Upjohn Co.	$4.94	$43,630.08	Nysco Labs.	$5.35		
						Panray division, Ormont Drug & Chemical Co.	5.80		
						American Pharmaceutical	7.00		
						Upjohn	4.94	$20.94	424
2	Dec. 9, 1965	Adv.	do	4.98	16,732.80	Panray division, Ormont Drug & Chemical Co.	6.17		
						American Pharmaceutical	7.00		
						Dome Chemical	6.25		
						Schering Corp.	8.20	170.00	2,073
						Upjohn	4.95	20.94	423
3	May 20, 1966	Adv.	Strong-Cobb Arner	4.72	19,484.16	do	4.95	20.94	423
						Halsey-Drug	5.29		
						Kirkman-Labs	5.88		
						Panray division, Ormont Drug & Chemical Co.	5.95		
						American Pharmaceutical	7.00		
						Schering	8.20	170.00	2,073
4	Oct. 29, 1965	Neg.	Upjohn Co.	4.95	22,808.60	Schering (commercial item)	9.20	170.00	1,848
						Upjohn	4.95	20.94	423
5	Dec. 27, 1966	Neg.	Strong-Cobb Arner	4.52	22,129.92	do	4.95	20.94	423

EXHIBIT 3

SUBCOMMITTEE CHART

PREDNISONE INTERNATIONAL PRICE COMPARISONS—PRICE TO DRUGGISTS

Schering

	United States	Rome	Mexico City	Rio	Bern	Australia	Canada
5 mg. 30's	$5.65	$3.66	$3.68	$1.59	$1.37	[1] $2.31	[1] $6.81
5 mg. 100's	17.90	[2] 12.20	[2] 12.26	[2] 5.30	4.37	7.70	22.70

[1] Derived from 100's price.

[2] Derived from 30's price.

Source: Foreign prices secured by U.S. State Department through embassies. U.S. prices secured from the "Red Book."

EXHIBIT 4

THE MEDICAL LETTER, JUNE 2, 1967

RESULTS OF PREDNISONE TESTS

Manufacturer or distributor	Prednisone found (percent of labeled amount)	Tablet to tablet variation	Cortisone found (percent)	Price per 100 to pharmacist
American Pharm.	105	101–115	1.5	$1.80
Bryant Pharm.	104	98–111	1.0	1.65
Daniels (manufacturer, Richlyn)	101	93–109	1.0	1.25
Darby (manufacturer, Rugby)	96	88–106	.5	.61
Horton & Converse	102	96–104	1.5	1.84
Kirkman Labs.	99	94–107	1.0	1.50
Linden (manufacturer, Zenith)	103	102–115	1.5	.85
Lit Drug	103	101–113	.5	.93
McKesson Labs.	101	98–106	1.5	2.25
Merck (Deltra)	98	94–103	.0	2.20
Parke, Davis (Paracort)	100	93–105	.5	17.88
Purepac Pharm.	105	93–112	Trace	1.48
Rabin-Winters	94	93–103	1.0	2.25
Richlyn Labs.	98	94–106	1.0	1.01
Rowell Labs.	103	101–111	.5	8.70
Schering (Meticorten)	103	101–107	.5	17.90
Sherry Pharm.	103	92–107	1.5	.75
U.S. Vitamin & Pharm.	102	102–109	1.0	2.50
Upjohn (Deltasone)	102	101–112	Trace	2.25
West-ward, Inc.	103	101–109	1.0	1.50
Wolins Pharmacal Corp.	94	92–102	.5	.59
Zenith	93	88–103	1.0	.75

THE COMMUNITY OF MANKIND—ADDRESS BY L. HOWARD BENNETT

Mr. MONDALE. Mr. President, a distinguished public servant, the Honorable L. Howard Bennett, Director for Civil Rights, Department of Defense, delivered a remarkable address at this year's commencement exercises for graduates of Fisk University, in Nashville, Tenn. It is my honor and privilege to call to the attention of the Senate Mr. Bennett's excellent statement on the topic, "The Community of Mankind."

Mr. Bennett's address is divided into three principal subheadings: "I. The Quest To Establish the Community of Mankind," "II. The Human Rights Revolution: Consonance and Dissonance," "III. The Heritage and Mission of the Educated Man." Particularly meaningful at this time, I believe, are those remarks contained in the section dealing with the human rights revolution at home and abroad. Riots without apparent reason in many major American cities in recent weeks make imperative the sort of understanding leadership offered by Mr. Bennett. Noting the great expectations held by American Negroes in the early part of this decade, and the alliance for social progress which culminated in the enactment of the Voting Rights Act of 1965, Mr. Bennett describes with keen perception and unmistakable clarity the "dark night of disappointment" that now has fallen on the Negro ghettos of urban America.

Mr. President, I believe that Mr. Bennett's remarks on this occasion merit wide circulation and consideration. They display an unusual awareness of the continuity which does exist in the historical quest of mankind through the centuries for a genuine world community. I commend the address to the attention of Senators and ask unanimous consent that it be printed in the RECORD.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

THE COMMUNITY OF MANKIND

(By Hon. L. Howard Bennett)

Mr. President, Members of the Board of Trustees, Members of the Faculty and Administrative Staff, Returning Alumni, my Fellow Students, Members of the Graduating Class of 1967, Parents and Friends—

I consider it a privilege and high honor to share this hour of achievement with you. I want to congratulate the President and his corps of associates for the guidance, counseling, education and inspiration which they have given to you who are about to graduate. It must be a source of great satisfaction to your teachers and staff to see their labors rewarded with your reaching this day of success and recognition. I would be remiss if I did not extend congratulations to the parents, relatives and friends, who, on this occasion, are seeing their hopes, labors, sacrifices and prayers attain a high degree of fruition.

To you graduates receiving degrees—Congratulations! I salute you for having persevered for the years necessary to qualify for this distinction; for having cast aside the doubts when they invaded your thinking; for mustering that extra measure of energy, stamina and hope, when fatigue, despair and discouragement tugged at your resolve and determination.

Often those who are called upon to deliver commencement addresses tell their listeners and, more particularly, the college graduates, that the world is waiting for them with outstretched arms, with a warm and solicitous welcome and with unlimited opportunities for personal success. Yes, the world is waiting for you, but it is a world that is caught in the throes of a savage conflict in Southeast Asia. A world in which high tensions between the Arab word and Israel threaten war in the Mid-east. It is a world in which civil war in Nigeria is imminent. It is a world in which, here in America, there is abject poverty in the midst of an affluent society; where we proclaim the presence of the great universities of the world, but tolerate educational deficiencies that stunt the growth of millions of youths. An America of great wealth, ingenuity and resourcefulness whose cities are rotting and decaying at the core while the more privileged flee to suburbia. You enter a world loud with the babble of confusion, false advocacy and provocative demagoguery. The validity of your education will be tested, your strength of character assailed, and your ideals and spirit bombarded with the new nihilism. And while your advent into the society of adults can hardly be termed a warm and cheerful welcome it is, nonetheless, challenging.

I want to talk from the subject or topic of the community of mankind. I have elected to develop it along three principal subheadings:

I. The Quest To Establish the Community of Mankind.

II. The Human Rights Revolution: Consonance and Dissonance.

III. The Heritage and Mission of the Educated Man.

I. THE QUEST TO ESTABLISH THE COMMUNITY OF MANKIND

Through the ages men have groped for some unifying set of principles that would enable them to live in harmony and peace. This has been true not only in local areas and regions, but also in the larger cultures and societies that have merged into national states. That same quest for peace and harmony has been going on in the international community. The long view of history does show a tortuous movement toward a universality, toward the establishment of a community of mankind where the intellect and reason dominate, rather than ignorance, superstition and passion.

There are many paths along which to trace the emergence of an ever-widening, expanding circle that describes the development and growth of an international community. Arnold Toynbee and the historians would use one method. Malinowski, Montague Ashley and the anthropologists would pursue another. The sociologists would elect to trace this movement in other terms. Each discipline develops its own theories and theses for assessing and measuring the trends away from parochialism and the trends toward the development of the larger spheres and communities of interests that produce clans, tribes, communes, cities, city-states, nations and an international community.

It is surprising how infrequently we consider the role and function of the law as a dominant, if not controlling, social process and social institution in bringing about a condition of peace and systems of social regulations with concomitant organizational structures. Even though jurisprudence is primarily concerned with the science and philosophy of law, a lawyer and the students of jurisprudence cannot help but recognize that the real genius of the law is not philosophy but pragmatism. It has been its ability to deal realistically with a given set of circumstances with a view toward adjusting competing claims, removing conflict, avoiding violence, and either preserving the peace or restoring a condition of peace.

Permit me to give you a brief and simplistic illustration. Without reference to any of the primitive cultures of the world but with attention to the early origins of English law, we find several interesting and illuminating illustrations of how legal processes and legal institutions developed among the Franks, Angles and Normans. Comparative law tells how in the beginning of these kingdoms, individuals with differences, persons aggrieved, real or fancied, resorted to self-help. That is to say if one were aggrieved for any reason, let us say because of a verbal insult, he would inflict physical punishment on his detractor. If a chattel or personal belonging were taken or stolen he would recapture it with force of his own strength. Should a member of your family or clan be assaulted, injured or killed, you did not ask for an indictment so as to try the perpetrator of the assault and battery or homicide, you went out either alone, or in concert, if need be, with another of your family and clan and retaliated in kind against the offender, or some other member of his group usually a step higher in status or prestige. Thus there was accomplished not only a comparable reprisal, but a bonus so to speak in the carrying out of the initial interchange of what could become a decimating and annihilating blood fuel.

Lawlessness was the order of the day. Brigands and thieves, thugs and marauders roamed the countryside doing whatever they were physically strong enough to do and with which they could get away. Theft, kidnaping, beating, murder-violence, terror, barbarity were common phenomena. There was no law, no order, no peace. Two processes gradually emerged to establish peace and eradicate the right or license of individuals to use force and perpetrate violence: First was the proclamation of the King's Peace, the second was the Truce of God. Both accomplished essentially the same thing. Under the King's Peace, the person of the King, his family, his household could not be violated. To harm a servant of the King would evoke harsh punishment. To harm, or threaten to harm the King brought swift retribution, or final execution. All violence was outlawed from the roads along which the Monarch traveled, and not knowing when he traveled, the King's highways—his principal routes—became a domain that was invested with a quasi-permanent condition of peace. Where the people worshipped—their churches—and the monasteries and abbeys where the clergy and nuns lived, worked and prayed became sanctuaries from which all violence and feuding were barred. By the edict of the King other places, days and times were brought under the sovereign's declaration of peace—outlawing violence.

When the organized church became sufficiently strong and felt compelled to compete with the sovereign in temporal matters, the church also began exercising her powers to put down lawlessness and violence by proclaiming the Truce of God. It described the persons against who, the places where and the times when all use of force and the license to exercise violence were forbidden. The King's Peace reached its apogee under Charlemagne. In 1085 Henry IV declared the Peace of God for the entire German Empire and in 1095 the Council of Clermont decreed it for all Christendom. Thus, we see through the sovereigns of State and Church that increasing areas of space, time and human interrelationships were brought under the canopy and within the rubric of a condition of peace.

What I have described to you is but a minute aspect of the phenomena of the law as a social process regulating in an early period of history the behavior and conduct of man. I am aware that I am doing violence—by condensation and generalization—to the monument historical works of Maitland, Holdsworth, Hobel and Pollock to make an accordion out of a thousand years of the development and growth of the law. In any matured system of law we can say that essentially the law is conferring upon the State—the constituted government—a monopoly in the exercise of force, of violence.

There are many forces which are operating in the world that effectively shrink and reduce its size in terms of spacial relations. There are military craft today which move through the air at twice the speed of sound, Mach II, or approximately 1440 miles per hour. Already our commercial jet transports can travel at a speed of 680 statute miles per hour. There is a supersonic transport in planning and construction that exceeds Mach II, traveling faster than 1500 miles per hour. On that jet we could leave New York at 8:00 a.m. in the morning and arrive at San Francisco at 7:00 a.m. Traveling at that rate of speed not only would we be collapsing space and distance, we would be outdistancing and rolling back time!

Communication by radio and wireless is almost instantaneous from any part of the earth to another, and with telestar we can relay video pictures to the farthest and remotest portions of the world. We are indeed, physically-speaking, a neighborhood closely tied together into an international community.

Then there is the great destructive force that compels our finding ways of accommodation that will forge the community of mankind. This nation has intercontinental ballistic missiles with atomic warheads that can reach any point on earth in 15 or 20 minutes. One atomic warhead has as much explosive power as would be found in a continuous line of freight cars loaded with World War II bombs stretching from Chicago to New York. Or stated differently, one warhead has as much destructive capability as all of the bombs and missiles exploded in World War II. America has a fleet of Polaris submarines, 40 in number—with tremendous capability—that can be deployed under the seas, hidden beneath the surface of the oceans in the most strategic places. I was on the Polaris submarine George Washington Carver last summer on a cruise beneath the waters of the Atlantic Ocean. The skipper of that mobile, underwater fort told us that within 14 to 15 minutes after receiving an order from the President of the United States and the Secretary of Defense, through Fleet Atlantic Headquarters, it would be ready to deliver itself of all 16 atomic missiles from beneath the surface of the ocean without ever surfacing. It would take 16 seconds to fire the first missile and every 16 seconds thereafter one would be discharged until all were fired. In 4 minutes it could deliver to a given target, many many miles away, more explosive devastation than all—the total—of the bombs dropped in World War II. What this destructive force really means is that civilization cannot afford a nuclear war. I like to believe that this is one of the compelling factors causing us to recognize not just the desirability, but the absolute necessity for our establishing an international community that is, in fact, a community of mankind that has achieved a condition of harmony and a durable world peace through world law.

In addition to these factors of physical science establishing our closeness there are a whole myriad of social, economic and political forces endeavoring to effect closer and more harmonious business, economic, religious and governmental relations. For a decade now we have seen the evidence on every side of an increased and accelerated ecumenical movement. The churches and denominations in this country are merging. Just recently a student of the church-merger movement predicted the decade between 1985 and 1995 would find this nation having not more than five large denominational groups. The protestant and catholic churches are enjoying an accord and a working relationship hardly believed possible a decade ago. The Trend is clear that we are arriving at that time in our history when we are on the threshold of our religious organizations and churches becoming the truly catholic church. Indeed there is within focus and vision the church of one great foundation for brotherhood and the nurturing of the family man.

I do not need to dwell at length on the efforts in the international community for developing forums in which to deal with international conflicts and thus avoid war between national states. It will suffice to cite only a few such examples: the Hague Convention for Pacific Settlement and the Hague Arbitration Conventions which were developed under its aegis. Following World War I we saw the development of the League of Nations. Today the United Nations is man's most recent attempt to effect a workable parliament of nations designed to settle international disputes. We are more prone to be critical of its failures rather than appreciative of the successes of the United Nations. We all must agree, I believe, in recognizing that the United Nations has stood between an uneasy peace and the commencement of world-wide conflagration. We should also be aware and appreciative of such international organizations as the International Court of Justice, the World Health Organization, and the United Nations Educational, Scientific and Cultural Organization referred to as UNESCO. These are but a few of the international organizations that are weaving a fabric of cooperation that is moving us step by step towards the community of mankind.

The Ultimate Goal: "I believe in the Beloved Community and in the spirit which makes it beloved, and in the communion of all who are, in will and in deed, its members.

"I see no such community as yet; but nonetheless my rule of life is: Act so as to hasten its coming." (Josiah Royce.)

In spite of conflict and war I accept this commitment of Josiah Royce and urge you to make it your "rule of life" and article of faith.

II. THE HUMAN RIGHTS REVOLUTION: CONSONANCE AND DISSONANCE

There are at least three significant revolutions, separate but mutually, reinforcing, that are operating in the world today: the Cybernation Revolution, the Weaponry Revolution, and the Human Rights Revolution. I will allude to the first two and discuss the third.

The Cybernation Revolution results from the combined use of the computer and the automated, self-regulating machine. The result: a system of unlimited productive capacity requiring fewer and fewer human beings to be involved in production of goods, agriculture and services. It is developing an entire new set of management and production principles. It will force us to consider what to do with our surplus labor force and it has a direct bearing on many of the objectives and goals of the civil rights movement.

The Weaponry Revolution needs no definition, no explanation. It simply means that the United States and the Soviet Union, and some few other world powers, have arsenals of atomic missiles and bombs, to use only a fraction, is capable of wiping mankind off the face of the earth and destroying civilization as you and I know it.

The Revolution on Human Rights is worldwide. The disinherited and dispossessed everywhere want their share of the economic, political and social benefits of the society in which they live. The Civil Rights movement in America is only the national manifestation of a worldwide struggle.

The Negro Revolution or the Black Revolution of the 1960s began to acquire increasing support in this nation after August of 1963, and it reached a high point of effectiveness and public support between March and July of 1965. From the march on Selma to the enactment of the Voting Rights Bill of 1965 there was a great coalition of forces, a heartening agreement and unity among the American people that was reflected in their being cognizant of the need for changes and reforms in this nation. Even though there were stubborn pockets of resistance, the majority of the people were of a mind to follow the enlightened and liberal leadership that was being provided. The highest elected officials of the land, the clergy, the leaders of business and industry, every important labor leader, the civil rights leaders of all faiths, colors, creeds and persuasions joined hands to form a mighty coalition to redress wrongs a century old. We were meeting with success. The climate of public opinion was largely favorable to change and advancement.

1966 marked a turning point in the struggle for equality of opportunity, equality of treatment, and equality of condition. A new surge of Black Nationalism came forward. And the cry of Black Power was heard from Mississippi to Maine, from New York to California. No one quite knew what it meant but it became a rallying cry that reverberated across the land. Many were the young and strident new voices that picked up the cry. Some were thoughtful, understandable and persuasive. Others were impassioned and confusing. And still others were preaching a new and irresponsible demagoguery.

Let us briefly examine and assess the factors giving rise to the emergency of Black Power as a concept and Black Nationalism as the revival of an earlier movement in the history of the Negro's struggle. Despair, frustration, and hopelessness—these three the triology of extremism. These are the forces that have given rise to this contemporary phenomenum.

In the teeming ghettos of our urban centers there has been insufficient change and observable progress to satisfy the demands of people who have been barred from meaningful participation—shared involvement in the life of the nation. Employment among Negroes lags behind that of the rest of the nation. In some sections of the country, Negro men without jobs are two to three times that of white men of the same age group. The Negro youth between 18 and 21 years of age has been left far behind in gainful occupation by his white counterpart. Rat-infested, urban slums are incredibly overcrowded. So dense is the population in some sectors of Harlem, New York, that if that rate of density were applied to all of New York City, it could absorb the entire population of several of our largest states—California, New York, New Jersey, Michigan, Massachusetts, Ohio, Pennsylvania, Texas, Maryland, Illinois. While the income of the Negro family has increased, that of the white family has increased faster. Instead of catching up, the gap widened. Many people lost hope and despaired that the promise of America would never be realized, that the pledge of freedom, justice and equality would never be redeemed.

It is out of this dark night of disappointment that there has arisen the cries of Black Power, the recrudescence of Black Nationalism, and hate and riots of frustration in more than forty (40) communities throughout America in 1966 alone.

But we cannot and must not permit ourselves to yield to this kind of reaction. When we follow the advocates of hate and violence, separatism, and isolation, we are in effect abandoning the struggle to participate fully and equally in the main stream of American life. We are admitting failure and defeat. We are giving up the fight for integration, surrendering in the battle to achieve justice and equality, freedom and democracy in an inclusive society of equals. Regardless of delay and disappointment, set-back and discouragement, I do not intend even to relax, not to speak of giving up in this struggle! And I ask you to do the same.

Let us be candid with ourselves and face the hard realities of 1967. The winds of steady advance have been taken out of the civil rights movement. There is less dialogue between Negro and white. The lines of communication are jammed. The human rights revolution in America has been slowed down. Our friends and allies have become puzzled—some want to pull away and dissociate from the struggle. Demagogic threats and violence have frightened people, polarized the opposition, and stiffened the resistance. The coalition for progress has been fragmented.

In white America there are too many who have never wanted Negroes to enjoy equality and freedom, and they have seized upon the situation to point the finger and say, "I told you so. Give them an inch, they will take a mile." They assert that we have been pushing too hard and moving too fast. Moving too fast my God when freedom and equality are a hundred and more years behind schedule! The advocates of reaction and repression have come forward to reinforce their determination to keep the Negro in his place—in segregated servitude—and continue to deny 22 million black Americans equality in education, employment, housing, political participation, and an effective voice in the councils of decision. This is what we confront in June 1967.

All Americans have responsibility to deal forthrightly, honestly, and courageously in a mighty effort to correct the ills of our society—and with the greatest speed possible. This is not the time for reaction. This is not the time to turn back the clock of social progress. This is not the time to stand still. This is not the time to disregard the need for additional legislation in the field of civil rights, nor to impair the programs and dilute the measures designed to improve the quality of life for all Americans.

III. THE HERITAGE AND THE MISSION OF THE EDUCATED MAN

You who are about to receive your degrees here today are the beneficiaries of a great heritage. You have a body of ideals to cherish, traditions to preserve, challenges to accept. You are the legatees of a brilliant history of constructive leadership in the Negro's struggle for freedom and equality and in the building of an inclusive society. In the beginning, Fisk University declared itself to be an institution to provide for the education of men and women without regard to color. It was so stated in the charter of August 12, 1867. The vision of the founders was to build a school, a college that transcended the bounds of race and color. It was not to be a black university or a white university. Any modifying limitations, any restrictions, on the scope and breadth of a university is to negate its very concept. From Salerno and Bologna, from Pavia and Padua, from the Universities of Paris and Berlin to Harvard and King's College—now Columbia University—to Fisk and Atlanta; from the University of Chicago right on down to the founding of the youngest of the universities (Florida) it has been the purpose of a college and university to give its students the broadest view and comprehension of the cultures and civilizations of the world. Universe means the world, the cosmos, the totality of things. Hence the very nature of the university has to be broad and inclusive.

A very bright and attractive young lady, during the time of the meeting of the Board of Trustees here at Fisk, asked the question: "What are your views on a black university?" I heartily concurred in the brilliant answer which my friend and colleague John Hope Franklin gave her. Nevertheless, the question continues to tug at me and to bother me, for I wonder, had time permitted, would she have propounded further refinements of the broad category in which the question was framed and whether facets implicit in the question went unanswered.

Among other things, was she asking: Should this university teach me of the history, of the cultures and civilizations of Black Africa? If this was one of her concerns, we would answer yes. Should it teach the contributions which people of color have made to the civilizations of the world, to the founding of America, and to the growth, expansion, and development of this nation? If that was part of her question, the answer would have to be yes.

Was there implicit in her question: Should this university teach about the lives and works of Phyllis Wheatley and Paul Lawrence Dunbar and their contributions to American literature, and about James Weldon Johnson, writer, poet, educator, diplomat, and executive secretary of the NAACP, a man of belle letters? Should she be taught and learn about Richard Allen's founding of the African Methodist Episcopal Church, and Richard H. Cain's work in South Carolina, immediately after emancipation, as a preacher, a State legislator, and a member of Congress of the United States? Was she asking: Should we teach about the life and works of W. E. B. DuBois, writer, historian, sociologist; the most distinguished graduate of this university, who was the fountainhead of the struggle for first-class citizenship and equality in America? If this was a part of her question, the answer is yes. Again, was she asking: Is there a place in the structure and program of this college for an institute of social sciences doing objective, scientific scholarly research into the problems, the life, the contributions of Negroes in America, such as was done under the brilliant leadership of Charles S. Johnson? Of course, the answer to that is yes.

If these be her questions, the answer is clearly affirmative. Really to ask it is to display a lack of acquaintance with this university. There were Fisk graduates who taught me in preparatory school at Avery Institute in Charleston, South Carolina, who imparted to me the history of the Negro in America. It was Theodore Currier, Arthur Schomburg, and James Weldon Johnson who in the 1930s taught courses and gave lectures on the history of the Negro in America. It was Charles Spurgeon Johnson, former head of the Department of Social Sciences and later president of this school, who developed and taught the course, "The Negro in American Civilization," and who introduced his students to the whole sweep of their African heritage, the contributions of Negroes to the new world, and the problems Negroes faced in 20th century rural and urban America. But this was not a black university, for these disciplines and courses to which I refer were not singular and apart; they were a part of the whole curriculum.

Could our young friend have been asking: Should we refuse to accept any white students, dismiss all of the white members of the faculty, remove all the white members of the Board of Trustees, have no working relationship with Vanderbilt and Peabody? Stated differently, was she asking: Should we become racially isolated, ethnocentric, and chauvinistic? The answer to that, too, is simple, clearly and absolutely in the negative: no!

Let me hasten to add that I believe it is of highest importance in the total education of youth that every one of them go away from every college with a healthy estimate of self and fortified with the armor of self-confidence and self-reliance. This is especially true of Negro youth coming out of a society that for 300 years has attempted, and with some success, to pin the badge of inferiority and inadequacy on their race. Therefore, it is incumbent that we teach you to believe and to know that you can succeed and achieve; to believe and to know that there is no chasm of adversity so wide that you cannot cross it; that there is no river of disappointment too broad or .too fraught with rapids for you to swim and overcome; that there is no mountain of difficulty too steep to climb in order to reach the highest pinnacles of success.

Fisk is your heritage—an institution conceived in the belief of the educability of all men, founded on the concept of the brotherhood of man and anchored in the tenets and ideals of the Judaeo-Christian ethic.

If that be your heritage, then these be your mission. It is your mission to use the education and the learning which you have received at this place to focus a keen, analytical, and objective mind on the problems of our day and of our times, to act with integrity and honesty and courage, and once you have determined a valid course of action to pursue it with unflagging energy and enthusiasm. As educated men and women it is also your mission to be independent and unafraid to act on the basis of your convictions and to accept, if need be, the loneliness and pain of dissent.

It is your mission to recognize that your education imposes on you the responsibility to be concerned about the conditions and circumstances of all men. You must not permit the privilege of your education to separate you from the masses of people, be they black of white, Jewish or gentile, rich or poor. It is your mission in the challenge of this day to re-establish the coalition of the forces of good will and to forge the alliance of people. Charles Spurgeon Johnson many years ago said, "We must move from race relations to human relations." His was a prophetic vision. Today that transition is an imperative, and I add we must now move from civil rights to human rights.

In urging you to re-establish the coalition and forge the alliance of peoples I am calling upon you to recognize that at this juncture in our history and at this point of time in the needs of humanity, the American Negro, leaders and masses alike, must embrace the legitimate, democratic aspirations of other disadvantaged, dispossessed, disinherited, exploited and persecuted groups in our society. We have been so wholly occupied and concerned with our own problems that many of us believe that we are the only ones against whom discrimination and prejudice are directed. Catholics and Jews, Mexican-Americans, Puerto Ricans, persons with Spanish-sounding names, the Japanese Americans, the Orientals, the migratory workers—they too are among targets of the prejudiced. Among them we also find the underprivileged, the dispossessed, the disinherited. As this civil rights crusade expands into a human rights crusade, all of us must identify and see the similarity of our goals and objectives with theirs and join hands with them in the effort to achieve equality for all of the family of man.

From our own small communities, our neighborhoods and cities we can assist in expanding the ever-increasing circumference of law and order into a condition of peace throughout the international community.

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The councils would include representatives of all racial and religious groups, plus officials of the state attorney general's office, law enforcement agencies and local government.

It could function as a community relations service to prevent violence, gain community cooperation and hear the voices of those who have too long gone unheard. It could establish a coordinated early-warning system to detect potential disorders and, hopefully, nip them in the bud. It could establish a central communications network.

Now I want to turn to your opportunities as advisers to the nation's businesses and corporations.

The central principle of American progress has been a working partnership between government and the private economy.

Was there implicit in her question: Should this university teach about the lives and works of Phyllis Wheatley and Paul Lawrence Dunbar and their contributions to American literature, and about James Weldon Johnson, writer, poet, educator, diplomat, and executive secretary of the NAACP, a man of belle letters? Should she be taught and learn about Richard Allen's founding of the African Methodist Episcopal Church, and Richard H. Cain's work in South Carolina, immediately after emancipation, as a preacher, a State legislator, and a member of Congress of the United States? Was she asking: Should we teach about the life and works of W. E. B. DuBois, writer, historian, sociologist; the most distinguished graduate of this university, who was the fountainhead of the struggle for first-class citizenship and equality in America? If this was a part of her question, the answer is yes. Again, was she asking: Is there a place in the structure and program of this college for an institute of social sciences doing objective, scientific scholarly research into the problems, the life, the contributions of Negroes in America, such as was done under the brilliant leadership of Charles S. Johnson? Of course, the answer to that is yes.

If these be her questions, the answer is clearly affirmative. Really to ask it is to display a lack of acquaintance with this university. There were Fisk graduates who taught me in preparatory school at Avery Institute in Charleston, South Carolina, who imparted to me the history of the Negro in America. It was Theodore Currier, Arthur Schomburg, and James Weldon Johnson who in the 1930s taught courses and gave lectures on the history of the Negro in America. It was Charles Spurgeon Johnson, former head of the Department of Social Sciences and later president of this school, who developed and taught the course, "The Negro in American Civilization," and who introduced his students to the whole sweep of their African heritage, the contributions of Negroes to the new world, and the problems Negroes faced in 20th century rural and urban America. But this was not a black university, for these disciplines and courses to which I refer were not singular and apart; they were a part of the whole curriculum.

Could our young friend have been asking: Should we refuse to accept any white students, dismiss all of the white members of the faculty, remove all the white members of the Board of Trustees, have no working relationship with Vanderbilt and Peabody? Stated differently, was she asking: Should we become racially isolated, ethnocentric, and chauvinistic? The answer to that, too, is simple, clearly and absolutely in the negative: no!

Let me hasten to add that I believe it is of highest importance in the total education of youth that every one of them go away from every college with a healthy estimate of self and fortified with the armor of self-confidence and self-reliance. This is especially true of Negro youth coming out of a society that for 300 years has attempted, and with some success, to pin the badge of inferiority and inadequacy on their race. Therefore, it is incumbent that we teach you to believe and to know that you can succeed and achieve; to believe and to know that there is no chasm of adversity so wide that you cannot cross it; that there is no river of disappointment too broad or too fraught with rapids for you to swim and overcome; that there is no mountain of difficulty too steep to climb in order to reach the highest pinnacles of success.

Fisk is your heritage—an institution conceived in the belief of the educability of all men, founded on the concept of the brotherhood of man and anchored in the tenets and ideals of the Judaeo-Christian ethic.

If that be your heritage, then these be your mission. It is your mission to use the education and the learning which you have received at this place to focus a keen, analytical, and objective mind on the problems of our day and of our times, to act with integrity and honesty and courage, and once you have determined a valid course of action to pursue it with unflagging energy and enthusiasm. As educated men and women it is also your mission to be independent and unafraid to act on the basis of your convictions and to accept, if need be, the loneliness and pain of dissent.

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NOT FOR GOVERNMENT ALONE

The problems of today are too great and too complex to be solved by government alone. And it is more than our laws and our public institutions that are being tested. It is our entire free enterprise system.

Can that system provide jobs and training for the hard-core unemployed? Can it make them contributing members of this economy, both as consumers and producers?

Can it meet national need when that need is clear and present?

Can that system provide the initiative, the imagination and the capital to meet the pressing necessity for more school buildings, efficient mass transport, low and middle-income housing—the infrastructure for the new America?

Some say no; but I say yes. American business has always known that prosperous people mean a better market. I don't believe businessmen can be content so long as one-sixth of their potential market is undeveloped.

We in government are ready to help. Where there are obstacles, we will try to remove them. Where there are opportunities, we want to hear about them.

—It is the willingness to offer the same generous and far-reaching considerations for our own underdeveloped areas and needy people as we do for others in foreign lands.

A WILLINGNESS TO ACCEPT

The price that we must be willing to pay is, above all, the willingness to accept as a partner in the American community and as a first-class citizen, the poor, the illiterate—black or white—and give him a chance to make something out of his life. To do less is to admit failure.

"To every man his chance; to every man regardless of his birth, his shining golden opportunity. To every man the right to live, to work, to be himself and to become whatever things his manhood and his vision can combine to make him. This . . . is the promise of America."

TASK FOR AMERICAN ENTERPRISE

The full creative force of American free enterprise must be turned to these great and waiting tasks. The Negro leadership is in a unique position to advise which programs are likely to work and to supply leadership in these programs.

But, let me stress one crucial point. The task ahead will require the efforts of every organization and every citizen of this country.

We certainly have the resources to do the job. We have the scientists, the engineers, the sociologists, the lawyers, the planners and administrators, if only we put them to work on this priority problem.

Any nation that can mobilize its scientific and managerial resources to put a man on the moon ought to be able to put a man on his feet on this good earth.

MUST PAY THE PRICE

But the so-called lunar program tells us something else. If you want to get a job done, you must use the most modern methods, you must make a commitment and you must be willing to pay the price.

But the price that we must be willing to pay is not just more money—

It is a price of priorities.

It is the price of administrative reorganization in order to get the most out of every dollar and to better use our resources.

It is the price of modernizing state laws and city charters.

It is a massive job training and employment effort by private industry.

It is the price of taking the risk of hiring untrained workers and giving them on-the-job training.

It is a massive recreation and education program, particularly in the urban slums.

It is keeping our schools operating twelve months a year.

It is making job training programs related to job opportunities.

It is investing billions of private capital to give our cities new life and new hope.

It is investment guarantees for private capital.

It is long-term credits and low rates of interest with government cooperation.

It is tax incentives.

It is risk insurance.

It is government participation as a helpful partner and not a dominant force.

It is the willingness to recognize that the slum is repugnant to American values and that it must be eliminated as if it were a malignancy.

It is the price of recognizing our slums and the majority of those living there as underdeveloped and neglected places and people.

ADDRESS BY GOV. JOHN A. BURNS

It is my privilege to extend to each one of you the pleasure of the people of Hawaii in welcoming the American Bar Association as it convenes here in Honolulu. We hope that you will find Hawaii a pleasant environment in which to accomplish your objectives. We wish to express our pride in acting as your host—pride because Hawaii and the ABA share a singular quality: we are both necessary interpreters of a society changing so rapidly it is often difficult to understand.

A quick glance at the program of this 90th convention indicates the concern you have for the critical questions raised in this complex age. The Establishment is being challenged by questions asked by the young and dissident of our society, who voice their disaffection through dissent, who act out their frustrations through civil disobedience, and who express their spirit through "love-ins" and "be-ins." They are asking why must we obey the rules of a society when the society permits, if not encourages, inequities in its structure; why not adopt the superficialities of the "new morality" which pays court to expediency and personal convenience rather than respect for the rights and needs of others; and, how in this time of great change do we simultaneously protect the rights of individuals while satisfying the needs of society.

As members of your state bars, you act as interpreters of the changes in our society that are inevitable and necessary. Changes that must occur swiftly if we are to utilize rather than be enslaved by the awesome technology now applied to our cities and private lives; if we are to believe that the essence of the individual must never be destroyed no matter how overwhelming the collective needs of a society become; and if the rule of law is to remain the rule of reasoned consent rather than brutish dominance.

You regenerate belief in and reinforce the rule of law, which has as its bases: government by established rules, judgments by impartial tribunals and respect for the dignity of each individual. Paradoxically, lawyers are the prophets of change while being the defenders of the Establishment. This is your destiny and challenge in the 20th century.

Correspondingly, Hawaii's destiny and challenge lie in promoting American commitments to the emerging Pacific-Asian nations, so that these new nations may themselves find stability in meeting the critical needs of their people. In return for the conferment of citizenship at the beginning of the century, Hawaii gave her fellow Americans the valuable experience of her cosmopolitan development, the complete and intense loyality of her people, and the contemplative reflections of what is best in East-West thought. These contributions have been derived from the Hawaiians, Asians and the people of the South Pacific who, commingled with the people of the West, make up the population of Hawaii.

But more significantly, Hawaii also generates and interprets some of the changes that must come to the emerging Pacific countries if the United States is to assist them in acquiring their equitable share of the world's social, political and economic wealth.

Paradoxically, we are the youngest state while containing some of the world's oldest cultures. But, fortunately, this very paradox enables us to exemplify our country's political, economic and social successes. Like you, we do not take our role lightly in dealing with the question of how these newly emergent nations can learn to assimilate, understand and favorably utilize disparate ethnic and cultural groups. Perhaps Hawaii will provide the standard, for here the descendants of many cultures—Japanese, Chinese, Korean, Hawaiian, Filipino, American and European—and many religions—Protestant, Catholic, Jewish, Buddhist, Mormon—form a creative society in which no one group loses its identity, but in which each contributes the best of its ideas, labor and perspective.

Like you, we do not profess to have all the answers. But we know this: Hawaii is accessible to many of these nations because we are the hub of the Pacific and the gateway to the American continent; our greatest asset is our people, many of whom have Asian backgrounds, and all of whom have proved that Asia and the South Pacific have a great deal to offer Americans; that because of our reputation for social harmony and economic success, the synthesis between these Pacific rim countries and the United States will be made easier.

To this end, a "new Hawaii" has emerged. The 50th State is a natural site for the East-West Center, in which the advancement of cultural, social and technical exchange occurs among the people of the Pacific and the United States. Peace Corps volunteers for the Far East are trained here and personnel for AID Asian assignments are recruited. Hawaii is developing its role as a Pacific Trade Center, encouraging meaningful commercial exchanges as underdeveloped Pacific nations seek outlets for raw materials in return for our technological skills. Perhaps nowhere else is knowledge of the American legal system so important than to our businessmen as they establish mutual commercial interests and economic growth in Australia, New Zealand, Japan, Thailand, Taiwan, the Philippines, Micronesia, and the South Pacific, for the laws of the East and West are a means of interaction between American and Asian. The laws are a means of understanding the other and of reaching consensus on the controversial issues we have in common. This is not an academic exercise. We are dealing on a practical level and we are providing our sister states with a sound understanding of oriental thought and culture, for ultimately a Pacific "community of nations" will be established.

To better understand the laws of Asia and other Pacific countries, Hawaii hopes to establish a law school which will enable the East-West Center to invite legal scholars from these Pacific countries to study and exchange their ideas. This Administration has been mindful of this task—we have invited those emerging nations interested in modernizing their law to observe the American legal system in our courts—and they have come. The sequel to this exchange has been the formation of the Pacific Law Association. Founded at the East-West Center, the Pacific Law Association will conduct research for Asian countries seeking the most appropriate legal system to help modernize their economies and societies. Among the several countries involved are the Philippines, Australia, Korea, India and Indonesia. Perhaps the result of this exchange will be the development of what is most ideal in international law.

Thus, Hawaii considers itself privileged to welcome this distinguished group to our State, for both the American Bar Association and Hawaii are aware of the extraordinary changes taking place. And because this is the first ABA annual event "involving large-scale participation by lawyers of Australasian countries," it is appropriate that we should be given the opportunity to meet; we are both helping to fulfill the destiny that belongs not only to Americans in the Great Society but to all men in a peaceful world. For complete rapport, we hope you will take the opportunity to talk with our people as well as your colleagues here in Hawaii. Since the State's Administration is an example of the use of talent, intelligence and perspective of Hawaii's many cultures, I invite you to call on them.

Members of my Administration look forward to meeting you and answering any questions you may have because they are aware that such communication enables us to serve as the bridge between East and West.

For the time you are here, we hope the legendary Hawaiian gods, Kane, Ku and Lono, the lords of sunlight, sound and substance, be with you during your visit. We hope, also, that you experience the greatest tribute we can offer—the spirit of aloha. Mahalo.

LINCOLN ASSASSINATION TESTIMONY

Mr. SCOTT. Mr. President, today I had the rare honor and privilege, in behalf of the Union League of Philadelphia, to present to Dr. L. Quincy Mumford, Librarian of Congress, a copy of the historic Tanner manuscript. The manuscript is an eyewitness account of the assassination of President Lincoln.

I ask unanimous consent that a description of this document be printed in the Record.

There being no objection, the description was ordered to be printed in the Record, as follows:

Shortly before midnight on April 14, 1865, a peg-legged Union veteran, Corporal James Tanner, was called upon to take down the testimony of those who witnessed the assassination of Abraham Lincoln. Stolid Secretary of War, Edwin Stanton, conducted the inquiry. Tanner faithfully recorded the statements of Henry Hawk, Philips, Crawford, and other witnesses in rapid shorthand. In the wee hours of the following morning, the first record implicating John Wilkes Booth as the assassin was completed. Shortly after, at 7:20 a.m., Abraham Lincoln, the first Republican president of the United States, died.

Tanner transcribed a special copy of his notes for Secretary Stanton and delivered them to his home. They were not used during the trial of the conspirators, nor does any evidence exist to show that Stanton's copy of the testimony has survived.

However, Tanner thoughtfully retained the original shorthand notes and the first transcription. In 1917 he presented them to The Union League of Philadelphia, that patriotic institution that did so much to uphold the Union during the Civil War.

When it recently became known that this historical testimony could not be found in government archives, The Union League, true to its patriotic traditions, undertook to reproduce this rare document in facsimile. This commendable step will fill an important lacuna in American History.

EXPORT-IMPORT BANK

Mr. MONDALE. Mr. President, I ask unanimous consent to have printed in the Record some correspondence I have had within the past few days concerning the alleged use of the Export-Import Bank for "third-country" purchases of arms of U.S. origin.

This issue arose in Banking and Currency Committee consideration of the Export-Import Bank Amendments Act of 1967. The controversy followed the act onto the floor of the Senate, and I prepared a set of questions which I sent to Mr. Harold F. Linder, President and Chairman of the Export-Import Bank of Washington, for his response.

As the response from Mr. Linder indicates, my questions were referred directly to the Department of Defense. The third document is a reply from Henry J. Kuss, Jr., Deputy Assistant Secretary of Defense, responding to the questions I asked Mr. Linder. A classified attachment, which is referred to in Mr. Kuss' response, has been detached.

Mr. President, the response that I received to this series of questions clearly states that it is the policy of the Department of Defense to avoid the use of country X loans to purchase arms of U.S. origin from a third country. The letter details efforts to curb such purchases, while pointing out that any bank credits are likely to ease a cash or budgetary situation for a nation.

This response makes it clear that the Department of Defense has a policy of not encouraging such purchases. There the matter rests as far as I am concerned. The Department is on record as opposed to such use of credits, and I presume that we have its assurance that such purchases will continue to be discouraged. I believe that these documents establish a record to which the Congress may refer in future consideration of policy concerning the Export-Import Bank.

There being no objection, the correspondence was ordered to be printed in the Record, as follows:

Senator Walter F. Mondale,
443 Old Senate Office Bldg.,
August 8, 1967.

The Honorable Robert S. McNamara,
Secretary of Defense,
Washington, D.C.

President and Chairman Harold F. Linder of the Export-Import Bank has suggested that I refer the following questions to you. I would appreciate very much your responding to me before the extension of the Export-Import Bank proposal comes before the Senate.

Does the phrase, "Of U.S. manufacture or origin" mean that country X loans were used by some recipients to purchase arms of U.S. origin from a third country?

Specifically, did Israel use any of the $88 million it received in country X loans to purchase surplus American manufactured arms from Germany?

Did Venezuela use any of the $29 million it received in country X loans to pay for F–86 saber jets it bought from Germany last year?

Did Iran use any of the $210 million in country X loans to pay for any of the 90 F–86 saber jets which Iran bought from West Germany last year and subsequently shipped to Pakistan?

If Israel, Venezuela, or Iran did not use country X loans to purchase arms of American origin from a third country, what specifically were these country X loans used to purchase?

Also, did the provision of country X loans at any time make it possible for any of the recipients to use their own foreign exchange to purchase arms from countries other than the United States? Is this true in the cases of Venezuela, Israel, or Iran?

Were any of the arms credits provided to countries directly from the Defense Department's revolving credit fund used to purchase arms of American origin from third countries or for the purchase of arms manufactured by third countries? For example, Venezuela received $19 million in direct arms credits from the revolving fund and Israel $54 million?

Also, did the combination of credits from the Export-Import Bank in country X loans and the credits extended from the revolving fund itself make it possible for any of the recipients to use their own foreign exchange to purchase arms of American origin from third countries or arms manufactured by these third countries?

Thank you very much for your cooperation.

Walter F. Mondale,
Senator.

Export-Import Bank of Washington,
Washington, D.C., August 7, 1967.

Hon. Walter F. Mondale,
U.S. Senate, Washington, D.C.

Dear Senator Mondale: I regret very much that I am unable to reply in detail to your telegram which I received a few moments ago. However, I am in position to state that in connection with each loan made by the Bank and guaranteed by the Department of Defense, the Bank received a certification from the Defense Department that the equipment financed by us was of "U. S. manufacture or origin" and that the funds made available by the Bank would be used to pay "U. S. suppliers, including the Military Departments." In the light of these certifications I do not believe any of our funds could have been used for procurement of U. S. equipment from third countries.

As to the detailed questions which you have raised, the Department of Defense is the agency which I believe is best able to reply and therefore I have taken the liberty of referring your telegram to them.

Sincerely yours,

Harold F. Linder.

Office of the Assistant Secretary of Defense,
Washington, D.C., August 8, 1967.

Hon. Walter F. Mondale,
U.S. Senate,
Washington, D.C.

Dear Senator Mondale: In the interest of saving time, I am responding directly to you and sending a copy of this letter to Mr. Linder. I refer to your telegram of 7 August to Mr. Linder and his partial reply of the same date.

With respect to your question on the phrase "of U.S. manufacture or origin," please be assured that the DOD has made no disbursements to third countries or third country suppliers utilizing the DOD revolving account, either directly or through the ExImBank or private banks. All Venezuelan, Iranian, and Israeli equipment which you questioned was from U.S. sources. The Israeli tank program referenced included only those tanks that came from the U.S. and the modification kits that were produced in the U.S. for use by the Israelis to modify tanks which they had received from the U.S. and other countries.

As to the specific equipment purchased by Israel, Venezuela, and Iran, since such details are classified, I am attaching that portion of the reply.

On your question of the Revolving Fund, please be assured that none of these funds established under Section 508 of the Foreign Assistance Act of 1961 are "loaned" to purchasing countries. In all cases, the Department of Defense sells from its own stocks or else purchases, or arranges for the purchase of, U.S. defense articles from U.S. defense suppliers. In all cases, DOD makes payment (whether ExImBank or Revolving Funds are involved) directly to U.S. suppliers. In fact, the legal authority of the DOD authorizes it to make credit sales, not to loan money. Therefore, under this system DOD retains excellent control of fund disbursements since all funds are expended directly to U.S. suppliers.

Finally, with respect to the general question of whether or not the combination of credits provided by DOD, ExImBank, or private banks facilitates the purchasing of arms from third countries through the use of the country's own foreign exchange, I can assure you of the following:

1. Each case of U.S. credit is based on the recommendations of our Ambassador and the economic and military officials in the country. At no time have any of the sales been made on credit by the U.S. for the purpose of allowing the country to use its cash to purchase from a third country.

2. In fact, there are numerous instances where our credit sales cases were extended under general agreements, e.g., Iran and India, for the country to curb its foreign exchange expenditures in third countries. Further, in certain Latin American countries we have indicated that we would take restrictive actions on credit and grant aid if such arms purchases occurred.

3. Undoubtedly, any bank credits to a country, whether from commercial banks, the World Bank, Development Loan funds, Eximbank, or the Military Assistance fund, ease the cash or budgetary situation for certain country requirements. We attempt to examine all of the country's financial resources and obtain the best possible payments situation as part of the negotiations. For example, in the case of Iran, specific conferences are held to estimate the oil revenues and the Iranians' ability to pay, and payment arrangements are developed as a result of these economic forecasts.

In conclusion, you can be assured that the best possible job is being done to avoid the problem you posed.

Sincerely yours,

HENRY J. KUSS, Jr.,
Deputy Assistant Secretary.

TRIBUTE TO SANFORD L. PLATT

Mr. FONG. Mr. President, it is with deep sorrow and a sense of personal loss that I report the passing of a well-known resident of Hawaii and Washington, D.C. Sanford L. Platt, vice president and Washington representative of the Hawaiian Sugar Planters' Association, died in his sleep in Colorado Springs, Colo., early today, apparently of a heart attack.

"Sandy" Platt had since 1959 represented the Hawaiian sugar industry in legislative, governmental and other activities in the Nation's Capital. He was widely known throughout the domestic U.S. sugar industry and in congressional and other Washington circles.

Born in Groveton, Tex., on July 31, 1912, "Sandy" was graduated from the University of Oregon. He joined the HSPA as assistant secretary in 1949. From 1954 until he moved to Washington 5 years later, he was secretary of the HSPA and was in charge of the Hawaii office in Honolulu.

In addition to representing the Hawaiian sugar industry, he served on numerous sugar industry boards and committees.

At the time of his death, he was in Colorado Springs to attend a meeting of the Sugar Association, Inc., an international organization of sugar companies and producers, of which he was vice president and member of the executive committee.

"Sandy" possessed a vast amount of knowledge and expertise of the sugar industry, which he served with great diligence, loyalty, and ability. He gained stature and influence among his colleagues and represented the Hawaiian sugar industry in Washington skillfully and capably. His passing will be a great loss to the sugar industry and the State of Hawaii.

I will miss "Sandy" as a personal friend whose cheerful disposition and ready smile were among his many fine traits. Mrs. Fong and I extend our heartfelt sympathy and sorrowful aloha to "Sandy's" survivors—his mother, Mrs. Serena Platt, of Honolulu; two sisters, Mrs. Lois Anderson, Portland, Oreg., and Mrs. John Pietsch, Honolulu; and three brothers, Elden Platt, Lafayette, Calif., David Platt, San Francisco, and Gene Platt, Honolulu.

CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Is there further morning business? If not, morning business is closed.

Mr. MUSKIE. Mr. President, I suggest the absence of a quorum, and I ask unanimous consent that the time for the quorum call not be taken from either side.

The PRESIDING OFFICER. Without objection, it is so ordered. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. TOWER. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

EXPORT-IMPORT BANK ACT AMENDMENTS OF 1967

The Senate resumed the consideration of the bill (S. 1155) to shorten the name of the Export-Import Bank of Washington, to extend for 5 years the period within which the Bank is authorized to exercise its functions, to increase the Bank's lending authority and its authority to issue, against fractional reserves, export credit insurance and guarantees, and for other purposes.

The PRESIDING OFFICER. All time is under control.

Mr. ELLENDER. Mr. President, I yield 15 minutes to the distinguished Senator from Oregon [Mr. MORSE].

The PRESIDING OFFICER. The Senator from Oregon is recognized for 15 minutes.

Mr. MORSE. Mr. President, I rise to support the Ellender amendment No. 245. I speak out of the experience and knowledge I have gained in some years as chairman of the Subcommittee on Latin American Affairs. My colleagues in the Senate know that I have been willing to give greater support to economic aid to Latin America which goes to specific projects. That is why I refer to myself as a project-to-project man where the dominant characteristic of our aid will be repayable loans for economic projects which will benefit the people who live within the economic environment of those projects, to the end of raising their standards of living.

In my judgment, the great need in Latin America is for those countries to do for their people what needs to be done—which they are not doing—where millions of people there earn a per capita income of less than $300 a year.

And what have we been supporting?

In too much of the foreign policy of the United States toward Latin America, we have been supporting military aid to build up and maintain military oligarchies in country after country, oligarchies which have demonstrated for years that they are little interested in freedom, in building up the economic productive power of their countries for the benefit of the mass of their people. They are far more interested in perpetuating what has become, in my judgment, an overall shadow of military control in too many Latin American countries.

I am supporting the Ellender amendment today because I think it is an amendment, when implemented, which will redound to the economic benefit of the people of Latin America.

The entry of the Export-Import Bank into arms sales to underdeveloped countries has been perhaps the most cynical exploitation of foreign assistance yet embarked upon by the American Government.

Our eagerness to make arms available to countries that have no use for them other than prestige purposes, and having no economic base with which to support an army, much less a war, is apparently matched only by the eagerness of the military establishments of these countries to feed their prestige out of the pockets of American taxpayers.

Look at the record in Latin America. The figures which appeared in the New York Times on July 31 show that Brazil has received $43 million in credit from the Eximbank in fiscal 1966 and 1967 for arms purchases. The story also reports that on top of that loan, Brazil has received another $10 million worth of arms credit directly from the Defense Department. That is a total of $53 million.

That is a good deal for any country to obligate itself for to buy military equipment. There is nothing productive about arms. They are not wealth creating; their cost is not self-liquidating. These loans cannot be amortized out of earnings because there are no earnings.

In fiscal year 1966, Brazil received from this country in direct bilateral economic aid $383.6 million. That includes food for peace, but excludes assistance we provided Brazil through the Inter-American Bank and other multilateral agencies.

The economic aid bill for Brazil is something less than that this year. We are not allowed to use the figures in public, though there is no good reason why the American people should not know what the Brazilian Government knows about how much aid it will get from this country in fiscal 1967 and 1968.

This is an example of government by secrecy, an example of concealing from the American people facts they are entitled to know, against which I shall always raise my voice in protest on the floor of the Senate. That is why I have been heard, year after year, making a plea for taking the label "secret" off the reports of the Comptroller General of the United States in regard to our aid dollars. As I have been heard to say so many times, there is no substitute in a democracy for full public disclosure of the public's business. If the American taxpayers knew the facts about foreign aid, if the American taxpayers knew the facts about American aid, if the American taxpayers knew that what we were doing was building up oligarchies, juntas, and dictatorships throughout the world, instead of coming to the assistance of the economic needs of the mass of the people in the underdeveloped areas of the world, I have not any doubt that our foreign policy would be changed by the demand of the American people. That is why the few of us who are willing to speak must continue to dare to speak today to tell the American people, "You are not given the facts by your Government, because your Government does not dare put in your hands the facts about foreign policy, including military aid and economic aid as well."

Over the years since the end of World War II, we have made available over $2 billion to Brazil in economic assistance. About three-fourths of that is in loans. Brazil owes us $1.6 billion.

Repayment of that amount is one of the major economic problems Brazil will face in the immediate future. We have already begun rescheduling loan repayment from Brazil.

I find it impossible to see how anyone in this country or in Brazil thinks that country will ever repay loans made for military weapons. Look ahead to the 5 years from now when these arms loans will fall due. We will hear it said that the weapons bought 5 years ago are now obsolete and have no value. Why, Brazil will say to the Pentagon, should we be expected to repay loans for equipment that already needs replacing? I might add, "In fact, you are being made gifts right now, but being told you are receiving loans."

Knowing the history and record of the Pentagon, it will agree that what Brazil needs is replacement, not repayment. And the Pentagon will come to Congress and plead that we must either wipe the Brazilian credit off the books or give the Pentagon the money to repay the Export-Import Bank. Even if Brazil should decide to repay arms loans, the American economic assistance program will be expected to make up the loss to the Brazilian budget.

In my opinion, the whole arrangement with Pentagon credit and the Export-Import Bank is nothing more than a device for extracting more money from Congress for the distribution of weapons among undeveloped countries. It will be paid for by the American taxpayers, in one way or another, and I doubt that anyone now busily arranging these transactions cares much whether the loan is forgiven, paid by AID, or paid by the Pentagon. The main idea is just to keep the arms flowing into Brazil, Argentina, Peru, Venezuela, and Chile, and other Latin American countries.

The story with Argentina is much the same as with Brazil. It, too, has a military government that took over the government, thinking it had the blessing of the Pentagon in so doing. Argentina has received through the covert Export-Import Bank arms financing $21 million, and another $1 million through direct Pentagon lending, according to the New York Times story—which, I want to say to the Senate, is accurate.

Argentina does not receive from us anything like the amount of assistance Brazil received; but her debts to the United States are still very substantial—$374 million. In fact, external debt owed not only here but in Europe is one of Argentina's biggest economic headaches. An arms loan will make it bigger and more painful.

A third country on the Eximbank list for arms is Venezuela. It has received $19 million in Pentagon credit and $29 million in Bank credit, for a total of $48 million arms loans for the last 2 fiscal years.

Despite its great wealth in oil reserves, Venezuela continues in a precarious financial condition. It still owes the United States $225 million in foreign assistance debt. These arms loans are short term, running from 5 to 7 years, according to this published report. How is she going to repay $48 million to the United States within 5 to 7 years, unless by getting more economic assistance from us at the same time? That is what she will ask for and that is what she will get unless Congress stops the merry-go-round involved in this whole foreign aid program.

Peru is perhaps the most unfortunate example in this group. Peru received $18.5 million in aid from us in fiscal year 1966 and more than that in 1967. She is in such dire economic straits that she has sought a commodity loan from us which will merely cover her foreign exchange shortage, without going into any particular development project. Yet Peru has received a $4 million Export-Import Bank loan and $1 million directly from the Pentagon for arms purchases—not for bread, but for bullets; and I use that again to illustrate what Latin America needs. Latin America needs bread, not bullets, if we are going to help save Latin America from one Communist takeover after another. In my judgment, the type of military aid we pour into Latin America produces more Communists in Latin America than any other force at work in Latin America in behalf of the Communists. When are we going to learn that the building up of military dictatorships does not produce freedom in Latin America?

Peru is also seeking to buy more weapons in Europe, including jets from France and Great Britain. In order to do that, she needs more financial help from us through AID. She already owes us $200 million, in round numbers.

I can only say of these programs that they constitute a fraud upon the American taxpayers, at least upon those few who still think that economic aid is for the purpose of economic improvement in the lives and opportunities available to the people receiving it.

The growth of military assistance in Latin America since 1964 suggests that we are using aid there to finance the export of American armaments to people who can ill afford to pay for them. If we do not extend grant military aid, then we extend credit that will necessitate more economic aid.

The fifth Latin American country on the Country-X list is Chile. Chile is a country of small population. It has 9 million people; it received $107 million in all forms of economic aid from the United States in fiscal year 1966.

Chile has had the largest amounts of American assistance on a per capita basis of any country on the South American Continent. It ranks with South Vietnam and the Dominican Republic in this respect. Chile owes us $737 million, according to published AID figures.

But here again, the Export-Import Bank is providing credit to Chile in the amount of $1 million for the purchase of weapons.

With the exception of Chile, these Latin American countries have received their arms credits at a subsidized interest rate, meaning that they pay less for the use of the money than it costs us to borrow it.

As for repayment, there is no doubt in my mind that by the time these loans fall due, each of these countries will be back asking for new military equipment.

Whatever the Export-Import Bank decides, and whatever the Pentagon decides, I am convinced that the funds we have provided for economic development under the Alliance for Progress are going to be used to replace resources diverted into military equipment and military establishments. We will have to take another look at this whole problem when we take up the foreign aid bill in a few weeks, and particularly as it authorizes funds for the Alliance for Progress.

There is another aspect of this matter on which I would like to comment. In May, I presided over a series of hearings of the Senate Small Business Committee in Portland, Oreg. The objective of these sessions was to evaluate the long-term potential for developing exports in Pacific Northwest regional products.

It is worth noting that the largest export item from the Northwest is grains, and the principal industry of that area is forest products. These industries exist to serve the basic human needs for food and shelter.

However, the record of the Portland hearing is noticeably lacking in references to the activities of the Export-Import Bank in relation to the potentials and problems of the exporters of that region.

The Foreign Relations Committee in its January report—"Arms Sales and Foreign Policy," committee print of the Senate Foreign Relations Committee, 90th Congress, first session—is explicit on the subject of the services being rendered by the Bank to assist military sales on credit. These loans are on concessional terms, both as to the interest rate of about 5½ percent and the length of the loan which ranges from 5 to 7 years. In addition, the "Country X loans" go into a general fund, which is then disbursed at the complete discretion of the Defense Department.

The Washington Post, in an article of July 17, 1967, reports that, since 1963, the Bank has loaned about $1.5 billion to foreign nations for U.S. military equipment under these programs. It, therefore, appears that the help which the Bank has given in the arms area has been very substantial.

For my part, I should like to see at least an equal degree of diligence in assisting the medium size and small exporters of the Pacific Northwest, whose products would serve as a better reflection of our Nation's desire for peace, stability, and a better life for its trading partners abroad.

I ask unanimous consent that the article from the Washington Post to which I refer be printed following my remarks.

The **PRESIDING OFFICER**. Without objection, it is so ordered.

There being no objection, the article was ordered to be printed in the Record as exhibit 1.

(See exhibit 1.)

Mr. MORSE. I plead for aid of an economic nature, which will help develop the economic productive power of a given country to the economic advantage of the mass of its people; but I warn the Senate once again that if we continue with this kind of military aid, we will only impoverish even more the economy of the countries involved.

I am for military aid to Latin America, but an entirely different type of military aid. I am for the kind of military aid that will maintain internal order. That is not what they are asking for. Jet fighters, submarines, destroyers, tanks, heavy artillery equipment, are not what any Latin American country needs to maintain internal order.

Every Senator knows there is no danger of a war between two Latin American countries, and we all know why. We would not permit it. The OAS would not permit it. Therefore, the type of military aid that we are sending into Latin America is not useful for maintaining internal order. It is useful for maintaining a military class, an oligarchy, in order to suppress, may I say, the development of democratic institutions.

The kind of aid I have always supported, and will continue to support, the ceiling I got through the Committee on Foreign Relations this year will provide—a ceiling of not more than $55 million, but a ceiling sufficient to provide machineguns, helicopters, pistols, rifles, and small arms. That is what is needed in Latin America to maintain internal order; not the kind of military aid that we have been providing.

That is why I support the Ellender amendment. It will place the necessary restrictions on the Export-Import Bank. It will place restrictions indirectly, may I say, on the Pentagon, in regard to its credit procedure. Because what is happening? The heads of the great munition manufacturers and the great aircraft plants building military planes send their salesmen into the underdeveloped countries to sell those countries military equipment that they should not buy under any circumstances, knowing that they can collect from the Pentagon and the Export-Import Bank, who supply the credit for that kind of sales.

That is not the kind of sales we ought to be encouraging in the underdeveloped countries. The great danger, may I say, is that if we do not stop it, I believe we will play right into the hands of Communist forces in Latin America.

Oh, I know the argument against me will be, "But do you want them to go to Great Britain, France, and Russia to buy this equipment?"

My answer is that I do not want my country to yield to that kind of international blackmail. Therefore, my answer to those countries would be, "If that is your policy, go to England, go to France, go to Russia, but do not come to us seeking economic aid in order to use that as a means of repayment for your purchases in France, Great Britain, and Russia."

I also would have my country make very clear to Great Britain and France, "If you want to be a party to this shocking arms race around the world, that is endangering peace with every enlargement of the race, you take the responsibility." But I would tell France, Great Britain, and these other countries, "Do not come to us and expect us to pay off these loans through increased foreign aid." For they must recognize that we are all in the same boat together. It is a question of whether we are going to turn to placid seas of peace, or whether we are going to direct the course of our ship of state into the whirlpools and rapids of world war.

Unless we stop this arms race, and unless we demonstrate that we are willing to stop it in Latin America, who in the world can trust our alleged good faith? Not many.

When you start analyzing the implications of the Ellender amendment, you come to grips with one of the most serious foreign policy problems that confront the Republic. I support it, because I think it is a demonstration of an effective anti-Communist program, and also a demonstration of what needs to be done to promote the cause of peace in the world.

Exhibit 1

Bank Faces Grilling on Arms Loans—Export-Import Aides To Testify on Funds for Foreign Nations

Export-Import Bank officials are due to go before the House Banking and Currency Committee today to testify on secret loans to foreign nations used to purchase American arms.

The closed Committee hearing could place fresh obstacles in the path of a bill to extend the life of the bank, and bring new curbs on its operations.

The Committee goes into the hearing with information that the bank loaned over $1 billion for arms purchases over the last two years.

The Pentagon encouraged some of the loans, according to Committee sources, to the point of promising to repay the money if the borrowers did not.

Harold F. Linder, president of the Export-Import Bank and also its chairman, is scheduled to testify. So are Under Secretary of the Treasury Joseph W. Barr, presidential aide Walt W. Rostow and a Pentagon official, probably John T. McNaughton, who headed the Pentagon's International Security Affairs office before being named Navy Secretary.

Congress has known that the Export-Import Bank helps to finance American arms purchases. But some lawmakers have complained that the bank has not disclosed where much of this money is going.

The Senate Foreign Relations Committee, in a staff study released Jan. 30, called these transactions "Country X loans." The Committee said the Pentagon uses the money for underdeveloped countries and "the Eximbank does not know or want to know where this money goes."

The House Banking and Currency Committee does want to know, according to a spokesman, and called today's meeting to find out.

A key question, he said, was whether the Pentagon-backed loans to underdeveloped countries for American military equipment amount to the bank intruding on U.S. foreign policy.

PURPOSE OF BANK

The stated purpose of the Export-Import Bank "is to aid in financing and to facilitate exports and imports and the exchange of commodities" between the United States and foreign nations. The bank has stressed in its annual reports how its long-term loans have helped develop the economies of countries receiving the money.

Since 1963, the bank has loaned about $1.5 billion to foreign nations for U.S. military equipment. Congressional sources said all but about $200 million of that total was loaned during fiscal 1966 and 1967.

Almost $600 million of that $1 billion-plus loaned in fiscal 1966 and 1967 was "country X loans," according to congressional sources.

The Pentagon spokesman is expected to be questioned today on what nations are "X" countries, how much money they got and what they did with it. This information is not found in any public document.

MILITARY ASSISTANCE

Even the money provided under the Pentagon's Military Assistance Program for arms purchases by foreign nations is accounted for in only general terms in public reports.

There already is considerable pressure in Congress to cut back on military assistance in hopes this will slow down the world's arms race. Any disclosure about Export-Import Bank transactions relating to arms could have a major effect on that issue.

The House Banking and Currency Committee has approved a bill extending the life of the bank for five years beyond its current expiration date of June 30, 1968. The bill would also increase the total allowable outstanding obligations from the present $9 billion to $13½ billion.

Several lawmakers are out already to curb the bank's operations. For example, some lawmakers are opposed to permitting the bank to loan $50 million to help build an Italian Fiat auto plant in Russia.

Sen. Allen J. Ellender (D-La.) intends to try to restrict loans for arms once the Export-Import Bank bill gets to the Senate.

Senate Majority Leader Mike Mansfield (Mont.) said yesterday he knew of no plans to hold special hearings in the Senate on the bank's loans for arms.

Chairman Wright Patman (D-Tex.) of the House Banking and Currency Committee had planned to seek a rule for the bank bill Tuesday—the last step before the measure would be taken up on the House floor.

The **PRESIDING OFFICER**. Who yields time?

Mr. MUSKIE. I yield myself 5 minutes.

Mr. President, as we consider the questions pending before us in connection with this legislation, I think we have a responsibility to consider it in terms of what our policy is now—not what it was in the thirties, not what it was following World War II, not what it was through the fifties, but what it is now.

The Committee on Banking and Currency is not normally concerned with this national policy. We have been concerned with it in recent days and weeks because an instrument which is under our jurisdiction—the Export-Import Bank—has been involved.

History tells us that in the 1930's the reaction against the merchants of death was so great that Congress enacted the Neutrality Act, to prevent and prohibit the export of arms by the private sector of our economy. During World War II, we found that an inhibiting and shackling policy; and to get around it, we enacted the lend-lease policy, which unleashed the greatest overseas flow of arms in the history of mankind, to serve our national interest.

Following World War II, in our efforts to build up the free world posture against what we considered to be an imminent Communist threat, we continued that policy of arming the free world. Because the free world could not afford to purchase the arms, we provided them under grant programs; and throughout the fifties, we gave arms to Western Europe and to mature nations around the globe. For what purpose? To serve our national interest.

Then, as those nations began to lift themselves up from their postwar weakness, and began to develop economic viability, questions were asked in Congress, "Why should not those nations begin to pay for their arms, making contributions of their own to their own security and the security of the free world?"

It was in response to such questions that we began to develop the instruments of our current policy, to make it possible to sell arms to those people, and to extend credit when it was necessary.

So what is the nature of our policy—not our 1930's policy or our 1940's policy or our 1950's policy, but our present policy—toward developing countries, with respect to arms?

I have heard cumulative figures used in this debate of the billions that we have spent over the years.

I think the figure of $37 billion and other figures have been used. Those figures are a reflection of our policy as it existed in the fifties. What we are talking about with respect to the pending bill and the pending amendment is our policy now.

I think it is appropriate that the Senate know what the Committee on Banking and Currency was told with respect to our policy.

The testimony by Mr. Rostow made the point that 90 percent of the transactions about which we are talking were transactions made with the industrialized developed countries of the world, principally Europe. Those sales are not the subject of this amendment whatsoever. What we are talking about is the remaining 10 percent. And Mr. Rostow had this to say about it:

> The remaining 10 percent of our sales go to the developing countries of the Near and Middle East, Africa, Latin America and East Asia. Here the policy considerations governing our arms sales are more complex and extremely sensitive.
>
> Many of these developing countries have not yet met the minimum needs of their people for social and economic progress. It has been the policy of our government since President Truman's time to help these governments through our economic assistance programs to build a better way of life for their people.

I point out that these are the words of an administration representative defending our present arms policy with regard to developed nations.

I continue to read from his testimony:

> These needs—

These economic needs—

> are urgent and substantial. The diversion of resources away from economic and social development into military expenditures is, therefore, something we all deplore. At the same time we cannot ignore the fact that the first, fundamental and inescapable requirement for economic and social progress in any country is a minimum level of internal and external security.
>
> Many of these countries have legitimate armament needs; they face internal or external threats to their security, or both. In Latin America, Castroism now threatens stability by supporting dissident and extremist elements, and by spawning guerrilla warfare in countries such as Guatemala, Venezuela, Colombia and Bolivia. In Asia, Communist China poses an obvious threat to all the countries on its perimeter. And in the Near and Middle East, the Arab-Israeli dispute has smoldered for two decades, along with the struggle for dominance between the more radical and the more moderate regimes of the region.
>
> Two struggles, which as you note the Soviet Union has exploited with its enormous arms sales into that area.

Having quoted those general comments of an administration witness on this legislation, let me now turn to the testimony of the Secretary of Defense on the subject of Latin America as presented to the House committee. We are here talking about current policy, not the policy of the thirties, the forties, or the fifties, and not accumulated policy, but the current policy.

I read what the Secretary of Defense has to say on this subject:

> Arms policy with respect to Latin America has effectively restrained both the level and the character of armaments in the Western Hemisphere in recent years. In the 1950s, we encouraged our Latin American allies to build up their forces for purposes of hemispheric defense. Since 1961, the Department of Defense has followed a different course and has progressively persuaded the Latin Americans to thin out their inventories, to shift away from cumbersome conventional structures and to substitute smaller, lighter equipment designed for internal security. Grant military assistance to Latin America is being progressively reduced. The result clearly demonstrates that the policy of restraint has been successful. Defense expenditures in Latin America average 1.7% of GNP (compared with 8.6% in the U.S., 5.9% in the UK, 5.0% in Turkey and 4.1% in Germany). The number of items of major equipment—combat aircraft, tanks and combat vessels—has steadily decreased over the past five or six years. There are about twice as many combat aircraft in Sweden alone as in the whole of Latin America; there are only three-quarters as many tanks as in Belgium.
>
> There are no supersonic aircraft in Latin American inventories. This is due in large measure to United States efforts over the past several years. But it is unrealistic to expect the Latin Americans to foreswear modern aircraft forever. A number of their jets are of pre-Korean vintage and are old and worn out. The Latin Americans want to replace them, in smaller numbers, and as economically as possible. They are interested in new airplanes with a long life span to amortize the investment cost. Their determination to procure modern aircraft from some source highlights the troubling question of how to respond to each request for the purchase of United States arms.

Mr. TOWER. Mr. President, will the Senator yield?

Mr. MUSKIE. I yield.

Mr. TOWER. Mr. President, the point was made by my distinguished friend, the senior Senator from Oregon, a moment ago that from the standpoint of the preservation and the timing of the order, aircraft is not a requirement.

I take issue with that from the military point of view and address myself to what the Senator has pointed out about the need for aircraft in the military assistance of Latin America.

The fact is that the trouble they are likely to face will be guerrilla warfare of the type for which men are being trained and prepared in Cuba by the Castroites. They can anticipate that any kind of insurrection that arises will be a Castroite incited insurrection in which case the major difference very often is between the regular and guerrilla forces and the availability of close airports from which to control the air space over the area where the action occurs.

We have learned that lesson in Vietnam. Aircraft is a part of the vital inventory, even so far as preserving internal order in the underdeveloped areas.

Mr. MUSKIE. Mr. President, I thank the Senator. I agree completely with what he has had to say.

I continue with a further segment of the testimony from Secretary McNamara:

> This is a question to which the Executive Branch continues to give searching attention. The dilemmas are real. Should sale be refused when the requesting country is threatened with aggression by a well-equipped and hostile neighbor? Or when the dynamics of its internal politics make it more likely than not that the country must otherwise accept equipment and advisers from Communist countries? Or when it is more likely than not that the country will otherwise buy more expensive and sophisticated equipment elsewhere in the world, thereby jeopardizing its economic development and increasing the political strains in our relationship.
>
> I have satisfied myself that effective conduct of United States foreign policy and the protection of the national interest does not warrant a blanket denial of such sales requests.

Mr. President, we are not debating in connection with this amendment whether we should have an unlimited arms race on the face of the globe stimulated by the United States. I do not know of a Senator on either side of this issue who would support such a proposition.

What we are debating is what if any kind of arms policy do we need in the light of realities not only for ourselves for the strong, industrial countries of Europe and for other parts of the globe, but also for the developing or less developed countries of the globe.

What responsibility if any should we bear to them, and is our present policy unrealistic and excessive in its terms?

We face such questions as these: Should we never, under any circumstances—under any conceivable circumstances—provide arms to the developing countries of the world? That is one of the questions. Should we never provide arms, under any circumstances? This question is pertinent, because the committee bill does this: First, it prohibits sales to the developing countries, but, second, it gives Presidential discretion to make exceptions and to waive the prohibition when in his judgment the national interest requires it. That is the way the committee answered the question.

Should we never, under any circumstances, provide arms for the developing countries? If our answer to that question is that we should not adopt any such inflexible policy, then the second question is this: Should we never, under any conceivable circumstances, provide credit to make it possible for developing countries to acquire our arms?

Is there really a Senator on the floor of the Senate who would say that we should never, for the next 5 years—because we are talking about a 5-year extension of the life of the Bank—under any circumstances that we can conceive or that we may not conceive, make our arms available to the developing countries and on credit terms?

I say that we cannot afford such a policy, which is the policy that we would freeze into our national legislative policy if the Ellender amendment is opposed.

That is the question. The committee amendment does not provide and does not give support for an unrestrained and escalating arms race. It does give support to a restrained, limited, carefully applied national policy of providing our arms to developing countries when the President says it is in the national interest. I say, Mr. President, that we can afford no less than this type of restrained policy.

I yield to the Senator from Texas.

Mr. LAUSCHE. Mr. President, will the Senator yield for a question?

Mr. MUSKIE. I am happy to yield.

Mr. LAUSCHE. I ask these questions solely for the purpose of providing a bit of information for myself and for other Senators.

It is my understanding that there were five programs in the department that our Government had in providing military help to underdeveloped countries.

The PRESIDING OFFICER. The time of the Senator from Maine has expired.

Mr. MUSKIE. I ask unanimous consent that I may proceed for 2 additional minutes.

Mr. LAUSCHE. I will ask for time later.

Mr. MUSKIE. I withdraw the request for additional time.

The PRESIDING OFFICER. The Senator from Texas is recognized. How much time does the Senator request?

Mr. TOWER. Twenty minutes.

Mr. MUSKIE. I yield 20 minutes to the Senator from Texas.

Mr. TOWER. Mr. President, although the bulk of the debate so far on the amendment offered by the distinguished Senator from Louisiana has flowed from the supporters of the amendment, it is important to note that there are good and cogent reasons why the committee's bill and the committee's good judgment on this issue should prevail in the coming vote.

Two main arguments have been raised against the preservation of Eximbank participation in arms sales agreements in the manner arranged for by previous Congresses. By the way, if Congress has not been aware of this, it has been Congress' own fault.

It is said, first, that this is not a sound banking practice; second, that arms sales in and of themselves, should be drastically curtailed.

The argument that Exim's participation with the Department of Defense in providing credit for sales is somehow unsound as a banking principle falls of its own weight. The loans involved to developed countries are subjected to the same credit-risk investigations as are all other Exim loans, and agreements are entered into only with sound, solvent nations. The loans involving underdeveloped countries are entered into by the Bank only because the Department of Defense guarantees the loans—and it is the best of banking practices to accept guaranteed loans. Therefore, the Bank is continuing its sound banking practices.

It really, then, is not a concern over banking principles which chiefly motivates the proponents of the amendment, including the Senator from Idaho. The chief objection raised really is a basic objection to arms sales in general.

May I respectfully point out that the question of ending or drastically curtailing U.S. arms sales is a matter for decisions by the Committee on Foreign Relations and the Committee on Armed Services, not the Committee on Banking and Currency; nor has the Committee on Banking and Currency attempted to infringe upon this jurisdiction in the current bill. We have said, simply, that if arms sales and loans are to be entered into, then Exim Bank is a proper functionary for such transactions.

This policy matter, I suppose, ultimately will be determined when we are asked to consider the Church amendment on the floor of the Senate. Then, if it is the will of the Senate that the underdeveloped countries should be left at the mercy of Fidel Castro or the agents and the satellites and those who pledge themselves to the suzerainty of the Soviet Union, we will have decided that is the policy.

We are determining a matter of pure mechanics here. The Committee on Foreign Relations has already approved an amendment to its foreign aid bill that would severely curtail arms sales arrangements. So I believe that the arguments made by the proponents of the pending amendment should be made when that matter comes up for consideration on the floor of the Senate. I might note now that there are those of us who would be prepared then to debate the wisdom of the principle with the members of the Committee on Foreign Relations who supported the Church amendment. I might also point out that the foreign aid bill already reported by the corresponding committee of the House of Representatives does not contain such a restrictive amendment.

The points are simply these: Proponents of the pending amendment are making the wrong case, at the wrong time, on the wrong bill. However, since they have chosen to raise some specific objections about arms sales, I believe that I must respond to those instances, even though I am forced to take time to reply to arguments that are not germane to the pending bill.

The basic impression left by the discussion yesterday of U.S. arms sales was incorrect. The U.S. program of arms sales is a program not of arms escalation; rather, it is a program of arms control.

The senior Senator from Louisiana objected yesterday to some arms sales to Argentina, which he said sparked a reaction on the part of Chile. These are the facts of that case: Argentina, Chile, Peru, and other Latin American countries were all seeking last year to replace pre-Korean war vintage aircraft which were difficult and uneconomical to maintain, as the Senator from Maine pointed out a moment ago. They preferred the U.S.-manufactured F–5, which is a supersonic jet. We have only a handful of F–5's in our inventory. We do use extensively a training version of the F–5, the T–38, a fine aircraft. It is a supersonic jet.

We offered Argentina, instead, used, subsonic, and less expensive, A–4B's. These are the Delta wing jobs that the Navy flies off carriers as attack aircraft. If Argentina had not bought these from us, she would have accepted the offer of another nation to sell her more advanced, newly manufactured planes at a much higher price.

Chile, when we were subsequently unable to supply more A–4B's because of the Vietnam war, did buy more expensive, reconditioned, subsonic aircraft in Europe.

Under the circumstances--given the fact that Argentina was going to buy replacement aircraft somewhere—our sale of the A–4B's had the purpose and effect of minimizing the diversion from her economic resources and of helping to control a potential supersonic arms race and dampen it down. I find it difficult now to see how our policy objectives in Latin America would have been better served if the administration had followed the course of primly refusing to sell any combat aircraft to Argentina, thereby forcing her to do what Chile did—buy faster planes.

My distinguished friend and neighbor, the Senator from Louisiana, for whom I have the highest regard, complained here yesterday about some arms sales to nations in the Middle East. Here are the facts in those cases:

Our recent tank and aircraft sales to

Israel in 1964 and 1966 were concluded primarily to prevent the development of an arms imbalance in the area which would have had a seriously destabilizing effect. The imbalance was being created by a heavy infusion of modern Soviet equipment—principally tanks and MIG–21's—to the United Arab Republic, Syria, and Iraq. Our negotiations with Israel were protracted, and a serious American effort was made to have them meet their requirements from European markets. In the end, however, and especially with respect to aircraft, available European equipment proved either too sophisticated or too expensive; we at length acceded to Israel's request.

Our recent—1966—sale of aircraft to Jordan was the result of a similar process. MIG–21's were available at a cut-rate price. The pressures were such that Jordan asked the United States to sell suitable aircraft on generous credit terms. Over a period of 18 months, we repeatedly insisted that Jordan explore all possibility in the United Kingdom, France, Sweden, and other markets; but European prices and the credit terms proved far too severe—far beyond the purchasing power of the limited funds available.

In the end, when it appeared that Jordan would be forced to accept MIG 21's—a move which we regarded as inimical to the integrity of Jordan and a grave danger to stability in the Middle East—we agreed to sell Jordan a number of F–104's from our MAP inventory.

A third example is Iran. The Shah is increasingly concerned with unsettling influences in the Persian Gulf generally, in anticipation of the British departure from Aden in early 1968. We have had a longstanding military supply relationship with Iran closely linked to our common interest in CENTO; this is now in transition from a grant aid to a credit sales program because of Iran's improved economy and large oil revenues which greatly increase her ability to pay.

The Shah is the head of a sovereign country of 23 million people with annual oil revenues of approximately $700 million. He is determined to have a modern military establishment sufficient to meet his assessment of Iran's needs. Given this situation, and the importance of close United States-Iran relations, we were persuaded of the desirability of maintaining a substantial program of military sales to Iran, always in consultation with Iranian authorities.

These examples point up the fact that arms policy is in fact an instrument of foreign policy, and the military sales program is an accurate reflection of considered agreement at the highest levels of authority.

The Defense Department does not respond independently to arms purchase requests from countries of the Middle East, Asia, Latin America, and Africa and other underdeveloped areas. These requests are subject to intensive review and debate within the executive branch. Usually, serious efforts are made to reduce them in quantitative or qualitative terms. Non-U.S. alternative sources of supply are often sought for foreign policy reasons; and a sale is made only following a considered conclusion that balance of payments considerations aside U.S. interests could not otherwise be safeguarded.

In recognition of the concern voiced about arms sales by Members of Congress, the Banking and Currency Committee has in the pending bill placed limitations on the amount of such sales in which Eximbank may participate. And, we have required that prompt and complete details about any such loans be provided by the executive branch to the committee and the Congress.

The Senate may be assured that the committee intends to meet its responsibilities to obtain and review such information and to recommend such further changes in the law as may be warranted.

Now, let us recall briefly how the Eximbank got into this business in the beginning:

The Eximbank is a vital element of the governmental complex required to accomplish a level of military sales that meets the requirements of U.S. foreign policy and security interests. It operates to extend loans directly, or indirectly with a DOD guaranty.

It also facilitates private financing of military exports in ways that could not be accomplished efficiently by other elements of the U.S. Government—unless we were to create a DOD banking institution to operate in the financial market; and we do not consider that desirable.

Congress has made clear the basic objectives of the Foreign Assistance Act: to promote the peace of the world and the foreign policy, security, and general welfare of the United States, first, by fostering an improved climate of political independence and individual liberty; second, by improving the ability of free countries and international organizations to deter or, if necessary, defeat communism or Communist supported aggression; and, third, by facilitating arrangements for individual and collective security and stability in the developing free countries essential to their more rapid social, economic, and political progress.

Over the years there has been general agreement that these objectives are appropriate and should be implemented. Discussion has focused on the best means of implementation.

In 1954, following several years of high level grant aid, congressional sentiment began to move toward the view that both economic and military assistance should emphasize loans rather than grants wherever possible. The 1955 legislation made reference to the Export-Import Bank for the first time, stating:

> Funds for the purpose of furnishing assistance on terms of repayment may be allocated to the Export-Import Bank of Washington which may, notwithstanding the provisions of the Ex-Im Bank Act of 1945, as amended, make and administer credit on such terms.

In the following years, Congress increasingly questioned the appropriateness of relying solely on grant military aid and indicated a desire to shift to loans and sales. These changing attitudes led to significant amendments to the Foreign Assistance Act.

In 1955, the Congress first mentioned Eximbank as an instrumentality for military exports;

In 1957, the Congress, in direct response to the administration's request for authority to sell military equipment on credit, established a revolving sales fund. From 1958 to 1967 the capital of that fund was gradually increased by new appropriations to the present level of $383 million in obligation authority.

In 1964, Congress authorized the use of these funds to guarantee loans by financial institutions, including the Eximbank.

In 1965, the Congress confirmed that the authority of the executive branch to sell evidences of indebtedness with a U.S. Government guarantee—an authority which had been embedded in the foreign assistance legislation for many years—clearly applied to military sales.

By early 1966 a pattern of progressive shift from grant to sales was clearly discernible. In February of that year, President Johnson said in his foreign aid message to Congress:

> We will shift our military aid programs from grant to sales whenever possible—and without jeopardizing our security interests or progress of economic development.

He went on to say that military sales, designed to carry out the objectives of the act, now exceeded the dollar volume of grant military assistance. He argued that this not only demonstrated the willingness of our allies to carry an increasing share of their own defense costs, but also significantly reduces the net foreign exchange costs of our troop deployment overseas.

These significant shifts in the mix and proportion of the military grant and sales programs resulted from the interaction of two basic factors. One was the steady economic advance of many countries, which has enabled them to assume first a larger, and then in many cases a total, responsibility for their own defense costs. The other was the legal and administrative means created by the Congress and the U.S. Government for facilitating increased cash and credit sales.

A number of arguments have been raised in opposition to our policies of arms sales to underdeveloped countries. I shall comment on the most important of those opposition arguments:

The first misconception is: The United States floods the world with arms. This is simply not true. Countries on average produce 77 percent of military equipment at home. Purchases from United States come from defense budgets generally under 5 percent of GNP—and much smaller absolutely and in per capita terms than U.S. defense budget.

Another misconception is: the United States beggars the resources of developing countries. This is emphatically not true. The United States has generally negative sales policy in Latin America, the Middle East, Africa, and South Asia. Latin American defense budgets average under 2 percent of GNP.

Another misconception: The United States sells indiscriminately. Emphatically and decidedly not true. The United States makes every attempt to cut down arms purchases and rejects more sales than it makes. We sell only when foreign policy compels it—and after we have endeavored first, to dissuade the buyer; second, to reduce volume; third, to substitute a less sophisticated type; fourth, to defer the sale; and, fifth, when appropriate, to encourage use of another free world source.

Another misconception: The United States foments arms races. Not true. Not true, Mr. President. The United States makes every effort to dampen arms races. We sell when at least a token balance between the military capabilities of hostile neighbors is imperative to deter conflict. Sometimes we fail to deter conflict. But the United States cannot by itself control the world—particularly when the Communist world arms its associates, for example, over $2 billion in arms to Egypt, Syria, and Algeria. And the United States cannot opt out of all the world because success in all efforts cannot be guaranteed.

Another misconception: The United States sales program is out of control. This is not true. Every sale is made in accordance with State-Defense coordinated policy. Every major sale receives searching attention of highest officials. Every sale involving less developed countries or incipient arms races is controlled by the White House.

The widely publicized argument has been made that we should unilaterally suspend arms sales. However, it is not evident that such a policy would be beneficial to all concerned. If we refuse to sell arms to less developed nations—and developed nations, too, for that matter—they will merely secure such items from the Soviet Union, Communist China and other countries. For example, the Soviet Union has already replaced more than half the equipment the Arab States lost in the recent war.

Mr. President, are we to leave Israel to the tender mercies of the dictatorial designs of Nasser over all the Middle East as a pawn of the Soviet Union?

The Soviet Union has certainly shown no disposition to reduce tensions in the Middle East because they have been dumping arms back into the United Arab Republic just as fast as they can. Already they have replaced half the equipment the Arab States lost in the Arab-Israel war.

The PRESIDING OFFICER. The time of the Senator from Texas has expired.

Mr. MUSKIE. I yield 5 additional minutes to the Senator from Texas.

The PRESIDING OFFICER. The Senator from Texas is recognized for 5 minutes.

Mr. LAUSCHE. Mr. President, will the Senator from Texas yield?

Mr. TOWER. I am happy to yield to the Senator from Ohio.

Mr. LAUSCHE. Take, for instance, the treatment by the United States of our friends, Turkey and Greece. I ask this question: If the United States unilaterally said to both these nations, "We will sell you no military equipment," would that insure that neither country would get military equipment?

Mr. TOWER. That would not insure that neither country would get military equipment. If both are determined to have military equipment, both ultimately will obtain it. By entering into negotiations to provide them with equipment, either by grant or by sale, we are better able to control the manner in which they arm themselves. I say to the Senator from Ohio that there are some reasons, of a classified character, which make my argument for such sales or such grants even stronger. As a matter of fact, if it becomes necessary in the course of this debate to take the Senate in executive session to discuss these classified matters, I, for one, am fully prepared to do it; because we are at a disadvantage in arguing the validity of these sales when we cannot get into classified areas.

Mr. LAUSCHE. Assuming that we decided to provide military equipment to one friend but not to the other, say, as between Turkey and Greece, would that be advisable?

Mr. TOWER. I am not sure I understand the thrust of the Senator's question.

Mr. LAUSCHE. That is, we have two friends, Turkey and Greece, on the perimeter of Russia——

Mr. TOWER. Oh, I think, under certain circumstances perhaps we should not. Perhaps we should withhold arms sales to some countries. For example, the India-Pakistan affair. We must reevaluate our policy on the sale of arms to any country, or two countries. They might both be friends of ours but hostile to each other. We have to maintain a degree of flexibility in this matter. But what we are talking about is implementing a policy. If this is going to be an arm of the foreign policy of the United States, then let us use the most efficient and constructive means to implement it. The Export-Import Bank is such a means.

Mr. LAUSCHE. I will not pursue my questions any further, except I want to subscribe to the views declared by the Senator from Texas. In my judgment, our country has been promoting, sincerely and honestly, a program of worldwide disarmament. Russia does not want to go along with that program. It is now suggested that we disarm our friends on a unilateral basis. But if we do that, our friends will be disarmed and our enemies will be armed. That we cannot afford to do.

Mr. TOWER. I think the Senator is absolutely correct. For example, are we going to refuse to sell arms to Latin American countries when the Soviet Union is pouring arms into Fidel Castro's Cuba, when we know that Cuba is the training ground and the staging area for infiltration, subversion, and perhaps armed invasion of virtually every country in Latin America? We cannot hinder our friends' defenses under those circumstances.

Mr. ELLENDER. Mr. President, will the Senator from Texas yield, on my time?

Mr. LAUSCHE. I know that there are other programs that can be used, but I am talking on the basis of general principles under which we should approach maintaining the security of the United States. Shall we unilaterally attempt to disarm the world? We cannot do it. We may disarm our friends, but we will never disarm our enemies.

Mr. TOWER. My answer to that question would be a resounding no. We should not, unilaterally, disarm the free world. There are some people in this country who are——

Mr. LAUSCHE. No; we cannot do it.

Mr. TOWER. Naive enough to think that we should. There are those who say, "Let us disarm, and then the rest of the world will bring moral pressure to bear upon the Soviet Union and Red China to disarm as well."

Mr. President, to that I say "baloney." We cannot bring moral pressure to bear upon countries which have no national morality.

The PRESIDING OFFICER. The time of the Senator from Texas has expired.

Mr. MUSKIE. Mr. President, I yield 2 more minutes to the Senator from Texas.

The PRESIDING OFFICER. The Senator from Texas is recognized for 2 additional minutes.

Mr. TOWER. Mr. President, military missions are flocking to the Arab States, and the Soviet Union is influencing the reorganization of both the armed forces and the political systems of Egypt and Syria. The other Arab States are not going to remain defenseless, but will get arms wherever they can. Israel knows this and would prefer to see the United States provide defensive arms rather than to find Soviet offensive arms and technicians on her vulnerable border.

Speaking from the standpoint of our NATO allies, who received 89 percent of our armament sales, they have received bargains because of the tremendous cost which would have been necessary to establish such industries of their own.

For the United States, such sales have proved a means of utilizing obsolescent armament without writing such items off as a total loss. Without the arms trade, the U.S. budget would have been a good deal further out of balance.

Also, without these sales, our balance of payments would have been even more in deficit.

Let us not forget why we have to sell arms at all in this world. We do it to maintain a balance between small nations. We seek to stabilize a world which the Soviet Union and Red China methodically seek to unstabilize. If we abandon this quest for stability, if we stop now this balancing, the Soviets will have a free hand to pick their favorite nations and set off wars of liberation wholesale.

It is not hard to see how they could set Pakistan against India, Bolivia against Peru, Burma against Malaysia, Congo against Congo, and a dozen other small-nation combinations leaving the world in total disorder.

More to the immediate point, they could quickly splinter the Arab world, and much of our ability to deep Israel secure would be lost.

The U.S. arms sale programs are a program not of arms escalation but of arms control. We do not live in a rose-colored world. If we abandon our programs to keep the non-Communist world strong and secure, we will reap ever-growing

Communist expansions until eventually the United States itself is insecure.

Let us operate from wisdom rather than passion. We must continue an orderly, controlled arms sales program and the Eximbank is the proper channel for this program.

The PRESIDING OFFICER. Who yields time?

Mr. ELLENDER. Mr. President, I yield myself 5 minutes.

To listen to my good friend from Texas, as well as my good friends from Maine and Ohio, my amendment would prevent the sale of military hardware to any country. Now, that is not a fact. There are laws on the statute books that permit the Department of Defense to come before the Congress for whatever funds that may be needed to make arms available to any country in the world, except those in the Communist bloc.

What we are talking about here is using the Export-Import Bank, an institution created in 1934 for the purpose of developing export and import sales between our country and other countries. I do not wish to see this great Bank destroyed by becoming involved in an arms race. In my opinion, it will be if it continues to finance the sales of arms to underdeveloped countries. My amendment does not prevent the Export-Import Bank from financing sales of military hardware to countries able to pay. It simply restricts the sale of arms to less developed countries. That is all it does.

Mr. MUSKIE. Mr. President, will the Senator yield?

Mr. ELLENDER. I yield for a question, on the Senator's time.

Mr. MUSKIE. I have listened to the observation the Senator has made, but is it not a fact that in the hearings before the Banking and Currency Committee the Senator proposed not only a limitation to prevent the Export-Import Bank from participating in loans to developing countries, but also a prohibition against loans to industrial countries? So this amendment is a part of his total philosophy.

Mr. ELLENDER. No; if the Senator will read the amendment——

Mr. MUSKIE. This amendment does not, but the other amendment does.

Mr. ELLENDER. The Senator knows my position well. After all, I presented my views yesterday on the floor of the Senate and I testified before the Banking and Currency Committee after being invited to do so by the chairman.

I want to make it plain that this amendment does not prohibit the sale of military hardware to our friends. It will merely get the Export-Import Bank out of the business of funding sales to less developed countries. The DOD will still be able to make grants and sell equipment to developed and less developed countries even if my amendment is adopted.

Mr. President, we never seem to learn from past experience. My good friend from Texas has talked about the sale of military hardware to the various countries. Look at what happened in Syria. Look at what happened in Iraq. Look at what happened in Iran. We sold millions of dollars' worth to those countries. We granted them millions of dollars' worth of military equipment. Everyone knows what happened in Iraq. They used the equipment we gave them against our friends. Syria did the same thing.

Notwithstanding the vast amount of aid we made available to Iran, what is Iran doing now? She took grants from us. We sold her military equipment on credit, and she is now getting over $100 million of military equipment from Russia.

So, Mr. President, I repeat we do not seem to learn by experience.

What about the sale of military hardware to Egypt or Algeria? People cannot eat arms. If Russia furnishes arms to Egypt, Russia will have to feed Egypt, because certainly under those circumstances we should not. I say let Russia furnish the military hardware to these nations, but let her also pick up the food bill. Under those circumstances, how long would Russia's resources last? The answer should be evident to Senators.

Mr. President, I yield myself 5 more minutes.

Deputy Secretary of Defense Paul Nitze, in testifying before the Senate Banking and Currency Committee on January 25, 1967, made the following statement as justification for the Eximbank grant involvement in military credit transactions:

In 1954, following several years of high level grant aid, Congressional sentiment began to move toward the view that both economic and military assistance should emphasize loans rather than grants wherever possible. *The 1955 legislation made reference to the Export-Import Bank for the first time, stating that funds for the purpose of furnishing assistance on terms of repayment may be allocated to the Export-Import Bank of Washington which may, notwithstanding the provisions of the Ex-Im Bank Act of 1945—*

Which prohibited it—

as amended, make and administer credit on such terms.

It was not anything unusual for the Export-Import Bank to get such a chore. The Export-Import Bank was used in the past to handle Cooley loans and other loans made through funds that came out of the sale of surplus agricultural commodities.

The reason for that is that this Bank is equipped with the administrative capacity to handle such loans. It was done as a matter of commerce and necessity.

In any event, the Bank's funds were never used to finance military sales until 1963, and then they were used only to finance loans made to hard currency countries.

Mr. President, the idea of using the funds of the Export-Import Bank to finance military sales to underdeveloped countries, only came about 2 years ago. As I pointed out yesterday, it was done notwithstanding the fact that Mr. McNamara in no uncertain terms told the members of the Senate Appropriations Committee that the Export-Import Bank was not created nor chartered for the purpose of making loans to finance the sale of military hardware. As I have further shown, it is as plain as the nose on my face that the Export-Import Bank was created to deal in commodities that contribute to economic development of the exporter and the importer. Needless to say financing arms sales does not.

An investigation of Mr. Nitze's statement reveals that—

The language was added to the Mutual Security Act of 1954, which was enacted by the Congress in the year 1954 and signed into law by the President on August 26, 1954, not in 1955 as stated.

The language was included primarily to facilitate loans of an economic development nature. It made possible the transfer of funds from section 402 of the Mutual Security Act, for example, which was "to finance the export and sale to foreign countries of surplus agricultural commodities or products thereof, produced in the United States, in addition to surplus agricultural commodities or products transferred pursuant to the Agriculture Trade Development and Assistance Act of 1954"—Public Law 480.

Mr. President, I ask unanimous consent to have printed in the RECORD at this point a copy of section 505 of the Mutual Security Act of 1954, a part of which was quoted by Deputy Secretary of Defense Nitze.

There being no objection, the section of the act was ordered to be printed in the RECORD, as follows:

SECTION 505: MUTUAL SECURITY ACT OF 1954, PUBLIC LAW 83-667

SEC. 505. LOAN ASSISTANCE.—(a) Assistance under this Act may be furnished on a grant basis or on such terms, including cash, credit, or other terms of repayment (including repayment in foreign currencies or by transfer to the United States of materials required for stockpiling or other purposes) as may be determined to be best suited to the achievement of the purposes of this Act.

(b) Of the funds made available pursuant to this Act and foreign currencies accruing to the United States under section 402, the equivalent of not less than $200,000,000 shall be available only for the furnishing of assistance on terms of repayment. Funds for the purpose of furnishing assistance on terms of repayment shall be allocated to the Export-Import Bank of Washington, which shall, notwithstanding the provisions of the Export-Import Bank Act of 1945 (59 Stat. 526), as amended, make and administer the credit on such terms. Credits made by the Export-Import Bank of Washington with funds so allocated to it shall not be considered in determining whether the Bank has outstanding at any one time loans and guaranties to the extent of the limitation imposed by section 7 of the Export-Import Bank Act of 1945 (59 Stat. 529), as amended. Amounts received in repayment of principal and interest on any loan made under this section shall be held by the Treasury to be used for such purposes, including further loans, as may be authorized from time to time by Congress. Amounts received in repayment of principal and interest on any credits made under paragraph 111(c)(2) of the Economic Cooperation Act of 1948, as amended, shall be deposited into miscellaneous receipts of the Treasury, except that, to the extent required for such purpose, amounts received in repayment of principal and interest on any credits made out of funds realized from the sale of notes heretofore authorized to be issued for the purpose of financing assistance on a credit basis under paragraph 111 (c)(2) of the Economic Cooperation Act of 1948, as amended, shall be deposited into the Treasury for the purpose of the retirement of such notes.

Mr. ELLENDER. In the Senate version of the mutual security legislation,

$150 million was authorized for use through section 505 loans. The language from the Foreign Relations Committee report indicates that this was designed for economic purposes. Testimony by Secretary of State John Foster Dulles is quoted by the committee to that effect. In addition, the committee noted that in past years the Congress had provided that a minimum of 10 percent of the funds allocated for economic assistance should be made available in the form of loans.

The following language from the committee report emphasizes that no military assistance funds were to be mixed with the $150 million allocated from nonmilitary funds to the Eximbank for the administration of loans:

> As approved by the committee, the pending bill requires that $150 million be used only for loans (sec. 505(b)). Foreign currencies accruing from the sale of surplus agricultural commodities can be used for loans against this requirement. Loans, if any, made from military assistance funds cannot be counted against the $150 million which must be taken from nonmilitary funds.

Mr. President, I ask unanimous consent to have printed in the Record at this point an excerpt from the report of the Committee on Foreign Relations on the Mutual Security Act of 1954.

There being no objection, the excerpt from the report was ordered to be printed in the Record, as follows:

[Excerpt from Senate Report on Mutual Security Act of 1954]

50. LOANS (SEC. 505)

Loans provisions have been a feature of several earlier foreign-aid bills. In 1948, Congress specified that $1 billion of foreign-aid funds should be used in the form of loans. In subsequent years no amount was designated for loans but their extension whenever practicable was continually urged. In 1951 Congress provided that not less than 10 percent of economic assistance should be given in the form of loans. This provision was repealed at the request of the administration in 1952 and there has been no specific loan provision in subsequent foreign-aid legislation, though authority to make loans has been continued.

As approved by the committee, the pending bill requires that $150 million be used only for loans (sec. 505 (b)). Foreign currencies accruing from the sale of surplus agricultural commodities can be used for loans against this requirement. Loans, if any, made from military assistance funds cannot be counted against the $150 million which must be taken from nonmilitary funds.

It is the expectation of the committee that the loan requirement will be met largely from funds authorized for development assistance and defense support. Technical cooperation will remain on a grant basis, but capital improvement projects which contribute directly to a country's economic wealth and development should be financed through loans wherever possible.

Subsection (b) of section 505 repeats the provisions of section 111 (c) of the Economic Cooperation Act of 1948, as amended, which named the Export-Import Bank as administering agent for the loans. One new provision has been added directing the United States Treasury to hold amounts received in repayment of interest or principal on new loans for such purposes, including further loans, as Congress may authorize from time to time.

The bill does not set specific terms for loans. The committee believes the important principle to establish is the obligation to repay, even though repayment is made over a long or indefinite period at minimal rates of interest. The committee does not expect all loans made under this provision to be of a character which could appropriately be handled through a bank.

Both Secretary Dulles and Mr. Stassen testified before the committee in favor of the loan principle. Secretary Dulles stated:

"I believe that an appreciable sum, which has heretofore taken the form of grants, could be cast in the form of loans, probably repayable, for the most part, in domestic local currencies rather than foreign exchange, and I would be very happy to see a provision, and I think a suggestion either has been or will be shortly made, to your committee, for a provision that a certain amount be made available in the form of loans rather than in the form of outright grants. * * * There are cases where advances are made for economically strengthening the country, and it would seem to me wise that we should get some quid pro quo for that, even though that quid pro quo may not seem to be at the moment very valuable."

Mr. Stassen supported this view by testifying that "we should move more to loans and less to grants." The President made the same point in his message to Congress of June 23.

The committee approves the administration's attitude on this question. It urges the administrators of the program to regard the $150 million loan requirement in section 505 not as a ceiling, but as a minimum to be exceeded as far as possible.

Mr. ELLENDER. The legislation as reported by the House Foreign Affairs Committee contained no dollar amount in section 505. The House committee returned to the 10-percent allocation for economic assistance loans which had been reported in 1952.

The House report contains no reference at all to the military transactions. However, the Eximbank is tied together with the International Bank of Reconstruction and Development, which would seem to indicate clearly that the committee's thinking was on strictly economic terms.

Mr. President, I ask unanimous consent to have printed in the Record at this point an excerpt from the House Foreign Affairs Committee report on the Mutual Security Act of 1954.

There being no objection, the excerpt from the report was ordered to be printed in the Record, as follows:

[Excerpt from House Report on Mutual Security Act of 1964]

5. LOAN ASSISTANCE (SEC. 505)

This section requires that 10 percent of the amounts obligated from appropriations made under titles I and II of this bill shall be used to make loans. This requirement does not apply to funds carried over from appropriations for prior years. If the full amount authorized under these sections is appropriated, the ultimate amount required to be obligated in the form of loans would be 10 percent of $3,384,880,000, or $338,488,000. It is contemplated that the obligations under titles I and II will occur over a period of years, so that the amount of loans in fiscal year 1955 will probably be much less than the theoretical total mentioned above. The committee feels that it is important, however, that our Government and recipient governments get to thinking more about loans instead of grants. This requirement will insure this result. If such thinking causes other countries to seek IBRD or Export-Import Bank loans, or private loans, rather than applying for grants or loans under this act, this provision will have served its purposes without cost to our Government.

In accordance with procedures established in existing legislation, the Export-Import Bank is directed to administer loans made under the authority of this section. Amounts received in repayment of principal and interest on loans made under this section are to be held in the United States Treasury to be used for such purposes as Congress may authorize.

Mr. ELLENDER. Mr. President, to hear my good friends opposing this amendment talk, those who support my amendment are simply engaged here in a move to disarm our friends. Mr. President, that will never occur. My amendment does not deal with that issue in any manner. It simply provides, Mr. President, that the facilities and funds of the Export-Import Bank shall not be utilized to make loans for less developed countries.

It is my belief that countries which are in dire economic straits should not be given credit by the Export-Import Bank. On the contrary these countries should concentrate their efforts on economic development.

Mr. LAUSCHE. Mr. President, will the Senator yield for a question at this point?

Mr. ELLENDER. I yield.

Mr. LAUSCHE. Does the Senator know that the Committee on Foreign Relations, in connection with the foreign aid bill, has recommended the elimination of the revolving fund, containing $400 million, which has been used as the basis for guaranteeing credit granted to underdeveloped countries; and that as a consequence of the elimination of the revolving fund, the Department of Defense no longer will be able to guarantee the payment of credit extended by the Export-Import Bank to underdeveloped countries?

Mr. ELLENDER. I am familiar with that. The Senator from Ohio voted for that same amendment when I proposed it 2 years ago. As a matter of fact——

Mr. LAUSCHE. May I say that in the Foreign Relation Committee—will the Senator yield half a minute further?

Mr. ELLENDER. Mr. President, I decline to yield. I understand that the Senator will have time alloted to him, and he may make his explanation on his own time. I have very little time remaining.

Mr. LAUSCHE. Very well. I understand.

Mr. ELLENDER. But, Mr. President, I wish to assure my good friend from Ohio that my amendment would prevent this backdoor financing.

Why should not the Congress be told in advance what the money is to be used for? I should like to know why.

Mr. LAUSCHE. Is the Senator asking me?

Mr. ELLENDER. The Senator may answer on his own time. I simply put the question, Mr. President.

Under the amendment approved by the Committee on Banking and Currency, the Export-Import Bank will be able to finance more than $1 billion of military sales to underdeveloped countries.

Mr. MUSKIE. Mr. President, will the Senator yield?

Mr. ELLENDER. On the Senator's own time. Mr. President, I repeat, the amendment I am proposing does not prevent the Export-Import Bank from financing military hardware sales to countries that can pay.

It is only directed to underdeveloped or less developed countries that cannot even operate their own economy because of a lack of food or funds or for other reasons.

As was indicated yesterday, Mr. President, the Bank has financed military sales in the past 2 years amounting to more than $600 million to less developed countries.

I am certain that the countries to whom we sold this military equipment will not be able to repay those sums out of their own resources.

We are now continuing to provide technical assistance and economic grant assistance to practically all of the countries to which the Export-Import Bank loaned money amounting to more than $600 million.

I repeat and make plain that section 503 of the Foreign Assistance Act of 1961 reads:

SEC 503. GENERAL AUTHORITY. The President is authorized to furnish military assistance on such terms and conditions as he may determine, to any friendly country or international organization, the assisting of which the President finds will strengthen the security of the United States and promote world peace and which is otherwise eligible to receive such assistance, by—

(a) acquiring from any source and providing (by loan, lease, sale, exchange, grant, or any other means) any defense article or defense service;

That is the law now, and my amendment would not affect that at all. I continue to read:

(b) making financial contributions to multilateral programs for the acquisition or construction of facilities in foreign countries for collective defense;

(c) providing financial assistance for expenses incident to participation by the United States Government in regional or collective defense organizations;

(d) assigning or detailing members of the Armed Forces of the United States and other personnel of the Department of Defense to perform duties of a noncombatant nature, including those related to training, or advice; and—

How can it be argued that my amendment will cut off assistance to our friends?

My good friend, the Senator from Texas, shouted "O, baloney" a while ago. I say it is all baloney.

Mr. TOWER. Put the accent where it belongs.

Mr. ELLENDER. Section 509 relates to defense articles or defense services, and that it is the law now. My amendment would not affect that at all.

Section 509 reads:

SEC. 509. EXCHANGES AND GUARANTEES.—(a) Defense articles or defense services transferred to the United States Government by a country or international organization as payment for assistance furnished under this part may be used to carry out this part, or may be disposed of or transferred to any agency of the United States Government for stockpiling or other purposes. If such disposal or transfer is made subject to reimbursement, the funds so received shall be credited to the appropriation, fund, or account funding the cost of the assistance furnished or to any appropriation, fund, or account currently available for the same general purpose.

My amendment would not in any manner prevent our Government, if it were to see fit, to sell such military equipment under such conditions as it may desire. The thing that I object to is the practice of using funds of the Export-Import Bank to finance the sale of military equipment to underdeveloped countries. That is what I am opposed to.

I do not care what the Russians will do in the Middle East or in North Africa with respect to selling or furnishing arms to the people there. I grant that if Russia furnishes arms and we feed those people, we will get in trouble. But I understand that the Committee on Foreign Relations has a bill which will come before us which, if enacted, will prevent us from making economic assistance available to countries which receive military assistance from Russia or any other Communist country.

If that measure is enacted into law, I should like to see Russia feed Egypt, Algeria, and those countries to which it will be providing military assistance, because no matter how much military assistance is furnished to those countries, unless the people there are able to use that equipment, the country who has furnished the equipment will be the loser—and that would be Russia.

Mr. President, how much time do I have remaining?

The PRESIDING OFFICER. The Senator from Louisiana has 14 minutes remaining.

Mr. ELLENDER. Mr. President, I yield 5 minutes to the Senator from Pennsylvania.

Mr. CLARK. Mr. President, I support the pending amendment. In my opinion, it is wise for several reasons. First, there has been an unfortunate failure over the years to disclose the extent to which the Export-Import Bank has been engaging in granting credits for the sale of military hardware to underdeveloped countries. It was never my understanding that the functions of the Bank were to be extended, either directly or through the assistance of the Department of Defense, to the promotion of arms races all over the world. To the extent that this has been done, it has flown in the face of a well-established U.S. policy, running back at least to 1961, to further the cause of general and complete disarmament and arms control, a policy established under the leadership of our late President John F. Kennedy, a policy which I have strongly supported but which, I am sorry to say, is being eroded by what the Export-Import Bank has been doing.

The second reason why I believe the amendment is sound is that, in my judgment, the underdeveloped countries of the world should not be encouraged to divert their all-too-precious and all-too-inadequate resources to the acquisition of military hardware. Their slim gross national products and the budgetary resources which are available to them should be employed in developing their economies, in the hope that their per capita income can be increased, so that they may establish an economic base which will enable them to make an economic breakthrough, and thus slowly but surely join the more developed countries of the world. Every dollar, every unit of their own currency, diverted from this purpose to the purchase of arms is a setback for peace in the world.

The third reason why the financing of sales of military hardware to underdeveloped countries is, in my judgment, unsound is that all too often the underdeveloped countries turn their arms against each other, as was the case in the famous India-Pakistan war.

To my way of thinking, everything we can do in Congress without impinging on the sovereignty of others is useful if it cools off arms races, decreases the manufacture, production, and sale of military hardware, and thus increases the opportunity for arriving at arms control and disarmament measures.

Finally, Mr. President, I am strongly of the view that the pending amendment is complementary to the provisions which were written into the foreign aid bill under the leadership of the Senator from Idaho [Mr. CHURCH], which would in fact strongly restrict, if not entirely eliminate, the military assistance program, which in my opinion is one of the principal causes for international tension.

I am keenly aware that we cannot disarm our allies unless the Russians are prepared to stop the arms race. I have some hope that they can be persuaded to do so.

The PRESIDING OFFICER (Mr. KENNEDY of Massachusetts in the chair). The time of the Senator has expired.

Mr. CLARK. I ask that I may proceed for 2 additional minutes.

Mr. ELLENDER. On the bill.

Mr. CLARK. On the bill.

Meanwhile, the secretive method of financing arms sales through the Eximbank is quite unsound.

I should like to address two questions to the Senator from Louisiana.

I note in line 7 of the amendment a reference to less-developed countries. The Senator would not include Israel as a less-developed country; would he?

Mr. ELLENDER. No. Israel has developed an economy somewhat like ours, and the per capita gross national product in Israel, I understand, is about $1,000 a year.

Mr. CLARK. Therefore, the Senator would rule, as a matter of legislative history, that nothing in the amendment would prevent the financing of sales of arms to Israel?

Mr. ELLENDER. No, indeed. The countries that I am aiming at are those which cannot go along economically without our assistance, where the per capita gross national product is less than $300 per year.

Mr. CLARK. And it is such a country that the Senator from Louisiana has in mind?

Mr. ELLENDER. The Senator is correct.

Mr. MUSKIE. Mr. President, will the Senator yield?

Mr. CLARK. I will yield, although I do not believe I have any time.

Mr. ELLENDER. On the time of the Senator from Maine.

Mr. MUSKIE. I yield myself 30 seconds.

We were concerned about the question raised by the amendment of the distinguished Senator from Louisiana, and asked the administration what was meant by the phrase "less developed countries," which is contained in the amendment. Our advice is that by any definition now known or used, there is no protection for Israel under this amendment. I am simply giving the Senator the benefit of such intelligence as we have.

Mr. CLARK. I am not a bit interested in what the administration thinks a less developed country is. I am interested in what the congressional intent is, and the congressional intent, I believe, is clear from the colloquy which has just taken place between the Senator from Louisiana and myself.

Mr. MUSKIE. There is some doubt on my part as to whether a definition that is not contained in the amendment or in the legislative language would have the effect of giving the Senator from Pennsylvania that kind of rockbound assurance.

Mr. CLARK. I say to the Senator that I hope he does not think that my vote in this Chamber will be influenced by the fact that somebody in the State Department thinks that Israel is within the the connotation of the pending amendment.

Mr. MUSKIE. I am sure the vote of the Senator from Pennsylvania will not be so influenced. I hope that others will take it into account.

The PRESIDING OFFICER. Who yields time?

Mr. ELLENDER. I yield 2 minutes to the Senator from Alaska.

Mr. GRUENING. Mr. President, I shall support the amendment offered by the able and distinguished Senator from Louisiana [Mr. ELLENDER] because, as I have repeatedly stated on the floor of the Senate, the time has long since come and gone when the United States should take the lead in slowing down or, preferably, halting the ruinous and dangerous arms race now plaguing the world.

U.S. largess in the form of foreign assistance is and has been dispensed to many underdeveloped countries throughout the globe to aid them in their economic development. To this has been added U.S. military assistance for the avowed purpose of enabling such countries to ward off Communist military aggression or to maintain law and order in those countries.

However, the years have witnessed example after example of countries where the original alleged reasons for the grant of military assistance have been perverted and the aid has been diverted to uses never envisaged.

In addition, U.S. economic aid has been used not for urgently needed economic development and reforms but to replace funds which would otherwise have been spent to carry out the country's normal civil budget, thus freeing that country's funds for the purchase of arms which the country's generals or admirals believed would enhance their own prestige.

One of the more recent examples of such military aggrandizement was the case of Chile, where the air force leaders launched a vigorous drive for the purchase of jet planes totally unneeded. If there is any Communist threat in Chile it would be of the homegrown variety with loud encouragement from Cuba's Castro. Using jet fighters against such rebels is totally inappropriate. The diversion of Chile's meager resources—every bit of which should be spent on that country's economic development—to the purchase of sophisticated and unneeded weaponry is a disservice to the impoverished people of Chile and to the worthwhile objectives of the Alliance for Progress.

As Chile's enlightened and very able President, Eduardo Frei Montalava, recently stated:

> The armaments race also conspires against the strengthening of the Alliance. . . . Nobody can possibly suppose that these weapons and armies are going to deter an aggressor from outside Latin America. Equally, the assertion that to stop subversion these countries must purchase fifty-ton tanks, supersonic aircraft and battleships defies belief The armaments race . . . diverts important resources which should be utilized to satisfy the urgent need for economic and social development.

The world has also witnessed similar diversions of needed resources to foster the armed race.

Recently, we all saw the U.S. tanks supplied to Jordan to resist "Communist aggression" used against the anti-Communist country of Israel.

A few years ago, U.S. tanks given to Pakistan to enable that country to resist "Communist aggression" were pitted against U.S. tanks given to India for the same purpose.

Even today, Turkey and Greece are facing each other belligerently, each armed with U.S. weapons allegedly given for the purpose of halting Communist aggression.

The amendment of the Senator from Louisiana to limit the credit resources of the Export-Import Bank in financing arms for the underdeveloped nations of the free world is a good first step along the road to limit the arms race which threatens to engulf the world in the third and last world war. It is time for the United States to take leadership in the world in stopping the arms race. It is not enough for the United States to continue as the armorer of the free world with the feeble excuse that if the United States did not so act other nations would supply the arms.

Enabling an undeveloped nation to secure easy credit terms to enable it to buy unneeded arms only serves to divert that nation's economic resources from being used to meet the rising expectations of its own people and fertilizes the breeding ground of communism.

When the Export-Import Bank was first established, it was conceived of as a major financial tool for the economic development of friendly, foreign countries through "hard"—dollar repayment—loans. It is indeed shocking to learn that the Export-Import Bank has taken part in financing the arms buildup in many countries so clandestinely that even the oversight committees of the Congress were unaware of its activities.

This is but one more example of how Congress has, over the years, permitted the executive agencies, especially in the field of foreign affairs, to erode the powers which Congress should constitutionally exercise.

It is my hope that the move to exercise some measure of control over the Export-Import Bank and to bring its activities more closely in line with its original purposes will succeed and will presage the enactment of similar curbs of the abuse of executive powers when the foreign aid bill comes before the Senate in the next few weeks.

Mr. ELLENDER. I yield 2 minutes to the Senator from Maryland.

Mr. BREWSTER. Mr. President, I am extremely disturbed by the clandestine nature of an ever-increasing international arms trade which is dangerous to the peace and security of the world.

Established in 1934, the Export-Import Bank of Washington was designed to assist countries in the financing of commercial exports. Its original intention was to aid these countries in their economic development by providing them with the opportunity to obtain loans at interest rates they could afford. The perversion of this intention by using the bank to finance the sale of arms abroad is a matter of grave concern.

Thus, I was shocked to learn that almost 36 percent of all Export-Import loans this year went for the purchase of American armaments. Fourteen developing countries received $591 million in country X, or secret, unidentified loans this year. The amazing part of these so-called country X loans is that not even the director of the bank knows where this money is going.

The U.S. Government not only sells the armaments but also guarantees these loans through a $383 million revolving arms sales credit fund. In many cases, the Defense Department subsidizes such dealings by charging less interest to the country involved than the United States must pay back to the Export-Import Bank for the loan.

It is very unfortunate that this Bank, which started with such excellent aims, should have to suffer a loss of prestige and reputation by involving itself in shady arms dealing.

The majority of the loans have gone to Latin America and the Middle East. Beyond doubt, and from personal inspection, I can say that U.S. armaments were used against Israel by the Arab nations last June. It seems far more logical that if we seek a military balance of power in the Middle East, it can be achieved better by striving for disarmament than by arming the antagonists to the hilt.

If, however, the U.S.S.R. insists on arming the Arab countries, then the United States should honor its commitments to Israel. This amendment would not prohibit such activity.

But why, in 1966 and 1967, did the Defense Department approve Jordan as the recipient of over $9 million in country X loans for American military supplies?

What kind of twisted logic produces

the conclusion that military aid given to Jordan will increase the independence of Jordan from her fellow Arab neighbors rather than equip her to wage war on her declared enemy, Israel? Are we, in fact, conditioned by the military industrial combine which former President Eisenhower warned us against in his farewell speech?

It is indeed symptomatic that most of the arguments in favor of country X loans are stated in terms of our economic position and not in terms of their necessity to our national security. Of course, it helps our balance of payments to glut the international market with our obsolete weaponry. I suggest, however, that this is a very dangerous way to solve an economic problem.

In a nuclear age, any local conflict can escalate into a confrontation between the major powers. It is therefore our obligation not to help provoke conflicts, especially by arming both sides.

It is important that in questions of world security, the political consequences of arms aid should take priority over temporary economic benefits.

Another disturbing aspect of backdoor financing of arms through the Export-Import Bank is the inexcusable failure of the Defense Department to inform Congress of the loans. The Senate Armed Services Committee, of which I am a member is not always informed of these sales until well after they have been completed.

In addition, I understand that the Senate Foreign Relations Committee and the Senate and House Banking Committees were not told of these military loans. Even more shocking is the fact that the $55 million ceiling on annual arms exports to Latin America, imposed explicitly by the Senate, has been completely disregarded. Over $98 million in loans was supplied by the Export-Import Bank alone for military purchases.

The Export-Import Bank Act Amendment of 1967, as reported by the Committee on Banking and Currency, is indeed a disappointment. The bill as it now stands does not abolish country X loans to underdeveloped countries. In fact, the amount that can be loaned was increased from $604 million to more than $1.1 billion. And as previous loans are paid off, new credits could be extended.

In addition, Congress might have to wait up to 30 days before being informed that a loan had been made. This is equivalent to giving Congress no power in determining the necessity and advisability of these loans.

I, therefore, strongly support Senator Ellender's amendment.

The PRESIDING OFFICER. Who yields time?

Mr. MUSKIE. I yield 5 minutes to the distinguished Senator from Washington [Mr. Jackson].

Mr. JACKSON. Mr. President, I believe it is the beginning of wisdom on this matter of military sales and grant aid to face candidly the need of any President of the United States for flexibility.

As a great power, this country is bound to confront difficult choices with respect to arms sales abroad. The dilemmas for a President are obvious. Should sale be refused when it is apparent that the requesting nation will then accept advisers and equipment from China or the Soviet Union? Should sale be refused when the requesting nation is under the guns of an aggressive neighbor? Should sale be refused if the requesting nation will then purchase more costly and advanced equipment elsewhere, and so undermine its economic development and put new strains on relations with us and our allies?

A refusal on our part to sell arms does not necessarily stop an arms purchase, nor does it save us from the consequences when the purchasing country turns elsewhere. As a classic example: the U.S. turndown of India's request for fighter aircraft in 1964 led to India's substantial purchase of Russian Mig's, as well as an arrangement for the manufacture of Mig's within India.

For this country to turn its back on the dilemmas of arms supply, and to walk away from the problems, will not necessarily prevent arms sales or, for that matter, reduce international tensions. It might very well accomplish the exact opposite. This would be especially likely now in the Middle East, where the Soviet Union is following a deliberate strategy of using arms sales to destabilize a tenuous political-military balance and so again put Israel in mortal jeopardy.

Clearly, in some cases, our best interests will be served by a decision to grant or sell arms; clearly, also, in many cases, our best interests will be served by a refusal to grant or sell arms. Each request should be thoroughly reviewed, and then finally passed on at the highest levels of government.

The main point is: A President of the United States needs flexibility—freedom to deal with each individual request for arms and equipment on its merits in the light of the developing situation at the time. In this dangerous period, the wise and effective conduct of our foreign affairs does not warrant restrictive denials of a President's freedom to use his judgment in making the difficult choices with respect to arms sales abroad—choices which he faces now and will face in the future.

With this in mind, I believe the provisions of the committee bill that relate to the credit financing of military sales should be left unimpaired. There will be some countries whose defense costs should not be underwritten by outright assistance from the American people, and which are not able to lay cash on the barrelhead for needed equipment, but which the President may consider important to assist. Therefore, I am opposed to the pending amendment that would terminate the authority of the Export-Import Bank to lend money for military sales to underdeveloped countries.

In this connection, I should point out that the charge that Congress has been "kept in the dark" about the participation of the Eximbank in military credit sales is a great exaggeration. Since 1964 both the State Department and the Defense Department have discussed Exim relationships with the Senate Foreign Relations Committee, the Senate Appropriations Committee, the House Foreign Affairs Committee, and the House Appropriation Committee. That testimony is a matter of open record in both Senate and House committee reports. Classified details are furnished these committees on the usual "need to know" basis—and such details have been available to other interested committees upon request.

Mr. President, I believe that the pending amendment would unduly and dangerously tie the hands of the President of the United States in the conduct of foreign policy. I trust the Senate will show its good sense by rejecting this amendment.

Mr. President, much has been said about Israel and that this particular amendment would not deny Israel assistance that might be necessary in the future. A big point that is being missed is that it may be in the national interest of the United States and the national interest of Israel that certain assistance be given to certain developing countries in the Middle East. This element of the problem is being overlooked in the colloquy, and it could be just as important to the future of Israel as granting a loan directly to Israel.

Mr. MUSKIE. Mr. President, will the Senator yield?

Mr. JACKSON. I yield.

Mr. MUSKIE. Mr. President, we should clarify as far as we can the point raised with respect to Israel.

The amendment of the distinguished Senator from Louisiana includes the phrase "less developed country." Obviously we were interested in undertaking to determine the meaning of that phrase in terms of current policy, which I assume is relevant.

There are two possible tests at this moment. The first test is with respect to the interest equalization tax. A determination is made by the Treasury of the countries which will be exempt as undeveloped countries from the application of that test.

Mr. President, I ask unanimous consent to have printed in the Record a list entitled "Developed Countries for Purposes of IET."

There being no objection, the list was ordered to be printed in the Record, as follows:

Developed countries for purposes of the IET

Nonexempt countries:	*Effective date of destination*
Abu Dhabi	6–10–66
Australia	7–18–63
Austria	7–18–63
Bahamas Islands	5–14–65
Bahrein	6–10–66
Belgium	7–18–63
Bermuda	5–14–65
Canada [1]	7–18–63
Denmark	7–18–63
France	7–18–63
Germany (Federal Republic)	7–18–63
Hong Kong	7–18–63
Iran	6–10–66
Iraq	6–10–66
Ireland	5–14–65
Italy	7–18–63

[1] New Canadian securities exempt as of 7–18–63 and Canadian Bank loans exempt as of 9–12–66.

Developed countries for purposes of the IET—Continued

Nonexempt countries:	*Effective date of destination*
Japan[2]	7–18–63
Kuwait	5–14–65
Kuwait-Saudi Arabia Neutral Zone	6–10–66
Libya	6–10–66
Liechtenstein	7–18–63
Luxembourg	7–18–63
Monaco	7–18–63
Netherlands	7–18–63
New Zealand	7–18–63
Norway	7–18–63
Portugal	5–14–65
Qatar	6–10–66
Republic of South Africa	7–18–63
San Marino	7–18–63
Saudi Arabia	6–10–66
Sino-Soviet Bloc[3]	7–18–63
Spain	7–18–63
Sweden	7–18–63
Switzerland	7–18–63
United Kingdom	7–18–63

[2] $100 million exemption of debt obligation permitted per annum.

[3] Including: Albania, Bulgaria, China Mainland, Cuba, Czechoslovakia, East Germany, Estonia, Hungary, Latvia, Lithuania, Mongolia, North Korea, North Vietnam, Poland, Rumania and USSR.

Mr. MUSKIE. Mr. President, the list does not include Israel, so that with respect to that test the term "less developed country" would look less with favor to Israel.

If a country gets assistance it is considered a less developed country. Israel receives assistance under the act. Under that test it is a less developed country. This is information I have been given by the administration people, testimony that is not of interest to some Senators, but should be because of its seriousness.

Mr. JACKSON. Mr. President, I wish to supplement the statement of the Senator. Not only is this a serious situation so far as any loan that might be given to Israel, but there is also an additional factor that should not be overlooked. This involves the granting of loans to certain developing countries in the Middle Eastern area which would be in the interest of Israel and in the interest of the security of the United States.

Every Senator should understand, in dealing with the security problem in the Middle East, that it involves not only Israel but also other countries in that area that could impinge upon the security of Israel.

The effect of the pending amendment is to deny to the President the kind of flexibility he needs in order to handle this difficult and continually dangerous Middle Eastern situation.

Mr. LAUSCHE. Mr. President, will the Senator yield to me?

Mr. MUSKIE. Mr. President, I yield 7 minutes to the Senator from Ohio.

Mr. LAUSCHE. Mr. President, I wish to immediately call to the attention of the Senate the fact that in the foreign aid bill, the Committee on Foreign Relations recommended the repeal of the revolving fund now used by the Department of Defense in providing military equipment to underdeveloped countries.

The revolving fund recommended for repeal has in it $400 million. When the vote was taken for the repeal of the revolving fund, every member of the committee voted for the repeal except me. After the votes were cast, I asked for the right to change my vote. I said I voted "no" because, as I looked down the road, I could see our enemies armed and our friends disarmed. I then joined the entire group voting for the repeal of the $400 million revolving fund in the control of the Department of Defense in providing military equipment for underdeveloped nations.

In the report of the Committee on Foreign Relations there is language and I say to the Senate that it is of the greatest importance:

> The repeal of the Department of Defense authority to finance commercial sales leaves undisturbed a number of sources for the undeveloped countries in the rare cases to obtain military equipment.

Mr. President, what are the sources that are left? The report of the Committee on Foreign Relations said that one source was the Export-Import Bank. Now, the Senate would repeal the Export-Import Bank provisions so it would have repealed two sources of providing aid. Senators might want to know how many sources there are. There are five sources: First, the revolving fund, with $400 million in it; second, the Export-Import Bank; third, section 614, under which the Department of Defense was allowed to sell military equipment on payment terms not to exceed 3 years and not more than $50 million, to be made available to any one country; fourth, section 516, which has $300 million in it, which the President could use in emergencies; and, fifth, the grants made under the Foreign Aid bill amounting to $391 million.

I subscribe, of course, to the idea of having the underdeveloped countries spend their dollars for food and not for military equipment, but I am not going to adopt the folly of saying that while Russia is militarily equipping its friends, we adopt a policy to allow our friends to remain unarmed.

The statement was made here earlier that it is charged the United States is fomenting the expansion of armament. I reject that charge as being completely false.

Mr. TOWER. Mr. President, will the Senator yield at that point for a question?

Mr. LAUSCHE. No; I shall not yield at this time. I wish to complete my statement.

The United States has been attempting to procure an understanding with Russia about general disarmament. Russia refuses to accede. Now, many philanthropic minds say, "Let us do it unilaterally." I repeat, let us do it unilaterally. We will disarm the world. We will not allow our friends to have military equipment. I submit to the Senate, in all candor, my unquestionable conviction that that kind of thinking is fallacious and ridiculous. On a one-sided, unilateral basis, we will now disarm the world?

If we think we are going to get by doing that the saving of our country, I say God help us all. Russia will arm the enemies of our country. We will disarm our friends. It just cannot be done without destruction of the life of the United States.

Mr. ELLENDER. Mr. President, I yield 2 minutes to the Senator from Maine.

The PRESIDING OFFICER. The Senator from Maine is recognized for 2 minutes.

Mrs. SMITH. Mr. President, as the ranking minority member of the Committee on Armed Services, I might be expected to oppose the Ellender amendment. In fact, at the outset I was inclined to disfavor it and planned to vote against the original Ellender proposal of limitation on the Export-Import Bank loans for military financing.

However, I am impressed in two respects with the Ellender amendment now before the Senate. First, the Senator from Louisiana has demonstrated a reasonableness and constructive attitude in his willingness to compromise on this issue and to revise his original proposal and to scale his proposed restrictions down to the less developed nations.

Second, he has made an extremely convincing case for his amendment and his arguments, in my opinion, have been far more persuasive and logical than the arguments of those who oppose his amendment.

There has been a tendency on the part of the press to divide the Senate into "doves" and "hawks." Yet, on the Ellender amendment there is a surprising joining of forces of many "doves" and many "hawks" in support of his amendment. This is a testimonial to the logic of the Ellender amendment for the normal and traditional pattern of the Senate is to uphold the position of the cognizant committee, which, in this case, is in opposition to the Ellender amendment.

Because of the persuasive logic presented by Senator ELLENDER and because of his willingness to compromise on this issue and scale down his original proposal and go more than half way to resolve differences on this issue, I shall vote for the Ellender amendment.

Mr. ELLENDER. Mr. President, I yield 2 minutes to the Senator from Vermont.

The PRESIDING OFFICER. The Senator from Louisiana has only 1 minute remaining.

Mr. TOWER. Mr. President, I yield 2 minutes on the bill to the distinguished Senator from Vermont.

The PRESIDING OFFICER. The Senator from Vermont is recognized for 2 minutes.

Mr. AIKEN. Mr. President, I intend to vote for the Ellender amendment in an effort to instil a degree of integrity and respect for Congress in at least one of our Government agencies.

The Export-Import Bank, as I remember, was established for the purpose of expanding business throughout the world for American industries and businesses. It was not established for the purpose of arming immature countries in the world in order that they could wage war upon one another. They might be on our side today and on the other side tomorrow.

Apparently, the managers of the Export-Import Bank have seen fit to ignore the intent of Congress in this respect.

It is all right to say that Congress has authorized loans and expenditures in this manner, but the fact is that Congress authorizes many things which would be harmful to the country if the executive branch put them into effect under its own interpretation. But certainly it was not the intent of Congress to arm the developing countries, as we see fit to call them, in order to make war upon each other.

They may say that they have not lied to us about this. Certainly they have not, so far as I am concerned, because I never thought to ask them if they were carrying out the intent of Congress.

I do not think that we should be required to go to Government agencies every week and ask them if they are applying the laws as intended by Congress, or whether they are applying them as they want to. I do not think that we should have to do that. That is one reason I am voting for the Ellender amendment today.

If they need this money, they can come before us, openly and honestly, and ask for it, tell us what purpose they want it for, and they will get it.

There is no inclination on my part—and I am sure on the part of others also—to deny them what is needed for the defense of the United States, but when the Export-Import Bank carries on as it has been doing, it is time for Congress to pull them up short and let them know that Congress does have some responsibility and authority after all.

Mr. MUSKIE. Mr. President, I yield 5 minutes to the Senator from Minnesota.

The PRESIDING OFFICER. The Senator from Maine has only 2 minutes remaining on the amendment.

Mr. MUSKIE. Mr. President, I yield 2 minutes on the amendment and 3 minutes on the bill to the Senator from Minnesota.

The PRESIDING OFFICER. The Senator from Minnesota is recognized for 5 minutes.

Mr. McCARTHY. Mr. President, in July 1966, I wrote an article which was published in the Saturday Review of Literature, on the question of American arms sales. I think that was the first instance in which this particular problem was publicly presented. I do not mean to say that by virtue of my having been first, at least in recent years, to bring up this subject that I have any special claim to speak on it; but at least it demonstrates that I have had an interest in this whole problem of arms sales.

Since that time, of course, a number of other Senators have taken up this particular problem and have pursued it with greater thoroughness, perhaps, than I did. The Senator from Missouri [Mr. SYMINGTON] has held significant hearings, and the Senator from Idaho [Mr. CHURCH] has studied the problem very carefully. Both have spoken with reference to the amendment which is before us today.

It would seem that to be consistent I should be supporting the Ellender amendment. However, I am not. I think that this amendment should not be adopted by the Senate today, and I should like to state the reasons why I take this position.

Over the past 15 years, the United States has given or sold to other countries some $35 billion worth of military assistance as part of our foreign aid. The major share of Defense Department arms supplied under our military assistance program has gone to industrialized countries in Europe and the Far East.

We have provided arms, equipment, and training to countries who are allied or associated with us through treaties—NATO, SEATO, CENTO, ANZUS—which are the legacy of the early years of the containment policy and of the John Foster Dulles era. In addition, we have provided military aid to a wide range of countries in such categories as: "forward defense" areas, including the Republic of China—Taiwan—Iran, Philippines, South Korea, Greece, and Turkey; countries that have given us military base rights such as Ethiopia, Libya, Spain and our NATO ally Protugal; Alliance for Progress Security countries—virtually every country in Latin America; and some 23 countries in Asia, Africa, and the Middle East that are regarded as having free world orientation.

France, a major supplier of arms to the Middle East, was reported in 1966 to be exporting nearly 40 percent of its total aerospace production. The Soviet Union is also a major supplier of arms. Great Britain is actively engaged in the arms competition. But today the United States is the world's leading producer and supplier of arms.

It may be helpful to review how and why we are in the arms sales business.

The whole Congress applauded the announcement on the part of the Department of Defense and the State Department that they were going to move from a policy of granting arms to other nations to a policy of selling arms. There may have been one or two exceptions. It is always difficult to say a "whole" Congress, because one can usually find one Member taking exception to a position on almost every issue, in case the majority, or the rest of us, turn out to be wrong—but in general everyone said, "That is a great idea."

I am not so sure that it was. I think, under certain circumstances, it is better for Congress to go on record as giving arms to our allies and the countries needing help, rather than to selling them. A sale may be a matter upon which we can be charged with distributing arms in order to make a profit—a carryover into a somewhat more socialized age of the old charge made back in the 1930's about the "merchants of death."

In any case, whereas in 1950 we were giving military grants to 14 countries, by 1966 we had expanded this to the point where we were selling or granting, in some measure, arms to 70 countries. We were granting arms to 62. We were selling, I assume for cash, to 34 countries, and we were selling to some 18 countries on credit. And generally, this change from a program of grants to direct sales and sales on credit was approved.

In this same period, the motivation or justification to have arms sales became somewhat more complicated than it was during the period of the war and the immediate postwar period. It was argued that we had somehow to provide arms to certain nations for the sake of prestige.

There was developed some kind of hierarchy as to what a first-class nation was. A first-class nation had to have not only nuclear weapons, but also the vehicles by which they could be delivered. A second-class country had nuclear weapons, but no vehicles with which to deliver them. A third-class nation was one which had a jet air force. We have escalated that now so that if one is a first-class nation, in addition to nuclear weapons and vehicles to deliver them, apparently it has to have supersonic fighting planes and supersonic bombing planes. Then, one moved down that hierarchy to a fourth-class nation. Such a country had to have a navy, or at least some ships or submarines. A fifth-class nation had to have tanks and mobile-armed units.

In other words, the Pentagon understood the significance of this hierarchy order, and those in the Pentagon say we have to have arms in the right measure to maintain a country. Arms are a status symbol, a tangible manifestation of nationhood and sovereignty. If there is a third-class nation, it has to have the right kind of fighter plane.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. MUSKIE. I yield 2 additional minutes to the Senator from Minnesota.

Mr. McCARTHY. I shall need about 5 minutes.

It is not enough to have fighter planes. Now they have to have jet squadrons in order to establish where they stand in the hierarchy of nations.

That is one consideration. A second consideration given to us by the Pentagon is that the sales and furnishing of arms to other countries—however it is done—is necessary to establish a basis for influence. When an arms deal is concluded, the military hardware is only the first step. Almost invariably, a training mission is needed and the recipient country becomes dependent on the supplier for spare parts and other ordnance. We are told that we expose them to democracy by exposing them to our military advisers. That is not my view of how we expose people to democracy, but this is the Pentagon explanation for part of what has happened.

They have added another consideration, namely, a budgetary consideration, by which they explain to us that a major consideration in the sale of arms is to try to establish a real balance-of-payments or to prevent the flight of gold or to achieve whatever aspect of the balance-of-payments one wishes to reach. In order to accomplish this purpose, plus a military purpose, it is said that we need not only to grant arms but we need this program to assist in the sale of arms, and the Export-Import Bank has come to be used for that purpose.

Advocates of the Ellender amendment are inclined to emphasize that the Export-Import Bank was not intended for that purpose. I do not think it was. At the time it was established no one thought we would be in the business of selling arms to the world. Nor did they expect it when we were in the period of neutrality in effect before World War II. Nor did they expect the difficulties we faced during and after World War II. So to say it was never expected when the Export-Import Bank was established that the Bank would be used to sell arms around the world is to say everything and also to say nothing. The Export-Import Bank was set up. Its purpose was to encourage American exporters. It seems to me if there are legitimate sales of arms to a country, if it is proper to sell it arms, there is no reason why we should not use the instrument of the Export-Import Bank and the credit which can be extended through that agency.

I have been a part of the effort in and through the Foreign Relations Committee to try to set some kind of effective control over the activities of both the Pentagon and the State Department. I introduced a resolution in which we asked the Senate to subject the CIA to somewhat closer surveillance. I think that was the appropriate procedure. In the Foreign Relations Committee I supported an effort to set a monetary limitation upon the amount of military aid that could be given to Latin America. In that same committee we set a limitation not only upon grants but on aid to Latin America and also to Africa. This is the way to involve Congress at the point of decision. When someone says a country ought to have arms—whether they are sold or granted is a matter of indifference—we ought not to face up to that question indirectly, and not meet the Pentagon or the State Department at the table and say we will not participate.

Whenever a question of loans and interest payments is raised on the floor of the Senate, a kind of moral factor is injected into the debate. Some of my colleagues may recall the debate as to whether to sell wheat to Russia in exchange for gold. This was made difficult for people who felt a desire for gold and also a deep opposition to trade with the Communists.

The **PRESIDING OFFICER**. The time of the Senator has expired.

Mr. **MUSKIE**. I yield 2 minutes more to the Senator from Minnesota.

Mr. **McCARTHY**. As long as those were the only two weights in the question, they were in favor of gold; but when there was injected the question of whether or not subsidized interest rates were involved, the whole question became highly moral and the program fell of its own weight.

Mr. President, I think the orderly way for the Senate to act is to have the Committee on Foreign Relations proceed, as it has been proceeding, to set proper, statutory, and orderly limitations upon the activities of the Pentagon and also the State Department in the areas of arms sales, arms distribution, and in the newly developing process of leasing arms to other countries. I believe this is the appropriate way to meet this problem rather than approaching it indirectly, without adequate hearings, and without weighing all the factors that are involved, as is being recommended to the Senate today.

I recommend that the Ellender amendment be rejected. When the Committee on Foreign Relations presents its bill for consideration by this body, we should look more carefully than has been done in the past, into the problem of arms distribution around the world. That is the proper time for decision on whether that distribution should take place in consequence of sales or grants, whether sales are to be made on credit, or whether distribution should take place in consequence of some kind of lend-lease or pretended lease arrangement.

We ought to keep in mind, when we deal with the Pentagon, that it has something like $50 billion a year to spend even when we do not have a war. They cannot spend all their time in military activities; eventually the officers begin to do what they would have been doing if they were civilians. Some of them become educators; some become merchandisers; some become lawyers, some doctors, some dentists. There are always some left over who want to be bankers. We ought not to take every operation away from them, because this arrangement can provide a satisfactory military career to some men who might otherwise be frustrated.

In any case, we ought not to proceed without respect to what the Committee on Foreign Relations has begun to do quite effectively.

Mr. **LAUSCHE**. Mr. President, will the Senator yield?

Mr. **McCARTHY**. I yield.

Mr. **LAUSCHE**. When the Committee on Foreign Relations recommended the repeal of the $400 million revolving fund, is it not true that in its proposed report to the Senate it said as follows:

> The repeal of the Department of Defense authority to finance commercial sales leaves undisturbed a number of sources of arms for the underdeveloped countries, in the rare cases where the furnishing of military assistance is important to the national interest. Outside the Department of Defense programs, underdeveloped nations can utilize the credit facilities of the Export-Import Bank.

When they can qualify?

Mr. **McCARTHY**. The Senator is quite correct. It was the judgment of the committee that under certain circumstances credit available to the Export-Import Bank ought to be available for this particular purpose.

Mr. **LAUSCHE**. Is it not true that one of the arguments that was used in defense of the repeal of the $400 million fund was that four other sources were available, and that one of them was the Export-Import Bank? Today it is proposed to repeal this source.

Mr. **McCARTHY**. I think the action the committee proposes to recommend to the Senate is enough to apply at this particular time. We ought to use that before we proceed to use the Export-Import Bank as a limited source for export sales.

Mr. **ELLENDER**. Mr. President, will the Senator from Maine yield for a question?

Mr. **MUSKIE**. Mr. President, I yield 1 minute to the Senator from Louisiana, to ask his question.

Mr. **ELLENDER**. Does the Senator from Minnesota take the position that this amendment prevents the Export-Import Bank from lending money to finance military hardware under any circumstances?

Mr. **McCARTHY**. Not under every circumstance, no.

Mr. **ELLENDER**. Only to less developed countries?

Mr. **McCARTHY**. As I have explained, sales of arms to some of these countries might be important to us, depending on the military objectives they have in mind.

Mr. **ELLENDER**. Mr. President, I do not wish to state again the arguments I have already repeatedly made. I have cited the law as it now stands. The Department of Defense can proceed and furnish military hardware to those countries to which my good friend the Senator from Minnesota has referred. This amendment does not cut off that possibility. It does not repeal that law. It is still the law.

Mr. **MUSKIE**. Mr. President, I yield 2 minutes to the distinguished Senator from New York.

Mr. **JAVITS**. Mr. President, I shall vote against the pending amendment for two reasons: First, because I believe it is very likely to result in grants instead of any sales at all, and we will thus cut ourselves off from a policy which it has been our intent to pursue, which is to make those pay who can pay.

As the Senator from Ohio has already pointed out, there are adequate provisions in the Foreign Assistance Act, and through declaring military materials surplus—which is entirely within the discretion of the President and the Department of Defense—to permit them to supply arms if they wish to supply them to less developed or other countries. The difference is that it will not be a banking transaction. Also, of course, because of Vietnam there is very little usable inventory equipment that would be declared surplus.

Mr. President, we have tried very hard to let countries pay their way when they could. Why should we cut off a vehicle doing that now?

Second, Mr. President—and I think this is legitimate matter for debate—it is my belief that the fundamental policy of our country to develop regional arms control and prevent excessive arms buildup will be facilitated rather than inhibited by the fact that we do have freedom to make a selective policy, and can compete, where arms are desired or really needed, with those who are free of the policy considerations with which we must deal in supplying them.

For those two reasons, Mr. President, I believe that the amendment of the Senator from Louisiana should be rejected.

Finally, Mr. President, I detect a keenness of debate here on this issue, which I believe exists for two reasons. One is the deep resentment so aptly expressed by the——

The **PRESIDING OFFICER**. The Senator will suspend until order is restored. The Senate will be in order.

The Senator may proceed.

Mr. **JAVITS**. A rather deep resentment especially expressed by the man for whom I think all of us share profound affection, the Senator from Vermont

[Mr. Aiken], of the fact that since we did not ask them, therefore they did not tell us. The administration should have told us; Congress should have been fully notified that Eximbank has been used for that purpose.

But is it not also a part of the magnanimity and intelligence of the sovereign that, having discovered something he should have discovered before, he has the intelligence and the wit not to cut it off if he thinks it serves a useful purpose?

Indeed, Mr. President, I have little doubt that if we do pass the pending amendment, and it becomes law, and they come back in and make the case which is being made now, we will restore the authority. Therefor, instead of interrupting the process, I think we should proceed to pass on the substantive question now.

The PRESIDING OFFICER. The Senator's 2 minutes have expired.

Mr. AIKEN. Mr. President, may I have 1 minute?

Mr. MUSKIE. I yield 1 minute to the Senator from Vermont.

Mr. AIKEN. Mr. President, does not the Senator from New York feel that the administration used the money of the Export-Import Bank in the manner in which it did rather than using other funds at its command in order to make the year-end balance of the Government look a little better?

Mr. JAVITS. Frankly, I do not feel that that is true.

Mr. AIKEN. I do.

Mr. JAVITS. I think the reason they used this money was because it was available for the purpose. Some smart fellow figured out that it was available, and hence they used it. I say, having put the limitations on it that we have, that I think we will avoid the demanding position in which we have been placed in the past, without cutting off our noses to spite our faces.

Finally, Mr. President, we in this country must always work against the total flexibility of totalitarianism in matters of this nature, as contrasted with the rigidity of democracy. Now that the legitimate interests of the Congress concerning full disclosure of information are provided for, we must continue to provide needed flexibility to our officials in this field where Russia and China can shift gears overnight.

For those reasons, I shall vote to reject the amendment.

Mr. MUSKIE. Mr. President, I wish to take just 30 seconds to inform Senators who are anxious to know when the vote will occur that it is now my intention to yield 3 minutes to the Senator from Texas [Mr. Tower] to sum up for himself on this issue. Then I plan to take not more than 3 minutes, unless unforeseen developments occur, to sum up for ourselves, which means a total of about 6 minutes on our side. I understand from the distinguished Senator from Louisiana that he does not intend to take much if any time, and certainly not more than that amount.

Senators may therefore be guided accordingly.

Mr. JAVITS. Mr. President, will the Senator give me 1 minute to speak about Israel?

Mr. MUSKIE. I yield to the Senator from New York for that purpose.

Mr. JAVITS. Mr. President, I have heard the debate on the subject as to whether Israel would or would not be included as a less-developed country under the amendment of the Senator from Louisiana.

My conclusion is that the State Department could jump either way, and it would be at its option. I do not want it to have that option. I do not know what the gyrations are over there, or the relationship between the State Department and the policy of the President with respect to Israel. My preference is not to give them something to decide, but to decide it ourselves.

Mr. MUSKIE. I thank the Senator from New York.

I yield 3 minutes to the distinguished Senator from Texas.

Mr. TOWER. Mr. President, by way of summation, I think perhaps we have lost sight of what the issue actually is here, because we have, in effect, been involved in something of a debate on the Church amendment on the question of whether or not we should sell arms to underdeveloped countries.

The fact of the matter is that if we do, then that is a matter of military and foreign policy; and if that is military and foreign policy, then, certainly, whether we agree with it or disagree with it, we want to employ the most effective and efficient means possible of implementing that policy. The Export-Import Bank is such a means.

It occurs to me that if one favors selling arms to our friends and our allies, so that they may defend themselves against enemies both domestic and external—anything from Castroites to Soviet satellites—then I think he should vote against the Ellender amendment, because this is an effective and efficient means.

Otherwise we will have to set up a banking institution in the Department of Defense. We will proliferate agencies all over again. We will set up other banking institutions or an agency that is not in the banking business to handle this sort of thing. Why can we not use the most efficient means of achieving the end?

It has been claimed that we sell indiscriminately. That is not true. The United States has tried to dissuade most of these underdeveloped countries from buying weapons. In many cases we have been able to talk them into buying less sophisticated and less expensive weapons.

If we say, "No, you can't buy any weapons from us, we will not finance their purchase," they might go elsewhere and buy more expensive and more sophisticated weapons and experience a more dilatorious effect on their own economy.

Argentina wanted S-5's, supersonic jets. They then thought that they might like to have some British or French jets. We talked them into taking A-4's, a less expensive jet, a subsonic jet.

That is exactly what we have been trying to do. We do not want these countries to become dependent on other countries for their arms. We do not want to leave some of these underdeveloped countries at the mercy of the provocateurs, the saboteurs, the infiltrators, and the Castroites.

We do not want to leave Israel at the mercy of Nasser, who is being currently supplied with Soviet arms as fast as Russia can get them to him.

Soviet Russia has already supplied the United Arab Republic with an amount of equipment equal to more than half of what they lost in the recent war. That is what is going on.

It is up to us to determine whether we will unilaterally disarm our allies while their enemies are being armed by Soviet Russia.

Mr. MUSKIE. Mr. President, I yield myself 3 minutes. I feel that that will be enough time.

The PRESIDING OFFICER. The Senate will be in order.

The Senator from Maine is recognized.

Mr. MUSKIE. Mr. President, I feel the usual frustration of a floor manager of a bill who for 2 days has participated in making the record for a handful of Senators only to arrive at the climactic moment of the vote without the record that has already been made being known to all.

I will try to sum up as quickly as I can.

It has been argued, despite the record made yesterday, that this whole program somehow was undertaken without the knowledge of Congress and has been conducted without the knowledge of Congress, and that consequently we are to slap the wrist of the administration for doing so.

I had some of the documentation on this point placed in the Record on yesterday. I have two other pieces of documentation which I would like to have in the Record now.

First of all, with respect to the 1964 amendments which created this guarantee program, the House report said:

> Since the purpose of the military assistance program is to encourage friendly governments to establish and maintain forces adequate for defense against Communist aggression and since it is to the advantage of the United States for such governments to assume the cost of their own defense as rapidly as possible, there is every reason to facilitate the financing of military sales by banks and the Export-Import Bank in a manner comparable to the financing of other export transactions.

That was the other body speaking, not in 1967, but in 1964. What did the Senate committee say on the same subject?

The Senate committee said in its report on the Foreign Assistance Act of 1965:

> EXCHANGE AND GUARANTIES
>
> Section 201(f) of the bill amends section 509(b) of the act, which relates to the administration of military assistance guaranties, so that one U.S. Government agency does not have to pay to another U.S. Government agency the fees and premiums charged in connection with the issuance of guaranty contracts.

Here is the key sentence of what was said by the Senate committee speaking not in 1967, but in 1965:

> The main purpose is to make it possible for the Defense Department not to charge the Export-Import Bank a fee on contracts which are guaranteed both by the Department and the Bank and on which the Bank collects an adequate fee from the beneficiary of the guaranty.

This is certainly evidence that this was undertaken with the authority of Congress, and it was, of course, after this legislation that the program dealing with less developed countries began in 1966 and continued through 1967–68.

On the second point, Mr. President, it has been argued here during the course of this debate that what is involved is whether we want an unrestricted arms race. That is not the issue at all.

The pending bill prohibits sales to less developed countries with one out—Presidential discretion. In addition, the pending bill limits the total, even with Presidential approval, to a rate that is less than the rates for the last 2 years.

The authority given amounts to $237 million in 1966 and something more than $300 million in 1967.

The committee bill would permit an annual rate of approximately $130 million. So the committee bill represents a cut, and even that amount cannot be used without a positive finding by the President that it is in the national interest, and a report by him to Congress within 30 days of each transaction concerning the transaction and his justification for approving it and that it is in the national interest.

Mr. PASTORE. Mr. President, will the Senator yield?

Mr. MUSKIE. I yield.

Mr. PASTORE. Is the Senator from Maine saying that the net effect of the Ellender amendment would be merely to cut out Presidential discretion?

Mr. MUSKIE. That is the effect.

So the question that confronts us is not the question of whether we want to approve an escalating arms race. It is the question, Should we never under any conceivable circumstances—and we are talking about a 5-year period, because this is a 5-year authorization—in the next 5 years ever permit our arms to become available to friendly and less developed countries on credit terms issued by the Export-Import Bank?

That is the question, and it represents, I think, the implementation of an unrestrained policy which has been decribed by the administration in these words:

> We try to manage our arms sales policy to help our friends, to correct power imbalances, to counter Soviet arms sales, to use what leverage we have as a result of our arms policy to get countries to minimize their arms purchases.

The Ellender amendment would say that we should never implement that kind of a policy by using the Export-Import Bank and its credit facilities.

Mr. TOWER. Mr. President, will the Senator yield for a question?

Mr. MUSKIE. I yield for a question.

Mr. TOWER. Is it not true that usually when these countries present themselves to purchase arms, we try to dissuade them and, failing to dissuade them, we try to convince them to take a less expensive and less sophisticated type? Is it not true that we make every effort to cut down on the arms purchases and that we have rejected more sales than we have made?

Mr. MUSKIE. The Senator is correct. That is the thrust of the testimony that we have received over and over again before the committee.

Mr. TOWER. Therefore, we are able to influence them to keep their arms development in some semblance of control and balance.

Mr. MUSKIE. The Senator is correct. I submit that our influence in that connection would be greater if they know from time to time when, in our judgment, it is in our national interest to approve of the sale of arms to them.

Mr. PASTORE. Mr. President, will the Senator yield for a question?

Mr. MUSKIE. I yield for a question.

Mr. PASTORE. Mr. President, am I correct in my understanding that only the President of the United States can determine whether these arms shall be sold, and that the function of the Bank is merely to extend the credit once the decision is made by the President of the United States.

Mr. MUSKIE. The Senator is absolutely correct.

Mr. ELLENDER. Mr. President, I yield myself 1 minute.

The PRESIDING OFFICER. The Senator from Louisiana is recognized for 1 minute.

Mr. ELLENDER. Mr. President, my amendment would not prevent the Export-Import Bank from financing loans for military hardware to developed countries.

As I pointed out, we have in the law today authority for the President to spend as much as Congress will appropriate in order to assist our friends.

The Senator from Maine has just stated that the committee amendment will permit the sale of only $139 million of arms per year. There is no such language in the bill. It is true that it would be over a 5-year period, but under that amendment, the credit could be as much as a billion dollars in any one year.

Mr. MUSKIE. Mr. President, the Senator made that statement once before, and I will take 30 seconds to correct his interpretation of the bill.

The bill provides a total authorization for this purpose of 7½ percent of the total lending authority of the Bank. Applied to the $13.5 billion which would be the total lending authority of the Bank if the bill is enacted by Congress, the ceiling would then be a little over $1 billion, of which $604 million has already been committed, leaving $408 million for 5 years; and to that amount can be added annual repayments which are estimated at approximately $55 million per year. Adding those figures together, you get a total potential authorization for 5 years which amounts to an annual rate of $130 million.

Mr. ELLENDER. May I ask the Senator, if it is such a small amount, why not come back to Congress and let us know about it?

Mr. MUSKIE. If it is such a small amount, why does the Senator make such a big issue of it?

Mr. ELLENDER. The Senate may rest assured that in the event my amendment should be rejected, the Appropriations Committee is going to keep a close watch on this combination that has developed between the Department of Defense and the Eximbank. The manager of the bill [Mr. MUSKIE] has indicated what funds the bank will have available, on a yearly basis, to finance the exports of armaments to less developed nations. The formula approved by the Banking and Currency Committee will allow about $137 million a year for this purpose. I believe that every effort should be made by the Congress to keep this operation within that limit.

Mr. McINTYRE. Mr. President, I would like to make a few comments in explanation of my decision to support the bill reported by the Committee on Banking and Currency so far as it concerns the financing of country X loans by the Export-Import Bank. As I see it, there are two very different problems which are posed by the use of Exim credit for military sales to less developed nations.

The first problem deals with the effect of arms sales financing on the Export-Import Bank's capacity to handle its regular commercial business. This is a matter of proper and deep concern to the Committee on Banking and Currency. In the course of the hearings which the committee held, we were reassured that the country X transactions did not in any way interfere with the Bank's ability to make regular commercial credit available. I believe that the amendment to the bill which the committee has proposed will make doubly sure that country X transactions will not expand to the point where they will ever so interfere with the Bank's normal business.

The second problem is concerned with the more fundamental question of whether the United States should be in the arms business to begin with. Frankly, while I do have strong feelings on this subject, I did not and do not believe that the Committee on Banking and Currency is the proper forum in which to decide this issue. I do not believe that the Export-Import Bank Act is the proper vehicle to use for a resolution of this problem. For this reason, I have welcomed the attention paid to this issue by the Committee on Foreign Relations, and I look forward to the debate on the foreign aid bill, which I consider to be the most appropriate time to discuss the basic question of whether we should be in the business of supplying less-developed countries with weapons. I intend to vote against any amendments to the present bill which attempt to resolve that issue, because I do not believe the bill to be appropriate for the resolution of basic questions of American foreign policy.

Mr. President, I must state that I was dismayed with the lack of information which the executive branch has given to Congress in the past concerning the country X program. It is my belief that all such future transactions must be reported to the appropriate committees of the Congress—Appropriations, Banking and Currency, Foreign Relations, and Armed Services—so that all of us who are charged with responsibility for the various facets of this program may be kept well enough informed to make rational decisions on the future of these programs.

Mr. BYRD of West Virginia. Mr. President, the revealing debate over the Export-Import Bank's role in arms sales to underdeveloped nations can leave no doubt of the obligation on Congress to curtail such activity.

I agree wholeheartedly with the cogent observations which have been made by my distinguished colleague from Louisiana [Mr. ELLENDER] and I am in full support of his amendment prohibiting the Bank from using further funds to provide credit for arms sales to underdeveloped countries.

In my mind it is most unfortunate that the large number of existing arms contracts makes it prohibitive for us to consider the first amendment of which the Senator from Louisiana made mention yesterday. I, for one, feel strongly, as he does, that the Export-Import Bank should not play any role in arms sales.

It was most disturbing to learn of statements in 1964 by the Secretary of Defense—statements which left the impression that arms sales would be made primarily through commercial banks in this country.

Even more upsetting, however, was the discussion of the system by which the Export-Import works blindly through the Department of Defense, not even knowing, in some cases, which countries are involved in the loans it guarantees.

Congress has a grave responsibility to put a damper on the arms race and to discourage especially those underdeveloped nations which would do better to put food in the bellies of their peoples instead of guns in their hands.

The Export-Import Bank should go off with a heavy handicap in the military hardware race.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Louisiana, as modified.

The yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. GRUENING (when his name was called). On this vote I have a pair with the senior Senator from Wyoming [Mr. MCGEE]. If he were present and voting, he would vote "nay." If I were permitted to vote, I would vote "yea." I therefore withhold my vote.

Mr. LONG of Louisiana (when his name was called). Mr. President, on this vote I have a pair with the Senator from Nevada [Mr. CANNON]. If he were present and voting, he would vote "nay." If I were permitted to vote, I would vote "yea." I therefore withhold my vote.

The rollcall was concluded.

Mr. BYRD of West Virginia. I announce that the Senator from Nevada [Mr. CANNON], the Senator from Connecticut [Mr. DODD], the Senator from Mississippi [Mr. EASTLAND], the Senator from Arkansas [Mr. FULBRIGHT], the Senator from Tennessee [Mr. GORE], the Senator from Wyoming [Mr. MCGEE], the Senator from Georgia [Mr. RUSSELL], and the Senator from Texas [Mr. YARBOROUGH] are necessarily absent.

Mr. KUCHEL. I announce that the Senator from Nebraska [Mr. CURTIS] is necessarily absent and, if present and voting, would vote "nay."

The result was announced—yeas 40, nays 49, as follows:

[No. 209 Leg.]

YEAS—40

Aiken
Allott
Bartlett
Bayh
Bible
Brewster
Burdick
Byrd, Va.
Byrd, W. Va.
Carlson
Church
Clark
Cooper
Cotton
Dominick
Ellender
Ervin
Hatfield
Holland
Jordan, N.C.
Jordan, Idaho
Long, Mo.
McClellan
McGovern
Morse
Mundt
Nelson
Pell
Prouty
Proxmire
Scott
Smathers
Smith
Spong
Symington
Talmadge
Tydings
Williams, N.J.
Williams, Del.
Young, Ohio

NAYS—49

Anderson
Baker
Bennett
Boggs
Brooke
Case
Dirksen
Fannin
Fong
Griffin
Hansen
Harris
Hart
Hartke
Hayden
Hickenlooper
Hill
Hollings
Hruska
Inouye
Jackson
Javits
Kennedy, Mass.
Kennedy, N.Y.
Kuchel
Lausche
Magnuson
Mansfield
McCarthy
McIntyre
Metcalf
Miller
Mondale
Monroney
Montoya
Morton
Moss
Murphy
Muskie
Pastore
Pearson
Percy
Randolph
Ribicoff
Sparkman
Stennis
Thurmond
Tower
Young, N. Dak.

NOT VOTING—11

Cannon
Curtis
Dodd
Eastland
Fulbright
Gore
Gruening
Long, La.
McGee
Russell
Yarborough

So Mr. ELLENDER's amendment, as modified, was rejected.

Mr. MUSKIE. Mr. President, I move to reconsider the vote by which the amendment was rejected.

Mr. TOWER. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

AMENDMENT NO. 246

Mr. DIRKSEN. Mr. President, I call up my amendment No. 246.

The PRESIDING OFFICER. The amendment will be stated.

The assistant legislative clerk read the amendment, as follows:

> On page 3, line 6, strike out all beginning with line 6 down to and including line 24 and insert the following:
>
> "(2) The Bank in the exercise of its functions shall not guarantee, insure, or extend credit, or participation in any extension of credit (A) in connection with the purchase of any product by a Communist country (as defined in section 620(f) of the Foreign Assistance Act of 1961, as amended), or agency or national thereof, or (B) in connection with the purchase of any product by any other foreign country, or agency, or national thereof, if the product to be purchased by such other country, agency, or national is, to the knowledge of the Bank, principally for use in, or sale to, a Communist country (as so defined)."

Mr. DIRKSEN. Mr. President, the distinguished Senator from Iowa [Mr. MILLER] must attend a committee meeting. I ask unanimous consent that he be permitted to present two amendments now, one amendment to the bill, and one to my amendment.

I understand the committee is ready to accept one of these proposals, and perhaps both. I have no objection to the amendment he offers to my amendment, because it involves only one word which the Senator suggests to make it a little more lucid.

The PRESIDING OFFICER. Does the Senator from Illinois wish to temporarily set aside his amendment?

Mr. DIRKSEN. I would rather not. I would rather ask unanimous consent that this be done.

The PRESIDING OFFICER. Is there objection? The Chair hears none, it is so ordered.

Mr. COOPER. Mr. President, I was unable to hear the Senator. What is proposed?

Mr. DIRKSEN. The Senator from Iowa [Mr. MILLER] has two amendments. He must return to a committee hearing. I agreed to yield to him, if it is in order, so that he may offer these amendments, one to the bill and one to my amendment.

Mr. COOPER. I thank the Senator.

The PRESIDING OFFICER. The amendment of the Senator from Iowa will be stated.

The ASSISTANT LEGISLATIVE CLERK. The Senator from Iowa [Mr. MILLER] proposes an amendment on page 4, line 11, of the bill to insert the word "security" at the end thereof.

Mr. MILLER. Mr. President, this amendment would provide the determination by the President must be that such assistance or insurance as we have been discussing under the last amendment be in the national security interest. The way the bill reads now it is merely in the national interest. If I detect the temper of the Senate correctly, we are very much concerned about the use of arms, and it is my guess that the Senate would be willing to agree if it is in the national security interest it would be proper.

I have cleared this matter and obtained the consent of the manager of the bill. If there are no questions, I move that the amendment be agreed to.

The PRESIDING OFFICER. The question is on agreeing to the amendment.

The amendment was agreed to.

Mr. MILLER. Mr. President, I wish to have a brief colloquy with my leader for a moment.

I am very much in favor of the pending amendment but I suggest it be modified on page 2, line 8, after the word "in" by inserting the word "by," to make it more inclusive than it now is.

Mr. DIRKSEN. Mr. President, I am glad to accept the modification to my amendment.

The PRESIDING OFFICER. The amendment of the Senator from Illinois [Mr. DIRKSEN] has been so modified. How much time does the Senator yield himself?

Mr. DIRKSEN. Mr. President, I yield myself 15 minutes.

The PRESIDING OFFICER. The Senator from Illinois is recognized for 15 minutes.

Mr. DIRKSEN. Mr. President, may we have order?

The PRESIDING OFFICER. The Senate will be in order.

Mr. AIKEN. Mr. President, will the

Senator from Illinois yield? I want to ask a question.

Mr. DIRKSEN. I yield.

Mr. AIKEN. Mr. President, I want to ask the Senator from Illinois if his amendment will make it illegal for any business people, of any country whatever, to sell material to the Vietcong? The Government of South Vietnam is not a Communist government. Is there anything in the amendment which would prevent sales to the Vietcong?

Mr. DIRKSEN. There is an interdiction upon the operations of the Bank, under (a) and (b) of the amendment. Those sales are interdicted both with respect to Communist countries and those countries which procure for the use and purpose of Communist countries or for use by Communist countries. Thus, if the Soviet Union is sending weapons to North Vietnam, they are interdicted in that operation. They cannot use the credit of the people of the United States to do it.

Mr. AIKEN. My question did not apply to North Vietnam. It applied to sales or the furnishing of arms, or other material, to the Vietcong. If businessmen of any country sold to the Vietcong, would their country be permitted, then, to do it, or would they be cut off from doing business with the United States?

Mr. DIRKSEN. I can do no better than to read the language of the amendment, as modified, as follows:

> The Bank in the exercise of its functions shall not guarantee, insure, or extend credit, or participation in any extension of credit (A) in connection with the purchase of any product by a Communist country (as defined in section 620(f) of the Foreign Assistance Act of 1961, as amended), or agency or national thereof, or (B) in connection with the purchase of any product by any other foreign country, or agency, or national thereof, if the product to be purchased by such other country, agency, or national is, to the knowledge of the Bank, principally for use in, by, or sale to, a Communist country (as so defined).

I think that is rather all-inclusive.

Mr. AIKEN. The major part of the territory of South Vietnam is controlled by the Vietcong who allege to be Communists or possibly are controlled by Communists. I wonder whether the amendment would cover sales to the Vietcong as well as to North Vietnam.

Mr. DIRKSEN. We use the wording "or agency, or national thereof," which is individuals.

Mr. AIKEN. The Senator intends, then, to cover those——

Mr. DIRKSEN. Indeed.

Mr. AIKEN. Doing business with the Vietcong?

Mr. DIRKSEN. Yes. I think it does.

Mr. AIKEN. Yes. Well, I hope the Senator is right.

Mr. DIRKSEN. Mr. President, may we have the well cleared so that there will be more people behind me than in front of me?

The PRESIDING OFFICER. The Senate will please be in order. The well will be cleared immediately. The Senator from Illinois may proceed.

Mr. MUNDT. Mr. President, will the Senator from Illinois yield?

Mr. DIRKSEN. Not at this time.

Mr. President, yesterday was an anniversary occasion which should have been observed in every part of the world. It was not. And, strangely, it was not observed here. It should have been.

It was 22 years ago yesterday that that 9-foot cylinder fell on Hiroshima, Japan.

The result was catastrophic. I went back to review the figures with a traveling friend in Chicago who had gone to Hiroshima, and his figures do not quite jibe with those issued by the Government. He carries the figure of 152,000 killed instantly, 100,000 maimed or injured, and only 58,000 out of a population of 400,000 escaped when the cylinder dropped.

The bomb was triggered to explode 1,800 feet above the terrain. In so far as scientists can measure, it caused a miniature sun about 70 feet in diameter. The temperature in that area rose to 540,000 degrees.

The Hiroshima River was raised to the boiling point. Maimed and injured people who rushed to the river for succor from their distress did not realize that they were plunging into a boiling river.

Japan has never undertaken to drill that lesson into the conscience of the world. It should have. They do have a museum there, housed in the only structure that was left standing in the entire city after the bomb was dropped. It is inscribed "To the memory of those who died."

Mr. President, you may wonder why I allude to that. I do so because I want to tie it up with another twin evil of which we must take account in anything that we do where our credit and our weapons are insurance, and our money is involved in relation to foreign countries.

That other twin evil is, of course, the march of the Red ideology.

It has not stopped. Witness the Middle East, and what has happened there. It is clear right now that the Soviet Union is the walking shadow and is calling all the turns in the Middle East so far as the Arab countries are concerned.

It has been moving steadily and relentlessly so that when we look at Eastern Europe, when we look at the Middle East, when we look at China with its 800 million people, when we look at Castro's Cuba which is only 90 miles from our shores, and when we look at the outbreaks in Latin America, who can conclude other than that communism is the real menace and that it does possess the bomb?

Mr. President, I become quite reluctant to pledge the credit and the money of the people of the United States so that we can arm, sustain, or strengthen a potential enemy with the people's money and with the blessing of the people's representatives.

The Constitution of the United States is as clear as crystal; namely, that no money can be withdrawn from the Treasury except in pursuance of an appropriation passed by Congress. That is as clear as crystal in our organic law.

So that we have not only an equal interest with every other branch of Government, I think we have a superior interest to any other branch of Government when it comes to hypothecating the credit and the funds of the people of the United States.

That gives added moment, then, to what we are dealing with here at the present time.

Let me get back for a moment to the committee and to the language of the committee bill.

If Members of the Senate want to bother to take a look at it, I suggest they look at page 3, line 6. It begins by saying:

> It is further the policy of the Congress that the Bank in the exercise of its functions should not guarantee, insure—

And so forth. That language has a familiar ring. We had quite a debate on this floor a few years ago with respect to language that was carried in the Agricultural Act of 1961. In that act this language was used "declares it to be the policy of the Congress."

We thought we had that pretty well nailed down with respect to the use of the credit of the Export-Import Bank, and then came the so-called wheat deals with the Soviet Union. And what happened? We thought we had them interdicted so far as their procurement of subsidized grain was concerned, until the matter was referred to the Attorney General of the United States. And what did the Attorney General say? Well, I will tell Senators what he said, and I quote him from opinion No. 15 in volume 42 of the "Attorney General's Opinions," and here it is:

> Section 2(c) of the Agricultural Act of 1961 declaring the policy of the Congress not to subsidize the export sale or make available subsidized agricultural commodities to certain nations does not affect specific operative provisions of the law so as to bar such sales, but sets out policy to be interpreted by the President in the light of changing circumstances.

He added to that, in a letter directed to Acting Secretary of State George W. Ball, the following:

> I have reviewed the relevant statutes and have concluded that they present no legal obstacle to such sales.

So we had so much confidence in our capacity to contrive language to do what we wanted to have done, only to discover, by interpretation in the executive department, that it failed miserably.

In the bill before us, with respect to the purchase and sale of goods for the use of or to go into Communist countries, we got right back and use that same defective language:

> It is further the policy of the Congress that the Bank in the exercise of its functions . . .

And so forth. Mr. President, that is absolutely meaningless so far as law is concerned. It has no binding legal effect, and the Attorney General of the United States at that time said so; and the former Attorney General is in this Chamber this afternoon, and I read from his opinion as to what happened to that language.

I am not going down that drain again, because I would rather vote against the whole business, if it has got to be that way. We had better make up our minds, if we are going to do something that what we do is legal, and that it will have binding effect on everybody, in and out of Government.

I just struck out the first line in paragraph (2), so it reads:

> The Bank in the exercise of its functions shall not guarantee . . .

That is law and I would like to see anybody get around it. It does not express the sense of the Senate or the policy of the Congress. It says, "The Bank in the exercise of its functions shall not—"

That is where we nail up the door—and it should be nailed up. Then it goes on with the language with respect to guarantees and the facilities of the Bank, and so forth.

At the end of that subparagraph, as it was reported by the committee, there is a proviso, and that proviso says this:

> That whenever the President determines that such guarantees, insurance, extension of credits, or participation in credits, would be in the national interest and reports such a determination (within thirty days after making the same). . . .

Well, does the President have a superior interest in it? It is Congress that is to vote the money and the credit. The Export-Import Bank would die on the vine if it were not for the power of Congress to replenish its capital stock—that is what it amounts to—because the Bank has no other funds with which to operate. I think Congress has a superior interest, and I do not want to waive that interest to the executive branch after the horse has been procured and taken out of the stable. There is small comfort in watching the horse disappear around the bend and then lock the barn, but that is what the bill says as it came from the committee. I do not accept that kind of waiver. It is as easy for the President to advise and consent with the committees of Congress before the horse is stolen.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. DIRKSEN. Mr. President, I yield myself 10 minutes. Then we shall know whether we want to put our blessing and approval upon any procurement or purchase or for any purpose beyond the recital of the bill. That is precisely what the amendment does. It strikes out the waiver, and, instead of its being the policy of the Congress, we make it law in precise and certain terms so we will have to abide by it.

Mr. President, in a feverish world, with the Export-Import Bank having a $1.5 billion increase in capital outlay, and asking for an extension in an amount which will make it about $13 billion, this becomes a worldwide operation. I want to be pretty sure that, in its operations, if it goes across a line that we think puts us in danger or that we regard as unsound, we should be able to walk into it as quickly as possible and call it to account, if necessary, and make sure that we do not approve certain types of aid.

I do so simply because nuclear power can be unrestrained in this world, and when there are people who hold no restraint and who think only in terms of killing, I think we had better be pretty careful where we delegate all this power beyond the hands and beyond the jurisdiction of Congress. That is the mischief involved.

I want to reemphasize the fact that we are dealing with the people's money. We are pledging the people's credit. It is not the administration's money. It is not the administration's credit. It is the people's credit, and the people's representatives sitting here on Capitol Hill have a right to know something about it before it is pledged for any kind of dubious undertaking or any kind of dubious project.

While the things recited in this Xerox memorandum about what happened to the Findlay amendment in 1963, 1964, and 1965 are all very well, it does not mean a thing, because since that time the so-called Fiat Motor Co. undertaking has come to the fore. They would like to use the money of the people of the United States, or the credit of the people of the United States, for the purpose of buying $50 million worth of machine tools; and they want to take those machine tools and install them in a plant built in the Soviet Union—a country which is spending outlandish sums on weaponry of all kinds, and, in the belief of some of us, weaponry that goes far beyond increasing the strength of the military facilities of the United States of America.

I do not propose to go along with that kind of deal and pledge the money and the credit of the people of the United States for that purpose. It could well be, Mr. President, in the interest of candor, truth, and frankness, that the proposed plant might not be completed before that unpleasant and ghastly business in Vietnam comes to an end. It could, on the other hand, be completed, and just relieve that much machine tool facility of the Soviet Union to be turned over to armament making; since, of course, they would not have to acquire the machine tools to equip this Fiat automobile plant.

The casualty lists are still mounting in Vietnam; and we are pretty certain, from the record, that young Americans are being slaughtered in the jungles of Vietnam with Soviet weapons. I do not propose to give comfort to a country that undertakes that, and extends the hand of war without actually getting into it. But that is what is involved here, among other things; and so we lift it beyond the discretion of the President of the United States.

I do not wish to delegate that authority. I want to see it kept here in the hands of Congress, both the House of Representatives and the Senate.

Mr. President, if we go through with this matter, and we finance this equipment for the Fiat Automobile Co., suppose there were a default on the loan; how would we recapture these machine tools? Do you think the Soviet Union would permit anybody to take them out of there? Certainly they would not. We would just kiss it goodby, unless the Italian Government insures its enterprises, and indirectly insures the repayment of such a loan over a period of time.

I do not believe my position need be validated any further than that. I want to keep the control and the exercise of jurisdiction over the Export-Import Bank in this respect right here in the hands of Congress. I do not propose to go along with any deal which is weakened by the fact that we give the President discretion so that he could, if he thought it was in the national interest, let these purchases go to a Communist country, or permit the purchases to go to another country and from that country into a Communist country; there you have the same thing.

So why not close the door now? Here is an opportunity to do it.

With that, I yield the floor, because I believe there are others who would be interested in this proposal.

Mr. TOWER. Mr. President, will the Senator yield for a question?

Mr. DIRKSEN. I yield.

Mr. TOWER. Would the distinguished Senator from Illinois be willing to accept the idea of a Presidential waiver, provided we struck the language making it the congressional policy, and made the language mandatory to the extent that we say that the Bank, in the exercise of its functions, shall not guarantee, and further require that the President report his determination of the national interest before the consummation of any agreement for the extension of credit, rather than after?

Mr. DIRKSEN. Well, far be it from me to pass on the matter. Expressing a wholly individual view, my answer is "No," because that would just plow a hole in it all over again.

I would not want to see such a proviso in there, because you could do both A and B. Sell to a Communist country, or sell to a country known to be exporting to a Communist country, and then suddenly the President, supposedly in the interest of our national security, can waive all this; so all the power is gone, and all he has to do, after his deal has been consummated with some country, is simply send to the committees of Congress a little billet-doux, saying, "This is what I have done," and of course we would be bound by it.

I would not be interested in that billet-doux after the deed is done, because it cannot be undone. You cannot retrieve your position.

Mr. TOWER. I understand. Further, however, would the waiver before be more acceptable to the Senator from Illinois, if we provided that the President report it to Congress prior to the determination rather than after the deed was done; before the deed was done to, in effect, inform Congress of what he contemplated doing and why he contemplated doing it?

Mr. DIRKSEN. What would it achieve? There is no authority recited here to undo it. He can send it up here and say, "Look, I am going to send $100,000 worth of bazookas to Guatemala, or to Rumania, or Yugoslavia," and we are suddenly so advised. But where is the power? Where is the authority? Where is the jurisdiction to undo it, or to stop it?

If the Senator from Texas knows something in the law that would stop it, that would be a different thing.

Mr. TOWER. My idea was that we would be informed before the deal is made. Therefore, we could act to prohibit the deal before it is made, if we were informed beforehand. Then we would have the opportunity, ourselves, to determine what was in the national interest.

Mr. DIRKSEN. But he has consummated the deal, signed, sealed, and delivered. How do you impair a contract, once it is made with a foreign country? How can you throw it overboard?

Mr. HICKENLOOPER. Mr. President, will the Senator yield?

Mr. DIRKSEN. I yield.

Mr. HICKENLOOPER. I think the Senator is probably not quite talking to the point of the Senator from Texas. I think he is talking about reporting the intent of the President prior to the consummation of the deal.

We have had precedents for that several times here. We have it in the Atomic Energy Act and in other acts, where a report of a proposed action is to be made to Congress, to the Speaker of the House of Representatives, or to the appropriate joint committee, a period of time, 30 to 60 days, before it is to be consummated, giving Congress time to act to forbid it, if Congress does not want it.

I think that is what the Senator from Texas is talking about.

Mr. TOWER. I thank the Senator from Iowa. That was my point.

Mr. HICKENLOOPER. That is my understanding of his point. So there would be that authority to stop it.

Mr. MUNDT. Mr. President, will the Senator yield at that point?

Mr. DIRKSEN. I do not know where the authority is.

Mr. HICKENLOOPER. The power of Congress to pass laws.

Mr. DIRKSEN. But look at the practical aspect of it. The notice comes up here that that is what he intends to do, and in 30 days he will be freehanded to do it. All right, how do you stop it? Pass a resolution? There is nothing here in the Export-Import Bank Act to provide a method of stymieing that action.

Mr. HICKENLOOPER. If Congress feels strongly about it, a joint resolution could stop it. I realize that the President could veto that joint resolution by not signing it, and it would take a two-thirds vote to pass; but if it were something sufficiently offensive to Congress, it could pass it over his veto.

The power is there to stop it under the proposal or the suggestion that was being discussed, I think, by the Senator from Texas.

Mr. TOWER. Mr. President, I suggest that the way to stop it would be to pass a bill amending the act so as to include a prohibition.

Mr. HICKENLOOPER. We could pass a bill or a joint resolution directed specifically to that point which, I think, would be the proper vehicle, or we could go the route of amending the bill itself if Congress felt sufficiently strong about it to get it through.

I think the power is there. However, it is a horse of a different color as to whether it would be exercised. That is a speculative thing, and I do not know.

Mr. DIRKSEN. If the executive branch is determined to go through with the project like the Fiat Automobile Co., when we can get action in both branches within a space of 30 days to stop it, if we do not make good in 30 days, the pledge will have been made and we will have been committed, and our $50 million in machine tools will land in the Soviet Union.

If something were tagged on here to stop it by resolution now, and to provide that there should be prior consideration over and above everything else when submitted to either the House or the Senate, that would be a different matter. But I know with respect to the resolutions of rejection, we have had on a good many things that it has taken a long time to develop sumptuary action on it, and there has been no such assurance.

Mr. LAUSCHE. They have been futile.

Mr. DIRKSEN. The Senator from Ohio is correct.

Mr. COTTON. How can we pass a resolution rejecting something that we do not know about? In many cases these things take place and Congress is not aware of the occurrence until the deed is consummated.

Mr. DIRKSEN. These commitments are what lawyers would perhaps call commitments in vacuo, if you know what I mean.

Mr. MANSFIELD. Mr. President, will the Senator yield?

Mr. DIRKSEN. I yield.

Mr. MANSFIELD. Mr. President, as I read the amendment, what it basically does is not only to take away the discretionary power of the President, but also any authority for a 5-year period which the Export-Import Bank might have.

Mr. DIRKSEN. The Senator is correct, with respect to what is recited in the bill, namely, purchases that go to Communist countries, or in an indirect fashion to and for their use.

Mr. MANSFIELD. I have here a copy of the resolution of the Foreign Relations Committee with explanatory notes by the Committee on Foreign Relations and the Committee on Foreign Affairs, and on page 59 and 60 there is a list of countries which would be so designated and they are also listed in the amendment offered by the distinguished minority leader.

Would not the Senator be more effective if he were just to offer an amendment which in effect would shut off trade between the United States of America and all of the countries of Europe?

Mr. DIRKSEN. Oh, I see no need for that.

Mr. MANSFIELD. It states here that it is not only in connection with the purchase of any product by a Communist country as defined in section 622(f) of the Foreign Assistance Act, as amended, or an agency or national thereof in connection with the purchase of any product by any other foreign country or agency or national thereof if the product to be purchased by such other country, agency, or national is to the knowledge of the Bank principally for use by or sale to a Communist country as so defined.

Is it not true that every so-called capitalist country in Western Europe today trades with every so-called Socialist country of Western Europe, and a lot of them with the Soviet Union?

Mr. DIRKSEN. Let me remind the distinguished majority leader that we are not only talking about trade here, but we are also talking about the use of the money of the people of the United States with which to do it.

Mr. MANSFIELD. Exactly.

Mr. DIRKSEN. If there is any plant or enterprise in the country that wants to do business with Bulgaria, Rumania, Poland, or Czechoslovakia, bless them. I hope they can contrive to do it. Let them use their money or banking money if they so desire. But this is the money of the people of the United States, and I do not propose to be a crusader against this horrible ideology one time and then to shake hands with it in the next breath and say, "Well, everything is hunky-dory now. We will let you use public money to consummate something that will strengthen your country."

That is the essential part of it.

Mr. MANSFIELD. Will the Senator yield?

Mr. DIRKSEN. I yield.

Mr. MANSFIELD. This Nation has been trying to establish trade contacts over a number of years with such countries as the Hungarian Peoples' Republic to a very minor degree, with the Polish People's Republic to a major degree, with the Federal People's Republic of Yugoslavia, and also with the Union of the Soviet Socialist Republic and the Rumanian People's Republic.

It appears to me that Rumania, under this list in section 622(f) would be excluded from any consideration here as a country trying to get by on its own trade and pursuing a middle course of trade and establishing relations with the West, especially with West Germany and with this country, and doing it on an independent basis, even though it is a Socialist state.

It would be my understanding that the Rumanian People's Republic would be inhibited if the amendment of the Senator were adopted, because it would be a congressional finding right now, and there would be no discretionary authority left to the President, as is the case in the law at present. Is that correct?

Mr. DIRKSEN. The Senator is correct. I think we must make up our mind whether we will use the resources of the United States to aid and give comfort to a country that espouses and embraces this Red doctrine and that has for its purpose the destruction of freedom and the ultimate destruction of the United States of America.

I think we have blinked at this danger too long. And all we have to do is to lift our eyes like Ishmael did in the wilderness and take a look at the Middle East and what is going on there. We can spell out a pattern that ought to bring some fear and apprehension to every American citizen.

We should likewise look at the things that are going on in Red China now that she allegedly possesses the hydrogen bomb.

Mr. HICKENLOOPER. Mr. President, will the Senator yield?

Mr. DIRKSEN. I yield.

Mr. HICKENLOOPER. Mr. President,

to pursue the argument of the Senator a little further, we had better quit doing business with England, West Germany, and the Western European countries, and Canada. We sell certain products to Canada and Canada turns around and fills the grain bins of Red China with wheat. They use the trade that we have with them to furnish tools and things of that kind to Iron Curtain countries, with Germany and Scandinavia.

It seems to me that we would have to quit trading with anybody if we pursue it to that point.

Mr. DIRKSEN. Mr. President, I am afraid the Senator has not read carefully the language of the bill.

Mr. HICKENLOOPER. I have read it several times. That it is my amendment.

I know. That is what I am reading from.

Mr. HRUSKA. Mr. President, will the Senator yield?

Mr. DIRKSEN. I yield.

Mr. HRUSKA. Mr. President, the language referred to by the Senator from Montana is limited to a transshipment of a product that is sold to a Communist country.

Mr. DIRKSEN. Exactly.

Mr. HRUSKA. So the idea of us trading with Canada and Canada shipping its own wheat to Red China has no application at all.

Mr. DIRKSEN. None whatever.

Mr. HRUSKA. However, if we sell them wheat and find out that they are going to ship that wheat to Red China, the amendment would apply.

Mr. HICKENLOOPER. That is different.

Mr. MUNDT. Mr. President, will the Senator yield?

Mr. DIRKSEN. I yield.

Mr. MUNDT. That is the basic question, and we are talking about the people's money, and not about a commercial transaction for profit by individuals.

This is financed by the U.S. Treasury. Hard pressed though we are, perhaps the money procured by the 10-percent surtax which the President wants to foist upon the people would be expended in this manner.

Mr. MANSFIELD. Mr. President, is it not true when the Senator speaks of the people's money that the Export-Import Bank in using the people's money operates under a pretty good credit basis and repayable basis? And is it not also true that many of our allies in Western Europe who now trade with the countries of Eastern Europe and the Soviet Union and even with China are the recipients of the people's money through the Export-Import Bank to carry on indirectly trade with these nations which we are trying to foreclose?

We should face up to the fact that these are the most troubled times in the history of this Republic, and that if we are going to find peace in the world, we will have to adjust our thinking a little bit and recognize that trade is a very important factor which may help to bring about a greater degree of stability and a greater degree of harmony.

I would think that this particular part of the bill, which I understand was unanimously agreed to by all members of the Committee on Banking and Currency, is worthwhile, and certainly their judgment should be given the most earnest and serious consideration—as I am sure the Senate will do—and not take into the hand of Congress the establishment of an arbitrary, hard-and-fast power which can stay in effect for 5 years, thereby robbing the Export-Import Bank of some of its needed flexibility and taking away from the President, who is charged with the conduct of the foreign relations of this country, discretionary power which is, in any event, already pretty well tied down by what this bill and previous bills have said.

I thank the Senator for yielding.

Mr. DIRKSEN. Mr. President, in response to the distinguished and beloved majority leader, I can only say that we have extended the hand of friendship time and time again to the Soviet Union and others, and our reward was a rather firm caress with a baseball bat. Finally, you get tired of it. Perhaps we have got to that place now in this fitful world where you are going to have to tie down a few things; and if it cannot be done any other way, then it must be done by Congress itself.

I have no more to say about this matter.

Mr. COTTON. Mr. President, will the Senator yield?

Mr. DIRKSEN. I yield 2 minutes to the distinguished Senator from New Hampshire.

Mr. COTTON. Mr. President, we have had much discussion in the Committee on Commerce, of which I am a member, about the desirability of building bridges to and expanding trade with Communist countries. From the standpoint of the Senator from New Hampshire, the time may come—and I hope soon—when that will be desirable. But right now, any bill that is passed by the Senate should have written into it in indelible terms, for the world to read, that neither the President nor anybody else—and it is time that Congress asserted itself and spoke—will use American credit and American taxpayers' money to furnish goods to the enemy.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. COTTON. I ask that I may proceed for 1 additional minute.

This is what I mean by the enemy: As of this past weekend, 12,269 Americans have been listed as killed and 74,818 as injured in Vietnam. They have been facing an enemy who has progressed from captured rifles and skimpy supplies to rockets, artillery, heavy mortars, automatic infantry weapons, and flamethrowers. These weapons are not made in Hanoi. They are made in the Soviet Union and its satellites. Indeed, the whole Vietnam war now bears a "Made in Moscow" stamp, for without Soviet supplies the North Vietnamese war machine would quickly grind to a halt. Any aid given to the Soviet Union at this time is aid to the enemy. And Export-Import Bank loans are certainly a form of aid. That is why I have joined the distinguished minority leader in introducing this amendment to stop such loans to Communist countries, and that is why I hope the amendment will be adopted.

Mr. DIRKSEN. Mr. President, I yield 10 minutes under the bill and 10 minutes of my time to the distinguished Senator from South Dakota [Mr. MUNDT].

Mr. MUNDT. Mr. President, I shall have to find some additional 10-minute quotas somewhere along the line, which I do believe we can do.

I believe the minority leader has done an excellent job of pointing out not only the futility but also the legislative hypocrisy of relying on the language regarding the word "policy" in this bill, and the reasons why we should make this law, instead of talking about policy statements which the Attorney General's rulings have proved to be meaningless. I believe the minority leader has established that beyond all peradventure of doubt.

I am sorry he did not have the opportunity to establish that fact when the Senate was filled to capacity, so that every Senator could hear it; but we may be able to contrive not to have a vote on the amendment until some time tomorrow or later, so that every Senator will have an opportunity to read Senator DIRKEN's remarks.

We are dealing in this debate with the life and death of America, and I am not impressed by the limitations of time when it comes to the problem of trying to find the right public policies to evolve to win a war, to protect freedom, and to protect American lives.

Let me talk about the second part of the provision which the committee wrote in as a gesture and as an expression of opinion that Congress did not like to have Americans trading with the enemy—especially with taxpayers' money—but with no compelling power whatsoever to dispose of the policy aspect. Let us look at the second committee so-called protective prohibition. I shall see if I can find a copy of the bill, so that I can quote the language exactly.

The committee language on the second feature is said to lock the door by saying:

> *Provided,* That whenever the President determines that such guarantees, insurance, extension of credits, or participation in credits, would be in the national interest and reports such determination (within thirty days after making the same) to the Senate and House of Representatives, such guarantees, insurance, or extension of credits may be made, or participated in, by the Bank notwithstanding the policy herein stated.

There is the open door rather than a locked door. Let me say, from the history of the Senate and the recent history of the United States, why it is an open door.

We tried that committee language device in the Committee on Foreign Relations. The Senator from Ohio [Mr. LAUSCHE] will understand and appreciate this, because he is in the Chamber today, as will Senators who follow the foreign policy debates. We tried it last year in the foreign aid bill. When the Senate passed the Foreign Assistance Act of 1967, we imposed a limit of 10 countries, outside Latin America, which would receive development loans, and 40, outside Latin America, to receive technical assistance. We pinned the number down specifically.

When the bill went to conference, the House conferees, under the thumb of the White House, being pushed around by the people at the other end of the avenue, took all the teeth out of that amendment and wrote into that bill almost exactly the same meaningless language that is before us in this committee bill today. They left intact our noble words of purpose and then wrote in language to provide that the additional countries could receive aid if the President found that it to be desirable and in the national interest.

But what will happen in this bill? We do not have to go around guessing as to what will happen. If we engage in this kind of legislative hypocrisy, it will, in my opinion, be an affront to the intelligence of the American public because such language ought not be in the bill at all. We should be candid with the people and we should say that we are in business with the warmakers or we are not, rather than to hide behind language which has no purpose, because what happened before will happen again.

Let me tell the Senate just what did happen. We proposed in our foreign aid bill to limit aid to 10 countries as I have said. But the loophole which is now in the law was opened up in conference. What happened after that? The President found it to be in the national interest to expand the list, if you please, so we actually provided aid not to 10 countries, but to 29 countries—almost a 300 percent increase in the number of countries. The President provided aid for 19 more countries than Congress had said were necessary, because the President found it desirable to do so. As to the other limitation, the President moved the number up from 40 to 48. We do not have to guess any more than we would have to guess about the policy statement in view of the Attorney General's opinion. It is in the record. It is now a historical fact.

Let us be honest with ourselves, with our constituents, and with the writers of history. We know what we are doing. It is as clear as the midday sun. Either we as a Congress will decide that it is a matter of sound public policy not to strengthen the hands of the enemy, prolong the war, and expand our casualty lists, or we will say such actions comprise wise policy.

Before we complete our action on the bill, we shall have a number of occasions to vote on specific amendments, because I believe it is important—and I respect the opinions of Senators who disagree—to do so in this hour of a most unprecedented proposal and policy in American history. Never before in time of war has it been proposed that it is wise public policy to aid our enemies.

The issue could be resolved into a high school debating proposition: Is it sound, prudent policy for the United States to engage in trading with an enemy who has become the sole supplier of the weapons being used by Hanoi to prolong the war and to increase our casualties? No one can dispute these facts. That is the stark naked issue before us today.

The facts involved cannot be denied or obscured. We are going to decide vote by vote, amendment by amendment, and bill after bill in this Congress, and in rollcall votes in connection with the instant legislation whether that is good policy or not.

I believe it is incomprehensibly bad policy. I believe it has contributed as much to the prolongation and escalation of this war as any other public policy in which we have engaged. I happen to believe that if we had faced this issue when we first debated it 5 years ago the war in Vietnam would by now be over. At that time I led the fight on the so-called wheat credit bill, which included all kinds of things besides wheat for the Soviet Union. The Senate showed its disapproval of that kind of credit by approving my amendment. Had it not been toned down under the armtwisting of the White House our troops abroad would have had that protection. But in conference my amendment was watered down so that it has escape hatches all over the place so that it has become meaningless.

I think the war in Vietnam would now be over by Christmastime or sooner if we took action at this time and shut off supplies, without which the army of Ho Chi Minh could not fight. He gets all all of his significant supplies from Russia. In my 29 years in Congress, as one who led the fight against subversive influences abroad and at home, and who led the fight 5 years ago in the proposal that the Senate supported to curtail this trade with the enemy, I am surprised, shocked, and disappointed that the Johnson administration brazenly announces its intention—if we do not stop them from doing it in this bill—of providing $50 million of American capital toward the building of an automobile plant on the Volga River in Russia in this time of continuing war. This intention is expressed in a time of war, when the Russians and the Communist satellites are the big and sole suppliers of petroleum, Mig's, antiaircraft guns, helicopters, planes, and every sophisticated weapon of war being used to kill American troops in Vietnam.

Mr. President, I think the Commander in Chief owes this country a white paper as to why in our American history that is being done for the first time. Why does the Commander in Chief say: "Sell more to those who slay more of our boys in Vietnam"? It is as blunt; it is as brutal; it is as direct and definite a question as that. That is why we are not going to decide the issue in one afternoon and that is why we are not going to decide the issue by a single vote. We shall keep at this nefarious, self-defeating trade policy until we stop the pagan practice of trading with the enemy.

Congress has a responsibility to say: "Yes; we believe you can feed and fight an enemy at the same time, making casualties with one hand and war profiteers with the other," or Congress is going to have to say: "We have this ugly mess on our hands and we shall stop this traffic in blood because we have to get out of it without a defeat; we do not like the McNamara talk of a decade of war; we want to end it and get it over with without defeat."

Somebody owes the fathers and mothers of American boys in Vietnam, and those who are to be drafted, an explanation, a white paper, as to why this administration believes it is good policy to decrease the chances of their sons returning alive and decrease the chances of our winning a war by building up the capacity of an enemy to supply the arms without which Ho Chi Minh would be unprepared to fight and unable to continue this gruesome war.

Mr. President, let us talk about Vietnam. This is only one proposed transaction. We shall have more of them. When Senators read the RECORD tomorrow they will realize that this is not the only hope. We are going to carve out opportunities for each Senator to vote according to his own judgment and according to his own conscience with respect to public policy on the issue so that everybody can understand it.

We all participate in press conferences and have people ask us: "What do you think is going to be the big issue in the campaign of 1968?" I shall make a guess right now. I think the issue of trading with the enemy is going to transcend the war, riots, or the rat issue in 1968. Each of us is going to present to constituents, the mothers and fathers of the boys of our States, where we stand and why. There will be no escape hatch and there will be no excuse with respect to where we stand. Our position will be demonstrated by our rollcall votes. "Mr. President of the United States, if you did not give us your reasons in a white paper, you will have to tell us in campaign speeches why you wanted to ship these supplies to Communist Russia when everybody knows Russia is strengthening the enemy and providing arms to kill our men."

Every senatorial candidate will indicate a position one side or the other. Every candidate in the House of Representatives must face this historic issue. Let us carve out positions clearly, conscientiously, and consistently. This is going to be a very important vote in that connection when we vote on this matter tomorrow. There will be another vote and still another vote before we conclude the discussion of this proposed export-import matter because the Export-Import Bank has been an offender at the direction of the White House in strengthening the enemy we are trying to defeat. This decision and this debate is unprecedented because never before in American history, as I read history as an old college professor of history, has Congress ever considered opening up the gates of trade with the enemy in time of war. This is something as new as it is incredible. We never before have had a President request it and never has a Senator or Representative been so brazen or so callous as to recommend it. We are going to do it now by our votes and we shall do it for the sake of history and perpetuity, and this policy will be hammered out as it should be done by the representatives of the people in the Congress in a series of rollcall and recorded votes.

Mr. COOPER. Mr. President, will the Senator yield?

Mr. MUNDT. I yield.

Mr. COOPER. I understand the Senator's concern about the war in Vietnam. It is a concern felt by all of us. I shall oppose the amendment of the Senator from Illinois. I do not think its adoption will affect the war in Vietnam. It has been the policy of our country to seek in the long range a better relationship with the Soviet Union. The committee amendment would permit some trade if the President found it in the national interest.

The question which I wish to ask the Senator is: Would the committee bill, permitting such trade, change our policy? In connection with the proposed wheat sales several years ago which I opposed, I read every act on trade with Communist countries, and I could find only one act which prohibits absolutely trade with Communist countries. That is the Battle Act dealing with strategic materiel. The Export Control Act and other acts do not prohibit absolutely trade with Communist countries, including the Soviet Union. The Foreign Assistance Acts from time to time have included, as the Senator knows, prohibitions against trade with certain Communist countries, if the President determined it in the national interest to approve. But with the provision the President could approve specific transactions in the national interest.

Mr. MUNDT. And also Public Law 480.

Mr. COOPER. Congress gave him the same authority, as the Hickenlooper-Tower amendment would do in the bill before us.

The committee bill does not change this policy of three administrations. Does the Senator know of any act since World War II which prohibits absolutely trade with Communist countries, except strategic materials?

Mr. MUNDT. Yes. The Senator apparently was not here when the distinguished minority leader was going back into history about the policy that had been established by Congress in a whole series of acts that the Attorney General had ruled on. It is only policy according to that ruling although I am sure Congress intended these statements to have the force of law. It has no binding effect. It is not law the Attorney General says. The change is that we now take out the word "policy" and make it law. Otherwise there is no change. It is merely hypocrisy that means nothing.

Mr. MURPHY. Mr. President, will the Senator from South Dakota yield?

Mr. MUNDT. I yield.

Mr. MURPHY. Is it not possible that the time has come when we must put binding language into the law concerning changes in policy? It seems obvious to me that the policy which existed over the past several years has not been working too well in our favor. I say to the Senator that we should take a long look, both forward and backward, and look into history. Over the past 25 years, I have listened to the theory that we should do everything we can to help our potential enemy, the Soviet Union, because if we help them and prove to them that we want to be friendly and nice they, in turn, will be friendly and nice.

I notice consistently that every time they have a gathering, the statements they make are, "How do we destroy America? How do we eliminate this great imperialist country?" Two weeks ago, in the United Nations, we heard the United States of America blamed for every bit of aggression over the past 3 years. I said then, and I repeat, that if everything the Soviet Ambassador said was true, then we should be thrown out of the United Nations, and if what he said was untrue, if he was lying—and I suspect that he was—then the Soviet Union should be thrown out of the United Nations.

I think the time has come when we must realize that this question can no longer be left in the hands of those who decide policy. This is the responsibility of the elected representatives of the people.

I would tell the Senator quite frankly that I would not know how to go back to California, the biggest State in the Union, and explain to the mothers, fathers, and relatives of the boys who have been killed in Vietnam, why we suddenly should be trading with the very people who are making it possible to have our boys killed.

If I could get some explanation of that, I have an open mind otherwise. Until we get that, I must say that the recommendation of the distinguished minority leader is one which is needed and overdue, and I shall support it.

Mr. MUNDT. I should like to say to the Senator from California that I appreciate his persuasive, convincing, and historically accurate contribution.

When I heard the Senator from Kentucky talk about the long view, it reminded me of the discussion in this Chamber over a period of 4 or 5 days when we were debating the consular treaty. It was being said by treaty advocates that we should take the long view, to look far ahead, that this will make us a great friend of the Soviet Union. That was several months ago. What has happened to that treaty? It is buried in the Kremlin. They have never ratified it.

Mr. MORTON. If the Senator will yield, that is because it was a pretty good treaty from our point of view. They had not read the fine print yet.

Mr. MUNDT. That is the Senator's version. Let me give the Senator mine. That is because they have used it as a propaganda device. They tell the world that we were compelled to ratify it first, so that we crawl on our hands to Mother Russia and say, "Please, Russia, accept our supplication." We become the laughing stock around the world. That is all there is to this continued delay by the Russians in ratifying the treaty.

Mr. MURPHY. We also find that one of the persuasive arguments for that treaty was the protection it would give American citizens traveling in Mother Russia. I think it was about 6 days later that the State Department, which was so busy talking up the treaty, came out with a list of warnings to all Americans who would be traveling in Russia, a list which had never been issued before. Thus, I dare say, the treaty was not so helpful in our favor. I agree with the Senator. I think it was merely a propaganda device to build what we call world opinion. Most of us know what a synthetic accomplishment this has become. I do not believe that Russia will bother to sign the treaty just in order to embarrass us further.

Mr. MUNDT. After they have drained out of it all the propaganda value they can, after they have waved it all around the world to the uncommitted nations saying, "Look what we have forced out of the United States. Look how we made them a supplicant. They ratified the treaty quickly but we are going to consider it carefully." Then, when they have got all the propaganda value out of it they can squeeze, they will probably ratify it, because they are going to get some benefits from it.

Why do we not ever, under this administration, when we have a treaty or a proposal, say to the other fellow, "You ratify it first"?

The PRESIDING OFFICER. The time of the Senator from South Dakota has expired.

Mr. DIRKSEN. Mr. President, I yield 10 additional minutes to the Senator from South Dakota.

The PRESIDING OFFICER. The Senator from South Dakota is recognized for 10 additional minutes.

Mr. MUNDT. Why do they not ratify it first? Why? Why do they not do it first? Why does Uncle Sam always have to be "Uncle Sucker"? What is there about us that makes us so weak, so easily deceived and persuaded that we have to go ahead and ratify something, take the first step, and hope that the other fellow, in the long view, will do the same thing?

As the Senator from California has stated, I think that most of us should spend more time looking in the rearview mirror to see where we have been, before we turn out to the left too far to pass a car going in a new direction.

Mr. COOPER. Mr. President, will the Senator from South Dakota yield further?

Mr. MUNDT. I yield.

Mr. COOPER. I thank the Senator. I know that he is on limited time and I do not wish to use his time. But I was moved to respond to the Senator because he said—as he had a perfect right to say—that today and tomorrow he intends to put all of us on record. I will get on the record now. I oppose the amendment.

Let me say to my friend from California that I too must go back home, back to Kentucky. I am glad to go. I am not afraid to let my views be known to the people of Kentucky. They have known them for some time.

We are dealing with a basic problem—whether we can move toward some improvement in the issues between our country and the Soviet Union. I respect the Senator's views.

The war in Vietnam is difficult and it concerns me, as it concerns everyone. The Senator from South Dakota has known war and I have. But to use this amendment in connection with the war—to say that it will have influence in stopping the war—strains my judgment.

Mr. MUNDT. Does the Senator believe we can shorten the war by supplying the enemy with war materials?

Mr. COOPER. The committee bill would not supply the enemy. I remember, when the wheat deal was up to sell to the Soviet Union, that the Senator from South Dakota opposed it, and I opposed it. I opposed it altogether, cash or credit. But the Senator from South Dakota was willing to sell wheat to Russia if it would pay cash. We were at war in Vietnam at the time and yet the Senator was willing to sell wheat to Russia.

Mr. MUNDT. Let me correct the Senator——

Mr. COOPER. I saw no difference in selling wheat to the Soviet Union, as far as the principle was concerned.

Mr. MUNDT. Neither do I. I quite agree. Why do we propose to sell supplies to the Russians now, then?

Mr. COOPER. The Battle Act deals with strategic materials. I know of no law on the books, enacted either under a Republican or Democratic administration, which prohibit absolutely the sale of nonstrategic materials to Communist countries, including Russia. We have had some trade with them all these years——

Mr. MUNDT. Wait a minute—let us keep the record straight—it was on October 12 of last year that President Johnson, for the very first time, opened up the export of these items. We had not been selling them all these years. This was not done until October 12 of last year. The entire list of exportable items is in the RECORD. I put it there. So do not say that it has been done all these years, because it has not. It has been done only since October 12 by an Executive order by L. B. J.

Mr. MANSFIELD. Mr. President, will the Senator from South Dakota yield right there? That should be straightened out, if I may say so.

Mr. COOPER. The Senator from South Dakota and the Senator from California have said that the policy of permitting trade with Communist countries does no good. In debate on nearly every foreign aid bill it has been argued that we should sell no goods to Communist countries—usually to Yugoslavia or Poland. But the Congress adopted the same procedure the committee has adopted in the bill before us—that if the President determined it in the national interest, sales could be made. It has been helpful. The policy of the United States has been to encourage the Eastern European countries to break away from the Soviet Union. Yugoslavia has been at times closer, and at times further away from the Soviet Union. It is a little closer now.

Mr. MUNDT. It has not broken away.

Mr. COOPER. I agree. Rumania is showing some signs of national independence.

Mr. MUNDT. I saw the headline.

Mr. COOPER. The Soviet Union uses all the instruments it has under its control—aid, trade, credit—in Asia, Africa, Latin America, to further its policies. Why should we deny our country and the President of the United States the great instruments we have available in trade if it can be shown to be in the national interest? We will end the war in Vietnam.

Mr. MUNDT. When?

Mr. COOPER. But the——

Mr. MUNDT. When?

Mr. COOPER. I do not know. That is why I disagree with the Senator. I am for negotiations—for a peaceful settlement.

Mr. MUNDT. Does the Senator believe that by sending the enemy petroleum, war material, or giving them planes, that we will shorten the war?

Mr. COOPER. The Senator's amendment has nothing to do with sending such supplies, or shortening the war.

The PRESIDING OFFICER. The time of the Senator from South Dakota has expired.

Mr. COOPER. It will be a long war unless we can find means by negotiations to settle it. I hope so. I do not know.

I hope so; I do not know; but I know the policy which the Senator advocates will have nothing to do with shortening the war or settling it.

Mr. MUNDT. If the Senator can be so sure of one, why can he not be sure about the other?

Mr. COOPER. The Senator's argument will have an influence on many people—an emotional influence, we can be sure of that—but it will not help stop the war in Vietnam.

Mr. MURPHY. Mr. President, will the Senator yield?

Mr. MUNDT. I yield to the Senator from California.

Mr. MURPHY. Mr. President, it grieves me to disagree with my colleague and schoolmate, but I must say, in reading history, as I recall it—and I have been sensitive of this: I have been as hopeful of peace as anyone else; I have considered myself a student of human engineering, and I have watched what peoples and nations have done—the problem has been, How do we come to an agreement? How do we achieve respect for each other, which must exist in the international picture?

I am sure my colleague will agree that never in history has a nation done so much for another nation as the United States of America has done for the Union of Soviet Socialist Republics, and never in history has a nation been done more damage, and as consistently, openly, and destructively, as the United States of America has been damaged by the people we have attempted to help.

I can remember when we took apart a tire factory and put it together in Russia. I can remember when the supplies we sent to Russia were so heavy that they could not transship them, and they backed up at the head of the Caspian Sea. We do not know really how much we gave the Russians, our allies, and it was not very long before we found they were not our allies. Yet some people have said that if we would only do a little more, things would be better. It has not worked that way.

I think the Senator's idea is a good one, to try a different tactic, in an effort to arrive at a balance of respect as between the two great powers. If one course does not work, maybe it is time we tried another.

I have complete confidence in the reasoning of the Senator from Kentucky, but in the background of history, it has not worked. I think this is the time when this situation should be brought into clear focus.

I have confidence in what the Chief Executive will be doing, but I do not think it is a matter of leaving the future of our country in only his hands. Otherwise, there would not be a need for Congress. We are sent here to represent our people. I am sure my constituents in California will be wholeheartedly in favor of this idea of guarantee and safeguard, which is long overdue in our dealings with the Soviet Union.

Mr. MANSFIELD. Mr. President, will the Senator yield?

Mr. MUNDT. I yield to the distinguished majority leader.

Mr. MANSFIELD. Going back to the colloquy between the distinguished Senator from Kentucky [Mr. COOPER] and the distinguished Senator from South Dakota [Mr. MUNDT], it is true that there was an Executive order last year—I believe last October——

Mr. MUNDT. October 12, 1966.

Mr. MANSFIELD. Which did release a number of items for export to the so-called Socialist countries exclusive of Red China, with which we have no trade relations, because that is the law, but the fact that we have no trade relations with Red China does not prevent goods from our friends going to China.

Mr. MUNDT. This amendment will do it if it is on American credit.

Mr. MANSFIELD. If this amendment will do it, then I think the Senator ought to apply it to all of Western Europe and Canada, if she is interested in any Export-Import Bank loans—which I doubt—but getting back to the question, before that Executive order increasing the number of items which could be shipped, sold, or traded to the countries of Eastern Europe and the Soviet Union, there was trade—not of great significance—between the Soviet Union and the countries of Eastern Europe and this country. This order increased the goods which were declared nonstrategic.

Mr. MUNDT. And took them away from under the control of items that were declared to be strategic. Before that there was a small trickle of trade, but it all had to be inspected and licensed. This order opened up 400 items on October 12 in one fell swoop and 40 more this year.

AUTHORIZATION FOR HOUSING AND URBAN AFFAIRS SUBCOMMITTEE OF COMMITTEE ON BANKING AND CURRENCY TO MEET ON AUGUST 21

Mr. MANSFIELD. Mr. President, I ask unanimous consent that on August 21 the Housing and Urban Affairs Subcommittee of the Banking and Currency Committee may be permitted to meet all that day during the session of the Senate.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

ORDER FOR ADJOURNMENT TO TOMORROW AT 11 A.M.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that, when the Senate concludes its business tonight, it stand in adjournment until 11 o'clock tomorrow morning.

The PRESIDING OFFICER. Without objection, it is so ordered.

ORDER FOR RECOGNITION OF SENATOR SPARKMAN TOMORROW

Mr. MANSFIELD. Mr. President, I ask unanimous consent that, at the conclusion of the prayer and the approval of the Journal, the distinguished Senator from Alabama [Mr. SPARKMAN] be recognized for not to exceed one-half hour.

The PRESIDING OFFICER. Without objection, it is so ordered.

ORDER FOR TRANSACTION OF MORNING BUSINESS TOMORROW WITH LIMITATION ON STATEMENTS THEREIN

Mr. MANSFIELD. Mr. President, I ask unanimous consent that, following the remarks of the Senator from Alabama [Mr. SPARKMAN], there be a 15-minute period for the transaction of routine morning business with a time limitation of 3 minutes on statements therein.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MUNDT. Mr. President, that will get us back on the pending amendment around noon, relatively?

Mr. MANSFIELD. Yes.

EXPORT-IMPORT BANK ACT AMENDMENTS OF 1967

The Senate resumed the consideration of the bill (S. 1155) to shorten the name of the Export-Import Bank of Washington, to extend for 5 years the period within which the Bank is authorized to exercise its functions, to increase the Bank's lending authority and its authority to issue, against fractional reserves, export credit insurance and guarantees, and for other purposes.

Mr. DOMINICK. Mr. President, will the Senator yield?

Mr. MUNDT. I yield.

Mr. DOMINICK. Mr. President, I want to say for the record that I have been impressed by the statement of the Senator from South Dakota and his discussion with the Senator from Kentucky [Mr. COOPER]. The Senator from Kentucky has expressed some of the hopes and aspirations for the future that most of us share. As the Senator from California has said, they are not borne out by history, but we can always hope.

The difficulty with all this is that we are not dealing in our trade with any one of these countries with private individuals or corporations. We are dealing with corporations and individuals controlled by Communist governments, Communist leaders who have the express purpose of bolstering Communist control in those countries. If we were trading with people in those areas in order to try to have concessions so they might have more liberty and freedom of individual expression, that would be one thing; but when we deal with Communist-controlled corporations for the benefit of a Communist government, I cannot see any reason why we in the United States should continue to go down the road which leaves us further mired down in the slough of despond.

Mr. President, I ask unanimous consent to have printed at this point in the RECORD a tabulation headed "Export-Import Bank of Washington: Eximbank Guarantees Authorized for Exports to Communist Countries."

There being no objection, the tabulation was ordered to be printed in the RECORD, as follows:

EXPORT-IMPORT BANK OF WASHINGTON

EXIMBANK GUARANTEES AUTHORIZED FOR EXPORTS TO COMMUNIST COUNTRIES, JULY 1, 1962, THROUGH MAY 31, 1967

[Dollar amounts in thousands]

	Nature of export	Number of guarantees [1] authorized	Amount of guarantees [2] authorized	Terms
Fiscal year 1963: Yugoslavia	Drill masters	1	$120.2	6 semiannual installments.[3]
Fiscal year 1964:				
Hungary	Corn, wheat, cotton, soybean meal, and dry milk	28	23,902.2	3 sets of approximately equal drafts payable 6, 12, and 18 months after presentation.
Yugoslavia	Power shovels	1	130.3	8 semiannual installments.[3]
	Boring machines	1	330.0	10 semiannual installments.[3]
	Machinery and services for producing phosphate	1	6,969.5	15 semiannual installments beginning June 25, 1968.
	Machinery and services for rolled aluminum products	1	6,443.5	18 semiannual installments beginning Dec. 24, 1966.
Subtotal		4	13,873.3	
Total, all countries, fiscal year 1964		32	37,775.5	
Fiscal year 1965:				
Hungary	Soybean meal	1	470.8	3 approximately equal drafts payable 6, 12, and 18 months after presentation.
Poland	Tallow and cotton	32	4,150.7	3 sets of approximately equal drafts payable 6, 12, and 18 months after presentation.
Rumania	Catalytic plant	1	19,400.0	10 semiannual installments beginning Feb. 1, 1968.
Yugoslavia	Tractors and trucks	7	2,062.6	6 to 10 semiannual installments.[3]
	Machinery for rolled aluminum products	(4)	147.0	See Yugoslavia, fiscal year 1964.
	Rotary drill for mine	1	164.5	6 semiannual installments.[3]
	Bevel gear manufacturing machinery	1	29.7	Do.[3]
	Compressors	1	231.1	10 semiannual installments.[3]
	Television equipment	2	351.2	Do.[3]
	Glass container production	2	588.3	Do.[3]
Subtotal		14	3,574.4	
Total, all countries, fiscal year 1965		48	27,595.9	
Fiscal year 1966:				
Rumania	Catalytic plant	(4)	600.0	See Rumania, fiscal year 1965.
Yugoslavia	Oil well drilling equipment	2	349.0	From 6 to 10 semiannual installments.[3]
	Harvesting machinery	5	1,147.1	Do.[3]
	Tractors and trucks	3	1,154.5	From 8 to 10 semiannual installments.[3]
	Locomotives	1	12,207.5	18 semiannual installments beginning not later than July 31, 1967.
	Fertilizer plant	1	34,773.8	14 semiannual installments beginning not later than Oct. 31, 1969.
	Electric shovels	1	368.8	10 semiannual installments.[3]
	Tournapull with scraper	1	40.4	6 semiannual installments.[3]
	Agricultural implements	1	13.9	180 days.
Subtotal		15	50,055.0	
Total, all countries, fiscal year 1966		15	50,655.0	
Bulgaria	Copper mining equipment	1	252.7	6 semiannual installments.[3]
	Earthmoving equipment	1	375.2	Do.[3]
Hungary	Cotton, sorghum, soybeans, and soybean meal	1	16,696.0	3 approximately equal annual installments beginning 1 year after disbursements.

EXPORT-IMPORT BANK OF WASHINGTON—Continued

EXIMBANK GUARANTEES AUTHORIZED FOR EXPORTS TO COMMUNIST COUNTRIES, JULY 1, 1962, THROUGH MAY 31, 1967

[Dollar amounts in thousands]

	Nature of export	Number of guarantees [1] authorized	Amount of guarantees [2] authorized	Terms
Fiscal year 1966—Continued				
Yugoslavia	Tractors, combines, and harvesters	3	2,324.3	10 semiannual installments.[3]
	Oil well servicing machine	1	144.9	6 semiannual installments.[3]
	Airplane (Cessna)	1	81.8	8 semiannual installments.[3]
	Transistor manufacturing equipment	1	94.4	10 semiannual installments.[3]
	Data processing equipment	1	255.2	Do.[3]
	Power shovels	2	915.3	From 6 to 10 semiannual installments.[3]
	Excavating equipment	3	222.9	6 semiannual installments.[3]
	Rotary drill	1	201.5	8 semiannual installments.[3]
	Trucks	2	2,697.0	10 semiannual installments.[3]
Subtotal		15	6,937.3	
Total, all countries, fiscal year 1967		18	24,261.2	
Recapitulation, fiscal year 1963-67 (11 months).		115	140,407.8	

[1] Guarantee: Eximbank acts as insurance for U.S. bank which holds promissory note from foreign exporter.

[2] This figure would be the amount of the note that is guaranteed, not 100 percent of the transaction.

[3] Payments on credits thus marked are to begin not later than 6 months after the date of the obligation or series of obligations.

[4] Increase.

EXIMBANK GUARANTEES FOR EXPORTS TO COMMUNIST COUNTRIES, FISCAL YEARS 1963-67 (10 MONTHS)

	Recapitulation by country	
	Number of guarantees authorized	Amount of guarantees authorized (thousands of dollars)
Bulgaria	2	627.9
Hungary	30	41,069.0
Poland	32	4,150.7
Rumania	1	20,000.0
Yugoslavia	48	74,560.2
Total	114	140,407.8

EXPORT-IMPORT BANK OF WASHINGTON

Foreign Credit Insurance Association insurance for exports to Communist countries from 1962 through May 31, 1967

[Thousands of dollars]

Medium-term insurance:	
Yugoslavia:	
Authorizations	982.5
Shipments [2]	691.3
Repayments [2]	56.6
Outstanding	634.7
Short-term insurance: [1]	
Yugoslavia:	
Shipments	196.5
Repayments	184.4
Outstanding	12.1
Czechoslovakia: Less than $500 shipped.	

[1] Since short-term policies are generally on a revolving basis, a figure for authorizations does not have the same meaning under the short-term program as it does under the medium-term program where policies are written on a case-by-case basis. For this reason a figure for authorizations is not given with respect to the short-term program.

[2] Figures for shipments and repayments refer to April 30 due to reporting delay by F.C.I.A.

Mr. MUNDT. Mr. President, the President and his appointees have justified this decision to equip the Fiat plant in Russia on the grounds that the construction of the Fiat plant will be some kind of a Trojan horse which will undermine the overmilitaristic concentration of Soviet industry. Averell Harriman espoused this point on an NBC program on May 21, 1967, when he said of the Russian people:

> I found every family wanted an automobile . . . [there is] pressure for automobiles and the need of all things that go with automobiles, the roads and the services and one thing and another. That's why I say that the Fiat deal is very subversive to Communism. I think it is one of the best things that have been contemplated.

That is the argument in a nutshell and I must admit that it has some appeal. It suggests the "swords into plowshares" scene—to use a phrase familiar in the American vernacular—of armor being melted down to make cars and cement being diverted from missile silos to new road construction. The vision of a long exploited Soviet people enjoying the pleasure of Sunday drives instead of holidays trapped in the city is very compelling.

It fits into the long-term viewpoint that was discussed by the Senator from Kentucky. But this would make sense only if we were talking about its actually happening, and were not talking about a Communist-run economy.

At the request of the House Banking and Currency Committee, the Central Intelligence Agency has analyzed the probable effect of the Fiat plant, and has something to say about it.

With characteristic objectivity, the CIA cuts right through the euphemisms:

> Essentially, the new Soviet program is designed to produce automobiles for the bureaucratic and managerial elite, not for the average citizen.[1]

Furthermore, it is clear that—

> Announced plans are not so grandiose as to require a significant alteration in traditional Soviet economic priorities, and would leave military and space program unimpaired.[2]

That is why, Mr. President, I allude to this proposed misuse of American taxpayers' dollars by the Export-Import Bank in financing this automobile plant as the "cars for commissars" loan.

As I pointed out in my remarks to the Senate on July 13, 1967, the Soviets recognize that the cheapest way to offset deficiencies in their economy is to import as much of what it requires on credit from the Western World. In view of the fact that Communist countries have such a poor record with respect to honoring past debts, I am absolutely confounded by the Johnson administration's avowed intention to extend credits amounting to $50 million to cover purchase of the machinery which the Soviets seek for the Fiat plant.

Senators should remember the Soviet Union still owes the United States some $11 billion for lend-lease credits. A large portion of that amount is also from the export not of World War II military equipment utilized when we were fighting together against Hitler, but of valuable industrial equipment which the United States provided at the end of World War II to aid the reconstruction of the Soviet Communist economy. This debt has been outstanding for so long and our negotiators have been so frustrated by lack of settlement that we have agreed to reduce the indebtedness to only $800 million. Even so, the Soviet Union adamantly refuses to pay any portion of this much reduced amount for what is a legitimate debt. Instead, they say, "We would like to borrow $50 million now, Uncle Sam."

It is precisely to this point that the President's special Committee on United States Trade Relations with East European Countries and the Soviet Union in its report to the White House on April 29, 1965, addressed the following reservation, and this is to the man who now asks us to give the money for the plant:

> Apart from the commercial risks, it is important to recognize that long-term credits could run counter to the central purpose of this trade and reduce its potential political benefits. If Communist countries are strongly interested in purchasing United States or any other Western capital equipment on a scale substantially beyond their near-term capacity to finance, they should be obliged to face-up to the implications of that position. The appropriate course for them to follow would be to divert resources to their export industries and to devote greater effort to

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[1] CIA/RR ER 66-13, July 1966, p. 26.

[2] Ibid., p. 11.

> design and marketing activities for sales in the West. *Long-term credits enable these countries to postpone such decisions and transfer the burden of adjustment to Western capital markets, rather than to accept the responsibilites of growing interdependence with the free world.* (Italic added.)

No wonder the President says that he needs a 10-percent surtax on the income of the taxpayers. It is in part because we are in the business of financing Communist countries and everybody else on long-term credit so that they can in turn manage their internal short-term credit.

So you can see the President's own advisers counsel against long-term credits. If we do not give them credits, then the Soviets are compelled to earn the hard currencies through sale of consumer products. In order to have the consumer products, they must divert resources from the military sector of the economy which is what we are really after. They are thus able to send war equipment and supplies to Hanoi and to the Arab States to stir up additional misery and the threat of war between Israel and the Arab States.

Turning from the question of credit, consideration should be given to the contents of the package being proposed for sale through the Fiat Co. to the Soviet Union. While there is no complete listing of what machine tools the Soviets seek to acquire from the United States, it is illuminating to review the record of previous transactions involving automotive producing machine tools.

It happens that from May 1960 through August 18, 1962, the Department of Commerce refused applications for the export of automotive machine tool exports totaling $41.2 million. These comprised a wide variety of machine tools including lathes, grinders, roughers, formers, hobbers, lappers, finishers, testers, quenchers, shapers, cutters, and transfer machines. The latter item being noteworthy because these machines are capable of producing up to 350,000 V–8 cylinder blocks per year on an automated assembly line.[3]

Considerable controversy was raised over these transactions at the time they were under consideration. The Department of Defense, which always participates in the approval or denial actions, had first strongly recommended against the shipment of these articles. Later, Secretary of Defense McNamara personally intervened, rescinding the previous recommendation on the basis that substantially similar machinery could be purchased in Europe. I suspect that he had been talking on the telephone to 1600 Pennsylvania Avenue, but he at least changed his mind and he rescinded the previous recommendation. When this reversal became known the original request amounting to some $5,300,000 was expanded to a total of $41.8 million worth of machinery. Then ensued still more lengthy deliberation on the part of the Department of Commerce, ultimately resulting in a categorical denial of all applications for automotive machine tools, the Secretary's earlier approval notwithstanding.

During the 87th Congress rather lengthy hearings were held before a Select Committee on Export Control in the House of Representatives. The issue of the export of automotive machine tools was closely cross-examined by members of the committee. The testimony given, because it is of recent date and involves the very same Democratic administration now in power, merits review in connection with this Fiat proposal. I should like at this time to quote from part III of these hearings for the date September 14, 1962. The dialog involves Mr. GLENARD P. LIPSCOMB, Congressman from the 24th District of California, and a longtime critic of expanded East-West trade—who I say, parenthetically, is doing a tremendous job on the House side in alerting his colleagues and the country to the dangers of trading with the enemy—and Mr. Jack N. Behrman, then Assistant Secretary of Commerce for International Affairs and responsible for the management of the export control program:

> Mr. LIPSCOMB. While we are discussing that $43 million order (note $1.8 million of the total was scheduled for shipment to Czechoslovakia—the remainder, $41.2 million, being sought by the Soviet Union), previously a license was issued authorizing shipment of $5.3 million license for automobile-making machinery which began the whole episode. At the outset the Department of Defense was asked about it and described this machinery as the most advanced in the world. The Department of Defense said it would contribute significantly to the economic and military potential of the U.S.S.R.
>
> The Defense Department decision was later rescinded by Secretary McNamara on the basis that substantially similar machinery could be purchased in Europe and it was claimed that the fact the earlier delivery was possible from the U.S. source was of minor importance.
>
> Just to get all of this in the record at this point, what were the reasons for denying the licenses to ship $43 million in automotive building machinery to the U.S.S.R.?
>
> Mr. BEHRMAN. As stated fairly simply in the press release on the matter, Mr. Lipscomb, the denial is largely based on the magnitude, the total order. The fact that they were of advanced types would have contributed to the automotive capacity of the industry in the Soviet bloc and that orders of such magnitudes could not be filled, we felt, in the very near future by competitive sources. Also it is correct that most of these machines are quite similar, if not identical to that available in other countries.

Mr. Behrman makes reference to the Department of Commerce's press release of August 18, 1962. So the record will be completely clear, I would like at this time to insert three paragraphs from the Department of Commerce's press release mentioned by Mr. Behrman:

> The applications had been pending action by the Department for several months while the machinery involved and its advanced capabilities were subjected to intensive scrutiny and analysis, not only by technical experts within the Government, but also at top policy levels. The denial action was taken after consultation and with the concurrence of the other U.S. departments and agencies who advise the Secretary of Commerce under the Export Control Act.
>
> Denial was based largely on the fact that equipment of this magnitude and advanced type would have contributed significantly to the automotive capacity of the bloc. The automotive industry has an important role in military support.
>
> While it is recognized that equipment similar to most of that covered by the license applications is or could be produced and sold by foreign manufacturers, their ability to deliver more than a few units in the near future is limited.

Mr. President, there can be no question of the fact that we have done a 180-degree turn here. The very same Department of Commerce just 5 years ago was saying that it was not in the national interest to ship $41.8 million worth of automotive machine tools to the Soviet Union because "equipment of this magnitude and advanced type would have contributed significantly to the automotive capacity which has an important role in military support."

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. MUNDT. Mr. President, I ask that I be granted 5 additional minutes from the time on the bill.

Mr. DIRKSEN. Mr. President, I yield 5 minutes under the bill.

Mr. MUSKIE. Mr. President, I yield the Senator 5 minutes.

Mr. MUNDT. The Senator from Illinois has no time remaining.

The PRESIDING OFFICER. The Senator from Illinois has something like 88 minutes remaining on the bill, but no more time on the amendment.

The Senator from Illinois has granted the Senator from South Dakota 5 minutes on the bill.

Mr. MUNDT. I am entirely neutral as to where I get my time.

May I proceed, and we will work the time out between the various Senators.

Mr. MUSKIE. Mr. President, I am happy to yield the Senator 5 minutes on the bill.

The PRESIDING OFFICER. Will the Senator from Maine and the Senator from Illinois get together so that the Parliamentarian will know to whom to charge the time?

Mr. MUSKIE. The Senator has not rejected my offer. So I am happy to yield the time.

Mr. DIRKSEN. I will take my time back.

The PRESIDING OFFICER. The Chair understands from the comments that the Senator from Maine is yielding 5 minutes on the bill to the Senator from South Dakota.

Mr. MUSKIE. The Senator from Maine needs less time and does yield 5 minutes to the Senator.

The PRESIDING OFFICER. The Senator from Maine yields 5 minutes to the Senator from South Dakota on the bill from now on.

Mr. MUNDT. I thank the Senator.

Mr. President, it is peculiar that now the Government has entirely reversed itself in the period of just a few short years. The administration first said that it was inadvisable, and they now say that it is advisable to give the equipment to them, financed by the American taxpayers.

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[3] The following items are understood to be required for use in the Fiat constructed plant in the U.S.S.R.: Numerically controlled machines for diesinking; multispindle lathes; gear cutting machines; stamping presses; machines for mechanical operations, such as transfer lines; boring, grinding, broaching machines; high production machines for ring bevel gear production; boring and honing machines; numerically controlled profile checking equipment; automatic lathes; high production machine tools for splined shaft production, hub production and transmission sliding sleeve production; transfer lines for the machining of differential gear carrier and gear housing; transfer lines for pistons.

I think that is another reason that we ought to have a white paper from the White House explaining these idiosyncrasies. They would be humorous if we were not involving the lives of American boys and the future freedom of our America citizens.

They have completely reversed themselves without any explanation. Furthermore, conditions are entirely different today than they were in 1962. We were not then at war. We did not have 500,000 men committed to Southeast Asia. We were not at the point of having lost 638 aircraft in combat over North Vietnam. Nor had 70,000 of our fellow citizens fallen prey to Soviet weapons, 12,000 of whom will never return to their loved ones.

We now have this casualty and death list, and we have the administration saying, "Send them the weapons now that are so dangerous that we denied them these weapons 5 short years ago."

We were in a state of relative normalcy when there was some degree of confidence that we were working out our differences with international communism. It is simply incredible at this time, when international communism is more venturesome than ever, disrupting the lives and civil order on every continent of the globe, that we should be contemplating a buildup of the industry which everyone knows will contribute to the military industrial base of the Soviet Union. To me it is incredible, indefensible, and positively something on which Senators should pass their own individual judgment in writing this policy where it should be written, in the Congress of the United States, not by executive action.

One of the arguments advanced by those who advocate shipment of these machine tools to the Soviet Union is that once installed it would be impractical to divert the machine tools which have direct military application from the automotive production line. If this were to be done, it is argued it would completely stop the assembly line production. But this ignores the fact that machine tools, unlike any other product, are capable of reproducing themselves. In other words, there is nothing to stop the Russians from using machine tools which we send to duplicate themselves, nothing to stop the equipment which is made for automotive supplies from being used for armored trucks and armored vehicles to fight the war. We would not be sending them equipment for just one automotive plant. We would be sending them tools with which they could update their whole machine tool production.

There is no question that the Soviet economy is short on high-precision machine tools, and they are included with what would be supplied if the Fiat loan goes through.

Again, the CIA report on the Fiat-Soviet auto plant testifies to this point:

> The need of the Soviet automobile industry for dependable high-performance specialized machinery is a key reason why the USSR has turned to the industrial West to equip its new plant. Soviet machine tool builders have always emphasized long production runs of general-purpose machine tools in Soviet industry. Consequently, the USSR has inadequate capacity for manufacturing complex, specialized, and highly precise machine tools.[4]

Another important point we must remember is that the automotive industry, is, more than any other, convertible to military production in wartime mobilization. This was our experience back in World War II, when it was Detroit that was turning out the tanks, the armored personnel carriers, and self-propelled weapons which turned the tide in Europe and in Asia from defeat to victory.

In light of the President's unretracted statement that his administration will favorably entertain an application for long-term credits to further purchases of machine tools by the Soviet Union, which, on the testimony of his own administration, will augment a significant military support industry. I believe we will not do justice to the American people if we allow this authorization for the Export-Import Bank to pass without restriction. The amendment introduced by the distinguished minority leader, and supported by some 15 or 16 cosponsors, must be enacted as a protection to America and as a step toward doing something concrete about bringing to an end a war which continues to go on and on and on, until all of us become disenchanted and disillusioned with the situation and the conduct of the war along with its associated self-defeating trade policies.

As I mentioned in the beginning of my remarks, this automobile plant will not produce cars in sufficient quantity to meet the justifiable needs of the Soviet people. Rather, it is intended solely to produce cars for the Commissars, freeing trucks now used by the Soviet elite to meet more pressing military needs resulting from the Soviet direct support of international aggression.

I am joining the distinguished minority leader in an amendment which will preclude any possible use of the Export-Import Bank credits to expand trade with the Soviet Union and any other nation which continues to support North Vietnam and Cuba. It is time that we take some of the discretion out of the law. Never would I have believed that executive determination would be so abused as it has been in the war in Vietnam. Yet, as I pointed out in my remarks before the Senate on July 13, 1967, not only is the administration expanding trade with our enemies, but also, it sees nothing wrong with shipping them essential military articles like rocket fuel, the raw material for bulletproof glass, and even missile targeting instruments.

I wish the distinguished Senator from Kentucky, who was talking about nonstrategic items, were in the Chamber now. We are shipping these military items. Some of them are being transshipped directly to Hanoi, to slaughter more American troops.

Until we have some hard evidence that international communism intends to behave on this planet in accord with the fundamental tenets of the U.N. Charter, we have no business in bolstering their economies and warmaking potential with shipments of advanced technology.

Therefore, Mr. President, I believe that Senators have no choice but to amend this authorization of the Export-Import Act so that we completely close the door against such a self-defeating use of the hard-earned American tax dollars of our fellow citizens as that involved in using our own money to strengthen the capacity of the Communist world to wage ruthless and continuing war against us in Vietnam.

I urge every Senator who wants this war brought to an early and successful conclusion to support this amendment, to stop the use of American dollars for supplying our enemy with the materials of war required to kill additional thousands of our American men in the war in Vietnam. The unprecedented policy of feeding and fighting the same enemy year after year, as the war increases its heavy toll of life and treasure, should be summarily ended by the Senate here and now. Surely, the least we can do to promote an early peace is to stop feeding the war machines of the Communist world which are used to equip the armies of those fighting and killing our American troops in Vietnam.

By doing less, how in Heaven's name, do we ever expect to end this war short of suffering a humiliating defeat or needlessly prolonging the fighting for added decades of destruction? Let those opposing this amendment, Mr. President, answer that question. To me our choice today is as clear as the path to the country schoolhouse.

I conclude by insisting, once again, that the hour is very late for a President calling upon Americans to support the war, in which he should explain to the American people trade policies which any sophomore student of economics must realize are prolonging the war by expanding the capacity of the enemy to produce the materials it ships to our enemy with such abundance that without those shipments the war would be over.

I am in favor of the profit system. I am not in favor of making war millionaires and profiteering bankers, international bankers, with a fat interest in all of this. I know the pressures that some Senators are under. The international bankers, the big exporters, the machine toolmakers, and the munitions makers are for this trading with the enemy. But let us think about the soldiers, the airmen and the sailors, and the mothers and fathers of these men as well as the hopes and prayers of the common people of America, and let us adopt by an overwhelming vote the amendment of the distinguished minority leader.

Mr. MUSKIE. I yield 2 minutes to the distinguished Senator from Kentucky [Mr. MORTON].

The PRESIDING OFFICER. On the bill or on the amendment?

Mr. MUSKIE. On the amendment.

Mr. MORTON. Mr. President, I shall not delay the Senate.

First, this plant is going to be built; let us face that fact. The Fiat plant is going to be built. Whether the machine tools come from the United States, from

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[4] Ibid., p. 24.

West Germany, or from England is relatively immaterial. The fact is that the plant is going to be built.

The second point I should like to make is that when Mr. Khrushchev was here in 1959, the State Department was worrying about how to handle his visit to Washington and what they were going to do in developing a long agenda and subjects for discussion. General Eisenhower, who was then President, said:

> I have an idea. I'm going to take him up in a chopper, a helicopter. I'm going to fly him over Washington at 5:30 in the afternoon.

At that time, we did not have as many bridges as we have now, and Mr. Khrushchev saw the biggest traffic jam he ever saw in his life, and he probably saw more automobiles than there are in Russia.

I am inclined to think that if the Russian people had a lot more automobiles, they would demand motels, filling stations, this, that, and the other, and it might take some of their money away from missiles, atomic warheads, and so forth.

The third point is this: We talk about the war in Vietnam and about it being a tragic war. We all know that. But I wish the Senate would devote more time to finding a way to honorably disengage ourselves from that dilemma and less time worrying about the fact that we might be helping somebody who might be shooting at our boys.

I thank the Senator for yielding to me.

Mr. THURMOND. Mr. President——

Mr. MUSKIE. I thank the Senator from Kentucky.

May I say to the Senator from South Carolina that I will take 3 or 4 minutes to explain the amendment, so that the explanation may be in the RECORD, and then I understand that the Senator from Illinois will yield to the Senator from South Carolina.

Mr. President, there have been a number of explanations as to what the proposition before us is. As the representative of the committee which reported the bill to the floor, let me give the committee's explanation.

This bill is not a grant of authorization with respect to East-West trade. It is not an East-West trade bill. It does not in any way enlarge the authority of the Eximbank or any agency of the Government to engage in East-West trade, so-called.

The bill is a restriction upon the authority of the Eximbank to become involved in transactions which may, as their ultimate destination, result in the transfer of American goods to Communist third countries.

The restriction which is contained in the bill is a restriction which was authored by the distinguished Senator from Texas [Mr. TOWER], the ranking Republican member of the subcommittee, and the distinguished Senator from Iowa [Mr. HICKENLOOPER].

So we are not talking about authorization for East-West trade; we are not talking about an enlargement of authority to engage in East-West trade. We are talking about a bill which restricts present authority.

The entire question before us is whether that restriction is strong enough, whether it is sufficient, or whether it is too great in terms of the realities which confront us. I believe we should understand that, in the light of the other descriptions of the bill which have been given to the Senate this afternoon.

I read the language of the restriction as it appears in the bill:

> It is further the policy of the Congress that the Bank in the exercise of its functions should not guarantee, insure, or extend credit, or participate in an extension of credit (A) in connection with the purchase of any product by a Communist country (as defined in section 620(f) of the Foreign Assistance Act of 1961, as amended), or agency or national thereof, or (B) in connection with the purchase of any product by any other foreign country, or agency, or national thereof, if the product to be purchased by such other country, agency, or national is, to the knowledge of the Bank, principally for use in, or sale to, a Communist country.

Mr. President, this language is followed by the provision that that prohibition may be waived by the President in his judgment if he considers it to be wise and in the national interest. This is a restriction on present policy. It is not a positive authorization to us to engage in East-West trade. If we do become involved in transactions which can be described as East-West transactions, we will do so only as an exception to the policy of this bill and only in such instances as the President finds to be in the national interest.

I think that that description of the bill is essential at this point in the RECORD, so that Senators who read the RECORD may focus upon the real nature of the issue before us. I shall have more to say tomorrow about the broad questions raised in the debate up to this point.

Mr. President, we are involved in a discussion of vital national policy that will have a great deal to do not only with our national welfare, but also the prospects for peace in the world as a whole. The policies we adopt should be carefully considered; and as has been made clear, they will be.

AMENDMENTS NO. 247

Mr. BYRD of Virginia. Mr. President, I sent to the desk two perfecting amendments, and ask unanimous consent that they be considered en bloc, and lie on the table. I do not plan to call them up today. I should like to have them reported. I ask unanimous consent that they be considered en bloc, and then I shall address myself to the pending amendment.

The PRESIDING OFFICER. The Parliamentarian advises the Chair that the amendments must be before the Senate before the unanimous-consent request that they be considered en bloc would be in order.

In other words, when the Senator calls up his amendments, he can then make his unanimous-consent request.

Mr. BYRD of Virginia. I send to the desk two perfecting amendments, and ask that they be reported.

The PRESIDING OFFICER. Held at the desk?

Mr. BYRD of Virginia. That they be reported and held at the desk and printed; and at an appropriate time, I will ask unanimous consent that they be considered en bloc.

The PRESIDING OFFICER. Without objection, the amendments will be received and printed, and will lie at the desk, in accordance with the request of the Senator from Virginia.

Does the Senator from Virginia wish to proceed now on the time yielded to him by the Senator from South Dakota?

Mr. BYRD of Virginia. That is correct.

The PRESIDING OFFICER. The Senator from Virginia is recognized for 5 minutes.

Mr. BYRD of Virginia. Mr. President, I support the amendment proposed by the distinguished Senator from Illinois. I have sent to the clerk's desk for printing two perfecting amendments to the bill. The purpose of those amendments is to narrow the legislation so that it will deal specifically with those nations which are fighting Americans in Vietnam, or those nations which are supplying equipment and other materials to fight Americans in Vietnam.

Mr. President, several days ago there was considerable debate in the Senate on a proposal introduced by the Senator from Arkansas, the chairman of the Committee on Foreign Relations [Mr. FULBRIGHT]. Senator after Senator—eight or 10 in all—rose to their feet and said what a good proposal the Senator from Arkansas has presented.

What the Senator from Arkansas sought to do was to have Congress, and specifically the Senate, assume its responsibilities and its prerogatives, and cease giving additional power to the Chief Executive.

The perfecting amendments which I have introduced, as well as the amendment which the Senator from Illinois has offered, would do just that. They would take away the discretionary power of the President of the United States to permit the American taxpayers' moneys to be used to help those nations which are supplying equipment and materials to the enemy in North Vietnam.

Mr. President, I realize that there will be arguments in favor of granting the President discretionary authority, but I concur in the views of the Senator from Illinois that such authority should be removed from this legislation. To me the overriding issue in the United States today is Vietnam. I feel that the elected representatives of the people have the responsibility to write into the laws safeguards against the use of taxpayers' moneys for the benefit of those nations which are supplying equipment to fight Americans in Vietnam.

There is a precedent, which was created on this floor almost a year ago——

The PRESIDING OFFICER. The Senator's 5 minutes have expired.

Mr. BYRD of Virginia. I ask for 2 additional minutes.

Mr. MUSKIE. I yield the Senator from Virginia 2 additional minutes.

Mr. BYRD of Virginia. Almost a year ago, the Senate wrote an amendment to the Foreign Aid bill which took away from the President discretionary power to grant foreign aid to nations which permitted ships flying their flags to go into Haiphong. That amendment was agreed to by the Senate.

All that my amendments, the amendment of the Senator from Illinois, and the amendment of the Senator from South Dakota seek to do is to take away that discretionary authority, and let Congress decide whether or not American taxpayers' dollars will be spent for those purposes.

ORDER OF BUSINESS

Mr. THURMOND. Mr. President, the Senator from Illinois [Mr. DIRKSEN] yields 8 minutes to the Senator from South Carolina.

The PRESIDING OFFICER. The Senator from South Carolina is recognized for 8 minutes on the bill. The Senator has used up all of the time on the amendments. The Senator is recognized for 8 minutes on the bill.

Mr. THURMOND. I thank the Chair.

PAST U.S. CONCESSIONS TO PANAMA

Mr. THURMOND. Mr. President, we are constantly told by proponents of the recently negotiated Panama Canal treaties that the United States has much to be ashamed of in the past history and present situation of our relations with Panama. These detractors of the United States assert that the present treaties now in force are the result of outmoded attitudes based upon the presumption of "big-stick" diplomacy. These people—and they include many U.S. citizens, I am sorry to say—charge that the U.S. Canal Zone is a relic of the age of imperialism, a relic which one astounding newspaper editorial referred to as an "embarrassment."

Mr. President, I believe that the U.S. record with regard to our relations with Panama has been an honorable one with mutual benefit to both nations and to the whole world. Far from taking advantage of a small and helpless nation, the United States has protected it in its infancy, assisted in its growth, contributed to its stability, and made its independence possible. The record shows clearly that we have made every effort to make adjustments in our relations with Panama, we have been exceedingly generous in our concessions. There are occasions, I believe, when we have been too generous. Be that as it may. I fail to see how anyone could complain that we are arbitrarily imposing our will upon a reluctant neighbor.

Our relations with Panama have been characterized by give and take. Moreover, the record shows that we have given to Panama far more than we have ever received in return. In the nature of things, considering the capabilities and needs of the two nations, this relationship has perhaps been correct. Generally speaking, we have freely given Panama various public works and projects worth many millions of dollars. We have relinquished many of the legal rights to activities which we conducted within the territory of Panama. We gave to Panama concessions of property and the right to use property within our own territory of the Canal Zone. Furthermore, the annuity was increased twice, from $250,000 to $430,000 to $1.9 million.

In short, I would say that our concessions to Panama have been characterized by an increasing withdrawal from activities within Panama, and an increasing penetration of Panamanian activities within the Canal Zone. I recognize that the relationship of the Canal Zone to Panama is unique. It is inevitable that the proper operation and security of the canal will require some interchange between the two. Nevertheless, our sovereignty in the Canal Zone should never be negotiable. Other concessions may prove necessary, or desirable, but the surrender of sovereignty is so radical as to make impossible any effective mechanism for guaranteeing the safe and continued operation of the canal.

Mr. President, every Member of this body should become familiar with the generous concessions which the United States has freely made to the Republic of Panama. In recent weeks, I have cited some of these concessions as I analyzed each of the major international treaties which affect the canal and the Canal Zone. Other concessions, however, have been made by other agreements. I have, therefore, gathered together a list of the major concessions from all sources. The list of concessions which the United States has made to Panama is so lengthy and complicated that I present it in chart form, agreement by agreement. The chronological sequence of these concessions is necessary to their understanding. A brief of each point stands next to the language of the official text. All citations are from the official Canal Zone Code. I would like to note also that a completely comprehensive list would obscure the essential purpose; this list does not include diplomatic and reciprocal arrangements, nor agreements on mere technical matters such as radio frequencies and air traffic control. I ask unanimous consent that the chart of U.S. concessions to Panama be printed in the CONGRESSIONAL RECORD at conclusion of these remarks as exhibit 1.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 1).

Mr. THURMOND. Mr. President, I have also prepared a list of concessions which Panama has made to the United States since the Treaty of 1903. Aside from the Defense Agreement of 1942, it is difficult to pinpoint a Panamanian concession of great significance. For example, in 1942, Panama agreed to ask for U.S. cooperation in maintaining roads in Panamanian territory that were necessary for mutual defense. Another typical Panamanian concession was made in the 1955 Treaty, whereby Panama gave up rights to certain free transportation on the Panama Railroad within the Canal Zone. The purpose of this concession was to make possible Panama's demand that the Panama Railroad be liquidated.

In order that my colleagues may acquaint themselves with the nature of Panama's concessions, I have made a list which construes the meaning of concession as liberally as possible. In my judgment, this list is far too long, if we are looking for items of key significance. Nevertheless, it gives some insight into the nature of the give and take of our relations with Panama. Because of the nature of these concessions, they are more scattered than the U.S. concessions, and chronological order is of less significance. I have therefore summarized them by topics and ask unanimous consent that it be printed as exhibit 2 at the conclusion of my remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 2.)

EXHIBIT 1

Treaty	U.S. concession	Citation from Canal Zone Code
Convention for the construction of a ship canal—Signed at Panama, 1903 (Hay-Bunau-Varilla Treaty)	1. The United States pledged itself to guarantee the independence of the new Republic of Panama.	Art. I, sec. 62: The United States guarantees and will maintain the independence of the Republic of Panama.
	2. The United States granted permission to have official dispatches of the Government of Panama transmitted over Canal Zone telegraph and telephone lines at rates not higher than those of officials in the service of the United States.	Art. XI, sec. 72: The United States agrees that the official dispatches of the Government of the Republic of Panama shall be transmitted over any telegraph and telephone lines established for canal purposes and used for public and private business at rates not higher than those required from officials in the service of the United States.
	3 Panama was awarded $10,000,000 in gold coin by the United States and an annual payment of $250,000, beginning 9 years after ratification.	Art. XIV, sec. 75: As the price or compensation for the rights, powers and privileges granted in this convention by the Republic of Panama to the United States, the Government of the United States agrees to pay to the Republic of Panama the sum of ten million dollars ($10,000,000) in gold coin of the United States on the exchange of the ratification of this convention and also an annual payment during the life of this convention of two hundred and fifty thousand dollars ($250,000) in like gold coin, beginning nine years after the date aforesaid.
	4 Panama was given the right to transport over the Canal its ships, troops, and war material without having to pay charges of any kind. This exemption was also extended to the auxiliary railway for the transportation of Panamanian governmental personnel.	Art. XIX, sec. 80: The Government of the Republic of Panama shall have the right to transport over the Canal its vessels and its troops and munitions of war in such vessels at all times without paying charges of any kind. The exemption is to be extended to the auxiliary railway for the transportation of persons in the service of the Republic of Panama, or of the police force charged with the preservation of public order of said zone, as well as to their baggage, munitions of war and supplies.
	5. The United States promised to compensate for any damages that might be caused to property owners during the construction, maintenance, operation, sanitation and protection of the canal.	Art. VI, sec. 67: * * * all damages caused to the owners of private lands or private property of any kind by reason of the grants contained in this treaty or by reason of the operations of the United States, its agents or employees, or by reason of the construction, maintenance, sanitation, and protection of the said canal or of the works of sanitation and protection herein provided for, shall be appraised and settled by a joint Commission * * * whose decisions as to such damages shall be paid solely by the United States * * *.

EXHIBIT 1—Continued

Treaty	U.S. concession	Citation from Canal Zone Code
Convention for the construction etc.—Continued	6. It was agreed that after 50 years, the system of sewers and waterworks constructed and maintained by the United States would become the property of the cities of Panama and Colon.	Art. VII Sec. 68: All such works of sanitation, collection and disposition of sewage and distribution of water in the cities of Panama and Colon shall be made at the expense of the United States, and the Government of the United States, its agents or nominees shall be authorized to impose and collect water rates and sewage rates which shall be sufficient to provide for the payment of interest and the amortization of the principal of the cost of said works within a period of fifty years and upon the expiration of said term of fifty years the system of sewers and waterworks shall revert to and become the properties of the cities of Panama and Colon respectively, and the use of the water shall be free to the inhabitants of Panama and Colon * * *.
Treaty between the United States of America and the Republic of Panama—signed in Washington Mar. 2, 1936 (Hull-Alfaro Treaty).	1. The United States renounced its right to guarantee the independence of Panama.	Art. I, sec. 32: Article I of the Convention of November 18, 1903, is hereby superseded.
	2. The right to expropriate without restriction additional land for Canal use was nullified. Henceforth, in the event of any unforeseen contingency, the 2 governments would attempt to agree upon such measures as necessary for the efficient operation of the Canal.	Art. II, sec. 33: * * * under Article II of the Convention of November 18, 1903, by which it granted in perpetuity to the United States the use, occupation and control of the zone of land and land under water as described in the said Article, of the islands within the limits of said zone, of the group of small islands in the Bay of Panama, named Perico, Naos, Culebra, and Elamenco, and of any other lands and waters outside of said zone, necessary and convenient for the construction, maintenance, operation, sanitation and protection of the Panama Canal or of any auxiliary canals or other works * * * the United States of America renounces the grant made to it in perpetuity by the Republic of Panama of the use, occupation and control of lands and waters, in addition to those now under the jurisdiction of the United States of America outside of the zone described in Article II of the aforesaid Convention * * *. While both Governments agree that the requirement of further lands and waters for the enlargement of the existing facilities of the canal appears to be improbable, they nevertheless recognize * * * in the event of some now unforeseen contingency, the utilization of land or waters additional to those already employed should be in fact necessary for the maintenance, sanitation or efficient operation of the canal * * * the Governments of the United States of America and the Republic of Panama will agree upon such measures as it may be necessary to take in order to insure the * * * efficient operation and effective protection of the canal, in which the two countries are jointly and vitally interested.
	3. The United States gave up its right of "eminent domain" in the cities of Panama and Colon.	Art. VI sec. 37: The first sentence of Art. VII of the Convention of November 18, 1903, is hereby amended so as to omit the following phrase: "or by the exercise of the right of eminent domain."
	4. The United States' unlimited right to defend the canal was renounced. In the event that the security of Panama became threatened, the 2 governments would consult each other.	Art. X sec. —: In case of an international conflagration or the existence of any threat of aggression which would endanger the security of the Republic of Panama or the neutrality or security of the Panama Canal, the Government of the United States of America and the Republic of Panama will take such measures of prevention and defense as they may consider necessary for the protection of their common interests. Any measures, in safeguarding such interests, which it shall appear essential to one Government to take, and which may affect the territory under the jurisdiction of the other Government, will be the subject of consultation between the two governments.
	5. The annuity was increased from $250,000 gold to $430,000 in standing currency.	Art. VII sec. 38: Beginning with the annuity payable in 1934, the payments under Article XIV of the Convention of November 18, 1903, between the United States of America and the Republic of Panama, shall be four hundred and thirty thousand Balboas (B/430,000.00) as defined by the agreement embodied in an exchange of notes of this date * * *.
	6. American authority over sanitation activities in the cities of Panama and Colon was transferred to the Republic of Panama.	Art. VI sec. 37: The third paragraph of art. VII of the Convention of November 18, 1903, is hereby abrogated.
	7. Persons not connected with the operation or administration of the canal were barred from renting dwellings in the Canal Zone belonging to the U.S. Government and forbidden to reside in the zone.	Art. III sec. 34: (2) No person who is not comprised within the following classes shall be entitled to reside within the Canal Zone: (a) Officers, employees, workmen or laborers of the United States of America, the Panama Canal or the Panama Railroad Company, and members of their families actually residing with them; (b) Members of the Armed Forces of the United States of America and members of their families actually residing with them; * * * (3) No dwellings belonging to the Government of the United States of America or to the Panama Railroad Company and situated within the Canal Zone shall be rented, leased, or sublet except to persons within classes (a) to (e), inclusive of sec. 2 hereinabove.
	8. In order to aid commercial activities in Panama, the United States agreed to limit the sale of goods imported into the zone or purchased, produced, or manufactured there by the U.S. Government.	Art. III sec. 34: (1) The sale to individuals of goods imported into the Canal Zone or purchased, produced or manufactured therein by the Government of the United States of America shall be limited by it to the persons included in classes (a) and (b) of section 2 of this Article * * *.
	9. All private business in the zone, with the exception of concerns having a direct relation to the canal, were prohibited.	Art. III sec. 34: (5) With the exception of concerns having a direct relation to the operation, maintenance, sanitation or protection of the canal, such as those engaged in the operation of cables, shipping, or dealing in oil or fuel, the Government of the United States of America will not permit the establishment in the Canal Zone of private business enterprises other than those existing therein at the time of the signature of this treaty * * *.
	10. The United States extended to merchants residing in Panama the opportunity to make sales to vessels transiting or arriving at terminal ports of the canal.	Art. III sec. 34: (7) The Government of the United States of America will extend to private merchants residing in the Republic of Panama full opportunity for making sales to vessels arriving at terminal ports of the canal or transiting the canal, subject always to appropriate administrative regulations of the Canal Zone.
	11. Permission was granted by the United States for vessels, entering or clearing Canal Zone ports, to use the facilities of these ports.	Art. III (6) * * * the United States of America will continue to permit, under suitable regulations and upon payment of the proper charges, vessels entering at or clearing from the ports of the Canal Zone to use and enjoy the dockage and other facilities of the said ports for the purpose of loading and unloading and receiving or disembarking passengers to or from the territory under the jurisdiction of the Republic of Panama.
	12. Panama was given the power to collect tolls and impose taxes on those merchant ships with goods destined to be sold in Panama.	Art. V, sec. 35: The Republic of Panama has the right to impose upon merchandise destined to be introduced for use or consumption in territory under the jurisdiction of the Republic of Panama, and upon vessels touching at Panamanian ports and upon the officers, crew or passengers of such vessels, the taxes or charges provided by the laws of the Republic of Panama; it being understood that the Republic of Panama will continue directly and exclusively to exercise its jurisdiction over the ports of Panama and Colon and to operate exclusively with Panamanian personnel such facilities as are or may be established therein by the Republic or by its authority.
	13. The United States agreed to furnish free of charge to Panama sites for the establishment of customs houses in the ports of the Canal Zone. Also, Panama was given exclusive jurisdiction to enforce its laws at these sites.	Art. V sec. 36: The United States of America will furnish to the Republic of Panama free of charge the necessary sites for the establishment of customhouses in the ports of the Canal Zone for the collection of duties on importations destined to the Republic * * * and the Republic of Panama will exercise exclusive jurisdiction within the sites on which the customhouses are located so far as concerns the enforcements of immigration or customs laws of the Republic of Panama, and over all property therein contained and the personnel therein employed.
	14. Certain lands transferred to Panama______________	Art. VIII sec. 39: In order that the city of Colon may enjoy direct means of land communication under Panamanian jurisdiction with other territory under jurisdiction of the Republic of Panama, the United States of America hereby transfers to the Republic of Panama jurisdiction over a corridor the exact limits of which shall be agreed upon and demarcated by the two Governments * * *.
General relations agreement, effected by exchange of notes signed at Washington May 18, 1942.	1. The United States transferred to Panama, free of cost, the waterworks and sewerage systems of the cities of Panama and Colon.	1. The waterworks at Colon and Panama: When the authority of the Congress of the United States shall have been obtained therefor, the Government of the United States will transfer to the Government of the Republic of Panama free of cost all of its rights, title and interest in the system of sewers and waterworks in the cities of Panama and Colon. At that time the United States will renounce the right which it obtained in the first paragraph of Article VII of the Convention between the United States and Republic of Panama signed at Washington March 2, 1936, to acquire lands, buildings water rights or other properties necessary for purposes of sanitation such as the collection or disposal of sewage and the distribution of water in the cities of Panama and Colon.

EXHIBIT 1—Continued

Treaty	U.S. concession	Citation from Canal Zone Code
General relations agreement, etc.—Continued	2. Free of cost, the United States agreed to transfer to Panama all lots of land owned by the Panama Railroad in the cities of Panama and Colon. The value of these lands was fixed at $12,000,000.	2. Railroad lots in Panama and Colon: The President will seek the authority of the Congress of the United States to transfer to the Republic of Panama free of cost all of its rights, title and interest to the lands belonging to or of which the Panama Railroad Company now has usufruct in the cities of Panama and Colon which are not current or prospectively needed for the maintenance, operation, sanitation, and protection of the Panama Canal * * * The Panama Railroad Company will convey to the Republic of Panama those lands which it possesses within that portion of Manzanillo Island * * *.
	3. The United States promised to provide one-third of the total annual maintenance cost of all roads used by U.S. military forces in Panama.	5. Jurisdiction over roads and highways in Panamanian Territory: The Government of the United States will bear one-third of the total annual maintenance cost of all Panamanian roads used periodically or frequently by the armed forces of the United States * * *.
	4. Whenever there is produced an excess of electrical energy from the Panama Canal's generating plants, it shall be furnished at an agreed price to the cities of Panama and Colon.	8. Provision of electrical current from the Alhajuela Dam for use in the Republic: The Government of the United States agrees that electrical energy, whenever an excess beyond the needs of the United States is available in commercial quantities at the generating station of the Panama Canal at Madden Dam, will be furnished upon request of the Panamanian Government, to the cities of Panama and Colon at a price and at points to be agreed upon by the two Governments.
	5. The United States agreed to assume the entire cost of the Rio Hato Highway.	9. The assumption by the United States of the entire cost of the Rio Hato Highway: The Government of the United States will, after the necessary funds have been obtained by appropriations from the Congress, liquidate the credit of $2,500,000 made available to the Republic of Panama by the Export-Import Bank for the construction of Panama's share of the Chorrera-Rio Hato road.
	6. Right-of-way for the construction of an oil pipeline, connecting Panama with the port of Balboa, was granted by the United States.	10. The desire of the Panamanian Government for 3 gasoline or oil tanks at Balboa: The Government of the United States will make available to the Republic of Panama a right-of-way beginning in the port of Balboa and ending at the Canal Zone-city of Panama boundary at a point to be agreed by the 2 Governments for the construction of a petroleum pipeline. It will also agree that the facilities of the Panama Canal for discharging bulk petroleum products from ships berthed at Balboa and for the direction of such products into the pipeline above mentioned would be made available in regular turn to the Republic of Panama at reasonable cost.
Treaty of Mutual Understanding and Cooperation, signed at Panama Jan. 25, 1955. [Out of 21 demands sought by the Republic of Panama, the United States agreed to 11 major concessions.]	1. The annuity was increased from $430,000 to $1,930,000 (the State Department assumed the obligation to include the additional $1,500,000 in its annual budget although there was no need so stipulated in the treaty).	Art. I sec. 122: Beginning with the 1st annuity payable after the exchange of ratifications of the present treaty, the payments under art. XIV of the Convention for the Construction of a Ship Canal * * * as amended by art. VII of the General Treaty of Friendship and Cooperation * * * shall be one million nine hundred thirty thousand and no/100 Balboas (B/1,930,000) as defined by the agreement embodied in the exchange of notes of Mar. 2, 1936 * * *.
	2. Subject to certain conditions, Panama was granted the power to levy income taxes on personnel employed by Canal Zone agencies, regardless of their place of residence.	Art. II sec. 123: * * * the United States of America agrees that the Republic of Panama may, subject to the provisions of paragraphs (2) and (3) of this Article, impose taxes upon the income (including income from sources within the Canal Zone) of all persons who are employed in the service of the Canal, the railroad, or auxiliary works, whether resident within or outside the Canal Zone, except: (a) members of the Armed Forces of the United States of America. (b) citizens of the United States of America, including those who have dual nationality, and (c) other individuals who are not citizens of the Republic of Panama and who reside within the Canal Zone.
	3. The United States renounced its monopoly with respect to the construction, maintenance, and operation of trans-Isthmian railways and highways, with the provision that no similar system would be financed, constructed, maintained or operated by a third country or nationals unless such action would not affect the security of the canal.	Art. III sec. 124: Subject to the provisions of the succeeding paragraphs of this Article, the United States of America agrees that the monopoly granted in perpetuity by the Republic of Panama to the United States of America for the construction, maintenance and operation of any system of communication by means of canal or railroad across its territory between the Caribbean Sea and the Pacific Ocean, by Article V of the convention signed November 18, 1903 shall be abrogated as of the effective date of this Treaty in so far as it pertains to the construction, maintenance and operation of any system of trans-Isthmian communication by railroad within the territory under the jurisdiction of the Republic of Panama. Subject to the provisions of the succeeding paragraphs of this Article, the United States further agrees that the exclusive right to establish roads across the Isthmus of Panama acquired by the United States as a result of a concessionary contract granted to the Panama Railroad Company shall be abrogated. * * *. In view of the vital interest of both countries in the effective protection of the Canal, the High Contracting Parties further agree that such abrogation is subject to the understanding that no system of interoceanic communication within the territory of the Republic of Panama by means of railroad or highway may be financed, constructed, maintained or operated directly or indirectly by a third country or nationals thereof, unless in the opinion of both High Contracting Parties such financing, construction, maintenance, or operation would not affect the security of the canal.
	It was contemplated that the Panama Railway would be liquidated. (Congress, however, after studying the situation, refused to cede the main line and as a result the 2 termini were given to Panama.)	Memorandum sec. 139: Legislation will be sought to authorize and direct the Panama Canal Company to remove its railway terminal operations from the city of Panama and to transfer to the Republic of Panama free of cost all of the right, title and interest of the Panama Canal Company in and to the lands known as the Panama Railroad Yard, including the improvements thereon and specifically including the railway passenger station. This action will also relieve the Government of the Republic of Panama of its obligation under Point 10 of the General Relations Agreement between the United States of America and the Republic of Panama signed May 18, 1942, to make available without cost to the Government of the United States of America a suitable new site for such terminal facilities.
	4. The United States renounced its right to prescribe and enforce sanitary measures in the cities of Panama and Colon.	Art. III sec. 125: The second paragraph of Article VII of the Convention signed November 18, 1903, having to do with the issuance of, compliance with, and enforcement of, sanitary ordinances in the cities of Panama and Colon, shall be abrogated in its entirety as of the date of entry into force of this Treaty.
	5. Certain lands, with their improvements, were transferred free of cost to Panama. In Panama City, these included Paitilla Point, the Panama railroad yard and its station In Colon, there was transferred New Cristobal, Colon Beach, the Fort de Lesseps area, Hotel Washington and Colon Hospital.	Art. V sec. 126: The United States of America agrees that, subject to the enactment of legislation by the Congress, there shall be conveyed to the Republic of Panama free of cost all the right, title and interest held by the United States of America or its agencies in and to certain lands and improvements determined by the United States to be no longer needed for the operation, maintenance, sanitation or protection of the Panama Canal * * * The United States also agrees that * * * there shall be conveyed to the Republic of Panama free of all cost all its rights, title and interest to the land and improvements in the area known as Paitilla Point * * *. Art. VI sec. 127: * * * This Article shall become effective upon completion of the withdrawal by the United States of America from the sections of the city of Colon known as New Cristobal Colon Beach, and the de Lesseps area * * *.
	6. Commissary and import privileges were withdrawn from non-U.S. employees of Canal Zone agencies.	Art. XII sec. 133: * * * there will be excluded from the privilege of making purchases in the commissaries and other sales stores in the Canal Zone all those persons who are not citizens of the United States of America, except members of the Armed Forces of the United States, and who do not actually reside in the Canal Zone but who are included in the categories of persons authorized to reside in said Zone; it being understood nevertheless that all personnel of the agencies of the United States of America will be permitted under adequate controls to purchase small articles such as meals, sweets, chewing gum, tobacco and similar articles near the sites of their jobs.
	7. The U.S. Congress was to be requested to enact legislation authorizing the establishment of a single basic wage scale and uniform application of the Civil Service Retirement Act to citizens of the United States and Panama employed by the U.S. Government in the Canal Zone.	Memorandum sec. 138 1(a): The basic wage for any given grade level will be the same for any employee eligible for appointment to the position without regard to whether he is a citizen of the United States or of the Republic of Panama. * * * Legislation will be sought to make the Civil Service Retirement Act uniformly applicable to citizens of the United States and of the Republic of Panama employed by the Government of the United States in the Canal Zone.

EXHIBIT 1—Continued

Treaty	U.S. concession	Citation from Canal Zone Code
Treaty of Mutual Understanding, etc.—Continued	8. The United States promised to guarantee equality of opportunity to citizens of Panama for employment in all U.S. Government positions in the Canal Zone for which they are qualified and in which the employment of U.S. citizens is not required for security reasons.	Memorandum sec. 138: The United States will afford equality of opportunity to citizens of Panama for employment in all U.S. Government positions in the Canal Zone for which they are qualified and in which the employment of U.S. citizens is not required, in the judgment of the United States for security reasons.
	9. Citizens of Panama were granted permission to participate in training programs conducted for employees by U.S. agencies in the Canal Zone.	Memorandum sec. 138: Citizens of Panama will be afforded opportunity to participate in such training programs as may be conducted for employees by United States agencies in the Canal Zone.
	10. Panamanian products, when purchased for use in the Canal Zone, were exempted from the Buy American Act.	Memorandum sec. 140: Articles, materials and supplies that are mined, produced, or manufactured in the Republic of Panama, when purchased for use in the Canal Zone will be exempted from the provisions of the Buy American Act.
	11. It was agreed that Congress would be asked to appropriate and authorize building a bridge across the Panama Canal to replace the Thatcher Ferry (estimated to cost $20,000,000).	Memorandum sec. 142: Legislative authorization and the necessary appropriations will be sought for the construction of a bridge at Balboa refered to in Point 4 of the General Relations Agreement of 1942.

EXHIBIT 2

PANAMANIAN CONCESSIONS TO THE UNITED STATES

I. BOUNDARIES

A. Boundary Convention—Panama 1914

(Mainly concerned with demarcation of territory ceded by the Republic of Panama to the United States of America in perpetuity, transfer of railway rights, employment of Panamanian citizens, and jurisdictions of pending actions)

B. Colon Corridor and certain other corridors—Panama 1950

Article II

§ 73 The tracts of land transferred from the City of Colon to the Canal Zone by the boundary change stipulated in Article I of the present Convention are considered to form part of the Canal Zone in the same manner as though they had been included within the grants contained in the Convention of November 18, 1903. . . .

Article III

§ 74 . . . The corridor road, between Randolph Road, and the boundary line between the City of Colon and the Canal Zone, including storm and sanitary sewerage facilities made necessary by such road will be constructed, by or at the expense of the Government of Panama. . . .

The Government of the United States of America shall have the right to construct highways connecting Bolivar Highway and the highway forming the Colon entrance to the corridor.

The United States of America shall enjoy at all times the right of unimpeded transit across the said corridor at any point, and of travel along the corridor and along the Colon entrance to the corridor, subject to such traffic regulations as may be established by the Government of the Republic of Panama. . . .

II. CANAL CONSTRUCTION AND RIGHTS

A. Convention for the Construction of a Ship Canal—Panama 1903

Grants of perpetuity by Panama of use, occupation, and control of U.S. Canal Zone.

III. CLAIMS

A. Claims Convention—Panama 1926

(Established ad hoc joint commission for hearing certain claims)

B. Claims Convention—Panama 1950

Article III

§64 The Government of the Republic of Panama agrees to pay and the Government of the United States of America agrees to accept the amount of $349,356.00, currency of the United States of America, as the net balance due the latter, in accordance with the provision of Article II. . . .

IV. DEFENSE

A. Agreement for the lease of defense sites in the Republic of Panama—Panama 1942

Article I (Temporary use of certain lands for defensive purposes)

The Republic of Panama grants to the United States the temporary use for defense purposes of the lands referred to in the Memorandum attached to this Agreement and forming an integral part thereof. These lands shall be evacuated and the use thereof by the United States of America shall terminate one year after the date on which the definitive treaty of peace which brings about the end of the present war. . . .

V. GENERAL RELATIONS

A. General Treaty of Friendship and Cooperation—Panama 1936

Article IV

§ 35 The Government of the Republic of Panama shall not impose import duties or taxes of any kind on goods destined for or consigned to the agencies of the Government of the United States of America in the Republic of Panama when the goods are intended for the official use of such agencies.

Article IX

§ 40 In order that direct means of land communication, together with accommodation for the high tension power transmission lines, may be provided under jurisdiction of the United States of America from the Madden Dam to the Canal Zone, the Republic of Panama hereby transfers to the United States of America jurisdiction over a corridor, the limits of which shall be demarcated by the two Governments pursuant to the following descriptions:

* * * * *

The Government of the Republic of Panama will extinguish any private titles existing or which may exist in and to the land included in the above described corridor.

B. General Relations Agreement—Panama 1942

5. Jurisdiction over roads and highways in Panamanian Territory.

* * * * *

The Government of Panama guarantees that all roads under its jurisdiction used periodically or frequently by the armed forces of the United States will be well and properly maintained at all times. The Government of Panama will ask for the cooperation of the Government of the United States in the performance of repair and maintenance work. . . .

* * * * *

In consideration of the above obligations and responsibilities of the United States, the Government of the Republic of Panama grants the right of transit for the routine movement of the members of the armed forces of the United States, the civilian members of such forces and their families, as well as animals, . . .

C. Treaty of Mutual Understanding and Cooperation—Panama 1955

Article II

(3) The Republic of Panama agrees not to impose taxes on pensions, annuities, relief payments, or other similar payments, or payments by way of compensation for injuries or death occurring in connection with, or incident to, service on the Canal, the railroad, or auxiliary works paid to or for the benefit of members of the Armed Forces or citizens of the United States of America. . . .

Article VIII

§ 129(b). The United States Armed Forces, the members thereof and their families actually residing with them, and United States nationals who, in an official capacity, are serving with or accompanying the Armed Forces of the United States and members of their families actually residing with them will be exempted within the said area from all taxation by the Republic of Panama or any of its political subdivisions.

Article IX

§ 130. The Republic of Panama hereby waives the right under Article XIX of the Convention signed November 18, 1903, to transportation by railway within the Zone, without paying charges of any kind, of persons in the service of the Republic of Panama, or of the police force charged with the preservation of public order outside of the Canal Zone, as well as of their baggage, munitions of war and supplies.

Article X

§ 131 . . . in the event of the discontinuance of the Panama Railroad, and of the construction or completion by the United States of a strategic highway across the Isthmus lying wholly within the Canal Zone . . . the United States of America may in its discretion either prohibit or restrict the use, by busses or trucks not at the time engaged exclusively in their servicing of, or the transportation of supplies to, installations, facilities or residents of the Canal Zone, of that portion of such highway which lies between Mount Hope, Canal Zone and the intersection of such highway with the Canal Zone section of the Trans-Isthmian Highway. . . .

Article XI

§ 132 The Republic of Panama agrees . . . that the United States of America may extend the privilege of purchasing at post exchanges small items of personal convenience and items necessary for professional use, to military personnel of friendly third countries in the Zone under the auspices of the United States.

C. Memorandum of understanding reached—Panama 1955

On the Part of the Republic of Panama:

§ 149 1. The Republic of Panama will lease to the United States of America, free of all cost save for the recited consideration of one Balboa, for a period of 99 years, two parcels of land contiguous to the present United States Embassy residence side, as designated on the sketch. . . .

§ 151 3. So long as the United States of America maintains in effect those provisions of Executive Order No. 6997 of March 25, 1935, governing the importation of alcoholic beverages into the Canal Zone, the Republic of Panama will grant a reduction of 75 percent in the import duty on alcoholic beverages which are sold in Panama for importation into the Canal Zone pursuant to such Executive Order.

§ 153 4. . . . the United States shall have free access to the beach areas contiguous to the maneuver area described in said Article VIII for purposes connected with training and maneuvers, subject to the public use of said beach as provided under the Constitution of Panama.

TIMELY EDITORIALS FROM THE NEWS AND COURIER

Mr. THURMOND. Mr. President, in two recent editorials, "Fresh Look at Race" and "For Racial Harmony," the News and Courier once again demonstrated its keen insight into critical affairs. South Carolina has been fortunate during the past weeks of rioting and guerrilla warfare, and our people are to be commended for their restraint and forbearance during the racial violence which is affecting the Nation.

It is timely to note four points that were made in these two editorials. First of all, it is the opinion of the News and Courier and many people that the Communists, who disclaim any ties to the riot roots, are, nevertheless, rejoicing at the burning, looting, and wrecking of racial harmony that has swept across our country. Second, it is suggested in the Courier that critics of the South "research the anthropological facts of life" instead of statistics of per capita wealth and other figures of economics.

The third point concerns Dr. Martin Luther King's recent visit to Charleston, S.C. Dr. King stated:

> Emancipation for the Negro was freedom to hunger.

He said:

> It was a miracle the Negro survived.

The News and Courier corrected Dr. King's assertions, and I quote:

> Freedom to hunger is shared by all free men, irrespective of race or color. Absolute security and guarantee of freedom from hunger are enjoyed only by prisoners and slaves.

And finally, the editorial writers poignantly stressed the need for both races to strive for responsibility, rather than complacent comfort, and for excellence rather than supremacy.

Mr. President, I ask unanimous consent that the two editorials of August 1, 1967, and August 3, 1967, of the News and Courier, Charleston, S.C., be printed in the Congressional Record.

There being no objection, the editorials were ordered to be printed in the Record, as follows:

For Racial Harmony

In his appearance Sunday at Charleston, the Rev. Martin Luther King said something of great importance to the American people. Men of good will of all races, colors, creeds and regions should be able to agree that the Negro is the main loser in a race riot.

The importance of Dr. King's summary of today's racial violence cannot be overestimated. Once it is accepted, murder, arson and looting no longer will plague the big cities, and a proper start can be made on improvement of living conditions.

Dr. King's remark brought "prolonged applause" from his audience, News and Courier Reporter Thomas P. Mayes recorded in his account of the meeting at County Hall. Our reporter estimated the audience at 2,900, mostly Negro.

We commend the good sense of the audience. We also commend the good behavior of those who attended and those who didn't. No sign of disorder, demonstration or strife was detected on account of a meeting that had aroused apprehension among some citizens.

We did not share in the fears that were expressed about Dr. King's coming to Charleston. We had confidence in the reservoir of racial good will that prevails both here—and elsewhere in South Carolina.

Our comments do not imply total acceptance of Dr. King's speech, or of his leadership in general. Like most of those being heard in the national forum. Dr. King blames disorders on poverty and calls on government—meaning the taxpayers—to provide for citizens who lack the comforts of the affluent society. Nowhere in the press account of his speech did we see a mention of obligation or responsibility.

Harking back to slavery, which ended more than a century ago, Dr. King said:

"Emancipation for the Negro was freedom to hunger. It was a miracle the Negro survived."

Freedom to hunger is shared by all freemen, irrespective of race or color. Absolute security and guarantee of freedom from hunger are enjoyed only by prisoners and slaves. Failure to comprehend these elemental facts to human history is responsible for much of the misunderstanding now troubling the world.

Somewhere between the police state and the harsh realities of survival of the fittest, the American people may find ways to ease their problems. These merciful missions cannot be accomplished by guns and fire-bombs, or by inflammatory speeches and unreasonable demands.

Dr. King said that people in big cities were "forced to live in slums," where there are "wall-to-wall rats and roaches . . . The mainwaters of the stream have forgotten the stench of the backwaters . . . There are places right here in South Carolina where people are starving."

It would be difficult to starve in this comfortable state. Opportunities for jobs abound, and the soil itself is friendly. Even the poor can keep a hovel clean. Travelers in foreign lands, where poverty is known on a scale unimaginable anywhere in America, report tidier premises and better housekeeping than may be seen in some neighborhoods of our rich country.

We close on another note of agreement with Dr. King. He said he would not preach about black supremacy, and that he was sick of white supremacy. If the word "excellence" were substituted for supremacy, neither race would have grounds for complaint.

We commend the people of Charleston, both white and Negro, for their forbearance and restraint in a time of strife and malice. We pray they never will stoop to the mischief and wickedness that has brought some parts of the United States to the brink of guerrilla warfare.

Fresh Look at Race

While new racial disorders were breaking out in Washington, Providence and elsewhere in America, voices of dismay are being raised throughout the land. Pious hands are being lifted in horror and incredulity. What could have happened to spark these savage fires?

Among the mourners is Harry Schwartz, a member of the editorial board of the New York Times, and rated high among U.S. experts on Russian communism. Surveying the mobs shouting "kill Whitey" and the loud demands for black power, Mr. Schwartz has written in the Times:

"All this comes as a shock to millions of whites of goodwill who have long believed that the essence of the Negro problem was to assure integration against the resistance of white racists. Now the fact must be faced that a significant fraction of American Negroes—including many of the most articulate and politically active—want integration as little as the Governors of Mississippi and Alabama."

If the loss of life and property were not so tragic, the awakening of racial integrationists would be comical. Reformers would not listen to more knowledgeable persons, who have been telling them for years that greater mingling of white and colored persons at levels that are not necessarily desirable to either race would not solve old problems. On the contrary, new problems and animosities now have erupted into frightful turmoil.

Mr. Schwartz correctly notes that these animosities have "worked terrible damage on relations between whites and Negroes, making more difficult than ever the integration and reconciliation the moderates on both sides want and work for. That is precisely the first goal of the black racists."

Kremlin Student Schwartz makes no mention of communism in his essay in the Times, entitled "Black Apartheid and the American Future." FBI Director J. Edgar Hoover has said he finds no pattern of communist conspiracy in more than 50 racial outbreaks which the bureau has recorded in the last three years.

The News and Courier, having no such sources as The Times and the FBI to document communist aggression, is not disposed to dispute Mr. Hoover's findings. It would not be surprising nevertheless to find communists rejoicing at the discomfiture of Americans and doing what they can to promote the wreckage of racial harmony.

We would agree, however, with those who believe the basic causes of trouble are made in America rather than in Moscow. Some of these causes may be found in the constant irritation of racial matters by such agencies as the U.S. Government and The New York Times. While evidence of racial unrest is erupting in the big cities, The Times on page one of the same issue containing Mr. Schwartz's shocked commentary reports in depth on conditions among rural Negro inhabitants of the Mississippi Delta.

Though undeniably poor in terms of this world's goods, these people are living in a rich agricultural region and have opportunities to improve their lot through their own exertion. Unless they are mobilized for attack they are a docile, peace-loving folk. Their humility is the very thing that has been ridiculed and denounced as the result of white oppression.

Now that the big city Negroes—many of them migrants or sons of migrants from the agrarian South—have burned and looted Northern cities, critics of the South wonder what happened.

What happened is that underdeveloped peoples have been incited to rage and riot. In looking for causes, study commissions should research some of the anthropological facts of life instead of reciting the figures of per capita wealth and other dreary statistics of economics.

American Negroes are the most fortunate of their race in the world. Now is the time for intelligent members of both races to seek truth in place of propaganda, and rebuild good race relations on the solid foundations of fact.

HOUSTON CHRONICLE ESPOUSES CAUSES OF VALLEY FARMWORKERS SEEKING UNION RECOGNITION AND ADVOCATE A DECENT WAGE FOR FARMWORKERS

Mr. YARBOROUGH. Mr. President, recently, the Senate Subcommittee on Migratory Labor of the Committee on Labor and Public Welfare held hearings in the Rio Grande Valley of Texas. I participated also, as a representative from Texas and a member of the Labor and Public Welfare Committee. The situation we reviewed there is one in which regrettable action has been taken to prevent the campaigning of valley farmworkers for a living wage. On Saturday, July 15, the Houston Chronicle ran an editorial giving a succinct review of the situation as it now stands and the great need that is to be gained by the recognition these workers are seeking. This is a progressive forward-looking editorial. It represents real leadership by the Houston Chronicle in Texas, in an area where responsible press and public leadership has been heretofore badly needed but sadly lacking. The Houston Chronicle has stepped into this vacuum. I salute the Chronicle.

Mr. President, I think that this is a matter all my colleagues will benefit by investigating, and I therefore ask unanimous consent to have the editorial printed in the Record.

There being no objection, the editorial was ordered to be printed in the Record, as follows:

More Pay for Valley Workers?

In ordering six Rio Grande Valley farms to cease hiring Mexican Nationals as strikebreakers, Secretary of Labor W. Willard Wirtz has given the striking Valley farm workers a big boost toward union recognition.

Wirtz' act guarantees that Mexican-Americans will have the first crack at the jobs on the Texas side of the river. This is as it should be. And it also means that the operators of the Valley farms are going to have to pay more attention to the United Farm Workers union. If they don't they may run short of melon pickers.

The 45-cents-an-hour wage paid the impoverished farm workers is regrettable. These rates are the product of a system of low wages and low prices. But they are still difficult to defend. We sympathize with any worker who earns such a meager wage in return for hard labor. Every American can understand his desire for a fairer shake.

The halt in imported laborers is going to force farm owners to face up to the problem these low wages create. Moreover, they're probably going to have to deal with the union.

George Meany, AFL–CIO president, also makes a good point in urging legislation to protect the right of farm workers to organize. He said all other industries are so protected, so why not farm workers?

The objective should be getting a decent wage for the workers. Now deprived of the cheap South-of-the-Border labor the farmers sooner or later are going to have to pay their American workers better. We hope they do so, and soon.

NATIONAL FOUNDATION FOR THE ARTS AND HUMANITIES ESPOUSED BY PROFESSOR AT UNIVERSITY OF TEXAS

Mr. YARBOROUGH. Mr. President, recently, I received an outstanding letter arguing for the continuation and expansion of our Federal program for the fostering of the arts and humanities, carried out by the National Foundation for the Arts and Humanities. This letter argued not only eloquently, but also knowledgeably, in a field which, as the writer points out, is difficult to encompass in legislation, for it "deals with the intangible, the unmeasurable."

The writer was Prof. Joseph Jones, of the department of English, at the University of Texas, in Austin, Tex. In reading his letter, I became more than ever convinced that one of the highest ends a legislator can serve today is the fostering and encouragement of the academic community which keeps this country great.

I commend Professor Jones' letter to the attention of my colleagues, as one of the best arguments, in content and in quality, that I have yet encountered for assistance of the arts and humanities by our Government.

Mr. President, I ask unanimous consent that this letter be printed in the Record.

There being no objection, the letter was ordered to be printed in the Record, as follows:

The University of Texas,
Austin, Tex., June 26, 1967.

Hon. Ralph Yarborough,
U.S. Senate,
Washington, D.C.

Dear Senator Yarborough: From what I read and am told in conversation, Congress has come around rather significantly to realizing that the arts and humanities deserve and must receive national support commensurate with that already long given the sciences. At least there is now, on paper, a parallel national foundation, together with a token appropriation; and we all hope that necessary funds to put theory adequately into practice will not be too long delayed. In the effort to secure such funds—an effort in which I am sure you are among those who will be deeply engaged—there are almost certainly to be raised the questions of practicality, of tangible results, of "usefulness." These are speculative issues; and I should hope that at least in part of the discussion, their speculative nature will be conceded and squarely faced. What should *not* be conceded is that speculative issues, no matter how difficult they may be to deal with and to legislate for, are of no real importance. Quite to the contrary, they are of very great importance, and any debate on the arts and humanities which ignores them will be unrealistic and inconclusive. Arch-pragmatists though we may be (or are alleged to be), we still do not live in a world governed solely or possibly even chiefly by pragmatic considerations. This letter is an attempt to explain why I think so.

My case rests on the old premise that literature—poetry most particularly, I suppose—deals with the intangible, the unmeasurable, as do music, painting, and sculpture. Frantic as we are to measure everything, and skillful as we have become at it, we know that the great area of the human subconscious is not yet available to very much measurement and statistical treatment. Quite possibly it never will be, though we can't be sure. We do know, however—and this knowledge seems to become more and more important as time goes on—that in a very real and practical way this part of our lives is highly important, not to say crucial. It feeds and sustains us by means we are not clearly aware of; and of course at times it also devils and destroys us. This much is positive knowledge that most of us already agree on; in one way or another we have been aware of it since Plato. But most of us would also agree that our hidden and buried lives are not yet subject to any very high degree of conscious control, analysis, or measurement; the psychiatrists try, and let us wish them luck, but let us also remember that the results appear to lie somewhere between luck and science. Science itself, for all that, keeps a door ajar for luck, serendipity, inspiration, or what-you-may-call-it, and is not averse to recording a great deal that it may or may not expect to measure (ultimately, I presume, it does expect to).

If the springs—some would say the mainsprings—of ethics and conduct lie "down there" in those labyrinthine places, then, and if these same springs in the present state of knowledge are seen to operate considerably less like clockwork than guesswork, one large function of the arts is to penetrate, to infiltrate, the vast region which is perhaps their natural home. At least it is rather obviously their breeding-ground. The geography of every human soul contains this region; contains it abundantly, continuously, inescapably. We would be ants, or some kind of unbiological robots, without it. Most of it, so far as we can tell, is a great Australian wasteland, but the fact remains that it has room enough and more to absorb whatever we send into it. Most of what we send—again, so far as we can tell—is doomed to perish or to become irrecoverably lost; but not everything. And what we send comes back in what we call "coherent" form only as the product of some sort of organizing interaction between conscious and unconscious thought. Therefore we penetrate these shadowy territories as best we know how, and blow our slug-horns at the Dark Tower. We can promise nothing except to try as hard as we can.

In seeking to penetrate the unknown, we may draw rough maps of where we think we may be going. This, after a fashion, is "measurement" I suppose, but highly unsophisticated and uncertain—so much so that it seems hardly to deserve the name. At the same time we should not be over-anxious to ridicule or even vilify those adventurous cartographers who, given the difficulties of their problem, are attempting to do as honest a job as they can. Nearly any exploration is quixotic, or has in it large elements of the quixotic, until it succeeds. Here we come back again to our old bugaboo of measurement: how do we gauge the "success" of artistic, humanistic endeavors? The only honest answer possible is that nine times out of ten we don't. If we say we can, we're faking. We wrestle not against flesh and blood (for "flesh and blood" read "facts and figures") but against principalities, against powers, against the rulers of the darkness of this world. And these same principalities, powers, and rulers of darkness are largely in ourselves, moreso than perhaps we are very eager to admit.

This being the case, to ask for graphs, charts, and tables of reference; to demand any high degree of prediction and precision; to require statistically measurable "results" is futile and even mischievous—subversive of sincere creative effort. That is what the totalitarians demand, and delude themselves into thinking they get. Even the scientists often can't be sure what they are looking for until they find it, but their paraphernalia looks far more impressive than "mere" books, periodicals, or manuscripts, as the advertisers and others have long since discovered. By this I don't mean to imply that the humanities would insist on a free hand with no questions asked. That would be unreasonable in any group. We have plans and projects too, both immediate and long-range, individual and cooperative, which can be listed and no doubt will be listed; it's just that they aren't very closely associated with *things*. And of course we do a great deal that can be documented. Some think, in fact, that we do too much; and they could be right, especially when they sarcastically point out that we do it too often merely to have something to "show and tell." My own proclivities lie heavily in the direction of documentation; I am happy and eager to write and publish. But I am also aware that the hidden factors in literary study and teaching quite possibly outweigh all the publication the scholar ever does, and that moreover they cannot conceivably be demonstrated and tabulated with any accuracy suitable to comparison with scientific reports.

From the outside it is not easy to understand and accept such a position, I'm sure. Neither is it, from the inside, easy to work forever with the immeasurables, the imponderables. There are penalties, not least among them economic penalties. Realization of some of these things may help one to understand—again, from the "outside"—why currently there is so much discouragement and disaffection among humanistic scholars and why we are seen steadily to lose ground in the competition against the sciences for men and women of highest capacities. Is such an increasing imbalance in the best national interests? I should think not, but the trend has been going on for so many years that it seems all but irreversible.

(Parenthetically, a chronic source of irritation and substantial deprivation locally is the attitude of Internal Revenue Service towards expense-allowances for research, and for exemptions on research grants, e.g. University of Texas Research Institute grants. Although such grants are definitely *not* made in lieu of salary—the budgeted salary of a professor receiving a grant remains in his department's budget while he is on leave—Austin tax authorities rule arbitrarily that it *is* salary and deny us the usually allowable monthly exemption of $300 on such grants. Cases have been appealed out of Austin, and won, in superior tax-courts (Houston); yet when we point this out we are informed that successful appeals constitute no precedent and have no bearing on any other parallel case: local interpretation is supreme. We are led to wonder whether such tax-tyranny extends to our scientific brethren, or whether by some magic the "haves" escape taxation while the "have-nots" must pay. The whole question of legitimate tax-deductions for scholars and writers, parallel to deductions allowed businessmen, is a sore point; perhaps none of us pay income-tax gladly, but most of us would pay it a lot more willingly if we didn't sometimes encounter some pretty glaring inequities. I cannot believe that tax-benefits to wheeler-dealers and penalties to scholarly researchers makes any sense.)

If you were to ask me for a practical example from my own field (English) of how increased federal support might serve the national interest, my reply would be that I can think of nothing more fruitful, and exciting, than the emergent expansions of English studies upon quite literally a world-wide basis. We already have a functional world-language, English. Not everyone uses it yet, of course, but the trend seems set irresistibly in the direction of English as the one second language for all. (Witness the recently televised debates at the U.N., during which not very much translation was required.) English, moreover, has already produced a world-literature; the mounting contributions from such non-British/American regions as Canada, the Caribbean, Africa, Asia, and Australasia are very impressive and will become more so. American departments of English ought to take the lead in exploring and working to consolidate World-English (language and literature); where else, indeed, are the resources even half-way adequate to such a task? This means, among other things, very considerable enlargement of library collections (with corresponding benefits to foreign writers and publishers operating within the world framework of English), provision of fellowships and scholarships on a world-scale, provision of exchange professorships, and much wider opportunity for expanded study and research. Does anyone seriously doubt that American interests depend very critically upon solidarity among the English-speaking peoples of the world? This being true, it follows that American professors and departments of English have a central role to play. They should be encouraged to do so and expected to do so. Nothing short of broad national effort can produce any such result.

Perhaps the current widespread mood of discouragement in the humanities can be dissipated if moves to implement the newly created National Foundation on the Arts and Humanities prove adequate. I confess to some anxiety in this direction simply because of certain inherent disadvantages in our position when it is forced, artificially, into comparison with that of science-technology. We have no bonuses or prizes to offer investors; our work does not immediately "pay off" in the literal, monetary sense, and we would be falsifying the issues to claim that it does, or ever could. We must rest our case in the minds of men, asking at the same time what kind of mind, what kind of men, we want. Unless commercial results are the only criteria to be considered, the arts and humanities do have a good bit to offer our country that it needs. Not to provide parallel support is only to encourage further the growth of a one-sided materialistic society which (rightly or wrongly) much of the world already condemns us for. Seeing that we now have made a start, let us not falter at the crossroads.

Finally, important as support for the arts and humanities may be, it is even more important for the authority granting it—Congress—to understand why such action is being urged and taken. Higher learning thrives best under freedom and equality of opportunity; and the weakness of one branch may prove, unexpectedly, the weakness of all. This must be recognized as a fundamental principle, not just an ad hoc argument for special cases. Strength is needful across-the-board, not in select areas alone.

With thanks for your continuing efforts in behalf of American education,

Sincerely yours,

JOSEPH JONES,
Professor of English.

THE CALENDAR

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of three bills on the Calendar of General Orders, with the understanding that the unfinished business not be displaced, and that the time not be charged to either side.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

CHARLES BERNSTEIN

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 477, S. 321.

The PRESIDING OFFICER. The bill will be stated by title.

The ASSISTANT LEGISLATIVE CLERK. A bill (S. 321) for the relief of Charles Bernstein.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill.

Mr. THURMOND. Mr. President, I want the RECORD to show that I am opposed to passage of this bill.

The procedure being followed in this case sets what I feel to be an unfortunate precedent for possible action by the Congress in the future. Mr. Charles Bernstein would be the beneficiary of a $10,000 grant, tax free, in full satisfaction of all claims he might have against the United States for damages resulting from his arrest, arraignment, trial, conviction, and incarceration. Mr. Bernstein was convicted of murder in the District of Columbia and was sentenced to be electrocuted in October 1932. The conviction was upheld by the Court of Appeals for the District of Columbia and the Supreme Court denied certiorari.

Subsequently, President Franklin D. Roosevelt granted several reprieves, and in May 1935 commuted Mr. Bernstein's sentence to life imprisonment. In 1940, President Roosevelt gave Mr. Bernstein a conditional commutation of sentence and in April 1945, President Truman granted him a full and unconditional pardon. The pardon contained no statement of innocence.

The laws of the United States provide damages to be awarded to persons unjustly convicted and imprisoned and the maximum award is $5,000. Relief available to persons so pardoned, however, is limited to those whose pardons contain a statement of innocence. Since the pardon involved in this case does not contain a statement of innocence, I think that it is unjustified to grant Mr. Bernstein a larger award than could be granted to one whose pardon is based on his being innocent of the original charge.

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 492) explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

PURPOSE

The purpose of the bill is to authorize and direct the Secretary of the Treasury to pay, out of any money in the Treasury not otherwise appropriated, to Charles Bernstein, of Washington, D.C., the sum of $10,000. Such sum shall be in full satisfaction of all claims of the said Charles Bernstein against the United States for damages sustained by him as the result of his arrest, arraignment, trial, conviction, and incarceration; and such sum shall not constitute income for Federal income tax purposes.

STATEMENT

The Department of Justice interposes no objection to the bill.

The similar bill in the 89th Congress (S. 3301) stated that the offense which occasioned Mr. Bernstein's imprisonment was one "of which he was innocent." Since the pardon of Mr. Bernstein contained no statement of his innocence the committee amended the bill accordingly before its favorable recommendation to the Senate. The present bill, S. 321, does not contain a statement of innocence and, therefore, it is reported without amendment.

The facts of the case as found in the departmental report on a similar bill of the 89th Congress, are as follows:

"The crime for which Charles Bernstein was convicted and sentenced was a murder which occurred in the District of Columbia in April 1932. As a result of information received from a confidential informant, the Washington police caused Charles Bernstein to be arrested in Philadelphia in June 1932. Mr. Bernstein, under the name of Charles Harris, was indicted and convicted of murder in the first degree in the District of Columbia and in October 1933 he was sentenced to be electrocuted. The evidence against him consisted of the testimony of two witnesses, one of whom identified him as the murdered, and the other of whom identified him as having been parked in the murder car at the scene on the preceding day.

"On appeal, the Court of Appeals for the District of Columbia affirmed the judgment in May 1934, and the Supreme Court denied certiorari in October of that year. The mandate of the court of appeals was filed in October and the execution was set for January 11, 1935.

"Charles Bernstein's case interested a

number of Washington citizens who believed that the evidence on which he was convicted was inadequate and that he had not been proven guilty beyond a reasonable doubt. Subsequently the Federal Bureau of Investigation conducted an investigation of the case which disclosed, among other things, that several other individuals who lived on the street where the murder took place were awakened by the shotgun blasts and saw the murderer. However, none of these persons were able to identify Mr. Bernstein. One witness, after having gone to the District jail and looked at Mr. Bernstein, stated that the man she had seen was taller, of lighter complexion, and lighter in weight. It was further disclosed that both the automobile dealer who sold the vehicle in which the murderer escaped and his secretary stated that Charles Bernstein was not the purchaser.

"In view of the doubts surrounding this case, President Roosevelt granted Charles Bernstein several reprieves, and in May 1935 commuted his sentence to life imprisonment. In June 1940 the President made a conditional commutation of sentence to the time served, the condition being that Mr. Bernstein remain under supervision similar to parole. In April 1945 President Truman granted Charles Bernstein a full and unconditional pardon.

"* * * Since 34 years have elapsed since the occurrence of the crime, there would appear to be no way, at this time, in which his innocence can be conclusively and unquestionably established. However, it is generally agreed that the evidence and information which has accumulated in the intervening years since his conviction and appeal casts doubt on the credibility of the witnesses and whether Mr. Bernstein was guilty beyond a reasonable doubt. Therefore, if in view of the time he spent under sentence of death, the time served in prison, and the resultant hardship and anguish endured by him, the Congress wishes to award Charles Bernstein the sum of $10,000, the Department of Justice will interpose no objection."

In agreement with the views of the Attorney General, the committee recommends that the bill be favorably enacted.

The PRESIDING OFFICER. The bill is open to amendment. If there be no amendment to be proposed, the question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed for a third reading, was read the third time, and passed, as follows:

S. 321

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Charles Bernstein, of Washington, District of Columbia, the sum of $10,000. Such sum shall be in full satisfaction of all claims of the said Charles Bernstein against the United States for damages sustained by him as the result of his arrest, arraignment, trial, conviction, and incarceration for an offense for which he subsequently received a full and unconditional pardon from the President of the United States; and such sum shall not constitute income for Federal income tax purposes: *Provided,* That no part of the amount appropriated in this Act shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

TEMPORARY TRANSFER TO SINGLE *DISTRICT FOR COORDINATED OR* CONSOLIDATED PRETRIAL PROCEEDINGS OF CIVIL ACTIONS PENDING IN DIFFERENT DISTRICTS

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 438, Senate bill 159.

The PRESIDING OFFICER. The bill will be stated by title.

The ASSISTANT LEGISLATIVE CLERK. A bill (S. 159) to provide for the temporary transfer to a single district for coordinated or consolidated pretrial proceedings of civil actions pending in different districts which involve one or more common questions of fact, and for other purposes, reported with amendments.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on the Judiciary with amendments, on page 2, line 4, after the word "proceedings" to insert "will be for the convenience of parties and witnesses and"; on page 3, after line 4, to strike out:

(c) Proceedings for the transfer of an action under this section may be initiated by the judicial panel on multidistrict litigation by notice to the parties in all actions in which transfers for coordinated or consolidated pretrial proceedings are contemplated. Such notice shall specify the manner, time, and place of the hearing to determine whether the transfer shall be made. The panel's order of transfer and such other orders as it may make shall be entered in the office of the clerk of the district court of the transferee district and shall be effective when thus entered. The clerk of the transferee district court shall forthwith transmit a certified copy of the panel's order to transfer to the clerk of the district court of the district from which the action is being transferred.

And, in lieu thereof, to insert:

(c) Proceedings for the transfer of an action under this section may be initiated by—

(i) the judicial panel on multidistrict litigation upon its own initiative, or

(ii) motion filed with the panel by a party in any action in which transfer for coordinated or consolidated pretrial proceedings under this section may be appropriate. A copy of such motion shall be filed in the district court in which the moving party's action is pending.

The panel shall give notice to the parties in all actions in which transfers for coordinated or consolidated pretrial proceedings are contemplated, and such notice shall specify the time and place of any hearing to determine whether such transfer shall be made. Orders of the panel to set a hearing and other orders of the panel issued prior to the order either directing or denying transfer shall be filed in the office of the clerk of district court in which a transfer hearing is to be or has been held. The panel's order of transfer shall be based upon a record of such hearing at which material evidence may be offered by any party to an action pending in any district that would be affected by the proceedings under this section, and shall be supported by findings of fact and conclusions of law based upon such record. Orders of transfer and such other orders as the panel may make thereafter shall be filed in the office of the clerk of the district court of the transferee district and shall be effective when thus filed. The clerk of the transferee district court shall forthwith transmit a certified copy of the panel's order to transfer to the clerk of the district court from which the action is being transferred. An order denying transfer shall be filed in each district wherein there is a case pending in which the motion for transfer has been made.

And on page 5, after line 6, to strike out:

(c) No proceedings for review of any order of the panel may be entertained by any other courts than the United States court of appeals having jurisdiction over the transferee district court and the Supreme Court of the United States.

And, in lieu thereof, to insert:

(e) No proceedings for review of any order of the panel may be permitted except by extraordinary writ pursuant to the provisions of title 28, section 1651, United States Code. Petitions for an extraordinary writ to review an order of the panel to set a transfer hearing and other orders of the panel issued prior to the order either directing or denying transfer shall be filed only in the court of appeals having jurisdiction over the district in which a hearing is to be or has been held. Petitions for extraordinary writ to review an order to transfer or orders subsequent to transfer shall be filed only in the court of appeals having jurisdiction over the transferee district. There shall be no appeal or review of an order of the panel denying a motion to transfer for consolidated or coordinated proceedings.

So as to make the bill read:

S. 159

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That chapter 87 of title 28, United States Code, is amended by inserting therein after section 1406:

"§ 1407. Multidistrict litigation

"(a) When civil actions involving one or more common questions of fact are pending in different districts, such actions may be transferred to any district for coordinated or consolidated pretrial proceedings. Such transfers shall be made by the judicial panel on multidistrict litigation authorized by this section upon its determination that transfers for such proceedings will be for the convenience of parties and witnesses and will promote the just and efficient conduct of such actions. Each action so transferred shall be remanded by the panel at or before the conclusion of such pretrial proceedings to the district from which it was transferred unless it shall have been previously terminated: *Provided, however,* That the panel may separate any claim, cross-claim, counterclaim, or third-party claim and remand any of such claims before the remainder of the action is remanded.

"(b) Such coordinated or consolidated pretrial proceedings shall be conducted by a judge or judges to whom such actions are assigned by the judicial panel on multidistrict litigation. For this purpose, upon request of the panel, a circuit judge or a district judge may be designated and assigned temporarily for service in the transferee district by the Chief Justice of the United States or the chief judge of the circuit, as may be required, in accordance with the provisions of chapter 13 of this title. With the consent of the transferee district court, such actions may be assigned by the panel to a judge or judges of such district. The judge or judges to whom such actions are assigned, the members of the judicial panel on multidistrict litigation, and other circuit and district judges designated when needed by the panel may exercise the powers of a district judge in any district for the purpose of conducting pretrial depositions in such coordinated or consolidated pretrial proceedings.

"(c) Proceedings for the transfer of an action under this section may be initiated by—

"(i) the judicial panel on multidistrict litigation upon its own initiative, or

"(ii) motion filed with the panel by a party in any action in which transfer for coordinated or consolidated pretrial proceedings under this section may be appropriate. A copy of such motion shall be filed in the district court in which the moving party's action is pending.

"The panel shall give notice to the parties in all actions in which transfers for coordinated or consolidated pretrial proceedings are contemplated, and such notice shall specify the time and place of any hearing to determine whether such transfer shall be made. Orders of the panel to set a hearing and other orders of the panel issued prior to the order either directing or denying transfer shall be filed in the office of the clerk of district court in which a transfer hearing is to be or has been held. The panel's order of transfer shall be based upon a record of such hearing at which material evidence may be offered by any party to an action pending in any district that would be affected by the proceedings under this section, and shall be supported by findings of fact and conclusions of law based upon such record. Orders of transfer and such other orders as the panel may make thereafter shall be filed in the office of the clerk of the district court of the transferee district and shall be effective when thus filed. The clerk of the transferee district court shall forthwith transmit a certified copy of the panel's order to transfer to the clerk of the district court from which the action is being transferred. An order denying transfer shall be filed in each district wherein there is a case pending in which the motion for transfer has been made.

"(d) The judicial panel on multidistrict litigation shall consist of seven circuit and district judges designated from time to time by the Chief Justice of the United States, no two of whom shall be from the same circuit. The concurrence of four members shall be necessary to any action by the panel.

"(e) No proceedings for review of any order of the panel may be permitted except by extraordinary writ pursuant to the provisions of title 28, section 1651, United States Code. Petitions for an extraordinary writ to review an order of the panel to set a transfer hearing and other orders of the panel issued prior to the order either directing or denying transfer shall be filed only in the court of appeals having jurisdiction over the district in which a hearing is to be or has been held. Petitions for extraordinary writ to review an order to transfer or orders subsequent to transfer shall be filed only in the court of appeals having jurisdiction over the transferee district. There shall be no appeal or review of an order of the panel denying a motion to transfer for consolidated or coordinated proceedings.

"(f) The panel may prescribe rules for the conduct of its business not inconsistent with Acts of Congress and the Federal Rules of Civil Procedure.

"(g) Nothing in this section shall apply to any action in which the United States is a complainant arising under the antitrust laws. 'Antitrust laws' as used herein include those acts referred to in the Act of October 15, 1914, as amended (38 Stat. 730; 15 U.S.C. 12), and also include the Act of June 19, 1936 (49 Stat. 1526; 15 U.S.C. 13, 13a, and 13b) and the Act of September 26, 1914, as added March 21, 1938 (52 Stat. 116, 117; 15 U.S.C. 56); but shall not include section 4A of the Act of October 15, 1914, as added July 7, 1955 (69 Stat. 282; 15 U.S.C. 15a)."

SEC. 2. The analysis to chapter 87 of title 28, United States Code, is amended by inserting the following new section:

"1407. Multidistrict litigation."

after

"1406. Cure or waiver of defects."

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the amendments be considered en bloc.

The PRESIDING OFFICER. Without objection, the amendments will be considered and agreed to en bloc.

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 454), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

PURPOSE OF BILL AS AMENDED

The purpose of the proposed legislation is to provide formal machinery to transfer, for coordinated or consolidated pretrial procedures, civil actions pending in different judicial districts, that have one or more common questions of fact. Accordingly, the bill adds a section (1407) to chapter 87, title 28, United States Code.

BACKGROUND OF THE LEGISLATION

The problem with which this bill deals is illustrated most dramatically by the electrical equipment antitrust cases that flooded the Federal district courts during the early 1960's. The culmination of the Government's criminal prosecution of the electrical equipment manufacturers in 1961 for violation of the Federal antitrust laws precipitated a flood of private treble-damage actions against those defendants. In little more than 12 months time, almost 2,000 cases involving more than 25,000 separate claims for relief were filed in 35 Federal judicial districts from coast to coast. The pretrial discovery problems created by this wave of cases placed a heavy burden on the Federal courts, and it was apparent to the judicial that unless some special action was taken these cases would engulf the courts with continually conflicting pretrial discovery demands for the same witnesses and documents.

The Judicial Conference of the United States recommended the establishment of a special committee to consider this problem, and in January of 1962 Chief Justice Earl Warren appointed the Coordinating Committee for Multiple Litigation of the United States District Courts. Although the nine judges appointed to the Committee lacked statutory authority, through their prestige and persuasion they were able to bring about the coordination and consolidation of pretrial discovery proceedings in the electrical equipment cases, and thus restored a measure of order to the litigation.

The Coordinating Committee recognized that extraordinary procedures would have to be adopted if these cases were to be processed in a manner that was both orderly and avoided a waste of judicial manpower. The initial steps taken involved the following measures:

1. The Coordinating Committee recommended a schedule of pretrial discovery proceedings and a series of uniform pretrial and discovery orders covering common issues of fact. This recommended schedule was accepted by the district courts involved and, after consultation with the lawyers for the parties, the judges of the district courts entered the uniform orders.

2. National depositions were held, attended by large numbers of plaintiffs' and defendants' counsel. Lead counsel, chosen by the lawyers for the plaintiffs and defendants, propounded questions on behalf of all the parties. Other attorneys present, however, were given the opportunity to ask additional questions to protect their particular interests. Arrangements were made for the additional deposition of any witness if the need arose.

3. Central document depositories were established, one for plaintiffs and another for defendants. Close to 1 million documents were filed at the depositories, and made available for copying by the parties. This arrangement minimized inconvenience and expense.

These procedures worked exceptionally well, and within 5 years about 90 percent of the electrical cases were terminated. At the time of this report, all the electrical cases have been disposed of.

GENERAL SUMMARY OF S. 159

As a result of its experience in dealing with problems of multiple litigation, the Coordinating Committee recommended legislation that would establish judicial machinery to formalize and refine a system of consolidated pretrial procedures. The bill (S. 159) is substantially the work of that Committee and represents their best judgment as to the proper way to deal with instances of mass litigation. Additionally, the bill is endorsed by the Judicial Conference of the United States, and has the support of the Department of Justice.

This bill would establish a judicial panel on multidistrict litigation, to be comprised of seven circuit and district judges designated by the Chief Justice. This panel would determine when instances of multidistrict litigation presented appropriate circumstances for the transfer of proceedings for consolidated and coordinated pretrial action. The cases involved would be referred to a single district for pretrial proceedings, and then remanded to the original districts for trial.

Circuit or district judges may be assigned temporarily to the transferee district to handle the consolidated litigation, and judges would be assigned to supervise national depositions. The experience of the Coordinating Committee suggests that it is highly desirable to have a judge present at national depositions to make necessary rulings and expedite matters generally. This device was extremely useful in expediting the electrical cases.

Perhaps the major inefficiency of the procedure used in the electrical equipment cases was that, since the procedure was voluntary and required the agreement of all the trial judges involved, frequently more than 30 district judges had to gather at one place to discuss the problems of the cases and to hear counsel for the parties. After a plan had been devised with the advice of counsel for plaintiffs and defendants, uniform orders were then recommended for entry simultaneously in all districts. The current proposal would avoid this needless duplication of effort by placing pretrial in a single district, in the hands of one or more judges who could make necessary decisions with the advice, if necessary, of the panel.

The PRESIDING OFFICER. The bill is open to amendment. If there be no further amendment to be proposed, the question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed for a third reading, was read the third time, and passed.

SACRAMENTO VALLEY IRRIGATION CANALS, CENTRAL VALLEY PROJECT, CALIFORNIA

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the Committee on Interior and Insular Affairs be discharged from further consideration of H.R. 743 and that the Senate proceed to its consideration.

The PRESIDING OFFICER. The bill will be stated by title.

The ASSISTANT LEGISLATIVE CLERK. A bill (H.R. 743) to amend the act of September 26, 1950, authorizing the Sacramento Valley irrigation canals, Central Valley project, California, in order to increase the capacity of certain project features for future irrigation of additional lands.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill? The Chair hears none, and it is so ordered.

The bill was considered, ordered to a third reading, read the third time, and passed.

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that S. 1098, Calendar No. 193, be indefinitely postponed.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. KUCHEL. Mr. President, I am delighted, on behalf of the people of my State, that the Senate has just passed H.R. 743, authored by the distinguished Californian, Mr. HAROLD T. (BIZZ) JOHNSON, which passed the House of Representatives earlier this year.

The Senate Committee on Interior and Insular Affairs reported favorably my identical bill, S. 1098. With today's action this important piece of reclamation legislation is now ready for the President's signature.

I ask unanimous consent that portions of the Senate committee report on S. 1098 appear in the RECORD at this point as an explanation of the reasons for this legislation.

There being no objection, the extracts were ordered to be printed in the RECORD, as follows:

PURPOSE

The purpose of this legislation is to authorize an enlargement and realinement of the last 50 miles of the authorized Tehama-Colusa Canal as a part of the potential West Sacramento Canal unit. This additional capacity would be needed and used only after the West Sacramento Canal unit is authorized and constructed. The authorization and construction of the additional canal capacity at this time, however, is in the interest of long-range economy, saving approximately $5.7 million in construction costs at $65,000 per year in operating expenses over the life of the future West Sacramento Canal unit.

BACKGROUND AND NEED

The Sacramento Valley Canal unit of the Central Valley project was authorized by the act of September 26, 1950. One of the canals included in that authorization is the 120-mile Tehama-Colusa Canal to deliver water to 216,000 acres lying along the western foothills of the Sacramento Valley in the Tehama, Glenn, and Colusa Counties. The Tehama-Colusa Canal is presently under construction. Its capacity through the first 70 miles will range between 2,500 and 2,100 cubic feet per second and under the existing authorization, would be reduced to 745 cubic feet per second south of Funks Creek (the 70-mile point on the canal) and would gradually decrease from this to a terminal capacity of only 65 cubic feet per second.

On the basis of investigations and planning subsequent to the authorization of the Sacramento Valley, canals unit, there is now in the final stages of preparation a project feasibility report on the West Sacramento Canal unit. This unit, if authorized will provide water service in Yolo and Solano Counties for irrigation as well as for municipal and industrial purposes. The planning studies indicate that the West Sacramento Canal unit will be a meritorious and desirable addition to the Central Valley project and produce benefits exceeding its costs in a ratio of better than 3 to 1. In other words, it is highly likely that the West Sacramento Canal unit will be authorized and constructed in the very near future.

The planning studies in connection with the West Sacramento Canal unit indicate that the most economical way to bring water from the Sacramento River to the area to be served will be by a 1,400 cubic foot per second enlargement and realinement of the last 50 miles of the Tehama-Colusa Canal. If this plan is to be implemented, it is necessary that modification of the Tehama-Colusa Canal be authorized at this time in order to avoid delay in construction of the canal and water service in Tehama, Glenn, and Colusa Counties. The alternative to enlargement of the presently authorized canal now would be to build a parallel canal later. This not only would be more expensive but would be objectionable for other reasons. Among these other reasons, which have not been economically evaluated, are the right-of-way problems resulting from the piecemeal construction of parallel canals, loss of good farmland, and requirements for dual crossings of distribution systems, drainage canals, utilities, and roads.

The incremental cost of enlarging the authorized canal will be assigned to the West Sacramento Canal unit as a part of the cost of that unit. If for some reason, the West Sacramento Canal unit is not authorized and constructed, this deferred obligation will be repaid pursuant to language in H.R. 743, from other revenues of the Central Valley project.

COST

The estimated cost for that portion of the Tehama-Colusa Canal which is proposed to be enlarged is about $10.3 million. The estimated cost of an enlarged canal at this time would be about $27.7 million or an increase of $17.4 million. On the other hand, if the Tehama-Colusa Canal is built now as authorized and a parallel canal of 1,400 cubic feet per second is added when the West Sacramento Canal unit is authorized, the cost of the two parallel canals would be about $33.4 million, or $5.7 million more than a single canal with capacity for future use. Thus the inclusion of future-use capacity in the last 50 miles of the Tehama-Colusa Canal from Funks Creek to Oat Creek at an incremental cost of $17.4 million would result in savings of $5.7 million in construction costs and additional annual savings of $65,000 in operating expenses over the life of the project.

RECOMMENDATION

The Committee on Interior and Insular Affairs of the Senate recommends that S. 1098 be enacted.

DEPARTMENTAL REPORTS

U. S. DEPARTMENT OF THE INTERIOR,
OFFICE OF THE SECRETARY
Washington, D.C., March 21, 1967.

Hon. HENRY M. JACKSON,
Chairman, Committee on Interior and Insular Affairs, U.S. Senate, Washington, D.C.

DEAR SENATOR JACKSON: This responds to your request for the views of this Department on S. 1098, a bill to amend the act of September 26, 1950, authorizing the Sacramento Valley irrigation canals, Central Valley project, California, in order to increase the capacity of certain project features for future irrigation of additional lands.

We recommend the enactment of the bill.

S. 1098 authorizes an enlargement and realinement of the lower (southern) end of the Tehama-Colusa Canal as a portion of the potential West Sacramento Canal unit (in the interests of long-range economy).

The Tehama-Colusa Canal is a feature of the Sacramento Canals unit authorized as part of the Central Valley project by the act of September 26, 1950 (64 Stat. 1036). Section 5 of that act provided that no expenditure of funds should be made for construction of that unit until the Secretary of the Interior had submitted a completed report and finding of feasibility to the Congress. The required report and finding of feasibility were submitted to the Congress on January 19, 1953 (H. Doc. 73, 83d Cong., 1st sess.).

The plan contemplated in the 1953 report provided for a diversion dam on the Sacramento River at Red Bluff. Two canals, the Corning and Tehama-Colusa, will extend from the dam southward on the west side of the Sacramento River. Construction started on the Corning Canal in 1954. That canal is now in operation and the Red Bluff diversion dam has been essentially completed. The Tehama-Colusa Canal is under construction.

The 1953 plan contemplated that the Tehama-Colusa Canal would end near the Colusa-Yolo County line, some 120 canal-miles below Red Bluff. Events since 1953 have made it evident that the most feasible plan for service to the lands south of Bird Creek would be by delivery of water through the Tehama-Colusa Canal to the potential West Sacramento Valley Canal. Construction plans for the Tehama-Colusa Canal in its last 50-mile section do not provide sufficient capacity for this purpose. The proposed legislation would correct this by authorizing enlargement of that section, the last third of the canal. It is important to note that the bill provides only for enlargement and realinement of the presently authorized canal.

The need for current authorization of the enlargement of the authorized canal arises from the fact that the Tehama-Colusa Canal is now under construction and, under present authority, the critical section would be built to the smaller size, designed to serve only local service areas. The provision for additional capacity in the future would require construction of a parallel canal at increased cost and with the increased right-of-way problems which normally ensue from piecemeal construction. The noncontemporaneous construction of two parallel canals would also be undesirable because of the need for additional farmland for rights-of-way, the financial and physical effects of repeated disruption of adjacent farming operations, and the need for dual crossings of distribution systems drainageways and roads with attendant construction difficulties.

Construction of the Tehama-Colusa Canal was initiated in 1965 following the award in June of a contract for reach 2 which extends from Thomas Creek to Stony Creek. This was followed by the award of a contract in January 1966 for the construction of the settling basin and headworks facilities adjacent to the Red Bluff diversion dam. Work under this contract is nearly completed. The contract for all of reach 1, extending from the settling basin at Red Bluff diversion dam to Thomas Creek and including major fishery facilities, is scheduled to be awarded next fiscal year. Specifications for reach 3 are scheduled to be issued near the end of fiscal year 1968 and the contract is scheduled for award in fiscal year 1969. Specification issues and contract awards for the remaining reaches of the 120-mile canal are being rescheduled.

As presently authorized, the upper reaches (approximately 70 miles) of the Tehama-Colusa Canal as far as Funks Creek would begin with a capacity of 2,500 cubic feet per second (c.f.s.). At Funks Creek the canal capacity would reduce to 745 cubic feet per second. The capacity would be diminished as the canal proceeds southward as turnouts are provided to release water. The designed capacity at the canal terminus is 65 cubic feet per second.

Under the proposed legislation, the canal would be enlarged to 2,100 cubic feet per second beyond Funks Creek and would terminate with a capacity of 1,700 cubic feet per second. The location of the enlarged canal will be essentially the same as the presently planned alinement but a slightly higher elevation. The work involved is normal canal construction with no unusual features. Construction items would include excavation, canal lining, and such structures as siphons, checks, and turnouts.

Irrigation water service to lands in Yolo and Solano Counties is clearly needed and will be developed as soon as the Congress authorizes the West Sacramento Canal unit. A feasibility study of this project is near completion. The one-quarter million acres of land in Yolo and Solano Counties are organized into three districts, each of which has expressed a desire and willingness to enter into a repayment contract for water service from the West Sacramento Canal unit. It is anticipated that contracts will be negotiated for delivery of at least 250,000 acre-feet of water soon after construction of the unit is authorized. Further extensions of the conveyance facilities and exchanges of water rights could provide ultimate service to Napa and Lake County areas.

The cost of constructing the waterway for the Tehama-Colusa Canal, if enlarged as proposed, is $66,575,000. The comparable cost for the smaller presently authorized Tehama-Colusa Canal is $49,123,000. The inclusion of future capacity in the lower 50 miles of the Tehama-Colusa Canal at an incremental cost of $17.4 million would result in a savings of $5.7 million in construction costs (if the West Sacramento is begun within 4 years) when compared to the estimated cost of two parallel canals to accomplish the same purpose. In addition, the operating expense for a dual-canal system would be greater by $65,000 per year throughout the life of the project. Small savings ($35,000 annually) would accrue from operation of the single smaller canal during the years prior to construction of the parallel canal.

A computation of capitalized constructing and operating costs for the alternative plans reveals that present construction of the enlarged Tehama-Colusa Canal is economically justified if the West Sacramento Valley Canal can reasonably be expected to be begun within 11 years. The findings of the regional director is his proposed feasibility study demonstrate the engineering feasibility and economic justification of the West Sacramento Canal unit. The benefit-cost ratio is estimated at 3.82 to 1. In the event the unit is not authorized for construction, the deferred obligation for the Tehama-Colusa enlargement will ultimately be paid from other Central Valley project revenues.

A statement of estimated additional man-years of civilian employemnt and expenditures, required by Public Law 801, 84th Congress, is enclosed.

The Bureau of the Budget advises that, while there is no objection to the submission of this report, the views of the Bureau on this measure are the same as those expressed in its letter of August 24, 1966, copy enclosed, in regard to predecessor legislation in the 89th Congress.

Sincerely yours,

KENNETH HOLUM,
Assistant Secretary of the Interior.

EXECUTIVE OFFICE OF THE PRESIDENT,
BUREAU OF THE BUDGET,
Washington, D.C., April 18, 1967.

Hon. HENRY M. JACKSON,
Chairman, Committee on Interior and Insular Affairs, U.S. Senate, Washington, D.C.

DEAR MR. CHAIRMAN: This responds to your letter of March 2, 1967, requesting the views of the Bureau of the Budget on S. 1098, a bill to amend the act of September 26, 1950, authorizing the Sacramento Valley irrigation canals, Central Valley project, California, in order to increase the capacity of certain project features for future irrigation of additional lands.

The purpose of this legislation is to provide for the enlargement and realinement of the lower end of the Tehama-Colusa Canal as a portion of the potential, but not yet authorized, West Sacramento Canal unit of the Central Valley project. The upper portion of the Tehama-Colusa Canal is not under construction. The Secretary of the Interior's feasibility report on the West Sacramento Canal unit is scheduled for completion later this fiscal year. In our letter of August 24, 1966, to the Secretary of the Interior, we stated that we would not propose the enlargement of the canal at the present time for the reasons discussed herein. Our views remain the same as expressed in that letter, a copy of which is enclosed for your consideration.

Sincerely yours,

WILFRED H. ROMMEL,
Assistant Director for Legislative Reference.

EXECUTIVE OFFICE OF THE PRESIDENT,
BUREAU OF THE BUDGET,
Washington, D.C., August 24, 1966.

Hon. STEWART L. UDALL,
Secretary of the Interior,
Washington, D.C.
(Attention of Mr. Max N. Edwards, 5323 Interior Building).

DEAR MR. SECRETARY: This is in reply to Assistant Secretary Holum's letters of May 26, 1966, and July 22, 1966, regarding a proposed report on identical bills, H.R. 13402 and H.R. 13404, to amend the act of September 26, 1950, authorizing the Sacramento Valley irrigation canals, Central Valley project, California, in order to increase the capacity of certain project features for future irrigation of additional lands, and requesting advice as to the relationship of these bills to the program of the President.

Either bill, if enacted, would provide for expansion of a portion of the Tehama-Colusa Canal—now under construction—to serve the West Sacramento Canal unit of the Central Valley project. The additional cost of such an enlargement would be approximately $17 million.

The Bureau of the Budget is not in a position to appraise the merits of the proposed West Sacramento Canal unit for authorization as a Federal project because a project report, together with the views of the concerned States and other Federal agencies, is not now available. A preliminary report, however, has been furnished informally by the Department of the Interior. This report indicates that the West Sacramento unit would cost $165.9 million, and would provide an irrigation water supply for about 225,000 acres.

We are informed by the Department of the Interior that the authorization of the proposed expansion of the Tehama-Colusa Canal unit at a cost of $17 million, as proposed in these bills, would result in savings of about $6 million. However, these savings would diminish as time goes on and, using a 3⅛ percent interest rate, savings would be eliminated if the West Sacramento Canal is not started within 13 years. In addition, there would be a savings of $65,000 per year in operating expenses that would result from constructing a single canal rather than a dual-canal system.

The Department of the Interior also advised us of an additional consideration favoring immediate canal extension: the additional land (500 acres) required for a second canal with consequent loss of productive acreage and irrigation benefits.

In summary, the considerations favoring construction of a larger capacity canal now are:

1. The financial savings compared with construction and operation of a second canal later, discounted for delay in construction and use of related facilities.

2. The land loss involved in construction of a second canal.

The considerations against construction of the larger canal now are:

1. The implied advance commitment for construction of the West Sacramento unit, notwithstanding the incomplete appraisal of the project due to lack of a final project report and the views of the States and other Federal agencies.

2. The uncertainty as to the timing of construction of the West Sacramento unit if the final appraisal is favorable.

In these circumstances, while we would not propose the enlargement of the canal at the present time, we would have no objection to the transmission of your report to the Congress. However, we would appreciate your transmitting a copy of this letter with your report. We understand that certain technical changes will be made in your report pursuant to staff discussions.

Sincerely yours.

WILFRED H. ROMMEL,
Assistant Director for Legislative Reference.

"THE PRICE OF EMPIRE"—ADDRESS BY SENATOR FULBRIGHT

Mr. CLARK. Mr. President, I ask the Senator from Maine for 2 minutes.

Mr. MUSKIE. I yield 2 minutes on the bill to the Senator from Pennsylvania.

Mr. CLARK. Mr. President, at a special luncheon sponsored jointly by the Section of General Practice and the Section of International and Comparative Law of the American Bar Association, held in Honolulu, Hawaii, on August 8, 1967, our colleague, Senator J. W. FULBRIGHT, chairman of the Foreign Relations Committee, made a most perceptive address under the title "The Price of Empire."

Senator FULBRIGHT's views on the war in Vietnam and on its relationship to the riots in this country are well known, but I would like to call to the attention of my colleagues the final section of this splendid speech, entitled "The Regenerative Power of Youth."

In this section Senator FULBRIGHT indicates his strong support for the younger generation which is coming along in this country and which he believes will save us from the frightening difficulties into which the older generation has placed our country. He concludes his address with these words:

> If I had to bet my money on what is going to happen, I would bet on this younger generation—this generation who reject the inhumanity of war in a poor and distant land, who reject the poverty and sham in their own country, this generation who are telling their elders what their elders ought to have known, that the price of empire is America's soul and that price is too high.

I ask unanimous consent that a copy of Senator FULBRIGHT's remarks may be printed in the RECORD at this point.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

THE PRICE OF EMPIRE

(Statement by Senator J. W. Fulbright)

Standing in the smoke and rubble of Detroit, a Negro veteran said: "I just got back from Vietnam a few months ago, but you know, I think the war is here."

There are in fact two wars going on. One is the war of power politics which our soldiers are fighting in the jungles of southeast Asia. The other is a war for America's soul which is being fought in the streets of Newark and Detroit and in the halls of Congress, in churches and protest meetings and on college campuses, and in the hearts and minds of silent Americans from Maine to Hawaii. I believe that the two wars have something to do with each other, not in the direct, tangibly causal way that bureaucrats require as proof of a connection between two things, but in a subtler, moral and qualitative way that is no less real for being intangible. Each of these wars might well be going on in the absence of the other, but neither, I suspect, standing alone, would seem so hopeless and demoralizing.

The connection between Vietnam and Detroit is in their conflicting and incompatible demands upon traditional American values. The one demands that they be set aside, the other that they be fulfilled. The one demands the acceptance by America of an imperial role in the world, or of what our policy makers like to call the "responsibilities of power," or of what I have called the "arrogance of power." The other demands freedom and social justice at home, an end to poverty, the fulfillment of our flawed democracy, and an effort to create a role for ourselves in the world which is compatible with our traditional values. The question, it should be emphasized, is not whether it is *possible* to engage in traditional power politics abroad and at the same time to perfect democracy at home, but whether it is possible for *us Americans*, with our particular history and national character, to combine morally incompatible roles.

Administration officials tell us that we can indeed afford both Vietnam and the Great Society, and they produce impressive statistics of the gross national product to prove it. The statistics show financial capacity but they do not show moral and psychological capacity. They do not show how a President preoccupied with bombing missions over North and South Vietnam can provide strong and consistent leadership for the renewal of our cities. They do not show how a Congress burdened with war costs and war measures, with emergency briefings and an endless series of dramatic appeals, with anxious constituents and a mounting anxiety of their own, can tend to the workaday business of studying social problems and legislating programs to meet them. Nor do the statistics tell how an anxious and puzzled people, bombarded by press and television with the bad news of American deaths in Vietnam, the "good news" of enemy deaths—and with vividly horrifying pictures to illustrate them—can be expected to support neighborhood anti-poverty projects and national programs for urban renewal, employment and education. Anxiety about war does not breed compassion for one's neighbors; nor do constant reminders of the cheapness of life abroad strengthen our faith in its sanctity at home. In these ways the war in Vietnam is poisoning and brutalizing our domestic life. Psychological incompatibility has proven to be more controlling than financial feasibility; and the Great Society has become a sick society.

I. IMPERIAL DESTINY AND THE AMERICAN DREAM

When he visited America a hundred years ago, Thomas Huxley wrote: "I cannot say that I am in the slightest degree impressed by your bigness, or your material resources, as such. Size is not grandeur, and territory does not make a nation. The great issue, about which hangs the terror of overhanging fate, is what are you going to do with all these things?"

The question is still with us and we seem to have come to a time of historical crisis when its answer can no longer be deferred. Before the Second World War our world role was a *potential* role; we were important in the world for what we *could* do with our power, for the leadership we *might* provide, for the example we *might* set. Now the choices are almost gone: we are *almost* the world's self-appointed policeman; we are *almost* the world defender of the *status quo*. We are well on our way to becoming a traditional great power—an imperial nation if you will—engaged in the exercise of power for its own sake, exercising it to the limit of our capacity and beyond, filling every vacuum and extending the American "presence" to the farthest reaches of the earth. And, as with the great empires of the past, as the power grows, it is becoming an end in itself, separated except by ritual incantation from its initial motives, governed, it would seem, by its own mystique, power without philosophy or purpose.

That describes what we have *almost* become, but we have not become a traditional empire yet. The old values remain—the populism and the optimism, the individualism and the rough-hewn equality, the friendliness and the good humor, the inventiveness and the zest for life, the caring about people and the sympathy for the underdog, and the idea, which goes back to the American Revolution, that maybe—just maybe—we can set an example of democracy and human dignity for the world.

That is something which none of the great empires of the past has ever done—or tried to do—or wanted to do—but we were bold enough—or presumptuous enough—to think that we might be able to do it. And there are a great many Americans who still think we can do it—or at least they want to try.

That, I believe, is what all the hue and cry is about—the dissent in the Senate and the protest marches in the cities, the letters to the President from student leaders and former Peace Corps volunteers, the lonely searching of conscience by a student facing the draft and the letter to a Senator from a soldier in the field who can no longer accept the official explanations of why he has been sent to fight in the jungles of Vietnam. All believe that their country was cut out for something more ennobling than an imperial destiny. Our youth are showing that they still believe in the American dream, and their protests attest to its continuing vitality.

There appeared in a recent issue of the journal *Foreign Affairs* a curious little article complaining about the failure of many American intellectuals to support what the author regards as America's unavoidable "imperial role" in the world. The article took my attention because it seems a faithful statement of the governing philosophy of American foreign policy while also suggesting how little the makers of that policy appreciate the significance of the issue between themselves and their critics. It is taken for granted—not set forth as an hypothesis to be proved—that, any great power, in the author's words, "is entangled in a web of responsibilities from which there is no hope of escape," and that "there is no way the United States, as the world's mightiest power, can avoid such an imperial role. . . ."[1] The author's displeasure with the "intellectuals"—he uses the word more or less to describe people who disagree with the Administration's policy—is that, in the face of this alleged historical inevitability, they are putting up a disruptive, irritating and futile resistance. They are doing this, he believes, because they are believers in "ideology"—the better word would be "values" or "ideals"—and this causes their thinking to be "irrelevant" to foreign policy.

Here, inadvertently, the writer puts his finger on the nub of the current crisis. The students and churchmen and professors who are protesting the Vietnam war do not accept the notion that foreign policy is a matter of expedients to which values are irrelevant. They reject this notion because they understand, as some of our policy makers do not understand, that it is ultimately self-defeating to "fight fire with fire," that you cannot defend your values in a manner that does violence to those values without destroying the very thing you are trying to defend. They understand, as our policy makers do not, that when American soldiers are sent, in the name of freedom, to sustain corrupt dictators in a civil war, that when the CIA subverts student organizations to engage in propaganda activities abroad, or when the Export-Import Bank is used by the Pentagon to finance secret arms sales abroad, damage—perhaps irreparable damage—is being done to the very values that are meant to be defended. The critics understand, as our policy makers do not, that, through the undemocratic expedients we have adopted for the defense of American democracy, we are weakening it to a degree that is beyond the resources of our bitterest enemies.

Nor do the dissenters accept the romantic view that a nation is powerless to choose the role it will play in the world, that some mystic force of history or destiny requires a powerful nation to be an imperial nation, dedicated to what Paul Goodman calls the "empty system of power,"[2] to the pursuit of power without purpose, philosophy or compassion. They do not accept the Hegelian concept of history as something out of control, as something that happens to us rather than something that we make. They do not accept the view that, because other great nations have pursued power for its own sake—a pursuit which invariably has ended in decline or disaster—America must do the same. They think we have some choice about our own future and that the best basis for exercising that choice is the values on which this republic was founded.

The critics of our current course also challenge the contention that the traditional methods of foreign policy are safe and prudent and realistic. They are understandably skeptical of their wise and experienced elders who, in the name of prudence, caution against any departure from the tried and true methods that have led in this century to Sarajevo, Munich and Die Bien Phu. They think that the methods of the past have been tried and found wanting, and two world wars attest powerfully to their belief. Most of all, they think that, in this first era of human history in which man has acquired weapons which threaten his entire species with destruction, safety and prudence and realism require us to change the rules of a dangerous and discredited game, to try as we have never tried before to civilize and humanize international relations, not only for the sake of civilization and humanity but for the sake of survival.

Even the most ardent advocates of an imperial role for the United States would probably agree that the proper objective of our foreign policy is the fostering of a world environment in which we can, with reasonable security, devote our main energies to the realization of the values of our own society. This does not require the adoption or imposition of these values on anybody, but it does require us so to conduct ourselves that our society does not seem hateful and repugnant to others.

At present much of the world is repelled by America and what America seems to stand for in the world. Both in our foreign affairs and in our domestic life we convey an image of violence; I do not care very much about images as distinguished from the things they reflect, but this image is rooted in reality. Abroad we are engaged in a savage and unsuccessful war against poor people in a small and backward nation. At home—largely because of the neglect resulting from twenty-five years of preoccupation with foreign involvements—our cities are exploding in violent protest against generations of social injustice. America, which only a few years ago seemed to the world to be a model of democracy and social justice, has become a symbol of violence and undisciplined power.

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[1] Irving Kristol, "American Intellectuals and Foreign Policy," *Foreign Affairs*, July 1967, pp. 602, 605.

[2] *Like a Conquered Province, The Moral Ambiguity of America* (New York: Random House, 1967), p. 73.

". . . it is excellent," wrote Shakespeare, "to have a giant's strength; but it is tyrannous to use it like a giant."[3] By using our power like a giant we are fostering a world environment which is, to put it mildly, uncongenial to our society. By our undisciplined use of physical power we have divested ourselves of a greater power: the power of example. How, for example, can we commend peaceful compromise to the Arabs and the Israelis when we are unwilling to suspend our relentless bombing of North Vietnam? How can we commend democratic social reform to Latin America when Newark, Detroit, and Milwaukee are providing explosive evidence of our own inadquate efforts at democratic social reform? How can we commend the free enterprise system to Asians and Africans when in our own country it has produced vast, chaotic, noisy, dangerous and dirty urban complexes while poisoning the very air and land and water? There may come a time when Americans will again be able to commend their country as an example to the world and, more in hope than confidence, I retain my faith that there will; but to do so right at this moment would take more gall than I have.

Far from building a safe world environment for American values, our war in Vietnam and the domestic deterioration which it has aggravated are creating a most uncongenial world atmosphere for American ideas and values. The world has no need, in this age of nationalism and nuclear weapons, for a new imperial power, but there is a great need of moral leadership—by which I mean the leadership of decent example. That role could be ours but we have vacated the field, and all that has kept the Russians from filling it is their own lack of imagination.

At the same time, as we have noted, and of even greater fundamental importance, our purposeless and undisciplined use of power is causing a profound controversy in our own society. This in a way is something to be proud of. We have sickened but not succumbed and just as a healthy body fights disease, we are fighting the alien concept which is being thrust upon us, not by history but by our policy makers in the Department of State and the Pentagon. We are proving the strength of the American dream by resisting the dream of an imperial destiny. We are demonstrating the validity of our traditional values by the difficulty we are having in betraying them.

The principal defenders of these values are our remarkable younger generation, something of whose spirit is expressed in a letter which I received from an American soldier in Vietnam. Speaking of the phony propaganda on both sides, and then of the savagery of the war, or the people he describes as the "real casualties"—"the farmers and their families in the Delta mangled by air strikes, and the villagers here killed and burned out by our friendly Korean mercenaries"—this young soldier then asks ". . . whatever has become of our dream? Where is that America that opposed tyrannies at every turn, without inquiring first whether some particular forms of tyranny might be of use to us? Of the three rights which men have, the first, as I recall, was the right to life. How then have we come to be killing so many in such a dubious cause?"

II. THE SICK SOCIETY

While the death toll mounts in Vietnam, it is mounting too in the war at home. During a single week of July 1967, 164 Americans were killed and 1,442 wounded in Vietnam, while 65 Americans were killed and 2,100 were wounded in city riots in the United States. We are truly fighting a two-front war and doing badly in both. Each war feeds on the other and, although the President assures us that we have the resources to win both wars, in fact we are not winning either.

Together the two wars have set in motion a process of deterioration in American society and there is no question that each of the two crises is heightened by the impact of the other. Not only does the Vietnam war divert human and material resources from our festering cities; not only does it foster the conviction on the part of slum Negroes that their country is indifferent to their plight. In addition the war feeds the idea of violence as a way of solving problems. If, as Mr. Rusk tells us, only the rain of bombs can bring Ho Chi Minh to reason, why should not the same principle apply at home? Why should not riots and snipers' bullets bring the white man to an awareness of the Negro's plight when peaceful programs for housing and jobs and training have been more rhetoric than reality? Ugly and shocking thoughts are in the American air and they were forged in the Vietnam crucible. Black power extremists talk of "wars of liberation" in the urban ghettoes of America. A cartoon in a London newspaper showed two Negro soldiers in battle in Vietnam with one saying to the other: "This is going to be great training for civilian life."

The effect of domestic violence on the chances for peace in Vietnam may turn out to be no less damaging than the impact of the war on events at home. With their limited knowledge of the United States, the Vietcong and the North Vietnamese may regard the urban riots as a harbinger of impending breakdown and eventual American withdrawal from Vietnam, warranting stepped up warfare and an uncompromising position on negotiations. It is possible that the several opportunities to negotiate which our government has let pass, most recently last winter, could not now be retrieved. Some eighteen months ago General Maxwell Taylor said in testimony before the Senate Foreign Relations Committee that the war was being prolonged by domestic dissent. That dissent was based in part on apprehension as to the effects of the war on our domestic life. Now the war is being prolonged by the domestic deterioration which has in fact occurred and it is doubtful that all of the dissenters in America, even if they wanted to, as they certainly do not, could give the enemy a fraction of the aid and comfort that has been given him by Newark, Detroit and Milwaukee.

An unnecessary and immoral war deserves in its own right to be liquidated; when its effect in addition is the aggravation of grave problems and the corrosion of values in our own society, its liquidation under terms of reasonable and honorable compromise is doubly imperative. Our country is being weakened by a grotesque inversion of priorities, the effects of which are becoming clear to more and more Americans—in the Congress, in the press and in the country at large. Even the *Washington Post*, a newspaper which has obsequiously supported the Administration's policy in Vietnam, took note in a recent editorial of the "ugly image of a world policeman incapable of policing itself" as against the "absolute necessity of a sound domestic base for an effective foreign policy," and then commented: "We are confronted simultaneously with an urgent domestic crisis and an urgent foreign crisis and our commitments to both are clear. We should deal with both with all the energy and time and resources that may be required. But if the moment ever arises when we cannot deal adequately and effectively with both, there is no shame—and some considerable logic—in making it plain beyond a doubt that our first consideration and our first priority rests with the security of the stockade."[4]

Commenting on the same problem of priorities, Mayor Cavanaugh of Detroit said:

"What will it profit this country if we, say, put our man on the moon by 1970 and at the same time you can't walk down Woodward Avenue in this city without some fear of violence?

"And we may be able to pacify every village in Vietnam, over a period of years, but what good does it do if we can't pacify the American cities?

"What I am saying . . . is that our priorities in this country are all out of balance . . . Maybe Detroit was a watershed this week in American history and it might well be that out of the ashes of this city comes the national resolve to do far more than anything we have done in the past."[5]

Priorities are reflected in the things we spend money on. Far from being a dry accounting of bookkeepers, a nation's budget is full of moral implications; it tells what a society cares about and what it does not care about; it tells what its values are.

Here are a few statistics on America's values: Since 1946 we have spent over $1,578 billion through our regular national budget. Of this amount over $904 billion, or 57.29 percent of the total, have gone for military power. By contrast, less than $96 billion, or 6.08 percent, were spent on "social functions" including education, health, labor and welfare programs, housing and community development. The Administration's budget for fiscal year 1968 calls for almost $76 billion to be spent on the military and only $15 billion for "social functions."

I would not say that we have shown ourselves to value weapons five or ten times as much as we value domestic social needs, as the figures suggest; certainly much of our military spending has been necessitated by genuine requirements of national security. I think, however, that we have embraced the necessity with excessive enthusiasm, that the Congress has been all too willing to provide unlimited sums for the military and not really very reluctant at all to offset these costs to a very small degree by cutting away funds for the poverty program and urban renewal, for rent supplements for the poor and even for a program to help protect slum children from being bitten by rats. Twenty million dollars a year to eliminate rats—about one one-hundredth of the monthly cost of the war in Vietnam—would not eliminate slum riots but, as Tom Wicker has written, "It would only suggest that somebody cared."[6] The discrepancy of attitudes tells at least as much about our national values as the discrepancy of dollars.

III. THE REGENERATIVE POWER OF YOUTH

While the country sickens for lack of moral leadership, a most remarkable younger generation has taken up the standard of American idealism. Unlike so many of their elders, they have perceived the fraud and sham in American life and are unequivocally rejecting it. Some, the hippies, have simply withdrawn, and while we may regret the loss of their energies and their sense of decency, we can hardly gainsay their evaluation of the state of society. Others of our youth are sardonic and skeptical, not, I think, because they do not want ideals but because they want the genuine article and will not tolerate fraud. Others—students who wrestle with their consciences about the draft, soldiers who wrestle with their consciences about the war, Peace Corps volunteers who strive to light the spark of human dignity among the poor of India or Brazil, and VISTA volunteers who try to do the same for our own poor in Harlem or Appalachia—are striving to keep alive the traditional values of American democracy.

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[3] *Measure for Measure*, Act II, Scene 2, Line 107.

[4] *The Washington Post*, July 27, 1967.

[5] Comments on "Meet the Press," reported in *The Washington Post*, July 31, 1967.

[6] *The New York Times*, July 23, 1967.

They are not really radical, these young idealists, no more radical, that is, than Jefferson's idea of freedom, Lincoln's idea of equality, or Wilson's idea of a peaceful community of nations. Some of them, it is true, are taking what many regard as radical action, but they are doing it in defense of traditional values and in protest against the radical departure from those values embodied in the idea of an imperial destiny for America.

The focus of their protest is the war in Vietnam and the measure of their integrity is the fortitude with which they refused to be deceived about it. By striking contrast with the young Germans who accepted the Nazi evil because the values of their society had disintegrated and they had no normal frame of reference, these young Americans are demonstrating the vitality of American values. They are demonstrating that, while their country is capable of acting falsely to itself, it cannot do so without internal disruption, without calling forth the regenerative counterforce of protest from Americans who are willing to act in defense of the principles they were brought up to believe in.

The spirit of this regenerative generation has been richly demonstrated to me in letters from student leaders, from former Peace Corps volunteers and from soldiers fighting in Vietnam. I quoted from one earlier in my remarks. Another letter that is both striking and representative was written by an officer still in Vietnam. He wrote:

"For eleven years I was, before this war, a Regular commissioned officer—a professional military man in name and spirit; now—in name only. To fight well (as do the VC), a soldier must believe in his leadership. I, and many I have met, have lost faith in ours. Since I hold that duty to conscience is higher than duty to the administration (not 'country' as cry the nationalists), I declined a promotion and have resigned my commission. I am to be discharged on my return, at which time I hope to contribute in some way to the search for peace in Vietnam."

Some years ago Archibald MacLeish characterized the American people as follows:

"Races didn't bother the Americans. They were something a lot better than any race. They were a People. They were the first self-constituted, self-declared, self-created People in the history of the world. And their manners were their own business. And so were their politics. And so, but ten times so, were their souls."[7]

Now the possession of their souls is being challenged by the false and dangerous dream of an imperial destiny. It may be that the challenge will succeed, that America will succumb to becoming a traditional empire and will reign for a time over what must surely be a moral if not a physical wasteland, and then, like the great empires of the past, will decline or fall. Or it may be that the effort to create so grotesque an anachronism will go up in flames of nuclear holocaust. But if I had to bet my money on what is going to happen. I would bet on this younger generation—this generation who reject the inhumanity of war in a poor and distant land, who reject the poverty and sham in their own country, this generation who are telling their elders what their elders ought to have known, that the price of empire is America's soul and that price is too high.

ADJOURNMENT

Mr. MUSKIE. Mr. President, under the order previously entered, I move that the Senate adjourn until 11 o'clock tomorrow morning.

The motion was agreed to; and (at 5 o'clock and 34 minutes p.m.) the Senate adjourned until tomorrow, Thursday, August 10, 1967, at 11 o'clock a.m.

CONFIRMATION

Executive nomination confirmed by the Senate August 9, 1967:

FOUR CORNERS REGIONAL COMMISSION

Orren Beaty, Jr., of Arizona, to be Federal Cochairman of the Four Corners Regional Commission.

EXTENSIONS OF REMARKS

Danger of a Police State

EXTENSION OF REMARKS

OF

HON. JOHN G. DOW

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, August 9, 1967

Mr. DOW. Mr. Speaker, I submit here for the RECORD the release that was sent to all news media in my district, in order to alert our citizens to the danger that laws restrictive of our liberties, coupled with our police role in the world, now presents for our Nation. The release follows:

DANGER OF A POLICE STATE

WASHINGTON, D.C., Aug. 5.—All Americans are deeply concerned about the violence in our cities, the hostilities in Vietnam, the high cost of living, and taxes. But these all combine to make still one more problem that worries me greatly. The danger I speak of is the danger that our country may take an easy way out of its trials by turning gradually into a police state.

You might say, "Mr. Congressman, as a loyal American, you should never admit such a possibility in our country." To answer that, I agree that America can avoid becoming a police state, but it can only be done if we are honest enough to recognize the danger.

When in Vietnam this summer, I interviewed Premier Ky, telling him that I thought our involvement in Vietnam and bases in many other countries might make us into a policeman for the world. General Ky's answer was very candid. He said, "You can't help yourselves."

To be a world policeman is a very costly business. Right now, with the billions spent for Vetnam, and the billions that it cost to solve the problems in our cities, I believe that we already have too much of a financial burden to shoulder. I am thinking of our expensive bases all over the seven oceans and other places, too. And then they say we will need $33 billion or so for an anti-ballistic missile system.

The worst danger—and the reason I am concerned about a police state—is our impulsive desire to stamp out problems instead of working them out. From sheer anger, the Congress is commencing to pass repressive legislation. Naturally, this doesn't do the job intended, but it is much worse than just useless—it is harmful to responsible citizens. The House of Representatives has just passed an interstate travel bill, for example—and which I opposed—that is directed at people who might start a riot after crossing state lines. In effect, this bill would keep all kinds of people who travel from expressing their honest opinions, or counselling organizations they represent, such as church and labor groups. It would not prevent riots in the cities, but it would squelch our freedoms. It would be truly "police-state" legislation.

Another bill of the same angry kind is the flag desecration bill. Aimed at a dozen or so unbalanced young men who have burned the flag on a few occasions, it would permit anyone with a grudge against you to hale you into Federal Court for acts like throwing away a red, white and blue streamer after a birthday party. Again, the small benefit of catching a few demented flagburners would not justify limiting the freedoms of us all. That is what I mean by our angry steps downhill into a police state.

There are more of these anger bills in the hopper.

Of course, force is temporarily necessary to put down the instant violence in our cities. (I will vote for the Law Enforcement and Criminal Justice Act which is now on the floor of Congress.) Yet it is a great mistake for Americans to believe they can deal permanently with tremendous social problems like those in Vietnam or in the American cities by perpetual force and policing. It isn't fair to our soldiers or to our law officers. For the problems are not wholly military and police problems.

In Vietnam we are beginning to see that we don't have much ability to cope with the problem there. It is only in part a military problem. It is also a political problem. The very fact that we have been asleep to the situation in our cities ought to tell us that we are not fuly qualified to understand a place so far and strange as Vietnam. I hope we are humble enough to realize that we cannot make over an ancient culture 10,000 miles away. Instead, we have to admit that our pocketbook isn't bottomless, and decide where our resources should be concentrated.

There are other reasons, besides, why we should not continue acting as a lone policeman in the world. America is already resented by our old allies who have no democratic voice in choosing us to be the policeman for everyone. As we spend money for more police actions around the world, it will place more strain on our economy and cut down on necessities for our families. In fact, being a policeman overseas will place such pressures on our society that it will require us to be even more of a policeman at home, with ration cards, wage and price ceilings and suppression of dissent.

Instead of becoming a policeman overseas, I hope we will put our American home problems first. Our poverty-level families, whether rural or in cities, need our help before we waste our wealth on bombing foreign people. More effort is necessary for rehabilitation of the cities so that the people there won't continue, out of desperation, to burn their own homes.

Solving the problem of our cities by force alone would also be a very expensive way of life, if continued for long. The cost of the necessary police, the constant danger due to resentment within racial minorities, and the hideous fact that "America the Beautiful" would have to live with this armed cancer in her great cities—all of these argue against continuing to exist with half of our country an armed camp. This kind of a solution in our cities might very easily lead to use of identification cards, limitation of travel and other restriction of individual liberties. This is the shameful way of doing in South Africa, where the white and black communities are now segregated.

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[7] Archibald MacLeish, *A Time To Act* (Boston: Houghton Mifflin Co., 1943), p. 115.

Every white American ought to admit in his heart that possibly he has been too standoffish with members of other races. In the future, we must be willing to sell our homes to them. We must invite them into our fraternal organizations and our fire companies. We must help them with their needs, such as recreational places for their teenagers evenings and weekends. Such help can be given by individuals in communities. It doesn't depend entirely on Federal aid.

I cannot warn affluent Americans too much. Let us not rely on a hard heart or a policeman's billy as long-term remedies. Beware of angry people who offer hard-bitten solutions. There are all too many people talking this way. In the end it would be our undoing.

The two billion underfed and underprivileged people in this world will not allow us to stay a policeman for long. They will find enough force to counter us if we persist in placing our faith in force alone. All through history the multitudes have overcome those who kept them down. That is why I am concerned that we do not permanently take the policeman role either at home or abroad, but find a way to help those at home and those abroad who are rebelling. Even though they may be vicious and violent at times, let us admit that they may also have a little reason and a little justice on their side. If we recognize this, most certainly we will come through the ordeals of this present age, and, above all, preserve American Democracy.

The Kee Report

EXTENSION OF REMARKS
OF
HON. JAMES KEE
OF WEST VIRGINIA
IN THE HOUSE OF REPRESENTATIVES
Wednesday, August 9, 1967

Mr. KEE. Mr. Speaker, under leave to extend my remarks in the Record, I include last week's public service television and radio newscast, "The Kee Report." The subject discussed is our space program.

This is Jim Kee, bringing you the Kee Report.

The tragic death last January of three astronauts in a spacecraft fire set off a searching review of our entire space program which is still underway.

I believe this pause is widely approved by the public. Certainly, every engineering defect should be remedied and the margin for human error reduced to a minimum before brave men once again try to conquer the skies in their tiny spacecraft.

But while this engineering review is underway, and manned flights have been temporarily suspended, this is a good time to examine the entire space program and the reason for its existence.

The outer space program costs money, lots of money. It is, in fact, one of the most expensive programs ever undertaken by Uncle Sam and the cost will increase as the Apollo Moonflight Program gets into full swing. There are many who believe these costs should be drastically reduced and the money spent instead on an expanded War on Poverty. Behind this idea is the mistaken belief that the exploration of outer space is nothing more than a prestige race with Soviet Russia.

Let me emphasize that this view is entirely wrong. The space race is more than a luxury. It is, in fact, a grim military necessity, the neglect of which would threaten the survival of the United States. A distinguished citizen recently offered the best yardstick for measuring its worth. He said the real test is not what the project costs, but what the cost would be if we failed to compete.

The answer is obvious. Within a few years, manned platforms will orbit the globe. If they carried Communist nuclear weapons, these flying platforms could be the most devastating weapons in human history.

It was disclosed recently that President Johnson believes the pictures already taken by our space satellites are almost priceless from the standpoint of military intelligence. Since it started about ten years ago, the space program has cost about $40 billion. The Chief Executive believes that the pictures we now have may be worth ten times that amount in terms of national safety. That both the United States and Soviet Russia employ these high-flying camera spies is an open secret.

Before the advent of the satellites, this country was forced to rely on other methods of obtaining intelligence. You may recall that an airplane called the U–2, while engaged in an intelligence mission, was shot down over Russia about seven years ago. If you wonder why such projects are necessary, the answer is easy. It was another of these high-flying planes which a few years later spotted the Soviet missile build-up in Cuba and alerted this country to the gravest danger in American history.

Our military intelligence experts now face the problem of estimating what warlike preparations, aimed at our country, are taking place behind the iron curtain. The satellite spy pictures disclosed that many previous estimates were far off. The result was we were doing many things which were unneeded and neglecting other things which needed to be done. This situation has been corrected.

The space program will produce many peacetime benefits of great value to all mankind. But its primary purpose is to save our country from destruction.

Thank you for listening.

Young and Valiant American Dies Aboard U.S.S. "Forrestal"

EXTENSION OF REMARKS
OF
HON. LESTER L. WOLFF
OF NEW YORK
IN THE HOUSE OF REPRESENTATIVES
Wednesday, August 9, 1967

Mr. WOLFF. Mr. Speaker, we were all greatly shocked and saddened by the recent fire aboard the U.S.S. *Forrestal.* Among the young and valiant Americans fatally injured in that tragic blaze was Navy Airman Robert L. Zwerlein, 21, the son of Mr. and Mrs. William Zwerlein, of 49 Shore Road, Port Washington, N.Y.

Robert L. Zwerlein volunteered to serve his country and ended up paying the greatest possible service. He gave his life while in a war zone defending the principles we hold so dearly.

Robert L. Zwerlein was a graduate of Port Washington High School and had been a member of the Port Washington Volunteer Fire Department. Today in a funeral that cast a pall over all of Port Washington, Robert L. Zwerlein was buried and honored by his many friends and his family. To these people we can do little more than express our most sincere and deepest condolences. They have suffered a loss that cannot be replaced and I hope that they find some solace in the knowledge that Robert L. Zwerlein died while serving his country.

Speech of Hon. W. M. Tuck, of Virginia

EXTENSION OF REMARKS
OF
HON. WATKINS M. ABBITT
OF VIRGINIA
IN THE HOUSE OF REPRESENTATIVES
Wednesday, August 9, 1967

Mr. ABBITT. Mr. Speaker, on Saturday night, August 5, 1967, I had the privilege of attending the banquet at the annual meeting of the Virginia Association of Commonwealth's Attorneys at the Cavalier Hotel at Virginia Beach. I heard one of the finest speeches it has ever been my good fortune to hear.

The speech of the occasion was delivered by the Honorable W. M. Tuck, Member of the House of Representatives from the Fifth Congressional District of Virginia. He gave an outstanding presentation of the situation now confronting the people of America. In addition, he pointed out the pathways that have led to the deplorable crisis now facing our Nation. He placed the blame where it should be. He gave sound doctrine which, if followed, I am sure would place this Nation back on the right track. I subscribe to his message wholeheartedly.

Representative Tuck is one of the outstanding statesmen of America. He has spent almost all of his adult life rendering service to his home county, his State, and his Nation. He is admired and loved by the overwhelming majority of the people of Virginia. He served in the legislative halls of Virginia with distinction. He was one of the great Governors of the Commonwealth. Many crises arose during his occupancy of the governorship. He met every one of them with a firm hand and the wisdom of a Solomon. Representative Tuck has served in the House of Representatives with honor and distinction. Everyone here admires his ability, his graciousness, and his integrity.

Mr. Speaker, I commend to all the Members of this body the great speech that Representative Tuck made last Saturday night and which I am including along with my remarks. The speech is as follows:

Remarks of Congressman William M. Tuck, Democrat, of Virginia, at Annual Meeting of the Virginia Association of Commonwealth's Attorneys at Cavalier Hotel, Virginia Beach, Va., August 5, 1967

I am greatly pleased to be invited to visit and address the Virginia Association of Commonwealth's Attorneys. Although whenever I have appeared in criminal cases it has been on the side of the defense, nevertheless we do have a common interest, for the legal profession is the tie that binds us together. I am very proud to be included in such a fraternity. I will never forget the pride that came to me when I learned that I had passed the Virginia State Bar Examination and was lawfully entitled to hang out my shingle. That was many years ago. The intervening years have brought a myriad of social, governmental, political and economic changes.

The governmental changes have been the

most numerous and radical among these, and as a result we are facing a national crime situation unprecedented in this country. The crime situation has gotten out of hand and unless we can stem the tide, we may find that our country is enveloped in anarchy. Someone recently said that it is safer to walk on the streets of Saigon than it is on the streets of Washington. The same situation now seems to obtain in many other principal cities of America.

During the last eight years, according to the Federal Bureau of Investigation, crime has been increasing at a rate six times faster than our population. Figures for the first three months of this year indicate that the number of major crimes committed during that period was 20 per cent higher than during the same period of 1966. This represents the largest increase during the nine years the FBI has kept records on crime trends.

Increases have been reported in all areas of crime, in all parts of the country, and in cities and towns of all sizes. The greatest increase was in crimes of violence, which were up 20 per cent. Included in these were murders, up 23 per cent; forcible rape, up 8 per cent; robbery, up 32 per cent, and aggravated assault, up 15 per cent. The overall increase in crime in cities of 100,000 or more was 20 per cent; in the suburbs, 22 per cent, and in rural areas, 16 per cent.

I cite these figures to indicate to you the gravity of the crime situation that now faces us and the urgency that something be done about it. You will be interested to know that the financial cost of crime is in excess of $27 billion per year. No method has been devised, nor scales adjusted, and none ever will be, by which to measure and weigh and value the tragic toll in human lives and the incalculable costs associated with fear and suspicion which mark urban life today.

The National Crime Commission states that the total amount of crime in the United States is several times that reflected by the FBI figures, which are based only on crimes reported to the police. A survey of three major cities conducted by the Commission indicated that from two to ten times as much crime occurs as is reported to the police.

The reason given the surveying teams as to why the crime was not reported is shocking. "The police could do nothing about it," was the most common explanation.

The sense of public helplessness reflected in this statement is one of the most serious aspects of the crime problem today, and it has its counterpart in the knowledge of law enforcement officers across the country that they lack essential support in their efforts to curb the spiralling wave of crime.

A report was prepared recently on police recruitment and retention difficulties in the District of Columbia, the site of our national capital and one of the worst crime spots in America. This report shows an increase in crime there of 39.8 per cent over the same months last year, with robberies for the period rising 97.3 per cent.

In this report it is pointed out that police patrolmen feel that they are exposed on the firing line, are left to their own resources, have no backing on the part of the District government, and are subject to physical assault. Moreover, they suspect that members of the city administration are encouraging frivolous or malicious action against them by repeatedly assuring the public how simple it is to prosecute or file damage suits against police officers.

The "atmosphere" referred to in this report, I fear, is to be found in many other cities of America. Both State and local police departments are finding it increasingly difficult to keep their police force fully staffed. A recent survey of 24 major cities revealed that only two of their police departments were of maximum strength.

Certain politicians and sociologists and so-called civil rights advocates seem to desire to place the blame for the racial riots now running rampant through the land on the law-abiding citizens of America for having permitted certain conditions to exist in the ghettos in the cities of the country. All sensible people would like to see full employment and would also do what is reasonable to improve the filthy conditions referred to. However, I would remind these misguided zealots of impracticability that there is little relationship, if any, between impoverished circumstances and criminal behavior. Evidence is overwhelming that poverty does not cause crime and that elimination of poverty will not prevent crime. On the contrary, the relationship between crime and material conditions appears to be exactly the other way around.

There has been less poverty in America in 1967 than in any previous year of our history, although one of the concomitants of this affluence is a mounting crime wave.

During the depression there was less crime in America than there is now. If the argument of these politicians and sociologists is correct, we would have had a genuine revolution all over the country in the depression years of the 1930's, and the present prosperous days of 1967 would be marked with unprecedented peace and tranquility.

The City of Detroit, scene of the worst riot which has ever occurred in America, has often been cited as having the most effective anti-poverty program in the nation. The wage conditions there as between the races is the same and probably exceeds the rate of any other city in America. The white and colored people in that city live side by side on the same streets. There is no segregation of any sort. Detroit is the only city in America that has two Negro members in the United States Congress.

No other city in the last ten years has had so much time and attention given to it by the Federal Government, and none has had so many hundreds of millions of federal dollars poured into it. Businessmen and the multitudinous unions have sought to improve the lot of the Negroes and the poor people.

I warned the American Congress in 1957 and again in 1964 that these so-called Civil Rights Bills would not ameliorate the racial tensions, but on the other hand would exacerbate the same. I cautioned against opening up Pandora's box, and I told the House of Representatives at the time that in passing this legislation they were undertaking like Haman of old to build a scaffold upon which to hang Mordecai, and reminded them that Mordecai was not hanged on that scaffold. Instead it was Haman who was hanged and Mordecai was present to witness the ceremony, and the last scene that Haman's eyes looked upon as he went down to his death was his enemy, Mordecai, luxurating in the luscious arms of Haman's paramour. The very conditions which I then predicted are taking place now, and these Northerners and Westerners who have been so zealous to improve conditions in the South now have their hands full looking out for themselves.

These riots are due largely to the senseless decisions of the Supreme Court of the United States, the actions of the Executive Department of this and several previous administrations, and legislation recently passed by the Congress of the United States. Congress also has its full share of responsibility, not for the laws it refused to pass, such as the anti-rat law, but the laws it did pass, such as the so-called Civil Rights Acts and others. The responsibility lies with the leadership of both our national parties. Both deserve to be rebuked for their shabby behavior in playing politics with this racial issue.

We can recognize the early beginning of the racial riots by considering the occurrences at Danville about four years ago. The crisis which arose in that peaceful and tranquil community where the races had lived in harmony for centuries was precipitated by lawless agitators from out of the State who came there for the sole purpose of fomenting discord and strife and to violate the laws of the Commonwealth of Virginia.

This public mischief and flaunting of the law could have been speedily suppressed by the local police but for the fact that agents of the Executive Department came from Washington to Danville and consorted and associated with and counseled these irresponsible elements in such a way as to seek to intimidate, to harass, and to impede local law enforcement agencies in the exercise of their powers and responsibilities. These malcontents succeeded in agitating the senseless minority of our Negroes to such an extent that demonstrations and violations of law were carried on for weeks.

The officers of the City of Danville, particularly the judge of the Corporation Court, the Commonwealth's attorney, the mayor of the city, and the chief of police, as well as the better element of both races, are to be commended for the sensible solutions they made of these problems despite the handicaps imposed by outsiders.

No government should surrender to the threat of the force of these demonstrators, rioters, and looters. The law should be enforced in such a manner that no city should have to cope with mobs gathered on the streets in violation of State and local laws and court injunctions.

Those who would disturb the peace and break our laws must be dealt with firmly and resolutely and in such fashion as to make them and all others like them know that lawlessness will not be tolerated in any locality in the United States of America. Instead of intimidating, harassing, and impeding our police officers, the government at all levels, local, State and national, should let these policemen know that they are expected to use whatever force is necessary to complete an arrest and to subjugate a criminal. At the same time, if help from the State or National Government is needed, the local authorities should be assured that it will be promptly forthcoming.

This nation was founded on the principle that observance of the law is the eternal safeguard of liberty. Defiance of the law is the surest way to tyranny. Few laws are generally loved by all citizens, but they are to be respected and not resisted. A man may disagree with the law, but he may not disobey it. We must have a government of laws, not of men.

We have been repeatedly warned by history that every society which became lawless soon decayed. The first evidence of this decay appeared in the toleration of disobedience of laws and the judgment of the courts. There now seems to be existing in this country a planned course of lawlessness that has already gotten out of hand and which must surely lead ultimately to a complete surrender to lawlessness.

We must forthwith put an end to the practice of minority group leaders who go about telling the dissatisfied element that they should obey the laws they favor and violate the ones they do not like. These men are a danger to our society. We have too great a country to stand idly by and allow lawless and irresponsible men to encourage lawless and riotous conduct.

At least one of the central issues in the question of law enforcement is the relative impotence of our system resulting primarily from the recent Supreme Court decisions, particularly the *Miranda* v. *Arizona* ruling regarding confessions. Commenting on it, Quinn Tamm, Executive Director of the International Association of Chiefs of Police, said:

"We are gratified with President Johnson's vigorous interest in having the police fight crime. At the same time, however, we must eliminate the paradox. We cannot have one hand of government turning the key on the criminal while the other hand opens the back door for his escape from punishment."

The *Miranda* ruling, as you know, dictates that, immediately upon apprehension, all suspects must be informed of their right to remain silent and their right to legal counsel, at public expense if they are unable to provide it for themselves. These guidelines are derived from an interpretation of the Fifth Amendment's provision that no person shall be compelled to bear witness against himself.

One of the most horrendous features of the recent Supreme Court decisions is the fact that this court, under Warren, for the first time in American history, has established procedure for the trial and conduct of criminal cases in State courts. In other words, the effect of these decisions has been to divest all our State courts of their time-honored authority and powers. If this trend continues unabated, our whole system of jurisprudence will become federalized.

Because of this ruling, according to an article appearing in the current issue of Reader's Digest, a mother who confessed to killing her four-year-old son with a broom stick had to be released. And when she thanked the judge, he replied, "Don't thank me. Thank the United States Supreme Court. You killed the child and you ought to go to jail."

The Federal Government must be compelled to stop coddling lawbreakers. Some jurists have raised the question as to whether the Bill of Rights interpretations by the Supreme Court do not seriously affect the delicate balance between the rights of individuals and those of society. The rights of law-abiding citizens should take precedence over the rights of criminals. When a crime is committed, the question in law should be whether or not the accused is guilty and what punishment is merited and not a determination as to whether or not the criminal had a lawyer before he confessed.

The *Miranda* ruling has had the effect of shifting the emphasis in the investigation of guilt or innocence from the suspect to the police. My friend, the distinguished Judge Alexander Holtzoff of the United States District Court in Washington, recently remarked:

"I must say that I sometimes feel, when I am trying a criminal case, as though I am in a topsy-turvy world: I am not trying the accused, I am trying the policeman."

The Warren Court has lost sight of the rights of the public and the rights of the victims of these criminals. Its recent decisions would appear to be based on the theory that society needs little protection from criminals, but criminals need much protection from law enforcement officers.

All lawyers and students of government recognize the importance of maintaining rules of evidence to protect the true constitutional rights of every person accused of crime. I would certainly not advocate the abolishment of rules of evidence that would hamper a person charged with crime in making an adequate defense. We do not wish to have a police state fastened upon our country. The acquittal of the innocent is as important in the building of a law-abiding, peaceful and prosperous community as is the conviction of the criminal. Rules of evidence, however, are distasteful where they work in such a way as to bring about the acquittal of persons known to be guilty.

The purpose of the administration of justice is the quest for truth. And, in keeping with this, the test of the validity of confessions is whether or not they are voluntarily given. These criteria seem particularly applicable today.

There are no indications that our law-abiding citizens need further protection from the police, while there is every indication that they need considerably more protection from the lawless. The statistics which I recited make it all too clear that the need today is for stronger law enforcement and more concern about the rights of the law-abiding.

In his dissenting opinion concerning the *Miranda* ruling, Mr. Justice Harlan commented that the thrust of it is "to negate all pressures, to reinforce the nervous or ignorant suspect, and ultimately to discourage any confession at all. The aid, in short, is toward 'voluntariness' in a Utopian sense, or, to view it from a different angle, voluntariness with a vengeance."

Enlightening the ignorant, protecting the nervous, and supplying the indigent with free legal counsel are admirable goals, but I propose that they are not functions of the criminal law of a society which falls as far short of Utopia as does our own. As the situation now stands, these goals are being accomplished at the expense of police effectiveness and public safety.

The Administration has responded to the crime crisis with the Safe Streets and Crime Control Bill, which has been renamed the Law Enforcement and Criminal Justice Assistance Bill by the House Judiciary Committee. Both of these titles are a misnomer, for it will do neither.

This bill would make a considerable amount of federal money available to State and local organizations for a variety of purposes including improved police equipment, construction of better facilities, rehabilitation programs, police-community relations programs, and more research. But it is feared by many, including myself, that it constitutes the first step to federal control of our State and local police.

Thus I have grave doubts as to the wisdom of this approach. First of all, when considering the prospect of massive federal aid to State and local law enforcement, we would do well to bear in mind the following observation of Supreme Court Justice Robert H. Jackson in a 1942 decision: "It is hardly lack of due process for the Government to regulate what it subsidizes." This is an area in which we can run no risk of the possibility of any form of federal regulation, even under the guise of the setting of standards.

The emphasis of the Administration bill is on equipment and rehabilitation, on research and understanding. The most effective method the Federal Government could employ to assist in the suppression of crime would be to support the States and localities in their efforts to enforce the law and to desist from the past practices of hindering and impeding them.

The House of Representatives recently passed by an overwhelming majority the anti-riot bill, H.R. 421. I introduced and proposed similar legislation in both the 88th and 89th Congresses, but inasmuch as these agitators were then operating only in the South, the Congress at that time turned a deaf ear and refused even to consider my proposal.

The country vitally needs the provisions of this measure, and it will prove an effective instrument with which to put an end to the racial troubles now shaking the nation. It does not constitute a usurpation of the powers of the State, but simply makes it a federal offense to cross State lines for the purpose of violating the laws of the States and localities.

There is nothing strange and novel about this legislative approach. Since 1910, Congress has enacted a substantial number of criminal laws to free interstate commerce of corruptive influence. To name a few, the Mann Act, the Fugitive Felon Act, and the law to make it a federal offense to transport stolen automobiles in interstate commerce.

The House Committee on the Judiciary, in reporting H.R. 421, recognized that law enforcement is a local responsibility and made it clear that this bill in no way impedes or usurps local law enforcement, but rather will give it force and support. By assuring federal investigative and prosecutive jurisdiction over "out-of-state" inciters, local authorities should be substantially fortified in their efforts to keep the peace.

Without exception, I feel that States are capable and desirous of enforcing the law on a local basis. This can be accomplished if they are protected from the vicious outside influences which snub our laws and ignore our community mores, resulting in the chaos prevalent in many sections. Our safety and our liberty depend on the excellence of local and State law enforcement.

I have been engaged in the practice of law almost 50 years. I have from time to time actively participated in the trial of many cases, both civil and criminal. As a result, I can proudly commend Virginia on the high type of court officials with which we have been blessed. I have had the privilege of close association with the judges and Commonwealth's attorneys, as well as police officers, who likewise deserve, as they no doubt have, the appreciation of our citizens.

I have held public office for more than 40 years, during which I have sought to serve in the highest public interest. I am cognizant of the honors which have been conferred upon me and the trusts imposed. I have been associated in public life with many of you and with others who are not here, a number of whom have passed on into the great beyond.

Among Virginia's greatest blessings has been the leadership of the late Senator H. F. Byrd. He loved Virginia and every foot of her soil. The governmental philosophy which he embraced and espoused is appreciated and lingers in the breasts of an overwhelming majority of Virginia peeple. His philosophy and his public record demonstrate that he sought always to promote improvement and desirable changes in government, but when it came to fundamentals, he rightly believed that these never changed. He remained steadfast and unmovable in his firm support of basic principles. God forbid that Virginians will ever become so unmindful of our glorious past as to abandon the beliefs and governmental practices to which we have adhered throughout the years and which have brought our Commonwealth to its present state of eminence.

Virginia is the cradle of the Republic. She stands high in the sisterhood of States and her government is admired throughout the land. Our Chambers of Commerce and our Virginia Industrial Commission in their successful efforts to bring new industry to Virginia have learned that the type of government we have has served to attract these new industries.

I trust that Virginia will never abandon the sound philosophy which has guided her in the past. I hope that our people will insist upon continuing capable and worthy leaders in the forefront of our Virginia government. Our fiscal policies have brought us distinction. We must preserve our pay-as-you-go system and remain free from substantial bonded indebtedness.

I hope that Virginia will continue a public leadership which will fight to hold such powers and responsibilities as remain with the States and localities and recapture the powers which have been unlawfully and unconstitutionally taken from the States by the National Government. This is essential for the preservation of good government at all levels.

If we are to preserve our form of government, our citizenship must take an active interest in public affairs.

In conclusion, there comes down to us an admonition in a beautiful passage from the literature of our Revolutionary period, the following words incorporated in that matchless instrumentality of freedom, the Virginia Bill of Rights:

"That no free government, or the blessings of liberty, can be preserved to any people but by a strict adherence to justice, moderation, temperance, frugality and virtue; and by a frequent recurrence to fundamental principles."

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